



**FENCE
ZONING REQUIREMENTS
(REVISED 5/19/16)**

Note: No person, except on a farm and related to agricultural uses, but not including hobby farms, shall construct or erect any fence without first making an application for and securing approval for a zoning permit for fences not over 7 feet in height located within a front yard, buffer yard, or located along a property line or a building permit for fences exceeding 7 feet in height. (11-21-5.A.)

PERMIT SUBMITTAL CHECKLIST:

- Signed and completed Zoning Permit application form (or Building permit if over 7 feet high).
- Submit one copy of a Certificate of Survey, drawn to scale which indicates the following:
(A Certificate of Survey for the property may be on file at City Hall.)
 1. Lot Dimensions
 2. Location and footprint coverage area of existing structure(s)
 3. Location of the fence
 4. Setback of fence from the property line
 5. The height of the fence
 6. The type of fence (i.e. chain-link, split rail, privacy)

Attached are sample surveys intended as a **GUIDE ONLY.**

ALL LOTS: GENERAL ZONING ORDINANCE REQUIREMENTS:

- Fences, including footings, shall be located entirely upon the private property on which the fence is proposed to be constructed. (11-21-5.B.1.)
- Property owner is responsible for verifying property boundaries by locating the property irons.** Property irons are generally 6 inches below grade and must be left exposed and staked for verification at final inspection. The City of Lakeville does not provide a survey service to locate the property irons. Metal detectors are effective in locating the property irons. It is unlawful to disturb, remove or relocate property irons. (11-21-5.B.2.)
- If property irons cannot be located then one of the following options are available:
 1. Establish the property lines by a survey conducted by a registered land surveyor.
(Or)
 2. The owner of the property on which a fence is proposed to be constructed and the owner(s) of adjoining properties enter into an agreement regarding the location of the fence to be recorded with the titles of the respective properties, subject to approval of an Administrative Permit through the City Planning Department. (11-21-5.B.2.)
- Fences shall not extend into public rights of way or onto public property. (11-21-5.B.3.)

- Fences in easements shall not impede the flow of water. If the city or utility company needs to utilize the easement, the fence will be removed and relocated at the expense of the property owner. (11-21-5.B.4.)
- The side of any fence considered to be its “face” (i.e. the finished side having no structural supports) must face abutting property or street right of way. (11-21-5.C.5.)
- Fences must be at least 5% open for passage of air, light, and drainage. (11-21-5.F.1.)
- Fences may not exceed 6 feet in height, except fences in the rear yard may not exceed 8 feet in height provided they are setback at least 10 feet from the rear lot line and 5 feet from any side lot line. (11-21-5.F.2. and 3.)
- Fences within front yards shall not exceed 4 feet in height, must be at least 75% open for the passage of air and light, and must be setback at least 10 feet from the front or side lot line abutting the street right-of-way except where additional setback is required for traffic site visibility. (11-21-5.F.4.) and (11-21-5.E.)

BUFFER YARD LOTS: SPECIFIC ZONING ORDINANCE REQUIREMENTS:

- Fences abutting a major collector or arterial street shall be setback at least 10 feet from the property (right-of-way) line, 0 feet for lots platted prior to Jan 1, 1994. (11-21-5.F.4.b)
- For interior lots, a gate constructed of the same material as the fence shall be provided in the fence to allow for maintenance of the street side boulevard. (21-21-5.F.4.b)
- At least 50% of the street side of a screening fence shall be landscaped with plant materials. Plant materials shall be at least equal to the fence height. Fences may be exposed no more than a maximum length of 20 feet between landscaping areas or clusters. (11-21-9.E.6.c.)

