

Board Members:

Michelle Kruzel
Michelle Pribyl
Karen Schaffhausen
Alternate: Emily Leutgeb



Address:

2660 Civic Center Dr.
Roseville, MN 55113

Phone:

651-792-7080

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www.cityofroseville.com/agendacenter

Variance Board Agenda
Wednesday, April 6, 2022
5:30pm

Members of the public who wish to speak during public comment or on an agenda item may do so in person during this meeting or virtually by registering at www.cityofroseville.com/attendmeeting.

1. Call to Order

2. Roll Call

3. Approval of Agenda

4. Review of Minutes

- a. February 2, 2022

5. Other Business

- a. **PF20-004:** Request for an extension of the time provided by §1009.04.D (Validation and Expiration) for the previously approved variance allowing an encroachment into the minimum side yard setback to accommodate the construction of additional storage space for the existing oil change facility.

6. Adjourn



**Variance Board Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Draft Minutes – Wednesday, February 2, 2022 – 5:30 p.m.**

Pursuant to Minn. Stat. 13.D.021, Variance Board members, City Staff, and members of the public participated in this meeting electronically due to the COVID-19 pandemic.

- 1 **1. Call to Order**
2 Chair Pribyl called to order the regular meeting of the Variance Board meeting at
3 approximately 5:30 p.m. and reviewed the role and purpose of the Variance Board.
4
- 5 **2. Roll Call & Introductions**
6 At the request of Chair Pribyl, City Planner Thomas Paschke called the Roll.
7
- 8 **Members Present:** Chair Michelle Pribyl; Vice Chair Michelle Kruzel; and Member
9 Karen Schaffhausen.
10
- 11 **Members Absent:** None
12
- 13 **Staff Present:** City Planner Thomas Paschke, Community Development Director
14 Janice Gundlach and Senior Planner Brian Lloyd
15
- 16 **3. Approval of Agenda**
17
- 18 **MOTION**
19 **Member Schaffhausen moved, seconded by Member Kruzel to approve the agenda**
20 **as presented.**
21
- 22 **Ayes: 3**
23 **Nays: 0**
24 **Motion carried.**
25
- 26 **4. Review of Minutes: January 5, 2022**
27 **MOTION**
28 **Member Kruzel moved, seconded by Member Schaffhausen to approve the January**
29 **5, 2022 meeting minutes.**
30
- 31 **Ayes: 3**
32 **Nays: 0**
33 **Motion carried.**
34
- 35 **5. Public Hearing**
36 Chair Pribyl reviewed protocol for Public Hearings and public comment and opened the
37 Public Hearing at approximately 5:35 p.m.
38

39 a. **PLANNING FILE 21-018**

40 **Request by Andrew Parker for a Variance to §1004.08 to Allow a Proposed**
41 **Attached Garage to Encroach into Required Setbacks at 2674 Victoria Street**
42 Senior Planner Lloyd reviewed the variance request for this property, as detailed in
43 the staff report dated February 2, 2022.

44
45 Member Kruzel wondered if there were any comments from the neighbors.

46
47 Mr. Lloyd indicated staff has not received any comments from the surrounding
48 homeowners.

49
50 Member Schaffhausen asked because they are replicating and now there is an
51 outbuilding, what constitutes an outbuilding and would the garage be considered an
52 outbuilding. Does the City have to take that into consideration with regard to the
53 number of buildings this property has on site or is that not something needed to be
54 considered.

55
56 Mr. Lloyd explained that is not something that was addressed in the presentation
57 because there is not anything with effect to City regulations that would cause a
58 problem. A storage building or two would still be allowed. He believed the intention
59 would be to remove the garage. Partly because the overhead garage door is a useful
60 part of it to get things in and out and it would be rather close behind the proposed
61 addition and also looking at it more closely, the sunroom addition would be less than
62 five feet away in the end from that garage and the City has a minimum spacing
63 requirement for spacing between structures of five feet. He overlooked that as a
64 potential need for a condition because he figured it would be removed, just because of
65 its inaccessibility. It may not be a bad idea to have a condition of approval that the
66 existing garage be removed or otherwise be relocated so it is at least five feet from the
67 back of the structure.

