



City of Belle Plaine  
 218 N. Meridian Street  
 P.O. Box 129  
 Belle Plaine, MN 56011

Community Development Department  
 Phone: 952-873-5553  
 Fax: 952-873-5509  
 www.belleplainemn.com

Encroachment Permit: \_\_\_\_\_

# EASEMENT AND BLUFF ENCROACHMENT PERMIT

**SITE ADDRESS:** \_\_\_\_\_ **P.I.N.:** \_\_\_\_\_

**OWNER NAME:** \_\_\_\_\_ **Phone:** \_\_\_\_\_  
 (and Address if different than Site Address) **Email:** \_\_\_\_\_

- STRUCTURE**
- Accessory structure 200 square feet or less (*without permanent foundation*)
  - Retaining wall for landscaping (*provided drainage patterns are not affected*)
  - Fence (*provided drainage patterns are not affected*)
  - Above ground, non-permanent swimming pool

**Purpose of encroachment agreement:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- SUBMISSION OF APPLICATION MUST INCLUDE:**
- Attached site plan (to scale) depicting present and proposed improvements including proposed structure setbacks.
  - Signed Encroachment Agreement by property owner.

I **certify** that I am the applicant named herein; that I have familiarized myself with the rules and regulations with respect to preparing and filing this application that the foregoing statements and answers herein contained and the information on the attached maps or site plans and any other documents submitted herewith are in all respects true and accurate to the best of my knowledge and behalf.

**SIGNATURE OF APPLICANT:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

## OFFICE USE ONLY

<b>Zoning District:</b>	<b>Application Fee: \$25.00</b>	<b>Form of Payment:</b>
<input type="checkbox"/> Site Plan	<b>Other Fee: \$</b>	<b>Date:</b>
<input type="checkbox"/> Agreement		<b>Transaction Number:</b>
	<b>Total: \$</b>	<b>Collected By:</b>

<b>Reviewed by Community Development Director</b>	<input type="checkbox"/> Approved Initials _____	<input type="checkbox"/> Denied Initials _____	<b>Date:</b>
<b>Reviewed by Public Works Superintendent</b>	<input type="checkbox"/> Approved Initials _____	<input type="checkbox"/> Denied Initials _____	<b>Date:</b>
<b>Reviewed by City Engineer</b>	<input type="checkbox"/> Approved Initials _____	<input type="checkbox"/> Denied Initials _____	<b>Date:</b>
<b>Reviewed by Scott County WMO</b>	<input type="checkbox"/> Approved Initials _____	<input type="checkbox"/> Denied Initials _____	<b>Date:</b>

**City of Belle Plaine**  
**Easement and Bluff Encroachment Agreement**

Please check which structure applies:

- |  |   |
|--|---|
| <input type="checkbox"/> Accessory Structure | <input type="checkbox"/> Retaining Wall |
| <input type="checkbox"/> Fence               | <input type="checkbox"/> Swimming Pool  |

We/I, \_\_\_\_\_ and \_\_\_\_\_,

(single person(s) or husband and wife) property owner(s) of a parcel of property legally described as:

(address): \_\_\_\_\_

and known as

(address): \_\_\_\_\_

hereby acknowledges on this \_\_\_\_\_ day of \_\_\_\_\_, in the year of \_\_\_\_\_ that (I or we) are aware of the following described requirements of the City of Belle Plaine in regard to structures and other encroachments:

The erection and/or placement of any structure in an Easement or bluff setback require an Easement and Bluff Encroachment Permit submitted to the City, along with the building/zoning permit. City staff will consider factors such as the type and use of the easement, location and stability of the bluff, erosion and sediment control, resulting drainage patterns, and the type and use of the proposed structure when making a decision. An Easement and Bluff Encroachment Permit must be signed by the property owner and approved by the City prior to the zoning/building permit being issued.

If, for any reason, the City or other authorized agency needs to perform work in an easement, the property owner must remove, at their expense, any structure or landscaping located within the easement within 30 days of being notified. If the items are not removed by the property owner within the time specified in the notice, or if an emergency situation exists, representatives of the City may remove these items and may charge the property owner for any removal and restoration expenses incurred. If the removal and restoration expenses remain unpaid, the City Council may assess the property.

If private utilities such as cable, gas, electric or telephone are located within the public easement, the City will notify the affected utility company of the structure proposed to be located in the easement prior to the City issuing a permit.

The City or any other authorized agency is not liable for repair or replacement of any structure or landscaping in the event it is moved, damaged or destroyed by virtue of the lawful use of the easement and bluff setback.

All permits received for encroachment of the bluff setback will be sent to Scott County WMO for review prior to approval of the request. Any land disturbing activities must receive approval from the Scott County WMO.

Any approved easement and bluff encroachment permit for construction within an easement or bluff setback does not absolve a property owner of the above responsibilities and shall not be construed as an approval to violate any codes or ordinances of the City of Belle Plaine.

\_\_\_\_\_  
Printed Name of Property Owner

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date