

THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: May 23, 1982

TO: Borough Superintendents  
FROM: Deputy Commissioner Irving E. Minkin, P.E.  
SUBJECT: Yards in Irregular Lots

-----

Irregular lots often have, by definition, several "rear" lot lines, while Section 23-47 of the Zoning Resolution requires only a single rear yard, adjacent to "the" rear lot line.

In situations where the lot is shaped as "a flag pole" lot, as indicated in the enclosed sketches, you are hereafter to be guided by the following interpretation:

1. Where there is inadequate building frontage, as required by Section C26-401.1 of the Administrative Code, the yards in question shall be required to comply with rear yard requirements, in order to meet the requirements for frontage space in sub-article 201 of the Building Code, as well as the rear yards adjacent to the remotest rear lot line.
2. If there is adequate building frontage, then the following criteria shall apply:
  - a. In districts where front yards are required, the yards in question shall be of the depth required for front yards.
  - b. In districts where no front yards are required the minimum dimension of the yards in question shall be minimum dimension for side yards.
  - c. The foregoing provisions are conditioned upon the following (otherwise, rear yards shall be required at the yards in question as well as at the remotest rear lot lines).
    1. The intervening lots between the lot lines involved and the street line have lawful rear yards in accordance with the current Zoning Resolution.
    2. The rear yard at the remotest lot line is for a width equal to or exceeding the minimum required for the lot.
    3. There are no legally required windows fronting on the questionable yards.

  
Irving E. Minkin, P.E.  
Deputy Commissioner

1849