

C O P Y

The City of New York  
DEPARTMENT OF BUILDINGS

Multiple Dwellings

DEPARTMENTAL MEMORANDUM

DATE: December 17, 1968

TO: Borough Superintendents

FROM: Thomas V. Burke, Director of Operations

SUBJECT: Residential Uses - Zoning Resolution Change of Occupancy -  
Class "B" M.D. TO Class "A" M.D.

Residential Uses are placed in Use Group 1 and Use Group 2 of the Zoning Resolution. Single family detached residences are listed as Use Group 1 while residences of all kinds are listed as Use Group 2. Use Group 2 may include such uses as a single family attached residence as well as Class A or Class B multiple dwellings.

Due to certain restrictions in the Multiple Dwelling Law, owners of Class B multiple dwellings are desirous of changing to Class A occupancy. When the property is in an R1, R2 or R3-1 zone district such change constitutes a change of a non-conforming use but does not create a conforming use. In such zones a transient use is considered a less conforming use than a non-transient use and the re-arrangement of partitions and bathrooms and the installation of kitchens for the purpose of changing rooming units into dwelling units may be accepted.

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Thomas V. Burke  
Director of Operations