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# BULLETIN

OF THE  
NEW YORK CITY BOARD OF STANDARDS  
AND APPEALS

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Volume 86, Nos. 9-10

March 8, 2001

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## DIRECTORY

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**PETER CALIENDO**

*Commissioners*

**Pasquale Pacifico**, *Executive Director*

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**Tuesday, February 27, 2001**

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**Affecting Calendar Numbers:**

899-65-BZ 1201-1221 Second Avenue, 231-245 East 63<sup>rd</sup> Street, Manhattan  
1136-80-BZ 6 and 8 East 68<sup>th</sup> Street, Manhattan  
38-81-BZ 6 and 8 East 68<sup>th</sup> Street, Manhattan  
886-87-BZ 11 East 36<sup>th</sup> Street, aka 10 East 37<sup>th</sup> Street, Manhattan  
208-88-BZ 2030 Ocean Parkway, aka 2003 East 5<sup>th</sup> Street, Brooklyn  
62-83-BZ 696 Pacific Street, 529/39 Dean Street, Brooklyn  
837-85-A 166-18 73<sup>rd</sup> Avenue and 73-02 167<sup>th</sup> Street, Queens  
96-90-BZ 548 East 183<sup>rd</sup> Street, The Bronx  
315-90-BZ 82-06 Astoria Boulevard, Queens  
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**MINUTES of Regular Meetings,**

**Tuesday, February 27, 2001**

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**Affecting Calendar Numbers:**

34-99-BZ 491/97 Greenwich Street, Manhattan  
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134-99-BZ 18 West 89<sup>th</sup> Street aka 17-19 West 88<sup>th</sup> Street, Manhattan  
37-00-BZ 111-05/18 Van Wyck Expressway and 111-05/11 Lincoln Street, Queens  
129-00-BZ 144-31 91<sup>st</sup> Avenue, Queens  
143-00-BZ 2220 Avenue L, Brooklyn  
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221-00-BZ 5801 Amboy Road, Staten Island  
247-00-BZ 136-45 41<sup>st</sup> Avenue, Queens  
280-00-BZ 797 Annadale Road aka Barb Street, Staten Island

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# DOCKET

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New Case Filed Up to February 27, 2001

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**53-01-BZ** B.M. 6 West 48th Street, south side, 125' west of Fifth Avenue, Block 1263, Lot 43, Borough of Manhattan. Applic. #102945645. Proposed physical culture establishment, to be located on portions of the first floor, of an existing twelve story building, in a C5-3 zoning district, requires a special permit from the Board as per Z.R. §32-31.

**COMMUNITY BOARD #5M**

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**54-01-BZ** B.BK. 2508 Avenue "J", between Bedford Avenue and 26th Street, Block 7607, Lot 43, Borough of Brooklyn. Proposed enlargement of an existing one family dwelling, Use Group 1, located in an R2 zoning district, which does not comply with the zoning requirements for floor area ratio, open space ratio and side yards is contrary to Z. R. §§23-141 and 23-461.

**COMMUNITY BOARD #14BK**

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**55-01-BZ** B.M. 568 Broadway, northeast corner of Prince Street, Block 511, Lot 1, Borough of Manhattan. Applic. #101977835. The legalization of an existing physical culture establishment/health spa, on portions of the second and third floors, of an eleven story mixed use building, in an M1-5B zoning district, requires a special permit from the Board as per Z.R. §73-36.

**COMMUNITY BOARD #2M**

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**56-01-BZ** B.BX. 443 East 186th Street, northeast corner of Park Avenue, Block 3040, Lots 1, 35 and 33, Borough of The Bronx. Applic. #200450038. The legalization of an existing parking lot, Use Group 8, located in an R7-1 zoning district, is contrary to Z.R. §22-00.

**COMMUNITY BOARD #6BX**

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**57-01-A** B.S.I. 226 Wild Avenue, northeast corner of Beresford Avenue, Block 2643, Lot 1, Borough of Staten Island. Applic. #500415428. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**58-01-A** B.S.I. 224 Wild Avenue, east side, 26.12' northeast of Beresford Avenue, Block 2643, Lot 2, Borough of Staten Island. Applic. #500415428. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**59-01-A** B.S.I. 25 Beresford Avenue, north side, 427.6' northwest of Dean Avenue, Block 2643, Lot 54, Borough of Staten Island. Applic. #500415099. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**60-01-A** B.S.I. 27 Beresford Avenue, north side, 405.2' northwest of Dean Avenue, Block 2643, Lot 53, Borough of Staten Island. Applic. #500415062. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**61-01-A** B.S.I. 29 Beresford Avenue, north side, 382.8' northwest of Dean Avenue, Block 2643, Lot 52, Borough of Staten Island. Applic. #500415080. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**62-01-A** B.S.I. 31 Beresford Avenue, north side, 360.4' northwest corner of Dean Avenue, Block 2643, Lot 51, Borough of Staten Island. Applic. #500415071. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**63-01-A** B.S.I. 35 Beresford Avenue, north side, 338.0' northwest corner of Dean Avenue, Block 2643, Lot 50, Borough of Staten Island. Applic. #500415053. Proposed one family semi-detached dwelling, not fronting

on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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# DOCKET

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**64-01-A** B.S.I. 37 Beresford Avenue, north side, 315.6' northwest of Dean Avenue, Block 2643, Lot 49, Borough of Staten Island. Applic. #500415044. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

**65-01-A** B.S.I. 39 Beresford Avenue, north side, 293.2' northwest of Dean Avenue, Block 2643, Lot 48, Borough of Staten Island. Applic. #500415035. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

**70-01-A** B.S.I. 51 Beresford Avenue, north side, 181.2' northwest of Dean Avenue, Block 2643, Lot 43, Borough of Staten Island. Applic. #500415124. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

**66-01-A** B.S.I. 41 Beresford Avenue, north side, 270.8' northwest of Dean Avenue, Block 2643, Lot 47, Borough of Staten Island. Applic. #500415026. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

**71-01-A** B.S.I. 53 Beresford Avenue, north side, 158.8' northwest of Dean Avenue, Block 2643, Lot 42, Borough of Staten Island. Applic. #500415133. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

**67-01-A** B.S.I. 45 Beresford Avenue, north side, 248.5' northwest of Dean Avenue, Block 2643, Lot 46, Borough of Staten Island. Applic. #500415017. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

**72-01-A** B.S.I. 55 Beresford Avenue, north side, 136.4' northwest of Dean Avenue, Block 2643, Lot 41, Borough of Staten Island. Applic. #500415142. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

**68-01-A** B.S.I. 47 Beresford Avenue, north side, 226.0' northwest of Dean Avenue, Block 2643, Lot 45, Borough of Staten Island. Applic. #500415106. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

**73-01-A** B.S.I. 57 Beresford Avenue, north side, 114.0' northwest of Dean Avenue, Block 2643, Lot 40, Borough of Staten Island. Applic. #500415151. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

**69-01-A** B.S.I. 49 Beresford Avenue, north side, 203.6' northwest of Dean Avenue, Block 2643, Lot 44, Borough of Staten Island. Applic. #500415115. Proposed

**74-01-A** B.S.I. 59 Beresford Avenue, north side, 91.6' northwest of Dean Avenue, Block 2643, Lot 39, Borough of Staten Island. Applic. #500415160. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**75-01-A** B.S.I. 63 Beresford Avenue, north side, 69.2' northwest of Dean Avenue, Block 2643, Lot 38, Borough of Staten Island. Applic. #500415179. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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## DOCKET

