

Fence and Shed Permit Requirements

Fences and sheds (200 sq. feet) require a Zoning Permit. (Included in this packet)

Submission of Zoning Permit application must include:

Property survey or site plan depicting location of structure (The City may provide survey if on file).

Fence Code Requirements (City Code Section 1107.02)

Must be installed 2 feet or greater from the property line (set backs), unless the abutting property owner provides written approval for the fence to be installed on the shared property line.

Cannot be greater than 6 feet in height.

No fence will be permitted less than 2 feet from property line abutting public right-of-way.

No barbed ends shall be exposed at the top of the fence.

The finished side (showing no structural support) of a fence shall face the abutting property.

No fence shall obstruct the flow of drainage.

May not be located within a City easement.

The fence may be installed within the easement provided there are no services within the easement and an Easement and Bluff Encroachment Agreement with the City has been approved by the Public Works Superintendent.

Shed / Accessory Structure Code Requirements (City Code Sections 1107.12 & 1105)

Structure must be 200 square feet or less.

Shall not be located less than 10 feet from any other structure on property.

Height may not exceed 15 feet, measured from the floor to the ridge.

All overhead doors shall not exceed 8 feet in height.

May not be located within a City easement.

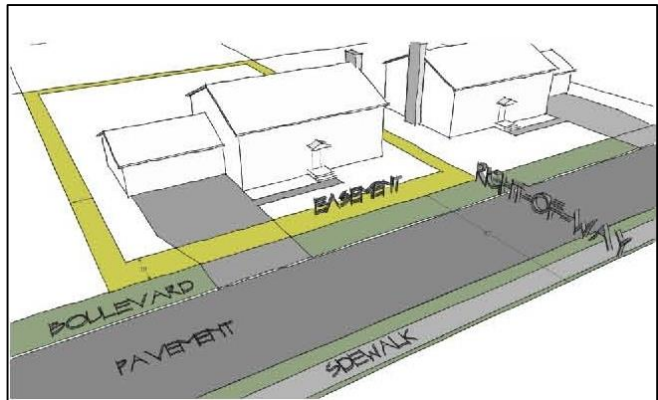
If installed on a concrete slab, the shed cannot be within an easement.

If installed on skids, the shed may be installed within the easement provided there are no services within the easement and an Easement and Bluff Encroachment Agreement with the City has been approved by the Public Works Superintendent.

Easement and Bluff Encroachment Informational Handout

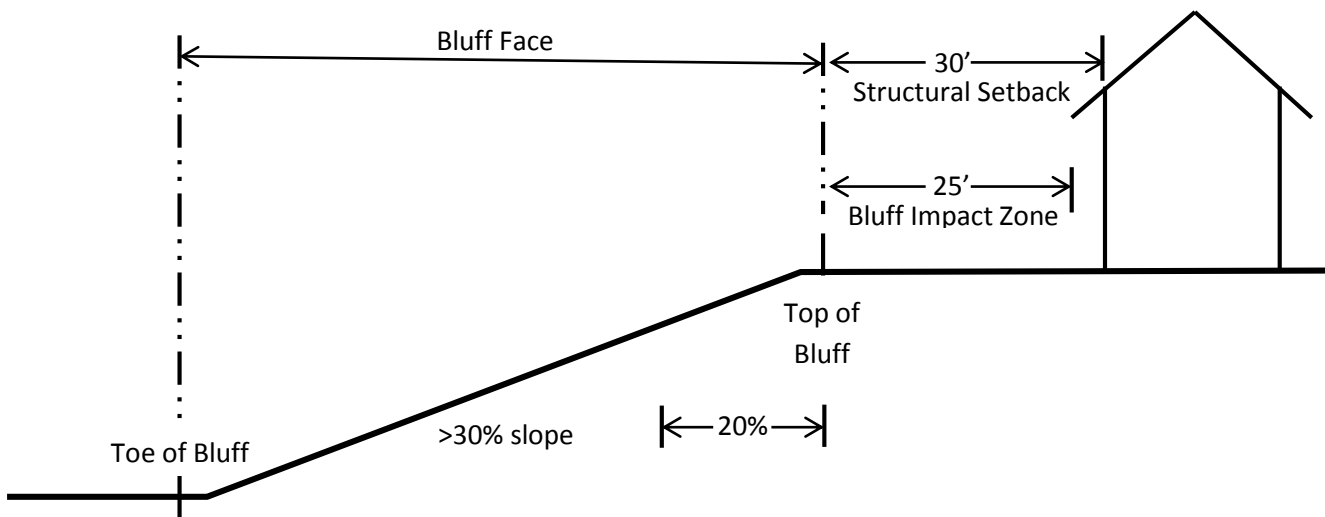
Easement Information

An **easement** is a grant by a property owner for the use of a strip of land and for the purpose of constructing and maintaining drives, roadways, walkways, bicycle trails, utilities, including, but not limited to wetlands, ponding areas, sanitary sewers, water mains, electric lines, telephone lines, storm water drainage ways, gas lines, pipelines, and able television lines.



Bluff Information

- A **bluff** is a topographic feature such as a hill, cliff, or embankment in which the average grade of any portion of the slope is 30 percent or greater and there is at least a 25-foot rise in elevation.
- The **bluff** impact zone is a 25-foot zone from the top of a bluff.
- The **bluff face** is the land lying between the top of the bluff and the toe of the bluff.