CORNER LOTS: SPECIFIC ZONING ORDINANCE REQUIREMENTS:

- No fence shall be placed on or extend into a yard so as to pose a danger to traffic by obscuring the view of approaching vehicular traffic or pedestrians from any street. Visibility from any street shall be unobstructed above a height of 3 feet within the triangle described as beginning at the intersection of the projected curb lines of 2 intersecting streets, 45 feet along each curb line, and diagonally from those two points. (11-21-5.E.) and (11-16-15)
- Fences abutting a public right of way must be setback at least 10 feet from the side lot line abutting the street right-of-way on lots platted after 1/1/94 except where additional setback is required for traffic site visibility. (11-21-5.F.4.) and (11-21-5.E.)
- The privacy fence along a side lot line abutting a public right-of-way shall not extend into a required front yard and shall be no closer to the front lot line than a point intersecting the front line of the principal building unless the fence is less than forty eight inches (48”) in height and at least 75% open for the passage of air and light. (21-21-5.F.4.b)

FENCE SETBACKS TO PROPERTY LINES FOR ALL LOTS:

Yard	Distance to property line
Front (all lots)	10' if height \leq 4 feet and \geq 75% open; 30' if height $>$ 4 feet or $<$ 75% open
Side (interior lot)	0'
Side (corner lot)	10' or 0' ⁽³⁾
Side (buffer yard)	10' ⁽¹⁾ or 0' ⁽³⁾
Rear (interior lot)	0'
Rear (buffer yard)	10' ^{(1),(2)} or 0' ⁽³⁾

⁽¹⁾At least 50% of the street side of a screening fence shall be landscaped with plant materials at least equal to the fence height and may be exposed no more than a maximum length of 20 feet between landscaping areas or clusters.

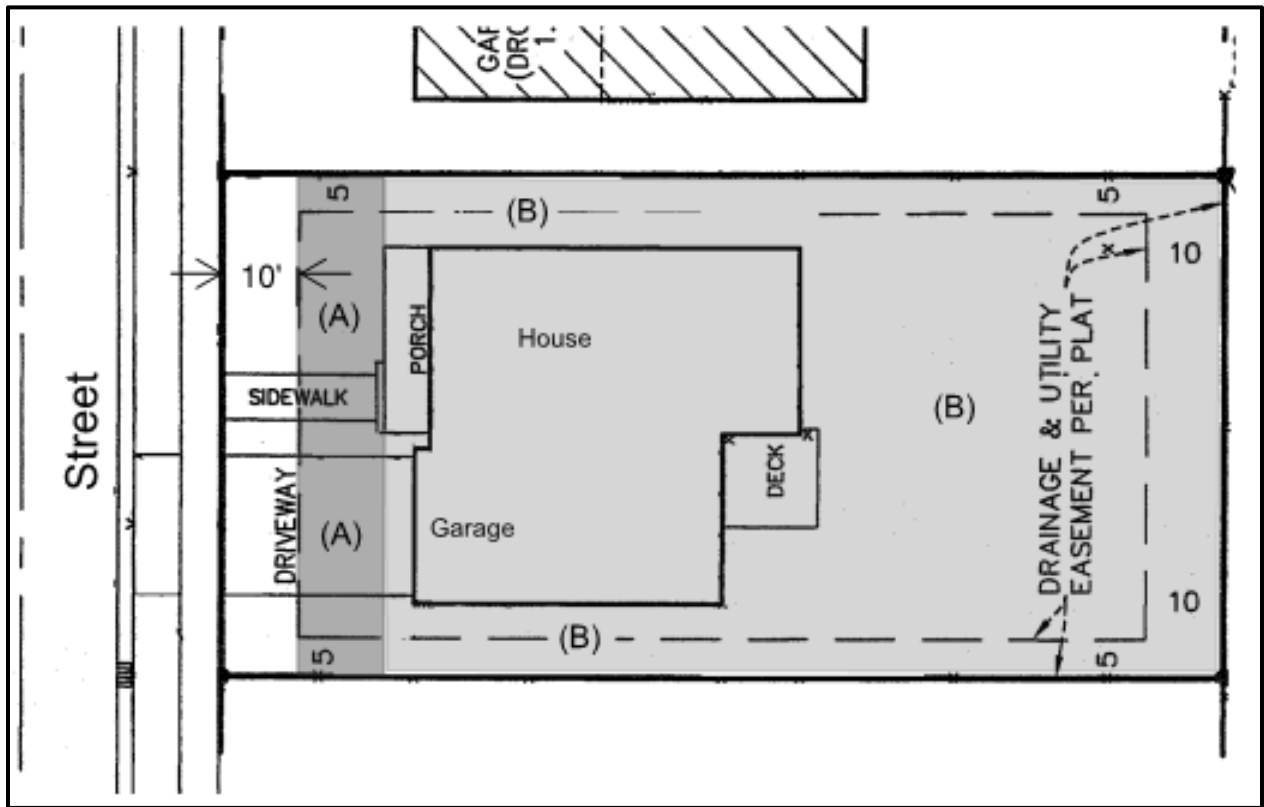
⁽²⁾For interior lots, a gate constructed of the same material as the fence shall be provided in the fence to allow for maintenance of the street side boulevard.

