



**FENCE  
ZONING REQUIREMENTS  
(REVISED 7/30/2010)**

**Note:** No person, except on a farm and related to agricultural uses, but not including hobby farms, shall hereafter construct or cause to be constructed or erected within the city any fence without first making an application for a permit and securing approval for such zoning permit for fences 6 feet or less in height or a building permit for fences exceeding 6 feet in height.

**PERMIT SUBMITAL CHECKLIST:**

- Signed and completed Zoning Permit application form (or Building permit if over 6 feet high).
- Submit one copy of a Certificate of Survey, drawn to scale which indicates the following:  
(A Certificate of Survey for the property may be on file at City Hall.)
  1. Lot Dimensions
  2. Location and footprint coverage area of existing structure(s)
  3. Location of the fence
  4. Setback of fence from the property line
  5. The height of the fence
  6. The type of fence (i.e. chainlink, split rail, privacy)

Attached are sample surveys intended as a **GUIDE ONLY.**

**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.
- The owner of the property is responsible for verifying property boundaries by locating the property irons. Property irons must be left exposed and staked for verification at final inspection. The City of Lakeville does not provide a survey service to locate the property irons. Metal detectors are effective in locating 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 thereof to be made 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.
- No fence shall be placed on or 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.
- Fences must be at least 5% open for passage of air, light, and drainage.
- Fences outside the buildable area of a lot may not exceed 6 feet in height.
- Fences inside the buildable area of a rear yard may not exceed 8 feet in height and must be setback at least 10 feet from the rear lot line and 5 feet from any side or unit lot line.
- Fences extending across front yards must not exceed 48 inches in height, must be at least 75% open for the passage of air and light, and must be setback at least 10 feet from the front lot line abutting the street right-of-way.
- 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 of way.

**BUFFER YARD LOTS: SPECIFIC ZONING ORDINANCE REQUIREMENTS:**

- Fences abutting a major collector, minor arterial, minor reliever, minor connector, minor expander, or principal arterial street must meet the following setbacks (check city transportation plan on web site or contact city for street classification):
  1. For properties platted prior to January 1, 1994:
    - ⇒ Fences that do not exceed 48 inches in height and are at least 75% open space can be located up to the property (right-of-way) line.
    - ⇒ Fences exceeding 48 inches in height or less than 75% open space must be setback at least 10 feet from the property (right-of-way) line.
  2. For properties platted after January 1, 1994:
    - ⇒ Fences that do not exceed 48 inches in height and are at least 75% open space must be setback at least 10 feet from the property (right-of-way) line.
    - ⇒ Fences exceeding 48 inches in height or less than 75% open space must be setback at least 15 feet from the property (right-of-way) line.
- The fence along a side lot line abutting a major collector, minor arterial, minor reliever, minor connector, minor expander, or principal arterial street 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.
- 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.
- 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 extending across side yards abutting a local or minor collector street must not exceed 48 inches height, must be at least 75% open space for the passage of air and light, and must be setback at least 10 feet from the side lot line abutting the street right-of-way.
- Fences with a height greater than forty eight inches (48”) or less than seventy five percent (75%) open space may be constructed within the rear or side yard abutting a local or minor collector street right-of-way provided it meets the principal building setback requirement of the respective single family residential zoning district. (RS-1 and RS-2 = 30’; RS-3, RS-4 and RS-CBD = 20’)

**SETBACKS FOR ALL LOTS:**

	<b>Properties platted pre-1994</b>	<b>Properties platted post-1994</b>
<b>Front Yard (all lots)</b>	10’ if ≤48” and ≥75% open; 30’ if >48” or <75% open	10’ if ≤48” and ≥75% open; 30’ if >48” or <75% open
<b>Side Yard (interior lot)</b>	0’	0’
<b>Side Yard (corner lot)</b>	10’ if ≤48” and ≥75% open; 20’/30’* if >48” or <75% open**	10’ if ≤48” and ≥75% open; 20’/30’* if >48” or <75% open**
<b>Side Yard (buffer yard)</b>	0’ if ≤48” and ≥75% open; 10’ if >48” or <75% open**+	10’ if ≤48” and ≥75% open; 15’ if >48” or <75% open**+
<b>Rear Yard (interior lot)</b>	0’	0’
<b>Rear Yard (buffer yard)</b>	0’ if ≤48” and ≥75% open; 10’ if >48” or <75% open+	10’ if ≤48” and ≥75% open; 15’ if >48” or <75% open+

