

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, MARCH 5, 2013  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>130-88-BZ</b>	<p>Sheldon Lobel, P.C. <b>1007 Brooklyn Avenue aka 3602 Snyder Avenue, Brooklyn</b> 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. <b>Community Board #17BK</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Continued Hearing – 4/16/13</b></p>
<b>2.</b>	<b>211-00-BZ</b>	<p>Sheldon Lobel, P.C. <b>252 Norman Avenue, Brooklyn</b> Extension of Time to complete construction of a previously approved variance (§72-21) which permitted the legalization of residential units on the second through fourth floors of a mixed use (UG 17 &amp; 2) four-story building, which expired on April 17, 2005; Amendment for minor modification to the approved plans; Waiver of the Rules. M1-2 zoning district. <b>Community Board #1BK</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Continued Hearing – 4/9/13</b></p>

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<b><i>SOC – NEW CASES</i></b>		
<b>3.</b>	<b>364-82-BZ</b>	Troutman Sanders LLP <b>245-24 Horace Harding Expressway, Queens</b> Extension of Term of a previously-granted Variance (§72-21) for the continued operation of a physical culture establishment ( <i>Bally's Total Fitness</i> ) which expired on January 18, 2013. C1-2/R3-2 zoning district. <b>Community Board #11Q</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Closed, Decision – 4/9/13</b>
<b>4.</b>	<b>62-99-BZ</b>	Akerman Senterfitt LLP <b>541 Lexington Avenue, Manhattan</b> Extension of Term of a previously-approved Special Permit (§73-36) for the continued operation of a physical cultural establishment ( <i>Bliss</i> ) which expired on January 31, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on February 1, 2004; Waiver of Rules. C6-6 zoning district. <b>Community Board #6M</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Continued Hearing – 4/9/13</b>

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TUESDAY MORNING, MARCH 5, 2013  
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<b><i>APPEAL – NEW CASES</i></b>		
<b>5.</b>	<b>292-12-A</b>	<p>Gary Lenhart, R.A. <b>19 Marion Walk, Queens</b> Proposed reconstruction and enlargement of the existing single family dwelling located partially in the bed of a mapped street, contrary to Article 3, Section 35 of the General City Law; proposed upgrade of the existing private disposal system in the bed of the mapped street, contrary to Article 3, 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: Postponed Hearing – 3/19/13</b></p>
<b>6.</b>	<b>326-12-A thru 337-12-A</b>	<p>Gibson Dunn Appeals challenging the Department of Buildings determination to revoke 12 permits previously issued permitting business accessory signs on the basis that they appear to be advertising signs. <b><u>Borough of Manhattan</u></b> <b>52 Canal Street, C6-2 zoning district (CB 3)</b> <b>1560 Second Avenue, C1-9 zoning district (CB 8)</b> <b>2061 Second Avenue, R8A zoning district (CB 11)</b> <b>2240 First Avenue, R7X zoning district (CB 11)</b> <b>160 East 25th Street, C2-8 zoning district (CB 6)</b> <b>289 Hudson Street, C6-2A zoning district (CB 9)</b> <b>127 Ludlow Street, C4-4A zoning district (CB 3)</b> <b>1786 Third Avenue, R8A zoning district (CB 11)</b> <b>17 Avenue B, R7A zoning district (CB 3)</b> <b>173 Bowery, C6-1 zoning district (CB 3)</b> <b>240 Sullivan Street, R7-2 zoning district (CB 2)</b> <b>361 Third Avenue, C1-6A zoning district (CB 3)</b></p> <p style="color: green;"><b>Examiner: Toni Matias (212) 386-0085</b></p> <p style="color: red;"><b>Status: Closed, Decision – 4/23/13</b></p>

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<b><i>BZ – DECISIONS</i></b>		
1.	<b>161-12-BZ</b>	<p>Francis R. Angelino, Esq. <b>81 East 98<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-36) to allow a physical culture establishment (<i>Retro Fitness</i>) on the ground and second floor of an existing building. C8-2 zoning district. <b>Community Board #16BK</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Granted – 3/5/13</b></p>
2.	<b>235-12-BZ</b>	<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: Deferred Decision – 5/21/13</b></p>
3.	<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: Granted – 3/5/13</b></p>
4.	<b>257-12-BZ</b>	<p>Law Office of Fredrick A. Becker <b>2359 East 5<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 and lot coverage (§23-141); side yard (§23-461) and less than the required rear yard (§23-47). R4 (OP) zoning district. <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Granted – 3/5/13</b></p>

