

Commissioner \_\_\_\_\_ introduced the following resolution and moved for its adoption:

**RESOLUTION #21-203**

**A RESOLUTION APPROVING THE ISSUANCE OF A VARIANCE TO WETLAND SETBACK STANDARDS ON LOTS 3-5, BLOCK 1 WILLIAMS WOODS AND DECLARING TERMS OF PERMIT**

**RECITALS**

1. The City of Ramsey received an application from Bill Boyum (the “Permittee”) requesting a Variance to Section 117-289 (Permanent Wetland and Stormwater Pond Setbacks) of the Ramsey City Code for:

Lots 3-5, Block 1 WILLIAMS WOODS

(the "Subject Property")

2. That the Permittee appeared before the Planning Commission for a public hearing pursuant to Section 117-53 (Variances) of the Ramsey City Code on July 22, 2021, and that said public hearing was properly advertised and that the minutes of said public hearing are available.
3. That the Subject Property is approximately 94 acres in size and is zoned R-1 Residential (Rural Developing).
4. That the surrounding residential parcels are all also zoned R-1 Residential (Rural Developing) and range in size from about 1 acre to 20 acres.
5. That the Subject Property is guided as Rural Developing on the City’s Future Land Use Map along with all of the surrounding parcels as well.
6. That the Permittee has applied for Preliminary Plat for a proposed nine (9) lot subdivision gaining access from a new public road.
7. That City Code Section 117-289 (Permanent Wetland and Stormwater Pond Setbacks) requires a wetland setback of sixteen and a half feet (16.5’) from the delineated boundary of wetlands.
8. That driveways to Lots 3-5 would encroach into the required wetland setback to provide access to larger, buildable areas.
9. That based on acreage, the Subject Property could potentially be subdivided into thirty-seven (37) lots.
10. That the Permittee has opted for fewer lots with larger sizes in an attempt to incorporate public comments received and to minimize impacts to natural resources.

11. That the Permittee is attempting to minimize disruption of natural resources on the Subject Property, including wetlands (approximately one-third of the Subject Property), floodplain, and tree cover by locating the public road within the same corridor as the driveway that accessed the former residence.
12. That the City Council approved the Preliminary Plat on June 22, 2021 contingent upon compliance with review comments.
13. That the Environmental Policy Board reviewed the request for a variance to the wetland setback requirement on July 19, 2021.

### **FINDINGS OF FACT**

1. That the wetland setback encroachment will not impair an adequate supply of light and air to adjacent property.
2. That the wetland setback encroachment will not unreasonably increase the congestion on the public street.
3. That the wetland setback encroachment will not have the effect of allowing any use prohibited in the R-1 Residential (Rural Developing) District.
4. That the wetland setback encroachment 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 wetland setback encroachment will not increase the danger of fire or endanger the public safety.
6. That the wetland setback encroachment 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 wetland setback encroachment 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 wetland setback encroachment will not violate the intent and purpose of the Comprehensive Plan.
9. That the wetland setback encroachment will be in accordance with the objectives of the intent of Section 117-53 (Variances) of the Ramsey City Code.
10. That the wetland setback encroachment is the minimum necessary to accomplish the Permittee's intended purpose.

**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 the wetland setback standard on the **Subject Property**, subject to review and approval as to legal form and contingent upon the following conditions:

**CONDITIONS**

1. That this **Variance** shall allow an encroachment into the wetland setback on the **Subject Property** as outlined in Exhibits 1-4.
2. That this **Variance** shall be perpetual in duration as long as the terms are herein complied with.
3. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Variance**.
4. That the **Permittee** shall install the driveways on the **Subject Property** from the road to a point beyond the area of encroachment and in accordance with Exhibits 1-4.
5. That the **Permittee** shall install the driveway apron for Lot 8, Block 1 Williams Woods in accordance with Exhibit 5.
6. That the **Subject Property** lots shall be restricted to a single driveway access to avoid additional encroachments.
7. That the **Permittee** shall install adequately sized culverts under each driveway on the **Subject Property** to retain ecological connectivity between the wetlands.
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 adequate water supply and on-site sewage disposal facilities shall be the responsibility of the **Permittee**.
10. That this **Variance** shall automatically expire if the use is not initiated by July 22, 2022, and initiation shall be considered recording of the Final Plat of WILLIAMS WOODS with Anoka County.

