



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
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Blaine MN 55449

## Legislation Details (With Text)

**File #:** RES 22-153    **Version:** 2    **Name:** CUP - Dallas Sessions (22-0061)  
**Type:** Resolution    **Status:** Passed  
**File created:** 10/3/2022    **In control:** City Council  
**On agenda:** 10/3/2022    **Final action:** 10/3/2022  
**Title:** Granting a Conditional Use Permit to Allow for a Total of 1,187 Square Feet of Accessory Garage Space in the R-1 (Single Family) Zoning District at 9323 Jamestown Street NE. Dallas Sessions (Case File No. 22-0061/SLK)  
**Sponsors:** Sheila Sellman

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachments, 2. Unapproved PC Minutes 091322

Date	Ver.	Action By	Action	Result
10/3/2022	2	City Council	Adopted	Pass
9/13/2022	1	Planning Commission	Recommended for Approval	Pass

**Public Hearing** - *Sheila Sellman, City Planner*

**Title**

**Granting a Conditional Use Permit to Allow for a Total of 1,187 Square Feet of Accessory Garage Space in the R-1 (Single Family) Zoning District at 9323 Jamestown Street NE. Dallas Sessions (Case File No. 22-0061/SLK)**

**Executive Summary**

The applicant is requesting to construct a total of 1,187 square feet of accessory building space. The accessory building space would include an existing attached garage and a proposed detached accessory building in the rear yard.

**Schedule of Actions**

Planning Commission (Public Hearing)	09/13/22
City Council (CUP)	10/03/22
Action Deadline	10/24/22

**Background**

*Staff report prepared by Shawn Kaye, Planner, and Teresa Barnes, Project Engineer*

Zoning

The property is zoned R-1 (Single Family).

Surrounding Zoning and land uses

The adjacent properties to the north, south and west are zoned R-1 (Single Family) and have a land use of LDR (Low Density Residential). The West 35W Service Drive is located to the east of the property.

### Existing Conditions

The property is a single-family lot. The site has an existing home with an attached garage and two existing detached sheds in the rear yard.

### **Evaluation of Request**

#### Site Plan

The applicant is requesting a conditional use permit (CUP) to allow for a total of 1,187 square feet of accessory garage space in the R-1 (Single Family) zoning district. The applicant currently has an attached garage totaling 563 square feet and is proposing to build a 624 square foot detached garage. In the R-1 zoning district, a CUP is required for garages larger than 1,000 square feet and up to 1,200 square feet.

The applicant has indicated in the attached narrative that the proposed garage will be used for hobby woodworking and powersports equipment (snowmobiles and SXS). The R-1 zoning district requires that garages located in the rear yard have the capability of providing a minimum 8-foot-wide driveway that meets all setback requirements. The minimum side yard setback requirement for driveways in the R-1 zoning district is 3 feet. The minimum width of access driveway shall be no less than eight (8) feet with a 3-foot setback for a total width of 11 feet; the property is able to meet this requirement. The homeowner is not required to construct the driveway if they are able to maintain grass to access the proposed garage. If grass is unable to be maintained in the access drive, a driveway shall be installed to access the garage.

The site plan provided shows the proposed garage with a 12-foot setback from the rear drainage and utility easement. The proposed side yard setback for the proposed garage is 16 feet, therefore this proposal meets the minimum 5-foot side and rear yard setback for accessory buildings in the R-1 zoning district.

The applicant would like to keep the existing sheds on the property for storage until the proposed garage is completed. Once the proposed garage is completed the applicant will remove the two existing accessory buildings from the site.

#### Architecture

The R-1 zoning district requires that architectural style and color of accessory buildings be compatible with the primary structure. The applicant has provided an elevation that has vinyl siding consistent with the home.

#### Tree Preservation

No trees will be removed for the proposed accessory building.

#### Grading/Storm Drainage

The proposed detached garage is will be constructed in the same location as the existing shed, therefore there is no proposed changes to the existing grading or drainage for the lot.

#### Wetlands/Watershed

The proposed detached garage is to be constructed in the same location as the existing shed, therefore the proposed construction does not affect any existing wetland areas and does not require a watershed permit.

#### Access/Street Design

The proposed detached garage will not require nor be granted any additional access nor require any street design.

#### Easements/Right-of-Way/Permits

The proposed detached garage does not encroach into any easements nor right-of-way.

#### Conditional Use Permit

Section 27.04 Criteria for granting conditional use permits:

*The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable.*

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area. *The additional accessory building will not create an excessive burden on parks, schools, or streets.*
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district. *The proposed accessory building is being constructed to be compatible with the existing home, therefore the use will be compatible with the adjoining property.*
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties. *The proposed accessory building is being constructed to be compatible with the existing home. The appearance of the addition will not have an adverse effect on adjacent properties.*
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use. *The proposed use meets the purpose of the zoning code by promoting efficient and desirable utilization of land, conserving natural resources and natural beauty, and utilizing buildings that are compatible with intended development.*
6. The use shall not be in conflict with the comprehensive plan of the City. *The use is not in conflict with the LDR (Low Density Residential) designation in the comprehensive plan.*
7. The use will not cause traffic hazard or congestion. *The proposed development will not result in any additional traffic hazards or additional congestion to the area.*
8. The use shall have adequate utilities, access roads, drainage and necessary facilities. *The proposed development, once constructed, will have the required utility services, adequate roads and necessary drainage facilities to service the proposed development.*

#### **Strategic Plan Relationship**

Not applicable

#### **Board/Commission Review**

The Planning Commission voted unanimously to approve the conditional use permit. There were no comments at the public hearing.

#### **Financial Impact**

Not applicable

### Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City's website.

### Staff Recommendation

By motion, adopt the Resolution

### Attachment List

Zoning and Location Map

Site Survey

Building Elevations (2)

Floor Plan

Narrative

Unapproved Planning Commission Minutes 9/13/22

**WHEREAS**, an application has been filed by Sessions, Dallas A and Bass-Sessions Lindsay M, as Conditional Use Permit Case File No. 22-0061; and

**WHEREAS**, said case involves the property described as follows:

Lot 3 Block 1 JAMESTOWN ESTATES

**WHEREAS**, the Blaine Planning Commission held a public hearing on September 13, 2022, and recommended approval regarding said Conditional Use Permit; and

**WHEREAS**, the Blaine City Council has reviewed said case on October 3, 2022; and

**WHEREAS**, the criteria identified in Section 27.04 for granting a conditional use permit has been met.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a conditional use permit is hereby approved per Section 29.034 (g) and 27.04 of the Zoning Ordinance to allow for a total of 1,187 square feet of accessory garage space in the R-1 (Single Family) zoning with the following conditions:

1. The accessory building shall be compatible in color and architectural style with the primary structure.
2. The proposed accessory building cannot be located within the drainage and utility easement.
3. The accessory building space shall be used for personal storage only and may not be used for a home occupation.
4. The homeowner is not required to construct an access driveway if they are able to maintain grass to access the proposed garage. If grass is unable to be maintained in the access drive, a driveway shall be installed to access the proposed garage.
5. Applicant to remove the two existing accessory buildings from the site prior to a certificate of occupancy being granted for the proposed garage on site.

**PASSED** by the City Council of the City of Blaine this 3<sup>rd</sup> day of October, 2022.