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**76-01-A** B.S.I. 65 Beresford Avenue, north side, 46.8' northwest of Dean Avenue, Block 2643, Lot 37, Borough of Staten Island. Applic. #500415188. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**77-01-A** B.S.I. 67 Beresford Avenue, north side, 24.4' northwest of Dean Avenue, Block 2643, Lot 36, Borough of Staten Island. Applic. #500415197. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**78-01-A** B.S.I. 69 Beresford Avenue, northwest corner of Dean Avenue, Block 2643, Lot 35, Borough of Staten Island. Applic. #500415204. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**79-01-A** B.S.I. 116 Alberta Avenue, south side, 427.6' northwest of Dean Avenue, Block 2643, Lot 15, Borough of Staten Island. Applic. #500415240. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**80-01-A** B.S.I. 118 Alberta Avenue, south side, 405.2' northwest of Dean Avenue, Block 2643, Lot 16,

Borough of Staten Island. Applic. #500415259. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**81-01-A** B.S.I. 120 Alberta Avenue, south side, 382.8' northwest of Dean Avenue, Block 2643, Lot 17, Borough of Staten Island. Applic. #500415268. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**82-01-A** B.S.I. 122 Alberta Avenue, south side, 360.4 northwest of Dean Avenue, Block 2643., Lot 18, Borough of Staten Island. Applic. #500415277. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**83-01-A** B.S.I. 124 Alberta Avenue, south side, 338.0' northwest of Dean Avenue, Block 2643, Lot 19, Borough of Staten Island. Applic. #500415286. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**84-01-A** B.S.I. 126 Alberta Avenue, south side, 315.6' northwest of Dean Avenue, Block 2643, Lot 20, Borough of Staten Island. Applic. #500415295. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**85-01-A** B.S.I. 128 Alberta Avenue, south side, 293.2' northwest of Dean Avenue, Block 2643, Lot 21, Borough of Staten Island. Applic. #500415302. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**86-01-A** B.S.I. 130 Alberta Avenue, south side, 270.8' northwest of Dean Avenue, Block 2643, Lot 22, Borough of Staten Island. Applic. #500415311. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**87-01-A** B.S.I. 132 Alberta Avenue, south side, 248.4' northwest of Dean Avenue, Block 2643, Lot 23, Borough of Staten Island. Applic. #500415320. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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## DOCKET

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**88-01-A** B.S.I. 134 Alberta Avenue, south side, 226.0' northwest of Dean Avenue, Block 2643, Lot 24, Borough of Staten Island. Applic. #500415339. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**89-01-A** B.S.I. 136 Alberta Avenue, south side, 203.6' northwest corner r of Dean Avenue, Block 2643, Lot 25, Borough of Staten Island. Applic. #500415348. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**90-01-A** B.S.I. 138 Alberta Avenue, south side, 181.2' northwest corner of Dean Avenue, Block 2643, Lot 26, Borough of Staten Island. Applic. #500415357. Proposed one family semi-detached dwelling, not fronting

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on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**91-01-A** B.S.I. 140 Alberta Avenue, south side, 158.8' northwest corner of Dean Avenue, Block 2643, Lot 27, Borough of Staten Island. Applic. #500415366. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**92-01-A** B.S.I. 142 Alberta Avenue, south side, 136.4' northwest of Dean Avenue, Block 2643, Lot 28, Borough of Staten Island. Applic. #500415375. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**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.**

**93-01-A** B.S.I. 144 Alberta Avenue, south side, 114.0' northwest of Dean Avenue, Block 2643, Lot 29, Borough of Staten Island. Applic. #500415384. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**94-01-A** B.S.I. 148 Alberta Avenue, south side, 91.6' northwest of Dean Avenue, Block 2643, Lot 30, Borough of Staten Island. Applic. #5004153393. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**95-01-A** B.S.I. 150 Alberta Avenue, south side, 69.2' northwest corner of Dean Avenue, Block 2643, Lot 31, Borough of Staten Island. Applic. #500415400. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**96-01-A** B.S.I. 152 Alberta Avenue, south side, 46.8' northwest of Dean Avenue, Block 2643, Lot 32, Borough of Staten Island. Applic. #500415231. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**97-01-A** B.S.I. 154 Alberta Avenue, south side, 24.4' northwest of Dean Avenue, Block 2643, Lot 33, Borough of Staten Island. Applic. #500415222. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**98-01-A** B.S.I. 156 Alberta Avenue, southwest corner of Dean Avenue, Block 2643, Lot 34, Borough of Staten Island. Applic. #500415213. Proposed one family semi-detached dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

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**DESIGNATIONS: D-Department of Buildings; B.BK.-Department of Buildings, Brooklyn; B.M.-Department of**

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# CALENDAR

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**MARCH 27, 2001, 10:00 A.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, *Tuesday morning*, March 27, 2001, at 10 A.M., at 40 Rector Street, 6<sup>th</sup> Floor, New York, N.Y. 10006, on the following matters:

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**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 use from automotive related service (U.G.16) to use food store (U.G.6).

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

**COMMUNITY BOARD #7BX**

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**93-72-BZ**

APPLICANT - Fischbein Badillo Wager Harding, for Sovereign Apartment., owner.

SUBJECT - Application January 8, 2001 - reopening for an amendment of the variance.

PREMISES AFFECTED -405,411 to 449 East 58th Street/ 408, 420 to 438 East 59th Street, 106.6' West of Sutton Place, Block 1370, Lot(s)102,6,7108, 8, 15, 16, 17, 117, 18, 19, 29, 30, 31, 121, 44.

**COMMUNITY BOARD #6M**

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**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 variance which expired December 20, 1998.

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**

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**MARCH 27, 2001, 11:00 A.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, *Tuesday morning*, March 27, 2001, at 11 A.M., at 40 Rector Street, 6<sup>th</sup> Floor, New York, N.Y. 10006, on the following matters:

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**APPEALS CALENDAR**

**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.

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**31-01-A**

APPLICANT - Fischbein Badillo Wagner Harding for Joseph E. Sheehan.

OWNER OF PREMISES: George Pantelidis.

SUBJECT - Application January 26, 2001 - An appeal challenging a decision of the Department of Buildings (DOB), issuance of permits and allowing the construction of a two-story enlargement (greenhouse), in the rear of subject premises.

PREMISES AFFECTED - 116 East 73rd Street, south side, 140.6' east of Park Avenue, Block 1407, Lot 67, Borough of Manhattan.

**COMMUNITY BOARD #8M**

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# CALENDAR

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**MARCH 27, 2001, 2:00 P.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, *Tuesday afternoon*, March 27, 2001, at 2 P.M., at 40 Rector Street, 6<sup>h</sup> Floor, New York, N.Y. 10006, on the following matters:

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## ZONING CALENDAR

### **222-00-BZ**

APPLICANT - Philip P. Agusta, R.A., M.U.P., for Anthony Guddemi, owner.

SUBJECT - Application September 26, 2000 - under Z.R. §72-21, to permit the proposed two story mixed use building consisting of retail and/or business or professional offices on the first floor and four residential units on the second floor (Use Groups 2 and 6) located in an R3-2 (SRD) zoning district, which creates noncompliance with respect to front yard, and exceeds the allowed lot coverage and is contrary to Z.R. §22-00, §23-45 and §23-141.