68
69 Mr. Andrew Parker, 2674 Victoria Street explained in regards to the concern of the
70 neighbor to the north, she is aware of the plan and has seen copies of what is being
71 proposed and is in favor of this addition. In regard to the existing garage, that is
72 going to be removed. He indicated he did not have an issue if a condition is put on
73 this for removal of the garage.

74
75 Chair Pribyl closed the public hearing at 5:45 p.m.

76
77 **MOTION**

78 **Member Schaffhausen moved, seconded by Member Kruzel, adoption of**
79 **Variance Board Resolution No. ____ (Attachment D), entitled “A Resolution**
80 **Approving a Variance to Roseville City Code §1004.08.B, Residential Setbacks,**
81 **at 2674 Victoria Street (PF21-018) .”**

82
83 **Ayes: 3**

84 **Nays: 0**

85 **Motion carried.**

86
87
88
89
90

6. Adjourn

MOTION

Chair Pribyl adjourned the meeting at 5:47 p.m.

ROSEVILLE
REQUEST FOR VARIANCE BOARD ACTION

Date: April 6, 2022
Item No. 5a

Department Approval

Agenda Section

Janice Gundlach

Other Business

Item Description: Request for an extension of the time provided by § 1009.04.D (Validation and Expiration) for the previously approved variance allowing an encroachment into the minimum side yard setback to accommodate the construction of additional storage space for the existing oil change facility (PF20-004)

BACKGROUND

The owner of the property at 1925 Lexington Avenue gained approval of a variance in May 2020 allowing a small storage addition to encroach into the required minimum setback from the northern property line. An area map showing the location of the site, site plan illustrating the subject of the variance request, and a copy of Variance Board Resolution #144 conferring the approval are included with this report as Attachments A, B, and C, respectively.

City Code § 1009.04D (Validation and Expiration) attaches a timeline to variance approvals; it says: *A variance approval shall be validated by the applicant through the commencement of any necessary construction...authorized by the variance within 1 year of the date of the approval. A variance approval shall automatically expire if the approval is not validated pursuant this section. Notwithstanding this time limitation, the Variance Board may approve extensions of the time allowed for validation of the variance approval if requested in writing by the applicant...*

Because of difficulties related to the COVID-19 pandemic, particularly the substantial increases in the cost of some materials, unavailability of some materials, and lack of people to perform the work, the applicant would not be able to begin the project facilitated by the variance approval for more than a year after the approval was granted. Although the Variance Board is not considering this extension request within a year of the variance approval, the language of the zoning code is such that extensions can be requested and granted “notwithstanding” the expiration of an approval that has not been validated. In this request the applicant indicated confidence construction could begin in summer 2022. Planning Division staff has no objection to extending the validation timeline until September 1, 2022, to account for further potential delays resulting from the ongoing pandemic.

RECOMMENDED ACTION

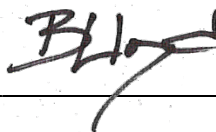
By motion, approve an extension of the time allowed to validate the variance approved by Variance Board Resolution #144 until September 1, 2022, based on the content of this RVBA, public input, and Variance Board deliberation.

