

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

**RESOLUTION #21-273**

**A RESOLUTION APPROVING THE ISSUANCE OF A VARIANCE TO MINIMUM LOT SIZE IN THE R-1 RESIDENTIAL (MUSA) – 80 DISTRICT AND DECLARING TERMS OF PERMIT**

**RECITALS**

1. The City of Ramsey received an application from US Home Corporation dba Lennar (the “Permittee”) requesting a Variance to Section 117-111 (R-1 Residential District) of the Ramsey City Code regarding the minimum lot size requirement on multiple proposed lots on the property generally known as PID # 20-32-25-44-0003 and legally described as follows:

THE SE1/4 OF SE1/4 OF SEC 20 TWP 32 RGE 25, EX E 466 FT OF N 466 FT THEREOF, EX RD, SUBJ TO EASE OF REC, Anoka County, Minnesota

(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 September 23, 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 34 acres in size and is currently zoned R-1 Residential (MUSA) – 80 and R-3 Residential (High Density).
4. That the Applicant has requested a Zoning Amendment to rezone portions of the Subject Property from R-3 Residential (High Density) to R-2 Residential (Medium Density).
5. That the surrounding residential parcels to the west and north of the Subject Property range in size from about 0.99 acres to about 7.4 acres and are zoned R-1 Residential (Rural Developing), thus density transitioning is required on the Subject Property.
6. That if landscaping is used to achieve the required density transitioning, either a forty-five (45) foot wide corridor with 8 overstory trees, 8 understory trees, and 8 evergreen trees per 100 feet of property boundary adjacent to an impacted use or a thirty-five (35) foot wide corridor with a berm and 4 overstory trees, 4 understory trees, and 4 evergreen trees per 100 feet of property boundary adjacent to an impacted use is required.
7. That the Applicant has provided a Site Plan that provides for a forty-five (45) foot wide corridor for density transitioning, with berming and landscaping throughout much of it, but as proposed, that area is included in each of the individual lots.
8. That City Code states that the density transitioning corridor is to be held in common ownership rather than as part of each individual lot.

9. That creating a separate outlot for the proposed forty-five (45) foot wide density transitioning corridor reduces the lot sizes for the twelve (12) proposed single family residential lots, six (6) of which fall below the required minimum lot size of 0.25 acres.
10. That the following table outlines the lots (the “Lots”) that are deficient in lot size after factoring out the area for density transitioning:

Proposed Lot & Block #	Lot Size	Acreage Deficient
Lot 3, Block 1	0.22 acres	0.03 acres
Lot 4, Block 1	0.21 acres	0.04 acres
Lot 8, Block 1	0.21 acres	0.04 acres
Lot 9, Block 1	0.21 acres	0.04 acres
Lot 10, Block 1	0.21 acres	0.04 acres
Lot 11, Block 1	0.20 acres	0.05 acres

**FINDINGS OF FACT**

1. That the reduced area of the Lots will not impair an adequate supply of light and air to adjacent property.
2. That the reduced area of the Lots will not unreasonably increase the congestion on the public street.
3. That the reduced area of the Lots will not have the effect of allowing any use prohibited in the R-1 Residential (MUSA) - District.
4. That the reduced area of the Lots 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 reduced area of the Lots will not increase the danger of fire or endanger the public safety.
6. That the reduced area of the Lots 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 reduced area of the Lots 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 reduced area of the Lots will not violate the intent and purpose of the Comprehensive Plan.
9. That the reduced area of the Lots will be in accordance with the objectives of the intent of Section 117-53 (Variances) of the Ramsey City Code.

10. That the reduced area of the Lots 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 minimum lot size requirement on the **Lots**, subject to review and approval as to legal form and contingent upon the following conditions:

### **CONDITIONS**

1. That this **Variance** shall allow reduced lot sizes for the **Lots**, as shown in Exhibit 1, contingent upon receiving approval of Preliminary Plat, Final Plat, Zoning Amendment, and a Comprehensive Plan Amendment (already approved by City Council, but still requires approval by Metropolitan Council).
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 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.
5. That adequate water supply and on-site sewage disposal facilities shall be the responsibility of the **Permittee**.
6. That this **Variance** shall automatically expire if the use is not initiated by September 23, 2022, and initiation shall be considered recording of the Final Plat of LYNWOOD 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:

None

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 23<sup>rd</sup> day of September, 2021.

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Chairperson

ATTEST:

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City Clerk



**Exhibit 1**



Lot #	Proposed Lot Size	Lot Size After Outlot
Lot 3	0.33 acres	0.22 acres
Lot 4	0.32 acres	0.21 acres
Lot 8	0.29 acres	0.21 acres
Lot 9	0.29 acres	0.21 acres
Lot 10	0.29 acres	0.21 acres
Lot 11	0.29 acres	0.20 acres