

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, FEBRUARY 12, 2013
10:00 A.M.

| <i>SOC – DECISIONS</i> | | |
|-------------------------------|------------------|---|
| 1. | 173-99-BZ | <p>Gerald J. Caliendo, R.A. 43-60 Ditmars Boulevard, Queens Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (<i>Matrix Fitness Club</i>) which expired on March 6, 2011; Amendment for an increase in floor area at the cellar level; waiver of the Rules. M-1 zoning district. Community Board #1Q</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 2/12/13</p> |
| 2. | 189-03-BZ | <p>Eric Palatnik, P.C. 836 East 233rd Street, Bronx Extension of Term of a previously granted special permit (§73-211) for the continued operation of an automotive service station (<i>Shell</i>) with an accessory convenience store (UG 16B) which expires on October 21, 2013; Extension of Time to obtain a Certificate of Occupancy which expired on October 21, 2008; Waiver of the Rules. C2-2/R-5 zoning district. Community Board #12BX</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Deferred Decision – 3/12/13</p> |

| <i>SOC – CONTINUED HEARINGS</i> | | |
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| 3. | 551-37-BZ | <p>Eric Palatnik, P.C. 233-02 Northern Boulevard, Queens Extension of Term (§11-411) of approved variance for the continued operation of an automobile repair shop (<i>Red's Auto Repair</i>) which expired on July 15, 2012; Waiver of the Rules. R1-2 zoning district. Community Board #11Q</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Continued Hearing – 3/19/13</p> |

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|--|------------------|--|
| 4. | 68-91-BZ | <p>Sheldon Lobel, P.C. 223-15 Union Turnpike, Queens Extension of Term (§11-411) of an approved variance which permitted the operation of an automotive service station (UG 16B) with accessory uses, which expired on May 19, 2012; Amendment §11-412) to permit the legalization of certain minor interior partition changes and a request to permit automotive repair services on Sundays; Waiver of the Rules. R5D/C1-2 & R2A zoning district. Community Board #11Q</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Closed, Decision – 3/12/13</p> |
| 5. | 18-02-BZ | <p>Rothkrug Rothkrug & Spector, LLP 8610 Flatlands Avenue, Brooklyn Extension of Term (§11-411) of an approved variance for the continued operation of an automotive laundry (UG 16B) which expired on August 13, 2012. C2-3/R5D zoning district. Community Board #18BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Continued Hearing – 3/12/13</p> |
| 6. | 141-06-BZ | <p>Eric Palatnik, P.C. 2084 60th Street, Brooklyn Extension of Time to complete construction of a previously approved variance (§72-21) permitting the construction of a three-story synagogue (<i>Congregation Tefiloh Ledovid</i>) which expired on June 19, 2011; Waiver of the Rules. R5 zoning district. Community Board #12BK</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Closed, Decision – 3/12/13</p> |

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| <i>APPEALS – DECISIONS</i> | | |
|-----------------------------------|----------|---|
| 7. | 103-12-A | Sheldon Lobel, P.C. 74-76 Adelphi Street, Brooklyn Appeal seeking a common law vested right to continue development commenced under the prior R6 zoning district. R5B zoning district. Community Board #2BK <hr/> Examiner: Toni Matias (212) 386-0085 <hr/> Status: Deferred Decision – 2/26/13 |
| 8. | 145-12-A | Law Offices of Marvin Mitzner LLC 339 West 29th Street, Manhattan Appeal challenging the determination of the Department of Buildings requiring the owner to obtain approval from the Landmarks Preservation Commission, prior to reinstatement and amendments of the permits. R8B zoning district. Community Board #4M <hr/> Examiner: Toni Matias (212) 386-0085 <hr/> Status: Denied – 2/12/13 |

| <i>APPEALS – CONTINUED HEARINGS</i> | | |
|--|----------|---|
| 9. | 144-12-A | Law Offices of Marvin Mitzner LLC 339 West 29th Street, Manhattan Appeal of the Multiple Dwelling Law pursuant to §310 to allow the enlargement to a five-story building, contrary to §171(2)(f). R8B zoning district. Community Board #4M <hr/> Examiner: Toni Matias (212) 386-0085 <hr/> Status: Closed, Decision – 4/23/13 |

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| <i>APPEALS – NEW CASES</i> | | |
|-----------------------------------|----------------|---|
| 10. | 10-10-A | New York City Board of Standards and Appeals 1882 East 12th Street, Brooklyn Reopening for a court remand to review the validity of the permit at issue in a prior vested rights application. Community Board #15BK |
| | | Examiner: Toni Matias (212) 386-0085 |
| | | Status: Continued Hearing – 4/9/13 |

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1:30 P.M.

| <i>BZ – DECISIONS</i> | | |
|------------------------------|------------------|---|
| 1. | 9-12-BZ | <p>Eric Palatnik, P.C. 186 Girard Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area (§23-141). R3-1 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 2/12/13</p> |
| 2. | 75-12-BZ | <p>Sheldon Lobel, P.C. 547 Broadway, Manhattan Variance (§72-21) to permit the legalization of retail use (UG 6) on the first floor and expand the use into the cellar and sub-cellar, contrary to use regulations (§42-14 (D)(2)(b)). M1-5B zoning district. Community Board #2M</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Deferred Decision – 2/26/13</p> |
| 3. | 291-12-BZ | <p>Rothkrug Rothkrug & Spector, LLP 301 West 125th Street, Manhattan Special permit (§73-36) to allow a physical culture establishment (<i>Blink</i>) within proposed commercial building. C4-4D zoning district. Community Board #10M</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Granted – 2/12/13</p> |
| 4. | 298-12-BZ | <p>Kramer Levin Naftalis & Frankel LLP 726-730 Broadway, Manhattan Variance (§72-21) to permit the conversion of nine floors of an existing ten-story building to Use Group 3 college or university use (<i>New York University</i>), contrary to use regulations. M1-5B zoning district. Community Board #2M</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Deferred Decision – 2/26/13</p> |

