### SOC – DECISIONS

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</table>
| 1. | 615-57-BZ | Sheldon Lobel, P.C.  
154-11 Horace Harding Expressway, Queens  
Community Board #7Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 1/12/10 |
| 2. | 217-96-BZ | Joseph P. Morsellino  
165-01 Northern Boulevard, Queens  
Extension of Term of a previously granted Variance (§72-21) for the continued use of an existing car rental facility (*Enterprise*) with accessory outdoor storage of rental cars (UG 8) which expired on October 7, 2007; Extension of Time to obtain a Certificate of Occupancy which expired on October 7, 1998; and Waiver of the Rules. C1-2/R-2 zoning district.  
Community Board #7Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 1/12/10 |
| 3. | 195-99-BZ | Eric Palatnik, P.C.  
112 Atlantic Avenue, Brooklyn  
Extension of Term (§11-411) for the continued use of a Gasoline Service Station (*Shell*) which expires on November 10, 2009. R-6 zoning district.  
Community Board #6BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 1/12/10 |
| 4. | 136-01-BZ | Eric Palatnik, P.C.  
11-11 44th Drive, Queens  
Extension of Time to complete construction and obtain a Certificate of Occupancy for a Variance (§72-21) which permitted non-compliance in commercial floor area and rear yard requirements; Amendment to reduce amount of commercial floor area; Waiver of the Rules. M1-4/R7A (Hunters Point Subdistrict) zoning district.  
Community Board #2Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Granted – 1/12/10 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
**TUESDAY MORNING, JANUARY 12, 2010**
**10:00 A.M.**

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**SOC – DECISIONS**

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| 5. | **156-03-BZ** | Steven M. Sinacori, Esq.  
135-35 Northern Boulevard, Queens  
Community Board #7Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 1/12/10 |
|   | **197-05-BZ** | Marvin Mitzner, Esq.  
813/815 Broadway, Manhattan  
Amendment to a variance (§72-21) to allow full commercial coverage on the ground floor and an increase in commercial FAR in a mixed use building. C6-1 zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Granted – 1/12/10 |

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### SOC – CONTINUED HEARINGS

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| 7. | 389-37-BZ | The Law Office of Fredrick A. Becker  
31-08 -31-12 45th Street, Queens  
Extension of Term (§11-411) of a previously granted Variance for the operation of a UG8 parking lot which expired on June 13, 2008;  
Extension of Time to obtain a Certificate of Occupancy which expired on December 12, 2004 and Waiver of the Rules. R5/C1-2 zoning district.  
**Community Board #1Q**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Adjourned, Continued Hearing 2/23/10 |
| 8. | 75-95-BZ | The Law Office of Fredrick A. Becker  
1635 Third Avenue, Manhattan  
**Community Board #8M**  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Closed, Decision – 2/2/10 |
| 9. | 5-96-BZ | Sheldon Lobel, P.C.  
564/92 Saint John's Place, Brooklyn  
Extension of Term (§11-411) to permit the operation a one-story public parking garage for no more than 150 cars (UG 8), which expired on March 18, 2007; Amendment to change the parking layout; and an Extension of Time to obtain a certificate of occupancy, which expired on March 18, 1998. R7-1 zoning district.  
**Community Board #8BK**  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Closed, Decision – 2/2/10 |
SOC – NEW CASES

10. 223-98-BZ  
Andrea Claire/Peter Hirshman  
51-59 Maujer Street aka 451-459 Lorimer Street, Brooklyn  
Extension of Term of a previous variance that permits the operation of an automotive service station (UG 16B) which will expire on February 1, 2010; Amendment to allow used car sales (UG 16B);  
Extension of Time to obtain a Certificate of Occupancy which expired on June 10, 2003; Waiver of the Rules. R6B zoning district.  
Community Board #1BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 3/16/10

11. 163-99-BZ  
The Law Office of Fredrick A. Becker  
503 Broadway, Manhattan  
Extension of Term for a special permit (§73-36) which will expire on June 28, 2010 for the operation of a Physical Culture Establishment (New York Sports Club); Waiver of the Rules. M1-5B zoning district.  
Community Board #2M  
Examiner: Carlo Costanza (212) 788-8739  
Status: Closed, Decision – 2/2/10

12. 405-01-BZ  
Eric Palatnik, P.C.  
1275 36th Street, Brooklyn  
Extension of Time to Complete Construction of a previously granted Variance (§72-21) to construct a five-story school and synagogue (UG 3 & 4) which expired on November 12, 2006. R5/C2-3 zoning district.  
Community Board #12BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 2/9/10

13. 26-02-BZ  
Walter T. Gorman, P.E.  
1680 Richmond Avenue, Staten Island  
Community Board #2SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 2/9/10

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| 14. | 265-08-BZ | Richard Bass, Herrick, Feinstein, LLP  
70 Wyckoff Avenue, Brooklyn  
Extension of Time to obtain a Certificate of Occupancy of a previously granted Variance (§72-21) for the legalization of residential units in a manufacturing building which expired on December 23, 2009. M1-1 zoning district.  
Community Board #4BK  
Examiner:  Henry Segovia (212) 788-8757  
Status:  Closed, Decision – 2/9/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

**TUESDAY MORNING, JANUARY 12, 2010**

**10:00 A.M.**

## APPEALS – DECISIONS

| 15. | 205-05-A | Gary D Lenhart,  
47 Graham Place, Queens  
Amendment of a previously granted General City Law Section 35 waiver to permit the construction of a single family home within the bed of a mapped street. R4 zoning district.  
Community Board #14Q  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 1/12/10 |

## APPEALS – CONTINUED HEARINGS

| 16. | 62-08-A | Eric Palatnik, P.C.  
398 Nugent Street, Staten Island  
Proposed construction not fronting on a legally mapped street, contrary to General City Law, Section 36. R1-2 zoning district.  
Community Board #2SI  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 3/16/10 |

| 17. | 199-09-A thru 213-09-A | Eric Palatnik, P.C.  
165, 161, 159, 155, 153, 151, 149, 145, 143, 141, 137, 135, 131, 129, 127, Roswell Avenue, Staten Island  
Proposed construction of 15, two-story, one family homes not fronting on a mapped street, contrary to General City Law Section 36. R3A /R3-2 Zoning District.  
Community Board #2SI  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 2/9/10 |

| 18. | 245-09-BZY | Sheldon Lobel, P.C.  
120 Adelphi Street, Brooklyn  
Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R6B Zoning District.  
Community Board #2BK  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 1/26/10 |

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### APPEALS – NEW CASES

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<th>Case No.</th>
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<th>Examiner</th>
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</table>
| 249-09-A | Postponed, Public Hearing – 2/9/10 | #2M | Toni Matias (212) 788-8752 | Bryan Cave LLP  
363 Lafayette, Manhattan  
Appeal challenging Department of Building's determination that permit for the subject premises expired and became invalid because the permitted work was not commenced within 12 months from the date of issuance, per Title 28, §28-105.9 of the Administrative Code. |
| 262-09-A | Granted – 1/12/10 | #14Q | Toni Matias (212) 788-8752 | Joseph A. Sherry  
711 Bayside Drive, Queens  
Reconstruction and enlargement of an existing single family home not fronting on a mapped street, contrary to General City Law Section 36 and located within the bed of a mapped street (B204th Street), contrary to General City Law Section 35 and Department of Buildings Policy. R4 Zoning District. |
| 263-09-A | Granted – 1/12/10 | #14Q | Toni Matias (212) 788-8752 | Joseph A. Sherry  
28 Tioga Walk, Queens  
Reconstruction and enlargement of an existing single family home not fronting on a mapped street, contrary to General City Law Section 36, and located within the bed of a mapped street (B216th), contrary to General City Law Section 35. R4 Zoning District. |
## APPEALS – NEW CASES

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<tr>
<td>22.</td>
<td>265-09-A</td>
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<td>Gary D. Lenhart</td>
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<td>165 Ocean Avenue, Queens</td>
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<td>Reconstruction and enlargement of an existing single family home and the upgrade of a private disposal system located within the bed of a mapped street, contrary to General City Law Section 35 and Department of Buildings Policy. R4 Zoning District.</td>
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<td>Community Board #14Q</td>
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<td>Examiner: Toni Matias (212) 788-8752</td>
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<td>Status: Continued Hearing – 2/2/10</td>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY AFTERNOON, JANUARY 12, 2010**

1:30 P.M.

## BZ – DECISIONS

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| 1. | 195-07-BZ | Greenberg Traurig  
8-12 Bond Street, Manhattan  
Variance (§72-21) to allow hotel and retail uses below the floor level of the second story, contrary to use regulations (§42-14(d)(2)). M1-5B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Deferred Decision – 1/26/10 |
| 2. | 53-09-BZ | Harold Weinberg, P.E.  
540 Schenck Avenue, Brooklyn  
Variance (§72-21) for the construction of a three-family home on a vacant undersized lot. This application seeks to vary floor area (§23-141); front yard (§23-45) side yard (§23-461) and parking (§25-161) in an R5 zoning district.  
Community Board #5BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 1/12/10 |
| 3. | 164-09-BZ | Eric Palatnik, P.C.  
124 Irwin Street, Brooklyn  
Special Permit (§73-622) for enlargement of an existing two-family home, contrary to floor area, lot coverage and open space (§23-141) and rear yard (ZR §23-47) regulations.  
R3-1 zoning district.  
Community Board#15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 1/12/10 |
| 4. | 218-09-BZ | Jeffrey A. Chester  
57 Empire Boulevard, Brooklyn  
Special Permit (§73-243) to allow an accessory drive-through facility to an eating and drinking establishment (McDonald’s).  
C1-5/C8-2 zoning district.  
Community Board #1BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Granted – 1/12/10 |
|   | 231-09-BZ | Kramer Levin Naftalis & Frankel  
412-414 Greenwich Street, Manhattan  
Variance (§72-21) to allow for the construction of a six-story mixed use building, contrary to use and parking regulations (ZR 42-10, 13-10). M1-5/TMU Special District.  
Community Board #1M  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Granted – 1/12/10 |
|---|---|---|
|   | 269-09-BZ | Dennis D. Dell'angelo, R.A.  
1938 East 12th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to lot coverage (§23-141); side yard (§23-461) and less than the required rear yard (§23-47) and the legalization of a prior one story enlargement at the front of the existing home. R-5 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 1/12/10 |
## BZ – CONTINUED HEARINGS

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| 7. | 214-07-BZ | Sheldon Lobel, P.C.  
**3217 Irwin Avenue, Bronx**  
Variance (§72-21) to allow a public parking garage and increase the maximum permitted floor area in a mixed residential and community facility building, contrary to §22-10 and §24-162. R6 zoning district.  
**Community Board #8BX**  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Adjourned, Continued Hearing – 2/9/10 |
| 8. | 160-08-BZ | Dominick Salvati and Son Architects  
**651-671 Fountain Avenue, Brooklyn**  
Variance (§72-21) to permit the legalization of commercial storage of motor vehicles/buses (UG 16C) with accessory fuel storage and motor vehicles sales and repair (UG 16B), which is contrary to §22-00. R4 zoning district.  
**Community Board #5BK**  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Continued Hearing – 3/2/10 |
| 9. | 187-08-BZ | Sheldon Lobel, P.C.  
**1247 38th Street, Brooklyn**  
Variance (§72-21) to permit the construction of a six-story community facility building  
**Congregation & Yeshiva Machzikei Hadas**, contrary to ZR §42-00. M2-1 zoning district.  
**Community Board #12BK**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Closed, Decision – 2/9/10 |
| 10. | 14-09-BZ | Eric Palatnik, P.C.  
**2294 Forest Avenue, Staten Island**  
Special Permit (§73-211) to allow an automotive service station with an accessory convenience store and automotive laundry (UG 16B). C2-1/R3-2 zoning district.  
**Community Board #1SI**  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Continued Hearing – 3/9/10 |
# BZ – CONTINUED HEARINGS

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| 11. | 29-09-BZ | Law Office of Fredrick A. Becker  
44 Brunswick Street, Staten Island  
Variance (§72-21) to legalize and enlarge a synagogue *(Chabad Israeli Center)*, contrary to lot coverage, front yards, side yards, and parking regulations. R3X zoning district.  
Community Board #2SI  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 2/23/10 |
| 12. | 161-09-BZ | Rizzo Group  
580 Carroll Street, Brooklyn  
Variance (§72-21) for the development of two residential buildings (20 dwelling units) contrary to rear yard equivalent, floor area, lot coverage, minimum distance between buildings and minimum distance between legally required window regulations (§§23-532, 23-145, 23-711, 23-861). R6B zoning district.  
Community Board #6BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Adjourned, Continued Hearing – 2/9/10 |
| 13. | 214-09-BZ | Rothkrug, Rothkrug & Spector, LLP  
1464 Astor Avenue, Bronx  
Special Permit (§73-125) to allow for a 9,996 sq ft ambulatory diagnostic or treatment center which exceeds the 1,500 sq ft maximum allowable floor area set forth in ZR §22-14. R4-1 zoning district.  
Community Board #11BX  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 2/9/10 |
| 14. | 246-09-BZ | Sheldon Lobel, P.C.  
636 Louisiana Avenue, Brooklyn  
Variance (§72-21) to allow for the construction of a four story assisted living facility *(Brooklyn Boulevard ALP)* contrary to floor area, dwelling units and parking regulations (§§ 23-141/62-321, 23-22, 25-23). R5 district.  
Community Board #18BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 2/2/10 |
### BZ – CONTINUED HEARINGS

| 15. | 247-09-BZ | Kramer Levin Naftalis and Frankel <br>123 East 55th Street, Manhattan<br>Variance (§72-21) to allow for expansion of the community house for the Central Synagogue (UG 4), contrary to floor area and height and setback regulations. (§§33-12, 81-211, 33-432). C5-2, C5-2.5 MiD zoning districts.<br>Community Board #5M<br>Examiner: Ronald Rizzotti (212) 788-8781<br>Status: Closed, Decision – 2/23/10 |

### BZ – NEW CASES

| 16. | 239-09-BZ | Kramer Levin Naftalis & Frankel LLP<br>238 Thompson Street/56 Washington Square South, Manhattan<br>Variance (§72-21) to allow for the development of a six-story community facility building (NYU Center for Academic and Spiritual Life), contrary to lot coverage (§24-11) and height and setback regulations (§§24-522, 33-431). R7-2/C1-5 and R7-2 Districts.<br>Community Board #2M<br>Examiner: Ronald Rizzotti (212) 788-8781<br>Status: Closed, Decision – 2/9/10 |

| 17. | 271-09-BZ | Sheldon Lobel, P.C.<br>132-40 Metropolitan Avenue, Queens<br>Special Permit (§73-36) to legalize the operation of an existing physical culture establishment (Planet Fitness) on the first, second, and third floors of an existing three-story building. C2-3 zoning district.<br>Community Board #9Q<br>Examiner: Rory Levy (212) 788-8749<br>Status: Continued Hearing – 2/9/10 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

**REGULAR MEETING**

**TUESDAY AFTERNOON, JANUARY 12, 2010**

**1:30 P.M.**

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### BZ – NEW CASES

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| **18.** | **302-09-BZ** | Harold Weinberg, P.E.  
**820 39th Street, Brooklyn**  
Special Permit pursuant (§73-50) to legalize an encroachment within 30-foot open area required at a rear lot line coincident with a residential zoning district boundary line (§43-302). M1-2 zoning district.  
**Community Board #12BK**  
**Examiner: Ronald Rizzotti (212) 788-8781**  
**Status: Closed, Decision – 1/26/10** |
| **19.** | **307-09-BZ** | Law Office of Fredrick A. Becker  
**1358-1360 East 28th Street, Brooklyn**  
Special Permit (§73-622) for the enlargement of existing single family home, contrary to open space and floor area (§23-141); side yard (§23-461) and less than the required rear yard (§23-47). R2 zoning district.  
**Community Board #14BK**  
**Examiner: Henry Segovia (212) 788-8757**  
**Status: Continued Hearing – 2/9/10** |

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| 1 | 826-86-BZ thru 828-86-BZ          | Eric Palatnik, P.C.  
269-10, 270-10, 271-10 Grand Central Parkway, Queens  
Extension of Term for a Special Permit (§73-11) to allow non-accessory radio towers and transmitting equipment on the roof of a 33-story multiple dwelling (North Shore Towers) which expired on March 28, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on March 6, 2003; an Amendment to eliminate the condition that a new Certificate of Occupancy be obtained; and Waiver of the Rules. R3-2 zoning district.  
Community Board #13Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 1/26/10 | | |
| 2 | 140-92-BZ                         | The Law Office of Fredrick A. Becker  
39-21 Crescent Street, Queens  
Amendment of variance (§72-21) which allowed an enlargement of an existing school (UG 3). The amendment would further enlarge the school, contrary to height and setback (§43-43). M1-2/R5D & M1-2/R5B (Special Long Island City Mixed Use District).  
Community Board #1Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Granted – 1/26/10 | | |
| 3 | 291-03-BZ                         | Stuart A. Klein, Esq.  
1380 62nd Street, Brooklyn  
Extension of term of a variance (§72-21) for construction of a new residential building; amendment to add increase the number of dwelling units, FAR, height and parking spaces. M1-1/R5B zoning districts.  
Community Board #10BK  
Examiner: Rory Levy (212) 788-8749  
Status: Reopened, Continued Hearing – 3/16/10 | | |
## SOC – CONTINUED HEARINGS

|   | 603-86-BZ | H. Irving Sigman PE  
88-34 Parsons Boulevard, aka 88-26/34 Parsons Boulevard, Queens  
Extension of Term for a Variance (§72-21) allowing the construction of retail stores (UG 6), which expired on September 8, 2007; Amendment to the accessory open parking area and refuse area and request to eliminate the term; Waiver of the Rules. R7A (Downtown Jamaica Special District) zoning district.  
Community Board #12Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Adjourned, Continued Hearing – 3/2/10 |
|---|---|---|
| 5. | 813-87-BZ | The Law Office of Fredrick A. Becker  
110 Boerum Place, Brooklyn  
Extension of Term for a special permit (§73-36) which expired on April 12, 2008 for the operation of a Physical Culture Establishment (New York Sports Club); Waiver of the Rules. C2-3 (R6) zoning district.  
Community Board #2BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 3/2/10 |
| 6. | 21-91-BZ | Sheldon Lobel, P.C.  
2407-2417 Linden Boulevard, Brooklyn  
Extension of Term (§72-01 & 72-22) of a previous variance that permits the operation of an automotive glass and mirror repair establishment (UG 7D) and used car sales (UG 16B) which expired on July 24, 2009; Waiver of the Rules. R5 zoning district.  
Community Board #5BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 2/23/10 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, JANUARY 26, 2010**  
**10:00 A.M.**

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| **7.** | **75-00-BZ** | The Law Office of Fredrick A. Becker  
**60-69 Woodhaven Boulevard, Queens**  
Extension of Term of a previously granted Variance (§72-21) to permit a real estate office (UG6) in a residential district which expires on July 25, 2010; amendment to change use (within the same UG6 office use). R5 zoning district.  
**Community Board #6Q**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 2/2/10 |
| **8.** | **208-03-BZ** | Stuart A. Klein, Esq.  
**255 Shell Road, Brooklyn**  
Extension of Term of a previously granted Variance (§72-21) for a UG9 catering hall which expired on October 19, 2009. R4/C1-2/M1-1 OP zoning district.  
**Community Board #15BK**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Continued Hearing – 2/23/10 |
| **9.** | **311-04-BZ** | Rothkrug Rothkrug & Spector  
**380 Lighthouse Avenue, Staten Island**  
Amendment to a previously granted Variance (§72-21) for a proposed one family dwelling which is contrary to lot coverage (§105-33) and maximum height (§23-631) regulations. R1-2(NA-1) zoning district.  
**Community Board #2SI**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 2/2/10 |
| **10.** | **196-08-BZ** | Gage Parking Consultants  
**792 Tenth Avenue/455 West 53rd Street, Manhattan**  
Amendment of a previous grant for public parking garage; amendment would enclose rooftop parking. C6-2 (Special Clinton District) zoning district.  
**Community Board #4M**  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Continued Hearing – 3/16/10 |
### SOC – NEW CASES

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</table>
| 11. | 818-59-BZ | **Akerman Senterfitt**  
**139 East 33rd Street, Manhattan**  
Extension of Term (§11-411) to permit the use of surplus parking spaces of an accessory garage to a multiple dwelling for transient parking which expired on July 6, 2001. C1-9 & C6-1 zoning district.  
Community Board #5M | **Examiner:** Henry Segovia  
**(212) 788-8757**  
**Status:** Closed, Decision – 2/23/10 |   |   |
| 12. | 582-83-BZ | **Carole S. Slater**  
**215 East 58th Street, Manhattan**  
Extension of Term for a previously granted Variance (72-21) to permit the conversion of an existing six story building for commercial use with retail stores on the ground floor which expired on January 10, 2004; Amendment to permit (UG6) use in the cellar and to eliminate the Term; Waiver of the Rules. R8B zoning district.  
Community Board #6M | **Examiner:** Henry Segovia  
**(212) 788-8757**  
**Status:** Closed, Decision – 2/2/10 |   |   |
| 13. | 62-96-BZ | **The Law Office of Fredrick A. Becker**  
**200 Madison Avenue, Manhattan**  
Extension of Term of a previously granted Special Permit (§73-36) for the operation of a Physical Culture Establishment (*New York Sports Club*) which expired on February 4, 2007; Extension of Time to obtain a Certificate of Occupancy which expired on January 10, 2007 and Waiver of the Rules. C5-2 zoning district.  
Community Board #5M | **Examiner:** Henry Segovia  
**(212) 788-8757**  
**Status:** Closed, Decision – 2/23/10 |   |   |
### SOC – NEW CASES

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| 14. | 375-02-BZ | Moshe M. Friedman  
1559 59th Street, Brooklyn  
Amendment to a variance to modify plans for a house of worship and rectory; Extension of time to complete construction and obtain a Certificate of Occupancy.  R5 zoning district.  
Community Board #12BK  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 2/23/10 |
| 15. | 58-07-BZ | Eric Palatnik, P.C.  
18-02 Clintonville, Brooklyn  
Amendment to previously granted variance for a residential building to include two additional objections: dwelling unit size (§23-23) and side yard regulations (§23-461(a).  R3A zoning district.  
Community Board #7BK  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 3/9/10 |
| 16. | 111-06-BZ | Sheldon Lobel, P.C.  
136 Norfolk Street, Brooklyn  
Application to reopen pursuant to court remand (Appellate Division) to revisit the findings of a Special Permit (§73-622) for the in-part legalization of an enlargement to a single family residence. This application seeks to vary open space and floor area (§23-141); side yard (§23-48) and perimeter wall height (§23-631) regulations.  R3-1 zoning district.  
Community Board # 15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 3/9/10 |
### APPEALS – DECISIONS

<table>
<thead>
<tr>
<th>No.</th>
<th>Case No.</th>
<th>Applicant</th>
<th>Description</th>
<th>Community Board</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.</td>
<td>245-09-BZY</td>
<td>Sheldon Lobel, P.C.</td>
<td>Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R6B Zoning District.</td>
<td>Community Board #2BK</td>
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<td>Examiner: Toni Matias (212) 788-8752</td>
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### APPEALS – CONTINUED HEARINGS

<table>
<thead>
<tr>
<th>No.</th>
<th>Case No.</th>
<th>Applicant</th>
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</tr>
</thead>
<tbody>
<tr>
<td>18.</td>
<td>315-08-A</td>
<td>Stuart A. Klein, Esq.</td>
<td>An appeal seeking the revocation of permits for a condominium hotel on the basis that the approved plans allow for exceedance of maximum permitted floor area. M1-6 zoning.</td>
<td>Community Board #2M</td>
</tr>
<tr>
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<td>Examiner: Toni Matias (212) 788-8752</td>
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<td>Status: Continued Hearing – 3/16/10</td>
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<tr>
<td>19.</td>
<td>257-09-BZY thru 258-09-BZY</td>
<td>Gouranga C. Kundu</td>
<td>Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 Zoning District. R5 Zoning District.</td>
<td>Community Board #12Q</td>
</tr>
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<td>Examiner: Toni Matias (212) 788-8752</td>
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<td>Status: Closed, Decision – 2/9/10</td>
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<tr>
<td>20.</td>
<td>259-09-BZY thru 261-09-BZY</td>
<td>Gouranga C. Kundu</td>
<td>139-48 88th Road, 88-30 144th Street and 88-34 144th Street, Queens</td>
<td>Community Board #12Q</td>
</tr>
<tr>
<td></td>
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<td>Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 Zoning district. R5 Zoning District.</td>
<td>Examiner: Toni Matias (212) 788-8752</td>
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<td><strong>APPEALS – NEW CASES</strong></td>
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</tbody>
</table>
| 21. | 300-08-A | Blank Rome LLP  
39-35 27th Street, Queens  
An appeal seeking a determination that the property owner has acquired a common law vested right to continue development under the prior M1-3 zoning district regulations. M1-2 /R5B zoning district.  
Community Board #1Q  
**Examiner:** Toni Matias (212) 788-8752  
**Status:** Continued Hearing – 3/16/10 |
| 22. | 57-09-A thru 158-09-A | Eric Palatnik, P.C.  
Maguire Woods, Santa Monica Lane, Woodrow, Staten Island  
An appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district regulations. R3-2 (SSRD) zoning district.  
Community Board #3SI  
**Examiner:** Toni Matias (212) 788-8752  
**Status:** Continued Hearing – 2/23/10 |
| 23. | 280-09-A | Kramer Levin Naftalis & Frankel, LLP  
330 West 86th Street, Manhattan  
Appeal challenging Department of Building's authority under the City Charter to interpret or enforce provisions of Article 16 of the General Municipal Law as it applies to the construction of a proposed 16 story+ penthouse.  
R10A Zoning district.  
Community Board #7M  
**Examiner:** Toni Matias (212) 788-8752  
**Status:** Continued Hearing – 3/9/10 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
### TUESDAY AFTERNOON, JANUARY 26, 2010
### 1:30 P.M.

### BZ – DECISIONS

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</table>
| 1. | **195-07-BZ** | Greenberg Traurig  
**8-12 Bond Street, Manhattan**  
Variance (§72-21) to allow hotel and retail uses below the floor level of the second story, contrary to use regulations (§42-14(d)(2)). M1-5B zoning district.  
**Community Board #2M**  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Deferred Decision – 2/9/10 |
| 2. | **186-08-BZ** | Petrus Fortune, P.E.  
**3065 Atlantic Avenue, Brooklyn**  
Special Permit (§73-19) to allow the legalization and enlargement of a school (*Followers of Jesus Mennonite Church & School*) in a former manufacturing building, contrary to ZR §42-10. M1-1 zoning district.  
**Community Board #5BK**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Deferred Decision – 3/2/10 |
| 3. | **180-09-BZ** | Rothkrug Rothkrug & Spector  
**1735 Richmond Avenue, Staten Island**  
Variance (§72-21) to allow for a commercial building (UG6) contrary to use regulations (§22-00). R3-1 zoning district.  
**Community Board #2SI**  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Granted – 1/26/10 |
| 4. | **302-09-BZ** | Harold Weinberg, P.E.  
**820 39th Street, Brooklyn**  
Special Permit pursuant (§73-50) to legalize an encroachment within 30-foot open area required at a rear lot line coincident with a residential zoning district boundary line (§43-302). M1-2 zoning district.  
**Community Board #12BK**  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Granted – 1/26/10 |

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|   | 256-07-BZ | Rothkrug, Rothkrug & Spector  
1978 Atlantic Avenue, Brooklyn  
Variance (§72-21) to permit a three-story, five-unit residential building, contrary to use regulations (§42-00). M1-1 zoning district.  
Community Board # 8BK |  
|   |   | Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 3/2/10 |
| 6. | 97-08-BZ | Eric Palatnik, P.C.  
84 Sanford Street, Brooklyn  
Special Permit (§73-19) to allow the legalization of an existing school (Central UTA) (UG 3). M1-1 district.  
Community Board #3BK |  
|   |   | Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 3/2/10 |
| 7. | 197-08-BZ | Stuart A. Klein  
341/349 Troy Avenue, aka 1515 Carroll Street, Brooklyn  
Variance (§72-21) to permit a four-story and penthouse residential building, contrary to §23-141 (FAR, open space ratio), §23-22 (number of dwelling units), §23-45 (front yard), §23-462 (side yard), and §23-631 (wall height). R4 district.  
Community Board #9BK |  
|   |   | Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 3/16/10 |
| 8. | 28-09-BZ | Moshe M. Friedman, P.E.  
133 Taaffe Place, Brooklyn  
Variance (§72-21) to permit a four-story residential building on a vacant lot, contrary to use regulations (§42-10). M1-1 zoning district.  
Community Board #3BK |  
|   |   | Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 3/16/10 |
### BZ – CONTINUED HEARINGS

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Status</th>
<th>Applicant</th>
<th>Address</th>
<th>Description</th>
<th>Examiner</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td>9. 43-09-BZ</td>
<td>1/26/10</td>
<td>Harold Weinberg, P.E.</td>
<td>198 Varet Street, Brooklyn</td>
<td>Special Permit (§73-19) to allow a school (Southside Charter High School) in a recently constructed building, contrary to use regulations. M1-2 district.</td>
<td>Community Board #1BK</td>
<td>(212) 788-8781</td>
</tr>
<tr>
<td>10. 162-09-BZ</td>
<td>2/23/10</td>
<td>Sheldon Lobel, P.C.</td>
<td>30-33 Steinway Street, Queens</td>
<td>Special Permit (§73-36) to allow the legalization of a physical culture establishment (Planet Fitness) in the cellar, first, and second floors in an existing two-story building; Special Permit (§73-52) to extend the C4-2A zoning district regulations 25 feet into the adjacent R5 zoning district. C4-2A/R5 zoning districts.</td>
<td>Community Board # 1Q</td>
<td>(212) 788-8749</td>
</tr>
<tr>
<td>11. 264-09-BZ</td>
<td>2/23/10</td>
<td>Moshe M. Friedman, P.E.</td>
<td>927 Flatbush Avenue, Brooklyn</td>
<td>Special Permit (§73-36) to legalize the operation of an existing physical culture establishment (Lucille Roberts) on the second and third floors of a three-story commercial building. C4-4A zoning district.</td>
<td>Community Board #14BK</td>
<td>(212) 788-8749</td>
</tr>
<tr>
<td>12. 292-09-BZ</td>
<td>2/23/10</td>
<td>Martyn &amp; Don Weston</td>
<td>9310-9333 Third Avenue, Brooklyn</td>
<td>Special Permit (§11-411, §11-413 &amp; §73-03) to reinstate previously granted variance which expired on December 7, 1999; amendment to change use from a gasoline service station (UG16B) to automotive repair establishment (UG16B); Waiver of the Boards Rules. C1-3/R6A &amp; R5B (Special Bay Ridge District).</td>
<td>Community Board #10BK</td>
<td>(212) 788-8739</td>
</tr>
</tbody>
</table>
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY AFTERNOON, JANUARY 26, 2010**

1:30 P.M.

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<thead>
<tr>
<th><strong>BZ – CONTINUED HEARINGS</strong></th>
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<tr>
<td><strong>13. 293-09-BZ</strong></td>
</tr>
<tr>
<td>Eric Palatnik, Esq.</td>
</tr>
<tr>
<td><strong>2501 Avenue M, Brooklyn</strong></td>
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<tr>
<td>Special Permit (§73-622) for the enlargement of an existing two family home to be converted into a single family home contrary to open space and floor area (23-141(a)). R-2 zoning district.</td>
</tr>
<tr>
<td><strong>Community Board #8BK</strong></td>
</tr>
<tr>
<td><strong>Examiner:</strong> Henry Segovia (212) 788-8757</td>
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<tr>
<td><strong>Status:</strong> Continued Hearing – 2/23/10</td>
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<tr>
<td><strong>14. 224-09-BZ</strong></td>
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<tr>
<td>Sheldon Lobel, P.C.</td>
</tr>
<tr>
<td><strong>218-51 aka 218-59 Hempstead Avenue, Queens</strong></td>
</tr>
<tr>
<td>Special Permit (§73-52) to allow for accessory commercial parking to be located in the residential portion of a split zoning lot. C2-3/R3-2 and R3-2 zoning districts.</td>
</tr>
<tr>
<td><strong>Community Board #13Q</strong></td>
</tr>
<tr>
<td><strong>Examiner:</strong> Ronald Rizzotti (212) 788-8781</td>
</tr>
<tr>
<td><strong>Status:</strong> Withdrawn – 1/26/10</td>
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| **15. 235-09-BZ** |
| Eric Palatnik, P.C. |
| **162-25 112th Road, Queens** |
| Variance (§72-21) to permit the development of a five-story not-for-profit residence for the elderly (Calvary Baptist Church). Proposal is contrary to floor area and open space §23-144), number of dwelling units (§23-21), height and setback (§23-631), side yards (§23-462 (a)), and parking (§25-23). R3-2 zoning district. |
| **Community Board #12Q** |
| **Examiner:** Rory Levy (212) 788-8749 |
| **Status:** Continued Hearing – 2/9/10 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, JANUARY 26, 2010**  
**1:30 P.M.**

### BZ – NEW CASES

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<tr>
<th>Case No.</th>
<th>Status</th>
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<tbody>
<tr>
<td>16. 248-09-BZ</td>
<td>Closed, Decision – 2/23/10</td>
<td>Special Permit (§11-411 &amp; §11-412) for re-instatement of an automotive service station (UG16) which expired on July 24, 1991; Amendment to modify layout of the site; and Waiver of the Rules. R6 zoning district. Community Board #8BX. examiner: Carlo Costanza (212) 788-8739</td>
</tr>
<tr>
<td>17. 281-09-BZ</td>
<td>Continued Hearing – 2/23/10</td>
<td>Special Permit (§73-36) to permit the operation of a physical culture establishment (WTS International) on the fifth and sixth floors in a recently constructed building. M1-6 zoning district. Community Board #2M. examiner: Rory Levy (212) 788-8749</td>
</tr>
<tr>
<td>18. 311-09-BZ</td>
<td>Continued Hearing – 3/2/10</td>
<td>Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141(a)), side yard (§23-461(a)) and less than the required rear yard (§23-47). R-2 zoning district. Community Board #14BK. Examiner: Henry Segovia (212) 788-8757</td>
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</tbody>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

**TUESDAY MORNING, FEBRUARY 2, 2010**

**10:00 A.M.**

## SOC – DECISIONS

<table>
<thead>
<tr>
<th>#</th>
<th>Case Number</th>
<th>Decision Maker</th>
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</table>
| 1 | 582-83-BZ | Slater & Beckerman LLP, 215 East 58th Street, Manhattan | Extension of Term for a previously granted Variance (§72-21) to permit the conversion of an existing six story building for commercial use with retail stores on the ground floor which expired on January 10, 2004; Amendment to permit (UG6) use in the cellar and to eliminate the Term; Waiver of the Rules. R8B zoning district. **Community Board #6M**  
Status: Granted – 2/2/10 |
| 2 | 75-95-BZ | The Law Office of Fredrick A. Becker, 1635 Third Avenue, Manhattan | Extension of Term for a special permit (§73-36) which expired on January 28, 2006 for the operation of a Physical Culture Establishment (New York Sports Club); Waiver of the Rules. C2-8 zoning district. **Community Board #8M**  
Status: Granted – 2/2/10 |
| 3 | 5-96-BZ | Sheldon Lobel, P.C., 564/92 Saint John’s Place, Brooklyn | Extension of Term (§11-411) to permit the operation a one-story public parking garage for no more than 150 cars (UG 8), which expired on March 18, 2007; Amendment to change the parking layout; and an Extension of Time to obtain a certificate of occupancy, which expired on March 18, 1998. R7-1 zoning district. **Community Board #8BK**  
Status: Granted – 2/2/10 |

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### SOC – DECISIONS

| 4. | 163-99-BZ | The Law Office of Fredrick A. Becker  
503 Broadway, Manhattan  
Extension of Term for a special permit (§73-36) which will expire on June 28, 2010 for the operation of a Physical Culture Establishment (New York Sports Club); Waiver of the Rules. M1-5B zoning district.  
Community Board #2M  
Examiner: Carlo Costanza (212) 788-8739  
Status: Granted – 2/2/10 |
|---|---|---|
| 5. | 75-00-BZ | The Law Office of Fredrick A. Becker  
60-69 Woodhaven Boulevard, Queens  
Extension of Term of a previously granted Variance (§72-21) to permit a real estate office (UG6) in a residential district which expires on July 25, 2010; amendment to change use (within the same UG6 office use). R5 zoning district.  
Community Board #6Q  
Examiner: Henry Segovia (212) 788-8749  
Status: Granted – 2/2/10 |
| 6. | 311-04-BZ | Rothkrug Rothkrug & Spector LLP  
380 Lighthouse Avenue, Staten Island  
Amendment to a previously granted Variance (§72-21) for a proposed one family dwelling which is contrary to lot coverage (§105-33) and maximum height (§23-631) regulations. R1-2(NA-1) zoning district.  
Community Board #2SI  
Examiner: Henry Segovia (212) 788-8749  
Status: Granted – 2/2/10 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
**REGULAR MEETING**  
**TUESDAY MORNING, FEBRUARY 2, 2010**  
**10:00 A.M.**

<table>
<thead>
<tr>
<th><strong>SOC – NEW CASES</strong></th>
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</thead>
</table>
| **7. 16-36-BZ**    | Sheldon Lobel, P.C.  
1885 Westchester Avenue, Bronx  
Extension of Term (§11-411) for the continued operation of an existing Gasoline Service Station (Gulf) which expired on November 1, 2007; Waiver of the Rules. C2-2/R5 zoning district.  
Community Board #9BX  
Examiner: Henry Segovia (212) 788-8749  
Status: Continued Hearing – 2/23/10 |
| **8. 111-71-BZ**   | Walter T. Gorman, P.E.  
185-25 North Conduit Avenue, Queens  
Extension of Time to obtain a Certificate of Occupancy for a Gasoline Service Station (Shell) which expired on October 28, 2009; Waiver of the Rules. C2-2/R3-2 zoning district.  
Community Board #12Q  
Examiner: Henry Segovia (212) 788-8749  
Status: Closed, Decision – 2/23/10 |
| **9. 35-09-BZ**    | Kramer Levin Naftalis & Frankel LLP  
345-347 East 103rd Street, Manhattan  
Extension of Time to obtain a Certificate of Occupancy for a (UG16) contractors' establishment on the ground floor of a two-story building which expired on December 9, 2009. R7A zoning district.  
Community Board #11M  
Examiner: Henry Segovia (212) 788-8749  
Status: Closed, Decision – 2/23/10 |

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**DISMISSAL CASES**

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<thead>
<tr>
<th>Case</th>
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</table>
| 10.  | 184-07-BZ & 185-07-BZ | NYC Board of Standards and Appeals  
Applicant: Eric Palatnik, P.C.  
35 and 36 Fountain Avenue, Brooklyn  
Dismissal for lack of prosecution of an application for a variance to allow a residential building, contrary to use regulations. M1-1 zoning district.  
Community Board #5BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Withdrawn – 2/2/10 |
| 11.  | 255-08-BZ & 256-08-BZ | NYC Board of Standards and Appeals  
Applicant: Eric Palatnik, P.C.  
1994-1996 Madison Avenue, Manhattan  
Dismissal for lack of prosecution of an application for a variance to allow residential buildings, contrary to lot area regulations. R7-2 zoning district.  
Community Board #11M  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Postponed, New Dismissal Calendar – 2/9/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, FEBRUARY 2, 2010
### 10:00 A.M.

## APPEALS – CONTINUED HEARINGS

<p>| | | |</p>
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</table>
| 12 | 147-08-BZY | Hui-Li Xu  
95-04 Allendale Street, Queens  
Extension of time (§11-331) to complete construction of a minor development commenced under the prior zoning district. R5 zoning district.  
Community Board #12Q  
Examiner: Toni Matias (212) 788-8752  
Status: Adjourned, Continued Hearing – 6/22/10 |
| 13 | 265-09-A | Gary D. Lenhart  
165 Ocean Avenue, Queens  
Reconstruction and enlargement of an existing single family home and the upgrade of a private disposal system located within the bed of a mapped street, contrary to General City Law Section 35 and Department of Buildings Policy. R4 Zoning District.  
Community Board #14Q  
Examiner: Toni Matias (212) 788-8752  
Status: Adjourned, Continued Hearing – 2/9/10 |

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 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.
### APPEALS – NEW CASES

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>14. 252-09-A</td>
<td>Appeal challenging the NYC Fire Department determination that construction of a proposed building on a private street does not provide proper fire access for emergency vehicles. R8 zoning district. Examiner: Toni Matias (212) 788-8752 Status: Closed, Decision – 3/9/10</td>
</tr>
<tr>
<td>16. 312-09-A thru 323-09-A</td>
<td>Appeal seeking a common law vested right to complete construction commenced under the prior R6/C1-3 zoning district. R6A/C2-4 &amp; R6B zoning district. Examiner: Toni Matias (212) 788-8752 Status: Closed, Decision – 2/23/10</td>
</tr>
</tbody>
</table>
### BZ – DECISIONS

| 1.  | 246-09-BZ | Sheldon Lobel, P.C.  
**636 Louisiana Avenue, Brooklyn**  
Variance (§72-21) to allow for the construction of a four story assisted living facility (*Brooklyn Boulevard ALP*) contrary to floor area, dwelling units and parking regulations (§§ 23-141/62-321, 23-22, 25-23). R5 district.  
**Community Board #18BK**  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Granted – 2/2/10 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY AFTERNOON, FEBRUARY 2, 2010  
1:30 P.M.

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</table>
| 2. | 309-08-BZ | Rothkrug, Rothkrug & Spector LLP  
1717 Pitman Avenue, The Bronx  
Variance (§72-21) for the construction of a three story, two-family home, contrary to front yards (§23-45) and floor area (§23-141). R4-1 zoning district.  
Community Board #12BX  
Examiner: Henry Segovia (212) 788-8749  
Status: Closed, Decision – 3/2/10 |
| 3. | 44-09-BZ | Philip L. Rampulla  
2175 Richmond Avenue, Staten Island  
Variance (§72-21) to allow for a two-story commercial building (UG 6) with accessory parking, contrary to use regulations (§22-00). R3-1 district.  
Community Board #2SI  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Adjourned, Continued Hearing – 3/9/10 |
| 4. | 182-09-BZ | Eric Palatnik, P.C.  
612 West 180th Street, Manhattan  
Variance (§72-21) to legalize the existing UG 3 novitiate and UG 4 house of worship (Congregation Mita), contrary to §§ 24-35 (side yard) and 24-36 (rear yard). R7-2 zoning district.  
Community Board #12M  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 3/2/10 |
| 5. | 253-09-BZ | MetroPCS New York, LLC  
53-00 65th Place, Queens  
Special Permit (§73-30) to install public utility wireless telecommunications facility on roof of existing building. R4 zoning district.  
Community Board #5Q  
Examiner: Roy Starrin (212) 788-8797  
Status: Closed, Decision – 2/23/10 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY AFTERNOON, FEBRUARY 2, 2010
1:30 P.M.

### BZ – NEW CASES

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</thead>
</table>
| 6 | 234-09-BZ   | Sheldon Lobel, P.C.  
25-71 44th Street, Queens  
Variance (§72-21) for the construction of a detached two-family home  
contrary to side yard regulations (§23-48). R-5 zoning district.  
Community Board #1Q  
Examiner: Henry Segovia (212) 788-8749  
Status: Continued Hearing – 3/9/10 |
| 7 | 272-09-BZ   | Jeffrey A. Chester, Esq.  
32-62 Steinway Street, Queens  
Special Permit (§73-36) to legalize the operation of an existing physical  
culture establishment (Lucille Roberts) on the cellar, first and second  
floors in an existing two-story building. C4-2 zoning district.  
Community Board #1Q  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 3/9/10 |
| 8 | 294-09-BZ   | Rothkrug, Rothkrug & Spector LLP  
3768 Richmond Avenue, Staten Island  
Special Permit (§73-125) to legalize a one-story ambulatory diagnostic  
and treatment health care facility. R3A zoning district.  
Community Board #3SI  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 2/23/10 |
### SOC – DECISIONS

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</table>
| 1. | 405-01-BZ | Eric Palatnik, P.C.  
**1275 36th Street, Brooklyn**  
Extension of Time to Complete Construction of a previously granted Variance (§72-21) to construct a five-story school and synagogue (UG 3 & 4) which expired on November 12, 2006. R5/C2-3 zoning district.  
Community Board #12BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 2/9/10 |
| 2. | 26-02-BZ | Walter T. Gorman, P.E.  
**1680 Richmond Avenue, Staten Island**  
Community Board #2SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 2/9/10 |
| 3. | 265-08-BZ | Herrick, Feinstein, LLP  
**70 Wyckoff Avenue, Brooklyn**  
Extension of Time to obtain a Certificate of Occupancy of a previously granted Variance (§72-21) for the legalization of residential units in a manufacturing building which expired on December 23, 2009. M1-1 zoning district.  
Community Board #4BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 2/9/10 |
<table>
<thead>
<tr>
<th>No.</th>
<th>Case Number</th>
<th>Applicant &amp; Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>4.</td>
<td>74-49-BZ</td>
<td>Sheldon Lobel, P.C., 515 Seventh Avenue, Manhattan</td>
<td>Extension of Time to obtain a Certificate of Occupancy for an existing parking garage which expired on September 17, 2009; Waiver of the Rules. M1-6 (Garment Center) zoning district.</td>
<td>Community Board #5M</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Continued Hearing – 3/9/10</td>
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<tr>
<td>6.</td>
<td>369-03-BZ</td>
<td>The Law Office of Fredrick A. Becker, 99-01 Queens Boulevard, Queens</td>
<td>Amendment to a variance (§72-21) for a physical culture establishment (New York Sports Club) to change in the owner/operator, decrease floor area, modify days and hours of operation, and eliminate parking condition. C1-2/R7-1 zoning district.</td>
<td>Community Board #1Q</td>
<td>Carlo Costanza (212) 788-8739</td>
<td>Continued Hearing – 3/9/10</td>
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<tr>
<td>7.</td>
<td>78-05-BZ</td>
<td>Sheldon Lobel, P.C., 264-15 77th Avenue, Queens</td>
<td>Extension of Time to Complete Construction of a previously granted Variance (§72-21) for proposed expansion of an existing synagogue which expired on September 20, 2009; Waiver of the Rules. R-2 zoning district.</td>
<td>Community Board #13Q</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Closed, Decision – 3/2/10</td>
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<td>DISMISSAL CASES</td>
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<td>8</td>
<td>255-08-BZ &amp; 256-08-BZ</td>
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<td>NYC Board of Standards and Appeals</td>
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<td>Applicant: Eric Palatnik, P.C.</td>
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<td></td>
<td>1994-1996 Madison Avenue, Manhattan</td>
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<td>Dismissal for lack of prosecution of an application for a variance to allow residential buildings, contrary to lot area regulations. R7-2 zoning district.</td>
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<td>Community Board #11M</td>
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<td>Examiner: Ronald Rizzotti (212) 788-8781</td>
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<td>Status: Withdrawn – 2/9/10</td>
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| 9. | **257-09-BZY thru 258-09-BZY** | Gouranga C. Kundu  
88-36, 88-38 144th Street, Queens  
Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 Zoning District. R5 Zoning District.  
Community Board #12Q  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 2/9/10 |
|---|---|---|
| 10. | **259-09-BZY thru 261-09-BZY** | Gouranga C. Kundu  
139-48 88th Road, 88-30 144th Street and 88-34 144th Street, Queens  
Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 Zoning district. R5 Zoning District.  
Community Board #12Q  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 2/9/10 |
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<tr>
<td>12.</td>
<td>217-09-A</td>
<td>Marvin B. Mitzner, Esq. 514-516 East 6th Street, Manhattan An appeal seeking to vary the applicable provisions under the Multiple Dwelling Law as it applies to the enlargement of non- fireproof tenement buildings. R7-2 zoning district. Community Board #3M Examiner: Toni Matias (212) 788-8752 Status: Continued Hearing – 4/13/10</td>
</tr>
<tr>
<td>13.</td>
<td>265-09-A</td>
<td>Gary D. Lenhart 165 Ocean Avenue, Queens Reconstruction and enlargement of an existing single family home and the upgrade of a private disposal system located within the bed of a mapped street, contrary to General City Law Section 35 and Department of Buildings Policy. R4 Zoning District. Community Board #14Q Examiner: Toni Matias (212) 788-8752 Status: Granted – 2/9/10</td>
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### APPEALS – NEW CASES

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| 14. | 249-09-A | Bryan Cave LLP  
363 Lafayette, Manhattan  
Appeal challenging Department of Building's determination that the permit for the subject premises expired and became invalid because the permitted work was not commenced within 12 months from the date of issuance, per Title 28, §28-105.9 of the Administrative Code.  
Community Board #2M  
Examining: Toni Matias (212) 788-8752  
Status: Withdrawn – 2/9/10 |
| 15. | 300-09-A | Gary D. Lenhart  
635 Highland Place, Queens  
Reconstruction and enlargement of an existing single family dwelling and upgrade of an existing non conforming private disposal system located in the bed of a mapped street, contrary to General City Law Section 35 and Department of Buildings Policy.  
R4 zoning district.  
Community Board #14Q  
Examining: Toni Matias (212) 788-8752  
Status: Granted – 2/9/10 |
| 16. | 310-09-A | Gary D. Lenhart  
14 State Road, Queens  
Proposed reconstruction and enlargement of an existing single family home located within the bed of a mapped street, contrary to General City Law Section 35.  
R4 zoning district.  
Community Board #14Q  
Examining: Toni Matias (212) 788-8752  
Status: Granted – 2/9/10 |
# BZ – DECISIONS

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| 1. | 195-07-BZ | Greenberg Traurig  
8-12 Bond Street, Manhattan  
Variance (§72-21) to allow hotel and retail uses below the floor level of the second story, contrary to use regulations (§42-14(d)(2)). M1-5B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Granted – 2/9/10 |
| 2. | 187-08-BZ | Sheldon Lobel, P.C.  
1247 38th Street, Brooklyn  
Variance (§72-21) to permit the construction of a six-story community facility building (Congregation & Yeshiva Machzikei Hadas), contrary to ZR §42-00. M2-1 zoning district.  
Community Board #12BK  
Examiner: Rory Levy (212) 788-8749  
Status: Reopened, Continued Hearing – 3/2/10 |
| 3. | 239-09-BZ | Kramer Levin Naftalis & Frankel LLP  
238 Thompson Street/56 Washington Square South, Manhattan  
Variance (§72-21) to allow for the development of a six-story community facility building (NYU Center for Academic and Spiritual Life), contrary to lot coverage (§24-11) and height and setback regulations (§§24-522, 33-431). R7-2/C1-5 and R7-2 Districts.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Granted – 2/9/10 |
### BZ – CONTINUED HEARINGS

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<tr>
<th>No.</th>
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<tr>
<td>4.</td>
<td>214-07-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>3217 Irwin Avenue, Bronx</td>
<td>Variance (§72-21) to allow a public parking garage and increase the maximum permitted floor area in a mixed residential and community facility building, contrary to §22-10 and §24-162. R6 zoning district.</td>
<td>Community Board #8BX</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Continued Hearing – 3/23/10</td>
</tr>
<tr>
<td>5.</td>
<td>220-08-BZ</td>
<td>Moshe M. Friedman</td>
<td>95 Taaffe Place, Brooklyn</td>
<td>Variance (§72-21) to permit the enlargement of a non-conforming one-family dwelling, contrary to §42-10. M1-1 zoning district.</td>
<td>Community Board #3BK</td>
<td>Rory Levy (212) 788-8749</td>
<td>Adjourned, Continued Hearing – 3/23/10</td>
</tr>
<tr>
<td>6.</td>
<td>254-08-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>1214 East 15th Street, Brooklyn</td>
<td>Variance (§72-21) to legalize and enlarge a Yeshiva (Yeshiva Ohr Yitzchok) contrary to §42-11 (use regulations), §43-122 (floor area), §43-43 (wall height, number of stories, and sky exposure plane), §43-301 (required open area). M1-1D zoning district.</td>
<td>Community Board #14BK</td>
<td>Rory Levy (212) 788-8749</td>
<td>Closed, Decision – 3/23/10</td>
</tr>
<tr>
<td>7.</td>
<td>302-08-BZ</td>
<td>Rothkrug, Rothkrug &amp; Spector LLP</td>
<td>4368 Furman Avenue, The Bronx</td>
<td>Variance (§72-21) to permit an existing semi-detached residential building, contrary to side yard regulations (§23-462) R5 district.</td>
<td>Community Board #12BX</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Continued Hearing – 3/16/10</td>
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| 8. | **161-09-BZ** | Rizzo Group  
**580 Carroll Street, Brooklyn**  
Variance (§72-21) for the development of two residential buildings (20 dwelling units) contrary to rear yard equivalent, floor area, lot coverage, minimum distance between buildings and minimum distance between legally required window regulations (§§23-532, 23-145, 23-711, 23-861). R6B zoning district  
Community Board #6BK |
|   |   | **Examiner**: Ronald Rizzotti (212) 788-8781  
**Status**: Closed, Decision – 3/9/10 |
| 9. | **214-09-BZ** | Rothkrug, Rothkrug & Spector, LLP  
**1464 Astor Avenue, Bronx**  
Special Permit (§73-125) to allow for a 9,996 sq ft ambulatory diagnostic or treatment center which exceeds the 1,500 sq ft maximum allowable floor area set forth in ZR §22-14. R4-1 zoning district.  
Community Board #11BX |
|   |   | **Examiner**: Ronald Rizzotti (212) 788-8781  
**Status**: Continued Hearing – 3/16/10 |
| 10. | **235-09-BZ** | Eric Palatnik, P.C.  
**162-25 112th Road, Queens**  
Variance (§72-21) to permit the development of a five-story not-for-profit residence for the elderly (*Calvary Baptist Church*). Proposal is contrary to floor area and open space §23-144), number of dwelling units (§23-221), height and setback (§23-631), side yards (§23-462 (a)), and parking (§25-23). R3-2 zoning district.  
Community Board #12Q |
|   |   | **Examiner**: Rory Levy (212) 788-8749  
**Status**: Granted – 2/9/10 |
### BZ – CONTINUED HEARINGS

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| 11. | 271-09-BZ | Sheldon Lobel, P.C.  
132-40 Metropolitan Avenue, Queens  
Special Permit (§73-36) to legalize the operation of an existing physical culture establishment (*Planet Fitness*) on the first, second, and third floors of an existing three-story building. C2-3 zoning district.  
Community Board #9Q  
Examiner: Rory Levy (212) 788-8749  
Status: Adjourned, Continued Hearing – 3/16/10 |
| 12. | 307-09-BZ | Law Office of Fredrick A. Becker  
1358-1360 East 28th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of existing single family home, contrary to open space and floor area (§23-141); side yard (§23-461) and less than the required rear yard (§23-47). R2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 3/9/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, FEBRUARY 9, 2010
#### 1:30 P.M.

