

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

The Ramsey Board of Adjustment conducted a regular meeting on Thursday, October 6, 2011, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Gary Van Scoy
 Board Member Randy Bauer
 Board Member Ralph Brauer
 Board Member Joseph Field

Members Absent: Board Member Andrew Dunaway
 Board Member Gary Levine
 Board Member Rob Schiller

Also Present: Senior Planner Tim Gladhill
 Management Intern Patrick Brama

CALL TO ORDER

Chairperson Van Scoy called the regular meeting to order at 7:04 p.m.

CITIZEN INPUT

There was none.

APPROVAL OF AGENDA

Motion by Board Member Field, seconded by Board Member Bauer, to approve the agenda as presented.

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

APPROVAL OF MINUTES

Motion by Board Member Bauer, seconded by Board Member Field, to approve the following minutes as presented:

- 1) Board of Adjustment public hearing and regular meeting minutes dated September 8, 2011.

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

PUBLIC HEARINGS/BOARD BUSINESS

Case #1: Public Hearing – Request for a Variance to Construct a Detached Accessory Building Nearer the Front Property Line than the Principal Structure and to Encroach on the Side Yard Setback for a Corner Lot on the Property Located at 8612 168th Avenue NW; Case of George and Roxy Koehler

Public Hearing

Chairperson Van Scoy called the public hearing to order at 7:06 p.m.

Presentation

Senior Planner Gladhill presented the Staff Report.

Citizen Input

George Koehler, 8612 168th Avenue NW, the applicant stated that this was the best location on the site to place the structure.

Chairperson Van Scoy stated he didn't see any alternative either, it is a large lot, but limited.

Discussion ensued regarding the size of the structure.

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

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

The public hearing closed at 7:16 p.m.

Board Business

Members discussed how the request fit with the three (3) factor “practical difficulty” test.

Board Member Brauer stated that maybe the Board needs to look at what types of justifications qualify to be accepted and reviewed.

Senior Planner Gladhill stated that Staff looked at what square footage would be allowed if it was not for the lot line configuration.

Chairperson Van Scoy stated that the applicant has downsized the square footage of the structure from what is ordinarily allowed for .92 acres because of the unique shape of the lot.

Senior Planner Gladhill stated the new State Statute does not define what is reasonable and we as a community need to define what is reasonable.

Board Member Brauer stated the size is legal, what is making the need for a variance is the way the lot is laid out, so the criteria would be that the structure size is legal, it is the lot that is not allowing the applicant to build it.

Senior Planner Gladhill stated that would be the Boards decision to determine if that is considered reasonable.

Discussion ensued as possible locations of the accessory structure, setbacks and how to define reasonable.

Motion by Board Member Brauer, seconded by Board Member Bauer, to adopt the Resolution approving the findings of fact favorable to the applicant with the additional findings, "That the lot does not permit the size of the accessory structure", "That trees needed for screening would have to be sacrificed to place the structure anywhere else on the lot", and "That if the structure were located anywhere else it would alter the character of the neighborhood and lot".

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

Motion by Board Member Brauer, seconded by Board Member Bauer to adopt the resolution approving the Variance based on the findings of fact to construct a detached accessory building nearer the front property line than the principal structure and to encroach on the side/rear setback for corner lots and declaring the terms of the same.

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

BOARD/STAFF INPUT

None.

ADJOURNMENT

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

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

Chairperson Van Scoy adjourned the regular meeting of the Board of Adjustment at 8:05 p.m.

Respectfully submitted,

Tim Gladhill
Senior Planner

ATTEST:

JoAnn Shaw
Planning Division Secretary