



## **Variance Board Agenda**

**Wednesday, November 6, 2024**

**5:30 PM**

**City Council Chambers**

*(Any times listed are approximate – please note that items may be earlier or later than listed on the agenda)*

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Review of Minutes**
  - a. Review August 7, 2024 Minutes
- 5. Public Hearing**
  - a. A request by Jami Olson of Centro Roseville for a VARIANCE from Section 1010.03.C (Prohibited Signs) to allow a painted sign on the exterior facade (south) at 1901 Highway 36 West
- 6. Adjourn**

  
**REQUEST FOR BOARD ACTION**

Date: **11/6/2024**  
Item No.: **4.a.**

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Department Approval

Agenda Section  
Review of Minutes

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**Item Description:** Review August 7, 2024 Minutes

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**Application Information**

N/A

**Background**

N/A

**Staff Recommendation**

N/A

**Requested Planning Commission Action**

Review the August 7, 2024 minutes and make a motion to approve subject to requested corrections.

**Alternative Actions**

N/A

**Prepared by:**

**Attachments:**    1.    August 7, 2024 Minutes



**Variance Board Regular Meeting  
City Council Chambers, 2660 Civic Center Drive  
Draft Minutes – Wednesday, August 7, 2024 – 5:30 p.m.**

- 1 **1. Call to Order**  
2 Chair Schaffhausen 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**  
6 At the request of Chair Schaffhausen, City Planner Thomas Paschke called the Roll.  
7  
8 **Members Present:** Chair Schaffhausen, Vice Chair Bjorum; and Member Aspnes.  
9  
10 **Members Absent:** None  
11  
12 **Staff Present:** City Planner Thomas Paschke, and Community Development  
13 Director Janice Gundlach  
14
- 15 **3. Approval of Agenda**  
16  
17 **MOTION**  
18 **Member Bjorum moved, seconded by Member Aspnes to approve the agenda as**  
19 **presented.**  
20  
21 **Ayes: 3**  
22 **Nays: 0**  
23 **Motion carried.**  
24
- 25 **4. Review of Minutes: May 1, 2024**  
26 **MOTION**  
27 **Member Aspnes moved, seconded by Member Bjorum to approve the May 1, 2024**  
28 **meeting minutes.**  
29  
30 **Ayes: 3**  
31 **Nays: 0**  
32 **Motion carried.**  
33
- 34 **5. Public Hearing**  
35 Chair Schaffhausen reviewed the protocol for Public Hearings and public comment and  
36 opened the Public Hearing at approximately 5:32 p.m.  
37  
38 **a. VARIANCE FOR 10-FOOT TALL SECURITY SYSTEM (FENCE)**  
39 **Request by Amarak Ultimate Perimeter Security, LLC on behalf of Caliber**  
40 **Collision for a Variance to allow a 10-foot-tall, non-pulsed, monitored security**  
41 **system (fence) at 1914 County Road C.**

**Variance Board Meeting**  
**Minutes – Wednesday, August 7, 2024**  
**Page 2**

42 City Planner Thomas Paschke reviewed the variance request for this property, as  
43 detailed in the staff report dated August 7, 2024.

44  
45 Chair Schaffhausen closed the public hearing at 5:45 p.m.

46  
47 Mr. Chris Deaton, Vice President of Government Relations and Compliance with  
48 Amaron, addressed the Board.

49  
50 Member Bjorum indicated he appreciated the applicant returning after the last  
51 meeting and proposing something better than what was proposed earlier.

52  
53 Chair Schaffhausen closed the public hearing at 5:51 p.m.

54  
55 **MOTION**

56 **Member Bjorum moved, seconded by Member Aspnes, adoption of Variance**  
57 **Board Resolution No. 168, entitled “A Resolution Approving the requested**  
58 **variance for a 10-foot tall non-pulsed security system (fence) at Caliber**  
59 **Collision, 1914 County Road C.”**

60  
61 **Ayes: 3**

62 **Nays: 0**

63 **Motion carried.**

64  
65 **6. Adjourn**

66  
67 **MOTION**

68 **Member Aspnes, seconded by Member Bjorum, to adjourn the meeting at 5:56**  
69 **p.m.**

