

City of Ramsey
Agenda
Regular Planning Commission
Thursday, April 2, 2020

7:00 pm

Meeting by telephone or other electronic means in accordance with Minnesota Statute 13D.021

Join from PC, Mac, Linux, iOS or Android: <https://web.accessionmeeting.com/j/1165569260>

Or Telephone:

Dial:

+1 480 712 7555 (US Toll)

Meeting ID: 116 556 9260

Comments are also welcomed and encouraged prior to the meeting and live during the meeting at
meetings@cityoframsey.com or 763-433-9819.

- 1. Call to Order**
- 2. Pledge of Allegiance**
3. Presentations
 1. Receive Update on COVID-19 Emergency Declaration and Public Meeting Impacts
 2. Receive Update on Postponed Land Use Applications and Impacts of Minnesota Statutes Chapter 15.99 (60 Day Rule)
- 4. Citizen Input**
- 5. Approve Agenda**
- 6. Consent Agenda**
 1. Approve the March 5, 2020 Planning Commission Meeting Minutes.
- 7. Public Hearing**
 1. PUBLIC HEARING: Consider Resolution #20-060 Approving a Variance for 5805 148th Ln NW (Project 20-106); Case of Mike and Sarah St Clair
- 8. Commission Business**
- 9. Commission/Staff Input**
- 10. Adjournment**

Regular Planning Commission

3. 1.

Meeting Date: 04/02/2020

By: Tim Gladhill, Community Development

Information

Title:

Receive Update on COVID-19 Emergency Declaration and Public Meeting Impacts

Purpose/Background:

The Deputy City Administrator will give a broad updates on the impacts of public meetings due to local, County, State and Federal Emergency Declarations as it pertains to the work of Boards and Commissions.

Notification:

Observations/Alternatives:

Funding Source:

Recommendation:

Action:

Attachments

No file(s) attached.

Form Review

Inbox

Tim Gladhill (Originator)
Form Started By: Tim Gladhill
Final Approval Date: 03/30/2020

Reviewed By

Tim Gladhill

Date

03/30/2020 09:09 AM
Started On: 03/26/2020 08:41 AM

Regular Planning Commission

3. 2.

Meeting Date: 04/02/2020

By: Chloe McGuire Brigl, Community
Development

Information

Title:

Receive Update on Postponed Land Use Applications and Impacts of Minnesota Statutes Chapter 15.99 (60 Day Rule)

Purpose/Background:

The purpose of this case is to provide an update to the Planning Commission on current cases and the impact of the State of Emergency on ongoing functions and the 60 Day Rule.

Notification:

Observations/Alternatives:

Current Cases

The City of Ramsey strives for a collaborative environment between residents, developers/applicants, City Staff, boards and commissions, and the City Council. The State of Emergency is an unprecedented situation and an ongoing, changing situation. The City appreciates the flexibility of all parties involved as we work through this process together.

The City intended to be open to the public for the following public hearings, but as the situation has changed, **City Hall will not be open to the public.** In order to provide the public sufficient opportunity to comment, and in order to provide City Staff ample time to develop new procedures to allow adequate public comment opportunities, the City has decided to cancel the following public hearings for this meeting (April 2, 2020)

1. Trott Brook North (The Excelsior Group) - Canceled public hearing on rezoning, pulled case on Sketch Plan
 1. Please note there will be a public educational opportunity prior to the Planning Commission case from 5:00 pm - 6:30 pm. This will be an online only event. No in-person attendance will be allowed. This is an educational opportunity on the proposal and the process the City has in place to review these types of applications. There will be numerous other opportunities for public comment.
2. The Preserve at Northfork (BK Development) - Canceled public hearing on preliminary plat.
3. Northfork Meadows (AKM Farms, Paxmar) - Canceled public hearing on rezoning.

Please note that the following case was also intended to be on tonight's meeting and has also been pulled to allow the public time to comment:

1. Hunt Property (Platinum Land, LLC) - Pulled sketch plan case

Minnesota Statutes Chapter 15.99 (60 Day Rule)

State Statute requires that the City of Ramsey respond to an Application within 60 days of submittal. The City of Ramsey is allowed one 60 day extension in order to respond, allowing a total of 120 days. After 120 days, the Applicant must agree to further extensions.

- Hunt Property: Sketch Plan Submitted March 13, 2020 (60 days - May 12, 2020, 120 days - July 11, 2020)
- Trott Brook North: Sketch Plan and Rezoning Submitted March 5, 2020 (60 days - May 4, 2020, 120 days - July 3, 2020)
- North Fork Meadows: Submitted March 5, 2020 (60 days - May 4, 2020, 120 days - July 3, 2020)
- The Preserve at Northfork: Submitted March 6, 2020 (60 days - May 5, 2020, 120 days - July 4, 2020)

The City has invoked 60 day extensions for the above projects due to the current State of Emergency related to Covid-19 and to provide the City additional time to further evaluate the proposal for compliance with applicable

regulations and provide reasonable public input.

The City has kept the following case on tonight's agenda as a first test of a public hearing on a fully digital meeting.

- St. Clair Variance: Submitted March 12, 2020 (60 days - May 11, 2020)

The Deputy City Administrator and Senior Planner will give a more detailed update at the meeting.

Funding Source:

This case is handled as part of Staff's regular duties.

Recommendation:

Action:

Attachments

No file(s) attached.

Form Review

Inbox	Reviewed By	Date
Tim Gladhill	Tim Gladhill	03/30/2020 09:01 AM
Form Started By: Chloe McGuire Brigl		Started On: 03/25/2020 08:59 AM
Final Approval Date: 03/30/2020		

Regular Planning Commission

6. 1.

Meeting Date: 04/02/2020

By: JoAnn Shaw, Community Development

Information

Title:

Approve the March 5, 2020 Planning Commission Meeting Minutes.

Purpose/Background:

n/a

Notification:

Observations/Alternatives:

Funding Source:

Recommendation:

Action:

Attachments

[March Planning Minutes](#)

Form Review

Inbox

Tim Gladhill

Form Started By: JoAnn Shaw

Final Approval Date: 03/28/2020

Reviewed By

Tim Gladhill

Date

03/28/2020 05:57 AM

Started On: 03/26/2020 08:09 AM

**PLANNING COMMISSION
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Ramsey Planning Commission conducted a regular meeting on Thursday, March 5, 2020, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Randy Bauer
 Commissioner Cheri Gengler
 Commissioner Torrey Johnson
 Commissioner Eric Peters
 Commissioner Gary VanScoy
 Commissioner Matt Woestehoff

Members Absent: Commissioner Bruce Anderson

Also Present: Senior Planner Chloe McGuire Brigl
 City Planner Chris Anderson
 City Councilmember Debra Musgrove

1. CALL TO ORDER

Chairperson Bauer called the regular meeting to order at 7:00 p.m.

2. CITIZEN INPUT

None.

3. APPROVAL OF AGENDA

Motion by Commissioner VanScoy, seconded by Commissioner Johnson, to approve the agenda as presented.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Johnson, Gengler, Peters, and Woestehoff. Voting No: None. Absent: Commissioner Anderson.

4. CONSENT AGENDA

4.01: Approve the February 6, 2020 Planning Commission Meeting Minutes:

Senior Planner McGuire Brigl referenced the motion for the DC Ramsey LLC Gardenview Villas project, it should state, "...include 20-foot-wide driveways and recommend the developer and residents discuss acceptable ~~plantings~~ buffering."

Motion by Commissioner VanScoy, seconded by Commissioner Johnson, to approve the consent agenda as amended.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Johnson, Gengler, Peters, and Woestehoff. Voting No: None. Absent: Commissioner Anderson.

5. PUBLIC HEARINGS/COMMISSION BUSINESS

None.

6. COMMISSION BUSINESS

6.01: Consider Request for Conditional Use Permit for a Ground Sign and Wall Signage at 7800 Sunwood Drive NW (Project No. 20-102); Case of New Horizon Academy

Presentation

City Planner Anderson presented the Staff Report stating that staff recommends approving the request for a Conditional Use Permit for the requested deviations from sign standards.

Commission Business

Chairperson Bauer stated that it is clear that the Commission needs to discuss the overall sign ordinance.

City Planner Anderson stated that staff has begun to work with the planning consultant on that topic and will bring that information forward to the Commission once ready.

Commissioner VanScoy stated that there is an overlay for the Armstrong Interchange District and asked if that impacts this situation.

City Planner Anderson confirmed that district allows administrative approval of ground signs up to 150 square feet in area and 50 feet in height but excludes parcels within The COR and therefore does not apply to this parcel.

Chairperson Bauer invited the applicant to provide any additional comments.

Eric Tauscheck, Spectrum Signs, stated that he is present to address any questions. He stated that stone and masonry work has been added to the base of the sign in attempt to tie into the aesthetics of the building.

Commissioner VanScoy asked the specific reason for requesting a 25-foot sign.

Mr. Tauscheck replied that the sign would be visible from the highway. He stated that when possible, the company would like to maximize the visibility when adjacent a highway.

Commissioner VanScoy stated that if the City continues on this path, Ramsey will face a forest of signs in this area. He asked if the business would be in agreement with a monument sign.

Mr. Tauscheck replied that although that could be a possibility, it would not be visible from the highway.

