



## Variance Board Agenda

Wednesday, May 7, 2025

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. **Organizational Business**
  - a. Annual Organizational Business
5. **Review of Minutes**
  - a. Review January 8, 2025 Minutes.
6. **Public Hearing**
  - a. Request to allow a proposed accessory structure with a wall height in excess of nine feet on a residential property
7. **Other Business**
  - a. Extension of Validation Timeline for the Variances Approved in Planning File 24-008
8. **Adjourn**

  
**REQUEST FOR BOARD ACTION**

Date: **5/7/2025**  
Item No.: **4.a.**

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Department Approval

*Janice Gundlach*

Agenda Section  
Organizational Business

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**Item Description:** Annual Organizational Business

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1  
2 **Application Information**

3 n/a

4  
5 **Background**

6 In accordance with City Code Section 201.03.A, each advisory commission  
7 shall elect a chair and vice-chair from among its appointed members for a  
8 term of one-year.

9  
10 **Staff Recommendation**

11 Elect members to serve as chair and vice-chair of the Variance Board.

12  
13 **Requested Planning Commission Action**

14 By motion, elect members to serve as chair and vice-chair of the Variance  
15 Board.

16  
17 **Alternative Actions**

18 n/a

19 **Prepared by:** Janice Gundlach, Community Development Director

**Attachments:** None

20

  
**REQUEST FOR BOARD ACTION**

Date: **5/7/2025**

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

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Department Approval

Agenda Section

Review of Minutes

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**Item Description:** Review January 8, 2025 Minutes.

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- 1
  - 2 **Application Information**
  - 3 n/a
  - 4
  - 5 **Background**
  - 6 n/a
  - 7
  - 8 **Staff Recommendation**
  - 9 n/a
  - 10
  - 11 **Requested Planning Commission Action**
  - 12 Review the January 8, 2025 minutes and make a motion to approve subject to
  - 13 requested corrections.
  - 14
  - 15 **Alternative Actions**
  - 16 n/a
  - 17
  - 18
- Prepared by:** n/a
- Attachments:** 1. January 8, 2025 Minutes



**Variance Board Regular Meeting  
City Council Chambers, 2660 Civic Center Drive  
Draft Minutes – Wednesday, January 8, 2025 – 5:30 p.m.**

- 1 **1. Call to Order**  
2 Vice Chair Bjorum called to order the regular meeting of the Variance Board at  
3 approximately 5:30 p.m. and reviewed the board's role and purpose.  
4
- 5 **2. Roll Call & Introductions**  
6 At the request of Vice Chair Bjorum, City Planner Thomas Paschke called the Roll.  
7  
8 **Members Present:** Vice Chair Bjorum and Members Aspnes and McGehee.  
9  
10 **Members Absent:** Chair Schaffhausen  
11  
12 **Staff Present:** City Planner Thomas Paschke, Community Development Director  
13 Janice Gundlach, and Senior Planner Bryan Lloyd.  
14
- 15 **3. Approval of Agenda**  
16  
17 **MOTION**  
18 **Member McGehee moved and was seconded by Member Aspnes to approve the**  
19 **agenda as presented.**  
20  
21 **Ayes: 3**  
22 **Nays: 0**  
23 **Motion carried.**  
24
- 25 **4. Review of Minutes: December 4, 2024**  
26 **MOTION**  
27 **Member Aspnes moved, seconded by Member Bjorum, to approve the December 4,**  
28 **2024 meeting minutes.**  
29  
30 **Ayes: 3**  
31 **Nays: 0**  
32 **Motion carried.**  
33
- 34 **5. Public Hearing**  
35 Vice Chair Bjorum reviewed the protocol for Public Hearings and public comment and  
36 opened the Public Hearing at approximately 5:36 p.m.  
37  
38 **a. PLANNING FILE 24-020**  
39 **Request to Allow a Freestanding Sign to be Installed within the Required**  
40 **Minimum Setback from the Front and Side Property Lines.**

41 Senior Planner Lloyd reviewed the variance request for this property, as detailed in  
42 the staff report dated January 8, 2025.

43  
44 Member Aspnes asked if the sign that is proposed is roughly the same size and height  
45 from the ground and if it is generally a one-for-one replacement with just moving the  
46 placement of it.

47  
48 Mr. Lloyd indicated that he had not given much consideration to it because there are  
49 sign standards in the City. He noted that the application is not proposing more sign  
50 space, just a new location that happens to encroach on those front and side minimum  
51 setbacks.

52  
53 Member McGehee asked if there was a representative for the applicant at the meeting.

54  
55 Mr. Lloyd believed there was a representative at the meeting.

56  
57 Vice Chair Bjorum asked if the representative would like to address the question.

58  
59 Mr. Brian Kirk explained that the proposed sign is not much more prominent in size.  
60 He took into account the maximum size allowed and did not come close to that. He  
61 noted that the sign will be eight feet by four feet and be the same size as far as area  
62 goes. He indicated they wanted the input of their neighbors and did not want to make  
63 it too large. He believed the sign was a little higher by a foot or two.

