

SUNNYSIDE GARDENS

A Fact Sheet for Residents

NYC Department of City Planning ◦ Queens Office ◦ June 2002

Introduction

You live in a very special community. Sunnyside Gardens is the first planned “Garden City” in the United States. The community has been recognized for its very innovative design and has special zoning regulations that protect that design. These regulations are necessary to preserve the lovely environment in which you take pride and you enjoy. Other residents in other parts of New York City do not have these regulations, so you may not be aware of the Sunnyside Gardens Special Planned Community Preservation District restrictions.

Brief History

From its inception, Sunnyside Gardens has been much more than a simple development of single, two, and three family homes. Today, it stands as an excellent example of early town planning in the United States. The project’s concept originated with Clarence Stein and Henry Wright, who, after World War I, saw the need for imaginative solutions to housing problems. Inspired by new towns in Britain, Stein and Wright dreamed of complete communities, designed to human scale, that would serve working people. Their first realization of these goals is Sunnyside Gardens. Built between 1924 and 1928, the Gardens comprise 1,202 housing units on 55 acres of land located about 15 minutes from the heart of Manhattan. Though the development is constructed on a traditional grid street pattern, the interior of each block forms a common garden or landscaped court. These large interior gardens foster a unique feeling of communal cooperation on a block-to-block basis, as well as within the Gardens as a whole.

Original owners signed forty-year restrictive covenants which protected every block in Sunnyside Gardens from change. These covenants protected the central garden courts and the access to the courts. Garages were prohibited and building alterations were subject to the approval of a committee of elected trustees. The covenants controlled many other aspects of the development in detail, including the color of paint allowed on the trim. All of these forty-year covenants expired in the late 1960s. Many homeowners, however, renewed their covenants, and thus furthered the protection of their particular properties.

Special Planned Community Preservation District

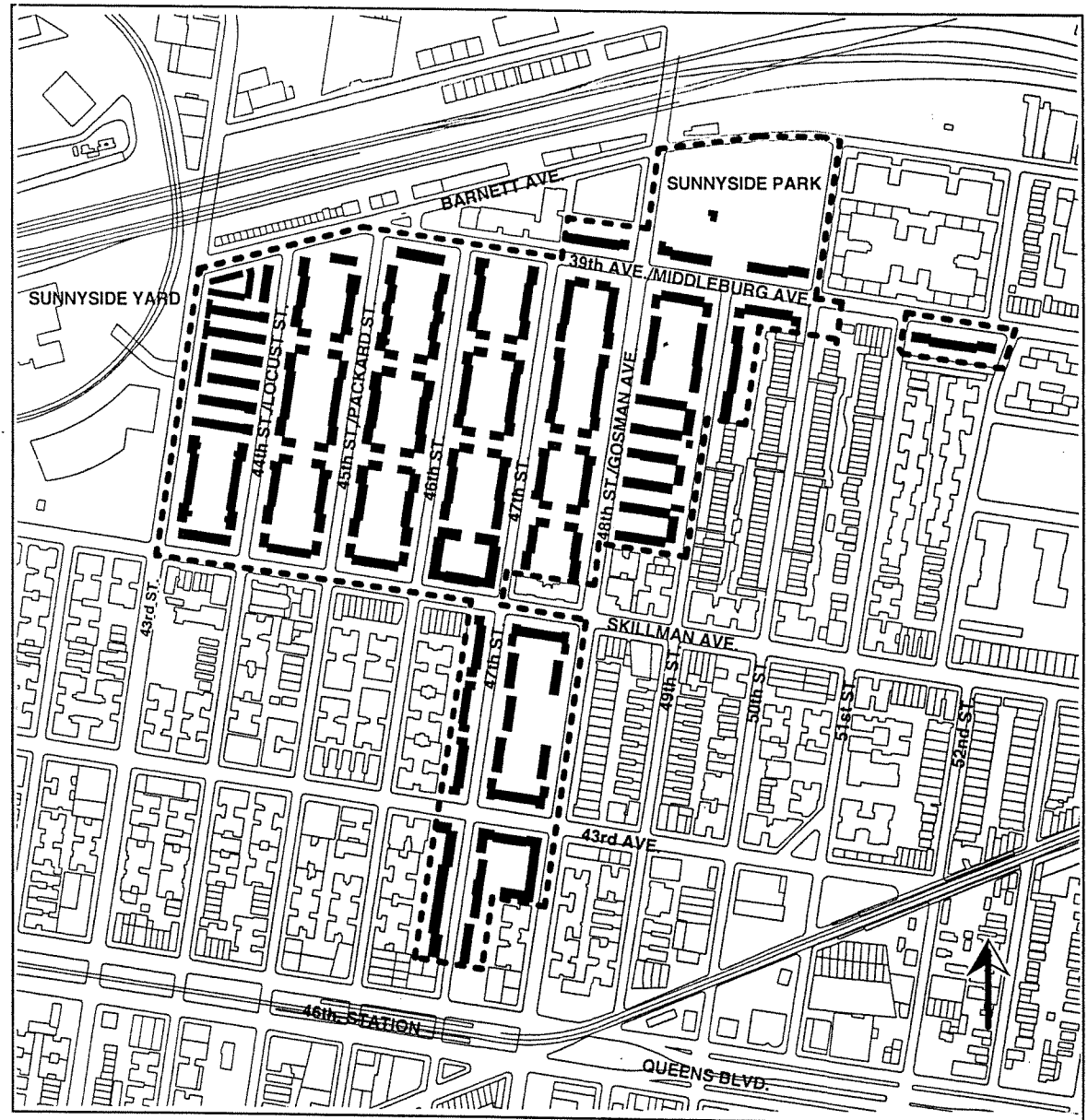
The City Planning Commission and the former Board of Estimate recognized the special value of the Sunnyside Gardens community, and designated it a Special Planned Community Preservation District on July 18, 1974. The Special Planned Community Preservation District zoning provisions (Article X, Chapter 3, Section 103-00 of the New York City Zoning Resolution) generally stipulate that:

