

City of Belle Plaine

Steps to obtain a Fence Permit (Zoning Review)

1. Complete the Fence permit application, which is available at www.belleplainemn.com/permits-licenses-forms. Application fee - \$50 fee.
2. Locate and expose the property pins to determine the property boundaries. City Hall may have a site survey on file that will help you determine where the property pins are located. Locate pins by hiring a surveyor, or using a metal detector. City Hall has a metal detector that you may check out for the day. Please contact Cynthia Smith Strack for details - cynthias@ci.belleplaine.mn.us
3. Determine if the proposed fence will be constructed in the City utility and drainage easement (see site survey) if so, an Easement and Bluff Encroachment agreement with the City must be obtained - \$25 fee and approved by the Public Works Superintendent. (Application included with the Fence / Zoning packet).
4. If the proposed fence is to be constructed two feet or less from the property line, on the property line, or adjoining an adjacent property owner's fence, written permission must be obtained from all adjacent property owners – page 2 of application.
5. Indicate on the site survey location of proposed fence (draw on survey). Must return marked up copy with application.
6. Return completed applications, drawing with proposed fence location, and fees to City Hall for review. Drop box, mail, or by email lblue@ci.belleplaine.mn.us ; jtiegs@ci.belleplaine.mn.us
7. Mark proposed location of fence on the property.
8. Schedule the pre-construction inspection (952-873-5553) with the Building Official. The property owner or representative must be present at the inspection. At the inspection, the property pins must be exposed, fence marked on property, and a printed copy of the permit packet available to Building Official.
9. Call Gopher One State before digging.
10. After installation, call City Hall (952-873-5553) to schedule the final inspection.



Site Survey Quick Look:

- The solid line indicates the property boundaries.
- The filled in circles indicate property pins/markers.
- The dashed lines indicate the drainage and utility easement.
- Lot dimensions are indicated outside of the property boundary lines.
- The easement area is between the property line and the dashed line.
- The utility easement dimensions are indicated between the dashed line and solid lines. Most often they are 5 feet and/or 10 feet.



Fence Permit Requirements

(Zoning Review)

Submission of application must include:

- **Property survey or site plan depicting lot dimensions, property pins, and location of fence** (The City may provide survey if on file).
- Completed Fence (Zoning) Permit application.
- Signatures of adjoining property owners, if fence is constructed two feet or less from the property line.
- Easement and Bluff Encroachment Agreement, if applicable.
- Permit fees.

Fence Code Requirements ([City Code Section 1107.02](#))

- Must locate and expose property pins to verify property lines (property owner responsibility).
- 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.
- Maximum height 6 feet.
- 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 before work commences
 - Preconstruction inspection
 - Final Inspection after fence is constructed



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

FENCE PERMIT APPLICATION (Zoning Review)	Permit # : _____
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SITE ADDRESS: _____	P.I.N.: _____
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OWNER NAME: _____ (and Address if different than Site Address)	Phone: _____ Email: _____
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<input type="checkbox"/> CONTRACTOR or <input type="checkbox"/> HOMEOWNER COMPANY NAME: _____ ADDRESS: _____	Contractor License: _____ Phone: _____ Email: _____
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Height (6' max): _____ Material: _____ Abutting public right-of-way (street, highway) **Y** **N**
 Fence to be placed on or within 2' of property line: **Y** **N**
**Signatures of adjoining property owners are REQUIRED to construct a fence ON or WITHIN 2' of an adjoining property line.*
 Fence to be placed within City Drainage and Utility Easement (see site survey): **Y** **N**
If yes, an Easement & Bluff Encroachment Agreement is REQUIRED.

