

## City of Circle Pines

### 1315.08 Fences.

Subd. 1 Location. Fences shall be located entirely upon the private property of the owner constructing such fence.

Subd. 2 Construction. Every fence shall be constructed in a substantial, skillful manner and of substantial material reasonably suitable for the purpose for which the fence is proposed to be used and meeting any minimum requirements listed in this Code. All perimeter fences require a building permit before construction. The fee for fences will be \$25.00.

Subd. 3 Maintenance. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become or remain in a condition of disrepair or create a danger or constitute a nuisance.

#### Subd. 4 Fence Height.

(a) General Requirements Fence Height. Fences erected in the front yard shall not exceed four feet (4') in height. Fences in yards other than a front yard shall not exceed six feet (6') in height, except in R-1 District. (See illustration No. 5).

(b) Corner Lot. In any corner lot no fence shall project greater than three feet (3') above the center line grades for the adjacent intersecting streets; nor shall it be erected in the triangle formed by the front lot line, side street lot line, or street right-of-way lines, if different, and a straight line joining points on such property or street right-of-way lines twenty-five (25) feet from their intersection at the corner of the lot. (See Illustration No.8).

(c) R-1 Fence Height. Fences erected in the R-1 District shall not exceed four feet (4') in height, except for fences required pursuant to Section 1335. (See Illustration No. 5).

#### Subd. 5 Permitted Fence Styles.

(a) Perimeter Fence Styles. The following are approved fence styles for construction as perimeter fences in all zones of the community. No perimeter fence may contain more than two approved fence styles.

- Alternating widths
- Alternating panel

- Post and rail
- Solid wood panel (must have raised features or be of abutting boards)
- Board on board
- Slat
- Gothic picket
- Chain link (woven wire)
- Louvre
- Grapestake
- Basketweave
- Wrought iron
- Solid stone
- Brick
- Split rail
- Diagonal
- Solid wood and lattice
- Invisible fence (dog control)
- Stone

(Please see Illustration No. 9 for examples of some approved fence types. All styles require approved wood materials unless otherwise indicated.

(b) Other Permitted Fence Styles for Perimeter Fences. A property owner who wishes to construct a perimeter fence using a style other than the approved fence styles listed in Section 1315.08, Subd. 5 (a) shall apply to the City Administrator for a permit authorizing the use of the alternative fence style on a form prescribed by the City. The City Administrator or the City administrator's designee may grant the permit only if the requested style is consistent with the intent of this Section 1315.08, and is similar to an approved fence style listed in Subd. 5 (a). The permit shall be deemed to have been denied, subject to the right of the applicant to appeal as set forth below, unless the City Administrator or the City Administrator's designee mails written notice of the approval of the application to the applicant by the end of the fifth working day following receipt of the application by the City Administrator. The applicant shall have ten working days from the date of the notice of permit denial, or expiration of the five-day period without a decision, to file an appeal with the City. If the permit is granted by the City Administrator or the City Administrator's designee, the City shall mail written notice to each owner of affected property situated wholly or partly within 350 feet of the property to which the application relates. Any party so notified shall have ten working days from the date of the notice to file an appeal to the City. Appeals pursuant to this Subd. 5(b) shall

be heard by the City Council. In the event of any proper appeal to the City Council pursuant to this Subd. 5(b), the City shall mail, at least ten days prior to the City Council meeting at which the appeal will be heard, written notice of said meeting to the applicant and each owner of affected property and property situated wholly or partly within 350 feet of the property to which the application relates. The City Council may approve the application only if it finds on appeal that the requested fence style is consistent with the intent of this Section 1315.08, and is similar to an approved fence style listed in Section 1315.08, Sub. 5(a). Nothing in this Subd. 5(b) shall prevent an applicant from applying for a variance for a fence style which is not similar in style to an approved style.

(c) Temporary Fence Styles and Interior Fence Styles.

Such styles shall be consistent with the use of the fence, and shall not constitute a threat to health, safety or create a nuisance.

(d) Prohibited Fence Styles. Barbed wire fences in residential areas are not permitted in any circumstances. Also, no above-grade electric fences are allowed.

Subd. 6 Required Fencing Materials and Installation

(a) Perimeter Fencing Materials and Installation Requirements for Wood or Treated Wood Fencing. Wood fencing materials shall consist of redwood, cedar treated wood or an approved equal. Plywood is prohibited. Wood fences shall not use boards less than three-eighths inches (3/8) in thickness, by less than three and one-quarter inch (3 ¼) in width. The minimum post dimensions are three and one-quarter inch (3 ¼) by three and one-quarter inch (3 ¼). No greater than ten feet (10') will be allowed for post spacing. Posts must be bedded in concrete or crushed rock, or the post must have at least one-third (1/3) of its length below ground. The framing material in residential districts shall be placed on the owner's side of the fence or equally on both sides. No more than two styles of fence are permitted on a single property line.

(b) Perimeter Fencing Material and Installation Requirements for Woven Wire Fence. The fence shall be of a chain link design, or have a two inch (2) or smaller mesh opening. The fence shall be a minimum of 13 gauge steel. The fence will be constructed with mesh fabric on the outside, so that the unfinished side, if any, faces the owner's side of the fence. The mesh fabric shall have the knuckles up and the cut edge looped towards the center of the fence. Materials are required to be of a hot-dipped galvanized equivalent. Line posts will not be any greater than ten feet (10')

lineal distance between posts. In addition, the posts shall be a two and one-eighths inch (2 1/8) tubular or approved equivalent design for corner posts, at a minimum, and a minimum of one and five-eighths inch (1 5/8) diameter for line posts. Posts must be bedded in concrete or crushed rock, or the post must have at least one-third (1/3) of its length below ground. Chain link and other mesh fences shall have at least a one-inch (1) diameter top rail. It shall be permissible to use a mesh fencing of a smaller diameter, or gauge, than permitted by the perimeter fencing standards on the interior side of any approved fence style up to the top rail.

(c) Required Fencing Materials for Interior and Temporary Fences. Such fences may be constructed of less than the required minimums for perimeter fencing. Any allowable fence material is permitted as long as it is not a threat to individual safety or health. No temporary fence shall be installed for more than 180 days in any calendar year.

**1315.09**      **Permitted Encroachments**.

(a) The following shall not be considered as encroachments:

1. Chimneys, flues, belt courses, sills, cornices, buttresses, ornamental features, eaves or structures similar to all the foregoing provided they do not project more than two (2) feet.
2. In front yard steps, patio decks, terrace or similar features, provided they do not project more than six (6) feet into the front yard and provided they do not extend above the height of the ground floor of the building.
3. Open fire escapes provided they do not project more than three and one-half (3 1/2) feet.