# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, JANUARY 8, 2013
#### 10:00 A.M.

## SOC – DECISIONS

<p>| | | |</p>
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</table>
| 1. | 743-59-BZ | Peter Hirshman  
30 Park Avenue, Manhattan  
Extension of Term of a previously approved variance (Section 7e 1916 zoning resolution and MDL Section 60 (1d)), which permitted 20 attended transient parking spaces, which expired on June 14, 2011; Waiver of the Rules. R10/R9X zoning district.  
Community Board #6M  
Examiner: Carlo Costanza (212) 386-0068  
Status: Granted – 1/8/13 |
| 2. | 165-91-BZ | Law Offices of Stuart A. Klein  
45 Williamsburg Street West, aka 32-46 Hooper Street, Brooklyn  
Extension of Term of approved Special Permit (§73-19) which permitted the construction and operation of a school (UG 3) which expires on September 15, 2012. M1-2 zoning district.  
Community Board #1BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 1/8/13 |
| 3. | 107-06-BZ | Rothkrug Rothkrug & Spector LLP  
140 East 63rd Street, Manhattan  
Amendment to previously granted Special Permit (§73-36) for the increase (693 square feet) of floor area of an existing Physical Culture Establishment (Equinox). C10-8X/R8B zoning district.  
Community Board #8M  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 1/8/13 |

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<th>SOC – CONTINUED HEARINGS</th>
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<tr>
<td><strong>4.</strong> 39-65-BZ</td>
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<tr>
<td>Eric Palatnik, P.C.</td>
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<tr>
<td>2701-2711 Knapp Street and 3124-3146 Voohries Avenue, Brooklyn</td>
</tr>
<tr>
<td>Amendment of a previously-approved variance (§72-01) to convert repair bays to an accessory convenience store at a gasoline service station (Sunoco); Extension of Time to obtain a Certificate of Occupancy, which expired on January 11, 2000; and Waiver of the Rules. C3 zoning district.</td>
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<tr>
<td>Community Board #15BK</td>
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<tr>
<td>Examiner: Henry Segovia (212) 386-0074</td>
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<tr>
<td>Status: Closed, Decision – 2/5/13</td>
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<tr>
<td><strong>5.</strong> 548-69-BZ</td>
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<tr>
<td>Eric Palatnik, P.C.</td>
</tr>
<tr>
<td>107-10 Astoria Boulevard, Queens</td>
</tr>
<tr>
<td>Extension of Term for a previously granted variance for the continued operation of a gasoline service station (BP North America) which expired on May 25, 2011; Waiver of the Rules. R3-2 zoning district</td>
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<tr>
<td>Community Board #3Q</td>
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<tr>
<td>Examiner: Henry Segovia (212) 386-0074</td>
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<tr>
<td>Status: Closed, Decision – 1/29/13</td>
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<tr>
<td><strong>6.</strong> 982-83-BZ</td>
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<tr>
<td>Rothkrug Rothkrug &amp; Spector, LLP</td>
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<tr>
<td>191-20 Northern Boulevard, Queens</td>
</tr>
<tr>
<td>Extension of Time to obtain a Certificate of Occupancy of a previously granted variance for the continued operation of retail and office use (UG 6) which expired on July 19, 2012. R3-2 zoning district.</td>
</tr>
<tr>
<td>Community Board #11Q</td>
</tr>
<tr>
<td>Examiner: Henry Segovia (212) 386-0074</td>
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<tr>
<td>Status: Adjourned, Continued Hearing – 2/5/13</td>
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<tr>
<td><strong>7.</strong> 68-91-BZ</td>
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<tr>
<td>Sheldon Lobel, P.C.</td>
</tr>
<tr>
<td>223-15 Union Turnpike, Queens</td>
</tr>
<tr>
<td>Extension of Term (§11-411) of an approved variance which permitted the operation of an automotive service station (UG 16B) with accessory uses, which expired on May 19, 2012; Amendment §11-412) to permit the legalization of certain minor interior partition changes and a request to permit automotive repair services on Sundays; Waiver of the Rules. R5D/C1-2 &amp; R2A zoning district.</td>
</tr>
<tr>
<td>Community Board #11Q</td>
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<tr>
<td>Examiner: Carlo Costanza (212) 386-0068</td>
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<td>Status: Continued Hearing – 2/12/13</td>
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**REGULAR MEETING**  
**TUESDAY MORNING, JANUARY 8, 2013**  
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## SOC – CONTINUED HEARINGS

| 8. | 85-91-BZ | Carl A. Sulfaro, Esq.  
204-18 46th Avenue, Queens  
Extension of Term (§11-411) of a previously granted variance for a veterinarian’s office, accessory dog kennels and a caretaker’s apartment which expired on July 21, 2012; amendment to permit a change to the hours of operation and accessory signage. R3-1 zoning district.  
Community Board #11Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Closed, Decision – 2/5/13 |
|---|---|---|
| 9. | 189-03-BZ | Eric Palatnik, P.C.  
836 East 233rd Street, Bronx  
Extension of Term of a previously granted special permit (§73-211) for the continued operation of an automotive service station (Shell) with an accessory convenience store (UG 16B) which expires on October 21, 2013; Extension of Time to obtain a Certificate of Occupancy which expired on October 21, 2008; Waiver of the Rules. C2-2/R-5 zoning district.  
Community Board #12BX  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 2/12/13 |
| 10. | 197-08-BZ | Stuart Klein, Esq.  
341-349 Troy Avenue, aka 1515 Carroll Street, Brooklyn  
Amendment to an approved variance (§72-21) to permit a four-story and penthouse residential building, contrary to floor area and open space (§23-141), units (§23-22), front yard (§23-45), side yard (§23-462), and height (§23-631). Amendment seeks to reduce the number of units and parking and increase the size of the rooftop mechanical equipment. R4 zoning district.  
Community Board #9BK  
Examiner: Rory Levy (212) 386-0082  
Status: Adjourned, Continued Hearing – 2/26/13 |
## SOC – NEW CASES

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| 11. | **410-68-BZ** | Eric Palatnik, P.C.  
**85-05 Astoria Boulevard, Queens**  
Extension of Term (§11-411) of approved variance which permitted the operation of (UG16B) automotive service station (Citgo) with accessory uses, which expired on November 26, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on January 11, 2008; Waiver of the Rules.  R3-2 zoning district.  
**Community Board #3Q**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Continued Hearing – 2/26/13 |
| 12. | **136-06-BZ** | Law Office of Fredrick A. Becker  
**11-15 Old Fulton Street, Brooklyn**  
Extension of Time to complete construction of a previously approved variance (§72-21) which permitted the residential conversion and one-story enlargement of three, four-story buildings.  M2-1 zoning district.  
**Community Board #2BK**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Closed, Decision – 1/29/13 |
| 13. | **208-08-BZ** | Law Office of Fredrick A. Becker  
**2117-2123 Avenue M, Brooklyn**  
Extension of Time to Complete Construction of an approved special permit (§73-622) to permit the enlargement of an existing single family residence which expired on October 28, 2012.  R2 zoning district.  
**Community Board #14BK**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Closed, Decision – 1/29/13 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
TUESDAY MORNING, JANUARY 8, 2013
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#### APPEALS – DECISIONS

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| 14. | 95-12-A, 96-12-A | Fried Frank, 2284 12th Avenue, Manhattan | Department of Buildings regarding right to maintain existing advertising sign. M1-2 zoning district. Community Board #9M | Examiner: Toni Matias (212) 386-0085  
Status: Granted – 1/8/13 |
| 15. | 99-12-A, 100-12-A | Fried Frank, 393 Canal Street, Manhattan | Department of Buildings regarding right to maintain existing advertising signs. M1-5B zoning district. Community Board #2M | Examiner: Toni Matias (212) 386-0085  
Status: Withdrawn – 1/8/13 (Cal. #99-12-A)  
Denied – 1/8/13 (Cal. #100-12-A) |
| 16. | 101-12-A | Fried Frank, 13-17 Laight Street, Manhattan | Department of Buildings regarding right to maintain existing advertising sign. M1-5 zoning district. Community Board #1M | Examiner: Toni Matias (212) 386-0085  
Status: Denied – 1/8/13 |
### APPEALS – CONTINUED HEARINGS

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<tr>
<th>Case No.</th>
<th>Address</th>
<th>Applicant</th>
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<th>Examiner</th>
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<tbody>
<tr>
<td>17. 89-07-A</td>
<td>Thornycroft Avenue, Staten Island</td>
<td>Eric Palatnik, P.C.</td>
<td>Proposal to build three two-family and one one-family homes located within the bed of a mapped street (Thornycroft Avenue), contrary to Section 35 of the General City Law. R3-2 Zoning district.</td>
<td>Community Board #3SI</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 2/26/13</td>
</tr>
<tr>
<td>18. 103-12-A</td>
<td>Adelphi Street, Brooklyn</td>
<td>Sheldon Lobel, P.C.</td>
<td>Appeal seeking a common law vested right to continue development commenced under the prior R6 zoning district. R5B zoning district.</td>
<td>Community Board #2BK</td>
<td>Toni Matias (212) 386-0085</td>
<td>Closed, Decision – 2/12/13</td>
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<tr>
<td>19. 255-84-A</td>
<td>Reid Avenue, Queens</td>
<td>Gary Lenhart, R.A.</td>
<td>Proposed enlargement of a community center (Administration Security Building) located partially in the bed of the mapped Rockaway Point Blvd, contrary to Article 35 of the General City Law. R4 zoning district.</td>
<td>Community Board #14Q</td>
<td>Toni Matias (212) 386-0085</td>
<td>Granted – 1/8/13</td>
</tr>
<tr>
<td>20. 213-12-A</td>
<td>Beach 184th Street, Queens</td>
<td>Gary Lenhart, R.A.</td>
<td>Proposed reconstruction and enlargement of existing single family dwelling located partially within the bed of the mapped street, contrary to Section 35 of the General City Law. R4 zoning district.</td>
<td>Community Board #14Q</td>
<td>Toni Matias (212) 386-0085</td>
<td>Granted – 1/8/13</td>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

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**TUESDAY MORNING, JANUARY 8, 2013**

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<th>Community Board #14Q</th>
<th>Examiner:</th>
<th>Status:</th>
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<tbody>
<tr>
<td>21.</td>
<td>239-12-A</td>
<td>Gary Lenhart, R.A.</td>
<td>38 Irving Walk, Queens</td>
<td>Proposed reconstruction and enlargement of existing single family dwelling not fronting a mapped street, contrary to Section 36 of the General City Law. The proposed upgrade of the existing non-conforming private disposal system located partially in the bed of the Service Road, contrary to Building Department policy. R4 zoning district.</td>
<td>Examiner: Toni Matias (212) 386-0085</td>
<td>Granted – 1/8/13</td>
<td></td>
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<tr>
<td>22.</td>
<td>240-12-A</td>
<td>Gary Lenhart, R.A.</td>
<td>217 Oceanside Avenue, Queens</td>
<td>Proposed reconstruction and enlargement of existing single family dwelling located partially in the bed of the mapped street, contrary to Section 35 of the General City Law. The proposed upgrade of the existing non-conforming private disposal system in the bed of the mapped street is contrary to Article 3 of the General City Law. R4 zoning district.</td>
<td>Examiner: Toni Matias (212) 386-0085</td>
<td>Granted – 1/8/13</td>
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# BZ – DECISIONS

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| 1. | **12-12-BZ & 110-12-A** | Greenberg Traurig, LLP  
**100 Varick Street, Manhattan**  
Variance (§72-21) for a new residential building with ground floor retail, contrary to use (§42-10) and height and setback (§§43-43 & 44-43) regulations.  
Variance to §§26(7) and 30 of the Multiple Dwelling Law (pursuant to §310) to facilitate the new building, contrary to court regulations.  
**M1-6 zoning district.**  
**Community Board #2M**  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Deferred Decision – 2/5/13 (Cal. #12-12-BZ)  
Withdrawn – 1/8/13 (Cal. #110-12-A) |
| 2. | **73-12-BZ** | Jeffrey Chester, Esq.  
**41-19 Bell Boulevard, Queens**  
Application for a special permit to legalize an existing physical culture establishment (*Lucille Roberts*).  
**C2-2 zoning district.**  
**Community Board #11Q**  
**Examiner:** Rory Levy (212) 386-0082  
**Status:** Granted – 1/8/13 |
| 3. | **156-12-BZ** | Sheldon Lobel, P.C.  
**816 Washington Avenue, Brooklyn**  
Variance (§72-21) to permit construction of a mixed-use residential building with ground floor commercial use, contrary to minimum inner court dimensions (§23-851).  
**C1-4/R7A zoning district.**  
**Community Board #8BK**  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Granted – 1/8/13 |
| 4. | **189-12-BZ** | Kramer Levin Naftalis & Frankel, LLP  
**98 Montague Street, Brooklyn**  
Variance (§72-21) to permit the conversion of an existing building into a transient hotel (UG 5), contrary to use regulations (§22-00).  
**C1-3/R7-1, R6 zoning districts.**  
**Community Board #2BK**  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Granted – 1/8/13 |

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| 5. | **200-12-BZ** | Sheldon Lobel, P.C.  
154 Hester Street, Manhattan  
Variance (§72-21) to permit the enlargement of UG4 house of worship (The Overseas Chinese Mission), contrary floor area (§109-121), lot coverage (§109-122) and enlargement of non-complying building (§54-31).  
C6-2 zoning district.  
Community Board #2M  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 1/8/13 |
| 6. | **209-12-BZ** | The Law Offices of Stuart Klein  
910 Manhattan Avenue, Brooklyn  
Special Permit (§73-36) to permit the operation of a physical culture establishment.  
C4-3A zoning district.  
Community Board #1BK  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 1/8/13 |
| 7. | **212-12-BZ** | Gerald J. Caliendo, R.A., AIA,  
38-03 Bell Boulevard, Queens  
Special Permit (§73-36) to permit a physical culture establishment (Massage Envy) in the cellar and first floor of the existing commercial building.  
C2-2/R6B zoning district.  
Community Board #11Q  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 1/8/13 |
| 8. | **241-12-BZ** | Greenberg Traurig, LLP  
8-12 Bond Street aka 358-364 Lafayette Street, Manhattan  
Variance (§72-21) to permit the construction of a new mixed residential and retail building, contrary to use regulations (§42-10 and 42-14D(2)(b)).  
M1-5B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Deferred Decision – 2/5/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

**TUESDAY AFTERNOON, JANUARY 8, 2013**

**1:30 P.M.**

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## BZ – DECISIONS

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</table>
| 9 | 258-12-BZ | Holland & Knight, LLP  
**113 East 90th Street, Manhattan**  
Variance (§72-21) to permit the conversion of two buildings into a single-family residence, contrary to lot coverage, minimum distance between buildings and minimum distance of legally required windows. R8B zoning district.  
Community Board #8M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 1/8/13 |
| 10 | 276-12-BZ | Rothkrug Rothkrug & Spector LLP  
**833/45 Flatbush Avenue aka 2/12 Linden Boulevard, Brooklyn**  
Special Permit (§73-36) to permit a physical culture establishment (*Blink*) within portions of an existing commercial building. C2-4 zoning district.  
Community Board #14BK  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 1/8/13 |

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</table>
| 11. | 147-11-BZ | Sheldon Lobel, P.C.  
**24-47 95th Street, Queens**  
Variance (§72-21) to permit the construction of a single-family, semi-detached residence, contrary to floor area (§23-141) and side yard (§23-461) regulations. R3-2 zoning district.  
**Community Board #3Q**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Closed, Decision – 2/5/13**|
| 12. | 157-11-BZ | Sheldon Lobel, P.C.  
**1968 Second Avenue, Manhattan**  
Variance (§72-21) to allow for the legalization of an existing supermarket, contrary to rear yard (§33-261) and loading berth (§36-683) requirements. C1-5/R8A and R7A zoning districts.  
**Community Board #11M**  
**Examiner: Ronald Rizzotti (212) 386-0081**  
**Status: Closed, Decision – 2/26/13**|
| 13. | 55-12-BZ | Eric Palatnik, P.C.  
**762 Wythe Avenue, Brooklyn**  
Special Permit (§73-19) to permit the legalization of an existing Use Group 3 religious-based, non-profit school (*Kollel L’Horvah*), contrary to use regulations (§42-00). M1-2 zoning district.  
**Community Board #1BK**  
**Examiner: Rory Levy (212) 386-0082**  
**Status: Continued Hearing – 2/12/13**|
| 14. | 63-12-BZ | Sheldon Lobel, P.C.  
**2701 Avenue N, Brooklyn**  
Variance (§72-21) to permit the construction of a Use Group 4A House of Worship (*Khal Bnei Avrohom Yaakov*), which is contrary to floor area (24-11), lot coverage, front yard (24-34), side yard (24-35a) parking (25-31), height (24-521), and setback requirements. R2 zoning district.  
**Community Board #14BK**  
**Examiner: Rory Levy (212) 386-0082**  
**Status: Continued Hearing – 2/26/13**|

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<tr>
<td>15.</td>
<td>72-12-BZ</td>
<td>Watchtel Masyr &amp; Missry, LLP 213-223 Flatbush Avenue, Brooklyn</td>
<td>Variance (§72-21) to allow for the construction of a new mixed use building, contrary to off-street parking (§25-23), floor area, open space, lot coverage (§23-145), maximum base height and maximum building height (§23-633) regulations. R7A/C2-4 and R6B zoning districts.</td>
<td>#6BK</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Adjourned, Continued Hearing – 4/9/13</td>
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<tr>
<td>16.</td>
<td>82-12-BZ</td>
<td>Law Office of Fredrick A. Becker 2011 East 22nd Street, Brooklyn</td>
<td>Special Permit (§73-622) for the enlargement of an existing single family semi-detached home, contrary to floor area, open space and lot coverage (§23-141); side yards (§23-461); perimeter wall height (§23-631) and less than the required rear yard (§23-47). R3-2 zoning district.</td>
<td>#15BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Continued Hearing – 2/12/13</td>
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<td>17.</td>
<td>115-12-BZ</td>
<td>Sheldon Lobel, P.C. 701/745 64th Street, Brooklyn</td>
<td>Special Permit (§73-44) to allow for a reduction in parking from 331 to 221 spaces in an existing building proposed to be used for ambulatory diagnostic or treatment facilities in Use Group 6 parking category B1. C4-2A zoning district.</td>
<td>#4BK</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Closed, Decision – 1/29/13</td>
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<tr>
<td>18.</td>
<td>235-12-BZ</td>
<td>Slater &amp; Beckerman, LLP 2771 Knapp Street, Brooklyn</td>
<td>Special Permit (§73-242) to allow a one-story building to be used as four eating and drinking establishments (Use Group 6), contrary to use regulations (§32-00). C3 zoning district.</td>
<td>#15BK</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Continued Hearing – 2/5/13</td>
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</tr>
</thead>
</table>
| 19. 1-12-BZ | Law Office of Fredrick A. Becker  
434 Sixth Avenue, Manhattan  
Special Permit (§73-36) for the operation of a physical culture establishment (Moksha Yoga) on the second floor of a six-story commercial building. C4-5 zoning district.  
Community Board #2M  
Examiner: Rory Levy (212) 386-0082  
Status: Continued Hearing – 2/12/13 |
| 20. 261-12-BZ | Sheldon Lobel, P.C.  
1 York Street, Manhattan  
Special Permit (§73-36) for the operation of a physical culture establishment (Barry's Bootcamp) on the first and cellar floors of existing building. C6-2A (TMU) zoning district.  
Community Board #1M  
Examiner: Rory Levy (212) 386-0082  
Status: Continued Hearing – 2/12/13 |
| 21. 280-12-BZ | Law Office of Fredrick A. Becker  
1249 East 28th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 2/5/13 |
| 22. 298-12-BZ | Kramer Levin Naftalis & Frankel LLP  
726-730 Broadway, Manhattan  
Variance (§72-21) to permit the conversion of nine floors of an existing ten-story building to Use Group 3 college or university use (New York University), contrary to use regulations. M1-5B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 2/12/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

**TUESDAY MORNING, JANUARY 15, 2013**

**10:00 A.M.**

## SOC – DECISIONS

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</table>
| 1. | 812-61-BZ | Peter Hirshman  
74-82 Park Avenue, Manhattan  
Extension of Term (§11-411) of approved variance permitting the use of accessory multiple dwelling garage for transient parking, which expires on October 24, 2012. R10, R8B zoning district.  
Community Board #6M  
Examiner: Carlo Costanza (212) 386-0068  
Status: Granted – 1/15/13 |
| 2. | 135-01-BZ | Rothkrug Rothkrug & Spector, LLP  
1815/17 86th Street, Brooklyn  
Extension of Term (§11-411) of an approved variance which permitted a high speed auto laundry (UG 16B) which expired on October 30, 2011; Extension of Time to obtain a Certificate of Occupancy which expired on October 30, 2002; Waiver of the Rules. C1-2(R5) zoning district.  
Community Board #11BK  
Examiner: Carlo Costanza (212) 386-0068  
Status: Granted – 1/15/13 |
### SOC – CONTINUED HEARINGS

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**43-60 Ditmars Boulevard, Queens**  
Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (*Matrix Fitness Club*) which expired on March 6, 2011; Amendment for an increase in floor area at the cellar level; waiver of the Rules. M-1 zoning district.  
**Community Board #1Q**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Closed, Decision – 2/12/13** |
| 4. | 141-06-BZ | Eric Palatnik, P.C.  
**2084 60th Street, Brooklyn**  
Extension of Time to complete construction of a previously approved variance (§72-21) permitting the construction of a three-story synagogue (*Congregation Tefiloh Ledyovd*) which expired on June 19, 2011; Waiver of the Rules. R5 zoning district.  
**Community Board #12BK**  
**Examiner: Rory Levy (212) 386-0082**  
**Status: Continued Hearing – 2/12/13** |
**SOC – NEW CASES**

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| 5. | **551-37-BZ** | Eric Palatnik, P.C.  
**233-02 Northern Boulevard, Queens**  
Extension of Term (§11-411) of approved variance for the continued operation of an automobile repair shop (*Red’s Auto Repair*) which expired on July 15, 2012; Waiver of the Rules.  R1-2 zoning district.  
Community Board #11Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 2/12/13 |
| 6. | **18-02-BZ** | Rothkrug Rothkrug & Spector, LLP  
**8610 Flatlands Avenue, Brooklyn**  
Extension of Term (§11-411) of an approved variance for the continued operation of an automotive laundry (UG 16B) which expired on August 13, 2012.  C2-3/R5D zoning district.  
Community Board #18BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 2/12/13 |
## APPEALS – DECISIONS

<table>
<thead>
<tr>
<th>#</th>
<th>Case Number</th>
<th>Law Firm</th>
<th>Address</th>
<th>Action Description</th>
<th>Community Board</th>
<th>Examiner Phone</th>
<th>Status</th>
<th>Date</th>
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<tbody>
<tr>
<td>7.</td>
<td>85-12-A</td>
<td>Fried Frank</td>
<td>50 East 153rd Street, Bronx</td>
<td>Appeal from determination of the Department of Buildings regarding right to maintain existing advertising signs. M1-1 zoning district</td>
<td>#4BX</td>
<td>(212) 386-0085</td>
<td>Denied – 1/15/13</td>
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<tr>
<td>8.</td>
<td>90-12-A</td>
<td>Fried Frank</td>
<td>111 Varick Street, Manhattan</td>
<td>Appeal from determination of the Department of Buildings regarding right to maintain existing advertising signs. M1-6 zoning district</td>
<td>#2M</td>
<td>(212) 386-0085</td>
<td>Denied – 1/15/13</td>
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<tr>
<td>9.</td>
<td>142-12-A</td>
<td>Sheldon Lobel, P.C.</td>
<td>24-02 89th Street, Queens</td>
<td>Amendment of a previously approved (BSA Cal No. 187-99-A) waiver of the General City Law Section 35 which permitted the construction of a two family dwelling in the bed of a mapped street (24th Avenue). The amendment seeks to construct a community facility building. R3-2 zoning district.</td>
<td>#3Q</td>
<td>(212) 386-0085</td>
<td>Granted – 1/15/13</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>145-12-A</td>
<td>Law Offices of Marvin Mitzner LLC</td>
<td>339 West 29th Street, Manhattan</td>
<td>Appeal of the Multiple Dwelling Law pursuant to §310 to allow the enlargement to a five-story building, contrary to §171(2)(f). Appeal challenging the determination of the Department of Buildings requiring the owner to obtain approval from the Landmarks Preservation Commission, prior to reinstatement and amendments of the permits. R8B zoning district.</td>
<td>#4M</td>
<td>(212) 386-0085</td>
<td>Deferred Decision – 2/12/13</td>
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</table>

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<tbody>
<tr>
<td>11.</td>
<td>45-03-A thru 62-03-A &amp; 64-03-A&lt;br&gt;Joseph Loccisano, P.C.&lt;br&gt;Hall Avenue, Staten Island&lt;br&gt;Proposed construction of a single-family dwelling which is not fronting on a legally mapped street and is located within the bed of a mapped street, contrary to Sections 35 and 36 of the General City Law. R3-1 zoning district.&lt;br&gt;Community Board #2SI&lt;br&gt;Examiner: Toni Matias (212) 386-0085&lt;br&gt;Status: Closed, Decision – 1/29/13</td>
</tr>
<tr>
<td>12.</td>
<td>144-12-A&lt;br&gt;Law Offices of Marvin Mitzner LLC&lt;br&gt;339 West 29th Street, Manhattan&lt;br&gt;Appeal of the Multiple Dwelling Law pursuant to §310 to allow the enlargement to a five-story building, contrary to §171(2)(f).&lt;br&gt;Appeal challenging the determination of the Department of Buildings requiring the owner to obtain approval from the Landmarks Preservation Commission, prior to reinstatement and amendments of the permits. R8B zoning district.&lt;br&gt;Community Board #4M&lt;br&gt;Examiner: Toni Matias (212) 386-0085&lt;br&gt;Status: Adjourned, Continued Hearing – 2/12/13</td>
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### APPEALS – NEW CASES

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<tr>
<td>13.</td>
<td>208-12-A&lt;br&gt;216-12-A thru 232-12-A&lt;br&gt;Rothkrug Rothkrug &amp; Spector, LLP&lt;br&gt;McGee Lane, Staten Island&lt;br&gt;Proposed construction of eighteen (18) single family homes that do not front on a legally mapped street, contrary to General City Law Section 36, R3A Zoning District.&lt;br&gt;Community Board #1SI&lt;br&gt;Examiner: Toni Matias (212) 386-0085&lt;br&gt;Status: Closed, Decision – 1/29/13</td>
</tr>
</tbody>
</table>
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY AFTERNOON, JANUARY 15, 2013
1:30 P.M.

### BZ – DECISIONS

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</table>
| **1.** | **113-11-BZ** | Slater & Beckerman, LLP  
**66 Van Cortlandt Park South, Bronx**  
Variance (§72-21) to permit a proposed enlargement of a Use Group 3 nursing home (St. Patricks Home for the Aged and Infirm) contrary to rear yard equivalent requirements (§24-382). R7-1 zoning district.  
Community Board #8BX  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 1/15/13 |
| **2.** | **190-11-BZ** | Sheldon Lobel, P.C.  
**1197 Bryant Avenue, Bronx**  
Variance (§72-21) to legalize Use Group 6 retail stores, contrary to use regulations (§22-10). R7-1 zoning district.  
Community Board #3BX  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 1/15/13 |
| **3.** | **30-12-BZ** | Eric Palatnik, P.C.  
**142-41 Roosevelt Avenue, Queens**  
Special Permit (§73-49) to permit accessory parking on the roof of an existing one-story supermarket, contrary to §36-11. R6/C2-2 zoning district.  
Community Board #7Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Denied – 1/15/13 |
| **4.** | **43-12-BZ** | Wachtel & Masyr, LLP  
**25 Great Jones Street, Manhattan**  
Variance (§72-21) to permit a residential building, contrary to use regulations (§42-00). M1-5B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Deferred Decision – 2/5/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, JANUARY 15, 2013
1:30 P.M.

## BZ – DECISIONS

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</table>
| 5. | **244-12-BZ** | Watchel, Masyr & Missry LLP  
600 Washington Street, Manhattan  
Special Permit (§73-36) to allow a physical culture establishment (Gotham Gym). M1-5 zoning district.  
Community Board #2M | Examiner: Rory Levy (212) 386-0082  
Status: Granted – 1/15/13 |
| 6. | **249-12-BZ** | Lewis E. Garfinkel  
1320 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); side yards (§23-461(a)) and rear yard (§23-47) regulations. R-2 zoning district.  
Community Board #14BK | Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 1/15/13 |
| 7. | **260-12-BZ** | John M. Marmora, Esq.  
114-01 Sutphin Boulevard, Queens  
Special Permit (§73-243) to permit an accessory drive-through facility to an eating and drinking establishment (McDonald's) within the portion of the lot located in a C1-3/R5D zoning district contrary to §§32-15 & 32-32 as well as a Special Permit (§73-52) to extend the commercial use by 25' into the R3A portion of the lot contrary to § 22-10.  
Community Board #12Q | Examiner: Carlo Costanza (212) 386-0068  
Status: Granted – 1/15/13 |
| 8. | **278-12-BZ** | John M. Marmora, Esq.  
3143 Atlantic Avenue, Brooklyn  
Special Permit (§73-52) to extend by 25'-0” a commercial use into a residential zoning district to permit the development of a proposed eating and drinking establishment (McDonald’s) with accessory drive thru. C8-2 and R5 zoning district.  
Community Board #5BK | Examiner: Carlo Costanza (212) 386-0068  
Status: Granted – 1/15/13 |

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NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY AFTERNOON, JANUARY 15, 2013  
1:30 P.M.

|   | 283-12-BZ | Sheldon Lobel, P.C.  
|   |   | 440 Broadway, Manhattan  
|   |   | Variance (§72-21) to permit a UG 6 retail use on the first floor and cellar of the existing building, contrary to Section 42-14D(2)(b). M1-5B zoning district.  
|   |   | Community Board #2M  
|   | Examiner: Ronald Rizzotti (212) 386-0081  
|   | Status: Granted – 1/15/13  

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## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY AFTERNOON, JANUARY 15, 2013
1:30 P.M.

## BZ – CONTINUED HEARINGS

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| **10.** | **16-12-BZ** | Eric Palatnik, P.C.  
**184 Nostrand Avenue, Brooklyn**  
Special Permit (§73-19) to allow for a school (Congregation Adas Yereim) contrary to use regulations (§42-00). M1-2 zoning district.  
Community Board #4BK  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Continued Hearing – 2/12/13 |
| **11.** | **56-12-BZ** | Eric Palatnik, P.C.  
**168 Norfolk 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 yard (§23-461); and rear yard (§23-47) regulations. R3-1 zoning district.  
Community Board #4BK  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Adjourned, Continued Hearing – 2/12/13 |
| **12.** | **57-12-BZ** | Eric Palatnik, P.C.  
**2670 East 12th 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); side yards (§23-461); less than the required rear yard (§23-37). R4 zoning district.  
Community Board #15BK  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Continued Hearing – 2/5/13 |
| **13.** | **67-12-BZ** | Sheldon Lobel, P.C.  
**1442 First Avenue, Manhattan**  
Variance (§72-21) to allow for the extension of an eating and drinking establishment to the second floor, contrary to use regulations (§32-421). C1-9 zoning district.  
Community Board #8M  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Adjourned, Continued Hearing – 2/12/13 |
### BZ – CONTINUED HEARINGS

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<tr>
<th>Case</th>
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</table>
| 14.  | 75-12-BZ    | Sheldon Lobel, P.C.  
547 Broadway, Manhattan  
Variance (§72-21) to permit the legalization of retail use (UG 6) on the first floor and expand the use into the cellar and sub-cellar, contrary to use regulations (§42-14 (D)(2)(b)). M1-5B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 2/12/13 |
| 15.  | 195-12-BZ   | Law Office of Eduardo J. Diaz  
108-15 Cross Bay Boulevard, Queens  
Re-instatement (§11-411) of a previously approved variance which allowed a two-story office building (UG6) and four parking spaces, which expired on May 13, 2000. Waiver of the Rules. R4 zoning district.  
Community Board #10BK  
Examiner: Carlo Costanza (212) 386-0068  
Status: Adjourned, Continued Hearing – 2/5/13 |
| 16.  | 275-12-BZ   | Law Office of Fredrick A. Becker  
2122 Avenue N, 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 yard (§23-461) regulations. R2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 2/5/13 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
### TUESDAY AFTERNOON, JANUARY 15, 2013
### 1:30 P.M.

### BZ – NEW CASES

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<td>242-12-BZ</td>
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<tr>
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<td>Sheldon Lobel, P.C.</td>
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<td><strong>1621-1629 61st Street, Brooklyn</strong></td>
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<tr>
<td></td>
<td>Variance (§72-21) to permit the construction of a Use Group 4A house of worship, contrary to height, setback, sky exposure plane, rear yard, and parking requirements. M1-1 zoning district.</td>
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<td>Community Board #12BK</td>
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<td>Examiner: Rory Levy (212) 386-0082</td>
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<td>Status: Continued Hearing – 2/26/13</td>
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<td>18.</td>
<td>257-12-BZ</td>
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<td>Law Office of Fredrick A. Becker</td>
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<td><strong>2359 East 5th Street, Brooklyn</strong></td>
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<tr>
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<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); side yard (§23-461) and less than the required rear yard (§23-47). R4 (OP) zoning district.</td>
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<td>Community Board #15BK</td>
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<td>Examiner: Henry Segovia (212) 386-0074</td>
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<td>Status: Continued Hearing – 2/5/13</td>
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<td>19.</td>
<td>285-12-BZ</td>
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<td>Sheldon Lobel, P.C.</td>
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<td><strong>54 West 39th Street, Manhattan</strong></td>
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<td>Special Permit (§73-36) to allow a physical culture establishment (<strong>Narita Bodyworks</strong>) on the 4th floor of existing building. M1-6 zoning district.</td>
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<td>Community Board #5M</td>
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<td>Examiner: Rory Levy (212) 386-0082</td>
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<tr>
<td>20.</td>
<td>291-12-BZ</td>
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<td>Rothkrug Rothkrug &amp; Spector, LLP</td>
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<td><strong>301 West 125th Street, Manhattan</strong></td>
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<td>Special permit (§73-36) to allow a physical culture establishment (<strong>Blink</strong>) within proposed commercial building. C4-4D zoning district.</td>
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<td>Community Board #10M</td>
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<td>Examiner: Rory Levy (212) 386-0082</td>
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## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
**TUESDAY MORNING, JANUARY 29, 2013**  
**10:00 A.M.**

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<td><strong>SOC – DECISIONS</strong></td>
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| 1. | **548-69-BZ** | Eric Palatnik, P.C.  
**107-10 Astoria Boulevard, Queens**  
Extension of Term for a previously granted variance for the continued operation of a gasoline service station *(BP North America)* which expired on May 25, 2011; Waiver of the Rules.  
**R3-2 zoning district**  
**Community Board #3Q**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Granted – 1/29/13** |
| 2. | **136-06-BZ** | Law Office of Fredrick A. Becker  
**11-15 Old Fulton Street, Brooklyn**  
Extension of Time to complete construction of a previously approved variance (§72-21) which permitted the residential conversion and one-story enlargement of three, four-story buildings.  
**M2-1 zoning district.**  
**Community Board #2BK**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Granted – 1/29/13** |
| 3. | **208-08-BZ** | Law Office of Fredrick A. Becker  
**2117-2123 Avenue M, Brooklyn**  
Extension of Time to Complete Construction of an approved special permit (§73-622) to permit the enlargement of an existing single family residence which expired on October 28, 2012.  
**R2 zoning district.**  
**Community Board #14BK**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Granted – 1/29/13** |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, JANUARY 29, 2013  
10:00 A.M.

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| 4. | 135-46-BZ | Eric Palatnik, P.C.  
3802 Avenue U, Brooklyn  
Extension of Term (§11-411) of approved variance which permitted an automotive service station (UG 16B) with accessory uses, which expired on January 29, 2012, and an amendment (§11-413) to convert the use to auto laundry (UG 16B) hand car wash; waiver for the Rules. R4 zoning district.  
Community Board #18BK | |
| | | Examiner: Carlo Costanza (212) 386-0068  
Status: Continued Hearing – 2/26/13 | |

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| 5. 130-88-BZ | Sheldon Lobel, P.C.  
1007 Brooklyn Avenue aka 3602 Snyder Avenue, Brooklyn  
Extension of Term of approved Special Permit (§73-211) for the continued operation of UG 16B gasoline service station (Gulf) which expired on January 24, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on October 12, 2003; Waiver of the Rules. C2-2/R4 zoning district.  
Community Board #17BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 3/5/13 |
| 6. 103-91-BZ | Davidoff Hutcher & Citron, LLP  
248-18 Sunrise Highway, Queens  
Extension of term of approved variance permitting an auto laundry use (UG 16B); Amendment to permit changes to the layout and extend hours of operation. C2-1/R3-2 zoning district.  
Community Board #13Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Continued Hearing – 2/26/13 |
| 7. 20-08-BZ | Law Office of Fredrick A. Becker  
53-55 Beach Street, Manhattan  
Extension of Time to Complete Construction of approved Special Permit (75-53) for the vertical enlargement to an existing warehouse (UG17) which expired on January 13, 2013. C6-2A zoning district.  
Community Board #1M  
Examiner: Henry Segovia (212) 386-0074  
Status: Postponed Hearing – 2/5/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, JANUARY 29, 2013
### 10:00 A.M.

## APPEALS – DECISIONS

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</table>
| 8. | 45-03-A thru 62-03-A & 64-03-A | Joseph Loccisano, P.C.  
**Hall Avenue, Staten Island**  
Proposed construction of a single-family dwelling which is not fronting on a legally mapped street and is located within the bed of a mapped street, contrary to Sections 35 and 36 of the General City Law. R3-1 zoning district.  
Community Board #2SI  
Examiner: Toni Matias (212) 386-0085  
Status: Granted – 1/29/13 |
| 9. | 119-11-A | Bryan Cave LLP  
**2230-2234 Kimball Street, Brooklyn**  
Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under prior zoning regulations in effect on July 14, 2005. R4 zoning district.  
Community Board #18BK  
Examiner: Toni Matias (212) 386-0085  
Status: Deferred Decision – 4/9/13 |

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<table>
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<tr>
<th>Case No.</th>
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<tr>
<td>117-12-A</td>
<td>Van Wyck Expressway &amp; Atlantic Avenue (CB 12)</td>
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<tr>
<td>118-12-A</td>
<td>Brooklyn Queens Expressway and Queens Boulevard (CB 2)</td>
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<tr>
<td>125-12-A</td>
<td>Long Island Expressway, east of 25th Street (CB 2)</td>
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<tr>
<td>126-12-A</td>
<td>Long Island Expressway, east of 25th Street (CB 2)</td>
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<tr>
<td>128-12-A</td>
<td>Brooklyn Queens Expressway and Queens Boulevard (CB 2)</td>
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<tr>
<td>129-12-A</td>
<td>Queens Boulevard and 74th Street (CB 4)</td>
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<tr>
<td>131-12-A</td>
<td>Van Wyck Expressway, north of Roosevelt Avenue (CB 1)</td>
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<tr>
<td>132-12-A</td>
<td>Van Wyck Expressway, north of Roosevelt Avenue (CB 1)</td>
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<tr>
<td>133-12-A</td>
<td>Woodhaven Boulevard, north of Elliot Avenue (CB 6)</td>
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<td>182-12-A</td>
<td>Major Deegan Expressway and 161st Street (CB 4)</td>
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<tr>
<td>186-12-A</td>
<td>Major Deegan Expressway (CB 4)</td>
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<tr>
<td>187-12-A</td>
<td>Major Deegan Expressway (CB 4)</td>
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<tr>
<td>188-12-A</td>
<td>Major Deegan Expressway (CB 4)</td>
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Appeal challenging Department of Buildings' determination that signs located on Metropolitan Transit Authority (MTA) property are subject to the NYC Zoning Resolution.

Examiner: Toni Matias (212) 386-0085

Status: Denied – 1/29/13
### APPEALS – DECISIONS

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<th>Case No.</th>
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<th>Status</th>
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<tr>
<td>119-12-A</td>
<td>Stroock &amp; Stroock &amp; Lavan, LLP, Borough of Queens</td>
<td>Toni Matias (212) 386-0085</td>
<td>Denied – 1/29/13</td>
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<tr>
<td>120-12-A</td>
<td>Brooklyn Queens Expressway and 31st Street (CB 1)</td>
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<td>121-12-A</td>
<td>Brooklyn Queens Expressway and 31st Avenue (CB 1)</td>
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<td>122-12-A</td>
<td>Brooklyn Queens Expressway and 32nd Avenue (CB 1)</td>
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<td>123-12-A</td>
<td>Brooklyn Queens Expressway and 32nd Avenue (CB 1)</td>
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<td>Brooklyn Queens Expressway and 34th Avenue (CB 2)</td>
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<td>127-12-A</td>
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<td>134-12-A</td>
<td>Brooklyn Queens Expressway and Northern Boulevard (CB 1)</td>
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<tr>
<td>135-12-A</td>
<td>Long Island Expressway and 74th Street (CB 5)</td>
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<tr>
<td>180-12-A</td>
<td>Borough of the Bronx</td>
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<td>273-12-A</td>
<td>Major Deegan Expressway and Van Cortland (CB 8)</td>
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<tr>
<td>274-12-A</td>
<td>Major Deegan Expressway and 167th Street (CB 4)</td>
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<td>12.</td>
<td>Major Deegan Expressway and 167th Street (CB 4)</td>
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<td>130-12-A</td>
<td>Stroock &amp; Stroock &amp; Lavan, LLP, Borough of Queens</td>
<td>Toni Matias (212) 386-0085</td>
<td>Granted – 1/29/13</td>
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<tr>
<td>171-12-A</td>
<td>Skillman Avenue between 28th and 29th Streets (CB 2)</td>
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<td>172-12-A</td>
<td>Cross Bronx Expressway and Sheridan (CB 9)</td>
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<tr>
<td>173-12-A</td>
<td>Cross Bronx Expressway and Bronx River (CB 6)</td>
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<tr>
<td>174-12-A</td>
<td>Cross Bronx Expressway and Bronx River and Sheridan (CB 6)</td>
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<tr>
<td>175-12-A</td>
<td>I-95 and Hutchinson Parkway (CB 11)</td>
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<tr>
<td>176-12-A</td>
<td>I-95 and Hutchinson Parkway (CB 11)</td>
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<td>177-12-A</td>
<td>Bruckner Boulevard and Hunts Point Avenue (CB 2)</td>
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<td>178-12-A</td>
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<td>179-12-A</td>
<td>Bruckner Expressway and 156th Street (CB 2)</td>
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<td>Bruckner Expressway and 156th Street (CB 2)</td>
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## NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY MORNING, JANUARY 29, 2013**

**10:00 A.M.**

### APPEALS – DECISIONS

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</table>
| 13. | 183-12-A | Herrick Feinstein, LLP  
475, 476, 477 Exterior Road, Bronx | Appeal challenging Department of Buildings’ determination that signs located on property formerly under the jurisdiction of the Department of Ports and Trades are subject to the NYC Zoning Resolution.  
Community Board #1BX  
Examiner: Toni Matias (212) 386-0085  
Status: Denied – 1/29/13 |
| 14. | 205-12-A | Fried Frank  
355 Major Deegan Expressway, Bronx | Appeal challenging the Department of Buildings’ determination that a sign is not entitled to non-conforming use status as an advertising sign.  
R7-2 /C2-4 (HRW) Zoning District.  
Community Board #1BX  
Examiner: Toni Matias (212) 386-0085  
Status: Granted – 1/29/13 |
| 15. | 208-12-A  
216-12-A thru  
232-12-A | Rothkrug Rothkrug & Spector, LLP  
McGee Lane, Staten Island | Proposed construction of eighteen (18) single family homes that do not front on a legally mapped street, contrary to General City Law Section 36. R3A Zoning District.  
Community Board #1SI  
Examiner: Toni Matias (212) 386-0085  
Status: Granted – 1/29/13 |
### APPEALS – CONTINUED HEARINGS

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<tr>
<td><strong>16.</strong></td>
<td><strong>265-12-A thru 266-12-A</strong></td>
<td>Watchel Masyr &amp; Missry, LLP  980 Brush Avenue, Bronx  Appeal challenging Department of Buildings’ determination that a sign is not entitled to continued non-conforming use status as an advertising sign. M1-2 &amp; R4/C2-1 zoning district. <strong>Community Board #10BX</strong>  <strong>Examiner:</strong> Toni Matias (212) 386-0085  <strong>Status:</strong> Postponed Hearing – 4/9/13</td>
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<tr>
<td><strong>17.</strong></td>
<td><strong>287-12-A</strong></td>
<td>Zygmunt Staszewski  165 Reid Avenue, Queens  Proposed enlargement of existing building located partially within the bed of a mapped street, contrary to General City Law Section 35, and upgrade of an existing private disposal system, contrary to the Department of Building policy. R4 zoning district. <strong>Community Board #14Q</strong>  <strong>Examiner:</strong> Toni Matias (212) 386-0085  <strong>Status:</strong> Granted – 1/29/13</td>
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## BZ – DECISIONS

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| 18. | 61-12-BZ | Sheldon Lobel, P.C  
**216 Lafayette Street, Manhattan**  
Variance (§72-21) to permit a UG 6 restaurant in a portion of the cellar and first floor, contrary to use regulations (§42-10). M1-5B zoning district.  
**Community Board #2M**  
Examining: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 2/26/13 |
| 19. | 115-12-BZ | Sheldon Lobel, P.C.  
**701/745 64th Street, Brooklyn**  
Special Permit (§73-44) to allow for a reduction in parking from 331 to 221 spaces in an existing building proposed to be used for ambulatory diagnostic or treatment facilities in Use Group 6 parking category B1. C4-2A zoning district.  
**Community Board #4BK**  
Examining: Ronald Rizzotti (212) 386-0081  
Status: Granted – 1/29/13 |
## BZ – CONTINUED HEARINGS

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</table>
| 20| 9-12-BZ | Eric Palatnik, P.C.  
186 Girard 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) 386-0074  
Status: Closed, Decision – 2/12/13 |   |  |
| 21| 106-12-BZ | Eric Palatnik, P.C.  
2102 Jerome Avenue, Bronx  
Special Permit (§73-50) to permit the development of a new one-story retail store (UG 6), contrary to rear yard regulations (§33-292).  C8-3 zoning district.  
Community Board #5BX | Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 2/26/13 |   |  |
| 22| 159-12-BZ | Eric Palatnik, P.C.  
94-07 156th Avenue, Queens  
Variance (§72-21) to allow for the enlargement of a Use Group 4 medical office building, contrary to rear yard requirements (§24-36).  R3-2 zoning district.  
Community Board #10Q | Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 2/26/13 |   |  |
| 23| 233-12-BZ | Fried Frank Harris Shriver & Jacob  
246-12 South Conduit Avenue, Queens  
Variance (§72-21) to legalize an advertising sign in a residential district, contrary to use regulations (§22-00).  R3X zoning district.  
Community Board #13Q | Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 2/26/13 |   |  |
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<td>24.</td>
<td>148-12-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>981 East 29th Street, Brooklyn&lt;br&gt;Special Permit (§73-621) for the enlargement of an existing single family semi-detached residence, contrary to floor area, lot coverage and open space (ZR23-141(b)). R4 zoning district.</td>
<td>#14BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Continued Hearing – 3/5/13</td>
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<td>25.</td>
<td>234-12-BZ</td>
<td>Rothkrug Rothkrug &amp; Spector LLP</td>
<td>1776 Eastchester Road, Bronx&lt;br&gt;Special Permit (§73-36) to allow a physical culture establishment (LA Fitness). M1-1 zoning district.</td>
<td>#11BX</td>
<td>Rory Levy (212) 386-0082</td>
<td>Closed, Decision – 2/26/13</td>
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<td>26.</td>
<td>294-12-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>130 Clinton Street, Brooklyn&lt;br&gt;Special Permit (§73-36) to allow a physical culture establishment (Everyday Athlete). C5-2A/DB special zoning district.</td>
<td>#2BK</td>
<td>Rory Levy (212) 386-0082</td>
<td>Continued Hearing – 3/5/13</td>
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<td>27.</td>
<td>295-12-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>49-33 Little Neck Parkway, Queens&lt;br&gt;Variance (§72-21) to permit the expansion of a non-conforming Use Group 4 dentist's office, contrary to §52-22. R1-2 zoning district.</td>
<td>#11Q</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Continued Hearing – 2/26/13</td>
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<td>28.</td>
<td>302-12-BZ</td>
<td>Davidoff Hutcher &amp; Citgrom LLP</td>
<td>32 West 18th Street, Manhattan&lt;br&gt;Special Permit (§73-36) to allow a physical culture establishment (Lithe Method). C6-4A zoning district.</td>
<td>#5M</td>
<td>Rory Levy (212) 386-0082</td>
<td>Continued Hearing – 2/26/13</td>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**
**TUESDAY MORNING, FEBRUARY 5, 2013**
**10:00 A.M.**

## SOC – DECISIONS

| 1. | 39-65-BZ | Eric Palatnik, P.C.  
2701-2711 Knapp Street and 3124-3146 Vooohries Avenue, Brooklyn  
Amendment of a previously-approved variance (§72-01) to convert repair bays to an accessory convenience store at a gasoline service station (Sunoco); Extension of Time to obtain a Certificate of Occupancy, which expired on January 11, 2000; and Waiver of the Rules. C3 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 2/5/13 |
|---|---|---|
| 2. | 85-91-BZ | Carl A. Sulfaro, Esq.  
204-18 46th Avenue, Queens  
Extension of Term (§11-411) of a previously granted variance for a veterinarian's office, accessory dog kennels and a caretaker’s apartment which expired on July 21, 2012; amendment to permit a change to the hours of operation and accessory signage. R3-1 zoning district.  
Community Board #11Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Granted – 2/5/13 |
## SOC – CONTINUED HEARINGS

| 3. | 982-83-BZ | Rothkrug Rothkrug & Spector, LLP  
191-20 Northern Boulevard, Queens  
Extension of Time to obtain a Certificate of Occupancy of a previously granted variance for the continued operation of retail and office use (UG 6) which expired on July 19, 2012.  R3-2 zoning district.  
Community Board #11Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Adjourned, Continued Hearing – 3/12/13 |
| --- | --- | --- |
| 4. | 93-97-BZ | Eric Palatnik, P.C.  
136-21 Roosevelt Avenue, Queens  
Amendment to a previously granted variance (§72-21) to permit the change in use of a portion of the second floor from accessory parking spaces to UG 6 office use.  C4-3 zoning district.  
Community Board #7Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Withdrawn – 2/5/13 |
## SOC – NEW CASES

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| 5. 167-95-BZ | Walter T. Gorman, P.E.  
121-18 Springfield Boulevard, Queens | Extension of Term of a previously approved variance (§72-21) which permitted the maintenance and repairs of motor-operated cemetery equipment and accessory parking and storage of motor vehicles which expired on February 4, 2012; amendment to reduce the size of the area covered by the variance. R3A zoning district.  
Community Board #12Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Continued Hearing – 3/19/13 |
| 6. 211-00-BZ | Sheldon Lobel, P.C.  
252 Norman Avenue, Brooklyn | Extension of Time to complete construction of a previously approved variance (§72-21) which permitted the legalization of residential units on the second through fourth floors of a mixed use (UG 17 & 2) four-story building, which expired on April 17, 2005; Amendment for minor modification to the approved plans; Waiver of the Rules. M1-2 zoning district.  
Community Board #1BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 3/5/13 |
| 7. 20-08-BZ | Law Office of Fredrick A. Becker  
53-55 Beach Street, Manhattan | Extension of Time to Complete Construction of approved Special Permit (§75-53) for the vertical enlargement to an existing warehouse (UG17) which expired on January 13, 2013. C6-2A zoning district.  
Community Board #1M  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 2/26/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, FEBRUARY 5, 2013
#### 10:00 A.M.

## APPEALS – DECISIONS

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<th>Description</th>
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<th>Examiner</th>
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<td>97-12-A &amp; 98-12-A</td>
<td>Fried Frank</td>
<td>620 12th Avenue, Manhattan</td>
<td>Appeal challenging Department of Buildings’ determination regarding right to maintain existing advertising sign in manufacturing district. M1-5/CL zoning district.</td>
<td>Community Board #4M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Denied – 2/5/13</td>
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<td>9.</td>
<td>162-12-A</td>
<td>Davidoff Hutcher &amp; Citron, LLP</td>
<td>49-21 Astoria Boulevard North, Queens</td>
<td>Appeal from Department of Buildings' determination that sign is not entitled to continue non-conforming use status as advertising sign, pursuant to Z.R.§52-731. R4 zoning district.</td>
<td>Community Board #1Q</td>
<td>Toni Matias (212) 386-0085</td>
<td>Denied – 2/5/13</td>
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<tr>
<td>10.</td>
<td>167-12-A</td>
<td>Davidoff Hutcher &amp; Citron, LLP</td>
<td>101-07 Macombs Place, Manhattan</td>
<td>Appeal from Department of Buildings' determination that sign is not entitled to continued non-conforming use status as advertising sign, pursuant to Z.R. §52-731. R7-2 zoning district.</td>
<td>Community Board #10M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Denied – 2/5/13</td>
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<td>11.</td>
<td>169-12-A &amp; 170-12-A</td>
<td>Davidoff Hutcher &amp; Citron LLP</td>
<td>24-28 Market Street, Manhattan</td>
<td>Appeal from Department of Buildings' determination that signs are not entitled to continued non-conforming use status as advertising signs, pursuant to Z.R. §52-731. R7-2 zoning district.</td>
<td>Community Board #3M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Denied – 2/5/13</td>
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| 12. | **190-12-A thru 192-12-A** | Davidoff Hutcher & Citron, LLP
42-45 12th Street, Queens

Appeals from Department of Buildings' determination that signs are not entitled to continued legal status as advertising sign. M1-4 zoning district.

