23-44 - Permitted Obstructions in Required Yards or Rear Yard Equivalents
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LAST AMENDED
3/22/2016

In all #Residence Districts#, the following obstructions shall be permitted within a required #yard# or #rear yard equivalent#:

(a) In any #yard# or #rear yard equivalent#:

1. Air conditioning condensation units, #accessory#, for #single-# or #two-family residences#, provided that such units, if located between a #street wall#, or prolongation thereof, and a #street line#, are not more than 18 inches from a #street wall#, and fully screened from the #street# by vegetation;

2. Arbors or trellises;

3. Awnings and other sun control devices, provided that when located at a level higher than the first #story#, excluding a #basement#, all such awnings and other sun control devices:
   (i) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches; and
   (ii) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project;

4. Balconies, unenclosed, of a #building# containing #residences# subject to the applicable provisions of Section 23-13. Such balconies are not permitted in required #side yards#;

5. Canopies;

6. Chimneys, projecting not more than three feet into, and not exceeding two percent of the area of, the required #yard# or #rear yard equivalent#;

7. Eaves, gutters or downspouts projecting into such #yard# or #rear yard equivalent# not more than 16 inches or 20 percent of the width of such #yard# or #rear yard equivalent#, whichever is the lesser distance;

8. Exterior wall thickness, where such wall thickness is added to the exterior face of a #building# wall existing on April 30, 2012, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch, and is limited to one inch of thickness for every foot of existing #yard# width, up to a maximum thickness of eight inches. When an open area is provided along a common #lot line#, then such exterior wall thickness is limited to one inch for every foot of existing open area on the #zoning lot#;

Where #buildings# that have added exterior wall thickness, pursuant to this Section, are #enlarged#, such #enlarged# portion may similarly encroach upon required #yards# in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no encroachment of #floor area# into a required #yard#;

9. Fences, not exceeding four feet in height above adjoining grade in any #front yard#, except that for #corner lots# a fence may be up to six feet in height within that portion of one #front yard# that is between a #side lot line# and the prolongation of the side wall of the #residence# facing such #side lot line#;

10. Fire escapes, projecting into a #front yard#, only in such cases where the fire escape is required for the #conversion# of a #building# in existence before December 15, 1961;

11. Flagpoles;
Overhanging portions of a building in R4 and R5 Districts, except R4-1, R4A, R4B, R5A, R5B or R5D Districts, which are above the first story including the basement and which project not more than three feet into the required 18-foot front yard. In no case shall the lowest level of the projected portion be less than seven feet above the level of the front yard at the face of the building. Supports for the projected portion of any building are permitted obstructions within the required front yard, provided that the total area occupied by such supports does not exceed 15 percent of the area underneath the projected portion. No support may extend beyond the three-foot projection;

Parking spaces for automobiles or bicycles, off-street, open, accessory, within a side or rear yard;

Parking spaces, off-street, open, within a front yard, that are accessory to a building containing residences, provided that:

(i) in R1, R2, R3-1, R3A, R3X, R4-1, R4A and R5A Districts, except in lower density growth management areas, such spaces meet all the requirements of paragraph (a) of Section 25-621 (Location of parking spaces in certain districts);

(ii) in R3-2 Districts, R4 Districts other than R4-1, R4A and R4B Districts, and R5 Districts other than R5A, R5B and R5D Districts, such spaces meet all the requirements of paragraph (b) of Section 25-621;

(iii) in lower density growth management areas, such spaces are non-required and are located in a driveway that accesses parking spaces that are located behind the street wall of the building or prolongation thereof;

However, no parking spaces of any kind shall be permitted in any front yard in an R4B, R5B or R5D District. Furthermore, no parking spaces of any kind shall be permitted in any front yard on a zoning lot containing an attached or semi-detached building in an R1, R2, R3A, R3X, R4A or R5A District, or in any front yard on a zoning lot containing an attached building in an R3-1 or R4-1 District;

Ramps for persons with physical disabilities;

Solar energy systems on walls existing on April 30, 2012, projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the building wall (as viewed in elevation) from which it projects;

Steps, provided that such steps access only the lowest story or cellar of a building fronting on a street, which may include a story located directly above a basement;

Swimming pools, accessory, above-grade structures limited to a height not exceeding eight feet above the level of the rear yard or rear yard equivalent. Accessory swimming pools are not permitted obstructions in any front yard;

