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Chapter 3. Base District Specific Standards

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3.1. Use Matrices

A. **Categories**. All uses permitted in this Code have been divided into ten (10) general categories as detailed in Chapter 15, Definitions and are generally defined as follows:

1. **Residential**: Premises available for long-term human habitation by means of ownership and rental but excluding short-term leasing or rental of less than a month's duration.
2. **Lodging**: Premises available for short-term human habitation, including daily and weekly rental.
3. **Office/Service**: Premises available for the transaction of general business and the provision of services, but excluding retail sales and manufacturing, except as a minority component.
4. **Retail/Restaurants**: Premises available for the commercial sale of merchandise, prepared foods, and food and drink consumption, but excluding manufacturing.
5. **Entertainment/Recreation**: Premises available for the gathering of people for purposes such as arts and culture, amusement, and recreation.
6. **Manufacturing/Wholesale/Storage**: Premises available for the creation, assemblage, storage, and repair of items including their wholesale or retail sale.
7. **Civic/Institutional**: Premises available for organizations dedicated to religion, education, government, social service, health care, and other similar functions.
8. **Infrastructure**: Uses and structures dedicated to transportation, communication, information, and utilities.
9. **Accessory Uses.** Uses, buildings, and structures that are subordinate to and supportive of the principal building or principal use of a lot.

10. **Temporary Uses**. Uses established for a limited duration with the intent to discontinue such use upon the expiration of a specified time period.

B. **Interpretation of Use Matrices.** The following key is to be used in the interpretation of the Use Matrices.

1. **Permitted Uses**. Uses listed as "P" in the matrices shall be allowed subject to all applicable regulations of this Code.

2. **Special Uses**. Uses listed as "SU" in the matrices shall be allowed upon approval of a Special Use Permit as detailed in Section 12.2 (F)(4).

3. **Conditional District Uses**. Uses listed as "CD" in the matrices shall be allowed upon approval of a Conditional District rezoning as detailed in Section 12.2 (G)(3)(f).

4. **Prohibited Uses**. A blank space in the matrices indicates that use type is not allowed in the respective zoning district unless it is otherwise expressly allowed by other regulations of this Code.

5. **Uses not Listed**. Any use not listed in the Use Matrices is prohibited unless the Land Use Administrator determines that it falls within the same class as a listed use as set forth in the Use Matrices.

6. **Additional Regulation**. If a use has use-specific standards they are referenced in this column. Use-specific standards shall apply to permitted and special uses.

C. Use Matrices

1. Residential Uses.

1. RESIDENTIAL USES		ADDITIONAL REGULATION	BASE DISTRICT											
			OSP	RT	RR	GR3 & GR8	UR12	RMX	NMX	TC	HB	BO	MI	MQ
a	Dwelling-Duplex					CD	CD	CD	CD					
b	Dwelling-Multifamily, above ground floor as a part of mixed use						CD	CD	CD	CD				
c	Dwelling-Multifamily, 4 units / bldg or less	5.2(A)					CD	CD	CD	CD				
d	Dwelling-Multifamily, more than 4 units / bldg	5.2(A)					CD	CD	CD	CD				
e	Dwelling-Single Family			P	P	P	P	P	P					
f	Family Care Home (6 or Less residents)	5.2(B)		P	P	P	P	P	P	P				
g	Housing Service for the Elderly	5.2(C)				P	P	P	P	P				
h	Live-Work Units	5.2(D)					P	P	P	P		P		
i	Manufactured Housing	5.2(E)		P	P									
j	Townhouse, 4 units or less						CD	CD	CD	CD				
k	Townhouse, more than 4 units						CD	CD	CD	CD				

2. Lodging Uses.

2. LODGING USES		ADDITIONAL REGULATION	BASE DISTRICT											
			OSP	RT	RR	GR3 & GR8	UR12	RMX	NMX	TC	HB	BO	MI	MQ
a	Bed and Breakfast Inns	5.3(A)		P	P	P	P	P	P	P	P			
b	Hotels								CD	CD	CD	CD		