Attachments: A: Area map

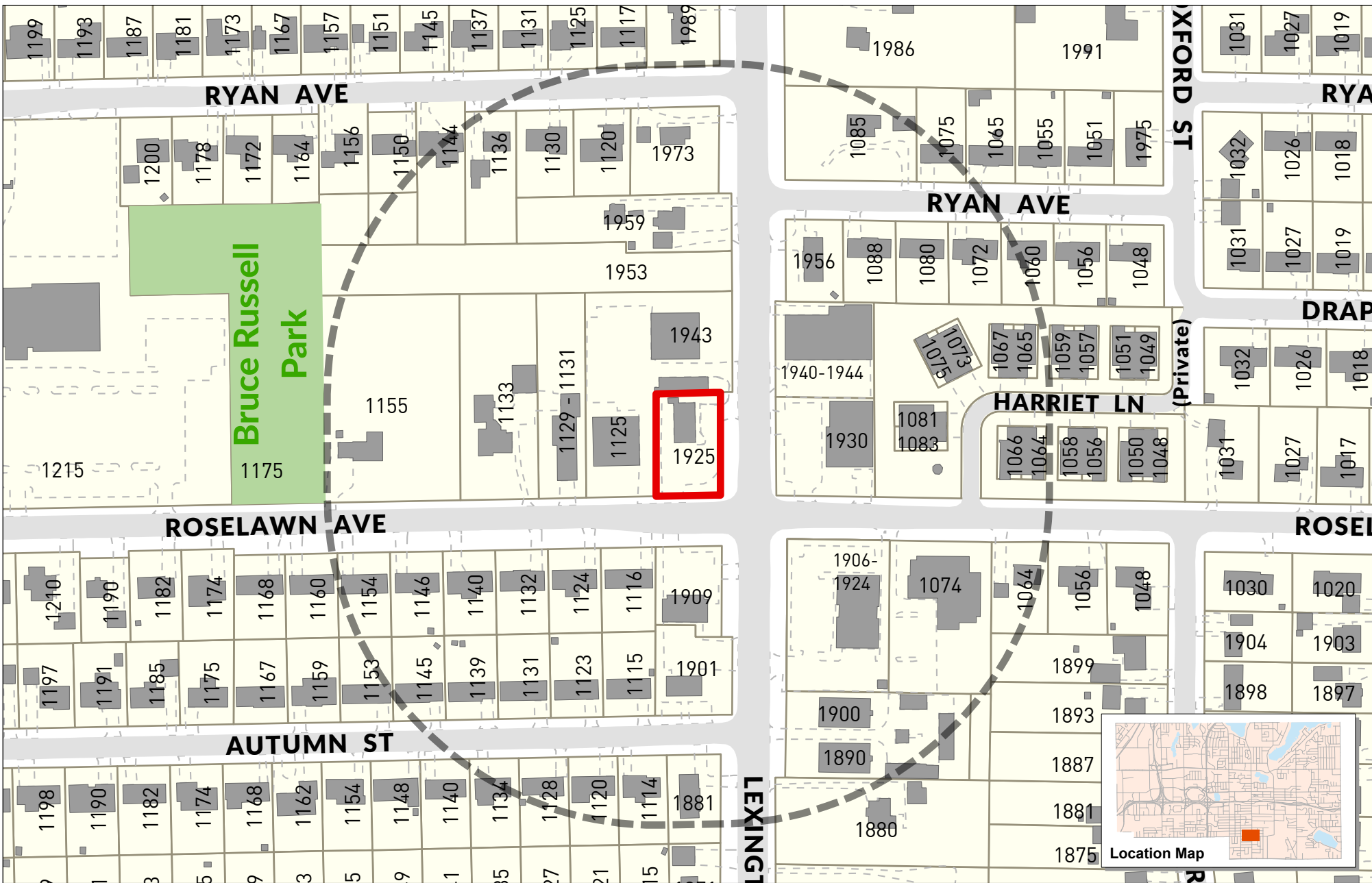
B: Plans

C: Variance Board Resolution #144

Prepared by: Senior Planner Bryan Lloyd
651-792-7073
bryan.lloyd@cityofroseville.com