⁽³⁾For lots platted prior to Jan. 1, 1994.

REQUIRED INSPECTION AND GENERAL NOTES:

- The Inspection Record card and survey shall be accessible and remain posted until the final inspection has been approved. Cards should be protected from the weather. Contact Planning Department at 952-985-4420 or the Building Inspection Department at 952-985-4440 for any additional questions.
- Final inspection is required when the fence is completed.** Call 952-985-4440 between 8:00 A.M. and 4:30 P.M. to schedule a final inspection. Property irons shall be left exposed and staked for final inspection to verify property lines. Provide at least 24-hour advance notice and provide permit number at time of scheduling for the final inspection.
- Prior to digging, call Gopher Services at 651-454-0002 to verify public utility locations. Forty-eight hour notice is required (excluding weekends and holidays).

TYPICAL INTERIOR LOT SURVEY
(SAMPLE)

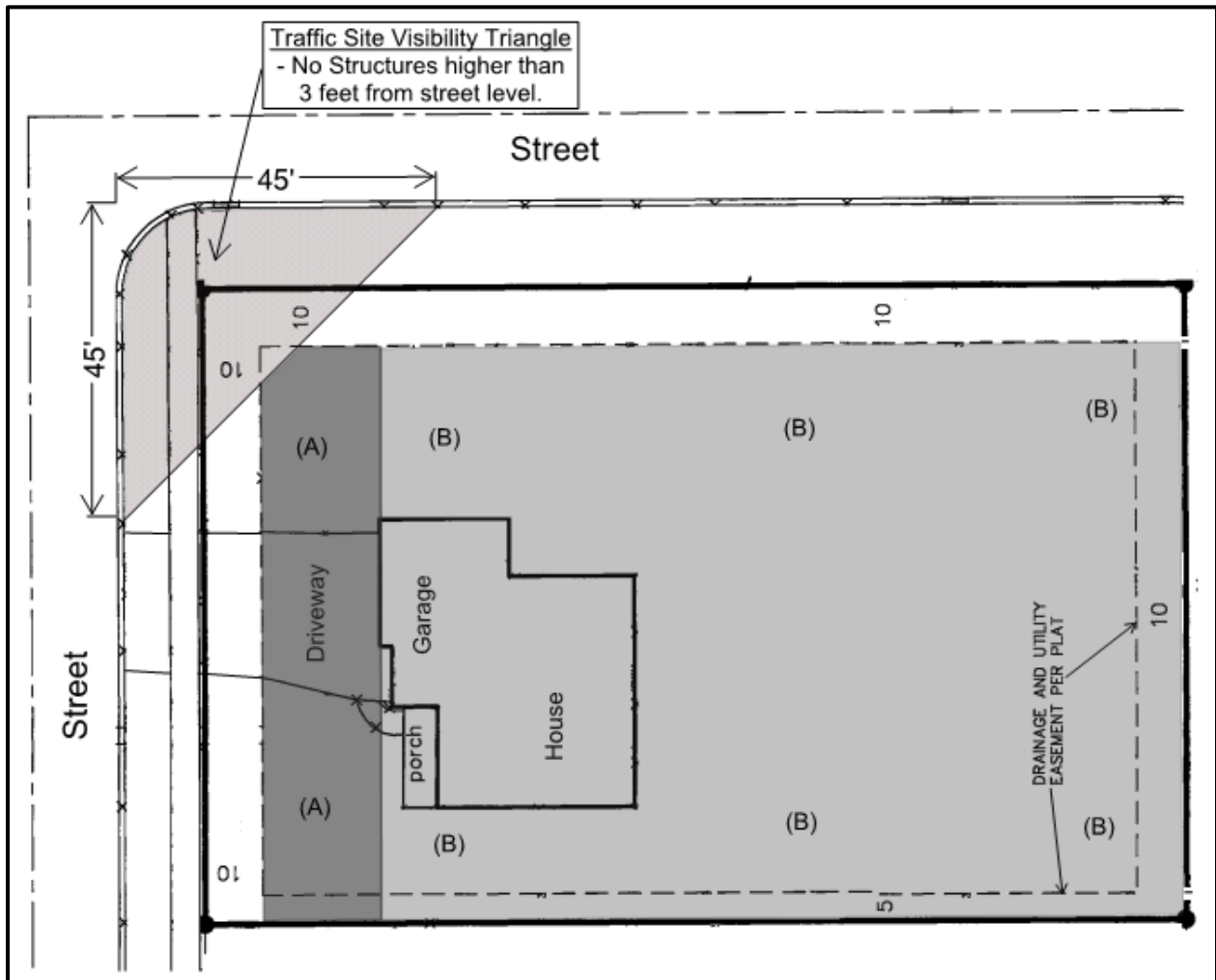


- (A) Fences extending across the front yard must not exceed 48 inches in height, shall be at least 75% open space for the passage of air and light, and shall be setback at least 10 feet from the front lot line abutting the street right-of-way.
- (B) Fences located in the rear yard and side yard must not exceed 6 feet in height, shall be at least 5% open for passage of air, light, and drainage.

*Fences, including footings, shall be located entirely upon the private property on which the fence is proposed to be constructed.

*Fences in easements shall not impede the flow of water. If the city or utility company needs to utilize the easement, the fence will be removed and relocated at the expense of the property owner.

