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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 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

