

**NC Department of Insurance
Office of the State Fire Marshal - Engineering Division
1202 Mail Service Center, Raleigh, NC 27699-1202
919-647-0000**

Location on Lot Related to Zoning, Deed Restrictions and Covenants

Code: 2018 Residential Code

Date: March 21, 2019

Section: R302, Table R302.1

Question:

Can zoning, deed restrictions, and covenants be used to supersede the 3 feet fire separation distance requirements of Section R302 for two houses?

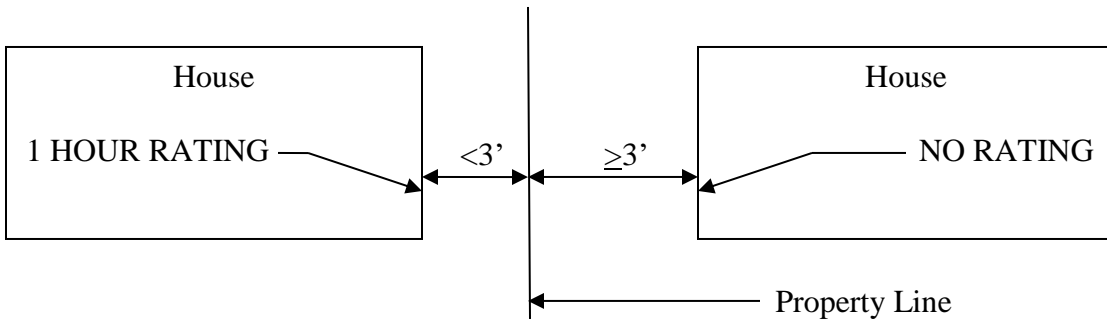
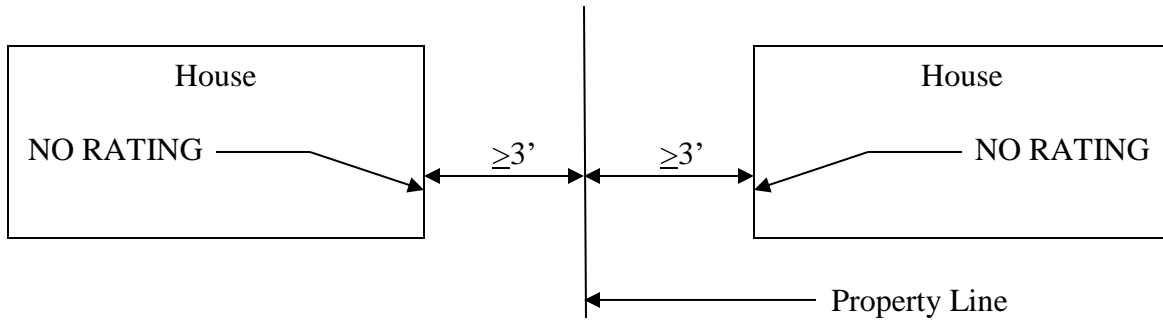
Answer:

Zoning and covenants are subject to change and are not recognized by the Department of Insurance. They would not qualify to supersede the code requirements of Section R302.

Deed restrictions may be accepted to reduce the distance of a structure to the property line but the two structures are still subject to the intent of the separation requirements listed in Section R302. If the deed restrictions maintains a 6 feet or greater separation between the two houses then no requirements for fire-resistive construction is necessary. If the separation is less than 6 feet, then the fire-resistive construction requirements of Section R302 are required. See the following page for examples.

Townhouses and duplexes are subject to the requirements of Section R302.2.

STANDARD, ZONED, and COVENANT LOTS



DEED RESTRICTED LOTS

