



## Where Is My Property Line? Survey Requirements and Property Line Location

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Many projects will be impacted by the distance from the property line to the work being performed. In addition to the establishment of the legal boundaries of property, property lines are used to measure this distance. In order to control how close to a property line someone can build something city ordinances and the building code establish minimum setbacks that must be maintained. These setbacks create open areas between structures. These open areas improve livability as well as contributing to fire prevention by limiting how easily a fire can spread from one structure to another.

A property line is a legally established feature of property. They are established by licensed land surveyors. It is not legal to build something across a property line onto a neighboring property. Property lines can be identified by the boundary corner monuments that land surveyors set when they survey a property. A boundary corner monument is usually a metal stake or pipe driven into the ground at each corner of a property. Over time these monuments become buried under earth, landscaping, driveways, or other features. Once the monuments are no longer visible many owners will use other features as the property lines. Fences, landscaping, and mow-lines are just a few of the features used incorrectly by owners as the property lines. These features will not be accepted as establishing legal property lines. It is possible to find the boundary corner monuments although it can be difficult. If you are not successful in finding them you will need to hire a land surveyor to do this for you. The city does not provide land surveying services although some information regarding the location of property lines is available. GIS maps can provide an approximate location of property lines which may be useful in locating boundary corner monuments. If you are successful in locating the boundary corner monuments pertinent to your proposed construction, that may be enough to satisfy the requirement to obtain your permit. Keep in mind that boundary corner monuments can be moved so if the locations you provide appear to be wrong you may still be required to have a survey completed.

It may be an inconvenience and an unanticipated cost to be required to provide a survey or find the boundary corner monuments but it is in your best interest to do so. If you build something that is found later to be in violation of a setback or is built across a property line you will likely have to remove the structure. This can be very costly. By requiring the establishment of the property lines before construction your property and adjoining properties are protected.

The types of information that may be required for you to provide depending on the nature of the construction you are proposing include surveys, partial surveys, or exposing existing boundary corner monuments.

For the purposes of this policy, the following terms shall have the meanings stated:

**Survey** – A legal document signed by a licensed land surveyor that depicts a particular property or properties by showing at a minimum property lines, property boundary monument locations, property dimensions, existing and proposed structures on the property, structure setbacks to property lines, lot corner elevations, and drainage patterns. This type of document may also be called a certified land survey, registered land survey, or certificate of survey.

**Partial Survey** – A legal document signed by a licensed land surveyor that depicts a particular property or properties by showing at a minimum certain property lines, property boundary monument locations, dimensions of property lines, existing and proposed structures on the property, structure setbacks to property lines, lot corner elevations, and drainage patterns. The extent of information required shall be determined by the city. Partial surveys shall show a minimum of one property line.

**Property Boundary Monument** – A marker installed in the ground under the direction of a licensed land surveyor at property corner locations. Property boundary monuments must be visible at the work site for inspection purposes.

**Licensed Land Surveyor** – An individual licensed as a land surveyor according to Minnesota Statute Chapter 326.

To obtain a permit for the following types of construction projects a survey will normally be required:

1. Construction of new buildings
2. Additions or expansion of commercial buildings including multi-family dwellings of 3 or more dwelling units
3. Additions or expansion of existing one and two-family dwellings

To obtain a permit for the following types of construction projects a survey, partial survey, or location of boundary corner monuments will normally be required:

1. Remodeling to existing one and two-family dwellings that may encroach into setback areas
2. Construction of or addition/expansion/remodeling to accessory structures (including sheds, garages, decks, gazebos, pools, hot tubs)
3. Windows/window wells that encroach into a zoning setback
4. Fences and retaining walls

The individual circumstances of construction projects will determine what information is required. It is advisable to consult with someone regarding surveys early in the planning of your project.

The first step in locating your property lines is to determine the dimensions of your lot. You can get this information from your deed or Hennepin County web site; <http://www16.co.hennepin.mn.us/pins/>. You can find more information on property lines in the City of Minneapolis at <http://www.minneapolismn.gov/about/maps/public-maps-pip.asp>.

### Sample Residential Site Plan

