



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Details (With Text)

**File #:** RES 19-35    **Version:** 1    **Name:** Variance - Dem-Con (PC18-0073-Transfer Station)  
**Type:** Resolution    **Status:** Passed  
**File created:** 3/7/2019    **In control:** City Council  
**On agenda:** 3/7/2019    **Final action:** 3/7/2019  
**Title:** GRANTING A VARIANCE FOR A 30-FOOT SIDE YARD BUILDING SETBACK TO THE 100-FOOT BUILDING SETBACK REQUIREMENT ON THE NORTH SIDE OF THE SITE LOCATED AT 3280 99TH COURT NE. DEM-CON PROPERTIES, LLC. (CASE FILE NO. 18-0073/LSJ)  
**Sponsors:** Lori Johnson  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
3/7/2019	1	City Council	Adopted	Pass

**DEVELOPMENT BUSINESS** - *Bryan K. Schafer, Planning and Community Development Director*

### **GRANTING A VARIANCE FOR A 30-FOOT SIDE YARD BUILDING SETBACK TO THE 100-FOOT BUILDING SETBACK REQUIREMENT ON THE NORTH SIDE OF THE SITE LOCATED AT 3280 99<sup>TH</sup> COURT NE. DEM-CON PROPERTIES, LLC. (CASE FILE NO. 18-0073/LSJ)**

Planning Commission (Public Hearing)	02/12/19
City Council (Variance)	03/07/19
Action Deadline	03/11/19

The Planning Commission voted unanimously to approve the proposed variance. There were no comments at the public hearing.

The applicant, Dem-Con, is proposing to construct a new solid waste transfer station building on its existing site at 3280 99<sup>th</sup> Court. A brief history of the site is provided below:

- In 2001, Shamrock Disposal acquired this site along with the adjacent sites along Naples Street and the 99<sup>th</sup> Court alignment as one big parcel. Shamrock received a conditional use permit for a solid waste transfer station and preliminary plat approval to subdivide the property.
- In 2006, Shamrock Disposal received a conditional use permit amendment for two buildings on one lot and constructed a second building on the site.

- In 2012, Shamrock Disposal received a conditional use permit to amend the types of waste handled at the site.
- In 2018, Dem-Con (who bought Shamrock Disposal) experienced an accidental fire that resulted in the total loss of the transfer station building, but the other building on site remained intact.

At this time, Dem-Con wishes to reconstruct the transfer station building and change the arrangement of the new building and site. In order to do this a conditional use permit amendment and a building setback variance is required.

The new facility will continue to serve as a construction and demolition waste, municipal solid waste, non-hazardous industrial waste, single stream recycling and yard waste transfer facility. In addition, Dem-Con will be adding the ability to sort and transfer source separated organics from the facility to an approved processing facility.

### **Variance**

The applicant is requesting a 30-foot side yard building setback variance to the 100-foot building setback requirement on the north side of the site. This area is the location of the indoor loadout pit that was previously located outside the old building. The previous building on this site was oriented with the longest part of the building running east to west, with the loadout pit on the outside of the north side of the building. The new orientation of the building (north to south) includes the pit indoors, and because of the orientation of the rest of the site and the required turning movements of trucks, it is difficult for the building to meet the required setback of 100-feet on the north side of the building.

Staff is amenable to the approval of this variance based on the following rationale:

- The new proposed indoor pit is in roughly the same location with the same setback as the previous outdoor pit. The only difference is that there will be walls around the pit with the new construction.
- There is a wetland buffer of more than 200 feet between this building and the industrial site to the north, and more than 450 feet between buildings on the two sites.
- Enclosing the loadout pit is beneficial to the environment by reducing waste exposure to storm water and eliminating windblown debris. It also is more aesthetically pleasing and creates less noise.

By motion, approve the Resolution.

### **Attachments**

See report for conditional use permit.

**WHEREAS**, an application has been filed by Dem-Con Properties, LLC. as Case File No. 18-0073; and

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on February 12, 2019; and

**WHEREAS**, the Blaine Planning Commission recommends said Variance be approved; and

**WHEREAS**, the Blaine City Council has reviewed said case on March 7, 2019.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a variance is hereby approved per Section 27.05 of the Zoning Ordinance to allow a 30-foot side yard building setback to the 100-foot building setback requirement on the north side of the site based on the following rationale:

1. The new proposed indoor pit is in roughly the same location with the same setback as the previous outdoor pit. The only difference is that there will be walls around the pit with the new construction.
2. There is a wetland buffer of more than 200 feet between this building and the industrial site to the north, and more than 450 feet between buildings on the two sites.
3. Enclosing the loadout pit is beneficial to the environment by reducing waste exposure to storm water and eliminating windblown debris. It also is more aesthetically pleasing and creates less noise.

**PASSED** by the City Council of the City of Blaine this 7<sup>th</sup> day of March, 2019.