



City of Blaine Anoka County, Minnesota

Blaine City Hall
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Legislation Details (With Text)

File #: RES 12-154 **Version:** 2 **Name:** 12-39 White 1520 130th Lane NE
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Title: GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A HOME OCCUPATION AT 1520 130th LANE NE. CARL AND KRISTY WHITE. (CASE FILE NO. 12-0039/LSJ)
Sponsors: Bryan Schafer
Indexes:
Code sections:
Attachments: 1. Attachments.pdf, 2. Public Comments.pdf

Date	Ver.	Action By	Action	Result
12/6/2012	2	City Council	Adopted As Amended	Pass
12/6/2012	2	City Council	Amended	Pass
11/13/2012	1	Planning Commission	Recommended for Approval	Pass

ITEM: 11.1 DEVELOPMENT BUSINESS - *Bryan K. Schafer, Planning and Community Development Director*

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A HOME OCCUPATION AT 1520 130th LANE NE. CARL AND KRISTY WHITE. (CASE FILE NO. 12-0039/LSJ)

Planning Commission (Public Hearing) 11/13/12
City Council (Conditional Use Permit) 12/06/12
Action Deadline 12/07/12

Planning Commission

The Planning Commission voted unanimously to approve the conditional use permit. At the Public Hearing a resident indicated her opposition to the home occupation and vans being stored on the property. One resident inquired about chemicals being stored. A written comment was received in support of the home occupation. Another written comment was received in opposition to the home occupation.

Carl and Kristy White have been working with the City's Community Standards Department regarding their home occupation. The City has received one complaint in 2012 regarding the parking of work vans on their property that are in association with their hardwood flooring business that they operate out of their home. The City's home occupation ordinance allows home occupations within the City, but they must operate according to a set of regulations listed

in the Zoning Ordinance.

The Zoning Ordinance allows the following things to occur with the issuance of a conditional use permit for home occupations:

- Garage use for such home occupation.
- Exterior storage.
- More than one room on the premises to be used for such home occupation.
- More than 20% of the home can be used for such home occupation.
- The employment of people not living at the residence is allowed with such home occupations.

The Whites have submitted a narrative that details their business and indicates the following:

- Two white work vans may be parked in the driveway.
- The homeowners run the business but have two employees. One employee lives at the residence and one employee comes to the premises daily.
- The employee not residing at the location parks a standard passenger vehicle on site during the day.
- Approximately one quarter of the garage is used for storage related to the business.
- One bedroom within the home is used for an office.

The items listed above are all allowed with home occupations if a conditional use permit is issued for the site. Therefore, staff is amenable to the approval of the conditional use permit with the following conditions:

1. No more than one quarter of the garage can be used for storage of materials associated with the business.
2. No more than one bedroom can be used for office purposes for the business.
3. No more than two vans associated with the business can be parked on site at any given time.
4. All vans and passenger vehicles not related to the business must be parked on a hard surface if parked outdoors. (See comments below)
5. No more than 2 people can be employed by the applicants that do not reside at the home.

With regard to #4 above, the applicants have been parking vehicles in their front yard but it appears that the vehicles have been parked in such a manner that the half of each vehicle has been parked on the grass next to the hard surface, while the other half of the vehicle has been parked on the hard surface. The picture attached to this report illustrates this issue. The zoning ordinance requires all vehicle parking in front yards to be on a hard surface; therefore, a condition has been added that requires the applicants to restore turf to the side of the driveway

that has been destroyed (west side), and to park only on paved surfaces. If the applicants do not feel that there is adequate room to park the vehicles in the appropriate manner, the hard surface should be expanded and still meet the side yard setback requirement of 3 feet from the property line. This may mean the applicants have to expand the driveway in the other direction (east) towards the front of the house.

One of the City's fire inspectors visited the site and found no fire violations.

By motion, approve the Resolution.

Attachments

Zoning and Location Map

Letter and Narrative

Pictures

Fire Inspection Report

PER SECTION 29.34(f) OF THE ZONING ORDINANCE

WHEREAS, an application has been filed by Carl and Kristy White as Conditional Use Permit Case File No. 12-0039; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on November 13, 2012; and

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

WHEREAS, the Blaine City Council has reviewed said case on December 6, 2012.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 29.34(f) of the zoning ordinance for a conditional use permit to allow for a home occupation at 1520 130th Lane NE based on the following conditions:

1. No more than one quarter of the garage can be used for storage of materials associated with the business.
2. No more than one bedroom can be used for office purposes for the business.
3. No more than two vans associated with the business can be parked on site at any given time.
4. All vans and passenger vehicles not related to the business must be parked on a hard surface if parked outdoors. Turf must be restored to the west side of the driveway that has been eroded by vehicle parking.

5. No more than 2 people can be employed by the applicants that do not reside at the home.
6. The business should be generally operated as stated in the attached letter and narrative.
7. The home occupation will require an annual inspection to determine compliance with these conditions and is subject to a re-inspection fee as set by the City Council.
8. The applicant shall widen the driveway to park the home occupation vehicles adequately by December 31, 2013.

PASSED by the City Council of the City of Blaine this 6th day of December 2012.