

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, JUNE 4, 2013
10:00 A.M.

| <i>SOC – DECISIONS</i> | | |
|-------------------------------|------------------|--|
| 1. | 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: Granted – 6/4/13</p> |
| 2. | 135-46-BZ | <p>Eric Palatnik, P.C. 3802 Avenue U, Brooklyn Extension of Term (§11-411) of approved variance which permitted an automotive service station (UG 16B) with accessory uses, which expired on January 29, 2012, and an amendment (§11-413) to convert the use to auto laundry (UG 16B) hand car wash; waiver for the Rules. R4 zoning district. Community Board #18BK</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Granted – 6/4/13</p> |
| 3. | 93-08-BZ | <p>Rothkrug Rothkrug & Spector LLP 112-12/24 Astoria Boulevard, Queens Extension of Time to Complete Construction of a Variance (§72-21) for the construction of a six-story transient hotel (UG 5) which expired on January 13, 2013; Amendment to construct a sub-cellar. R6A zoning district. Community Board #3Q</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Granted – 6/4/13</p> |
| 4. | 130-88-BZ | <p>Sheldon Lobel, P.C. 1007 Brooklyn Avenue, aka 3602 Snyder Avenue, Brooklyn Extension of Term of approved Special Permit (§73-211) for the continued operation of UG 16B gasoline service station (<i>Gulf</i>) which expired on January 24, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on October 12, 2003; Waiver of the Rules. C2-2/R4 zoning district. Community Board #17BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 6/4/13</p> |

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| 5. | 328-02-BZ | <p>The Law Office of Fredrick A. Becker 3 Park Avenue, Manhattan Extension of Term of a previously granted special permit (§73-36) for the continued operation of a Physical Culture Establishment (<i>New York Sports Club</i>) which expired on January 1, 2013. C5-3/C1-9 zoning district. Community Board #5M Examiner: Henry Segovia (212) 386-0074 Status: Granted – 6/4/13</p> |

| <i>SOC – CONTINUED HEARINGS</i> | | |
|--|-----------------|--|
| 6. | 30-02-BZ | <p>The Law Office of Fredrick A. Becker 502 Park Avenue, Manhattan Extension of Term of a previously granted special permit (§73-36) for the continued operation of a physical culture establishment (<i>New York City Sports Club</i>) which expired on July 23, 2012; Amendment to permit the modification of approved hours and signage; Waiver of the Rules. C5-3, C5-2.5(Mid) zoning district. Community Board # 8M Examiner: Henry Segovia (212) 386-0074 Status: Closed, Decision – 6/18/13</p> |
| 7. | 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 Examiner: Carlo Costanza (212) 386-0068 Status: Continued Hearing – 6/18/13</p> |

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|--|------------------|---|
| 8. | 197-08-BZ | <p>Stuart Klein, Esq. 341-349 Troy Avenue, aka 1515 Carroll Street, Brooklyn 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. Community Board #9BK</p> <hr/> <p>Examiner: Rory Levy (212) 386-0082</p> <hr/> <p>Status: Closed, Decision – 6/18/13</p> |

| <i>SOC – NEW CASES</i> | | |
|-------------------------------|------------------|--|
| 9. | 608-70-BZ | <p>Walter T. Gorman, P.E., P.C. 351-361 Neptune Avenue, Brooklyn Amendment (§11-412) to convert the previously granted UG16B automotive service station to a UG6 eating and drinking establishment (<i>Dunkin' Donuts</i>). R6 zoning district. Community Board #13BK</p> <hr/> <p>Examiner: Henry Segovia (212) 386-0074</p> <hr/> <p>Status: Continued Hearing – 7/16/13</p> |
| 10. | 240-01-BZ | <p>Rothkrug Rothkrug & Spector, LLP 110/23 Church Street, Manhattan Extension of term of a Special Permit (§73-36) for a physical culture establishment, which expired on December 17, 2012. C6-4(LM) zoning district. Community Board #1M</p> <hr/> <p>Examiner: Carlo Costanza (212) 386-0068</p> <hr/> <p>Status: Closed, Decision – 7/9/13</p> |

