

**UNAPPROVED  
CITY OF BLAINE  
PLANNING COMMISSION MEETING MINUTES  
December 13, 2022**

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, December 13, 2022. Vice Chair Halpern called the meeting to order at 7:00PM.

Members Present: Vice Chair Halpern, Commission Members: Deonauth, Gorzycki, Olson, and Swanson.

Members Absent: Chair Goracke and Commission Member Homan.

Staff Present: Shawn Kaye, Planner  
Elizabeth Showalter, Community Development Specialist  
Shelia Sellman, City Planner  
Teresa Barnes, Project Engineer

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**PUBLIC HEARING**

Item 4.1 – Case File No. 22-0078 – Public Hearing – The applicant is requesting a conditional use permit amendment to reduce setback requirements for driveways from 5 feet to 3 feet in a DF (Development Flex) zoning district.  
JANE CONLEY, PLEASURE CREEK SOUTH AND PLEASURE CREEK SOUTH 2<sup>ND</sup>.

The report to the planning commission was presented by Sheila Sellman, City Planner. The public hearing for Case File 22-0078 was opened at 7:04PM.

Jane Conley, 9935 Washington Street NE, stated this has been two years of distress for her. She reported she did not need a permit to build a driveway, so she followed the city's publications and when she called the city planner, was told the setback was 3-feet. After receiving a complaint from a neighbor, she completed a land survey and she has received numerous visits from the city. She was assured by the city that her numbers were correct and she poured her concrete driveway with a three foot setback. She explained it would cost her \$8,000 to tear out and redo her driveway. She requested the city support her variance request because she completed a land survey and received information from staff that the driveway setback was three feet. She reported she has the support of 65 of her neighbors that her driveway remain as is.

Vice Chair Halpern reported the planning commission had received a document with the 65 signatures in support of the driveway. He noted the commission also received emails of support from David Smith as well as Brian and Linda Peterson.

Sarah Ring, 9947 Washington Street NE, stated she believed Jane's driveway looks very nice. She understood Jane went from the information she received from the city and did her due diligence. She believed the variance request was within reason and should be approved by the city.

The public hearing was closed at 7:08PM.

Commissioner Olson asked if there could be uniformity for the city's driveway setbacks.

City Planner Sheila Sellman explained the R-1 and R-1AA have a driveway setback of three feet and other districts are five feet and residents are encouraged to call. She reported, unfortunately, Ms. Conley was given misinformation from staff. She stated one way to remedy this situation would be to approve an ordinance amendment in order to have DF (Development Flex) districts have a three-foot setback for driveways.

Commissioner Olson stated she anticipated everyone learned from this experience. She did not support the city approving a zoning code change at this time.

Commissioner Deonauth explained she supported the city approving an ordinance change because this would provide more clarity going forward.

Commissioner Olson indicated she did not support this option because this would impact all DF districts in the city.

Commissioner Deonauth commented this would be a concern and for this reason she would support option 1 to have the conditional use permit for the entire development.

Commissioner Olson supported the commission allowing for this one CUP amendment without opening up a new driveway setback for the entire development.

**Motion by Commissioner Deonauth to recommend approval of Planning Case 22-0078 based on the following conditions:**

Case 22-0078:

1. Recommend approval of the conditional use permit amendment for the entire development to allow a 3-foot setback for driveways.

**Motion seconded by Commissioner Olson. The motion passed 5-0.**

Vice Chair Halpern noted this would be on the agenda of the January 4, 2023 city council meeting.