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116-03-A B.M. 400 West 55th Street, southwest corner of Ninth Avenue, Block 1064, Lot 36, Borough of Manhattan. An appeal challenging the Department of Buildings' determination dated March 11, 2003, in which the Department has determined that the construction permits for the new building at said premises was granted appropriately.

117-03-A B.M. 411/25 East 68th Street, Mid-block, between First and York Avenues, Block 1463, Lots 5, 9 and 11, Borough of Manhattan. N.B. #102494329. An appeal challenging the Department of Buildings determination, dated March 24, 2003, in which the Department has stated that the project (research laboratory), is allowed as a Use Group 4, hospital "related facility". As a "related facility", the use is allowed as of right in a residential district.

118-03-BZ B.BK. 1101 Prospect Avenue, a/k/a 1677 11th Avenue, northeast corner, Block 5256, Lot 1, Borough of Brooklyn. Applic. #301513495. Proposed construction of a six-story residential and community facility building, Use Groups 2 and 4, located in an R5B zoning district, which does not comply with the zoning requirements for floor area ratio, open space, lot coverage, number of dwelling units, community facility bulk regulations, front and yards, height and setback, is contrary to Z.R. §23-141(b), §23-22, §24-01, §24-162, §23-45, §24-34, §24-35 and §24-521.

COMMUNITY BOARD #7Q

119-03-BZ B.M. 10 Columbus Circle, a/k/a 301 West 58th Street, a/k/a 300 West 60th Street, northwest corner of west 58th Street and Columbus Circle, Block 1049, Lot 29, Borough of Manhattan. Alt.1 #102686112. Proposed physical culture establishment, within portions of the ground floor and second sub-cellar of fifty-four mixed use building, currently under construction, located in an C6-6(MiD) zoning district, requires a special permit from the Board as per Z.R. §§32-10 and 81-10.

COMMUNITY BOARD #4M

120-03-BZ B.BX. 1810 Loring Place, northeast corner of West Tremont Avenue, Block 2879, Lot 51, Borough of The Bronx. Alt. #200736123. The legalization of an existing public parking lot, Use Group 8, located in an R-5 zoning district, is contrary to Z.R. §22-00.

COMMUNITY BOARD #5BX

121-03-A B.Q. 4 Kildare Walk, west side, 44.08' south of Oceanside Avenue, Block 16350, Lot 400, Borough of Queens. Alt. #401570019. Proposed enlargement of an existing one family dwelling, not fronting on a legally mapped street, and has an upgraded private disposal system located partially in the bed of a private service road, is contrary to Section 36, Article 3 of the General City Law and Department of Buildings policy.

122-03-A B.Q. 72 Hillside Avenue, Block 16340, Lot 50, Borough of Queens. Alt. #401570019. Proposed enlargement of an existing one family dwelling, not fronting on a legally mapped street, and located partially within the bed of a mapped street, is contrary to Sections 35 and 36, Article 3 of the General City Law.

123-03-BZ B.Q. 437 Beach 28th Street, west side, 141.5" south of Brookhaven Avenue, Block 15793, Lot 9, Borough of Queens. N.B. #401618861. Proposed construction of a two family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

124-03-BZ B.Q. 435 Beach 28th Street, west side, 174.9" south of Brookhaven Avenue, Block 15793, Lot 10, Borough of Queens. N.B. #401618870. Proposed construction of a two family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

125-03-BZ B.Q. 431 Beach 28th Street, west side, 200.2" south of Brookhaven Avenue, Block 15793, Lot 12, Borough of Queens. N.B. #401618889. Proposed construction of a two family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

126-03-BZ B.Q. 434 Beach 29th Street, east side, 10" south of Brookhaven Avenue, Block 15793, Lot 48, Borough of Queens. N.B. #4016188736. Proposed construction of a two family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

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127-03-BZ B.Q. 436 Beach 29th Street,
east side, 39.3" south of Brookhaven Avenue, Block 15793, Lot 50, Borough of Queens. N.B. #401618745. Proposed construction of a two family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

128-03-BZ B.S.I. 22 Brookside Loop,
west side, 162' south of Woodrow Road, Block 7022, Lot 5, Borough of Staten Island. N.B. #500602902. Proposed construction of a two family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

129-03-BZ B.S.I. 26 Brookside Loop,
west side, 25.5' south of Woodrow Road, Block 7022, Lot 8, Borough of Staten Island. N.B. #500602911. Proposed construction of a two family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

130-03-BZ B.S.I. 30 Brookside Loop,
west side, 341.5' south of Woodrow Road, Block 7022, Lot 10, Borough of Staten Island. N.B. #500602920. Proposed construction of a two family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

131-03-BZ B.Q. 80-03 192nd Street,
southeast corner of Union Turnpike, Block 7269, Lot 1, Borough of Queens. Applic. #401591997. Proposed conversion of the first floor and cellar of an existing one family dwelling, to medical offices, and also to add a two-story enlargement, to create space necessary for larger examination rooms, creates non-compliance with respect to side yard, floor area ratio, front yard, floor area and cellar space, is contrary to §24-35, §24-34, §22-14 and §24-161.

COMMUNITY BOARD #8Q

132-03-A B.Q. 80-03 192nd Street,
southeast corner of Union Turnpike, Block 7269, Lot 1, Borough of Queens. Applic. #401591997. Proposed conversion of the first floor and cellar of an existing one family dwelling, of frame construction Class IIC, to medical offices (occupancy group E), is not permitted inside the Fire District as per Table 4-1, Section 27-302 of the NYC

Building Code.

133-03-BZ B.BK. 2354 East 5th Street,
west side, 100'-0" south of Avenue "W", between Avenue "W" and Angel Court, Block 7180, Lot 12, Borough of Brooklyn. Applic. #301501765. Proposed erection of an additional story, and a rear enlargement, to an existing two family dwelling, and to change the use of the altered premises to a one family residence, Use Group 1, which does not zoning requirements for floor area ratio and minimum rear yard, is contrary to Z.R.§23-141 and §54-31.
COMMUNITY BOARD #15BK

134-03-A B.M. 240 Riverside Boulevard,
a/k/a "Building A", between West 72nd Street and Riverside Boulevard, Block 1171, Lot 105, Borough of Manhattan. An appeal challenging the Department of Buildings' March 20, 2003 denial of applicant's request to revoke the permit for construction at said premises, enforce the conditions of the Special Permit and Restrictive Declaration, Art.II, §2.01(d), dated December 17, 1992, and to enforce the conditions of the Mapping Agreement, dated May 27, 1998.

135-03-A B.Q. 31 Marion Walk,
east side, 70.35' south of West End Avenue, Block 16350, Lot 400, Borough of Queens. Alt. #401593682. Proposed enlargement of an existing one family dwelling, not fronting on a legally mapped street, and has an upgraded private disposal system located in the bed of a private service road, is contrary to Section 36, Article 3 of the General City Law, and Department of Buildings Policy.

136-03-A B.Q. 5 Irving Walk,
east side, 45.40' north of Oceanside Avenue, Block 16350, Lot 400, Borough of Queens. Alt. #401463493. Proposed enlargement of an existing one family dwelling, not fronting on a legally mapped street, and has an upgraded private disposal system located in the bed of a private service road, is contrary to Section 36, Article 3 of the General City Law, and Department of Buildings Policy.

137-03-A B.Q. 3 Arcadia Walk,
east side, 10.71' south of Oceanside Avenue, Block 16350, Part of Lot 400, Borough of Queens. Applic.

#401637546.

Proposed enlargement and the upgrading of the septic system, to an existing one family dwelling, not fronting on a legally mapped street, and simultaneously lies within the bed of two mapped streets, is contrary to Sections 35 and

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36, Article 3 of the General City Law.

138-03-BZ B.Q. 79-59/77 Cooper Avenue,
north side, at the corner of 69th Road, Block 3801, Lot 35, Borough of Queens. Applic. #401277505. Proposed modification and enlargement of a former gasoline service station, to reflect, the elimination of the gasoline sales and to permit a compensating enlargement to facilitate an accessory store, larger repair bays and auto sales, is contrary to Z.R. §32-10.

COMMUNITY BOARD #5Q

139-03-BZ B.Q. 247-54 90th Avenue,
south side, 225.51' west of Commonwealth Boulevard, Block 8662, Lot 28, Borough of Queens. N.B. #401535050.

Proposed erection of a two family dwelling, Use Group 2A, located in an R3-A zoning district, which does not comply with the zoning requirements, for rear yard and floor area ratio, is contrary to Z.R. §23-47 and §23-141(b).

COMMUNITY BOARD #13Q

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

CALENDAR

JUNE 3, 2003, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, *Tuesday morning*, June 3, 2003, at 10 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

89-65-BZ

APPLICANT - Walter Marin c/o The Marin Group, for Eleanor Gatto, owner; Genovese Drugs/Eckerd Corp.

SUBJECT - Application April 3, 2003 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 26-01, 26-15 86th Street, 2045 Stillwell Avenue, 2036-2042 West 13th Street, corner lot bounded by 86th Street, and West 13th Street, Block 7092, Lot 22, Borough of Brooklyn.

COMMUNITY BOARD #11BK

41-91-BZ

APPLICANT - Rothkrug, Rothkrug, Weinberg & Spector, for Reo Realty & Construction, owner; Her Body Inc., d/b/a For Your Body Only, lessee.

SUBJECT - Application March 25, 2003 - request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term of variance which expired May 12, 2003 and for an amendment to the resolution.

PREMISES AFFECTED - 5012/24 Avenue N, a/k/a 1700 East 51st Street, southwest corner of Avenue N and East 51st Street, Block 7895, Lot 48, Borough of Brooklyn.

COMMUNITY BOARD #18BK

101-03-A

APPLICANT - BTU Design Corporation.

OWNER OF RECORD: Trump World Tower Condominium, owner.

SUBJECT - Application April 1, 2003 - An appeal challenging a final determination by the Department of Buildings, dated March 19, 2003, regarding manual fire pump and motor at said premises.

PREMISES AFFECTED - 845 United Nations Plaza, between 47th and 48th Streets, Block 1340, Lot 23, Borough of Manhattan.

COMMUNITY BOARD #6M

277-02-BZ

APPLICANT - Harold Weinberg, P.E., for Maya Puzaitzer, owner.

SUBJECT - Application October 15, 2002 - under Z.R. §73-622 to permit the legalization of a one story rear enlargement, and the use of attic for living space, in an existing one family dwelling, Use

116-03-A

APPLICANT - Harvey Epstein, Esq., for 340 Owners Corp. et.al. OWNER OF RECORD: 55th Street and 9th Avenue Partners.

SUBJECT - Application April 9, 2003 - An appeal challenging the Department of Buildings' determination dated March 11, 2003, in which the Department has determined that the construction permits for the new building at said premises was granted appropriately.