**Community Board #2Q**

**Examiner:** Toni Matias (212) 386-0085

**Status:** Closed, Decision – 3/19/13 |
| 13. | **197-12-A** | Davidoff Hutcher & Citron LLP
1-37 12th Street, Brooklyn

Appeal from Department of Buildings' determination that a sign is not entitled to continued legal status as advertising sign. M1-2/M2-1 zoning district.

**Community Board #7BK**

**Examiner:** Toni Matias (212) 386-0085

**Status:** Closed, Decision – 3/19/13 |
| 14. | **203-12-A** | Davidoff Hutcher & Citron LLP
442 West 36th Street, Manhattan

Appeal from Department of Buildings' determination that a sign is not entitled to continued legal status as advertising sign. C2-5 /HY zoning district.

**Community Board #4M**

**Examiner:** Toni Matias (212) 386-0085

**Status:** Closed, Decision – 3/19/13 |
# BZ – DECISIONS

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</table>
| 1. | 147-11-BZ | Sheldon Lobel, P.C.  
24-47 95th Street, Queens  
Variance (§72-21) to permit the construction of a single-family, semi-detached residence, contrary to floor area (§23-141) and side yard (§23-461) regulations. R3-2 zoning district.  
Community Board #3Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 2/5/13 |
| 2. | 12-12-BZ | Greenberg Traurig, LLP  
100 Varick Street, Manhattan  
Variance (§72-21) for a new residential building with ground floor retail, contrary to use (§42-10) and height and setback (§§43-43 & 44-43) regulations.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted 2/5/13 |
| 3. | 43-12-BZ | Wachtel & Masyr, LLP  
25 Great Jones Street, Manhattan  
Variance (§72-21) to permit a residential building, contrary to use regulations (§42-00). M1-5B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 4/9/13 |
| 4. | 150-12-BZ | Goldman Harris LLC  
39 West 21st Street, Manhattan  
Special Permit (§73-36) to permit a physical culture establishment (Flywheel Sports). C6-4A zoning district.  
Community Board #5M  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 2/5/13 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
### TUESDAY AFTERNOON, FEBRUARY 5, 2013
### 1:30 P.M.

### BZ – DECISIONS

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</table>
| 5. | Greenberg Traurig, LLP  
8-12 Bond Street aka 358-364 Lafayette Street, Manhattan  
Variance (§72-21) to permit the construction of a new mixed residential and retail building, contrary to use regulations (§42-10 and 42-14D(2)), M1-5B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Deferred Decision – 3/5/13 |
| 6. | Law Office of Fredrick A. Becker  
2122 Avenue N, 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 yard (§23-461) regulations, R2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 2/5/13 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
REGULAR MEETING  
TUESDAY AFTERNOON, FEBRUARY 5, 2013  
1:30 P.M.

### BZ – CONTINUED HEARINGS

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| 7. | **57-12-BZ** | Eric Palatnik, P.C.  
2670 East 12th 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); side yards (§23-461); less than the required rear yard (§23-37). R4 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 3/5/13 |
| 8. | **195-12-BZ** | Law Office of Eduardo J. Diaz  
108-15 Cross Bay Boulevard, Queens  
Re-instatement (§11-411) of a previously approved variance which allowed a two-story office building (UG6) and four parking spaces, which expired on May 13, 2000. Waiver of the Rules.  
Community Board #10BK  
Examiner: Carlo Costanza (212) 386-0068  
Status: Continued Hearing – 3/12/13 |
| 9. | **235-12-BZ** | Slater & Beckerman, LLP  
2771 Knapp Street, Brooklyn  
Special Permit (§73-242) to allow a one-story building to be used as four eating and drinking establishments (Use Group 6), contrary to use regulations (§32-00).  
Community Board #15BK  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 3/5/13 |
| 10. | **257-12-BZ** | Law Office of Fredrick A. Becker  
2359 East 5th 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); side yard (§23-461) and less than the required rear yard (§23-47).  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 3/5/13 |

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

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******************************************************************************DISCLAIMER******************************************************************************
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**
**REGULAR MEETING**
**TUESDAY AFTERNOON, FEBRUARY 5, 2013**
**1:30 P.M.**

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**BZ – CONTINUED HEARINGS**

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<td>11.</td>
<td>280-12-BZ</td>
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Law Office of Fredrick A. Becker  
**1249 East 28th Street, Brooklyn**  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R2 zoning district.  
**Community Board #14BK**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Closed, Decision – 3/5/13**

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
**REGULAR MEETING**
**TUESDAY AFTERNOON, FEBRUARY 5, 2013**
**1:30 P.M.**

#### BZ – NEW CASES

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<th>Case</th>
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<th>Examiners</th>
<th>Status</th>
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<tr>
<td>12.</td>
<td>50-12-BZ</td>
<td>Gerald J. Caliendo, R.A., AIA 177-60 South Conduit Avenue, Queens Variance (§72-21) to allow for the construction of a commercial building, contrary to use regulations (§22-00). R3-2 zoning district. Community Board #12Q</td>
<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
<td>Status: Continued Hearing – 4/9/13</td>
</tr>
<tr>
<td>13.</td>
<td>161-12-BZ</td>
<td>Francis R. Angelino, Esq. 81 East 98th Street, Brooklyn Special Permit (§73-36) to allow a physical culture establishment (Retro Fitness) on the ground and second floor of an existing building. C8-2 zoning district. Community Board #16BK</td>
<td>Examiner: Rory Levy (212) 386-0082</td>
<td>Status: Closed, Decision – 3/5/13</td>
</tr>
<tr>
<td>14.</td>
<td>238-12-BZ</td>
<td>Harold Weinberg, P.E. 1713 East 23rd Street, Brooklyn Special Permit (§73-622) for the enlargement of single family home contrary floor area and lot coverage (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R3-2 zoning district. Community Board #15BK</td>
<td>Examiner: Henry Segovia (212) 386-0074</td>
<td>Status: Continued Hearing – 3/12/13</td>
</tr>
<tr>
<td>15.</td>
<td>296-12-BZ</td>
<td>Rothkrug Rothkrug &amp; Spector, LLP 2374 Grand Concourse, Bronx Special Permit (§73-36) to allow a physical culture establishment (Blink Fitness) within existing building. C4-4 zoning district. Community Board #5BX</td>
<td>Examiner: Rory Levy (212) 386-0082</td>
<td>Status: Continued Hearing – 3/5/13</td>
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</tbody>
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NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, FEBRUARY 12, 2013  
10:00 A.M.

SOC – DECISIONS

1. 173-99-BZ  
Gerald J. Caliendo, R.A.  
43-60 Ditmars Boulevard, Queens  
Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (Matrix Fitness Club) which expired on March 6, 2011; Amendment for an increase in floor area at the cellar level; waiver of the Rules. M-1 zoning district.  
Community Board #1Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 2/12/13

2. 189-03-BZ  
Eric Palatnik, P.C.  
836 East 233rd Street, Bronx  
Extension of Term of a previously granted special permit (§73-211) for the continued operation of an automotive service station (Shell) with an accessory convenience store (UG 16B) which expires on October 21, 2013; Extension of Time to obtain a Certificate of Occupancy which expired on October 21, 2008; Waiver of the Rules. C2-2/R-5 zoning district.  
Community Board #12BX  
Examiner: Henry Segovia (212) 386-0074  
Status: Deferred Decision – 3/12/13

SOC – CONTINUED HEARINGS

3. 551-37-BZ  
Eric Palatnik, P.C.  
233-02 Northern Boulevard, Queens  
Extension of Term (§11-411) of approved variance for the continued operation of an automobile repair shop (Red's Auto Repair) which expired on July 15, 2012; Waiver of the Rules. R1-2 zoning district.  
Community Board #11Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 3/19/13

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**DISCLAIMER**
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
## REGULAR MEETING  
### TUESDAY MORNING, FEBRUARY 12, 2013  
### 10:00 A.M.

## SOC – CONTINUED HEARINGS

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| 4. | **68-91-BZ** | Sheldon Lobel, P.C.  
**223-15 Union Turnpike, Queens**  
Extension of Term (§11-411) of an approved variance which permitted the operation of an automotive service station (UG 16B) with accessory uses, which expired on May 19, 2012; Amendment §11-412) to permit the legalization of certain minor interior partition changes and a request to permit automotive repair services on Sundays; Waiver of the Rules.  R5D/C1-2 & R2A zoning district.  
Community Board #11Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Closed, Decision – 3/12/13 |
| 5. | **18-02-BZ** | Rothkrug Rothkrug & Spector, LLP  
**8610 Flatlands Avenue, Brooklyn**  
Extension of Term (§11-411) of an approved variance for the continued operation of an automotive laundry (UG 16B) which expired on August 13, 2012.  C2-3/R5D zoning district.  
Community Board #18BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 3/12/13 |
| 6. | **141-06-BZ** | Eric Palatnik, P.C.  
**2084 60th Street, Brooklyn**  
Extension of Time to complete construction of a previously approved variance (§72-21) permitting the construction of a three-story synagogue (Congregation Tefiloh Ledovid) which expired on June 19, 2011; Waiver of the Rules.  R5 zoning district.  
Community Board #12BK  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 3/12/13 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

**REGULAR MEETING**

**TUESDAY MORNING, FEBRUARY 12, 2013**

**10:00 A.M.**

## APPEALS – DECISIONS

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| **7.** | **103-12-A** | Sheldon Lobel, P.C.  
74-76 Adelphi Street, Brooklyn  
Appeal seeking a common law vested right to continue development commenced under the prior R6 zoning district. R5B zoning district.  
Community Board #2BK |
| **8.** | **145-12-A** | Law Offices of Marvin Mitzner LLC  
339 West 29th Street, Manhattan  
Appeal challenging the determination of the Department of Buildings requiring the owner to obtain approval from the Landmarks Preservation Commission, prior to reinstatement and amendments of the permits. R8B zoning district.  
Community Board #4M |

### Examiner: Toni Matias (212) 386-0085

### Status: Deferred Decision – 2/26/13

### Status: Denied – 2/12/13

## APPEALS – CONTINUED HEARINGS

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| **9.** | **144-12-A** | Law Offices of Marvin Mitzner LLC  
339 West 29th Street, Manhattan  
Appeal of the Multiple Dwelling Law pursuant to §310 to allow the enlargement to a five-story building, contrary to §171(2)(f). R8B zoning district.  
Community Board #4M |

### Examiner: Toni Matias (212) 386-0085

### Status: Closed, Decision – 4/23/13

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, FEBRUARY 12, 2013
#### 10:00 A.M.

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| 10. | 10-10-A | New York City Board of Standards and Appeals  
1882 East 12th Street, Brooklyn  
Reopening for a court remand to review the validity of the permit at issue in a prior vested rights application.  
Community Board #15BK  
Examiner: Toni Matias (212) 386-0085  
Status: Continued Hearing – 4/9/13 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

**REGULAR MEETING**

**TUESDAY AFTERNOON, FEBRUARY 12, 2013**

**1:30 P.M.**

### BZ – DECISIONS

| #  | Decision Number | Applicant | Address | Description | Community Board | Examiner | Status | Date
|----|----------------|----------|---------|-------------|---------------|---------|--------|------
| 1  | 9-12-BZ        | Eric Palatnik, P.C. | 186 Girard 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 | Henry Segovia (212) 386-0074 | Granted | 2/12/13
| 2  | 75-12-BZ       | Sheldon Lobel, P.C. | 547 Broadway, Manhattan | Variance (§72-21) to permit the legalization of retail use (UG 6) on the first floor and expand the use into the cellar and sub-cellar, contrary to use regulations (§42-14 (D)(2)(b)). M1-5B zoning district. | Community Board #2M | Ronald Rizzotti (212) 386-0081 | Deferred Decision | 2/26/13
| 3  | 291-12-BZ      | Rothkrug Rothkrug & Spector, LLP | 301 West 125th Street, Manhattan | Special permit (§73-36) to allow a physical culture establishment (Blink) within proposed commercial building. C4-4D zoning district. | Community Board #10M | Rory Levy (212) 386-0082 | Granted | 2/12/13
| 4  | 298-12-BZ      | Kramer Levin Naftalis & Frankel LLP | 726-730 Broadway, Manhattan | Variance (§72-21) to permit the conversion of nine floors of an existing ten-story building to Use Group 3 college or university use (New York University), contrary to use regulations. M1-5B zoning district. | Community Board #2M | Ronald Rizzotti (212) 386-0081 | Deferred Decision | 2/26/13

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<tr>
<th>Number</th>
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<th>Attorney</th>
<th>Address</th>
<th>Description</th>
<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>5.</td>
<td>42-10-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>2170 Mill Avenue, Brooklyn</td>
<td>Variance (§72-21) to allow for a mixed use building, contrary to use (§22-10), floor area, lot coverage, open space (§23-141), maximum dwelling units (§23-22), and height (§23-631) regulations. R3-1/C2-2 zoning district.</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Continued Hearing – 4/9/13</td>
</tr>
<tr>
<td>6.</td>
<td>1-12-BZ</td>
<td>Law Office of Fredrick A. Becker</td>
<td>434 Sixth Avenue, Manhattan</td>
<td>Special Permit (§73-36) for the operation of a physical culture establishment (Moksha Yoga) on the second floor of a six-story commercial building. C4-5 zoning district.</td>
<td>Rory Levy (212) 386-0082</td>
<td>Closed, Decision – 3/12/13</td>
</tr>
<tr>
<td>7.</td>
<td>16-12-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>184 Nostrand Avenue, Brooklyn</td>
<td>Special Permit (§73-19) to allow for a school (Congregation Adas Yereim) contrary to use regulations (§42-00). M1-2 zoning district.</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Adjourned, Continued Hearing – 3/12/13</td>
</tr>
<tr>
<td>8.</td>
<td>55-12-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>762 Wythe Avenue, Brooklyn</td>
<td>Special Permit (§73-19) to permit the legalization of an existing Use Group 3 religious-based, non-profit school (Kollel L’Horoabi), contrary to use regulations (§42-00). M1-2 zoning district.</td>
<td>Rory Levy (212) 386-0082</td>
<td>Closed, Decision – 3/12/13</td>
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### BZ – CONTINUED HEARINGS

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| 9. | 56-12-BZ | Eric Palatnik, P.C.  
**168 Norfolk 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 yard (§23-461); and rear yard (§23-47) regulations. R3-1 zoning district.  
**Community Board #4BK**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Continued Hearing – 3/5/13 |
| 10. | 67-12-BZ | Sheldon Lobel, P.C.  
**1442 First Avenue, Manhattan**  
Variance (§72-21) to allow for the extension of an eating and drinking establishment to the second floor, contrary to use regulations (§32-421). C1-9 zoning district.  
**Community Board #8M**  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Closed, Decision – 3/19/13 |
| 11. | 82-12-BZ | Law Office of Fredrick A. Becker  
**2011 East 22nd Street, Brooklyn**  
Special Permit (§73-622) for the enlargement of an existing single family semi-detached home, contrary to floor area, open space and lot coverage (§23-141); side yards (§23-461); perimeter wall height (§23-631) and less than the required rear yard (§23-47). R3-2 zoning district.  
**Community Board #15BK**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Closed, Decision – 3/12/13 |
| 12. | 261-12-BZ | Sheldon Lobel, P.C.  
**1 York Street, Manhattan**  
Special Permit (§73-36) for the operation of a physical culture establishment (Barry's Bootcamp) on the first and cellar floors of existing building. C6-2A (TMU) zoning district.  
**Community Board #1M**  
**Examiner:** Rory Levy (212) 386-0082  
**Status:** Granted – 2/12/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, FEBRUARY 12, 2013
#### 1:30 P.M.

## BZ – NEW CASES

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<th>Case Number</th>
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<th>Address</th>
<th>Description</th>
<th>Examiner</th>
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<th>Date</th>
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<tbody>
<tr>
<td>13.</td>
<td>149-12-BZ</td>
<td>Alexander Levkovich</td>
<td>154 Girard Street, Brooklyn</td>
<td>Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and lot coverage (§23-141(b)) and less than the required rear yard (§23-47). R3-1 zoning district. Community Board #15BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Closed, Decision – 3/12/13</td>
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</tr>
<tr>
<td>15.</td>
<td>199-12-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>1517 Bushwick Avenue, Brooklyn</td>
<td>Variance (§72-21) to construct a self-storage facility, contrary to maximum permitted floor area regulations. C8-1 and R6 zoning districts. Community Board #4BK</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Continued Hearing – 3/19/13</td>
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<tr>
<td>16.</td>
<td>306-12-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>2955 Veterans Road West, Staten Island</td>
<td>Special Permit (§73-36) to allow a physical culture establishment (La Vida Massage). M1-1 zoning district. Community Board #3SI</td>
<td>Rory Levy (212) 386-0082</td>
<td>Continued Hearing – 3/5/13</td>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, FEBRUARY 26, 2013
#### 10:00 A.M.

## SOC – DECISIONS

| 1. | 20-08-BZ | Law Office of Fredrick A. Becker  
53-55 Beach Street, Manhattan  
Extension of Time to Complete Construction of approved Special Permit (75-53) for the vertical enlargement to an existing warehouse (UG17) which expired on January 13, 2013. C6-2A zoning district.  
Community Board #1M  
Examiner:  Henry Segovia (212) 386-0074  
Status:  Granted – 2/26/13 |

## SOC – CONTINUED HEARINGS

| 2. | 135-46-BZ | Eric Palatnik, P.C.  
3802 Avenue U, Brooklyn  
Extension of Term (§11-411) of approved variance which permitted an automotive service station (UG 16B) with accessory uses, which expired on January 29, 2012, and an amendment (§11-413) to convert the use to auto laundry (UG 16B) hand car wash; waiver for the Rules.  
R4 zoning district.  
Community Board #18BK  
Examiner:  Carlo Costanza (212) 386-0068  
Status:  Adjourned, Continued Hearing – 3/19/13 |
| 3. | 410-68-BZ | Eric Palatnik, P.C.  
85-05 Astoria Boulevard, Queens  
Extension of Term (§11-411) of approved variance which permitted the operation of (UG16B) automotive service station (Citgo) with accessory uses, which expired on November 26, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on January 11, 2008; Waiver of the Rules.  
R3-2 zoning district.  
Community Board #3Q  
Examiner:  Henry Segovia (212) 386-0074  
Status:  Adjourned, Continued Hearing – 3/19/13 |
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<td><strong>SOC – CONTINUED HEARINGS</strong></td>
<td></td>
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</table>
| 4. | 103-91-BZ | Davidoff Hutcher & Citron, LLP  
248-18 Sunrise Highway, Queens  
Extension of term of approved variance permitting an auto laundry use (UG 16B); Amendment to permit changes to the layout and extend hours of operation. C2-1/R3-2 zoning district.  
Community Board #13Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Continued Hearing – 4/9/13 |
| 5. | 197-08-BZ | Stuart Klein, Esq.  
341-349 Troy Avenue, aka 1515 Carroll Street, Brooklyn  
Amendment to an approved variance (§72-21) to permit a four-story and penthouse residential building, contrary to floor area and open space (§23-141), units (§23-22), front yard (§23-45), side yard (§23-462), and height (§23-631). Amendment seeks to reduce the number of units and parking and increase the size of the rooftop mechanical equipment. R4 zoning district.  
Community Board #9BK  
Examiner: Rory Levy (212) 386-0082  
Status: Adjourned, Continued Hearing – 4/23/13 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, FEBRUARY 26, 2013**  
**10:00 A.M.**

### SOC – NEW CASES

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Description</th>
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</table>
| 6. 239-02-BZ | Extension of Term of a previously-granted Variance (§72-21) for the continued operation of a Use Group 6A eating and drinking establishment (Babbo) located at the cellar level, ground floor, and second floor of the subject premises, which expired on December 17, 2012. R7-2 zoning district.  
**Community Board #2M**  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 4/23/13 |
| 7. 374-04-BZ | Extension of Time to complete construction of a previously-granted Variance (§72-21) for the development of a seven-story residential building with ground floor commercial space, which expired on October 18, 2009; Amendment to approved plans; and waiver of the Rules. C6-2A zoning district/SLMD.  
**Community Board #1M**  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 3/19/13 |
### APPEALS – DECISIONS

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</table>
| 8. | **103-12-A** | Sheldon Lobel, P.C.  
**74-76 Adelphi Street, Brooklyn**  
Appeal seeking a common law vested right to continue development commenced under the prior R6 zoning district. R5B zoning district.  
**Community Board #2BK** |
|   |   | Examiner: Toni Matias (212) 386-0085  
Status: Reopened, Continued Hearing – 4/9/13 |
| 9. | **108-12-A & 109-12-A** | Davidoff Malito & Hutcher LLP  
**4612 Third Avenue, Brooklyn**  
Appeal challenging Department of Buildings' determination that signs are not entitled to non-conforming use status as accessory business or non-commercial signs, pursuant to Z.R. §§42-58 and 52-61.  
**Community Board #7BK** |
|   |   | Examiner: Toni Matias (212) 386-0085  
Status: Denied – 2/26/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, FEBRUARY 26, 2013
### 10:00 A.M.

## APPEALS – CONTINUED HEARINGS

| 10. | 89-07-A 92-07-A thru 95-07-A | Eric Palatnik, P.C. 460, 472, 476, 480 Thornycroft Avenue and 281 Oakland Street, Staten Island  
Proposal to build three two-family and one one-family homes located within the bed of a mapped street (Thornycroft Avenue), contrary to Section 35 of the General City Law. R3-2 Zoning district.  
Community Board #3SI  
Examiner: Toni Matias (212) 386-0085  
Status: Continued Hearing – 3/19/13 |

## APPEALS – NEW CASES

| 11. | 110-10-BZY | Sheldon Lobel, P.C. 123 Beach 93rd Street, Queens  
Extension of time to complete construction (§11-332) for an additional two years for a minor development, which expired on October 19, 2012. R5A zoning district.  
Community Board #14Q  
Examiner: Toni Matias (212) 386-0085  
Status: Closed, Decision – 3/19/13 |

| 12. | 201-10-BZY | Kramer Levin Naftalis & Frankel 180 Orchard Street, Manhattan  
Extension of time to complete construction (§11-332) for an additional two years for a minor development, which will expire on March 15, 2013. C4-4A zoning district.  
Community Board #3M  
Examiner: Toni Matias (212) 386-0085  
Status: Closed, Decision – 3/19/13 |
**APPEALS – NEW CASES**

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| 13. | 288-12-A thru 290-12-A | Rothkrug Rothkrug & Specter LLP 319, 323, 327 Ramona Avenue, Staten Island  
Proposed construction of three two-family homes not fronting on a legally mapped street, contrary to General City Law Section 36. R3X (SRD) zoning district.  
**Community Board #3SI**  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Continued Hearing – 4/9/13 |
| 14. | 304-12-A | Eric Palatnik, P.C. 42-32 147th Street, Queens  
Proposed seven-story residential development located within mapped but inbuilt portion of Ash Avenue, contrary to General City Law Section 35. R6A zoning district.  
**Community Board #7Q**  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Continued Hearing – 4/9/13 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

**REGULAR MEETING**

**TUESDAY AFTERNOON, FEBRUARY 26, 2013**

1:30 P.M.

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### BZ – DECISIONS

<table>
<thead>
<tr>
<th>BZ</th>
<th>Community Board #11M</th>
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<tbody>
<tr>
<td>1.</td>
<td>Sheldon Lobel, P.C. 1968 Second Avenue, Manhattan</td>
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<tr>
<td></td>
<td>Variance (§72-21) to allow for the legalization of an existing supermarket, contrary</td>
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<td>to rear yard (§33-261) and loading berth (§36-683) requirements. C1-5/R8A and</td>
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<td>R7A zoning districts.</td>
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<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
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<tr>
<td>2.</td>
<td>Sheldon Lobel, P.C. 216 Lafayette Street, Manhattan</td>
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<td>Variance (§72-21) to permit a UG 6 restaurant in a portion of the cellar and first</td>
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<td>floor, contrary to use regulations (§42-10). M1-5B zoning district.</td>
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<td></td>
<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
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<tr>
<td>3.</td>
<td>Sheldon Lobel, P.C. 547 Broadway, Manhattan</td>
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<tr>
<td></td>
<td>Variance (§72-21) to permit the legalization of retail use (UG 6) on the first floor</td>
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<td></td>
<td>and expand the use into the cellar and sub-cellar, contrary to use regulations (§42-</td>
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<td>14 (D)(2)(b)). M1-5B zoning district.</td>
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<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
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<td>4.</td>
<td>Eric Palatnik, P.C. 94-07 156th Avenue, Queens</td>
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<td>Variance (§72-21) to allow for the enlargement of a Use Group 4 medical office</td>
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<td>building, contrary to rear yard requirements (§24-36). R3-2 zoning district.</td>
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<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
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<td>Status: Granted – 2/26/13</td>
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</table>
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, FEBRUARY 26, 2013
#### 1:30 P.M.

## BZ – DECISIONS

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</table>
| 5. | 234-12-BZ | Rothkrug Rothkrug & Spector LLP  
1776 Eastchester Road, Bronx  
Special Permit (§73-36) to allow a physical culture establishment (*LA Fitness*). M1-1 zoning district.  
Community Board #11BX |
|   |   |   |
| 6. | 298-12-BZ | Kramer Levin Naftalis & Frankel LLP  
726-730 Broadway, Manhattan  
Variance (§72-21) to permit the conversion of nine floors of an existing ten-story building to Use Group 3 college or university use (*New York University*), contrary to use regulations. M1-5B zoning district.  
Community Board #2M |
|   |   |   |

## BZ – CONTINUED HEARINGS

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</table>
| 7. | 35-11-BZ | The Law Office of Fredrick A. Becker  
226-10 Francis Lewis Boulevard, Queens  
Variance (§72-21) to allow for the enlargement of an existing synagogue (*Congregation Ohel*), contrary to floor area, lot coverage (§24-11), front yard (§24-34), side yard (§24-35), rear yard (§24-36) and parking (§25-31). R2A zoning district.  
Community Board #13Q |
|   |   |   |

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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY AFTERNOON, FEBRUARY 26, 2013**  
**1:30 P.M.**  

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### BZ – CONTINUED HEARINGS

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<th>#</th>
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<th>城市社区委员会</th>
<th>检察官</th>
<th>联系方式</th>
<th>状态</th>
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<tbody>
<tr>
<td>8.</td>
<td>63-12-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>2701 Avenue N, Brooklyn</td>
<td>Variance (§72-21) to permit the construction of a Use Group 4A House of Worship (Khal Bnei Avrohom Yaakov), which is contrary to floor area (24-11), lot coverage, front yard (24-34), side yard (24-35a) parking (25-31), height (24-521), and setback requirements.  R2 zoning district.</td>
<td>Community Board #14BK</td>
<td>Examiner: Rory Levy (212) 386-0082</td>
<td>Status: Closed, Decision – 4/9/13</td>
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<td>9.</td>
<td>106-12-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>2102 Jerome Avenue, Bronx</td>
<td>Special Permit (§73-50) to permit the development of a new one-story retail store (UG 6), contrary to rear yard regulations (§33-292). C8-3 zoning district.</td>
<td>Community Board #5BX</td>
<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
<td>Status: Closed, Decision – 3/12/13</td>
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<td>10.</td>
<td>233-12-BZ</td>
<td>Fried Frank Harris Shriver &amp; Jacob</td>
<td>246-12 South Conduit Avenue, Queens</td>
<td>Variance (§72-21) to legalize an advertising sign in a residential district, contrary to use regulations (§22-00). R3X zoning district.</td>
<td>Community Board #13Q</td>
<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
<td>Status: Closed, Decision – 3/19/13</td>
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<td>11.</td>
<td>242-12-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>1621-1629 61st Street, Brooklyn</td>
<td>Variance (§72-21) to permit the construction of a Use Group 4A house of worship (Congregation Toldos Yehuda), contrary to height, setback, sky exposure plane, rear yard, and parking requirements.  M1-1 zoning district.</td>
<td>Community Board #12BK</td>
<td>Examiner: Rory Levy (212) 386-0082</td>
<td>Status: Closed, Decision – 4/9/13</td>
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### BZ – CONTINUED HEARINGS

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| 12. | 285-12-BZ | Sheldon Lobel, P.C.  
54 West 39th Street, Manhattan  
Special Permit (§73-36) to allow a physical culture establishment (Narita Bodyworks) on the 4th floor of existing building. M1-6 zoning district.  
Community Board #5M  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 3/12/13 |
| 13. | 295-12-BZ | Sheldon Lobel, P.C.  
49-33 Little Neck Parkway, Queens  
Variance (§72-21) to permit the expansion of a non-conforming Use Group 4 dentist’s office, contrary to §52-22. R1-2 zoning district.  
Community Board #11Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 3/19/13 |
| 14. | 302-12-BZ | Davidoff Hutcher & Citron LLP  
32 West 18th Street, Manhattan  
Special Permit (§73-36) to allow a physical culture establishment (Lithe Method). C6-4A zoning district.  
Community Board #5M  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 3/19/13 |
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<th>Case Number</th>
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<tr>
<td>15. 250-12-BZ</td>
<td>Law Office of Fredrick A. Becker</td>
<td>2410 Avenue S, Brooklyn</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Continued Hearing – 3/19/13</td>
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<tr>
<td>16. 315-12-BZ</td>
<td>Akerman Senterfitt, LLP</td>
<td>23-25 31st Street, Queens</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Continued Hearing – 3/19/13</td>
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<tr>
<td>17. 318-12-BZ</td>
<td>Rothkrug Rothkrug &amp; Spector, LLP</td>
<td>45 Crosby Street, Manhattan</td>
<td>Rory Levy (212) 386-0082</td>
<td>Closed, Decision – 3/19/13</td>
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<tr>
<td>18. 320-12-BZ</td>
<td>Rothkrug Rothkrug &amp; Spector, LLP</td>
<td>23 West 116th Street, Manhattan</td>
<td>Rory Levy (212) 386-0082</td>
<td>Closed, Decision – 3/19/13</td>
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### SOC – DECISIONS

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</table>
| 1. | 130-88-BZ | Sheldon Lobel, P.C.  
1007 Brooklyn Avenue aka 3602 Snyder Avenue, Brooklyn  
Extension of Term of approved Special Permit (§73-211) for the continued operation of UG 16B gasoline service station (Gulf) which expired on January 24, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on October 12, 2003; Waiver of the Rules. C2-2/R4 zoning district.  
**Community Board #17BK**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Continued Hearing – 4/16/13 |
| 2. | 211-00-BZ | Sheldon Lobel, P.C.  
252 Norman Avenue, Brooklyn  
Extension of Time to complete construction of a previously approved variance (§72-21) which permitted the legalization of residential units on the second through fourth floors of a mixed use (UG 17 & 2) four-story building, which expired on April 17, 2005; Amendment for minor modification to the approved plans; Waiver of the Rules. M1-2 zoning district.  
**Community Board #1BK**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Continued Hearing – 4/9/13 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, MARCH 5, 2013  
10:00 A.M.

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<td><strong>SOC – NEW CASES</strong></td>
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</table>
| 3. | **364-82-BZ** | Troutman Sanders LLP  
245-24 Horace Harding Expressway, Queens  
Extension of Term of a previously-granted Variance (§72-21) for the continued operation of a physical culture establishment (Bally’s Total Fitness) which expired on January 18, 2013. C1-2/R3-2 zoning district.  
Community Board #11Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 4/9/13 |
| 4. | **62-99-BZ** | Akerman Senterfitt LLP  
541 Lexington Avenue, Manhattan  
Extension of Term of a previously-approved Special Permit (§73-36) for the continued operation of a physical cultural establishment (Bliss) which expired on January 31, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on February 1, 2004; Waiver of Rules. C6-6 zoning district.  
Community Board #6M  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 4/9/13 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, MARCH 5, 2013**  
**10:00 A.M.**

### APPEAL – NEW CASES

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<th>Case Number</th>
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| 5. 292-12-A | Gary Lenhart, R.A.  
19 Marion Walk, Queens | Proposed reconstruction and enlargement of the existing single family dwelling located partially in the bed of a mapped street, contrary to Article 3, Section 35 of the General City Law; proposed upgrade of the existing private disposal system in the bed of the mapped street, contrary to Article 3, Section 35 of the General City Law. R4 zoning district.  
Community Board #14Q  
Examiner: Toni Matias (212) 386-0085  
Status: Postponed Hearing – 3/19/13 |
| 6. 326-12-A thru 337-12-A | Gibson Dunn | Appeals challenging the Department of Buildings determination to revoke 12 permits previously issued permitting business accessory signs on the basis that they appear to be advertising signs.  
**Borough of Manhattan**  
52 Canal Street, C6-2 zoning district (CB 3)  
1560 Second Avenue, C1-9 zoning district (CB 8)  
2061 Second Avenue, R8A zoning district (CB 11)  
2240 First Avenue, R7X zoning district (CB 11)  
160 East 25th Street, C2-8 zoning district (CB 6)  
289 Hudson Street, C6-2A zoning district (CB 9)  
127 Ludlow Street, C4-4A zoning district (CB 3)  
1786 Third Avenue, R8A zoning district (CB 11)  
17 Avenue B, R7A zoning district (CB 3)  
173 Bowery, C6-1 zoning district (CB 3)  
240 Sullivan Street, R7-2 zoning district (CB 2)  
361 Third Avenue, C1-6A zoning district (CB 3)  
Examiner: Toni Matias (212) 386-0085  
Status: Closed, Decision – 4/23/13 |
## BZ – DECISIONS

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</table>
| 1. | 161-12-BZ | Francis R. Angelino, Esq.  
81 East 98th Street, Brooklyn  
Special Permit (§73-36) to allow a physical culture establishment (*Retro Fitness*) on the ground and second floor of an existing building.  C8-2 zoning district.  
Community Board #16BK  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 3/5/13 |
| 2. | 235-12-BZ | Slater & Beckerman, LLP  
2771 Knapp Street, Brooklyn  
Special Permit (§73-242) to allow a one-story building to be used as four eating and drinking establishments (Use Group 6), contrary to use regulations (§32-00).  C3 zoning district.  
Community Board #15BK  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Deferred Decision – 5/21/13 |
| 3. | 241-12-BZ | Greenberg Traurig, LLP  
8-12 Bond Street aka 358-364 Lafayette Street, Manhattan  
Variance (§72-21) to permit the construction of a new mixed residential and retail building, contrary to use regulations (§42-10 and 42-14D(2)(b)).  M1-3B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 3/5/13 |
| 4. | 257-12-BZ | Law Office of Fredrick A. Becker  
2359 East 5th 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); side yard (§23-461) and less than the required rear yard (§23-47).  R4 (OP) zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 3/5/13 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
TUESDAY MORNING, MARCH 5, 2013
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**BZ – DECISIONS**

| 5.   | 280-12-BZ         | Law Office of Fredrick A. Becker  
|      |                   | 1249 East 28th Street, Brooklyn  
|      | Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R2 zoning district.  
|      |                  | Community Board #14BK  
|      | Examiner: Henry Segovia (212) 386-0074  
|      | Status: Granted – 3/5/13

| 6.   | 296-12-BZ         | Rothkrug Rothkrug & Spector, LLP  
|      |                   | 2374 Grand Concourse, Bronx  
|      | Special Permit (§73-36) to allow a physical culture establishment (Blink Fitness) within existing building. C4-4 zoning district.  
|      |                  | Community Board #5BX  
|      | Examiner: Rory Levy (212) 386-0082  
|      | Status: Granted – 3/5/13

**BZ – CONTINUED HEARINGS**

| 7.   | 56-12-BZ          | Eric Palatnik, P.C.  
|      |                   | 168 Norfolk 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 yard (§23-461); and rear yard (§23-47) regulations. R3-1 zoning district.  
|      |                  | Community Board #4BK  
|      | Examiner: Henry Segovia (212) 386-0074  
|      | Status: Continued Hearing – 3/19/13

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
## REGULAR MEETING  
### TUESDAY MORNING, MARCH 5, 2013  
#### 10:00 A.M.

## BZ – CONTINUED HEARINGS

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| **8.** | **57-12-BZ** | Eric Palatnik, P.C.  
2670 East 12th 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); side yards (§23-461); less than the required rear yard (§23-37). R4 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 4/9/13 |
| **9.** | **148-12-BZ** | Eric Palatnik, P.C.  
981 East 29th Street, Brooklyn  
Special Permit (§73-621) for the enlargement of an existing single family semi-detached residence, contrary to floor area, lot coverage and open space (ZR23-141(b)). R4 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 4/9/13 |
| **10.** | **294-12-BZ** | Eric Palatnik, P.C.  
130 Clinton Street, Brooklyn  
Special Permit (§73-36) to allow a physical culture establishment (Everyday Athlete). C5-2A/DB special zoning district.  
Community Board #2BK  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 4/9/13 |
| **11.** | **306-12-BZ** | Eric Palatnik, P.C.  
2955 Veterans Road West, Staten Island  
Special Permit (§73-36) to allow a physical culture establishment (La Vida Massage). M1-1 zoning district.  
Community Board #3SI  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 3/5/13 |
### BZ – NEW CASES

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<tr>
<th>Case Number</th>
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</table>
| 12. 284-12-BZ | Sheldon Lobel, P.C.  
**2047 East 3rd 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) requirements. R2X (OP) zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 4/9/13 |
| 13. 313-12-BZ | Troutman Sanders LLP  
**1009 Flatbush Avenue, Brooklyn**  
Special permit (§73-36) to allow the continued operation of the existing physical culture establishment (*Bally's Total Fitness*). C4-2/C4-4A zoning district.  
Community Board #14BK  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 4/16/13 |
| 14. 314-12-BZ | Troutman Sanders LLP  
**350 West 50th Street, Manhattan**  
Special permit (§73-36) to allow the continued operation of the existing physical culture establishment (*Bally's Total Fitness*). C6-4 (CL) zoning district.  
Community Board #4M  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 4/16/13 |
| 15. 325-12-BZ | Bryan Cave LLP  
**1273-1285 York Avenue, Manhattan**  
Variance (§72-21) to permit a new Use Group 4 maternity hospital and ambulatory diagnostic or treatment health care facility (*New York Presbyterian Hospital*), contrary to modification of height and setback, lot coverage, rear yard, floor area and parking. R10/R9/R8 zoning districts.  
Community Board #8M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 4/16/13 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**
**REGULAR MEETING**
**TUESDAY MORNING, MARCH 5, 2013**
**10:00 A.M.**

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<tr>
<th>BZ – NEW CASES</th>
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</table>
| **16.** 341-12-BZ | Sheldon Lobel, P.C.  
403 Concord Avenue, Bronx  
Special Permit (§73-19) to permit a Use Group 3 school to occupy an existing building, contrary to use regulations (§42-00). M1-2 zoning district.  
Community Board #1BX  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 4/16/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, MARCH 12, 2013
#### 10:00 A.M.

## SOC – DECISIONS

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<tr>
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<tbody>
<tr>
<td><strong>1.</strong></td>
<td><strong>68-91-BZ</strong> Sheldon Lobel, P.C. <strong>223-15 Union Turnpike, Queens</strong> Extension of Term (§11-411) of an approved variance which permitted the operation of an automotive service station (UG 16B) with accessory uses, which expired on May 19, 2012; Amendment §11-412) to permit the legalization of certain minor interior partition changes and a request to permit automotive repair services on Sundays; Waiver of the Rules. R5D/C1-2 &amp; R2A zoning district. <strong>Community Board #11Q</strong> <strong>Examiner: Carlo Costanza (212) 386-0068</strong> <strong>Status: Granted – 3/12/13</strong></td>
<td></td>
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<tr>
<td></td>
<td><strong>2.</strong></td>
<td><strong>189-03-BZ</strong> Eric Palatnik, P.C. <strong>836 East 233rd Street, Bronx</strong> Extension of Term of a previously granted special permit (§73-211) for the continued operation of an automotive service station (Shell) with an accessory convenience store (UG 16B) which expires on October 21, 2013; Extension of Time to obtain a Certificate of Occupancy which expired on October 21, 2008; Waiver of the Rules. C2-2/R-5 zoning district. <strong>Community Board #12BX</strong> <strong>Examiner: Henry Segovia (212) 386-0074</strong> <strong>Status: Deferred Decision – 4/9/13</strong></td>
</tr>
<tr>
<td></td>
<td><strong>3.</strong></td>
<td><strong>141-06-BZ</strong> Eric Palatnik, P.C. <strong>2084 60th Street, Brooklyn</strong> Extension of Time to complete construction of a previously approved variance (§72-21) permitting the construction of a three-story synagogue (Congregation Tefiloh Ledovid) which expired on June 19, 2011; Waiver of the Rules. R5 zoning district. <strong>Community Board #12BK</strong> <strong>Examiner: Rory Levy (212) 386-0082</strong> <strong>Status: Granted – 3/12/13</strong></td>
</tr>
</tbody>
</table>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, MARCH 12, 2013
#### 10:00 A.M.

## SOC – CONTINUED HEARINGS

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</table>
| 4. | 982-83-BZ | Rothkrug Rothkrug & Spector, LLP  
**191-20 Northern Boulevard, Queens**  
Extension of Time to obtain a Certificate of Occupancy of a previously granted variance for the continued operation of retail and office use (UG 6) which expired on July 19, 2012.  
R3-2 zoning district.  
**Community Board #11Q**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Adjourned, Continued Hearing – 4/9/13 |
| 5. | 18-02-BZ | Rothkrug Rothkrug & Spector, LLP  
**8610 Flatlands Avenue, Brooklyn**  
Extension of Term (§11-411) of an approved variance for the continued operation of an automotive laundry (UG 16B) which expired on August 13, 2012.  
C2-3/R5D zoning district.  
**Community Board #18BK**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Closed, Decision – 4/16/13 |
### Appeal – New Cases

<p>| | | |</p>
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</table>
| 6. | 310-12-A | Herrick, Feinstein  
**141 East 88th Street, Manhattan**  
Appeal to the Multiple Dwelling Law section 310(2)(a) to permit the reclassification of a partially occupied residential building, a rehabilitation and a rooftop addition. C1-8X zoning district.  
Community Board #8M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 4/16/13 |
**16, 20, 24, 28, 32, 36, 40, 44, 48, 52, 56, 60, 64, 68, 78, 84, 90, 96, 102, 108, 75, 79, 85, 89, 93, 99, 105, 109, 115, 119 Berkshire Lane; 19, 23, 27, 31, 35, Wiltshire Lane, Staten Island**  
Proposed construction of thirty-five (35) one and two-family dwellings that do not front on a legally mapped street, contrary to General City Law Section 36. R3-1(SRD) zoning district.  
Community Board #3SI  
Examiner: Toni Matias (212) 386-0085  
Status: Closed, Decision – 4/9/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, MARCH 12, 2013
#### 10:00 A.M.

### BZ – DECISIONS

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</thead>
</table>
| 1. | 1-12-BZ | Law Office of Fredrick A. Becker  
434 Sixth Avenue, Manhattan  
Special Permit (§73-36) for the operation of a physical culture establishment (Moksha Yoga) on the second floor of a six-story commercial building. C4-5 zoning district.  
Community Board #2M  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 3/12/13 |
| 2. | 55-12-BZ | Eric Palatnik, P.C.  
762 Wythe Avenue, Brooklyn  
Special Permit (§73-19) to permit the legalization of an existing Use Group 3 religious-based, non-profit school (Kollel L'Horoah), contrary to use regulations (§42-00). M1-2 zoning district.  
Community Board #1BK  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 3/12/13 |
| 3. | 82-12-BZ | Law Office of Fredrick A. Becker  
2011 East 22nd Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family semi-detached home, contrary to floor area, open space and lot coverage (§23-141); side yards (§23-461); perimeter wall height (§23-631) and less than the required rear yard (§23-47). R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 3/12/13 |
| 4. | 106-12-BZ | Eric Palatnik, P.C.  
2102 Jerome Avenue, Bronx  
Special Permit (§73-50) to permit the development of a new one-story retail store (UG 6), contrary to rear yard regulations (§33-292). C8-3 zoning district.  
Community Board #5BX  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 3/12/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, MARCH 12, 2013
#### 10:00 A.M.

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<tr>
<td><strong>BZ – DECISIONS</strong></td>
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<tr>
<td>5.</td>
<td>149-12-BZ</td>
</tr>
<tr>
<td></td>
<td>Alexander Levkovich</td>
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<tr>
<td></td>
<td><strong>154 Girard Street, 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 and lot coverage (§23-141(b)) and less than the required rear yard (§23-47).  R3-1 zoning district.</td>
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<td>Community Board #15BK</td>
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<td>Examiner: Henry Segovia (212) 386-0074</td>
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<td>Status: Granted – 3/12/13</td>
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<td>6.</td>
<td>285-12-BZ</td>
</tr>
<tr>
<td></td>
<td>Sheldon Lobel, P.C.</td>
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<td></td>
<td><strong>54 West 39th Street, Manhattan</strong></td>
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<tr>
<td></td>
<td>Special Permit (§73-36) to allow a physical culture establishment (<em>Narita Bodyworks</em>) on the 4th floor of existing building.  M1-6 zoning district.</td>
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<tr>
<td>Community Board #5M</td>
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<td>Examiner: Rory Levy (212) 386-0082</td>
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<td>Status: Granted – 3/12/13</td>
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### BZ – CONTINUED HEARINGS

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</table>
| **7.** | **16-12-BZ** | Eric Palatnik, P.C.  
**184 Nostrand Avenue, Brooklyn**  
Special Permit (§73-19) to allow for a school (*Congregation Adas Yereim*) contrary to use regulations (§42-00). M1-2 zoning district.  
Community Board #4BK  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Adjourned, Continued Hearing – 4/23/13 |
| **8.** | **195-12-BZ** | Law Office of Eduardo J. Diaz  
**108-15 Cross Bay Boulevard, Queens**  
Re-instatement (§11-411) of a previously approved variance which allowed a two-story office building (UG6) and four parking spaces, which expired on May 13, 2000. Waiver of the Rules. R4 zoning district.  
Community Board #10BK  
Examiner: Carlo Costanza (212) 386-0068  
Status: Continued Hearing – 4/16/13 |
| **9.** | **238-12-BZ** | Harold Weinberg, P.E.  
**1713 East 23rd Street, Brooklyn**  
Special Permit (§73-622) for the enlargement of single family home contrary floor area and lot coverage (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 4/9/13 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

**REGULAR MEETING**

**TUESDAY MORNING, MARCH 12, 2013**

10:00 A.M.

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### BZ – NEW CASES

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</thead>
</table>
| 10. | 312-12-BZ | Jay A. Segal, Esq.  
29-37 Beekman Street, aka 165-169 William Street, Manhattan  
Variance (§72-21) to facilitate the construction of a new 34-story, 760-bed dormitory (Pace University), contrary to maximum permitted floor area. C6-4 district/Special Lower Manhattan District.  
Community Board #1M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 4/9/13 |
| 11. | 316-12-BZ | Eric Palatnik, P.C.  
37-20 Prince Street, Queens  
Special Permit (§73-36) to allow a proposed physical culture establishment (Orient Retreat). C4-2 zoning district.  
Community Board #7Q  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 4/16/13 |
| 12. | 323-12-BZ | Sheldon Lobel, P.C.  
25 Broadway, Manhattan  
Special Permit (§73-36) to allow a proposed physical culture establishment (Planet Fitness). C5-5LM zoning district.  
Community Board #1M  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 4/23/13 |
| 13. | 324-12-BZ | Sheldon Lobel, P.C.  
45 76th Street, Brooklyn  
Special permit (§73-622) for the enlargement of an existing single family home, contrary to floor area regulations (23-141(b)). R3-1 zoning district.  
Community Board #10BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 4/16/13 |

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NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, MARCH 19, 2013  
10:00 A.M.

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<tr>
<th>SOC – DECISIONS</th>
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<tbody>
<tr>
<td>1. 374-04-BZ</td>
</tr>
</tbody>
</table>
| Greenberg Traurig, LLP  
246 Front Street, Manhattan  |
| Extension of Time to complete construction of a previously-granted Variance (§72-21) for the development of a seven-story residential building with ground floor commercial space, which expired on October 18, 2009; Amendment to approved plans; and waiver of the Rules. C6-2A zoning district/SLMD. Community Board #1M  |
| Examiner: Rory Levy (212) 386-0082  |
| Status: Granted – 3/19/13  |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, MARCH 19, 2013
10:00 A.M.

