

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, MAY 7, 2013
10:00 A.M.

<i>SOC – DECISIONS</i>		
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

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<i>SOC – CONTINUED HEARINGS</i>		
5.	551-37-BZ	<p>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 (<i>Red's Auto Repair</i>) which expired on July 15, 2012; Waiver of the Rules. R1-2 zoning district. Community Board #11Q</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Closed, Decision – 6/4/13</p>
6.	135-46-BZ	<p>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</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Closed, Decision – 6/4/13</p>
7.	130-88-BZ	<p>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 (<i>Gulf</i>) 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</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Closed, Decision – 6/4/13</p>

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<i>SOC – NEW CASES</i>		
8.	30-02-BZ	<p>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 (<i>New York City Sports Club</i>) 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</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Continued Hearing – 6/4/13</p>
9.	328-02-BZ	<p>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 (<i>New York Sports Club</i>) which expired on January 1, 2013. C5-3/C1-9 zoning district. Community Board # 5M</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Closed, Decision – 6/4/13</p>
10.	27-05-BZ	<p>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</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Continued Hearing – 6/4/13</p>

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<i>APPEALS – DECISIONS</i>		
11.	103-12-A	<p>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</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Denied – 5/7/13</p>
12.	288-12-A thru 290-12-A	<p>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</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Granted – 5/7/13</p>
13.	304-12-A	<p>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</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Granted – 5/7/13</p>

<i>APPEALS – CONTINUED HEARINGS</i>		
14.	251-12-A	<p>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</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Closed, Decision – 6/4/13</p>

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<i>APPEAL – NEW CASES</i>		
15.	317-12-A	<p>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</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Continued Hearing – 6/18/13</p>
16.	346-12-A	<p>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</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Continued Hearing – 6/4/13</p>
17.	60-13-A	<p>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</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Closed, Decision – 5/21/13</p>

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<i>BZ – DECISIONS</i>		
1.	42-10-BZ	<p>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</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Granted – 5/7/13</p>
2.	242-12-BZ	<p>Sheldon Lobel, P.C. 1621-1629 61st Street, Brooklyn Variance (§72-21) to permit the construction of a Use Group 4A house of worship (<i>Congregation Toldos Yehuda</i>), contrary to height, setback, sky exposure plane, rear yard, and parking requirements. M1-1 zoning district. Community Board #12BK</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Deferred Decision – 6/11/13</p>
3.	294-12-BZ	<p>Eric Palatnik, P.C. 130 Clinton Street, Brooklyn Special Permit (§73-36) to allow a physical culture establishment (<i>Everyday Athlete</i>). C5-2A/DB special zoning district. Community Board #2BK</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Granted – 5/7/13</p>
4.	298-12-BZ	<p>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 (<i>New York University</i>), contrary to use regulations. M1-5B zoning district. Community Board #2M</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Granted – 5/7/13</p>

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5.	3-13-BZ	<p>Wachtel Masyr Missry LLP 3231-3251 Richmond Avenue, aka 806 Arthur Kill Road, Staten Island Special Permit (§73-36) to allow a physical culture establishment (<i>LA Fitness</i>). C4-1 (SRD) zoning district. Community Board #3SI</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Granted – 5/7/13</p>
6.	4-13-BZ	<p>Francis R. Angelino, Esq. 1623 Flatbush Avenue, Brooklyn Special Permit (§73-36) to allow a physical culture establishment (<i>Retro Fitness</i>). C8-2 zoning district. Community Board #17BK</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Granted – 5/7/13</p>

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<i>BZ – CONTINUED HEARINGS</i>		
7.	138-12-BZ	<p>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</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Closed, Decision – 6/4/13</p>
8.	148-12-BZ	<p>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</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 5/7/13</p>
9.	284-12-BZ	<p>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</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Closed, Decision – 5/21/13</p>
10.	338-12-BZ	<p>Eric Palatnik, P.C. 164-20 Northern Boulevard, Queens Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>Metro Gym</i>) located in an existing one-story and cellar commercial building. C2-2/R5B zoning district. Community Board #7Q</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Adjourned, Continued Hearing – 7/9/13</p>

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11.	113-12-BZ	<p>Mitchell S. Ross, Esq. 32-05 Parsons Boulevard, Queens Variance (§72-21) to permit a proposed church (<i>St. Paul's Church</i>), contrary to front wall height (§§24-521 & 24-51). R2A zoning district. Community Board #7Q</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Continued Hearing – 6/11/13</p>
12.	206-12-BZ	<p>George Guttman 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</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Closed, Decision – 6/4/13</p>
13.	13-13-BZ & 14-13-BZ	<p>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</p> <p>Examiner: Ronald Rizzotti (212) 386-0081</p> <p>Status: Continued Hearing – 6/4/13</p>
14.	63-13-BZ	<p>Sheldon Lobel, P.C. 11-11 44th Drive, Queens Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>The Cliffs</i>). M1-4/R7A (LIC) zoning district. Community Board #2Q</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Continued Hearing – 6/4/13</p>

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