Commissioner VanScoy stated that this is another reason the City needs to expedite its review of the sign ordinance.

Senior Planner McGuire Brigl stated that staff originally believed that this sign would be administratively approved but the City Attorney suggested that the Commission review this request because although allowed in the district, the language is not clear.

Commissioner VanScoy stated that The COR is not intended to be the typical suburban development and he is having difficulty continuing to support these types of requests. He recognized that visibility is important for retail and commercial businesses along Highway 10. He stated that although the master sign plan addresses that intent, it has not yet been accomplished. He stated that he would support a monument sign along the highway that would be visible to support these businesses, similar to the City signs near the rail station and Ramsey Boulevard. He agreed that visibility is critical but did not believe that ending up with multiple signs is the intention.

City Planner Anderson read language from The COR design framework related to allowed signage.

Commissioner VanScoy stated that he finds it difficult to support this situation.

Chairperson Bauer referenced the location of this property and the two vacant lots that have interest from two potential businesses. He asked if there could be shared signage for those three parcels.

Senior Planner McGuire Brigl stated that the two vacant parcels are both owned by the City and will come forward for a lot split and therefore the City could ask for shared signage at that time. She stated that the City can still look into shared monument signage but that would be further into the future. She reviewed the type of signage that could be approved administratively, noting that this traditional ground sign would be preferred to what could be allowed under the Code.

Chairperson Bauer asked if the business would be open to building signage at this time and waiting for the future development of the adjacent parcels in attempt for shared signage.

Mr. Tauscheck stated that while he understands the intent he could not speak for the business.

Commissioner Johnson asked why the business does not use one of the open spaces on the Coborn's sign.

Mr. Tauscheck replied that there is another property owner and location for that sign, and it would not be New Horizon's space to take.

City Planner Anderson stated that he cannot speak for the management company for NorthStar Marketplace, but he presumes that they are typically promoting businesses within their own project space and not an adjacent parcel. He stated that potentially opens the discussion of off premise signage that was discussed the previous month.

Commissioner Woestehoff stated that the information shows that the sign would be illuminated and asked if that would be lit 24 hours per day.

Mr. Tauscheck replied that the illumination would be set on a timer and would be lit during set hours.

Councilmember Musgrove asked the height of the monument sign that the City owns on Ramsey Boulevard.

City Planner Anderson replied that sign is between 23 to 25 feet in height.

Councilmember Musgrove asked for the height of the U.S. Bank sign.

City Planner Anderson replied that sign is 75 feet in height.

Councilmember Musgrove stated that she likes this sign proposal as it is on the applicant's property and will be paid for by the applicant. She commented that the City owned sign at Ramsey Boulevard is recommended payment and therefore the City is not always paid for those spaces. She commented that when traveling on Highway 10, she does not see a lot of signage. She stated that signage is key for businesses and attracting businesses to Ramsey. She stated that the Council recognizes that signage is key in attracting more businesses into The COR.

Commissioner Gengler commented that this is a reasonable request and it is important for businesses to be able to promote themselves and be visible.

Motion by Commissioner Peters, seconded by Commissioner Gengler, to recommend that City Council approve Resolution #20-042 granting a Conditional Use Permit to allow a 25-foot-tall ground sign as well as wall signage at 7800 Sunwood Drive NW.

Further discussion

Commissioner VanScoy cautioned that every business will want a sign and if the City does not provide reasonable support for that, it will become a forest of signage. Commissioner Johnson stated that he agrees with that and would prefer to see wall signage for now and delay additional signage until a monument sign is available.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners Peters, Gengler, and Woestehoff. Voting No: Commissioners Johnson and VanScoy. Absent: Commissioner Anderson.

6.02: Consider Request for Conditional Use Permit for Oversized Ground Sign at 7990 Sunwood Drive NW (Project No. 20-101); Case of RGH Ramsey LLC

Presentation

City Planner Anderson presented the Staff Report stating that staff recommends approving the request for a Conditional Use Permit for an oversized ground sign.

Commission Business

Chairperson Bauer commented that it seems the applicant has taken into account the comments from the Commission at the last meeting and adjusted their application as such.

Commissioner VanScoy asked the elevation of the Armstrong sign.

City Planner Anderson stated that he believed that the signs are relatively close in elevation. He stated that this sign is further separated from the overpass.

Commissioner VanScoy stated that it is his impression that this site has a higher elevation than the other sign.

City Planner Anderson stated that based on the contour data, the sites appear to be close in elevation.

Motion by Commissioner Johnson, seconded by Commissioner Gengler, to recommend that City Council approve Resolution #20-027 granting a Conditional Use Permit for an oversized ground sign at 7990 Sunwood Drive NW.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners Johnson, Gengler, Peters, and Woestehoff. Voting No: Commissioner VanScoy. Absent: Commissioner Anderson.

7. COMMISSION / STAFF INPUT

7.01: Receive Staff Update

Chairperson Bauer stated that at the last Council worksession there was an item related to the City's housing policy, specifically multi-family parcels. He stated that there was a brief discussion on the item because of a heavy agenda and advised that the item will be discussed again at the March 24th worksession. He encouraged members of the Commission to provide any input to himself or staff, or to attend if interested.

Commissioner Peters stated that his son won the Geography Bee at Anoka Middle School for the Arts and will be attending the State tournament.

Commissioner Johnson asked when the topics will move forward that the Commission discussed in a previous worksession.

Commissioner VanScoy suggested that the sign ordinance discussion move forward quickly to ensure there is consistency.

Senior Planner McGuire Brigl stated that the planning consultant is working on the zoning update to provide concrete items to be discussed, noting that the work began on the accessory dwelling structure language. She stated that a draft should be provided to staff within the next month. She provided an update on the April agenda, noting that there would not be a sufficient amount of space to add to that agenda. She noted that a worksession could be scheduled for later in April if desired to discuss accessory structures or signage. She confirmed that the items on the April agenda are not related to signage. She confirmed the consensus of the Commission to schedule a special worksession to discuss those topics. She reported that today was the deadline for the April meeting and noted that six applications were received. She stated that a workshop has been scheduled prior to that meeting to allow residents to attend and discuss a potential residential development and zoning change north of Trott Brook. She reported that Gardenview Villas, DC Ramsey LLC, has not provided an updated plan. She stated that the City has 120 days to respond to a request, which is coming to an end at the end of the month and therefore that item will move forward to the City Council at the March 24th meeting as is. She reported that Riverwalk Village will begin construction soon, advising that notification was provided to homeowners and businesses in that area to advise of the increased construction traffic. She stated that there is an item on the March 10th City Council agenda to hire a Planning Technician. She stated that the Planning Intern position has been posted on the website and will close on March 26th. She reported that Saturday April 4th the City will hold its Business Expo from 10 a.m. to 2 p.m.

8. ADJOURNMENT

Motion by Commissioner VanScoy, seconded by Commissioner Peters, to adjourn the meeting.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Peters, Gengler, Johnson, and Woestehoff. Voting No: None. Absent: Commissioner Anderson.

The regular meeting of the Planning Commission adjourned at 7:51 p.m.

Respectfully submitted,

Chloe McGuire Brigl
Senior Planner

ATTEST:

JoAnn Shaw
Planning Division Secretary

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.

Regular Planning Commission

7. 1.

Meeting Date: 04/02/2020

By: Chloe McGuire Brigl, Community
Development

Information

Title:

PUBLIC HEARING: Consider Resolution #20-060 Approving a Variance for 5805 148th Ln NW (Project 20-106); Case of Mike and Sarah St Clair

Purpose/Background:

The purpose of this case is to consider a request from Mike and Sarah St. Clair (the "Applicants") for a detached building to be built within the front yard setback of the property at 5805 148th Ln NW (the "Subject Property"). The Subject Property is approximately 3.04 acres. The proposed building is a 30 x 48 foot pole barn to store items that are currently stored outdoors. The Subject Property is in the R-1 Residential (MUSA) Zoning District and guided as Low Density Residential in the Comprehensive Plan. The Subject Property abuts other residential properties. The site abuts Ramsey Elementary School to the north. The Subject Property is accessed off Nowthen Boulevard from 148th Lane NW (one of the last gravel roads in the City) and has a gravel driveway. There is a permanent 33 foot road easement on the south edge of the Subject Property running east/west, likely for future extension. The adjacent property to the south also has a 33 foot road easement on the north end of their property. There are no longer plans to extend. This is an example of updated policies and regulations. The City would not allow this scenario today. The City should have required a full cul-de-sac at that time.

Notification:

The City attempted to send a mailing via Standard US Mail to property owners within 350 feet of the Subject Property, as noted in the Anoka County Property Records, notifying them of the public hearing. The notice was also published in the Anoka County UnionHerald.

Observations/Alternatives:

Summary

The Applicant has requested a variance to build a 30 x 48 foot detached structure (pole barn) 43 feet off the southern lot line of the Subject Property, or 10 feet off the permanent road easement. The City would typically apply the required front yard setback from the edge of the road easement, which on the Subject Property, would be 30 feet from the edge of the road easement. This is standard in case a road is built in the future, in which the yard becomes a "front" yard. The variance is to deviate from the required front yard setback. If approved, it would essentially treat this as a side yard setback of 10 feet from the road easement. The building would comply with the minimum side yard setback of 10 feet (albeit from a road easement). Staff spoke to the City Attorney and because the situation is unique, the City Attorney felt a variance is the most transparent process to approve a building in this area.

