



**BRIAN TAYLOR**  
STATE FIRE MARSHAL

September 17, 2025

Mr. Anthony London  
1182 Ramseur Road,  
Bessemer City, NC 28016

**RE: Attached Garage Considered as an Accessory Structure under the 2018 NC Residential Code  
NCRC Definition**

Dear Mr. London:

This letter is in response to your request for a formal interpretation from the Office of State Fire Marshal (OSFM) dated September 11, 2025, and received by OSFM the same day. Your request for formal interpretation is stated in the email attached to the request for formal interpretation:

“Would you please review the attached Single Family Dwelling Plan and give a formal interpretation if the attached garage is an accessory structure?”

**Remarks:**

Code sections cited in this letter refer to the 2018 edition of the North Carolina Residential Code (NCRC) unless otherwise noted.

Attachment A, a copy of your request for formal interpretation dated September 11, 2025, is attached to this letter for reference.

Attachment B, supporting documents, includes the single-family dwelling plan dated April 5, 2013, providing additional information showing the garage is “attached” to the dwelling unit. Attachment B is attached to this letter for reference.

**Code Analysis:**

2018 NCRC Chapter 2 – Definitions states:

**Accessory Building:** A building that does not contain a sleeping room, the use of which is accessory to that of the dwelling, that is detached and located on the same lot as the dwelling, and is roofed over with more than 50 percent of its exterior walls enclosed.

**Accessory Structure:** A structure that is accessory to the dwelling and not defined as an *accessory building*. Examples of *accessory structures* are fencing, decks, gazebos, arbors, retaining walls, barbecue pits, detached chimneys, playground equipment, yard art, *docks*, *piers*, etc.

**OFFICE OF STATE FIRE MARSHAL**



*Comment: The attached garage in the submitted plan is directly connected to the main dwelling. Accessory structures are usually detached buildings like sheds or carports that serve a secondary purpose to the main house. The definition of an “accessory structure” is broader, encompassing structures that are accessory to the dwelling but not classified as accessory buildings. The non-exhaustive list of examples (e.g., fencing, decks, gazebos, etc.) suggests that accessory structures typically include various types of non-habitable or secondary structures. While an attached garage may meet the nature of an accessory structure due to its accessory use (e.g., vehicle storage) and direct connection to the dwelling, the definition of an “accessory building” explicitly requires the structure to be detached from the dwelling. Since the attached garage is not detached, it does not meet the criteria for an accessory building. Garages are included in the scope of the 2018 NCRC in Section R309.*

2018 NCRC Section R101.2.2 states:

**R101.2.2 Accessory structures.** Only the following accessory structures shall meet the provisions of this code.

1. Decks, see Appendix M,
2. Gazebos,
3. Retaining walls, see Section R404.4,
4. Detached masonry chimneys located less than 10 feet (3048 mm) from other buildings or lot lines,
5. Swimming pools and spas, see Appendix V,
6. Detached carports,
7. *Docks, piers, bulkheads*, and waterway structures, see Section R327.

**Exception:** Portable, lightweight carports not exceeding 400 square feet (37 m<sup>2</sup>) or 12 feet (3658 mm) mean roof height.

*Comment: 2018 NCRC Section R101.2.2 specifies that only the listed accessory structures are required to meet the provisions of the 2018 NCRC. Attached garages are not included in this list. As the attached garage is directly connected to the dwelling and shares structural elements for support (lateral or gravity loads), it is considered part of the dwelling rather than a separate accessory structure. Therefore, even though it may meet the general nature of an accessory structure, it should not be classified as such under the 2018 NCRC. The construction of the attached garage must comply with the code provisions applicable to the dwelling itself and 2018 NCRC Section R309.*

### **Conclusions:**

Based on the above-referenced code sections and the submitted Single Family Dwelling Plan (Attachment B), the attached garage does not qualify as an accessory building under the 2018 NCRC because it is not detached from the dwelling. While the status of being attached or detached is not the sole determinant for all accessory structures (e.g., decks or gazebos can be attached and still considered accessory



structures), the attached garage does not qualify as an accessory structure because it is enclosed, directly connected to the dwelling, shares structural elements for support (lateral or gravity loads), and is not listed among those required to meet the provisions of the code under Section R101.2.2. Given these characteristics, the attached garage is considered part of the dwelling rather than a separate accessory structure. As such, it shall not be classified as an accessory structure, and its construction must comply with the 2018 NCRC's provisions applicable to the dwelling and Section R309, including the height limit of three stories above grade plane and the prescriptive structural requirements (e.g., footings, studs, and load-bearing elements).

Please contact our office if you have further questions or comments.

