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BOARD OF STANDARDS AND APPEALS

MEETING OF: March 23, 2026
CALENDAR NO.: 246-98-BZ
PREMISES: 53-15/21 Northern Boulevard, Queens
Block 1153, Lot 37

ACTION OF BOARD — Application granted on condition.

THE VOTE —

Affirmative: Chair Chanda, Vice-Chair Scibetta,
Commissioner Ottley-Brown, Commissioner Sheta, and
Commissioner Yoon.....5
Negative:.....0

THE RESOLUTION —

I. The Request

This is an application for an amendment to permit the modification of conditions of the Board as it pertains to hours of operation for an existing Use Group (“UG”) VI automobile sales establishment.

A public hearing was held on this application on March 9, 2026, after due notice by publication in *The City Record*, and then to decision on March 23, 2026.

Community Board 1, Queens, recommends approval of this application.

II. Location

The Premises are an irregularly shaped corner lot bounded by Northern Boulevard to the south, Broadway to the north, and 53rd Street to the east, within a C2-2 (R5) zoning district, in Queens. With approximately 105 feet of frontage along Northern Boulevard, 130 feet of frontage along Broadway, 82 feet of frontage along 53rd Street, and 12,349 square feet of lot area, the Premises are currently occupied by a one-story, plus mezzanine, automobile sales establishment.

III. Board History

The Board has exercised jurisdiction over the Premises since July 5, 1950, when, under BSA Cal. No. 115-49-BZ, the Board granted a variance to permit the rearrangement of a legally existing gasoline

service station substantially as indicated on the Board-approved plans, on condition that the existing accessory building be completely removed and the new building erected on the lot line arranged substantially as proposed; such accessory building comply in all respects with the requirements of the Building Code and all other laws, rules and regulations applicable thereto; windows erected in the rear may continue but in the event the Premises to the west are improved and there be a wall of a building erected within four feet, such lot line windows be either blocked up with approved masonry or made fireproof and self-closing or filled with glass block as approved for exterior walls; pumps be maintained as shown, but not nearer than, 10 feet to the street building line; the number of gasoline tanks may be increased by two 550-gallon tanks as proposed and as indicated; no additional carriageways across the sidewalk or curb cuts be constructed; the sidewalks and curbs surrounding the Premises be maintained to the satisfaction of the borough president; where walls of the proposed accessory building do not occur on the lot line there be a woven wire fence of the chain link type erected on a masonry foundation to a total height of not less than 5 feet, 6 inches; signs be restricted to signs as permitted under the Zoning Resolution for the business use and to a permanent sign attached to the façade of the accessory building used as an accessory to the gasoline service station and the illuminated globes of the gasoline pumps, excluding all roof signs and all temporary signs, and permitting the existing post standard within the building line provided the sign does not extend beyond the building line for a distance of more than four feet; the interior partitions of the portion of the building to be occupied for stores on the first floor and offices on the second floor may be rearranged or relocated to suit the tenants' requirements; all permits be obtained and all work completed within one year, by July 5, 1951.

On July 3, 1951 and July 22, 1953, under BSA Cal. No. 115-49-BZ, the Board extended the time to complete construction, on condition that all permits required be obtained and all work completed within the requirements of the Zoning Resolution.

On November 4, 1953, under BSA Cal. No. 115-49-BZ, the Board extended the time to complete construction and amended the resolution to permit that in the event the owner desired to omit the second story for offices and to limit the building to one story as indicated on the Board-approved plans, the same be permitted, on condition that where not inconsistent with the amendment providing for the reduction in the height of the proposed accessory building, the requirements of the prior resolutions be complied with and all permits obtained and all work completed within the requirements of the Zoning Resolution.

On March 9, 1999, under the subject calendar number, the Board granted an amendment pursuant to Z.R. §§ 11-412 and 11-413, to allow the legalization of the change in use from a UG VI gasoline service

station to a UG VI used car sales and repair facility and addition of a second floor to the subject Premises, on condition that all work substantially conform to the Board-approved plans; the grant be limited to a term of ten years, to expire on March 9, 2009; the facility be kept free of debris and graffiti; the hours of operation be limited to Monday through Saturday 8:00 a.m. through 6:00 p.m., closed Sunday; no tow trucks be operated from, or stored at, the site; no vehicles be parked on the sidewalks at any time; the auto-body repair sign at the facility be removed and no body or fender work take place at the subject Premises; no open storage be maintained on the subject Premises; no work be performed outdoors; the Premises not be used for dead storage or commercial vehicle storage; no spray-painting take place on the Premises; all fencing be maintained in accordance with the Board-approved plans; the above conditions appear on the certificate of occupancy; the development, as approved, be subject to verification by DOB for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of DOB; and a new certificate of occupancy be obtained within one year, by March 9, 2000.

