

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 10, 2013

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	228-00-BZ	<p>Sheldon Lobel, P.C. 28/32 Locust Street, Brooklyn 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. Community Board #4BK Examiner: Henry Segovia (212) 386-0074 Status: Granted – 9/10/13</p>
2.	378-04-BZ	<p>Sheldon Lobel, P.C. 94 Kingsland Avenue, Brooklyn Extension of time to complete construction of a previously granted variance (§72-21) for the construction of a four-story residential building with an accessory four-car garage, which expired on December 11, 2011 and an Amendment to reduce the scope and non-compliance of the approval; waiver of the Rules. M1-1 zoning district. Community Board #1BK Examiner: Henry Segovia (212) 386-0074 Status: Granted – 9/10/13</p>
3.	107-11-BZ	<p>Sheldon Lobel, P.C. 1643 East 21st Street, Brooklyn Amendment of a previously granted variance (§72-21) to waive bulk regulations for the enlargement of a synagogue and rabbi’s residence (<i>Congregation Yeshiva Bais Yitzchok</i>); amendment classifies the enlargement as a new building, which requires a waiver of parking regulations (§25-31). R4-1 zoning district. Community Board #14BK Examiner: Rory Levy (212) 386-0082 Status: Granted – 9/10/13</p>

*****DISCLAIMER*****

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 10, 2013

10:00 A.M.

<i>SOC – CONTINUED HEARINGS</i>		
4.	615-57-BZ	<p>Sheldon Lobel, P.C. 154-11 Horace Harding Expressway, Queens 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. Community Board #7Q Examiner: Henry Segovia (212) 386-0074 Status: Closed, Decision – 10/8/13</p>
5.	274-59-BZ	<p>Laurence Dalfino, R.A. 3356-3358 Eastchester Road, aka 1510-151 Tillotson Avenue, Bronx 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. Community Board #12BX Examiner: Henry Segovia (212) 386-0074 Status: Closed, Decision – 10/8/13</p>
6.	327-88-BZ	<p>Eric Palatnik, P.C. 136-36 39th Avenue, 136-29 & 136-35A Roosevelt Avenue, Queens Amendment to a previously granted variance (§72-21) to legalize the addition of a 2,317 square foot mezzanine in a UG 6 eating and drinking establishment (<i>Jade Asian Restaurant</i>). C4-3 zoning district. Community Board #7Q Examiner: Henry Segovia (212) 386-0074 Status: Adjourned, Continued Hearing – 10/22/13</p>

*****DISCLAIMER*****

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 10, 2013

10:00 A.M.

<i>SOC – NEW CASES</i>		
7.	699-46-BZ	<p>Eric Palatnik, P.C. 224-01 North Conduit Avenue, Queens Amendment (§11-412) of a previously approved variance which permitted the operation of an automotive service station (UG 16B) with accessory use. The amendment seeks to convert existing service bays to a convenience store, increase the number of pump islands, and permit a drive-thru to the proposed convenience store. R3X zoning district. Community Board #13Q Examiner: Carlo Costanza (212) 386-0068 Status: Continued Hearing – 10/22/13</p>
8.	723-84-BZ	<p>Gerald J. Caliendo 241-02 Northern Boulevard, Queens Extension of term of a previously approved variance (§72-21) which permitted a medical office, which expired on October 30, 2012. R1-2 zoning district. Community Board #11Q Examiner: Carlo Costanza (212) 386-0068 Status: Closed, Decision – 10/8/13</p>
9.	161-99-BZ & 162-99-BZ	<p>The Law Office of Fredrick A. Becker 349 & 353 East 76th Street, Manhattan Extension of term of a previously granted Special Permit (§73-36) which permitted the operation of a physical culture establishment which expired on June 28, 2010; Amendment to permit a change in the hours of operation; Extension of time to obtain a Certificate of Occupancy which expired on June 28, 2004; Waiver of the Rules. C2-5 (R8B) zoning district. Community Board #8M Examiner: Carlo Costanza (212) 386-0068 Status: Closed, Decision – 10/8/13</p>

*****DISCLAIMER*****

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 10, 2013

10:00 A.M.

