

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 23, 2012

10:00 A.M.

<i>SOC – CONTINUED HEARINGS</i>		
1.	724-56-BZ	<p>Michael A. Cosentino 42-42 Francis Lewis Boulevard, Queens Extension of Term (§11-411) of an approved variance which permitted automotive repair (UG 16B), which expires on November 19, 2012. C2-2/R3X & R3-2 zoning district. Community Board #11Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Closed, Decision – 11/20/12</p>
2.	173-99-BZ	<p>Gerald J. Caliendo, R.A. 43-60 Ditmars Boulevard, Queens Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (<i>Matrix Fitness Club</i>) which expired on March 6, 2011; Amendment for an increase in floor area at the cellar level; waiver of the Rules. M-1 zoning district. Community Board #1Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Adjourned, Continued Hearing – 11/20/12</p>
3.	98-06-BZ/ 284-06-A	<p>Eric Palatnik, P.C. 1045 Beach 9th Street, Queens Amendment to a previously granted waiver to Section 35 of the General City Law and a variance (§72-21) for a Yeshiva (<i>Yeshiva Siach Yitzchok</i>), contrary to height and setbacks (§24-551 and §24-521), floor area (§24-11), lot coverage (§24-11), front yards (§24-34), and side yards (§24-35) regulations. The amendment includes an increase in floor area and building height; Extension of Time to complete construction. R4A zoning district. Community Board #14Q</p> <p>Examiner: Rory Levy (212) 788-8749/Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 11/20/12</p>

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<i>SOC – NEW CASES</i>		
4.	5-96-BZ	<p>Sheldon Lobel, P.C. 564/92 St. John's Place, Brooklyn Extension of Time to obtain a Certificate of Occupancy of an approved variance which permitted the operation a one-story public parking garage for no more than 150 cars (UG 8) which expired on February 2, 2011; Waiver of the Rules. R7-1 zoning district. Community Board #8BK</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Closed, Decision – 12/4/12</p>
5.	96-00-BZ	<p>Greenberg Traurig, LLP 4 East 77th Street, Manhattan Extension of Term (§11-411) of an approved variance which permitted an art gallery on a portion of the second floor in an existing five-story building which expired on August 8, 2010; Extension of Time to Obtain a Certificate of Occupancy; Waiver of the Rules. R8B/R10 zoning district. Community Board #8M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 12/4/12</p>
6.	209-04-BZ	<p>Eric Palatnik, P.C. 109-09 15th Avenue, Queens Extension of Time to complete construction of an approved variance (§72-21) to permit the conversion and enlargement of an existing industrial building to residential use. M2-1 zoning district, which expired on July 19, 2012. Community Board #7Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 12/4/12</p>
7.	143-07-BZ	<p>Law Office of Fredrick A. Becker 6404 Strickland Avenue, Brooklyn Extension of Time to complete construction of an approved variance (§72-21) to permit the construction of a three-story and cellar synagogue, which expired on July 22, 2012. R2 zoning district. Community Board #18BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 12/4/12</p>

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<i>SOC – NEW CASES</i>		
8.	197-08-BZ	Stuart Klein, Esq. 341-349 Troy Avenue aka 1515 Carroll Street, Brooklyn Amendment to an approved variance (§72-21) to permit a four-story and penthouse residential building, contrary to floor area and open space (§23-141), units (§23-22), front yard (§23-45), side yard (§23-462), and height (§23-631). Amendment seeks to reduce the number of units and parking and increase the size of the rooftop mechanical equipment. R4 zoning district. Community Board #9BK
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 11/27/12

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<i>APPEALS – CONTINUED HEARINGS</i>		
9.	232-10-A	Goldman Harris 59 Fourth Avenue, Manhattan An appeal challenging Department of Buildings’ denial of a sign permit on the basis that the advertising sign had not been legally established and not discontinued as per ZR §52-83. C1-6 zoning district. Community Board #3M
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 12/11/12
10.	103-12-A	Sheldon Lobel, P.C. 74-76 Adelphi Street, Brooklyn Appeal seeking a common law vested right to continue development commenced under the prior R6 zoning district. R5B zoning district. Community Board #2BK
		Examiner: Toni Matias (212) 788-8752
		Status: Adjourned, Continued Hearing – 11/27/12