P = Permitted Use
SU = Special Use
CD = Conditional District Use

3. Office / Service Uses.

3. OFFICE / SERVICE USES		ADDITIONAL REGULATION	BASE DISTRICT											
			OSP	RT	RR	GR3 & GR8	UR12	RMX	NMX	TC	HB	BO	MI	MQ
a	Animal Services, Boarding	5.4(A)		SU	SU				SU	SU	SU	SU	SU	
b	Animal Services, Nonboarding	5.4(B)		SU	SU				P	P	P	P	P	
c	Banks, Credit Unions, Financial Services	5.4(C)							CD	CD	CD	CD	CD	
d	Business Support Services	5.4(D)							P	P	P	P	P	
e	Child/Adult Day Care Home	5.4(E)		P	P	P	P	P	P	P				
f	Child/Adult Day Care Center	5.4(F)			P		P	P	P	P				
g	Community Service Organization			P	P		P	P	P	P	P			
h	Contractor Office	5.4(G)							P		P		P	
i	Corporate Campus	5.4(H)										CD	CD	
j	Cremation Facilities										SU		SU	
k	Equipment Rental	5.4(I)								P	CD		P	
l	Funeral Homes								P	P	P			
m	Government Services		P	P	P	P	P	P	P	P	P	P	P	
n	Medical Services							P	P	P	P	P	P	
o	Outdoor Animal Boarding/Equestrian Facilities	5.4(J)		SU	SU								SU	
p	Personal Services	5.4(K)						P	P	P	P	P	P	
q	Post Office							P	P	P		P	P	
r	Professional Services							P	P	P	P	P	P	
s	Studio – Art, dance, martial arts, music							P	P	P	P			
t	Tattoo Shop	5.4(L)									P		P	
u	Vehicle Services – Maintenance/Body Work/Repair	5.4(M)									CD		P	

P = Permitted Use
SU = Special Use
CD = Conditional District Use

4. Retail / Restaurant Uses.

4. RETAIL / RESTAURANT USES		ADDITIONAL REGULATION	BASE DISTRICT											
			OSP	RT	RR	GR3 & GR8	UR12	RMX	NMX	TC	HB	BO	MI	MQ
a	Auto Parts Sales	5.5(A)							CD		CD		CD	
b	Bar/Tavern/Microbrewery								P	P	P			
c	Gas Station with Convenience Store	5.5(B)							CD		CD			
d	General Retail – 10,000 sf or less	5.5(E)							P	P	P	P		
e	General Retail – 10,001 sf – 50,000 sf									P	P			
f	General Retail – Greater than 50,000 sf									CD	CD			
g	Medical Cannabis Center*	5.5(C)									P*		P*	
h	Neighborhood Retail/Restaurant – 2,000 sf or less	5.5(E)						P	P	P	P	P		
i	Nightclub								CD	CD	CD			
j	Restaurant								P	P	P			
k	Shopping Center – Community Center										CD	CD	CD	
l	Shopping Center – Neighborhood Center										CD			
m	Sweepstakes Center	5.5(D)											SU	
n	Tasting Room								P	P	P		P	
o	Vehicle/Heavy Equipment Sales	5.5(F)									CD		P	

P = Permitted Use
SU = Special Use
CD = Conditional District Use
P* = Permitted Use subject to Senate Bill 3 becoming effective.

