



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

139-232 - Permitted obstructions

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LAST AMENDED

12/6/2023

In all districts, the underlying permitted obstruction regulations shall be modified by this Section.

(a) Balconies

Unenclosed balconies complying with the provisions of Section [23-132](#) (Balconies in R6 through R10 Districts) may encroach into any required open area on the #zoning lot#. However, balconies that encroach into #waterfront public access areas# shall be regulated by the provisions of paragraph (a)(1) Section [139-51](#) (Area-wide Modifications).

(b) Dormers

Above the maximum base height, dormers shall be permitted to encroach into a required setback area, except setback areas adjoining tower portions of #buildings# and setback areas facing #waterfront public access areas#, provided that:

- (1) the aggregate width of all dormers does not exceed 50 percent of the width of the #street wall# of the highest #story# entirely below the maximum base height;
- (2) the aggregate width of all dormers with a depth exceeding seven feet does not exceed 30 percent of the width of the #street wall# of the highest #story# entirely below the maximum base height.

Such dormers need not decrease in width as the height above the maximum base height increases.