



City of Blaine Anoka County, Minnesota

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Legislation Text

File #: RES 21-011, Version: 1

PUBLIC HEARING - *Lori Johnson, City Planner*

GRANTING A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW FOR A 5-FOOT SIDE YARD SETBACK FOR A GARAGE RATHER THAN THE REQUIRED 7.5 FOOT SETBACK IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT LOCATED AT 12891 XYLITE STREET NE, THE WOODS AT QUAIL CREEK 4TH ADDITION. MG MAIN STREET PROPERTIES LLC (NEWMARK HOMES, INC.) (CASE FILE NO. 21-0006/LSJ)

City Council (Conditional Use Permit)	02/01/21
Action Deadline	03/13/21

Staff report prepared by Lori Johnson

The development known as Woods at Quail Creek 4th Addition was final platted in 2016, with 18 lots included in the plat. A conditional use permit for this plat was approved in 2015, and that resolution of approval contained all standards for the development of the 18 lots in the plat.

One of the standards in the conditional use permit resolution indicates that a 7.5 foot setback for both a house and garage is required in all side yards. There is one lot in particular within this development (Lot 1, Block 3) that has a 10 foot drainage and utility easement on the north side of the lot that prohibits the home builder from utilizing the 7.5 foot setback requirement on the north side of the lot. Because the setback on the north side of the home is 2.5 feet greater than what is required, it is difficult to meet the 7.5 foot setback on the south side of the lot without altering the typical home design for this development.

The developer/builder of this lot is asking to change the conditional use permit requirements for this one lot to allow for a 5 foot setback on the south side of the lot. This is the garage side of the lot, so the garage setback would be 5 feet while the living portion of the home would have a setback of 14.75 feet.

Staff is amenable to allowing an amendment to the conditional use permit for Woods at Quail Creek 4th Addition for this one lot. Staff has worked with other developers throughout the community on situations like this where there are specific factors on a lot that make meeting the setback difficult. In addition, the standard setback for a garage in an R-1 (Single Family) zoning

district is 5 feet, so this request is not out of the norm for single family lots.

Because this is a simple amendment for one lot only, this item was not brought forward to the Planning Commission for their review. The City Council is asked to hold a public hearing and act on this item. Residents within 350 feet of this parcel have been notified of the public hearing.

By motion, approve the Resolution.

Attachments

Zoning and Location Map

Survey

Resolution 16-079

WHEREAS, an application has been filed by MG Main Street Properties LLP (Newmark Homes, Inc.) as Conditional Use Permit Amendment Case File No. 21-0006; and

WHEREAS, said case involves the land described as follows:
LOT 1, BLOCK 3, WOODS AT QUAIL CREEK 4TH ADDITION

WHEREAS, the Blaine City Council has reviewed said case on February 1, 2021.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 29.110 of the Zoning Ordinance to allow for a conditional use permit amendment to allow for a 5-foot side yard setback for a garage (on Lot 1, Block 3 only) rather than the required 7.5 foot setback in the Woods at Quail Creek 4th development, which is in a DF (Development Flex) zoning district based on the following conditions:

1. This resolution does not replace resolution 16-079. All conditions in that resolution remain unchanged.
2. Lot 1, Block 3, Woods at Quail Creek 4th Addition shall have a required side yard setback of 5 feet on the south side of the lot, and a 10 foot required setback on the north side of the lot.
3. Lot 1, Block 3, Woods at Quail Creek 4th Addition, shall meet all other requirements of resolution 16-079.
4. All other lots in the Woods at Quail Creek 4th Addition shall meet the 7.5 foot required side yard setback.

PASSED by the City Council of the City of Blaine this 1st day of February, 2021.