
BULLETIN

OF THE
NEW YORK CITY BOARD OF STANDARDS
AND APPEALS

Published weekly by The Board of Standards and Appeals at its office at:
40 Rector Street, 9th Floor, New York, N.Y. 10006.

Volume 86, Nos. 16-17

April 25, 2001

DIRECTORY

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- 154-50-BZ 5213/29 Flatlands Avenue, Brooklyn
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DOCKET

New Case Filed Up to April 17, 2001

133-01-A B.S.I. 105 Giergerich Avenue,
514.74' south of Minerva Avenue, Block 7792, Lot 435,
Borough of Staten Island. Applic.#500467675. Proposed
one family dwelling not fronting on a legally mapped street
is contrary to Section 36, Article 3 of the General City Law.

134-01-BZ B.M. 139 East 57th Street,
northeast corner of Lexington Avenue, Block 1312, Lot 23,
Borough of Manhattan. Applic.#102061055. The
legalization of an existing physical culture establishment,
Use Group 9, located on the fifth through seventh and ninth
floors of an existing commercial and retail building, located
in a C5-2 zoning district, requires a special permit as per Z.R.
§32-31.

COMMUNITY BOARD # 6

135-01-BZ B.BK. 1815/17 86th Street,
aka 815/17 New Utrecht Avenue, north side, 78.8' west of
New Utrecht Avenue, Block 6344, Lot 69, Borough of
Brooklyn. N.B. #535/56. The reestablishment of an expired
variance, previously granted under Cal.#318-56-BZ, which
permitted a high speed auto laundry (Use Group 16) in a C1-2
within an R5 zoning district.

COMMUNITY BOARD # 11BK

136-01-BZ B.Q. 11-11 44th Drive,
north side, between 11th and 21st Streets, Block 447, Lot 13,
Borough of Queens. Applic.#400838894. Proposed increase
in floor area for a proposed wholesale office with accessory
storage, Use Group 10, also the legalization of the existing
encroachment into the rear yard is contrary to Z.R. §§43-26
and 43-12.

COMMUNITY BOARD #1Q

137-01-A B.M. One Intrepid Square,
moored at Pier 86, located at the western prolongation of
West 46th Street and 12th Avenue, Block 1107, Lot 30,
Borough of Manhattan. DBS 2001018. Proposed
renovation program consists of the demolition and
reconfiguration of certain improvements located on the
Main, Gallery, Forecastle, Second, Third and Fourth Decks
of the existing USS Intrepid.

138-01-BZ B.BK. 464/74 Liberty Avenue,
aka 179/87 Bradford Street, southeast corner, Block 3708, Lot
11, Borough of Brooklyn. Applic.#301141690. The
legalization of an existing church, Use Group 4, located in an
M1-1 zoning district, also an increase in the size of the
building which will penetrates the sky exposure plane, and
extend into the required open space is contrary to Z.R. §43-
301 and §43-43.

COMMUNITY BOARD # 5BK

139-01-BZ B.M. 27 West 38th Street,
north side, between Fifth and Sixth Avenues, Block 840, Lot
26, Borough of Manhattan. Applic.#102959185. Proposed
legalization of existing residential use, and to permit the
construction of additional residential units in an existing six-
story building, located in an M1-6 zoning district is contrary
to Z.R. §42-00.

COMMUNITY BOARD # 5M

140-01-A B.Q. 22 Courtney Lane,
southeast corner of Name Lane, Block 16350, Part of Lot
400, Borough of Queens. Applic.#401222832. Proposed
enlargement of the first floor and the addition of a new
second floor to an existing one family dwelling not fronting
on a legally mapped street, and located within the bed of a
mapped street, is contrary to Sections 35 and 36, Article 3 of
the General City Law.

141-01-A B.Q. 167 Bedford Avenue,
northside, 33' east of Eighth Avenue, Block 16350, Part of
Lot 400. Applic.#401223065. Proposed enlargement of the
first floor and the addition of a new second floor to an
existing one family dwelling not fronting on a legally
mapped street, and located within the bed of a mapped
street, is contrary to Sections 35 and 36, Article 3 of the
General City Law.

142-01-A B.Q. 27 Queens Walk,
east side, 245' north of Breezy Point Boulevard, Borough of
Queens. Alt.1 #401286210. Proposed addition of a partial
second floor ,to existing one family dwelling, not fronting on
a legally mapped street, is contrary to Section 36 of the
General City Law.

DOCKET

143-01-BZ B.M. 348 East 9th Street,
northeast corner of First Avenue, Block 450, Lot 28,
Borough of Manhattan. Applic.#102953476. The legalization,
and enlargement of an existing veterinary clinic (Use Group
6), located at the cellar and first floor levels of six story
building in an R7-2 zoning district, is contrary to Z.R. §22-00.
COMMUNITY BOARD #3Q

DESIGNATIONS: D-Department of Buildings; B.BK.-
Department of Buildings, Brooklyn; B.M.-Department of
Buildings, Manhattan; B.Q.-Department of Buildings,
Queens; B.S.I.-Department of Buildings, Staten Island;
B.BX.-Department of Building, The Bronx; H.D.-Health
Department; F.D.-Fire Department.

CALENDAR

MAY 22, 2001, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, *Tuesday morning*, May 22, 2001, at 10 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

554-54-BZ

APPLICANT - Sheldon Lobel, P.C., for B.P. Amoco Corporation, owner.

SUBJECT - Application March 2, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 6201 Avenue U, Avenue U and Mill Avenue, Block 8405, Lot 44, Borough of Brooklyn.

COMMUNITY BOARD #18BK

539-87-BZ

APPLICANT - Catapano Engineering, P.C., for Allan Stations, Inc., owner.

SUBJECT - Application July 7, 2000- request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term of variance which expired on May 23, 1999 and for an amendment to the resolution.

PREMISES AFFECTED - 2451/59 Westchester Avenue, northeast corner of Rowland Street, Block 3974, Lot 1, Borough of The Bronx.

COMMUNITY BOARD #9BX

236-97-BZ

APPLICANT -Omer Fenik Architect, for Leon Betsh, owner; Eastside Billiards, Lessee.

SUBJECT - Application January 19, 2001 - reopening for an extension of term of variance which expired August 4, 2001.

PREMISES AFFECTED -163-165 East 86th Street, north side of East 86th Street 153'-4" of Third Avenue, Block 1515, Lot 29, Borough of Manhattan.

COMMUNITY BOARD #8M

MAY 22, 2001, 11:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, *Tuesday morning*, May 22, 2001, at 11 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

APPEALS CALENDAR

137-01-A

APPLICANT - Paul D. Selver, Esq./Jeremiah Candreva, Esq., for Intrepid Museum Foundation, owner; Intrepid Museum Foundation/lt. General Martin Steele, President & CEO Intrepid Museum, lessee.

SUBJECT - Application April 12, 2001 - proposed renovation program consists of the demolition and reconfiguration of certain improvements located on the Main, Gallery, Forecastle, Second, Third and Fourth Decks of the existing USS Intrepid.

PREMISES AFFECTED - One Intrepid Square, Hudson River Pier 86, 12th Avenue and West 46th Street, Block 1107, Lot 30, Borough of Manhattan.

COMMUNITY BOARD #4M

MAY 22, 2001, 2:00 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, *Tuesday afternoon*, May 22, 2001, at 2 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

275-00-BZ

APPLICANT - Sheldon Lobel, P.C., for VanLantic LLC, owner.

SUBJECT - Application November 20, 2000 - under Z.R. §72-21, to permit the proposed conversion of the three upper floors of a vacant four story manufacturing building, to residential use (Use Group 2) located in a M1-1 zoning district, is contrary to Z.R. §42-10.

PREMISES AFFECTED - 860 Atlantic Avenue, between Vanderbilt and Underhill Avenues, Block 1122, Lot 12, Borough of Brooklyn.

COMMUNITY BOARD #8BK

CALENDAR

293-00-BZ

APPLICANT - Gerald J. Caliendo, R.A., for NRPLLCII/Emmes Realty Services, owner; Steve Tallidis, lessee.

SUBJECT - Application December 8, 2000 - under §72-21, to permit the proposed physical culture establishment, to be located on the second floor of an existing two story building, in a C1-2 within an R5 zoning district, is contrary to Z.R. §32-00.

PREMISES AFFECTED - 22-11/27 31st Street, east side, 100' south of Ditmars Boulevard, Block 833, Lot 24, Borough of Queens.

COMMUNITY BOARD #1Q

300-00-BZ

APPLICANT - Sheldon Lobel, P.C., for Kolel Zichron Yosef Dovid by Mayer Laufer, President, owner.

SUBJECT - Application December 14, 2000 - under Z.R. §72-21, to permit the proposed construction of a five story masonry residential building (Use Group 2) located in an M1-1 zoning district, which is contrary to Z.R. §42-00.

PREMISES AFFECTED - 5902/08 14th Avenue, between 59th and 60th Streets, Block 5712, Lots 69 thru 72, Borough of Queens.

COMMUNITY BOARD #12BK

307-00-BZ

APPLICANT - Sheldon Lobel, P.C., for Amerasia Bank, owner.

