



DEPARTMENT OF CITY PLANNING  
CITY OF NEW YORK

ZONING DIVISION

Amanda M. Burden, AICP, *Director*  
Department of City Planning

September 17, 2007

**Re: N 080078 ZRY - Yards Zoning Text Amendments**  
**N 080081 ZRY - Street Tree Planting Zoning Text Amendments**

Dear Community Board Chair:

The Department of City Planning is proposing two zoning text amendments dealing with yard regulations and street tree planting requirements.

The proposed text amendment relating to yards (N 080078 ZRY) would clarify, revise or introduce new regulations throughout the zoning resolution with respect to yards and open space requirements within all zoning districts. These yard and open space requirements will also create additional green space throughout the city.

The proposed text amendment relating to street tree planting (N 080081 ZRY) would require street tree planting within all zoning districts and a planting strip between the sidewalk and the curb in lower-density residential zoning districts (R1 - R5).

Copies of the two applications which include the proposed zoning text are included herein for your review. The proposed zoning text amendments (N 080078 ZRY and N 080081 ZRY) are not subject to the Uniform Land Use Review Procedure (ULURP), and do not require a public hearing by community boards. However, if your board has any comments or recommendations on either of these applications, please send them no later than November 26, 2007 to:

City Planning Commission  
Calendar Information Office  
22 Reade Street, Room 2E  
New York, NY 10007-1216

Thomas C. Wargo, *Director*  
Beth Lebowitz, *Deputy Director*  
22 Reade Street, New York, N.Y. 10007-1216 Room 3E (212) 720-3262  
FAX (212) 720-3244  
nyc.gov/planning



September 17, 2007

Re: N 080078 ZRY - Yards Zoning Text Amendments  
N 080081 ZRY - Street Tree Planting Zoning Text Amendments

If you have questions regarding the proposed text amendment relating to yards (N 080078 ZRY), please contact Ron Rizzotti at (212) 720-3268. Questions regarding the proposed text amendment relating to street tree planting (N 080081 ZRY) should be directed to Nicole Rodriguez at (212) 720-3247.

Additional information about these proposals are also available on the Department of City Planning's web site [www.nyc.gov/planning](http://www.nyc.gov/planning)

Sincerely yours,



Thomas Wargo

Enclosure

c: Laurence Parnes, DCP  
Philip Sperling, DCP  
Jacquelyn Harris, DCP  
All Community Boards  
All Borough Presidents  
All Borough Boards



# Land Use Review Application

Department of City Planning

22 Reade Street, New York, NY 10007-1216

## N 0 8 0 0 7 8 Z R Y

City Planning will assign and stamp reference numbers here

APPLICATION NUMBER

### RECEIVED

APPLICATION NUMBER

APPLICATION NUMBER

SEP 14 2007

APPLICATION NUMBER

### 1. APPLICANT AND APPLICANT'S REPRESENTATIVES

NYC Department of City Planning

Thomas Wargo

APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) \*

APPLICANT'S PRIMARY REPRESENTATIVE

22 Reade St

Director, Zoning Division, NYC Dept of City Pl

STREET ADDRESS

REPRESENTATIVE'S COMPANY/AGENCY OR OTHER ORGANIZATION

NY NY 10007  
CITY STATE ZIP

22 Reade St  
STREET ADDRESS

212.720.3262 212.720.3244  
AREA CODE TELEPHONE # FAX#

NY NY 10007  
CITY STATE ZIP

212.720.3262 212.720.3244  
AREA CODE TELEPHONE # FAX#

\* List additional applicants below:

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)  
ADDITIONAL APPLICANT REPRESENTATIVE:

NAME AND PROFESSIONAL AFFILIATION (ATTORNEY/ARCHITECT/ENGINEER ETC.) TELEPHONE # FAX #

N/A  
STREET ADDRESS

Yards Text Amendments  
PROJECT NAME (IF ANY)

### 2. SITE DATA (If the site contains more than one property complete the "LR Item 2. Site Data Attachment Sheet.")

DESCRIPTION OF PROPERTY BY BOUNDING STREETS OR CROSS STREETS

EXISTING ZONING DISTRICT (INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY) ZONING SECTIONAL MAP NO(S).

TAX BLOCK AND LOT NUMBER BOROUGH COMM. DIST.

URBAN RENEWAL AREA, HISTORIC DISTRICT OR OTHER DESIGNATED AREA (IF ANY)

IS SITE A NEW YORK CITY OR OTHER LANDMARK? NO  YES  IF YES, IDENTIFY N/A

### 3. DESCRIPTION OF PROPOSAL

(If the entire project description does not fit in this space, enter "see attached description" below and submit description on a separate sheet, identified as "LR item 3. Description of Proposal")

### 4. ACTIONS REQUESTED AND FEES

(Check appropriate action(s) and attach supplemental form)

- CHANGE IN CITY MAP.....MM \$ \_\_\_\_\_
- ZONING MAP AMENDMENT.....ZM \$ \_\_\_\_\_
- ZONING TEXT AMENDMENT..... ZR \$ 0
- ZONING SPECIAL PERMIT.....ZS \$ \_\_\_\_\_
- ZONING AUTHORIZATION.....ZA \$ \_\_\_\_\_
- ZONING CERTIFICATION.....ZC \$ \_\_\_\_\_
- PUBLIC FACILITY, SEL./ACQ.....PF \$ \_\_\_\_\_
- MODIFICATION \$ \_\_\_\_\_
- FOLLOW-UP \$ \_\_\_\_\_
- RENEWAL \$ \_\_\_\_\_
- OTHER \$ \_\_\_\_\_

APPLICATION NO. \_\_\_\_\_

APPLICATION NO. \_\_\_\_\_

If Positive Declaration, has PDEIS been filed? \_\_\_\_\_ If yes, attach copy.  
 If PDEIS has not been filed, has final scope been issued? \_\_\_\_\_ If yes, date issued: \_\_\_\_\_

**6. COASTAL ZONE MANAGEMENT**

IS SITE IN STATE DESIGNATED COASTAL ZONE MANAGEMENT (CZM)? AREA? No  Yes

**7. RELATED ACTIONS BY CITY PLANNING**

LIST ALL CURRENT OR PRIOR CITY PLANNING COMMISSION ACTIONS RELATED TO SITE:

APPLICATION NO.	DESCRIPTION/ DISPOSITION/STATUS	CAL. NO.	DATE
N/A			

**8. RELATED ACTIONS BY OTHER AGENCIES**

LIST ALL OTHER CURRENT OR PRIOR CITY, STATE OR FEDERAL ACTIONS RELATED TO APPLICATION:

REFERENCE NO.	DESCRIPTION/ DISPOSITION/STATUS	CAL. NO.	DATE
N/A			

**9. FUTURE ACTIONS REQUIRED**

LIST ALL FUTURE CITY, STATE OR FEDERAL ACTIONS REQUIRED TO IMPLEMENT THE PROPOSED ACTION:

