

## DENVER ZONING CODE CLARIFICATION – WHEN DOES A ROOF EAVE QUALIFY FOR BULK PLANE/HEIGHT EXCEPTIONS?

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*This clarification rescinds all previous interpretations and clarifications regarding the same DZC standards at issue.*

### DZC STANDARDS AT ISSUE

Permitted Height & Bulk Plane Exception in Sections 4.3.7.1.B, 5.3.7.1.B, and similar provisions in Denver Zoning Code, Articles 3-9:

An exception is granted to allow building “Eaves” to project any distance into a required bulk plane envelope, and to exceed maximum building height in feet for any distance provided the “eave” is attached to a building “story”.

### DEFINITIONS OF KEY TERMS

The applicability of the height/bulk plane exception is made clearer with an understanding of key terms, which are defined below:

“**Eave**”: “The underpart of a **sloping roof** overhanging a wall (emphasis added).”

“**Flat Roof**”: A roof that has no sloping plane greater than 2:12. [Note: the 2018 Bundle of DZC text amendments propose to change this term from “flat roof” to “low-slope roof” and increase the slope cut-off to 3:12]

“**Sloping Roof**” – This term is not defined in the DZC, but is hereby interpreted to mean any continuous roof plane that has a positive slope of any degree, including a roof that may otherwise fit the definition of “flat roof”.

“**Story**”: That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

### CLARIFICATION OF STANDARD

Given the definitions of key terms, for purposes of qualifying for a height and bulk exception, an “eave” may be associated with any “sloping roof” form as interpreted above, including many “flat roofs” or “low-slope roofs”, provided the “eave” is part of a continuous plane with the remainder of the roof and provided the “eave” is attached to a building feature that constitutes a “story”. See illustrations on page 2 below.

ILLUSTRATIVE EXAMPLES OF SLOPING ROOF EAVES THAT QUALIFY FOR BULK PLANE/HEIGHT EXCEPTION



ILLUSTRATIVE EXAMPLES OF OVERHANGS OR CANOPIES THAT ARE NOT ROOF EAVES AND DO NOT QUALIFY FOR BULK PLANE/HEIGHT EXCEPTION