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 22<sup>nd</sup> day of July, 2021.

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Chairperson

ATTEST:

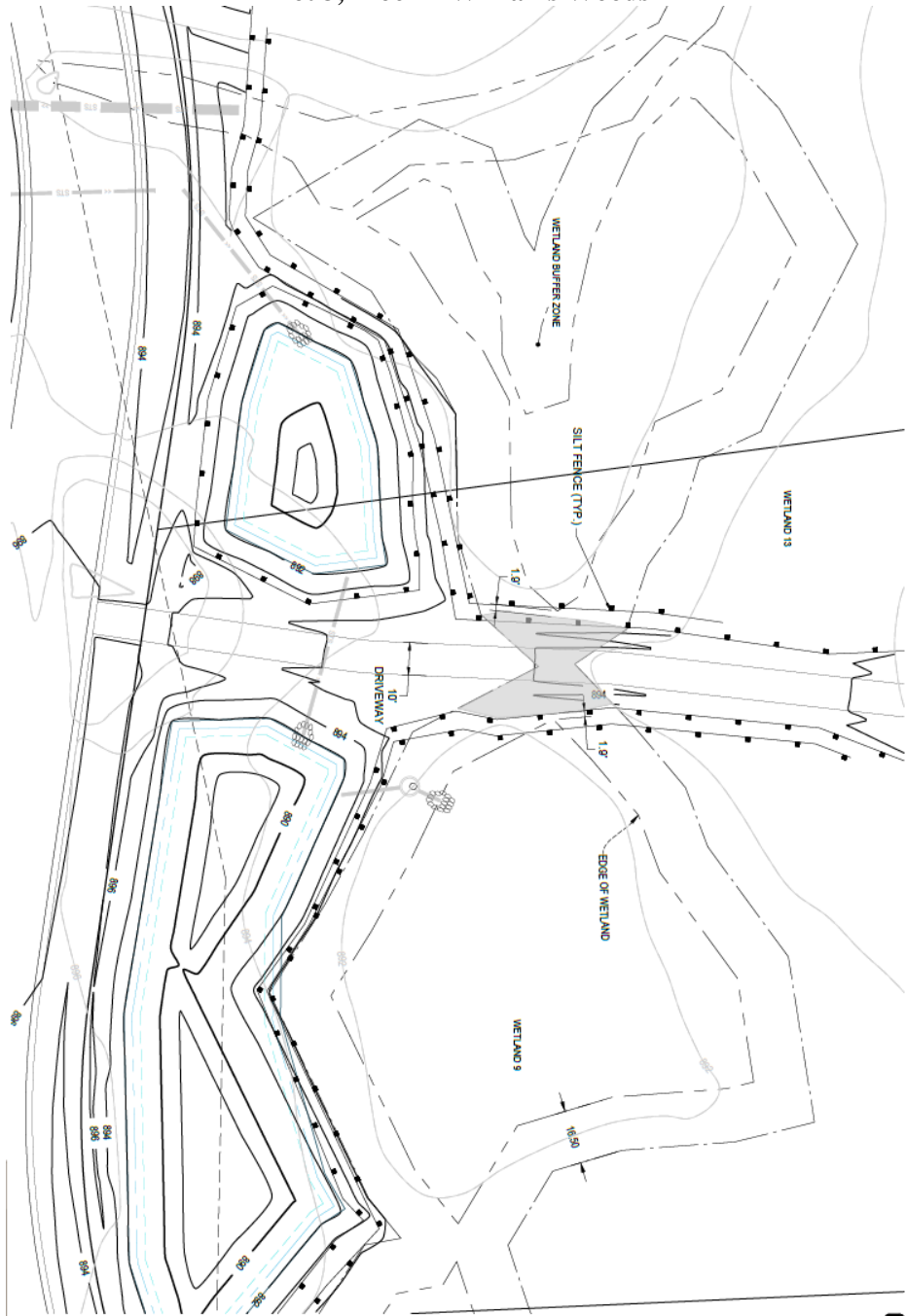
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City Clerk