N/A

**10. APPLICANT**  
(Attach authorizing resolution(s), if applicable)

Thomas Wargo, Director, Zoning Division,  
 NAME AND TITLE OF APPLICANT OR AUTHORIZED REPRESENTATIVE

*Thomas Wargo* 9/1  
 SIGNATURE OF APPLICANT DATE

NYC Department of City Planning  
 APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION (IF ANY)

**11. CO-APPLICANTS**

(Attach authorizing resolution(s), if applicable)

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE SIGNATURE OF CO-APPLICANT DATE

CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION

STREET ADDRESS CITY STATE ZIP TEL.NO. FAX

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE SIGNATURE OF CO-APPLICANT DATE

CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION

STREET ADDRESS CITY STATE ZIP TEL.NO. FAX

**ADMINISTRATIVE CODE**

ANY PERSON WHO SHALL KNOWINGLY MAKE A FALSE REPRESENTATION ON OR WHO SHALL KNOWINGLY FALSIFY OR CAUSE TO BE FALSIFIED ANY FORM, MAP, REPORT OR OTHER DOCUMENT SUBMITTED IN CONNECTION WITH THIS APPLICATION SHALL BE GUILTY OF AN OFFENSE PUNISHABLE BY FINE OR IMPRISONMENT OR BOTH, PURSUANT TO SECTION 10-154 OF THE CITY OF NEW YORK ADMINISTRATIVE CODE.

**NOTICE**

THIS APPLICATION WILL BE DEEMED PRELIMINARY UNTIL IT IS CERTIFIED AS COMPLETE BY THE DEPARTMENT OF CITY PLANNING OR THE CITY PLANNING COMMISSION. ADDITIONAL INFORMATION MAY BE REQUESTED OF THE APPLICANT BY THE DEPARTMENT OF CITY PLANNING.

# City Map Change . . . . . MM

**Proposed City Map Change**  
(Check appropriate boxes)

APPLICATION NO

- 1. ESTABLISH NEW..... STREET       PARK       PUBLIC PLACE       GRAD
- 2. ELIMINATE EXISTING.....  STREET       PARK       PUBLIC PLACE       GRAD
- 3. CHANGE EXISTING STREET.....  WIDTH       ALIGNMENT       GRAC
- 4. EASEMENT  
Delineate New.....      Remove Existing.....      Modify Existing.....
- 5. RELATED ACQUISITION OR DISPOSITION OF PROPERTY .....

# Zoning Map Change . . . . . ZM

APPLICATION NO

(If more than five changes are being requested, enter "see attached" below and list ALL PROPOSED ZONING CHANGES in the same format as below on a separate sheet titled "Proposed Zoning Map Changes")

**Proposed Zoning Map Change(s)**

CHANGE #1	FROM:	EXISTING	TO:	PROPOSED
CHANGE #2	FROM:	EXISTING	TO:	PROPOSED
CHANGE #3	FROM:	EXISTING	TO:	PROPOSED
CHANGE #4	FROM:	EXISTING	TO:	PROPOSED
CHANGE #5	FROM:	EXISTING	TO:	PROPOSED

# Zoning Text Amendment . . . . . ZR

## N 0 8 0 0 7 8 Z R Y

APPLICATION NO.

If more than five sections are proposed to be amended, enter "see attached" below, and list ALL PROPOSED TEXT AMENDMENTS in the same format as below on a separate sheet titled "Proposed Zoning Text Amendments.")

**Affected Zoning Resolution (ZR) Sections**

ZR SECTION NUMBER

ZONING RESOLUTION SECTION TITLE

See Attachment B

Lower Density Growth Management Areas (LDGMA). The benefits of these provisions in LDGMA are now proposed to be extended citywide to all R1 through R5 Districts.

### Yard and Open Space Amendments

Current text requires one rear yard on any zoning lot. Many zoning lots are irregularly shaped and have multiple rear lot line, thereby leading to ambiguity in the application of rear yard requirements. The proposed text (Sections 23-47, 24-36, 33-26 and 43-26) will clarify that all rear lot lines require a rear yard with a depth of 30 feet in residence districts, and wherever residential use is provided in commercial districts. It will also clarify that all rear lot lines require a rear yard with a depth of 20 feet in commercial or manufacturing districts. In addition, new text will clarify that for zoning lots with multiple rear lot lines, if a rear yard extends away from a street line, the depth of such rear yard would be determined based upon whether the lot line it coincides with is the adjoining zoning lot's side or rear lot line and whether it is in a high or low density zoning district (Sections 23-543, 24-393, 33-303, 43-313).

Currently, corner lot regulations only pertain to the portion of a corner lot within 100 feet of the corner. The remainder of the lot is subject to through or interior lot provisions. Text pertaining to yards required beyond 100 feet of the corner would be clarified. Rear yards would be required for corner lots, beyond 100 feet of the corner and the depth of such rear yard would be determined based upon whether the lot line it coincides with is the adjoining zoning lot's side or rear lot line and whether it is in a high or low density zoning district. (Sections 23-471, 24-361, 33-261, 43-261).

Interior or through zoning lots within 100 feet of a corner or along the short dimension of a block are allowed to waive rear yard requirements. (Sections 23-541, 23-542) These sections would be amended to allow only high density zoning districts (R6 -R10) to qualify for this waiver.

The current text allows for automobile parking in the front yard of developments in R1 and R2 zoning districts. (Section 23-44). The proposal would amend this section to disallow required parking in the front yard in R1 and R2 districts.

The proposal would increase the bonus for detached garages in a rear yard within a side lot ribbon from 100 square feet to up to 300 square feet. (Section 23-141) Currently this bonus excludes R3A, R3X, R3-1, R4A, R4B, R4-1, R5A, R5B and R5D districts. This amendment would extend the bonus to all R3, R4 and R5 districts.

Current text allows for fences, walls and steps as permitted obstructions in a yard. Zoning regulations have no limit on the height of steps or fences (building code limits the height of fences to 8 feet). Walls are currently limited to 8 feet in height by zoning. The proposal would limit the height of fences and walls in a front yard to 4 feet and limit the height of steps in a front yard so that they may only access the first story or first story of a residence above a basement. (Section 23-44)

There are no current regulations limiting the amount of pavement in the front of a residence. This sometimes leads to the paving of the entire front yard. The proposal would establish a minimum percentage of planted area in the front of a residence, based on the street frontage of the zoning lot. (Section 23-451) For zoning lots with less than 20 feet of street frontage, 20% of the front yard would need to be planted. 20 to 34 feet

of street frontage would require 25% of the front yard to be planted. 35 to 59 feet of street frontage would require 30% of the front yard to be planted. 60 feet or more of street frontage would require 50% of the front yard to be planted. On corner lots and through lots, the minimums would have to be met on each street frontage. For rowhouses on tax lots, the minimums would have to be met in front of each rowhouse. Planting would be defined as: "any combination of grass, groundcover, shrubs, trees or other living plant material".

