



Finished Cellar Permit Requirements
Residential

1. Application for interior alteration - completely filled out and notarized
2. Three (3) sets of construction plans
3. Three (3) surveys
4. Fee

Our Zoning Code §68-3 defines “cellar - the lowest level of a structure when there is less than 50% of the lowest level above average grade. A cellar shall not be used as permanent habitable space.”

The uses allowed under this definition now include:

- a. Storage
- b. Mechanical/Utility
- c. Bathroom (1 water closet, 1 lavatory)
- d. One Open Recreation Area

These are only allowed if the ceiling height is in compliance with NYSRR 305 and Egress RR310 Emergency Escape and Rescue Opening. Uses other than the four (4) above must be heard by the Zoning Board of Appeals as a Use Variance. The four uses allowed do not result in this area being calculated into the gross floor area for the FAR computation. Any other use would result in the entire area being calculated into GFA & FAR.

The policy applies to all new work (permits) and all existing work (CPs).