... no new development, enlargement which may include demolition of buildings, or substantial alteration of landscaping or topography is permitted within the area designated as a Special Planned Community Preservation District except by special permit of the City Planning Commission after public notice and hearing ...

(Article X, Chapter 3, Section 103-02)

The Special Planned Community Preservation District zoning text is designed to protect the distinctive character of the development by regulating alterations and improvements on properties located within the district boundaries. The zoning text does not prohibit change. Rather, it seeks to guide change through the special permit mechanism to maintain the very special character of Sunnyside Gardens.

District Boundaries

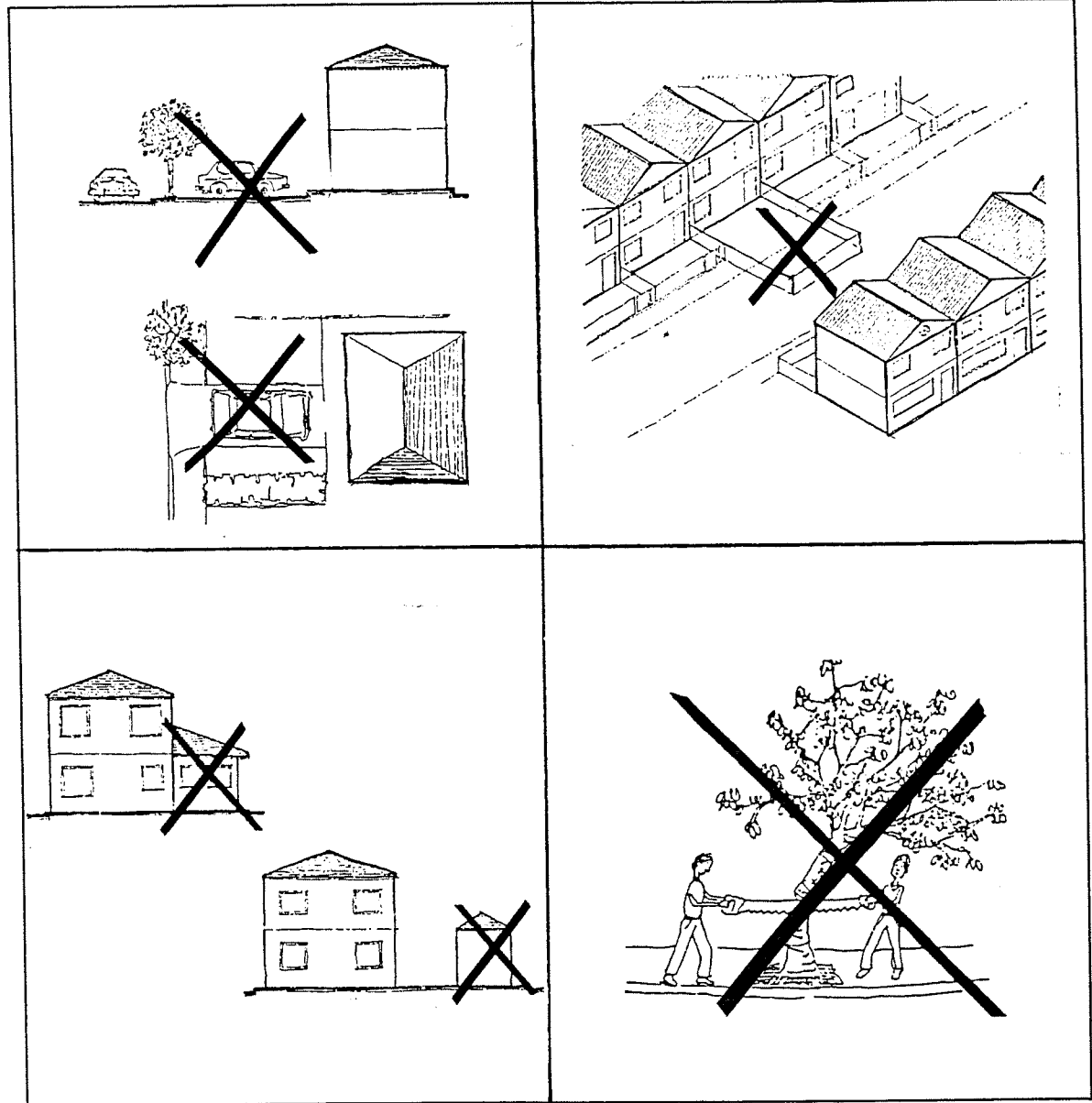


Alterations Not Permitted Without Special Permit Approval

No demolition, new development, enlargement or alteration of landscaping and topography is permitted within the Sunnyside Gardens district except by special permit of the City Planning Commission. The following are just some of the actions that require a special permit approved by the City Planning Commission.