70  
71 **Ayes: 3**

72 **Nays: 0**

73 **Motion carried.**

  
**REQUEST FOR BOARD ACTION**

Date: **11/6/2024**

Item No.: **5.a.**

Department Approval

*Janice Gundlach*

Agenda Section

Public Hearing

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**Item Description:** A request by Jami Olson of Centro Roseville for a VARIANCE from Section 1010.03.C (Prohibited Signs) to allow a painted sign on the exterior facade (south) at 1901 Highway 36 West

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1  
2 **Application Information**

3 Applicant: Jami Olson, Centro Roseville  
4 Location: 1901 Highway 36 West  
5 Application Submission: September 10, 2024  
6 City Action Deadline: November 9, 2024  
7 Zoning: Core Mixed-Use (MU-4)  
8

9 **Background**

10 Over the past couple of years there has been an increase in the desire to install murals and painted  
11 signs on the exterior facades of businesses. Recently, while reviewing the sign permit for Centro  
12 restaurant, the City Planner noted a portion of the south facing elevation/façade included a painted  
13 design, including the word “tacos” repeated four times. After discussing this exterior improvement  
14 with the Planning staff, and a review of the Sign Regulations, it was determined the mural was likely  
15 allowed, however the words “tacos” would require a Variance as those words would be considered a  
16 painted sign, which is prohibited by the sign code requirements. This determination was provided to  
17 representatives of Centro, for which they have chosen to seek a variance for the painted tacos  
18 sign.  
19

20 Below are the Code standards concerning a sign and painted signs:

21  
22 1. **SIGN:** *Any writing, pictorial presentation, number, illustration or decoration, flag, or other device*  
23 *that is used to announce, direct attention to, identify, advertise, or otherwise make anything known.*  
24 *The term “sign” shall not be deemed to include the terms “building” or “landscaping,” or any*  
25 *architectural embellishment of a building not intended to communicate information.*

26 26. **PAINTED SIGN:** *A sign painted directly on the outside wall or roof of a building or on a fence,*  
27 *rock, or similar structure or feature in any zoning district.*

28 **C. Prohibited Signs.**

29 2. *No sign will be painted directly on any exterior building surface. Sign letters and symbols may be*  
30 *attached directly to a wall by adhesive or mechanical means.*  
31

32 **Review of Request**

33 Centro requests a variance from **§1010.03.C, Prohibited Signs**, in support of permitting a painted tacos  
34 sign on the south elevation of the Centro restaurant building. Each letter is approximately 3 square feet  
35 in size with the four words totaling 48.5 square feet (see Attached 3). This amount, along with the other  
36 recently approved signs for the building, complies with the maximum amount of wall signage under the  
37 Code, which is 247.5 square feet. As such, the requested variance is only to permit the type of sign that  
38 has been erected (painted signs).  
39

40 Like Smash Park’s variance, the “tacos” sign is an integral component of the mural that has been  
41 painted on the south elevation. There is also a small mural on the west-facing elevation that does not  
42 include any signage. Planning Division staff were unaware of these exterior wall murals and signs until  
43 they reviewed the submitted sign permit. If staff had been aware, staff would have sought compliance  
44 with the Code or a variance application prior to installation.

45  
46 **Variance Analysis**

47 When considering wall and/or freestanding signage, the Planning Division has historically been reluctant  
48 to support a variance from the standards set forth in the Sign Regulations chapter. This is especially  
49 true when an applicant is seeking greater height or greater square footage for a sign or signs. However,  
50 this request is for a painted sign on the south exterior elevation of the Centro restaurant building.

51  
52 Last October, the Variance Board approved four painted signs at Smash Park. Although not identical  
53 situations, the Smash Park painted signs share similarities with the Centro painted sign variance  
54 request. Specifically, the signs were painted with a high-grade exterior paint or stain and clear-coated  
55 to protect from seasonal elements and fading. The Centro contractor utilized a high-grade exterior latex  
56 paint and clear coat for the murals and tacos sign. This method of applying exterior paint/stain to the  
57 exterior of a building is permitted under the Materials section of the Code found below and a reason why  
58 the Planning Division is supportive of the proposed variance for Centro:

