

*Please See*

RECEIVED  
JUN 29 2022  
Community Board 2 - Queens  
Woodside, NY

**ROTHKRUG·ROTHKRUG & SPECTOR, LLP**

Attorneys at Law  
55 Watermill Lane, Suite 200  
Great Neck, New York 11021

ADAM W. ROTHKRUG  
SIMON H. ROTHKRUG, LLM  
DOUGLAS M. SPECTOR

Telephone: (516) 487-2252  
(718) 343-0069  
Facsimile: (516) 487-2439  
Email: adam@rrslawllp.com

NEAL S. FRIEDMAN  
TODD DALE

June 23, 2022

Chairperson Morry Galony  
Queens Community Board 2  
43-22 50th Street  
Woodside, NY 11377

Re: Cal. No. 271-90-BZ  
68-01/05 Queens Blvd.  
Queens, New York

Dear Chairperson Galony:

Please be advised that the enclosed application has been filed at the Board of Standards and Appeals (“BSA”) for an extension of term of a zoning variance previously granted permitting automobile repair (Use Group 16) and used car sales (Use Group 16) in an R7X/C2-3 district.

The subject property consists of an irregular corner lot at the northeast corner of the intersection of Queens Boulevard and 68<sup>th</sup> Street. The subject site has 89.35 ft. frontage on Queens Boulevard and 57.7 ft. frontage on 68<sup>th</sup> Street, a total of 5351 sq. ft. in area. The lot is developed with a single story structure with 1200 sq. ft. of floor area (an FAR of 0.22) and no changes are proposed as part of this application.

Records indicate that on May 13, 1958, the BSA originally granted an application to permit, in a business use district, the erection of a gasoline service station with auto washing, lubrication, office, sale of accessories and minor repairs with hand tools only under Cal. No. 632-57-BZ. On October 29, 1991, under the current Cal. No. 271-90-BZ, the BSA permitted the reestablishment of an expired variance for gasoline service station with accessory uses, and a corresponding change in use to a motor vehicle repair shop with used car sales. Most recently the BSA extended the variance with the most recent term expiring on October 29, 2021, with the current CO obtained subsequent to the grant and no open violation pending against the site.

We would be pleased to provide any additional information required, or to appear before your Community Board. Please contact the undersigned accordingly.

Sincerely,

*Rothkrug, Rothkrug + Spector, LLP*

ROTHKRUG ROTHKRUG & SPECTOR, LLP

Board of Standards and Appeals  
City Planning Commission - Central Office  
City Planning Commission - Queens  
Department of Buildings - Queens  
Donovan Richards, Jr., Borough President - Queens  
Councilperson Julie Won



250 Broadway, 29th Floor  
 New York, NY 10007  
 212-386-0009 - Phone  
 646-500-6271 - Fax  
 www.nyc.gov/bsa

**SPECIAL ORDER CALENDAR (SOC)**  
 Application Form

BSA APPLICATION NO. 271-90-BZ

**Section A**

Applicant/  
Owner

<p><b>Rothkrug Rothkrug &amp; Spector, LLP</b></p> <hr/> <p><small>NAME OF APPLICANT</small> 55 Watermill Lane</p> <hr/> <p><small>ADDRESS</small> Great Neck NY 11021</p> <hr/> <p><small>CITY STATE ZIP</small> 516 487-2252</p> <hr/> <p><small>AREA CODE TELEPHONE</small> 516 487-2439</p> <hr/> <p><small>AREA CODE FAX</small> todd@rrslawlp.com</p> <hr/> <p><small>EMAIL</small></p>	<p><b>EPT Realty LLC</b></p> <hr/> <p><small>OWNER OF RECORD</small> 2434 E. 65th Street</p> <hr/> <p><small>ADDRESS</small> Brooklyn NY 11234</p> <hr/> <p><small>CITY STATE ZIP</small></p> <hr/> <p><small>LESSEE / CONTRACT VENDEE</small></p> <hr/> <p><small>ADDRESS</small></p> <hr/> <p><small>CITY STATE ZIP</small></p>
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**Section B**

Site Data

<b>68-01 Queens Boulevard</b>	<b>11377</b>
<small>STREET ADDRESS (INCLUDE ANY A/K/A)</small>	<small>ZIP CODE</small>
north side of Queens Boulevard between 68th street and 69th Street	
<small>DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS</small>	
1348 53 Queens 2	n/a
<small>BLOCK LOT(S) BOROUGH COMMUNITY DISTRICT</small>	<small>LANDMARK/HISTORIC DISTRICT</small>
Julie Won C2-3(R7X)	9d
<small>CITY COUNCIL MEMBER ZONING DISTRICT</small>	<small>ZONING MAP NUMBER</small>
<small>(include special zoning district, if any)</small>	

**Section C**

Description

(LEGALIZATION  YES  NO  IN PART)

Application to extend term of variance previously granted permitting continued operation of a UG16 automotive repair shop with used car sales.

**Section D**

Actions

**APPLICATION IS HEREBY MADE TO:**

- Waive of the Rules of Practice and Procedure (Explain in your statement)
- Extension of Time to:
  - Complete construction  Obtain a Certificate of Occupancy Expiration Date: \_\_\_\_\_
- Amendment to Previous Board Approval
- Extension of Term of the:
  - Variance  Special Permit For a term of \_\_\_\_ years Expiration Date: 10/29/2021
- Other (Explain in your statement)
 

Authorizing Section(s) of the Zoning Resolution:

§ 11-411  § 11-412  § 11-413  §§ 72-01 and 72-22  § 73-11  Other \_\_\_\_\_

**Section E**

**Department  
Of  
Buildings  
Information**

	YES	NO
1. Have plans been filed? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Have plans been approved? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(If Yes, Date Approved _____)		
3. Has a permit been obtained? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(If Yes, Permit No. _____ Date Issued _____)		
4. Is work in progress? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(If Yes, Percentage of work completed _____%)		
5. Has a temporary or permanent Certificate of Occupancy been obtained? .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(If Yes, Expiration Date <u>10/29/2021</u> Attach a copy)		

If you have answered "No" to any of these questions, include a paragraph in your statement describing the reason(s) for delay and the projected schedule of completion.

**Section F**

**Board  
History**

List all prior Board actions associated with the subject Zoning Lot and attach one copy of each resolution:

On 10/29/2021, when the Zoning District was C2-2(R5), an application was granted by the Board under Section 11-411/11-413 to permit:

in an C2-2(R5) district the reestablishment of an expired variance for gasoline service station (Cal. No. 632-57-BZ) with accessory uses (UG 16) and a change in use to a motor vehicle repair shop with used car sales (UG 16). Subsequently, an application was granted to extend the term to expire 10/29/2011. Most recently, an application was granted to extend the term to expire 10/29/2021.