Sincerely,

Pak Keung Yip, PE  
Chief Code Consultant  
North Carolina Office of State Fire Marshal

cc: File

Nathan Childs, NCDOJ, counsel for NC Building Code Council, [nchilds@ncdoj.gov](mailto:nchilds@ncdoj.gov)  
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Yip, Pak

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**From:** Heath, Brent  
**Sent:** Thursday, September 11, 2025 5:55 AM  
**To:** Rittlinger, David B; Yip, Pak  
**Subject:** Fwd: [External] Attached Garage  
**Attachments:** apsheet2.PDF; apsheet1.PDF

See request for formal interpretation

Brent Heath  
NC OSFM  
(919) 703-5661

Begin forwarded message:

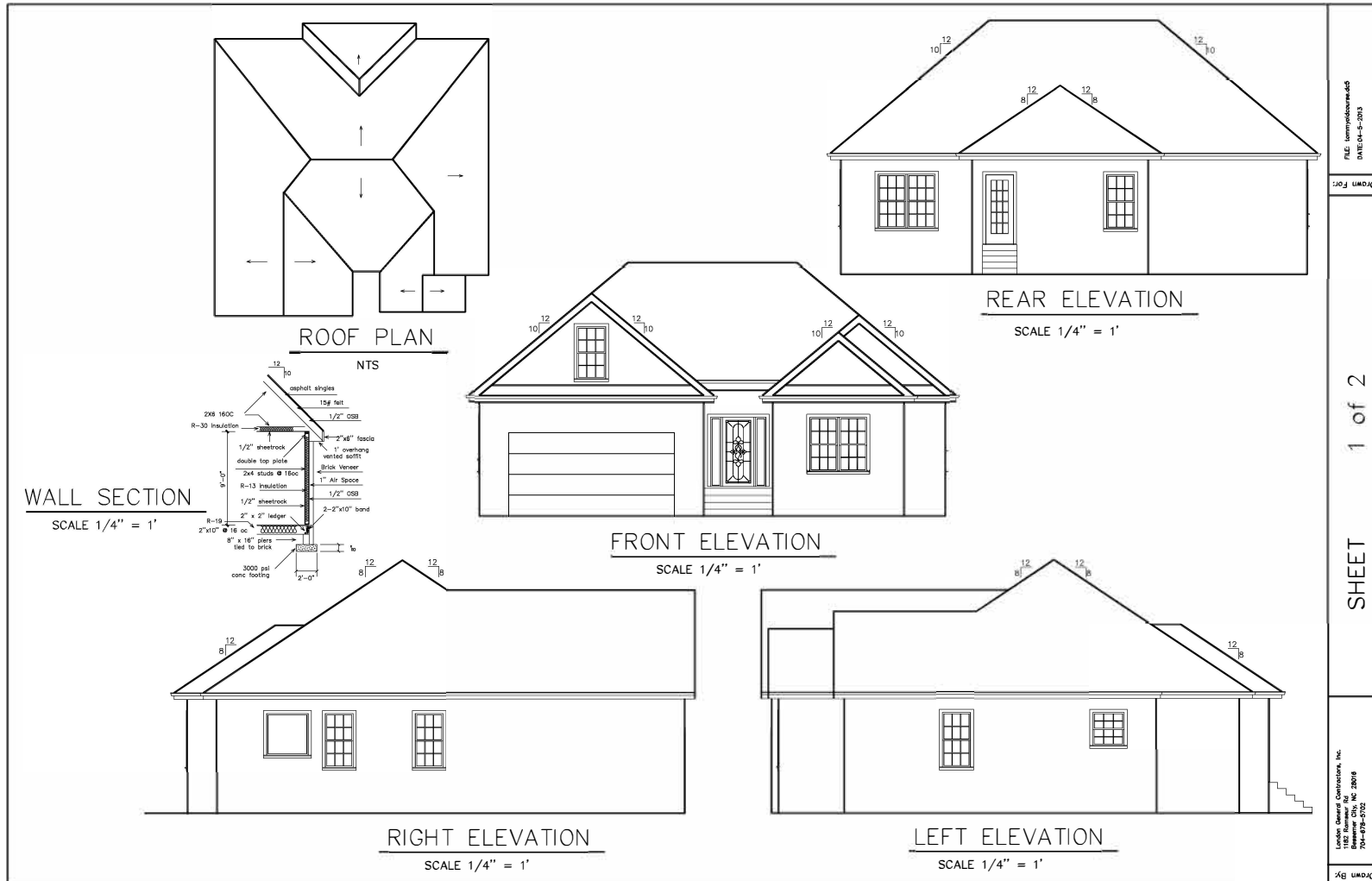
**From:** Anthony London <tlondon33@gmail.com>  
**Date:** September 5, 2025 at 12:57:34 PM EDT  
**To:** "Heath, Brent" <brent.heath@ncdoi.gov>  
**Cc:** "Todd, Susanne" <stodd@jahlaw.com>  
**Subject:** [External] Attached Garage

You don't often get email from tlondon33@gmail.com. [Learn why this is important](#)

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Would you please review the attached Single Family Dwelling Plan and give a formal interpretation if the attached garage is an accessory structure? Time is of the essence in this matter. Thank you for your time.

Bessemer City Zoning Department UDO  
"Garage buildings, both attached and detached, shall be regulated as an accessory structure"



Drawn For: L.L. Humphreys & Sons  
DATE: 04-2-2013

SHEET 1 of 2

Drawn By: London General Contractors, Inc.  
1182 Rosewood Dr. #200  
704-678-2722

