

**HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS**

**DEPARTMENTAL MEMORANDUM**

**DATE:** June 17, 1977

**TO:** Borough Superintendents & Executive Staff  
**FROM:** Andrew J. Jenkins, Acting Commissioner  
**SUBJECT:** Enclosed Balconies

Many apartment house dwellers have enclosed their balconies with open screening, metal and glass panels, and various other types of light wall assemblies without obtaining permits.

These enclosures usually are secured in such a way that they may be removed with little difficulty.

The Department of Buildings, henceforth, will take the position that lightweight, readily removable balcony enclosures are not to be considered permanent parts of the building, and the enclosed balcony area shall not be counted as floor area for zoning purposes under the following conditions:

1. The enclosure shall be of lightweight, non-combustible construction.
2. The enclosure assembly shall include no masonry or insulation.
3. The enclosure shall contain operable windows or jalousies providing light and ventilation in any room or rooms opening upon the balcony in compliance with paragraph (4) Section 30 of the New York State Multiple Dwelling Law. In this regard, the windows or jalousies shall have at least the area of one-tenth of the combined floor surface of such room or rooms and the portion of the balcony adjoining and in front of such room or rooms.

In no case shall any permanent parapet or railing be removed, and the enclosure shall be securely anchored to resist wind loads as required by sub-article 905.0 and live loads as required by Section C20-902.3 (b) of the Building Code (lateral linear loads are to be applied four feet above balcony level).

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**RESCINDED**

Enclosures consisting of open screening shall be considered minor alterations, and no application or permit shall be required.

For enclosures involving solid panels, building notices shall be filed by either the owner, or a licensed professional engineer or registered architect.

It is not the intent of this memorandum to permit the enclosed balcony to be used as a room. Plumbing, heating, ventilation or air conditioning systems shall not extend into the balcony, (except for the mandatory retention of balcony drains) nor shall additional dead load consisting of flooring, subflooring or soil be added to the balcony. Occupants should be advised to restrict furniture to the light "lawn type" variety.



Andrew J. Jenkins  
Acting Commissioner

RESCINDED

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