

IN THE MATTER OF THE PETITION FOR DETACHMENT OF  
CERTAIN PROPERTY DESCRIBED HEREIN FROM THE CITY OF CAMBRIDGE,  
MINNESOTA  
PURSUANT TO MINNESOTA STATUTES § 414.06

An accessible version of this document for use with a screen reader (e.g. JAWS) is available upon request.

TO: Office of Administrative Hearings  
Municipal Boundary Adjustment Unit  
P. O. Box 64620  
St. Paul, MN 55164-0620

*Pursuant to the 2012 amendment to Minn. Stat. § 414.06, the petitioner(s) shall also provide a copy of this petition to:*

- X   1) the city from which the land may be detached;
- NA   2) all property owners who have not signed this petition;
- X   3) the clerk of the town to which the property may be attached if granted;
- NA   4) the clerk of any other abutting town or city; and
- X   5) the county recorder in the county in which the land is located.

PETITIONERS STATE: The number of petitioners required by Minnesota Statutes § 414.06, Subd. 1, to commence this proceeding is: all of the property owners if the area is less than 40 acres; or 75% or more of the property owners in number if the area is more than 40 acres.

It is hereby requested by:

  X   all of the property owners, the area is less than 40 acres; or  
       75% or more of the property owners, the area is more than 40 acres;  
to detach certain properties described herein from the City of Cambridge and make a part of the Township of Isanti.

1. There are twenty property owners, equalling eleven properties in the area proposed for detachment.
2. All property owners have signed this petition. (If the land is owned by both the husband and wife, both must sign the petition to represent all owners.)
3. The property is situated within the City of Cambridge, abuts the municipal boundary and the boundary of the Township of Isanti, in the County of Isanti. The petitioned area abuts on the City's West Boundary.

4. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
5. The reason detachment is requested is: The eleven properties are clearly in a rural setting. The zoning classification is Rural Residence/ Agriculture (RA) - Shore-land Special Protection District (attachment A & B). It appears that West Oaks is the only area in the City of Cambridge that has this exact zoning classification. West Oaks zoning classifications and lot sizes are clearly more common for a rural township than for a city. The density of development in and around the petitioners' properties show that the properties are rural in character, non traditional in city, yet common with county. West Oaks lots range from 2.0 acres to 16.5 acres, with a total acreage of 57.7 and a total of thirty-nine residents.

The characteristics of West Oaks in which the Petitioners' Properties are located do not exhibit a neighborhood-style or residential development, typically found in urban and suburban areas. Four of the West Oaks properties enter their residence from county road 70 (Sprit River Drive) and the remaining seven residents enter their residence from an Isanti Township Road known as 28th Ave SW. Thick forests and wet land separate the majority of neighbors in West Oaks (attachment C).

West Oaks is clearly unlike two local city neighborhoods known as Rum River Oaks and Samson Acres. These two neighborhoods possess interior street patterns, cul-de-sac, curved layout, and street lights. All of which encourage quite, safe, low volume/low speed traffic movement and preservation of a residential neighborhood atmosphere. These two local neighborhoods are incontestably contrasting from West Oaks.

West Oaks rural households are closely connected to their environment. They play a primary role in conserving and protecting their land, forests and wetlands. Wildlife is abundant in the yards and forests of West Oaks residents. On a daily basis, Deer, Black Bears, and Red Rox can be seen roaming and eating off the land. The wetlands are a sanctuary for wild ducks, geese, muskrats, and beaver. There are many unique Minnesota species of birds that residents enjoy feeding and watching. The Isanti Township lot directly north of West Oaks lot 001 & lot 009 is a well known goat farm with over 70 goats that are milked two times per day. The thick woods in West Oaks allow for several home owners to cut and utilize the dead trees as a heat source for their homes. The rich soil and vegetation also serves many residents gardens and orchards with the production of food. There are multiple types of buildings and structures on West Oaks lots that range from a barn to wood sheds. These are common with rural country living.

West Oak petitioners' receive the identical services as the Isanti Township residents across the streets from them (attachment D). West Oaks receives no more amenities than these Isanti Township residents; yet, they are taxed for amenities that are generally considered to be city services (water, sewer, sidewalks, walking paths, street cleaning, city lights, city speed limits, curb & storm drains, fire hydrants or speedy response of emergency services). The City of Cambridge notes West Oaks benefits from Planning/Zoning, Building Code Enforcement, Public Works and Election Administration. West Oaks believes these are services every County member receives equally.

