

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, January 13, 2009

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	863-48-BZ	Alfonso Duarte <b>259-16 Union Turnpike, Queens</b> Extension of Term of a previously granted variance for a (UG16A) auto repair establishment, in an R-2 zoning district, which will expire on November 25, 2008. <b>Community Board#13Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 1/13/09</b>
2.	26-02-BZ	Walter T. Gorman, P.E. <b>1680 Richmond Avenue, Staten Island</b> Extension of Time/waiver to obtain a Certificate of Occupancy which expired on December 10, 2006 for an existing gasoline service station ( <i>Mobil</i> ), in a C1-2/R3X zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 1/13/09</b>
3.	242-03-BZ	Moshe M. Friedman, P.E. <b>1858 East 26<sup>th</sup> Street, Brooklyn</b> Extension of Time/waiver to obtain a Certificate of Occupancy which expired on January 13, 2008 and an Amendment to legalize the as-built condition of a previously granted Special Permit (§73-622) in an R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 1/13/09</b>

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### ***SOC – CONTINUED HEARINGS***

4.	395-60-BZ	<p>Sheldon Lobel, P.C. <b>2557-2577 Linden Boulevard, Brooklyn</b> Pursuant to ZR §11-411 and §11-413, Extension of Term (expired on December 9, 2005), waiver and Amendment for change of use from a (UG16) gasoline service station to (UG16) automotive repair establishment; to reduce the size of the subject lot and to request a UG6 designation for the convenience store, and an Extension of Time to obtain a Certificate of Occupancy which expired on January 19, 2000. R-5 zoning district <b>Community Board #5BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 2/10/09</b></p>
5.	337-90-BZ	<p>Sheldon Lobel, P.C. <b>1415/17 East 92<sup>nd</sup> Street, Brooklyn</b> Extension of Term/waiver (expired on June 2, 2002) for the continued operation of a one-story (UG16) Automotive Repair Shop and a two-story (UG6) business and (UG2) dwelling unit in a C1-2/R4 zoning district, and an Extension of Time/waiver to obtain a Certificate of Occupancy (expired on March 29, 1987). <b>Community Board #18BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Adjourned, Continued Hearing – 2/10/09</b></p>

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<b><i>SOC – NEW CASES</i></b>		
6.	617-56-BZ	Kenneth H. Koons, R.A. <b>3120 Albany Crescent, Bronx</b> Extension of Term/waiver for the continued use of a (UG8) parking lot which expired on September 27, 2007 in an R6 (C1-3, C2-3) zoning district. <b>Community Board #15BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 2/10/09</b>
7.	1228-79-BZ	Harold Weinberg, P.E., <b>2436 McDonald Avenue, Brooklyn</b> Extension of Term/waiver for the operation of a (UG6) retail store, in an R5 zoning district, which expired on July 21, 2005 and for an Extension of Time to obtain a Certificate of Occupancy which expired on May 21, 1997. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 2/3/09</b>
8.	245-03-BZ	Joseph P. Morsellino, Esq. <b>160-11 Willets Point Boulevard, Queens</b> Extension of Term for an accessory drive-thru to an existing eating and drinking establishment ( <i>McDonald's</i> ), in an R3-2/C1-2 zoning district, which expired on December 9, 2008. <b>Community Board #7Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 2/10/09</b>
9.	97-08-BZ	New York City Board of Standards and Appeals Applicant: Eric Palatnik <b>84 Sanford Street, Brooklyn</b> To consider dismissal for lack of prosecution – Special Permit (§73-19) to allow legalization of existing community facility use, contrary to use regulations. <b>Community Board #3BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Off Dismissal Calendar</b>

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<b><i>APPEALS – DECISIONS</i></b>		
10.	229-06-A	Sheldon Lobel, P.C. <b>607 Bayside Drive, Queens</b> Appeal seeking to revoke Department of Building's permits and approvals for an existing one-family home. Appellant argues that the proposal creates new zoning non-compliances, increases the degree of existing zoning non-compliances, and violates provisions of the Building Code regarding access and fire safety. R4 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Denied – 1/13/09</b>
11.	140-07-A	Rothkrug, Rothkrug & Spector, LLP <b>607 Bayside Drive, Queens</b> Appeal seeking to reverse the Department of Building's decision to revoke permits and approvals for a one-family home based on non-compliance with front yard regulations (§23-45). R4 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted In Part &amp; Denied In Part – 1/13/2009</b>
12.	33-08-A	Yury Menzak <b>67 Brighton 1<sup>st</sup> Lane, Brooklyn</b> Proposed construction of a six story multi-family home not fronting a legally mapped street, contrary to General City Law Section 36. R6/Ocean Parkway Zoning District. <b>Community Board #13BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Withdrawn – 1/13/09</b>
13.	70-08-A thru 72-08-A	Eric Palatnik, P.C. <b>215C, 215B, 215A Van Name Avenue, Staten Island</b> An appeal seeking a determination that the property owner has acquired a common law vested right to continue construction commenced under the prior zoning district regulations. R3A Zoning District. <b>Community Board #1SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 1/13/09</b>

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<b><i>APPEALS – DECISIONS</i></b>		
14.	73-08-A thru 75-08-A	Eric Palatnik, P.C. <b>345A, 345B, 345C Van Name, Staten Island</b> An appeal seeking a determination that the property owner has acquired a common law vested right to continue construction under the prior zoning district regulations. R3A zoning district. <b>Community Board #1SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:     Granted – 1/13/09</b>
15.	103-08-BZY	Law Office of Fredrick A. Becker <b>208 Grand Street, Brooklyn</b> Extension of time (§11-331) to complete construction of a minor development commenced prior to the amendment of the zoning district. C2-4/R6B zoning. <b>Community Board #1BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:     Granted – 1/13/09</b>

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### ***APPEALS – CONTINUED HEARINGS***

16.	141-07-A	<p>Hakime Altine  <b>129-48 Hookcreek Boulevard, Queens</b>                      Proposed construction of a two-story, one-family residential building in the bed of mapped street (Hook Creek Boulevard) contrary to General City Law Section 35. R2 Zoning.  <b>Community Board #13Q</b>  <b>Examiner: Toni Matias (212) 788-8752</b>  <b>Status: Adjourned, Continued Hearing – 2/10/09</b></p>
17.	60-08-A	<p>Eric Palatnik, P.C.  <b>101-20 39<sup>th</sup> Avenue (formerly 101-20, 101-22 &amp; 101-24 103<sup>rd</sup> Street, Queens</b>                      Proposed construction of a four-story community facility located within the bed of a mapped street (102nd Street) contrary to General City Law, Section 35. R6B (C1-4) zoning district.  <b>Community Board #3Q</b>  <b>Examiner: Toni Matias (212) 788-8752</b>  <b>Status: Continued Hearing – 3/17/09</b></p>
18.	120-08-A	<p>Law Office of Fredrick A. Becker  <b>186 Grand Street, Brooklyn</b>                      Appeal seeking the determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district. C2-4/R6B zoning.  <b>Community Board #1BK</b>  <b>Examiner: Toni Matias (212) 788-8752</b>  <b>Status: Closed, Decision – 1/27/09</b></p>
19.	261-08-BZY	<p>Eric Palatnik, P.C.  <b>140-75 Ash Avenue, Queens</b>                      Extension of time to complete construction (§11-331) of a minor development commenced prior to the amendment of the zoning district regulations. R7B/C1-3 zoning districts.  <b>Community Board #7Q</b>  <b>Examiner: Toni Matias (212) 788-8752</b>  <b>Status: Closed, Decision – 1/27/09</b></p>

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### ***APPEALS – CONTINUED HEARINGS***

20.	262-08-A	Eric Palatnik, P.C. <b>140-75 Ash Avenue, Queens</b> An appeal seeking a determination that the owner of the premises has acquired a common law vested right to continue the development commenced under the prior zoning district regulations. R7B/C1-3 zoning districts. <b>Community Board #7Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 1/27/09</b>
21.	263-08-BZY	Slater & Beckerman, LLP <b>29-23 40<sup>th</sup> Road and 30-02 40<sup>th</sup> Avenue, Queens</b> Extension of time to complete construction (§11-331) of a minor development commenced prior to the amendment of the zoning district regulations. M1-3 /R7X zoning districts. <b>Community Board #1Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 2/3/09</b>
22.	264-08-A	Slater & Beckerman, LLP <b>29-23 40<sup>th</sup> Road and 30-02 40<sup>th</sup> Avenue, Queens</b> An appeal seeking a determination that the owner of said premises has acquired a common law vested right to continue development commenced under the prior zoning districts. M1-3/R7X zoning districts. <b>Community Board #1Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 2/3/09</b>

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<b><i>APPEALS – NEW CASES</i></b>		
23.	213-08-A	Joseph A. Sherry <b>68 Hillside Avenue, Queens</b> Proposed reconstruction and enlargement of an existing single family home located in the bed of a mapped street <b>General City Law 35</b> and not fronting on a mapped street contrary to General City Law 36. R4 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 1/13/09</b>
24.	242-08-A	Joseph A. Sherry <b>53 Beach 216<sup>th</sup> Street, Queens</b> Reconstruction and enlargement of an existing single family home not fronting on a mapped street contrary to General City Law 36 and partially in the bed of a mapped street contrary to of the General City Law 35. R4 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 1/13/09</b>
25.	245-08-BZY	Sheldon Lobel, P.C. <b>219-05 North Conduit Boulevard, Queens</b> Extension of time to complete construction (11-331) of minor development commenced under the prior C2-2/R3-2 district. C1-1/R3X zoning district. <b>Community Board #13Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 2/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, January 13, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	20-08-BZ	Law Office of Fredrick A. Becker <b>53-55 Beach Street, Manhattan</b> Special Permit (§75-53) to permit a 2,900 square foot vertical enlargement to an existing warehouse (UG 17); M1-5 District/Special Tribeca Mixed Use District. <b>Community Board #1M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 1/13/09</b>
2.	46-08-BZ	Law Office of Fredrick A. Becker <b>491 Bedford Avenue, 142 Clymer Street, Brooklyn</b> Variance (§72-21) to permit the construction of a community facility building ( <i>Congregation Adas Yereim</i> ), contrary to §24-11 (Floor area ratio and lot coverage) and §24-522 (front wall height, setback, sky exposure plane and number of stories). R6 district. <b>Community Board #1BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 1/13/09</b>
3.	93-08-BZ	Rothkrug Rothkrug & Spector, LLP <b>112-12, 112-18, 112-24 Astoria Boulevard, Queens</b> Variance (§72-21) to allow a six-story transient hotel (UG 5), contrary to use regulations (§22-00). R6 district. <b>Community Board #3Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 1/13/09</b>
4.	135-08-BZ	Sheldon Lobel, P.C. <b>71-52 172<sup>nd</sup> Street, Queens</b> Variance (§72-21) to permit a one-story and mezzanine synagogue ( <i>Fresh Meadows Bukharian Synagogue</i> ), contrary to ZR §24-34 (minimum front yard) and §25-31 (minimum parking requirements). R2 district. <b>Community Board #8Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 1/13/09</b>

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<b><i>BZ – DECISIONS</i></b>		
5.	155-08-BZ	Eric Palatnik, P.C. <b>282 Beaumont Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing two family home to be converted to a one family home. This application seeks to vary floor area, open space and lot coverage (§23-141(a)); and required rear yard (§23-47) in an R3-1 district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 1/13/09</b>
6.	170-08-BZ	Kramer Levin Naftalis & Frankel, LLP <b>411-431 East 69th Street, Manhattan</b> Variance (§72-21) to permit the construction of a research building ( <i>Weill Cornell Medical College</i> ) with 16 occupied stories and two mechanical floors. The proposal is contrary to ZR §24-11 (Floor area and lot coverage), §24-36 (Rear yard), §24-522 (Height and setback), and §24-552 (Rear yard setback). R8 zoning district. <b>Community Board #8M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 1/13/09</b>
7.	172-08-BZ	Herrick Feinstein <b>40-20 47<sup>th</sup> Avenue, aka 4702-4710 41<sup>st</sup> Street, Queens</b> Variance (§72-21) to permit the conversion of an existing two-story residential building to a house of worship ( <i>Sunnyside Jewish Center</i> ). The proposal is contrary to ZR §24-35 (a) (Side yards). R5 district. <b>Community Board #2Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 1/13/09</b>
8.	190-08-BZ	Kramer Levin Naftalis & Frankel <b>41-43 Bond Street, Manhattan</b> Variance (§72-21) to allow a nine-story residential building (UG 2) containing eight dwelling units; contrary to use regulations (§42-10). M1-5B district. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 1/13/09</b>

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<b><i>BZ – DECISIONS</i></b>		
9.	196-08-BZ	DID Architects <b>792 Tenth Avenue, Manhattan</b> Special Permit (§§11-411 & 73-03) to reinstate of a variance, originally granted under BSA No. 346-47-BZ, to permit the continued operation of a public parking garage. C6-2 zoning district/Clinton Special District Preservation area. <b>Community Board #4M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 1/13/09</b>
10.	224-08-BZ	Omnipoint Communications <b>47-10 Laurel Hill Boulevard, Queens</b> Special Permit (§73-30) to allow an extension to an existing non-accessory radio tower, to mount nine small panel antennas and related equipment cabinets on the rooftop. R4 district. <b>Community Board #2Q</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Granted – 1/13/09</b>
11.	244-08-BZ	Rizzo Group <b>139-153 East 53<sup>rd</sup> Street; 140-16 East 54<sup>th</sup> Street; 601-635 Lexington Avenue; 884-892 3<sup>rd</sup> Avenue, Manhattan</b> Special Permit (§73-36) to allow the proposed Physical Culture Establishment ( <i>24Hour Fitness</i> ) at the cellar level and first floor of a 59-story building, contrary to ZR Section 32-10. C6-6 district. <b>Community Board #6M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 1/13/09</b>

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<b>BZ – CONTINUED HEARINGS</b>		
12.	11-07-BZ	Dominick Salvati and Son Architects <b>41-06 Junction Boulevard, Queens</b> Variance (§72-21) to allow a five (5) story office building with ground floor retail, contrary to use regulations (§22-00). R6B district. <b>Community Board #4Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Adjourned, Continued Hearing – 3/31/09</b>
13.	61-08-BZ	The Law Office of Fredrick A. Becker <b>439 86<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-36) to allow the operation of a Physical Culture Establishment on the second and third floors of an existing building. The proposal is contrary to ZR §32-10. C4-2A (BR) district. <b>Community Board #10BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 2/3/09</b>
14.	134-08-BZ	Eric Palatnik, P.C. <b>34 Lawrence Avenue, Brooklyn</b> Variance (§72-21) to construct a third floor to an existing two-story, two-family semi-detached residence, located in an R-5 and M1-1 zoning districts. <b>Community Board #12BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 2/3/09</b>
15.	163-08-BZ	Sheldon Lobel, P.C. <b>2022 Avenue M, Brooklyn</b> Variance (§72-21) to permit the construction of a two-story and attic community facility building ( <i>Congregation Kol Torah</i> ). The proposal is contrary to ZR §24-11 (floor area, FAR ad lot coverage), §24-34 (front yard), §24-35 (side yards), and §25-30 (minimum parking requirements. R2 district. <b>Community Board #14BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 2/10/09</b>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
16.	198-08-BZ	Mitchell S. Ross, Esq. <b>268 Park Avenue South, Manhattan</b> Special Permit (§73-36) to allow the proposed physical culture establishment ( <i>New York Health &amp; Racquet Club</i> ) in a 12-story and penthouse mixed-use building, contrary to ZR §32-10. C6-4A district. <b>Community Board #5M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 2/3/09</b>
17.	216-08-BZ	Eric Palatnik, P.C. <b>1624 Shore Boulevard, Brooklyn</b> Special Permit (§73-622) for the in-part legalization and enlargement of a single family home. This application seeks to vary floor area, open space and lot coverage (§23-141) and side yard (§23-461) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 2/10/09</b>
18.	236-08-BZ	Sheldon Lobel, P.C. <b>1986 East 3<sup>rd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area (§23-141) and the permitted perimeter wall height (§23-631) in an R2X (OPSD) zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 2/3/09</b>

### \*\*\*DISCLAIMER\*\*\*

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, January 13, 2009

1:30 P.M.

<b>BZ – NEW CASES</b>		
19.	63-08-BZ	Eric Palatnik <b>116-33 Queens Boulevard, Queens</b> Special Permit (§73-244) to legalize an eating and drinking establishment with entertainment and a capacity of more than 200 persons with dancing within a C4-2 zoning district. <b>Community Board #6Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 2/10/09</b>
20.	188-08-BZ	Rizzo Group, LLP <b>35 East 76<sup>th</sup> Street, (975-983 Madison; 981 Madison; 35-53 East 76<sup>th</sup> Street) Manhattan</b> Special Permit (§73-36) and Variance (§72-21) to allow the legalization of a Physical Culture Establishment ( <i>Carlyle Hotel</i> ) and to extend this use into an R8B district for an existing hotel ( <i>Carlyle</i> ) in the C5-1MP and R8B zoning districts. The proposal is contrary to ZR §32-10. <b>Community Board #8M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Postponed – 2/10/09</b>
21.	207-08-BZ	Eric Palatnik, P.C. <b>40-69 94<sup>th</sup> Street, Queens</b> Variance (§72-21) to permit the expansion to the first floor of an existing day care center. The proposal is contrary to §24-34 (front yard). R4 district. <b>Community Board #7Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 2/3/09</b>
22.	222-08-BZ	Rothkrug, Rothkrug & Spector LLP <b>71 Beaumont Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary lot coverage, open space and floor area (§23-141); rear yard (§23-47) and exceeds the perimeter wall height (§23-631) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 2/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, January 13, 2009

1:30 P.M.

<b>BZ – NEW CASES</b>		
<b>23.</b>	<b>257-08-BZ</b>	Slater & Beckerman, LLP <b>120 East 56<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow a Physical Culture Establishment ( <i>Susan Ciminelli Day Spa</i> ) on the second floor in an existing 15-story commercial building. The proposal is contrary to §32-10. C5-2 district. <b>Community Board #5M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 1/27/09</b>
<b>24.</b>	<b>289-08-BZ</b>	Dennis D. Dell'Angelo, for Ephraim Nierenberg, owner. <b>966 East 23<sup>rd</sup> Street Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area (§23-141); side yards (§23-461); and less than the required rear yard (§23-47) in an R-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 2/10/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, February 3, 2009

10:00 A.M.

### ***SOC – DECISIONS***

1.	239-97-BZ	Kenneth H. Koons <b>1499 Bruckner Boulevard, Bronx</b> Extension of Term for a UG16 automotive service station and UG8 parking lot, in an R-6 zoning district, which expires on July 13, 2009. <b>Community Board #9BX</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Granted – 2/3/09</b>
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### ***SOC – CONTINUED HEARINGS***

2.	1228-79-BZ	Harold Weinberg, P.E., <b>2436 McDonald Avenue, Brooklyn</b> Extension of Term/waiver for the operation of a (UG6) retail store, in an R5 zoning district, which expired on July 21, 2005 and for an Extension of Time to obtain a Certificate of Occupancy which expired on May 21, 1997. <b>Community Board #15BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Closed, Decision – 2/10/09</b>
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### ***SOC – NEW CASES***

3.	74-49-BZ	Sheldon Lobel, P.C. <b>515 Seventh Avenue, Manhattan</b> Extension of term (§11-411) of a variance allowing a parking garage, an amendment to increase the number of parking spaces, extension of time to obtain a Certificate of Occupancy, and a waiver of the Rules. M1-6 zoning district <b>Community Board #5M</b> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status: Continued Hearing – 2/24/09</b>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, February 3, 2009  
10:00 A.M.

<b><i>APPEALS – DECISIONS</i></b>		
4.	149-08-A	<p>Jack Lester <b>808 Columbus Avenue, Manhattan</b> Appeal seeking to revoke Department of Building permits and approvals for a 30-story mixed use building on the grounds that zoning regulations for open space, parking, curb cuts and use group classification have been violated. R7-2 /C1-5 zoning districts. <b>Community Board #7M</b></p>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Denied – 2/3/09</b>
5.	153-08-A & 154-08-A	<p>Philip L. Rampulla <b>150 &amp; 156 Forest Road, Staten Island</b> Proposed construction not fronting on a legally mapped street, contrary to General City Law Section 36. R1-2 Zoning District. <b>Community Board #2SI</b></p>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 2/3/09</b>
6.	263-08-BZY	<p>Slater &amp; Beckerman, LLP <b>29-23 40<sup>th</sup> Road and 30-02 40<sup>th</sup> Avenue, Queens</b> Extension of time to complete construction (§11-331) of a minor development commenced prior to the amendment of the zoning district regulations. M1-3 /R7X zoning districts. <b>Community Board #1Q</b></p>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Withdrawn – 2/3/09</b>
7.	264-08-A	<p>Slater &amp; Beckerman, LLP <b>29-23 40<sup>th</sup> Road and 30-02 40<sup>th</sup> Avenue, Queens</b> An appeal seeking a determination that the owner of said premises has acquired a common law vested right to continue development commenced under the prior zoning districts. M1-3/R7X zoning districts. <b>Community Board #1Q</b></p>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 2/3/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, February 3, 2009

10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
8.	19-08-BZY	Edward Lauria, P.E. <b>3871 Amboy Road, Staten Island</b> Extension of time to complete construction (§11-332) of a minor development commenced under the prior zoning district regulations. C4-1 SRD <b>Community Board #3SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 2/24/09</b>
9.	305-08-A	NYC Economic Development Corp. <b>East River Waterfront Esplanade, Manhattan</b> Variance of flood plain regulations under Sec. G107 of Appendix G of the NYC Building Code to permit construction of kiosk. <b>Community Board #1M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 3/3/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, February 3, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	61-08-BZ	The Law Office of Fredrick A. Becker <b>439 86<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-36) to allow the operation of a Physical Culture Establishment on the second and third floors of an existing building. The proposal is contrary to ZR §32-10. C4-2A (BR) district. <b>Community Board #10BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status:     Granted – 2/3/09</b>
2.	207-08-BZ	Eric Palatnik, P.C. <b>40-69 94<sup>th</sup> Street, Queens</b> Variance (§72-21) to permit the expansion to the first floor of an existing day care center. The proposal is contrary to §24-34 (front yard). R4 district. <b>Community Board #7Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status:     Granted – 2/3/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, February 3, 2009

1:30 P.M.

<b>BZ – CONTINUED HEARINGS</b>		
3.	45-08-BZ	Rampulla Associates <b>55 Androvette Street, Staten Island</b> Variance (§72-21) to construct a four-story, 108-unit age restricted residential building contrary to use regulations (§42-00, §107-49). M1-1 District/Special South Richmond Development District. <b>Community Board #3SI</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 3/3/09</b>
4.	134-08-BZ	Eric Palatnik, P.C. <b>34 Lawrence Avenue, Brooklyn</b> Variance (§72-21) to construct a third floor to an existing two-story, two-family semi-detached residence, located in an R-5 and M1-1 zoning districts. <b>Community Board #12BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 3/3/09</b>
5.	198-08-BZ	Mitchell S. Ross, Esq. <b>268 Park Avenue South, Manhattan</b> Special Permit (§73-36) to allow the proposed physical culture establishment ( <i>New York Health &amp; Racquet Club</i> ) in a 12-story and penthouse mixed-use building, contrary to ZR §32-10. C6-4A district. <b>Community Board #5M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 2/10/09</b>
6.	201-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>40-38 216<sup>th</sup> Street, Queens</b> Variance (§ 72-21) to allow a one-story warehouse/ commercial vehicle storage building (UG16); contrary to use regulations (§22-00). R3X district. <b>Community Board #11Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Adjourned, Continued Hearing – 3/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, February 3, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

7.	236-08-BZ	Sheldon Lobel, P.C. <b>1986 East 3<sup>rd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area (§23-141) and the permitted perimeter wall height (§23-631) in an R2X (OPSD) zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 3/3/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, February 3, 2009

1:30 P.M.

<b>BZ – NEW CASES</b>		
8.	177-07-BZ	Maurice Dayan <b>886 Glenmore Avenue, Brooklyn</b> Variance (§72-21) to construct a two-story, two-family residential building, contrary to front yard requirement (§23-45) in an R-5 zoning district. <b>Community Board #7BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Postponed Hearing – 3/3/09</b>
9.	99-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>102 Drumgoole Road, Staten Island</b> Variance (§72-21) to construct a three-story single family home, contrary to rear yard requirement (§23-47) in an R3-2/SRD zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 2/24/09</b>
10.	169-08-BZ	James Chin & Associates, LLC <b>46 Laight Street, Manhattan</b> Variance (§ 72-21) to allow the redevelopment of an commercial building for residential use. Six residential floors and six dwelling units are proposed; contrary to use regulations (§42-00 & § 111-104 (e)). M1-5 (TMU- Area B-2) district. <b>Community Board #1M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 3/24/09</b>
11.	173-08-BZ	Rothkrug Rothkrug & Spector, LLP <b>42-59 Crescent Street, Queens</b> Variance (§72-21) to allow a12-story hotel building containing 99 hotel rooms; contrary to bulk regulations (§ 117-522). M1-5/R7-3 Special Long Island City Mixed Use District, Queens Plaza Subdistrict Area C. <b>Community Board #2Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 3/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, February 3, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>12.</b>	<b>258-08-BZ</b>	Rizzo Group <b>343-349 West 42<sup>nd</sup> Street, Manhattan</b> Special Permit (§73-36) to allow a Physical Culture Establishment ( <i>Mid-City Gym</i> ) on the cellar in a 41-story mixed-use building. The proposal is contrary to ZR Section 32-10. C6-4 district. <b>Community Board #4M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 2/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, January 27, 2009

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>239-97-BZ</b>	Kenneth H. Koons <b>1499 Bruckner Boulevard, Bronx</b> Extension of Term for a UG16 automotive service station and UG8 parking lot, in an R-6 zoning district, which expires on July 13, 2009. <b>Community Board #9BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Deferred Decision – 2/3/09</b>

<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>2.</b>	<b>719-56-BZ</b>	Walter T. Gorman, P.E. <b>2525 Victory Boulevard, Staten Island</b> Extension of Term/waiver for a gasoline service station ( <i>Mobil</i> ) in a C2-1/R3-2 zoning district which expired on April 27, 2007 and Extension of Time to obtain a Certificate of Occupancy which expired on October 26, 2000. <b>Community Board #1SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 2/10/09</b>
<b>3.</b>	<b>217-03-BZ</b>	Sheldon Lobel, P.C. <b>142 Pennsylvania Avenue, Brooklyn</b> Extension of Time to Complete Construction of a previously granted variance for the proposed expansion of a one story and cellar building in an R-5 zoning district. <b>Community Board #5BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 2/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, January 27, 2009

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
4.	241-47-BZ	Sheldon Lobel, P.C. <b>16-23/25 Hancock Street, Queens</b> Extension of Term and Amendment (§§11-411 & 11-413) of variance previously granted. The application seeks a change in use from knitting mill (UG 17) to a contractor's establishment (UG 17). R5B zoning district. <b>Community Board #5Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 3/3/09</b>
5.	889-55-BZ	J & H Management Corporation, owner. <b>69-15 164th Street, Queens</b> Application (§11-411) to extend the term of Automotive Repair Facility for 10 years which expired on May 1, 2008. The application seeks a Waiver of the Rules and Extension of Time to obtain a Certificate of Occupancy. C1-2/R3-2 zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 2/10/09</b>
6.	124-99-BZ	The Law Office of Fredrick A. Becker <b>1372 Broadway, Manhattan</b> Extension of term of a previously granted special permit allowing the operation of a physical culture establishment in portions of the cellar and first floor of a 20-story commercial building located in a C6-6 (Mid) zoning district. <b>Community Board #5M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 2/24/09</b>
7.	51-06-BZ	Sheldon Lobel, P.C. <b>188-02/22 Union Turnpike, Queens</b> Extension of Time to obtain a Certificate of Occupancy for a previously granted Variance to permit the operation of a Physical Culture Establishment in a portion of the cellar and the legalization of a dance studio in the cellar and first floor of an existing commercial building, in a C1-2/R2 zoning district, which expired on December 12, 2008. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 2/10/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, January 27, 2009

10:00 A.M.

### ***APPEALS – DECISIONS***

8.	120-08-A	Law Office of Fredrick A. Becker <b>186 Grand Street, Brooklyn</b> Appeal seeking the determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district. C2-4/R6B zoning. <b>Community Board #1BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 1/27/09</b>
9.	261-08-BZY	Eric Palatnik, P.C. <b>140-75 Ash Avenue, Queens</b> Extension of time to complete construction (§11-331) of a minor development commenced prior to the amendment of the zoning district regulations. R7B/C1-3 zoning districts. <b>Community Board #7Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 1/27/09</b>
10.	262-08-A	Eric Palatnik, P.C. <b>140-75 Ash Avenue, Queens</b> An appeal seeking a determination that the owner of the premises has acquired a common law vested right to continue the development commenced under the prior zoning district regulations. R7B/C1-3 zoning districts. <b>Community Board #7Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Withdrawn – 1/27/09</b>

### ***APPEALS – CONTINUED HEARINGS***

11.	168-08-A	Cozen O'Connor <b>63 Brighton 2<sup>nd</sup> Place, Brooklyn</b> Legalization of an existing building not fronting on a legally mapped street contrary to General City Law Section 36. R6 (OP) zoning district. <b>Community Board #13BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 3/3/09</b>

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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, January 27, 2009**  
**10:00 A.M.**

<i><b>APPEALS – NEW CASES</b></i>		
<b>12.</b>	<b>153-08-A &amp; 154-08-A</b>	Philip L. Rampulla <b>150 &amp; 156 Forest Road, Staten Island</b> Proposed construction not fronting on a legally mapped street, contrary to General City Law Section 36. R1-2 Zoning District. <b>Community Board #2SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 2/3/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, January 27, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	119-07-BZ	Sheldon Lobel, P.C. <b>443 39<sup>th</sup> Street, Brooklyn</b> Variance (§72-21) to allow a four-story community facility building contrary to regulations for use (§42-10), rear yard (§43-26) and parking (§44-21). M1-2 zoning district. <b>Community Board #7BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status:      Granted – 1/27/09</b>
2.	42-08-BZ	Eric Palatnik, P.C. <b>182 Girard Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing two family residence and conversion to a single family residence. This application seeks to vary floor area, lot coverage, open space (§23-141(b)) and rear yard (§23-47) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:      Granted – 1/27/09</b>
3.	159-08-BZ	Greenberg Traurig, LLP <b>68-70 Spring Street, Manhattan</b> Variance (§72-21) to allow a new seven-story residential building (UG 2) containing 12 dwelling units and ground floor retail (UG 6); contrary to use regulations (§42-10 & §42-14 D(2)(b)). M1-5B district. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status:      Deferred Decision – 2/10/09</b>
4.	251-08-BZ	Law Office of Fredrick A. Becker <b>2153 Ocean Parkway, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing one family residence. This application seeks to vary side yards (§23-48) and less than the required rear yard (§23-47) in an R5 (OP) Special Ocean Parkway District. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:      Granted – 1/27/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, January 27, 2009

1:30 P.M.

### ***BZ – DECISIONS***

5.	257-08-BZ	Slater & Beckerman, LLP <b>120 East 56<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow a Physical Culture Establishment ( <i>Susan Ciminelli Day Spa</i> ) on the second floor in an existing 15-story commercial building. The proposal is contrary to §32-10. C5-2 district. <b>Community Board #5M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 1/27/09</b>

### ***BZ – CONTINUED HEARINGS***

6.	178-07-BZ	Dominick Salvati and Son Architects <b>2261-2289 Bragg Street, Brooklyn</b> Variance (§72-21) to permit proposed seven-story residential building above existing three-story community facility building, contrary to residential floor area, FAR and lot coverage (§23-141(b)), number of dwelling units (§23-222), rear yard (§23-47 & §24-36), sky exposure plane and setback, (§23-631(d)), required residential and community facility parking (§25-23 & §25-31). R5 district. <b>Community Board #15BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Adjourned, Continued Hearing – 4/7/09</b>
7.	203-07-BZ	Sheldon Lobel, P.C. <b>137-35 Elder Avenue, Queens</b> Variance (§72-21) to allow a new 13-story mixed-use building containing 20 dwelling units, ground floor retail and community facility (medical) uses; contrary to bulk and parking regulations (§35-311 & §36-21). R6/C2-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 3/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, January 27, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

8.	220-07-BZ	<p>Moshe M. Friedman, P.E.  <b>847 Kent Avenue, Brooklyn</b>  Variance (§72-21) to allow the erection of a new four-story residential building containing four dwelling units, contrary to use regulations (§42-10). M1-1 district.  <b>Community Board #3BK</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Closed, Decision – 3/3/09</b></p>
9.	40-08-BZ	<p>Rothkrug, Rothkrug &amp; Spector, LLP  <b>3957 Laconia Avenue, Bronx</b>  Special Permit (§11-411 &amp; §11-413) to allow the re-instatement and extension of term, and amend to change the use from Automotive Service Station (UG 16) to a Automotive Repair Facility (UG 16), and subdivision the zoning lot. C1-2/R5 zoning district.  <b>Community Board #12BX</b>  <b>Examiner: Carlo Costanza (212) 788-8739</b>  <b>Status: Adjourned, Continued Hearing – 3/3/09</b></p>
10.	162-08-BZ	<p>The Law Office of Fredrick A. Becker  <b>150 East 93<sup>rd</sup> Street, Manhattan</b>  Special Permit (§73-621) to allow for the enlargement of an existing building contrary to floor area and lot coverage regulations §23-145 and §35-31; C1-8X District.  <b>Community Board #8M</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Continued Hearing – 3/3/09</b></p>
11.	206-08-BZ	<p>Eric Palatnik, P.C.  <b>737 Elvira Avenue, Queens</b>  Variance (§72-21) to permit the expansion of an existing three-story UG 3 yeshiva (<i>Yeshiva B'nei Torah</i>) which includes sleeping accommodations, contrary to ZR §24-111 (maximum floor area), §24-35 (side yard), §24-551 (side yard setback), and parking (§25-31). R2X zoning district.  <b>Community Board #14Q</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Continued Hearing – 2/24/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, January 27, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
12.	223-08-BZ	Rothkrug Rothkrug & Spector, LLP <b>4553 Arthur Kill Road, Staten Island</b> Variance (§72-21) to permit a commercial development (UG 6) in an R3-2/SSRD zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Continued Hearing – 2/10/09</b>
13.	226-08-BZ	Law Office of Fredrick A. Becker <b>172 Empire Boulevard, Brooklyn</b> Special Permit (§73-50) to legalize the vertical enlargement of an existing commercial building within the 30-foot rear yard required along a residential district boundary line that is coincident with a rear lot line. C8-2 zoning district. <b>Community Board #9BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 2/10/09</b>
14.	230-08-BZ	Law Office of Fredrick A. Becker <b>1019 East 23<sup>rd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area and open space (§23-141); and less than minimum rear yard requirement (§23-47) in an R-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 3/17/09</b>
15.	234-08-BZ	Eric Palatnik, P.C. <b>1702 Avenue Z, Brooklyn</b> Special Permit (§73-36) to allow proposed Physical Culture Establishment at the cellar and a portion of the first and second floors in a seven-story mixed-use building, contrary to §32-10. C4-2 district. <b>Community Board #15BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 3/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, January 27, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

16.	250-08-BZ	Law Office of Fredrick A. Becker <b>1925 East 5<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area (§23-141) and less than the required rear yard (§23-47) in an R2X/Special Ocean Parkway District. <b>Community Board #15BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Continued Hearing – 3/3/09</b>
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### ***BZ – NEW CASES***

17.	284-07-BZ	Ellen Hay, Wachtel & Masyr, LLP <b>52-54 East 13<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of a Physical Culture Establishment ( <i>Crunch Fitness</i> ) on portions of the cellar, and first floor, second floor, and the third floor of a mixed-use building, contrary to §32-10. C6-1 district. <b>Community Board #2M</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Postponed Hearing – 2/24/09</b>
18.	161-08-BZ	Eric Palatnik, P.C. <b>136 Dover Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area, open space and lot coverage (§23-141) and less than the required rear yard (§23-47) in an R3-1 zoning district. <b>Community Board #15BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Continued Hearing – 2/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, January 27, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
19.	215-08-BZ	Davidoff Malito & Hatcher, LLP by Howard S. Weiss <b>1778-1800 Southern Boulevard, Bronx</b> Variance (§72-21) to allow a 7-story mixed-use building containing 68 dwelling units and ground floor retail use; contrary to use regulations (§32-00). C8-3 district. <b>Community Board #3BX</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 2/24/09</b>
20.	227-08-BZ	Slater & Beckerman, LLP <b>1650 Grand Concourse, Bronx</b> Variance (§72-21) to allow a 39,922 square foot enlargement to an existing non-profit hospital (UG 4); contrary to bulk regulations (§24-11, §23-633, §122-30). R8 District/Special Grand Concourse Preservation District. <b>Community Board #4BX</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 2/10/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, February 10, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	889-55-BZ	J & H Management Corporation, owner. <b>69-15 164th Street, Queens</b> Application (§11-411) to extend the term of Automotive Repair Facility for 10 years which expired on May 1, 2008. The application seeks a Waiver of the Rules and Extension of Time to obtain a Certificate of Occupancy. C1-2/R3-2 zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 2/10/09</b>
2.	719-56-BZ	Walter T. Gorman, P.E. <b>2525 Victory Boulevard, Staten Island</b> Extension of Term/waiver for a gasoline service station ( <i>Mobil</i> ) in a C2-1/R3-2 zoning district which expired on April 27, 2007 and Extension of Time to obtain a Certificate of Occupancy which expired on October 26, 2000. <b>Community Board #1SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 2/10/09</b>
3.	1228-79-BZ	Harold Weinberg, P.E., <b>2436 McDonald Avenue, Brooklyn</b> Extension of Term/waiver for the operation of a (UG6) retail store, in an R5 zoning district, which expired on July 21, 2005 and for an Extension of Time to obtain a Certificate of Occupancy which expired on May 21, 1997. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 2/10/09</b>
4.	245-03-BZ	Joseph P. Morsellino, Esq. <b>160-11 Willets Point Boulevard, Queens</b> Extension of Term for an accessory drive-thru to an existing eating and drinking establishment ( <i>McDonald's</i> ), in an R3-2/C1-2 zoning district, which expired on December 9, 2008. <b>Community Board #7Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 2/10/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, February 10, 2009

10:00 A.M.

### ***SOC – DECISIONS***

5.	51-06-BZ	Sheldon Lobel, P.C. <b>188-02/22 Union Turnpike, Queens</b> Extension of Time to obtain a Certificate of Occupancy for a previously granted Variance to permit the operation of a Physical Culture Establishment in a portion of the cellar and the legalization of a dance studio in the cellar and first floor of an existing commercial building, in a C1-2/R2 zoning district, which expired on December 12, 2008. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 2/10/09</b>

### ***SOC – CONTINUED HEARINGS***

6.	617-56-BZ	Kenneth H. Koons, R.A. <b>3120 Albany Crescent, Bronx</b> Extension of Term/waiver for the continued use of a (UG8) parking lot which expired on September 27, 2007 in an R6 (C1-3, C2-3) zoning district. <b>Community Board #15BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 2/24/09</b>
7.	395-60-BZ	Sheldon Lobel, P.C. <b>2557-2577 Linden Boulevard, Brooklyn</b> Pursuant to ZR §11-411 and §11-413, Extension of Term (expired on December 9, 2005), waiver and Amendment for change of use from a (UG16) gasoline service station to (UG16) automotive repair establishment; to reduce the size of the subject lot and to request a UG6 designation for the convenience store, and an Extension of Time to obtain a Certificate of Occupancy which expired on January 19, 2000. R-5 zoning district <b>Community Board #5BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Adjourned, Continued Hearing – 4/21/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, February 10, 2009

10:00 A.M.

### ***SOC – CONTINUED HEARINGS***

8.	337-90-BZ	Sheldon Lobel, P.C. <b>1415/17 East 92<sup>nd</sup> Street, Brooklyn</b> Extension of Term/waiver (expired on June 2, 2002) for the continued operation of a one-story (UG16) Automotive Repair Shop and a two-story (UG6) business and (UG2) dwelling unit in a C1-2/R4 zoning district, and an Extension of Time/waiver to obtain a Certificate of Occupancy (expired on March 29, 1987). <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 3/17/09</b>

### ***SOC – NEW CASES***

9.	218-96-BZ	Mitchell S. Ross, Esq. <b>138 East 39<sup>th</sup> Street, Manhattan</b> Extension of Time to complete construction/waiver for a one-story rear enlargement above the basement of an existing community use facility ( <i>The Armenian Prelacy</i> ), which expired on January 11, 2007, located in an R8B zoning district. <b>Community Board #6M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 2/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, February 10, 2009

10:00 A.M.

### ***APPEALS – CONTINUED HEARINGS***

10.	141-07-A	Hakime Altine <b>129-48 Hookcreek Boulevard, Queens</b> Proposed construction of a two-story, one-family residential building in the bed of mapped street (Hook Creek Boulevard) contrary to General City Law Section 35. R2 Zoning. <b>Community Board #13Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 2/10/09</b>

### ***APPEALS – NEW CASES***

11.	270-08-A	NYC Department of Buildings <b>221 Betts Avenue, Bronx</b> An appeal seeking to revoke Certificate of Occupancy due to non-compliance with Special Flood Hazard Area requirements as set forth in the Building Code and Department of Buildings TPPN#1/04. R3A Zoning District. <b>Community Board #9BX</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 2/24/09</b>
12.	271-08-A	NYC Department of Buildings <b>221A Betts Avenue, Bronx</b> An appeal seeking to revoke Certificate of Occupancy due to non-compliance with Special Flood Hazard Area requirements as set forth in the Building Code and Department of Buildings TPPN#1/04. R3A Zoning District. <b>Community Board #9BX</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 2/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, February 10, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	159-08-BZ	Greenberg Traurig, LLP <b>68-70 Spring Street, Manhattan</b> Variance (§72-21) to allow a new seven-story residential building (UG 2) containing 12 dwelling units and ground floor retail (UG 6); contrary to use regulations (§42-10 & §42-14 D(2)(b)). M1-5B district. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 2/10/09</b>
2.	163-08-BZ	Sheldon Lobel, P.C. <b>2022 Avenue M, Brooklyn</b> Variance (§72-21) to permit the construction of a two-story and attic community facility building ( <i>Congregation Kol Torah</i> ). The proposal is contrary to ZR §24-11 (floor area, FAR ad lot coverage), §24-34 (front yard), §24-35 (side yards), and §25-30 (minimum parking requirements. R2 district. <b>Community Board #14BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 2/10/09</b>
3.	198-08-BZ	Mitchell S. Ross, Esq. <b>268 Park Avenue South, Manhattan</b> Special Permit (§73-36) to allow the proposed physical culture establishment ( <i>New York Health &amp; Racquet Club</i> ) in a 12-story and penthouse mixed-use building, contrary to ZR §32-10. C6-4A district. <b>Community Board #5M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 2/10/09</b>
4.	226-08-BZ	Law Office of Fredrick A. Becker <b>172 Empire Boulevard, Brooklyn</b> Special Permit (§73-50) to legalize the vertical enlargement of an existing commercial building within the 30-foot rear yard required along a residential district boundary line that is coincident with a rear lot line. C8-2 zoning district. <b>Community Board #9BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 2/10/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, February 10, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>5.</b>	<b>227-08-BZ</b>	Slater & Beckerman, LLP <b>1650 Grand Concourse, Bronx</b> Variance (§72-21) to allow a 39,922 square foot enlargement to an existing non-profit hospital (UG 4); contrary to bulk regulations (§24-11, §23-633, §122-30). R8 District/Special Grand Concourse Preservation District. <b>Community Board #4BX</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 2/10/09</b>
<b>6.</b>	<b>289-08-BZ</b>	Dennis D. Dell'Angelo <b>966 East 23<sup>rd</sup> Street Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area (§23-141); side yards (§23-461); and less than the required rear yard (§23-47) in an R-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 2/10/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, February 10, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
7.	63-08-BZ	Eric Palatnik <b>116-33 Queens Boulevard, Queens</b> Special Permit (§73-244) to legalize an eating and drinking establishment with entertainment and a capacity of more than 200 persons with dancing within a C4-2 zoning district. <b>Community Board #6Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 3/31/09</b>
8.	216-08-BZ	Eric Palatnik, P.C. <b>1624 Shore Boulevard, Brooklyn</b> Special Permit (§73-622) and a Variance (§72-21) for the in-part legalization and enlargement of a single family home. This application seeks to vary floor area, open space and lot coverage (§23-141), side yard (§23-461) and front yard (§23-45) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 3/17/09</b>
9.	223-08-BZ	Rothkrug Rothkrug & Spector, LLP <b>4553 Arthur Kill Road, Staten Island</b> Variance (§72-21) to permit a commercial development (UG 6) in an R3-2/SSRD zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Closed, Decision – 3/3/09</b>

### \*\*\*DISCLAIMER\*\*\*

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, February 10, 2009

1:30 P.M.