Sections 23-51 and 35-54 require portions of developments in R6-R10 districts that are within 25 feet of a boundary of a R1-R5 district to step down in height to create a transition between the high density and low density district. However this rule only applies where the zoning district boundary and a side lot line of a low density and high density district coincide. The proposed text would be amended to apply the transition rule to that portion of a development in a high density district that is within 25 feet of an adjacent zoning lot in a low density district, no longer requiring the zoning lot line and district boundary line to be coincident.

LDGMA regulations define a "rear building" as one that is wholly beyond 50 feet of a street line and wholly beyond the prolongation of the rear wall of a "front building" (Sections 23-711, 23-881). The proposal is to redefine a rear building as one that has 75 percent or more of its floor area beyond 50 feet of a street line and rear wall of a front building. This will prevent "snout houses" from being constructed to avert this regulation.

The proposal would place a minimum width of 15 feet and maximum width 18 feet for curb cuts that access townhouses. Currently there is only a maximum of 15 feet, but no minimum width requirements. (Section 25-631)

Currently, no rear yard equivalents are required for through lots in R1, R2 and R3 districts. New regulations will require rear yard equivalents for through lots that are 110 feet or more in depth in R1, R2 and R3 districts. (Section 23-533)

*Extend the following LDGMA regulations to all Low Density Districts (R1-R5)*

The proposal would mandate that for corner lots in R1-R5 zoning districts, one required side yard must be at least 20 feet in width. (Sections 23-461, 23-89). Dependant on the zoning district, currently one side yard for corner lots could be between 0 and 15 feet.

Zoning lots in R1-R5 districts with two or more residential buildings or building segments would have to provide a 30 foot open area, which may not be used for parking or driveways, to the rear of such buildings or building segments. (Sections 23-882, 23-89). Current regulations allow for little or no useable space behind a building if it is located on a corner lot.

The maximum pitch of a driveway would be limited to 11% for residences in R1-R5 districts (Section 25-634). Currently there are no citywide regulations pertaining to driveway pitch.

23-451	Planting Requirement
23-461	Side yards for single- or two-family residences
23-47	Minimum Required Rear Yards
23-471	Beyond one hundred feet of a street line
23-51	Special Provisions Applying along District Boundaries
23-531	Excepted districts
23-532	Excepted through lots
23-533	Required rear yard equivalents
23-541	Within one hundred feet of corners
23-542	Along short dimension of block
23-543	For portions of through lots
23-56	Modifications of Rear Yard Regulations
23-711	Standard minimum distance between buildings
23-88	Minimum Distance between Lot Lines and Building Walls
23-881	Minimum Distance between Lot Lines and Building Walls in Lower Density Growth Management Areas
23-882	Minimum Distance between Lot Lines and Building Walls in R1 through R5 Districts
23-89	Open Area Requirements for Residences in Lower Density Growth Management Areas in the Borough of Staten Island
24-36	Minimum Required Rear Yards
24-361	Beyond one hundred feet of a street line
24-382	Required rear yard equivalents
24-391	Within one hundred feet of corners
24-392	Along short dimension of block
24-393	For portions of through lots
24-41	Modifications of Rear Yard Regulations

25-621	Location of parking spaces in certain districts
25-631	Location and width of curb cuts in certain districts
25-632	Driveway and curb cut regulations in lower density growth management areas
25-634	Maximum driveway grade
26-32	Minimum Distance Between Walls and Lot Lines
33-26	Minimum Required Rear Yards
33-261	Beyond one hundred feet of a street line
33-281	Excepted districts
33-303	For portions of through lots
33-32	Modifications of Yard Regulations
35-52	Modification of Side Yard Requirements
35-54	Special Provisions Applying along District Boundaries
35-541	Special yard provisions
35-542	Special height and setback regulations
43-26	Minimum Required Rear Yards
43-261	Beyond one hundred feet of a street line
43-313	For portions of through lots
43-33	Modifications of Rear Yard Regulations
73-69	Rear Yard Modifications
115-225	Transition area

## APPLICABILITY AND GENERAL PURPOSES

\* \* \*

## 23-012

**Lower density growth management areas**

For areas designated as #lower density growth management areas# pursuant to Section 12-10 (DEFINITIONS), the underlying district regulations shall apply to all #residential developments# or #enlargements#. Such regulations are superceded or supplemented as set forth in the following Sections:

Section 11-44	(Authorizations or Permits in Lower Density Growth Management Areas)
Section 12-10	(DEFINITIONS - Floor area; Lower density growth management area and Private road)
Section 23-141	(Open space and floor area regulations in R1, R2, R3, R4 or R5 Districts)
Section 23-32	(Minimum Lot Area or Lot Width for Residences)
Section 23-44	(Permitted Obstructions in Required Yards or Rear Yard Equivalents)
Section 23-461	(Side yards for single- or two-family residences)
Section 23-462	(Side yards for all other residential buildings)
Section 23-533	(Required rear yard equivalents)
<del>Section 23-541</del>	<del>(Within one hundred feet of corners)</del>
<del>Section 23-542</del>	<del>(Along short dimension of block)</del>
Section 23-631	(Height and setback in R1, R2, R3, R4 and R5 Districts)
Section 23-711	(Standard minimum distance between buildings)
Section <del>23-88</del> <u>23-881</u>	(Minimum Distance Between Lot Lines and Building Walls in Lower Density Growth Management Areas)

\* \* \*

## 23-141

**Open space and floor area regulations in R1, R2, R3, R4 or R5 Districts**

\* \* \*

- (3) In ~~R3-2, R3, R4 and R5 Districts, except R4A, R4B, R4-1, R5A, R5B and R5D Districts,~~ the permitted #floor area# of a #single-# or #two-family detached# or #semi-detached residence developed# after June 30, 1989, may be increased by ~~100~~ 300 square feet if at least one enclosed #accessory# off-street parking space is provided in a garage located in the #side lot ribbon# pursuant to paragraph (e) of Sections 23-12 (Permitted Obstructions in Open Space), 23-441 (Location of garages in side yards of corner lots) or 23-442 (Location of garages in side yards of other zoning lots).

\* \* \*

#### 23-44

#### Permitted Obstructions in Required Yards or Rear Yard Equivalents

In all #Residence Districts#, the following shall not be considered obstructions when located within a required #yard# or #rear yard equivalent#:

- (a) In any #yard# or #rear yard equivalent#:

\* \* \*

Fences, not exceeding four feet in height in any #front yard#, except that for #corner lots#, a fence may be up to six feet in height within that portion of the #front yard# that is not between the #street wall# of the #building# and the #street line#;

\* \* \*

Parking spaces, off-street, open, within a #front yard# that are #accessory# to a #residential building# where:

- (1) in R2X, R3, R4 and R5 Districts, no more than two parking spaces are required, provided such spaces are located in a permitted #side lot ribbon#;
- (2) in R3, R4 and R5 Districts, more than two parking spaces are required, provided such spaces meet all the requirements of paragraph (b) of Section 25-621 (Location of parking spaces in certain districts) and the screening requirements of Section 25-66.