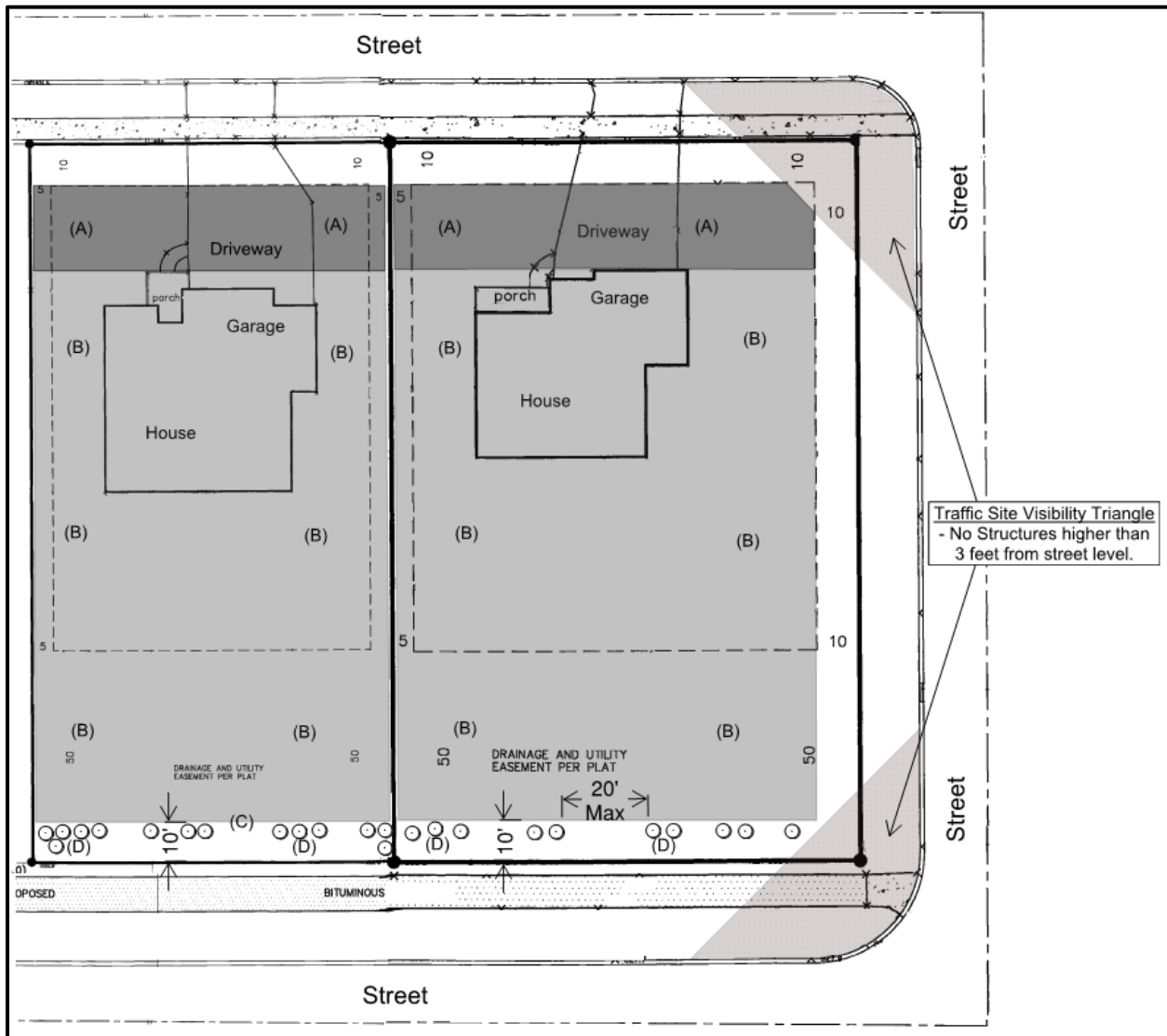
TYPICAL CORNER LOT SURVEY
(SAMPLE)



- (A) Fences extending across the front yard must not exceed 48 inches in height, shall be at least 75% open space for the passage of air and light, and shall be setback at least 10 feet from the front lot line abutting the street right-of-way.
- (B) Fences located in the rear yard, interior side yard, and corner side yard (setback 10'), must not exceed 6 feet in height, and shall be at least 5% open for passage of air, light, and drainage. Fences must be set back at least 10 feet from the property (right of way) line, except for lots platted prior to Jan. 1, 1994 that may be 0 feet.

Traffic Site Visibility Triangle - No fence shall be placed on or extend into a yard so as to pose a danger to traffic by obscuring the view of approaching vehicular traffic or pedestrians from any street. Visibility from any street shall be unobstructed above a height of 3 feet within the triangle described as beginning at the intersection of the projected curb lines of 2 intersecting streets, 45 feet along each curb line, and diagonally from those two points.

TYPICAL BUFFER YARD SURVEY
(SAMPLE)



- (A) Fences extending across the front yard must not exceed 48 inches in height, shall be at least 75% open space for the passage of air and light, and shall be setback at least 10 feet from the front lot line abutting the street right-of-way.
- (B) Fences located in the interior side yard, corner side yard (10' setback), and rear yard (10' setback), must not exceed 6 feet in height, and shall be at least 5% open for passage of air, light, and drainage. Fences must be set back at least 10 feet from the property (right of way) line, except for lots platted prior to Jan. 1, 1994 that may be 0 feet.
- (C) A gate constructed of the same material as the fence shall be provided in the fence to allow for maintenance of the street side boulevard for interior lots.
- (D) At least 50% of the street side of a fence in a required Buffer Yard, shall be landscaped with plant materials. Plant materials shall be at least equal to the fence height. Fences may be exposed no more than a maximum length of 20 feet between landscaping areas or clusters.