

**City of Ramsey**  
**Agenda**  
**Board of Adjustment**  
**Thursday June 2, 2011**  
**7:00 pm**  
**City Council Chambers, 7550 Sunwood Drive NW**

- 1. Call to Order**
- 2. Citizen Input**
- 3. Approve Agenda**
- 4. Approve Minutes**
  1. Approve the following Board of Adjustment meeting minutes:  
Board of Adjustment meeting minutes dated April 7, 2011
- 5. Public Hearing/Board Business**
  1. Consider Resolution Approving the Modification of a Variance to the Maximum Front Yard Setback for the Ramsey Municipal Center
- 6. Board/Staff Input**
- 7. Adjournment**

**Board of Adjustment**

**4. 1.**

**Meeting Date:** 06/02/2011

**By:** JoAnn Shaw, Community Development

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**Title:**

Approve the following Board of Adjustment meeting minutes:

Board of Adjustment meeting minutes dated April 7, 2011

**Background:**

n/a

**Notification:**

**Observations:**

**Funding Source:**

**Staff Recommendation:**

**Commission Action:**

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**Attachments**

4.7.11

**Form Review**

**Inbox**  
Tim Gladhill  
Aaron Backman

**Reviewed By**  
Tim Gladhill  
Aaron Backman

**Date**  
05/25/2011 09:01 AM  
05/25/2011 04:05 PM  
Started On: 05/24/2011 04:12 PM

Form Started By: JoAnn Shaw

Final Approval Date: 05/25/2011

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

The Ramsey Board of Adjustment conducted a regular meeting on Thursday, April 7, 2011, 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  
                                          Board Member Rob Schiller  
                                          Board Member Joe Field  
                                          Board Member Randy Bauer

Members Absent:                   None

Also Present:                       Senior Planner Tim Gladhill  
                                          Associate Planner/Environmental Coordinator Chris Anderson  
                                          Economic Development/Marketing Manager Aaron Backman  
                                          Management/Planning Intern Patrick Brama

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

Motion Carried. Voting Yes: Chairperson Van Scoy, Board Members Levine, Dunaway, Brauer, Bauer, Field and Schiller. Voting No: None. Absent: None.

**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 December 2, 2010

Motion Carried. Voting Yes: Chairperson Van Scoy, Board Members Levine, Dunaway, Schiller, Field, Bauer and Brauer. Voting No: None. Absent: None.

## **PUBLIC HEARINGS/BOARD BUSINESS**

### **Case #1: Appointment of Chairperson and Vice Chairperson**

#### **Presentation**

Senior Planner Gladhill presented the Staff Report.

Motion by Board Member Dunaway, seconded by Board Member Brauer, to appoint Gary Van Scoy as Chairperson of the Board of Adjustment through March 31, 2012.

Discussion: Chairperson Van Scoy asked the new members if they had any interest in serving as a Chairperson or Vice Chairperson.

Board Member Field stated that it was his preference to have some time to observe the Board and get used to his new role before considering serving in that capacity.

Motion Carried. Voting Yes: Board Members Levine, Dunaway, Schiller, Field, Bauer and Brauer. Voting No: None. Absent: None. Abstain: Chairperson Van Scoy.

Motion by Chairperson Van Scoy, seconded by Board Member Brauer, to appoint Board Member Dunaway as Vice Chairperson of the Board of Adjustment through March 31, 2012.

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

#### **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, Dunaway, Schiller, Field and Bauer. Voting No: None. Absent: None.

#### **ADJOURNMENT**

The regular meeting of the Board of Adjustment adjourned at 7:13 p.m.

Respectfully submitted,

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Chris Anderson  
Associate Planner/Environmental Coordinator

ATTEST:

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JoAnn Shaw  
Community Development Secretary

**Board of Adjustment**

**5. 1.**

**Meeting Date:** 06/02/2011

**By:** Heidi Nelson, Administrative Services

**Title:**

Consider Resolution Approving the Modification of a Variance to the Maximum Front Yard Setback for the Ramsey Municipal Center

**Background:**

When the Ramsey Municipal Center was constructed, the City granted itself a variance from the applicable front yard setbacks due to the structure's setback at both ends of the building. The setback on the western end of the building was increased to allow for the creation of the municipal plaza/public space in between the Municipal Center and the Municipal Parking Facility. On the eastern end of the building, the set back was increased to create the raised landscape area feature at that location.

The resolution that was approved at the time of construction was recorded in the Anoka County Land Records. The resolution describes the property subject to the the Resolution as Outlots S, T, X, Y, and Z , Ramsey Town Center Addition. These lots were later replatted as parts of Lots 1, 1A and 2, Block 1 Ramsey Town Center Addition and are now being replatted as parts of COR ONE.

