

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

RESOLUTION #17-10-249

A RESOLUTION APPROVING THE ISSUANCE OF A VARIANCE TO CONSTRUCT AN ACCESSORY STRUCTURE NEARER THE FRONT PROPERTY LINE THAN THE HOME ON THE PROPERTY GENERALLY KNOWN AS 7155 160TH LANE NW AND DECLARING TERMS OF SAME.

RECITALS

1. Francis Kaas and Lorri Kaas, husband and wife, hereinafter referred to as the “Permittee”, have properly applied for a Variance to construct a detached accessory building nearer the front property line than the home on the property located at 7155 160th Lane NW and legally described as follows:

The west 416 feet of the south 209.43 feet of the north 628.28 feet of the Southwest Quarter of Section 15, Township 32, Range 25, Anoka County, Minnesota, subject to easement of record.

(“Subject Property”)

2. That the Permittee appeared before the Planning Commission for a public hearing pursuant to Section 117-53 of the Ramsey City Code on October 10, 2017, and that the public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
3. That the Subject Property is zoned R-1 Residential (Rural Developing) District; the surrounding parcels to the west, north, south, and east are also zoned R-1 Residential (Rural Developing) and the parcel to the southwest is zoned R-1 Residential (MUSA).
4. That the Subject Property is approximately 2.0 acres in size.
5. That surrounding properties range in size from approximately 0.90 acres to over five (5) acres.
6. That on parcels that are 2.0 acres or larger, detached accessory buildings can be constructed nearer the front property line than the principal structure in accordance with City Code Section 117-349 (Accessory Uses and Buildings).
7. That in 2005, as a result of the City’s approval of an adjacent subdivision known as TRAPPERS RIDGE, the Permittee granted a permanent street, drainage and utility easement over, under, and across the north 33 feet of the Subject Property.
8. That as a result of the required permanent street, drainage and utility easement over a portion of the Subject Property, the acreage was reduced to approximately 1.68 acres.

9. That the Permittee has proposed to construct a detached accessory building (the "Building") in a location that would meet or exceed the required setbacks for the R-1 Residential (Rural Developing) zoning district but would be nearer the front property boundary than the home.
10. That locating the Building in the rear yard would require access from the private driveway that provides access through the street, drainage and utility easement over the Subject Property to the home on the parcel to the west.
11. That the proposed Building would be 1,500 square feet in size, would have an exterior finish that matches the home, and would include soffit, fascia, and eave overhangs to match the home as well.
12. That the proposed Building would comply with all other applicable standards for detached accessory buildings.
13. The Applicant has stated that the Building would be used as a garage and personal workshop.
14. The proposed structure will have an exterior finish of steel lap siding and aluminum soffit and fascia of colors to match the home.
15. That the Subject Property is at the end of a cul-de-sac with a wooded front yard that would provide some screening of the Building from the public road and adjacent property.

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 Planning Commission hereby grants approval of a variance (the “Variance”) to construct the Building nearer the front lot line than the home 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** 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).
4. That the Permittee agrees to construct the **Building** as shown in **Exhibit 1**.
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.

CITY OF RAMSEY

By: _____
Planning Commission Chair

By: _____
City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this _____ day of _____, _____, before me a Notary Public personally appeared Randy Bauer and Jo Ann M. Thieling, to me personally known, who, being each by me duly sworn, did say that they are respectively the Planning Commission Chairperson and City Clerk of the City of Ramsey, the Municipal Corporation named in the foregoing instrument, and seal affixed to said instrument is the corporate seal of said Municipal corporation, and the said instrument was signed and sealed on behalf of said Municipal Corporation by authority of its City Council, and said Randy Bauer and Jo Ann M. Thieling acknowledge said instrument to be the free act and deed of said Municipal Corporation.

Notary Public

This document drafted by:
The City of Ramsey
7550 Sunwood Drive NW
Ramsey, MN 55303

This document reviewed by:
Ratwik, Roszak & Maloney
730 Second Ave. S., Suite 300
Minneapolis, MN 55402

**Exhibit 1
Site Plan**

