

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, MAY 14, 2013  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>326-02-BZ</b>	<p>Sheldon Lobel, P.C. <b>2228-2238 Church Avenue, Brooklyn</b> Extension of Term of a previously approved Special Permit (§73-36) for the continued operation of physical culture establishment (<i>Planet Fitness</i>) which expires on November 5, 2013; Amendment to allow the extension of use to the building's first floor, and change in ownership. C4-4A zoning district. <b>Community Board #14BK</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Granted – 5/14/13</b></p>
<b>2.</b>	<b>150-04-BZ</b>	<p>Sheldon Lobel, P.C. <b>129 Elizabeth Street, Manhattan</b> Extension of Time to Complete Construction of a previously approved Variance (§72-21) to build a new four-story residential building with a retail store and one-car garage, which expired on March 29, 2009; Waiver of the Rules. C6-2G LI (<i>Special Little Italy</i>) zoning district. <b>Community Board #2M</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Granted – 5/14/13</b></p>
<b>3.</b>	<b>55-06-BZ</b>	<p>Rampulla Associates Architects <b>31 Nadine Street, Staten Island</b> Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the construction of a three-story with cellar, office building (UG 6B), which expired on January 23, 2011; Waiver of the Rules. C1-1(NA-1) zoning district. <b>Community Board # 2SI</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Granted – 5/14/13</b></p>

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<b><i>SOC – CONTINUED HEARINGS</i></b>		
4.	982-83-BZ	Rothkrug Rothkrug & 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> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Closed, Decision – 6/11/13</b>
5.	103-91-BZ	Davidoff Hutcher & Citron, LLP <b>248-18 Sunrise Highway, Queens</b> Extension of term of approved variance permitting an auto laundry use (UG 16B); Amendment to permit changes to the layout and extend hours of operation. C2-1/R3-2 zoning district. <b>Community Board #13Q</b> <b>Examiner: Carlo Costanza (212) 386-0068</b> <b>Status: Continued Hearing – 6/11/13</b>
6.	341-02-BZ	Sheldon Lobel, P.C. <b>231 East 58<sup>th</sup> Street, Manhattan</b> Extension of Term of a previously approved Variance (§72-21) for the continued UG6 retail use on the first floor of a five-story building, which expired on April 8, 2013. R-8B zoning district. <b>Community Board #6M</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Closed, Decision – 6/11/13</b>

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<b><i>SOC – NEW CASES</i></b>		
<b>7.</b>	<b>256-82-BZ</b>	<p>Vito J. Fossella, P.E. <b>1923 Clove Road, Staten Island</b> Extension of Term of a previously granted Special Permit (§73-44) for the reduction in required parking for a veterinary clinic, dental laboratory and general UG6 office use in a two-story building, which expired on November 23, 2012. C2-1/R3-1 zoning district. <b>Community Board #2SI</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Continued Hearing – 6/11/13</b></p>
<b>8.</b>	<b>102-94-BZ</b>	<p>C.S. Jefferson Chang <b>475 Castle Hill Avenue, Bronx</b> Extension of Term of a previously granted Variance (§72-21) for the continuous (UG 6) grocery store which expired on June 20, 2005; Waiver of the Rules. R-5 zoning district. <b>Community Board #9BX</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Continued Hearing – 6/11/13</b></p>

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<b><i>APPEALS – DECISIONS</i></b>		
<b>9.</b>	<b>493-73-A</b>	<p>Sheldon Lobel, P.C. <b>328 West 83<sup>rd</sup> Street, Manhattan</b> Extension of Term of an approved appeal to Multiple Dwelling Law Section 310 to permit a superintendent's apartment in the cellar, which expired on March 20, 2004, an amendment to eliminate the term, an extension of time to obtain a Certificate of Occupancy, and a waiver of the Rules. R10A /R8B Zoning District. <b>Community Board #7M</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Granted – 5/14/13</b></p>
<b>10.</b>	<b>265-12-A thru 266-12-A</b>	<p>Watchel Masyr &amp; Missry, LLP <b>980 Brush Avenue, Bronx</b> Appeal challenging Department of Buildings' determination that a sign is not entitled to continued non-conforming use status as an advertising sign. M1-2 &amp; R4/C2-1 zoning district. <b>Community Board #10BX</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Denied – 5/14/13</b></p>

<b><i>APPEAL – NEW CASES</i></b>		
<b>11.</b>	<b>268-12-A thru 271-12-A</b>	<p>Eric Palatnik, P.C. <b>8/10/16/18 Pavilion Hill Terrace, Staten Island</b> Proposed construction of a single family semi-detached building not fronting a mapped street is contrary to General City Law Section 36. R3-1 zoning district. <b>Community Board #1SI</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Postponed Hearing – 6/11/13</b></p>

