

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, JULY 23, 2013
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	27-05-BZ	<p>Sheldon Lobel, P.C. 91-11 Roosevelt Avenue, 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 April 18, 2011; Amendment to permit the legalization of site layout and operational changes; Waiver of the Rules. C2-4/R6 zoning district. Community Board #3Q</p> <p style="color: green;">Examiner: Carlo Costanza (212) 386-0068</p> <p style="color: red;">Status: Closed, Decision – 8/13/13</p>

<i>SOC – NEW CASES</i>		
2.	327-88-BZ	<p>Eric Palatnik, P.C. 136-36 39th Avenue aka 136-29 & 136-35A Roosevelt Avenue, Queens Amendment to a previously granted variance (§72-21) to legalize the addition of a 2,317 square foot mezzanine in a UG 6 eating and drinking establishment (<i>Jade Asian Restaurant</i>). C4-3 zoning district. Community Board #7Q</p> <p style="color: green;">Examiner: Henry Segovia (212) 386-0074</p> <p style="color: red;">Status: Continued Hearing – 9/10/13</p>

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<i>APPEALS – DECISIONS</i>		
3.	10-10-A	<p>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</p> <hr/> <p>Examiner: Toni Matias (212) 386-0085</p> <hr/> <p>Status: Granted – 7/23/13</p>
4.	345-12-A	<p>Mallin & Cha, P.C. 303 West Tenth Street/150 Charles Street, Manhattan Appeal challenging DOB's determination that developer is in compliance with §15-41 (Enlargement of Converted Buildings). C6-2 zoning district. Community Board #2M</p> <hr/> <p>Examiner: Toni Matias (212) 386-0085</p> <hr/> <p>Status: Denied – 7/23/13</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
5.	89-07-A, 92-07-A thru 95-07-A	<p>Eric Palatnik, P.C. 460, 472, 476, 480Thornycroft Avenue and 281 Oakland Street, Staten Island</p> <p>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. Community Board #3SI</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Closed, Decision – 8/13/13</p>
6.	245-12-A & 246-12-A	<p>Law Offices of Marvin B. Mitzner LLC. 515 East 5th Street, Manhattan</p> <p>Appeal pursuant to Section 310(2) of the Multiple Dwelling Law. Application seeking a determination that the owner of the property has acquired a common law vested right to complete construction under the prior R7-2 zoning. R7B zoning district. Community Board #3M</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Closed, Decision – 9/10/13</p>
7.	317-12-A	<p>Eric Palatnik, P.C. 40-40 27th Street, Queens</p> <p>Appeal seeking common law vested rights to continue construction commenced under the prior M1-3D zoning district regulations. M1-2/R5B zoning district. Community Board #1Q</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Closed, Decision – 8/20/13</p>

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<i>APPEAL – NEW CASES</i>		
8.	220-10-BZY	<p>Goldman Harris LLC 77, 79, 81 Rivington Street, a/k/a 139, 141 Orchard Street, Manhattan</p> <p>Extension of time to complete construction (§11-332) and obtain a Certificate of Occupancy of a previous vested rights approval, which expires on March 15, 2013. Prior zoning district C6-1. C4-4A zoning district.</p> <p>Community Board #3M</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Closed, Decision – 8/20/13</p>
9.	272-12-A	<p>Michael Cetera 1278 Carroll Street, Brooklyn</p> <p>Appeal challenging Department of Buildings’ determination that an existing non-conforming single family home may not be enlarged per §52-22. R2 zoning district.</p> <p>Community Board #9BK</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Closed, Decision – 9/17/13</p>
10.	127-13-A	<p>Law Offices of Marvin B. Mitzner, LLC 332 West 87th Street, Manhattan</p> <p>Appeal under Section 310 of the Multiple Dwelling Law to vary MDL Sections 171-2(a) and 2(f) to allow for a vertical enlargement of a residential building. R8 zoning district.</p> <p>Community Board #7M</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Closed, Decision – 8/20/13</p>
11.	190-13-A	<p>Zygmunt Staszewski 107 Arcadia Walk, Queens</p> <p>Proposed reconstruction of a single-family dwelling in the bed of a mapped street, contrary to Article 3, Section 35 of the General City Law, and the proposed upgrade of an existing septic system contrary to DOB policy. R4 zoning district.</p> <p>Community Board #14Q</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Granted – 7/23/13</p>