The purpose of the attached resolution is to amend the legal description attached to the original variance so that the variance only affects the actual Ramsey Municipal Center site, which will now be described as Lots 1 and 1A, Block 1, COR ONE, Anoka County, Minnesota.

**Notification:**

Notification was provided in accordance with state law for this public hearing.

**Observations:**

**Funding Source:**

Legal funded by the HRA budget and levy.

**Staff Recommendation:**

Staff Recommends Approving Resolution Approving the Modification of a Variance to the Maximum Front Yard Setback for the Ramsey Municipal Center.

**Commission Action:**

Approve Resolution Approving the Modification of a Variance to the Maximum Front Yard Setback for the Ramsey Municipal Center.

**Attachments**

Resolution - Variance Amendment

Original Variance

**Form Review**

**Inbox**  
Tim Gladhill  
Aaron Backman

**Reviewed By**  
Tim Gladhill  
Aaron Backman

**Date**  
05/26/2011 11:29 AM  
05/26/2011 11:36 AM  
Started On: 05/17/2011 06:44 PM

Form Started By: Heidi Nelson

Final Approval Date: 05/26/2011

Board Member \_\_\_\_\_ introduced the following resolution and moved for its adoption:

**RESOLUTION #\_\_\_\_\_**

**A RESOLUTION APPROVING THE MODIFICATION OF A VARIANCE TO THE MAXIMUM FRONT YARD SETBACK FOR THE RAMSEY MUNICIPAL FACILITY .**

**WHEREAS**, on or about January 6, 2005 the Board of Adjustment of the City of Ramsey adopted Resolution #05-01-004 (the “Resolution”) granting the City of Ramsey a variance to the then applicable maximum front yard setback requirements established in Section 9.20.25, 3(b) of the Ramsey City Code for the development of the Ramsey Municipal Center. The Resolution was recorded in the office of the Anoka County Recorder and the Anoka County Registrar of Titles on October 20, 2005 as Document No. 1979127.002 (Abstract) and 484956.002 (Torrens).

**WHEREAS**, the Resolution identifies Outlots S, T, X, Y and Z, Ramsey Town Center Addition, Anoka County, Minnesota as the property to which the variance applies and defines those Outlots as the “Subject Property.”

**WHEREAS**, Outlots S, T, X, Y and Z, Ramsey Town Center Addition, Anoka County, Minnesota were initially replatted as parts of Lots 1, 1A and 2, Block 1, Ramsey Town Center Fifth Addition. Lots 1, 1A and 2, Block 1 Ramsey Town Center Fifth Addition are now being replatted as parts of Lots 1, 1A, 2 and 3, COR ONE, Anoka County, Minnesota.

**WHEREAS**, as a result of the subsequent resubdivisions of Outlots S, T, X, Y and Z, the legal description of the “Subject Property” upon which the Ramsey Municipal Center is constructed and to which the variance applies has changed. The property upon which the Ramsey Municipal Center is constructed is now legally described as Lots 1 and 1A, Block 1, COR ONE, Anoka County, Minnesota. The City desires to amend the Resolution so that the recorded Resolution no longer encumbers property other than Lots 1 and 1A, Block 1, COR ONE, Anoka County, Minnesota.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, AS FOLLOWS:**

1. The Board of Adjustment’s Resolution #05-01-004 which was adopted on January 6, 2005 and recorded in the Office of the Anoka County Registrar of Titles and the Anoka County Recorder on October 20, 2005 as Document No. 484956.002 (Torrens) and 1979127.002 (Abstract) is hereby amended to change the definition of the “Subject Property” from “Outlots S, T, X, Y and Z, Ramsey Town Center Addition, Anoka County, Minnesota” to “Lots 1 and 1A, Block 1, COR ONE, Anoka County, Minnesota.”
2. It is the intention of the Board of Adjustment that the original Resolution #05-01-004 and this Resolution amending Resolution #05-01-004 encumber only said Lots 1 and 1A, Block 1, COR ONE, Anoka County, Minnesota.

