

# Zoning Permit Review Branch



CONTACT INFORMATION: 8:00 a.m. to 4:00 p.m. Mon-Thu, 9:15 a.m. to 4:00 p.m. Fri



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Zoning Administrator

## Residential Setback Requirements

### SETBACK REQUIREMENTS VARY BY ZONING DISTRICT

The uses that are allowed on a particular lot are governed by the regulations for the zoning district in which the lot is located, and other general regulations. The minimum yard requirements, more commonly referred to as "setback requirements," and other restrictions, regulate the location of structures on a lot.

## RELATED RESOURCES

Memorandum on Compliance with the Minimum Yard and Location Requirements of the Zoning Ordinance

How Do I Find My Zoning District?

## ACCESSORY USES AND STRUCTURES

These are **general guidelines** for determining minimum yard requirements (setbacks). Please contact the Department of Planning and Zoning at 703-222-1082, TTY 711 to confirm the minimum yard requirements for your property before beginning your project.

All zoning districts allow accessory uses and structures in connection with and on the same lot as the principal structure, such as a house in a residentially-zoned district.

Please note that an accessory use or structure attached to a principal building by any wall or roof construction, shall be deemed to be a part of the principal building and is therefore an addition.

Most accessory uses and structures require the approval of a building permit. For information regarding building permit requirements, please contact the Permit Application Center of Land Development Services at 703-222-0801, TTY 711.

## ADDITIONS AND DECKS

The distance from any proposed addition to the property lines is regulated by the minimum yard requirements (setback requirements) set forth in the zoning district regulations in the Zoning Ordinance. Each zoning district has unique minimum required yards and the answer depends on the zoning district in which your property is located.

The construction of a deck is also regulated by the minimum yard requirements, but, depending on the height and features of the proposed deck, it may be permitted to

extend into the minimum required yards. You will need to contact the Zoning Permit Review Branch of the Department of Planning and Zoning at 703-222-1082, TTY 711 to discuss location restrictions on your property.

# FENCES AND WALLS

The county's Zoning Ordinance regulates the location of fences and walls on a lot based on the height of the fence or wall. On most residential lots, the Zoning Ordinance only allows a fence or wall of 4 feet or less in the front yard. Remember that on corner lots, the two yards which lie between the principle building and the intersecting streets are both deemed to be front yards. In a side or rear yard, a fence or wall of not more than 7 feet is generally allowed. There are some limited exceptions to these rules for particular types of lots that abut or are in close proximity to major thoroughfares. For specific information regarding your property and designation of the yards on your lot, please contact the Zoning Permit Review Branch of the Department of Planning and Zoning at 703-222-1082, TTY 711. In many instances, a Building Permit is not required for a fence. For information regarding building permit requirements, please contact the Permit Application Center of Land Development Services at 703-222-0801, TTY 711.

# SHEDS AND OTHER FREE-STANDING ACCESSORY STRUCTURES

The county regulates the location of all free-standing accessory structures and, in most instances, also requires the approval of a building permit prior to the erection of any structures. Article 10-104 of the Zoning Ordinance regulates the location and permitted height of accessory structures and uses.

No accessory structure or use, except a statue, basketball standard or flagpole, shall be located (a) in any minimum required front yard on any lot or (b) in any front yard on any lot containing 36,000 square feet or less. When located in a front yard, basketball standards shall not be located closer than fifteen feet to a front lot line or twelve feet to a side lot line, and shall not be used between the hours of 8 p.m. and 8 a.m.

Generally the following rules apply to the location of accessory structures:

- An **accessory structure or use** that does not exceed 7 feet in height may be located anywhere in a side or rear yard. Any accessory structure or use that exceeds 7 feet in height shall meet the minimum required side yard setbacks, and shall be located no closer than a distance equal to its height to the rear lot line.

- A **shed** that is 8 1/4 feet or less in total height may be located anywhere in a side or

• A shed that is 8 ½ feet or less in total height may be located anywhere in a side or rear yard. Any shed that exceeds 8 ½ feet in height shall meet the minimum required side yard setbacks, and shall be located no closer than a distance equal to its height to the rear lot line.

The total height of the accessory structure is measured from grade to the highest point of the structure. In instances where there is a slope in grade height is measured from the lowest point of the slope.

These regulations apply regardless of whether or not a building permit is required. If county easements are present on a lot, no structures shall encroach into the ground or air space of the easement. Before locating a shed on your property, please contact the Zoning Permit Review Branch of the Department of Planning and Zoning at 703-222-1082, TTY 711. Building permits may be required for sheds and other free-standing accessory structures depending on the size. Please contact the Permit Application Center of Land Development Services at 703-222-0801, TTY 711, or view the Additions and Garages page.

## TREE HOUSES

Under the Zoning Ordinance, a tree house is an accessory structure and subject to the following regulations:

- A tree house is **not permitted in a required front yard**, and in general, a tree house **may be located in any part of any side or rear yard—if it doesn't exceed seven feet in height.**
- If the tree house exceeds seven feet in height, it must be setback at a distance equal to its height from the rear lot line and a distance equal to the side yard setback from the side lot line.
- (As an example, a 15-foot tall tree house that's located on a property with a 12-foot minimum required side yard must be setback at least 15 feet from the rear lot line and at least 12 feet from the side lot line.)
- The height of the tree house is measured from the highest point of the house to the lowest point of the finished ground adjacent to the tree house.
- Building permits are not required for tree houses or other playground equipment, but the Zoning Ordinance limits the size of tree houses and other types of children's playhouses to 100 square feet in area.

playhouses to 100 square feet in area.

**Because zoning rules vary by district, call to find out what laws apply to a specific property.** Contact the Ordinance Administration Branch at 703-324-1314, TTY 711, and ask for the zoning resource planner.

## PERMITTED EXTENSIONS INTO SETBACKS

For information on permitted extensions into setbacks, please refer to Article 2-412 of the Zoning Ordinance.

## COVENANTS AND DEED RESTRICTIONS

Many of the subdivisions in the county are subject to covenants and deed restrictions which regulate the use of property beyond the limitations contained in the county's ordinances. These deeds and covenants are private agreements between property owners and are not enforced by the county. Therefore, before you add a shed or fence to your property or initiate any other significant changes, you should also check with your homeowners' association to determine if any restrictions apply.

## VIOLATIONS OF ZONING REGULATIONS

Alleged violations of the Fairfax County Zoning Ordinance may be reported directly by

one of the following methods:

1. Online: Zoning Complaints
2. By phone: Call 703-324-1300, TTY 711, during the hours of 8 a.m. to 4:30 p.m., Monday through Friday.

When reporting an alleged violation, complainants should be able to provide the following information:

- Address of the property where the alleged violation is located,
- Nature of complaint, with as many details as possible,
- Name, address and contact phone number of complainant.



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