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<td><strong>SOC – CONTINUED HEARINGS</strong></td>
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<td></td>
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</tbody>
</table>
| 2. | 551-37-BZ | Eric Palatnik, P.C.  
233-02 Northern Boulevard, Queens  
Extension of Term (§11-411) of approved variance for the continued operation of an automobile repair shop (Red’s Auto Repair) which expired on July 15, 2012; Waiver of the Rules. R1-2 zoning district.  
Community Board #11Q  
Examiner: Henry Segovia (212 386-0074)  
Status: Continued Hearing – 4/16/13 |
| 3. | 135-46-BZ | Eric Palatnik, P.C.  
3802 Avenue U, Brooklyn  
Extension of Term (§11-411) of approved variance which permitted an automotive service station (UG 16B) with accessory uses, which expired on January 29, 2012, and an amendment (§11-413) to convert the use to auto laundry (UG 16B) hand car wash; waiver for the Rules. R4 zoning district.  
Community Board #18BK  
Examiner: Carlo Costanza (212) 386-0068  
Status: Adjourned, Continued Hearing – 4/16/13 |
| 4. | 410-68-BZ | Eric Palatnik, P.C.  
85-05 Astoria Boulevard, Queens  
Extension of Term (§11-411) of approved variance which permitted the operation of (UG16B) automotive service station (Citgo) with accessory uses, which expired on November 26, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on January 11, 2008; Waiver of the Rules. R3-2 zoning district.  
Community Board #3Q  
Examiner: Henry Segovia (212 386-0074)  
Status: Adjourned, Continued Hearing – 4/23/13 |
| 5. | 167-95-BZ | Walter T. Gorman, P.E.  
121-18 Springfield Boulevard, Queens  
Extension of Term of a previously approved variance (§72-21) which permitted the maintenance and repairs of motor-operated cemetery equipment and accessory parking and storage of motor vehicles which expired on February 4, 2012; amendment to reduce the size of the area covered by the variance. R3A zoning district.  
Community Board #12Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Closed, Decision – 4/16/13 |

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

**REGULAR MEETING**

**TUESDAY MORNING, MARCH 19, 2013**

**10:00 A.M.**

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**SOC – NEW CASES**

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<th>Case No.</th>
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<th>Applicant</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>6.</td>
<td>390-61-BZ</td>
<td>Peter Hirshman</td>
<td><strong>148-150 East 33rd Street, Manhattan</strong>&lt;br&gt;Extension of Time to obtain a Certificate of Occupancy of a previously approved variance permitting UG8 parking garage and an auto rental establishment (UG8) in the cellar level, which expired on December 13, 2012. R8B zoning district.</td>
<td>#6M</td>
<td>Henry Segovia (212 386-0074)</td>
<td>Closed, Decision – 4/16/13</td>
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<tr>
<td>7.</td>
<td>11-80-BZ</td>
<td>Herrick, Feinstein, LLP</td>
<td><strong>146 West 28th Street, Manhattan</strong>&lt;br&gt;Amendment of previously approved variance (§72-21) which allowed conversion of the third through seventh floor from commercial to residential use. Amendment would permit the additional conversion of the second floor from commercial to residential use. M1-6 zoning district.</td>
<td>#5M</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Continued Hearing – 4/16/13</td>
</tr>
<tr>
<td>9.</td>
<td>78-08-BZ</td>
<td>Stephen Grasso</td>
<td><strong>611 East 133rd Street, Bronx</strong>&lt;br&gt;Extension of Time to Complete Construction of a previously granted Variance (72-21) to construct a five-story charter elementary school (<strong>The South Bronx Charter School for International Cultures and the Arts</strong>), which expired on August 26, 2012; Waiver of the Rules. M1-2/R-6A, MX-1(Special Mixed Use) zoning district.</td>
<td>#1BX</td>
<td>Henry Segovia (212 386-0074)</td>
<td>Closed, Decision – 4/9/13</td>
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*DISCLAIMER*
**APPEALS – DECISIONS**

|   | 110-10-BZY | Sheldon Lobel, P.C.  
123 Beach 93rd Street, Queens  
|   |   | Extension of time to complete construction (§11-332) for an additional two years for a minor development, which expired on October 19, 2012. R5A zoning district.  
| Community Board #14Q | Examiner: Toni Matias (212) 386-0085  
| Status: Granted – 3/19/13 |   |

|   | 201-10-BZY | Kramer Levin Naftalis & Frankel  
180 Orchard Street, Manhattan  
|   |   | Extension of time to complete construction (§11-332) for an additional two years for a minor development, which will expire on March 15, 2013. C4-4A zoning district.  
| Community Board #3M | Examiner: Toni Matias (212) 386-0085  
| Status: Granted – 3/19/13 |   |

|   | 190-12-A thru 192-12-A | Davidoff Hutcher & Citron, LLP  
42-45 12th Street, Queens  
|   |   | Appeals from Department of Buildings' determination that signs are not entitled to continued legal status as advertising sign. M1-4 zoning district.  
| Community Board #2Q | Examiner: Toni Matias (212) 386-0085  
| Status: Deferred Decision – 4/9/13 |   |

|   | 197-12-A | Davidoff Hutcher & Citron LLP  
1-37 12th Street, Brooklyn  
|   |   | Appeal from Department of Buildings' determination that a sign is not entitled to continued legal status as advertising sign. M1-2/M2-1 zoning district.  
| Community Board #7BK | Examiner: Toni Matias (212) 386-0085  
| Status: Deferred Decision – 4/9/13 |   |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**
**REGULAR MEETING**
**TUESDAY MORNING, MARCH 19, 2013**
**10:00 A.M.**

### APPEALS – DECISIONS

| 14. | 203-12-A | Davidoff Hutcher & Citron LLP  
442 West 36th Street, Manhattan  
Appeal from Department of Buildings' determination that a sign is not entitled to continued legal status as advertising sign. C2-5 /HY zoning district.  
Community Board #4M  
Examiner: Toni Matias (212) 386-0085  
Status: Deferred Decision – 4/9/13 |

### APPEALS – CONTINUED HEARINGS

| 15. | 89-07-A  
92-07-A thru  
95-07-A | Eric Palatnik, P.C.  
460, 472, 476, 480Thornycroft Avenue and 281 Oakland Street, Staten Island  
Proposal to build three two-family and one one-family homes located within the bed of a mapped street (Thornycroft Avenue), contrary to Section 35 of the General City Law. R3-2 Zoning district.  
Community Board #3SI  
Examiner: Toni Matias (212) 386-0085  
Status: Adjourned, Continued Hearing – 4/23/13 |
### APPEAL – NEW CASES

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<tr>
<th>Case No.</th>
<th>Address</th>
<th>Description</th>
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<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>16. 251-12-A</td>
<td>Davidoff Hutcher &amp; Citron LLP 330 East 59th Street, Manhattan</td>
<td>Appeal from Department of Buildings' determination that a sign is not entitled to continued non-conforming use status as an advertising sign. C2-5 Zoning District.</td>
<td>Community Board # 6M</td>
<td>Examiner: Toni Matias (212) 386-0085</td>
<td>Status: Continued Hearing – 5/7/13</td>
</tr>
<tr>
<td>17. 292-12-A</td>
<td>Gary Lenhart, R.A. 19 Marion Walk, Queens</td>
<td>Proposed reconstruction and enlargement of existing single-family dwelling located partially in the bed of a mapped street, contrary to Article 3, Section 35 of the General City Law; proposed upgrade of the existing private disposal system in the bed of the mapped street, contrary to Article 3, Section 35 of the General City Law. R4 zoning district.</td>
<td>Community Board #14Q</td>
<td>Examiner: Toni Matias (212) 386-0085</td>
<td>Status: Granted – 3/19/13</td>
</tr>
<tr>
<td>18. 297-12-A</td>
<td>Law Office of Fredrick A. Becker 28-18/20 Astoria Boulevard, Queens</td>
<td>Appeal seeking a determination that the owner of the premises has acquired a common law vested right to complete construction commenced under the prior R6 zoning district. R6-A/C1-1 zoning district.</td>
<td>Community Board #1Q</td>
<td>Examiner: Toni Matias (212) 386-0085</td>
<td>Status: Closed, Decision – 4/23/13</td>
</tr>
<tr>
<td>19. 307-12-A</td>
<td>Gary Lenhart 25 Olive Walk, Queens, Queens</td>
<td>Reconstruction and enlargement of existing single-family dwelling not fronting a mapped street, contrary to Article 3, section 36 of the General City law. The proposed upgrade of the existing non-conforming private disposal system located partially in the bed of the service road, contrary to building department policy. R4 zoning district.</td>
<td>Community Board #14Q</td>
<td>Examiner: Toni Matias (212) 386-0085</td>
<td>Status: Granted – 3/19/13</td>
</tr>
</tbody>
</table>
# BZ – DECISIONS

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<table>
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</table>
| 1. | 67-12-BZ | Sheldon Lobel, P.C.  
**1442 First Avenue, Manhattan**  
Variance (§72-21) to allow for the extension of an eating and drinking establishment to the second floor, contrary to use regulations (§32-421).  
C1-9 zoning district.  
**Community Board #8M**  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Withdrawn – 3/19/13 |
| 2. | 233-12-BZ | Fried Frank Harris Shriver & Jacob  
**246-12 South Conduit Avenue, Queens**  
Variance (§72-21) to legalize an advertising sign in a residential district, contrary to use regulations (§22-00).  
R3X zoning district.  
**Community Board #13Q**  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Granted – 3/19/13 |
| 3. | 302-12-BZ | Davidoff Hutcher & Citgron LLP  
**32 West 18th Street, Manhattan**  
Special Permit (§73-36) to allow a physical culture establishment (**Lithe Method**).  
C6-4A zoning district.  
**Community Board #5M**  
**Examiner:** Rory Levy (212) 386-0082  
**Status:** Withdrawn – 3/19/13 |
| 4. | 318-12-BZ | Rothkrug Rothkrug & Spector, LLP  
**45 Crosby Street, Manhattan**  
Special permit (§73–36) to allow a physical culture establishment (**SoulCycle**) within a portion of an existing building.  
M1-5B zoning district.  
**Community Board #2M**  
**Examiner:** Rory Levy (212) 386-0082  
**Status:** Granted – 3/19/13 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, MARCH 19, 2013  
10:00 A.M.

| 5.  | 320-12-BZ | Rothkrug Rothkrug & Spector, LLP  
|      |          | 23 West 116th Street, Manhattan  
|      |          | Special Permit (§73-36) to allow a physical culture establishment (Blink Fitness). C4-5X zoning district.  
|      |          | Community Board #10M  
|      | Examiner: Rory Levy (212) 386-0082  
|      | Status: Granted – 3/19/13  

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### BZ – CONTINUED HEARINGS

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</table>
| 6. | **56-12-BZ** | Eric Palatnik, P.C.  
   **168 Norfolk 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 yard (§23-461); and rear yard (§23-47) regulations. R3-1 zoning district.  
   **Community Board #4BK**  
   **Examiner: Henry Segovia (212 386-0074**  
   **Status: Adjourned, Continued Hearing – 4/16/13** |
| 7. | **153-12-BZ** | Harold Weinberg, P.E.  
   **24/34 Cobek Court, Brooklyn**  
   Special Permit (§73-36) to legalize a physical culture establishment (*Fight Factory Gym*). M1-1/OP zoning district.  
   **Community Board #13BK**  
   **Examiner: Rory Levy (212) 386-0082**  
   **Status: Closed, Decision – 4/23/13** |
| 8. | **199-12-BZ** | Sheldon Lobel, P.C.  
   **1517 Bushwick Avenue, Brooklyn**  
   Variance (§72-21) to construct a self-storage facility, contrary to maximum permitted floor area regulations. C8-1 and R6 zoning districts.  
   **Community Board #4BK**  
   **Examiner: Ronald Rizzotti (212) 386-0081**  
   **Status: Adjourned, Continued Hearing – 4/23/13** |
| 9. | **250-12-BZ** | Law Office of Fredrick A. Becker  
   **2410 Avenue S, 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); less than the required rear yard (§23-47) and perimeter wall height (§23-631). R3-2 zoning district.  
   **Community Board #15BK**  
   **Examiner: Henry Segovia (212 386-0074**  
   **Status: Continued Hearing – 4/16/13** |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, MARCH 19, 2013
10:00 A.M.

### BZ – CONTINUED HEARINGS

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| 10. | 295-12-BZ | Sheldon Lobel, P.C.  
49-33 Little Neck Parkway, Queens  
Variance (§72-21) to permit the expansion of a non-conforming Use  
Group 4 dentist's office, contrary to §52-22.  R1-2 zoning district.  
**Community Board #11Q**  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Closed, Decision – 4/23/13 |
| 11. | 315-12-BZ | Akerman Senterfitt, LLP  
23-25 31st Street, Queens  
Special Permit (§73-50) to allow for a community facility building,  
contrary to rear yard requirements (§33-29).  C4-3 zoning district.  
**Community Board #1Q**  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Continued Hearing – 4/23/13 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
### TUESDAY MORNING, MARCH 19, 2013
### 10:00 A.M.

### BZ — NEW CASES

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<tr>
<th>Case Number</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>12. 321-12-BZ</td>
<td>Dennis D. Dell'Angelo, 22 Girard Street, Brooklyn</td>
<td>Special permit (§73-622) for the enlargement of an existing two-family home to be converted to a single-family home, contrary to floor area (§23-141); perimeter wall height (§23-631) and less than the required rear yard ZR 23-47. R3-1 zoning district.</td>
<td>#15BK</td>
<td>Henry Segovia (212 386-0074)</td>
<td>Postponed Hearing – 4/16/13</td>
</tr>
<tr>
<td>13. 338-12-BZ</td>
<td>Eric Palatnik, P.C., 164-20 Northern Boulevard, Queens</td>
<td>Special Permit (§73-36) to allow the legalization of a physical culture establishment (Metro Gym) located in an existing one-story and cellar commercial building. C2-2/R5B zoning district.</td>
<td>#7Q</td>
<td>Rory Levy (212) 386-0082</td>
<td>Continued Hearing – 5/7/13</td>
</tr>
<tr>
<td>14. 1-13-BZ</td>
<td>Sheldon Lobel, P.C., 420 Fifth Avenue, aka 408 Fifth Avenue, Manhattan</td>
<td>Special Permit (§73-36) to allow the operation of a physical culture establishment (Reebok Crossfit) at the cellar of an existing building. C5-3 zoning district.</td>
<td>#5M</td>
<td>Rory Levy (212) 386-0082</td>
<td>Closed, Decision – 4/23/13</td>
</tr>
<tr>
<td>15. 7-13-BZ</td>
<td>Law Office of Fredrick A. Becker, 1644 Madison Place, Brooklyn</td>
<td>Special Permit (§73-621) for the enlargement of a single-family home, contrary to floor area, open space and lot coverage (§23-141). R3-2 zoning district.</td>
<td>#18BK</td>
<td>Henry Segovia (212 386-0074)</td>
<td>Closed, Decision – 4/23/13</td>
</tr>
</tbody>
</table>

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<td><strong>BZ – NEW CASES</strong></td>
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<td>16.</td>
<td>9-13-BZ</td>
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<tr>
<td>Slater &amp; Beckerman PC</td>
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<td>2626-2628 Broadway, Manhattan</td>
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<td>Special Permit (§73-201) to allow a Use Group 8 motion picture theater (Alamo Drafthouse Cinema), contrary to use regulations (§32-17).</td>
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<td>R9A/C1-5 zoning district.</td>
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<td>Community Board#7M</td>
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<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
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<td>Status: Continued Hearing – 4/16/13</td>
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</tbody>
</table>
# New York City Board of Standards and Appeals

## Regular Meeting

**Tuesday Morning, April 9, 2013**

**10:00 A.M.**

### SOC – Decisions

<table>
<thead>
<tr>
<th>#</th>
<th>Case No.</th>
<th>Party</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
</tr>
</thead>
</table>
| 1  | 364-82-BZ| Troutman Sanders LLP  
245-24 Horace Harding Expressway, Queens | Extension of Term of a previously-granted Variance (§72-21) for the continued operation of a physical culture establishment (*Bally's Total Fitness*) which expired on January 18, 2013. C1-2/R3-2 zoning district. | Community Board #11Q  
Examiner: Henry Segovia (212) 386-0074 | Granted – 4/9/13 |
| 2  | 189-03-BZ| Eric Palatnik, P.C.  
836 East 233rd Street, Bronx | Extension of Term of a previously granted special permit (§73-211) for the continued operation of an automotive service station (*Shell*) with an accessory convenience store (UG 16B) which expires on October 21, 2013; Extension of Time to obtain a Certificate of Occupancy which expired on October 21, 2008; Waiver of the Rules. C2-2/R-5 zoning district. | Community Board #12BX  
Examiner: Henry Segovia (212) 386-0074 | Granted – 4/9/13 |
| 3  | 78-08-BZ | Stephen Grasso  
611 East 133rd Street, Bronx | Extension of Time to Complete Construction of a previously granted Variance (72-21) to construct a five-story charter elementary school (*The South Bronx Charter School for International Cultures and the Arts*), which expired on August 26, 2012; Waiver of the Rules. M1-2/R-6A, MX-1(Special Mixed Use) zoning district. | Community Board #1BX  
Examiner: Henry Segovia (212) 386-0074 | Granted – 4/9/13 |

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
### TUESDAY MORNING, APRIL 9, 2013
### 10:00 A.M.

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#### SOC – CONTINUED HEARINGS

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</table>
| 4. | 982-83-BZ | Rothkrug & Spector, LLP
191-20 Northern Boulevard, Queens
Extension of Time to obtain a Certificate of Occupancy of a previously granted variance for the continued operation of retail and office use (UG 6) which expired on July 19, 2012. R3-2 zoning district.
Community Board #11Q
Examiner: Henry Segovia (212) 386-0074
Status: Continued Hearing – 5/14/13 |
| 5. | 103-91-BZ | Davidoff Hutcher & Citron, LLP
248-18 Sunrise Highway, Queens
Extension of term of approved variance permitting an auto laundry use (UG 16B); Amendment to permit changes to the layout and extend hours of operation. C2-1/R3-2 zoning district.
Community Board #13Q
Examiner: Carlo Costanza (212) 386-0068
Status: Adjourned, Continued Hearing – 4/23/13 |
| 6. | 62-99-BZ | Akerman Senterfitt LLP
541 Lexington Avenue, Manhattan
Extension of Term of a previously-approved Special Permit (§73-36) for the continued operation of a physical cultural establishment (Blitz) which expired on January 31, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on February 1, 2004; Waiver of Rules. C6-6 zoning district.
Community Board #6M
Examiner: Henry Segovia (212) 386-0074
Status: Closed, Decision – 4/23/13 |
| 7. | 211-00-BZ | Sheldon Lobel, P.C.
252 Norman Avenue, Brooklyn
Extension of Time to complete construction of a previously approved variance (§72-21) which permitted the legalization of residential units on the second through fourth floors of a mixed use (UG 17 & 2) four-story building, which expired on April 17, 2005; Amendment for minor modification to the approved plans; Waiver of the Rules. M1-2 zoning district.
Community Board #1BK
Examiner: Henry Segovia (212) 386-0074
Status: Closed, Decision – 4/23/13 |
# SOC – NEW CASES

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<tr>
<th>Case Number</th>
<th>Address</th>
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<th>Examiner</th>
<th>Community Board</th>
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</thead>
<tbody>
<tr>
<td>8. 1073-62-BZ</td>
<td>305 East 40th Street, Manhattan</td>
<td>Extension of Term of a previously approved variance (MDL Section 60 (1d)), permitting 108 tenant parking spaces for transient use within an accessory garage, which expires on March 5, 2013, C1-9/R10 zoning district.</td>
<td>Henry Segovia</td>
<td>#6M</td>
<td>Closed, Decision – 5/7/13</td>
</tr>
<tr>
<td>9. 1111-62-BZ</td>
<td>201 East 56th Street, Manhattan</td>
<td>Extension of Term of a previously approved variance (MDL Section 60 (3)) permitting the use of tenant parking spaces for transient use within an accessory garage, which expires on March 26, 2013. C6-6, C5-2 and C1-9 zoning district.</td>
<td>Carlo Costanza</td>
<td>#6M</td>
<td>Closed, Decision – 5/7/13</td>
</tr>
<tr>
<td>10. 8-98-BZ</td>
<td>106-108 West 13th Street, Manhattan</td>
<td>Amendment of a previously approved variance (§72-21) which permitted limited commercial uses in the cellar of a building located in a residential zoning district. The amendment seeks to permit additional UG 6 uses, excluding restaurant use, expand the limited operation hours, and remove the term restriction. R6 zoning district.</td>
<td>Ronald Rizzotti</td>
<td>#2M</td>
<td>Closed, Decision – 5/7/13</td>
</tr>
</tbody>
</table>
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, APRIL 9, 2013
#### 10:00 A.M.

## APPEALS – DECISIONS

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<th>Case Number</th>
<th>Law Firm</th>
<th>Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
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</thead>
<tbody>
<tr>
<td>11</td>
<td>119-11-A</td>
<td>Bryan Cave LLP</td>
<td>2230-2234 Kimball Street, Brooklyn</td>
<td>Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under prior zoning regulations in effect on July 14, 2005. R4 zoning district.</td>
<td>Community Board #18BK</td>
<td>Examiner: Toni Matias (212) 386-0085</td>
<td>Status: Off-Calendar</td>
</tr>
<tr>
<td>12</td>
<td>190-12-A thru 192-12-A</td>
<td>Davidoff Hutcher &amp; Citron LLP</td>
<td>42-45 12th Street, Queens</td>
<td>Appeals from Department of Buildings' determination that signs are not entitled to continued legal status as advertising sign. M1-4 zoning district.</td>
<td>Community Board #2Q</td>
<td>Examiner: Toni Matias (212) 386-0085</td>
<td>Status: Denied – 4/9/13</td>
</tr>
<tr>
<td>13</td>
<td>197-12-A</td>
<td>Davidoff Hutcher &amp; Citron LLP</td>
<td>1-37 12th Street, Brooklyn</td>
<td>Appeal from Department of Buildings' determination that a sign is not entitled to continued legal status as advertising sign. M1-2/M2-1 zoning district.</td>
<td>Community Board #7BK</td>
<td>Examiner: Toni Matias (212) 386-0085</td>
<td>Status: Denied – 4/9/13</td>
</tr>
<tr>
<td>14</td>
<td>203-12-A</td>
<td>Davidoff Hutcher &amp; Citron LLP</td>
<td>442 West 36th Street, Manhattan</td>
<td>Appeal from Department of Buildings' determination that a sign is not entitled to continued legal status as advertising sign. C2-5 /HY zoning district.</td>
<td>Community Board #4M</td>
<td>Examiner: Toni Matias (212) 386-0085</td>
<td>Status: Denied – 4/9/13</td>
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### APPEALS – DECISIONS

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<tr>
<th>No.</th>
<th>Case Numbers</th>
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<th>Examiner</th>
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<th>Examiner</th>
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<tbody>
<tr>
<td>16.</td>
<td>10-10-A</td>
<td>New York City Board of Standards and Appeals 1882 East 12th Street, Brooklyn</td>
<td>Reopening for a court remand to review the validity of the permit at issue in a prior vested rights application.</td>
<td></td>
<td>Community Board #15BK</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 5/21/13</td>
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<tr>
<td>17.</td>
<td>103-12-A</td>
<td>Sheldon Lobel, P.C. 74-76 Adelphi Street, Brooklyn</td>
<td>Appeal seeking a common law vested right to continue development commenced under the prior R6 zoning district. R5B zoning district.</td>
<td></td>
<td>Community Board #2BK</td>
<td>Toni Matias (212) 386-0085</td>
<td>Closed, Decision – 5/7/13</td>
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<td>18.</td>
<td>288-12-A thru 290-12-A</td>
<td>Rothkrug Rothkrug &amp; Spector LLP 319, 323, 327 Ramona Avenue, Staten Island</td>
<td>Proposed construction of three two-family homes not fronting on a legally mapped street, contrary to General City Law Section 36. R3X (SRD) zoning district.</td>
<td></td>
<td>Community Board #3SI</td>
<td>Toni Matias (212) 386-0085</td>
<td>Closed, Decision – 5/7/13</td>
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NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
TUESDAY MORNING, APRIL 9, 2013
10:00 A.M.
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

**TUESDAY MORNING, APRIL 9, 2013**

**10:00 A.M.**

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## APPEALS – CONTINUED HEARINGS

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<tr>
<td>19.</td>
<td>304-12-A</td>
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<td>Eric Palatnik, P.C.</td>
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<td><strong>42-32 147th Street, Queens</strong></td>
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<td>Proposed seven-story residential development located within mapped but inbuilt portion of Ash Avenue, contrary to General City Law Section 35. R6A zoning district.</td>
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<td>Community Board #7Q</td>
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<td>Examiner: Toni Matias (212) 386-0085</td>
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<td>Status: Closed, Decision – 5/7/13</td>
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## APPEAL – NEW CASES

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<td>256-12-A</td>
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<td>Davidoff Hutcher &amp; Citron LLP</td>
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<td><strong>195 Havemeyer Street, Brooklyn</strong></td>
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<td>Appeal challenging Department of Buildings' determination that a sign is not entitled to continued non-conforming use status as an advertising sign. C4-3 zoning district.</td>
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<td>Examiner: Toni Matias (212) 386-0085</td>
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<td>21.</td>
<td>265-12-A thru 266-12-A</td>
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<td>Watchel Masyr &amp; Missry, LLP</td>
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<td><strong>980 Brush Avenue, Bronx</strong></td>
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<tr>
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<td>Appeal challenging Department of Buildings’ determination that a sign is not entitled to continued non-conforming use status as an advertising sign. M1-2 &amp; R4/C2-1 zoning district.</td>
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<td>Community Board #10BX</td>
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<td>Examiner: Toni Matias (212) 386-0085</td>
</tr>
<tr>
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<td>Status: Closed, Decision – 5/14/13</td>
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</tbody>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, APRIL 9, 2013
#### 10:00 A.M.

<table>
<thead>
<tr>
<th></th>
<th>BZ – DECISIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>43-12-BZ</td>
</tr>
<tr>
<td></td>
<td>Watchtel Masyr &amp; Missry, LLP</td>
</tr>
<tr>
<td></td>
<td><strong>25 Great Jones Street, Manhattan</strong></td>
</tr>
<tr>
<td></td>
<td>Variance (§72-21) to permit a residential building, contrary to use regulations (§42-00). M1-5B zoning district.</td>
</tr>
<tr>
<td></td>
<td>Community Board #2M</td>
</tr>
<tr>
<td></td>
<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
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<tr>
<td></td>
<td>Status: Deferred Decision – 6/4/13</td>
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<tr>
<td>2.</td>
<td>57-12-BZ</td>
</tr>
<tr>
<td></td>
<td>Eric Palatnik, P.C.</td>
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<tr>
<td></td>
<td><strong>2670 East 12th Street, Brooklyn</strong></td>
</tr>
<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); side yards (§23-461); less than the required rear yard (§23-37). R4 zoning district.</td>
</tr>
<tr>
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<td>Community Board #15BK</td>
</tr>
<tr>
<td></td>
<td>Examiner: Henry Segovia (212) 386-0074</td>
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<td>Status: Granted – 4/9/13</td>
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<td>3.</td>
<td>242-12-BZ</td>
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<tr>
<td></td>
<td>Sheldon Lobel, P.C.</td>
</tr>
<tr>
<td></td>
<td><strong>1621-1629 61st Street, Brooklyn</strong></td>
</tr>
<tr>
<td></td>
<td>Variance (§72-21) to permit the construction of a Use Group 4A house of worship (<em>Congregation Toldos Yehuda</em>), contrary to height, setback, sky exposure plane, rear yard, and parking requirements. M1-1 zoning district.</td>
</tr>
<tr>
<td></td>
<td>Community Board #12BK</td>
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<tr>
<td></td>
<td>Examiner: Rory Levy (212) 386-0082</td>
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<td>Status: Deferred Decision – 5/7/13</td>
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<td>4.</td>
<td>294-12-BZ</td>
</tr>
<tr>
<td></td>
<td>Eric Palatnik, P.C.</td>
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<tr>
<td></td>
<td><strong>130 Clinton Street, Brooklyn</strong></td>
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<tr>
<td></td>
<td>Special Permit (§73-36) to allow a physical culture establishment (<em>Everyday Athlete</em>). C5-2A/DB special zoning district.</td>
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<tr>
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<td>Community Board #2BK</td>
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<tr>
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<td>Examiner: Rory Levy (212) 386-0082</td>
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NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, APRIL 9, 2013  
10:00 A.M.

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</table>
| 5. | **298-12-BZ** Kramer Levin Naftalis & Frankel LLP  
726-730 Broadway, Manhattan  
Variance (§72-21) to permit the conversion of nine floors of an existing ten-story building to Use Group 3 college or university use (*New York University*), contrary to use regulations. M1-5B zoning district.  
**Community Board #2M**  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Deferred Decision – 5/7/13 |
| 6. | **312-12-BZ** Greenberg Traurig  
29-37 Beekman Street aka 165-169 William Street, Manhattan  
Variance (§72-21) to facilitate the construction of a new 34-story, 760-bed dormitory (*Pace University*), contrary to maximum permitted floor area. C6-4 district/Special Lower Manhattan District.  
**Community Board #1M**  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Granted – 4/9/13 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
**REGULAR MEETING**
TUESDAY MORNING, APRIL 9, 2013
10:00 A.M.

#### BZ – CONTINUED HEARINGS

<table>
<thead>
<tr>
<th>#</th>
<th>Zoning 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>7</td>
<td>42-10-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>2170 Mill Avenue, Brooklyn</td>
<td>Variance (§72-21) to allow for a mixed use building, contrary to use (§22-10), floor area, lot coverage, open space (§23-141), maximum dwelling units (§23-22), and height (§23-631) regulations. R3-1/C2-2 zoning district.</td>
<td>Community Board #18BK</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Closed, Decision – 5/7/13</td>
</tr>
<tr>
<td>8</td>
<td>50-12-BZ</td>
<td>Gerald J. Caliendo, R.A., AIA</td>
<td>177-60 South Conduit Avenue, Queens</td>
<td>Variance (§72-21) to allow for the construction of a commercial building, contrary to use regulations (§22-00). R3-2 zoning district.</td>
<td>Community Board #12Q</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Adjourned, Continued Hearing – 5/14/13</td>
</tr>
<tr>
<td>9</td>
<td>63-12-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>2701 Avenue N, Brooklyn</td>
<td>Variance (§72-21) to permit the construction of a Use Group 4A House of Worship (Khal Bnei Avrohom Yaakov), which is contrary to floor area (24-11), lot coverage, front yard (24-34), side yard (24-35a) parking (25-31), height (24-521), and setback requirements. R2 zoning district.</td>
<td>Community Board #14BK</td>
<td>Rory Levy (212) 386-0082</td>
<td>Closed, Decision – 5/21/13</td>
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<tr>
<td>10</td>
<td>72-12-BZ</td>
<td>Watchtel Masyr &amp; Missry, LLP</td>
<td>213-223 Flatbush Avenue, Brooklyn</td>
<td>Variance (§72-21) to allow for the construction of a new mixed use building, contrary to off-street parking (§25-23), floor area, open space, lot coverage (§23-145), maximum base height and maximum building height (§23-633) regulations. R7A/C2-4 and R6B zoning districts.</td>
<td>Community Board #6BK</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Adjourned, Continued Hearing – 7/9/13</td>
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</table>
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
#### TUESDAY MORNING, APRIL 9, 2013
#### 10:00 A.M.

#### BZ – CONTINUED HEARINGS

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</table>
| 11. | 148-12-BZ | Eric Palatnik, P.C.  
981 East 29th Street, Brooklyn  
Special Permit (§73-621) for the enlargement of an existing single family semi-detached residence, contrary to floor area, lot coverage and open space (ZR23-141(b)). R4 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 5/7/13 |
| 12. | 238-12-BZ | Harold Weinberg, P.E.  
1713 East 23rd Street, Brooklyn  
Special Permit (§73-622) for the enlargement of single family home contrary floor area and lot coverage (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 4/23/13 |
| 13. | 284-12-BZ | Sheldon Lobel, P.C.  
2047 East 3rd 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) requirements. R2X (OP) zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 5/7/13 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
#### TUESDAY MORNING, APRIL 9, 2013
#### 10:00 A.M.

#### BZ – NEW CASES

<table>
<thead>
<tr>
<th>Case</th>
<th>Address</th>
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<th>Status</th>
</tr>
</thead>
</table>
| 14.  | 138-12-BZ | Harold Weinberg, P.E.  
2051 East 19th Street, Brooklyn  
Special Permit (§73-622) for the legalization of an enlargement to a single family residence, contrary to side yard requirement (§23-461). R-5 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 5/7/13 | | |
| 15.  | 139-12-BZ | Gerald J. Caliendo, RA, AIA, PC  
34-10 12th Street, Queens  
Special Permit (§73-53) to allow the enlargement of an existing non-conforming manufacturing building, contrary to use regulations (§22-00). R5 zoning district.  
Community Board #1Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 5/14/13 | | |
| 16.  | 293-12-BZ | Eric Palatnik, P.C.  
1245 83rd Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area (§23-141(b)) and side yard (§23-461(a)) regulations. R3X zoning district.  
Community Board #10BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 5/14/13 | | |
| 17.  | 3-13-BZ | Wachtel Masyr Missry LLP  
3231-3251 Richmond Avenue, aka 806 Arthur Kill Road, S.I.  
Special Permit (§73-36) to allow a physical culture establishment (*LA Fitness*). C4-1 (SRD) zoning district.  
Community Board #3SI  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 5/7/13 | | |
| 18.  | 4-13-BZ | Francis R. Angelino, Esq.  
1623 Flatbush Avenue, Brooklyn  
Special Permit (§73-36) to allow a physical culture establishment (*Retro Fitness*). C8-2 zoning district.  
Community Board #17BK  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 5/7/13 | | |

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# SOC – DECISIONS

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<table>
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</table>
| **1.** | **390-61-BZ** | Peter Hirshman  
148-150 East 33rd Street, Manhattan  
Extension of Time to obtain a Certificate of Occupancy of a previously approved variance permitting UG8 parking garage and an auto rental establishment (UG8) in the cellar level, which expired on December 13, 2012. R8B zoning district.  
**Community Board #6M**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Granted – 4/16/13 |
| **2.** | **167-95-BZ** | Walter T. Gorman, P.E.  
121-18 Springfield Boulevard, Queens  
Extension of Term of a previously approved variance (§72-21) which permitted the maintenance and repairs of motor-operated cemetery equipment and accessory parking and storage of motor vehicles which expired on February 4, 2012; amendment to reduce the size of the area covered by the variance. R3A zoning district.  
**Community Board #12Q**  
**Examiner:** Carlo Costanza (212) 386-0068  
**Status:** Granted – 4/16/13 |
| **3.** | **18-02-BZ** | Rothkrug Rothkrug & Spector, LLP  
8610 Flatlands Avenue, Brooklyn  
Extension of Term (§11-411) of an approved variance for the continued operation of an automotive laundry (UG 16B) which expired on August 13, 2012. C2-3/R5D zoning district.  
**Community Board #18BK**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Granted – 4/16/13 |
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</table>
|   | 551-37-BZ | Eric Palatnik, P.C.  
233-02 Northern Boulevard, Queens  
Extension of Term (§11-411) of approved variance for the continued operation of an automobile repair shop (Red’s Auto Repair) which expired on July 15, 2012; Waiver of the Rules. R1-2 zoning district.  
Community Board #11Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Adjourned, Continued Hearing – 5/7/13 |
| 4. | 135-46-BZ | Eric Palatnik, P.C.  
3802 Avenue U, Brooklyn  
Extension of Term (§11-411) of approved variance which permitted an automotive service station (UG 16B) with accessory uses, which expired on January 29, 2012, and an amendment (§11-413) to convert the use to auto laundry (UG 16B) hand car wash; waiver for the Rules. R4 zoning district.  
Community Board #18BK  
Examiner: Carlo Costanza (212) 386-0068  
Status: Adjourned, Continued Hearing – 5/7/13 |
| 5. | 11-80-BZ | Herrick, Feinstein, LLP  
146 West 28th Street, Manhattan  
Amendment of previously approved variance (§72-21) which allowed conversion of the third through seventh floor from commercial to residential use. Amendment would permit the additional conversion of the second floor from commercial to residential use. M1-6 zoning district.  
Community Board #5M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 5/7/13 |
| 6. | 130-88-BZ | Sheldon Lobel, P.C.  
1007 Brooklyn Avenue aka 3602 Snyder Avenue, Brooklyn  
Extension of Term of approved Special Permit (§73-21) for the continued operation of UG 16B gasoline service station (Gulf) which expired on January 24, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on October 12, 2003; Waiver of the Rules. C2-2/R4 zoning district.  
Community Board #17BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Adjourned, Continued Hearing – 5/7/13 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

**REGULAR MEETING**

**TUESDAY MORNING, APRIL 16, 2013**

**10:00 A.M.**

### SOC – NEW CASES

| 8.   | 326-02-BZ | Sheldon Lobel, P.C.  
2228-2238 Church Avenue, Brooklyn  
Extension of Term of a previously approved Special Permit (§73-36) for the continued operation of physical culture establishment (*Planet Fitness*) which expires on November 5, 2013; Amendment to allow the extension of use to the building's first floor, and change in ownership. C4-4A zoning district.  
**Community Board #14BK**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Closed, Decision – 5/14/13 |
| 9.   | 341-02-BZ | Sheldon Lobel, P.C.  
231 East 58th Street, Manhattan  
Extension of Term of a previously approved Variance (§72-21) for the continued use on the first floor of a five-story building, which expired on April 8, 2013.  
**R-8B** zoning district.  
**Community Board #6M**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Continued Hearing – 5/14/13 |
| 10.  | 150-04-BZ | Sheldon Lobel, P.C.  
129 Elizabeth Street, Manhattan  
Extension of Time to Complete Construction of a previously approved Variance (§72-21) to build a new four-story residential building with a retail store and one-car garage, which expired on March 29, 2009; Waiver of the Rules.  
C6-2G LI (*Special Little Italy*) zoning district.  
**Community Board #2M**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Closed, Decision – 5/14/13 |
| 11.  | 55-06-BZ  | Rampulla Associates Architects  
31 Nadine Street, Staten Island  
Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the construction of a three-story with cellar, office building (UG 6B), which expired on January 23, 2011; Waiver of the Rules.  
**C1-1(NA-1)** zoning district.  
**Community Board # 2SI**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Closed, Decision – 5/14/13 |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
## TUESDAY MORNING, APRIL 16, 2013
## 10:00 A.M.

### APPEALS – DECISIONS

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<thead>
<tr>
<th>Case Number</th>
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<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>12. 310-12-A</td>
<td>141 East 88th Street, Manhattan</td>
<td>Appeal to the Multiple Dwelling Law section 310(2)(a) to permit the reclassification of a partially occupied residential building, a rehabilitation and a rooftop addition. C1-8X zoning district.</td>
<td>#8M</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Granted – 4/16/13</td>
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### APPEAL – NEW CASES

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<th>Examiner</th>
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</thead>
<tbody>
<tr>
<td>13. 493-73-A</td>
<td>328 West 83rd Street, Manhattan</td>
<td>Extension of Term of an approved appeal to Multiple Dwelling Law Section 310 to permit a superintendent's apartment in the cellar, which expired on March 20, 2004, an amendment to eliminate the term, an extension of time to obtain a Certificate of Occupancy, and a waiver of the Rules. R10A /R8B Zoning District.</td>
<td>#7M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Closed, Decision – 5/14/13</td>
</tr>
<tr>
<td>14. 267-12-A</td>
<td>691 East 133rd Street, Bronx</td>
<td>Appeal from Department of Buildings' determination that the sign is not entitled to continued non-conforming use status as an advertising sign. M1-2 &amp; R6A zoning district.</td>
<td>#1BX</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 5/21/13</td>
</tr>
<tr>
<td>15. 79-13-A</td>
<td>807 Park Avenue, Manhattan</td>
<td>Appeal from Department of Buildings' determination regarding the status of a zoning lot and reliance on the Certificate of Occupancy’s recognition of the zoning lot. R10(Pl) zoning district.</td>
<td>#8M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 5/21/13</td>
</tr>
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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, APRIL 16, 2013**  
**10:00 A.M.**

**BZ – DECISIONS**

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</table>
| **1.** | **313-12-BZ**  
Troutman Sanders LLP  
**1009 Flatbush Avenue, Brooklyn**  
Special permit (§73-36) to allow the continued operation of the existing physical culture establishment (Bally's Total Fitness). C4-2/C4-4A zoning district.  
**Community Board #14BK**  
**Examiner:** Rory Levy (212) 386-0082  
**Status:** Granted – 4/16/13 |
| **2.** | **314-12-BZ**  
Troutman Sanders LLP  
**350 West 50th Street, Manhattan**  
Special permit (§73-36) to allow the continued operation of the existing physical culture establishment (Bally's Total Fitness). C6-4 (CL) zoning district.  
**Community Board #4M**  
**Examiner:** Rory Levy (212) 386-0082  
**Status:** Granted – 4/16/13 |
| **3.** | **316-12-BZ**  
Eric Palatnik, P.C.  
**37-20 Prince Street, Queens**  
Special Permit (§73-36) to allow a proposed physical culture establishment (Orient Retreat). C4-2 zoning district.  
**Community Board #7Q**  
**Examiner:** Rory Levy (212) 386-0082  
**Status:** Granted – 4/16/13 |
| **4.** | **325-12-BZ**  
Bryan Cave LLP  
**1273-1285 York Avenue, Manhattan**  
Variance (§72-21) to permit a new Use Group 4 maternity hospital and ambulatory diagnostic or treatment health care facility (New York Presbyterian Hospital), contrary to modification of height and setback, lot coverage, rear yard, floor area and parking. R10/R9/R8 zoning districts.  
**Community Board #8M**  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Deferred Decision – 5/14/13 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

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

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<tr>
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</table>
| 5. | Sheldon Lobel, P.C.  
403 Concord Avenue, Bronx  
Special Permit (§73-19) to permit a Use Group 3 school to occupy an existing building, contrary to use regulations (§42-00).  
M1-2 zoning district.  
Community Board #1BX  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 4/16/13 |

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#### BZ – CONTINUED HEARINGS

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<th>56-12-BZ</th>
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| 6. | Eric Palatnik, P.C.  
168 Norfolk 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 yard (§23-461); and rear yard (§23-47) regulations. R3-1 zoning district.  
Community Board #4BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 5/14/13 |

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<tr>
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</table>
| 7. | Law Office of Eduardo J. Diaz  
108-15 Cross Bay Boulevard, Queens  
Re-instatement (§11-411) of a previously approved variance which allowed a two-story office building (UG6) and four parking spaces, which expired on May 13, 2000. Waiver of the Rules. R4 zoning district.  
Community Board #10BK  
Examiner: Carlo Costanza (212) 386-0068  
Status: Adjourned, Continued Hearing – 6/4/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, APRIL 16, 2013
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## BZ – CONTINUED HEARINGS

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</table>
| **8.** | **250-12-BZ** | Law Office of Fredrick A. Becker  
2410 Avenue S, 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); less than the required rear yard (§23-47) and perimeter wall height (§23-631). R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 5/14/13 |
| **9.** | **324-12-BZ** | Sheldon Lobel, P.C.  
45 76th Street, Brooklyn  
Special permit (§73-622) for the enlargement of an existing single family home, contrary to floor area regulations (23-141(b)). R3-1 zoning district.  
Community Board #10BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 5/14/13 |
| **10.** | **9-13-BZ** | Slater & Beckerman PC  
2626-2628 Broadway, Manhattan  
Special Permit (§73-201) to allow a Use Group 8 motion picture theater (Alamo Drafthouse Cinema), contrary to use regulations (§32-17). R9A/C1-5 zoning district.  
Community Board #7M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 5/14/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

**TUESDAY MORNING, APRIL 16, 2013**

**10:00 A.M.**

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### BZ – NEW CASES

<table>
<thead>
<tr>
<th>Case Numbers</th>
<th>Applicant</th>
<th>Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>11. 135-11-BZ/136-11-A</td>
<td>Eric Palatnik, P.C.</td>
<td>2080 Clove Road, Staten Island</td>
<td>Variance (§72-21) to allow for the construction of a commercial use (UG6), contrary to use regulations (§22-00). Proposed construction is also located within a mapped but not built portion of a street (Clove Road and Sheridan Avenue), contrary to General City Law Section 35. R3-2 zoning district.</td>
<td>Community Board #2SI</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Closed, Decision – 6/11/13</td>
<td></td>
</tr>
<tr>
<td>12. 59-12-BZ/60-12-A</td>
<td>Mitchell S. Ross, Esq.</td>
<td>240-27 Depew Avenue, Queens</td>
<td>Variance (§72-21) to allow the enlargement of an existing home, contrary to front yard (§23-45) regulations. Proposed construction is also located within a mapped but unbuilt portion of a street, contrary to General City Law Section 35. R1-2 zoning district.</td>
<td>Community Board #11Q</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Closed, Decision – 5/21/13</td>
<td></td>
</tr>
<tr>
<td>13. 321-12-BZ</td>
<td>Dennis D. Dell'Angelo</td>
<td>22 Girard Street, Brooklyn</td>
<td>Special Permit (§73-622) for the enlargement of an existing two-family home to be converted to a single-family home, contrary to floor area (§23-141); perimeter wall height (§23-631) and rear yard (§23-47) regulations R3-1 zoning district.</td>
<td>Community Board #15BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Continued Hearing – 5/21/13</td>
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**********************************************************************************
NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
TUESDAY MORNING, APRIL 16, 2013
10:00 A.M.

<table>
<thead>
<tr>
<th>BZ – NEW CASES</th>
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<tbody>
<tr>
<td>14. 12-13-BZ</td>
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<tr>
<td>Law Office of Fredrick A. Becker</td>
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<tr>
<td>2057 Ocean Parkway, Brooklyn</td>
</tr>
<tr>
<td>Special Permit (§73-622) for the enlargement of a single family home, contrary to side yards (§23-461) and rear yard (§23-47) regulations. R5/Ocean Parkway Special zoning district.</td>
</tr>
<tr>
<td>Community Board #15BK</td>
</tr>
<tr>
<td>Examiner: Henry Segovia (212) 386-0074</td>
</tr>
<tr>
<td>Status: Closed, Decision – 5/14/13</td>
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<tr>
<td>15. 52-13-BZ</td>
</tr>
<tr>
<td>Rothkrug Rothkrug &amp; Spector LLP</td>
</tr>
<tr>
<td>126 Leroy Street, Manhattan</td>
</tr>
<tr>
<td>Special Permit (§73-36) to permit the operation of a physical culture establishment (SoulCycle) within a portion of an existing building. M1-5 zoning district.</td>
</tr>
<tr>
<td>Community Board #2M</td>
</tr>
<tr>
<td>Examiner: Rory Levy (212) 386-0082</td>
</tr>
<tr>
<td>Status: Closed, Decision – 5/14/13</td>
</tr>
</tbody>
</table>
### SOC – DECISIONS

| 1. | 62-99-BZ | Akerman Senterfitt LLP  
|     |         | 541 Lexington Avenue, Manhattan  
|     |         | Extension of Term of a previously-approved Special Permit (§73-36) for the continued operation of a physical cultural establishment (*Bliss*) which expired on January 31, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on February 1, 2004; Waiver of Rules.  
| Community Board #6M | Examiner: Henry Segovia (212) 386-0074  
|     | Status: Granted – 4/23/13  

| 2. | 211-00-BZ | Sheldon Lobel, P.C.  
|     |         | 252 Norman Avenue, Brooklyn  
|     |         | Extension of Time to complete construction of a previously approved variance (§72-21) which permitted the legalization of residential units on the second through fourth floors of a mixed use (UG 17 & 2) four-story building, which expired on April 17, 2005; Amendment for minor modification to the approved plans; Waiver of the Rules.  
| Community Board #1BK | Examiner: Henry Segovia (212) 386-0074  
|     | Status: Granted – 4/23/13  

### SOC – CONTINUED HEARINGS

| 3. | 410-68-BZ | Eric Palatnik, P.C.  
|     |         | 85-05 Astoria Boulevard, Queens  
|     |         | Extension of Term (§11-411) of approved variance which permitted the operation of (UG16B) automotive service station (*Citgo*) with accessory uses, which expired on November 26, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on January 11, 2008; Waiver of the Rules.  
| Community Board #3Q | Examiner: Henry Segovia (212) 386-0074  
|     | Status: Continued Hearing – 5/21/13  

********************************************************************
NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
TUESDAY MORNING, APRIL 23, 2013
10:00 A.M.

SOC – DECISIONS

1. 62-99-BZ
   - Akerman Senterfitt LLP
   - 541 Lexington Avenue, Manhattan
   - Extension of Term of a previously-approved Special Permit (§73-36) for the continued operation of a physical cultural establishment (*Bliss*) which expired on January 31, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on February 1, 2004; Waiver of Rules.  
   - Community Board #6M
   - Examiner: Henry Segovia (212) 386-0074
   - Status: Granted – 4/23/13

2. 211-00-BZ
   - Sheldon Lobel, P.C.
   - 252 Norman Avenue, Brooklyn
   - Extension of Time to complete construction of a previously approved variance (§72-21) which permitted the legalization of residential units on the second through fourth floors of a mixed use (UG 17 & 2) four-story building, which expired on April 17, 2005; Amendment for minor modification to the approved plans; Waiver of the Rules.  
   - Community Board #1BK
   - Examiner: Henry Segovia (212) 386-0074
   - Status: Granted – 4/23/13

SOC – CONTINUED HEARINGS

3. 410-68-BZ
   - Eric Palatnik, P.C.
   - 85-05 Astoria Boulevard, Queens
   - Extension of Term (§11-411) of approved variance which permitted the operation of (UG16B) automotive service station (*Citgo*) with accessory uses, which expired on November 26, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on January 11, 2008; Waiver of the Rules.  
   - Community Board #3Q
   - Examiner: Henry Segovia (212) 386-0074
   - Status: Continued Hearing – 5/21/13

********************************************************************
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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, APRIL 23, 2013**  
10:00 A.M.

### SOC – CONTINUED HEARINGS

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</table>
| 4. | **103-91-BZ** | Davidoff Hutcher & Citron, LLP  
248-18 Sunrise Highway, Queens  
Extension of term of approved variance permitting an auto laundry use (UG 16B); Amendment to permit changes to the layout and extend hours of operation.  
C2-1/R3-2 zoning district.  
Community Board #13Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Continued Hearing – 5/14/13 |
| 5. | **543-91-BZ** | Eric Palatnik P.C.  
576-80 86th Street, Brooklyn  
Extension of Term of a previously approved variance (§72-21) permitting a one-story household appliance store (P.C. Richards) which expired on July 28, 2012; Waiver of the Rules.  
C4-2A/R4-1 zoning district.  
Community Board #10BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Withdrawn – 4/23/13 |
| 6. | **239-02-BZ** | Greenberg Traurig, LLP  
110 Waverly Place, Manhattan  
Extension of Term of a previously-granted Variance (§72-21) for the continued operation of a Use Group 6A eating and drinking establishment (Babbo) located at the cellar level, ground floor, and second floor of the subject premises, which expired on December 17, 2012.  
R7-2 zoning district.  
Community Board #2M  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 6/11/13 |
| 7. | **197-08-BZ** | Stuart Klein, Esq.  
341-349 Troy Avenue aka 1515 Carroll Street, Brooklyn  
Amendment to an approved variance (§72-21) to permit a four-story and penthouse residential building, contrary to floor area and open space (§23-141), units (§23-22), front yard (§23-45), side yard (§23-462), and height (§23-631). Amendment seeks to reduce the number of units and parking and increase the size of the rooftop mechanical equipment.  
R4 zoning district.  
Community Board #9BK  
Examiner: Rory Levy (212) 386-0082  
Status: Adjourned, Continued Hearing – 6/4/13 |

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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, APRIL 23, 2013**  
**10:00 A.M.**

<table>
<thead>
<tr>
<th><strong>SOC – NEW CASES</strong></th>
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</thead>
<tbody>
<tr>
<td><strong>8. 853-53-BZ</strong></td>
</tr>
</tbody>
</table>
| Carl A. Sulfaro, Esq.  
**2402/16 Knapp Street, Brooklyn**  
Amendment (§11-412) to a previously-granted Automotive Service Station (**Mobil** (UG 16B), with accessory uses, to enlarge the use and convert service bays to an accessory convenience store. C2-2/R3-2 zoning district.  
**Community Board# 15BK**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Continued Hearing – 5/21/13** |
| **9. 718-68-BZ**   |
| Sheldon Lobel, P.C.  
**71-08 Northern Boulevard, Queens**  
Amendment to a previously-granted Special Permit (§73-211) for an automotive service station. The amendment proposes additional fuel dispensing islands and conversion of existing service bays to an accessory convenience store. C2-2/R5 zoning district.  
**Community Board #3Q**  
**Examiner: Carlo Costanza (212) 386-0068**  
**Status: Closed, Decision – 5/21/13** |
| **10. 292-01-BZ**  |
| Law Office of Fredrick A. Becker  
**69/71 MacDougal Street, Manhattan**  
Extension of Term of a previously-granted Variance (§72-21) which permitted the legalization of a new dining room and accessory storage for a UG6 eating and drinking establishment (**Villa Mosconi**), which expired on January 7, 2013. R7-2 zoning district.  
**Community Board #2M**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Continued Hearing – 5/21/13** |
| **11. 58-10-BZ**   |
| Sheldon Lobel, P.C.  
**16 Eckford Street, Brooklyn**  
Extension of Time to obtain a Certificate of Occupancy for a previously-granted Special Permit (§73-36) for a physical culture establishment (**Quick Fitness**), which expired on February 14, 2013. M1-2/R6A zoning district.  
**Community Board #1BK**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Closed, Decision – 5/21/13** |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, APRIL 23, 2013
#### 10:00 A.M.

## APPEAL – DECISIONS

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<tr>
<td>12.</td>
<td>144-12-A</td>
<td>Law Offices of Marvin Mitzner LLC&lt;br&gt;339 West 29th Street, Manhattan&lt;br&gt;Appeal of the Multiple Dwelling Law pursuant to §310 to allow the enlargement to a five-story building, contrary to §171(2)(f). R8B zoning district. Community Board #4M&lt;br&gt;Examiner:  Toni Matias (212) 386-0085&lt;br&gt;Status:  Off Calendar – 4/23/13</td>
</tr>
<tr>
<td>13.</td>
<td>297-12-A</td>
<td>Law Office of Fredrick A. Becker&lt;br&gt;28-18/20 Astoria Boulevard, Queens&lt;br&gt;Appeal seeking a determination that the owner of the premises has acquired a common law vested right to complete construction commenced under the prior R6 zoning district. R6-A/C1-1 zoning district. Community Board #1Q&lt;br&gt;Examiner:  Toni Matias (212) 386-0085&lt;br&gt;Status:  Granted – 4/23/13</td>
</tr>
<tr>
<td>14.</td>
<td>326-12-A thru 337-12-A</td>
<td>Gibson Dunn&lt;br&gt;Appeals challenging the Department of Buildings determination to revoke 12 permits previously issued permitting business accessory signs on the basis that they are appear to be advertising signs. Borough of Manhattan&lt;br&gt;52 Canal Street, C6-2 zoning district  (CB 3)&lt;br&gt;1560 Second Avenue, C1-9 zoning district  (CB 8)&lt;br&gt;2061 Second Avenue, R8A zoning district  (CB 11)&lt;br&gt;2240 First Avenue, R7X zoning district  (CB 11)&lt;br&gt;160 East 25th Street, C2-8 zoning district  (CB 6)&lt;br&gt;289 Hudson Street, C6-2A zoning district  (CB 9)&lt;br&gt;127 Ludlow Street, C4-4A zoning district  (CB 3)&lt;br&gt;1786 Third Avenue, R8A zoning district  (CB 11)&lt;br&gt;17 Avenue B, R7A zoning district  (CB 3)&lt;br&gt;173 Bowery, C6-1 zoning district  (CB 3)&lt;br&gt;240 Sullivan Street, R7-2 zoning district  (CB 2)&lt;br&gt;361 Third Avenue, C1-6A zoning district  (CB 3)&lt;br&gt;Examiner:  Toni Matias (212) 386-0085&lt;br&gt;Status:  Denied – 4/23/13</td>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
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### TUESDAY MORNING, APRIL 23, 2013
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## APPEAL – CONTINUED HEARINGS

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<th>92-07-A</th>
<th>93-07-A</th>
<th>94-07-A</th>
<th>95-07-A</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>ERIC PALATNIK, P.C.</td>
<td>460, 472, 476, 480 THORNEYCROFT AVENUE AND 281 OAKLAND STREET, STATEN ISLAND</td>
<td>Proposal to build three two-family and one one-family homes located within the bed of a mapped street (Thorneycroft Avenue), contrary to Section 35 of the General City Law. R3-2 Zoning district.</td>
<td>COMMUNITY BOARD #3SI</td>
<td>EXAMINER: TONI MATIAS (212) 386-0085</td>
</tr>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY MORNING, APRIL 23, 2013**

**10:00 A.M.**

## BZ – DECISIONS

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<th>Case</th>
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<th>Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
</tr>
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<tbody>
<tr>
<td>1.</td>
<td>153-12-BZ</td>
<td>Harold Weinberg, P.E.</td>
<td>24/34 Cobek Court, Brooklyn</td>
<td>#13BK</td>
<td>Rory Levy</td>
<td>Granted – 4/23/13</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Special Permit (§73-36) to legalize a physical culture establishment (<em>Fight Factory Gym</em>). M1-1/OP zoning district.</td>
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<tr>
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<td>Variance (§72-21) to permit the expansion of a non-conforming Use Group 4 dentist's office, contrary to §52-22. R1-2 zoning district.</td>
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<tr>
<td></td>
<td></td>
<td>Special Permit (§73-36) to allow a proposed physical culture establishment (<em>Planet Fitness</em>). C5-5LM zoning district.</td>
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<tr>
<td>4.</td>
<td>1-13-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>420 Fifth Avenue, aka 408 Fifth Avenue, Manhattan</td>
<td>#5M</td>
<td>Rory Levy</td>
<td>Granted – 4/23/13</td>
</tr>
<tr>
<td></td>
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<td>Special Permit (§73-36) to allow the operation of a physical culture establishment (<em>Reebok Crossfit</em>) at the cellar of an existing building. C5-3 zoning district.</td>
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## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
**TUESDAY MORNING, APRIL 23, 2013  
10:00 A.M.**

### BZ – DECISIONS

<p>| | | |</p>
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</table>
| 5. | 7-13-BZ | Law Office of Fredrick A. Becker  
**1644 Madison Place, Brooklyn**  
Special Permit (§73-621) for the enlargement of a single-family home, contrary to floor area, open space and lot coverage (§23-141). R3-2 zoning district.  
**Community Board #18BK**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Granted – 4/23/13** |

### BZ – CONTINUED HEARINGS

<p>| | | |</p>
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</table>
| 6. | 35-11-BZ | The Law Office of Fredrick A. Becker  
**226-10 Francis Lewis Boulevard, Queens**  
Variance (§72-21) to allow for the enlargement of an existing synagogue (**Congregation Ohel**), contrary to floor area, lot coverage (§24-11), front yard (§24-34), side yard (§24-35), rear yard (§24-36) and parking (§25-31). R2A zoning district.  
**Community Board #13Q**  
**Examiner: Ronald Rizzotti (212) 386-0081**  
**Status: Adjourned, Continued Hearing – 6/4/13** |
| 7. | 16-12-BZ | Eric Palatnik, P.C.  
**184 Nostrand Avenue, Brooklyn**  
Special Permit (§73-19) to allow for a school (**Congregation Adas Yereim**), contrary to use regulations (§42-00). M1-2 zoning district.  
**Community Board #4BK**  
**Examiner: Ronald Rizzotti (212) 386-0081**  
**Status: Closed, Decision – 6/4/13** |
| 8. | 199-12-BZ | Sheldon Lobel, P.C.  
**1517 Bushwick Avenue, Brooklyn**  
Variance (§72-21) to construct a self-storage facility, contrary to maximum permitted floor area regulations. C8-1 and R6 zoning districts.  
**Community Board #4BK**  
**Examiner: Ronald Rizzotti (212) 386-0081**  
**Status: Continued Hearing – 5/14/13** |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY AFTERNOON, APRIL 23, 2013
#### 1:30 P.M.