The motion for the adoption of the foregoing Resolution was duly seconded by \_\_\_\_\_ and upon vote being taken thereon the following voted in favor thereof:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

And the following voted against the same:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

And the following abstained:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

And the following were absent:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Board Member Johnson introduced the following resolution and moved for its adoption:

**RESOLUTION #05-01-004**

**A RESOLUTION APPROVING THE ISSUANCE OF A VARIANCE TO THE MAXIMUM FRONT YARD SETBACK FOR THE PROPOSED RAMSEY MUNICIPAL FACILITY IN THE TOWN CENTER ZONING DISTRICT, SUBDISTRICT TC-1.AND DECLARING TERMS OF SAME.**

**WHEREAS**, the City of Ramsey, hereinafter referred to as “Applicant,” has properly applied for a variance from Section 9.20.25, Subd. 3.b, regarding minimum and maximum front yard setbacks in the TC-1 sub-district of the Town Center District, on the property legally described as follows:

Outlots S, T, X, Y and Z, Ramsey Town Center Addition, Anoka County, Minnesota

(the “Subject Property)

**WHEREAS**, the Board of Adjustment met on January 6, 2005, conducted the public hearing and adopted Findings of Fact relating to the Applicant’s request for a variance from the maximum front yard setback requirements as part of the development of the Subject Property.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA**, as follows

1. Based on Resolution #05-01-003 adopting Findings of Fact #0713, a variance to the maximum front yard setback, as established in Section 9.20.25(3)(b) of the Ramsey City Code, is approved for the development of the Ramsey Municipal Center on the Subject Property.
2. That the placement of the Ramsey Municipal Center shall generally be in accordance with the Preliminary Site Plan prepared by BKV Group dated November 15, 2004 as modified and approved by the Ramsey City Council.
3. The Permittee shall be responsible for all City costs incurred in processing the variance request.

The motion for the adoption of the foregoing resolution was duly seconded by Chairperson Nixt, and upon vote being taken thereon, the following voted in favor thereof:

- Chairperson Nixt
- Board Member Johnson
- Board Member Brauer
- Board Member Shepherd
- Board Member Van Scoy
- Board Member Watson

and the following voted against the same:

None

and the following abstained:


None

and the following were absent:

None

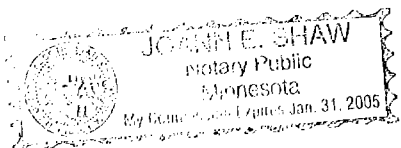
Whereupon said resolution was declared duly adopted by the Ramsey Board of Adjustment this the 6<sup>th</sup> day of January, 2005.

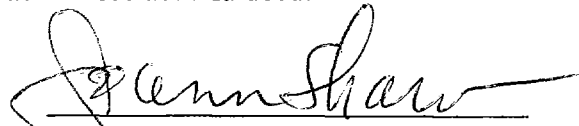
The City of Ramsey hereby acknowledges receipt of this variance and has reviewed the terms of the variance and has agreed to comply with the terms of the variance.

By:   
 Its: City Administrator

STATE OF MINNESOTA    )  
                                           )ss.  
 COUNTY OF ANOKA        )

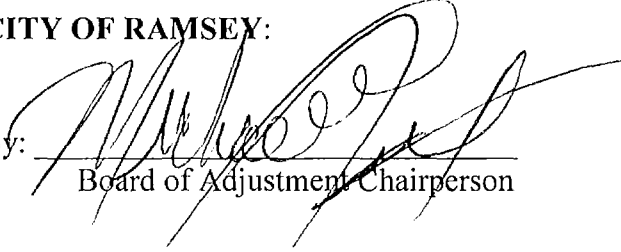
The foregoing was acknowledged before me this 27 day of Jan, 2005 by James Norman, known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.



  
 Notary Public

CITY OF RAMSEY:

By:

  
Board of Adjustment Chairperson

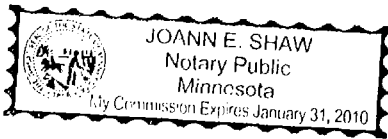
  
City Clerk

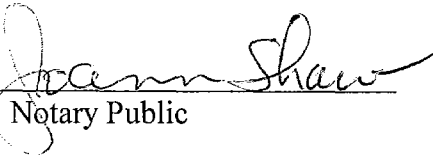
STATE OF MINNESOTA )

) ss.

COUNTY OF ANOKA )

On this 3<sup>rd</sup> day of Feb., 2008, before me, a Notary Public, personally appeared Michael Nixt and JoAnn M. Thieling, to me personally known, who, being each by me duly sworn did say that they are respectively the Board of Adjustment Chairperson and City Clerk of the City of Ramsey, the Municipal Corporation named in the foregoing instrument, and seal affixed to said instrument is the corporate seal of said Municipal Corporation, and the said instrument was signed and sealed on behalf of said Municipal Corporation by authority of its City Council and said Michael Nixt and JoAnn M. Thieling acknowledge said instrument to be the free act and deed of said Municipal Corporation.



  
Notary Public

This document drafted by:  
City of Ramsey  
15153 Nowthen Blvd. NW  
Ramsey, MN 55303

This document reviewed by:  
Randall, Dehn and Goodrich  
2140 Fourth Avenue  
Anoka, MN 55303