



DEPARTMENT OF BUILDINGS
EXECUTIVE OFFICES
120 WALL STREET, NEW YORK, N. Y. 10005
CHARLES M. SMITH, Jr., R. A., Commissioner

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Building Construction
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TO: Borough Superintendents

FROM: George E. Berger, P.E. *AGB*
Assistant Commissioner

SUBJECT: OPEN PORCHES - Section 23-44 - ZONING RESOLUTION

1. This supersedes Department Memorandum of February 27, 1967, titled "Open Porches, Section 23-44 Zoning Resolution."
2. There are references to porches, terraces, steps, breezeways and balconies under the bulk regulations regarding open space, floor area, and yards. None of these items is defined under the Zoning Resolution. The question of permissible extension of such obstructions into yards requires that a limitation of projection be established for porches.
3. For Section 23-44 Zoning Resolution purposes, the following definitions shall be used:
 - a. Terrace: an unenclosed, unroofed relatively level paved or planted area adjoining a building; a raised embankment with the top leveled for walking or seating purposes.

- b. Porch: an unenclosed, unroofed entrance with steps to a building located at or below the floor level of the 1st story above a cellar or basement.
- c. Breezeway: an open-air passage connecting two buildings or two halves of a building.
- d. Balcony: As defined by Section 23-13 Zoning Resolution.

All other terms (decks, verandas, etc.) shall be viewed in the context of the above definitions.

- 4. An open porch or terrace shall be considered acceptable for projection into a required yard provided there is no useable building space beneath the porch, and it does not project beyond the face of the building more than eight (8) feet. Roofs or canopies over such open porches are not permissible. Steps leading from a porch to adjoining grade may be located beyond the limits noted above.