

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 17, 2013

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	199-00-BZ	<p>Alfonso Duarte, P.E. 76-19 Roosevelt Avenue, Queens Extension of term of a previously granted special permit (§73-244) for the continued operation of a UG 12 eating and drinking establishment without restrictions on entertainment (<i>Club Atlantis</i>) which expired on March 13, 2013. C2-3/R6 zoning district. Community Board #3Q Examiner: Henry Segovia (212) 386-0074 Status: Granted – 9/17/13</p>
2.	220-07-BZ	<p>Eric Palatnik, P.C. 847 Kent Avenue, Brooklyn Extension of time to complete construction of a previously granted variance (§72-21) which permitted the construction of a new four-story residential building containing four dwelling units, which expires on November 10, 2013. M1-1 zoning district. Community Board#3BK Examiner: Henry Segovia (212) 386-0074 Status: Granted – 9/17/13</p>

<i>SOC – NEW CASES</i>		
3.	519-57-BZ	<p>Eric Palatnik, P.C. 2071 Victory Boulevard, Staten Island Extension of term (§11-411) of an approved variance which permitted the operation and maintenance of a gasoline service station (Use Group 16B) and accessory uses, which expired on June 19, 2013. R3-1/C2-1 zoning district. Community Board #1SI Examiner: Carlo Costanza (212) 386-0068 Status: Continued Hearing – 11/19/13</p>
4.	189-96-BZ	<p>John C Chen 85-10/12 Roosevelt Avenue, Queens Extension of Term of a previously granted Special Permit (§73-244) of a UG12 Eating and Drinking establishment with entertainment and dancing, which expires on May 19, 2013. C2-3/R6 zoning district. Community Board #4Q Examiner: Henry Segovia (212) 386-0074 Status: Continued Hearing – 10/8/13</p>

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<i>APPEALS – DECISIONS</i>		
5.	272-12-A	<p>Michael Cetera 1278 Carroll Street, Brooklyn Appeal challenging Department of Buildings’ determination that an existing non-conforming single family home may not be enlarged per §52-22. R2 zoning district. Community Board #9BK Examiner: Toni Matias (212) 386-0085 Status: Denied – 9/17/13</p>
6.	75-13-A	<p>Law Office of Fredrick A. Becker 5 Beekman Street, Manhattan Appeal of §310(2) of the MDL relating to the court requirements (MDL §26(7)) to allow the conversion of an existing commercial building to a transient hotel. C5-5(LM) zoning district. Community Board #1M Examiner: Ronald Rizzotti (212) 386-0081 Status: Deferred Decision – 10/8/13</p>

<i>APPEALS – CONTINUED HEARINGS</i>		
7.	29-12-A	<p>Vincent Brancato 159-17 159th Street, Queens Appeal seeking to reverse Department of Building’s padlock order of closure (and underlying OATH report and recommendation) based on determination that the property’s commercial/industrial use is not a legal non-conforming use. R3-2 Zoning district. Community Board #12Q Examiner: Toni Matias (212) 386-0085 Status: Closed, Decision – 10/8/13</p>
8.	87-13-A	<p>Bryan Cave LLP 174 Canal Street, Manhattan Appeal challenging Department of Buildings’ determination that the existing sign is not entitled to non-conforming use status. C6-1G zoning district Community Board #3M Examiner: Toni Matias (212) 386-0085 Status: Adjourned, Continued Hearing – 9/24/13</p>

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<i>APPEAL – NEW CASES</i>		
9.	41-11-A	<p>Eric Palatnik, P.C. 1314 Avenue S, Brooklyn Appeal seeking a determination that the owner has acquired a common law vested right to continue development under the prior R-6 zoning district. R4 Zoning District. Community Board #15BK</p> <p style="color: green;">Examiner: Toni Matias (212) 386-0085</p> <p style="color: red;">Status: Continued Hearing – 10/29/13</p>
10.	70-13-A	<p>Goldman Harris LLC 84 Withers Street, Bronx Appeal of Department of Buildings’ determination that the subject advertising sign is not entitled to non-conforming use status. M1-2/R6 (MX-8) zoning districts. Community Board #1BX</p> <p style="color: green;">Examiner: Toni Matias (212) 386-0085</p> <p style="color: red;">Status: Withdrawn – 9/17/13</p>
11.	71-13-A	<p>Goldman Harris LLC 261 Walton Avenue, Bronx Appeal of Department of Buildings’ determination that the subject advertising sign is not entitled to non-conforming use status. M1-4 /R6A (MX-13) zoning districts. Community Board #1BX</p> <p style="color: green;">Examiner: Toni Matias (212) 386-0085</p> <p style="color: red;">Status: Continued Hearing – 11/19/13</p>

