

Board Members:

Karen Schaffhausen
Erik Bjorum
Pamela Aspnes
Alternate: Tammy McGehee



Address:

2660 Civic Center Dr.
Roseville, MN 55113

Phone:

651-792-7080

Website:

www.cityofroseville.com/agendacenter

Variance Board Agenda

Wednesday, June 7, 2023

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. April 6, 2022

5. Organizational Business

6. Public Hearing

a. **PF21-018:** Request for an extension of the time provided by §1009.04.D (*Validation and Expiration*) for the previously approved variance allowing an encroachment into allowing a home addition to encroach into the required minimum setback from the northern side property line at 2674 Victoria Street.

7. Adjourn



**Variance Board Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Draft Minutes – Wednesday, April 6, 2022 – 5:30 p.m.**

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1. Call to Order

Chair Pribyl called to order the regular meeting of the Variance Board meeting at approximately 5:30 p.m. and reviewed the role and purpose of the Variance Board.

2. Roll Call & Introductions

At the request of Chair Pribyl, City Planner Thomas Paschke called the Roll.

Members Present: Chair Michelle Pribyl; Vice Chair Michelle Kruzal; and Member Karen Schaffhausen.

Members Absent: None

Staff Present: Community Development Director Janice Gundlach and Senior Planner Bryan Lloyd.

3. Approval of Agenda

MOTION

Member Kruzal moved, seconded by Member Schaffhausen to approve the agenda as presented.

Ayes: 3

Nays: 0

Motion carried.

4. Review of Minutes: February 2, 2022

MOTION

Member Kruzal moved, seconded by Member Schaffhausen to approve the February 2, 2022 meeting minutes.

Ayes: 3

Nays: 0

Motion carried.

5. Other Business

a. PLANNING FILE 20-004

Request for an Extension of the Time Provided by §1009.04 (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.

41 Senior Planner Lloyd reviewed the variance request for this property, as detailed in
42 the staff report dated April 6, 2022.

43
44 **MOTION**
45 **Member Schaffhausen moved, seconded by Member Pribyl, approving an**
46 **extension of time allowed to validate the variance approved by Variance Board**
47 **Resolution #144 until September 1, 2022, based on the content of this RVBA,**
48 **public input, and Variance Board deliberation.**

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50 **Ayes: 3**
51 **Nays: 0**
52 **Motion carried.**

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54 **6. Adjourn**

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56 **MOTION**
57 **Member Pribyl adjourned the meeting at 5:37 p.m.**

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59 **Ayes: 3**
60 **Nays: 0**
61 **Motion carried.**

ROSEVILLE
REQUEST FOR VARIANCE BOARD ACTION

Date: June 7, 2023
Item No. 6a

Department Approval

Agenda Section

Janice Gundlach

Other Business

Item Description: Extension of Validation Timeline for the Variance Approved in PF21-018

BACKGROUND

The owner of the property at 2674 Victoria Street gained approval of a variance in February 2022 allowing a home addition to encroach into the required minimum setback from the northern side property line. An area map showing the location of the site, an aerial photo of current conditions, plans illustrating the subject of the variance request, and a copy of Variance Board Resolution #160 conferring the approval are included with this report as Attachments 1, 2 and 3, 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...*

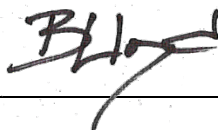
Because of difficulties stemming from to the COVID-19 pandemic, particularly the substantial increases in the cost of some materials, unavailability of some materials, and lack of people to perform the work, the applicant would not be able to begin the project facilitated by the variance approval for 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 extension request was submitted within one year of the approval and 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. From recent correspondence, staff has learned the applicant remains uncertain when the project might prove feasible. In light of this uncertainty and the unlikelihood the approved construction would occur in the present construction season, Planning Division staff has no objection to extending the validation timeline until December 31, 2024