The Subject Property does have one detached garage onsite currently, which is approximately 432 square feet (~24 x 18 feet). The proposed building is 1,440 square feet (30 x 48 feet). The property is allowed 2,700 square feet of detached structures, and will have less than 2,000 if the proposed building is built. See the attached Detached Garage Requirements for more information.

Staff would like to note that the interpretation of Front Yard and Side Yard are very important to this case. The Variance is to the Front Yard Setback, which is being applied along the southern lot line due to the existing, recorded Road Easement. The City Attorney has interpreted the southern lot line as the front lot line for this case. It does appear that the southern lot line was incorrectly interpreted as a side lot line in the past, due to the permitting of the existing small garage south of the home. The interpretation of the southern lot line as the front lot line is

consistent with City policy and code at this time, so a Variance is still needed for the garage as proposed.

Road Easement

Please see the attached survey for a visual on this road easement. The permanent road easement is not buildable area nor is it currently maintained by the City. The City maintains (re-gravels, plows, etc.) that portion of 148th Lane up to the eastern lot line of the Subject Property. The permanent road easement spans two properties, the Subject Property and the property directly to the south. The purpose of this road easement, which has been in place for at least 30+ years, appears to be to provide a full sized turn around (cul-de-sac) for vehicles west of this property. Staff has spoken to Police, Fire, and Public Works, and while there is no current plan to extend the road throughout the easement, they would like a full sized turn around in this area. This could be west or east of the Subject Property. Public safety had no objections to this variance since the building is outside of the easement.

Home Occupation

For full transparency, Staff notes that a home-based business (landscaping company) exists on the Subject Property. This business came to Staff's attention through an ordinance complaint. Staff did work with the Owners to comply with applicable regulations. By approving this current request for a detached garage, the Owners must still comply with previous direction and applicable regulations. If the Owners use items classified for personal use for business use, the Subject Property would be out of compliance unless a new Home Occupation Permit were approved by the City.

A Home Occupation Permit was issued for the property and the property is in compliance. The Property Owners have been cooperative and worked with the City for the past year and have applied for necessary permits to ensure they are in compliance. The Property Owners reached out in advance of creating current plans to ensure they'd be in compliance with City Code, which is when the need for a Variance arose.

The Property Owner is aware that if they plan to expand their business beyond what the Administrative Home Occupation Permit they have in place allows, they need approval prior to expansion. Staff has spoken with the Property Owner about this and the Property Owner is understanding and are working to remain in compliance with City Code.

Variance Considerations

When considering granting a variance, statute states that the Planning Commission should consider the following three questions, which is the three-pronged test to decide if there is a practical difficulty onsite:

- **Is the request reasonable?** Accessory buildings are an allowed use in the residential district, and are common throughout the City of Ramsey. This building is an allowable size under current City ordinances.
- **Is the situation unique?** Staff does feel that the situation is unique. The variance is needed because of the permanent road easement along the south side of the property, which would function as a front yard if the road was extended. The front yard setback of 30 feet technically should be applied on the east and south lot lines.
- **Would the request alter the essential character of the neighborhood?** Staff does not feel that the request would alter the character of the neighborhood. Pole barns and detached structures are a common feature throughout Ramsey, and in this neighborhood. The Subject Property already has a detached structure the same distance from the southern lot line as the proposed building, so it would not be any closer to the road easement than an existing building. Additionally, the property owner is at the end of a road (functioning somewhat as a cul-de-sac), so the building will likely only be seen from one property owner. Staff will provide information if the property owner directly south of the property provides feedback on the request.

Based on the three factor test above, Staff does feel that the request meets the requirements to pass a variance. Please see the attached Variance Guide for Cities from the League of Minnesota Cities.

City Code Sections

- 117-349 (Accessory Uses and Buildings)
- 117- 111 (R-1 Residential District).

Alternatives

Alternative 1: Deny the variance request. Staff does feel the variance request is reasonable, unique, and meets the criteria for a variance.

Alternative 2: Approve the variance request.

Funding Source:

The Applicant is responsible for all costs associated with this project and review.

Recommendation:

Staff recommends Planning Commission adopt Resolution #20-060 approving a Variance for a detached garage at 5805 148th Ln NW.

Action:

Motion to adopt Resolution #20-060 granting a variance to setbacks for a detached garage at 5805 148th Lane NW.

Attachments

[Site Location Map](#)

[Detached Garage Requirements](#)

[Property Survey](#)

[Site Plan](#)

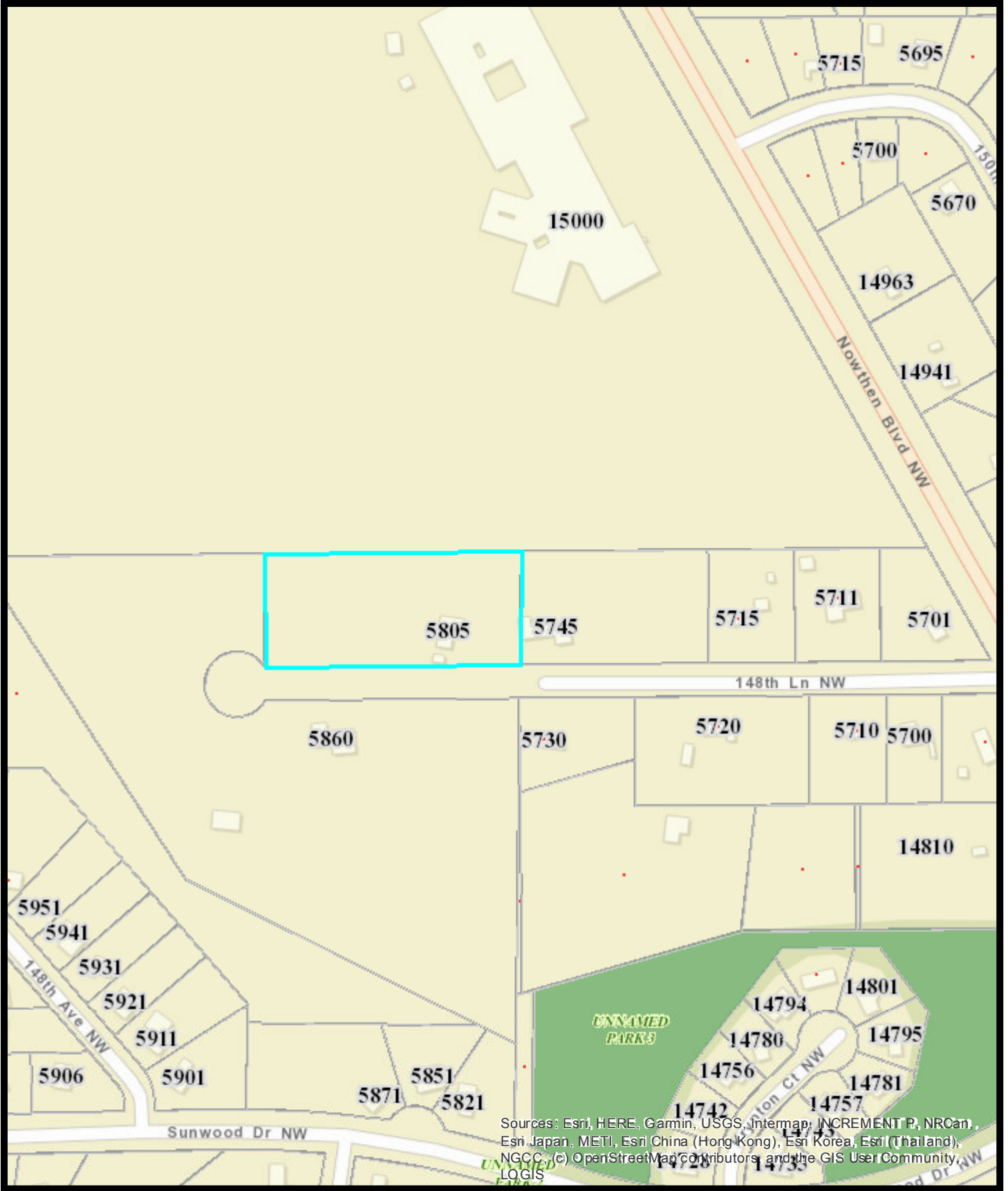
[Variance Guide from League of MN Cities](#)

[City Attorney Response re: Road Easement](#)

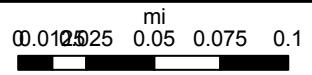
[Resolution #20-060](#)

Form Review

Inbox	Reviewed By	Date
Chris Anderson	Chris Anderson	03/18/2020 07:58 AM
Tim Gladhill	Tim Gladhill	03/30/2020 08:49 AM
Tim Gladhill	Tim Gladhill	03/30/2020 09:02 AM
Form Started By: Chloe McGuire Brigl		Started On: 03/17/2020 10:08 AM
Final Approval Date: 03/30/2020		

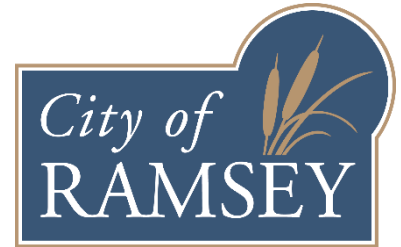


Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, LOGIS



GARAGE/ACCESSORY BUILDING

7550 Sunwood Drive NW
 Ramsey, Minnesota 55303
 City Hall: 763-427-1410
 Building and Inspections: 763-433-9850
 Fax: 763-433-9848
www.cityoframsey.com/permits
permits@cityoframsey.com



This pamphlet is a compilation of some of the standard requirements based on the State Building Code and City Zoning Code for projects of this type. This information packet does not contain all of the specific codes for construction and should only be used as a guide. The permittee is responsible to meet all code requirements applicable to each project.