59  
60 **Materials:** *All exterior wall finishes on any building must be a combination of the following materials:  
61 No less than 60% face brick; natural or cultured stone; pre-colored or factory stained or stained on  
62 site textured pre-cast concrete panels; textured concrete block; stucco; glass; fiberglass; or similar  
63 materials and no more than 40% pre-finished metal, cor-ten steel, copper, premium grade wood with  
64 mitered outside corners (e.g., cedar redwood, and fir), or fiber cement board. Under no  
65 circumstances shall sheet metal aluminum, corrugated aluminum, asbestos, iron plain or painted, or  
66 plain concrete block be acceptable as an exterior wall material on buildings within the city. Other  
67 materials of equal quality to those listed, may be approved by the Community Development  
68 Department.*

69  
70 Section 1009.04 (Variances) of the City Code explains that the purpose of a variance is “to permit  
71 adjustment to the zoning regulations where there are practical difficulties applying to a parcel of land or  
72 building that prevent the property from being used to the extent intended by the zoning.” State statute  
73 further clarifies that “economic considerations alone do not constitute practical difficulties.”

74  
75 The Sign Regulations chapter of the Zoning Code has proven to be permissive in terms of the types,  
76 sizes, and locations of allowed signs, which is reflected in the fact that the City has issued only one sign  
77 variance (Smash Park, October 2023) since the standards were updated in 2011 and 2013. However,  
78 the topic of painted signs has never been a source of concern until very recently.

79  
80 When evaluating the requested variance, it’s important to understand the reasons behind the prohibition  
81 of painted signs. Painted signs, specifically those used during the latest drafting of the City’s sign  
82 regulations, were thought to have durability issues given Minnesota’s climate. For this reason, painted  
83 signs were prohibited in an effort to prevent unsightly weathered signs. However, products and methods  
84 have changed as is evident by the allowance of concrete tip-up panels, concrete masonry units, brick,  
85 concrete fiber board, and even exterior wood paneling being permitted to be painted/stained and sealed.  
86 A painted sign is nothing more than utilizing specifically designed stain, paint, and/or sealer and applying  
87 it to the exterior of the building.

88  
89 In reviewing of the requested variance by Centro, the Planning Division concludes there are Code-based  
90 limitations existing in the Sign Regulations presenting a practical difficulty that the variance process is  
91 intended to relieve.

92  
93 Section 1009.04C of the City Code establishes a mandate that the Variance Board make five specific

94 findings about a variance request as a prerequisite for approving the variance. Planning Division staff  
95 have reviewed the application and offer the following draft findings:

- 96 1. *The proposal is consistent with the Comprehensive Plan.* Planning Division staff believe the  
97 proposal is generally consistent with the Comprehensive Plan because it represents the type of  
98 continued investment promoted by the Comprehensive Plan's goals and policies. However, there  
99 is nothing specifically stated in the Roseville 2040 Comprehensive Plan concerning commercial  
100 development signage.
- 101 2. *The proposal is in harmony with the purposes and intent of the zoning ordinance.* Setting aside  
102 the fact that a painted sign is prohibited, the Planning Division concludes painting or staining the  
103 exterior of a building is permitted under the Zoning Code and thus painting images or signage in  
104 a similar fashion would be in harmony with the purpose and intent of Materials allowance of the  
105 Mixed-Use Districts standards. City staff long upheld painted sign prohibitions as numerous other  
106 options existed to achieve compliance. However, the recent variance approved for Smash Park  
107 to install painted/stained images (signage) on the north exterior of their building was a general  
108 openness by the Planning Division to account for the product and method used in crafting the  
109 sign or image to the exterior of a building. As discussed previously, the Design Standards for the  
110 Mixed-Use Districts permits concrete tip-up panels, concrete masonry units (CMU), and other  
111 exterior building materials to be painted/stained on site. This method of exterior application is  
112 similarly used for applying a mural, image, or sign to a building and specifically the method used  
113 in the application process of the tacos sign at Centro.
- 114 3. *The proposal puts the subject property to use in a reasonable manner.* This finding seeks to  
115 determine whether the requested deviation will put the property to use in a manner reasonably  
116 consistent with the standards set forth in the Code. Planning Division staff conclude this finding  
117 to be generally true regardless of an approved variance as the building has been approved with  
118 a specific wall signage allowance, which does not rely on the painted taco signs. That said, as  
119 an alternative to standard sign materials, the painting of a sign would put the property, or in this  
120 instance the building, to use in a reasonable manner.
- 121 4. *There are unique circumstances to the property which were not created by the*  
122 *landowner.* Planning Division staff have concluded the unique circumstance is the Sign  
123 Regulations regarding painted/stained images and signs on exteriors of buildings has not kept  
124 up with current materials and application practices. Specifically, the Design Standards of the  
125 Mixed-Use Districts allow concrete tip-up panels, masonry units, brick, and other exterior building  
126 materials to be stained or painted since at least 2010. This same allowance for staining/painting  
127 a mural, image, or sign has not been supported, or more importantly as it pertains to this  
128 request, not been updated into the Sign Regulations. Therefore, Planning Division staff finds  
129 there to be unique circumstances not created by the applicant.
- 130 5. *The variance, if granted, will not alter the essential character of the locality.* Although the  
131 Planning Division staff strives for fully Code-compliant signage and has not supported prohibited  
132 signs in the past, allowing the proposed painted tacos sign on the south exterior of the Centro  
133 building will not alter the essential character of Roseville, as evidenced by the previous Smash  
134 Park variance approval.

