

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, APRIL 8, 2014
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	116-68-BZ 960-67-BZ	<p>Akerman LLP 36 and 40 Central Park South, Manhattan Amendment of two previously approved variances (§72-21) to allow the merger of the zoning lots and the transfer of development rights from 36 to 40 Central Park South. R10-H zoning district. Community Board #5M</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Granted – 4/8/14</p>
2.	546-82-BZ	<p>Akerman Senterfitt, LLP 148-15 89th Avenue, Queens Extension of term of previously granted variance for the continued operation of a non-conforming open public parking lot which expired on June 14, 2013. R7-A zoning district. Community Board #12Q</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 4/8/14</p>
3.	246-01-BZ	<p>Eric Palatnik, P.C. 35-11 Prince Street, Queens Amendment of a previously approved Special Permit (§73-36) for a physical culture establishment (<i>Bodbi Fitness Center</i>). The amendment seeks to enlarge the PCE space by 3,999 sq. ft. M1-1, C2-2/R6 zoning district. Community Board #4Q</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Granted – 4/8/14</p>
4.	369-05-BZ	<p>Eric Palatnik, P.C. 908 Clove Road, Staten Island Extension of Time to Complete Construction of a previously approved variance (§72-21) to construct a four-story multiple dwelling, which expires on October 17, 2014. R3-2(HS) zoning district. Community Board #1SI</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 4/8/14</p>

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<i>SOC – CONTINUED HEARINGS</i>		
5.	823-19-BZ	<p>Eric Palatnik, P.C. 1901 10th Avenue, Brooklyn Amendment (§§ 11-412 and 11-413) of a previously approved variance which permitted a one story warehouse (UG 16). The application seeks to construct an as-of-right two-story community facility (UG 4) atop the warehouse and reduce the warehouse space to accommodate 13 required accessory parking spaces for the proposed community facility use. R5 zoning district. Community Board #7BK</p> <hr/> <p>Examiner: Carlo Costanza (212) 386-0068</p> <hr/> <p>Status: Closed, Decision – 5/6/14</p>

<i>SOC – NEW CASES</i>		
6.	457-56-BZ	<p>Rothkrug Rothkrug & Spector LLP 152-154 India Street, Brooklyn Extension of Term of variance permitting accessory parking of motor vehicles, customer parking, and loading and unloading in conjunction with adjacent factory building. R6B zoning district. Community Board #1BK</p> <hr/> <p>Examiner: Carlo Costanza (212) 386-0068</p> <hr/> <p>Status: Continued Hearing – 5/13/14</p>
7.	192-96-BZ	<p>Sheldon Lobel, PC 1832-1854 86th Street, Brooklyn Amendment of a previously approved variance (§72-21) which permitted a large retail store (UG 10) contrary to use regulations. The application seeks to eliminate the term, which expires on September 23, 2022. C1-2/R5 zoning district. Community Board #11BK</p> <hr/> <p>Examiner: Carlo Costanza (212) 386-0068</p> <hr/> <p>Status: Continued Hearing – 5/6/14</p>

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<i>SOC – NEW CASES</i>		
8.	160-00-BZ	Vassalotti Associates Architects, LLP 244-04 Francis Lewis Boulevard, Queens ZR 11-411 Extension of Term for the continued operation of an automotive service station (<i>Citgo</i>) which expired on November 21, 2010; Extension of Time to obtain a Certificate of Occupancy which expired on November 21, 2001; Waiver of the Rules. C1-3/R3-2 zoning district. Community Board #13Q Examiner: Henry Segovia (212) 386-0074 Status: Continued Hearing – 5/13/14
9.	247-09-BZ	Kramer Levin Naftalis & Frankel 123 East 55th Street, Manhattan Extension of Time to complete construction of a previously approved variance (§72-21) for the expansion of a UG4 community use facility (<i>Central Synagogue</i>), which expires on February 23, 2014. C5-2 & C5-2.5 (MiD) zoning district. Community Board #5M Examiner: Henry Segovia (212) 386-0074 Status: Closed, Decision – 4/29/14
10.	142-92-BZ	Kramer Levin Naftalis & Frankel 473-541 6th Street Brooklyn Amendment of a previously approved special permit (§73-48) for a community facility (<i>New York Methodist Hospital</i>). The application seeks to amend the approved plans to accommodate required accessory parking in a new ambulatory care facility (BSA Cal #142-92-BZ) Examiner: Joshua Saal (212) 386-0081 Status: Continued Hearing – 4/29/14

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<i>APPEALS – DECISIONS</i>		
11.	123-13-A	Bryan Cave LLP 86 Bedford Street, Manhattan Appeal challenging the determination of the Department of Buildings' to revoke a permit on the basis that (1) a lawful commercial use was not established and (2) even assuming lawful establishment, the commercial use discontinued in 2007. R6 zoning district. Community Board #2M
		Examiner: Toni Matias (212) 386-0085
		Status: Deferred Decision – 5/6/14
12.	156-13-A	Bryan Cave LLP 450 West 31 Street, Manhattan Appeal of DOB determination that the subject advertising sign is not entitled to non-conforming use status. C6-4/HY zoning district. Community Board #10M
		Examiner: Toni Matias (212) 386-0085
		Status: Denied – 4/8/14
13.	307-13-A & 308-13-A	Joseph M. Morace, R.A. 96 & 100 Bell Street, Staten Island Proposed construction of two detached, two-family residences not fronting on a mapped street, contrary to Section 36 of the General City Law. R3A zoning district. Community Board #1SI
		Examiner: Toni Matias (212) 386-0085
		Status: Granted – 4/8/14

