

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, JANUARY 15, 2013
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	812-61-BZ	Peter Hirshman 74-82 Park Avenue, Manhattan Extension of Term (§11-411) of approved variance permitting the use of accessory multiple dwelling garage for transient parking, which expires on October 24, 2012. R10, R8B zoning district. Community Board #6M Examiner: Carlo Costanza (212) 386-0068 Status: Granted – 1/15/13
2.	135-01-BZ	Rothkrug Rothkrug & Spector, LLP 1815/17 86th Street, Brooklyn Extension of Term (§11-411) of an approved variance which permitted a high speed auto laundry (UG 16B) which expired on October 30, 2011; Extension of Time to obtain a Certificate of Occupancy which expired on October 30, 2002; Waiver of the Rules. C1-2(R5) zoning district. Community Board #11BK Examiner: Carlo Costanza (212) 386-0068 Status: Granted – 1/15/13

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SOC – CONTINUED HEARINGS		
3.	173-99-BZ	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
		Examiner: Henry Segovia (212) 386-0074
		Status: Closed, Decision – 2/12/13
4.	141-06-BZ	Eric Palatnik, P.C. 2084 60th Street, Brooklyn Extension of Time to complete construction of a previously approved variance (§72-21) permitting the construction of a three-story synagogue (<i>Congregation Tefiloh Ledovid</i>) which expired on June 19, 2011; Waiver of the Rules. R5 zoning district. Community Board #12BK
		Examiner: Rory Levy (212) 386-0082
		Status: Continued Hearing – 2/12/13

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<i>SOC – NEW CASES</i>		
5.	551-37-BZ	<p>Eric Palatnik, P.C. 233-02 Northern Boulevard, Queens Extension of Term (§11-411) of approved variance for the continued operation of an automobile repair shop (<i>Red's Auto Repair</i>) which expired on July 15, 2012; Waiver of the Rules. R1-2 zoning district. Community Board #11Q</p> <p style="margin-left: 20px;">Examiner: Henry Segovia (212) 386-0074</p> <p style="margin-left: 20px;">Status: Continued Hearing – 2/12/13</p>
6.	18-02-BZ	<p>Rothkrug Rothkrug & Spector, LLP 8610 Flatlands Avenue, Brooklyn Extension of Term (§11-411) of an approved variance for the continued operation of an automotive laundry (UG 16B) which expired on August 13, 2012. C2-3/R5D zoning district. Community Board #18BK</p> <p style="margin-left: 20px;">Examiner: Henry Segovia (212) 386-0074</p> <p style="margin-left: 20px;">Status: Continued Hearing – 2/12/13</p>

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<i>APPEALS – DECISIONS</i>		
7.	85-12-A	<p>Fried Frank 50 East 153rd Street, Bronx Appeal from determination of the Department of Buildings regarding right to maintain existing advertising signs. M1-1 zoning district Community Board #4BX Examiner: Toni Matias (212) 386-0085 Status: Denied – 1/15/13</p>
8.	90-12-A	<p>Fried Frank 111 Varick Street, Manhattan Appeal from determination of the Department of Buildings regarding right to maintain existing advertising signs. M1-6 zoning district Community Board #2M Examiner: Toni Matias (212) 386-0085 Status: Denied – 1/15/13</p>
9.	142-12-A	<p>Sheldon Lobel, P.C. 24-02 89th Street, Queens Amendment of a previously approved (BSA Cal No. 187-99-A) waiver of the General City Law Section 35 which permitted the construction of a two family dwelling in the bed of a mapped street (24th Avenue). The amendment seeks to construct a community facility building. R3-2 zoning district. Community Board #3Q Examiner: Toni Matias (212) 386-0085 Status: Granted – 1/15/13</p>
10.	145-12-A	<p>Law Offices of Marvin Mitzner LLC 339 West 29th Street, Manhattan Appeal of the Multiple Dwelling Law pursuant to §310 to allow the enlargement to a five-story building, contrary to §171(2)(f). Appeal challenging the determination of the Department of Buildings requiring the owner to obtain approval from the Landmarks Preservation Commission, prior to reinstatement and amendments of the permits. R8B zoning district. Community Board #4M Examiner: Toni Matias (212) 386-0085 Status: Deferred Decision – 2/12/13</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
11.	45-03-A thru 62-03-A & 64-03-A	<p>Joseph Loccisano, P.C. Hall Avenue, Staten Island Proposed construction of a single-family dwelling which is not fronting on a legally mapped street and is located within the bed of a mapped street, contrary to Sections 35 and 36 of the General City Law. R3-1 zoning district. Community Board #2SI</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Closed, Decision – 1/29/13</p>
12.	144-12-A	<p>Law Offices of Marvin Mitzner LLC 339 West 29th Street, Manhattan Appeal of the Multiple Dwelling Law pursuant to §310 to allow the enlargement to a five-story building, contrary to §171(2)(f). Appeal challenging the determination of the Department of Buildings requiring the owner to obtain approval from the Landmarks Preservation Commission, prior to reinstatement and amendments of the permits. R8B zoning district. Community Board #4M</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Adjourned, Continued Hearing – 2/12/13</p>

