

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

RESOLUTION #18-157

A RESOLUTION APPROVING THE ISSUANCE OF A VARIANCE TO CONSTRUCT AN ATTACHED ACCESSORY STRUCTURE WITHIN THE REQUIRED SETBACK OF THE ORDINARY HIGH WATERMARK OF THE RUM RIVER ON THE PROPERTY GENERALLY KNOWN AS 15795 JUNIPER RIDGE DR NW AND DECLARING TERMS OF SAME.

RECITALS

1. Albert Farrell, hereinafter referred to as the “Permittee”, has properly applied for a Variance to construct a attached accessory structure within the required setback of the ordinary high watermark of the Rum River on the property located at 15795 Juniper Ridge Dr NW and legally described as follows:

REILLEY ESTATES SECOND ADDITION LOT 6 BLK 1 REILLEY ESTATES SECOND ADDITION) (SUBJECT TO EASE AS SHOWN ON PLAT) (SUBJECT TO A SCENIC EASE TO THE CITY OF RAMSEY & CNTY OF ANOKA FILED 9-14-78)

(“Subject Property”)

2. That the Subject Property is zoned R-1 Residential (MUSA) District; the surrounding parcels to the west, north, south, and east are also zoned R-1 Residential (MUSA).
3. That the Subject Property is approximately 0.88 acres in size.
4. That the Subject Property is subject to the Scenic Overlay District of the Rum River.
5. That adjacent properties are also subject to the Scenic Overlay District of the Rum River
6. That the Permittee has proposed to construct a attached accessory building (the “Addition”) in a location that would meet or exceed the required setbacks for the R-1 Residential (MUSA) zoning district but would be within the required setback of the ordinary high watermark of the Rum River.
7. That the proposed Addition would be 22’ x 23’ feet and 506 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.
8. That the proposed Addition would comply with all other applicable standards for attached accessory buildings.

9. That the Subject Property has an existing pool house which is 11' x 25' feet in size and was built without a permit prior to the purchase of the home by the Applicant.
10. That the pool house on the Subject Property falls within the current scenic easements and Ordinary High Watermark.

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 variance for the proposed use will/will not include the pre-existing pool house which cannot be expanded upon.
4. 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.
5. That the proposed use will/will not create additional requirements at public cost for public facilities and services.
6. That the proposed use will/will not be detrimental to the economic welfare of the community.
7. That the proposed use will/will not be disturbing or hazardous to existing or future neighboring uses.
8. 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.
9. 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 PLANNING COMMISSION 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 Addition 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 **Addition** 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 **Addition** as shown in **Exhibit 1**.
5. That the **Permittee** agrees that there will not be any habitation within the attached garage.
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 **Addition**, 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 August 2, 2018 and issuance of the Building 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 passed and adopted by the Ramsey Planning Commission this the 2nd day of August, 2018

**Exhibit 1
Site Plan**