<b>BZ – NEW CASES</b>		
10.	133-08-BZ	Sheldon Lobel, P.C. <b>1601 Bronxdale Avenue, Bronx</b> Special Permit (§§73-48 & 73-49) to allow rooftop parking above the first floor of an existing one and two-story commercial building and waive limitation on number of vehicles in a group parking facility. M1-1 zoning district. <b>Community Board #11BX</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 3/17/09</b>
11.	228-08-BZ	Law Office of Fredrick A. Becker <b>2802 Avenue R, Brooklyn</b> Variance (§72-21) to permit the construction of a one-story mikvah (ritual bath). The proposal is contrary to ZR §§ 24-34 (front yards) and 24-35 (side yards). R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 3/17/09</b>
12.	253-08-BZ	Law Office of Fredrick A. Becker <b>2623 East 11<sup>th</sup> Street, Brooklyn</b> Variance (§72-21) to legalize a rear enlargement and to allow a new enlargement to an existing single family home. This variance seeks to vary floor area ratio, open space, lot coverage (§23-141(b)); side yards (§23-461(a)) & (§23-48) and rear yard (§23-47) regulations. R-4 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 2/24/09</b>
13.	275-08-BZ	Eric Palatnik, P.C. <b>98 South 4<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-36) to allow a physical culture establishment on the ground floor of an existing building. The proposal is contrary to ZR §42-10. M1-2/R6 (MX8) district. <b>Community Board #1BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 3/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, February 10, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
14.	276-08-BZ	Alfonso Duarte <b>150 East 55<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment on the sixth floor of a seven-story office building. The proposal is contrary to ZR §§32-10. C5-2 district. <b>Community Board #6M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 3/17/09</b>
15.	291-08-BZ	Moshe M. Friedman <b>3141 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area ration (§23-141(a)) and less than the required rear yard (§23-47) in an R-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 3/3/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, February 24, 2009

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>617-56-BZ</b>	Kenneth H. Koons, R.A. <b>3120 Albany Crescent, Bronx</b> Extension of Term/waiver for the continued use of a (UG8) parking lot which expired on September 27, 2007 in an R6 (C1-3, C2-3) zoning district. <b>Community Board #15BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Granted – 2/24/09</b>
<b>2.</b>	<b>218-96-BZ</b>	Mitchell S. Ross, Esq. <b>138 East 39<sup>th</sup> Street, Manhattan</b> Extension of Time to complete construction/waiver for a one-story rear enlargement above the basement of an existing community use facility ( <i>The Armenian Prelacy</i> ), which expired on January 11, 2007, located in an R8B zoning district. <b>Community Board #6M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Granted – 2/24/09</b>
<b>3.</b>	<b>124-99-BZ</b>	The Law Office of Fredrick A. Becker <b>1372 Broadway, Manhattan</b> Extension of term of a previously granted special permit allowing the operation of a physical culture establishment in portions of the cellar and first floor of a 20-story commercial building located in a C6-6 (Mid) zoning district. <b>Community Board #5M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status:     Granted – 2/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, February 24, 2009

10:00 A.M.

### ***SOC – CONTINUED HEARINGS***

4.	74-49-BZ	Sheldon Lobel, P.C. <b>515 Seventh Avenue, Manhattan</b> Extension of term (§11-411) of a variance allowing a parking garage, an amendment to increase the number of parking spaces, extension of time to obtain a Certificate of Occupancy, and a waiver of the Rules. M1-6 zoning district <b>Community Board #5M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 3/17/09</b>
5.	217-03-BZ	Sheldon Lobel, P.C. <b>142 Pennsylvania Avenue, Brooklyn</b> Extension of Time to Complete Construction of a previously granted variance for the proposed expansion of a one story and cellar building in an R-5 zoning district. <b>Community Board #5BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 3/31/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, February 24, 2009

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
6.	885-78-BZ	Kramer Levin Naftalis & Frankel LLP <b>120 West 25<sup>th</sup> Street, Manhattan</b> Amendment to a previously-granted Variance (§72-21) to allow the transfer of development rights from the subject site (Lot 53) to an adjoining site (Lot 49) in an M1-6 zoning district. <b>Community Board#3M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 3/17/09</b>
7.	771-89-BZ	Mark D. Lipton, AIA <b>2078 Richmond Avenue, Staten Island</b> Extension of Term/waiver of a previously-granted Variance (§72-21) to allow the change of use from residential to office use (UG6) with accessory parking which expired on September 18, 2000 in an R3-2 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 3/17/09</b>
8.	200-01-BZ	Davidoff Malito & Hatcher LLP <b>182-15 Hillside Avenue, Queens</b> Extension of Time to complete construction and to obtain a Certificate of Occupancy for a previously granted Variance (§72-21) for the enlargement of an existing 11-story and penthouse rehabilitation/long term care facility ( <i>Hillside Manor</i> ), in an R6A/C2-4 Special Downtown Jamaica District zoning district, which expired on January 11, 2009. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 3/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, February 24, 2009

10:00 A.M.

<b><i>APPEALS – DECISIONS</i></b>		
9.	19-08-BZY	Edward Lauria, P.E. <b>3871 Amboy Road, Staten Island</b> Extension of time to complete construction (§11-332) of a minor development commenced under the prior zoning district regulations. C4-1 SRD <b>Community Board #3SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 2/24/09</b>
10.	270-08-A	NYC Department of Buildings <b>221 Betts Avenue, Bronx</b> An appeal seeking to revoke Certificate of Occupancy due to non-compliance with Special Flood Hazard Area requirements as set forth in the Building Code and Department of Buildings TPPN#1/04. R3A Zoning District. <b>Community Board #9BX</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 2/24/09</b>
11.	271-08-A	NYC Department of Buildings <b>221A Betts Avenue, Bronx</b> An appeal seeking to revoke Certificate of Occupancy due to non-compliance with Special Flood Hazard Area requirements as set forth in the Building Code and Department of Buildings TPPN#1/04. R3A Zoning District. <b>Community Board #9BX</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 2/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, February 24, 2009

10:00 A.M.

### ***APPEALS – CONTINUED HEARINGS***

12.	245-08-BZY	Sheldon Lobel, P.C. <b>219-05 North Conduit Avenue, Queens</b> Extension of time to complete construction (§11-331) of minor development commenced under the prior C2-2/R3-2 district. C1-1/R3X zoning district. <b>Community Board #13Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Closed, Decision – 4/7/09</b>
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### ***APPEALS – NEW CASES***

13.	83-08-A	NYC Department of Buildings <b>3218 Emmons Avenue, Brooklyn</b> An appeal seeking to revoke Certificate of Occupancy due to failure to comply with ZR §62-711 (waterfront certification) and the failure to comply with ZR §12-10(d) in the formation of the zoning lot. R5/Sheepshead Bay District. <b>Community Board #15BK</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Postponed, Hearing – 5/12/09</b>
14.	147-08-BZY	Hui-Li Xu <b>95-04 Allendale Street, Queens</b> Extension of time (§11-331) to complete construction of a minor development commenced prior to the amendment of the zoning district regulations on April 30, 2008. R5 zoning district <b>Community Board #12Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Continued Hearing – 4/7/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, February 24, 2009

1:30 P.M.

### ***BZ – DECISIONS***

1.	258-08-BZ	Rizzo Group 343-349 West 42 <sup>nd</sup> Street, Manhattan Special Permit (§73-36) to allow a Physical Culture Establishment ( <i>Mid-City Gym</i> ) on the cellar in a 41-story mixed-use building. The proposal is contrary to ZR Section 32-10. C6-4 district. Community Board #4M Examiner: Rory Levy (212) 788-8749 Status: Granted – 2/24/09
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### ***BZ – CONTINUED HEARINGS***

2.	99-08-BZ	Rothkrug, Rothkrug & Spector, LLP 102 Drumgoole Road, Staten Island Variance (§72-21) to construct a three-story single family home, contrary to rear yard requirement (§23-47) in an R3-2/SRD zoning district. Community Board #3SI Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 3/24/09
3.	161-08-BZ	Eric Palatnik, P.C. 136 Dover Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area, open space and lot coverage (§23-141) and less than the required rear yard (§23-47) in an R3-1 zoning district. Community Board #15BK Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 3/3/09

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, February 24, 2009

1:30 P.M.

<b>BZ – CONTINUED HEARINGS</b>		
4.	206-08-BZ	Eric Palatnik, P.C. <b>737 Elvira Avenue, Queens</b> Variance (§72-21) to permit the expansion of an existing three-story UG 3 yeshiva ( <i>Yeshiva B'nei Torah</i> ) which includes sleeping accommodations, contrary to ZR §24-111 (maximum floor area), §24-35 (side yard), §24-551 (side yard setback), and parking (§25-31). R2X zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 3/31/09</b>
5.	215-08-BZ	Davidoff Malito & Hatcher, LLP by Howard S. Weiss <b>1778-1800 Southern Boulevard, Bronx</b> Variance (§72-21) to allow a 7-story mixed-use building containing 68 dwelling units and ground floor retail use; contrary to use regulations (§32-00). C8-3 district. <b>Community Board #3BX</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 4/7/09</b>
6.	222-08-BZ	Rothkrug, Rothkrug & Spector LLP <b>71 Beumont Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary lot coverage, open space and floor area (§23-141); rear yard (§23-47) and exceeds the perimeter wall height (§23-631) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 3/17/09</b>
7.	253-08-BZ	Law Office of Fredrick A. Becker <b>2623 East 11<sup>th</sup> Street, Brooklyn</b> Variance (§72-21) to legalize a rear enlargement and to allow a new enlargement to an existing single family home. This variance seeks to vary floor area ratio, open space, lot coverage (§23-141(b)); side yards (§23-461(a)) & (§23-48) and rear yard (§23-47) regulations. R-4 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 3/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, February 24, 2009

1:30 P.M.

<b>BZ – NEW CASES</b>		
8.	284-07-BZ	Ellen Hay, Wachtel & Masyr, LLP <b>52-54 East 13<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of a Physical Culture Establishment ( <i>Crunch Fitness</i> ) on portions of the cellar, and first floor, second floor, and the third floor of a mixed-use building, contrary to §32-10. C6-1 district. <b>Community Board #2M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Withdrawn – 2/24/09</b>
9.	188-08-BZ	Rizzo Group, LLP <b>35 East 76<sup>th</sup> Street, (975-983 Madison; 981 Madison; 35-53 East 76<sup>th</sup> Street) Manhattan</b> Special Permits (§73-36 and 73-52) to allow the legalization of a Physical Culture Establishment and to extend this use into an R8B district, contrary to ZR §32-10. C5-1/R8B zoning districts. <b>Community Board #8M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 4/7/09</b>
10.	229-08-BZ	Sheldon Lobel, P.C. <b>866 East 8th Street, Brooklyn</b> Variance (§72-21) for the construction of a new single family home. This applications seeks to vary floor area (§23-141), less than the minimum side yards (§23-461) and the location of the required off street parking to the front yard (§25-62) in an R2X zoning district. <b>Community Board #12BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 3/31/09</b>
11.	269-08-BZ	MetroPCS New York <b>90-10 Grand Central Parkway, Queens</b> Special Permit (§73-30) to allow an extension to an existing non-accessory radio tower. <b>Community Board #3Q</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Closed, Hearing – 3/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, February 24, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
12.	303-08-BZ	Carl A. Sulfaro, Esq. <b>34-67 Francis Lewis Boulevard, Queens</b> Special Permit (§11-411) to re-establish an expired variance which permitted the erection and maintenance of a gasoline service station with accessory uses (UG 16) C2-2/R5-B zoning district. <b>Community Board #11Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 4/7/09</b>
13.	304-08-BZ	Bryan Cave LLP <b>312-318 East 95<sup>th</sup> Street, Manhattan</b> Variance (§72-21) and Special Permit (§73-19) to allow a school ( <i>Trevor Day School</i> ) in a C8-4 district contrary to bulk regulations (§§ 33-123, 33-451, 33-453, 33-454, 33-26). C8-4 District. <b>Community Board #8M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Hearing – 4/21/09</b>
14.	319-08-BZ	Kramer Levin Naftalis & Frankel, LLP <b>323/25 and 327 6<sup>th</sup> Avenue; 14 Cornelia Street, Manhattan</b> Special Permit (§73-201) for an expansion of an existing motion picture theater ( <i>IFC Center</i> ). C1-5 District. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Hearing – 3/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, March 3, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	241-47-BZ	Sheldon Lobel, P.C. <b>16-23/25 Hancock Street, Queens</b> Extension of Term and Amendment (§§11-411 & 11-413) of variance previously granted. The application seeks a change in use from knitting mill (UG 17) to a contractor's establishment (UG 17). R5B zoning district. <b>Community Board #5Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 3/24/09</b>

<b><i>SOC – NEW CASES</i></b>		
2.	66-90-BZ	Walter T. Gorman, P.E., P.C. <b>43-07 Astoria Boulevard, Queens</b> Extension of Time/waiver to obtain an Certificate of Occupancy for a UG16 Gasoline Service Station ( <i>Mobil</i> ), in an R-5 zoning district, which expired on December 31, 2008. <b>Community Board #1Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 3/17/09</b>
3.	332-98-BZ	Law Office of Howard Goldman, LLC <b>3155 Grace Avenue, Bronx</b> Extension of Time/waiver to Complete Construction of a previously approved Variance (§72-21) for the enlargement of a (UG3) existing nursing home, in an R5 zoning district, which expired on April 13, 2003. <b>Community Board #12BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 3/17/09</b>
4.	215-06-BZ	Sheldon Lobel, P.C. <b>202-06 Hillside Avenue, Queens</b> Extension of Time/waiver to obtain a Certificate of Occupancy for an existing gasoline service station ( <i>Exxon</i> ) with accessory convenience store, in a C1-2/R4 zoning district, which expired on January 24, 2008. <b>Community Board #3Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 3/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, March 3, 2009  
10:00 A.M.

<b><i>APPEALS – DECISIONS</i></b>		
<b>5.</b>	<b>305-08-A</b>	NYC Economic Development Corp. <b>East River Waterfront Esplanade, Manhattan</b> Variance of flood plain regulations under Sec. G107 of Appendix G of the NYC Building Code to permit construction of kiosk. <b>Community Board #1M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:     Granted – 3/3/09</b>

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
<b>6.</b>	<b>168-08-A</b>	Cozen O'Connor <b>63 Brighton 2<sup>nd</sup> Place, Brooklyn</b> Legalization of an existing building not fronting on a legally mapped street contrary to General City Law Section 36. R6 (OP) zoning district. <b>Community Board #13BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:     Closed, Decision – 3/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, March 3, 2009

10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
7.	142-08-A	Eric Palatnik, P.C. <b>225 Brighton 2<sup>nd</sup> Lane, Brooklyn</b> Proposed construction of a residential building which does not front on a legally mapped street, contrary to General City Law Section 36. R6-OP Zoning District. <b>Community Board #13BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 3/17/09</b>
8.	272-08-A	Elizabeth Safian, Sheldon Lobel, P.C. <b>35 Brighton 2<sup>nd</sup> Place, Brooklyn</b> Proposed construction of residential building not fronting on a legally mapped street, contrary to General City Law Section 36. R6-OP Zoning District. <b>Community Board #13BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 3/31/09</b>
9.	307-08-BZY	Howard Zipser, Akerman Senterfitt LLP <b>163 Orchard Street, Manhattan</b> Extension of time to complete construction (§11-331) of a minor development commenced prior to the amendment of the zoning district regulations. C4-4A Zoning District. <b>Community Board #3M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Postponed, Hearing – 3/24/09</b>

### \*\*\*DISCLAIMER\*\*\*

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 3, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	220-07-BZ	Moshe M. Friedman, P.E. <b>847 Kent Avenue, Brooklyn</b> Variance (§72-21) to allow the erection of a new four-story residential building containing four dwelling units, contrary to use regulations (§42-10). M1-1 district. <b>Community Board #3BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Deferred Decision – 4/21/09</b>
2.	223-08-BZ	Rothkrug Rothkrug & Spector, LLP <b>4553 Arthur Kill Road, Staten Island</b> Variance (§72-21) to permit a commercial development (UG 6) in an R3-2/SSRD zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Granted – 3/3/09</b>
3.	291-08-BZ	Moshe M. Friedman <b>3141 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area ratio (§23-141(a)) and less than the required rear yard (§23-47) in an R-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 3/3/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 3, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

4.	40-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>3957 Laconia Avenue, Bronx</b> Special Permit (§11-411 & §11-413) to allow the re-instatement and extension of term, and amend to change the use from Automotive Service Station (UG 16) to a Automotive Repair Facility (UG 16), and subdivision the zoning lot. C1-2/R5 zoning district. <b>Community Board #12BX</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 4/7/09</b>
5.	45-08-BZ	Rampulla Associates <b>55 Androvette Street, Staten Island</b> Variance (§72-21) to construct a four-story, 108-unit age restricted residential building contrary to use regulations (§42-00, §107-49). M1-1 District/Special South Richmond Development District. <b>Community Board #3SI</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 4/7/09</b>
6.	134-08-BZ	Eric Palatnik, P.C. <b>34 Lawrence Avenue, Brooklyn</b> Variance (§72-21) to construct a third floor to an existing two-story, two-family semi-detached residence, located in an R-5 and M1-1 zoning districts. <b>Community Board #12BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 3/24/09</b>
7.	161-08-BZ	Eric Palatnik, P.C. <b>136 Dover Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area, open space and lot coverage (§23-141) and less than the required rear yard (§23-47) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 4/7/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 3, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
8.	162-08-BZ	The Law Office of Fredrick A. Becker <b>150 East 93<sup>rd</sup> Street, Manhattan</b> Special Permit (§73-621) to allow for the enlargement of an existing building contrary to floor area and lot coverage regulations §23-145 and §35-31; C1-8X District. <b>Community Board #8M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 3/24/09</b>
9.	236-08-BZ	Sheldon Lobel, P.C. <b>1986 East 3<sup>rd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area (§23-141) and the permitted perimeter wall height (§23-631) in an R2X (OPSD) zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 3/24/09</b>
10.	250-08-BZ	Law Office of Fredrick A. Becker <b>1925 East 5<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area (§23-141) and less than the required rear yard (§23-47) in an R2X/Special Ocean Parkway District. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Adjourned, Continued Hearing – 3/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 3, 2009

1:30 P.M.

<b>BZ – NEW CASES</b>		
11.	269-06-BZ	Joseph Margolis <b>125 Greaves Lane, Staten Island</b> Variance (§72-21) to permit the construction of a retail/commercial building. The proposal is contrary to § 22-00. R3-2 district (South Richmond Special District). <b>Community Board #3SI</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 4/21/09</b>
12.	193-08-A	Joseph Margolis <b>125 Greaves Lane, Staten Island</b> Proposed construction of retail/commercial building not fronting on a mapped street, contrary to General City Law Section 36. R3-2 Zoning District (South Richmond Special District). <b>Community Board #3SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 4/21/09</b>
13.	177-07-BZ	Manish S. Savani <b>886 Glenmore Avenue, Brooklyn</b> Variance (§72-21) to construct a two story, two family residential building on a vacant corner lot. This application seeks to vary the front yard requirement on one street frontage (§23-45) in an R-5 zoning district. <b>Community Board #7BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 4/21/09</b>
14.	88-08-BZ	Alfonso Duarte <b>101-17 Lefferts Boulevard, Queens</b> Variance (§72-21) to allow the commercial office conversion of an existing residential building; contrary to use regulations §22-00. R5 District. <b>Community Board #9Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 4/21/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 3, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>15.</b>	<b>310-08-BZ</b>	Friedman & Gotbaum, LLP <b>406 East 91<sup>st</sup> Street, Manhattan</b> Special Permit (§73-19) to permit conversion and enlargement of an existing building from UG 6 &16 to UG 3 (schools & uses accessory to schools), which is contrary to use regulations. C8-4 District. <b>Community Board #8M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 4/21/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, March 17, 2009

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	74-49-BZ	Sheldon Lobel, P.C. <b>515 Seventh Avenue, Manhattan</b> Extension of term (§11-411) of a variance allowing a parking garage, an amendment to increase the number of parking spaces, extension of time to obtain a Certificate of Occupancy, and a waiver of the Rules. M1-6 zoning district <b>Community Board #5M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 3/17/09</b>
2.	885-78-BZ	Kramer Levin Naftalis & Frankel LLP <b>120 West 25<sup>th</sup> Street, Manhattan</b> Amendment to a previously-granted Variance (§72-21) to allow the transfer of development rights from the subject site (Lot 53) to an adjoining site (Lot 49) in an M1-6 zoning district. <b>Community Board #3M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 3/17/09</b>
3.	771-89-BZ	Mark D. Lipton, AIA <b>2078 Richmond Avenue, Staten Island</b> Extension of Term/waiver of a previously-granted Variance (§72-21) to allow the change of use from residential to office use (UG6) with accessory parking which expired on September 18, 2000 in an R3-2 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 3/17/09</b>
4.	66-90-BZ	Walter T. Gorman, P.E., P.C. <b>43-07 Astoria Boulevard, Queens</b> Extension of Time/waiver to obtain an Certificate of Occupancy for a UG16 Gasoline Service Station ( <i>Mobil</i> ), in an R-5 zoning district, which expired on December 31, 2008. <b>Community Board #1Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 3/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, March 17, 2009

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
5.	332-98-BZ	Law Office of Howard Goldman, LLC <b>3155 Grace Avenue, Bronx</b> Extension of Time/waiver to Complete Construction of a previously approved Variance (§72-21) for the enlargement of a (UG3) existing nursing home, in an R5 zoning district, which expired on April 13, 2003. <b>Community Board #12BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 3/17/09</b>
6.	200-01-BZ	Davidoff Malito & Hatcher LLP <b>182-15 Hillside Avenue, Queens</b> Extension of Time to complete construction and to obtain a Certificate of Occupancy for a previously granted Variance (§72-21) for the enlargement of an existing 11-story and penthouse rehabilitation/long term care facility ( <i>Hillside Manor</i> ), in an R6A/C2-4 Special Downtown Jamaica District zoning district, which expired on January 11, 2009. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 3/17/09</b>
7.	215-06-BZ	Sheldon Lobel, P.C. <b>202-06 Hillside Avenue, Queens</b> Extension of Time/waiver to obtain a Certificate of Occupancy for an existing gasoline service station ( <i>Exxon</i> ) with accessory convenience store, in a C1-2/R4 zoning district, which expired on January 24, 2008. <b>Community Board #3Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 3/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, March 17, 2009

10:00 A.M.

### ***SOC – CONTINUED HEARINGS***

8.	337-90-BZ	<p>Sheldon Lobel, P.C.  <b>1415/17 East 92<sup>nd</sup> Street, Brooklyn</b>                      Extension of Term/waiver (expired on June 2, 2002) for the continued operation of a one-story (UG16) Automotive Repair Shop and a two-story (UG6) business and (UG2) dwelling unit in a C1-2/R4 zoning district, and an Extension of Time/waiver to obtain a Certificate of Occupancy (expired on March 29, 1987).  <b>Community Board #18BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Continued Hearing – 3/31/09</b></p>
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### ***SOC – NEW CASES***

9.	316-73-BZ	<p>Vassalotti Associates Architects  <b>31-02 68<sup>th</sup> Street, Queens</b>                      Extension of Term for the continued operation of a (UG16) Gasoline Service Station (<i>Husky</i>) in an R4 zoning district which expired on January 8, 2009.  <b>Community Board #3BX</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Continued Hearing – 3/31/09</b></p>
10.	1038-80-BZ	<p>Davidoff Malito &amp; Hatcher LLP  <b>31-07/09/11 Downing Street, Queens</b>                      Extension of Term of a Special Permit for the continued operation of a UG15 Amusement Arcade (<i>Smile Arcade</i>) in an M2-1 zoning district which expired on January 6, 2009.  <b>Community Board #7Q</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 3/31/09</b></p>
11.	336-98-BZ & 337-98-BZ	<p>Rothkrug, Rothkrug &amp; Spector LLP  <b>312/18 &amp; 324/34 Flatbush Avenue, Brooklyn</b>                      Extension of term of a special permit (§73-36) authorizing a physical culture establishment (<i>Crunch Fitness</i>), Amendment to include additional area in the cellar and on the first floor and a change in operator; and extension of time to obtain a certificate of occupancy. C2-4 zoning district.  <b>Community Board #6BK</b>  <b>Examiner: Carlo Costanza (212) 788-8739</b>  <b>Status: Continued Hearing – 4/7/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, March 17, 2009

10:00 A.M.

<b><i>APPEALS – DECISIONS</i></b>		
12.	142-08-A	Eric Palatnik, P.C. <b>225 Brighton 2<sup>nd</sup> Lane, Brooklyn</b> Proposed construction of a residential building which does not front on a legally mapped street, contrary to General City Law Section 36. R6-OP Zoning District. <b>Community Board #13BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 3/17/09</b>
13.	168-08-A	Cozen O'Connor <b>63 Brighton 2<sup>nd</sup> Place, Brooklyn</b> Legalization of an existing building not fronting on a legally mapped street contrary to General City Law Section 36. R6 (OP) zoning district. <b>Community Board #13BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 3/17/09</b>

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
14.	60-08-A/ 39-09-A thru 41-09-A	Eric Palatnik, P.C. <b>101-20 39<sup>th</sup> Avenue (formerly 101-20, 101-22 &amp; 101-24 103<sup>rd</sup> Street &amp; 101-18 39<sup>th</sup> Avenue), Queens</b> Proposed construction of a four-story community facility located within the bed of a mapped street (102 <sup>nd</sup> Street) contrary to General City Law, Section 35. R6B (C1-4) zoning district. <b>Community Board #3Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 3/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, March 17, 2009

10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
15.	252-08-A	Gary D. Lenhart <b>11 Clinton Walk, Queens</b> Reconstruction and enlargement of an existing single family home located within the bed of a mapped street, contrary to General City Law Section 35. R4 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:     Granted – 3/17/09</b>
16.	292-08-A	Robert Cunningham <b>123 87<sup>th</sup> Street, Brooklyn</b> An Appeal challenging Department of Buildings interpretation that §23-49-(a) Special Provisions for Party or Side Lot line Walls is not applicable to this site. R3-1 zoning district. <b>Community Board #10BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:     Continued Hearing – 4/28/09</b>
17.	2-09-A	Gary D. Lenhart <b>936 Bayside, Queens</b> Reconstruction and enlargement of a single family dwelling not fronting on a legally mapped street, contrary to General City Law Section 36. R4 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:     Granted – 3/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 17, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	222-08-BZ	Rothkrug, Rothkrug & Spector LLP <b>71 Beumont Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary lot coverage, open space and floor area (§23-141); rear yard (§23-47) and exceeds the perimeter wall height (§23-631) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 3/17/09</b>
2.	269-08-BZ	MetroPCS New York <b>90-10 Grand Central Parkway, Queens</b> Special Permit (§73-30) to allow an extension to an existing non-accessory radio tower. <b>Community Board #3Q</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Granted – 3/17/09</b>
3.	319-08-BZ	Kramer Levin Naftalis & Frankel, LLP <b>323/25 and 327 6<sup>th</sup> Avenue; 14 Cornelia Street, Manhattan</b> Special Permit (§73-201) for an expansion of an existing motion picture theater ( <i>IFC Center</i> ). C1-5 District. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 3/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 17, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
4.	203-07-BZ	Sheldon Lobel, P.C. <b>137-35 Elder Avenue, Queens</b> Variance (§72-21) to allow a new 13-story mixed-use building containing 20 dwelling units, ground floor retail and community facility (medical) uses; contrary to bulk and parking regulations (§35-311 & §36-21). R6/C2-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 4/28/09</b>
5.	133-08-BZ	Sheldon Lobel, P.C. <b>1601 Bronxdale Avenue, Bronx</b> Special Permit (§§73-48 & 73-49) to allow rooftop parking above the first floor of an existing one and two-story commercial building and waive limitation on number of vehicles in a group parking facility. M1-1 zoning district. <b>Community Board #11BX</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 3/31/09</b>
6.	173-08-BZ	Rothkrug Rothkrug & Spector, LLP <b>42-59 Crescent Street, Queens</b> Variance (§72-21) to allow a 12-story hotel building containing 99 hotel rooms; contrary to bulk regulations (§117-522). M1-5/R7-3 Special Long Island City Mixed Use District, Queens Plaza Subdistrict Area C. <b>Community Board #2Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Adjourned, Continued Hearing – 4/21/09</b>
7.	201-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>40-38 216<sup>th</sup> Street, Queens</b> Variance (§72-21) to allow a one-story warehouse/ commercial vehicle storage building (UG16); contrary to use regulations (§22-00). R3X district. <b>Community Board #11Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 4/21/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 17, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
8.	216-08-BZ	Eric Palatnik, P.C. <b>1624 Shore Boulevard, Brooklyn</b> Special Permit (§73-622) and a Variance (§72-21) for the in-part legalization and enlargement of a single family home. This application seeks to vary floor area, open space and lot coverage (§23-141), side yard (§23-461) and front yard (§23-45) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 4/7/09</b>
9.	228-08-BZ	Law Office of Fredrick A. Becker <b>2802 Avenue R, Brooklyn</b> Variance (§72-21) to permit the construction of a one-story mikvah (ritual bath). The proposal is contrary to ZR §§ 24-34 (front yards) and 24-35 (side yards). R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 4/28/09</b>
10.	230-08-BZ	Law Office of Fredrick A. Becker <b>1019 East 23<sup>rd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area and open space (§23-141); and less than minimum rear yard requirement (§23-47) in an R-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 3/31/09</b>
11.	234-08-BZ	Eric Palatnik, P.C. <b>1702 Avenue Z, Brooklyn</b> Special Permit (§73-36) to allow proposed Physical Culture Establishment at the cellar and a portion of the first and second floors in a seven-story mixed-use building, contrary to §32-10. C4-2 district. <b>Community Board #15BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 4/7/09</b>

### \*\*\*DISCLAIMER\*\*\*

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 17, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
12.	275-08-BZ	Eric Palatnik, P.C. <b>98 South 4<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-36) to allow a physical culture establishment on the ground floor of an existing building. The proposal is contrary to ZR §42-10. M1-2/R6 (MX8) district. <b>Community Board #1BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 4/7/09</b>
13.	276-08-BZ	Alfonso Duarte <b>150 East 55<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment on the sixth floor of a seven-story office building. The proposal is contrary to ZR §32-10. C5-2 district. <b>Community Board #6M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 4/7/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 17, 2009

1:30 P.M.

<b>BZ – NEW CASES</b>		
14.	287-06-BZ	Sheldon Lobel, P.C. <b>32-12 23<sup>rd</sup> Street, Queens</b> Variance (§72-21) to allow a residential/community facility building contrary to yard regulations. R5 zoning district. <b>Community Board #1Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 4/21/09</b>
15.	265-08-BZ	Herrick Feinstein LLP <b>70 Wyckoff Avenue, Brooklyn</b> Variance (§72-21) to allow for the legalization of residential units located in a manufacturing building, contrary to §42-00; M1-1 zoning district. <b>Community Board #4BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 4/21/09</b>
16.	312-08-BZ	Law Office of Fredrick A. Becker <b>1134 East 23<sup>rd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary floor area and open space (§23-141), side yard (§23-461) and less than the minimum required rear yard (§23-47). R2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 4/21/09</b>
17.	316-08-BZ	Bryan Cave LLP <b>345-349 Second Avenue, aka 247-249 East 20<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to permit the development of a three- and eight-story school building ( <i>Learning Spring Elementary School</i> ). The proposal is contrary to ZR §35-24c (minimum base height). R9A/C1-5 district. <b>Community Board #6M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 4/7/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 17, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>18.</b>	<b>3-09-BZ</b>	Duane Morris LLP
		<b>831 Eagle Avenue, Bronx</b>
		Special Permit (§73-19) to allow the conversion of an existing two-story warehouse into a high school ( <i>New Life School</i> ). The proposal is contrary to the use requirements of the underlying M1-1 district.
		<b>Community Board #1BX</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 3/31/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, March 24, 2009

10:00 A.M.

### ***SOC – DECISIONS***

1.	241-47-BZ	Sheldon Lobel, P.C. <b>16-23/25 Hancock Street, Queens</b> Extension of Term and Amendment (§§11-411 & 11-413) of variance previously granted. The application seeks a change in use from knitting mill (UG 17) to a contractor's establishment (UG 17). R5B zoning district. <b>Community Board #5Q</b> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status: Granted – 3/24/09</b>
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### ***SOC – NEW CASES***

2.	709-55-BZ	Whitman Breed Abbott & Morgan LLP <b>2000 Rockaway Parkway, Brooklyn</b> Extension of Time to obtain a Certificate of Occupancy for a Gasoline Service Station ( <i>Mobil</i> ), in a C1-2/R4 zoning district, which expired on March 24, 2009. <b>Community Board #18BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Closed, Decision – 4/7/09</b>
3.	7-99-BZ	The Law Office of Fredrick A. Becker <b>300 East 34<sup>th</sup> Street, Manhattan</b> Extension of Term of a previously granted Special Permit for the operation of Physical Culture Establishment ( <i>New York Sports Club</i> ), located in a C1-9 (TA) zoning district, which expired on January 11, 2009. <b>Community Board #6M</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Continued Hearing – 4/21/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, March 24, 2009  
10:00 A.M.

<b>APPEALS – DECISIONS</b>		
4.	60-08-A / 39-09-A thru 41-09-A	Eric Palatnik, P.C. 101-20 39 <sup>th</sup> Avenue, (formerly 101-20, 101-22 & 101-24 103 <sup>rd</sup> Street & 101-18 39 <sup>th</sup> Avenue), Queens Proposed construction of a four-story community facility located within the bed of a mapped street (102 <sup>nd</sup> Street) contrary to General City Law, Section 35. R6B (C1-4) zoning district. <b>Community Board #3Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 3/24/09</b>

<b>APPEALS – NEW CASES</b>		
5.	307-08-BZY	Howard Zipser, Akerman Senterfitt LLP 163 Orchard Street, Manhattan Extension of time to complete construction (§11-331) of a minor development commenced prior to the amendment of the zoning district regulations. C4-4A zoning district. <b>Community Board #3M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Postponed, Hearing – 3/31/09</b>
6.	311-08-BZY	Slater & Beckerman, LLP 77, 79 & 81 Rivington Street, Manhattan Extension of time to complete construction (§11-331) of a minor development commenced prior to the amendment of the Zoning district regulations. C4-4A zoning district. <b>Community Board #3M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 4/21/09</b>
7.	313-08-A	Chuck Close, c/o Offices of Howard Goldman, LLC 363-371 Lafayette Street, Manhattan Appeal to Department of Building's refusal to revoke permits and approvals for a six-story commercial building. M1-5B zoning district. <b>Community Board #2M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Postponed, Hearing – 5/12/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 24, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>1.</b>	<b>134-08-BZ</b>	Eric Palatnik, P.C. <b>34 Lawrence Avenue, Brooklyn</b> Variance (§72-21) to construct a third floor to an existing two-story, two-family semi-detached residence, located in an R-5 and M1-1 zoning districts. <b>Community Board #12BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 3/24/09</b>
<b>2.</b>	<b>162-08-BZ</b>	The Law Office of Fredrick A. Becker <b>150 East 93<sup>rd</sup> Street, Manhattan</b> Special Permit (§73-621) to allow for the enlargement of an existing building contrary to floor area and lot coverage regulations §23-145 and §35-31; C1-8X District. <b>Community Board #8M</b>
		<b>Examiner: Ronald L. Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 3/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 24, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
3.	99-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>102 Drumgoole Road, Staten Island</b> Variance (§72-21) to construct a three-story single family home, contrary to rear yard requirement (§23-47) in an R3-2/SRD zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 4/21/09</b>
4.	169-08-BZ	James Chin & Associates, LLC <b>46 Laight Street, Manhattan</b> Variance (§72-21) to allow the redevelopment of an commercial building for residential use. Six residential floors and six dwelling units are proposed; contrary to use regulations (§42-00 & § 111-104 (e)). M1-5 (TMU- Area B-2) district. <b>Community Board #1M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 4/28/09</b>
5.	236-08-BZ	Sheldon Lobel, P.C. <b>1986 East 3<sup>rd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area (§23-141) and the permitted perimeter wall height (§23-631) in an R2X (OPSD) zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 4/7/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 24, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
6.	250-08-BZ	Law Office of Fredrick A. Becker <b>1925 East 5<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area (§23-141) and less than the required rear yard (§23-47) in an R2X/Special Ocean Parkway District. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 4/7/09</b>
7.	253-08-BZ	Law Office of Fredrick A. Becker <b>2623 East 11<sup>th</sup> Street, Brooklyn</b> Variance (§72-21) to legalize a rear enlargement and to allow a new enlargement to an existing single family home. This variance seeks to vary floor area ratio, open space, lot coverage (§23-141(b)); side yards (§23-461(a)) & (§23-48) and rear yard (§23-47) regulations. R-4 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 4/21/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 24, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
8.	97-08-BZ	Eric Palatnik, P.C. <b>84 Sanford Street, Brooklyn</b> Special Permit (§73-19) to allow the legalization of an existing school (UG 3). M1-1 district. <b>Community Board #3BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 4/21/09</b>
9.	235-08-BZ	Eric Palatnik, P.C. <b>1508 Union Street, Brooklyn</b> Variance (§72-21) to permit the expansion of a Mikvah (UG 3). The proposal is contrary to ZR §33-12 (floor area ratio) and §33-431 (wall height and required setbacks). C2-3/R4 district. <b>Community Board #9BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 4/28/09</b>
10.	274-08-BZ	Wachtel & Masyr, LLP <b>41-47 Grand Street, Manhattan</b> Variance (§72-21) to allow for a commercial building, contrary to floor area requirements (§43-12), height and setback requirements (§43-43), and retail use below the level of the second story (§42-14). M1-5A & M1-5B districts. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 5/12/09</b>
11.	306-08-BZ	Sheldon Lobel, P.C. <b>969 Third Avenue, Manhattan</b> Special Permit (§73-36) to allow the operation of a physical culture establishment in the cellar of an existing 21-story mixed-use building. The proposal is contrary to ZR §32-10. C5-2 district. <b>Community Board #6M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 4/21/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, March 31, 2009

10:00 A.M.

### ***SOC – DECISIONS***

1.	1038-80-BZ	Davidoff Malito & Hutcher, LLP <b>31-07/09/11 Downing Street, Queens</b> Extension of Term of a Special Permit for the continued operation of a UG15 Amusement Arcade ( <i>Smile Arcade</i> ) in an M2-1 zoning district which expired on January 6, 2009. <b>Community Board #7Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 3/31/09</b>

### ***SOC – CONTINUED HEARINGS***

2.	316-73-BZ	Vassalotti Associates Architects <b>31-02 68<sup>th</sup> Street, Queens</b> Extension of Term for the continued operation of a (UG16) Gasoline Service Station ( <i>Husky</i> ) in an R4 zoning district which expired on January 8, 2009. <b>Community Board #3BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 4/21/09</b>
3.	337-90-BZ	Sheldon Lobel, P.C. <b>1415/17 East 92<sup>nd</sup> Street, Brooklyn</b> Extension of Term/waiver (expired on June 2, 2002) for the continued operation of a one-story (UG16) Automotive Repair Shop and a two-story (UG6) business and (UG2) dwelling unit in a C1-2/R4 zoning district, and an Extension of Time/waiver to obtain a Certificate of Occupancy (expired on March 29, 1987). <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 4/21/09</b>
4.	217-03-BZ	Sheldon Lobel, P.C. <b>142 Pennsylvania Avenue, Brooklyn</b> Extension of Time to Complete Construction of a previously granted variance for the proposed expansion of a one story and cellar building in an R-5 zoning district. <b>Community Board #5BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 4/21/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, March 31, 2009

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
5.	853-53-BZ	Walter T. Gorman, P.E. <b>2402/16 Knapp Street, Brooklyn</b> Extension of Time/waiver to obtain a Certificate of Occupancy for a Gasoline Service Station ( <i>Mobil</i> ) in a C-2/R3-2 which expired on January 22, 2009. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 4/28/09</b>
6.	240-55-BZ	Joseph P. Morsellino, Esq. <b>207-22 Northern Boulevard, Queens</b> Extension of Time to complete construction of a second story addition to an existing commercial building in a C2-2 (R6B) & R4 zoning district which expired on February 13, 2009. <b>Community Board #11Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 4/28/09</b>
7.	237-04-BZ	Sheldon Lobel, P.C. <b>5722 Faraday Avenue, Bronx</b> Extension of Time to Complete Construction for a previously granted variance (§72-21) to permit the proposed construction of a two family detached home on a vacant lot, which expired on February 8, 2009, in an R3-1 zoning district. <b>Community Board #8BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 4/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, March 31, 2009

10:00 A.M.

