



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

73-622 - Enlargements of single- and two-family detached and semi-detached residences

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LAST AMENDED

5/12/2021

The Board of Standards and Appeals may permit an enlargement of an existing single- or two-family detached or semi-detached residence, except cottage envelope buildings as such term is defined in Section [64-11](#) (Definitions), utilizing the provisions of Section [64-33](#) (Special Bulk Regulations for Cottage Envelope Buildings), within the following areas:

- (a) Community Districts 11 and 15, in the Borough of Brooklyn;
- (b) R2 Districts within the area bounded by Avenue I, Nostrand Avenue, Kings Highway, Avenue O and Ocean Avenue, Community District 14, in the Borough of Brooklyn; and
- (c) within Community District 10 in the Borough of Brooklyn, after October 27, 2016, only the following applications, Board of Standards and Appeals Calendar numbers 2016-4218-BZ, [234-15-BZ](#) and 2016-4163-BZ, may be granted a special permit pursuant to this Section. In addition, the provisions of Section [73-70](#) (LAPSE OF PERMIT) and paragraph (f) of Section [73-03](#) (General Findings Required for All Special Permit Uses and Modifications), shall not apply to such applications and such special permit shall automatically lapse and shall not be renewed if substantial construction, in compliance with the approved plans for which the special permit was granted, has not been completed within two years from the effective date of issuance of such special permit.

Such enlargement may create a new non-compliance, or increase the amount or degree of any existing non-compliance, with the applicable bulk regulations for lot coverage, open space, floor area, side yard, rear yard or perimeter wall height regulations, provided that:

- (1) any enlargement within a side yard shall be limited to an enlargement within an existing non-complying side yard and such enlargement shall not result in a decrease in the existing minimum width of open area between the building that is being enlarged and the side lot line;
- (2) any enlargement that is located in a rear yard is not located within 20 feet of the rear lot line; and
- (3) any enlargement resulting in a non-complying perimeter wall height shall only be permitted in R2X, R3, R4, R4A and R4-1 Districts, and only where the enlarged building is adjacent to a single- or two-family detached or semi-detached residence with an existing non-complying perimeter wall facing the street. The increased height of the perimeter wall of the enlarged building shall be equal to or less than the height of the adjacent building's non-complying perimeter wall facing the street, measured at the lowest point before a setback or pitched roof begins. Above such height, the setback regulations of Section [23-631](#), paragraph (b), shall continue to apply.

The Board shall find that the enlarged building will not alter the essential character of the neighborhood or district in which the building is located, nor impair the future use or development of the surrounding area. The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.