However, no such parking spaces shall be permitted in any #front yard# within a R1, R2, R4B, R5B or R5D District, and no such required spaces shall be permitted in any #front yard# within any R1, R2, R3, R4A or R4-1 District within a #lower density growth management area#.

\* \* \*

Ramps for access by the handicapped;

planting requirement of this Section shall be applied separately to each #street# frontage. For #zoning lots# with multiple #building segments#, the planting requirement of this Section shall be applied separately to the entire area between the #street wall# of each #building segment# and the #street line#.

<u>#Street# frontage of #zoning lot#, or #street wall# width of #building segment#, as applicable</u>	<u>Minimum percentage of #lot area# of #front yard# to be planted</u>
<u>Less than 20 feet</u>	<u>20</u>
<u>20 to 34 feet</u>	<u>25</u>
<u>35 to 59 feet</u>	<u>30</u>
<u>60 feet or greater</u>	<u>50</u>

\* \* \*

**23-46  
Minimum Required Side Yards**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, #side yards# shall be provided on any #zoning lot# as specified in this Section, except as otherwise provided in the following Sections:

- Section 23-48 (Special Provisions for Existing Narrow Zoning Lots)
- Section 23-49 (Special Provisions for Party or Side Lot Line Walls)
- Section 23-50 (EXCEPTIONS FOR SUBDIVISION OF ZONING LOTS AFTER DEVELOPMENT)
- Section 23-51 (Special Provisions Applying ~~along District Boundaries~~ Adjacent to Low Density Districts)

**23-461  
Side yards for single- or two-family residences**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) In all districts, as indicated, for #single-family detached residences# or, where permitted, for #two-family detached residences#, #side yards# shall be provided as set forth in the table in this paragraph, except that on #corner lots# in #~~lower density growth management areas~~, and on #corner lots# in R2A R1, R2, R3, R4 and R5 Districts, one #side yard# shall be at least 20 feet in width:

MINIMUM REQUIRED SIDE YARDS

<u>Required Total</u>	<u>Required Minimum Width of any #Side</u>
-----------------------	--

Number Required	Width (in feet)	Yard# (in feet)	District
2	35	15	R1-1
2	20	8	R1-2
2	13	5	R2 R2A R3-1 R3-2 R4-R10
2	10*	2*	R2X R3X R4A R5A
1	8*	0*	R3A R4-1 R4B R5B R5D

\* An open area with a minimum width of eight feet, parallel to the #side lot line#, is required along a common #side lot line# between a new #development#, #enlargement# or alteration and a #residential building# on an adjacent #zoning lot#, except that the total width of #side yards# on a #zoning lot# need not exceed 13 feet, with both one #side yards# at least five feet wide.

However, where an adjacent #zoning lot# has an existing #detached residence# with #side yards# totaling at least 13 feet in width with one #side yard# at least five feet wide, or an existing #semi-detached residence# with a #side yard# at least eight feet wide, the open area between a new #development#, #enlargement# or alteration and such #residential building# on an adjacent #zoning lot# shall have a minimum width of ten feet ~~except that the total width of #side yards# on a #zoning lot# need not exceed 13 feet, with both #side yards# at least five feet wide.~~

Only chimneys, eaves, gutters, downspouts, ~~open #accessory# off-street parking spaces~~, steps, and ramps for access by the handicapped shall be permitted obstructions in such open area and such obstructions may not reduce the minimum width of the open area by more than three feet. Open #accessory# off-street parking spaces shall be permitted in such open area.

R3-1 R3-2 R4 R4-1 R4B R5

(b) In the districts indicated, for #single-# or #two-family semi-detached residences#, a #side yard# shall be provided as set forth in the table in this paragraph, except that on #corner lots# ~~in #lower density growth management areas#~~, one #side yard# shall be at least 20 feet in width:

#### MINIMUM REQUIRED SIDE YARD

Feet	District
8	R3-1 R3-2 R4 R5
4*	R4-1 R4B R5B R5D

\* An open area with a minimum width of eight feet, parallel to the #side lot line#, is required along a common #side lot line# between a new #development#,

be provided at every #rear lot line# on any #zoning lot# except a #corner lot# and except as otherwise provided in Sections 23-52 (Special Provisions for Shallow Interior Lots), 23-53 (Special Provisions for Through Lots), or 23-54 (Other Special Provisions for Rear Yards). #Rear yards# shall also be provided along portions of #side lot lines# as set forth in Section 23-471 (Beyond one hundred feet of a street line).

**23-471**

**Beyond one hundred feet of a street line**

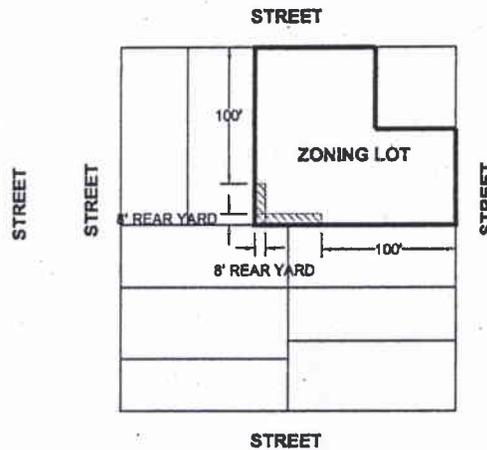
R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for #corner lots#, and for #zoning lots# that are bounded by two or more #streets# that are neither #corner lots# or #through lots#, the portion of a #side lot line# beyond 100 feet of the #street line# that it intersects shall be considered a #rear lot line# and the following rules shall apply along such #rear lot line#:

- (a) In all districts, a #rear yard# with a minimum depth of 30 feet shall be provided where such #rear lot line# coincides with a #rear lot line# of an adjoining #zoning lot# (see illustration 1);
- (b) In R1 through R5 Districts, a #rear yard# with a minimum depth of eight feet shall be provided where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot# (see illustration 2);
- (c) In R6 through R10 Districts, no #rear yard# shall be required where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.



**ILLUSTRATION 1**  
(Corner lot example)



**ILLUSTRATION 2**  
(Zoning lot bounded by two or more streets and is neither a corner lot nor through lot example)

\* \* \*

23-51

**Special Provisions Applying adjacent to R1 through R6B Districts  
along District Boundaries**

R6 R7 R8 R9 R10

In the districts indicated, the provisions of this Section shall apply to those portions of #developments# or #enlargements# on #zoning lots# located wholly or partially within an R6, R7, R8 R9 or R10 District that are adjacent to and within 25 feet of a #zoning lot# located wholly or partially within an R1, R2, R3, R4, R5 or R6B District.

Such portions of #development# or #enlargement# shall:

- (a) not exceed a height of 35 feet where such adjoining district is an R1, R2, R3, R4, or R5 District, and
- (b) shall comply with the height and setback regulations of an R6B district where such adjoining district is an R6B District.