**Section G**

**Inspection  
and  
Compliance**

	YES	NO
1. Have you reviewed the Board's case file? .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Have you recently inspected the premises and surrounding area? .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(If Yes, date of most recent site inspection <u>June 2022</u> )		
3. Did you find:		
a. Compliance with the terms and conditions of the Board's resolution? .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Attach a completed Certificate of Inspection and Compliance		
b. Any significant condition changes (e.g. rezoning, city map amendments, recent developments) within the affected area since the Board's last action on this application?.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If the answer is "yes" to any of the questions below, explain further in your statement.		
4. Is there currently a proposal before the City Planning Commission to change the subject Zoning District, or any other action which includes the premises? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(File / CP No. _____)		
5. Are there any outstanding violation(s) on the premises? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(If Yes, submit a DOB BIS printout)		
6. Is there any other application before the Board which affects the premises? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(If Yes, Cal No. _____)		
7. Is there any other application at any government agency which affects the premises? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Section H**

**Signature**

**I HEREBY AFFIRM THAT BASED ON INFORMATION AND BELIEF, THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN THE PAPERS ARE TRUE.**

Todd Dale

attorney

SWORN TO ME THIS 20<sup>th</sup> DAY OF June 2022

NEAL S FRIEDMAN  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 02FR4970882  
Qualified in Nassau County  
Commission Expires August 20, 2022

# ROTHKRUG·ROTHKRUG & SPECTOR, LLP

Attorneys at Law  
55 Watermill Lane, Suite 200  
Great Neck, New York 11021

ADAM W. ROTHKRUG  
SIMON H. ROTHKRUG, LL.M.  
DOUGLAS M. SPECTOR

Telephone: (516) 487-2252  
(718) 343-0069  
Facsimile: (516) 487-2439  
Email: adam@rrslawllp.com

NEAL S. FRIEDMAN  
TODD DALE

## **STATEMENT OF FACTS**

Cal. No. 271-90-BZ  
68-01/05 Queens Boulevard  
Queens, NY  
June 2022

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Application for an extension of term of a zoning variance permitting automobile repair (Use Group 16) and used car sales (Use Group 16) in a C2-3(R7X) zoning district. In addition, a waiver is requested pursuant to § 1-07.4(b)(2) of the Board's Rules of Practice and Procedure to permit delayed filing of the application.

The subject property consists of an irregular corner lot at the northeast corner of the intersection of Queens Boulevard and 68<sup>th</sup> Street within Community Board No. 2 in Queens. The subject site has 89.35 ft. frontage on Queens Boulevard and 57.7 ft. frontage on 68<sup>th</sup> Street, a total of 5351 sq. ft. in area. The lot is developed with a single story structure with 1200 sq. ft. of floor area (an FAR of 0.22) and no changes to the bulk or use of the site are proposed as part of this application.

As noted, the subject site is located within an C2-3(R7X) zoning district. Reference to the Department of City Planning website does not indicate any additional proposed changes in applicable zoning.

Records indicate that on May 13, 1958, the Board originally granted an application to permit, in a business use district, the erection of a gasoline service station with auto washing, lubrication, office, sale of accessories and minor repairs with hand tools only under Cal. No. 632-57-BZ pursuant to sections 7f and 7i of the 1916 Zoning Resolution. The original grant was extended on March 6, 1973, for a term of ten years. On October 29, 1991, under the current Cal. No. 271-90-BZ, the Board pursuant to ZR §§ 11-411 and 11-413 permitted the reestablishment of an expired variance for gasoline service station with accessory uses, and a corresponding change in use to a motor vehicle repair shop with used car sales. On both September 24, 2002, and December 11, 2012, the Board extended the variance with the most recent term expiring on October 29, 2021. The current Certificate of Occupancy was obtained subsequent to the prior approval with an expiration date of October 29, 2021, noted, corresponding to the variance term.

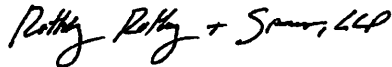
It is proposed to extend the term of variance with no changes proposed to bulk or use. The site has and continues to be operated as an automobile repair facility on the eastern portion of the subject

**ROTHKRUG·ROTHKRUG & SPECTOR, LLP**

lot (Use Group 16) and a used car sales establishment<sup>1</sup> on the western portion of the subject lot (Use Group 16). No changes to the operation of the site have occurred or are proposed. There are no open violations issued to the site, and no known complaints with respect to its operation that is a continuation of the automotive related uses existing at the premises for over 60 years

In addition to the extension of term of the variance sought, a waiver pursuant to § 1-07.4(b)(2) of the Board's Rules of Practice and Procedure is requested to permit delayed filing of the application. The subject application has been filed within 8 months of the expiration of term with delays associated with the pandemic, and the use of the site has been continuous since the expiration of term as demonstrated by photographs included with application materials.

Respectfully submitted,



ROTHKRUG ROTHKRUG & SPECTOR LLP

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<sup>1</sup> The operating name of the used car sales establishment has changed since the prior approval but there are no changes in operation or conditions of same proposed (now Precision Auto Imports, previously Victor Auto Sales).

# NYC Board of Standards and Appeals

## AFFIDAVIT OF OWNERSHIP AND AUTHORIZATION

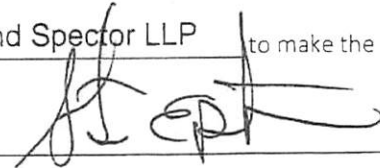
Steve Epstein, being duly sworn deposes and says that he/she resides at 2434 East 65th Street, in the City of Brooklyn, in the County of Kings, in the State of New York; that EPT Realty LLC is the owner in fee of all that certain lot, piece or parcel of land located in the Borough of Queens, in the City of New York and known and designated as Block 1348, Lot(s) 53, Street and House Number 68-01/05 Queens Boulevard; and, under penalty of perjury, the above information and statements contained in the annexed application are true and correct to the best of his/her knowledge, information and belief.

Check one of the following conditions:

- Sole property owner of zoning lot
- Cooperative Building
- Condominium Building
- Zoning lot contains more than one tax lot and property owner
- Lessee (physical culture establishments only)

The owner identified above hereby authorizes Rothkrug Rothkrug and Spector LLP to make the annexed application on her/his behalf.