PREMISES AFFECTED - 4177 Hylan Boulevard, southwest corner of William Avenue, Block 5282, lot 67, Borough of Staten Island.

**COMMUNITY BOARD #3S.I.**

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### **228-00-BZ**

APPLICANT - Sheldon Lobel, P.C., for Hoffman and Partners, LLC, owners.

SUBJECT - Application October 10, 2000 - under Z.R. §72-21, to permit the proposed conversion of a vacant building, zoned for manufacturing use, to be used for residential purposes (Use Group 2) which is contrary to Z.R. §42-00.

PREMISES AFFECTED - 28/32 Locust Street, between Broadway and Beaver Street, Block 3135, Lot 16, Borough of Brooklyn.

**COMMUNITY BOARD #4BK**

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### **250-00-BZ**

APPLICANT - Paul Hastings, Janofsky & Walker LLP, for New York University, owner.

SUBJECT - Application October 19, 2000 - under Z.R. §11-411, to permit the proposed reestablishment of an expired special permit, previously granted under Cal. No. 374-60-BZ, which permitted transient parking in an existing multiple

dwelling accessory garage in an R7-2 within a C1-5 zoning district.

PREMISES AFFECTED - 521-541 and 553-63 LaGuardia Place (West Broadway) a.k.a. 207-245 Mercer Street, bounded by LaGuardia Place, West Third, Mercer and Bleecker Streets, Block 533, Lot 1, Borough of Manhattan.

**COMMUNITY BOARD #2M**

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### **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**

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### **311-00-BZ**

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

SUBJECT - Application December 22, 2000 - under Z.R. §73-622, to permit the proposed enlargement to an existing one family dwelling (Use Group 1) located in an R-2 zoning district, 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**

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*Pasquale Pacifico, Executive Director*

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# CALENDAR

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**APRIL 3, 2001, 10:00 A.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, *Tuesday morning*, April 3, 2001, at 10 A.M., at 40 Rector Street, 6<sup>th</sup> Floor, New York, N.Y. 10006, on the following matters:

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## **SPECIAL ORDER CALENDAR**

### **234-56-BZ**

APPLICANT - Sullivan & Chester, LLP, for Haymeli Enterprises, Inc., owner, 10th Avenue Auto Service Corp, lessee.

SUBJECT - Application August 30, 2000 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 10-02 Clintonville Street Whitestone, New York, Block 4515, Lot 29, Borough of Queens.

**COMMUNITY BOARD #7Q**

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### **617-80-BZ**

APPLICANT -Sheldon Lobel, P.C., for Joseph Fekete, Pres J.S. Simcha Inc.

SUBJECT - Application September 29, 2000 - reopening for an extension of the term of variance which expired December 9, 2000 and for an amendment to legalize the changes.

PREMISES AFFECTED -770/780 Mc Donald Avenue, Block 5394, Lots 11,1 Borough of Brooklyn .

**COMMUNITY BOARD #12BK**

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### **80-97-BZ**

APPLICANT -Joseph P. Morsellino, Esq, for George Korakis., owner, KMKLN LTD., lessee

SUBJECT - Application January 5, 2001 - a reopening for an extension of the term of variance which expired January 27, 2001.

PREMISES AFFECTED -41-08 Queens Boulevard , Queens Boulevard, Block 192, Lots 25, Borough of The Bronx.

**COMMUNITY BOARD #2BX**

**APRIL 3, 2001, 2:00 P.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, *Tuesday afternoon*, April 3, 2001, at 2 P.M., at 40 Rector Street, 6<sup>th</sup> Floor, New York, N.Y. 10006, on the following matters:

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## **ZONING CALENDAR**

### **142-00-BZ**

APPLICANT - Sheldon Lobel, P.C., for R.E. Holding Co., owner.

SUBJECT - Application May 23, 2000 - under Z.R. §72-21, to permit the legalization of the residential occupancies of two floors, and the conversion of a vacant floor to residential, in a four story manufacturing facility, located in an M3-1 zoning district, which is contrary to Z.R. §42-00.

PREMISES AFFECTED - 240 Wythe Avenue, northwest corner of North Third Street, Block 2349, Lot 23, Borough of Brooklyn.

**COMMUNITY BOARD #1BK**

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### **255-00-BZ**

APPLICANT - Sheldon Lobel, P.C., for Full Gospel N.Y. Church, owner.

SUBJECT - Application October 24, 2000 - under Z.R. §72-21, to permit the proposed alteration and expansion of an existing church (Use Group 4) located in an M3-1 zoning district, which is contrary to a previous approval under Cal. No. 181-97-BZ and Z.R. §42-00.

PREMISES AFFECTED - 130-30 31st Avenue, through block 31st Avenue to 30th Avenue, Block 4360, Lot 1, Borough of Queens.

**COMMUNITY BOARD #7Q**

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### **287-00-BZ**

APPLICANT - Jesse Masyr, Wachtel and Masyr, for Washington Street Associates, LLC, owner.

SUBJECT - Application November 28, 2000 - under Z.R. §72-21, to permit the proposed construction of a five, six and seventeen story mixed-use building, with more than the permitted number of accessory off-street parking spaces in an M1-5 zoning district, which is contrary to Z.R. §42-00 and §13-12.

PREMISES AFFECTED - 600 Washington Street, block bounded by Washington, Morton, West and Leroy Streets, Block 602, Lot 1, Borough of Manhattan.

**COMMUNITY BOARD #2M**

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# MINUTES

*Pasquale Pacifico, Executive Director*

## REGULAR MEETING

**TUESDAY MORNING, FEBRUARY 27, 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, February 6, 2001, were approved as printed in the Bulletin of February 15, 2001, Volume 86, Nos. 6-7.

## SPECIAL ORDER CALENDAR

### 899-65-BZ

APPLICANT- Sheldon Lobel, P.C., for Regency Towers LLC; owner, Regency Garage Corporation, lessee.

SUBJECT - Application July 20, 2000 - a reopening for an extension of term of the variance which expired November 16, 2000.

PREMISES AFFECTED - 1201-1221 Second Avenue, 231-245 East 63rd Street, 234-244 East 64th Street, 2nd Avenue Between East 63rd Street & East 64th Street, Block 1418, Lot 21, Borough of Manhattan.

### COMMUNITY BOARD #8M

APPEARANCES -

For Applicant: Janice Callahane.

**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, a public hearing was held on this application on January 9, 2001, after due notice by publication in The City Record, laid to February 6, 2001 and then to February 27, 2001 for decision.

WHEREAS, Community Board #8M, has recommended approval of the extension of the term of the variance; and

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 November 16, 1965 as amended through March 5, 1991 expiring on November 16, 2000 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 November 16, 2010; that a new license shall be obtained from the Department of Consumer Affairs; 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 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 existing and proposed plans submitted with the application marked 'Received July 20, 2000'-(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 shall be obtained within twenty four months of the date of this amended resolution."

Alt. No. 368/1976

Adopted by the Board of Standards and Appeals, February 27, 2001.

### 1136-80-BZ

APPLICANT - Sheldon Lobel, P.C., for East 68th Tenants Corporation, owner.