6. Summarize what efforts were taken prior to filing this petition to resolve the issues: On April 1, 1994 - Acreage was annexed into the City of Cambridge. September 20, 1999 Final Plat approval was granted for a Eleven (11) lot residential West Oaks subdivision. This annexation and plat development was done independently of any current West Oak property owners. In the upcoming years, land was purchased and homes were built. Residents believed that city services would reach their area within a ten year period due to the projected growth of Cambridge. Growth did not take place west of Cambridge; rather, growth and typical city services were expanded south and southeast of the downtown City of Cambridge area. West Oaks property owners paid city tax rates while all of the neighbors across the street were taxed at a Township rate.

The summer of 2004, Attorney Jimmy Lindberg was approached by 10 West Oaks property owners who were considering filing a Detachment Petition with the State. Mr. Lindberg asked if the City would consider developing a Rural Service District, which would mean a fair tax rate for rural residents, as an alternative to the Detachment Petition. After a May 17, 2004 Council meeting, City Attorney LeFever reviewed the detachment process, the Council had directed staff to obtain the annexation history for the property and to complete research related to how/if other cities treat similar properties in Rural Service District. North Branch and Rochester were contacted. Mr. Hiljus with the City of Cambridge said he couldn't find a city that had property similar to the properties that were requesting a Rural Service District. It was the general consensus of the Council that Mr. Hiljus would send information to Mr. Lindberg and let him know that Council was not interested in creating a Rural Service District. Council Action stated no further action would be considered unless the Council wished to direct staff on whether to meet with the property owners or wait until a detachment petition was filed.

December 2014, One property in West Oaks made contact with the City Administrator and asked what they could do to get taxed fairly. They stated concern about being taxed at a city rate, yet being in the country and receiving zero city amenities. They noted there is no city sewer, water, sidewalks, walking paths, street cleaning, street lights, curbs, storm drains/gutters, etc. They noted the City only occasionally spraying for mosquitos, zero City Police presence; yet concern with drag racing and the rates of speed people drive on 28th Ave SW

and County Road 70. February 2015, the same property owner petitioned the City of Cambridge to have their property taxed as a Rural Service District. June 2015, City Council voted not to further pursue the establishment of a Rural Service District after checking with two other MN Cities who had done this. Property Owner was not satisfied and requested further explanation on the decision. Property Owner invited each Council Member to visit them at their property to gain a better understanding of the rural nature of their property, distance from the main location of the City and how the majority of properties between them and city are all township. In July 2015, one City Council Member visited the property requesting Rural Service District, went back to the other Council Members and asked if they would revisit the issue. Council agreed to property owner coming to the September 21, City Council Meeting.

September 8, 2015 property owners representing the entire West Oaks eleven (11) lot area attended the Isanti Township meeting to ask if the Township could provide adequate service to West Oaks if detachment from the City of Cambridge takes place. Isanti Township voted unanimously that they could provide services, already do and to not oppose West Oaks becoming part of Isanti Township.

September 10, 2015 Property owner contacted City Administrator to confirm 9/21/15 City Council meeting. Property owner noted looking forward to the opportunity to hear the rationale from the council for saying no to the Rural Service District. In addition, it was noted that detachment proceedings were being explored by the Eleven (11) West Oak property owners.

September 21, 2015 Property owners from the West Oaks area requested explanation to what rationale was used in denying a rural service taxing district? They responded that in their view it didn't meet the statute. Council was asked if they view West Oaks property to be rural in character and if the loss of tax revenues from detachment would be a hardship on the City. City Attorney responded that the questions were not appropriate and they were not going to be cross examined on this. The Mayor allowed property owners from West Oaks to have three minutes each to express their concerns. Six property owners expressed their views.

7. The number of acres in the property proposed for detachment is 57.7 and is described as follows:

WEST OAKS SUBDIVISION: 1) Lot 001, Block 001 of West Oaks, 2) Lot 002, Block 001 of West Oaks, 3) Lot 003, Block 001 of West Oaks, 4) Lot 004, Block 001 of West Oaks, 5) Lot 005, Block 001 of West Oaks 6) Lot 006, Block 001 of West Oaks, 7) Lot 007, Block 001 of West Oaks, 8) Lot 008, Block 001 of West Oaks, 9) Lot 009, Block 001 of West Oaks, 10) Lot 010, Block 001 of West Oaks, 11) Lot 011, Block 001 of West Oaks (attachment E).

