

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

RESOLUTION #19-005

A RESOLUTION APPROVING THE ISSUANCE OF A VARIANCE TO ALLOW A DETACHED ACCESSORY BUILDING NEARER THE FRONT PROPERTY LINE THAN THE HOME ON THE PROPERTY GENERALLY KNOWN AS 5725 180th LANE NW AND DECLARING TERMS OF SAME

RECITALS

1. Scott Monserud and Lisa Monserud, husband and wife, hereinafter referred to as the “Permittee”, have properly applied for a Variance to allow a detached accessory building nearer the front property line than the home on the property located at 5725 180th Lane NW and legally described as follows:

Lot 2, Block 1 Ford Brook Estates

 (“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 January 3, 2019, 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) and the surrounding parcels to the east, west, and south are also zoned R-1 Residential (Rural Developing); the property to the north is located within the city of Nowthen and while the specific zoning is unknown, it appears to be a residential property.
4. That the Permittee is seeking to construct a detached accessory building (the “Accessory Building”) that is twenty-four feet by sixty feet (24’ x 60’), or 1,440 square feet, nearer the front property line than the home on the Subject Property.
5. That the Permittee has stated that no part of the Accessory Building would be used for a home occupation, nor would anything stored in the Accessory Building be associated with a home occupation.
6. That the Permittee has stated that the Accessory Building would be used to store a classic car, multiple off-road vehicles, a boat, and a 4-wheeler, most of which of currently stored outside on the Subject Property.
7. That the Subject Property is approximately 1.37 acres in size and is eligible for a total of 2,200 square feet of accessory building space and a maximum of three (3) detached accessory buildings.

8. That on parcels less than two (2) acres, detached accessory buildings are permitted in the side or rear yard only.
9. That there is currently a ten foot by ten foot (10' x 10') shed and a twelve foot by twenty foot (12' x 20') Quonset hut/membrane structure, as well as a two (2) stall attached garage, on the Subject Property.
10. That the Permittee has stated that the Quonset hut/membrane structure, which is not permitted per City Code, would be removed from the Subject Property upon completion of the Accessory Building.
11. That the minimum front yard setback in the R-1 Residential (Rural Developing) District is forty (40) feet.
12. That the Accessory Building would be located forty (40) feet back from the front lot line.
13. That the Accessory Building would be a post-frame style (pole building) with an exterior finish of metal panels that would match the colors of the home as close as possible.
14. That, where permitted, pole buildings may be located nearer the front property than the home with certain aesthetic elements, such as three (3) complimentary colors, minimum of 35% brick coverage on front (street facing) façade, 10% window coverage on front (street facing) façade and common property line(s), and/or 100% vegetative screening.
15. That the Accessory Building would include three (3) colors (white, grey, and tan).
16. That the Permittee has stated that they would include stonework on the east elevation where the garage doors would be located and thus visible to vehicles traveling west on 180th Lane and entering the Subject Property.
17. That the Accessory Building includes two (2) windows on the north elevation and the Permittee has stated that they would be willing to install windows on the street facing elevation as well.
18. That there are several mature evergreen trees along the western lot line of the Subject Property that would provide some screening of the Accessory Building from the adjacent property.
19. That the height of the Accessory Building would not exceed the height on the home on the Subject Property.
20. That the Permittee has stated that other locations on the Subject Property are not practical due to steeper grades and ponding on the east side of the Subject Property, the

septic system in the rear of the Subject Property, and a swimming pool to the northwest of the home.

21. That the Permittee has provided a statement from a Certified Septic Designer stating that should the Accessory Building be located directly west of the home (in the side yard), it would result in difficulties in accessing the backyard for maintenance and/or replacement of the existing septic system due to existing trees along the western boundary of the Subject Property and elevation changes in the eastern portion of the Subject Property.
22. That the Permittee has obtained signatures of six (6) of the seven other property owners on the cul-de-sac supporting the request.
23. That the Permittee has stated that they would not be able to accomplish their goal of providing indoor storage space for items presently stored outdoors on the Subject Property if the length of the Accessory Building were reduced, creating a greater setback from the front property line.

FINDINGS OF FACT

1. That the location of the Accessory Building will not impair an adequate supply of light and air to adjacent property.
2. That the location of the Accessory Building use will not unreasonably increase the congestion on the public street.
3. That the location of the Accessory Building will not have the effect of allowing any use prohibited in the R-1 Residential (Rural Developing) District.
4. That the location of the Accessory Building will not permit a lesser degree of public health, safety, and general welfare protection than established by Chapter 117 of the Ramsey City Code or permit standards which are lower than those required by state law.
5. That the location of the Accessory Building will not increase the danger of fire or endanger the public safety.
6. That the location of the Accessory Building will not unreasonably diminish or impair established property values within the neighborhood, or in any way be contrary to the intent of Chapter 117 of the Ramsey City Code.
7. That the location of the Accessory Building will be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and such use will not change the essential character of the area.

8. That the location of the Accessory Building will not violate the intent and purpose of the Comprehensive Plan.
9. That the location of the Accessory Building will be in accordance with the objectives of the intent of Section 117-53 (Variances) of the Ramsey 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 a twenty-four foot by sixty foot (24’ x 60’) Accessory Building (the “Accessory Building”) nearer the front property line than the home on the Subject Property contingent upon the following conditions:

CONDITIONS

1. That there shall be no other accessory buildings constructed on the **Subject Property**, unless in accordance with City Code.
2. That the **Permittee** shall construct the **Accessory Building** in accordance with all other provisions of City Code Sections 117-111 (R-1 Residential District) and 117-349 (Accessory Uses and Buildings).
3. That the **Permittee** agrees to construct the **Accessory Building** as shown in **Exhibit 1**.
4. That the **Permittee** agrees that no part of the **Accessory Building** shall be used for a home occupation unless in compliance with City Code Section 117-351 (Home Occupations).
5. That this **Variance** shall be perpetual in duration as long as the terms are herein complied with.
6. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Variance**.
7. That the **Permittee** shall obtain all necessary permits prior to commencing any construction of the **Accessory Building**, including a Building Permit.
8. 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.
9. That this **Variance** shall automatically expire if the use is not initiated by January 3, 2020, and issuance of the Building Permit shall constitute initiation.
10. That the **Permittee** agrees to remove a membrane structure currently onsite that does not comply with current City Code requirements.

11. That the **Permittee** agrees to move all items off the rear property line that do not comply with current City Code requirements, including one motor vehicle, which must be stored in a garage or on a proper parking surface.

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 3rd day of January, 2019.

**Exhibit 1
Site Plan**

