

Commissioner Van Scoy introduced the following resolution and moved for its adoption:

**RESOLUTION #16-12-217**

**A RESOLUTION ADOPTING FINDINGS OF FACT #0973 RELATING TO A REQUEST FOR A VARIANCE TO LOT DEPTH FOR PROPOSED LOT 215, BLOCK 13 RELATED TO THE ~~PRELIMINARY~~ PLAT OF WOODLANDS 4TH ADDITION.**

**WHEREAS**, Lennar Corporation, hereinafter referred to as "Applicant", properly applied to the City of Ramsey (the "City") for a variance to lot depth standards for development of portions of the property legally described as follows:

Outlot B, Woodlands Addition, Anoka County, Minnesota; and

That part of the Southeast Quarter of the Southeast Quarter of Section 16, Township 32, Range 25, Anoka County, Minnesota, described as follows:

Commencing at the northwest corner of said Southeast Quarter of the Southeast Quarter; thence on an assumed bearing of South 89 degrees 24 minutes 10 seconds East, along the north line of said Southeast Quarter of the Southeast Quarter, a distance of 352.58 feet to the point of beginning of the land to be described; thence continuing South 89 degrees 24 minutes 10 seconds East, along said north line, a distance of 968.77 feet to the northeast corner of said Southeast Quarter of the Southeast Quarter; thence South 00 degrees 52 minutes 52 seconds West, along the east line of said Southeast Quarter of the Southeast Quarter, a distance of 805.01 feet; thence North 89 degrees 24 minutes 10 seconds West a distance of 810.01 feet; thence North 00 degrees 52 minutes 52 seconds East a distance of 555.01 feet; thence North 31 degrees 37 minutes 00 seconds West a distance of 295.48 feet to the point of beginning.

~~-or upon recording of the final plat-~~

Lot 15, Block 3 Woodlands 4<sup>th</sup> Addition

(the "Subject Property"); and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF RAMSEY PLANNING, 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 December 1, 2016, 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 (MUSA) and the Applicant has made proper application to the City to plat portions of the Subject Property into thirteen (13) single family residential lots.

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- 3) That newly created lots are required to have a depth of 100 feet for a continuous width of sixty (60) feet that is not encumbered by wetland, wetland setback area, or floodway.
- ~~4~~) That the Applicant has applied for a variance to the lot depth standard for Lot 2, Block 1 of the proposed Preliminary Plat of Woodlands 4<sup>th</sup> Addition.
- ~~4~~~~5~~) That the final plat of Woodlands 4<sup>th</sup> Addition identifies the legal description as Lot 15, Block 3.
- ~~5~~~~6~~) That the Environmental Policy Board reviewed the request at their November 21, 2016 meeting.
- ~~6~~~~7~~) That as proposed, Lot 2 Block 1 does meet the spirit or intent of the lot depth ordinance for providing additional side yard space necessary to adequately provide area for future property improvements.
- ~~7~~~~8~~) That economic circumstances alone do not create the practical difficulties.
- ~~8~~~~9~~) That the plight is due to circumstances unique to the Subject Property.
- ~~9~~~~10~~) That the plight is not created by the Applicant.
- ~~10~~~~11~~) That, if granted, the variance will not alter the locality's essential character.
- ~~11~~~~12~~) That, if granted, the variance will not impair an adequate supply of light and air to adjacent property.
- ~~12~~~~13~~) That, if granted, the variance will not have the effect of allowing a use that is prohibited in the applicable zoning district.
- ~~13~~~~14~~) That, if granted, the variance will not unreasonably increase the congestion on the public street.
- ~~14~~~~15~~) That, if granted, the variance will not adversely impact the degree of public health, safety and general welfare provided for in the Ramsey City Code.
- ~~15~~~~16~~) That, if granted, the variance will not diminish established property values within the neighborhood.
- ~~16~~~~17~~) That, if granted, the variance requested is the minimum variance necessary to accomplish the intended purpose of the Applicant.
- ~~17~~~~18~~) That the unique circumstances on the Subject Property do not result from the actions of the Applicant.

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~~18)~~19) That, if granted, the variance will not grant the Applicant any special privilege that is denied to the owners of other land in the same district.

~~19)~~20) That a twenty-five (25) foot setback, if applied, would eliminate the encroachment, unlike previous requests that have been denied.

~~20)~~21) That the shape of wetland boundary is fairly square and parallel to the house pad compared to previous requests that have been denied, which maximizes developable area.

~~21)~~22) That the actual encroachment is much less than previous requests that have been denied.

~~22)~~23) That the lot is shown with a standard house pad and is not relying on a restricted size house pad or a specific home model unlike past requests that have been denied.

24) That there is additional buildable area beyond the 60'x100' area.

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The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Surma, and upon vote being taken thereon, the following voted in favor thereof:

Chairperson Bauer  
Commissioner Van Scoy  
Commissioner Surma  
Commissioner Anderson  
Commissioner Nosan

and the following voted against the same:

Commissioner Brauer

and the following abstained:

None

and the following were absent:

None

whereupon said resolution was declared duly passed and adopted by the Ramsey Planning Commission this the 1<sup>st</sup> day of December, 2016.

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Chairperson

**ATTEST:**

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City Clerk