

DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: February 2, 1971

TO: Borough Superintendents

FROM: Thomas V. Burke, Director of Operations

SUBJECT: Corporation Counsel Opinion No. 107,337
Lot Areas in Mapped Streets

A copy of an opinion of the Corporation Counsel, numbered 107,337, dated January 27, 1971, is attached. The opinion is to be followed in the application of zoning resolution requirements to lots within a subdivision, where parts of such lots lie within mapped streets.

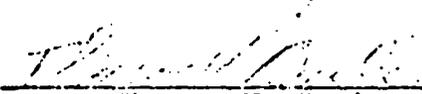
Note that in the last paragraph of the opinion, it is stated that the areas which lie within the mapped street are not to be considered as lot areas for zoning purposes when such streets must be opened to provide access in compliance with section 36 of the General City Law. In addition to legally mapped streets, mapped streets as used in the last paragraph of the opinion, shall include streets which are not yet legally adopted as streets but which must be legally mapped before the building may comply with section 36 of the General City Law.

It should be noted also that the previous opinion of the Corporation Counsel, number 101,915 of November 1950, concerning widening of streets where condemnation proceedings have not been instituted, which related to section 35 of the General City Law, still remains in effect.

This opinion of the Corporation Counsel shall be made effective immediately. Compliance with the requirements of section 11-33 of the Zoning Resolution shall be required where applications have been approved, with the opinion of the Corporation Counsel considered in the same manner as an amendment of the Zoning Resolution. Inspection shall be made of the extent of the work performed under approved applications. The reports shall be reviewed by the Borough Chief Engineers-Construction and where the status of construction warrants, revocation of approval and permits shall be recommended to the Borough Superintendents.

TVB/df
Att.

CC: Exec. Staff
Industry


Thomas V. Burke
Director of Operations

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