PREMISES AFFECTED - 400 West 55th Street, southwest corner of Ninth Avenue, Block 1064, Lot 36, Borough of Manhattan.

COMMUNITY BOARD #4M

JUNE 3, 2003, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, *Tuesday afternoon*, June 3, 2003, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

73-02-BZ

APPLICANT - Mark A. Levine, Esq., for Uptown Partners, contract vendee.

SUBJECT - Application February 20, 2003 - under Z.R. §72-21 to permit the proposed construction of a 24-story mixed use building (residential and commercial), in an R7-2 zoning district, which does not comply with the zoning requirements for lot coverage, floor area, setbacks and exposure planes, and also has commercial use on the same floor as residential use, is contrary to Z.R. §23-142, §23-632, §23-64 and §32-421.

PREMISES AFFECTED - 400 Lenox Avenue, situated between West 129th and 130th Streets, Block 1727, Lot 1, Borough of Manhattan.

COMMUNITY BOARD #10M

258-02-BZ

APPLICANT - Jesse Masyr, Esq., Wachtel & Masyr, LLP, for Inex Fulton, owner.

SUBJECT - Application September 24, 2002 - under Z.R. §72-21 to permit the proposed conversion of a one and four story manufacturing building to residential use, Use Group 2, located in an M3-1 zoning district, which is contrary to Z.R. §42-00.

PREMISES AFFECTED - 7/13 Ash Street, a/k/a 1164/66 Manhattan Avenue, northeast corner, Block 2477, Lot 1, Borough of Brooklyn.

COMMUNITY BOARD #1BK

Group 1, located in R3-1 zoning district, which does not comply with the zoning requirements for floor area ratio and the required yard is contrary to Z.R. §23-141, §54-31 and §23-47.

PREMISES AFFECTED - 60 Coleridge Street, west side, 280.0' north of Hampton Avenue, and south of Shore Boulevard, Block 8728, Lot 49, Borough of Brooklyn.

CALENDAR

COMMUNITY BOARD #15BK

283-02-BZ

APPLICANT - Harold Weinberg, P.E., for Yves Levenson, owner.

SUBJECT - Application October 18, 2003 - under Z.R. §73-622 to permit the proposed two story enlargement, to an existing one family dwelling, Use Group 1, located in an R2 zoning district, which does not comply with the zoning requirements for floor area ratio, open space ratio, rear and side yards, is contrary to Z.R. §23-141, §54-31, §23-47 and §23-461.

PREMISES AFFECTED - 1246 East 24th Street, west side, 396'-0" north of Avenue "M", Block 7641, Lot 66, Borough of Brooklyn.

COMMUNITY BOARD #14BK

364-02-BZ

APPLICANT - Agusta & Ross, for Hamilton Enterprises, LLC, owner.

SUBJECT - Application December 16, 2002 - under Z.R. §72-21 to permit the proposed five story mixed use building, with retail/or office use on the ground floor, which does not comply with the zoning requirements for floor area ratio, open space and commercial use in an R-6 zoning district, which is contrary to Z.R. §22-10 and §23-142.

PREMISES AFFECTED - 142 West Ninth Street, southeast corner of Hamilton Avenue, Block 382, Lot 16, Borough of Brooklyn.

COMMUNITY BOARD #6BK

365-02-BZ

APPLICANT - Agusta & Ross, for 4306 3rd Avenue, LLC, owner.

SUBJECT - Application December 16, 2002 - under Z.R. §72-21 to permit the proposed vertical enlargement of a vacant former mixed use multiple dwelling, for proposed office and showroom,

REGULAR MEETING
TUESDAY MORNING, APRIL 29, 2003
10:00 A.M.

Present: Chairman Chin, Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, March 18, 2003, were approved as printed in the Bulletin of March 27, 2003, Volume 88, No. 12-

located in an M1-2 zoning district, which does not comply with the zoning requirements for floor area and rear yard, and is contrary to Z.R. §43-12 and §43-26.

PREMISES AFFECTED - 4306 Third Avenue, north side, 22' west of 43rd Street, Block 727, Lot 41, Borough of Brooklyn.

COMMUNITY BOARD #7BK

29-03-BZ

APPLICANT - Sheldon Lobel, P.C., for Seymour Benenfeld, as Trustee, owner.

SUBJECT - Application January 16, 2003 - under Z.R. §73-622 to permit the proposed enlargement of an existing one family dwelling, Use Group 1, located within an R2 zoning district, which does not comply with the zoning requirements for floor area ratio, open space ratio and rear side yards, is contrary to Z.R. §§23-141(a), 23-47 and 23-461.

PREMISES AFFECTED - 1179 East 28th Street, 126'-8" north of Avenue "L", Block 7628, Lot 13, Borough of Brooklyn.

COMMUNITY BOARD #14BK

94-03-BZ

APPLICANT - Marvin B. Mitzner, Esq., Fischbein Badillo Wagner Harding, for Moklam Enterprises, Inc., owner.

SUBJECT - Application March 26, 2003 - under Z.R. §72-21 to permit the legalization of retail use, Use Group 6, in the cellar of an existing six story building, located in an M1-5B zoning district, is contrary to Z.R. §42-14(2)(b).

PREMISES AFFECTED - 622/26 Broadway, aka 156/60 Crosby Street, east side of Broadway, 118' north of East Houston Street, Block 522, Lot 5, Borough of Manhattan.

COMMUNITY BOARD #2M

Pasquale Pacifico, Executive Director

13.

SPECIAL ORDER CALENDAR

319-53-BZ

APPLICANT - Kenneth H. Koons, for Stanley & Roland Weisserberger, owners.

SUBJECT - Application December 30, 2002 - request for a

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waiver of the Rules of Practice and Procedure, reopening for an extension of term of variance and for an amendment to the resolution.

PREMISES AFFECTED - 1135 East 222nd Street, a/k/a 3651 Eastchester Road, northwest corner of Eastchester Road, Block 4900, Lot 2, Borough of The Bronx.

COMMUNITY BOARD #12BX

APPEARANCES -

For Applicant: Kenneth H. Koons.

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

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Commissioner Caliendo and Commissioner Miele.....3

Negative:.....0

Absent: Vice-Chair Babbar.....1

THE RESOLUTION-

WHEREAS, the applicant requested a waiver of the Rules of Practice and Procedure, a re-opening, an extension of the term of the variance which expired on January 31, 2001 and an amendment to the resolution; and

WHEREAS, a public hearing was held on this application on March 25, 2003, after due notice by publication in *The City Record*, and laid over to April 29, 2003 for decision; and

WHEREAS, on January 31, 1961, the Board granted an application permitting the erection and maintenance of a gasoline service station, lubratorium, minor auto repairs with hand tools only, car washing, non-automatic, office and parking and storage of more than five (5) motor vehicles; and

WHEREAS, the applicant seeks to amend the resolution to permit the change of use from an automotive service station (UG 16B) to an automotive repair shop with no body repairs (UG 16B).

Resolved, that the Board of Standards and Appeals waives the Rules of Practice and Procedure, *reopens and amends* the resolution to extend the term of the variance which expired on January 31, 2001, so that as amended this portion of the resolution shall read:

“to extend the term of the variance for an additional ten (10) years from January 31, 2001, to expire on January 31, 2011, and to permit the change of use from an automotive service station (UG 16B) to an automotive repair shop with no

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Commissioner Caliendo, and Commissioner Miele.....3

Negative:.....0

Absent: Vice-Chair Babbar.....1

THE RESOLUTION-

WHEREAS, the applicant requested a re-opening and an extension of the time to complete construction which expired on March 6, 2003; and

WHEREAS, a public hearing was held on this application on April 8, 2003, after due notice by publication in *The City Record*, and laid over to April 29, 2003 for decision; and

body repairs (UG 16B), *on condition*

THAT all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked “Received April 3, 2003”-(2) sheets; and on further condition;

THAT the premises shall be maintained free of debris and graffiti;

THAT any graffiti located on the premises shall be removed within 48 hours;

THAT there shall be no automotive body repair on the premises;

THAT the hours of operation shall be limited to Monday to Friday, 8:00 A.M.- 6:00 P.M. and Saturday 8:00 A.M.- 1:00 P.M.;

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

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.” (DOB Application # 200767679)

Adopted by the Board of Standards and Appeals, April 29, 2003.

240-55-BZ

APPLICANT - Joseph P. Morsellino, Esq., for DLC Properties, LLC, owner.

SUBJECT - Application January 23, 2003 - reopening for an extension of time to complete construction which expires on March 6, 2003.

PREMISES AFFECTED - 207-22 Northern Boulevard, Northern Boulevard and 208th Street, Block 7305, Lot 19, Borough of Queens.

COMMUNITY BOARD #11Q

APPEARANCES -

For Applicant: Joseph P. Morsellino.

ACTION OF THE BOARD - Application reopened and time to obtain a complete construction extended.

WHEREAS, on March 6, 2001, the Board granted an application permitting the erection of a second story to an existing commercial building.

Resolved, that the Board of Standards and Appeals *reopens and amends* the resolution to extend the time to obtain a Certificate of Occupancy which expired on December 8, 2002, so that as amended this portion of the resolution shall read:

“to permit the extension of the time to obtain a Certificate of Occupancy for an additional two (2) years from the date of this resolution to expire on April 29, 2005, *on condition*

THAT the premises shall be maintained free of debris

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and graffiti;

THAT any graffiti located on the premises shall be removed within 48 hours;

THAT the above conditions and all conditions from prior resolutions shall appear on the certificate of occupancy;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.”

(DOB Alt. Application #401113816)

Adopted by the Board of Standards and Appeals, April 29, 2003.

485-76-BZ

APPLICANT - Gerald J. Caliendo, R.A., for Giuseppe Ventimiglia, owner.

SUBJECT - Application June 10, 2002 - request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term of variance which expired October 19, 2001 and for an amendment to the resolution.

PREMISES AFFECTED - 70-01/09 65th Street, corner formed by main intersection of Otto Road and South side of 70th Avenue, Block 3644, Lot 1, Borough of Queens.

COMMUNITY BOARD #5Q

APPEARANCES -

For Applicant: Sandy Anagnostou.

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

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Commissioner Caliendo, and Commissioner Miele.....3

Negative:.....0

Absent: Vice-Chair Babbar.....1

THE RESOLUTION -

WHEREAS, the applicant requested a waiver of the Rules of Practice and Procedure, a re-opening, an

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.”

(DOB Application # 401403361)

Adopted by the Board of Standards and Appeals, April 29, 2003.

406-82-BZ

APPLICANT - Joseph P. Morsellino, Esq., for Adolph Clausi &

extension of the term of the variance which expired on October 19, 2001 and an amendment to the resolution; and

WHEREAS, a public hearing was held on this application on March 18, 2003, after due notice by publication in *The City Record*, and laid over to April 29, 2003 for decision; and

WHEREAS, on October 19, 1976, the Board granted an application permitting the operation of a factory; and

WHEREAS, the applicant seeks to amend the resolution to permit the addition of an apparel manufacturing factory (UG 17B).