135

136

## 137 **Staff Recommendation**

### 138 **Public Comment**

139 At the time this report was prepared, Planning Division staff has not received any comments or  
140 questions about the proposed painted sign variance.

141

142 The Planning Division finds the applicant has demonstrated practical difficulties preventing compliance  
143 with the sign regulations of the Zoning Code, as it relates to the use of painted signs, and would  
144 recommend the Variance Board **adopt a resolution (Attachment 4) approving the requested**  
145 **variance to permit a painted tacos sign on the south façade of the Roseville Centro at 1901**

146 **Highway 36**, based on the content of this report and associated plans provided as attachments, public  
147 input, and Variance Board deliberation.

### 148 **Requested Planning Commission Action**

149 **Adopt a resolution approving the requested variance to permit a painted tacos sign on the south**  
150 **façade of the Roseville Centro at 1901 Highway 36**, based on the content of this report and  
151 associated plans provided as attachments, public input, and Variance Board deliberation.  
152

### 153 **Alternative Actions**

- 154
- 155 1. **Pass a motion to table the item for future action.** An action to table consideration of the  
156 variance request must be based on the need for additional information or further analysis to  
157 reach a decision on one or both requests. Tabling may require extension of the 60-day action  
158 deadline established in Minn. Stat. 15.99 to avoid statutory approval.
  
  - 159 2. **Adopt a resolution denying the requested variances.** A denial should be supported by  
160 specific findings of fact based on the Variance Board’s review of the application, applicable  
161 zoning regulations, and the public record.