## BZ – NEW CASES

<table>
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<tr>
<th>Case Number</th>
<th>Applicant</th>
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<th>Community Board</th>
<th>Examiner Contact</th>
<th>Status</th>
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<tbody>
<tr>
<td>13. 270-09-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>1910 Homecrest Avenue, Brooklyn</td>
<td>Variance (§72-21) for construction of single family home on vacant corner lot, contrary to floor area (§23-141), side yards (§23-461) and front yard (§23-47). R4-1 zoning district.</td>
<td>Community Board #15BK</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Continued Hearing – 3/16/10</td>
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<tr>
<td>15. 329-09-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>26 Falmouth Street, Brooklyn</td>
<td>Special Permit (§73-622) for enlargement of existing single family home, contrary to floor area (§23-141). R3-1 zoning district.</td>
<td>Community Board #15BK</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Continued Hearing – 3/2/10</td>
</tr>
<tr>
<td>16. 2-10-BZ</td>
<td>Akerman Senterfitt LLP</td>
<td>310 East 14th Street, Manhattan</td>
<td>Special Permit (§73-641) to allow enlargement of community facility (New York Eye and Ear Infirmary) within the required rear yard equivalent, contrary to §33-283. C1-6A/C1-7A zoning districts.</td>
<td>Community Board #2M</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Closed, Decision – 3/2/10</td>
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| 1. | 818-59-BZ | Akerman Senterfitt  
139 East 33rd Street, Manhattan  
Extension of Term (§11-411) to permit the use of surplus parking spaces of an accessory garage to a multiple dwelling for transient parking which expired on July 6, 2001. C1-9 & C6-1 zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 2/23/10 |
| 2. | 111-71-BZ | Walter T. Gorman, P.E.  
185-25 North Conduit Avenue, Queens  
Extension of Time to obtain a Certificate of Occupancy for a Gasoline Service Station (Shell) which expired on October 28, 2009; Waiver of the Rules. C2-2/R3-2 zoning district.  
Community Board #12Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 2/23/10 |
| 3. | 62-96-BZ | The Law Office of Fredrick A. Becker  
200 Madison Avenue, Manhattan  
Extension of Term of a previously granted Special Permit (§73-36) for the operation of a Physical Culture Establishment (New York Sports Club) which expired on February 4, 2007; Extension of Time to obtain a Certificate of Occupancy which expired on January 10, 2007 and Waiver of the Rules. C5-2 zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 2/23/10 |
| 4. | 375-02-BZ | Moshe M. Friedman  
1559 59th Street, Brooklyn  
Amendment to a variance to modify plans for a house of worship and rectory; Extension of time to complete construction and obtain a Certificate of Occupancy. R5 zoning district.  
Community Board #12BK  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 2/23/10 |

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************************************************************************DISCLAIMER******************************************************************************
NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
TUESDAY MORNING, FEBRUARY 23, 2010
10:00 A.M.

<table>
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<tr>
<th>SOC – DECISIONS</th>
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</table>
| **5. 35-09-BZ** | Kramer Levin Naftalis & Frankel LLP  
345-347 East 103rd Street, Manhattan  
Extension of Time to obtain a Certificate of Occupancy for a (UG16)  
contractors' establishment on the ground floor of a two-story building  
which expired on December 9, 2009. R7A zoning district.  
Community Board #11M  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 2/23/10 |

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<tr>
<th>SOC – CONTINUED HEARINGS</th>
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</table>
| **6. 16-36-BZ** | Sheldon Lobel, P.C.  
1885 Westchester Avenue, Bronx  
Extension of Time to obtain a Certificate of Occupancy of an existing  
Gasoline Service Station (Gulf) which expired on March 18, 2009;  
Community Board #9BX  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 3/23/10 |
| **7. 389-37-BZ** | The Law Office of Fredrick A. Becker  
31-08 -31-12 45th Street, Queens  
Extension of Term (§11-411) of a previously granted Variance for the  
operation of a UG8 parking lot which expired on June 13, 2008;  
Extension of Time to obtain a Certificate of Occupancy which expired  
on December 12, 2004 and Waiver of the Rules. R5/C1-2 zoning  
district.  
Community Board #1Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 4/13/10 |

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guarantee the accuracy of the information. Readers should, where possible, verify the information  
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************************************************************************************************************************
**SOC – CONTINUED HEARINGS**

|   | 21-91-BZ | Sheldon Lobel, P.C.  
2407-2417 Linden Boulevard, Brooklyn  
Extension of Term (§72-01 & 72-22) of a previous variance that permits the operation of an automotive glass and mirror repair establishment (UG 7D) and used car sales (UG 16B) which expired on July 24, 2009; Waiver of the Rules. R5 zoning district.  
Community Board #5BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Closed, Decision – 3/16/10 |
|---|---|---|
| 9. | 208-03-BZ | Stuart A. Klein, Esq.  
255 Shell Road, Brooklyn  
Extension of Term of a previously granted Variance (§72-21) for a UG9 catering hall which expired on October 19, 2009. R4/C1-2/M1-1 OP zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Adjourned, Continued Hearing – 3/16/10 |
## SOC – NEW CASES

<table>
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<tr>
<th>No.</th>
<th>Case No.</th>
<th>Address/Description</th>
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| 10. | 834-60-BZ | Sheldon Lobel, P.C.  
140 Vanderbilt Avenue, Brooklyn  
Extension of Term for the continued use of a Gasoline Service Station (Gulf) with minor auto repairs which expired on March 7, 2006;  
Extension of Time to obtain a Certificate of Occupancy which expired on March 2, 2000; Amendment to legalize an accessory convenience store and Waiver of the Rules. C2-4/R-7A, R-5B zoning district.  
Community Board #2BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 4/13/10 |
| 11. | 280-01-BZ | Cozen O’Connor  
663-673 Second Avenue, Manhattan  
Extension of Time to Complete Construction and Extension of Time to obtain a Certificate of Occupancy of a previously granted Variance (72-21) for the construction of a mixed-use building which expires on May 7, 2010. C1-9 zoning district.  
Community Board #6M  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 3/16/10 |

## DISMISSAL CASES

<table>
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<th>No.</th>
<th>Case No.</th>
<th>Description</th>
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| 12. | 238-08-BZ | NYC Board of Standards and Appeals  
Applicant: Sheldon Lobel, P.C.  
876 Kent Avenue, Brooklyn  
Application for dismissal for lack of prosecution of a variance (§72-21) for a residential building, contrary to use regulations (§42-00). M1-1/R2 district  
Community Board #3BK  
Examiner: Rory Levy (212) 788-8749  
Status: Dismissed – 2/23/10 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
TUESDAY MORNING, FEBRUARY 23, 2010
10:00 A.M.

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<th>APPEALS – DECISIONS</th>
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| **13.** | 199-09-A thru 213-09-A | Eric Palatnik, P.C.  
165, 161, 159, 155, 153, 151, 149, 145, 143, 141, 137, 135, 131, 129, 127, Roswell Avenue, Staten Island  
Proposed construction of 15, two-story, one family homes not fronting on a mapped street, contrary to General City Law Section 36. R3A /R3-2 Zoning District.  
**Community Board #2SI**  
**Examiner:** Toni Matias (212) 788-8752  
**Status:** Granted – 2/23/10 |
| **14.** | 312-09-A thru 323-09-A | Kramer Levin Naftalis & Frankel, LLP  
340 Court Street, 283-291 Union Street, 292-298 Sackett Street, Brooklyn  
Appeal seeking a common law vested right to complete construction commenced under the prior R6/C1-3 zoning district. R6A /C2-4 & R6B zoning district.  
**Community Board #6BK**  
**Examiner:** Toni Matias (212) 788-8752  
**Status:** Granted – 2/23/10 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
TUESDAY MORNING, FEBRUARY 23, 2010
10:00 A.M.

APPEALS – CONTINUED HEARINGS

| 15. | 57-09-A thru 158-09-A | Eric Palatnik, P.C.  
Maguire Woods, Santa Monica Lane, Woodrow, Staten Island  
An appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district regulations. R3-2 (SSRD) zoning district.  
Community Board #3SI  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 3/16/10 |
|---|---|---|
| 16. | 167-09-A | Harold Weinberg, P.E.  
820 39th Street, Brooklyn  
Appeal challenging Department of Building’s determination that the reconstruction of non-complying building must be done in accordance with §54-41 and be required to provide a 30 foot rear yard. M1-2 zoning district.  
Community Board #12BK  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 4/13/10 |

APPEALS – NEW CASES

| 17. | 64-07-A | Stuart A. Klein  
1704 Avenue N, Brooklyn  
Appeal for a common law vested right to continue construction commenced under the prior R6 zoning district. R4-1 zoning district  
Community Board #14BK  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 3/23/10 |
|---|---|---|
| 18. | 12-10-A | Slater & Beckerman, LLP  
1734 Saint John's Place, Brooklyn  
Proposed construction of a five-story, 18-unit residential building located within the 30 foot required setback of Eastern Parkway Extension, contrary to Administrative Code §18-112. R6 zoning district.  
Community Board #16BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 3/9/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, FEBRUARY 23, 2010
1:30 P.M.

## BZ – DECISIONS

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</table>
| 1. | **247-09-BZ** | Kramer Levin Naftalis and Frankel  
*123 East 55th Street, Manhattan*  
Variance (§72-21) to allow for expansion of the community house for the Central Synagogue (UG 4), contrary to floor area and height and setback regulations. (§§33-12, 81-211, 33-432). C5-2, C5-2.5 MiD zoning districts.  
**Community Board #5M** |
|   | examiner: Ronald Rizzotti (212) 788-8781 | **Status:** Granted – 2/23/10 |
| 2. | **248-09-BZ** | Sheldon Lobel, P.C.  
*3031 Bailey Avenue, The Bronx*  
Special Permit (§11-411 & §11-412) for re-instatement of an automotive service station (UG16) which expired on July 24, 1991; Amendment to modify layout of the site; and Waiver of the Rules. R6 zoning district.  
**Community Board #8BX** |
|   | examiner: Carlo Costanza (212) 788-8739 | **Status:** Granted – 2/23/10 |
| 3. | **253-09-BZ** | MetroPCS New York, LLC  
*53-00 65th Place, Queens*  
Special Permit (§73-30) to install public utility wireless telecommunications facility on roof of existing building. R4 zoning district.  
**Community Board #5Q** |
|   | examiner: Roy Starrin (212) 788-8797 | **Status:** Granted – 2/23/10 |
| 4. | **264-09-BZ** | Moshe M. Friedman, P.E.  
*927 Flatbush Avenue, Brooklyn*  
Special Permit (§73-36) to legalize the operation of an existing physical culture establishment (*Lucille Roberts*) on the second and third floors of a three-story commercial building. C4-4A zoning district.  
**Community Board #14BK** |
|   | examiner: Rory Levy (212) 788-8749 | **Status:** Granted – 2/23/10 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
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**1:30 P.M.**

### BZ – DECISIONS

| 5. | 293-09-BZ | Eric Palatnik, Esq.  
**2501 Avenue M, Brooklyn**  
Special Permit (§73-622) for the enlargement of an existing two family home to be converted into a single family home contrary to open space and floor area (23-141(a)). R-2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 2/23/10 |

### BZ – CONTINUED HEARINGS

| 6. | 29-09-BZ | Law Office of Fredrick A. Becker  
**44 Brunswick Street, Staten Island**  
Variance (§72-21) to legalize and enlarge a synagogue (Chabad Israeli Center), contrary to lot coverage, front yards, side yards, and parking regulations. R3X zoning district.  
Community Board #2SI  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 4/13/10 |

| 7. | 162-09-BZ | Sheldon Lobel, P.C.  
**30-33 Steinway Street, Queens**  
Special Permit (§73-36) to allow the legalization of a physical culture establishment (Planet Fitness) in the cellar, first, and second floors in an existing two-story building; Special Permit (§73-52) to extend the C4-2A zoning district regulations 25 feet into the adjacent R5 zoning district. C4-2A/R5 zoning districts.  
Community Board #1Q  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 3/23/10 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY AFTERNOON, FEBRUARY 23, 2010
1:30 P.M.

### BZ – CONTINUED HEARINGS

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| 8. | 281-09-BZ | Kramer Levin Naftalis & Frankel LLP  
*246 Spring Street, Manhattan*  
Special Permit (§73-36) to permit the operation of a physical culture establishment (*WTS International*) on the fifth and sixth floors in a recently constructed building. M1-6 zoning district.  
**Community Board #2M**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Granted – 2/23/10 |
| 9. | 292-09-BZ | Martyn & Don Weston  
*9310-9333 Third Avenue, Brooklyn*  
Special Permit (§11-411, §11-413 & §73-03) to reinstate previously granted variance which expired on December 7, 1999; amendment to change use from a gasoline service station (UG16B) to automotive repair establishment (UG16B); Waiver of the Boards Rules. C1-3/R6A & R5B (Special Bay Ridge District).  
**Community Board #10BK**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Closed, Decision – 3/23/10 |
| 10. | 294-09-BZ | Rothkrug, Rothkrug & Spector  
*3768 Richmond Avenue, Staten Island*  
Special Permit (§73-125) to legalize a one-story ambulatory diagnostic and treatment health care facility. R3A zoning district.  
**Community Board #3SI**  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Continued Hearing – 3/23/10 |

**************************************************************************
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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, FEBRUARY 23, 2010**  
**1:30 P.M.**

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### BZ – NEW CASES

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| 11. | **297-09-BZ** | Marvin B. Mitzner, Esq.  
180 Ludlow Street, Manhattan  
Variance (§72-21) to allow for the conversion of a recently constructed commercial building for residential use, contrary to rear yard regulations (§23-47). C4-4A zoning district.  
Community Board #3M  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 4/13/10 |
| 12. | **328-09-BZ** | Bryan Cave LLP  
28-34 West End Avenue, 246-252 West 61st Street, Manhattan  
Variance (§72-21) to allow for the construction of a community facility (*The Abraham Joshua Heschel School*), contrary to height and setback, and rear yard requirements. (§§33-432, 23-634, 33-432). C6-2/C4-7 zoning districts.  
Community Board #7M  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 3/16/10 |
| 13. | **330-09-BZ** | Eric Palatnik, P.C.  
230 Amherst Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space, lot coverage and floor area (§23-141) and rear yard (§23-47). R3-1 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 4/13/10 |
| 14. | **332-09-BZ** | Moshe M. Friedman  
1462 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)); less than the required rear yard (§23-47). R2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 3/23/10 |

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### SOC – DECISIONS

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</table>
| **1.** | **297-99-BZ** | Walter T. Gorman, P.E.  
45-05 Bell Boulevard, Queens  
Community Board #11Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 3/2/10 |
| **2.** | **78-05-BZ** | Sheldon Lobel, P.C.  
264-15 77th Avenue, Queens  
Extension of Time to Complete Construction of a previously granted Variance (§72-21) for proposed expansion of an existing synagogue which expired on September 20, 2009; Waiver of the Rules. R-2 zoning district.  
Community Board #13Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 3/2/10 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, MARCH 2, 2010
10:00 A.M.

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<td><strong>SOC – CONTINUED HEARINGS</strong></td>
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<tr>
<td>3.</td>
<td>603-86-BZ</td>
<td>H. Irving Sigman PE 88-34 Parsons Boulevard, aka 88-26/34 Parsons Boulevard, Queens Extension of Term for a Variance (§72-21) allowing the construction of retail stores (UG 6), which expired on September 8, 2007; Amendment to the accessory open parking area and refuse area and request to eliminate the term; Waiver of the Rules. R7A (Downtown Jamaica Special District) zoning district. Community Board #12Q</td>
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<td>Examiner: Carlo Costanza (212) 788-8739 Status: Continued Hearing – 4/13/10</td>
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<tr>
<td>4.</td>
<td>813-87-BZ</td>
<td>The Law Office of Fredrick A. Becker 110 Boerum Place, Brooklyn Extension of Term for a special permit (§73-36) which expired on April 12, 2008 for the operation of a Physical Culture Establishment (New York Sports Club); Waiver of the Rules. C2-3 (R6) zoning district. Community Board #2BK</td>
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<td>Examiner: Carlo Costanza (212) 788-8739 Status: Closed, Decision – 3/23/10</td>
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NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
TUESDAY MORNING, MARCH 2, 2010
10:00 A.M.

DISMISSAL CASES

5. 224-07-BZ thru 226-07-BZ

NYC Board of Standards and Appeals
Applicant: Eric Palatnik, P.C.
1940/1942/1946 54th Street, Brooklyn
Dismissal for lack of prosecution of an application for a residential development, contrary to rear yard (§23-52) and density (§23-146) regulations. R5 zoning district
Community Board #12BK
Examiner: Rory Levy (212) 788-8749
Status: Withdrawn – 3/2/10
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, MARCH 2, 2010**  
**10:00 A.M.**

### APPEALS – NEW CASES

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| 6. 303-09-BZY | Ray Chen  
**517 53rd Street, Brooklyn**  
Extension of time (§11-332) to complete construction of an enlargement commenced under the prior C4-3 zoning district. R6B zoning district. 
**Community Board #7BK**  
**Examiner: Toni Matias (212) 788-8752**  
**Status: Continued Hearing – 3/23/10** |
| 7. 334-09-A | Gary D. Lenhart  
**132 Ocean Avenue, Queens**  
Reconstruction and enlargement of a single family home not fronting on a mapped street, contrary to General City Law Section 36, and upgrade of private disposal system in the bed of a service road, contrary to Department of Buildings Policy. R4 zoning district. 
**Community Board #14Q**  
**Examiner: Toni Matias (212) 788-8752**  
**Status: Granted – 3/2/10** |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, MARCH 2, 2010
#### 1:30 P.M.

## BZ – DECISIONS

| No. | BZ Number | Decision | Applicant | Address | Description | Community Board | Examiner | Status | Date
|-----|-----------|----------|-----------|---------|-------------|----------------|----------|--------|------
| 1.  | 256-07-BZ | Deferred | Rothkrug, Rothkrug & Spector LLP | 1978 Atlantic Avenue, Brooklyn | Variance (§72-21) to permit a three-story, five-unit residential building, contrary to use regulations (§42-00). M1-1 zoning district. | Community Board # 8BK | Rory Levy (212) 788-8749 | Deferred Decision – 3/23/10 |
| 2.  | 97-08-BZ  | Deferred | Eric Palatnik, P.C. | 84 Sanford Street, Brooklyn | Special Permit (§73-19) to allow the legalization of an existing school (Central UTA) (UG 3). M1-1 district. | Community Board #3BK | Rory Levy (212) 788-8749 | Deferred Decision – 3/16/10 |
| 3.  | 186-08-BZ | Deferred | Petrus Fortune, P.E. | 3065 Atlantic Avenue, Brooklyn | Special Permit (§73-19) to allow the legalization and enlargement of a school (Followers of Jesus Mennonite Church & School) in a former manufacturing building, contrary to ZR §42-10. M1-1 zoning district. | Community Board #5BK | Rory Levy (212) 788-8749 | Deferred Decision – 4/27/10 |
| 4.  | 309-08-BZ | Granted  | Rothkrug, Rothkrug & Spector LLP | 1717 Pitman Avenue, The Bronx | Variance (§72-21) for the construction of a three-story, two-family home, contrary to front yards (§23-45) and floor area (§23-141). R4-1 zoning district. | Community Board #12BX | Henry Segovia (212) 788-8757 | Granted – 3/2/10 |

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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
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**TUESDAY AFTERNOON, MARCH 2, 2010**  
**1:30 P.M.**

### BZ – DECISIONS

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| 5. | **182-09-BZ** | Eric Palatnik, P.C.  
612 West 180th Street, Manhattan  
Variance (§72-21) to legalize the existing UG 3 novitiate and UG 4 house of worship (*Congregation Mita*), contrary to §§ 24-35 (side yard) and 24-36 (rear yard). R7-2 zoning district.  
**Community Board #12M**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Granted – 3/2/10 |
| 6. | **2-10-BZ** | Akerman Senterfitt LLP  
310 East 14th Street, Manhattan  
Special Permit (§73-641) to allow enlargement of a community facility (*New York Eye and Ear Infirmary*) within the required rear yard equivalent, contrary to §33-283. C1-6A/C1-7A zoning districts.  
**Community Board #2M**  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Granted – 3/2/10 |

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# BZ – CONTINUED HEARINGS

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| 7. | 160-08-BZ | Dominick Salvati and Son Architects  
651-671 Fountain Avenue, Brooklyn  
Variance (§72-21) to permit the legalization of commercial storage of motor vehicles/buses (UG 16C) with accessory fuel storage and motor vehicles sales and repair (UG 16B), which is contrary to §22-00. R4 zoning district.  
Community Board #5BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 4/13/10 |
| 8. | 187-08-BZ | Sheldon Lobel, P.C.  
1247 38th Street, Brooklyn  
Variance (§72-21) to permit the construction of a six-story community facility building (Congregation & Yeshiva Machzikei Hadas), contrary to ZR §42-00. M2-1 zoning district.  
Community Board #12BK  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 3/16/10 |
| 9. | 311-09-BZ | Eric Palatnik, P.C.  
1092 East 22nd Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141(a)), side yard (§23-461(a)) and less than the required rear yard (§23-47). R-2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Adjourned, Continued Hearing – 3/23/10 |
| 10. | 329-09-BZ | Eric Palatnik, P.C.  
26 Falmouth Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area (§23-141). R3-1 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 3/23/10 |
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<td><strong>BZ – NEW CASES</strong></td>
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</table>
| **11.  239-07-BZ** | Rothkrug, Rothkrug & Spector, LLP  
57-38 Waldron Street, Queens  
Variance (§72-21) to permit a community youth center (UG 4) in the cellar and first floor in a proposed three-story and penthouse mixed-use building, contrary to side yard (§24-35). R5 zoning district.  
Community Board #4Q  
Examiner:  Rory Levy (212) 788-8749  
Status:  Continued Hearing – 4/20/10 |   |
| **12.  173-09-BZ** | Law Offices of Howard Goldman LLC  
845 Broadway, Brooklyn  
Variance (§72-21) to allow a seven-story mixed use building, contrary to use regulations (§32-00, 42-00).  
C8-2/M1-1 zoning districts.  
Community Board #4BK  
Examiner:  Ronald Rizzotti (212) 788-8781  
Status:  Continued Hearing – 4/13/10 |   |
| **13.  282-09-BZ** | Steven Williams, P.E.  
54-19 Myrtle Avenue, Queens  
Special Permit (§73-36) to legalize the operation of a physical culture establishment (Ritchie’s Gym) on the third floor of a four-story commercial building.  
Community Board #5Q  
Examiner:  Rory Levy (212) 788-8749  
Status:  Continued Hearing – 4/13/10 |   |
## SOC – DECISIONS

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| **1.** | **74-49-BZ** | Sheldon Lobel, P.C.  
*515 Seventh Avenue, Manhattan*  
Extension of Time to obtain a Certificate of Occupancy for an existing parking garage which expired on September 17, 2009; Waiver of the Rules. M1-6 (Garment Center) zoning district.  
**Community Board #5M**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Continued Hearing – 4/13/10 |
| **2.** | **369-03-BZ** | The Law Office of Fredrick A. Becker  
*99-01 Queens Boulevard, Queens*  
Amendment to a variance (§72-21) for a physical culture establishment (*New York Sports Club*) to change in the owner/operator, decrease floor area, modify days and hours of operation, and eliminate parking condition. C1-2/R7-1 zoning district.  
**Community Board #1Q**  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Adjourned, Continued Hearing – 4/20/10 |
| **3.** | **111-06-BZ** | Sheldon Lobel, P.C.  
*136 Norfolk Street, Brooklyn*  
Application to reopen pursuant to court remand (Appellate Division) to revisit the findings of a Special Permit (§73-622) for the in-part legalization of an enlargement to a single family residence. This application seeks to vary open space and floor area (§23-141); side yard (§23-48) and perimeter wall height (§23-631) regulations. R3-1 zoning district.  
**Community Board #15BK**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Adjourned, Continued Hearing – 4/13/10 |
| **4.** | **58-07-BZ** | Eric Palatnik, P.C.  
*18-02 Clintonville, Queens*  
Amendment to previously granted variance for a residential building to include two additional objections: dwelling unit size (§23-23) and side yard regulations (§23-461(a)). R3A zoning district.  
**Community Board #7Q**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Adjourned, Continued Hearing – 4/20/10 |

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************************************************************************************************************************
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
#### TUESDAY MORNING, MARCH 9, 2010
#### 10:00 A.M.

#### SOC – NEW CASES

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| 5. | 617-80-BZ | Eric Palatnik, P.C.  
770/780 McDonald Avenue, Brooklyn  
Extension of Term of a previously granted Variance (§72-21) of a UG9 catering establishment which expires on December 9, 2010; an Amendment to the interior layout; Extension of Time to Complete Construction and to obtain a Certificate of Occupancy which expires on March 14, 2010 and Waiver of the Rules. M1-1 zoning district.  
Community Board #12BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 4/13/10 |
|   |   |   |
| 6. | 121-02-BZ | Rothkrug, Rothkrug & Spector LLP  
9215 4th Avenue, Brooklyn  
Amendment (§73-11) to a special permit (§73-11) for an enlargement of a Physical Culture Establishment. C8-2 zoning district.  
Community Board #10BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 4/20/10 |

**************************************************************************DISCLAIMER**************************************************************************

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**************************************************************************DISCLAIMER**************************************************************************
**APPEALS – DECISIONS**

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| 7. | 252-09-A | Marc A. Chiffert, P.E.  
**2788 Grand Concourse Boulevard, Bronx**  
Appeal challenging the NYC Fire Department determination that construction of a proposed building on a private street does not provide proper fire access for emergency vehicles. R8 zoning district.  
Community Board #15BX  
Examiner:  Toni Matias (212) 788-8752  
Status:  Denied – 3/9/10 |
| 8. | 12-10-A | Slater & Beckerman, LLP  
**1734 Saint John's Place, Brooklyn**  
Proposed construction of a five-story, 18-unit residential building located within the 30 foot required setback of Eastern Parkway Extension, contrary to Administrative Code §18-112. R6 zoning district.  
Community Board #16BK  
Examiner:  Ronald Rizzotti (212) 788-8781  
Status:  Granted – 3/9/10 |
## APPEALS – CONTINUED HEARINGS

<table>
<thead>
<tr>
<th>#</th>
<th>Case Number</th>
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<tbody>
<tr>
<td>9.</td>
<td>313-08-A</td>
<td>Law Office of Howard Goldman, LLC&lt;br&gt;363-371 Lafayette Street, Manhattan&lt;br&gt;Appeal to Department of Building’s refusal to revoke permits and approvals for a six-story commercial building. M1-5B zoning district. &lt;br&gt;Community Board #2M&lt;br&gt;Examiner: Toni Matias (212) 788-8752&lt;br&gt;Status: Withdrawn – 3/9/10</td>
</tr>
<tr>
<td>10.</td>
<td>280-09-A</td>
<td>Kramer Levin Naftalis &amp; Frankel, LLP&lt;br&gt;330 West 86th Street, Manhattan&lt;br&gt;Appeal challenging Department of Building's authority under the City Charter to interpret or enforce provisions of Article 16 of the General Municipal Law as it applies to the construction of a proposed 16 story+ penthouse. R10A Zoning district.&lt;br&gt;Community Board #7M&lt;br&gt;Examiner: Toni Matias (212) 788-8752&lt;br&gt;Status: Adjourned, Continued Hearing – 3/23/10</td>
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## APPEALS – NEW CASES

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<tr>
<td>11.</td>
<td>185-09-A &amp; 186-09-A</td>
<td>Diffendale &amp; Kubec, AIA&lt;br&gt;61 and 67 Elder Avenue, Staten Island&lt;br&gt;Construction not fronting on a mapped street, contrary to Section 36 of the General City Law. R3 Zoning district&lt;br&gt;Community Board #3SI&lt;br&gt;Examiner: Toni Matias (212) 788-8752&lt;br&gt;Status: Continued Hearing – 4/13/10</td>
</tr>
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<td>12.</td>
<td>283-09-BZY thru 286-09-BZY</td>
<td>Rothkrug, Rothkrug &amp; Spector LLP&lt;br&gt;90-18 176th Street, 175/19/21/23 Lauren Court, Queens&lt;br&gt;Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R4-1 zoning district.&lt;br&gt;Community Board #12Q&lt;br&gt;Examiner: Toni Matias (212) 788-8752&lt;br&gt;Status: Continued Hearing – 4/20/10</td>
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NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
TUESDAY AFTERNOON, MARCH 9, 2010
1:30 P.M.

BZ – DECISIONS

1. 161-09-BZ

Rizzo Group
580 Carroll Street, Brooklyn
Variance (§72-21) for the development of two residential buildings (20 dwelling units) contrary to rear yard equivalent, floor area, lot coverage, minimum distance between buildings and minimum distance between legally required window regulations (§§23-532, 23-145, 23-711, 23-861). R6B zoning district.
Community Board #6BK
Examiner: Ronald Rizzotti (212) 788-8781
Status: Denied – 3/9/10

BZ – CONTINUED HEARINGS

2. 14-09-BZ

Eric Palatnik, P.C.
2294 Forest Avenue, Staten Island
Special Permit (§73-211) to allow an automotive service station with an accessory convenience store and automotive laundry (UG 16B). C2-1/R3-2 zoning district.
Community Board #1SI
Examiner: Carlo Costanza (212) 788-8739
Status: Continued Hearing – 5/11/10

3. 44-09-BZ

Philip L. Rampulla
2175 Richmond Avenue, Staten Island
Variance (§72-21) to allow for a two-story commercial building (UG 6) with accessory parking, contrary to use regulations (§22-00). R3-1 district.
Community Board #2 SI
Examiner: Ronald Rizzotti (212) 788-8781
Status: Continued Hearing – 5/18/10

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
TUESDAY AFTERNOON, MARCH 9, 2010
1:30 P.M.

#### BZ – CONTINUED HEARINGS

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| 4. | 234-09-BZ | Sheldon Lobel, P.C.  
25-71 44th Street, Queens  
Variance (§72-21) for the construction of a detached two-family home contrary to side yard regulations (§23-48). R-5 zoning district.  
Community Board #1Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 4/13/10 |
| 5. | 272-09-BZ | Jeffrey A. Chester, Esq.  
32-62 Steinway Street, Queens  
Special Permit (§73-36) to legalize the operation of an existing physical culture establishment (Lucille Roberts) on the second and third floors in an existing three-story building. C5-2.5 (M.D) zoning district.  
Community Board #1Q  
Examiner: Rory Levy (212) 788-8749  
Status: Adjourned, Continued Hearing – 4/13/10 |
| 6. | 307-09-BZ | Law Office of Fredrick A. Becker  
1358-1360 East 28th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of existing single family home, contrary to open space and floor area (§23-141); side yard (§23-461) and less than the required rear yard (§23-47). R2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 4/13/10 |
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<td>7.</td>
<td>254-09-BZ thru 256-09-BZ</td>
<td>Ivan F. Khoury</td>
<td>101/03/05 Astoria Boulevard, aka 27-31 Kearney Street, Queens</td>
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<td>Variance (§72-21) to legalize three existing homes, contrary to front yard (§23-45) and rear yard (§23-47) regulations. R3-2 zoning district.</td>
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<td>Community Board #3Q</td>
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<td>Examiner: Ronald Rizzotti (212) 788-8781</td>
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<td>Status: Continued Hearing – 4/20/10</td>
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<td>8.</td>
<td>325-09-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>1364 &amp; 1366 52nd street, Brooklyn</td>
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<td>Variance (§72-21) to permit the proposed four-story and mezzanine synagogue, contrary to lot coverage (§24-11), rear yard (§24-36) and initial setback of front wall (§24-522). R6 zoning district.</td>
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<td>Community Board #12BK</td>
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<td>Examiner: Rory Levy (212) 788-8749</td>
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<td>Status: Continued Hearing – 4/13/10</td>
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<tr>
<td>9.</td>
<td>15-10-BZ</td>
<td>Dennis D. Dell’Angelo</td>
<td>3114 Bedford Avenue, Brooklyn</td>
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<td>Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141); side yards (§23-461), and rear yard (§23-47) regulations. R-2 zoning district.</td>
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<td>Community Board #14BK</td>
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<td>Examiner: Henry Segovia (212) 788-8757</td>
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<td>Status: Closed, Decision – 4/13/10</td>
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<th><strong>SOC – DECISIONS</strong></th>
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| 1. | 21-91-BZ  
Sheldon Lobel, P.C.  
2407-2417 Linden Boulevard, Brooklyn  
Extension of Term (§72-01 & 72-22) of a previous variance that permits the operation of an automotive glass and mirror repair establishment (UG 7D) and used car sales (UG 16B) which expired on July 24, 2009; Waiver of the Rules.  
R5 zoning district.  
Community Board #5BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Granted – 3/16/10 |
| 2. | 280-01-BZ  
Cozen O'Connor  
663-673 Second Avenue, Manhattan  
Extension of Time to Complete Construction and Extension of Time to obtain a Certificate of Occupancy of a previously granted Variance (72-21) for the construction of a mixed-use building which expires on May 7, 2010.  
C1-9 zoning district.  
Community Board #6M  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 3/16/10 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
#### TUESDAY MORNING, MARCH 16, 2010
#### 10:00 A.M.

#### SOC – CONTINUED HEARINGS

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| 3. | 223-98-BZ | Andrea Claire/Peter Hirshman  
51-59 Maujer Street aka 451-459 Lorimer Street, Brooklyn  
Extension of Term of a previous variance that permits the operation of an automotive service station (UG 16B) which will expire on February 1, 2010; Amendment to allow used car sales (UG 16B);  
Extension of Time to obtain a Certificate of Occupancy which expired on June 10, 2003; Waiver of the Rules.  R6B zoning district.  
Community Board #1BK  
Status: Continued Hearing – 4/13/10 |
| 4. | 208-03-BZ | Stuart A. Klein, Esq.  
255 Shell Road, Brooklyn  
Extension of Term of a previously granted Variance (§72-21) for a UG9 catering hall which expired on October 19, 2009.  R4/C1-2/M1-1 OP zoning district.  
Community Board #15BK  
Status: Closed, Decision – 4/13/10 |
| 5. | 291-03-BZ | Stuart A. Klein, Esq.  
1380 62nd Street, Brooklyn  
Extension of term of a variance (§72-21) for construction of a new residential building; amendment to add increase the number of dwelling units, FAR, height and parking spaces.  M1-1/R5B zoning districts.  
Community Board #10BK  
Status: Adjourned, Continued Hearing – 4/27/10 |
| 6. | 196-08-BZ | Gage Parking Consultants  
792 Tenth Avenue/455 West 53rd Street, Manhattan  
Amendment of a previous grant for public parking garage; amendment would enclose rooftop parking. C6-2 (Special Clinton District) zoning district.  
Community Board #4M  
Status: Continued Hearing – 4/13/10 |

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************************************************************************DISCLAIMER************************************************************************
|   | 1045-67-BZ | Michael A. Cosentino  
160-10 Crossbay Boulevard, Queens  
Extension of term of a variance (§72-21) for an accessory parking lot to be used for adjoining commercial uses, which expired on June 27, 1998; waiver of the Rules; and an Amendment to eliminate the term.  
R2 zoning district  
Community Board #10Q | Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 4/20/10 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, MARCH 16, 2010**  
**10:00 A.M.**

### APPEALS – CONTINUED HEARINGS

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| 8. | 62-08-A | Eric Palatnik, P.C.  
398 Nugent Street, Staten Island  
Proposed construction not fronting on a legally mapped street, contrary to General City Law, Section 36. R1-2 zoning district.  
Community Board #2SI | Examiner: Toni Matias (212) 788-8752  
Status: Adjourned, Continued Hearing – 5/18/10 |
| 9. | 300-08-A | Marvin Mitzner  
39-35 27th Street, Queens  
An appeal seeking a determination that the property owner has acquired a common law vested right to continue development under the prior M1-3 zoning district regulations. M1-2 /R5B zoning district.  
Community Board #1Q | Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 4/20/10 |
| 10. | 315-08-A | Stuart A. Klein, Esq.  
246 Spring Street, Manhattan  
An appeal seeking the revocation of permits for a condominium hotel on the basis that the approved plans allow for exceeding of maximum permitted floor area. M1-6 zoning.  
Community Board #2M | Examiner: Toni Matias (212) 788-8752  
Status: Adjourned, Continued Hearing – 4/27/10 |
| 11. | 57-09-A thru 158-09-A | Eric Palatnik, P.C.  
Maguire Woods, Santa Monica Lane, Woodrow, Staten Island  
An appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district regulations. R3-2 (SSRD) zoning district.  
Community Board #3SI | Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 4/13/10 |

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### APPEALS – CONTINUED HEARINGS

| 12. | 306-09-A | NYC Department of Buildings  
37-48 60th Street, Queens  
Appeal seeking to revoke the Certificate of Occupancy for failure to comply with provisions of the Zoning Resolution, Building Code and Multiple Dwelling Law. R5 Zoning district.  
Community Board #1Q  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 4/13/10 |

### APPEALS – NEW CASES

| 13. | 295-09-A & 296-09-A | Rothkrug Rothkrug & Spector, LLP  
81 and 83 Cortlandt Street, Staten Island  
Proposed construction of one family home located within the bed of a mapped street (Bache Street), contrary to Section 35 of the General City Law. R3A Zoning District  
Community Board #2SI  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 4/20/10 |
## BZ – DECISIONS

<table>
<thead>
<tr>
<th>No.</th>
<th>Case Number</th>
<th>Status</th>
<th>Examiner</th>
<th>Address</th>
<th>Description</th>
<th>Zoning Districts</th>
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<tbody>
<tr>
<td>1</td>
<td>97-08-BZ</td>
<td>Granted – 3/16/10</td>
<td>Rory Levy (212) 788-8749</td>
<td>Eric Palatnik, P.C. 84 Sanford Street, Brooklyn</td>
<td>Special Permit (§73-19) to allow the legalization of an existing school (Central UTA) (UG 3). M1-1 district. Community Board #3BK</td>
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<tr>
<td>2</td>
<td>187-08-BZ</td>
<td>Granted – 3/16/10</td>
<td>Rory Levy (212) 788-8749</td>
<td>Sheldon Lobel, P.C. 1247 38th Street, Brooklyn</td>
<td>Variance (§72-21) to permit the construction of a six-story community facility building (Congregation &amp; Yeshiva Machzikei Hadas), contrary to ZR §42-00. M2-1 zoning district. Community Board #12BK</td>
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<tr>
<td>3</td>
<td>197-08-BZ</td>
<td>Granted – 3/16/10</td>
<td>Rory Levy (212) 788-8749</td>
<td>Stuart A. Klein 341/349 Troy Avenue, aka 1515 Carroll Street, Brooklyn</td>
<td>Variance (§72-21) to permit a four-story and penthouse residential building, contrary to §23-141 (FAR, open space ratio), §23-22 (number of dwelling units), §23-45 (front yard), §23-462 (side yard), and §23-631 (wall height). R4 district. Community Board #9BK</td>
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<td>4</td>
<td>328-09-BZ</td>
<td>Granted – 3/16/10</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Bryan Cave LLP 28-34 West End Avenue, 246-252 West 61st Street, Manhattan</td>
<td>Variance (§72-21) to allow for the construction of a community facility (The Abraham Joshua Heschel School), contrary to height and setback, and rear yard requirements. (§§33-432, 23-634, 33-432). C6-2/C4-7 zoning districts. Community Board #7M</td>
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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY AFTERNOON, MARCH 16, 2010**

**1:30 P.M.**

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| 5. | 302-08-BZ | Rothkrug, Rothkrug & Spector LLP  
4368 Furman Avenue, The Bronx  
Variance (§72-21) to permit an existing semi-detached residential building, contrary to side yard regulations (§23-462) R5 district.  
Community Board #12BX  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 4/27/10 |
| 6. | 28-09-BZ | Moshe M. Friedman, P.E.  
133 Taaffe Place, Brooklyn  
Variance (§72-21) to permit a four-story residential building on a vacant lot, contrary to use regulations (§42-10). M1-1 zoning district.  
Community Board #3BK  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 4/20/10 |
| 7. | 214-09-BZ | Rothkrug, Rothkrug & Spector, LLP  
1464 Astor Avenue, Bronx  
Special Permit (§73-125) to allow for a 9,996 sq ft ambulatory diagnostic or treatment center which exceeds the 1,500 sq ft maximum allowable floor area set forth in ZR §22-14. R4-1 zoning district.  
Community Board #11BX  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Adjourned, Continued Hearing – 4/20/10 |
| 8. | 270-09-BZ | Sheldon Lobel, P.C.  
1910 Homecrest Avenue, Brooklyn  
Variance (§72-21) for the construction of a single family home on a vacant corner lot, contrary to floor area (§23-141), side yards (§23-461) and front yard (§23-47). R4-1 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 4/27/10 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**  
**TUESDAY AFTERNOON, MARCH 16, 2010**  
**1:30 P.M.**

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#### BZ – CONTINUED HEARINGS

| 9. | 271-09-BZ | Sheldon Lobel, P.C.  
**132-40 Metropolitan Avenue, Queens**  
Special Permit (§73-36) to legalize the operation of an existing physical culture establishment (*Planet Fitness*) on the first, second, and third floors of an existing three-story building. C2-3 zoning district.  
**Community Board #9Q**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Continued Hearing – 4/20/10 |

| 10. | 273-09-BZ | Rothkrug Rothkrug & Spector LLP  
**117-40 125th Street, Queens**  
Variance (§72-21) for the construction of a two-story, one-family home, contrary to side yards (§23-461). R3-2 zoning district.  
**Community Board #10Q**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Adjourned, Continued Hearing – 4/20/10 |

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NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY AFTERNOON, MARCH 16, 2010  
1:30 P.M.

### BZ – NEW CASES

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| 11. | 192-09-BZ | Sheldon Lobel, P.C.  
912 Broadway, Brooklyn  
Variance (§72-21) to allow for the construction of a department store (UG10), contrary to use regulations (§§22-00, 32-00). R6 and R6/C2-3 zoning districts.  
Community Board #3BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 5/11/10 |
| 12. | 11-10-BZ | Rothkrug Rothkrug & Spector, LLP  
562 Court Street (aka 21 Garnet Street), Brooklyn  
Special Permit (§73-36) to legalize and enlarge a physical culture establishment (CKO Kickboxing). C2-3/R6 zoning district.  
Community Board # 6BK  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 4/13/10 |
| 13. | 13-10-BZ | Eric Palatnik, P.C.  
79 Amherst Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing two-family home to be converted to a single family home, contrary to lot coverage and floor area (§23-141); side yards (§23-461) and rear yard (§23-47). R3-1 zoning district.  
Community Board # 15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 4/27/10 |
### SOC – DECISIONS

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</table>
| 1. | 813-87-BZ | The Law Office of Fredrick A. Becker  
 **110 Boerum Place, Brooklyn**  
 Extension of Term for a special permit (§73-36) which expired on April 12, 2008 for the operation of a Physical Culture Establishment (**New York Sports Club**); Waiver of the Rules.  
 **C2-3 (R6) zoning district.**  
 Community Board#2BK  
 Examiner: Carlo Costanza (212) 788-8739  
 Status: Granted – 3/23/10 |

### SOC – CONTINUED HEARINGS

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| 2. | 16-36-BZ | Sheldon Lobel, P.C.  
 **1885 Westchester Avenue, Bronx**  
 Extension of Time to obtain a Certificate of Occupancy of an existing Gasoline Service Station (**Gulf**) which expired on March 18, 2009; Waiver of the Rules.  
 **C2-2/R5 zoning district.**  
 Community Board#9BX  
 Examiner: Henry Segovia (212) 788-8757  
 Status: Continued Hearing – 5/11/10 |
### SOC – NEW CASES

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Description</th>
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</table>
| 3. 11-93-BZ | Sheldon Lobel, P.C.  
46-45 Kissena Boulevard aka 140-01 Laburnum Avenue, Queens  
Extension of Term (§§11-411 & §11-412) to allow the continued operation of an Eating and Drinking establishment (UG 6) which expired on March 15, 2004; Amendment to legalize alterations to the structure; Waiver of the Rules. C2-2 and R3-2 zoning districts.  
Community Board # 7Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 5/11/10 |
| 4. 201-01-BZ | Sheldon Lobel, P.C.  
2591 Atlantic Avenue, Brooklyn  
Extension of Term (§72-01 & 72-22) of a previously approved variance permitting the operation of a automobile laundry, lubrication and accessory automobile supply store (UG16b); Amendment seeking to legalize changes and increase in floor area; and Waiver of the Rules. C4-1 zoning district.  
Community Board #5BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 5/11/10 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, MARCH 23, 2010**  
**10:00 A.M.**

---

### APPEALS – DECISIONS

| 5. | 64-07-A | Stuart A. Klein  
1704 Avenue N, Brooklyn  
Appeal for a common law vested right to continue construction commenced under the prior R6 zoning district. R4-1 zoning district  
Community Board #14BK  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 3/23/10 |

### APPEALS – CONTINUED HEARINGS

| 6. | 280-09-A | Kramer Levin Naftalis & Frankel, LLP  
330 West 86th Street, Manhattan  
Appeal challenging Department of Building's authority under the City Charter to interpret or enforce provisions of Article 16 of the General Municipal Law as it applies to the construction of a proposed 16 story+ penthouse. R10A Zoning district.  
Community Board #7M  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 4/20/10 |

| 7. | 303-09-BZY | Ray Chen  
517 53rd Street, Brooklyn  
Extension of time (§11-332) to complete construction of an enlargement commenced under the prior C4-3 zoning district. R6B zoning district  
Community Board #7BK  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 4/27/10 |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, MARCH 23, 2010
#### 10:00 A.M.

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Address</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. 287-09-BZY &amp; 288-09-BZY</td>
<td>Sheldon Lobel, P.C. 87-85 &amp; 87-87 144th Street, Queens</td>
<td>Extension of time (§11-332) to complete construction of a major development commenced under the prior R6 zoning. R5 zoning district. Community Board #12Q Examiner: Toni Matias (212) 788-8752 Status: Continued Hearing – 4/27/10</td>
</tr>
<tr>
<td>10. 7-10-A</td>
<td>Gary Lenhart 93 Hillside Avenue, Queens</td>
<td>Reconstruction and enlargement of an existing single family dwelling located within the bed of a mapped street and the upgrade of existing non conforming private disposal system, contrary to General City Law Section 35 and Department of Buildings Policy. R4 zoning district. Community Board #14Q Examiner: Toni Matias (212) 788-8752 Status: Continued Hearing – 4/20/10</td>
</tr>
</tbody>
</table>
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY AFTERNOON, MARCH 23, 2010  
1:30 P.M.

<table>
<thead>
<tr>
<th>BZ – DECISIONS</th>
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</table>
| 1. 256-07-BZ | Rothkrug, Rothkrug & Spector  
**1978 Atlantic Avenue, Brooklyn**  
Variance (§72-21) to permit a three-story, five-unit residential building, contrary to use regulations (§42-00). M1-1 zoning district.  
Community Board # 8BK  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 3/23/10 |
| 2. 254-08-BZ | Eric Palatnik, P.C.  
**1214 East 15th Street, Brooklyn**  
Variance (§72-21) to legalize and enlarge a Yeshiva (Yeshiva Ohr Yitzchok) contrary to §42-11 (use regulations), §43-122 (floor area), §43-43 (wall height, number of stories, and sky exposure plane). §43-301 (required open area). M1-1D zoning district.  
Community Board # 14BK  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 3/23/10 |
| 3. 292-09-BZ | Martyn & Don Weston  
**9310-9333 Third Avenue, Brooklyn**  
Special Permit (§11-411, §11-413 & §73-03) to reinstate previously granted variance which expired on December 7, 1999; amendment to change use from a gasoline service station (UG16B) to automotive repair establishment (UG16B); Waiver of the Boards Rules. C1-3/R6A & R5B (Special Bay Ridge District).  
Community Board #10BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Granted – 3/23/10 |
| 4. 329-09-BZ | Eric Palatnik, P.C.  
**26 Falmouth Street, Brooklyn**  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area (§23-141). R3-1 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 3/23/10 |

************************************************************************************************************************
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### BZ – CONTINUED HEARINGS

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</table>
| 5. | 214-07-BZ | Sheldon Lobel, P.C.  
3217 Irwin Avenue, Bronx  
Variance (§72-21) to allow a public parking garage and increase the maximum permitted floor area in a mixed residential and community facility building, contrary to §22-10 and §24-162. R6 zoning district.  
Community Board #8BX  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 4/20/10 |
| 6. | 220-08-BZ | Moshe M. Friedman  
95 Taaffe Place, Brooklyn  
Variance (§72-21) to permit the enlargement of a non-conforming one-family dwelling, contrary to §42-10. M1-1 zoning district.  
Community Board #3BK  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 4/27/10 |
| 7. | 162-09-BZ | Sheldon Lobel, P.C.  
30-33 Steinway Street, Queens  
Special Permit (§73-36) to allow the legalization of a physical culture establishment (Planet Fitness) in the cellar, first, and second floors in an existing two-story building; Special Permit (§73-52) to extend the C4-2A zoning district regulations 25 feet into the adjacent R5 zoning district. C4-2A/R5 zoning districts.  
Community Board # 1Q  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 4/20/10 |
| 8. | 294-09-BZ | Rothkrug, Rothkrug & Spector  
3768 Richmond Avenue, Staten Island  
Special Permit (§73-125) to legalize a one-story ambulatory diagnostic and treatment health care facility. R3A zoning district.  
Community Board #3SI  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 4/20/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, MARCH 23, 2010
### 1:30 P.M.

