

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

**RESOLUTION #24-285**

**A RESOLUTION APPROVING A VARIANCE TO SIDE YARD SETBACK AND AN ENCROACHMENT AGREEMENT FOR A LEAN-TO STRUCTURE AND CONCRETE SLAB AT 6850 148<sup>TH</sup> LANE NORTHWEST**

**RECITALS**

1. The City of Ramsey received an application from Mr. Michael Ploumen (the “**Applicant**”) requesting a Variance to Section 106-450(3) (Setback standards for accessory structures) and Section 106-463(c) (Setback standards for driveways) of the Ramsey City Code on the property legally described as follows:

**Lot 7, Block 6, Regency Pond 3<sup>rd</sup> Addition, Anoka County, Minnesota**

(the "Subject Property")

2. That the Subject Property is approximately 0.62 acres in size and zoned R-1A Single-Family Residential District.
3. That the Applicant constructed the concrete slab and lean-to structure within inches of the east property line without the proper building permits.
4. That the Applicant was notified of a Code Enforcement violation.
5. That the **Applicant** appeared before the Planning Commission for a public hearing pursuant to Section 106-220 (Variances) of the Ramsey City Code on July 25, 2024, and that said public hearing was properly advertised and that the minutes of said public hearing are available.
6. That the Planning Commission continued the application until a future meeting to give the applicant time to take measurements of the structure and the boat trailer that is parked there in order to see if the structure can be reduced enough to bring it into compliance.
7. That the Planning Commission resumed consideration of the application on September 26, 2024, where the applicant stated that the structure could only be reduced by a negligible amount where a variance is still necessary.
8. That the Planning Commission voted 4-3 in favor of directing staff to draft a variance resolution based on practical difficulties where the lean-to structure is reasonable for a single-family residential property and it is not out of character of the neighborhood and that variance resolution could be sent to the City Council for official adoption.

9. That the City Council considered the Planning Commission's direction at its meeting on October 10, 2024.

### **FINDINGS OF FACT**

1. That the reduced setback of the lean-to and slab is reasonable for a single-family home.
2. That the reduced setback of the lean-to and slab is not out of character with other properties in the neighborhood.

### **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 variance (the "**Variance**") to the minimum side-yard setback requirements for a 14-foot 3-inch by 18-foot 9-inch lean-to structure and concrete slab on the **Subject Property**, to within inches of the west property line, subject to review and approval as to legal form and contingent upon the following conditions:

### **CONDITIONS**

1. That the lean-to structure must be reviewed for conformance to the Minnesota Building and Fire Codes and that plans shall be prepared for a building permit application by the Applicant. If deficient, the plans must show how the structure will be brought into conformance with the Minnesota Building and Fire Codes. If the Applicant is unable to prepare a set of plans, he will need to hire a licensed architect.
2. That the Applicant must apply for and obtain a building permit with inspections in the normal process, within six months of the approval date of this Resolution.
3. That the Applicant will make any necessary modifications and finalize the building permit inspection process for the lean-to structure within one year from the date of this Resolution otherwise, the structure must be removed.
4. That a standard encroachment agreement must be signed by the Applicant and recorded against the property. The Mayor and City Administrator are authorized to sign this agreement.
5. That the structure may have a metal roof that meets standards for residential metal roofing.
6. That the Applicant shall be responsible for all City costs incurred in administering and enforcing this Variance.
7. That this Variance shall automatically expire if an approved plat is not recorded by October 10, 2025.

The motion for the adoption of the foregoing resolution was duly seconded by Council Member \_\_\_\_\_, 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 10<sup>th</sup> day of October, 2024.

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Mark E. Kuzma, Mayor

Attest:

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Katie Schmidt, City Clerk