
PERMITTED OBSTRUCTIONS IN REQUIRED YARDS

540.890. Obstructions in required yards.

- (a) *In general.* All required yards shall remain open and unobstructed from ground level to the sky, except as otherwise provided below.
- (b) *Permitted obstructions.* Accessory uses and structures and projections of the principal structure may be located in a required yard only as indicated by a "P" for permitted in Table 540-22, Permitted Obstructions in Required Yards.
- (c) *Nonresidential uses.* Notwithstanding Table 540-22 Permitted Obstructions in Required Yards, required interior side yards for nonresidential uses shall remain unobstructed from the ground level to the sky, except that fencing and retaining walls shall be allowed. Where a rear yard abuts a required side yard, such rear yard shall remain unobstructed from the ground level to the sky, except that fencing shall be allowed.
- (d) *Additional limitations.* In no case shall any permitted obstruction be located closer than one (1) foot from the property line, except for driveways, walkways, fences, detached accessory buildings, the storage of firewood and containers for the removal of household refuse, subject to the provisions of this section.
- (e) *Interior side yards for detached buildings accessory to residential uses.* The interior side yard requirement for a detached accessory building may be reduced to one (1) foot when the entire accessory building is located in the rear forty (40) feet or rear twenty (20) percent of the lot, whichever is greater, provided that the accessory building shall be located not less than ten (10) feet from any habitable portion of a principal structure on the adjoining lot. Where vehicle access doors face the interior side lot line, no reduction of the required yard is permitted on the side with the vehicle access doors. Further, the required side yard for a detached accessory building may be eliminated where adjoining property owners construct detached garages sharing a common wall and which are located in the rear forty (40) feet. Where the interior side yard is reduced, eaves, including gutters, shall not be less than six (6) inches from the property line, except where a common wall is allowed.
- (f) *Rear yards for detached buildings accessory to residential uses.* The rear yard requirement for a detached accessory building may be reduced to one (1) foot, except where vehicle access doors face the rear lot line, in which case no reduction of the required yard is permitted. Further, where a rear yard abuts a required side yard no reduction of the required yard is permitted unless the entire accessory building is located in the rear forty (40) feet or rear twenty (20) percent of the lot, whichever is greater, and is located behind the rear wall of the principal structure on the adjacent property to the rear. The required yard along such adjacent property may be eliminated where adjoining property owners construct detached garages sharing a common wall and which are located in the rear forty (40) feet of both properties. Where the rear yard is reduced, eaves, including gutters, shall not be less than six (6) inches from the property line, except where a common wall is allowed.
- (g) *Accessory buildings on reverse corner lots.* An accessory building shall be no closer to the side lot line adjacent to the street than a distance equal to two-thirds ($\frac{2}{3}$) of the depth of the required front yard specified in the yard requirements table of the district of the adjacent property to the rear. Further, an accessory building shall not be located within five (5) feet of a rear lot line that coincides with the side lot line of a property in an urban neighborhood or residential mixed-use district. However, where the entire accessory building is located in the rear forty (40) feet or rear twenty (20) percent of the lot, whichever is greater, and is located not less than ten (10) feet from any habitable portion of a principal residential use on the adjacent property, only one (1) foot shall be required along such adjacent property line, except as otherwise prohibited by this zoning ordinance. Further, the required yard along such adjacent property may be eliminated where adjoining

property owners construct detached garages sharing a common wall and which are located in the rear forty (40) feet.

- (h) *Interior side yards for driveways accessory to residential uses.* The yard requirement for a driveway may be eliminated where adjoining property owners share a common driveway.
- (i) *Rear yards.* For purposes of Table 540-22 Permitted Obstructions in Required Yards, a rear yard abutting a required side yard shall be considered an interior side yard and shall be subject to the permitted obstructions regulations for such interior side yard.