SUBJECT - Application October 24, 2000 - request for a waiver of the Rules of Practice and Procedure, reopening for an extension of time to complete construction and obtain certificate of occupancy, which expired December 8, 1999

PREMISES AFFECTED - 6 and 8 East 68th Street, a/k/a 68th Street between 5th Avenue and Madison, Block 1382, Lot 66, Borough of Manhattan.

### COMMUNITY BOARD #8M

APPEARANCES -

For Applicant: Janice Cahalane.

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

**ACTION OF THE BOARD** - Rules of Practice and Procedures waived; application reopened and time to obtain a certificate of occupancy 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 time to obtain a certificate of occupancy; and

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WHEREAS, a public hearing was held on this application on October 24, 2000, after due notice by publication in The City Record, laid over to November 21, 2000, January 9, 2001, February 6, 2001 and then to February 27, 2001 for decision.

*Resolved*, that the Board of Standards and Appeals waives the Rules of Practice and Procedures and reopens and amends the resolution adopted on April 14, 1981 as amended through December 8, 1998, only as to the time to obtain a certificate of occupancy, so that as amended this portion of the resolution shall read:

“That a new certificate of occupancy shall be obtained within one year from the date of this amended resolution.”

Adopted by the Board of Standards and Appeals, February 27, 2001.

## **38-81-BZ**

APPLICANT - Sheldon Lobel, P.C., for East 68th Tenants Corporation, owner.

SUBJECT - Application October 24, 2000- request for a waiver of the Rules of Practice and Procedure, reopening for an extension of time to complete construction and obtain certificate of occupancy, which expired December 8, 1999

PREMISES AFFECTED - 6 and 8 East 68th Street, a/k/a 68th Street between 5th Avenue and Madison, Block 1382, Lot 65, Borough of Manhattan.

### **COMMUNITY BOARD #8M**

APPEARANCES -

For Applicant: Janice Cahalane.

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

**ACTION OF THE BOARD** -Rules of Practice and Procedures waived, application reopened and time to obtain a certificate of occupancy 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 reopening for an extension of the time to obtain a certificate of occupancy; and

WHEREAS, a public hearing was held on this application on October 24, 2000, after due notice by publication in The City Record, laid over to November 21, 2000, January 9, 2001, February 6, 2001 and then to February 27, 2001 for decision.

*Resolved*, that the Board of Standards and Appeals waives the Rules of Practice and procedures and reopens and amends the resolution adopted on April 14, 1981 as

amended through December 8, 1998, only as to the time to obtain a certificate of occupancy, so that as amended this portion of the resolution shall read:

“That a new certificate of occupancy shall be obtained within one year from the date of this amended resolution.”

Adopted by the Board of Standards and Appeals, February 27, 2001.

## **886-87-BZ**

APPLICANT - Klein & O'Brien, LLP, for 11 East 36th Street Associates, owner; Sauna Haven, Inc., d/b/a Nu Look, lessee.

SUBJECT - Application December 28, 1999 - request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term of the special permit which expired June 3, 1998.

PREMISES AFFECTED - 11 East 36th Street, a/k/a 10 East 37th Street, between Fifth and Madison Avenues, Block 866, Lot 11, Borough of Manhattan.

### **COMMUNITY BOARD #5M**

APPEARANCES -

For Applicant: Allison Farina

For Administration: Battalion Chief Robert J. Stec and John Scrofani, 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 a reopening for an extension of the term of the special permit; and

WHEREAS, a public hearing was held on this application on October 17, 2000 after due notice by publication in The City Record, laid to October 31, 2000; December 19, 2000, February 6, 2001 and then to February 27, 2001 for decision.

*Resolved*, that the Board of Standards and Appeals waives the Rules of Practice and Procedures and reopens and amends the resolution pursuant to Z.R.§73-03, said resolution having been adopted on June 7, 1988 as amended through January 11, 1994 expiring on June 7, 1999, only as to the term of the special permit, so that as amended this portion of the resolution shall read:

"granted for an extension of term; on condition that the term of the special permit shall be limited to five years

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to expire on June 7, 2004; that the premises shall be maintained in substantial compliance with the existing and proposed plans submitted with the application marked 'Received June 13, 2000'-(2) sheets; and that other than as herein amended the resolution above cited shall be complied with in all respects."

(Alt. No. 1141/1987

Adopted by the Board of Standards and Appeals, February 27, 2001.

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## 208-88-BZ

APPLICANT - Rothkrug & Rothkrug, for Shaare Zion Congregation., owner.

SUBJECT - Application - reopening for an amendment to permit the erection of an enlargement to the existing synagogue.

PREMISES AFFECTED - 2030 Ocean Parkway a/k/a 2003 East 5th Street, Block 7108, Lots 17, 18, 69, 78, 79, Borough of Brooklyn.

### COMMUNITY BOARD #15BK

APPEARANCES -

For Applicant: Hiram A. Rothkrug.

For Administration: Battalion Chief Robert J. Stec and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Application reopened 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 has requested a re-opening for an amendment to the resolution; and

WHEREAS, a public hearing was held on this application on December 5, 2000, after due notice by publication in The City Record, laid over to January 9, 2001, February 6, 2001 and then to February 27, 2001; and

WHEREAS, Community Board #15, Brooklyn, recommended approval of the application; and

WHEREAS, the applicant proposes to enlarge the existing community facility building along the southerly lot line to facilitate the proper storage of refrigerated and unrefrigerated trash, to legalize the loading area and the limited used of the East 5th street door;

Resolved, that the Board of Standards and Appeals hereby reopens and amends the resolution pursuant to Z.R. §72-01 and §72-22, said resolution having been adopted on November 8, 1989 as amended through February 23, 1999, so that as amended this portion of the resolution shall read:

"To permit a 12'x 51' enlargement to the existing community facility building along the southerly lot

line to accommodate the storage and disposal of refrigerated and unrefrigerated trash generated by the operation of this facility; to legalize the loading and the limited use of the East 5th Street entrance, on condition that the trash be kept within the building until pick-up, which shall occur only between the hours of 9:00 AM and 4:00 PM; that the door from the trash area to the loading area shall be used solely for trash disposal; that the loading dock area shall be used primarily for food delivery; that there shall be no loitering nor parking of private vehicles within the loading area; that the East 5th Street entrance shall not be used by the caterer, it's vendors or employees for loitering or congregating; that no floral activity shall take place on East 5th Street side; that no off-site catering activity shall be conducted from this site; that the loading dock lighting shall only provide sufficient illumination for the loading and unloading activity; that all maintenance trucks and workers shall use the Ocean Parkway entrance; that all air circulating devices shall be directed away from nearby residences; that all street trees and landscaping shall be installed and maintained in accordance with the BSA approved plans; that the premises shall be maintained in substantial with the proposed plans submitted with the application marked 'Received, January 23, 2001'-(2) sheets; and that other than as herein amended the resolution above cited and all other relevant laws and regulations of the City of New York shall be complied with in all respects and that the work shall be completed and a new certificate of occupancy obtained within two years of this amended resolution."

(DOB. 301068591)

Adopted by the Board of Standards and Appeals, February 27, 2001.

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## 62-83-BZ

APPLICANT - Sheldon Lobel, P.C., for Shaya B. Pacific, LLC, owner.

SUBJECT - Application November 6, 2000 - reopening for an amendment to modify the placement of a lobby and driveway as well as a change in the landscaping.

PREMISES AFFECTED - 696 Pacific Street, 529/39 Dean Street and 549/59 Dean Street, Block 1128, Lots 16, 18, 37, 65, 68, 70, Borough of Brooklyn.

