

# MINUTES

Vito J. Fossella, P.E., Commissioner Philip P. Agusta, R.A., and Commissioner Harry M. Carroll, P.E. who recommended that the application be granted; and

WHEREAS, Community Board No. 2, Brooklyn, has recommended approval of this application; and

WHEREAS, CEQR has issued a conditional negative declaration; and

WHEREAS, the building is more than 100 years old and is located in the Fulton Ferry Historic District; and

WHEREAS, the small floor area and the light live load capability preclude the use of the structure for conforming uses; and

WHEREAS, the cost to renovate the building to accommodate conforming uses would be such that a reasonable return would not be possible; and

WHEREAS, the owner has demonstrated that an enlargement is required in order to secure a reasonable return;

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Section 72-21 of the Zoning Resolution, and that the applicant is therefore entitled to relief on the grounds of practical difficulty and/or unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make each and every one of the required findings and grants a variation in the application of the Zoning Resolution limited to the objection cited, and that the application be and it hereby is granted under Section 72-21 of the Zoning Resolution to permit, in an M2-1 district, the conversion of an existing one story and basement structure into residential use that creates non-conformity on condition that all work shall substantially conform to drawings as they apply to the objection noted, filed with this application marked "Received September 23, 1982" — 5 sheets and "November 8, 1982" — 1 sheet and on further condition; that a smoke detector be provided on each level.

That all laws, rules and regulations applicable be complied with; and

That substantial construction be completed in accordance with Section 72-23 Z.R.

Adopted by the Board of Standards and Appeals, November 16, 1982.

### 1097-81-BZ

APPLICANT—Edward Lauria, P.E., for Joseph Romeo, owner.

SUBJECT—Application December 23, 1981—decision of the Borough Superintendent, under Section 72-21 of the Zoning Resolution, to permit in a C2-1 district on a plot with an existing automotive service station with accessory uses, the erection of a one story enlargement and the addition to the uses to include automobile laundry.

PREMISES AFFECTED—1818 Victory Boulevard, south side, 64.00 feet east of Lester Street, Block 709, Lots 4 and 7, Meirers Corner, Borough of Staten Island.

COMMUNITY BOARD #1S.1.

APPEARANCES—

For Applicant: Edward Lauria, P.E.

For Opposition: None.

RECOMMENDATION OF THE COMMUNITY BOARD—

Opposed to the application.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: . . . . . 0

Negative: Chairperson Deutsch, Vice Chairman Fossella,

Commissioner Agusta, Commissioner Carroll, Commissioner Wolf and Commissioner Bockman . . . 6

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on August 10, 1982, after due notice by publication in the Bulletin; laid over to September 21, 1982, then to October 19, 1982, then to November 16, 1982 and

WHEREAS, the decision of the Borough Superintendent, dated December 4, 1981, acting on Alt. Applic. #320/1981, reads:

"1. The proposed addition to an existing automotive service station (Use Group 13) to be used as an automobile laundry (Use Group 16) is not a use permitted as of right when located in a C2-1 Zoning district and as such is contrary to Section 32-25 of the Zoning Resolution."

and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board consisting of Commissioner Harry M. Carroll, P.E. who recommended that the application be denied; and

WHEREAS, Community Board No. 1, Staten Island, has recommended denial of this application; and

WHEREAS, CEQR has issued a negative declaration; and

WHEREAS, the applicant has failed to demonstrate an inability to secure a reasonable return from the existing use on the site; and

WHEREAS, the site is located on a narrow, heavily-traveled thoroughfare and the proposed additional use as an automobile laundry would exacerbate already intensive automobile use and adversely affect bus and pedestrian movement; and

WHEREAS, the Board finds that on the basis of the record in this case it is unable to make findings "b" and "c" under Section 72-21 of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, dated December 4, 1981 acting on Alt. Applic. #320/1981.

Objection No. 1. be and it hereby is affirmed and that the application be and it hereby is denied.

Adopted by the Board of Standards and Appeals, November 16, 1982.

### 299-82-BZ

APPLICANT—Glick Development Affiliates, for The City of New York, Department of Housing Preservation and Development, owner.

SUBJECT—Application May 17, 1982—decision of the Borough Superintendent, under Section 72-21 of the Zoning Resolution, to permit in a C6-1 district, the erection of a nine story multiple dwelling that penetrates the sky exposure plane.