SUBJECT - Application December 21, 2000 - under Z.R. §72-21, to permit the proposed use of floors two through five of a five story mixed use building for office use (Use Group 6) located in a C1-2/R zoning district, which does not comply with the zoning requirements for commercial use of upper floors, and is contrary to Z.R. §32-421, §32-121 and §36-21.

PREMISES AFFECTED - 41-02 Main Street, southwest corner of 41st Avenue and Main Street, Block 5041, Lot 30, Borough of Queens.

COMMUNITY BOARD #7Q

11-01-BZ

APPLICANT - Vassalotti Associates Architects, for P.J. Christy, Inc., owner.

SUBJECT - Application January 16, 2001 - Z.R. §11-411 to permit the reestablishment of an expired variance for an existing gasoline service station with accessory uses, and the conversion of the existing auto repair facility and offices into a convenience store, also the erection of a canopy over five new gasoline pump islands, which is contrary to Z.R.

§11-411 and Cal. No. 535-60-BZ.

PREMISES AFFECTED - 586/606 Conduit Boulevard, southeast corner of Autumn Avenue, Block 4219, Lot 1, Borough of Brooklyn.

COMMUNITY BOARD #5BK

119-01-BZ

APPLICANT - Agusta & Ross, for Elaine Mass, owner; Global Car Stereo and Security Corp., lessee.

SUBJECT - Application March 13, 2001 - under Z.R. §11-411, to permit the reestablishment of an expired variance, previously granted by the Board under Cal. No. 86-56-BZ, which permitted automotive repairs (light type), in a C4-2 zoning district.

PREMISES AFFECTED - 8818 Fourth Avenue, west side, 210' north of 89th Street, Block 6062, Lot 40, Borough of Brooklyn.

COMMUNITY BOARD #10BK

Pasquale Pacifico, Executive Director.

JUNE 5, 2001, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, June 5, 2001, at 10 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR**687-49-BZ**

APPLICANT - Sheldon Lobel, P.C.; for Angelo Zanetti; owner.

SUBJECT - Application January 18, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED 222-22 Jamaica Avenue, Between 222nd and 224th Street, Block 10813, Lot 5, Borough of Queens.

COMMUNITY BOARD #13Q

772-67-BZ

APPLICANT - Carl A. Sulfaro, Esq; for 1234 Forest Avenue Realty Corp, owner.

SUBJECT - Application January 11, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED -1234 Forest Avenue, Southeast Corner of Jewett Avenue and Forest Avenue, Block 354, Lot 32, Borough of Staten Island.

CALENDAR

COMMUNITY BOARD #1S.I.

230-98-BZ

APPLICANT - Agusta & Ross, for John & Gaetano Lacono, owner1, Washington Cemetery, owner2.

SUBJECT - Application February 9, 2001 - request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term which expired June 22, 2000 and for an amendment to the resolution.

PREMISES - 5810-5824 Bay Parkway, northeasterly corner of Bay Parkway and 59th Street, Block 5508, Lots 44 and 38, Borough of Brooklyn.

COMMUNITY BOARD #12BK

JUNE 5, 2001, 11:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, *Tuesday morning*, June 5, 2001, at 11 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

APPEALS CALENDAR

26-01-A thru 29-01-A

APPLICANT - Rothkrug & Rothkrug, for ATP Development Corp., owner.

SUBJECT - Application January 23, 2001 - proposed two family dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED -

116 Giegerich Avenue, west side, 146' east and 83.4' north of Bedell Avenue, Block 7796, Lot 76, Borough of Staten Island.

120 Giegerich Avenue, west side, 146' east and 41.7' north of Bedell Avenue, Block 7796, Lot 78, Borough of Staten Island.

124 Giegerich Avenue, west side, 146' east and 0' north of Bedell Avenue, Block 7796, Lot 80, Borough of Staten Island.

140 Giegerich Avenue, west side, 146.75' east and 0' north of Bedell Avenue, Block 7796, Lot 82, Borough of Staten Island.

COMMUNITY BOARD #3SI

JUNE 5, 2001, 2:00 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, *Tuesday afternoon*, June 5, 2001, at 2 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

259-98-BZ

APPLICANT - Agusta & Ross, for Kent Plaza Realty Corporation, owner.

SUBJECT - Application August 21, 1998 - under Z.R. §72-21, to permit the proposed erection of two multiple dwellings (Use Group 2) located in an M1-2 zoning district, which is contrary to Z.R. §42-00.

PREMISES AFFECTED - 761/773 Kent Avenue a.k.a. 763 Kent Avenue, south side, between Little Nassau Street and Flushing Avenue, Block 1884, Lots 33 and 36 (Tentative Lot 36), Borough of Brooklyn.

COMMUNITY BOARD #3BK

125-99-BZ

APPLICANT - Agusta & Ross, for 8-10 Little Nassau Corp., owner.

SUBJECT - Application May 25, 1999 - under Z.R. §72-21, to permit the proposed erection of a five story, eight unit multiple dwelling, located in an M1-2 zoning district, which is contrary to Z.R. §42-00.

PREMISES AFFECTED - 786 Kent Avenue a.k.a. 8-10 Little Nassau Street, southwest corner of Little Nassau Street and Kent Avenue, Block 1883, Lot 21, Borough of Brooklyn.

COMMUNITY BOARD #3BK

308-00-BZ

APPLICANT - Charles R. Foy, Esq., for KFC of America, Inc., owner.

SUBJECT - Application December 21, 2000 - under Z.R. § 72-21 and §73-213 to permit the proposed eating and drinking establishment with an accessory drive through facility, Use Group 6, located in C8-1, C1-2 and R5 zoning districts, which is contrary to Z.R. §22-00 and requires a special permit as per Z.R. §73-243 and §32-15.

PREMISES AFFECTED - 1125 East Gunhill Avenue, 79' west of the intersection of East Gunhill & Boston Roads, Block 4705, Lot 5, Borough of The Bronx.

COMMUNITY BOARD #2BX

CALENDAR

12-01-BZ & 13-01-BZ

APPLICANT - Jesse Masyr, Wachtel & Masyr, LLP, for R. D. Hendon Realty, Inc., owner.

SUBJECT - Application January 16, 2001 - under Z.R. §72-21 to permit the proposed construction of a one story building, to be developed as a restaurant and local retail uses, and also the proposed construction of a five story self-storage facility, located in an R4 zoning district, which is contrary to Z.R. §22-00.

PREMISES AFFECTED - 2829 Edson Avenue, block bounded by

Edson, Bartow, Grace and Arnow Avenues, Block 4800, Lots 5, 6 and 8 (Tentative Lot 8), Borough of The Bronx.
2875 Edson Avenue, block bounded by Edson, Bartow, Grace and Arnow Avenues, Block 4800, Lots 5, 6, and 8 (Tentative Lot 6), Borough of The Bronx.

COMMUNITY BOARD #12BX

Pasquale Pacifico, Executive Director

MINUTES

**REGULAR MEETING
TUESDAY MORNING, APRIL 17, 2001
10:00 A.M.**

Present: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, March 27, 2001, were approved as printed in the Bulletin of April 5, 2001, Volume 86, No. 13-14.

SPECIAL ORDER CALENDAR

200-24-BZ

APPLICANT - Stephen Ely, for Haymes Investment Company, owner; Cha Duk Kim, Hail Super Corp, lessee.

SUBJECT - Application October 20, 2000 - reopening for an extension of term of the variance which expired September 23, 2000, and for an amendment to legalize the change of use from automotive related service (Use Group 16) to use food store (Use Group 6).

PREMISES AFFECTED -3030 Jerome Avenue a.k.a 3103 Villa Avenue, 161.81' south of East 204th Street, Block 3321, Lot 25 Borough of The Bronx.

COMMUNITY BOARD #7BX

APPEARANCES -

For Administration: Lt. Haven, Fire Department.

ACTION OF THE BOARD - Application reopened, term of the variance extended and resolution amended.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo..... .4

Negative:0

THE RESOLUTION -

WHEREAS, the applicant requested an extension of the term of the variance and an amendment to the resolution; and

WHEREAS, a public hearing was held on this application on March 27, 2001 after due notice by publication in the City Record, laid over to April 17, 2001 for decision.

WHEREAS, the applicant proposes to legalize the change of use form automotive related services (Use Group 16) to a retail food store (Use Group 6) and to extend the term of the variance; and

WHEREAS, the Board finds that the current occupancy will have no negative impact in the development of the surrounding area;

Resolved, that the Board of Standards and Appeals

reopens and amends the resolution pursuant to §11-411 and §11-413 of the *Zoning Resolution*, said resolution having been adopted on March 20, 1960 as amended through May 7, 1991 expiring on September 23, 2000, so that as amended this portion of the resolution shall read:

" to legalize the change of use from automotive related services (Use Group16) to a retail food store (Use Group 6) and to extend the term of the variance; on condition that the term of the variance shall be limited to ten years to expire on September 23, 2010; that the garbage pickup and all loading and unloading shall occur from the commercial portion of the property; that the premises shall be maintained graffiti free and in substantial compliance with the proposed conditions plans submitted with this application marked 'Received October 20, 2000' -(3) sheets; and that the change of use, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department."

