

## Residential Decks and Patios

### Frequently Asked Questions:

#### **Why Do I Need a Permit?**

The permit and inspection process gives you, your neighbors, and the Village assurance that specific standards are met when expanding, altering, or repairing your property by complying with State and Local Building Code and Zoning Requirements. These standards are based on health, safety, and environmental considerations intended to protect the integrity of the building, the safety of its inhabitants, and the welfare of the public. Projects not completed according to applicable codes can affect aesthetics, values and quality of life in your neighborhood. Village building records are available from this department upon request. Prospective buyers can use these records to determine if permits were obtained and if compliance was achieved for specific projects.

#### **What Building Code requirements apply to decks?**

Effective January 1, 2016, the State Uniform Dwelling Code (UDC) adopted significant code changes regarding deck construction in efforts to clarify deck design and construction requirements and promote uniformity in the State. Previously, decks were often designed and constructed using “Commonly Accepted Practices,” some of which were determined to be deficient with code standards. The State UDC now contains a specific code section for design and construction of decks. Similar to the rest of the code, this section provides the option to employ either Prescriptive or Performance requirements in the design and construction of a deck. Prescriptive requirements provide specific standards and criteria one may use for the design and construction of a deck. Performance requirements offers the ability to design and construct a deck using structural (mathematical) analysis to show compliance when using the prescriptive requirements is not desired. A typical deck will likely employ the Prescriptive requirements.

The State of Wisconsin Uniform Dwelling Code Prescriptive Method for Deck Construction is identified in [Appendix B](#) of the State UDC. Those familiar with deck design and construction will recognize the UDC Prescriptive Method differs substantially from many “Commonly Accepted” deck construction practices employed in the past.

#### **Is it possible to continue using past Commonly Accepted Deck Design and Construction Practices?**

Proposed designs and practices not meeting those identified in UDC Appendix B may only be used when designed and approved through structural analysis.

#### **When Do I Need a Building Permit?**

A Building Permit is required prior to commencing the constructing of any deck or patio on your property. A permit is also required when replacing or altering an existing deck or patio.

## **Who is Responsible for Obtaining a Permit?**

The property owner is responsible for ensuring that a permit is obtained prior to work being started. Contractors may also apply and obtain permits on behalf of the property owner. Under no circumstances may construction or demolition start prior to obtaining the Building Permit and posting the placard visible from the road. Once a permit is obtained, the work must be started within six months or the permit will expire. If work is started within six months, the permit is valid for one year from the date of issuance.

Commencing work without a permit is subject to a late fee added to the normal permit fee. When unpermitted work is discovered, a Stop Work Order will be issued and a permit that accurately describes the work must be obtained before any work may resume.

## **How Much Does the Permit Cost?**

The Permit Fee Schedule may be found on our Division of Buildings & Code Compliance Web site accessed at [www.hobart-wi.org](http://www.hobart-wi.org).

## **What are the setback requirements for a Deck or Patio?**

Decks and Patios attached to or abutting the house (principal structure) are required to meet the same setback standards as the house. Those located elsewhere on the property must meet the setback standards for accessory structures.

### **Setback Requirements in the R1, R2, R3 & R2R Zoning Districts**

<b>Yard</b>	<b>Principal Building</b>	<b>Accessory Structures</b>
Front	40 feet min from ROW	40 feet min from ROW
Side	1 story - 10 feet min 2 story - 15 feet min	10 feet min
Rear	25 feet min	10 feet min
Corner Lot	40 feet min from each ROW	40 feet min from each ROW

### **Setback Requirements in the R4, R5 & R6 Zoning Districts**

<b>Yard</b>	<b>Principal Building</b>	<b>Detached Structure</b>
Front	30 feet min from Urban Road ROW 40 feet min from Rural Road ROW	30 feet min from Urban Road ROW 40 feet min from Rural Road ROW
Side (Sewered)	1 story - 10 feet min 2 story - 15 feet min	10 feet min
Side (Non-Sewered)	25 feet min	10 feet min
Rear	25 feet min	10 feet min
Corner Lot	30 feet min from Urban Road ROW 40 feet min from Rural Road ROW	30 feet min from Urban Road ROW 40 feet min from Rural Road ROW

**Setback Requirements in the ER Zoning District**

<b>Yard</b>	<b>Principal Building</b>	<b>Detached Structure</b>
Front	40 feet min from ROW	40 feet min from ROW
Side	25 feet min	10 feet min
Rear	25 feet min	10 feet min
Corner Lot	40 feet min from each ROW	40 feet min from each ROW

**Setback Requirements in the A1 & A2 Zoning District**

<b>Yard</b>	<b>Principal Building</b>	<b>Detached Structure</b>
Front	40 feet min from ROW	40 feet min from ROW
Side	25 feet min	25 feet min
Rear	25 feet min	25 feet min
Corner Lot	40 feet min from each ROW	40 feet min from each ROW

**Planned Development Districts**

- Properties in the Planned Development Districts may have alternate setback standards. Please contact this office for specific standards in Planned Development Districts.

**How Do I Apply for a Building Permit?**

Permits may be obtained from the Department of Neighborhood Services, Monday through Friday, 8 am – 5 pm. To ensure staff availability for permit issuance, please call in advance.

It is also possible to submit the necessary application and drawings by e-mail, fax or mail for review and approval. Once reviewed, this office will contact you by phone or e-mail (information to be provided on the application) to advise of the results. It is also acceptable, once your application is approved for permit issuance, to submit payment by mail and upon receipt, the permit will be mailed to you. It is important to recognize, this process may take additional time, so please plan accordingly since the Building Permit is required to be posted on site prior to starting the project.

When applying for a Permit to construct a deck or patio, applicants must provide the following information:

- ***A completed Building Permit Application (available on the Department Web Page) including a fair market value of the project (material and labor.)***
- ***A scaled & dimensioned site plan including (a copy from the Village’s GIS system may be obtained with advance notice:)***
  - \* Property lines and lot dimensions.
  - \* Location of all buildings, including the proposed building, on the property and distances to property lines.
  - \* Location and dimensions of the proposed deck/patio to property lines and bodies of water.
  - \* Location of public streets.
  - \* Location of driveways and parking areas.

Note: If you do not have a scaled site plan, you may obtain one from this office generated from the Village’s Geographic Information System.

- ***Construction plans providing the following (many Lumber Yards and Home Improvement Centers offer this service;)***
  - \* Type of and specifications for the foundation.
  - \* Framing Plans providing the following information:
    - ✓ Proposed pier (footing) sizes and locations;
    - ✓ Floor joist sizes and spacing (you may refer to the Deck Joist & Beam Span Chart;)
    - ✓ Beam sizes and locations;
    - ✓ Height of deck above grade;
    - ✓ Ledger size, connection and flashing details;
    - ✓ Guardrail heights and intermediate rail spacing;
    - ✓ Stair locations.

Please use this checklist to ensure you are providing the basic information needed to obtain your permit. Depending on site conditions additional information may be required after Village staff has reviewed your site plan. This information is required for review to assist you in identifying any concerns prior to construction and to minimizing delays and costs associated with construction errors.