Resolved, that the Board of Standards and Appeals waives the Rules of Practice and Procedure, *reopens and amends* the resolution to extend the term of the variance which expired on October 19, 2001, so that as amended this portion of the resolution shall read:

“to extend the term of the variance for an additional ten (10) years from October 19, 2001, to expire on October 19, 2011, and to permit the addition of an apparel manufacturing factory (UG 17B), *on condition*

THAT all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked “Received June 10, 2002”-(2) sheets, “January 13, 2003”-(1) sheet, and “April 8, 2003”-(1) sheet; and on further condition;

THAT the premises shall be maintained free of debris and graffiti;

THAT any graffiti located on the premises shall be removed within 48 hours;

THAT there shall be no business involved in the manufacturing or use of chemicals, vehicle repair or textile dyeing on the premises;

THAT all loading and unloading of truck deliveries shall be performed inside the building;

THAT all truck deliveries shall be limited to Monday to Friday, 9:00 A.M.- 5:00 P.M.;

THAT exterior lighting shall be directed away from neighboring residences;

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

Theodore Thomas, owner; Hendel Products/McDonalds, lessee.

SUBJECT - Application January 24, 2003 - reopening for an extension of term of variance which expired January 18, 2003.

PREMISES AFFECTED - 2411 86th Street, northeast corner of 24th Avenue and 86th Street, Block 6859, Lots 1, 69 and 71, Borough of Brooklyn.

COMMUNITY BOARD #11BK

APPEARANCES -

For Applicant: Joseph P. Morsellino.

ACTION OF THE BOARD - Application reopened, and term of Special Permit extended.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Commissioner Caliendo and Commissioner Miele.....3

Negative:.....0

MINUTES

Absent: Vice-Chair Babbar.....1

THE RESOLUTION-

WHEREAS, the applicant requested a re-opening, an extension of the term of the variance which expired on January 18, 2003; and

WHEREAS, a public hearing was held on this application on March 25, 2003, after due notice by publication in *The City Record*, and laid over to April 29, 2003 for decision; and

WHEREAS, on January 18, 1983, the Board granted an application permitting an accessory drive-thru to an existing eating and drinking establishment.

Resolved, that the Board of Standards and Appeals, *reopens and amends* the resolution to extend the term of the Special Permit which expired on January 18, 2003, so that as amended this portion of the resolution shall read:

“to permit the extension of the term of the Special Permit for an additional five (5) years from the January 18, 2003 to expire on January 18, 2008, on condition

THAT all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked “Received January 24, 2003”- (3) sheets and “April 4, 2003”- (1) sheet; and on further condition;

THAT the premises shall be maintained free of debris and graffiti;

THAT any graffiti located on the premises shall be removed within 48 hours;

THAT the above conditions and all conditions from prior resolutions shall appear on the certificate of occupancy;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.” (DOB Application # 301485710)

“to permit the extension of the time to complete construction for an additional thirty (30) months from the date of this resolution to expire on October 29, 2005, in conformance with the plans submitted under Department of Buildings N.B. Application No. 500436511 as revised and submitted to the Department of Buildings on March 10, 2003, *on condition*

THAT the Applicant’s attorney, Stadtmauer Bailkin LLP of 850 Third Avenue, NY, NY 10022 shall hold a \$50,000 irrevocable conditional letter of credit or bond for the term of the extension based upon the terms stated in a letter to the Board dated “April 8, 2003” to be drawn down by Stadtmauer Bailkin on a resolution adopted by the Board, realizing the failure of the applicant to complete substantial construction within the 30 month extension period, to pay for the restoration and landscaping of the subject premises;

Adopted by the Board of Standards and Appeals, April 29, 2003.

1233-88-A

APPLICANT - Stadtmauer Bailkin, LLP, by Richard Bowers, for Savoy at Staten Island, L.P., owner; Sunrise Development, Inc., lessee.

SUBJECT - Application December 26, 2002 - reopening for an extension of time to complete construction which expired December 5, 2002.

PREMISES AFFECTED - 801 Narrows Road North, north side of Narrows Road, north 1162'-62" east of Howard Avenue, Block 631, Lot 71, Borough of Staten Island.

COMMUNITY BOARD #1S.I.

APPEARANCES -

For Applicant: Richard Bowers.

ACTION OF THE BOARD - Application reopened and time to obtain a complete construction extended.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Commissioner Caliendo, and Commissioner Miele.....3

Negative:.....0

Absent: Vice-Chair Babbar.....1

THE RESOLUTION-

WHEREAS, the applicant requested a re-opening and an extension of the time to complete construction which expired on December 5, 2002; and

WHEREAS, a public hearing was held on this application on March 18, 2003, after due notice by publication in *The City Record*, and laid over to April 29, 2003 for decision; and

WHEREAS, the proposal seeks to erect a five-story plus basement senior housing facility.

Resolved, that the Board of Standards and Appeals *reopens and amends* the resolution to extend the time to complete construction which expired on December 5, 2002, so that as amended this portion of the resolution shall read:

THAT in the event that the aforementioned \$50,000 letter of credit be used for the restoration and landscaping of the subject premises, the work shall include grading of existing slopes exceeding two foot horizontal to one foot vertical grade change to reduce unstable material and to mitigate erosion currently occurring, providing topsoil and perennial seed vegetation on slopes less than two foot horizontal to one foot vertical, and landscaping (including trees) the first 25 feet of the property along Narrow’s Road;

THAT the applicant shall adhere to the construction schedule as indicated in a letter to the Board dated “April 8, 2003”;

THAT quarterly progress reports shall be sent to the Executive Director of the Board;

THAT the premises shall be maintained free of debris and graffiti;

THAT any graffiti located on the premises shall be removed within 48 hours;

MINUTES

THAT the above conditions and all conditions from prior resolutions shall appear on the certificate of occupancy;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.”

Adopted by the Board of Standards and Appeals, April 29, 2003.

472-37-BZ, Vol. IV

APPLICANT - Vassalotti Associates, Architects, for 246 Sears Rd Realty Corp., owner.

SUBJECT - Application February 15, 2002 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of variance which expired March 14, 2001.

PREMISES AFFECTED - 2765/2773 Cropsy Avenue, southeast corner of 28th Avenue and Cropsy Avenue, Block 6915, Lot 44, Borough of Queens.

COMMUNITY BOARD #13Q

APPEARANCES -

For Applicant: Hiram A. Rothkrug.

ACTION OF THE BOARD - Laid over to June 3, 2003, at 10 A.M., for continued hearing.

421-62-BZ

APPLICANT - Omer Fenik Architects, for Gotham Towne House Owners Corp., owner; Rapid Park Industries, lessee

SUBJECT - Application August 22, 2002 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of variance which expires November 20, 2003.

374-75-BZ

APPLICANT - New York City Board of Standards and Appeals.

SUBJECT - Dismissal.

PREMISES AFFECTED - 380-394 Amsterdam Avenue, Manhattan.

COMMUNITY BOARD #8M

APPEARANCES -

For Applicant: Barbara Hair.

ACTION OF THE BOARD - Laid over to June 24, 2003, at 10 A.M., for continued hearing.

660-77-BZ

APPLICANT - Joseph P. Morsellino, for 41st Realty LLC, owner; Fogarty Funeral Home, lessee.

SUBJECT - Application March 7, 2003 - reopening for an extension of term of variance which expired March 7, 2003.

PREMISES AFFECTED - 153 East 57th Street, intersection of East 57th Street, 120' west of Third Avenue, Block 1312, Lot 28, Borough of Manhattan.

COMMUNITY BOARD #6M

APPEARANCES -

For Applicant: Peter Hirshman.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Commissioner Caliendo and Commissioner Miele.....3

Negative:0

Absent: Vice-Chair Babbar.....1

ACTION OF THE BOARD - Laid over to May 20, 2003, at 10 A.M., for decision, hearing closed.

830-62-BZ

APPLICANT - Omer Fenik Architects, for 157 East 57th Street, LLC, owner; Rapid Park Industries, lessee.

SUBJECT - Application August 22, 2002 - reopening for an extension of term of variance which expired November 29, 2002.

PREMISES AFFECTED - 157 East 57th Street, northwest corner of Third Avenue and East 57th Street, Block 1312, Lot 33, Borough of Manhattan.

COMMUNITY BOARD #6M

APPEARANCES -

For Applicant: Peter Hirshman.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Commissioner Caliendo and Commissioner Miele.....3

Negative:0

Absent: Vice-Chair Babbar.....1

ACTION OF THE BOARD - Laid over to May 20, 2003, at 10 A.M., for decision, hearing closed.

PREMISES AFFECTED - 136-50 41st Avenue, 41st Avenue, east of Kissena Boulevard, Block 5044, Lot 32, Borough of Queens.

COMMUNITY BOARD #7Q

APPEARANCES -

For Applicant: Joseph P. Morsellino.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Commissioner Caliendo and Commissioner Miele.....3

Negative:0

Absent: Vice-Chair Babbar.....1

ACTION OF THE BOARD - Laid over to May 20, 2003, at 10 A.M., for decision, hearing closed.

716-82-BZ

APPLICANT - Joseph P. Morsellino, for Cigarette Realty, owner; Staples Inc., lessee.

SUBJECT - Application February 20, 2003 - reopening for an

MINUTES

extension of term of variance which expired June 13, 2003.

PREMISES AFFECTED - 209-30 Northern Boulevard, Northern Boulevard, east of Oceania Street, Block 7309, Lots 9, 11, 13 & 49, Borough of Queens.

COMMUNITY BOARD #11Q

APPEARANCES -

For Applicant: Joseph P. Morsellino.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Commissioner Caliendo and Commissioner Miele.....3

Negative:0

Absent: Vice-Chair Babbar.....1

ACTION OF THE BOARD - Laid over to May 20, 2003, at 10 A.M., for decision, hearing closed.

286-86-BZ

APPLICANT - Sheldon Lobel, P.C., for George Kotsonis, owner; Union Fitness Organization, lessee.

SUBJECT - Application February 24, 2003 - request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term of time to obtain a Certificate of Occupancy.

PREMISES AFFECTED - 100 7th Avenue, a/k/a 808 Union Avenue, portion of block bounded by 7th Avenue, Union Street, 6th Avenue and President Street, Block 957, Lot 33, Borough of Brooklyn.

COMMUNITY BOARD #6BK

APPEARANCES -

For Applicant: Jon Popin.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele.....4

Negative:0

ACTION OF THE BOARD - Laid over to May 20, 2003,

- B) Existing dwelling to be altered does not have at least 8% of the total perimeter of the building fronting directly upon a legally mapped street of frontage space is contrary to Section 27-291 of the Administrative Code"; and

WHEREAS, by the letter dated April 2, 2003, the Fire Department has reviewed the above project and has no objections; and

WHEREAS, the applicant has submitted adequate evidence to warrant this approval under certain conditions.