Application must include: <input type="checkbox"/> Completed application <input type="checkbox"/> Site survey with location of fence <input type="checkbox"/> Easement Encroachment Bluff Agreement (if applicable) <input type="checkbox"/> Permit fee (\$50) <input type="checkbox"/> Easement Encroachment Agreement fee (\$25) (if applicable)	Steps to acquire permit: <input type="checkbox"/> Locate and mark property pins <input type="checkbox"/> Mark location of proposed fence <input type="checkbox"/> Determine if fence will be in City Utility Easement <input type="checkbox"/> Submit application and appropriate fees <input type="checkbox"/> Call for pre-construction inspection <input type="checkbox"/> Commence work <input type="checkbox"/> Call for final inspection
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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	Form of Payment: _____
<input type="checkbox"/> Signatures for 0' Setback(s)	Date Issued: _____
<input type="checkbox"/> Easement & Bluff Encroachment Agreement	Transaction Number: _____
Permit fee: \$ _____	Issued By: _____
Other: \$ _____	
Total Due: \$ _____	

Building Official or Designee: _____	Date: _____
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Zoning Administrator or Designee: _____	Date: _____
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*Signature(s) of adjoining property owner(s) on reverse side.

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

SITE ADDRESS: _____ **P.I.N.:** _____

OWNER NAME: _____ **Phone:** _____
 (and Address if different than Site Address) **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:

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

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

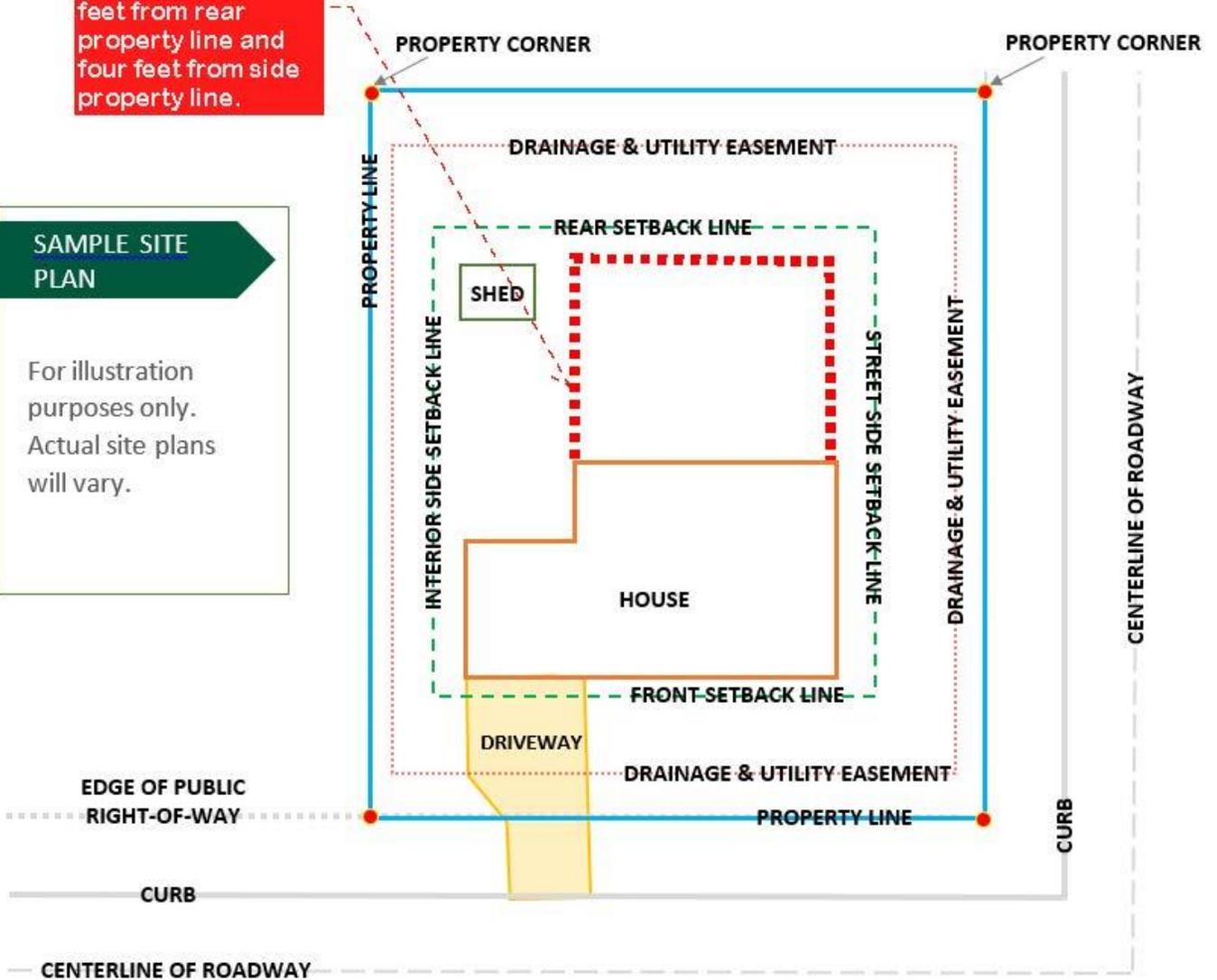
Date

Sample Site Plan

Proposed 50' X 75' X 50' 48' chain link fence setback five feet from rear property line and four feet from side property line.

SAMPLE SITE PLAN

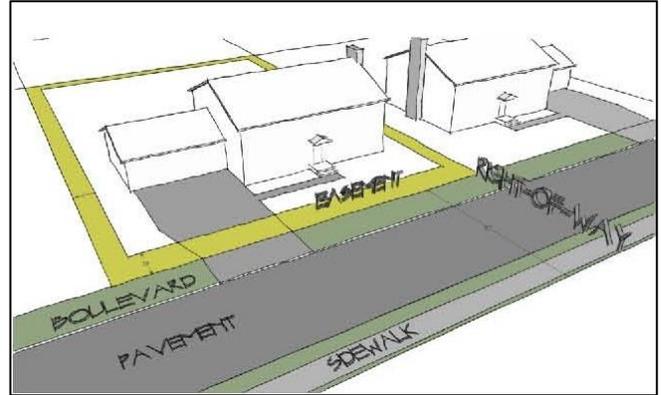
For illustration purposes only. Actual site plans will vary.



Easement and Bluff Encroachment Informational Handout

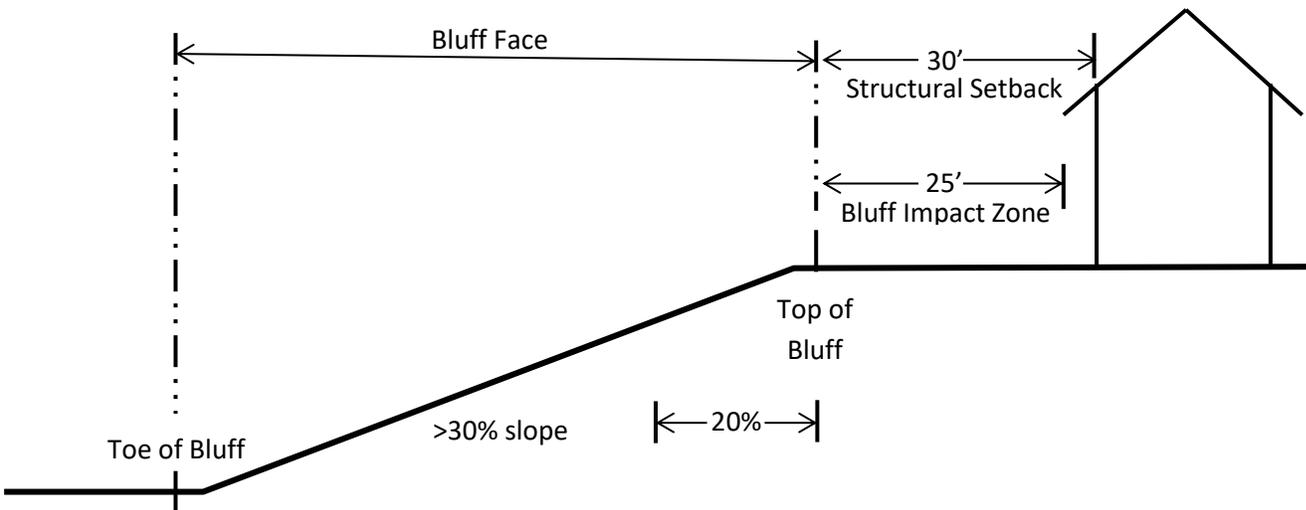
Easement Information

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.

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.