### COMMUNITY BOARD #8BK

APPEARANCES -

For Applicant: Janice Cahalane and Howard Goldman.

For Opposition: Bayo Callender, Elisabeth Martin, Paul

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Sheridan, Karen Gleeson and Dennis Drucken.  
For Administration: Battalion Chief Robert J. Stec and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to March 13, 2001, at 10 A.M., for continued hearing.

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**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 Agusta

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

**ACTION OF THE BOARD** - Laid over to April 17, 2001, at 10 A.M., for continued hearing.

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**96-90-BZ**

APPLICANT - EH & HD 183rd Realty, LLC, by Eyal Schmulevich, for 548 East 183rd Street Corp., c/o Pronto Property Services Inc., owner.

SUBJECT - Application December 21, 2000 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of time to complete construction which expired February 7, 2000.

PREMISES AFFECTED - 548 East 183rd Street, Block 3501, Lot 31, Borough of The Bronx.

**COMMUNITY BOARD #6BX**

APPEARANCES -

For Applicant: Harry Freifeld.

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 March 27, 2001, at 10 A.M., for decision, hearing closed.

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**315-90-BZ**

APPLICANT - Vassalotti Associates, A.I.A., for Tosco Marketing Company, Inc., owner.

SUBJECT - Application September 25, 2000 - request for a

waiver of the Rules of Practice and Procedure and reopening for an extension of the term of variance which expired January 29, 2002.

PREMISES AFFECTED - 82-06 Astoria Boulevard, southeast corner of 82nd Street and Astoria Boulevard, Block 1904, Lot 1, Borough of Queens.

**COMMUNITY BOARD #1Q**

APPEARANCES -

For Applicant: Hiram A. Rothkrug.

For Administration: Battalion Chief Robert J. Stec and John Scrofani, 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 March 13, 2001, at 10 A.M., for decision, hearing closed.

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**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: Battalion Chief Robert J. Stec and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to April 17, 2001, at 10 A.M., for continued hearing.

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**301-00-A**

APPLICANT - Walter T. Gorman, P.E., for Breezy Point Cooperative, Inc., owner; James and Kim McKee, lessee.

SUBJECT - Application December 18, 2000 - Proposed addition of an extension to the second floor of a two story, one family dwelling, not fronting on a legally mapped street, which is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED - 3 Beach 221st Street, east side, 48.5' south of Rockaway Point Boulevard, Block 16350, Lot part of 400, Borough of Queens.

**COMMUNITY BOARD #14Q**

APPEARANCES -

For Applicant: Arthur Sullivan.

For Administration: Battalion Chief Robert J. Stec and John Scrofani, Fire Department.

**ACTION OF THE BOARD** -Appeal granted on condition.

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## 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 November 20, 2000, acting on Application Number 401107388, reads, in pertinent part:

“Proposal to add a 15'-0"x22'-0" extension to the existing second floor on a home which is located in an R4 zoning district but which does not front on a mapped street is contrary to Article 3, Section 36 (2) of the General City Law and contrary to section 27-291 of the Building Code and must, therefore, be referred to the Board of Standards and Appeals for approval”; and

WHEREAS, by letter dated December 28, 2000, the Fire Department has indicated that it has no objection to the proposed project; and

WHEREAS, the applicant has provided adequate evidence to warrant these approval under certain conditions.

*Resolved*, that the decision of the Borough Commissioner, dated November 20, 2000, acting on Application Number 401107388, is modified under the power vested in the Board by §36 of the General City Law, and that the appeal is granted, limited to the objections noted, on condition that the proposal shall substantially conform to drawings filed with the application marked, “Received December 18, 2000”-(4) sheets and that all applicable laws, rules, and regulations shall be complied with.

Adopted by the Board of Standards and Appeals, February 27, 2001.

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## 158-00-A

APPLICANT - DeForest and Duer, for Demitri and Lynette Acot, owner.

SUBJECT - Application June 9, 2000 - proposed construction of a four family dwelling, located within the bed of a mapped street is contrary to Section 35 of the General City Law.

PREMISES AFFECTED - 442 West 259th Street, between Liebig and Riverdale Avenues, Block 5862, Lot 42, Borough of The Bronx.

## COMMUNITY BOARD #8BX

### APPEARANCES -

For Administration: Battalion Chief Robert J. Stec and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to April 3, 2001, at 11 A.M., for continued hearing.

## 267-00-A

APPLICANT - Sheldon Lobel, P.C., for 344 DeGraw Street Development Corp., owner.

SUBJECT - Application November 13, 2000 - an appeal from a determination of the Commissioner of Buildings, dated October 10, 2000, relating to the subject's compliance with provisions of Z.R. §12-10, and the interpretation of such section.

PREMISES AFFECTED - 344 Degraw Street, north side, between Smith and Hoyt Streets, Block 421, Lot 25, Borough of Brooklyn.

### APPEARANCES -

For Applicant: Janice Cahalane

For Administration: Scott Mason.

**ACTION OF THE BOARD** - Laid over to March 14, 2001, at 11 A.M., for continued hearing.

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## 302-00-A

APPLICANT - Sheldon Lobel, P.C., for Linda & Gerald Vogt, owners.

SUBJECT - Application December 18, 2000 - Proposed two family dwelling, located within the bed of a mapped street is contrary to Section 35 of the General City Law.

PREMISES AFFECTED - 822 Dean Avenue, east side, 336.28' south of Lafayette Avenue, Block 5479, Lot 94, Borough of The Bronx.

## COMMUNITY BOARD #10BX

### APPEARANCES -

For Applicant: Janice Cahalane.

For Administration: Battalion Chief Robert J. Stec and John Scrofani, 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 March 13, 2001, at 11 A.M., for decision, hearing closed.

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## 303-00-A

APPLICANT - Sheldon Lobel, P.C., for Linda & Gerald Vogt, owners.

SUBJECT - Application December 18, 2000 - Proposed one family dwelling located within the bed of a mapped street is contrary to Section 35 of the General City Law.

PREMISES AFFECTED - 828 Dean Avenue, east side, 286.28' south of Lafayette Avenue, Block 5479, Lot 92, Borough of The Bronx.

## COMMUNITY BOARD #10BX

### APPEARANCES -

For Applicant: Janice Cahalane.

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For Administration: Battalion Chief Robert J. Stec and John Scrofani, 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 March 13, 2001, at 11 A.M., for decision, hearing closed.

**310-00-A**

APPLICANT - Helena Rosenwasser.

OWNER OF PREMISES: Michael Koegel.

SUBJECT - Application December 22, 2000 - an appeal challenging the Department of Buildings' determination dated November 28, 2000, in which the Department refused to revoke the approval and permit for Applic. No. 300936192, regarding side yards at subject premises, on the basis that it finds no substantial reason(s) at the present time.

PREMISES AFFECTED - 1911 Avenue L, between Ocean Avenue and East 19th Street, Block 6730, Lot 7, Borough of Brooklyn.

**COMMUNITY BOARD #14BK**

APPEARANCES -

For Applicant: Helena Rosenwasser.

For Administration: Battalion Chief Robert J. Stec and John Scrofani, Fire Department.

**ACTION OF THE BOARD -** Laid over to March 13, 2001, at 11 A.M., for postponed hearing.

**1-01-A**

APPLICANT - Gary Lenhart, R.A., for Breezy Point Cooperative, Inc., owner; Terence Hurson, lessee.

