



FENCE PERMIT REQUIREMENTS

ZONING PERMIT REQUIRED

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 City approval of a zoning or building permit for fences (depending upon height as outlined herein). Fence regulations are contained in Section 11-21-5 of the City Code.

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.
- Property owner is responsible for verifying property boundaries by locating the property irons.** Property corner irons are generally 6 inches below grade and can many times be located with a metal detector. The City of Lakeville does not provide a survey service to locate the property irons. It is unlawful to disturb, remove or relocate property irons.
- 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.
- 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.
- 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(s) of way.
- 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.
- Fences within front yards shall not exceed 4 feet in height and 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 if platted after 1/1/94 except where additional setback is required for traffic site visibility.

BUFFER YARD LOTS: SPECIFIC ZONING ORDINANCE REQUIREMENTS:

- Fences abutting public right of way shall be setback at least 10 feet from the property line, 0 feet for lots platted prior to 1/1/94.
- For interior lots, a gate constructed of the same material as the fence shall be provided in the rear line to allow for maintenance of the street side boulevard.
- 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.

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.
- 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.
- A 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.

FENCE SETBACKS TO PROPERTY LINES FOR ALL LOTS:

Yard	Distance to property line for fences 6 feet or less in height	Distance to property line for fences >6 feet in height
Front (all lots)	10' or 0' ⁽³⁾ (height to be ≤4 feet and ≥75% open)	Not Applicable
Side (interior lot)	0'	5'
Side (corner lot)	10' or 0' ⁽³⁾	10' or 0' ⁽³⁾
Side (buffer yard)	10' ⁽¹⁾ or 0' ⁽³⁾	10' ⁽¹⁾ or 0' ⁽³⁾
Rear (interior lot)	0'	10'
Rear (buffer yard, double frontage)	10' ^{(1),(2)} or 0' ⁽³⁾	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.

- Prior to digging, call to have the public utility locations marked. Forty-eight hour notice is generally required (excluding weekends and holidays).

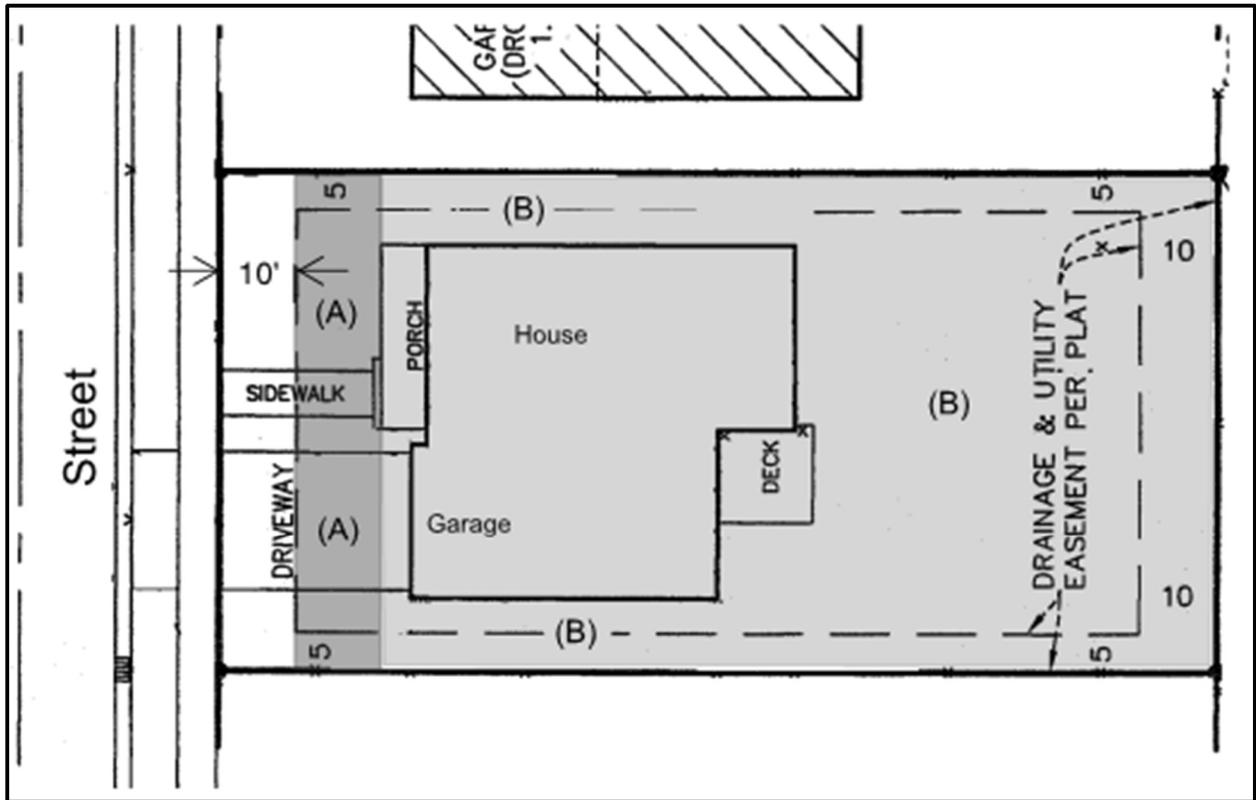
FENCES ENCLOSING SWIMMING POOLS:

- Fences are required for swimming pools with a depth of 24 inches or greater and an area of 150 square feet or more.
- All swimming pools for which a permit is required and granted shall be provided with a physical barrier as a safeguard to prevent children from gaining uncontrolled access. This can be accomplished with fencing or the walls of a principal or accessory structure of sufficient density as to be impenetrable.
- The fence or wall shall be at least four feet (4') in height. The bottoms of the fences shall not be more than four inches (4") from the ground nor shall any open space in the fence be more than four inches (4"). Fences shall be of a noncorrosive material and shall be constructed as to be not easily climbable.
- All fence openings or points of entry into the pool enclosure shall be equipped with gates or doors. All gates or doors to swimming pools shall be equipped with self-closing and self-latching devices placed at a sufficient height so as to be inaccessible to all small children. The fencing requirements of this subsection G need only be provided around the means of access on aboveground pools which have four feet (4') high, vertical or outward inclined side walls. Prior to filling the pool, the approved physical barrier must be completely in place and inspected and approved by the city building official.

PERMIT SUBMITTAL CHECKLIST:

- On the City's website, select **Government >> City Departments >> Building Inspections**. <https://www.lakevillemn.gov/167/Building-Inspections>
- On the left, select **Property Surveys**. Locate your property survey and mark the proposed fence line, desired setbacks and gate locations. Be sure to save this as a PDF prior to beginning the application process, as you will need to upload it.
- The survey shall include:
 1. Lot Dimensions
 2. House, deck and shed locations.
 3. Location of any existing fences
 4. Location of the proposed fence, including gates
 5. Setback of fence from the property lines
 6. If your property contains a catch basin, the fence must jog around it and shall allow at least five (5) feet of clearance for future maintenance.
 7. Indicate the height of the fence
 8. The type of fence (i.e. chain-link, split rail, privacy)
- On the same page as you found the property survey, click on **Apply for Permit** and proceed through the prompts as part of the permit application process. Any questions can be directed to 952-985-4426.
- A zoning permit is required for a fence up to 7 feet in height (**Note that fences higher than 6 feet may not be placed up to the lot lines; see additional setbacks outlined herein**).
- A building permit is required for fences higher than 7 feet.