8. The number and character of buildings on said property is: Eleven 1-Family Dwellings - Three Detached Garages - One Barn - One Pole Building - Seven Sheds - One Detached Three Season Porch - One Gazebo.
9. The number of residents in the area proposed for detachment is: Thirty-nine. (The number of residents is not necessarily the same as number of owners.)
10. Public improvements on said property are: N/A

Attachment A - Cambridge Zoning Map

Attachment B - Cambridge Zoning Map (West Oaks)

Attachment C - Image showing West Oaks rural character

Attachment D - Property proposed for detachment & it's relationship to surrounding municipality

Attachment E - Property Description

West Oaks, Block One (1) Petitioners Property and Signatures:

**LOT ONE (1)**

Date: 11 OCT 15

  
Property Owner Jason Belinski

Marian M. Belinski  
Property Owner Marian Belinski

**LOT TWO (2)**

Date: 10-11-2015

Christopher Filetti  
Property Owner Christopher Filetti

Grace Filetti  
Property Owner Grace Filetti

**LOT THREE (3)**

Date: 10-11-15

Timothy Lee Dallman  
Property Owner Timothy Lee Dallman

Karen Susanne Dallman  
Property Owner Karen Susanne Dallman

**LOT FOUR (4)**

Date: 10-11-15

Donald Allen Williams  
Property Owner Donald Allen Williams

Stacey Lynn Williams  
Property Owner Stacey Lynn Williams

**LOT FIVE (5)**


Date: 10-12-15

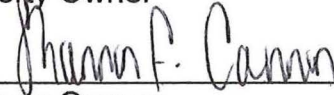
Gregory Lee Anderson  
Property Owner Gregory Lee Anderson

Julia Ann Anderson  
Property Owner Julia Ann Anderson

**LOT SIX (6)**

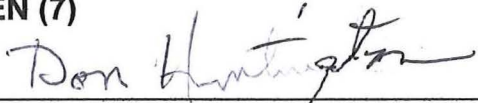
Date: 10-11-15

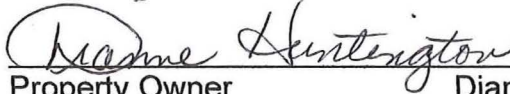
  
Property Owner George E. Cannon III

  
Property Owner Shannon F. Cannon

**LOT SEVEN (7)**


Date: 10-11-2015

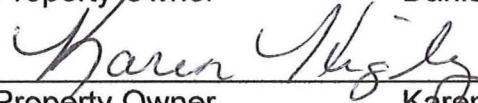
  
Property Owner Don Huntington

  
Property Owner Diane Huntington

**LOT EIGHT (8)**

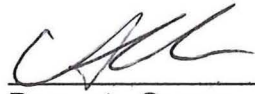
Date: 10-13-15

  
Property Owner Daniel Higley

  
Property Owner Karen Higley

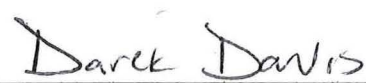
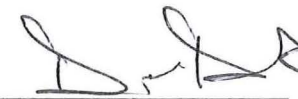
**LOT NINE (9)**

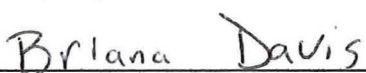
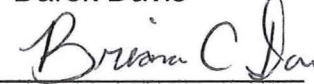
Date: 10-11-15