SUBJECT - Application January 2, 2001 - proposed alteration and enlargement to a one family dwelling not fronting on a legally mapped street, which is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED - 5 Thetford Lane, northwest corner of Thetford Lane and Neptune Walk, Block 16350, Lot 300, Borough of Queens.

**COMMUNITY BOARD #14Q**

APPEARANCES -

For Administration: Battalion Chief Robert J. Stec and John Scrofani, Fire Department.

**ACTION OF THE BOARD -** Laid over to March 13, 2001, at 11 A.M., for postponed hearing.

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*Pasquale Pacifico, Executive Director.*

Adjourned: 11:15 A.M.

**REGULAR MEETING**

**TUESDAY AFTERNOON, FEBRUARY 27, 2001**

**2:00 P.M.**

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

**ZONING CALENDAR**

**34-99-BZ**

**CEQR #99-BSA-097K**

APPLICANT - Sheldon Lobel, P.C., for Ruach Chaim Institute, owner.

SUBJECT - Application February 22, 1999 - under Z.R. §72-21, to permit, in an R2 zoning district, the proposed community facility (Use Group 4), which is contrary to the floor area, front yards, side yards, lot coverage, open space, height and setback, lot area and side setback as per Z.R. §§ 24-111, 24-34, 24-35, 24-521, and 25-31.

PREMISES AFFECTED - 491/97 Greenwich Street (tentatively 495 Greenwich Street) 150' north of Canal Street, bounded by Canal and Spring Streets, Block 594, Lots 21 and 23 (Tentatively Lot 21), Borough of Manhattan.

**COMMUNITY BOARD #2M**

APPEARANCES -

For Applicant: Eric Palatnik.

For Administration: Battalion Chief Robert J. Stec and John Scrofani, 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 Department of Buildings, dated November 30, 2000 acting on Applic. No. 300652531 reads:

“Obtain approval from the Board of Standards and Appeals for the following objections:

Proposed floor area is contrary to ZR 24-111

Proposed front yards are contrary to ZR 24-34

Proposed side yards are contrary to ZR 24-35

Proposed open space ratio is contrary to ZR 24-521

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Proposed height & setback is contrary to ZR 24-521

Proposed side setback & sky exposure contrary to ZR 24-521

Proposed off street parking contrary to ZR 25-31"; and

WHEREAS, a public hearing was held on this application on January 18, 2000, after due notice by publication in The City Record, laid over to March 7, 2000, May 9, 2000, June 20, 2000, October 3, 2000, November 21, 2000, December 19, 2000, January 9, 2001, February 6, 2001 and then to February 27, 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., and Commissioner Mitchell Korbey; and

WHEREAS, this is an application under Z.R. §72-21, to permit, in an R2 zoning district, the proposed community facility (Use Group 4), which is contrary to the floor area, front yards, side yards, lot coverage, open space, height and setback, lot area, side setback, and parking as per Z.R. §§ 24-111, 24-34, 24-35, 24-521, and 25-34; and

WHEREAS, the subject site is a rectangular shaped parcel of property located on the corners of both Avenue L and East 29th Street; and

WHEREAS the lot is presently developed with a two and one-half story dwelling and a separate garage; and

WHEREAS, the applicant seeks to replace the existing two and one-half story residence with a three-story with cellar Yeshiva; and

WHEREAS, the Yeshiva will provide secular and religious education to children ages three and above; and

WHEREAS, the subject building will house classrooms, kitchen, dining and office facilities; and

WHEREAS, the applicant notes that while a school facility is a permitted use in an R2 zoning district, Z.R. § 24-111 limits development to a floor area ratio of .5; and

WHEREAS, the applicant represents that the size of the present facility does not meet these increased programmatic needs; and

WHEREAS, the applicant demonstrated that the City Planning Commission's special permit would not be adequate to meet the programmatic needs of the Yeshiva; and

WHEREAS, in order to meet these increased programmatic needs, the applicant proposed a floor area ratio of 3.83; and

WHEREAS, in response to Board and opposition concerns, the proposal will provide a floor area ratio of 2.2; and

WHEREAS, a minimum of .40 open space ratio is required, the subject proposal provides for 2,100 square feet and 6,300 square open space is required; and

WHEREAS, Z.R. §24-34 requires a front yard of fifteen (15) feet in depth, however, the subject proposal provides

no front yard; and

WHEREAS, Z.R. §24-35 requires that a community facility in an R2 district provide two side yards, each having a minimum width of 8'; and

WHEREAS, the subject proposal one of the two required side yards; and

WHEREAS, the proposed structure would not have a side yard wide enough from which a setback would be possible; and

WHEREAS, Z.R. §24-521, requires that a community facility in an R2 district where front yards are required, have a vertical horizontal frontal setback ratio of 1:1 for every 25' where the sky exposure plane is penetrated; and

WHEREAS, the subject proposal provides no frontal elevation setback and would not be modified to allow for a change in the sky exposure plane; and

WHEREAS, the Yeshiva use is currently housed in temporary rental quarters on Avenue K where classes for six different grades are held; and

WHEREAS, the record indicates that the Yeshiva's student population is growing annually with scores of potential students on a waiting-list; and

WHEREAS, the Yeshiva expects its enrollment to increase from the current 130 to 540 by 2003; and

WHEREAS, evidence in the record indicates that an as-of-right alternative would not meet the programmatic needs of the Yeshiva; and

WHEREAS, the applicant represents that the size, shape and location of the existing building create unique conditions which result in practical difficulty in redeveloping the site in accordance with the current zoning while meeting the increased programmatic needs of the Yeshiva; and

WHEREAS, the applicant need not address Z.R. §72-21(b) since the applicant is a not-for-profit organization and the construction will be in furtherance of its programmatic needs; and

WHEREAS, a school use is permitted as-of-right in the subject R2 zoning district; and

WHEREAS, two other schools are situated within a five block radius of the subject site; and

WHEREAS, Avenue L is a densely populated area and the subject site borders on an R6 zoning district to the east and a C2-2 zoning district on the northeast along Nostrand Avenue; and

WHEREAS, the floor to ceiling heights of the original proposal have been reduced; and

WHEREAS, the applicant represents that there are other religious uses within the immediate area; and

WHEREAS, therefore, the Board finds that the proposed application, as modified, will not alter the essential character of the surrounding neighborhood, impair the use or development of adjacent property nor be detrimental to

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the public welfare; and

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

WHEREAS, therefore, the Board finds that 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.

*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 objections cited, to permit, in an R2 zoning district, the proposed community facility (Use Group 4), which is contrary to the floor area, front yards, side yards, lot coverage, open space, height and setback, lot area and side setback as per Z.R. §§ 24-111, 24-34, 24-35, 24-521, and 25-31, on condition that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received February 2, 2001"-(9) sheets; and on further condition;

THAT all refuse shall be stored indoors in the cellar of the subject building;

THAT use of the rooftop be limited to the hours of 8:00 a.m. to 5:00 p.m.;

THAT all fire safety measures be in accordance with 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 shall be completed in accordance with Z.R. §72-23.

Adopted by the Board of Standards and Appeals, February 27, 2001.

## 271-00-BZ

### CEQR #01-BSA-053K

APPLICANT: Moshe M. Friedman, P.E., for Jochewet Aschkenazy, owner.