Planning File 20-004

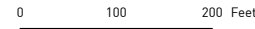


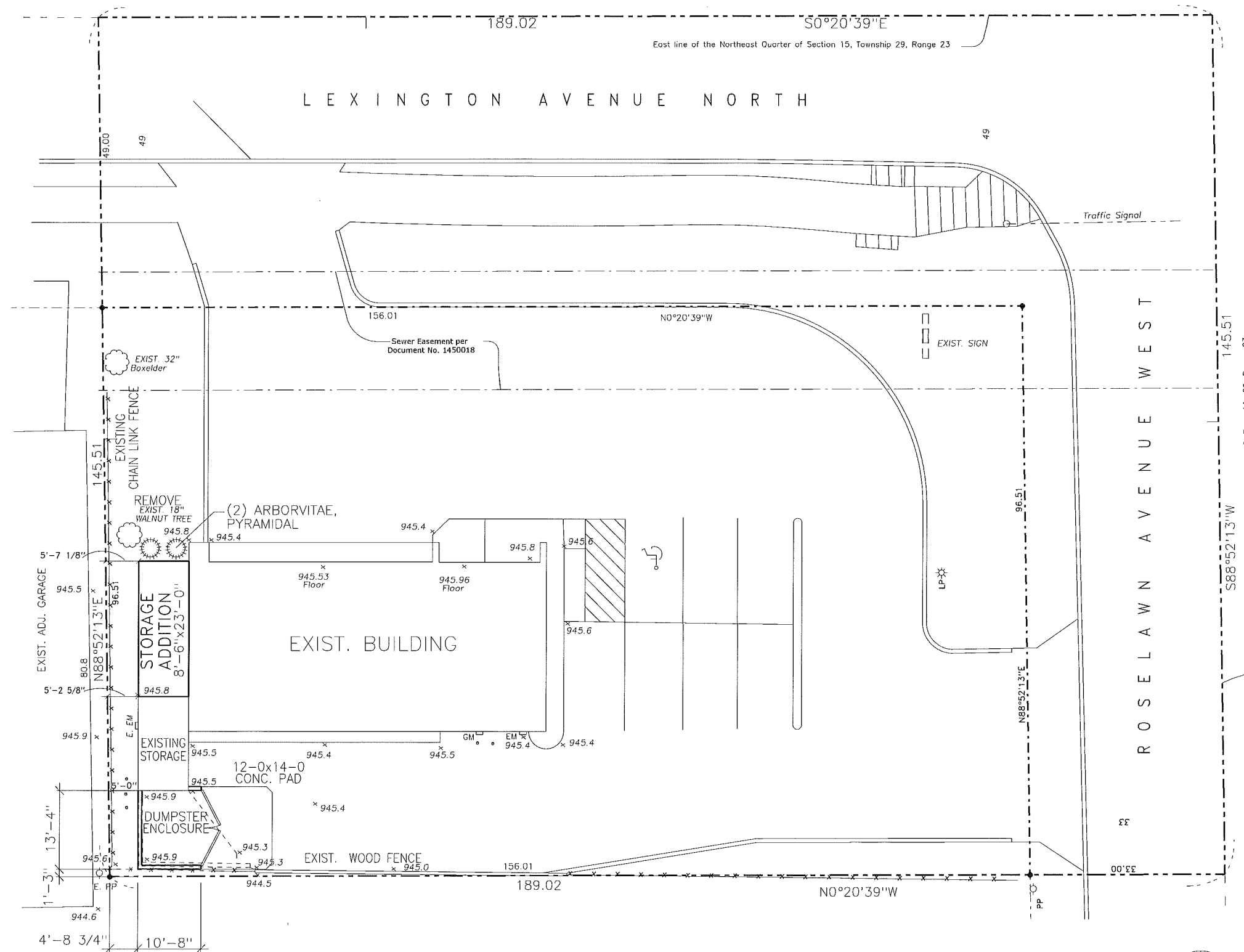
Prepared by:
Community Development Department
Printed: April 14, 2020



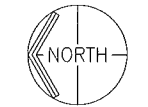
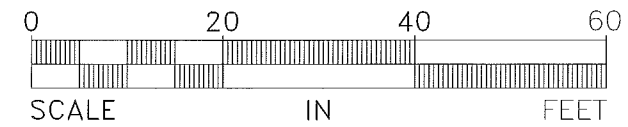
Data Sources
 * Ramsey County GIS Base Map (4/1/2020)
 For further information regarding the contents of this map contact:
 City of Roseville, Community Development Department,
 2660 Civic Center Drive, Roseville MN

Disclaimer
 This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.