162

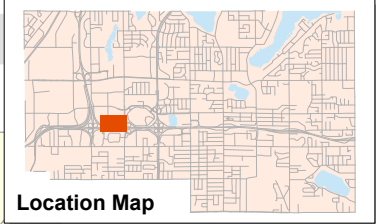
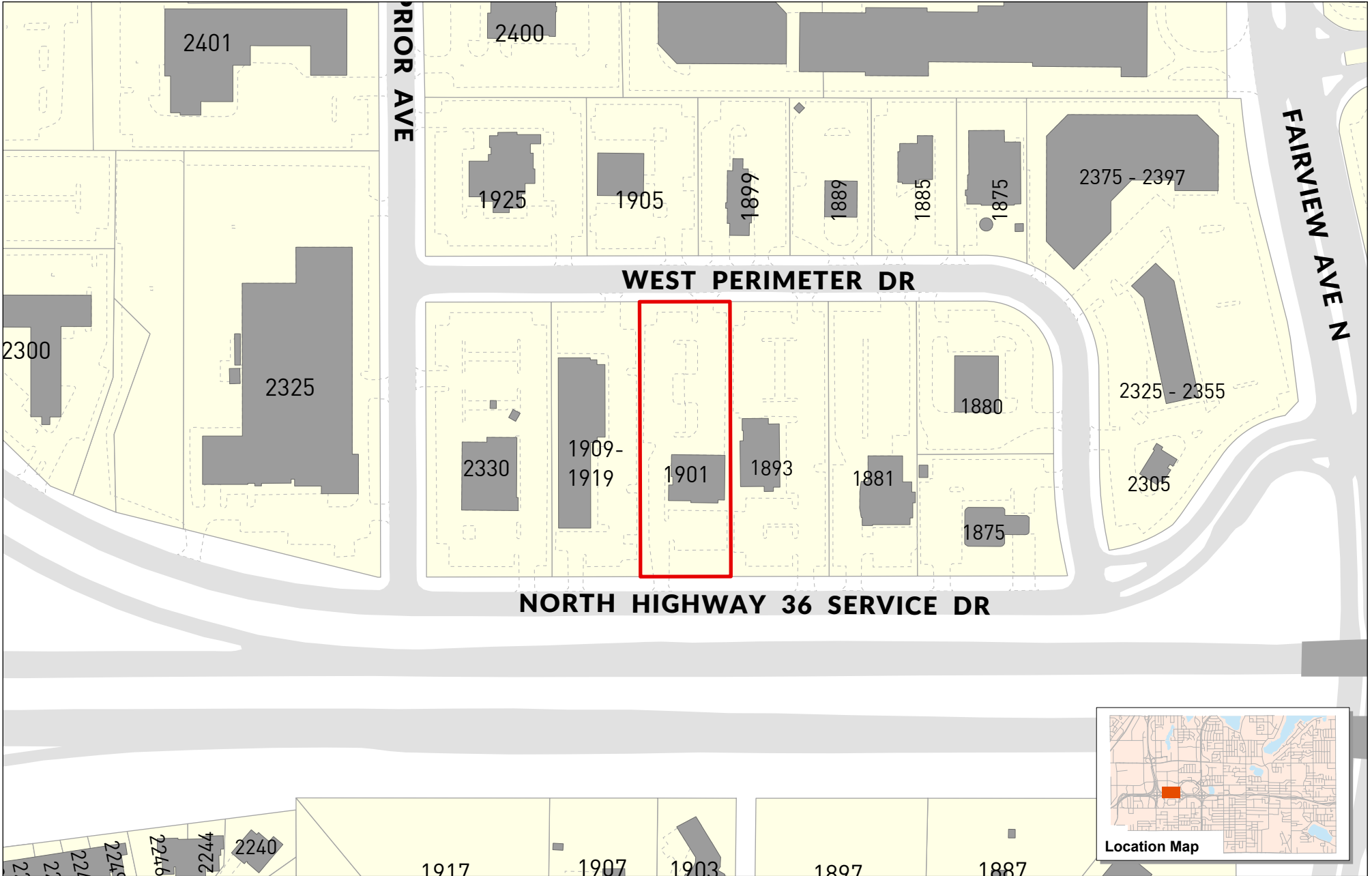
163 **Prepared by:** Thomas Paschke, City Planner