RECOMMENDED ACTION

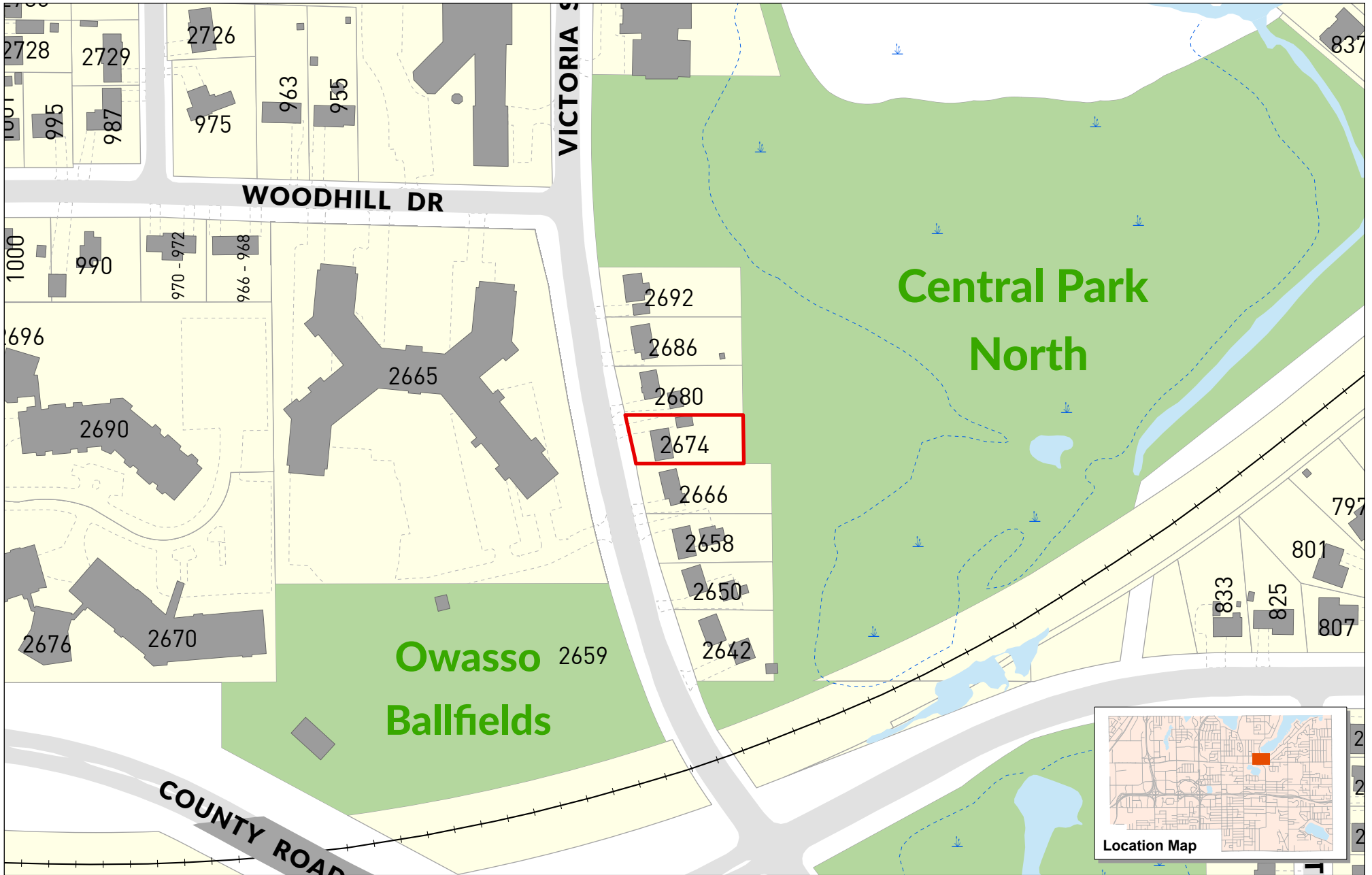
By motion, approve an extension of the time allowed to validate the variance approved by Variance Board Resolution #160 until December 31, 2024, based on the content of this RVBA, public input, and Variance Board deliberation.