SITE PLAN
1" = 20' - 0"



SITE DATA TAKEN FROM:
 SURVEY BY:
 REHDER AND ASSOCIATES, INC.
 CIVIL ENGINEERS AND LAND SURVEYORS
 3440 FEDERAL DRIVE
 SUITE 240
 EAGAN, MINNESOTA 55122
 612-452-5051
 DATED: 2/27/2020

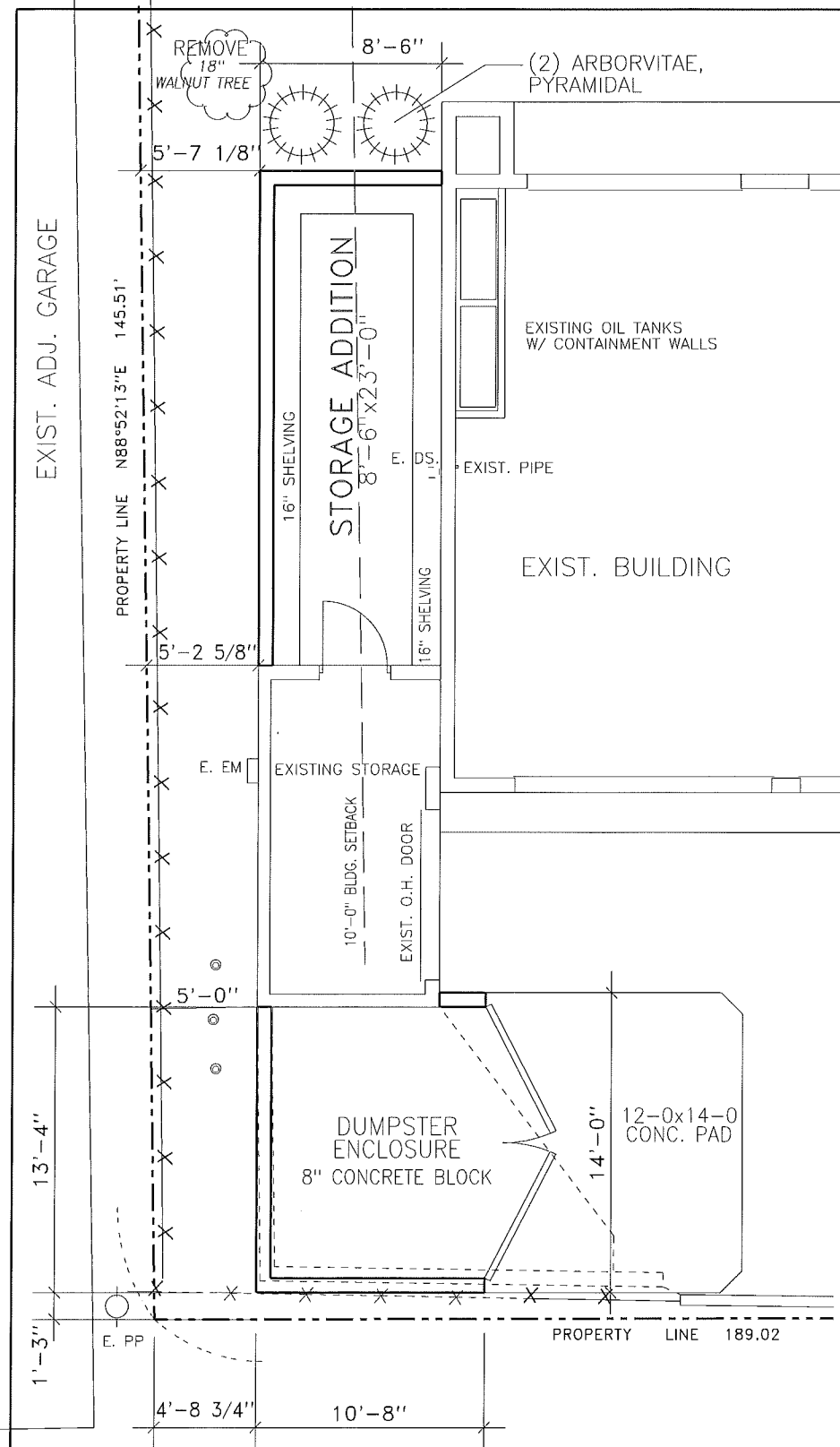
THE ELECTRONIC VERSION OF THIS
 DRAWING MAY NOT BE TO SCALE.
 VERIFY AND ADJUST DRAWING SIZE
 AS NECESSARY TO BE AT SCALE