Resolved, that the decision of the Queens Borough Commissioner, dated February 25, 2003 acting on ALT 1. Application No. 401577637, is modified under the power vested in the Board by §36 of the General City Law, and that this appeal is granted, limited to the decision noted above, on condition that construction shall substantially conform to the drawing filed with the application marked, "Received March 3, 2003"-(1) sheet; and that the proposal comply with all applicable R4 zoning district requirements; that all applicable laws, rules, and regulations shall be complied with; on further condition

THAT the premises shall be maintained free of debris and graffiti;

at 10 A.M., for decision, hearing closed.

76-03-A

APPLICANT - Joseph Gabriel, for Breezy Point Co-op Inc., owner; Dennis McGowan, lessee.

SUBJECT - Application March 3, 2003 - Proposed alteration of an existing first floor, and to relocate the first floor bedrooms to a new second floor, in an existing one family dwelling not fronting on a legally mapped street, which is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED - 23 Newport Walk, east side, 84' north of Breezy Point Boulevard, Block 16350, Lot 400, Borough of Queens.

COMMUNITY BOARD #14

APPEARANCES -

For Applicant: Michael Harley.

ACTION OF THE BOARD - Appeal granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele.....4

Negative:.....0

THE RESOLUTION-

WHEREAS, the decision of the Queens Borough Commissioner, dated February 25, 2003 acting on ALT 1.

Application No. 401577637, reads in pertinent part:

"A1- The street giving access to the existing dwelling to be altered is not duly placed on the official map of the City of New York, therefore:

- A) A Certificate of Occupancy may not be issued as per Article 3, Section 36 of the General City Law;

THAT any graffiti located on the premises shall be removed within 48 hours;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted."

Adopted by the Board of Standards and Appeals, April 29, 2003.

259-02-A

APPLICANT - Rothkrug Rothkrug Weinberg & Spector, LLP for Michael Giordano, owner.

SUBJECT - Application September 23, 2003 - Proposed construction of a two family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

MINUTES

PREMISES AFFECTED - 819 Rossville Avenue, a/k/a 504 Correll Avenue, Block 6146, Lot 35, Borough of Staten Island.

COMMUNITY BOARD #3S.I.

APPEARANCES -

For Applicant: Adam Rothkrug.

ACTION OF THE BOARD - Laid over to June 3, 2003, at 10 A.M., for continued hearing.

287-02-A thru 289-02-A

APPLICANT - Rothkrug Rothkrug Weinberg & Spector, for Ocean Park Estates, owner.

SUBJECT - Application October 23, 2002 - Proposed one family dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED -

3 Reynolds Court, north side, 363.9' east of Reynolds Street, Block 2981, Lot 93, Borough of Staten Island.

5 Reynolds Court, north side, 363.1' east of Reynolds Street, Block 2981, Lot 95, Borough of Staten Island.

7 Reynolds Court, north side, 300' east of Reynolds Street, Block 2981, Lot 97, Borough of Staten Island.

COMMUNITY BOARD #1SI

APPEARANCES -

For Applicant: Adam Rothkrug.

For Opposition: Anthony Scaduto, Fire Department, Michael Arvarutes and Robert Cunningham.

ACTION OF THE BOARD - Laid over to June 3, 2003, at 10 A.M., for continued hearing.

**REGULAR MEETING
TUESDAY AFTERNOON, APRIL 29, 2003
2:00 P.M.**

Present: Chairman Chin, Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele.

ZONING CALENDAR

96-02-BZ thru 102-02-BZ

CEQR #02-BSA-164Q thru 02-BSA-170Q

APPLICANT - Gerald J. Caliendo, R.A., A.I.A., for Domenick Pinto, owner.

SUBJECT - Application April 2, 2002 - under Z.R. §72-21 to permit on a site previously before the Board, in an R5 zoning district, the erection of three-story, mixed-use buildings housing (Use Group 2) residential uses and (Use Group 6) commercial uses contrary to Zoning Resolution Sections 22-10 and 22-32.

PREMISES AFFECTED -

23-27/27A Steinway Street, east side,
75.78' north of 23rd Road,
Block 793, Lot 64,
Borough of Queens.

86-03-A & 87-03-A

APPLICANT - Richard Bowers, Stadtmauer Bailkin LLP, owner.
SUBJECT - Application March 19, 2003 - Proposed erection of a contractor's establishment with offices, located partially within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

PREMISES AFFECTED -

11-19 132nd Street, south of eleventh Avenue, Block 4012, Tentative Lot 144, Borough of Queens.

132-01 14th Avenue, north side, 418.57' west of 133rd Place, Block 4012, Tentative Lot 1, Borough of Queens.

COMMUNITY BOARD #7Q

APPEARANCES -

For Applicant: Richard Bowers.

For Opposition: Judith Panacialli and Dolores Schmauser.

ACTION OF THE BOARD - Laid over to May 20, 2003, at 10 A.M., for postponed hearing.

Pasquale Pacifico, Executive Director.

Adjourned: 10:50 A.M.

23-29/29A Steinway Street, east side, 75.78' north of 23rd Road, Block 793, Lot 63, Borough of Queens.

23-31/31A Steinway Street, east side, 75.78' north of 23rd Road, Block 793, Lot 62, Borough of Queens.

23-33/33A Steinway Street, east side, 75.78' north of 23rd Road, Block 793, Lot 60, Borough of Queens.

23-35/35A Steinway Street, east side, 75.78' north of 23rd Road, Block 793, Lot 52, Borough of Queens.

40-11 23rd Road, northeast side, 70.40' northeast of 41st Street, Block 793, Lot 53, Borough of Queens.

40-15 23rd Road, northeast side, 70.40' northeast of 41st Street, Block 793, Lot 56, Borough of Queens.

COMMUNITY BOARD #1Q

APPEARANCES -

For Applicant: Sandy Anagnostou.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele.....4

Negative:.....0

THE RESOLUTION-

WHEREAS, the decision of the Borough Commissioner, dated March 6, 2003 acting on Application No. 401268301 reads:

“1. PROPOSED COMMERCIAL USE IN AN R5

MINUTES

DISTRICT IS NON-CONFORMING AND THEREFORE CONTRARY TO SECTION 22-10 OF THE ZONING RESOLUTION. REFER TO THE BOARD OF STANDARDS AND APPEALS.

2. THERE ARE NO BULK REGULATIONS FOR COMMERCIAL USES IN AN R5 DISTRICT THEREFORE IT IS REFERRED TO THE BSA FOR ITS DETERMINATION FOR A BULK VARIANCE FOR THE PROPOSED MIXED USE BUILDING.
3. PROPOSED SIGNS IN AN R5 DISTRICT ARE CONTRARY TO SECTION 22-32 OF THE ZONING RESOLUTION. REFER TO BSA.
4. PROPOSED FRONT YARD ON SECOND AND THIRD FLOORS IS CONTRARY TO SECTION 23-45 Z.R.:"; and

WHEREAS, a public hearing was held on this application on March 4, 2003 after due notice by publication in the *City Record*, and laid over to April 29, 2003 for decision; and

WHEREAS, the site and surrounding area had a site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Vice-Chair Satish Babbar, Commissioner Peter Caliendo and former Commissioner Mitchell Korbey; and

WHEREAS, the Board notes that the residential uses are as-of-right, and the record indicates that five of the seven buildings will face Steinway Street just north of the railroad overpass between 23rd Road on the South and 23rd Avenue on the North; and

WHEREAS, the buildings facing Steinway Street will contain retail uses on the ground floor and residential uses, consisting of one dwelling unit on the second floor and two dwelling units on the third floor; and

WHEREAS, the proposed front yards on the second and third floors of the Steinway Street buildings are contrary to the 18'-0" requirement of Z.R. Section 23-45; and

WHEREAS, the proposal provides a 10'-0" front yard on the second and third floors and does not provide a front yard on the ground floor because a commercial use will occupy the ground floor; and

WHEREAS, the buildings at 40-11 and 40-11A 23rd Road will face 23rd Street, contain professional offices (Use Group 6) in the cellar and retail stores (Use Group 6) on the ground floor, do not meet a front yard requirement for 40-15 and 40/15A 23rd Road and the side yard on the entire building is contrary to ZR Section 23-462; and

WHEREAS, the site's irregular shape and its history of development with prior Board variances that have recently lapsed constitutes a unique physical conditions leading to an undue hardship in developing the site with a conforming or complying development; and

WHEREAS, the evidence demonstrates that a complying development would not yield a reasonable return; and

WHEREAS, the applicant has submitted a feasibility

WHEREAS, this is one of seven applications under Z.R. §72-21, to permit, on a site previously before the Board, in an R5 zoning district, the erection of three-story, mixed-use buildings housing (Use Group 2) residential uses and (Use Group 6) commercial uses contrary to Zoning Resolution Sections 22-10 and 22-32; and

WHEREAS, the subject lot is located on the northeast corner of Steinway Street and 23rd Road comprised of two irregularly shaped tax lots with approximately 97.73 feet of frontage along Steinway Street and approximately 78.19 feet of frontage along 23rd Road; and

WHEREAS, the record indicates that prior Board actions permitted in an R5 zoning district, the erection of five (5) three (3) story attached mixed-use buildings with retail uses and accessory signs (Use Group 6) on the ground floor and residential uses (Use Group 2) on the second and third floors; and

WHEREAS, the applicant represents due to financial difficulties construction of the approved development was not completed within the prescribed time and the prior grants have lapsed requiring, the filing of the instant applications; and

WHEREAS, the proposal will house residential uses on the second and third floors of the subject buildings; and

study demonstrating that developing the site with a conforming use would not yield a reasonable return; and

WHEREAS, the record indicates that the surrounding area is characterized by commercial uses on the ground floor with residential above, therefore, the instant application would not upset the character of the surrounding neighborhood; and

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

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

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

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under §72-21 of the Zoning Resolution; and

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

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

Resolved that the Board of Standards and Appeals issues a Negative Declaration under 6 NYCRR Part 617 and §6-07(b) of the Rules of Procedure for City Environmental Quality Review and makes each and every one of the required findings under Z.R. §72-21, to permit, on

MINUTES

a site previously before the Board, in an R5 zoning district, the erection of three-story, mixed-use buildings housing (Use Group 2) residential uses and (Use Group 6) commercial uses contrary to Zoning Resolution Sections 22-10 and 22-32, *on condition* that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received August 2, 2002"- (7) sheets and "April 3, 2003"- (1) sheet; and on further condition;

THAT the premises shall be maintained free of debris and graffiti;

THAT any graffiti located on the premises shall be removed within 48 hours;

THAT the applicant shall comply with all applicable fire safety measures;

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

THAT the above conditions shall appear on the Certificate of Occupancy;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted;

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other
THE RESOLUTION -

WHEREAS, the decision of the Borough Commissioner, dated June 27, 2002 acting on Application No. 401407535 reads:

"Proposed testing lab, (ug 17) in R-4 district is contrary to section 22-00 ZR B.S.A. Approval is required."; and

WHEREAS, a public hearing was held on this application on February 25, 2003 after due notice by publication in *The City Record* and laid over to April 8, 2003 for decision. On April 8, 2003, the record was re-opened for clarification and the application laid over to April 29, 2003 for decision; and

WHEREAS, Community Board No. 12 in Queens recommends approval of the subject application; and

WHEREAS, the site and surrounding area had a site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Vice Chairman Satish Babbar and former Commissioner Mitchell Korbey; and

WHEREAS, this is an application under Z.R. §72-21, on a site previously before the Board, to permit, in an R-4 zoning district the legalization of an existing materials testing facility (Use Group 17) contrary to Z.R. Section 22-00; and

WHEREAS, the subject parcel is located on the corner of Liberty Avenue and Remington Street on a zoning lot containing 6,954 square feet of area, with approximately 92' of frontage along Liberty Avenue; and

WHEREAS, the record indicates that, since 1972, the property has been improved with a one-story brick building containing approximately 3,530 square feet, housing a

relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, April 29, 2003.

