

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

RESOLUTION #21-296

A RESOLUTION APPROVING THE ISSUANCE OF A VARIANCE TO THE FRONT YARD SETBACK FOR THE TWELVE SINGLE FAMILY RESIDENTIAL LOTS IN LYNWOOD ADDITION 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 the minimum front yard setback length prescribed in Section 117-111 (R-1 Residential District) Subdivision (d) of the Ramsey City Code on portions of the property legally described as:

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

Or upon platting and recording:

Lots 1-12 (inclusive), Block 1 Lynwood Addition

(the "Subject Property"); and

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 October 28, 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 zoned R-1 Residential (MUSA) – 80.
4. That the minimum front yard setback in the R-1 Residential (MUSA) – 80 District is thirty (30) feet.
5. That other portions of the Subject Property (not subject to this variance request) are zoned R-2 Residential (Medium Density), which requires a minimum front yard setback of twenty-five (25) feet.
6. 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).
7. That based on the different zoning designations, density transitioning is required along the north and west boundaries of the Subject Property and, per the direction of the City, an outlot is proposed to create greater separation between the Subject Property lots and existing homes.

8. That the outlot is forty-five (45) feet wide, includes berming throughout much of it, and includes a mixture of overstory, evergreen, and ornamental trees per City Code.
9. That creating a separate outlot for the proposed forty-five (45) foot wide density transitioning corridor reduces the usable area of the rear lots.
10. That the Applicant has requested a five (5) foot reduction to the front yard setback to provide slightly more 'usable' rear yard space while also creating greater separation between the proposed dwellings and existing homes.
11. That the reduced front yard setback will create a consistent setback pattern throughout the development.

FINDINGS OF FACT

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

10. That the reduced front yard setback on the Subject Property 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 front yard setback 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 a twenty-five (25) foot front yard setback on the **Subject Property**, contingent upon receiving approval of Final Plat 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 October 28, 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:

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 28th day of October, 2021.

Chairperson

ATTEST:

City Clerk