<i>APPEAL – NEW CASES</i>		
14.	33-14-A	Rothkrug Rothkrug & Spector LLP 902 Quentin Road, Brooklyn Appeal challenging the Department of Building's determination regarded permitted community facility FAR, per §113-11 (Special Bulk Regulations for Community Facilities) C4-2 zoning district, C8-2 (OP). C4-2 (OP) zoning district. Community Board #15BK
		Examiner: Toni Matias (212) 386-0085
		Status: Continued Hearing – 5/20/14

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<i>BZ – DECISIONS</i>		
1.	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: Joshua Saal (212) 386-0081</p> <p>Status: Granted – 4/8/14</p>
2.	77-12-BZ	<p>Moshe M. Friedman, P.E. 91 Franklin Ave, Brooklyn Variance (§72-21) to permit a new residential building, contrary to use regulations (§42-00). M1-1 zoning district. Community Board #3BK</p> <p>Examiner: Joshua Saal (212) 386-0081</p> <p>Status: Granted – 4/8/14</p>
3.	303-12-BZ	<p>Eric Palatnik, P.C. 1106-1108 Utica Avenue, Brooklyn Variance (§72-21) to permit the development of a sub-cellar, cellar and three story church, with accessory educational and social facilities (<i>Tabernacle of Praise</i>), contrary to rear yard setback (§33-292), sky exposure plane and wall height (§34-432), and parking (§36-21) regulations. C8-1 zoning district. Community Board #17BK</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Deferred Decision – 5/6/14</p>
4.	160-13-BZ	<p>Law Office of Fredrick A. Becker 1171-1175 East 28th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single 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: Granted – 4/8/14</p>

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<i>BZ – DECISIONS</i>		
5.	177-13-BZ	<p>Eric Palatnik, P.C. 134 Langham Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, to be converted to a two-family home, contrary to floor area, lot coverage and open space (§ZR 23-141) and less than the required rear yard (§ZR 23-47). R3-1 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 4/8/14</p>
6.	207-13-BZ	<p>Harold Weinberg, P.E. 177 Hastings 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 less than the required rear yard (§23-47). R3-1 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 4/8/14</p>
7.	268-13-BZ	<p>Belkin Burden Wenig & Goldman, LLP 2849 Cropsey Avenue, Brooklyn Special Permit (§73-621) to permit legalize an enlargement to a three-story mixed use building, contrary to lot coverage regulations (§23-141). R5 zoning district. Community Board #13BK</p> <p>Examiner: Joshua Saal (212) 386-0081</p> <p>Status: Granted – 4/8/14</p>
8.	276-13-BZ	<p>Francis R. Angelino, Esq. 1629 First Avenue aka 1617 First Avenue and 341 East 84th Street, Manhattan Special Permit (§73-36) to allow a physical culture establishment (<i>Fastbreak</i>). C1-9 zoning district. Community Board #8M</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Granted – 4/8/14</p>

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9.	290-13-BZ	<p>Herrick, Feinstein LLP 2244 Church Avenue, Brooklyn Special Permit (§73-36) to allow a physical culture establishment (<i>Retro Fitness</i>) located on the second floor of a four-story building. C4-4A zoning district. Community Board #14BK</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Granted – 4/8/14</p>
10.	306-13-BZ	<p>Lewis E. Garfinkel 3766 Bedford Avenue, Brooklyn Special Permit (§73-622) for the enlargement of an existing two-family home to be converted to a single-family home, contrary to floor area, lot coverage and open space (§23-141); and less than the required rear yard (§23-47). R3-2 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 4/8/14</p>
11.	34-14-BZ 498-83-BZ	<p>Rampulla Associates Architects 2131 Hylan Boulevard, Staten Island Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>Club Metro USA</i>) within an existing building. Amendment of a previously approved variance (§72-21) to permit the change of use from a banquet hall (UG9 & 12), reduce building size and retain accessory parking in residential district. C8-1/R3X zoning district. Community Board #2SI</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Granted – 4/8/14</p>

