



COMMUNITY BOARD 11

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*Jerry Iannece
Chair*

*Susan Seinfeld
District Manager*

COMMITTEE REPORT

TO: Board Members
FROM: Christine Haider, Chair
North Bayside/East Flushing Zoning Committee
RE: BSA Cal. No. 751-78BZ
200-15 Northern Blvd.
DATE: November 15, 2013

On November 14, 2013 the North Bayside/East Flushing Zoning Committee met to discuss the above-referenced BSA variance application. Present were Board Members, Christine Haider, Chair, Henry Euler and Christina Scherer. Also present were Susan Seinfeld, District Manager, and the applicant's representative Todd Dale, of Rothkrug, Rothkrug and Spector, LLP for the applicant Barone Properties II, Inc.

An application was filed with the BSA for an extension of term of a previously-granted variance which expired on January 23, 2009. It was occupied by Meineke Mufflers until 2011. Genesis Auto, leasing the property, has a tire and tire-related repair business. Mr. Dale explained that there has been a variance on the property since 1952. The applicant is seeking a 10-year term, from the expiration date of the prior variance, which will then expire in 2019. There are no changes to be made to the property.

Members were concerned with the two unsightly racks of tires in the front of the property, questioned the legality of the scrolling, illuminated, non-English sign, whether or not other car repairs will be done because it is an official NYS inspection station, the hours of operation and the parking of trucks and cars overnight on the premises. Mr. Dale suggested that the tires could be stored in a container at the northwest side of the property, which is permitted on the BSA approved plans from the prior variance. He believes the hours of operation are 8 am – 8 pm daily except Sunday.

Mr. Dale agreed to check with the operators as to the correct hours of operation, if a permit is required for the illuminated sign and what repairs are done, if any, in relation to the NYS inspections.

Henry Euler made a motion to approve the application as presented with the following conditions:

1. That the premises shall be kept clean of debris and graffiti;
2. That no repairs be performed in the street or on the sidewalk;
3. That the tires must be moved to a storage container or placed in the bays;
4. That the sidewalk not be blocked;
5. That there will be no overnight parking of trucks or cars except those awaiting service.

Christina Scherer seconded the motion. Henry Euler abstained in order to wait for the answers to the concerns raised. Ms. Scherer and Ms. Haider voted in favor. The public hearing will be held on December 2nd.

Addendum-Dec. 2, 2013

At the Public Hearing the Board voted to add conditions and therefore the conditions are:

- 1- That the premises shall be kept clean of debris and graffiti;
- 2- That no repairs be performed in the street or on the sidewalk;
- 3- That the sidewalk not be blocked;
- 4- That there will be no overnight parking of trucks or cars except those awaiting service;
- 5- That the hours of operation be 8:00 am to 8:00 pm Monday through Friday, 8:00 am to 6:00 pm on Saturday and closed on Sunday;
- 6- That the tire racks in the front of the property and the tires stored in the northwest corner of the property be moved to a storage container and/or placed within the bays.

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