

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

RESOLUTION #11-10-___

RESOLUTION APPROVING THE ISSUANCE OF A VARIANCE TO CONSTRUCT A DETACHED ACCESSORY BUILDING NEARER THE FRONT PROPERTY LINE THAN THE PRINCIPAL BUILDING AND THAT ENCROACHES ON THE SIDE YARD SETBACK FOR A CORNER LOT AT 8612 168TH AVE NW AND DECLARING TERMS OF SAME

WHEREAS, George and Roxanne Koehler, hereinafter referred to as the “Permittee,” 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 that will encroach on the side yard setback for a corner lot by two (2) feet on the property generally known as 8612 168th 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”).

AND WHEREAS, the Board of Adjustment conducted a public hearing on October 6, 2011, pursuant to Section 117-53 of the Ramsey City Code.

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

1. That based on Findings of Fact #____, a variance to construct a detached accessory building nearer the front property line than the principal building and to encroach two (2) feet into the required side yard setback for a corner lot on the Subject Property is hereby granted.
2. That the accessory building constructed on the Subject Property shall not be located any closer than forty (40) feet from the front property line (along 168th Ave NW) and no closer than thirty-eight (38) feet from the property line along 167th Lane NW.
3. That the exterior finish of the proposed building shall match that of the principal structure, including soffit, fascia, and eave overhang.
4. That the construction of the detached accessory building requires the installation of a driveway that is subject to the zoning standards of City Code.
5. That the Permittee shall be responsible for all costs incurred in administering and enforcing this variance.

6. That the Permittee shall obtain all necessary permits prior to commencing any construction of the accessory building, including, but not limited to, a building permit.
7. That the accessory building shall be used for storage of personal property and that no commercial activity of any type shall be permitted in said structure unless such use is permitted in accordance with City Code.
8. That this Variance shall automatically expire if the use is not initiated by October 6, 2012 and issuance of the building permit shall constitute initiation.

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:

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 6th day of October, 2011.

George and Roxanne Koehler hereby acknowledge receipt of this Variance and that they have reviewed the terms of the Variance and have agreed that they will comply with the terms of the Variance.

George Koehler

Roxanne Koehler

STATE OF MINNESOTA)
) SS.
COUNTY OF ANOKA)

On this ____ day of _____, _____, before me, a Notary Public, personally appeared George and Roxanne Koehler, husband and wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Notary Public

CITY OF RAMSEY:

By: _____
Chairperson, Board of Adjustment

By: _____
City Clerk

STATE OF MINNESOTA)
) SS.
COUNTY OF ANOKA)

On this ____ day of _____, _____, before me, a Notary Public, personally appeared Gary Van Scoy 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 Gary Van Scoy 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
7550 Sunwood Dr NW
Ramsey, MN 55303

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