



Planning Commission –AGENDA
August 12, 2024 - 6:30 P.M.
Foley City Hall

1. Approve the agenda.

2. Approve the Planning Commission Minutes.
 - June 10, 2024

3. City Council Update

4. Request to amend Section 6, Subdivision 3 (10.) of zoning code (Prohibited Fences)
 - Copy of code provided.
 - Resident comments submitted.
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5. Other Business

6. Next Meeting Date
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7. Adjourn

Current Planning Members:

Bill Bronder, Candice Kantor, Jeff Gondeck, Rosalie Musachio, Deb Mathiowetz, Jonathan Brenny

Planning Commission Minutes
June 10, 2024 - 6:30 pm
Foley City Hall

Members Present: Jeff Gondeck, Bill Bronder, Candice Kantor, Deb Mathiowetz, Jonathan Brenny

Members Absent: Rosalie Musachio

Bronder called the Meeting to order @ 6:30 p.m.

Motion by Mathowitz seconded by Gondeck to approve the agenda. Motion carried.

Motion by Gondeck seconded by Mathiowetz to approve the minutes from February 12, 2024. Motion carried.

City Council Update

Gondeck updated the board on the activities of the city council.

Blow Molded – Site Plan Review

Blow Molded presented a site plan for a warehouse expansion. There was discussion on parking, dumpsters and the drainage pond. Staff determined 77 parking spaces will be required – a drawing was provided showing 84 parking spaces.

Motion to recommend approval to the city council by Gondeck, seconded by Mathiowetz. Motion carried, unanimously.

Other Business

Next meeting is TBD.

Motion to adjourn the meeting by Gondeck seconded by Mathiowetz. Motion carried, unanimously.

Submitted by: Sarah Brunn, City Administrator

SECTION 6 FENCES

Subdivision 1: PURPOSE.

The purpose of this Section is to regulate fences in the City, to prevent fences being erected that would be a hazard to the public, or an unreasonable interference with the use and enjoyment of neighboring property and are compatible with existing land uses and other zoning restrictions.

Subdivision 2: FENCE PERMIT

1. Permit. No person may construct, erect or cause to be constructed or erected any Fence within the City without first obtaining a Fence permit from the City Building Inspector.
2. Application. Every Fence permit application must contain a plot plan clearly describing the proposed Fence's type, location, construction materials, height, proximity to lot lines, anchoring methods and any other information the Building Inspector reasonably requires.
3. Fee. Each applicant must pay a Fence permit fee the City Council establishes by resolution.

Subdivision 3. FENCE REGULATIONS.

Fences are permitted in all yards, subject to the following:

1. Residential Districts.
 - A. Height. Fences may not exceed six (6) feet above adjacent-ground grade.
 - B. Within Lot Boundaries. Fences and all supporting structure must be completely within the boundaries of the owner's lot.

- C. Front Corner Fences. All Fences erected to the front of the front corner of a dwelling can be no more than forty-eight (48) inches in height for Open Fences and thirty (30) inches in height for Solid Fences.
 - D. Corner Lot Fences. Fences erected on a corner lot must have two fronts.
 - E. Property Line Setback. A Fence within two (2) feet of the property line will require the abutting neighbor's consent.
2. Corner Lot Limitations. No Fence, wall, structure, hedge, shrubs, trees or other obstruction, other than chain link fences with openings of 1 5/8" to 2" not exceeding 48" in height, may be erected, established or maintained on a corner lot within a triangular area bounded by the lot lines and a line connecting points on each lot line twenty (20) feet from the intersection of the lot lines. An object within this area not exceeding thirty (30") inches in height as measured from the centerline elevation of the street will not be considered as an obstruction to vision. Fences that will obstruct or impede the clear view of an intersection by approaching traffic may not be erected on corner lots. This paragraph does not apply to the "B-1" District.
3. Fence Face. The side of the fence considered to be the face (finished side as opposed to structural supports) must face abutting property. If located along a boundary between two properties, both sides must be equally attractive and well maintained.
4. Public Right-of-Way. Fences are not permitted on public right-of-way, or on boulevard areas without the City Council's prior written permission.
5. Fence Height Limits. No fence may exceed eight (8) feet in height and in the case of grade separation, the

height of a fence will be determined on the basis of measurement from the average point between the highest and lowest grade.

6. Fences on Property Line. A Fence may be erected on the property line upon mutual agreement in writing of both property owners.
7. Commercial and Industrial Districts. Fences in commercial or industrial districts may be erected on the lot line to the height of eight (8) feet with a security arm for barbed wire. Fencing on non-residential property required for screening exterior storage may exceed the limitations herein but only by a conditional use permit issued pursuant to Section 22.
8. Construction. Every Fence must be constructed in a substantial, workmanlike manner. All construction materials must be of high quality and new or like new, and must be reasonably suited for the purpose for which the Fence is proposed to be used.
9. Maintenance and Repair. All Fences must be maintained in a condition of reasonable repair and will not be allowed to become a nuisance, either public or private. Any Fence which is dangerous to the public safety, health, or welfare is a public nuisance and the City may commence proceedings for its abatement.
10. Prohibited Fences. Electric fences may not be used as boundary fences and materials such as hog wire fencing, barbed wire fencing or snow fencing will not be allowed, except snow stop fences will be allowed from November 1 through April 1 without a permit.

Subdivision 4. VIOLATIONS.

1. No existing Fence in violation of this Section may be replaced or rebuilt. If an existing Fence is replaced or rebuilt, it must come under this Section's regulations.

2. Violation of this Section may be enforced by injunction and the City will be entitled to the remedy of abatement in order that a Fence erected in violation of this Ordinance may be removed.

Subdivision 5. VARIANCE.

Any requested variance from this Section's requirements will be governed by Section 24 of this Ordinance.

10 A. A temporary 'snow fence' is a barrier designed to reduce and control the accumulation of snow and its associated problems.

~~Temporary snow fences are usually~~

They serve an essential purpose during the winter months.

Snow fence barriers may be erected for snow control from October until the end of April.

B. Prohibited Fences: Electric fences may not be used as boundary fences. Materials such as hog wire fencing, barbed wire fencing, or ~~any other construction~~ a permanent snow construction fencing will not be allowed.