K. K. DESIGN
 ARCHITECTURAL PLANNING AND DESIGN
 6112 EXCELSIOR BLVD. MPLS., MINN. 55416
 952-922-3226

VALVOLINE INSTANT OIL CHANGE
 STORE NO. 010009
 1925 LEXINGTON AVENUE NO.
 ROSEVILLE - MINNESOTA

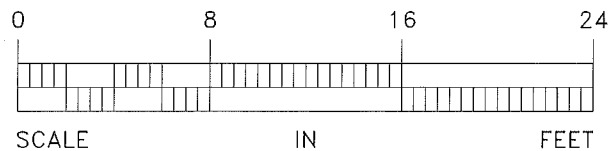
PROJ. NO : 2001-29
 DESIGNED BY : JPK
 DRAWN BY : SPL
 DATE : 3/03/2020

SHEET 1 OF 2



FLOOR PLAN

1/8" = 1'-0"



THE ELECTRONIC VERSION OF THIS DRAWING MAY NOT BE TO SCALE. VERIFY AND ADJUST DRAWING SIZE AS NECESSARY TO BE AT SCALE

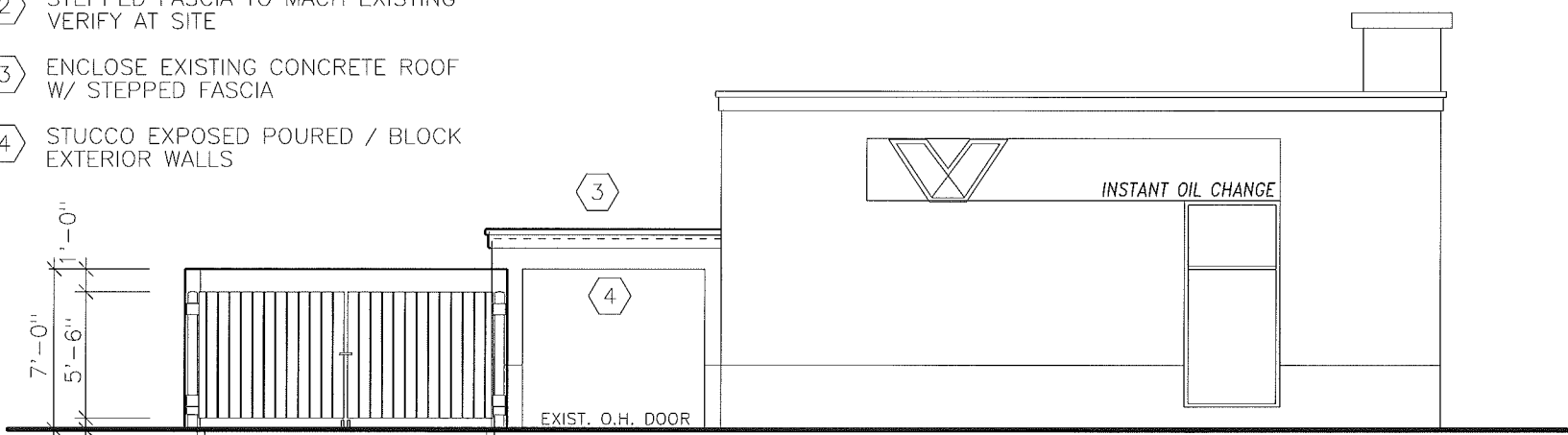
- NEW WALLS
- EXISTING WALLS
VERIFY LOCATIONS PRIOR TO START OF CONSTRUCTION
- EXIST. CONC. SLAB, FENCE & TREE TO BE REMOVED