Building Permit Requirements (Greater than 200 square feet)

- A. Permit application must be completed with description of building size, height of sidewalls, height of roof, exterior finish material for walls and roof, plus note finish material of home.
- B. Construction plans for the building.
- C. Survey or scaled drawing must be submitted by owner or applicant. (See attached site plan example.) Existing dwellings may have a copy of a survey on file with the city and proposed buildings could simply be added to the survey, if drawn to scale.
- D. Allow up to 10 working days for permit approval.

Setback Requirements

All accessory structures are subject to the specific development agreement for the area and/or City Code for setbacks from property lines. Additionally, all buildings must be at least 4 feet from a swimming pool, 10 feet from any septic tank, 20 feet from a drain field, and 3 feet from a well.

On lots less than 2 acres in size, the accessory building shall be located in the side or rear yard and shall not be located nearer the front property line than the principal building on that lot, unless a variance is obtained. This provision shall not apply to attached garages that maintain compliance with the applicable front yard setback requirements.

Building Size and Height

No attached garage may exceed the height of the dwelling.

The maximum height and square footage of accessory buildings is determined by parcel size. The maximum, "mean", or average height of the building is 16 feet on parcels less than 2 acres and 22 feet on parcels 2 acres or larger. (Mean Height is measured from the adjoining mean grade to the midpoint between the peak and eave.)

On parcels less than 2 acres, sidewall height cannot exceed 14 feet.

Lot Coverage

City Code requires that no more than 35 percent of a property be covered with buildings.

Prohibited Locations

No garage or accessory building may be located in **any** easement of record. Homeowners should check and be aware of any easement, wetland area or flood plain which can prohibit building activity in those areas.

Before Excavating

Call Gopher State One Call prior to any digging to verify utility locations. Call 651-454-0002 48 hours in advance of digging.

	MUSA	R-1, Rural Developing
Front	30 feet or same as principal structure, whichever is greater	40 feet or same as principal structure, whichever is greater
Rear	5 Feet	5 Feet
Side	6 Feet	10 Feet
Side Corner	30 Feet	40 Feet

Exterior Building Treatment Requirements

- A. The exterior finish of the attached garage shall match that of the principal structure.
- B. Detached accessory structures, in most cases, must be constructed with exterior materials similar to that of the principal structure. For specific requirements, contact city staff.
- C. Permitted exterior finishes and other architectural standards are also specified by lot size.

General Design Standards

- A. All accessory structure roofs must be designed for a minimum 35lb per square foot live load and a 10lb per square foot dead load.
- B. Additions to any existing structure which currently has frost footings must be also be designed with frost footings.
- C. All frost footings must be 42" deep minimum.
- D. All wood in direct contact with concrete or masonry must be pressure treated of equal decay resistance.
- E. Garage slabs should be designed to be 4 inches thick throughout minimum, with reinforcement. (See attached detail drawing for slab-on-grade detached structures.)
- F. All wall sheathing joints must be on studs, plates, or solid 2x blocking and fastened per code. Fiberboard sheathing must be installed with the long direction vertically.
- G. For heated, accessory buildings; a manufactured ice dam material must be installed 24 inches inside the exterior wall line and be provided with attic ventilation per code.
- H. Enclosed attic spaces over 30 inches in height shall be provided with an access opening 22" x 30".

Construction and Finish

Accessory buildings may be constructed of any material accepted by the Minnesota State Building Code, which is approved to the application and location.

Exterior materials and finish must match or complement the exterior finish of the principal structure in material, color and texture. (See tables for size limitations for more information.)

Fire Protection

Attached garages shall be separated from living areas with a minimum of ½" gypsum board on the garage side. This shall extend from the floor to roof sheathing and into soffit areas.

Access from a dwelling to the garage shall consist of a solid wood door of 1-3/8" thick, solid, or honeycomb steel door of the same thickness or a labeled 20-minute fire door. No doorway shall open directly from a garage to a sleeping room.

Garage Door Openers

Automatic garage openers that are installed, serviced, or repaired must incorporate an edge sensor, safety beam or similar device in compliance with Minnesota Statutes, sections 325F.82 and 325F.83

Framing Requirements

The trusses may be of engineered design by an approved manufacturer or hand framed rafters in accordance with Chapter 8 of MSRC.

Attic Ventilation

For enclosed garages, attics must be provided with ventilation equivalent to 1/300th of the attic area, equally distributed between soffit vents and high roof or ridge vents.

Flashing

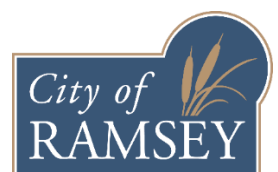
Required over all exterior exposed openings.

Valley Flashing

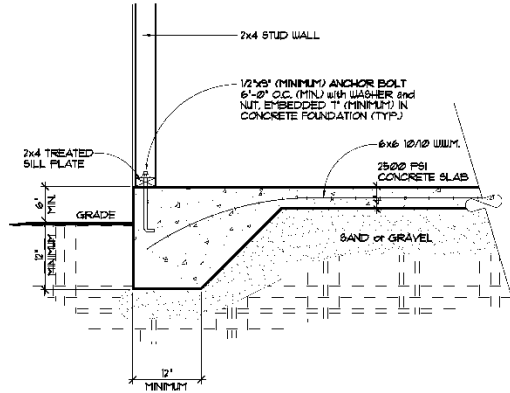
Minimum 26 gauge galvanized extending at least 12 inches from center line each way. Provide an underlay of not less than 15 pound felt extending 18 inches each way from center line.

Roof Starter Strip

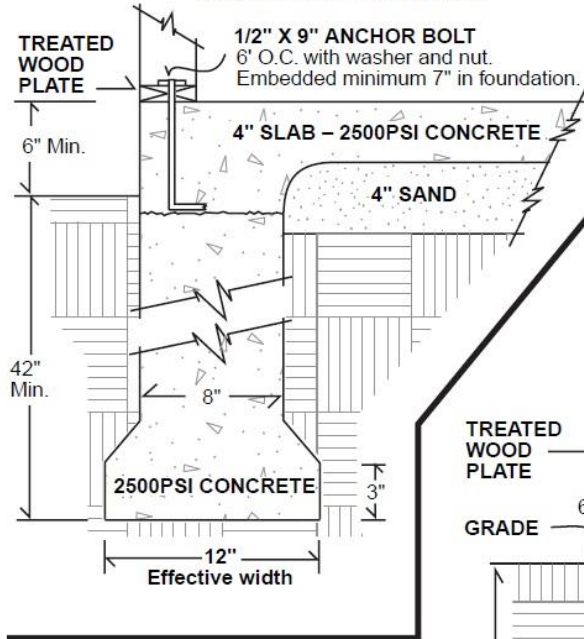
A manufactured ice dam protection membrane may be required to be installed to a point no less than 24 inches inside the exterior wall line. This product must be installed per the manufacturer's instructions. Start the product at the outer edge of the fascia boards.



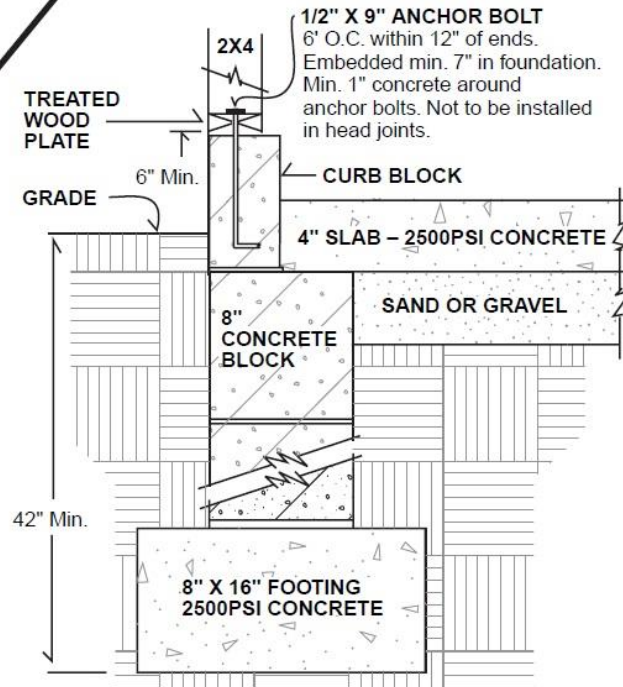
SLAB-ON-GRADE for DETACHED GARAGE



Poured concrete footing and foundation wall
Typical for attached garage



Concrete block foundation wall on concrete footing
Typical for attached garage



Note: Anchor bolts are a maximum of 6' O.C., 12" within any end or splice and minimum two per board.

