

**BOARD OF ADJUSTMENT
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Ramsey Board of Adjustment conducted a regular meeting on Thursday, November 4, 2010, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Gary Van Scoy
 Board Member Ralph Brauer
 Board Member Andrew Dunaway
 Board Member Gary Levine

Members Absent: Board Member Bryan Rogers

Also Present: Planning Manager Amber Miller
 Associate Planner Tim Gladhill
 Environmental Coordinator Chris Anderson
 City Engineer Tim Himmer

CALL TO ORDER

Chairperson Van Scoy called the regular meeting to order at 7:02 p.m.

CITIZEN INPUT

There was none.

APPROVAL OF AGENDA

Motion by Board Member Levine, seconded by Board Member Dunaway, to approve the agenda as presented.

Motion Carried. Voting Yes: Chairperson Van Scoy, Board Members Levine, Dunaway, and Brauer. Voting No: None. Absent: Board Member Rogers.

APPROVAL OF MINUTES

Motion by Board Member Levine, seconded by Board Member Dunaway, to approve the following minutes as presented:

- 1) Board of Adjustment public hearing and regular meeting minutes dated September 2, 2010

Motion Carried. Voting Yes: Chairperson Van Scoy, Board Members Levine, Dunaway, and Brauer. Voting No: None. Absent: Board Member Rogers.

PUBLIC HEARINGS/BOARD BUSINESS

Case #1: Public Hearing - Request for a Variance to Rear Yard Setback in the R-1 Residential (MUSA) District at 5971 143rd Circle NW; Case of Dale and Sharon Grundberg

Public Hearing

Chairperson Van Scoy called the public hearing to order at 7:04 p.m.

Presentation

Planning Manager Miller presented the Staff Report.

Citizen Input

Commissioner Brauer asked whether there was a building permit on any of the work that was done.

Planning Manager Miller stated there was not. She explained that the Building Official went to the site to do a siding inspection on the house, noticed the porch and gave a stop order for the work being done on the porch. She stated that a screened porch is an allowable encroachment; however an enclosed porch is not an allowable encroachment.

Dale and Sharon Grundberg, 5971 143rd Circle, the applicants, stated they bought the house 11 years ago and it had a screened porch at the time. They stated they did not know they needed a building permit to enclose it, they did know they needed a permit for the siding of the house.

Discussion ensued regarding the porch and the definition of the encroachment.

Planning Manager Miller stated there is a 30 foot rear yard setback.

Board Member Brauer explained the Supreme Court ruling and how that makes it difficult to approve variances. He continued there is very little room to maneuver.

City Engineer Himmer stated the process of purchasing the land behind them which is dedicated as park would have to be researched. He continued there are drainage and utility easements to consider and this would not give them anymore usable space, however, it would help them to make the setback requirements.

Board Member Brauer asked when the City took possession of the land behind the house.

City Engineer Himmer responded it was part of the plat when it was platted.

Motion by Board Levine, seconded by Chairperson Van Scoy, to close the public hearing.

Motion Carried. Voting Yes: Chairperson Van Scoy, Board Members Levine, Brauer, and Dunaway. Voting No: None. Absent: Board Member Rogers.

The public hearing closed at 7:32 p.m.

Board Business

Chairperson Van Scoy asked what ordinances are up for review.

Associate Planner Gladhill stated that following the Comprehensive Plan all of the City's ordinances are up for review.

Chairperson Van Scoy asked that setbacks would be prioritized.

Board Member Brauer stated that he would like to look at form based codes, codes like Maple Grove that are points based, however they would require extensive rewrites, but give more flexibility of what the Board could do.

Motion by Board Member Brauer, seconded by Board Member Levine to table this request for exact measurements and the exploring of alternatives.

Motion carried. Voting Yes Chairperson Van Scoy, Board Members Brauer, Levine, and Dunaway. Voting No: None. Absent Board Member Rogers.

BOARD INPUT

None

Motion by Chairperson Van Scoy, seconded by Board Member Levine, to adjourn the meeting.

Motion Carried. Voting Yes: Chairperson Van Scoy, Board Members Levine, Brauer, and Dunaway. Voting No: None. Absent: Board Member Rogers.

ADJOURNMENT

The regular meeting of the Board of Adjustment adjourned at 7:41 p.m.

Respectfully submitted,

Amber Miller
Planning Manager

ATTEST:

JoAnn Shaw
Community Development Secretary

Drafted by JoAnn Shaw