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## BZ – CONTINUED HEARINGS

### 9. 311-09-BZ
- **Eric Palatnik, P.C.**
- **1092 East 22nd Street, Brooklyn**
- Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141(a)), side yard (§23-461(a)) and less than the required rear yard (§23-47). R-2 zoning district.
- **Community Board #14BK**
- **Examiner: Henry Segovia (212) 788-8757**
- **Status: Closed, Decision – 4/27/10**

### 10. 332-09-BZ
- **Moshe M. Friedman**
- **1462 East 27th Street, Brooklyn**
- Special Permit (§73-622) for the enlargement of an existing two family home, contrary to floor area and open space (§23-141(a)); less than the required rear yard (§23-47). R2 zoning district.
- **Community Board #14BK**
- **Examiner: Henry Segovia (212) 788-8757**
- **Status: Closed, Decision – 4/13/10**
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY AFTERNOON, MARCH 23, 2010
1:30 P.M.

### BZ – NEW CASES

<table>
<thead>
<tr>
<th>Case No.</th>
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</table>
| 11. 327-09-BZ | Sheldon Lobel, P.C.  
**255 Butler Street, Brooklyn**  
Special Permit (§73-19) to allow a Use Group 3 charter school (*Summit Academy*) with first floor retail use in an existing warehouse. M1-2 zoning district.  
Community Board #6BK  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 5/18/10 |
| 12. 9-10-BZ | Eric Palatnik, P.C.  
**231-10 Northern Boulevard, Queens**  
Variance (§72-21) to allow a restaurant use in an existing building, contrary to §22-00. R1-2 zoning district.  
Community Board #11Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 4/27/10 |
| 13. 14-10-BZ | Friedman & Gotbaum, LLP  
**38-50 Cooper Square, Manhattan**  
Special Permit (§73-19) to allow a Use Group 3 school (*Grace Church High School*). M1-5B zoning district.  
Community Board #2M  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 4/27/10 |
| 14. 18-10-BZ | Sheldon Lobel, P.C.  
**50 East 42nd Street, Manhattan**  
Special Permit (§73-36) to allow a physical culture establishment (*Lucille Roberts*) in the cellar and a portion of the first floor in an existing 26-story building. C5-3 zoning district.  
Community Board #5M  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 4/13/10 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, APRIL 13, 2010
10:00 A.M.

### SOC – DECISIONS

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</table>
| 1 | 208-03-BZ | Stuart A. Klein, Esq.  
**255 Shell Road, Brooklyn**  
Extension of Term of a previously granted Variance (§72-21) for a UG9 catering hall which expired on October 19, 2009. R4/C1-2/M1-1 OP zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 4/13/10 |

### SOC – CONTINUED HEARINGS

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</table>
| 2 | 389-37-BZ | The Law Office of Fredrick A. Becker  
**31-08 -31-12 45th Street, Queens**  
Extension of Term (§11-411) of a previously granted Variance for the operation of a UG8 parking lot which expired on June 13, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on December 12, 2004 and Waiver of the Rules. R5/C1-2 zoning district.  
Community Board #1IQ  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 5/11/10 |
| 3 | 74-49-BZ | Sheldon Lobel, P.C.  
**515 Seventh Avenue, Manhattan**  
Extension of Time to obtain a Certificate of Occupancy for an existing parking garage which expired on September 17, 2009; Waiver of the Rules. M1-6 (Garment Center) zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 5/18/10 |

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**SOC – CONTINUED HEARINGS**

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| 4. | 834-60-BZ | Sheldon Lobel, P.C.  
140 Vanderbilt Avenue, Brooklyn  
Extension of Term for the continued use of a Gasoline Service Station *(Gulf)* with minor auto repairs which expired on March 7, 2006;  
Extension of Time to obtain a Certificate of Occupancy which expired on March 2, 2000; Amendment to legalize an accessory convenience store and Waiver of the Rules. C2-4/R-7A, R-5B zoning district.  
Community Board #2BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 5/11/10 |
| 5. | 617-80-BZ | Eric Palatnik, P.C.  
770/780 McDonald Avenue, Brooklyn  
Extension of Term of a previously granted Variance (§72-21) of a UG9 catering establishment which expires on December 9, 2010; an Amendment to the interior layout; Extension of Time to Complete Construction and to obtain a Certificate of Occupancy which expires on March 14, 2010 and Waiver of the Rules. M1-1 zoning district.  
Community Board #12BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 5/18/10 |
| 6. | 603-86-BZ | H. Irving Sigman PE  
88-34 Parsons Boulevard, aka 88-26/34 Parsons Boulevard, Queens  
Extension of Term for a Variance (§72-21) allowing the construction of retail stores (UG 6), which expired on September 8, 2007;  
Amendment to the accessory open parking area and refuse area and request to eliminate the term; Waiver of the Rules. R7A (Downtown Jamaica Special District) zoning district.  
Community Board #12Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Closed, Decision – 4/27/10 |
# SOC – CONTINUED HEARINGS

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| 7. | 223-98-BZ | Andrea Claire/Peter Hirshman  
*51-59 Maujer Street aka 451-459 Lorimer Street, Brooklyn*  
Extension of Term of a previous variance that permits the operation of an automotive service station (UG 16B) which will expire on February 1, 2010; Amendment to allow used car sales (UG 16B); Extension of Time to obtain a Certificate of Occupancy which expired on June 10, 2003; Waiver of the Rules. R6B zoning district.  
Community Board #1BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Closed, Decision – 5/11/10 |
| 8. | 111-06-BZ | Sheldon Lobel, P.C.  
*136 Norfolk Street, Brooklyn*  
Application to reopen pursuant to court remand (Appellate Division) to revisit the findings of a Special Permit (§73-622) for the in-part legalization of an enlargement to a single family residence. This application seeks to vary open space and floor area (§23-141); side yard (§23-48) and perimeter wall height (§23-631) regulations. R3-1 zoning district.  
Community Board# 15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 6/8/10 |
| 9. | 196-08-BZ | Gage Parking Consultants  
*792 Tenth Avenue/455 West 53rd Street, Manhattan*  
Amendment of a previous grant for public parking garage; amendment would enclose rooftop parking. C6-2 (Special Clinton District) zoning district.  
Community Board#4M  
Examiner: Carlo Costanza (212) 788-8739  
Status: Closed, Decision – 4/27/10 |
SOC – NEW CASES

10. 280-98-BZ  
Rampulla Associates Architects  
2936 Hylan Boulevard, Staten Island  
Extension of Term of a variance (§72-21) for the continued operation of a UG4 Dental Office which expired on February 8, 2010; Amendment to convert the basement garage into dental office floor area. R-2 zoning district.  
Community Board #3SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 5/18/10

11. 72-99-BZ  
Rothkrug Rothkrug & Spector  
1633 Broadway, 215 West 50th Street; 210 West 51st Street, Manhattan  
Extension of Term to permit the continued operation of a Physical Cultural Establishment (Equinox Fitness) which expired on January 11, 2010. C6-7 (MID) zoning district.  
Community Board #5M  
Examiner: Carlo Costanza (212) 788-8739  
Status: Closed, Decision – 4/27/10

12. 51-06-BZ  
Sheldon Lobel, P.C.  
188-02/22 Union Turnpike, Queens  
Amendment of a variance (§72-21) which permitted a Physical Culture Establishment, contrary to §32-00, and a dance studio (Use Group 9), contrary to §32-18. The amendment seeks to enlarge the floor area occupied by the PCE. C1-2/R2 zoning district  
Community Board #1Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 5/11/10

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************************************************************************************************************DISCLAIMER************************************************************************************************************
### DISMISSAL CASES

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<th>Case</th>
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<tr>
<td>16-92-BZ</td>
<td>R5/C1-3</td>
</tr>
<tr>
<td>92-08-BZ</td>
<td>M1-5B</td>
</tr>
</tbody>
</table>

**13. 16-92-BZ**

NYC Board of Standards and Appeals  
Applicant: Sheldon Lobel, P.C.  
72/84 Sullivan Street, Brooklyn  
Dismissal for lack of prosecution for an extension of time to obtain a Certificate of Occupancy, and an Amendment to allow an additional non-conforming use on the zoning lot. R5/C1-3 zoning district.  
Community Board #6BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 5/25/10 (Dismissal Calendar)

**14. 92-08-BZ**

NYC Board of Standards and Appeals  
Applicant: Reed Smith, LLP  
13 Crosby Street, Brooklyn  
Dismissal for lack of prosecution for a variance (§72-21) to allow residential conversion and enlargement of an existing building, contrary to bulk regulations. M1-5B zoning district.  
Community Board #4BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Public Hearing – 5/25/10 (BZ Calendar)
### APPEALS – DECISIONS

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<tr>
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<th>Description</th>
<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>15.</td>
<td>Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district regulations. R3-2 (SSRD) zoning district. <strong>Community Board #3SI</strong></td>
<td><strong>Toni Matias (212) 788-8752</strong></td>
<td><strong>Granted – 4/13/10</strong></td>
</tr>
<tr>
<td>16.</td>
<td>Appeal seeking to revoke the Certificate of Occupancy for failure to comply with provisions of the Zoning Resolution, Building Code and Multiple Dwelling Law. R5 Zoning district. <strong>Community Board #1Q</strong></td>
<td><strong>Toni Matias (212) 788-8752</strong></td>
<td><strong>Granted – 4/13/10</strong></td>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, APRIL 13, 2010
10:00 A.M.

<table>
<thead>
<tr>
<th>APPEALS – CONTINUED HEARINGS</th>
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| **17.** 167-09-A | Harold Weinberg, P.E.  
820 39th Street, Brooklyn  
Appeal challenging Department of Building’s determination that the reconstruction of non-complying building must be done in accordance with §54-41 and be required to provide a 30 foot rear yard. M1-2 zoning district.  
Community Board #12BK  
Examiner: Toni Matias (212) 788-8752  
Status: Withdrawn – 4/13/10 |
| **18.** 185-09-A & 186-09-A | Diffendale & Kubec, AIA  
61 and 67 Elder Avenue, Staten Island  
Construction not fronting on a mapped street, contrary to Section 36 of the General City Law. R3 Zoning district.  
Community Board #3SI  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 4/13/10 |
| **19.** 217-09-A | Marvin B. Mitzner, Esq.  
514-516 East 6th Street, Manhattan  
An appeal seeking to vary the applicable provisions under the Multiple Dwelling Law as it applies to the enlargement of non-fireproof tenement buildings. R7-2 zoning district.  
Community Board #3M  
Examiner: Toni Matias (212) 788-8752  
Status: Adjourned, Continued Hearing – 5/25/10 |

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<tr>
<th>CASE #</th>
<th>ADDRESS</th>
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<tr>
<td>21</td>
<td>1-10-A</td>
<td>Elizabeth Safian, 527 East 86th Street, Brooklyn. Appeal to an Order of Closure issued by the Department of Buildings. Per the Order, the site’s commercial vehicle storage, public parking lot, trucking terminal and a salvage yard uses constitute an illegal use in a residential district contrary to Administrative Code Section 28-212.2. R5 zoning district. Community Board #18BK. Examiner: Toni Matias (212) 788-8752. Status: Closed, Decision – 5/25/10.</td>
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### BZ – DECISIONS

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</table>
| **1.** | **29-09-BZ** | Law Office of Fredrick A. Becker  
144 Brunswick Street, Staten Island  
Variance (§72-21) to legalize and enlarge a synagogue (Chabad Israeli Center), contrary to lot coverage, front yards, side yards, and parking regulations. R3X zoning district.  
Community Board #2SI  
Examiner: Rory Levy (212) 788-8749  
Status: Deferred Decision – 5/18/10 |
| **2.** | **332-09-BZ** | Moshe M. Friedman  
1462 East 27th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing two family home, contrary to floor area and open space (§23-141(a)); less than the required rear yard (§23-47). R2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 4/13/10 |
| **3.** | **11-10-BZ** | Rothkrug Rothkrug & Spector, LLP  
562 Court Street (aka 21 Garnet Street), Brooklyn  
Special Permit (§73-36) to legalize and enlarge a physical culture establishment (CKO Kickboxing). C2-3/R6 zoning district.  
Community Board # 6BK  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 4/13/10 |
| **4.** | **15-10-BZ** | Dennis D. Dell’Angelo  
3114 Bedford Avenue, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141); side yards (§23-461), and rear yard (§23-47) regulations. R-2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 4/13/10 |

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### BZ – CONTINUED HEARINGS

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| 5. | 160-08-BZ | Dominick Salvati and Son Architects  
**651-671 Fountain Avenue, Brooklyn**  
Variance (§72-21) to permit the legalization of commercial storage of motor vehicles/buses (UG 16C) with accessory fuel storage and motor vehicles sales and repair (UG 16B), which is contrary to §22-00. R4 zoning district.  
Community Board #5BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 5/25/10 |
| 6. | 173-09-BZ | Law Offices of Howard Goldman LLC  
**845 Broadway, Brooklyn**  
Variance (§72-21) to allow a seven-story mixed use building, contrary to use regulations (§32-00, §42-00). C8-2/M1-1 zoning districts.  
Community Board #4BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 5/25/10 |
| 7. | 234-09-BZ | Sheldon Lobel, P.C.  
**25-71 44th Street, Queens**  
Variance (§72-21) for the construction of a detached two-family home contrary to side yard regulations (§23-48). R-5 zoning district.  
Community Board #1Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 4/27/10 |
| 8. | 272-09-BZ | Jeffrey A. Chester, Esq.  
**32-62 Steinway Street, Queens**  
Special Permit (§73-36) to legalize the operation of an existing physical culture establishment (*Lucille Roberts*) on the second and third floors in an existing three-story building. C5-2.5 (M.D) zoning district.  
Community Board #1Q  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 5/11/10 |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, APRIL 13, 2010
**1:30 P.M.**

## BZ – CONTINUED HEARINGS

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| 9. | **282-09-BZ** | Steven Williams, P.E.  
54-19 Myrtle Avenue, Queens  
Special Permit (§73-36) to legalize the operation of a physical culture establishment (*Ritchie's Gym*) on the third floor of a four-story commercial building. C4-3 zoning district.  
**Community Board #5Q**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Adjourned, Continued Hearing – 5/25/10 |
| 10. | **297-09-BZ** | Marvin B. Mitzner, Esq.  
180 Ludlow Street, Manhattan  
Variance (§72-21) to allow for the conversion of a recently constructed commercial building for residential use, contrary to rear yard regulations (§23-47). C4-4A zoning district.  
**Community Board #3M**  
**Examiner:** Ronald Rizzotti (212) 788-8749  
**Status:** Adjourned, Continued Hearing – 6/8/10 |
| 11. | **307-09-BZ** | Law Office of Fredrick A. Becker  
1358-1360 East 28<sup>th</sup> Street, Brooklyn  
Special Permit (§73-622) for the enlargement of existing single family home, contrary to open space and floor area (§23-141); side yard (§23-461) and less than the required rear yard (§23-47). R2 zoning district.  
**Community Board #14BK**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Continued Hearing – 4/27/10 |
| 12. | **325-09-BZ** | Sheldon Lobel, P.C.  
1364 & 1366 52<sup>nd</sup> Street, Brooklyn  
Variance (§72-21) to permit the proposed four-story and mezzanine synagogue, contrary to lot coverage (§24-11), rear yard (§24-36) and initial setback of front wall (§24-522). R6 zoning district.  
**Community Board #12BK**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Continued Hearing – 5/25/10 |

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| **13.** | **330-09-BZ** | Eric Palatnik, P.C.  
**230 Amherst Street, Brooklyn**  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space, lot coverage and floor area (§23-141) and rear yard (§23-47). R3-1 zoning district.  
Community Board#15BK  
Examiner:  Henry Segovia (212) 788-8757  
Status: Closed, Decision – 4/27/10 |
| **14.** | **18-10-BZ** | Sheldon Lobel, P.C.  
**50 East 42nd Street, Manhattan**  
Special Permit (§73-36) to allow a physical culture establishment (Lucille Roberts) in the cellar and a portion of the first floor in an existing 26-story building. C5-3 zoning district.  
Community Board #5M  
Examiner:  Rory Levy (212) 788-8749  
Status: Closed, Decision – 4/27/10 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
TUESDAY AFTERNOON, APRIL 13, 2010
1:30 P.M.

| 15. | 31-09-BZ | Eric Palatnik, PC
117-04 Sutphin Boulevard, Queens
Special Permit (§11-411, §11-412, §11-413) for re-instatement of previous variance, which expired on November 12, 1990; amendment for a change of use from a gasoline service station (UG16b) to automotive repair establishment and automotive sales (UG16b); enlargement of existing one story structure; and Waiver of the Rules. C2-2/R3-2 zoning district.
Community Board #12Q
Examiner: Carlo Costanza (212) 788-8739
Status: Continued Hearing – 5/25/10 |
| 16. | 20-10-BZ | DeCampo Diamond & Ash
1470 Third Avenue aka 171-173 East 83rd Street, Manhattan
Special Permit (§73-36) to allow the legalization of an existing physical culture establishment (Soul Cycle) on the ground floor of an existing six-story building. C1-9 zoning district.
Community Board #8M
Examiner: Rory Levy (212) 788-8749
Status: Continued Hearing – 5/11/10 |
**SOC – CONTINUED HEARINGS**

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</table>
| 1. | 1045-67-BZ | Michael A. Cosentino  
160-10 Crossbay Boulevard, Queens  
Extension of term of a variance (§72-21) for an accessory parking lot to be used for adjoining commercial uses, which expired on June 27, 1998; waiver of the Rules; and an Amendment to eliminate the term.  
R2 zoning district  
Community Board #10Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Closed, Decision – 5/18/10 |
| 2. | 121-02-BZ | Rothkrug, Rothkrug & Spector LLP  
9215 4th Avenue, Brooklyn  
Amendment (§73-11) to a special permit (§73-11) for an enlargement of a Physical Culture Establishment.  
C8-2 zoning district  
Community Board #10BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Closed, Decision – 5/11/10 |
| 3. | 369-03-BZ | The Law Office of Fredrick A. Becker  
99-01 Queens Boulevard, Queens  
Amendment to a variance (§72-21) for a physical culture establishment (New York Sports Club) to change in the owner/operator, decrease floor area, modify days and hours of operation, and eliminate parking condition.  
C1-2/R7-1 zoning district  
Community Board #1IQ  
Examiner: Carlo Costanza (212) 788-8739  
Status: Closed, Decision – 5/25/10 |
| 4. | 58-07-BZ | Eric Palatnik, P.C.  
18-02 Clintonville, Queens  
Amendment to previously granted variance for a residential building to include two additional objections: dwelling unit size (§23-23) and side yard regulations (§23-461(a).  
R3A zoning district  
Community Board #7Q  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 5/18/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY MORNING, APRIL 20, 2010**

**10:00 A.M.**

## SOC – NEW CASES

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<tr>
<th>#</th>
<th>Case Number</th>
<th>Name and Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
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<tr>
<td>5.</td>
<td>199-00-BZ</td>
<td>John C. Chen, 76-19 Roosevelt Avenue, Queens</td>
<td>Extension of Term of a Special Permit (§73-244) for an Eating and Drinking Establishment (Club Atlantis) without restrictions on entertainment (UG12A) which expired on March 13, 2010. Waiver of the Rules. C2-3/R6 zoning district.</td>
<td>#3Q</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Closed, Decision – 5/11/10</td>
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<tr>
<td>6.</td>
<td>200-00-BZ</td>
<td>Eric Palatnik, 107-24 37th Avenue aka 37-16 108th Street, Queens</td>
<td>Extension of Term (§72-01 &amp; §72-22) of a variance (§72-21) to allow a physical culture establishment (Squash Fitness Center) to operate in a C1-4 zoning district, which will expire on July 17, 2011; Extension of Time to obtain a certificate of occupancy, which expired on January 28, 2010; Waiver of the Rules.</td>
<td>#3Q</td>
<td>Carlo Costanza (212) 788-8739</td>
<td>Continued Hearing – 5/18/10</td>
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<td>7.</td>
<td>363-04-BZ</td>
<td>Moshe M. Friedman, 6002 Fort Hamilton Parkway, Brooklyn</td>
<td>Extension of Time to Complete Construction of a previously approved variance (§72-21) to convert an industrial building to commercial/residential use, which expired on July 19, 2009; Waiver of the Rules. M1-1 zoning district.</td>
<td>#12BK</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Closed, Decision – 5/11/10</td>
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### APPEALS – DECISIONS

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|8. | 280-09-A | Kramer Levin Naftalis & Frankel, LLP  
330 West 86\(^{th}\) Street, Manhattan  
Appeal challenging Department of Building's authority under the City Charter to interpret or enforce provisions of Article 16 of the General Municipal Law as it applies to the construction of a proposed 16 story+ penthouse. R10A Zoning district.  
Community Board #7M  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 4/20/10 |

### APPEALS – CONTINUED HEARINGS

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|9. | 300-08-A | Marvin Mitzner  
39-35 27\(^{th}\) Street, Queens  
An appeal seeking a determination that the property owner has acquired a common law vested right to continue development under the prior M1-3 zoning district regulations. M1-2 /R5B zoning district.  
Community Board #1Q  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 5/25/10 |
|10. | 283-09-BZY thru 286-09-BZY | Rothkrug, Rothkrug & Spector, LLP  
90-18 176\(^{th}\) Street, 175/19/21/23 Lauren Court, Queens  
Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R4-1 zoning district.  
Community Board #12Q  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 5/25/10 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY MORNING, APRIL 20, 2010**

**10:00 A.M.**

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| 1. | 214-07-BZ | Sheldon Lobel, P.C.  
**3217 Irwin Avenue, Bronx**  
Variance (§72-21) to allow a public parking garage and increase the maximum permitted floor area in a mixed residential and community facility building, contrary to §22-10 and §24-162. R6 zoning district.  
Community Board #8BX  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Deferred Decision – 5/11/10 |
| 2. | 294-09-BZ | Rothkrug, Rothkrug & Spector  
**3768 Richmond Avenue, Staten Island**  
Special Permit (§73-125) to legalize a one-story ambulatory diagnostic and treatment health care facility. R3A zoning district.  
Community Board #3SI  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Granted – 4/20/10 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
### TUESDAY AFTERNOON, APRIL 20, 2010
### 1:30 P.M.

### BZ – CONTINUED HEARINGS

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| **3.** | **239-07-BZ** | Rothkrug, Rothkrug & Spector, LLP, 57-38 Waldron Street, Queens  
Variance (§72-21) to permit a community youth center (UG 4) in the cellar and first floor in a proposed three-story and penthouse mixed-use building, contrary to side yard (§24-35). R5 zoning district.  
**Community Board #4Q**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Adjourned, Continued Hearing – 5/18/10 |
| **4.** | **28-09-BZ** | Moshe M. Friedman, P.E.  
133 Taaffe Place, Brooklyn  
Variance (§72-21) to permit a four-story residential building on a vacant lot, contrary to use regulations (§42-10). M1-1 zoning district.  
**Community Board #3BK**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Adjourned, Continued Hearing – 5/25/10 |
| **5.** | **162-09-BZ** | Sheldon Lobel, P.C.  
30-33 Steinway Street, Queens  
Special Permit (§73-36) to allow the legalization of a physical culture establishment (Planet Fitness) in the cellar, first, and second floors in an existing two-story building; Special Permit (§73-52) to extend the C4-2A zoning district regulations 25 feet into the adjacent R5 zoning district. C4-2A/R5 zoning districts.  
**Community Board #1Q**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Continued Hearing – 5/25/10 |
| **6.** | **214-09-BZ** | Rothkrug, Rothkrug & Spector, LLP  
1464 Astor Avenue, Bronx  
Special Permit (§73-125) to allow for a 9,996 sq ft ambulatory diagnostic or treatment center which exceeds the 1,500 sq ft maximum allowable floor area set forth in ZR §22-14. R4-1 zoning district.  
**Community Board #11BX**  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Closed, Decision – 5/25/10 |

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| **7.** | **254-09-BZ thru 256-09-BZ** | Ivan F. Khoury  
**101/03/05 Astoria Boulevard aka 27-31 Kearney Street, Queens**  
Variance (§72-21) to legalize three existing homes, contrary to front yard (§23-45) and rear yard (§23-47) regulations.  
**R3-2 zoning district.**  
**Community Board #3Q**  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Adjourned, Continued Hearing – 6/8/10 |
| **8.** | **271-09-BZ** | Sheldon Lobel, P.C.  
**132-40 Metropolitan Avenue, Queens**  
Special Permit (§73-36) to legalize the operation of an existing physical culture establishment (*Planet Fitness*) on the first, second, and third floors of an existing three-story building.  
**C2-3 zoning district.**  
**Community Board #9Q**  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 5/25/10 |
| **9.** | **273-09-BZ** | Rothkrug Rothkrug & Spector LLP  
**117-40 125th Street, Queens**  
Variance (§72-21) for the construction of a two-story, one-family home, contrary to side yards (§23-461).  
**R3-2 zoning district.**  
**Community Board #10Q**  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 5/18/10 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**  
**TUESDAY AFTERNOON, APRIL 20, 2010**  
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| **10.** | **308-09-BZ** | Jorge F. Canepa  
366 Husson Street, Staten Island  
Variance (§72-21) to legalize a swimming pool located partially within a front yard and to allow two parking spaces to be located between the street line and the building street wall, contrary to §23-44 and §25-622.  
R3X zoning district.  
Community Board #2SI  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 5/11/10 |
| **11.** | **331-09-BZ** | Slater & Beckerman, LLP  
141 East 45th Street, Manhattan  
Special Permit (§73-36) to legalize the operation of a physical culture establishment (River View Spa) located on the second and third floors in an existing three-story building. C5-2.5 zoning district.  
Community Board #6M  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 5/25/10 |
| **12.** | **19-10-BZ** | Akerman Senterfitt, LLP  
100 Oak Point Avenue, Bronx  
Special Permit (ZR§ 73-482) to allow for an accessory parking facility in excess of 150 spaces. M3-1 zoning district.  
Community Board #2BX  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 5/11/10 |

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| **1.** | **603-86-BZ** | **H. Irving Sigman PE**  
88-34 Parsons Boulevard, aka 88-26/34 Parsons Boulevard, Queens  
Extension of Term for a Variance (§72-21) allowing the construction of retail stores (UG 6), which expired on September 8, 2007; Amendment to the accessory open parking area and refuse area and request to eliminate the term; Waiver of the Rules. R7A (Downtown Jamaica Special District) zoning district.  
Community Board #12Q  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Granted – 4/27/10 |
| **2.** | **72-99-BZ** | **Rothkrug Rothkrug & Spector**  
1633 Broadway, 215 West 50th Street; 210 West 51st Street, Manhattan  
Extension of Term to permit the continued operation of a Physical Cultural Establishment (Equinox Fitness) which expired on January 11, 2010. C6-7 (MID) zoning district.  
Community Board #5M  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Granted – 4/27/10 |
| **3.** | **196-08-BZ** | **Gage Parking Consultants**  
792 Tenth Avenue/455 West 53rd Street, Manhattan  
Amendment of a previous grant for public parking garage; amendment would enclose rooftop parking. C6-2 (Special Clinton District) zoning district.  
Community Board#4M  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Granted – 4/27/10 |
### SOC – CONTINUED HEARINGS

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<td>291-03-BZ</td>
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<tr>
<td></td>
<td>Stuart A. Klein, Esq.</td>
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<td>1380 62nd Street, Brooklyn</td>
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<tr>
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<td>Extension of term of a variance (§72-21) for construction of a new residential building; amendment to add increase the number of dwelling units, FAR, height and parking spaces. M1-1/R5B zoning districts.</td>
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<td>Community Board #10BK</td>
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<td>Examiner: Rory Levy (212) 788-8749</td>
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### SOC – NEW CASES

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<td>803-61-BZ</td>
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<td>Eric Palatnik, P.C.</td>
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<td>1416 Hylan Boulevard, Staten Island</td>
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<td></td>
<td>Extension of Term for the continued use of a Gasoline Service Station (British Petroleum) which expires on November 14, 2011; Waiver of the Rules. C2-1/R3-2 zoning districts.</td>
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<td>Community Board #2SI</td>
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<td>Examiner: Henry Segovia (212) 788-8757</td>
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<td>Status: Continued Hearing – 5/25/10</td>
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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
#### TUESDAY MORNING, APRIL 27, 2010
#### 10:00 A.M.

**APPEALS – CONTINUED HEARINGS**

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| 6. | 157-07-BZY | Ackerman Senterfitt  
55 Eckford Street, Brooklyn  
Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6/M1-1 zoning district. M1-2 /R6A, M1-2 R6B, MX8 zoning district.  
Community Board #1BK  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 4/27/10 |
| 7. | 315-08-A | Stuart A. Klein, Esq.  
246 Spring Street, Manhattan  
An appeal seeking the revocation of permits for a condominium hotel based on the fact that the approved plans allow for exceeding of maximum permitted floor area. M1-6 zoning.  
Community Board #2M  
Examiner: Toni Matias (212) 788-8752  
Status: Adjourned, Continued Hearing – 6/8/10 |
| 8. | 287-09-BZY & 288-09-BZY | Sheldon Lobel, P.C.  
87-85 & 87-87 144th Street, Queens  
Extension of time (§11-332) to complete construction of a major development commenced under the prior R6 zoning. R5 zoning district.  
Community Board #12Q  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 5/11/10 |
| 9. | 303-09-BZY | Eric Palatnik, P.C.  
517 53rd Street, Brooklyn  
Extension of time (§11-332) to complete construction of an enlargement commenced under the prior C4-3 zoning district. R6B zoning district  
Community Board #7BK  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 5/11/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, APRIL 27, 2010
#### 10:00 A.M.

## APPEALS – NEW CASES

<table>
<thead>
<tr>
<th>Case No.</th>
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<tbody>
<tr>
<td>10. 57-10-A</td>
<td>Eric Palatnik, P.C., 517 53rd Street, Brooklyn</td>
<td>Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior C4-3 zoning district. R6B zoning district. Community Board #7BK. Examiner: Toni Matias (212) 788-8752. Status: Continued Hearing – 5/11/10.</td>
</tr>
<tr>
<td>11. 10-10-A</td>
<td>Law Office of Fredrick A. Becker, 1882 East 12th Street, Brooklyn</td>
<td>Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district. R6 zoning district. Community Board #15BK. Examiner: Toni Matias (212) 788-8752. Status: Continued Hearing – 6/8/10.</td>
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</table>
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, APRIL 27, 2010**  
**1:30 P.M.**

### BZ – DECISIONS

<table>
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<th>#</th>
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<tbody>
<tr>
<td>1</td>
<td>186-08-BZ</td>
<td>Deferred Decision – 6/8/10</td>
<td>(212) 788-8749</td>
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<td>2</td>
<td>311-09-BZ</td>
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<td>(212) 788-8757</td>
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<td>3</td>
<td>330-09-BZ</td>
<td>Granted – 4/27/10</td>
<td>(212) 788-8757</td>
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<tr>
<td>4</td>
<td>18-10-BZ</td>
<td>Granted – 4/27/10</td>
<td>(212) 788-8749</td>
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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, APRIL 27, 2010**  
**1:30 P.M.**

#### BZ – CONTINUED HEARINGS

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| 5. | 220-08-BZ | Moshe M. Friedman  
95 Taaffe Place, Brooklyn  
Variance (§72-21) to permit the enlargement of a non-conforming one-family dwelling, contrary to §42-10. M1-1 zoning district.  
Community Board #3BK  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Closed, Decision – 5/18/10 |
| 6. | 302-08-BZ | Rothkrug, Rothkrug & Spector LLP  
4368 Furman Avenue, The Bronx  
Variance (§72-21) to permit an existing semi-detached residential building, contrary to side yard regulations (§23-462) R5 district.  
Community Board #12BX  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Continued Hearing – 6/22/10 |
| 7. | 234-09-BZ | Sheldon Lobel, P.C.  
25-71 44th Street, Queens  
Variance (§72-21) for the construction of a detached two-family home contrary to side yard regulations (§23-48). R-5 zoning district.  
Community Board #1Q  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Continued Hearing – 5/18/10 |
| 8. | 270-09-BZ | Sheldon Lobel, P.C.  
1910 Homecrest Avenue, Brooklyn  
Variance (§72-21) for the construction of a single family home on a vacant corner lot, contrary to floor area (§23-141), side yards (§23-461) and front yard (§23-47). R4-1 zoning district.  
Community Board #15BK  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Adjourned, Continued Hearing – 5/11/10 |

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| 9. | 307-09-BZ | Law Office of Fredrick A. Becker  
1358-1360 East 28th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of existing single family home, contrary to open space and floor area (§23-141); side yard (§23-461) and less than the required rear yard (§23-47). R2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 5/11/10 |
| 10. | 9-10-BZ | Eric Palatnik, P.C.  
231-10 Northern Boulevard, Queens  
Variance (§72-21) to allow a restaurant use in an existing building, contrary to §22-00. R1-2 zoning district.  
Community Board #11Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 5/25/10 |
| 11. | 13-10-BZ | Eric Palatnik, P.C.  
79 Amherst Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing two-family home to be converted to a single family home, contrary to lot coverage and floor area (§23-141); side yards (§23-461) and rear yard (§23-47). R3-1 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 6/8/10 |
| 12. | 14-10-BZ | Friedman & Gotbaum, LLP  
38-50 Cooper Square, Manhattan  
Special Permit (§73-19) to allow a Use Group 3 school (Grace Church High School). M1-5B zoning district.  
Community Board #2M  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 5/18/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY AFTERNOON, APRIL 27, 2010**

1:30 P.M.

## BZ – NEW CASES

| 13. | 194-09-BZ | Sheldon Lobel, P.C.  
2113 Utica Avenue, 2095-211 Utica Avenue, Brooklyn  
Variance to allow the construction of a four story mixed use building contrary to floor area (§23-141), open space (§23-141), lot coverage (§23-141), front yard (§23-45), height (§23-631), open space used for parking (§25-64) and parking requirements (§25-23); and to allow for the enlargement of an existing commercial use contrary to §22-10. R3-2 zoning district.  
Community Board# 18BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 6/22/10 |
| 14. | 304-09-BZ | Stuart A. Klein, Esq.  
75-121 Junius Street, Brooklyn  
Variance (§72-21) to allow the erection of a ten-story, mixed-use community facility and commercial building, contrary to floor area (§42-00, 43-12 and 43-122), height and sky exposure plane (§43-43), and parking (§44-21). M1-4 zoning district.  
Community Board #16BK  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 6/15/10 |
| 15. | 34-10-BZ | James Chin & Associates, LLC,  
429 Broome Street, Manhattan  
Special Permit (§73-36) to allow the operation of a physical culture establishment (York Spa Beauty Care) in the cellar and first floor of an existing five-story building. M1-5B zoning district.  
Community Board #2M  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 6/8/10 |
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</table>
| 1. | 389-37-BZ | The Law Office of Fredrick A. Becker  
31-08 -31-12 45th Street, Queens  
Extension of Term (§11-411) of a previously granted Variance for the operation of a UG8 parking lot which expired on June 13, 2008;  
Extension of Time to obtain a Certificate of Occupancy which expired on December 12, 2004 and Waiver of the Rules. R5/C1-2 zoning district.  
Community Board#1Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 5/11/10 |
| 2. | 223-98-BZ | Andrea Claire/Peter Hirshman  
51-59 Maujer Street aka 451-459 Lorimer Street, Brooklyn  
Extension of Term of a previous variance that permits the operation of an automotive service station (UG 16B) which will expire on February 1, 2010; Amendment to allow used car sales (UG 16B);  
Extension of Time to obtain a Certificate of Occupancy which expired on June 10, 2003; Waiver of the Rules. R6B zoning district.  
Community Board #1BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Granted – 5/11/10 |
| 3. | 199-00-BZ | John C. Chen  
76-19 Roosevelt Avenue, Queens  
Extension of Term of a Special Permit (§73-244) for an Eating and Drinking Establishment (Club Atlantis) without restrictions on entertainment (UG12A) which expired on March 13, 2010. Waiver of the Rules. C2-3/R6 zoning district.  
Community Board #3Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 5/11/10 |
| 4. | 121-02-BZ | Rothkrug, Rothkrug & Spector LLP  
9215 4th Avenue, Brooklyn  
Amendment (§73-11) to a special permit (§73-11) for an enlargement of a Physical Culture Establishment. C8-2 zoning district.  
Community Board #10BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Granted – 5/11/10 |
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**SOC – CONTINUED HEARINGS**

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| **6.** | **16-36-BZ** | Sheldon Lobel, P.C.  
**1885 Westchester Avenue, Bronx**  
Community Board #9BX  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 5/18/10 |
| **7.** | **834-60-BZ** | Sheldon Lobel, P.C.  
**140 Vanderbilt Avenue, Brooklyn**  
Extension of Term for the continued use of a Gasoline Service Station (*Gulf*) with minor auto repairs which expired on March 7, 2006; Extension of Time to obtain a Certificate of Occupancy which expired on March 2, 2000; Amendment to legalize an accessory convenience store and Waiver of the Rules. C2-4/R-7A, R-5B zoning district.  
Community Board #2BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 6/8/10 |
| **8.** | **11-93-BZ** | Sheldon Lobel, P.C.  
**46-45 Kissena Boulevard aka 140-01 Laburnum Avenue, Queens**  
Extension of Term (§§11-411 & §11-412) to allow the continued operation of an Eating and Drinking establishment (UG 6) which expired on March 15, 2004; Amendment to legalize alterations to the structure; Waiver of the Rules.  C2-2 and R3-2 zoning districts.  
Community Board # 7Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 6/8/10 |
| **9.** | **201-01-BZ** | Sheldon Lobel, P.C.  
**2591 Atlantic Avenue, Brooklyn**  
Extension of Term (§72-01 & 72-22) of a previously approved variance permitting the operation of an automobile laundry, lubrication and accessory automobile supply store (UG16b); Amendment seeking to legalize changes and increase in floor area; and Waiver of the Rules. C4-1 zoning district.  
Community Board #5BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 6/8/10 |
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</table>
| 10. | 51-06-BZ | Sheldon Lobel, P.C.  
188-02/22 Union Turnpike, Queens  
Amendment of a variance (§72-21) which permitted a Physical Culture Establishment, contrary to §32-00, and a dance studio (Use Group 9), contrary to §32-18. The amendment seeks to enlarge the floor area occupied by the PCE. C1-2/R2 zoning district  
Community Board #1Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Closed, Decision – 5/25/10 |   |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, MAY 11, 2010
#### 10:00 A.M.

### SOC – NEW CASES

<table>
<thead>
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<th>Address</th>
<th>Description</th>
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<tr>
<td>11. 887-54-BZ</td>
<td>Eric Palatnik, P.C.&lt;br&gt;218-01 Northern Boulevard, Queens&lt;br&gt;Extension of Term (§11-411) for the continued use of gasoline station (British Petroleum) with accessory convenience store (7-Eleven) which expires on September 23, 2010. C2-2/R6B zoning district.</td>
<td>Community Board #11Q&lt;br&gt;Examiner: Henry Segovia (212) 788-8757&lt;br&gt;Status: Continued Hearing – 6/8/10</td>
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<tr>
<td>12. 102-95-BZ</td>
<td>The Law Office of Fredrick A. Becker&lt;br&gt;50 West 17th Street, Manhattan&lt;br&gt;Extension of Term of a previously granted Special Permit (§73-244) for a UG12 Eating and Drinking Establishment (Splash) which expired on March 5, 2010. C6-4A zoning district.</td>
<td>Community Board #5M&lt;br&gt;Examiner: Henry Segovia (212) 788-8757&lt;br&gt;Status: Continued Hearing – 6/15/10</td>
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<tr>
<td>13. 189-96-BZ</td>
<td>John C. Chen&lt;br&gt;85-12 Roosevelt Avenue, Queens&lt;br&gt;Extension of Term for a previously granted Special Permit (§73-244) of a UG12 Eating and Drinking establishment with entertainment and dancing (Flamingos) which expires on May 19, 2010. C2-3/R6 zoning district.</td>
<td>Community Board #5M&lt;br&gt;Examiner: Henry Segovia (212) 788-8757&lt;br&gt;Status: Continued Hearing – 6/22/10</td>
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<td>14. 4-00-BZ</td>
<td>Eric Palatnik, P.C.&lt;br&gt;243 West 30th Street, Manhattan&lt;br&gt;Extension of Term of a previously granted Special Permit (§73-36) for the continued use of a Physical Culture Establishment (West Garden) which expires on May 30, 2010. M1-5 zoning district.</td>
<td>Community Board #5M&lt;br&gt;Examiner: Henry Segovia (212) 788-8757&lt;br&gt;Status: Closed, Decision – 5/25/10</td>
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| 15. | 103-05-A | Rothkrug, Rothkrug, Spector, L.P  
366 Nugent Street, Staten Island |
|     |         | Application to reopen pursuant to a court remand (Appellate Division) for a determination of whether the Department of Buildings issued a permit in error based on alleged misrepresentations made by the owner during the permit application process. |
|     |         | Community Board #2SI |
|     |         | Examiner: Toni Matias (212) 788-8752 |
|     |         | Status: Continued Hearing – 6/15/10 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
**TUESDAY MORNING, MAY 11, 2010**
10:00 A.M.

### APPEALS – DECISIONS

<table>
<thead>
<tr>
<th>No.</th>
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<th>Attorney</th>
<th>Decision</th>
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<tbody>
<tr>
<td>16.</td>
<td>287-09-BZY &amp; 288-09-BZY</td>
<td>Sheldon Lobel, P.C. 87-85 &amp; 87-87 144th Street, Queens</td>
<td>Extension of time (§11-332) to complete construction of a major development commenced under the prior R6 zoning. R5 zoning district.</td>
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<td>Examiner: Toni Matias (212) 788-8752</td>
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<tr>
<td>17.</td>
<td>303-09-BZY</td>
<td>Eric Palatnik, P.C. 517 53rd Street, Brooklyn</td>
<td>Extension of time (§11-332) to complete construction of an enlargement commenced under the prior C4-3 zoning district. R6B zoning district.</td>
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<td>Examiner: Toni Matias (212) 788-8752</td>
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<td>Status: Closed, Decision – 5/25/10</td>
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<td>18.</td>
<td>57-10-A</td>
<td>Eric Palatnik, P.C. 517 53rd Street, Brooklyn</td>
<td>Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior C4-3 zoning district. R6B zoning district.</td>
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******************************************************************************DISCLAIMER******************************************************************************
### APPEALS – NEW CASES

| 19. | 43-08-A, 3-10-A & 4-10-A | Akerman Senterfitt 144-25 Bayside Avenue and 29-45/29-46 145th Street, Queens  
Proposed construction in the bed of mapped street contrary to the General City Law Section 35. R2A zoning district.  
Community Board #7Q  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 6/8/10 |

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**DISCLAIMER**

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY AFTERNOON, MAY 11, 2010**

**1:30 P.M.**

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#### BZ – DECISIONS

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Status</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>307-09-BZ</td>
<td>Granted</td>
<td>Special Permit (§73-622) for the enlargement of existing single family home, contrary to open space and floor area (§23-141); side yard (§23-461) and less than the required rear yard (§23-47). R2 zoning district. Community Board #14BK. Examiner: Henry Segovia (212) 788-8757. Status: Granted – 5/11/10.</td>
</tr>
<tr>
<td>308-09-BZ</td>
<td>Withdrawn</td>
<td>Variance (§72-21) to legalize a swimming pool located partially within a front yard and to allow two parking spaces to be located between the street line and the building street wall, contrary to §23-44 and §25-622. R3X zoning district. Community Board #2SI. Examiner: Ronald Rizzotti (212) 212-788-8781. Status: Withdrawn – 5/11/10.</td>
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</tbody>
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<tr>
<th>#</th>
<th>Case Number</th>
<th>Description</th>
<th>Attorney</th>
<th>Address</th>
<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>5</td>
<td>14-09-BZ</td>
<td>DiMonte &amp; Company, P.C.</td>
<td>2294 Forest Avenue, Staten Island</td>
<td>Eric Palatnik, P.C.</td>
<td>Examiner: Carlo Costanza (212) 788-8739</td>
<td>Continued Hearing – 7/13/10</td>
</tr>
<tr>
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<td>Special Permit (§73-211) to allow an automotive service station with an accessory convenience store and automotive laundry (UG 16B). C2-1/R3-2 zoning district.</td>
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<td>Variance (§72-21) to allow for the construction of a department store (UG10), contrary to use regulations (§§22-00, 32-00). R6 and R6/C2-3 zoning districts.</td>
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<td>7</td>
<td>270-09-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>1910 Homecrest Avenue, Brooklyn</td>
<td>Examiner: Henry Segovia (212) 788-8757</td>
<td>Status: Continued Hearing – 6/8/10</td>
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</tr>
<tr>
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<td></td>
<td>Variance (§72-21) for the construction of a single family home on a vacant corner lot, contrary to floor area (§23-141), side yards (§23-461) and front yard (§23-47). R4-1 zoning district.</td>
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<td>8</td>
<td>19-10-BZ/62-10-A</td>
<td>Akerman Senterfitt, LLP</td>
<td>100 Oak Point Avenue, Bronx</td>
<td>Examiner: Ronald Rizzotti (212) 212-788-8781</td>
<td>Status: Closed, Decision – 6/15/10</td>
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<tr>
<td></td>
<td></td>
<td>Special Permit (ZRS § 73-482) to allow for an accessory parking facility in excess of 150 spaces, and proposed construction not fronting a legally mapped street, contrary to General City Law Section 36. M3-1 zoning district.</td>
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### BZ – CONTINUED HEARINGS

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<th>20-10-BZ</th>
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<tbody>
<tr>
<td>9.</td>
<td><strong>DeCampo Diamond &amp; Ash</strong>&lt;br&gt;1470 Third Avenue aka 171-173 East 83rd Street, Manhattan&lt;br&gt;Special Permit (§73-36) to allow the legalization of an existing physical culture establishment (<em>Soul Cycle</em>) on the ground floor of an existing six-story building. C1-9 zoning district.</td>
</tr>
</tbody>
</table>
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, MAY 11, 2010**  
**1:30 P.M.**

<table>
<thead>
<tr>
<th>BZ – NEW CASES</th>
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</table>
| **10. 6-09-BZ** | Rampulla Associate Architects  
24 Nelson Avenue, Staten Island  
Variance (§72-21) to permit the legalization of an existing Automotive Repair Facility (UG 16B), contrary to ZR §32-10. C4-1 (Special South Richmond Development District & Special Growth Management District) zoning district.  
Community Board #3SI  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 6/22/10 |
| **11. 189-09-BZ/190-09-A** | Eric Palatnik, P.C.  
3067 Richmond Terrace, Staten Island  
Variance (§72-21) and waiver to the General City Law Section 35 to permit the legalization of an existing mosque and Sunday school (Nor Al-Islam Society), contrary to use and maximum floor area ratio (§§42-00 and 43-12) and construction with the bed of a mapped street. M3-1 zoning district.  
Community Board #1SI  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 7/13/10 |
| **12. 27-10-BZ** | Eric Palatnik, P.C.  
117 Norfolk Street, Brooklyn  
Special Permit (§73-622) for the enlargement of a single family home, contrary to open space, lot coverage and floor area (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R3-1 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 6/22/10 |
| **13. 30-10-BZ** | Law Office of Fredrick A. Becker  
1384 East 22nd Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141) and less than the required rear yard (§23-47). R-2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 5/25/10 |

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************************************************************************DISCLAIMER************************************************************************
# SOC – DECISIONS

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</table>
| 1. | 16-36-BZ | Sheldon Lobel, P.C.  
1885 Westchester Avenue, Bronx  
Extension of Time to obtain a Certificate of Occupancy of an existing Gasoline Service Station (Gulf) which expired on March 18, 2009; Waiver of the Rules. C2-2/R5 zoning district.  
Community Board#9BX  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 5/18/10 |
| 2. | 1045-67-BZ | Michael A. Cosentino  
160-10 Crossbay Boulevard, Queens  
Extension of term of a variance (§72-21) for an accessory parking lot to be used for adjoining commercial uses, which expired on June 27, 1998; waiver of the Rules; and an Amendment to eliminate the term.  
R2 zoning district  
Community Board #10Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Granted – 5/18/10 |
| 3. | 291-03-BZ | Stuart A. Klein, Esq.  
1380 62nd Street, Brooklyn  
Extension of term of a variance (§72-21) for construction of a new residential building; amendment to add increase the number of dwelling units, FAR, height and parking spaces. M1-1/R5B zoning districts.  
Community Board #10BK  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 5/18/10 |
| 4. | 58-07-BZ | Eric Palatnik, P.C.  
18-02 Clintonville, Queens  
Amendment to previously granted variance for a residential building to include two additional objections: dwelling unit size (§23-23) and side yard regulations (§23-461(a).  
R3A zoning district.  
Community Board #7Q  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 5/18/10 |

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# SOC – CONTINUED HEARINGS

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| **5.** | **74-49-BZ** | Sheldon Lobel, P.C.  
515 Seventh Avenue, Manhattan  
Extension of Time to obtain a Certificate of Occupancy for an existing parking garage which expired on September 17, 2009; Waiver of the Rules. M1-6 (Garment Center) zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 6/22/10 |
| **6.** | **617-80-BZ** | Eric Palatnik, P.C.  
770/780 McDonald Avenue, Brooklyn  
Extension of Term of a previously granted Variance (§72-21) of a UG9 catering establishment which expires on December 9, 2010; an Amendment to the interior layout; Extension of Time to Complete Construction and to obtain a Certificate of Occupancy which expires on March 14, 2010 and Waiver of the Rules. M1-1 zoning district.  
Community Board #12BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 6/22/10 |
| **7.** | **280-98-BZ** | Rampulla Associates Architects  
2936 Hylan Boulevard, Staten Island  
Extension of Term of a variance (§72-21) for the continued operation of a UG4 Dental Office which expired on February 8, 2010; Amendment to convert the basement garage into dental office floor area. R-2 zoning district.  
Community Board #3SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 6/8/10 |
| **8.** | **200-00-BZ** | Eric Palatnik, P.C.  
107-24 37th Avenue aka 37-16 108th Street, Queens  
Extension of Term (§72-01 & §72-22) of a variance (§72-21) to allow a physical culture establishment (Squash Fitness Center) to operate in a C1-4 zoning district, which will expire on July 17, 2011; Extension of Time to obtain a certificate of occupancy, which expired on January 28, 2010; Waiver of the Rules.  
Community Board #3Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Closed, Decision – 6/8/10 |
### SOC – NEW CASES

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</table>
| 9. | 7-00-BZ | Friedman & Gotbaum  
**90 Lafayette Street, Manhattan**  
Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the enlargement of a UG3 non-profit homeless shelter (**New York City Rescue Mission**) which expired on March 11, 2009; waiver of the rules.  
**C6-2A zoning district.**  
**Community Board #1M**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 6/8/10 |
| 10. | 151-05-BZ | John R. Roe  
**100 Varick Street, Manhattan**  
Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the construction of a 10-story residential building which expires on August 8, 2010.  
**M1-6 zoning district.**  
**Community Board #2M**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 6/8/10 |

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<tr>
<td><strong>APPEALS – CONTINUED HEARINGS</strong></td>
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</tbody>
</table>
| 11. | 62-08-A | Eric Palatnik, P.C.  
398 Nugent Street, Staten Island  
Proposed construction not fronting on a legally mapped street, contrary to General City Law, Section 36. R1-2 zoning district.  
Community Board #2SI  
Examiner: Toni Matias (212) 788-8752  
Status: Withdrawn – 5/18/10 |

| **APPEALS – NEW CASES** |   |   |
| 12. | 298-09-A | Joseph A. Sherry  
109 Beach 217th Street, Queens  
Reconstruction and enlargement of an existing single family home not fronting a legally mapped street, contrary to General City Law Section 36. R4 zoning district.  
Community Board #14Q  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 6/8/10 |
| 13. | 299-09-A | Joseph A. Sherry  
4 Lincoln Walk, Queens  
Reconstruction and enlargement of an existing single family home not fronting a legally mapped street, contrary to General City Law Section 36, and partially located within the bed of a mapped street, contrary to General City Law Section 35, and upgrade of a private disposal system in the bed of service road, contrary to Department of Buildings Policy.  
R4 zoning district.  
Community Board #14Q  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 5/18/10 |
### APPEALS – NEW CASES

<table>
<thead>
<tr>
<th>Case</th>
<th>Address</th>
<th>Description</th>
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</table>
| 14.  | 53-10-A | Sheldon Lobel, P.C.  
2031 Burr Avenue, Bronx  
Appeal seeking a determination that the owner has acquired a vested right to complete construction under the prior R7-1 zoning district. R5A zoning district.  
Community Board #10BX  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 6/15/10 |

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# New York City Board of Standards and Appeals

## Regular Meeting

**Tuesday Afternoon, May 18, 2010**

**1:30 P.M.**

## BZ – Decisions

| 1. | 220-08-BZ | Moshe M. Friedman  
95 Taaffe Place, Brooklyn  
Variance (§72-21) to permit the enlargement of a non-conforming one-family dwelling, contrary to §42-10. M1-1 zoning district.  
Community Board #3BK |  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 5/18/10 |
|---|---|---|
| 2. | 29-09-BZ | Law Office of Fredrick A. Becker  
44 Brunswick Street, Staten Island  
Variance (§72-21) to legalize and enlarge a synagogue (*Chabad Israeli Center*), contrary to lot coverage, front yards, side yards, and parking regulations. R3X zoning district.  
Community Board #2SI |  
Examiner: Rory Levy (212) 788-8749  
Status: Deferred Decision – 7/13/10 |
| 3. | 273-09-BZ | Rothkrug Rothkrug & Spector LLP  
117-40 125th Street, Queens  
Variance (§72-21) for the construction of a two-story, one-family home, contrary to side yards (§23-461). R3-2 zoning district.  
Community Board #10Q |  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 5/18/10 |

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## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY AFTERNOON, MAY 18, 2010
1:30 P.M.