Other Permits

Separate plumbing, heating and electrical permits are required for each type of work being done.

Inspections

The type of timing of inspections depend on the project and its complexity. The Building Division will specify the required inspections on the yellow Inspection Card. A day's notice is required for all inspections. You must identify the permit number and address to schedule an inspection. Building inspections will only be done Monday through Friday (excluding holidays) from 9:00 am to 3:30 pm. Call 763-433-9850 to schedule all types of inspections. Electrical inspections will be done Monday through Friday from 9:00 am to noon. All electrical questions are handled by the Contract Electrical Inspector. Call 763-754-2983 between 7:00am and 8:30am.

Inspections Needed

- Footing:** When footing is excavated and formed or slab is formed and sand cushion and reinforcement are in place but prior to placing concrete.
- Rough-in:** For any plumbing, heating or electrical work that is involved.
- Framing:** When all framing is complete, all mechanical installed and electrical rough-in inspection passed, but before insulating.
- Insulation:** When all wall insulation is in place and ceiling and wall vapor barriers are in place.
- Final:** When all work is complete and before garage is occupied or used for any purpose.
- Note:** If installing a new or additional driveway, the surface material must comply with the applicable zoning district, a five foot minimum side setback applies, and a driveway permit is required. The fee for a driveway permit is \$25.



Size Restrictions for Properties within the MUSA Residential Boundary

Parcel Size (sq. ft. and acres) (excluding road right-of-way)	Maximum Square Footage Allowed for Accessory Buildings ¹ (Excluding Attached Garage)	Maximum Number of Acc. Bldgs. Allowed (Excluding Attached Garage)	Exterior Finish Permitted	Architectural Standards Required	Maximum Allowable Height in Feet ⁴ (one story buildings permitted, two with CUP and 2 acres)
0-21,779 (0 to 0.5 acre)	10% of lot, or 1,500 sq. ft. whichever is smaller	2	Same general design and materials as home	Soffit, fascia, eave overhang to match home	16
21,780-43,559 (0.5 to 1 acre)	1,800	3	Same general design and materials as home	Soffit, fascia, eave overhang to match home	16
43,560-65,339 (1 to 1.49 acres)	2,200	3	Same general design and materials as home	Soffit, fascia, eave overhang to match home	16
65,340-87,119 (1.5 to 1.99 acres)	2,400	3	Same general design and materials as home	Soffit, fascia, eave overhang to match home	16
88,120-108,899 (2 to 2.49 acres)	2,400	3	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
108,900-152,459 (2.5 to 3.49 acres)	2,700	3	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
152,460-196,019 (3.5 to 4.49 acres)	3,000	4	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
196,020-239,579 (4.5 to 5.49 acres)	3,500	4	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³

Zoning Permit Requirements (200 Square Feet or Smaller)

In the City of Ramsey, in all residential zoning districts, small accessory buildings do not require a building permit; however, they will require a zoning permit. The 200 square foot designation is taken from Minnesota State Building Code. The zoning application will require a scaled site plan depicting the location of the proposed building along with other structures on the property. (See attached site plan example) There are regulations for small accessory buildings which you must be aware of and incorporate into your design, construction and location.

Although a building permit may not be required, the following are some of the conditions that will need to be followed:

1. Standard setbacks as outlined in applicable zoning district.

	MUSA	R-1, Rural Developing
Front	30 feet or same as principal structure, whichever is greater	40 feet or same as principal structure, whichever is greater
Rear	5 Feet	5 Feet
Side	6 Feet	10 Feet
Side Corner	30 Feet	40 Feet

2. Minimum distance to the primary structure is 5 feet measured from overhang to overhang. If circumstances require a lesser distance; it shall meet City Code requirements for fire resistive construction.
3. In no case shall the structure be placed in **any** type of easement.
4. The structure must be placed so as not to obstruct or change direction of storm water; activities such as grading/filling in relation to an accessory building shall not alter drainage patterns in a way that impacts the adjoining property.
5. The maximum, "mean", or average height of the building is 16 feet on parcels less than 2 acres and 22 feet on parcels 2 acres or larger. (Mean Height is measured from the adjoining grade to the midpoint between the peak and eave.)
6. The maximum sidewall height on parcels less than 2 acres is 14 feet.
7. Exterior treatments (siding and roofing) should be carefully considered. Refer to the Ramsey City Code Section 117-349 for more information.
8. The square footage of a small accessory building shall count towards the total square footage allotted for accessory buildings per lot size.
9. A small accessory building will also count towards the number of accessory buildings allowed on the property (excluding attached garage).

Site Plan

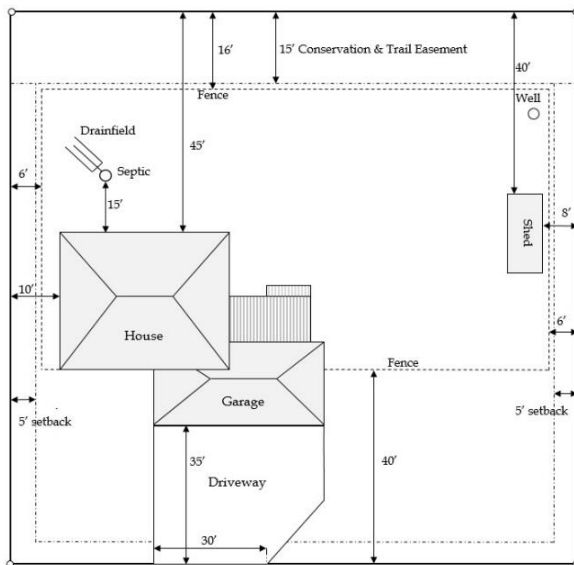
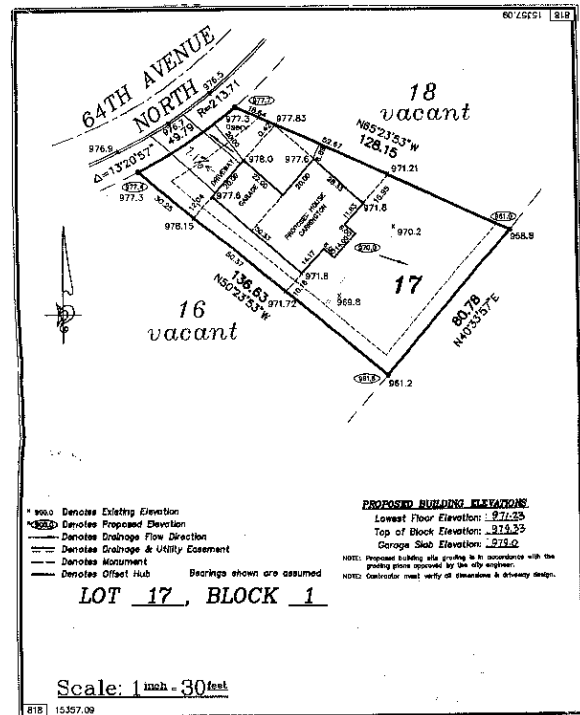
Site plans are required for building permits involving accessory structures, garages, pools, decks, or additions and for all zoning permits.

Information to be included:

- Property boundaries
- Principle structures (house/garage)
- Existing driveway(s)
- Proposed location(s) of fence, deck, pool, accessory building, or addition

Information, if present, to be included:

- Existing fences, decks, pools, additions, accessory buildings and/or structures
- Septic & drain-field location
- Well location
- Drainage & utility easements
- Conservation & trail easements
- Any unique physical characteristic of the lot



