

# ST. JAMES PLANNING COMMISSION

**TO:** Planning Commission Members  
**FROM:** Brianna Sanders, Zoning Administrator  
**DATE:** June 30, 2025  
**RE:** Variance – 310 3<sup>rd</sup> St N

## **Applicant**

MICHAEL AND AUTUMN MORROW  
ADDRESS – 310 3<sup>rd</sup> St N

## **Request**

The applicant is requesting a fence with a maximum of 6-foot in height in the front yard setback area in a One- and Two-Family Residential District (R-1).

## **Proposal**

Applicant desires to erect a 6ft fence in the front yard of their lot along the north, west and south property lines. The fence will be 12 ft long on the north property line, 66 ft 4 inches on the west property line, and 28 ft on the south property line. The fence is proposed to be 25 ft from the 3<sup>rd</sup> St N.

The applicant would like to match the neighbors fence at 300 4<sup>th</sup> Ave N which has been approved a building permit.

## **Location**

The property is located at 310 3<sup>rd</sup> St N legally described as Lots Seven (7), Eight (8), And Nine (9); West 10' Of Adjacent Vacated Alley, Block Seventy-Three (73) Of First Addition to The City of St. James, Watonwan County, Minnesota.

The property is in a R-1 One and Two Family Residential District. The surrounding zoning designations include R-1 to the north, east, south and west.

## **Existing Land Use**

The parcel is being used as a personal residence.

## **City Code**

### **§ 156.030 LANDSCAPING, SCREENING, AND FENCING.**

(A) *Obstruction of views.* On any corner lot, no wall, fence, structure, or vegetation shall be erected, or maintained, at a height that will obstruct motorists' sightlines along intersecting streets or roadways.

(B) *Fencing or screening requirements for business or industrial uses.*

(1) Where any business, or industrial, use is adjacent to property zoned R-1 or R-2, that business, or industry, shall provide screening of its exterior activities along the property line abutting the residential property. This screening requirement will not apply in those cases where the business, or industrial, site is located across the street from a residential site, but will apply if separated by only an alley. The

screening requirement will not apply if the view of the business from the residential property consists solely of the building itself.

(2) If the screening used consists of a solid fence, or wall, the material shall block, or obscure, a minimum of 50% of the view of the business, or industrial, site from the residential site. If fences, or walls, are used, they shall be no less than five feet, or more than eight feet in height, unless otherwise directed by the Planning and Zoning Commission, or the Council.

(3) Fences, or walls, shall extend no closer than 15 feet to any street or driveway opening onto a street, unless regulated elsewhere.

(4) Fences, or walls, when used as the screening material, shall be placed along the property lines, or when located along a street, be setback at least 15 feet from the street right-of-way, unless regulated elsewhere, with landscaping of property between the fence, or wall, and the street pavement.

(5) If berms are used as the screening material, they shall be constructed with a slope not to exceed 3:1, and shall be covered with sod, or other landscape material, sufficient to prevent erosion of the berm.

(6) If trees, hedges, or other vegetative materials are used, the vegetation must provide a minimum view coverage of 50% throughout the year of the business, or industrial, site from the residential site.

*(C) Height and setback regulations for fencing and/or vegetative screening for residential uses.*

(1) Fences and vegetative screening in the residential district can be located anywhere in the front yard setback area, as long as they do not interfere with street intersection sightlines, and are limited to a maximum of four feet in height.

(2) Fences, or vegetative screening (hedges, for example), located in the side yard, or rear yard, area may be a maximum of six feet in height, as long as they do not interfere with street intersection sightlines, and are setback at least two feet from the property lines. Fences, or vegetative screening materials, may be constructed, or planted, on the property lines, but only with the permission of the adjacent property owner.

*(D) Maintenance requirements.*

(1) The yard area in front of fences and walls shall be trimmed, and maintained, in a neat, and attractive, manner.

(2) Fences and walls must be maintained, and kept, in a sightly manner. Repairs to damaged areas of walls or fences shall be made within 30 days of sustaining the damage.

(3) Areas left in a natural state and vegetative screening areas shall be properly maintained in a sightly, and well kept, condition.

(4) Diseased, dying, or dead vegetative screening elements shall be removed and then replaced, at a minimum, with healthy plants of the same size required when first planted.

