Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

105-433 - Modification of grading controls

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LAST AMENDED
2/2/2011

For any #development#, #enlargement# or #site alteration# on a #Tier II site#, the City Planning Commission may authorize variations in the grading controls set forth in Section 105-34.

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

(a) the #development#, #enlargement# or #site alteration# is not feasible without such modifications, or that the modifications will permit a #development#, #enlargement# or #site alteration# that satisfies the purposes of this Chapter;

(b) such modification is the least modification required to achieve the purpose for which it is granted;

(c) the modification has minimal impact on the existing natural topography and vegetation and blends harmoniously with it;

(d) the modification will not disturb the drainage pattern and soil conditions of the area;

(e) the modification does not impair the essential character of the surrounding area; and

(f) the benefits to the surrounding area from the modification outweigh any disadvantages that may be incurred thereby in the area.