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**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 7<sup>th</sup> day of March, 2018, at 5:30 p.m.

The following Members were present: Chair James Daire, Vice Chair Chuck Gitzen, Member and Julie Kimble and none were absent.

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

**VARIANCE BOARD RESOLUTION NO. 133**

**A RESOLUTION APPROVING VARIANCE TO §1005.05E, FRONTAGE REQUIREMENT  
OF THE ROSEVILLE CITY CODE AT HARMAR MALL, 2100 SNELLING AVENUE (PF18-003)**

WHEREAS, City Code §1005.05.E (Frontage Requirement) requires 30% of a buildings facing a public street to be placed 25 feet or closer to the property line adjacent to the public street; and

WHEREAS, Gateway Washington, Inc., property owner of 2100 Snelling Avenue, in cooperation with Chick-fil-A, requests a VARIANCE to §1005.05.E (Frontage Requirement) to allow Chick-fil-A to construct a drive-through restaurant the exceeds the required building placement adjacent a public street by 33 feet; and

WHEREAS, the property at 2100 Snelling Avenue is legally described as:

**See attached SCHEDULE A.**

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.* Planning Division staff finds that the proposed drive-through restaurant is generally consistent with the Comprehensive Plan (Commercial 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 proposal to place the Chick-fil-A building 33 feet outside of the 25 foot wide building placement area is in harmony with the purpose and intent of §1005.05.E (Frontage Requirement), as a variance was necessary given the 20 foot sewer easement, and the current location provides better layout and design options.
- c. *The proposal puts the subject property to use in a reasonable manner.* Planning Division concludes that it is a reasonable request to place a structure further from an easement to adequately address addresses site design and layout, vehicle circulation, drive-through stacking, vehicle circulation, and bicycle/pedestrian access, which location requires a slightly greater variance.

- d. *There are unique circumstances to the property which were not created by the landowner.* The Planning Division has determined that due to the location of the 20 foot wide sewer easement it is not possible to comply with §1005.05E, Frontage Requirement and place the structure 25 feet or closer to the property line adjacent to Snelling Avenue. Further, given other site design considerations, placing the building directly behind the easement line, 40 feet from the pseudo property line, is not advantageous to achieving the essence of the Frontage Requirement, as it limits efficient and effective site design. Therefore, the Planning Division concludes that the specific development location and proximity to Snelling Avenue is unique with practical difficulties that support a variance to §1005.05E of the Zoning Code.
- e. *The variance, if granted, will not alter the essential character of the locality.* Planning Division staff has determined that the requested variance to §1005.05E, Frontage Requirement would not alter the essential character of the locality if granted.

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 33 foot variance to §1005.05E, Frontage Requirement, of the City Code, based on the above findings.

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 Daire; and none voted against;


WHEREUPON said resolution was declared duly passed and adopted.

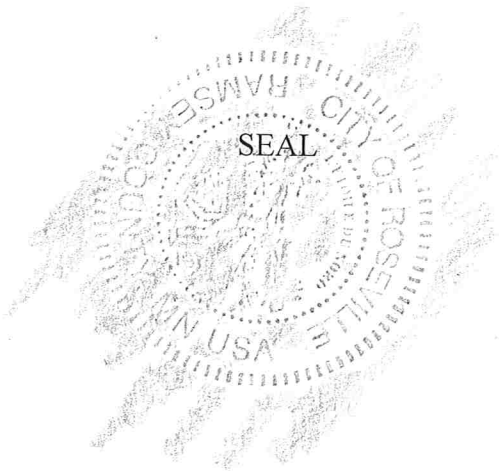
Variance Board Resolution No. 133 - 2100 Snelling Avenue - Chick-fil-A (PF18-003)

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 7<sup>th</sup> day of March, 2018.

WITNESS MY HAND officially as such Manager this 7<sup>th</sup> day of March, 2018.

  
\_\_\_\_\_  
Patrick Trudgeon, City Manager



**SCHEDULE A**

**PARCEL 1:**

That part of the Northwest Quarter of the Northwest Quarter, Section 15, Township 29, Range 23, Ramsey County, Minnesota, described as follows:

Commencing at the Southwest corner of said Northwest Quarter of the Northwest Quarter; thence North along the West line of said Section a distance of 422.05 feet to a point; thence Easterly at an angle of 89 degrees 03 minutes turned clockwise from said West line a distance of 525.10 feet, to the Southwest corner of the wall of the Snyder Drug Store, the point of beginning of the 114 foot x 175 foot parcel of land being described; thence continuing Easterly along said line and wall a distance of 175 feet; thence Southerly at an angle of 89 degrees 47 minutes turned counterclockwise from said line, and along the West wall of the Har-Mar Mall and said wall as extended, a distance of 114 feet to a point thence Westerly and parallel with the North line of said parcel a distance of 175 feet; thence Northerly 114 feet to the point of beginning.