5. Entertainment / Recreation Uses.

5. ENTERTAINMENT / RECREATION USES		ADDITIONAL REGULATION	BASE DISTRICT											
			OSP	RT	RR	GR3 & GR8	UR12	RMX	NMX	TC	HB	BO	MI	MQ
a	Adult Establishment	5.6(A)											SU	
b	Amusements, Indoor – 5,000 sf or less				SU	SU	SU	SU	P	P	P	P	P	
c	Amusements, Indoor – 5,001 sf – 20,000 sf							SU	SU	SU	P	P	P	
d	Amusements, Indoor – Greater than 20,000 sf										P	P	P	
e	Amusements, Outdoor	5.6(B)		SU	SU	SU	SU	P	P	P	P			
f	Cultural or Community Facility		SU	SU	SU	SU	SU	P	P	P	P	P	P	
g	Meeting Facilities		SU	SU	SU			P	P	P		P		
h	Recreation Facilities, Indoor	5.6(C)		P	P	P	P	P	P	P	P	P	P	
i	Recreation Facilities, Outdoor		P	SU	P	P	P	P	P	P	P			
k	Theater, Live Performance								CD	CD	CD	CD		
l	Theater, Movie								CD	CD	CD		CD	

P = Permitted Use
SU = Special Use
CD = Conditional District Use

6. Manufacturing / Wholesaling / Storage Uses.

6. MANUFACTURING / WHOLESALING / STORAGE USES		ADDITIONAL REGULATION	BASE DISTRICT											
			OSP	RT	RR	GR3 & GR8	UR12	RMX	NMX	TC	HB	BO	MI	MQ
a	Agribusiness, Outdoor	5.7(A)	P	P	P								P	
b	Agribusiness, Indoor												P	
c	Brewery / Winery / Distillery										CD		P	
d	Laboratory - medical, analytical, research & development										CD	P	P	
e	Manufacturing, Light	5.7(B)											P	
f	Manufacturing, Neighborhood	5.7(C)							P	P	CD	P	P	
g	Manufacturing, Heavy												P	
h	Media Production									P	CD	P	P	
i	Metal Products Fabrication, machine or welding shop											P	P	
j	Mini-Warehouses	5.7(D)											CD	
k	Quarrying and Stone Cutting	5.7(I)											SU	P
l	Research and Development	5.7(E)										P	P	
m	Storage - Outdoor storage yard as a primary use	5.7(F)											P	
n	Storage - Warehouse, indoor storage	5.7(G)											P	
o	Wholesaling and Distribution	5.7(H)											P	

P = Permitted Use
SU = Special Use
CD = Conditional District Use

7. Civic / Institutional Uses.

7. CIVIC / INSTITUTIONAL USES		ADDITIONAL REGULATION	BASE DISTRICT											
			OSP	RT	RR	GR3 & GR8	UR12	RMX	NMX	TC	HB	BO	MI	MQ
a	Campground		SU		SU								P	
b	Cemeteries	5.8(A)	P						P	P	P			
c	Colleges/Universities							CD	CD	CD		CD		
d	Group Care Facility (More than 6 residents)	5.8(B)			SU				SU	SU				
e	Hospital									CD	CD	CD	CD	
f	Public Safety Facility		P		P	P	P	P	P	P	P		P	
g	Religious Institutions				P	P	P	P	P	P	P			
h	Schools – Elementary & Secondary				SU	SU	CD	CD	CD	CD				
i	Schools – Vocational/Technical							CD	CD	CD	CD	CD	CD	

8. Infrastructure Uses.

8. INFRASTRUCTURE USES		ADDITIONAL REGULATION	BASE DISTRICT											
			OSP	RT	RR	GR3 & GR8	UR12	RMX	NMX	TC	HB	BO	MI	MQ
a	Airport	5.9(A)		SU	SU								SU	
b	Transit, Road & Ground Passenger Services	5.9(B)								P	P		P	
c	Wireless Telecommunication Facility-Stealth	5.9(C)				P	P	P	P	P	P	P	P	
d	Wireless Telecommunication Facility-Tower	5.9(D)			SU								P	
e	Wireless Telecommunication Facility – Small Wireless Facilities inside Right-of-Way	5.9(E)		P	P	P	P	P	P	P	P	P	P	
f	Wireless Telecommunication Facility – Small Wireless Facilities outside Right-of-Way	5.9(F)							P	P	P	P	P	
g	Utilities-Class 1 & 2		P	P	P	P	P	P	P	P	P	P	P	
h	Utilities-Class 3			SU	SU						SU	SU	P	