SUBJECT - Application November 16, 2000 - under Z.R. §73-

622, to permit in an R2 zoning district, the proposed enlargement of an existing two- family dwelling which would create new non-compliances with regard to floor area ratio and open space ratio, which is contrary to Z.R. sections 23-141(a).

PREMISES AFFECTED - 2309 Avenue L ak.a 2305/09 Avenue L, north side, 50' east of East 23<sup>rd</sup> Street, Block 7623, Lot 5, Borough of Brooklyn.

### COMMUNITY BOARD #14BK

#### APPEARANCES -

For Applicant: Moshe Friedman.

**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 November 13, 2000, acting on Application No. 301094474 reads, in pertinent part:

Proposed extensions to existing one (1) Family Dwelling are contrary to

"ZR Sec 23-141(a) Floor Area

ZR Sec 23-141(a) Open Space Ratio and requires a special permit from the Board of Standards and Appeals as per Sec 73-622"; and

WHEREAS, a public hearing was held on this application on January 16, 2001 after due notice by publication in The City Record, laid over to February 6, 2001 and then to February 27, 2001 for decision; and

WHEREAS, Community Board #14, Brooklyn, has recommended approval of this application; 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, a special permit is sought under Z.R. §73-622 to permit, in an R2 zoning district, the proposed enlargement of an existing two- family dwelling which would create new non-compliances with regard to floor area ratio and open space ratio, which is contrary to Z.R. sections 23-141(a); and

WHEREAS, the proposed enlargement will increase the floor area ratio to .77, decrease the open space ratio to .72.2; and

WHEREAS, the perimeter wall height will comply with the pre-existing non complying height of 31'-0"; and

WHEREAS, the proposed enlargement will not encroach on any legally required side yards; and

WHEREAS, the Board finds that the proposed enlargement will not alter the essential character of the

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surrounding neighborhood nor will it impair the future use and development of the surrounding area; and

WHEREAS, the proposed project will not have any significant adverse impacts upon the quiet, privacy, light and air of the surrounding neighborhood; 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 an existing two-family dwelling which would create new non-compliances with regard to floor area ratio and open space ratio, which is contrary to Z.R. §23-141(a); on condition that all work shall substantially conform to drawings as they apply to the objection above-noted, filed with this application marked "Received November 16, 2000"-(2) sheets, "December 5, 2000"-(5) sheets; and "January 23, 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, February 27, 2001.

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## 272-00-BZ

### CEQR #01-BSA-054K

APPLICANT: Moshe M. Friedman, P.E., for Moshko Fuchs, owner.

SUBJECT - Application November 16, 2000 - under Z.R. §73-622, to permit in an R2 zoning district, the proposed enlargement of an existing single-family dwelling which would create new non-compliances with regard to floor area ratio, open space ratio, and rear yard, which is contrary to Z.R. sections 23-141(a) and 23-47.

PREMISES AFFECTED - 1459 East 27<sup>th</sup> Street, east side, 301.29' north of Kings Highway, Block 7681, Lot 24, Borough of Brooklyn.

### COMMUNITY BOARD #14BK

APPEARANCES -

For Applicant: Moshe Friedman.

**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 November 13, 2000, acting on Application No. 301094474 reads, in pertinent part:

Proposed extensions to existing one (1) Family Dwelling are contrary to

"ZR Sec 23-141(a) Floor Area

ZR Sec 23-141(a) Open Space Ratio

ZR Sec 23-47 Rear Yard and requires a special permit from the Board of Standards and Appeals as per Sec 73-622"; and

WHEREAS, a public hearing was held on this application on January 16, 2001 after due notice by publication in The City Record, laid over to February 6, 2001, and then to February 27, 2001, for decision; and

WHEREAS, Community Board #14, Brooklyn, has recommended approval of this application; 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, a special permit is sought under Z.R. §73-622 to permit, in an R2 zoning district, the proposed enlargement of an existing single-family dwelling which would create new non-compliance with regard to floor area ratio, open space ratio, and rear yard, which is contrary to Z.R. §23-141(a) and §23-47; and

WHEREAS, the proposed enlargement will increase the floor area ratio to .93, decrease the open space ratio to .65, and decrease the rear yard to 20'-9"; and

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

WHEREAS, the proposed enlargement will not encroach on any legally required side yards; 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 have any significant adverse impacts upon the quiet, privacy, light and air of the surrounding neighborhood; 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.

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*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 an existing single-family dwelling which would create new non-compliances with regard to floor area ratio, open space ratio, and rear yard, which is contrary to Z.R. §23-141(a) 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 December 5, 2000"- (3) sheets and "January 23, 2001"-(6) 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, February 27, 2001.

dated October 30, 2000 acting on Application No. 102781072 reads:

"Proposed use Office Occupancy U.G. -6 not permitted in Residential Zone (R10)"; and

WHEREAS, a public hearing was held on this application on February 6, 2001 after due notice by publication in The City Record and laid over to February 27, 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. §11-411, in an R10 zoning district, on a site previously before the Board, to re-establish office use occupancy (Use Group 6) previously granted under Calendar Number 479-52-BZ; and

WHEREAS, in 1953, under Calendar Number 479-52-BZ, the Board permitted, with the condition that a caretaker's apartment be provided, an advertising use for a group of four interconnected buildings(130-136 East 38th Street; and

WHEREAS, under Calendar Number 480-52-A the Board required that the buildings be maintained with exterior planting and that the premises be occupied by a single tenant as an accounting office with a maximum occupancy of 15 people; and

WHEREAS, in an amendment dated June 5, 1973, the Board limited the variance to the subject building, located at 134 East 38th Street; and

WHEREAS, on April 3, 1985, the original variance was modified to delete the condition of a caretaker's apartment and to change the occupancy from accounting offices to general offices with restrictions on signage; and

WHEREAS, the most recent term of the grant expired on March 14 1995; and

WHEREAS, the applicant represents that the current owner acquired the property on January 11, 2000 and has preformed substantial structural work prior to occupancy; and

WHEREAS, the owner has occupied the entire building with office uses; and

WHEREAS, evidence in the record indicates that the office use has continued since the original Board approval; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R.§11-411; 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

## 274-00-BZ

### CEQR #01-BSA-056M

APPLICANT - Mark W. Scott, for Robert Bienstock for Carob Bean Realty Corp. II, owner; Carlin America, Inc., lessee.

SUBJECT - Application November 17, 2000 - under Z.R. §11-411, to permit the reestablishment of an office occupancy (Use Group 6) previously granted under Calendar Number 479-52-BZ

PREMISES AFFECTED - 134 East 38th Street, south side, 20' west of Lexington Avenue, Block 893, Lot 271, Borough of Manhattan.

### COMMUNITY BOARD #5M

#### APPEARANCES -

For Applicant: Mark Scott.

For Administration: Battalion Chief Robert Stec and John Scrofani, 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,

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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 Type II determination 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. §11-411 and grants a variation in the application of the Zoning Resolution, limited to the objection cited, on a site previously before the Board, to re-establish office use occupancy (Use Group 6) previously granted under Calendar Number 479-52-BZ, on condition that all work shall substantially conform to drawings as they apply to the objection above noted, filed with this application marked "Received November 17, 2000"-(1) sheet and "February 13, 2001"-(1) sheet; and on further condition;

THAT the term of the variance shall be limited to ten years to expire on February 27, 2011;

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

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 a new certificate of occupancy be obtained within one year of the date of this resolution.

