

PUBLIC NOTIFICATION AREA

Property Location



BlaineMN.gov

**Case File No. 22-0078
Jane Conley**



CITY OF BLAINE

RESOLUTION NO. 97-254

**GRANTING A CONDITIONAL USE PERMIT
PER SECTION 29.80 OF THE ZONING CODE
OF THE CITY OF BLAINE
PILOT LAND COMPANY
99TH AVENUE AND CLOVERLEAF PARKWAY NE**

WHEREAS, an application has been filed by Pilot Land Company as Conditional Use Permit Case File No. 97-53; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on September 9, 1997; and

WHEREAS, the Blaine Planning Commission recommends said Conditional Use Permit be approved; and

WHEREAS, the Blaine City Council has reviewed said case on October 16, 1997.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 29.80 of the zoning code to Pilot Land Company to develop 26 single family home sites under the DF (Development Flex) zoning at 99th Avenue and Cloverleaf Parkway NE (Pleasure Creek South) with the following conditions:

1. The Pleasure Creek South Addition development containing 26 lots shall conform with the following standards:

PLEASURE CREEK SOUTH ADDITION - DF ZONING STANDARDS

Permitted Uses

- (a) Single-family detached dwellings.
- (b) Group family day care.

Accessory Uses

- (a) Private garages/accessory buildings.
- (b) Private swimming pools/meeting the requirements of Blaine Municipal Code Section 6-121.

- (c) Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses

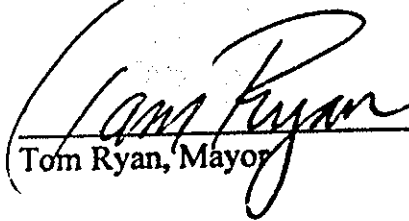
- (a) Home occupations listed as **Conditional Use Permit under 33.11.**

Standards

- (a) Front yard garage setback - 30 feet.
Front yard house (living area) setback - 25 feet.
- (b) Side yard setback - ten feet, except that garages or accessory buildings shall have a side yard setback of five feet.
- (c) Corner side yard setback - 20 feet.
- (d) Rear yard setback - 30 feet.
- (e) Maximum building height - 2 1/2 stories or 35 feet. An accessory structure shall not exceed the height of the home.
- (f) It shall be required for all single family dwellings that there be a garage constructed of a minimum of four hundred (400) square feet, with no dimension less than 20 feet. Total garage space shall not exceed one thousand (1,000) square feet. The architectural style, color, and facing material of a garage shall be consistent with the principal building.
- (g) The minimum finished floor area above grade for homes located on Lots 8-15, Block 1, shall be 1,100 square feet. Minimum finished floor area above grade for all other homes shall be 1,240 square feet. All homes shall have a minimum depth and width of 24 feet.
- (h) All homes to be constructed using brick or stone veneer fronts (partial) and 6/12 minimum roof pitches. All house exteriors to utilize maintenance-free materials.
- (i) All residential dwellings must be built in conformance with the Minnesota State Building Code.
- (j) Driveways shall not be constructed closer than five (5) feet to the property line. All driveways and approaches shall be hard surfaced using concrete or bituminous asphalt.

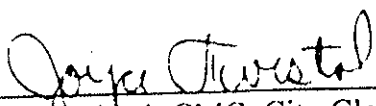
- (k) It shall be required that all yards of a new single family dwelling be sodded over a minimum of four (4) inches of topsoil (black dirt). Yards may be seeded over four (4) inches of black dirt if underground irrigation is installed with the home.
- (l) All residential dwellings shall have roof overhangs which extend a minimum of one (1) foot from the exterior wall of the structure.
- (m) Each lot shall contain one boulevard tree (within the public right-of-way) and one front yard tree with a minimum of 2 1/2 inch caliper. Corner lots shall each have an additional boulevard tree. Lots that contain boulevard sidewalks shall place required boulevard trees within the lots' property line.
- (n) No structures, sheds, recreational equipment or fences to be constructed on or over the 25-foot landscape easement located adjacent to 99th Avenue except those fences and landscape materials that are part of the plat's approved landscape package.
- (o) All home exterior plans to be approved by Director of Community Development for architectural features such as roof design, use of surface glass, etc.