(DOB 200608896)

Adopted by the Board of Standards and Appeals, April 17, 2001.

154-50-BZ

APPLICANT - Walter T. Gorman, P.E., for Larry Hirschhorn, owner, Golan Service Station, Inc., lessee.

SUBJECT - Application January 16, 2001 - request for a waiver of the Rules of Practice and Procedure, reopening for an amendment to reflect a change in the size of the canopy and for an extension of term.

PREMISES AFFECTED - 5213/29 Flatlands Avenue, a/k/a 1260/64 East 53rd Street, northwest corner of Avenue "J", Block 7800, Lot 39, Borough of Brooklyn.

COMMUNITY BOARD #18BK

APPEARANCES -

For Applicant: Arthur Sulliman.

For Administration: Lt. Haven, Fire Department.

ACTION OF THE BOARD - Rules of Practice and Procedures waived, application reopened, term of variance extended and resolution amended.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo..... .4

Negative:0

THE RESOLUTION -

WHEREAS, the applicant requested a waiver of the Rules of Practice and Procedures, an extension of the term of the variance and an amendment to the resolution; and

WHEREAS, a public hearing was held on this application on March 6, 2001 after due notice by publication

MINUTES

in the City Record, laid over to March 27, 2001 and then to April 17, 2001 for decision.

WHEREAS, the applicant proposes to extend the term of the variance and to amend the resolution to reflect a change in the size of the previously approved canopy; and

WHEREAS, Community Board #18BK, recommended conditional approval of the application; and

Resolved, that the Board of Standards and Appeals *reopens and amends* the resolution pursuant to Z.R. §11-411 and §11-412, said resolution having been adopted on July 11, 1950, as amended through April 21, 1992 expiring on April 22, 2000, so that as amended this portion of the resolution shall read:

"Rules of Practice and Procedures waived; term of variance extended and resolution amended; on condition that the term of the variance shall be limited to ten years to expire on April 22, 2010; that the 20' x 24'.6" canopy shall be maintained in lieu of the previously approved 59' x 24'.6" canopy; that the site lighting shall be maintained in accordance with the BSA approved plans; that the above conditions appear on the certificate of occupancy; that the parking shall be for cars awaiting service; that no car sales or car service shall be operated from this site; that the premises shall be maintained graffiti free and in substantial compliance with the existing and proposed conditions plans submitted with the application marked 'Received March 15, 2001'-(4) sheets and that other than as herein amended the resolution above cited shall be complied with in all respects, and a new certificate of occupancy be obtained within twenty four months of the date of this amended resolution."

(DOB 301075057)

Adopted by the Board of Standards and Appeals, April 17, 2001.

271-71-BZ

APPLICANT -Sheldon Lobel, P.C., for Sheldon E. Leibowitz, owner.

SUBJECT - Application October 24, 2000 - a reopening for an extension of the term of variance which expires July 6, 2001.

PREMISES AFFECTED - 1006/20 First Avenue a/k/a 400/416 East 56th Street, Block 1367, Lots 1, 10, Borough of Manhattan.

COMMUNITY BOARD #6M

APPEARANCES -

For Applicant: Lyra Altman.

ACTION OF THE BOARD - Application reopened and term of the variance extended.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Bonfilio,

Commissioner Korbey and Commissioner Caliendo.....4
Negative:0

THE RESOLUTION -

WHEREAS, the applicant requested an extension of the term of the variance; and

WHEREAS, Community Board #6M, recommended approval of the application; and

WHEREAS, a public hearing was held on this application on March 3, 2001 after due notice by publication in *The City Record*, laid over to March 27, 2001 and then to April 17, 2001 for decision.

WHEREAS, a sign has been placed within the garage area advising all tenants of the building of their right to recapture parking spaces dedicated to daily transient parking; and

WHEREAS, the Board finds that the premises is operated in substantial compliance with the conditions imposed by the prior BSA resolutions.

Resolved, that the Board of Standards and Appeals *reopens and amends* the resolution pursuant to §60 (1)(b) of the *Multiple Dwelling Law*, said resolution having been adopted on July 6, 1971 as amended through October 1, 1991 expiring on July 6, 2001 only as to the term of the variance, so that as amended this portion of the resolution shall read:

"granted for an extension of term; on condition that the term of the variance shall be limited to ten years to expire on July 6, 2011; that a new license shall be obtained from the Department of Consumer Affairs; that the number of spaces devoted to transient parking shall be limited to ninety five; that a sign advising tenants that they may recapture any of the spaces devoted to daily transient parking on 30 days notice to the owner in accordance with §60 (1)(b) of the of the Multiple Dwelling Law shall be conspicuously displayed at all times within the garage area; that the premises shall be maintained graffiti free and in substantial compliance with the conditions of this grant and that other than as herein amended the resolution above cited shall be complied with in all respects, and a new certificate of occupancy be obtained within twenty four months of the date of this amended resolution."

(DOB 102804011)

Adopted by the Board of Standards and Appeals, April 17, 2001.

854-87-BZ

APPLICANT -Sheldon Lobel, P.C.,for Ansano Construction Corp, owner.

SUBJECT - Application November 30, 2000 - request for a waiver of the Rules of Practice and Procedure and a reopening for an extension of term of the special permit which expired December 20, 1998.

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PREMISES AFFECTED - 3924 East Tremont Avenue, Southwesterly corner of the intersection of East Tremont Avenue and Cross Bronx Expressway, Block 5576, Lot 1, Borough of The Bronx.

COMMUNITY BOARD #18BK

APPEARANCES -

For Applicant: Lyra Altman.

For Administration: Lt. Haven, Fire Department.

ACTION OF THE BOARD - Rules of Practice and Procedures waived; application reopened and term of the special permit extended.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

THE RESOLUTION -

WHEREAS, the applicant requested a waiver of the Rules of Practice and Procedures and an extension of the term of the special permit; and

WHEREAS, a public hearing was held on this application on March 27, 2001 after due notice by publication in *The City Record* and laid over to April 17, 2001 for decision.

Resolved, that the Board of Standards and Appeals *reopens and amends* the resolution pursuant to Z.R.§73-03 and §73-11, said resolution having been adopted on December 20, 1988 expiring on December 20, 1998, only as to the term of the variance, so that as amended this portion of the resolution shall read:

"Rules of Practice and Procedures waived; term of special permit extended; on condition that the term of the special permit shall be limited to ten years to expire on December 20, 2008; that the premises shall be maintained graffiti free and in substantial compliance with the existing and proposed conditions plans submitted with the application marked 'Received November 30, 2000'-(5) sheets and that other than as herein amended the resolution above cited shall be complied with in all respects, and a new certificate of occupancy be obtained within twenty four months of the date of this amended resolution."

(Alt. No. 85/1984)

Adopted by the Board of Standards and Appeals, April 17, 2001.

213-96-BZ

APPLICANT - Law Office of Carole S. Slater, for Estate of Manny Duell c/o; owner, Cheers of Manhattan, Inc. (dba The Stonewall), lessee.

SUBJECT - Application August 11, 2000 - a reopening for an extension of term of the special permit which expired March 24, 2001.

PREMISES AFFECTED - 51-53 Christopher Street, northeast corner of Seventh Avenue South, Block 610, Lots 1, Borough of Manhattan.

COMMUNITY BOARD #2M

APPEARANCES -

For Applicant: Stuart Beckerman.

For Administration: Lt. Haven, Fire Department.

ACTION OF THE BOARD - Application reopened and term of the special permit extended.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

THE RESOLUTION -

WHEREAS, the applicant requested an extension of the term of the special permit; and

WHEREAS, Community Board #2M, recommended approval of the application; and

WHEREAS, a public hearing was held on this application on January 9, 2001 after due notice by publication in the City Record, laid over to March 13, 2001; March 27, 2001 and then to April 17, 2001 for decision.

Resolved, that the Board of Standards and Appeals *reopens and amends* the resolution pursuant to Z.R.§73-03 and §73-11, said resolution having been adopted on March 24, 1998 expiring on March 24, 2001, only as to the term of the variance, so that as amended this portion of the resolution shall read:

"Granted for an extension of special permit; on condition that the term of the special permit shall be limited to three years to expire on March 24, 2004; that the premises shall be maintained graffiti free and in substantial compliance with the existing and proposed conditions plans submitted with the application marked 'Received February 15, 2001' -(3) sheets; and that other than as herein amended the resolution above cited shall be complied with in all respects, and a new certificate of occupancy be obtained within twelve months of the date of this amended resolution."

(DOB 101396623)

Adopted by the Board of Standards and Appeals, April 17, 2001.

261-98-BZ

APPLICANT - New York City Board of Standards and Appeals.

SUBJECT - For possible rescindment of the resolution.

PREMISES AFFECTED - 193 20th Street, north side, 200' west of Fourth Avenue, Block 637, Lot 69, Borough of Brooklyn

COMMUNITY BOARD #7BK

MINUTES

APPEARANCES - None.

ACTION OF THE BOARD - Application withdrawn.