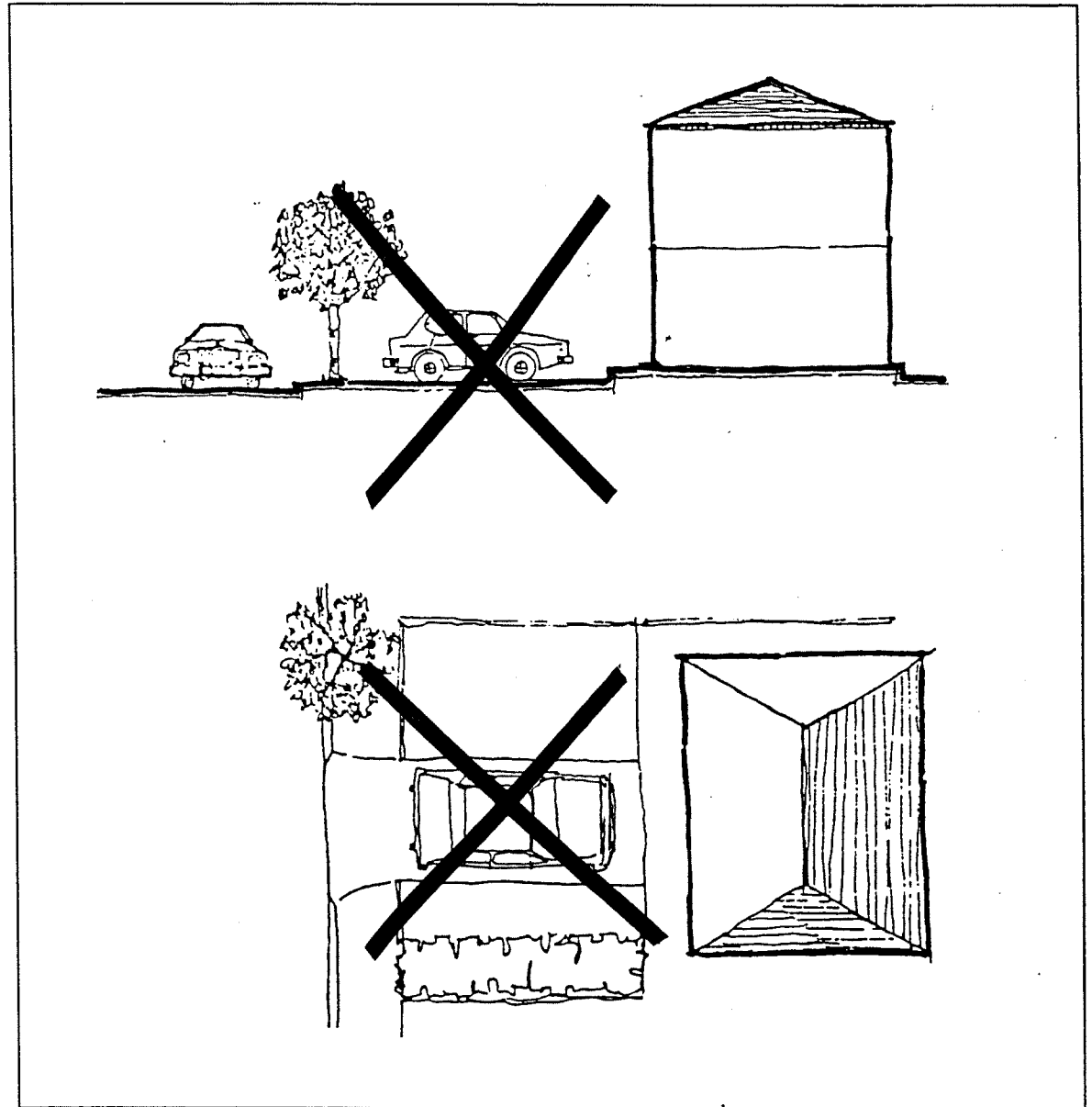
- The cutting of curbs or paving any portion of existing yards
- The erection of fences or barriers of any kind which serve to partition the central garden areas
- Alterations to houses and yards, such as the construction of rear yard decks and the removal or addition of porches
- The alteration of landscape, such as the removal of trees or the creation of new paths

If you do one of the above without a special permit, you risk a fine from a City agency and will be destroying the character of Sunnyside Gardens.



