

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, JULY 22, 2014  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>391-80-BZ</b>	<p>Sheldon Lobel, P.C. <b>2525 Kings Highway, Brooklyn</b> Amendment of previously approved variance (§72-21) which permitted enlargement to an existing hospital building (<i>NY Community Hospital of Brooklyn</i>), contrary to bulk regulations. The Amendment seeks to enclose a ramp which increases the degree of lot coverage non-compliance. R7A zoning district. <b>Community Board #14BK</b> <b>Examiner: Carlo Costanza (212) 386-0068</b> <b>Status: Granted – 7/22/14</b></p>
<b>2.</b>	<b>775-85-BZ</b>	<p>Sheldon Lobel, P.C. <b>133-33 Brookville Boulevard, Queens</b> Extension of Term of a previously approved Variance (§72-21) which permitted the construction of a three-story office building, contrary to permitted height and use regulations, which expired on February 24, 2012; Amendment to modify the parking layout, eliminate buffering and eliminate the term; Waiver of the Rules. C1-3/R2 and R2 zoning district. <b>Community Board #13Q</b> <b>Examiner: Carlo Costanza (212) 386-0068</b> <b>Status: Granted – 7/22/14</b></p>
<b>3.</b>	<b>24-96-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector LLP <b>213 Madison Street, Manhattan</b> Extension of Time to obtain a Certificate of Occupancy of a previously granted variance for the continued operation of a UG6 eating and drinking establishment (<i>McDonald's</i>), which expired on May 18, 2009; Waiver of the Rules. R7-2 zoning district. <b>Community Board #3M</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Granted – 7/22/14</b></p>
<b>4.</b>	<b>245-03-BZ</b>	<p>Jeffrey A. Chester, Esq <b>160-11 Willets Point Boulevard, Queens</b> Extension of Term of a previously granted special permit (§72-243) for an accessory drive-thru to an existing eating and drinking establishment (<i>McDonald's</i>), which expired on December 12, 2013. C1-2/R3-2 zoning district. <b>Community Board #7Q</b> <b>Examiner: Carlo Costanza (212) 386-0068</b> <b>Status: Granted – 7/22/14</b></p>

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<b>5.</b>	<b>248-03-BZ</b>	Troutman Sanders LLP <b>1915 Third Avenue, Manhattan</b> Extension of Time to obtain a Certificate of Occupancy for a previously granted Variance (72-21) for the operation of a Physical Culture Establishment ( <i>Balby's Total Fitness</i> ) which expired on May 10, 2014. C1-5/R8A & R7A zoning district. <b>Community Board #11M</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Granted – 7/22/14</b>
<b>6.</b>	<b>271-07-BZ</b>	Eric Palatnik, P.C. <b>215 West 23rd Street, Manhattan</b> Amendment of a special permit (§73-36) and variance (§72-21) authorizing a physical culture establishment ( <i>Crunch</i> ) by allowing a change in operator, Extension of Term, Extension of Time to obtain a Certificate of Occupancy, and Waiver of the Rules. C2-7A/R8A zoning district. <b>Community Board #4M</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Granted – 7/22/14</b>

<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>7.</b>	<b>997-84-BZ</b>	Sheldon Lobel, P.C. <b>798-804 Union Street, Brooklyn</b> Amendment (§11-413) to a previous variance for a public parking garage. The amendment would convert the building to mixed use, with retail (UG 6) on first floor and cellar, and residential (UG 2) on the second through sixth floors. R6A & C1-1/R6A zoning district. <b>Community Board #6BK</b> <b>Examiner: Carlo Costanza (212) 386-0068</b> <b>Status: Continued Hearing – 8/19/14</b>

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<b><i>SOC – NEW CASES</i></b>		
<b>8.</b>	<b>169-93-BZ</b>	<p>Law Office of Fredrick A. Becker <b>246-248 West 80th Street, Manhattan</b></p> <p>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 May 17, 2014. C4-6A/EC-3 zoning district.</p> <p><b>Community Board #7M</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Closed, Decision – 8/19/14</b></p>

<b><i>APPEALS – DECISIONS</i></b>		
<b>9.</b>	<b>103-14-A</b>	<p>Akerman LLP <b>55 Eckford Street, Brooklyn</b></p> <p>Appeal seeking a determination that the owner has obtained a common law vested right to complete construction under the prior R6/M1-1 zoning district regulations. M1-2/R6B zoning district.</p> <p><b>Community Board #1BK</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Granted – 7/22/14</b></p>

<b><i>APPEAL – NEW CASES</i></b>		
<b>10.</b>	<b>49-14-A</b>	<p>Fox Rothschild <b>5655 Independence Avenue, Bronx</b></p> <p>Proposed enlargement to an existing community facility, contrary to General City Law Section 35. R1-1 zoning district.</p> <p><b>Community Board #8BX</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Closed, Decision – 7/29/14</b></p>