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<td><strong>BZ – CONTINUED HEARINGS</strong></td>
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<tr>
<td>4.</td>
<td><strong>239-07-BZ</strong></td>
<td>Rothkrug, Rothkrug &amp; Spector, LLP, 57-38 Waldron Street, Queens Variance (§72-21) to permit a community youth center (UG 4) in the cellar and first floor in a proposed three-story and penthouse mixed-use building, contrary to side yard (§24-35). R5 zoning district. Community Board #4Q Examiner:  Rory Levy (212) 788-8749 Status:  Withdrawn – 5/18/10</td>
</tr>
<tr>
<td>5.</td>
<td><strong>44-09-BZ</strong></td>
<td>Philip L. Rampulla 2175 Richmond Avenue, Staten Island Variance (§72-21) to allow for a two-story commercial building (UG 6) with accessory parking, contrary to use regulations (22-00). R3-1 district. Community Board #2 SI Examiner:  Ronald Rizzotti (212) 788-8781 Status:  Continued Hearing – 7/13/10</td>
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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

**REGULAR MEETING**

**TUESDAY AFTERNOON, MAY 18, 2010**

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| 7. | 327-09-BZ | Sheldon Lobel, P.C.  
**255 Butler Street, Brooklyn**  
Special Permit (§73-19) to allow a Use Group 3 charter school (*Summit Academy*) with first floor retail use in an existing warehouse. M1-2 zoning district.  
**Community Board #6BK**  
**Examiner: Rory Levy (212) 788-8749**  
**Status: Continued Hearing – 6/22/10** |
|   |   |   |
| 8. | 14-10-BZ | Friedman & Gotbaum, LLP  
**38-50 Cooper Square, Manhattan**  
Special Permit (§73-19) to allow a Use Group 3 school (*Grace Church High School*). M1-5B zoning district.  
**Community Board #2M**  
**Examiner: Rory Levy (212) 788-8749**  
**Status: Granted – 5/18/10** |

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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

**REGULAR MEETING**

**TUESDAY AFTERNOON, MAY 18, 2010**

**1:30 P.M.**

| 9. | 210-07-BZ | Eric Palatnik, P.C.  
15 Luquer Street, Brooklyn  
Variance (§72-21) to allow for a residential use in a manufacturing district, contrary to §42-00. M1-1 zoning district.  
Community Board #6BK |
|---|---|---|
| | | Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 7/13/10 |
| 10. | 33-10-BZ | Rothkrug Rothkrug & Spector, LLP  
692 Broadway (aka 384/8 Lafayette Street, 2/20 East 4th Street)  
Manhattan  
Special Permit (§73-36) to allow the operation of a physical culture establishment. M1-5B zoning district.  
Community Board #2M |
| | | Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 6/22/10 |
| 11. | 36-10-BZ | Eric Palatnik, P.C.  
1225 East 28th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space ration (23-141); side yard (23-461) and rear yard (23-47). R3-2 zoning district.  
Community Board #14BK |
| | | Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 6/22/10 |
| 12. | 37-10-BZ | Eric Palatnik, P.C.  
1230 East 27th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space (23-141); side yard (23-461) and rear yard (23-47). R3-2 zoning district.  
Community Board #14BK |
| | | Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 6/22/10 |

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### SOC – DECISIONS

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</table>
| **1.** | 4-00-BZ | Eric Palatnik, P.C.  
243 West 30th Street, Manhattan  
Extension of Term of a previously granted Special Permit (§73-36) for the continued use of a Physical Culture Establishment (West Garden) which expires on May 30, 2010. M1-5 zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 5/25/10 |
| **2.** | 369-03-BZ | The Law Office of Fredrick A. Becker  
99-01 Queens Boulevard, Queens  
Amendment to a variance (§72-21) for a physical culture establishment (New York Sports Club) to change in the owner/operator, decrease floor area, modify days and hours of operation, and eliminate parking condition. C1-2/R7-1 zoning district.  
Community Board #1Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Granted – 5/25/10 |
| **3.** | 51-06-BZ | Sheldon Lobel, P.C.  
188-02/22 Union Turnpike, Queens  
Amendment of a variance (§72-21) which permitted a Physical Culture Establishment, contrary to §32-00, and a dance studio (Use Group 9), contrary to §32-18. The amendment seeks to enlarge the floor area occupied by the PCE. C1-2/R2 zoning district  
Community Board #1Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Granted – 5/25/10 |
**SOC – CONTINUED HEARINGS**

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| 4. | 803-61-BZ | Eric Palatnik, P.C.  
1416 Hylan Boulevard, Staten Island  
Extension of Term for the continued use of a Gasoline Service Station (*British Petroleum*) which expires on November 14, 2011; Waiver of the Rules. C2-1/R3-2 zoning districts.  
Community Board #2SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Adjourned, Continued Hearing – 6/22/10 |
| 5. | 16-92-BZ | NYC Board of Standards and Appeals  
Applicant: Sheldon Lobel, P.C.  
72/84 Sullivan Street, Brooklyn  
Dismissal for lack of prosecution for an extension of time to obtain a Certificate of Occupancy, and an Amendment to allow an additional non-conforming use on the zoning lot. R5/C1-3 zoning district.  
Community Board #6BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Off Dismissal Calendar, Public Hearing – 6/22/10 |

**SOC – NEW CASES**

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| 6. | 336-98-BZ & 337-98-BZ | Rothkrug, Rothkrug & Spector LLP  
312/18 & 324/34 Flatbush Avenue, Brooklyn  
Extension of Time to obtain a Certificate of Occupancy of a previously granted Special Permit (*§73-36*) for the operation of a Physical Culture Establishment (*Crunch Fitness*) which expired on February 11, 2010; waiver of the rules. C2-4 zoning district.  
Community Board # 6BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 6/8/10 |
### APPEALS – DECISIONS

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| 7. | **300-08-A** | Marvin Mitzner  
**39-35 27th Street, Queens**  
An appeal seeking a determination that the property owner has acquired a common law vested right to continue development under the prior M1-3 zoning district regulations. M1-2 /R5B zoning district.  
**Community Board #1Q**  
**Examiner:** Toni Matias (212) 788-8752  
**Status:** Granted – 5/25/10 |
| 8. | **303-09-BZY** | Eric Palatnik, P.C.  
**517 53rd Street, Brooklyn**  
Extension of time (§11-332) to complete construction of an enlargement commenced under the prior C4-3 zoning district. R6B zoning district  
**Community Board #7BK**  
**Examiner:** Toni Matias (212) 788-8752  
**Status:** Withdrawn – 5/25/10 |
| 9. | **57-10-A** | Eric Palatnik, P.C.  
**517 53rd Street, Brooklyn**  
Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior C4-3 zoning district. R6B zoning district.  
**Community Board #7BK**  
**Examiner:** Toni Matias (212) 788-8752  
**Status:** Granted – 5/25/10 |
| 10. | **1-10-A** | Elizabeth Safian  
**527 East 86th Street, Brooklyn**  
Appeal to an Order of Closure issued by the Department of Buildings. Per the Order, the site’s commercial vehicle storage, public parking lot, trucking terminal and a salvage yard uses constitute an illegal use in a residential district contrary to Administrative Code Section 28-212.2. R5 zoning district.  
**Community Board #18BK**  
**Examiner:** Toni Matias (212) 788-8752  
**Status:** Denied – 5/25/10 |

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# New York City Board of Standards and Appeals

## Regular Meeting

**Tuesday Morning, May 25, 2010**

**10:00 A.M.**

### Appeals – Continued Hearings

<table>
<thead>
<tr>
<th>#</th>
<th>Case Number</th>
<th>Description</th>
</tr>
</thead>
</table>
| 11 | 217-09-A | An appeal seeking to vary the applicable provisions under the Multiple Dwelling Law as it applies to the enlargement of non-fireproof tenement buildings. R7-2 zoning district.  
*Community Board #3M*  
*Examiner: Toni Matias (212) 788-8752*  
*Status: Closed, Decision – 7/27/10* |
| 12 | 274-09-A | Application to modify Certificate of Occupancy to require automatic wet sprinkler system throughout the entire building.  
*Community Board #12BX*  
*Examiner: Toni Matias (212) 788-8752*  
*Status: Continued Hearing – 6/22/10* |
| 13 | 283-09-BZY thru 286-09-BZY | Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R4-1 zoning district.  
*Community Board #12Q*  
*Examiner: Toni Matias (212) 788-8752*  
*Status: Continued Hearing – 6/22/10* |
| 14 | 295-09-A & 296-09-A | Proposed construction of one family home located within the bed of a mapped street (Bache Street), contrary to Section 35 of the General City Law. R3A Zoning District  
*Community Board #2SI*  
*Examiner: Toni Matias (212) 788-8752*  
*Status: Closed, Decision – 6/15/10* |

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY AFTERNOON, MAY 25, 2010**

1:30 P.M.

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**BZ – DECISIONS**

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<table>
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</table>
| **1.** | **214-09-BZ** | Rothkrug, Rothkrug & Spector, LLP  
1464 Astor Avenue, Bronx  
Special Permit (§73-125) to allow for a 9,996 sq ft ambulatory diagnostic or treatment center which exceeds the 1,500 sq ft maximum allowable floor area set forth in ZR §22-14. R4-1 zoning district.  
Community Board #11BX  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Granted – 5/25/10 |
| **2.** | **331-09-BZ** | Slater & Beckerman, LLP  
141 East 45th Street, Manhattan  
Special Permit (§73-36) to legalize the operation of a physical culture establishment (River View Spa) located on the second and third floors in an existing three-story building. C5-2.5 zoning district.  
Community Board #6M  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 5/25/10 |
| **3.** | **20-10-BZ** | DeCampo Diamond & Ash  
1470 Third Avenue aka 171-173 East 83rd Street, Manhattan  
Special Permit (§73-36) to allow the legalization of an existing physical culture establishment (Soul Cycle) on the ground floor of an existing six-story building. C1-9 zoning district.  
Community Board #8M  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 5/25/10 |

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

#### REGULAR MEETING

**TUESDAY AFTERNOON, MAY 25, 2010**

**1:30 P.M.**

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#### BZ – CONTINUED HEARINGS

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</table>
| 4. | 160-08-BZ | Dominick Salvati and Son Architects  
651-671 Fountain Avenue, Brooklyn | Variance (§72-21) to permit the legalization of commercial storage of motor vehicles/buses (UG 16C) with accessory fuel storage and motor vehicles sales and repair (UG 16B), which is contrary to §22-00. R4 zoning district.  
Community Board #5BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 6/15/10 |
| 5. | 28-09-BZ | Moshe M. Friedman, P.E.  
133 Taaffe Place, Brooklyn | Variance (§72-21) to permit a four-story residential building on a vacant lot, contrary to use regulations (§42-10). M1-1 zoning district.  
Community Board #3BK  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 6/8/10 |
| 6. | 31-09-BZ | Eric Palatnik, PC  
117-04 Sutphin Boulevard, Queens | Special Permit (§11-411, §11-412, §11-413) for re-instatement of previous variance, which expired on November 12, 1990; amendment for a change of use from a gasoline service station (UG16b) to automotive repair establishment and automotive sales (UG16b); enlargement of existing one story structure; and Waiver of the Rules. C2-2/R3-2 zoning district.  
Community Board #12Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Adjourned, Continued Hearing – 6/22/10 |

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## BZ – CONTINUED HEARINGS

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| **7.** | **162-09-BZ** | Sheldon Lobel, P.C.  
**30-33 Steinway Street, Queens**  
Special Permit (§73-36) to allow the legalization of a physical culture establishment (*Planet Fitness*) in the cellar, first, and second floors in an existing two-story building; Special Permit (§73-52) to extend the C4-2A zoning district regulations 25 feet into the adjacent R5 zoning district. C4-2A/R5 zoning districts.  
Community Board # 1Q  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 6/8/10 |
| **8.** | **173-09-BZ** | Law Offices of Howard Goldman LLC  
**845 Broadway, Brooklyn**  
Variance (§72-21) to allow a seven-story mixed use building, contrary to use regulations (§32-00, 42-00). C8-2/M1-1 zoning districts.  
Community Board #4BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 6/22/10 |
| **9.** | **271-09-BZ** | Sheldon Lobel, P.C.  
**132-40 Metropolitan Avenue, Queens**  
Special Permit (§73-36) to legalize the operation of an existing physical culture establishment (*Planet Fitness*) on the first, second, and third floors of an existing three-story building. C2-3 zoning district.  
Community Board #9Q  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 6/15/10 |
| **10.** | **282-09-BZ** | Steven Williams, P.E.  
**54-19 Myrtle Avenue, Queens**  
Special Permit (§73-36) to legalize the operation of a physical culture establishment (*Ritchie’s Gym*) on the third floor of a four-story commercial building, C4-3 zoning district.  
Community Board #5Q  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 6/8/10 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY AFTERNOON, MAY 25, 2010
##### 1:30 P.M.

### BZ – CONTINUED HEARINGS

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</table>
| 11. | 325-09-BZ | Sheldon Lobel, P.C.  
1364 & 1366 52nd street, Brooklyn  
Variance (§72-21) to permit the proposed four-story and mezzanine synagogue (Congregation Yetev Lev), contrary to lot coverage (§24-11), rear yard (§24-36) and initial setback of front wall (§24-522). R6 zoning district.  
Community Board #12BK  
Examiner: Rory Levy (212) 788-8749  
Status: Adjourned, Continued Hearing – 6/15/10 |
| 12. | 9-10-BZ | Eric Palatnik, P.C.  
231-10 Northern Boulevard, Queens  
Variance (§72-21) to allow a restaurant use in an existing building, contrary to §22-00. R1-2 zoning district.  
Community Board #11Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 6/22/10 |
| 13. | 30-10-BZ | Law Office of Fredrick A. Becker  
1384 East 22nd Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141) and less than the required rear yard (§23-47). R-2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 6/8/10 |
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</table>
| 14. | 333-09-BZ | Moshe M. Friedman  
360 Troy Avenue aka 348-350 Troy Avenue aka 1505-1513 Carroll Street, Brooklyn  
Variance (§72-21) to permit the vertical extension of an existing religious school (Congregation Yeshiva Beis Chaya Mushika), contrary to floor area, lot coverage, height, sky exposure plane, front yard, and side yard regulations (§§24-11, 24-521, 24-34, and 24-35). R4 zoning district.  
Community Board # 9BK  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 6/15/10 |
| 15. | 21-10-BZ | Sheldon Lobel, P.C.  
2801 Roelbling Avenue aka 1590 Hutchison River Parkway, Bronx  
Special Permit (§73-243) to legalize an eating and drinking establishment with a drive-through. C1-2/R4A zoning district.  
Community Board #10BX  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 6/15/10 |
| 16. | 41-10-BZ | Kramer Levin Naftalis & Frankel LLP  
522-566/596-600 First Avenue aka 400-424 East 34th Street and 423-437 East 30th Street, Manhattan  
Variance pursuant (§72-21) to allow for the enlargement of a community facility (NYU Langone Medical Center) contrary to rear yard (§24-36) and signage regulations (§§22-321, 22-331, 22-342). R8 zoning district.  
Community Board #6M  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 6/22/10 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS

### REGULAR MEETING

**TUESDAY MORNING, JUNE 8, 2010**

**10:00 A.M.**

### SOC – DECISIONS

<table>
<thead>
<tr>
<th></th>
<th>Decision Number</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
<th>Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>336-98-BZ &amp; 337-98-BZ</td>
<td>Extension of Time to obtain a Certificate of Occupancy of a previously granted Special Permit (§73-36) for the operation of a Physical Culture Establishment (Crunch Fitness) which expired on February 11, 2010; waiver of the rules. C2-4 zoning district.</td>
<td>6BK</td>
<td>Henry Segovia</td>
<td>Granted – 6/8/10</td>
<td>(212) 788-8757</td>
</tr>
<tr>
<td>2</td>
<td>7-00-BZ</td>
<td>Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the enlargement of a UG3 non-profit homeless shelter (New York City Rescue Mission) which expired on March 11, 2009; waiver of the rules. C6-2A zoning district.</td>
<td>1M</td>
<td>Henry Segovia</td>
<td>Granted – 6/8/10</td>
<td>(212) 788-8757</td>
</tr>
<tr>
<td>3</td>
<td>200-00-BZ</td>
<td>Extension of Term (§72-01 &amp; §72-22) of a variance (§72-21) to allow a physical culture establishment (Squash Fitness Center) to operate in a C1-4 zoning district, which will expire on July 17, 2011; Extension of Time to obtain a certificate of occupancy, which expired on January 28, 2010; Waiver of the Rules.</td>
<td>3Q</td>
<td>Carlo Costanza</td>
<td>Granted – 6/8/10</td>
<td>(212) 788-8739</td>
</tr>
</tbody>
</table>

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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

**REGULAR MEETING**

**TUESDAY MORNING, JUNE 8, 2010**

10:00 A.M.

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### SOC – CONTINUED HEARINGS

<table>
<thead>
<tr>
<th>No.</th>
<th>Case No.</th>
<th>Applicant</th>
<th>Hearing Details</th>
</tr>
</thead>
</table>
| 5.  | 887-54-BZ| Eric Palatnik, P.C. | **218-01 Northern Boulevard, Queens**
|     |          |           | Extension of Term (§11-411) for the continued use of gasoline station (**British Petroleum**) with accessory convenience store (**7-Eleven**) which expires on September 23, 2010. C2-2/R6B zoning district. |
|     |          |           | **Community Board #11Q**
|     |          |           | Examiner: Henry Segovia (212) 788-8757 |
|     |          |           | Status: Closed, Decision – 6/15/10 |
| 6.  | 834-60-BZ| Sheldon Lobel, P.C. | **140 Vanderbilt Avenue, Brooklyn**
|     |          |           | Extension of Term for the continued use of a Gasoline Service Station (**Gulf**) with minor auto repairs which expired on March 7, 2006;
|     |          |           | Extension of Time to obtain a Certificate of Occupancy which expired on March 2, 2000; Amendment to legalize an accessory convenience store and Waiver of the Rules. C2-4/R-7A, R-5B zoning district. |
|     |          |           | **Community Board #2BK**
|     |          |           | Examiner: Henry Segovia (212) 788-8757 |
|     |          |           | Status: Closed, Decision – 6/15/10 |
| 7.  | 11-93-BZ | Sheldon Lobel, P.C. | **46-45 Kissena Boulevard aka 140-01 Laburnum Avenue, Queens**
|     |          |           | Extension of Term (§§11-411 & §11-412) to allow the continued operation of an Eating and Drinking establishment (UG 6) which expired on March 15, 2004; Amendment to legalize alterations to the structure; Waiver of the Rules. C2-2 and R3-2 zoning districts. |
|     |          |           | **Community Board #7Q**
|     |          |           | Examiner: Carlo Costanza (212) 788-8739 |
|     |          |           | Status: Continued Hearing – 7/27/10 |

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**************************************************************************END DISCLAIMER**************************************************************************
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, JUNE 8, 2010
#### 10:00 A.M.

### SOC – CONTINUED HEARINGS

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</table>
| 8. | 280-98-BZ | Rampulla Associates Architects  
**2936 Hylan Boulevard, Staten Island**  
Extension of Term of a variance (§72-21) for the continued operation of a UG4 Dental Office which expired on February 8, 2010; Amendment to convert the basement garage into dental office floor area. R-2 zoning district.  
Community Board #3SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 6/15/10 |
| 9. | 201-01-BZ | Sheldon Lobel, P.C.  
**2591 Atlantic Avenue, Brooklyn**  
Extension of Term (§72-01 & 72-22) of a previously approved variance permitting the operation of a automobile laundry, lubrication and accessory automobile supply store (UG16b); Amendment seeking to legalize changes and increase in floor area; and Waiver of the Rules.  
C4-1 zoning district.  
Community Board #5BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Closed, Decision – 7/13/10 |
| 10. | 111-06-BZ | Sheldon Lobel, P.C.  
**136 Norfolk Street, Brooklyn**  
Application to reopen pursuant to court remand (Appellate Division) to revisit the findings of a Special Permit (§73-622) for the in-part legalization of an enlargement to a single family residence. This application seeks to vary open space and floor area (§23-141); side yard (§23-48) and perimeter wall height (§23-631) regulations. R3-1 zoning district.  
Community Board# 15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 7/13/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, JUNE 8, 2010
#### 10:00 A.M.

### SOC – NEW CASES

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Details</th>
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</table>
| 11. 589-31-BZ | **Eric Palatnik, P.C.**  
**159-02 Meyer Avenue, Queens**  
Amendment pursuant (§11-413) to permit the proposed change of use group from UG16 (Gasoline Service Station) to UG16 (Automotive Repair) with accessory used car sales. R3-2 zoning district.  
Community Board #12Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 7/13/10 |
| 12. 739-76-BZ | **Joseph P. Morsellino, Esq.**  
**212-95 26th Avenue, Queens**  
Extension of Term for a UG15 Amusement Arcade *(Peter Pan Games)* which expired on April 10, 2010 and an Extension of Time to obtain a Certificate of Occupancy which expired on May 18, 2009. C4-1 zoning district.  
Community Board #7Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 6/22/10 |
| 13. 242-02-BZ | **Joseph Fullam**  
**1 North Railroad Street, Staten Island**  
Amendment to a previously granted Variance (§72-21) for the construction of a two family residence contrary to parking requirement (§25-21) and (§25-622). R3X/SR zoning district.  
Community Board #3SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 6/22/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, JUNE 8, 2010
10:00 A.M.

## APPEALS – CONTINUED HEARINGS

<table>
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<tr>
<th>#</th>
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<th>Applicant</th>
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<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>14</td>
<td>43-08-A, 3-10-A &amp; 4-10-A</td>
<td>Akerman Senterfitt</td>
<td>144-25 Bayside Avenue and 29-45/29-46 145th Street, Queens</td>
<td>Proposed construction in the bed of mapped street contrary to the General City Law Section 35. R2A zoning district.</td>
<td>Community Board #7Q</td>
<td>Toni Matias (212) 788-8752</td>
<td>Continued Hearing – 7/13/10</td>
</tr>
<tr>
<td>15</td>
<td>315-08-A</td>
<td>Stuart A. Klein, Esq.</td>
<td>246 Spring Street, Manhattan</td>
<td>An appeal seeking the revocation of permits for a condominium hotel on the basis that the approved plans allow for exceeding of maximum permitted floor area. M1-6 zoning.</td>
<td>Community Board #2M</td>
<td>Toni Matias (212) 788-8752</td>
<td>Adjourned, Continued Hearing – 7/27/10</td>
</tr>
<tr>
<td>16</td>
<td>298-09-A</td>
<td>Joseph A. Sherry</td>
<td>109 Beach 217th Street, Queens</td>
<td>Reconstruction and enlargement of an existing single family home not fronting a legally mapped street, contrary to General City Law Section 36. R4 zoning district.</td>
<td>Community Board #14Q</td>
<td>Toni Matias (212) 788-8752</td>
<td>Closed, Decision – 7/13/10</td>
</tr>
<tr>
<td>17</td>
<td>10-10-A</td>
<td>Law Office of Fredrick A. Becker</td>
<td>1882 East 12th Street, Brooklyn</td>
<td>Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district. R6 zoning district.</td>
<td>Community Board #15BK</td>
<td>Toni Matias (212) 788-8752</td>
<td>Closed, Decision – 7/13/10</td>
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### APPEALS – CONTINUED HEARINGS

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| 18. | 23-10-A thru 26-10-A | Richard Bowers 39-39 223rd Street and 223-01/15/19 Mia Drive, Queens
Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district regulations. R1-2 zoning district. Community Board #11Q
Examiner: Toni Matias (212) 788-8752
Status: Closed, Decision – 7/13/10 |

### APPEALS – NEW CASES

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| 19. | 49-10-A thru 52-10-A | Rampulla Associates 28, 26, 22, 20 Winchester Avenue, Staten Island
Proposed construction of four single family homes not fronting on a mapped street, contrary to General City Law Section 36. R3-1 zoning district. Community Board #3SI
Examiner: Toni Matias (212) 788-8752
Status: Granted – 6/8/10 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
**REGULAR MEETING**
**TUESDAY AFTERNOON, JUNE 8, 2010**
**1:30 P.M.**

**BZ – DECISIONS**

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</table>
| **1.** | **186-08-BZ** | Petrus Fortune, P.E.  
3065 Atlantic Avenue, Brooklyn  
Special Permit (§73-19) to allow the legalization and enlargement of a school (*Followers of Jesus Mennonite Church & School*) in a former manufacturing building, contrary to ZR §42-10. M1-1 zoning district.  
Community Board #5BK  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 6/8/10 |
| **2.** | **28-09-BZ** | Moshe M. Friedman, P.E.  
133 Taaffe Place, Brooklyn  
Variance (§72-21) to permit a four-story residential building on a vacant lot, contrary to use regulations (§42-10). M1-1 zoning district.  
Community Board #3BK  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 6/8/10 |
| **3.** | **162-09-BZ** | Sheldon Lobel, P.C.  
30-33 Steinway Street, Queens  
Special Permit (§73-36) to allow the legalization of a physical culture establishment (*Planet Fitness*) in the cellar, first, and second floors in an existing two-story building; Special Permit (§73-52) to extend the C4-2A zoning district regulations 25 feet into the adjacent R5 zoning district. C4-2A/R5 zoning districts.  
Community Board #1Q  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 6/8/10 |
| **4.** | **282-09-BZ** | Steven Williams, P.E.  
54-19 Myrtle Avenue, Queens  
Special Permit (§73-36) to legalize the operation of a physical culture establishment (*Ritchie’s Gym*) on the third floor of a four-story commercial building. C4-3 zoning district.  
Community Board #5Q  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 6/8/10 |

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************************************************************************DISCLAIMER************************************************************************
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
TUESDAY AFTERNOON, JUNE 8, 2010
1:30 P.M.

### BZ – DECISIONS

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<td>5.</td>
<td><strong>30-10-BZ</strong></td>
<td><strong>Law Office of Fredrick A. Becker</strong>&lt;br&gt;<strong>1384 East 22nd Street, Brooklyn</strong>&lt;br&gt;Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141) and less than the required rear yard (§23-47). R-2 zoning district. <strong>Community Board #14BK</strong>&lt;br&gt;<strong>Examiner: Henry Segovia (212) 788-8757</strong>&lt;br&gt;<strong>Status: Granted – 6/8/10</strong></td>
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### BZ – CONTINUED HEARINGS

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<tr>
<td>6.</td>
<td><strong>192-09-BZ</strong></td>
<td><strong>Sheldon Lobel, P.C.</strong>&lt;br&gt;<strong>912 Broadway, Brooklyn</strong>&lt;br&gt;Variance (§72-21) to allow for the construction of a department store (UG10), contrary to use regulations (§§22-00, 32-00). R6 and R6/C2-3 zoning districts. <strong>Community Board #3BK</strong>&lt;br&gt;<strong>Examiner: Ronald Rizzotti (212) 788-8781</strong>&lt;br&gt;<strong>Status: Continued Hearing – 7/13/10</strong></td>
</tr>
<tr>
<td>7.</td>
<td><strong>254-09-BZ thru 256-09-BZ</strong></td>
<td><strong>Ivan F. Khoury</strong>&lt;br&gt;<strong>101/03/05 Astoria Boulevard aka 27-31 Kearney Street, Queens</strong>&lt;br&gt;Variance (§72-21) to legalize three existing homes, contrary to front yard (§23-45) and rear yard (§23-47) regulations. R3-2 zoning district. <strong>Community Board #3Q</strong>&lt;br&gt;<strong>Examiner: Ronald Rizzotti (212) 788-8781</strong>&lt;br&gt;<strong>Status: Continued Hearing – 7/13/10</strong></td>
</tr>
<tr>
<td>8.</td>
<td><strong>270-09-BZ</strong></td>
<td><strong>Sheldon Lobel, P.C.</strong>&lt;br&gt;<strong>1910 Homecrest Avenue, Brooklyn</strong>&lt;br&gt;Variance (§72-21) for the construction of a single family home on a vacant corner lot, contrary to floor area (§23-141), side yards (§23-461) and front yard (§23-47). R4-1 zoning district. <strong>Community Board #15BK</strong>&lt;br&gt;<strong>Examiner: Henry Segovia (212) 788-8757</strong>&lt;br&gt;<strong>Status: Continued Hearing – 6/22/10</strong></td>
</tr>
</tbody>
</table>
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**  
**TUESDAY AFTERNOON, JUNE 8, 2010**  
**1:30 P.M.**

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## BZ – CONTINUED HEARINGS

<table>
<thead>
<tr>
<th>No.</th>
<th>Case Number</th>
<th>Applicant</th>
<th>Description</th>
<th>Location</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
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</thead>
</table>
| 9.  | 297-09-BZ   | Marvin B. Mitzner, Esq.  
180 Ludlow Street, Manhattan | Variance (§72-21) to allow for the conversion of a recently constructed commercial building for residential use, contrary to rear yard regulations (§23-47). C4-4A zoning district. | Community Board #3M  
Examiner: Ronald Rizzotti (212) 788-8781 | Adjourned, Continued Hearing – 8/24/10 |
| 10. | 13-10-BZ    | Eric Palatnik, P.C.  
79 Amherst Street, Brooklyn | Special Permit (§73-622) for the enlargement of an existing two-family home to be converted to a single family home, contrary to lot coverage and floor area (§23-141); side yards (§23-461) and rear yard (§23-47). R3-1 zoning district. | Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757 | Continued Hearing – 7/13/10 |
| 11. | 34-10-BZ    | James Chin & Associates, LLC.  
429 Broome Street, Manhattan | Special Permit (§73-36) to allow the operation of a physical culture establishment (York Spa Beauty Care) in the cellar and first floor of an existing five-story building. M1-5B zoning district. | Community Board #2M  
Examiner: Rory Levy (212) 788-8749 | Closed, Decision – 7/13/10 |

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## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY AFTERNOON, JUNE 8, 2010
1:30 P.M.

### BZ – NEW CASES

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</table>
| 12. | 92-08-BZ | Juan D. Reyes, Esq.  
**13 Crosby Street, Manhattan**  
Variance (§72-21) to allow for Use Group 6 below the floor level of the second story in an existing building, contrary to use, rear yard and floor area regulations (§42-14, 43-12 and 43-26). M1-5B zoning district.  
Community Board #4M  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 7/27/10 |
| 13. | 40-10-BZ | Sheldon Lobel, PC  
**150 Kenilworth Place, Brooklyn**  
Variance (§72-21) to allow for an existing building to be converted for commercial use, contrary to §22-10. C4-4A/R5B zoning district.  
Community Board #14BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 7/13/10 |
| 14. | 48-10-BZ | Rampulla Associates  
**2965 Veterans Road West, Staten Island**  
Special Permit (§73-36) to allow a physical culture establishment (**Retro Fitness**). M1-1 zoning district/Special South Richmond District.  
Community Board #3SI  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 7/13/10 |
| 15. | 59-10-BZ | Sheldon Lobel, P.C.  
**519 Eighth Avenue, Manhattan**  
Special Permit (§73-36) to allow a physical culture establishment (**Luxe Den Salon & Spa**). M1-6/C6-4M zoning district.  
Community Board #4M  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 7/27/10 |

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**************************************************************************DISCLAIMER**************************************************************************
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

Tuesday Morning, June 15, 2010

10:00 A.M.

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## SOC – DECISIONS

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| 1. | 887-54-BZ | Eric Palatnik, P.C.  
**218-01 Northern Boulevard, Queens**  
Extension of Term (§11-411) for the continued use of gasoline station (**British Petroleum**) with accessory convenience store (**7-Eleven**) which expires on September 23, 2010.  **C2-2/R6B** zoning district.  
**Community Board #11Q**  
Examiner: **Henry Segovia (212) 788-8757**  
Status: **Granted – 6/15/10** |
| 2. | 834-60-BZ | Sheldon Lobel, P.C.  
**140 Vanderbilt Avenue, Brooklyn**  
Extension of Term for the continued use of a Gasoline Service Station (**Gulf**) with minor auto repairs which expired on March 7, 2006;  
Extension of Time to obtain a Certificate of Occupancy which expired on March 2, 2000; Amendment to legalize an accessory convenience store and Waiver of the Rules.  **C2-4/R-7A, R-5B** zoning district.  
**Community Board #2BK**  
Examiner: **Henry Segovia (212) 788-8757**  
Status: **Granted – 6/15/10** |
| 3. | 280-98-BZ | Rampulla Associates Architects  
**2936 Hylan Boulevard, Staten Island**  
Extension of Term of a variance (§72-21) for the continued operation of a UG4 Dental Office which expired on February 8, 2010;  
Amendment to convert the basement garage into dental office floor area.  **R-2** zoning district.  
**Community Board #3SI**  
Examiner: **Henry Segovia (212) 788-8757**  
Status: **Granted – 6/15/10** |

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### SOC – CONTINUED HEARINGS

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| 4 | 102-95-BZ | The Law Office of Fredrick A. Becker  
50 West 17th Street, Manhattan  
Extension of Term of a previously granted Special Permit (73-244) for a UG12 Eating and Drinking Establishment (*Splash*) which expired on March 5, 2010. C6-4A zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 6/22/10 |
| 5 | 103-05-A | Rothkrug, Rothkrug, Spector, LLP  
366 Nugent Street, Staten Island  
Application to reopen pursuant to a court remand (Appellate Division) for a determination of whether the Department of Buildings issued a permit in error based on alleged misrepresentations made by the owner during the permit application process.  
Community Board #2SI  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 7/13/10 |
### SOC – NEW CASES

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| 6. | 558-71-BZ | Rothkrug, Rothkrug & Spector, LLP  
1949 Richmond Avenue, Staten Island  
Amendment to a previously granted Variance (§72-21) to permit the  
change of a UG6 eating and drinking establishment to a UG6 retail use  
without limitation to a single use; minor reduction in floor area;  
increase accessory parking and increase to the height of the building  
façade. R3-1 zoning district.  
Community Board #2SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 7/13/10 |
| 7. | 139-92-BZ | Samuel H. Valencia  
52-15 Roosevelt Avenue, Queens  
Extension of Term for a previously granted Special Permit (§73-244)  
for the continued operation of a UG12 Eating and Drinking  
Establishment with Dancing (Deseo) which expired on March 7, 2010;  
Community Board #2Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 7/13/10 |
| 8. | 164-04-BZ | Sheldon Lobel, P.C.  
2241 Westchester Avenue, Bronx  
Extension of Time to obtain a Certificate of Occupancy for a  
previously granted physical culture establishment (Planet Fitness) which  
expired on February 7, 2007; Amendment to change operator, hours  
of operation and interior modification; Waiver of the Rules. C2-1/R6  
zoning district.  
Community Board #10BX  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 8/3/10 |
### SOC – NEW CASES

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<tr>
<td>9.</td>
<td>280-09-A</td>
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NYC Board of Standards and Appeals  
330 West 86th Street, Manhattan  
Review of Board decision pursuant to Sec 1-10(f) of the Board’s Rules and 666(8) of the City Charter of an appeal challenging the Department of Building’s authority under the City Charter to interpret or enforce provisions of Article 16 of the General Municipal Law relating to the construction of a proposed 17 story residential building, R10A zoning district.  
Community Board #7M  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 7/13/10

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### APPEALS – DECISIONS

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| 10. | 295-09-A & 296-09-A | Rothkrug Rothkrug & Spector, LLP  
81 and 83 Cortlandt Street, Staten Island  
Proposed construction of one family home located within the bed of a mapped street (Bache Street), contrary to Section 35 of the General City Law. R3A Zoning District  
Community Board #2SI  
Examiner: Toni Matias (212) 788-8752  
Status: Deferred, Decision – 6/22/10 |

### APPEALS – CONTINUED HEARINGS

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</table>
| 11. | 53-10-A | Sheldon Lobel, P.C.  
2031 Burr Avenue, Bronx  
Appeal seeking a determination that the owner has acquired a vested right to complete construction under the prior R7-1 zoning district. R5A zoning district.  
Community Board #10BX  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 6/22/10 |
## APPEALS – NEW CASES

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<tr>
<th></th>
<th>Case Number</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
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<tr>
<td>12</td>
<td>237-09-A/238-09-A</td>
<td>Proposed construction in the bed of a mapped street, contrary to General City Law Section 35. R3X zoning district.</td>
<td>#3SI</td>
<td>Toni Matias (212) 788-8752</td>
<td>Continued Hearing – 7/27/10</td>
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<tr>
<td>13</td>
<td>67-10-A</td>
<td>Proposed reconstruction and enlargement of an existing single family dwelling and the proposed upgrade of the existing non-conforming private disposal system within the bed of a mapped street, contrary to Article 3, Section 35 of the General City Law. R4 zoning district.</td>
<td>#14Q</td>
<td>Toni Matias (212) 788-8752</td>
<td>Postponed Hearing – 7/13/10</td>
</tr>
</tbody>
</table>
### BZ – DECISIONS

|   | 19-10-BZ/62-10-A | Akerman Senterfitt, LLP  
100 Oak Point Avenue, Bronx  
Special Permit (§ 73-482) to allow for an accessory parking facility in excess of 150 spaces, and proposed construction not fronting a legally mapped street, contrary to General City Law Section 36. M3-1 zoning district.  
Community Board #2BX  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Granted – 6/15/10 |

### BZ – CONTINUED HEARINGS

|   | 160-08-BZ | Dominick Salvati and Son Architects  
651-671 Fountain Avenue, Brooklyn  
Variance (§72-21) to permit the legalization of commercial storage of motor vehicles/buses (UG 16C) with accessory fuel storage and motor vehicles sales and repair (UG 16B), which is contrary to §22-00. R4 zoning district.  
Community Board #5BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Closed, Decision – 7/13/10 |

|   | 271-09-BZ | Sheldon Lobel, P.C.  
132-40 Metropolitan Avenue, Queens  
Special Permit (§73-36) to legalize the operation of an existing physical culture establishment (Planet Fitness) on the first, second, and third floors of an existing three-story building. C2-3 zoning district.  
Community Board #9Q  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 7/13/10 |
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</table>
| 4. | 304-09-BZ | Stuart A. Klein, Esq.  
75-121 Junius Street, Brooklyn  
Variance (§72-21) to allow the erection of a ten-story, mixed-use community facility and commercial building, contrary to floor area (§42-00, 43-12 and 43-122), height and sky exposure plane (§43-43), and parking (§44-21). M1-4 zoning district.  
Community Board #16BK  
Examiner: Rory Levy (212) 788-8749  
Status: Adjourned, Continued Hearing – 7/27/10 |
| 5. | 325-09-BZ | Sheldon Lobel, P.C.  
1364 & 1366 52nd Street, Brooklyn  
Variance (§72-21) to permit the proposed four-story and mezzanine synagogue (Congregation Yetev Lev), contrary to lot coverage (§24-11), rear yard (§24-36) and initial setback of front wall (§24-522). R6 zoning district.  
Community Board #12BK  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 8/3/10 |
| 6. | 333-09-BZ | Moshe M. Friedman  
360 Troy Avenue aka 348-350 Troy Avenue aka 1505-1513 Carroll Street, Brooklyn  
Variance (§72-21) to permit the vertical extension of an existing religious school (Congregation Yeshiva Beis Chaya Mushika), contrary to floor area, lot coverage, height, sky exposure plane, front yard, and side yard regulations (§§24-11, 24-521, 24-34, and 24-35). R4 zoning district.  
Community Board #9BK  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 7/13/10 |
| 7. | 21-10-BZ | Sheldon Lobel, P.C.  
2801 Roelbling Avenue aka 1590 Hutchison River Parkway, Bronx  
Special Permit (§73-243) to legalize an eating and drinking establishment with a drive-through. C1-2/R4A zoning district.  
Community Board #10BX  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Adjourned, Continued Hearing – 7/27/10 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY AFTERNOON, JUNE 15, 2010
##### 1:30 P.M.

### BZ – NEW CASES

<table>
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<tr>
<th>Case No.</th>
<th>Description</th>
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</table>
| 8. 22-10-BZ | Harold Weinberg, P.E.  
620 East 102nd Street, Brooklyn  
Special Permit (§73-19) to allow the proposed one-story day care center (Sunshine Day Care). C8 zoning district.  
Community Board #18BK  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 7/13/10 |
| 9. 64-10-BZ | Law Office Fredrick A. Becker  
1253 East 29th 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 & 23-48) and less than the required rear yard (§23-47). R-2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 7/27/10 |
| 10. 87-10-BZ | Dennis D. Dell’Angelo  
1333 East 24th 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). R-2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 7/13/10 |
| 11. 88-10-BZ | Dennis D. Dell’Angelo  
1327 East 21st Street, 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 yards (§23-461). R-2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 7/27/10 |

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# SOC – DECISIONS

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<td><strong>102-95-BZ</strong>&lt;br&gt; The Law Office of Fredrick A. Becker&lt;br&gt; <strong>50 West 17th Street, Manhattan</strong>&lt;br&gt; Extension of Term of a previously granted Special Permit (73-244) for a UG12 Eating and Drinking Establishment (Splash) which expired on March 5, 2010. C6-4A zoning district. <strong>Community Board #5M</strong>&lt;br&gt; <strong>Examiner:</strong> Henry Segovia (212) 788-8757&lt;br&gt; <strong>Status:</strong> Granted – 6/22/10</td>
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<td>2.</td>
<td><strong>242-02-BZ</strong>&lt;br&gt; Joseph Fullam&lt;br&gt; <strong>1 North Railroad Street, Staten Island</strong>&lt;br&gt; Amendment to a previously granted Variance (§72-21) for the construction of a two family residence contrary to parking requirement (§25-21) and (§25-622). R3X/SR zoning district. <strong>Community Board #3SI</strong>&lt;br&gt; <strong>Examiner:</strong> Henry Segovia (212) 788-8757&lt;br&gt; <strong>Status:</strong> Granted – 6/22/10</td>
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<td><strong>SOC – CONTINUED HEARINGS</strong></td>
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| 3. | 74-49-BZ | Sheldon Lobel, P.C.  
515 Seventh Avenue, Manhattan  
Extension of Time to obtain a Certificate of Occupancy for an existing parking garage which expired on September 17, 2009; Waiver of the Rules. M1-6 (Garment Center) zoning district.  
**Community Board #5M**  
**Examiner: Henry Segovia (212) 788-8757**  
**Status: Continued Hearing – 8/17/10** |
| 4. | 803-61-BZ | Eric Palatnik, P.C.  
1416 Hylan Boulevard, Staten Island  
Extension of Term for the continued use of a Gasoline Service Station (British Petroleum) which expires on November 14, 2011; Waiver of the Rules. C2-1/R3-2 zoning districts.  
**Community Board #2SI**  
**Examiner: Henry Segovia (212) 788-8757**  
**Status: Closed, Decision – 7/27/10** |
| 5. | 739-76-BZ | Joseph P. Morsellino, Esq.  
212-95 26th Avenue, Queens  
Extension of Term for a UG15 Amusement Arcade (Peter Pan Games) which expired on April 10, 2010 and an Extension of Time to obtain a Certificate of Occupancy which expired on May 18, 2009. C4-1 zoning district.  
**Community Board #7Q**  
**Examiner: Henry Segovia (212) 788-8757**  
**Status: Granted – 6/22/10** |
### SOC – CONTINUED HEARINGS

|   | 617-80-BZ | Eric Palatnik, P.C.  
|   | 770/780 McDonald Avenue, Brooklyn | Extension of Term of a previously granted Variance (§72-21) of a UG9 catering establishment which expires on December 9, 2010; an Amendment to the interior layout; Extension of Time to Complete Construction and to obtain a Certificate of Occupancy which expires on March 14, 2010 and Waiver of the Rules. M1-1 zoning district.  
|   |   | Community Board #12BK  
|   |   | Examiner: Henry Segovia (212) 788-8757  
|   |   | Status: Closed, Decision – 7/27/10 |
|   | 189-96-BZ | John C. Chen  
|   | 85-12 Roosevelt Avenue, Queens | Extension of Term for a previously granted Special Permit (§73-244) of a UG12 Eating and Drinking establishment with entertainment and dancing (Flamingos) which expires on May 19, 2010. C2-3/R6 zoning district.  
|   |   | Community Board #4Q  
|   |   | Examiner: Henry Segovia (212) 788-8757  
|   |   | Status: Closed, Decision – 7/27/10 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, JUNE 22, 2010**  
**10:00 A.M.**

### SOC – NEW CASES

<table>
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<tr>
<th>Case No.</th>
<th>Applicant</th>
<th>Address</th>
<th>Description</th>
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</table>
| 8. 16-92-BZ | Sheldon Lobel, PC | 72/84 Sullivan Street aka 115 King Street, Brooklyn | Extension of Time to obtain a Certificate of Occupancy; Amendment to expand the variance into the portion of the lot fronting on King Street to allow a UG 16 warehouse and storage use and to facilitate a tax lot subdivision. R5/C1-3 zoning district. | Community Board #6BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Postponed Hearing – 7/27/10 |
| 9. 268-98-BZ | Sheldon Lobel, P.C. | 1252 Forest Avenue, Staten Island | Extension of Term for the continued use of a Gasoline Service Station with accessory Convenience Store (7-Eleven) which expired on August 10, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on August 10, 2000; Waiver of the Rules. C2-1/R3-2 zoning district. | Community Board #1SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 7/27/10 |
| 10. 44-99-BZ | Phillip L. Rampulla | 194 Brighton Avenue, Staten Island | Extension of Term for the continued use of an Automotive Repair Shop (UG16) which expired on February 1, 2010; Waiver of the Rules. R3A zoning district. | Community Board #1SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 8/3/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, JUNE 22, 2010
#### 10:00 A.M.

<table>
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<th>APPEALS – DECISIONS</th>
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</table>
| 11. | 295-09-A & 296-09-A | Rothkrug Rothkrug & Spector, LLP  
81 and 83 Cortlandt Street, Staten Island  
Proposed construction of one family home located within the bed of a mapped street (Bache Street), contrary to Section 35 of the General City Law. R3A Zoning District.  
**Community Board #2SI**  
**Examiner:** Toni Matias (212) 788-8752  
**Status:** Granted – 6/22/10 |
| 12. | 53-10-A | Sheldon Lobel, P.C.  
2031 Burr Avenue, Bronx  
Appeal seeking a determination that the owner has acquired a vested right to complete construction under the prior R7-1 zoning district. R5A zoning district.  
**Community Board #10BX**  
**Examiner:** Toni Matias (212) 788-8752  
**Status:** Granted – 6/22/10 |

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NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
TUESDAY MORNING, JUNE 22, 2010
10:00 A.M.

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<tr>
<td><strong>APPEALS – CONTINUED HEARINGS</strong></td>
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</tbody>
</table>
| 13. | 147-08-BZY | Hui-Li Xu  
95-04 Allendale Street, Queens  
Extension of time (§11-331) to complete construction of a minor development commenced under the prior zoning district. R5 zoning district.  
**Community Board #12Q**  
**Examiner: Toni Matias (212) 788-8752**  
**Status: Closed, Decision – 7/13/10** |
| 14. | 274-09-A | Fire Department of New York  
3920 Merritt Avenue aka 3927 Mulvey Avenue, Bronx  
Application to modify Certificate of Occupancy to require automatic wet sprinkler system throughout the entire building.  
**Community Board #12BX**  
**Examiner: Toni Matias (212) 788-8752**  
**Status: Continued Hearing – 8/17/10** |
| 15. | 283-09-BZY thru 286-09-BZY | Rothkrug, Rothkrug & Spector, LLP  
90-18 176th Street, 175/19/21/23 Lauren Court, Queens  
Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R4-1 zoning district.  
**Community Board #12Q**  
**Examiner: Toni Matias (212) 788-8752**  
**Status: Closed, Decision – 7/13/10** |
| 1. | 173-09-BZ | Law Offices of Howard Goldman LLC  
845 Broadway, Brooklyn  
Variance (§72-21) to allow a seven-story mixed use building, contrary to use regulations (§32-00, 42-00). C8-2/M1-1 zoning districts.  
Community Board #4BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Deferred Decision – 8/3/10 |
| 2. | 36-10-BZ | Eric Palatnik, P.C.  
1225 East 28th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space ration (23-141); side yard (23-461) and rear yard (23-47). R3-2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 6/22/10 |
| 3. | 41-10-BZ | Kramer Levin Naftalis & Frankel LLP  
522-566/596-600 First Avenue aka 400-424 East 34th Street and 423-437 East 30th Street, Manhattan  
Variance pursuant (§72-21) to allow for the enlargement of a community facility (NYU Langone Medical Center) contrary to rear yard (§24-36) and signage regulations (§§22-321, 22-331, 22-342). R8 zoning district.  
Community Board #6M  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Deferred Decision – 7/13/10 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY AFTERNOON, JUNE 22, 2010
1:30 P.M.