THE VOTE TO WITHDRAW -

Affirmative: Chairman Chin, Vice Chair Bonfilio,
Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

Adopted by the Board of Standards and Appeals, April
17, 2001.

125-99-BZ

APPLICANT - New York City Board of Standards and
Appeals.

SUBJECT - to dismiss the application for lack of
prosecution.

PREMISES AFFECTED - 786 Kent Avenue, aka 8/10 Little
Nassau Street, southwest corner, Block 1883, Lot 21,
Borough of Brooklyn.

COMMUNITY BOARD #3BK

APPEARANCES -

In Opposition: Mitchell Ross.

ACTION OF THE BOARD - Application withdrawn.

THE VOTE TO WITHDRAW -

Affirmative: Chairman Chin, Vice Chair Bonfilio,
Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

Adopted by the Board of Standards and Appeals, April
17, 2001.

132-58-BZ

APPLICANT -Vassalotti Associates Architects.,for The
Estate of Joseph P. Barone, owner.

SUBJECT - Application November 24, 1999 - reopening for
an extension of term of the variance which expired June 18,
2000.

PREMISES AFFECTED - 17-45 and 17-55 Francis Lewis
Boulevard, Block 4747, Lots 31 and 41, Borough of Queens.

COMMUNITY BOARD #7Q

APPEARANCES -

For Administration: Lt. Haven, Fire Department.

ACTION OF THE BOARD - Laid over to May 1, 2001,
at 10 A.M., for continued hearing.

300-64-BZ

APPLICANT - New York City Board of Standards and
Appeals.

OWNER: Pathmark Stores Inc.

SUBJECT - to dismiss the application for lack of
prosecution.

PREMISES AFFECTED -1038-64 Leland Avenue, east side,
100' south of Watson Avenue, Block 3731, Lots 26 and 36,
Borough of The Bronx.

COMMUNITY BOARD # 9BX

APPEARANCES -

For Opposition: Mary A. Lei.

ACTION OF THE BOARD - Laid over to May 22, 2001,
at 10 A.M., for continued hearing.

837-85-A

APPLICANT - Philip P. Agusta, R.A., M.U.P., for Dr.
Stephen Gari, D.M.D., F.A.G.D., owner.

SUBJECT - Application December 13, 2000 - reopening for
an extension of term of the variance which expired December
17, 2000.

PREMISES AFFECTED - 166-18 73rd Avenue and 73-02
167th Street, southwest corner of 73rd Avenue and 167th
Street, Block 6974, Lot 19, Borough of Queens.

COMMUNITY BOARD #8Q

APPEARANCES -

For Applicant: Philip P. Agusta.

For Opposition: Battalion Chief Robert J. Stec, Fire
Department.

ACTION OF THE BOARD - Laid over to May 22, 2001,
at 10 A.M., for continued hearing.

1617-88-BZ

APPLICANT - Goidel and Siegel, LLP, for Vivian Properties,
LLC as Contract Vendee to NYCTL 1996-1 Trust and the
Bank of New York, owner.

SUBJECT - Application February 28, 2000 - reopening for an
extension of term of variance which expired January 30, 2000.

PREMISES AFFECTED - 17-33 West 9th Street, north side,
163.6' east of Columbia Street, Block 534, Lots 35, 36 and 37,
Borough of Brooklyn.

COMMUNITY BOARD #6BK

APPEARANCES -

For Applicant: Simon Benezhansky.

For Administration: Lt. Haven, Fire Department.

ACTION OF THE BOARD - Laid over to June 5, 2001,
at 10 A.M., for continued hearing.

MINUTES

49-95-BZ

APPLICANT - Sheldon Lobel, P.C., for Art Flock & Screen, Inc., owner

SUBJECT - Application May 23, 2000 - reopening for an amendment to permit a change of use from storage warehouse with showrooms and sales (Use Group 16E) to retail stores (Use Group 6) and to extend the term of the existing variance.

PREMISES AFFECTED - 806/814 Coney Island Avenue, west side of Coney Island Avenue, 300.75' north of the intersection with Ditmas Avenue, Block 5393, Lots 27, 93 and 140, Borough of Brooklyn.

COMMUNITY BOARD #12BK

APPEARANCES -

For Applicant: Lyra Altman.

For Administration: Lt. Haven, Fire Department.

ACTION OF THE BOARD - Laid over to May 1, 2001, at 10 A.M., for continued hearing.

41-97-BZ

APPLICANT - Robert L. Henry, for Linton Grant, owner.

SUBJECT - Application December 11, 2000 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of time to complete construction which expired September 29, 1999.

PREMISES AFFECTED - 5566 Kings Highway, West side of Kings High 102-5 South of Tilden Avenue, Block 4740, Lot 61, Borough of Brooklyn.

COMMUNITY BOARD # 17BK

APPEARANCES -

For Applicant: Robert Henry.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

ACTION OF THE BOARD - Laid over to May 1, 2001, at 10 A.M., for decision, hearing closed.

261-98-BZ

APPLICANT - Gluckman & Scire-Chianetta, Architects, P.C., for Anthony Crisano, owner; M.N.J.S., LLC, lessee.

SUBJECT - Application January 29, 2001 - reopening for an amendment.

PREMISES AFFECTED - 193 20th Street, north side 200' west of fourth Avenue, Block 637, Lot 69, Borough of Brooklyn.

COMMUNITY BOARD #7BK

APPEARANCES - None.

ACTION OF THE BOARD - Laid over to May 15, 2001, at 10 A.M., for continued hearing.

77-99-BZ

APPLICANT - Philip P. Agusta, R.A., M.U.P., for Turnpike Auto Laundry Inc., for Phil Frank, President, owner.

SUBJECT - Application November 1, 2000 - reopening for an amendment.

PREMISES AFFECTED - 255-39 Jamaica Avenue, north side of Jamaica Avenue, a/k/a Jericho Turnpike 80' west of 256th Street, Block 8830, Lot 52, Borough of Queens.

COMMUNITY BOARD #13Q

APPEARANCES -

For Applicant: Philip P. Agusta.

For Administration: Lt. Haven, Fire Department.

ACTION OF THE BOARD - Laid over to May 15, 2001, at 10 A.M., for continued hearing.

309-00-A

APPLICANT - New York City Department of Buildings.

OWNER OF PREMISES: J. J. Family Realty, Beach Auto Parts, Inc., Lessee.

SUBJECT - Application December 22, 2000 - Application to review and set aside Certificate of Occupancy No. Q400089079, for subject premises on basis that the Certificate of Occupancy, issued June 10, 1993, which permitted the use of an accessory garage for installation of auto parts, sold at an attached retail auto parts store, was issued in error.

PREMISES AFFECTED - 13-26/36 Beach Channel Drive, bounded by Dix and Redfern Avenues and Beach Channel Drive, Block 15528, Lot 12, Borough of Queens.

APPEARANCES - None.

ACTION OF THE BOARD - Appeal granted.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

THE RESOLUTION

WHEREAS, the letter from the Commissioner of the Department of Buildings dated December 22, 2000, reads:

“Enclosed herewith is an application seeking the revocation of the Certificate of Occupancy (No. Q400089079, issued June 10, 1993), for the above referenced premises;”and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Vice Chair Paul Bonfilio, R.A., Commissioner Mitchell Korbey and Commissioner Peter Caliendo; and

WHEREAS, this is an application submitted by the New York City Department of Buildings seeking to revoke Certificate of Occupancy No.Q400089079 issued by the Department of Buildings on June 10, 1993, which permits the

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use of an accessory garage for the installation of automotive parts sold at an attached retail automotive parts store; and

WHEREAS, the subject premises consists of a one-story building and a parking lot on an 114.71' X 180' lot, located in a C1-2(R5) zoning district; and

WHEREAS, The Department of Buildings contends that the Certificate of Occupancy must be set aside because it authorizes in a C1-2 zoning district a Use Group 16 automotive repair establishment which is contrary to Z.R. Section 31-00; and

WHEREAS, on March 12, 1990, job application number 400089079 was filed with the Department of Buildings requesting "change of use of accessory garage to include installation of auto parts sold at auto retail store; and

WHEREAS, the above referenced application generated two objections; and

WHEREAS, on May 29, 1990, the Department of Buildings issued the following objections; (i) "proposed automobile repair shop located in C1-2/R5 is a nonconforming use, contrary to Z.R. 31-00" (ii) "verify uses and substantiate legality of the existing arrangement"; and

WHEREAS, on September 5, 1991, an application for reconsideration of the two objections and a request for approval of the existing garage to include as accessory use to existing auto retail store the installation of auto parts' sold at the auto retail store which will include and not limited to radios, radiators, alternators, tires, alarm systems, brakes, air conditioning systems, stereo systems, carburetors (sic), etc. was filed; and

WHEREAS, on December 17, 1991, the objection checklist was updated to reflect the date on which the objections were cured; and

WHEREAS, on June 10, 1993, the Department of Buildings issued the Certificate of Occupancy #Q400089079 which listed auto parts installation in the garage, and