Terraces or porches, open;

Walls, not exceeding eight feet in height above adjoining grade and not roofed or part of a building, and not exceeding four feet in height in any front yard, except that for corner lots, a wall may be up to six feet in height within that portion of one front yard that is between a side lot line and the prolongation of the side wall of the residence facing such side lot line;

In any rear yard or rear yard equivalent:

(1) Balconies, unenclosed, subject to the provisions of Section 23-13;

(2) Breezeways;
Fire escapes;

Greenhouses, non-commercial, accessory, limited to one story or 15 feet in height above adjoining grade, whichever is less, and limited to an area not exceeding 25 percent of a required rear yard;

Parking spaces, off-street, accessory, for automobiles or bicycles, provided that:

(i) if accessory to a single- or two-family residence, the height of a building containing such parking spaces shall not exceed 10 feet in height above the adjoining grade and such building shall be detached from such residence. Furthermore, if located in an R1 District, such building may not be nearer than five feet to a rear lot line or side lot line. In R2A Districts, detached garages shall be included in lot coverage. In addition, solar energy systems, limited to 18 inches in height, as measured perpendicular to the roof surface, shall be permitted upon the roof of such accessory building within the rear yard;

(ii) if accessory to any other kind of building containing residences, the height of a building, or portion thereof, containing such parking spaces within the rear yard, shall not exceed 10 feet above adjoining grade, including the apex of a pitched roof in R3, R4 or R5 Districts, or 15 feet above curb level or base plane, as applicable, in R6, R7, R8, R9 or R10 Districts. In addition, decks, parapet walls, roof thickness, skylights, vegetated roofs, and weirs, as set forth in Section 23-62 (Permitted Obstructions), and solar energy systems, limited to 18 inches in height, as measured perpendicular to the roof surface, shall be permitted upon the roof of such accessory building within the rear yard;

(iii) enclosed accessory parking spaces for bicycles shall be accessory to a residence other than a single- or two-family residence, attached to a building, and the area dedicated to such spaces shall not exceed the area of bicycle parking spaces permitted to be excluded from floor area pursuant to Section 25-85 (Floor Area Exemption);

Recreational or drying yard equipment;

Sheds, tool rooms or other similar accessory buildings or other structures for domestic or agricultural storage, with a height not exceeding 10 feet above the level of the rear yard or rear yard equivalent;

Water-conserving devices required in connection with air conditioning or refrigeration systems in buildings existing prior to May 20, 1966, if located not less than eight feet from any lot line.

any portion of a building used for residential uses other than dwelling units in Quality Housing buildings containing affordable independent residences for seniors on zoning lots meeting the criteria set forth in paragraph (a)(4) of Section 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), provided that:

(i) such zoning lot is located in an R6 through R10 District other than an R6B, R7B or R8B District;

(ii) the height of such building portion does not exceed one story, or 15 feet above the adjoining grade, whichever is less;

(iii) such building portion is located within 100 feet of a wide street; and

(iv) such space shall be accessible to all residents of the building.

In addition, decks, parapet walls, roof thickness, skylights, vegetated roofs and weirs, as set forth in Section 23-62 (Permitted Obstructions), and solar energy systems, limited to 18 inches in height, as measured perpendicular to...
the roof surface, shall be permitted upon the roof of such portion of a building within the rear yard.

However, no portion of a rear yard equivalent which is also a required front yard or required side yard may contain any obstructions not permitted in such front yard or side yard.

23-441 - Location of garages in side yards of corner lots

LAST AMENDED
2/2/2011

In all Residence Districts, on corner lots, enclosed accessory off-street parking spaces shall be considered permitted obstructions in any portion of a side yard which is within 30 feet of both side lot lines, provided that, in an R1 or R2A District, on a corner lot whose mean width is 45 feet or more, no structure used for such purposes shall be less than five feet from any side lot line. In R2A Districts, detached garages shall be included in lot coverage.

23-442 - Location of garages in side yards of other zoning lots

LAST AMENDED
2/2/2011

In all Residence Districts, on zoning lots other than corner lots, where no rear yard is required under the provisions of Sections 23-541 (Within one hundred feet of corners) or 23-542 (Along short dimension of block), enclosed accessory off-street parking spaces shall be considered permitted obstructions in any portion of a side yard that is within 30 feet of the rear lot line.

Basic Regulations - Front Yards