**PARCEL 2:**

That part of the Northwest Quarter of the Northwest Quarter of Section 15, Township 29, Range 23, Ramsey County, Minnesota described as commencing at the Southwest corner of Northwest Quarter of the Northwest Quarter of Section 15; thence North, assumed bearing, along the West line of said Northwest Quarter of the Northwest Quarter of Section 15, a distance of 1026.54 feet; thence North 89 degrees 02 minutes 30 seconds East, a distance of 262.26 feet to the point of beginning of the land to be described; thence continuing North 89 degrees 02 minutes 30 seconds East a distance of 80.00 feet; thence North 0 degrees 57 minutes 30 seconds West a distance of 60.00 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 80.00 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 60.00 feet to the point of beginning.

**PARCEL 3**

That part of the Northwest Quarter of the Northwest Quarter of Section 15, Township 29, Range 23, Ramsey County, Minnesota, described as commencing at the Southwest corner of said Northwest Quarter of the Northwest Quarter of Section 15; thence North, assumed bearing along the West line of said Northwest Quarter of the Northwest Quarter of Section 15, a distance of 1004.20 feet; thence North 88 degrees 58 minutes 22 seconds East a distance of 995.05 feet to the point of beginning of the land to be described; thence continuing North 88 degrees 58 minutes 22 seconds East a distance of 70.00 feet; thence North 1 degree 01 minute 38 seconds West a distance of 62.00 feet; thence North 88 degrees 58 minutes 22 seconds East a distance of 28.97 feet; thence North 1 degree 01 minute 38 seconds West a distance of 64.00 feet; thence South 88 degrees 58 minutes 22 seconds West a distance of 23.97 feet; thence North 1 degree 01 minute 38 seconds West a distance of 41.00 feet; thence South 88 degrees 58 minutes 22 seconds West a distance of 12.00 feet; thence 1 degree 01 minute 38 seconds West a distance of 54.00 feet; thence South 88 degrees 58 minutes 22 seconds West a distance of 53.00 feet; thence South 1 degree 01 minute 38 seconds East a distance of 54.00 feet; thence South 88 degrees 58 minutes 22 seconds West a distance of 15.00 feet; thence South 1 degree 01 minute 38 seconds East a distance of 41.00 feet; thence South 88 degrees 58 minutes 22 seconds West a distance of 25.00 feet; thence South 1 degree 01 minute 38 seconds East a distance of 64.00 feet; thence North 88 degrees 58 minutes 22

continued.....

## SCHEDULE A - continued

seconds East a distance of 30.00 feet; thence South 1 degree 01 minute 38 seconds East a distance of 62.00 feet to the point of beginning.

### PARCEL 4:

That part of the Northwest Quarter of the Northwest Quarter of Section 15, Township 29, Range 23, Ramsey County, Minnesota, described as commencing at the Southwest corner of said Northwest Quarter of the Northwest Quarter of Section 15; thence North, assumed bearing, along the West line of said Northwest Quarter of the Northwest Quarter of Section 15, a distance of 99.50 feet; thence North 88 degrees 56 minutes 51 seconds East a distance of 307.00 feet; thence continuing North 88 degrees 56 minutes 51 seconds East a distance of 94.67 feet; thence North 1 degree 03 minutes 09 seconds West a distance of 122.17 feet; thence South 88 degrees 56 minutes 51 seconds West a distance of 94.67 feet; thence South 1 degree 03 minutes 09 seconds East a distance of 122.17 feet to the point of beginning..