(5) If requested by an adjacent property owner, or upon notification by a representative of the city, a property owner must trim any part of a tree, bush, or shrub that hangs over, or encroaches, beyond the property owner's property line, or interferes with traffic, or pedestrian, sightlines.

*(E) Landscaping regulations.*

(1) Landscaping of yards fronting a state or county road is required.

(2) When a development site plan is submitted to the Planning and Zoning Commission and the Council for review and comment, it must contain information regarding the type of landscaping treatment the developer intends for the front yard, and, if required, side yards.

(3) The plan shall include the location of all intended fences, tie walls, retaining walls, berms, landscaped islands, and planting beds with the plant materials identified.

(4) The plan shall include the location, and appropriate detail, of all required screening showing the relationship of the screening to the development site and adjacent property.

(5) The plan shall show the details of sodding and seeding, including the delineation of area and square footage.

(6) Trees shall be planted with sufficient setbacks so that the diameter of its expected mature foliage will not extend beyond the owner's property line.

(Prior Code, § 11.70)

**Recommendations**

Staff recommendation is approval

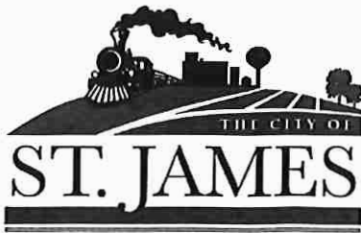
**Exhibits**

Exhibit 1 – Variance Request Application

Exhibit 2 – Residential Fence Regulations

Exhibit 3 – Public Hearing Notice

Exhibit 4 – Property Map



## CITY OF ST. JAMES PLANNING COMMISSION REQUEST



Application for: X Variance \$150.00 plus 2.00 per notice  
       Rezoning \$150.00 plus 2.00 per notice  
       Ordinance Change \$150.00 plus 2.00 per notice  
       Special Use Permit \$150.00 plus 2.00 per notice  
       Annexation Petition \$5.00/acre (min \$150 – max \$600)  
       Lot Division/Property Split \$150.00 plus 2.00 per notice  
       Plat Subdivision – Prelim \$75 plus 2.00 per notice  
       Plat Subdivision – Final \$75 plus 2.00 per notice  
       Vacation initiated by citizen petitioner \$150.00 plus 2.00 per notice  
       Notification billing \$2.00 for each required notice

Applicant: Name: Mike Morrow  
Mailing Address: 310 3rd st N ST. James  
Phone Number: 507-317-9585  
Email: spikemorrow64@gmail.com

Property Address (if different from Applicant's address):  
\_\_\_\_\_

Parcel ID: B202761690

Description of area affected: Front lawn

Present Zone \_\_\_\_\_

Present Set-back \_\_\_\_\_

Present Use \_\_\_\_\_

Proposed Zone (if different) \_\_\_\_\_

Proposed Set-back (if different) \_\_\_\_\_

Proposed Use (if different) \_\_\_\_\_

**Request**

I applied for Permit to install a 6'-fence in front lawn, was approved for a 4' fence. I am requesting a Variance to install a 6'-0" fence inline with neighbor's 6'-0" fence & to match the height of the railing on my Deck which is 6'-0" High off the ground

☒ Attached drawing of request

The above information and attached drawing of request are true and correct to the best of my knowledge.

5-12-2025  
Date

Michael Mason  
Signature of Person Filing Application

**HEARING:** The Commission will not render a decision unless applicant or a designated representative is present at the hearing. Commission meetings are scheduled on the last Monday of each month. A completed application must be submitted by the second Tuesday of each month to be considered at that month's meeting.

**DRAWING:** A drawing of the affected area must be attached showing present lot lines and existing buildings and the requested change. Applications will not be accepted without all information. The Zoning Administrator will notify the applicant within 10 business days if the application is incomplete.