**Attachments:**

1. Base Map
2. Aerial Photo
3. Tacos Sign
4. Resolution

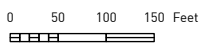


# Attachment 1: Planning File 24-014

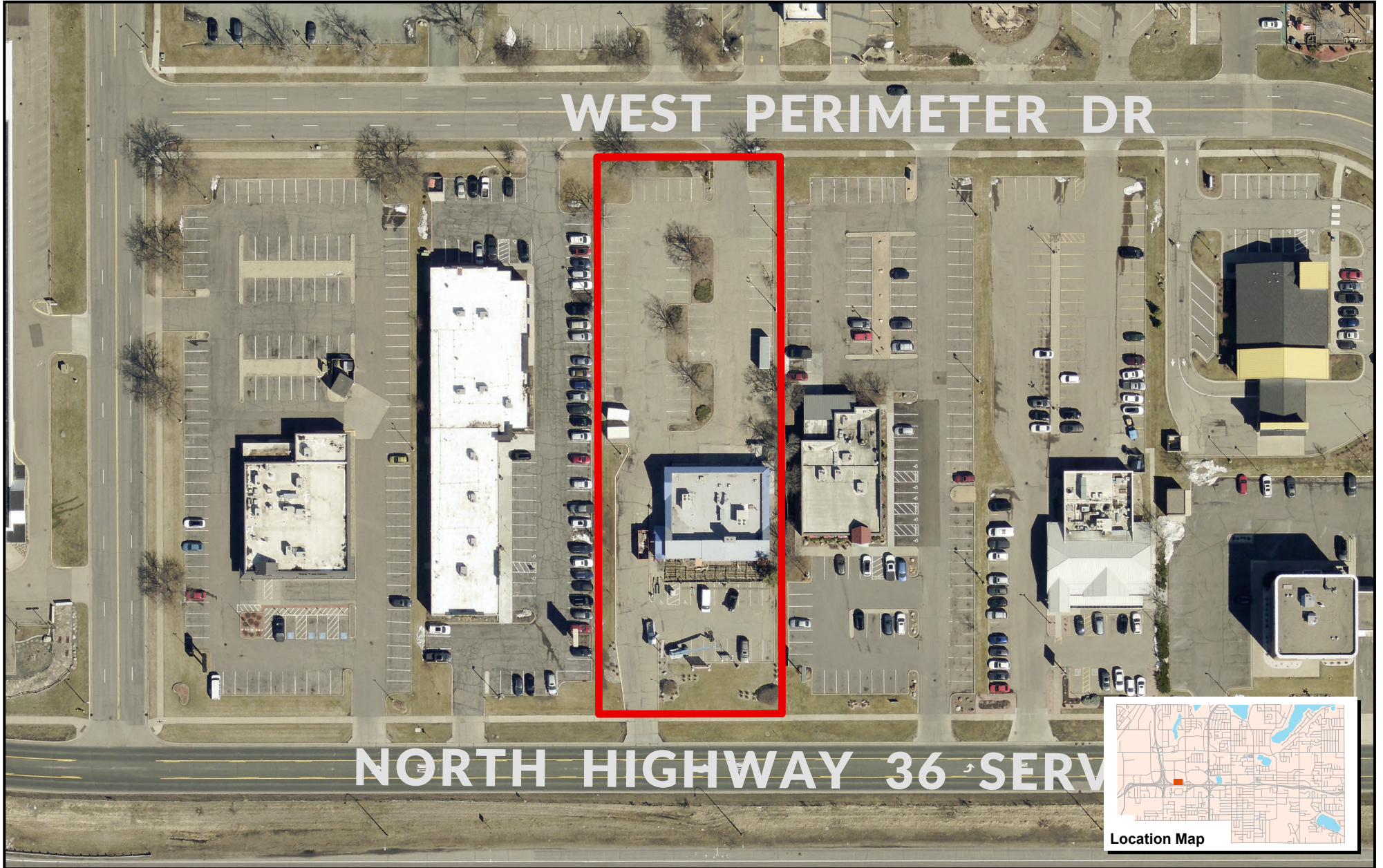


**Data Sources**  
 \* Ramsey County GIS Base Map (10/4/2024)  
 For further information regarding the contents of this map contact:  
 City of Roseville, Community Development Department,  
 2660 Civic Center Drive, Roseville MN

**Disclaimer**  
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# Attachment 2: Planning File 24-014





**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 6<sup>th</sup> day of November 2024, at 5:30 p.m.

The following Members were present: .....;  
and ..... were absent.

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

**VARIANCE BOARD RESOLUTION NO. ....**

**A RESOLUTION APPROVING A VARIANCE TO SECTION 1010.03.C, PROHIBITED SIGNS OF THE  
ROSEVILLE CITY CODE, AT 1901 HIGHWAY 36 (PF24-014)**

WHEREAS, the subject property is assigned Ramsey County Property Identification Number 092923310011 and is legally described as:

**REQUIRES LEGAL.**

WHEREAS, City Code §1010.02 (Definitions) and 1010.03 (General Provisions) states the following concerning signs:

1010.02.A.1. **SIGN:** Any writing, pictorial presentation, number, illustration or decoration, flag, or other device that is used to announce, direct attention to, identify, advertise, or otherwise make anything known. The term “sign” shall not be deemed to include the terms “building” or “landscaping,” or any architectural embellishment of a building not intended to communicate information.

1010.02.A.26. **PAINTED SIGN:** A sign painted directly on the outside wall or roof of a building or on a fence, rock, or similar structure or feature in any zoning district.

1010.03.C. **Prohibited Signs.**

2. No sign will be painted directly on any exterior building surface. Sign letters and symbols may be attached directly to a wall by adhesive or mechanical means.

