

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

**RESOLUTION #13-06-105**

**A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO EXCEED DETACHED ACCESSORY BUILDING SQUARE FOOTAGE RESTRICTIONS AT 9321 169<sup>TH</sup> AVE NW BASED ON FINDINGS OF FACT #0915 AND DECLARING TERMS OF SAME:**

**WHEREAS**, Michael and Diane Dahlberg (the “Permittee”) have properly applied for a conditional use permit to exceed the detached accessory building square footage restrictions established in City Code Section 117-349 “Accessory Uses and Buildings” on the property generally known as 9321 169<sup>th</sup> Ave NW and legally described as follows:

That part of the South 233.01 feet of the North 2266.01 feet of the East half of the Northwest Quarter of Section 7, Township 32, Range 25 in Anoka County, Minnesota lying West of the East 799.01 feet of said East half of the Northwest Quarter as measured along the East and North lines of said East half of the Northwest Quarter (subject to easement for road purposes over the East 33 feet thereof and over the South 33 Feet thereof) (subject to easement for road and utilities to Ramsey Township)

(the “Subject Property”)

**WHEREAS**, the Planning Commission met on June 6, 2013, conducted the public hearing and recommended City Council approve the request.

**NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:**

1. Based on Findings of Fact #0915, a Conditional Use Permit (the “Permit”) to exceed the detached accessory building square footage restriction for the **Subject Property** is hereby granted to the **Permittee**.
2. That the detached accessory building shall not exceed 3,072 square feet.
3. That the mean gable height of the new accessory building shall not exceed twenty-two (22) feet.
4. That the new accessory building shall be limited to a single story.
5. That the construction of the detached accessory building on the **Subject Property** shall require issuance of a Building Permit from the City of Ramsey.
6. That the accessory building shall be properly constructed and maintained in accordance with all applicable MN State Building Codes and local zoning regulations.

7. That the **Permittee** herein agrees that no business use will be operated in the detached accessory building unless such use is permitted in accordance with the City Code.
8. That the detached accessory building shall include architectural features including soffit, fascia and eave overhangs as required by City Code.
9. That the two existing detached accessory buildings shall be removed prior to construction of the new detached accessory building.
10. That all overhead doors shall have a drive-lane connecting to the driveway or be directly connected with the driveway and that the minimum driveway/drive-lane surface permitted is class V gravel with at least a two (2) inch base.
11. That the **Subject Property** shall not have more than two (2) driveway accesses to the public street.
12. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
13. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.
14. That the City Administrator, or his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
15. That this **Permit** shall automatically expire if the use is not initiated by June 25, 2014 and issuance of the building permit shall constitute initiation.

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 25<sup>th</sup> day of June, 2013.

