



Town of Oro Valley
Community Development and Public Works

Date: June 28, 2017

Subject: Zoning Interpretation – Projections into front yard setbacks (OV1701451)

REQUEST

A zoning interpretation was requested by Pat Doherty, a builder with Windows of Greater Tucson. The nature of the request is to clarify if covered porches, including lattice patio covers, are allowed to project into a required front yard setback.

APPLICABLE ZONING REFERENCES

Setback: *The shortest straight line distance in feet from the nearest property or lot boundary to a main or accessory building, structure, sign or the like located on the same property or lot, except as exempted by subsection C.2. (Oro Valley Zoning Code (OVZC) Chapter 23.5.C.1 along with Chapter 31)*

Yard: *Those required areas established by setbacks to provide an open space at grade level between a building and the adjoining lot lines unoccupied and unobstructed by any portion of a structure from the ground upward except as otherwise provided herein (OVZC Chapter 31)*

Required yard is a term commonly used in the code to identify a front, side or rear setback area on a lot.

Projection: *Any component, member, or part that juts or is set forward from the general wall surface (Design Standards section 1.5.22)*

Exceptions: The OVZC Section 23.5.C.2.a provides the following exceptions related to covered porches:

Projections into required yards of residential buildings

Yards, established by required setbacks, shall be open and unobstructed from the ground to the sky except for the following:

iv. Covered porches may project into the required yard provided they are not nearer than ten (10) feet to the rear property line or may project three (3) feet into the required side yard.

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11000 N. La Cañada Drive, Oro Valley, Arizona 85737
www.orovalleyaz.gov | phone: (520) 229-4800 | fax: (520) 742-1022

INTERPRETATION

The zoning code allows covered porches to project into required yards as long as the projection is ten (10) feet from the rear property line or does not encroach more than three (3) feet into the side yard. The intent of this code section is to allow covered porches to project into all required yards, including the front. Only the side and rear yard projections have defined limits.

The zoning code setback exception related to covered porches allows a projection to jut out over the required setback area. A building projection does not have a location on the ground but is suspended above the ground.

The portion of a porch that may encroach into a setback is the roof that projects away from a supporting post, beam or wall. A post, beam or wall supporting the roof of a porch is not a projection and cannot be located in the required setback.

SUMMARY

A covered porch may project over the front yard setback area, however the post, beam or wall supporting the roof of the porch cannot encroach into the required setback.

APPEALS

Persons aggrieved by a Zoning Interpretation may file an appeal to the Board of Adjustment within twenty (20) days from the date it is published on the Town's website, in accordance with Section 21.6.G of the Town of Oro Valley Zoning Code.



Bayer Vella, LEED-AICP
Planning and Zoning Manager

6/28/17

Date

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