**Exhibit 2**  
**Lot 3, Block 1 Williams Woods**

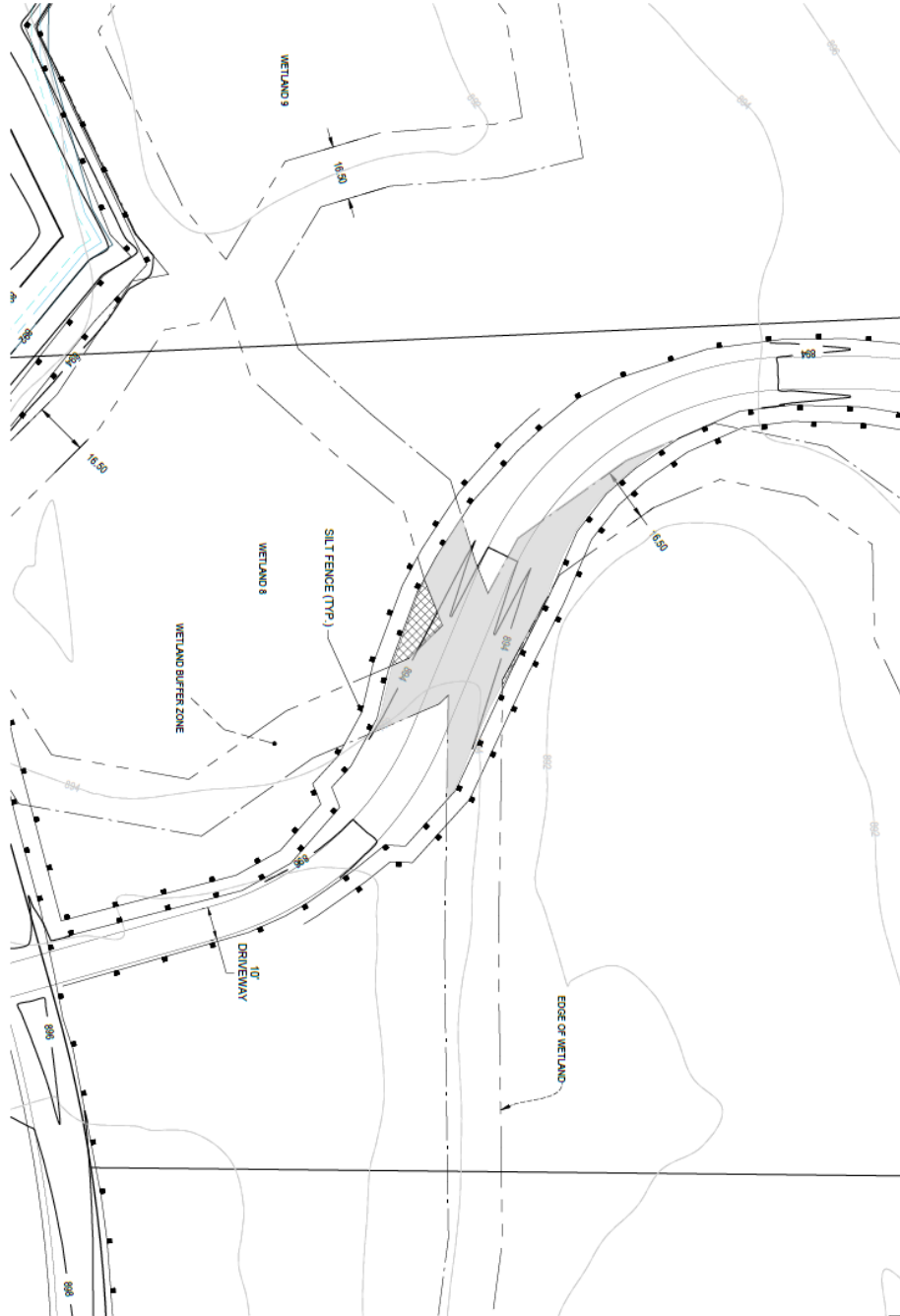


**LOT 3 IMPACTS**

SETBACK IMPACT = 8133 S.F.