P = Permitted Use
SU = Special Use
CD = Conditional District Use

9. Accessory Uses.

9. ACCESSORY USES		ADDITIONAL REGULATION	BASE DISTRICT											
			OSP	RT	RR	GR3 & GR8	UR12	RMX	NMX	TC	HB	BO	MI	MQ
a	Accessory Building / Structure	5.10(A)		P	P	P	P	P	P	P	P	P	P	P
b	Cluster Mail Box Unit	5.10(B)	P	P	P	P	P	P	P	P	P	P	P	P
c	Drive-Thru Service	5.10(C)							CD		CD	CD	CD	
d	Drive-Thru Retail/Restaurants	5.10(C)							CD		CD			
e	Dwelling Unit, Accessory	5.10(D)		P	P	P	P	P	P	P				
f	Home-Based Business	5.10(E)		P	P	P	P	P	P	P				
g	Solar Energy Collection, Ground Mounted	5.10(F)	P	P	P	P	P	P	P	P	P	P	P	P
h	Solar Energy Collection, Roof/Building Mounted	5.10(G)	P	P	P	P	P	P	P	P	P	P	P	P
i	Grid-Scale Battery Storage Facilities	5.10(H)											P	

P = Permitted Use
SU = Special Use
CD = Conditional District Use

10. **Temporary Uses.** Unless otherwise noted, temporary uses may be approved by obtaining a zoning compliance permit per Section 12.2 (D)(2) from the Land Use Administrator subject to the following:

    a. **General Requirements**

        i. The Land Use Administrator may attach any conditions needed to protect public health, safety, and welfare.

        ii. The use is clearly of a temporary nature, not exceeding fourteen (14) calendar days unless otherwise allowed in subsection (b) below.

        iii. Associated structures including but not limited to greenhouses, tents, and mobile units shall be removed from the lot no later than the temporary use's zoning compliance permit expiration date.

        iv. Any building permits and fire inspections as required by the North Carolina Building Code for general construction or commercial use shall be obtained.

    b. **Specific Requirements**

        i. **Carnival or Circus.** A carnival or circus may be permitted for a period not to exceed twenty-one (21) calendar days.

        ii. **Seasonal Sales.** Holiday tree, fireworks, and other seasonal sales in open lots may be permitted for a period not to exceed forty-five (45) calendar days within the NMX, TC, HB, and MI districts. Holiday tree sales may also be permitted for a period not to exceed forty-five (45) days on a portion of a lot primarily used for agribusiness purposes.

        iii. **Contractor's Office or Equipment Shed.** A contractor's office or equipment shed is permitted in any district for a period covering the construction phase of the project not to exceed one (1) year, provided that such office be placed on the property to which it is appurtenant.

        iv. **Food Trucks**. Food trucks may be permitted on a parcel with an existing retail/restaurant, office/service, or entertainment/recreation use subject to the following requirements:

            a) The maximum number of food trucks allowed per commercial parcel are as follows:

                (i) Two (2) food trucks shall be allowed on parcels less than 1 acre in size

                (ii) Three (3) food trucks shall be allowed on parcels between 1 and 2 acres in size

                (iii) Four (4) food trucks shall be allowed on parcels greater than 2 acres in size

                (iv) Additional food trucks may be allowed at special events with prior permission

            b) Food trucks shall be located at least one hundred (100) feet from the customer entrance of an existing restaurant.

            c) A food truck shall locate:

(i) Fifteen (15) feet from any fire hydrant.