PASSED by the City Council of the City of Blaine this 16th day of October, 1997.



Tom Ryan, Mayor

ATTEST:



Joyce Twissol, CMC, City Clerk
COUNCIL ACTION: 97-484

CITY OF BLAINE

RESOLUTION NO. 98-169

**GRANTING A CONDITIONAL USE PERMIT
PER SECTION 27.03 AND 29.80 OF THE ZONING CODE
OF THE CITY OF BLAINE
PILOT LAND DEVELOPMENT
99TH AVENUE AND CLOVERLEAF PARKWAY**

WHEREAS, an application has been filed by Pilot Land Development as Conditional Use Permit Case File No. 98-34; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on May 12 and June 9, 1998; and

WHEREAS, the Blaine Planning Commission recommends said Conditional Use Permit be approved; and

WHEREAS, the Blaine City Council has reviewed said case on July 9, 1998.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 27.03 and 29.80 of the zoning code to Pilot Land Development to allow, under the DF zoning, the development of 162 single-family detached homes at 99th Avenue and Cloverleaf Parkway with the following conditions:

1. The Pleasure Creek Addition development shall conform with the following standards:

PLEASURE CREEK ADDITION - DF ZONING STANDARDS

Permitted Uses

- (a) Single-family detached dwellings.
- (b) Group family day care.

Accessory Uses

- (a) Private garages/accessory buildings.

- (b) Private swimming pools/meeting the requirements of Blaine Municipal Code Section 6-121.
- (c) Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses

- (a) Home occupations listed as Conditional Use Permit under 33.11.

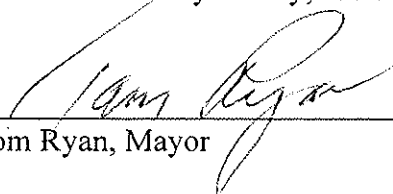
Standards

- (a) Front yard garage setback - 30 feet.
Front yard house (living area) setback – 25 feet.
- (b) Side yard setback - ten feet, except that garages or accessory buildings shall have a side yard setback of five feet.
- (c) Corner side yard setback - 20 feet.
- (d) Rear yard setback - 30 feet. Detached accessory structures – Five (5) feet.
- (e) Maximum building height - 2 1/2 stories or 35 feet. An accessory structure shall not exceed the height of the home.
- (f) It shall be required for all single family dwellings that there be a garage constructed of a minimum of four hundred (400) square feet, with no dimension less than 20 feet. Total garage and accessory building space shall not exceed one thousand (1,000) square feet. The architectural style, color, and facing material of a garage shall be consistent with the principal building.
- (g) The minimum finished floor area above grade for all homes shall be 1,240 square feet. All homes shall have a minimum depth and width of 24 feet.

- (h) All homes to be constructed using brick or stone veneer fronts, minimum height of four feet across all front elevations unless otherwise approved by the Community Development Director, and 6/12 minimum roof pitches. All house exteriors to utilize maintenance-free materials. All house exteriors to provide enhanced window fenestration.
- (i) All residential dwellings must be built in conformance with the Minnesota State Building Code.
- (j) Driveways shall not be constructed closer than five (5) feet to the property line. All driveways and approaches shall be hard surfaced using concrete or bituminous asphalt.
- (k) It shall be required that all yards of a new single family dwelling be sodded over a minimum of four (4) inches of topsoil (black dirt). Yards may be seeded over four (4) inches of black dirt if underground irrigation is installed with the home.
- (l) All residential dwellings shall have roof overhangs which extend a minimum of one (1) foot from the exterior wall of the structure.
- (m) Each lot shall contain one boulevard tree (within the public right-of-way) and one front yard tree with a minimum of 2 1/2 inch caliper. Corner lots shall each have an additional boulevard tree. Lots that contain boulevard sidewalks shall place required boulevard trees within the lots' property line.
- (n) Each lot backing onto pedestrian trail around Outlot C shall contain one additional overstory tree in the rear yard.

