

# Decks and Porches

## *Alteration Applications*



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Decks and porches are accessory structures attached to residential buildings and elevated from grade or the floor below. Decks are used for recreation and may also be located on the roof of the building. Porches may be either roofed or unroofed, and provide access to the building entry. They are typically more than 50% open at the perimeter, and may be constructed with various materials and assemblies including wood, concrete and metal.

### New York City Zoning Resolution

The NYC Zoning Resolution (ZR) regulates the location, size, and whether a porch or deck constitutes floor area. Decks and porches are typically found in residential districts, but decks may also be permitted in commercial districts.

### New York City Building Code

The NYC Building Code (BC) regulates the construction of porches and decks. Requirements govern distances to property lines, railings, anchorage and materials. A registered design professional shall submit applications for approval.

*The [Code Notes](#) series has been developed to provide a general overview of the NYC Department of Buildings (DOB) project requirements for the construction industry. The information in this document is only a summary and overview and is not intended to substitute for the full text and meaning of any law, rule or regulation. Users may also consult with a registered design professional for more specific guidance on Construction Codes requirements, other regulatory laws and rules, and technical site-specific requirements.*

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### ADMINISTRATIVE

#### DOB Forms

- **PW1** – Plan/Work Approval Application
  - Job description, indicating scope of work, i.e. porch or deck (item 11)
  - Zoning District (item 12)
- **PW3** – Estimated Construction Cost
- **PW1B** – Dry well (for drainage)
- **TR1** – Technical Report: Statement of Responsibility
- **ZD1** – Zoning Diagram

### ZONING

#### Use Regulations

- Definitions ('floor area' regarding decks and porches) – **ZR §12-10**
- Decks/open porches in required yard or rear yard equivalent – **ZR §23-44, §24-33**
- Decks, terraces or porches, open above non-residential roof in required rear yard or rear yard equivalent – **ZR §33-23, §43-23**
- Decks on rooftops – **ZR §23-62(e), §24-51(e), 33-42, 35-53, 43-42(d)**
- Decks in required side and rear setbacks – **ZR §23-632, §24-55**
- Decks and terraces/porches in courts – **ZR §23-87, §24-68**
- Planting requirements for front yard in R1 through R5 districts where the building is altered – **ZR §23-451**

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### MULTIPLE DWELLING LAW

- N/A

### HOUSING AND MAINTENANCE CODE

- N/A

### FIRE CODE

- Compliance with required rooftop access and rooftop obstructions for buildings under 100' high and less than 20 degree in slope – FC 504.4

### BUILDING CODE

- Combustible materials or assemblies for porches and decks – BC [1406.4](#), 1968 AC 27-336
- Miscellaneous combustible roof structures – BC [1509.9](#)
- Guards, where more than 30 inches above adjacent grade (within 36" of porch or deck edge) and loads – BC [1013](#), BC [1607.7.1](#)
- Decks supported by an exterior wall – BC [1604.8.3](#)
- Accessibility requirements – BC [Chapter 11](#)
- Special inspection are required depending on the proposed material, construction, connection, foundation, etc. – BC [Chapter 17](#)
- Stormwater discharge for horizontal enlargements or increases in impervious surfaces – BC [107.11.2](#), PC [106.6.2](#)

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### ENERGY CODE

- Proposed deck/porch may be subject to energy progress inspection if it affects the building envelope
- See Code Note on [Energy Code](#)

### APPLICABLE BULLETINS, DIRECTIVES, PPNS, MEMOS

- [Technical Policy and Procedure Notice # 4 of 2003](#): This policy clarifies zoning and building code requirements in reference to porches and decks regarding its construction, location and size on a property.

### OTHER AGENCY APPROVALS

- Board of Standards and Appeals: *mapped street if revocable*
- New York City Fire Department: *Fire Department access*
- New York City Landmarks Commission (LPC) for approval in landmark district or on landmarked building