### ***APPEALS – CONTINUED HEARINGS***

8.	272-08-A	Sheldon Lobel, P.C. <b>35 Brighton 2<sup>nd</sup> Place, Brooklyn</b> Proposed construction of residential building not fronting on a legally mapped street, contrary to General City Law Section 36. R6-OP Zoning District. <b>Community Board #13BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 4/21/09</b>

### ***APPEALS – NEW CASES***

9.	277-08-BZY thru 287-08-BZY	Eric Palatnik, P.C. <b>23, 26, 27, 35, 39, 43, 47, 55, 59, and 63 Opal Lane, Staten Island</b> Extension of time to complete construction (§11-332) and obtain a Certificate of Occupancy of a minor development commenced prior to the text amendment of the zoning district regulations. R3-X SSRRD (Area LL). <b>Community Board #3SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 4/28/09</b>
10.	307-08-BZY	Howard Zipser, Akerman Senterfitt LLP <b>163 Orchard Street, Manhattan</b> Extension of time to complete construction (§11-331) of a minor development commenced prior to the amendment of the zoning district regulations. C4-4A zoning district. <b>Community Board #3M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 4/21/09</b>
11.	27-09-BZY	Bryan Cave, LLP <b>126 First Place, Brooklyn</b> Extension of time to complete construction (§11-332(b)) and obtain a Certificate of Occupancy for a development commenced under the prior zoning district regulations. R6 Zoning district. <b>Community Board #6BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 4/21/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 31, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	133-08-BZ	Sheldon Lobel, P.C. <b>1601 Bronxdale Avenue, Bronx</b> Special Permit (§§73-48 & 73-49) to allow rooftop parking above the first floor of an existing one and two-story commercial building and waive limitation on number of vehicles in a group parking facility. M1-1 zoning district. <b>Community Board #11BX</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 3/31/09</b>
2.	206-08-BZ	Eric Palatnik, P.C. <b>737 Elvira Avenue, Queens</b> Variance (§72-21) to permit the expansion of an existing three-story UG 3 yeshiva ( <i>Yeshiva B'nei Torah</i> ) which includes sleeping accommodations, contrary to ZR §24-111 (maximum floor area), §24-35 (side yard), §24-551 (side yard setback), and parking (§25-31). R2X zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 3/31/09</b>
3.	230-08-BZ	Law Office of Fredrick A. Becker <b>1019 East 23<sup>rd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area and open space (§23-141); and less than minimum rear yard requirement (§23-47) in an R-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 3/31/09</b>
4.	3-09-BZ	Duane Morris LLP <b>831 Eagle Avenue, Bronx</b> Special Permit (§73-19) to allow the conversion of an existing two-story warehouse into a high school ( <i>New Life School</i> ). The proposal is contrary to the use requirements of the underlying M1-1 district. <b>Community Board #1BX</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 3/31/09</b>

### \*\*\*DISCLAIMER\*\*\*

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 31, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
5.	11-07-BZ	Dominick Salvati and Son Architects <b>41-06 Junction Boulevard, Queens</b> Variance (§72-21) to allow a five (5) story office building with ground floor retail, contrary to use regulations (§22-00). R6B district. <b>Community Board #4Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Adjourned, Hearing – 5/19/09</b>
6.	63-08-BZ	Eric Palatnik <b>116-33 Queens Boulevard, Queens</b> Special Permit (§73-244) to legalize an eating and drinking establishment with entertainment and a capacity of more than 200 persons with dancing within a C4-2 zoning district. <b>Community Board #6Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 5/19/09</b>
7.	229-08-BZ	Sheldon Lobel, P.C. <b>866 East 8th Street, Brooklyn</b> Variance (§72-21) for the construction of a new single family home. This applications seeks to vary floor area (§23-141), less than the minimum side yards (§23-461) and the location of the required off street parking to the front yard (§25-62) in an R2X zoning district. <b>Community Board #12BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 4/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 31, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
8.	222-07-BZ	Stuart A. Klein, Esq. <b>110 West 26<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to legalize residential uses on the second and third floor of an existing building. M1-6 District. <b>Community Board#4M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 4/28/09</b>
9.	246-08-BZ	Slater & Beckerman, LLP <b>4400 Third Avenue, Bronx</b> Special Permits (§73-481 and 73-49) to allow for the construction of a five story parking garage and rooftop parking and Variance (§72-21) to allow for an accessory sign contrary to §22-331 and §22-342. R7-1 District. <b>Community Board #6BX</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 4/28/09</b>
10.	247-08-BZ	Howard S. Weiss, Esq. <b>3454 Nostrand Avenue Brooklyn</b> Special Permit (§73-243) to allow the operation of a accessory drive-through facility in connection with a eating and drinking establishment ( <i>Starbucks</i> ) (UG 6) located in a C1-2/R4 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 4/21/09</b>
11.	266-08-BZ	Lewis E. Garfinkel R.A. <b>2007 New York Avenue, Brooklyn</b> Special Permit (§73-621) for the enlargement of an existing single family home. This application seeks to vary 34-141(b) as the proposed floor area ratio (FAR) exceeds what is permitted in an R-4 zoning district. <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 4/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, March 31, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
12.	26-09-BZ & 48-09-A	Sheldon Lobel, P.C. <b>97 Crooke Avenue, Brooklyn</b> Variance (§72-21) to permit the construction of a nine-story community facility building ( <i>CAMBA Housing</i> ). The proposal is contrary to §24-36. R7-1 district. Waiver of Section 36 of the General City Law to permit the construction of a building without the 30-foot turnaround frontage space. <b>Community Board #14BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 5/12/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, April 7, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	709-55-BZ	Walter T. Gorman, P.E. <b>2000 Rockaway Parkway, Brooklyn</b> Extension of Time to obtain a Certificate of Occupancy for a Gasoline Service Station ( <i>Mobil</i> ), in a C1-2/R4 zoning district, which expired on March 24, 2009. <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 4/7/09</b>

<b><i>SOC – CONTINUED HEARINGS</i></b>		
2.	336-98-BZ & 337-98-BZ	Rothkrug, Rothkrug & Spector LLP <b>312/18 &amp; 324/34 Flatbush Avenue, Brooklyn</b> Extension of term of a special permit (§73-36) authorizing a physical culture establishment ( <i>Crunch Fitness</i> ), Amendment to include additional area in the cellar and on the first floor and a change in operator; and extension of time to obtain a certificate of occupancy. C2-4 zoning district. <b>Community Board #6BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 4/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, April 7, 2009

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
<b>3.</b>	<b>111-71-BZ</b>	Walter T. Gorman, P.E. <b>185-25 North Conduit Avenue, Queens</b> Extension of Time/waiver to obtain a Certificate of Occupancy for a UG16 Gasoline Service Station ( <i>Shell</i> ) with accessory convenience store, in a C2-2/R3-2 zoning district, which expired on October 16, 1997. <b>Community Board #12Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 4/28/09</b>
<b>4.</b>	<b>301-03-BZ</b>	Law Office of Fredrick A. Becker <b>1103 East 22<sup>nd</sup> Street, Brooklyn</b> Extension of Time/waiver to Complete Construction and obtain a Certificate of Occupancy of previously granted Special Permit (§73-622) for the enlargement of single family home and an Amendment to modify the previously approved plans, in an R2 zoning district, which expired on January 13, 2008. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 4/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, April 7, 2009  
10:00 A.M.

## ***APPEALS – DECISIONS***

5.	245-08-BZY	Sheldon Lobel, P.C. <b>219-05 North Conduit Avenue, Queens</b> Extension of time to complete construction (§11-331) of minor development commenced under the prior C2-2/R3-2 district. C1-1/R3X zoning district. <b>Community Board #13Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 4/7/09</b>

## ***APPEALS – CONTINUED HEARINGS***

6.	147-08-BZY	Hui-Li Xu <b>95-04 Allendale Street, Queens</b> Extension of time (§11-331) to complete construction of a minor development commenced prior to the amendment of the zoning district regulations on April 30, 2008. R5 zoning district <b>Community Board #12Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Adjourned, Continued Hearing – 5/12/09</b>

## ***APPEALS – NEW CASES***

7.	180-08-A thru 184-08-A	Tobias Guggenheimer Architect, P.C. <b>3236, 3238, 3240, 3242 and 3244 Schley Avenue, Bronx</b> Proposed construction of four three-family homes and parking lot located within the bed of mapped street (Shore Drive) contrary to General City Law Section 35. C3A zoning district. <b>Community Board #10BX</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 4/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, April 7, 2009  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	215-08-BZ	Davidoff Malito & Hatcher, LLP by Howard S. Weiss <b>1778-1800 Southern Boulevard, Bronx</b> Variance (§72-21) to allow a 7-story mixed-use building containing 68 dwelling units and ground floor retail use; contrary to use regulations (§32-00). C8-3 district. <b>Community Board #3BX</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 4/7/09</b>
2.	216-08-BZ	Eric Palatnik, P.C. <b>1624 Shore Boulevard, Brooklyn</b> Special Permit (§73-622) and a Variance (§72-21) for the in-part legalization and enlargement of a single family home. This application seeks to vary floor area, open space and lot coverage (§23-141), side yard (§23-461) and front yard (§23-45) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 4/7/09</b>
3.	236-08-BZ	Sheldon Lobel, P.C. <b>1986 East 3<sup>rd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area (§23-141) and the permitted perimeter wall height (§23-631) in an R2X (OPSD) zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 4/7/09</b>
4.	250-08-BZ	Law Office of Fredrick A. Becker <b>1925 East 5<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area (§23-141) and less than the required rear yard (§23-47) in an R2X/Special Ocean Parkway District. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 4/7/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, April 7, 2009

1:30 P.M.

BZ – DECISIONS		
5.	316-08-BZ	Bryan Cave LLP 345-349 Second Avenue, aka 247-249 East 20 <sup>th</sup> Street, Manhattan Variance (§72-21) to permit the development of a three- and eight-story school building ( <i>Learning Spring Elementary School</i> ). The proposal is contrary to ZR §35-24c (minimum base height). R9A/C1-5 district. Community Board #6M
		Examiner: Rory Levy (212) 788-8749
		Status: Deferred Decision – 5/12/09

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, April 7, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

6.	178-07-BZ	Dominick Salvati and Son Architects <b>2261-2289 Bragg Street, Brooklyn</b> Variance (§72-21) to permit proposed seven-story residential building above existing three-story community facility building, contrary to residential floor area, FAR and lot coverage (§23-141(b)), number of dwelling units (§23-222), rear yard (§23-47 & §24-36), sky exposure plane and setback, (§23-631(d)), required residential and community facility parking (§25-23 & §25-31). R5 district. <b>Community Board #15BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Adjourned, Continued Hearing – 5/19/09</b>
7.	40-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>3957 Laconia Avenue, Bronx</b> Special Permit (§11-411 & §11-413) to allow the re-instatement and extension of term, and amend to change the use from Automotive Service Station (UG 16) to a Automotive Repair Facility (UG 16), and subdivision the zoning lot. C1-2/R5 zoning district. <b>Community Board #12BX</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 4/28/09</b>
8.	45-08-BZ	Rampulla Associates <b>55 Androvette Street, Staten Island</b> Variance (§72-21) to construct a three-story, 81-unit age restricted residential building contrary to use regulations (§42-00, §107-49). M1-1 District/Special South Richmond Development District. <b>Community Board #3SI</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 5/19/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, April 7, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
9.	161-08-BZ	Eric Palatnik, P.C. <b>136 Dover Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area, open space and lot coverage (§23-141) and less than the required rear yard (§23-47) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 4/28/09</b>
10.	188-08-BZ	Rizzo Group, LLP <b>35 East 76<sup>th</sup> Street, (975-983 Madison; 981 Madison; 35-53 East 76<sup>th</sup> Street) Manhattan</b> Special Permits (§73-36 and 73-52) to allow the legalization of a Physical Culture Establishment and to extend this use into an R8B district, contrary to ZR §32-10. C5-1/R8B zoning districts. <b>Community Board #8M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 5/19/09</b>
11.	234-08-BZ	Eric Palatnik, P.C. <b>1702 Avenue Z, Brooklyn</b> Special Permit (§73-36) to allow proposed Physical Culture Establishment at the cellar and a portion of the first and second floors in a seven-story mixed-use building, contrary to §32-10. C4-2 district. <b>Community Board #15BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 4/28/09</b>
12.	275-08-BZ	Eric Palatnik, P.C. <b>98 South 4<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-36) to allow a physical culture establishment on the ground floor of an existing building. The proposal is contrary to ZR §42-10. M1-2/R6 (MX8) district. <b>Community Board #1BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 4/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, April 7, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
13.	276-08-BZ	Alfonso Duarte <b>150 East 55<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment on the sixth floor of a seven-story office building. The proposal is contrary to ZR §32-10. C5-2 district. <b>Community Board #6M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 5/12/09</b>
14.	303-08-BZ	Carl A. Sulfaro, Esq. <b>34-67 Francis Lewis Boulevard, Queens</b> Special Permit (§11-411) to re-establish an expired variance which permitted the erection and maintenance of a gasoline service station with accessory uses (UG 16) C2-2/R5-B zoning district. <b>Community Board #11Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 4/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, April 7, 2009  
1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
15.	237-08-BZ	Sheldon Lobel, P.C. <b>37 Hillside Avenue, Manhattan</b> Variance (§72-21) to allow for a 19-story residential building with 124 units and a community facility use ( <i>Rocky Mountain Baptist Church</i> ), contrary to bulk regulations (§23-145, §23-633, §24-552(b)). R7-2 District. <b>Community Board #12M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 6/9/09</b>
16.	298-08-BZ	Lewis E. Garfinkel <b>1156 East 22<sup>nd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area (§23-141(a)) and less than the required rear yard (§23-47) in an R-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 4/28/09</b>
17.	308-08-BZ	Davidoff Malito & Hatcher, LLP <b>201 East 67<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of an existing physical culture establishment ( <i>MonQi Fitness</i> ) located on the third through fifth floors in a five-story building. The proposal is contrary to ZR §32-00. C1-9 district. <b>Community Board #8M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 5/12/09</b>
18.	1-09-BZ	The Law Office of Fredrick A. Becker <b>39-01 Queens Boulevard, Queens</b> Special Permit (§73-36) to allow the legalization of an existing physical culture establishment ( <i>New York Sports Club</i> ) on a portion of the ground floor in a three-story building. The proposal is contrary to ZR §42-00. M1-4 district. <b>Community Board #2Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 5/12/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, April 21, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	316-73-BZ	Vassalotti Associates Architects <b>31-02 68<sup>th</sup> Street, Queens</b> Extension of Term for the continued operation of a (UG16) Gasoline Service Station ( <i>Husky</i> ) in an R4 zoning district which expired on January 8, 2009. <b>Community Board #3BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Granted – 4/21/09</b>
2.	337-90-BZ	Sheldon Lobel, P.C. <b>1415/17 East 92<sup>nd</sup> Street, Brooklyn</b> Extension of Term/waiver (expired on June 2, 2002) for the continued operation of a one-story (UG16) Automotive Repair Shop and a two-story (UG6) business and (UG2) dwelling unit in a C1-2/R4 zoning district, and an Extension of Time/waiver to obtain a Certificate of Occupancy (expired on March 29, 1987). <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Granted – 4/21/09</b>
3.	217-03-BZ	Sheldon Lobel, P.C. <b>142 Pennsylvania Avenue, Brooklyn</b> Extension of Time to Complete Construction of a previously granted variance for the proposed expansion of a one story and cellar building in an R-5 zoning district. <b>Community Board #5BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Granted – 4/21/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, April 21, 2009

10:00 A.M.

### ***SOC – CONTINUED HEARINGS***

4.	395-60-BZ	<p>Sheldon Lobel, P.C. <b>2557-2577 Linden Boulevard, Brooklyn</b> Pursuant to ZR §11-411 and §11-413, Extension of Term (expired on December 9, 2005), waiver and Amendment for change of use from a (UG16) gasoline service station to (UG16) automotive repair establishment; to reduce the size of the subject lot and to request a UG6 designation for the convenience store, and an Extension of Time to obtain a Certificate of Occupancy which expired on January 19, 2000. R-5 zoning district <b>Community Board #5BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 6/23/09</b></p>
5.	7-99-BZ	<p>The Law Office of Fredrick A. Becker <b>300 East 34<sup>th</sup> Street, Manhattan</b> Extension of Term of a previously granted Special Permit for the operation of Physical Culture Establishment (<i>New York Sports Club</i>), located in a C1-9 (TA) zoning district, which expired on January 11, 2009. <b>Community Board #6M</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 5/19/09</b></p>

#### \*\*\*DISCLAIMER\*\*\*

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, April 21, 2009  
10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
6.	5-98-BZ	Maxfield Blaubeux & Heywood Balaubeux <b>1861 McDonald Avenue, Brooklyn</b> Extension of Term of a previously granted variance (§72-21) for a garden supply sales and nursery establishment (UG17) with accessory parking and storage in an R5 zoning district which expired on February 23, 2009. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 5/19/09</b>
7.	209-04-BZ	Joseph P. Morsellino <b>109-09 15<sup>th</sup> Avenue, Queens</b> Extension of Time to Complete Construction of a previously granted variance (§72-21) to permit the conversion and enlargement of an existing industrial building to residential use in an M2-1 zoning district which expires on July 19, 2009. <b>Community Board #7Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 4/28/09</b>
8.	41-06-BZ	Akerman Senterfitt Stadtmauer Bailkin <b>139-24 Booth Memorial Avenue, Queens</b> Amendment of a previously granted variance (§72-21) which permitted the construction of an underground parking structure with 372 accessory parking spaces on NY Hospital campus. The amendment seeks to waive §33-25 (Minimum Required Side Yards). The site is located in a R6/C1-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 5/12/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, April 21, 2009  
10:00 A.M.

<b><i>APPEALS – DECISIONS</i></b>		
9.	272-08-A	Sheldon Lobel, P.C. <b>35 Brighton 2<sup>nd</sup> Place, Brooklyn</b> Proposed construction of residential building not fronting on a legally mapped street, contrary to General City Law Section 36. R6-OP Zoning District. <b>Community Board #13BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:     Granted – 4/21/09</b>
10.	307-08-BZY	Howard Zipser, Akerman Senterfitt LLP <b>163 Orchard Street, Manhattan</b> Extension of time to complete construction (§11-331) of a minor development commenced prior to the amendment of the zoning district regulations. C4-4A zoning district. <b>Community Board #3M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:     Granted – 4/21/09</b>
11.	27-09-BZY	Bryan Cave, LLP <b>126 First Place, Brooklyn</b> Extension of time to complete construction (§11-332(b)) and obtain a Certificate of Occupancy for a development commenced under the prior zoning district regulations. R6 Zoning district. <b>Community Board #6BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:     Granted – 4/21/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, April 21, 2009

10:00 A.M.

### ***APPEALS – CONTINUED HEARINGS***

12.	311-08-BZY	Slater & Beckerman, LLP 77, 79 & 81 Rivington Street and 139-141 Orchard Street, Manhattan
		Extension of time to complete construction (§11-331) of a minor development commenced prior to the amendment of the Zoning district regulations. C4-4A zoning district.
		Community Board #3M Examiner: Toni Matias (212) 788-8752 Status: Continued Hearing – 5/19/09

### ***APPEALS – NEW CASES***

13.	32-09-BZY thru 34-09-BZY	William Alicea 122, 124 & 126 Treadwell Avenue, Staten Island
		Extension of time to complete construction (§11-332) and obtain a Certificate of Occupancy of a major development commenced prior to the text amendment of the zoning district regulations. R3A.
		Community Board #1SI Examiner: Toni Matias (212) 788-8752 Status: Continued Hearing – 5/19/09

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, April 21, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	220-07-BZ	<p>Moshe M. Friedman, P.E.  <b>847 Kent Avenue, Brooklyn</b>  Variance (§72-21) to allow the erection of a new four-story residential building containing four dwelling units, contrary to use regulations (§42-10). M1-1 district.  <b>Community Board #3BK</b></p>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Deferred Decision – 6/9/09</b>
2.	253-08-BZ	<p>Law Office of Fredrick A. Becker  <b>2623 East 11<sup>th</sup> Street, Brooklyn</b>  Variance (§72-21) to legalize a rear enlargement and to allow a new enlargement to an existing single family home. This variance seeks to vary floor area ratio, open space, lot coverage (§23-141(b)); side yards (§23-461(a)) &amp; (§23-48) and rear yard (§23-47) regulations. R-4 zoning district.  <b>Community Board #15BK</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 4/21/09</b>
3.	304-08-BZ	<p>Bryan Cave LLP  <b>312-318 East 95<sup>th</sup> Street, Manhattan</b>  Variance (§72-21) and Special Permit (§73-19) to allow a school (<i>Trevor Day School</i>) in a C8-4 district contrary to bulk regulations (§§ 33-123, 33-451, 33-453, 33-454, 33-26). C8-4 District.  <b>Community Board #8M</b></p>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Deferred Decision – 5/19/09</b>
4.	306-08-BZ	<p>Sheldon Lobel, P.C.  <b>969 Third Avenue, Manhattan</b>  Special Permit (§73-36) to allow the operation of a physical culture establishment in the cellar of an existing 21-story mixed-use building. The proposal is contrary to ZR §32-10. C5-2 district.  <b>Community Board #6M</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Deferred Decision – 5/12/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, April 21, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>5.</b>	<b>310-08-BZ</b>	Friedman & Gotbaum, LLP
		<b>406 East 91<sup>st</sup> Street, Manhattan</b>
		Special Permit (§73-19) to permit conversion and enlargement of an existing building from UG 6 &16 to UG 3 (schools & uses accessory to schools), which is contrary to use regulations. C8-4 District.
		<b>Community Board #8M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status:      Granted – 4/21/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, April 21, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
6.	269-06-BZ	Joseph Margolis <b>125 Greaves Lane, Staten Island</b> Variance (§72-21) to permit the construction of a retail/commercial building. The proposal is contrary to § 22-00. R3-2 district (South Richmond Special District). <b>Community Board #3SI</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 6/9/09</b>
7.	193-08-A	Joseph Margolis <b>125 Greaves Lane, Staten Island</b> Proposed construction of retail/commercial building not fronting on a mapped street, contrary to General City Law Section 36. R3-2 Zoning District (South Richmond Special District). <b>Community Board #3SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 6/9/09</b>
8.	287-06-BZ	Sheldon Lobel, P.C. <b>32-12 23<sup>rd</sup> Street, Queens</b> Variance (§72-21) to allow a residential/community facility building contrary to yard regulations. R5 zoning district. <b>Community Board #1Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Adjourned, Continued Hearing – 6/9/09</b>
9.	177-07-BZ	Manish S. Savani <b>886 Glenmore Avenue, Brooklyn</b> Variance (§72-21) to construct a two story, two family residential building on a vacant corner lot. This application seeks to vary the front yard requirement on one street frontage (§23-45) in an R-5 zoning district. <b>Community Board #7BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 6/9/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, April 21, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
10.	88-08-BZ	<p>Alfonso Duarte <b>101-17 Lefferts Boulevard, Queens</b> Variance (§72-21) to allow the commercial office conversion of an existing residential building; contrary to use regulations §22-00. R5 District. <b>Community Board #9Q</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Closed, Decision – 6/9/09</b></p>
11.	97-08-BZ	<p>Eric Palatnik, P.C. <b>84 Sanford Street, Brooklyn</b> Special Permit (§73-19) to allow the legalization of an existing school (UG 3). M1-1 district. <b>Community Board #3BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Closed, Decision – 6/9/09</b></p>
12.	99-08-BZ	<p>Rothkrug, Rothkrug &amp; Spector, LLP <b>102 Drumgoole Road, Staten Island</b> Variance (§72-21) to construct a three-story single family home, contrary to rear yard requirement (§23-47) in an R3-2/SRD zoning district. <b>Community Board #3SI</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 5/19/09</b></p>
13.	173-08-BZ	<p>Rothkrug Rothkrug &amp; Spector, LLP <b>42-59 Crescent Street, Queens</b> Variance (§72-21) to allow a 12-story hotel building containing 99 hotel rooms; contrary to bulk regulations (§117-522). M1-5/R7-3 Special Long Island City Mixed Use District, Queens Plaza Subdistrict Area C. <b>Community Board #2Q</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Adjourned, Continued Hearing – 6/9/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, April 21, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
14.	201-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>40-38 216<sup>th</sup> Street, Queens</b> Variance (§72-21) to allow a one-story warehouse/ commercial vehicle storage building (UG16); contrary to use regulations (§22-00). R3X district. <b>Community Board #11Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 6/9/09</b>
15.	247-08-BZ	Howard S. Weiss, Esq. <b>3454 Nostrand Avenue Brooklyn</b> Special Permit (§73-243) to allow the operation of a accessory drive-through facility in connection with a eating and drinking establishment ( <i>Starbucks</i> ) (UG 6) located in a C1-2/R4 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 5/12/09</b>
16.	265-08-BZ	Herrick Feinstein LLP <b>70 Wyckoff Avenue, Brooklyn</b> Variance (§72-21) to allow for the legalization of residential units located in a manufacturing building, contrary to §42-00; M1-1 zoning district. <b>Community Board #4BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 5/19/09</b>
17.	312-08-BZ	Law Office of Fredrick A. Becker <b>1134 East 23<sup>rd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary floor area and open space (§23-141), side yard (§23-461) and less than the minimum required rear yard (§23-47). R2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 5/12/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, April 21, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
18.	260-08-BZ	Eric Palatnik <b>148 Oxford Street, Brooklyn</b> Special Permit (§73-622) for legalization and enlargement of a single family home. This application seeks to vary floor area (§23-141) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 6/9/09</b>
19.	268-08-BZ	Sheldon Lobel, P.C. <b>314 Seventh Avenue, Brooklyn</b> Special Permit (§73-621) to permit the enlargement of an eating and drinking establishment (UG 6). R6A/C1-4 zoning district. <b>Community Board #6BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 5/19/09</b>
20.	301-08-BZ	Fridman Saks LLP <b>2717 Quentin Road, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary floor area and lot coverage (§23-141), side yard (§23-461), perimeter wall height (§23-631(b)) and less than the minimum rear yard (§23-47) in an R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 5/19/09</b>
21.	16-09-BZ	Slater & Beckerman, LLP <b>459 Broadway, Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment on the second and third floors of an existing five-story building. The proposal is contrary to ZR Section 42-10. M1-5B district. <b>Community Board #2M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 5/12/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, April 21, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>22.</b>	<b>42-09-BZ</b>	Francis R. Angelino, Esq. <b>441-477 Prospect Avenue, Brooklyn</b> Special Permit (§§11-411 & 11-412) for re-instatement of a variance (expired July 12, 1992) which allowed the extension of a legal non conforming use (commercial laundry) within a residential zoning district. The application seeks an amendment to allow for a one-story enlargement. R5B zoning district <b>Community Board #7BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 5/19/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, April 28, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	853-53-BZ	Walter T. Gorman, P.E. <b>2402/16 Knapp Street, Brooklyn</b> Extension of Time/waiver to obtain a Certificate of Occupancy for a Gasoline Service Station ( <i>Mobil</i> ). In a C-2/R3-2 which expired on January 22, 2009. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 4/28/09</b>
2.	240-55-BZ	Joseph P. Morsellino, Esq. <b>207-22 Northern Boulevard, Queens</b> Extension of Time to complete construction of a second story addition to an existing commercial building in a C2-2 (R6B) & R4 zoning district which expired on February 13, 2009. <b>Community Board #11Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 4/28/09</b>
3.	111-71-BZ	Walter T. Gorman, P.E. <b>185-25 North Conduit Avenue, Queens</b> Extension of Time/waiver to obtain a Certificate of Occupancy for a UG16 Gasoline Service Station ( <i>Shell</i> ) with accessory convenience store, in a C2-2/R3-2 zoning district, which expired on October 16, 1997. <b>Community Board #12Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 4/28/09</b>
4.	209-04-BZ	Joseph P. Morsellino <b>109-09 15<sup>th</sup> Avenue, Queens</b> Extension of Time to Complete Construction of a previously granted variance (§72-21) to permit the conversion and enlargement of an existing industrial building to residential use in an M2-1 zoning district which expires on July 19, 2009. <b>Community Board #7Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 4/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, April 28, 2009

10:00 A.M.

### ***SOC – DECISIONS***

5.	237-04-BZ	Sheldon Lobel, P.C. <b>5722 Faraday Avenue, Bronx</b> Extension of Time to Complete Construction for a previously granted variance (§72-21) to permit the proposed construction of a two family detached home on a vacant lot, which expired on February 8, 2009, in an R3-1 zoning district. <b>Community Board #8BX</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Granted – 4/28/09</b>
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### ***SOC – CONTINUED HEARINGS***

6.	336-98-BZ & 337-98-BZ	Rothkrug, Rothkrug & Spector LLP <b>312/18 &amp; 324/34 Flatbush Avenue, Brooklyn</b> Extension of term of a special permit (§73-36) authorizing a physical culture establishment ( <i>Crunch Fitness</i> ), Amendment to include additional area in the cellar and on the first floor and a change in operator; and extension of time to obtain a certificate of occupancy. C2-4 zoning district. <b>Community Board #6BK</b> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status: Adjourned, Continued Hearing – 5/19/09</b>
7.	301-03-BZ	Law Office of Fredrick A. Becker <b>1103 East 22<sup>nd</sup> Street, Brooklyn</b> Extension of Time/waiver to Complete Construction and obtain a Certificate of Occupancy of previously granted Special Permit (§73-622) for the enlargement of single family home and an Amendment to modify the previously approved plans, in an R2 zoning district, which expired on January 13, 2008. <b>Community Board #14BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Closed, Decision – 5/12/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, April 28, 2009

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
8.	727-86-BZ	The Law Office of Fredrick A. Becker <b>240 East 58<sup>th</sup> Street, Manhattan</b> Extension of Term of a previously granted Variance (§72-21) to allow an eating and drinking establishment (UG6) at the cellar, basement and first floor of a three-story building in an R8B zoning district which expired on January 17, 2009. <b>Community Board #6M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 5/19/09</b>
9.	185-04-BZ	Sheldon Lobel, P.C. <b>2275 East 2<sup>nd</sup> Street, Brooklyn</b> Extension of Time/waiver to complete construction of a previously granted Special Permit (§73-622) for the enlargement of an existing home in an R4 (Special Ocean Parkway) district which expired on January 11, 2009. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 5/19/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, April 28, 2009  
10:00 A.M.

## ***APPEALS – DECISIONS***

10.	180-08-A thru 184-08-A	Tobias Guggenheimer Architect, P.C. <b>3236, 3238, 3240, 3242 and 3244 Schley Avenue, Bronx</b> Proposed construction of four three-family homes and parking lot located within the bed of mapped street (Shore Drive) contrary to General City Law Section 35. C3A zoning district. <b>Community Board #10BX</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 4/28/09</b>

## ***APPEALS – CONTINUED HEARINGS***

11.	277-08-BZY thru 287-08-BZY	Eric Palatnik, P.C. <b>23, 26, 27, 35, 39, 43, 47, 55, 59, and 63 Opal Lane, Staten Island</b> Extension of time to complete construction (§11-332) and obtain a Certificate of Occupancy of a minor development commenced prior to the text amendment of the zoning district regulations. R3-X SSRD (Area LL). <b>Community Board #3SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 5/19/09</b>
12.	292-08-A	Robert Cunningham <b>123 87<sup>th</sup> Street, Brooklyn</b> An Appeal challenging Department of Buildings interpretation that §23-49-(a) Special Provisions for Party or Side Lot line Walls is not applicable to this site. R3-1 zoning district. <b>Community Board #10BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 5/12/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, April 28, 2009  
10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
13.	267-08-A	Joseph A. Sherry <b>2 Devon Walk, Queens</b> Proposed reconstruction and enlargement of an existing single family home located within the bed of a mapped street, contrary to General City Law Section 35, and without frontage on a mapped street, contrary to General City Law Section 36. R4 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 5/19/09</b>
14.	5-09-A	Joseph A. Sherry <b>7 Manville Lane, Queens</b> Proposed reconstruction and enlargement of an existing single family not fronting a mapped street, contrary to General City Law Section 36, and the upgrade of a private disposal system is in the bed of a private service road, contrary to Department of Buildings Policy. R4 Zoning District. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 4/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, April 28, 2009  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	40-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>3957 Laconia Avenue, Bronx</b> Special Permit (§11-411 & §11-413) to allow the re-instatement and extension of term, and amend to change the use from Automotive Service Station (UG 16) to a Automotive Repair Facility (UG 16), and subdivision the zoning lot. C1-2/R5 zoning district. <b>Community Board #12BX</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 4/28/09</b>
2.	161-08-BZ	Eric Palatnik, P.C. <b>136 Dover Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area, open space and lot coverage (§23-141) and less than the required rear yard (§23-47) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 4/28/09</b>
3.	275-08-BZ	Eric Palatnik, P.C. <b>98 South 4<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-36) to allow a physical culture establishment on the ground floor of an existing building. The proposal is contrary to ZR §42-10. M1-2/R6 (MX8) district. <b>Community Board #1BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Deferred Decision – 5/19/09</b>
4.	298-08-BZ	Lewis E. Garfinkel <b>1156 East 22<sup>nd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area (§23-141(a)) and less than the required rear yard (§23-47) in an R-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 4/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, April 28, 2009

1:30 P.M.

### ***BZ – DECISIONS***

5.	303-08-BZ	Carl A. Sulfaro, Esq. <b>34-67 Francis Lewis Boulevard, Queens</b> Special Permit (§11-411) to re-establish an expired variance which permitted the erection and maintenance of a gasoline service station with accessory uses (UG 16) C2-2/R5-B zoning district. <b>Community Board #11Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status:      Granted – 4/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, April 28, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
6.	203-07-BZ	Sheldon Lobel, P.C. <b>137-35 Elder Avenue, Queens</b> Variance (§72-21) to allow a new 13-story mixed-use building containing 20 dwelling units, ground floor retail and community facility (medical) uses; contrary to bulk and parking regulations (§35-311 & §36-21). R6/C2-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 5/19/09</b>
7.	222-07-BZ	Stuart A. Klein, Esq. <b>110 West 26<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to legalize residential uses on the second and third floor of an existing building. M1-6 District. <b>Community Board #4M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 6/9/09</b>
8.	169-08-BZ	James Chin & Associates, LLC <b>46 Laight Street, Manhattan</b> Variance (§72-21) to allow the redevelopment of an commercial building for residential use. Six residential floors and six dwelling units are proposed; contrary to use regulations (§42-00 & §111-104 (e)). M1-5 (TMU- Area B-2) district. <b>Community Board #1M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 6/16/09</b>
9.	228-08-BZ	Law Office of Fredrick A. Becker <b>2802 Avenue R, Brooklyn</b> Variance (§72-21) to permit the construction of a one-story mikvah (ritual bath). The proposal is contrary to ZR §24-34 (front yards) and §24-35 (side yards). R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 6/9/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, April 28, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

10.	229-08-BZ	<p>Sheldon Lobel, P.C.  <b>866 East 8th Street, Brooklyn</b>  Variance (§72-21) for the construction of a new single family home. This applications seeks to vary floor area (§23-141), less than the minimum side yards (§23-461) and the location of the required off street parking to the front yard (§25-62) in an R2X zoning district.  <b>Community Board #12BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 5/19/09</b></p>
11.	234-08-BZ	<p>Eric Palatnik, P.C.  <b>1702 Avenue Z, Brooklyn</b>  Special Permit (§73-36) to allow proposed Physical Culture Establishment at the cellar and a portion of the first and second floors in a seven-story mixed-use building, contrary to §32-10. C4-2 district.  <b>Community Board #15BK</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Continued Hearing – 6/9/09</b></p>
12.	235-08-BZ	<p>Eric Palatnik, P.C.  <b>1508 Union Street, Brooklyn</b>  Variance (§72-21) to permit the expansion of a Mikvah (UG 3). The proposal is contrary to ZR §33-12 (floor area ratio) and §33-431 (wall height and required setbacks). C2-3/R4 district.  <b>Community Board #9BK</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Continued Hearing – 5/19/09</b></p>
13.	246-08-BZ	<p>Slater &amp; Beckerman, LLP  <b>4400 Third Avenue, Bronx</b>  Special Permits (§73-481 and §73-49) to allow for the construction of a five story parking garage and rooftop parking and Variance (§72-21) to allow for an accessory sign contrary to §22-331 and §22-342. R7-1 District.  <b>Community Board #6BX</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Closed, Decision – 5/19/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, April 28, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

14.	266-08-BZ	<p>Lewis E. Garfinkel R.A. <b>2007 New York Avenue, Brooklyn</b> Special Permit (§73-621) for the enlargement of an existing single family home. This application seeks to vary §34-141(b) as the proposed floor area ratio (FAR) exceeds what is permitted in an R-4 zoning district. <b>Community Board #18BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 5/19/09</b></p>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, April 28, 2009  
1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
15.	259-08-BZ	Jeffrey A. Chester, Esq. <b>242-02 61<sup>st</sup> Avenue, Queens</b> Variance (§72-21) to permit the proposed expansion of a supermarket use. The proposal is contrary to ZR §52-41. R4 district. <b>Community Board #11Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 5/19/09</b>
16.	314-08-BZ	Kramer Levin Naftalis & Frankel, LLP <b>437-447 West 13<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to allow for the construction of a 12-story commercial building contrary to bulk regulations §43-12, §43-43, §43-26 and use regulations §42-12. M1-5 District. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 6/16/09</b>
17.	8-09-BZ	Sheldon Lobel, P.C. <b>125 Fulton Street, Manhattan</b> Special Permit (§73-36) to allow the operation of a physical culture establishment on the second floor of an existing two-story commercial building. The proposal is contrary to ZR §32-10. C6-4 district. <b>Community Board #1M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 6/9/09</b>
18.	20-09-BZ	MetroPCS New York, LLC <b>54-44 Little Neck Parkway, Queens</b> Special Permit (§§73-03, 73-30), to permit a non-accessory radio tower in an R3-2 within a C1-2 district. <b>Community Board #11Q</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Closed, Decision – 6/9/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, May 12, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	301-03-BZ	Law Office of Fredrick A. Becker <b>1103 East 22<sup>nd</sup> Street, Brooklyn</b> Extension of Time/waiver to Complete Construction and obtain a Certificate of Occupancy of previously granted Special Permit (§73-622) for the enlargement of single family home and an Amendment to modify the previously approved plans, in an R2 zoning district, which expired on January 13, 2008. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Granted – 5/12/09</b>
2.	41-06-BZ	Akerman Senterfitt Stadtmauer Bailkin <b>139-24 Booth Memorial Avenue, Queens</b> Amendment of a previously granted variance (§72-21) which permitted the construction of an underground parking structure with 372 accessory parking spaces on NY Hospital campus. The amendment seeks to waive §33-25 (Minimum Required Side Yards). The site is located in a R6/C1-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status:     Granted – 5/12/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, May 12, 2009  
10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
<b>3.</b>	<b>951-55-BZ</b>	Eric Palatnik, P.C. <b>1098 Richmond Road, Staten Island</b> Amendment (§11-411) to permit the installation of a canopy and minor modifications to the existing pump islands to a previously granted variance for a UG16 gasoline service station in a C2-1/R3-2 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 6/9/09</b>
<b>4.</b>	<b>23-06-BZ</b>	Sheldon Lobel, P.C. <b>150-62 78<sup>th</sup> Road, Queens</b> Extension of Time/waiver to Complete Construction (which expired on July 2, 2008) and to obtain a Certificate of Occupancy (which expired on January 2, 2009) of a previously granted Variance (§72-21) for the expansion of an existing three story synagogue with accessory Rabbi's apartment in an R-4 zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 6/9/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, May 12, 2009  
10:00 A.M.

## ***APPEALS – DECISIONS***

5.	292-08-A	Robert Cunningham
		123 87 <sup>th</sup> Street, Brooklyn
		An Appeal challenging Department of Buildings interpretation that §23-49-(a) Special Provisions for Party or Side Lot line Walls is not applicable to this site. R3-1 zoning district.
		Community Board #10BK
		Examiner: Toni Matias (212) 788-8752
		Status: Denied – 5/12/09

## ***APPEALS – CONTINUED HEARINGS***

6.	147-08-BZY	Hui-Li Xu
		95-04 Allendale Street, Queens
		Extension of time (§11-331) to complete construction of a minor development commenced prior to the amendment of the zoning district regulations on April 30, 2008. R5 zoning district
		Community Board #12Q
		Examiner: Toni Matias (212) 788-8752
		Status: Adjourned, Continued Hearing – 6/16/09

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, May 12, 2009  
10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
7.	83-08-A	NYC Department of Buildings <b>3218 Emmons Avenue, Brooklyn</b> An appeal seeking to revoke Certificate of Occupancy due to failure to comply with ZR §62-711 (waterfront certification) and the failure to comply with ZR §12-10(d) in the formation of the zoning lot. R5/Sheepshead Bay District. <b>Community Board #15BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Postponed, Public Hearing – 6/16/09</b>
8.	19-09-A	Sheldon Lobel, P.C. <b>132-55 34<sup>th</sup> Avenue, Queens</b> Legalization of an existing building constructed within the bed of a mapped street, contrary to General City Law Section 35. M2-1 Zoning District. <b>Community Board #7Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 6/9/09</b>
9.	47-09-A	Gary D. Lenhart <b>114 Beach 215<sup>th</sup> Street, Queens</b> Reconstruction and enlargement of an existing single family dwelling not fronting on a legally mapped street, contrary to General City Law Section 36. R4 Zoning District. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 5/12/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, May 12, 2009  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	247-08-BZ	Howard S. Weiss, Esq. <b>3454 Nostrand Avenue Brooklyn</b> Special Permit (§73-243) to allow the operation of a accessory drive-through facility in connection with a eating and drinking establishment ( <i>Starbucks</i> ) (UG 6) located in a C1-2/R4 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 5/12/09</b>
2.	306-08-BZ	Sheldon Lobel, P.C. <b>969 Third Avenue, Manhattan</b> Special Permit (§73-36) to allow the operation of a physical culture establishment in the cellar of an existing 21-story mixed-use building. The proposal is contrary to ZR §32-10. C5-2 district. <b>Community Board #6M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 5/12/09</b>
3.	308-08-BZ	Davidoff Malito & Hatcher, LLP <b>201 East 67<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of an existing physical culture establishment ( <i>MonQi Fitness</i> ) located on the third through fifth floors in a five-story building. The proposal is contrary to ZR §32-00. C1-9 district. <b>Community Board #8M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Deferred Decision – 5/19/09</b>
4.	312-08-BZ	Law Office of Fredrick A. Becker <b>1134 East 23<sup>rd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary floor area and open space (§23-141), side yard (§23-461) and less than the minimum required rear yard (§23-47). R2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 5/12/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, May 12, 2009  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
5.	316-08-BZ	<p>Bryan Cave LLP 345-349 Second Avenue, aka 247-249 East 20<sup>th</sup> Street, Manhattan</p> <p>Variance (§72-21) to permit the development of a three- and eight-story school building (<i>Learning Spring Elementary School</i>). The proposal is contrary to ZR §35-24c (minimum base height). R9A/C1-5 district.</p> <p><b>Community Board #6M</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 5/12/09</b>
6.	1-09-BZ	<p>The Law Office of Fredrick A. Becker 39-01 Queens Boulevard, Queens</p> <p>Special Permit (§73-36) to allow the legalization of an existing physical culture establishment (<i>New York Sports Club</i>) on a portion of the ground floor in a three-story building. The proposal is contrary to ZR §42-00. M1-4 district.</p> <p><b>Community Board #2Q</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Deferred Decision – 5/19/09</b>
7.	16-09-BZ	<p>Slater &amp; Beckerman, LLP 459 Broadway, Manhattan</p> <p>Special Permit (§73-36) to allow a physical culture establishment (<i>YogaWorks</i>) on the second and third floors of an existing five-story building. The proposal is contrary to ZR §42-10. M1-5B district.</p> <p><b>Community Board #2M</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 5/12/09</b>
8.	26-09-BZ & 48-09-A	<p>Sheldon Lobel, P.C. 97 Crooke Avenue, Brooklyn</p> <p>Variance (§72-21) to permit the construction of a nine-story community facility building (<i>CAMBA Housing</i>). The proposal is contrary to §24-36. R7-1 district.</p> <p>Waiver of Section 36 of the General City Law to permit the construction of a building without the 30-foot turnaround frontage space.</p> <p><b>Community Board #14BK</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 5/12/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, May 12, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
9.	274-08-BZ	Wachtel & Masyr, LLP <b>41-47 Grand Street, Manhattan</b> Variance (§72-21) to allow for a commercial building, contrary to floor area requirements (§43-12), height and setback requirements (§43-43), and retail use below the level of the second story (§42-14). M1-5A & M1-5B districts. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Withdrawn – 5/12/09</b>
10.	276-08-BZ	Alfonso Duarte <b>150 East 55<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment on the sixth floor of a seven-story office building. The proposal is contrary to ZR §32-10. C5-2 district. <b>Community Board #6M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 6/9/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, May 12, 2009  
1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
11.	297-08-BZ	Lewis E. Garfinkel <b>3496 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area (§23-141(a)); and rear yard (§23-47) requirements in an R2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 6/23/09</b>
12.	10-09-BZ	Francis R. Angelino, Esq. <b>2307 Farragut Road/583 East 23<sup>rd</sup> Street, of Brooklyn</b> Variance (§72-21) to allow a community facility use/house of worship, contrary to front yard regulations, §24-34. R3-2 District. <b>Community Board #14BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 6/9/09</b>
13.	17-09-BZ	MetroPCS New York, LLC <b>5421 Beverly Road, Brooklyn</b> Special Permit (§73-03 & §73-30) to allow a non-accessory radio facility and all accessory equipment. <b>Community Board #17BK</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Closed, Decision – 6/16/09</b>
14.	21-09-BZ	MetroPCS New York, LLC <b>222-89 Braddock Avenue, Queens</b> Special Permit (§73-03 & §73-30) to allow a non-accessory radio facility on the rooftop of the existing building. <b>Community Board #13Q</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Closed, Decision – 6/16/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, May 12, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>15.</b>	<b>35-09-BZ</b>	Kramer Levin Naftalis & Frankel LLP <b>345-347 East 103rd Street, Manhattan</b> Special Permit (§11-411 & §11-412) to renew for an additional 10 years an approval under Section 7(e) of the 1916 Zoning Resolution to allow a contractor's establishment (UG16) in the ground floor of a two-story building located in an R7A zoning district. <b>Community Board #11M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 6/9/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, May 19, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	727-86-BZ	The Law Office of Fredrick A. Becker <b>240 East 58<sup>th</sup> Street, Manhattan</b> Extension of Term of a previously granted Variance (§72-21) to allow an eating and drinking establishment (UG6) at the cellar, basement and first floor of a three-story building in an R8B zoning district which expired on January 17, 2009. <b>Community Board #6M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Granted – 5/19/09</b>
2.	185-04-BZ	Sheldon Lobel, P.C. <b>2275 East 2<sup>nd</sup> Street, Brooklyn</b> Extension of Time/waiver to complete construction of a previously granted Special Permit (§73-622) for the enlargement of an existing home in an R4 (Special Ocean Parkway) district which expired on January 11, 2009. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Granted – 5/19/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, May 19, 2009  
10:00 A.M.

