



City of Bayport
 294 North Third Street
 Bayport, Minnesota 55003
 Phone: 651-275-4404 Fax: 651-275-4411
 Email: office@ci.bayport.mn.us
 Website: www.ci.bayport.mn.us

FENCE PERMIT APPLICATION

Permit Number: _____

The city requires a permit for replacement or new installation of a fence, prior to placement on any property. Applications may take up to 7 business days to process, so please plan accordingly. Fences must be placed on private property and not encroach on city property or public rights-of-way. Fences located within 2 feet of a property line shall require written permission on this application from the abutting property owner(s). Fences in all zoning districts must comply with the city's fence ordinance and regulations, which are attached to this application for reference. Properties located in neighborhoods with a homeowner's association (HOA) and/or restrictive covenants are responsible for complying with any additional fence regulations. Residents of the Inspiration neighborhood must submit an approval letter from the HOA/Architecture Review Committee with this application.

Property Information	
Property Address:	
Type of property: <input type="checkbox"/> Single-family residential <input type="checkbox"/> Multi-family residential <input type="checkbox"/> Commercial / Industrial	

Applicant Information	
Name:	
Main Phone Number:	Alternate Phone Number:
Email Address:	
Applicant type: <input type="checkbox"/> Property owner <input type="checkbox"/> Tenant / Occupant <input type="checkbox"/> Contractor	
Installation by: <input type="checkbox"/> Property owner <input type="checkbox"/> Tenant / Occupant <input type="checkbox"/> Contractor	

Fence Information		
Type of fence: <input type="checkbox"/> Chain link <input type="checkbox"/> Vinyl <input type="checkbox"/> Wood <input type="checkbox"/> Wrought iron <input type="checkbox"/> Metal <input type="checkbox"/> Other: _____		
Fence location:	Height: _____ feet	
<input type="checkbox"/> Front yard (not corner lot)	Height: _____ feet	
<input type="checkbox"/> Front yard (corner lot)	Height: _____ feet	
<input type="checkbox"/> Side yard (not corner lot)	Height: _____ feet	
<input type="checkbox"/> Side yard (corner lot)	Height: _____ feet	
<input type="checkbox"/> Rear yard	Height: _____ feet	
On corner lots, fences are prohibited within 15 feet of intersecting street right-of-way lines. This area, defined as a "site triangle", must remain clear of obstructions to ensure appropriate visibility for pedestrians, bicyclists, and motorists.		
If the fence will be located within 2 feet of any property line, the abutting property owner(s) name, address, and signatures must be provided below.		
Name	Address	Signature
_____	_____	_____
_____	_____	_____

Fence Diagram

- Indicate front, side, and rear yards
- Indicate "site triangle" on corner lots
- Indicate location of house and garage
- Indicate location of abutting street(s) and alley
- Indicate location of proposed fence with - - - - -
- Indicate height for all sections of fence
- Indicate distance from fence to all property lines

Lot area

Acknowledgement and Signature

The undersigned has read and agrees to abide by the city's fence ordinance and regulations. The undersigned understands that this application will be processed in accordance with established city review procedures at such time as it is deemed complete and no fence may be placed on a property within the city prior to approval. Failure by the applicant to supply accurate and necessary information as requested by the city may be cause for denying this application. The undersigned hereby understands that if the city finds that the fence is not in compliance with city ordinances, the city may require the fence to be removed or relocated, upon notice to the property owner. The undersigned hereby applies for this fence as stated and declares that information on this application is accurate and complete, to the best of their knowledge.

Applicant Name: Signature: Date:

Property Owner Name: Signature: Date:

Office Use

Processing/Application Fee: \$25.00 Cash Check #_____ Date:

Application review: Approved as submitted Approved with conditions Denied

Staff comments/conditions:

Appendix B – Zoning, Fences

301. Definitions.

(66) *Fence*. A partition, structure, wall or gate erected as a dividing marker, visual or physical barrier, or enclosure.

705.01 Permit required.

Except as otherwise provided in this section, no temporary or permanent fence shall be erected, constructed, altered, rebuilt, or relocated until a fence permit has been issued. The application for a fence permit shall be accompanied by a fee, as established in Appendix D – Fee Schedule of the Bayport Code of Ordinances. Fences over six feet in height from the finished grade shall require a building permit in addition to the fence permit. Any fence erected without first obtaining a fence permit shall be removed by the property owner and/or property manager within 10 days after written notice from the city unless a permit for the fence is applied for and approved by the city within the 10-day notification period.