Signature of Owner



Print Name

Steve Epstein

Print Title

(Pres.)

Sworn to me this 30 day of APRIL 20 22



Notary Public

**TODD DALE**  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 02DA6182837  
Qualified in Kings County  
Commission Expires March 10, 2024

**Board of Standards and Appeals History**

**271-90-BZ**  
*(632-57-BZ)*

68-01/5 Queens Boulevard, Queens, NY

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*632-57-BZ*

- 5/13/1958      Application granted to permit, in a business use district, the erection of a gasoline service station with auto washing, lubrication, office, sale of accessories and minor repairs with hand tools only.
- 5/13/1973      Application granted to extend the term to expire 5/13/1983.

*271-90-BZ*

- 10/29/1991      Application granted pursuant to ZR §§ 11-411 and 11-413 to permit in an C2-2(R5) district the reestablishment of an expired variance for gasoline service station (*Cal. No. 632-57-BZ*) with accessory uses (UG 16) and a change in use to a motor vehicle repair shop with used car sales (UG 16).
- 9/24/2002      Application granted to extend the term to expire 10/29/2011.
- 12/11/2012      Application granted to extend the term to expire 10/29/2021.

*Certificate of Occupancy*

**CO Number: 420824111F**

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

<b>A.</b>	<b>Borough:</b> Queens	<b>Block Number:</b> 01348	<b>Certificate Type:</b> Final
	<b>Address:</b> 68-01 QUEENS BOULEVARD	<b>Lot Number(s):</b> 53	<b>Effective Date:</b> 09/11/2013
	<b>Building Identification Number (BIN):</b> 4031840	<b>Building Type:</b> Altered	<b>Expiration Date:</b> 10/29/2021
<b>This building is subject to this Building Code: Prior to 1968 Code</b>			
<i>For zoning lot metes &amp; bounds, please see BISWeb.</i>			
<b>B.</b>	<b>Construction classification:</b> 3	(Prior to 1968 Code designation)	
	<b>Building Occupancy Group classification:</b> F-1	(2008 Code)	
	<b>Multiple Dwelling Law Classification:</b> None		
<b>No. of stories:</b> 1	<b>Height in feet:</b> 13	<b>No. of dwelling units:</b> 0	
<b>C.</b>	<b>Fire Protection Equipment:</b> None associated with this filing.		
<b>D.</b>	<b>Type and number of open spaces:</b> Parking spaces (14), Parking (4200 square feet)		
<b>E.</b>	<b>This Certificate is issued with the following legal limitations:</b> Board of Standards and Appeals - Recording Info: 271-90BZ		
<b>Borough Comments:</b> None			



Borough Commissioner



Commissioner





# Certificate of Occupancy

CO Number: 420824111F

## Permissible Use and Occupancy

All Building Code occupancy group designations below are 2008 designations.

Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
001	5	100	F-1		16	AUTO REPAIR, NO BODY REPAIR, SALE OF USED CARS, ACCESSORY OFFICE. ALL IN ACCORDANCE WITH BSA CDL 271-90BZ

THE NUMBER OF SPACES DEVOTED TO USED CARS SALES WILL BE LIMITED TO 8. THERE WILL BE NO PARKING OF AUTOMOBILES ON THE SIDEWALK AT ANY TIME. THERE WILL BE NO USED CARS FOR SALE PARKED ON THE STREET. THERE WILL BE NO OUTDOOR REPAIR WORK. THE PREMISES WILL BE MAINTAINED FREE OF DEBRIS AND GRAFFITI. SIGNAGE WILL COMPLY WITH C2 DISTRICT REGULATIONS. THE TERM OF VARIANCE SHALL BE FOR TEN YEARS TO EXPIRE OCTOBER 29, 2021.

END OF SECTION

Borough Commissioner

Commissioner

END OF DOCUMENT



**Buildings**

[CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)

**NYC Department of Buildings  
Property Profile Overview**

68-01 QUEENS BOULEVARD

QUEENS 11377

BIN# 4031840

68 STREET 43-35 - 43-35  
QUEENS BOULEVARD 68-01 - 68-01

Health Area : 1410  
Census Tract : 483.02  
Community Board : 402  
Buildings on Lot : 1

Tax Block : 1348  
Tax Lot : 53  
Condo : NO  
Vacant : NO

[View DCP Addresses...](#) [Browse Block](#)

[View Zoning Documents](#) [View Challenge Results](#) [Pre - BIS PA](#) [View Certificates of Occupancy](#)

Cross Street(s): BQE EB ENTRANCE QUEENS BLVD EB, 69 STREET

DOB Special Place Name:

DOB Building Remarks:

Landmark Status:

Special Status: N/A

Local Law: NO

Loft Law: NO

SRO Restricted: NO

TA Restricted: NO

UB Restricted: NO

Environmental Restrictions: HAZMAT/NOISE

Grandfathered Sign: NO

Legal Adult Use: NO

City Owned: NO

BSA Decision: Yes

Additional BINs for Building: NONE

HPD Multiple Dwelling: No

Special District: UNKNOWN

This property is not located in an area that may be affected by Tidal Wetlands, Freshwater Wetlands, Coastal Erosion Hazard Area, or Special Flood Hazard Area. [Click here for more information](#)

Department of Finance Building Classification: G2-GARAGE/GAS STAT'N

Please Note: The Department of Finance's building classification information shows a building's tax status, which may not be the same as the legal use of the structure. To determine the legal use of a structure, research the records of the Department of Buildings.

	Total	Open	<a href="#">Elevator Records</a>
Complaints	0	0	<a href="#">Electrical Applications</a>
Violations-DOB	0	0	<a href="#">Permits In-Process / Issued</a>
Violations-OATH/ECB	0	0	<a href="#">Illuminated Signs Annual Permits</a>
<a href="#">Jobs/Filings</a>	5		<a href="#">Plumbing Inspections</a>
ARA / LAA Jobs	0		<a href="#">Open Plumbing Jobs / Work Types</a>
Total Jobs	5		<a href="#">Facades</a>
<a href="#">Actions</a>	38		<a href="#">Marquee Annual Permits</a>
OR Enter Action Type:			<a href="#">Boiler Records</a>
OR Select from List: <input type="text" value="Select..."/>			<a href="#">DEP Boiler Information</a>
AND <input type="button" value="Show Actions"/>			<a href="#">Crane Information</a>
			<a href="#">After Hours Variance Permits</a>

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.



