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ISSUANCE #636

**TECHNICAL
POLICY AND PROCEDURE NOTICE # 4/03**

TO: Distribution
FROM: Ronny A. Livian, P.E., Deputy Commissioner
DATE: December 17, 2003
SUBJECT: Decks, Porches, Terraces and Breezeways

REFERENCES:

Zoning Resolution 23-44 "Permitted Obstructions in Required Yards or Rear Yard Equivalents: Porches, Open."

SUPERSEDES:

"Open Porches – Section 23-44 Zoning Resolution" memorandum dated February 11, 1986 by Assistant Commissioner George E. Berger, P.E.

This memorandum shall supersede the "Open Porches, Section 23-44 Zoning Resolution" memorandum by Assistant Commissioner George E. Berger, P.E., issued February 11, 1986. Additionally, these guidelines shall clarify the other sections from the Zoning Resolution and Building Code in reference to porches and decks.

SPECIFICS:

For the purpose of clarifying Section 23-44 of the Zoning Resolution, the following definitions shall be used:

- Terrace – An unenclosed, unroofed, relatively level paved or planted area adjoining a building; a raised embankment with the top leveled for walking or seating purposes.
- Porch – An unenclosed, unroofed entrance with steps to a building located at or below the floor level of the first story above a cellar or basement.
- Breezeway – An open-air passage connecting two buildings or building to a garage.
- Decks, porticos, verandas, etc. – shall be viewed in the context of the above definitions.

An open porch, veranda, portico, terrace or deck shall be considered acceptable for projection into a required yard if the following is provided:

- There shall be no useable building or storage space underneath.
- Projection does not exceed eight feet beyond the face of the building, except that steps leading from a porch or deck may be located beyond this unit.

The construction material shall be limited as follows:

- Any projection made of combustible material(s) shall be a minimum of 3'-0" from any property line. As such, this would be in compliance with Building Code (effective 12/6/1968) – Subchapter 3 /Articles 14, 15, 16, 17 and related Table 3-4 and Administrative Building Code (1938, effective prior to 12/6/1968) – Section 26-248.0/1(a) and /1(b), as applicable. Building Code (effective 12/6/1968) – Section 27-336.c – “Porticos, porches, etc.” shall not apply to any deck or porch construction made of combustible material(s), provided the exposed sides are protected.
- Decks made of noncombustible material(s) can be less than three feet from any property line. As such, this would be in compliance with Building Code (effective 12/6/1968) – Section 27-336, “...similar appendages may be constructed of combustible materials or of assemblies on buildings of construction Classes II-E to an unlimited extent...”