



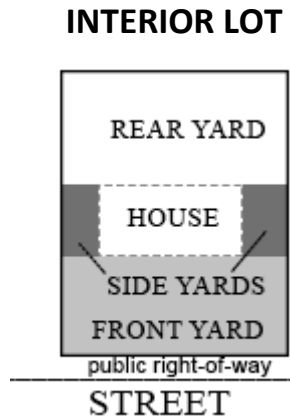
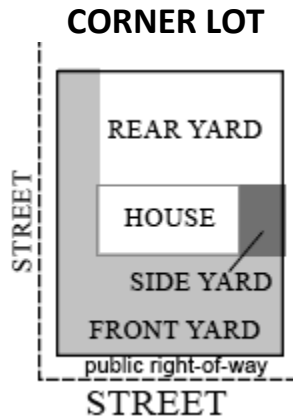
Frequently Asked Questions: Zoning Rules for Detached Accessory Buildings (Garages & Sheds) and Fences

Introduction

With the construction season approaching, the City of Fergus Falls would like to provide this summary of common questions about building a detached garage, shed, or fence. Make sure to call before you dig! Contact Gopher State One Call at 811 or online at gopherstateonecall.org.

Yard Definitions

The following images illustrate what is considered the front, side, and rear yard under the zoning code. On the left is a corner lot where the lot is located at the intersection of two streets. On the right is an interior lot where the lot is surrounded by neighboring lots. These are the most common lot types.



Detached Accessory Buildings (Garages & Sheds)

Permit: A permit is not required if the detached accessory building is smaller than 200 ft². No matter the size they still must follow zoning rules. Call the Building Official with building code questions at 218-332-5419.

Size – Area: All detached accessory buildings on a lot may not be more than 10% of the total lot. *Exception:* Properties zoned R-A, Agricultural Residence District are allowed up to 5,000 ft² of detached accessory buildings.

Size – Height: The height limit is 19’ or the height of the main building (whichever is greater).

Property Line Setback:

- 5’ in R-A or R-1
- 3’ in R-2, R-3, or R-4

Building Placement: Detached accessory buildings may be built in any side or rear yard. Detached accessory buildings must be at least 5’ away from the main building.

Building Materials: A detached accessory building needs to match the color of the main building and have the same materials (or better) as the main building.

Water Lots (“Riparian”): If the property is located on water (river or lake) a detached accessory building is permitted in the front yard. In this case, it must follow the setback rules for a primary building. For the purposes of zoning “front yard” is the open space between the street property line and the wall of the main building. Special shoreland rules may also apply. Call Matt Harrington at 218-332-5421 for more information.

Pole Sheds: Pole sheds in residential districts require a conditional use permit. For more information visit the Community Development section of the City website or call 218-332-5422.

Zoning Information: Find your zoning district online at www.ci.fergus-falls.mn.us/i-want-to/find/find-the-zoning-map or call 218-332-5422.

Fences

Permits: A permit is not required for fences less than 7' high. All fences regardless of height still must follow the rules described in City code. Call the Building Official with building code questions at 218-332-5419.

Fence Height: Fences may not be taller than 6' high in residential zones. *Exception:* If a residentially zoned property shares a side or rear lot line with a property zoned business or industrial, up to an 8' fence is allowed.

Fence Location: Fences and their supports must be completely located on your property. A fence on the common lot line is allowed but permission must be given by the adjacent property owner. If the fence requires maintenance the party who builds the fence must be able to maintain both sides.

If a fence is built along an alley it must be 5' away from the alley lot line.

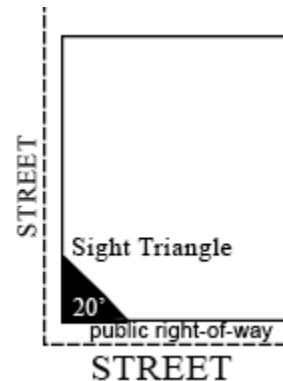
Fence Materials & Appearance: Fences cannot be built out of materials like chicken wire, welded wire, plastic fence netting or similar product, snow fence, or branches. The "good side" of the fence must face the neighbor or the street.

Front Yard Fences: Fences in the front yard may be up to 6' high but must be decorative. Examples of decorative fences are split rail, picket, and decorative iron or brick. Chain link fences are not decorative and are not allowed in the front yard.

The fence in the front yard can be a maximum of 50% opacity. This means that at least 50% of the fence area (not including posts or supports) must be see-through.

Corner Lot Rules: Fences on properties located at the intersection of two streets have additional rules.

1. The yards along both streets are considered the front yard. This means the rules in "Front Yard Fences" apply along both streets.
2. A fence at the intersection of two roads cannot be more than 3' high within the "sight triangle." This rule does not apply to alleys.



The sight triangle begins at the intersection of the property lines at the street corner for a length of 20 feet along each property line. A line connects the two points to create a triangle. Within this triangle the fence (or any other obstruction such as landscaping) cannot exceed 3 feet in height.

I see fences in town that don't follow these rules. Why do I have to follow them? The City of Fergus Falls expanded rules for fences in November 2021. Under state law, something legally built before a rule went into effect is allowed to remain and in some cases it can be replaced or rebuilt. People often call this being "grandfathered in."

Fences built after November 22, 2021 must follow these new rules. Penalties for building something new that does not follow these rules include fines or being ordered to remove noncompliant fences at the property owner's expense.

FOR MORE INFORMATION OR QUESTIONS ABOUT THE ZONING RULES FOR DETACHED ACCESSORY BUILDINGS AND FENCES contact Planning Specialist Mark Jorgenson at 218-332-5422. This flyer is not a substitute for the ordinance. A project must also comply with other rules including but not limited to building and fire code and shoreland overlay, which are not covered in this document. Contact City Hall at 218-332-5400 to be directed to the appropriate department. 05/2023.