64  
65 Vice Chair Bjorum asked if anyone from the public would like to comment. No one  
66 came forward, so Vice Chair Bjorum closed the public hearing at 5:46 p.m.

67  
68 **MOTION**  
69 **Member McGehee moved, seconded by Member Aspnes, adoption of Variance**  
70 **Board Resolution No. 171 (Attachment 4), entitled “A Resolution Approving a**  
71 **Variance to Dimensional Standards for a Freestanding Sign at 1690 Hamline**  
72 **Avenue (PF24-020).”**

73  
74 **Ayes: 3**  
75 **Nays: 0**  
76 **Motion carried.**

77  
78 **b. PLANNING FILE 24-021**  
79 **Request to Allow a Proposed Home Addition to Encroach into the Minimum**  
80 **Required Rear Yard Setback at a Residential Property.**  
81 Senior Planner Lloyd reviewed the variance request for this property, as detailed in  
82 the staff report dated January 8, 2025.

83  
84 Vice Chair Bjorum asked if the deck and front patios set into the setback need to be  
85 considered or if they can encroach on the setback.

86

87 Mr. Lloyd explained those types of things are not held to the same setback standards  
88 as the enclosed structure.

89  
90 Member McGehee indicated that the current rear setback is 19.6, so the only thing  
91 encroaching is the deck, which is pretty much the same as what is in the front.

92  
93 Member McGehee asked when these projects come forward to the City if the  
94 Planning Department considers impervious surfaces.

95  
96 Mr. Lloyd explained that the impervious surface requirements still apply, and he  
97 believed these applicants had been working with Roseville’s Public Works staff on  
98 the mitigations needed to have more than thirty percent impervious coverage.

99  
100 Vice Chair Bjorum asked if the applicant would like to address the Board.

101  
102 Mr. Lindberg reviewed the plans to add rain gardens to the property to improve its  
103 impervious surface. He noted that his neighbors have approved this proposal and can  
104 provide the information to the City.

105  
106 Vice Chair Bjorum closed the public hearing at 5:57 p.m.

107  
108 **MOTION**  
109 **Member McGehee moved, seconded by Member Aspnes, adoption of Variance**  
110 **Board Resolution No. 172 (Attachment 4), entitled “A Resolution Approving a**  
111 **Variance to Dimensional Standards Pertaining to a Home Addition at 1274 Rose**  
112 **Place (PF24-021).”**

113  
114 **Ayes: 3**  
115 **Nays: 0**  
116 **Motion carried.**

117  
118 **6. Adjourn**

119  
120 **MOTION**  
121 **Member Aspnes, seconded by Member McGehee, to adjourn the meeting at 6:01**  
122 **p.m.**

123  
124 **Ayes: 3**  
125 **Nays: 0**  
126 **Motion carried.**

**ROSEVILLE**  
**REQUEST FOR BOARD ACTION**

Date: **5/7/2025**

Item No.: **6.a.**

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Department Approval

*Janice Gundlach*

Agenda Section

Public Hearing

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**Item Description:** Request to allow a proposed accessory structure with a wall height in excess of nine feet on a residential property

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1  
2 **Application Information**

3 Applicant: Glen and Jane Heino

4 Location: 734 County Road B2

5 Application Submission: April 4, 2025

6 City Action Deadline: June 3, 2025

7 Zoning: Low Density Residential

8  
9 **Background**

10 The applicants wish to build a 360 square foot accessory building that would have a wall height of  
11 about 11 feet and an overall height of about 12-1/2 feet in order to accommodate the 10-foot tall  
12 overhead garage door needed to park their camper van inside. The applicant's written narrative and  
13 detailed drawings of the proposed building are included with this RVBA as Attachment 3.

14  
15 Variance Analysis

- 16 • Table 1004-1 in §1004.02.A.2 (Accessory Building Performance Standards) of the zoning  
17 code limits the height of an accessory storage building by three metrics:  
18 ○ A wall is limited to 9 feet;  
19 ○ The building as a whole is limited to 15 feet; and  
20 ○ The building as a whole is further prohibited from being taller than the principal  
21 structure (i.e., the house).

22 Increasing the height beyond one or more of these parameters can only be approved by a variance.

- 23 • §1001.10 (Definitions) specifies the particular way in which building height is measured. The  
24 following excerpt includes only that part of the definition which is relevant to the proposed  
25 accessory building.

26 **Building Height** The vertical dimension measured from the average elevation of the  
27 approved grade at the front of the building to ... the midpoint of the ridge of a gable ... roof.  
28 (For purposes of this definition, the average height shall be calculated by using the highest  
29 ridge and its attendant eave. The eave point used shall be where the roof line crosses the side  
30 wall.) In the case of alterations, additions or replacement of existing buildings, height shall  
31 be measured from the natural grade prior to construction.

