

Fence Zoning Permits

Call Before You Dig (800) 252-1166 or (651) 454-0002

Permits

A **zoning permit** is required for all fences over **four feet** in height. A **building permit** is required for all fences over **seven feet** in height. Height is measured from grade to the top of the fence. Zoning permits help to ensure that fences do not block public right of way or cross into others' property. Building permits help ensure fences are structurally sound and able to resist wind loads.

Fence Locations

Fences may not be located closer than **three feet** to any publicly maintained right of way (such as an alley or a street). There are no minimum setbacks from other property lines. Fences may not be constructed in drainage easements or floodways.

Maximum Height

- In **residential zone districts**, the maximum height allowed for a fence in the front yard (the area between the house and the street) is **four feet**. Exceptions may be made to allow fences up to six feet in the front yard, but only if the fence is at least 50% open or transparent, such as an ornamental wrought iron fence or wood picket fences (where the boards, and spaces between the boards, must be of equal width). Fences in the side or rear yard may be up to eight feet in height.
- In a **mixed use or special purpose zone district**, the maximum allowed height for fences is **eight feet**. Exceptions may be granted by the Land Use Supervisor for fences up to twelve feet in height, if needed due to legitimate public safety concerns.
- In **form districts**, fences are not allowed in the required front yard areas except to enclose outdoor patio or dining areas, in which case the maximum height is three feet. Otherwise, the maximum height allowed for fences is eight feet. Exceptions may be granted by the Land Use Supervisor for fences up to twelve feet in height, if needed due to legitimate public safety concerns.
- In **all zone districts**, fences **exceeding seven feet in height** must be designed by a structural engineer with plans submitted with a building permit application.

Fencing Materials

- No electric, barbed wire, razor wire or plastic (snow) temporary fencing is allowed.
- In residential zone districts, chain link fences are allowed in the rear and side yards, but not the front yard, unless the chain link fence is no more than four feet tall and is vinyl coated chain link (not slats).
- Exceptions to electric, barbed, or razor wire may be granted to bona fide farms to control livestock, or public institutions for safety or security purposes.

Finished Side of Fence Faces Out

If the fence has a finished side, the finished side must be facing out, so that the posts and supports are not on the side of the fence which faces adjacent property owners or public right of way, unless the supports are required and exposed on both sides of the fence according to the specific design of the fence.

Site Plans and Surveys for Fence Permits

Surveys are not required, but they are recommended. It is the responsibility of the property owner erecting the fence to know where their property boundaries are. A dispute as to the location of a property line is a civil matter between abutting land owners. If a survey is not submitted with a permit application, a clear and accurate site plan must be submitted indicating lot line locations which can be verified in the field, the location of structures on the property, and the location of the proposed fence.

Fees

The fee for a fence permit is \$25.00 and is due at the time of application.

For More Information

See Zoning Regulations UDC Sec. 50-26.4 on the Duluth Community Planning website.

For questions about fences under seven feet high, call Community Planning at 218/730-5580. For questions about fences over seven feet high which require a building permit, call 218/730-5240.



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Fence Zoning Permit Application

This application is for zoning approval of fences over four feet and up to seven feet in height. Fences that are over seven feet in height must instead submit a building permit application with construction plans. The **fee** for a Fence Zoning Permit is **\$25.00** and is due at the time of application.

Complete the following information. All fields are required. Submit this and a site plan showing fence location to the One Stop Shop.

Site Address _____ **Parcel No.** _____

Applicant Name _____

Applicant Phone Number _____ **Applicant Email** _____

Fence Material

- Wood
- Iron
- Chain Link (vinyl Coated)
- Chain Link (non-coated)
- Other _____

Height of Fence (Including Posts)

Height in Front Yard _____

Height in Side Yard _____

Height in Rear Yard _____

Total Lineal Feet
of Fence _____

Are you submitting a survey with this application? **Yes** **No**

If No, are you submitting an accurate site plan that reflects that the corner monuments been found and the property lines defined?

Yes **No**

Is the finished side of the fence face towards adjoining properties/streets, and is the fence three feet or greater from any public right of way?

Yes **No**

Are you replacing an existing fence?

Yes **No**

I hereby apply for a fence zoning permit and acknowledge that the information above is complete and accurate and that the work will be in conformance with applicable City of Duluth ordinances and codes.

Applicant Signature _____ **Date** _____

OFFICE USE

Permit No. _____

Reviewer _____ **Date** _____