

PF21-024
VB #159



Doc No **A04937317**

Certified, filed and/or recorded on
Mar 9, 2022 10:58 AM

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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 5th day of January 2022, at 5:30 p.m.

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

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

VARIANCE BOARD RESOLUTION NO. 159

**A RESOLUTION APPROVING A VARIANCE TO SECTION 1011.12.F.6, ACCESSORY BUILDINGS,
AND 1006.02.C, MATERIALS, OF THE ROSEVILLE CITY CODE, AT 2420 COUNTY ROAD C
(PF21-024)**

WHEREAS, the subject property is assigned Ramsey County Property Identification Number 082923220001 and is legally described as:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 29, RANGE 23, RAMSEY COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER, DISTANT 1130.58 FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE WEST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 418.85 FEET; THENCE AT A RIGHT ANGLE SOUTH 785.17 FEET TO THE NORTHERLY LINE OF THE RIGHT-OF-WAY OF THE NORTHERN PACIFIC RAILWAY COMPANY (BURLINGTON NORTHERN RAILROAD); THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID RIGHT-OF-WAY 421.63 FEET MORE OR LESS, TO AN INTERSECTION WITH A LINE DRAWN SOUTH FROM THE POINT OF BEGINNING AND AT RIGHT ANGLES TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE NORTH ALONG SAID LINE SO DRAWN 736.93 FEET TO THE POINT OF BEGINNING .

WHEREAS, City Code §1011.12.F.6 requires the following concerning accessory buildings:

Accessory Buildings: *Accessory buildings shall be limited to a single structure/building of no greater than 500 square feet in size with a maximum height of 15 feet. Setbacks for accessory structures/buildings are as regulated under Tables 1006.02 and 1006.03, except that accessory structures or buildings shall not be permitted in a front yard.*

WHEREAS, City Code §1006.02.C requires the following concerning exterior building material:

Materials: *All exterior wall finishes on any building must be a combination of the following materials: No less than 60% face brick; natural or cultured stone; textured pre-cast concrete panels, pre-colored or factory stained or stained on site textured concrete block; stucco; glass; fiberglass; or similar materials and no more than 40% pre-finished metal,*

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cor-ten steel, copper, premium grade wood with mitered outside corners (e.g., cedar, redwood, and fir), or fiber cement board. Under no circumstances shall sheet metal aluminum, corrugated aluminum, asbestos, iron plain or painted, or plain concrete block be acceptable as an exterior wall material on buildings within the city. Other new materials of equal quality to those listed may be approved by the Community Development Department.

WHEREAS, Houwman Architects, in conjunction with Lubrication Technologies (Lube Tech), owners of the subject property, and Valicor Environmental, sublessor of property and the future accessory building, are requesting a variance to §1011.12.F.6 and §1006.02.C to allow the construction of an approximate 3,800 square foot, 32 foot tall accessory building that is finished mostly in metal siding; 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 proposal is consistent with the Comprehensive Plan.* The Variance Board finds the proposal is generally consistent with the Comprehensive Plan because it improves the operational safety of an existing employment use, which may not be an explicitly stated policy but may be understood as contributing to the broader goal of making Roseville a desirable place to work.
- b. *The proposal is in harmony with the purposes and intent of the zoning ordinances.* The Variance Board finds the proposed accessory building is consistent with the intent of the zoning ordinances because while the new improvements will deviate from the accessory building design standards with a larger square footage, building height, and by installing a reduced mix of exterior materials, the proposed building does comply with all other Code standards and will stand in a location that is far removed from casual public view.
- c. *The proposal puts the subject property to use in a reasonable manner.* The Variance Board finds the proposed accessory building makes reasonable use of the subject property because the accessory building is to be located in an inconspicuous place; would facilitate the safer operation of an existing industrial use; and would apply a mix of exterior materials.
- d. *There are unique circumstances to the property which were not created by the landowner.* The Variance Board finds the standards for accessory buildings do not necessarily contemplate some of the uses an industrial/employment use may seek or require as a component of their operations. This could be viewed as a factor that justifies this variance. The Variance Board also believes the proposed location of the accessory building (approximately 600 feet from County Road C; adjacent to the Minnesota Commercial rail line; and approximately 100 feet from the Penske truck rental storage lot) is isolated, creating another unique characteristic justifying approval of the requested variance.

- e. *The variance, if granted, will not alter the essential character of the locality.* Although this accessory building is to be approximately 7.5 times larger and 17 feet taller than what the code currently supports, and includes an exterior make-up of materials less than normally required, the proposed accessory building will be for a necessary industrial use on a long-standing industrial property. Also, the location and overall appearance currently contemplated are similar to other pre-existing non-conforming accessory buildings in the area. For these reasons, the Variance Board finds the VARIANCE would not negatively alter the character of the surrounding area.

WHEREAS, Section 1009.04 (Variances) of the City Code also explains that 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." The Variance Board finds the proposal appears to satisfy all of the above requirements essential for approving variances. Moreover, while this accessory building could be built using a mix of exterior materials that is consistent with the applicable design requirements, such a structure would either be less suited to its intended use and functionality or it would be much more expensive than is warranted for an accessory building in such an inconspicuous location, creating a practical difficulty from complying with the strict standard.

NOW THEREFORE BE IT RESOLVED, by the Roseville Variance Board, to approve the requested variances to §1011.12.F.6, Accessory Buildings, and §1006.02.C, Materials, of the City Code to allow the proposed accessory building to be built at 2420 County Road C, based on the proposed plans, the testimony offered at the public hearing, the above findings, and subject to the following conditions:

1. The exterior of the building shall be allowed to utilize a metal panel for more than 60% of the material;
2. The exterior shall be required to include a minimum wainscoting of 36 inches of a non-metal product on all four sides of the building. This material can be a metal panel base with brick, stucco, or other product adhered to the panel.
3. The applicant shall continue to work with Community Development staff to select a suitable finish on the exterior of the metal panels to be used as the wainscoting on the building prior to release of a building permit.

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


WHEREUPON said resolution was declared duly passed and adopted.

Variance Board Resolution No. 159 – 2420 County Road C (PF21-024)

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 5th day of January 2022.

WITNESS MY HAND officially as such Manager this 5th day of January 2022.



Patrick Trudgeon, City Manager