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<b><i>BZ – DECISIONS</i></b>		
<b>5.</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> <b>Status: Granted – 3/5/13</b></p>
<b>6.</b>	<b>296-12-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector, LLP <b>2374 Grand Concourse, Bronx</b> Special Permit (§73-36) to allow a physical culture establishment (<i>Blink Fitness</i>) within existing building. C4-4 zoning district. <b>Community Board #5BX</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b> <b>Status: Granted – 3/5/13</b></p>

<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>7.</b>	<b>56-12-BZ</b>	<p>Eric Palatnik, P.C. <b>168 Norfolk Street, Brooklyn</b> 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. <b>Community Board #4BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Continued Hearing – 3/19/13</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
8.	<b>57-12-BZ</b>	<p>Eric Palatnik, P.C. <b>2670 East 12<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 and lot coverage (§23-141); side yards (§23-461); less than the required rear yard (§23-37). R4 zoning district. <b>Community Board #15BK</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Closed, Decision – 4/9/13</b></p>
9.	<b>148-12-BZ</b>	<p>Eric Palatnik, P.C. <b>981 East 29<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-621) for the enlargement of an existing single family semi-detached residence, contrary to floor area, lot coverage and open space (ZR23-141(b)). R4 zoning district. <b>Community Board #14BK</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Continued Hearing – 4/9/13</b></p>
10.	<b>294-12-BZ</b>	<p>Eric Palatnik, P.C. <b>130 Clinton Street, Brooklyn</b> Special Permit (§73-36) to allow a physical culture establishment (<i>Everyday Athlete</i>). C5-2A/DB special zoning district. <b>Community Board #2BK</b> <b>Examiner: Rory Levy (212) 386-0082</b> <b>Status: Closed, Decision – 4/9/13</b></p>
11.	<b>306-12-BZ</b>	<p>Eric Palatnik, P.C. <b>2955 Veterans Road West, Staten Island</b> Special Permit (§73-36) to allow a physical culture establishment (<i>La Vida Massage</i>). M1-1 zoning district. <b>Community Board #3SI</b> <b>Examiner: Rory Levy (212) 386-0082</b> <b>Status: Granted – 3/5/13</b></p>

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<b><i>BZ – NEW CASES</i></b>		
12.	<b>284-12-BZ</b>	<p>Sheldon Lobel, P.C. <b>2047 East 3rd Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single-family home, contrary to floor area (§23-141) and perimeter wall height (§23-631) requirements. R2X (OP) zoning district. <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Continued Hearing – 4/9/13</b></p>
13.	<b>313-12-BZ</b>	<p>Troutman Sanders LLP <b>1009 Flatbush Avenue, Brooklyn</b> Special permit (§73-36) to allow the continued operation of the existing physical culture establishment (<i>Bally's Total Fitness</i>). C4-2/C4-4A zoning district. <b>Community Board #14BK</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Closed, Decision – 4/16/13</b></p>
14.	<b>314-12-BZ</b>	<p>Troutman Sanders LLP <b>350 West 50th Street, Manhattan</b> Special permit (§73-36) to allow the continued operation of the existing physical culture establishment (<i>Bally's Total Fitness</i>). C6-4 (CL) zoning district. <b>Community Board #4M</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Closed, Decision – 4/16/13</b></p>
15.	<b>325-12-BZ</b>	<p>Bryan Cave LLP <b>1273-1285 York Avenue, Manhattan</b> Variance (§72-21) to permit a new Use Group 4 maternity hospital and ambulatory diagnostic or treatment health care facility (<i>New York Presbyterian Hospital</i>), contrary to modification of height and setback, lot coverage, rear yard, floor area and parking. R10/R9/R8 zoning districts. <b>Community Board #8M</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Closed, Decision – 4/16/13</b></p>

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<b>16.</b>	<b>341-12-BZ</b>	Sheldon Lobel, P.C. <b>403 Concord Avenue, Bronx</b> Special Permit (§73-19) to permit a Use Group 3 school to occupy an existing building, contrary to use regulations (§42-00). M1-2 zoning district. <b>Community Board #1BX</b>
		<b>Examiner: Ronald Rizzotti (212) 386-0081</b>
		<b>Status: Closed, Decision – 4/16/13</b>

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