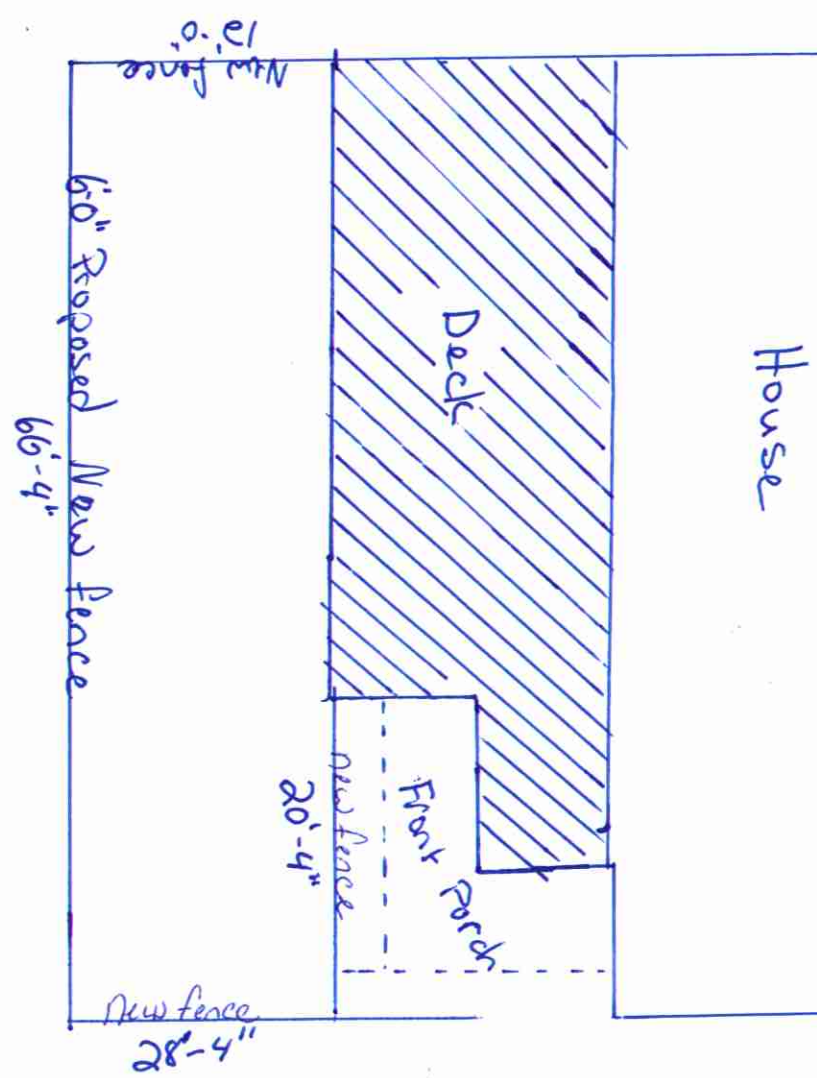
**FEE:** SEE ABOVE. The fee for request is due at the time of this application submittal. The notice fee will be due on or before the public hearing. If the notice fee is not submitted, the public hearing will be cancelled at the applicants cost.



Neighbors Fence 6'-0"

Neighbors fence

Road



Driveway





**PAYED**  
CITY OF BUILDING/MECHANICAL/PLUMBING  
ST. JAMES

**CITY OF ST JAMES**  
BUILDING/MECHANICAL/PLUMBING  
PERMIT APPLICATION  
PHONE: 507-375-3241  
Fax 507-375-4376

PERMIT No. 25-B-19  
Date 5/5/25  
Received by 8K

Applicant complete top portions of form and remember to call Gopher One 1-800-252-1166 before digging of any kind.

#### Applicant Information

Full Name: Mike Morrow Date: 4-23-25  
Address: 310 3rd St N Saint James  
Phone: 507-317-9585 Email: SpikeMorrow64@gmail.com

#### Contractor Information

General Contractor: \_\_\_\_\_ License # \_\_\_\_\_ Phone: \_\_\_\_\_  
Plumbing Contractor: \_\_\_\_\_ License # \_\_\_\_\_ Phone: \_\_\_\_\_  
Mechanical Contractor: \_\_\_\_\_ License # \_\_\_\_\_ Phone: \_\_\_\_\_  
Electrician: \_\_\_\_\_ License # \_\_\_\_\_ Phone: \_\_\_\_\_

#### Building Information

Location of Project if not Applicants Address: \_\_\_\_\_  
Description of work: Fence in front yard 8'-0" Hgth Valuation: \$3000.00

#### Class of work:

☒ New \_\_\_\_\_ Addition \_\_\_\_\_ Remodel \_\_\_\_\_ Repair \_\_\_\_\_ Residing \_\_\_\_\_  
\_\_\_\_\_ Reroofing \_\_\_\_\_ Plumbing \_\_\_\_\_ Mechanical \_\_\_\_\_ Replace \_\_\_\_\_ Other \_\_\_\_\_

#### Project type:

\_\_\_\_\_ Single Family \_\_\_\_\_ Multi Family  
\_\_\_\_\_ Commercial \_\_\_\_\_ Public

#### Construction Data

Construction and Site Plans Attached (two copies)

YES

NO

☒

☐

Prebuilt 1978?