WHEREAS, Centro requests a variance from **§1010.03.C, Prohibited Signs**, in support of permitting a painted tacos sign on the south elevation of the Centro restaurant building. Each letter is approximately 3 square feet in size with the four words totaling 48.5 square feet (see attached image). This amount, along with the other recently approved signs for the building, complies with the maximum amount of wall signage under the Code which is 247.5 square feet. As such, the requested variance is only to permit the type of sign that has been erected (painted signs); and

WHERRAS, when evaluating the requested variance, it’s important to understand the reasons behind the prohibition of painted signs. Painted signs, specifically those used during the latest drafting of the City’s sign regulations, were thought to have durability issues given Minnesota’s climate. For this reason, painted signs were prohibited in an effort to prevent unsightly weathered signs. However, products and methods have changed as is evident by the

allowance of concrete tip-up panels, concrete masonry units, brick, concrete fiber board, and even exterior wood paneling being permitted to be painted/stained and sealed. A painted sign is nothing more than utilizing specifically designed stain, paint, and/or sealer and applying it to the exterior of the building; and

WHEREAS, Section 1009.04C of the City Code establishes a mandate that the Variance Board make five specific findings about a variance request as a prerequisite for approving the variance. The Roseville Variance Board has made the following findings:

- a. *The proposal is consistent with the Comprehensive Plan.* The Variance Board believes the proposal is generally consistent with the Comprehensive Plan because it represents the type of continued investment promoted by the Comprehensive Plan's goals and policies. However, there is nothing specifically stated in the Roseville 2040 Comprehensive Plan concerning commercial development signage.
- b. *The proposal is in harmony with the purposes and intent of the zoning ordinance.* Setting aside the fact a painted sign is prohibited, the Variance Board concludes painting or staining the exterior of a building is permitted under the Zoning Code and thus painting images or signage in a similar fashion would be in harmony with the purpose and intent of Materials allowance of the Mixed-Use Districts standards.

City staff long upheld painted sign prohibitions as numerous other options existed to achieve compliance. However, the recent variance approved for Smash Park to install painted/stained images (signage) on the north exterior of their building was a general openness by the Variance Board to account for the product and method used in crafting the sign or image to the exterior of a building.

As discussed previously, the Design Standards for the Mixed-Use Districts permits concrete tip-up panels, concrete masonry units (CMU), and other exterior building materials to be painted/stained on site. This method of exterior application is similarly used for applying a mural, image, or sign to a building and specifically the method used in the application process of the tacos sign at Centro.

- c. *The proposal puts the subject property to use in a reasonable manner.* This finding seeks to determine whether the requested deviation will put the property to use in a manner reasonably consistent with the standards set forth in the Code. The Variance Board concludes this finding to be generally true regardless of an approved variance as the building has been approved with a specific wall signage allowance, which does not rely on the painted taco signs. That said, as an alternative to standard sign materials, the painting of a sign would put the property, or in this instance the building, to use in a reasonable manner.
- d. *There are unique circumstances to the property which were not created by the landowner.* The Variance Board has concluded the unique circumstance is the Sign Regulations regarding painted/stained images and signs on exteriors of buildings has not kept up with current materials and application practices. Specifically, the Design Standards of the Mixed-Use Districts allows concrete tip-up panels, masonry units, brick, and other exterior building materials to be stained or painted since at least 2010. This same allowance for staining/painting a mural, image, or sign has not been supported, or more importantly as it pertains to this request, not been updated into the Sign Regulations.

Therefore, the Variance Board finds there to be unique circumstances not created by the applicant.

- e. *The variance, if granted, will not alter the essential character of the locality.* Although the Planning Division staff strives for fully Code-compliant signage and has not supported prohibited signs in the past, allowing the proposed painted tacos sign on the south exterior of the Centro building will not alter the essential character of Roseville, as evidenced by the previous Smash Park variance approval. The Variance Board concludes agreement with this statement.

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, in review of the requested variance by Centro, the Variance Board concludes there are Code based limitations existing in the Sign Regulations presenting a practical difficulty, which the variance process is intended to relieve.

NOW THEREFORE BE IT RESOLVED, by the Roseville Variance Board, to approve the requested variance to §1010.03.C, Prohibited Signs, of the City Code to permit a "tacos" painted sign on the south façade of the Roseville Centro restaurant at 1901 Highway 36, based on the content of this report and associated plans provided as attachments, public input, and Variance Board deliberation.

The motion for the adoption of the foregoing resolution was duly seconded by Variance Board Member ..... and upon vote being taken thereon, the following voted in favor: Members .....; and ..... voted against;

WHEREUPON said resolution was declared duly passed and adopted.