  
Property Owner Vincent J. Charles

**LOT TEN (10)**

Date: 10-11-15

   
Property Owner Darek Davis

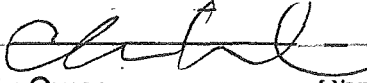
   
Property Owner Briana Davis

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MBA

OCT 19 2015

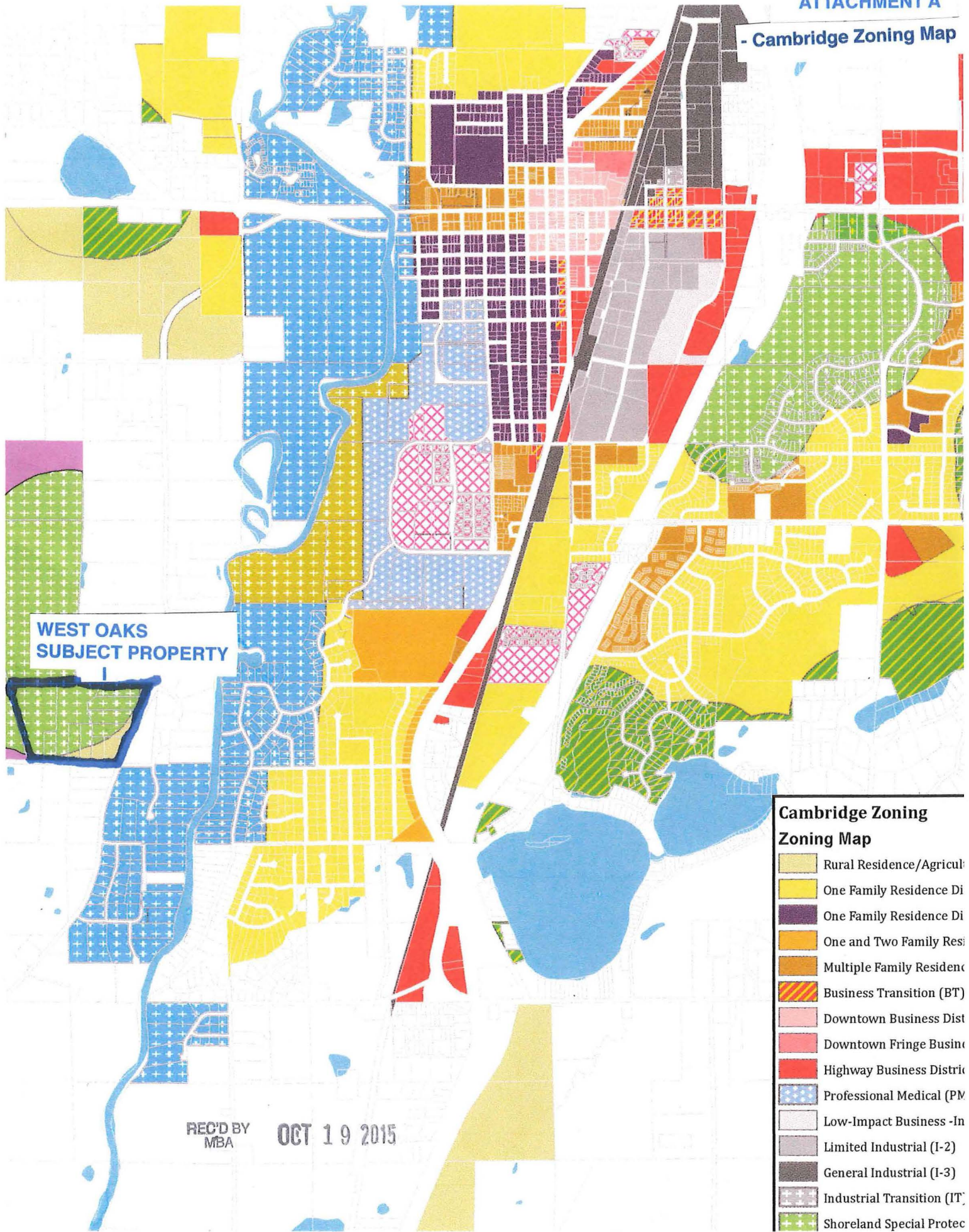
**LOT ELEVEN (11)**

Date: 10-12-15

  
\_\_\_\_\_  
Property Owner Christopher Wanner



- Cambridge Zoning Map



WEST OAKS  
SUBJECT PROPERTY

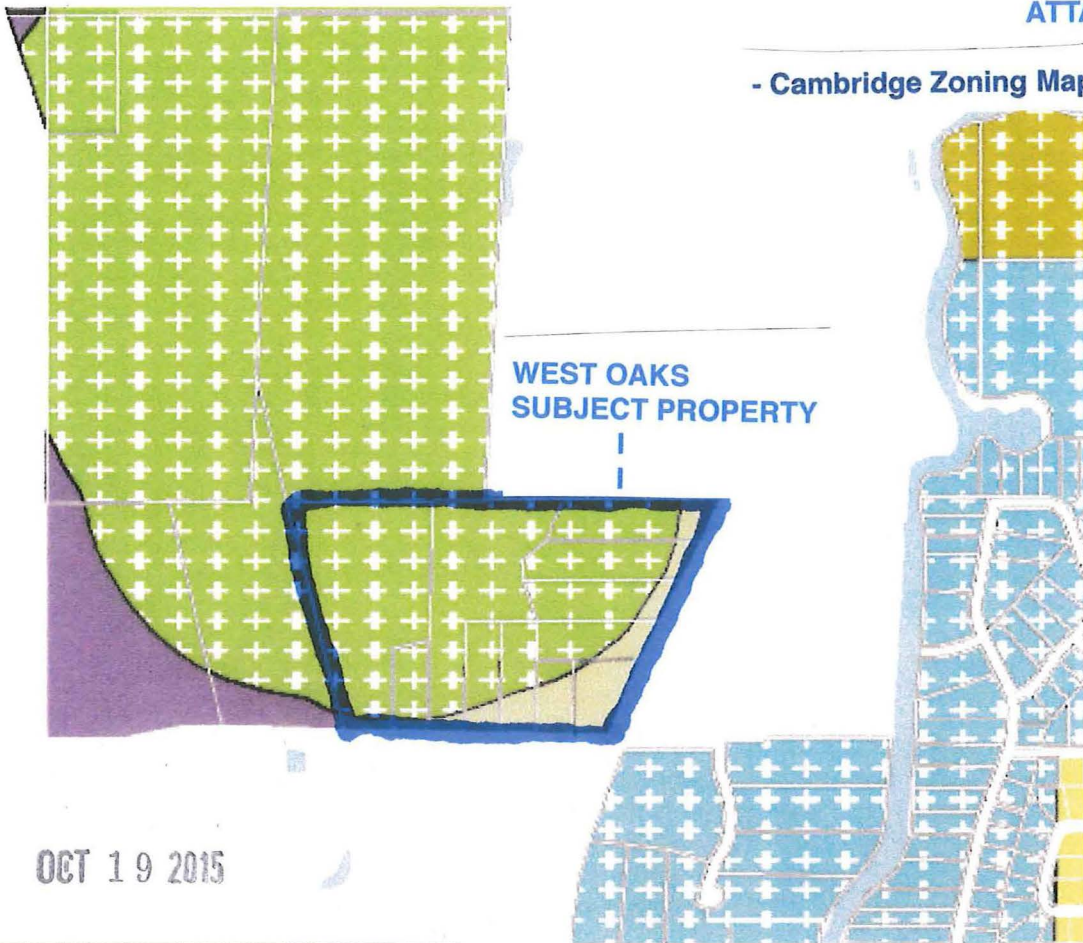
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**Cambridge Zoning  
Zoning Map**

	Rural Residence/Agricultural
	One Family Residence District
	One Family Residence District
	One and Two Family Residential
	Multiple Family Residential
	Business Transition (BT)
	Downtown Business District
	Downtown Fringe Business
	Highway Business District
	Professional Medical (PM)
	Low-Impact Business - In
	Limited Industrial (I-2)
	General Industrial (I-3)
	Industrial Transition (IT)
	Shoreland Special Protection



- Cambridge Zoning Map (West Oaks)


























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**Cambridge Zoning**

**Zoning Map**

-  Rural Residence/Agricultural (RA)
-  One Family Residence District (R-1)
-  One Family Residence District (R-1A)
-  One and Two Family Residence District (R-2)
-  Multiple Family Residence District (R-3)
-  Business Transition (BT)
-  Downtown Business District (B-1)
-  Downtown Fringe Business District (B-1A)
-  Highway Business District (B-2)
-  Professional Medical (PM)
-  Low-Impact Business -Industrial District (I-1)

-  Limited Industrial (I-2)
-  General Industrial (I-3)
-  Industrial Transition (IT)
-  Shoreland Special Protection District (SSP)
-  Shoreland General Development District (GD)
-  Scenic River Districts (SR)
-  Urban Reserve (UR)
-  Scenic River I District (SR-I)
-  Scenic River II District (SR-II)
-  Scenic River III District (SR-III)
-  Airport District
-  Planned Unit Development (PUD)

