

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

**RESOLUTION #15-10-257**

**RESOLUTION ADOPTING FINDINGS OF FACT #0954 RELATING TO A REQUEST FROM ALLEN AND GINGER MILLNER FOR A VARIANCE TO ALLOW A DETACHED ACCESSORY STRUCTURE TO BE LOCATED NEARER THE FRONT PROPERTY LINE THAN THE PRINCIPAL STRUCTURE.**

**WHEREAS**, Allen and Ginger Millner, hereinafter referred to as “Applicant,” have properly applied for a variance from Section 117-349 (Accessory Uses and Buildings) of the Ramsey City Code to allow a detached accessory building to be located nearer the front property line than the principal structure on the property generally known as 16841 Wolverine Ct NW and legally described as follows:

Lot 6, Block 1, Hunters Ridge, 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 October 15, 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 PUD – Planned Unit Development and is approximately 1.2 acres in size.
3. That the underlying zoning of the Subject Property would be R-1 Residential (Rural Developing) and those standards would be applicable in review of a Building Permit for a detached accessory structure.
4. That the surrounding properties are also zoned PUD – Planned Unit Development and are similar or slightly smaller in size than the Subject Property.
5. That the Applicant is proposing to construct a 1,407 square foot, detached accessory building on the Subject Property.
6. That there is one (1) existing detached accessory building on the Subject Property that is 240 square feet in size (12’ x 20’).
7. That the Subject Property is eligible for up to 2,200 square feet of accessory building space based on the lot size.

8. That the Applicant is proposing to construct the detached accessory building to provide additional storage space for vehicles/equipment as well as providing space for their hobby woodworking.
9. That on properties less than two (2) acres in size, City Code Section 117-349 (d)(12) requires detached accessory buildings to be in the side or rear yard only and shall not be located nearer the front property line than the principal building.
10. That City Code Section 117-111 (d) specifies that the minimum front yard setback shall not be less than forty (40) feet.
11. That a portion of the detached accessory building would be nearer the front property line than the principal building.
12. That based on the information submitted, it is unknown what the front yard setback would be.
13. That the addition would be located ten (10) feet from the side property line, which meets the minimum required setback.
14. That the Subject property is relatively flat without significant grade changes other than along the southern lot line (approximately a two [2] foot slope).
15. That an existing chain link fence will need to be eliminated or modified to accommodate the proposed location for the detached accessory building.
16. That the Applicant has stated that adding on to the attached garage is not practical due to design constraints and maintaining access to the rear yard for septic pumping.
17. That based on the as-built drawing of the septic system, the drainfield and tank are located in the central portion of the rear yard.
18. That based on the submitted information and available data, it appears the proposed detached accessory building could be shifted to the east slightly (toward the rear yard) or be located in an alternative location (possibly near the southeast corner of the Subject Property), which would eliminate the need for a variance.
19. That the principal building is set back approximately fifty (50) feet from the front property line.
20. That the owner of the property to the south of the Subject Property has stated their opposition to the requested variance.
21. That the Engineering Department has reviewed the request with regard to potential drainage impacts and has stated that any additional runoff would likely be contained within the

existing Drainage and Utility Easement, which is twenty (20) feet wide, with ten (10) feet on each side of this common lot line, and would ultimately drain to the street.

22. That the Applicant has not clearly indicated whether a driveway would be installed, if the existing driveway would be extended, or if no driveway would be provide to access the proposed detached accessory building.
23. That economic circumstances alone do/do not create the practical difficulties.
24. That the plight is/is not due to circumstances unique to the Subject Property.
25. That the plight was/was not created by the Applicant.
26. That, if granted, the variance will/will not alter the locality's essential character.
27. That, if granted, the variance will/will not impair an adequate supply of light and air to adjacent property.
28. That, if granted, the variance will/will not have the effect of allowing a use that is prohibited in the applicable zoning district.
29. That, if granted, the variance will/will not unreasonably increase the congestion on the public street.
30. 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.
31. That, if granted, the variance will/will not diminish established property values within the neighborhood.
32. That, if granted, the variance requested is/is not the minimum variance necessary to accomplish the intended purpose of the Applicant.
33. That the unique circumstances on the Subject Property do/do not result from the actions of the Applicant.
34. 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 15<sup>th</sup> day of October, 2015.

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Chairperson

**ATTEST:**

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City Clerk