215-02-BZ

CEQR #03-BSA-015Q

APPLICANT - Sullivan, Chester & Gardner, LLP, for Liberty Avenue, LLC, owner; Ossining, lessee.

SUBJECT - Application July 18, 2002 - under Z.R. §§72-01 & 72-21 to permit in an R-4 zoning district the legalization of an existing materials testing facility (Use Group 17) contrary to Z.R. Section 22-00.

PREMISES AFFECTED - 143-05 Liberty Avenue, northeast corner of Remington Street, Block 10020, Lot 138, Borough of Queens.

COMMUNITY BOARD #12Q

APPEARANCES - None.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele.....4

Negative:.....0

variety of automotive and commercial uses; and

WHEREAS, the applicant represents that although the site is located in an R-4 zoning district, this portion of Liberty Avenue is a commercial/retail thoroughfare with a strong orientation toward automotive uses; and

WHEREAS, on October 20, 1959, under Calendar Number 852-56-BZ Vol. II, the Board permitted in a then retail use district, the erection and operation of a gasoline service station with accessory uses, a building which the applicant notes was never constructed; and

WHEREAS, on March 13, 1962, for a term of ten (10) years, with subsequent amendments in 1972 and 1982, the Board granted an amendment allowing the erection and maintenance of a one-story building for wheel alignment, brake testing and brake repairs; and

WHEREAS, on March 8, 1994, under Calendar Number 86-93-BZ, the Board permitted the legalization of certain structural alterations and a change in use to a motor vehicle freight station with accessory parking and storage; and

WHEREAS, the applicant represents that the site has housed, subject to a July 25, 1957 variance, under Calendar Number 32-57-BZ, an automotive service station as amended through September 11, 1990, and that although the variance lapsed the uses at the premises have remained unchanged; and

WHEREAS, the instant application proposes to use the subject building as a satellite facility for an engineering testing and materials inspection and quality assurance firm, which needs a facility closer to one of its main clients, Kennedy Airport; and

MINUTES

WHEREAS, site's history of development with non-conforming Board approved uses and evidence in the record indicating that the subject site cannot house or be converted to a viable conforming use creates an unnecessary hardship in complying strictly with the Zoning Resolution; and

WHEREAS, evidence in the record, including a feasibility study and financial analysis sufficiently demonstrates that a conforming use in the entire building would not yield a reasonable return; and

WHEREAS, the record indicates that the subject property is located in an area characterized by commercial and automotive uses; and

WHEREAS, therefore, the Board finds that the proposed application to legalize an existing use, will not alter the essential character of the surrounding neighborhood, nor impair the use or future development of adjacent properties nor be detrimental to the public welfare; and

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

WHEREAS, the Board finds that the variance application is the minimum variance necessary to afford the owner relief; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under §72-21 of the Zoning Resolution; and

THAT the term of the variance shall be limited to ten (10) years from the date of this grant, to expire on April 29, 2013;

THAT the above conditions shall be noted in the Certificate of Occupancy;

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

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, April 29, 2003.

282-02-BZ

CEQR #03-BSA-062K

APPLICANT - Harold Weinberg, P.E., for Roger Chehova, owner.

SUBJECT - Application October 18, 2002 - under Z.R. §73-622 to permit the proposed enlargement of an existing single-family dwelling in an R2 zoning district, which creates non-compliance with regard to floor area ratio, open space ratio, and rear yard requirements, and is contrary to Z.R. §§23-141, 54-31 and 23-47.

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

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

Resolved that the Board of Standards and Appeals issues a Negative Declaration under 6 NYCRR Part 617 and §6-07(b) of the Rules of Procedure for City Environmental Quality Review and makes each and every one of the required findings under Z.R. §72-21 on a site previously before the Board, to permit, in an R-4 zoning district the legalization of an existing materials testing facility (Use Group 17) contrary to Z.R. Section 22-00, *on condition* that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received November 13, 2002"-(5) sheets, "April 11, 2003"-(1) sheet, and "April 24, 2003"-(1) sheet; and on further condition;

THAT the premises shall be maintained free of debris and graffiti;

THAT any graffiti located on the premises shall be removed within 48 hours;

PREMISES AFFECTED - 1465 East 24th Street, east side, 360'-0" south of Avenue "M", north of Avenue "N", Block 7657, Lot 27, Borough of Brooklyn.

COMMUNITY BOARD #14BK

APPEARANCES -

For Applicant: Harold Weinberg,

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele.....4

Negative:.....0

THE RESOLUTION -

WHEREAS, the decision of the Borough Commissioner, dated October 15, 2002, acting on Application No. 301420987 reads:

"THE ENLARGEMENT OF THE ONE FAMILY RESIDENCE IN AN R2 ZONING DISTRICT:

1. INCREASES THE DEGREE OF NON-COMPLIANCE WITH RESPECT TO FLOOR AREA RATIO AND OPEN SPACE RATIO AND IS CONTRARY TO SECTIONS 23-141 & 54-31;
2. INCREASES THE DEGREE OF NON-COMPLIANCE WITH RESPECT TO REAR YARD AND IS CONTRARY TO SECTION 23-47 ZR"; and

WHEREAS, a public hearing was held on this application on March 25, 2003 and then laid over to April 29, 2003 for decision; and

WHEREAS, the premises and surrounding area had

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site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Vice-Chair Satish Babbar, Commissioner Peter Caliendo and Commissioner Joel Miele; and

WHEREAS, a special permit is sought under Z.R. §73-622 to permit the proposed enlargement of an existing single-family dwelling in an R2 zoning district, which creates non-compliance with regard to floor area ratio, open space ratio, and rear yard requirements, and is contrary to Z.R. §§23-141, 54-31 and 23-47; and

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

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

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

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

Resolved that the Board of Standards and Appeals issues a Type II determination under 6 NYCRR Part 617 of the Rules of Procedure for City Environmental Quality

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted;

THAT substantial construction be completed and a new Certificate of Occupancy be obtained within four (4) years of this grant.

Adopted by the Board of Standards and Appeals, April 29, 2003.

284-02-BZ

CEQR #03-BSA-016K

APPLICANT - Friedman & Gotbaum, LLP, for New York City Department of Citywide Administrative Services, owner; Two Trees Management Company, contract vendee.

SUBJECT - Application October 24, 2002 - under Z.R. §72-21 to permit in a C6-2A (DB) Special Downtown Brooklyn zoning district, the erection of an eleven story mixed-use building contrary to base height, height, setback, rear yard, retail continuity and lot coverage requirements of Z.R. Sections 23-145, 23-633(b) 33-26, 35-24, and 101-10.

PREMISES AFFECTED - 121/35 Court Street, 211/35 Atlantic Avenue and 204/24 State Street, property fronts on Court Street, and is bounded by Atlantic Avenue and State Street, Block 277, Lot 8, Borough of Brooklyn.

COMMUNITY BOARD #2BK

APPEARANCES -

For Applicant: Lori Cuisiner.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele.....4

Review and makes the required findings under Z.R. §73-622 to permit the proposed enlargement of an existing single-family dwelling in an R2 zoning district, which creates non-compliance with regard to floor area ratio, open space ratio, and rear yard requirements, and is contrary to Z.R. §§23-141, 54-31 and 23-47, *on condition* that all work shall substantially conform to drawings as they apply to the objection above-noted, filed with this application marked "Received January 24, 2003"-(12) sheets; and *on further condition*;

THAT there shall be no habitable room in the cellar;

THAT the premises shall be maintained free of debris and graffiti;

THAT any graffiti located on the premises shall be removed within 48 hours;

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

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted;

Negative:.....0

THE RESOLUTION -

WHEREAS, the decisions of the Borough Commissioner, dated October 18, 2002 and February 10, 2003, acting on N.B. Application No. 301425740 reads:

"1. Proposed construction does not comply with the 85' maximum base height requirement of Z.R. Section 35-24 for C6-2A zoning districts because the building's base will rise to 89'.

2. Proposed construction does not comply with height and setback provisions of Z.R. Section 35-24 for C6-2A zoning districts, which require at least a 10' setback on wide streets and at least 15' setback on narrow streets. Building will set back only 8' along Atlantic Avenue (wide Street) and State Street (narrow street).

3. Proposed construction does not comply with the 120' height limitation required by Z.R. Section 35-24 in C6-2A zoning districts because the building height will rise to 128'.

4. Proposed construction does not comply with Z.R. Section 35-26, which requires a 20' rear yard for community facilities on interior lots in C6-2A zoning districts.

5. Proposed construction does not comply with the Z.R. Section 101-10 retail continuity regulations because the length of street frontage occupied by the residential/community facility/parking lobby space, entrance space and/or building entrance recess exceeds 30' of the applicable portion of the building's street frontage.

6. "Proposed construction does not comply with Z.R. Section 23-145 because the two corner

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lot portions both exceed the permitted 80% lot coverage.