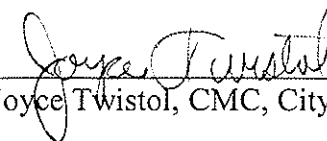
- (o) Each lot backing onto pedestrian trail around Outlot C shall contain decorative posts at rear property corners to identify rear lot boundaries. Final design to be approved by the Community Development Director.
- (p) Rear yard fences adjacent to Outlot C to have maximum height of four feet.
- (q) No fences in 25-foot scenic landscape easements in rear yards adjacent to 99th Avenue NE and Cloverleaf Parkway.
- (r) Airport Noise Abatement Standards and wiring for central air conditioning will be incorporated into the nine single-family lots immediately adjacent to 99th Avenue NE and Cloverleaf Parkway.
- (s) City reserves the right to require additional architectural enhancements on any home to provide exterior elevations that are in keeping with the intended higher standards of the DF (Development Flex) zoning district.

PASSED by the City Council of the City of Blaine this 9th day of July, 1998.



Tom Ryan, Mayor

ATTEST:



Joyce Twistol, CMC, City Clerk

City of Blaine Petition

Purpose:

Standardize the driveway set back in Pleasure Creek (5 feet) to the City of Blaine Driveway standards (3 feet).

Who is needed to make this happen?

The residents of Pleasure Creek South and Pleasure Creek South 2nd addition.

What needs to happen? The City of Blaine should amend the CUP

The City of Blaine has posted in its 2022 Official Blaine Community Resource & Residential Guide.

"A permit is not required for new driveway construction or improvement unless a modification to the curb is needed.

Depending on zoning districts, driveways cannot be constructed closer than three feet from the adjacent property line. All driveways and approaches must be hard surface using concrete or blacktop. Contact the planning division for more information at 763-784-6180."

I contacted Blaine Drayfahl who was present the day my concrete was poured and informed me my three-foot setback

was correct. Almost a year later I was told there is a conditional use permit (CUP) and the actual setback for this development is 5 feet. I contacted Elizabeth Showalter, AICP Community Development Specialist via phone requesting information on a variance or CUP and was told "I did not need one because the setback in Blaine is three-feet". Due to the constant confusion and misinformation, I am asking that the CUP Resolution No. 97-254, per section 29.80 of the zoning code be amended. The setback would conform to the City of Blaine standard (3 feet) and alleviate future confusion and conflict for these residents.

Why is it important?

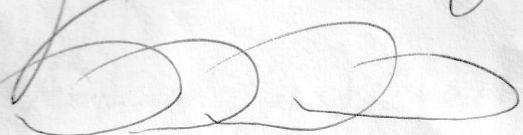
This could happen to other Blaine residents if not amended.

I personally had a land survey done, called the city for assistance to determine proper setback rules, and was given incorrect information. The driveway was a huge expense for my family and me. It would have to be totally redone at the expense of approx. \$8000. to reduce the setback to meet the CUP setback.

To the Blaine Planning Commission

This letter is a request for the City of Blaine to consider changing the set back from 5 feet to 3 feet as stated in the conditional use permit that was granted by Mayor Tom Ryan on October 16th, 1997. (Section 29.80 of the zoning code given to Pilot Land Company that involves 26 lots)

The following residents of the development have no objections to the change.

- 1) Jane Conley 9935 Washington St. NE, Blaine 651-503-7100
- 2) Sarah Ring 9947 Washington St. NE 4063960228
- 3) BRIAN PETERSON 9938 Washington St, NE
- 4) Wanitu Williams 9997 Pleasure Creek Pkwy E
- 5) Sandra Edward 9970 Madison St NE
- 6) Annette Krause 9905 Madison St. NE, Blaine MUSTYBY
- 7) Jamie Z. Rutz 648 99th Lane NE Blaine 2434
- 8)  636 99th Lane NE, Blaine
- 9) Eric Blumefeld 625 99th Lane NE Blaine
- 10) Jan Nguyen 612 99th Lane NE Blaine
- 11) Rigzin Ddma ~~612~~ 590 99th Ln NE Blaine
- 12) Kathy Boss 579 99th Ln NE Blaine