**Alterations Not Permitted
Without Special Permit
Approval**

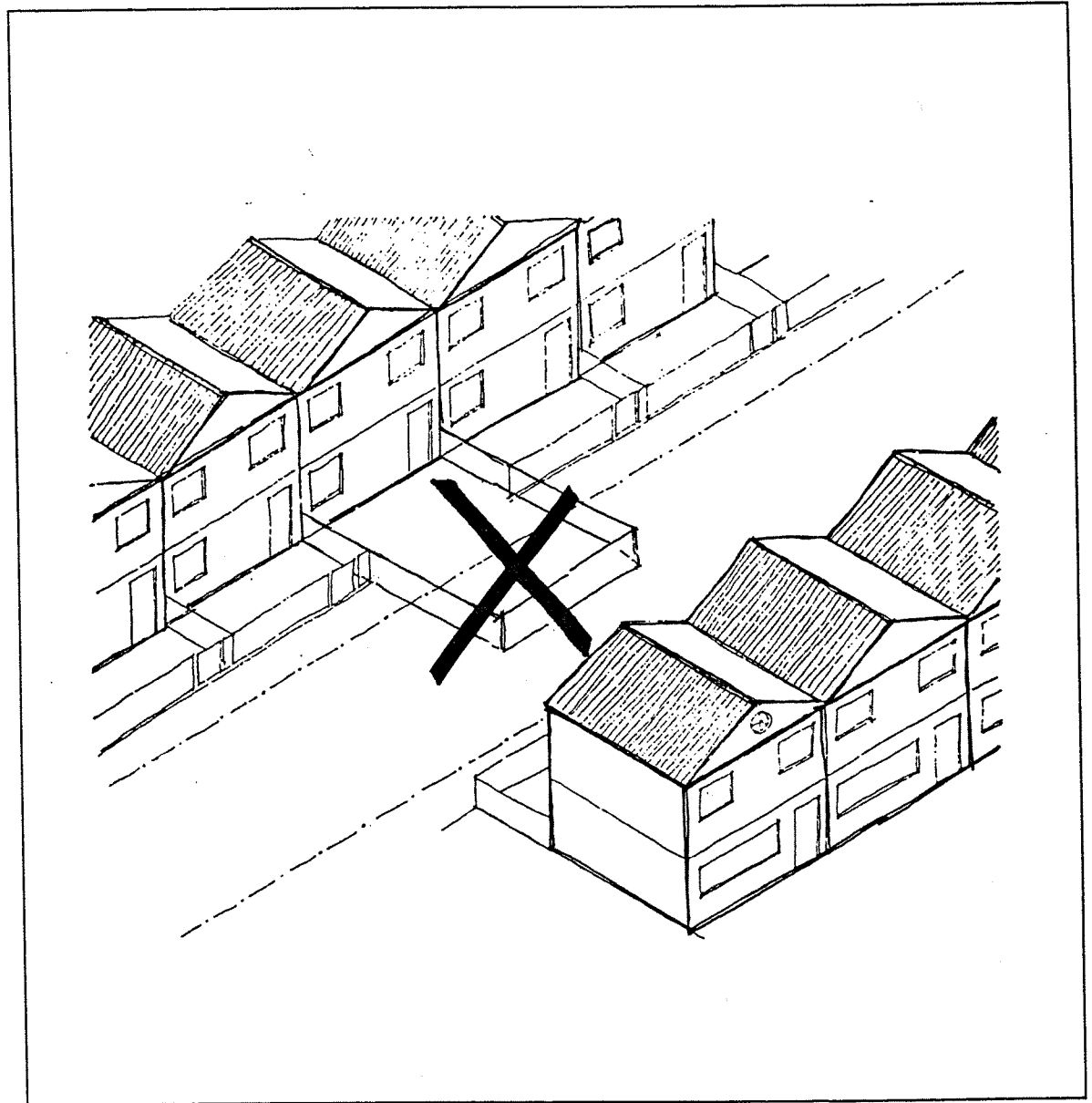
- DRIVEWAYS**
- CURB CUTS**
- PAVEMENT OF EXISTING
YARDS**



The cutting of curbs to accommodate driveways and the paving of any portion of existing yards are not permitted except by special permit of the City Planning Commission.