- Image showing West Oaks rural character

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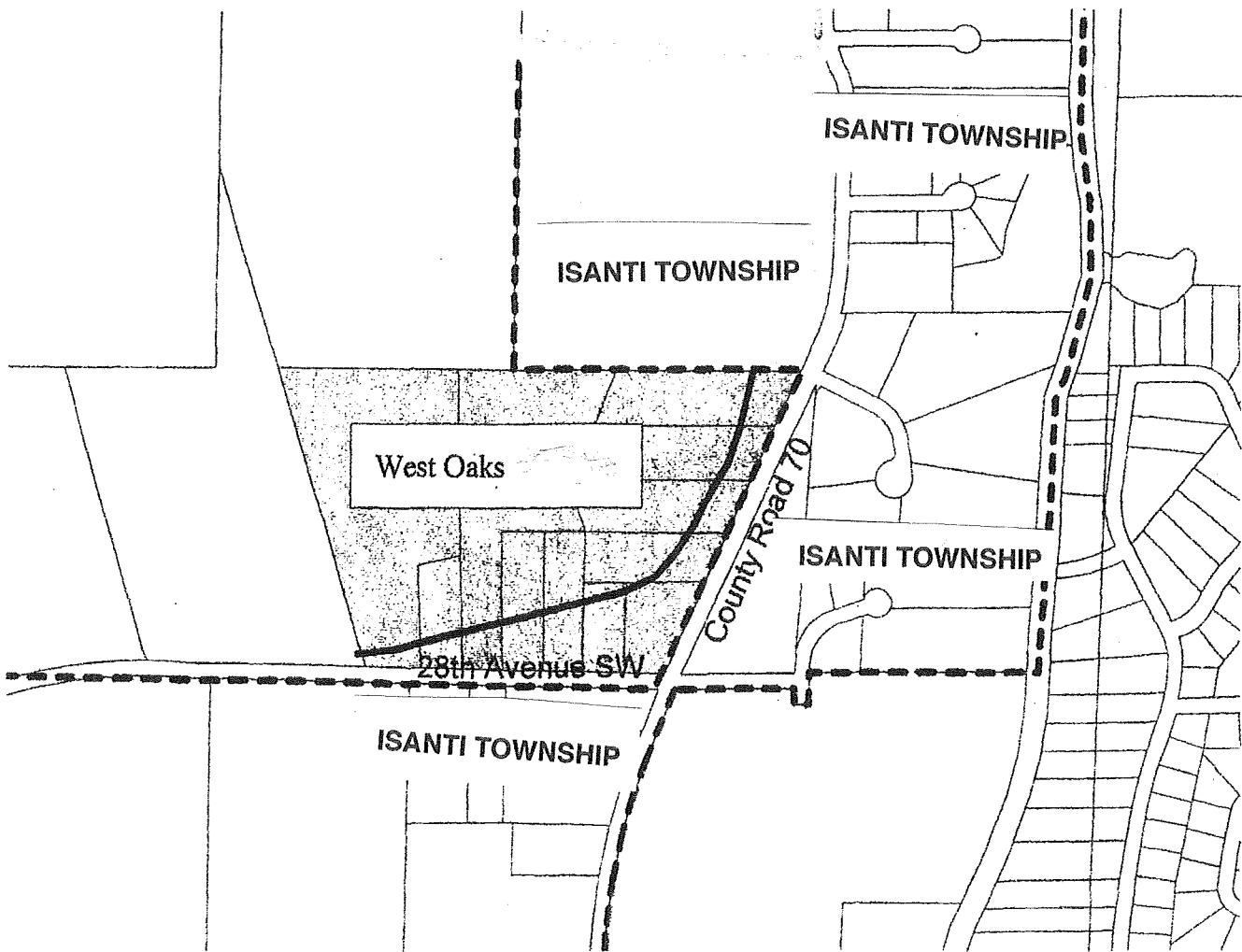
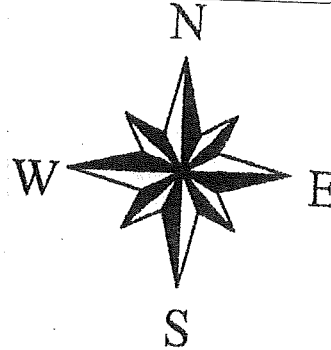


- Property proposed for detachment & it's relationship to surrounding municipality

