

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, FEBRUARY 11, 2014
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	74-49-BZ	<p>Sheldon Lobel, P.C. 515 Seventh Avenue, Manhattan Extension of Time to obtain a Certificate of Occupancy for an existing parking garage, which expired on January 11, 2012; Waiver of the Rules. M1-6 (<i>Garment Center</i>) zoning district. Community Board #5M</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 2/11/14</p>
2.	406-82-BZ	<p>Eric Palatnik, P.C. 2411 86th Street, Brooklyn Extension of term of a special permit (§73-243) allowing an eating and drinking establishment (<i>McDonald's</i>) with accessory drive-thru which expired on January 18, 2013; Extension of time to obtain a Certificate of Occupancy which expired on September 11, 2013; Waiver of the Rules. C1-3/R5 zoning district. Community Board #11BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 2/11/14</p>
3.	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>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 2/11/14</p>
4.	239-02-BZ	<p>Greenberg Traurig, LLP 110 Waverly Place, Manhattan Extension of Term of a previously-granted Variance (§72-21) for the continued operation of a Use Group 6A eating and drinking establishment (<i>Babbo</i>) located at the cellar level, ground floor, and second floor of the subject premises, which expired on December 17, 2012. R7-2 zoning district. Community Board #2M</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 2/11/14</p>

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<i>SOC – CONTINUED HEARINGS</i>		
5.	13-78-BZ	<p>Sheldon Lobel, P.C. 144-02 Liberty Avenue, Queens Extension of Term of a previously granted Variance (§72-21) for the continued operation of a plumbing supply establishment (<i>Jamaica Plumbing and Heating Supply, Inc.</i>) which expired on June 27, 2013. R4-1 & R6A/C2-4 zoning districts. Community Board #12Q Examiner: Henry Segovia (212) 386-0074 Status: Closed, Decision – 3/4/14</p>

<i>SOC – NEW CASES</i>		
6.	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 Examiner: Henry Segovia (212) 386-0074 Status: Continued Hearing – 3/25/14</p>
7.	1070-84-BZ	<p>Law Office of Fredrick A. Becker 234 East 58th Street, Manhattan Extension of Term of a previously granted Variance (§72-21) for the continued operation of a UG6 Eating and Drinking establishment (<i>The Townhouse</i>) which expired on July 9, 2010; Extension of time to obtain a Certificate of Occupancy which expired on January 9, 2003; Waiver of the Rules. R8 zoning district. Community Board #6M Examiner: Henry Segovia (212) 386-0074 Status: Continued Hearing – 3/4/14</p>

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8.	178-99-BZ	<p>Eric Palatnik, P.C. 8973/95 Bay Parkway, Brooklyn Amendment (§§72-01 & 72-22) of a previously granted Variance (§72-21) which permitted an enlargement of an existing non-conforming department store (UG 10A). The amendment seeks to replace an existing 7,502 sf ft. building on the zoning lot with a new 34,626 sq. ft. building to be occupied by a department store (UG 10A) contrary to §42-12. M3-1 zoning district. Community Board #11BK</p> <p style="color: green;">Examiner: Carlo Costanza (212) 386-0068</p> <p style="color: red;">Status: Continued Hearing – 3/25/14</p>
9.	201-02-BZ	<p>Eric Palatnik, P.C. 6778 Hylan Boulevard, Staten Island Extension of Term of a previously approved Variance (§72-21) for the construction of an automotive service station (UG 16B) with accessory convenience store which expired on January 28, 2013; Waiver of the rules. C1-1/R3X (SRD) zoning district. Community Board #3SI</p> <p style="color: green;">Examiner: Henry Segovia (212) 386-0074</p> <p style="color: red;">Status: Continued Hearing – 3/4/14</p>

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<i>APPEALS – DECISIONS</i>		
10.	348-12-A & 349-12-A	Rothkrug Rothkrug & Spector LLP 15 & 19 Starr Avenue, Staten Island Proposed construction of two one-family dwellings located within the bed of a mapped street, contrary to General City Law, Section 35. R2 zoning district. Community Board #1SI Examiner: Toni Matias (212) 386-0085 Status: Granted – 2/11/14
11.	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: Closed, Decision – 4/8/14

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<i>APPEALS – CONTINUED HEARINGS</i>		
12.	123-13-A	<p>Bryan Cave 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</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Closed, Decision – 3/11/14</p>
13.	191-13-A	<p>Rothkrug Rothkrug & Spector LLP 3161 Richmond Terrace, Staten Island Proposed construction of a three-story office building within the bed of a mapped street, pursuant to Article 3 of General City Law 35. M3-1 zoning district. Community Board #1SI</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Granted – 2/11/14</p>
14.	287-13-A & 288-13-A	<p>Rothkrug Rothkrug & Spector LLP 525 & 529 Durant Avenue, Staten Island Proposed construction of a building that does not front on a legally mapped street, contrary to General City Law Section 36. R3X SRD district. Community Board #3SI</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Granted – 2/11/14</p>

<i>APPEAL – NEW CASES</i>		
15.	80-11-A & 84/85-11-A & 103-11-A	<p>Law Office of Marvin B. Mitzner LLC 335, 333, 331, 329 East 9th Street, Manhattan An amendment to the previously approved waivers to the Multiple Dwelling Law (MDL) to address MDL objections raised by the Department of Buildings. R8B zoning district. Community Board #3M</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Continued Hearing – 3/25/14</p>

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<i>BZ – DECISIONS</i>		
1.	43-12-BZ	Slater & Beckerman 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
		Examiner:
		Status: Granted – 2/11/14
2.	212-13-BZ	Eric Palatnik, P.C. 151 Coleridge Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home contrary to floor area, open space and lot coverage (ZR 23-141) and less than the required rear yard (ZR 23-47). R3-1 zoning district. Community Board #15BK
		Examiner: Henry Segovia (212) 386-0074
		Status: Granted – 2/11/14
3.	245-13-BZ	Eric Palatnik, P.C. 2660 East 27th 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). R4 zoning district. Community Board #15BK
		Examiner: Henry Segovia (212) 386-0074
		Status: Granted – 2/11/14

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<i>BZ – CONTINUED HEARINGS</i>		
4.	62-12-BZ	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
		Examiner:
		Status: Adjourned, Continued Hearing – 3/25/14
5.	299-12-BZ	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
		Examiner:
		Status: Continued Hearing – 3/25/14

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BZ – NEW CASES		
6.	88-13-BZ	<p>Lawrence M. Gerson, Esq. 69-40 Austin Street, Queens Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>Title Boxing Club</i>) within an existing building. C2-3/R5D zoning district. Community Board #6Q</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Closed, Decision – 3/4/14</p>
7.	254-13-BZ	<p>Law Office of Marvin B. Mitzner 2881 Nostrand Avenue, Brooklyn Variance (§72-21) to permit a residential development, contrary to floor area (§23-141(a)), dwelling units (§23-22), lot coverage (§23-141(a)), front yard (§23-45(a)), side yard (§23-462(a)), and building height (§23-631(b)) regulations. R3-2 zoning district. Community Board #18BK</p> <p>Examiner:</p> <p>Status: Continued Hearing – 3/25/14</p>
8.	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</p> <p>Examiner:</p> <p>Status: Continued Hearing – 3/11/14</p>
9.	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</p> <p>Examiner:</p> <p>Status: Continued Hearing – 4/8/14</p>

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