PREMISES AFFECTED—2-26 Stanton Street, 247-53 Bowery and 207-21 Chrystie Street, north side, entire block, Block 427, Lots 1, 47-51 portion of 4 and 27, Borough of Manhattan.

COMMUNITY BOARD #3M.

APPEARANCES—

For Applicant: None.

For Opposition: None.

RECOMMENDATION OF THE COMMUNITY BOARD—

Favorable to the application.

ACTION OF BOARD—Application granted on condition.

THE VOTE TO GRANT—

Affirmative: Chairperson Deutsch, Vice Chairman

Fossella, C  
Carroll, C  
Bockman .

Negative:

THE RESOLUTION

WHEREAS, a public hearing was held on this application on August 10, 1982, after due notice by publication in the Bulletin; laid over to September 21, 1982, then to October 19, 1982, then to November 16, 1982 and

WHEREAS, the decision of the Borough Superintendent, dated December 4, 1981, acting on Alt. Applic. #320/1981, reads:

"2.4. A

initial setback of 637 of the

and

WHEREAS, the site and neighborhood examination by a committee of the Board consisting of Commissioner Harry M. Carroll, P.E. who recommended that the application be denied; and

WHEREAS, Community Board No. 1, Staten Island, has recommended denial of this application; and

WHEREAS, CEQR has issued a negative declaration; and

WHEREAS, the applicant has failed to demonstrate an inability to secure a reasonable return from the existing use on the site; and

WHEREAS, the site is located on a narrow, heavily-traveled thoroughfare and the proposed additional use as an automobile laundry would exacerbate already intensive automobile use and adversely affect bus and pedestrian movement; and

WHEREAS, the Board finds that on the basis of the record in this case it is unable to make findings "b" and "c" under Section 72-21 of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, dated December 4, 1981 acting on Alt. Applic. #320/1981.

Objection No. 1. be and it hereby is affirmed and that the application be and it hereby is denied.

Adopted by the Board of Standards and Appeals, November 16, 1982.

Resolved, that the decision of the Borough Superintendent, dated December 4, 1981 acting on Alt. Applic. #320/1981.

Objection No. 1. be and it hereby is affirmed and that the application be and it hereby is denied.

Adopted by the Board of Standards and Appeals, November 16, 1982.

Resolved, that the decision of the Borough Superintendent, dated December 4, 1981 acting on Alt. Applic. #320/1981.

Objection No. 1. be and it hereby is affirmed and that the application be and it hereby is denied.

Adopted by the Board of Standards and Appeals, November 16, 1982.

Resolved, that the decision of the Borough Superintendent, dated December 4, 1981 acting on Alt. Applic. #320/1981.

Objection No. 1. be and it hereby is affirmed and that the application be and it hereby is denied.

Adopted by the Board of Standards and Appeals, November 16, 1982.

Resolved, that the decision of the Borough Superintendent, dated December 4, 1981 acting on Alt. Applic. #320/1981.

Objection No. 1. be and it hereby is affirmed and that the application be and it hereby is denied.

Adopted by the Board of Standards and Appeals, November 16, 1982.

### 326-82-BZ

APPLICANT—

Associates, c

SUBJECT—Ap

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Carroll, Commissioner Wolf and Commissioner Bockman . . . . . 6  
 Negative: . . . . . 0

**THE RESOLUTION—**  
 WHEREAS, a public hearing was held on this application on September 21, 1982, after due notice by publication in the Bulletin; laid over to October 13, 1982, then to October 26, 1982, then to November 16, 1982, and

WHEREAS, the decision of the Borough Superintendent, dated May 11, 1982, acting on N.B. Applic. #15/1982, reads:  
 "Z-4. A portion of the building is located within the initial setback district of 20 feet, contrary to Section 23-637 of the zoning resolution."

and  
 WHEREAS, the premises and surrounding area had a site- and neighborhood examination by a committee of the Board consisting of Commissioner Harry M. Carroll, P.E. and Commissioner Miriam L. Bockman who recommended that the application be granted; and

WHEREAS, Community Board No. 3, Manhattan, has recommended approval of this application; and  
 WHEREAS, CEQR has issued a conditional negative declaration; and

WHEREAS, the site is encumbered by a subway easement which restricts the placement of the building to one portion of the site; and

WHEREAS, the application is for a minor intrusion into the sky exposure plane; and

WHEREAS, the proposed development is the recipient of a federal subsidy and a reduction in the number of units to eliminate the objection cited would make the project infeasible; and

WHEREAS, the method of construction precludes an increase in height; and

WHEREAS, the site plan has been revised to provide the required number of parking spaces; and

WHEREAS, the board has determined that the evidence in the record supports the findings required to be made under Section 72-21 of the Zoning Resolution, and that the applicant is therefore entitled to relief on the grounds of practical difficulty and/or unnecessary hardship.