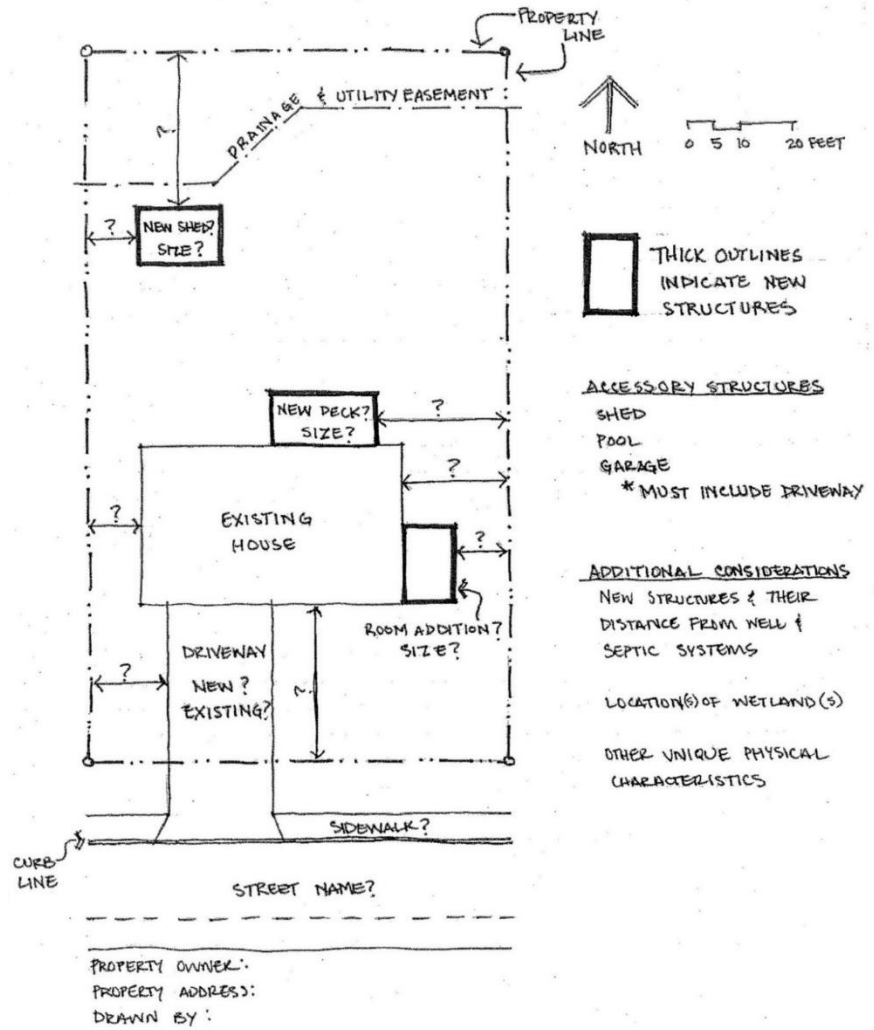
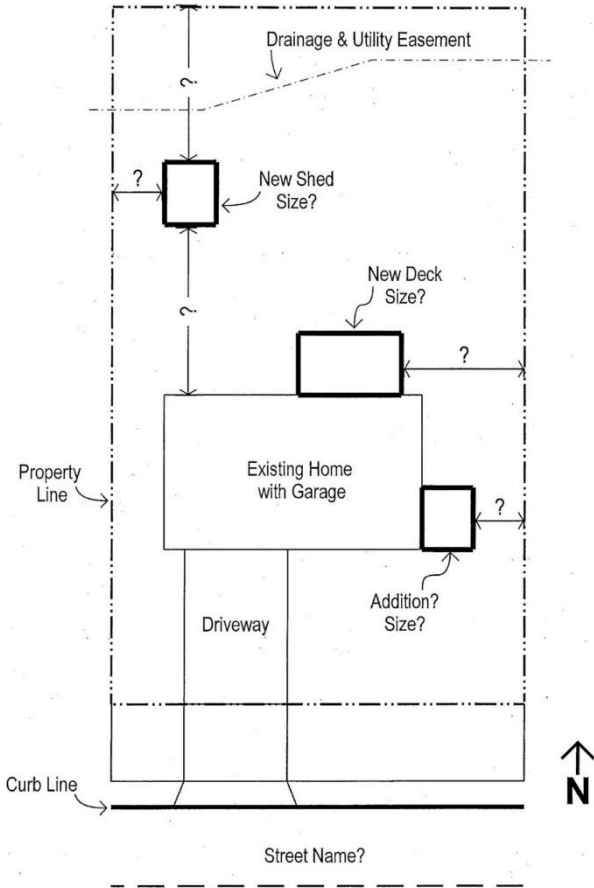
Site Plans may be in the form of an official survey document (most preferred), a scaled computer drawing, or a scaled hand-drawing.

Aerial images are not a preferred means of a site map because most do not include a scale and also due to the loss of information when scanning images into the respective property file. However, aerial images can be used to provide the applicant with an initial site map to trace over for a clear, scanner-friendly site plan.

It is the responsibility of the applicant to provide a site plan with the application showing the proposed modifications to the property.

Example of a computer-drawn site plan with proposed modifications

Example of a hand-drawn site plan with proposed modifications



Michael St. Clair

5805 148th Lane NW
Ramsey, MN 55303
TEL 763-600-9161

St. Clair Property

Anoka County, MN

SHEET	TITLE
001	XXXXXXXXXX

DATE	REVISION	REVIEW
XX/XX/20XX	XXXXXXXXXX	XXX

BY LC	DATE
	06/28/2019

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

Lynn R. Caswell
Lynn R. Caswell

License No. 13057 Date: 06/17/2019

Signature shown is a digital reproduction of original. Wet signed copy of this plan on file at Landform Professional Services, LLC office and is available upon request.

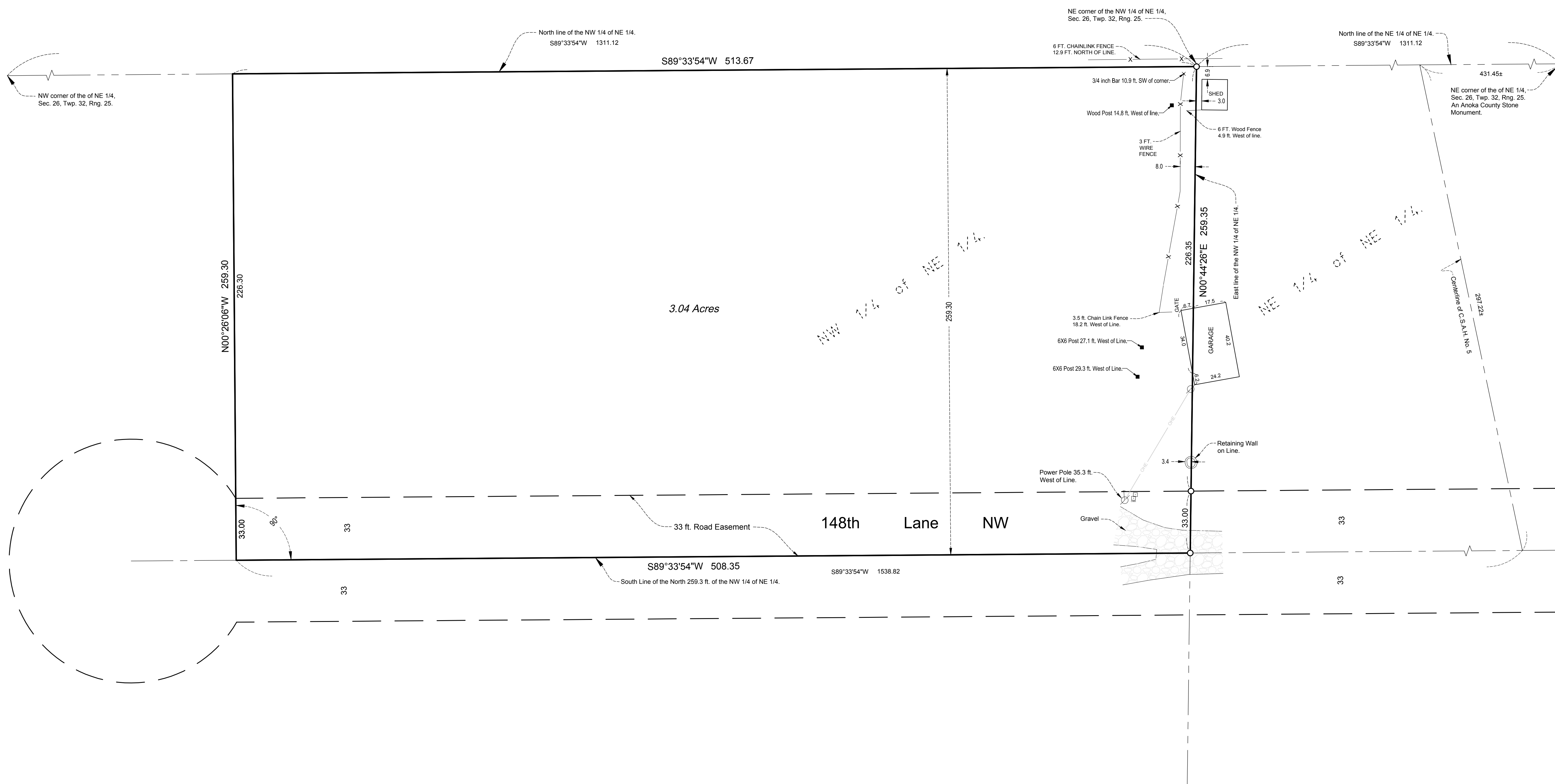
IF THE SIGNATURE, SEAL OR FOUR LINES DIRECTLY ABOVE ARE NOT VISIBLE, THIS SHEET HAS BEEN REPRODUCED BEYOND INTENDED READABILITY AND IS NO LONGER A VALID DOCUMENT. PLEASE CONTACT THE ENGINEER TO REQUEST ADDITIONAL DOCUMENTS.



