

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 169TH 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 169th 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/deny 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 25th day of June, 2013.

Michael and Diane Dahlberg hereby acknowledge receipt of this permit and that they have reviewed the conditions of this permit and have agreed that they will comply with the terms of this permit.

Michael Dahlberg

Diane Dahlberg

STATE OF MINNESOTA)
)ss.
COUNTY OF _____)

On this _____ day of _____, 2013, before me, a Notary Public, personally appeared Michael and Diane Dahlberg, 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: _____
 Mayor

By: _____
 City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this _____ day of _____, 2013, before me a Notary Public personally appeared Sarah Strommen and Jo Ann M. Thieling, to me personally known, who, being each by me duly sworn, did say that they are respectively the Mayor 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 Sarah Strommen and Jo Ann M. Thieling acknowledge said instrument to be the free act and deed of said Municipal Corporation.

Notary Public

This document drafted by:
The City of Ramsey
7550 Sunwood Dr NW
Ramsey, MN 55303

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