250 Broadway, 29th Floor  
 New York, NY 10007  
 212-386-0009 - Phone  
 646-500-6271 - Fax  
 www.nyc.gov/bsa

<b>BSA Cal. No.:</b> <u>271-90-BZ</u>	
<b>Street Address:</b> <u>68-01/5 Queens Boulevard</u>	
<b>Block:</b> <u>1348</u>	<b>Lot(s):</b> <u>53</u>
<b>Borough :</b> <u>Queens</u>	


**CERTIFICATION OF INSPECTION & COMPLIANCE**

Todd Dale

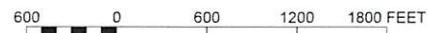
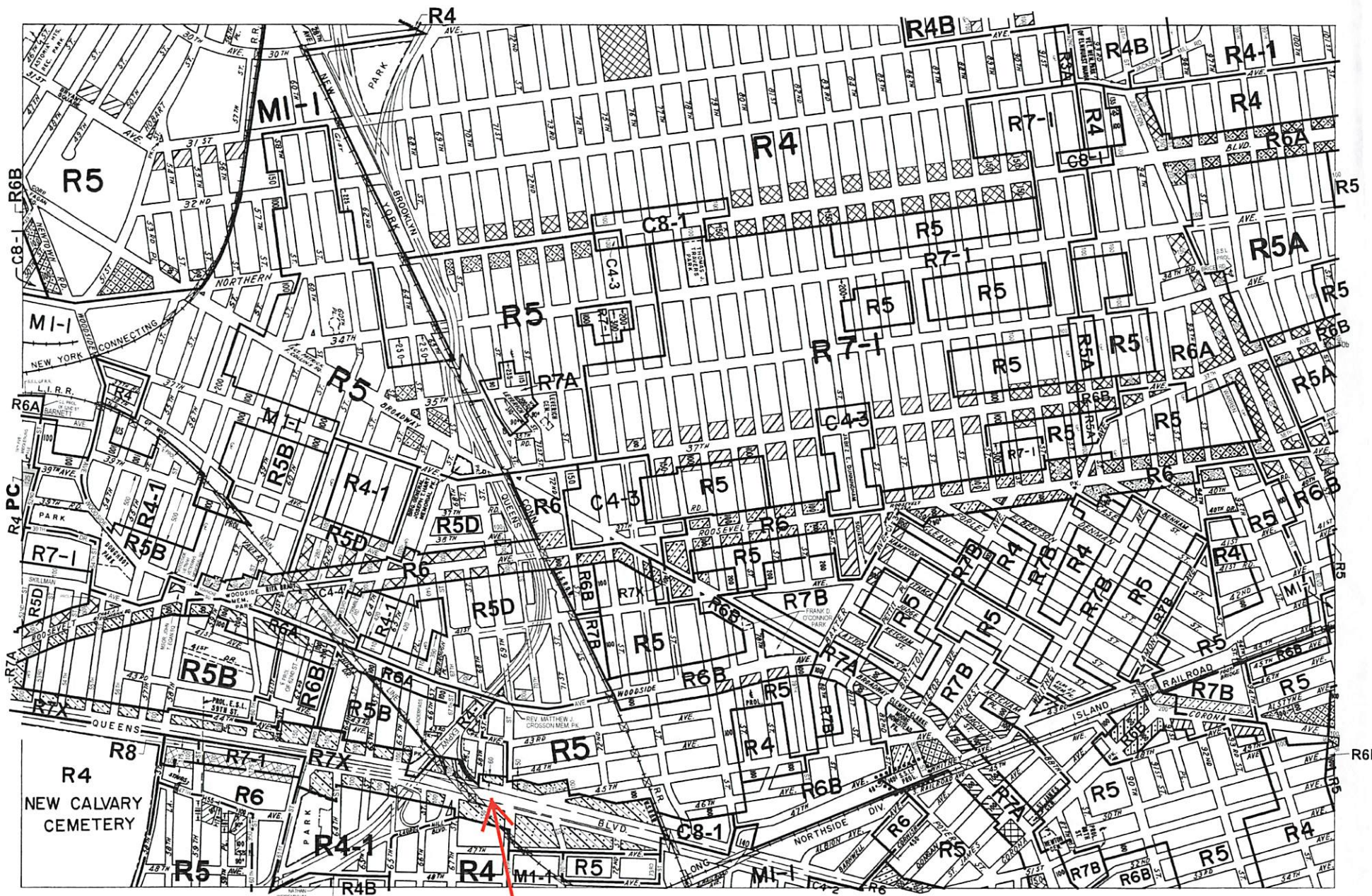
\_\_\_\_\_ hereby states that I personally inspected the  
*(Applicant, Agent, Registered Architect or Registered Engineer)*  
 premises and surrounding area on May 2022. In addition, I have  
*(Date of most recent inspection)*  
 researched all relevant BSA records related to the premises, including BSA-approved plans and resolutions.  
 Each non-compliance with the terms, conditions and/or plans of the effective prior BSA grant is explained in  
 detail below. The specific date or time frame on which compliance will be restored, where possible to  
 ascertain, is listed.

**[Note: A request to eliminate any prior condition must be part of the relief sought in the application; such request should not be made on this form]**

- I confirm that the premises is developed and operates in accordance with the currently effective BSA-approved plans and resolution, submitted with this application.
- The following deviation(s) from the currently effective BSA-approved plans and/or resolution exist on the site:

Area(s) of non-compliance	Date(s) to achieve compliance.
 _____ <b>Applicant/Agent Signature</b> <i>(Registered Architect/Engineer Seal as Appropriate)</i>	





**SITE**

### ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

#### Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

- R - RESIDENTIAL DISTRICT
- C - COMMERCIAL DISTRICT
- M - MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT  
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

#### Effective Date(s) of Rezoning:

12-09-2021 C 210041 ZMO

#### Special Requirements:

For a list of lots subject to CEOR environmental requirements, see APPENDIX C.

