

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #11-~~10~~11-__

A RESOLUTION ADOPTING FINDINGS OF FACT #___ RELATING TO A REQUEST FROM ANTHONY REED FOR AN AMENDED CONDITIONAL USE PERMIT TO MAINTAIN TWO DWELLINGS ON THE PROPERTY LOCATED AT 16101 RAMSEY BOULEVARD NW.

WHEREAS, the City of Ramsey received an application from Anthony Reed for an amended conditional use permit to maintain a second dwelling on the property generally known as 16101 Ramsey Boulevard NW and legally described as follows:

South 138.4 feet of West 825 feet of Southwest quarter of Northeast quarter Section 15-32-25 as measured along West and South lines thereof excluding road subject to easement of record.

("Subject Property")

NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA that the findings of fact relating to the request are determined to be as follows:

1. That on November 28, 2000, the City approved a conditional use permit to maintain two dwellings on the Subject Property, provided that the occupant of the accessory dwelling was related to the occupant of the primary dwelling. The findings of fact and permit for that approval are hereby incorporated as reference. Said documents are in City files and available upon request.
2. That on August 18, 2011, Anthony Reed (the "Applicant"), properly applied for an amended condition use permit to maintain two (2) dwellings on the Subject Property.
3. That on August 25, 2011, the City invoked a 60-day extension to the 60-day time limit for reviewing the conditional use permit as permitted by Minnesota Statute 15.99.
4. That the Applicant appeared before the Ramsey Planning Commission for a public hearing pursuant to Section 117-51 of the 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.
5. That the original property owner, the Uptons, rented the detached accessory apartment (the "Accessory Apartment" to unrelated persons.
6. That subsequently, the City granted a rental license to the Subject Property to allow the rental of the Accessory Apartment, contrary to the original CUP approved in 2000.
7. That the Applicant purchased the Subject Property with understanding that the Accessory Apartment could be leased in exchange for rent for consideration.

- | 8. That due to the unique history of the Subject Property, this has created a unique situation in the City not found in other areas of the City.
- | 9. That the innate conflicts were created by the City.
- | ~~4.~~10. That the City is concerned that limiting unrelated persons would violate State law.
- | ~~5.~~11. That the Subject Property is approximately 2.48 acres in size.
- | ~~6.~~12. That the Subject Property and surrounding parcels are zoned R-1 Residential (Rural Developing).
- | ~~7.~~13. That Section 117-358 (Newly erected buildings; lot grade elevations) of City Code states that there shall not be more than one main dwelling on a lot except as otherwise provided.
- | ~~8.~~14. That City Code Section 117-111 (R-1 Residential District) does not list accessory apartments/dwellings as an allowable use.
- | ~~9.~~15. That the Applicant's dwelling on the Subject Property is considered to be the main building and the Applicant is requesting to utilize the accessory dwelling to lease to a separate tenant with the intent to obtain lease revenue from use of the accessory dwelling.
- | ~~10.~~16. That the use ~~will~~ will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use, or to the public welfare.
- | ~~11.~~17. That the use ~~will~~ will not substantially adversely impair the use, enjoyment or market value of any surrounding property.
- | ~~12.~~18. That the use will ~~will~~ not be harmonious with and in the specific objectives of the Comprehensive Plan.
- | ~~13.~~19. That the use will ~~will~~ not be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and the use will/will not change the essential character of the area.
- | ~~14.~~20. That the use ~~will~~ will not be hazardous or disturbing to existing or future neighboring uses.
- | ~~15.~~21. That the use will ~~will~~ not be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, or schools.
- | ~~16.~~22. That the use ~~will~~ will not create excessive additional requirements at public cost for public facilities and services and the use ~~will~~ will not be detrimental to the economic welfare of the community.
- | ~~17.~~23. That the use ~~will~~ will not involve uses, activities, processes, materials and equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
- | ~~18.~~24. That the use will ~~will~~ not be consistent with the intent and purposes of City Code Chapter 117.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, 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 passed and adopted by the Ramsey City Council
this the ~~7th~~ ^{25th} day of ~~October~~ ^{November}, 2011.

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Mayor

ATTEST:

City Clerk