YES

NO

☒

☐

#### City Use Only

#### Special Conditions or Approvals:

Zoning \_\_\_\_\_

Building \_\_\_\_\_

Public Works \_\_\_\_\_

#### Fees:

Building Permit \$40 Plan Review \_\_\_\_\_

Electric Connection \_\_\_\_\_ State Surcharge \_\_\_\_\_

Water Connection \_\_\_\_\_ Plumbing \_\_\_\_\_

Sewer Connection \_\_\_\_\_ Mechanical \_\_\_\_\_

Other \_\_\_\_\_

Total \$40

#### Disclaimer and Signature

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not, the granting of a permit does not presume to give authority to violate or cancel the provision of any other state or local law regulating construction or the performance of construction. This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work has commenced. It is the responsibility of the applicant to call the Building Official at 507-375-3241 to schedule an appointment 24 hrs. in advance.

Applicant/Contractor Signature: Michael Morrow Date: 4-23-25

Building Official Signature: [Signature] Date: 5-7-25

Permit Number 25-B-19

PROPERTY OWNER WAIVER  
Minnesota State Contractor Licensing Requirements

*The purpose of this form is to have property owners acknowledge their responsibilities to the Minnesota State Building Code, to Zoning Ordinances, and to other applicable rules and regulations when they are acting as a general contractor in building projects.*

I understand that the State of Minnesota requires that all Residential Building Contractors, Remodelers, and Roofers obtain a State License unless they qualify for a specific exemption from the licensing requirements. By signing this waiver, I attest to the fact that I am building or improving my property by myself. I claim to be exempt from the State License requirements because I am not in the business of building on speculation or for resale and this is the first residential structure that I have built or improved in the past 24 months.

I acknowledge that I may be hiring independent contractors to perform certain aspects of the construction or improvement of this property. Some of these contractors may be required to be licensed by the State of Minnesota. I understand that unlicensed residential contracting, remodeling, and/or roofing activity is a misdemeanor under Minnesota Statute 326.92, Subdivision 1, and that I forfeit my rights to reimbursement from the Contractor's Recovery Fund in the event that any contractors that I hire are unlicensed.

I also acknowledge that as the contractor on this project, I am solely and personally responsible for any violations of the State Building Code and/or any jurisdictional Ordinance in connection with the work performed on this property.

Michael Morrow  
Signature of Property Owner

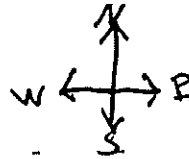
310 3rd St N ST. James mn 56081  
Project Address

