



City of Blaine Anoka County, Minnesota

Blaine City Hall
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Blaine MN 55449

Legislation Details (With Text)

File #:	RES 15-080	Version:	2	Name:	14-61 Way of the Lord CUP
Type:	Resolution	Status:	Passed		
File created:	5/7/2015	In control:	City Council		
On agenda:	5/7/2015	Final action:	5/7/2015		
Title:	GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A BOARDING HOUSE TO BE LOCATED IN THE R-1 (SINGLE FAMILY) ZONING DISTRICT AT 802 131ST AVENUE NE. WAY OF THE LORD. (CASE FILE NO. 14-0061)				
Sponsors:	Bryan Schafer				
Indexes:					
Code sections:					
Attachments:	1. Way of the Lord - Attachments, 2. Way of the Lord - Public Comment				

Date	Ver.	Action By	Action	Result
5/7/2015	2	City Council	Adopted	Pass
4/14/2015	1	Planning Commission	Recommended for Approval	Pass

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

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A BOARDING HOUSE TO BE LOCATED IN THE R-1 (SINGLE FAMILY) ZONING DISTRICT AT 802 131ST AVENUE NE. WAY OF THE LORD. (CASE FILE NO. 14-0061)

Planning Commission (Public Hearing)	04/14/15
City Council (Conditional Use Permit)	05/07/15
Action Deadline	05/11/15

The Planning Commission voted unanimously to approve the conditional use permit. Neighbors of the proposed boarding house were present to voice their support for the proposal.

The Pastor at the Way of the Lord Church, Larry J. Alberts, currently owns the home at 802 131st Avenue. This property contains a single family home and is immediately adjacent to the campus of the Way of the Lord Church. Over the past several years, Pastor Alberts and the Way of the Lord Church have used this home to house ministry guests and students and to offer prayer services in the basement of the home.

This lot is currently zoned R-1 Single Family. This zoning district permits a single family residence, a boarding house through a conditional use permit and church activities through the approval of a conditional use permit; however the Zoning Ordinance does not allow all

activities to occur at one location. The home can either be used for residential purposes or church purposes. Pastor Alberts and the church have decided to use the home as a boarding house and make other arrangements on church property (where it is already allowed through a conditional use permit) for prayer services.

A boarding house is defined by the Zoning Ordinance as a building or dwelling unit other than a motel or hotel, where, for compensation and by prearrangement, meals, or lodgings are provided for three or more persons not to exceed eight persons, where such residency is on a temporary basis as opposed to permanent residency. This use requires a conditional use permit according to the R-1 Zoning District. The home has been and will be used by people on a temporary basis as the church brings in students and missionaries to serve the church.

The floor plan indicates that there are separate spaces and items within the structure that would be indicative of a multiple family dwelling rather than a single family dwelling. Those spaces and items mainly include separate kitchens and stoves within the structure. While a boarding house is allowed within the R-1 Zoning District through a conditional use permit, multiple dwellings are not allowed. In order for the structure to meet Zoning Code and Housing Code requirements, only one kitchen and one stove must be located within the structure. An inspection process will be setup to ensure that this occurs and the arrangement continues into the future.

Photos of the interior of the home have been provided for your review. Essentially, the home must be used as a single family home, with no more than 8 people living at the residence at one time. The City's Planning and Community Standards Department will work with the applicant to ensure that this is how the property is being used.

By motion, approve the Resolution.

Attachments

Zoning and Location Map

Floor Plan

Narrative

Photos Public Comment

WHEREAS, an application has been filed by Larry Alberts as Conditional Use Permit Case File No. 14-0061; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on April 14, 2015; and

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

WHEREAS, the Blaine City Council has reviewed said case on May 7, 2015.

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(a) of the Zoning Ordinance to allow for a boarding house to be located in the R-1 (Single Family) zoning district based on the following conditions:

1. The number of people living in the home on a temporary basis must not exceed 8 people.
2. One kitchen for the entire structure must be provided. This means that two of the kitchens currently within the home will need to be removed. No more than one stove can be provided on the premises.
3. No other church activities, including prayer services, can occur on site.
4. A rental license must be obtained through the City's Community Standards Department. This will include a yearly inspection of the property.
5. The occupants of the site and the owner of the site must adhere to all City codes with regard to parking of vehicles on paved surfaces in the front yards of the home.

PASSED by the City Council of the City of Blaine this 7th day of May, 2015.