



City of Durham

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Accessory Structures

City of Durham regulations regarding decks, covered patios, sheds, play structures, and other residential accessory structures are:

1. Accessory structures (non-habitable) that are LESS THAN 200 square feet and LESS THAN 10 feet high (measured from the finished floor level to the average height of the roof surface) do NOT require a building permit. Any structure that is larger or taller or more than 1 story requires a building permit.
2. Patio cover, decks and other structures that are attached to the house require a building permit regardless of size.
3. No accessory structures, including temporary structures, are allowed in the FRONT YARD within 20 feet of the FRONT property line.
4. No accessory structures, including temporary structures, are allowed in the SIDE YARD within 10 feet of the property line.
5. Decks cannot be closer than 3 feet to the property line without a building permit.
6. Accessory structures cannot be closer than 3 feet from the property line without a building permit.
7. Accessory structures up to 200 square feet and 10 feet in height can be located closer than 3 feet to the property line IF it the wall(s) parallel to the property line(s) is built to a 1-hour fire resistance standard. Typically this is achieved by cladding the wall with a sheet rock material that meets the fire standard. Projections, including the roof, cannot extend over the lot line. No windows or openings in the wall parallel to the property line are allowed. A building permit is required.
8. Accessory buildings located within 2 feet of a property line cannot have roof projections exceeding 4 inches.
9. Decks under 30 inches do NOT require a building permit regardless of size. Decks that are raised higher than 30 inches above grade require a building permit. Guard rails are required on raised decks.
10. Structures, including homemade play structures, that are raised 4 feet or higher above grade require a building permit and must meet wind (uplift) and seismic standards. Pre-engineered, commercial play structures that are under 200 square feet and include a second story do NOT require a building permit.
11. All electrical lighting or outlets must meet electrical code. All plumbing fixtures must meet plumbing code. Permits are required for installation of these accessories.
12. Fences up to 6 feet high are allowed in setbacks as long as they do not obstruct vision clearance from a driveway.