4-23-25  
Date

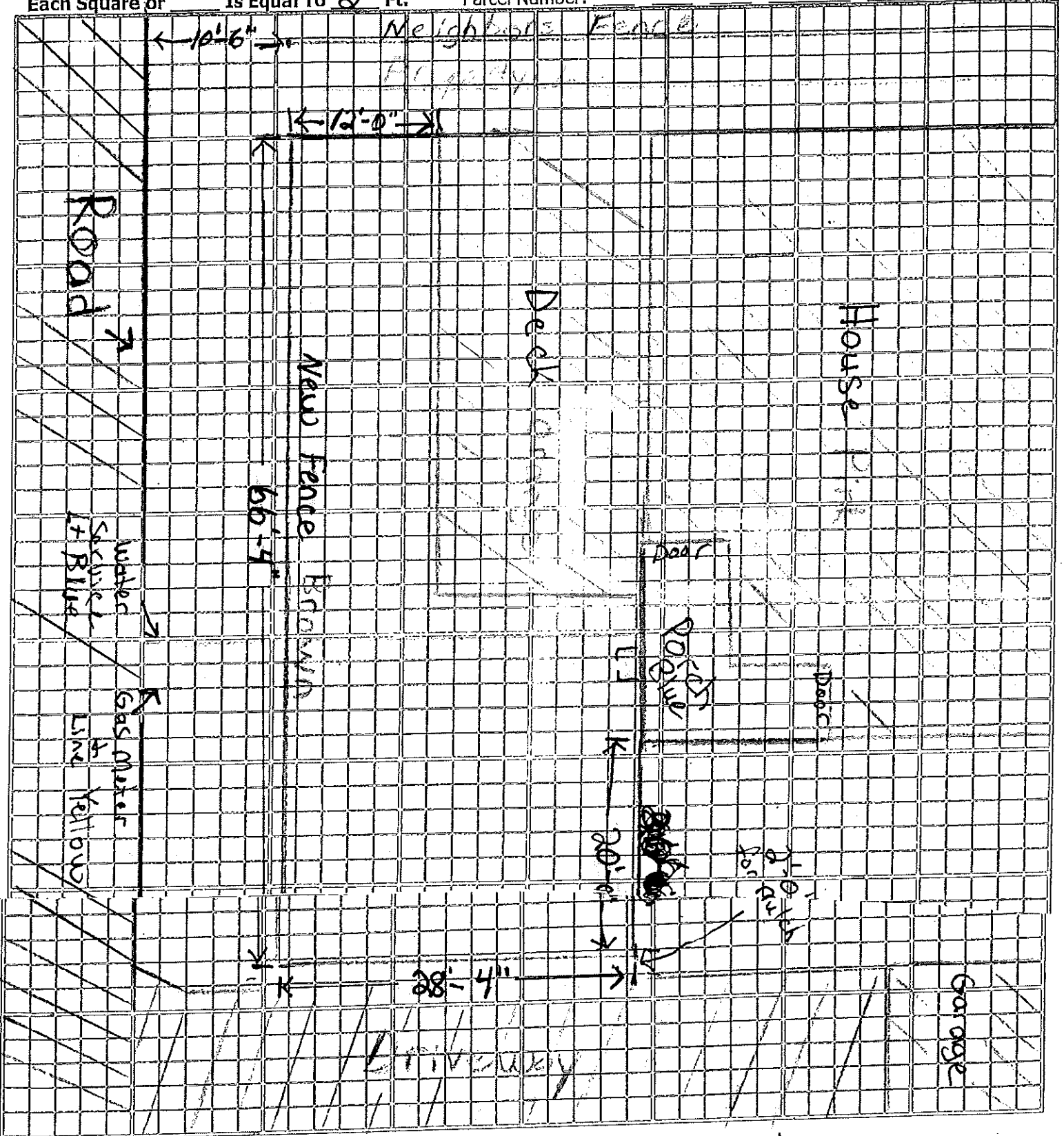
To determine whether a particular contractor is required to be licensed, or to check on the licensing status of an individual contractor, call the Minnesota Department of Commerce, Enforcement Division, at 651-296-2594, or toll-free at 1-800-657-3602.



# SITE PLAN



Each Square or Is Equal To 2 Ft. Parcel Number:



Property Owner: Mike Morrow

Address: 310 3rd St N

Name of Preparer (if different than above): \_\_\_\_\_

Zoning: \_\_\_\_\_

THIS PLOT IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE:

(Signature of Applicant or Agent) Michael Morrow

DATE: 4-23-25

4. *How do I find my property lines?*

There may be metal pins located at the four corners of your lot from the original survey. These pins are not always present because of the age of the neighborhood or they may have been dug up during previous construction. They may be located with a metal detector.

The only way to locate your property line for certain is to have the property surveyed. This will be an expense to the property owner.

5. *How high can I build my fence?*

Fences constructed in the front yard area are limited to a maximum height of 4 feet in height. Fences constructed in the side and rear yard areas can not exceed 6 feet in height.

6. *Do I need a building permit for a fence?*

If you are putting a fence up you will need to fill out a building permit application for a fence. If the fence is 6 feet one inch or higher, the fence will be regulated under the MN Building Code. If the fence is 6' or under, fences are regulated by the Zoning ordinance. In both cases, a permit is required to be filled out and an accurate site plan is required.

7. *Do I need to call Gopher One before I construct my fence?*

Yes. The property owner should contact Gopher One before construction to have any buried cable located. Contact them at: 1-800-252-1166.