<b><i>SOC – CONTINUED HEARINGS</i></b>		
3.	5-98-BZ	Maxfield Blaubeux & Heywood Balaubeux <b>1861 McDonald Avenue, Brooklyn</b> Extension of Term of a previously granted variance (§72-21) for a garden supply sales and nursery establishment (UG17) with accessory parking and storage in an R5 zoning district which expired on February 23, 2009. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 6/9/09</b>
4.	336-98-BZ & 337-98-BZ	Rothkrug, Rothkrug & Spector LLP <b>312/18 &amp; 324/34 Flatbush Avenue, Brooklyn</b> Extension of term of a special permit (§73-36) authorizing a physical culture establishment ( <i>Crunch Fitness</i> ), Amendment to include additional area in the cellar and on the first floor and a change in operator; and extension of time to obtain a certificate of occupancy. C2-4 zoning district. <b>Community Board #6BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Adjourned, Continued Hearing – 7/14/09</b>
5.	7-99-BZ	The Law Office of Fredrick A. Becker <b>300 East 34<sup>th</sup> Street, Manhattan</b> Extension of Term of a previously granted Special Permit for the operation of Physical Culture Establishment ( <i>New York Sports Club</i> ), located in a C1-9 (TA) zoning district, which expired on January 11, 2009. <b>Community Board #6M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 6/9/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, May 19, 2009  
10:00 A.M.

<i><b>SOC – NEW CASES</b></i>		
6.	165-93-BZ	Francis R. Angelino, Esq. <b>113 East 90<sup>th</sup> Street, Manhattan</b> Extension of Term of a previously granted Variance (§72-21) for a UG6 art gallery on the first floor of an existing three story and cellar mixed use building in an R8B zoning district which expired on April 12, 2009. <b>Community Board #8M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 6/16/09</b>
7.	68-94-BZ	Cozen O'Connor <b>2100 Bartow Avenue, Bronx</b> Extension of Time to obtain a Certificate of Occupancy for a previously granted special for the operation of a PCE (Bally's Total Fitness) on the first and second floors of the Co-Op City Bay Plaza Shopping Center, located in an C4-3 zoning district, which expired on April 7, 2009. <b>Community Board #10BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 6/16/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, May 19, 2009  
10:00 A.M.

## ***APPEALS – DECISIONS***

APPEALS – DECISIONS		
8.	277-08-BZY thru 287-08-BZY	Eric Palatnik, P.C. 23, 26, 27, 35, 39, 43, 47, 55, 59, and 63 Opal Lane, Staten Island Extension of time to complete construction (§11-332) and obtain a Certificate of Occupancy of a minor development commenced prior to the text amendment of the zoning district regulations. R3-X SSRRD (Area LL). Community Board #3SI
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 5/19/09

## ***APPEALS – CONTINUED HEARINGS***

APPEALS – CONTINUED HEARINGS		
9.	267-08-A	Joseph A. Sherry 2 Devon Walk, Queens Proposed reconstruction and enlargement of an existing single family home located within the bed of a mapped street, contrary to General City Law Section 35, and without frontage on a mapped street, contrary to General City Law Section 36. R4 zoning district. Community Board #14Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 5/19/09
10.	311-08-BZY	Slater & Beckerman, LLP 77, 79 & 81 Rivington Street and 139-141 Orchard Street, Manhattan Extension of time to complete construction (§11-331) of a minor development commenced prior to the amendment of the Zoning district regulations. C4-4A zoning district. Community Board #3M
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 6/16/09

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, May 19, 2009  
10:00 A.M.

## ***APPEALS – CONTINUED HEARINGS***

11.	32-09-BZY thru 34-09-BZY	William Alicea <b>122, 124 &amp; 126 Treadwell Avenue, Staten Island</b> Extension of time to complete construction (§11-332) and obtain a Certificate of Occupancy of a major development commenced prior to the text amendment of the zoning district regulations. R3A. Community Board #1SI
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 6/9/09</b>

## ***APPEALS – NEW CASES***

12.	313-08-A	Law Office of Howard Goldman, LLC <b>363-371 Lafayette Street, Manhattan</b> Appeal to Department of Building's refusal to revoke permits and approvals for a six-story commercial building. M1-5B zoning district. Community Board #2M
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 7/14/09</b>
13.	317-08-A	Margaret R. Garcia, AIA <b>124 Montgomery Avenue, Staten Island</b> Proposed construction of a four story dwelling located within the bed of a mapped street contrary to General City Law Section 35. R5 Zoning District. Community Board #1SI
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Postponed Hearing – 7/14/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, May 19, 2009  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	203-07-BZ	Sheldon Lobel, P.C. <b>137-35 Elder Avenue, Queens</b> Variance (§72-21) to allow a new 13-story mixed-use building containing 20 dwelling units, ground floor retail and community facility (medical) uses; contrary to bulk and parking regulations (§35-311 & §36-21). R6/C2-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Reopened, Continued Hearing – 7/14/09</b>
2.	45-08-BZ	Rampulla Associates <b>55 Androvette Street, Staten Island</b> Variance (§72-21) to construct a three-story, 81-unit age restricted residential building contrary to use regulations (§42-00 & §107-49). M1-1 District/Special South Richmond Development District. <b>Community Board #3SI</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 5/19/09</b>
3.	229-08-BZ	Sheldon Lobel, P.C. <b>866 East 8th Street, Brooklyn</b> Variance (§72-21) for the construction of a new single family home. This applications seeks to vary floor area (§23-141), less than the minimum side yards (§23-461) and the location of the required off street parking to the front yard (§25-62) in an R2X zoning district. <b>Community Board #12BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Reopened, Continued Hearing – 6/16/09</b>
4.	246-08-BZ	Slater & Beckerman, LLP <b>4400 Third Avenue, Bronx</b> Special Permits (§73-481 and §73-49) to allow for the construction of a five story parking garage and rooftop parking and Variance (§72-21) to allow for an accessory sign contrary to §22-331 and §22-342. R7-1 District. <b>Community Board #6BX</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 5/19/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, May 19, 2009  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
5.	275-08-BZ	Eric Palatnik, P.C. <b>98 South 4<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-36) to allow a physical culture establishment on the ground floor of an existing building. The proposal is contrary to ZR §42-10. M1-2/R6 (MX8) district. <b>Community Board #1BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Deferred Decision – 6/16/09</b>
6.	304-08-BZ	Bryan Cave LLP <b>312-318 East 95<sup>th</sup> Street, Manhattan</b> Variance (§72-21) and Special Permit (§73-19) to allow a school ( <i>Trevor Day School</i> ) in a C8-4 district contrary to bulk regulations (§§33-123, 33-451, 33-453, 33-454, 33-26). C8-4 District. <b>Community Board #8M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 5/19/09</b>
7.	308-08-BZ	Davidoff Malito & Hutcher, LLP <b>201 East 67<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of an existing physical culture establishment ( <i>MonQi Fitness</i> ) located on the third through fifth floors in a five-story building. The proposal is contrary to ZR §32-00. C1-9 district. <b>Community Board #8M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 5/19/09</b>
8.	1-09-BZ	The Law Office of Fredrick A. Becker <b>39-01 Queens Boulevard, Queens</b> Special Permit (§73-36) to allow the legalization of an existing physical culture establishment ( <i>New York Sports Club</i> ) on a portion of the ground floor in a three-story building. The proposal is contrary to ZR §42-00. M1-4 district. <b>Community Board #2Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 5/19/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, May 19, 2009  
1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
9.	11-07-BZ	Dominick Salvati and Son Architects <b>41-06 Junction Boulevard, Queens</b> Variance (§72-21) to allow a five (5) story office building with ground floor retail, contrary to use regulations (§22-00). R6B district. <b>Community Board #4Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 6/23/09</b>
10.	178-07-BZ	Dominick Salvati and Son Architects <b>2261-2289 Bragg Street, Brooklyn</b> Variance (§72-21) to permit proposed seven-story residential building above existing three-story community facility building, contrary to residential floor area, FAR and lot coverage (§23-141(b)), number of dwelling units (§23-222), rear yard (§23-47 & §24-36), sky exposure plane and setback, (§23-631(d)), required residential and community facility parking (§25-23 & §25-31). R5 district. <b>Community Board #15BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 6/9/09</b>
11.	63-08-BZ	Eric Palatnik, P.C. <b>116-33 Queens Boulevard, Queens</b> Special Permit (§73-244) to legalize an eating and drinking establishment with entertainment and a capacity of more than 200 persons with dancing within a C4-2 zoning district. <b>Community Board #6Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 6/23/09</b>
12.	99-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>102 Drumgoole Road, Staten Island</b> Variance (§72-21) to construct a three-story single family home, contrary to rear yard requirement (§23-47) in an R3-2/SRD zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 6/16/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, May 19, 2009  
1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
13.	188-08-BZ	<p>Rizzo Group, LLP 35 East 76<sup>th</sup> Street, (975-983 Madison; 981 Madison; 35-53 East 76<sup>th</sup> Street) Manhattan</p> <p>Special Permits (§73-36 &amp; §73-52) to allow the legalization of a Physical Culture Establishment and to extend this use into an R8B district, contrary to ZR §32-10. C5-1/R8B zoning districts.</p> <p><b>Community Board #8M</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Adjourned, Continued Hearing – 7/14/09</b>
14.	235-08-BZ	<p>Eric Palatnik, P.C. 1508 Union Street, Brooklyn</p> <p>Variance (§72-21) to permit the expansion of a Mikvah (UG 3). The proposal is contrary to ZR §33-12 (floor area ratio) and §33-431 (wall height and required setbacks). C2-3/R4 district.</p> <p><b>Community Board #9BK</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 6/23/09</b>
15.	259-08-BZ	<p>Jeffrey A. Chester, Esq. 242-02 61<sup>st</sup> Avenue, Queens</p> <p>Variance (§72-21) to permit the proposed expansion of a supermarket use. The proposal is contrary to ZR §52-41. R4 district.</p> <p><b>Community Board #11Q</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Adjourned, Continued Hearing – 6/16/09</b>
16.	265-08-BZ	<p>Herrick Feinstein LLP 70 Wyckoff Avenue, Brooklyn</p> <p>Variance (§72-21) to allow for the legalization of residential units located in a manufacturing building, contrary to §42-00; M1-1 zoning district.</p> <p><b>Community Board #4BK</b></p>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 6/23/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, May 19, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
17.	266-08-BZ	<p>Lewis E. Garfinkel R.A.  <b>2007 New York Avenue, Brooklyn</b>  Special Permit (§73-621) for the enlargement of an existing single family home. This application seeks to vary §34-141(b) as the proposed floor area ratio (FAR) exceeds what is permitted in an R-4 zoning district.  <b>Community Board #18BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 6/16/09</b></p>
18.	268-08-BZ	<p>Sheldon Lobel, P.C.  <b>314 Seventh Avenue, Brooklyn</b>  Special Permit (§73-621) to permit the enlargement of an eating and drinking establishment (UG 6). R6A/C1-4 zoning district.  <b>Community Board #6BK</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Closed, Decision – 6/16/09</b></p>
19.	301-08-BZ	<p>Fridman Saks LLP  <b>2717 Quentin Road, Brooklyn</b>  Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary floor area and lot coverage (§23-141), side yard (§23-461), perimeter wall height (§23-631(b)) and less than the minimum rear yard (§23-47) in an R3-2 zoning district.  <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 6/23/09</b></p>
20.	42-09-BZ	<p>Francis R. Angelino, Esq.  <b>441-477 Prospect Avenue, Brooklyn</b>  Special Permit (§11-411 &amp; §11-412) for re-instatement of a variance (expired July 12, 1992) which allowed the extension of a legal non conforming use (commercial laundry) within a residential zoning district. The application seeks an amendment to allow for a one-story enlargement. R5B zoning district.  <b>Community Board#7BK</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Closed, Decision – 6/16/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, May 19, 2009  
1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
21.	100-08-BZ & 101-08-A	Rothkrug, Rothkrug & Spector, LLP <b>205 Wolverine Street, Staten Island</b> Variance (§72-21) for the construction of a two-story with basement single family residence, contrary to front yard regulations (§23-45) in an R3-2 zoning district, and within the bed of a mapped, unbuilt street, contrary to General City Law Section 35. <b>Community Board #3SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 7/14/09</b>
22.	241-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>546 Midland Avenue, a/k/a 287 Freeborn Street, Staten Island</b> Variance (§72-21) to permit a one-story commercial building (Use Group 6), contrary to §32-10. R3-1 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 6/23/09</b>
23.	295-08-BZ	Akerman Senterfitt Stadtmauer Bailkin <b>1934 East 26<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary lot coverage and floor area (§23-141), side yards (§23-461) and does not comply with the required perimeter wall height (§23-631) in an R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 6/16/09</b>
24.	25-09-BZ	Law Office of Howard Goldman LLC <b>277 Canal Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of an existing physical culture establishment on the third floor of a three-story commercial building. The proposal is contrary to ZR §42-10. M1-5B zoning district. <b>Community Board #2M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 6/23/09</b>

## \*\*\*DISCLAIMER\*\*\*

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, May 19, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>25.</b>	<b>30-09-BZ</b>	Sheldon Lobel, P.C. <b>136-33 37<sup>th</sup> Avenue, Queens</b> Special Permit (§73-44) to reduce the amount of required parking spaces for commercial and medical offices uses from 153 to 97 spaces. C4-3 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 6/23/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, June 9, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	5-98-BZ	Maxfield Blaubeux & Heywood Blaubeux <b>1861 McDonald Avenue, Brooklyn</b> Extension of Term of a previously granted variance (§72-21) for a garden supply sales and nursery establishment (UG17) with accessory parking and storage in an R5 (OP) zoning district which expired on February 23, 2009. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Granted – 6/9/09</b>
2.	7-99-BZ	The Law Office of Fredrick A. Becker <b>300 East 34<sup>th</sup> Street, Manhattan</b> Extension of Term of a previously granted Special Permit for the operation of Physical Culture Establishment ( <i>New York Sports Club</i> ), located in a C1-9 (TA) zoning district, which expired on January 11, 2009. <b>Community Board #6M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Granted – 6/9/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, June 9, 2009

10:00 A.M.

### ***SOC – CONTINUED HEARINGS***

3.	951-55-BZ	Eric Palatnik, P.C. <b>1098 Richmond Road, Staten Island</b> Amendment (§11-411) to permit the installation of a canopy and minor modifications to the existing pump islands to a previously granted variance for a UG16 gasoline service station in a C2-1/R3-2 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 6/16/09</b>
4.	23-06-BZ	Sheldon Lobel, P.C. <b>150-62 78<sup>th</sup> Road, Queens</b> Extension of Time/waiver to Complete Construction (which expired on July 2, 2008) and to obtain a Certificate of Occupancy (which expired on January 2, 2009) of a previously granted Variance (§72-21) for the expansion of an existing three story synagogue with accessory Rabbi's apartment in an R-4 zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 6/23/09</b>

### ***SOC – NEW CASES***

5.	1252-79-BZ	Miele Associates <b>23-87-91 Bell Boulevard, aka 214-05-15 &amp; 214-19 24<sup>th</sup> Avenue, Queens</b> Extension of Term permitting in a R5 zoning district a bank and office use (UG 6) contrary to section §22-00, and amendments to allow the increase of parking from eight spaces to 21-attended spaces, and the elimination of the term. <b>Community Board #7Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 6/23/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, June 9, 2009  
10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
6.	303-99-BZ	Vito J. Fossella, P.E. <b>2122 Richmond Avenue, Staten Island</b> Extension of Time to obtain a Certificate of Occupancy which expired on September 12, 2004 and an amendment to legalize the change in use from the previously granted Auto Sales Establishment (UG16) to Commercial/Retail (UG6) in an R3-2 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 6/23/09</b>
7.	55-01-BZ	Greenberg Traurig, LLP <b>568 Broadway, Manhattan</b> Extension of Term/waiver of a previously granted Special Permit (§73-36) for the continued operation of a physical culture establishment ( <i>Bliss Spa</i> ) located on portions of the second and third floors of an 11-story mixed use building in an M1-5B zoning district which expired on April 1, 2007. <b>Community Board #2M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 7/14/09</b>
8.	26-09-BZ	Board of Standards and Appeals Sheldon Lobel, P.C. <b>97 Crooke Avenue, Brooklyn</b> Review pursuant to Sec 1-10(f) of Board Rules and 666(8) of the Charter of a previously-granted Variance (§72-21) to permit the construction of a nine-story community facility building ( <i>CAMBA Housing</i> ). The proposal is contrary to §24-36. R7-1 district. <b>Community Board #14BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 6/16/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, June 9, 2009

10:00 A.M.

<b><i>APPEALS – DECISIONS</i></b>		
9.	19-09-A	Sheldon Lobel, P.C. <b>132-55 34<sup>th</sup> Avenue, Queens</b> Legalization of an existing building constructed within the bed of a mapped street, contrary to General City Law Section 35. M2-1 Zoning District. <b>Community Board #7Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:     Granted – 6/9/09</b>
10.	32-09-BZY thru 34-09-BZY	William Alicea <b>122, 124 &amp; 126 Treadwell Avenue, Staten Island</b> Extension of time to complete construction (§11-332) and obtain a Certificate of Occupancy of a major development commenced prior to the text amendment of the zoning district regulations. R3A. <b>Community Board #1SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:     Granted – 6/9/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, June 9, 2009

10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
11.	140-08-BZY	Eric Palatnik, P.C. <b>1016 East 13<sup>th</sup> Street, Brooklyn</b> Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R5 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 7/14/09</b>
12.	293-08-A & 294-08-A	Juan D. Reyes, III, Riker Danzig <b>36-38/40 166<sup>th</sup> Street, Queens</b> Proposed construction of two semi-detached, two-family homes located within the bed of a mapped street, contrary to General City Law Section 35. R4 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 6/23/09</b>
13.	160-09-A	Eric Palatnik, P.C. <b>112-15 Northern Boulevard, Queens</b> Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior C2-4 /R6 zoning district. C2-4 /R6A zoning district. <b>Community Board #3Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 6/23/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 9, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	178-07-BZ	<p>Dominick Salvati and Son Architects  <b>2261-2289 Bragg Street, Brooklyn</b>  Variance (§72-21) to permit proposed seven-story residential building above existing three-story community facility building, contrary to residential floor area, FAR and lot coverage (§23-141(b)), number of dwelling units (§23-222), rear yard (§23-47 &amp; §24-36), sky exposure plane and setback, (§23-631(d)), required residential and community facility parking (§25-23 &amp; §25-31). R5 district.  <b>Community Board #15BK</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Withdrawn – 6/9/09</b>
2.	220-07-BZ	<p>Moshe M. Friedman, P.E.  <b>847 Kent Avenue, Brooklyn</b>  Variance (§72-21) to allow the erection of a new four-story residential building containing four dwelling units, contrary to use regulations (§42-10). M1-1 district.  <b>Community Board #3BK</b></p>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Deferred Decision – 8/18/09</b>
3.	88-08-BZ	<p>Alfonso Duarte  <b>101-17 Lefferts Boulevard, Queens</b>  Variance (§72-21) to allow the commercial office conversion of an existing residential building; contrary to use regulations §22-00. R5 District.  <b>Community Board #9Q</b></p>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Denied – 6/9/09</b>
4.	276-08-BZ	<p>Alfonso Duarte  <b>150 East 55<sup>th</sup> Street, Manhattan</b>  Special Permit (§73-36) to allow a physical culture establishment on the sixth floor of a seven-story office building. The proposal is contrary to ZR §32-10. C5-2 district.  <b>Community Board #6M</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 6/9/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 9, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
5.	8-09-BZ	Sheldon Lobel, P.C. <b>125 Fulton Street, Manhattan</b> Special Permit (§73-36) to allow the operation of a physical culture establishment on the second floor of an existing two-story commercial building. The proposal is contrary to ZR §32-10. C6-4 district. <b>Community Board #1M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 6/9/09</b>
6.	20-09-BZ	MetroPCS New York, LLC <b>54-44 Little Neck Parkway, Queens</b> Special Permit (§§73-03, 73-30), to permit a non-accessory radio tower in an R3-2 within a C1-2 district. <b>Community Board #11Q</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Granted – 6/9/09</b>
7.	35-09-BZ	Kramer Levin Naftalis & Frankel LLP <b>345-347 East 103<sup>rd</sup> Street, Manhattan</b> Special Permit (§11-411 & §11-412) to renew for an additional 10 years an approval under Section 7(e) of the 1916 Zoning Resolution to allow a contractor's establishment (UG16) in the ground floor of a two-story building located in an R7A zoning district. <b>Community Board #11M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 6/9/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 9, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
8.	269-06-BZ	Joseph Margolis <b>125 Greaves Lane, Staten Island</b> Variance (§72-21) to permit the construction of a retail/commercial building. The proposal is contrary to § 22-00. R3-2 district (South Richmond Special District). <b>Community Board #3SI</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Withdrawn – 6/9/09</b>
9.	193-08-A	Joseph Margolis <b>125 Greaves Lane, Staten Island</b> Proposed construction of retail/commercial building not fronting on a mapped street, contrary to General City Law Section 36. R3-2 Zoning District (South Richmond Special District). <b>Community Board #3SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Withdrawn – 6/9/09</b>
10.	287-06-BZ	Sheldon Lobel, P.C. <b>32-12 23<sup>rd</sup> Street, Queens</b> Variance (§72-21) to allow a residential/community facility building contrary to yard regulations. R5 zoning district. <b>Community Board #1Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 7/21/09</b>
11.	177-07-BZ	Sheldon Lobel, P.C./Manish S. Salvant <b>886 Glenmore Avenue, Brooklyn</b> Variance (§72-21) to construct a two story, two family residential building on a vacant corner lot. This application seeks to vary the front yard requirement on one street frontage (§23-45) in an R-5 zoning district. <b>Community Board #5BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 6/23/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 9, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
12.	222-07-BZ	Stuart A. Klein, Esq. <b>110 West 26<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to legalize residential uses on the second and third floor of an existing building. M1-6 District. <b>Community Board#4M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 7/14/09</b>
13.	97-08-BZ	Eric Palatnik, P.C. <b>84 Sanford Street, Brooklyn</b> Special Permit (§73-19) to allow the legalization of an existing school (UG 3). M1-1 district. <b>Community Board #3BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 7/14/09</b>
14.	173-08-BZ	Rothkrug Rothkrug & Spector, LLP <b>42-59 Crescent Street, Queens</b> Variance (§72-21) to allow a 12-story hotel building containing 99 hotel rooms; contrary to bulk regulations (§117-522). M1-5/R7-3 Special Long Island City Mixed Use District, Queens Plaza Subdistrict Area C. <b>Community Board #2Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 7/21/09</b>
15.	201-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>40-38 216<sup>th</sup> Street, Queens</b> Variance (§72-21) to allow a one-story warehouse/ commercial vehicle storage building (UG16); contrary to use regulations (§22-00). R3X district. <b>Community Board #11Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Taken Off Calendar – No Date</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 9, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
16.	228-08-BZ	<p>Law Office of Fredrick A. Becker <b>2802 Avenue R, Brooklyn</b> Variance (§72-21) to permit the construction of a one-story mikvah (ritual bath). The proposal is contrary to ZR §24-34 (front yards) and §24-35 (side yards). R3-2 zoning district. <b>Community Board #15BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Closed, Decision – 7/21/09</b></p>
17.	234-08-BZ	<p>Eric Palatnik, P.C. <b>1702 Avenue Z, Brooklyn</b> Special Permit (§73-36) to allow proposed Physical Culture Establishment at the cellar and a portion of the first and second floors in a seven-story mixed-use building, contrary to §32-10. C4-2 district. <b>Community Board #15BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Continued Hearing – 8/11/09</b></p>
18.	237-08-BZ	<p>Sheldon Lobel, P.C. <b>37 Hillside Avenue, Manhattan</b> Variance (§72-21) to allow for a 19-story residential building with 124 units and a community facility use (<i>Rocky Mountain Baptist Church</i>), contrary to bulk regulations (§23-145, §23-633, §24-552(b)). R7-2 District. <b>Community Board #12M</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Withdrawn – 6/9/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 9, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
19.	260-08-BZ	Eric Palatnik <b>148 Oxford Street, Brooklyn</b> Special Permit (§73-622) for legalization and enlargement of a single family home. This application seeks to vary floor area (§23-141) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 7/28/09</b>
20.	10-09-BZ	Francis R. Angelino, Esq. <b>2307 Farragut Road/583 East 23<sup>rd</sup> Street, Brooklyn</b> Variance (§72-21) to allow a community facility use/house of worship, contrary to front yard regulations, §24-34. R3-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 6/23/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 9, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
21.	139-07-BZ	<p>Mitchell S. Ross, Esq.  <b>328 Jackson Avenue, Bronx</b>  Variance (§72-21) to permit the development of a two-story and cellar, two-family residence on a vacant lot. The proposal is contrary to §42-10. M1-2 zoning district.  <b>Community Board #1BX</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 7/14/09</b>
22.	210-08-BZ	<p>Sheldon Lobel, P.C.  <b>130-15 89<sup>th</sup> Road, Queens</b>  Variance (§72-21) to permit two-story enlargement to an existing two-story building for a UG 3 drug treatment facility with sleeping accommodations (<i>Samaritan Village</i>), contrary to use regulations (ZR §43-00) in an M1-1 district.  <b>Community Board #9Q</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 7/14/09</b>
23.	7-09-BZ	<p>Law Office of Fredrick A. Becker  <b>1082 East 26<sup>th</sup> Street, Brooklyn</b>  Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area (§23-141), side yards (§23-461) and rear yard (§23-47) in an R-2 zoning district.  <b>Community Board #14Q</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 7/14/09</b>
24.	50-09-BZ	<p>Eric Palatnik, P.C.  <b>29 West 35<sup>th</sup> Street, Manhattan</b>  Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>Warrior Fitness Boot Camp</i>) on the third floor in a twelve-story building. The proposal is contrary to ZR §42-10. M1-6 district.  <b>Community Board #5M</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 7/14/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, June 16, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	951-55-BZ	Eric Palatnik, P.C. <b>1098 Richmond Road, Staten Island</b> Amendment (§11-411) to permit the installation of a canopy and minor modifications to the existing pump islands to a ppreviously granted variance for a UG16 gasoline service station in a C2-1/R3-2 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Granted – 6/16/09</b>
2.	165-93-BZ	Francis R. Angelino, Esq. <b>113 East 90<sup>th</sup> Street, Manhattan</b> Extension of Term of a previously granted Variance (§72-21) for a UG6 art gallery on the first floor of an existing three story and cellar mixed use building in an R8B zoning district which expired on April 12, 2009. <b>Community Board #8M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Granted – 6/16/09</b>
3.	68-94-BZ	Cozen O'Connor <b>2100 Bartow Avenue, Bronx</b> Extension of Time to obtain a Certificate of Occupancy for a previously granted special for the operation of a PCE (Bally's Total Fitness) on the first and second floors of the Co-Op City Bay Plaza Shopping Center, located in an C4-3 zoning district, which expired on April 7, 2009. <b>Community Board #10BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Granted – 6/16/09</b>
4.	26-09-BZ	Board of Standards and Appeals Sheldon Lobel, P.C. <b>97 Crooke Avenue, Brooklyn</b> Review pursuant to Sec 1-10(f) of Board Rules and 666(8) of the Charter of a previously-granted Variance (§72-21) to permit the construction of a nine-story community facility building ( <i>CAMBA Housing</i> ). The proposal is contrary to §24-36. R7-1 district. <b>Community Board #14BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status:     Granted – 6/16/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, June 16, 2009

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
5.	8-96-BZ	Walter T. Gorman, P.E. <b>175-22 Horace Harding Expressway, Queens</b> Extension of Term for a gasoline service station ( <i>Shell</i> ), located in an C2-2/R3-2 zoning district, which expired on July 16, 2006; Extension of Time and Waiver to obtain a Certificate of Occupancy which expired on July 16, 2000; and an Amendment to legalize modification to the building. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/23/09</b>
6.	174-96-BZ	Sheldon Lobel, P.C. <b>1108/10 Allerton Avenue, Bronx</b> Extension of Term and Waiver for a previously granted variance of an existing food products manufacturing establishment (UG 17B) within a R4 zoning district. <b>Community Board #11BX</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 7/21/09</b>
7.	55-97-BZ	Sheldon Lobel, P.C. <b>76-36 164<sup>th</sup> Street, Queens</b> Extension of Term of a variance and Extension of Time to obtain a Certificate of Occupancy allowing the continued operation of an automotive repair shop (UG 16) located in a C2-2/R3-2 zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 7/21/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, June 16, 2009  
10:00 A.M.

## ***APPEALS – DECISIONS***

8.	311-08-BZY	Slater & Beckerman, LLP
		77, 79 & 81 Rivington Street and 139-141 Orchard Street, Manhattan
		Extension of time to complete construction (§11-331) of a minor development commenced prior to the amendment of the Zoning district regulations. C4-4A zoning district.
		Community Board #3M
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:     Granted – 6/16/09</b>

## ***APPEALS – CONTINUED HEARINGS***

9.	147-08-BZY	Hui-Li Xu
		95-04 Allendale Street, Queens
		Extension of time (§11-331) to complete construction of a minor development commenced prior to the amendment of the zoning district regulations on April 30, 2008. R5 zoning district
		Community Board #12Q
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:     Continued Hearing – 8/25/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, June 16, 2009

10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
10.	83-08-A	NYC Department of Buildings <b>3218 Emmons Avenue, Brooklyn</b> An appeal seeking to revoke Certificate of Occupancy for failure to comply with ZR §62-711 requiring waterfront certification. R5/ Sheepshead Bay District. <b>Community Board #15BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Postponed Hearing – 7/28/09</b>
11.	4-09-A	New York City Department of Buildings <b>27-02 Queens Plaza South, Queens</b> An appeal filed by the Department of Buildings seeking to amend the Certificate of Occupancy to remove the reference to "Adult Establishment" use on the second floor. M1-6/R-10 Special Mixed Use. <b>Community Board #1Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 7/14/09</b>
12.	163-09-A	Valentino Pompeo <b>115 Beach 220<sup>th</sup> Street, Queens</b> Proposed reconstruction and enlargement of an existing single family home not fronting on a mapped street, contrary to General City Law Section 36. R4 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 6/16/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 16, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	268-08-BZ	Sheldon Lobel, P.C. <b>314 Seventh Avenue, Brooklyn</b> Special Permit (§73-621) to permit the enlargement of an eating and drinking establishment (UG 6). R6A/C1-4 zoning district. <b>Community Board #6BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 6/16/09</b>
2.	275-08-BZ	Eric Palatnik, P.C. <b>98 South 4<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-36) to allow a physical culture establishment on the ground floor of an existing building. The proposal is contrary to ZR §42-10. M1-2/R6 (MX8) district. <b>Community Board #1BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Withdrawn – 6/16/09</b>
3.	17-09-BZ	MetroPCS New York, LLC <b>5421 Beverly Road, Brooklyn</b> Special Permit (§73-03 & §73-30) to allow a non-accessory radio facility and all accessory equipment. <b>Community Board #17BK</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Granted – 6/16/09</b>
4.	21-09-BZ	MetroPCS New York, LLC <b>222-89 Braddock Avenue, Queens</b> Special Permit (§73-03 & §73-30) to allow a non-accessory radio facility on the rooftop of the existing building. <b>Community Board #13Q</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Granted – 6/16/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 16, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>5.</b>	<b>42-09-BZ</b>	Francis R. Angelino, Esq. <b>441-477 Prospect Avenue, Brooklyn</b> Special Permit (§11-411 & §11-412) for re-instatement of a variance (expired July 12, 1992) which allowed the extension of a legal non conforming use (commercial laundry) within a residential zoning district. The application seeks an amendment to allow for a one-story enlargement. R5B zoning district. <b>Community Board#7BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Reopened, Continued Hearing – 7/14/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 16, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
6.	99-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>102 Drumgoole Road, Staten Island</b> Variance (§72-21) to construct a three-story single family home, contrary to rear yard requirement (§23-47) in an R3-2/SRD zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 7/14/09</b>
7.	169-08-BZ	James Chin & Associates, LLC <b>46 Laight Street, Manhattan</b> Variance (§72-21) to allow the redevelopment of an commercial building for residential use. Six residential floors and six dwelling units are proposed; contrary to use regulations (§42-00 & §111-104 (e)). M1-5 (TMU- Area B-2) district. <b>Community Board #1M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 7/28/09</b>
8.	229-08-BZ	Sheldon Lobel, P.C. <b>866 East 8th Street, Brooklyn</b> Variance (§72-21) for the construction of a new single family home. This applications seeks to vary floor area (§23-141), less than the minimum side yards (§23-461) and the location of the required off street parking to the front yard (§25-62) in an R2X zoning district. <b>Community Board #12BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Adjourned, Continued Hearing – 7/14/09</b>
9.	259-08-BZ	Jeffrey A. Chester, Esq. <b>242-02 61<sup>st</sup> Avenue, Queens</b> Variance (§72-21) to permit the proposed expansion of a supermarket use. The proposal is contrary to ZR §52-41. R4 district. <b>Community Board #11Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 7/14/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 16, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
10.	266-08-BZ	Lewis E. Garfinkel R.A. <b>2007 New York Avenue, Brooklyn</b> Special Permit (§73-621) for the enlargement of an existing single family home. This application seeks to vary §34-141(b) as the proposed floor area ratio (FAR) exceeds what is permitted in an R-4 zoning district. <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Adjourned, Continued Hearing – 7/21/09</b>
11.	295-08-BZ	Akerman Senterfitt Stadtmauer Bailkin <b>1934 East 26<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary lot coverage and floor area (§23-141), side yards (§23-461) and does not comply with the required perimeter wall height (§23-631) in an R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 7/14/09</b>
12.	314-08-BZ	Kramer Levin Naftalis & Frankel, LLP <b>437-447 West 13<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to allow for the construction of a 12-story commercial building contrary to bulk regulations §43-12, §43-43, §43-26 and use regulations §42-12. M1-5 District. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Adjourned, Continued Hearing – 7/21/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 16, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
13.	288-08-BZ	Jeffrey Geary <b>2955 Veterans Road West, Staten Island</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment ( <i>Costanzo's Martial Arts Studio</i> ) on the second floor of a two-story commercial building. M1-1 district. <b>Community Board #1SI</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 7/21/09</b>
14.	13-09-BZ	Moshe M. Friedman, P.E. <b>5611 21<sup>st</sup> Avenue, Brooklyn</b> Variance (§72-21) to permit a synagogue contrary to bulk regulations (ZR §24-34, §24-35, §24-11). R5 district. <b>Community Board #12BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 7/21/09</b>
15.	15-09-BZ	Francis R. Angelino, Esq. <b>8-10 Astor Place, Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment on portions of the sub-cellar, cellar and ground floors and entire second floor in an existing seven-story commercial building. M1-5B district. <b>Community Board #2M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 7/14/09</b>
16.	36-09-BZ	Metro PCS New York, LLC <b>53-01 32<sup>nd</sup> Avenue, Queens</b> Special Permit (§§73-03, 73-30) to allow a non-accessory radio tower on the rooftop of an existing building with all accessory equipment. R5 district. <b>Community Board #1Q</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Closed, Decision – 7/14/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 16, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
17.	52-09-BZ	Dennis Dell'Angelo <b>1438 East 26<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space, floor area (§23-141) and rear yard (§23-47) regulations. R2 district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 7/14/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, June 23, 2009

10:00 A.M.

### ***SOC – DECISIONS***

1.	1252-79-BZ	<p>Miele Associates 23-87-91 Bell Boulevard, aka 214-05-15 &amp; 214-19 24<sup>th</sup> Avenue, Queens</p> <p>Extension of Term permitting in a R5 zoning district a bank and office use (UG 6) contrary to section §22-00, and amendments to allow the increase of parking from eight spaces to 21-attended spaces, and the elimination of the term.</p> <p><b>Community Board #7Q</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 6/23/09</b></p>
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### ***SOC – CONTINUED HEARINGS***

2.	395-60-BZ	<p>Sheldon Lobel, P.C. 2557-2577 Linden Boulevard, Brooklyn</p> <p>Pursuant to ZR §11-411 and §11-413, Extension of Term (expired on December 9, 2005), waiver and Amendment for change of use from a (UG16) gasoline service station to (UG16) automotive repair establishment; to reduce the size of the subject lot and to request a UG6 designation for the convenience store, and an Extension of Time to obtain a Certificate of Occupancy which expired on January 19, 2000. R-5 zoning district.</p> <p><b>Community Board #5BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 8/11/09</b></p>
3.	303-99-BZ	<p>Vito J. Fossella, P.E. 2122 Richmond Avenue, Staten Island</p> <p>Extension of Time to obtain a Certificate of Occupancy which expired on September 12, 2004 and an amendment to legalize the change in use from the previously granted Auto Sales Establishment (UG16) to Commercial/Retail (UG6) in an R3-2 zoning district.</p> <p><b>Community Board #2SI</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 7/21/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, June 23, 2009

10:00 A.M.

### ***SOC – CONTINUED HEARINGS***

4.	23-06-BZ	Sheldon Lobel, P.C. <b>150-62 78<sup>th</sup> Road, Queens</b> Extension of Time/waiver to Complete Construction (which expired on July 2, 2008) and to obtain a Certificate of Occupancy (which expired on January 2, 2009) of a previously granted Variance (§72-21) for the expansion of an existing three story synagogue with accessory Rabbi's apartment in an R-4 zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 7/28/09</b>

### ***SOC – NEW CASES***

5.	441-31-BZ	Ian Peter Barnes <b>7702 Flatlands Avenue, Brooklyn</b> Extension of Term/waiver for a Gasoline Service Station with accessory convenience store in a C2-2/R5 zoning district which expired on April 26, 2007. <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Postponed, Hearing – 7/28/09</b>
6.	826-86-BZ thru 828-86-BZ	Eric Palatnik, P.C. <b>269-10, 270-10, 271-10 Grand Central Parkway, Queens</b> Extension of Term/Waiver for a Special Permit (§73-11), in an R3-2 zoning district, to allow non-accessory radio towers and transmitting equipment on the roof of a 33-story multiple dwelling ( <i>North Shore Towers</i> ) which expired on March 28, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on March 6, 2003; and an Amendment to eliminate the condition that a new Certificate of Occupancy be obtained. <b>Community Board #13Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 7/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, June 23, 2009

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
7.	149-01-BZ	Eric Palatnik, P.C. <b>88 Jane Street, Manhattan</b> Amendment to remove condition that a qualified senior citizen occupy one subsidized unit at a subsidized rate for a term of 10-years from the date of the issuance of the Certificate of Occupancy. <b>Community Board #2M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Postponed, Hearing – 9/22/09</b>
8.	246-01-BZ	Eric Palatnik, P.C. <b>35-11 Prince Street, Queens</b> Extension of Term/Waiver for a previously granted special permit (§73-36) which expired on June 1, 2008 for the operation of Physical Culture Establishment ( <i>Bodhi Fitness Center</i> ). M1-1/C2-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 7/28/09</b>
9.	29-05-BZ	Kramer Levin Naftalis & Frankel LLP <b>350 West Broadway, Manhattan</b> Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the development of an 10 story mixed-use building, in an M1-5A zoning district, which expires on October 18, 2009. <b>Community Board #2M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Withdrawn – 6/23/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, June 23, 2009  
10:00 A.M.