Table 540-22 Permitted Obstructions in Required Yards

<i>Type of Obstruction</i>	<i>Front or Corner Side Yard</i>	<i>Interior Side Yard</i>	<i>Rear Yard</i>
Accessible entrance landing not exceeding thirty-six (36) square feet in area and not more than the height of the level of the first floor or four (4) feet above the average level of the adjoining natural grade whichever is less, and handrails not more than three (3) feet in height and not more than fifty (50) percent opaque, not including permanently roofed porches	P	P	P
Accessible ramp or lift not exceeding four (4) feet in width leading to an entrance landing and handrails not more than three (3) feet in height and not more than fifty (50) percent opaque	P	P	P
Accessory buildings, subject to the provisions of Chapter 545, Article III, Accessory Uses and Structures and section 540.890 (e), (f), and (g)		P	P
Air conditioning window units projecting not more than eighteen (18) inches into the required yard	P	P	P
Air conditioning systems, heating, ventilating, and filtering equipment, not to exceed five (5) feet in height. Such equipment shall not be located closer than two (2) feet from an interior side property line. Such equipment may project into a corner side yard, provided such equipment is located no closer than three (3) feet from the corner side lot line		P	P
Arbors, or other growing support structures that are not a fence, trellis or pergola, not exceeding twenty (20) square feet in area, including eaves, and not more than eight (8) feet in height. Both the sides and the roof must be at least fifty (50) percent open, or, if latticework is used, shall be less than sixty (60) percent opaque. Such structures shall not be constructed of electrically charged wire, razor wire, chain link, chicken wire, railroad ties, utility poles, plywood or any other similar materials	P		P

Type of Obstruction	Front or Corner Side Yard	Interior Side Yard	Rear Yard
Awnings and canopies, projecting not more than two and one-half (2½) feet into front or side yards	P	P	P
Balconies, decks and ground level patios not exceeding fifty (50) square feet in area and projecting not more than five (5) feet into the required yard. In an interior side yard, such balcony, deck, or ground level patio may project no closer than ten (10) feet from the interior side lot line, meaning an interior side yard obstruction is permitted only on a building where the required interior side yard is greater than ten (10) feet. Ground-level patios up to one hundred (100) square feet, constructed of decorative concrete, pavers or stone, may extend more than four (4) feet into the required front yard provided the patio is located not less than ten (10) feet from a public sidewalk and shall be designed in a manner that would prevent the patio from being used for off-street parking	P	P	P
Bay windows not exceeding fifty (50) square feet in area and projecting not more than five (5) feet into the required yard provided the bay shall not serve as an extension of the finished floor	P		
Bicycle racks installed to the manufacturer's specifications, including the minimum recommended distance from other structures and shall permit the locking of the bicycle frame and one (1) wheel to the rack and support a bicycle in a stable position without damage to the wheels, frame or components. Except for Institutional and Public Uses, no more than eight (8) bicycle parking spaces may be located in each required yard	P		P
Chimneys projecting not more than two (2) feet into the required yard	P	P	P
Compost containers, subject to the provisions of Chapter 244, Housing Maintenance Code, and not closer than twenty (20) feet from any habitable building on an adjacent property			P
Containers for the removal of household refuse, subject to the provisions of Chapter 244, Housing Maintenance Code. In a required interior side yard, such containers shall be located in the rear forty (40) feet or rear twenty (20) percent of the lot, whichever is greater, and shall be located a minimum of ten (10) feet from the habitable portion of any dwelling on the adjoining lot		P	P

Type of Obstruction	Front or Corner Side Yard	Interior Side Yard	Rear Yard
Driveways, subject to the provisions of section 540.890 (h) and section 555.510	P	P	P
Electrical transformers in a rear yard adjacent to a public alley. To qualify as a permitted obstruction, such transformers shall cover a maximum of twenty (20) percent of the area of the required rear yard			P
Eaves, including gutters, projecting not more than three (3) feet from the building in the required front, rear or corner side yard and not more than two (2) feet from the building in the required interior side yard	P	P	P
Fences including trellises, subject to Chapter 550, Article X, Fences	P	P	P
Flagpoles, subject to section 550.100	P	P	P
Lighting fixtures and lampposts, subject to section 550.100	P		P
Lockers for package deliveries shall not exceed thirty-two (32) square feet and five (5) feet in height. Where lockers occupy more than twelve (12) square feet, the lockers shall be screened from adjacent streets and properties with screening that is at least sixty (60) percent opaque and shall be at least as tall as the locker it is intended to screen	P		
Open porches, projecting not more than eight (8) feet from the building. The porch shall be covered and may extend the width of the residential use, provided it shall be no closer than three (3) feet from an interior side lot line, or five (5) feet from the front lot line, or corner side lot line. The porch shall not be enclosed with windows, screens, or walls, but may include handrails not more than three (3) feet in height and not more than fifty (50) percent opaque. The finish of the porch shall match the finish of the residential use or the trim on the residential use. For the purpose of this section, raw or unfinished lumber shall not be permitted on an open porch	P		
Parking areas, subject to the provisions of section 540.890 (e), (f) and (g), section 550.510, and Chapter 545, Article III, Accessory Uses and Structures		P	P