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<td><strong>BZ – CONTINUED HEARINGS</strong></td>
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</table>
| **9.** | **238-12-BZ** | Harold Weinberg, P.E.  
1713 East 23rd Street, Brooklyn  
Special Permit (§73-622) for the enlargement of single family home contrary floor area and lot coverage (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 5/21/13 |
| **10.** | **315-12-BZ** | Akerman Senterfitt, LLP  
23-25 31st Street, Queens  
Special Permit (§73-50) to allow for a community facility building, contrary to rear yard requirements (§33-29). C4-3 zoning district.  
Community Board #1Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 5/21/13 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

REGULAR MEETING

TUESDAY MORNING, APRIL 23, 2013

10:00 A.M.

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### BZ – NEW CASES

<table>
<thead>
<tr>
<th>Case Number</th>
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<tbody>
<tr>
<td>12. 10-13-BZ &amp; 11-13-BZ</td>
<td>Friedman &amp; Gorbaum LLP, 175 West 89th Street (South Building) and 144-148 West 90th Street (North Building) Manhattan. Variance (§72-21) to permit an enlargement to an existing school (Stephen Gaynor School), contrary to lot coverage (§24-11), rear yard (§24-36/§33-26), and height and setback (§24-522) regulations. C1-9 &amp; R7-2 zoning districts. Community Board #7M. Examiner: Ronald Rizzotti (212) 386-0081. Status: Closed, Decision – 5/21/13.</td>
</tr>
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</table>
# SOC – DECISIONS

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</table>
| 1 | 1073-62-BZ | Peter Hirshman  
**305 East 40th Street, Manhattan**  
Extension of Term of a previously approved variance (MDL Section 60 (1d)), permitting 108 tenant parking spaces for transient use within an accessory garage, which expires on March 5, 2013, C1-9/R10 zoning district.  
Community Board #6M  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 5/7/13 |
| 2 | 1111-62-BZ | Peter Hirshman  
**201 East 56 Street, Manhattan**  
Extension of Term of a previously approved variance (MDL Section 60 (3)) permitting the use of tenant parking spaces for transient use within an accessory garage, which expires on March 26, 2013. C6-6, C5-2 and C1-9 zoning district.  
Community Board #6M  
Examiner: Carlo Costanza (212) 386-0068  
Status: Granted – 5/7/13 |
| 3 | 11-80-BZ | Herrick, Feinstein, LLP  
**146 West 28th Street, Manhattan**  
Amendment of previously approved variance (§72-21) which allowed conversion of the third through seventh floor from commercial to residential use. Amendment would permit the additional conversion of the second floor from commercial to residential use. M1-6 zoning district.  
Community Board #5M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 5/7/13 |
| 4 | 8-98-BZ | Sheldon Lobel, P.C.  
**106-108 West 13th Street, Manhattan**  
Amendment of a previously approved variance (§72-21) which permitted limited commercial uses in the cellar of a building located in a residential zoning district. The amendment seeks to permit additional UG 6 uses, excluding restaurant use, expand the limited operation hours, and remove the term restriction. R6 zoning district.  
Community Board#2M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 5/7/13 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, MAY 7, 2013
10:00 A.M.

### SOC – CONTINUED HEARINGS

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| 5. | 551-37-BZ | Eric Palatnik, P.C.  
233-02 Northern Boulevard, Queens  
Extension of Term (§11-411) of approved variance for the continued operation of an automobile repair shop (Red’s Auto Repair) which expired on July 15, 2012; Waiver of the Rules. R1-2 zoning district.  
Community Board #11Q  
Examiner:  Henry Segovia (212) 386-0074  
Status:  Closed, Decision – 6/4/13 |
| 6. | 135-46-BZ | Eric Palatnik, P.C.  
3802 Avenue U, Brooklyn  
Extension of Term (§11-411) of approved variance which permitted an automotive service station (UG 16B) with accessory uses, which expired on January 29, 2012, and an amendment (§11-413) to convert the use to auto laundry (UG 16B) hand car wash; waiver for the Rules. R4 zoning district.  
Community Board #18BK  
Examiner:  Carlo Costanza (212) 386-0068  
Status:  Closed, Decision – 6/4/13 |
| 7. | 130-88-BZ | Sheldon Lobel, P.C.  
1007 Brooklyn Avenue aka 3602 Snyder Avenue, Brooklyn  
Extension of Term of approved Special Permit (§73-211) for the continued operation of UG 16B gasoline service station (Gulf) which expired on January 24, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on October 12, 2003; Waiver of the Rules. C2-2/R4 zoning district.  
Community Board #17BK  
Examiner:  Henry Segovia (212) 386-0074  
Status:  Closed, Decision – 6/4/13 |

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| 8.   | 30-02-BZ | The Law Office of Fredrick A. Becker  
502 Park Avenue, Manhattan  
Extension of Term of a previously granted special permit (§73-36) for the continued operation of a physical culture establishment (New York City Sports Club) which expired on July 23, 2012; Amendment to permit the modification of approved hours and signage; Waiver of the Rules.  
C5-3, C5-2.5(Mid) zoning district. | Henry Segovia (212) 386-0074 | Continued Hearing – 6/4/13 |
| 9.   | 328-02-BZ | The Law Office of Fredrick A. Becker  
3 Park 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 January 1, 2013.  
C5-3/C1-9 zoning district. | Henry Segovia (212) 386-0074 | Closed, Decision – 6/4/13 |
| 10.  | 27-05-BZ | Sheldon Lobel, P.C.  
91-11 Roosevelt Avenue, Queens  
Extension of Term (§11-411) of an approved variance which permitted the operation of an automotive service station (UG 16B) with accessory uses, which expired on April 18, 2011; Amendment to permit the legalization of site layout and operational changes; Waiver of the Rules.  
### APPEALS – DECISIONS

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| 11. | 103-12-A | Sheldon Lobel, P.C.  
74-76 Adelphi Street, Brooklyn  
Appeal seeking a common law vested right to continue development commenced under the prior R6 zoning district. R5B zoning district.  
Community Board #2BK  
Examiner: Toni Matias (212) 386-0085  
Status: Denied – 5/7/13 |
| 12. | 288-12-A thru 290-12-A | Rothkrug Rothkrug & Spector LLP  
319, 323, 327 Ramona Avenue, Staten Island  
Proposed construction of three two-family homes not fronting on a legally mapped street, contrary to General City Law Section 36. R3X (SRD) zoning district.  
Community Board #3SI  
Examiner: Toni Matias (212) 386-0085  
Status: Granted – 5/7/13 |
| 13. | 304-12-A | Eric Palatnik, P.C.  
42-32 147th Street, Queens  
Proposed seven-story residential development located within mapped but inbuilt portion of Ash Avenue, contrary to General City Law Section 35. R6A zoning district.  
Community Board #7Q  
Examiner: Toni Matias (212) 386-0085  
Status: Granted – 5/7/13 |

### APPEALS – CONTINUED HEARINGS

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| 14. | 251-12-A | Davidoff Hutcher & Citron LLP  
330 East 59th Street, Manhattan  
Appeal from Department of Buildings' determination that a sign is not entitled to continued non-conforming use status as an advertising sign. C2-5 Zoning District.  
Community Board # 6M  
Examiner: Toni Matias (212) 386-0085  
Status: Closed, Decision – 6/4/13 |
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</table>
| 15. | 317-12-A | Eric Palatnik, P.C.  
**40-40 27th Street, Queens**  
Appeal seeking common law vested rights to continue construction commenced under the prior M1-3D zoning district regulations. M1-2/R5B zoning district.  
**Community Board #1Q**  
**Examiner:  Toni Matias (212) 386-0085**  
**Status:  Continued Hearing – 6/18/13** |
| 16. | 346-12-A | Eric Palatnik, P.C.  
**179-181 Woodpoint Road, Brooklyn**  
Appeal seeking common law vested rights to continue construction commenced under the prior R6 zoning district regulations. R6B zoning district.  
**Community Board #1BK**  
**Examiner:  Toni Matias (212) 386-0085**  
**Status:  Continued Hearing – 6/4/13** |
| 17. | 60-13-A | NYC Department of Buildings  
**71 & 75 Greene Avenue, aka 370 & 378 Clermont Avenue, Brooklyn**  
Appeal filed by the Department of Buildings seeking to revoke Certificate of Occupancy nos. 147007 & 172308 as they were issued in error.  
**Community Board #2BK**  
**Examiner:  Toni Matias (212) 386-0085**  
**Status:  Closed, Decision – 5/21/13** |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
**TUESDAY MORNING, MAY 7, 2013**
10:00 A.M.

**BZ – DECISIONS**

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</table>
| **1.** | **42-10-BZ** | Sheldon Lobel, P.C.  
2170 Mill Avenue, Brooklyn  
Variance (§72-21) to allow for a mixed use building, contrary to use (§22-10), floor area, lot coverage, open space (§23-141), maximum dwelling units (§23-22), and height (§23-631) regulations. R3-1/C2-2 zoning district.  
**Community Board #18BK**  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Granted – 5/7/13 |
| **2.** | **242-12-BZ** | Sheldon Lobel, P.C.  
1621-1629 61st Street, Brooklyn  
Variance (§72-21) to permit the construction of a Use Group 4A house of worship (Congregation Toldos Yehuda), contrary to height, setback, sky exposure plane, rear yard, and parking requirements. M1-1 zoning district.  
**Community Board #12BK**  
**Examiner:** Rory Levy (212) 386-0082  
**Status:** Deferred Decision – 6/11/13 |
| **3.** | **294-12-BZ** | Eric Palatnik, P.C.  
130 Clinton Street, Brooklyn  
Special Permit (§73-36) to allow a physical culture establishment (Everyday Athlete). C5-2A/DB special zoning district.  
**Community Board #2BK**  
**Examiner:** Rory Levy (212) 386-0082  
**Status:** Granted – 5/7/13 |
| **4.** | **298-12-BZ** | Kramer Levin Naftalis & Frankel LLP  
726-730 Broadway, Manhattan  
Variance (§72-21) to permit the conversion of nine floors of an existing ten-story building to Use Group 3 college or university use (New York University), contrary to use regulations. M1-5B zoning district.  
**Community Board #2M**  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Granted – 5/7/13 |
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<td>5.</td>
<td>3-13-BZ</td>
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<tr>
<td></td>
<td>Wachtel Masry Missry LLP</td>
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<td></td>
<td>3231-3251 Richmond Avenue, aka 806 Arthur Kill Road, Staten Island</td>
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<td>Special Permit (§73-36) to allow a physical culture establishment (<em>LA Fitness</em>). C4-1 (SRD) zoning district.</td>
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<td>Community Board #3SI</td>
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<td>Examiner: Rory Levy (212) 386-0082</td>
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<td>Status: Granted – 5/7/13</td>
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<td>6.</td>
<td>4-13-BZ</td>
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<td>Francis R. Angelino, Esq.</td>
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<td>1623 Flatbush Avenue, Brooklyn</td>
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<td>Special Permit (§73-36) to allow a physical culture establishment (<em>Retro Fitness</em>). C8-2 zoning district.</td>
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<td>Community Board #17BK</td>
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<td>Examiner: Rory Levy (212) 386-0082</td>
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<td>Status: Granted – 5/7/13</td>
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</table>
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, MAY 7, 2013
##### 10:00 A.M.

### BZ – CONTINUED HEARINGS

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</table>
| 7. | **138-12-BZ** | Harold Weinberg, P.E.  
**2051 East 19th Street, Brooklyn**  
Special Permit (§73-622) for the legalization of an enlargement to a single family residence, contrary to side yard requirement (§23-461). R-5 zoning district.  
**Community Board #15BK**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Closed, Decision – 6/4/13** |
| 8. | **148-12-BZ** | Eric Palatnik, P.C.  
**981 East 29th Street, Brooklyn**  
Special Permit (§73-621) for the enlargement of an existing single family semi-detached residence, contrary to floor area, lot coverage and open space (ZR23-141(b)). R4 zoning district.  
**Community Board #14BK**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Granted – 5/7/13** |
| 9. | **284-12-BZ** | Sheldon Lobel, P.C.  
**2047 East 3rd 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) requirements. R2X (OP) zoning district.  
**Community Board #15BK**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Closed, Decision – 5/21/13** |
| 10. | **338-12-BZ** | Eric Palatnik, P.C.  
**164-20 Northern Boulevard, Queens**  
Special Permit (§73-36) to allow the legalization of a physical culture establishment (*Metro Gym*) located in an existing one-story and cellar commercial building. C2-2/R5B zoning district.  
**Community Board #7Q**  
**Examiner: Rory Levy (212) 386-0082**  
**Status: Adjourned, Continued Hearing – 7/9/13** |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

### TUESDAY MORNING, MAY 7, 2013

**10:00 A.M.**

## BZ – NEW CASES

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<th>Case</th>
<th>Address</th>
<th>Attorney</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
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<tr>
<td>11</td>
<td>113-12-BZ</td>
<td>Mitchell S. Ross, Esq.</td>
<td>32-05 Parsons Boulevard, Queens</td>
<td>#7Q</td>
<td>Rory Levy (212) 386-0082</td>
<td>Continued Hearing – 6/11/13</td>
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<tr>
<td></td>
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<td>113-12-BZ</td>
<td>Variance (§72-21) to permit a proposed church (St. Paul's Church), contrary to front wall height (§§24-521 &amp; 24-51). R2A zoning district.</td>
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<td>Community Board #7Q</td>
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<tr>
<td>12</td>
<td>206-12-BZ</td>
<td>George Guttmann</td>
<td>2373 East 70th Street, Brooklyn</td>
<td>#18BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Closed, Decision – 6/4/13</td>
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<td>206-12-BZ</td>
<td>Special Permit (§73-621) to legalize the conversion of the garage into recreation space, contrary to floor area regulations (§23-141). R3-1 zoning district.</td>
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<td>Community Board #18BK</td>
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<td>13-13-BZ &amp; 14-13-BZ</td>
<td>Variance (§72-21) to allow two single-family residential buildings, contrary to use regulations (§42-00). M1-1 zoning district.</td>
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<td>Community Board #6BK</td>
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<td>14</td>
<td>63-13-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>11-11 44th Drive, Queens</td>
<td>#2Q</td>
<td>Rory Levy (212) 386-0082</td>
<td>Continued Hearing – 6/4/13</td>
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<tr>
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<td>63-13-BZ</td>
<td>Special Permit (§73-36) to allow the operation of a physical culture establishment (The Cliffs). M1-4/R7A (LIC) zoning district.</td>
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<td>Community Board #2Q</td>
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<tbody>
<tr>
<td>1.</td>
<td>326-02-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>2228-2238 Church Avenue, Brooklyn</td>
<td>Extension of Term of a previously approved Special Permit (§73-36) for the continued operation of physical culture establishment (Planet Fitness) which expires on November 5, 2013; Amendment to allow the extension of use to the building's first floor, and change in ownership. C4-4A zoning district.</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Granted – 5/14/13</td>
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<tr>
<td>2.</td>
<td>150-04-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>129 Elizabeth Street, Manhattan</td>
<td>Extension of Time to Complete Construction of a previously approved Variance (§72-21) to build a new four-story residential building with a retail store and one-car garage, which expired on March 29, 2009; Waiver of the Rules. C6-2G LI (Special Little Italy) zoning district.</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Granted – 5/14/13</td>
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## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, MAY 14, 2013
10:00 A.M.

### SOC – CONTINUED HEARINGS

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<tr>
<td>4.</td>
<td>982-83-BZ</td>
<td>Rothkrug &amp; Spector, LLP</td>
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<tr>
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<td>191-20 Northern Boulevard, Queens</td>
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<td>Extension of Time to obtain a Certificate of Occupancy of a previously granted variance for the continued operation of retail and office use (UG 6) which expired on July 19, 2012. R3-2 zoning district.</td>
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<td>Community Board #11Q</td>
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<td>Examiner: Henry Segovia (212) 386-0074</td>
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<td>Status: Closed, Decision – 6/11/13</td>
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<tr>
<td>5.</td>
<td>103-91-BZ</td>
<td>Davidoff Hutcher &amp; Citron, LLP</td>
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<td>248-18 Sunrise Highway, Queens</td>
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<td>Extension of term of approved variance permitting an auto laundry use (UG 16B); Amendment to permit changes to the layout and extend hours of operation. C2-1/R3-2 zoning district.</td>
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<td>Community Board #13Q</td>
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<td>Examiner: Carlo Costanza (212) 386-0068</td>
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<td>Status: Continued Hearing – 6/11/13</td>
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<td>6.</td>
<td>341-02-BZ</td>
<td>Sheldon Lobel, P.C.</td>
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<td>231 East 58th Street, Manhattan</td>
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<td>Extension of Term of a previously approved Variance (§72-21) for the continued UG6 retail use on the first floor of a five-story building, which expired on April 8, 2013. R-8B zoning district.</td>
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<td>Community Board #6M</td>
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<td>Examiner: Henry Segovia (212) 386-0074</td>
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<td>Status: Closed, Decision – 6/11/13</td>
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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

#### REGULAR MEETING

**TUESDAY MORNING, MAY 14, 2013**

10:00 A.M.

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#### SOC – NEW CASES

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<tbody>
<tr>
<td>7. 256-82-BZ</td>
<td>Vito J. Fossella, P.E.</td>
<td>1923 Clove Road, Staten Island</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Continued Hearing – 6/11/13</td>
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<tr>
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<td>Extension of Term of a previously granted Special Permit (§73-44) for the reduction in required parking for a veterinary clinic, dental laboratory and general UG6 office use in a two-story building, which expired on November 23, 2012. C2-1/R3-1 zoning district. Community Board #2SI</td>
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<td>Extension of Term of a previously granted Variance (§72-21) for the continuous (UG 6) grocery store which expired on June 20, 2005; Waiver of the Rules. R-5 zoning district. Community Board #9BX</td>
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<tr>
<td>9.</td>
<td>493-73-A</td>
<td>Sheldon Lobel, P.C.</td>
<td><strong>328 West 83rd Street, Manhattan</strong></td>
<td>Extension of Term of an approved appeal to Multiple Dwelling Law Section 310 to permit a superintendent's apartment in the cellar, which expired on March 20, 2004, an amendment to eliminate the term, an extension of time to obtain a Certificate of Occupancy, and a waiver of the Rules. R10A /R8B Zoning District.</td>
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<td>Community Board #7M</td>
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<td>Examiner: Toni Matias (212) 386-0085</td>
<td>Status: Granted – 5/14/13</td>
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<td>10.</td>
<td>265-12-A thru 266-12-A</td>
<td>Watchel Masyr &amp; Missry, LLP</td>
<td><strong>980 Brush Avenue, Bronx</strong></td>
<td>Appeal challenging Department of Buildings' determination that a sign is not entitled to continued non-conforming use status as an advertising sign. M1-2 &amp; R4/C2-1 zoning district.</td>
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<td>Community Board #10BX</td>
<td>Examiner: Toni Matias (212) 386-0085</td>
<td>Status: Denied – 5/14/13</td>
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### APPEAL – NEW CASES

<table>
<thead>
<tr>
<th>No.</th>
<th>Case Number</th>
<th>Attorney</th>
<th>Address</th>
<th>Details</th>
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<tbody>
<tr>
<td>11.</td>
<td>268-12-A thru 271-12-A</td>
<td>Eric Palatnik, P.C.</td>
<td><strong>8/10/16/18 Pavilion Hill Terrace, Staten Island</strong></td>
<td>Proposed construction of a single family semi-detached building not fronting a mapped street is contrary to General City Law Section 36. R3-1 zoning district.</td>
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<td>Community Board #1SI</td>
<td>Examiner: Toni Matias (212) 386-0085</td>
<td>Status: Postponed Hearing – 6/11/13</td>
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*****************************************************************************DISCLAIMER*****************************************************************************
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

**TUESDAY MORNING, MAY 14, 2013**

**10:00 A.M.**

### BZ – DECISIONS

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</table>
| **1.** | **56-12-BZ** | Eric Palatnik, P.C.  
**168 Norfolk 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 yard (§23-461); and rear yard (§23-47) regulations. R3-1 zoning district.  
Community Board #4BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 5/14/13 |
| **2.** | **139-12-BZ** | Gerald J. Caliendo, RA, AIA, PC  
**34-10 12th Street, Queens**  
Special Permit (§73-53) to allow the enlargement of an existing non-conforming manufacturing building, contrary to use regulations (§22-00).  
R5 zoning district.  
Community Board #1Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 5/14/13 |
| **3.** | **325-12-BZ** | Bryan Cave LLP  
**1273-1285 York Avenue, Manhattan**  
Variance (§72-21) to permit a new Use Group 4 maternity hospital and ambulatory diagnostic or treatment health care facility (New York Presbyterian Hospital), contrary to modification of height and setback, lot coverage, rear yard, floor area and parking. R10/R9/R8 zoning districts.  
Community Board #8M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Deferred Decision – 6/11/13 |
| **4.** | **9-13-BZ** | Slater & Beckerman PC  
**2626-2628 Broadway, Manhattan**  
Special Permit (§73-201) to allow a Use Group 8 motion picture theater (Alamo Drafthouse Cinema), contrary to use regulations (§32-17). R9A/C1-5 zoning district.  
Community Board #7M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 5/14/13 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
TUESDAY MORNING, MAY 14, 2013
10:00 A.M.

**BZ – DECISIONS**

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| 5. | 12-13-BZ | Law Office of Fredrick A. Becker  
2057 Ocean Parkway, Brooklyn  
Special Permit (§73-622) for the enlargement of a single family home, contrary to side yards (§23-461) and rear yard (§23-47) regulations. R5/Ocean Parkway Special zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 5/14/13 |
|   | 6. | 52-13-BZ | Rothkrug Rothkrug & Spector LLP  
126 Leroy Street, Manhattan  
Special Permit (§73-36) to permit the operation of a physical culture establishment (SoulCycle) within a portion of an existing building. M1-5 zoning district.  
Community Board #2M  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 5/14/13 |

**BZ – CONTINUED HEARINGS**

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| 7. | 50-12-BZ | Gerald J. Caliendo, R.A., AIA  
177-60 South Conduit Avenue, Queens  
Variance (§72-21) to allow for the construction of a commercial building, contrary to use regulations (§22-00). R3-2 zoning district.  
Community Board #12Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 6/18/13 |
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| **8.** | **199-12-BZ** | Sheldon Lobel, P.C.  
1517 Bushwick Avenue, Brooklyn  
Variance (§72-21) to construct a self-storage facility, contrary to maximum permitted floor area regulations. C8-1 and R6 zoning districts.  
Community Board #4BK  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 6/18/13 |
| **9.** | **250-12-BZ** | Law Office of Fredrick A. Becker  
2410 Avenue S, 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); less than the required rear yard (§23-47) and perimeter wall height (§23-631). R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 6/11/13 |
| **10.** | **293-12-BZ** | Eric Palatnik, P.C.  
1245 83rd Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area (§23-141(b)) and side yard (§23-461(a)) regulations. R3X zoning district.  
Community Board #10BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 6/18/13 |
| **11.** | **324-12-BZ** | Sheldon Lobel, P.C.  
45 76th Street, Brooklyn  
Special permit (§73-622) for the enlargement of an existing single family home, contrary to floor area regulations (23-141(b)). R3-1 zoning district.  
Community Board #10BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 6/11/13 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY MORNING, MAY 14, 2013**

**10:00 A.M.**

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**BZ – NEW CASES**

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Address Details</th>
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</table>
| 12. 54-13-BZ | Sheldon Lobel, P.C. 1338 East 5th Street, Brooklyn | Variance (§72-21) for the enlargement of existing single-family residence, contrary to lot coverage and open space (§23-141), minimum required side yards (§113-543), and side yards (§23-461a) regulations. R5/OPSD zoning district. **Community Board #12BK**
|             | Examiner: Henry Segovia (212) 386-0074 | Status: Continued Hearing – 6/11/13 |
| 13. 56-13-BZ | Francis R. Angelino 201 East 56th Street aka 935 3rd Avenue, Bronx | Special Permit (§73-36) to allow the legalization of a physical culture establishment (InForm Fitness) within a portion of an existing building. C6-6(MID) C5-2 zoning district. **Community Board #6BX**
|             | Examiner: Rory Levy (212) 386-0082 | Status: Closed, Decision – 6/11/13 |
| 14. 62-13-BZ | Sheldon Lobel, P.C. 2703 East Tremont Avenue, Bronx | Special Permit (§73-243) to legalize the existing eating and drinking establishment (Wendy's) with an accessory drive-through facility. C1-2/R6 zoning district. **Community Board #10BX**
|             | Examiner: Ronald Rizzotti (212) 386-0081 | Status: Continued Hearing – 6/4/13 |
| 15. 72-13-BZ | Sheldon Lobel, P.C. 38-15 Northern Boulevard, Queens | Special Permit (§73-36) to permit the legalization of a physical culture establishment (Euphora Spa) within the existing building. M1-1/C4-2A zoning district. **Community Board #1Q**
|             | Examiner: Rory Levy (212) 386-0082 | Status: Closed, Decision – 6/11/13 |

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### SOC – DECISIONS

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<tr>
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<th>Case No.</th>
<th>Applicant</th>
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<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>718-68-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>71-08 Northern Boulevard, Queens</td>
<td>Amendment to a previously-granted Special Permit (§73-211) for an automotive service station. The amendment proposes additional fuel dispensing islands and conversion of existing service bays to an accessory convenience store. C2-2/R5 zoning district.</td>
<td>Community Board #3Q</td>
<td>Carlo Costanza (212) 386-0068</td>
<td>Granted</td>
<td>5/21/13</td>
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<tr>
<td>2.</td>
<td>58-10-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>16 Eckford Street, Brooklyn</td>
<td>Extension of Time to obtain a Certificate of Occupancy for a previously-granted Special Permit (§73-36) for a physical culture establishment (Quick Fitness), which expired on February 14, 2013. M1-2/R6A zoning district.</td>
<td>Community Board #1BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Granted</td>
<td>5/21/13</td>
</tr>
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</table>
SOC – CONTINUED HEARINGS

3.  853-53-BZ  
Carl A. Sulfaro, Esq.
2402/16 Knapp Street, Brooklyn
Amendment (§11-412) to a previously-granted Automotive Service Station (Mobil) (UG 16B), with accessory uses, to enlarge the use and convert service bays to an accessory convenience store.  C2-2/R3-2 zoning district.

Community Board# 15BK
Examiner: Henry Segovia (212) 386-0074
Status: Closed, Decision – 6/18/13

4.  410-68-BZ  
Eric Palatnik, P.C.
85-05 Astoria Boulevard, Queens
Extension of Term (§11-411) of approved variance which permitted the operation of (UG16B) automotive service station (Citgo) with accessory uses, which expired on November 26, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on January 11, 2008; Waiver of the Rules.  R3-2 zoning district.

Community Board #3Q
Examiner: Henry Segovia (212) 386-0074
Status: Closed, Decision – 6/11/13

5.  292-01-BZ  
Law Office of Fredrick A. Becker
69/71 MacDougal Street, Manhattan
Extension of Term of a previously-granted Variance (§72-21) which permitted the legalization of a new dining room and accessory storage for a UG6 eating and drinking establishment (Villa Mosconi), which expired on January 7, 2013.  R7-2 zoning district.

Community Board #2M
Examiner: Henry Segovia (212) 386-0074
Status: Closed, Decision – 7/9/13
## SOC – NEW CASES

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| **6.** | **799-62-BZ** | Sahn Ward Coschignano & Baker, PLLC.  
**501 First Avenue/350 East 30th Street, Manhattan**  
Extension of Term permitting the use tenant parking spaces within an accessory garage for transient parking pursuant to §60 (3) of the Multiple Dwelling Law (MDL) which expired on November 9, 2012; Waiver of the Rules.  C2-5/R8, R7B zoning district.  
Community Board # 6M |
|   | **Examiner:** Carlo Costanza  
**(212) 386-0068**  
**Status:** Closed, Decision – 6/11/13 |
| **7.** | **200-00-BZ** | Eric Palatnik, P.C.  
**107-24 37th Avenue aka 37-16 108th Street, Queens**  
Extension of Time to obtain a Certificate of Occupancy of a variance (§72-21) to operate a Physical Culture Establishment (*Squash Fitness Center*) which expired on April 25, 2013.  C1-4(R6B) zoning district.  
Community Board #3Q |
|   | **Examiner:** Henry Segovia  
**(212) 386-0074**  
**Status:** Continued Hearing – 6/18/13 |
| **8.** | **93-08-BZ** | Rothkrug Rothkrug & Spector LLP  
**112-12/24 Astoria Boulevard, Queens**  
Extension of Time to Complete Construction of a Variance (§72-21) for the construction of a six-story transient hotel (UG 5) which expired on January 13, 2013; Amendment to construct a sub-cellar.  R6A zoning district.  
Community Board #3Q |
|   | **Examiner:** Ronald Rizzotti  
**(212) 386-0081**  
**Status:** Closed, Decision – 6/4/13 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
**REGULAR MEETING**  
**TUESDAY MORNING, MAY 21, 2013**  
**10:00 A.M.**

#### APPEALS – DECISIONS

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| 9. | 60-13-A | NYC Department of Buildings  
**71 & 75 Greene Avenue aka 370&378 Clermont Avenue, Brooklyn**  
Appeal filed by the Department of Buildings seeking to revoke  
Certificate of Occupancy nos. 147007 & 172308 as they were issued in  
error. R6B zoning district.  
**Community Board #2BK**  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Granted – 5/21/13 |

#### APPEALS – CONTINUED HEARINGS

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| 10. | 10-10-A | New York City Board of Standards and Appeals  
**1882 East 12th Street, Brooklyn**  
Reopening for a court remand to review the validity of the permit at  
issue in a prior vested rights application.  
**Community Board #15BK**  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Closed, Decision – 7/23/13 |
| 11. | 256-12-A | Davidoff Hutcher & Citron LLP  
**195 Havemeyer Street, Brooklyn**  
Appeal challenging Department of Buildings' determination that a sign  
is not entitled to continued non-conforming use status as an advertising  
sign. C4-3 zoning district.  
**Community Board #1BK**  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Closed, Decision – 6/4/13 |
| 12. | 267-12-A | Davidoff Hutcher & Citron LLP  
**691 East 133rd Street, Bronx**  
Appeal from Department of Buildings' determination that the sign is  
not entitled to continued non-conforming use status as an advertising  
sign. M1-2 & R6A zoning district.  
**Community Board #1BX**  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Closed, Decision – 6/4/13 |
### APPEALS – CONTINUED HEARINGS

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<tbody>
<tr>
<td>13</td>
<td>79-13-A</td>
<td>Law Offices of Howard B. Hornstein</td>
<td>807 Park Avenue, Manhattan</td>
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<td>Appeal from Department of Buildings' determination regarding the status of a zoning lot and reliance on the Certificate of Occupancy’s recognition of the zoning lot. R10(Pl) zoning district.</td>
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<td>Community Board#8M</td>
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<td>Examiner: Toni Matias (212) 386-0085</td>
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<td>Status: Closed, Decision – 7/16/13</td>
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### APPEAL – NEW CASES

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<td>14</td>
<td>245-12-A &amp; 246-12-A</td>
<td>Law Offices of Marvin B. Mitzner LLC.</td>
<td>515 East 5th Street, Manhattan</td>
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<td>Appeal pursuant to Section 310(2) of the Multiple Dwelling Law. Application seeking a determination that the owner of the property has acquired a common law vested right to complete construction under the prior R7-2 zoning. R7B zoning district.</td>
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<td>Community Board #3M</td>
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<td>Examiner: Toni Matias (212) 386-0085</td>
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<td>Status: Continued Hearing – 7/23/13</td>
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<td>15</td>
<td>345-12-A</td>
<td>Mallin &amp; Cha, P.C.</td>
<td>303 West Tenth Street/150 Charles Street, Manhattan</td>
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<td>Appeal challenging DOB's determination that developer is in compliance with §15-41 (Enlargement of Converted Buildings). C6-2 zoning district.</td>
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<td>Community Board #2M</td>
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<td>Status: Closed, Decision – 7/23/13</td>
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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
**TUESDAY MORNING, MAY 21, 2013**
**10:00 A.M.**

#### BZ – DECISIONS

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</table>
| 1. | **59-12-BZ/60-12-A** | Mitchell S. Ross, Esq.  
240-27 Depew Avenue, Queens  
Variance (§72-21) to allow the enlargement of an existing home, contrary to front yard (§23-45) regulations. Proposed construction is also located within a mapped but unbuilt portion of a street, contrary to General City Law Section 35. R1-2 zoning district.  
Community Board #11Q  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Deferred Decision – 6/11/13** |
| 2. | **63-12-BZ** | Sheldon Lobel, P.C.  
2701 Avenue N, Brooklyn  
Variance (§72-21) to permit the construction of a Use Group 4A House of Worship (Khal Bnei Avrohom Yaakov), which is contrary to floor area (24-11), lot coverage, front yard (24-34), side yard (24-35a) parking (25-31), height (24-521), and setback requirements. R2 zoning district.  
Community Board #14BK  
**Examiner: Rory Levy (212) 386-0082**  
**Status: Granted – 5/21/13** |
| 3. | **235-12-BZ** | Slater & Beckerman, LLP  
2771 Knapp Street, Brooklyn  
Special Permit (§73-242) to allow a one-story building to be used as four eating and drinking establishments (Use Group 6), contrary to use regulations (§32-00). C3 zoning district.  
Community Board #15BK  
**Examiner: Ronald Rizzotti (212) 386-0081**  
**Status: Granted – 5/21/13** |
| 4. | **238-12-BZ** | Harold Weinberg, P.E.  
1713 East 23rd Street, Brooklyn  
Special Permit (§73-622) for the enlargement of single family home contrary floor area and lot coverage (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R3-2 zoning district.  
Community Board #15BK  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Granted – 5/21/13** |
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<th>Zoning Districts</th>
<th>Examiner</th>
<th>Status</th>
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<td>5.</td>
<td>284-12-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>2047 East 3rd Street, Brooklyn</td>
<td>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) requirements. R2X (OP) zoning district.</td>
<td>Community Board #15BK</td>
<td>Examiner: Henry Segovia (212) 386-0074</td>
<td>Granted – 5/21/13</td>
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<td>6.</td>
<td>315-12-BZ</td>
<td>Akerman Senterfitt, LLP</td>
<td>23-25 31st Street, Queens</td>
<td>Special Permit (§73-50) to allow for a community facility building, contrary to rear yard requirements (§33-29). C4-3 zoning district.</td>
<td>Community Board #1Q</td>
<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
<td>Granted – 5/21/13</td>
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<td>7.</td>
<td>8-13-BZ</td>
<td>Lewis E. Garfinkel</td>
<td>2523 Avenue N, Brooklyn</td>
<td>Special Permit (§73-622) for the enlargement of an existing single family residence, contrary to floor area and open space (§23-141(a)); and side yard (§23-461) regulations. R2 zoning district.</td>
<td>Community Board #14BK</td>
<td>Examiner: Henry Segovia (212) 386-0074</td>
<td>Granted – 5/21/13</td>
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<tr>
<td>8.</td>
<td>10-13-BZ &amp; 11-13-BZ</td>
<td>Friedman &amp; Gotbaum LLP, 175 West 89th Street (South Building) and 144-148 West 90th Street (North Building) Manhattan</td>
<td>Variance (§72-21) to permit an enlargement to an existing school (Stephen Gaynor School), contrary to lot coverage (§24-11), rear yard (§24-36/33-26), and height and setback (§24-522) regulations. C1-9 &amp; R7-2 zoning districts.</td>
<td>Community Board #7M</td>
<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
<td>Granted – 5/21/13</td>
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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, MAY 21, 2013**  
**10:00 A.M.**

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### BZ – DECISIONS

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<td>53-13-BZ</td>
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|   | Sheldon Lobel, P.C.  
   | 116-118 East 169th Street, Bronx  
   | Variance (§72-21) to permit the enlargement of an existing UG 3 school  
   | (Grand Concourse Academy Charter School), contrary to rear yard regulations  
   | (§§24-36 and 24-33(b)). R8 zoning district.  
   | Community Board #4BX  
   | Examiner: Rory Levy (212) 386-0082  
   | Status: Granted – 5/21/13 |

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### BZ – CONTINUED HEARINGS

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<tbody>
<tr>
<td>10</td>
<td>321-12-BZ</td>
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</tbody>
</table>
|   | Dennis D. Dell'Angelo  
   | 22 Girard 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 floor area (§23-141); perimeter wall height (§23-631) and rear yard (§23-47) regulations R3-1 zoning district.  
   | Community Board #15BK  
   | Examiner: Henry Segovia (212) 386-0074  
   | Status: Continued Hearing – 6/18/13 |

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**************************************************************************
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, MAY 21, 2013
#### 10:00 A.M.

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<tbody>
<tr>
<td><strong>BZ – NEW CASES</strong></td>
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<tr>
<td><strong>11. 73-13-BZ</strong></td>
<td>Eric Palatnik, P.C.</td>
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<td><strong>459 E. 149th Street, Bronx</strong></td>
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<tr>
<td></td>
<td>Special Permit (§73-49) to allow rooftop parking in a proposed commercial development. M1-1 and C4-4 zoning districts.</td>
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<td>Community Board #1BX</td>
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<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
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<td>Status: Closed, Decision – 6/18/13</td>
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<tr>
<td><strong>12. 74-13-BZ</strong></td>
<td>Rothkrug Rothkrug &amp; Spector LLP.</td>
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<td><strong>308/12 8th Avenue, 252/66 West 26th Street, Manhattan</strong></td>
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<td></td>
<td>Special Permit (§73-36) to allow the operation of a physical culture establishment (Blink Fitness). C6-2A zoning district.</td>
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<td>Community Board #4M</td>
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<td>Examiner: Rory Levy (212) 386-0082</td>
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<tr>
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<td>Status: Closed, Decision – 6/4/13</td>
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<tr>
<td><strong>13. 80-13-BZ</strong></td>
<td>Goldman Harris LLC.</td>
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<td><strong>200 Park Avenue South, Manhattan</strong></td>
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<tr>
<td></td>
<td>Special Permit (§73-36) to allow a physical culture establishment (Red Door Spa). C6-4A zoning district.</td>
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<td>Community Board #5M</td>
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<td></td>
<td>Examiner: Rory Levy (212) 386-0082</td>
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<td>Status: Closed, Decision – 6/18/13</td>
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### SOC – DECISIONS

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</table>
| 1. | 551-37-BZ | Eric Palatnik, P.C.  
**233-02 Northern Boulevard, Queens**  
Extension of Term (§11-411) of approved variance for the continued operation of an automobile repair shop (Red’s Auto Repair) which expired on July 15, 2012; Waiver of the Rules. R1-2 zoning district.  
**Community Board #11Q**  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 6/4/13 |
| 2. | 135-46-BZ | Eric Palatnik, P.C.  
**3802 Avenue U, Brooklyn**  
Extension of Term (§11-411) of approved variance which permitted an automotive service station (UG 16B) with accessory uses, which expired on January 29, 2012, and an amendment (§11-413) to convert the use to auto laundry (UG 16B) hand car wash; waiver for the Rules. R4 zoning district.  
**Community Board #18BK**  
Examiner: Carlo Costanza (212) 386-0068  
Status: Granted – 6/4/13 |
| 3. | 93-08-BZ | Rothkrug Rothkrug & Spector LLP  
**112-12/24 Astoria Boulevard, Queens**  
Extension of Time to Complete Construction of a Variance (§72-21) for the construction of a six-story transient hotel (UG 5) which expired on January 13, 2013; Amendment to construct a sub-cellar. R6A zoning district.  
**Community Board #3Q**  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 6/4/13 |
| 4. | 130-88-BZ | Sheldon Lobel, P.C.  
**1007 Brooklyn Avenue, aka 3602 Snyder Avenue, Brooklyn**  
Extension of Term of approved Special Permit (§73-21) for the continued operation of UG 16B gasoline service station (Gulf) which expired on January 24, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on October 12, 2003; Waiver of the Rules. C2-2/R4 zoning district.  
**Community Board #17BK**  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 6/4/13 |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, JUNE 4, 2013
#### 10:00 A.M.

<table>
<thead>
<tr>
<th>SOC – DECISIONS</th>
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<tbody>
<tr>
<td>5. 328-02-BZ</td>
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<tr>
<td>The Law Office of Fredrick A. Becker</td>
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<tr>
<td>3 Park Avenue, Manhattan</td>
</tr>
<tr>
<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 January 1, 2013. C5-3/C1-9 zoning district.</td>
</tr>
<tr>
<td>Community Board #5M</td>
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<td>Examiner: Henry Segovia (212) 386-0074</td>
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<td>Status: Granted – 6/4/13</td>
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<th>SOC – CONTINUED HEARINGS</th>
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<tbody>
<tr>
<td>6. 30-02-BZ</td>
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<tr>
<td>The Law Office of Fredrick A. Becker</td>
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<tr>
<td>502 Park Avenue, Manhattan</td>
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<tr>
<td>Extension of Term of a previously granted special permit (§73-36) for the continued operation of a physical culture establishment (New York City Sports Club) which expired on July 23, 2012; Amendment to permit the modification of approved hours and signage; Waiver of the Rules. C5-3, C5-2.5(Mid) zoning district.</td>
</tr>
<tr>
<td>Community Board #8M</td>
</tr>
<tr>
<td>Examiner: Henry Segovia (212) 386-0074</td>
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<tr>
<td>Status: Closed, Decision – 6/18/13</td>
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</table>

| 7. 27-05-BZ            |
| Sheldon Lobel, P.C. |
| 91-11 Roosevelt Avenue, Queens |
| Extension of Term (§11-411) of an approved variance which permitted the operation of an automotive service station (UG 16B) with accessory uses, which expired on April 18, 2011; Amendment to permit the legalization of site layout and operational changes; Waiver of the Rules. C2-4/R6 zoning district. |
| Community Board #3Q |
| Examiner: Carlo Costanza (212) 386-0068 |
| Status: Continued Hearing – 6/18/13 |

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY MORNING, JUNE 4, 2013**

**10:00 A.M.**

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<tr>
<th><strong>SOC – CONTINUED HEARINGS</strong></th>
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<tbody>
<tr>
<td><strong>8. 197-08-BZ</strong> Stuart Klein, Esq. 341-349 Troy Avenue, aka 1515 Carroll Street, Brooklyn Amendment to an approved variance (§72-21) to permit a four-story and penthouse residential building, contrary to floor area and open space (§23-141), units (§23-22), front yard (§23-45), side yard (§23-462), and height (§23-631). Amendment seeks to reduce the number of units and parking and increase the size of the rooftop mechanical equipment. R4 zoning district. Community Board #9BK Examiner: Rory Levy (212) 386-0082 Status: Closed, Decision – 6/18/13</td>
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<th><strong>SOC – NEW CASES</strong></th>
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<tr>
<td><strong>9. 608-70-BZ</strong> Walter T. Gorman, P.E., P.C. 351-361 Neptune Avenue, Brooklyn Amendment (§11-412) to convert the previously granted UG16B automotive service station to a UG6 eating and drinking establishment (Dunkin’ Donuts). R6 zoning district. Community Board #13BK Examiner: Henry Segovia (212) 386-0074 Status: Continued Hearing – 7/16/13</td>
</tr>
<tr>
<td><strong>10. 240-01-BZ</strong> Rothkrug Rothkrug &amp; Spector, LLP 110/23 Church Street, Manhattan Extension of term of a Special Permit (§73-36) for a physical culture establishment, which expired on December 17, 2012. C6-4(LM) zoning district. Community Board #1M Examiner: Carlo Costanza (212) 386-0068 Status: Closed, Decision – 7/9/13</td>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, JUNE 4, 2013
#### 10:00 A.M.

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<th>APPEALS – DECISIONS</th>
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<tr>
<td>11. 251-12-A</td>
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<tr>
<td>Davidoff Hutcher &amp; Citron LLP</td>
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<tr>
<td>330 East 59th Street, Manhattan</td>
</tr>
<tr>
<td>Appeal from Department of Buildings' determination that a sign is not entitled to continued non-conforming use status as an advertising sign. C2-5 Zoning District.</td>
</tr>
<tr>
<td>Community Board # 6M</td>
</tr>
<tr>
<td>Examiner: Toni Matias (212) 386-0085</td>
</tr>
<tr>
<td>Status: Denied – 6/4/13</td>
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<tr>
<td>12. 256-12-A</td>
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<tr>
<td>Davidoff Hutcher &amp; Citron LLP</td>
</tr>
<tr>
<td>195 Havemeyer Street, Brooklyn</td>
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<tr>
<td>Appeal challenging Department of Buildings' determination that a sign is not entitled to continued non-conforming use status as an advertising sign. C4-3 zoning district.</td>
</tr>
<tr>
<td>Community Board #1BK</td>
</tr>
<tr>
<td>Examiner: Toni Matias (212) 386-0085</td>
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<tr>
<td>Status: Denied – 6/4/13</td>
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<tr>
<td>13. 267-12-A</td>
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<tr>
<td>Davidoff Hutcher &amp; Citron LLP</td>
</tr>
<tr>
<td>691 East 133rd Street, Bronx</td>
</tr>
<tr>
<td>Appeal from Department of Buildings' determination that the sign is not entitled to continued non-conforming use status as an advertising sign. M1-2 &amp; R6A zoning district.</td>
</tr>
<tr>
<td>Community Board #1BX</td>
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<tr>
<td>Examiner: Toni Matias (212) 386-0085</td>
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<td>Status: Denied – 6/4/13</td>
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# APPEALS – CONTINUED HEARINGS

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<tr>
<th></th>
<th>CASE NUMBER</th>
<th>JURISDICTION</th>
<th>DESCRIPTION</th>
<th>EXAMINER</th>
<th>STATUS</th>
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</thead>
<tbody>
<tr>
<td>14.</td>
<td>89-07-A</td>
<td>SI</td>
<td>Proposal to build three two-family and one one-family homes located within the bed of a mapped street (Thornycroft Avenue), contrary to Section 35 of the General City Law. R3-2 Zoning district.</td>
<td>Toni Matias</td>
<td>Continued Hearing – 7/23/13</td>
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<tr>
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<td>92-07-A</td>
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<td>thru 95-07-A</td>
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<td>460, 472, 476, 480 Thornycroft Avenue and 281 Oakland Street, Staten Island</td>
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<td>Eric Palatnik, P.C.</td>
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<td>15.</td>
<td>346-12-A</td>
<td>BK</td>
<td>Appeal seeking common law vested rights to continue construction commenced under the prior R6 zoning district regulations. R6B zoning district.</td>
<td>Toni Matias</td>
<td>Adjourned, Continued Hearing – 6/18/13</td>
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<td>179-181 Woodpoint Road, Brooklyn</td>
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<td>Eric Palatnik, P.C.</td>
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## APPEAL – NEW CASES

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</table>
| 16. | 308-12-A | Francis R. Angelino, Esq.  
39-27 29th Street, Queens  
Request that the owner has a common law vested right to continue construction and obtain a Certificate of Occupancy under the prior M1-3 zoning district. M1-2/R5D zoning district.  
Community Board #1Q  
Examiner: Toni Matias (212) 386-0085  
Status: Continued Hearing – 7/9/13 |
| 17. | 111-13-BZY thru 119-13-BZY | Sheldon Lobel, P.C.  
5031, 5021 Grosvenor Avenue, Lots 50, 60, 70  
5030 Grosvenor Avenue, Block 5830, Lot 3930  
5310 Grosvenor Avenue, Block 5839, Lot 4018  
5300 Grosvenor Avenue, Block 5839, Lot 4025  
5041 Goodridge Avenue, Block 5830, Lot 3940  
5040 Goodridge Avenue, Block 5829, Lot 3635  
5030 Goodridge Avenue, Block 5829, Lot 3630  
Bronx  
Extension of time (§11-332b) to complete construction of a major development commenced under the prior Special Natural Area zoning district regulations in effect on October 2004. R1-2/NA-2 zoning district.  
Community Board #8BX  
Examiner: Toni Matias (212) 386-0085  
Status: Closed, Decision – 7/9/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, JUNE 4, 2013
10:00 A.M.

## BZ – DECISIONS

<p>| | | |</p>
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</table>
| 1. | 16-12-BZ | Eric Palatnik, P.C.  
   |   | 184 Nostrand Avenue, Brooklyn  
   |   | Special Permit (§73-19) to allow for a school (*Congregation Adas Yereim*) contrary to use regulations (§42-00). M1-2 zoning district.  
   |   | Community Board #4BK  
   |   | Examiner: Ronald Rizzotti (212) 386-0081  
   |   | Status: Deferred Decision – 7/23/13 |
| 2. | 43-12-BZ | Watchtel Masyr & Missry, LLP  
   |   | 25 Great Jones Street, Manhattan  
   |   | Variance (§72-21) to permit a residential building, contrary to use regulations (§42-00). M1-5B zoning district.  
   |   | Community Board #2M  
   |   | Examiner: Ronald Rizzotti (212) 386-0081  
   |   | Status: Closed, Decision – 9/10/13 |
| 3. | 138-12-BZ | Harold Weinberg, P.E.  
   |   | 2051 East 19th Street, Brooklyn  
   |   | Special Permit (§73-622) for the legalization of an enlargement to a single family residence, contrary to side yard requirement (§23-461). R-5 zoning district.  
   |   | Community Board #15BK  
   |   | Examiner: Henry Segovia (212) 386-0074  
   |   | Status: Granted – 6/4/13 |
| 4. | 206-12-BZ | George Guttmann  
   |   | 2373 East 70th Street, Brooklyn  
   |   | Special Permit (§73-621) to legalize the conversion of the garage into recreation space, contrary to floor area regulations (§23-141). R3-1 zoning district.  
   |   | Community Board #18BK  
   |   | Examiner: Henry Segovia (212) 386-0074  
   |   | Status: Withdrawn – 6/4/13 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, JUNE 4, 2013  
10:00 A.M.

**BZ – DECISIONS**

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<tr>
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<tbody>
<tr>
<td>5.</td>
<td>74-13-BZ</td>
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</tbody>
</table>
|     | Rothkrug Rothkrug & Spector LLP.  
|     | 308/12 8th Avenue, 252/66 West 26th Street, Manhattan  
|     | Special Permit (§73-36) to allow the operation of a physical culture establishment (*Blink Fitness*). C6-2A zoning district.  
|     | Community Board #4M  
|     | Examiner: Rory Levy (212) 386-0082  
|     | Status: Granted – 6/4/13 |

**BZ – CONTINUED HEARINGS**

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<tr>
<td>6.</td>
<td>35-11-BZ</td>
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</table>
|     | The Law Office of Fredrick A. Becker  
|     | 226-10 Francis Lewis Boulevard, Queens  
|     | Variance (§72-21) to allow for the enlargement of an existing synagogue (*Congregation Ohel*), contrary to floor area, lot coverage (§24-11), front yard (§24-34), side yard (§24-35), rear yard (§24-36) and parking (§25-31). R2A zoning district.  
|     | Community Board #13Q  
|     | Examiner: Ronald Rizzotti (212) 386-0081  
|     | Status: Adjourned, Continued Hearing – 6/18/13 |
| 7.  | 195-12-BZ  |
|     | Law Office of Eduardo J. Diaz  
|     | 108-15 Cross Bay Boulevard, Queens  
|     | Re-instatement (§11-411) of a previously approved variance which allowed a two-story office building (UG6) and four parking spaces, which expired on May 13, 2000. Waiver of the Rules. R4 zoning district.  
|     | Community Board #10BK  
|     | Examiner: Carlo Costanza (212) 386-0068  
|     | Status: Continued Hearing – 7/9/13 |
| 8.  | 13-13-BZ & 14-13-BZ  |
|     | Slater & Beckerman, P.C.  
|     | 98 & 96 DeGraw Street, Brooklyn  
|     | Variance (§72-21) to allow two single-family residential buildings, contrary to use regulations (§42-00). M1-1 zoning district.  
|     | Community Board #6BK  
|     | Examiner: Ronald Rizzotti (212) 386-0081  
|     | Status: Continued Hearing – 7/9/13 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, JUNE 4, 2013  
10:00 A.M.