### BZ – CONTINUED HEARINGS

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<td><strong>302-08-BZ</strong></td>
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| 4. |   | Rothkrug, Rothkrug & Spector LLP  
4368 Furman Avenue, The Bronx  
Variance (§72-21) to permit an existing semi-detached residential building, contrary to side yard regulations (§23-462) R5 district.  
Community Board #12BX |
|   |   | Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 7/13/10 |
|   | **6-09-BZ** |   |
| 5. |   | Rampulla Associate Architects  
24 Nelson Avenue, Staten Island  
Variance (§72-21) to permit the legalization of an existing Automotive Repair Facility (UG 16B), contrary to ZR §32-10.  C4-1 (Special South Richmond Development District & Special Growth Management District) zoning district.  
Community Board #3SI |
|   |   | Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 8/3/10 |
|   | **31-09-BZ** |   |
| 6. |   | Eric Palatnik, PC  
117-04 Sutphin Boulevard, Queens  
Special Permit (§11-411, §11-412, §11-413) for re-instatement of previous variance, which expired on November 12, 1990; amendment for a change of use from a gasoline service station (UG16b) to automotive repair establishment and automotive sales (UG16b); enlargement of existing one story structure; and Waiver of the Rules.  
C2-2/R3-2 zoning district.  
Community Board #12Q |
|   |   | Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 8/3/10 |
### BZ – CONTINUED HEARINGS

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| 7. | 194-09-BZ | Sheldon Lobel, P.C.  
2113 Utica Avenue, 2095-211 Utica Avenue, Brooklyn  
Variance to allow the construction of a four story mixed use building contrary to floor area (§23-141), open space (§23-141), lot coverage (§23-141), front yard (§23-45), height (§23-631), open space used for parking (§25-64) and parking requirements (§25-23); and to allow for the enlargement of an existing commercial use contrary to §22-10. R3-2 zoning district.  
Community Board# 18BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Adjourned, Continued Hearing – 8/3/10 |
| 8. | 270-09-BZ | Sheldon Lobel, P.C.  
1910 Homecrest Avenue, Brooklyn  
Variance (§72-21) for the construction of a single family home on a vacant corner lot, contrary to floor area (§23-141), side yards (§23-461) and front yard (§23-47). R4-1 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 7/13/10 |
| 9. | 327-09-BZ | Sheldon Lobel, P.C.  
255 Butler Street, Brooklyn  
Special Permit (§73-19) to allow a Use Group 3 charter school (Summit Academy) with first floor retail use in an existing warehouse. M1-2 zoning district.  
Community Board #6BK  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 7/27/10 |
| 10. | 9-10-BZ | Eric Palatnik, P.C.  
231-10 Northern Boulevard, Queens  
Variance (§72-21) to allow a restaurant use in an existing building, contrary to §22-00. R1-2 zoning district.  
Community Board#11Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 8/3/10 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**  
**TUESDAY AFTERNOON, JUNE 22, 2010**  
**1:30 P.M.**

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#### BZ – CONTINUED HEARINGS

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<th>No.</th>
<th>Case Number</th>
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<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
<th>Decision Date</th>
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</table>
| 11. | 27-10-BZ    | Eric Palatnik, P.C.  
117 Norfolk Street, Brooklyn  
Special Permit (§73-622) for the enlargement of a single family home, contrary to open space, lot coverage and floor area (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R3-1 zoning district. | Community Board #15BK | Henry Segovia (212) 788-8757 | Closed, Decision – 8/3/10 |
| 12. | 33-10-BZ    | Rothkrug Rothkrug & Spector, LLP  
692 Broadway (aka 384/8 Lafayette Street, 2/20 East 4th Street)  
Manhattan  
Special Permit (§73-36) to allow the operation of a physical culture establishment. M1-5B zoning district. | Community Board #2M | Rory Levy (212) 788-8749 | Closed, Decision – 7/13/10 |
| 13. | 37-10-BZ    | Eric Palatnik, P.C.  
1230 East 27th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space (23-141); side yard (23-461) and rear yard (23-47). R2 zoning district. | Community Board #14BK | Henry Segovia (212) 788-8757 | Closed, Decision – 7/27/10 |
<table>
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<tr>
<th>Case Number</th>
<th>Client</th>
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<th>Description</th>
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<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>219-09-BZ</td>
<td>Gerald J. Caliendo, RA</td>
<td>806 – 810 East 147th Street, The Bronx</td>
<td>Variance (§72-21) to allow for five, two family residential buildings, contrary to §42-00. M1-2 district.</td>
<td>Community Board#1BX</td>
<td>Ronald Rizzotti</td>
<td>Continued Hearing – 8/17/10</td>
</tr>
<tr>
<td>65-10-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>55 Beaumont Street, Brooklyn</td>
<td>Special Permit (§73-622) for the enlargement of an existing single family home contrary to floor area, lot coverage and open space (§23-141) and less than the required rear yard (§23-47). R3-1 zoning district.</td>
<td>Community Board #15BK</td>
<td>Henry Segovia</td>
<td>Continued Hearing – 8/3/10</td>
</tr>
<tr>
<td>326-09-BZ</td>
<td>Bryan Cave LLP</td>
<td>38-15 138th Street, Queens</td>
<td>Special Permit (§73-66) to allow for the development of four mixed use buildings (Flushing Commons) which exceed the height regulations around airports, contrary to §61-21. C4-3 zoning district.</td>
<td>Community Board #7Q</td>
<td>Ronald Rizzotti</td>
<td>Closed, Decision – 7/27/10</td>
</tr>
<tr>
<td>70-10-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>37-08 Union Street, Queens</td>
<td>Special Permit (ZR §73-66) to allow for the construction of a 14 story mixed use building to exceed the maximum height limits around airports, contrary to §61-21. C4-3 zoning district.</td>
<td>Community Board#7Q</td>
<td>Ronald Rizzotti</td>
<td>Closed, Decision – 7/27/10</td>
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# SOC – DECISIONS

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</table>
| 1. | 201-01-BZ | Sheldon Lobel, P.C.  
2591 Atlantic Avenue, Brooklyn  
Extension of Term (§72-01 & 72-22) of a previously approved variance permitting the operation of an automobile laundry, lubrication and accessory automobile supply store (UG16b); Amendment seeking to legalize changes and increase in floor area; and Waiver of the Rules. C4-1 zoning district.  
Community Board #5BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Granted – 7/13/10 |
| 2. | 103-05-A | Rothkrug, Rothkrug, Spector, LLP  
366 Nugent Street, Staten Island  
Application to reopen pursuant to court remand (Appellate Division) for a determination of whether the Department of Buildings issued a permit in error based on alleged misrepresentations made by the owner during the permit application process.  
Community Board #2SI  
Examiner: Toni Matias (212) 788-8752  
Status: Denied – 7/13/10 |
| 3. | 111-06-BZ | Sheldon Lobel, P.C.  
136 Norfolk Street, Brooklyn  
Application to reopen pursuant to court remand (Appellate Division) to revisit the findings of a Special Permit (§73-622) for the in-part legalization of an enlargement to a single family residence. This application seeks to vary open space and floor area (§23-141); side yard (§23-48) and perimeter wall height (§23-631) regulations. R3-1 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 7/13/10 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, JULY 13, 2010  
10:00 A.M.

**SOC – DECISIONS**

4. 280-09-A  
NYC Board of Standards and Appeals  
330 West 86th Street, Manhattan  
Review of Board decision pursuant to Sec 1-10(f) of the Board’s Rules and 666(8) of the City Charter of an appeal challenging the Department of Building’s authority under the City Charter to interpret or enforce provisions of Article 16 of the General Municipal Law relating to the construction of a proposed 17 story residential building. R10A zoning district.  
Community Board #7M  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 7/13/10

**SOC – CONTINUED HEARINGS**

5. 589-31-BZ  
Eric Palatnik, P.C.  
159-02 Meyer Avenue, Queens  
Amendment pursuant (§11-413) to permit the proposed change of use group from UG16 (Gasoline Service Station) to UG16 (Automotive Repair) with accessory used car sales. R3-2 zoning district.  
Community Board #12Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 8/3/10

6. 558-71-BZ  
Rothkrug, Rothkrug & Spector, LLP  
1949 Richmond Avenue, Staten Island  
Amendment to a previously granted Variance (§72-21) to permit the change of a UG6 eating and drinking establishment to a UG6 retail use without limitation to a single use; minor reduction in floor area; increase accessory parking and increase to the height of the building façade. R3-1 zoning district.  
Community Board #2SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 8/17/10

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************************************************************************************************************************
|   | 139-92-BZ | Samuel H. Valencia  
52-15 Roosevelt Avenue, Queens  
Extension of Term for a previously granted Special Permit (§73-244) for the continued operation of a UG12 Eating and Drinking Establishment with Dancing (Deseos) which expired on March 7, 2010; Waiver of the Rules. C2-2/R6 zoning district.  
Community Board #2Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 8/3/10 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY MORNING, JULY 13, 2010**

**10:00 A.M.**

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**SOC – NEW CASES**

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| 8. | 914-86-BZ | Stuart A. Klein, Esq.  
1-19 Eastern Parkway, Brooklyn  
Extension of Term of a previously granted Variance (§72-21) for the continued operation of a Physical Culture Establishment (*Eastern Athletic*) which expired on May 17, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on November 12, 1998; Amendment to the interior layout and the hours of operation; Waiver of the Rules. R8X zoning district.  
Community Board #8BK  
Examiner:  Henry Segovia (212) 788-8757  
Status:  Continued Hearing – 8/24/10 |

| 9. | 44-97-BZ/174-00-BZ | Stuart A. Klein, Esq.  
78-80 Leonard Street & 79 Worth Street, Manhattan  
Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment which expired on October 28, 2007; Amendment of plans in sub-cellar; Waiver of the Rules. C6-2A zoning district.  
Community Board #1M  
Examiner:  Henry Segovia (212) 788-8757  
Status:  Continued Hearing – 8/3/10 |

| 10. | 159-99-BZ | Law Office of Fredrick A. Becker  
1347-1357 38th Street, Brooklyn  
Amendment to legalize modification to a previously granted Variance (§72-21) of a one-story UG4 Synagogue and Yeshiva (*Congregation Beit Meir*). M2-1 zoning district.  
Community Board#12BK  
Examiner:  Henry Segovia (212) 788-8757  
Status:  Closed, Decision – 8/3/10 |

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## APPEALS – DECISIONS

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| 11. | 147-08-BZY | Hui-Li Xu  
95-04 Allendale Street, Queens  
Extension of time (§11-331) to complete construction of a minor development commenced under the prior zoning district. R5 zoning district  
Community Board #12Q  
Examiner: Toni Matias (212) 788-8752  
Status: Dismissed – 7/13/10 |
| 12. | 283-09-BZY thru 286-09-BZY | Rothkrug, Rothkrug & Spector, LLP  
90-18 176th Street, 175/19/21/23 Lauren Court, Queens  
Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R4-1 zoning district.  
Community Board #12Q  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 7/13/10 |
| 13. | 298-09-A | Joseph A. Sherry  
109 Beach 217th Street, Queens  
Reconstruction and enlargement of an existing single family home not fronting a legally mapped street, contrary to General City Law Section 36. R4 zoning district.  
Community Board #14Q  
Examiner: Toni Matias (212) 788-8752  
Status: Deferred Decision – 8/3/10 |
| 14. | 10-10-A | Law Office of Fredrick A. Becker  
1882 East 12th Street, Brooklyn  
Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district. R6 zoning district.  
Community Board #15BK  
Examiner: Toni Matias (212) 788-8752  
Status: Deferred Decision – 7/27/10 |

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**
**TUESDAY MORNING, JULY 13, 2010**
**10:00 A.M.**

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#### APPEALS – DECISIONS

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<th>Examiner</th>
<th>Status</th>
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<td>15</td>
<td>23-10-A thru 26-10-A</td>
<td>Richard Bowers 39-39 223rd Street and 223-01/15/19 Mia Drive, Queens</td>
<td>Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district regulations. R1-2 zoning district.</td>
<td>Community Board #11Q</td>
<td>Toni Matias (212) 788-8752</td>
<td>Granted – 7/13/10</td>
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<tr>
<td>16</td>
<td>43-08-A 3-10-A/4-10-A</td>
<td>Akerman Senterfitt 144-25 Bayside Avenue and 29-45/29-46 145th Street, Queens</td>
<td>Proposed construction in the bed of mapped street contrary to the General City Law Section 35. R2A zoning district.</td>
<td>Community Board #7Q</td>
<td>Toni Matias (212) 788-8752</td>
<td>Adjourned, Continued Hearing – 8/24/10</td>
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<tbody>
<tr>
<td>17. 67-10-A</td>
<td>Gary D. Lenhart, R.A.</td>
<td>Proposed reconstruction and enlargement of an existing single-family dwelling and the proposed upgrade of the existing non-conforming private disposal system within the bed of a mapped street, contrary to Article 3, Section 35 of the General City Law. R4 zoning district.</td>
<td>Community Board #14Q</td>
<td>Toni Matias (212) 788-8752</td>
<td>Continued Hearing – 8/3/10</td>
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<tr>
<td>18. 71-10-A thru 84-10-A</td>
<td>Eric Palatnik, P.C.</td>
<td>Appeal seeking a determination that the owner has acquired a vested right to complete construction under the prior R3-2 zoning district. R3-1 zoning district.</td>
<td>Community Board #3SI</td>
<td>Toni Matias (212) 788-8752</td>
<td>Continued Hearing – 8/3/10</td>
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### BZ – DECISIONS

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| **1.** | **160-08-BZ** | Dominick Salvati and Son Architects  
**651-671 Fountain Avenue, Brooklyn**  
Variance (§72-21) to permit the legalization of commercial storage of motor vehicles/buses (UG 16C) with accessory fuel storage and motor vehicles sales and repair (UG 16B), which is contrary to §22-00. R4 zoning district.  
**Community Board #5BK**  
Examiner: Carlo Costanza (212) 788-8739  
Status: Granted – 7/13/10 |
| **2.** | **302-08-BZ** | Rothkrug, Rothkrug & Spector LLP  
**4368 Furman Avenue, The Bronx**  
Variance (§72-21) to permit an existing semi-detached residential building, contrary to side yard regulations (§23-462) R5 district.  
**Community Board #12BX**  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Denied – 7/13/10 |
| **3.** | **29-09-BZ** | Law Office of Fredrick A. Becker  
**44 Brunswick Street, Staten Island**  
Variance (§72-21) to legalize and enlarge a synagogue (Chabad Israeli Center), contrary to lot coverage, front yards, side yards, and parking regulations. R3X zoning district.  
**Community Board #2SI**  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 7/13/10 |
| **4.** | **270-09-BZ** | Sheldon Lobel, P.C.  
**1910 Homecrest Avenue, Brooklyn**  
Variance (§72-21) for the construction of a single family home on a vacant corner lot, contrary to floor area (§23-141), side yards (§23-461) and front yard (§23-47). R4-1 zoning district.  
**Community Board #15BK**  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 7/13/10 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, JULY 13, 2010**  
**1:30 P.M.**

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## BZ – DECISIONS

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| 5. | **271-09-BZ** | Sheldon Lobel, P.C.  
132-40 Metropolitan Avenue, Queens  
Special Permit (§73-36) to legalize the operation of an existing physical culture establishment (*Planet Fitness*) on the first, second, and third floors of an existing three-story building. C2-3 zoning district.  
Community Board #9Q  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Granted – 7/13/10 |
| 6. | **333-09-BZ** | Moshe M. Friedman  
360 Troy Avenue aka 348-350 Troy Avenue aka 1505-1513 Carroll Street, Brooklyn  
Variance (§72-21) to permit the vertical extension of an existing religious school (Congregation Yeshiva Beis Chaya Mushika), contrary to floor area, lot coverage, height, sky exposure plane, front yard, and side yard regulations (§§24-11, 24-521, 24-34, and 24-35). R4 zoning district.  
Community Board #9BK  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Granted – 7/13/10 |
| 7. | **33-10-BZ** | Rothkrug Rothkrug & Spector, LLP  
692 Broadway (aka 384/8 Lafayette Street, 2/20 East 4th Street)  
Manhattan  
Special Permit (§73-36) to allow the operation of a physical culture establishment. M1-5B zoning district.  
Community Board #2M  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Granted – 7/13/10 |
| 8. | **34-10-BZ** | James Chin & Associates, LLC,  
429 Broome Street, Manhattan  
Special Permit (§73-36) to allow the operation of a physical culture establishment (*York Spa Beauty Care*) in the cellar and first floor of an existing five-story building. M1-5B zoning district.  
Community Board #2M  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Granted – 7/13/10 |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, JULY 13, 2010**  
**1:30 P.M.**

## BZ – DECISIONS

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</table>
| 9. | 41-10-BZ | Kramer Levin Naftalis & Frankel LLP  
522-566/596-600 First Avenue aka 400-424 East 34th Street and  
423-437 East 30th Street, Manhattan  
Variance pursuant (§72-21) to allow for the enlargement of a  
community facility (NYU Langone Medical Center) contrary to rear yard  
(§24-36) and signage regulations (§§22-321, 22-331, 22-342). R8 zoning  
district.  
Community Board #6M  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Granted – 7/13/10 |
| 10. | 48-10-BZ | Rampulla Associates  
2965 Veterans Road West, Staten Island  
Special Permit (§73-36) to allow a physical culture establishment (Retro  
Fitness), M1-1 zoning district/Special South Richmond District.  
Community Board #3SI  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 7/13/10 |
| 11. | 87-10-BZ | Dennis D. Dell'Angelo  
1333 East 24th 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). R-2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 7/13/10 |

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### BZ – CONTINUED HEARINGS

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<tr>
<td>12.</td>
<td>210-07-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>15 Luquer Street, Brooklyn</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Variance (§72-21) to allow for a residential use in a manufacturing district, contrary to §42-00. M1-1 zoning district.</td>
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<td>Community Board #6BK</td>
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<tr>
<td></td>
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<td>Examiner: Ronald Rizzotti (212) 788-8781</td>
<td>Status: Continued Hearing – 8/24/10</td>
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<tr>
<td>13.</td>
<td>14-09-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>2294 Forest Avenue, Staten Island</td>
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<td></td>
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<td>Special Permit (§73-211) to allow an automotive service station with an accessory convenience store and automotive laundry (UG 16B). C2-1/R3-2 zoning district.</td>
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<td>Community Board #1SI</td>
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<td>Examiner: Carlo Costanza (212) 788-8739</td>
<td>Status: Closed, Decision – 8/24/10</td>
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<tr>
<td>14.</td>
<td>44-09-BZ</td>
<td>Philip L. Rampulla</td>
<td>2175 Richmond Avenue, Staten Island</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>Variance (§72-21) to allow for a two-story commercial building (UG 6) with accessory parking, contrary to use regulations (§22-00). R3-1 district.</td>
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<td>Community Board #2SI</td>
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<td>Examiner: Ronald Rizzotti (212) 788-8781</td>
<td>Status: Off Calendar</td>
</tr>
<tr>
<td>15.</td>
<td>189-09-BZ/190-09-A</td>
<td>Eric Palatnik, P.C.</td>
<td>3067 Richmond Terrace, Staten Island</td>
</tr>
<tr>
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<td>Variance (§72-21) and waiver to the General City Law Section 35 to permit the legalization of an existing mosque and Sunday school (Nor Al-Islam Society), contrary to use and maximum floor area ratio (§§42-00 and 43-12) and construction with the bed of a mapped street. M3-1 zoning district.</td>
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<td>Community Board #1SI</td>
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<td>Examiner: Rory Levy (212) 788-8749</td>
<td>Status: Continued Hearing – 8/24/10</td>
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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, JULY 13, 2010**  
**1:30 P.M.**

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| **16.** | **192-09-BZ** | Sheldon Lobel, P.C.  
**912 Broadway, Brooklyn**  
Variance (§72-21) to allow for the construction of a department store (UG10), contrary to use regulations (§§22-00, 32-00). R6 and R6/C2-3 zoning districts.  
**Community Board #3BK**  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Adjourned, Continued Hearing – 9/14/10 |
| **17.** | **234-09-BZ** | Sheldon Lobel, P.C.  
**25-71 44th Street, Queens**  
Variance (§72-21) for the construction of a detached two-family home contrary to side yard regulations (§23-48). R-5 zoning district.  
**Community Board #1Q**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Continued Hearing – 8/3/10 |

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# BZ – CONTINUED HEARINGS

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|  18. | 254-09-BZ thru 256-09-BZ | Ivan F. Khoury  
101/03/05 Astoria Boulevard aka 27-31 Kearney Street, Queens  
Variance (§72-21) to legalize three existing homes, contrary to front yard (§23-45) and rear yard (§23-47) regulations. R3-2 zoning district.  
Community Board #3Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 8/17/10 |
|  19. | 13-10-BZ | Eric Palatnik, P.C.  
79 Amherst Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing two-family home to be converted to a single family home, contrary to lot coverage and floor area (§23-141); side yards (§23-461) and rear yard (§23-47). R3-1 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 8/3/10 |
|  20. | 22-10-BZ | Harold Weinberg, P.E.  
620 East 102nd Street, Brooklyn  
Special Permit (§73-19) to allow the proposed one-story day care center (Sunshine Day Care). C8 zoning district.  
Community Board #18BK  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 7/27/10 |
|  21. | 40-10-BZ | Sheldon Lobel, PC  
150 Kenilworth Place, Brooklyn  
Variance (§72-21) to allow for an existing building to be converted for commercial use, contrary to §22-10. C4-4A/R5B zoning district.  
Community Board #14BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 8/3/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, JULY 13, 2010
1:30 P.M.

## BZ – NEW CASES

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<tr>
<th>Case Number</th>
<th>Description</th>
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</table>
| 22. 24-09-BZ | Sheldon Lobel, PC.  
**78-10 164th Street, Queens**  
Variance to allow the enlargement of a community facility (*Meadow Park Rehabilitation and Health Care Center*), contrary to floor area, lot coverage (§24-11), front yard (§24-34), height (§24-521) and rear yard (§24-382) regulations. R3-2 district.  
Community Board #8Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 8/24/10 |
| 23. 39-10-BZ | Eric Palatnik, P.C.  
**2032 East 17th Street, Brooklyn**  
Variance (§72-21) for the legalization of a single-family home, contrary to side yards (§23-461). R-5 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 8/24/10 |
| 24. 58-10-BZ | Sheldon Lobel, P.C.  
**16 Eckford Street, Brooklyn**  
Special Permit (§73-36) to allow a physical culture establishment (*Barones Health Club*) in the existing one-story building. M1-2/R6A zoning district/MX8 special district.  
Community Board #1BK  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 8/3/10 |
| 25. 66-10-BZ | Eric Palatnik, P.C.  
**1618 Shore Boulevard, 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 side yards (§23-461). R3-1 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 8/3/10 |
### SOC – DECISIONS

<table>
<thead>
<tr>
<th>#</th>
<th>Case Number</th>
<th>Applicant</th>
<th>Address</th>
<th>Description</th>
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<tbody>
<tr>
<td>2.</td>
<td>617-80-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>770/780 McDonald Avenue, Brooklyn</td>
<td>Extension of Term of a previously granted Variance (§72-21) of a UG9 catering establishment which expires on December 9, 2010; an Amendment to the interior layout; Extension of Time to Complete Construction and to obtain a Certificate of Occupancy which expires on March 14, 2010 and Waiver of the Rules. M1-1 zoning district. Community Board #12BK&lt;br&gt;Examiner: Henry Segovia (212) 788-8757&lt;br&gt;Status: Granted – 7/27/10</td>
</tr>
<tr>
<td>3.</td>
<td>189-96-BZ</td>
<td>John C. Chen</td>
<td>85-12 Roosevelt Avenue, Queens</td>
<td>Extension of Term for a previously granted Special Permit (§73-244) of a UG12 Eating and Drinking establishment with entertainment and dancing (Flamingos) which expires on May 19, 2010. C2-3/R6 zoning district. Community Board #4Q&lt;br&gt;Examiner: Henry Segovia (212) 788-8757&lt;br&gt;Status: Granted – 7/27/10</td>
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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
##### TUESDAY MORNING, JULY 27, 2010
##### 10:00 A.M.

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<th><strong>SOC – CONTINUED HEARINGS</strong></th>
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</table>
| 4. | **11-93-BZ** Sheldon Lobel, P.C.  
46-45 Kissena Boulevard, aka 140-01 Laburnum Avenue, Queens  
Extension of Term (§§11-411 & §11-412) to allow the continued operation of an Eating and Drinking establishment (UG 6) which expired on March 15, 2004; Amendment to legalize alterations to the structure; Waiver of the Rules. C2-2 and R3-2 zoning districts.  
Community Board #7Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Closed, Decision – 9/14/10 |
| 5. | **268-98-BZ** Sheldon Lobel, P.C.  
1252 Forest Avenue, Staten Island  
Extension of Term for the continued use of a Gasoline Service Station with accessory Convenience Store (7-Eleven) which expired on August 10, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on August 10, 2000; Waiver of the Rules. C2-1/R3-2 zoning district.  
Community Board #1SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 8/17/10 |
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| 6. 395-60-BZ | Sheldon Lobel, P.C.  
2557-2577 Linden Boulevard, Brooklyn  
Extension of Time to obtain a Certificate of Occupancy for a previously granted Automotive Repair Shop and Convenience Store use which expired on May 17, 2010. R-5 zoning district.  
Community Board #5M  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Continued Hearing – 8/24/10 |
| 7. 16-92-BZ | Sheldon Lobel, PC  
72/84 Sullivan Street, aka 115 King Street, Brooklyn  
Extension of Time to obtain a Certificate of Occupancy; Amendment to expand the variance into portion of the lot fronting on King Street to allow a warehouse and storage use (UG 16) and to facilitate a tax lot subdivision; Extension of Term. R-5/C-1-3 zoning district.  
Community Board #6BK  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Closed, Decision – 8/24/10 |
| 8. 200-98-BZ | The Law Office of Fredrick A. Becker  
633 Third Avenue, Manhattan  
Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (New York Sports Club) which expired on April 30, 2008; Waiver of the Rules. C-5-3(Mid) zoning district.  
Community Board #5M  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Continued Hearing – 8/17/10 |
| 9. 290-99-BZ | Rothkrug, Rothkrut & Spector  
99/101 Greenwich Avenue, Manhattan  
Extension of Term of a previously granted Variance (§72-21) for the continued operation of a Physical Culture Establishment (Equinox) which expired on March 28, 2010. C-1-6/R-6 zoning district.  
Community Board #2M  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Continued Hearing – 8/17/10 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, JULY 27, 2010  
10:00 A.M.  

**APPEALS – DECISIONS**

|514-516 East 6th Street, Manhattan| An appeal seeking to vary the applicable provisions under the Multiple Dwelling Law as it applies to the enlargement of non-fireproof tenement buildings. R7-2 zoning district.  
|Community Board #3M| Examiner: Toni Matias (212) 788-8752 | Status: Closed, Decision – 8/3/10 |

| 11. | 10-10-A | Law Office of Fredrick A. Becker  
|1882 East 12th Street, Brooklyn| Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district. R6 zoning district.  
|Community Board #15BK| Examiner: Toni Matias (212) 788-8752 | Status: Deferred Decision – 8/24/10 |

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************************************************************************DISCLAIMER************************************************************************
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

**TUESDAY MORNING, JULY 27, 2010**

**10:00 A.M.**

### APPEALS – CONTINUED HEARINGS

| 12. | 315-08-A | Stuart A. Klein, Esq.  
246 Spring Street, Manhattan | An appeal seeking the revocation of permits for a condominium hotel on the basis that the approved plans allow for exceeding of maximum permitted floor area. M1-6 zoning.  
Community Board #2M  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 9/14/10 |
| 13. | 237-09-A/238-09-A | Rothkrug Rothkrug & Spector, LLP  
81, 85 Archwood Avenue aka 5219 Amboy Road, Staten Island | Proposed construction in the bed of a mapped street, contrary to General City Law Section 35. R3X zoning district.  
Community Board #3SI  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 9/14/10 |
# New York City Board of Standards and Appeals

## Regular Meeting

**Tuesday afternoon, July 27, 2010**

**1:30 P.M.**

## BZ – Decisions

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| **1.** | **326-09-BZ** | Bryan Cave LLP  
38-15 138th Street, Queens  
Special Permit (§73-66) to allow for the development of four mixed use buildings (Flushing Commons) which exceed the height regulations around airports, contrary to §61-21. C4-3 zoning district.  
Community Board #7Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Granted – 7/27/10 |
| **2.** | **22-10-BZ** | Harold Weinberg, P.E.  
620 East 102nd Street, Brooklyn  
Special Permit (§73-19) to allow the proposed one-story day care center (Sunshine Day Care). C8 zoning district.  
Community Board #18BK  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 7/27/10 |
| **3.** | **37-10-BZ** | Eric Palatnik, P.C.  
1230 East 27th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area (23-141); side yard (23-461) and rear yard (23-47). R2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 7/27/10 |
| **4.** | **70-10-BZ** | Sheldon Lobel, P.C.  
37-08 Union Street, Queens  
Special Permit (ZR §73-66) to allow for the construction of a 14 story mixed use building to exceed the maximum height limits around airports, contrary to §61-21. C4-3 zoning district.  
Community Board #7Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Granted – 7/27/10 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY AFTERNOON, JULY 27, 2010**

**1:30 P.M.**

### BZ – CONTINUED HEARINGS

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| 5. | 92-08-BZ | Juan D. Reyes, Esq.  
**13 Crosby Street, Manhattan**  
Variance (§72-21) to allow for Use Group 6 below the floor level of the second story in an existing building, contrary to use, rear yard and floor area regulations (§42-14, 43-12 and 43-26). M1-5B zoning district.  
**Community Board #4M**  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Continued Hearing – 9/14/10 |
| 6. | 304-09-BZ | Stuart A. Klein, Esq.  
**75-121 Junius Street, Brooklyn**  
Variance (§72-21) to allow the erection of a ten-story, mixed-use community facility (*Women In Need*) and commercial building, contrary to floor area (§42-00, 43-12 and 43-122), height and sky exposure plane (§43-43), and parking (§44-21). M1-4 zoning district.  
**Community Board #16BK**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Continued Hearing – 9/21/10 |
| 7. | 327-09-BZ | Sheldon Lobel, P.C.  
**255 Butler Street, Brooklyn**  
Special Permit (§73-19) to allow a Use Group 3 charter school (*Summit Academy*) with first floor retail use in an existing warehouse. M1-2 zoning district.  
**Community Board #6BK**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Closed, Decision – 8/17/10 |
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| 8. | 21-10-BZ | Sheldon Lobel, P.C.  
    **2801 Roelbling Avenue, aka 1590 Hutchison River Parkway, Bronx**  
    Special Permit (§73-243) to legalize an eating and drinking establishment with a drive-through. C1-2/R4A zoning district.  
    **Community Board #10BX**  
    **Examiner:** Ronald Rizzotti (212) 788-8781  
    **Status:** Continued Hearing – 8/24/10 |
| 9. | 59-10-BZ | Sheldon Lobel, P.C.  
    **519 Eighth Avenue, Manhattan**  
    Special Permit (§73-36) to allow a physical culture establishment (**Luxe Den Salon & Spa**). M1-6/C6-4M zoning district.  
    **Community Board #4M**  
    **Examiner:** Rory Levy (212) 788-8749  
    **Status:** Closed, Decision – 8/17/10 |
| 10. | 64-10-BZ | Law Office Fredrick A. Becker  
    **1253 East 29th 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 & 23-48) and less than the required rear yard (§23-47). R-2 zoning district.  
    **Community Board #14BK**  
    **Examiner:** Henry Segovia (212) 788-8757  
    **Status:** Closed, Decision – 8/17/10 |
| 11. | 88-10-BZ | Dennis D. Dell’Angelo  
    **1327 East 21st Street, 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 yards (§23-461). R-2 zoning district.  
    **Community Board #14BK**  
    **Examiner:** Henry Segovia (212) 788-8757  
    **Status:** Closed, Decision – 8/24/10 |

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# BZ – NEW CASES

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Description</th>
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</table>
| 12. 98-08-BZ | Gerald J. Caliendo  
583 Franklin Avenue, Brooklyn  
Variance (§72-21) to allow a four-story residential building containing four (4) dwelling units, contrary to use regulations (§ 42-00). M1-1 district.  
Community Board #8BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 8/24/10 |
| 13. 305-09-BZ | Davidoff Malito & Hutcher, LLP  
110-04 Atlantic Avenue, Queens  
Variance (§72-21) to permit the enlargement of an existing community facility building (*South Queens Boys & Girls Club*) contrary to floor area (§33-121) and height (§33-431). C2-2/R5 zoning district.  
Community Board #9Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 8/24/10 |
| 14. 6-10-BZ | Sheldon Lobel, P.C.  
2147 Mill Avenue, Brooklyn  
Variance (§72-21) to allow for legalization of an enlargement of a commercial building, contrary to §22-00. R2 zoning district.  
Community Board #18BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 9/21/10 |
| 15. 63-10-BZ | Gerald J. Caliendo  
163-18 Jamaica Avenue, Queens  
Special Permit (§73-36) to legalize the operation of a physical culture establishment on the second floor of a seven-story commercial building. C6-3 zoning district.  
Community Board #12Q  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 8/17/10 |
### BZ – NEW CASES

<table>
<thead>
<tr>
<th>Case</th>
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</table>
| 85-10-BZ | Sheldon Lobel, P.C.  
309-311 East Fordham Road, aka 316 East Kingsbridge Road, Bronx  
Special Permit (§73-36) to legalize the operation of a physical culture establishment (Planet Fitness) on the first and second floors of an existing two-story building. C4-4 zoning district.  
Community Board #7BX  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 8/17/10 |
## SOC – DECISIONS

1. **159-99-BZ**
   - Law Office of Fredrick A. Becker
     - 1347-1357 38th Street, Brooklyn
   - Amendment to legalize modification to a previously granted Variance (§72-21) of a one-story UG4 Synagogue and Yeshiva (*Congregation Beis Meir*). M2-1 zoning district.
   - Community Board #12BK
   - Examiner: Henry Segovia (212) 788-8757
   - Status: Granted – 8/3/10

## SOC – CONTINUED HEARINGS

2. **589-31-BZ**
   - Eric Palatnik, P.C.
     - 159-02 Meyer Avenue, Queens
   - Amendment pursuant (§11-413) to permit the proposed change of use group from UG16 (Gasoline Service Station) to UG16 (Automotive Repair) with accessory used car sales. R3-2 zoning district.
   - Community Board #12Q
   - Examiner: Henry Segovia (212) 788-8757
   - Status: Closed, Decision – 8/24/10

3. **139-92-BZ**
   - Samuel H. Valencia
     - 52-15 Roosevelt Avenue, Queens
   - Extension of Term for a previously granted Special Permit (§73-244) for the continued operation of a UG12 Eating and Drinking Establishment with Dancing (*Deseos*) which expired on March 7, 2010; Waiver of the Rules. C2-2/R6 zoning district.
   - Community Board #2Q
   - Examiner: Henry Segovia (212) 788-8757
   - Status: Closed, Decision – 8/17/10
### SOC – CONTINUED HEARINGS

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<tr>
<td>4.</td>
<td>44-97-BZ/174-00-BZ</td>
<td>Stuart A. Klein, Esq. 78-80 Leonard Street &amp; 79 Worth Street, Manhattan Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment which expired on October 28, 2007; Amendment of plans in sub-cellar; Waiver of the Rules. C6-2A zoning district. Community Board #1M Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 8/24/10</td>
</tr>
<tr>
<td>5.</td>
<td>44-99-BZ</td>
<td>Phillip L. Rampulla 194 Brighton Avenue, Staten Island Extension of Term for the continued use of an Automotive Repair Shop (UG16) which expired on February 1, 2010; Waiver of the Rules. R3A zoning district. Community Board #1SI Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 8/24/10</td>
</tr>
<tr>
<td>6.</td>
<td>164-04-BZ</td>
<td>Sheldon Lobel, P.C. 2241 Westchester Avenue, Bronx Extension of Time to obtain a Certificate of Occupancy for a previously granted physical culture establishment (Planet Fitness) which expired on February 7, 2007; Amendment to change operator, hours of operation and interior modification; Waiver of the Rules. C2-1/R6 zoning district. Community Board #10BX Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 9/14/10</td>
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**SOC – NEW CASES**

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<th>Case Number</th>
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<tbody>
<tr>
<td>9. 60-90-BZ</td>
<td>EPDSCO, Inc. 525 Forest Avenue, Staten Island</td>
<td>Extension of Term of a previously granted Special Permit (§73-211) for the continued use of a Gasoline Service Station (Citgo) and Automotive Repair Shop which expired on February 25, 2001; Waiver of the Rules. C2-1/R3X zoning district. Community Board #1SI  Examiner: Henry Segovia (212) 788-8757  Status: Continued Hearing – 9/14/10</td>
</tr>
<tr>
<td>10. 98-97-BZ</td>
<td>Law Office of Fredrick A. Becker 270 Eighth Avenue, Manhattan</td>
<td>Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (New York Sports Club) which expired on November 1, 2006; Amendment to change the hours of operations; Waiver of the Rules. C2-7A zoning district. Community Board #4M  Examiner: Henry Segovia (212) 788-8757  Status: Continued Hearing – 9/14/10</td>
</tr>
</tbody>
</table>
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, AUGUST 3, 2010
### 10:00 A.M.

## APPEALS – DECISIONS

514-516 East 6th Street, Manhattan  
An appeal seeking to vary the applicable provisions under the Multiple Dwelling Law as it applies to the enlargement of non-fireproof tenement buildings. R7-2 zoning district.  
Community Board #3M  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 8/3/10 |
| 12. | 298-09-A | Joseph A. Sherry  
109 Beach 217th Street, Queens  
Reconstruction and enlargement of an existing single family home not fronting a legally mapped street, contrary to General City Law Section 36. R4 zoning district.  
Community Board #14Q  
Examiner: Toni Matias (212) 788-8752  
Status: Deferred Decision – 9/14/10 |
## APPEALS – CONTINUED HEARINGS

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<th><strong>Appeals</strong></th>
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</table>
| 13 | 67-10-A | Gary D. Lenhart, R.A.  
*72 Bedford Avenue, Queens*  
Proposed reconstruction and enlargement of an existing single-family dwelling and the proposed upgrade of the existing non-conforming private disposal system within the bed of a mapped street, contrary to Article 3, Section 35 of the General City Law. R4 zoning district.  
**Community Board #14Q**  
**Examiner:** Toni Matias (212) 788-8752  
**Status:** Granted – 8/3/10 |
| 14 | 71-10-A thru 84-10-A | Eric Palatnik, P.C.  
*102-118 Turner Street and 1661 to 1669 Woodrow Road, Staten Island*  
Appeal seeking a determination that the owner has acquired a vested right to complete construction under the prior R3-2 zoning district. R3-1 zoning district.  
**Community Board #3SI**  
**Examiner:** Toni Matias (212) 788-8752  
**Status:** Closed, Decision – 8/17/10 |

## APPEALS – NEW CASES

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| 15 | 102-10-A | Gary D. Lenhart  
*48 Tioga Walk, Queens*  
Proposed reconstruction and enlargement of an existing single family home located in the bed of a mapped street contrary to General City Law Section 35. R4 zoning district.  
**Community Board #14Q**  
**Examiner:** Toni Matias (212) 788-8752  
**Status:** Granted – 8/3/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, AUGUST 3, 2010
#### 1:30 P.M.

## BZ – DECISIONS

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<thead>
<tr>
<th>Decision Number</th>
<th>Community</th>
<th>Applicant</th>
<th>Type of Application</th>
<th>Description</th>
<th>Examiner Contact Information</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>1. 173-09-BZ</td>
<td></td>
<td>Law Offices of Howard Goldman LLC</td>
<td>Variance (§72-21)</td>
<td>to allow a seven-story mixed use building, contrary to use regulations (§32-00, 42-00). C8-2/M1-1 zoning districts.</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Reopened, Continued Hearing – 8/3/10</td>
</tr>
<tr>
<td>2. 9-10-BZ</td>
<td></td>
<td>Eric Palatnik, P.C.</td>
<td>Variance (§72-21)</td>
<td>to allow a restaurant use in an existing building, contrary to §22-00. R1-2 zoning district.</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Granted – 8/3/10</td>
</tr>
<tr>
<td>3. 13-10-BZ</td>
<td></td>
<td>Eric Palatnik, P.C.</td>
<td>Special Permit (§73-622)</td>
<td>for the enlargement of an existing two-family home to be converted to a single family home, contrary to lot coverage and floor area (§23-141); side yards (§23-461) and rear yard (§23-47). R3-1 zoning district.</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Granted – 8/3/10</td>
</tr>
<tr>
<td>4. 27-10-BZ</td>
<td></td>
<td>Eric Palatnik, P.C.</td>
<td>Special Permit (§73-622)</td>
<td>for the enlargement of a single family home, contrary to open space, lot coverage and floor area (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R3-1 zoning district.</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Granted – 8/3/10</td>
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</tbody>
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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, AUGUST 3, 2010**  
**1:30 P.M.**

**BZ – DECISIONS**

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</table>
| 5. | **40-10-BZ** | Sheldon Lobel, PC  
150 Kenilworth Place, Brooklyn  
Variance (§72-21) to allow for an existing building to be converted for commercial use, contrary to §22-10. C4-4A/R5B zoning district.  
Community Board #14BK  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Granted – 8/3/10 |
| 6. | **58-10-BZ** | Sheldon Lobel, P.C.  
16 Eckford Street, Brooklyn  
Special Permit (§73-36) to allow a physical culture establishment (Barones Health Club) in the existing one-story building. M1-2/R6A zoning district/MX8 special district.  
Community Board #1BK  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Granted – 8/3/10 |
| 7. | **6-09-BZ** | Rampulla Associate Architects  
24 Nelson Avenue, Staten Island  
Variance (§72-21) to permit the legalization of an existing Automotive Repair Facility (UG 16B), contrary to ZR §32-10. C4-1 (Special South Richmond Development District & Special Growth Management District) zoning district.  
Community Board #3SI  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Continued Hearing – 9/14/10 |
| 8. | **31-09-BZ** | Eric Palatnik, PC  
117-04 Sutphin Boulevard, Queens  
Special Permit (§11-411, §11-412, §11-413) for re-instatement of previous variance, which expired on November 12, 1990; amendment for a change of use from a gasoline service station (UG16b) to automotive repair establishment and automotive sales (UG16b); enlargement of existing one story structure; and Waiver of the Rules. C2-2/R3-2 zoning district.  
Community Board #12Q  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Adjourned, Continued Hearing – 8/24/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, AUGUST 3, 2010
1:30 P.M.

## BZ – CONTINUED HEARINGS

<table>
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<tr>
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<tbody>
<tr>
<td>9</td>
<td>194-09-BZ</td>
<td>2113 Utica Avenue, 2095-211 Utica Avenue, Brooklyn</td>
<td>Sheldon Lobel, P.C.</td>
<td>Variance to allow the construction of a four story mixed use building contrary to floor area (§23-141), open space (§23-141), lot coverage (§23-141), front yard (§23-45), height (§23-631), open space used for parking (§25-64) and parking requirements (§25-23); and to allow for the enlargement of an existing commercial use contrary to §22-10. R3-2 zoning district. Community Board # 18BK Examiner: Ronald Rizzotti (212) 788-8781 Status: Adjourned, Continued Hearing – 9/14/10</td>
</tr>
<tr>
<td>10</td>
<td>234-09-BZ</td>
<td>25-71 44th Street, Queens</td>
<td>Sheldon Lobel, P.C.</td>
<td>Variance (§72-21) for the construction of a detached two-family home contrary to side yard regulations (§23-48). R-5 zoning district. Community Board # 1Q Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 8/17/10</td>
</tr>
<tr>
<td>11</td>
<td>325-09-BZ</td>
<td>1364 &amp; 1366 52nd Street, Brooklyn</td>
<td>Sheldon Lobel, P.C.</td>
<td>Variance (§72-21) to permit the proposed four-story and mezzanine synagogue (Congregation Yetev Lev), contrary to lot coverage (§24-11), rear yard (§24-36) and initial setback of front wall (§24-522). R6 zoning district. Community Board #12BK Examiner: Rory Levy (212) 788-8749 Status: Closed, Decision – 9/21/10</td>
</tr>
<tr>
<td>12</td>
<td>65-10-BZ</td>
<td>55 Beaumont Street, Brooklyn</td>
<td>Eric Palatnik, P.C.</td>
<td>Special Permit (§73-622) for the enlargement of an existing single family home contrary to floor area, lot coverage and open space (§23-141) and less than the required rear yard (§23-47). R3-1 zoning district. Community Board #15BK Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 8/17/10</td>
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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, AUGUST 3, 2010**  
**1:30 P.M.**

### BZ – CONTINUED HEARINGS

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| 13. | 66-10-BZ | Eric Palatnik, P.C.  
1618 Shore Boulevard, 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 side yards (§23-461). R3-1 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 9/14/10 |

### BZ – NEW CASES

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| 14. | 251-09-BZ | Rothkrug Rothkrug & Spector, LLP  
130-34 Hawtree Creek Road, Queens  
Variance (§72-21) to permit the development of a two-story community facility (*Bethany Church*). The proposal is contrary to §§24-34 (front yard) and 25-31 (parking). R3-2 zoning district.  
Community Board #10Q  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 9/14/10 |
| 15. | 86-10-BZ | Sheldon Lobel, P.C.  
93-08 95th Avenue, Queens  
Special Permit (§§11-411 & 11-412) for the re-instatement of a previously granted Variance for a UG16 manufacturing use which expired on June 10, 1980; the legalization of 180 square foot enlargement at the rear of the building; waiver of the rules. R-5 zoning district.  
Community Board #9Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 8/17/10 |
## BZ – NEW CASES

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| 16. | 91-10-BZ | Eric Palatnik, P.C.  
123 Coleridge Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home contrary to open space, lot coverage and floor area (§23-141); side yard (§23-461); rear yard (§23-47) and perimeter wall height (§23-631).  
R3-1 zoning district.  
Community Board#15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 9/14/10 |
| 17. | 93-10-BZ | Harold Weinberg P.E.  
198 Varet Street, Brooklyn  
Variance (§72-21) to convert the ground floor of a community facility (Williamsburg Charter School) from parking to school use, contrary to floor area regulations (§43-122).  
Community Board #1BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 8/17/10 |
| 18. | 98-10-BZ | Stuart A. Klein, Esq.  
44 Lispenard Street, Manhattan  
Special Permit (§73-621) to allow a rooftop addition to an existing five-story, mixed-use building, contrary to §111-111. Tribeca Mixed-Use Special District/M1-5 zoning district.  
Community Board#1M  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 8/24/10 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
TUESDAY MORNING, AUGUST 17, 2010
10:00 A.M.

