



May 9, 2023

Old Republic Title
 Rose Woods
 11055 Wayzata Boulevard
 Minnetonka, MN 55305

Re: Basic zoning letter - 7815 Telegraph Road (Property) - PID# 1811621110028

To Rose Woods:

In response to your zoning verification request for Property information, please be advised of the following as of the date hereof:

1) Zoning and Comprehensive Land Use Plan Designation:

The Property is zoned R-1(PD) Single Family Residential (Planned Development) and subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is Office. The Zoning and Comprehensive Land Use Plan maps can be viewed at <https://www.bloomingtonmn.gov/plan/zoning-guide-plan-maps>.

The adjoining property use, zoning, and Comprehensive Plan designations are:

Direction	Use	Zoning	Comprehensive Plan
North	Public right-of-way	N/A	N/A
South, East, and West	Single-Family Residential	R-1	Low Density Residential

2) Conformance with Current Zoning Requirements:

The office building, constructed before January 26, 2015, is a Conditional Use in the R-1 Single-Family zoning district. The office complex was approved through the Planned Development process in 1984. The Planning and Zoning reviews on file include but are not limited to the following:

- May 7, 1984 – City Council adopted a resolution amending the Comprehensive Plan land use designation from Medium Density Residential to Office and approved preliminary and final development plans for three office buildings.

Because the property is zoned R-1 Single-Family, parking of commercial vehicles is very limited – see City Code Section 21.301.06(m), which establishes standards for commercial vehicle parking. Exterior storage is generally restricted in residential districts, including vehicles used as part of the office. A condition of approval in 1984 expressly prohibits any exterior storage within the office complex. In addition, the Code requires, and there is a condition of approval, that all trash and recycling must be stored inside the building. The approval letter is attached.

Considering materials and records on file, determining the City Code development performance standard compliance level is unknown. To complete an in-depth performance standards review, plans must be provided, including but not limited to as-built surveys, any floor plans, use details or other information. A performance standards review base fee of \$139 plus \$59.75 per hour for each hour over 2 hours. The building permit record retention schedule is 15 years, and no building-related plans are on file.

The applicable City Code (zoning) sections relevant, including but not limited to:

- Section 19.38.01 – Planned Development (PD) Overlay Districts
- Section 19.63.01 – Exterior Materials and Finish
- Section 19.113 – Signs
- Section 21.203.01 – Single Family Residential (R-1) District
- Section 21.209 – Use Tables
- Section 21.301.01 – Development Intensity and Site Characteristics
- Section 21.301.04 – Sidewalks
- Section 21.301.06 – Parking and Loading
- Section 21.301.07 – Exterior Lighting
- Section 21.301.15 – Landscaping and screening
- Section 21.301.16 – Exterior Storage
- Section 21.301.17 – Refuse Handling and Storage
- Section 21.301.18 – Screening of Roof-Mounted Equipment
- Section 21.501.02 – Preliminary Development Plan
- Section 21.501.03 – Final Development Plan
- Section 21.501.04 – Conditional Use Permit
- Section 21.504 – Nonconformity

NOTE: Access the City Code at www.code.blm.mn and use the index on the left to navigate.

3) Utilities serving the Property:

According to the City of Bloomington (City) Public Works Division records, the Property is served by water, sanitary sewer, and storm sewer. Non-City providers provide all other utilities. Please contact the appropriate provider for detailed information on other services to the Property.

4) Right to Rebuild Following Casualty:

The office use in the R-1 zoning district may continue following casualty if complying with City Code Section 21.504, Non-conformity, and the applicable performance standards. Without a full performance standards review, it is unknown what non-conformity may exist. Rebuilding the Property to the legal non-conforming development level is allowed, provided a permit is issued within 365 days of a casualty date. Any changes would require compliance with the applicable codes when rebuilt.

City records show no open enforcement orders against the Property at this time. However, this statement does not mean the Property is free of violations or fully complies with federal, state, and local applicable codes.

5) No Further Approvals or Licenses Required:

The current use by its owners for office use without outdoor storage, including vehicles, may continue without any rezoning, special exceptions, use permit, variance, or other approval. I am unaware of any other permit or license required by this jurisdiction that a purchaser must obtain before acquiring the Property or before it may continue to be used in the manner it is presently being used.

6) Compliance with Subdivision Regulations:

The Property complies with applicable subdivision regulations or is otherwise exempt. TELEGRAPH HILL OFFICES plat was approved and subsequently filed.

7) No Application(s) Pending:

No application for rezoning, special or conditional use permit, or variance in connection with the Property is pending. Further, to the best of my knowledge, no proceeding challenging zoning or other governmental approval or Property use is pending or overtly threatened.

8) Certificate of Occupancy:

I am unable to locate a certificate of occupancy for the Property. Given the case file history described above, I have no reason to believe that one was not properly issued. The absence of a Certificate of Occupancy would not give rise to any enforcement action affecting the Property. A new purchaser does not need to obtain either an original Certificate of Occupancy or an amendment to the existing Certificate of Occupancy to continue using the Property as initially approved.

9) Open Permits, Known Violations, or Fees Due:

I am unaware of any active or alleged violations of any zoning, subdivision, building, or similar ordinances or regulations applicable to the Property. There is no record of pending or contemplated enforcement proceedings against the Property. A review found no open or unresolved building permits.

However, this statement does not mean the Property is free of violations or fully complies with federal, state, and local applicable codes, as no performance standard review has been completed. In addition, all required fees have been paid in connection with the Property's development and use, including any impact-related fees, have been paid. No such fees applicable to the Property are otherwise pending or known.

10) Flood Zone Designation:

The Property is not located in a Flood Hazard Overlay Zoning District. The Flood Insurance Rate Map (FIRM) for the City designates the Property as Zone X on Panel Number 2753C0432F dated November 4, 2016.

This information was researched by City staff as a service. The undersigned certifies that the above information is accurate based on the information supplied for this zoning verification and the information on file with the City. However, the City assumes no liability for errors or omissions. All data was obtained from public records, which may be inspected during regular business hours.

Please contact me with questions at (952) 563-8921 or mcentinario@bloomingtonmn.gov.

Sincerely,



Michael Centinorio, Planner
Community Development – Planning Division