



# 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).
- Completed Zoning Permit application.
- Signatures of adjoining property owners, if fence is placed two feet or less from the property line.
- Easement and Bluff Encroachment Agreement, if applicable.
- Permit fee.

## **Fence Code Requirements (City Code Section 1107.02)**

- Must locate property pins / property lines.
- Must be installed 2 feet or greater from the property line (setbacks), 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 5 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.
- Two inspections required – Preconstruction Inspection before work commences and Final Inspection when the fence has been installed. Call City Hall to schedule inspection.

## **Shed / Accessory Structure Code Requirements (City Code Sections 1104.12 & 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.
- Two inspections required – Preconstruction Inspection before work has commenced and Final Inspection when shed has been placed. Call City Hall to schedule inspection.

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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.*



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  
 Inspections: 952-873-5553 (24-hr notice)

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

# EASEMENT AND BLUFF ENCROACHMENT PERMIT

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

<b>STRUCTURE</b>	<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

<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>
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<b>Reviewed by Public Works Superintendent</b>	<input type="checkbox"/> Approved Initials _____	<input type="checkbox"/> Denied Initials _____	<b>Date:</b>
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<b>Reviewed by City Engineer</b>	<input type="checkbox"/> Approved Initials _____	<input type="checkbox"/> Denied Initials _____	<b>Date:</b>
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<b>Reviewed by Scott County WMO</b>	<input type="checkbox"/> Approved Initials _____	<input type="checkbox"/> Denied Initials _____	<b>Date:</b>
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**City of Belle Plaine**  
**Easement and Bluff Encroachment Agreement**

Please check which structure applies:

Accessory Structure       Retaining Wall       Fence       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

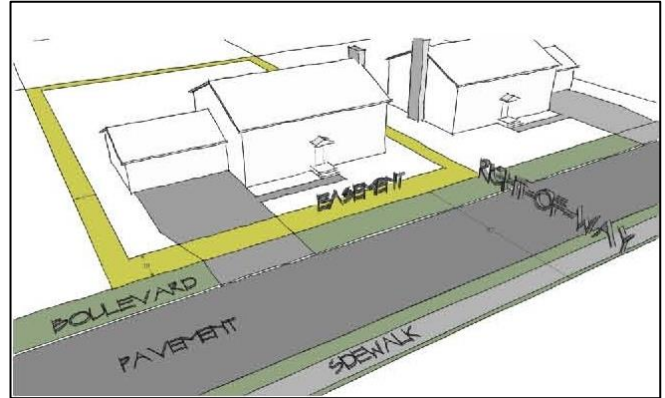
\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

# Easement and Bluff Encroachment Informational Handout

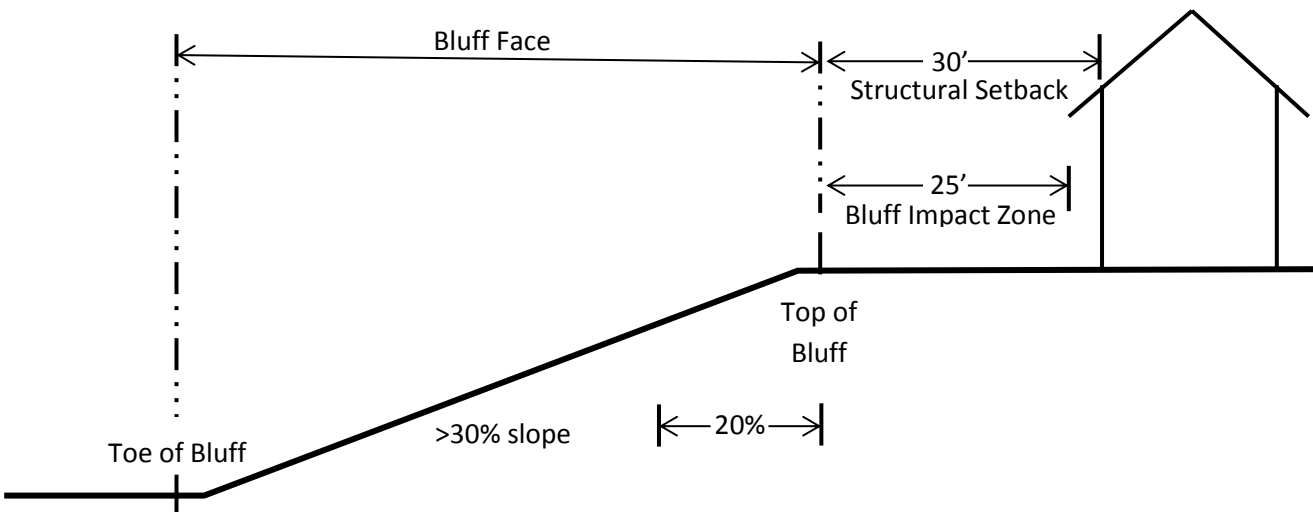
## Easement Information

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 cable 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 Agreement** 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 Agreement 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 Agreement 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.

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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.