**Alterations Not Permitted
Without Special Permit
Approval**

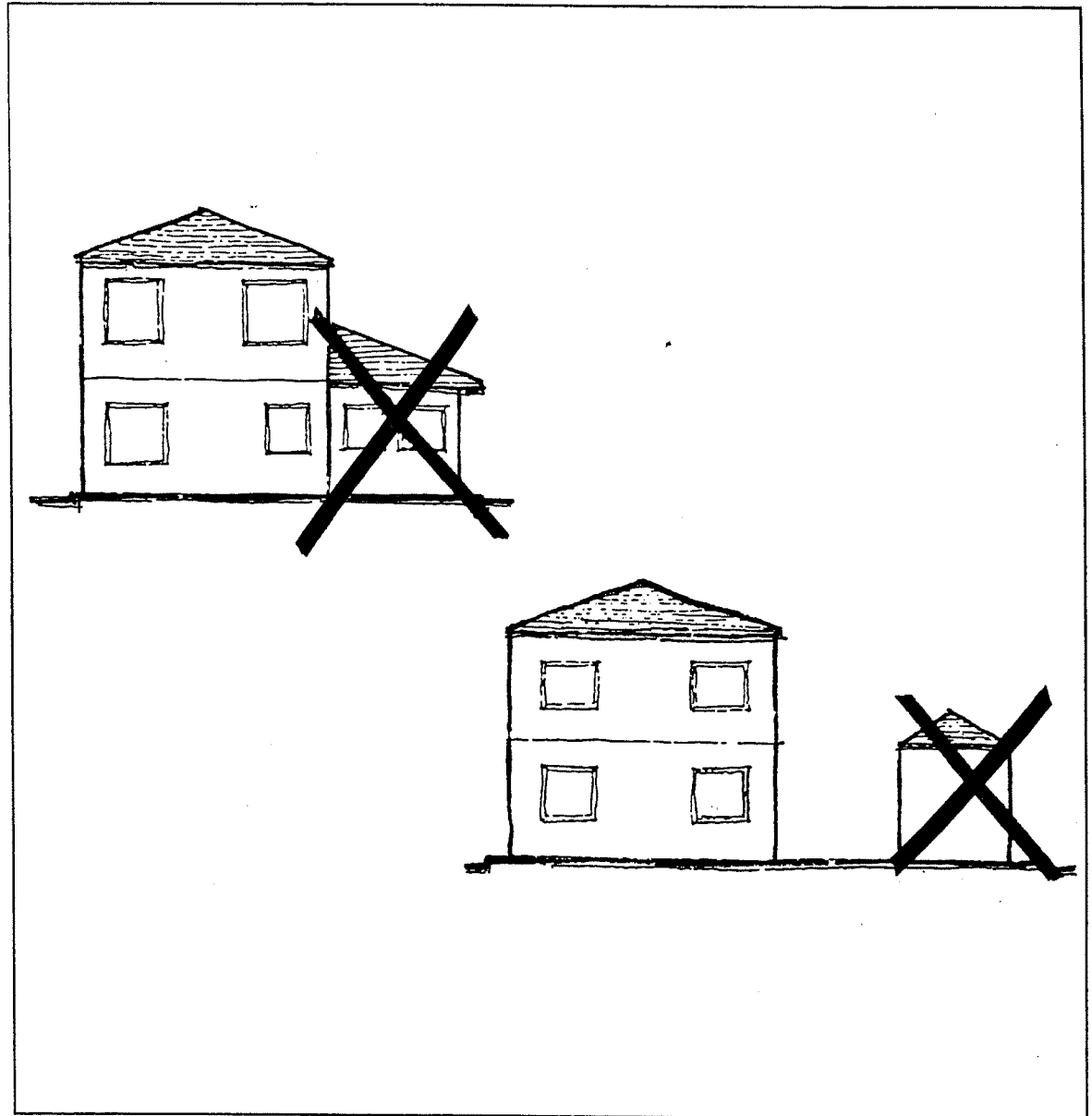
- FENCES AND BARRIERS IN
COMMON GARDENS OR
ACROSS COMMON
WALKWAYS**



The erection of fences or barriers of any kind that obstruct common walks or the central garden areas is not permitted except by special permit of the City Planning Commission.

**Alterations Not Permitted
Without Special Permit
Approval**

- BUILDING ADDITIONS OR ENLARGEMENTS**
- GARAGES OR CARPORTS**
- SHEDS**
- PORCHES**
- DECKS**



Alterations to houses and yards such as the construction of garages, carports, sheds, rear yard decks and the removal or addition of porches are not allowed except by special permits granted by the City Planning Commission subsequent to public review.

**Alterations Not Permitted
Without Special Permit
Approval**

TREE REMOVAL



Alterations of the existing landscape such as cutting down trees or the creation of new paths are not permitted except by special permit by the City Planning Commission.

Application Process

If you feel you must make one of the alterations illustrated above or any enlargement, demolition or new development within Sunnyside Gardens, you must file an application for a special permit with the Department of City Planning. Special permit applications are subject to the City's Uniform Land Use Review Procedure, which includes a 60-day review period for the community board, a 60-day review period for the City Planning Commission, and a 50-day period for the City Council. The community board and the City Planning Commission must hold public hearings on the special permit application.

Pre-application meetings and consultations are recommended for the applications since they will facilitate application processing. You can arrange a pre-application meeting or obtain assistance by making contact with the following:

Community Board 2 Planner
Department of City Planning
Queens Borough Office
120-55 Queens Boulevard, 2nd Flr., Rm. 201
Kew Gardens, New York 11424
Tel: 718-286-3170
Fax: 718-286-3183

Applications for special permits must be sent to:

Department of City Planning
Land Use Review - Central Intake
22 Reade Street, Room 2E
New York, New York 10007
Tel: 212-720-3382
Fax: 212-720-3356

The City Planning Commission will examine site plans and drawings of the proposed alterations and will make a determination of the special permit application based on compatibility with the original plan and concept of Sunnyside Gardens. As part of the public review process, the City Planning Commission will conduct a public hearing. Following this hearing, the Commission will make its final decision on the special permit application. Special permits granted by the City Planning Commission may be reviewed subsequently by the City Council.

The City Planning Commission special permit is not a substitute for a building permit. As with all violations of the Zoning Resolution, alterations undertaken without permits are subject to fines by the Department of Buildings.