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<i>APPEAL – NEW CASES</i>		
11.	114-12-A	Leavitt, Kerson & Duane 24-59 32nd Street, Queens Appeal challenging Department of Buildings' determination that an existing sign is not a legal non-conforming advertising sign. R5B zoning district. Community Board #1Q
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 12/4/12
12.	136-12-A	Fried Frank, LLP 37-27 Hunter's Point, Queens Appeal from Department of Buildings' determination that an existing sign is not a legal non-conforming advertising sign. R4 zoning district. Community Board #2Q
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 12/4/12

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<i>BZ – DECISIONS</i>		
1.	93-11-BZ	<p>Moshe M. Friedman, P.E. 1536 62nd Street, aka 1535 63rd Street, Brooklyn Special Permit (§73-19) to allow the conversion of the third and fourth floors in an existing four-story factory and warehouse building to a Use Group 3 school (<i>Yeshiva Ore Mordechai</i>). M1-1 zoning district Community Board #4BK Examiner: Rory Levy (212) 788-8749 Status: Granted – 10/23/12</p>
2.	104-11-BZ	<p>Eric Palatnik, P.C. 1936 East 26th Street, Brooklyn Special Permit (§73-622) for the legalization of an enlargement to an existing single family home, contrary to floor area, lot coverage and open space (§23-141(b)) and less than the required rear yard (§23-47). R3-2 zoning district. Community Board #15BK Examiner: Henry Segovia (212) 788-8757 Status: Granted – 10/23/12</p>
3.	192-11-BZ	<p>Eric Palatnik, P.C. 2977 Hylan Boulevard, Staten Island Variance (§72-21) to allow for the development of a Use Group 3 child care center, contrary to minimum lot width/area (§23-35), and required parking (§25-624). R2/LDGMA zoning district. Community Board #3S.I. Examiner: Ronald Rizzotti (212) 788-8781 Status: Withdrawn – 10/23/12</p>
4.	66-12-BZ	<p>Bryan Cave LLP 223-237 St. Nicholas Avenue, aka 305 W. 121st Street and W. 122nd Street, Manhattan Variance (§72-21) to permit a new mixed-use building containing a FRESH Program food store, a preschool and 164 residential units, contrary to use (§22-10), lot coverage (§24-11) and parking (§25-23) regulations. R7A,R8A/C2-4 zoning districts. Community Board #10M Examiner: Ronald Rizzotti (212) 788-8781 Status: Granted – 10/23/12</p>

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<i>BZ – DECISIONS</i>		
5.	86-12-BZ	Troutman Sanders LLP 158 West 83rd Street, Manhattan Special Permit (§73-63) to allow for the residential enlargement of an existing commercial building above the maximum permitted floor area (by 1,366 square feet). C2-5/R8B zoning district. Community Board #7M Examiner: Ronald Rizzotti (212) 788-8781 Status: Granted – 10/23/12
6.	193-12-BZ	Rothkrug Rothkrug & Spector LLP 384 Lafayette Street (a/k/a 692 Broadway, 2/20 East 4th Street) Manhattan Special Permit (§73-36) to allow a physical culture establishment (<i>Soul Cycle</i>) within a portion of an existing building. M1-5B zoning district. Community Board #2M Examiner: Rory Levy (212) 788-8749 Status: Granted – 10/23/12
7.	198-12-BZ	Kramer Levin Naftalis & Frankel, LLP 933-943 Madison Avenue, Manhattan Variance (§72-21) to permit the conversion and enlargement of existing buildings to contain UG 6 retail and UG 2 residential uses, contrary to floor area, lot coverage (§23-145), rear yard (§23-47), rear yard setback (§23-633(b), height (§§23-691, 99-054(b)), streetwall (§23-692(c), 99-051(a)), inner court (§23-851), window-to-lot-line (§23-861), and commercial use (§32-422) regulations. C5-1(MP), R8B zoning district. Community Board #8M Examiner: Ronald Rizzotti (212) 788-8781 Status: Granted – 10/23/12

