

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, JULY 16, 2013  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	<b>207-86-BZ</b>	<p>Kramer Levin Naftalis &amp; Frankel <b>20, 28 &amp; 30 East 92nd Street, Manhattan</b> Amendment of a previously approved variance (§72-21) for a community facility use (<i>The Nightingale-Bamford School</i>) to enlarge the zoning lot to permit the school’s expansion. C1-5 (R-10) and R8B zoning districts. <b>Community Board #8M</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Granted – 7/16/13</b></p>
2.	<b>200-00-BZ</b>	<p>Eric Palatnik, P.C. <b>107-24 37th Avenue aka 37-16 108th Street, Queens</b> Extension of Time to obtain a Certificate of Occupancy of a variance (§72-21) to operate a Physical Culture Establishment (<i>Squash Fitness Center</i>) which expired on April 25, 2013. C1-4(R6B) zoning district. <b>Community Board #3Q</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Granted – 7/16/13</b></p>
3.	<b>363-04-BZ</b>	<p>Herrick Feinstein, LLP <b>6002 Fort Hamilton Parkway, Brooklyn</b> Extension of Time to Complete Construction for a previously granted Variance (§72-21) to convert an industrial building to commercial/residential use which expires on July 19, 2013. M1-1 zoning district. <b>Community Board #12BK</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Granted – 7/16/13</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

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<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>4.</b>	<b>608-70-BZ</b>	<p>Walter T. Gorman, P.E., P.C. <b>351-361 Neptune Avenue, Brooklyn</b> Amendment (§11-412) to convert the previously granted UG16B automotive service station to a UG6 eating and drinking establishment (<i>Dunkin' Donuts</i>). R6 zoning district. <b>Community Board #13BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <hr/> <p><b>Status: Closed, Decision – 8/20/13</b></p>

<b><i>SOC – NEW CASES</i></b>		
<b>5.</b>	<b>615-57-BZ</b>	<p>Sheldon Lobel, P.C. <b>154-11 Horace Harding Expressway, Queens</b> Extension of Term (§11-411) of a previously granted variance for the continued operation of a (UG 16B) automotive service station (<i>Gulf</i>) with accessory uses, which expired on June 5, 2013. C1-3/R5B zoning district. <b>Community Board #7Q</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <hr/> <p><b>Status: Continued Hearing – 8/13/13</b></p>
<b>6.</b>	<b>274-59-BZ</b>	<p>Laurence Dalfino, R.A. <b>3356-3358 Eastchester Road aka 1510-151 Tillotson Avenue, Bronx</b> Extension of Term (§11-411) of a previously granted variance for the continued operation of a private parking lot accessory to a catering establishment, which expired on September 28, 2011; Waiver of the Rules. R-4/R-5 zoning district. <b>Community Board #12BX</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <hr/> <p><b>Status: Continued Hearing – 9/10/13</b></p>

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<b>7.</b>	<b>228-00-BZ</b>	<p>Sheldon Lobel, P.C. <b>28/32 Locust Street, Brooklyn</b> Extension of Time to complete construction of a previously approved variance (§72-21) which permitted the conversion of a vacant building in a manufacturing district for residential use (UG 2), which expired on May 15, 2005; Amendment for minor modifications to approved plans; Waiver of the Rules. M1-1 zoning district. <b>Community Board #4BK</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Continued Hearing – 8/20/13</b></p>

<b><i>APPEALS – DECISIONS</i></b>		
<b>8.</b>	<b>346-12-A</b>	<p>Eric Palatnik, P.C. <b>179-181 Woodpoint Road, Brooklyn</b> Appeal seeking common law vested rights to continue construction commenced under the prior R6 zoning districts. R6B zoning district. <b>Community Board #1BK</b> <b>Examiner: Toni Matias (212) 386-0085</b> <b>Status: Granted – 7/16/13</b></p>
<b>9.</b>	<b>79-13-A</b>	<p>Law Offices of Howard B. Hornstein <b>807 Park Avenue, Manhattan</b> Appeal from Department of Buildings' determination regarding the status of a zoning lot and reliance on the Certificate of Occupancy's recognition of the zoning lot. R10(PI) zoning district. <b>Community Board #8M</b> <b>Examiner: Toni Matias (212) 386-0085</b> <b>Status: Granted – 7/16/13</b></p>
<b>10.</b>	<b>135-13-A thru 152-13-A</b>	<p>Eric Palatnik, P.C. <b>Serena Court, Staten Island</b> Proposed construction of 18 two-family dwellings not fronting on a legally mapped street, contrary to General City Law Section 36. R3X (SSRD) zoning district. <b>Community Board #3SI</b> <b>Examiner: Toni Matias (212) 386-0085</b> <b>Status: Granted – 7/16/13</b></p>