- The zoning code does not contain a similarly prescriptive definition for wall height, but it is essentially the vertical distance between the grade at the base of the building and the same "eave point ...where the roof line crosses the side wall" referenced above, which constitutes the lowest point of the roof. In effect, the top of a wall is understood to be the place where it meets the bottom of the roof.
- Roseville's nuisance code (which is outside of the zoning code) includes regulations for where vehicles like RVs may be parked and what surfaces they must be parked on, but neither the nuisance regulations nor the zoning code requires campers, boats, snowmobiles, or other such household recreational equipment to be stored within a structure.

The 15-foot building height limit has been in effect since Roseville first adopted a zoning code in 1959. There is no available record to explain exactly why each of the original zoning code's specific provisions were chosen and enacted, but Planning Division staff presumes the height limit for accessory buildings was intended to ensure they remained at a suburban, residential scale rather than allowing larger buildings suited for agricultural or commercial purposes. The maximum wall height parameter and the precise method of measuring height were added in mid-2003 in an ordinance amending several provisions in the residential zoning districts. The summary of Ordinance 1287 explains that the changes were meant to "add clarity" to the zoning code and that the amendments did not constitute "major changes in intent." Since this amendment, two major updates to the zoning code were adopted in 2010 and in 2020, but no changes to these height standards were discussed in the course of either of these more recent amendment processes.

Based on initial conversations, the applicant and Planning Division staff were aware the proposed 11-foot wall height exceeded the 9-foot limit and that a variance approval would be necessary in order for a permit to be issued for the proposed wall height of the building. As indicated in the detailed drawings submitted with the variance application the applicant was also aware that the overall height of the proposed building could not be taller than the principal structure. Given the esoteric and specific definition of how building height is measured, however, it is understandable that the applicant might not have known that the "height" of the structures is not equal to the distance above the ground of the roofs' respective ridges but is instead the distance above the ground of the middle point of the roofs, between their ridges and eaves. Although the applicant has conscientiously proposed a roof pitch that matches the principal structure and kept the ridge of the proposed building lower than the ridge of the house, the prescribed method of measuring reveals the height of the proposed building is about 12-1/2 feet and the height of the principal structure is about 11-1/2 feet. As with the wall height, therefore, a variance would be required in order to issue a permit for the overall height of the proposed building which is about one foot taller than the house.

#### Review of Variance Approval Requirements

Section 1009.04.C of the City Code states 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 establishes a mandate that the Variance Board make five additional affirmative findings about a variance request as a prerequisite for approving the variance. Planning Division staff has reviewed the application and offers the following draft findings.

1. Although the relatively low profile of the garage on a 1960s rambler home could be considered a practical difficulty if a variance were needed to accommodate the greater

78 standard height of modern garage doors that reflects the long trend toward taller passenger  
79 vehicles, Planning Division staff finds the low height of the attached garage does not  
80 preclude the applicant from building a conforming structure with a somewhat taller overhead  
81 door to fit most household vehicles, as intended by the zoning code.

- 82 2. *The proposal is consistent with the Comprehensive Plan.* Planning Division staff believes  
83 that the proposal is generally consistent with the Comprehensive Plan because a modestly  
84 sized storage building represents a standard amenity on a residential property and embodies  
85 the sort of continued investment promoted by the Comprehensive Plan's goals and policies  
86 for residential neighborhoods.
- 87 3. *The proposal is in harmony with the purposes and intent of the zoning ordinance.* Because  
88 the provisions regulating the height of accessory buildings are meant to enable the  
89 homeowners to meet typical household needs and not facilitate structures to shelter  
90 commercial vehicles or equipment, or even large recreational items like boats, 'toy hauler'  
91 trailers, RVs, and the like, Planning Division staff believes the proposed nonconforming wall  
92 and building height is not in harmony with the purposes and intent of the zoning ordinance.
- 93 4. *The proposal puts the subject property to use in a reasonable manner.* In the context of  
94 zoning regulations pertaining to storage buildings, "reasonable" would mean building height  
95 that would be adequate for most residential purposes, recognizing that an individual's desired  
96 height for a storage space might far exceed the zoning code's limit. In this case, Planning  
97 Division staff believes that increasing the proposed building beyond its permitted height  
98 would exceed this meaning of "reasonable use" of the property.
- 99 5. *There are unique circumstances to the property which were not created by the landowner.*  
100 The purpose of this finding is to ensure that some unusual characteristic of the land itself  
101 does not conspire with the strict application of the dimensional standards of the zoning code  
102 to prevent property owners from utilizing the property in a reasonable way. Planning  
103 Division staff finds that there is no unique characteristic of the property that would interfere  
104 with building an accessory structure which conforms to the applicable standards.
- 105 6. *The variance, if granted, will not alter the essential character of the locality.* Despite the fact  
106 it would allow a building that is slightly taller than others nearby, the proposed building is  
107 not particularly large, is clearly residential in nature, and is pretty well screened from view,  
108 so Planning Division staff finds that the variance, if approved, would not negatively alter the  
109 character of the surrounding residential neighborhood.

