

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

RESOLUTION #24-361

**A RESOLUTION APPROVING A VARIANCE TO SIDE-YARD RIGHT-OF-WAY
SETBACK IN GARDEN VIEW**

RECITALS

1. The City of Ramsey received a Land Use Application from Mr. Paul Tabone of Centra North LLC (the "Applicant") for a Variance to the side-yard setback from right-of-way for a house with attached garage on property generally known as 7597 147th Lane NW and legally described as follows:

Lot 1, Block 1 Garden View, Anoka County, Minnesota

(the "Subject Property")

2. That the Subject Property is zoned R-1C Single-Family Residential District and is guided as Medium Density Residential in the 2040 Comprehensive Plan.
3. That the properties to the east and north have the same zoning and Comprehensive Plan designation.
4. That the land immediately to the west of the Subject Property was platted as right-of-way for an extension of Town Center Drive (now known as Center Street NW) in the plat of Ramsey Town Center 8th Addition in 2005, though that roadway has yet to be constructed.
5. That the right-of-way dedicated is in excess of what is needed for a future road.
6. That when the plat of Garden View was reviewed in 2020, the City Council approved Ordinance #20-16 vacating a portion of this right-of-way with the intent of combining it into the plat of Garden View to increase the size of the Subject Property.
7. That the vacation process was not completed nor recorded with Anoka County.
8. That the Subject Property is considered a corner lot and City Code Section 106-430(a) requires a side-yard setback of 20 feet to right-of-way.
9. That the Applicant is proposing to construct a single-family home on the Subject Property with a side-yard setback of 12.3 feet, 7.7 feet short of the requirement.
10. That if the area intended to be vacated area were included, the side-yard setback would be approximately 31 feet and meeting the intent of the side-yard to right-of-way rule.

FINDINGS OF FACT

1. That the single-family home with an attached garage will not violate the intent and purpose of the Comprehensive Plan.
2. That the Variance will be in accordance with the objectives and intent of Section 106-220 (Variances) of the Ramsey City Code.
3. That, specifically, the proposed placement of the house with an attached garage will not alter the essential character of the locality by appearing to meet the required setback if and when the roadway is constructed in the future.
4. That a house with a three-car attached garage is a reasonable use of the property in relation to other single-family homes in the neighborhoods to the east and north.

NOW THEREFORE, BE IT RESOLVED BY THE 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”) for the side-yard setback from right-of-way for a house with attached garage, 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 side-yard setback from right-of-way of 12.3 feet from the western property line (noted as 78.96 feet in length) as shown on the Certificate of Survey prepared by Acre Land Surveying dated 11-18-2024 attached as Exhibit A.
2. That the **Applicant** agrees that the house with attached garage will comply with all other regulations of both Zoning Code and Minnesota State Building Code, including all requirements of a Building Permit.
3. That the **Applicant** shall be responsible for all City costs incurred in administering and enforcing this **Variance**.
4. That this **Variance** shall be recorded against the Subject Property with the Anoka County Recorder’s Office prior to receiving a building permit for the detached accessory building.
5. That this **Variance** shall become null and void if the use is not initiated within twelve (12) months of the date of approval, and issuance of a building permit for the house with attached garage shall constitute initiation.
6. That this Variance shall be valid for any building addition(s) the future homeowner would like as allowed by the Zoning Code, provided the addition(s) are no closer to the west property line than 12.3 feet and the apparent setback from the edge of the “right-of-way to be vacated” line is no closer than 20 feet. The building addition(s) must also maintain a

setback of no closer than 20 feet to the northwestern property line (noted as 46.05 feet and 19.44 feet lengths).

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 19th day of December, 2024.

Planning Commission Chairperson

ATTEST:

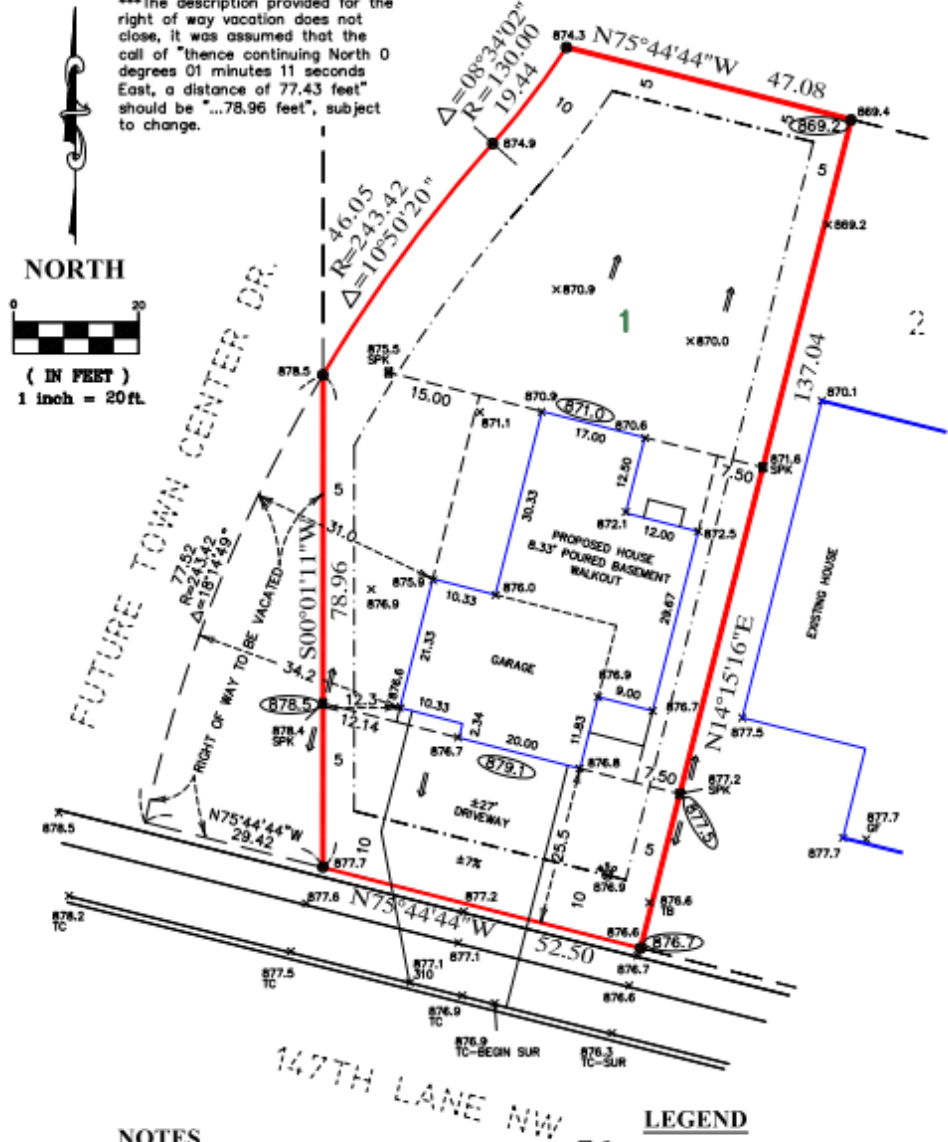
City Clerk

The document drafted by:
The City of Ramsey
7550 Sunwood Dr NW
Ramsey, Minnesota 55303

Exhibit A

CERTIFICATE OF SURVEY FOR: CENTRA HOMES
ADDRESS: 7597 - 147TH LANE NW

***The description provided for the right of way vacation does not close, it was assumed that the call of "thence continuing North 0 degrees 01 minutes 11 seconds East, a distance of 77.43 feet" should be "...78.96 feet", subject to change.



- NOTES**
- HOUSE PLACEMENT AND ELEVATIONS SET BY CONTRACTOR.
 - BEARING'S SHOWN ARE ON ASSUMED DATUM.
 - CONTRACTOR TO VERIFY HOUSE DIMENSIONS, AND SEWER AND BASEMENT DEPTHS.
 - FINISHED GRADE 10 FEET FROM PROPOSED BUILDING SHALL BE 0.5 FEET LOWER THAN THE FINISHED GRADE AT THE BUILDING.
 - FINISHED GRADE ELEVATIONS ARE TO FINISHED SURFACE WITH TURF ESTABLISHMENT.
 - DRIVEWAYS ARE SHOWN FOR GRAPHIC PURPOSES ONLY. FINAL DRIVEWAY DESIGN AND LOCATION TO BE DETERMINED BY CONTRACTOR

- LEGEND**
- ☉ DENOTES EXISTING CATCH BASIN
 - DENOTES PROPOSED ELEVATION
 - x1011.2 DENOTES EXISTING ELEVATION
 - DENOTES DIRECTION OF DRAINAGE
 - DENOTES CONSTRUCTION OFFSET
 - DENOTES WET LAND

PROPOSED ELEVATIONS	ASBUILT ELEVATIONS
GARAGE FLOOR = 879.1	
TOP OF FOUNDATION = 879.5	
LOWEST FLOOR = 871.5	

LEGAL DESCRIPTION

Lot 1, Block 1, GARDEN VIEW, Anoka County, Minnesota.

I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

JOB#24252

Joshua P. Schneider
JOSHUA P. SCHNEIDER

Revised: 11-18-24 (add dimension)
Revised: 11-15-24 (add vacated ROW)
Date: 11-4-24 Reg. No. 44655

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