On October 20, 2025, under the subject calendar number, the Board waived its Rules of Practice and Procedures and amended the resolution to permit a reinstatement of the grant for a term of ten years, to expire on October 20, 2035, and to permit a change of use at the subject site from a combination of UG VI open and enclosed automobile sales and a UG VI motor vehicle repair shop to a UG VI automobile dealership with open and enclosed sales, on condition that all work and site conditions substantially conform to BSA-approved plans; the term of the grant expire on October 20, 2035; the facility be kept free of debris and graffiti; the hours of operation be limited to Monday through Saturday, 8:00 a.m. through 6:00 p.m., and closed on Sunday; there be no tow trucks operated from, or stored at, the subject site; the Premises not be used for dead storage or commercial vehicle storage; there be no spray painting at the Premises; all fencing be maintained in accordance with the BSA-approved plans; signage comply with the C2-2 zoning district requirements and DOB review and approve the signage; BSA is not waiving any of the signage regulations; all sidewalk and curb cut restoration and reconstruction be pursuant to DOT standards; the applicant submit a Builder's Pavement Plan to DOT for DOT review and approval prior to reconstruction; the layout and use of the open and enclosed areas be consistent with the BSA-approved plans; vehicles enter only from Broadway and exit only to Northern Boulevard; sidewalks not be used for storing of any vehicles and not be blocked; the above conditions appear on the certificate of occupancy; a certificate of occupancy, also indicating this approval and calendar number, be obtained within 24 months, by October 20, 2027; this approval is limited to the relief granted by the Board in response to objections cited and filed by the

Department of Buildings; the approved plans be considered approved only for the portions related to the specific relief granted; and the Department of Buildings ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plans or configurations not related to the relief granted.

IV. Proposal

This applicant seeks an amendment to permit the modification of conditions of the Board as it pertains to hours of operation for the existing automobile sales establishment. The terms of the prior grant state that the hours of operation are Monday to Saturday from 8:00 a.m. to 6:00 p.m. and closed on Sunday. The applicant proposes to change the hours of operation to Monday to Sunday from 8:00 a.m. to 6:00 p.m. The applicant states that this change would not impact the neighborhood since many similar businesses are also opened on Sunday.

V. Board Review

At hearing, the Board questioned the need for a new site plan. In response, the applicant amended its narrative to clarify the only request in this application was to the hours of operation and that there would be no change to the subject Premises.

VI. Decision

Based upon its review of the record, the Board has determined that the amendment is appropriate with certain conditions as set forth below.

Therefore, it is Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution, dated July 5, 1950, as amended through October 20, 2025, so that as amended this portion of the resolution shall read: “to permit a modification to the hours of operation, *on condition*:

THAT the term of the grant shall expire on October 20, 2035;
THAT the facility shall be kept free of debris and graffiti;

THAT the hours of operation shall be limited to Monday through Sunday, 8:00 a.m. through 6:00 p.m.;

THAT there shall be no tow trucks operated from or stored at, the subject site;

THAT the Premises shall not be used for dead storage or commercial vehicle storage;

THAT there shall be no spray painting at the Premises;

THAT all fencing shall be maintained in accordance with the BSA-approved plans;

THAT signage shall comply with the C2-2 zoning district requirements and DOB shall review and approve the signage;

THAT BSA is not waiving any of the signage regulations;

THAT all sidewalk and curb cut restoration and reconstruction shall be completed pursuant to DOT standards;

THAT the applicant shall submit a Builder's Pavement Plan ("BPP") to DOT for DOT review and approval prior to reconstruction;

THAT the layout and use of the open and enclosed areas shall be consistent with the BSA-approved plans;

THAT vehicles shall enter only from Broadway and exit only to Northern Boulevard;

THAT sidewalks shall not be used for storing of any vehicles and shall not be blocked;

THAT the above conditions shall appear on the certificate of occupancy;

THAT a certificate of occupancy, also indicating this approval and calendar number ('BSA Cal. No. 246-98-BZ'), shall be obtained by October 20, 2027;

THAT this approval is limited to the relief granted by the Board in response to objections cited and filed by the Department of Buildings;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted;

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plans or configurations not related to the relief granted."

Adopted by the Board of Standards and Appeals, March 23, 2026.

CERTIFICATION

This copy of the resolution
Dated March 23, 2026
is hereby filed by the
Board of Standards and Appeals
on April 6, 2026.
Carlo Costanza
Executive Director

