

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JANUARY 8, 2013

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>743-59-BZ</b>	Peter Hirshman <b>30 Park Avenue, Manhattan</b> Extension of Term of a previously approved variance (Section 7e 1916 zoning resolution and MDL Section 60 (1d)), which permitted 20 attended transient parking spaces, which expired on June 14, 2011; Waiver of the Rules. R10/R9X zoning district. <b>Community Board #6M</b> <b>Examiner: Carlo Costanza (212) 386-0068</b> <b>Status: Granted – 1/8/13</b>
<b>2.</b>	<b>165-91-BZ</b>	Law Offices of Stuart A. Klein <b>45 Williamsburg Street West, aka 32-46 Hooper Street, Brooklyn</b> Extension of Term of approved Special Permit (§73-19) which permitted the construction and operation of a school (UG 3) which expires on September 15, 2012. M1-2 zoning district. <b>Community Board #1BK</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Granted – 1/8/13</b>
<b>3.</b>	<b>107-06-BZ</b>	Rothkrug Rothkrug & Spector LLP <b>140 East 63<sup>rd</sup> Street, Manhattan</b> Amendment to previously granted Special Permit (§73-36) for the increase (693 square feet) of floor area of an existing Physical Culture Establishment ( <i>Equinox</i> ). C10-8X/R8B zoning district. <b>Community Board #8M</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Granted – 1/8/13</b>

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<b>SOC – CONTINUED HEARINGS</b>		
<b>4.</b>	<b>39-65-BZ</b>	<p>Eric Palatnik, P.C. <b>2701-2711 Knapp Street and 3124-3146 Vooaries Avenue, Brooklyn</b> Amendment of a previously-approved variance (§72-01) to convert repair bays to an accessory convenience store at a gasoline service station (<i>Sunoco</i>); Extension of Time to obtain a Certificate of Occupancy, which expired on January 11, 2000; and Waiver of the Rules. C3 zoning district. <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Closed, Decision – 2/5/13</b></p>
<b>5.</b>	<b>548-69-BZ</b>	<p>Eric Palatnik, P.C. <b>107-10 Astoria Boulevard, Queens</b> Extension of Term for a previously granted variance for the continued operation of a gasoline service station (<i>BP North America</i>) which expired on May 25, 2011; Waiver of the Rules. R3-2 zoning district <b>Community Board #3Q</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Closed, Decision – 1/29/13</b></p>
<b>6.</b>	<b>982-83-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector, LLP <b>191-20 Northern Boulevard, Queens</b> Extension of Time to obtain a Certificate of Occupancy of a previously granted variance for the continued operation of retail and office use (UG 6) which expired on July 19, 2012. R3-2 zoning district. <b>Community Board #11Q</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Adjourned, Continued Hearing – 2/5/13</b></p>
<b>7.</b>	<b>68-91-BZ</b>	<p>Sheldon Lobel, P.C. <b>223-15 Union Turnpike, Queens</b> 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 &amp; R2A zoning district. <b>Community Board #11Q</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Continued Hearing – 2/12/13</b></p>

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<b>8.</b>	<b>85-91-BZ</b>	<p>Carl A. Sulfaro, Esq. <b>204-18 46<sup>th</sup> Avenue, Queens</b> Extension of Term (§11-411) of a previously granted variance for a veterinarian’s office, accessory dog kennels and a caretaker’s apartment which expired on July 21, 2012; amendment to permit a change to the hours of operation and accessory signage. R3-1 zoning district. <b>Community Board #11Q</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Closed, Decision – 2/5/13</b></p>
<b>9.</b>	<b>189-03-BZ</b>	<p>Eric Palatnik, P.C. <b>836 East 233<sup>rd</sup> Street, Bronx</b> 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. <b>Community Board #12BX</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Closed, Decision – 2/12/13</b></p>
<b>10.</b>	<b>197-08-BZ</b>	<p>Stuart Klein, Esq. <b>341-349 Troy Avenue, aka 1515 Carroll Street, Brooklyn</b> Amendment to an approved variance (§72-21) to permit a four-story and penthouse residential building, contrary to floor area and open space (§23-141), units (§23-22), front yard (§23-45), side yard (§23-462), and height (§23-631). Amendment seeks to reduce the number of units and parking and increase the size of the rooftop mechanical equipment. R4 zoning district. <b>Community Board #9BK</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Adjourned, Continued Hearing – 2/26/13</b></p>

