



City of New York

City Planning Commission

2 Lafayette Street, New York, N.Y. 10007

September 28, 1977

Hon. Jeremiah T. Walsh
Commissioner
Department of Buildings
120 Wall Street
New York, New York 10005

Dear Commissioner Walsh:

I was pleased to learn of the constructive meeting which occurred in your office yesterday regarding administration of the new Zoning Lot Definition, adopted by the Board of Estimate last month. Besides yourself, the meeting included your Director of Operations Irving Minkin, your Executive Engineer Irving Polsky, your General Counsel Louis Beck, two representatives of the City Bar Association Committee James J. Pedowitz and Donald H. Siskind, my Counsel Norman Marcus and Deputy Chief Engineer Julius Spector.

In the course of the meeting, two clarifications of the new Zoning Lot Definition were resolved. The first clarification related to our intention to require recordation of ownership, metes and bounds, and tax block and lot, prior to permit issuance for enlargements or new developments as opposed to changes of use or premises alterations which do not result in the creation of additional floor area. It was agreed that no purpose would be served by requiring recordation in the latter instances. The other clarification would insure that the place of recordation in both portions of the zoning lot amendment dealing with recordation, be in the "Conveyances Section" of the Office of the City Register or County Clerk. This carries forward our intent of facilitating the notice process resulting from title search which could otherwise be impeded where recordation occurred for example in the "Miscellaneous Section" of the Office of the City Register or County Clerk.

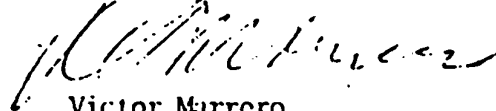
In my view, both of these minor modifications of the text reflect the basic ordinance intention of providing notice of floor area increments within the zoning lot and simply clarify and refine the earlier language which inadvertently failed to be sufficiently precise on these points. It is our intention to include these clarifications in the final printed text of the Zoning Resolution. The clarified passage would read as follows:

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Prior to the issuance of any permit for a development or enlargement pursuant to this Resolution a complete metes and bounds of the zoning lot, the tax lot number, the block number, and the ownership of the zoning lot as set forth in paragraphs (a), (b), (c) and (d) herein shall be recorded by the applicant in the Conveyances Section of the Office of the City Register (or, if applicable, the County Clerk's Office) of the county in which the said zoning lot is located.

I very much appreciate the helpful cooperation of your agency in moving forward with this major improvement in basic mechanics of the ordinance which practitioners in the real estate field have long sought.

Sincerely,



Victor Marrero
Chairman

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