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8200 County Road 116, Corcoran, MN 55340  
 763.420.2288 – Office Web Site - [www.corcoranmn.gov](http://www.corcoranmn.gov)

# FENCES AND WALLS

## ZONING REVIEW PERMIT

**\*\*\*For fences and walls located in the front yard, setbacks of less than 10 feet, or fences placed within an easement\*\*\***

Date: \_\_\_\_\_ Fee - \$35.00

Owner's Name \_\_\_\_\_ Phone# \_\_\_\_\_

Site Address \_\_\_\_\_

Height of Fence or Wall: \_\_\_\_\_ **\*Note\* Fences over 7' and walls over 4' in height (measured from the bottom of the footing) also require a Building Permit.**

Type of Fence or Wall and Materials: \_\_\_\_\_  
 \*(Please attach photo)

Setback from property line: Front: \_\_\_\_\_ Sides: \_\_\_\_\_ Rear: \_\_\_\_\_

**\*Note\*** A Certificate of Survey may be required for all fences or walls to be constructed on or within 6 feet from the property line.

\_\_\_\_\_ Attached are two copies of lot survey showing proposed fence. **Must indicate location of fence on survey with setbacks clearly identified.**

I, the undersigned, have received and reviewed a copy of Section 1060.080 Fences and Walls of the Zoning Ordinance and agree to fully comply with this and all applicable sections of the City of Corcoran Municipal Code. (Attached) I understand that fences or walls located within an easement, if approved, are installed at my and future owners' risk and may be subject to removal, at the owners' cost, in the future. The City will make all efforts to notify property owners prior to regularly scheduled maintenance work; however, in an emergency situation, this may not be feasible. The City will not be responsible to repair or reinstall fences or walls that are removed. The City reserves the right to enter any dedicated easement at any time as deemed necessary by the City Engineer or Public Works Department.

\_\_\_\_\_  
 Applicant's Signature

\_\_\_\_\_  
 Date

<b>Fence or Wall Approved By:</b> _____	<b>Approval Date:</b> _____
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Complete applications can be returned to Dwight Klingbeil, Planning Technician

Email: [dklingbeil@corcoranmn.gov](mailto:dklingbeil@corcoranmn.gov) Direct Phone Number: 763-338-9290

**For fences to be installed on platted lots (within subdivisions), the City will review the permit application, as well as the plat for drainage and utility easements. Although all efforts are made to allow fencing of a property in its entirety, including across easements, there are instances where the placement of a fence could be detrimental to drainage, utilities, access, or future maintenance and may not be approved. Any fencing or walls to be located in a drainage or utility easement must be reviewed and approved by the Public Works Director and/or City Engineer.**

#### **1060.080 - FENCES AND WALLS**

- Subd. 1. General Provisions. Except as otherwise provided herein, all fences and walls within the City shall be subject to the following general provisions:
- A. No fences or walls shall be placed on or extend into public rights-of-way, easements, or onto public property except by means of an encroachment agreement or other mechanism approved by the City. The approval or denial of such an agreement shall be solely within the City's discretion.
  - B. That side of any fence or wall considered to be its "face" (i.e., the finished side having no structural supports) shall face abutting property or street right-of-way.
  - C. Both sides of any fence or wall shall be constructed to allow for adequate access and maintained and shall be maintained in a condition of reasonable repair and appearance by its owner and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private.
  - D. No physical damage of any kind shall occur to abutting property during installation unless it is allowed under agreement with the adjacent property owner.
  - E. A permit is required for all fences (except hedges and plantings) or walls to be constructed on or within a drainage and utility or ponding easement, 25-feet from lot frontages, and 10 feet from interior lot lines. A certificate of survey may be required, unless corner property stakes are in place and marked and a survey is filed with the City. Additionally,

retaining walls shall not be placed within any drainage or ponding easement unless also reviewed and approved by the City Engineer.