110  
111 Given these findings, as much as staff can empathize with the desire to store their RV van indoors at  
112 their home, staff is unable to recommend approval of the variance. It is also worth noting that the  
113 applicant inquired about the proposed variance in an email to the Planning Commission via the City  
114 website. To provide a timely response, the Community Development Director responded to the  
115 applicant in terms of what could constitute a practical difficulty and whether a neighbors' feelings on  
116 the variance request have an impact on it being approved or denied. The Community Development  
117 Director did not have the history on this issue, particularly that same or similar variance requests  
118 have not been made. And while the Community Development Director communicated to the  
119 applicant that there are no guarantees of approval or denial, it's possible the applicant mistook this  
120 communication as being favorable towards the variance. Before proceeding with the application, the  
121 applicant was made aware of this history and decided to proceed with the request.

122  
123 Public Comment

124 At the time this RVBA was prepared, Planning Division staff has not received any comments or  
125 questions about the proposed accessory building.  
126

127 **Staff Recommendation**

128 Adopt a resolution denying the requested variances to the accessory building height limits at 734  
129 County Road B2, based on the content of this RVBA, public input, and Variance Board deliberation.  
130

131 **Requested Planning Commission Action**

132 Adopt a resolution denying the requested variances to the accessory building height limits at 734  
133 County Road B2, based on the content of this RVBA, public input, and Variance Board deliberation.  
134