<i>APPEALS – DECISIONS</i>		
10.	200-10-A 203-10-A thru 205-10-A	<p>Sheldon Lobel, PC 1359, 1365, 1367 Davies Road, Queens Extension of time to complete construction and obtain a Certificate of Occupancy of a previous vested rights approval, which expires on June 21, 2013. Prior zoning district R5. R4-1 zoning district. Community Board #14Q</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Granted – 9/10/13</p>
11.	245-12-A & 246-12-A	<p>Law Offices of Marvin B. Mitzner LLC. 515 East 5th Street, Manhattan Appeal pursuant to (§310(2)) of the Multiple Dwelling Law. Application seeking a determination that the owner of the property has acquired a common law vested right to complete construction under the prior R7-2 zoning. R7B zoning district. Community Board #3M</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Cal. No. 245-12-A - Off Calendar Cal. No. 246-12-A – Denied – 9/10/13</p>
12.	67-13-A	<p>Bryan Cave LLC 945 Zerega Avenue, Bronx Appeal challenging Department of Buildings’ determination that the existing roof sign is not entitled to non-conforming use status. M1-1 zoning district. Community Board #9BX</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Deferred Decision – 9/24/13</p>

*****DISCLAIMER*****

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 10, 2013

10:00 A.M.

<i>APPEAL – NEW CASES</i>		
13.	66-13-A	<p>Goldman Harris 111 East 161st Street, Bronx Appeal challenging Department of Buildings’ determination that pursuant to §122-20 advertising signs are not permitted regardless of non-conforming use status. R8/C1-4 Grand Concourse Preservation zoning district. Community Board #4BX Examiner: Toni Matias (212) 386-0085 Status: Continued Hearing – 10/29/13</p>
14.	123-13-A	<p>Bryan Cave 86 Bedford Avenue, Manhattan Appeal challenging the determination of the Department of Buildings’ to revoke a permit on the basis that (1) a lawful commercial use was not established and (2) even assuming lawful establishment, the commercial use discontinued in 2007. R6 zoning district. Community Board #2M Examiner: Toni Matias (212) 386-0085 Status: Continued Hearing – 11/19/13</p>

*****DISCLAIMER*****

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 10, 2013

10:00 A.M.

<i>BZ – DECISIONS</i>		
1.	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> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Deferred Decision – 9/24/13</p>
2.	43-12-BZ	<p>Watchtel Masyr & Missry, 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</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Deferred Decision – 11/19/13</p>
3.	338-12-BZ	<p>Eric Palatnik, P.C. 164-20 Northern Boulevard, Queens Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>Metro Gym</i>) located in an existing one-story and cellar commercial building. C2-2/R5B zoning district. Community Board #7Q</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Granted – 9/10/13</p>
4.	83-13-BZ	<p>Boris Saks, Esq. 3089 Bedford Avenue, Brooklyn 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. Community Board #14BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 9/10/13</p>

*****DISCLAIMER*****

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 10, 2013

10:00 A.M.

<i>BZ – DECISIONS</i>		
5.	97-13-BZ	Lewis E. Garfinkel 1848 East 24th 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) and less than the required rear yard (§23-47). R3-2 zoning district. Community Board #15BK
		Examiner: Henry Segovia (212) 386-0074
		Status: Granted – 9/10/13
6.	109-13-BZ	Goldman Harris LLC 80 John Street, Manhattan Special Permit (§73-36) to permit the operation of a physical culture establishment (<i>UFC Gym</i>). C5-5 (Special Lower Manhattan) zoning district. Community Board #1M
		Examiner: Rory Levy (212) 386-0082
		Status: Granted – 9/10/13

*****DISCLAIMER*****

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 10, 2013

10:00 A.M.

<i>BZ – CONTINUED HEARINGS</i>		
7.	54-12-BZ	<p>Gerald J. Caliendo, R.A., AIA 65-39 102nd Street, Queens Variance (§72-21) to permit for the construction of a community facility and residential building, contrary to lot coverage (§23-141), lot area (§§23-32, 23-33), front yard (§§23-45, 24-34), side yard (§§23-46, 24-35) and side yard setback (§24-55) regulations. R5 zoning district. Community Board #6Q</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Continued Hearing – 10/22/13</p>
8.	199-12-BZ	<p>Sheldon Lobel, P.C. 1517 Bushwick Avenue, Brooklyn Variance (§72-21) to construct a self-storage facility, contrary to maximum permitted floor area regulations. C8-1 and R6 zoning districts. Community Board #4BK</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Closed, Decision – 10/22/13</p>
9.	236-12-BZ	<p>Rothkrug Rothkrug & Spector LLP 1487 Richmond Road, Staten Island Variance (§72-21) to permit the extension of an existing medical office, contrary to use (§ 22-10) and side yard regulations (§24-35). R2 zoning district. Community Board #2SI</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Continued Hearing – 10/8/13</p>
10.	259-12-BZ	<p>Davidoff Hutcher & Citron LLP 5241 Independence Avenue, Bronx Variance (§72-21) to permit the development of a single-family house, contrary to lot width requirement (§23-32). R1-1, NA-2 zoning district. Community Board #8BX</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Closed, Decision – 10/8/13</p>

*****DISCLAIMER*****

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 10, 2013

10:00 A.M.