<i>APPEALS – NEW CASES</i>		
13.	208-12-A 216-12-A thru 232-12-A	<p>Rothkrug Rothkrug & Spector, LLP McGee Lane, Staten Island Proposed construction of eighteen (18) single family homes that do not front on a legally mapped street, contrary to General City Law Section 36. R3A Zoning District. Community Board #1SI</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Closed, Decision – 1/29/13</p>

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<i>BZ – DECISIONS</i>		
1.	113-11-BZ	<p>Slater & Beckerman, LLP 66 Van Cortlandt Park South, Bronx Variance (§72-21) to permit a proposed enlargement of a Use Group 3 nursing home (<i>St. Patrick's Home for the Aged and Infirm</i>) contrary to rear yard equivalent requirements (§24-382). R7-1 zoning district. Community Board #8BX Examiner: Ronald Rizzotti (212) 386-0081 Status: Granted – 1/15/13</p>
2.	190-11-BZ	<p>Sheldon Lobel, P.C. 1197 Bryant Avenue, Bronx Variance (§72-21) to legalize Use Group 6 retail stores, contrary to use regulations (§22-10). R7-1 zoning district. Community Board #3BX Examiner: Ronald Rizzotti (212) 386-0081 Status: Granted – 1/15/13</p>
3.	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) 386-0081 Status: Denied – 1/15/13</p>
4.	43-12-BZ	<p>Wachtel & Masyr, LLP 25 Great Jones Street, Manhattan Variance (§72-21) to permit a residential building, contrary to use regulations (§42-00). M1-5B zoning district. Community Board #2M Examiner: Ronald Rizzotti (212) 386-0081 Status: Deferred Decision – 2/5/13</p>

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<i>BZ – DECISIONS</i>		
5.	244-12-BZ	<p>Watchel, Masyr & Missry LLP 600 Washington Street, Manhattan Special Permit (§73-36) to allow a physical culture establishment (<i>Gotham Gym</i>). M1-5 zoning district. Community Board #2M</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Granted – 1/15/13</p>
6.	249-12-BZ	<p>Lewis E. Garfinkel 1320 East 27th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and open space (§23-141(a)); side yards (§23-461(a)) and rear yard (§23-47) regulations. R-2 zoning district. Community Board #14BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 1/15/13</p>
7.	260-12-BZ	<p>John M. Marmora, Esq. 114-01 Sutphin Boulevard, Queens Special Permit (§73-243) to permit an accessory drive-through facility to an eating and drinking establishment (McDonald's) within the portion of the lot located in a C1-3/R5D zoning district contrary to §§32-15 & 32-32 as well as a Special Permit (§73-52) to extend the commercial use by 25' into the R3A portion of the lot contrary to § 22-10. Community Board #12Q</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Granted – 1/15/13</p>
8.	278-12-BZ	<p>John M. Marmora, Esq. 3143 Atlantic Avenue, Brooklyn Special Permit (§73-52) to extend by 25'-0" a commercial use into a residential zoning district to permit the development of a proposed eating and drinking establishment (<i>McDonald's</i>) with accessory drive thru. C8-2 and R5 zoning district. Community Board #5BK</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Granted – 1/15/13</p>