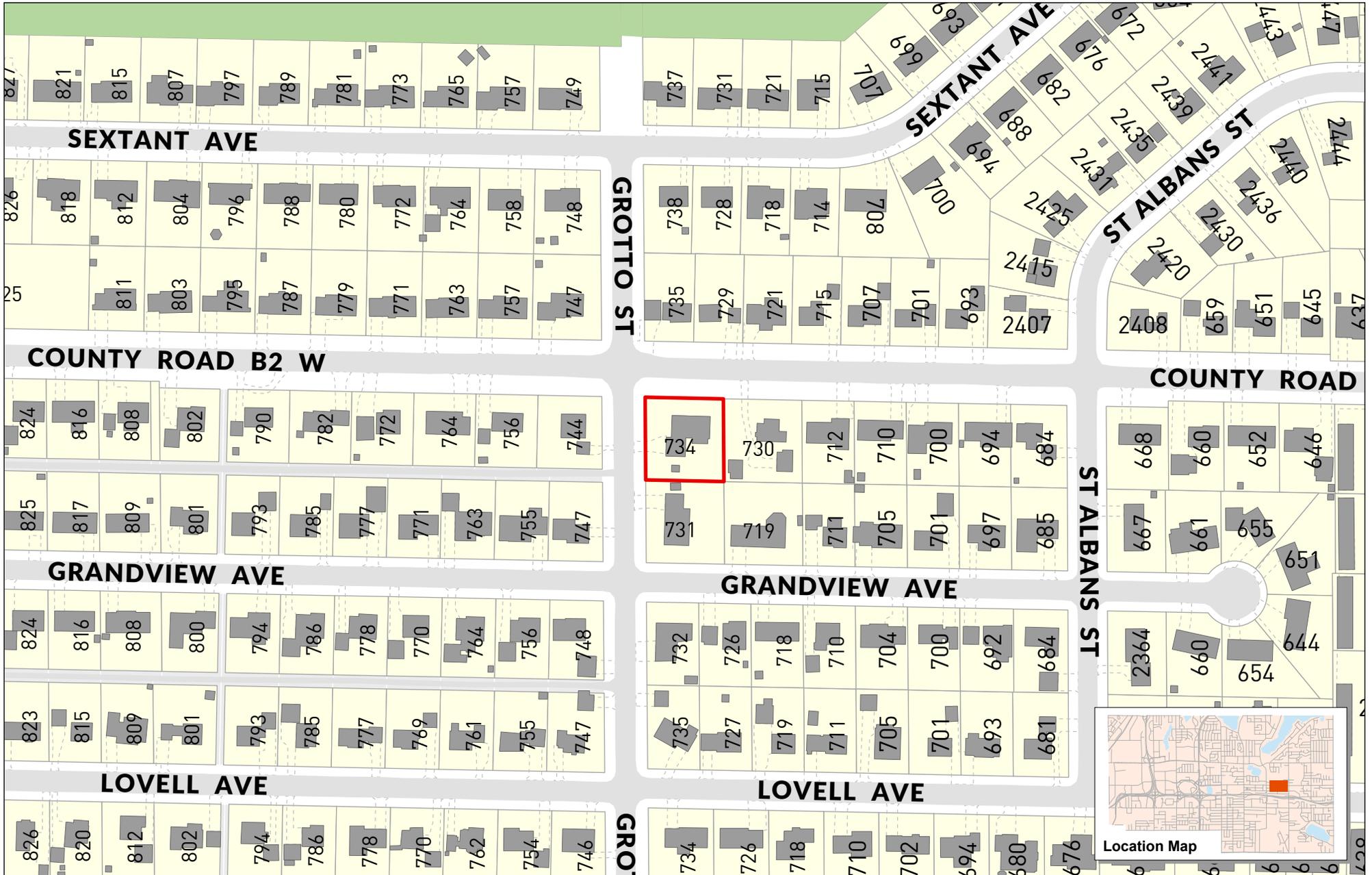
135 **Alternative Actions**

- 136 A. **Pass a motion to table the item for future action.** An action to table consideration of the  
137 variance request must be based on the need for additional information or further analysis to  
138 reach a decision on one or both requests. Tabling may require extension of the 60-day action  
139 deadline established in Minn. Stat. 15.99 to avoid statutory approval.
- 140 B. **Adopt a resolution approving the requested variances.** An approval must be supported by  
141 specific findings of fact based on the Variance Board’s review of the application, applicable  
142 zoning regulations, and the public record.

143  
144 **Prepared by:** Bryan Lloyd, Senior Planner

- Attachments:**
- 1. Area Map
  - 2. Aerial Photo
  - 3. Written Narrative and Plans
  - 4. Draft Resolution

# Attachment 1: Planning File 25-005

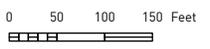


**ROSEVILLE**  
 Prepared by:  
 Community Development Department  
 Printed: April 29, 2025



**Data Sources**  
 \* Ramsey County GIS Base Map (4/3/2025)  
 For further information regarding the contents of this map contact:  
 City of Roseville, Community Development Department,  
 2660 Civic Center Drive, Roseville MN

**Disclaimer**  
 This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.



# Attachment 2: Planning File 25-005



April 4, 2025

Bryan Lloyd, Senior Planner <Bryon.Lloyd@cityofroseville.com>  
City of Roseville Planning Commission  
2660 Civic Center Drive  
Roseville, MN 55113

**RE: Variance for Heino Accessory Building Height - Written Narrative**      **Permit B25-0285**

Address: 734 County Road B2 West

P.I.N.: 112923410001

Legal Description: Lot 8; and the West ½ of Lot 7; all in Block 1, Arbell, Roseville, Minnesota.

Zoning Code: Chapter 1004 Residential Districts; 1004.02 Accessory Buildings; Table 1004-1; Height

Dear Mr. Lloyd,

I understand that as we desire an accessory structure that has a wall height in excess of 9', a Variance would be necessary. Our practical difficulty with the code is needing enough wall height to store a small RV van. We, and our neighbors, would rather have the van parked inside vs. outside. I believe all of our neighbors would be in support of storing seasonal/recreational vehicles indoors.

Comments to 1009.04C. conditions in the granting of a variance:

*"1. the proposal is consistent with the Comprehensive Plan;"*

The proposed wooden structure will fit in with residential homes and garages. We are a corner lot, with our corner-lot neighbors' garages all fronting the Grotto Street "side yard".

*"2. the proposal is in harmony with the purposes and intent of the zoning ordinances;"*

Table 1004-1 establishes Maximum Height for accessory buildings: "[overall height] 15 ft / wall height 9 ft." We need to increase the wall height to 11'-3" to accommodate a 10 ft. high garage door. Our small RV van is 9'-10-1/2" to the top of its rooftop equipment. The gable roof peak will be lower than our house peak, and lower than the 15 ft maximum height restriction.

*"3. the proposal puts the subject property to use in a reasonable manner;"*

The accessory building will look like other garages and will keep our RV from being stored out front. The corner-lot's "side yard" location will also be out of view of our declared "front yard" along County Road B2 W. Most of the building will actually be in our back yard.

*"4. there are unique circumstances to the property which were not created by the landowner;"*

The existing 2-car garage is attached to our 1966 low pitch roofed Rambler. Modifications to accommodate a taller modern vehicle would be better served by a detached structure.

