



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **23-86 - Minimum Distance Between Legally Required Windows and Walls or Lot Lines**

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## 23-86 - Minimum Distance Between Legally Required Windows and Walls or Lot Lines

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LAST AMENDED

2/2/2011

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts as indicated, the minimum distance between #legally required windows# and walls or #lot lines# shall be as set forth in this Section, except that this Section shall not apply to #legally required windows# in #buildings# containing #residences# :

- (a) in R2X, R3, R4 or R5A Districts, with a maximum height of 35 feet and with a maximum of three units; and
- (b) in other districts either:
  - (1) with a maximum height of 32 feet and with a maximum of three units; or
  - (2) with three #stories# if the lowest #story# is either a #basement# or is excluded from #floor area# by definition.

For the purposes of this Section, #abutting# #buildings# on the same #zoning lot# shall be considered a single #building#.

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## 23-861 - General provisions

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LAST AMENDED

12/6/2023

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except as otherwise provided in Section [23-862](#) (Minimum distance between legally required windows and lot lines on small corner lots in R9 or R10 Districts) or Section [23-863](#) (Minimum distance between legally required windows and any wall in an inner court), the minimum distance between a #legally required window# and:

- (a) any wall;
- (b) a #rear lot line#, or vertical projection thereof; or
- (c) a #side lot line#, or vertical projection thereof;

shall be 30 feet, measured in a horizontal plane at the sill level of, and perpendicular to, such window for the full width of the rough window opening; provided, however, that a #legally required window# may open on any #outer court# meeting the requirements of Section [23-84](#) (Outer Court Regulations), except for small #outer courts# in R6 through R10 Districts, the provisions for which are set forth in paragraph (b) of Section [23-841](#) (Narrow outer courts).

The obstructions permitted for any #yard# set forth in paragraph (a) of Section [23-441](#) (General permitted obstruction allowances), shall be permitted in such minimum distance.

However, for shallow #interior lots# in R6 through R10 Districts, the minimum distance between a #legally required window# and a #rear lot line#, or vertical projection thereof, may be reduced to equal the #rear yard# depth required pursuant to the provisions of Section [23-52](#) (Special Provisions for Shallow Interior Lots). However, in no event shall such minimum distance between a #legally required window# and a #rear lot line#, or vertical projection thereof, be less than 20 feet.

In R3, R4 and R5 Districts, the minimum dimension between a #legally required window# and a #side lot line# shall be 15 feet.

Such 15 foot dimension shall be measured in a horizontal plane perpendicular to the #side lot line# or vertical projection thereof. Furthermore, such area with a 15 foot dimension shall be open to the sky from ground level up for the entire length of the #side lot line#. Only #accessory# mechanical equipment limited in depth to 18 inches from an exterior wall, chimneys, downspouts, eaves, gutters, open #accessory# off-street parking spaces, #qualifying exterior wall thickness#, ramps for access by the handicapped, and steps shall be permitted obstructions in such open area, subject to the conditions set forth in of Section [23-44](#) (Permitted Obstructions in Required Yards or Rear Yard Equivalents), provided that such obstructions, not including #qualifying exterior wall thickness# and #accessory# mechanical equipment, will not reduce the minimum width of the open area by more than three feet.

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### **23-862 - Minimum distance between legally required windows and lot lines on small corner lots in R9 or R10 Districts**

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LAST AMENDED

12/6/2023

R9 R10

In the districts indicated, on a #corner lot# less than 10,000 square feet in #lot area#, a #legally required window# may open on a #yard# bounded on one side by a #front lot line# and having a minimum width of 20 feet, provided that the provisions of Section [23-44](#) (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall not apply to such #yard#. However, #accessory# mechanical equipment limited in depth to 18 inches from an exterior wall, awnings and other sun control devices, #qualifying exterior wall thickness#, and solar energy systems on walls, as set forth in Section [23-44](#) (Permitted Obstructions in Required Yards or Rear Yard Equivalents), shall be permitted within such minimum distance.

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### **23-863 - Minimum distance between legally required windows and any wall in an inner court**

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LAST AMENDED

3/22/2016

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the minimum horizontal distance between a #legally required window# opening on an #inner court# and any wall opposite such window on the same #zoning lot# shall not be less than 30 feet. However, such provisions shall not apply to small #inner courts#, the provisions for which are set forth in paragraph (b) of Section [23-851](#) (Minimum dimensions of inner courts).

Such minimum distance shall be measured in a horizontal plane at the sill level of, and perpendicular to, the #legally required window# for the full width of the rough window opening, between such window and a projection of such wall onto such horizontal plane.