- The **toe of the bluff** is the lower point of a bluff where there is, as visually observed, a clearly identifiable break in slope. If no break is apparent, the toe of the bluff shall be the lower point of a fifty (50) foot segment that exceeds twenty (20) percent slope. The **top of the bluff** is the point on a bluff where there is, as visually observed, a clearly identifiable break in slope, from steeper to gentler slope above. If no break in slope is apparent, the top of the bluff shall be determined as the highest end of a fifty (50) foot segment that exceeds twenty (20) percent slope.

Easement and Bluff Encroachment Requirements

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.

The following structures may be allowed in easements and the bluff setback with approval of an Easement and Bluff Encroachment Permit provided they could be easily moved or removed as determined by city staff:

- 1. Accessory structures 120 square feet or less (without permanent foundations)***
- 2. Retaining walls for landscaping (provided drainage patterns are not affected).***
- 3. Fences (provided drainage patterns are not affected).***
- 4. Above ground, non-permanent swimming pools.***

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.



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

ZONING PERMIT APPLICATION	Zoning Permit: _____
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SITE ADDRESS:	P.I.N.:
OWNER NAME: (and Address if different than Site Address)	Phone:
	Email:

CONTRACTOR NAME/ADDRESS: <input type="checkbox"/> Home Owner	Contractor License: _____
	Contractor Phone: _____

PERMIT TYPE	<i>(Check and complete)</i>			
<input type="checkbox"/> Fence:	Fence Height (6' max):	Abutting public right-of-way: Y N		
	Finish Materials:			
	*Fence to be placed on or within 2' of property line:	Y N	<i>*Signatures of adjoining property owners are REQUIRED to construct a fence ON or WITHIN 2' of an adjoining property line.</i>	
	*Fence to be placed within City Easement:	Y N	<i>*If yes, an Easement & Bluff Encroachment application is REQUIRED to construct a fence.</i>	
<input type="checkbox"/> Accessory Structure:	Finish Materials:	Rear/ Side Yard Easement > 5': Y N		
	Shed Height (15' max):	Distance from Primary Structure:		
	Size (200 sq ft max): $\frac{\quad}{L} \times \frac{\quad}{W}$	Setback from property line: Rear _____ Side _____		
	*Accessory Structure to be placed within City Easement:	Y N	<i>*If yes, an Easement & Bluff Encroachment application is REQUIRED to construct a shed.</i>	

Signature of this application by the legal property owner or a licensed contractor, as the owner's representative is required and authorizes the City of Belle Plaine Zoning Administrator or designee and the City of Belle Plaine Building Official or designee to enter upon the property to perform needed inspections. Entry may be without prior notice. Permit expires when building and work is not commenced within **180 days** from the date of Permit issued, or if building and work suspended, abandoned or not inspected for 180 days.

I hereby acknowledge that I have read this application and state that all information is true and correct to the best of my knowledge. I further agree that all work performed will be in accordance with approved plans, specifications and conditions, and to abide by all of the ordinances of the City and the Laws of the State of Minnesota regarding actions taken pursuant to this permit. I agree to pay all plan review fees even if I choose not to proceed with the work.

SIGNATURE OF APPLICANT: _____ **DATE:** _____

OFFICE USE ONLY

<input type="checkbox"/> Site Survey/plan attached	Date Received: _____
<input type="checkbox"/> Property pins have been Located	Permit fee: \$ _____
<input type="checkbox"/> Signatures for 0' Setback(s)	Form of Payment: _____
<input type="checkbox"/> Easement & Bluff Encroachment Application	Date Issued: _____
Total Due: \$ _____	Transaction Number: _____
	Issued By: _____

Building Official or Designee: _____	Date: _____
Zoning Administrator or Designee: _____	Date: _____

**Signature(s) of adjoining property owner(s) may be applied on reverse side.
 Revised September 2015*

Zoning Permit:

Adjoining Property Line Fence Agreement

This agreement has been entered into the following property owners for the construction of a fence **ON or WITHIN 2'** of an adjoining property line.

Address of Subject Property:

Property Owner:

Signature of Property Owner:

Date:

Address of Adjoining Property 1:

Property Owner:

Signature of Property Owner:

Date:

Address of Adjoining Property 2:

Property Owner:

Signature of Property Owner:

Date:

Address of Adjoining Property 3:

Property Owner:

Signature of Property Owner:

Date:

Address of Adjoining Property 4:

Property Owner:

Signature of Property Owner:

Date:

If needed, submit any additional properties on an independent sheet of paper.



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 218 N. Meridian Street
 P.O. Box 129
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Community Development Department
 Phone: 952-873-5553
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Encroachment Permit: _____

EASEMENT AND BLUFF ENCROACHMENT PERMIT

SITE ADDRESS:	P.I.N.:
OWNER NAME: (and Address if different than Site Address)	Phone: Email:

STRUCTURE	<input type="checkbox"/> Accessory structure 200 square feet or less (<i>without permanent foundation</i>)
	<input type="checkbox"/> Retaining wall for landscaping (<i>provided drainage patterns are not affected</i>)
	<input type="checkbox"/> Fence (<i>provided drainage patterns are not affected</i>)
	<input type="checkbox"/> 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

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

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

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Printed Name of Property Owner

Signature of Property Owner

Date