### BZ – CONTINUED HEARINGS

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<thead>
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<th>Case No.</th>
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<th>Examiner</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>62-13-BZ</td>
<td>2703 East Tremont Avenue, Bronx</td>
<td>Special Permit (§73-243) to legalize the existing eating and drinking establishment (Wendy’s) with an accessory drive-through facility. C1-2/R6 zoning district.</td>
<td>Community Board #10BX</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Closed, Decision – 7/9/13</td>
</tr>
<tr>
<td>63-13-BZ</td>
<td>11-11 44th Drive, Queens</td>
<td>Special Permit (§73-36) to allow the operation of a physical culture establishment (The Cliffs). M1-4/R7A (LIC) zoning district.</td>
<td>Community Board #2Q</td>
<td>Rory Levy (212) 386-0082</td>
<td>Closed, Decision – 6/18/13</td>
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<tbody>
<tr>
<td>236-12-BZ</td>
<td>1487 Richmond Road, Staten Island</td>
<td>Variance (§72-21) to permit the extension of an existing medical office, contrary to use (§ 22-10) and side yard regulations (§24-35). R2 zoning district.</td>
<td>Community Board #2SI</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Continued Hearing – 7/9/13</td>
</tr>
<tr>
<td>50-13-BZ</td>
<td>1082 East 24th Street, Brooklyn</td>
<td>Special Permit (§73-622) for the enlargement of an existing 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>Community Board #14BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Continued Hearing – 7/9/13</td>
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<td>57-13-BZ</td>
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<td>Eric Palatnik, P.C.</td>
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<td>282 Beaumont Street, Brooklyn</td>
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<td>Special Permit (§73-622) for the enlargement of an existing single family</td>
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<td>home, contrary to floor area, open space and lot coverage (§23-141); and</td>
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<td>rear yard (§23-47) regulations. R3-1 zoning district.</td>
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<td>Examiner: Henry Segovia (212) 386-0074</td>
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<td>Special Permit (§73-36) to allow a physical culture establishment (SoulCycle)</td>
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<td>within portions of an existing cellar and seven-story mixed-use building.</td>
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<td>C2-4/R6 zoning district.</td>
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<td>Examiner: Rory Levy (212) 386-0082</td>
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<td>Special Permit (§73-36) to allow a physical culture establishment (Blink Fitness)</td>
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<td>within existing building.</td>
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<td>Community Board #8BK</td>
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<td>Examiner: Rory Levy (212) 386-0082</td>
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## SOC – DECISIONS

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</table>
| **1.** | **799-62-BZ** | Sahn Ward Coschignano & Baker, PLLC.  
501 First Avenue/350 East 30th Street, Manhattan  
Extension of Term permitting the use tenant parking spaces within an accessory garage for transient parking pursuant to §60 (3) of the Multiple Dwelling Law (MDL) which expired on November 9, 2012; Waiver of the Rules.  
C2-5/R8, R7B zoning district.  
Community Board #6M  
**Examiner:** Carlo Costanza (212) 386-0068  
**Status:** Granted – 6/11/13 |
| **2.** | **410-68-BZ** | Eric Palatnik, P.C.  
85-05 Astoria Boulevard, Queens  
Extension of Term (§11-411) of approved variance which permitted the operation of (UG16B) automotive service station (Citgo) with accessory uses, which expired on November 26, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on January 11, 2008; Waiver of the Rules.  
R3-2 zoning district.  
Community Board #3Q  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Granted – 6/11/13 |
| **3.** | **982-83-BZ** | Rothkrug Rothkrug & Spector, LLP  
191-20 Northern Boulevard, Queens  
Extension of Time to obtain a Certificate of Occupancy of a previously granted variance for the continued operation of retail and office use (UG 6) which expired on July 19, 2012.  
R3-2 zoning district.  
Community Board #11Q  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Granted – 6/11/13 |
| **4.** | **341-02-BZ** | Sheldon Lobel, P.C.  
231 East 58th Street, Manhattan  
Extension of Term of a previously approved Variance (§72-21) for the continued UG6 retail use on the first floor of a five-story building, which expired on April 8, 2013.  
R-8B zoning district.  
Community Board #6M  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Granted – 6/11/13 |
### SOC – CONTINUED HEARINGS

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</table>
| 5. | 256-82-BZ | Vito J. Fossella, P.E.  
1923 Clove Road, Staten Island  
Extension of Term of a previously granted Special Permit (§73-44) for the continued operation of a veterinary clinic and general UG6 office use in an existing two (2) story building with a reduction of the required parking which expired on November 23, 2012. C2-1/R3-1 zoning district.  
Community Board #2SI  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 7/9/13 |
| 6. | 103-91-BZ | Davidoff Hutcher & Citron, LLP  
248-18 Sunrise Highway, Queens  
Extension of term of approved variance permitting an auto laundry use (UG 16B); Amendment to permit changes to the layout and extend hours of operation. C2-1/R3-2 zoning district.  
Community Board #13Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Closed, Decision – 7/9/13 |
| 7. | 102-94-BZ | C.S. Jefferson Chang  
475 Castle Hill Avenue, Bronx  
Extension of Term of a previously granted Variance (§72-21) for the continuous (UG 6) grocery store which expired on June 20, 2005; Waiver of the Rules. R-5 zoning district.  
Community Board #9BX  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 7/9/13 |
| 8. | 239-02-BZ | Greenberg Traurig, LLP  
110 Waverly Place, Manhattan  
Extension of Term of a previously-granted Variance (§72-21) for the continued operation of a Use Group 6A eating and drinking establishment (Babbo) located at the cellar level, ground floor, and second floor of the subject premises, which expired on December 17, 2012. R7-2 zoning district.  
Community Board #2M  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 9/24/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, JUNE 11, 2013
#### 10:00 A.M.

### SOC – NEW CASES

<table>
<thead>
<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>9. 207-86-BZ</td>
<td>20, 28 &amp; 30 East 92nd Street, Manhattan</td>
<td>Amendment of a previously approved variance (§72-21) for a community facility use (The Nightingale-Bamford School) to enlarge the zoning lot to permit the school's expansion. C1-5 (R-10) and R8B zoning districts.</td>
<td>Community Board #8M</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Closed, Decision – 7/16/13</td>
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### APPEAL – NEW CASES

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<tr>
<th>Case Number</th>
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<th>Examiner</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>10. 143-11-A thru 146-11-A</td>
<td>20, 25, 35, 40 Harborlights Court, Staten Island</td>
<td>Appeal challenging the Fire Department's determination that the grade of the fire apparatus road shall not exceed 10 percent, per NYC Fire Code Section FC 503.2.7.</td>
<td>Community Board #1SI</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 8/20/13</td>
</tr>
<tr>
<td>11. 268-12-A thru 271-12-A</td>
<td>8/10/16/18 Pavilion Hill Terrace, Staten Island</td>
<td>Proposed construction of a single family semi-detached building not fronting a mapped street, contrary to General City Law Section 36. R3-1 zoning district.</td>
<td>Community Board #1SI</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 7/9/13</td>
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## BZ – DECISIONS

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</table>
| 1. | 135-11-BZ/136-11-A | Eric Palatnik, P.C.  
**2080 Clove Road, Staten Island**  
Variance (§72-21) to allow for the construction of a commercial use (UG6), contrary to use regulations (§22-00).  
Proposed construction is also located within a mapped but not built portion of a street (Clove Road and Sheridan Avenue), contrary to General City Law Section 35.  R3-2 zoning district.  
Community Board #2SI  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Withdrawn – 6/11/13 |
| 2. | 59-12-BZ/60-12-A | Mitchell S. Ross, Esq.  
**240-27 Depew Avenue, Queens**  
Variance (§72-21) to allow the enlargement of an existing home, contrary to front yard (§23-45) regulations.  
Proposed construction is also located within a mapped but unbuilt portion of a street, contrary to General City Law Section 35.  R1-2 zoning district.  
Community Board #11Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Deferred Decision – 7/23/13 |
| 3. | 242-12-BZ | Sheldon Lobel, P.C.  
**1621-1629 61st Street, Brooklyn**  
Variance (§72-21) to permit the construction of a Use Group 4A house of worship (Congregation Toldos Yehuda), contrary to height, setback, sky exposure plane, rear yard, and parking requirements.  M1-1 zoning district.  
Community Board #12BK  
Examiner: Rory Levy (212) 386-0082  
Status: Deferred Decision – 7/23/13 |
| 4. | 250-12-BZ | Law Office of Fredrick A. Becker  
**2410 Avenue S, 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); less than the required rear yard (§23-47) and perimeter wall height (§23-631).  R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 6/11/13 |

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-------------------------------------------------------------------------------------------------
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, JUNE 11, 2013  
10:00 A.M.  

### BZ – DECISIONS

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</table>
| 5. | 324-12-BZ | Sheldon Lobel, P.C.  
**45 76th Street, Brooklyn**  
Special permit (§73-622) for the enlargement of an existing single family home, contrary to floor area regulations (23-141(b)). R3-1 zoning district.  
Community Board #10BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 6/11/13 |
| 6. | 325-12-BZ | Bryan Cave LLP  
**1273-1285 York Avenue, Manhattan**  
Variance (§72-21) to permit a new Use Group 4 maternity hospital and ambulatory diagnostic or treatment health care facility *(New York Presbyterian Hospital)*, contrary to modification of height and setback, lot coverage, rear yard, floor area and parking. R10/R9/R8 zoning districts.  
Community Board #8M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 6/11/13 |
| 7. | 56-13-BZ | Francis R. Angelino  
**201 East 56th Street aka 935 3rd Avenue, Manhattan**  
Special Permit (§73-36) to allow the legalization of a physical culture establishment *(InForm Fitness)* within a portion of an existing building. C6-6(MID) C5-2 zoning district.  
Community Board # 6M  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 6/11/13 |
| 8. | 72-13-BZ | Sheldon Lobel, P.C.  
**38-15 Northern Boulevard, Queens**  
Special Permit (§73-36) to permit the legalization of a physical culture establishment *(Euphora Spa)* within the existing building. M1-1/C4-2A zoning district.  
Community Board #1Q  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 6/11/13 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, JUNE 11, 2013
10:00 A.M.

### BZ – CONTINUED HEARINGS

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</table>
| 9. | 113-12-BZ | Mitchell S. Ross, Esq.  
   |   | 32-05 Parsons Boulevard, Queens  
   |   | Variance (§72-21) to permit a proposed church (St. Paul’s Church), contrary to front wall height (§§24-521 & 24-51). R2A zoning district.  
   |   | Community Board #7Q  
   |   | Examiner: Rory Levy (212) 386-0082  
   |   | Status: Continued Hearing – 7/9/13 |
| 10. | 54-13-BZ | Sheldon Lobel, P.C.  
   |   | 1338 East 5th Street, Brooklyn  
   |   | Variance (§72-21) for the enlargement of existing single-family residence, contrary to lot coverage and open space (§23-141), minimum required side yards (§113-543), and side yards (§23-461a) regulations. R5/OPSD zoning district.  
   |   | Community Board #12BK  
   |   | Examiner: Henry Segovia (212) 386-0074  
   |   | Status: Closed, Decision – 7/16/13 |

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NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
tuesday morning, june 11, 2013  
10:00 a.m.

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<table>
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<th>Case No.</th>
<th>Address</th>
<th>Attorney</th>
<th>Details</th>
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<tbody>
<tr>
<td>263-12-BZ &amp; 264-12-A</td>
<td>232 &amp; 222 City Island Avenue, Bronx</td>
<td>Sheldon Lobel, P.C.</td>
<td>Variance (§72-21) to permit senior housing (UG 2), contrary to use regulations (§42-00). Variance (Appendix G, Section BC G107, NYC Administrative Code) to permit construction in a flood hazard area which does not comply with Appendix G, Section G304.1.2 of the Building Code. M1-1 zoning district.</td>
</tr>
<tr>
<td>282-12-BZ</td>
<td>1995 East 14th 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 side yard requirements (§23-461), and a variance (§72-21), contrary to front yard requirements (§23-45). R5 zoning district.</td>
</tr>
<tr>
<td>91-13-BZ</td>
<td>115 East 57th Street, Manhattan</td>
<td>Eric Palatnik, P.C.</td>
<td>Special Permit (§73-36) to allow the operation of a physical culture establishment (Spa Castle) to be located in a 57-story mixed use building. C5-3, C5-2.5(MiD) zoning district.</td>
</tr>
<tr>
<td>104-13-BZ</td>
<td>1002 Gates Avenue, Brooklyn</td>
<td>Rothkrug Rothkrug &amp; Spector LLP</td>
<td>Special Permit (§73-36) to allow the operation of a physical culture establishment (Blink) within a portion of an existing five-story commercial building. C2-4 (R6A) zoning district.</td>
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## SOC – DECISIONS

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</table>
| 1. | 853-53-BZ | Carl A. Sulfaro, Esq.  
2402/16 Knapp Street, Brooklyn  
Amendment (§11-412) to a previously-granted Automotive Service Station (Mobil) (UG 16B), with accessory uses, to enlarge the use and convert service bays to an accessory convenience store.  
C2-2/R3-2 zoning district.  
Community Board# 15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 6/18/13 |
| 2. | 30-02-BZ | The Law Office of Fredrick A. Becker  
502 Park Avenue, Manhattan  
Extension of Term of a previously granted special permit (§73-36) for the continued operation of a physical culture establishment (New York City Sports Club) which expired on July 23, 2012; Amendment to permit the modification of approved hours and signage; Waiver of the Rules.  
C5-3, C5-2.5(Mid) zoning district.  
Community Board # 8M  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 6/18/13 |
| 3. | 197-08-BZ | Stuart Klein, Esq.  
341-349 Troy Avenue aka 1515 Carroll Street, Brooklyn  
Amendment to an approved variance (§72-21) to permit a four-story and penthouse residential building, contrary to floor area and open space (§23-141), units (§23-22), front yard (§23-45), side yard (§23-462), and height (§23-631). Amendment seeks to reduce the number of units and parking and increase the size of the rooftop mechanical equipment.  
R4 zoning district.  
Community Board #9BK  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 6/18/13 |
**SOC – CONTINUED HEARINGS**

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| 4. | 200-00-BZ | Eric Palatnik, P.C.  
**107-24 37th Avenue aka 37-16 108th Street, Queens**  
Extension of Time to obtain a Certificate of Occupancy of a variance (**§72-21**) to operate a Physical Culture Establishment (**Squash Fitness Center**) which expired on April 25, 2013. C1-4(R6B) zoning district.  
Community Board #3Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 7/16/13 |
| 5. | 27-05-BZ | Sheldon Lobel, P.C.  
**91-11 Roosevelt Avenue, Queens**  
Extension of Term (**§11-411**) of an approved variance which permitted the operation of an automotive service station (**UG 16B**) with accessory uses, which expired on April 18, 2011; Amendment to permit the legalization of site layout and operational changes; Waiver of the Rules.  
Community Board #3Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Continued Hearing – 7/23/13 |

**SOC – NEW CASES**

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| 6. | 363-04-BZ | Herrick Feinstein, LLP  
**6002 Fort Hamilton Parkway, Brooklyn**  
Extension of Time to Complete Construction for a previously granted Variance (**§72-21**) to convert an industrial building to commercial/residential use which expires on July 19, 2013. M1-1 zoning district.  
Community Board #12BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 7/16/13 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
TUESDAY MORNING, JUNE 18, 2013
10:00 A.M.

APPEALS – CONTINUED HEARINGS

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<th>Attorney</th>
<th>Address/Location</th>
<th>Nature of Case</th>
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<tbody>
<tr>
<td>7</td>
<td>317-12-A</td>
<td>Eric Palatnik, P.C.</td>
<td>40-40 27th Street, Queens</td>
<td>Appeal seeking common law vested rights to continue construction commenced under the prior M1-3D zoning district regulations. M1-2/R5B zoning district.</td>
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<td>Community Board #1Q</td>
<td>Examiner: Toni Matias (212) 386-0085</td>
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<td>8</td>
<td>346-12-A</td>
<td>Eric Palatnik, P.C.</td>
<td>179-181 Woodpoint Road, Brooklyn</td>
<td>Appeal seeking common law vested rights to continue construction commenced under the prior R6 zoning district regulations. R6B zoning district.</td>
</tr>
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<td>Community Board #1BK</td>
<td>Examiner: Toni Matias (212) 386-0085</td>
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<td>Community Board #3SI</td>
<td>Examiner: Toni Matias (212) 386-0085</td>
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<td>Status: Closed, Decision – 7/16/13</td>
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</table>
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
**TUESDAY MORNING, JUNE 18, 2013**
**10:00 A.M.**

#### BZ – DECISIONS

<p>| | | |</p>
<table>
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</table>
| **1.** | **63-13-BZ** | Sheldon Lobel, P.C.  
11-11 44th Drive, Queens  
Special Permit (§73-36) to allow the operation of a physical culture establishment (*The Cliffs*). M1-4/R7A (LIC) zoning district.  
Community Board #2Q  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 6/18/13 |
| **2.** | **73-13-BZ** | Eric Palatnik, P.C.  
459 E. 149th Street, Bronx  
Special Permit (§73-49) to allow rooftop parking in a proposed commercial development. M1-1 and C4-4 zoning districts.  
Community Board #1BX  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 6/18/13 |
| **3.** | **80-13-BZ** | Goldman Harris LLC.  
200 Park Avenue South, Manhattan  
Special Permit (§73-36) to allow a physical culture establishment (*Red Door Spa*). C6-4A zoning district.  
Community Board #5M  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 6/18/13 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, JUNE 18, 2013**  
**10:00 A.M.**

**BZ – CONTINUED HEARINGS**

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</table>
| 4. | 35-11-BZ | The Law Office of Fredrick A. Becker  
226-10 Francis Lewis Boulevard, Queens  
Variance (§72-21) to allow for the enlargement of an existing synagogue  
(*Congregation Ohel*), contrary to floor area, lot coverage (§24-11), front  
yard (§24-34), side yard (§24-35), rear yard (§24-36) and parking (§25-31). R2A zoning district.  
Community Board #13Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Adjourned, Continued Hearing – 7/23/13 |
| 5. | 50-12-BZ | Gerald J. Caliendo, R.A., AIA  
177-60 South Conduit Avenue, Queens  
Variance (§72-21) to allow for the construction of a commercial  
building, contrary to use regulations (§22-00). R3-2 zoning district.  
Community Board #12Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Adjourned, Continued Hearing – 7/23/13 |
| 6. | 199-12-BZ | Sheldon Lobel, P.C.  
1517 Bushwick Avenue, Brooklyn  
Variance (§72-21) to construct a self-storage facility, contrary to  
maximum permitted floor area regulations. C8-1 and R6 zoning  
districts.  
Community Board #4BK  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Adjourned, Continued Hearing – 7/23/13 |

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

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| **NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
REGULAR MEETING  
TUESDAY MORNING, JUNE 18, 2013  
10:00 A.M. |   |   |
| **BZ – CONTINUED HEARINGS** |   |   |
| **7.**  
293-12-BZ | Eric Palatnik, P.C.  
**1245 83rd Street, Brooklyn**  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area (§23-141(b)) and side yard (§23-461(a)) regulations. R3X zoning district.  
Community Board #10BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 7/16/13 |   |   |
| **8.**  
321-12-BZ | Dennis D. Dell'Angelo  
**22 Girard 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 floor area (§23-141); perimeter wall height (§23-631) and rear yard (§23-47) regulations R3-1 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 7/9/13 |   |   |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

**REGULAR MEETING**

**TUESDAY MORNING, JUNE 18, 2013**

**10:00 A.M.**

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### BZ – NEW CASES

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<th>Case Number</th>
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<th>Description</th>
<th>Examiner</th>
<th>Status</th>
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</thead>
</table>

#### 9. 259-12-BZ

**Davidoff Hutcher & Citron LLP**  
**5241 Independence Avenue, Bronx**  
Variance (§72-21) to permit the development of a single-family house, contrary to lot width requirement (§23-32). R1-1, NA-2 zoning district.  
Community Board #8BX  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 7/23/13

#### 10. 5-13-BZ

**Goldman Harris LLC**  
**34-47 107th Street, Queens**  
Variance (§72-21) to permit the construction of an education center (UG 3A) in connection with an existing community facility (*Louie Armstrong House Museum*), contrary to lot coverage (§24-11/24-12), front yard (§24-34), side yard (§24-35), side yard setback (§24-551), and planting strips (§24-06/26-42). R5 zoning district.  
Community Board #3Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 7/23/13

#### 11. 99-13-BZ

**Rothkrug Rothkrug & Spector LLP**  
**32-27 Steinway Street, Queens**  
Special Permit (§73-36) to allow the operation of a physical culture establishment (*Blink*) within a two-story commercial building. C4-2A zoning district.  
Community Board #1Q  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 7/23/13

#### 12. 102-13-BZ

**Law Office of Fredrick A. Becker**  
**28-30 Avenue A, Manhattan**  
Special Permit (§73-36) to allow the operation of a physical culture establishment (*New York Sports Club*) within a five-story commercial building. C2-5 (R7A/R8B) zoning district.  
Community Board #3M  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 7/23/13

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
**TUESDAY MORNING, JULY 9, 2013**
**10:00 A.M.**

<table>
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<th>SOC – DECISIONS</th>
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</table>
| **1.** 256-82-BZ | Vito J. Fossella, P.E.  
1923 Clove Road, Staten Island  
Extension of Term of a previously granted Special Permit (§73-44) for the continued operation of a veterinary clinic and general UG6 office use in an existing two (2) story building with a reduction of the required parking which expired on November 23, 2012. C2-1/R3-1 zoning district.  
Community Board #2SI  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 7/9/13 |
| **2.** 103-91-BZ | Davidoff Hutcher & Citron, LLP  
248-18 Sunrise Highway, Queens  
Extension of term of approved variance permitting an auto laundry use (UG 16B); Amendment to permit changes to the layout and extend hours of operation. C2-1/R3-2 zoning district.  
Community Board #13Q  
Examiner: Carlo Costanza (212) 386-0076  
Status: Granted – 7/9/13 |
| **3.** 102-94-BZ | C.S. Jefferson Chang  
475 Castle Hill Avenue, Bronx  
Extension of Term of a previously granted Variance (§72-21) for the continuous (UG 6) grocery store which expired on June 20, 2005; Waiver of the Rules. R-5 zoning district.  
Community Board #9BX  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 7/9/13 |
| **4.** 240-01-BZ | Rothkrug Rothkrug & Spector, LLP  
110/23 Church Street, Manhattan  
Extension of term of a Special Permit (§73-36) for a physical culture establishment, which expired on December 17, 2012. C6-4(LM) zoning district.  
Community Board #1M  
Examiner: Carlo Costanza (212) 386-0076  
Status: Granted – 7/9/13 |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, JULY 9, 2013
10:00 A.M.

## SOC – DECISIONS

| 5.  | 292-01-BZ | Law Office of Fredrick A. Becker  
69/71 MacDougal Street, Manhattan  
Extension of Term of a previously-granted Variance (§72-21) which permitted the legalization of a new dining room and accessory storage for a UG6 eating and drinking establishment (*Villa Mosconi*), which expired on January 7, 2013. R7-2 zoning district.  
Community Board #2M  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 7/9/13 |

## SOC – CONTINUED HEARINGS

| 6.  | 102-95-BZ | Law Office of Fredrick A. Becker  
50 West 17th Street, Manhattan  
Extension of Term of a Special Permit (§73-244) for the continued operation of a UG12 Easting/Drinking Establishment (*Splash*) which expired on March 5, 2013; Amendment to modify the interior of the establishment. C6-4A zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 8/13/13 |

| 7.  | 45-08-BZ | Rampulla Associates  
55 Androvette Street, Staten Island  
Extension Time to Complete Construction of Variance (§72-21) to construct a new four-story, 81 unit age restricted residential facility which expired on May 19, 2013. M1-1 (Area M), SRD & SGMD zoning district.  
Community Board #3SI  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 8/13/13 |
## SOC – NEW CASES

<table>
<thead>
<tr>
<th>Case Numbers</th>
<th>Attorney</th>
<th>Address Details</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>111-13-BZY thru 119-13-BZY</td>
<td>Sheldon Lobel, P.C.</td>
<td>5031, 5021 Grosvenor Avenue, Lots 50, 60, 70, 5030 Grosvenor Avenue, Block 5830, Lot 3930, 5310 Grosvenor Avenue, Block 5839, Lot 4018 5300 Grosvenor Avenue, Block 5839, Lot 4025 5041 Goodridge Avenue, Block 5830, Lot 3940 5040 Goodridge Avenue, Block 5829, Lot 3635 5030 Goodridge Avenue, Block 5829, Lot 3630 Bronx</td>
<td>Extension of time (§11-332b) to complete construction of a major development commenced under the prior Special Natural Area zoning district regulations in effect on October 2004. R1-2/NA-2 zoning district. <strong>Community Board #8BX</strong></td>
</tr>
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</table>
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**  
**TUESDAY MORNING, JULY 9, 2013**  
**10:00 A.M.**

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<th><strong>APPEALS – CONTINUED HEARINGS</strong></th>
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<tbody>
<tr>
<td><strong>9.</strong></td>
<td>268-12-A thru 271-12-A</td>
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<tr>
<td></td>
<td>Eric Palatnik, P.C.</td>
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<td>8/10/16/18 Pavilion Hill Terrace, Staten Island</td>
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<tr>
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<td>Proposed construction of a single family semi-detached building not fronting a mapped street, contrary to General City Law Section 36. R3-1 zoning district.</td>
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<tr>
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<td>Community Board #1SI</td>
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<td>Examiner: Toni Matias (212) 386-0085</td>
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<td>Status: Adjourned, Continued Hearing – 8/13/13</td>
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<td><strong>10.</strong></td>
<td>308-12-A</td>
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<tr>
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<td>Francis R. Angelino, Esq.</td>
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<td>39-27 29th Street, Queens</td>
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<td>Request that the owner has a common law vested right to continue construction and obtain a Certificate of Occupancy under the prior M1-3 zoning district. M1-2/R5D zoning district.</td>
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<tr>
<td></td>
<td>Community Board #1Q</td>
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<tr>
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<td>Examiner: Toni Matias (212) 386-0085</td>
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<td>Status: Closed, Decision – 8/13/13</td>
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NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, JULY 9, 2013  
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### APPEAL – NEW CASES

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<th>Examiner</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>11. 29-12-A</td>
<td>Vincent Brancato, 159-17 159th Street, Queens</td>
<td>Appeal seeking to reverse Department of Building’s padlock order of closure (and underlying OATH report and recommendation) based on determination that the property’s commercial/industrial use is not a legal non-conforming use. R3-2 Zoning district.</td>
<td>Community Board #12Q</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 9/17/13</td>
</tr>
<tr>
<td>12. 75-13-A</td>
<td>Law Office of Fredrick A. Becker, 5 Beekman Street, Manhattan</td>
<td>Appeal of §310(2) of the MDL relating to the court requirements (MDL §26(7)) to allow the conversion of an existing commercial building to a transient hotel. C5-5(LM) zoning district.</td>
<td>Community Board #1M</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Continued Hearing – 8/13/13</td>
</tr>
<tr>
<td>13. 172-13-A</td>
<td>Gary Lenhart, 175 Ocean Avenue, Queens</td>
<td>Proposed reconstruction of a single family home and installation of the disposal system located partially in 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) 386-0085</td>
<td>Granted – 7/9/13</td>
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</tbody>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, JULY 9, 2013
#### 10:00 A.M.

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<th>BZ – DECISIONS</th>
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</table>
| **1.** 62-13-BZ | Sheldon Lobel, P.C.  
2703 East Tremont Avenue, Bronx  
Special Permit (§73-243) to legalize the existing eating and drinking establishment (Wendy's) with an accessory drive-through facility. C1-2/R6 zoning district.  
Community Board #10BX  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 7/9/13 |
| **2.** 85-13-BZ | Rothkrug Rothkrug & Spector LLP  
250 Utica Avenue, Brooklyn  
Special Permit (§73-36) to allow a physical culture establishment (Blink Fitness) within existing building. C4-3/R6 zoning district.  
Community Board #8BK  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 7/9/13 |

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<th>No.</th>
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<th>Attorney</th>
<th>Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>3.</td>
<td>72-12-BZ</td>
<td>Watchtel Masyr &amp; Missry, LLP</td>
<td>213-223 Flatbush Avenue, Brooklyn</td>
<td>Variance (§72-21) to allow for the construction of a new mixed use building, contrary to off-street parking (§25-23), floor area, open space, lot coverage (§23-145), maximum base height and maximum building height (§23-633) regulations. R7A/C2-4 and R6B zoning districts.</td>
<td>Community Board #6BK</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Adjourned, Continued Hearing – 9/24/13</td>
</tr>
<tr>
<td>4.</td>
<td>113-12-BZ</td>
<td>Mitchell S. Ross, Esq.</td>
<td>32-05 Parsons Boulevard, Queens</td>
<td>Variance (§72-21) to permit a proposed church (St. Paul’s Church), contrary to front wall height (§§24-521 &amp; 24-51).</td>
<td>Community Board #7Q</td>
<td>Rory Levy (212) 386-0082</td>
<td>Adjourned, Continued Hearing – 7/16/13</td>
</tr>
<tr>
<td>5.</td>
<td>195-12-BZ</td>
<td>Law Office of Eduardo J. Diaz</td>
<td>108-15 Cross Bay Boulevard, Queens</td>
<td>Re-instatement (§11-411) of a previously approved variance which allowed a two-story office building (UG6) and four parking spaces, which expired on May 13, 2000. Waiver of the Rules.</td>
<td>Community Board #10BK</td>
<td>Carlo Costanza (212) 386-0076</td>
<td>Closed, Decision – 8/13/13</td>
</tr>
<tr>
<td>6.</td>
<td>236-12-BZ</td>
<td>Rothkrug Rothkrug &amp; Spector LLP</td>
<td>1487 Richmond Road, Staten Island</td>
<td>Variance (§72-21) to permit the extension of an existing medical office, contrary to use (§ 22-10) and side yard regulations (§24-35).</td>
<td>Community Board #2SI</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Adjourned, Continued Hearing – 8/13/13</td>
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| 7. | 321-12-BZ | Dennis D. Dell'Angelo  
22 Girard 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 floor area (§23-141); perimeter wall height (§23-631) and rear yard (§23-47) regulations R3-1 zoning district.  
**Community Board #15BK**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Granted – 7/9/13 |

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| 8. | 338-12-BZ | Eric Palatnik, P.C.  
164-20 Northern Boulevard, Queens  
Special Permit (§73-36) to allow the legalization of a physical culture establishment (Metro Gym) located in an existing one-story and cellar commercial building. C2-2/R5B zoning district.  
**Community Board #7Q**  
**Examiner:** Rory Levy (212) 386-0082  
**Status:** Continued Hearing – 8/13/13 |

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98 & 96 DeGraw Street, Brooklyn  
Variance (§72-21) to allow two single-family residential buildings, contrary to use regulations (§42-00). M1-1 zoning district.  
**Community Board #6BK**  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Closed, Decision – 8/13/13 |

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| 10. | 50-13-BZ | Lewis E. Garfinkel  
1082 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 yard (§23-461); and rear yard (§23-47) regulations. R2 zoning district.  
**Community Board #14BK**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Closed, Decision – 8/13/13 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, JULY 9, 2013
10:00 A.M.

### BZ – CONTINUED HEARINGS

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| 11. | 57-13-BZ | Eric Palatnik, P.C.  
282 Beaumont Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141); and rear yard (§23-47) regulations. R3-1 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 8/13/13 |
| 12. | 84-13-BZ | Rothkrug Rothkrug & Spector LLP  
184 Kent Avenue, Brooklyn  
Special Permit (§73-36) to allow a physical culture establishment (SoulCycle) within portions of an existing cellar and seven-story mixed-use building. C2-4/R6 zoning district.  
Community Board #1BK  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 8/13/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, JULY 9, 2013
#### 10:00 A.M.

## BZ – NEW CASES

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<td>13. 81-13-BZ</td>
<td>264-12 Hillside Avenue, Queens</td>
<td>Nasir J. Khanzada</td>
<td>Re-Instatement (§11-411) of a variance which permitted an auto service station (UG16B), with accessory uses, which expired on November 6, 1992; Amendment (§11-413) to permit the change of use from auto service station to auto repair (UG 16B) with accessory auto sales; Waiver of the Rules. R2 zoning district. Community Board # 13Q Examiner: Carlo Costanza (212) 386-0076 Status: Continued Hearing – 8/20/13</td>
</tr>
<tr>
<td>14. 94-13-BZ</td>
<td>11-11 40th Avenue aka 38-78 12th Street, Queens</td>
<td>Vinod Tewari</td>
<td>Special Permit (§73-19) to allow a school, contrary to use regulation (§42-00). M1-3 zoning district. Community Board #1Q Examiner: Ronald Rizzotti (212) 386-0081 Status: Continued Hearing – 9/10/13</td>
</tr>
<tr>
<td>15. 96-13-BZ</td>
<td>1054 Simpson Street, Bronx</td>
<td>Rothkrug Rothkrug &amp; Spector LLP</td>
<td>Variance (§72-21) to permit construction of ambulatory diagnostic treatment health facility (UG4), contrary to rear yard regulations (§23-47). R7-1 and C1-4 zoning districts. Community Board #2BX Examiner: Ronald Rizzotti (212) 386-0081 Status: Continued Hearing – 8/13/13</td>
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<tr>
<td>16. 108-13-BZ</td>
<td>100/28 West 42nd Street aka 101/31 West 41st Street, Manhattan</td>
<td>Rothkrug Rothkrug &amp; Spector LLP</td>
<td>Special Permit (§73-36) to allow the operation of a physical culture establishment (Equinox). C5-3, C6-6, C6-7 &amp; C5-2 (Mid)(T) zoning districts. Community Board #5M Examiner: Rory Levy (212) 386-0082 Status: Continued Hearing – 8/13/13</td>
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## SOC – DECISIONS

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

**REGULAR MEETING**

**TUESDAY MORNING, JULY 16, 2013**

**10:00 A.M.**

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### SOC – CONTINUED HEARINGS

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<th>No.</th>
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<th>Contact Information</th>
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<tr>
<td>4.</td>
<td>608-70-BZ</td>
<td>Walter T. Gorman, P.E., P.C.</td>
<td>351-361 Neptune Avenue, Brooklyn Amendment (§11-412) to convert the previously granted UG16B</td>
<td>#13BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Closed, Decision – 8/20/13</td>
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<td>automotive service station to a UG6 eating and drinking establishment (<em>Dunkin' Donuts</em>). R6 zoning district.</td>
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<td>Examiner: Henry Segovia (212) 386-0074</td>
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### SOC – NEW CASES

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<tr>
<td>5.</td>
<td>615-57-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>154-11 Horace Harding Expressway, Queens Extension of Term (§11-411) of a previously granted variance for the continued operation of a (UG 16B) automotive service station (<em>Gulf</em>) with accessory uses, which expired on June 5, 2013. C1-3/R5B zoning district.</td>
<td>#7Q</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Continued Hearing – 8/13/13</td>
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<td>Examiner: Henry Segovia (212) 386-0074</td>
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<td>6.</td>
<td>274-59-BZ</td>
<td>Laurence Dalfino, R.A.</td>
<td>3356-3358 Eastchester Road aka 1510-151 Tillotson Avenue, Bronx Extension of Term (§11-411) of a previously granted variance for the continued operation of a private parking lot accessory to a catering establishment, which expired on September 28, 2011; Waiver of the Rules. R-4/R-5 zoning district.</td>
<td>#12BX</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Continued Hearing – 9/10/13</td>
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<td>Examiner: Henry Segovia (212) 386-0074</td>
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<td>Status: Continued Hearing – 9/10/13</td>
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</table>
| 7        | 228-00-BZ        | Sheldon Lobel, P.C.  
28/32 Locust Street, Brooklyn  
Extension of Time to complete construction of a previously approved variance (§72-21) which permitted the conversion of a vacant building in a manufacturing district for residential use (UG 2), which expired on May 15, 2005; Amendment for minor modifications to approved plans; Waiver of the Rules. M1-1 zoning district. | #4BK            | Henry Segovia (212) 386-0074 | Continued Hearing – 8/20/13 |

### APPEALS – DECISIONS

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<tr>
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| 8        | 346-12-A         | Eric Palatnik, P.C.  
179-181 Woodpoint Road, Brooklyn  
Appeal seeking common law vested rights to continue construction commenced under the prior R6 zoning districts. R6B zoning district. | #1BK            | Toni Matias (212) 386-0085   | Granted – 7/16/13 |
| 9        | 79-13-A          | Law Offices of Howard B. Hornstein  
807 Park Avenue, Manhattan  
Appeal from Department of Buildings' determination regarding the status of a zoning lot and reliance on the Certificate of Occupancy's recognition of the zoning lot. R10(Pl) zoning district. | #8M             | Toni Matias (212) 386-0085   | Granted – 7/16/13 |
| 10       | 135-13-A thru 152-13-A | Eric Palatnik, P.C.  
Serena Court, Staten Island  
Proposed construction of 18 two-family dwellings not fronting on a legally mapped street, contrary to General City Law Section 36. R3X (SSRD) zoning district. | #3SI            | Toni Matias (212) 386-0085   | Granted – 7/16/13 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
REGULAR MEETING  
TUESDAY MORNING, JULY 16, 2013  
10:00 A.M.

## APPEAL – NEW CASES

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

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

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

### BZ – NEW CASES

<table>
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<tr>
<th>Case Number</th>
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</table>
| 6. 301-12-BZ | Rothkrug Rothkrug & Spector, LLP  
213-11/19 35th Avenue, Queens  
Special permit (§73-52) to allow a 25 foot extension of an existing commercial use into a residential zoning district, and §73-63 to allow the enlargement of a legal non-complying building. C2-2(R4) and R2A zoning districts.  
Community Board #11Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 8/13/13 |
3089 Bedford Avenue, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and open space (§23-141) and less than the required rear yard (§23-47). R2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 8/13/13 |
| 8. 109-13-BZ | Goldman Harris LLC  
80 John Street, Manhattan  
Special Permit (§73-36) to permit the operation of a physical culture establishment (UFC Gym). C5-5 (Special Lower Manhattan) zoning district.  
Community Board #1M  
Examiner: Rory Levy (212) 386-0082  
Status: Continued Hearing – 8/20/13 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, JULY 23, 2013
10:00 A.M.

### SOC – DECISIONS

|   | 27-05-BZ | Sheldon Lobel, P.C.  
91-11 Roosevelt Avenue, Queens  
Extension of Term (§11-411) of an approved variance which permitted the operation of an automotive service station (UG 16B) with accessory uses, which expired on April 18, 2011; Amendment to permit the legalization of site layout and operational changes; Waiver of the Rules.  
C2-4/R6 zoning district.  
Community Board #3Q |
|---|---|---|
|   |   | Examiner:  Carlo Costanza  
(212) 386-0068 |
|   |   | Status:  Closed, Decision – 8/13/13 |

### SOC – NEW CASES

|   | 327-88-BZ | Eric Palatnik, P.C.  
136-36 39th Avenue aka 136-29 & 136-35A Roosevelt Avenue, Queens  
Amendment to a previously granted variance (§72-21) to legalize the addition of a 2,317 square foot mezzanine in a UG 6 eating and drinking establishment (Jade Asian Restaurant).  
C4-3 zoning district.  
Community Board #7Q |
|---|---|---|
|   |   | Examiner:  Henry Segovia  
(212) 386-0074 |
|   |   | Status:  Continued Hearing – 9/10/13 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, JULY 23, 2013  
10:00 A.M.  

**APPEALS – DECISIONS**

| 3. | 10-10-A | New York City Board of Standards and Appeals  
1882 East 12th Street, Brooklyn  
Reopening for a court remand to review the validity of the permit at issue in a prior vested rights application.  
Community Board #15BK  
Examiner: Toni Matias (212) 386-0085  
Status: Granted – 7/23/13 |
| 4. | 345-12-A | Mallin & Cha, P.C.  
303 West Tenth Street/150 Charles Street, Manhattan  
Appeal challenging DOB’s determination that developer is in compliance with §15-41 (Enlargement of Converted Buildings).  
C6-2 zoning district.  
Community Board #2M  
Examiner: Toni Matias (212) 386-0085  
Status: Denied – 7/23/13 |
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| **5.** | **89-07-A, 92-07-A thru 95-07-A** | Eric Palatnik, P.C.  
460, 472, 476, 480 Thornycroft Avenue and 281 Oakland Street, Staten Island  
Proposal to build three two-family and one one-family homes located within the bed of a mapped street (Thornycroft Avenue), contrary to Section 35 of the General City Law. R3-2 Zoning district.  
Community Board #3SI  
Examiner: Toni Matias (212) 386-0085  
Status: Closed, Decision – 8/13/13 |
| **6.** | **245-12-A & 246-12-A** | Law Offices of Marvin B. Mitzner LLC.  
515 East 5th Street, Manhattan  
Application seeking a determination that the owner of the property has acquired a common law vested right to complete construction under the prior R7-2 zoning. R7B zoning district.  
Community Board #3M  
Examiner: Toni Matias (212) 386-0085  
Status: Closed, Decision – 9/10/13 |
| **7.** | **317-12-A** | Eric Palatnik, P.C.  
40-40 27th Street, Queens  
Appeal seeking common law vested rights to continue construction commenced under the prior M1-3D zoning district regulations. M1-2/R5B zoning district.  
Community Board #1Q  
Examiner: Toni Matias (212) 386-0085  
Status: Closed, Decision – 8/20/13 |
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| 8.   | 220-10-BZY | Goldman Harris LLC  
77, 79, 81 Rivington Street, a/k/a 139, 141 Orchard Street, Manhattan  
Extension of time to complete construction (§11-332) and obtain a Certificate of Occupancy of a previous vested rights approval, which expires on March 15, 2013. Prior zoning district C6-1. C4-4A zoning district. | 3M | Toni Matias (212) 386-0085 | Closed, Decision – 8/20/13 |
| 9.   | 272-12-A | Michael Cetera  
1278 Carroll Street, Brooklyn  
Appeal challenging Department of Buildings' determination that an existing non-conforming single family home may not be enlarged per §52-22. R2 zoning district. | 9BK | Toni Matias (212) 386-0085 | Closed, Decision – 9/17/13 |
| 10.  | 127-13-A | Law Offices of Marvin B. Mitzner, LLC  
332 West 87th Street, Manhattan  
Appeal under Section 310 of the Multiple Dwelling Law to vary MDL Sections 171-2(a) and 2(f) to allow for a vertical enlargement of a residential building. R8 zoning district. | 7M | Toni Matias (212) 386-0085 | Closed, Decision – 8/20/13 |
| 11.  | 190-13-A | Zygmunt Staszweski  
107 Arcadia Walk, Queens  
Proposed reconstruction of a single-family dwelling in the bed of a mapped street, contrary to Article 3, Section 35 of the General City Law, and the proposed upgrade of an existing septic system contrary to DOB policy. R4 zoning district. | 14Q | Toni Matias (212) 386-0085 | Granted – 7/23/13 |

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| **NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, JULY 23, 2013**  
**10:00 A.M.** | **BZ – DECISIONS** | **NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, JULY 23, 2013**  
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| **1.** | **16-12-BZ** | Eric Palatnik, P.C.  
184 Nostrand Avenue, Brooklyn  
Special Permit (§73-19) to allow for a school (Congregation Adas Yereim) contrary to use regulations (§42-00). M1-2 zoning district.  
Community Board #4BK  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Deferred Decision – 9/10/13 | **2.** | **59-12-BZ/60-12-A** | Mitchell S. Ross, Esq.  
240-27 Depew Avenue, Queens  
Variance (§72-21) to allow the enlargement of an existing home, contrary to front yard (§23-45) regulations. Proposed construction is also located within a mapped but unbuilt portion of a street, contrary to General City Law Section 35. R1-2 zoning district.  
Community Board #11Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Deferred Decision – 8/20/13 | **3.** | **242-12-BZ** | Sheldon Lobel, P.C.  
1621-1629 61st Street, Brooklyn  
Variance (§72-21) to permit the construction of a Use Group 4A house of worship (Congregation Toldos Yebuda), contrary to height, setback, sky exposure plane, rear yard, and parking requirements. M1-1 zoning district.  
Community Board #12BK  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 7/23/13 | **4.** | **5-13-BZ** | Goldman Harris LLC  
34-47 107th Street, Queens  
Variance (§72-21) to permit the construction of an education center (UG 3A) in connection with an existing community facility (Louie Armstrong House Museum), contrary to lot coverage (§24-11/24-12), front yard (§24-34), side yard (§24-35), side yard setback (§24-551), and planting strips (§24-06/26-42). R5 zoning district.  
Community Board #3Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 7/23/13 |
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<td>5.</td>
<td>99-13-BZ</td>
<td>Rothkrug Rothkrug &amp; Spector LLP 32-27 Steinway Street, Queens</td>
<td>Special Permit (§73-36) to allow the operation of a physical culture establishment (Blink) within a two-story commercial building. C4-2A zoning district.</td>
<td>Community Board #1Q</td>
<td>Rory Levy (212) 386-0082</td>
<td>Granted – 7/23/13</td>
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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, JULY 23, 2013**  
**10:00 A.M.**

**BZ – CONTINUED HEARINGS**

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<td>35-11-BZ</td>
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|   | **The Law Office of Fredrick A. Becker**  
   | **226-10 Francis Lewis Boulevard, Queens** |   |
|   | Variance (§72-21) to allow for the enlargement of an existing synagogue  
   | (Congregation Ohel), contrary to floor area, lot coverage (§24-11), front yard (§24-34), side yard (§24-35), rear yard (§24-36) and parking (§25-31). R2A zoning district. |   |
|   | **Community Board #13Q** |   |
|   | **Examiner: Ronald Rizzotti (212) 386-0081** |   |
|   | **Status: Closed, Decision – 9/17/13** |   |
|   |   |   |
|   | 50-12-BZ |   |
|   | **Gerald J. Caliendo, R.A., AIA**  
   | **177-60 South Conduit Avenue, Queens** |   |
|   | Variance (§72-21) to allow for the construction of a commercial building, contrary to use regulations (§22-00). R3-2 zoning district. |   |
|   | **Community Board #12Q** |   |
|   | **Examiner: Ronald Rizzotti (212) 386-0081** |   |
|   | **Status: Adjourned, Continued Hearing – 8/20/13** |   |
|   |   |   |
|   | 199-12-BZ |   |
|   | **Sheldon Lobel, P.C.**  
   | **1517 Bushwick Avenue, Brooklyn** |   |
|   | Variance (§72-21) to construct a self-storage facility, contrary to maximum permitted floor area regulations. C8-1 and R6 zoning districts. |   |
|   | **Community Board #4BK** |   |
|   | **Examiner: Ronald Rizzotti (212) 386-0081** |   |
|   | **Status: Continued Hearing – 9/10/13** |   |
|   |   |   |
|   | 259-12-BZ |   |
|   | **Davidoff Hutcher & Citron LLP**  
   | **5241 Independence Avenue, Bronx** |   |
|   | Variance (§72-21) to permit the development of a single-family house, contrary to lot width requirement (§23-32). R1-1, NA-2 zoning district. |   |
|   | **Community Board #8BX** |   |
|   | **Examiner: Henry Segovia (212) 386-0074** |   |
|   | **Status: Continued Hearing – 9/10/13** |   |

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# BZ – NEW CASES

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<tr>
<th>Case</th>
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<th>Examiner</th>
<th>Status</th>
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</table>
| 11.   | 54-12-BZ        | Gerald J. Caliendo, R.A., AIA  
65-39 102nd Street, Queens  
Variance (§72-21) to permit for the construction of a community facility and residential building, contrary to lot coverage (§23-141), lot area (§§23-32, 23-33), front yard (§§23-45, 24-34), side yard (§§23-46, 24-35) and side yard setback (§24-55) regulations. R5 zoning district.  
Community Board #6Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 9/10/13 |  |
| 12.   | 62-12-BZ        | Akerman Senterfitt LLP  
614/618 Morris Avenue, Bronx  
Variance (§72-21) to permit the construction of commercial building, contrary to use regulations (§22-00). R7-1 zoning district.  
Community Board #1BX  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 10/8/13 |  |
| 13.   | 86-13-BZ        | Eric Palatnik, P.C.  
65-43 171st Street, Queens  
Special Permit (§73-621) to allow the enlargement of an existing single-family home, contrary to open space ratio and floor area (§23-141) regulations. R2 zoning district.  
Community Board #8Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 8/20/13 |  |
| 14.   | 101-13-BZ       | Dennis D. Dell’Angelo  
1271 East 23rd Street, Brooklyn  
Special Permit (§73-622) to allow the enlargement of an existing single family home, contrary to open space and floor area (§23-141), side yards (§23-461), and less than the required rear yard (§23-47). R2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 8/20/13 |  |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
#### REGULAR MEETING  
**TUESDAY MORNING, AUGUST 13, 2013**  
**10:00 A.M.**

<table>
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<tr>
<th>SOC – DECISIONS</th>
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</table>
| **1. 102-95-BZ** | Law Office of Fredrick A. Becker  
50 West 17th Street, Manhattan  
Extension of Term of a Special Permit (§73-244) for the continued operation of a UG12 Easting/Drinking Establishment (Splash) which expired on March 5, 2013; Amendment to modify the interior of the establishment. C6-4A zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 386-0074  
Status: Withdrawn – 8/13/13 |
| **2. 27-05-BZ** | Sheldon Lobel, P.C.  
91-11 Roosevelt Avenue, Queens  
Extension of Term (§11-411) of an approved variance which permitted the operation of an automotive service station (UG 16B) with accessory uses, which expired on April 18, 2011; Amendment to permit the legalization of site layout and operational changes; Waiver of the Rules. C2-4/R6 zoning district.  
Community Board #3Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Granted – 8/13/13 |
| **3. 45-08-BZ** | Rampulla Associates  
55 Androvette Street, Staten Island  
Extension Time to Complete Construction of Variance (§72-21) to construct a new four-story, 81 unit age restricted residential facility which expired on May 19, 2013. M1-1 (Area M), SRD & SGMD zoning district.  
Community Board #3SI  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 8/13/13 |

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### SOC – CONTINUED HEARINGS

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| 4. | 615-57-BZ | Sheldon Lobel, P.C.  
154-11 Horace Harding Expressway, Queens  
Extension of Term (§11-411) of a previously granted variance for the continued operation of a (UG 16B) automotive service station (Gulf) with accessory uses, which expired on June 5, 2013. C1-3/R5B zoning district.  
Community Board #7Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Adjourned – Continued Hearing – 9/10/13 |

### SOC – NEW CASES

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| 5. | 378-04-BZ | Sheldon Lobel, P.C.  
94 Kingsland Avenue, Brooklyn  
Extension of Time to Complete Construction of a previously granted variance (§72-21) for the construction of a four-story residential building with an accessory four-car garage, which expired on December 11, 2011 and an Amendment to reduce the scope and non-compliance of the approval; waiver of the Rules. M1-1 zoning district.  
Community Board #1BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 9/10/13 |
| 6. | 107-11-BZ | Sheldon Lobel, P.C.  
1643 East 21st Street, Brooklyn  
Amendment of a previously granted variance (§72-21) to waive bulk regulations for the enlargement of a synagogue and rabbi’s residence (Congregation Yeshiva Bais Yitzchok); amendment classifies the enlargement as a new building, which requires a waiver of parking regulations (§25-31). R4-1 zoning district.  
Community Board #14BK  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 9/10/13 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, AUGUST 13, 2013
10:00 A.M.

### APPEALS – DECISIONS

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</table>
| 7. | 89-07-A 92-07-A thru 95-07-A | Eric Palatnik, P.C.  
460, 472, 476, 480 Thornycroft Avenue and 281 Oakland Street, Staten Island  
Proposal to build three two-family and one one-family homes located within the bed of a mapped street (Thornycroft Avenue), contrary to Section 35 of the General City Law. R3-2 Zoning district.  
Community Board #3SI  
Examiner: Toni Matias (212) 386-0085  
Status: Granted – 8/13/13 |
| 8. | 308-12-A | Francis R. Angelino, Esq.  
39-27 29th Street, Queens  
Request that the owner has a common law vested right to continue construction and obtain a Certificate of Occupancy under the prior M1-3 zoning district. M1-2/R5D zoning district.  
Community Board #1Q  
Examiner: Toni Matias (212) 386-0085  
Status: Granted – 8/13/13 |

### APPEALS – CONTINUED HEARINGS

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</table>
| 9. | 268-12-A thru 271-12-A | Eric Palatnik, P.C.  
8/10/16/18 Pavilion Hill Terrace, Staten Island  
Proposed construction of a single family semi-detached building not fronting a mapped street, contrary to General City Law Section 36. R3-1 zoning district.  
Community Board #1SI  
Examiner: Toni Matias (212) 386-0085  
Status: Withdrawn – 8/13/13 |
| 10. | 75-13-A | Law Office of Fredrick A. Becker  
5 Beekman Street, Manhattan  
Appeal of §310(2) of the MDL relating to the court requirements (MDL §26(7)) to allow the conversion of an existing commercial building to a transient hotel. C5-5(LM) zoning district.  
Community Board #1M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 9/17/13 |

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
**REGULAR MEETING**
**TUESDAY MORNING, AUGUST 13, 2013**
**10:00 A.M.**

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<tr>
<th>#</th>
<th>Case Numbers</th>
<th>Attorney</th>
<th>Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
<th>Decision Date</th>
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<tr>
<td>11.</td>
<td>200-10-A 203-10-A thru 205-10-A</td>
<td>Sheldon Lobel, PC</td>
<td><strong>1359, 1365, 1367 Davies Road, Queens</strong></td>
<td>Extension of time to complete construction and obtain a Certificate of Occupancy of a previous vested rights approval, which expires on June 21, 2013. Prior zoning district R5. R4-1 zoning district.</td>
<td>Community Board #14Q</td>
<td>Toni Matias (212) 386-0085</td>
<td>Closed, Decision</td>
<td>9/10/13</td>
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<tr>
<td>12.</td>
<td>157-12-A</td>
<td>Sheldon Lobel, P.C.</td>
<td><strong>184-27 Hovenden Road, Queens</strong></td>
<td>Appeal challenging Department of Buildings’ determination that the subject property not be developed as an &quot;existing small lot&quot; pursuant to ZR §23-33 as it does not meet the definition of ZR §12-10. R1-2 zoning district.</td>
<td>Community Board #8Q</td>
<td>Toni Matias (212) 386-0085</td>
<td>Closed, Decision</td>
<td>9/24/13</td>
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<tr>
<td>13.</td>
<td>58-13-A</td>
<td>Rothkrug Rothkrug &amp; Spector LLP</td>
<td><strong>4 Wiman Place, Staten Island</strong></td>
<td>Proposed construction of a twelve-family residential building located partially within the bed of a mapped but unbuilt street contrary to General City Law Section 35. R4/M3-1 Zoning District.</td>
<td>Community Board #1SI</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing</td>
<td>9/24/13</td>
</tr>
<tr>
<td>14.</td>
<td>98-13-A</td>
<td>Eric Palatnik, P.C.</td>
<td><strong>107 Haven Avenue, Staten Island</strong></td>
<td>Proposed two-story two family residential development which is within the unbuilt portion of the mapped street on the corner of Haven Avenue and Hull Street, contrary to General City Law 35 R3-1 zoning district.</td>
<td>Community Board #2SI</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing</td>
<td>9/24/13</td>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
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#### 10:00 A.M.

