



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# **136-313 - Minimum and maximum base height**

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## 136-313 - Minimum and maximum base height

LAST AMENDED

12/6/2023

Within Subdistrict A, the provisions of Section [136-222](#) (Minimum and maximum base height) shall not apply. In lieu thereof, for #residential buildings#, #mixed buildings# and #commercial buildings#, the provisions of this Section shall apply. The #street wall# height and setback regulations of the underlying district shall apply except as modified in this Section.

- (a) The minimum and maximum heights before setback of a #street wall# required pursuant to Section [136-221](#) (Street wall location), shall be as set forth in the following table:

Condition	Minimum Base Height (feet)	Maximum Base Height (feet)	Minimum Setback Depth (feet)
Fronting on, or within 100 feet of, a #street#, other than a private street or publicly accessible open space	40 <sup>1</sup>	65	10
Fronting on a private street or a publicly accessible open space and beyond 100 feet of a #street# that is not a private street or publicly accessible open space	40 <sup>1</sup>	85	7
Fronting on Redfern Avenue	30 <sup>1</sup>	45 <sup>2</sup>	10

<sup>1</sup> Within 300 feet of Mott Avenue, the minimum base height shall be 20 feet

<sup>2</sup> The maximum base height for the portion of a #building# subject to the 65 foot or six story maximum height provisions of Section [136-314](#) shall be 65 feet

- (b) Dormers

The provisions of paragraph (c) of Section [23-623](#) (Permitted obstructions in certain districts) shall be modified to allow dormers as a permitted obstruction within the required front setback distance above a maximum base height, as follows:

- (1) Within 75 feet of intersecting #streets#, dormers shall be permitted without limitation on width.
- (2) Where dormers are provided pursuant to paragraph (b)(1) of this Section, and such dormers exceed the maximum width permitted pursuant to paragraph (c) of Section [23-623](#), for any portion of a #building# with an #aggregate width of street walls# greater than 75 feet, a setback shall be provided above the maximum base height between such dormer and any other dormer for a width of at least 20 feet, or the remaining width of such #street wall#, as applicable.
- (3) Beyond 75 feet of intersecting #streets#, the provisions of paragraph (c) of Section [23-623](#) shall apply. The width of any dormers provided pursuant to the provisions of paragraph (b)(1) of this Section shall be included in the aggregate width of all dormers.

However, the provisions of this paragraph (b) shall not apply to portions of #buildings# with frontage on Redfern Avenue, except that these provisions shall apply to portions of #buildings# with frontage on both Redfern Avenue and Mott Avenue.