8. *What else do I need to know about building a fence?*

The finished side of any fence must face out or towards the neighboring property.

I have read, understand and will comply with these fencing regulations.

Michael Morrow  
Signature

Name (printed): Mike Morrow

Property address:

310 3rd St W  
St. James Mn  
56081

# RESIDENTIAL FENCE REGULATIONS

## *Frequently Asked Questions*

1. *How close to my property line can I build my fence (or vegetative screening)?*

The St. James Ordinance requires that all fences and hedges or vegetative screenings be constructed at least **2 feet** off your property line. The purpose of this setback is to allow room for property/fence owners to maintain both sides of their fence without entering the neighboring property.

Fences or walls shall extend no closer than 15 feet to any street or driveway opening onto a street.

Most properties contain easements along the property lines. The easement dimensions at these areas vary, but they are there to provide utility companies a location for the necessary utilities for your property. Please note that if you construct a fence in the easement area as recorded on the official plat and utility access is required, your fence or other vegetative screening may be removed and, if you desire, will then need to be replaced at your expense. The easement information may be obtained from the Watonwan County Recorder's Office. Please note that you will be required to place a Gopher One call as indicated below and the fence or other vegetative screening may not be placed over any utility lines located at this area.

2. *If my neighbor says it's o.k. can I build right on the property line?*

The St. James Ordinance says that fences or vegetative screening materials may be constructed or planted on the property lines but only with the permission of the adjacent property owner.

If you choose to construct your fence on the property line, you are doing so at your own risk and against the recommendation of the St. James Zoning Ordinance.

3. *If I choose to construct my fence on the property line (with my neighbors consent) how do I avoid any legal issues with future property owners who may object to the placement of the fence?*

If the property owners vary from the recommendations set forth in the St. James Zoning Ordinance, they may want to contact an attorney to have an agreement drafted that can be made of legal record and attached to the property records.

If property owners do not abide by the setback requirements, they construct the fence at their own risk.

4. *How do I find my property lines?*

There may be metal pins located at the four corners of your lot from the original survey. These pins are not always present because of the age of the neighborhood or they may have been dug up during previous construction. They may be located with a metal detector.

The only way to locate your property line for certain is to have the property surveyed. This will be an expense to the property owner.

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Yes. The property owner should contact Gopher One before construction to have any buried cable located. Contact them at: 1-800-252-1166.

8. *What else do I need to know about building a fence?*

The finished side of any fence must face out or towards the neighboring property. There must be an access point (i.e. door) if the fence will fully enclose the yard. This will provide access for utility and emergency services.

I have read, understand and will comply with these fencing regulations.

---

Signature

Name (printed):

Property address:

Date signed:



City of St. James

1205 6<sup>th</sup> Ave S. | PO Box 70 | St. James, MN 56081

P. 507 -375 -3241 | F. 507 -375 -4376 | [www.ci.stjames.mn.us](http://www.ci.stjames.mn.us)

## NOTICE OF PUBLIC HEARING ST. JAMES PLANNING COMMISSION

NOTICE IS HEREBY GIVEN, that the St. James Planning Commission will meet on Monday, June 30, 2025, at 5:15 p.m. at the Saint James City Hall located at 1205 6<sup>th</sup> Ave South, Saint James, Minnesota, to hold a public hearing for the following purposes:

- 1) To consider a variance request from Michael and Autumn Morrow for property located at 310 3<sup>rd</sup> St. N. legally described as Lots Seven (7), Eight (8), And Nine (9); West 10' Of Adjacent Vacated Alley, Block Seventy-Three (73) Of First Addition to The City of St. James, Watonwan County, Minnesota. The variance request is to grant a fence with a maximum of 6-foot in height in the front yard setback area in a One- and Two-Family Residential District (R-1) per St. James City Code §156.030 (C)(1).
- 2) To consider a request for a special use permit from Zachary Romsdahl, for the property located at 600 First Avenue South legally described as Lots 11, 12 Block 17 in the Original Addition to the City of St. James, Watonwan County. The request is to allow for residential rental use on the main level of the building located in a General Business District (B-3) per St. James City Code §156.133.

