



## MEMO

To: Mayor and City Council  
From: John Tingley, City Administrator  
Date: January 22nd, 2019  
Re: 1011.05 Fence Discussion – Options for Code Language

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City Council directed staff to bring back potential code changes to the fence ordinance at the December 11<sup>th</sup> City Council meeting. In response to a fence permit issued in November 2018, staff had found some inconsistencies within the Fence Ordinance that could be cleaned up to clarify fence requirements within Tonka Bay. In this particular case, a permit was issued to build a fence that meets Code requirements yet is “blocking” the lake view of a nearby property. Staff has developed two potential additions to the city code below for Council’s consideration.

### Addition 1:

1011.05 Subd. 2 (b):

#### 1. Riparian Lots

1. No person shall cause to exist, or shall maintain, any fence which includes:
  - a. An area consisting of five feet from a property line and within 50 feet of the ordinary high water level; or
  - b. The average setback of the two adjacent riparian principal structures on either side of a parcel.

### Addition 2:

1011.05 Subd. 1 (b)

12. No riparian fence permits shall be issued without a site inspection by the Zoning Administrator.

### Addition 3:

1011.05 Subd. 2 (b):

#### 1. Riparian Lots

2.

- a) Front yard: Fences in the front (lakeside) yard between the shoreline and the greater of the building line of the house or fifty (50) feet, shall be no more than three (3) feet in height. ~~Fences or walls located within the buildable area of the lot and at least fifty (50) feet from the shoreline may be up to six (6) feet in height.~~



- b) Side yards: ~~six-four~~ (64) feet maximum.
- c) Rear yard: four (4) feet maximum.- For riparian lots whose rear yards face County Road 19 (Manitou Road) rear yard fences may be constructed to a maximum of six (6) feet.

Council Action Requested

Discuss the proposed options and determine which additions Council would like Staff to place in a future ordinance.