64-42 - Yards, Courts and Open Space for Buildings Existing on October 28, 2012
The provisions of this Section shall apply without requiring a #building# to comply with #flood-resistant construction standards# as established in paragraph (a) of Section 64-12 (Applicability).

(a) For existing #single-# and #two-family residences#, and for the reconstruction of such #residences#, mechanical equipment including but not limited to #accessory# heating and cooling equipment and emergency generators, shall be permitted obstructions in #open space# required on the #zoning lot#, in any #side yard#, #rear yard# or #rear yard equivalent#, and in #courts#, provided such equipment is:

1. located above #flood-resistant construction elevation#; and
2. located at least five feet from any #lot line#; and
3. screened on all sides by walls consisting of at least 50 percent opaque materials; and
4. in compliance with the standards of either paragraph (a)(5) or (a)(6) of this Section; and
5. the mechanical equipment and all structure and screening are located no more than seven feet from the wall of a #building# and limited to a height of no more than 10 feet above #flood-resistant construction elevation#; or
6. the mechanical equipment is located within a detached garage or on the roof of a detached garage, provided that:
   i. where covered by a sloping roof that rises at least seven inches in vertical distance for each foot of horizontal distance, no portion of the roof shall exceed a height of 14 feet above the adjoining grade, measured to the midpoint of a sloping roof; or
   ii. for all other conditions, no portion of the garage, screening or the mechanical equipment shall exceed a height of 12 feet above the adjoining grade.

(b) For existing #buildings#, except #single-# and #two-family residences#, #accessory# mechanical equipment shall be permitted obstructions in #courts# and #open space#, provided such equipment is:

1. located above #flood-resistant construction elevation#;
2. within a #structure# that provides screening of such mechanical equipment on all sides by walls consisting of at least 50 percent opaque materials;
3. limited to a height established in Section 64-322 (Permitted obstructions in required yards, courts and open space), paragraph (c), for mechanical equipment as permitted obstructions in a #rear yard#; and
4. located at least 30 feet from any #legally required window#.

(c) For existing #buildings#, except #single-# and #two-family residences#, lifts for persons with disabilities, where permitted pursuant to provisions of the New York City Building Code, shall be permitted obstructions in #yards#, #courts# and
In the districts indicated, the provisions of Section 23-451 (Planting requirement) are modified for existing buildings, where the distance between the street wall and the street line is six feet or less, to allow stairs, ramps or lifts that access the lowest occupiable floor to be counted as planted area for the purposes of fulfilling the requirements of such provisions.