

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 16, 2014

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	765-50-BZ	<p>Kenneth H. Koons 1430-36 Unionport Road, Bronx Extension of Term (§11-411) of an approved variance permitting an existing one-story funeral parlor, which expired on November 20, 2013. C1-2 zoning district. Community Board #9BX</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Granted – 9/16/14</p>
2.	427-70-BZ	<p>Carl A. Sulfaro, Esq. 38-01 & 38-05 Beach Channel Drive, Queens Amendment of a previously approved Variance (§72-21) which permitted the operation of an Automotive Service Station (UG 16B). Amendment seeks to legalize a one-story accessory convenience store. C2-2/R4 zoning district. Community Board #14Q</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Granted – 9/16/14</p>
3.	68-91-BZ	<p>Warshaw Burstein, LLP 223-15 Union Turnpike, Queens Extension of Time to obtain a Certificate of Occupancy for a previously granted variance for the continued operation of an Automotive Service Station (<i>Gulf</i>) which expired on March 12, 2014; Waiver of the Rules. R5D/C1-2 and R2A zoning district. Community Board #11Q</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 9/16/14</p>
4.	88-92-BZ	<p>Kenneth H. Koons 3007 East Tremont Avenue, Bronx Extension of Term (§11-411) of an approved variance for an existing diner, which will expire on June 28, 2014. R4-1 zoning district. Community Board #10BX</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Granted – 9/16/14</p>

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5.	140-92-BZ	<p>Law Office of Fredrick A. Becker 39-21 Crescent Street, Queens Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the enlargement of an existing school (UG3) which expired on January 26, 2014. M1-2/R5D zoning district. Community Board #1Q</p>
		Examiner: Henry Segovia (212) 386-0074
		Status: Granted – 9/16/14
6.	160-00-BZ	<p>Vassalotti Associates Architects, LLP 244-04 Francis Lewis Boulevard, Queens Extension of Term (§11-411) to permit the continued operation of an Automotive Service Station (UG 16B) (<i>Citgo</i>) which expired on November 21, 2010; Extension of Time to obtain a Certificate of Occupancy which expired on November 21, 2001; Waiver of the Rules. C1-3/R3-2 zoning district. Community Board #13Q</p>
		Examiner: Henry Segovia (212) 386-0074
		Status: Granted – 9/16/14
7.	254-08-BZ	<p>Eric Palatnik, P.C. 1214 East 15th Street, Brooklyn Extension of Time to Complete Construction for a previously granted variance (§72-21) to legalize and enlarge a yeshiva (<i>Yeshiva Ohr Yitzchok</i>), which expired on March 23, 2014. M1-1 zoning district. Community Board #14BK</p>
		Examiner: Henry Segovia (212) 386-0074
		Status: Granted – 9/16/14

<i>SOC – CONTINUED HEARINGS</i>		
8.	76-12-BZ	<p>Sheldon Lobel, P.C. 148 Norfolk Street, Brooklyn Amendment to modify the previously granted special permit (§73-622) for the enlargement of an existing single-family detached residence. R3-1 zoning district. Community Board #15BK</p>
		Examiner: Henry Segovia (212) 386-0074
		Status: Continued Hearing – 10/28/14

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<i>SOC – NEW CASES</i>		
9.	921-57-BZ	<p>Eric Palatnik, P.C. 6602 New Utrecht Avenue, Brooklyn Extension of Term (§11-411) of a variance which permitted the operation of an Automobile Repair Facility (UG 16B) which expired on May 29, 2013; Waiver of the Rules. C2-2/R5 zoning district. Community Board #11BK</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Continued Hearing – 10/28/14</p>
10.	229-84-BZ	<p>Troutman Sanders LLP 75-28 Queens Boulevard, Queens Extension of Term of a previously approved Special Permit (§73-36) permitting the operation of a physical cultural establishment (<i>Bally's Total Fitness</i>) which expires on November 27, 2014. M1-1 zoning district. Community Board #4Q</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Continued Hearing – 10/28/14</p>
11.	178-03-BZ	<p>Eric Palatnik, P.C. 114-02 Van Wyck Expressway, Queens Extension of Term of a Special Permit (§73-211) permitting the operation of an automotive service station (UG 16B) which expired on April 28, 2014. C2-2/R3-2 zoning district. Community Board #10Q</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Continued Hearing – 10/28/14</p>

