



## **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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## 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.