

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

RESOLUTION #15-04-077

RESOLUTION ADOPTING FINDINGS OF FACT #0944 RELATING TO A REQUEST FROM JEFF RIECK FOR A VARIANCE TO THE SIDE YARD SETBACK REQUIREMENT IN THE R-1 RESIDENTIAL (RURAL DEVELOPING) DISTRICT FOR AN ADDITION TO AN ATTACHED GARAGE.

WHEREAS, Jeff Rieck, hereinafter referred to as “Applicant,” has properly applied for a variance from Section 117-111 (R-1 Residential District) of the Ramsey City Code regarding the side yard setback for accessory structures on the property generally known as 6520 170th Ave NW and legally described as follows:

Lot 1, Block 6, Shady Lawn Estates, Anoka County, Minnesota

(the “Subject Property”).

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

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 117-53 (Variances) of the Ramsey City Code on April 9, 2015, 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.
2. That the Subject Property is zoned R-1 Residential (Rural Developing) and is approximately 1.15 acres in size.
3. That the Subject Property is surrounded by properties also zoned R-1 Residential (Rural Developing) and of similar sizes.
4. That the Subject Property was platted in 1972 as part of the Shady Lawn Estates plat.
5. That the Applicant is proposing to construct an addition to the existing attached garage to provide additional storage space, which will result in a three (3) stall attached garage.
6. That the addition would be located five (5) feet from the side property line.
7. That City Code Section 117-111 (R-1 Residential) (d) requires accessory buildings to be setback from a side property line a minimum of ten (10) feet.
8. That the Subject Property is a corner lot.

9. That City Code Section 117-111 (R-1 Residential) (d) requires accessory buildings to be setback from a side property line adjacent to public road right-of-way (side corner) a minimum of forty (40) feet.
10. That the septic system (drainfield and tank) are located in the southwestern portion of the Subject Property eliminating that area as a potential location for an accessory building.
11. That the western and northwestern portions of the property are lowland that are serving as a drainage basin for much of the neighborhood eliminating these areas as a potential location for an accessory building.
12. That the principal building is setback approximately 100 feet from the front property line.
13. That City Code Section 117-349 (Accessory Uses and Buildings) restricts the siting of accessory buildings to the side or rear yard of properties that are less than two (2) acres in size, eliminating the front yard area as a potential location for an accessory building.
14. That the southeast portion of the property would preferably be reserved to serve as a potential alternate location for a septic system should the existing system fail in the future.
15. That the owner of the property to the east of the Subject Property has stated that he supports the Applicant's request as proposed.
16. That based on the size of the Subject Property, the Applicant would be eligible for a maximum of 2,200 square feet of detached accessory building space.
17. That there are no other accessory buildings on the Subject Property aside from the existing, two (2) stall attached garage.
18. That as part of this project, the Applicant has stated a willingness to install gutters, if necessary, to direct any stormwater runoff from the roofline away from the neighboring property to the east.
19. That the garage addition would be serviced by a driveway.
20. That economic circumstances alone do not create the practical difficulties.
21. That the plight is/is not due to circumstances unique to the Subject Property.
22. That the plight was/was not created by the Applicant.
23. That, if granted, the variance will/will not alter the locality's essential character.
24. That, if granted, the variance will/will not impair an adequate supply of light and air to adjacent property.

25. That, if granted, the variance will/will not have the effect of allowing a use that is prohibited in the applicable zoning district.
26. That, if granted, the variance will/will not unreasonably increase the congestion on the public street.
27. That, if granted, the variance will/will not adversely impact the degree of public health, safety and general welfare provided for in the Ramsey City Code.
28. That, if granted, the variance will/will not diminish established property values within the neighborhood.
29. That, if granted, the variance requested is/is not the minimum variance necessary to accomplish the intended purpose of the Applicant.
30. That the unique circumstances on the Subject Property do/do not result from the actions of the Applicant.
31. That, if granted, the variance will/will not grant the Applicant any special privilege that is denied to the owners of other land in the same district.

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 9th day of April, 2015.

Chairperson

ATTEST:

City Clerk