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<i>APPEAL – DECISIONS</i>		
12.	245-12-A	<p>Law Offices of Marvin B. Mitzner LLC. 515 East 5th Street, Manhattan Appeal pursuant to Section 310(2) of the Multiple Dwelling Law, requesting that the Board vary several requirements of the MDL. R7B Zoning District Community Board #3M</p> <hr/> <p>Examiner: Toni Matias (212) 386-0085</p> <hr/> <p>Status: Continued Hearing – 11/25/14</p>

<i>APPEAL – NEW CASES</i>		
13.	19-12-A	<p>Law Offices of Marvin B Mitzner, LLC. 38-30 28th Street, Queens Application for an extension of time to complete construction of the building and obtain a Certificate of Occupancy on a previously approved grant granted common law vested right of complete construction and permitting in an M1-3 zoning district. M1-2/R5B (LIC) zoning district. Community Board #1Q</p> <hr/> <p>Examiner: Toni Matias (212) 386-0085</p> <hr/> <p>Status: Closed, Decision – 10/7/14</p>
14.	67-13-A	<p>Board of Standards and Appeals 945 Zerega Avenue, Bronx Reopening by court remand for supplemental review of whether a sign at the subject site was a permitted non-conforming advertising sign in light of the Board’s decision in BSA Cal. No. 96-12-A. M1-1 zoning district. Community Board #9BX</p> <hr/> <p>Examiner: Toni Matias (212) 386-0085</p> <hr/> <p>Status: Re-Adopted – 9/16/14</p>

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<i>BZ – DECISIONS</i>		
15.	214-12-BZ	<p>Phillips Nizer, LLP 2784 Coney Island Avenue, Brooklyn Variance (§72-21) to permit the operation of an auto laundry (UG 16B), contrary to use regulations. C2-2/R5 zoning district. Community Board #13BK</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Denied – 9/16/14</p>
16.	208-13-BZ	<p>Issa Khorasanchi 1601 Gravesend Neck Road, Brooklyn Special Permit (§73-36) to legalize the use of a physical culture establishment (<i>Fitness Gallery</i>) located on the second floor of a two story commercial building. C8-1/R4 zoning district. Community Board #3BK</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Granted – 9/16/14</p>
17.	266-13-BZ	<p>Law Offices of Marvin B. Mitzner 515 East 5th Street, Manhattan Variance (§72-21) to legalize the enlargement of a six-story, multi-unit residential building, contrary to maximum floor area (§23-145). R7B zoning district. Community Board #3M</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Deferred Decision – 11/25/14</p>
18.	294-13-BZ	<p>Law Offices of Marvin B. Mitzner, Esq. 220 Lafayette Street, Manhattan Variance (§72-21) to allow for the enlargement and conversion of a commercial building for residential use (UG 2) with ground floor commercial UG6, contrary to use regulations (§43-17, 42-141). M1-5B zoning district. Community Board #2M</p> <p>Examiner: Joshua Saal (212) 386-0081</p> <p>Status: Granted – 9/16/14</p>

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19.	298-13-BZ	<p>Eric Palatnik, P.C. 11-11 131st Street, Queens Special Permit (§73-49) to permit 36 rooftop parking spaces, accessory to an existing three story and cellar physical culture establishment (<i>Spa Castle</i>). M1-1 zoning district. Community Board #1Q</p> <p style="color: green;">Examiner: Rory Levy (212) 386-0082</p> <p style="color: red;">Status: Granted – 9/16/14</p>
20.	315-13-BZ	<p>Law office of Stuart Klein 415-427 Greenwich Street, 12-18 Hubert Street & Laight Street, Manhattan Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>Flywheel Sports</i>). C6-2A (TMU) zoning district. Community Board #1M</p> <p style="color: green;">Examiner: Rory Levy (212) 386-0082</p> <p style="color: red;">Status: Granted – 9/16/14</p>
21.	40-14-BZ	<p>Rothkrug Rothkrug & Spector, LLP 1413/21 Fulton Street, Brooklyn Special Permit (§73-36) to allow a physical culture establishment (<i>Blink Fitness</i>) within an existing commercial building. C2-4 zoning district. Community Board #3BK</p> <p style="color: green;">Examiner: Rory Levy (212) 386-0082</p> <p style="color: red;">Status: Granted – 9/16/14</p>
22.	47-14-BZ	<p>John M. Marmora, Esq. 122-21 Merrick Boulevard, Queens 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/R5D zoning district. Community Board #12Q</p> <p style="color: green;">Examiner: Carlo Costanza (212) 386-0068</p> <p style="color: red;">Status: Granted – 9/16/14</p>