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<b><i>SOC – NEW CASES</i></b>		
<b>11.</b>	<b>410-68-BZ</b>	<p>Eric Palatnik, P.C. <b>85-05 Astoria Boulevard, Queens</b> Extension of Term (§11-411) of approved variance which permitted the operation of (UG16B) automotive service station (<i>Citgo</i>) with accessory uses, which expired on November 26, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on January 11, 2008; Waiver of the Rules. R3-2 zoning district. <b>Community Board #3Q</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Continued Hearing – 2/26/13</b></p>
<b>12.</b>	<b>136-06-BZ</b>	<p>Law Office of Fredrick A. Becker <b>11-15 Old Fulton Street, Brooklyn</b> Extension of Time to complete construction of a previously approved variance (§72-21) which permitted the residential conversion and one-story enlargement of three, four-story buildings. M2-1 zoning district. <b>Community Board #2BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Closed, Decision – 1/29/13</b></p>
<b>13.</b>	<b>208-08-BZ</b>	<p>Law Office of Fredrick A. Becker <b>2117-2123 Avenue M, Brooklyn</b> Extension of Time to Complete Construction of an approved special permit (§73-622) to permit the enlargement of an existing single family residence which expired on October 28, 2012. R2 zoning district. <b>Community Board #14BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Closed, Decision – 1/29/13</b></p>

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<b><i>APPEALS – DECISIONS</i></b>		
14.	95-12-A 96-12-A	<p>Fried Frank <b>2284 12<sup>th</sup> Avenue, Manhattan</b> Appeal from determination of the Department of Buildings regarding right to maintain existing advertising sign. M1-2 zoning district. <b>Community Board #9M</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Granted – 1/8/13</b></p>
15.	99-12-A 100-12-A	<p>Fried Frank <b>393 Canal Street, Manhattan</b> Appeal from determination of the Department of Buildings regarding right to maintain existing advertising signs. M1-5B zoning district. <b>Community Board #2M</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Withdrawn – 1/8/13 (Cal. #99-12-A)</b> <b>Denied – 1/8/13 (Cal. #100-12-A)</b></p>
16.	101-12-A	<p>Fried Frank <b>13-17 Laight Street, Manhattan</b> Appeal from determination of the Department of Buildings regarding right to maintain existing advertising sign. M1-5 zoning district. <b>Community Board #1M</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Denied – 1/8/13</b></p>

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<b>APPEALS – CONTINUED HEARINGS</b>		
17.	89-07-A 92-07-A thru 95-07-A	<p>Eric Palatnik, P.C. <b>460, 472, 476, 480Thornycroft Avenue and 281 Oakland Street, Staten Island</b> Proposal to build three two-family and one one-family homes located within the bed of a mapped street (Thornycroft Avenue), contrary to Section 35 of the General City Law. R3-2 Zoning district. <b>Community Board #3SI</b></p> <p style="color: green;"><b>Examiner: Toni Matias (212) 386-0085</b></p> <p style="color: red;"><b>Status: Continued Hearing – 2/26/13</b></p>
18.	103-12-A	<p>Sheldon Lobel, P.C. <b>74-76 Adelphi Street, Brooklyn</b> Appeal seeking a common law vested right to continue development commenced under the prior R6 zoning district. R5B zoning district. <b>Community Board #2BK</b></p> <p style="color: green;"><b>Examiner: Toni Matias (212) 386-0085</b></p> <p style="color: red;"><b>Status: Closed, Decision – 2/12/13</b></p>

<b>APPEALS – NEW CASES</b>		
19.	255-84-A	<p>Gary Lenhart, R.A. <b>95 Reid Avenue, Queens</b> Proposed enlargement of a community center (<i>Administration Security Building</i>) located partially in the bed of the mapped Rockaway Point Blvd, contrary to Article 35 of the General City Law. R4 zoning district. <b>Community Board #14Q</b></p> <p style="color: green;"><b>Examiner: Toni Matias (212) 386-0085</b></p> <p style="color: red;"><b>Status: Granted – 1/8/13</b></p>
20.	213-12-A	<p>Gary Lenhart, R.A. <b>900 Beach 184<sup>th</sup> Street, Queens</b> Proposed reconstruction and enlargement of existing single family dwelling located partially within the bed of the mapped street, contrary to Section 35 of the General City Law. R4 zoning district. <b>Community Board #14Q</b></p> <p style="color: green;"><b>Examiner: Toni Matias (212) 386-0085</b></p> <p style="color: red;"><b>Status: Granted – 1/8/13</b></p>