7. Proposed construction does not comply with Z.R. Section 23-663(b), which requires that for the interior and through lot portion of the proposed new building on which a rear yard equivalent is provided, no portion of such building that exceeds the 85' maximum base height shall be nearer to the rear yard line than 10'. The interior and through lot portion of the proposed new building will rise to 128' at the rear yard lines without setting back.”; and

WHEREAS, a public hearing was held on this application on March 25, 2003 after due notice by publication in *The City Record*, and laid over to April 29, 2003 for decision; and

WHEREAS, Community Board Number 2, Brooklyn, recommends approval of this application; and

WHEREAS, the site and surrounding area had a site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Vice Chairman

WHEREAS, the record indicates that the Special District was established to facilitate commercial development; and

WHEREAS, the applicant notes that the site is located in a mixed-use neighborhood where the boundaries of Brooklyn Heights, Cobble Hill and the Downtown business and civic centers merge; and

WHEREAS, the record indicates that the Special Downtown Brooklyn District was designed to encourage investment in mixed residential and commercial/industrial neighborhoods; and

WHEREAS, the proposed developed will consist of a mixed-use building with a 7-story mixed-use base (89 feet) covering most of the Site and two residential wings rising to 11 stories (128 feet high); and

WHEREAS, the instant application proposes 320 apartments containing 250,097 square feet of floor area housed on the second floor, facing Court Street above the retail establishments and at the third floor above the community facility use, with the overall configuration comprising a 7 story residential base (with retail and community facility uses at the lower levels) and two 4-story Wings above the base that are designed around a spacious 60 foot wide 12,638 square foot two-level courtyard with 3,925 square feet at the second floor level and 8,713 square feet at the third floor level; and

WHEREAS, the applicant assures that the third floor's Courtyard area is similar in size and scale to the typical arrangement of Brooklyn brownstone backyards and will be erected over the clear span; and

WHEREAS, the Board agrees with the applicant's representation that the proposed courtyard will not only allow light and air down into the apartments, but will also provide a passive recreation area for the new building's tenants; and

WHEREAS, the applicant represents that although of a greater height than some buildings in the immediate area, the New Building is considerably lower than the

Satish Babbar, former Commissioner Mitchell Korbey and Commissioner Peter Caliendo; and

WHEREAS, this is an application under Z.R. §72-21, to permit, in a C6-2A (DB) Special Downtown Brooklyn zoning district, the erection of an eleven story mixed-use building contrary to base height, height, setback, rear yard, rear yard setback, retail continuity and lot coverage requirements of Z.R. Sections 23-145, 23-663(b), 33-26, 35-24, and 101-10; and

WHEREAS, the subject site, occupies the western half of the block bounded by Atlantic Avenue, Court Street, State Street and Boerum Place at the southern end of Downtown Brooklyn containing 47,222 square feet of lot area, with a frontage of 180' on the east side of Court Street, a depth of 270' along the northern side of Atlantic Avenue and a depth of 250' on the Southern side of State Street; and

WHEREAS, the site lies within the Special Downtown Brooklyn District, and is improved with a naturally ventilated three-story concrete slab existing garage; and

movie theater complex diagonally across Court Street measuring approximately 200 feet in height and is consistent with other high-rise municipal, commercial and community facility buildings within the vicinity of the site; and

WHEREAS, the instant proposal includes a parking garage with 168,936 square feet of unobstructed parking area, to be located on four below-grade levels (with a small portion, 430 square feet) of unobstructed area, at grade to accommodate 700 attended spaces; and

WHEREAS, the retail component of the proposed development will contain approximately 16,506 square feet of street level retail floor area, with approximately 179 feet 8 inches of frontage along Court Street, 166 feet 8 inches of frontage along Atlantic Avenue and 88 feet 6 inches of frontage along State Street; and

WHEREAS, the applicant notes that the generous expanse of retail frontage provides the flexibility of leasing to multiple tenants; and

WHEREAS, the proposal will also contain a community facility use on the first and second floor providing 40,340 square feet to house a broad range of athletic, recreational and intellectual activities for a diverse population; and

WHEREAS, the record indicates that a separate entrance on the mid-block of Atlantic Avenue, east of the retail space will be created for the community facility space and that windows on both Atlantic Avenue and State Street will provide light and air for the community facility uses; and

WHEREAS, the applicant's programmatic needs discussed above, and the zoning lot's intrinsic narrowness, create an undue hardship and a practical difficulty with strict compliance with the bulk provisions of the Zoning Resolution; and

WHEREAS, the applicant has demonstrated that the above referenced conditions leave no reasonable possibility of obtaining a reasonable return through a complying development; and

WHEREAS, evidence in the record, including a feasibility study, demonstrates that developing the site with

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a complying development would not yield a reasonable return; and

WHEREAS, the record indicates that the proposed building will be an appropriate addition that will relate harmoniously to mixed-use neighbors, including the existing residential buildings, commercial entities and manufacturing facilities located within the immediate area; and

WHEREAS, therefore, the Board finds that the subject proposal will not alter the essential character of the neighborhood or substantially impair the appropriate use or development of the surrounding area nor be detrimental to the public welfare; and

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

Therefore, it is Resolved that the Board of Standards and Appeals adopts the Negative Declaration revised April 4, 2003 under 6 NYCRR Part 617 and §6-07(b) of the Rules of Procedure for City Environmental Quality Review and makes each and every one of the required findings under Z.R. §72-21, and *grants* a variation in the application of the Zoning Resolution, limited to the objections cited, to permit, in a C6-2A (DB) Special Downtown Brooklyn zoning district, the erection of an eleven story mixed-use building contrary to base height, height, setback, rear yard, rear yard set back, retail continuity and lot coverage requirements of Z.R. Sections 23-145, 23-663 (b) 33-26, 35-24, and 101-10 on condition that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received February 4, 2003"- (15) sheets and "February 26, 2003"- (3) sheets and on further condition;

THAT in accordance with Board-approved Fire Protection Plans the premises shall provide and maintain the following:

- (1) An Automatic Wet sprinkler system to be installed throughout the entire building and connected to a Fire Department-approved Central Station excepting room smoke detectors that will sound locally;
- (2) A fire alarm system be installed throughout the entire building and connected to a Fire Department approved Central Station;

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

THAT the above conditions shall appear on the Certificate of Occupancy;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws including all fire safety and egress requirements, under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.

WHEREAS, evidence in the record demonstrates that this proposal, is the minimum necessary to meet the applicant's programmatic needs; and

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

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

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

Adopted by the Board of Standards and Appeals, April 29, 2003.

369-02-BZ

CEQR #03-BSA-109M

APPLICANT - Friedman & Gotbaum, LLP, by Shelly S. Friedman, Esq., for Judith Frenkel, owner; Andrea Rosen, contract vendee.

SUBJECT - Application January 9, 2003 - under Z.R. §72-21 to permit in a C8-4 zoning district, the conversion of an existing two-story commercial building into a residential dwelling, with a rooftop addition, contrary to Z.R. §§15-021 and 32-10.

PREMISES AFFECTED - 785 Washington Street, east side, between Jane and Horatio Streets, 25' north of Jane Street, Block 642, Lot 39, Borough of Manhattan.

COMMUNITY BOARD #2M

APPEARANCES -

For Applicant: Lori Cuisiner.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele.....4

Negative:.....0

THE RESOLUTION-

WHEREAS, the decision of the Borough Commissioner, dated December 6, 2002 acting on Application No. 103309279 reads:

- "1. Conversion of non-residential building to residential use is contrary to Z.R. 15-021(f) in C8 Districts
2. Use Group 2 is not permitted as of right in C8 District and is contrary to Z.R. 32-10."; and

WHEREAS, a public hearing was held on this application on March 18, 2003 after due notice by publication in the *City Record*, and laid over to April 29,

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2003 for decision; and

WHEREAS, the site and surrounding area had a site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Vice-Chair Satish Babbar, Commissioner Peter Caliendo and Commissioner Joel Miele; and

WHEREAS, this is an application under Z.R. §72-21, to permit, in a C8-4 zoning district, the conversion of an existing two-story commercial building into a residential dwelling, with a rooftop addition, contrary to Z.R. §§15-021 and 32-10; and

WHEREAS, the subject site containing 1,353 square of lot area with approximately 25 feet of frontage along the eastern side of Washington Street, located 25 feet north of the intersection of Washington and Jane Streets within the Greenwich Village Historic District is improved with a 2-story 1873 building housing a retail use on the ground floor and residential on the second floor ; and

WHEREAS, therefore, the Board finds that the aforementioned unique physical conditions, the site's location on the western edge of the Greenwich Village Historic District, characterized by narrow tree-lined streets presents an undue hardship in developing the site with a conforming development; and

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

WHEREAS, the Board notes that the existing building is one of the few non-residential structure within the subject C8-4 zone that lines the east side of Washington Street; and

WHEREAS, the instant proposal has received a Certificate of Appropriateness from the Landmarks Preservation Commission; and

WHEREAS, therefore, the Board finds that conversion of the subject 3-story commercial building to residential use will not alter the essential character of the surrounding neighborhood nor impair the use or development of adjacent properties, nor will it be detrimental to the public welfare; and

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

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

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under §72-21 of the Zoning Resolution; and

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

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

Resolved that the Board of Standards and Appeals issues a Negative Declaration under 6 NYCRR Part 617 and §6-07(b) of the Rules of Procedure for City Environmental Quality Review and makes each and every

WHEREAS, the subject building contains 3,886 square feet of floor area consisting of 1,180 square feet in the cellar and 1,353 square feet on the first and second floors; and

WHEREAS, the record indicates that the existing building is burdened with a small floor plate limiting its economic utility to a single family residential building; and

WHEREAS, the applicant represents that although the building is under-built per the current zoning's 5.0 permitted Commercial FAR, the small floor plates limit its development viability; and

WHEREAS, in addition to small floor plates, the applicant has demonstrated that the building is obsolete for modern commercial uses because it lacks elevators and other amenities necessary for those uses; and

one of the required findings under Z.R. §72-21, in a C8-4 zoning district, to permit, in a C8-4 zoning district, the conversion of an existing two-story commercial building into a residential dwelling, with a rooftop addition, contrary to Z.R. §§15-021 and 32-10, *on condition* that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received January 9, 2003"- (5) sheets; and on further condition;

THAT the premises shall be maintained free of debris and graffiti;

THAT any graffiti located on the premises shall be removed within 48 hours;

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

THAT the above conditions shall appear on the Certificate of Occupancy;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, April 29, 2003.

3-03-BZ CEQR #03-BSA-119K

APPLICANT - Sheldon Lobel, P.C., for Eddie Cohen, owner.

SUBJECT - Application January 10, 2003 - under Z.R. §73-622 to permit the proposed enlargement of an existing single-family dwelling in an R3-1 zoning district, which creates non-compliance with regard to floor area ratio, rear yard requirements, perimeter wall height and building height and is contrary to Z.R. §§23-141, 23-47 and 23-631.

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PREMISES AFFECTED - 50 Dover Street, between Hampton Avenue and Shore Boulevard, Block 8729, Lot 27, Borough of Brooklyn.