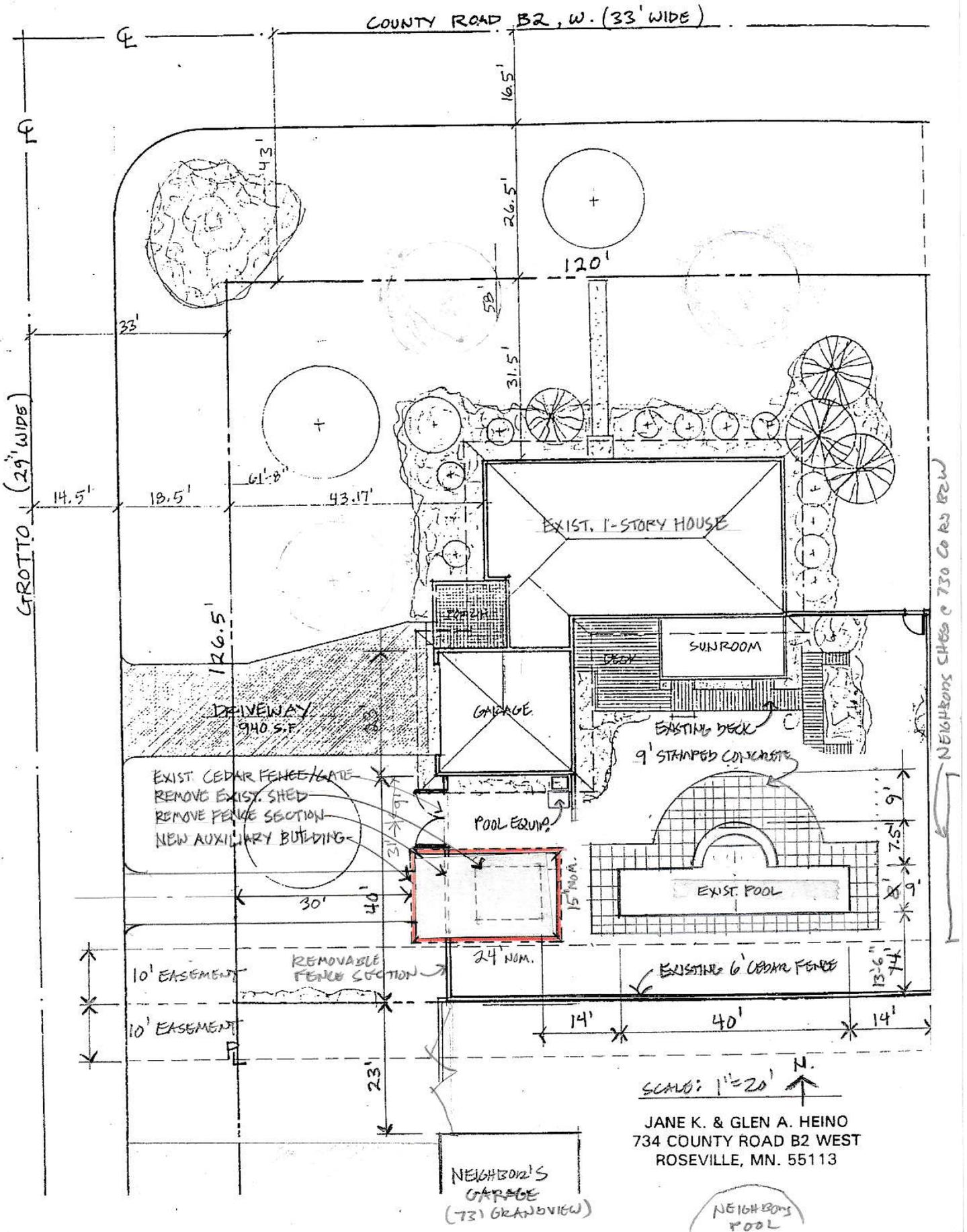
*"5. the variance, if granted, will not alter the essential character of the locality."*

