

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

**RESOLUTION #16-01-008**

**RESOLUTION APPROVING THE ISSUANCE OF A VARIANCE TO SIDE YARD SETBACK REQUIREMENTS FOR AN EXISTING DECK.**

**WHEREAS**, Central Bank has properly applied for a variance to Section 117-148 (Critical River Overlay District Development Standards) of the Ramsey City Code regarding side yard setbacks for an existing deck on the property generally known as 14500 Bowers Drive NW, owned by Marianne and Stephen Nash (the “Permittee”) and legally described as follows:

Lot 27, Bowers Mississippi Acres, Anoka County, Minnesota

(Subject Property).

**AND WHEREAS**, the Planning Commission conducted a public hearing on January 7, 2016, pursuant to Section 117-53 of the Ramsey City Code, and adopted findings of fact relating to the request for a variance.

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

1. That based on Findings of Fact #0959, a variance to the minimum required side yard setback for an existing deck (the “Deck”) on the **Subject Property** is hereby granted.
2. That the **Deck** shall not be located closer than seven (7) feet to the proposed side lot line as shown on the attached exhibit.
3. That the **Permittee** shall be responsible for all costs incurred in administering and enforcing this variance.
4. That the **Permittee** shall modify the asphalt driveway such that it complies with the minimum required driveway setback of five (5) feet no later than June 30, 2016.
5. That the **Deck** shall at no point in the future be converted to a three (3) or four (4) season porch without the issuance of a new variance.
6. That this **Variance** shall automatically expire if the use is not initiated by January 7, 2017, and completing an Administrative Subdivision to acquire a portion of the adjacent property, including providing the City with evidence of combining the Property Identification Numbers (PINs) after recording of the Quit Claim Deed transferring a portion of the adjacent property, generally known as 14510 Bowers Dr. NW, to the **Subject Property**, shall constitute initiation.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner \_\_\_\_\_, 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 Planning Commission this the 7<sup>th</sup> day of January, 2016.



CITY OF RAMSEY:

By: \_\_\_\_\_  
Chairperson, Planning Commission

By: \_\_\_\_\_  
City Clerk

STATE OF MINNESOTA    )  
  )ss.  
COUNTY OF ANOKA        )

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public, personally appeared Gary Levine and JoAnn M Thieling, to me personally known, who, being each by me duly sworn did say that they are respectively the Planning Commission 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 Levine and JoAnn M Thieling acknowledge said instrument to be the free act and deed of said Municipal Corporation.

\_\_\_\_\_  
Notary Public

This document drafted by:  
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This document reviewed by:  
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