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<b><i>BZ – DECISIONS</i></b>		
<b>1.</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> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Granted – 5/14/13</b></p>
<b>2.</b>	<b>139-12-BZ</b>	<p>Gerald J. Caliendo, RA, AIA, PC <b>34-10 12<sup>th</sup> Street, Queens</b> Special Permit (§73-53) to allow the enlargement of an existing non-conforming manufacturing building, contrary to use regulations (§22-00). R5 zoning district. <b>Community Board #1Q</b> <b>Examiner: Ronald Rizzotti (212) 386-0081</b> <b>Status: Granted – 5/14/13</b></p>
<b>3.</b>	<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> <b>Examiner: Ronald Rizzotti (212) 386-0081</b> <b>Status: Deferred Decision – 6/11/13</b></p>
<b>4.</b>	<b>9-13-BZ</b>	<p>Slater &amp; Beckerman PC <b>2626-2628 Broadway, Manhattan</b> Special Permit (§73-201) to allow a Use Group 8 motion picture theater (<i>Alamo Drafthouse Cinema</i>), contrary to use regulations (§32-17). R9A/C1-5 zoning district. <b>Community Board #7M</b> <b>Examiner: Ronald Rizzotti (212) 386-0081</b> <b>Status: Granted – 5/14/13</b></p>

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<b><i>BZ – DECISIONS</i></b>		
<b>5.</b>	<b>12-13-BZ</b>	<p>Law Office of Fredrick A. Becker <b>2057 Ocean Parkway, Brooklyn</b> Special Permit (§73-622) for the enlargement of a single family home, contrary to side yards (§23-461) and rear yard (§23-47) regulations. R5/Ocean Parkway Special zoning district. <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Granted – 5/14/13</b></p>
<b>6.</b>	<b>52-13-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector LLP <b>126 Leroy Street, Manhattan</b> Special Permit (§73-36) to permit the operation of a physical culture establishment (<i>SoulCycle</i>) within a portion of an existing building. M1-5 zoning district. <b>Community Board #2M</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Granted – 5/14/13</b></p>

<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>7.</b>	<b>50-12-BZ</b>	<p>Gerald J. Caliendo, R.A., AIA <b>177-60 South Conduit Avenue, Queens</b> Variance (§72-21) to allow for the construction of a commercial building, contrary to use regulations (§22-00). R3-2 zoning district. <b>Community Board #12Q</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Continued Hearing – 6/18/13</b></p>

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<b>8.</b>	<b>199-12-BZ</b>	<p>Sheldon Lobel, P.C. <b>1517 Bushwick Avenue, Brooklyn</b> Variance (§72-21) to construct a self-storage facility, contrary to maximum permitted floor area regulations. C8-1 and R6 zoning districts. <b>Community Board #4BK</b> <b>Examiner: Ronald Rizzotti (212) 386-0081</b> <b>Status: Continued Hearing – 6/18/13</b></p>
<b>9.</b>	<b>250-12-BZ</b>	<p>Law Office of Fredrick A. Becker <b>2410 Avenue S, 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 yards (§23-461); less than the required rear yard (§23-47) and perimeter wall height (§23-631). R3-2 zoning district. <b>Community Board #15BK</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Closed, Decision – 6/11/13</b></p>
<b>10.</b>	<b>293-12-BZ</b>	<p>Eric Palatnik, P.C. <b>1245 83<sup>rd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area (§23-141(b)) and side yard (§23-461(a)) regulations. R3X zoning district. <b>Community Board #10BK</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Continued Hearing – 6/18/13</b></p>
<b>11.</b>	<b>324-12-BZ</b>	<p>Sheldon Lobel, P.C. <b>45 76<sup>th</sup> Street, Brooklyn</b> Special permit (§73-622) for the enlargement of an existing single family home, contrary to floor area regulations (23-141(b)). R3-1 zoning district. <b>Community Board #10BK</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Closed, Decision – 6/11/13</b></p>

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<b><i>BZ – NEW CASES</i></b>		
12.	<b>54-13-BZ</b>	<p>Sheldon Lobel, P.C. <b>1338 East 5<sup>th</sup> Street, Brooklyn</b> Variance (§72-21) for the enlargement of existing single-family residence, contrary to lot coverage and open space (§23-141), minimum required side yards (§113-543), and side yards (§23-461a) regulations. R5/OPSD zoning district. <b>Community Board #12BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Continued Hearing – 6/11/13</b></p>
13.	<b>56-13-BZ</b>	<p>Francis R. Angelino <b>201 East 56<sup>th</sup> Street aka 935 3<sup>rd</sup> Avenue, Bronx</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>InForm Fitness</i>) within a portion of an existing building. C6-6(MID) C5-2 zoning district. <b>Community Board # 6BX</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Closed, Decision – 6/11/13</b></p>
14.	<b>62-13-BZ</b>	<p>Sheldon Lobel, P.C. <b>2703 East Tremont Avenue, Bronx</b> 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. <b>Community Board #10BX</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Continued Hearing – 6/4/13</b></p>
15.	<b>72-13-BZ</b>	<p>Sheldon Lobel, P.C. <b>38-15 Northern Boulevard, Queens</b> Special Permit (§73-36) to permit the legalization of a physical culture establishment (<i>Euphoria Spa</i>) within the existing building. M1-1/C4-2A zoning district. <b>Community Board #1Q</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Closed, Decision – 6/11/13</b></p>

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