

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

**RESOLUTION #15-10-246**

**RESOLUTION ADOPTING FINDINGS OF FACT #0953 RELATING TO A REQUEST FROM WALTER GLEB AND SANDY WARNER FOR A VARIANCE TO THE REQUIRED FENCE HEIGHT AND THE REQUIRED SHED SETBACK AT 5650 156<sup>th</sup> LANE NW.**

**WHEREAS**, Walter Gleb and Sandy Warner, hereinafter referred to as the “Applicant,” have properly applied for a variance from Section 117-111 (R-1 Residential District) of the Ramsey City Code to encroach on the required height limit for a fence and the required side setback for a shed on the property generally known as 5650 156<sup>th</sup> Lane NW and legally described as follows:

Lot 25, Block 3, Wildlife Sanctuary 2<sup>nd</sup> Addition, 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 Subject Property is approximately 0.34 acres in size and is located in a R-1 Residential MUSA district.
2. That the Subject Property is surrounded by properties also zoned R-1 Residential MUSA.
3. That the Subject Property has frontage along 156<sup>th</sup> Lane NW.
4. That the Applicant is applying for a variance for a fence greater than eight (8) feet in height constructed on the Subject Property in 2010.
5. That Section 117-111 of the Ramsey City Code states that fences greater in height than eight (8) feet must apply for a variance.
6. That the fence is eleven (11) feet high from the ground to the height of the panels and thirteen (13) feet high from the ground to the highest point on the posts, and the entire fence structure is fourteen (14) feet long from the ends of the posts.
7. That there is no record of a previous permit or variance to construct the fence.
8. That the Applicant has had a survey conducted on the property and has placed the fence within the property boundaries.
9. That the Applicant erected the fence for additional privacy for the property.
10. That the Applicant has provided photos of the construction of the fence at the time of construction.

11. That the fence is of a higher quality than normal fencing and is compatible with the exterior of the house.
12. That the Applicant is applying for a variance for an encroachment to the side yard setback and the drainage and utility easement for a shed that exists on the property.
13. That the shed is approximately four (4) feet from the property line.
14. That Section 117-111 of the Ramsey City Code states that accessory structures within the R-1: MUSA district must maintain a six (6) foot side setback from the property line.
15. That the variance will be contingent on an encroachment agreement for the side setback and the drainage and utility easement encroachment.
16. That there is no infrastructure related to stormwater within this easement area and it does not appear to contain other small utilities either.
17. That economic circumstances alone do/do not create the practical difficulties.
18. That the plight is/is not due to circumstances unique to the Subject Property.
19. That the plight was/was not created by the Applicant.
20. That, if granted, the Variance will/will not alter locality's essential character.
21. That, if granted, the Variance will/will not impair an adequate supply of light and air to adjacent property.
22. That, if granted, the Variance will/will not have the effect of allowing any uses prohibited in the applicable zoning district.
23. That if granted, the Variance will/will not permit a lesser degree of public health, safety, and general welfare.
24. That, if granted, the Variance will/will not permit standards that are lower than those required by state law.
25. That, if granted, the Variance will/will not increase the danger of fire or endanger public safety.
26. That, if granted, the Variance will/will not diminish or impair established property values within the neighborhood.

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 \_\_\_\_ day of \_\_\_\_\_, 2015.

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Chairperson

**ATTEST:**

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City Clerk