Type of Obstruction	Front or Corner Side Yard	Interior Side Yard	Rear Yard
Pergolas, subject to the provisions of Chapter 545, Article VIII, Accessory Uses and Structures, and section 540.890 (e), (f) and (g), but in no case shall a pergola be set back less than one (1) foot from the interior side or rear property line in the rear forty (40) feet or twenty (20) percent of the lot, whichever is greater. In a front or corner side yard, pergolas shall not exceed twenty (20) square feet in area, including eaves, and shall not be more than eight (8) feet in height	P	P	P
Public park accessory functions, including but not limited to athletic fields and courts, backstops, playgrounds, pool facilities, benches, bleachers, and skateboard parks. Buildings shall not be allowed as a permitted obstruction	P		
Rain barrels and cisterns accessory to single-, two-, or three-family dwellings shall be limited to a maximum height of four (4) feet and a maximum width of two and one-half (2.5) feet. Rain barrels and cisterns accessory to any other residential use and nonresidential uses shall be limited to a maximum height of six (6) feet and a maximum width of three (3) feet. No more than two (2) rain barrels or cisterns may be located in each required yard		P	P
Raised planting beds, not exceeding three (3) feet in height. In a front or corner side yard raised planting beds shall not be closer than five (5) feet to a front or corner side property line. Raised planting beds shall be constructed of wood, brick, masonry, landscape timbers, metal, ceramic, or synthetic lumber and shall be compatible with the principal structure and adjacent residential properties. Raised planting beds constructed of wood shall be structurally sound and free of rot. In addition, prefabricated raised planting beds shall be permitted. Raised planting beds shall not be constructed of wire, chicken wire, rope, cable, railroad ties, utility poles, tires, plumbing fixtures or any other similar materials	P		P
Recreational playground equipment, except for nonresidential uses			P
Retaining walls, where natural grade is retained	P	P	P
Retaining walls, in the front yard only, not retaining natural grade where proposed grade is increased to match the top of the existing slope or up to three (3) feet in height above natural grade, whichever is less.	P		

Type of Obstruction	Front or Corner Side Yard	Interior Side Yard	Rear Yard
Signs, subject to the provisions of Chapter 560, Signs	P		
Stairs not exceeding four (4) feet in width and entrance landings not exceeding sixteen (16) square feet in area provided such structures are not more than the height of the level of the first floor or four (4) feet above the average level of the adjoining natural grade whichever is less, and handrails for such stairs not more than three (3) feet in height and not more than fifty (50) percent opaque. In a front or corner side yard, stairs shall not exceed eight (8) feet in width and entrance landings shall not exceed thirty-six (36) square feet in area. Stairs for Institutional and Civic Uses shall not exceed twelve (12) feet in width and entrance landings shall not exceed ninety-six (96) square feet	P	P	P
Storage of firewood, subject to the provisions of Chapter 228, Firewood Storage		P	P
Utility meters projecting not more than two (2) feet into the required yard	P	P	P
Vestibules not exceeding seventy-five (75) square feet in area and projecting not more than seven (7) feet from the building	P		
Wall assemblies added to a residential structure existing on the effective date of this ordinance for the purpose of achieving a high degree of energy efficiency and which do not result in increased internal floor area. Such a wall assemblies shall not be located closer than three (3) feet from an interior side property line.	P	P	P
Walkways, not exceeding four (4) feet in interior side and rear yards. Walkways, not exceeding six (6) feet in width in front and corner side yards. Walkways for institutional and public uses shall not exceed twelve (12) feet in width in front and corner side yards. Walkways shall be at ground level. Except for public recreational walkways and bicycle trails, walkways in required yards shall not be constructed of asphalt	P	P	P
Window wells not exceeding sixteen (16) square feet in area. Such window wells shall be located at least three (3) feet apart and shall not be located closer than two (2) feet from an interior side property line. Not more than three (3) window wells shall be allowed to project closer than five (5) feet to each interior side lot line		P	P
Window wells not exceeding thirty-six (36) square feet in area.	P		