<b><i>APPEALS – DECISIONS</i></b>		
10.	293-08-A & 294-08-A	Juan D. Reyes, III, Riker Danzig <b>36-38/40 166<sup>th</sup> Street, Queens</b> Proposed construction of two semi-detached, two-family homes located within the bed of a mapped street, contrary to General City Law Section 35. R4 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:      Granted – 6/23/09</b>

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
11.	160-09-A	Eric Palatnik, P.C. <b>112-15 Northern Boulevard, Queens</b> Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior C2-4 /R6 zoning district. C2-4 /R6A zoning district. <b>Community Board #3Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status:      Granted – 6/23/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, June 23, 2009

10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
12.	62-08-A	Eric Palatnik, P.C. <b>398 Nugent Street, Staten Island</b> Proposed construction not fronting on a legally mapped street contrary to General City Law Section 36. R1-2 Zoning District. <b>Community Board #2SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 8/11/09</b>
13.	22-09-A	Gary D. Lenhart <b>663 Highland Place, Queens</b> Reconstruction and enlargement of an existing single family home located partially in the bed of a mapped street and the upgrade of an existing non complying private disposal system contrary to General City Law Section 35 and contrary to Department of Buildings Policy. R4 Zoning District. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 7/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 23, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	11-07-BZ	Dominick Salvati and Son Architects <b>41-06 Junction Boulevard, Queens</b> Variance (§72-21) to allow a five (5) story office building with ground floor retail, contrary to use regulations (§22-00). R6B district. <b>Community Board #4Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Withdrawn – 6/23/09</b>
2.	177-07-BZ	Sheldon Lobel, P.C./Manish S. Salvant <b>886 Glenmore Avenue, Brooklyn</b> Variance (§72-21) to construct a two story, two family residential building on a vacant corner lot. This application seeks to vary the front yard requirement on one street frontage (§23-45) in an R-5 zoning district. <b>Community Board #5BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 6/23/09</b>
3.	235-08-BZ	Eric Palatnik, P.C. <b>1508 Union Street, Brooklyn</b> Variance (§72-21) to permit the expansion of a Mikvah (UG 3). The proposal is contrary to ZR §33-12 (floor area ratio) and §33-431 (wall height and required setbacks). C2-3/R4 district. <b>Community Board #9BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 6/23/09</b>
4.	265-08-BZ	Herrick Feinstein LLP <b>70 Wyckoff Avenue, Brooklyn</b> Variance (§72-21) to allow for the legalization of residential units located in a manufacturing building, contrary to §42-00; M1-1 zoning district. <b>Community Board #4BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 6/23/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 23, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
5.	301-08-BZ	Fridman Saks LLP <b>2717 Quentin Road, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary floor area and lot coverage (§23-141), side yard (§23-461), perimeter wall height (§23-631(b)) and less than the minimum rear yard (§23-47) in an R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 6/23/09</b>
6.	10-09-BZ	Francis R. Angelino, Esq. <b>2307 Farragut Road/583 East 23<sup>rd</sup> Street, of Brooklyn</b> Variance (§72-21) to allow a community facility use/house of worship, contrary to front yard regulations, §24-34. R3-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 6/23/09</b>
7.	25-09-BZ	Law Office of Howard Goldman LLC <b>277 Canal Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of an existing physical culture establishment on the third floor of a three-story commercial building. The proposal is contrary to ZR §42-10. M1-5B zoning district. <b>Community Board #2M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 6/23/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 23, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
8.	63-08-BZ	Eric Palatnik, P.C. <b>116-33 Queens Boulevard, Queens</b> Special Permit (§73-244) to legalize an eating and drinking establishment with entertainment and a capacity of more than 200 persons with dancing within a C4-2 zoning district. <b>Community Board #6Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 8/11/09</b>
9.	241-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>546 Midland Avenue, a/k/a 287 Freeborn Street, Staten Island</b> Variance (§72-21) to permit a one-story commercial building (Use Group 6), contrary to §32-10. R3-1 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 7/28/09</b>
10.	297-08-BZ	Lewis E. Garfinkel <b>3496 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area (§23-141(a)); and rear yard (§23-47) requirements in an R2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/25/09</b>
11.	30-09-BZ	Sheldon Lobel, P.C. <b>136-33 37<sup>th</sup> Avenue, Queens</b> Special Permit (§73-44) to reduce the amount of required parking spaces for commercial and medical offices uses from 153 to 97 spaces. C4-3 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 7/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 23, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
12.	256-07-BZ	Rothkrug, Rothkrug & Spector <b>1978 Atlantic Avenue, Brooklyn</b> Variance (§72-21) to permit a proposed three-story and cellar residential building. The proposal is contrary to §42-00 (use regulations). M1-1 district. <b>Community Board #8BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 8/11/09</b>
13.	254-08-BZ	Eric Palatnik, P.C. <b>1214 East 15<sup>th</sup> Street, Brooklyn</b> Variance (§72-21) to legalize the use and enlargement of a Yeshiva ( <i>Yeshiva Ohr Yitzchok</i> ) contrary to §42-11 (use regulations), §43-122 (floor area), §43-43 (wall height, number of stories, and sky exposure plane). §43-301 (required open area). M1-1D zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 8/25/09</b>
14.	9-09-BZ	Gerald J. Caliendo, R.A. <b>63-03 Fresh Pond Road, Queens</b> Special Permit (§73-36) to allow a physical culture establishment in an existing one-story building. The proposal is contrary to §42-10. M1-1 zoning district. <b>Community Board #5Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 7/28/09</b>
15.	18-09-BZ	Stuart A. Klein <b>250 West 54<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of an existing physical culture establishment ( <i>Gold's Gym</i> ) on the first, second and third floors in an existing twelve-story building. The proposal is contrary to §32-10. C6-5, C6-7 and Special Midtown Districts. <b>Community Board #5M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 7/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, June 23, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>16.</b>	<b>23-09-BZ</b>	Eric Palatnik, P.C. <b>114 Amherst Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing two family home to be converted to a single family home. This application seeks to vary open space, lot coverage and floor area (§23-141(b)) and rear yard (§23-47) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 7/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, July 14, 2009

10:00 A.M.

### ***SOC – DECISIONS***

1.	55-01-BZ	Greenberg Traurig, LLP <b>568 Broadway, Manhattan</b> Extension of Term/waiver of a previously granted Special Permit (§73-36) for the continued operation of a physical culture establishment ( <i>Bliss Spa</i> ) located on portions of the second and third floors of an 11-story mixed use building in an M1-5B zoning district which expired on April 1, 2007. <b>Community Board #2M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Granted – 7/14/09</b>

### ***SOC – CONTINUED HEARINGS***

2.	336-98-BZ & 337-98-BZ	Rothkrug, Rothkrug & Spector LLP <b>312/18 &amp; 324/34 Flatbush Avenue, Brooklyn</b> Extension of term of a special permit (§73-36) authorizing a physical culture establishment ( <i>Crunch Fitness</i> ), Amendment to include additional area in the cellar and on the first floor and a change in operator; and extension of time to obtain a certificate of occupancy. C2-4 zoning district. <b>Community Board #6BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status:     Closed, Decision – 8/11/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, July 14, 2009  
10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
3.	198-66-BZ	Eric Palatnik, P.C. <b>300 East 74<sup>th</sup> Street, Manhattan</b> Extension of Time to complete substantial construction of an existing plaza for a residential building in a C1-9 zoning district which expires on July 28, 2009. <b>Community Board #8M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/11/09</b>
4.	200-00-BZ	Eric Palatnik, P.C. <b>107-24 37<sup>th</sup> Avenue, Queens</b> Extension of Time to obtain a Certificate of Occupancy for a Physical Culture Establishment ( <i>Squash Total Fitness</i> ), in a C1-4(R6B) zoning district, which expired on February 19, 2009. <b>Community Board #3Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 7/28/09</b>
5.	26-02-BZ	Walter T. Gorman, P.E. <b>1680 Richmond Avenue, Staten Island</b> Extension of Time to obtain a Certificate of Occupancy for a UG16 Gasoline Service Station ( <i>Mobil</i> ), in a C1-2(R3X) zoning district, which expires on July 13, 2009. <b>Community Board #2SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 7/28/09</b>
6.	322-05-BZ	Eric Palatnik, P.C. <b>69-69 Main Street, Queens</b> Extension of Time to Complete Construction of a previously granted Variance (§72-21) for an enlargement of a single family home and the change in use from Residential to Community Use Facility ( <i>Queens Jewish Community Council</i> ), located in an R4B zoning district, which will expire on March 7, 2010. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 7/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, July 14, 2009

10:00 A.M.

### ***APPEALS – DECISIONS***

7.	4-09-A	New York City Department of Buildings <b>27-02 Queens Plaza South, Queens</b> An appeal filed by the Department of Buildings seeking to amend the Certificate of Occupancy to remove the reference to "Adult Establishment" use on the second floor. M1-6/R-10 Special Mixed Use district. <b>Community Board #1Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Granted – 7/14/09</b>
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### ***APPEALS – CONTINUED HEARINGS***

8.	140-08-BZY	Eric Palatnik, P.C. <b>1016 East 13<sup>th</sup> Street, Brooklyn</b> Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R5 zoning district. <b>Community Board #14BK</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Adjourned, Continued Hearing – 8/25/09</b>
9.	313-08-A	Law Office of Howard Goldman, LLC <b>363-371 Lafayette Street, Manhattan</b> Appeal to Department of Building's refusal to revoke permits and approvals for a six-story commercial building. M1-5B zoning district. <b>Community Board #2M</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Adjourned, Continued Hearing – 10/27/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, July 14, 2009  
10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
10.	317-08-A	Margaret R. Garcia, AIA <b>124 Montgomery Avenue, Staten Island</b> Proposed construction of a four-story dwelling located within the bed of a mapped street, contrary to General City Law Section 35. R5 District. <b>Community Board #1SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Postponed, Hearing – 8/25/09</b>
11.	165-09-A	Law Office of Howard Goldman <b>150 Hendricks Avenue, Staten Island</b> Appeal seeking a determination that the owner has acquired common law vested rights for a development commenced under the prior R4 zoning district regulations. Current R3 zoning district. <b>Community Board #1SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 8/28/09</b>
12.	172-09-A	Gary D. Lenhart <b>10 Gotham Walk, Queens</b> Reconstruction and enlargement of a single family dwelling not fronting on a legally mapped street, contrary to General City Law Section 36, and proposed upgrade of existing non complying private disposal located partly in the bed of the service road, contrary to Department of Building Policy. R4 district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Postponed, Hearing – 7/28/09</b>
13.	191-09-A	Michael T. Cetera, AIA <b>1291 Carroll Street, Brooklyn</b> Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced prior to the text amendment of April 30, 2008. R2 zoning district. <b>Community Board #9BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 7/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, July 14, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	222-07-BZ	Stuart A. Klein, Esq. <b>110 West 26<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to legalize residential uses on the second and third floor of an existing building. M1-6 District. <b>Community Board #4M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 7/14/09</b>
2.	99-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>102 Drumgoole Road, Staten Island</b> Variance (§72-21) to construct a three-story single family home, contrary to rear yard requirement (§23-47) in an R3-2/SRD zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 7/14/09</b>
3.	259-08-BZ	Jeffrey A. Chester, Esq. <b>242-02 61<sup>st</sup> Avenue, Queens</b> Variance (§72-21) to permit the proposed expansion of a supermarket use. The proposal is contrary to ZR §52-41. R4 district. <b>Community Board #11Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 7/14/09</b>
4.	295-08-BZ	Akerman Senterfitt Stadtmauer Bailkin <b>1934 East 26<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary lot coverage and floor area (§23-141), side yards (§23-461) and does not comply with the required perimeter wall height (§23-631) in an R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 7/14/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, July 14, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
5.	15-09-BZ	Francis R. Angelino, Esq. <b>8-10 Astor Place, Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment ( <i>David Barton Gym</i> ) on portions of the sub-cellar, cellar and ground floors and entire second floor in an existing seven-story commercial building. M1-5B district. <b>Community Board #2M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 7/14/09</b>
6.	36-09-BZ	Metro PCS New York, LLC <b>53-01 32<sup>nd</sup> Avenue, Queens</b> Special Permit (§§73-03, 73-30) to allow a non-accessory radio tower on the rooftop of an existing building with all accessory equipment. R5 district. <b>Community Board #1Q</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Granted – 7/14/09</b>
7.	52-09-BZ	Dennis Dell'Angelo <b>1438 East 26<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space, floor area (§23-141) and rear yard (§23-47) regulations. R2 district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 7/14/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, July 14, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
8.	139-07-BZ	<p>Mitchell S. Ross, Esq.  <b>328 Jackson Avenue, Bronx</b>  Variance (§72-21) to permit the development of a two-story and cellar, two-family residence on a vacant lot. The proposal is contrary to §42-10. M1-2 zoning district.  <b>Community Board #1BX</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 8/28/09</b>
9.	203-07-BZ	<p>Sheldon Lobel, P.C.  <b>137-35 Elder Avenue, Queens</b>  Variance (§72-21) to allow a new 13-story mixed-use building containing 20 dwelling units, ground floor retail and community facility (medical) uses; contrary to bulk and parking regulations (§35-311 &amp; §36-21). R6/C2-2 zoning district.  <b>Community Board #7Q</b></p>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Adjourned, Continued Hearing 7/21/09</b>
10.	97-08-BZ	<p>Eric Palatnik, P.C.  <b>84 Sanford Street, Brooklyn</b>  Special Permit (§73-19) to allow the legalization of an existing school (<i>Central UTA</i>) (UG 3). M1-1 district.  <b>Community Board #3BK</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 8/25/09</b>
11.	100-08-BZ & 101-08-A	<p>Rothkrug, Rothkrug &amp; Spector, LLP  <b>205 Wolverine Street, Staten Island</b>  Variance (§72-21) for the construction of a two-story with basement single family residence, contrary to front yard regulations (§23-45) in an R2 zoning district, and within the bed of a mapped, unbuilt street, contrary to General City Law Section 35.  <b>Community Board #3SI</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/18/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, July 14, 2009

1:30 P.M.

<b>BZ – CONTINUED HEARINGS</b>		
12.	188-08-BZ	<p>Rizzo Group, LLP  <b>35 East 76<sup>th</sup> Street, (975-983 Madison; 981 Madison; 35-53 East 76<sup>th</sup> Street) Manhattan</b>                      Special Permits (§73-36 &amp; §73-52) to allow the legalization of a Physical Culture Establishment (<i>Carlyle Hotel</i>) and to extend this use into an R8B district, contrary to ZR §32-10. C5-1/R8B zoning districts.  <b>Community Board #8M</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Withdrawn – 7/14/09</b>
13.	210-08-BZ	<p>Sheldon Lobel, P.C.  <b>130-15 89<sup>th</sup> Road, Queens</b>                      Variance (§72-21) to permit two-story enlargement to an existing two-story building for a UG 3 drug treatment facility with sleeping accommodations (<i>Samaritan Village</i>), contrary to use regulations (ZR §43-00) in an M1-1 district.  <b>Community Board #9Q</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 8/25/09</b>
14.	229-08-BZ	<p>Sheldon Lobel, P.C.  <b>866 East 8th Street, Brooklyn</b>                      Variance (§72-21) for the construction of a new single family home. This applications seeks to vary floor area (§23-141), less than the minimum side yards (§23-461) and the location of the required off street parking to the front yard (§25-62) in an R2X zoning district.  <b>Community Board #12BK</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 8/11/09</b>
15.	7-09-BZ	<p>Law Office of Fredrick A. Becker  <b>1082 East 26<sup>th</sup> Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area (§23-141), side yards (§23-461) and rear yard (§23-47) in an R-2 zoning district.  <b>Community Board #14Q</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/11/09</b>

### \*\*\*DISCLAIMER\*\*\*

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, July 14, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

16.	42-09-BZ	Francis R. Angelino, Esq. <b>441-477 Prospect Avenue, Brooklyn</b> Special Permit (§11-411 & §11-412) for re-instatement of a variance (expired July 12, 1992) which allowed the extension of a legal non conforming use (commercial laundry) within a residential zoning district. The application seeks an amendment to allow for a one-story enlargement. R5B zoning district. <b>Community Board #7BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 8/11/09</b>
17.	50-09-BZ	Eric Palatnik, P.C. <b>29 West 35<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment ( <i>Warrior Fitness Boot Camp</i> ) on the third floor in a twelve-story building. The proposal is contrary to ZR §42-10. M1-6 zoning district. <b>Community Board #5M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 8/11/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, July 14, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
18.	46-09-BZ	Eric Palatnik, P.C. <b>122 Oxford Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary floor area, lot coverage and open space (§23-141(b)); side yards (§23-461) and rear yard (§23-47) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/11/09</b>
19.	56-09-BZ	Omnipoint Communications, Inc. <b>6736 Hylan Boulevard, Staten Island</b> Special Permit (§73-30) to allow a proposed non-accessory radio tower and related equipment. R3X zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Continued Hearing – 9/22/09</b>
20.	168-09-BZ	Lewis E. Garfinkel R.A. <b>1435 &amp; 1437 East 26<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to combine two semi-attached homes to create one single family home that varies in floor area and open space (ZR §23-141(a)) and less than the required rear yard (ZR §23-47) in an R-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/11/09</b>
21.	177-09-BZ	Wachtel & Masyr LLP <b>40-22 College Point Boulevard, Queens</b> Special Permit (§73-66) for a waiver of Restriction on Highest Projection of Building or Structure (ZR §61-21) for six residential towers. R6/C4-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 8/11/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, July 21, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	174-96-BZ	<p>Sheldon Lobel, P.C. <b>1108/10 Allerton Avenue, Bronx</b> Extension of Term and Waiver for a previously granted variance of an existing food products manufacturing establishment (UG 17B) within a R4 zoning district. <b>Community Board #11BX</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 7/21/09</b></p>
2.	303-99-BZ	<p>Vito J. Fossella, P.E. <b>2122 Richmond Avenue, Staten Island</b> Extension of Time to obtain a Certificate of Occupancy which expired on September 12, 2004 and an amendment to legalize the change in use from the previously granted Auto Sales Establishment (UG16) to Commercial/Retail (UG6) in an R3-2 zoning district. <b>Community Board #2SI</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 7/21/09</b></p>

<b><i>SOC – CONTINUED HEARINGS</i></b>		
3.	55-97-BZ	<p>Sheldon Lobel, P.C. <b>76-36 164<sup>th</sup> Street, Queens</b> Extension of Term of a variance and Extension of Time to obtain a Certificate of Occupancy allowing the continued operation of an automotive repair shop (UG 16) located in a C2-2/R3-2 zoning district. <b>Community Board #8Q</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Continued Hearing – 7/28/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, July 21, 2009  
10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
4.	853-53-BZ	Walter T. Gorman, P.E. <b>2402/16 Knapp Street, Brooklyn</b> Extension of Term to permit the continued operation of a gasoline service station ( <i>Mobil</i> ) which expires on October 23, 2009 in R3-2/C2-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 8/11/09</b>
5.	709-55-BZ	Walter T. Gorman, P.E. <b>2000 Rockaway Parkway, Brooklyn</b> Extension of Time to obtain a Certificate of Occupancy for a Gasoline Service Station ( <i>Mobil</i> ), in a C1-2/R4 zoning district, which expired on March 24, 2009. <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 8/18/09</b>
6.	32-91-BZ	Walter T. Gorman, P.E., <b>838/846 Fulton Street, Brooklyn</b> Extension of Term and waiver of a Special Permit for a (UG16) Gasoline Service Station ( <i>Coastal</i> ) in a C2-4/R7A zoning district which expired on May 19, 2007. <b>Community Board #2BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/18/09</b>
7.	203-00-BZ	Jay A. Segal, Greenberg Traurig, LLP <b>603 Greenwich Street, aka 43 Clarkson Street, Manhattan</b> Application to amend variance to permit the conversion of the second floor from commercial to residential use. The proposal is contrary to sections §42-10 (use) and §42-133 (no new dwelling units allowed). M1-5 district. <b>Community Board #2M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 8/11/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, July 21, 2009

10:00 A.M.

<i><b>SOC – NEW CASES</b></i>		
<b>8.</b>	<b>327-04-BZ</b>	Sheldon Lobel, P.C. <b>66-35 108<sup>th</sup> Street, Queens</b> Extension of Time to Complete Construction and Extension of Time to obtain a Certificate of Occupancy of a previously granted Variance for the enlargement of an existing Synagogue and School (Beth Gavriel), in an R1-2 zoning district, which expired on June 7, 2009. <b>Community Board #6Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/18/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, July 21, 2009

10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
9.	296-08-A	Gerald J. Caliendo, R.A., <b>45-02 111<sup>th</sup> Street, Queens</b> Proposed four-story, six-family dwelling with a community facility use located within the bed of a mapped street, contrary to General City Law, Section 35. R6B Zoning District. <b>Community Board #4Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 9/15/09</b>
10.	179-09-A	Eric Palatnik, P.C. <b>252-02 Rockaway Boulevard, Queens</b> Proposed construction of a one-story extension to an existing commercial building not fronting on a mapped street, contrary to General City Law, Section 36. <b>Community Board #13Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 8/11/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, July 21, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	287-06-BZ	Sheldon Lobel, P.C. <b>32-12 23<sup>rd</sup> Street, Queens</b> Variance (§72-21) to allow a residential/community facility building contrary to yard regulations. R5 zoning district. <b>Community Board #1Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Denied – 7/21/09</b>
2.	228-08-BZ	Law Office of Fredrick A. Becker <b>2802 Avenue R, Brooklyn</b> Variance (§72-21) to permit the construction of a one-story mikvah (ritual bath). The proposal is contrary to ZR §24-34 (front yards) and §24-35 (side yards). R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 7/21/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, July 21, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

3.	203-07-BZ	<p>Sheldon Lobel, P.C.  <b>137-35 Elder Avenue, Queens</b>  Variance (§72-21) to allow a new 13-story mixed-use building containing 20 dwelling units, ground floor retail and community facility (medical) uses; contrary to bulk and parking regulations (§35-311 &amp; §36-21). R6/C2-2 zoning district.  <b>Community Board #7Q</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Closed, Decision – 8/25/09</b></p>
4.	173-08-BZ	<p>Rothkrug Rothkrug &amp; Spector, LLP  <b>42-59 Crescent Street, Queens</b>  Variance (§72-21) to allow a 12-story hotel building containing 99 hotel rooms; contrary to bulk regulations (§117-522). M1-5/R7-3 Special Long Island City Mixed Use District, Queens Plaza Subdistrict Area C.  <b>Community Board #2Q</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Closed, Decision – 8/25/09</b></p>
5.	266-08-BZ	<p>Lewis E. Garfinkel R.A.  <b>2007 New York Avenue, Brooklyn</b>  Special Permit (§73-621) for the enlargement of an existing single family home. This application seeks to vary §34-141(b) as the proposed floor area ratio (FAR) exceeds what is permitted in an R-4 zoning district.  <b>Community Board #18BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 8/11/09</b></p>
6.	288-08-BZ	<p>Jeffrey Geary  <b>2955 Veterans Road West, Staten Island</b>  Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>Costanzo's Martial Arts Studio</i>) on the second floor of a two-story commercial building. M1-1 district.  <b>Community Board #1SI</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Closed, Decision – 8/18/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, July 21, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
7.	314-08-BZ	Kramer Levin Naftalis & Frankel, LLP <b>437-447 West 13<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to allow for the construction of a 12-story commercial building contrary to bulk regulations §43-12, §43-43, §43-26 and use regulations §42-12. M1-5 District. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Adjourned, Continued Hearing – 8/11/09</b>
8.	13-09-BZ	Moshe M. Friedman, P.E. <b>5611 21<sup>st</sup> Avenue, Brooklyn</b> Variance (§72-21) to permit a synagogue contrary to bulk regulations (ZR §24-34, §24-35, §24-11). R5 district. <b>Community Board #12BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 8/18/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, July 21, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
9.	197-08-BZ	<p>Stuart A. Klein  <b>341/349 Troy Avenue, aka 1515 Carroll Street, Brooklyn</b>  Variance (§72-21) to permit a four-story and penthouse residential building. The proposal is contrary to §23-141 (Floor Area, FAR &amp; Open Space Ratio), §23-22 (Number of Dwelling Units), §23-45 (Front Yard), §23-462 (Side Yard), and §23-631 (Wall Height). R4 district.  <b>Community Board #9BK</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 9/15/09</b>
10.	49-09-BZ	<p>Law Office of Fredrick A. Becker  <b>1323 East 32<sup>nd</sup> Street, Brooklyn</b>  Variance (§72-21) to permit the enlargement of a synagogue contrary to side yard regulations (§24-35(a)). R4 district.  <b>Community Board #18BK</b></p>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 8/25/09</b>
11.	164-09-BZ	<p>Eric Palatnik, P.C.  <b>124 Irwin Street, Brooklyn</b>  Special Permit (§73-622) for the enlargement of an existing two-family home. This application seeks to vary floor area, lot coverage and open space (§23-141) and less than the required rear yard (ZR §23-47) in an R3-1 zoning district.  <b>Community Board#15BK</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/25/09</b>
12.	171-09-BZ	<p>James Chin &amp; Associates, LLC  <b>325 Fifth Avenue, Manhattan</b>  Special Permit (§73-36) to allow the legalization of a physical culture establishment on a portion of the first floor in an existing 42-story mixed-use building. The proposal is contrary to section 32-10. C5-2 district.  <b>Community Board #5M</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 8/18/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, July 21, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>13.</b>	<b>184-09-BZ</b>	Law Office of Fredrick A. Becker <b>4072 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space, lot coverage and floor area (§23-141); side yards (§23-461) and rear yard (§23-47) in an R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/11/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, July 28, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	200-00-BZ	Eric Palatnik, P.C. <b>107-24 37<sup>th</sup> Avenue, Queens</b> Extension of Time to obtain a Certificate of Occupancy for a Physical Culture Establishment ( <i>Squash Total Fitness</i> ), in a C1-4(R6B) zoning district, which expired on February 19, 2009. <b>Community Board #3Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 7/28/09</b>
2.	26-02-BZ	Walter T. Gorman, P.E. <b>1680 Richmond Avenue, Staten Island</b> Extension of Time to obtain a Certificate of Occupancy for a UG16 Gasoline Service Station ( <i>Mobil</i> ), in a C1-2(R3X) zoning district, which expires on July 13, 2009. <b>Community Board #2SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 7/28/09</b>
3.	322-05-BZ	Eric Palatnik, P.C. <b>69-69 Main Street, Queens</b> Extension of Time to Complete Construction of a previously granted Variance (§72-21) for an enlargement of a single family home and the change in use from Residential to Community Use Facility ( <i>Queens Jewish Community Council</i> ), located in an R4B zoning district, which will expire on March 7, 2010. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 7/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, July 28, 2009  
10:00 A.M.

<b><i>SOC – CONTINUED HEARINGS</i></b>		
4.	826-86-BZ thru 828-86-BZ	Eric Palatnik, P.C. <b>269-10, 270-10, 271-10 Grand Central Parkway, Queens</b> Extension of Term/Waiver for a Special Permit (73-11), in an R3-2 zoning district, to allow non-accessory radio towers and transmitting equipment on the roof of a 33-story multiple dwelling ( <i>North Shore Towers</i> ) which expired on March 28, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on March 6, 2003; and an Amendment to eliminate the condition that a new Certificate of Occupancy be obtained. <b>Community Board #13Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 9/15/09</b>
5.	55-97-BZ	Sheldon Lobel, P.C. <b>76-36 164<sup>th</sup> Street, Queens</b> Extension of Term of a variance and Extension of Time to obtain a Certificate of Occupancy allowing the continued operation of an automotive repair shop (UG 16) located in a C2-2/R3-2 zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 8/18/09</b>
6.	246-01-BZ	Eric Palatnik, P.C. <b>35-11 Prince Street, Queens</b> Extension of Term/Waiver for a previously granted special permit (§73-36) which expired on June 1, 2008 for the operation of Physical Culture Establishment ( <i>Bodhi Fitness Center</i> ). M1-1/C2-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Adjourned, Continued Hearing – 8/11/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, July 28, 2009

10:00 A.M.

### ***SOC – CONTINUED HEARINGS***

7.	23-06-BZ	Sheldon Lobel, P.C.
		150-62 78 <sup>th</sup> Road, Queens
		Extension of Time/waiver to Complete Construction (which expired on July 2, 2008) and to obtain a Certificate of Occupancy (which expired on January 2, 2009) of a previously granted Variance (§72-21) for the expansion of an existing three story synagogue with accessory Rabbi's apartment in an R-4 zoning district.
		Community Board #8Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 8/18/09

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, July 28, 2009  
10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
8.	441-31-BZ	Ian Peter Barnes 7702 Flatlands Avenue, Brooklyn Extension of Term/waiver for a Gasoline Service Station with accessory convenience store in a C2-2/R5 zoning district which expired on April 26, 2007. <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/18/09</b>
9.	271-81-BZ	Mitchell S. Ross, Esq. 110/112 West 56 <sup>th</sup> Street, Manhattan Extension of Term, waiver and amendment of a special permit for a physical culture establishment. <b>Community Board #5M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 8/25/09</b>
10.	128-04-BZ	Marvin B. Mitzner, Esq. 162-168 East 68 <sup>th</sup> Street, Manhattan Extension of Time to Complete Construction and to obtain a Certificate of Occupancy/waiver to a previously granted Variance for the enlargement of an existing school, in an R8B zoning district, which expired on December 14, 2008. <b>Community Board #8M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 8/18/09</b>
11.	197-05-BZ	Marvin Mitzner, Esq. 813/815 Broadway, Manhattan Amendment to a previously-granted variance to allow full commercial coverage on the ground floor and an increase in commercial FAR in a mixed use building. Zoning District C6-1. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 8/25/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, July 28, 2009  
10:00 A.M.

<b><i>APPEALS – DECISIONS</i></b>		
12.	165-09-A	Law Office of Howard Goldman <b>150 Hendricks Avenue, Staten Island</b> Appeal seeking a determination that the owner has acquired common law vested rights for a development commenced under the prior R4 zoning district regulations. Current R3 zoning district. <b>Community Board #1SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 7/28/09</b>
13.	191-09-A	Michael T. Cetera, AIA <b>1291 Carroll Street, Brooklyn</b> Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced prior to the text amendment of April 30, 2008. R2 zoning district. <b>Community Board #9BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 7/28/09</b>

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
14.	22-09-A	Gary D. Lenhart <b>663 Highland Place, Queens</b> Reconstruction and enlargement of an existing single family home located partially in the bed of a mapped street and the upgrade of an existing non complying private disposal system contrary to General City Law Section 35 and contrary to Department of Buildings Policy. R4 Zoning District. <b>Community Board#14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 7/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, July 28, 2009  
10:00 A.M.

<b>APPEALS – NEW CASES</b>		
15.	83-08-A	<p>NYC Department of Buildings <b>3218 Emmons Avenue, Brooklyn</b> An appeal seeking to revoke Certificate of Occupancy due to failure to comply with ZR §62-711 (waterfront certification) and the failure to comply with ZR §12-10(d) in the formation of the zoning lot. R5/Sheepshead Bay District. <b>Community Board #15BK</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Postponed, Hearing – 12/15/09</b></p>
16.	55-09-A	<p>Gary D. Lenhart <b>1 Kildare Walk, Queens</b> Proposed reconstruction and enlargement of an existing single family dwelling partially in the bed of a mapped street, contrary to Article 3, Section 35 of the General City Law, and proposed upgrade of an existing private disposal system in the bed of service road, contrary to Department of Building policy. R4 Zoning District. <b>Community Board #14Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 7/28/09</b></p>
17.	172-09-A	<p>Gary D. Lenhart <b>10 Gotham Walk, Queens</b> Reconstruction and enlargement of a single family dwelling not fronting on a legally mapped street, contrary to General City Law Section 36, and proposed upgrade of existing private disposal located partly in the bed of the service road, contrary to Department of Building Policy. R4 district. <b>Community Board #14Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 7/28/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, July 28, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	18-09-BZ	Stuart A. Klein <b>250 West 54<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of an existing physical culture establishment ( <i>Gold's Gym</i> ) on the first, second and third floors in an existing twelve-story building. The proposal is contrary to §32-10. C6-5, C6-7 and Special Midtown Districts. <b>Community Board #5M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 7/28/09</b>
2.	30-09-BZ	Sheldon Lobel, P.C. <b>136-33 37<sup>th</sup> Avenue, Queens</b> Special Permit (§73-44) to reduce the amount of required parking spaces for commercial and medical offices uses from 153 to 97 spaces. C4-3 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 7/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, July 28, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
3.	169-08-BZ	James Chin & Associates, LLC <b>46 Laight Street, Manhattan</b> Variance (§72-21) to allow the redevelopment of an commercial building for residential use. Six residential floors and six dwelling units are proposed; contrary to use regulations (§42-00 & §111-104 (e)). M1-5 (TMU- Area B-2) district. <b>Community Board #1M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 8/25/09</b>
4.	241-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>546 Midland Avenue, a/k/a 287 Freeborn Street, Staten Island</b> Variance (§72-21) to permit a one-story commercial building (Use Group 6), contrary to §32-10. R3-1 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 9/22/09</b>
5.	260-08-BZ	Eric Palatnik, P.C. <b>148 Oxford Street, Brooklyn</b> Special Permit (§73-622) for legalization and enlargement of a single family home. This application seeks to vary floor area (§23-141) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Adjourned, Continued Hearing – 8/25/09</b>
6.	9-09-BZ	Gerald J. Caliendo, R.A. <b>63-03 Fresh Pond Road, Queens</b> Special Permit (§73-36) to allow a physical culture establishment in an existing one-story building. The proposal is contrary to §42-10. M1-1 zoning district. <b>Community Board #5Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 8/25/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, July 28, 2009  
1:30 P.M.

## ***BZ – CONTINUED HEARINGS***

7.	23-09-BZ	Eric Palatnik, P.C. <b>114 Amherst Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing two family home to be converted to a single family home. This application seeks to vary open space, lot coverage and floor area (§23-141(b)) and rear yard (§23-47) in an R3-1 zoning district. <b>Community Board#15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Adjourned, Continued Hearing – 8/25/09</b>

## ***BZ – NEW CASES***

8.	53-09-BZ	Harold Weinberg, P.E. <b>540 Schenck Avenue, Brooklyn</b> Variance (§72-21) for the construction of a three-family home on a vacant undersized lot. This application seeks to vary floor area (§23-141); front yard (§23-45) side yard (§23-461) and parking (§25-161) in an R5 zoning district. <b>Community Board #5BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 9/22/09</b>
9.	161-09-BZ	Rizzo Group <b>580 Carroll Street, Brooklyn</b> Variance (§72-21) for the development of two residential buildings contrary to bulk regulations (ZR §23-533, §23-145, §23-711, §23-861). R6B District. <b>Community Board #6BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 9/15/09</b>
10.	176-09-BZ	Bryan Cave LLP/Margery Purlmutter <b>220-236 West 28<sup>th</sup> Street, Manhattan</b> Special Permit (§73-64) to waive height and setback regulations (§33-432) for a community facility building ( <i>Fashion Institute of Technology</i> ). C6-2 District. <b>Community Board #5M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 9/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, August 11, 2009

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	853-53-BZ	Walter T. Gorman, P.E. <b>2402/16 Knapp Street, Brooklyn</b> Extension of Term to permit the continued operation of a gasoline service station ( <i>Mobil</i> ) which expires on October 23, 2009. R3-2/C2-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 8/11/09</b>
2.	336-98-BZ & 337-98-BZ	Rothkrug, Rothkrug & Spector LLP <b>312/18 &amp; 324/34 Flatbush Avenue, Brooklyn</b> Extension of Term of a special permit (§73-36) authorizing a physical culture establishment ( <i>Crunch Fitness</i> ), Amendment to include additional area in the cellar and on the first floor and a change in operator; and Extension of Time to obtain a certificate of occupancy. C2-4 zoning district. <b>Community Board #6BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 8/11/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, August 11, 2009

10:00 A.M.

### ***SOC – CONTINUED HEARINGS***

3.	395-60-BZ	<p>Sheldon Lobel, P.C.  <b>2557-2577 Linden Boulevard, Brooklyn</b>                      Extension of Term (§11-411, §11-413) for change of use from a gasoline service station (UG16) to automotive repair establishment (UG16), which expired on December 9, 2005;                      Amendment to reduce the size of the subject lot and to request a UG6 designation for the convenience store; and an Extension of Time to obtain a certificate of occupancy which expired on January 19, 2000. R5 zoning district  <b>Community Board #5BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 9/22/09</b></p>
4.	198-66-BZ	<p>Eric Palatnik, P.C.  <b>300 East 74<sup>th</sup> Street, Manhattan</b>                      Extension of Time to complete substantial construction of an existing plaza for a residential building which expires on July 28, 2009. C1-9 zoning district  <b>Community Board #8M</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 8/25/09</b></p>
5.	203-00-BZ	<p>Greenberg Taurig, LLP  <b>603 Greenwich Street, aka 43 Clarkson Street, Manhattan</b>                      Amendment of variance (§72-21) which allowed conversion of upper floors of building from commercial to residential.                      Amendment would permit the conversion of the second floor from commercial to residential use. M1-5 zoning district.  <b>Community Board #2M</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Closed, Decision – 8/25/09</b></p>
6.	246-01-BZ	<p>Eric Palatnik, P.C.  <b>35-11 Prince Street, Queens</b>                      Extension of Term/Waiver for a previously granted special permit (§73-36) which expired on June 1, 2008 for the operation of Physical Culture Establishment (<i>Bodhi Fitness Center</i>). M1-1/C2-2 zoning district.  <b>Community Board #7Q</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Closed, Decision – 8/25/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, August 11, 2009

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
7.	719-56-BZ	Walter T. Gorman, P.E. <b>2525 Victory Boulevard, Staten Island</b> Extension of Time to obtain a certificate of occupancy for a Gasoline Service Station ( <i>Mobil</i> ), which expires on November 10, 2009. C2-1/R3-2 zoning district. <b>Community Board #1SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 9/15/09</b>
8.	261-98-BZ	Sheldon Lobel, P.C. <b>193 20<sup>th</sup> Street, Brooklyn</b> Extension of Term of a variance (§72-21) for a UG16A warehouse for HVAC related uses in a residential district which expired on April 20, 2009; Amendment for the addition of a mezzanine level within the existing building. R6B zoning district. <b>Community Board #7BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 9/15/09</b>
9.	269-98-BZ	Mothiur Rahman <b>70 East 184th Street, Bronx</b> Extension of Time to complete construction of a variance (§72-21) for a two story building for commercial use (UG 6) in a residential district. R8 zoning district. <b>Community Board #5BX</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 8/25/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, August 11, 2009

10:00 A.M.

### ***APPEALS – DECISIONS***

10.	179-09-A	Eric Palatnik, P.C.
		<b>252-02 Rockaway Boulevard, Queens</b>
		Proposed construction of a one-story extension to an existing commercial building not fronting on a mapped street, contrary to General City Law, Section 36. M1-1 zoning district
		<b>Community Board #13Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 8/11/09</b>

### ***APPEALS – CONTINUED HEARINGS***

11.	62-08-A	Eric Palatnik, P.C.
		<b>398 Nugent Street, Staten Island</b>
		Proposed construction not fronting on a legally mapped street, contrary to General City Law, Section 36. R1-2 zoning district.
		<b>Community Board #2SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 9/22/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, August 11, 2009

10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
12.	45-09-A	Eric Palatnik, P.C. <b>142-19 Cherry Avenue, Queens</b> Appeal for a common law vested right to continue construction commenced under the prior R7-1/C1-2 zoning district. R7B/C1-3 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 8/25/09</b>
13.	167-09-A	Harold Weinberg, P.E. <b>820 39<sup>th</sup> Street, Brooklyn</b> Appeal challenging Department of Building's determination that the reconstruction of non-complying building must be done in accordance with §54-41 and be required to provide a 30 foot rear yard. M1-2 zoning district. <b>Community Board #12BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 9/22/09</b>
14.	196-09-BZY	Ping C. Moy <b>174 and 176 Clermont Avenue, Brooklyn</b> Application to complete construction of a minor development (§11-332) commenced under the prior R6 zoning district. R6B zoning district <b>Community Board #2BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 8/25/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, August 11, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	139-07-BZ	Mitchell S. Ross, Esq. <b>328 Jackson Avenue, Bronx</b> Variance (§72-21) to permit the development of a two-story and cellar, two-family residence on a vacant lot, contrary to use regulations (§42-10). M1-2 zoning district. <b>Community Board #1BX</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 8/11/09</b>
2.	63-08-BZ	Eric Palatnik, P.C. <b>116-33 Queens Boulevard, Queens</b> Special Permit (§73-244) to legalize an eating and drinking establishment with entertainment and a capacity of more than 200 persons with dancing. C4-2 zoning district. <b>Community Board #6Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 9/15/09</b>
3.	229-08-BZ	Sheldon Lobel, P.C. <b>866 East 8th Street, Brooklyn</b> Variance (§72-21) for the construction of a new single family home, contrary to floor area (§23-141), side yards (§23-461) and off street parking (§25-62) regulations. R2X zoning district. <b>Community Board #12BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 8/11/09</b>
4.	266-08-BZ	Lewis E. Garfinkel R.A. <b>2007 New York Avenue, Brooklyn</b> Special Permit (§73-621) for the enlargement of an existing single family home, contrary to FAR (§23-141(b)). R-4 zoning district. <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 8/11/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, August 11, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
5.	42-09-BZ	Francis R. Angelino, Esq. <b>441-477 Prospect Avenue, Brooklyn</b> Special Permit (§11-411 & §11-412) for re-instatement of a variance (expired July 12, 1992) which allowed the extension of a legal non conforming commercial laundry use ( <i>Arrow Linen Supply</i> ) within a residential zoning district. The application seeks an amendment to allow for a one-story enlargement. R5B zoning district. <b>Community Board #7BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 8/11/09</b>
6.	50-09-BZ	Eric Palatnik, P.C. <b>29 West 35<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment ( <i>Warrior Fitness Boot Camp</i> ) on the third floor in a twelve-story building. M1-6 zoning district. <b>Community Board #5M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 8/11/09</b>
7.	177-09-BZ	Wachtel & Masyr LLP <b>40-22 College Point Boulevard, Queens</b> Special Permit (§73-66) to allow six-story residential building, contrary to height regulations around airports (ZR §61-21). R6/C4-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 8/11/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, August 11, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
8.	256-07-BZ	Rothkrug, Rothkrug & Spector <b>1978 Atlantic Avenue, Brooklyn</b> Variance (§72-21) to permit a three-story, five-unit residential building, contrary to use regulations (§42-00). M1-1 zoning district. <b>Community Board # 8BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 9/15/09</b>
9.	234-08-BZ	Eric Palatnik, P.C. <b>1702 Avenue Z, Brooklyn</b> Special Permit (§73-36) to allow proposed Physical Culture Establishment at the cellar and a portion of the first and second floors in a seven-story mixed-use building. C4-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Withdrawn – 8/11/09</b>
10.	314-08-BZ	Kramer Levin Naftalis & Frankel, LLP <b>437-447 West 13<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to allow for the construction of a 12-story commercial building (office and UG10 retail), contrary to FAR, height and setback and rear yard regulations (§43-12, §43-43, §43-26) and use regulations (§42-12). M1-5 zoning district. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 9/22/09</b>
11.	7-09-BZ	Law Office of Fredrick A. Becker <b>1082 East 26<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141), side yards (§23-461) and rear yard (§23-47) regulations. R-2 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 9/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, August 11, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
12.	46-09-BZ	Eric Palatnik, P.C. <b>122 Oxford Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, lot coverage and open space (§23-141(b)), side yards (§23-461) and rear yard (§23-47) regulations. R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 9/15/09</b>
13.	168-09-BZ	Lewis E. Garfinkel R.A. <b>1435 &amp; 1437 East 26<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) to combine two semi-attached homes to create one single family home, contrary to floor area and open space (ZR §23-141(a)), and rear yard (ZR §23-47) regulations. R2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Hearing – 9/15/09</b>
14.	184-09-BZ	Law Office of Fredrick A. Becker <b>4072 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space, lot coverage and floor area (23-141); side yards (23-461) and rear yard (23-47) regulations. R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/25/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, August 11, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
15.	195-07-BZ	Greenberg Traurig <b>8-12 Bond Street, Manhattan</b> Variance (§72-21) to allow hotel and retail uses below the floor level of the second story, contrary to use regulations (§42-14(d)(2)). M1-5B zoning district. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 10/6/09</b>
16.	51-09-BZ	Eric Palatnik, P.C., <b>2032 East 17<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the legalization of an enlargement to an existing single family home, contrary to side yard requirements (§461). R-5 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 9/22/09</b>
17.	183-09-BZ	The Law Office of Fredrick A. Becker <b>1400 5<sup>th</sup> Avenue, Manhattan</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment ( <i>NY Sports Club</i> ) on a portion of the ground floor and cellar in an eight-story mixed-use building. C4-5X zoning district. <b>Community Board #10M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 9/15/09</b>
18.	195-09-BZ	Herrick, Feinstein LLP <b>321 Ashland Place, Brooklyn</b> Variance (§72-21) for a community facility building ( <i>Brooklyn Academy of Music</i> ), contrary to required rear yard (§33-26). C6-1 zoning district. <b>Community Board #2BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 9/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, August 18, 2009

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>709-55-BZ</b>	Walter T. Gorman, P.E. <b>2000 Rockaway Parkway, Brooklyn</b> Extension of Time to obtain a certificate of occupancy for a Gasoline Service Station ( <i>Mobi</i> ) which expired on March 24, 2009. C1-2/R4 zoning district. <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 8/18/09</b>
<b>2.</b>	<b>128-04-BZ</b>	Marvin B. Mitzner, Esq. <b>162-168 East 68<sup>th</sup> Street, Manhattan</b> Extension of Time to complete construction; Extension of Time to obtain a certificate of occupancy; and Waiver of the Rules for a previously granted Variance (§72-21) for the enlargement of an existing school which expired on December 14, 2008. R8B zoning district. <b>Community Board #8M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 8/18/09</b>
<b>3.</b>	<b>23-06-BZ</b>	Sheldon Lobel, P.C. <b>150-62 78<sup>th</sup> Road, Queens</b> Extension of Time to Complete Construction, which expired on July 2, 2008, Extension of Time to obtain a certificate of occupancy, which expired on January 2, 2009, and Waiver of the Rules for a previously granted Variance (§72-21) for the expansion of an existing three story synagogue with accessory Rabbi's apartment. R-4 zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 8/18/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, August 18, 2009

10:00 A.M.

