

## Brief Explanations of Commonly Referenced Ordinance Issues

### **Accessory Buildings**

All accessory buildings or structures 120 square feet in area or less, except those related to a farming operation shall be located in the side or rear yard and no closer than five feet to any property line or 20 feet to a side lot line, if adjacent to any public street right-of-way.

The accessory building shall not encroach into a drainage and utility easement or any other public land or right-of-way. Please review the certificate of survey for the subject residence prior to constructing any accessory building. Accessory buildings smaller than 120 square feet do not require a building permit.

### **Fences**

A fence is any partition, hedge, structure, wall, or gate erected as a dividing marker, barrier, or enclosure and located along the boundary or within the required yard. Fences must be located on an individual's property unless the owner of the property adjoining agrees, in writing, that such fence may be erected on the property line. Fences located in the front yard may be no taller than 3½ feet. Fences taller than 6 feet (with a maximum height of 8 feet) above grade require a building permit. Fences 6 feet or less do not require a building permit.

### **Setbacks**

A setback is the required distance a structure must be from a property line. Please note that setbacks vary by structure type and zoning district, however, listed below are setbacks for some typical structures. Please call the Planning department at (952) 953-2575 prior to building any structure, e.g. shed, fence, compost bins, addition, etc., to discuss the appropriate setbacks.

Please note that no buildings, structures, or uses may be located in or on any public lands, easements, or rights-of-way without approval by the City Council.

1. Accessory buildings smaller than 120 square feet: Five (5) feet from both the rear and side lot lines and six (6) feet from the principal structure.
2. Accessory buildings larger than 120 square feet: Ten (10) from the rear lot line and five (5) feet from the side lot line and six (6) feet from the principle structure.
3. Decks:

Decks located in the front yard may extend into the front setback a distance of eight (8) feet provided they are no more than 1½ feet above grade and have no railing.

Decks located in the rear yard that are no more than 1½ feet above grade may extend into the rear yard, but shall be no closer than five (5) feet from the rear property line. Decks that are higher than 1½ feet above grade may extend no more than twelve (12) feet into the required building setback area.

Please call the Planning Department if you need further information