

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 21, 2014

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>302-01-BZ</b>	<p>Greenberg Traurig  <b>2519-2525 Creston Avenue, Bronx</b>                      Extension of Time to obtain a Certificate of Occupancy of a previously granted variance (§72-21) for the continued operation of a parking facility accessory to commercial use which expired on December 11, 2013. R8 zoning district.  <b>Community Board #7BX</b>  <b>Examiner: Henry Segovia (212) 386-0074</b>  <b>Status: Granted – 10/21/14</b></p>
<b>2.</b>	<b>152-07-BZ</b>	<p>Eric Palatnik, P.C.  <b>8701 4th Avenue, Brooklyn</b>                      Extension of Term of a previously granted Special Permit (§73-36) for the continued use of a physical culture establishment (<i>Dolphin</i>) on the second floor of a two-story commercial building which expired on January 1, 2013; Extension of Time to obtain a Certificate of Occupancy which expired on February 5, 2009; Waiver of the Rules. C4-2A zoning district.  <b>Community Board #10BK</b>  <b>Examiner: Henry Segovia (212) 386-0074</b>  <b>Status: Granted – 10/21/14</b></p>

<b><i>SOC – NEW CASES</i></b>		
<b>3.</b>	<b>724-56-BZ</b>	<p>Eric Palatnik, P.C.  <b>42-42 Francis Lewis Boulevard, Queens</b>                      Amendment of a previously approved variance which permitted automotive repair (UG 16B). Application is to amend the length of an extension of term that was granted the Board from five years to ten years which expired November 20, 2012. R3-2 zoning district.  <b>Community Board #11Q</b>  <b>Examiner: Carlo Costanza (212) 386-0068</b>  <b>Status: Closed, Decision – 11/18/14</b></p>

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<b><i>SOC – NEW CASES</i></b>		
4.	362-03-BZ	<p>Sheldon Lobel, P.C. <b>428 West 45th Street, Manhattan</b> Extension of Term for the continued operation of an accessory commercial open parking lot and accessory commercial storage shed which expired on May 11, 2014. R8 (<i>Special Clinton District</i>). <b>Community Board #4M</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Continued Hearing – 11/25/14</b></p>
5.	327-06-BZ	<p>Eric Palatnik, P.C. <b>133 East 58th Street, Manhattan</b> Extension of Term of a previously granted Special Permit (73-36) for the continued operation a physical culture establishment (<i>Velocity Performance Sports</i>) which expired September 1, 2014. C5-2 zoning district. <b>Community Board #5M</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Closed, Decision – 11/25/14</b></p>

<b><i>APPEALS – DECISIONS</i></b>		
6.	57-09-A thru 112-09-A 129-09-A thru 152-09-A	<p>Eric Palatnik, P.C. <b>Santa Monica Lane, El Camino Loop, Moreno Court, Staten Island</b> Application to permit an extension of time to complete construction and obtain a certificate of occupancy under the previously granted Common Law vested rights for a residential development approved under the prior zoning district regulations. R3-2(SSRD) zoning district. <b>Community Board #3SI</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Granted – 10/21/14</b></p>
7.	23-14-A	<p>Eric Palatnik, P.C. <b>198-35 51st Avenue, Queens</b> Appeal seeking a determination that the owner has acquired a common law vested right to continue development under the prior R3-2 zoning district. R2-A zoning district. <b>Community Board #11Q</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Granted – 10/21/14</b></p>

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<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
8.	166-12-A	NYC Department of Buildings <b>638 East 11th Street, Manhattan</b> Application to revoke the Certificate of Occupancy. R8B zoning district. <b>Community Board #3M</b>
		<b>Examiner: Toni Matias (212) 386-0085</b>
		<b>Status: Adjourned, Continued Hearing – 11/25/14</b>
9.	107-13-A	Law Office of Marvin B. Mitzner LLC <b>638 East 11th Street, Manhattan</b> 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. <b>Community Board #3M</b>
		<b>Examiner: Toni Matias (212) 386-0085</b>
		<b>Status: Adjourned, Continued Hearing – 11/25/14</b>