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<th>BZ – DECISIONS</th>
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</table>
| **1. 195-12-BZ** | Law Office of Eduardo J. Diaz  
108-15 Cross Bay Boulevard, Queens  
Re-instatement (§11-411) of a previously approved variance which allowed a two-story office building (UG6) and four parking spaces, which expired on May 13, 2000. Waiver of the Rules. R4 zoning district.  
Community Board #10BK  
Examiner: Carlo Costanza (212) 386-0068  
Status: Granted – 8/13/13 |
| **2. 13-13-BZ & 14-13-BZ** | Slater & Beckerman, P.C.  
98 & 96 DeGraw Street, Brooklyn  
Variance (§72-21) to allow two single-family residential buildings, contrary to use regulations (§42-00). M1-1 zoning district.  
Community Board #6BK  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Deferred Decision – 9/24/13 |
| **3. 50-13-BZ** | Lewis E. Garfinkel  
1082 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 yard (§23-461); and rear yard (§23-47) regulations. R2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 8/13/13 |
| **4. 57-13-BZ** | Eric Palatnik, P.C.  
282 Beaumont Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141); and rear yard (§23-47) regulations. R3-1 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 8/13/13 |

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## BZ – DECISIONS

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| 5. | 84-13-BZ | Rothkrug Rothkrug & Spector LLP  
184 Kent Avenue, Brooklyn  
Special Permit (§73-36) to allow a physical culture establishment (SoulCycle) within portions of an existing cellar and seven-story mixed-use building. C2-4/R6 zoning district.  
Community Board #1BK  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 8/13/13 |
| 6. | 108-13-BZ | Rothkrug Rothkrug & Spector, LLP  
100/28 West 42nd Street aka 101/31 West 41st Street, Manhattan  
Special Permit (§73-36) to allow the operation of a physical culture establishment (Equinox). C5-3, C6-6, C6-7 & C5-2 (Mid)(T) zoning districts.  
Community Board #5M  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 8/13/13 |

## BZ – CONTINUED HEARINGS

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</table>
| 7. | 236-12-BZ | Rothkrug Rothkrug & Spector LLP  
1487 Richmond Road, Staten Island  
Variance (§72-21) to permit the extension of an existing medical office, contrary to use (§ 22-10) and side yard regulations (§24-35). R2 zoning district.  
Community Board #2SI  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Adjourned, Continued Hearing – 9/10/13 |
| 8. | 282-12-BZ | Eric Palatnik, P.C.  
1995 East 14th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to side yard requirements (§23-461), and a variance (§72-21), contrary to front yard requirements (§23-45). R5 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 9/24/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
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### BZ – CONTINUED HEARINGS

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<th>Examiner</th>
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<td>9</td>
<td>301-12-BZ</td>
<td>Rothkrug Rothkrug &amp; Spector LLP</td>
<td>213-11/19 35th Avenue, Queens</td>
<td>Special permit (§73-52) to allow a 25 foot extension of an existing commercial use into a residential zoning district, and §73-63 to allow the enlargement of a legal non-complying building. C2-2(R4) and R2A zoning districts. Community Board #11Q</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Continued Hearing – 9/10/13</td>
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<td>10</td>
<td>338-12-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>164-20 Northern Boulevard, Queens</td>
<td>Special Permit (§73-36) to allow the legalization of a physical culture establishment (Metro Gym) located in an existing one-story and cellar commercial building. C2-2/R5B zoning district. Community Board #7Q</td>
<td>Rory Levy (212) 386-0082</td>
<td>Closed, Decision – 9/10/13</td>
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<tr>
<td>11</td>
<td>83-13-BZ</td>
<td>Boris Saks, Esq.</td>
<td>3089 Bedford Avenue, Brooklyn</td>
<td>Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and open space (§23-141) and less than the required rear yard (§23-47). R2 zoning district. Community Board #14BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Closed, Decision – 9/10/13</td>
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<tr>
<td>12</td>
<td>96-13-BZ</td>
<td>Rothkrug Rothkrug &amp; Spector LLP</td>
<td>1054 Simpson Street, Bronx</td>
<td>Variance (§72-21) to permit construction of ambulatory diagnostic treatment health facility (UG4), contrary to rear yard regulations (§23-47). R7-1 and C1-4 zoning districts. Community Board #2BX</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Closed, Decision – 9/17/13</td>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, AUGUST 13, 2013
#### 10:00 A.M.

### BZ – NEW CASES

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<tr>
<td>13. 322-12-BZ</td>
<td>Law Office of Fredrick A. Becker</td>
<td>701 Avenue P, Brooklyn</td>
<td>Variance (§72-21) to permit the enlargement of a single-family residence, contrary to open space and lot coverage (§23-141); less than the minimum required front yard (§23-45) and perimeter wall height (§23-631). R5 (OP) zoning district.</td>
<td>Community Board #12BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Continued Hearing – 9/17/13</td>
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<tr>
<td>14. 61-13-BZ</td>
<td>Slater and Beckerman P.C.</td>
<td>1385 Broadway, Manhattan</td>
<td>Special Permit (§73-36) to legalize the operation of a physical culture establishment (Crunch). M1-6GC zoning district.</td>
<td>Community Board #5M</td>
<td>Rory Levy (212) 386-0082</td>
<td>Continued Hearing – 9/17/13</td>
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<tr>
<td>15. 77-13-BZ</td>
<td>Friedman &amp; Gotbaum, LLP</td>
<td>45 Great Jones Street, Manhattan</td>
<td>Variance (§72-21) to permit residential use, contrary to ZR 42-00 and ground floor commercial use contrary to ZR§42-14(D)(2)(b). M1-5B zoning district.</td>
<td>Community Board #2M</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Closed, Decision – 9/24/13</td>
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<tr>
<td>16. 82-13-BZ</td>
<td>Law Office of Fredrick A. Becker</td>
<td>1957 East 14th Street, Brooklyn</td>
<td>Special Permit (§73-622) for the enlargement of an existing single-family home, contrary to floor area (§23-141), side yards (§23-461) and less than the required rear yard (§23-47). R5 zoning district.</td>
<td>Community Board # 15BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Closed, Decision – 9/17/13</td>
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<td>17.</td>
<td>170-13-BZ</td>
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<td>Venable LLP</td>
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<td><strong>25-10 30th Avenue, Queens</strong></td>
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<td>Variance (§72-21) to allow the enlargement of Mount Sinai Hospital of Queens contrary to §24-52 (height &amp; setback); §24-11 (lot coverage); §24-36 (rear yard); and §§24-382 &amp; 33-283 (rear yard equivalents). R6 &amp; C1-3 zoning districts.</td>
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<td><strong>Community Board #1Q</strong></td>
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<td><strong>Examiner:</strong> Ronald Rizzotti (212) 386-0081</td>
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<td><strong>Status:</strong> Continued Hearing – 9/10/13</td>
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## SOC – DECISIONS

1. **608-70-BZ**  
   Walter T. Gorman, P.E., P.C.  
   **351-361 Neptune Avenue, Brooklyn**  
   Amendment (§11-413) to convert the previously granted UG16B automotive service station to a UG6 eating and drinking establishment *(Dunkin' Donuts)*. R6 zoning district.  
   Community Board#13BK  
   **Examiner:** Henry Segovia (212) 386-0074  
   **Status:** Granted – 8/20/13

## SOC – CONTINUED HEARINGS

2. **228-00-BZ**  
   Sheldon Lobel, P.C.  
   **28/32 Locust Street, Brooklyn**  
   Extension of time to complete construction of a previously approved variance (§72-21) which permitted the conversion of a vacant building in a manufacturing district for residential use (UG 2), which expired on May 15, 2005; Amendment for minor modifications to approved plans; Waiver of the Rules. M1-1 zoning district.  
   Community Board #4BK  
   **Examiner:** Henry Segovia (212) 386-0074  
   **Status:** Closed, Decision – 9/10/13
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

REGULAR MEETING

TUESDAY MORNING, AUGUST 20, 2013

10:00 A.M.

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| 3. 220-07-BZ | Eric Palatnik, P.C.  
847 Kent Avenue, Brooklyn  
Extension of time to complete construction of a previously granted variance (§72-21) which permitted the construction of a new four-story residential building containing four dwelling units, which expires on November 10, 2013. M1-1 zoning district.  
Community Board #3BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 9/17/13 |
| 4. 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, 2013; Waiver of the Rules. C2-2/R6 zoning district.  
Community Board #2Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 9/24/13 |
| 5. 199-00-BZ | Alfonso Duarte, P.E.  
76-19 Roosevelt Avenue, Queens  
Extension of term of a previously granted special permit (§73-244) for the continued operation of a UG 12 eating and drinking establishment without restrictions on entertainment (Club Atlantis) which expired on March 13, 2013. C2-3/R6 zoning district.  
Community Board #3Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 9/17/13 |
## APPEALS – DECISIONS

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<td>6.</td>
<td>220-10-BZY</td>
<td>Goldman Harris LLC</td>
<td>77, 79, 81 Rivington Street, a/k/a 139, 141 Orchard Street, Manhattan</td>
<td>Extension of time to complete construction (§11-332) and obtain a Certificate of Occupancy of a previous vested rights approval, which expired on March 15, 2013. Prior zoning district C6-1. C4-4A zoning district.</td>
<td>Community Board #3M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Granted – 8/20/13</td>
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<td>7.</td>
<td>317-12-A</td>
<td>Eric Palatnik, P.C.</td>
<td>40-40 27th Street, Queens</td>
<td>Appeal seeking common law vested rights to continue construction commenced under the prior M1-3D zoning district regulations. M1-2/R5B zoning district.</td>
<td>Community Board #1Q</td>
<td>Toni Matias (212) 386-0085</td>
<td>Granted – 8/20/13</td>
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<tr>
<td>8.</td>
<td>127-13-A</td>
<td>Law Offices of Marvin B. Mitzner, LLC</td>
<td>332 West 87th Street, Manhattan</td>
<td>Appeal under Section 310 of the Multiple Dwelling Law to vary MDL Sections 171-2(a) and 2(f) to allow for a vertical enlargement of a residential building. R8 zoning district.</td>
<td>Community Board #7M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Deferred Decision – 9/24/13</td>
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## APPEALS – CONTINUED HEARINGS

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<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>9.</td>
<td>143-11-A thru 146-11-A</td>
<td>Philip L. Rampulla</td>
<td>20, 25, 35, 40 Harborlights Court, Staten Island</td>
<td>Appeal challenging the Fire Department’s determination that the grade of the fire apparatus road shall not exceed 10 percent, per NYC Fire Code Section FC 503.2.7. R2 zoning district.</td>
<td>Community Board #1SI</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 9/24/13</td>
</tr>
</tbody>
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## Appeal – New Cases

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</table>
| **10.** | **126-13-A** | Sheldon Lobel, PC  
65-70 Austin Street, Queens  
Appeal of NYC Department of Buildings’ determination that a rear yard is required at the boundary of a block coinciding with a railroad right-of-way. R7B Zoning District.  
Community Board # 6Q  
Examiner: Toni Matias (212) 386-0085  
Status: Continued Hearing – 10/8/13 |
| **11.** | **134-13-A** | Bryan Cave  
538 10th Avenue aka 460 West 41st Street, Manhattan  
Appeal of NYC Department of Buildings’ determination regarding the right to maintain an existing advertising sign. C2-8/HY zoning district.  
Community Board #4M  
Examiner: Toni Matias (212) 386-0085  
Status: Continued Hearing – 10/8/13 |
| **12.** | **166-13-A** | Sheldon Lobel, PC  
945 Madison Avenue, Manhattan  
Appeal of NYC Department of Buildings’ determination that a public assembly permit is required, pursuant to Building Code Sections 28-117, 28-102,4,3 and C2-116.0. C5-1/R8B zoning districts.  
Community Board #8M  
Examiner: Toni Matias (212) 386-0085  
Status: Withdrawn – 8/20/13 |
| **13.** | **227-13-A** | Chris Tomlan  
45 Water Street, Brooklyn  
Variance pursuant to the NYC Building Code (Appendix G, Section G304.1.2) to allow for the redevelopment of an historic structure (Tobacco Warehouse) within Brooklyn Bridge Park to be located below the flood zone. M3-1 zoning district.  
Community Board #2BK  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 9/24/13 |
<table>
<thead>
<tr>
<th></th>
<th>BZ – DECISIONS</th>
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</table>
| 1. | 59-12-BZ/60-12-A | Mitchell S. Ross, Esq.  
240-27 Depew Avenue, Queens  
Variance (§72-21) to allow the enlargement of an existing home, contrary to front yard (§23-45) regulations. Proposed construction is also located within a mapped but unbuilt portion of a street, contrary to General City Law Section 35. R1-2 zoning district.  
Community Board #11Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 8/20/13 |
| 2. | 86-13-BZ | Eric Palatnik, P.C.  
65-43 171st Street, Queens  
Special Permit (§73-621) to allow the enlargement of an existing single-family home, contrary to open space ratio and floor area (§23-141) regulations. R2 zoning district.  
Community Board #8Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 8/20/13 |
| 3. | 101-13-BZ | Dennis D. Dell’Angelo  
1271 East 23rd Street, Brooklyn  
Special Permit (§73-622) to allow the enlargement of an existing single family home, contrary to open space and floor area (§23-141), side yards (§23-461), and less than the required rear yard (§23-47). R2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 8/20/13 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, AUGUST 20, 2013
##### 10:00 A.M.

### BZ – CONTINUED HEARINGS

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| 4. | **50-12-BZ** | Gerald J. Caliendo, R.A., AIA  
**177-60 South Conduit Avenue, Queens**  
Variance (§72-21) to allow for the construction of a commercial building, contrary to use regulations (§22-00). R3-2 zoning district.  
*Community Board #12Q*  
*Examiner: Ronald Rizzotti (212) 386-0081*  
*Status: Adjourned, Continued Hearing – 9/24/13* |
| 5. | **81-13-BZ** | Nasir J. Khanzada  
**264-12 Hillside Avenue, Queens**  
Re-Instatement (§11-411) of a variance which permitted an auto service station (UG16B), with accessory uses, which expired on November 6, 1992; Amendment (§11-413) to permit the change of use from auto service station to auto repair (UG 16B) with accessory auto sales;  
Waiver of the Rules.  R2 zoning district.  
*Community Board # 13Q*  
*Examiner: Carlo Costanza (212) 386-0068*  
*Status: Adjourned, Continued Hearing – 9/24/13* |
| 6. | **109-13-BZ** | Goldman Harris LLC  
**80 John Street, Manhattan**  
Special Permit (§73-36) to permit the operation of a physical culture establishment (*UFC Gym*).  
C5-5 (Special Lower Manhattan) zoning district.  
*Community Board #1M*  
*Examiner: Rory Levy (212) 386-0082*  
*Status: Closed, Decision – 9/10/13* |

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## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, AUGUST 20, 2013
10:00 A.M.

| 7.  | 279-12-BZ | Akerman Senterfitt LLP  
**27-24 College Point Boulevard, Queens**  
Variance (§72-21) to permit a bank (UG 6) in a residential zoning district, contrary to §22-00.  
R4/R5B zoning district.  
**Community Board #7Q**  
**Examiner: Ronald Rizzotti (212) 386-0081**  
**Status: Continued Hearing – 9/17/13** |
| 8.  | 78-13-BZ | Sheldon Lobel, P.C.  
**876 Kent Avenue, Brooklyn**  
Variance (§72-21) to permit a new four-story, four-unit residential building (UG 2), contrary to use regulations, ZR §42-00.  
M1-1&R7A/C2-4.  
**Community Board #3BK**  
**Examiner: Ronald Rizzotti (212) 386-0081**  
**Status: Continued Hearing – 9/24/13** |
| 9.  | 97-13-BZ | Lewis E. Garfinkel  
**1848 East 24th Street, Brooklyn**  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141) and less than the required rear yard (§23-47).  
R3-2 zoning district.  
**Community Board #15BK**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Closed, Decision – 9/10/13** |
| 10. | 161-13-BZ | Rothkrug Rothkrug & Spector LLP  
**8 West 19th Street, Manhattan**  
Special Permit (§73-36) to permit the operation of a physical culture establishment (*Soul Cycle*) within a portion of an existing building.  
C6-4A zoning district.  
**Community Board #5M**  
**Examiner: Rory Levy (212) 386-0082**  
**Status: Closed, Decision – 9/17/13** |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, AUGUST 20, 2013  
10:00 A.M.

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<tr>
<th>BZ – NEW CASES</th>
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</table>
| 11. 211-13-BZ | Kramer Levin Naftalis & Frankel LLP  
346 Broadway, Manhattan  
Re-instatement (§11-411) of a previously approved variance, which permitted the use of the cellar and basement levels of a 12-story building as a public parking garage, which expired in 1971; Amendment to permit a change to the curb-cut configuration; Waiver of the rules.  
C6-4A zoning district.  
**Community Board #1M**  
**Examiner:** Carlo Costanza (212) 386-0068  
**Status:** Closed, Decision – 9/24/13 |
| 1. | 228-00-BZ | Sheldon Lobel, P.C.  
28/32 Locust Street, Brooklyn  
Extension of time to complete construction of a previously approved variance (§72-21) which permitted the conversion of a vacant building in a manufacturing district for residential use (UG 2), which expired on May 15, 2005; Amendment for minor modifications to approved plans; Waiver of the Rules. M1-1 zoning district.  
Community Board #4BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 9/10/13 |
| 2. | 378-04-BZ | Sheldon Lobel, P.C.  
94 Kingsland Avenue, Brooklyn  
Extension of time to complete construction of a previously granted variance (§72-21) for the construction of a four-story residential building with an accessory four-car garage, which expired on December 11, 2011 and an Amendment to reduce the scope and non-compliance of the approval; waiver of the Rules. M1-1 zoning district.  
Community Board #1BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 9/10/13 |
| 3. | 107-11-BZ | Sheldon Lobel, P.C.  
1643 East 21st Street, Brooklyn  
Amendment of a previously granted variance (§72-21) to waive bulk regulations for the enlargement of a synagogue and rabbi’s residence (Congregation Yeshiva Bais Yitzchok); amendment classifies the enlargement as a new building, which requires a waiver of parking regulations (§25-31). R4-1 zoning district.  
Community Board #14BK  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 9/10/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, SEPTEMBER 10, 2013
10:00 A.M.

## SOC – CONTINUED HEARINGS

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| 4. | 615-57-BZ | Sheldon Lobel, P.C.  
**154-11 Horace Harding Expressway, Queens**  
Extension of term (§11-411) of a previously granted variance for the continued operation of a (UG 16B) automotive service station *(Gulf)* with accessory uses, which expired on June 5, 2013.  
C1-3/R5B zoning district.  
**Community Board #7Q**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Closed, Decision – 10/8/13 |
| 5. | 274-59-BZ | Laurence Dalfino, R.A.  
**3356-3358 Eastchester Road, aka 1510-151 Tillotson Avenue, Bronx**  
Extension of term (§11-411) of a previously granted variance for the continued operation of a private parking lot accessory to a catering establishment, which expired on September 28, 2011; Waiver of the Rules.  
R-4/R-5 zoning district.  
**Community Board #12BX**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Closed, Decision – 10/8/13 |
| 6. | 327-88-BZ | Eric Palatnik, P.C.  
**136-36 39th Avenue, 136-29 & 136-35A Roosevelt Avenue, Queens**  
Amendment to a previously granted variance (§72-21) to legalize the addition of a 2,317 square foot mezzanine in a UG 6 eating and drinking establishment *(Jade Asian Restaurant)*.  
C4-3 zoning district.  
**Community Board #7Q**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Adjourned, Continued Hearing – 10/22/13 |

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| 7. | 699-46-BZ | Eric Palatnik, P.C.  
224-01 North Conduit Avenue, Queens  
Amendment (§11-412) of a previously approved variance which permitted the operation of an automotive service station (UG 16B) with accessory use. The amendment seeks to convert existing service bays to a convenience store, increase the number of pump islands, and permit a drive-thru to the proposed convenience store. R3X zoning district.  
Community Board #13Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Continued Hearing – 10/22/13 |
| 8. | 723-84-BZ | Gerald J. Caliendo  
241-02 Northern Boulevard, Queens  
Extension of term of a previously approved variance (§72-21) which permitted a medical office, which expired on October 30, 2012. R1-2 zoning district.  
Community Board #11Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Closed, Decision – 10/8/13 |
349 & 353 East 76th Street, Manhattan  
Extension of term of a previously granted Special Permit (§73-36) which permitted the operation of a physical culture establishment which expired on June 28, 2010; Amendment to permit a change in the hours of operation; Extension of time to obtain a Certificate of Occupancy which expired on June 28, 2004; Waiver of the Rules. C2-5 (R8B) zoning district.  
Community Board #8M  
Examiner: Carlo Costanza (212) 386-0068  
Status: Closed, Decision – 10/8/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, SEPTEMBER 10, 2013

10:00 A.M.

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### APPEALS – DECISIONS

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<td>200-10-A&lt;br&gt;203-10-A&lt;br&gt;205-10-A</td>
<td>Sheldon Lobel, PC&lt;br&gt;1359, 1365, 1367 Davies Road, Queens&lt;br&gt;Extension of time to complete construction and obtain a Certificate of Occupancy of a previous vested rights approval, which expires on June 21, 2013. Prior zoning district R5. R4-1 zoning district.</td>
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<td>11.</td>
<td>245-12-A &amp; 246-12-A</td>
<td>Law Offices of Marvin B. Mitzner LLC.&lt;br&gt;515 East 5th Street, Manhattan&lt;br&gt;Appeal pursuant to (§310(2)) of the Multiple Dwelling Law. Application seeking a determination that the owner of the property has acquired a common law vested right to complete construction under the prior R7-2 zoning. R7B zoning district.</td>
</tr>
<tr>
<td>12.</td>
<td>67-13-A</td>
<td>Bryan Cave LLC&lt;br&gt;945 Zerega Avenue, Bronx&lt;br&gt;Appeal challenging Department of Buildings' determination that the existing roof sign is not entitled to non-conforming use status. M1-1 zoning district.</td>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, SEPTEMBER 10, 2013
10:00 A.M.

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

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<th>Examiner Contact</th>
<th>Status</th>
<th>Date</th>
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<tr>
<td>16-12-BZ</td>
<td>Ronald Rizzotti</td>
<td>Eric Palatnik, P.C.</td>
<td>184 Nostrand Avenue, Brooklyn</td>
<td>Special Permit (§73-19) to allow for a school (Congregation Adas Yereim) contrary to use regulations (§42-00). M1-2 zoning district.</td>
<td>#4BK</td>
<td>(212) 386-0081</td>
<td>Deferred Decision</td>
<td>9/24/13</td>
</tr>
<tr>
<td>43-12-BZ</td>
<td>Ronald Rizzotti</td>
<td>Watchtel Masyr &amp; Missry, LLP</td>
<td>25 Great Jones Street, Manhattan</td>
<td>Variance (§72-21) to permit a residential building, contrary to use regulations (§42-00). M1-5B zoning district.</td>
<td>#2M</td>
<td>(212) 386-0081</td>
<td>Deferred Decision</td>
<td>11/19/13</td>
</tr>
<tr>
<td>338-12-BZ</td>
<td>Rory Levy</td>
<td>Eric Palatnik, P.C.</td>
<td>164-20 Northern Boulevard, Queens</td>
<td>Special Permit (§73-36) to allow the legalization of a physical culture establishment (Metro Gym) located in an existing one-story and cellar commercial building. C2-2/R5B zoning district.</td>
<td>#7Q</td>
<td>(212) 386-0082</td>
<td>Granted</td>
<td>9/10/13</td>
</tr>
<tr>
<td>83-13-BZ</td>
<td>Henry Segovia</td>
<td>Boris Saks, Esq.</td>
<td>3089 Bedford Avenue, Brooklyn</td>
<td>Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and open space (§23-141) and less than the required rear yard (§23-47). R2 zoning district.</td>
<td>#14BK</td>
<td>(212) 386-0074</td>
<td>Granted</td>
<td>9/10/13</td>
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| 5. | 97-13-BZ | Lewis E. Garfinkel  
*1848 East 24th Street, Brooklyn*  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141) and less than the required rear yard (§23-47). R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 9/10/13 |
| 6. | 109-13-BZ | Goldman Harris LLC  
*80 John Street, Manhattan*  
Special Permit (§73-36) to permit the operation of a physical culture establishment (*UFC Gym*). C5-5 (Special Lower Manhattan) zoning district.  
Community Board #1M  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 9/10/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY MORNING, SEPTEMBER 10, 2013**

10:00 A.M.

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<td><strong>7.</strong> 54-12-BZ</td>
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<tr>
<td>Gerald J. Caliendo, R.A., AIA</td>
</tr>
<tr>
<td>65-39 102nd Street, Queens</td>
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<tr>
<td>Variance (§72-21) to permit for the construction of a community facility and residential building, contrary to lot coverage (§23-141), lot area (§§23-32, 23-33), front yard (§§23-45, 24-34), side yard (§§23-46, 24-35) and side yard setback (§24-55) regulations. R5 zoning district.</td>
</tr>
<tr>
<td>Community Board #6Q</td>
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<tr>
<td><strong>Examiner:</strong> Ronald Rizzotti (212) 386-0081</td>
</tr>
<tr>
<td><strong>Status:</strong> Continued Hearing – 10/22/13</td>
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<tr>
<td><strong>8.</strong> 199-12-BZ</td>
</tr>
<tr>
<td>Sheldon Lobel, P.C.</td>
</tr>
<tr>
<td>1517 Bushwick Avenue, Brooklyn</td>
</tr>
<tr>
<td>Variance (§72-21) to construct a self-storage facility, contrary to maximum permitted floor area regulations. C8-1 and R6 zoning districts.</td>
</tr>
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<td>Community Board #4BK</td>
</tr>
<tr>
<td><strong>Examiner:</strong> Ronald Rizzotti (212) 386-0081</td>
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<tr>
<td><strong>Status:</strong> Closed, Decision – 10/22/13</td>
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<tr>
<td><strong>9.</strong> 236-12-BZ</td>
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<tr>
<td>Rothkrug Rothkrug &amp; Spector LLP</td>
</tr>
<tr>
<td>1487 Richmond Road, Staten Island</td>
</tr>
<tr>
<td>Variance (§72-21) to permit the extension of an existing medical office, contrary to use (§ 22-10) and side yard regulations (§24-35). R2 zoning district.</td>
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<tr>
<td>Community Board #2SI</td>
</tr>
<tr>
<td><strong>Examiner:</strong> Ronald Rizzotti (212) 386-0081</td>
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<tr>
<td><strong>Status:</strong> Continued Hearing – 10/8/13</td>
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<tr>
<td><strong>10.</strong> 259-12-BZ</td>
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<tr>
<td>Davidoff Hutcher &amp; Citron LLP</td>
</tr>
<tr>
<td>5241 Independence Avenue, Bronx</td>
</tr>
<tr>
<td>Variance (§72-21) to permit the development of a single-family house, contrary to lot width requirement (§23-32). R1-1, NA-2 zoning district.</td>
</tr>
<tr>
<td>Community Board #8BX</td>
</tr>
<tr>
<td><strong>Examiner:</strong> Henry Segovia (212) 386-0074</td>
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<tr>
<td><strong>Status:</strong> Closed, Decision – 10/8/13</td>
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******************************************************************************DISCLAIMER******************************************************************************
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
**REGULAR MEETING**
**TUESDAY MORNING, SEPTEMBER 10, 2013**
**10:00 A.M.**

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<tbody>
<tr>
<td><strong>BZ – CONTINUED HEARINGS</strong></td>
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</tbody>
</table>
| **11.** | **263-12-BZ & 264-12-A** | Sheldon Lobel, P.C.  
232 & 222 City Island Avenue, Bronx  
Variance (§72-21) to permit senior housing (UG 2), contrary to use regulations (§42-00).  
Variance (Appendix G, Section BC G107, NYC Administrative Code) to permit construction in a flood hazard area which does not comply with Appendix G, Section G304.1.2 of the Building Code. M1-1 zoning district.  
Community Board #10BX  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Adjourned, Continued Hearing – 10/29/13 |
| **12.** | **301-12-BZ** | Rothkrug Rothkrug & Spector, LLP  
213-11/19 35th Avenue, Queens  
Special permit (§73-52) to allow a 25 foot extension of an existing commercial use into a residential zoning district, and §73-63 to allow the enlargement of a legal non-complying building. C2-2(R4) and R2A zoning districts.  
Community Board #11Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 10/8/13 |
| **13.** | **94-13-BZ** | Vinod Tewari  
11-11 40th Avenue, aka 38-78 12th Street, Queens  
Special Permit (§73-19) to allow a school, contrary to use regulation (§42-00). M1-3 zoning district.  
Community Board #1Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 10/8/13 |
| **14.** | **170-13-BZ** | Venable LLP  
25-10 30th Avenue, Queens  
Variance (§72-21) to allow the enlargement of Mount Sinai Hospital of Queens contrary to §24-52 (height & setback); §24-11(lot coverage); §24-36 (rear yard); and §§24-382 & 33-283 (rear yard equivalents). R6 & C1-3 zoning districts.  
Community Board #1Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 9/10/13 |

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### BZ – NEW CASES

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<tr>
<th>Case Number</th>
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<th>Attorney</th>
<th>Address</th>
<th>Details</th>
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<tbody>
<tr>
<td>15. 78-11-BZ &amp; 33-12-A thru 37-12-A</td>
<td>Sheldon Lobel, P.C. 78-70 Winchester Boulevard, Queens Variance (§72-21) to allow for the construction of two assisted living residential buildings, contrary to use regulations (§32-10). Proposed construction of two mixed use buildings that do not have frontage on a legally mapped street, contrary to General City Law Section 36. C8-1 Zoning District.</td>
<td>Community Board #13Q</td>
<td>Status: Continued Hearing – 11/19/13</td>
<td></td>
</tr>
<tr>
<td>16. 303-12-BZ</td>
<td>Eric Palatnik, P.C. 1106-1108 Utica Avenue, Brooklyn Variance (§72-21) to permit the development of a sub-cellar, cellar and three story church, with accessory educational and social facilities (Tabernacle of Praise), contrary to rear yard setback (§33-292), sky exposure plane and wall height (§34-432), and parking (§36-21) regulations. C8-1 zoning district.</td>
<td>Community Board #17BK</td>
<td>Examiner: Rory Levy (212) 386-0082  Status: Continued Hearing – 10/29/13</td>
<td></td>
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<tr>
<td>17. 120-13-BZ</td>
<td>Eric Palatnik, P.C. 1815 Forest Avenue, Staten Island Special Permit (§73-243) to allow for an eating and drinking establishment (UG 6) (McDonald’s) with an accessory drive-through facility. C1-2/R3-2 zoning district.</td>
<td>Community Board #1SI</td>
<td>Examiner: Ronald Rizzotti (212) 386-0081  Status: Continued Hearing – 10/22/13</td>
<td></td>
</tr>
<tr>
<td>18. 129-13-BZ</td>
<td>Lewis E. Garfinkel 1010 East 22nd Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141(a)); side yards (§23-461(a)); less than the required rear yard (§23-47). R2 zoning district.</td>
<td>Community Board #14BK</td>
<td>Examiner: Henry Segovia (212) 386-0074  Status: Postponed Hearing – 10/8/13</td>
<td></td>
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</tbody>
</table>
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, SEPTEMBER 17, 2013
#### 10:00 A.M.

### SOC – DECISIONS

<table>
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<tr>
<th>Case No.</th>
<th>Applicant</th>
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<th>Community Board</th>
<th>Examiner</th>
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<tbody>
<tr>
<td>199-00-BZ</td>
<td>Alfonso Duarte, P.E.</td>
<td>76-19 Roosevelt Avenue, Queens</td>
<td>Extension of term of a previously granted special permit (§73-244) for the continued operation of a UG 12 eating and drinking establishment without restrictions on entertainment (Club Atlantis) which expired on March 13, 2013. C2-3/R6 zoning district.</td>
<td>Community Board #3Q</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Granted – 9/17/13</td>
</tr>
<tr>
<td>220-07-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>847 Kent Avenue, Brooklyn</td>
<td>Extension of time to complete construction of a previously granted variance (§72-21) which permitted the construction of a new four-story residential building containing four dwelling units, which expires on November 10, 2013. M1-1 zoning district.</td>
<td>Community Board #3BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Granted – 9/17/13</td>
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### SOC – NEW CASES

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

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

<table>
<thead>
<tr>
<th>#</th>
<th>Case Number</th>
<th>Party</th>
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<th>Challenge</th>
<th>Community Board</th>
<th>Examiner</th>
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</thead>
<tbody>
<tr>
<td>7.</td>
<td>29-12-A</td>
<td>Vincent Brancato</td>
<td>159-17 159th Street, Queens</td>
<td>Department of Building’s padlock order of closure (and underlying OATH report and recommendation) based on determination that the property’s commercial/industrial use is not a legal non-conforming use. R3-2 Zoning district.</td>
<td>Community Board #12Q</td>
<td>Toni Matias (212) 386-0085</td>
<td>Closed, Decision – 10/8/13</td>
</tr>
<tr>
<td>8.</td>
<td>87-13-A</td>
<td>Bryan Cave LLP</td>
<td>174 Canal Street, Manhattan</td>
<td>Department of Buildings’ determination that the existing sign is not entitled to non-conforming use status. C6-1G zoning district</td>
<td>Community Board #3M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Adjourned, Continued Hearing – 9/24/13</td>
</tr>
</tbody>
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## APPEAL – NEW CASES

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</table>
| 9. | 41-11-A | Eric Palatnik, P.C.  
**1314 Avenue S, Brooklyn**  
Appeal seeking a determination that the owner has acquired a common law vested right to continue development under the prior R-6 zoning district. R4 Zoning District.  
**Community Board #15BK**  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Continued Hearing – 10/29/13 |
| 10. | 70-13-A | Goldman Harris LLC  
**84 Withers Street, Bronx**  
Appeal of Department of Buildings’ determination that the subject advertising sign is not entitled to non-conforming use status. M1-2/R6 (MX-8) zoning districts.  
**Community Board #1BX**  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Withdrawn – 9/17/13 |
| 11. | 71-13-A | Goldman Harris LLC  
**261 Walton Avenue, Bronx**  
Appeal of Department of Buildings’ determination that the subject advertising sign is not entitled to non-conforming use status. M1-4/R6A (MX-13) zoning districts.  
**Community Board #1BX**  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Continued Hearing – 11/19/13 |
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<tr>
<td><strong>BZ – DECISIONS</strong></td>
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</tbody>
</table>
| 1. | 35-11-BZ | The Law Office of Fredrick A. Becker  
226-10 Francis Lewis Boulevard, Queens  
Variance (§72-21) to allow for the enlargement of an existing synagogue (Congregation Ohel), contrary to floor area, lot coverage (§24-11), front yard (§24-34), side yard (§24-35), rear yard (§24-36) and parking (§25-31). R2A zoning district.  
Community Board #13Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Closed, Decision – 10/22/13 |
| 2. | 82-13-BZ | Law Office of Fredrick A. Becker  
1957 East 14th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single-family home, contrary to floor area (§23-141), side yards (§23-461) and less than the required rear yard (§23-47). R5 zoning district.  
Community Board # 15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 9/17/13 |
| 3. | 96-13-BZ | Rothkrug Rothkrug & Spector LLP  
1054 Simpson Street, Bronx  
Variance (§72-21) to permit construction of ambulatory diagnostic treatment health facility (UG4), contrary to rear yard regulations (§23-47). R7-1 and C1-4 zoning districts.  
Community Board #2BX  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 9/17/13 |
| 4. | 161-13-BZ | Rothkrug Rothkrug & Spector LLP  
8 West 19th Street, Manhattan  
Special Permit (§73-36) to permit the operation of a physical culture establishment (Soul Cycle) within a portion of an existing building. C6-4A zoning district.  
Community Board #5M  
Examiner: Rory Levy (212) 386-0082  
Status: Deferred Decision – 10/22/13 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**
**REGULAR MEETING**
**TUESDAY MORNING, SEPTEMBER 17, 2013**
**10:00 A.M.**

### BZ – CONTINUED HEARINGS

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

### BZ – NEW CASES

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| 8. | **299-12-BZ** | Goldman Harris LLC  
**40-56 Tenth Avenue, Manhattan**  
Variance (§72-21) to permit the construction of a 12-story commercial building, contrary to floor area (§43-12), height and setback (§43-43), and rear yard (§43-311/312) regulations. M1-5 zoning district.  
Community Board #2M  
 Examiner: Ronald Rizzotti (212) 386-0081  
 Status: Continued Hearing – 11/19/13 |
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<tbody>
<tr>
<td>6-13-BZ</td>
<td>Sheldon Lobel, P.C. 2899 Nostrand Avenue, Brooklyn</td>
<td>Variance (§72-21) to permit the construction of a synagogue and school, contrary to floor area and lot coverage (§24-11), side yard (§24-35), rear yard (§24-36), sky exposure plane (§24-521), and parking (§25-31) regulations. R3-2 zoning district. Community Board #18BK Examiner: Rory Levy (212) 386-0082 Status: Continued Hearing – 10/29/13</td>
</tr>
<tr>
<td>105-13-BZ</td>
<td>Law Office of Fred A. Becker 1932 East 24th Street, Brooklyn</td>
<td>Special Permit (§73-622) for the enlargement of an existing single home, contrary to floor area, open space and lot coverage (§23-141); side yard (§23-461); perimeter wall height (§23-631) and less than the minimum rear yard (§23-47). R3-2 zoning district. Community Board #15BK Examiner: Henry Segovia (212) 386-0074 Status: Continued Hearing – 10/22/13</td>
</tr>
<tr>
<td>133-13-BZ</td>
<td>Sheldon Lobel, P.C. 1915 Bartow Avenue, Bronx</td>
<td>Variance (§72-21) to permit the construction of a new two-story community facility (UG 4A house of worship) (Evangelical Church) building is contrary to parking (§25-31), rear yard (§24-33(b) &amp; §24-36), side yard (§24-35(a)) and front yard requirements (§25-34) zoning requirements. R4 zoning district. Community Board #12BX Examiner: Rory Levy (212) 386-0082 Status: Closed, Decision – 10/22/13</td>
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<tr>
<td>169-13-BZ</td>
<td>Greenberg Traurig 227 Clinton Street, Brooklyn</td>
<td>Special Permit (§73-621) to legalize the enlargement of a two-family residence, contrary to floor area regulations (§23-145). R6 (LH-1) zoning district. Community Board #6BK Examiner: Henry Segovia (212) 386-0074 Status: Closed, Decision – 10/8/13</td>
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## SOC – DECISIONS

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| 1. | 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, 2013; Waiver of the Rules. C2-2/R6 zoning district.  
Community Board #2Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 10/22/13 |
| 2. | 239-02-BZ | Greenberg Traurig, LLP  
110 Waverly Place, Manhattan  
Extension of Term of a previously-granted Variance (§72-21) for the continued operation of a Use Group 6A eating and drinking establishment (Babbo) located at the cellar level, ground floor, and second floor of the subject premises, which expired on December 17, 2012. R7-2 zoning district.  
Community Board #2M  
Examiner: Henry Segovia (212) 386-0074  
Status: Adjourned, Continued Hearing – 10/29/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, SEPTEMBER 24, 2013
10:00 A.M.

## SOC – NEW CASES

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Address</th>
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<th>Request Details</th>
<th>Community Board</th>
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<tr>
<td>3. 360-65-BZ</td>
<td>108-114 East 89th Street, Manhattan</td>
<td>Greenberg Traurig, LLP</td>
<td>Amendment of previously approved Variance (§72-21) and Special Permit (§73-64) which allowed the enlargement of a school (<em>Dalton School</em>). Amendment seeks to allow a two-story addition to the school building, contrary to an increase in floor area (§24-11) and height, base height and front setback (§24-522, §24-522(b)) regulations. R8B zoning district.</td>
<td>Community Board #8M</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Continued Hearing – 10/29/13</td>
</tr>
<tr>
<td>4. 606-75-BZ</td>
<td>421 Hudson Street, Manhattan</td>
<td>Sheldon Lobel, P.C.</td>
<td>Amendment of a previously approved variance (§72-21) which allowed the residential conversion of a manufacturing building; amendment seeks to permit a reallocation of floor area between the maisonette and townhouse units, resulting in a reduction of total units and no net change in total floor area. M1-5 zoning district.</td>
<td>Community Board #2M</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Closed, Decision – 10/22/13</td>
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## APPEALS – DECISIONS

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| 5. | 157-12-A | Sheldon Lobel, P.C.  
 **184-27 Hovenden Road, Queens**  
 Appeal challenging Department of Buildings’ determination that the subject property not be developed as an "existing small lot" pursuant to ZR §23-33 as it does not meet the definition of ZR §12-10. R1-2 zoning district.  
 **Community Board #8Q**  
 **Examiner:** Toni Matias (212) 386-0085  
 **Status:** Granted – 9/24/13 |
| 6. | 67-13-A | Bryan Cave LLC  
 **945 Zerega Avenue, Bronx**  
 Appeal challenging Department of Buildings’ determination that the existing roof sign is not entitled to non-conforming use status. M1-1 zoning district.  
 **Community Board #9BX**  
 **Examiner:** Toni Matias (212) 386-0085  
 **Status:** Denied – 9/24/13 |
| 7. | 127-13-A | Law Offices of Marvin B. Mitzner, LLC  
 **332 West 87th Street, Manhattan**  
 Appeal under Section 310 of the Multiple Dwelling Law to vary MDL Sections 171-2(a) and 2(f) to allow for a vertical enlargement of a residential building. R8 zoning district.  
 **Community Board #7M**  
 **Examiner:** Toni Matias (212) 386-0085  
 **Status:** Deferred Decision – 11/19/13 |
| 8. | 227-13-A | Chris Tomlan  
 **45 Water Street, Brooklyn**  
 Variance pursuant to the NYC Building Code (Appendix G, Section G304.1.2) to allow for the redevelopment of an historic structure *(Tobacco Warehouse)* within Brooklyn Bridge Park to be located below the flood zone. M3-1 zoning district.  
 **Community Board #2BK**  
 **Examiner:** Ronald Rizzotti (212) 386-0081  
 **Status:** Granted – 9/24/13 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, SEPTEMBER 24, 2013
10:00 A.M.

### APPEALS – CONTINUED HEARINGS

<p>| | | |</p>
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</table>
| 9. | 143-11-A thru 146-11-A | Philip L. Rampulla  
20, 25, 35, 40 Harborlights Court, Staten Island  
Appeal challenging the Fire Department’s determination that the grade of the fire apparatus road shall not exceed 10 percent, per NYC Fire Code Section FC 503.2.7. R2 zoning district.  
Community Board #1SI  
Examiner: Toni Matias (212) 386-0085  
Status: Continued Hearing – 10/29/13 |
| 10. | 58-13-A | Rothkrug Rothkrug & Spector LLP  
4 Wiman Place, Staten Island  
Proposed construction of a twelve-family residential building located partially within the bed of a mapped but unbuilt street contrary to General City Law Section 35. R4/M3-1 zoning district.  
Community Board #1SI  
Examiner: Toni Matias (212) 386-0085  
Status: Adjourned, Continued Hearing – 10/22/13 |
| 11. | 68-13-A | Bryan Cave LLP  
330 Bruckner Boulevard, Bronx  
Appeal challenging Department of Buildings’ determination that the existing sign is not entitled to non-conforming use status. M3-1 zoning district.  
Community Board #1BX  
Examiner: Toni Matias (212) 386-0085  
Status: Closed, Decision – 11/19/13 |
| 12. | 87-13-A | Bryan Cave LLP  
174 Canal Street, Manhattan  
Appeal challenging Department of Buildings’ determination that the existing sign is not entitled to non-conforming use status. C6-1G zoning district  
Community Board #3M  
Examiner: Toni Matias (212) 386-0085  
Status: Closed, Decision – 10/22/13 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**  
**TUESDAY MORNING, SEPTEMBER 24, 2013**  
**10:00 A.M.**

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#### APPEALS – CONTINUED HEARINGS

| 13. | 98-13-A | Eric Palatnik, P.C.  
107 Haven Avenue, Staten Island  
Proposed two-story two family residential development which is within the unbuilt portion of the mapped street on the corner of Haven Avenue and Hull Street, contrary to General City Law 35 R3-1 zoning district.  
**Community Board #2SI**  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Adjourned, Continued Hearing – 11/19/13 |

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#### APPEAL – NEW CASES

43 & 47 Cecilia Court, Staten Island  
Proposed construction of a residence not fronting on a legally mapped street, contrary to General City Law Section 36. R2 & R1 (SHPD) zoning districts.  
**Community Board #1SI**  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Continued Hearing – 10/22/13 |

| 15. | 224-13-A | Slater & Beckerman, P.C.  
283 Carroll Street, Brooklyn  
Appeal challenging the determination by the Department of Buildings that an automatic sprinkler system is required in connection with the conversion of a three family dwelling (J-2 occupancy) to a two-family (J-3 occupancy). R6B zoning district.  
**Community Board #6BK**  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Continued Hearing – 10/22/13 |

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### BZ – DECISIONS

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</table>
| 1. | 16-12-BZ | Eric Palatnik, P.C.  
184 Nostrand Avenue, Brooklyn  
Special Permit (§73-19) to allow for a school (Congregation Adas Yereim) contrary to use regulations (§42-00). M1-2 zoning district.  
Community Board #4BK  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Deferred Decision – 10/29/13 |
| 2. | 13-13-BZ & 14-13-BZ | Slater & Beckerman, P.C.  
98 & 96 DeGraw Street, Brooklyn  
Variance (§72-21) to allow two single-family residential buildings, contrary to use regulations (§42-00). M1-1 zoning district.  
Community Board #6BK  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Deferred Decision – 10/29/13 |
| 3. | 77-13-BZ | Friedman & Gotbaum, LLP  
45 Great Jones Street, Manhattan  
Variance (§72-21) to permit residential use, contrary to ZR 42-00 and ground floor commercial use contrary to ZR§42-14(D)(2)(b). M1-5B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Deferred Decision – 10/29/13 |
| 4. | 211-13-BZ | Kramer Levin Naftalis & Frankel LLP  
346 Broadway, Manhattan  
Re-instatement (§11-411) of a previously approved variance, which permitted the use of the cellar and basement levels of a 12-story building as a public parking garage, which expired in 1971; Amendment to permit a change to the curb-cut configuration; Waiver of the rules. C6-4A zoning district.  
Community Board #1M  
Examiner: Carlo Costanza (212) 386-0068  
Status: Granted – 9/24/13 |
## BZ – CONTINUED HEARINGS

<p>| | | |</p>
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</table>
| 5. |  50-12-BZ | Gerald J. Caliendo, R.A., AIA  
177-60 South Conduit Avenue, Queens  
Variance (§72-21) to allow for the construction of a commercial building, contrary to use regulations (§22-00). R3-2 zoning district.  
Community Board #12Q  
Examiner:  Ronald Rizzotti (212) 386-0081  
Status:  Adjourned, Continued Hearing – 10/29/13 |
| 6. |  72-12-BZ | Watchtel Masyr & Missry, LLP  
213-223 Flatbush Avenue, Brooklyn  
Variance (§72-21) to allow for the construction of a new mixed use building, contrary to off-street parking (§25-23), floor area, open space, lot coverage (§23-145), maximum base height and maximum building height (§23-633) regulations. R7A/C2-4 and R6B zoning districts.  
Community Board #6BK  
Examiner:  Ronald Rizzotti (212) 386-0081  
Status:  Withdrawn – 9/24/13 |
| 7. |  282-12-BZ | Eric Palatnik, P.C.  
1995 East 14th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to side yard requirements (§23-461), and a variance (§72-21), contrary to front yard requirements (§23-45). R5 zoning district.  
Community Board #15BK  
Examiner:  Henry Segovia (212) 386-0074  
Status:  Continued Hearing – 10/22/13 |
| 8. |  78-13-BZ | Sheldon Lobel, P.C.  
876 Kent Avenue, Brooklyn  
Variance (§72-21) to permit a new four-story, four-unit residential building (UG 2), contrary to use regulations, ZR §42-00. M1-1& R7A/C2-4 zoning districts.  
Community Board #3BK  
Examiner:  Ronald Rizzotti (212) 386-0081  
Status:  Closed, Decision – 10/29/13 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, SEPTEMBER 24, 2013
#### 10:00 A.M.

### BZ – CONTINUED HEARINGS

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</table>
| 9.  | 81-13-BZ | Nasir J. Khanzada  
264-12 Hillside Avenue, Queens  
Re-Instatement (§11-411) of a variance which permitted an auto service station (UG16B), with accessory uses, which expired on November 6, 1992; Amendment (§11-413) to permit the change of use from auto service station to auto repair (UG 16B) with accessory auto sales; Waiver of the Rules. R2 zoning district.  
Community Board # 13Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Adjourned, Continued Hearing – 10/29/13 |

### BZ – NEW CASES

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</table>
| 10.  | 339-12-BZ | Sheldon Lobel, P.C.  
252-29 Northern Boulevard, Queens  
Variance (§72-21) to permit accessory commercial parking to be located in a residential portion of a split zoning lot, contrary to §22-10. R2A & C1-2/R3-1 zoning districts.  
Community Board #11Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 10/29/13 |
| 11.  | 100-13-BZ | Law Office of Fredrick A. Becker  
1352 East 24th Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, 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) 386-0074  
Status: Closed, Decision – 10/22/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

**TUESDAY MORNING, SEPTEMBER 24, 2013**

**10:00 A.M.**

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## BZ – NEW CASES

<table>
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<tr>
<th>Case No.</th>
<th>Description</th>
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</table>
| 12. 106-13-BZ | Law office of Fredrick A Becker  
2022 East 21st 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 yard (§23-461) and perimeter wall height (§23-631); R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 10/29/13 |
| 13. 162-13-BZ | Bryan Cave LLP  
120-140 Avenue of the Americas/72-80 Sullivan street, Manhattan  
Variance (§72-21) to permit the construction of a residential and commercial building with 31 dwelling units, ground floor retail, and 11 parking spaces, contrary to use regulations (§42-00). M1-5B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 10/22/13 |
| 14. 167-13-BZ | Rothkrug Rothkrug & Spector LLP  
1614/26 86th Street Brooklyn  
Variance (§72-21) to permit the enlargement of an existing one-story automobile sales establishment, contrary to use regulations (§22-10). R5 zoning district.  
Community Board #11BK  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 10/29/13 |

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

**REGULAR MEETING**

**TUESDAY MORNING, SEPTEMBER 24, 2013**

**10:00 A.M.**

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2022 East 21st 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 yard (§23-461) and perimeter wall height (§23-631); R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 10/29/13 |
| 13. 162-13-BZ | Bryan Cave LLP  
120-140 Avenue of the Americas/72-80 Sullivan street, Manhattan  
Variance (§72-21) to permit the construction of a residential and commercial building with 31 dwelling units, ground floor retail, and 11 parking spaces, contrary to use regulations (§42-00). M1-5B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 10/22/13 |
| 14. 167-13-BZ | Rothkrug Rothkrug & Spector LLP  
1614/26 86th Street Brooklyn  
Variance (§72-21) to permit the enlargement of an existing one-story automobile sales establishment, contrary to use regulations (§22-10). R5 zoning district.  
Community Board #11BK  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 10/29/13 |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, OCTOBER 8, 2013
#### 10:00 A.M.