### PARCEL 5:

That part of the Northwest Quarter of the Northwest Quarter of Section 15, Township 29, Range 23, Ramsey County, Minnesota, described as commencing at the Southwest corner of said Northwest Quarter of the Northwest Quarter of Section 15; thence North, assumed bearing along the West line of said Northwest Quarter of the Northwest Quarter of Section 15, a distance of 189.98 feet; thence North 89 degrees 02 minutes 30 seconds East a distance of 913.46 feet to the point of beginning of the land to be described; thence continuing North 89 degrees 02 minutes 30 seconds East a distance of 8.83 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 1.14 feet; thence North 89 degrees 02 minutes 30 seconds East a distance of 3.07 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 18.64 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 14.16 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 125.00 feet; thence North 89 degrees 02 minutes 30 seconds East a distance of 207.95 feet; thence North 0 degrees 57 minutes 30 seconds West a distance of 26.98 feet; thence North 89 degrees 02 minutes 30 seconds East a distance of 17.00 feet; thence North 0 degrees 57 minutes 30 seconds West a distance of 55.38 feet; thence North 89 degrees 02 minutes 30 seconds East a distance of 50.28 feet; thence North 0 degrees 57 minutes 30 seconds West a distance of 93.02 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 9.74 feet; thence North 0 degrees 57 minutes 30 seconds West a distance of 8.45 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 10.98 feet; thence North 0 degrees 57 minutes 30 seconds West a distance of 120.12 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 13.49 feet; thence North 0 degrees 57 minutes 30 seconds West a distance of 134.03 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 140.83 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 5.00 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 19.87 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 5.00 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 20.01 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 5.00 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 20.01 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 5.03 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 20.01 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 5.03 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 14.20 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 22.55 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 11.50 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of

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SCHEDULE A - continued

31.34 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 6.02 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 36.07 feet; thence North 89 degrees 02 minutes 30 seconds East a distance of 13.69 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 178.18 feet to the point of beginning.

PARCEL 6:

Blocks 1, 2 and 3, Kay Reen Addition, according to the recorded plat thereof, Ramsey County, Minnesota, including those portions of vacated streets accruing to said property by reason on vacation thereof.

AND

The Northwest Quarter of the Northwest Quarter of Section 15, Township 29, Range 23, Ramsey County, Minnesota.

EXCEPT

The East 160.00 feet of the South 200.00 feet of the North 433.00 feet of said Northwest Quarter of the Northwest Quarter of Section 15;

ALSO EXCEPT

The North 173.00 feet of the East 140.00 feet of the West 700.00 feet of said Northwest Quarter of the Northwest Quarter of Section 15;

ALSO EXCEPT

That part of the Northwest Quarter of the Northwest Quarter of Section 15, Township 29, Range 23, Ramsey County, Minnesota, described as follows:

Commencing at the Southwest corner of said Northwest Quarter of the Northwest Quarter; thence North along the West line of said Section a distance of 422.05 feet to a point; thence Easterly at an angle of 89 degrees 03 minutes turned clockwise from said West line a distance of 525.10 feet, to the Southwest corner of the wall of the Snyder Drug Store, the point of beginning of the 114 foot x 175 foot parcel of land being described; thence continuing Easterly along said line and wall a distance of 175 feet; thence Southerly at an angle of 89 degrees 47 minutes turned counterclockwise from said line, and along the West wall of the Har-Mar Mall and said wall as extended, a distance of 114 feet to a point; thence Westerly and parallel with the North line of said parcel a distance of 175 feet; thence Northerly 114 feet to the point of beginning.

ALSO EXCEPT

That part of the Northwest Quarter of the Northwest Quarter of Section 15, Township 29, Range 23, Ramsey County, Minnesota, described as commencing at the Southwest corner of said Northwest Quarter

SCHEDULE A - continued

of the Northwest Quarter of Section 15; thence North, assumed bearing, along the West line of said Northwest Quarter of the Northwest Quarter of Section 15, a distance of 1026.54 feet; thence North 89 degrees 02 minutes 30 seconds East a distance of 262.26 feet to the point of beginning of the land to be described; thence continuing North 89 degrees 02 minutes 30 seconds East a distance of 80.00 feet; thence North 0 degrees 57 minutes 30 seconds West a distance of 60.00 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 80.00 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 60.00 feet to the point of beginning.

