



City of Blaine Anoka County, Minnesota

Blaine City Hall
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Blaine MN 55449

Legislation Details (With Text)

File #: RES 16-124 **Version:** 2 **Name:** 16-34 Stephen & Amy Lund CUP
Type: Resolution **Status:** Passed
File created: 8/4/2016 **In control:** City Council
On agenda: 8/4/2016 **Final action:** 8/4/2016
Title: GRANTING A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW FOR A 192 SQUARE FOOT SHED TO BE LOCATED IN THE DEVELOPMENT KNOWN AS SHADE TREE COVE WOODS AT 868 129TH LANE NE. STEPHEN AND AMY LUND. (CASE FILE NO. 16-0034/LSJ)
Sponsors: Bryan Schafer
Indexes:
Code sections:
Attachments: 1. Stephen & Amy Lund - Attachments, 2. Public Comment

Date	Ver.	Action By	Action	Result
8/4/2016	2	City Council	Adopted	Pass
7/12/2016	1	Planning Commission	Recommended for Approval	Pass

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

GRANTING A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW FOR A 192 SQUARE FOOT SHED TO BE LOCATED IN THE DEVELOPMENT KNOWN AS SHADE TREE COVE WOODS AT 868 129TH LANE NE. STEPHEN AND AMY LUND. (CASE FILE NO. 16-0034/LSJ)

Planning Commission (Public Hearing)	07/12/16
City Council (Conditional Use Permit)	08/04/16
Action Deadline	08/08/16

The Planning Commission voted 5-2 to approve the conditional use permit amendment. Public comment included the desire to move the shed out of the wooded area as this area was meant to be a buffer for the neighborhood to the south.

The Shade Tree Cove Woods development was approved in 2006 and the entire development has a zoning designation of DF (Development Flex). As you know, in the DF district, the City Council approves resolutions that include the standards for each development. Resolution 06-271 was approved by the City Council for the Shade Tree Cove Woods development. This resolution states that there shall be no detached accessory structures allowed in this development over 120 square feet.

Earlier this year, the City received a complaint regarding an accessory shed in Shade Tree Cove. It was determined that the shed was 192 square feet in size. This makes the shed 72 square feet over the allowed square footage.

Staff has given the homeowner the opportunity to bring a request forward that allows him to keep the shed at its current square footage. This request involves amending the original conditional use permit to allow for this shed at this square footage for this lot only. This is also the process that has been used in North Oaks West and other developments over the years.

The shed is appropriately located in the rear yard just outside a fenced area that the owner has created. The shed is not large enough to hold an automobile so it will more than likely only be used for personal storage of lawn equipment and other related items. It is unclear if the color of the shed matches the home at this time, but that has been listed as a condition of approval.

If the City Council would like to allow this homeowner to keep the shed, they can do so by recommending approval of the conditional use permit amendment and the associated conditions. The City Council should be aware, however, that similar requests may come forward. Shade Tree Cove is unlike North Oaks West in that the lots are a great deal smaller and are not necessarily set up for large accessory structures.

By motion, approve the Resolution.

Attachments

Zoning and Location Map

Site Plan

Pictures

Public Comment

WHEREAS, an application has been filed by Stephen and Amy Lund as Conditional Use Permit Case File No. 16-0034; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on July 12, 2016; and

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

WHEREAS, the Blaine City Council has reviewed said case on August 4, 2016.

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 a 192 square foot shed located at 868 129th Lane NE in the development

known as Shade Tree Cove Woods based on the following conditions:

1. The structure to match the color of the house.
2. The accessory building space to be used for personal storage only.
3. The accessory building to be generally located as shown on attached sketch and meeting all required setbacks. The accessory building must be located in the rear yard.
4. The accessory building is limited to 192 square feet.
5. The proposed structure cannot be used for a home occupation.
6. The applicant must obtain a building permit for this structure. The Building Inspection Department will double the fee for this permit as this structure was constructed without contacting the City. This is the standard procedure when this circumstance occurs.
7. All other conditions of Resolution No. 06-271 remain in effect.

PASSED by the City Council of the City of Blaine this 4th day of August, 2016.