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<b><i>APPEALS – NEW CASES</i></b>		
21.	239-12-A	<p>Gary Lenhart, R.A. <b>38 Irving Walk, Queens</b> Proposed reconstruction and enlargement of existing single family dwelling not fronting a mapped street, contrary to Section 36 of the General City Law. The proposed upgrade of the existing non-conforming private disposal system located partially in the bed of the Service Road, contrary to Building Department policy. R4 zoning district. <b>Community Board #14Q</b> <b>Examiner: Toni Matias (212) 386-0085</b> <b>Status: Granted – 1/8/13</b></p>
22.	240-12-A	<p>Gary Lenhart, R.A. <b>217 Oceanside Avenue, Queens</b> Proposed reconstruction and enlargement of existing single family dwelling located partially in the bed of the mapped street, contrary to Section 35 of the General City Law. The proposed upgrade of the existing non-conforming private disposal system in the bed of the mapped street is contrary to Article 3 of the General City Law. R4 zoning district. <b>Community Board #14Q</b> <b>Examiner: Toni Matias (212) 386-0085</b> <b>Status: Granted – 1/8/13</b></p>

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TUESDAY AFTERNOON, JANUARY 8, 2013  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	<b>12-12-BZ &amp; 110-12-A</b>	<p>Greenberg Traurig, LLP <b>100 Varick Street, Manhattan</b> Variance (§72-21) for a new residential building with ground floor retail, contrary to use (§42-10) and height and setback (§§43-43 &amp; 44-43) regulations. Variance to §§26(7) and 30 of the Multiple Dwelling Law (pursuant to §310) to facilitate the new building, contrary to court regulations. M1-6 zoning district. <b>Community Board #2M</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Deferred Decision – 2/5/13</b></p>
2.	<b>73-12-BZ</b>	<p>Jeffrey Chester, Esq. <b>41-19 Bell Boulevard, Queens</b> Application for a special permit to legalize an existing physical culture establishment (<i>Lucille Roberts</i>). C2-2 zoning district. <b>Community Board #11Q</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Granted – 1/8/13</b></p>
3.	<b>156-12-BZ</b>	<p>Sheldon Lobel, P.C. <b>816 Washington Avenue, Brooklyn</b> Variance (§72-21) to permit construction of a mixed-use residential building with ground floor commercial use, contrary to minimum inner court dimensions (§23-851). C1-4/R7A zoning district. <b>Community Board #8BK</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Granted – 1/8/13</b></p>
4.	<b>189-12-BZ</b>	<p>Kramer Levin Naftalis &amp; Frankel, LLP <b>98 Montague Street, Brooklyn</b> Variance (§72-21) to permit the conversion of an existing building into a transient hotel (UG 5), contrary to use regulations (§22-00). C1-3/R7-1, R6 zoning districts. <b>Community Board #2BK</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Granted – 1/8/13</b></p>

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<b><i>BZ – DECISIONS</i></b>		
5.	<b>200-12-BZ</b>	<p>Sheldon Lobel, P.C. <b>154 Hester Street, Manhattan</b> Variance (§72-21) to permit the enlargement of UG4 house of worship (<i>The Overseas Chinese Mission</i>), contrary floor area (§109-121), lot coverage (§109-122) and enlargement of non-complying building (§54-31). C6-2 zoning district. <b>Community Board #2M</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Granted – 1/8/13</b></p>
6.	<b>209-12-BZ</b>	<p>The Law Offices of Stuart Klein <b>910 Manhattan Avenue, Brooklyn</b> Special Permit (§73-36) to permit the operation of a physical culture establishment. C4-3A zoning district. <b>Community Board #1BK</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Granted – 1/8/13</b></p>
7.	<b>212-12-BZ</b>	<p>Gerald J. Caliendo, R.A., AIA, <b>38-03 Bell Boulevard, Queens</b> Special Permit (§73-36) to permit a physical culture establishment (<i>Massage Envy</i>) in the cellar and first floor of the existing commercial building. C2-2/R6B zoning district. <b>Community Board #11Q</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Granted – 1/8/13</b></p>
8.	<b>241-12-BZ</b>	<p>Greenberg Traurig, LLP <b>8-12 Bond Street aka 358-364 Lafayette Street, Manhattan</b> Variance (§72-21) to permit the construction of a new mixed residential and retail building, contrary to use regulations (§42-10 and 42-14D(2)(b)). M1-5B zoning district. <b>Community Board #2M</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Deferred Decision – 2/5/13</b></p>