WHEREAS, it is this Certificate of Occupancy that the Department of Buildings now seeks to revoke because it was issued contrary to the permitted zoning; and

WHEREAS, the Certificate of Occupancy permitted the use of an accessory garage for installation of automotive parts, sold at an attached retail automobile parts store; and

WHEREAS, the record indicates that the Certificate of Occupancy lists the following as permissible uses; (1) storage at the cellar level; (2) "Retail Store & accessory garage to include installation of auto parts sold at auto retail store" on the first floor; (3) offices on the mezzanine; and (4) "accessory open parking for 21 cars;" and

WHEREAS, the Department of Buildings contends and the Board agrees that while automobile supply stores, (Use Group 6) with no installation or repair services are permitted in a C1-2 zoning district, the use of an accessory garage for auto parts installation and/or repair can not be a use

"customarily found in connection with" an automobile supply store where installation or repair services are prohibited; and

WHEREAS, therefore, the use of the garage portion of the Auto Parts Store for auto repair and/or parts installation can not be an "accessory use" pursuant to Z.R. § 12-10 "Accessory Use, or Accessory"); and

WHEREAS, the Board notes that auto repair uses such as those taking place in the Auto Parts Store are listed under Use Group 16 pursuant to Z.R. §32-25(B) are only permitted as of right in C8 zoning districts; and

WHEREAS, C1-2 districts limit uses to convenience retail or service establishments; and

WHEREAS, the zoning resolution makes clear that automotive supply stores are permitted in C1-2 districts installation of automotive parts and automotive repairs are not; and

WHEREAS, therefore, the Board finds that the 1993 Certificate of Occupancy was improperly issued and must be revoked; and

Resolved, that the application of the Commissioner of Department of Buildings, dated December 22, 2000, seeking revocation of Certificate of Occupancy (No. Q400089079, issued on June 10, 1993, is hereby granted.

Adopted by the Board of Standards and Appeals, April 17, 2001.

24-01-A

APPLICANT - Edward F. Westfield, P.C., for John P. Johnson, Patrick Rona, owner.

SUBJECT - Application January 19, 2001 - an appeal and review of the Department of Buildings' approval of alteration application, work permit and reconsiderations granted on December 20, 200, on grounds that the work would increase the height and number of stories of the subject premises in violation of MDL (2)(a) and Table 4-1 and Sections 27-305 of the Building Code.

PREMISES AFFECTED - 114 East 36th Street, Park Avenue and Lexington Avenue, Block 891, Lot 81, Borough of Manhattan.

COMMUNITY BOARD #6M

APPEARANCES - None.

ACTION OF THE BOARD - Application withdrawn.

THE VOTE TO WITHDRAW -

Affirmative: Chairman Chin, Vice Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

Adopted by the Board of Standards and Appeals, April 17, 2001.

14-01-A

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APPLICANT - Joseph A. Sherry, for Breezy Point Cooperative, Inc., owner; Jack Nacmias, lessee.

SUBJECT - Application January 17, 2001 - proposed enlargement to an existing one family dwelling, not fronting on a legally mapped street and located within the bed of a mapped street, which is contrary to Sections 35 and 36, Article 3 of the General City Law.

PREMISES AFFECTED - 3 Clinton Walk, west side, 55.0' north of 12th Avenue, Block 16350, Lot 300, Borough of Queens.

COMMUNITY BOARD #14Q

APPEARANCES -

For Applicant: Loretta Papa.

For Administration: Lt. Haven, Fire Department.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

ACTION OF THE BOARD - Laid over to May 1, 2001, at 11 A.M., for decision, hearing closed.

48-01-A

APPLICANT - Walter T. Gorman, P.E., for Breezy Point Cooperative, Inc., owner; William Dolan, lessee.

SUBJECT - Application February 9, 2001 - proposed enlargement of the existing first floor and the addition of a new second floor, to a one family dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED - 29 Gotham Walk, east side, 35' north of Breezy Point Boulevard, Block 16350, Lot part of 400, Borough of Queens.

COMMUNITY BOARD #14Q

APPEARANCES -

For Applicant: Art Sullivan.

For Administration: Lt. Haven, Fire Department.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

ACTION OF THE BOARD - Laid over to May 1, 2001, at 11 A.M., for decision, hearing closed.

Pasquale Pacifico, Executive Director.

Adjourned: 11:05 A.M.

REGULAR MEETING TUESDAY AFTERNOON, APRIL 17, 2001 2:00 P.M.

Present: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.

ZONING CALENDAR

186-00-BZ

CEQR #00-BSA-002K

APPLICANT - Harold Weinberg, P.E., for Murray Dana, owner.

SUBJECT - Application July 14, 2000 - under Z.R. §73-622, to permit in an R2 zoning district, the proposed enlargement of the existing non-conforming two family residence to be converted to a conforming one family residence in an R2 zoning district, which creates non-compliance with respect to Floor Area Ratio, Open Space Ratio, side yard and is contrary to Z.R. § 23-141, §54-31 and §23-461;

PREMISES AFFECTED - 2301 Avenue L, northeast corner of East 23rd Street, Block 7623, Lot 7, Borough of Brooklyn.

COMMUNITY BOARD #14BK

APPEARANCES -

For Applicant: Harold Weinberg.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

THE RESOLUTION -

WHEREAS, the decision of the Borough Commissioner, dated July 6, 2000, acting on Application No. 301025717 reads, in pertinent part:

“THE PROPOSED ENLARGEMENT OF THE EXISTING NON-CONFORMING TWO FAMILY RESIDENCE TO BE CONVERTED TO A CONFORMING ONE FAMILY RESIDENCE IN AN R2 ZONING DISTRICT:

1. INCREASES THE DEGREE OF NON-COMPLIANCE WITH RESPECT TO THE FLOOR AREA RATIO AND IS CONTRARY TO SECTIONS 23-141 AND 54-31 OF THE ZONING RESOLUTION.
2. INCREASES THE DEGREE OF NON-COMPLIANCE WITH RESPECT TO THE OPEN SPACE RATIO AND IS CONTRARY TO SECTIONS 23-141 AND 54-31 OF THE ZONING RESOLUTION.
3. INCREASES THE DEGREE OF NON-COMPLIANCE WITH RESPECT TO SIDE YARD AND IS CONTRARY TO SECTIONS 23-461 AND 54-31.

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WHEREAS, a public hearing was held on this application on March 6, 2001 after due notice by publication in The City Record, laid over to March 27, 2001 and then to April 17, 2001 for decision; and

WHEREAS, the premises and surrounding area had site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Vice-Chair Paul Bonfilio, R.A., Commissioner Mitchell Korbey and Commissioner Peter Caliando; and

WHEREAS, a special permit is sought under Z.R. §73-622 to permit in an R2 zoning district, the proposed enlargement of the existing non-conforming two family residence to be converted to a conforming one family residence in an R2 zoning district, which creates non-compliance with respect to Floor Area Ratio, Open Space Ratio, side yard and is contrary to Z.R§ 23-141, §54-31 and §23-461; and

WHEREAS, the proposed enlargement will increase the floor area ratio to 1.07, decreases the open space ratio to .51.7, decreases the northern side yard by .20 ; and

WHEREAS, the perimeter wall height of 24'-3" will comply with the applicable zoning regulations; and

WHEREAS, the Board finds that the proposed enlargement will not alter the essential character of the surrounding neighborhood nor will it impair the future use and development of the surrounding area; and

WHEREAS, the proposed project will not interfere with any pending public improvement project; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. §§73-622 and 73-03.

Resolved that the Board of Standards and Appeals issues a Type II determination under 6 NYCRR Part 617 of the Rules of Procedure for City Environmental Quality Review and makes the required findings under Z.R. §§73-03 and 73-622 and *grants* a special permit, to permit in an R2 zoning district, the proposed enlargement of the existing non-conforming two family residence to be converted to a conforming one family residence in an R2 zoning district, which creates non-compliance with respect to Floor Area Ratio, Open Space Ratio, side yard and is contrary to Z.R§ 23-141, §54-31 and §23-461, on *condition* that all work shall substantially conform to drawings as they apply to the objection above-noted, filed with this application marked "Received September 21, 2000"-(6) sheets, "January 3, 2001"-(2) sheets, "January 24, 2001"-(4) sheets, "March 8, 2001"-(1) sheet; and *on further condition*;

THAT the development, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department; and

THAT substantial construction be completed and a new

certificate of occupancy be obtained within four years of this grant.

Adopted by the Board of Standards and Appeals, April 17, 2001.

211-00-BZ

CEQR #01-BSA-023K

APPLICANT - Sheldon Lobel, P.C., for Hoffman & Hoffman, LLC, owner.

SUBJECT - Application September 1, 2000 - under Z.R. §72-21, to permit the legalization of the residential units on the second through fourth floors of a mixed use four story building, manufacturing and residential (Use Groups 17/2) located in an M1-2 zoning district, which is contrary to Z.R. §42-00.

PREMISES AFFECTED - 252 Norman Avenue, located at the intersection of the Southerly side of Norman Avenue and the Easterly side of Monitor Avenue, Block 2657, Lot 1, Borough of Brooklyn.