<b><i>APPEAL – NEW CASES</i></b>		
10.	11-14-A thru 14-14-A	Sheldon Lobel, P.C. <b>47-04, 47-06, 47-08 198th Street, Queens</b> Appeal seeking a determination that the owner has acquired a common law vested right to continue development under the prior R3-2 zoning district. <b>Community Board #11Q</b>
		<b>Examiner: Toni Matias (212) 386-0085</b>
		<b>Status: Continued Hearing – 11/25/14</b>
11.	162-14-A	Rampulla Associates Architects <b>100 Giegerich Avenue, Staten Island</b> Proposed construction of a single family detached home that does not front on a legally mapped street contrary to Article 3, Section 36 of the General City Law. R1-2 zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Toni Matias (212) 386-0085</b>
		<b>Status: Closed, Decision – 11/25/14</b>

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<b><i>APPEAL – NEW CASES</i></b>		
12.	163-14-A thru 165-14-A	Ponte Equities <b>502, 504, 506 Canal Street, Manhattan</b> Appeal seeking waiver of Section G304.1.2 of the NYC Building Code to permit a conversion of a historic structure from commercial to residential in a flood hazard area. C6-2A zoning district. <b>Community Board #1M</b> <b>Examiner: Toni Matias (212) 386-0085</b> <b>Status: Continued Hearing – 11/25/14</b>
13.	235-14-A	Joseph Jabour <b>4020 Atlantic Avenue, Brooklyn</b> Section 36, Article 3 of the General City Law - NYC-HPD Build It Back in a private community known as Seagate which is a private unmapped street for a proposed single family home to replace the dwelling destroyed by Hurricane Sandy. R3-1 zoning district. <b>Community Board #13BK</b> <b>Examiner: Toni Matias (212) 386-0085</b> <b>Status: Closed, Decision – 10/28/14</b>

<b><i>BZ – DECISIONS</i></b>		
14.	65-13-BZ	Eric Palatnik, Esq. <b>123 Franklin Avenue, Brooklyn</b> Variance (§72-21) to permit a residential development, contrary to use regulations (§42-00). M1-1 zoning district. <b>Community Board #3BK</b> <b>Examiner: Joshua Saal (212) 386-0081</b> <b>Status: Deferred Decision – 11/25/14</b>
15.	283-13-BZ	Alexander Levkovich <b>4930 20th Avenue, Brooklyn</b> Special Permit (§73-36) to allow the operation of a physical culture establishment ( <i>NYC Fitness Club</i> ) on the first floor of a one story building. M1-1 zoning district. <b>Community Board #14BK</b> <b>Examiner: Rory Levy (212) 386-0082</b> <b>Status: Granted – 10/21/14</b>

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<b><i>BZ – DECISIONS</i></b>		
<b>16.</b>	<b>53-14-BZ</b>	<p>Evolution Muay Thai LLC <b>12 West 27th Street, Manhattan</b> Special Permit (§73-36) to legalize a physical culture establishment (<i>Evolution Muay Thai</i>). M1-6 zoning district. <b>Community Board #5M</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Granted – 10/21/14</b></p>
<b>17.</b>	<b>105-14-BZ</b>	<p>Lewis E. Garfinkel <b>1224 East 27th Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home contrary to floor area and open space (ZR 23-141); side yards (ZR 23-461) and less than the required rear yard (ZR 23-47). R2 zoning district. <b>Community Board #14BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Granted – 10/21/14</b></p>