### SOC – DECISIONS

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<tr>
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<th>139-92-BZ</th>
<th>Samuel H. Valencia</th>
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<tbody>
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<td></td>
<td>52-15 Roosevelt Avenue, Queens</td>
<td>203x625</td>
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<td>Extension of Term for a previously granted Special Permit (§73-244) for the continued operation of a UG12 Eating and Drinking Establishment with Dancing (Deseos) which expired on March 7, 2010; Waiver of the Rules. C2-2/R6 zoning district.</td>
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<td>Community Board #2Q</td>
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<th>268-98-BZ</th>
<th>Sheldon Lobel, P.C.</th>
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<tr>
<td></td>
<td>1252 Forest Avenue, Staten Island</td>
<td>203x625</td>
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<tr>
<td></td>
<td>Extension of Term for the continued use of a Gasoline Service Station with accessory Convenience Store (7-Eleven) which expired on August 10, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on August 10, 2000; Waiver of the Rules. C2-1/R3-2 zoning district.</td>
<td>203x625</td>
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<td>Community Board #1SI</td>
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</table>
| **3.** | **74-49-BZ** | Sheldon Lobel, P.C.  
515 Seventh Avenue, Manhattan  
Extension of Time to obtain a Certificate of Occupancy for an existing parking garage which expired on September 17, 2009; Waiver of the Rules. M1-6 (Garment Center) zoning district.  
Community Board #5M  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Continued Hearing – 10/19/10 |
|   |   |   |
| **4.** | **558-71-BZ** | Rothkrug, Rothkrug & Spector, LLP  
1949 Richmond Avenue, Staten Island  
Amendment to a previously granted Variance (§72-21) to permit the change of a UG6 eating and drinking establishment to a UG6 retail use without limitation to a single use; minor reduction in floor area; increase accessory parking and increase to the height of the building façade. R3-1 zoning district.  
Community Board #2SI  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Continued Hearing – 9/21/10 |
|   |   |   |
| **5.** | **200-98-BZ** | The Law Office of Fredrick A. Becker  
633 Third Avenue, Manhattan  
Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (New York Sports Club) which expired on April 30, 2008; Waiver of the Rules. C5-3(Mid) zoning district.  
Community Board #6M  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 9/14/10 |
|   |   |   |
| **6.** | **290-99-BZ** | Rothkrug, Rothkrug & Spector  
99/101 Greenwich Avenue, Manhattan  
Extension of Term of a previously granted Variance (§72-21) for the continued operation of a Physical Culture Establishment (Equinox) which expired on March 28, 2010. C1-6/R6 zoning district.  
Community Board #2M  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 9/14/10 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS

### REGULAR MEETING

**TUESDAY MORNING, AUGUST 17, 2010**

**10:00 A.M.**

### SOC – NEW CASES

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Address</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>637-74-BZ</td>
<td>Kramer Levin Naftalis &amp; Frankel, LLP 1048-62 Second Avenue, Manhattan</td>
<td>Extension of Term for transient parking in a garage accessory to a multiple dwelling which expired on May 6, 2010; Waiver of the Rules. C1-9(TA)/R8 zoning district.</td>
</tr>
<tr>
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<td>Examiner: Henry Segovia (212) 788-8757</td>
<td>Status: Continued Hearing – 9/14/10</td>
</tr>
<tr>
<td>221-97-BZ</td>
<td>Wachtel &amp; Masyr, LLP 550 Second Avenue, Manhattan</td>
<td>Extension of Term of a previously granted Special Permit (§73-36) for the operation of a physical culture establishment which expired on June 16, 2008; Amendment for a change in ownership from Bally Total Fitness to Crunch Fitness; Waiver of the Rules. C2-5/R-8 zoning district.</td>
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<td>Examiner: Henry Segovia (212) 788-8757</td>
<td>Status: Closed, Decision – 9/14/10</td>
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<td>Examiner: Henry Segovia (212) 788-8757</td>
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### APPEALS – DECISIONS

<table>
<thead>
<tr>
<th>No.</th>
<th>Cases</th>
<th>Description</th>
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<tbody>
<tr>
<td>10.</td>
<td>71-10-A thru 84-10-A</td>
<td>Appeal seeking a determination that the owner has acquired a vested right to complete construction under the prior R3-2 zoning district. R3-1 zoning district. Community Board #3SI&lt;br&gt;Examiner: Toni Matias (212) 788-8752&lt;br&gt;Status: Granted – 8/17/10</td>
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### APPEALS – CONTINUED HEARINGS

<table>
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<tr>
<th>No.</th>
<th>Case</th>
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<tbody>
<tr>
<td>11.</td>
<td>274-09-A</td>
<td>Application to modify Certificate of Occupancy to require automatic wet sprinkler system throughout the entire building. Community Board #12BX&lt;br&gt;Examiner: Toni Matias (212) 788-8752&lt;br&gt;Status: Continued Hearing – 9/21/10</td>
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### APPEALS – NEW CASES

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<tr>
<td>12.</td>
<td>123-10-A &amp; 124-10-A</td>
<td>Application to modify Certificate of Occupancy to require automatic wet sprinkler system throughout the entire building. Community Board #12BX&lt;br&gt;Examiner: Toni Matias (212) 788-8752&lt;br&gt;Status: Continued Hearing – 9/21/10</td>
</tr>
<tr>
<td>13.</td>
<td>110-10-BZY</td>
<td>Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning. R5A zoning district. Community Board #14Q&lt;br&gt;Examiner: Toni Matias (212) 788-8752&lt;br&gt;Status: Continued Hearing – 10/5/10</td>
</tr>
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## BZ – DECISIONS

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</thead>
</table>
| 1. | 254-09-BZ thru 256-09-BZ | Ivan F. Khoury  
101/03/05 Astoria Boulevard aka 27-31 Kearney Street, Queens  
Variance (§72-21) to legalize three existing homes, contrary to front yard (§23-45) and rear yard (§23-47) regulations.  
R3-2 zoning district.  
Community Board #3Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Granted – 8/17/10 |
| 2. | 327-09-BZ | Sheldon Lobel, P.C.  
255 Butler Street, Brooklyn  
Special Permit (§73-19) to allow a Use Group 3 charter school (Summit Academy) with first floor retail use in an existing warehouse.  
M1-2 zoning district.  
Community Board #6BK  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 8/24/10 |
| 3. | 59-10-BZ | Sheldon Lobel, P.C.  
519 Eighth Avenue, Manhattan  
Special Permit (73-36) to allow a physical culture establishment (Luxe Den Salon & Spa).  
M1-6/C6-4M zoning district.  
Community Board #4M  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 8/17/10 |
| 4. | 64-10-BZ | Law Office Fredrick A. Becker  
1253 East 29th 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 & 23-48) and less than the required rear yard (§23-47).  
R-2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 8/17/10 |
## BZ – DECISIONS

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| **5.** 65-10-BZ | Eric Palatnik, P.C.  
55 Beaumont 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) and less than the required rear yard (§23-47). R3-1 zoning district.  
Community Board #15BK  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Granted – 8/17/10 |
| **6.** 93-10-BZ | Harold Weinberg P.E.  
198 Varet Street, Brooklyn  
Variance (§72-21) to convert the ground floor of a community facility (Williamsburg Charter School) from parking to school use, contrary to floor area regulations (§43-122).  
Community Board #1BK  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Granted – 8/17/10 |
| 7. | 219-09-BZ thru 223-09-BZ | Gerald J. Caliendo, RA  
806 – 810 East 147th Street, The Bronx  
Variance (§72-21) to allow for five, two family residential buildings, contrary to §42-00. M1-2 district.  
Community Board #1BX  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 10/5/10 |
|---|---|---|
| 8. | 234-09-BZ | Sheldon Lobel, P.C.  
25-71 44th Street, Queens  
Variance (§72-21) for the construction of a detached two-family home contrary to side yard regulations (§23-48). R-5 zoning district.  
Community Board # 1Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 10/5/10 |
| 9. | 63-10-BZ | Gerald J. Caliendo  
163-18 Jamaica Avenue, Queens  
Special Permit (§73-36) to legalize the operation of a physical culture establishment on the second floor of a seven-story commercial building. C6-3 zoning district.  
Community Board #12Q  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 9/14/10 |
| 10. | 85-10-BZ | Sheldon Lobel, P.C.  
309-311 East Fordham Road a/k/a 316 East Kingsbridge Road, Bronx  
Special Permit (§73-36) to legalize the operation of a physical culture establishment (Planet Fitness) on the first and second floors of an existing two-story building. C4-4 zoning district.  
Community Board #7BX  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 9/14/10 |
| 11. | 86-10-BZ | Sheldon Lobel, P.C.  
93-08 95th Avenue, Queens  
Special Permit (§§11-411 & 11-412) for the re-instatement of a previously granted Variance for a UG16 manufacturing use which expired on June 10, 1980; the legalization of 180 square foot enlargement at the rear of the building; waiver of the rules. R-5 zoning district.  
Community Board#9Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 9/14/10 |
<table>
<thead>
<tr>
<th>#</th>
<th>Case Number</th>
<th>Miele Associates, LLP</th>
<th>165-35 North Conduit Avenue, Queens</th>
<th>Variance (§72-21) proposed to erect a one story automotive service station with accessory convenience store, contrary to §22-10. R3-1 zoning district</th>
<th>Community Board #12Q</th>
<th>Examiner: Carlo Costanza (212) 788-8739</th>
<th>Status: Continued Hearing – 10/5/10</th>
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<tr>
<td>12.</td>
<td>277-07-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>54 Thompson Street, Manhattan</td>
<td>Variance (§72-21) to allow a commercial use below the floor level of the second story, contrary to §42-14(D)(2)(b). M1-5B zoning district.</td>
<td>Community Board #2M</td>
<td>Examiner: Ronald Rizzotti (212) 788-8781</td>
<td>Status: Continued Hearing – 10/5/10</td>
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<tr>
<td>13.</td>
<td>60-10-BZ</td>
<td>Fridman Saks LLP</td>
<td>2302 Avenue S, Brooklyn</td>
<td>Special Permit (§73-622) for the in-Part legalization of construction into the side yard on a corner lot and proposed enlargement to an existing single family home, contrary to open space, lot coverage and floor area (§23-141) and side yards (§23-461). R3-2 zoning district.</td>
<td>Community Board #15BK</td>
<td>Examiner: Henry Segovia (212) 788-8757</td>
<td>Status: Continued Hearing – 9/14/10</td>
</tr>
<tr>
<td>14.</td>
<td>99-10-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>240 West 38th Street, Manhattan</td>
<td>Special Permit (§73-36) to legalize a physical culture establishment (Harmony Spa) on the third floor of an existing four-story commercial building. M1-6 zoning district.</td>
<td>Community Board #5M</td>
<td>Examiner: Rory Levy (212) 788-8749</td>
<td>Status: Continued Hearing – 9/21/10</td>
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### SOC – DECISIONS

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| 1. | **589-31-BZ** | Eric Palatnik, P.C. **159-02 Meyer Avenue, Queens** Amendment pursuant (§11-413) to permit the proposed change of use group from UG16 (Gasoline Service Station) to UG16 (Automotive Repair) with accessory used car sales. R3-2 zoning district. **Community Board #12Q**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Granted – 8/24/10 |
| 2. | **736-45-BZ** | Walter T. Gorman, P.E. **3740 Broadway, Manhattan** Extension of Term (§11-411) for the continued operation of a Gasoline Service Station (Mobil) which expires on March 17, 2011. C2-4/R8 zoning district. **Community Board #12M**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Granted – 8/24/10 |
| 3. | **16-92-BZ** | Sheldon Lobel, PC **72/84 Sullivan Street aka 115 King Street, Brooklyn** Extension of Time to obtain a Certificate of Occupancy; Amendment to expand the variance into portion of the lot fronting on King Street to allow a warehouse and storage use (UG 16) and to facilitate a tax lot subdivision; Extension of Term. R5/C1-3 zoning district. **Community Board #6BK**  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Deferred, Decision – 9/21/10 |
| 4. | **44-97-BZ/174-00-BZ** | Stuart A. Klein, Esq. **78-80 Leonard Street & 79 Worth Street, Manhattan** Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment which expired on October 28, 2007; Amendment of plans in sub-cellar; Waiver of the Rules. C6-2A zoning district. **Community Board #1M**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Granted – 8/24/10 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
**TUESDAY MORNING, AUGUST 24, 2010**
**10:00 A.M.**

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<th><strong>SOC – DECISIONS</strong></th>
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<tr>
<td><strong>5.</strong> 44-99-BZ</td>
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<tr>
<td>Phillip L. Rampulla</td>
</tr>
<tr>
<td><strong>194 Brighton Avenue, Staten Island</strong></td>
</tr>
<tr>
<td>Extension of Term for the continued use of an Automotive Repair Shop (UG16) which expired on February 1, 2010; Waiver of the Rules. R3A zoning district.</td>
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<tr>
<td>Community Board #1SI</td>
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<tr>
<td><strong>Examiner: Henry Segovia (212) 788-8757</strong></td>
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<td><strong>Status: Granted – 8/24/10</strong></td>
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<tr>
<td><strong>6.</strong> 395-60-BZ</td>
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<tr>
<td>Sheldon Lobel, P.C.</td>
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<tr>
<td><strong>2557-2577 Linden Boulevard, Brooklyn</strong></td>
</tr>
<tr>
<td>Extension of Time to obtain a Certificate of Occupancy for a previously granted Automotive Repair Shop and Convenience Store use which expired on May 17, 2010. R-5 zoning district.</td>
</tr>
<tr>
<td>Community Board #5M</td>
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<tr>
<td><strong>Examiner: Henry Segovia (212) 788-8757</strong></td>
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<td><strong>Status: Continued Hearing – 9/14/10</strong></td>
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| **7.** 914-86-BZ  |
| Stuart A. Klein, Esq |
| **1-19 Eastern Parkway, Brooklyn** |
| Extension of Term of a previously granted Variance (§72-21) for the continued operation of a Physical Culture Establishment (Eastern Athletic) which expired on May 17, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on November 12, 1998; Amendment to the interior layout and the hours of operation; Waiver of the Rules. R8X zoning district. |
| Community Board #8BK |
| **Examiner: Henry Segovia (212) 788-8757** |
| **Status: Continued Hearing – 9/21/10** |

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### SOC – NEW CASES

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<tr>
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<th>Examiner</th>
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<tbody>
<tr>
<td>8. 752-29-BZ</td>
<td>Jack Gamill, P.E.</td>
<td>Extension of Term of a previously granted Variance (§72-21) for the continued operation of Automotive Repair and Dealership (Honda) which expired on April 22, 2010. C4-2 zoning district.</td>
<td>#6BK</td>
<td>Henry Segovia</td>
<td>Continued Hearing – 9/21/10</td>
</tr>
<tr>
<td>9. 214-00-BZ</td>
<td>Harold Weinberg</td>
<td>Extension of Time to obtain a Certificate of Occupancy for a Special Permit (§73-242) for an eating and drinking establishment; Extension of Term; Amendment to the site plan; and Waiver of the Rules. C3 zoning district</td>
<td>#15BK</td>
<td>Carlo Costanza</td>
<td>Continued Hearing – 9/21/10</td>
</tr>
<tr>
<td>10. 124-05-BZ</td>
<td>Greenberg Traurig</td>
<td>Amendment to a Variance (§72-21) for the construction of a mixed-use building to allow an increase in dwelling units, increase in street wall height and reduction of overall building height; Extension of Time to Complete Construction which expires on September 12, 2010. C6-2A zoning district.</td>
<td>#2M</td>
<td>Henry Segovia</td>
<td>Continued Hearing – 9/21/10</td>
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NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, AUGUST 24, 2010  
10:00 A.M.

### APPEALS – DECISIONS

| 11. | 10-10-A | Law Office of Fredrick A. Becker  
1882 East 12th Street, Brooklyn  
Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district. R6 zoning district.  
Community Board #15BK  
Examiner: Toni Matias (212) 788-8752  
Status: Deferred, Decision – 9/14/10 |

### APPEALS – CONTINUED HEARINGS

| 12. | 43-08-A  
3-10-A/ 4-10-A | Akerman Senterfitt  
144-25 Bayside Avenue and 29-45/29-46 145th Street, Queens  
Proposed construction in the bed of mapped street contrary to the General City Law Section 35. R2A zoning district.  
Community Board #7Q  
Examiner: Toni Matias (212) 788-8752  
Status: Adjourned Hearing – 9/21/10 |

### APPEALS – NEW CASES

| 13. | 120-10-A | Gary D. Lenhart, RA  
5 Devon Walk, Queens  
Reconstruction and enlargement of an existing single family home not fronting on a legally mapped street, contrary to General City Law Section 36, and upgrade of an existing non-complying private disposal system contrary to Department of Buildings policy. R4 zoning district.  
Community Board #14Q  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 8/24/10 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, AUGUST 24, 2010**  
**1:30 P.M.**

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**BZ – DECISIONS**

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</table>
| **1.** 14-09-BZ | Eric Palatnik, P.C.  
2294 Forest Avenue, Staten Island  
Special Permit (§73-211) to allow an automotive service station with an accessory convenience store and automotive laundry (UG 16B). C2-1/R3-2 zoning district. | **Community Board #1SI**  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Granted – 8/24/10 |
| **2.** 327-09-BZ | Sheldon Lobel, P.C.  
255 Butler Street, Brooklyn  
Special Permit (§73-19) to allow a Use Group 3 charter school (*Summit Academy*) with first floor retail use in an existing warehouse. M1-2 zoning district. | **Community Board #6BK**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Granted – 8/24/10 |
| **3.** 88-10-BZ | Dennis D. Dell’Angelo  
1327 East 21st Street, 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 yards (§23-461). R-2 zoning district. | **Community Board #14BK**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Granted – 8/24/10 |
| **4.** 98-10-BZ | Stuart A. Klein, Esq.  
44 Lispenard Street, Manhattan  
Special Permit (§73-621) to allow a rooftop addition to an existing five-story, mixed-use building, contrary to §111-111. Tribeca Mixed-Use Special District/M1-5 zoning district. | **Community Board #1M**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Granted – 8/24/10 |

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## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY AFTERNOON, AUGUST 24, 2010
1:30 P.M.

### BZ – CONTINUED HEARINGS

<table>
<thead>
<tr>
<th>#</th>
<th>210-07-BZ</th>
<th>Eric Palatnik, P.C.</th>
<th>15 Luquer Street, Brooklyn</th>
<th>Variance (§72-21) to allow for a residential use in a manufacturing district, contrary to §42-00. M1-1 zoning district.</th>
<th>Community Board #6BK</th>
<th>Examiner: Ronald Rizzotti (212) 788-8781</th>
<th>Status: Adjourned Hearing – 10/5/10</th>
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<tr>
<td>6.</td>
<td>98-08-BZ</td>
<td>Gerald J. Caliendo</td>
<td>583 Franklin Avenue, Brooklyn</td>
<td>Variance (§72-21) to allow a four-story residential building containing four (4) dwelling units, contrary to use regulations (§42-00). M1-1 district.</td>
<td>Community Board #8BK</td>
<td>Examiner: Ronald Rizzotti (212) 788-8781</td>
<td>Status: Continued Hearing – 10/5/10</td>
</tr>
<tr>
<td>7.</td>
<td>24-09-BZ</td>
<td>Sheldon Lobel, PC.</td>
<td>78-10 164th Street, Queens</td>
<td>Variance to allow the enlargement of a community facility (Meadow Park Rehabilitation and Health Care Center), contrary to floor area, lot coverage (§24-11), front yard (§24-34), height (§24-521) and rear yard (§24-382) regulations. R3-2 district.</td>
<td>Community Board #8Q</td>
<td>Examiner: Ronald Rizzotti (212) 788-8781</td>
<td>Status: Adjourned Hearing – 9/21/10</td>
</tr>
<tr>
<td>8.</td>
<td>31-09-BZ</td>
<td>Eric Palatnik, PC.</td>
<td>117-04 Sutphin Boulevard, Queens</td>
<td>Special Permit (§11-411, §11-412, §11-413) for re-instatement of previous variance, which expired on November 12, 1990; amendment for a change of use from a gasoline service station (UG16b) to automotive repair establishment and automotive sales (UG16b); enlargement of existing one story structure; and Waiver of the Rules. C2-2/R3-2 zoning district.</td>
<td>Community Board #12Q</td>
<td>Examiner: Carlo Costanza (212) 788-8739</td>
<td>Status: Continued Hearing – 10/5/10</td>
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| 9. | 173-09-BZ | Law Offices of Howard Goldman LLC  
845 Broadway, Brooklyn  
Variance (§ZR 72-21) to allow for a four story mixed use building contrary to use regulations. (ZR §32-00, §42-00) C8-2 / M1-1 zoning districts.  
Community Board #4BK  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Closed, Decision – 10/5/10 |
| 10. | 189-09-BZ/190-09-A | Eric Palatnik, P.C.  
3067 Richmond Terrace, Staten Island  
Variance (§72-21) and waiver to the General City Law Section 35 to permit the legalization of an existing mosque and Sunday school (**Nor Al-Islam Society**), contrary to use and maximum floor area ratio (§§42-00 and 43-12) and construction with the bed of a mapped street. M3-1 zoning district.  
Community Board #1SI  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Continued Hearing – 10/19/10 |
| 11. | 297-09-BZ | Marvin B. Mitzner, Esq.  
180 Ludlow Street, Manhattan  
Variance (§72-21) to allow for the conversion of a recently constructed commercial building for residential use, contrary to rear yard regulations (§23-47). C4-4A zoning district.  
Community Board #3M  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Closed, Decision – 10/26/10 |
| 12. | 305-09-BZ | Davidoff Malito & Hutcher, LLP  
110-04 Atlantic Avenue, Queens  
Variance (§72-21) to permit the enlargement of an existing community facility building (**South Queens Boys & Girls Club**) contrary to floor area (§33-121) and height (§33-431). C2-2/R5 zoning district.  
Community Board #9Q  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Adjourned Hearing – 9/21/10 |
### BZ – CONTINUED HEARINGS

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</table>
| 13. | 21-10-BZ | Sheldon Lobel, P.C.  
2801 Roebbling Avenue, aka 1590 Hutchison River Parkway, Bronx  
Special Permit (§73-243) to legalize an eating and drinking establishment with a drive-through. C1-2/R4A zoning district.  
Community Board #10BX  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 9/14/10 |
| 14. | 39-10-BZ | Eric Palatnik, P.C.  
2032 East 17th Street, Brooklyn  
Variance (§72-21) for the legalization of a single-family home, contrary to side yards (§23-461). R-5 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 9/21/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, AUGUST 24, 2010
#### 1:30 P.M.

## BZ – NEW CASES

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<tr>
<td>15.</td>
<td><strong>129-07-BZ</strong></td>
<td>Gerald J. Caliendo, R.A.&lt;br&gt;&lt;b&gt;101 Irving Avenue, Queens&lt;/b&gt;&lt;br&gt;Variance (§72-21) to allow a residential use in a manufacturing district, contrary to use regulations (§42-00). M1-4 zoning district.&lt;br&gt;&lt;b&gt;Community Board #5Q&lt;/b&gt;&lt;br&gt;&lt;b&gt;Examiner: Ronald Rizzotti (212) 788-8781&lt;/b&gt;&lt;br&gt;&lt;b&gt;Status: Continued Hearing – 10/19/10&lt;/b&gt;</td>
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<td>16.</td>
<td><strong>130-07-BZ thru 134-07-BZ</strong></td>
<td>Gerald J. Caliendo, R.A.&lt;br&gt;&lt;b&gt;1501, 1503, 1505, 1507 Cooper Avenue, Queens&lt;/b&gt;&lt;br&gt;Variance (§72-21) to allow a residential use in a manufacturing district, contrary to use regulations (§42-00). M1-4 zoning district.&lt;br&gt;&lt;b&gt;Community Board #5Q&lt;/b&gt;&lt;br&gt;&lt;b&gt;Examiner: Ronald Rizzotti (212) 788-8781&lt;/b&gt;&lt;br&gt;&lt;b&gt;Status: Continued Hearing – 10/19/10&lt;/b&gt;</td>
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<tr>
<td>17.</td>
<td><strong>35-10-BZ</strong></td>
<td>Sheldon Lobel, P.C.&lt;br&gt;&lt;b&gt;144-11 77th Avenue, Queens&lt;/b&gt;&lt;br&gt;Variance (§72-21) to permit the legalization of an existing synagogue (Congregation Torath Haim Obel Sara), contrary to front yard (§24-34), side yard (§24-35) and rear yard (§24-36). R4 zoning district.&lt;br&gt;&lt;b&gt;Community Board #8Q&lt;/b&gt;&lt;br&gt;&lt;b&gt;Examiner: Rory Levy (212) 788-8749&lt;/b&gt;&lt;br&gt;&lt;b&gt;Status: Continued Hearing – 10/5/10&lt;/b&gt;</td>
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<td>18.</td>
<td><strong>47-10-BZ</strong></td>
<td>Eric Palatnik, P.C.&lt;br&gt;&lt;b&gt;895 Zerega Avenue aka 2352 Story Avenue, The Bronx&lt;/b&gt;&lt;br&gt;Variance (§72-21) to allow a manufacturing use in a residential district, contrary to ZR 22-00. M1-1/R3-2 zoning district.&lt;br&gt;&lt;b&gt;Community Board #9BX&lt;/b&gt;&lt;br&gt;&lt;b&gt;Examiner: Ronald Rizzotti (212) 788-8781&lt;/b&gt;&lt;br&gt;&lt;b&gt;Status: Continued Hearing – 10/19/10&lt;/b&gt;</td>
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### SOC – DECISIONS

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<tr>
<th>SOC</th>
<th>BZ</th>
<th>Applicant</th>
<th>Address</th>
<th>Description</th>
<th>Examiner</th>
<th>Status</th>
<th>Contact Information</th>
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<tbody>
<tr>
<td>1.</td>
<td>1715-61-BZ</td>
<td>Mitchell S. Ross, Esq.</td>
<td>129-02 Guy R. Brewer Boulevard/129-02 New York Boulevard, Queens</td>
<td>Extension of Term (§11-411) for a dry cleaning establishment (UG 6A), which expired on June 5, 2007; Extension of Time to obtain a certificate of occupancy, which expired on December 14, 2000; Waiver of the Rules. R3X zoning district.</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Granted – 9/14/10</td>
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<td>2.</td>
<td>11-93-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>46-45 Kissena Boulevard, aka - 140-01 Laburnum Avenue, Queens</td>
<td>Extension of Term (§§11-411 &amp; §11-412) to allow the continued operation of an Eating and Drinking establishment (UG 6) which expired on March 15, 2004; Amendment to legalize alterations to the structure; Waiver of the Rules. C2-2 and R3-2 zoning districts.</td>
<td>Carlo Costanza (212) 788-8739</td>
<td>Deferred Decision 10/5/10</td>
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<tr>
<td>3.</td>
<td>98-97-BZ</td>
<td>Law Office of Fredrick A. Becker</td>
<td>270 Eighth Avenue, Manhattan</td>
<td>Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (<em>New York Sports Club</em>) which expired on November 1, 2006; Amendment to change the hours of operations; Waiver of the Rules. C2-7A zoning district.</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Granted – 9/14/10</td>
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<td>4.</td>
<td>221-97-BZ</td>
<td>Wachtel &amp; Masyr, LLP</td>
<td>550 Second Avenue, Manhattan</td>
<td>Extension of Term of a previously granted Special Permit (§73-36) for the operation of a physical culture establishment which expired on June 16, 2008; Amendment for a change in ownership from <em>Bally Total Fitness</em> to <em>Crunch</em>; Waiver of the Rules. C2-5/R-8 zoning district.</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Granted – 9/14/10</td>
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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

**REGULAR MEETING**

**TUESDAY MORNING, SEPTEMBER 14, 2010**

**10:00 A.M.**

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### SOC – DECISIONS

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| 5. | **200-98-BZ** | The Law Office of Fredrick A. Becker  
633 Third Avenue, Manhattan  
Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (*New York Sports Club*) which expired on April 30, 2008; Waiver of the Rules. C5-3(Mid) zoning district.  
Community Board #6M  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Granted – 9/14/10 |
| 6. | **290-99-BZ** | Rothkrug, Rothkrug & Spector  
99/101 Greenwich Avenue, Manhattan  
Extension of Term of a previously granted Variance (§72-21) for the continued operation of a Physical Culture Establishment (*Equinox*) which expired on March 28, 2010. C1-6/R6 zoning district.  
Community Board #2M  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Granted – 9/14/10 |

### SOC – CONTINUED HEARINGS

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| 7. | **395-60-BZ** | Sheldon Lobel, P.C.  
2557-2577 Linden Boulevard, Brooklyn  
Extension of Time to obtain a Certificate of Occupancy for a previously granted Automotive Repair Shop and Convenience Store use which expired on May 17, 2010. R-5 zoning district.  
Community Board #5M  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Continued Hearing – 10/26/10 |
| 8. | **637-74-BZ** | Kramer Levin Naftalis & Frankel, LLP  
1048-62 Second Avenue, Manhattan  
Extension of Term for transient parking in a garage accessory to a multiple dwelling which expired on May 6, 2010; Waiver of the Rules. C1-9(TA)/R8 zoning district.  
Community Board #6M  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Granted – 9/14/10 |

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NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, SEPTEMBER 14, 2010  
10:00 A.M.

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<td><strong>SOC – CONTINUED HEARINGS</strong></td>
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| 9. | 60-90-BZ | EPDSCO, Inc.  
525 Forest Avenue, Staten Island  
Extension of Term of a previously granted Special Permit (§73-211) for the continued use of a Gasoline Service Station (Citgo) and Automotive Repair Shop which expired on February 25, 2001; Waiver of the Rules.  
C2-1/R3X zoning district.  
Community Board #1SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 10/5/10 |
| 10. | 136-01-BZ | Eric Palatnik, P.C.  
11-11 44th Drive, Queens  
Extension of Time to Complete Construction and Obtain a Certificate of Occupancy for a Variance (§72-21) which permitted non-compliance in commercial floor area and rear yard requirements which expired on July 12, 2010.  
M1-4/R7A(LIC) zoning district.  
Community Board #1Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 9/21/10 |
| 11. | 164-04-BZ | Sheldon Lobel, P.C.  
2241 Westchester Avenue, Bronx  
Extension of Time to obtain a Certificate of Occupancy for a previously granted physical culture establishment (Planet Fitness) which expired on February 7, 2007; Amendment to change operator, hours of operation and interior modification; Waiver of the Rules.  
C2-1/R6 zoning district.  
Community Board #10BX  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 10/5/10 |

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<tr>
<th>Case Number</th>
<th>Address &amp; Contact Information</th>
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<tbody>
<tr>
<td>12. 656-69-BZ</td>
<td>Rothkrug, Rothkrug &amp; Spector 2617/23 Harway Avenue, aka - 208/18 Bay 43rd Street, Brooklyn</td>
<td>Extension of Term of a (UG9) parking lot accessory to an existing funeral home establishment which expired on May 27, 2010; Extension of Time to obtain a Certificate of Occupancy; waiver of the rules. R-5 zoning district. Community Board #13BK Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/5/10</td>
</tr>
<tr>
<td>13. 322-98-BZ</td>
<td>The Law Office of Fredrick A. Becker 300 West 125th Street, Manhattan</td>
<td>Extension of Term of a previously granted Special Permit (§73-36) for the operation of a Physical Culture Establishment (New York Sports Club) which expired on March 23, 2009; Amendment to legalize the increase in floor area; Waiver of the Rules. C4-4(125) zoning district. Community Board #10M Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/5/10</td>
</tr>
<tr>
<td>14. 294-99-BZ</td>
<td>Rothkrug, Rothkrug &amp; Spector 521 5th Avenue, Manhattan</td>
<td>Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (Equinox) which expired on May 9, 2010. C5-3(MID) &amp; C5-2.5(MID) zoning district. Community Board #5M Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/19/10</td>
</tr>
<tr>
<td>15. 161-00-BZ</td>
<td>Stuart A. Klein, Esq. 320 East 52nd Street, Manhattan</td>
<td>Extension of Term of a previously granted Variance (§72-21) for the operation of a Physical Culture Establishment (Bodescu Skin Care) which expired on June 2, 2010; Extension of Time to obtain a Certificate of Occupancy. R8B zoning district. Community Board #6M Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/5/10</td>
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| 16. | 315-08-A | Stuart A. Klein, Esq.  
246 Spring Street, Manhattan  
An appeal seeking the revocation of permits for a condominium hotel on the basis that the approved plans allow for exceeding of maximum permitted floor area. M1-6 zoning.  
Community Board #2M  
Examiner: Toni Matias (212) 788-8752  
Status: Deferred Decision – 10/5/10 |
| 17. | 298-09-A | Joseph A. Sherry  
109 Beach 217th Street, Queens  
Reconstruction and enlargement of an existing single family home not fronting a legally mapped street, contrary to General City Law Section 36. R4 zoning district.  
Community Board #14Q  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 9/14/10 |
| 18. | 10-10-A | Law Office of Fredrick A. Becker  
1882 East 12th Street, Brooklyn  
Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district. R6 zoning district.  
Community Board #15BK  
Examiner: Toni Matias (212) 788-8752  
Status: Deferred Decision – 10/5/10 |
### APPEALS – CONTINUED HEARINGS

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<tr>
<td>19.</td>
<td>237-09-A/238-09-A</td>
<td>Rothkrug Rothkrug &amp; Spector</td>
<td>81, 85 Archwood Avenue, aka - 5219 Amboy Road, Staten Island</td>
<td>Proposed construction in the bed of a mapped street, contrary to General City Law Section 35. R3X zoning district.</td>
<td>Community Board #3SI</td>
<td>Toni Matias (212) 788-8752</td>
<td>Adjourned, Continued Hearing – 10/26/10</td>
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<tr>
<td>20.</td>
<td>121-10-A</td>
<td>Rothkrug, Rothkrug &amp; Spector</td>
<td>25-50 Francis Lewis Boulevard, aka - 166-43 168th Street, Queens</td>
<td>An appeal challenging the Department of Buildings determination that a demolition permit signoff was required before issuance of an alteration permit, as per BC 28-105.3 of the NYC Building Code. R2A zoning district.</td>
<td>Community Board #7Q</td>
<td>Toni Matias (212) 788-8752</td>
<td>Continued Hearing – 11/9/10</td>
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<tr>
<td>21.</td>
<td>138-10-A</td>
<td>NYC Economic Development Corporation</td>
<td>174-20 North Boundary Road, Queens</td>
<td>Construction of a NYPD vehicle storage facility, to be located within the bed of a mapped street, contrary to General City Law 35. M1-1 Zoning District.</td>
<td>Community Board #13Q</td>
<td>Toni Matias (212) 788-8752</td>
<td>Closed, Decision – 9/21/10</td>
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</table>
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, SEPTEMBER 14, 2010
#### 1:30 P.M.

## BZ – DECISIONS

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| **1.** | **21-10-BZ** | Sheldon Lobel, P.C.  
2801 Roebling Avenue, aka - 1590 Hutchison River Parkway,  
Bronx  
Special Permit (§73-243) to legalize an eating and drinking establishment with a drive-through. C1-2/R4A zoning district.  
Community Board #10BX |
| **Examiner:** Ronald Rizzotti (212) 788-8781 | **Status:** Granted – 9/14/10 |
| **2.** | **63-10-BZ** | Gerald J. Caliendo  
163-18 Jamaica Avenue, Queens  
Special Permit (§73-36) to legalize the operation of a physical culture establishment on the second floor of a seven-story commercial building. C6-3 zoning district.  
Community Board #12Q |
| **Examiner:** Rory Levy (212) 788-8749 | **Status:** Granted – 9/14/10 |
| **3.** | **86-10-BZ** | Sheldon Lobel, P.C.  
93-08 95th Avenue, Queens  
Special Permit (§§11-411 & 11-412) for the re-instatement of a previously granted Variance for a UG16 manufacturing use which expired on June 10, 1980; the legalization of 180 square foot enlargement at the rear of the building; waiver of the rules. R-5 zoning district.  
Community Board #9Q |
| **Examiner:** Henry Segovia (212) 788-8757 | **Status:** Granted – 9/14/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, SEPTEMBER 14, 2010
#### 1:30 P.M.

## BZ – CONTINUED HEARINGS

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<th>Variance Details</th>
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<th>Status</th>
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<tr>
<td>4</td>
<td>92-08-BZ</td>
<td>Juan D. Reyes, Esq.</td>
<td>13 Crosby Street, Manhattan</td>
<td>Variance (§72-21) to allow for Use Group 6 below the floor level of the second story in an existing building, contrary to use, rear yard and floor area regulations (§42-14, §43-12 and §43-26). M1-5B zoning district.</td>
<td>Community Board #4M</td>
<td>Examiner: Ronald Rizzotti (212) 788-8781</td>
<td>Status: Closed, Decision – 10/19/10</td>
</tr>
<tr>
<td>5</td>
<td>6-09-BZ</td>
<td>Rampulla Associate Architects</td>
<td>24 Nelson Avenue, Staten Island</td>
<td>Variance (§72-21) to permit the legalization of an existing Automotive Repair Facility (UG 16B), contrary to ZR §32-10. C4-1 (Special South Richmond Development District &amp; Special Growth Management District) zoning district.</td>
<td>Community Board #3SI</td>
<td>Examiner: Carlo Costanza (212) 788-8739</td>
<td>Status: Continued Hearing – 10/19/10</td>
</tr>
<tr>
<td>6</td>
<td>192-09-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>912 Broadway, Brooklyn</td>
<td>Variance (§72-21) to allow for the construction of a department store (UG10), contrary to use regulations (§§22-00, 32-00). R6 and R6/C2-3 zoning districts.</td>
<td>Community Board #3BK</td>
<td>Examiner: Ronald Rizzotti (212) 788-8781</td>
<td>Status: Continued Hearing – 10/19/10</td>
</tr>
<tr>
<td>7</td>
<td>194-09-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>2113 Utica Avenue, 2095-211 Utica Avenue, Brooklyn</td>
<td>Variance to allow the construction of a four story mixed use building contrary to floor area (§23-141), open space (§23-141), lot coverage (§23-141), front yard (§23-45), height (§23-631), open space used for parking (§25-64) and parking requirements (§25-23); and to allow for the enlargement of an existing commercial use contrary to §22-10. R3-2 zoning district.</td>
<td>Community Board #18BK</td>
<td>Examiner: Ronald Rizzotti (212) 788-8781</td>
<td>Status: Continued Hearing – 11/9/10</td>
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### BZ – CONTINUED HEARINGS

| 8.   | 251-09-BZ | Rothkrug Rothkrug & Spector  
|      | 130-34 Hawtree Creek Road, Queens | Variance (§72-21) to permit the development of a two-story community facility (*Bethany Church*). The proposal is contrary to §24-34 (front yard) and §25-31 (parking). R3-2 zoning district.  
|      |             | **Community Board #10Q**  
|      |             | **Examiner:** Rory Levy (212) 788-8749  
|      |             | **Status:** Continued Hearing – 10/26/10  
| 9.   | 66-10-BZ   | Eric Palatnik, P.C.  
|      | 1618 Shore Boulevard, 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 side yards (§23-461). R3-1 zoning district.  
|      |             | **Community Board #15BK**  
|      |             | **Examiner:** Henry Segovia (212) 788-8757  
|      |             | **Status:** Continued Hearing – 10/19/10  
| 10.  | 85-10-BZ   | Sheldon Lobel, P.C.  
|      | 309-311 East Fordham Road, aka - 316 East Kingsbridge Road, Bronx | Special Permit (§73-36) to legalize the operation of a physical culture establishment (*Planet Fitness*) on the first and second floors of an existing two-story building. C4-4 zoning district.  
|      |             | **Community Board #7BX**  
|      |             | **Examiner:** Rory Levy (212) 788-8749  
|      |             | **Status:** Closed, Decision – 9/21/10  
| 11.  | 91-10-BZ   | Eric Palatnik, P.C.  
|      | 123 Coleridge Street, Brooklyn | Special Permit (§73-622) for the enlargement of an existing single family home contrary to open space, lot coverage and floor area (§23-141); side yard (§23-461); rear yard (§23-47) and perimeter wall height (§23-631). R3-1 zoning district.  
|      |             | **Community Board #15BK**  
|      |             | **Examiner:** Henry Segovia (212) 788-8757  
|      |             | **Status:** Continued Hearing – 10/19/10  

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| 12. | 99-10-BZ | Fridman Saks LLP  
2302 Avenue S, Brooklyn  
Special Permit (§73-622) for the in-Part legalization of construction into the side yard on a corner lot and proposed enlargement to an existing single family home, contrary to open space, lot coverage and floor area (§23-141) and side yards (§23-461). R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 9/21/10 |

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| 13. | 29-10-BZ | Sheldon Lobel, P.C.  
22-32/36 31st Street, Queens  
Special Permit (§73-52) to allow for an outdoor eating and drinking establishment within a residential district. C1-2 and R5 zoning districts.  
Community Board #1Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 10/26/10 |
| 14. | 43-10-BZ | Gerald J. Caliendo, R.A., AIA  
23-70 Steinway Street, Queens  
Special Permit (§73-244) to allow an eating and drinking establishment without restrictions and no limitation on entertainment and dancing. C2-2/R5 zoning district.  
Community Board #1Q  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 10/26/10 |
| 15. | 95-10-BZ | Law Office of Fredrick A. Becker  
2216 Quentin Road, 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). R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 11/23/10 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY AFTERNOON, SEPTEMBER 14, 2010  
1:30 P.M.

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td><strong>BZ – NEW CASES</strong></td>
<td></td>
</tr>
</tbody>
</table>
| 16. | 100-10-BZ | Law Office of Fredrick A. Becker  
2512 Avenue R, 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 & 23-48) and less than the required rear yard (§23-47).  
R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 10/5/10 |
| 17. | 101-10-BZ | Sheldon Lobel, P.C.  
54 Crosby Street, Manhattan  
Variance (§72-21) to allow a commercial use below the floor level of the second story, contrary to use (§42-14(D)(2)(b)).  
M1-5B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 10/26/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, SEPTEMBER 21, 2010
#### 10:00 A.M.

<table>
<thead>
<tr>
<th>SOC – DECISIONS</th>
</tr>
</thead>
</table>
| **1. 16-92-BZ** | Sheldon Lobel, PC  
**72/84 Sullivan Street aka 115 King Street, Brooklyn**  
Extension of Time to obtain a Certificate of Occupancy; Amendment to expand the variance into portion of the lot fronting on King Street to allow a warehouse and storage use (UG 16) and to facilitate a tax lot subdivision; Extension of Term. R5/C1-3 zoning district.  
Community Board #6BK  
Examiner: Carlo Costanza (212) 788-8739  
**Status:** Granted – 9/21/10 |
| **2. 136-01-BZ** | Eric Palatnik, P.C.  
**11-11 44th Drive, Queens**  
Extension of Time to Complete Construction and Obtain a Certificate of Occupancy for a Variance (§72-21) which permitted non-compliance in commercial floor area and rear yard requirements which expired on July 12, 2010. M1-4/R7A(LIC) zoning district.  
Community Board#1Q  
Examiner: Henry Segovia (212) 788-8757  
**Status:** Granted – 9/21/10 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
TUESDAY MORNING, SEPTEMBER 21, 2010
10:00 A.M.

SOC – CONTINUED HEARINGS

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</table>
| 3. | 752-29-BZ | Jack Gamill, P.E.  
**8801-8809 4th Avenue, Brooklyn**  
Extension of Term of a previously granted Variance (§72-21) for the continued operation of Automotive Repair and Dealership (Honda) which expired on April 22, 2010. C4-2 zoning district.  
Community Board #6BK  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 10/19/10 |
| 4. | 558-71-BZ | Rothkrug, Rothkrug & Spector, LLP  
**1949 Richmond Avenue, Staten Island**  
Amendment to a previously granted Variance (§72-21) to permit the change of a UG6 eating and drinking establishment to a UG6 retail use without limitation to a single use; minor reduction in floor area; increase accessory parking and increase to the height of the building façade. R3-1 zoning district.  
Community Board #2SI  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 10/19/10 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, SEPTEMBER 21, 2010
10:00 A.M.

### SOC – CONTINUED HEARINGS

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</table>
| 5. | 914-86-BZ | Stuart A. Klein, Esq  
1-19 Eastern Parkway, Brooklyn  
Extension of Term of a previously granted Variance (§72-21) for the continued operation of a Physical Culture Establishment (*Eastern Athletic*) which expired on May 17, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on November 12, 1998; Amendment to the interior layout and the hours of operation; Waiver of the Rules. R8X zoning district.  
Community Board #8BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 10/26/10 |
| 6. | 214-00-BZ | Harold Weinberg  
2777 Plumb 2nd Street, Brooklyn  
Extension of Time to obtain a Certificate of Occupancy for a Special Permit (§73-242) for an eating and drinking establishment; Extension of Term; Amendment to the site plan; and Waiver of the Rules. C3 zoning district  
Community Board #15BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Adjourned, Continued Hearing – 10/26/10 |
| 7. | 124-05-BZ | Greenberg Traurig  
482 Greenwich Street, Manhattan  
Amendment to a Variance (§72-21) for the construction of a mixed-use building to allow an increase in dwelling units, increase in street wall height and reduction of overall building height; Extension of Time to Complete Construction which expires on September 12, 2010. C6-2A zoning district.  
Community Board #2M  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 10/5/10 |

************************************************************************DISCLAIMER************************************************************************
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************************************************************************DISCLAIMER************************************************************************
**SOC – NEW CASES**

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<tr>
<th>Case Number</th>
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<tr>
<td>8. 826-86-BZ thru 828-86-BZ</td>
<td>Eric Palatnik, P.C. &lt;br&gt; 269-10, 270-10, 271-10 Grand Central Parkway, Queens &lt;br&gt; Extension of Time to obtain a Certificate of Occupancy which expired on July 26, 2010 for a Special Permit (§73-11) to allow non-accessory radio towers and transmitting equipment on the roof of a 33-story multiple dwelling (North Shore Towers). R3-2 zoning district</td>
<td>Community Board #13Q &lt;br&gt; Examiner: Henry Segovia (212) 788-8757 &lt;br&gt; Status: Continued Hearing – 10/19/10</td>
</tr>
<tr>
<td>9. 855-87-BZ</td>
<td>Glen V. Cutrona, AIA &lt;br&gt; 15 Irving Place, Staten Island &lt;br&gt; Amendment to a previously granted Variance (§72-21) to remove the term for a (UG16) warehouse with (UG6) offices on the mezzanine level. R3A zoning district</td>
<td>Community Board #1SI &lt;br&gt; Examiner: Henry Segovia (212) 788-8757 &lt;br&gt; Status: Continued Hearing – 10/26/10</td>
</tr>
<tr>
<td>10. 181-06-BZ</td>
<td>Goldman Harris LLC &lt;br&gt; 471 Washington Street, Manhattan &lt;br&gt; Amendment to a previously granted Variance (§72-21) to change the permitted ground floor retail to residential in a nine-story building. M1-5/Area B-2 (TMU) zoning district</td>
<td>Community Board #1M &lt;br&gt; Examiner: Henry Segovia (212) 788-8757 &lt;br&gt; Status: Closed, Decision – 10/19/10</td>
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************************************************************************************************************************
### APPEALS – DECISIONS

| 11. | 138-10-A | NYC Economic Development Corporation  
174-20 North Boundary Road, Queens  
Construction of a NYPD vehicle storage facility, to be located within the bed of a mapped street, contrary to General City Law 35. M1-1 Zoning District.  
Community Board #13Q  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 9/21/10 |

### APPEALS – CONTINUED HEARINGS

| 12. | 43-08-A  
3-10-A/ 4-10-A | Akerman Senterfitt  
144-25 Bayside Avenue and 29-45/29-46 145th Street, Queens  
Proposed construction in the bed of mapped street contrary to the General City Law Section 35. R2A zoning district.  
Community Board #7Q  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 11/9/10 |

| 13. | 274-09-A | Fire Department of New York  
3920 Merritt Avenue aka 3927 Mulvey Avenue, Bronx  
Application to modify Certificate of Occupancy to require automatic wet sprinkler system throughout the entire building.  
Community Board #12BX  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 10/26/10 |

| 14. | 123-10-A & 124-10-A | Fire Department of the City of New York  
3931 & 3927 Mulvey Avenue, Bronx  
Application to modify Certificate of Occupancy to require automatic wet sprinkler system throughout the entire building.  
Community Board #12BX  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 10/26/10 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
**TUESDAY MORNING, SEPTEMBER 21, 2010**
**10:00 A.M.**

### APPEALS – NEW CASES

| 15. | 137-08-A thru 139-08-A | Philip L. Rampulla  
50, 55, 60 Blackhorse Court, Staten Island  
Proposed construction of a one-family residence within the bed of a legally mapped street, contrary to General City Law Section 35. R1-2 zoning district.  
Community Board #2SI  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 10/26/10 |
|---|---|---|
| 16. | 38-10-A | Jack Lester  
26-18 210th Street, Queens  
Appeal challenging the Department of Building's issuance of a building permit for a house of worship/community facility which waived parking per §25-35. R2A zoning district.  
Community Board #11Q  
Examiner: Toni Matias (212) 788-8752  
Status: Postponed, Public Hearing – 10/19/10 |

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## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY AFTERNOON, SEPTEMBER 21, 2010
1:30 P.M.

### BZ – DECISIONS

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</table>
| **1.** | **325-09-BZ** | Sheldon Lobel, P.C.  
**1364 & 1366 52nd Street, Brooklyn**  
Variance (§72-21) to permit the proposed four-story and mezzanine synagogue (Congregation Yetev Lev), contrary to lot coverage (§24-11), rear yard (§24-36) and initial setback of front wall (§24-522). R6 zoning district.  
Community Board #12BK  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 9/21/10 |
| **2.** | **85-10-BZ** | Sheldon Lobel, P.C.  
**309-311 East Fordham Road a/k/a 316 East Kingsbridge Road, Bronx**  
Special Permit (§73-36) to legalize the operation of a physical culture establishment (Planet Fitness) on the first and second floors of an existing two-story building. C4-4 zoning district.  
Community Board #7BX  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 9/21/10 |
| **3.** | **99-10-BZ** | Fridman Saks LLP  
**2302 Avenue S, Brooklyn**  
Special Permit (§73-622) for the in-Part legalization of construction into the side yard on a corner lot and proposed enlargement to an existing single family home, contrary to open space, lot coverage and floor area (§23-141) and side yards (§23-461). R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 9/21/10 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, SEPTEMBER 21, 2010**  
**1:30 P.M.**

### BZ – CONTINUED HEARINGS

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</table>
| 4. | 24-09-BZ | Sheldon Lobel, PC.  
78-10 164th Street, Queens  
Variance to allow the enlargement of a community facility (*Meadow Park Rehabilitation and Health Care Center*), contrary to floor area, lot coverage (§24-11), front yard (§24-34), height (§24-521) and rear yard (§24-382) regulations. R3-2 district.  
Community Board #8Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 11/16/10 |
| 5. | 304-09-BZ | Stuart A. Klein, Esq.  
75-121 Junius Street, Brooklyn  
Variance (§72-21) to allow the erection of a ten-story, mixed-use community facility (*Women In Need*) and commercial building, contrary to floor area (§42-00, 43-12 and 43-122), height and sky exposure plane (§43-43), and parking (§44-21). M1-4 zoning district.  
Community Board #16BK  
Examiner: Rory Levy (212) 788-8749  
Status: Adjourned, Continued Hearing – 11/23/10 |
| 6. | 305-09-BZ | Davidoff Malito & Hutcher, LLP  
110-04 Atlantic Avenue, Queens  
Variance (§72-21) to permit the enlargement of an existing community facility building (*South Queens Boys & Girls Club*) contrary to floor area (§33-121) and height (§33-431). C2-2/R5 zoning district.  
Community Board #9Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Adjourned, Continued Hearing – 10/26/10 |
| 7. | 6-10-BZ | Sheldon Lobel, P.C.  
2147 Mill Avenue, Brooklyn  
Variance (§72-21) to allow for legalization of an enlargement of a commercial building, contrary to §22-00. R2 zoning district.  
Community Board #18BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 10/26/10 |

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NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY AFTERNOON, SEPTEMBER 21, 2010  
1:30 P.M.

### BZ – CONTINUED HEARINGS

| 8. | 39-10-BZ | Eric Palatnik, P.C.  
2032 East 17th Street, Brooklyn  
Variance (§72-21) for the legalization of a single-family home, contrary to side yards (§23-461). R-5 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 10/19/10 |
| 9. | 106-10-BZ | Sheldon Lobel, P.C.  
240 West 38th Street, Manhattan  
Special Permit (§73-36) to legalize a physical culture establishment (Harmony Spa) on the third floor of an existing four-story commercial building. M1-6 zoning district.  
Community Board #5M  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 10/19/10 |

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## BZ – NEW CASES

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<tr>
<th>Case Number</th>
<th>Description</th>
<th>Address Details</th>
<th>Variance Permitted</th>
<th>Examiner</th>
<th>Phone Number</th>
<th>Status</th>
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<tbody>
<tr>
<td>10. 267-09-BZ &amp; 268-09-BZ</td>
<td>NYC Department of Housing Preservation &amp; Development</td>
<td>1155-75 East Tremont Avenue, (aka 1160 Lebanon Street) and 1157-67 East 178th Street, (aka 1176 East Tremont Avenue), Bronx</td>
<td>Variance (§72-21) to permit one eight-story residential building and two 10-story mixed-use buildings with residential and ground floor retail use, contrary to use regulations (§42-00). M1-1 zoning district.</td>
<td>Community Board #6BX</td>
<td>Rory Levy (212) 788-8749</td>
<td>Closed, Decision – 10/26/10</td>
</tr>
<tr>
<td>11. 89-10-BZ</td>
<td>Francis R. Angelino, Esq.</td>
<td>53 Mercer Street, Manhattan</td>
<td>Variance (§72-21) to allow for a commercial use below the floor level of the second story, contrary to §§42-14(D)(2)(b). M1-5B zoning district.</td>
<td>Community Board #2M</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Continued Hearing – 10/26/10</td>
</tr>
<tr>
<td>12. 92-10-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>39 East 10th Street, Manhattan</td>
<td>Variance (§72-21) to allow for the construction of an elevator in an existing residential building, contrary to floor area, open space (§23-142) and court regulations (§§23-85, 23-87). R7-2 zoning district.</td>
<td>Community Board #2M</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Continued Hearing – 10/26/10</td>
</tr>
<tr>
<td>13. 112-10-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>915 Dean Street, Brooklyn</td>
<td>Special Permit (§73-44) to permit reduction in required parking in connection with change of use from UG 16 to UG 6 in an existing building. M1-1 zoning district.</td>
<td>Community Board #8BK</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Closed, Decision – 10/19/10</td>
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### SOC – DECISIONS

<table>
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<tr>
<th>No.</th>
<th>SOC Number</th>
<th>Applicant</th>
<th>Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>60-90-BZ</td>
<td>EPDSCO, Inc.</td>
<td>525 Forest Avenue, Staten Island</td>
<td>Extension of Term of a previously granted Special Permit (§73-211) for the continued use of a Gasoline Service Station (Citgo) and Automotive Repair Shop which expired on February 25, 2001; Waiver of the Rules. C2-1/R3X zoning district.</td>
<td>Community Board #1SI</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Granted – 10/5/10</td>
</tr>
<tr>
<td>2.</td>
<td>11-93-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>46-45 Kissena Boulevard aka 140-01 Laburnum Avenue, Queens</td>
<td>Extension of Term (§§11-411 &amp; §11-412) to allow the continued operation of an Eating and Drinking establishment (UG 6) which expired on March 15, 2004; Amendment to legalize alterations to the structure; Waiver of the Rules. C2-2 and R3-2 zoning districts.</td>
<td>Community Board # 7Q</td>
<td>Carlo Costanza (212) 788-8739</td>
<td>Granted – 10/5/10</td>
</tr>
<tr>
<td>3.</td>
<td>164-04-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>2241 Westchester Avenue, Bronx</td>
<td>Extension of Time to obtain a Certificate of Occupancy for a previously granted physical culture establishment (Planet Fitness) which expired on February 7, 2007; Amendment to change operator, hours of operation and interior modification; Waiver of the Rules. C2-1/R6 zoning district.</td>
<td>Community Board #10BX</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Granted – 10/5/10</td>
</tr>
<tr>
<td>4.</td>
<td>124-05-BZ</td>
<td>Greenberg Traurig</td>
<td>482 Greenwich Street, Manhattan</td>
<td>Amendment to a Variance (§72-21) for the construction of a mixed-use building to allow an increase in dwelling units, increase in street wall height and reduction of overall building height; Extension of Time to Complete Construction which expires on September 12, 2010. C6-2A zoning district.</td>
<td>Community Board #2M</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Granted – 10/5/10</td>
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</table>
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

**TUESDAY MORNING, OCTOBER 5, 2010**

**10:00 A.M.**

## SOC – CONTINUED HEARINGS

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| 5. | **656-69-BZ** | Rothkrug, Rothkrug & Spector  
**2617/23 Harway Avenue, aka - 208/18 Bay 43rd Street, Brooklyn**  
Extension of Term of a (UG9) parking lot accessory to an existing funeral home establishment which expired on May 27, 2010; Extension of Time to obtain a Certificate of Occupancy; waiver of the rules. R-5 zoning district.  
**Community Board #13BK**  
**Examiner: Henry Segovia (212) 788-8757**  
**Status: Closed, Decision – 10/19/10** |
| 6. | **322-98-BZ** | The Law Office of Fredrick A. Becker  
**300 West 125th Street, Manhattan**  
Extension of Term of a previously granted Special Permit (§73-36) for the operation of a Physical Culture Establishment (**New York Sports Club**) which expired on March 23, 2009; Amendment to legalize the increase in floor area; Waiver of the Rules. C4-4(125) zoning district.  
**Community Board #10M**  
**Examiner: Henry Segovia (212) 788-8757**  
**Status: Closed, Decision – 10/19/10** |
| 7. | **161-00-BZ** | Stuart A. Klein, Esq.  
**320 East 52nd Street, Manhattan**  
Extension of Term of a previously granted Variance (§72-21) for the operation of a Physical Culture Establishment (**Bodescu Skin Care**) which expired on June 2, 2010; Extension of Time to obtain a Certificate of Occupancy. R8B zoning district.  
**Community Board #6M**  
**Examiner: Henry Segovia (212) 788-8757**  
**Status: Closed, Decision – 10/19/10** |
## SOC – NEW CASES

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| 8. | 26-94-BZ | Rampulla Associates, AIA  
141 Mansion Avenue, Staten Island  
Extension of Term of a Special Permit (§73-242) for a (UG6) eating and drinking establishment which expires on June 6, 2011.  C3A (SSRD) zoning district.  
Community Board #3SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 10/26/10 |
| 9. | 33-99-BZ | Rothkrug, Rothkrug & Spector  
630 5th Avenue, Manhattan  
Extension of Term of a Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (The Sports Club/LA) which expired on January 11, 2010; waiver of the rules. C5-3(MID) zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 10/26/10 |
| 10. | 344-03-BZ | Goldman, Harris LLC  
2777 Flatbush Avenue, Brooklyn  
Extension of Term of a Special Permit (§73-242) permitting an eating and drinking establishment.  C3 zoning district.  
Community Board #18BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 10/19/10 |
| 11. | 179-07-BZ | Sheldon Lobel, PC  
74-21 Queens Boulevard, Queens  
Dismissal for Lack of Prosecution - Variance (§72-21) to allow a seven-story hotel building contrary to floor area regulations (§33-122).  C8-1 zoning district.  
Community Board #4Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Dismissed – 10/5/10 |
### APPEALS – DECISIONS

| 12. | 315-08-A | Stuart A. Klein, Esq.  
246 Spring Street, Manhattan  
An appeal seeking the revocation of permits for a condominium hotel on the basis that the approved plans allow for exceeding of maximum permitted floor area. M1-6 zoning.  
Community Board #2M  
Examiner: Toni Matias (212) 788-8752  
Status: Denied – 10/5/10 |
| 13. | 10-10-A | Law Office of Fredrick A. Becker  
1882 East 12th Street, Brooklyn  
Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district. R6 zoning district.  
Community Board #15BK  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 10/5/10 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
### TUESDAY MORNING, OCTOBER 5, 2010
### 10:00 A.M.