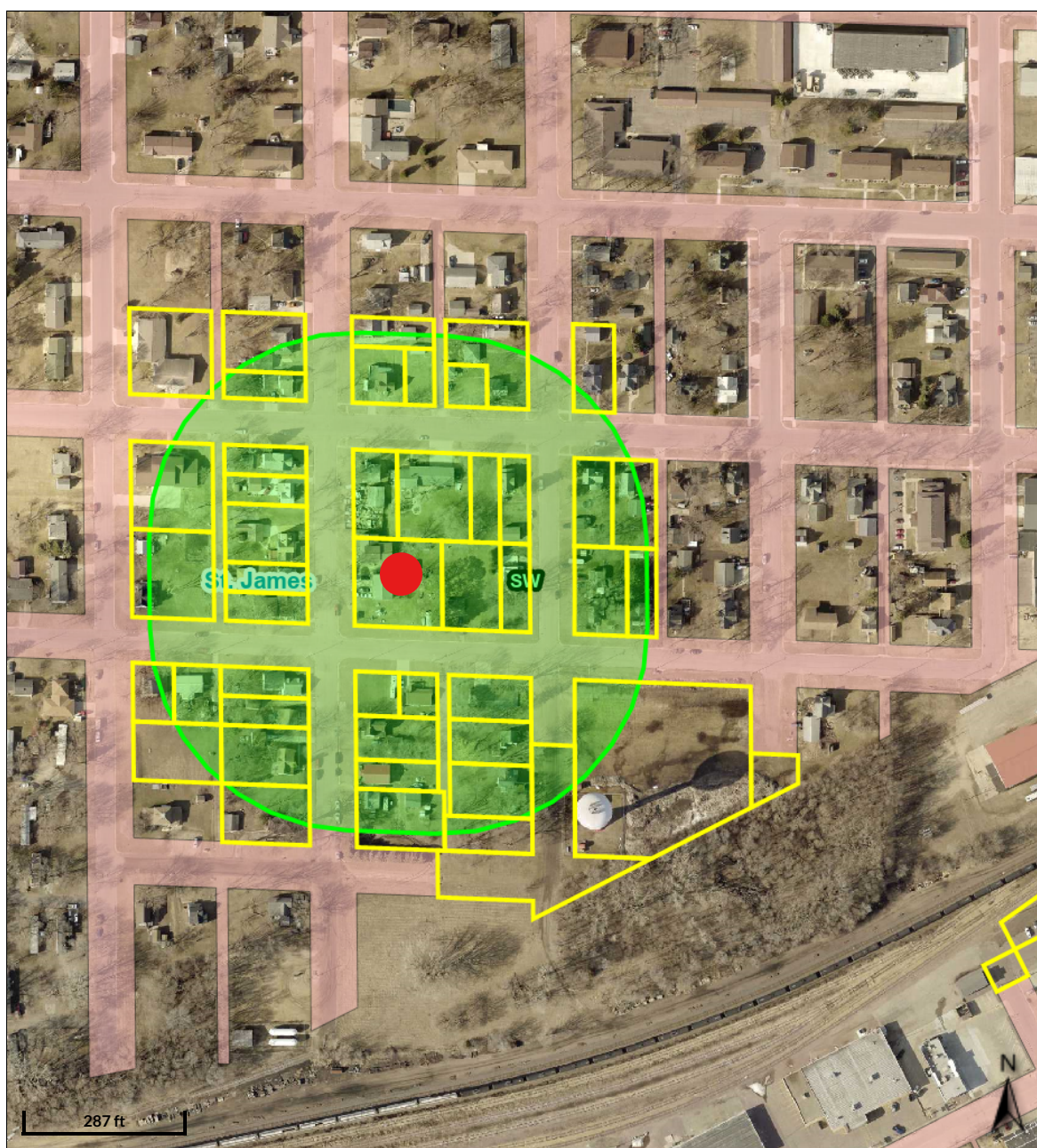
All persons are invited to attend the June 30, 2025, public hearing and to present their views relating to these requests either orally or in writing.

Dated this 12<sup>th</sup> Day of June 2025.

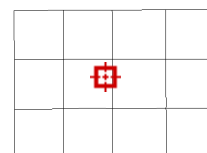
Brianna Sanders  
Zoning Administrator

Publish June 12, 2025: St. James Plaindealer





Overview



Legend

-  Corporation Limits
-  Road Rights of Way
-  Government Lots
-  Qtr Sections

Date created: 6/6/2025  
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