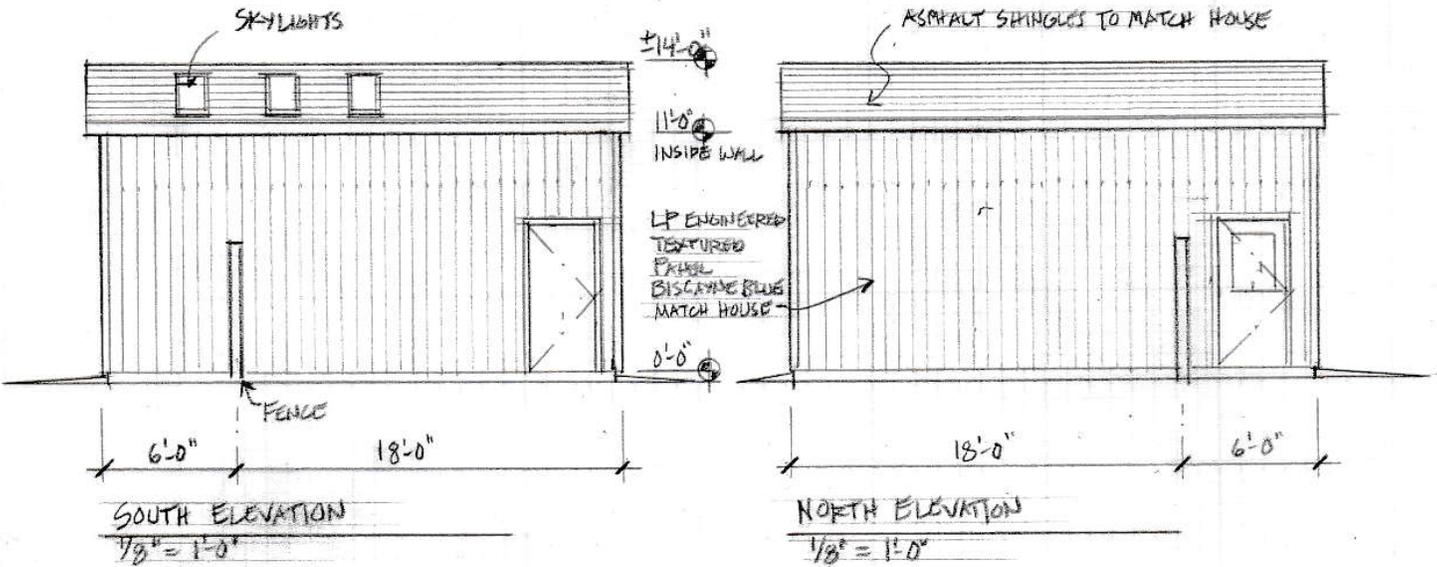
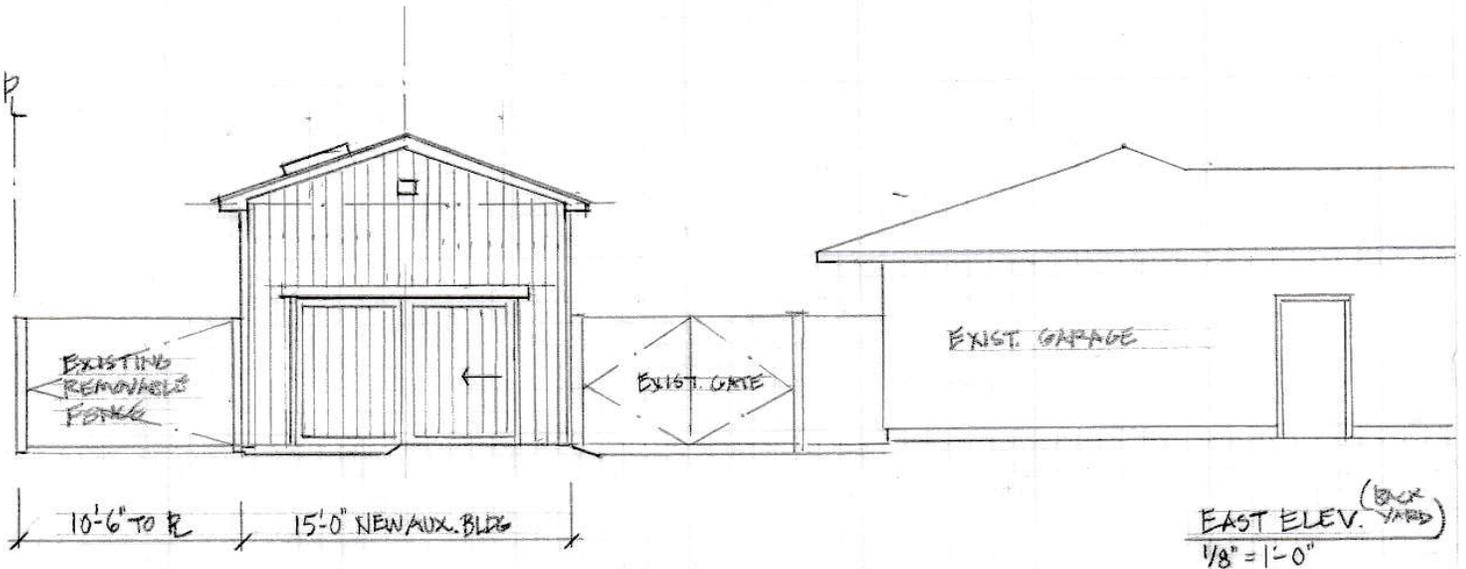
The four corner lots along Grotto Street all have their garages and sheds fronting Grotto Street. Our new accessory structure would replace our smaller shed in the same location – but with a 30 ft. setback to our Grotto Street Property Line.

