

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, MARCH 11, 2014

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	331-04-BZ	<p>Sheldon Lobel, P.C. 26 Cortlandt Street, Manhattan Amendment of a previously approved Variance (§72-21) which permitted the expansion of floor area in an existing commercial structure (<i>Century 21</i>). The amendment seeks to permit a rooftop addition above the existing building which exceeds the maximum permitted floor area. C5-5 (LM) zoning district. Community Board #1M Examiner: Carlo Costanza (212) 386-0068 Status: Granted – 3/11/14</p>

<i>SOC – NEW CASES</i>		
2.	240-55-BZ	<p>Rothkrug Rothkrug & Spector LLP 207-22 Northern Boulevard, Queens Extension of Time to obtain a Certificate of Occupancy of a previously granted variance for the continued operation of a UG16 auto repair shop with sales, which expired on June 8, 2010; Waiver of the Rules. C2-2(R6B), R4 zoning district. Community Board #11Q Examiner: Henry Segovia (212) 386-0074 Status: Closed, Decision – 4/1/14</p>
3.	24-96-BZ	<p>Rothkrug Rothkrug & Spector LLP 213 Madison Street, Manhattan 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. Community Board #3M Examiner: Henry Segovia (212) 386-0074 Status: Continued Hearing – 5/13/14</p>

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<i>APPEALS – DECISIONS</i>		
4.	123-13-A	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 Examiner: Toni Matias (212) 386-0085 Status: Deferred Decision – 4/8/14

<i>APPEALS – CONTINUED HEARINGS</i>		
5.	166-12-A	NYC Department of Buildings 638 East 11th Street, Manhattan Application to revoke the Certificate of Occupancy. R8B zoning district. Community Board #3M Examiner: Toni Matias (212) 386-0085 Status: Adjourned, Continued Hearing – 4/29/14
6.	107-13-A	Law Office of Marvin B. Mitzner LLC 638 East 11th Street, Manhattan An appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior R7- 2 zoning district. R7B zoning district. Community Board #3M Examiner: Toni Matias (212) 386-0085 Status: Adjourned, Continued Hearing – 4/29/14

<i>APPEAL – NEW CASES</i>		
7.	215-13-A	Anthony A. Lenza 300 Four Corners Road, Staten Island Appeal challenging denial of the Department of Building’s determination regarding floor area (§12-10 (12) (ii)). R1-1 zoning district. Community Board #2SI Examiner: Toni Matias (212) 386-0085 Status: Closed, Decision – 4/1/14

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1.	211-12-BZ	<p>Rothkrug, Rothkrug & Spector LLP 164 Coffey Street, Brooklyn Variance (§72-21) to permit the proposed re-establishment of a residential building, contrary to use regulations (§42-00). M1-1 zoning district. Community Board #6BK Examiner: Joshua Saal (212) 386-0081 Status: Deferred Decision – 4/29/14</p>
2.	192-13-BZ	<p>Fox Rothschild, LLP 354/361 West Street, Manhattan Variance (§72-21) to permit the construction of a residential building with accessory parking, contrary to use regulations (§42-10). M1-5 zoning district. Community Board #2M Examiner: Carlo Costanza (212) 386-0068 Status: Granted – 3/11/14</p>
3.	236-13-BZ	<p>Warshaw Burstein, LLP 423 West 55th Street, Manhattan Special Permit (§73-36) to permit the operation of a physical culture establishment (<i>Planet Fitness</i>) on the first and mezzanine floors of the existing building, and Special Permit (§73-52) to allow the fitness center use to extend 25'-0" into the R8 portion of the zoning lot. C6-2 & R8 zoning district. Community Board #4M Examiner: Rory Levy (212) 386-0082 Status: Granted – 3/11/14</p>
4.	274-13-BZ	<p>Sheldon Lobel, P.C. 7914 Third Avenue, Brooklyn Variance (§72-21) to permit the operation of a physical culture establishment (<i>H.I.T. Factory Improved</i>) on the second floor of the existing building. C1-3/R6B zoning district. Community Board #10BK Examiner: Rory Levy (212) 386-0082 Status: Granted – 3/11/14</p>

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5.	54-12-BZ	<p>Gerald J. Caliendo, R.A., AIA 65-39 102nd Street, Queens Variance (§72-21) to permit for the construction of a community facility and residential building, contrary to lot coverage (§23-141), lot area (§§23-32, 23-33), front yard (§§23-45, 24-34), side yard (§§23-46, 24-35) and side yard setback (§24-55) regulations. R5 zoning district. Community Board #6Q Examiner: Joshua Saal (212) 386-0081 Status: Continued Hearing – 4/29/14</p>
6.	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 Examiner: Joshua Saal (212) 386-0081 Status: Adjourned, Continued Hearing – 4/8/14</p>
7.	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 Examiner: Joshua Saal (212) 386-0081 Status: Continued Hearing – 4/8/14</p>
8.	179-13-BZ	<p>Law Office of Fredrick A. Becker 933-939 East 24th Street, Brooklyn Special Permit (§73-622) for the enlargement of a single-family home contrary to floor area, open space (§23-141); side yard (§23-461) and less than the required rear yard (§23-47). R2 zoning district. Community Board #14BK Examiner: Henry Segovia (212) 386-0074 Status: Continued Hearing – 4/1/14</p>

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9.	193-13-BZ	<p>Eric Palatnik, P.C. 4770 White Plains Road, Bronx Special Permit (§73-44) for the reduction in parking from 190 to 95 spaces to facilitate the conversion of an existing building to UG 6 office and retail use. C2-2/R6A & R-5 zoning districts. Community Board #12BX Examiner: Joshua Saal (212) 386-0081 Status: Adjourned, Continued Hearing – 5/20/14</p>
10.	228-13-BZ	<p>Herrick, Feinstein LLP 157 Columbus Avenue, Manhattan Special Permit (§73-36) to allow a physical culture establishment (<i>Cross Fit</i>) located in the cellar level of an existing 31-story building. C4-7 zoning district. Community Board #7M Examiner: Rory Levy (212) 386-0082 Status: Closed, Decision – 4/29/14</p>
11.	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: Continued Hearing – 4/8/14</p>

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<i>BZ – NEW CASES</i>		
12.	214-12-BZ	Phillips Nizer, LLP 2784 Coney Island Avenue, Brooklyn Variance (§72-21) to permit the operation of an auto laundry (UG 16B), contrary to use regulations. C2-2/R5 zoning district. Community Board #13BK Examiner: Carlo Costanza (212) 386-0068 Status: Continued Hearing – 4/29/14
13.	246-13-BZ	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: Continued Hearing – 4/8/14
14.	276-13-BZ	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 Examiner: Rory Levy (212) 386-0082 Status: Closed, Decision – 4/8/14
15.	290-13-BZ	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 Examiner: Rory Levy (212) 386-0082 Status: Closed, Decision – 4/8/14

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16.	306-13-BZ	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
		Examiner: Henry Segovia (212) 386-0074
		Status: Closed, Decision – 4/8/14

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