■ DENOTES AREA OF WETLAND SETBACK IMPACT

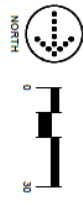
**Exhibit 3  
Lot 4, Block 1 Williams Woods**



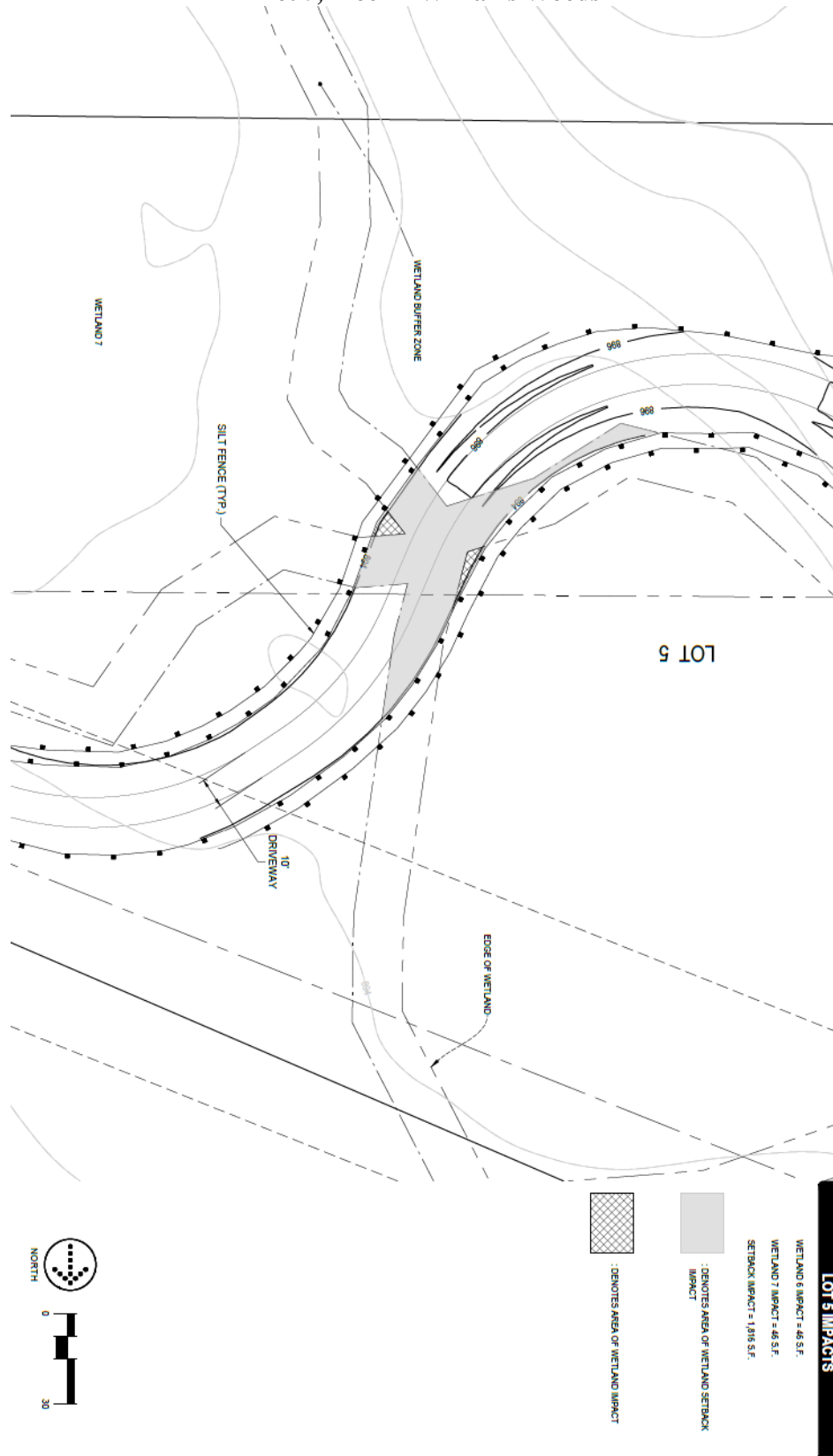
**LOT 4 IMPACTS**

WETLAND 7 IMPACT = 153 S.F.  
 WETLAND 8 IMPACT = 183 S.F.  
 SETBACK IMPACT = 2,197 S.F.

-  : DENOTES AREA OF WETLAND IMPACT
-  : DENOTES AREA OF WETLAND SETBACK IMPACT



**Exhibit 4  
Lot 5, Block 1 Williams Woods**



**Exhibit 5**  
**Lot 8, Block 1 Williams Woods**