COMMUNITY BOARD #1BK

APPEARANCES -

For Applicant: Janice Cahalane.

For Administration: Lt. Haven, Fire Department.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliando.....4

Negative:0

THE RESOLUTION -

WHEREAS, the decision of the Borough Commissioner, dated August 22, 2000, acting on Applic. No. 301069652, reads:

"The use group for legalizing residences is contrary to ZR Sect. 42-00"; and

WHEREAS, Community Board #1, Brooklyn, recommends conditional approval of this application; and

WHEREAS, a public hearing was held on this application on March 6, 2001 after due notice by publication in *The City Record*, laid over to March 27, 2001, and then to April 17, 2001 for decision; and

WHEREAS, the premises and surrounding area several site and neighborhood examinations by a committee of the Board consisting of Chairman James Chin, Vice Chair Paul Bonfilio R.A., Commissioner Mitchell Korbey and Commissioner Peter Caliando; and

WHEREAS, this is an application under Z.R. §72-21, to permit the legalization of the residential units on the second through fourth floors of a mixed use four story building, manufacturing and residential (Use Groups 17/2) located in an M1-2 zoning district, which is contrary to Z.R. §42-00; and

WHEREAS, the record indicates that the portion of the

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existing four story building fronting on the south side of Norman Avenue is only 10' high; and

WHEREAS, the ground floor of the subject building is currently used for manufacturing furniture; and

WHEREAS, the second, third and fourth floors house a residential use; and

WHEREAS, the record indicates that the Greenpoint section of Brooklyn is characterized by mixture of residential, manufacturing and commercial uses; and

WHEREAS, the subject premises abuts properties within a large R6 zone directly to the south and across the street to the west, the properties to the east are within the same M1-2 area and an M3-1 district to the north; and

WHEREAS, the three upper floors that are the subject of this application were vacant when the owner purchased the building in April 1999 ; and

WHEREAS, the applicant has demonstrated that efforts to lease the vacant floors were unsuccessful; and

WHEREAS, the record indicates that the subject building is deteriorated with insufficient elevator capacity for modern manufacturing uses; and

WHEREAS, the subject building is the only non-residential building on Block 2657 fronting on Monitor Street; and

WHEREAS, applicant represents that there is little demand for manufacturing uses in this area and that the subject building is obsolete for those manufacturing uses; and

WHEREAS, the subject building is the only four-story building on block 2657; and

WHEREAS, the building is functionally obsolete for the purpose for which it was intended by virtue of its vertical arrangement of space with inadequate systems for heating, air conditioning, plumbing and electricity; and

WHEREAS, the Board notes that for modern manufacturing and warehouse uses, large open floor plates on single levels with sufficient loading capability are desirable; and

WHEREAS, the subject building is burdened with an inadequate loading area, and with floor plates interrupted by support columns; and

WHEREAS, the aforementioned burdens pose a suspect capability for use as viable, modern manufacturing or warehouse facility; and

WHEREAS, the aforementioned unique physical condition of the building makes its occupancy for a conforming M1-2 use impractical and creates an unnecessary hardship in developing the site in conformity with the current zoning; and

WHEREAS, the applicant has submitted a feasibility study demonstrating that developing the premises with a conforming use would not yield the owner a reasonable return; and

WHEREAS, the property is located in an M1-2 manufacturing zone; and

WHEREAS, the Board notes that this is a legalization; and

WHEREAS, the record indicates that within the vicinity of the subject premises many residential uses are present; and

WHEREAS, the record indicates that public schools and parks are located within the immediate area of the subject premises; and

WHEREAS, the Board notes that public schools and parks are for uses generally associated with residential developments; and

WHEREAS, within the vicinity of the site there exist other residential or community facility uses; and

WHEREAS, the Board has determined that this proposal is consistent with New York City's Waterfront revitalization policies; and

WHEREAS, therefore, the Board finds that this action will not alter the essential character of the surrounding neighborhood nor impair the use or development of adjacent properties, nor will it be detrimental to the public welfare; and

WHEREAS, the hardship herein was not created by the owner or a predecessor in title; and

WHEREAS, this proposal is the minimum necessary to afford the owner relief; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. §72-21; and

WHEREAS, the Board has conducted an environmental review of the proposed action and has carefully considered all relevant areas of environmental concern; and

WHEREAS, the evidence demonstrates no foreseeable significant environmental impacts that would require the preparation of an Environmental Impact Statement; and

Resolved that the Board of Standards and Appeals issues a Negative Declaration under 6 NYCRR Part 617 and §6-07(b) of the Rules of Procedure for City Environmental Quality Review and makes each and every one of the required findings under Z.R. §72-21 and grants a variation in the application of the Zoning Resolution, limited to the objection cited, to permit the legalization of the residential units on the second through fourth floors of a mixed use four story building, manufacturing and residential (Use Groups 17/2) located in an M1-2 zoning district, which is contrary to Z.R. §42-00, on condition that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked Received January 26 , 2001"- (6) sheets and March 20, 2001 (3) sheets; and on further condition;

THAT, fire protection measures, including an automatic wet sprinkler system, fire alarm system and smoke detection

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system connected to a Fire Department-approved central station, shall be provided and maintained in accordance with the BSA-approved plans;

THAT the development, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department;

THAT substantial construction will be completed in accordance with Z.R. §72-23.

Adopted by the Board of Standards and Appeals, April 17, 2001.

212-00-BZ
CEQR# 01-BSA-024K

APPLICANT - Walter T. Gorman, P.E., for Show-Raka Enterprises Corp., owner; Belmont Services, Inc., lessee.

SUBJECT - Application September 7, 2000 - under Z.R. §72-21, to permit, on a site previously before the Board, the proposed construction and operation of a gasoline service station with an accessory convenience store, minor auto repairs with auto laundry on a site located in a C1-2 within an R5 zoning district which is contrary to previous variance granted under Cal. #550-55-BZ and Z.R. §32-25.

PREMISES AFFECTED - 640/666 Conduit Blvd. a.k.a. 600/608 Grant Avenue, block bounded by Grant, Belmont, Sheridan Avenues and Conduit Boulevard, Block 4239, Lot 1, Borough of Brooklyn.

COMMUNITY BOARD #5BK

APPEARANCES -

For Applicant: Art Sullivan.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

THE RESOLUTION -

WHEREAS, the decisions of the Borough Commissioner, dated September 6, 2000 and January 4, 2001 acting on ALT. Application Nos.301079160 and 301114988 reads:

1. Proposal to install three (3) new 4' x 8' dispensing islands with (1) multi-product dispenser on each island; one (1) new 4' x 12' dispensing island with a gasoline and diesel dispenser and erect a new steel canopy over all four islands on a site located in a C1-2 within an R5 zoning district is contrary to the latest drawings approved by the Board of Standards and Appeals under Cal. # 550-55 BZ and contrary to section 32-25 Z.R. and must,

therefore, be referred back to the BSA for approval.

- 2) Proposal to construct a new curb-cut on the Sheridan Avenue side of the site which is located in a C1-2 within an R5 zoning district is contrary to the latest drawing approved by the Board of Standards & Appeals under Cal. # 550-55-BZ and must, therefore, be referred back to the BSA for approval"; and

WHEREAS, a public hearing was held on this application on December 19, 2000 after due notice by publication in *The City Record*, laid over to February 13, 2001, March 6, 2001, March 27, 2001 and then April 17, 2001 for decision; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Vice-Chair Paul Bonfilio, R.A., Commissioner Mitchell Korbey and Commissioner Peter Caliendo; and

WHEREAS, this is an application under Z.R. §72-21, on a site previously before the Board, to permit the proposed construction and operation of a gasoline service station with an accessory convenience store and minor auto repairs with auto laundry on a site located in a C1-2 within an R5 zoning district which is contrary to previous variance granted under Cal. #550-55-BZ and Z.R. §32-25; and

WHEREAS, in 1956, when the property lied within a Residence Use District, under Calendar Number 550-55- BZ, the Board permitted the erection and maintenance of a gasoline service station with accessory uses; and

WHEREAS, through a series of minor amendments, the site has evolved to its current form; and

WHEREAS, the most recent term of the grant expires on July 24, 2001; and

WHEREAS, the record indicates that the gasoline service station use has been continuous since 1956 but was discontinued in the last year and a half; and

WHEREAS, the record indicates that the subject parcel is irregular because it occupies the entire block and exceeds half an acre; and

WHEREAS, the applicant represents that subject parcel is virtually isolated from the surrounding community because it is bounded by Grant, Belmont, and Sheridan Avenues as well as Conduit Boulevard; and

WHEREAS, the applicant also represents that Conduit Boulevard is one of the busiest thoroughfares in the City for vehicular traffic but is isolated from pedestrian traffic; and

WHEREAS, the aforementioned unique physical condition of the site and its history of development as a gasoline service station, makes its occupancy for a conforming C1-2/R5 use impractical and creates an unnecessary hardship in developing the site in conformity with the current zoning; and

MINUTES

WHEREAS, the applicant has submitted a feasibility study demonstrating that developing the premises with a conforming use would not yield the owner a reasonable return; and

WHEREAS, the Board notes that the gasoline service station use has existed at the site for more than 45 years; and

WHEREAS, the Board finds that the new curb cut on Sheridan Avenue improves traffic flow because it is directly in line with cars exiting the site; and

WHEREAS, the hours of operation of the repair shop will remain limited to 7:00 a.m. to 6:00 p.m. daily, closed Sundays, with the gasoline sales and store business operation continuously; and

WHEREAS, the hours of operation of the auto laundry shall be limited to 7:00 a.m. to 7:p.m, seven days a week.; and

WHEREAS, therefore, the Board finds that this action will not alter the essential character of the surrounding neighborhood nor impair the use or development of adjacent properties, nor will it be detrimental to the public welfare; and

WHEREAS, the hardship herein was not created by the owner or a predecessor in title; and

WHEREAS, this proposal is the minimum necessary to afford the owner relief; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R.§72-21; and

WHEREAS, the Board has conducted an environmental review of the proposed action and has carefully considered all relevant areas of environmental concern; and

WHEREAS, the evidence demonstrates no foreseeable significant environmental impacts that would require the preparation of an Environmental Impact Statement; and

WHEREAS, therefore, the Board has determined that the proposed action will not result in any significant environmental effects.

