

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

RESOLUTION #17-09-209

A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR A TWO-STORY ACCESSORY STRUCTURE ON THE PROPERTY GENERALLY KNOWN AS 6451 170TH LANE NW AND DECLARING TERMS OF SAME.

RECITALS

1. Raymond Bonifas and Linda Bonifas, hereinafter referred to as the “Permittee” have properly applied for a Conditional Use Permit to construct a two-story accessory structure at the property located at 6451 170th Lane NW and legally described as follows:

LOT 3, BLOCK 1, Shady Lawn Estates, Anoka County, Minnesota.

(“Subject Property”)

2. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 117-52 of the Ramsey City Code on September 7th, 2017, and that the public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
3. That Planning Commission met on September 7, 2017, conducted the public hearing and recommended City Council approve/deny the request.
4. That the Subject Property is zoned R-1 Residential (Rural Developing) District; all adjacent parcels are also zoned R-1 Residential (Rural Developing).
5. That the Subject Property is approximately 0.97 acres in size.
6. That Minnesota State Building Code classifies the bonus area in the roof of the structure as a second story as the measurement from floor to ceiling is 8’ 1.5” constituting the requirement for a conditional use permit.
7. The Applicant has stated that the bonus area in the roof of the accessory building will not be used for any home occupation or habitation.
8. The proposed structure will have an exterior finish of brick, vinyl siding, and shakes to match the principal structure.

FINDINGS OF FACT

1. That the proposed use will/will not adversely impact traffic in the area.

2. That the proposed use will/will not substantially or adversely impair the use, enjoyment or market value of surrounding properties.
3. That the proposed use will/will not be constructed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and such use will/will not change the essential character of the area.
4. That the proposed use will/will not create additional requirements at public cost for public facilities and services.
5. That the proposed use will/will not be detrimental to the economic welfare of the community.
6. That the proposed use will/will not be disturbing or hazardous to existing or future neighboring uses.
7. That the proposed use will/will not involve uses, activities, processes, materials and equipment and conditions of operation that may be detrimental to any persons, property or the general welfare, by reason of excessive production of traffic, noise, smoke or glare.
8. That the proposed use will/will not be in accordance with the objectives of the intent of Section 117-51 (Conditional Use Permits) of the City Code.

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

That the Ramsey City Council hereby grants approval of a Conditional Use Permit (the “Permit”) for a two-story accessory structure (the “Building”) on the Subject Property contingent upon the following conditions:

CONDITIONS

1. That there shall be no additional accessory structures constructed on the **Subject Property**, unless in accordance with City Code.
2. That the **Permittee** shall construct the **Building** in accordance with all other provisions of City Code Section 117-349 (Accessory Uses and Buildings) and City Code Section 117-111 (R-1 Residential District).
3. That the **Permittee** shall extend the existing driveway to provide access to the **Building** and that the driveway shall comply with the standards in City Code Section 117-111.

4. That the **Permittee** agrees that there will not be any commercial activities within the detached accessory building unless in full compliance with City Code Section 117-351 (Home Occupations).
5. That the **Permittee** agrees that there will not be any habitation within the detached accessory building.
6. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
7. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.
8. That the **Permittee** shall obtain all necessary permits prior to commencing any construction of the **Building**, including a Building Permit.
9. That the City Administrator, or his/her designee, shall have the right to inspect the **Subject Property** for compliance and safety purposes annually or at any time, upon reasonable request.
10. That this **Permit** shall automatically expire if the use is not initiated by September 12, 2018 and issuance of the Building Permit shall constitute initiation.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, 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 passed and adopted by the Ramsey City Council this the 12th day of September, 2017.