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23.	50-14-BZ	<p>Eric Palatnik, P.C. 825 Manhattan Avenue, Brooklyn Special Permit (§73-36) to allow a physical culture establishment (<i>Crunch Fitness</i>) within an existing cellar and one-story commercial building. C4-3A zoning district. Community Board #1BK Examiner: Rory Levy (212) 386-0082 Status: Granted – 9/16/14</p>
24.	52-14-BZ	<p>Lewis Garfinkel 1339 East 28th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and open space (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R2 zoning district. Community Board #14BK Examiner: Henry Segovia (212) 386-0074 Status: Granted – 9/16/14</p>

<i>BZ – CONTINUED HEARINGS</i>		
25.	5-14-BZ	<p>Law Office of Lyra J. Altman 1807 East 22nd 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 yards (§23-461) and rear yard (§23-47) regulations. R3-2 zoning district. Community Board #15BK Examiner: Henry Segovia (212) 386-0074 Status: Continued Hearing – 11/18/14</p>

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26.	81-12-BZ	<p>Eric Palatnik, P.C. 98-01/05 Metropolitan Avenue, Queens Special Permit (§73-243) to permit the demolition and reconstruction of an eating and drinking establishment (Use Group 6) with an accessory drive-through and on-site parking. C1-3/R3-2/R3A zoning district. Community Board #6Q</p> <p style="color: green;">Examiner: Carlo Costanza (212) 386-0068</p> <p style="color: red;">Status: Continued Hearing – 12/9/14</p>
27.	176-13-BZ	<p>Sheldon Lobel, P.C. 31 Bond Street, Manhattan Variance (§72-21) to permit Use Group 2 residential in an existing 6-story building with a new penthouse addition, contrary to Section 42-10 of the zoning resolution. M1-5B zoning district. Community Board #2M</p> <p style="color: green;">Examiner: Joshua Saal (212) 386-0081</p> <p style="color: red;">Status: Continued Hearing – 10/28/14</p>
28.	25-14-BZ	<p>Law Office of Lyra J. Altman 1601-1623 Avenue J aka 985-995 East 16th Street & 990-1026 East 17th Street, Brooklyn Variance (§72-21) to permit the enlargement of an existing four story Yeshiva. R2 & R5 zoning district. Community Board #14BK</p> <p style="color: green;">Examiner: Rory Levy (212) 386-0082</p> <p style="color: red;">Status: Continued Hearing – 11/18/14</p>
29.	42-14-BZ	<p>Eric Palatnik, P.C. 783 Lexington Avenue, Manhattan Special Permit (§73-36) to allow a physical culture establishment (<i>Lush Cosmetics</i>) located on the cellar, first and second floor of a five story building. C1-8 zoning district. Community Board #8M</p> <p style="color: green;">Examiner: Rory Levy (212) 386-0082</p> <p style="color: red;">Status: Continued Hearing – 10/28/14</p>

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30.	91-14-BZ	<p>Law Office of Lyra J. Altman 3420 Bedford Avenue, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home contrary to floor area and open space (ZR 23-141) and less than the required rear yard (§23-47). R2 zoning district. Community Board #14BK</p> <p style="color: green;">Examiner: Henry Segovia (212) 386-0074</p> <p style="color: red;">Status: Continued Hearing – 10/28/14</p>
31.	93-14-BZ	<p>Eric Palatnik, P.C. 455 West 37th Street, Manhattan Special Permit (§73-36) to allow a physical culture establishment (<i>Title Boxing Club</i>). R8A/C2-5 zoning district. Community Board #4M</p> <p style="color: green;">Examiner: Rory Levy (212) 386-0082</p> <p style="color: red;">Status: Continued Hearing – 10/28/14</p>
32.	96-14-BZ	<p>Kramer Levin Naftalis & Frankel LLP 290 Dyckman Street, Manhattan Variance (§72-21) to allow the conversion of an existing two-story building that has historically been occupied by manufacturing and industrial/commercial uses to be converted to a self-storage facility. C8-3/R7-2 district. Community Board #12M</p> <p style="color: green;">Examiner: Carlo Costanza (212) 386-0068</p> <p style="color: red;">Status: Continued Hearing – 10/28/14</p>

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