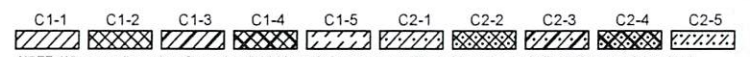
For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

#### MAP KEY

9a	9c	10a
9b	<b>9d</b>	10b
13a	13c	14a

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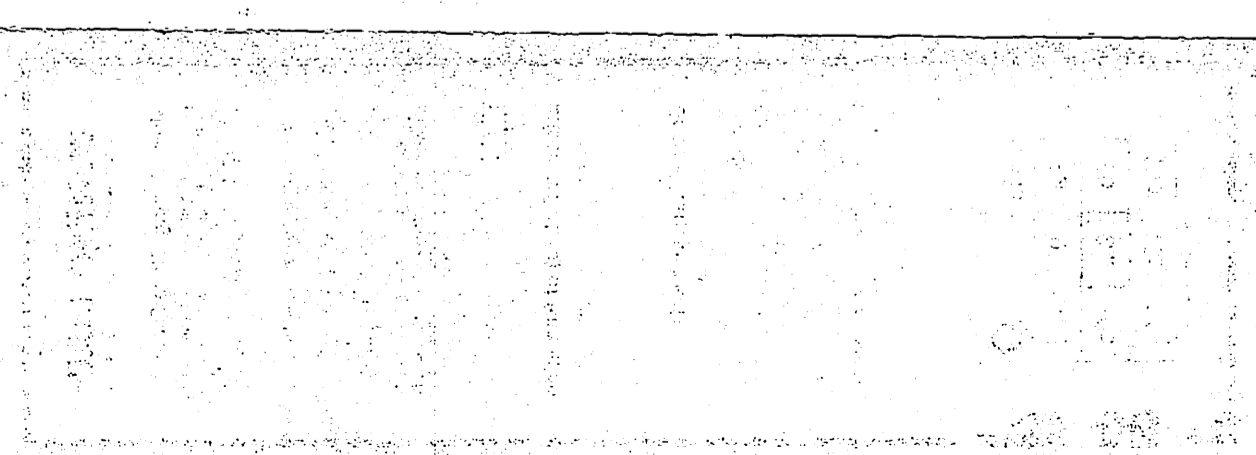


NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

ZONING MAP 9d

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: [www.nyc.gov/planning](http://www.nyc.gov/planning) or contact the Zoning Information Desk at (212) 720-3291.





BSA CALENDAR NO. 271-90-BZ BLOCK 1348 LOT 53

SUBJECT SITE ADDRESS 68-10 Queens Boulevard, Queens

APPLICANT Rothkrug Rothkrug & Spector LLP

ZONING DISTRICT C2-3(R7X) PRIOR BSA # \_\_\_\_\_

SPECIAL/HISTORIC DISTRICT n/a

COMMUNITY BOARD 2

COMPLIANT: "Y"

IF NOT: "N" and

INDICATE AMT

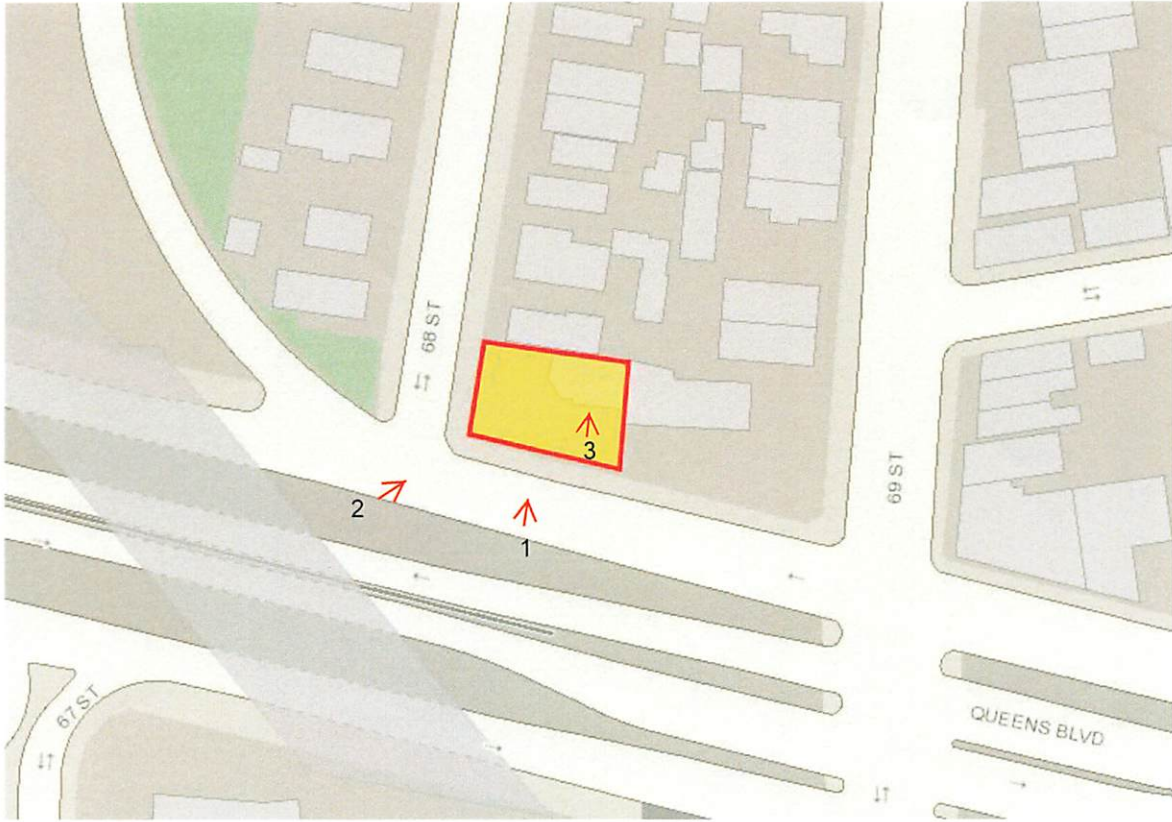
OVER/UNDER

	* <u>APPLICABLE</u> ZR SECTION	MAXIMUM PERMITTED	MINIMUM REQUIRED	LEGAL PER C of O or BSA	EXISTING	PROPOSED	
LOT AREA	23-32		1700	5351	5351	5351	Y
LOT WIDTH	23-32		18	89.35	89.35	89.35	Y
USE GROUP (S)	32-10	9		16	16	16	Y
FA RESIDENTIAL							
FA COMMUNITY FACILITY							
FA COMMERCIAL/INDUST.	33-121	10,702		1200	1200	1200	Y
FLOOR AREA TOTAL	33-121	10,702		1200	1200	1200	Y
FAR RESIDENTIAL							
FAR COMMUNITY FACILITY							
FAR COMMERCIAL/INDUST.	33-121	2.0		0.22	0.22	0.22	Y
FAR TOTAL	33-121	2.0		0.22	0.22	0.22	Y
OPEN SPACE							
OPEN SPACE RATIO							
LOT COVERAGE (%)							
NO. DWELLING UNITS							
WALL HEIGHT	35-24	125		15	15	15	Y
TOTAL HEIGHT	35-24	125		15	15	15	Y
NUMBER OF STORIES				1	1	1	Y
FRONT YARD	-			38.37, 21	38.37, 21	38.37, 21	Y
SIDE YARD	33-25			0	0	0	Y
SIDE YARD	33-25			0	0	0	Y
REAR YARD							
SETBACK (S)							
SKY EXP. PLANE (SLOPE)							
NO. PARKING SPACES	36-21			11	11	11	Y
LOADING BERTH (S)							
OTHER:							

