

# Detached Garages

Accessory to Private Residence



Photo: Samantha Modell

**Detached garages are typically built in lower-density zoning districts in the Bronx, Brooklyn, Staten Island and Queens. Single-car garages are the most common, and multi-car garages are often built on larger lots. This guide covers accessory garages to one- and two- family homes.**

### **NYC Zoning Resolution**

Detached garages are considered permitted obstructions in required rear yards and/or open spaces, and they are permitted as lot-line buildings in most districts. Their area, height and capacity are regulated by New York City's zoning laws. Other related restrictions and requirements include the area of paved driveways, corresponding curb cuts, and possible street tree and sidewalk planting (if the area exceeds 400 square feet).

### **NYC Construction Codes**

Because detached garages abut rear and side lot lines in most zoning districts, neighboring structures on adjoining lots must be protected, and the NYC Building Code outlines construction class, fire rating and fire separation requirements. In addition, storm water disposal is commonly addressed by connecting to the storm sewer or with on-site drywell installations.

***This publication is a guide to provide a general overview of the requirements to legally construct a detached garage as an accessory to a private residence.***

***There may be additional, applicable NYC Zoning Resolution and/or NYC Construction Code requirements.***

### FIRST STEPS

- Zoning district, site designations (special purpose districts, waterfront area or block, flood hazard area, fire district, landmark district, little 'e' DEP designated block, wetlands, 200' within transit authority infrastructure)
- Lot diagram, scope and area of work indicated, location of main building on lot and adjacent buildings on adjoining lots
- Existing legal conditions including legality of the main building
- Borough commissioner determinations, if applicable

### ADMINISTRATIVE

#### DOB Forms

- [PW1](#) (fees based on correct gross floor area)
- [PW1-A](#) (UG 1 or 2, "U" occupancy)
- [PW1-B](#) (if drywell installation required)
- [PD1](#) (with topological stamp required from borough president's office)
- [TR1](#)
- [ST1](#)
- [ZD1](#)

#### Technical Documents

- Soil boring test and report
- Soil percolation test (if drywell installation required)
- Initial survey

#### Related Applications

- Demolition application sign-off, if previous garage or other structure existed
- Curb cut application, if filed separately

## BIS Required Items

- Waive BPP prior to approval ([Directive 9 of 1972](#) – exempt)
- Waive demolition sign-off if no structure exists on the location of the proposed garage

## ZONING

### Bulk & Location

- Location of garage as permitted obstruction in open space – ZR 23-12(h) & ZR 64-421(a)
- Location of garage in side yards – ZR 23-441 & ZR 23-442
- Height and other restrictions for R1 and R2A districts – ZR 23-141(b)(5) and ZR 23-44(b)(5)(i)
- Floor area restriction – ZR 23-12(h) & ZR 23-141(b)(5)

### Site Restrictions & Requirements

- Maximum number of spaces permitted – ZR 23-12(h), 25-15, 25-16 to 25-161
- Area of paved driveways and open parking spaces within allowable limits – ZR 23-12(e)
- Street tree and sidewalk planting strip triggers – ZR 23-03(e) & 23-04(d)
- Size and location of spaces – ZR 25-62
- Curb cut location and length – ZR 25-63, ZR 25-631, ZR 25-632 and ZR 25-633

## MULTIPLE DWELLING LAW

- N/A

## FIRE CODE

- N/A

## BUILDING CODE

- Occupancy group U on Schedule A – [BC 406.1.1](#)
- Floor area (650 sf max) and height (one story) limit – [BC 406.1.2](#)
- Construction class, fire rating and fire separation – [BC 602.3](#) and Table 602
- Protection of neighboring or adjoining buildings – [BC 3304](#) and [BC 3309](#)
- Structural information and details on drawings – [BC 107](#)
- Storm water disposal – [BC 107.11](#), [PC 106.6](#), [PC 1114](#)

## ELECTRICAL CODE

- Electric power, if provided – EC 210.52(G)

## ENERGY CODE

- N/A (Unconditioned space – ECC 101.5.2)

## APPLICABLE BULLETINS, DIRECTIVES, PPNS, MEMOS

- [Buildings Bulletin 2009-12](#) (Wetlands)

## OTHER AGENCY APPROVALS

- **City Planning Commission:** Certification required for waterfront area or block for more than 2-family or, in some cases, for natural area ZD
- **New York State Department of Environmental Conservation:** Approval if in wetlands or adjacent areas
- **NYC Department of Environmental Protection:** Notice to proceed required for lot with little 'e' designation
- **NYC Department of Environmental Protection:** approval required for storm water disposal
- **Landmarks Preservation Commission:** Approval if in landmark district
- **Metropolitan Transit Authority:** Approval required for work within 200' of transit infrastructure



# DETACHED GARAGES

APPLICATION TYPE: NB

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- **NYC Department of Parks and Recreation:** Approval and permit required for street tree planting prior to C of O sign-off; approval required for tree removal outside of lot