

THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: February 9, 1981

TO: Borough Superintendent

FROM: Irwin Fruchtman, P.E., Commissioner 

SUBJECT: Subdivision of Lots

On February 9, 1981, Mayor Koch signed City Council Intro. Nos. 658, 659, and 660 into law. Said laws, which are effective immediately, require certifications by this department as a prerequisite to assignment of a tax lot number to any newly created parcel, filing of any subdivision map, or recording of any instrument relating to a subdivision of real property that the subdivision does not result in the violation of any applicable zoning laws.

After consultation with affected city agencies, the following procedures were agreed upon, and shall be implemented immediately:

I. Subdividing Unimproved Property

The Department of Buildings shall be provided with 2 copies of the following:

A. A notarized affidavit by either the Owner, or the Attorney representing the Owner that the lot is completely unimproved.

B. A notarized affidavit by the Owner, or such Attorney that either no residential building is contemplated on any of the proposed subdivided lots; or in the alternative,

C. A verification by a Registered Architect or Licensed Professional Engineer (with his signature and seal) that none of the proposed subdivided lots will violate the applicable zoning laws.

D. The Department of Buildings will duly make a note of A and B or C, and certify that based on such representations, that such subdivision does not violate the applicable zoning laws.

E. A property description accompanying the notarized affidavit or verification of A and B or C, which shall contain:

1. The unsubdivided plot plan with north arrow and distance to the nearest corner.
2. A full metes and bounds description.
3. The existing tax block and lot number or numbers.
4. House numbers (on all street fronts) if available.
5. The zoning district and its zoning map number (for C only).
6. The proposed subdivided lots.

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A designee of the Deputy Borough Superintendent or Chief Engineer shall promptly review the submission, approve same if complete, and retain one set to be filed in Block and Lot sequence.

**II. Subdividing Improved Property**

A. The Department of Buildings will be provided with 2 copies of the following:

1. A subdivision map of the entire original zoning lot, together with a survey of the lot or lots with a building thereon after submission, such lot area, any building thereon, dimensions of all property, buildings, yards and elevations of all legal grades.

2. The existing tax block and lot number or numbers.

3. The zoning district and its zoning map number or numbers.

4. Zoning calculations by a Registered Architect or Professional Engineer (with his signature and seal) for the subdivided lots. The applicable sections of the Zoning Resolution shall be cited on the zoning calculations. The information provided should be sufficiently complete so as to assure that by subdividing the improved property, a non-compliance is not created.

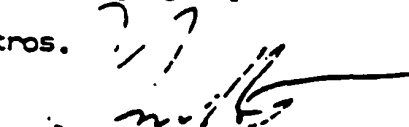
5. The subdivided plot plan with north arrow and distance to nearest corner.

B. A designee of the Deputy Borough Superintendent or Chief Engineer will check the items in A for correctness of calculations and completeness of information; and, if satisfactory, certify that such subdivision does not result in the violation of any applicable zoning laws. One set of the submission is to be filed in Block and Lot sequence.

III. The accompanying Building Department form shall be submitted in duplicate, and used for the certification of any proposed subdivision; and, shall be properly completed and accompany the foregoing documents required for either unimproved or improved property.

IV. One copy of the foregoing is to be returned to the applicant for his use in obtaining tax lot numbers, filing of the subdivision maps, or recording any instrument relating to the subdivision with the cognizant city agency.

Enclosed is a copy of the above-mentioned Intros.

  
Irwin Fruchtmann, P.E.,  
Commissioner

cc: Dep. Comm. Minkin  
Exec. Staff  
Finance Dept., City Register, Real Property Assessment Bureau  
County Clerk (Staten Island)

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