\* *In Applicable ZR Section column*: For RESIDENTIAL developments in non-residential districts, indicate nearest R district, e.g., R4/23-141, and contrast compliance. For COMMERCIAL or MANUFACTURING developments in residential districts, contrast proposed bulk and area elements to **current R district requirements**, except for parking and loading requirements (contrast to nearest district where use is permitted). For COMMUNITY FACILITY uses in districts where not permitted, contrast to **nearest district where permitted**. For all applications, attach zoning map and highlight subject site. Be sure that all items noted in the DOB Denial/Objection are included. NOTES:

No changes in bulk from prior BSA approval and no changes proposed.





**68-01 Queens Boulevard, Queens  
B 1348  
L 53**

**271-90-BZ**





68-01 Queens Boulevard, Queens  
B 1348  
L 53

Queens Boulevard

View #1  
10/15/21



**MILA Photography**

511 8th Street

Brooklyn, NY



View #2  
10/15/21

68-01 Queens Boulevard, Queens  
B 1348  
L 53

Queens Boulevard

SITE

68th Street

PRECISION AUTO IMPORTS

**MILA Photography**  
511 8th Street  
Brooklyn, NY





88-01 Queens Boulevard, Queens  
B 1348  
L 53

View #3  
10/15/21

**MILA Photography**  
511 8th Street  
Brooklyn, NY

**271-90-BZ**

**APPLICANT** – Rothkrug Rothkrug & Spector LLP, for EPT Realty Corp., owner.

**SUBJECT** – Application October 11, 2011 – Extension of Term (§11-411) for the continued operation of a UG16 automotive repair shop with used car sales which expired on October 29, 2011. R7X/C2-3 zoning district.

**PREMISES AFFECTED** – 68-01/5 Queens Boulevard, northeast corner of intersection of Queens Boulevard and 68<sup>th</sup> Street, Block 1348, Lot 53, Borough of Queens.

**COMMUNITY BOARD #2Q**

**ACTION OF THE BOARD** – Application granted on condition.

**THE VOTE TO GRANT** –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez .....5

Negative:.....0

**THE RESOLUTION** –

WHEREAS, this is an application for a reopening, an extension of term of a prior grant for an automotive repair shop with used car sales, which expired on October 29, 2011, and an amendment to permit an increase in the number of used cars available for sale; and

WHEREAS, a public hearing was held on this application on March 6, 2012, after due notice by publication in *The City Record*, with continued hearings on April 24, 2012, June 5, 2012, July 10, 2012, August 7, 2012, September 11, 2012, October 16, 2012 and October 30, 2012, and then to decision on December 11, 2012; and

WHEREAS, the premises and surrounding area had site and neighborhood examinations by Chair Srinivasan, Commissioner Hinkson, Commissioner Montanez, and Commissioner Ottley-Brown; and

WHEREAS, Community Board 2, Queens, recommends approval of this application provided the applicant remove the flags and banners from the site and improve the landscaping on the site; and

WHEREAS, the subject site is an irregular corner lot located at the northeast corner of Queens Boulevard and 68<sup>th</sup> Street, located within a C2-3 (R7X) zoning district; and

WHEREAS, the site has 89.35 feet of frontage on Queens Boulevard, 57.7 feet of frontage on 68<sup>th</sup> Street, and a total lot area of 5,351 sq. ft.; and

WHEREAS, the site is occupied by a one-story automotive repair shop with used car sales; and

WHEREAS, the Board has exercised jurisdiction over the subject site since May 13, 1958, when, under BSA Cal. No. 632-57-BZ, the Board granted a variance to permit the construction and maintenance of a gasoline service station with accessory uses for a term of 15 years; and

WHEREAS, subsequently, the term was extended and the grant amended by the Board at various times; and

WHEREAS, on October 29, 1991, under the subject calendar number, the Board granted the re-establishment of the expired variance and a change in use from gasoline service station with accessory uses (Use Group 16) to motor vehicle repair shop with used car sales limited to five cars (Use Group 16), pursuant to ZR §§ 11-411 and 11-413, for a term of ten years; and

WHEREAS, most recently, on September 24, 2002, the Board granted a ten-year extension of term, to expire on October 29, 2011; and

WHEREAS, the applicant now seeks an extension of term for ten years; and

WHEREAS, pursuant to ZR § 11-411, the Board may permit an extension of term for a previously granted variance; and

WHEREAS, the applicant also requests an amendment to permit an increase in the number of used cars available for sale at the site from five to ten; and

WHEREAS, the applicant represents that since the prior approval the demand for used car sales has increased relative to the demand for automotive repairs; and

WHEREAS, at hearing, the Board raised concerns regarding the lack of maneuverability on the site if five additional spaces are devoted to used car sales; and

WHEREAS, in response, the applicant submitted revised plans reducing the number of parking spaces devoted to used car sales from ten to eight, which the applicant states will allow for greater maneuverability within the lot while still affording the owner and tenant the opportunity to make continued productive use of the site; and

WHEREAS, specifically, the applicant states that the proposed location of the eight parking spaces on the used automobile portion of the lot provides a center turning area, allowing easy access to each parked vehicle, as well as a space in the interior of the lot for washing and preparing vehicles, and that the existing fence on the site maintains the separation between the two uses on the site without hampering maneuverability; and

WHEREAS, pursuant to ZR § 11-412, the Board may grant a request for changes to the site; and

WHEREAS, the Board also directed the applicant to provide landscaping in the planting area at the rear of the site, and bring the signage into compliance with C2 district regulations; and

WHEREAS, in response, the applicant submitted photographs reflecting that new evergreen shrubs have been planted in the planting area at the rear of the site, a photograph showing that the automobile sales signage has been reduced, and a signage analysis reflecting that the site complies with C2 district signage regulations; and

WHEREAS, accordingly, based upon the submitted evidence, the Board finds that the requested extension of term and amendment are appropriate, with certain conditions as set forth below.