<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>18.</b>	<b>155-13-BZ</b>	<p>Law Office of Fredrick A. Becker <b>1782-1784 East 28th Street, Brooklyn</b> Variance (§72-21) to permit the enlargement of an existing synagogue (<i>Congregation Kozover Sichron Chaim Shloime</i>) and rabbi's residence (UG 4) and the legalization of a Mikvah, contrary to floor area (§24-11), lot coverage (§24-11), wall height and setbacks (§24-521), front yard (§24-34), side yard (§24-35), rear yard (§24-36), and parking (§25-18, 25-31) requirements. R3-2 zoning district. <b>Community Board #15BK</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Adjourned, Continued Hearing – 1/13/15</b></p>

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19.	<b>225-13-BZ</b>	<p>Eric Palatnik, P.C.  <b>810 Kent Avenue, Brooklyn</b>                      Variance (§72-21) to permit the development of a three-family, four-story residential building, contrary to use regulations (§42-00). M1-2 zoning district.  <b>Community Board #3BK</b>  <b>Examiner: Joshua Saal (212) 386-0081</b>  <b>Status: Adjourned, Continued Hearing – 1/6/15</b></p>
20.	<b>264-13-BZ</b>	<p>Francis R. Angelino, Esq.  <b>257 West 17th Street, Manhattan</b>                      Special Permit (§73-36) to legalize a physical culture establishment (<i>Brick CrossFit</i>) on the ground floor and cellar of an existing 10-story building. C6-2A zoning district.  <b>Community Board #4M</b>  <b>Examiner: Rory Levy (212) 386-0082</b>  <b>Status: Continued Hearing – 11/18/14</b></p>
21.	<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 – 12/9/14</b></p>
22.	<b>328-13-BZ</b>	<p>Eric Palatnik, P.C.  <b>8 Berry Street, Brooklyn</b>                      Special Permit (§73-36) to legalize the operation of physical culture establishment (<i>Brooklyn Athletic Club</i>) on the cellar, first, second, and third floors in a five-story building. M1-1 zoning district.  <b>Community Board #1BK</b>  <b>Examiner: Rory Levy (212) 386-0082</b>  <b>Status: Continued Hearing – 11/25/14</b></p>

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<b><i>BZ – NEW CASES</i></b>		
23.	28-14-BZ	<p>Eric Palatnik, P.C.  <b>3540 Nostrand Avenue, Brooklyn</b>                      Special Permit (§73-243) to permit the continued use and (Use Group 6) eating and drinking establishment with an accessory drive-through.                      C1-2/R4 zoning district.  <b>Community Board #15BK</b></p> <p style="color: green;"><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p style="color: red;"><b>Status: Continued Hearing – 12/9/14</b></p>
24.	45-14-BZ	<p>Eric Palatnik, P.C.  <b>337 99th Street, Brooklyn</b>                      Special Permit (§73-622) to enlarge an existing semi-detached two story dwelling and to vary the floor area ratio requirements, and to convert the one family home into a two family home. R4-1 zoning district.  <b>Community Board #10BK</b></p> <p style="color: green;"><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p style="color: red;"><b>Status: Continued Hearing – 11/25/14</b></p>
25.	115-14-BZ	<p>Eric Palatnik, P.C.  <b>85 Worth Street aka 83 Worth Street, Manhattan</b>                      Special Permit (§73-36) to legalize for a physical culture establishment (<i>T.Kang Tae Kwon Do</i>) on the cellar and first floor in an existing building.                      C6-2A zoning district.  <b>Community Board #1M</b></p> <p style="color: green;"><b>Examiner: Rory Levy (212) 386-0082</b></p> <p style="color: red;"><b>Status: Closed, Decision – 11/25/14</b></p>
26.	122-14-BZ	<p>Lewis E Garfinkel  <b>1318 East 28th Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of an existing single family semi-detached home contrary to floor area and open space ZR 23-141; side yards ZR 23-461 and less than the required rear yard ZR 23-47.                      R2 zoning district.  <b>Community Board #14BK</b></p> <p style="color: green;"><b>Examiner: Rory Levy (212) 386-0082</b></p> <p style="color: red;"><b>Status: Continued Hearing – 11/25/14</b></p>

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