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| BZ – CONTINUED HEARINGS | | |
|--------------------------------|-----------------|---|
| 5. | 42-10-BZ | <p>Sheldon Lobel, P.C. 2170 Mill Avenue, Brooklyn Variance (§72-21) to allow for a mixed use building, contrary to use (§22-10), floor area, lot coverage, open space (§23-141), maximum dwelling units (§23-22), and height (§23-631) regulations. R3-1/C2-2 zoning district. Community Board #18BK Examiner: Ronald Rizzotti (212) 386-0081 Status: Continued Hearing – 4/9/13</p> |
| 6. | 1-12-BZ | <p>Law Office of Fredrick A. Becker 434 Sixth Avenue, Manhattan Special Permit (§73-36) for the operation of a physical culture establishment (<i>Moksha Yoga</i>) on the second floor of a six-story commercial building. C4-5 zoning district. Community Board #2M Examiner: Rory Levy (212) 386-0082 Status: Closed, Decision – 3/12/13</p> |
| 7. | 16-12-BZ | <p>Eric Palatnik, P.C. 184 Nostrand Avenue, Brooklyn Special Permit (§73-19) to allow for a school (<i>Congregation Adas Yereim</i>) contrary to use regulations (§42-00). M1-2 zoning district. Community Board #4BK Examiner: Ronald Rizzotti (212) 386-0081 Status: Adjourned, Continued Hearing – 3/12/13</p> |
| 8. | 55-12-BZ | <p>Eric Palatnik, P.C. 762 Wythe Avenue, Brooklyn Special Permit (§73-19) to permit the legalization of an existing Use Group 3 religious-based, non-profit school (<i>Kollel L'Horoah</i>), contrary to use regulations (§42-00). M1-2 zoning district. Community Board #1BK Examiner: Rory Levy (212) 386-0082 Status: Closed, Decision – 3/12/13</p> |

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| 9. | 56-12-BZ | <p>Eric Palatnik, P.C. 168 Norfolk Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, lot coverage and open space (§23-141); side yard (§23-461); and rear yard (§23-47) regulations. R3-1 zoning district. Community Board #4BK Examiner: Henry Segovia (212) 386-0074 Status: Continued Hearing – 3/5/13</p> |
| 10. | 67-12-BZ | <p>Sheldon Lobel, P.C. 1442 First Avenue, Manhattan Variance (§72-21) to allow for the extension of an eating and drinking establishment to the second floor, contrary to use regulations (§32-421). C1-9 zoning district. Community Board #8M Examiner: Ronald Rizzotti (212) 386-0081 Status: Closed, Decision – 3/19/13</p> |
| 11. | 82-12-BZ | <p>Law Office of Fredrick A. Becker 2011 East 22nd Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family semi-detached home, contrary to floor area, open space and lot coverage (§23-141); side yards (§23-461); perimeter wall height (§23-631) and less than the required rear yard (§23-47). R3-2 zoning district. Community Board #15BK Examiner: Henry Segovia (212) 386-0074 Status: Closed, Decision – 3/12/13</p> |
| 12. | 261-12-BZ | <p>Sheldon Lobel, P.C. 1 York Street, Manhattan Special Permit (§73-36) for the operation of a physical culture establishment (<i>Barry's Bootcamp</i>) on the first and cellar floors of existing building. C6-2A (TMU) zoning district. Community Board #1M Examiner: Rory Levy (212) 386-0082 Status: Granted – 2/12/13</p> |

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| <i>BZ – NEW CASES</i> | | |
|------------------------------|------------------|---|
| 13. | 149-12-BZ | <p>Alexander Levkovich 154 Girard Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and lot coverage (§23-141(b)) and less than the required rear yard (§23-47). R3-1 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Closed, Decision – 3/12/13</p> |
| 14. | 153-12-BZ | <p>Harold Weinberg, P.E. 24/34 Cobek Court, Brooklyn Special Permit (§73-36) to legalize a physical culture establishment (<i>Fight Factory Gym</i>). M1-1/OP zoning district. Community Board #13BK</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Continued Hearing – 3/19/13</p> |
| 15. | 199-12-BZ | <p>Sheldon Lobel, P.C. 1517 Bushwick Avenue, Brooklyn Variance (§72-21) to construct a self-storage facility, contrary to maximum permitted floor area regulations. C8-1 and R6 zoning districts. Community Board #4BK</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Continued Hearing – 3/19/13</p> |
| 16. | 306-12-BZ | <p>Eric Palatnik, P.C. 2955 Veterans Road West, Staten Island Special Permit (§73-36) to allow a physical culture establishment (<i>La Vida Massage</i>). M1-1 zoning district. Community Board #3SI</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Continued Hearing – 3/5/13</p> |

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