### APPEALS – CONTINUED HEARINGS

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| 14. | 110-10-BZY | Cozen O'Connor  
93-06 Shore Front Parkway, Queens  
Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning. R5A zoning district  
Community Board #14Q  
**Examiner: Toni Matias (212) 788-8752**  
**Status: Closed, Decision – 10/19/10** |

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
### REGULAR MEETING  
### TUESDAY MORNING, OCTOBER 5, 2010  
### 10:00 A.M.

#### APPEALS – NEW CASES

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Description</th>
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</thead>
</table>
| 15. 113-10-BZY | Rothkrug Rothkrug & Spector  
30-86 36th Street, Queens  
Extension of time (§11-331) to complete construction of a minor development commenced under the prior R6 zoning. R5B zoning district.  
Community Board #1Q  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 10/26/10 |
| 16. 125-10-A | Simons & Wright  
346 Ovington Avenue, Brooklyn  
Appeal challenging the interpretation of ZR §23-22 as it applies to the required density factor for existing buildings in an R5B zoning district.  
Community Board #10BK  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 11/16/10 |
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<tr>
<td><strong>BZ – DECISIONS</strong></td>
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</tbody>
</table>
| 1. | 173-09-BZ | Law Offices of Howard Goldman LLC  
845 Broadway, Brooklyn  
Variance (§ZR 72-21) to allow for a four story mixed use building contrary to use regulations. (ZR §32-00, §42-00) C8-2 / M1-1 zoning districts.  
Community Board #4BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Deferred Decision – 10/26/10 |
| 2. | 100-10-BZ | Law Office of Fredrick A. Becker  
2512 Avenue R, 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 & 23-48) and less than the required rear yard (§23-47).  
R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 10/5/10 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY AFTERNOON, OCTOBER 5, 2010  
1:30 P.M.

### BZ – CONTINUED HEARINGS

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| 3. | **210-07-BZ** | Eric Palatnik, P.C.  
**15 Luquer Street, Brooklyn**  
Variance (§72-21) to allow for a residential use in a manufacturing district, contrary to §42-00. M1-1 zoning district.  
Community Board #6BK  
**Examiner: Ronald Rizzotti (212) 788-8781**  
**Status: Closed, Decision – 11/9/10** |
| 4. | **277-07-BZ** | Miele Associates, LLP  
**165-35 North Conduit Avenue, Queens**  
Variance (§72-21) proposed to erect a one story automotive service station with accessory convenience store, contrary to §22-10. R3-1 zoning district  
Community Board #12Q  
**Examiner: Carlo Costanza (212) 788-8739**  
**Status: Adjourned, Continued Hearing – 11/9/10** |
| 5. | **98-08-BZ** | Gerald J. Caliendo  
**583 Franklin Avenue, Brooklyn**  
Variance (§72-21) to allow a four-story residential building containing four (4) dwelling units, contrary to use regulations (§42-00). M1-1 district.  
Community Board #8BK  
**Examiner: Ronald Rizzotti (212) 788-8781**  
**Status: Adjourned, Continued Hearing – 11/16/10** |
| 6. | **31-09-BZ** | Eric Palatnik, PC  
**117-04 Sutphin Boulevard, Queens**  
Special Permit (§11-411, §11-412, §11-413) for re-instatement of previous variance, which expired on November 12, 1990; amendment for a change of use from a gasoline service station (UG16b) to automotive repair establishment and automotive sales (UG16b); enlargement of existing one story structure; and Waiver of the Rules. C2-2/R3-2 zoning district.  
Community Board #12Q  
**Examiner: Carlo Costanza (212) 788-8739**  
**Status: Continued Hearing – 11/9/10** |

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<th>BZ – CONTINUED HEARINGS</th>
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<tr>
<td>7.</td>
<td><strong>219-09-BZ</strong>&lt;br&gt;<strong>223-09-BZ</strong>&lt;br&gt;Gerald J. Caliendo, RA&lt;br&gt;<strong>806 – 810 East 147th Street, The Bronx</strong>&lt;br&gt;Variance (§72-21) to allow for five, two family residential buildings, contrary to §42-00. M1-2 district.&lt;br&gt;<strong>Community Board#1BX</strong>&lt;br&gt;<strong>Examiner: Ronald Rizzotti (212) 788-8781</strong>&lt;br&gt;<strong>Status: Adjourned, Continued Hearing – 11/16/10</strong></td>
</tr>
<tr>
<td>8.</td>
<td><strong>234-09-BZ</strong>&lt;br&gt;Sheldon Lobel, P.C.&lt;br&gt;<strong>25-71 44th Street, Queens</strong>&lt;br&gt;Variance (§72-21) for the construction of a detached two-family home contrary to side yard regulations (§23-48). R-5 zoning district.&lt;br&gt;<strong>Community Board # 1Q</strong>&lt;br&gt;<strong>Examiner: Henry Segovia (212) 788-8757</strong>&lt;br&gt;<strong>Status: Closed, Decision – 10/19/10</strong></td>
</tr>
<tr>
<td>9.</td>
<td><strong>35-10-BZ</strong>&lt;br&gt;Sheldon Lobel, P.C.&lt;br&gt;<strong>144-11 77th Avenue, Queens</strong>&lt;br&gt;Variance (§72-21) to permit the legalization of an existing synagogue <em>(Congregation Torath Haim Obel Sara)</em>, contrary to front yard (§24-34), side yard (§24-35) and rear yard (§24-36). R4 zoning district.&lt;br&gt;<strong>Community Board #8Q</strong>&lt;br&gt;<strong>Examiner: Rory Levy (212) 788-8749</strong>&lt;br&gt;<strong>Status: Continued Hearing – 11/9/10</strong></td>
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<td>10.</td>
<td><strong>60-10-BZ</strong>&lt;br&gt;Sheldon Lobel, P.C.&lt;br&gt;<strong>54 Thompson Street, Manhattan</strong>&lt;br&gt;Variance (§72-21) to allow a commercial use below the floor level of the second story, contrary to §42-14(D)(2)(b). M1-5B zoning district.&lt;br&gt;<strong>Community Board #2M</strong>&lt;br&gt;<strong>Examiner: Ronald Rizzotti (212) 788-8781</strong>&lt;br&gt;<strong>Status: Continued Hearing – 11/9/10</strong></td>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, OCTOBER 5, 2010**  
**1:30 P.M.**  

## BZ – NEW CASES

<table>
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<tr>
<th>Case No.</th>
<th>Description</th>
<th>Location</th>
<th>Examiner</th>
<th>Status</th>
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</table>
| 11. 309-09-BZ | Harold Weinberg, P.E.  
2173 65th Street, Brooklyn  
Variance (§72-21) to allow a mixed use building, contrary to lot coverage (§23-145), side yard (§35-541) and height (§35-542) regulations. R6A/C2-3 zoning district. | Community Board #11BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 11/16/10 | | |
| 12. 104-10-BZ | Moshe M. Friedman, P.E.  
5002 19th Avenue, aka 1880-1890 50th Street, Brooklyn  
Variance (§72-21) to permit the extension and conversion of an existing residential building to a synagogue and rectory, contrary to lot coverage and floor area (§24-11) front yard (§24-34), side yard (§24-35) and wall height and sky exposure plane (§24-521). R5 zoning district. | Community Board #12BK  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 11/16/10 | | |
| 13. 105-10-BZ | Eric Palatnik  
269 77th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to side yard regulations (§23-461). R4A zoning district. | Community Board #10BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 10/19/10 | | |
| 14. 108-10-BZ | Roberts Organization (LRNC Myrtle Avenue NY LLC)  
54-32 Myrtle Avenue, Queens  
Special Permit (§73-36) to legalize the operation of a physical culture establishment (Lucille Roberts) in an existing two-story building. C4-3 zoning district. | Community Board #5Q  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 10/26/10 | | |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
**TUESDAY AFTERNOON, OCTOBER 5, 2010**
1:30 P.M.

### BZ – NEW CASES

<table>
<thead>
<tr>
<th>15.</th>
<th>126-10-BZ</th>
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<tbody>
<tr>
<td></td>
<td>Sheldon Lobel, P.C.</td>
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<td><strong>856 Remsen Avenue, Brooklyn</strong></td>
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<td>Special Permit (§73-36) to allow the operation of the proposed physical culture establishment <em>(Canarsie Fitness)</em> in a two-story building under construction. M1-1 zoning district.</td>
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<td>Community Board #18BK</td>
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<td>Examiner: Rory Levy (212) 788-8749</td>
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<td>Status: Closed, Decision – 10/26/10</td>
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SOC – DECISIONS

1. 752-29-BZ
   Jack Gamill, P.E.
   8801-8809 4th Avenue, Brooklyn
   Extension of Term of a previously granted Variance (§72-21) for the continued operation of Automotive Repair and Dealership (Honda) which expired on April 22, 2010. C4-2 zoning district.
   Community Board #6BK
   Examiner: Henry Segovia (212) 788-8757
   Status: Granted – 10/19/10

2. 656-69-BZ
   Rothkrug, Rothkrug & Spector
   2617/23 Harway Avenue, aka - 208/18 Bay 43rd Street, Brooklyn
   Extension of Term of a (UG9) parking lot accessory to an existing funeral home establishment which expired on May 27, 2010; Extension of Time to obtain a Certificate of Occupancy; waiver of the rules. R-5 zoning district.
   Community Board #13BK
   Examiner: Henry Segovia (212) 788-8757
   Status: Granted – 10/19/10

3. 558-71-BZ
   Rothkrug, Rothkrug & Spector, LLP
   1949 Richmond Avenue, Staten Island
   Amendment to a previously granted Variance (§72-21) to permit the change of a UG6 eating and drinking establishment to a UG6 retail use without limitation to a single use; minor reduction in floor area; increase accessory parking and increase to the height of the building façade. R3-1 zoning district.
   Community Board #2SI
   Examiner: Henry Segovia (212) 788-8757
   Status: Granted – 10/19/10

4. 322-98-BZ
   The Law Office of Fredrick A. Becker
   300 West 125th Street, Manhattan
   Extension of Term of a previously granted Special Permit (§73-36) for the operation of a Physical Culture Establishment (New York Sports Club) which expired on March 23, 2009; Amendment to legalize the increase in floor area; Waiver of the Rules. C4-4(125) zoning district.
   Community Board #10M
   Examiner: Henry Segovia (212) 788-8757
   Status: Granted – 10/19/10

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************************************************************************************************************************
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
TUESDAY MORNING, OCTOBER 19, 2010
10:00 A.M.

## SOC – DECISIONS

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| 5. | **161-00-BZ** | Stuart A. Klein, Esq.  
320 East 52nd Street, Manhattan  
Extension of Term of a previously granted Variance (§72-21) for the operation of a Physical Culture Establishment (*Bodescu Skin Care*) which expired on June 2, 2010; Extension of Time to obtain a Certificate of Occupancy. R8B zoning district.  
Community Board #6M  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 10/19/10 |
|   | **181-06-BZ** | Goldman Harris LLC  
471 Washington Street, Manhattan  
Amendment to a previously granted Variance (§72-21) to change the permitted ground floor retail to residential in a nine-story building. M1-5/Area B-2 (TMU) zoning district.  
Community Board #1M  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 10/19/10 |

**DISCLAIMER**

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# SOC – Continued Hearings

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| 7. | 74-49-BZ | Sheldon Lobel, P.C.  
515 Seventh Avenue, Manhattan  
Extension of Time to obtain a Certificate of Occupancy for an existing parking garage which expired on September 17, 2009; Waiver of the Rules. M1-6 (Garment Center) zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 11/23/10 |
| 8. | 826-86-BZ thru 828-86-BZ | Eric Palatnik, P.C.  
269-10, 270-10, 271-10 Grand Central Parkway, Queens  
Extension of Time to obtain a Certificate of Occupancy which expired on July 26, 2010 for a Special Permit (§73-11) to allow non-accessory radio towers and transmitting equipment on the roof of a 33-story multiple dwelling (North Shore Towers). R3-2 zoning district  
Community Board #13Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 10/26/10 |
| 9. | 294-99-BZ | Rothkrug, Rothkrug & Spector  
521 5th Avenue, Manhattan  
Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (Equinox) which expired on May 9, 2010. C5-3(MID) & C5-2.5(MID) zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 11/16/10 |
| 10. | 344-03-BZ | Goldman, Harris LLC  
2777 Flatbush Avenue, Brooklyn  
Extension of Term of a Special Permit (§73-242) permitting an eating and drinking establishment which expired on July 12, 2010. C3 zoning district.  
Community Board #18BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 11/16/10 |
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<tr>
<th></th>
<th>Case Number</th>
<th>Applicant</th>
<th>Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>11.</td>
<td>180-99-BZ</td>
<td>Michael T. Cetera</td>
<td><strong>564/66 East New York Avenue, Brooklyn</strong></td>
<td>Extension of Term of a previously granted Variance (§72-21) for a non-conforming (UG9A) catering establishment which expired on April 4, 2010; waiver of the rules. R6 zoning district.</td>
<td>Community Board #9BK</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Continued Hearing – 11/9/10</td>
</tr>
<tr>
<td>13.</td>
<td>369-05-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td><strong>908 Clove Road, Staten Island</strong></td>
<td>Extension of Time to Complete Construction of a previously approved Variance (§72-21) to construct a four-story multiple dwelling which expires on October 17, 2010. R3-2(HS) zoning district.</td>
<td>Community Board #1SI</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Closed, Decision – 10/26/10</td>
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<tr>
<td>14.</td>
<td>238-07-BZ</td>
<td>Goldman Harris LLC</td>
<td><strong>5-11 47th Avenue, Queens</strong></td>
<td>Amendment of a previously approved Variance (§72-21) to permit a residential/commercial building and community facility/dormitory building. The amendment will divide the project into two separate buildings and allow the construction and occupancy of one building prior to the construction and occupancy of the other. M-4/R6A (LIC) and M1-4 zoning districts.</td>
<td>Community Board #2Q</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Postponed, Public Hearing – 1/11/11</td>
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**DISMISSAL CALENDAR**

<table>
<thead>
<tr>
<th>15.</th>
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| Board of Standards and Appeals  
Applicant: Sheldon Lobel, PC  
46-48 Third Avenue, Brooklyn  
Dismissal for Lack of Prosecution - Variance (§72-21) to allow for a mixed use building contrary to floor area, lot coverage (§23-145), height (§35-24), and street wall requirements (§101-41). R6A/C2-4 zoning district, DB.  
Community Board #2BK |
| Examiner: Ronald Rizzotti (212) 788-8781  
Status: Dismissed – 10/19/10 |
## APPEALS – DECISIONS

|   | 110-10-BZY | Cozen O’Connor  
93-06 Shore Front Parkway, Queens  
Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning. R5A zoning district  
Community Board #14Q  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 10/19/10 |

## APPEALS – NEW CASES

|   | 366-05-A | Greenberg Traurig  
1638 8th Avenue, Brooklyn  
Extension of time to complete construction and obtain a Certificate of Occupancy for a previously-granted vesting application under the Common Law which expired on August 22, 2010. R5 previous zoning districts; R5-B current zoning district.  
Community Board #7BK  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 11/9/10 |
|   | 38-10-A | Jack Lester  
26-18 210th Street, Queens  
Appeal challenging the Department of Building's issuance of a building permit to allow for the waiver of parking per §25-35 for a house of worship/community facility. R2A zoning district.  
Community Board #11Q  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 12/7/10 |
|   | 111-10-A | Victor K. Han  
211-08 Northern Boulevard, Queens  
Appeal challenging Department of Building's determination that a proposed hotel does not meet the requirements of §32-14 and is therefore not permitted. C2-2 zoning district.  
Community Board #11Q  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 11/16/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, OCTOBER 19, 2010
1:30 P.M.

## BZ – DECISIONS

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| **1.** | **92-08-BZ** | Juan D. Reyes, Esq.  
13 Crosby Street, Manhattan  
Variance (§72-21) to allow for Use Group 6 below the floor level of the second story in an existing building, contrary to use, rear yard and floor area regulations (§42-14, 43-12 and 43-26). M1-5B zoning district.  
Community Board #4M  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Closed, Decision – 11/23/10 |
| **2.** | **234-09-BZ** | Sheldon Lobel, P.C.  
25-71 44th Street, Queens  
Variance (§72-21) for the construction of a detached two-family home contrary to side yard regulations (§23-48). R-5 zoning district.  
Community Board #1Q  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Granted – 10/19/10 |
| **3.** | **105-10-BZ** | Eric Palatnik, P.C.  
269 77th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to side yard regulations (§23-461). R-4A/C1-3 (BRSD) zoning district.  
Community Board #10BK  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Granted – 10/19/10 |
| **4.** | **106-10-BZ** | Sheldon Lobel, P.C.  
240 West 38th Street, Manhattan  
Special Permit (§73-36) to legalize a physical culture establishment (*Harmony Spa*) on the third floor of an existing four-story commercial building. M1-6 zoning district.  
Community Board #5M  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Granted – 10/19/10 |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
**TUESDAY AFTERNOON, OCTOBER 19, 2010**
1:30 P.M.

### BZ – DECISIONS

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| 5 | 112-10-BZ | Sheldon Lobel, P.C.  
**915 Dean Street, Brooklyn**  
Special Permit (§73-44) to permit reduction in required parking in connection with change of use from UG 16 to UG 6 in an existing building. M1-1 zoning district.  
**Community Board #8BK**  
**Examiner: Ronald Rizzotti (212) 788-8781**  
**Status: Granted – 10/19/10** |

### BZ – CONTINUED HEARINGS

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| 6 | 129-07-BZ | Gerald J. Caliendo, R.A.  
**1101 Irving Avenue, Queens**  
Variance (§72-21) to allow a residential use in a manufacturing district, contrary to use regulations (§42-00). M1-4 zoning district.  
**Community Board #5Q**  
**Examiner: Ronald Rizzotti (212) 788-8781**  
**Status: Adjourned, Continued Hearing – 11/23/10** |

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| 7 | 130-07-BZ thru 134-07-BZ | Gerald J. Caliendo, R.A.  
**1501, 1503, 1505, 1507 Cooper Avenue, Queens**  
Variance (§72-21) to allow a residential use in a manufacturing district, contrary to use regulations (§42-00). M1-4 zoning district.  
**Community Board #5Q**  
**Examiner: Ronald Rizzotti (212) 788-8781**  
**Status: Adjourned, Continued Hearing – 11/23/10** |

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</table>
| 8 | 6-09-BZ | Rampulla Associate Architects  
**24 Nelson Avenue, Staten Island**  
Variance (§72-21) to permit the legalization of an existing Automotive Repair Facility (UG 16B), contrary to ZR §32-10. C4-1 (Special South Richmond Development District & Special Growth Management District) zoning district.  
**Community Board #3SI**  
**Examiner: Carlo Costanza (212) 788-8739**  
**Status: Closed, Decision – 11/9/10** |

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</table>
| **9.** | **189-09-BZ/190-09-A** | Eric Palatnik, P.C.  
3067 Richmond Terrace, Staten Island  
Variance (§72-21) and waiver to the General City Law Section 35 to permit the legalization of an existing mosque and Sunday school (Nor Al-Islam Society), contrary to use and maximum floor area ratio (§§42-00 and 43-12) and construction with the bed of a mapped street. M3-1 zoning district.  
Community Board #1SI  
Examiner: Rory Levy (212) 788-8749  
Status: Adjourned, Continued Hearing – 12/7/10 |
| **10.** | **192-09-BZ** | Sheldon Lobel, P.C.  
912 Broadway, Brooklyn  
Special Permit (§72-52) to allow for the construction of a commercial building with accessory parking. R6 and R6/C2-3 zoning districts.  
Community Board #3BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Adjourned, Continued Hearing – 12/7/10 |
| **11.** | **39-10-BZ** | Eric Palatnik, P.C.  
2032 East 17th Street, Brooklyn  
Variance (§72-21) for the legalization of a single-family home, contrary to side yards (§23-461). R-5 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 11/9/10 |
| **12.** | **47-10-BZ** | Eric Palatnik, P.C.  
895 Zerega Avenue aka 2352 Story Avenue, The Bronx  
Variance (§72-21) to allow a manufacturing use in a residential district, contrary to ZR §22-00. M1-1/R3-2 zoning district.  
Community Board #9BX  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 11/23/10 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
#### TUESDAY AFTERNOON, OCTOBER 19, 2010
#### 1:30 P.M.

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<tbody>
<tr>
<td><strong>BZ – CONTINUED HEARINGS</strong></td>
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<tr>
<td><strong>13. 66-10-BZ</strong></td>
<td>Eric Palatnik, P.C.</td>
<td><strong>1618 Shore Boulevard, Brooklyn</strong></td>
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<tr>
<td></td>
<td>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 side yards (§23-461). R3-1 zoning district.</td>
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<td>Community Board #15BK</td>
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<td><strong>Examiner: Henry Segovia (212) 788-8757</strong></td>
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<td><strong>Status: Closed, Decision – 11/9/10</strong></td>
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<tr>
<td><strong>14. 91-10-BZ</strong></td>
<td>Eric Palatnik, P.C.</td>
<td><strong>123 Coleridge Street, Brooklyn</strong></td>
</tr>
<tr>
<td></td>
<td>Special Permit (§73-622) for the enlargement of an existing single family home contrary to open space, lot coverage and floor area (§23-141); side yard (§23-461); rear yard (§23-47) and perimeter wall height (§23-631). R3-1 zoning district.</td>
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<td>Community Board #15BK</td>
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<td><strong>Examiner: Henry Segovia (212) 788-8757</strong></td>
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<td><strong>Status: Closed, Decision – 11/9/10</strong></td>
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| **BZ – NEW CASES** |   |   |
| **15. 55-10-BZ** | Eric Palatnik, P.C. | **40-22 Main Street, Queens** |
|   | Special Permit (§73-44) to permit a reduction in required parking for an ambulatory or diagnostic treatment center. C4-2/C4-3 zoning districts. |   |
|   | Community Board #7Q |   |
|   | **Examiner: Ronald Rizzotti (212) 788-8781** |   |
|   | **Status: Continued Hearing – 12/14/10** |   |
| **16. 103-10-BZ** | Law Office of Frederick A. Becker | **1036 East 24th Street, Brooklyn** |
|   | Special Permit (§73-622) for the enlargement and in-part legalization of an existing single family home contrary to floor area, open space (§23-141), side yard requirement (§23-461) and less than the required rear yard (§23-47). R2 zoning district. |   |
|   | Community Board #14BK |   |
|   | **Examiner: Henry Segovia (212) 788-8757** |   |
|   | **Status: Continued Hearing – 11/16/10** |   |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, OCTOBER 19, 2010
#### 1:30 P.M.

<table>
<thead>
<tr>
<th>BZ – NEW CASES</th>
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</table>
| **17. 129-10-BZ** | Andrea M. Harris  
98-18 103rd Avenue, Queens  
Special Permit (§73-36) to legalize the operation of a physical culture establishment (*Traditional Karate America*). M1-2 zoning district.  
Community Board #9Q  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 11/9/10 |
| **18. 131-10-BZ** | The Law Office of Fredrick A. Becker  
841 Broadway, Manhattan  
Special Permit (§73-36) to legalize the operation of a physical culture establishment (*Jivamukti Yoga Studio*). C6-4 (US)/C6-1 zoning districts.  
Community Board #2M  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 11/9/10 |
| **19. 152-10-BZ** | Peter Poruczynski, RA  
158 85th 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. R2 zoning district.  
Community Board #10BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 11/9/10 |

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## SOC – DECISIONS

| SOC | 826-86-BZ thru 828-86-BZ | Eric Palatnik, P.C.  
269-10, 270-10, 271-10 Grand Central Parkway, Queens |
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<td>Extension of Time to obtain a Certificate of Occupancy which expired on July 26, 2010 for a Special Permit (§73-11) to allow non-accessory radio towers and transmitting equipment on the roof of a 33-story multiple dwelling (North Shore Towers). R3-2 zoning district</td>
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<td>Community Board #13Q</td>
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<td>Examiner: Henry Segovia (212) 788-8757</td>
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<td>Status: Granted – 10/26/10</td>
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| SOC | 33-99-BZ | Rothkrug, Rothkrug & Spector  
630 5th Avenue, Manhattan |
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<tr>
<td></td>
<td>Extension of Term of a Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (The Sports Club/L.A) which expired on January 11, 2010; waiver of the rules. C5-3(MID) zoning district.</td>
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<td>Community Board #5M</td>
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<td>Examiner: Henry Segovia (212) 788-8757</td>
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<td>Status: Granted – 10/26/10</td>
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| SOC | 369-05-BZ | Eric Palatnik, P.C.  
908 Clove Road, Staten Island |
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<td>Extension of Time to Complete Construction of a previously approved Variance (§72-21) to construct a four-story multiple dwelling which expires on October 17, 2010. R3-2(HS) zoning district.</td>
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<td>Community Board #1SI</td>
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<td>Examiner: Henry Segovia (212) 788-8757</td>
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<td>Status: Granted – 10/26/10</td>
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### SOC – CONTINUED HEARINGS

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| 4. | 395-60-BZ | Sheldon Lobel, P.C.  
2557-2577 Linden Boulevard, Brooklyn  
Extension of Time to obtain a Certificate of Occupancy for a previously granted Automotive Repair Shop and Convenience Store use which expired on May 17, 2010. R-5 zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 11/9/10 |
| 5. | 914-86-BZ | Stuart A. Klein, Esq  
1-19 Eastern Parkway, Brooklyn  
Extension of Term of a previously granted Variance (§72-21) for the continued operation of a Physical Culture Establishment (Eastern Athletic) which expired on May 17, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on November 12, 1998; Amendment to the interior layout and the hours of operation; Waiver of the Rules. R8X zoning district.  
Community Board #8BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 11/23/10 |
| 6. | 855-87-BZ | Glen V. Cutrona, AIA  
15 Irving Place, Staten Island  
Amendment to a previously granted Variance (§72-21) to remove the term for a (UG16) warehouse with (UG6) offices on the mezzanine level. R3A zoning district.  
Community Board #1SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 11/9/10 |
| 7. | 26-94-BZ | Rampulla Associates, AIA  
141 Mansion Avenue, Staten Island  
Extension of Term of a Special Permit (§73-242) for a (UG6) eating and drinking establishment which expires on June 6, 2011. C3A (SSRD) zoning district.  
Community Board #3SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 11/9/10 |
SOC – CONTINUED HEARINGS

8. 214-00-BZ
Harold Weinberg
2777 Plumb 2nd Street, Brooklyn
Extension of Time to obtain a Certificate of Occupancy for a Special Permit (§73-242) for an eating and drinking establishment; Extension of Term; Amendment to the site plan; and Waiver of the Rules. C3 zoning district
Community Board #15BK
Examiner: Carlo Costanza (212) 788-8739
Status: Closed, Decision – 11/16/10

SOC – NEW CASES

9. 1493-61-BZ 1495-61-BZ 1497-61-BZ 1499-61-BZ 1501-61-BZ
Bryan Cave, LLP
415, 425, 435, 445, 455 West 23rd Street, aka 420, 430, 440, 450, 460 West 24th Street, Manhattan
Extension of Term (§11-411) for transient parking in a multiple dwelling building which expired on February 27, 2002; waiver of the rules. R8A zoning district.
Community Board #4M
Examiner: Henry Segovia (212) 788-8757
Status: Closed, Decision – 11/23/10

10. 273-03-BZ thru 285-03-BZ
Sheldon Lobel, P.C
211-51/49/45/43/41/54/52/50/48/46/44/42 94th Road, Queens
Extension of Time to Complete Construction of a previously granted Variance (§72-21) for proposed two-story, semi-detached two-family residences which expired on December 7, 2008; waiver of the rules. R2, R3-2/C1-2 zoning district.
Community Board #13Q
Examiner: Henry Segovia (212) 788-8757
Status: Closed, Decision – 11/23/10

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### DISMISSAL CASES

<table>
<thead>
<tr>
<th>Case</th>
<th>242-09-A</th>
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</thead>
</table>
| NYC Board of Standards and Appeals  
Applicant: Slater & Beckerman  
75, 77-81 First Avenue, Manhattan  
Dismissal for Lack of Prosecution – Appeal seeking a common law vested right to continue construction commenced under the prior R7-2/C2-5 Zoning district. R7-A/C2-5 Zoning District.  
Community Board #3M  
Examiner: Toni Matias (212) 788-8752  
Status: Withdrawn – 10/26/10 |
### APPEALS – DECISIONS

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| **12.** | **274-09-A** | Fire Department of New York  
**3920 Merritt Avenue aka 3927 Mulvey Avenue, Bronx**  
Application to modify Certificate of Occupancy to require automatic wet sprinkler system throughout the entire building.  
**Community Board #12BX**  
**Examiner: Toni Matias (212) 788-8752**  
**Status: Continued Hearing – 12/7/10** |
| **13.** | **123-10-A & 124-10-A** | Fire Department of the City of New York  
**3931 & 3927 Mulvey Avenue, The Bronx**  
Application to modify Certificate of Occupancy to require automatic wet sprinkler system throughout the entire building.  
**Community Board #12BX**  
**Examiner: Toni Matias (212) 788-8752**  
**Status: Continued Hearing – 12/7/10** |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, OCTOBER 26, 2010
#### 10:00 A.M.

### APPEALS – CONTINUED HEARINGS

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|14.| 137-08-A thru 139-08-A | Philip L. Rampulla  
50, 55, 60 Blackhorse Court, Staten Island  
Proposed construction of a one-family residence within the bed of a legally mapped street, contrary to General City Law Section 35. R1-2 zoning district.  
Community Board #2SI  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 11/9/10 |
|15.| 237-09-A & 238-09-A | Rothkrug Rothkrug & Spector  
81, 85 Archwood Avenue, aka 5219 Amboy Road, Staten Island  
Proposed construction in the bed of a mapped street, contrary to General City Law Section 35. R3X zoning district.  
Community Board #3SI  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 11/23/10 |
|16.| 113-10-BZY | Rothkrug Rothkrug & Spector  
30-86 36th Street, Queens  
Extension of time (§11-331) to complete construction of a minor development commenced under the prior R6 zoning. R5B zoning district.  
Community Board #1Q  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 11/23/10 |
### APPEALS – NEW CASES

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<tr>
<th>Case Number</th>
<th>Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>17. 116-10-BZY</td>
<td>35-16 Astoria Boulevard, Queens</td>
<td>Extension of time (§11-331) to complete construction of a minor development commenced under the prior R6 zoning district. R6B zoning district.</td>
<td>Community Board #1Q</td>
<td>Toni Matias (212) 788-8752</td>
<td>Continued Hearing – 11/23/10</td>
</tr>
<tr>
<td>18. 132-10-A</td>
<td>105 West 72nd Street, Manhattan</td>
<td>Appeal challenging Department of Buildings determination not to reinstate revoked permits and approval based on failure to provide owner authorization in accordance with Section 28-104.8.2 of the Administrative Code. C4-6A zoning district.</td>
<td>Community Board #6M</td>
<td>Toni Matias (212) 788-8752</td>
<td>Closed, Decision – 12/7/10</td>
</tr>
<tr>
<td>19. 133-10-A</td>
<td>20 Suffolk Walk, Queens</td>
<td>Proposed enlargement of an existing single-family home not fronting a legally mapped street contrary to General City Law Section 36. R4 zoning district.</td>
<td>Community Board #14Q</td>
<td>Toni Matias (212) 788-8752</td>
<td>Granted – 10/26/10</td>
</tr>
<tr>
<td>20. 139-10-A</td>
<td>29 Roosevelt Walk, Queens</td>
<td>Proposed reconstruction and enlargement of an existing single family home not fronting a mapped street, contrary to General City Law 36, and proposed upgrade of an existing non-conforming private disposal system partially in the bed of a service road, contrary to Buildings Department policy. R4 zoning district.</td>
<td>Community Board #14Q</td>
<td>Toni Matias (212) 788-8752</td>
<td>Granted – 10/26/10</td>
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### BZ – DECISIONS

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<tr>
<th>#</th>
<th>Decision Number</th>
<th>Applicant</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
<th>Date</th>
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<tbody>
<tr>
<td>1</td>
<td>173-09-BZ</td>
<td>Law Offices of Howard Goldman LLC</td>
<td>845 Broadway, Brooklyn Variance (§ZR 72-21) to allow for a four story mixed use building contrary to use regulations. (ZR §32-00, §42-00) C8-2 / M1-1 zoning districts.</td>
<td>Community Board #4BK</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Deferred Decision – 11/23/10</td>
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<td>2</td>
<td>267-09-BZ &amp; 268-09-BZ</td>
<td>NYC Department of Housing Preservation &amp; Development</td>
<td>1155-75 East Tremont Avenue, (aka 1160 Lebanon Street) and 1157-67 East 178th Street, (aka 1176 East Tremont Avenue), Borough of Bronx Variance (§72-21) to permit one eight-story residential building and two 10-story mixed-use buildings with residential and ground floor retail use, contrary to use regulations (§42-00). M1-1 zoning district.</td>
<td>Community Board #6BX</td>
<td>Rory Levy (212) 788-8749</td>
<td>Granted – 10/26/10</td>
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<td>3</td>
<td>297-09-BZ</td>
<td>Marvin B. Mitzner, Esq.</td>
<td>180 Ludlow Street, Manhattan Variance (§72-21) to allow for the conversion of a recently constructed commercial building for residential use, contrary to rear yard regulations (§23-47). C4-4A zoning district.</td>
<td>Community Board #3M</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Withdrawn – 10/26/10</td>
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<td>4</td>
<td>108-10-BZ</td>
<td>Roberts Organization (LRNC Myrtle Avenue NY LLC)</td>
<td>54-32 Myrtle Avenue, Queens Special Permit (§73-36) to legalize the operation of a physical culture establishment (Lucille Roberts) in an existing two-story building. C4-3 zoning district.</td>
<td>Community Board #5Q</td>
<td>Rory Levy (212) 788-8749</td>
<td>Granted – 10/26/10</td>
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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, OCTOBER 26, 2010**  
**1:30 P.M.**

### BZ – DECISIONS

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| 5. | **126-10-BZ** | Sheldon Lobel, P.C.  
**856 Remsen Avenue, Brooklyn**  
Special Permit (§73-36) to allow the operation of the proposed physical culture establishment (*Canarsie Fitness*) in a two-story building under construction. M1-1 zoning district.  
Community Board #18BK  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 10/26/10 |

### BZ – CONTINUED HEARINGS

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| 6. | **251-09-BZ** | Rothkrug Rothkrug & Spector  
**130-34 Hawtree Creek Road, Queens**  
Variance (§72-21) to permit the development of a two-story community facility (*Bethany Church*). The proposal is contrary to §§ 24-34 (front yard) and 25-31 (parking). R3-2 zoning district.  
Community Board #10Q  
Examiner: Rory Levy (212) 788-8749  
Status: Closed, Decision – 11/23/10 |
| 7. | **305-09-BZ** | Davidoff Malito & Hutcher, LLP  
**110-04 Atlantic Avenue, Queens**  
Variance (§72-21) to permit the enlargement of an existing community facility building (*South Queens Boys & Girls Club*) contrary to floor area (§33-121) and height (§33-431). C2-2/R5 zoning district.  
Community Board #9Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 11/23/10 |
| 8. | **6-10-BZ** | Sheldon Lobel, P.C.  
**2147 Mill Avenue, Brooklyn**  
Variance (§72-21) to allow for legalization of an enlargement of a commercial building, contrary to §22-00. R2 zoning district.  
Community Board #18BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 12/7/10 |

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***************************************************************************
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY AFTERNOON, OCTOBER 26, 2010**

**1:30 P.M.**

## BZ – CONTINUED HEARINGS

<table>
<thead>
<tr>
<th>No.</th>
<th>Case</th>
<th>Applicant</th>
<th>Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>9.</td>
<td>29-10-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td><strong>22-32/36 31st Street, Queens</strong></td>
<td>Special Permit (§73-52) to allow for an outdoor eating and drinking establishment within a residential district. C1-2 and R5 zoning districts.</td>
<td>#1Q</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Continued Hearing – 12/7/10</td>
</tr>
<tr>
<td>10.</td>
<td>43-10-BZ</td>
<td>Gerald J. Caliendo, R.A., AIA</td>
<td><strong>23-70 Steinway Street, Queens</strong></td>
<td>Special Permit (§73-244) to allow an eating and drinking establishment without restrictions and no limitation on entertainment and dancing. C2-2/R5 zoning district.</td>
<td>#1Q</td>
<td>Rory Levy (212) 788-8749</td>
<td>Continued Hearing – 11/23/10</td>
</tr>
<tr>
<td>11.</td>
<td>89-10-BZ</td>
<td>Francis R. Angelino, Esq.</td>
<td><strong>53 Mercer Street, Manhattan</strong></td>
<td>Variance (§72-21) to allow for a commercial use below the floor level of the second story, contrary to §§42-14(D)(2)(b). M1-5B zoning district.</td>
<td>#2M</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Closed, Decision – 11/23/10</td>
</tr>
<tr>
<td>12.</td>
<td>92-10-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td><strong>39 East 10th Street, Manhattan</strong></td>
<td>Variance (§72-21) to allow for the construction of an elevator in an existing residential building, contrary to floor area, open space (§23-142) and court regulations (§§23-85, 23-87). R7-2 zoning district.</td>
<td>#2M</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Adjourned, Continued Hearing – 11/9/10</td>
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| 13. | 101-10-BZ | Sheldon Lobel, P.C.  
54 Crosby Street, Manhattan  
Variance (§72-21) to allow a commercial use below the floor level of the second story, contrary to use (§42-14(D)(2)(b)). M1-5B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 12/14/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, OCTOBER 26, 2010
#### 1:30 P.M.

## BZ – NEW CASES

<table>
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| 14. 68-10-BZ | Eric Palatnik, P.C.  
**80-15 Lefferts Boulevard, Queens**  
Variance (§72-21) to allow a commercial building, contrary to use regulations (§22-00). R5 zoning district.  
**Community Board #9Q**  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Continued Hearing – 12/7/10 |
| 15. 117-10-BZ | Law Office of Fredrick A. Becker  
**1954 East 14th Street, Brooklyn**  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to side yards (§23-461) and less than the required rear yard (§23-47). R5 zoning district.  
**Community Board #15BK**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 11/16/10 |
| 16. 134-10-BZ | Slater & Beckerman  
**107 Union Street, Brooklyn**  
Variance (§72-21) to allow a residential building, contrary to floor area (§43-12), height (§43-43), and use (§42-10) regulations. M1-1 zoning district.  
**Community Board#6BK**  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Continued Hearing – 12/7/10 |
| 17. 148-10-BZ | Eric Palatnik, P.C.  
**1559 East 29th 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. R3-1 zoning district.  
**Community Board #15BK**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 11/23/10 |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, NOVEMBER 9, 2010
#### 10:00 A.M.

<table>
<thead>
<tr>
<th>SOC – DECISIONS</th>
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</table>
| **1.** 395-60-BZ Sheldon Lobel, P.C.  
**2557-2577 Linden Boulevard, Brooklyn**  
Extension of Time to obtain a Certificate of Occupancy for a previously granted Automotive Repair Shop and Convenience Store use which expired on May 17, 2010. R-5 zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 11/9/10 |
| **2.** 855-87-BZ Glen V. Cutrona, AIA  
**15 Irving Place, Staten Island**  
Amendment to a previously granted Variance (§72-21) to remove the term for a (UG16) warehouse with (UG6) offices on the mezzanine level. R3A zoning district.  
Community Board #1SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 11/9/10 |
| **3.** 26-94-BZ Rampulla Associates, AIA  
**141 Mansion Avenue, Staten Island**  
Extension of Term of a Special Permit (§73-242) for a (UG6) eating and drinking establishment which expires on June 6, 2011. C3A (SSRD) zoning district.  
Community Board #3SI  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 11/9/10 |

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**SOC – CONTINUED HEARINGS**

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<tr>
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<th>180-99-BZ</th>
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| 4. | Michael T. Cetera  
564/66 East New York Avenue, Brooklyn  
Extension of Term of a previously granted Variance (§72-21) for a non-conforming (UG9A) catering establishment which expired on April 4, 2010; waiver of the rules. R6 zoning district.  
Community Board #9BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 12/7/10 |
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<td><strong>SOC – CONTINUED HEARINGS</strong></td>
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<td>5.</td>
<td>575-37-BZ</td>
<td>Carl A. Sulfaro, Esq.  &lt;br&gt; <strong>60-93 Flushing Avenue, Queens</strong>  &lt;br&gt; Extension of Term (§11-411) for the continued operation of a gasoline service station (<strong>Gulf</strong>) which expired on February 14, 2008; waiver of the Rules. <strong>C1-3/R5B zoning district.</strong>  &lt;br&gt; <strong>Community Board #5Q</strong>  &lt;br&gt; <strong>Examiner: Henry Segovia (212) 788-8757</strong>  &lt;br&gt; <strong>Status: Continued Hearing – 12/7/10</strong></td>
</tr>
<tr>
<td>6.</td>
<td>15-99-BZ</td>
<td>The Law Office of Fredrick A. Becker  &lt;br&gt; <strong>217 Broadway, Manhattan</strong>  &lt;br&gt; Extension of Term of a Special Permit (§73-36) for the continued operation of a physical culture establishment (<strong>New York Sports Club</strong>) which expired on June 15, 2009; waiver of the rules. <strong>C5-3 (LM) zoning district.</strong>  &lt;br&gt; <strong>Community Board #1M</strong>  &lt;br&gt; <strong>Examiner: Henry Segovia (212) 788-8757</strong>  &lt;br&gt; <strong>Status: Continued Hearing – 12/7/10</strong></td>
</tr>
<tr>
<td>7.</td>
<td>43-99-BZ</td>
<td>Carl A. Sulfaro, Esq.  &lt;br&gt; <strong>88-02 Northern Boulevard, Queens</strong>  &lt;br&gt; Extension of Term of a Special Permit (§73-243) for the continued operation of a drive-thru accessory to an eating and drinking establishment (<strong>White Castle</strong>) which expired on December 7, 2009; Waiver of the Rules. <strong>C1-2/R4 zoning district.</strong>  &lt;br&gt; <strong>Community Board #3Q</strong>  &lt;br&gt; <strong>Examiner: Henry Segovia (212) 788-8757</strong>  &lt;br&gt; <strong>Status: Continued Hearing – 12/7/10</strong></td>
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### APPEALS – DECISIONS

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| 8. | 366-05-A | Greenberg Traurig  
**1638 8th Avenue, Brooklyn**  
Extension of time to complete construction and obtain a Certificate of Occupancy for a previously-granted vesting application under the Common Law which expired on August 22, 2010. R5 previous zoning districts; R5-B current zoning district.  
Community Board #7BK  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 11/9/10 |

### APPEALS – CONTINUED HEARINGS

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| 9. | 43-08-A  
3-10-A/ 4-10-A | Akerman Senterfitt  
**144-25 Bayside Avenue and 29-45/29-46 145th Street, Queens**  
Proposed construction in the bed of mapped street contrary to the General City Law Section 35. R2A zoning district.  
Community Board #7Q  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 12/7/10 |
| 10. | 137-08-A thru  
139-08-A | Philip L. Rampulla  
**50, 55, 60 Blackhorse Court, Staten Island**  
Proposed construction of a one-family residence within the bed of a legally mapped street, contrary to General City Law Section 35. R1-2 zoning district.  
Community Board #2SI  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 12/7/10 |
| 11. | 121-10-A | Rothkrug, Rothkrug & Spector  
**25-50 Francis Lewis Boulevard aka 166-43 168th Street, Queens**  
An appeal challenging the Department of Buildings determination that a demolition permit signoff was required before issuance of an alteration permit, as per BC 28-105.3 of the NYC Building Code. R2A zoning district.  
Community Board #7Q  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision – 1/11/11 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, NOVEMBER 9, 2010
#### 10:00 A.M.

## APPEALS – NEW CASES

| 12. | 184-10-A | Deidre Duffy, PE  
20 Olive Walk, Queens  
Proposed construction not fronting a mapped street, contrary to  
General City Law Section 36. R4 zoning district.  
Community Board #14Q  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 11/9/10 |

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## BZ – DECISIONS

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</table>
| 1. | 210-07-BZ | Eric Palatnik, P.C.  
15 Luquer Street, Brooklyn  
Variance (§72-21) to allow for a residential use in a manufacturing district, contrary to §42-00. M1-1 zoning district.  
Community Board #6BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Granted – 11/9/10 |
| 2. | 6-09-BZ | Rampulla Associate Architects  
24 Nelson Avenue, Staten Island  
Variance (§72-21) to permit the legalization of an existing Automotive Repair Facility (UG 16B), contrary to ZR §32-10. C4-1 (Special South Richmond Development District & Special Growth Management District) zoning district.  
Community Board #3SI  
Examiner: Carlo Costanza (212) 788-8739  
Status: Granted – 11/9/10 |
| 3. | 39-10-BZ | Eric Palatnik, P.C.  
2032 East 17th Street, Brooklyn  
Variance (§72-21) for the legalization of a single-family home, contrary to side yards (§23-461). R-5 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 11/9/10 |
| 4. | 66-10-BZ | Eric Palatnik, P.C.  
1618 Shore Boulevard, 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 side yards (23-461). R3-1 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Deferred Decision – 12/7/10 |
### BZ – DECISIONS

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| 5. | 91-10-BZ | Eric Palatnik, P.C.  
123 Coleridge Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home contrary to open space, lot coverage and floor area (§23-141); side yard (§23-461); rear yard (§23-47) and perimeter wall height (§23-631).  
R3-1 zoning district.  
Community Board#15BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 11/9/10 |
| 6. | 129-10-BZ | Andrea M. Harris  
98-18 103rd Avenue, Queens  
Special Permit (§73-36) to legalize the operation of a physical culture establishment (Traditional Karate America).  
M1-2 zoning district.  
Community Board #9Q  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 11/9/10 |
| 7. | 131-10-BZ | The Law Office of Fredrick A. Becker  
841 Broadway, Manhattan  
Special Permit (§73-36) to legalize the operation of a physical culture establishment (Jivamukti Yoga Studio).  
C6-4 (US)/C6-1 zoning districts.  
Community Board #2M  
Examiner: Rory Levy (212) 788-8749  
Status: Granted – 11/9/10 |
| 8. | 152-10-BZ | Peter Poruczynski, RA  
158 85th 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.  
R2 zoning district.  
Community Board #10BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 11/9/10|

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**  
**TUESDAY AFTERNOON, NOVEMBER 9, 2010**  
**1:30 P.M.**

#### BZ – CONTINUED HEARINGS

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</table>
| 9. | 277-07-BZ | Miele Associates, LLP  
165-35 North Conduit Avenue, Queens  
Variance (§72-21) for the development of a one-story automotive service station with accessory convenience store, contrary to §22-10.  
R3-1 zoning district  
Community Board #12Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 12/14/10 |
| 10. | 31-09-BZ | Eric Palatnik, PC  
117-04 Sutphin Boulevard, Queens  
Special Permit (§11-411, §11-412, §11-413) for re-instatement of previous variance, which expired on November 12, 1990; amendment for a change of use from a gasoline service station (UG16b) to automotive repair establishment and automotive sales (UG16b); enlargement of existing one story structure; and Waiver of the Rules.  
C2-2/R3-2 zoning district.  
Community Board #12Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 12/14/10 |
| 11. | 194-09-BZ | Sheldon Lobel, P.C.  
2113 Utica Avenue, 2095-211 Utica Avenue, Brooklyn  
Variance to allow the construction of a four story mixed use building contrary to floor area (§23-141), open space (§23-141), lot coverage (§23-141), front yard (§23-45), height (§23-631), open space used for parking (§25-64) and parking requirements (§25-23); and to allow for the enlargement of an existing commercial use contrary to §22-10.  
R3-2 zoning district.  
Community Board #18BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Adjourned, Continued Hearing – 12/7/10 |
| 12. | 35-10-BZ | Sheldon Lobel, P.C.  
144-11 77th Avenue, Queens  
Variance (§72-21) to permit the legalization of an existing synagogue (Congregation Torath Haim Ohel Sara), contrary to front yard (§24-34), side yard (§24-35) and rear yard (§24-36).  
R4 zoning district.  
Community Board #8Q  
Examiner: Rory Levy (212) 788-8749  
Status: Continued Hearing – 12/7/10 |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, NOVEMBER 9, 2010
#### 1:30 P.M.

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</table>
| 13 | 60-10-BZ | Sheldon Lobel, P.C.  
54 Thompson Street, Manhattan  
Variance (§72-21) to allow a commercial use below the floor level of the second story, contrary to §42-14(D)(2)(b). M1-5B zoning district.  
Community Board #2M  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Closed, Decision – 12/7/10 |
| 14 | 92-10-BZ | Sheldon Lobel, P.C.  
39 East 10th Street, Manhattan  
Variance (§72-21) to allow for the construction of an elevator in an existing residential building, contrary to floor area, open space (§23-142) and court regulations (§§23-85, 23-87). R7-2 zoning district.  
Community Board #2M  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Closed, Decision – 12/14/10 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 9, 2010

1:30 P.M.