Attachments: 1: Area map
2: Aerial photo
3: Plans
4: Variance Board Resolution #160

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



Attachment 1: Planning File 21-018



Prepared by:
Community Development Department
Printed: January 26, 2022



Data Sources
 * Ramsey County GIS Base Map (12/4/2021)
 For further information regarding the contents of this map contact:
 City of Roseville, Community Development Department,
 2660 Civic Center Drive, Roseville MN

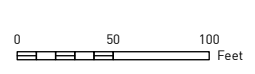
Disclaimer
 This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference 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.



Attachment 2: Planning File 21-018



Location Map



Variance Application: 2674 Victoria St N, Roseville MN 55113

A: Legal Description and PIN

Parcel Number: 022923340006	Property Description: SECTION 2 TOWN 29 RANGE 23 SUBJ TO VICTORIA ST AND EX E 432 FT THE N 75 FT OF S 410 FT OF PART E OF CL OF SD ST OF GOVT LOT 4 IN SEC 2	Parcel Area: 0.30 Acres Parcel Width: 76 Feet Parcel Depth: 173 Feet
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B: Written Narrative

Intent: Replace one car detached garage with an attached two car garage including a small addition connecting to the existing house.

Practical difficulty: Due to the odd shape of the property, a corner of the garage would be approximately 1-2ft from the property line, instead of 5ft. This is preventing additional modifications for improved disability access.

Garage size: Building a full sized garage (24ft wide x 26ft deep) allows for a wheelchair ramp within the garage. I use a wheelchair when out of the house and need to plan for wheelchair access to the home. Having a full sized two car garage would allow for that with protection from the elements.

Home accessibility: We plan to build a laundry room behind the garage, connected to the house, making the home fully accessible to me on the main floor. Building the garage detached and behind the house, as it currently sits, would eliminate the accessibility this addition would provide me.

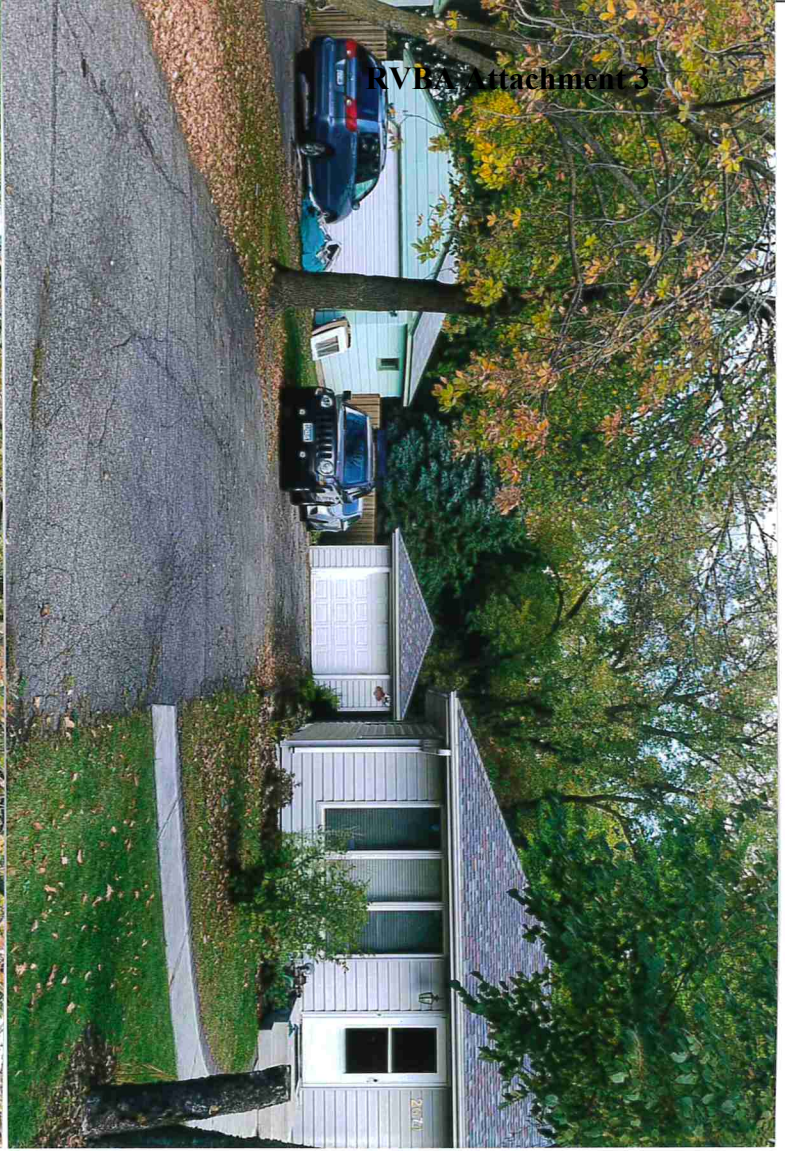
Property shape: The property lines run at a diagonal to the street. On the north side, this makes the available space to build wider near the street, and increasingly narrow towards the back of the property.