TYPICAL INTERIOR LOT SURVEY
(SAMPLE)



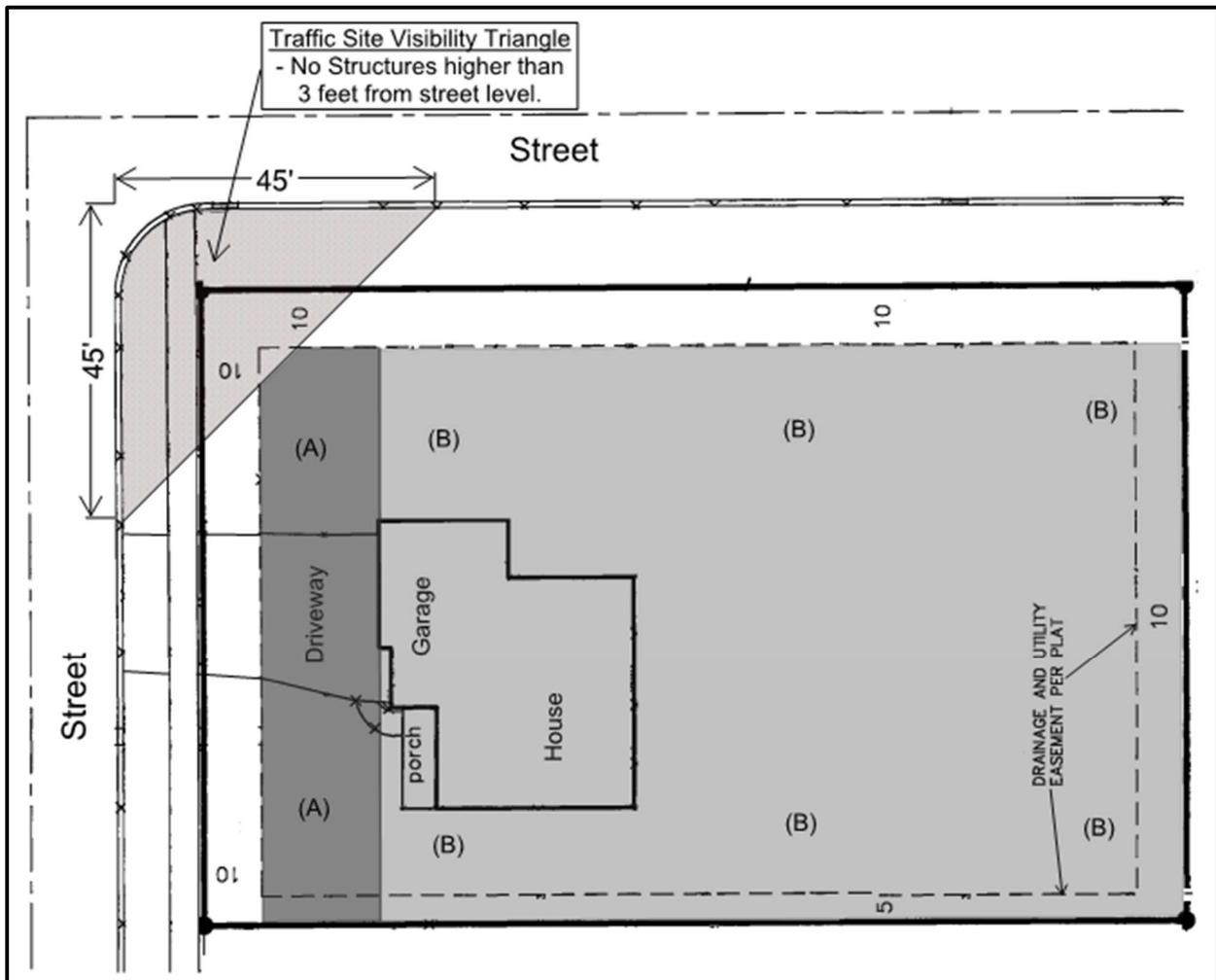
(A) Fences extending across the front yard must not exceed 48 inches in height, shall be at least 75% open space for the passage of air and light, and shall be setback at least 10 feet from the front lot line abutting the street right-of-way if platted after 1/1/94.

(B) Fences located in the rear yard and side yard must not exceed 6 feet in height.

