

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

**RESOLUTION #11-10-\_\_\_**

**RESOLUTION ADOPTING FINDINGS OF FACT #\_\_\_ RELATING TO A REQUEST FROM GEORGE AND ROXANNE KOEHLER FOR A VARIANCE TO CONSTRUCT A DETACHED ACCESSORY BUILDING NEARER THE FRONT PROPERTY LINE THAN THE PRINCIPAL BUILDING AND TO ENCROACH ON THE SIDEYARD SETBACK FOR CORNER LOTS AT 8612 168TH AVE NW**

**WHEREAS**, George and Roxanne Koehler, hereinafter referred to as the “Applicant,” have properly applied for a variance from Section 117-111 (R-1 Residential District) and Section 117-349 (Accessory Uses and Buildings) of the Ramsey City Code to construct a detached accessory building nearer the front property line than the principal building and to encroach on the side yard setback for corner on the property generally known as 8612 168<sup>th</sup> Ave NW and legally described as follows:

Lot 7, Block 3, Autumn Heights, Anoka County, Minnesota, subject to easement as shown on plat

(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. That the Applicant appeared before the Board of Adjustment for a public hearing pursuant to Section 117-53 of the Ramsey City Code on October 6, 2011 and that said public hearing was properly advertised, and that the minutes of said public hearing are hereby incorporated as a part of these findings by reference.
2. That the Subject Property is approximately 0.92 acres in size and is located in the R-1 Rural Developing zoning district.
3. That the Subject Property is surrounded by properties zoned R-1 Rural Developing as well as Park (adjacent to the southern property boundary and across 167<sup>th</sup> Lane NW).
4. That the Subject Property has frontage along both 168<sup>th</sup> Avenue NW and 167<sup>th</sup> Lane NW.
5. That the Applicant is proposing to construct a thirty foot by forty foot (30’ x 40’) detached accessory building (the “Structure”) on the Subject Property.
6. That the Structure would be forty (40) feet from the front property line (168<sup>th</sup> Ave) and thirty-eight (38) feet from the side/rear property line (167<sup>th</sup> Lane).
7. That the minimum front yard setback and side yard setback for corner lots within the R-1 Rural Developing District is forty (40) feet.

8. That City Code Section 117-349 states that on lots less than two (2) acres in size, no detached accessory building shall be located nearer the front property line than the principal building.
9. That the principal building on the Subject Property is forty-five (45) feet from the front property line.
10. That the septic tank and drain field are located south of the existing, attached garage.
11. That the Variance is/is not in harmony with the general purposes and intent of the ordinance.
12. That the Variance is/is not consistent with the Comprehensive Plan.
13. That the Applicant proposes to use the Subject Property in a manner that is/is not reasonable and not permitted by the ordinance.
14. That the plight is/is not due to circumstances unique to the Subject Property
15. That the plight is/is not created by the Applicant.
16. That the Variance will/will not alter locality's essential character
17. That economic circumstances alone do/do not create the undue hardship.
18. That, if granted, the variance will/will not impair an adequate supply of light and air to adjacent property.
19. That, if granted, the Variance will/will not unreasonably increase congestion on the public street.
20. That, if granted, the Variance will/will not have the effect of allowing any uses prohibited in the applicable zoning district.
21. That, if granted, the Variance will/will not permit a lesser degree of public health, safety, and general welfare.
22. That, if granted, the Variance will/will not permit standards that are lower than those required by state law.
23. That, if granted, the Variance will/will not increase the danger of fire or endanger public safety.
24. That, if granted, the Variance will/will not diminish or impair established property values within the neighborhood.

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

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and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly adopted by the Ramsey Board of Adjustment this the 6<sup>th</sup> day of October, 2011.

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Chairperson

**ATTEST:**

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City Clerk