COMMUNITY BOARD #15BK

APPEARANCES -

For Applicant: Janice Cahalane.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele.....4

Negative:.....0

4. PROPOSED PLANS ARE CONTRARY TO ZR 23-631 IN THAT THE BUILDING HEIGHT IS GREATER THAN THE MAXIMUM PERMITTED.”; and

WHEREAS, a public hearing was held on this application on April 8, 2003 and then laid over to April 29, 2003 for decision; and

WHEREAS, the premises and surrounding area had site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Vice-Chair Satish Babbar, Commissioner Peter Caliendo and Commissioner Joel Miele; and

WHEREAS, a special permit is sought under Z.R. §73-622 to permit the proposed enlargement of an existing single-family dwelling in an R3-1 zoning district, which creates non-compliance with regard to floor area ratio, rear yard requirements, perimeter wall height and building height and is contrary to Z.R. §§23-141, 23-47 and 23-631; and

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

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

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

Resolved that the Board of Standards and Appeals issues a Type II determination under 6 NYCRR Part 617 of the Rules of Procedure for City Environmental Quality Review and makes the required findings under Z.R. §73-622 to permit the proposed enlargement of an existing single-family dwelling in an R3-1 zoning district, which creates non-compliance with regard to floor area ratio, rear yard requirements, perimeter wall height and building height and is contrary to Z.R. §§23-141, 23-47 and 23-631, *on condition* that all work shall substantially conform to drawings as they apply to the objection above-noted, filed with this application marked “Received January 10, 2003” (10) sheets; and *on further condition*;

THAT there shall be no habitable room in the cellar;

THAT the premises shall be maintained free of debris

THE RESOLUTION -

WHEREAS, the decision of the Borough Commissioner, dated December 16, 2002, acting on Application No. 301474054 reads:

- “1. PROPOSED PLANS ARE CONTRARY TO ZR 23-141 IN THAT IT EXCEEDS THE MAXIMUM PERMITTED FLOOR AREA RATIO OF 50%.
2. PROPOSED PLANS ARE CONTRARY TO ZR 23-47 IN THAT THE PROPOSED REAR YARD IS LESS THAN THE 30'-0" THAT IS REQUIRED.
3. PROPOSED PLANS ARE CONTRARY TO ZR 23-631 IN THAT THE PROPOSED PERIMETER WALL HEIGHT IS GREATER THAN THE MAXIMUM PERIMETER.

and graffiti;

THAT any graffiti located on the premises shall be removed within 48 hours;

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

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted;

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted;

THAT substantial construction be completed and a new Certificate of Occupancy be obtained within four (4) years of this grant.

Adopted by the Board of Standards and Appeals, April 29, 2003.

5-03-BZ

CEQR #03-BSA-120K

APPLICANT - Harold Weinberg, P.E., for Emanuel Alaimo, owner.

SUBJECT - Application January 13, 2003 - under Z.R. §72-21 to permit in a C1-3-2 and an R5 zoning district, the legalization of a one-story enlargement at the rear of the premises contrary to Z.R. §§35-30 and 54-31.

PREMISES AFFECTED - 2276 86th Street, south side, 36'-8" west of 23rd Avenue, Block 6383, Lot 44, Borough of Brooklyn.

COMMUNITY BOARD #11BK

APPEARANCES -

For Applicant: Harold Weinberg

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele.....4

Negative:.....0

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THE RESOLUTION -

WHEREAS, the decisions of the Borough Commissioner, January 8, 2003, acting on Application No. 301282270, reads:

“BOARD OF STANDARDS AND APPEALS DENIAL

The enlargement at the rear of the first floor in a C1-3 in an R5 zoning district increases the degree of non-compliance with respect to floor area ratio and is contrary to Sections 35-30 and 54-31 of the Zoning Resolution.”

WHEREAS, a public hearing was held on this application on March 25, 2003 after due notice by publication in *The City Record*, laid over and then April 29,

WHEREAS, the applicant seeks to legalize an enlargement done by a prior owner and to erect a small enlargement by the notch; and

WHEREAS, the record indicates that the existing retail space is only 68' deep, and that this interior space is further diminished by the stair to the second floor apartment and by the stair to the cellar; and

WHEREAS, the applicant notes that the above condition makes the site both narrow and shallow creating an undue burden and a practical difficulty in developing the site in conformity with current zoning; and

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

WHEREAS, the applicant represents that enlargement is not visible from 86th Street, is small in size and is part of a conforming use; and

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

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

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

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under §72-21 of the Zoning Resolution; and

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

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

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

Resolved that the Board of Standards and Appeals issues a Type II Determination under 6 NYCRR Part 617

2003 for decision; and

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

WHEREAS, this is an application under Z.R. §72-21, to permit in a C1-3-2 and an R5 zoning district, the legalization of a one-story enlargement at the rear of the premises contrary to Z.R. §§35-30 and 54-31; and

WHEREAS, the record indicates that the subject premises is a two-story masonry building with a retail store on the first floor and two apartment on the second floor; and

and §6-07(b) of the Rules of Procedure for City Environmental Quality Review and makes each and every one of the required findings under Z.R. §72-21 and grants a variation in the application of the Zoning Resolution, limited to the objection cited, to permit in a C1-3-2 and an R5 zoning district, the legalization of a one-story enlargement at the rear of the premises contrary to Z.R. §§35-30 and 54-31 on condition that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked “Received January 13, 2003”- (10) sheets; and on further condition;

THAT the premises shall be maintained free of debris and graffiti;

THAT any graffiti located on the premises shall be removed within 48 hours;

THAT the applicant shall comply with all applicable fire safety measures;

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

THAT the above conditions shall appear on the Certificate of Occupancy;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, April 29, 2003.

369-01-BZ

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

SUBJECT - Application November 27, 2001 - under Z.R. §72-21, to permit the legalization of an existing three story residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.

PREMISES AFFECTED - 303 Seigel Street, northwest corner of Bogart Street, Block 3092, Lot 27, Borough of Brooklyn.

COMMUNITY BOARD #1BK

MINUTES

APPEARANCES -

For Applicant: Janice Cahalane.

THE VOTE TO CLOSE HEARING -

Affirmative: Commissioner Chin, Vice-Chair Babbar,
Commissioner Caliendo and Commissioner Miele4

Negative:0

ACTION OF THE BOARD - Laid over to June 17, 2003,
at 1:30 P.M., for decision, hearing closed.

75-02-BZ

APPLICANT - Law Offices of Howard Goldman, PLLC, for 460
Union Street LLC, contract vendee.

ACTION OF THE BOARD - Laid over to June 24, 2003,
at 1:30 P.M., for continued hearing.

91-02-BZ

APPLICANT - Sheldon Lobel, P.C., for David Winiarski, owner.

SUBJECT - Application September 11, 2002 - under Z.R. § 72-
21 to permit the proposed construction of a six story building, with
residential uses on the upper floors and community facility use on
the first floor, located in an R5 zoning district, which exceeds the
permitted residential and community facility floor area ratios, is
contrary to Z.R. §24-11 and §23-141.

PREMISES AFFECTED - 3032/42 West 22nd Street, 180' north
of Highland View Avenue, Block 7071, Lot 19 (prev. 19, 29 and
22), Borough of Brooklyn.

COMMUNITY BOARD #13BK

APPEARANCES -

For Applicant: Janice Cahalane.

ACTION OF THE BOARD - Laid over to May 20, 2003,
at 1:30 P.M., for continued hearing.

237-02-BZ

APPLICANT - The Agusta Group, for Jose Lazo, D.D.S., Gerson
F. Mendoza, D.C., owners.

SUBJECT - Application August 26, 2002 - under Z.R. §72-21 to
permit the legalization of the conversion from residential use, to an
existing dental office, located on the second floor of a two story and
cellar building, in an R6 zoning district, is contrary to Z.R. §22-14.

PREMISES AFFECTED - 37-49 91st Street, east side, between
Roosevelt and Elmhurst Avenues, Block 1479, Lot 53, Borough of
Queens.

COMMUNITY BOARD #3Q

APPEARANCES -

For Applicant: Philip Agusta, Benjamin Gotierrez and others.

THE VOTE TO CLOSE HEARING -

Affirmative: Commissioner Chin, Vice-Chair Babbar,
Commissioner Caliendo and Commissioner Miele4

Negative:0

ACTION OF THE BOARD - Laid over to June 3, 2003, at
1:30 P.M., for decision, hearing closed.

SUBJECT - Application March 12, 2002 - under Z.R. §72-21 to
permit the proposed construction of a six story, 64-unit residential
building, Use Group 2, located in an M2-1 zoning district, is
contrary to §42-00.

PREMISES AFFECTED - 460 Union Street, bounded by Union,
Bond and Presidents Streets, and Gowanus Canal, Block 438, Lot
7, Borough of Brooklyn.

COMMUNITY BOARD #6BK

APPEARANCES -

For Applicant: Chris Wright.

For Opposition: Linda Marianno, Bette Stoltz, Cynthia Simmons and
other.

271-02-BZ

APPLICANT - Sheldon Lobel, P.C., for Rabbi and Mrs. Akiva
and Yocheved Ludmir, owner; Congregation Chesev Sofer of
Pressburg, lessee.

SUBJECT - Application October 8, 2002 - under Z.R. §72-21 to
permit the proposed construction of a three stories and a cellar,
community facility, Use Group 4, located in an R5 zoning district,
which does not comply with the zoning requirements for lot
coverage, front, side and rear yards and also a projection of the
proposed balcony, which is contrary of §23-131, §24-11, §24-34,
§24-35, §24-36 and §24-51.

PREMISES AFFECTED - 1627 46th Street, between 16th and
17th Avenues, Block 5434, Lot 76, Borough of Brooklyn.

COMMUNITY BOARD #12BK

APPEARANCES -

For Applicant: Sheldon Lobel.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner
Caliendo and Commissioner Miele.....4

Negative:0

ACTION OF THE BOARD - Laid over to May 20, 2003,
at 1:30 P.M., for continued hearing.

285-02-BZ

APPLICANT - The Agusta Group, for Frank Ward, owner.

SUBJECT - Application October 23, 2002 - under Z.R. §72-21 to
permit the legalization of an existing eating and drinking
establishment, and a retail store, Use Group 6, which is contrary to
two previous variances granted under Cal. Nos. 905-53-BZ and
1052-66-BZ, which permitted a factory building in an R4 zoning
district, and also Z.R. §22-00.

PREMISES AFFECTED - 900 East 213th Street, a/k/a 3580
Bronxwood Avenue, southeast corner, Block 4683, Lot 49,
Borough of The Bronx.

COMMUNITY BOARD #12BX

APPEARANCES -

MINUTES

For Applicant: Philip Agusta.

THE VOTE TO CLOSE HEARING -

Affirmative: Commissioner Chin, Vice-Chair Babbar,
Commissioner Caliendo and Commissioner Miele4

Negative:0

ACTION OF THE BOARD - Laid over to May 20, 2003,
at 1:30 P.M., for decision, hearing closed.