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<i>BZ – CONTINUED HEARINGS</i>		
8.	147-11-BZ	<p>Sheldon Lobel, P.C. 24-47 95th Street, Queens Variance (§72-21) to permit the construction of a single-family, semi-detached residence, contrary to floor area (§23-141) and side yard (§23-461) regulations. R3-2 zoning district. Community Board #3Q Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 11/27/12</p>
9.	30-12-BZ	<p>Eric Palatnik, P.C. 142-41 Roosevelt Avenue, Queens Special Permit (§73-49) to permit accessory parking on the roof of an existing one-story supermarket, contrary to §36-11. R6/C2-2 zoning district Community Board #7Q Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 12/11/12</p>
10.	73-12-BZ	<p>Jeffrey Chester, Esq. 41-19 Bell Boulevard, Queens Application for a special permit to legalize an existing physical culture establishment (<i>Lucille Roberts</i>). C2-2 zoning district. Community Board #11Q Examiner: Rory Levy (212) 788-8749 Status: Continued Hearing – 11/27/12</p>
11.	82-12-BZ	<p>Law Office of Fredrick A. Becker 2011 East 22nd Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family semi-detached home, contrary to floor area, open space and lot coverage (§23-141); side yards (§23-461); perimeter wall height (§23-631) and less than the required rear yard (§23-47). R3-2 zoning district. Community Board #15BK Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 11/20/12</p>

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12.	152-12-BZ	Rothkrug Rothkrug & Spector, LLP 146-61 105th Avenue, Queens Variance (§72-21) to permit construction of a four-story mixed use commercial and residential building, contrary to side yard (§23-462) requirements. C2-4/R6A zoning district. Community Board #12Q Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 11/20/12
13.	189-12-BZ	Kramer Levin Naftalis & Frankel, LLP 98 Montague Street, Brooklyn Variance (§72-21) to permit the conversion of an existing building into a transient hotel (UG 5), contrary to use regulations (§22-00). C1-3/R7-1, R6 zoning districts. Community Board #2BK Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 11/20/12
14.	202-12-BZ	Rothkrug Rothkrug & Spector LLP 1030 Southern Boulevard, Bronx Special Permit (§73-36) to allow a physical culture establishment (<i>Blink Fitness</i>) within an existing commercial building and special permit (§73-52) to permit the 25'-0" extension of the physical culture establishment use into a residential zoning district. C4-4/R7-1 zoning district. Community Board #2BX Examiner: Rory Levy (212) 788-8749 Status: Withdrawn – 10/23/12

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<i>BZ – NEW CASES</i>		
15.	185-11-BZ	<p>Eric Palatnik, P.C. 2538 85th Street, Brooklyn Variance (§72-21) to permit parking accessory to an adjacent, as-of-right retail development (<i>Walgreens</i>), contrary to use regulations (§22-00). R5 zoning district. Community Board #11BK</p> <p style="text-align: right;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="text-align: right;">Status: Closed, Decision – 11/20/12</p>
16.	63-12-BZ	<p>Sheldon Lobel, P.C. 2701 Avenue N, Brooklyn Variance (§72-21) to permit the construction of a Use Group 4A House of Worship (<i>Khal Bnei Avrohom Yaakov</i>), which is contrary to floor area (24-11), lot coverage, front yard (24-34), side yard (24-35a) parking (25-31), height (24-521), and setback requirements. R2 zoning district. Community Board #14BK</p> <p style="text-align: right;">Examiner: Rory Levy (212) 788-8749</p> <p style="text-align: right;">Status: Continued Hearing – 11/27/12</p>
17.	72-12-BZ	<p>Watchtel Masyr & Missry, LLP 213-223 Flatbush Avenue, Brooklyn Variance (§72-21) to allow for the construction of a new mixed use building, contrary to off-street parking (§25-23), floor area, open space, lot coverage (§23-145), maximum base height and maximum building height (§23-633) regulations. R7A/C2-4 and R6B zoning districts. Community Board #6BK</p> <p style="text-align: right;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="text-align: right;">Status: Continued Hearing – 11/27/12</p>
18.	150-12-BZ	<p>Goldman Harris LLC 39 West 21st Street, Manhattan Special Permit (§73-36) to permit a physical culture establishment (<i>Flywheel Sports</i>). C6-4A zoning district. Community Board #5M</p> <p style="text-align: right;">Examiner: Rory Levy (212) 788-8749</p> <p style="text-align: right;">Status: Continued Hearing – 12/4/12</p>

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<i>BZ – NEW CASES</i>		
19.	165-12-BZ	Law Office of Fredrick A. Becker 286 East 23rd Street, Brooklyn Special Permit (§73-622) for the enlargement and partial legalization of an existing single family home contrary to floor area and open space (§23-141) and rear yard (§23-47) regulations; R2 zoning district. Community Board #4BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 11/27/12

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