



Doc No **A04695094**

Certified, filed and/or recorded on
Jan 24, 2018 8:42 AM

Office of the County Recorder
Ramsey County, Minnesota
Susan R Roth, County Recorder
Christopher A. Samuel, County Auditor and Treasurer
Deputy 401
Pkg ID 1229940M

Document Recording Fee Abstract	\$46.00
Document Total	\$46.00

This cover sheet is now a permanent part of the recorded document.

**EXTRACT OF MINUTES OF MEETING OF THE
VARIANCE BOARD OF THE CITY OF ROSEVILLE**

Pursuant to due call and notice thereof, a regular meeting of the Variance Board of the City of Roseville, County of Ramsey, Minnesota, was held on the 25th day of October at 5:30 p.m.

The following Members were present: Members Kimble and Gitzen and Chair Daire and none were absent.

Variance Board Member Kimble introduced the following resolution and moved its adoption:

**VARIANCE BOARD RESOLUTION NO. 131
A RESOLUTION APPROVING VARIANCE TO §1011.08 (FENCES IN ALL DISTRICTS) OF THE
ROSEVILLE CITY CODE AT 2500 COUNTY ROAD C (PF17-017)**

WHEREAS, City Code §1011.08 (Fences in All Districts) requires fences in front yards to be a maximum of four-foot in height; and

WHEREAS, Stan Koch & Sons Trucking, property owner of 2500 County Road C, requests a VARIANCE to §1011.08 (Fences in all Districts) to allow them to complete the securing of their facility by installing an eight foot tall decorative (wrought iron type) fence from the west property line to the northwest corner of the office building; and

WHEREAS, the property at 2500 County Road C is legally described as:

PID # 08-29-23-22-0003

That part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 29, Range 23, described as follows: Commencing at the Northwest corner of said Section 8, thence East along the North line thereof 629.00 feet, thence Southeasterly deflecting to right 84 degrees 20 minutes a distance of 834.41 feet to the Northerly line of the Northern Pacific Railroad; thence Southwesterly along said Northerly right of way line 705.51 feet to the West line of said Section 8, thence North along said West line 910.67 feet to the point of beginning. Ramsey County, Minnesota. Abstract Property

WHEREAS, City Code §1009.04 (Variances) establishes the purpose of a variance is "to permit adjustment to the zoning regulations where there are practical difficulties applying to a parcel of land or building that prevent the property from being used to the extent intended by the zoning;" and

WHEREAS, the Variance Board has made the following findings:

- a. *The proposal is consistent with the Comprehensive Plan.* Although such improvements are not specifically identified in the 2030 Roseville Comprehensive Plan, Planning Division staff finds that the proposed fence improvement is generally consistent with the Comprehensive Plan (Employment Area Goals and Policies) in that it represents investment in an existing industrial property, achieves efficient use of the land, and ensures a creative aesthetic character.
- b. *The proposal is in harmony with the purposes and intent of the zoning ordinances.* Planning Division finds that the installation of a fence four feet taller than the current Code requirement (four to eight feet in height) generally satisfies the intent and purpose of the Zoning Code. However, the Code does not establish any specific

requirements/allowances for security fencing, nor the allowance for fencing to be taller in a front yard. Therefore, a Variance is necessary to deviate from the Code requirement. Planning staff also believes that the proposal to install a decorative eight foot tall fence versus a chain-link fence is also consistent with the intent of the zoning ordinance.

c. *The proposal puts the subject property to use in a reasonable manner.* Planning Division concludes that it is a reasonable request to seek security fencing in the front yard to distract unwanted guests from trespassing and to seek such fencing at an increase of four feet, from four to eight feet in height.

d. *There are unique circumstances to the property which were not created by the landowner.* There is nothing unique about a property owner desiring to install a security fence to protect their investment from intruders. That said the Planning Division staff does find that certain aspects of the Koch & Sons Trucking site, including materials within the cross-dock facility, semi-tractors, and semi-trailers, are unique enough to warrant security fencing that is not Code compliant in the front yard and which is unique enough to justify the approval of the requested variance.

e. *The variance, if granted, will not alter the essential character of the locality.* Planning Division staff has determined that the requested variance to secure the site would not alter the essential character of the locality.

WHEREAS, the Planning Division has concluded the proposal satisfies the “practical difficulty” clause and compare favorably with all of the above requirements essential for approving variances.

NOW THEREFORE BE IT RESOLVED, by the Roseville Variance Board, to approve the requested variance to §1011.08 (Fences in All Districts) of the City Code, based on the above findings, the proposed fence plan, and the testimony offered at the public hearing, subject to the following condition:

1. The fence to be constructed as proposed on the illustration submitted with the Variance application.

The motion for the adoption of the foregoing resolution was duly seconded by Variance Board Member Gitzen and upon vote being taken thereon, the following voted in favor: Kimble, Gitzen and Chair Daire and none voted against;

WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said Roseville Variance Board held on the 25th day of October.

WITNESS MY HAND officially as such Manager this 25th day of October, 2017.



Patrick Trudgeon, City Manager