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| <i>APPEALS – DECISIONS</i> | | |
|-----------------------------------|----------|--|
| 11. | 251-12-A | <p>Davidoff Hutcher & Citron LLP 330 East 59th Street, Manhattan Appeal from Department of Buildings' determination that a sign is not entitled to continued non-conforming use status as an advertising sign. C2-5 Zoning District. Community Board # 6M</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Denied – 6/4/13</p> |
| 12. | 256-12-A | <p>Davidoff Hutcher & Citron LLP 195 Havemeyer Street, Brooklyn Appeal challenging Department of Buildings' determination that a sign is not entitled to continued non-conforming use status as an advertising sign. C4-3 zoning district. Community Board #1BK</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Denied – 6/4/13</p> |
| 13. | 267-12-A | <p>Davidoff Hutcher & Citron LLP 691 East 133rd Street, Bronx Appeal from Department of Buildings' determination that the sign is not entitled to continued non-conforming use status as an advertising sign. M1-2 & R6A zoning district. Community Board #1BX</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Denied – 6/4/13</p> |

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| <i>APPEALS – CONTINUED HEARINGS</i> | | |
|--|---------------------------------------|---|
| 14. | 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.</p> <p>Community Board #3SI</p> <hr/> <p>Examiner: Toni Matias (212) 386-0085</p> <hr/> <p>Status: Continued Hearing – 7/23/13</p> |
| 15. | 346-12-A | <p>Eric Palatnik, P.C. 179-181 Woodpoint Road, Brooklyn</p> <p>Appeal seeking common law vested rights to continue construction commenced under the prior R6 zoning district regulations. R6B zoning district.</p> <p>Community Board #1BK</p> <hr/> <p>Examiner: Toni Matias (212) 386-0085</p> <hr/> <p>Status: Adjourned, Continued Hearing – 6/18/13</p> |

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| <i>APPEAL – NEW CASES</i> | | |
|----------------------------------|---|--|
| 16. | 308-12-A | <p>Francis R. Angelino, Esq. 39-27 29th Street, Queens</p> <p>Request that the owner has a common law vested right to continue construction and obtain a Certificate of Occupancy under the prior M1-3 zoning district. M1-2/R5D zoning district.</p> <p>Community Board #1Q</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Continued Hearing – 7/9/13</p> |
| 17. | 111-13-BZY thru 119-13-BZY | <p>Sheldon Lobel, P.C. 5031, 5021 Grosvenor Avenue, Lots 50, 60, 70 5030 Grosvenor Avenue, Block 5830, Lot 3930 5310 Grosvenor Avenue, Block 5839, Lot 4018 5300 Grosvenor Avenue, Block 5839, Lot 4025 5041 Goodridge Avenue, Block 5830, Lot 3940 5040 Goodridge Avenue, Block 5829, Lot 3635 5030 Goodridge Avenue, Block 5829, Lot 3630 Bronx</p> <p>Extension of time (§11-332b) to complete construction of a major development commenced under the prior Special Natural Area zoning district regulations in effect on October 2004. R1-2/NA-2 zoning district.</p> <p>Community Board #8BX</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Closed, Decision – 7/9/13</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> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Deferred Decision – 7/23/13</p> |
| 2. | 43-12-BZ | <p>Watchtel Masyr & Missry, LLP 25 Great Jones Street, Manhattan Variance (§72-21) to permit a residential building, contrary to use regulations (§42-00). M1-5B zoning district. Community Board #2M</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Closed, Decision – 9/10/13</p> |
| 3. | 138-12-BZ | <p>Harold Weinberg, P.E. 2051 East 19th Street, Brooklyn Special Permit (§73-622) for the legalization of an enlargement to a single family residence, contrary to side yard requirement (§23-461). R-5 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 6/4/13</p> |
| 4. | 206-12-BZ | <p>George Guttman 2373 East 70th Street, Brooklyn Special Permit (§73-621) to legalize the conversion of the garage into recreation space, contrary to floor area regulations (§23-141). R3-1 zoning district. Community Board #18BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Withdrawn – 6/4/13</p> |