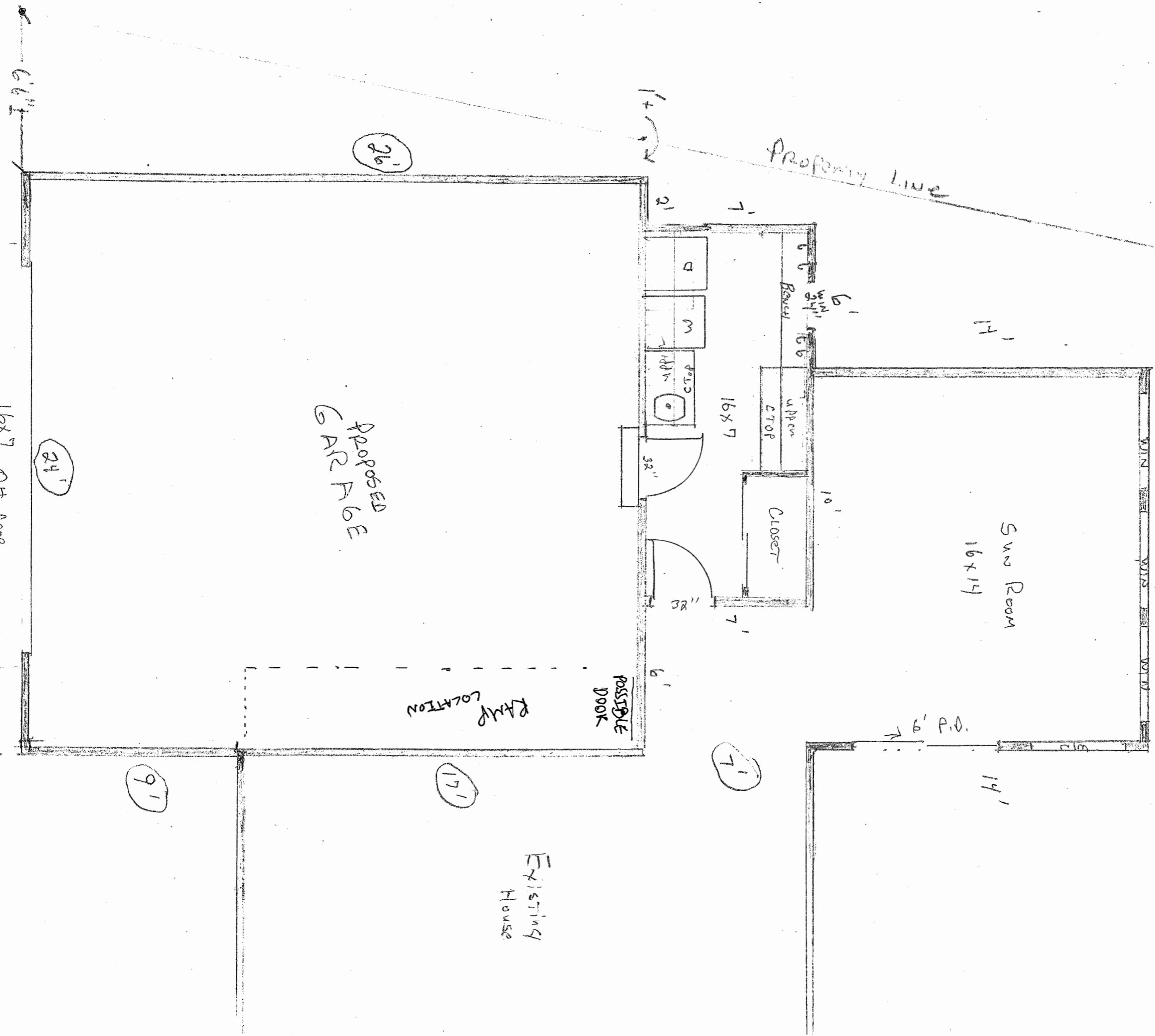
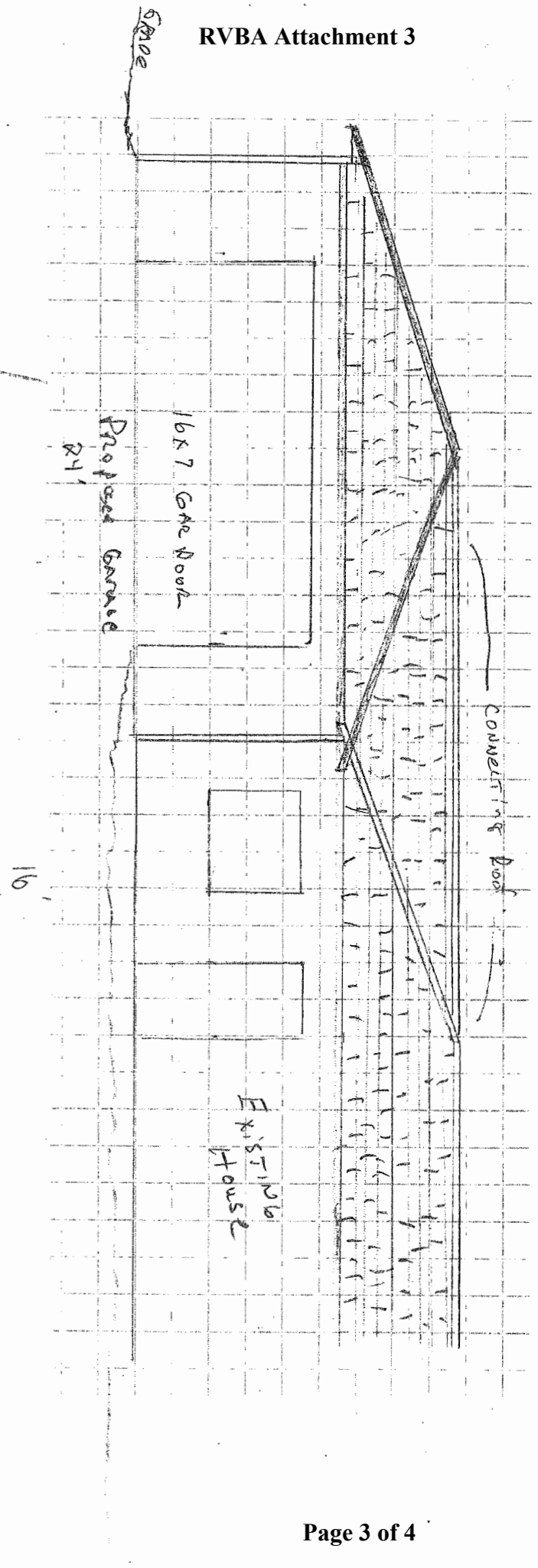
Garage location: Our plans stagger the garage in front of the house as far forward as the 30ft setback ordinance from the street allows. This leaves the garage 9ft proud of the house, taking advantage of the wider space towards the front of the property as much as possible.

