

**NYC Board of Standards and Appeals**

**December 17, 2013**

**Special Order Calendar**

**10:00 A.M.**

<i>Decisions</i>		
1.	<b>774-55-BZ</b> <i>Closed 11/19</i>	Sahn Ward Coschignano & Baker <b>2155-2159 Newbold Avenue, Bronx</b> 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 ( <i>Citibank</i> ), which expire d on January 31, 2013; Waiver of the Rules. R5/C1-2 & R5/C2-2 zoning district. <b>Community Board #9BX</b> <i>Segovia</i>
2.	<b>182-69-BZ</b> <i>Closed 11/26</i>	Kramer Levin Naftalis & Frankel LLP <b>211-235 East 19th Street, Manhattan</b> 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. <b>Community Board #6M</b>
3.	<b>380-01-BZ</b> <i>Closed 11/26</i>	Law office of Fredrick A. Becker <b>230 West 41st Street, Manhattan</b> 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> ), 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. <b>Community Board #5M</b> <i>Segovia</i>
4.	<b>17-02-BZ</b> <i>Closed 11/19</i>	The Law Office of Fredrick A. Becker <b>445-455 Fifth Avenue aka 453 Fifth Avenue, Brooklyn</b> 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 June 4, 2012; Waiver of the Rules. C4-3 zoning district. <b>Community Board #6BK</b> <i>Segovia</i>

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**December 17, 2013  
Special Order Calendar  
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<b>New Cases</b>		
5.	<b>406-82-BZ</b>	<p>Eric Palatnik, P.C.  <b>2411 86th Street, Brooklyn</b>            Extension of term of a special permit (§73-243) allowing an eating and drinking establishment (<i>McDonald's</i>) 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.  <b>Community Board #11BK</b></p> <p style="text-align: right;"><i>Segovia</i></p>
6.	<b>20-02-BZ</b>	<p>Law office of Fredrick A. Becker  <b>303 Park Avenue South, Manhattan</b>            Extension of term of a special permit (§73-36) to allow the operation of a physical culture establishment (<i>New York Sports Club</i>) in a five story mixed use loft building, which expired on August 21, 2013. C6-4 zoning district.  <b>Community Board #5M</b></p> <p style="text-align: right;"><i>Segovia</i></p>
7.	<b>119-03-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector LLP  <b>10 Columbus Circle aka 301 West 58th Street and 303 West 60th Street, Manhattan</b>            Extension of term of a special permit (§73-36) to allow the continued operation of a physical culture establishment (<i>Equinox</i>), which expired on September 16, 2013. C6-6 (MID) zoning district.  <b>Community Board #4M</b></p> <p style="text-align: right;"><i>Segovia</i></p>
8.	<b>209-03-BZ</b>	<p>Law Office of Fredrick A. Becker  <b>150 Central Park South, Manhattan</b>            Extension of term of a variance (§72-21) for the continued operation of physical culture establishment (<i>Exhale Spa</i>) located in a portion of a 37-story residential building which expired on October 21, 2013. R10-H zoning district.  <b>Community Board #5M</b></p> <p style="text-align: right;"><i>Segovia</i></p>
9.	<b>176-09-BZ</b>	<p>Bryan Cave LLP  <b>220-236 West 28th Street, Manhattan</b>            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 (<i>Fashion Institute of Technology</i>) which expired on October 6, 2013. C6-2 zoning district.  <b>Community Board #5M</b></p> <p style="text-align: right;"><i>Segovia</i></p>

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**December 17, 2013  
Appeals Calendar  
10:00 A.M.**

<i>Decisions</i>		
10.	<b>90-12-A</b> <i>Closed 10/29</i>	Fried, Frank, Harris, Shriver & Jacobson, LLP <b>111 Varick Street, Manhattan</b> 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. <b>Community Board #2M</b> <span style="float: right;"><i>Matias</i></span>
11.	<b>127-13-A</b> <i>Def. Dec. 11/19</i>	Law Offices of Marvin B. Mitzner, LLC <b>332 West 87th Street, Manhattan</b> 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. <b>Community Board #7M</b> <span style="float: right;"><i>Matias</i></span>