Resolved that the Board of Standards and Appeals issues a Negative Declaration under 6 NYCRR Part 617 and §6-07(b) of the Rules of Procedure for City Environmental Quality Review and makes each and every one of the required findings under Z.R. §72-21 and *grants* a variation to permit, on a site previously before the Board, the proposed construction and operation of a gasoline service station with an accessory convenience store and minor auto repairs with auto laundry on a site located in a C1-2 within an R5 zoning district which is contrary to previous variance granted under Cal.#550-55-BZ and Z.R.§32-25, on condition that all work shall substantially conform to drawings as they apply to the objection above noted, filed with this application marked "Received April 3, 2001" -(5) sheets; and on further condition;

THAT the term of the variance shall be limited to

twenty years expiring on April 17, 2021;

THAT signage shall be provided in accordance with BSA-approved plans;

THAT fencing and screening shall be provided in accordance with BSA-approved plans;

THAT the hours of operation of the repair shop will remain limited to 7:00 a.m. to 6:00 p.m. daily, closed Sundays;

THAT the hours of operation of the auto laundry shall be limited to 7:00 a.m. to 7:p.m., seven days a week;

THAT lighting shall be provided in accordance with BSA-approved plans and shall be positioned down and away from the adjacent residential uses;

THAT there will be no vehicle detailing at this site;

THAT all spaces on the site are for customer parking;

THAT the above conditions shall appear on the certificate of occupancy;

THAT the development, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department; and

THAT substantial construction be completed in accordance with Z.R.§ 72-23.

Adopted by the Board of Standards and Appeals, April 17, 2001

**311-00-BZ
CEQR #01-BSA-078K**

APPLICANT - Sheldon Lobel, P.C., for Charles & Diane Suede, owners.

SUBJECT - Application December 22, 2000 - under Z.R. §73-622, to permit in an R2 zoning district, the proposed enlargement to an existing one family dwelling (Use Group 1), which does not comply with the zoning requirements for floor area ratio, open space ratio, side and rear yards and is contrary to Z.R§ 54-31, §23-461; and §23-47.

PREMISES AFFECTED - 3195 Bedford Avenue, 214' north of Avenue K, Block 7607, Lot 17, Borough of Brooklyn.

COMMUNITY BOARD #14BK

APPEARANCES -

For Applicant: Lyra Altman.

For Administration: Lt. Haven, Fire Department.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

THE RESOLUTION -

WHEREAS, the decision of the Borough Commissioner, dated December 18, 2000, acting on Alt. Application

MINUTES

No.301022168 reads, in pertinent part:

1. Proposed enlargement increases the degree of non-compliance of an existing building with respect to floor area ratio, which is contrary to ZR Section 54-31.
2. Proposed enlargement increases the degree of non-compliance of an existing building with respect to open space ratio, which is contrary to ZR Section 54-31.
3. Proposed enlargement results in one side yard of less than 5 feet and the total of both side yards less than 15 feet, contrary to ZR Section 23-461.
4. Proposed enlargement results in a rear yard of less than 30 feet, which is contrary to ZR Section 23-47.

WHEREAS, a public hearing was held on this application on March 27, 2001 after due notice by publication in The City Record, and laid over to April 17, 2001 for decision; and

WHEREAS, the premises and surrounding area had site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Vice-Chair Paul Bonfilio, R.A., Commissioner Mitchell Korbey and Commissioner Peter Caliendo; and

WHEREAS, a special permit is sought under Z.R. §73-622 to allow, in an R2 zoning district, the proposed enlargement to an existing one family dwelling (Use Group 1), which does not comply with the zoning requirements for floor area ratio, open space ratio, side and rear yards and is contrary to Z.R. § 54-31, §23-461; and §23-47; and

WHEREAS, the proposed enlargement will increase the floor area ratio to .99, decreases the open space ratio to .48.5, decreases the side yard by .23, and provides a rear yard of 20 feet; and

WHEREAS, the perimeter wall height will comply with the applicable zoning regulations; and

WHEREAS, the Board finds that the proposed enlargement will not alter the essential character of the surrounding neighborhood nor will it impair the future use and development of the surrounding area; and

WHEREAS, the proposed project will not interfere with any pending public improvement project; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. §§73-622 and 73-03.

Resolved that the Board of Standards and Appeals issues a Type II determination under 6 NYCRR Part 617 of the Rules of Procedure for City Environmental Quality Review and makes the required findings under Z.R. §§73-03 and 73-622 and *grants* a special permit in an R2 zoning district, to permit in an R2 zoning district, the proposed enlargement to an existing one family dwelling (Use Group 1), which does not comply with the zoning requirements for floor area ratio, open space ratio, side and rear yards and is

contrary to Z.R. § 54-31, §23-461; and §23-47 ,on *condition* that all work shall substantially conform to drawings as they apply to the objection above-noted, filed with this application marked "Received February 8, 2001"-(9) sheets and "April 10, 2001"-(3) sheets; and *on further condition*;

THAT the development, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department; and

THAT substantial construction be completed and a new certificate of occupancy be obtained within four years of this grant.

Adopted by the Board of Standards and Appeals, April 17, 2001.

73-99-BZ

APPLICANT - Burger King Corporation, by Walter Rumsey, for Phyllis Crawford and Henderson Crawford, owners; Consumer Food Services, L.L.C., lessee.

SUBJECT - Application April 12, 1999 - under Z.R. §73-243, to permit the proposed drive-thru, accessory to an eating and drinking establishment, located in an C1-1 zoning district, requires a special permit as per §73-243.

PREMISES AFFECTED - 3901 Richmond Avenue, corner of Amboy Road and Richmond Avenue, Block 5236, Lot 1, Borough of Staten Island.

COMMUNITY BOARD #3SI

APPEARANCES -

For Applicant: John Lafemina.

For Opposition: Larry Clovarrone.

ACTION OF THE BOARD - Laid over to May 22, 2001, at 2 P.M., for continued hearing.

186-99-BZ

APPLICANT - Peter F. Chang, for Razmik Oganessian, owner.

SUBJECT - Application September 2, 1999 - under Z.R. §11-41 to permit the proposed automotive repair shop (Use Group 16), contrary to Cal. No. 189-50-BZ, which permitted an automotive service station in a C2-2 zoning district.

PREMISES AFFECTED - 74-24 Rockaway Blvd., south side, 81.39 feet west of 91st Avenue, Block 8943, Lot 10, Borough of Queens.

COMMUNITY BOARD #9Q

APPEARANCES -

For Applicant: Vincent A. Sireci.

For Administration: Lt. Haven, Fire Department

ACTION OF THE BOARD - Laid over to June 12, 2001, at 2 P.M., for continued hearing.

MINUTES

37-00-BZ

APPLICANT - Leo Weinberger, Esq., for Pappco Holding Co., Ltd., owner; Harbans Singh Dhillon, lessee.

SUBJECT - Application February 28, 2000 - under Z.R. §§11-411 and 11-412, to permit the reestablishment of an expired variance previously granted under Cal. # 613-56-BZ, Use Group 16, which permitted an automotive service station in a C2-2 within an R3-2 zoning district.

PREMISES AFFECTED - 111-05/18 Van Wyck Expressway and 111-05/11 Lincoln Street, southwest corner, southwest corner, Block 11639, Lot 12, Borough of Queens.

COMMUNITY BOARD #10Q

APPEARANCES -

For Applicant: Leo Weinberger.

For Administration: Lt. Haven, Fire Department.

ACTION OF THE BOARD - Laid over to May 22, 2001, at 2 P.M., for continued hearing.

193-00-BZ

APPLICANT - H. Irving Sigman, for Louhal Properties, Inc., owner.

SUBJECT - Application July 24, 2000 - under Z.R. §72-21, to permit the proposed use of a parking lot for 19 cars, located within an R3-1 zoning district (Use Group 6) in conjunction with a proposed new laundromat, which is contrary to Z.R. §22-00.