## SOC – DECISIONS

<p>| | | |</p>
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</table>
| 1. | 615-57-BZ | Sheldon Lobel, P.C.  
154-11 Horace Harding Expressway, Queens  
Extension of term (§11-411) of a previously granted variance for the continued operation of a (UG 16B) automotive service station (Gulf) with accessory uses, which expired on June 5, 2013. C1-3/R5B zoning district.  
Community Board #7Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 10/8/13 |
| 2. | 274-59-BZ | Laurence Dalfino, R.A.  
3356-3358 Eastchester Road aka 1510-151 Tillotson Avenue, Bronx  
Extension of term (§11-411) of a previously granted variance for the continued operation of a private parking lot accessory to a catering establishment, which expired on September 28, 2011; Waiver of the Rules. R-4/R-5 zoning district.  
Community Board #12BX  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 10/8/13 |
| 3. | 723-84-BZ | Gerald J. Caliendo  
241-02 Northern Boulevard, Queens  
Extension of term of a previously approved variance (§72-21) which permitted a medical office, which expired on October 30, 2012. R1-2 zoning district.  
Community Board #11Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Granted – 10/8/13 |
349 & 353 East 76th Street, Manhattan  
Extension of term of a previously granted Special Permit (§73-36) which permitted the operation of a physical culture establishment which expired on June 28, 2010; Amendment to permit a change in the hours of operation; Extension of time to obtain a Certificate of Occupancy which expired on June 28, 2004; Waiver of the Rules. C2-5 (R8B) zoning district.  
Community Board #8M  
Examiner: Carlo Costanza (212) 386-0068  
Status: Granted – 10/8/13 |

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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, OCTOBER 8, 2013**  
**10:00 A.M.**

### SOC – CONTINUED HEARINGS

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</table>
| 5. | 189-96-BZ | John C Chen  
85-10/12 Roosevelt Avenue, Queens  
Extension of Term of a previously granted Special Permit (§73-244) of a UG12 Eating and Drinking establishment with entertainment and dancing, which expires on May 19, 2013. C2-3/R6 zoning district.  
Community Board #4Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 10/22/13 |

### SOC – NEW CASES

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</table>
| 6. | 605-84-BZ | Sheldon Lobel, P.C.  
2629 Cropsey Avenue, Brooklyn  
Amendment of a previously granted variance (§72-21) to an existing seven-story senior citizen multiple dwelling to legalize the installation of an emergency generator, contrary to front yard requirements (§23-45). R5 zoning district.  
Community Board #13BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 10/29/13 |
| 7. | 163-04-BZ | Rothkrug Rothkrug & Spector LLP  
671/99 Fulton Street, Brooklyn  
Extension of time to obtain a certificate of occupancy for a previously granted physical culture establishment (*Crunch Fitness*) which expired on July 17, 2013. C2-4/R7A zoning district.  
Community Board #2BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 10/29/13 |
| 8. | 177-07-BZ | Sheldon Lobel, P.C.  
886 Glenmore Avenue, Brooklyn  
Extension of time to complete construction of a previously approved variance (§72-21) which permitted the construction of a two-story, two-family residential building, which expired on June 23, 2013. R5 zoning district.  
Community Board #5BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 10/29/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

**TUESDAY MORNING, OCTOBER 8, 2013**

10:00 A.M.

## APPEALS – DECISIONS

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</table>
| 9. | 29-12-A | Vincent Brancato  
159-17 159th Street, Queens  
Appeal seeking to reverse Department of Building’s padlock order of closure (and underlying OATH report and recommendation) based on determination that the property’s commercial/industrial use is not a legal non-conforming use. R3-2 Zoning district.  
Community Board #12Q  
Examiner: Toni Matias (212) 386-0085  
Status: Denied – 10/8/13 |
| 10. | 75-13-A | Law Office of Fredrick A. Becker  
5 Beekman Street, Manhattan  
Appeal of §310(2) of the MDL relating to the court requirements (MDL §26(7)) to allow the conversion of an existing commercial building to a transient hotel. C5-5(LM) zoning district.  
Community Board #1M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 10/8/13 |

## APPEALS – CONTINUED HEARINGS

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</table>
| 11. | 126-13-A | Sheldon Lobel, PC  
65-70 Austin Street, Queens  
Appeal of NYC Department of Buildings’ determination that a rear yard is required at the boundary of a block coinciding with a railroad right-of-way. R7B Zoning District.  
Community Board # 6Q  
Examiner: Toni Matias (212) 386-0085  
Status: Closed, Decision – 11/26/13 |
| 12. | 134-13-A | Bryan Cave  
538 10th Avenue aka 460 West 41st Street, Manhattan  
Appeal of NYC Department of Buildings’ determination regarding the right to maintain an existing advertising sign. C2-8/HY zoning district.  
Community Board #4M  
Examiner: Toni Matias (212) 386-0085  
Status: Closed, Decision – 10/22/13 |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, OCTOBER 8, 2013
**10:00 A.M.**

**APPEAL – NEW CASES**

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<tr>
<th>No.</th>
<th>Case Numbers</th>
<th>Law Firm</th>
<th>Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
<th>Date</th>
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<tbody>
<tr>
<td>15.</td>
<td>247-13-A</td>
<td>Sheldon Lobel, P.C.</td>
<td>123 Beach 93rd Street, Queens</td>
<td>Common Law Vested Right to continue development of proposed six-story residential building under prior R6 zoning district. R5A zoning district.</td>
<td>Community Board #14Q</td>
<td>Toni Matias (212) 386-0085</td>
<td>Closed, Decision – 10/29/13</td>
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### BZ – DECISIONS

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</table>
| 1. | 259-12-BZ | Davidoff Hutcher & Citron LLP  
5241 Independence Avenue, Bronx  
Variance (§72-21) to permit the development of a single-family house, contrary to lot width requirement (§23-32). R1-1, NA-2 zoning district.  
Community Board #8BX  
Examiner: Henry Segovia (212) 386-0074  
Status: Deferred Decision – 10/22/13 |
| 2. | 301-12-BZ | Rothkrug Rothkrug & Spector, LLP  
213-11/19 35th Avenue, Queens  
Special permit (§73-52) to allow a 25 foot extension of an existing commercial use into a residential zoning district, and §73-63 to allow the enlargement of a legal non-complying building. C2-2(R4) and R2A zoning districts.  
Community Board #11Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Granted – 10/8/13 |
| 3. | 322-12-BZ | Law Office of Fredrick A. Becker  
701 Avenue P, Brooklyn  
Variance (§72-21) to permit the enlargement of a single-family residence, contrary to open space and lot coverage (§23-141); less than the minimum required front yard (§23-45) and perimeter wall height (§23-631). R5 (OP) zoning district.  
Community Board #12BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 10/8/13 |
| 4. | 94-13-BZ | Vinod Tewari  
1-11 40th Avenue aka 38-78 12th Street, Queens  
Special Permit (§73-19) to allow a school, contrary to use regulation (§42-00). M1-3 zoning district.  
Community Board #1Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Deferred Decision – 11/19/13 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS
REGULAR MEETING
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10:00 A.M.

**BZ – DECISIONS**

5. 169-13-BZ

Greenberg Traurig
227 Clinton Street, Brooklyn
Special Permit (§73-621) to legalize the enlargement of a two-family residence, contrary to floor area regulations (§23-145). R6 (LH-1) zoning district.

Community Board #6BK
Examiner: Henry Segovia (212) 386-0074
Status: Granted – 10/8/13

**BZ – CONTINUED HEARINGS**

6. 62-12-BZ

Akerman Senterfitt LLP
614/618 Morris Avenue, Bronx
Variance (§72-21) to permit the construction of a commercial building, contrary to use regulations (§22-00). R7-1 zoning district.

Community Board #1BX
Examiner: Ronald Rizzotti (212) 386-0081
Status: Adjourned, Continued Hearing – 11/19/13

7. 236-12-BZ

Rothkrug Rothkrug & Spector LLP
1487 Richmond Road, Staten Island
Variance (§72-21) to permit the extension of an existing medical office, contrary to use (§ 22-10) and side yard regulations (§24-35). R2 zoning district.

Community Board #2SI
Examiner: Ronald Rizzotti (212) 386-0081
Status: Continued Hearing – 10/29/13

8. 279-12-BZ

Akerman Senterfitt LLP
27-24 College Point Boulevard, Queens
Variance (§72-21) to permit a bank (UG 6) in a residential zoning district, contrary to §22-00. R4/R5B zoning district.

Community Board #7Q
Examiner: Ronald Rizzotti (212) 386-0081
Status: Adjourned, Continued Hearing – 11/19/13

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### BZ – NEW CASES

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<th>Case No.</th>
<th>Address</th>
<th>Applicant/Owner</th>
<th>Description</th>
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<tbody>
<tr>
<td>9. 77-12-BZ</td>
<td>91 Franklin Ave, Brooklyn</td>
<td>Moshe M. Friedman, P.E.</td>
<td>Variance (§72-21) to permit a new residential building, contrary to use regulations (§42-00). M1-1 zoning district.</td>
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<td>Community Board #3BK</td>
<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
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<td>Status: Continued Hearing – 11/19/13</td>
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<tr>
<td>10. 55-13-BZ</td>
<td>1690 60th Street, Brooklyn</td>
<td>Stuart A. Klein, Esq.</td>
<td>Variance (§72-21) to permit the enlargement of an existing yeshiva and dormitory (Yeshiva Novominsk), contrary to floor area (§24-11), wall height and sky exposure plane (§24-521), and side yard setback (§24-551). R5 zoning district.</td>
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<td>Community Board #12BK</td>
<td>Examiner: Rory Levy (212) 386-0082</td>
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<tr>
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<td>Status: Continued Hearing – 11/19/13</td>
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<tr>
<td>11. 122-13-BZ</td>
<td>1080 East 8th Street, Brooklyn</td>
<td>Law Office of Fredrick A Becker</td>
<td>Special Permit (§73-621) for the enlargement of an existing two-family home to be converted into a single family home, contrary to floor area (§23-141). R2X (OP) zoning district.</td>
</tr>
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<td>Community Board #12BK</td>
<td>Examiner: Henry Segovia (212) 386-0074</td>
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<td>Status: Continued Hearing – 11/19/13</td>
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<tr>
<td>12. 129-13-BZ</td>
<td>1010 East 22nd Street, Brooklyn</td>
<td>Lewis E. Garfinkel</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(a)); side yards (§23-461(a)); less than the required rear yard (§23-47). R2 zoning district.</td>
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<td>Community Board #14BK</td>
<td>Examiner: Henry Segovia (212) 386-0074</td>
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<td>Status: Continued Hearing – 10/29/13</td>
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</tbody>
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## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
**TUESDAY MORNING, OCTOBER 8, 2013**
**10:00 A.M.**

### BZ – NEW CASES

<table>
<thead>
<tr>
<th>Case</th>
<th>Date</th>
<th>Attorney</th>
<th>Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Status</th>
<th>Examiner</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>13.</td>
<td>158-13-BZ</td>
<td>Kramer Levin Naftalis &amp; Frankel LLP</td>
<td>883 Avenue of the Americas, Manhattan</td>
<td>Special Permit (§73-36) to allow the operation of a physical culture establishment (Golf &amp; Body). C6-6(MID) zoning district.</td>
<td>#5M</td>
<td>Closed, Decision – 10/29/13</td>
<td>Rory Levy</td>
<td>(212) 386-0082</td>
</tr>
<tr>
<td>14.</td>
<td>159-13-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>3791-3799 Broadway, Manhattan</td>
<td>Special Permit (§73-36) to legalize the operation of a physical culture establishment (Planet Fitness); Special Permit (§73-52) to allow the extension of the proposed use into 25' feet of the residential portion of the zoning lot. C4-4 and R8 zoning districts.</td>
<td>#12M</td>
<td>Closed, Decision – 10/29/13</td>
<td>Rory Levy</td>
<td>(212) 386-0082</td>
</tr>
</tbody>
</table>
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, OCTOBER 22, 2013  
10:00 A.M.  

<table>
<thead>
<tr>
<th>SOC – DECISIONS</th>
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</table>
| **1.** 606-75-BZ | Sheldon Lobel, P.C.  
**421 Hudson Street, Manhattan**  
Amendment of a previously approved variance (§72-21) which allowed the residential conversion of a manufacturing building; amendment seeks to permit a reallocation of floor area between the maisonette and townhouse units, resulting in a reduction of total units and no net change in total floor area. M1-5 zoning district.  
Community Board #2M  
**Examiner:** Ronald Rizzotti (212) 386-0081  
**Status:** Granted – 10/22/13 |
| **2.** 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, 2013; Waiver of the Rules. C2-2/R6 zoning district.  
Community Board #2Q  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Granted – 10/22/13 |
| **3.** 189-96-BZ | John C Chen  
**85-10/12 Roosevelt Avenue, Queens**  
Extension of Term of a previously granted Special Permit (§73-244) of a UG12 Eating and Drinking establishment with entertainment and dancing, which expires on May 19, 2013. C2-3/R6 zoning district.  
Community Board #4Q  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Granted – 10/22/13 |

**************************************************************************DISCLAIMER**************************************************************************  
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**************************************************************************DISCLAIMER**************************************************************************
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, OCTOBER 22, 2013
10:00 A.M.

**SOC – CONTINUED HEARINGS**

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| 4. | **699-46-BZ** | Eric Palatnik, P.C.  
224-01 North Conduit Avenue, Queens  
Amendment (§11-412) of a previously approved variance which permitted the operation of an automotive service station (UG 16B) with accessory use. The amendment seeks to convert existing service bays to a convenience store, increase the number of pump islands, and permit a drive-thru to the proposed convenience store. R3X zoning district.  
Community Board #13Q  
Examiner:  Carlo Costanza (212) 386-0068  
Status:  Closed, Decision – 11/19/13 |
| 5. | **327-88-BZ** | Eric Palatnik, P.C.  
136-36 39th Avenue aka 136-29 & 136-35A Roosevelt Avenue, Queens  
Amendment to a previously granted variance (§72-21) to legalize the addition of a 2,317 square foot mezzanine in a UG 6 eating and drinking establishment (*Jade Asian Restaurant*). C4-3 zoning district.  
Community Board #7Q  
Examiner:  Henry Segovia (212) 386-0074  
Status:  Continued Hearing – 11/26/13 |

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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
##### TUESDAY MORNING, OCTOBER 22, 2013
10:00 A.M.

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<tr>
<th>SOC – NEW CASES</th>
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</table>
| **6. 405-01-BZ** | Eric Palatnik, P.C.  
1275 36th Street aka 123 Clara Street, Brooklyn  
Extension of Time to complete construction of a previously granted Variance (§72-21) for the construction of a five-story school and synagogue, which expires on February 14, 2014. R5/C2-3 zoning district.  
Community Board #12BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 11/19/13 |
| **7. 19-05-BZ** | Slater & Beckerman, P.C.  
151 West 28th Street, Manhattan  
Extension of Time to complete construction of a previously granted Variance (§72-21) for the change in use of portions of an existing nine-story, mixed-use building to residential use, which expires November 10, 2013. M1-6 zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 11/19/13 |
| **8. 219-07-BZ** | James Chin & Associates, LLC  
11 West 36th Street, Manhattan  
Extension of Term of a previously granted Special Permit (§73-36) to permit the continued operation of a physical culture establishment (Cosmos Spa), which expired on June 3, 2010. M1-6 zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 11/19/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, OCTOBER 22, 2013
### 10:00 A.M.

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<tr>
<td><strong>9. 87-13-A</strong></td>
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<tr>
<td>Bryan Cave LLP</td>
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<tr>
<td>174 Canal Street, Manhattan</td>
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<tr>
<td>Appeal challenging Department of Buildings’ determination that the existing sign is not entitled to non-conforming use status. C6-1G zoning district.</td>
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<tr>
<td>Community Board #3M</td>
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<td>Examiner: Toni Matias (212) 386-0085</td>
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<tr>
<td>Status: Denied – 10/22/13</td>
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<tr>
<td><strong>10. 134-13-A</strong></td>
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<tr>
<td>Bryan Cave</td>
</tr>
<tr>
<td>538 10th Avenue aka 460 West 41st Street, Manhattan</td>
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<tr>
<td>Appeal of NYC Department of Buildings’ determination regarding the right to maintain an existing advertising sign. C2-8/HY zoning district.</td>
</tr>
<tr>
<td>Community Board #4M</td>
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<tr>
<td>Examiner: Toni Matias (212) 386-0085</td>
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<td>Status: Denied – 10/22/13</td>
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<tr>
<td><strong>11. 194-13-A thru 205-13-A</strong></td>
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<tr>
<td>Sanna &amp; Loccisano P.C.</td>
</tr>
<tr>
<td>36, 35, 31, 27, 23, 19, 15, 11, 12, 16, 20, 24 Savona Court, Staten Island</td>
</tr>
<tr>
<td>Construction of single detached residences not fronting on a legally mapped street, contrary to General City Law Section 36. R3X (SSRD) zoning district.</td>
</tr>
<tr>
<td>Community Board #3SI</td>
</tr>
<tr>
<td>Examiner: Toni Matias (212) 386-0085</td>
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<td>Status: Granted – 10/22/13</td>
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### APPEALS – CONTINUED HEARINGS

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</table>
| 12. | 58-13-A | Rothkrug Rothkrug & Spector LLP  
**4 Wiman Place, Staten Island**  
Proposed construction of a twelve-family residential building located partially within the bed of a mapped but unbuilt street contrary to General City Law Section 35. R4/M3-1 zoning district.  
**Community Board #1SI**  
**Examiner: Toni Matias (212) 386-0085**  
**Status: Continued Hearing – 11/26/13** |
**43 & 47 Cecilia Court, Staten Island**  
Proposed construction of a residence not fronting on a legally mapped street, contrary to General City Law Section 36. R2 & R1 (SHPD) zoning districts.  
**Community Board #1SI**  
**Examiner: Toni Matias (212) 386-0085**  
**Status: Continued Hearing – 11/26/13** |
| 14. | 224-13-A | Slater & Beckerman, P.C.  
**283 Carroll Street, Brooklyn**  
Appeal challenging the determination by the Department of Buildings that an automatic sprinkler system is required in connection with the conversion of a three family dwelling (J-2 occupancy) to a two-family (J-3 occupancy). R6B zoning district.  
**Community Board #6BK**  
**Examiner: Toni Matias (212) 386-0085**  
**Status: Closed, Decision – 11/19/13** |

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### APPEAL – NEW CASES

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<tr>
<th>Case No.</th>
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<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
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</thead>
</table>
| 15.       | 110-13-A Abrams Fensterman, LLP  
120 President Street, Brooklyn | Appeal challenging Department of Buildings’ interpretation of the Building Code regarding required walkway around a below-grade pool. R6B zoning district. | #6 BK           | Toni Matias (212) 386-0085 | Continued Hearing – 11/26/13 |
| 16.       | 226-13-A Rothrug Rothkrug & Spector LLP  
29 Kayla Court, Staten Island | Proposed construction of a one-family dwelling that does not front on a legally mapped street, contrary to Section 36 Article 3 of the General City Law. R3-2 /R2 NA-1 zoning District. | #2 SI           | Toni Matias (212) 386-0085 | Closed, Decision – 11/19/13 |
<table>
<thead>
<tr>
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<th>BZ – DECISIONS</th>
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<tbody>
<tr>
<td>1.</td>
<td>35-11-BZ</td>
</tr>
<tr>
<td></td>
<td>The Law Office of Fredrick A. Becker</td>
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<td></td>
<td>226-10 Francis Lewis Boulevard, Queens</td>
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<tr>
<td></td>
<td>Variance (§72-21) to allow for the enlargement of an existing synagogue</td>
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<td>(Congregation Ohel), contrary to floor area, lot coverage (§24-11), front</td>
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<td>yard (§24-34), side yard (§24-35), rear yard (§24-36) and parking (§25-31).</td>
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<td>R2A zoning district.</td>
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<td>Community Board #13Q</td>
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<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
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<td>2.</td>
<td>199-12-BZ</td>
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<td>Sheldon Lobel, P.C.</td>
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<td>1517 Bushwick Avenue, Brooklyn</td>
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<td>Variance (§72-21) to construct a self-storage facility, contrary to</td>
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<td>maximum permitted floor area regulations. C8-1 and R6 zoning districts.</td>
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<td>Community Board #4BK</td>
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<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
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<td>3.</td>
<td>100-13-BZ</td>
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<td>Law Office of Fredrick A. Becker</td>
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<td></td>
<td>1352 East 24th Street, Brooklyn</td>
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<td>Special Permit (§73-622) for the enlargement of an existing single family</td>
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<td>home, contrary to floor area, open space (§23-141); side yards (§23-461)</td>
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<td>and less than the required rear yard (§23-47). R-2 zoning district.</td>
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<td>Community Board #14BK</td>
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<td>Examiner: Henry Segovia (212) 386-0074</td>
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<td>133-13-BZ</td>
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<td>Sheldon Lobel, P.C.</td>
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<td>1915 Bartow Avenue, Bronx</td>
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<td>Variance (§72-21) to permit the construction of a new two-story</td>
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<td>community facility (UG 4A house of worship) (Evangelical Church) building</td>
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<td>is contrary to parking (§25-31), rear yard (§24-33(b) &amp; §24-36), side</td>
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<td>yard (§24-35(a)) and front yard requirements (§25-34) zoning requirements.</td>
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<td>R4 zoning district.</td>
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<td>Community Board #12BX</td>
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<td>Examiner: Rory Levy (212) 386-0082</td>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, OCTOBER 22, 2013
10:00 A.M.

## BZ – DECISIONS

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<tr>
<td>5.</td>
<td><strong>161-13-BZ</strong></td>
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<tr>
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<td>Rothkrug &amp; Spector LLP</td>
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<td>8 West 19th Street, Manhattan</td>
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<td></td>
<td>Special Permit (§73-36) to permit the operation of a physical culture establishment (<em>Soul Cycle</em>) within a portion of an existing building. C6-4A zoning district.</td>
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<td>Community Board #5M</td>
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## BZ – CONTINUED HEARINGS

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<tbody>
<tr>
<td>6.</td>
<td><strong>54-12-BZ</strong></td>
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<td>Gerald J. Caliendo, R.A., AIA</td>
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<td>65-39 102nd Street, Queens</td>
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<td></td>
<td>Variance (§72-21) to permit for the construction of a community facility and residential building, contrary to lot coverage (§23-141), lot area (§§23-32, 23-33), front yard (§§23-45, 24-34), side yard (§§23-46, 23-35) and side yard setback (§24-55) regulations. R5 zoning district.</td>
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<td></td>
<td>Community Board #6Q</td>
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<td></td>
<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
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<td>Status: Continued Hearing – 12/10/13</td>
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<td>7.</td>
<td><strong>282-12-BZ</strong></td>
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<td>Eric Palatnik, P.C.</td>
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<td>1995 East 14th Street, Brooklyn</td>
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<td>Special Permit (§73-622) for the enlargement of an existing single family home, contrary to side yard requirements (§23-461), and a variance (§72-21), contrary to front yard requirements (§23-45). R5 zoning district.</td>
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<td>Community Board #15BK</td>
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<td><strong>BZ – CONTINUED HEARINGS</strong></td>
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</table>
| 8. | 105-13-BZ | Law Office of Fred A Becker  
1932 East 24th street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single home, contrary to floor area, open space and lot coverage (§23-141); side yard (§23-461); perimeter wall height (§23-631) and less than the minimum rear yard (§23-47). R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Adjourned, Continued Hearing – 11/19/13 |
| 9. | 120-13-BZ | Eric Palatnik, P.C.  
1815 Forest Avenue, Staten Island  
Special Permit (§73-243) to allow for an eating and drinking establishment (UG 6) (McDonald’s) with an accessory drive-through facility. C1-2/R3-2 zoning district.  
Community Board #1SI  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 11/26/13 |
| 10. | 162-13-BZ | Bryan Cave LLP  
120-140 Avenue of the Americas/72-80 Sullivan street, Manhattan  
Variance (§72-21) to permit the construction of a residential and commercial building with 31 dwelling units, ground floor retail, and 11 parking spaces, contrary to use regulations (§42-00). M1-5B zoning district.  
Community Board #2M  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 11/19/13 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, OCTOBER 22, 2013**  
**10:00 A.M.**

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| **11. 254-12-BZ** | Patrick W. Jones, P.C. | 850 Third Avenue aka 509/519 Second Avenue, Brooklyn  
Variance (§72-21) to permit Use Group 10A uses on the first and second floors of an existing eight-story building, contrary to use regulations (§42-00). M3-1 zoning district.  
Community Board #7BK  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 11/19/13 |
| **12. 90-13-BZ** | Akerman Senterfitt, LLP | 166-05 Cryders Lane, Queens  
Variance (§72-21) to permit the construction of a single-family dwelling, contrary to open area requirements (§23-89). R1-2 zoning district.  
Community Board #7Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 11/19/13 |
| **13. 121-13-BZ** | Moshe M. Friedman, P.E. | 1514 57th Street, Brooklyn  
Variance (§72-21) to permit a UG 4 synagogue (Congregation Beth Aron Moshe), contrary to front yard (§24-34), side yards (§24-35) and rear yard (§24-36) requirements. R5 zoning district.  
Community Board #12BK  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 11/19/13 |
| **14. 187-13-BZ** | Sheldon Lobel, P.C. | 1024-1030 Southern Boulevard, Bronx  
Special Permit (§73-36) to allow the operation of a physical culture establishment (Planet Fitness), and Special Permit (§73-52) to extend commercial use into the portion of the lot located within a residential zoning district. C4-4/R7-1 zoning district.  
Community Board #2BX  
Examiner: Rory Levy (212) 386-0082  
Status: Continued Hearing – 11/26/13 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, OCTOBER 22, 2013
#### 10:00 A.M.

**BZ – NEW CASES**

<table>
<thead>
<tr>
<th></th>
<th>213-13-BZ</th>
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<th>235-13-BZ</th>
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</thead>
<tbody>
<tr>
<td>15</td>
<td>Rothrug Rothrug &amp; Spector LLP</td>
<td>3858-60 Victory Boulevard, Staten Island</td>
<td>Rothrug Rothrug &amp; Spector LLP</td>
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<tr>
<td></td>
<td>Special Permit (§73-126) to allow a medical office, contrary to bulk regulations (§22-14). R3A zoning district.</td>
<td></td>
<td>Special Permit (§73-36) to permit the operation of a physical culture establishment (Blink Fitness) within an existing commercial building. M1-6 zoning district.</td>
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<td></td>
<td>Community Board #2SI</td>
<td></td>
<td>Community Board #5M</td>
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<tr>
<td></td>
<td>Examiner: Ronald Rizzotti (212) 386-0081</td>
<td></td>
<td>Examiner: Rory Levy (212) 386-0082</td>
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<td></td>
<td>Status: Continued Hearing – 11/26/13</td>
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<td>Status: Closed, Decision – 11/19/13</td>
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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

**TUESDAY MORNING, OCTOBER 29, 2013**

**10:00 A.M.**

### SOC – DECISIONS

<p>| | | |</p>
<table>
<thead>
<tr>
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</table>
| 1 | 163-04-BZ | Rothkrug Rothkrug & Spector LLP  
*671/99 Fulton Street, Brooklyn*  
Extension of time to obtain a certificate of occupancy for a previously granted physical culture establishment (*Crunch Fitness*) which expired on July 17, 2013.  
*C2-4/R7A zoning district.*  
Communtiy Board #2BK  
Examiner:  Henry Segovia  
Status:  Granted – 10/29/13 |
| 2 | 177-07-BZ | Sheldon Lobel, P.C.  
*886 Glenmore Avenue, Brooklyn*  
Extension of time to complete construction of a previously approved variance (*§72-21*) which permitted the construction of a two-story, two-family residential building, which expired on June 23, 2013.  
*R5 zoning district.*  
Community Board #5BK  
Examiner:  Henry Segovia  
Status:  Granted – 10/29/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, OCTOBER 22, 2013
10:00 A.M.

## SOC – CONTINUED HEARINGS

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<table>
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</table>
| 3. | 360-65-BZ | Greenberg Traurig, LLP  
**108-114 East 89th Street, Manhattan**  
Amendment of previously approved Variance (§72-21) and Special Permit (§73-64) which allowed the enlargement of a school (Dalton School). Amendment seeks to allow a two-story addition to the school building, contrary to an increase in floor area (§24-11) and height, base height and front setback (§24-522, §24-522(b)) regulations. R8B zoning district.  
**Community Board #8M**  
**Examiner: Ronald Rizzotti (212) 386-0081**  
**Status: Closed, Decision – 12/10/13** |
| 4. | 605-84-BZ | Sheldon Lobel, P.C.  
**2629 Cropsey Avenue, Brooklyn**  
Amendment of a previously granted variance (§72-21) to an existing seven-story senior citizen multiple dwelling to legalize the installation of an emergency generator, contrary to front yard requirements (§23-45). R5 zoning district.  
**Community Board #13BK**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Closed, Decision – 12/10/13** |
| 5. | 239-02-BZ | Greenberg Traurig, LLP  
**110 Waverly Place, Manhattan**  
Extension of Term of a previously-granted Variance (§72-21) for the continued operation of a Use Group 6A eating and drinking establishment (Babbo) located at the cellar level, ground floor, and second floor of the subject premises, which expired on December 17, 2012. R7-2 zoning district.  
**Community Board #2M**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Adjourned, Continued Hearing – 12/10/13** |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, OCTOBER 22, 2013  
10:00 A.M.

**SOC – NEW CASES**

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Attorney</th>
<th>Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
</tr>
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<tbody>
<tr>
<td>6. 74-49-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>515 Seventh Avenue, Manhattan</td>
<td>Extension of Time to obtain a Certificate of Occupancy for an existing parking garage, which expired on January 11, 2012; Waiver of the Rules. M1-6 (Garment Center) zoning district.</td>
<td>Community Board #5M</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Continued Hearing – 11/26/13</td>
</tr>
<tr>
<td>7. 647-70-BZ</td>
<td>Jeffrey A. Chester Esq.</td>
<td>59-14 Beach Channel Drive, Queens</td>
<td>Amendment of a previously approved Special Permit (§73-211) which permitted the operation an automotive service station and auto laundry (UG 16B). Amendment seeks to convert accessory space into an accessory convenience store. C2-3/R5 zoning district.</td>
<td>Community Board #14Q</td>
<td>Carlo Costanza (212) 386-0068</td>
<td>Continued Hearing – 11/26/13</td>
</tr>
<tr>
<td>8. 259-12-BZ</td>
<td>Davidoff Hutcher &amp; Citron LLP</td>
<td>5241 Independence Avenue, Bronx</td>
<td>Reopening of a variance (§72-21) to permit the development of a single-family house, contrary to lot width requirement (§23-32), to allow admission of the Certificate of Appropriateness into the record. R1-1, NA-2 zoning district.</td>
<td>Community Board #8BX</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Granted – 10/29/13</td>
</tr>
</tbody>
</table>
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, OCTOBER 22, 2013
#### 10:00 A.M.

### APPEALS – DECISIONS

<table>
<thead>
<tr>
<th>No.</th>
<th>Case No.</th>
<th>Attorney</th>
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<th>Description</th>
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<th>Examiner</th>
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</thead>
<tbody>
<tr>
<td>9.</td>
<td>247-13-A</td>
<td>Sheldon Lobel, P.C.</td>
<td>123 Beach 93rd Street, Queens</td>
<td>Common Law Vested Right to continue development of proposed six-story residential building under prior R6 zoning district. R5A zoning district.</td>
<td>#14Q</td>
<td>Toni Matias (212) 386-0085</td>
<td>Granted – 10/29/13</td>
</tr>
</tbody>
</table>

### APPEALS – CONTINUED HEARINGS

<table>
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<tr>
<th>No.</th>
<th>Case No.</th>
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<th>Examiner</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>10.</td>
<td>41-11-A</td>
<td>Eric Palatnik, P.C.</td>
<td>1314 Avenue S, Brooklyn</td>
<td>Appeal seeking a determination that the owner has acquired a common law vested right to continue development under the prior R-6 zoning district. R4 Zoning District.</td>
<td>#15BK</td>
<td>Toni Matias (212) 386-0085</td>
<td>Adjourned, Continued Hearing – 11/26/13</td>
</tr>
<tr>
<td>11.</td>
<td>143-11-A thru 146-11-A</td>
<td>Philip L. Rampulla</td>
<td>20, 25, 35, 40 Harborlights Court, Staten Island</td>
<td>Appeal challenging the Fire Department’s determination that the grade of the fire apparatus road shall not exceed 10 percent, per NYC Fire Code Section FC 503.2.7. R2 zoning district.</td>
<td>#1SI</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 1/14/14</td>
</tr>
<tr>
<td>12.</td>
<td>66-13-A</td>
<td>Goldman Harris</td>
<td>111 E. 161 Street, Bronx</td>
<td>Appeal challenging Department of Buildings’ determination that pursuant to §122-20 advertising signs are not permitted regardless of non-conforming use status. R8/C1-4 Grand Concourse Preservation zoning district.</td>
<td>#4BX</td>
<td>Toni Matias (212) 386-0085</td>
<td>Withdrawn – 10/29/13</td>
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</tbody>
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NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, OCTOBER 22, 2013  
10:00 A.M.

### APPEALS – CONTINUED HEARINGS

<table>
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<tr>
<th>Case Numbers</th>
<th>Attorney</th>
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<th>Community Board</th>
<th>Examiner</th>
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<tbody>
<tr>
<td>237-13-A thru 242-13-A</td>
<td>Rothkrug Rothkrug &amp; Spector LLP</td>
<td>11, 12, 15, 16, 19, 20 Nino Court, Staten Island</td>
<td>Construction of six buildings not fronting on a legally mapped street, contrary to General City Law Section 36. R3X (SSRD) zoning district.</td>
<td>Community Board #3SI</td>
<td>Toni Matias (212) 386-0085</td>
<td>Closed, Decision – 11/19/13</td>
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### APPEAL – NEW CASES

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<tr>
<th>Case Numbers</th>
<th>Attorney</th>
<th>Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>90-12-A</td>
<td>Fried, Frank, Harris, Shriver &amp; Jacobson, LLP</td>
<td>11 Varick Street, Manhattan</td>
<td>Reopening by court remand for supplemental review of whether the subject wall was occupied by an art installation or an advertising sign. M1-6 zoning district.</td>
<td>Community Board #2M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Closed, Decision – 12/17/13</td>
</tr>
<tr>
<td>221-13-A</td>
<td>Law Office of Jay Goldstein, PLLC</td>
<td>239-26 87th Avenue, Queens</td>
<td>Appeal seeking a determination that the owner has a common law vested right to continue construction under the prior R3A zoning district. R2A zoning district.</td>
<td>Community Board #13Q</td>
<td>Toni Matias (212) 386-0085</td>
<td>Closed, Decision – 11/19/13</td>
</tr>
</tbody>
</table>
# BZ – DECISIONS

## 1. 16-12-BZ
- **Attorney:** Eric Palatnik, P.C.
- **Address:** 184 Nostrand Avenue, Brooklyn
- **Description:** Special Permit (§73-19) to allow for a school (Congregation Adas Yereim) contrary to use regulations (§42-00). M1-2 zoning district.
- **Community Board:** #4BK
- **Examiner:** Ronald Rizzotti (212) 386-0081
- **Status:** Deferred Decision – 11/26/13

## 2. 13-13-BZ & 14-13-BZ
- **Attorney:** Slater & Beckerman, P.C.
- **Address:** 98 & 96 DeGraw Street, Brooklyn
- **Description:** Variance (§72-21) to allow two single-family residential buildings, contrary to use regulations (§42-00). M1-1 zoning district.
- **Community Board:** #6BK
- **Examiner:** Ronald Rizzotti (212) 386-0081
- **Status:** Deferred Decision – 12/10/13

## 3. 77-13-BZ
- **Attorney:** Friedman & Gotbaum, LLP
- **Address:** 45 Great Jones Street, Manhattan
- **Description:** Variance (§72-21) to permit residential use, contrary to ZR 42-00 and ground floor commercial use contrary to ZR§42-14(D)(2)(b). M1-5B zoning district.
- **Community Board:** #2M
- **Examiner:** Ronald Rizzotti (212) 386-0081
- **Status:** Granted – 10/29/13

## 4. 78-13-BZ
- **Attorney:** Sheldon Lobel, P.C.
- **Address:** 876 Kent Avenue, Brooklyn
- **Description:** Variance (§72-21) to permit a new four-story, four-unit residential building (UG 2), contrary to use regulations, ZR §42-00. M1-1&R7A/C2-4 zoning districts.
- **Community Board:** #3BK
- **Examiner:** Ronald Rizzotti (212) 386-0081
- **Status:** Deferred Decision – 12/10/13

## 5. 158-13-BZ
- **Attorney:** Kramer Levin Naftalis & Frankel LLP
- **Address:** 883 Avenue of the Americas, Manhattan
- **Description:** Special Permit (§73-36) to allow the operation of a physical culture establishment (Golf & Body). C6-6(MID) zoning district.
- **Community Board:** #5M
- **Examiner:** Rory Levy (212) 386-0082
- **Status:** Granted – 10/29/13

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************************************************************************DISCLAIMER************************************************************************
### BZ – DECISIONS

6. **159-13-BZ**  
   Sheldon Lobel, P.C.  
   **3791-3799 Broadway, Manhattan**  
   Special Permit (§73-36) to legalize the operation of a physical culture establishment (*Planet Fitness*); Special Permit (§73-52) to allow the extension of the proposed use into 25’ feet of the residential portion of the zoning lot. C4-4 and R8 zoning districts.  
   **Community Board #12M**  
   **Examiner:** Rory Levy (212) 386-0082  
   **Status:** Granted – 10/29/13

### BZ – CONTINUED HEARINGS

7. **50-12-BZ**  
   Gerald J. Caliendo, R.A., AIA  
   **177-60 South Conduit Avenue, Queens**  
   Variance (§72-21) to allow for the construction of a commercial building, contrary to use regulations (§22-00). R3-2 zoning district.  
   **Community Board #12Q**  
   **Examiner:** Ronald Rizzotti (212) 386-0081  
   **Status:** Closed, Decision – 11/26/13

8. **236-12-BZ**  
   Rothkrug Rothkrug & Spector LLP  
   **1487 Richmond Road, Staten Island**  
   Variance (§72-21) to permit the extension of an existing medical office, contrary to use (§22-10) and side yard regulations (§24-35). R2 zoning district.  
   **Community Board #2SI**  
   **Examiner:** Ronald Rizzotti (212) 386-0081  
   **Status:** Closed, Decision – 12/10/13

9. **263-12-BZ & 264-12-A**  
   Sheldon Lobel, P.C.  
   **232 & 222 City Island Avenue, Bronx**  
   Variance (§72-21) to permit senior housing (UG 2), contrary to use regulations (§42-00). Variance (Appendix G, Section BC G107, NYC Administrative Code) to permit construction in a flood hazard area which does not comply with Appendix G, Section G304.1.2 of the Building Code. M1-1 zoning district.  
   **Community Board #10BX**  
   **Examiner:** Ronald Rizzotti (212) 386-0081  
   **Status:** Continued Hearing – 2/4/14

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</table>
| 10. | 303-12-BZ | Eric Palatnik, P.C.  
1106-1108 Utica Avenue, Brooklyn  
Variance (§72-21) to permit the development of a sub-cellar, cellar and three story church, with accessory educational and social facilities (Tabernacle of Praise), contrary to rear yard setback (§33-292), sky exposure plane and wall height (§34-432), and parking (§36-21) regulations. C8-1 zoning district.  
Community Board #17BK  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 12/17/13 |
| 11. | 339-12-BZ | Sheldon Lobel, P.C.  
252-29 Northern Boulevard, Queens  
Variance (§72-21) to permit accessory commercial parking to be located in a residential portion of a split zoning lot, contrary to §22-10. R2A & C1-2/R3-1 zoning districts.  
Community Board #11Q  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 11/26/13 |
| 12. | 6-13-BZ | Sheldon Lobel, P.C.  
2899 Nostrand Avenue, Brooklyn  
Variance (§72-21) to permit the construction of a synagogue and school, contrary to floor area and lot coverage (§24-11), side yard (§24-35), rear yard (§24-36), sky exposure plane (§24-521), and parking (§25-31) regulations. R3-2 zoning district.  
Community Board #18BK  
Examiner: Rory Levy (212) 386-0082  
Status: Continued Hearing – 12/10/13 |
| 13. | 81-13-BZ | Nasir J. Khanzada  
264-12 Hillside Avenue, Queens  
Re-Instatement (§11-411) of a variance which permitted an auto service station (UG16B), with accessory uses, which expired on November 6, 1992; Amendment (§11-413) to permit the change of use from auto service station to auto repair (UG 16B) with accessory auto sales; Waiver of the Rules. R2 zoning district.  
Community Board # 13Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Continued Hearing – 12/10/13 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY MORNING, OCTOBER 22, 2013**

**10:00 A.M.**

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**BZ – CONTINUED HEARINGS**

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<tbody>
<tr>
<td>14.</td>
<td>106-13-BZ</td>
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</table>
|   | Law office of Fredrick A Becker  
2022 East 21st 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 yard (§23-461) and perimeter wall height (§23-631); R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 11/26/13 |
| 15. | 129-13-BZ |
|   | Lewis E. Garfinkel  
1010 East 22nd Street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141(a)); side yards (§23-461(a)); less than the required rear yard (§23-47). R2 zoning district.  
Community Board #14BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 11/26/13 |
| 16. | 167-13-BZ |
|   | Rothkrug Rothkrug & Spector LLP  
1614/26 86th Street Brooklyn  
Variance (§72-21) to permit the enlargement of an existing one-story automobile sales establishment, contrary to use regulations (§22-10). R5 zoning district.  
Community Board #11BK  
Examiner: Ronald Rizzotti (212) 386-0081  
Status: Continued Hearing – 11/26/13 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, OCTOBER 22, 2013
10:00 A.M.

### BZ – NEW CASES

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<tr>
<th>Case No.</th>
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<th>Community Board</th>
<th>Examiner</th>
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<tbody>
<tr>
<td>17. 262-12-BZ</td>
<td>Patrick W. Jones, P.C.</td>
<td>132-10 149th Avenue aka 132-35 132nd Street, Queens</td>
<td>Variance (§72-21) to permit a hotel (UG 5), contrary to use regulations (§42-00). M2-1 zoning district.</td>
<td>Community Board #10Q</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Continued Hearing – 11/26/13</td>
</tr>
<tr>
<td>18. 154-13-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>1054-1064 Bergen Avenue, Brooklyn</td>
<td>Variance (§72-21) to allow the construction of a retail building (UG 6), contrary to use regulations (§22-10). R5 zoning district.</td>
<td>Community Board #18BK</td>
<td>Ronald Rizzotti (212) 386-0081</td>
<td>Continued Hearing – 12/10/13</td>
</tr>
<tr>
<td>19. 168-13-BZ</td>
<td>Lewis E Garfinkel</td>
<td>1323 East 26th Street, Brooklyn</td>
<td>Special Permit (§73-622) to permit the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141(a); side yard (§23-461(a); less than the required rear yard; (§23-47) and perimeter wall height (§23-631. R3-2 zoning district.</td>
<td>Community Board #14BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Closed, Decision – 11/26/13</td>
</tr>
<tr>
<td>20. 173-13-BZ</td>
<td>Greenberg Traurig, LLP</td>
<td>752-758 West End Avenue aka 260-268 West 97th Street, Manhattan</td>
<td>Variance (§72-21) to legalize the existing Physical culture establishment (Paris Health Club), which occupies the cellar, first floor and the first floor mezzanine of a 24-story residential building, contrary to use regulations (§22-00). R10A zoning district.</td>
<td>Community Board #7M</td>
<td>Rory Levy (212) 386-0082</td>
<td>Closed, Decision – 11/26/13</td>
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NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, OCTOBER 22, 2013  
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<th></th>
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| 21. | Rothkrug Rothrug & Spector LLP  
3779-3861 Nostrand Avenue, 2928/48 Ave Z, 2502/84 Haring  
Street, Brooklyn  
Special Permit (§73-36) to allow a physical culture establishment (*Blink Fitness*) within an existing commercial building.  
C2-2/R3-2 zoning district.  
**Community Board #15BK**  
**Examiner:** Rory Levy (212) 386-0082  
**Status:** Closed, Decision – 11/26/13 |
| 22. | Rothkrug Rothrug & Spector LLP  
364 Bay Street, Staten Island  
Special Permit (§73-36) to allow a physical culture establishment (*Crunch Fitness*) within portions of proposed commercial building.  
M1-1 zoning district.  
**Community Board #1SI**  
**Examiner:** Rory Levy (212) 386-0082  
**Status:** Closed, Decision – 12/10/13 |
### SOC – DECISIONS

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| **1.** | 699-46-BZ | Eric Palatnik, P.C.  
**224-01 North Conduit Avenue, Queens**  
Amendment (§11-412) of a previously approved variance which permitted the operation of an automotive service station (UG 16B) with accessory use. The amendment seeks to convert existing service bays to a convenience store, increase the number of pump islands, and permit a drive-thru to the proposed convenience store. **R3X zoning district.**  
**Community Board #13Q**  
**Examiner: Carlo Costanza (212) 386-0068**  
**Status: Granted – 11/19/13** |
| **2.** | 405-01-BZ | Eric Palatnik, P.C.  
**1275 36th Street aka 123 Clara Street, Brooklyn**  
Extension of Time to complete construction of a previously granted Variance (§72-21) for the construction of a five-story school and synagogue, which expires on February 14, 2014. **R5/C2-3 zoning district.**  
**Community Board #12BK**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Granted – 11/19/13** |
| **3.** | 19-05-BZ | Slater & Beckerman, P.C.  
**151 West 28th Street, Manhattan**  
Extension of Time to complete construction of a previously granted Variance (§72-21) for the change in use of portions of an existing nine-story, mixed-use building to residential use, which expires November 10, 2013. **M1-6 zoning district.**  
**Community Board #5M**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Granted – 11/19/13** |
# SOC – CONTINUED HEARINGS

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| 4. | 519-57-BZ | Eric Palatnik, P.C.  
2071 Victory Boulevard, Staten Island  
Extension of term (§11-411) of an approved variance which permitted the operation and maintenance of a gasoline service station (Use Group 16B) and accessory uses, which expired on June 19, 2013.  
R3-1/C2-1 zoning district.  
Community Board #1SI  
Examiner: Carlo Costanza (212) 386-0068  
Status: Closed, Decision – 12/10/13 |
| 5. | 219-07-BZ | James Chin & Associates, LLC  
11 West 36th Street, Manhattan  
Extension of Term of a previously granted Special Permit (§73-36) to permit the continued operation of a physical culture establishment (Cosmos Spa), which expired on June 3, 2010.  
M1-6 zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 386-0074  
Status: Withdrawn – 11/19/13 |
# New York City Board of Standards and Appeals

## Regular Meeting

**Tuesday Morning, November 19, 2013**  
10:00 A.M.

### SOC – New Cases

<table>
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<th>Case No.</th>
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</table>
| 6. 774-55-BZ | Sahn Ward Coschignano & Baker  
2155-2159 Newbold Avenue, Bronx | Extension of Term (§11-411) of a previously granted variance for the continued operation of a (UG8) parking lot for the employees and customers of an existing bank (Citibank), which expired on January 31, 2013; Waiver of the Rules. R5/C1-2 & R5/C2-2 zoning district.  
Community Board #9BX  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 12/17/13 |
| 7. 17-02-BZ | The Law Office of Fredrick A. Becker  
445-455 Fifth Avenue aka 453 Fifth Avenue, Brooklyn | 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 June 4, 2012; Waiver of the Rules. C4-3 zoning district.  
Community Board #6BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 12/17/13 |
| 8. 248-03-BZ | Troutman Sanders LLP  
1915 Third Avenue, Manhattan | Extension of Term of a previously approved variance to permit the continuance operation of a physical culture establishment (Bally's Total Fitness) which will expire on January 27, 2014. C1-5(R8A) & R7A zoning districts.  
Community Board #11M  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 12/10/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

**TUESDAY MORNING, NOVEMBER 19, 2013**

**10:00 A.M.**

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## APPEALS – DECISIONS

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| 9. | 68-13-A | Bryan Cave LLP  
   |       | **330 Bruckner Boulevard, Bronx**  
   |       | Appeal challenging Department of Buildings’ determination that the existing sign is not entitled to non-conforming use status. M3-1 zoning district.  
   |       | Community Board #1BX  
   |       | Examiner: Toni Matias (212) 386-0085  
   |       | Status: Deferred Decision – 1/14/14  |
| 10. | 127-13-A | Law Offices of Marvin B. Mitzner, LLC  
   |       | **332 West 87th Street, Manhattan**  
   |       | Appeal under Section 310 of the Multiple Dwelling Law to vary MDL Sections 171-2(a) and 2(f) to allow for a vertical enlargement of a residential building. R8 zoning district.  
   |       | Community Board #7M  
   |       | Examiner: Toni Matias (212) 386-0085  
   |       | Status: Deferred Decision – 12/17/13  |
| 11. | 221-13-A | Law Office of Jay Goldstein, PLLC  
   |       | **239-26 87th Avenue, Queens**  
   |       | Appeal seeking a determination that the owner has a common law vested right to continue construction under the prior R3A zoning district. R2A zoning district.  
   |       | Community Board #13Q  
   |       | Examiner: Toni Matias (212) 386-0085  
   |       | Status: Granted – 11/19/13  |
| 12. | 224-13-A | Slater & Beckerman, P.C.  
   |       | **283 Carroll Street, Brooklyn**  
   |       | Appeal challenging the determination by the Department of Buildings that an automatic sprinkler system is required in connection with the conversion of a three family dwelling (J-2 occupancy) to a two-family (J-3 occupancy). R6B zoning district.  
   |       | Community Board #6BK  
   |       | Examiner: Toni Matias (212) 386-0085  
   |       | Status: Partially Denied / Partially Granted – 11/19/13  |

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, NOVEMBER 19, 2013
### 10:00 A.M.

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<th>APPEALS – DECISIONS</th>
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| **13.** 226-13-A | Rothrug Rothrug & Spector LLP  
29 Kayla Court, Staten Island  
Proposed construction of a one-family dwelling that does not front on a legally mapped street, contrary to Section 36 Article 3 of the General City Law. R3-2 /R2 NA-1 zoning District.  
Community Board #2SI  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Granted – 11/19/13 |

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<th>APPEALS – CONTINUED HEARINGS</th>
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</table>
| **14.** 237-13-A thru 242-13-A | Rothrug Rothrug & Spector LLP  
11, 12, 15, 16, 19, 20 Nino Court, Staten Island  
Construction of six buildings not fronting on a legally mapped street, contrary to General City Law Section 36. R3X (SSRD) zoning district.  
Community Board #3SI  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Granted – 11/19/13 |

**APPEALS – CONTINUED HEARINGS**

| **15.** 71-13-A | Goldman Harris LLC  
261 Walton Avenue, Bronx  
Appeal of Department of Buildings’ determination that the subject advertising sign is not entitled to non-conforming use status. M1-4 /R6A (MX-13) zoning districts.  
Community Board #1BX  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Withdrawn – 11/19/13 |

| **16.** 98-13-A | Eric Palatnik, P.C.  
107 Haven Avenue, Staten Island  
Proposed two-story two family residential development which is within the unbuilt portion of the mapped street on the corner of Haven Avenue and Hull Street, contrary to General City Law 35 R3-1 zoning district.  
Community Board #2SI  
**Examiner:** Toni Matias (212) 386-0085  
**Status:** Continued Hearing – 1/28/14 |

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### APPEAL – NEW CASES

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<tbody>
<tr>
<td>17. 123-13-A</td>
<td>86 Bedford Street, Manhattan</td>
<td>Appeal challenging the determination of the Department of Buildings’ to revoke a permit on the basis that (1) a lawful commercial use was not established and (2) even assuming lawful establishment, the commercial use discontinued in 2007. R6 zoning district.</td>
<td>#2M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Adjourned, Continued Hearing – 11/26/13</td>
</tr>
<tr>
<td>18. 166-12-A</td>
<td>638 East 11th Street, Manhattan</td>
<td>Application to revoke the Certificate of Occupancy. R8B zoning district.</td>
<td>#3M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Postponed Hearing – 11/26/13</td>
</tr>
<tr>
<td>19. 107-13-A</td>
<td>638 East 11th Street, Manhattan</td>
<td>An appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior R7-2 zoning district. R7B zoning district.</td>
<td>#3M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Postponed Hearing – 11/26/13</td>
</tr>
<tr>
<td>20. 156-13-A</td>
<td>450 West 31 Street, Manhattan</td>
<td>Appeal of DOB determination that the subject advertising sign is not entitled to non-conforming use status. C6-4/HY zoning district.</td>
<td>#10M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 12/17/13</td>
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# BZ – DECISIONS

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<tr>
<th>Number</th>
<th>Case Number</th>
<th>Applicant</th>
<th>Address 1</th>
<th>Address 2</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>1.</td>
<td>43-12-BZ</td>
<td>Slater &amp; Beckerman</td>
<td>25 Great Jones Street, Manhattan</td>
<td></td>
<td>Variance (§72-21) to permit a residential building, contrary to use regulations (§42-00). M1-5B zoning district.</td>
<td>#2M</td>
<td></td>
<td>Deferred Decision – 1/14/14</td>
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<tr>
<td>2.</td>
<td>282-12-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>1995 East 14th Street, Brooklyn</td>
<td></td>
<td>Special Permit (§73-622) for the enlargement of an existing single family home, contrary to side yard requirements (§23-461), and a variance (§72-21), contrary to front yard requirements (§23-45). R5 zoning district.</td>
<td>#15BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Granted – 11/19/13</td>
<td></td>
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<tr>
<td>3.</td>
<td>94-13-BZ</td>
<td>Vinod Tewari</td>
<td>11-11 40th Avenue aka 38-78 12th Street, Queens</td>
<td></td>
<td>Special Permit (§73-19) to allow a school, contrary to use regulation (§42-00). M1-3 zoning district.</td>
<td>#1Q</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Deferred Decision – 1/14/14</td>
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<tr>
<td>4.</td>
<td>121-13-BZ</td>
<td>Moshe M. Friedman, P.E.</td>
<td>1514 57th Street, Brooklyn</td>
<td></td>
<td>Variance (§72-21) to permit a UG 4 synagogue (Congregation Beth Aron Moshe), contrary to front yard (§24-34), side yards (§24-35) and rear yard (§24-36) requirements. R5 zoning district.</td>
<td>#12BK</td>
<td>Rory Levy (212) 386-0082</td>
<td>Granted – 11/19/13</td>
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## BZ – DECISIONS

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<tr>
<td>5.</td>
<td>235-13-BZ</td>
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</table>
|    | Rothkrug Rothkrug & Spector LLP  
132 West 31st Street, Manhattan  
Special Permit (§73-36) to permit the operation of a physical culture establishment (Blink Fitness) within an existing commercial building. M1-6 zoning district.  
Community Board #5M  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 11/19/13 |

## BZ – CONTINUED HEARINGS

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| 6. | 78-11-BZ &  
33-12-A thru  
37-12-A |
|    | Sheldon Lobel, P.C.  
78-70 Winchester Boulevard, Queens  
Variance (§72-21) to allow for the construction of two assisted living residential buildings, contrary to use regulations (§32-10).  
Proposed construction of two mixed use buildings that do not have frontage on a legally mapped street, contrary to General City Law Section 36. C8-1 Zoning District.  
Community Board #13Q  
Examiner: Toni Matias (212) 386-0085  
Status: Adjourned, Continued Hearing – 1/14/14 |
| 7. | 62-12-BZ |
|    | Akerman Senterfitt LLP  
614/618 Morris Avenue, Bronx  
Variance (§72-21) to permit the construction of commercial building, contrary to use regulations (§22-00). R7-1 zoning district.  
Community Board #1BX  
Examiner:  
Status: Adjourned, Continued Hearing – 2/11/14 |
| 8. | 77-12-BZ |
|    | Moshe M. Friedman, P.E.  
91 Franklin Ave, Brooklyn  
Variance (§72-21) to permit a new residential building, contrary to use regulations (§42-00). M1-1 zoning district.  
Community Board #3BK  
Examiner:  
Status: Adjourned, Continued Hearing – 1/14/14 |
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</table>
| 9. | 254-12-BZ | Patrick W. Jones, P.C.  
850 Third Avenue aka 509/519 Second Avenue, Brooklyn  
Variance (§72-21) to permit Use Group 10A uses on the first and second floors of an existing eight-story building, contrary to use regulations (§42-00). M3-1 zoning district.  
Community Board #7BK  
Examiner:  
Status: Closed, Decision – 12/17/13 |
| 10. | 279-12-BZ | Akerman Senterfitt LLP  
27-24 College Point Boulevard, Queens  
Variance (§72-21) to permit a bank (UG 6) in a residential zoning district, contrary to §22-00. R4/R5B zoning district.  
Community Board #7Q  
Examiner:  
Status: Continued Hearing – 12/17/13 |
| 11. | 299-12-BZ | Goldman Harris LLC  
40-56 Tenth Avenue, Manhattan  
Variance (§72-21) to permit the construction of a 12-story commercial building, contrary to floor area (§43-12), height and setback (§43-43), and rear yard (§43-311/312) regulations. M1-5 zoning district.  
Community Board #2M  
Examiner:  
Status: Adjourned, Continued Hearing – 11/26/13 |
| 12. | 55-13-BZ | Stuart A. Klein, Esq.  
1690 60th Street, Brooklyn  
Variance (§72-21) to permit the enlargement of an existing yeshiva and dormitory (Yeshiva Novominsk), contrary to floor area (§24-11), wall height and sky exposure plane (§24-521), and side yard setback (§24-551). R5 zoning district.  
Community Board #12BK  
Examiner: Rory Levy (212) 386-0082  
Status: Closed, Decision – 12/10/13 |
NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, NOVEMBER 19, 2013  
10:00 A.M.

