



Legislation Details (With Text)

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**In control:** Committee on Land Use

**On agenda:** 5/21/2002

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**Title:** Resolution approving the decision of the City Planning Commission on Application No. N 010182 ZRM, an amendment to the text of the Zoning Resolution relating to Section 99-052 (a)(3) (Recesses, balconies and dormers) in the Special Madison Avenue Preservation District concerning recess regulations for zoning lots with frontage between 50 feet and 100 feet along Madison Avenue that are located entirely in an Historic District designated by the Landmarks Preservation Commission (L.U. No. 126).

**Sponsors:** Melinda R. Katz

**Indexes:**

**Attachments:** 1. Committee Report, 2. Hearing Transcript - Stated Meeting - May 21, 2002

Date	Ver.	Action By	Action	Result
5/16/2002	*	Committee on Land Use	Approved by Committee	
5/21/2002	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 295

Resolution approving the decision of the City Planning Commission on Application No. N 010182 ZRM, an amendment to the text of the Zoning Resolution relating to Section 99-052 (a)(3) (Recesses, balconies and dormers) in the Special Madison Avenue Preservation District concerning recess regulations for zoning lots with frontage between 50 feet and 100 feet along Madison Avenue that are located entirely in an Historic District designated by the Landmarks Preservation Commission (L.U. No. 126).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on April 23, 2002 its decision dated April 17, 2002 (the "Decision"), on the application submitted by Tamarkin Co., pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution (Application No. N 010182 ZRM) (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on May 14, 2002;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration, issued on January 7, 2002 (CEQR No. 01DCP023M);

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment;

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application the Council approves the Decision; and

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in Graytone is new, to be added;  
Matter in Strikeout is old, to be deleted;  
Matter within # # is defined in the Zoning Resolution.  
\*\*\* indicates where unchanged text appears in the Zoning Resolution

99-052  
Recesses, balconies and dormers

(a) Recesses

Recesses are permitted to provide #outer courts#, balconies or articulation of #street walls# at the intersection of two #street lines#. In addition, recesses may be required or prohibited due to the width of the #zoning lot# or the location of the #street wall# of an adjacent #building#. For the purposes of this Section, the provisions of Section 23-842 (Wide outer courts) shall not apply. In lieu thereof, the width of any such #court# shall be at least one and one-third times its depth. All recesses shall be provided in accordance with the following provisions:

(1) Above a height of 20 feet above #curb level#, or above the level of the second #story#, whichever is lower, up to 30 percent of the #street wall# of a base may be recessed from the #street line#. However, no recesses shall be permitted within 30 feet of the intersection of two #street lines#, unless such recesses are provided within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection.

(2) Where the #development# is adjacent to an existing #building# located on a #zoning lot# having frontage on the same #street line#, no recesses shall be provided in the #street wall# of the #development# for a distance of 10 feet from the adjacent corner of the existing #building# to a height equal to the height of the existing #building#.

(3) Except for a #zoning lot# with less than 50 feet of frontage, or a #zoning lot# with less than 100 feet of frontage and located entirely in a Historic District designated by the Landmark Preservation Commission, Recesses are required on the #street walls# of #buildings# facing Madison Avenue when located on any #zoning lot# having more than 50 feet of frontage on Madison Avenue, in accordance with the following provisions:

(i) above a height of 20 feet above #curb level#, or above the level of the second #story#, whichever is lower, at least 25 percent of the length of the #street wall# of a base at the level of every #story# shall be recessed from the #street line# to a depth of at least five feet. Such recesses shall be unobstructed from their lowest level to the sky; and

(ii) above the base, the #street wall# shall be articulated with recesses that occupy at least 20 percent of the length of the #street wall# at the level of every #story# to a depth of at least five feet. Such recesses shall be unobstructed from their lowest level to the sky.

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Adopted.

Office of the City Clerk, }  
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on May 21, 2002, on file in this office.

.....  
City Clerk, Clerk of the Council