Adopted by the Board of Standards and Appeals, February 27, 2001.

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## 134-99-BZ

APPLICANT - Martyn and Don Weston Architects, for Franklyn Holding Company, owner ; The Dwight School, lessee.

SUBJECT - Application June 23, 1999 - under Z.R. §72-21 to permit the proposed enlargement to an existing school (Use Group 3) located in a rear yard, which is contrary to §24-33, since a permitted obstruction in required rear yards or rear yard equivalents are limited to one story not exceeding 23' above curb level.

PREMISES AFFECTED - 18 West 89th Street a.k.a. 17-19 West 88th Street, south side, 160' west of Central Park West, Block 1202, Lot 25 and 40, Borough of Manhattan.

## COMMUNITY BOARD #7M

APPEARANCES -

For Applicant: Don Weston.

For Administration: Battalion Chief Robert J. Stec and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to March 27, 2001, at 2 P.M., for continued hearing.

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## 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: Battalion Chief Robert J. Stec and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to April 17, 2001, at 2 P.M., for continued hearing.

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## 129-00-BZ

APPLICANT - Joseph P. Morsellino, Esq., for 144-31 91st Avenue Realty Co. LLC, et al, owner; ROSCO, lessee.

SUBJECT - Application May 4, 2000 - under Z.R. §72-21, to permit the proposed expansion of an existing manufacturing building, Use Group 17, divided by three zoning districts, M1-1, C2-2 and R5, which creates non-compliance in respect to floor area ratio, side yard, required parking and storage in the rear building, which is contrary to Z.R. §43-12, §43-301, §43-302, §43-26, §44-21 and §32-00.

PREMISES AFFECTED - 144-31 91st Avenue, corner of 146th Street, Block 9985, Lot 20 (formerly 20 & pt of 11), Borough of Queens.

## COMMUNITY BOARD #12Q

APPEARANCES -

For Applicant: Joseph P. Morsellino.

For Opposition: Battalion Chief Robert Stec and John Scrofani, 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 March 13, 2001, at 2 P.M., for decision hearing closed.

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## 143-00-BZ

APPLICANT - Sheldon Lobel, P.C., for Congregation Keter Torah, owner.

SUBJECT - Application May 24, 2000 - under Z.R. §72-21, to permit the proposed community facility (synagogue), Use

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Group 4, located in an R2 zoning district, which creates non-compliance with respect to F.A.R., lot coverage, front and side yards, setback, sky exposure plane and height of building, which is contrary to Z.R. §24-11, §24-34, §24-35a and §24-521.

PREMISES AFFECTED - 2220 Avenue L, southwest corner of East 23rd Street, Block 7640, Lot 51, Borough of Brooklyn.

**COMMUNITY BOARD #14BK**

APPEARANCES -

For Applicant: Eric Palatnik.

For Opposition: Battalion Chief Robert J. Stec and John Scrofani, Fire Department and Albert Gonter.

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 March 13, 2001, at 2 P.M., for decision hearing closed.

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**199-00-BZ**

APPLICANT - Philip P. Agusta, R.A., M.U.P., for EN PING LTD., owner.

SUBJECT - Application August 10, 2000 - under Z.R. §73-244, to permit the proposed addition of entertainment and dancing (Use Group 12) to an existing eating and drinking establishment (Use Group 6) located in a C2-3/R6 zoning district, which requires a special permit.

PREMISES AFFECTED - 76-19 Roosevelt Avenue, north west corner of Roosevelt Avenue and 77th Street, Block 1287, Lot 37, Borough of Queens.

**COMMUNITY BOARD #3Q**

APPEARANCES -

For Applicant: Philip Agusta.

For Opposition: Battalion Chief Robert J. Stec and John Scrofani, 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 March 13, 2001, at 2 P.M., for decision hearing closed.

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**221-00-BZ**

APPLICANT - Rampulla Associates Architects, for Charles Zakian, owner.

SUBJECT - Application September 26, 2000 - under Z.R. §72-21, to permit the proposed additional off-street parking, accessory to an existing automobile service station, Use Group 16, located in an R3-2(SRD) zoning district, is contrary to Z.R. 22-10.

PREMISES AFFECTED - 5801 Amboy Road, northwest

corner of Foster Road, Block 6896, Lot 53 and 52, Borough of Staten Island.

**COMMUNITY BOARD #3SI**

APPEARANCES -

For Applicant: Philip P. Rampulla.

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 March 13, 2001, at 2 P.M., for decision hearing closed.

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**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: Don Weston.

For Opposition: John Chan and Demetrios Papas.

For Administration: Battalion Chief Robert J. Stec and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to April 17, 2001, at 2 P.M., for continued hearing.

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**280-00-BZ**

APPLICANT - Rothkrug & Rothkrug, for D'Amico Imburgia Realty Corp., owner.

SUBJECT - Application November 21, 2000 - under Z.R. §73-27, to permit the proposed funeral establishment, Use Group 7, located in an C1-1 (R3-2) SRD, which requires a special permit as per Z.R. §32-10.

PREMISES AFFECTED - 797 Annadale Road a.k.a. Barb Street, east side, Block 6225, Lot 29, Borough of Staten Island.

**COMMUNITY BOARD #3SI**

APPEARANCES -

For Applicant: Adam W. Rothkrug.

For Opposition: Battalion Chief Robert J. Stec and John Scrofani, Fire Department, Jeannine Hamilton, Robert L. and Judi Jorgensen.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice Chair Bonfilio,

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

*Pasquale Pacifico, Executive Director.*

**ACTION OF THE BOARD** - Laid over to March 13, 2001, at 2 P.M., for decision hearing closed.

Adjourned: 3:45 P.M.

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## 286-00-BZ

APPLICANT - Agusta & Ross, for New York Health Club, Inc. and New York Children's Health Club, Inc., owner; New York Health and Racquet Club, lessee.

SUBJECT - Application November 27, 2000 - under Z.R. §73-36, to permit the proposed physical culture establishment, to be located on the first and second floors of a twenty story mixed-use building, which is currently under construction, situated in a C6-3A/C6-4M zoning district, which requires a special permit as per Z.R. §32-31.

PREMISES AFFECTED - 60 West 23rd Street, northeast corner of Sixth Avenue, Block 824, Lots 1 and 11, Borough of Manhattan.

### COMMUNITY BOARD #5M

APPEARANCES -

For Administration: Battalion Chief Robert J. Stec and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to March 13, 2001, at 2 P.M., for postponed hearing.

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## 289-00-BZ

APPLICANT - Fredrick A. Becker, Esq., for 160 Water Street Associates, owner; TSI Water Inc. dba New York Sports Club, lessee.

SUBJECT - Application November 29, 2000 - under Z.R. §73-36, to permit the proposed physical culture establishment (Use Group 9) located in a C5-5CR zoning district, which requires a special permit as per Z.R. §32-31.

PREMISES AFFECTED - 160 Water Street, northwest corner of Fletcher Street, Block 70, Lot 43, Borough of Manhattan.

### COMMUNITY BOARD #1M

APPEARANCES -

For Applicant: Fredrick A. Becker.

For Opposition: Battalion Chief Robert J. Stec and John Scrofani, 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 March 6, 2001, at 2 P.M., for decision hearing closed.

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