\* RS-1, RS-2 setback = 30’; RS-3, RS-4 and RS-CBD setback = 20’

\*\* The fence cannot extend past the front of the house

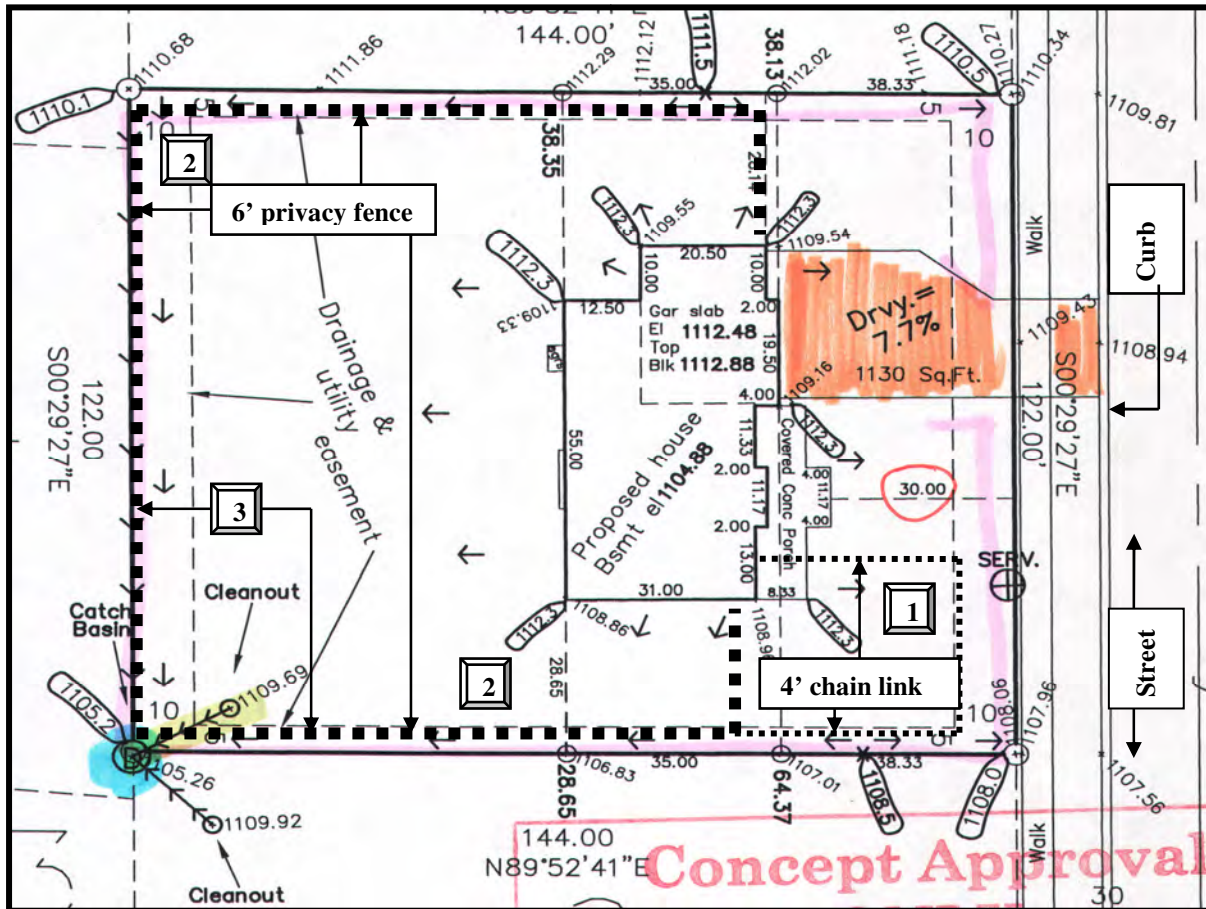
+ At least 50% of the street side of a screening fence shall be landscaped with plant materials at least equal to the fence height.