PREMISES AFFECTED - 87-26 Lefferts Boulevard, west side, 210.17' south of Jamaica Avenue and 680' north of 89th Avenue, Block 9328, Lot 16, Borough of Queens.

COMMUNITY BOARD #9Q

APPEARANCES - None.

ACTION OF THE BOARD - Laid over to May 22, 2001, at 2 P.M., for deferred decision.

200-00-BZ

APPLICANT - Philip P. Agusta, R.A., M.U.P., for Blans Development Corp., owner.

SUBJECT - Application August 10, 2000 - under Z.R. §72-21, to permit the legalization of an existing physical culture establishment, on the first floor and portion of the second floor, in an existing two story manufacturing building, located in an R6 zoning district, which is contrary to Z.R. §22-00.

PREMISES AFFECTED - 107-24 37th Avenue, southwest

corner of 108th Street, Block 1773, Lot 10, Borough of Queens.

COMMUNITY BOARD #3Q

APPEARANCES -

For Applicant: Philip P. Agusta.

For Opposition: Battalion Chief Robert J. Stec, Fire Department.

For Administration: Lt. Haven, Fire Department.

ACTION OF THE BOARD - Laid over to May 15, 2001, at 2 P.M., for continued hearing.

247-00-BZ

APPLICANT - Martyn and Don Weston Architects, for Prince Street Corporation, owner; Tiffany Huang, lessee.

SUBJECT - Application October 17, 2000 - under Z.R. §73-36, to permit the proposed physical culture establishment, to be located on the first floor and cellar in an existing four story building, in a C4-2 zoning district, which requires a special permit as per Z.R. §32-31.

PREMISES AFFECTED - 136-45 41st Avenue, north side, 511'-11" west of Union Street, Block 5019, Lot 100, Borough of Queens.

COMMUNITY BOARD #7Q

APPEARANCES -

For Applicant: Battalion Chief Robert J. Stec, Fire Department and Don Weston.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

ACTION OF THE BOARD - Laid over to May 1, 2001, at 2 P.M., for decision, hearing closed.

248-00-BZ

APPLICANT - Sheldon Lobel, P.C., for Tile and Stone Warehouse Inc., owner.

SUBJECT - Application October 17, 2000 - under Z.R. §72-21, to permit the proposed construction of a building to be used as a retail/office and warehouse, in an area zoned for residential use (R-5) which is contrary to Z.R. §22-00.

PREMISES AFFECTED - 2398 Stillwell Avenue, west side, between Bay 49th and Bay 50th Streets, Block 6904, Lots 19 and 31, Borough of Brooklyn.

COMMUNITY BOARD #13BK

APPEARANCES -

For Applicant: Janice Cahalane.

For Opposition: Angelo Morrone.

For Administration: Lt. Haven, Fire Department.

ACTION OF THE BOARD - Laid over to April 17, 2001,

MINUTES

at 2 P.M., for continued hearing.

252-00-BZ

APPLICANT - Sheldon Lobel, P.C., for ICC Performance 3 LP by Alan Leavitt, owner.

SUBJECT - Application October 23, 2000 - under Z.R. §73-36, to permit the proposed physical culture establishment, within a portion of the first floor of an existing one story building, located in a C2-2 zoning district, which requires a special permit as per Z.R. §32-00.

PREMISES AFFECTED - 104-02/104-10 Rockaway Beach Blvd., northeast corner of Beach 105th Street, Block 16176, Lot 1, Borough of Queens.

COMMUNITY BOARD #14Q

APPEARANCES -

For Applicant: Lyra Altman.

For Administration: Battalion Chief Robert J. Stec, Fire Department and Lyra Altman.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

ACTION OF THE BOARD - Laid over to April 24, 2001, at 2 P.M., for decision, hearing closed.

263-00-BZ

APPLICANT - Philip P. Agusta and Gerald McCabe, for 19 East 77th Associates, LLC, owner.

SUBJECT - Application November 1, 2000 - under Z.R. §72-21, to permit the legalization of a rear enlargement, to existing four story and basement one family dwelling (Use Group 2) located in an R8B-LH-1A zoning district, which does not comply with the zoning requirements for lot coverage and does not provide the require rear yard, which is contrary to Z.R. §23-145 and §23-47.

PREMISES AFFECTED - 19 East 77th Street, north side, 120' west of Madison Avenue, Block 1392, Lot 12, Borough of Manhattan.

COMMUNITY BOARD #8M

APPEARANCES -

For Applicant: Philip P. Agusta.

For Opposition: Harold Weinberg and Birgit Zorniger.

ACTION OF THE BOARD - Laid over to June 26, 2001, at 2 P.M., for continued hearing.

288-00-BZ

APPLICANT - The Agusta Group, for Dominick Terrasi, owner.

SUBJECT - Application November 29, 2000 - under Z.R. §72-21, to permit the proposed erection of a two family dwelling (Use Group 2) located in an R3-1 zoning district, which creates non-compliance with respect floor area, front yards, lot area, coverage and width, which is contrary to Z.R. §23-

141, §23-45 and §23-32.

PREMISES AFFECTED - 3297 Griswold Avenue, northwest corner of Bayshore Avenue, Block 5417, Lot 117, Borough of The Bronx.

COMMUNITY BOARD #10BX

APPEARANCES -

For Applicant: Philip P. Agusta, Frank Porco and other.

THE VOTE TO REOPEN HEARING -

Affirmative: Chairman Chin, Vice Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

ACTION OF THE BOARD - Laid over to May 1, 2001, at 2 P.M., for continued hearing.

299-00-BZ

APPLICANT - Law Office of Carole S. Slater, for Congregation Machzekei Hadath, owner.

SUBJECT - Application December 14, 2000 - under Z.R. §72-21, to permit the proposed enlargement of a community facility (Use Group 4) located in an R4 zoning district, which exceeds the permitted F.A.R. and lot coverage, and increases the degree of non-compliance with respect to front and side yards, is contrary to Z.R. §24-11, §24-34 and §24-35.

PREMISES AFFECTED - 144-53 75th Avenue, northwest corner of 147th Street, Block 6663, Lot 32, Borough of Queens.

COMMUNITY BOARD #8Q

APPEARANCES -

For Applicant: Stuart Beckerman, Carole S. Slater, Miriam Savitsky and other.

For Opposition: Battalion Chief Robert J. Stec, Fire Department.

ACTION OF THE BOARD - Laid over to May 22, 2001, at 2 P.M., for continued hearing.

3-01-BZ

APPLICANT - Sheldon Lobel, P.C., for Jacob Pinson (contract vendee), owner.

SUBJECT - Application January 9, 2001 - under Z.R. §72-21, to permit the proposed conversion of a vacant manufacturing building, located in an M1-1 zoning district, to residential occupancy (Use Group 2) which is contrary to Z.R. §42-00.

PREMISES AFFECTED - 626 Dean Street, south side, between Carlton and Vanderbilt Avenues, Block 1137, Lot 33, Borough of Brooklyn.

COMMUNITY BOARD #8BK

APPEARANCES -

For Applicant: Janice Cahalane.

For Opposition: William Sanders and others.

MINUTES

For Administration: Battalion Chief Robert J. Stec and Lt. Haven, Fire Department.

ACTION OF THE BOARD - Laid over to June 19, 2001, at 2 P.M., for continued hearing

23-01-BZ

APPLICANT - Sheldon Lobel, P.C., for Jacob Pinson, Contract Vendee.

SUBJECT - Application January 19, 2001 - under Z.R. §72-21, to permit the proposed conversion of a vacant building zoned for manufacturing use, to residential use, in an M1-1 zoning district, which is contrary to Z.R. §42-00.

PREMISES AFFECTED - 618 Dean Street a.k.a 616 Dean Street, south side, between Carlton and Vanderbilt Avenues, Block 1137, Lots 28, 29 and 30, Borough of Brooklyn.

COMMUNITY BOARD #8BK

APPEARANCES -

For Applicant: Janice Cahalane.

For Administration: Battalion Chief Robert J. Stec and Lt. Haven, Fire Department.

ACTION OF THE BOARD - Laid over to June 19, 2001, at 2 P.M., for continued hearing.

25-01-BZ

APPLICANT - David Vandor, for DOROT Inc., owner.

SUBJECT - Application January 23, 2001 - under Z.R. §72-21, to permit the proposed expansion of the sixth floor of an existing six story community facility (Use Group 4) also an expansion of the elevator service within the facility, which creates non-compliance with respect to height limitations for narrow buildings and enlargement, as well as permitted obstructions, which is contrary to Z.R. §33-492 and §23-692.

PREMISES AFFECTED - 171 West 85th Street, north side, 49' east of Amsterdam Avenue, Block 1216, Lot 3, Borough of Manhattan.

COMMUNITY BOARD #7M

APPEARANCES -

For Applicant: David Vandor and Dorothy Gray.

For Opposition: Battalion Chief Robert J. Stec, Fire Department.

ACTION OF THE BOARD - Laid over to June 12, 2001, at 2 P.M., for continued hearing.

Pasquale Pacifico, Executive Director.

Adjourned: 4:20 P.M.