- F. A building permit is required for the following:
1. Fences over 7 feet in height, measured from grade to the top of fence, shall require a building permit
  2. Retaining walls over 4 feet in height, measured from the bottom of the footing to the top of the wall, or
  3. Retaining walls supporting a surcharge or impounding Class I, II, or III-A liquids.
- G. Specific Fence Standards. Except as otherwise provided herein, fences may be allowed subject to the following specific standards:
1. Fences constructed of materials with opacity of up to 100% and not exceeding 7 feet in height may be located no closer than 25 feet to lot frontages or the principal structure setback of the underlying zoning district, whichever is less, except when the lot frontage is along a County Road. The setback along a County Road is 100 feet but can be reduced to 60 feet with additional landscaping, as provided in Section 1060.070, Subd. 2(K).
  2. Fences with opacity of less than 50 percent (e.g., wrought iron, chain link, split rail) and not exceeding 4 feet in height may be located within a required front yard area.
  3. Fences over 7 feet in height shall meet all building setback requirements for the zoning district in which it is located.
  4. Fences not exceeding 7 feet in height, for uses other than one and two family dwellings, may be permitted in front of the front building line as established by the primary structure on the lot, when required for screening of adjacent property. In such cases, the required front setback for the fence shall be the same as for the use that it is intended to buffer.
  5. No fence shall interfere with a 30-foot sight visibility triangle, as defined by Section 1060.090, Subd. 2, from intersection and driveways on the property and adjacent properties.
  6. Fences which include a security gate at a point where access is provided to the property and principal building may be approved if necessary and appropriate as part of the site plan review.
  7. Fences for the agricultural uses on properties at least 10 acres in size are not subject to the requirements of this Section.

## H. Swimming Pool Fences and Barriers

1. All fences and barriers for swimming pools, hot tubs, and spas, as defined by the Minnesota State Building Code, shall comply with the following regulations:
  - a. All permanent swimming pools, include inground pools and aboveground pools, shall be surrounded by a fence or wall not less than 4 feet in height, and with openings, holes, or gaps no greater than 4 inches in either vertical or horizontal direction.
  - b. The fence shall be a type not readily climbed by children.
  - c. A building or accessory building may be used as part of the enclosure.
  - d. All gates or doors to such enclosure shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use and shall be provided with hardware for permanent locking devices, except that the door of any dwelling which forms a part of the enclosure need not be so equipped. Pool gates shall be locked when the pool is not in the use.
2. Exemptions:
  - a. Swimming pools or spas for which a building permit has been approved on or before the effective date of this Section.
  - b. Swimming pools or spas secured with a code compliant safety cover as determined by the Building Official.
  - c. An aboveground pool with a wall greater than 4 feet in height does not require a fence if the wall cannot be readily climbed by children and the pool can be secured while not in actual use.

- I. Specific Wall Standards. Except as otherwise provided herein, landscape and retaining walls may be allowed subject to the following specific standards:
  1. All retaining walls shall comply with the regulations in the Minnesota State Building Code as amended.

2. All walls adjacent to wetlands shall be setback in accordance with Section 1050.010 of the City Code as well as State and Federal wetland buffer regulations as amended.
3. A permanent barrier shall be required at the top of retaining walls if the height of the drop-off is greater than 30 inches and the top edge of the drop-off is located in a right-of-way or within five feet of a public sidewalk, trail, or other public area deemed to pose a hazard. The barrier shall be included as part of the engineered design where applicable.
4. All walls shall be maintained in sound and good repair and free from loose boards/block/boulders, breaks, or gaps not otherwise intended in the original design of the wall. The wall shall be free from any defects or condition which make the wall hazardous.
5. All wooden walls shall be made of treated or decay resistant wood.
6. All walls shall be accompanied with an appropriate drainage system to adequately relieve water pressure behind the wall and provide for proper drainage.

*(Ord. 465, passed 09-22-22)*