



THE COUNCIL  
OF  
THE CITY OF NEW YORK

June 5, 2018

Honorable Members of the Board  
Board of Standards and Appeals  
250 Broadway, 29th Floor  
New York, NY 10007

**RE: Cal. No. 2017-285A**  
**Premises: 200 Amsterdam Avenue, MN**

We urge the Board of Standards and Appeals to prohibit the use of gerrymandered zoning lots in New York City.

The use of gerrymandered lots has significant policy implications for the City. Most fundamentally, we are concerned that divorcing zoning lots from the tax lots on a block will make ensuring compliance with the Zoning Resolution dramatically more difficult. Rather than working from a set pool of building blocks, lot mergers could now include a nearly unlimited number of variations and without tax lot boundaries for reference.

Such gerrymandering also opens up new loopholes for skirting the provisions of the Zoning Resolution. Section 23-70, for instance, dictates minimum spacing requirements between two buildings on the same zoning lot, setting them at 40, 50, or 60 feet depending on windows. With the ability to gerrymander a new zoning lot irrespective of existing tax lots, this requirement can be avoided; a development site can simply be carved off from the existing structures onto a new zoning lot, by passing Section 23-70 entirely. Should gerrymandering be officially condoned, we fear that other such loopholes would be discovered.


The Department of Buildings itself has come to recognize that the public interest is best served by prohibiting such gerrymandering. It noted in its March 9th letter to the board that, "having zoning lot lines coincide with tax lot lines promotes clarity and transparency."


This particular proposal is in one Council district, but the implications of the Board's decision on the land use process will be felt citywide. The Board should not reverse the Department of Buildings' new interpretation. Rather, we urge you to uphold it and ensure a clearer and more transparent land use process going forward.


Sincerely,

  
Hon. Helen Rosenthal

  
Hon. Rafael Salamanca  
*Chair, Committee on Land Use*

  
Hon. Ben Kallos  
*Chair, Subcommittee on Planning, Dispositions, and Concessions*


  
Hon. Francisco Moya  
*Chair, Subcommittee on Zoning and Franchises*

  
Hon. Margaret Chin


  
Hon. Carlina Rivera


  
Hon. Keith Powers

  
Hon. Mark Levine

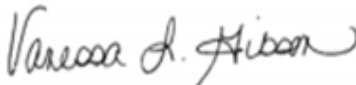
  
Hon. Diana Ayala

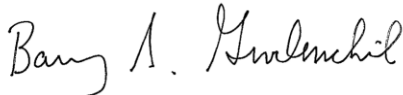
  
Hon. Bill Perkins

  
Hon. Andrew Cohen

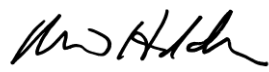
  
Hon. Andy King


  
Hon. Ritchie Torres

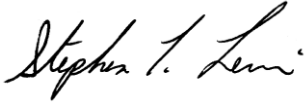
  
Hon. Vanessa Gibson

  
Hon. Barry Grodenchik

  
Hon. Karen Koslowitz

  
Hon. Robert Holden

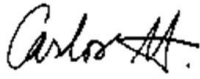
  
Hon. Donovan J. Richards



Hon. Stephen Levin



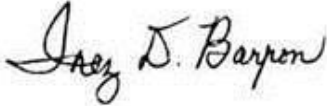
Hon. Antonio Reynoso



Hon. Carlos Menchaca



Hon. Alicka Ampry-Samuel



Hon. Inez Barron



Hon. Justin Brannan



Hon. Mark Treyger



Hon. Chaim M. Deutsch



Hon. Deborah Rose