

HOUSING AND DEVELOPMENT ADMINISTRATION

DEPARTMENT OF BUILDINGS

DIRECTIVE NO. 10 / 70

To: Borough Superintendents

Date: May 27, 1970

From: John T. O'Neill  
Commissioner

Subject: Permissible Openings  
In Exterior Walls

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There have been numerous inquiries as to the proper interpretation of the pertinent provisions of law relating to permissible openings in exterior walls, particularly buildings with lot line walls which are considerably greater in height than buildings on adjoining lots. Accordingly, you are to be guided as follows in regard to this matter:

1. Table 3-4 and the footnotes thereunder prescribe the basic limitations in regard to permissible openings in exterior walls, and basic requirements for the fire-resistive ratings of exterior walls.
2. Section C26-503.1(a) prescribes additional requirements for exterior wall openings in buildings over 40 feet in height which are less than 30 feet from either a roof having a fire-resistance rating of less than .1 hour or protected openings therein, or which are less than 30 feet from frame buildings.
3. Section C26-503.1(f) prescribes requirements for the fire resistive rating of spandrel walls in buildings of certain occupancy groups.
4. Footnote b of Table 3-4 authorizes the Commissioner to permit, upon special application, exterior wall openings to be constructed in excess of the permitted area established by Table 3-4 if such openings at the time of their construction are located at least 60 feet in a direct line from any neighboring building except as otherwise permitted by footnote f; and, further, provides that such additional openings may not, however, be credited toward meeting any of the mandatory light and ventilation requirements of Article 12. This footnote further stipulates that if any neighboring building is (later altered or constructed to come within the listed distances in Table 3-4, the effected exterior wall openings shall be immediately closed with construction meeting the fire resistive rating requirements for exterior wall construction of the building in which they are located.

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Hereafter, Borough Superintendents may authorize exterior openings at least 60 feet in a direct line, whether horizontally, vertically, or diagonally from any neighboring building to be constructed in excess of the permitted area established by Table 3-4 in exterior walls with any exterior separation from a building or lot line, based on footnote b in Table 3-4, provided the following conditions are adhered to:

1. The plans submitted by the applicant indicate all pertinent facts regarding adjoining buildings, and are verified from department records.
2. The required fire resistive rating of the exterior wall specified in Table 3-4 for the applicable exterior separation is provided; and, Section C26-503.1(a) and C26-503.1(f) are complied with, in addition.
3. The owner of the proposed building indicates in writing that he is aware of the requirements imposed by the above mentioned footnote, and agrees to have a deed restriction filed with the County Clerk's office making such requirements binding on all successors prior to requesting a certificate of occupancy.
4. The specification sheet has a provision noting the mandate to close-up exterior openings in the future under the conditions specified in footnote b; and, the final certificate of occupancy shall, in addition, indicate the page and liber number of the deed restrictions.
5. The structural and mechanical plans shall, at the time of approval, be verified to have the capability to accommodate human occupancy and the additional loading presuming that the enclosures are in fact in place.
6. The openings need not be protected unless otherwise provided by law, but openings above the top of any chimney within the distances specified in Section C26-1501.4 are to be fixed.

John T. O'Neill  
Commissioner

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CC: All Executive Staff  
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