105 South Fifth Avenue Tel: 612-252-9070
Suite 513 Fax: 612-252-9077
Minneapolis, MN 55401 Web: landform.net

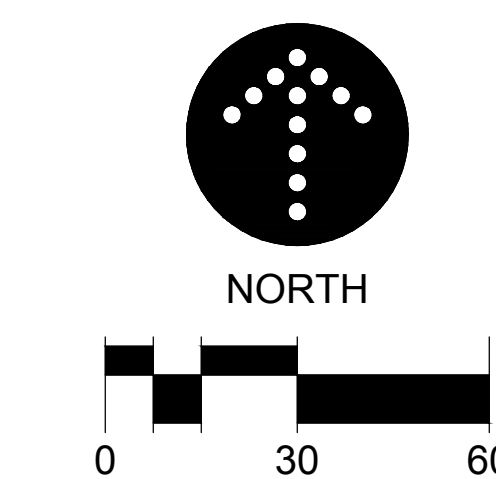
FILE NAME VEBK_ZZZ464.dwg

PROJECT NO. ZZZ19464






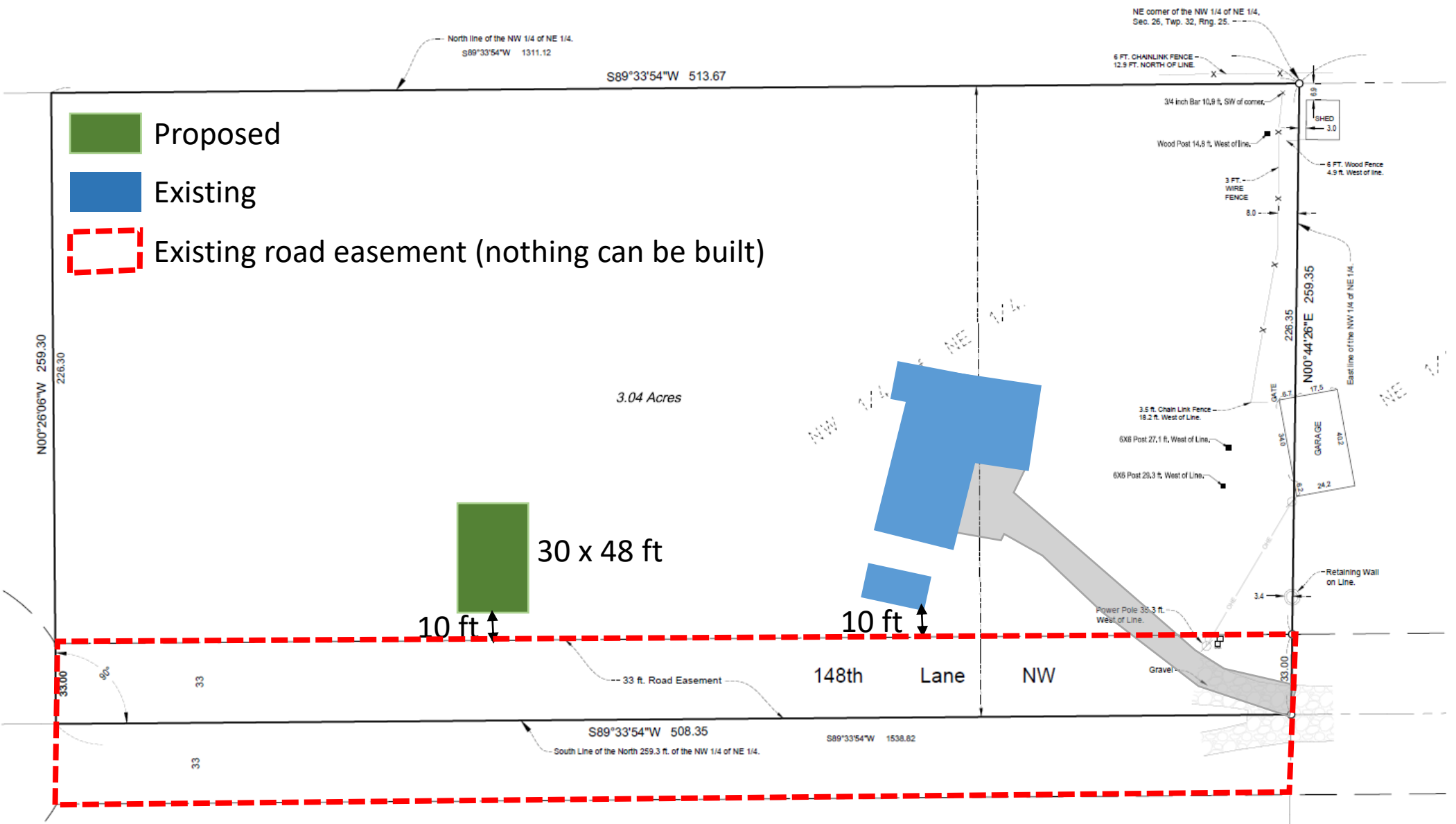
PROPERTY DESCRIPTION

The North 259.30 feet of the Northwest Quarter of the Northeast Quarter of Section 26, Township 32, Range 25, Anoka County, Minnesota which lies easterly of the following described line: Commencing at the Northeast corner of said Section 26; thence westerly along the northerly line of the Northeast Quarter of said Section 26, a distance of 431.45 feet, more or less, to the centerline of County State Aid Highway No. 5; thence southeasterly, along said centerline, a distance of 297.22 feet, more or less, to a point which is 259.3 feet southerly of the said northerly line of the Northeast Quarter (as measured at right angles); thence westerly, on a line 259.30 feet southerly of, and parallel to, said northerly line of the Northeast Quarter, a distance of 1538.82 feet to the actual Point of Beginning of the line to be described; thence northerly, at right angles, a distance of 259.3 feet to the northerly line of said Northeast Quarter and there terminating. Subject to an easement for roadway purposes over the southerly 33.00 feet thereof.



○ Denotes a 1/2 inch iron pipe monument set with a plastic plug stamped 13057.

-  Proposed
-  Existing
-  Existing road easement (nothing can be built)



Land Use Variances

Learn about variances as a way cities may allow an exception to part of their zoning ordinance. Review who may grant a variance and how to follow and document the required legal standard of “practical difficulties” (before 2011 called “undue hardship”). Links to a model ordinance and forms for use with this law.

RELEVANT LINKS:

[Minn. Stat. § 462.357, subd. 6.](#)

[Minn. Stat. § 462.357, subd. 6.](#)

[Minn. Stat. § 462.357, subd. 6.](#)

I. What is a variance

A variance is a way that a city may allow an exception to part of a zoning ordinance. It is a permitted departure from strict enforcement of the ordinance as applied to a particular piece of property. A variance is generally for a dimensional standard (such as setbacks or height limits). A variance allows the landowner to break a dimensional zoning rule that would otherwise apply.

Sometimes a landowner will seek a variance to allow a particular use of their property that would otherwise not be permissible under the zoning ordinance. Such variances are often termed “use variances” as opposed to “area variances” from dimensional standards. Use variances are not generally allowed in Minnesota—state law prohibits a city from permitting by variance any use that is not permitted under the ordinance for the zoning district where the property is located.

II. Granting a variance

Minnesota law provides that requests for variances are heard by a body called the board of adjustment and appeals; in many smaller communities, the planning commission or even the city council may serve that function. A variance decision is generally appealable to the city council.

A variance may be granted if enforcement of a zoning ordinance provision as applied to a particular piece of property would cause the landowner “practical difficulties.” For the variance to be granted, the applicant must satisfy the statutory three-factor test for practical difficulties. If the applicant does not meet all three factors of the statutory test, then a variance should not be granted. Also, variances are only permitted when they are in harmony with the general purposes and intent of the ordinance, and when the terms of the variance are consistent with the comprehensive plan.

III. Legal standards

When considering a variance application, a city exercises so-called “quasi-judicial” authority. This means that the city’s role is limited to applying the legal standard of practical difficulties to the facts presented by the application. The city acts like a judge in evaluating the facts against the legal standard. If the applicant meets the standard, then the variance may be granted. In contrast, when the city writes the rules in zoning ordinance, the city is exercising “legislative” authority and has much broader discretion.

A. Practical difficulties

“Practical difficulties” is a legal standard set forth in law that cities must apply when considering applications for variances. It is a three-factor test and applies to all requests for variances. To constitute practical difficulties, all three factors of the test must be satisfied.

1. Reasonableness

The first factor is that the property owner proposes to use the property in a reasonable manner. This factor means that the landowner would like to use the property in a particular reasonable way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. For example, if the variance application is for a building too close to a lot line or does not meet the required setback, the focus of the first factor is whether the request to place a building there is reasonable.

2. Uniqueness

The second factor is that the landowner’s problem is due to circumstances unique to the property not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands or trees.

RELEVANT LINKS:

[2011 Minn. Laws, ch. 19, amending Minn. Stat. § 462.357, subd. 6.](#)

[Krummenacher v. City of Minnetonka](#), 783 N.W.2d 721 (Minn. June 24, 2010).

[Minn. Stat. § 462.357, subd. 6.](#)
[Minn. Stat. § 394.27, subd. 7.](#)

See Section I, *What is a variance.*

See Section IV-A, *Harmony with other land use controls.*

3. Essential character

The third factor is that the variance, if granted, will not alter the essential character of the locality. Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area.

B. Undue hardship

“Undue hardship” was the name of the three-factor test prior to a May 2011 change of law. After a long and contentious session working to restore city variance authority, the final version of HF 52 supported by the League and allies was passed unanimously by the Legislature. On May 5, Gov. Dayton signed the new law. It was effective on May 6, the day following the governor’s approval. Presumably it applies to pending applications, as the general rule is that cities are to apply the law at the time of the decision, rather than at the time of application.

The 2011 law restores municipal variance authority in response to a Minnesota Supreme Court case, *Krummenacher v. City of Minnetonka*. It also provides consistent statutory language between city land use planning statutes and county variance authority, and clarifies that conditions may be imposed on granting of variances if those conditions are directly related to, and bear a rough proportionality to, the impact created by the variance.

