

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

RESOLUTION #15-11-271

RESOLUTION APPROVING/DENYING THE ISSUANCE OF A VARIANCE TO ENCROACH INTO THE REQUIRED SETBACK FOR A DRIVEWAY AT 5581 148TH LANE NW AND DECLARING TERMS OF SAME

WHEREAS, Douglas and Vicky Foyt, husband and wife, 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 5581 148th Lane. NW and legally described as follows:

Lot 4, Block 1, Ramsey Commons 2nd Addition, Anoka County, Minnesota

(the “Subject Property”).

AND WHEREAS, the Planning Commission conducted a public hearing on November 12, 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 #0956, a Variance to encroach into the required driveway setback on the **Subject Property** is hereby granted/denied.
2. That the driveway extension shall be located no closer than one (1) foot from the western lot line of the **Subject Property** and shall not be expanded without prior written consent of the City of Ramsey (the “City”).
3. That the **Permittee** shall upgrade the surface of the driveway extension to comply with the standards of City Code Section 117-111 (R-1 Residential District) no later than June 30, 2016.
4. That the **Permittee** shall be required to enter into an Easement Encroachment Agreement with the **City**, subject to the approval of the City Council, for the portion of the 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 along the westerly 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 and/or resurfacing of the driveway, including a Zoning Permit.

9. That this **Variance** shall automatically expire if the use is not initiated by November 12, 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 12th day of November, 2015.

