

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

**RESOLUTION #15-07-162**

**RESOLUTION ADOPTING FINDINGS OF FACT #0948 RELATING TO A REQUEST FROM PAUL AND MARY JOHNSON FOR A VARIANCE TO LOT SIZE REQUIREMENTS IN THE R-1 RESIDENTIAL (RURAL DEVELOPING) DISTRICT AND IN THE SCENIC RIVER OVERLAY DISTRICT TO FACILITATE A LOT SPLIT.**

**WHEREAS**, Paul and Mary Johnson, hereinafter referred to as “Applicant,” have properly applied for a variance from Sections 117-111 (R-1 Residential District) and 117-256 (District Provisions) of the Ramsey City Code regarding minimum lot size to facilitate a Minor Subdivision to create one (1) new, buildable lot on the property generally known as 16520 Germanium St NW and legally described as follows:

Lot 12, Block 1, White Pine Estates, Anoka County, Minnesota, subject to easement as shown on plat

(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 July 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 4.4 acres in size.
3. That the Subject Property is surrounded by properties also zoned R-1 Residential (Residential) to the north, east and south and abuts the Rum River Hills Golf Course to the west, which is zoned PUD-Planned Unit Development.
4. That the surrounding residential properties range in size from about 0.95 acres up to about 1.6 acres in size.
5. That the Subject Property is located within the rural area of the Scenic River Overlay District.
6. That Sections 117-111 (R-1 Residential [Rural Developing]) and 117-256 (District Provisions) of City Code establish a minimum lot size of 2.5 acres for lots in general (and non-riparian lots in the Scenic River Overlay District).
7. That the Subject Property was platted in 1976 prior to the adoption of the Scenic River Overlay District standards.

8. That the Applicant ultimately desires to subdivide the Subject Property to create one (1) new buildable lot to accommodate a single level living style home.
9. That the Applicant wanted to understand if a variance to lot size would be possible prior to expending the necessary funds for a request for a Minor Subdivision.
10. That the newly created lot would be equal or greater in size to all surrounding residential properties.
11. That there are wetlands and floodplain on the Subject Property.
12. That the Applicant had the Anoka Conservation District (ACD) conduct a Site Visit and identify potential non-wetland areas.
13. That the ACD did provide an exhibit that indicates an area approximately 0.65 acres in size that appears to be upland (buildable).
14. That a Wetland Delineation, approved by the Lower Rum River Water Management Organization (LRRWMO), would be required as part of an application for a Minor Subdivision of the Subject Property.
15. That the likely upland area identified by the ACD appears to correspond with non-floodplain areas according to the Flood Boundary and Floodway Map in effect.
16. That the Applicant dug a pond and rerouted a drainage ditch in 1985-1986, with the necessary approvals but that it does not appear that a new drainage easement that encumbered the rerouted ditch was ever provided.
17. That both lots would meet the minimum lot width requirement of 200 feet outlined in Section 117-111 (R-1 Residential District) of City Code.
18. That Section 117-256 (District Provisions) states that the minimum lot width at the building line shall be at least 300 feet.
19. That the lot split sought by the Applicant is consistent with the Future Land Use Map and generally consistent with Chapter 117 of City Code; the requested deviation would still result in two (2) parcels of greater size than the surrounding residential parcels, one that is 2.5 acres in size and one that is approximately 1.9 acres in size.
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 9<sup>th</sup> day of July, 2015.

\_\_\_\_\_  
Chairperson

**ATTEST:**

\_\_\_\_\_  
City Clerk