EAST

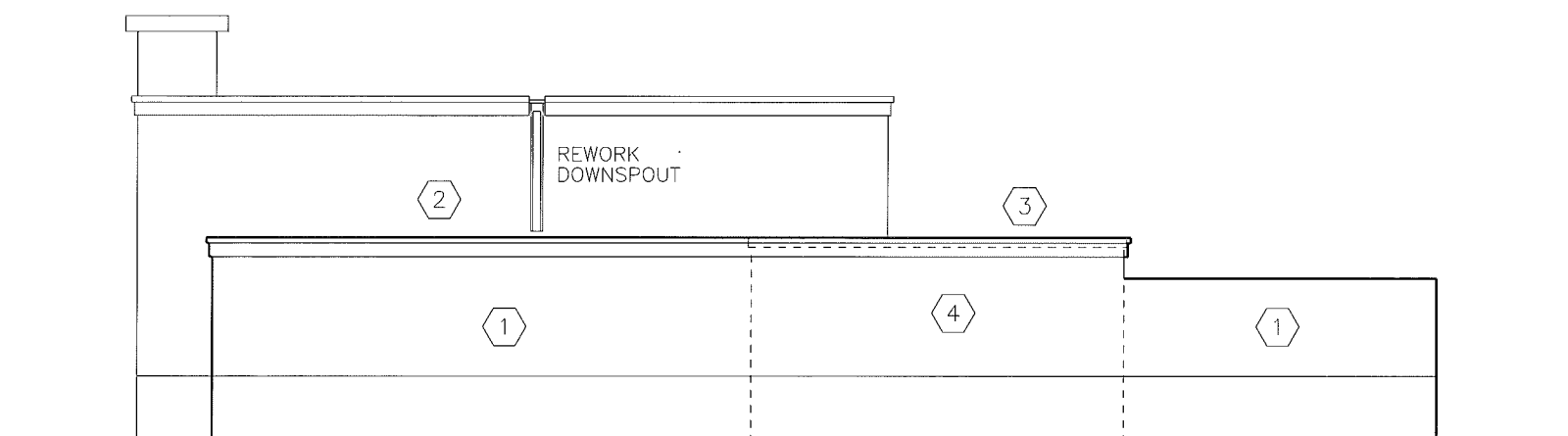
NOTES:

- ① MATCH EXISTING STUCCO COLORS AND TEXTURE
- ② STEPPED FASCIA TO MACH EXISTING VERIFY AT SITE
- ③ ENCLOSE EXISTING CONCRETE ROOF W/ STEPPED FASCIA
- ④ STUCCO EXPOSED POURED / BLOCK EXTERIOR WALLS



SOUTH

6'-4"x5'-6" GATES
OPAQUE SCREENING MATERIAL:
COMPOSITE MATERIAL
ALT. #2 CEDAR



NORTH

ELEVATIONS

1/8" = 1'-0"

K. K. DESIGN
ARCHITECTURE - PLANNING
6112 EXCELSIOR BLVD. MPLS., MINN.
952-922-3226

VALVOLINE
INSTANT OIL CHANGE
STORE NO. 010009 1925 LEXINGTON AVENUE NO.
ROSEVILLE - MINNESOTA

PROJ. NO : 2001-29
DESIGNED BY : JPK
DRAWN BY : SPL
DATE : 3/03/2020

SHEET **2** OF



Doc No **A04882874**

Certified, filed and/or recorded on
May 11, 2021 8:46 AM

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Todd J. Uecker, County Recorder
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Deputy 315

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<i>Document Total</i>	\$46.00

**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 6th day of May 2020, at 5:30 p.m.

The following Members were present: Member Kruzel, Member Pribyl, and Chair Sparby; and none was absent.