Grading/drainage: As pictured, grading and drainage will not be affected by variance.

C: Proposed Plans

Attached: Scaled site plan, pictures of site with property line added.





2674 Victoria

10-5-21

PID #02-29-23-34-0005
OWNER: RUTH LAFAVE

Proposed Laundry/
Mud Room

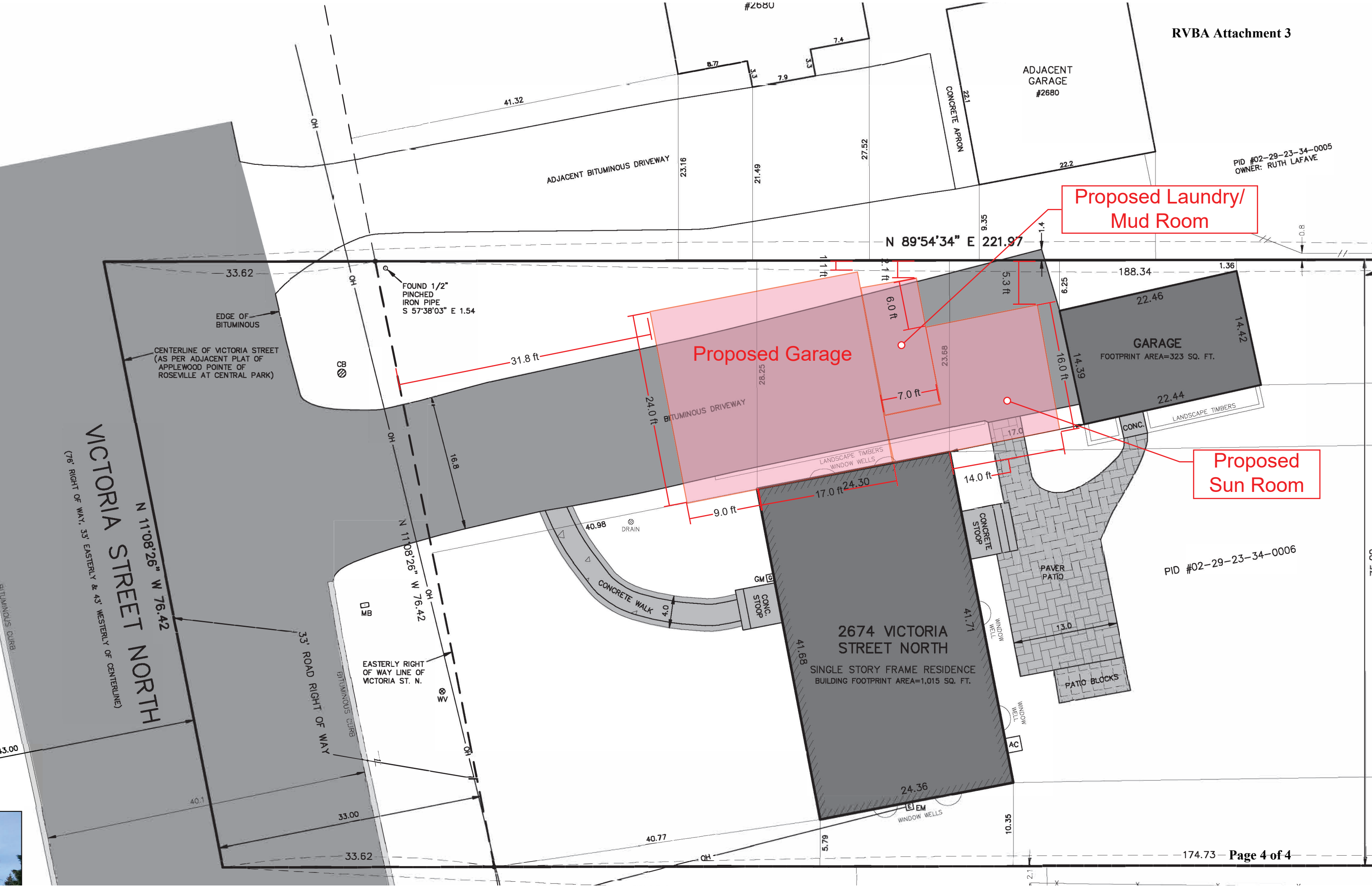
Proposed Garage

Proposed Sun Room

ADJACENT GARAGE #2680

GARAGE FOOTPRINT AREA=323 SQ. FT.