(ii) Five (5) feet from any driveway, sidewalk, utility box or vault, accessible ramp, emergency call box, or building entrance/exit.

d) The operator must provide a waste receptacle for customer use within fifteen (15) feet of the food truck. The operator shall remove all trash at the end of its operating hours.

e) Town of Knightdale trash receptacles may not be used to dispose trash or waste generated by a food truck.

f) Grease or other liquid waste shall not be disposed of in tree pits, storm drains, the sanitary sewer system, or public streets.

g) Temporary connections to potable water sources shall be prohibited.

h) At least one (1) fire extinguisher shall be located on board the food truck during operation.

i) Hours of operation shall be limited to between 7:00 am - 10:00 pm, unless otherwise posted.

j) The operator shall provide appropriate on-site lighting in compliance with any applicable standards of Section 7.7 if operating after sunset.

k) One (1) Sandwich Board sign shall be allowed subject to the requirements of Section 8.4 (F).

l) Food trucks shall not use audio amplification devices.

m) Food trucks shall not operate a drive-thru service window or door.

n) Food trucks are subject to the town-wide noise ordinance.

o) A Town issued permit is required for all food truck operators and shall be valid for the twelve (12) month period beginning January 1 and ending December 31.

v. **Other Uses.** The Land Use Administrator may issue other temporary uses and activities, or special events including specific time limits, if it is determined that such uses are clearly of a temporary nature, and will not jeopardize the health, safety, or general welfare, or be injurious or detrimental to properties adjacent to, or in the vicinity of, the proposed location of the activity.

c. **Extensions.** A zoning compliance permit for a temporary use may be extended by the Land Use Administrator, provided the combined periods of the original permit and extension do not exceed the maximum period lengths previously specified in subsections (a) and (b), and provided that the temporary use has not been found in violation of any Town code or ordinance.

3.2. Lot and Yard Requirements

A. **All Lots to Front on Public Street or Public Space.** All lots shall front upon a public street. With the provision of rear lane or alley access, lots may front upon a close or a square, but access shall be of sufficient design to allow for the provision of emergency services, as approved by the Knightdale Fire Department.

B. **May Not Reduce/Create Lot(s) Below Minimum Requirements.** No yard or lot existing upon adoption of this Ordinance shall be reduced in size or area below the minimum requirements of the district. Yards or lots created after the effective date of this Ordinance shall meet the minimum requirements established by this Ordinance. This prohibition shall not be construed to prevent the required dedication, purchase, or condemnation of narrow strips of land or parcels for public utilities, substations, street right-of-way, or similar purposes.

C. **One Principal Building Per Lot**. Only one (1) principal building and its customary accessory building(s) shall be located on any lot, except in appropriate districts that permit a lot to contain multiple residential and/or non-residential uses in one or more principal structures or within the same structure.

D. **Rights-of-Way Not Considered in Yard Requirements.** Areas within street and railroad rights-of-way or easements shall not be considered part of a lot, count towards recreational open space requirements, or be used for the purpose of meeting front, side, or rear yard requirements.

E. **Irregular Lot Setbacks.** The location of required front, side, and rear yards setbacks on irregularly shaped lots shall be determined by the Land Use Administrator. The determination will be based on the spirit and intent of this Ordinance to achieve an appropriate spacing and location of buildings and structures on individual lots. Lots that do not have an obvious visual relationship with the fronting street, such as flag lots, shall be evaluated on the basis of having one setback from neighboring properties, which shall be equal to the minimum rear setback for the district.

F. **Corner Lots.** Corner lots shall have a single front yard designated along the street associated with the primary façade of the corner lot's principal structure. Remaining corner lot yards that abut other streets shall be considered corner side yards.

G. **Double Frontage Lots.** Excluding corner lots, lots having frontage on two (2) streets shall observe a front yard setback along each street in accordance with the provisions of this ordinance.