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<i>BZ – DECISIONS</i>		
1.	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</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <hr/> <p>Status: Deferred Decision – 9/10/13</p>
2.	59-12-BZ/ 60-12-A	<p>Mitchell S. Ross, Esq. 240-27 Depew Avenue, Queens Variance (§72-21) to allow the enlargement of an existing home, contrary to front yard (§23-45) regulations. Proposed construction is also located within a mapped but unbuilt portion of a street, contrary to General City Law Section 35. R1-2 zoning district. Community Board #11Q</p> <hr/> <p>Examiner: Henry Segovia (212) 386-0074</p> <hr/> <p>Status: Deferred Decision – 8/20/13</p>
3.	242-12-BZ	<p>Sheldon Lobel, P.C. 1621-1629 61st Street, Brooklyn Variance (§72-21) to permit the construction of a Use Group 4A house of worship (<i>Congregation Toldos Yehuda</i>), contrary to height, setback, sky exposure plane, rear yard, and parking requirements. M1-1 zoning district. Community Board #12BK</p> <hr/> <p>Examiner: Rory Levy (212) 386-0082</p> <hr/> <p>Status: Granted – 7/23/13</p>
4.	5-13-BZ	<p>Goldman Harris LLC 34-47 107th Street, Queens Variance (§72-21) to permit the construction of an education center (UG 3A) in connection with an existing community facility (<i>Louie Armstrong House Museum</i>), contrary to lot coverage (§24-11/24-12), front yard (§24-34), side yard (§24-35), side yard setback (§24-551), and planting strips (§24-06/26-42). R5 zoning district. Community Board #3Q</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <hr/> <p>Status: Granted – 7/23/13</p>

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5.	99-13-BZ	<p>Rothkrug Rothkrug & Spector LLP 32-27 Steinway Street, Queens Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>Blink</i>) within a two-story commercial building. C4-2A zoning district. Community Board #1Q</p> <p style="color: green;">Examiner: Rory Levy (212) 386-0082</p> <p style="color: red;">Status: Granted – 7/23/13</p>
6.	102-13-BZ	<p>Law Office of Fredrick A. Becker 28-30 Avenue A, Manhattan Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>New York Sports Club</i>) within a five-story commercial building. C2-5 (R7A/R8B) zoning district. Community Board #3M</p> <p style="color: green;">Examiner: Rory Levy (212) 386-0082</p> <p style="color: red;">Status: Granted – 7/23/13</p>

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<i>BZ – CONTINUED HEARINGS</i>		
7.	35-11-BZ	<p>The Law Office of Fredrick A. Becker 226-10 Francis Lewis Boulevard, Queens Variance (§72-21) to allow for the enlargement of an existing synagogue (<i>Congregation Obel</i>), contrary to floor area, lot coverage (§24-11), front yard (§24-34), side yard (§24-35), rear yard (§24-36) and parking (§25-31). R2A zoning district. Community Board #13Q Examiner: Ronald Rizzotti (212) 386-0081 Status: Closed, Decision – 9/17/13</p>
8.	50-12-BZ	<p>Gerald J. Caliendo, R.A., AIA 177-60 South Conduit Avenue, Queens Variance (§72-21) to allow for the construction of a commercial building, contrary to use regulations (§22-00). R3-2 zoning district. Community Board #12Q Examiner: Ronald Rizzotti (212) 386-0081 Status: Adjourned, Continued Hearing – 8/20/13</p>
9.	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 Examiner: Ronald Rizzotti (212) 386-0081 Status: Continued Hearing – 9/10/13</p>
10.	259-12-BZ	<p>Davidoff Hatcher & Citron LLP 5241 Independence Avenue, Bronx Variance (§72-21) to permit the development of a single-family house, contrary to lot width requirement (§23-32). R1-1, NA-2 zoning district. Community Board #8BX Examiner: Henry Segovia (212) 386-0074 Status: Continued Hearing – 9/10/13</p>

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<i>BZ – NEW CASES</i>		
11.	54-12-BZ	<p>Gerald J. Caliendo, R.A., AIA 65-39 102nd Street, Queens Variance (§72-21) to permit for the construction of a community facility and residential building, contrary to lot coverage (§23-141), lot area (§§23-32, 23-33), front yard (§§23-45, 24-34), side yard (§§23-46, 24-35) and side yard setback (§24-55) regulations. R5 zoning district. Community Board #6Q</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Continued Hearing – 9/10/13</p>
12.	62-12-BZ	<p>Akerman Senterfitt LLP 614/618 Morris Avenue, Bronx Variance (§72-21) to permit the construction of commercial building, contrary to use regulations (§22-00). R7-1 zoning district. Community Board #1BX</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Continued Hearing – 10/8/13</p>
13.	86-13-BZ	<p>Eric Palatnik, P.C. 65-43 171st Street, Queens Special Permit (§73-621) to allow the enlargement of an existing single-family home, contrary to open space ratio and floor area (§23-141) regulations. R2 zoning district. Community Board #8Q</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Closed, Decision – 8/20/13</p>
14.	101-13-BZ	<p>Dennis D. Dell'Angelo 1271 East 23rd Street, Brooklyn Special Permit (§73-622) to allow the enlargement of an existing single family home, contrary to open space and floor area (§23-141), side yards (§23-461), and less than the required rear yard (§23-47). R2 zoning district. Community Board #14BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Closed, Decision – 8/20/13</p>

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