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</table>
| 13. | 90-13-BZ | Akerman Senterfitt, LLP  
166-05 Cryders Lane, Queens  
Variance (§72-21) to permit the construction of a single-family dwelling, contrary to open area requirements (§23-89). R1-2 zoning district.  
Community Board #7Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 12/10/13 |
| 14. | 105-13-BZ | Law Office of Fred A Becker  
1932 East 24th street, Brooklyn  
Special Permit (§73-622) for the enlargement of an existing single home, contrary to floor area, open space and lot coverage (§23-141); side yard (§23-461); perimeter wall height (§23-631) and less than the minimum rear yard (§23-47). R3-2 zoning district.  
Community Board #15BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 12/10/13 |
| 15. | 122-13-BZ | Law Office of Fredrick A Becker  
1080 East 8th Street, Brooklyn  
Special Permit (§73-621) for the enlargement of an existing two-family home to be converted into a single family home, contrary to floor area (§23-141). R2X (OP) zoning district.  
Community Board #12BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 12/10/13 |
| 16. | 162-13-BZ | Bryan Cave LLP  
120-140 Avenue of the Americas/72-80 Sullivan street, Manhattan  
Variance (§72-21) to permit the construction of a residential and commercial building with 31 dwelling units, ground floor retail, and 11 parking spaces, contrary to use regulations (§42-00). M1-5B zoning district.  
Community Board #2M  
Examiner:  
Status: Closed, Decision – 12/10/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
**TUESDAY MORNING, NOVEMBER 19, 2013**
**10:00 A.M.**

## BZ – NEW CASES

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<tr>
<td>17. 28-12-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>13-15 37th Avenue, Queens</td>
<td>Special Permit (§73-49) to legalize the off street rooftop parking on an existing two-story office building, contrary to §44-11. M1-1 zoning district.</td>
<td>Community Board #1Q</td>
<td></td>
<td>Status: Off Calendar – 11/19/13</td>
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<tr>
<td>19. 95-13-BZ</td>
<td>Eric Palatnik, PC</td>
<td>3120 Corlear Avenue, Bronx</td>
<td>Variance (§72-21) to permit the enlargement of an existing school (UG 3) at the second floor, contrary to §24-162. R6/C1-3 and R6 zoning districts.</td>
<td>Community Board #8BX</td>
<td></td>
<td>Status: Continued Hearing – 1/28/14</td>
</tr>
<tr>
<td>20. 206-13-BZ</td>
<td>Fried Frank Harris Shriver and Jacobson LLP</td>
<td>605 West 42nd Street, Manhattan</td>
<td>Special Permit (§73-36) to allow a physical culture establishment within an existing building. C6-4 zoning district.</td>
<td>Community Board #4M</td>
<td>Examiner: Rory Levy (212) 386-0082</td>
<td>Status: Closed, Decision – 12/17/13</td>
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<tr>
<td>21.</td>
<td>219-13-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>2 Cooper Square, Manhattan</td>
<td>Special Permit (§73-36) to allow physical culture establishment (Crunch Fitness) within a portions of an existing mixed use building contrary to §42-10. M1-5B zoning district.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Examiner: Rory Levy (212) 386-0082</td>
<td>Status: Closed, Decision – 12/17/13</td>
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<tr>
<td>22.</td>
<td>292-13-BZ</td>
<td>Sheldon Lobel, P.C.</td>
<td>2085 Ocean Parkway, Brooklyn</td>
<td>Variance (§72-21) to allow the development of a Use Group 4A house of worship (Congregation Bet Yaakov), contrary to floor area, open space ratio, front, rear and side yards, lot coverage, height and setback, planting, landscaping and parking regulations. R5, R6A and R5/OP zoning districts.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Examiner: Rory Levy (212) 386-0082</td>
<td>Status: Continued Hearing – 12/17/13</td>
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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**
**REGULAR MEETING**
**TUESDAY MORNING, NOVEMBER 26, 2013**
**10:00 A.M.**

### SOC – CONTINUED HEARINGS

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</table>
| 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 January 11, 2012; Waiver of the Rules.  
M1-6 (*Garment Center*) zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 386-0074  
Status: Adjourned – Continued Hearing – 1/14/14 |
| 2. | **647-70-BZ** | Jeffrey A. Chester Esq.  
**59-14 Beach Channel Drive, Queens**  
Amendment of a previously approved Special Permit (§73-211) which permitted the operation an automotive service station and auto laundry (UG 16B). Amendment seeks to convert accessory space into an accessory convenience store.  
C2-3/R5 zoning district.  
Community Board #14Q  
Examiner: Carlo Costanza (212) 386-0068  
Status: Closed, Decision – 12/10/13 |
| 3. | **327-88-BZ** | Eric Palatnik, P.C.  
**136-36 39th Avenue aka 136-29 & 136-35A Roosevelt Avenue, Queens**  
Amendment to a previously granted variance (§72-21) to legalize the addition of a 2,317 square foot mezzanine in a UG 6 eating and drinking establishment (*Jade Asian Restaurant*).  
C4-3 zoning district.  
Community Board #7Q  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 1/14/14 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
### TUESDAY MORNING, NOVEMBER 26, 2013
### 10:00 A.M.

### SOC – NEW CASES

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<tr>
<td>4. 182-69-BZ</td>
<td>211-235 East 19th Street, Manhattan</td>
<td>Kramer Levin Naftalis &amp; Frankel LLP</td>
<td>Amendment to previous special permit which allowed construction of a hospital building, contrary to height and setback, yards, distance between buildings, and floor area (§§ 23-145, ZR-23-711 and ZR23-89). Amendment proposes a residential conversion of existing buildings. R8B zoning district.</td>
<td>#6M</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Closed, Decision – 12/17/13</td>
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</tr>
<tr>
<td>5. 380-01-BZ</td>
<td>230 West 41st Street, Manhattan</td>
<td>Law office of Fredrick A. Becker</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), located in a 21-story commercial office building, which expired on April 9, 2012; Waiver of the Rules. C6-6.5 M1-6 (Mid) zoning district.</td>
<td>#5M</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Closed, Decision – 12/17/13</td>
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<tr>
<td>6. 265-08-BZ</td>
<td>70 Wyckoff Avenue, Brooklyn</td>
<td>Herrick, Feinstein LLP</td>
<td>Extension of Time to Obtain a Certificate of Occupancy for a previously granted Variance (§72-21) for the legalization of residential units in a manufacturing building, which expired on September 27, 2013. M1-1 zoning district.</td>
<td>#4BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Closed, Decision – 1/14/14</td>
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<tr>
<td>7. 20-12-BZ</td>
<td>203 Berry Street, Brooklyn</td>
<td>Herrick Feinstein LLP</td>
<td>Amendment to a previously granted Special Permit (§73-36) for the legalization of a physical culture establishment (Retro Fitness) to obtain additional time to obtain a public assembly license. M1-2/R6B Special MX-8 zoning district.</td>
<td>#1BK</td>
<td>Henry Segovia (212) 386-0074</td>
<td>Closed, Decision – 1/14/14</td>
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### APPEALS – DECISIONS

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<tr>
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<th>Case Number</th>
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<tr>
<td>8.</td>
<td>126-13-A</td>
<td>Sheldon Lobel, PC</td>
<td>65-70 Austin Street, Queens</td>
<td>Appeal of NYC Department of Buildings’ determination that a rear yard is required at the boundary of a block coinciding with a railroad right-of-way. R7B Zoning District.</td>
<td>Community Board # 6Q</td>
<td>Toni Matias (212) 386-0085</td>
<td>Denied – 11/26/13</td>
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<tr>
<td>9.</td>
<td>41-11-A</td>
<td>Eric Palatnik, P.C.</td>
<td>1314 Avenue S, Brooklyn</td>
<td>Appeal seeking a determination that the owner has acquired a common law vested right to continue development under the prior R-6 zoning district. R4 Zoning District.</td>
<td>Community Board #15BK</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 1/14/14</td>
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<tr>
<td>10.</td>
<td>58-13-A</td>
<td>Rothkrug Rothkrug &amp; Spector LLP</td>
<td>4 Wiman Place, Staten Island</td>
<td>Proposed construction of a twelve-family residential building located partially within the bed of a mapped but unbuilt street contrary to General City Law Section 35. R4/M3-1 zoning district.</td>
<td>Community Board #1SI</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 12/17/13</td>
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<tr>
<td>11.</td>
<td>110-13-A</td>
<td>Abrams Fensterman, LLP</td>
<td>120 President Street, Brooklyn</td>
<td>Appeal challenging Department of Buildings’ interpretation of the Building Code regarding required walkway around a below-grade pool. R6B zoning district.</td>
<td>Community Board #6BK</td>
<td>Toni Matias (212) 386-0085</td>
<td>Adjourned, Continued Hearing – 12/10/13</td>
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## APPEALS – CONTINUED HEARINGS

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<tr>
<td>12.</td>
<td>123-13-A</td>
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</table>
|     | Bryan Cave  
|     | **86 Bedford Street, Manhattan**  
|     | Appeal challenging the determination of the Department of Buildings’ to revoke a permit on the basis that (1) a lawful commercial use was not established and (2) even assuming lawful establishment, the commercial use discontinued in 2007. R6 zoning district.  
|     | **Community Board #2M**  
|     | **Examiner: Toni Matias (212) 386-0085**  
|     | **Status: Continued Hearing – 1/14/14**  |
| 13. | 131-13-A & 132-13-A |  
|     | Sheldon Lobel, P.C.  
|     | **43 & 47 Cecilia Court, Staten Island**  
|     | Proposed construction of a residence not fronting on a legally mapped street, contrary to General City Law Section 36. R2 & R1 (SHPD) zoning districts.  
|     | **Community Board #1SI**  
|     | **Examiner: Toni Matias (212) 386-0085**  
|     | **Status: Continued Hearing – 12/17/13**  |
### APPEAL – NEW CASES

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<td>14.</td>
<td>166-12-A</td>
<td>NYC Department of Buildings</td>
<td>Application to revoke the Certificate of Occupancy. R8B zoning district.</td>
<td>Community Board #3M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 1/28/14</td>
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<tr>
<td>15.</td>
<td>107-13-A</td>
<td>Law Office of Marvin B. Mitzner LLC</td>
<td>An appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior R7-2 zoning district. R7B zoning district.</td>
<td>Community Board #3M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 1/28/14</td>
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<tr>
<td>16.</td>
<td>191-13-A</td>
<td>Rothkrug Rothkrug &amp; Spector LLP</td>
<td>Proposed construction of a three-story office building within the bed of a mapped street, pursuant to Article 3 of General City Law 35. M3-1 zoning district.</td>
<td>Community Board #1SI</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 1/14/14</td>
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NEW YORK CITY BOARD OF STANDARDS AND APPEALS  
REGULAR MEETING  
TUESDAY MORNING, NOVEMBER 26, 2013  
10:00 A.M.

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| 1. 16-12-BZ    | Eric Palatnik, P.C.  
|                | 184 Nostrand Avenue, Brooklyn  
|                | Special Permit (§73-19) to allow for a school (Congregation Adas Yereim) contrary to use regulations (§42-00). M1-2 zoning district.  
|                | Community Board #4BK  
|                | Examiner:  
|                | Status: Deferred Decision – 1/14/14 |
| 2. 50-12-BZ    | Gerald J. Caliendo, R.A., AIA  
|                | 177-60 South Conduit Avenue, Queens  
|                | Variance (§72-21) to allow for the construction of a commercial building, contrary to use regulations (§22-00). R3-2 zoning district.  
|                | Community Board #12Q  
|                | Examiner:  
|                | Status: Granted – 11/26/13 |
| 3. 106-13-BZ   | Law office of Fredrick A Becker  
|                | 2022 East 21st 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 yard (§23-461) and perimeter wall height (§23-631); R3-2 zoning district.  
|                | Community Board #15BK  
|                | Examiner: Henry Segovia (212) 386-0074  
|                | Status: Granted – 11/26/13 |
| 4. 129-13-BZ   | Lewis E. Garfinkel  
|                | 1010 East 22nd Street, Brooklyn  
|                | Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141(a)); side yards (§23-461(a)); less than the required rear yard (§23-47). R2 zoning district.  
|                | Community Board #14BK  
|                | Examiner: Henry Segovia (212) 386-0074  
|                | Status: Granted – 11/26/13 |
**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**REGULAR MEETING**  
**TUESDAY MORNING, NOVEMBER 26, 2013**  
**10:00 A.M.**

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<tr>
<td><strong>5. 168-13-BZ</strong></td>
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<tr>
<td>Lewis E Garfinkel</td>
</tr>
<tr>
<td><strong>1323 East 26th Street, Brooklyn</strong></td>
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<tr>
<td>Special Permit (§72-622) to permit the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141(a); side yard (§23-461(a); less than the required rear yard; (§23-47) and perimeter wall height (§23-631). R3-2 zoning district.</td>
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<tr>
<td>Community Board #14BK</td>
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<tr>
<td>Examiner: Henry Segovia (212) 386-0074</td>
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<td>Status: Granted – 11/26/13</td>
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<td><strong>6. 173-13-BZ</strong></td>
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<tr>
<td>Greenberg Traurig, LLP</td>
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<tr>
<td><strong>752-758 West End Avenue aka 260-268 West 97th Street, Manhattan</strong></td>
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<tr>
<td>Variance (§72-21) to legalize the existing Physical culture establishment (Paris Health Club), which occupies the cellar, first floor and the first floor mezzanine of a 24-story residential building, contrary to use regulations (§22-00). R10A zoning district.</td>
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<tr>
<td>Community Board #7M</td>
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<tr>
<td>Examiner: Rory Levy (212) 386-0082</td>
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<td>Status: Granted – 11/26/13</td>
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<td><strong>7. 229-13-BZ</strong></td>
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<tr>
<td>Rothkrug Rothrug &amp; Spector LLP</td>
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<tr>
<td><strong>3779-3861 Nostrand Avenue, 2928/48 Ave Z, 2502/84 Haring Street, Brooklyn</strong></td>
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<tr>
<td>Special Permit (§73-36) to allow a physical culture establishment (Blink Fitness) within an existing commercial building. C2-2/R3-2 zoning district.</td>
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<tr>
<td>Community Board #15BK</td>
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<tr>
<td>Examiner: Rory Levy (212) 386-0082</td>
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## BZ – CONTINUED HEARINGS

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<tr>
<td><strong>8.</strong></td>
<td>262-12-BZ</td>
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<tr>
<td></td>
<td>Patrick W. Jones, P.C.</td>
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<td><strong>132-10 149th Avenue aka 132-35 132nd Street, Queens</strong></td>
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<td>Variance (§72-21) to permit a hotel (UG 5), contrary to use regulations (§42-00). M2-1 zoning district.</td>
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<td><strong>Community Board #10Q</strong></td>
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<td><strong>Examiner:</strong></td>
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<td><strong>Status:</strong> Closed, Decision – 1/14/14</td>
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<td><strong>9.</strong></td>
<td>299-12-BZ</td>
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<tr>
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<td>Goldman Harris LLC</td>
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<td><strong>40-56 Tenth Avenue, Manhattan</strong></td>
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<td></td>
<td>Variance (§72-21) to permit the construction of a 12-story commercial building, contrary to floor area (§43-12), height and setback (§43-43), and rear yard (§43-311/312) regulations. M1-5 zoning district.</td>
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<td><strong>Community Board #2M</strong></td>
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<td><strong>Examiner:</strong></td>
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<td><strong>10.</strong></td>
<td>339-12-BZ</td>
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<td></td>
<td>Sheldon Lobel, P.C.</td>
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<td><strong>252-29 Northern Boulevard, Queens</strong></td>
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<tr>
<td></td>
<td>Variance (§72-21) to permit accessory commercial parking to be located in a residential portion of a split zoning lot, contrary to §22-10. R2A &amp; C1-2/R3-1 zoning districts.</td>
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<td><strong>Community Board #11Q</strong></td>
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<td><strong>11.</strong></td>
<td>120-13-BZ</td>
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<td></td>
<td>Eric Palatnik, P.C.</td>
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<td><strong>1815 Forest Avenue, Staten Island</strong></td>
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<tr>
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<td>Special Permit (§73-243) to allow for an eating and drinking establishment (UG 6) (<em>McDonald’s</em>) with an accessory drive-through facility. C1-2/R3-2 zoning district.</td>
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<td><strong>Status:</strong> Closed, Decision – 1/14/14</td>
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### BZ – CONTINUED HEARINGS

|   | 12. | 167-13-BZ | Rothkrug Rothkrug & Spector LLP  
1614/26 86th Street Brooklyn  
Variance (§72-21) to permit the enlargement of an existing one-story automobile sales establishment, contrary to use regulations (§22-10). R5 zoning district.  
Community Board #11BK  
Examiner:  
Status: Continued Hearing – 12/17/13 |
|---|---|---|---|
|   | 13. | 187-13-BZ | Warshaw Burnstein, LLP  
1024-1030 Southern Boulevard, Bronx  
Special Permit (§73-36) to allow the operation of a physical culture establishment (Planet Fitness), and Special Permit (§73-52) to extend commercial use into the portion of the lot located within a residential zoning district. C4-4/R7-1 zoning district.  
Community Board #2BX  
Examiner: Rory Levy (212) 386-0082  
Status: Continued Hearing – 12/17/13 |
|   | 14. | 213-13-BZ | Rothkrug Rothkrug & Spector LLP  
3858-60 Victory Boulevard, Staten Island  
Special Permit (§73-126) to allow a medical office, contrary to bulk regulations (§22-14). R3A zoning district.  
Community Board #2SI  
Examiner:  
Status: Continued Hearing – 12/17/13 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY MORNING, NOVEMBER 26, 2013**

**10:00 A.M.**

**BZ – NEW CASES**

| Case No. | Address Details | Applicant or Legal Representation | Description of Requested Permission | Community Board | Examiner | Status | Date
|----------|-----------------|-----------------------------------|-------------------------------------|-----------------|----------|--------|------
| 15. 171-13-BZ | Law Office of Fredrick A. Becker  
1034 East 26th Street, Brooklyn | Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and open space (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R2 zoning district. | Community Board #14BK | Examiner: Henry Segovia (212) 386-0074 | Status: Closed, Decision – 1/14/14 |
| 16. 192-13-BZ | Fox Rothschild, LLP  
354/361 West Street, Manhattan | Variance (§72-21) to permit the construction of a residential building with accessory parking, contrary to use regulations (§42-10). M1-5 zoning district. | Community Board #2M | Examiner: | Status: Continued Hearing – 1/14/14 |
| 17. 223-13-BZ | Stroock & Stroock & Lavan LLP  
29 West Kingsbridge Road aka Kingsbridge Armory Building, Bronx | Special Permit (§73-36) to allow a physical culture establishment (Kingsbridge National Ice Wellness Center) in an existing building. C4-4/R6 zoning district. | Community Board #7BX | Examiner: Rory Levy (212) 386-0082 | Status: Closed, Decision – 1/14/14 |
| 18. 228-13-BZ | Herrick, Feinstein LLP  
157 Columbus Avenue, Manhattan | Special Permit (§73-36) to allow a physical culture establishment (Cross Fit) located in the cellar level of an existing 31-story building. C4-7 zoning district. | Community Board #7M | Examiner: Rory Levy (212) 386-0082 | Status: Continued Hearing – 12/17/13 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
#### TUESDAY MORNING, NOVEMBER 26, 2013
10:00 A.M.

**BZ – NEW CASES**

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| 19. | **243-13-BZ** | Kramer Levin Naftalis & Frankel LLP  
22 Thames Street aka 125-129 Greenwich Street, Manhattan  
Variance (§72-21) to permit construction of a mixed use building, contrary to setback requirements (§91-32). C5-5 (LM) zoning district.  
**Community Board #1M**  
**Examiner:**  
**Status:** Continued Hearing – 1/14/14 |
| 20. | **249-13-BZ** | Eric Palatnik, P.C.  
747 Broadway, Brooklyn  
Special Permit (§73-36) to allow a physical cultural establishment (*Crunch Fitness*) within portions of existing commercial building. C4-3 zoning district.  
**Community Board #1BK**  
**Examiner:** Rory Levy (212) 386-0082  
**Status:** Continued Hearing – 1/14/14 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, DECEMBER 10, 2013
**10:00 A.M.**

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### 1. 519-57-BZ

- **Eric Palatnik, P.C.**
- **2071 Victory Boulevard, Staten Island**
- Extension of term (§11-411) of an approved variance which permitted the operation and maintenance of a gasoline service station (Use Group 16B) and accessory uses, which expired on June 19, 2013. R3-1/C2-1 zoning district.
- **Community Board #1SI**
- **Examiner:** Carlo Costanza (212) 386-0068
- **Status:** Granted – 12/10/13

### 2. 360-65-BZ

- **Greenberg Traurig, LLP**
- **108-114 East 89th Street, Manhattan**
- Amendment of previously approved Variance (§72-21) and Special Permit (§73-64) which allowed the enlargement of a school (Dalton School). Amendment seeks to allow a two-story addition to the school building, contrary to an increase in floor area (§24-11) and height, base height and front setback (§24-522, §24-522(b)) regulations. R8B zoning district.
- **Community Board #8M**
- **Examiner:**
- **Status:** Deferred Decision – 1/14/14

### 3. 647-70-BZ

- **Jeffrey A. Chester Esq.**
- **59-14 Beach Channel Drive, Queens**
- Amendment of a previously approved Special Permit (§73-211) which permitted the operation an automotive service station and auto laundry (UG 16B). Amendment seeks to convert accessory space into an accessory convenience store. C2-3/R5 zoning district.
- **Community Board #14Q**
- **Examiner:** Carlo Costanza (212) 386-0068
- **Status:** Granted – 12/10/13

### 4. 605-84-BZ

- **Sheldon Lobel, P.C.**
- **2629 Cropsey Avenue, Brooklyn**
- Amendment of a previously granted variance (§72-21) to an existing seven-story senior citizen multiple dwelling to legalize the installation of an emergency generator, contrary to front yard requirements (§23-45). R5 zoning district.
- **Community Board #13BK**
- **Examiner:** Henry Segovia (212) 386-0074
- **Status:** Granted – 12/10/13

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### SOC – DECISIONS

| 5. | 248-03-BZ | Troutman Sanders LLP  
1915 Third Avenue, Manhattan  
Extension of Term of a previously approved variance to permit the continuance operation of a physical culture establishment (*Bally's Total Fitness*) which will expire on January 27, 2014. C1-5(R8A) & R7A zoning districts.  
Community Board #11M  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 12/10/13 |

### SOC – CONTINUED HEARINGS

| 6. | 239-02-BZ | Greenberg Traurig, LLP  
110 Waverly Place, Manhattan  
Extension of Term of a previously-granted Variance (§72-21) for the continued operation of a Use Group 6A eating and drinking establishment (*Babbo*) located at the cellar level, ground floor, and second floor of the subject premises, which expired on December 17, 2012. R7-2 zoning district.  
Community Board #2M  
Examiner: Henry Segovia (212) 386-0074  
Status: Continued Hearing – 1/14/14 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, DECEMBER 10, 2013
#### 10:00 A.M.

## SOC – NEW CASES

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</table>
| 7.   | 68-94-BZ| Troutman Sanders LLP  
2100 Bartow Avenue, Bronx  
Extension of Term of a Special Permit (§73-36) for the continued operation of a physical culture establishment (Bally’s Total Fitness) which expires on November 1, 2014; Extension of Time to obtain a Certificate of Occupancy which expired on September 11, 2013; waiver of the Rules. C4-3/M1-1 zoning district.  
Community Board #10BX | Henry Segovia (212) 386-0074 | Closed, Decision – 1/14/14 |
| 8.   | 358-02-BZ| Law Office of Fredrick A. Becker  
200 Park Avenue, Manhattan  
Extension of Term of a Special Permit (§73-36) for the continued operation of a physical culture establishment in a multi-story commercial, retail and office building, which expired on June 3, 2013; Waiver of the Rules. C5-3 (MID) zoning district.  
Community Board #5M | Henry Segovia (212) 386-0074 | Closed, Decision – 1/14/14 |
| 9.   | 206-03-BZ| Law Office of Fredrick A. Becker  
980 Madison Avenue, Manhattan  
Extension of Term of a Special Permit (§73-36) for the continued operation of a physical culture establishment (Exhale Spa) which expired on November 5, 2013. C5-1 (MP) zoning district.  
Community Board #5M | Henry Segovia (212) 386-0074 | Closed, Decision – 1/14/14 |
| 10.  | 25-08-BZ| Eric Palatnik, P.C.  
444 Beach 6th Street, Queens  
Amendment to a Variance (§72-21) which permitted bulk waivers for the construction of a school (Torah Academy for Girls). The proposed amendment seeks to enlarge the school to provide additional classrooms. R4-1 zoning district.  
Community Board #14Q | Rory Levy (212) 386-0082 | Continued Hearing – 1/14/14 |
## NEW YORK CITY BOARD OF STANDARDS AND APPEALS
### REGULAR MEETING
### TUESDAY MORNING, DECEMBER 10, 2013
### 10:00 A.M.

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<tr>
<th>APPEALS – CONTINUED HEARINGS</th>
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<tr>
<td><strong>11.</strong> 110-13-A</td>
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<tr>
<td>Abrams Fensterman, LLP</td>
</tr>
<tr>
<td><strong>120 President Street, Brooklyn</strong></td>
</tr>
<tr>
<td>Appeal challenging Department of Buildings' interpretation of the Building Code regarding required walkway around a below-grade pool. R6B zoning district.</td>
</tr>
<tr>
<td>Community Board #6BK</td>
</tr>
<tr>
<td>Examiner: Toni Matias (212) 386-0085</td>
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<tr>
<td>Status: Continued Hearing – 1/28/14</td>
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<tr>
<th>APPEAL – NEW CASES</th>
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<tr>
<td><strong>12.</strong> 75-11-A</td>
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<tr>
<td>NYC Board of Standards and Appeals</td>
</tr>
<tr>
<td>Applicant: Bryan Cave LLP</td>
</tr>
<tr>
<td><strong>2230-2234 Kimball Street, Brooklyn</strong></td>
</tr>
<tr>
<td>To consider Dismissal for Lack of Prosecution. Appeal challenging Department of Building's determination that the permit for the subject premises expired and became invalid since permitted work was not commenced within 12 months from the date of issuance, per Title 28, §28-105.9 of the Administrative Code. R4 Zoning District.</td>
</tr>
<tr>
<td>Community Board #18BK</td>
</tr>
<tr>
<td>Examiner: Toni Matias (212) 386-0085</td>
</tr>
<tr>
<td>Status: Dismissed – 12/10/13</td>
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</tbody>
</table>

| **13.** 119-11-A |
| NYC Board of Standards and Appeals |
| Applicant: Bryan Cave LLP |
| **2230-2234 Kimball Street, Brooklyn** |
| To consider Dismissal for Lack of Prosecution. Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under prior zoning regulations in effect on July 14, 2005. R4 zoning district. |
| Community Board #18BK |
| Examiner: Toni Matias (212) 386-0085 |
| Status: Dismissed – 12/10/13 |

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### APPEAL – NEW CASES

| 14. | 348-12-A & 349-12-A | Rothkrug Rothkrug & Spector LLP  
15 & 19 Starr Avenue, Staten Island  
Proposed construction of two one-family dwellings located within the bed of a mapped street, contrary to General City Law, Section 35. R2 zoning district.  
Community Board #1SI  
Examiner: Toni Matias (212) 386-0085  
Status: Closed, Decision – 1/28/14 |
|---|---|---|
525 & 529 Durant Avenue, Staten Island  
Proposed construction of a building that does not front on a legally mapped street, contrary to General City Law Section 36. R3X SRD district.  
Community Board #3SI  
Examiner: Toni Matias (212) 386-0085  
Status: Continued Hearing – 1/14/14 |
### BZ – DECISIONS

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</table>
| 1. | 236-12-BZ | Rothkrug Rothkrug & Spector LLP  
1487 Richmond Road, Staten Island  
Variance (§72-21) to permit the extension of an existing medical office, contrary to use (§ 22-10) and side yard regulations (§24-35). R2 zoning district.  
Community Board #2SI  
Examiner:  
Status:  Granted – 12/10/13 |
| 2. | 339-12-BZ | Sheldon Lobel, P.C.  
252-29 Northern Boulevard, Queens  
Variance (§72-21) to permit accessory commercial parking to be located in a residential portion of a split zoning lot, contrary to §22-10. R2A & C1-2/R3-1 zoning districts.  
Community Board #11Q  
Examiner:  
Status:  Granted – 12/10/13 |
| 3. | 13-13-BZ & 14-13-BZ | Slater & Beckerman, P.C.  
98 & 96 DeGraw Street, Brooklyn  
Variance (§72-21) to allow two single-family residential buildings, contrary to use regulations (§42-00). M1-1 zoning district.  
Community Board #6BK  
Examiner:  
Status:  Granted – 12/10/13 |
| 4. | 55-13-BZ | Stuart A. Klein, Esq.  
1690 60th Street, Brooklyn  
Variance (§72-21) to permit the enlargement of an existing yeshiva and dormitory (Yeshiva Noaminsk), contrary to floor area (§24-11), wall height and sky exposure plane (§24-521), and side yard setback (§24-551). R5 zoning district.  
Community Board #12BK  
Examiner:  Rory Levy (212) 386-0082  
Status:  Granted – 12/10/13 |
### NEW YORK CITY BOARD OF STANDARDS AND APPEALS
#### REGULAR MEETING
#### TUESDAY MORNING, DECEMBER 10, 2013
#### 10:00 A.M.

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<tr>
<td><strong>5. 78-13-BZ</strong></td>
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<tr>
<td>Sheldon Lobel, P.C.</td>
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<tr>
<td><strong>876 Kent Avenue, Brooklyn</strong></td>
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<tr>
<td>Variance (§72-21) to permit a new four-story, four-unit residential building (UG 2), contrary to use regulations, ZR §42-00. M1-1&amp; R7A/C2-4 zoning districts.</td>
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<tr>
<td><strong>Community Board #3BK</strong></td>
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<tr>
<td><strong>Examiner:</strong></td>
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<td><strong>Status:</strong> Deferred Decision – 1/28/14</td>
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<tr>
<td><strong>6. 90-13-BZ</strong></td>
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<tr>
<td>Akerman Senterfitt, LLP</td>
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<tr>
<td><strong>166-05 Cryders Lane, Queens</strong></td>
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<tr>
<td>Variance (§72-21) to permit the construction of a single-family dwelling, contrary to open area requirements (§23-89). R1-2 zoning district.</td>
</tr>
<tr>
<td><strong>Community Board #7Q</strong></td>
</tr>
<tr>
<td><strong>Examiner:</strong> Henry Segovia (212) 386-0074</td>
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<tr>
<td><strong>Status:</strong> Granted – 12/10/13</td>
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<tr>
<td><strong>7. 105-13-BZ</strong></td>
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<tr>
<td>Law Office of Fred A Becker</td>
</tr>
<tr>
<td><strong>1932 East 24th street, Brooklyn</strong></td>
</tr>
<tr>
<td>Special Permit (§73-622) for the enlargement of an existing single home, contrary to floor area, open space and lot coverage (§23-141); side yard (§23-461); perimeter wall height (§23-631) and less than the minimum rear yard (§23-47). R3-2 zoning district.</td>
</tr>
<tr>
<td><strong>Community Board #15BK</strong></td>
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<tr>
<td><strong>Examiner:</strong> Henry Segovia (212) 386-0074</td>
</tr>
<tr>
<td><strong>Status:</strong> Granted – 12/10/13</td>
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<tr>
<td><strong>8. 122-13-BZ</strong></td>
</tr>
<tr>
<td>Law Office of Fredrick A Becker</td>
</tr>
<tr>
<td><strong>1080 East 8th Street, Brooklyn</strong></td>
</tr>
<tr>
<td>Special Permit (§73-621) for the enlargement of an existing two-family home to be converted into a single family home, contrary to floor area (§23-141). R2X (OP) zoning district.</td>
</tr>
<tr>
<td><strong>Community Board #12BK</strong></td>
</tr>
<tr>
<td><strong>Examiner:</strong> Henry Segovia (212) 386-0074</td>
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<td><strong>Status:</strong> Granted – 12/10/13</td>
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### NEW YORK CITY BOARD OF STANDARDS AND APPEALS

**REGULAR MEETING**

**TUESDAY MORNING, DECEMBER 10, 2013**

**10:00 A.M.**

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<tr>
<td><strong>Examiner:</strong></td>
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<tr>
<td><strong>120-140 Avenue of the Americas/72-80 Sullivan street, Manhattan</strong></td>
</tr>
<tr>
<td><strong>Variance (§72-21) to permit the construction of a residential and commercial building with 31 dwelling units, ground floor retail, and 11 parking spaces, contrary to use regulations (§42-00).</strong></td>
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<tr>
<td><strong>M1-5B zoning district.</strong></td>
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<td><strong>Community Board #2M</strong></td>
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<td><strong>10.</strong></td>
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<tr>
<td><strong>Examiner:</strong></td>
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<tr>
<td><strong>364 Bay Street, Staten Island</strong></td>
</tr>
<tr>
<td><strong>Special Permit (§73-36) to allow a physical culture establishment (Crunch Fitness) within portions of proposed commercial building.</strong></td>
</tr>
<tr>
<td><strong>M1-1 zoning district.</strong></td>
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<tr>
<td><strong>Community Board #1SI</strong></td>
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<td><strong>Examiner:</strong></td>
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<td><strong>Status:</strong></td>
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<td>14.</td>
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## BZ – CONTINUED HEARINGS

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<tr>
<th>No.</th>
<th>Case No.</th>
<th>Applicant/Attorney</th>
<th>Address</th>
<th>Petition</th>
<th>Examiner</th>
<th>Status</th>
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<tbody>
<tr>
<td>15.</td>
<td>6-12-BZ</td>
<td>Syeda Laila</td>
<td>39-06 52nd St aka 51-24 39th Ave, Queens</td>
<td>Variance (§72-21) to permit a four-story residential building, contrary to floor area (§103-211), dwelling unit (§23-22), front yard (§23-46), side yard (§23-46) and height (§23-631) regulations. R4 zoning district.</td>
<td>Community Board #2Q</td>
<td>Closed, Decision – 1/14/14</td>
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<tr>
<td>16.</td>
<td>311-12-BZ</td>
<td>Eric Palatnik, P.C.</td>
<td>964 Dean St, Brooklyn</td>
<td>Variance (§72-21) to permit the residential conversion of an existing factory building, contrary to use regulations (§42-00). M1-1 zoning district.</td>
<td>Community Board #8BK</td>
<td>Continued Hearing – 2/4/14</td>
</tr>
<tr>
<td>17.</td>
<td>65-13-BZ</td>
<td>Eric Palatnik, Esq.</td>
<td>123 Franklin Ave, Brooklyn</td>
<td>Variance (§72-21) to permit a residential development, contrary to use regulations (§42-00). M1-1 zoning district.</td>
<td>Community Board #3BK</td>
<td>Continued Hearing – 2/25/14</td>
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<tr>
<td>18.</td>
<td>130-13-BZ</td>
<td>Rothkrug Rothdrug &amp; Spector</td>
<td>1590 Nostrand Ave, Brooklyn</td>
<td>Re-Instatement (§11-411) of a variance which permitted a one-story motor vehicle storage garage with repair (UG 16B), which expired on February 14, 1981; Amendment (§11-413) to change the use to retail (UG 6); Waiver of the Rules. R6 zoning district.</td>
<td>Community Board #17BK</td>
<td>Continued Hearing – 1/28/14</td>
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</table>
## BZ – NEW CASES

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</table>
| 19. | 153-13-BZ | Eric Palatnik, P.C.  
**107 South 6th Street, Brooklyn**  
Special Permit (§73-36) to permit the legalization of a physical culture establishment (*Soma Health Club*) contrary to §32-10. C4-3 zoning district.  
**Community Board #1BK**  
**Examiner:** Rory Levy (212) 386-0082  
**Status:** Continued Hearing – 1/28/14 |
| 20. | 212-13-BZ | Eric Palatnik, P.C.  
**151 Coleridge Street, Brooklyn**  
Special Permit (§73-622) for the enlargement of an existing single family home contrary to floor area, open space and lot coverage (ZR 23-141) and less than the required rear yard (ZR 23-47). R3-1 zoning district.  
**Community Board #15BK**  
**Examiner:** Henry Segovia (212) 386-0074  
**Status:** Continued Hearing – 1/28/14 |
| 21. | 218-13-BZ | Warshaw Burstein, LLP  
**136 Church Street, Manhattan**  
Special Permit (§73-36) to allow the operation of a physical culture establishment (*Ultrafit*). C6-3A zoning district.  
**Community Board #1M**  
**Examiner:** Rory Levy (212) 386-0082  
**Status:** Closed, Decision – 1/28/14 |

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## SOC – DECISIONS

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</table>
| 1. | **774-55-BZ**  
Sahn Ward Coschignano & Baker  
2155-2159 Newbold Avenue, Bronx  
Extension of Term (§11-411) of a previously granted variance for the continued operation of a (UG8) parking lot for the employees and customers of an existing bank (Citibank), which expired on January 31, 2013; Waiver of the Rules. R5/C1-2 & R5/C2-2 zoning district.  
Community Board #9BX  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 12/17/13 |
| 2. | **182-69-BZ**  
Kramer Levin Naftalis & Frankel LLP  
211-235 East 19th Street, Manhattan  
Amendment to previous special permit which allowed construction of a hospital building, contrary to height and setback, yards, distance between buildings, and floor area (§§ 23-145, ZR-23-711 and ZR23-89). Amendment proposes a residential conversion of existing buildings.  
R8B zoning district.  
Community Board #6M  
Examiner:  
Status: Granted – 12/17/13 |
| 3. | **380-01-BZ**  
Law office of Fredrick A. Becker  
230 West 41st Street, 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), located in a 21-story commercial office building, which expired on April 9, 2012; Waiver of the Rules. C6-6.5 M1-6 (Mid) zoning district.  
Community Board #5M  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 12/17/13 |
| 4. | **17-02-BZ**  
The Law Office of Fredrick A. Becker  
445-455 Fifth Avenue aka 453 Fifth Avenue, Brooklyn  
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 June 4, 2012; Waiver of the Rules. C4-3 zoning district.  
Community Board #6BK  
Examiner: Henry Segovia (212) 386-0074  
Status: Granted – 12/17/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

## REGULAR MEETING

**TUESDAY MORNING, DECEMBER 17, 2013**

**10:00 A.M.**

### SOC – NEW CASES

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| 5. 406-82-BZ | Eric Palatnik, P.C.  
**2411 86th Street, Brooklyn** | Extension of term of a special permit (§73-243) allowing an eating and drinking establishment (McDonald’s) with accessory drive-thru which expired on January 18, 2013; Extension of time to obtain a Certificate of Occupancy which expired on September 11, 2013; Waiver of the Rules. C1-3/R5 zoning district.  
**Community Board #11BK**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Continued Hearing – 1/28/14** |
| 6. 20-02-BZ | Law office of Fredrick A. Becker  
**303 Park Avenue South, Manhattan** | Extension of term of a special permit (§73-36) to allow the operation of a physical culture establishment (New York Sports Club) in a five story mixed use loft building, which expired on August 21, 2013. C6-4 zoning district.  
**Community Board #5M**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Continued Hearing – 1/28/14** |
| 7. 119-03-BZ | Rothkrug Rothkrug & Spector LLP  
**10 Columbus Circle aka 301 West 58th Street and 303 West 60th Street, Manhattan** | Extension of term of a special permit (§73-36) to allow the continued operation of a physical culture establishment (Equinox), which expired on September 16, 2013. C6-6 (MID) zoning district.  
**Community Board #4M**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Closed, Decision – 1/28/14** |
| 8. 209-03-BZ | Law Office of Fredrick A. Becker  
**150 Central Park South, Manhattan** | Extension of term of a variance (§72-21) for the continued operation of physical culture establishment (Exhale Spa) located in a portion of a 37-story residential building which expired on October 21, 2013. R10-H zoning district.  
**Community Board #5M**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Closed, Decision – 1/28/14** |

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| 9. | 176-09-BZ | Bryan Cave LLP  
220-236 West 28th Street, Manhattan  
Extension of time to complete construction of a Special Permit (§73-64) to waive height and setback regulations (§33-432) for a community use facility (Fashion Institute of Technology) which expired on October 6, 2013.  
C6-2 zoning district.  
Community Board #5M  
Segovia  
Examiner: Henry Segovia (212) 386-0074  
Status: Closed, Decision – 1/28/14 |

### APPEALS – DECISIONS

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</table>
| 10. | 90-12-A | Fried, Frank, Harris, Shriver & Jacobson, LLP  
111 Varick Street, Manhattan  
Reopening by court remand for supplemental review of whether the subject wall was occupied by an art installation or an advertising sign.  
M1-6 zoning district.  
Community Board #2M  
Examiner: Toni Matias (212) 386-0085  
Status: Denied – 12/17/13 |
| 11. | 127-13-A | Law Offices of Marvin B. Mitzner, LLC  
332 West 87th Street, Manhattan  
Appeal under Section 310 of the Multiple Dwelling Law to vary MDL Sections 171-2(a) and 2(f) to allow for a vertical enlargement of a residential building.  
R8 zoning district.  
Community Board #7M  
Examiner: Toni Matias (212) 386-0085  
Status: Deferred Decision – 1/28/14 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, DECEMBER 17, 2013
10:00 A.M.

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## APPEALS – CONTINUED HEARINGS

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<th>#</th>
<th>Case Number</th>
<th>Attorney</th>
<th>Address</th>
<th>Description</th>
<th>Community Board</th>
<th>Examiner</th>
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<td>12</td>
<td>58-13-A</td>
<td>Rothkrug Rothkrug &amp; Spector LLP</td>
<td>4 Wiman Place, Staten Island</td>
<td>Proposed construction of a twelve-family residential building located partially within the bed of a mapped but unbuilt street contrary to General City Law Section 35. R4/M3-1 zoning district.</td>
<td>Community Board #1SI</td>
<td>Toni Matias (212) 386-0085</td>
<td>Continued Hearing – 1/14/14</td>
</tr>
<tr>
<td>14</td>
<td>156-13-A</td>
<td>Bryan Cave LLP</td>
<td>450 West 31 Street, Manhattan</td>
<td>Appeal of DOB determination that the subject advertising sign is not entitled to non-conforming use status. C6-4/HY zoning district.</td>
<td>Community Board #10M</td>
<td>Toni Matias (212) 386-0085</td>
<td>Closed, Decision – 1/28/14</td>
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| **15.** | **230-13-A** | Nikolaos Sellas  
29-19 Newtown Avenue, Queens  
Proposed construction of a four-story residential building located within the bed of a mapped street (29th Street), contrary to General City Law Section 35. R6A/R6B zoning district.  
Community Board #4Q  
Examiner: Toni Matias (212) 386-0085  
Status: Continued Hearing – 1/28/14 |
| **16.** | **231-13-A** | Nikolaos Sellas  
29-15 Newtown Avenue, Queens  
Proposed construction of a six-story residential building located within the bed of a mapped street (29th Street), contrary to General City Law Section 35. R6A/R6B zoning district.  
Community Board #4Q  
Examiner: Toni Matias (212) 386-0085  
Status: Continued Hearing – 1/28/14 |
# BZ – DECISIONS

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</table>
| 1 | 254-12-BZ | Patrick W. Jones, P.C.  
850 Third Avenue aka 509/519 Second Avenue, Brooklyn  
Variance (§72-21) to permit Use Group 10A uses on the first and second floors of an existing eight-story building, contrary to use regulations (§42-00).  M3-1 zoning district.  
Community Board #7BK  
Examiner:  
Status: Deferred Decision – 1/14/14 |
| 2 | 303-12-BZ | Eric Palatnik, P.C.  
1106-1108 Utica Avenue, Brooklyn  
Variance (§72-21) to permit the development of a sub-cellar, cellar and three story church, with accessory educational and social facilities (Tabernacle of Praise), contrary to rear yard setback (§33-292), sky exposure plane and wall height (§34-432), and parking (§36-21) regulations.  C8-1 zoning district.  
Community Board #17BK  
Examiner: Rory Levy (212) 386-0082  
Status: Deferred Decision – 1/28/14 |
| 3 | 206-13-BZ | Fried Frank Harris Shriver and Jacobson LLP  
605 West 42nd Street, Manhattan  
Special Permit (§73-36) to allow a physical culture establishment within an existing building.  C6-4 zoning district.  
Community Board #4M  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 12/17/13 |
| 4 | 219-13-BZ | Eric Palatnik, P.C.  
2 Cooper Square, Manhattan  
Special Permit (§73-36) to allow physical culture establishment (Crunch Fitness) within a portions of an existing mixed use building contrary to §42-10.  M1-5B zoning district.  
Community Board #2M  
Examiner: Rory Levy (212) 386-0082  
Status: Granted – 12/17/13 |
# NEW YORK CITY BOARD OF STANDARDS AND APPEALS
## REGULAR MEETING
### TUESDAY MORNING, DECEMBER 17, 2013
#### 10:00 A.M.

## BZ – CONTINUED HEARINGS

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| 5. | 279-12-BZ | Akerman Senterfitt LLP  
27-24 College Point Boulevard, Queens  
Variance (§72-21) to permit a bank (UG 6) in a residential zoning district, contrary to §22-00. R4/R5B zoning district.  
Community Board #7Q |
|   |   | Examiner: |
|   |   | Status: Continued Hearing – 1/28/14 |
| 6. | 92-13-BZ & 93-13-BZ | Rothkrug Rothkrug & Spector LLP  
22 and 26 Lewiston Street, Staten Island  
Variance (§72-21) to permit the construction of two semi-detached one-family dwellings, contrary to required rear yard regulation (§23-47). R3-1(LDGMA) zoning district.  
Community Board #2SI |
|   |   | Examiner: Henry Segovia (212) 386-0074 |
|   |   | Status: Continued Hearing – 1/28/14 |
| 7. | 167-13-BZ | Rothkrug Rothkrug & Spector LLP  
1614/26 86th Street Brooklyn  
Variance (§72-21) to permit the enlargement of an existing one-story automobile sales establishment, contrary to use regulations (§22-10). R5 zoning district.  
Community Board #11BK |
|   |   | Examiner: |
|   |   | Status: Continued Hearing – 1/28/14 |
| 8. | 187-13-BZ | Warshaw Burnstein, LLP  
1024-1030 Southern Boulevard, Bronx  
Special Permit (§73-36) to allow the operation of a physical culture establishment (Planet Fitness), and Special Permit (§73-52) to extend commercial use into the portion of the lot located within a residential zoning district. C4-4/R7-1 zoning district.  
Community Board #2BX |
|   |   | Examiner: Rory Levy (212) 386-0082 |
|   |   | Status: Continued Hearing – 1/14/14 |
# BZ – CONTINUED HEARINGS

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<th>No.</th>
<th>Case No.</th>
<th>Attorney</th>
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| 9.  | 213-13-BZ| Rothkrug Rothkrug & Spector LLP  
*3858-60 Victory Boulevard, Staten Island* | Special Permit (§73-126) to allow a medical office, contrary to bulk regulations (§22-14). R3A zoning district. | Community Board #2SI | Continued Hearing – 1/28/14 |
| 10. | 228-13-BZ| Herrick, Feinstein LLP  
*157 Columbus Avenue, Manhattan* | Special Permit (§73-36) to allow a physical culture establishment (*Cross Fit*) located in the cellar level of an existing 31-story building. C4-7 zoning district. | Community Board #7M | Rory Levy (212) 386-0082 | Continued Hearing – 1/28/14 |
| 11. | 292-13-BZ| Sheldon Lobel, P.C.  
*2085 Ocean Parkway, Brooklyn* | Variance (§72-21) to allow the development of a Use Group 4A house of worship (*Congregation Bet Yaakob*), contrary to floor area, open space ratio, front, rear and side yards, lot coverage, height and setback, planting, landscaping and parking regulations. R5, R6A and R5/OP zoning districts. | Community Board #15BK | Rory Levy (212) 386-0082 | Closed, Decision – 1/28/14 |
# BZ – NEW CASES

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<td>12.</td>
<td>69-12-BZ  1 Maspeth Avenue, Brooklyn</td>
<td>Variance (§72-21) to allow for the construction of residential building, contrary to use regulations (§32-00). C8-2 zoning district.</td>
<td>#1BK</td>
<td>Eric Palatnik, P.C.</td>
<td>Continued Hearing – 2/25/14</td>
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<td>13.</td>
<td>103-13-BZ  81 Jefferson Street, Brooklyn</td>
<td>Variance (§72-21) to permit the development of a cellar and four-story, eight-family residential building, contrary to §42-10 zoning resolution. M1-1 zoning district.</td>
<td>#4BK</td>
<td>Rothkrug Routhkrug &amp; Spector LLP</td>
<td>Continued Hearing – 2/4/14</td>
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<td>14.</td>
<td>124-13-BZ  95 Grattan Street, Brooklyn</td>
<td>Variance (§72-21) to allow for a new seven-family residential development, contrary to use regulations (§42-00). M1-1 zoning district.</td>
<td>#1BK</td>
<td>Rothkrug Routhkrug &amp; Spector LLP</td>
<td>Continued Hearing – 2/4/14</td>
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<tr>
<td>15.</td>
<td>125-13-BZ  97 Grattan Street, Brooklyn</td>
<td>Variance (§72-21) to allow for a new seven-family residential development, contrary to use regulations (§42-00). M1-1 zoning district.</td>
<td>#1BK</td>
<td>Rothkrug Routhkrug &amp; Spector LLP</td>
<td>Continued Hearing – 2/4/14</td>
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| 16. | 128-13-BZ | Sheldon Lobel, P.C.  
**1668 East 28th 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(b)); side yards (§23-461(a)); less than the required rear yard (§23-47) and perimeter wall height (§23-631(b)) regulations. R3-2 zoning district.  
**Community Board #15BK**  
**Examiner: Henry Segovia (212) 386-0074**  
**Status: Continued Hearing – 1/28/14** |
| 17. | 255-13-BZ | Rothkrug Rothkrug & Spector LLP  
**3560/84 White Plains Road, Bronx**  
Special Permit (§73-36) to permit the operation of a physical culture (Blink Fitness) establishment within an existing commercial building. C2-4 (R7-A) zoning district.  
**Community Board #12BX**  
**Examiner: Rory Levy (212) 386-0082**  
**Status: Closed, Decision – 1/28/14** |

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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.

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