<b><i>SOC – CONTINUED HEARINGS</i></b>		
4.	441-31-BZ	Ian Peter Barnes <b>7702 Flatlands Avenue, Brooklyn</b> Extension of Term and Waiver of the Rules for the continued use of a Gasoline Service Station ( <i>BP Amoco</i> ) with accessory convenience store which expired on April 26, 2007. C2-2/R5 zoning district. <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 9/15/09</b>
5.	32-91-BZ	Walter T. Gorman, P.E. <b>838/846 Fulton Street, Brooklyn</b> Extension of Term and Waiver of the Rules for the continued use of a Gasoline Service Station ( <i>Coastal</i> ) which expired on May 19, 2007. C2-4/R7A zoning district. <b>Community Board #2BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 10/6/09</b>
6.	55-97-BZ	Sheldon Lobel, P.C. <b>76-36 164<sup>th</sup> Street, Queens</b> Extension of Term (§11-411) for an automotive repair facility (UG 16B), which expired on September 23, 2007 and Extension of Time to obtain a certificate of occupancy, which expired on September 23, 1998. C2-2/R3-2 zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 9/15/09</b>
7.	327-04-BZ	Sheldon Lobel, P.C. <b>66-35 108<sup>th</sup> Street, Queens</b> Extension of Time to complete construction and Extension of Time to obtain a certificate of occupancy of a previously granted Variance (§72-21) for the enlargement of an existing Synagogue and School ( <i>Beth Gavriel</i> ) which expired on June 7, 2009. R1-2 zoning district. <b>Community Board #6Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 9/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, August 18, 2009  
10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
8.	5-96-BZ	Sheldon Lobel, P.C. <b>564/92 Saint John's Place, Brooklyn</b> Extension of Term (§11-411) to permit the operation a one-story public parking garage for no more than 150 cars (UG 8), which expired on March 18, 2007; Amendment to change the parking layout; and an Extension of Time to obtain a certificate of occupancy, which expired on March 18, 1998. R7-1 zoning district. <b>Community Board #8BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 10/6/09</b>

<b><i>SOC – DISMISSAL CALENDAR</i></b>		
9.	12-94-BZ	Board of Standards and Appeals S. Kilgor (applicant) <b>245-13 Jamaica Avenue, Queens</b> Extension of Term and Extension of Time to obtain a Certificate of Occupancy for a special permit (§73-36) for a physical cultural establishment ( <i>American Physique</i> ), which expired on July 19, 2004. C2-2/R4 zoning district. <b>Community Board #13Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Dismissal – 8/18/09</b>
10.	384-03-BZ	Board of Standards and Appeals Anthony Somefun (applicant) <b>804-816 East 138th Street, Manhattan</b> Amendment of a variance (§72-21) permitting the operation of a UG4A health facility, contrary to Z.R. §42-11. Amendment seeks to legalize existing condition which provides less than required parking, contrary to §44-21. M1-2 zoning district. <b>Community Board #1BX</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Withdrawn – 8/18/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, August 18, 2009

10:00 A.M.

<i><b>APPEALS – NEW CASES</b></i>		
13.	318-08-A	Joseph A. Sherry <b>1009 Beach 21st Street, Queens</b> Proposed construction of an enlargement to an existing commercial establishment located within the bed of a mapped street, contrary to General City Law Section 35. C8-1 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 9/22/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, August 18, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	220-07-BZ	Moshe M. Friedman, P.E. <b>847 Kent Avenue, Brooklyn</b> Variance (§72-21) to allow the erection of a new four-story residential building containing four dwelling units, contrary to use regulations (§42-10). M1-1 zoning district. <b>Community Board #3BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Deferred Decision – 9/22/09</b>
2.	288-08-BZ	Jeffrey Geary <b>2955 Veterans Road West, Staten Island</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment ( <i>Costanzo's Martial Arts Studio</i> ) on the second floor of a two-story commercial building. M1-1 zoning district. <b>Community Board #1SI</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 8/18/09</b>
3.	13-09-BZ	Moshe M. Friedman, P.E. <b>5611 21<sup>st</sup> Avenue, Brooklyn</b> Variance (§72-21) to permit a synagogue contrary to front yard, side yard and lot coverage regulations (§24-34, §24-35, §24-11). R5 zoning district. <b>Community Board #12BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 8/18/09</b>
4.	171-09-BZ	James Chin & Associates, LLC <b>325 Fifth Avenue, Manhattan</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment ( <i>Integree Spa &amp; Beauty</i> ) on a portion of the first floor in an existing 42-story mixed-use building. C5-2 zoning district. <b>Community Board #5M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 8/18/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, August 18, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

5.	100-08-BZ & 101-08-A	Rothkrug, Rothkrug & Spector, LLP <b>205 Wolverine Street, Staten Island</b> Variance (§72-21) for the construction of a two-story with basement single family residence, contrary to front yard regulations (§23-45) and within the bed of a mapped, un-built street, contrary to General City Law Section 35. R2 zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 10/6/09</b>

### ***BZ – NEW CASES***

6.	220-08-BZ	Moshe M. Friedman <b>95 Taaffe Place, Brooklyn</b> Variance (§72-21) to permit the enlargement of a non-conforming one-family dwelling, contrary to §42-10. M1-1 zoning district. <b>Community Board #3BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 10/27/09</b>
7.	249-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>130 Adelaide Avenue, Staten Island</b> Variance (§72-21) for the construction of a single family residence, contrary to floor area and open space (§23-141); required front yard (§23-45), rear yard (§23-47), side yard (§23-46) and off street parking (§25-622) regulations. R2 (LDGM) zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 9/22/09</b>
8.	29-09-BZ	Law Office of Fredrick A. Becker <b>44 Brunswick Street, Staten Island</b> Variance (§72-21) to legalize and enlarge a synagogue ( <i>Chabad Israeli Center</i> ), contrary to lot coverage, front yards, side yards, and parking regulations. R3X zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 10/6/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, August 25, 2009

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	198-66-BZ	Eric Palatnik, P.C. <b>300 East 74<sup>th</sup> Street, Manhattan</b> Extension of Time to complete substantial construction of an existing plaza for a residential building which expires on July 28, 2009. C1-9 zoning district <b>Community Board #8M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 8/25/09</b>
2.	269-98-BZ	Mothiur Rahman <b>70 East 184th Street, Bronx</b> Extension of Time to complete construction of a variance (§72-21) for a two story building for commercial use (UG 6) in a residential district. R8 zoning district. <b>Community Board #5BX</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 8/25/09</b>
3.	203-00-BZ	Greenberg Traurig, LLP <b>603 Greenwich Street, aka 43 Clarkson Street, Manhattan</b> Amendment of variance (§72-21) which allowed conversion of upper floors of building from commercial to residential. Amendment would permit the conversion of the second floor from commercial to residential use. M1-5 zoning district. <b>Community Board #2M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 8/25/09</b>
4.	246-01-BZ	Eric Palatnik, P.C. <b>35-11 Prince Street, Queens</b> Extension of Term for a special permit (§73-36) which expired on June 1, 2008 for the operation of a Physical Culture Establishment ( <i>Bodhi Fitness Center</i> ); Waiver of the Rules. M1-1/C2-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 8/25/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, August 25, 2009

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
5.	271-81-BZ	Mitchell S. Ross, Esq. <b>110/112 West 56<sup>th</sup> Street, Manhattan</b> Extension of Term for a special permit (§73-36) which expired on October 6, 2006 for the operation of a Physical Culture Establishment ( <i>New York Health and Racquet Club</i> ); Amendment to legalize incidental alterations made to the interior layout; Extension of Time to obtain a Certificate of Occupancy which expired on October 31, 2001 and Waiver of the Rules. C6-6 zoning district. <b>Community Board #5M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 9/15/09</b>
6.	8-96-BZ	Walter T. Gorman, P.E. <b>175-22 Horace Harding Expressway, Queens</b> Extension of Term for the continued use of a gasoline service station ( <i>Shell</i> ) which expired on July 16, 2006; Extension of Time to obtain a Certificate of Occupancy which expired on July 16, 2000; Amendment to legalize modification to the building; Waiver of the Rules. C2-2/R3-2 zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 9/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, August 25, 2009

10:00 A.M.

<b><i>SOC – CONTINUED HEARINGS</i></b>		
7.	197-05-BZ	Marvin Mitzner, Esq. <b>813/815 Broadway, Manhattan</b> Amendment to a variance (§72-21) to allow full commercial coverage on the ground floor and an increase in commercial FAR in a mixed use building. Zoning District C6-1. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Adjourned, Continued Hearing – 9/15/09</b>
8.	416-87-BZ	Slater & Beckerman <b>547-551 West 133<sup>rd</sup> Street, Manhattan</b> Extension of Term of a Variance (§72-21) for a automobile repair shop (UG16) which expired on June 27, 2009 and an Extension of Time to obtain a Certificate of Occupancy which expired on February 26, 2009. R7-2/C6-1 zoning district. <b>Community Board #9M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 9/22/09</b>
9.	194-97-BZ	Sheldon Lobel <b>84-12 164th Street, Queens</b> Extension of Term for a Variance (§72-21) for an automotive repair facility (UG 16B), which expired on November 29, 2007; Extension of Time to obtain a certificate of occupancy which expired on December 22, 1999; Waiver of the Rules. R4B zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 9/22/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, August 25, 2009  
10:00 A.M.

## ***APPEALS – DECISIONS***

10.	196-09-BZY	Ping C. Moy <b>174 and 176 Clermont Avenue, Brooklyn</b> Application to complete construction of a minor development (§11-332) commenced under the prior R6 zoning district. R6B zoning district <b>Community Board #2BK</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Granted – 8/25/09</b>
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## ***APPEALS – CONTINUED HEARINGS***

11.	140-08-BZY	Eric Palatnik, P.C. <b>1016 East 13<sup>th</sup> Street, Brooklyn</b> Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R5 zoning district. <b>Community Board #14BK</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Adjourned, Continued Hearing – 10/20/09</b>
12.	147-08-BZY	Hui-Li Xu <b>95-04 Allendale Street, Queens</b> Extension of time (§11-331) to complete construction of a minor development commenced under the prior zoning district. R5 zoning district <b>Community Board #12Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Adjourned, Continued Hearing – 11/24/09</b>
13.	45-09-A	Eric Palatnik, P.C. <b>142-19 Cherry Avenue, Queens</b> Appeal for a common law vested right to continue construction commenced under the prior R7-1/C1-2 zoning district. R7B/C1-3 zoning district. <b>Community Board #7Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Closed, Decision – 9/22/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, August 25, 2009

10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
14.	317-08-A	Margaret R. Garcia, AIA <b>124 Montgomery Avenue, Staten Island</b> Proposed construction of a four-story dwelling located within the bed of a mapped street, contrary to General City Law Section 35. R5 zoning district <b>Community Board #1SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 9/15/09</b>
15.	159-09-A	Rothkrug, Rothkrug & Spector <b>85 Woodland Avenue, Staten Island</b> Proposed construction of a single family home located within the bed of a mapped street (Doane Avenue), contrary to General City Law Section 35. R2 zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 9/22/09</b>
16.	178-09-A	Marvin B. Mitzner, Esq. <b>120 St. Marks Place (East 8<sup>th</sup> street), Manhattan</b> Appeal contesting an Order of Closure issued by the Department of Buildings that the use of the cellar at the subject premises as a Veterinarian's Office (UG6) constitutes an illegal use in a residential district pursuant to Administrative Code Section 28-212.1. R8B zoning district. <b>Community Board #3M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 10/20/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, August 25, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	203-07-BZ	Sheldon Lobel, P.C. <b>137-35 Elder Avenue, Queens</b> Variance (§72-21) to allow a new 13-story mixed-use building containing 20 dwelling units, ground floor retail and community facility (medical) uses; contrary to bulk and parking regulations (§35-311 & §36-21). R6/C2-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 8/25/09</b>
2.	173-08-BZ	Rothkrug Rothkrug & Spector, LLP <b>42-59 Crescent Street, Queens</b> Variance (§72-21) to allow a 12-story hotel building containing 99 hotel rooms; contrary to floor area regulations (§117-522). M1-5/R7-3 Special Long Island City Mixed Use District, Queens Plaza Subdistrict Area C. <b>Community Board #2Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 8/25/09</b>
3.	9-09-BZ	Gerald J. Caliendo, R.A. <b>63-03 Fresh Pond Road, Queens</b> Special Permit (§73-36) to allow a physical culture establishment in an existing one-story building. M1-1 zoning district. <b>Community Board #5Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 8/25/09</b>
4.	49-09-BZ	Law Office of Fredrick A. Becker <b>1323 East 32<sup>nd</sup> Street, Brooklyn</b> Variance (§72-21) to permit the enlargement of a synagogue contrary to side yard regulations (§24-35(a)). R4 district. <b>Community Board #18BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 9/22/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, August 25, 2009

1:30 P.M.

<b>BZ – CONTINUED HEARINGS</b>		
5.	73-06-BZ	Eric Palatnik, P.C. <b>111 Union Street, Brooklyn</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment in a portion of cellar and first floor in a three-story building. C2-3 zoning district. <b>Community Board #6BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 10/6/09</b>
6.	97-08-BZ	Eric Palatnik, P.C. <b>84 Sanford Street, Brooklyn</b> Special Permit (§73-19) to allow the legalization of an existing school ( <i>Central UTA</i> ) (UG 3). M1-1 district. <b>Community Board #3BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 9/22/09</b>
7	169-08-BZ	James Chin & Associates, LLC <b>46 Laight Street, Manhattan</b> Variance (§72-21) to allow the redevelopment of a commercial building for residential use. Six residential floors and six dwelling units are proposed; contrary to use regulations (§42-00 & §111-104 (e)). M1-5 (TMU- Area B-2) district. <b>Community Board #1M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 10/6/09</b>
8.	210-08-BZ	Sheldon Lobel, P.C. <b>130-15 89<sup>th</sup> Road, Queens</b> Variance (§72-21) to permit two-story enlargement to an existing two-story building for a UG 3 drug treatment facility with sleeping accommodations ( <i>Samaritan Village</i> ), contrary to use regulations (ZR §43-00). M1-1 district. <b>Community Board #9Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 9/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, August 25, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
9.	254-08-BZ	Eric Palatnik, P.C. <b>1214 East 15<sup>th</sup> Street, Brooklyn</b> Variance (§72-21) to legalize and enlarge a Yeshiva ( <i>Yeshiva Ohr Yitzchok</i> ) contrary to §42-11 (use regulations), §43-122 (floor area), §43-43 (wall height, number of stories, and sky exposure plane). §43-301 (required open area). M1-1D zoning district. <b>Community Board # 14BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 10/20/09</b>
10.	260-08-BZ	Eric Palatnik, P.C. <b>148 Oxford Street, Brooklyn</b> Special Permit (§73-622) to legalize and enlarge a single family home, contrary to floor area (§23-141) regulations. R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 10/6/09</b>
11.	297-08-BZ	Lewis E. Garfinkel <b>3496 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141(a)) and rear yard (§23-47) regulations. R2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 10/6/09</b>
12.	23-09-BZ	Eric Palatnik, P.C. <b>114 Amherst Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing two family home to be converted to a single family home, contrary to open space, lot coverage and floor area (§23-141(b)) and rear yard (§23-47) regulations. R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 10/6/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, August 25, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
13.	164-09-BZ	Eric Palatnik, P.C. <b>124 Irwin Street, Brooklyn</b> Special Permit (§73-622) for enlargement of an existing two-family home, contrary to floor area, lot coverage and open space (§23-141) and rear yard (ZR §23-47) regulations. R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 10/6/09</b>
14.	184-09-BZ	Law Office of Fredrick A. Becker <b>4072 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space, lot coverage and floor area (§23-141); side yards (§23-461) and rear yard (§23-47) regulations. R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 10/6/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, August 25, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
15.	37-09-BZ	Law Office of Fredrick A. Becker <b>3950 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the in-part legalization and enlargement of an existing single family home, contrary to floor area, open space and lot coverage (ZR §23-141(b)); side yard (ZR §23-461(a)) & (ZR §23-48); rear yard (ZR §23 -47), and perimeter wall height (§23-631) regulations. R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 9/22/09</b>
16.	54-09-BZ	Riker Danzig <b>150 Mercer Street (aka 579 Broadway), Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment ( <i>Haven Day Spa</i> ) on the cellar level of a four-story mixed-use building. M1-5B district. <b>Community Board #2M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 9/22/09</b>
17.	166-09-BZ	Slater & Beckerman <b>360-366 McGuinness Boulevard and 237 Freeman Street, Brooklyn</b> Special Permit (§75-53) to permit the enlargement of a manufacturing building contrary to floor area, height and setback and permitted obstruction in rear yard regulations (§43-12, §43-43, §43-23(b)). M1-1 District. <b>Community Board #1BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 9/22/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, September 15, 2009

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	441-31-BZ	Ian Peter Barnes <b>7702 Flatlands Avenue, Brooklyn</b> Extension of Term and Waiver of the Rules for the continued use of a Gasoline Service Station ( <i>BP Amoco</i> ) with accessory convenience store which expired on April 26, 2007. C2-2/R5 zoning district. <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 9/15/09</b>
2.	719-56-BZ	Walter T. Gorman, P.E. <b>2525 Victory Boulevard, Staten Island</b> Extension of Time to obtain a certificate of occupancy for a Gasoline Service Station ( <i>Mobil</i> ), which expires on November 10, 2009. C2-1/R3-2 zoning district. <b>Community Board #1SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 9/15/09</b>
3.	271-81-BZ	Mitchell S. Ross, Esq. <b>110/112 West 56<sup>th</sup> Street, Manhattan</b> Extension of Term for a special permit (§73-36) which expired on October 6, 2006 for the operation of a Physical Culture Establishment ( <i>New York Health and Racquet Club</i> ); Amendment to legalize incidental alterations made to the interior layout; Extension of Time to obtain a Certificate of Occupancy which expired on October 31, 2001 and Waiver of the Rules. C6-6 zoning district. <b>Community Board #5M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 9/15/09</b>
4.	8-96-BZ	Walter T. Gorman, P.E. <b>175-22 Horace Harding Expressway, Queens</b> Extension of Term for the continued use of a gasoline service station ( <i>Shell</i> ) which expired on July 16, 2006; Extension of Time to obtain a Certificate of Occupancy which expired on July 16, 2000; Amendment to legalize modification to the building; Waiver of the Rules. C2-2/R3-2 zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 9/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, September 15, 2009

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
5.	55-97-BZ	Sheldon Lobel, P.C. <b>76-36 164<sup>th</sup> Street, Queens</b> Extension of Term (§11-411) for an automotive repair facility (UG 16B), which expired on September 23, 2007 and Extension of Time to obtain a certificate of occupancy, which expired on September 23, 1998. C2-2/R3-2 zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 9/15/09</b>
6.	261-98-BZ	Sheldon Lobel, P.C. <b>193 20<sup>th</sup> Street, Brooklyn</b> Extension of Term of a variance (§72-21) for a UG16A warehouse for HVAC related uses in a residential district which expired on April 20, 2009; Amendment for the addition of a mezzanine level within the existing building. R6B zoning district. <b>Community Board #7BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 9/15/09</b>
7.	327-04-BZ	Sheldon Lobel, P.C. <b>66-35 108<sup>th</sup> Street, Queens</b> Extension of Time to complete construction and Extension of Time to obtain a certificate of occupancy of a previously granted Variance (§72-21) for the enlargement of an existing Synagogue and School ( <i>Beth Gavriel</i> ) which expired on June 7, 2009. R1-2 zoning district <b>Community Board #6Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 9/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, September 15, 2009

10:00 A.M.

### ***SOC – CONTINUED HEARINGS***

8.	826-86-BZ thru 828-86-BZ	Eric Palatnik, P.C. <b>269-10, 270-10, 271-10 Grand Central Parkway, Queens</b> Extension of Term for a Special Permit (§73-11) to allow non-accessory radio towers and transmitting equipment on the roof of a 33-story multiple dwelling ( <i>North Shore Towers</i> ) which expired on March 28, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on March 6, 2003; an Amendment to eliminate the condition that a new Certificate of Occupancy be obtained; and Waiver of the Rules. R3-2 zoning district. <b>Community Board #13Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 10/27/09</b>
9.	197-05-BZ	Marvin Mitzner, Esq. <b>813/815 Broadway, Manhattan</b> Amendment to a variance (§72-21) to allow full commercial coverage on the ground floor and an increase in commercial FAR in a mixed use building. C6-1 zoning district. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 10/20/09</b>

### ***SOC – NEW CASES***

10.	590-76-BZ	Joseph P. Morsellino, Esq. <b>243 East 59<sup>th</sup> Street, Manhattan</b> Extension of Term of a previously granted Variance (§72-01(b)) for an existing illuminated sign that exceeds the permitted height above curb level. C2-8 zoning district. <b>Community Board #8M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 10/6/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, September 15, 2009

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
11.	1259-79-BZ	Sheldon Lobel, P.C. <b>29 West 26<sup>th</sup> Street, Manhattan</b> Extension of Time to complete construction and obtain a certificate of occupancy and Waiver of the Rules of a previously granted Variance (§72-21) for the conversion of all floors above the first floor from manufacturing lofts into residential dwellings which expired on October 6, 1984. M1-6 zoning district. <b>Community Board #5M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 10/6/09</b>
12.	297-99-BZ	Walter T. Gorman, P.E. <b>45-05 Bell Boulevard, Queens</b> Extension of Term and Waiver of the Rules for the continued use of a Gasoline Service Station ( <i>Mobil</i> ) which expires on September 19, 2010. C2-2/R-6B zoning district. <b>Community Board #11Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 10/6/09</b>

<b><i>DISMISSAL CALENDAR</i></b>		
13.	239-07-BZ	New York City Board of Standards and Appeals Applicant: Rothkrug, Rothkrug & Spector, LLP <b>57-38 Waldron Street, Queens</b> Application for dismissal for lack of prosecution – Variance (§72-21) to permit a Use Group 4 community youth center in the cellar and a portion of the first floor in a proposed mixed-use building, contrary to ZR §24-35 (side yard). R5 zoning district. <b>Community Board # 4Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Withdrawn – 9/15/09 (Off Dismissal Calendar)</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, September 15, 2009

10:00 A.M.

### ***APPEALS – DECISIONS***

14.	317-08-A	Margaret R. Garcia, AIA
		<b>124 Montgomery Avenue, Staten Island</b>
		Proposed construction of a four-story dwelling located within the bed of a mapped street, contrary to General City Law Section 35. R5 zoning district.
		<b>Community Board #1SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 9/15/09</b>

### ***APPEALS – CONTINUED HEARINGS***

15.	296-08-A	Gerald J. Caliendo, R.A.,
		<b>45-02 111<sup>th</sup> Street, Queens</b>
		Proposed four-story, six-family dwelling with a community facility use located within the bed of a mapped street, contrary to General City Law, Section 35. R6B Zoning District.
		<b>Community Board #4Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 10/6/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, September 15, 2009

10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
16.	38-09-A	Benjamin Lam <b>72-45 43<sup>rd</sup> Avenue, Queens</b> Proposed construction of a three-family home located within the bed of mapped street, contrary to General City Law, Section 35. R-5 zoning district. <b>Community Board #4Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Postponed, Public Hearing – 10/6/09</b>
17.	170-09-A	NYC Department of Buildings <b>24-03 Queens Plaza North, Queens</b> An appeal filed by the Department of Buildings seeking to amend Certificate of Occupancy to remove the reference to "Adult Establishment" use on the second floor. M1-5/R-9 Special Mixed Use District. <b>Community Board #1Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 11/24/09</b>
18.	181-09-A	NYC Fire Department <b>410 East 64<sup>th</sup> Street, Manhattan</b> An appeal filed by the NYC Fire Department seeking a Modification of Certificate of Occupancy to require an approved Automatic Wet Sprinkler system throughout the cellar and first floor of a commercial use. R8 zoning district. <b>Community Board #8M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 10/6/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, September 15, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	63-08-BZ	Eric Palatnik, P.C. <b>116-33 Queens Boulevard, Queens</b> Special Permit (§73-244) to legalize an eating and drinking establishment with entertainment and a capacity of more than 200 persons with dancing. C4-2 zoning district. <b>Community Board #6Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Deferred Decision – 10/20/09</b>
2.	210-08-BZ	Sheldon Lobel, P.C. <b>130-15 89<sup>th</sup> Road, Queens</b> Variance (§72-21) to permit two-story enlargement to an existing two-story building for a UG 3 drug treatment facility with sleeping accommodations ( <i>Samaritan Village</i> ), contrary to use regulations (ZR §43-00). M1-1 district. <b>Community Board #9Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Deferred Decision – 10/6/09</b>
3.	168-09-BZ	Lewis E. Garfinkel R.A. <b>1435 &amp; 1437 East 26<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) to combine two semi-attached homes to create one single family home, contrary to floor area and open space (ZR §23-141(a)), and rear yard (ZR §23-47) regulations. R2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 9/15/09</b>
4.	176-09-BZ	Bryan Cave LLP/Margery Purlmutter <b>220-236 West 28<sup>th</sup> Street, Manhattan</b> Special Permit (§73-64) to waive height and setback regulations (§33-432) for a community facility building ( <i>Fashion Institute of Technology</i> ). C6-2 District. <b>Community Board #5M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Deferred Decision – 10/6/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, September 15, 2009

1:30 P.M.

### ***BZ – DECISIONS***

5.	195-09-BZ	Herrick, Feinstein LLP
		<b>321 Ashland Place, Brooklyn</b>
		Variance (§72-21) for a community facility building ( <i>Brooklyn Academy of Music</i> ), contrary to required rear yard (§33-26). C6-1 zoning district.
		<b>Community Board#2BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 9/15/09</b>

### ***BZ – CONTINUED HEARINGS***

6.	256-07-BZ	Rothkrug, Rothkrug & Spector
		<b>1978 Atlantic Avenue, Brooklyn</b>
		Variance (§72-21) to permit a three-story, five-unit residential building, contrary to use regulations (§42-00). M1-1 zoning district.
		<b>Community Board # 8BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 10/27/09</b>
7.	197-08-BZ	Stuart A. Klein
		<b>341/349 Troy Avenue, aka 1515 Carroll Street, Brooklyn</b>
		Variance (§72-21) to permit a four-story and penthouse residential building, contrary to §23-141 (Floor Area, FAR & Open Space Ratio), §23-22 (Number of Dwelling Units), §23-45 (Front Yard), §23-462 (Side Yard), and §23-631 (Wall Height). R4 district.
		<b>Community Board #9BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Adjourned, Continued Hearing – 10/6/09</b>
8.	7-09-BZ	Law Office of Fredrick A. Becker
		<b>1082 East 26<sup>th</sup> Street, Brooklyn</b>
		Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141), side yards (§23-461) and rear yard (§23-47) regulations. R-2 zoning district.
		<b>Community Board #14Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 10/6/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, September 15, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

9.	46-09-BZ	Eric Palatnik, P.C. <b>122 Oxford Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, lot coverage and open space (§23-141(b)), side yards (§23-461) and rear yard (§23-47) regulations. R3-1 zoning district. <b>Community Board #15BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Closed, Decision – 10/6/09</b>
10.	161-09-BZ	Rizzo Group <b>580 Carroll Street, Brooklyn</b> Variance (§72-21) for the development of two residential buildings (20 dwelling units) contrary to rear yard equivalent, floor area, lot coverage, minimum distance between buildings and minimum distance between legally required window regulations (§§23-532, 23-145, 23-711, 23-861). R6B zoning district. <b>Community Board #6BK</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Adjourned, Continued Hearing – 11/17/09</b>
11.	183-09-BZ	The Law Office of Fredrick A. Becker <b>1400 5<sup>th</sup> Avenue, Manhattan</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment ( <i>NY Sports Club</i> ) on a portion of the ground floor and cellar in an eight-story mixed-use building. C4-5X zoning district. <b>Community Board #10M</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Closed, Decision – 10/20/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, September 15, 2009

1:30 P.M.

<b>BZ – NEW CASES</b>		
12.	186-08-BZ	Petrus Fortune, P.E. <b>3065 Atlantic Avenue, Brooklyn</b> Special Permit (§73-19) to allow the legalization and enlargement of a school in a former manufacturing building, contrary to ZR §42-10. M1-1 zoning district. <b>Community Board #5BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 10/6/09</b>
13.	187-08-BZ	Sheldon Lobel, P.C. <b>1247 38<sup>th</sup> Street, Brooklyn</b> Variance (§72-21) to permit the construction of a six-story community facility building ( <i>Congregation &amp; Yeshiva Machzikei Hadas</i> ), contrary to ZR §42-00. M2-1 zoning district. <b>Community Board #12BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 10/27/09</b>
14.	198-09-BZ	Eric Palatnik, P.C. <b>143 West 19<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the operation of the proposed physical culture establishment ( <i>Personal Training Institute</i> ) on the first floor of an eight-story building. C6-3A zoning district. <b>Community Board #4M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 10/20/09</b>
15.	226-09-BZ	Mitchell S. Ross, Esq. <b>24 East 13<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment ( <i>New York Health &amp; Racquet Club</i> ) on the cellar through second floors of a six-story mixed-use building. C6-1 zoning district. <b>Community Board #2M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 10/6/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, September 22, 2009

10:00 A.M.

### ***SOC – DECISIONS***

1.	416-87-BZ	Slater & Beckerman <b>547-551 West 133<sup>rd</sup> Street, Manhattan</b> Extension of Term of a Variance (§72-21) for a automobile repair shop (UG16) which expired on June 27, 2009 and an Extension of Time to obtain a Certificate of Occupancy which expired on February 26, 2009. R7-2/C6-1 zoning district. <b>Community Board #9M</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Granted – 9/22/09</b>
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### ***SOC – CONTINUED HEARINGS***

2.	395-60-BZ	Sheldon Lobel, P.C. <b>2557-2577 Linden Boulevard, Brooklyn</b> Extension of Term (§11-411, §11-413) for change of use from a gasoline service station (UG16) to automotive repair establishment (UG16), which expired on December 9, 2005; Amendment to reduce the size of the subject lot and to request a UG6 designation for the convenience store; and an Extension of Time to obtain a certificate of occupancy which expired on January 19, 2000. R5 zoning district. <b>Community Board #5BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Closed, Decision – 11/17/09</b>
3.	194-97-BZ	Sheldon Lobel, P.C. <b>84-12 164<sup>th</sup> Street, Queens</b> Extension of Term for a Variance (§72-21) for an automotive repair facility (UG 16B), which expired on November 29, 2007; Extension of Time to obtain a certificate of occupancy which expired on December 22, 1999; Waiver of the Rules. R4B zoning district. <b>Community Board #8Q</b> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status: Closed, Decision – 10/20/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, September 22, 2009

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
4.	115-53-BZ	Eric Palatnik, P.C. <b>252-02 Union Turnpike, Queens</b> Extension of Term and Waiver of the Rules for the continued use of a Gasoline Service Station ( <i>Mobil</i> ) which expired on July 11, 2008. C2-2/R3-2 zoning district. <b>Community Board #13Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 10/20/09</b>
5.	191-53-BZ	Walter T. Gorman, P.E. <b>42-02/18 Queens Boulevard, Queens</b> Extension of Time and Waiver of the Rules to obtain a certificate of occupancy for a Gasoline Service Station ( <i>Mobil</i> ) which expired on September 21, 2001. C2-2/R7-1 zoning district. <b>Community Board #2Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 10/20/09</b>
6.	613-74-BZ	Greenberg Traurig LLP <b>1095 Avenue of the Americas, Manhattan</b> Amendment to a previously granted Variance (§72-21) to permit the relocation of illuminated signs ( <i>Metlife</i> ) from the north facade to the east facade of an existing 42-story commercial building. C6-6, C5-3, C6-7, C5-2.5/Special Midtown District/Theater Subdistrict. <b>Community Board #5M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 10/20/09</b>
7.	149-01-BZ	Eric Palatnik, P.C. <b>88 Jane Street, Manhattan</b> Amendment to a previously issued resolution that seeks to remove the condition that a residential unit be occupied by a qualified senior citizen at a subsidized rate for a term of 10 years, from the date of the issuance of the Certificate of Occupancy. R6 zoning district. <b>Community Board #2M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 11/10/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, September 22, 2009

10:00 A.M.

<i><b>SOC – NEW CASES</b></i>		
8.	272-07-BZ	Wachtel & Masyr, LLP <b>344 Amsterdam Avenue, Manhattan</b> Amendment of a Special Permit (§73-36) to allow an enlargement of a Physical Culture Establishment. C2-7A and C4-6A zoning districts. <b>Community Board #7M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 10/20/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, September 22, 2009

10:00 A.M.

### ***APPEALS – DECISIONS***

9.	45-09-A	Eric Palatnik, P.C. <b>142-19 Cherry Avenue, Queens</b> Appeal for a common law vested right to continue construction commenced under the prior R7-1/C1-2 zoning district. R7B/C1-3 zoning district. <b>Community Board #7Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Granted – 9/22/09</b>
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### ***APPEALS – CONTINUED HEARINGS***

10.	62-08-A	Eric Palatnik, P.C. <b>398 Nugent Street, Staten Island</b> Proposed construction not fronting on a legally mapped street, contrary to General City Law, Section 36. R1-2 zoning district. <b>Community Board #2SI</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Adjourned, Continued Hearing – 11/10/09</b>
11.	318-08-A	Joseph A. Sherry <b>1009 Beach 21<sup>st</sup> Street, Queens</b> Proposed construction of an enlargement to an existing commercial establishment located within the bed of a mapped street, contrary to General City Law §35. C8-1 zoning district. <b>Community Board #14Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Granted – 9/22/09</b>
12.	159-09-A	Rothkrug, Rothkrug & Spector, LLP <b>85 Woodland Avenue, Staten Island</b> Proposed construction of a single family home located within the bed of a mapped street (Doane Avenue), contrary to General City Law §35. R2 zoning district. <b>Community Board #3SI</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Continued Hearing – 10/27/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, September 22, 2009

10:00 A.M.

### ***APPEALS – CONTINUED HEARINGS***

13.	167-09-A	Harold Weinberg, P.E. <b>820 39<sup>th</sup> Street, Brooklyn</b> Appeal challenging Department of Building's determination that the reconstruction of non-complying building must be done in accordance with §54-41 and be required to provide a 30 foot rear yard. M1-2 zoning district. <b>Community Board #12BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 11/10/09</b>

### ***APPEALS – NEW CASES***

14.	188-09-A	John Natoli <b>214 Noel Road, Queens</b> Legalization of a one-story enlargement to an existing home located within the bed of a mapped street, contrary to General City Law §35. R3-2 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 9/22/09</b>
15.	217-09-A	Marvin B. Mitzner, Esq. <b>514-516 East 6<sup>th</sup> Street, Manhattan</b> An appeal seeking to vary the applicable provisions under the Multiple Dwelling Law as it applies to the enlargement of non- fireproof tenement buildings. R7-2 zoning district. <b>Community Board #3M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 11/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, September 22, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	220-07-BZ	Moshe M. Friedman, P.E. <b>847 Kent Avenue, Brooklyn</b> Variance (§72-21) to allow the erection of a new four-story residential building containing four dwelling units, contrary to use regulations (§42-10). M1-1 zoning district. <b>Community Board #3BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Deferred Decision – 11/10/09</b>
2.	241-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>546 Midland Avenue, a/k/a 287 Freeborn Street, Staten Island</b> Variance (§72-21) to permit a one-story commercial building (Use Group 6), contrary to §32-10. R3-1 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Denied – 9/22/09</b>
3.	166-09-BZ	Slater & Beckerman <b>360-366 McGuinness Boulevard and 237 Freeman Street, Brooklyn</b> Special Permit (§75-53) to permit the enlargement of a manufacturing building contrary to floor area, height and setback and permitted obstruction in rear yard regulations (§43-12, §43-43, §43-23(b)). M1-1 District. <b>Community Board #1BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 9/22/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, September 22, 2009

1:30 P.M.

<b>BZ – CONTINUED HEARINGS</b>		
4.	97-08-BZ	Eric Palatnik, P.C. <b>84 Sanford Street, Brooklyn</b> Special Permit (§73-19) to allow the legalization of an existing school ( <i>Central UTA</i> ) (UG 3). M1-1 district. <b>Community Board #3BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 11/10/09</b>
5.	249-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>130 Adelaide Avenue, Staten Island</b> Variance (§72-21) for the construction of a single family residence, contrary to floor area and open space (§23-141); required front yard (§23-45), rear yard (§23-47), side yard (§23-46) and off street parking (§25-622) regulations. R2 (LDGM) zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 10/27/09</b>
6.	314-08-BZ	Kramer Levin Naftalis & Frankel, LLP <b>437-447 West 13<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to allow for the construction of a 12-story commercial building (office and UG10 retail), contrary to FAR, height and setback and rear yard regulations (§43-12, §43-43, §43-26) and use regulations (§42-12). M1-5 zoning district. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Adjourned, Continued Hearing – 10/27/09</b>
7.	37-09-BZ	Law Office of Fredrick A. Becker <b>3950 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the in-part legalization and enlargement of an existing single family home, contrary to floor area, open space and lot coverage (ZR §23-141(b)); side yard (ZR §23-461(a)) & (ZR §23-48); rear yard (ZR §23 -47), and perimeter wall height (§23-631) regulations. R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 10/20/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, September 22, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
8.	49-09-BZ	Law Office of Fredrick A. Becker <b>1323 East 32<sup>nd</sup> Street, Brooklyn</b> Variance (§72-21) to permit the enlargement of a synagogue contrary to side yard regulations (§24-35(a)). R4 district. <b>Community Board #18BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 10/6/09</b>
9.	51-09-BZ	Eric Palatnik, P.C. <b>2032 East 17<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the legalization of an enlargement to an existing single family home, contrary to side yard requirements (§461). R-5 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 11/10/09</b>
10.	53-09-BZ	Harold Weinberg, P.E. <b>540 Schenck Avenue, Brooklyn</b> Variance (§72-21) for the construction of a three-family home on a vacant undersized lot. This application seeks to vary floor area (§23-141); front yard (§23-45) side yard (§23-461) and parking (§25-161) in an R5 zoning district. <b>Community Board #5BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 11/10/09</b>
11.	54-09-BZ	Riker Danzig <b>150 Mercer Street (a/k/a 579 Broadway), Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment ( <i>Haven Day Spa</i> ) on the cellar level of a four-story mixed-use building. M1-5B district. <b>Community Board #2M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 10/20/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, September 22, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

12.	56-09-BZ	Omnipoint Communications, Inc. <b>6736 Hylan Boulevard, Staten Island</b> Special Permit (§73-30) to allow a proposed non-accessory radio tower and related equipment. R3X zoning district. <b>Community Board #3SI</b> <b>Examiner: Roy Starrin (212) 788-8797</b> <b>Status: Adjourned, Continued Hearing – 10/20/09</b>
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### ***BZ – NEW CASES***

13.	214-07-BZ	Sheldon Lobel, P.C. <b>3217 Irwin Avenue, Bronx</b> Variance (§72-21) to allow a public parking garage and increase the maximum permitted floor area in a mixed residential and community facility building, contrary to §22-10 and §24-162. R6 zoning district. <b>Community Board #8BX</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Continued Hearing – 11/24/09</b>
14.	28-09-BZ	Moshe M. Friedman, P.E. <b>133 Taaffe Place, Brooklyn</b> Variance (§72-21) to permit a four-story residential building on a vacant lot, contrary to use regulations (§42-10). M1-1 zoning district. <b>Community Board #3BK</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Continued Hearing – 11/17/09</b>
15.	214-09-BZ	Rothkrug, Rothkrug & Spector, LLP <b>1464 Astor Avenue, Bronx</b> Special Permit (§73-125) to allow for a 9,996 sq ft ambulatory diagnostic or treatment center which exceeds the 1,500 sq ft maximum allowable floor area set forth in ZR §22-14. R4-1 zoning district. <b>Community Board #11BX</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Continued Hearing – 11/10/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, OCTOBER 6, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	32-91-BZ	Walter T. Gorman, P.E., <b>838/846 Fulton Street, Brooklyn</b> Extension of Term and Waiver of the Rules for the continued use of a Gasoline Service Station ( <i>Coastal</i> ) which expired on May 19, 2007. C2-4/R7A zoning district. <b>Community Board #2BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 10/6/09</b>
2.	297-99-BZ	Walter T. Gorman, P.E. <b>45-05 Bell Boulevard, Queens</b> Extension of Term and Waiver of the Rules for the continued use of a Gasoline Service Station ( <i>Mobil</i> ) which expires on September 19, 2010. C2-2/R-6B zoning district. <b>Community Board #11Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 10/6/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, OCTOBER 6, 2009  
10:00 A.M.