<i>BZ – CONTINUED HEARINGS</i>		
11.	263-12-BZ & 264-12-A	<p>Sheldon Lobel, P.C. 232 & 222 City Island Avenue, Bronx Variance (§72-21) to permit senior housing (UG 2), contrary to use regulations (§42-00). Variance (Appendix G, Section BC G107, NYC Administrative Code) to permit construction in a flood hazard area which does not comply with Appendix G, Section G304.1.2 of the Building Code. M1-1 zoning district. Community Board #10BX Examiner: Ronald Rizzotti (212) 386-0081 Status: Adjourned, Continued Hearing – 10/29/13</p>
12.	301-12-BZ	<p>Rothkrug Rothkrug & Spector, LLP 213-11/19 35th Avenue, Queens 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. Community Board #11Q Examiner: Ronald Rizzotti (212) 386-0081 Status: Closed, Decision – 10/8/13</p>
13.	94-13-BZ	<p>Vinod Tewari 11-11 40th Avenue, aka 38-78 12th Street, Queens Special Permit (§73-19) to allow a school, contrary to use regulation (§42-00). M1-3 zoning district. Community Board #1Q Examiner: Ronald Rizzotti (212) 386-0081 Status: Closed, Decision – 10/8/13</p>
14.	170-13-BZ	<p>Venable LLP 25-10 30th Avenue, Queens Variance (§72-21) to allow the enlargement of Mount Sinai Hospital of Queens contrary to §24-52 (height & setback); §24-11 (lot coverage); §24-36 (rear yard); and §§24-382 & 33-283 (rear yard equivalents). R6 & C1-3 zoning districts. Community Board #1Q Examiner: Ronald Rizzotti (212) 386-0081 Status: Granted – 9/10/13</p>

*****DISCLAIMER*****

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 10, 2013

10:00 A.M.

<i>BZ – NEW CASES</i>		
15.	78-11-BZ & 33-12-A thru 37-12-A	<p>Sheldon Lobel, P.C. 78-70 Winchester Boulevard, Queens Variance (§72-21) to allow for the construction of two assisted living residential buildings, contrary to use regulations (§32-10). Proposed construction of two mixed use buildings that do not have frontage on a legally mapped street, contrary to General City Law Section 36. C8-1 Zoning District. Community Board #13Q Examiner: R. Rizzotti (212) 386-0081 / T. Matias (212) 386-0085 Status: Continued Hearing – 11/19/13</p>
16.	303-12-BZ	<p>Eric Palatnik, P.C. 1106-1108 Utica Avenue, Brooklyn Variance (§72-21) to permit the development of a sub-cellar, cellar and three story church, with accessory educational and social facilities (<i>Tabernacle of Praise</i>), contrary to rear yard setback (§33-292), sky exposure plane and wall height (§34-432), and parking (§36-21) regulations. C8-1 zoning district. Community Board #17BK Examiner: Rory Levy (212) 386-0082 Status: Continued Hearing – 10/29/13</p>
17.	120-13-BZ	<p>Eric Palatnik, P.C. 1815 Forest Avenue, Staten Island Special Permit (§73-243) to allow for an eating and drinking establishment (UG 6) (<i>McDonald's</i>) with an accessory drive-through facility. C1-2/R3-2 zoning district. Community Board #1SI Examiner: Ronald Rizzotti (212) 386-0081 Status: Continued Hearing – 10/22/13</p>
18.	129-13-BZ	<p>Lewis E. Garfinkel 1010 East 22nd 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(a)); side yards (§23-461(a)); less than the required rear yard (§23-47). R2 zoning district. Community Board #14BK Examiner: Henry Segovia (212) 386-0074 Status: Postponed Hearing – 10/8/13</p>

*****DISCLAIMER*****

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.