Note: buffer yard requirements pertain to lots abutting major collector, minor arterial, minor reliever, minor connector, minor expander and principal arterial streets (check city transportation plan on web site or contact city for street classification)

**REQUIRED INSPECTION AND GENERAL NOTES:**

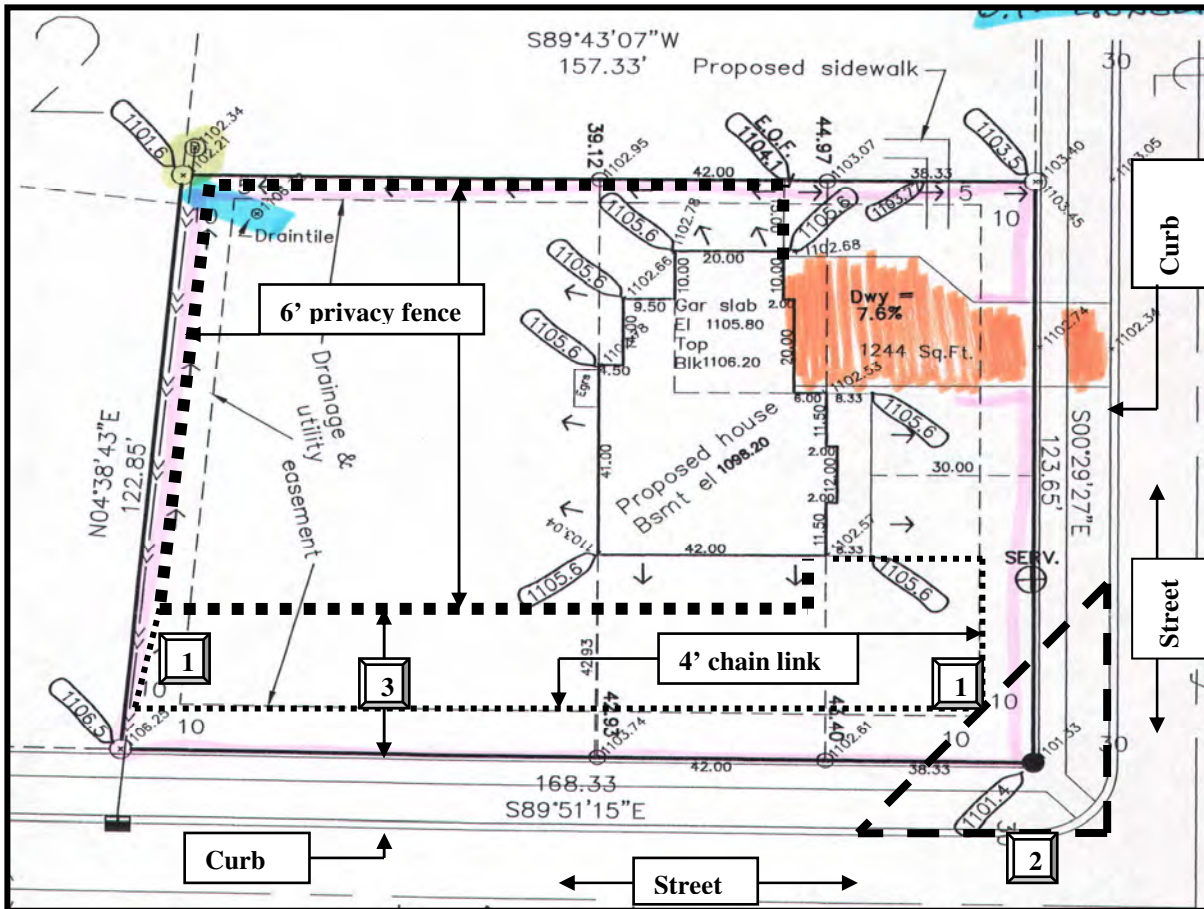
- The Inspection Record card and survey shall be accessible and remain posted until the final inspection has been approved. Cards should be protected from the weather. Contact Planning Department at 952-985-4420 or the Building Inspection Department at 952-985-4440 for any additional questions.
- Call 952-985-4440 between 8:00 A.M. and 4:30 P.M. to schedule a final inspection when the fence has been constructed and installed. Property irons shall be left exposed and staked for final inspection to verify property lines. **Provide at least 24-hour advance notice and provide permit number at time of scheduling.**
- Prior to digging, call Gopher Services at 651-454-0002 to verify public utility locations. Forty-eight hour notice is required (excluding weekends and holidays).

