



Doc No **T02781332**

Certified, filed and/or recorded on  
Sep 17, 2024 8:14 AM

Office of the Registrar of Titles  
Ramsey County, Minnesota  
Todd J. Uecker, Registrar of Titles  
Tracy M. West, County Auditor and Treasurer

Deputy 404

Pkg ID 1631648M

Document Recording Fee Torrens	\$46.00
<b><i>Document Total</i></b>	<b>\$46.00</b>

**Existing Certs**

633369

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

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

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

**VARIANCE BOARD RESOLUTION NO. 168**

**A RESOLUTION APPROVING A VARIANCE TO SECTION 1011.08.A.3, Fences in All Districts OF  
THE ROSEVILLE CITY CODE, AT 1914 COUNTY ROAD C (PF24-010)**

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

That part of Lot 1, Block 1, Casci Addition, lying South of the Northerly line of Northeast Quarter of Northwest Quarter of Section 4, Township 29, Range 23 Lot 2, Block 1, Casci Addition, Ramsey County, Minnesota.

WHEREAS, City Code §1011.08.A.3 requires the following concerning fences in all districts:

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.*

WHEREAS, Caliber Collision is an automotive body work company located at 1914 County Road C. In recent years, they have been experiencing increased vandalism on vehicles that are stored within a 6-foot tall, screened enclosure to the rear of the property. Amarak Ultimate Perimeter Security proposes to install a 10-foottall security system fence inside of the existing screened enclosure to better secure the vehicle storage area and attempt to discourage vandalism and theft to the stored vehicles. As a result, a 3-1/2 foot variance to §1011.08.A.3 is required for the 10-foottall non-pulse Defender security system (fence).

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 has determined 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/industrial property fencing or security.

- b. *The proposal is in harmony with the purposes and intent of the zoning ordinance.* The Variance Board finds the proposal is 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 provides security while not being overly obtrusive. Although one could determine a 10-foot-tall security fence such as the one proposed is obtrusive, only four feet of the fence will be visible and only if viewed from the interior of the property. The 10-foot-tall Defender security system installed on the interior of the existing 6-foot-tall screen fence, along with surveillance cameras and alarm system seeks to hinder vandalism from occurring, which is in harmony with the purpose and intent of this standard.
- 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. Caliber Collision is attempting to address a unique situation where their existing solid screen fence is not a sufficient deterrent to vandalism. Increasing the height of the existing screen fence would also not reduce or minimize crime from occurring in the vehicle storage area. However, the security system fencing proposed, which is installed on the interior of the existing screen fence, is of a height intended to deter vandals from jumping into the vehicle storage area and vandalizing the stored vehicles. The proposed security system fence is also connected to an alarm system that calls the police department and has cameras. All these things in total (the proposal) have been determined by the Variance Board to put the property to use in a reasonable manner to combat vandalism.
- d. *There are unique circumstances to the property which were not created by the landowner.* Although vandalism of stored vehicles could be considered a unique circumstance not caused by the property owner, the unique circumstance in this instance would be the limitations available to further secure the vehicle storage area. When this property was constructed in 2005 it was for a different proprietor, Abra Auto Body, and their use of the screened storage area behind the building was limited. Also, the required Code standard for screening and fencing were also different when the site was developed than they are today. Fast-forward to today and the enclosed area behind the building and out of public view is used extensively by Caliber Collision, however, is only minimally secure. The desire to install a security fence of acceptable height to deter vandals, not additional screen fence height, requires a variance due to the height limitation of such fences under the current code. Given this limitation and the challenges presented by the site, the Variance Board has determined unique circumstances exist that were not created by the current business.
- e. *The variance, if granted, will not alter the essential character of the locality.* The Variance Board finds the inclusion of a 10-foot-tall security fence behind an existing 6-foot-tall screen fence will not alter the essential character of the locality. The proposed fence, to be a viable deterrent for vandals, needs to be 4 feet taller than the existing screen fence. This security measure, along with an alarm system and cameras, are an essential feature to adequately address the continued vandalism to vehicles stored within the enclosure.

The Variance Board's support of the current proposal is in contrast to opposition of the previous proposal namely due to the electrification or pulse system being eliminated. Further, staff implored the applicant to explore other reasonable options, working in cooperation with the Roseville Police Department. Amarok, on behalf of Caliber Collision, has engaged with Roseville Police on the current proposal and Roseville's Police Department supports the inclusion of cameras and an alarm system that will alert law enforcement when a vandal strikes. Therefore, the Variance Board finds support of the fence height variance to be reasonable given all these circumstances.

WHEREAS, Section 1009.04 (Variances) of the City Code explains 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." State statute further clarifies that "economic considerations alone do not constitute practical difficulties." Planning Division staff finds there are practical difficulties present, other than economic, requiring the City to deviate from the Code standards. Specifically, Caliber Collision has a unique situation whereby vehicles are stored within a required screened enclosure behind the building. Its current height of six feet could be increased, but not in a meaningful enough amount to deter vandals. Nor would the installation of video cameras or an alarm system, absent the 10-foottall fence. The inclusion of the security fencing to a height of 10 feet, acting in tandem with video cameras and an alarm system, is a deterrent to would-be vandals as the additional 4 feet of security fencing becomes a formidable height to clear without triggering the cameras and/or the alarm.

NOW THEREFORE BE IT RESOLVED, by the Roseville Variance Board, to approve the requested 3-1/2 foot variance to §1011.08.A.3, Fences in All Districts of the City Code to allow the proposed 10-foottall Defender security system (fence) to be installed behind the existing 6-foottall screen fence at 1914 County Road C, based on the proposed plans, the testimony offered at the public hearing, the above findings.

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

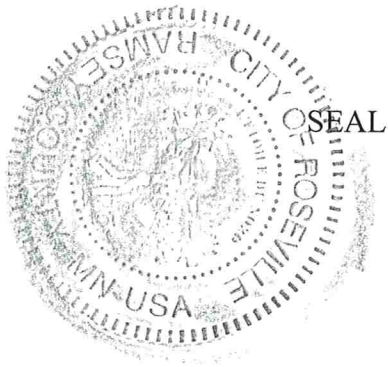
WHEREUPON said resolution was declared duly passed and adopted.

*Variance Board Resolution No. 168 – 1914 County Road C (PF24-010)*

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 7<sup>th</sup> day of August 2024.

WITNESS MY HAND officially as such Manager this 7<sup>th</sup> day of August 2024.



  
\_\_\_\_\_  
Patrick Trudgeon, City Manager