

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

RESOLUTION #22-164

A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR A TWO-STORY ACCESSORY STRUCTURE ON THE PROPERTY GENERALLY KNOWN AS 5435 180TH LANE NW AND DECLARING TERMS OF SAME.

RECITALS

1. William and Jenna MacLennan, hereinafter referred to as the “**Permittees**”, have properly applied for a Conditional Use Permit (the “**Permit**”) to allow a 45’ x 30’, two-story accessory structure (the “**Structure**”) on the property located at 5435 180th Ln NW and legally described as follows:

FORD BROOK ESTATES LOT 1 BLK 10 FORD BROOK ESTATES (SUBJECT TO EASEMENT AS SHOWN ON PLAT), Anoka County, Minnesota

(the “**Subject Property**”)

2. That on June 26, 2022, the **Permittees** submitted a completed questionnaire, land use application, property survey, architectural plans, and fees regarding the **Permit** for the **Structure** on the **Subject Property**.
3. That the **Subject Property** is zoned R-1 Residential (Rural Developing) and the surrounding parcels to the east, west, and south are also zoned R-1 Residential (Rural Developing). The parcels to the north are in the City of Nowthen.
4. That the **Subject Property** is approximately 0.77 acres in size and is surrounded by lots ranging in size from 0.17 acres to 1.01 acres.
5. That the **Subject Property** is guided for Rural Developing (residential) in the City’s Future Land Use Map.
6. The Applicant has stated that the accessory building will be used for a home occupation, which will require an approved Home Occupation Permit pursuant to Section 117-351 of Ramsey City Code. The building will not be used for habitation.
7. The proposed structure will have an exterior finish of vinyl siding to match the principal structure.
8. That the Planning Commission met and held a duly noticed public hearing on July 28, 2022, during their regularly scheduled meeting and recommended **approval/denial** of the **Permit**.

9. That the City Council reviewed the request during their regularly scheduled meeting on August 9, 2022, and **approved/denied** the request.

FINDINGS OF FACT

1. That the proposed use **will not** adversely impact traffic in the area.
2. That the proposed use **will not** be compatible with the residential neighborhood due to (in part) density, lot size and use of the surrounding lots.
3. That the proposed use **will not** be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or the public welfare.
4. That the proposed use **will not** substantially or adversely impair the use, enjoyment, or market value of neighboring properties.
5. That the proposed use **will not** be hazardous or disturbing to existing or future neighboring uses.
6. That the proposed use **will** be served adequately by public facilities and services such as highways and streets.
7. That the proposed use **will not** create excessive additional requirements at public cost for public facilities and services, and it will be detrimental to the economic welfare of the community.
8. That the proposed use **will not** involve activities and uses that would be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.

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

That the Ramsey City Council hereby grants approval of a Conditional Use Permit (the “**Permit**”) for a two-story accessory structure (the “**Structure**”) on the **Subject Property** pursuant to Section 117-51 of the Ramsey City Code and 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 **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** shall utilize a secondary driveway to provide access to the **Building** and that the driveway shall comply with the standards in City Code Section 117-111.
4. That the **Permittee** agrees that there will not be any commercial activities within the detached accessory building unless in full compliance with City Code Section 117-351 (Home Occupations).
5. That the **Permittee** agrees that there will not be any habitation within the detached accessory 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 **Building**, 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 August 9, 2023 and issuance of the Building Permit shall constitute initiation.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Shryock, 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 9th day of August, 2022.

Mayor

ATTEST:

City Clerk