Furthermore, except where such adjacent lot is wholly or partially within an R6B District, a #side yard# at least eight feet wide shall be provided along the entire length of the common #side lot line#. Such #side yard# may be used for #accessory# parking.

if the boundary of an adjoining R1, R2, R3, R4 or R5 Districts coincides with a #side lot line# of a #zoning lot#, a #side yard# at least eight feet wide shall be provided along such boundary within the districts indicated. In addition, portions of #buildings developed# or #enlarged# in R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, or portions of #residential buildings developed#, or #enlarged# where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, shall comply with the requirements for R6B Districts in Section 23-633 (Street wall location and height and setback regulations in certain districts) when such portions are located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District.

\* \* \*

**23-531**

**Exepected districts**

R1 R2 R3

~~In the districts indicated, no #rear yard# regulations shall apply to any #through lots#, except as otherwise provided in Section 23-543 (For portions of through lots).~~

**23-532**

**Exepected through lots**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) In the all districts, as indicated, no #rear yard# regulations shall apply to any #through lots# that extend less than 110 feet in maximum depth from #street# to #street#.

\* \* \*

- (c) an open area adjoining and extending along the full length of each #side lot line# with a minimum width of 30 feet measured from each such #side lot line#.

\* \* \*

### 23-54

#### Other Special Provisions for Rear Yards

\* \* \*

### 23-541

#### Within one hundred feet of corners

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all the districts, as indicated, ~~except within #lower density growth management areas# and R2A, R5A and R5D Districts,~~ no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting at an angle of 135 degrees or less.

### 23-542

#### Along short dimension of block

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all the districts, as indicated, ~~except within #lower density growth management areas# and R2A, R5A and R5D Districts,~~ whenever a #front lot line# of a #zoning lot# coincides with all or part of a #street line# measuring less than 230 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#.

### 23-543

#### ~~For portions of through lots~~

#### For zoning lots with multiple rear lot lines

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

~~In all districts, as indicated, along any #rear lot line# of a portion of a #through lot# which coincides with a #rear lot line# of an adjoining #zoning lot#, a #rear yard# shall be required as if such portion were an #interior lot#.~~

In all districts, as indicated, for #zoning lots# with multiple #rear lot lines#, if a #rear yard# extends from a #rear lot line# away from the #street line# which is used to determine such #rear lot line#, the following rules shall apply along such #rear lot line#:

- (a) In all districts, a #rear yard# with a minimum depth of 30 feet shall be provided where such #rear lot line# coincides with a #rear lot line# of an adjoining #zoning lot# (see illustrations 1 and 2);

- (b) In R1 through R5 Districts, a #rear yard# with a minimum depth of eight feet shall be provided where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot# (see illustration 3);
- (c) In R6 through R10 Districts, no #rear yard# shall be required where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.

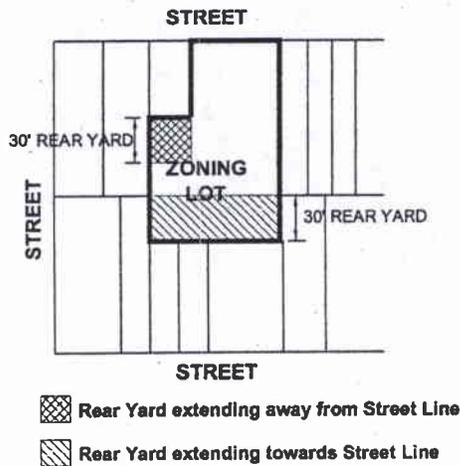


ILLUSTRATION 1

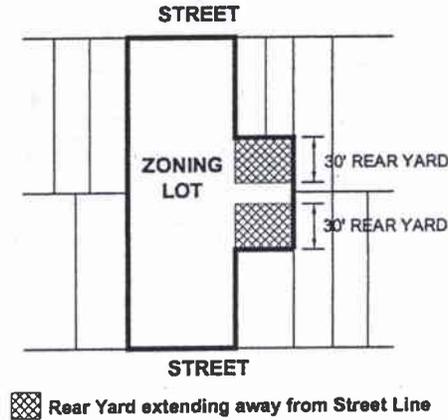


ILLUSTRATION 2

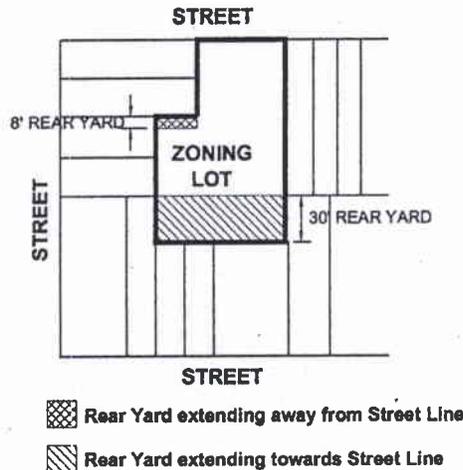


ILLUSTRATION 3

\* \* \*

**23-56**  
**Modifications of Rear Yard Regulations**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the regulations set forth in Section 23-543 (For zoning lots with multiple rear lot lines) may be modified in accordance with the provisions of Section 73-69 (Rear Yard Modifications).

**23-88**

**Minimum Distance between Lot Lines and Building Walls**

**23-88 23-881**

**Minimum distance between lot lines and building walls in lower density growth management areas**

- (a) ~~On #corner lots# in #lower density growth management areas#, for #zoning lots# with multiple #buildings# or #building segments#, an open area at least 30 feet in depth shall be provided between the #side lot line# and the #rear wall line# of any #building# or #building segment# that does not front upon two #streets# in its entirety.~~
- (b) In R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, the provisions of this ~~paragraph, (b),~~ Section shall apply to any #zoning lot# with two or more #buildings#, where at least 75 percent of the #floor area# of one #building# is located wholly beyond 50 feet of a #street line# and the #private road# provisions do not apply. For the purposes of this ~~paragraph~~ Section, any #residential building# with no #residential building# located between it and the #street line# so that lines drawn perpendicular to the #street line# do not intersect any other #residential building# shall be considered a "front building," and any #residential building# ~~located wholly~~ with at least 75 percent or more of its #floor area# located beyond the #rear wall line#, or prolongation thereof, of a "front building" shall be considered a "rear building". An open area with a minimum width of 15 feet shall be provided between any such rear building and the #side lot line# of an adjoining #zoning lot#, and an open area with a minimum width of 30 feet shall be provided between any such rear building and the #rear lot line# of an adjoining #zoning lot#. The permitted obstruction provisions of Section 23-44 for #side yards# shall apply where such open areas adjoin a #side lot line#, and the permitted obstruction provisions of Section 23-44 for #rear yards# shall apply where such open areas adjoin a #rear lot line#.

**23-882**

**Minimum distance between lot lines and building walls in R1 through R5 Districts**

R1 R2 R3 R4 R5

In the districts indicated, for #corner lots# with multiple #buildings# or #building segments#, an open area at least 30 feet in depth shall be provided between the #side lot line# and the #rear wall line# of any #building# or #building segment# that does not front upon two #streets# in its entirety.