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<b><i>APPEAL – NEW CASES</i></b>		
11.	67-13-A	Bryan Cave LLC <b>945 Zerega Avenue, Bronx</b> Appeal challenging Department of Buildings’ determination that the existing roof sign is not entitled to non-conforming use status. M1-1 zoning district. <b>Community Board #9BX</b> <b>Examiner: Toni Matias (212) 386-0085</b> <b>Status: Closed, Decision – 9/10/13</b>
12.	68-13-A	Bryan Cave LLP <b>330 Bruckner Boulevard, Bronx</b> Appeal challenging Department of Buildings’ determination that the existing sign is not entitled to non-conforming use status. M3-1 zoning district. <b>Community Board #1BX</b> <b>Examiner: Toni Matias (212) 386-0085</b> <b>Status: Continued Hearing – 9/24/13</b>
13.	69-13-A	Bryan Cave LLP <b>25 Skillman Avenue, Brooklyn</b> Appeal challenging Department of Buildings’ determination that the existing sign is not entitled to non-conforming use status. M1-2/R6 Sp. MX-8 zoning district. <b>Community Board #1BK</b> <b>Examiner: Toni Matias (212) 386-0085</b> <b>Status: Withdrawn – 7/16/13</b>
14.	87-13-A	Bryan Cave LLP <b>174 Canal Street, Manhattan</b> Appeal challenging Department of Buildings’ determination that the existing sign is not entitled to non-conforming use status. C6-1G zoning district <b>Community Board #3M</b> <b>Examiner: Toni Matias (212) 386-0085</b> <b>Status: Continued Hearing – 9/17/13</b>

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<b><i>BZ – DECISIONS</i></b>		
1.	<b>293-12-BZ</b>	<p>Eric Palatnik, P.C. <b>1245 83rd Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area (§23-141(b)) and side yard (§23-461(a)) regulations. R3X zoning district. <b>Community Board #10BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Granted – 7/16/13</b></p>
2.	<b>54-13-BZ</b>	<p>Sheldon Lobel, P.C. <b>1338 East 5th Street, Brooklyn</b> Variance (§72-21) for the enlargement of existing single-family residence, contrary to lot coverage and open space (§23-141), minimum required side yards (§113-543), and side yards (§23-461a) regulations. R5/OPSD zoning district. <b>Community Board #12BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Granted – 7/16/13</b></p>
3.	<b>91-13-BZ</b>	<p>Eric Palatnik, P.C. <b>115 East 57th Street, Manhattan</b> Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>Spa Castle</i>) to be located in a 57-story mixed use building. C5-3,C5-2.5(MiD) zoning district. <b>Community Board #5M</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Granted – 7/16/13</b></p>
4.	<b>104-13-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector LLP <b>1002 Gates Avenue, Brooklyn</b> Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>Blink</i>) within a portion of an existing five-story commercial building. C2-4 (R6A) zoning district. <b>Community Board # 3BK</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Granted – 7/16/13</b></p>

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<b>5.</b>	<b>113-12-BZ</b>	<p>Mitchell S. Ross, Esq. <b>32-05 Parsons Boulevard, Queens</b> Variance (§72-21) to permit a proposed church (<i>St. Paul's Church</i>), contrary to front wall height (§§24-521 &amp; 24-51). R2A zoning district. <b>Community Board #7Q</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <hr/> <p><b>Status: Granted – 7/16/13</b></p>

<b><i>BZ – NEW CASES</i></b>		
<b>6.</b>	<b>301-12-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector, LLP <b>213-11/19 35th Avenue, Queens</b> Special permit (§73-52) to allow a 25 foot extension of an existing commercial use into a residential zoning district, and §73-63 to allow the enlargement of a legal non-complying building. C2-2(R4) and R2A zoning districts. <b>Community Board #11Q</b></p> <hr/> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <hr/> <p><b>Status: Continued Hearing – 8/13/13</b></p>
<b>7.</b>	<b>83-13-BZ</b>	<p>Boris Saks, Esq. <b>3089 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and open space (§23-141) and less than the required rear yard (§23-47). R2 zoning district. <b>Community Board #14BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <hr/> <p><b>Status: Continued Hearing – 8/13/13</b></p>
<b>8.</b>	<b>109-13-BZ</b>	<p>Goldman Harris LLC <b>80 John Street, Manhattan</b> Special Permit (§73-36) to permit the operation of a physical culture establishment (<i>UFC Gym</i>). C5-5 (Special Lower Manhattan) zoning district. <b>Community Board #1M</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <hr/> <p><b>Status: Continued Hearing – 8/20/13</b></p>

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