

CITY OF NEW YORK
DEPARTMENT OF BUILDINGS
DEPARTMENT OF CITY PLANNING
DEPARTMENT OF FINANCE
COUNTY CLERK OF RICHMOND

DATE: April 16, 1981

TO: Department Personnel

FROM: Commissioners (of above Departments)

SUBJECT: Joint Department Memorandum on Subdivision of Lots
in accordance with Local Laws 7, 8 and 9 of 1981.

Subdivision of Lots

Certification is required for subdividing an unimproved or improved property, in order that such subdivision does not result in the violation of any applicable zoning laws. Certification shall be made by the Department of Buildings prior to the assignment of a tax lot number to any newly created parcel, filing of any subdivision map, or recordation of any instrument relating to a subdivision of real property. In addition to the cases of vacant or improved land, Certification shall also be required for subdivisions involving "air rights" or "subterranean" rights.

The Department of Buildings has issued a Departmental Memorandum entitled Subdivision of Lots, dated February 9, 1981, herein attached, which established certain procedures which shall be implemented. The Commissioners concur with that memorandum. The following detail matters not covered therein:

1. One-Day Service - Subdividing Unimproved Property

In the case of Subdividing Unimproved Property, the Department of Buildings has stated that One-Day Service will be provided to Applicants. Disapprovals will be warranted only if the information required as set forth in the February 9, 1981 memorandum is incomplete or contradictory.

2. Merger of Lots

a. Merger of unimproved or improved lots involving entire pre-existing lots shall not require Department of Buildings Certification. However, Certification shall be required if such merger involve portions of lots.

1771

b. In the case of erroneous mergers, the Finance Department will have a period of one year to restore such lot or lots to their original condition.

3. Condominiums

a. Conversion of commercial or manufacturing buildings to residential, commercial or industrial condominiums shall require Certification by the Department of Buildings.

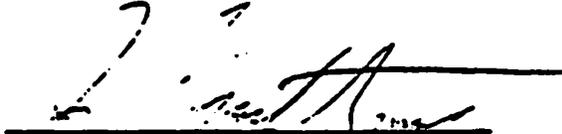
b. Conversion of existing residential buildings to condominiums shall not require a Department of Buildings Certification, provided that the present tax lot boundary remains unchanged.

A written declaration of restrictions shall be filed in the Register's or County Clerk's Office so that the original unsubdivided tax lot constitutes the on-going zoning lot. The terms and conditions set forth in the declaration shall follow the requirements defined in Section 12-10 of the Zoning Resolution under "zoning lot", and procedurally outlined in a Building Department memorandum dated May 18, 1978. A duplicate copy of such recorded declaration shall be required to be filed with the Department of Buildings.

c. Mergers and apportionments of tax lots in condominiums shall not require a Department of Buildings Certification provided that the total tax lot entity remains unchanged.

4. Land Dimension Conflict

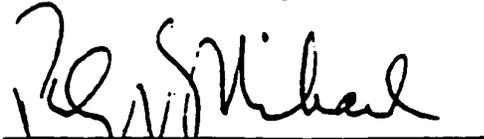
Land dimension errors, not exceeding 6 inches, may be accepted by the Department of Finance.



Commissioner
Department of Buildings



Director
Department of City Planning



Commissioner
Department of Finance


County Clerk
Richmond County

1772