**23-89**

**Open Area Requirements for Residences in Lower Density Growth Management Areas in the Borough of Staten Island R1 through R5 Districts**

R1 R2 R3 R4 R5

In ~~lower density growth management areas~~ in the Borough of Staten Island the districts indicated, the provisions of this Section shall apply to all ~~zoning lots~~ in ~~Residence Districts~~ with two or more ~~residential buildings~~ or ~~building segments~~. All such ~~residential buildings~~ or ~~building segments~~ shall provide open areas as set forth below:

- (a) An open area shall be provided adjacent to the rear wall of each such ~~building~~ or ~~building segment~~. For the purposes of this Section, the "rear wall" shall be the wall opposite the wall of each ~~building~~ or ~~building segment~~ that faces a ~~street~~ or ~~private road~~. The width of such open area shall be equal to the width of each ~~building~~ or ~~building segment~~, and the depth of such open area shall be at least 30 feet when measured perpendicular to each rear wall. No such open areas shall serve more than one ~~building~~ or ~~building segment~~. Only those obstructions set forth in paragraph (b) of Section 23-44 shall be allowed, except that parking spaces, whether enclosed or unenclosed, and driveways shall not be permitted within such open areas.
- (b) For ~~buildings~~ or ~~building segments~~ that front upon two or more ~~streets~~ or ~~private roads~~, and for ~~buildings~~ or ~~building segments~~ that do not face a ~~street~~ or ~~private road~~, one wall of such ~~building~~ or ~~building segment~~ shall be designated the rear wall, and the open area provisions of this Section applied adjacent to such wall. However, for not more than one ~~building~~ or ~~building segment~~ located at the corner of intersecting ~~streets~~ or ~~private roads~~, the depth of such required open area may be reduced to 20 feet.

\* \* \*

## Article II

### Chapter 4

#### Bulk Regulations for Community Facility Buildings in Residence Districts

\* \* \*

#### 24-36

##### Minimum Required Rear Yards

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, ~~one a~~ rear yard with a depth of not less than 30 feet shall be provided at every rear lot line on any ~~zoning lot~~ ~~except a corner lot~~ and except as otherwise provided in Sections 24-37 (Special Provisions for Shallow Interior Lots), 24-38 (Special Provisions for Through Lots) or 24-39 (Other Special Provisions for Rear Yards). Rear yards shall also be provided along portions of side lot lines as set forth in Sections 24-361 (Beyond one hundred feet of a street line)

#### 24-361

##### Beyond one hundred feet of a street line

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for ~~corner lots~~, and for ~~zoning lots~~ that are bounded by two or more ~~streets~~ that are neither ~~corner lots~~ or ~~through lots~~, the portion of a side lot line beyond 100 feet of the street line that it intersects shall be considered a

STREET  
ILLUSTRATION 1  
(Corner lot example)

ILLUSTRATION 2  
(Zoning lot bounded by  
two or more streets and is  
neither a corner lot nor  
through lot example)

\* \* \*

24-382

**Required rear yard equivalents**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, on any #through lot# 110 feet or more in maximum depth from #street# to #street#, one of the following #rear yard equivalents# shall be provided:

- (a) an open area with a minimum depth of 60 feet ~~linking adjoining #rear yards# or, if no such #rear yards# exist, an open area with a minimum depth of 60 feet,~~ midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts; or
- (b) two open areas, each adjoining and extending along the full length of a #street line#, and each with a minimum depth of 30 feet measured from such #street line#, except that in R6, R7, R8, R9 or R10 Districts, the depth of such required open area along one #street line# may be decreased provided that:
  - (1) a corresponding increase of in the depth of the open area along the other #street line# is made; and
  - (2) any required front setback areas are maintained; or
- (c) an open area adjoining and extending along the full length of each #side lot line#, with a minimum width of 30 feet measured from each such #side lot line#.

\* \* \*

24-391

**Within one hundred feet of corners**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In ~~all the~~ districts, as indicated, ~~except R5D Districts for #buildings# containing #residences#,~~ no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting at an angle of 135 degrees or less.

24-392

**Along short dimension of block**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In ~~all the~~ districts, as indicated, ~~except R5D Districts for #buildings# containing #residences#,~~ whenever a #front lot line# of a #zoning lot# coincides with all or part of a

#street line# measuring less than 220 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#.

24-393

**For portions of through lots**

**For zoning lots with multiple rear lot lines**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, along any #rear lot line# of a portion of a #through lot# which coincides with a #rear lot line# of an adjoining #zoning lot#, a #rear yard# shall be required as if such portion were an #interior lot#.

In all districts, as indicated, for #zoning lots# with multiple #rear lot lines#, if a #rear yard# extends from a #rear lot line# away from the #street line# which is used to determine such #rear lot line#, the following rules shall apply along such #rear lot line#:

- (a) In all districts, a #rear yard# with a minimum depth of 30 feet shall be provided where such #rear lot line# coincides with a #rear lot line# of an adjoining #zoning lot# (see illustrations 1 and 2);
- (b) In R1 through R5 Districts, a #rear yard# with a minimum depth of eight feet shall be provided where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot# (see illustration 3);
- (c) In R6 through R10 Districts, no #rear yard# shall be required where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.

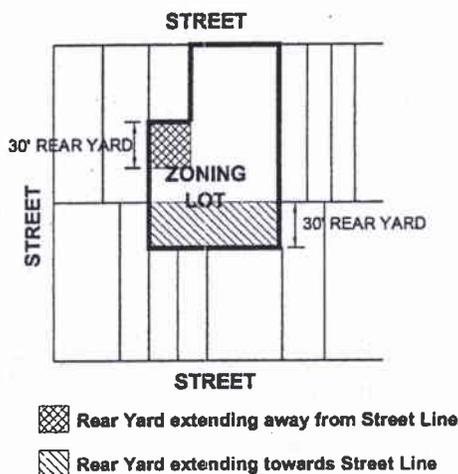


ILLUSTRATION 1

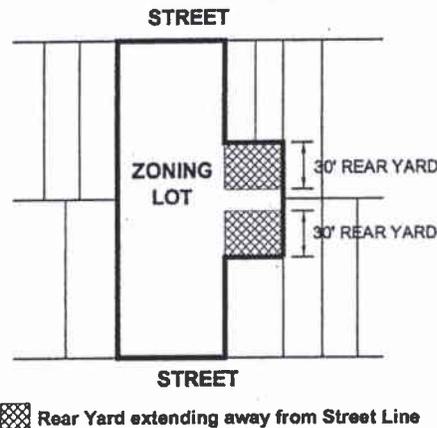
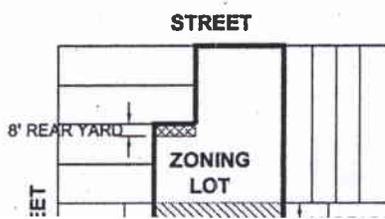


ILLUSTRATION 2



25-621

Location of parking spaces in certain districts

All #accessory# off-street parking spaces shall be located in accordance with the provisions of this Section, except that in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, the provisions of Section 25-622 shall apply. In addition, all such parking spaces shall be subject to the curb cut requirements of Section 25-63 (Location of Access to the Street).

