

Warmer weather may have some Brainerd residents thinking about projects like constructing a needed storage building, installing a privacy fence, purchasing a new swimming pool or having a garage sale. The Brainerd Building Safety Department and Planning Department would like to remind our residents about the Building Code and Zoning Ordinance requirements that need to be followed for each of these activities.

Accessory Buildings (Zoning Code Section 515-17-8)

An accessory building includes storage buildings, sheds, gazeboes detached garages etc. An accessory building (regardless of size) that will have a permanent foundation requires a building permit. An accessory building over two hundred (200) square feet requires a building permit. A new accessory building over one hundred twenty (120) square feet cannot be metal. Plastic carport style buildings and “hoop” houses are not permitted in the City of Brainerd.

There are several important zoning requirements that affect accessory building construction. They include:

- Where in the community the building will be constructed
- Lot placement
- Property line setback requirements
- Limit on the number of accessory buildings
- Accessory building area and height
- Maximum lot coverage

Swimming Pools (Zoning Code Section 515-17-8 (E))

Following are some of the more important swimming pool requirements:

- Any swimming pool that is over twenty four (24) inches above ground or over five thousand (5,000) gallon in capacity (above ground or in ground) requires a building permit.
- Pools eighteen (18) inches deep or less may be located in a front yard, must be ten (10)' from a side lot line and eight (8) feet from a rear property line. Pools over eighteen (18) inches deep must be located in a side yard or rear yard.
- Seasonal pools that are over twenty four (24) inches deep are required to have a controlled access and have a ground fault circuit.

Fences (Zoning Code Section 515-19)

Fences: are allowed in residential areas as follows:

- Up to six feet six inches (6'6") starting at the front of a house (and side if on a corner lot) extending back to the rear property line.
- In a front yard up to four (4) feet tall.
- Alley property line fence setback is four (4) feet.
- The fence “good” side must face out (onto and adjoining property or towards the street or alley)
- A permit is required.

A fence is not allowed on a public right of way.

Outdoor Storage (Zoning Code Section 515-24)

Almost all material, equipment and personal property is required to be kept within a building or screened from public properties and/or rights of way. Following are some of the exceptions:

- Clothes lines.
- Recreational equipment.
- Rear or side yard storage of firewood for the purpose of consumption by the person or persons residing on the premises.
- Off-street parking of licensed and operable passenger automobiles, pick-up trucks

Recreational Vehicles (Zoning Code Section 515-24-2)

Parking or storage of a recreational vehicle is permitted provided it is:

- Property of the person or persons residing on the premises.
- Licensed and operable.
- Stored no closer than five (5) feet from side or rear lot lines.
- Located in the front yard and parked on designated and properly surfaced driveway or parking area.
- Located in the front yard or side yard abutting a street and must be placed at least fifteen (15) feet from the back of curb and shall not encroach on any public sidewalk or trail.
- In any yard, not placed within ten (10) feet of the living quarters of the principal building on the adjacent lot.

Tarps and Coverings (Zoning Code Section 515-24-2)

Tarps or coverings are allowed provided they are a color that matches screening material whether it is landscaping or fencing.

Fish Houses (Zoning Code Section 515-24-2)

One fish house is permitted to be stored in the rear yard.

Garage Sale Signs (Zoning Code Section 515-37)

A property may have up to four garage sales each year. One (1) - six (6) square foot garage sale sign is allowed on PRIVATE property and must be removed after the sale. This means signs are not allowed in the right of way in front of a house, on street lights, other utility poles or at a street corner. City of Brainerd staff has the authority to remove any sign in the public right of way without prior notice to the sign's owner.

Property Maintenance (City Code Section 450)

Spring is the season to begin yard work and exterior improvements. The Property Maintenance Code applies to all existing residential and nonresidential structures and all existing premises. Exteriors shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

Protective Treatment (City Code Section 450.31)

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences must be maintained. Exterior wood surfaces, other than decay resistant woods, should be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint should be eliminated and surfaces repainted.

Junk (City Code Section 2010.09)

No person, firm or corporation of any kind shall permit the accumulation of junk, including but not limited to waste material, trash, rubbish, refuse, or litter of any kind upon any land or inside or under any building or structure which may provide harborage or breeding places for mosquitoes, vermin or rats.

Unlicensed Vehicles (City Code Section 2011)

The presence of abandoned, wrecked, dismantled, inoperative, unlicensed, junked, or partially dismantled motor vehicles or a motor vehicle lacking vital component parts or parts of a motor vehicle on private or public property is considered a public nuisance. This does not apply to any motor vehicle enclosed within a building of private property or to any motor vehicle held in connection with a business enterprise lawfully licensed by the City.

Long Grass and Weeds (City Code Section 450.27 Subd 4)

All premises and exterior property shall be maintained free from weeds or plant growth in excess of six (6) inches. All noxious weeds are prohibited. Weeds are defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term does not include cultivated flowers and gardens.

Cleaning Up Litter/Feces (City Code Section 900.15 Subd 3)

Pet owners are responsible for cleaning up feces and disposing of it in a sanitary manner whether on their own property, on the property of others or on public property. The clean-up of feces on the animal owner's property shall not exceed 72 hours from May 1 through October 31 and once per week from November 1 through April 30. The clean-up of feces on the property of others or public property must be taken care of immediately.

Resident are urged to contact the Building Safety Department and/or the Community Development Department at 828-2309 should you have questions about any of the above areas. More information can be found at the city website www.ci.brainerd.mn.us.