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<i>BZ – CONTINUED HEARINGS</i>		
12.	299-12-BZ	<p>Goldman Harris LLC 40-56 Tenth Avenue, Manhattan Variance (§72-21) to permit the construction of a 12-story commercial building, contrary to floor area (§43-12), height and setback (§43-43), and rear yard (§43-311/312) regulations. M1-5 zoning district. Community Board #2M</p> <p>Examiner: Joshua Saal (212) 386-0081</p> <p>Status: Closed, Decision – 5/13/14</p>
13.	311-12-BZ	<p>Eric Palatnik, P.C. 964 Dean Street, Brooklyn Variance (§72-21) to permit the residential conversion of an existing factory building, contrary to use regulations (§42-00). M1-1 zoning district. Community Board #8BK</p> <p>Examiner: Joshua Saal (212) 386-0081</p> <p>Status: Adjourned, Continued Hearing – 4/29/14</p>
14.	124-13-BZ	<p>Rothkrug, Rothkrug & Spector LLP 95 Grattan Street, Brooklyn Variance (§72-21) to allow for a new seven-family residential development, contrary to use regulations (§42-00). M1-1 zoning district. Community Board #1BK</p> <p>Examiner: Joshua Saal (212) 386-0081</p> <p>Status: Continued Hearing – 5/6/14</p>
15.	125-13-BZ	<p>Rothkrug, Rothkrug & Spector LLP 97 Grattan Street, Brooklyn Variance (§72-21) to allow for a new seven-family residential development, contrary to use regulations (§42-00). M1-1 zoning district. Community Board #1BK</p> <p>Examiner: Joshua Saal (212) 386-0081</p> <p>Status: Continued Hearing – 5/6/14</p>

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16.	163-13-BZ	<p>Eric Palatnik, P.C. 133-10 39th Avenue, Queens Special Permit (§73-44) to allow the reduction of parking spaces for the enlargement of a building containing Use Group 6 professional offices. C4-2 zoning district. Community Board #7Q Examiner: Joshua Saal (212) 386-0081 Status: Closed, Decision – 4/29/14</p>
17.	246-13-BZ	<p>Rothkurg Rothkrug & Spector LLP 514 49th Street, Brooklyn Variance (§72-21) to permit the enlargement of an existing ambulatory diagnostic treatment health facility (UG4), contrary to floor area (§24-11) and rear yard (§24-36) regulations. R6B/C4-3A zoning districts. Community Board #7BK Examiner: Joshua Saal (212) 386-0081 Status: Closed, Decision – 4/29/14</p>
18.	269-13-BZ	<p>Law Office of Marvin B. Mitzner, LLC 110 West 73rd Street, Manhattan Special Permit (§73-42) to permit the expansion of UG6 restaurant (<i>Arte Café</i>) across zoning district boundary lines. R8B zoning district. Community Board #7M Examiner: Joshua Saal (212) 386-0081 Status: Closed, Decision – 5/6/14</p>
19.	289-13-BZ	<p>Kramer Levin Naftalis & Frankel LLP 473-541 6th Street Brooklyn Variance (§72-21) to allow the development of a new, 304,000 s.f. ambulatory care facility on the campus of New York Methodist Hospital, contrary to floor area (§§24-11, 24-17 and 77-02), lot coverage (§24-11), rear yard (§24-382), height and setback (§24-522), rear yard setback (§24-552), and sign (§22-321) regulations. R6, C1-3/R6, and R6B zoning district. Community Board #6BK Examiner: Joshua Saal (212) 386-0081 Status: Closed, Decision – 5/20/14</p>

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20.	297-13-BZ	<p>Sheldon Lobel, P.C. 308 Cooper Street, Brooklyn Variance (§72-21) to permit the development of a three-story, six-unit residential building, contrary to use regulations (§42-10). M1-1 zoning district. Community Board #4BK</p> <hr/> <p>Examiner: Joshua Saal (212) 386-0081</p> <hr/> <p>Status: Closed, Decision – 5/13/14</p>
21.	318-13-BZ	<p>Bryan Cave LLP 74 Grand Street, Manhattan Variance (§72-21) to permit a five-story building containing retail and residential use, contrary to use regulations (§44-00). M1-5B zoning district. Community Board # 2M</p> <hr/> <p>Examiner: Joshua Saal (212) 386-0081</p> <hr/> <p>Status: Closed, Decision – 5/6/14</p>

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<i>BZ – NEW CASES</i>		
22.	210-13-BZ	<p>Sheldon Lobel, P.C. 43-12 50th Street, Queens Variance (§72-21) to legalize the operation of a physical culture establishment (<i>The Physique</i>). C1-4/R7A zoning district. Community Board #2Q</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Continued Hearing – 5/13/14</p>
23.	233-13-BZ	<p>Law office of Fredrick A. Becker 2413 Avenue R, Brooklyn Special Permit (§73-622) for an enlargement of an existing single family residence, contrary to floor area, lot coverage and open space (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R3-2 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Continued Hearing – 5/13/14</p>
24.	302-13-BZ	<p>Francis R. Angelino, Esq. 140 West 23rd Street, Manhattan Special Permit (§73-36) to allow a physical culture establishment (<i>Peloton Fitness</i>). C6-3X zoning district. Community Board #4M</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Closed, Decision – 4/29/14</p>
25.	305-13-BZ	<p>Akerman LLP 30-50 Whitestone Expressway, Queens Special Permit (§73-36) to allow a physical culture establishment (<i>Dolphin Fitness</i>). M1-1 zoning district. Community Board #7Q</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Closed, Decision – 5/6/14</p>

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