- (a) For #zoning lots# with #residential buildings# where no more than two #accessory# parking spaces are required:

\* \* \*

R1 R2

- (4) In the districts indicated, required #accessory# off-street parking spaces shall be permitted only within a #building#, or in any open area on the #zoning lot# which is not between the #street line# and the #street wall# of the #building# or its prolongation.

\* \* \*

25-631

Location and width of curb cuts in certain districts

All curb cuts shall comply with the provisions of this Section, except that in #lower density growth management areas#, the provisions of Section 25-632 shall apply.

\* \* \*

- (b) For #zoning lots# with #residential buildings# where more than two #accessory# parking spaces are required:

R2X R3 R4 R5

- (1) In the districts indicated, except R4B and R5B Districts, and except as otherwise provided in Section 25-633, curb cuts shall comply with the following provisions:
  - (i) #zoning lots# with 35 feet or more of frontage along a #street# shall maintain a minimum distance of 16 feet of uninterrupted curb space along such #street#;
  - (ii) new #residential developments# shall maintain a minimum distance of 16 feet of uninterrupted curb space between all curb cuts on the same or adjoining #zoning lots developed# after June 30, 1989;
  - (iii) the maximum width of a curb cut serving a #group parking facility# shall be as set forth in the following table:

Size of Facility (in number of spaces)	Maximum Width of Curb Cuts (in feet)
up to 4	15
5 to 24	22
25 and over	30

(iv) all driveways shall be located at least 13 feet from any other driveway on the same or adjoining #zoning lots#. However, driveways may be paired with other driveways on the same or adjoining #zoning lots# provided the aggregate width of such paired driveways, including any space between them, does not exceed 20 feet. Curb cuts accessing such paired driveway shall have a minimum width of 15 feet and a maximum width, including splays, of 18 feet.

\* \* \*

**25-632**

**Driveway and curb cut regulations in lower density growth management areas**

The provisions of this Section shall apply within all #lower density growth management areas#, except that these provisions shall not apply to any #zoning lot# occupied by only one #single-family detached residence# with at least 60 feet of frontage along one #street# and, for such residences on #corner lots#, with at least 60 feet of frontage along two #streets#.

\* \* \*

~~(g) The maximum grade of a driveway shall not exceed 11 percent.~~

(h g) For multiple #buildings# on a single #zoning lot#, access to all parking spaces shall be provided entirely on the same #zoning lot#.

\* \* \*

**25-634**

**Maximum driveway grade**

R1 R2 R3 R4 R5

In all districts, as indicated, the maximum grade of a driveway shall not exceed 11 percent.

**Article II**

**Chapter 6**

**Special Urban Design Guidelines - Streetscape**

**Special Requirements for Developments in R9 and R10 Districts, Developments with Private Roads and Street Tree Planting**

In all districts, as indicated, one a #rear yard# with a depth of not less than 20 feet shall be provided at every #rear lot line# on any #zoning lot# except a #corner lot# and except as otherwise provided in Sections 33-27 (Special Provisions for Shallow Interior Lots), 33-28 (Special Provisions for Through Lots) or 33-30 (OTHER SPECIAL PROVISIONS FOR REAR YARDS). #Rear yards# shall also be provided along portions of #side lot lines# as set forth in Section 33-261 (Beyond one hundred feet of a street line).

**33-261**

**Beyond one hundred feet of a street line**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, for #corner lots#, and for #zoning lots# that are bounded by two or more #streets# that are neither #corner lots# or #through lots#, the portion of a #side lot line# beyond 100 feet of the #street line# that it intersects shall be considered a #rear lot line# and a #rear yard# with a minimum depth of 20 feet shall be provided where such #rear lot line# coincides with a #rear lot line# of an adjoining #zoning lot#.



ILLUSTRATION 1  
(Corner lot example)

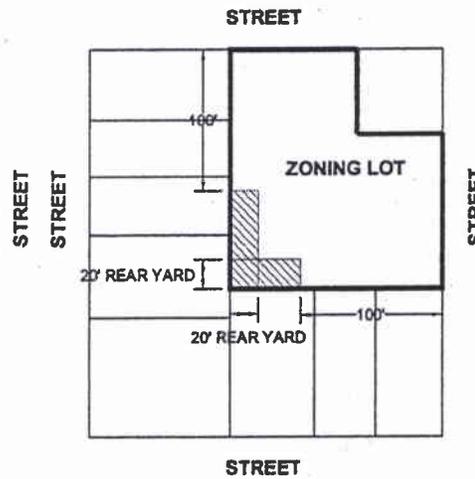


ILLUSTRATION 2  
(Zoning lot bounded by two or more streets and is neither a corner lot nor through lot example)

\* \* \*

**33-281**

**Excepted districts**

C4-2 C4-3 C4-4 C4-5 C4-6 C4-7 C5 C6 C8-4

In the districts indicated, no #rear yard# regulations shall apply to any #through lot#, except as otherwise provided in Section 33-303 (For portions of through lots For zoning lots with multiple rear lot lines).

\* \* \*

33-303

**For portions of through lots**

**For zoning lots with multiple rear lot lines**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, along any #rear lot line# of a portion of a #through lot# which coincides with a #rear lot line# of an adjoining #zoning lot#, a #rear yard# shall be required as if such portion were an #interior lot#.

In all districts, as indicated, for #zoning lots# with multiple #rear lot lines#, if a #rear yard# extends from a #rear lot line# away from the #street line# which is used to determine such #rear lot line#, the following rules shall apply:

- (a) a #rear yard# with a minimum depth of 20 feet shall be provided where such #rear lot line# coincides with a #rear lot line# of an adjoining #zoning lot# (see illustrations 1 and 2);
- (b) no #rear yard# shall be required where such #rear lot line# coincides with a #side lot line# of an adjoining #zoning lot#.