PREMISES AFFECTED - 182-40 Radnor Road, east side,
between Grand Central Parkway and Kent Street, Block 7246, Lot
11, Borough of Queens.

COMMUNITY BOARD #8Q

APPEARANCES -

For Applicant: Philip Agusta.

For Opposition: Barbara Ring and Cythia Kauders.

THE VOTE TO CLOSE HEARING -

Affirmative: Commissioner Chin, Vice-Chair Babbar,
Commissioner Caliendo and Commissioner Miele4

Negative:0

ACTION OF THE BOARD - Laid over to May 20, 2003,
at 1:30 P.M., for decision, hearing closed.

334-02-BZ thru 336-02-BZ

APPLICANT - Sheldon Lobel, P.C., for 1287 Atlantic Realty
LLC, owner.

SUBJECT - Application November 13, 2002 - under Z.R. §72-21
to permit the legalization of residential occupancy in a one story,
four unit building, which is located within an M1-1 zoning district,
which is contrary to Z.R. §42-00.

PREMISES AFFECTED -

1281 Atlantic Avenue, between New York and
Nostrand Avenues, Block 1867, Lots 72, 75 and 76,
Borough of Brooklyn.

1283 Atlantic Avenue, between New York and
Nostrand Avenues, Block 1867, Lots 72, 75 and 76,
Borough of Brooklyn.

1287 Atlantic Avenue, between New York and
Nostrand Avenues, Block 1867, Lots 72, 75 and 76,
Borough of Brooklyn.

COMMUNITY BOARD #3BK

APPEARANCES -

For Applicant: Janice Cahalane.

ACTION OF THE BOARD - Laid over to June 3, 2003, at
1:30 P.M., for continued hearing.

343-02-BZ

APPLICANT - Harry A. Meltzer, R.A., for Richard Winer of
RAW Corporation, owner; Peak Performance Sports Center, Inc.,
lessee.

SUBJECT - Application November 18, 2002 - under Z.R. §73-36
to permit the proposed physical culture establishment, to be located
on the eighth floor of an existing twelve story commercial building,
requires a special permit as per Z.R. §73-36.

329-02-BZ

APPLICANT - The Agusta Group by Paul Bonfilio, R.A., for Yuri
Abramov, owner.

SUBJECT - Application November 7, 2002 - under Z.R. §72-21
to permit the proposed addition to an existing one family dwelling,
which creates non- compliance with respect to the required side
yard, is contrary to Z.R. §23-461.

PREMISES AFFECTED - 54 West 21st Street, south side, 104.2'
east of Avenue of the Americas, Block 822, Lot 70, Borough of
Manhattan.

COMMUNITY BOARD #5M

APPEARANCES -

For Applicant: Harry A. Meltzer.

For Opposition: Alice Dalton Brown.

ACTION OF THE BOARD - Laid over to June 3, 2003, at
1:30 P.M., for continued hearing.

359-02-BZ

APPLICANT - Petraro & Jones, LLP, for Wegweiser & Erlich,
LLC, owner.

SUBJECT - Application December 13, 2002 - under Z.R. §§42-
31 & 73-19 to permit the proposed private school, Use Group 3,
located in an M1-5 zoning district, which requires a special permit
as per Z.R. §42-31.

PREMISES AFFECTED - 53/55 Beach Street, northwest corner
of Collister Street, Block 214, Lot 1, Borough of Manhattan.

COMMUNITY BOARD #1M

APPEARANCES -

For Applicant: Pat Jones.

THE VOTE TO CLOSE HEARING -

Affirmative: Commissioner Chin, Vice-Chair Babbar, Commissioner
Caliendo and Commissioner Miele4

Negative:0

ACTION OF THE BOARD - Laid over to May 6, 2003, at
1:30 P.M., for decision, hearing closed.

368-02-BZ

APPLICANT - Jesse Masyr, Esq., for Astor Place Holding
Corporation, owner; Astor Place Associates, LLC c/o The Related
Companies, lessees.

SUBJECT - Application December 24, 2002 - under Z.R. §73-52
to permit the proposed development of a 22 story and cellar mixed
use building, on a site divided by a district boundary, which requires
a special permit under Z.R. §73-52, to extend the C6-2 use and
bulk regulations 25' into the adjacent M1-5B zoning district.

PREMISES AFFECTED - 22/36 Astor Place, a/k/a 443/49
Lafayette Street and a/k/a 64/78 Cooper Square, blockfront of
Astor Place, between Lafayette Street and Cooper Square, Block
544, Lot 22, Borough of Manhattan.

COMMUNITY BOARD #2M

APPEARANCES -

For Applicant: Jesse Masyr.

For Opposition: Jack Lester, Dorris Dedder, Lisa Kaplan, Patrick
De Saint-Aignan, Enn Mears, Lisamarie Dixon, Gary Parker, Steve
Herrick, Artemesia Yuen, Anna Sawaryn, Leo Blackman and Gale

MINUTES

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THE VOTE TO CLOSE HEARING -

Affirmative: Commissioner Chin, Vice-Chair Babbar,
Commissioner Caliendo and Commissioner Miele4

Negative:0

370-02-BZ thru 373-02-BZ

APPLICANT - Sheldon Lobel, P.C., for NY Hospital Medical Center of Queens, owner.

SUBJECT - Application December 24, 2002 - under Z.R. § 72-21 to permit the legalization of the conversion of the second floor of an existing two story structure, to a medical offices, Use Group 4, located within an R4 zoning district, and also does not comply with the zoning requirements for rear and side yards, is contrary to Z.R. §22-14, §24-35 and §24-36.

PREMISES AFFECTED -

56-14 Main Street, between Booth Memorial and 56th Avenues, 100' south of 56th Avenue, Block 5133, Lot 40, Borough of Queens.

56-24 Main Street, between Booth Memorial and 56th Avenues, 210' south of 56th Avenue, Block 5133, Lot 45, Borough of Queens.

56-26 Main Street, between Booth Memorial and 56th Avenues, 230' south of 56th Avenue, Block 5133, Lot 47, Borough of Queens.

56-44 Main Street, between Booth Memorial and 56th Avenues, 230' south of 56th Avenue, Block 5133, Lot 45, Borough of Queens.

COMMUNITY BOARD #7Q

APPEARANCES -

For Applicant: Sheldon Lobel, Matt Diproperrio, George Zarins and Lai Fok.

THE VOTE TO CLOSE HEARING -

Affirmative: Commissioner Chin, Vice-Chair Babbar,
Commissioner Caliendo and Commissioner Miele4

Negative:0

ACTION OF THE BOARD - Laid over to May 20, 2003, at 1:30 P.M., for decision, hearing closed.

1-03-BZ

APPLICANT - The Agusta Group, for BRK Properties Inc., owner.

SUBJECT - Application January 7, 2003 - under Z.R. §72-21 to permit the proposed erection of a two story, two family dwelling, Use Group 2, located in an R3-2 zoning district, which does not comply with the zoning requirements for zoning lot, front yards, floor area, and will have the required parking located within the front yard, is contrary to Z.R. §23-45, §23-141, §23-32 and §23-44.

PREMISES AFFECTED - 128-05 Hawtree Creek Road, southwest corner of 109th Avenue, Block 11609, Lot 1, Borough of Queens.

COMMUNITY BOARD #10Q

APPEARANCES -

For Applicant: Philip Agusta.

THE VOTE TO CLOSE HEARING -

Affirmative: Commissioner Chin, Vice-Chair Babbar,

ACTION OF THE BOARD - Laid over to May 20, 2003, at 1:30 P.M., for decision, hearing closed.

Commissioner Caliendo and Commissioner Miele4

Negative:0

ACTION OF THE BOARD - Laid over to May 20, 2003, at 1:30 P.M., for decision, hearing closed.

34-03-BZ

APPLICANT - Rothkrug Rothkrug Weinberg & Spector, for Thaneshwar Sukhdeo, owner.

SUBJECT - Application January 28, 2003 - under Z.R. §72-21 to permit the proposed erection of a two family dwelling, located in an R3-2 zoning district, on an undersized lot, which does not comply with the zoning requirements for front and side yards, lot width or lot area, and the required sky exposure plane, which is contrary to Z.R. §23-45, §23-32 and §23-461.

PREMISES AFFECTED - 89-57 207th Street, a/k/a 207-01 90th Avenue, northeast corner, Block 10572, Lot 35, Borough of Queens.

COMMUNITY BOARD #13Q

APPEARANCES -

For Applicant: Adam W. Rothkrug.

THE VOTE TO CLOSE HEARING -

Affirmative: Commissioner Chin, Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele4

Negative:0

ACTION OF THE BOARD - Laid over to June 3, 2003, at 1:30 P.M., for decision, hearing closed.

35-03-BZ

APPLICANT - Rothkrug Rothkrug Weinberg & Spector, for Paul & Maryann Penzi, owners.

SUBJECT - Application January 28, 2003 - under Z.R. §73-125 to permit the proposed medical office, Use Group 4, in excess of 1,500 square feet, located in an R2 zoning district, which requires a special permit as per Z.R. §73-125.

PREMISES AFFECTED - 12-18 154th Street, a/k/a 152-61 12th Road, northwest corner, Block 4537, Lot 90, Borough of Queens.

COMMUNITY BOARD #7Q

APPEARANCES -

For Applicant: Adam W. Rothkrug.

For Opposition: Lucille A. Cremen, Albert Albrizio, Lucille Cremen, Norma Horowitz and Moriq Guerra.

THE VOTE TO CLOSE HEARING -

Affirmative: Commissioner Chin, Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele4

Negative:0

ACTION OF THE BOARD - Laid over to May 20, 2003, at 1:30 P.M., for decision, hearing closed.

MINUTES

74-03-BZ

APPLICANT - Steven Sinacori/Stadtmauer Bailkin, LLP, for F/B/O Laing P Foster, c/o Steven C. Curley, owner.

SUBJECT - Application February 25, 2003 - under Z.R. §72-21 to permit the proposed conversion of garage space, and the minor expansion of an existing mezzanine within an existing two story functionally obsolete carriage house, into living space to be used primarily by the building's owner, in an existing single family residential building, located in an R7-1 and LH-1 zoning district, which does not comply with the zoning requirements for floor area ratio and open space ratio, and is contrary to Z.R. §23-142.

PREMISES AFFECTED - 32 College Place, east side, 294.11' north of Love Lane, Block 236, Lot 53, Borough of Brooklyn.

COMMUNITY BOARD #2BK

APPEARANCES -

For Applicant: Steven Sinacori.

THE VOTE TO CLOSE HEARING -

Affirmative: Commissioner Chin, Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele4

Negative:0

ACTION OF THE BOARD - Laid over to June 3, 2003, at 1:30 P.M., for decision, hearing closed.

Pasquale Pacifico, Executive Director.

Adjourned: 4:50 P.M.