**Resolved,** that the Board of Standards and Appeals does hereby make each and every one of the required findings and grants a variation in the application of the Zoning Resolution limited to the objection cited, and that the application be and it hereby is granted under Section 72-21 of the Zoning Resolution to permit in a C6-1 district, the erection of a nine story multiple dwelling that penetrates the sky exposure plane on condition that all work shall substantially conform to drawings as they apply to the objection above noted, filed with this application marked, "Received May 17, 1982" — 4 sheets and "June 25, 1982" — 6 sheets and on further condition; That all laws, rules and regulations applicable be complied with; and That substantial construction be completed in accordance with Section 72-23 Z.R.

Adopted by the Board of Standards and Appeals, November 16, 1982.

326-82-BZ

APPLICANT—Stein, Davidoff, Malito and Teitler, for BCR Associates, owner. Eclipse Disco, Incorporated, lessee.

SUBJECT—Application May 27, 1982—decision of the Borough Superintendent, under Section 73-241 of the Zoning

Resolution, to permit in a C2-2 district, in an existing one story and cellar building, the addition to the uses of the existing eating and drinking establishment to include entertainment and dancing.

**PREMISES AFFECTED—**92-77 Queens Boulevard, north side, 131 feet west of 62nd Avenue. Block 2075, Lot 65. Rego Park, Borough of Queens.  
**COMMUNITY BOARD #6Q.**

**APPEARANCES—**  
 For Applicant: Marvin B. Mitzner.  
 For Opposition: None.

**RECOMMENDATION OF THE COMMUNITY BOARD—**  
 Favorable to the application.

**ACTION OF BOARD—**Application granted on condition.

**THE VOTE TO GRANT—**  
 Affirmative: Chairperson Deutsch, Vice Chairman Fossella, Commissioner Agusta, Commissioner Carroll, Commissioner Wolf and Commissioner Bockman . . . . . 6  
 Negative: . . . . . 0

**THE RESOLUTION—**  
 WHEREAS, a public hearing was held on this application on October 26, 1982, after due notice by publication in the Bulletin; laid over to November 16, 1982, and

WHEREAS, the decision of the Borough Superintendent, dated April 27, 1982, acting on N.B. Applic. #55/1975, reads:

"1Z. Proposed eating and drinking establishment without restrictions on entertainment", Use Group 12, located in a C2-2 in an R7-1 zoning district is contrary to Section 32-00 of the Zoning Resolution."

and  
 WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board consisting of Commissioner Philip P. Agusta, R.A. and Commissioner Harry M. Carroll, P.E.

WHEREAS, Community Board 6 has recommended approval of this application; and

WHEREAS, CEQR has filed a negative declaration; and  
 WHEREAS, this is an application for a special permit to legalize cabaret use of the first floor; and

WHEREAS, the applicant has provided satisfactory evidence that attendant parking has been provided on adjacent sites; and

WHEREAS, there are no residential occupancies within 200 feet of the site; and

WHEREAS, this use is compatible with existing commercial development in the block; and

WHEREAS, the use fronts on the service road of a heavily-traveled main arterial highway,

**Resolved,** that the Board of Standards and Appeals does hereby make the required findings and grants a Special Permit under Section 73-241 of the Zoning Resolution, to permit in a C2-2 district, in an existing one story and cellar building, the addition to the use of the existing eating and drinking establishment to include entertainment and dancing on condition that all work shall substantially conform to drawings filed with this application marked "Received May 27, 1982"—4 sheets, "August 30, 1982"—2 sheets and "November 13, 1982"—2 sheets and on further condition; That occupancy be limited to 400 persons; That the premises comply with the provisions of Local Law 64/1979; That exits from the cellar shall comply with code requirements; That signs shall be limited to illuminated, non-flashing signs as permitted in a C2-2 district; That any reduction in the parking spaces provided on and off-site shall require the prior ap-