<i>Continued Hearings</i>		
12.	<b>58-13-A</b> <u>8/13/2013</u> <u>9/24/2013 Adj.</u> <u>10/22/2013</u> <u>11/26/2013</u>	Rothkrug Rothkrug & Spector LLP <b>4 Wiman Place, Staten Island</b> 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. <b>Community Board #1SI</b> <span style="float: right;"><i>Matias</i></span>
13.	<b>131-13-A</b> <b>&amp;</b> <b>132-13-A</b> <u>9/24/2013</u> <u>10/22/2013</u> <u>11/26/2013</u>	Sheldon Lobel, P.C. <b>43 &amp; 47 Cecilia Court, Staten Island</b> Proposed construction of a residence not fronting on a legally mapped street, contrary to General City Law Section 36. R2 & R1 (SHPD) zoning districts. <b>Community Board #1SI</b> <span style="float: right;"><i>Matias</i></span>
14.	<b>156-13-A</b> <u>11/19/2013</u>	Bryan Cave LLP <b>450 West 31 Street, Manhattan</b> Appeal of DOB determination that the subject advertising sign is not entitled to non-conforming use status. C6-4/HY zoning district. <b>Community Board #10M</b> <span style="float: right;"><i>Matias</i></span>

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<b>New Cases</b>		
15.	<b>230-13-A</b>	Nikolaos Sellas <b>29-19 Newtown Avenue, Queens</b> 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. <b>Community Board #4Q</b> <span style="float: right;"><i>Matias</i></span>
16.	<b>231-13-A</b>	Nikolaos Sellas <b>29-15 Newtown Avenue, Queens</b> 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. <b>Community Board #4Q</b> <span style="float: right;"><i>Matias</i></span>

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**December 17, 2013  
Zoning Calendar  
10:00 A.M.**

<i>Decisions</i>		
1.	<b>254-12-BZ</b> <i>Closed 11/19</i>	Patrick W. Jones, P.C. <b>850 Third Avenue aka 509/519 Second Avenue, Brooklyn</b> 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. <b>Community Board #7BK</b>
2.	<b>303-12-BZ</b> <i>Closed 10/29</i>	Eric Palatnik, P.C. <b>1106-1108 Utica Avenue, Brooklyn</b> Variance (§72-21) to permit the development of a sub-cellar, cellar and three story church, with accessory educational and social facilities ( <i>Tabernacle of Praise</i> ), contrary to rear yard setback (§33-292), sky exposure plane and wall height (§34-432), and parking (§36-21) regulations. C8-1 zoning district. <b>Community Board #17BK</b> <span style="float: right;"><i>Levy</i></span>
3.	<b>206-13-BZ</b> <i>Closed 11/19</i>	Fried Frank Harris Shriver and Jacobson LLP <b>605 West 42nd Street, Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment within an existing building. C6-4 zoning district. <b>Community Board #4M</b> <span style="float: right;"><i>Levy</i></span>
4.	<b>219-13-BZ</b> <i>Closed 11/19</i>	Eric Palatnik, P.C. <b>2 Cooper Square, Manhattan</b> Special Permit (§73-36) to allow physical culture establishment ( <i>Crunch Fitness</i> ) within a portions of an existing mixed use building contrary to §42-10. M1-5B zoning district. <b>Community Board #2M</b> <span style="float: right;"><i>Levy</i></span>

