



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
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Blaine MN 55449

## Legislation Details (With Text)

**File #:** RES 19-73    **Version:** 1    **Name:** CUP Amend - Wagamon Ranch (14-0068)  
**Type:** Resolution    **Status:** Passed  
**File created:** 5/20/2019    **In control:** City Council  
**On agenda:** 5/20/2019    **Final action:** 5/20/2019  
**Title:** GRANTING A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW SIDE YARD FENCES ALONG THE GARAGE SIDE OF A LOT IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT AT HARPERS STREET/131ST AVENUE NE. WAGAMON RANCH (GORHAM DEVELOPMENT, LLC) (CASE FILE NO. 14-0068/LSJ)  
**Sponsors:** Bryan Schafer  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Attachments

Date	Ver.	Action By	Action	Result
5/20/2019	1	City Council	Adopted	Pass

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

### **GRANTING A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW SIDE YARD FENCES ALONG THE GARAGE SIDE OF A LOT IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT AT HARPERS STREET/131<sup>ST</sup> AVENUE NE. WAGAMON RANCH (GORHAM DEVELOPMENT, LLC) (CASE FILE NO. 14-0068/LSJ)**

Planning Commission (Public Hearing)	02/10/15
City Council (CUP)	03/19/15
City Council (CUP Amendment)	05/20/19
Action Deadline	06/28/19

The applicant, Gorham Development, LLC, is the developer of the Wagamon Ranch development that is at the north end of Harpers Street, and north of 125<sup>th</sup> Avenue. This is a conditional use permit amendment to change the standards of the development to allow side yard fencing on the garage side of a lot when a side garage door is present.

The original conditional use permit for this development states the following: “Fences are allowed in the rear yard only and must utilize maintenance free materials”.

Recently, a homeowner in this development asked if he could install a fence on the garage side of his lot to encompass an individual side garage door. He wanted this garage door to be inside

the fenced area so he could let his dog out in a fenced yard. The standards of development clearly state that there shall be no side yard fencing, as they are allowed in rear yards only. When inquiring about a fence permit, the homeowner learned of this requirement and has talked to the developer/applicant about changing the standards for fencing in Wagamon Ranch.

Because of this situation, the developer has chosen to allow side yard fences in Wagamon Ranch provided the side yard fence is on the garage side of the home to reach a garage service door. The service door can be no closer than 12 feet to the front of the garage.

The resolution being presented makes this change to the fencing requirement while leaving all other conditions of approval and standards of development the same.

By motion, approve the resolution.

Zoning and Location Map  
Letter from Applicant  
Certificate of Survey

**WHEREAS**, an application has been filed by Gorham Development, LLC as Conditional Use Permit Amendment Case File No. 14-0068; and

**WHEREAS**, the Blaine City Council has reviewed said case on March 3 and 19, 2015 and May 20, 2019.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a Conditional Use Permit Amendment is hereby approved per Section 29.80 of the Zoning Ordinance to allow for side yard fencing in all three (3) additions of Wagamon Ranch development, which is in a DF (Development Flex) zoning district based on the following conditions:

1. All conditions of Resolution 15-044 to remain in place with the exception of #12.
2. Fences are allowed in the rear yard only with the exception that fences are allowed in the side yard of the garage side of the lot only if the fence is to reach a side garage access door that is no closer to the front of the garage than 12 feet. All fences to utilize maintenance free materials.

**PASSED** by the City Council of the City of Blaine this 20<sup>th</sup> day of May, 2019.