

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

RESOLUTION #15-07-165

RESOLUTION APPROVING THE ISSUANCE OF A VARIANCE TO ENCROACH INTO REQUIRED SETBACK FOR A DRIVEWAY AT 17209 TUNGSTEN STREET NW AND DECLARING TERMS OF SAME

WHEREAS, Frank and Dorothy Frederick, hereinafter referred to as the “Permittee,” have properly applied for a variance from Section 117-111 (R-1 Residential District) of the Ramsey City Code to encroach on the required setback for a driveway on the property generally known as 17209 Tungsten St. NW and legally described as follows:

Lot 7, Block 5, Fox Ridge Estates, Anoka County, Minnesota

(the “Subject Property”).

AND WHEREAS, the Planning Commission conducted a public hearing on July 9, 2015, pursuant to Section 117-53 of the Ramsey City Code.

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

1. That based on Findings of Fact #0949, a Variance to construct a portion of a new driveway and to maintain an existing gravel driveway within the required setback for driveways on the **Subject Property** is hereby granted.
2. That the new driveway shall maintain a five (5) foot setback from the side lot line until fifteen (15) feet before the front wall of the attached garage. At this point, the driveway can be angled (45 degree) toward the side lot line to tie into the existing gravel surface, which extends to the rear wall of the garage.
3. That the existing gravel driveway adjacent to the attached garage and all parts of the new concrete driveway shall not extend any further than the property line of the **Subject Property**.
4. That the **Permittee** shall be required to enter into an Easement Encroachment Agreement with the City of Ramsey (the “City”), subject to the approval of the City Council, for the new concrete driveway as well as the existing gravel driveway.
5. That the **Permittee** is responsible for accurately locating the property line of the **Subject Property** (survey markers exposed) and having it clearly marked for the City to verify the encroachment distance.
6. That the **Permittee** shall maintain positive drainage and existing grades along the northerly property line of the **Subject Property**.

7. That the **Permittee** shall be responsible for all costs incurred in administering and enforcing this Variance.
8. That the **Permittee** shall obtain all necessary permits prior to commencing any construction of the driveway, including a Zoning Permit.
9. That this **Variance** shall automatically expire if the use is not initiated by July 9, 2016 and issuance of the Zoning Permit 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 9th day of July, 2015.

Frank and Dorothy Frederick hereby acknowledge receipt of this Variance and have reviewed the terms of the Variance and have agreed to comply with the terms of the Variance.

Frank Frederick

Dorothy Frederick

STATE OF MINNESOTA)
) SS.
COUNTY OF ANOKA)

On this _____ day of _____, 2015, before me, a Notary Public, personally appeared Frank and Dorothy Frederick, 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