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| 5. | 74-13-BZ | <p>Rothkrug Rothkrug & Spector LLP. 308/12 8th Avenue, 252/66 West 26th Street, Manhattan Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>Blink Fitness</i>). C6-2A zoning district. Community Board #4M</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Granted – 6/4/13</p> |

| <i>BZ – CONTINUED HEARINGS</i> | | |
|---------------------------------------|------------------------------------|---|
| 6. | 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 Oheb</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</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Adjourned, Continued Hearing – 6/18/13</p> |
| 7. | 195-12-BZ | <p>Law Office of Eduardo J. Diaz 108-15 Cross Bay Boulevard, Queens Re-instatement (§11-411) of a previously approved variance which allowed a two-story office building (UG6) and four parking spaces, which expired on May 13, 2000. Waiver of the Rules. R4 zoning district. Community Board #10BK</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Continued Hearing – 7/9/13</p> |
| 8. | 13-13-BZ & 14-13-BZ | <p>Slater & Beckerman, P.C. 98 & 96 DeGraw Street, Brooklyn Variance (§72-21) to allow two single-family residential buildings, contrary to use regulations (§42-00). M1-1 zoning district. Community Board #6BK</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Continued Hearing – 7/9/13</p> |

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| 9. | 62-13-BZ | <p>Sheldon Lobel, P.C. 2703 East Tremont Avenue, Bronx Special Permit (§73-243) to legalize the existing eating and drinking establishment (<i>Wendy's</i>) with an accessory drive-through facility. C1-2/R6 zoning district. Community Board #10BX</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Closed, Decision – 7/9/13</p> |
| 10. | 63-13-BZ | <p>Sheldon Lobel, P.C. 11-11 44th Drive, Queens Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>The Cliffs</i>). M1-4/R7A (LIC) zoning district. Community Board #2Q</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Closed, Decision – 6/18/13</p> |

| <i>BZ – NEW CASES</i> | | |
|------------------------------|------------------|---|
| 11. | 236-12-BZ | <p>Rothkrug Rothkrug & Spector LLP 1487 Richmond Road, Staten Island Variance (§72-21) to permit the extension of an existing medical office, contrary to use (§ 22-10) and side yard regulations (§24-35). R2 zoning district. Community Board #2SI</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Continued Hearing – 7/9/13</p> |
| 12. | 50-13-BZ | <p>Lewis E. Garfinkel 1082 East 24th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and open space (§23-141); side yard (§23-461); and rear yard (§23-47) regulations. R2 zoning district. Community Board #14BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Continued Hearing – 7/9/13</p> |

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|------------------------------|----------|---|
| 13 | 57-13-BZ | <p>Eric Palatnik, P.C. 282 Beaumont Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141); and rear yard (§23-47) regulations. R3-1 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Continued Hearing – 7/9/13</p> |
| 14. | 84-13-BZ | <p>Rothkrug Rothkrug & Spector LLP 184 Kent Avenue, Brooklyn Special Permit (§73-36) to allow a physical culture establishment (<i>SoulCycle</i>) within portions of an existing cellar and seven-story mixed-use building. C2-4/R6 zoning district. Community Board #1BK</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Continued Hearing – 7/9/13</p> |
| 15. | 85-13-BZ | <p>Rothkrug Rothkrug & Spector LLP 250 Utica Avenue, Brooklyn Special Permit (§73-36) to allow a physical culture establishment (<i>Blink Fitness</i>) within existing building. C4-3/R6 zoning district. Community Board #8BK</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Closed, Decision – 7/9/13</p> |

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