<b><i>SOC – CONTINUED HEARINGS</i></b>		
3.	590-76-BZ	Joseph P. Morsellino, Esq. <b>243 East 59th Street, Manhattan</b> Extension of Term of a previously granted Variance (§72-01(b)) for an existing illuminated sign that exceeds the permitted height above curb level. C2-8 zoning district. <b>Community Board #8M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 10/20/09</b>
4.	1259-79-BZ	Sheldon Lobel, P.C. <b>29 West 26th Street, Manhattan</b> Extension of Time to complete construction and obtain a certificate of occupancy and Waiver of the Rules of a previously granted Variance (§72-21) for the conversion of all floors above the first floor from manufacturing lofts into residential dwellings which expired on October 6, 1984. M1-6 zoning district. <b>Community Board #5M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 10/27/09</b>
5.	5-96-BZ	Sheldon Lobel, P.C. <b>564/92 Saint John's Place, Brooklyn</b> Extension of Term (§11-411) to permit the operation a one-story public parking garage for no more than 150 cars (UG 8), which expired on March 18, 2007; Amendment to change the parking layout; and an Extension of Time to obtain a certificate of occupancy, which expired on March 18, 1998. R7-1 zoning district. <b>Community Board #8BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Adjourned, Continued Hearing – 11/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, OCTOBER 6, 2009  
10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
6.	684-64-BZ	George E. Berger <b>360 East 72<sup>nd</sup> Street, Manhattan</b> Extension of Term permitting the use of no more than 45 unused and surplus tenant parking spaces, within an accessory garage, for transient parking granted by the Board pursuant to §60 (3) of the Multiple Dwelling Law (MDL) which is set to expire on October 23, 2009. C1-5 in a R10A & R8B zoning district. <b>Community Board #8M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 10/27/09</b>
7.	16-95-BZ	Akerman Senterfitt, LLP <b>434 East 77<sup>th</sup> Street, Manhattan</b> Extension of Term and Waiver of the Rules of a previously granted Variance (§72-21) for a UG8 parking garage with accessory auto repairs which expired on March 23, 2009. R-8B zoning district. <b>Community Board #8M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 10/27/09</b>
8.	172-96-BZ	Law Office of Mitchell Ross, Esq. <b>597/99 Marcy Avenue, Brooklyn</b> Extension of Term for a variance (§72-21) which expired on May 11, 2009 allowing the operation of a welding shop (UG 16A) contrary to §32-00; Waiver of the Rules. C6-6 zoning district. <b>Community Board #3BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 10/27/09</b>
9.	193-97-BZ	Fredrick A. Becker <b>27-29 Great Jones Street, Manhattan</b> Extension of Term for a special permit (§73-36) which expired on April 1, 2008 for the operation of a Physical Culture Establishment (Great Jones Spa); Waiver of the Rules. M1-5B zoning. <b>Community Board #2M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 10/27/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, OCTOBER 6, 2009  
10:00 A.M.

<b><i>APPEALS – DECISIONS</i></b>		
10.	296-08-A	Gerald J. Caliendo, R.A., <b>45-02 111<sup>th</sup> Street, Queens</b> Proposed four-story, six-family dwelling with a community facility use located within the bed of a mapped street, contrary to General City Law, Section 35. R6B Zoning District. <b>Community Board #4Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Withdrawn – 10/6/09</b>
11.	181-09-A	NYC Fire Department <b>410 East 64<sup>th</sup> Street, Manhattan</b> An appeal filed by the NYC Fire Department seeking a Modification of Certificate of Occupancy to require an approved Automatic Wet Sprinkler system throughout the cellar and first floor of a commercial use. R8 zoning district. <b>Community Board #8M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 10/6/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, OCTOBER 6, 2009  
10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
12.	38-09-A	Benjamin Lam <b>72-45 43<sup>rd</sup> Avenue, Queens</b> Proposed construction of a three-family home located within the bed of mapped street, contrary to General City Law, Section 35. R-5 zoning district. <b>Community Board #4Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 10/6/09</b>
13.	228-09-A & 229-09-A	Sheldon Lobel, P.C. <b>37-45 and 37-47 98<sup>th</sup> Street, Queens</b> An Appeal seeking a common law vested right to complete construction commenced under the prior R6B zoning district. R5 zoning district. <b>Community Board #3Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 11/10/09</b>
14.	233-09-BZY	Sheldon Lobel, P.C. <b>91-12 175<sup>th</sup> Street, Queens</b> Application to complete construction of a minor development (§11-332) commenced under the prior R6 Zoning District. R4-1 zoning district. <b>Community Board #12Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 10/20/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, OCTOBER 6, 2009  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	169-08-BZ	James Chin & Associates, LLC <b>46 Laight Street, Manhattan</b> Variance (§72-21) to allow the redevelopment of a commercial building for residential use. Six residential floors and six dwelling units are proposed; contrary to use regulations (§42-00 & §111-104 (e)). M1-5 (TMU- Area B-2) district. <b>Community Board #1M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 10/6/09</b>
2.	210-08-BZ	Sheldon Lobel, P.C. <b>130-15 89<sup>th</sup> Road, Queens</b> Variance (§72-21) to permit two-story enlargement to an existing two-story building for a UG 3 drug treatment facility with sleeping accommodations ( <i>Samaritan Village</i> ), contrary to use regulations (ZR §43-00). M1-1 district. <b>Community Board #9Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Deferred Decision – 10/20/09</b>
3.	297-08-BZ	Lewis E. Garfinkel <b>3496 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141(a)) and rear yard (§23-47) regulations. R2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Reopened, Closed, Decision – 10/20/09</b>
4.	7-09-BZ	Law Office of Fredrick A. Becker <b>1082 East 26<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141), side yards (§23-461) and rear yard (§23-47) regulations. R-2 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 10/6/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, OCTOBER 6, 2009  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
5.	46-09-BZ	Eric Palatnik, P.C. <b>122 Oxford Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, lot coverage and open space (§23-141(b)), side yards (§23-461) and rear yard (§23-47) regulations. R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 10/6/09</b>
6.	49-09-BZ	Law Office of Fredrick A. Becker <b>1323 East 32<sup>nd</sup> Street, Brooklyn</b> Variance (§72-21) to permit the enlargement of a synagogue contrary to side yard regulations (§24-35(a)). R4 district. <b>Community Board #18BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 10/6/09</b>
7.	176-09-BZ	Bryan Cave LLP/Margery Purlmutter <b>220-236 West 28<sup>th</sup> Street, Manhattan</b> Special Permit (§73-64) to waive height and setback regulations (§33-432) for a community facility building ( <i>Fashion Institute of Technology</i> ). C6-2 District. <b>Community Board #5M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 10/6/09</b>
8.	184-09-BZ	Law Office of Fredrick A. Becker <b>4072 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space, lot coverage and floor area (§23-141); side yards (§23-461; rear yard (§23-47) and perimeter wall height (§23-631) regulations. R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 10/6/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, OCTOBER 6, 2009  
1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
9.	73-06-BZ	Eric Palatnik, P.C. <b>111 Union Street, Brooklyn</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment ( <i>Elite Fitness</i> ) in a portion of cellar and first floor in a three-story building. C2-3 zoning district. <b>Community Board #6BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 10/27/09</b>
10.	195-07-BZ	Greenberg Traurig <b>8-12 Bond Street, Manhattan</b> Variance (§72-21) to allow hotel and retail uses below the floor level of the second story, contrary to use regulations (§42-14(d)(2)). M1-5B zoning district. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 10/27/09</b>
11.	100-08-BZ & 101-08-A	Rothkrug, Rothkrug & Spector, LLP <b>205 Wolverine Street, Staten Island</b> Variance (§72-21) for the construction of a two-story with basement single family residence, contrary to front yard regulations (§23-45) and within the bed of a mapped, un-built street, contrary to General City Law Section 35. R2 zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 10/27/09</b>
12.	186-08-BZ	Petrus Fortune, P.E. <b>3065 Atlantic Avenue, Brooklyn</b> Special Permit (§73-19) to allow the legalization and enlargement of a school ( <i>Followers of Jesus Mennonite Church &amp; School</i> ) in a former manufacturing building, contrary to ZR §42-10. M1-1 zoning district. <b>Community Board #5BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 11/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, OCTOBER 6, 2009  
1:30 P.M.

<b>BZ – CONTINUED HEARINGS</b>		
13.	197-08-BZ	Stuart A. Klein <b>341/349 Troy Avenue, aka 1515 Carroll Street, Brooklyn</b> Variance (§72-21) to permit a four-story and penthouse residential building, contrary to §23-141 (FAR, open space ratio), §23-22 (number of dwelling units), §23-45 (front yard), §23-462 (side yard), and §23-631 (wall height). R4 district. <b>Community Board #9BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Adjourned, Continued Hearing – 11/10/09</b>
14.	260-08-BZ	Eric Palatnik, P.C. <b>148 Oxford Street, Brooklyn</b> Special Permit (§73-622) to legalize and enlarge a single family home, contrary to floor area (§23-141) regulations. R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Adjourned, Continued Hearing – 11/24/09</b>
15.	23-09-BZ	Eric Palatnik, P.C. <b>114 Amherst Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing one family home, contrary to open space, lot coverage and floor area (§23-141(b)) and rear yard (§23-47) regulations. R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Adjourned, Continued Hearing – 11/10/09</b>
16.	29-09-BZ	Law Office of Fredrick A. Becker <b>44 Brunswick Street, Staten Island</b> Variance (§72-21) to legalize and enlarge a synagogue ( <i>Chabad Israeli Center</i> ), contrary to lot coverage, front yards, side yards, and parking regulations. R3X zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Adjourned, Continued Hearing – 11/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, OCTOBER 6, 2009  
1:30 P.M.

## BZ – CONTINUED HEARINGS

17.	164-09-BZ	Eric Palatnik, P.C. <b>124 Irwin Street, Brooklyn</b> Special Permit (§73-622) for enlargement of an existing two-family home, contrary to floor area, lot coverage and open space (§23-141) and rear yard (ZR §23-47) regulations. R3-1 zoning district. <b>Community Board #15BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Closed, Decision – 11/10/09</b>
18.	226-09-BZ	Mitchell S. Ross, Esq. <b>24 East 13<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment ( <i>New York Health &amp; Racquet Club</i> ) on the cellar through second floors of a six-story mixed-use building. C6-1 zoning district. <b>Community Board #2M</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Closed, Decision – 10/27/09</b>

## BZ – NEW CASES

19.	171-08-BZ	Law Offices of Howard Goldman, LLC <b>40 West 68<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to allow the enlargement of an existing school ( <i>York Prep</i> ) contrary to ZR §74-95 (City Planning Commission Housing Quality Special Permit). R8 zoning district. <b>Community Board #7M</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Continued Hearing – 11/10/09</b>
20.	225-09-BZ	Antonio S. Valenziano <b>45 Beacon Avenue, Staten Island</b> Variance (§72-21) for the construction of a single family residence on a vacant undersized lot, contrary to front yard (§23-45) regulations. R2 (LDGM) zoning district. <b>Community Board #3SI</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Continued Hearing – 11/10/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, OCTOBER 20, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	191-53-BZ	Walter T. Gorman, P.E. <b>42-02/18 Queens Boulevard, Queens</b> Extension of Time and Waiver of the Rules to obtain a certificate of occupancy for a Gasoline Service Station ( <i>Mobil</i> ) which expired on September 21, 2001. C2-2/R7-1 zoning district. <b>Community Board #2Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 10/20/09</b>
2.	613-74-BZ	Greenberg Traurig LLP <b>1095 Avenue of the Americas, Manhattan</b> Amendment to a previously granted Variance (§72-21) to permit the relocation of illuminated signs ( <i>Metlife</i> ) from the north facade to the east façade of an existing 42-story commercial building. C6-6, C5-3, C6-7, C5-2.5/Special Midtown District/Theater Subdistrict. <b>Community Board #5M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 10/20/09</b>
3.	590-76-BZ	Joseph P. Morsellino, Esq. <b>243 East 59th Street, Manhattan</b> Extension of Term of a previously granted Variance (§72-01(b)) for an existing illuminated sign that exceeds the permitted height above curb level. C2-8 zoning district. <b>Community Board #8M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 10/20/09</b>
4.	194-97-BZ	Sheldon Lobel <b>84-12 164<sup>th</sup> Street, Queens</b> Extension of Term for a Variance (§72-21) for an automotive repair facility (UG 16B), which expired on November 29, 2007; Extension of Time to obtain a certificate of occupancy which expired on December 22, 1999; Waiver of the Rules. R4B zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 10/20/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, OCTOBER 20, 2009

10:00 A.M.

### ***SOC – DECISIONS***

5.	272-07-BZ	Wachtel & Masyr, LLP
		<b>344 Amsterdam Avenue, Manhattan</b>
		Amendment of a Special Permit (§73-36) to allow an enlargement of a Physical Culture Establishment. C2-7A and C4-6A zoning districts.
		<b>Community Board #7M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 10/20/09</b>

### ***SOC – CONTINUED HEARINGS***

6.	115-53-BZ	Eric Palatnik, P.C.
		<b>252-02 Union Turnpike, Queens</b>
		Extension of Term and Waiver of the Rules for the continued use of a Gasoline Service Station ( <i>Mobil</i> ) which expired on July 11, 2008. C2-2/R3-2 zoning district.
		<b>Community Board #13Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 11/17/09</b>
7.	197-05-BZ	Marvin Mitzner, Esq.
		<b>813/815 Broadway, Manhattan</b>
		Amendment to a variance (§72-21) to allow full commercial coverage on the ground floor and an increase in commercial FAR in a mixed use building. C6-1 zoning district.
		<b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 11/24/09</b>

#### \*\*\*DISCLAIMER\*\*\*

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, OCTOBER 20, 2009  
10:00 A.M.

<b>SOC – NEW CASES</b>		
8.	1715-61-BZ	<p>Mitchell S. Ross, Esq. <b>129-02 Guy R. Brewer Boulevard/129-02 New York Boulevard, Queens</b> Extension of Term (§11-411) for a dry cleaning establishment (UG 6A), which expired on June 5, 2007; Extension of Time to obtain a certificate of occupancy, which expired on December 14, 2000; Waiver of the Rules. R3X zoning district. <b>Community Board #12Q</b></p>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 11/17/09</b>
9.	1038-80-BZ	<p>Davidoff Malito &amp; Hatcher, LLP <b>31-07/09/11 Downing Street, Queens</b> Extension of Term of a Special Permit for the continued operation of a UG15 Amusement Arcade (<i>Smile Arcade</i>) which expired on January 6, 2009. M2-1 zoning district. <b>Community Board #7Q</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 11/10/09</b>
10.	1016-86-BZ	<p>The Law Office of Fredrick A. Becker <b>2162-2166 Broadway, Manhattan</b> Extension of Term for a special permit (§73-36) which expired on May 5, 2007 for the operation of a Physical Culture Establishment (<i>New York Sports Club</i>); Extension of Time to obtain a Certificate of Occupancy which expired on OCTOBER 26, 2000; and Waiver of the Rules. C4-6A zoning district. <b>Community Board #7M</b></p>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 11/17/09</b>
11.	311-04-BZ	<p>Rothkrug Rothkrug &amp; Spector <b>380 Lighthouse Avenue, Staten Island</b> Amendment to a previously granted Variance (§72-21) for a proposed one family dwelling which is contrary to lot coverage (§105-33) and maximum height (§23-631) regulations. R1-2(NA-1) zoning district. <b>Community Board #2SI</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 11/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, OCTOBER 20, 2009

10:00 A.M.

### ***APPEALS – DECISIONS***

12.	233-09-BZY	Sheldon Lobel, P.C.
		<b>91-12 175<sup>th</sup> Street, Queens</b>
		Application to complete construction of a minor development (§11-332) commenced under the prior R6 Zoning District. R4-1 zoning district.
		<b>Community Board #12Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 10/20/09</b>

### ***APPEALS – CONTINUED HEARINGS***

13.	140-08-BZY	Eric Palatnik, P.C.
		<b>1016 East 13<sup>th</sup> Street, Brooklyn</b>
		Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R5 zoning district.
		<b>Community Board #14BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Withdrawn – 10/20/09</b>
14.	178-09-A	Marvin B. Mitzner, Esq.
		<b>120 St. Marks Place (East 8<sup>th</sup> street), Manhattan</b>
		Appeal contesting an Order of Closure issued by the Department of Buildings that the use of the cellar at the subject premises as a Veterinarian's Office (UG6) constitutes an illegal use in a residential district pursuant to Administrative Code Section 28-212.1. R8B zoning district.
		<b>Community Board #3M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Withdrawn – 10/20/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, OCTOBER 20, 2009

10:00 A.M.

<i><b>APPEALS – NEW CASES</b></i>		
15.	147-07-BZY	Cozen O'Connor <b>144 North 8 Street, Brooklyn</b> Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 (M1-2) district regulations. R6B zoning district. <b>Community Board #1BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 11/17/09</b>
16.	249-09-A	Bryan Cave LLP <b>363 Lafayette, Manhattan</b> Appeal challenging Department of Building's determination that the permit for the subject premises expired and became invalid because the permitted work was not commenced within 12 months from the date of issuance, per Title 28, §28-105.9 of the Administrative Code. <b>Community Board #2M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Postponed, Public Hearing – 11/10/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 20, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	63-08-BZ	Eric Palatnik, P.C. <b>116-33 Queens Boulevard, Queens</b> Special Permit (§73-244) to legalize an eating and drinking establishment with entertainment and a capacity of more than 200 persons with dancing. C4-2 zoning district. <b>Community Board #6Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Reopened, Closed, Decision – 11/10/09</b>
2.	210-08-BZ	Sheldon Lobel, P.C. <b>130-15 89<sup>th</sup> Road, Queens</b> Variance (§72-21) to permit two-story enlargement to an existing two-story building for a UG 3 drug treatment facility with sleeping accommodations ( <i>Samaritan Village</i> ), contrary to use regulations (ZR §43-00). M1-1 district. <b>Community Board #9Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 10/20/09</b>
3.	297-08-BZ	Lewis E. Garfinkel <b>3496 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141(a)) and rear yard (§23-47) regulations. R2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 10/20/09</b>
4.	54-09-BZ	Riker Danzig <b>150 Mercer Street (a/k/a 579 Broadway), Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment ( <i>Haven Day Spa</i> ) on the cellar level of a four-story mixed-use building. M1-5B district. <b>Community Board #2M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Deferred Decision – 11/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 20, 2009

1:30 P.M.

### ***BZ – DECISIONS***

5.	183-09-BZ	<p>The Law Office of Fredrick A. Becker  <b>1400 5<sup>th</sup> Avenue, Manhattan</b>  Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>NY Sports Club</i>) on a portion of the ground floor and cellar in an eight-story mixed-use building. C4-5X zoning district.  <b>Community Board #10M</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Granted – 10/20/09</b></p>
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### ***BZ – CONTINUED HEARINGS***

6.	254-08-BZ	<p>Eric Palatnik, P.C.  <b>1214 East 15<sup>th</sup> Street, Brooklyn</b>  Variance (§72-21) to legalize and enlarge a Yeshiva (<i>Yeshiva Ohr Yitzchok</i>) contrary to §42-11 (use regulations), §43-122 (floor area), §43-43 (wall height, number of stories, and sky exposure plane). §43-301 (required open area). M1-1D zoning district.  <b>Community Board # 14BK</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Adjourned, Continued Hearing – 12/15/09</b></p>
7.	37-09-BZ	<p>Law Office of Fredrick A. Becker  <b>3950 Bedford Avenue, Brooklyn</b>  Special Permit (§73-622) for the in-part legalization and enlargement of an existing single family home, contrary to floor area, open space and lot coverage (ZR §23-141(b)); side yard (ZR §23-461(a)) &amp; (ZR §23-48); rear yard (ZR §23 -47), and perimeter wall height (§23-631) regulations. R3-2 zoning district.  <b>Community Board #15BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 11/10/09</b></p>
8.	56-09-BZ	<p>Omnipoint Communications, Inc.  <b>6736 Hylan Boulevard, Staten Island</b>  Special Permit (§73-30) to allow a proposed non-accessory radio tower and related equipment. R3X zoning district.  <b>Community Board #3SI</b>  <b>Examiner: Roy Starrin (212) 788-8797</b>  <b>Status: Closed, Decision – 11/17/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 20, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

9.	198-09-BZ	Eric Palatnik, P.C. <b>143 West 19<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the operation of the proposed physical culture establishment ( <i>Personal Training Institute</i> ) on the first floor of an eight-story building. C6-3A zoning district. <b>Community Board #4M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 11/17/09</b>

### ***BZ – NEW CASES***

10.	180-09-BZ	Rothkrug Rothkrug & Spector <b>1735 Richmond Avenue, Staten Island</b> Variance (§72-21) to allow for a commercial building (UG6) contrary to use regulations (§22-00). R3-1 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 11/24/09</b>
11.	187-09-BZ	Law Office of Fredrick A. Becker <b>94 Amherst Street, Brooklyn</b> Variance (§72-21) to permit the construction of a mikvah (ritual bath) in the proposed building ( <i>Torath Israel Sephardic Congregation</i> ), contrary to FAR and lot coverage (§24-11), side yard (§24-35) and rear yard (§24-36). R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 11/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, OCTOBER 27, 2009

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	684-64-BZ	George E. Berger <b>360 East 72<sup>nd</sup> Street, Manhattan</b> Extension of Term permitting the use of no more than 45 unused and surplus tenant parking spaces, within an accessory garage, for transient parking granted by the Board pursuant to §60 (3) of the Multiple Dwelling Law (MDL) which is set to expire on October 23, 2009. C1-5 in a R10A & R8B zoning district. <b>Community Board #8M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 10/27/09</b>
2.	1259-79-BZ	Sheldon Lobel, P.C. <b>29 West 26th Street, Manhattan</b> Extension of Time to complete construction and obtain a certificate of occupancy and Waiver of the Rules of a previously granted Variance (§72-21) for the conversion of all floors above the first floor from manufacturing lofts into residential dwellings which expired on October 6, 1984. M1-6 zoning district. <b>Community Board #5M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 10/27/09</b>
3.	193-97-BZ	Fredrick A. Becker <b>27-29 Great Jones Street, Manhattan</b> Extension of Term for a special permit (§73-36) which expired on April 1, 2008 for the operation of a Physical Culture Establishment (Great Jones Spa); Waiver of the Rules. M1-5B zoning. <b>Community Board #2M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 10/27/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, OCTOBER 27, 2009

10:00 A.M.

### ***SOC – CONTINUED HEARINGS***

4.	826-86-BZ thru 828-86-BZ	Eric Palatnik, P.C. <b>269-10, 270-10, 271-10 Grand Central Parkway, Queens</b> Extension of Term for a Special Permit (§73-11) to allow non-accessory radio towers and transmitting equipment on the roof of a 33-story multiple dwelling ( <i>North Shore Towers</i> ) which expired on March 28, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on March 6, 2003; an Amendment to eliminate the condition that a new Certificate of Occupancy be obtained; and Waiver of the Rules. R3-2 zoning district. <b>Community Board #13Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 12/8/09</b>
5.	16-95-BZ	Akerman Senterfitt, LLP <b>434 East 77<sup>th</sup> Street, Manhattan</b> Extension of Term and Waiver of the Rules of a previously granted Variance (§72-21) for a UG8 parking garage with accessory auto repairs which expired on March 23, 2009. R-8B zoning district. <b>Community Board #8M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 11/17/09</b>
6.	172-96-BZ	Law Office of Mitchell Ross, Esq. <b>597/99 Marcy Avenue, Brooklyn</b> Extension of Term for a variance (§72-21) which expired on May 11, 2009 allowing the operation of a welding shop (UG 16A) contrary to §32-00; Waiver of the Rules. C6-6 zoning district. <b>Community Board #3BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 11/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, OCTOBER 27, 2009

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
7.	321-63-BZ	Slater & Beckerman, LLP <b>1775 Grand Concourse, 100 East 175th Street and 1730 Walton Avenue, Bronx.</b> Amendment of Special Permit (§73-65) which allowed the enlargement of a telephone exchange facility (UG 6D). The amendment would allow change of use from telephone exchange to UG 6 on the first floor, from UG 4A to a school (UG 3) on the fourth floor, from telephone exchange to a school (UG 3) on the fifth and sixth floors, from offices (UG 6B) to school accessory offices (UG 6B) on the seventh and eighth floors, and the creation of rooftop recreation space for the school (UG 3). R8/Special Grand Concourse Preservation District. <b>Community Board #5BX</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Withdrawn – 10/27/09</b>
8.	60-82-BZ	Eric Palatnik, P.C. <b>60-11 Queens Boulevard, Queens</b> Extension of Time to obtain a Certificate of Occupancy for a gasoline service station ( <i>BP North America</i> ) which expired on December 13, 2007; Waiver of the Rules. C2-3/R7X zoning district. <b>Community Board #2Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 11/17/09</b>
9.	140-92-BZ	The Law Office of Fredrick A. Becker <b>39-21 Crescent Street, Queens</b> Amendment of variance (§72-21) which allowed an enlargement of an existing school (UG 3). The amendment would further enlarge the school, contrary to height and setback (§43-43). M1-2/R5D & M1-2/R5B (Special Long Island City Mixed Use District). <b>Community Board #1Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 11/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, OCTOBER 27, 2009  
10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
10.	3-04-BZ	Eric Palatnik, P.C. <b>147-08 46<sup>th</sup> Avenue, Queens</b> Extension of Time to Complete Construction of a previously granted Variance (§72-21) for a two story, two family dwelling which expires on November 29, 2009; Waiver of the Rules. R-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 11/10/09</b>
11.	19-05-BZ	Slater & Beckerman, LLP <b>151 West 28<sup>th</sup> Street, Manhattan</b> Extension of Time to complete construction of a previously granted Variance (§72-21) for the change in use of portions of an existing nine-story, mixed-use building to residential use which expires on October 18, 2009. M1-6 zoning district. <b>Community Board #5M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 11/10/09</b>

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
12.	313-08-A	Law Office of Howard Goldman, LLC <b>363-371 Lafayette Street, Manhattan</b> Appeal to Department of Building's refusal to revoke permits and approvals for a six-story commercial building. M1-5B zoning district. <b>Community Board #2M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Adjourned, Continued Hearing – 12/15/09</b>
13.	159-09-A	Rothkrug, Rothkrug & Spector, LLP <b>85 Woodland Avenue, Staten Island</b> Proposed construction of a single family home located within the bed of a mapped street (Doane Avenue), contrary to General City Law §35. R2 zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 11/10/09</b>

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, OCTOBER 27, 2009  
10:00 A.M.

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<b><i>APPEALS – NEW CASES</i></b>		
<b>14.</b>	<b>197-09-A</b>	Paul Russo <b>518 Browns Boulevard, Queens</b> Proposed reconstruction and enlargement of an existing building located within the bed of a mapped street, contrary to General City Law Section 35, and the upgrade of the private disposal system located within the bed of a mapped street, contrary to Section 35 General City Law and the Department of Buildings Policy. R4 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 10/27/09</b>
<b>15.</b>	<b>232-09-A</b>	New York City Fire Department <b>1775 Flatbush Avenue, Brooklyn</b> Appeal seeking a modification of the Certificate of Occupancy to require an approved automatic wet sprinkler system installed throughout the entire building. R5 zoning district. <b>Community Board #18BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 11/10/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 27, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	73-06-BZ	Eric Palatnik, P.C. <b>111 Union Street, Brooklyn</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment ( <i>Elite Fitness</i> ) in a portion of cellar and first floor in a three-story building. C2-3 zoning district. <b>Community Board #6BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 10/27/09</b>
2.	226-09-BZ	Mitchell S. Ross, Esq. <b>24 East 13<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment ( <i>New York Health &amp; Racquet Club</i> ) on the cellar through second floors of a six-story mixed-use building. C6-1 zoning district. <b>Community Board #2M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 10/27/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 27, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

3.	195-07-BZ	<p>Greenberg Traurig  <b>8-12 Bond Street, Manhattan</b>  Variance (§72-21) to allow hotel and retail uses below the floor level of the second story, contrary to use regulations (§42-14(d)(2)). M1-5B zoning district.  <b>Community Board #2M</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Closed, Decision – 12/15/09</b></p>
4.	256-07-BZ	<p>Rothkrug, Rothkrug &amp; Spector  <b>1978 Atlantic Avenue, Brooklyn</b>  Variance (§72-21) to permit a three-story, five-unit residential building, contrary to use regulations (§42-00). M1-1 zoning district.  <b>Community Board # 8BK</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Adjourned, Continued Hearing – 12/8/09</b></p>
5.	100-08-BZ & 101-08-A	<p>Rothkrug, Rothkrug &amp; Spector, LLP  <b>205 Wolverine Street, Staten Island</b>  Variance (§72-21) for the construction of a two-story with basement single family residence, contrary to front yard regulations (§23-45) and within the bed of a mapped, un-built street, contrary to General City Law Section 35. R2 zoning district.  <b>Community Board #3SI</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 12/8/09</b></p>
6.	187-08-BZ	<p>Sheldon Lobel, P.C.  <b>1247 38<sup>th</sup> Street, Brooklyn</b>  Variance (§72-21) to permit the construction of a six-story community facility building (<i>Congregation &amp; Yeshiva Machzikei Hadas</i>), contrary to ZR §42-00. M2-1 zoning district.  <b>Community Board #12BK</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Adjourned, Continued Hearing – 11/24/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 27, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
7.	220-08-BZ	Moshe M. Friedman <b>95 Taaffe Place, Brooklyn</b> Variance (§72-21) to permit the enlargement of a non-conforming one-family dwelling, contrary to §42-10. M1-1 zoning district. <b>Community Board #3BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Adjourned, Continued Hearing – 12/15/09</b>
8.	249-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>130 Adelaide Avenue, Staten Island</b> Variance (§72-21) for the construction of a single family residence, contrary to floor area and open space (§23-141); required front yard (§23-45), rear yard (§23-47), side yard (§23-46) and off street parking (§25-622) regulations. R2 (LDGM) zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 11/10/09</b>
9.	314-08-BZ	Kramer Levin Naftalis & Frankel, LLP <b>437-447 West 13<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to allow for the construction of a 12-story commercial building (office and UG10 retail), contrary to FAR, height and setback and rear yard regulations (§43-12, §43-43, §43-26) and use regulations (§42-12). M1-5 zoning district. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 11/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 27, 2009

1:30 P.M.

<b>BZ – NEW CASES</b>		
10.	14-09-BZ	Eric Palatnik, P.C. <b>2294 Forest Avenue, Staten Island</b> Special Permit (§73-211) to allow an automotive service station with an accessory convenience store and automotive laundry (UG 16B). C2-1/R3-2 zoning district. <b>Community Board #1SI</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 1/12/10</b>
11.	182-09-BZ	Eric Palatnik, P.C. <b>612 West 180<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to legalize the existing UG 3 novitiate and UG 4 house of worship ( <i>Congregation Mita</i> ), contrary to §§ 24-35 (side yard) and 24-36 (rear yard). R7-2 zoning district. <b>Community Board #12M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 12/15/09</b>
12.	215-09-BZ	Law Office of Fredrick A. Becker <b>92-16 95th Avenue, Queens</b> Special Permit (§11-411 & §11-413) for reinstatement and change of use from a wholesale (UG7) to retail (UG6) on the ground floor of a three story building, which expired on March, 2002; Extension of Time to obtain a certificate of occupancy, which expired March 1993; and Waiver of the Rules. R5 zoning district. <b>Community Board #9Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 11/17/09</b>
13.	218-09-BZ	Jeffrey A. Chester <b>57 Empire Boulevard, Brooklyn</b> Special Permit (§73-243) to allow an accessory drive-through facility to an eating and drinking establishment ( <i>McDonald's</i> ). C1-3/C8-2 zoning district. <b>Community Board #1BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 11/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 27, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>14.</b>	<b>247-09-BZ</b>	Kramer Levin Naftalis and Frankel <b>123 East 55<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to allow for expansion of the community house for the Central Synagogue (UG 4), contrary to floor area and height and setback regulations. (§§33-12, 81-211, 33-432). C5-2, C5-2.5 MiD zoning districts. <b>Community Board #5M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 11/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, NOVEMBER 10, 2009

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>1038-80-BZ</b>	Davidoff Malito & Hatcher, LLP <b>31-07/09/11 Downing Street, Queens</b> Extension of Term of a Special Permit for the continued operation of a UG15 Amusement Arcade ( <i>Smile Arcade</i> ) which expired on January 6, 2009. M2-1 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 11/10/09</b>
<b>2.</b>	<b>3-04-BZ</b>	Eric Palatnik, P.C. <b>147-08 46<sup>th</sup> Avenue, Queens</b> Extension of Time to Complete Construction of a previously granted Variance (§72-21) for a two story, two family dwelling which expires on November 29, 2009; Waiver of the Rules. R-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 11/10/09</b>
<b>3.</b>	<b>19-05-BZ</b>	Slater & Beckerman, LLP <b>151 West 28<sup>th</sup> Street, Manhattan</b> Extension of Time to complete construction of a previously granted Variance (§72-21) for the change in use of portions of an existing nine-story, mixed-use building to residential use which expires on October 18, 2009. M1-6 zoning district. <b>Community Board #5M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 11/10/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, NOVEMBER 10, 2009

10:00 A.M.

### ***SOC – CONTINUED HEARINGS***

4.	149-01-BZ	Eric Palatnik, P.C. <b>88 Jane Street, Manhattan</b> Amendment to a previously issued resolution that seeks to remove the condition that a residential unit be occupied by a qualified senior citizen at a subsidized rate for a term of 10 years, from the date of the issuance of the Certificate of Occupancy. R6 zoning district. <b>Community Board #2M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 11/24/09</b>

### ***SOC – NEW CASES***

5.	728-29-BZ	Walter T. Gorman, P.E. <b>154-04 Horace Harding Expressway, Queens</b> Extension of Term for the continued use of a gasoline service station ( <i>Mobil</i> ) which expires on March 19, 2010. R4 zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 11/24/09</b>
6.	467-58-BZ	Walter T. Gorman, P.E. <b>172-11 Northern Boulevard, Queens</b> Extension of Term for the continued operation of a Gasoline Service Station ( <i>Mobil</i> ) which expires on December 4, 2009. R3-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 11/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, NOVEMBER 10, 2009

10:00 A.M.

<b><i>APPEALS – DECISIONS</i></b>		
<b>7.</b>	<b>159-09-A</b>	Rothkrug, Rothkrug & Spector, LLP <b>85 Woodland Avenue, Staten Island</b> Proposed construction of a single family home located within the bed of a mapped street (Doane Avenue), contrary to General City Law §35. R2 zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Deferred Decision – 11/17/09</b>
<b>8.</b>	<b>232-09-A</b>	New York City Fire Department <b>1775 Flatbush Avenue, Brooklyn</b> Appeal seeking a modification of the Certificate of Occupancy to require an approved automatic wet sprinkler system installed throughout the entire building. R5 zoning district. <b>Community Board #18BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 11/10/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, NOVEMBER 10, 2009

10:00 A.M.

### ***APPEALS – CONTINUED HEARINGS***

9.	62-08-A	Eric Palatnik, P.C. <b>398 Nugent Street, Staten Island</b> Proposed construction not fronting on a legally mapped street, contrary to General City Law, Section 36. R1-2 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 1/12/10</b>
10.	167-09-A	Harold Weinberg, P.E. <b>820 39<sup>th</sup> Street, Brooklyn</b> Appeal challenging Department of Building's determination that the reconstruction of non-complying building must be done in accordance with §54-41 and be required to provide a 30 foot rear yard. M1-2 zoning district. <b>Community Board #12BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 2/23/10</b>
11.	228-09-A & 229-09-A	Sheldon Lobel, P.C. <b>37-45 and 37-47 98<sup>th</sup> Street, Queens</b> An Appeal seeking a common law vested right to complete construction commenced under the prior R6B zoning district. R5 zoning district. <b>Community Board #3Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 11/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, NOVEMBER 10, 2009  
10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
12.	216-09-A	Gary D. Lenhart, R.A. <b>51 West Market Street, Queens</b> Proposed reconstruction and enlargement of a single family home and the proposed upgrade of an existing non-conforming private disposal system located in the bed of a mapped street, contrary to General City Law Section 35. R4 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 11/10/09</b>
13.	241-09-BZY	Gouranga Kundu <b>87-26 175<sup>th</sup> Street, (aka 88-04 175<sup>th</sup> Street) Queens</b> Extension of time to complete construction of a minor development (§11-332) commenced under the prior R6 Zoning district. R4-1 Zoning District. <b>Community Board #12Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 12/8/09</b>
14.	249-09-A	Bryan Cave LLP <b>363 Lafayette Street, Manhattan</b> Appeal challenging Department of Building's determination that permit for the subject premises expired and became invalid because the permitted work was not commenced within 12 months from the date of issuance, per Title 28, §28-105.9 of the Administrative Code. <b>Community Board #2M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Postponed, Public Hearing – 1/12/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 10, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	220-07-BZ	Moshe M. Friedman, P.E. <b>847 Kent Avenue, Brooklyn</b> Variance (§72-21) to allow the erection of a new four-story residential building containing four dwelling units, contrary to use regulations (§42-10). M1-1 zoning district. <b>Community Board #3BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 11/10/09</b>
2.	63-08-BZ	Eric Palatnik, P.C. <b>116-33 Queens Boulevard, Queens</b> Special Permit (§73-244) to legalize an eating and drinking establishment with entertainment and a capacity of more than 200 persons with dancing. C4-2 zoning district. <b>Community Board #6Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 11/10/09</b>
3.	249-08-BZ	Rothkrug, Rothkrug & Spector, LLP <b>130 Adelaide Avenue, Staten Island</b> Variance (§72-21) for the construction of a single family residence, contrary to floor area and open space (§23-141); required front yard (§23-45), rear yard (§23-47), side yard (§23-46) and off street parking (§25-622) regulations. R2 (LDGM) zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 11/10/09</b>
4.	37-09-BZ	Law Office of Fredrick A. Becker <b>3950 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the in-part legalization and enlargement of an existing single family home, contrary to floor area, open space and lot coverage (ZR §23-141(b)); side yard (ZR §23-461(a)) & (ZR §23-48); rear yard (ZR §23 -47), and perimeter wall height (§23-631) regulations. R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 11/10/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 10, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>5.</b>	<b>51-09-BZ</b>	Eric Palatnik, P.C., <b>2032 East 17<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the legalization of an enlargement to an existing single family home, contrary to side yard requirements (§461). R-5 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Withdrawn – 11/10/09</b>
<b>6.</b>	<b>164-09-BZ</b>	Eric Palatnik, P.C. <b>124 Irwin Street, Brooklyn</b> Special Permit (§73-622) for enlargement of an existing two-family home, contrary to floor area, lot coverage and open space (§23-141) and rear yard (ZR §23-47) regulations. R3-1 zoning district. <b>Community Board#15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 11/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 10, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
7.	97-08-BZ	Eric Palatnik, P.C. <b>84 Sanford Street, Brooklyn</b> Special Permit (§73-19) to allow the legalization of an existing school ( <i>Central UTA</i> ) (UG 3). M1-1 district. <b>Community Board #3BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 12/15/09</b>
8.	171-08-BZ	Law Offices of Howard Goldman, LLC <b>40 West 68<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to allow the enlargement of an existing school ( <i>York Prep</i> ) contrary to ZR §74-95 (City Planning Commission Housing Quality Special Permit). R8 zoning district. <b>Community Board #7M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 12/8/09</b>
9.	197-08-BZ	Stuart A. Klein <b>341/349 Troy Avenue, aka 1515 Carroll Street, Brooklyn</b> Variance (§72-21) to permit a four-story and penthouse residential building, contrary to §23-141 (FAR, open space ratio), §23-22 (number of dwelling units), §23-45 (front yard), §23-462 (side yard), and §23-631 (wall height). R4 district. <b>Community Board #9BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 12/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 10, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

10.	23-09-BZ	<p>Eric Palatnik, P.C.  <b>114 Amherst Street, Brooklyn</b>  Special Permit (§73-622) for the enlargement of an existing one family home, contrary to open space, lot coverage and floor area (§23-141(b)) and rear yard (§23-47) regulations. R3-1 zoning district.  <b>Community Board #15BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 11/24/09</b></p>
11.	53-09-BZ	<p>Harold Weinberg, P.E.  <b>540 Schenck Avenue, Brooklyn</b>  Variance (§72-21) for the construction of a three-family home on a vacant undersized lot. This application seeks to vary floor area (§23-141); front yard (§23-45) side yard (§23-461) and parking (§25-161) in an R5 zoning district.  <b>Community Board #5BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Continued Hearing – 12/15/09</b></p>
12.	214-09-BZ	<p>Rothkrug, Rothkrug &amp; Spector, LLP  <b>1464 Astor Avenue, Bronx</b>  Special Permit (§73-125) to allow for a 9,996 sq ft ambulatory diagnostic or treatment center which exceeds the 1,500 sq. ft. maximum allowable floor area set forth in ZR §22-14. R4-1 zoning district.  <b>Community Board #11BX</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Continued Hearing – 1/12/10</b></p>
13.	225-09-BZ	<p>Antonio S. Valenziano  <b>45 Beacon Avenue, Staten Island</b>  Variance (§72-21) for the construction of a single family residence on a vacant undersized lot, contrary to front yard (§23-45) regulations. R2 (LDGM) zoning district.  <b>Community Board #3SI</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 12/8/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 10, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
14.	160-08-BZ	Dominick Salvati and Son Architects <b>651-671 Fountain Avenue, Brooklyn</b> Variance (§72-21) to permit the legalization of commercial storage of motor vehicles/buses (UG 16C) with accessory fuel storage and motor vehicles sales and repair (UG 16B), which is contrary to §22-00. R4 zoning district. <b>Community Board #5BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 1/12/10</b>
15.	299-08-BZ	Sheldon Lobel, P.C. <b>3857-3861 Third Avenue, Bronx</b> Variance (§72-21) to allow for a nine-story, 104 unit community facility building (non profit institution with sleeping accommodations), contrary to floor area and use regulations (ZR §24-111, §42-00). R6/C1-4, R6/C2-4 and M1-4 zoning districts. <b>Community Board #3BX</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 12/15/09</b>
16.	231-09-BZ	Kramer Levin Naftalis & Frankel <b>412-414 Greenwich Street, Manhattan</b> Variance (§72-21) to allow for the construction of a six-story mixed use building, contrary to use and parking regulations (ZR §42-10, §13-10). M1-5/TMU Special District. <b>Community Board #1M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 12/8/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, NOVEMBER 17, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	395-60-BZ	<p>Sheldon Lobel, P.C. <b>2557-2577 Linden Boulevard, Brooklyn</b> Extension of Term (§11-411, §11-413) for change of use from a gasoline service station (UG16) to automotive repair establishment (UG16), which expired on December 9, 2005; Amendment to reduce the size of the subject lot and to request a UG6 designation for the convenience store; and an Extension of Time to obtain a certificate of occupancy which expired on January 19, 2000. R5 zoning district. <b>Community Board #5BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 11/17/09</b></p>
2.	60-82-BZ	<p>Eric Palatnik, P.C. <b>60-11 Queens Boulevard, Queens</b> Extension of Time to obtain a Certificate of Occupancy for a gasoline service station (<i>BP North America</i>) which expired on December 13, 2007; Waiver of the Rules. C2-3/R7X zoning district. <b>Community Board #2Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Deferred Decision – 11/24/09</b></p>
3.	16-95-BZ	<p>Akerman Senterfitt, LLP <b>434 East 77<sup>th</sup> Street, Manhattan</b> Extension of Term and Waiver of the Rules of a previously granted Variance (§72-21) for a UG8 parking garage with accessory auto repairs which expired on March 23, 2009. R-8B zoning district. <b>Community Board #8M</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 11/17/09</b></p>
4.	172-96-BZ	<p>Law Office of Mitchell Ross, Esq. <b>597/99 Marcy Avenue, Brooklyn</b> Extension of Term for a variance (§72-21) which expired on May 11, 2009 allowing the operation of a welding shop (UG 16A) contrary to §32-00; Waiver of the Rules. C6-6 zoning district. <b>Community Board #3BK</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 11/17/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, NOVEMBER 17, 2009

10:00 A.M.