*Therefore it is Resolved* that the Board of Standards

**271-90-BZ**

and Appeals *reopens and amends* the resolution, as adopted on October 29, 1991, as subsequently extended and amended, so that as amended this portion of the resolution shall read: "to permit an extension of term for an additional period of ten years from the expiration of the prior grant, to expire on October 29, 2021, and to permit an increase in the number of used cars available for sale at the site from five to eight; *on condition* that the use shall substantially conform to drawings as filed with this application, marked 'Received August 29, 2012'-(1) sheet and 'October 22, 2012'-(1) sheet, and *on further condition*:

THAT the term of this grant will be for ten years from the expiration of the prior grant, to expire on October 29, 2021;

THAT the number of spaces devoted to used car sales will be limited to eight;

THAT there will be no parking of automobiles on the sidewalk at any time;

THAT there will be no used cars for sale parked on the street;

THAT there will be no outdoor repair work;

THAT the site will be maintained free of debris and graffiti;

THAT signage will comply with C2 district regulations;

THAT the above conditions will be listed on the certificate of occupancy;

THAT all conditions from prior resolutions not specifically waived by the Board remain in effect;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only; and

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 plan(s)/configuration(s) not related to the relief granted." (DOB Application No. 400113550)

Adopted by the Board of Standards and Appeals, December 11, 2012.

**A true copy of resolution adopted by the Board of Standards and Appeals, December 11, 2012.  
Printed in Bulletin No. 51, Vol. 97.**

**Copies Sent**

**To Applicant**

**Fire Com'r.**

**Borough Com'r.**



**PREMISES AFFECTED - 68-01/05 Queens Boulevard, Borough of Queens.**

**271-90-BZ**

**APPLICANT - Rothkrug Rothkrug Weinberg & Spector for EPT Holding Corp., owner.**

**SUBJECT - Application March 19, 2002 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of variance which expired October 29, 2001.**

**PREMISES AFFECTED - 68-01/05 Queens Boulevard, northeast corner of Queens Boulevard and 68th Street, Block 1348, Lot 53, Woodside, Borough of Queens.**

**COMMUNITY BOARD #2Q**

**APPEARANCES -**

**For Applicant: Hiram A. Rothkrug.**

**ACTION OF THE BOARD - Application reopened, and term of the variance extended.**

**THE VOTE TO GRANT -**

**Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey, Commissioner Caliendo and Commissioner Miele.....5**

**Negative: .....0**

**THE RESOLUTION -**

**WHEREAS, the applicant has requested a reopening and an extension of the term of the variance permitting a automobile repair establishment, which expired October 29, 2001; and**

**WHEREAS, a public hearing was held on this application on June 18, 2002, after due notice by publication in The City Record, laid over to July 16, 2002, August 6, 2002, and then to September 24, 2002 for decision; and**

**WHEREAS, the applicant seeks to extend the term of the variance for an additional ten years.**

**Resolved, that the Board of Standards and Appeals hereby waives the Rules of Practice and Procedure and reopens and extend the term of the variance, said resolution having been adopted October 29, 1991 so that as amended this portion of the resolution shall read:**

**"to permit the extension of the term of the variance for ten years from October 29, 2001 expiring October 29, 2011, on condition**

**THAT the premises shall be maintained in substantial compliance with the proposed drawings submitted with the application marked "Received August 7, 2002"-(2) sheets; and that other than as herein amended the resolution above cited shall be complied with in all respects; and on further condition**

**THAT used car sales shall be limited to five cars within the confines of the premises at any time;**

**THAT there shall be no parking of automobiles on the sidewalk at any time;**

**THAT there shall be no used cars for sale parked on the street;**

**THAT there shall be no outdoor repair work;**

**THAT the premises shall be maintained graffiti-free at all times;**

**THAT the above conditions shall appear on the Certificate of Occupancy;**

**THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;**

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

**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 plan(s) and/or configuration(s) not related to the relief granted."**

**(DOB. No. 400113550)**

**Adopted by the Board of Standards and Appeals, September 24, 2002.**



Affirmative: Chairman Silva, Commissioner Tamm,  
Commissioner Lawrie, Commissioner O'Keefe and  
Commissioner Chen..... 5  
Negative:..... 0

**THE RESOLUTION—**

WHEREAS, a public hearing was held on this application on June 18, 1991, after due notice by publication in the *Bulletin*, laid over to August 13, 1991, September 17, 1991, October 1, 1991 and then to October 29, 1991 for decision; and

WHEREAS, the decision of the Borough Superintendent, dated September 7, 1990, acting on Alt. Applic. #400113580/90, reads:

1. Proposed use to be reviewed and approved by the Board of Standards and Appeals pursuant to previous approval under BSA Cal. No. 632-57-BZ.

and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board consisting of Commissioner Arno Tamm, R.A. and Commissioner Wellington Z. Chen; and

WHEREAS, the Board has adopted a Negative Declaration issued pursuant to 6 NYCRR Part 617; and

WHEREAS, this is an application for a special permit pursuant to Z.R. §11-411 and §11-413 to permit in a C2-2 (R5) district, the extension of term of a gasoline service station (Use Group 16) with accessory uses, previously approved by the Board, and a change in use to a automobile repair establishment (Use Group 16) with accessory sale of used cars; and

WHEREAS, the evidence in the record demonstrates that the proposed change in use will not impair the character or the future use or development of the surrounding area; and

WHEREAS, the Board has determined that the evidence in the record supports the findings to be made under Sections 11-411 and 11-413 of the Zoning Resolution, and the applicant is therefore entitled to a special permit;

*Therefore, be it Resolved* that the Board of Standards and Appeals does hereby make the required findings and *grants* a special permit under Sections 11-411 and 11-413 of the Zoning Resolution to permit, in a C2-2(R5) district, on a site previously before the Board, the reestablishment of an expired variance for a gasoline service station with accessory uses (Use Group 16) and a change in use to motor vehicle repair shop with used car sales (Use Group 16) *on condition* that all work shall substantially conform to drawings as they apply to the objections above noted filed with this application marked "Received September 18, 1990"—three (3) sheets and "Received September 24, 1991"—one (1) sheet; and *on further condition;*

THAT all signs comply with C-2 district regulations;

THAT the accessory sale of used cars is limited to five (5) cars;

THAT the landscaping shall be planted and maintained in accordance with BSA approved plans;

THAT this special permit be limited to a term of ten (10) years;

THAT these conditions appear on the certificate of occupancy;

THAT the development, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department; and

THAT substantial construction be completed in accordance with Section 73-70 Z.R.

