



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Text

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File #: RES 18-146, Version: 2

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

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A TOTAL OF 1,778 SQUARE FEET OF ACCESSORY GARAGE SPACE IN A RF (RESIDENTIAL FLEX) ZONING DISTRICT AT 11066 FLANDERS COURT NE. MICHAEL AND TERESA SEIDE. (CASE FILE NO. 18-0044/NBL)**

Planning Commission (Public Hearing)	07/10/18
<b>City Council (Conditional Use Permit)</b>	<b>08/02/18</b>
Action Deadline	09/10/18

The Planning Commission voted unanimously to approve the conditional use permit. Comments at the public hearing included one emailed comment from a neighboring property. This emailed comment expressed opposition to the proposed architectural design of the garage as well as some concerns regarding the location, orientation, and proposed use of the garage. The orientation of the garage has been altered to face the applicant's home, rather than facing the neighboring property. This condition was added and was also recommended for approval by the Planning Commission. Nothing about the architectural appearance of the proposed garage has been altered; the applicant has indicated that the garage will be painted to match the color of the existing home.

The applicant is requesting a conditional use permit (CUP) amendment to construct a 780 square foot detached garage. The applicant currently has an attached garage totaling 998 square feet. The CUP amendment, if approved, would allow for a total of 1,778 square feet of accessory garage space.

The applicant has indicated that the proposed detached building would be used to store yard maintenance equipment such as a lawn mower, a snow blower, and various other equipment used for gardening. The applicant has indicated that some items are currently being stored in the rear yard under the deck area. The applicant explained that building a detached building would help clean up the yard and make the overall site more appealing to neighboring properties. The applicant indicated that a detached building would be the best fit for their property.

The South Oaks development was established in 1992 under the RF (Residential Flex) zoning provisions. The standards that guide construction on this property were incorporated into the original conditional use permit for this development. This request, if approved, would amend the conditional use permit for the applicant's lot only and would put in place modified standards for that property. Other garages in this neighborhood/zoning district have exceeded 1,200 square feet through a conditional use permit, which is what the standard is in this zoning district. However, all other garages in this neighborhood are attached. Therefore, this CUP if approved would allow for the first detached structure in the development.

The applicant currently has detached shed for which no building permit was required or issued. The existing shed will be removed. It is a condition of approval that the shed be removed prior to the building permit being issued for the proposed building. Or the applicant may put up an escrow in the amount of \$750 with the City to ensure the removal of the shed if it is not removed prior to the issuance of the building permit for the new building.

The site plan provided shows the proposed detached structure located in the rear yard with a 50-foot setback from the west property line. This exceeds the minimum rear and side yard setback, which is 30-feet for accessory buildings within the South Oaks development.

The applicant has indicated that the proposed building will not be used to store vehicles. The applicant has indicated that for that reason they are not planning on providing a hard surface driveway to the proposed building. Therefore, it is listed as a condition of approval that the detached garage access drive will be required to be paved only if it is used on a regular basis. If occasional access is used and the grass is maintained in this area then the applicant is not required to provide a hard surface for the access drive.

It is a requirement that the architectural style, color, and facing material of a garage be compatible with the principal building. The applicant has indicated that the proposed building will be constructed of wood and will be painted to match the existing home. It is a condition of approval that the proposed building be constructed with architectural style and color to match the primary structure.

The site is located in the flood plain district; therefore, the applicant must obtain a Letter of Map Amendment for the proposed building through the Federal Emergency Management Agency (FEMA).

The conditions as outlined below are similar to the conditions that have been placed on other conditional use permits for garages that have been approved throughout the city/neighborhood.

The original resolution for this development requires that the architectural style of a garage be compatible with the primary structure and that the garage doors face the house.. The Planning

Commission did not recommend any other added conditions regarding the architectural style of the proposed garage. However, based on the neighboring residents concerns the Council could consider adding three conditions in regards to the architectural style. One condition could require that the front ends of the gables be capped so as to match the existing house. Another condition could require that the front facing elevation of the proposed garage be constructed with stucco to match the existing house. Finally, a condition requiring the roof pitch of the proposed garage to match the roof pitch of the existing home could be considered.

By motion, approve the Resolution.

### **Attachments**

Zoning and Location Map

Narrative

Site Survey/Site Plan

Building Elevations

Building Dimensions

Photo of Primary Structure

Public Comments

**WHEREAS**, an application has been filed by Michael and Teresa Seide as Conditional Use Permit Case File No. 18-0044; and

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on July 10, 2018; 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 2, 2018.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 29.80 of the Zoning Ordinance to allow for a total of 1,778 square feet of accessory garage space, and to allow for a detached structure at 11066 Flanders Ct NE based on the following conditions:

1. A building permit is required prior to the start of any construction.
2. The proposed building is to be generally located as shown on the attached sketch, and the proposed building must meet the minimum 30-foot rear and side yard setbacks for accessory buildings.
3. The proposed building is limited to 780 square feet. The total accessory building space

on the site may not exceed 1,778 square feet.

4. The proposed building is to be constructed with architectural style and color to match the primary structure.
5. The height of the proposed building may not exceed the height of the primary structure.
6. The existing and proposed garage space can be used for personal storage only, and may not be used for a home occupation.
7. The detached garage access drive will be required to be paved if used on a regular basis. If occasional access is used and grass is maintained in this area the applicant is not required to provide a hard surface for the access drive.
8. To ensure that the existing shed is removed, a \$750 escrow needs to be established if and only if the existing shed is not removed prior to the issuance of a building permit for the new building.
9. The site is located in the flood plain district; therefore, the applicant must obtain a Letter of Map Amendment for the proposed building through the Federal Emergency Management Agency (FEMA).
10. The doors on the proposed building shall face the applicants existing home, and shall not be located on any other elevation of the proposed building.
11. All other items referenced in Resolution No. 92-85 remain unchanged.
12. Roof eaves to have two foot overhang with gable ends to be boxed.

**PASSED** by the City Council of the City of Blaine this 2<sup>nd</sup> day of August, 2018.