

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

The Blaine planning commission met in the City Hall Chambers on Tuesday, September 13, 2022. Chair Goracke called the meeting to order at 7:00PM.

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

Members Absent: None.

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

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**NEW BUSINESS**

Item 4.2 – Case File No. 22-0057 – Public Hearing – The applicant is requesting the following:

1. A 9-foot variance to the 22.5 foot rear yard setback for a deck.
2. A 12.5-foot variance to the 30-foot rear yard setback for a 4-season porch addition.

JOSEPH STONTZ, 802 131<sup>ST</sup> AVENUE NE.

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 22-0057 was opened at 7:13PM. As no one wished to appear, the public hearing was closed at 7:14PM.

Joseph Stontz, 802 131<sup>st</sup> Avenue NE, thanked the commission for considering his request. He noted he spoke to his neighbor to the south and he supported the four season porch. In addition, the Northside Christian School and Church also supported the four season porch.

**Motion by Commissioner Halpern to recommend approval of Planning Case 22-0057A a 9-foot variance to the 22.5-foot rear yard setback for a deck with the following findings:**

Case 22-0057A:

1. The subject site is 15,561 square feet which is slightly larger than typical R-1 lot of 10,000 square feet. The house was existing when the lot was platted, which

determined the front yard and side yard for this corner lot. The front yard is off 131<sup>st</sup> Avenue and the corner side is Van Buren Street NE. which makes the southern property line the rear yard and requires a 22.5-foot setback for a deck. If reversed with the front yard as Van Buren and the 131<sup>st</sup> Avenue side the corner side yard, the southern property line would be considered a side yard and a 7.5-foot setback would apply. The house is set back farther than the required 30-foot front setback and the 20-foot setback on the street corner. Based on the orientation of the house, the rear yard of the property (south side) is adjacent to the neighbor's side yard. If the house was oriented to Van Buren Street, then the proposed addition would be in a side yard and able to meet the 7.5-foot setback for a deck. The property to the south is able to add a deck to their existing home 7.5 feet from the same property line that the code requires the subject site to have a 22.5-foot setback. The orientation of the house is not a circumstance of the property owner. The greater setbacks on the existing house and lot orientation demonstrate a circumstance that does not apply generally to other properties in the same zone or vicinity.

2. The property to the south can have a 7.5-foot setback from the common lot line, but the subject site is subject to a 30-foot setback. The variance would provide a 17.5-foot setback to the porch and a 13.5-foot setback from the landing, both meeting the 10-foot setback that would be required had the house been oriented differently.
3. The applicant bought the house in its current location and did not determine the front yard designations.
4. The variance in this circumstance is due to the building orientation and larger setbacks of the existing house that are not typical for properties in the same district.
5. The variance would not be detrimental to properties in the same zone.

**Motion by Commissioner Halpern to recommend approval of Planning Case 22-0057B a 12.5-foot variance to the 30-foot rear yard setback for a 4-season porch addition with the following findings:**

Case 22-0057B:

1. The subject site is 15,561 square feet which is slightly larger than typical R-1 lot of 10,000 square feet. The house was existing when the lot was platted, which determined the front yard and side yard for this corner lot. The front yard is off 131<sup>st</sup> Avenue and the corner side is Van Buren Street NE. which makes the southern property line the rear yard and requires a 30-foot setback for a home. If reversed with the front yard as Van Buren and the 131<sup>st</sup> Avenue side, the corner side yard the southern property line would be considered a side yard and a 10-foot setback would apply. The house is set back farther than the required 30' front setback and the 20'

setback on the street corner. Based on the orientation of the house the rear yard of the property (south side) is adjacent to the neighbor's side yard. If the house was oriented to Van Buren Street, then the proposed addition would be in a side yard and able to meet the 10-foot setback for a deck. The property to the south is able to add an addition to their existing home 10 feet from the same property line that the code requires the subject site to have a 30-foot setback. The orientation of the house is not a circumstance of the property owner. The greater setbacks on the existing house and lot orientation demonstrate a circumstance that does not apply generally to other properties in the same zone or vicinity.

2. The property to the south can have a 10-foot setback from the common lot line, but the subject site is subject to a 30-foot setback. The variance would provide a 17.5-foot setback to the porch and a 13.5-foot setback from the landing, both meeting the 10-foot setback that would be required had the house been oriented differently.
3. The applicant bought the house in its current location and did not determine the front yard designations.
4. The variance in this circumstance is due to the building orientation and larger setbacks of the existing house that are not typical for properties in the same district.
5. The variance would not be detrimental to properties in the same zone.

**Motion seconded by Commissioner Deonauth. The motion passed 7-0.**