

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

RESOLUTION #19-279

A RESOLUTION APPROVING THE ISSUANCE OF AN INTERIM USE PERMIT TO CHELSEA AND ROBERT JONES TO MAINTAIN TWO PRINCIPAL BUILDINGS AT 16839 ST FRANCIS BLVD NW FOR A TEMORARY PERIOD OF TIME

WHEREAS, Chelsea and Robert Jones (the “Applicants”) have properly applied for an Interim Use Permit to maintain a two dwellings, for an interim period of time, on the property generally known as 16839 St Francis Blvd NW and legally described as follows:

Unplatted City of Ramsey, all that part of the north half of the Southeast Quarter of Section 11, Range 32, Township 25, Anoka County, Minnesota, described as beginning at the point of intersection of the north line of said Southeast Quarter with the centerline of State Highway No. 47, said point of intersection being a distance of 571.70 feet east of the center of said Section 11 as measured along said north line of the Southeast Quarter, thence southerly along said center-line for a distance of 195.20 feet to the actual point of beginning of the the land to be hereby described, thence east at right angles a distance of 726.21 feet thence south at right angles a distance of 300.00 feet, thence west at right angles to intersect said centerline of State Highway No. 47, thence north along said center-line to the point of beginning (subject to that part thereof taken for said State Highway No. 47)

(“Subject Property”).

WHEREAS, the Planning Commission met on December 5, 2019 and conducted a duly noticed public hearing and recommended City Council approval of the request; and

WHEREAS, the Ramsey City Code states that the recommendation of the Planning Commission shall not be presented to the City Council sooner than 10 days after the final action of the Planning Commission; and

WHEREAS, weather conditions conducive to installation of footings and foundation for the new dwelling are a concern at this time of year; and

WHEREAS, the City is interested in advancing the construction of the new dwelling in order that weather conditions to not place an extensive delay on the demolition and removal of the existing homestead; and

WHEREAS, the City Council met and reviewed the request on December 10, 2019; and

WHEREAS, the Applicant is proposing to build a new home on the Subject Property while living in the existing dwelling, and will tear down the existing dwelling once receiving a certificate of occupancy for the new home.

NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

The City Council hereby waives the 10-day waiting period between Planning Commission and City Council action on the Applicant's request for an Interim Use Permit ("Permit") to maintain two (2) dwellings on the Subject Property with the following conditions:

1. The Permittees are herein permitted to occupy the existing homestead on the Subject Property during the construction of the new dwelling on the same property.
2. The Permittees herein agree to complete construction of the new dwelling on the Subject Property within six (6) months of the date of issuance of the building permit.
3. The Permittees herein agree to completely vacate the existing homestead within thirty (30) days of the date of issuance of the certificate of occupancy for the new dwelling constructed on the Subject Property. Thereafter, the existing homestead shall remain vacant and is not permitted for any type of use until its demolition and removal.
4. The Permittees herein agree that within sixty (60) days of the date of issuance of the certificate of occupancy for the new dwelling, the existing homestead shall be demolished and removed from the Subject Property.
5. If the existing septic system will not be utilized by the new home, it must be demolished, removed, or abandoned in accordance with Minnesota Pollution Control Agency regulations.
6. In the event the weather conditions are not conducive to completing proper abandonment of the house foundation and/or septic system, the Building Official shall have the authority to grant a maximum sixty (60) day extension to properly complete the project provided the necessary safeguards are in place. Any additional extensions beyond the initial sixty (60) day extension authorized by the Building Official must be approved by the City Council. A request for extension beyond the Building Official's authority must be submitted in writing at least fifteen (15) days prior to the expiration of the previous extension. The request for extension shall state facts showing a good faith attempt to complete the project in accordance with the terms of the Permit.
7. That no construction shall commence on the Subject Property without the proper permits, including a building permit from the City of Ramsey.

8. The Permittee shall provide the City with a copy of all permits and/or documentation to support that any inspection, testing, or disposal related to lead paint, asbestos, mercury, or any other special hazardous material or structure, as part of the demolition project are in accordance with Minnesota Pollution Control Agency regulations.
9. That the Permittee shall obtain a demolition permit from the City of Ramsey prior to demolishing the existing homestead.
10. The Permit, upon written notice being provided by the City to the Permittees but without further action by the Planning Commission or City Council, shall expire if the permit holder fails to initiate such Permit within six (6) months of the date of its authorization by City Council. Application for a building permit for the new dwelling shall be considered initiation of the Permit. A petition for an extension of time in which to initiate the Permit may be granted by the City Council. Such extension shall be requested in writing and filed with the City at least thirty (30) days before the expiration of the original Permit. The request for extension shall state facts showing a good faith attempt to initiate the use permitted in the Permit. Such petition shall be presented to the Planning Commission for a recommendation to the City Council and acted upon by the City Council.
11. The Permittees shall be responsible for all City costs incurred in administering and enforcing this Permit. Said expenses shall be paid within 15 days of billing by the City and failure to pay the City's expenses within the 15 day billing period will permit the City to draw upon any of the escrows required by this agreement for payment.
12. The City Administrator and/or his/her designee shall have the right to inspect the premises for compliance and safety purposes annually or at any time upon reasonable request.

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 _____, _____.

PROPERTY OWNERS:

Mr. and Mrs. Jones hereby acknowledge receipt of this permit and have reviewed the conditions of this permit and have agreed that they will comply with the terms of this permit.

By: _____
Chelsea Jones

By: _____
Robert Jones

STATE OF MINNESOTA)
) SS.
COUNTY OF)

On this ____ day of _____, 2019, before me a Notary Public personally appeared Chelsea and Robert Jones, husband and wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their 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 _____, 2019, before me a Notary Public personally appeared 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 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 Dr NW
Ramsey, MN 55303