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| **15.** | 140/142/144/146-10-BZ 141/143/145/147-10-A | Rothkrug Rothkrug & Spector, LLP 160, 170, 181, 191, Edinboro Road, Staten Island
Variance (§72-21) to allow four single-family homes on a zoning lot that does not meet the minimum lot width requirements (§23-32), and waiver to the General City Law, Section 36, for development not fronting a mapped street. R1-2 (NA-1) zoning district. **Community Board #2SI**
Examiner: Ronald Rizzotti (212) 788-8781
Status: Continued Hearing – 12/14/10 |
| **16.** | 151-10-BZ | Sheldon Lobel, P.C. 224 West 35th Street, Manhattan
Special Permit (§73-36) to legalize the operation of a physical culture establishment (*Bamboo Garden Spa*). M1-6 zoning district. **Community Board#5M**
Examiner: Rory Levy (212) 788-8749
Status: Continued Hearing – 12/7/10 |
| **17.** | 175-10-BZ | Sheldon Lobel, P.C. 3400 Baychester Avenue, Bronx
Special Permit (§11-411) for an Extension of Term of a previously approved Automotive Service Station (UG 16B) which expired on December 18, 2001; Extension of Time to obtain a certificate of occupancy which expired on September 21, 1994; Waiver of the Rules of Practice and Procedures. R4 zoning district. **Community Board#12BX**
Examiner: Carlo Costanza (212) 788-8739
Status: Continued Hearing – 12/7/10 |

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**  
**TUESDAY MORNING, NOVEMBER 16, 2010**  
**10:00 A.M.**

#### SOC – DECISIONS

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<tbody>
<tr>
<td>1.</td>
<td>294-99-BZ</td>
<td>Rothkrug, Rothkrug &amp; Spector</td>
<td>521 5th Avenue, Manhattan</td>
<td>Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (Equinox) which expired on May 9, 2010. C5-3(MID) &amp; C5-2.5(MID) zoning district.</td>
<td>Community Board #5M</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Granted – 11/16/10</td>
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<td>2.</td>
<td>214-00-BZ</td>
<td>Harold Weinberg</td>
<td>2777 Plumb 2nd Street, Brooklyn</td>
<td>Extension of Time to obtain a Certificate of Occupancy for a Special Permit (§73-242) for an eating and drinking establishment; Extension of Term; Amendment to the site plan; and Waiver of the Rules. C3 zoning district</td>
<td>Community Board #15BK</td>
<td>Carlo Costanza (212) 788-8739</td>
<td>Granted – 11/16/10</td>
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<td>3.</td>
<td>344-03-BZ</td>
<td>Goldman, Harris LLC</td>
<td>2777 Flatbush Avenue, Brooklyn</td>
<td>Extension of Term of a Special Permit (§73-242) permitting an eating and drinking establishment which expired on July 12, 2010. C3 zoning district.</td>
<td>Community Board #18BK</td>
<td>Carlo Costanza (212) 788-8739</td>
<td>Closed, Decision – 12/7/10</td>
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<th></th>
<th>Case Number</th>
<th>Dates and Details</th>
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<tbody>
<tr>
<td>4</td>
<td>433-65-BZ</td>
<td>Andrea Claire/Peter Hirshman &lt;br&gt;15 West 72nd Street, Manhattan &lt;br&gt;Extension of Term for transient parking in a parking garage accessory to a multiple dwelling building which expired on June 22, 2010. &lt;br&gt;R8B/R10A zoning district. &lt;br&gt;Community Board #7M &lt;br&gt;Examiner: Henry Segovia (212) 788-8757 &lt;br&gt;Status: Postponed, Public Hearing – 1/11/11</td>
</tr>
<tr>
<td>5</td>
<td>315-90-BZ</td>
<td>Sheldon Lobel, P.C. &lt;br&gt;82-06 Astoria Boulevard, Queens &lt;br&gt;Extension of Term (§11-411) for the continued operation of a Gasoline Service Station (Gulf) with accessory convenience store which expires on March 13, 2011; Extension of Time to obtain a Certificate of Occupancy which expired on March 13, 2003; waiver of the rules. &lt;br&gt;C2-2/R4 zoning district. &lt;br&gt;Community Board #3Q &lt;br&gt;Examiner: Henry Segovia (212) 788-8757 &lt;br&gt;Status: Continued Hearing – 12/14/10</td>
</tr>
</tbody>
</table>
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**  
**TUESDAY MORNING, NOVEMBER 16, 2010**  
**10:00 A.M.**

## APPEALS – DECISIONS

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<td>6.</td>
<td>111-10-A</td>
<td>Victor K. Han</td>
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<td><strong>211-08 Northern Boulevard, Queens</strong></td>
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<td>Appeal challenging Department of Building's determination that a proposed hotel does not meet the requirements of §32-14 and is therefore not permitted. C2-2 zoning district.</td>
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<td>Community Board #11Q</td>
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<td><strong>Examiner: Toni Matias (212) 788-8752</strong></td>
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<td><strong>Status: Withdrawn – 11/16/10</strong></td>
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## APPEALS – CONTINUED HEARINGS

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<tr>
<td>7.</td>
<td>125-10-A</td>
<td>Simons &amp; Wright</td>
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<td></td>
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<td><strong>346 Ovington Avenue, Brooklyn</strong></td>
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<td>Appeal challenging the interpretation of ZR §23-22 as it applies to the required density factor for existing buildings in an R5B zoning district.</td>
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<td>Community Board #10BK</td>
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<td></td>
<td><strong>Examiner: Toni Matias (212) 788-8752</strong></td>
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<tr>
<td></td>
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<td><strong>Status: Adjourned, Continued Hearing – 12/14/10</strong></td>
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## APPEALS – NEW CASES

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<tbody>
<tr>
<td>8.</td>
<td>188-10-A</td>
<td>Gary Lenhart</td>
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<td><strong>9 Olive Walk, Queens</strong></td>
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<td></td>
<td>Proposed construction not fronting on a mapped street, contrary to General City Law Section 36 within an R4 zoning district.</td>
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<tr>
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<td>Community Board #14Q</td>
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<td><strong>Examiner: Toni Matias (212) 788-8752</strong></td>
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<tr>
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<td><strong>Status: Granted – 11/16/10</strong></td>
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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
TUESDAY AFTERNOON, NOVEMBER 16, 2010
1:30 P.M.

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**BZ – DECISIONS**

<table>
<thead>
<tr>
<th>Case</th>
<th>Decision Details</th>
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</table>
| **1.** | **117-10-BZ**  
Law Office of Fredrick A. Becker  
**1954 East 14th Street, Brooklyn**  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to side yards (§23-461) and less than the required rear yard (§23-47). R5 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 788-8757  
**Status:** Granted – 11/16/10 |

**BZ – CONTINUED HEARINGS**

<table>
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<tr>
<th>Case</th>
<th>Decision Details</th>
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</table>
| **2.** | **98-08-BZ**  
Gerald J. Caliendo  
**583 Franklin Avenue, Brooklyn**  
Variance (§72-21) to allow a four-story residential building containing four (4) dwelling units, contrary to use regulations (§42-00). M1-1 district.  
Community Board #8BK  
Examiner: Ronald Rizzotti (212) 788-8781  
**Status:** Closed, Decision – 12/14/10 |
| **3.** | **24-09-BZ**  
Sheldon Lobel, PC  
**78-10 164th Street, Queens**  
Variance to allow the enlargement of a community facility (*Meadow Park Rehabilitation and Health Care Center*), contrary to floor area, lot coverage (§24-11), front yard (§24-34), height (§24-521) and rear yard (§24-382) regulations. R3-2 district.  
Community Board #8Q  
Examiner: Ronald Rizzotti (212) 788-8781  
**Status:** Continued Hearing – 1/11/11 |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY AFTERNOON, NOVEMBER 16, 2010**

**1:30 P.M.**

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### BZ – CONTINUED HEARINGS

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<tr>
<th>#</th>
<th>Case Number</th>
<th>Applicant/Requester</th>
<th>Address</th>
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<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>4</td>
<td>219-09-BZ thru 223-09-BZ</td>
<td>Gerald J. Caliendo, RA</td>
<td>806 – 810 East 147th Street, The Bronx</td>
<td>Variance (§72-21) to allow for five, two family residential buildings, contrary to §42-00. M1-2 district.</td>
<td>Community Board #1BX</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Withdrawn – 11/16/10</td>
</tr>
<tr>
<td>5</td>
<td>309-09-BZ</td>
<td>Harold Weinberg, P.E.</td>
<td>2173 65th Street, Brooklyn</td>
<td>Variance (§72-21) to allow a mixed use building, contrary to lot coverage (§23-145), side yard (§35-541) and height (§35-542) regulations. R6A/C2-3 zoning district.</td>
<td>Community Board #11BK</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Continued Hearing – 1/11/11</td>
</tr>
<tr>
<td>6</td>
<td>103-10-BZ</td>
<td>Law Office of Frederick A. Becker</td>
<td>1036 East 24th Street, Brooklyn</td>
<td>Special Permit (§73-622) for the enlargement and in-part legalization of an existing single family home contrary to floor area, open space (§23-141), side yard requirement (§23-461) and less than the required rear yard (§23-47). R2 zoning district.</td>
<td>Community Board #14BK</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Closed, Decision – 12/14/10</td>
</tr>
<tr>
<td>7</td>
<td>104-10-BZ</td>
<td>Moshe M. Friedman, P.E.</td>
<td>5002 19th Avenue, aka 1880-1890 50th Street, Brooklyn</td>
<td>Variance (§72-21) to permit the extension and conversion of an existing residential building to a synagogue and rectory, contrary to lot coverage and floor area (§24-11) front yard (§24-34), side yard (§24-35) and wall height and sky exposure plane (§24-521). R5 zoning district.</td>
<td>Community Board #12BK</td>
<td>Rory Levy (212) 788-8749</td>
<td>Closed, Decision – 12/14/10</td>
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### BZ – NEW CASES

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<th>Examiner</th>
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<tbody>
<tr>
<td>8. 107-10-BZ</td>
<td>Akerman Senterfitt 12-24 149th Street, Queens Variance (§72-21) to allow for a community facility use (Associazione Sacchese D’America), contrary to side yard regulations (§24-35). R2 zoning district.</td>
<td>Ronald Rizzotti (212) 788-8781</td>
<td>Continued Hearing – 12/14/10</td>
</tr>
<tr>
<td>9. 178-10-BZ</td>
<td>Law Office of Fredrick A. Becker 943 East 24th Street, Brooklyn Special Permit (§73-622) for the legalization and enlargement of a single family home, contrary to floor area and open space (§23-141); side yards (§23-461) and rear yard (§23-47) regulations. R2 zoning district.</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Continued Hearing – 12/14/10</td>
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<tr>
<td>10. 179-10-BZ</td>
<td>Sheldon Lobel, P.C. 249 Duffield Street, Brooklyn Special Permit (§73-36) to legalize the operation of a Physical Culture Establishment (Planet Fitness). C6-4 zoning district.</td>
<td>Rory Levy (212) 788-8749</td>
<td>Continued Hearing – 12/14/10</td>
</tr>
<tr>
<td>11. 182-10-BZ</td>
<td>Law Office of Fredrick A. Becker 1082 East 23rd Street, Brooklyn Special Permit (§73-622) for the enlargement of a single family home, contrary to floor area and open space (§23-141); side yard (§23-461) and rear yard (§23-47) regulations. R2 zoning district.</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Continued Hearing – 12/14/10</td>
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**SOC – DECISIONS**

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<tbody>
<tr>
<td>1.</td>
<td>1493-61-BZ</td>
<td>Bryan Cave, LLP</td>
</tr>
<tr>
<td></td>
<td>1495-61-BZ</td>
<td>415, 425, 435, 445, 455 West 23&lt;sup&gt;rd&lt;/sup&gt; Street, aka 420, 430, 440, 450, 460</td>
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<td>1497-61-BZ</td>
<td>West 24&lt;sup&gt;th&lt;/sup&gt; Street, Manhattan</td>
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<tr>
<td></td>
<td>1499-61-BZ</td>
<td>Extension of Term (§11-411) for transient parking in a multiple dwelling building which expired on February 27, 2002; waiver of the rules. R8A zoning district.</td>
</tr>
<tr>
<td></td>
<td>1501-61-BZ</td>
<td>Community Board #4M</td>
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<td>Examiner: Henry Segovia (212) 788-8757</td>
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<td>Status: Granted – 11/23/10</td>
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<td>2.</td>
<td>273-03-BZ thru 285-03-BZ</td>
<td>Sheldon Lobel, P.C.</td>
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<td></td>
<td>271-51/49/45/43/41/54/52/50/48/46/44/42 94&lt;sup&gt;th&lt;/sup&gt; Road, Queens</td>
<td>Extension of Time to Complete Construction of a previously granted Variance (§72-21) for proposed two-story, semi-detached two-family residences which expired on December 7, 2008; waiver of the rules. R2, R3-2/C1-2 zoning district.</td>
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<td>Community Board #13Q</td>
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<td>Examiner: Henry Segovia (212) 788-8757</td>
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<td><strong>SOC – CONTINUED HEARINGS</strong></td>
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</tbody>
</table>
| 3. | 74-49-BZ | Sheldon Lobel, P.C.  
515 Seventh Avenue, Manhattan  
Extension of Time to obtain a Certificate of Occupancy for an existing parking garage which expired on September 17, 2009; Waiver of the Rules. M1-6 (Garment Center) zoning district.  
Community Board #5M  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 1/11/11 |
| 4. | 914-86-BZ | Stuart A. Klein, Esq  
1-19 Eastern Parkway, Brooklyn  
Extension of Term of a previously granted Variance (§72-21) for the continued operation of a Physical Culture Establishment (Eastern Athletic) which expired on May 17, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on November 12, 1998; Amendment to the interior layout and the hours of operation; Waiver of the Rules. R8X zoning district.  
Community Board #8BK  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 12/14/10 |
| 5. | 175-05-BZ | Eric Palatnik, P.C.  
18-24 Luquer Street, Brooklyn  
Extension of Time to Complete Construction of a previously approved Variance (§72-21) to construct a four-story multiple dwelling with accessory parking which expires on January 9, 2011. M1-1 zoning district.  
Community Board #16BK  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 12/14/10 |
## SOC – NEW CASES

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| **6.** | **132-58-BZ** | Sheldon Lobel, P.C.  
17-45 Francis Lewis Boulevard aka 17-55 Francis Lewis Boulevard, Queens  
Extension of Term (§11-411) of a previously approved automotive service station (UG 16B) (Gulf) with accessory uses which expired on June 18, 2010. C1-2/R3-2 zoning district.  
Community Board #7Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 1/11/11 |
| **7.** | **156-73-BZ** | Gary Maranga, R.A.  
1975 Eastchester Road, Bronx  
Extension of Term for surplus transient parking in a multiple dwelling which is accessory to Albert Einstein College of Medicine which expired on June 26, 2008; Waiver of the Rules. R6 zoning district.  
Community Board #11BX  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 12/7/10 |
| **8.** | **66-90-BZ** | Eric Palatnik, P.C.  
43-03 Astoria Boulevard, Queens  
Extension of Term for a UG16 Gasoline Service Station (Mobil) which expired on October 1, 2010. R5 zoning district.  
Community Board #1Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 12/14/10 |
# APPEALS – DECISIONS

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| 9. | 237-09-A & 238-09-A | Rothkrug Rothkrug & Spector  
81, 85 Archwood Avenue, aka 5219 Amboy Road, Staten Island  
Proposed construction in the bed of a mapped street, contrary to General City Law Section 35. R3X zoning district.  
Community Board #3SI  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 11/23/10 |
| 10. | 113-10-BZY | Rothkrug Rothkrug & Spector  
30-86 36th Street, Queens  
Extension of time (§11-331) to complete construction of a minor development commenced under the prior R6 zoning. R5B zoning district.  
Community Board #1Q  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 11/23/10 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, NOVEMBER 23, 2010**  
**10:00 A.M.**

### APPEALS – CONTINUED HEARINGS

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| **11.** | 116-10-BZY | Ackerman Senterfitt  
35-16 Astoria Boulevard, Queens  
Extension of time (§11-331) to complete construction of a minor development commenced under the prior R6 zoning district. R6B zoning district.  
Community Board #1Q  
Examiner: Toni Matias (212) 788-8752  
Status: Adjourned, Continued Hearing – 1/11/11 |

### APPEALS – NEW CASES

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| **12.** | 114-10-BZY & 115-10-BZY | Nikolaos Sellas  
26-58 & 26-60 30th Street, Queens  
Extension of time (§11-331) to complete construction of a major development commenced under the prior R6 zoning district. R6B zoning district.  
Community Board #1Q  
Examiner: Toni Matias (212) 788-8752  
Status: Continued Hearing – 12/14/10 |
### BZ – DECISIONS

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<tr>
<th></th>
<th>Request Number</th>
<th>Applicant/Address</th>
<th>Description</th>
<th>Status/Examiner/Phone</th>
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<tbody>
<tr>
<td>1</td>
<td>92-08-BZ</td>
<td>Juan D. Reyes, Esq., 13 Crosby Street, Manhattan</td>
<td>Variance (§72-21) to allow for Use Group 6 below the floor level of the second story in an existing building, contrary to use, rear yard and floor area regulations (§42-14, 43-12 and 43-26). M1-5B zoning district.</td>
<td>Granted – 11/23/10 Ronald Rizzotti (212) 788-8781</td>
<td>Ronald Rizzotti (212) 788-8781</td>
</tr>
<tr>
<td>2</td>
<td>173-09-BZ</td>
<td>Law Offices of Howard Goldman LLC, 845 Broadway, Brooklyn</td>
<td>Variance (§ZR 72-21) to allow for a four story mixed use building contrary to use regulations. (ZR §32-00, §42-00) C8-2 / M1-1 zoning districts.</td>
<td>Deferred Decision – 12/14/10</td>
<td>Ronald Rizzotti (212) 788-8781</td>
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<tr>
<td>3</td>
<td>251-09-BZ</td>
<td>Rothkrug Rothkrug &amp; Spector, 130-34 Hawtree Creek Road, Queens</td>
<td>Variance (§72-21) to permit the development of a two-story community facility (Bethany Church). The proposal is contrary to §§ 24-34 (front yard) and 25-31 (parking). R3-2 zoning district.</td>
<td>Granted – 11/23/10 Rory Levy (212) 788-8749</td>
<td>Rory Levy (212) 788-8749</td>
</tr>
<tr>
<td>4</td>
<td>89-10-BZ</td>
<td>Francis R. Angelino, Esq., 53 Mercer Street, Manhattan</td>
<td>Variance (§72-21) to allow for a commercial use below the floor level of the second story, contrary to §§42-14(D)(2)(b). M1-5B zoning district.</td>
<td>Granted – 11/23/10</td>
<td>Ronald Rizzotti (212) 788-8781</td>
</tr>
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## NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY AFTERNOON, NOVEMBER 23, 2010**

**1:30 P.M.**

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<tr>
<td><strong>5.</strong> 148-10-BZ</td>
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<tr>
<td>Eric Palatnik, P.C.</td>
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<tr>
<td>1559 East 29th Street, Brooklyn</td>
</tr>
<tr>
<td>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. R3-1 zoning district.</td>
</tr>
<tr>
<td>Community Board #15BK</td>
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<td>Examiner: Henry Segovia (212) 788-8757</td>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, NOVEMBER 23, 2010
#### 1:30 P.M.

## BZ – CONTINUED HEARINGS

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</table>
| 6. | 129-07-BZ | Gerald J. Caliendo, R.A.  
**1001 Irving Avenue, Queens**  
Variance (§72-21) to allow a residential use in a manufacturing district, contrary to use regulations (§42-00). M1-4 zoning district.  
**Community Board #5Q**  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Withdrawn – 11/23/10 |
| 7. | 130-07-BZ thru 134-07-BZ | Gerald J. Caliendo, R.A.  
**1501, 1503, 1505, 1507 Cooper Avenue, Queens**  
Variance (§72-21) to allow a residential use in a manufacturing district, contrary to use regulations (§42-00). M1-4 zoning district.  
**Community Board #5Q**  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Withdrawn – 11/23/10 |
| 8. | 304-09-BZ | Stuart A. Klein, Esq.  
**75-121 Junius Street, Brooklyn**  
Variance (§72-21) to allow the erection of a ten-story, mixed-use community facility (*Women In Need*) and commercial building, contrary to floor area (§42-00, 43-12 and 43-122), height and sky exposure plane (§43-43), and parking (§44-21). M1-4 zoning district.  
**Community Board #16BK**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Closed, Decision – 12/7/10 |
| 9. | 305-09-BZ | Davidoff Malito & Hutcher, LLP  
**110-04 Atlantic Avenue, Queens**  
Variance (§72-21) to permit the enlargement of an existing community facility building (*South Queens Boys & Girls Club*) contrary to floor area (§33-121) and height (§33-431). C2-2/R5 zoning district.  
**Community Board #9Q**  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Closed, Decision – 12/7/10 |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

**TUESDAY AFTERNOON, NOVEMBER 23, 2010**

**1:30 P.M.**

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### BZ – CONTINUED HEARINGS

<p>| | |</p>
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<tr>
<td><strong>10.</strong></td>
<td>43-10-BZ</td>
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<td>Gerald J. Caliendo, R.A., AIA</td>
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<td><strong>23-70 Steinway Street, Queens</strong></td>
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<td>Special Permit (§73-244) to allow an eating and drinking establishment without restrictions and no limitation on entertainment and dancing.</td>
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<td><strong>C2-2/R5 zoning district.</strong></td>
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<td><strong>Community Board #1Q</strong></td>
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<td></td>
<td><strong>Examiner:</strong> Rory Levy (212) 788-8749</td>
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<td><strong>Status:</strong> Adjourned, Continued Hearing – 12/14/10</td>
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<td><strong>11.</strong></td>
<td>47-10-BZ</td>
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<td>Eric Palatnik, P.C.</td>
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<td><strong>895 Zerega Avenue aka 2352 Story Avenue, The Bronx</strong></td>
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<td>Variance (§72-21) to allow a manufacturing use in a residential district, contrary to ZR 22-00. <strong>M1-1/R3-2 zoning district.</strong></td>
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<td><strong>Community Board #9BX</strong></td>
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<td><strong>Examiner:</strong> Ronald Rizzotti (212) 788-8781</td>
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<td><strong>Status:</strong> Adjourned, Continued Hearing – 1/11/11</td>
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</tbody>
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| **12.** | 95-10-BZ |
|   | Law Office of Fredrick A. Becker |
|   | **2216 Quentin Road, 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). **R3-2 zoning district.** |
|   | **Community Board #15BK** |
|   | **Examiner:** Henry Segovia (212) 788-8757 |
|   | **Status:** Adjourned, Continued Hearing – 1/11/11 |

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
**REGULAR MEETING**
**TUESDAY AFTERNOON, NOVEMBER 23, 2010**
**1:30 P.M.**

<table>
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<tr>
<th>BZ – NEW CASES</th>
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</table>
| **13.** 122-10-BZ | Bryan Cave LLP  
163 West 78th Street, Manhattan  
Variance (§72-21) to permit the rooftop addition for a community facility use (Rodeph Sholom School), contrary to maximum height regulations (§23-692). R8B zoning district.  
Community Board #7M  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Closed, Decision – 12/14/10 |
| **14.** 149-10-BZ | Eric Palatnik, P.C.  
1415 East 29th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and lot coverage (§23-141); side yard (§23-461) and less than the minimum rear yard (§23-47). R2 zoning district.  
Community Board #14BK  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Continued Hearing – 1/11/11 |
| **15.** 150-10-BZ | Sheldon Lobel, P.C.  
1124 East 26th Street, Brooklyn  
Special Permit (§73-622) for the legalization of the enlargement of an existing single family home, contrary to floor area (23-141); side yard (§23-461) and rear yard regulations (§23-47). R2 zoning district.  
Community Board #14BK  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Continued Hearing – 1/11/11 |
| **16.** 190-10-BZ | Sheldon Lobel, P.C.  
250-10 Grand Central Parkway, Queens  
Variance (§72-21) to permit the addition of a third floor to an existing two-story school building (Yeshiva Har Torah), contrary to rear yard (§24-36) and setback (§24-551) regulations. R3-2 zoning district.  
Community Board #13Q  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Continued Hearing – 12/14/10 |

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## SOC – DECISIONS

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</table>
| **1.** | **156-73-BZ** | Gary Maranga, R.A.  
1975 Eastchester Road, Bronx  
Extension of Term for surplus transient parking in a multiple dwelling which is accessory to Albert Einstein College of Medicine which expired on June 26, 2008; Waiver of the Rules. R6 zoning district.  
Community Board #11BX  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 12/7/10 |
| **2.** | **180-99-BZ** | Michael T. Cetera  
564/66 East New York Avenue, Brooklyn  
Extension of Term of a previously granted Variance (§72-21) for a non-conforming (UG9A) catering establishment which expired on April 4, 2010; waiver of the rules. R6 zoning district.  
Community Board #9BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 12/7/10 |
| **3.** | **344-03-BZ** | Goldman, Harris LLC  
2777 Flatbush Avenue, Brooklyn  
Extension of Term of a Special Permit (§73-242) permitting an eating and drinking establishment which expired on July 12, 2010. C3 zoning district.  
Community Board #18BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Granted – 12/7/10 |

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### SOC – CONTINUED HEARINGS

|   | 575-37-BZ | Carl A. Sulfaro, Esq.  
**60-93 Flushing Avenue, Queens**  
Extension of Term (§11-411) for the continued operation of a gasoline service station (*Gulf*) which expired on February 14, 2008; waiver of the Rules. C1-3/R5B zoning district.  
**Community Board #5Q**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 1/11/11 |
|---|---|---|
| 5. | 15-99-BZ | The Law Office of Fredrick A. Becker  
**217 Broadway, Manhattan**  
Extension of Term of a Special Permit (§73-36) for the continued operation of a physical culture establishment (*New York Sports Club*) which expired on June 15, 2009; waiver of the rules. C5-3 (LM) zoning district.  
**Community Board #1M**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 1/11/11 |
| 6. | 43-99-BZ | Carl A. Sulfaro, Esq.  
**88-02 Northern Boulevard, Queens**  
Extension of Term of a Special Permit (§73-243) for the continued operation of a drive-thru accessory to an eating and drinking establishment (*White Castle*) which expired on December 7, 2009; Waiver of the Rules. C1-2/R4 zoning district.  
**Community Board #3Q**  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Closed, Decision – 1/11/11 |
**SOC – NEW CASES**

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<thead>
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<th>#</th>
<th>Case</th>
<th>Applicant</th>
<th>Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.</td>
<td>200-24-BZ</td>
<td>Stephen Ely</td>
<td>3030 Jerome Avenue, Bronx</td>
<td>Extension of Term (§11-411) for the continued operation of a UG6 bookstore and distribution center which expired on September 23, 2010. R8/C8-2 zoning district.</td>
<td>Community Board #7BX</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Closed, Decision – 1/11/11</td>
</tr>
<tr>
<td>9.</td>
<td>299-99-BZ</td>
<td>Carl A. Sulfaro, Esq.</td>
<td>8-16 Malcom X Boulevard, Brooklyn</td>
<td>Extension of Term for the continued operation of a gasoline service station (Getty) which expired on July 25, 2010. C2-3/R6 zoning district.</td>
<td>Community Board #3BK</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Continued Hearing – 1/25/11</td>
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<tr>
<td>10.</td>
<td>276-02-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>160 Norfolk Street, Brooklyn</td>
<td>Extension of Time to Complete Construction and an Amendment to a previously approved Special Permit (§73-622) to an existing one family dwelling, contrary to lot coverage and floor area (§23-141) and side yard (§23-461). R3-1 zoning district.</td>
<td>Community Board #15BK</td>
<td>Henry Segovia (212) 788-8757</td>
<td>Continued Hearing – 1/11/11</td>
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<td>DISMISSAL CASES</td>
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</tbody>
</table>
| **11.** 118-10-BZ | NYC Board of Standards and Appeals  
Applicant: Eric Palatnik, P.C.  
2102/04 Avenue Z, Brooklyn  
Dismissal for lack of prosecution – Special Permit (§11-411) to re-establish a variance for an auto-related use. R4 zoning district.  
Community Board #15BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing for Dismissal – 12/14/10 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
**TUESDAY MORNING, DECEMBER 7, 2010**
**10:00 A.M.**

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### APPEALS – DECISIONS

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Address</th>
<th>Attorney</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
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<tr>
<td>12. 43-08-A 3-10-A/ 4-10-A</td>
<td>144-25 Bayside Avenue and 29-45/29-46 145th Street, Queens</td>
<td>Akerman Senterfitt</td>
<td>Proposed construction in the bed of mapped street, contrary to General City Law Section 35. R2A zoning district.</td>
<td>Community Board #7Q</td>
<td>Toni Matias (212) 788-8752</td>
<td>Granted – 12/7/10</td>
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<tr>
<td>13. 137-08-A thru 139-08-A</td>
<td>50, 55, 60 Blackhorse Court, Staten Island</td>
<td>Philip L. Rampulla</td>
<td>Proposed construction of a one-family residence within the bed of a mapped street, contrary to General City Law Section 35. R1-2 zoning district.</td>
<td>Community Board #2SI</td>
<td>Toni Matias (212) 788-8752</td>
<td>Granted – 12/7/10</td>
</tr>
<tr>
<td>14. 38-10-A</td>
<td>26-18 210th Street, Queens</td>
<td>Jack Lester</td>
<td>Appeal challenging the Department of Building's issuance of a building permit to allow for the waiver of parking per §25-35 for a house of worship/community facility. R2A zoning district.</td>
<td>Community Board #11Q</td>
<td>Toni Matias (212) 788-8752</td>
<td>Denied – 12/7/10</td>
</tr>
<tr>
<td>15. 132-10-A</td>
<td>105 West 72nd Street, Manhattan</td>
<td>Adam Leitman Bailey, P.C.</td>
<td>Appeal challenging Department of Buildings determination not to reinstate revoked permits and approval based on failure to provide owner authorization in accordance with Section 28-104.8.2 of the Administrative Code. C4-6A zoning district.</td>
<td>Community Board #6M</td>
<td>Toni Matias (212) 788-8752</td>
<td>Denied – 12/7/10</td>
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## REGULAR MEETING
### TUESDAY MORNING, DECEMBER 7, 2010
10:00 A.M.

## APPEALS – CONTINUED HEARINGS

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<tr>
<td>16.</td>
<td>274-09-A</td>
<td>Fire Department of New York</td>
<td>3920 Merritt Avenue aka 3927 Mulvey Avenue, Bronx</td>
<td>Application to modify Certificate of Occupancy to require automatic wet sprinkler system throughout the entire building.</td>
<td>#12BX</td>
<td>Toni Matias (212) 788-8752</td>
<td>Closed, Decision – 1/11/11</td>
</tr>
<tr>
<td>17.</td>
<td>123-10-A &amp; 124-10-A</td>
<td>Fire Department of the City of New York</td>
<td>3931 &amp; 3927 Mulvey Avenue, The Bronx</td>
<td>Application to modify Certificate of Occupancy to require automatic wet sprinkler system throughout the entire building.</td>
<td>#12BX</td>
<td>Toni Matias (212) 788-8752</td>
<td>Closed, Decision – 1/11/11</td>
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## APPEALS – NEW CASES

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<th>Examiner</th>
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<tr>
<td>18.</td>
<td>136-10-A</td>
<td>Joseph A. Sherry</td>
<td>26 Park End Terrace, Queens</td>
<td>Proposed reconstruction and enlargement of a single family dwelling in the bed of a mapped street, contrary to General City Law Section 35, and upgrade of private disposal system within the bed of a private service road, contrary to Department of Buildings policy. R4 zoning district.</td>
<td>#14Q</td>
<td>Toni Matias (212) 788-8752</td>
<td>Granted – 12/7/10</td>
</tr>
<tr>
<td>19.</td>
<td>153-10-A</td>
<td>Eric Palatnik, P.C.</td>
<td>101-01 39th Avenue, Queens</td>
<td>Proposed construction of a three story, five family residential building located within the bed of a mapped street (101st Street), contrary to General City Law Section 35. R5 Zoning District.</td>
<td>#3Q</td>
<td>Toni Matias (212) 788-8752</td>
<td>Closed, Decision – 1/11/11</td>
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### REGULAR MEETING
#### TUESDAY AFTERNOON, DECEMBER 7, 2010
1:30 P.M.

### BZ – DECISIONS

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</table>
| 1. | 305-09-BZ | Davidoff Malito & Hutcher, LLP  
**110-04 Atlantic Avenue, Queens**  
Variance (§72-21) to permit the enlargement of an existing community facility building (*South Queens Boys & Girls Club*) contrary to floor area (§33-121) and height (§33-431). C2-2/R5 zoning district.  
*Community Board #9Q*  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Granted – 12/7/10 |
| 2. | 60-10-BZ | Sheldon Lobel, P.C.  
**54 Thompson Street, Manhattan**  
Variance (§72-21) to allow a commercial use below the floor level of the second story, contrary to §42-14(D)(2)(b). M1-5B zoning district.  
*Community Board #2M*  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Granted – 12/7/10 |
| 3. | 66-10-BZ | Eric Palatnik, P.C.  
**1618 Shore Boulevard, 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 side yards (23-461). R3-1 zoning district.  
*Community Board #15BK*  
**Examiner:** Henry Segovia (212) 788-8757  
**Status:** Granted – 12/7/10 |

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| 4. | 189-09-BZ/190-09-A | Eric Palatnik, P.C.  
3067 Richmond Terrace, Staten Island  
Variance (§72-21) and waiver to the General City Law Section 35 to permit the legalization of an existing mosque and Sunday school (Nor Al-Islam Society), contrary to use and maximum floor area ratio (§§42-00 and 43-12) and construction with the bed of a mapped street.  M3-1 zoning district.  
**Community Board #1SI**  
**Examiner: Rory Levy (212) 788-8749**  
**Status: Continued Hearing – 2/15/11** |
| 5. | 192-09-BZ | Sheldon Lobel, P.C.  
912 Broadway, Brooklyn  
Special Permit (§72-52) to allow for the construction of a commercial building with accessory parking.  R6 and R6/C2-3 zoning districts.  
**Community Board #3BK**  
**Examiner: Ronald Rizzotti (212) 788-8781**  
**Status: Closed, Decision – 2/8/11** |
| 6. | 194-09-BZ | Sheldon Lobel, P.C.  
2113 Utica Avenue, 2095-211 Utica Avenue, Brooklyn  
Variance to allow the construction of a four story mixed use building contrary to floor area (§23-141), open space (§23-141), lot coverage (§23-141), front yard (§23-45), height (§23-631), open space used for parking (§25-64) and parking requirements (§25-23); and to allow for the enlargement of an existing commercial use contrary to §22-10.  R3-2 zoning district.  
**Community Board# 18BK**  
**Examiner: Ronald Rizzotti (212) 788-8781**  
**Status: Continued Hearing – 1/25/11** |
| 7. | 6-10-BZ | Sheldon Lobel, P.C.  
2147 Mill Avenue, Brooklyn  
Variance (§72-21) to allow for legalization of an enlargement of a commercial building, contrary to §22-00.  R2 zoning district.  
**Community Board #18BK**  
**Examiner: Ronald Rizzotti (212) 788-8781**  
**Status: Adjourned, Continued Hearing – 1/25/11** |
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| 8. | **29-10-BZ** | Sheldon Lobel, P.C.  
**22-32/36 31st Street, Queens**  
Special Permit (§73-52) to allow for an outdoor eating and drinking establishment within a residential district. C1-2 and R5 zoning districts.  
Community Board #1Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 1/25/11 |
| 9. | **35-10-BZ** | Sheldon Lobel, P.C.  
**144-11 77th Avenue, Queens**  
Variance (§72-21) to permit the legalization of an existing synagogue (Congregation Torath Haim Ohel Sara), contrary to front yard (§24-34), side yard (§24-35) and rear yard (§24-36). R4 zoning district.  
Community Board #8Q  
Examiner: Rory Levy (212) 788-8749  
Status: Adjourned, Continued Hearing – 1/11/11 |
| 10. | **68-10-BZ** | Eric Palatnik, P.C.  
**80-15 Lefferts Boulevard, Queens**  
Variance (§72-21) to allow a commercial building, contrary to use regulations (§22-00). R5 zoning district.  
Community Board #9Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 2/1/11 |
| 11. | **134-10-BZ** | Slater & Beckerman  
**107 Union Street, Brooklyn**  
Variance (§72-21) to allow a residential building, contrary to floor area (§43-12), height (§43-43), and use (§42-10) regulations. M1-1 zoning district.  
Community Board#6BK  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 1/11/11 |
### BZ – CONTINUED HEARINGS

| 12. | 151-10-BZ | Sheldon Lobel, P.C.  
224 West 35th Street, Manhattan  
Special Permit (§73-36) to legalize the operation of a physical culture establishment (Bamboo Garden Spa). M1-6 zoning district.  
Community Board#5M  
Examiner: Rory Levy (212) 788-8749  
Status: Withdrawn – 12/7/10 |
|---|---|---|
| 13. | 175-10-BZ | Sheldon Lobel, P.C.  
3400 Baychester Avenue, Bronx  
Special Permit (§11-411) for an Extension of Term of a previously approved Automotive Service Station (UG 16B) which expired on December 18, 2001; Extension of Time to obtain a certificate of occupancy which expired on September 21, 1994; Waiver of the Rules of Practice and Procedures. R4 zoning district.  
Community Board#12BX  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 1/11/11 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, DECEMBER 7, 2010**  
**1:30 P.M.**

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**BZ – NEW CASES**

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<thead>
<tr>
<th>Case No.</th>
<th>Case Description</th>
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| 14. 130-10-BZ | Sheldon Lobel, P.C.  
**1153 85th Street, Brooklyn**  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area (§23-141) and perimeter wall height (§23-631) regulations. R3X zoning district.  
**Community Board #10BK**  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 1/11/11|
| 15. 174-10-BZ | The Briarwood Organization, LLC  
**36-29 Bell Boulevard, Queens**  
Special Permit (§73-44) to allow for a reduction in parking for a mixed office and community facility building. R4/C2-2 zoning district.  
**Community Board #11Q**  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 1/25/11|
| 16. 181-10-BZ | Patrick W. Jones, P.C.  
**143/155 Roebling Street, aka 314/330 Metropolitan Avenue and 1/10 Hope Street, Brooklyn**  
Special Permit (§73-46) to waive parking for a proposed residential conversion of an existing building. M1-2/R6A (MX-8) zoning district.  
**Community Board #1BK**  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 1/25/11|

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, DECEMBER 14, 2010
### 10:00 A.M.

## SOC – DECISIONS

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</table>
| **1.** | **914-86-BZ** | Stuart A. Klein, Esq  
1-19 Eastern Parkway, Brooklyn  
Extension of Term of a previously granted Variance (§72-21) for the  
continued operation of a Physical Culture Establishment (Eastern  
Athletic) which expired on May 17, 2009; Extension of Time to obtain a  
Certificate of Occupancy which expired on November 12, 1998;  
Amendment to the interior layout and the hours of operation; Waiver of  
the Rules. R8X zoning district.  
Community Board #8BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Granted – 12/14/10 |
| **2.** | **175-05-BZ** | Eric Palatnik, P.C.  
18-24 Luquer Street, Brooklyn  
Extension of Time to Complete Construction of a previously approved  
Variance (§72-21) to construct a four-story multiple dwelling with  
accessory parking which expires on January 9, 2011. M1-1 zoning  
district.  
Community Board #16BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Deferred Decision – 1/25/11 |

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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, DECEMBER 14, 2010**  
**10:00 A.M.**

### SOC – CONTINUED HEARINGS

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| 3. | 66-90-BZ | Eric Palatnik, P.C.  
43-03 Astoria Boulevard, Queens  
Extension of Term for a UG16 Gasoline Service Station *(Mobil)* which expired on October 1, 2010. R5 zoning district.  
Community Board #1Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 1/25/11 |
| 4. | 315-90-BZ | Sheldon Lobel, P.C.  
82-06 Astoria Boulevard, Queens  
Community Board #3Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Closed, Decision – 1/25/11 |

### SOC – NEW CASES

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| 5. | 55-45-BZ | Walter C. Maffei, AIA  
51 Kingsland Avenue, Brooklyn  
Extension of Term *(§11-411)* for an existing Gasoline Service Station *(Spirit)* which expired on February 27, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on May 2, 2001; waiver of the rules. C2-4/R6B zoning district.  
Community Board #1BK  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 2/1/11 |

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

#### REGULAR MEETING

**TUESDAY MORNING, DECEMBER 14, 2010**

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**SOC – NEW CASES**

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| 6. | 245-49-BZ | Simons & Wright LLC  
**78-09 Springfield Boulevard, Queens**  
Amendment of previous approval to legalize the conversion of one residential unit to be used as an accessory residential management office and elimination of the term; waiver of the rules. R3-2 zoning district.  
Community Board #11Q  
Examiner: Carlo Costanza (212) 788-8739  
Status: Closed, Decision – 1/25/11 |
| 7. | 827-55-BZ | Eric Palatnik, P.C.  
**245-20 139th Avenue, Queens**  
Extension of Term (§11-411) for the continued operation of a Gasoline Service Station (*British Petroleum*) which expires on January 31, 2011. R3-2 zoning district.  
Community Board #13Q  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 1/25/11 |
| 8. | 758-84-BZ | David L. Businelli, R.A.  
**1444 Clove Road, Staten Island**  
Extension of Term of a variance (§72-21) to legalize a two-story and cellar commercial building contrary to use regulations. R3X zoning district.  
Community Board #1SI  
Examiner: Carlo Costanza (212) 788-8739  
Status: Continued Hearing – 1/25/11 |
| 9. | 93-00-BZ | The Law Office of Fredrick A. Becker  
**19 West 44th Street, Manhattan**  
Extension of Term of a Special Permit (§73-36) for the continued operation of a physical culture establishment (*New York Sports Club*) which expired on July 25, 2010. C6-4.5 (MID) zoning district.  
Community Board #3M  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 2/1/11 |

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# SOC – NEW CASES

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<thead>
<tr>
<th>Case</th>
<th>Applicant</th>
<th>Description</th>
<th>Location</th>
<th>Examiner</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.</td>
<td>128-00-BZ</td>
<td>Extension of Term of a Special Permit (ZR §73-36) for the continued operation of a physical culture establishment (<em>Equinox</em>) which expired on September 12, 2010. C5-5(LM) zoning district.</td>
<td>Rothkrug Rothkrug &amp; Spector, LLP 10/16 Wall Street, Manhattan</td>
<td>Henry Segovia</td>
<td>Continued Hearing – 1/25/11</td>
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## DISMISSAL CASES

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<tr>
<th>Case</th>
<th>Applicant</th>
<th>Description</th>
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<th>Examiner</th>
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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**
**REGULAR MEETING**
**TUESDAY MORNING, DECEMBER 14, 2010**
**10:00 A.M.**

## APPEALS – CONTINUED HEARINGS

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| 12. | 114-10-BZY & 115-10-BZY | Nikolaos Sellas  
26-58 & 26-60 30th Street, Queens  
Extension of time (§11-331) to complete construction of a major development commenced under the prior R6 zoning district. R6B zoning district  
Community Board #1Q  
Examiner: Toni Matias (212) 788-8752  
Status: Closed, Decision 1/11/11 |
| 13. | 125-10-A | Simons & Wright  
346 Ovington Avenue, Brooklyn  
Appeal challenging the interpretation of ZR §23-22 as it applies to the required density factor for existing buildings in an R5B zoning district.  
Community Board #10BK  
Examiner: Toni Matias (212) 788-8752  
Status: Adjourned, Continued Hearing – 1/25/11 |

## APPEALS – NEW CASES

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| 14. | 135-10-A | Zygmunt Staszewski  
107 Beach 216th Street, Queens  
Proposed enlargement of an existing single family home not fronting a legally mapped street, contrary to General City Law, Section 36. R4 zoning district.  
Community Board #14Q  
Examiner: Toni Matias (212) 788-8752  
Status: Granted – 12/14/10 |
### DISMISSAL CASES

<table>
<thead>
<tr>
<th>No.</th>
<th>Case Number</th>
<th>Description</th>
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</thead>
</table>
| 15. | 212-10-A    | NYC Board of Standards and Appeals  
Applicant: Marvin Mitzner  
96 Greenwich Street, Manhattan  
Dismissal for lack of Jurisdiction - Appeal of a determination by the Department of Buildings that an engineer's report violated Building Code Section 28.211.1. (False Statements). C6-9M Zoning District.  
Community Board #1M  
Examiner: Toni Matias (212) 788-8752  
Status: Dismissal Hearing – 1/11/11 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, DECEMBER 14, 2010**  
**1:30 P.M.**

### BZ – DECISIONS

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<tr>
<th>#</th>
<th>BZ</th>
<th>Applicant</th>
<th>Address</th>
<th>Variance Details</th>
<th>Community Board</th>
<th>Examiner: Ronald Rizzotti (212) 788-8781</th>
<th>Status:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>98-08-BZ</td>
<td>Gerald J. Caliendo</td>
<td>583 Franklin Avenue, Brooklyn</td>
<td>Variance (§72-21) to allow a four-story residential building containing four (4) dwelling units, contrary to use regulations (§42-00). M1-1 district.</td>
<td>#8BK</td>
<td>Deferred Decision – 1/11/11</td>
<td></td>
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<tr>
<td>2.</td>
<td>173-09-BZ</td>
<td>Law Offices of Howard Goldman LLC</td>
<td>845 Broadway, Brooklyn</td>
<td>Variance (§ZR 72-21) to allow for a four story mixed use building contrary to use regulations. (ZR §32-00, §42-00) C8-2 / M1-1 zoning districts.</td>
<td>#4BK</td>
<td>Granted – 12/14/10</td>
<td></td>
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<tr>
<td>3.</td>
<td>92-10-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>39 East 10th Street, Manhattan</td>
<td>Variance (§72-21) to allow for the construction of an elevator in an existing residential building, contrary to floor area, open space (§23-142) and court regulations (§§23-85, 23-87). R7-2 zoning district.</td>
<td>#2M</td>
<td>Granted – 12/14/10</td>
<td></td>
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<tr>
<td>4.</td>
<td>103-10-BZ</td>
<td>Law Office of Frederick A. Becker</td>
<td>1036 East 24th Street, Brooklyn</td>
<td>Special Permit (§73-622) for the enlargement and in-part legalization of an existing single family home contrary to floor area, open space (§23-141), side yard requirement (§23-461) and less than the required rear yard (§23-47). R2 zoning district.</td>
<td>#14BK</td>
<td>Granted – 12/14/10</td>
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<tr>
<td>5.</td>
<td>104-10-BZ</td>
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<tr>
<td></td>
<td>Moshe M. Friedman, P.E.</td>
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<td>5002 19th Avenue, aka 1880-1890 50th Street, Brooklyn</td>
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<td></td>
<td>Variance (§72-21) to permit the extension and conversion of an existing residential building to a synagogue and rectory, contrary to lot coverage and floor area (§24-11) front yard (§24-34), side yard (§24-35) and wall height and sky exposure plane (§24-521). R5 zoning district.</td>
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<td>Community Board #12BK</td>
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<td>Examiner: Rory Levy (212) 788-8749</td>
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<td>Status: Granted – 12/14/10</td>
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| 6. | 122-10-BZ  |
|    | Bryan Cave LLP |
|    | 163 West 78th Street, Manhattan |
|    | Variance (§72-21) to permit the rooftop addition for a community facility use (Rodeph Shalom School), contrary to maximum height regulations (§23-692). R8B zoning district. |
|    | Community Board #7M |
|    | Examiner: Rory Levy (212) 788-8749 |
|    | Status: Granted – 12/14/10 |
### BZ – CONTINUED HEARINGS

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| 7. | 277-07-BZ | Miele Associates, LLP  
**165-35 North Conduit Avenue, Queens**  
Variance (§72-21) for the development of a one-story automotive service station with accessory convenience store, contrary to §22-10.  
R3-1 zoning district  
**Community Board #12Q**  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Continued Hearing – 1/25/11 |
| 8. | 31-09-BZ | Eric Palatnik, PC  
**117-04 Sutphin Boulevard, Queens**  
Special Permit (§11-411, §11-412, §11-413) for re-instatement of previous variance, which expired on November 12, 1990; amendment for a change of use from a gasoline service station (UG16b) to automotive repair establishment and automotive sales (UG16b); enlargement of existing one story structure; and Waiver of the Rules.  
C2-2/R3-2 zoning district  
**Community Board #12Q**  
**Examiner:** Carlo Costanza (212) 788-8739  
**Status:** Closed, Decision – 1/25/10 |
| 9. | 43-10-BZ | Gerald J. Caliendo, R.A., AIA  
**23-70 Steinway Street, Queens**  
Special Permit (§73-244) to allow an eating and drinking establishment without restrictions and no limitation on entertainment and dancing.  
C2-2/R5 zoning district  
**Community Board #1Q**  
**Examiner:** Rory Levy (212) 788-8749  
**Status:** Closed, Decision – 1/25/11 |
| 10. | 55-10-BZ | Eric Palatnik, P.C.  
**40-22 Main Street, Queens**  
Special Permit (§73-44) to permit a reduction in required parking for an ambulatory or diagnostic treatment center.  
C4-2/C4-3 zoning districts.  
**Community Board #7Q**  
**Examiner:** Ronald Rizzotti (212) 788-8781  
**Status:** Closed, Decision – 2/8/11 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**
**REGULAR MEETING**
**TUESDAY AFTERNOON, DECEMBER 14, 2010**
**1:30 P.M.**

### BZ – CONTINUED HEARINGS

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| 11. | 101-10-BZ | Sheldon Lobel, P.C.  
**54 Crosby Street, Manhattan**  
Variance (§72-21) to allow a commercial use below the floor level of the second story, contrary to use (§42-14(D)(2)(b)). M1-5B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 2/15/11 |
| 12. | 107-10-BZ | Akerman Senterfitt  
12-24 149th Street, Queens  
Variance (§72-21) to allow for a community facility use (**Associazione Sacchese D’America**), contrary to side yard regulations (§24-35). R2 zoning district.  
Community Board #7Q  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Closed, Decision – 1/11/11 |
| 13. | 140/142/144/146-10-BZ/141/143/145/147-10-A | Rothkrug Rothkrug & Spector, LLP  
160, 170, 181, 191, Edinboro Road, Staten Island  
Variance (§72-21) to allow four single-family homes on a zoning lot that does not meet the minimum lot width requirements (§23-32), and waiver to the General City Law, Section 36, for development not fronting a mapped street. R1-2 (NA-1) zoning district.  
Community Board #2SI  
Examiner: Ronald Rizzotti (212) 788-8781  
Status: Continued Hearing – 1/25/11 |
| 14. | 178-10-BZ | Law Office of Fredrick A. Becker  
943 East 24th Street, Brooklyn  
Special Permit (§73-622) for the legalization and enlargement of a single family home, contrary to floor area and open space (§23-141); side yards (§23-461) and rear yard (§23-47) regulations. R2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 788-8757  
Status: Continued Hearing – 1/25/11 |
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| 15. | 179-10-BZ | Sheldon Lobel, P.C.  
**249 Duffield Street, Brooklyn**  
Special Permit (§73-36) to legalize the operation of a Physical Culture Establishment (*Planet Fitness*). C6-4 zoning district.  
**Community Board #2BK**  
**Examiner: Rory Levy (212) 788-8749**  
**Status: Closed, Decision – 1/11/11** |
|---|---|---|
| 16. | 182-10-BZ | Law Office of Fredrick A. Becker  
**1082 East 23rd Street, Brooklyn**  
Special Permit (§73-622) for the enlargement of a single family home, contrary to floor area and open space (§23-141); side yard (§23-461) and rear yard (§23-47) regulations. R2 zoning district.  
**Community Board #14BK**  
**Examiner: Henry Segovia (212) 788-8757**  
**Status: Continued Hearing – 1/25/11** |
| 17. | 190-10-BZ | Sheldon Lobel, P.C.  
**250-10 Grand Central Parkway, Queens**  
Variance (§72-21) to permit the addition of a third floor to an existing two-story school building (*Yeshiva Har Torah*), contrary to rear yard (§24-36) and setback (§24-551) regulations. R3-2 zoning district.  
**Community Board #13Q**  
**Examiner: Rory Levy (212) 788-8749**  
**Status: Granted – 12/14/10** |

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<td>18.</td>
<td><strong>45-10-BZ</strong> Sheldon Lobel, PC&lt;br&gt;1413-1429 Edward L. Grant Highway, Bronx&lt;br&gt;Special Permit (§11-411 and §11-412) for the reinstatement of a Variance for the continued operation of a gasoline service station (Getty) which expired on June 23, 1986; Amendment to increase the size of the auto laundry; Extension of Time to obtain a Certificate of Occupancy. C1-4/R7-1 zoning district. Community Board #4BX&lt;br&gt;Examiner: Carlo Costanza (212) 788-8739&lt;br&gt;Status: Continued Hearing – 2/1/11</td>
</tr>
<tr>
<td>19.</td>
<td><strong>128-10-BZ</strong> Eric Palatnik, P.C.&lt;br&gt;147-58 77th Road, Queens&lt;br&gt;Variance (§72-21) to permit proposed synagogue, religious school and Rabbi's residence (Jewish Center of Kew Gardens) contrary to floor area and lot coverage (§24-11), height, setback and sky exposure plane (§24-521), front yard (§24-34), side yards (§24-35), side setback (§24-551), and minimum distance between windows (§24-672 and §23-863). R4 zoning district. Community Board #8Q&lt;br&gt;Examiner: Rory Levy (212) 788-8749&lt;br&gt;Status: Continued Hearing – 2/15/11</td>
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<tr>
<td>20.</td>
<td><strong>183-10-BZ</strong> Rothkrug, Rothkrug &amp; Spector LLP&lt;br&gt;873 Belmont Avenue, aka 240 Milford Street, Brooklyn&lt;br&gt;Variance (§72-21) for the construction of a detached two-story, two family residence, contrary to front yard (§23-45) and side yard requirements (§23-461). R5 zoning district. Community Board #5BK&lt;br&gt;Examiner: Henry Segovia (212) 788-8757&lt;br&gt;Status: Continued Hearing – 2/1/11</td>
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