705.02 All fences are subject to the following regulations:

- (1) Fences which are constructed as solid walls shall be prohibited in excess of 4 feet above grade (see Sec. 301 Definitions for fence description).
- (2) That side of the fence considered to be the face (finished side as opposed to structural supports) shall face abutting property.
- (3) Fences shall be prohibited on public rights-of-way.
- (4) Fences on corner lots shall be prohibited within 15 feet of the intersecting street right-of-way lines.
- (5) Fences placed within 2 feet of a property line shall require written permission from the abutting property owner(s). This written permission shall be provided to the city as a part of the fence permit application.
- (6) Where the property line is not clearly defined from geographic features or other criteria, a certificate of survey may be required by the zoning administrator to establish the property line.

705.03 Fences in residential districts:

- (1) *Design*. Fences may consist of chain link, vinyl, wood, wrought iron, metal, or other material designed to be consistent with and complementary to residential use. Fences designed to function as a safety feature for a swimming pool shall consist of a nonclimbable material.
- (2) *Setback*. Fences may be located on or within 2 feet of a property line with written permission from the abutting property owner. This written permission shall be provided to the city as a part of the fence permit application. On corner lots, fences shall be prohibited within 15 feet of the intersecting street right-of-way lines.
- (3) *Height*. Fences may be erected along any front or side lot line to a height of 4 feet above finished grade. Fences along side and rear lot lines, beginning at the rear building line of the principal dwelling, may be erected to a height of 6 feet above finished grade. Should the rear lot line be common with the front or side lot line of an abutting residential lot, that portion of the rear lot line shall not be fenced to a height of more than 4 feet. Fences designed to function as a safety feature for a swimming pool shall be erected at a height of at least 5 feet above finished grade. Fences designed to function as a screen for certain activities shall be subject to additional regulations listed in Section 7 of this appendix.

705.04 Fences in commercial districts:

- (1) *Design*. Fences may consist of chain link, vinyl, wood, wrought iron, metal, or other material designed to be consistent with and complementary to commercial use.

(2) *Setback.* Fences may be located on or within 2 feet of a property line with written permission from the abutting property owner. This written permission shall be provided to the city as a part of the fence permit application. On corner lots, fences shall be prohibited within 15 feet of the intersecting street right-of-way lines.

(3) *Height.* Fences may be erected along a front lot line to a height of 4 feet above finished grade. Fences along side and rear lot lines, beginning at the front building line of the principal building, may be erected to a height 6 feet above finished grade. Fences designed to function as a screen for certain activities shall be subject to additional regulations listed in Section 7 of this appendix.

705.05 Fences in industrial districts:

(1) *Design.* Fences may consist of chain link, vinyl, wood, wrought iron, metal, or other material designed to be consistent with and complementary to industrial use.

(2) *Setback.* Fences may be located on or within 2 feet of a property line with written permission from the abutting property owner. This written permission shall be provided to the city as a part of the fence permit application. On corner lots, fences shall be prohibited within 15 feet of the intersecting street right-of-way lines.

(3) *Height.* Fences may be erected along a lot line to a height of 6 feet above finished grade or to a height of 8 feet with a security arm for barbed wire. Fences designed to function as a screen for certain activities shall be subject to additional regulations listed in Section 7 of this appendix.

For properties located on the St. Croix River on which proposed fence is to be within the 100 foot setback from the ordinary high water (OHW) elevation of 675', the following restrictions apply, in addition to the city's general fence regulations:

- Fence must consist of metal or other approved flood resistant material with adequate space to allow water and small flood debris to flow freely through fence (no solid fences allowed)
- Fence must be setback a minimum of 20 feet from the OHW
- Fence can be up to a maximum of 4 feet in height, because property is considered a "through, or double frontage" lot (see definition) **Lot, through or double frontage:** A lake or stream frontage lot having a public road as one lot line and a water body at the opposite line
- Fence color must be of an earth or summer vegetation tone
- Land survey or certificate of elevation with OHW elevation and proposed fence location shall accompany the city's fence permit application form

Site Triangle Diagram

On corner lots, fences are prohibited within 15 feet of intersecting street right-of-way lines. This area, defined as a "site triangle", must remain clear of obstructions to ensure appropriate visibility for pedestrians, bicyclists, and motorists.

To help illustrate how this may affect your property, please refer to the diagram (*it should be noted that the solid line refers to the edge of the street pavement and the dashed line refers to the right-of-way line, which should also be the property line*).

