

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

RESOLUTION #19-222

A RESOLUTION APPROVING CODE ENFORCEMENT ACTION PLAN FOR 6336 HIGHWAY 10 NW COMMONLY KNOWN AS JAC AUTO REPAIR AND SALES

WHEREAS, JAC Auto Repair and Sales (the “Business”) is operating on the property generally known as 6336 Highway 10 NW and legally described as follows:

LOT 2 AUDITOR SUBDIVISION NUMBER 096, EX ROAD SUBJECT TO EASEMENT OF RECORD

(the “Subject Property”); and

WHEREAS, the Subject Property is zoned H-1 Business District; and

WHEREAS, the Subject Property is approximately 0.95 acres; and

WHEREAS, the Business, commonly known as JAC Auto Repair and Sales, has been in operation after the City’s incorporation and formal adoption of zoning authority; and

WHEREAS, the City acknowledges that certain lawful non-conforming rights related to motor vehicle repair and sales are applicable; however, the ‘footprint’ of the lawful non-conforming use appears to have expanded based on historic aerials; and

WHEREAS, there are documented City Code violations dating back to the 1980s, with notices of violation regarding multiple issues, including off-street parking, exterior storage of inoperable vehicles, accumulation of debris, non-permitted signs, and operating a business without proper licensure, with notifications sent in 1985, 1990, 1993, 1994, 2006, and 2007; and

WHEREAS, an agreement was reached between the Business owner and the City Attorney on January 3, 1986 permitting the business to store no more than four (4) inoperable automobiles behind the fence that exists behind the garage; and

WHEREAS, that same agreement called for the removal of any and all other automobiles from the property by January 17, 1986; and

WHEREAS, that same agreement required the Business owner to provide three (3) parking spaces for each the auto body business and auto upholstery business on the Subject Property; and

WHEREAS, City Staff have in their possession photographs that find the Business to be out of compliance with this past agreement; and

WHEREAS, a code enforcement action plan is required to bring the Subject Property and Business into compliance with 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 the proposed code enforcement action plan on the Subject Property as outlined below:

1. The Owner has 28 days (4 weeks) from the date of approval of this resolution to come into compliance with both City Code and the past agreement made in 1986, which allows for up to four (4) inoperable or damaged vehicles stored on the Subject Property behind the fencing.
2. If the Owner does not come into compliance with both City Code and the past agreement made in 1986 within 28 days, they will be financially penalized.
3. That the Subject Property has lawful, non-conforming rights for a graveled parking surface for vehicle parking as seen in **Exhibit A**.
4. The Subject Property does not have the right to park on the grass.
5. The Subject Property cannot store any damaged or inoperable vehicles outside the fenced in area seen in **Exhibit A**.
6. The Subject Property cannot store any items unrelated to the business on the Subject Property.

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 _____ day of _____, 2019.

CITY OF RAMSEY:

By: _____

Mayor

By: _____

City Clerk

STATE OF MINNESOTA)

) ss.

COUNTY OF ANOKA)

On this _____ day of _____, _____, before me a Notary Public personally appeared Mayor John LeTourneau and Jo Ann M. Thieling, to me personally known, who, being each by me duly sworn, did say that they are respectively the Mayor 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 John LeTourneau Jo Ann M. Thieling acknowledge said instrument to be the free act and deed of said Municipal Corporation.

Notary Public

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

EXHIBIT A