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<b><i>BZ – DECISIONS</i></b>		
<b>9.</b>	<b>258-12-BZ</b>	<p>Holland &amp; Knight, LLP  <b>113 East 90<sup>th</sup> Street, Manhattan</b>                      Variance (§72-21) to permit the conversion of two buildings into a single-family residence, contrary to lot coverage, minimum distance between buildings and minimum distance of legally required windows. R8B zoning district.  <b>Community Board #8M</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Granted – 1/8/13</b></p>
<b>10.</b>	<b>276-12-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector LLP  <b>833/45 Flatbush Avenue aka 2/12 Linden Boulevard, Brooklyn</b>                      Special Permit (§73-36) to permit a physical culture establishment (<i>Blink</i>) within portions of an existing commercial building. C2-4 zoning district.  <b>Community Board #14BK</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Granted – 1/8/13</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>11.</b>	<b>147-11-BZ</b>	<p>Sheldon Lobel, P.C.  <b>24-47 95<sup>th</sup> Street, Queens</b>                      Variance (§72-21) to permit the construction of a single-family, semi-detached residence, contrary to floor area (§23-141) and side yard (§23-461) regulations. R3-2 zoning district.  <b>Community Board #3Q</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Closed, Decision – 2/5/13</b></p>
<b>12.</b>	<b>157-11-BZ</b>	<p>Sheldon Lobel, P.C.  <b>1968 Second Avenue, Manhattan</b>                      Variance (§72-21) to allow for the legalization of an existing supermarket, contrary to rear yard (§33-261) and loading berth (§36-683) requirements. C1-5/R8A and R7A zoning districts.  <b>Community Board #11M</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Closed, Decision – 2/26/13</b></p>
<b>13.</b>	<b>55-12-BZ</b>	<p>Eric Palatnik, P.C.  <b>762 Wythe Avenue, Brooklyn</b>                      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.  <b>Community Board #1BK</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Continued Hearing – 2/12/13</b></p>
<b>14.</b>	<b>63-12-BZ</b>	<p>Sheldon Lobel, P.C.  <b>2701 Avenue N, Brooklyn</b>                      Variance (§72-21) to permit the construction of a Use Group 4A House of Worship (<i>Khal Bnei Avrohom Yaakov</i>), which is contrary to floor area (24-11), lot coverage, front yard (24-34), side yard (24-35a) parking (25-31), height (24-521), and setback requirements. R2 zoning district.  <b>Community Board #14BK</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Continued Hearing – 2/26/13</b></p>

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15.	72-12-BZ	<p>Watchtel Masyr &amp; Missry, LLP <b>213-223 Flatbush Avenue, Brooklyn</b> Variance (§72-21) to allow for the construction of a new mixed use building, contrary to off-street parking (§25-23), floor area, open space, lot coverage (§23-145), maximum base height and maximum building height (§23-633) regulations. R7A/C2-4 and R6B zoning districts. <b>Community Board #6BK</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Adjourned, Continued Hearing – 4/9/13</b></p>
16.	82-12-BZ	<p>Law Office of Fredrick A. Becker <b>2011 East 22<sup>nd</sup> Street, Brooklyn</b> 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. <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Continued Hearing – 2/12/13</b></p>
17.	115-12-BZ	<p>Sheldon Lobel, P.C. <b>701/745 64<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-44) to allow for a reduction in parking from 331 to 221 spaces in an existing building proposed to be used for ambulatory diagnostic or treatment facilities in Use Group 6 parking category B1. C4-2A zoning district. <b>Community Board #4BK</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Closed, Decision – 1/29/13</b></p>
18.	235-12-BZ	<p>Slater &amp; Beckerman, LLP <b>2771 Knapp Street, Brooklyn</b> Special Permit (§73-242) to allow a one-story building to be used as four eating and drinking establishments (Use Group 6), contrary to use regulations (§32-00). C3 zoning district. <b>Community Board #15BK</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Continued Hearing – 2/5/13</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, JANUARY 8, 2013  
1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>19.</b>	<b>1-12-BZ</b>	<p>Law Office of Fredrick A. Becker <b>434 Sixth Avenue, Manhattan</b> 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. <b>Community Board #2M</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Continued Hearing – 2/12/13</b></p>
<b>20.</b>	<b>261-12-BZ</b>	<p>Sheldon Lobel, P.C. <b>1 York Street, Manhattan</b> 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. <b>Community Board #1M</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Continued Hearing – 2/12/13</b></p>
<b>21.</b>	<b>280-12-BZ</b>	<p>Law Office of Fredrick A. Becker <b>1249 East 28<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R2 zoning district. <b>Community Board #14BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Continued Hearing – 2/5/13</b></p>
<b>22.</b>	<b>298-12-BZ</b>	<p>Kramer Levin Naftalis &amp; Frankel LLP <b>726-730 Broadway, Manhattan</b> 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. <b>Community Board #2M</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Closed, Decision – 2/12/13</b></p>

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