- 13) Sara Stuk Saw Stuk 9988 Pleasure Creek Pkwy E
Blaine, MN 55434
- 14) Michael Lilya 10002 Madison St NE Blaine, MN 55434
- 15) Aini Nur 9984 Madison St NE, Blaine, MN
- 16) Kijal 10010 PLEASURE CREEK PKWY. E. BLAINE
MN 55434
- 17) Todd Belanger 640 100th Ct. NE 55434
- 18) JEFF MOSS 650-100 Ct NE 55434
- 19) David Smith 664 100th Ct NE 55434
- 20) ~~Anna~~ Almedina Turmadzic 704 100th Ct NE Blaine ~~MN~~ 55434
- 21) Benjamin Rhodes 677 100th Ct NE Blaine 55434
- 22) Amaro Woticha 655 100th Court NE Blaine 55434
- 23) Mohamed Wakte 68 100th Ct NE Blaine 55434
- 24) Tanya Loehr 10080 Pleasure Creek Pkwy E Blaine 55434
- 25) Patrick A. BRANDT 10060 Pleasure Creek Pkwy E
Blaine 55434
- 26) Polly Carlsson 10003 Madison NE
Blaine, 55434
Myanmar

27) 9992 Madison St NE 10'0 MD'Donnell

28) 9951 Madison St NE Dave Kull

29) 9977 Madison St NE O Szalanski

30) 9917 Madison St. NE [Signature]

31) 9941 Madison St NE [Signature]

32) 9929 Madison St NE [Signature]

33) 9993 Madison St. NE [Signature]

34) 9989 Madison St. NE [Signature]

35) 9976 Madison St NE Paul Ben

Becky 36) 9926 Washington St. NE

37) 9914 Washington St NE [Signature]

38) 9902 Washington St NE [Signature]

39) 10114 Pleasure Creek Pky E NE [Signature]

40) 10102 Pleasure Creak Pky E NE [Signature] P Blue [Signature]
Marie Blanelette

41) 10020 Pleasure Creak Pky E NE [Signature]
MIKO Attorney 612-990-9499

10030 Pleasure Creek PLYE NE

42)

Lake Kan

43) 632 100th CT NE (Marnie Campbell, KATLEY CAMPBELL

44) 643 100th CT NE

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45) 628 100th CT NE

Joanna Brown

46) 613 100th CT NE

Rich Wenger and J Weger

47) 607 100th CT NE

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48) 598 100th CT NE

49) 678 100th CT NE

Bimal Singh

50) 589 100th CT NE

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51) 601 100th CT NE

Suzie Schanke

52) 619 100th CT NE

Bimal Singh

53) 586 100th LT NE

KAMUS

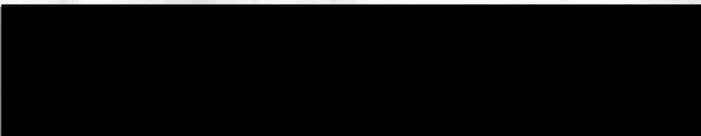
54) 688 101st ave NE

Mallory ~~Handwritten signature~~

55) 674 101st ave NE

Joan Clark

- 56) 689 101st Ave NE *Nancy Sanyal*
- 57) 675 101st Ave NE *Connie Montgomery 612-270-9842*
- 58) 567 99th LN NE *Ann Meyer*
- 59) 613 99th LN NE ~~*[Signature]*~~ 763-226-6959



- 61) 624 99th LN NE *Pamela [Signature]*
- 62) 542 99th LN NE *James Fisher*
- 63) 578 99th LN NE ~~*[Signature]*~~
- 64) 554 99th LN NE *Kennedy Ezeemba*
- 65) 637 99th LN NE *[Signature]*
- 66) 591 99th LN NE *[Signature]*

- 67) 669 99th LN NE
- 68) 653 99th LN NE
- 69) 676 99th LN NE - *Kurlani*
- 70) 566 99th LN NE *Audrey Mathaba*

Subject: Case 22-0078

This email is in support of the petition I signed for the change in the driveway setback in Pleasure Creek from 5 feet to the city standard of 3 feet. Thank you,
David Smith

David Smith
664 100th CT N.E.
Blaine, MN 55434

Subject: Pleasure Creek - Case File No. 22-0078

We will not be able to attend the public hearing, but would like it noted that we are in agreement with Jane Conley's request to amend Pleasure Creek's driveway setback to 3 feet.

Brian and Linda Peterson
9938 Washington Street NE
Blaine, MN
763-795-9707