ALSO EXCEPT

That part of the Northwest Quarter of the Northwest Quarter of Section 15, Township 29, Range 23, Ramsey County, Minnesota, described as commencing at the Southwest corner of said Northwest Quarter of the Northwest Quarter of section 15; thence North, assumed bearing, along the West line of said Northwest Quarter of the Northwest Quarter of Section 15, a distance of 1004.20 feet; thence North 88 degrees 58 minutes 22 seconds East a distance of 995.05 feet to the point of beginning of the land to be described; thence continuing North 88 degrees 58 minutes 22 seconds East a distance of 70.00 feet; thence continuing North 88 degrees 58 minutes 22 seconds East a distance of 70.00 feet; thence North 1 degree 01 minute 38 seconds West a distance of 62.00 feet; thence North 88 degrees 58 minutes 22 seconds East a distance of 28.97 feet; thence North 1 degree 01 minute 38 seconds West a distance of 64.00 feet; thence South 88 degrees 58 minutes 22 seconds West a distance of 23.97 feet; thence North 1 degree 01 minute 38 seconds West a distance of 41.00 feet; thence South 88 degrees 58 minutes 22 seconds West a distance of 12.00 feet; thence North 1 degree 01 minute 38 seconds West a distance of 54.00 feet; thence South 88 degrees 58 minutes 22 seconds West a distance of 53.00 feet; thence South 1 degree 01 minute 38 seconds East a distance of 54.00 feet; thence South 88 degrees 58 minutes 22 seconds West a distance of 15.00 feet; thence South 1 degree 01 minute 38 seconds East a distance of 41.00 feet; thence South 88 degrees 58 minutes 22 seconds West a distance of 25.00 feet; thence South 1 degree 01 minute 38 seconds East a distance of 64.00 feet; thence North 88 degrees 58 minutes 22 seconds East a distance of 30.00 feet; thence South 1 degree 01 minute 38 seconds East a distance of 62.00 feet to the point of beginning.

ALSO EXCEPT

That part of the Northwest Quarter of the Northwest Quarter of Section 15, Township 29, Range 23, Ramsey County, Minnesota, described as commencing at the Southwest corner of said Northwest Quarter of the Northwest Quarter of Section 15; thence North, assumed bearing, along the West line of said Northwest Quarter of the Northwest Quarter of Section 15, a distance of 99.50 feet; thence North 88 degrees 56 minutes 51 seconds East a distance of 307.00 feet; thence continuing North 88 degrees 56 minutes 51 seconds East a distance of 94.67 feet; thence North 1 degree 03 minutes 09 seconds West a distance of 122.17 feet; thence South 88 degrees 56 minutes 51 seconds West a distance of 94.67 feet; thence South 1 degree 03 minutes 09 seconds East a distance of 122.17 feet to the point of beginning.

ALSO EXCEPT

That part of the Northwest Quarter of the Northwest Quarter of Section 15, Township 29, Range 23, Ramsey County, Minnesota, described as commencing at the Southwest corner of said Northwest Quarter



SCHEDULE A - continued

of the Northwest Quarter of Section 15; thence North assumed bearing, along the West line of said Northwest Quarter of the Northwest Quarter of Section 15, a distance at 189.98 feet; thence North 89 degrees 02 minutes 30 seconds East a distance of 913.46 feet to the point of beginning of the Land to be described; thence continuing North 89 degrees 02 minutes 30 seconds East a distance of 8.83 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 1.14 feet; thence North 89 degrees 02 minutes 30 seconds East a distance of 3.07 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 18.64 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 1.14 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 125.00 feet; thence North 89 degrees 02 minutes 30 seconds East a distance of 207.95 feet; thence North 0 degrees 57 minutes 30 seconds West a distance of 26.98 feet; thence North 89 degrees 02 minutes 30 seconds East a distance of 17.00 feet; thence North 0 degrees 57 minutes 30 seconds West a distance of 55.38 feet; thence North 89 degrees 02 minutes 30 seconds East a distance of 50.28 feet; thence North 0 degrees 57 minutes 30 seconds West a distance of 93.02 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 9.74 feet; thence North 0 degrees 57 minutes 30 seconds West a distance of 8.45 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 10.98 feet; thence North 0 degrees 57 minutes 30 seconds West a distance of 120.12 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 13.49 feet; thence North 0 degrees 57 minutes 30 seconds West a distance of 134.03 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 140.83 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 5.00 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 19.87 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 5.00 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 20.01 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 5.00 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 20.01 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 5.03 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 20.01 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 5.03 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 14.20 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 22.55 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 11.50 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 31.34 feet; thence South 89 degrees 02 minutes 30 seconds West a distance of 6.02 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 36.07 feet; thence North 89 degrees 02 minutes 30 seconds East a distance of 13.69 feet; thence South 0 degrees 57 minutes 30 seconds East a distance of 178.18 feet to the point of beginning.

**PARCEL 7:**

The North 173.00 feet of the East 140.00 feet of the West 700.00 feet of the Northwest Quarter of Section 15, Township 29, Range 23, Ramsey County, Minnesota.

**Premises:** Har Mar Mall  
2100 Snelling Avenue, Roseville, Minnesota  
Property ID Nos. 15-29-23-22-0014  
15-29-23-22-0015  
15-29-23-22-0013  
15-29-23-22-0017  
15-29-23-22-0004