271-90-BZ

APPLICANT—Rothkrug and Rothkrug, Esquires, for EPT Holding Corporation, owner; Jumbo Auto Service Center, lessee.

SUBJECT—Application September 18, 1990—under Z.R. §11-411 and §11-413, to permit in an C2-2 (R5) district, on a site previously before the Board, the reestablishment of an expired variance for gasoline service station with accessory uses (Use Group 16) and a change in use to Motor Vehicle Repair shop with Used Car Sales (Use Group 16), requires a special permit.

PREMISES AFFECTED—68-01/07 Queens Boulevard, northeast corner of 68th Street, Block 1348, Lot 53, Borough of Queens.

COMMUNITY BOARD #2Q.

APPEARANCES—None.

RECOMMENDATION OF COMMUNITY BOARD— No Recommendation Received.

ACTION OF BOARD—Application granted *on condition*.

THE VOTE TO GRANT—

Adopted by the Board of Standards and Appeals, October 29, 1991.

532-57-BZ

APPLICANT—Charles M. Spindler for Sun Oil Company, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance which expires May 13, 1973—decision of the Borough Superintendent; previously granted on condition under Sections 7f and 7i of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, auto washing, lubrication, office, sales of accessories and minor repairs with hand tools only.

PREMISES AFFECTED—68-05 Queens Boulevard (68-01 to 68-07 official), northeast corner of 68th Street, Block 1348, Lot 53, Woodside, Borough of Queens.

APPEARANCES—

For Applicant: B. J. Amato.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Klein, Vice Chairman Agusta, Commissioner Hornstein and Commissioner Walsh... 4  
Negative: ..... 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 13, 1958, on certain conditions; and

WHEREAS, a public hearing was held on this application on March 6, 1973, after due notice by publication in the Bulletin.

Resolved, that the Board of Standards and Appeals does hereby *reopen and amend* the resolution adopted on May 13, 1958, only as to the term of variance, so that as amended: this portion of the resolution shall read:

*"granted for a term of ten years from May 13, 1973, to permit . . . ; on condition that the landscaping be restored in compliance with the requirements of the resolution adopted by the Board on May 13, 1958; that other than as herein amended the resolution above cited shall be complied with in all respects; and that a new Certificate of Occupancy shall be obtained." (N.B. 2238-57).*

632-57-BZ

APPLICANT—Burke, Green and Groh, for Armagh Realty Co., Inc. owner.

SUBJECT—Application September 13, 1957—decision of the Borough Superintendent under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, auto washing, lubrication, office, sale of accessories and minor repairs with hand tools only.

PREMISES AFFECTED—68-05 Queens Boulevard (68-01 to 68-07 official), northeast corner of 68th Street, Block 1348, Lot 53, Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Steeper

Negative: .....

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on April 15, 1958 after due notice by publication in the Bulletin; laid over to May 13, 1958, for inspection and decision hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Queens Boulevard and 69th Street are in a business use, B area, class 1½ height district; 43rd Avenue and 68th Street are in residence and business use, B area, class 1½ height districts; that these designations have not been changed since July, 1916 and no zoning relative to this proceeding is pending at this time; and

WHEREAS, the decision of the Borough Superintendent, dated September 11, 1957 acting on N.B. Applic. No. 2238-57, reads:

1. Proposed gasoline service station, auto washing, lubrication, office, sale of auto accessories, minor repairs with hand tools only on a lot in a business use district is contrary to Art. 2, Sec. 4a, items 29 & 46 of the Z.R.

2. Proposed ground sign on a lot in a business use district is contrary to Art. 2, Sec. 4a, item 49 of the Z.R.

and  
WHEREAS, the applicant states that the premises consist of a plot, 89.37 feet frontage by 66.06 feet in depth, irregular, presently developed with a number of building, which will be entirely demolished; that there are also curb cuts along both streets which will be closed up; that it is proposed to develop the site with a modern gasoline service station; that the accessory building will have a flat roof and the exterior walls facing the streets will be faced with face brick; that a face brick fence wall will be installed along both interior lot lines, except where the proposed accessory building and walls of masonry buildings occur; that this fence wall will be five feet six inches high along the north lot line and only four feet high for the small portion along the east lot line;

that two thirty foot wide curb cuts will be installed along the Queens Boulevard frontage and one twenty foot wide cut, complying with Section 7A of the Zoning Resolution, will be installed along 68th Street; that only one pump island containing five approved gasoline pumps will be installed fifteen feet back of the Queens Boulevard frontage; that the minor repairing requested will be done solely within the accessory buildings; that the approval of twelve buried 550 gallon gasoline tanks is also requested; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7f for a term of fifteen years to permit the premises to be occupied as a gasoline service station substantially as proposed and as indicated on plans filed with this application marked "Received September 13, 1957", 4 sheets, on condition that all buildings and uses now on the premises shall be removed and the premises shall be arranged and constructed as indicated on plans above cited; that the accessory building shall comply with the requirements of the Building Code and shall have no cellar; that there shall be no windows opening in the rear or side walls; that there shall be a masonry wall four feet six inches in height faced with face brick, the same as the accessory building, from such accessory building to the street building line of 68th Street and from the wall of the adjoining building on the adjacent lot to the east to the lot line of Queens Boulevard; that such wall may be reduced to a height of 4 feet 6 inches toward the building line and a suitable terminating post shall be constructed; that pumps shall be of a low approved type, erected not nearer than 15 feet to the street building line of Queens Boulevard; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that the balance of the premises where not occupied by the accessory building and pumps shall be paved with asphaltic or concrete pavement; that the sidewalks and curbing abutting the premises shall be constructed or repaired to the satisfaction of the Borough President; that curb cuts shall be restricted to two curb cuts each 30 feet in width to Queens Boulevard and one 20 feet in width within the first 25 feet from the intersection along 68th Street; that no portion of any curb cut shall be nearer than five feet to a street building line as prolonged; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps excluding all roof signs and temporary signs and advertising devices but permitting the erection at the intersection of one post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line of Queens Boulevard at right angles thereto for a distance of not more than four feet; that this sign is in place of a sign shown on plans above cited located toward the east; that such portable fire fighting appliances shall be maintained as the Fire Commissioner shall direct; that planting shall be maintained along the wall to the north with suitable planting material of the width as shown and protected with curbing not less than eight inches in height and six inches in width; that there shall be no windows on the rear or side lot lines to adjoining premises; that there may be under section 7i minor repairing with hand tools only, for adjustments maintained solely within the accessory building; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.