<i>Continued Hearings</i>		
5.	<b>279-12-BZ</b> <u>8/20/2013</u> <u>9/17/2013 Adj.</u> <u>10/8/2013 Adj.</u> <u>11/19/2013</u>	Akerman Senterfitt LLP <b>27-24 College Point Boulevard, Queens</b> Variance (§72-21) to permit a bank (UG 6) in a residential zoning district, contrary to §22-00. R4/R5B zoning district. <b>Community Board #7Q</b>
6.	<b>92-13-BZ &amp; 93-13-BZ</b> <u>11/19/2013</u>	Rothkrug Rothkrug & Spector LLP <b>22 and 26 Lewiston Street, Staten Island</b> 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. <b>Community Board #2SI</b> <span style="float: right;"><i>Segovia</i></span>

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<b><i>Continued Hearings</i></b>		
7.	<b>167-13-BZ</b> <u>9/24/2013</u> <u>11/26/2013</u>	Rothkrug Rothkrug & Spector LLP <b>1614/26 86th Street Brooklyn</b> Variance (§72-21) to permit the enlargement of an existing one-story automobile sales establishment, contrary to use regulations (§22-10). R5 zoning district. <b>Community Board #11BK</b>
8.	<b>187-13-BZ</b> <u>10/22/2013</u> <u>11/26/2013</u>	Warshaw Burnstein, LLP <b>1024-1030 Southern Boulevard, Bronx</b> Special Permit (§73-36) to allow the operation of a physical culture establishment ( <i>Planet Fitness</i> ), 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. <b>Community Board #2BX</b>
		<i>Levy</i>
9.	<b>213-13-BZ</b> <u>10/22/2013</u> <u>11/26/2013</u>	Rothkrug Rothkrug & Spector LLP <b>3858-60 Victory Boulevard, Staten Island</b> Special Permit (§73-126) to allow a medical office, contrary to bulk regulations (§22-14). R3A zoning district. <b>Community Board #2SI</b>
10.	<b>228-13-BZ</b>	Herrick, Feinstein LLP <b>157 Columbus Avenue, Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment ( <i>Cross Fit</i> ) located in the cellar level of an existing 31-story building. C4-7 zoning district. <b>Community Board #7M</b>
		<i>Levy</i>
11.	<b>292-13-BZ</b> <u>11/19/2013</u>	Sheldon Lobel, P.C. <b>2085 Ocean Parkway, Brooklyn</b> Variance (§72-21) to allow the development of a Use Group 4A house of worship ( <i>Congregation Bet Yaakob</i> ), 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. <b>Community Board #15BK</b>
		<i>Levy</i>

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<b>New Cases</b>		
12.	<b>69-12-BZ</b>	Eric Palatnik, P.C. <b>1 Maspeth Avenue, Brooklyn</b> Variance (§72-21) to allow for the construction of residential building, contrary to use regulations (§32-00). C8-2 zoning district. <b>Community Board #1BK</b>
13.	<b>103-13-BZ</b>	Rothkrug Routhkrug & Spector LLP <b>81 Jefferson Street, Brooklyn</b> 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. <b>Community Board #4BK</b>
14.	<b>124-13-BZ</b>	Rothkrug Rothkrug & Spector LLP <b>95 Grattan Street, Brooklyn</b> Variance (§72-21) to allow for a new seven-family residential development, contrary to use regulations (§42-00). M1-1 zoning district. <b>Community Board #1BK</b>
15.	<b>125-13-BZ</b>	Rothkrug Rothkrug & Spector LLP <b>97 Grattan Street, Brooklyn</b> Variance (§72-21) to allow for a new seven-family residential development, contrary to use regulations (§42-00). M1-1 zoning district. <b>Community Board #1BK</b>
16.	<b>128-13-BZ</b>	Sheldon Lobel, P.C. <b>1668 East 28th Street, Brooklyn</b> 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. <b>Community Board #15BK</b>
		<i>Segovia</i>
17.	<b>255-13-BZ</b>	Rothkrug Rothkrug & Spector LLP <b>3560/84 White Plains Road, Bronx</b> Special Permit (§73-36) to permit the operation of a physical culture ( <i>Blink Fitness</i> ) establishment within an existing commercial building. C2-4 (R7-A) zoning district. <b>Community Board #12BX</b>
		<i>Levy</i>

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