

PROPOSED LOCAL LAW NO. 1-2024
DECKS

Article II
Word Usage and Definitions

§ 275-4 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ACCESSORY STRUCTURE

A structure detached from a principal building located on the same lot and customarily incidental and subordinate to the principal building or use. A patio or a deck as defined in this chapter shall not be considered as an accessory structure but shall adhere to the setback requirements for accessory structures as per Table 2. (See also "accessory building," "accessory use" and Illustration No. 1.)

DECK

An uncovered structure, usually constructed of wood or concrete, extending from the exterior wall of a residential dwelling, no more than three feet above the finished ground elevation of the wall from which it extends. Decks shall conform to the yard setbacks for accessory structures as per Table 2. Any such structure which is more than three feet above the finished elevation shall be considered part of the principal structure for purposes of setback. (See also "patio" and "porch" and Illustration No. 7.)

Article V
Supplementary Use and Dimensional Regulations

§ 275-18 Supplementary requirements for certain uses in residential districts.

A. Decks.

- (1) A deck shall have no enclosure other than the sides of the principal building to which it is attached; provided, however, that a deck may have a railing of open construction not over four feet in height, with at least 1/2 of the area thereof open.
- (2) A deck which is more than three feet in height above the average finished grade of the building to which it is attached shall meet the minimum setback requirements for principal buildings. All other decks shall conform to the yard setbacks for accessory structures as per Table 2.
- (3) A deck shall not be located in the front yard, except in accordance with § 275-15L, and may not cover more than 20% of one side or rear yard.