2674 VICTORIA STREET NORTH
SINGLE STORY FRAME RESIDENCE
BUILDING FOOTPRINT AREA=1,015 SQ. FT.





Doc No **A04978376**

Certified, filed and/or recorded on
Jan 24, 2023 12:40 PM

Office of the County Recorder
Ramsey County, Minnesota
Todd J. Uecker, County Recorder
Heather L. Bestler, County Auditor and Treasurer

Deputy 303

Pkg ID 1560529M

Document Recording Fee Abstract	\$46.00
<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 2nd day of February 2022, at 5:30 p.m.

The following Members were present: Pribyl, Kruzel and Schaffhausen; and none were absent.

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

VARIANCE BOARD RESOLUTION NO. 160

A RESOLUTION APPROVING A VARIANCE TO ROSEVILLE CITY CODE §1004.08.B, RESIDENTIAL SETBACKS, AT 2674 VICTORIA STREET (PF21-018)

WHEREAS, the subject property is assigned Ramsey County Property Identification Number 02-29-23-34-0006, and is legally described as:

Except the East Four Hundred Thirty-Two (E 432) feet, the North Seventy-Five (N 75) feet of the South Four Hundred Ten (S 410) feet of the part of Government Lot 4 in Section Two (2), Township Twenty-Nine (29), Range Twenty-Three (23), lying East of the center line of Victoria Street, Ramsey County, Minnesota

WHEREAS, City Code §1004.08.B (Residential Setbacks) requires principal structures to be set back a minimum of five feet from side property lines; and

WHEREAS, Andrew Parker, owners of the property at 2674 Victoria Street, requested a variance to §1004.08.B to allow a proposed garage and room addition which would encroach as much as 4 feet into the required side 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 challenge caused by the narrow width of the lot and the unaligned property boundaries with respect to the street and the house, when coupled with the difficulty of building a suitable detached garage in the rear yard, represents a practical difficulty which the variance process is intended to relieve.
- b. The proposal is generally consistent with the Comprehensive Plan because it because it represents a standard amenity on a residential property and embodies the sort of continued investment and life-cycle housing promoted by the Comprehensive Plan's goals and policies for residential neighborhoods.
- c. The proposal is in harmony with the intent of the zoning ordinances because although the rear-most corners of the proposed garage and laundry room would project substantially into

the side yard setback, the arbitrary angle of the side property line with respect to the home minimizes the building mass that would stand within the required setback area.

- d. The proposal makes reasonable use of the subject property because the garage addition would create a modest two-stall garage and mud room/laundry room, and the sun room addition in the back provides reasonable use of main floor square footage due to wheelchair needs of the occupants without further deviation from zoning standards.
- e. The unaligned buildings and lot boundary, and the sloping rear yard are unique circumstances that were not created by the landowner.
- f. Although the proposal would create a significant encroachment into the required side yard the proposed addition is clearly residential in nature and the variance, if approved, would not negatively alter the character of the surrounding residential neighborhood.

NOW THEREFORE BE IT RESOLVED, by the Roseville Variance Board, to approve the requested variance to §1004.08.B of the City Code, based on the proposed plans for the home addition, 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 Schaffhausen, Kruzel and Pribyl; and none voted against;

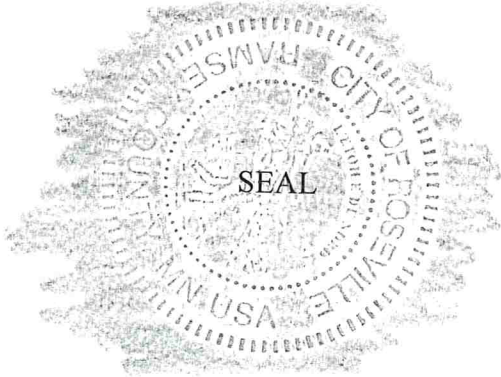
WHEREUPON said resolution was declared duly passed and adopted.


Variance Board Resolution No. 160 – 2674 Victoria Street (PF21-018)

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 2nd day of February 2022.

WITNESS MY HAND officially as such Manager this 2nd day of February 2022.




Patrick Trudgeon, City Manager