

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

RESOLUTION #19-161

A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO ALLOW FOR THE ADDITION TO AN EXISTING DETACHED ACCESSORY BUILDING THAT WOULD EXCEED THE MAXIMUM ALLOWABLE SQUARE FOOTAGE ON THE PROPERTY GENERALLY KNOWN AS 15800 TRAPROCK STREET NW AND DECLARING TERMS OF SAME

RECITALS

1. James Couch, a single person, hereinafter referred to as the “Permittee”, has properly applied for a Conditional Use Permit to allow for the addition to an existing detached accessory building that would exceed the maximum allowable square footage on the property generally known as 15800 Traprock Steet NW and legally described as follows:

Traprock Commons Lot 2 Block 1, Subject to Easement of Record, Anoka County, Minnesota

 (“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 July 10th, 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 that the surrounding parcels are also zoned R-1 Residential (Rural Developing).
4. That the Permittee is seeking to construct a detached accessory building extension that is forty-seven feet by seventy-one feet (47’x71’), or 3,333 square feet, to the existing twenty feet by thirty-two feet (20’x32’), or 640 square feet existing detached accessory building. The accessory building would be 3,973 square feet (the “Accessory Building”).
5. That the Subject Property currently has two (2) detached accessory buildings, the detached garage that will be added to which is currently 640 square feet, and a detached primary garage which is approximately 1,200 square feet.
6. That the Subject Property would have a total of 5,173 square feet of accessory buildings with the proposed addition.
7. 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.

8. That the Permittee has stated that the Accessory Building would be used to store the family's boats, snowmobiles, travel trailers, and yard equipment, most of which is currently stored outside on the Subject Property.
9. That the Subject Property is approximately 3.3 acres in size and is eligible for a total of 2,700 square feet of accessory building space and a maximum of three (3) detached accessory buildings
10. That on parcels greater than two (2) acres, detached accessory buildings are permitted in the side, rear, or front yard.
11. That the Subject Property currently has three frontages; one along Variolite St NW, one along 158th Ave NW, and one along Traprock St NW.
12. That the proposed Accessory Building meets all setback requirements for the R-1 Residential (Rural Developing) district.
13. That the Accessory Building would be post-frame style (pole building) with an exterior finish of siding that would match the colors and style of the home as close as possible.
14. That the Accessory Building will have multiple garage doors to accommodate the various vehicles that will be stored in the building.
15. That the Accessory Building will have windows to provide natural light into the building.
16. That there are multiple mature evergreen trees on the eastern lot line of the Subject Property (along Traprock St NW) that would provide some screening of the Accessory Building from the adjacent properties.
17. That the height of the Accessory Building will be compliant with City Code. The Accessory Building cannot exceed twenty-two feet (22') in height at mean gable.
18. That the Accessory Building will be outside all utility and drainage easements on the Subject Property.
19. That the Accessory Building will not disrupt the current individual well and septic systems on the Subject Property.

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 that 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 117-51 (Conditional Use Permits) of the Ramsey 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”) to construct a forty-seven by seventy-one foot (47’x71’) Accessory Building (the “Accessory Building”) on the Subject Property, that would otherwise exceed the maximum allowable square footage as set by the Ramsey City Code, 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 the **Permittee** agrees that no part of the **Accessory Building** shall be used for living space.
6. That this **Conditional Use 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 **Conditional Use Permit**.
8. That the **Permittee** shall obtain all necessary permits prior to commencing any construction of the **Accessory 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 the **Conditional Use Permit** shall automatically expire if the use is not initiated by July 10, 2020, and issuance of the Building Permit shall constitute initiation.
11. That the **Permittee** agrees to have the **Accessory Building** be serviced by a driveway of compliant material as stated in the Ramsey City Code for the R-1 Residential (Rural Developing) District if there are signs of wear on the grass from repeated use. The above stated driveway will gain access to either Variolite St. NW or Traprock St. NW.
12. That the **Permittee** agrees to store all vehicles, trailers, boats, RVs, lawn equipment, etc. within the **Accessory Building** or in a manner compliant with City Code Section 117-355 (Residential Off-Street Parking). All vehicles and items currently in violation of City Code shall be stored properly once the building is completed.

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.

PROPERTY OWNER:

James M. Couch and Patty J. Couch, owner(s) of fee title to the Subject Property, hereby acknowledges receipt of this Permit and has reviewed the conditions of this Permit and has agreed to comply with the terms of this Permit.

James M. Couch

Patty J. Couch

On this _____ day of _____, _____, before me a Notary Public, personally appeared James M. Couch and Patty J. Couch, owner(s) of fee title to the Subject Property, to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

Notary Public

PERMITTEE:

James M. Couch, Permittee, hereby acknowledges receipt of this Permit and has reviewed the conditions of this Permit and has agreed to comply with the terms of this Permit.

James M. Couch

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

On this _____ day of _____, _____, before me a Notary Public, personally appeared James M. Couch, PERMITTEE to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

Notary Public

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 JoAnn 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 and JoAnn M. Thieling acknowledge said instrument to be the free act and deed of said Municipal Corporation.

Notary Public

The document drafted by:
The City of Ramsey
7550 Sunwood Dr NW
Ramsey, Minnesota 55303

This document reviewed by:
Ratwik, Roszak & Maloney, P.A.
300 U.S. Trust Building
730 Second Avenue South
Minneapolis, MN 55402