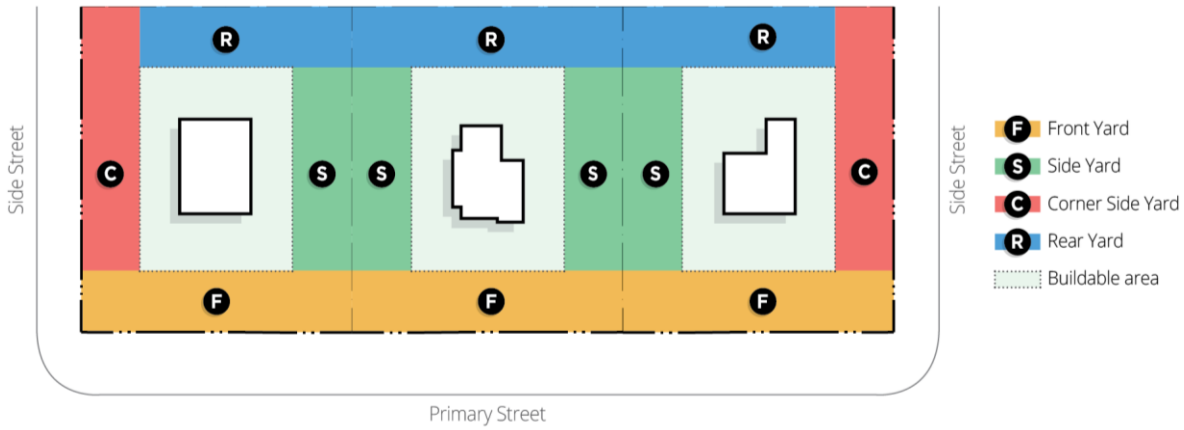
H. **Minimum Length.** The minimum length of the street right-of-way frontage of a lot shall be eighty (80) percent of the minimum lot width required for the zoning lot with the exception of flag lots which shall be twenty-two (22) feet or as otherwise provided in this Ordinance.

3.3. Calculating Dimensions

A. **Yards**.

1. A required yard shall be measured as the shortest distance between the building and the associated lot line.

Figure 3.1: Calculating Dimensions - Yards



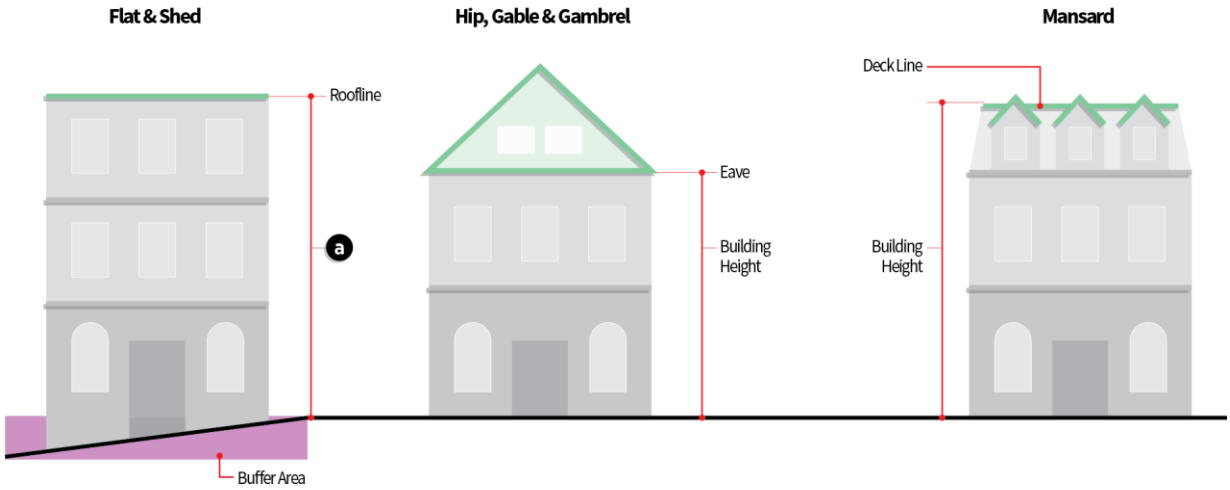
B. **Height**.