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<i>BZ – DECISIONS</i>		
1.	35-11-BZ	<p>The Law Office of Fredrick A. Becker 226-10 Francis Lewis Boulevard, Queens Variance (§72-21) to allow for the enlargement of an existing synagogue (<i>Congregation Obel</i>), contrary to floor area, lot coverage (§24-11), front yard (§24-34), side yard (§24-35), rear yard (§24-36) and parking (§25-31). R2A zoning district. Community Board #13Q Examiner: Ronald Rizzotti (212) 386-0081 Status: Closed, Decision – 10/22/13</p>
2.	82-13-BZ	<p>Law Office of Fredrick A. Becker 1957 East 14th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single-family home, contrary to floor area (§23-141), side yards (§23-461) and less than the required rear yard (§23-47). R5 zoning district. Community Board # 15BK Examiner: Henry Segovia (212) 386-0074 Status: Granted – 9/17/13</p>
3.	96-13-BZ	<p>Rothkrug Rothkrug & Spector LLP 1054 Simpson Street, Bronx Variance (§72-21) to permit construction of ambulatory diagnostic treatment health facility (UG4), contrary to rear yard regulations (§23-47). R7-1 and C1-4 zoning districts. Community Board #2BX Examiner: Ronald Rizzotti (212) 386-0081 Status: Granted – 9/17/13</p>
4.	161-13-BZ	<p>Rothkrug Rothkrug & Spector LLP 8 West 19th Street, Manhattan Special Permit (§73-36) to permit the operation of a physical culture establishment (<i>Soul Cycle</i>) within a portion of an existing building. C6-4A zoning district. Community Board #5M Examiner: Rory Levy (212) 386-0082 Status: Deferred Decision – 10/22/13</p>

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<i>BZ – CONTINUED HEARINGS</i>		
5.	279-12-BZ	<p>Akerman Senterfitt LLP 27-24 College Point Boulevard, Queens Variance (§72-21) to permit a bank (UG 6) in a residential zoning district, contrary to §22-00. R4/R5B zoning district. Community Board #7Q</p> <p style="color: green;">Examiner: Ronald Rizzotti (212) 386-0081</p> <p style="color: red;">Status: Adjourned, Continued Hearing – 10/8/13</p>
6.	322-12-BZ	<p>Law Office of Fredrick A. Becker 701 Avenue P, Brooklyn Variance (§72-21) to permit the enlargement of a single-family residence, contrary to open space and lot coverage (§23-141); less than the minimum required front yard (§23-45) and perimeter wall height (§23-631). R5 (OP) zoning district. Community Board#12BK</p> <p style="color: green;">Examiner: Henry Segovia (212) 386-0074</p> <p style="color: red;">Status: Closed, Decision – 10/8/13</p>
7.	61-13-BZ	<p>Slater and Beckerman P.C. 1385 Broadway, Manhattan Special Permit (§73-36) to legalize the operation of a physical culture establishment (<i>Crunch</i>). M1-6GC zoning district. Community Board #5M</p> <p style="color: green;">Examiner: Rory Levy (212) 386-0082</p> <p style="color: red;">Status: Granted – 9/17/13</p>

<i>BZ – NEW CASES</i>		
8.	299-12-BZ	<p>Goldman Harris LLC 40-56 Tenth Avenue, Manhattan Variance (§72-21) to permit the construction of a 12-story commercial building, contrary to floor area (§43-12), height and setback (§43-43), and rear yard (§43-311/312) regulations. M1-5 zoning district. Community Board #2M</p> <p style="color: green;">Examiner: Ronald Rizzotti (212) 386-0081</p> <p style="color: red;">Status: Continued Hearing – 11/19/13</p>

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BZ – NEW CASES		
9.	6-13-BZ	<p>Sheldon Lobel, P.C. 2899 Nostrand Avenue, Brooklyn Variance (§72-21) to permit the construction of a synagogue and school, contrary to floor area and lot coverage (§24-11), side yard (§24-35), rear yard (§24-36), sky exposure plane (§24-521), and parking (§25-31) regulations. R3-2 zoning district. Community Board #18BK</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Continued Hearing – 10/29/13</p>
10.	105-13-BZ	<p>Law Office of Fred A Becker 1932 East 24th street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single home, contrary to floor area, open space and lot coverage (§23-141); side yard (§23-461); perimeter wall height (§23-631) and less than the minimum rear yard (§23-47). R3-2 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Continued Hearing – 10/22/13</p>
11.	133-13-BZ	<p>Sheldon Lobel, P.C. 1915 Bartow Avenue, Bronx Variance (§72-21) to permit the construction of a new two-story community facility (UG 4A house of worship) (<i>Evangelical Church</i>) building is contrary to parking (§25-31), rear yard (§24-33(b) & §24-36), side yard (§24-35(a)) and front yard requirements (§25-34) zoning requirements. R4 zoning district. Community Board #12BX</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Closed, Decision – 10/22/13</p>
12.	169-13-BZ	<p>Greenberg Traurig 227 Clinton Street, Brooklyn Special Permit (§73-621) to legalize the enlargement of a two-family residence, contrary to floor area regulations (§23-145). R6 (LH-1) zoning district. Community Board #6BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Closed, Decision – 10/8/13</p>

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