In *Krummenacher*, the Minnesota Supreme Court narrowly interpreted the statutory definition of “undue hardship” and held that the “reasonable use” prong of the “undue hardship” test is not whether the proposed use is reasonable, but rather whether there is a reasonable use in the absence of the variance. The new law changes that factor back to the “reasonable manner” understanding that had been used by some lower courts prior to the *Krummenacher* ruling.

The 2011 law renamed the municipal variance standard from “undue hardship” to “practical difficulties,” but otherwise retained the familiar three-factor test of (1) reasonableness, (2) uniqueness, and (3) essential character. Also included is a sentence new to city variance authority that was already in the county statutes.

RELEVANT LINKS:

[Issuance of Variances](#), LMC Model Ordinance.

[Variance Application](#), LMC Model Form.
[Adopting Findings of Fact](#), LMC Model Resolution.

[Minn. Stat. § 462.357, subd. 6.](#)

See LMC information memo, [Taking the Mystery out of Findings of Fact.](#)

[Minn. Stat. § 462.357, subd. 6.](#)

C. City ordinances

Some cities may have ordinance provisions that codified the old statutory language, or that have their own set of standards. For those cities, the question may be whether you have to first amend your zoning code before processing variances under the new standard. A credible argument can be made that the statutory language pre-empts inconsistent local ordinance provisions. Under a pre-emption theory, cities could apply the new law immediately without necessarily amending their ordinance first. In any regard, it would be best practice for cities to revisit their ordinance provisions and consider adopting language that mirrors the new statute.

The models linked at the left reflect the 2011 variance legislation. While they may contain provisions that could serve as models in drafting your own documents, your city attorney would need to review prior to council action to tailor to your city's needs. Your city may have different ordinance requirements that need to be accommodated.

IV. Other considerations

A. Harmony with other land use controls

The 2011 law also provides that: “Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the terms of the variance are consistent with the comprehensive plan.” This is in addition to the three-factor practical difficulties test. So a city evaluating a variance application should make findings as to:

- Is the variance in *harmony with* the purposes and intent of the ordinance?
- Is the variance *consistent with the comprehensive plan*?
- Does the proposal put property to use in a *reasonable manner*?
- Are there *unique circumstances* to the property not created by the landowner?
- Will the variance, if granted, alter the *essential character* of the locality?

B. Economic factors

Sometimes landowners insist that they deserve a variance because they have already incurred substantial costs or argue they will not receive expected revenue without the variance. State statute specifically notes that economic considerations alone cannot create practical difficulties. Rather, practical difficulties exist only when the three statutory factors are met.

RELEVANT LINKS:

[Minn. Stat. § 462.357, subd. 6.](#)

C. Neighborhood opinion

Neighborhood opinion alone is not a valid basis for granting or denying a variance request. While city officials may feel their decision should reflect the overall will of the residents, the task in considering a variance request is limited to evaluating how the variance application meets the statutory practical difficulties factors. Residents can often provide important facts that may help the city in addressing these factors, but unsubstantiated opinions and reactions to a request do not form a legitimate basis for a variance decision. If neighborhood opinion is a significant basis for the variance decision, the decision could be overturned by a court.

D. Conditions

A city may impose a condition when it grants a variance so long as the condition is directly related and bears a rough proportionality to the impact created by the variance. For instance, if a variance is granted to exceed an otherwise applicable height limit, any conditions attached should presumably relate to mitigating the effect of excess height.

V. Variance procedural issues

A. Public hearings

Minnesota statute does not clearly require a public hearing before a variance is granted or denied, but many practitioners and attorneys agree that the best practice is to hold public hearings on all variance requests. A public hearing allows the city to establish a record and elicit facts to help determine if the application meets the practical difficulties factors.

B. Past practices

While past practice may be instructive, it cannot replace the need for analysis of all three of the practical difficulties factors for each and every variance request. In evaluating a variance request, cities are not generally bound by decisions made for prior variance requests. If a city finds that it is issuing many variances to a particular zoning standard, the city should consider the possibility of amending the ordinance to change the standard.

RELEVANT LINKS:

[Minn. Stat. § 15.99.](#)

[Minn. Stat. § 15.99, subd. 2.](#)

See LMC information memo,
*Taking the Mystery out of
Findings of Fact.*

[Minn. Stat. § 15.99, subd. 2.](#)

Jed Burkett
LMCIT Land Use Attorney
jburkett@lmc.org
651.281.1247

C. Time limit

A written request for a variance is subject to Minnesota's 60-day rule and must be approved or denied within 60 days of the time it is submitted to the city. A city may extend the time period for an additional 60 days, but only if it does so in writing before expiration of the initial 60-day period. Under the 60-day rule, failure to approve or deny a request within the statutory time period is deemed an approval.

D. Documentation

Whatever the decision, a city should create a record that will support it. In the case of a variance denial, the 60-day rule requires that the reasons for the denial be put in writing. Even when the variance is approved, the city should consider a written statement explaining the decision. The written statement should explain the variance decision, address each of the three practical difficulties factors and list the relevant facts and conclusions as to each factor.

If a variance is denied, the 60-day rule requires a written statement of the reasons for denial be provided to the applicant within the statutory time period. While meeting minutes may document the reasons for denial, usually a separate written statement will need to be provided to the applicant in order to meet the statutory deadline. A separate written statement is advisable even for a variance approval, although meeting minutes could serve as adequate documentation, provided they include detail about the decision factors and not just a record indicating an approval motion passed.

VI. Variances once granted

A variance once issued is a property right that "runs with the land" so it attaches to and benefits the land and is not limited to a particular landowner. A variance is typically filed with the county recorder. Even if the property is sold to another person, the variance applies.

VII. Further assistance

If you have questions about how your city should approach variances under this statute, you should discuss it with your city attorney. You may also contact League staff.

On Tue, Jul 30, 2019, 1:03 PM Joseph J. Langel <jjl@ratwiklaw.com> wrote:

Michael and Sara St. Clair,

I am responding to a request for information you made by phone to Chloe McGuire Brigl this morning.

With respect to the easement, the southerly 33 feet of your property has been subject to an easement for roadway purposes since some time prior to 1977. While the City has the right to use the recorded easement for road purposes, it has not done so. The portion of 148th Street that lies within the easement upon your property has never been improved or maintained as a public road or opened to the public as such.

With respect to the complaint, there was a formal complaint filed against you on July 1, 2019 for the home-based business. City Staff has since worked with the you to get a draft administrative home occupation permit for the landscape business, though the permit has not been formalized or signed by the City or you.

Let me know if you need any additional information.

Joe

Joseph J. Langel

Ratwik, Roszak & Maloney, P.A.
730 Second Ave. South, Suite 300
Minneapolis, MN 55402

PH: 612-339-0060 | Direct Fax: 612-225-6860

Web: www.ratwiklaw.com

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

RESOLUTION #20-060

**A RESOLUTION APPROVING THE ISSUANCE OF A VARIANCE TO CONSTRUCT
A DETACHED ACCESSORY BUILDING WITHIN THE REQUIRED FRONT YARD
SETBACK AT THE PROPERTY AT 5805 148TH LN NW**

RECITALS

1. Michael and Sarah St. Clair, hereinafter referred to as the “Permittee”, has properly applied for a Variance to construct a detached accessory building within the required front yard setback on the property located at 5805 148th Ln NW and legally described as follows:

UNPLATTED RAMSEY TWP TH PT OF THE N 259.3 FT OF THE NW1/4 OF
NE1/4 OF SEC 26-32-25 WHICH LIES ELY OF THE FOL DESC LINE-COM AT
THE NE COR OF SD SEC 26 TH WLY ALONG THE NLY LINE OF THE NE1/4
OF SD SEC 26 A DIST OF 431.45 FT MORE OR LESS TO THE CENTERLINE

(“Subject Property”)

2. That the Subject Property is zoned R-1 Residential (MUSA) District; the surrounding parcels to the west, south, and east are also zoned R-1 Residential (MUSA) and the property to the north is zoned Public/Quasi-Public (Ramsey Elementary School).
3. That the Subject Property is approximately 3.04 acres in size.
4. That the proposed detached building would be 30’ x 48’ feet and 1,440 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.
5. That the proposed detached building would comply with all other applicable standards for attached accessory buildings.
6. That the Subject Property has an existing detached garage which is approximately 10 feet off the southern lot line and was built with a permit prior to the purchase of the home by the Applicant. The existing detached garage is approximately 435 square feet.
7. That the Subject Property has a permanent road easement of 33 feet running along the southern lot line, which is not currently being used for public road purposes.

FINDINGS OF FACT

1. That the proposed use will not adversely impact traffic in the area.

RESOLUTION #20-060

2. That the proposed use will not substantially or adversely impair the use, enjoyment or market value of surrounding properties.
3. That the proposed use will 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 not change the essential character of the area.
4. That the proposed use will not create additional requirements at public cost for public facilities and services.
5. That the proposed use will not be detrimental to the economic welfare of the community.
6. That the proposed use will not be disturbing or hazardous to existing or future neighboring uses.
7. That the proposed use 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.

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 **Detached Building** 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, including storage of business materials, vehicles, or offices, 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 **Detached Building** as shown in **Exhibit 1**.
5. That the **Permittee** agrees that there will not be any habitation within the detached building.

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 April 2, 2021 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 April, 2020.

Exhibit 1 Site Plan

