

Based on recent cases that have come to the Planning Commission, a request was made to research other cities' regulations regarding structures in easements, whether permanent or movable. Anoka, Coon Rapids, Ham Lake, Nowthen, Osseo, Otsego, and Rogers did not appear to have any requirements for accessory structures in relation to drainage and utility easements in their City Codes, although they did have requirements for structures to remain out of setbacks.

The following portions have been taken directly from the City Code of the listed cities:

#### [Andover](#)

- *Title 12: Zoning Regulations – Chapter 6: Accessory Structures, Uses and Temporary Structures - Section 12-6-5: Location and Setback Requirements*  
B. Drainage and Utility Easements: Accessory structures and structures shall not be constructed or placed in a drainage or utility easement.

#### [Blaine](#)

- *Section 29.035.- Standards.*  
(d) ... Accessory buildings placed within the five (5) foot setback area, and within a drainage and utility easement, shall not be placed or constructed, in the easement, in a manner to limit the use of the easement or alter storm drainage in any way as to negatively impact other property....

#### [Champlin](#)

- *Section 126.381.- Accessory buildings and uses.*  
(g) *Setbacks.* Accessory buildings shall be set back from adjoining lots as prescribed in the applicable zoning district and shall not be located within a drainage and/or utility easement.

#### [Dayton](#)

- *1001.35 Accessory Buildings and Structures – Subd. 2 General Regulations (8)*  
8. No permanent accessory storage building shall be located in any public utility easement or easements of record. Where any question arises as to the location or design of accessory buildings, the City Administrator or designee may refer the matter to the City Council for final determination.

#### [Elk River](#)

- *Section 30-795. – Yard regulations.*  
(7) Retaining walls, structures or portion of structures (including cantilevers) shall not be located within any easement.

Setback Requirements for Accessory Structures

<i>City</i>	<i>Side Setback</i>	<i>Rear Setback</i>
<a href="#">Anoka</a>	Varies by District: Minimum of 5 feet in Residential Districts	Varies by District: Minimum of 5 feet in Residential Districts
<a href="#">Andover</a> (pg. 56)	Varies by District: Minimum of 5 feet in Residential Districts	Varies by District: Minimum of 5 feet in Residential Districts
<a href="#">Blaine</a>	Varies by District: Minimum of 5 feet in Residential Districts	Varies by District: Minimum of 5 feet in Residential Districts
<a href="#">Champlin</a>	Varies by District: Minimum of 5 feet in Residential Districts	Varies by District: Minimum of 10 feet in Residential Districts
<a href="#">Coon Rapids</a>	Varies by District: Minimum of 10 feet in Residential Districts	Varies by District: Minimum of 10 feet in Residential Districts
<a href="#">Dayton</a>	Varies by District: Minimum of 5 feet in Residential Districts	Varies by District: Minimum of 5 feet in Residential Districts
<a href="#">Elk River</a>	Varies by District: Minimum of 5 feet in Residential Districts	Varies by District: Minimum of 5 feet in Residential Districts
<a href="#">Ham Lake</a> (pg. 66)	N/A	10 feet
<a href="#">Nowthen</a> (pgs. 31 and 148)	20 feet	35 feet
<a href="#">Osseo</a>	Varies by District: Minimum of 5 feet in Residential Districts	Varies by District: Minimum of 5 feet in Residential Districts
<a href="#">Otsego</a>	Varies by District: Minimum of 5 feet in Residential Districts	Varies by District: Minimum of 5 feet in Residential Districts
<a href="#">Rogers</a>	Minimum of 20 feet, but can encroach up to 10 feet away	Minimum of 20 feet, but can encroach up to 10 feet away