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<b><i>BZ – DECISIONS</i></b>		
<b>11.</b>	<b>210-13-BZ</b>	<p>Sheldon Lobel, P.C. <b>43-12 50th Street, Queens</b> Variance (§72-21) to legalize the operation of a physical culture establishment (<i>The Physique</i>). C1-4/R7A zoning district. <b>Community Board #2Q</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Granted – 7/22/14</b></p>
<b>12.</b>	<b>39-14-BZ</b>	<p>Francis R. Angelino, Esq. <b>97 Reade Street, Manhattan</b> Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>Exceed Fitness</i>). C6-3A zoning district. <b>Community Board #1M</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Granted – 7/22/14</b></p>

<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>13.</b>	<b>78-11-BZ &amp; 33-12-A thru 37-12-A</b>	<p>Sheldon Lobel, P.C. <b>78-70 Winchester Boulevard, Queens</b> Variance (§72-21) to allow for the construction of two assisted living residential buildings, contrary to use regulations (§32-10). Proposed construction of two mixed use buildings that do not have frontage on a legally mapped street, contrary to General City Law Section 36. C8-1 Zoning District. <b>Community Board #13Q</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Continued Hearing – 9/23/14</b></p>
<b>14.</b>	<b>27-14-BZ</b>	<p>Sheldon Lobel, P.C. <b>496 Broadway, Manhattan</b> Variance (§72-21) to permit a UG 6 retail use on the first floor and cellar, contrary to use regulations (§42-14D(2)(b)). M1-5B zoning district. <b>Community Board #2M</b></p> <p><b>Examiner: Joshua Saal (212) 386-0081</b></p> <p><b>Status: Closed, Decision – 8/19/14</b></p>

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<b><i>BZ – NEW CASES</i></b>		
<b>15.</b>	<b>153-11-BZ</b>	<p>Eric Palatnik, P.C. <b>27-11 30th Avenue, Queens</b> Re-instatement (§§11-411 &amp; 11-412) to permit the continued operation of an automotive repair use (UG 16B); amendment to enlarge the existing one story building; Waiver of the Board's Rules. C1-3 zoning district. <b>Community Board #4Q</b> <b>Examiner: Carlo Costanza (212) 386-0068</b> <b>Status: Continued Hearing – 9/23/14</b></p>
<b>16.</b>	<b>286-12-BZ</b>	<p>Eric Palatnik, P.C. <b>1925 Union Street, Brooklyn</b> Variance (§72-21) to permit a vertical enlargement and conversion of an existing two-story automotive repair facility to a four-story UG 4A House of Worship (<i>People of Destiny Church</i>), contrary to coverage ratio (§24-11),. R6 zoning district. <b>Community Board #8BK</b> <b>Examiner: Rory Levy (212) 386-0082</b> <b>Status: Continued Hearing – 9/23/14</b></p>
<b>17.</b>	<b>298-13-BZ</b>	<p>Eric Palatnik, P.C. <b>11-11 131st Street, Queens</b> Special Permit (§73-49) to permit 36 rooftop parking spaces, accessory to an an existing three story and cellar physical culture establishment (<i>Spa Castle</i>). M1-1 zoning district. <b>Community Board #1Q</b> <b>Examiner: Rory Levy (212) 386-0082</b> <b>Status: Closed, Decision – 9/16/14</b></p>
<b>18.</b>	<b>327-13-BZ</b>	<p>Goldman Harris LLC <b>1504 Coney Island Avenue Brooklyn</b> Special Permit (§73-44) to reduce the required number of accessory parking spaces from 346 to 272 spaces for a mixed use building containing UG4 health care and UG 6 office uses. C8-2, C2-3/R5 zoning district. <b>Community Board #12BK</b> <b>Examiner: Carlo Costanza (212) 386-0068</b> <b>Status: Continued Hearing – 9/9/14</b></p>

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<b>19.</b>	<b>133-14-BZ 134-14-BZ 135-14-A</b>	Department of Housing Preservation & Development <b>175 Father Capodanno Boulevard</b> <b>53 Doty Avenue, Staten Island</b> Special Permit (§64-92) to waive yard regulations for the replacement of homes damaged/destroyed by Hurricane Sandy, on properties which are registered in the NYC Build it Back Program. <b>19 Sunnymeade Village, Staten Island</b> Waiver of Section 36, Article 3 of the General City Law, property is not fronting a mapped street. R3-1 Zoning District. <b>Community Board #2SI</b> <b>Examiner: Toni Matias (212) 386-0085</b> <b>Status: Closed, Decision – 7/29/14</b>
<b>20.</b>	<b>136-14-BZ thru 139-14-BZ</b>	Department of Housing Preservation & Development <b>74 Kiswick Street</b> <b>1099 Olympia Boulevard</b> <b>555 Lincoln Avenue</b> <b>16 Mapleton Avenue, Staten Island</b> Special Permit (§64-92) to waive yard regulations for the replacement of homes damaged/destroyed by Hurricane Sandy, on properties which are registered in the NYC Build it Back Program. R3-1 Zoning District. <b>Community Board #2SI</b> <b>Examiner: Toni Matias (212) 386-0085</b> <b>Status: Closed, Decision – 7/29/14</b>

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