



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES
120 WALL STREET, NEW YORK, N. Y. 10005

CHARLES M. SMITH, Jr., R. A., Commissioner

September 2, 1986

MEMORANDUM

TO: BOROUGH SUPERINTENDENTS

FROM: George E. Berger, P.E.
Assistant Commissioner

SUBJECT: Special Provision for Party or Side Lot Line Walls
Section 23-49 Zoning Resolution

GEORGE E. BERGER, P.E.
Assistant Commissioner
Building Construction
Special Projects

NOTE: This memorandum supersedes my memorandum dated August 7, 1986.

Section 23-49(c) of the New York City Zoning Resolution shall be interpreted as applying to a newly created party wall by either the construction of two new buildings or by means of an enlargement of one or more existing buildings or any combination thereof.

The special provision of Section 23-49(a)&(c) are applicable when the party walls are utilized or shared for 50% or more of the depth of the building. Unusual conditions such as a drive-thru area shall be subject to review by the Borough Superintendents.

Party walls and independent walls referred to in Section 23-49 shall be applicable to walls of the residential building and not to accessory buildings such as sheds and garages.

An exterior wall of an existing building which is not more than 6 inches off the lot line shall be considered as being on the lot line.

A straight line extension referred to in Section 23-49(b) may be either vertical or horizontal in direction and is permitted regardless of the open area of the adjoining lot.


George E. Berger, P.E.
Assistant Commissioner

GEB:lg
cc: Executive Staff
Engineers & Architects Societies