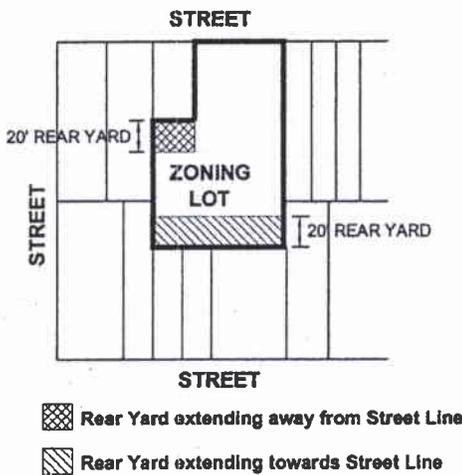


ILLUSTRATION 1

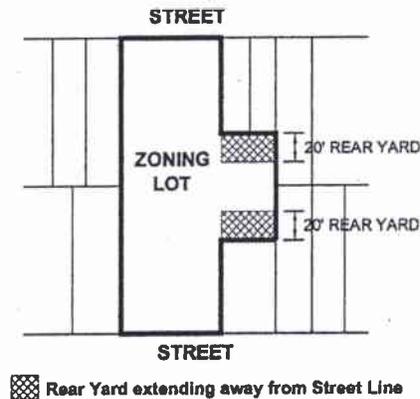


ILLUSTRATION 2

\* \* \*

33-32

**Modifications of Yard Regulations**

C5-5 C6-8 C6-9

- (a) In the districts indicated, in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 33-26 to 33-30, inclusive, relating to #rear yard# regulations, may be modified in accordance with the provisions of Section 73-68 (Height and Setback and Yard Modifications).

C1 C2 C3 C4 C5 C6 C7 C8

- (b) In all districts, the regulations set forth in Section 33-303 (For zoning lots with multiple rear lot lines) may be modified in accordance with the provisions of Section 73-69 (Rear Yard Modifications).

35-54

**Special Provisions Applying adjacent to R1 through R6B Districts  
along District Boundaries**

C1 C2 C3 C4 C5 C6

In the districts indicated, along such portion of the boundary of a #Commercial District# that coincides with a #side lot line# of a #zoning lot# in an R1, R2, R3, R4 or R5 District, an open area not higher than #curb level# and with a width of at least eight feet is required for a #mixed building# on a #zoning lot# in the #Commercial District#. In addition, if the #residential# portion of a #mixed building# is #developed#, or #enlarged# where permitted, pursuant to the Quality Housing Program, that portion of such #building# located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B Districts shall comply with the requirements for R6B Districts in Section 23-633 (Street wall location and height and setback regulations in certain districts).

**35-541**

**Special yard provisions**

C1 C2 C3 C4 C5 C6

In the districts indicated, for #developments# or #enlargements# on #zoning lots# adjacent to #zoning lots# in R1, R2, R3, R4 or R5 Districts, a #side yard# at least eight feet wide shall be provided along the entire length of the common #side lot line#. Such #side yard# may be used for #accessory# parking.

**35-542**

**Special height and setback regulations**

C1 C2 C3 C4 C5 C6

In the districts indicated, where the #residential# portion of a mixed #building# is #developed# pursuant to R6, R7, R8 R9 or R10 #bulk# regulations, the provisions of this Section shall apply to those portions of such mixed #buildings# located within such districts that are adjacent to and within 25 feet of a #zoning lot# located within R1, R2, R3, R4, R5 or R6B Districts.

Such portions of #development# or #enlargement# shall:

- (a) not exceed a height of 35 feet where such adjoining district is an R1, R2, R3, R4, or R5 District, and
- (b) shall comply with the height and setback regulations of an R6B district where such adjoining district is an R6B District.

\* \* \*

# Bulk Regulations

\* \* \*

## 43-26

### Minimum Required Rear Yards

M1 M2 M3

In all districts, as indicated, ~~one a rear yard~~ with a depth of not less than 20 feet shall be provided at every rear lot line on any zoning lot except a corner lot and except as otherwise provided in Sections 43-27 (Special Provisions for Shallow Interior Lots), 43-28 (Special Provisions for Through Lots) or 43-31 (Other Special Provisions for Rear Yards). Rear yards shall also be provided along portions of side lot lines as set forth in Section 43-261 (Beyond one hundred feet of a street line).

## 43-261

### Beyond one hundred feet of a street line

M1 M2 M3

In all districts, as indicated, for corner lots, and for zoning lots that are bounded by two or more streets that are neither corner lots or through lots, the portion of a side lot line beyond 100 feet of the street line that it intersects shall be considered a rear lot line and a rear yard with a minimum depth of 20 feet shall be provided where such rear lot line coincides with a rear lot line of an adjoining zoning lot.

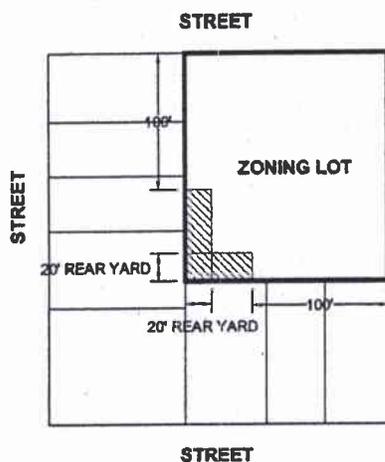


ILLUSTRATION 1  
(Corner lot example)



ILLUSTRATION 2  
(Zoning lot bounded by two or more streets and is neither a corner lot nor through lot example)

\* \* \*

## 43-313

### For portions of through lots

### For zoning lots with multiple rear lot lines

M1 M2 M3

In all districts, as indicated, along any rear lot line of a portion of a through lot

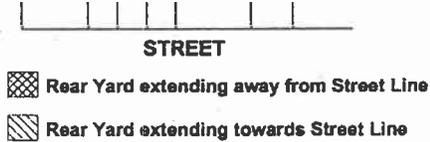


ILLUSTRATION 1

ILLUSTRATION 2

\* \* \*

**43-33**  
**Modifications of Rear Yard Regulations**

M1 M2 M3

In all districts, as indicated, in the regulations set forth in Section 43-313 (For zoning lots with multiple rear lot lines) may be modified in accordance with the provisions of Section 73-69 (Rear Yard Modifications).

\* \* \*

**Article VII**  
**Chapter 3**  
**Special Permits by the Board of Standards and Appeals**

\* \* \*

**73-60**  
**MODIFICATIONS OF BULK REGULATIONS**

\* \* \*

**73-69**  
**Rear Yard Modifications**

The Board of Standards and Appeals may permit modifications to the #rear yards# required pursuant to Sections 23-543, 24-393, 33-303 or 43-313 (For zoning lots with multiple rear lot lines) for #zoning lots# existing on (the applicable date of the amendment) provided the following findings are made:

- (a) due to the irregular shape of the #zoning lot#, compliance with the #rear yard# regulations would create site planning constraints and adversely effect the layout and development of the site; and
- (b) the requested reduction in #rear yard# depth is the least amount necessary to grant relief.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

\* \* \*

**Article XI**  
**Chapter 5**  
**Special Downtown Jamaica District**

\* \* \*

115-225

Transition area

~~R6 R7 R8 R9 R10~~

~~In the districts indicated, and in #Commercial Districts# where such #Residence District bulk# regulations are applicable, that portion of a #development# or #enlargement# located within 25 feet of an adjacent #zoning lot# in an R1, R2, R3, R4 or R5 District shall not exceed a maximum building height of 35 feet. In addition, an open area not higher than #curb level# shall be provided within eight feet of such adjacent #zoning lot#. Such open area may be used for #accessory# parking.~~

\* \* \*