1. **Computation of Height.** "Building Height" is measured as the vertical distance from a reference elevation to one of the following: the base of parapet or roof line of a flat roof, the eave of a pitched roof (gable, hip or gambrel), or the deck line of a mansard roof. The reference elevation shall be established by examining the elevation of all sidewalks and ground surface areas within a buffer area extending five (5) feet from all exterior building walls.

    a. When the elevation differential within the buffer area is ten (10) feet or less, the reference elevation shall be the elevation of the highest point within the buffer area.

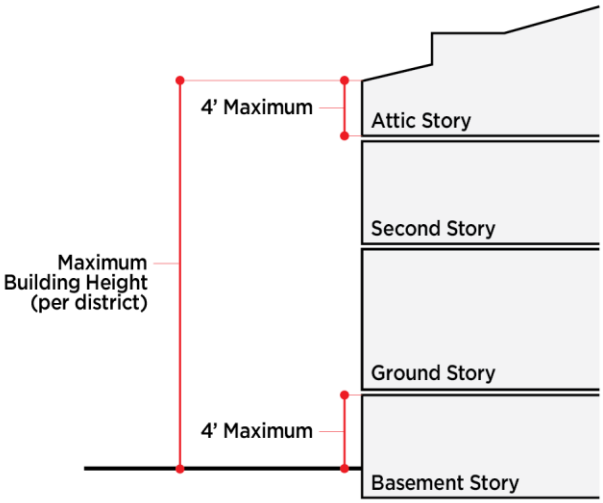
    b. When the elevation differential within the buffer area exceeds ten (10) feet, the reference elevation shall be set ten (10) feet higher than the lowest point within the buffer area.

Figure 3.2: Calculating Dimensions - Height



2. **Computation of Story(ies).** A single story shall consist of the habitable level of a building of no more than fourteen (14) feet in height from finished floor to finished floor. When the height from finished floor to finished floor exceeds fourteen (14) feet, another story shall be added to the calculation for additional height in fourteen-foot (14-ft) increments (14.1 to 28.0 feet equals two [2] stories, 28.1 to 42.0 feet equals three [3] stories, etc.). Basements with a ceiling height of no more than four (4) feet above the reference elevation or attics whose finished floor is less than four (4) feet below the elevation of the eave shall not constitute a story.

Figure 3.3: Calculating Dimensions - Stories



3.4. Bulk and Dimensional Standards

Table 3.4: Bulk and Dimensional Standards													
	All Buildings												
Standards	**OSP**	**RT**	**RR1**	**GR3**	**GR8**	**UR12**	**RMX**	**NMX**	**TC**	**HB**	**BO**	**MI**	**MQ**
Lot Standards (Minimum)													
Lot Width / DU - Street Loaded (ft)	100	200	90	80	80	80	80	80	80	150	n/a	n/a	n/a
Lot Width / DU - Alley Loaded (ft)	n/a	n/a	n/a	30	30	30	30	30	30	n/a	n/a	n/a	n/a
Yard Setbacks (Minimum unless otherwise stated)													
Front (ft)	30	50	35	As detailed per building type in Chapter 6: Building Type Standards									100
Side (ft)	10	20	10										100
Rear (ft)	20	50	30										100
Building Standards (Maximum)													
Height (ft)	35	35	35	42	42	42	42	56	70	70	70	70	35
Height (stories)	n/a	n/a	n/a	3	3	3	3	4	5	5	5	5	n/a
Site Standards													
Minimum Residential Driveway Length (ft)	--	--	--	35	35	35	35	35	--	--	--	--	--

3.5. Infill Development Standards

A. On infill lots, the minimum lot width, front and side setbacks shall be equal to the median lot width, average as-built front setback and average as-built side setback dimension, respectively, of lots on the same block face and the opposite block face within three-hundred (300) feet or one (1) block length, whichever is greater. In situations where no block face exists (*no houses facing the street*) for purposes of making average calculations, a Special Use Permit shall be required.