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

VARIANCE BOARD RESOLUTION NO. 144

A RESOLUTION APPROVING VARIANCES TO ROSEVILLE CITY CODE §1005.04.C, NEIGHBORHOOD BUSINESS SETBACKS, AT 1925 LEXINGTON AVENUE (PF20-004)

WHEREAS, the subject property is assigned Ramsey County Property Identification Number 15-29-23-14-0092, and is legally described as:

The East one hundred forty-nine and five tenths (149.5) feet of the South one hundred ninety-three (193) feet of the East two hundred fifty-six and thirty-five hundredths (256.35) feet of the East two and one-half (2 ½) acres of the South five (5) acres of the East one-half (E ½) of the South one-half (S ½) of the Southeast one-quarter (SE ¼) of the Northeast one-quarter (NE ¼) of Section fifteen (15), Township twenty-nine (29), Range twenty-three (23); according to the United States Government Survey thereof. Ramsey County.

WHEREAS, City Code §1005.04.C (Neighborhood Business Setbacks) requires principal structures to be set back a minimum of 10 feet from side property lines adjacent to residential properties; and

WHEREAS, City Code §1005.04.C (Neighborhood Business Setbacks) requires principal structures to be set back a minimum of 25 feet from rear property lines adjacent to residential properties; and

WHEREAS, Valvoline Instant Oil Change, owner of the property at 1925 Lexington Avenue, requested a variance to §1005.04.C to allow a proposed storage and trash enclosure addition to encroach up to 5 feet into the required side yard setback; and

WHEREAS, Valvoline Instant Oil Change, owner of the property at 1925 Lexington Avenue, requested a variance to §1005.04.C to allow a proposed trash enclosure addition to encroach up to 24 feet into the required rear yard setback; and

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 persistent need to find space for storage on a parcel that is substantially smaller than it was originally understood to be represents a practical difficulty which the variance process is intended to relieve.
- b. The proposal is generally consistent with the Comprehensive Plan because it represents the sort of continued investment promoted by the Comprehensive Plan's goals and policies for commercial areas while not compromising the policies intended to protect the sensitive residential properties adjacent to those commercial areas.
- c. The proposal is consistent with the intent of the zoning ordinances because the proposed additions will not negatively affect the adjacent residential property even though they will encroach into the required setbacks.
- d. The proposal makes reasonable use of the subject property because the proposed addition will create additional storage that is hidden by the existing fence and garage structure and enable the trash receptacle to be enclosed, pursuant to City Code §1011.11.B.
- e. Some of the existing, nonconforming setbacks of the structure—and therefore the scale of the proposed encroachments—are products of changing zoning regulations over the life of the service station, resulting in unique circumstances that were not created by the landowner.
- f. Because the proposed addition would be basically invisible to the public, the variance, if approved, would not negatively alter the character of the surrounding neighborhood.

NOW THEREFORE BE IT RESOLVED, by the Roseville Variance Board, to approve the requested variances to §1005.04.C of the City Code, based on the proposed plans, the testimony offered at the public hearing, and the above findings.

The motion for the adoption of the foregoing resolution was duly seconded by Variance Board Member Kruzel and upon vote being taken thereon, the following voted in favor: Members Pribyl, Kruzel, and Sparby; and none voted against;


WHEREUPON said resolution was declared duly passed and adopted.

Variance Board Resolution No. 144 – 1925 Lexington Avenue (PF20-004)

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 6th day of May 2020.

WITNESS MY HAND officially as such Manager this 6th day of May 2020.



Patrick Trudgeon, City Manager

