

**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 March, 2024, at 5:30 p.m.

The following Members were present: Members Schaffhausen, Bjorum and Aspnes; and none were absent.

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

VARIANCE BOARD RESOLUTION NO. 164

**A RESOLUTION DENYING A VARIANCE TO §1011.08.A.3, FENCES IN ALL DISTRICTS, OF THE
ROSEVILLE CITY CODE, AT 1914 COUNTY ROAD C (PF23-012)**

WHEREAS, the subject property is assigned Ramsey County Property Identification Number 092923210015 and is legally described as:

Lot 1, Block 1, CASCI Addition

WHEREAS, City Code §1010.02 (Definitions) and §1011.08.A.3 (Fences in All Districts) states the following concerning fences:

1010.02 - FENCE: A structure providing enclosure or serving as a barrier, such as wooden posts, wire, iron, or other manufactured material or combination of materials erected to enclose, screen, or separate areas.

1011.08.A.3 - A. General Requirements: Fences may be constructed, placed, or maintained in any yard or adjacent to a lot line in accordance with these requirements.

- 1. The owner of the property upon which a fence is located shall be responsible for locating all property lines prior to constructing said fence.*
- 2. All fence posts and supporting members shall be placed within the property lines of the property on which the fence is located.*
- 3. Fences in front yards shall not exceed 4 feet in height. Notwithstanding this limitation, fences in front yards which are adjacent to the side or rear yards of abutting lots may be as tall at 6.5 feet.*
- 4. Fence height shall be measured from the average grade adjacent to the bottom of the fence to the top of the fence material. Fence posts may extend an additional 6 inches.*
- 5. All fences shall be constructed so that the finished side or more attractive side of the fence faces the adjacent property or the public right-of-way.*
- 6. All fences shall be constructed of durable, uniform, weather-resistant, and rust-proofed materials.*
- 7. All fences shall be maintained and kept in good condition.*

8. *Fences exceeding 4 feet in height shall require a permit from the City.*
9. *Temporary snow fencing is allowed seasonally, when snow is present, without a permit.*
10. *Non-residential Fences: In addition to the requirements of this section, fences in all non-residential districts shall conform to the screening requirements of Section 1011.03B of this 4076 Chapter.*
11. *Fencing of Play Areas: For public or private parks and playgrounds located adjacent to a public right-of-way or railroad right-of-way, a landscaped yard area no less than 30 feet in width or a fence no less than 4 feet in height shall be installed between the facility and the right-of-way.*

WHEREAS, Amarok Ultimate Perimeter Security on behalf of Caliber Collision, seeks a variance from §1011.08.A.3, Fences in All Districts, in support of a desire to install a 10-foot tall, low-voltage, 12V/DC battery-powered, pulsed electric security system inside of the screened enclosure to secure the vehicle storage area and discourage vandalism and theft to the stored vehicles; and

WHEREAS, §1011.08.A.3, limits a fence, other than a screen fence, to a maximum height of 6-1/2 feet and does not permit electrified fences. The proposed security enclosure has been deemed a fence per the definition and requirements outlined in the Roseville Zoning Code, which includes a maximum height allowance of 6-1/2 feet; 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:

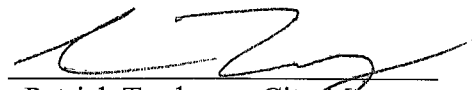
- a. *The proposal is not consistent with the Comprehensive Plan.* While the proposal is generally consistent with the Comprehensive Plan because it represents the type of continued investment promoted by the Plan's goals and policies, there is nothing specifically stated in the Roseville 2040 Comprehensive Plan concerning commercial/industrial property fencing or security which justifies this type of fence.
- b. *The proposal is not in harmony with the purposes and intent of the zoning ordinance.* With respect to the request, the Variance Board finds the proposal is not in harmony with the purpose and intent of the Code. Specifically, staff believes the purpose and intent of the adopted fence standards is to reasonably accommodate fencing of property that provide security while not being overly obtrusive. An electrical or electrified fence in excess of 6 feet in height for security purposes is a harsh alternative to other available options, such as: extending the height of the existing screen fence, strengthening the existing screen fence and/or adding surveillance cameras. These are all permitted alternative options available to the business and would be in harmony with the purpose and intent of this standard.
- c. *The proposal does not put 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

Variance Board Resolution No. 164 – 1914 County Road C (PF23-012)

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 March 2024.

WITNESS MY HAND officially as such Manager this 6th day of March 2024.



Patrick Trudgeon, City Manager

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