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OCT 19 2015

# General Location Map Detachment Request



- Corporate Boundary
- Zoning District Boundary

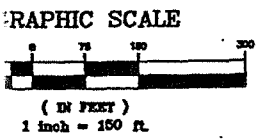
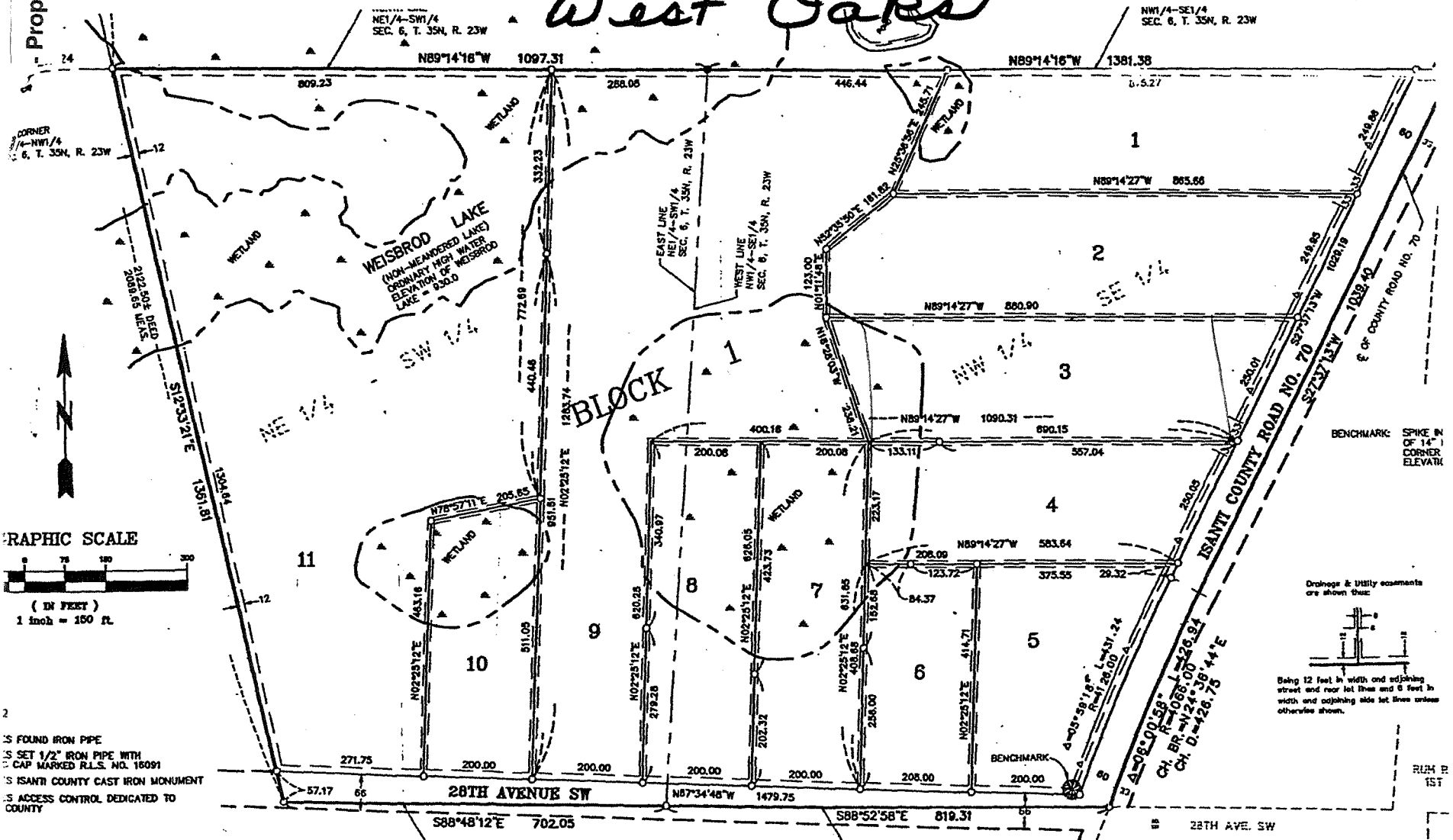


ATTACHMENT E  
Property Description

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MBA  
OCT 19 2015

15-139

*West Oaks*



- ⊕ FOUND IRON PIPE
- ⊕ SET 1/2" IRON PIPE WITH CAP MARKED R.L.S. NO. 16091
- ⊕ ISANTI COUNTY CAST IRON MONUMENT
- ⊕ ACCESS CONTROL DEDICATED TO COUNTY

Drainage & Utility comments are shown thus:

Using 12 feet in width and adjoining street and rear lot lines and 6 feet in width and adjoining side lot lines unless otherwise shown.

R24 R 1ST