*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)



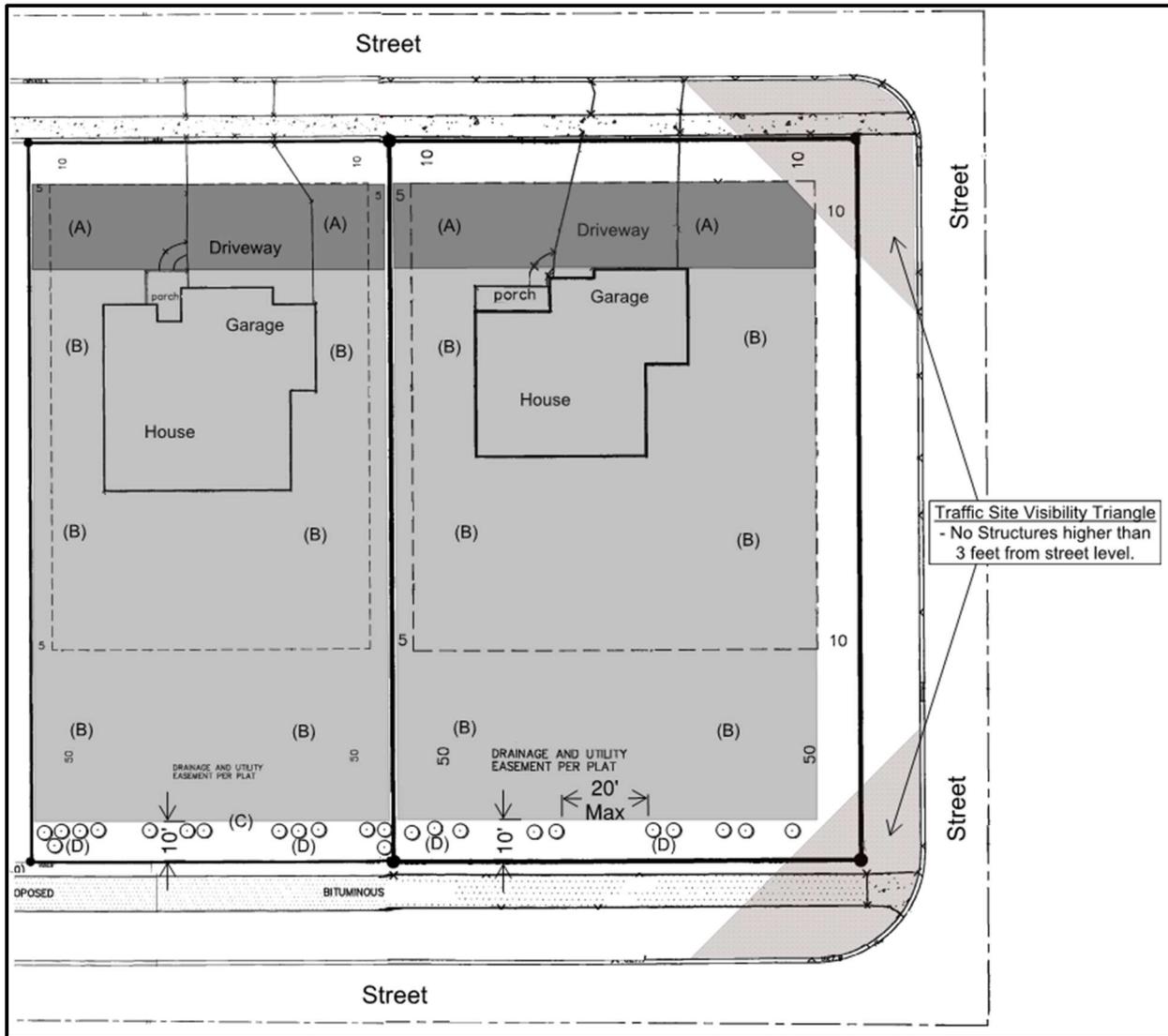
- (A) Fences extending across the front yard must not exceed 48 inches in height, shall be at least 75% open space for the passage of air and light, and shall be setback at least 10 feet from the front lot line abutting the street right-of-way if platted after 1/1/94.
- (B) Fences located in the rear yard, interior side yard, and corner side yard (setback 10'), must not exceed 6 feet in height. 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.

*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 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 if platted after 1/1/94.
- (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. 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.

*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.