



# Village of Northbrook

## DEVELOPMENT & PLANNING SERVICES

### Zoning Code Interpretation

<b>Purpose:</b>	<b>Treatment of Patios and Decks With Walking Surface 30 Inches or Less Above Grade</b>
<b>Northbrook Zoning Code Section(s):</b>	<b>Section 3-110-H-10 of Single Family Residential District</b> <b>Definition of the term "Deck"</b> <b>Definition of the term "Terrace"</b>
<b>Date:</b>	<b>April 27, 2015</b>

#### Reason for Interpretation

Questions arise about when or if paved areas can encroach into required yards. Section 3-110-H-10 specifies the yard encroachments that are allowed in Single Family zoning districts. That section currently specifies:

10. Specified Structures and Uses in Required Yards. The following structures and uses, except as limited below, may be located in any required yard:
  - a) Accessory uses, subject to the limitations of Section 9-101.
  - b) Statuary and ornamental light standards having a height of ten feet or less.
  - c) Arbors and trellises but not in a required front yard.
  - d) Awnings, canopies, eaves and gutters projecting not more than three feet from an exterior wall.
  - e) Balconies projecting not more than three feet from an exterior wall for a distance of not more than 1/3 of the length of such wall; provided that such projections shall come entirely within planes drawn from the main corners of the building at an interior angle of 45 degrees with the wall in question.
  - f) Bay windows projecting not more than three feet from an exterior wall for a distance not more than 1/3 of the length of such wall; provided that such projections shall (i) come entirely within planes drawn from the main corners of the building at an interior angle of 45 degrees with the wall in question and (ii) be located only on the first story when in a required front yard.
  - g) Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices and the like projecting not more than two feet from an exterior wall.
  - h) Outside stairways projecting from an exterior wall not more than three feet and having a height of four feet or less.
    - i) Flagpoles.
    - j) Non-mechanical laundry drying equipment, except in front yards.
    - k) Off-street parking and loading of vehicles, but only as expressly authorized and regulated in Sections 9-101, 9-104 and 9-105 of this Code.
    - l) Driveways, but only as expressly authorized and regulated in Section 9-104 of this Code.
    - m) Terraces.
    - n) Recreational devices, except in front yards.

- o) Fences, walls, and hedges, subject to the limitations of Section 9-107 of this Code.
- p) No more than one (1) basketball backboard and related support structure per zoning lot may be located in a required yard. Basketball backboards and support structures in front yards shall only be installed adjacent to permitted driveways.

**Interpretation:**

The Code has two different defined terms (Deck and Terrace) that are used in making this interpretation

DECK. A platform or structure serving a principal structure at **thirty inches** or more above grade and not covered by any permanent structure.

TERRACE. A level plane, surfaced patio, platform or structure serving a principal building at less than **thirty inches** above grade and not covered by any permanent structure.

Both terms use the same 30-inch standard. Terraces are specifically allowed as a yard encroachment.

Based on the above, we have determined that:

1. A raised patio, steps or deck can extend into the required yard so long as the top of the walking surface of the raised patio is no more than 30 inches above grade at any point.
2. Decks with a walking surface 30 inches or lower are allowed yard encroachments and may extend to the lot line.

**Reviewed and Affirmed:**



**Thomas R Poupard, AICP**  
**Director of Development & Planning Services**