### ***SOC – CONTINUED HEARINGS***

5.	115-53-BZ	<p>Eric Palatnik, P.C.  <b>252-02 Union Turnpike, Queens</b>                      Extension of Term and Waiver of the Rules for the continued use of a Gasoline Service Station (<i>Mobil</i>) which expired on July 11, 2008. C2-2/R3-2 zoning district.  <b>Community Board #13Q</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 12/8/09</b></p>
6.	1715-61-BZ	<p>Mitchell S. Ross, Esq.  <b>129-02 Guy R. Brewer Boulevard/129-02 New York Boulevard, Queens</b>                      Extension of Term (§11-411) for a dry cleaning establishment (UG 6A), which expired on June 5, 2007; Extension of Time to obtain a certificate of occupancy, which expired on December 14, 2000; Waiver of the Rules. R3X zoning district.  <b>Community Board #12Q</b>  <b>Examiner: Carlo Costanza (212) 788-8739</b>  <b>Status: Closed, Decision – 12/8/09</b></p>
7.	1016-86-BZ	<p>The Law Office of Fredrick A. Becker  <b>2162-2166 Broadway, Manhattan</b>                      Extension of Term for a special permit (§73-36) which expired on May 5, 2007 for the operation of a Physical Culture Establishment (<i>New York Sports Club</i>); Extension of Time to obtain a Certificate of Occupancy which expired on October 26, 2000; and Waiver of the Rules. C4-6A zoning district.  <b>Community Board #7M</b>  <b>Examiner: Carlo Costanza (212) 788-8739</b>  <b>Status: Closed, Decision – 12/8/09</b></p>
8.	311-04-BZ	<p>Rothkrug Rothkrug &amp; Spector  <b>380 Lighthouse Avenue, Staten Island</b>                      Amendment to a previously granted Variance (§72-21) for a proposed one family dwelling which is contrary to lot coverage (§105-33) and maximum height (§23-631) regulations. R1-2(NA-1) zoning district.  <b>Community Board #2SI</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Continued Hearing – 12/15/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, NOVEMBER 17, 2009

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
9.	240-55-BZ	<p>Joseph P. Morsellino <b>207-22 Northern Boulevard, Queens</b> Extension of Term (§11-411) for the continued operation of a UG16 auto repair shop with sales, exchange of vehicles and products which expired on November 3, 2008. C2-2(R6B) &amp; R-4 zoning district. <b>Community Board #11Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 12/8/09</b></p>
10.	217-96-BZ	<p>Joseph P. Morsellino <b>165-01 Northern Boulevard, Queens</b> Extension of Term of a previously granted Variance (§72-21) for the continued use of an existing car rental facility (<i>Enterprise</i>) with accessory outdoor storage of rental cars (UG 8) which expired on October 7, 2007; Extension of Time to obtain a Certificate of Occupancy which expired on October 7, 1998; and Waiver of the Rules. C1-2/R-2 zoning district. <b>Community Board #7Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 12/8/09</b></p>
11.	195-99-BZ	<p>Eric Palatnik, P.C. <b>112 Atlantic Avenue, Brooklyn</b> Extension of Term (§11-411) for the continued use of a Gasoline Service Station (<i>Shell</i>) which expires on November 10, 2009. R-6 zoning district. <b>Community Board #6BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 12/15/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, NOVEMBER 17, 2009

10:00 A.M.

### ***APPEALS – DECISIONS***

12.	147-07-BZY	Cozen O'Connor <b>144 North 8<sup>th</sup> Street, Brooklyn</b> Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 (M1-2) district regulations. R6B zoning district. <b>Community Board #1BK</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Granted – 11/17/09</b>
13.	159-09-A	Rothkrug, Rothkrug & Spector, LLP <b>85 Woodland Avenue, Staten Island</b> Proposed construction of a single family home located within the bed of a mapped street (Doane Avenue), contrary to General City Law §35. R2 zoning district. <b>Community Board #3SI</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Granted – 11/17/09</b>

### ***APPEALS – CONTINUED HEARINGS***

14.	217-09-A	Marvin B. Mitzner, Esq. <b>514-516 East 6<sup>th</sup> Street, Manhattan</b> An appeal seeking to vary the applicable provisions under the Multiple Dwelling Law as it applies to the enlargement of non- fireproof tenement buildings. R7-2 zoning district. <b>Community Board #3M</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Continued Hearing – 12/15/09</b>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, NOVEMBER 17, 2009

10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
15.	315-08-A	Stuart A. Klein, Esq. <b>246 Spring Street, Manhattan</b> An appeal seeking the revocation of permits for a condominium hotel on the basis that the approved plans allow for exceedance of maximum permitted floor area. M1-6 zoning. <b>Community Board #2M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Postponed Hearing – 11/24/09</b>
16.	243-09-BZY	Gouranga C. Kundu <b>87-12 175<sup>th</sup> Street, Queens</b> Application to complete construction of a minor development (§11-332) commenced under the prior R6 zoning district. R4-1 zoning district. <b>Community Board #12Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 12/8/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 17, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	54-09-BZ	Riker Danzig <b>150 Mercer Street, (a/k/a 579 Broadway), Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment ( <i>Haven Day Spa</i> ) on the cellar level of a four-story mixed-use building. M1-5B district. <b>Community Board #2M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 11/17/09</b>
2.	56-09-BZ	Omnipoint Communications, Inc. <b>6736 Hylan Boulevard, Staten Island</b> Special Permit (§73-30) to allow a proposed non-accessory radio tower and related equipment. R3X zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Granted – 11/17/09</b>
3.	198-09-BZ	Eric Palatnik, P.C. <b>143 West 19<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the operation of the proposed physical culture establishment ( <i>Personal Training Institute</i> ) on the first floor of an eight-story building. C6-3A zoning district. <b>Community Board #4M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 11/17/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 17, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

4.	186-08-BZ	<p>Petrus Fortune, P.E.  <b>3065 Atlantic Avenue, Brooklyn</b>  Special Permit (§73-19) to allow the legalization and enlargement of a school (<i>Followers of Jesus Mennonite Church &amp; School</i>) in a former manufacturing building, contrary to ZR §42-10. M1-1 zoning district.  <b>Community Board #5BK</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Closed, Decision – 1/26/10</b></p>
5.	28-09-BZ	<p>Moshe M. Friedman, P.E.  <b>133 Taaffe Place, Brooklyn</b>  Variance (§72-21) to permit a four-story residential building on a vacant lot, contrary to use regulations (§42-10). M1-1 zoning district.  <b>Community Board #3BK</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Adjourned, Continued Hearing – 1/26/10</b></p>
6.	29-09-BZ	<p>Law Office of Fredrick A. Becker  <b>44 Brunswick Street, Staten Island</b>  Variance (§72-21) to legalize and enlarge a synagogue (<i>Chabad Israeli Center</i>), contrary to lot coverage, front yards, side yards, and parking regulations. R3X zoning district.  <b>Community Board #2SI</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Adjourned, Continued Hearing – 1/12/10</b></p>
7.	161-09-BZ	<p>Rizzo Group  <b>580 Carroll Street, Brooklyn</b>  Variance (§72-21) for the development of two residential buildings (20 dwelling units) contrary to rear yard equivalent, floor area, lot coverage, minimum distance between buildings and minimum distance between legally required window regulations (§§23-532, 23-145, 23-711, 23-861). R6B zoning district  <b>Community Board #6BK</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Continued Hearing – 1/12/10</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 17, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

8.	187-09-BZ	<p>Law Office of Fredrick A. Becker <b>94 Amherst Street, Brooklyn</b> Variance (§72-21) to permit the construction of a mikvah (ritual bath) in the proposed building (<i>Torath Israel Sephardic Congregation</i>), contrary to FAR and lot coverage (§24-11), side yard (§24-35) and rear yard (§24-36). R3-1 zoning district. <b>Community Board #15BK</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Closed, Decision – 12/8/09</b></p>
9.	215-09-BZ	<p>Law Office of Fredrick A. Becker <b>92-16 95th Avenue, Queens</b> Special Permit (§11-411 &amp; §11-413) for reinstatement and change of use from a wholesale (UG7) to retail (UG6) on the ground floor of a three story building, which expired on March, 2002; Extension of Time to obtain a certificate of occupancy, which expired March 1993; and Waiver of the Rules. R5 zoning district. <b>Community Board #9Q</b> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status: Granted – 11/17/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 17, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
10.	239-09-BZ	Kramer Levin Naftalis & Frankel LLP <b>238 Thompson Street, aka 56 Washington Square South, Manhattan</b> Variance (§72-21) to allow for the development of a six-story community facility building (NYU <i>Center for Academic and Spiritual Life</i> ), contrary to lot coverage (§24-11) and height and setback regulations (§§24-522, 33-431). R7-2/C1-5 and R7-2 Districts. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Postponed, Public Hearing – 12/15/09</b>
11.	269-09-BZ	Dennis D. Dell'angelo, R.A. <b>1938 East 12<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to lot coverage (§23-141); side yard (§23-461) and less than the required rear yard (§23-47) and the legalization of a prior one story enlargement at the front of the existing home. R-5 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 12/8/09</b>
12.	279-09-BZ	Lewis E. Garfinkel, R.A. <b>2709 Avenue M, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141(a)); side yard (§23-461) and less than the required rear yard (§23-47). R-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 12/8/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, NOVEMBER 24, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	728-29-BZ	Walter T. Gorman, P.E. <b>154-04 Horace Harding Expressway, Queens</b> Extension of Term for the continued use of a gasoline service station ( <i>Mobil</i> ) which expires on March 19, 2010. R4 zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 11/24/09</b>
2.	467-58-BZ	Walter T. Gorman, P.E. <b>172-11 Northern Boulevard, Queens</b> Extension of Term for the continued operation of a Gasoline Service Station ( <i>Mobil</i> ) which expires on December 4, 2009. R3-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 11/24/09</b>
3.	60-82-BZ	Eric Palatnik, P.C. <b>60-11 Queens Boulevard, Queens</b> Extension of Time to obtain a Certificate of Occupancy for a gasoline service station ( <i>BP North America</i> ) which expired on December 13, 2007; Waiver of the Rules. C2-3/R7X zoning district. <b>Community Board #2Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 11/24/09</b>
4.	149-01-BZ	Eric Palatnik, P.C. <b>88 Jane Street, Manhattan</b> Amendment to a previously issued resolution that seeks to remove the condition that a residential unit be occupied by a qualified senior citizen at a subsidized rate for a term of 10 years, from the date of the issuance of the Certificate of Occupancy. R6 zoning district. <b>Community Board #2M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Dismissed – 11/24/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, NOVEMBER 24, 2009

10:00 A.M.

### ***SOC – DECISIONS***

5.	197-05-BZ	Marvin Mitzner, Esq. <b>813/815 Broadway, Manhattan</b> Amendment to a variance (§72-21) to allow full commercial coverage on the ground floor and an increase in commercial FAR in a mixed use building. C6-1 zoning district. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 1/12/10</b>

### ***SOC – CONTINUED HEARINGS***

6.	140-92-BZ	The Law Office of Fredrick A. Becker <b>39-21 Crescent Street, Queens</b> Amendment of variance (§72-21) which allowed an enlargement of an existing school (UG 3). The amendment would further enlarge the school, contrary to height and setback (§43-43). M1-2/R5D & M1-2/R5B (Special Long Island City Mixed Use District). <b>Community Board #1Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 12/15/09</b>
7.	5-96-BZ	Sheldon Lobel, P.C. <b>564/92 Saint John's Place, Brooklyn</b> Extension of Term (§11-411) to permit the operation a one-story public parking garage for no more than 150 cars (UG 8), which expired on March 18, 2007; Amendment to change the parking layout; and an Extension of Time to obtain a certificate of occupancy, which expired on March 18, 1998. R7-1 zoning district. <b>Community Board #8BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 1/12/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, NOVEMBER 24, 2009  
10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
8.	389-37-BZ	The Law Office of Fredrick A. Becker <b>31-08 -31-12 45<sup>th</sup> Street, Queens</b> Extension of Term (§11-411) of a previously granted Variance for the operation of a UG8 parking lot which expired on June 13, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on December 12, 2004 and Waiver of the Rules. R5/C1-2 zoning district. <b>Community Board#1Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 1/12/10</b>
9.	389-85-BZ	Walter T. Gorman, P.E., P.C. <b>2090 Bronxdale Avenue, Bronx</b> Extension of Time to obtain a Certificate of Occupancy for a UG16 Automotive Service Station ( <i>Mobil</i> ) which expires on December 9, 2009. C2-3/R7-1 zoning district. <b>Community Board #11BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 12/15/09</b>
10.	68-03-BZ	Stuart A. Klein, Esq. <b>649 39<sup>th</sup> Street, Brooklyn</b> Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the conversion of an existing manufacturing building to a (UG3) day care center and (UG6) office use which expired on August 10, 2008 and a Waiver of the Rules. M1-2 zoning district. <b>Community Board#7BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 12/15/09</b>
11.	326-04-BZ	Law Office of Fredrick A. Becker <b>6208-6216 Strickland Avenue, Brooklyn</b> Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the construction of a new Synagogue ( <i>Sephardic Center of Mill Basin</i> ) which expired on October 18, 2009. R-2 zoning district. <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 12/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, NOVEMBER 24, 2009

10:00 A.M.

### ***APPEALS – DECISIONS***

12.	228-09-A & 229-09-A	Sheldon Lobel, P.C. <b>37-45 and 37-47 98<sup>th</sup> Street, Queens</b> An Appeal seeking a common law vested right to complete construction commenced under the prior R6B zoning district. R5 zoning district. <b>Community Board #3Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Granted – 11/24/09</b>
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### ***APPEALS – CONTINUED HEARINGS***

13.	147-08-BZY	Hui-Li Xu <b>95-04 Allendale Street, Queens</b> Extension of time (§11-331) to complete construction of a minor development commenced under the prior zoning district. R5 zoning district <b>Community Board #12Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Adjourned, Continued Hearing – 2/2/10</b>
14.	170-09-A	NYC Department of Buildings <b>24-03 Queens Plaza North, Queens</b> An appeal filed by the Department of Buildings seeking to amend Certificate of Occupancy to remove the reference to "Adult" Establishment "use on the second floor. M1-5/R-9 Special Mixed Use District. <b>Community Board #1Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Closed, Decision – 12/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, NOVEMBER 24, 2009  
10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
15.	315-08-A	Stuart A. Klein, Esq. <b>246 Spring Street, Manhattan</b> An appeal seeking the revocation of permits for a condominium hotel on the basis that the approved plans allow for exceedance of maximum permitted floor area. M1-6 zoning. <b>Community Board #2M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 1/26/10</b>
16.	244-09-BZY	Sheldon Lobel, P.C. <b>175 Vanderbilt Avenue, Brooklyn</b> Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6/C1-3 zoning district. R6B/C2-4 Zoning District. <b>Community Board #2BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 12/15/09</b>
17.	245-09-BZY	Sheldon Lobel, P.C. <b>120 Adelphi Street, Brooklyn</b> Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R6B Zoning District. <b>Community Board #2BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 1/12/10</b>
18.	301-09-BZY	Nelson A. Padilla <b>539 59<sup>th</sup> Street, Brooklyn</b> Extension of time (§11-332) to complete construction of an enlargement commenced prior to the text amendment on September 30, 2009. R6B Zoning district. <b>Community Board #7BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 12/8/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 24, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>1.</b>	<b>314-08-BZ</b>	Kramer Levin Naftalis & Frankel, LLP <b>437-447 West 13<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to allow for the construction of a 12-story commercial building (office and UG10 retail), contrary to FAR, height and setback and rear yard regulations (§43-12, §43-43, §43-26) and use regulations (§42-12). M1-5 zoning district. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 11/24/09</b>
<b>2.</b>	<b>23-09-BZ</b>	Eric Palatnik, P.C. <b>114 Amherst Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing one family home, contrary to open space, lot coverage and floor area (§23-141(b)) and rear yard (§23-47) regulations. R3-1 zoning district. <b>Community Board#15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 11/24/09</b>
<b>3.</b>	<b>164-09-BZ</b>	Eric Palatnik, P.C. <b>124 Irwin Street, Brooklyn</b> Special Permit (§73-622) for enlargement of an existing two-family home, contrary to floor area, lot coverage and open space (§23-141) and rear yard (ZR §23-47) regulations. R3-1 zoning district. <b>Community Board#15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 1/12/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 24, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
4.	214-07-BZ	Sheldon Lobel, P.C. <b>3217 Irwin Avenue, Bronx</b> Variance (§72-21) to allow a public parking garage and increase the maximum permitted floor area in a mixed residential and community facility building, contrary to §22-10 and §24-162. R6 zoning district. <b>Community Board #8BX</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 1/12/10</b>
5.	187-08-BZ	Sheldon Lobel, P.C. <b>1247 38<sup>th</sup> Street, Brooklyn</b> Variance (§72-21) to permit the construction of a six-story community facility building ( <i>Congregation &amp; Yeshiva Machzikei Hadas</i> ), contrary to ZR §42-00. M2-1 zoning district. <b>Community Board #12BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 1/12/10</b>
6.	260-08-BZ	Eric Palatnik, P.C. <b>148 Oxford Street, Brooklyn</b> Special Permit (§73-622) to legalize and enlarge a single family home, contrary to floor area (§23-141) regulations. R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Withdrawn – 11/24/09</b>
7.	180-09-BZ	Rothkrug Rothkrug & Spector <b>1735 Richmond Avenue, Staten Island</b> Variance (§72-21) to allow for a commercial building (UG6) contrary to use regulations (§22-00). R3-1 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 12/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 24, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
8.	218-09-BZ	Jeffrey A. Chester <b>57 Empire Boulevard, Brooklyn</b> Special Permit (§73-243) to allow an accessory drive-through facility to an eating and drinking establishment ( <i>McDonald's</i> ). C1-3/C8-2 zoning district. <b>Community Board #1BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 12/15/09</b>
9.	247-09-BZ	Kramer Levin Naftalis and Frankel <b>123 East 55<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to allow for expansion of the community house for the Central Synagogue (UG 4), contrary to floor area and height and setback regulations. (§§33-12, 81-211, 33-432). C5-2, C5-2.5 MiD zoning districts. <b>Community Board #5M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 1/12/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 24, 2009

1:30 P.M.

<b>BZ – NEW CASES</b>		
10.	43-09-BZ	Harold Weinberg, P.E. <b>198 Varet Street, Brooklyn</b> Special Permit (§73-19) to allow a school ( <i>Southside Charter High School</i> ) in a recently constructed building, contrary to use regulations. M1-2 district. <b>Community Board #1BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 12/15/09</b>
11.	224-09-BZ	Sheldon Lobel, P.C. <b>218-51 aka 218-59 Hempstead Avenue, Queens</b> Special Permit (§73-52) to allow for accessory commercial parking to be located in the residential portion of a split zoning lot. C2-3/R3-2 and R3-2 zoning districts. <b>Community Board #13Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Postponed, Public Hearing – 1/26/10</b>
12.	246-09-BZ	Sheldon Lobel, P.C. <b>636 Louisiana Avenue, Brooklyn</b> Variance (§72-21) to allow for the construction of a four story assisted living facility ( <i>Brooklyn Boulevard ALP</i> ) contrary to floor area, dwelling units and parking regulations (§§ 23-141/62-321, 23-22, 25-23). R5 district. <b>Community Board #18BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 1/12/10</b>
13.	250-09-BZ	Kramer Levin Naftalis & Frankel, LLP <b>532 Madison Avenue, Manhattan</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment ( <i>Ultimate Training Center</i> ) on the sixth and seventh floors in an existing seven-story commercial building. C5-3 (MiD) zoning district. <b>Community Board #6M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 12/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, DECEMBER 8, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	115-53-BZ	Eric Palatnik, P.C. <b>252-02 Union Turnpike, Queens</b> Extension of Term and Waiver of the Rules for the continued use of a Gasoline Service Station ( <i>Mobil</i> ) which expired on July 11, 2008. C2-2/R3-2 zoning district. <b>Community Board #13Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 12/8/09</b>
2.	240-55-BZ	Joseph P. Morsellino <b>207-22 Northern Boulevard, Queens</b> Extension of Term (§11-411) for the continued operation of a UG16 auto repair shop with sales, exchange of vehicles and products which expired on November 3, 2008. C2-2(R6B) & R-4 zoning district. <b>Community Board #11Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 12/8/09</b>
3.	1715-61-BZ	Mitchell S. Ross, Esq. <b>129-02 Guy R. Brewer Boulevard/129-02 New York Boulevard, Queens</b> Extension of Term (§11-411) for a dry cleaning establishment (UG 6A), which expired on June 5, 2007; Extension of Time to obtain a certificate of occupancy, which expired on December 14, 2000; Waiver of the Rules. R3X zoning district. <b>Community Board #12Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 12/8/09</b>
4.	1016-86-BZ	The Law Office of Fredrick A. Becker <b>2162-2166 Broadway, Manhattan</b> Extension of Term for a special permit (§73-36) which expired on May 5, 2007 for the operation of a Physical Culture Establishment ( <i>New York Sports Club</i> ); Extension of Time to obtain a Certificate of Occupancy which expired on October 26, 2000; and Waiver of the Rules. C4-6A zoning district. <b>Community Board #7M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 12/8/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, DECEMBER 8, 2009

10:00 A.M.

### ***SOC – CONTINUED HEARINGS***

5.	826-86-BZ thru 828-86-BZ	Eric Palatnik, P.C. <b>269-10, 270-10, 271-10 Grand Central Parkway, Queens</b> Extension of Term for a Special Permit (§73-11) to allow non-accessory radio towers and transmitting equipment on the roof of a 33-story multiple dwelling ( <i>North Shore Towers</i> ) which expired on March 28, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on March 6, 2003; an Amendment to eliminate the condition that a new Certificate of Occupancy be obtained; and Waiver of the Rules. R3-2 zoning district. <b>Community Board #13Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 1/26/10</b>
6.	217-96-BZ	Joseph P. Morsellino <b>165-01 Northern Boulevard, Queens</b> Extension of Term of a previously granted Variance (§72-21) for the continued use of an existing car rental facility ( <i>Enterprise</i> ) with accessory outdoor storage of rental cars (UG 8) which expired on October 7, 2007; Extension of Time to obtain a Certificate of Occupancy which expired on October 7, 1998; and Waiver of the Rules. C1-2/R-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 1/12/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, DECEMBER 8, 2009

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
7.	603-86-BZ	H. Irving Sigman PE <b>88-34 Parsons Boulevard, aka 88-26/34 Parsons Boulevard, Queens</b> Extension of Term for a Variance (§72-21) allowing the construction of retail stores (UG 6), which expired on September 8, 2007; Amendment to the accessory open parking area and refuse area and request to eliminate the term; Waiver of the Rules. R7A (Downtown Jamaica Special District) zoning district. <b>Community Board #12Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 1/26/10</b>
8.	813-87-BZ	The Law Office of Fredrick A. Becker <b>110 Boerum Place, Brooklyn</b> Extension of Term for a special permit (§73-36) which expired on April 12, 2008 for the operation of a Physical Culture Establishment ( <i>New York Sports Club</i> ); Waiver of the Rules. C2-3 (R6) zoning district. <b>Community Board#2BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 1/26/10</b>
9.	21-91-BZ	Sheldon Lobel, P.C. <b>2407-2417 Linden Boulevard, Brooklyn</b> Extension of Term (§72-01 & 72-22) of a previous variance that permits the operation of an automotive glass and mirror repair establishment (UG 7D) and used car sales (UG 16B) which expired on July 24, 2009; Waiver of the Rules. R5 zoning district. <b>Community Board #5BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 1/26/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, DECEMBER 8, 2009

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
<b>10.</b>	<b>75-95-BZ</b>	The Law Office of Fredrick A. Becker <b>1635 Third Avenue, Manhattan</b> Extension of Term for a special permit (§73-36) which expired on January 28, 2006 for the operation of a Physical Culture Establishment ( <i>New York Sports Club</i> ); Waiver of the Rules. C2-8 zoning district. <b>Community Board #8M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 1/12/10</b>
<b>11.</b>	<b>136-01-BZ</b>	Eric Palatnik, P.C. <b>11-11 44<sup>th</sup> Drive, Queens</b> Extension of Time to complete construction and obtain a Certificate of Occupancy for a Variance (§72-21) which permitted non-compliance in commercial floor area and rear yard requirements; Amendment to reduce amount of commercial floor area; Waiver of the Rules. M1-4/R7A (Hunters Point Subdistrict) zoning district. <b>Community Board #2Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 1/12/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, DECEMBER 8, 2009

10:00 A.M.

<b><i>APPEALS – DECISIONS</i></b>		
12.	241-09-BZY	Gouranga Kundu <b>87-26 175<sup>th</sup> Street, (aka 88-04 175<sup>th</sup> Street), Queens</b> Extension of time to complete construction of a minor development (§11-332) commenced under the prior R6 Zoning district. R4-1 Zoning District. <b>Community Board #12Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 12/8/09</b>
13.	243-09-BZY	Gouranga C. Kundu <b>87-12 175<sup>th</sup> Street, Queens</b> Application to complete construction of a minor development (§11-332) commenced under the prior R6 zoning district. R4-1 zoning district. <b>Community Board #12Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 12/8/09</b>
14.	301-09-BZY	Nelson A. Padilla <b>539 59<sup>th</sup> Street, Brooklyn</b> Extension of time (§11-332) to complete construction of an enlargement commenced prior to the text amendment on September 30, 2009. R6B Zoning district. <b>Community Board #7BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 12/8/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, DECEMBER 8, 2009

10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
15.	199-09-A thru 213-09-A	Eric Palatnik, P.C. <b>165, 161, 159, 155, 153, 151, 149, 145, 143, 141, 137, 135, 131, 129, 127, Roswell Avenue, Staten Island</b> Proposed construction of 15, two-story, one family homes not fronting on a mapped street, contrary to General City Law Section 36. R3A /R3-2 Zoning District. <b>Community Board #2SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 1/12/10</b>
16.	257-09-BZY thru 258-09-BZY	Gouranga C. Kundu <b>88-36, 88-38 144<sup>th</sup> Sreet, Queens</b> Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 Zoning District. R5 Zoning District. <b>Community Board #12Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 1/26/10</b>
17.	259-09-BZY thru 261-09-BZY	Gouranga C. Kundu <b>139-48 88<sup>th</sup> Road, 88-30 144<sup>th</sup> Street and 88-34 144<sup>th</sup> Street, Queens</b> Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 Zoning district. R5 Zoning District. <b>Community Board #12Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 1/26/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, DECEMBER 8, 2009  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	100-08-BZ & 101-08-A	Rothkrug, Rothkrug & Spector, LLP <b>205 Wolverine Street, Staten Island</b> Variance (§72-21) for the construction of a two-story with basement single family residence, contrary to front yard regulations (§23-45) and within the bed of a mapped, un-built street, contrary to General City Law Section 35. R2 zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 12/8/09</b>
2.	171-08-BZ	Law Offices of Howard Goldman, LLC <b>40 West 68<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to allow the enlargement of an existing school ( <i>York Prep</i> ) contrary to ZR §74-95 (City Planning Commission Housing Quality Special Permit). R8 zoning district. <b>Community Board #7M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 12/8/09</b>
3.	187-09-BZ	Law Office of Fredrick A. Becker <b>94 Amherst Street, Brooklyn</b> Variance (§72-21) to permit the construction of a mikvah (ritual bath) in the proposed building ( <i>Torath Israel Sephardic Congregation</i> ), contrary to FAR and lot coverage (§24-11), side yard (§24-35) and rear yard (§24-36). R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 12/8/09</b>
4.	225-09-BZ	Antonio S. Valenziano <b>45 Beacon Avenue, Staten Island</b> Variance (§72-21) for the construction of a single family residence on a vacant undersized lot, contrary to front yard (§23-45) regulations. R2 (LDGM) zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 12/8/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 8, 2009

1:30 P.M.

### ***BZ – DECISIONS***

<b>5.</b>	<b>279-09-BZ</b>	Lewis E. Garfinkel, R.A.
		<b>2709 Avenue M, Brooklyn</b>
		Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141(a)); side yard (§23-461) and less than the required rear yard (§23-47). R-2 zoning district.
		<b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 12/8/09</b>

#### \*\*\*DISCLAIMER\*\*\*

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 8, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
6.	256-07-BZ	Rothkrug, Rothkrug & Spector <b>1978 Atlantic Avenue, Brooklyn</b> Variance (§72-21) to permit a three-story, five-unit residential building, contrary to use regulations (§42-00). M1-1 zoning district. <b>Community Board #8BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 1/26/10</b>
7.	231-09-BZ	Kramer Levin Naftalis & Frankel <b>412-414 Greenwich Street, Manhattan</b> Variance (§72-21) to allow for the construction of a six-story mixed use building, contrary to use and parking regulations (ZR §42-10, §13-10). M1-5/TMU Special District. <b>Community Board #1M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 1/12/10</b>
8.	269-09-BZ	Dennis D. Dell'angelo, R.A. <b>1938 East 12<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to lot coverage (§23-141); side yard (§23-461) and less than the required rear yard (§23-47) and the legalization of a prior one story enlargement at the front of the existing home. R-5 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 1/12/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 8, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
9.	44-09-BZ	Philip L. Rampulla <b>2175 Richmond Avenue, Staten Island</b> Variance (§72-21) to allow for a two-story commercial building (UG 6) with accessory parking, contrary to use regulations (§22-00). R3-1 district. <b>Community Board #2SI</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 2/2/10</b>
10.	162-09-BZ	Sheldon Lobel, P.C. <b>30-33 Steinway Street, Queens</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment ( <i>Planet Fitness</i> ) in the cellar, first, and second floors in an existing two-story building; Special Permit (§73-52) to extend the C4-2A zoning district regulations 25 feet into the adjacent R5 zoning district. C4-2A/R5 zoning districts. <b>Community Board #1Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 1/26/10</b>
11.	264-09-BZ	Moshe M. Friedman, P.E. <b>927 Flatbush Avenue, Brooklyn</b> Special Permit (§73-36) to legalize the operation of an existing physical culture establishment ( <i>Lucille Roberts</i> ) on the second and third floors of a three-story commercial building. C4-4A zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 1/26/10</b>
12.	292-09-BZ	Martyn & Don Weston <b>9310-9333 Third Avenue, Brooklyn</b> Special Permit (§11-411, §11-413 & §73-03) to reinstate previously granted variance which expired on December 7, 1999; amendment to change use from a gasoline service station (UG16B) to automotive repair establishment (UG16B); Waiver of the Boards Rules. C1-3/R6A & R5B (Special Bay Ridge District). <b>Community Board #10BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 1/26/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 8, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>13.</b>	<b>293-09-BZ</b>	Eric Palatnik, Esq. <b>2501 Avenue M, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing two family home to be converted into a single family home contrary to open space and floor area (§23-141(a)). R-2 zoning district. <b>Community Board #8BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 1/26/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, DECEMBER 15, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	389-85-BZ	Walter T. Gorman, P.E., P.C. <b>2090 Bronxdale Avenue, Bronx</b> Extension of Time to obtain a Certificate of Occupancy for a UG16 Automotive Service Station ( <i>Mobil</i> ) which expires on December 9, 2009. C2-3/R7-1 zoning district. <b>Community Board #11BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 12/15/09</b>
2.	68-03-BZ	Stuart A. Klein, Esq. <b>649 39<sup>th</sup> Street, Brooklyn</b> Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the conversion of an existing manufacturing building to a (UG3) day care center and (UG6) office use which expired on August 10, 2008 and a Waiver of the Rules. M1-2 zoning district. <b>Community Board#7BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 12/15/09</b>
3.	326-04-BZ	Law Office of Fredrick A. Becker <b>6208-6216 Strickland Avenue, Brooklyn</b> Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the construction of a new Synagogue ( <i>Sephardic Center of Mill Basin</i> ) which expired on October 18, 2009. R-2 zoning district. <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 12/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, DECEMBER 15, 2009

10:00 A.M.

### ***SOC – CONTINUED HEARINGS***

4.	140-92-BZ	The Law Office of Fredrick A. Becker <b>39-21 Crescent Street, Queens</b> Amendment of variance (§72-21) which allowed an enlargement of an existing school (UG 3). The amendment would further enlarge the school, contrary to height and setback (§43-43). M1-2/R5D & M1-2/R5B (Special Long Island City Mixed Use District). <b>Community Board #1Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 1/26/10</b>
5.	195-99-BZ	Eric Palatnik, P.C. <b>112 Atlantic Avenue, Brooklyn</b> Extension of Term (§11-411) for the continued use of a Gasoline Service Station ( <i>Shell</i> ) which expires on November 10, 2009. R-6 zoning district. <b>Community Board #6BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 1/12/10</b>
6.	311-04-BZ	Rothkrug Rothkrug & Spector <b>380 Lighthouse Avenue, Staten Island</b> Amendment to a previously granted Variance (§72-21) for a proposed one family dwelling which is contrary to lot coverage (§105-33) and maximum height (§23-631) regulations. R1-2(NA-1) zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 1/26/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, DECEMBER 15, 2009  
10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
7.	615-57-BZ	Sheldon Lobel, P.C. <b>154-11 Horace Harding Expressway, Queens</b> Extension of Time to obtain a Certificate of Occupancy and waiver of the rules for a Gasoline Service Station ( <i>Exxon</i> ) which expired on January 22, 2009. C1-3/R5B zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 1/12/10</b>
8.	75-00-BZ	The Law Office of Fredrick A. Becker <b>60-69 Woodhaven Boulevard, Queens</b> Extension of Term of a previously granted Variance (§72-21) to permit a real estate office (UG6) in a residential district which expires on July 25, 2010; amendment to change use (within the same UG6 office use). R5 zoning district. <b>Community Board #6Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 1/26/10</b>
9.	156-03-BZ	Steven M. Sinacori, Esq. <b>135-35 Northern Boulevard, Queens</b> Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the construction of a seventeen story mixed-use commercial/community facility/residential condominium building which expired on December 13, 2009. C2-2/R6 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 1/12/10</b>
10.	208-03-BZ	Stuart A. Klein, Esq. <b>255 Shell Road, Brooklyn</b> Extension of Term of a previously granted Variance (§72-21) for a UG9 catering hall which expired on October 19, 2009. R4/C1-2/M1-1 OP zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 1/26/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, DECEMBER 15, 2009

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
<b>11.</b>	<b>291-03-BZ</b>	Stuart A. Klein, Esq. <b>1380 62<sup>nd</sup> Street, Brooklyn</b> Extension of term of a variance (§72-21) for construction of a new residential building; amendment to add increase the number of dwelling units, FAR, height and parking spaces. M1-1/R5B zoning districts. <b>Community Board #10BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 1/26/10</b>
<b>12.</b>	<b>196-08-BZ</b>	Gage Parking Consultants <b>792 Tenth Avenue/455 West 53<sup>rd</sup> Street, Manhattan</b> Amendment of a previous grant for public parking garage; amendment would enclose rooftop parking. C6-2 (Special Clinton District) zoning district. <b>Community Board#4M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 1/26/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, DECEMBER 15, 2009  
10:00 A.M.

## ***APPEALS – DECISIONS***

13.	170-09-A	<p>NYC Department of Buildings <b>24-03 Queens Plaza North, Queens</b> An appeal filed by the Department of Buildings seeking to amend Certificate of Occupancy to remove the reference to "Adult" Establishment "use on the second floor. M1-5/R-9 Special Mixed Use District. <b>Community Board #1Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Granted – 12/15/09</b></p>
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## ***APPEALS – CONTINUED HEARINGS***

14.	313-08-A	<p>Law Office of Howard Goldman, LLC <b>363-371 Lafayette Street, Manhattan</b> Appeal to Department of Building's refusal to revoke permits and approvals for a six-story commercial building. M1-5B zoning district. <b>Community Board #2M</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Continued Hearing – 3/9/10</b></p>
15.	217-09-A	<p>Marvin B. Mitzner, Esq. <b>514-516 East 6<sup>th</sup> Street, Manhattan</b> An appeal seeking to vary the applicable provisions under the Multiple Dwelling Law as it applies to the enlargement of non- fireproof tenement buildings. R7-2 zoning district. <b>Community Board #3M</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Continued Hearing – 2/9/10</b></p>
16.	244-09-BZY	<p>Sheldon Lobel, P.C. <b>175 Vanderbilt Avenue, Brooklyn</b> Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6/C1-3 zoning district. R6B/C2-4 Zoning District. <b>Community Board #2BK</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Granted – 12/15/09</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY MORNING, DECEMBER 15, 2009

10:00 A.M.

<b><i>APPEALS – NEW CASES</i></b>		
17.	205-05-A	Gary D Lenhart, <b>47 Graham Place, Queens</b> Amendment of a previously granted General City Law Section 35 waiver to permit the construction of a single family home within the bed of a mapped street. R4 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 1/12/10</b>
18.	83-08-A	NYC Department of Buildings <b>3218 Emmons Avenue, Brooklyn</b> An appeal seeking to revoke Certificate of Occupancy as it was issued in error due to failure to comply with ZR §62-711 requiring waterfront certification and the failure to comply with ZR Section 12-10(d) in the formation of the zoning lot. R5/Sheepshead Bay zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Withdrawn – 12/15/09</b>
19.	291-09-A	Gary D Lenhart <b>33 Queens Walk, Queens</b> Reconstruction and enlargement of an existing single family home not fronting on a mapped street, contrary to General City law Section 36, and proposed upgrade of existing legal nonconforming private disposal system located partially in the bed of the service road, contrary to Department of Buildings Policy. R4 zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 12/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 15, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>1.</b>	<b>195-07-BZ</b>	Greenberg Traurig <b>8-12 Bond Street, Manhattan</b> Variance (§72-21) to allow hotel and retail uses below the floor level of the second story, contrary to use regulations (§42-14(d)(2)). M1-5B zoning district. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Deferred Decision – 1/12/10</b>
<b>2.</b>	<b>299-08-BZ</b>	Sheldon Lobel, P.C. <b>3857-3861 Third Avenue, Bronx</b> Variance (§72-21) to allow for a nine-story, 104 unit community facility building (non profit institution with sleeping accommodations), contrary to floor area and use regulations (ZR24-111, 42-00). R6/C1-4, R6/C2-4 and M1-4 zoning districts. <b>Community Board #3BX</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 12/15/09</b>
<b>3.</b>	<b>250-09-BZ</b>	Kramer Levin Naftalis & Frankel, LLP. <b>532 Madison Avenue, Manhattan</b> Special Permit (§73-36) to allow the legalization of a physical culture establishment ( <i>Ultimate Training Center</i> ) on the sixth and seventh floors in an existing seven-story commercial building. C5-3 (MiD) zoning district. <b>Community Board #6M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 12/15/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 15, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
4.	97-08-BZ	Eric Palatnik, P.C. <b>84 Sanford Street, Brooklyn</b> Special Permit (§73-19) to allow the legalization of an existing school ( <i>Central UTA</i> ) (UG 3). M1-1 district. <b>Community Board #3BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Adjourned, Continued Hearing – 1/26/10</b>
5.	197-08-BZ	Stuart A. Klein <b>341/349 Troy Avenue, aka 1515 Carroll Street, Brooklyn</b> Variance (§72-21) to permit a four-story and penthouse residential building, contrary to §23-141 (FAR, open space ratio), §23-22 (number of dwelling units), §23-45 (front yard), §23-462 (side yard), and §23-631 (wall height). R4 district. <b>Community Board #9BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Adjourned, Continued Hearing – 1/26/10</b>
6.	220-08-BZ	Moshe M. Friedman <b>95 Taaffe Place, Brooklyn</b> Variance (§72-21) to permit the enlargement of a non-conforming one-family dwelling, contrary to §42-10. M1-1 zoning district. <b>Community Board #3BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 2/9/10</b>
7.	254-08-BZ	Eric Palatnik, P.C. <b>1214 East 15<sup>th</sup> Street, Brooklyn</b> Variance (§72-21) to legalize and enlarge a Yeshiva ( <i>Yeshiva Ohr Yitzchok</i> ) contrary to §42-11 (use regulations), §43-122 (floor area), §43-43 (wall height, number of stories, and sky exposure plane). §43-301 (required open area). M1-1D zoning district. <b>Community Board # 14BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 2/9/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 15, 2009

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
8.	43-09-BZ	Harold Weinberg, P.E. <b>198 Varet Street, Brooklyn</b> Special Permit (§73-19) to allow a school ( <i>Southside Charter High School</i> ) in a recently constructed building, contrary to use regulations. M1-2 district. <b>Community Board #1BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 1/26/10</b>
9.	53-09-BZ	Harold Weinberg, P.E. <b>540 Schenck Avenue, Brooklyn</b> Variance (§72-21) for the construction of a three-family home on a vacant undersized lot. This application seeks to vary floor area (§23-141); front yard (§23-45) side yard (§23-461) and parking (§25-161) in an R5 zoning district. <b>Community Board #5BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 1/12/10</b>
10.	180-09-BZ	Rothkrug Rothkrug & Spector <b>1735 Richmond Avenue, Staten Island</b> Variance (§72-21) to allow for a commercial building (UG6) contrary to use regulations (§22-00). R3-1 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 1/26/10</b>
11.	182-09-BZ	Eric Palatnik, P.C. <b>612 West 180<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to legalize the existing UG 3 novitiate and UG 4 house of worship ( <i>Congregation Mita</i> ), contrary to §§ 24-35 (side yard) and 24-36 (rear yard). R7-2 zoning district. <b>Community Board #12M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 2/2/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 15, 2009

1:30 P.M.

### ***BZ – CONTINUED HEARINGS***

12.	218-09-BZ	<p>Jeffrey A. Chester <b>57 Empire Boulevard, Brooklyn</b> Special Permit (§73-243) to allow an accessory drive-through facility to an eating and drinking establishment (<i>McDonald's</i>). C1-3/C8-2 zoning district. <b>Community Board #1BK</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Closed, Decision – 1/12/10</b></p>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 15, 2009

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
13.	302-08-BZ	Rothkrug, Rothkrug & Spector LLP <b>4368 Furman Avenue, The Bronx</b> Variance (§72-21) to permit an existing semi-detached residential building, contrary to side yard regulations (§23-462) R5 district. <b>Community Board #12BX</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 2/9/10</b>
14.	309-08-BZ	Rothkrug, Rothkrug & Spector LLP <b>1717 Pitman Avenue, The Bronx</b> Variance (§72-21) for the construction of a three story, two-family home, contrary to front yards (§23-45) and floor area (§23-141). R4-1 zoning district. <b>Community Board #12BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 2/2/10</b>
15.	239-09-BZ	Kramer Levin Naftalis & Frankel LLP <b>238 Thompson Street/56 Washington Square South, Manhattan</b> Variance (§72-21) to allow for the development of a six-story community facility building (NYU <i>Center for Academic and Spiritual Life</i> ), contrary to lot coverage (§24-11) and height and setback regulations (§§24-522, 33-431). R7-2/C1-5 and R7-2 Districts. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Postponed, Public Hearing – 1/12/10</b>
16.	253-09-BZ	MetroPCS New York, LLC <b>53-00 65<sup>th</sup> Place, Queens</b> Special Permit (§73-30) to install public utility wireless telecommunications facility on roof of existing building. R4 zoning district. <b>Community Board # 5Q</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Continued Hearing – 2/2/10</b>

### \*\*\*DISCLAIMER\*\*\*

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