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**FIRE PREVENTION AND BUILDING SAFETY COMMISSION**  
**Department of Homeland Security**

**Written Interpretation of the State Building Commissioner**

**Interpretation #:** CEB-2021-13-2020 IRC-R302.1-Exc 6

**Building or Fire Safety Law Interpreted**

**675 IAC 14-4.4 Indiana Residential Code, 2020 Edition, Section R302.1 Exterior walls.** Construction, projections, openings and penetrations of *exterior walls* of *dwelling*s and accessory buildings shall comply with Table R302.1(1); or *dwelling*s equipped throughout with an *automatic sprinkler system* installed in accordance with Section P2904 shall comply with Table R302.1(2).

**Exceptions:** [*Exceptions 1-5 and 7 omitted for lack of relevance to the request.*]

6. For building applications that have received local zoning approvals for plats or for preliminary concept or master plans prior to adoption of the *2020 Indiana Residential Code* in **675 IAC 14-4.4**, *dwelling*s with a fire separation distance of less than three (3) feet from the property line shall be required to have at least a one-hour fire resistance rating and exposure from both sides and openings shall not be permitted. Projections shall not extend to a point closer than two (2) feet to the property line. One hour fire resistive construction is required on the underside of projections when the projections are closer than three (3) feet to the property line. Penetrations shall comply with Section R302.4.

**Issue**

Whether Exception 6 to Section R302.1 of the 2020 Indiana Residential Code (IRC) allows overhanging projections on buildings to extend beyond joint property lines within a Planned Unit Development (PUD) that had been approved by the jurisdiction prior to the adoption of the 2020 IRC.

**Interpretation of the State Building Commissioner**

Exception 6 to 2020 IRC Section R302.1 does not allow overhanging projections on buildings to extend beyond joint property lines regardless of prior approvals by the jurisdiction.

**Rationale**

Section R302.1 Exception 6 recognizes the possibility that prior to the adoption of the 2020 IRC, residential developments may have received local approvals as concept or master plans with fire separation distances that are smaller than those required by the 2020 IRC. In such cases, the exception grants limited relief by allowing specific reductions in those required distances.

In the case at the center of this interpretation request, the question has arisen as to whether the prior approval of overhanging construction beyond the property line of its lot is considered compliant with the 2020 IRC through the application of Exception 6 to R302.1. The answer is no, such an installation is not compliant.

While Exception 6 allows specific reductions in required fire separation distances, those reductions have limits. In the case of projections, the limit under Exception 6 is two (2) feet from the property line. Projections that extend beyond that limit, including ones that extend beyond the property line itself, are not permitted. The exception also requires specific fire-resistance rated construction in projections that are closer than three (3) feet from the property line.

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