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<i>BZ – DECISIONS</i>		
9.	283-12-BZ	Sheldon Lobel, P.C. 440 Broadway, Manhattan Variance (§72-21) to permit a UG 6 retail use on the first floor and cellar of the existing building, contrary to Section 42-14D(2)(b). M1-5B zoning district. Community Board #2M
		Examiner: Ronald Rizzotti (212) 386-0081
		Status: Granted – 1/15/13

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<i>BZ – CONTINUED HEARINGS</i>		
10.	16-12-BZ	<p>Eric Palatnik, P.C. 184 Nostrand Avenue, Brooklyn Special Permit (§73-19) to allow for a school (<i>Congregation Adas Yereim</i>) contrary to use regulations (§42-00). M1-2 zoning district. Community Board #4BK</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <hr/> <p>Status: Continued Hearing – 2/12/13</p>
11.	56-12-BZ	<p>Eric Palatnik, P.C. 168 Norfolk Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, lot coverage and open space (§23-141); side yard (§23-461); and rear yard (§23-47) regulations. R3-1 zoning district. Community Board #4BK</p> <hr/> <p>Examiner: Henry Segovia (212) 386-0074</p> <hr/> <p>Status: Adjourned, Continued Hearing – 2/12/13</p>
12.	57-12-BZ	<p>Eric Palatnik, P.C. 2670 East 12th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141); side yards (§23-461); less than the required rear yard (§23-37). R4 zoning district. Community Board #15BK</p> <hr/> <p>Examiner: Henry Segovia (212) 386-0074</p> <hr/> <p>Status: Continued Hearing – 2/5/13</p>
13.	67-12-BZ	<p>Sheldon Lobel, P.C. 1442 First Avenue, Manhattan Variance (§72-21) to allow for the extension of an eating and drinking establishment to the second floor, contrary to use regulations (§32-421). C1-9 zoning district. Community Board #8M</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <hr/> <p>Status: Adjourned, Continued Hearing – 2/12/13</p>

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<i>BZ – CONTINUED HEARINGS</i>		
14.	75-12-BZ	<p>Sheldon Lobel, P.C. 547 Broadway, Manhattan Variance (§72-21) to permit the legalization of retail use (UG 6) on the first floor and expand the use into the cellar and sub-cellar, contrary to use regulations (§42-14 (D)(2)(b)). M1-5B zoning district. Community Board #2M</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Closed, Decision – 2/12/13</p>
15.	195-12-BZ	<p>Law Office of Eduardo J. Diaz 108-15 Cross Bay Boulevard, Queens Re-instatement (§11-411) of a previously approved variance which allowed a two-story office building (UG6) and four parking spaces, which expired on May 13, 2000. Waiver of the Rules. R4 zoning district. Community Board #10BK</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Adjourned, Continued Hearing – 2/5/13</p>
16.	275-12-BZ	<p>Law Office of Fredrick A. Becker 2122 Avenue N, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family residence, contrary to floor area and open space (§23-141), and side yard (§23-461) regulations. R2 zoning district. Community Board #14BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Closed, Decision – 2/5/13</p>

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<i>BZ – NEW CASES</i>		
17.	242-12-BZ	<p>Sheldon Lobel, P.C. 1621-1629 61st Street, Brooklyn Variance (§72-21) to permit the construction of a Use Group 4A house of worship, contrary to height, setback, sky exposure plane, rear yard, and parking requirements. M1-1 zoning district. Community Board #12BK</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Continued Hearing – 2/26/13</p>
18.	257-12-BZ	<p>Law Office of Fredrick A. Becker 2359 East 5th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141); side yard (§23-461) and less than the required rear yard (§23-47). R4 (OP) zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Continued Hearing – 2/5/13</p>
19.	285-12-BZ	<p>Sheldon Lobel, P.C. 54 West 39th Street, Manhattan Special Permit (§73-36) to allow a physical culture establishment (<i>Narita Bodyworks</i>) on the 4th floor of existing building. M1-6 zoning district. Community Board #5M</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Continued Hearing – 2/26/13</p>
20.	291-12-BZ	<p>Rothkrug Rothkrug & Spector, LLP 301 West 125th Street, Manhattan Special permit (§73-36) to allow a physical culture establishment (<i>Blink</i>) within proposed commercial building. C4-4D zoning district. Community Board #10M</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Closed, Decision – 2/12/13</p>

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