3.6. Permitted Bulk and Dimensional Standard Exceptions and Encroachments

A. **Permitted Exceptions to Right-of-Way Frontage Length Requirements**.

1. **Corner Lots.** Where a zoning lot fronts on two (2) or more streets, minimum right-of-way frontage length requirements shall be considered met if the frontage along any one (1) of such streets meets the minimum right-of-way frontage length requirements.

2. **Lots Along a Tight Street Radius.** Where a zoning lot fronts on a turning circle of a cul-de-sac or at a point of a street where the radius of the curvature of the right-of-way is less than ninety (90) feet, the minimum right-of-way frontage length requirement shall be thirty-five (35) feet.

3. **Flag Lot Width at Building Line.** Flag lots shall reach the minimum lot width at a point not to exceed two-hundred (200) feet from the street right-of-way.

B. **Permitted Exceptions to Yard Setback Requirements.** The following features shall not be subject to the required minimum setback requirements:

1. Wall, projecting and under-awning signs, provided such signs comply with the standards established in Chapter 8;

2. Fences and walls not exceeding heights specified in Section 7.6;

3. Flagpoles;

4. Bridges;

5. Utility transmission poles, towers, and cables; and

6. Any satellite dish measuring eighteen (18) inches or less in diameter.

C. **Permitted Exceptions to Height Requirements**. Provided such building or structure will not interfere with any airport zones or flight patterns; the height limitations of this Section shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy, as well as monuments, water towers, observation towers, transmission towers, chimneys, smokestacks, conveyors, flagpoles, masts, antennas.

D. **Permitted Encroachments into Required Yards**. Based on the Bulk and Dimensional Standards of this Chapter, certain architectural features are permitted to encroach into the front yard setback. The following standards shall be established for such encroachments:

1. **Front Yard Setback Encroachments**.

a. **Arcades.** Arcades or covered walkways should be designed to avoid the swing of car doors parked parallel to the arcade. In addition, the sidewalk within the arcade should be sufficient to accommodate the intended uses (i.e. outdoor seating) while providing suitable clearances per the American with Disabilities Act Accessibilities Guidelines (ADAAG).

b. **Awnings.** Awnings shall be supported by means of a frame attached directly to the structure receiving beneficial use of the awning. In no case shall awnings be supported by a frame attached to a sidewalk or other public right-of-way.

c. **Bay Windows.** Bay Windows shall not exceed a maximum projection of two (2) feet from the primary wall. By their definition, bay windows are suspended projections and do not contain habitable floor space but may provide seating as an integral element of the interior space.

d. **Balconies, Open Porches, Stoops, and Raised Doorways.** Only balconies, open porches, stoops, and raised doorways not exceeding an average finished height above grade of thirty-six (36) inches are permitted as encroachments. To the extent possible, these features are to remain visually permeable so that the front door can be easily seen from the street or sidewalk. While railings required by the building code are permitted, the screening of these features constitutes an enclosure that may not encroach into the front yard setback.

e. **Handicapped Ramps.** A ramp installed on a residential structure to provide access for a disabled resident may encroach into the front yard setback unless a less obtrusive means of access can be provided at another entry point (i.e. the back door).

2. **Side and Rear Yard Setback Encroachments**. Open decks, porches, patios, and other similar structures not exceeding an average finished height above grade of thirty-six (36) inches may encroach into the side and rear yard setbacks to within five (5) feet of the property line. When an opaque wall or fence of a minimum six (6) feet in height is provided in accordance with the provisions of Section 7.6, an at-grade patio may be constructed to the property line. Roofs over such structures are not permitted to encroach into either the side or rear setbacks.