**TYPICAL INTERIOR LOT SURVEY**  
**(SAMPLE)**



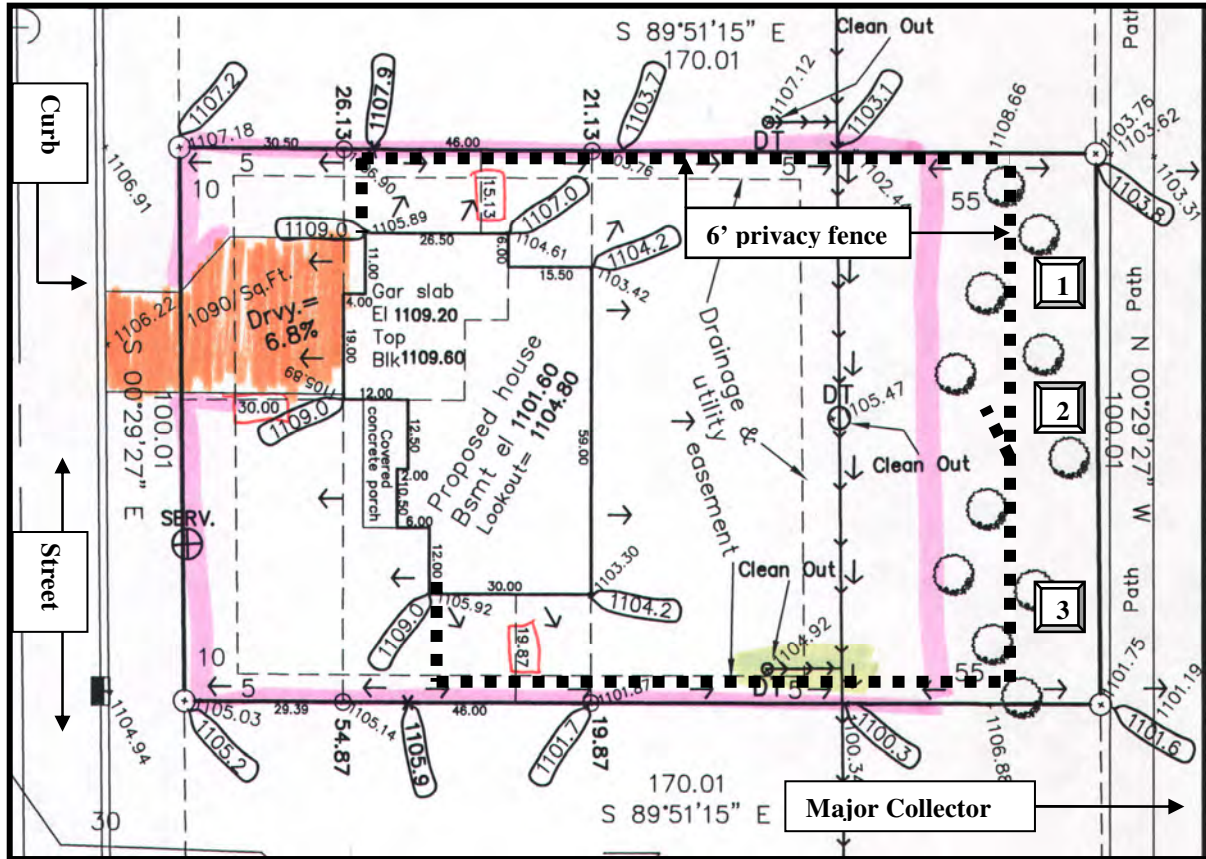
1. Fences extending across front yards must not exceed 48 inches in height, shall be at least 75% open space for the passage of air and light, and shall be setback at least 10 feet from the front lot line abutting the street right-of-way.
2. Fences, including footings, shall be located entirely upon the private property on which the fence is proposed to be constructed.
3. 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)**



1. Fences extending across side yards abutting a local or minor collector street shall 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 side lot line abutting the street right-of-way.
2. 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.
3. Fences with a height greater than forty eight inches (48") or less than seventy five percent (75%) open space may be constructed within the rear or side yard abutting a local or minor collector street right-of-way provided it meets the principal building setback requirement of the respective single family residential zoning district. (RS-1 and RS-2 = 30'; RS-3, RS-4 and RS-CBD = 20')

**TYPICAL BUFFER YARD SURVEY**  
**(SAMPLE)**



1. Fences abutting a major collector, minor arterial, minor reliever, minor connector, minor expander, or principal arterial street must meet the following setbacks:
  - a) For properties platted prior to January 1, 1994:
    - i) Fences that do not exceed 48 inches in height and are at least 75% open space can be located up to the property (right-of-way) line.
    - ii) Fences exceeding 48 inches in height or less than 75% open space must be setback at least 10 feet from the property (right-of-way) line.
  - b) For properties platted after January 1, 1994:
    - i) Fences that do not exceed 48 inches in height and are at least 75% open space must be setback at least 10 feet from the property (right-of-way) line.
    - ii) Fences exceeding 48 inches in height or less than 75% open space must be setback at least 15 feet from the property (right-of-way) line.
  
2. 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.
  
3. 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.