



## **Zoning Resolution**

**THE CITY OF NEW YORK**  
**Zohran K. Mamdani, Mayor**

**CITY PLANNING COMMISSION**  
**Sideya Sherman, Chair**

# **119-315 - Modification of height and setback regulations**

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## 119-315 - Modification of height and setback regulations

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LAST AMENDED

2/2/2011

For any #Tier II site#, the City Planning Commission may authorize variations in the height and setback regulations set forth in Section [119-212](#) (Height and setback regulations).

In order to grant such authorizations, the Commission shall find that:

- (a) the #development# or #enlargement# is not feasible without such modification, or that the requested modification will permit a #development# or #enlargement# that satisfies the purpose of this Chapter;
- (b) by concentrating permitted #floor area# in a #building# or #buildings# of greater height covering less land, the preservation of existing topography and vegetation and the preservation of #hillsides# having aesthetic value to the public will be assured, and that such preservation would not be possible by careful siting of lower #buildings# containing the same permitted #floor area# and covering more land;
- (c) such modification is the least modification required to achieve the purpose for which it is granted;
- (d) the requested modification will not disturb the soil conditions of the area;
- (e) the proposed modification does not impair the essential character of the surrounding area; and
- (f) the proposed modification will not have adverse effects upon light, air and privacy of adjacent properties.