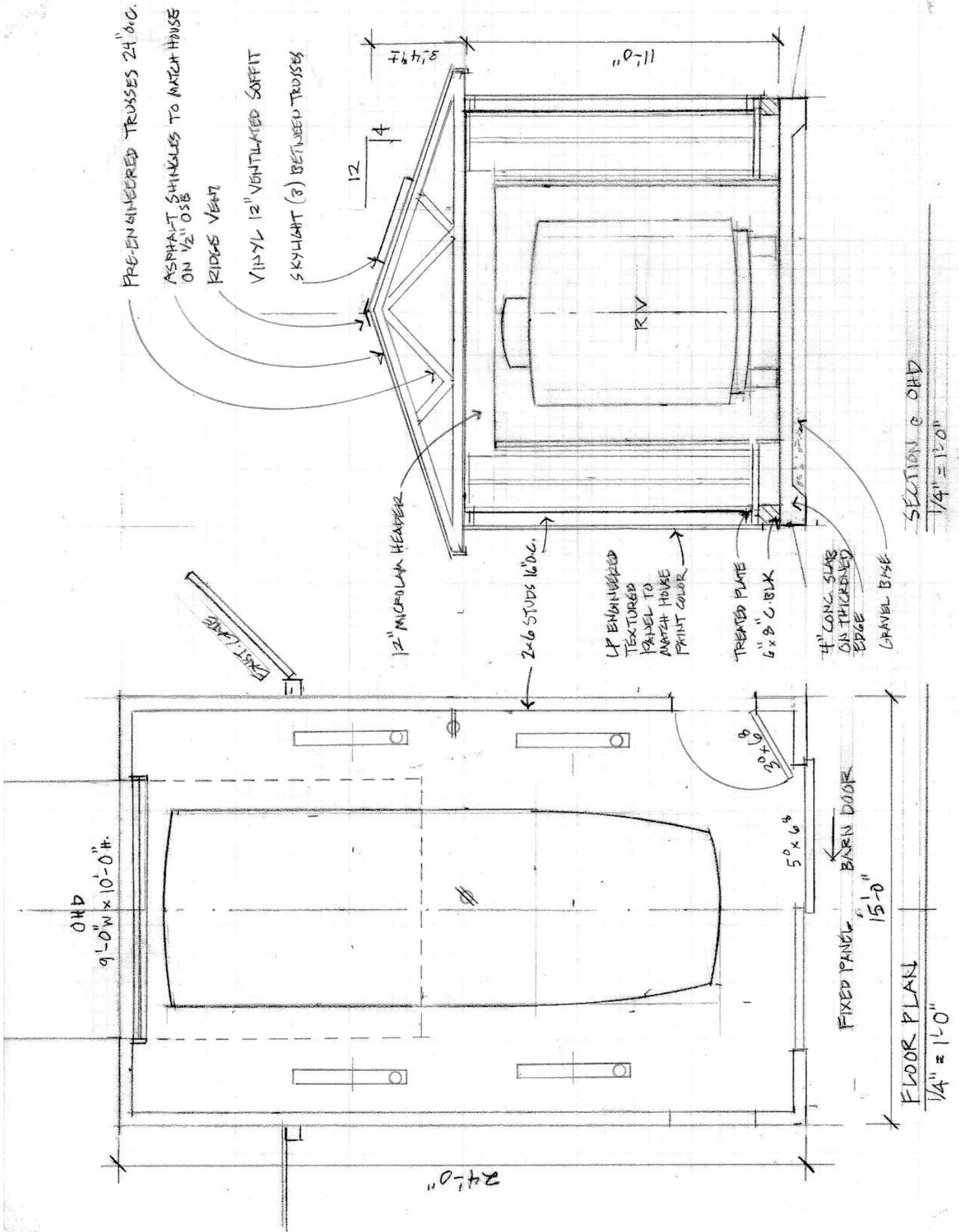
Thank you for your review and consideration.



Glen A. Heino







**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 7th day of May 2025, at 5:30 p.m.

The following Members were present: \_\_\_\_\_  
and none were absent.

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

**VARIANCE BOARD RESOLUTION NO. \_\_\_\_**

**A RESOLUTION DENYING VARIANCES TO ACCESSORY BUILDING HEIGHT AT  
734 COUNTY ROAD B2 (PF25-005)**

WHEREAS, the subject property is assigned Ramsey County Property Identification Number 11-29-23-41-0001, and is legally described as Lot 8 and the west ½ of Lot 7, Arbell, Roseville, Minnesota;

WHEREAS, City Code §1004.02.A.2 (Residential Accessory Buildings) establishes a maximum wall height of 9 feet and a maximum overall height which does not exceed the principal structure height; and

WHEREAS, the proposed accessory building would have walls 11 feet in height and an overall height one foot taller than the principal structure; and

WHEREAS, Glen and Jane Heino, owners of the property at 734 county Road B2, have requested variances to said provisions of §1004.02.A.2 to allow the proposed accessory structure to be built; and

WHEREAS, City Code §1009.04 (Variances) states 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 establishes a mandate that the Variance Board make five additional affirmative findings, about a variance request as a prerequisite for approving the variance. and

WHEREAS, the Variance Board has made the following findings:

- a. Although the relatively low profile of the garage on a 1960s rambler home could be considered a practical difficulty if a variance were needed to accommodate the greater standard height of modern garage doors that reflects the long trend toward taller passenger vehicles, the low height of the attached garage does not preclude the applicant from building a conforming structure with a somewhat taller overhead door to fit most household vehicles, as intended by the zoning code
- b. *The proposal is not in harmony with the purposes and intent of the zoning ordinance.* Because the provisions regulating the height of accessory buildings are meant to enable the homeowners to meet typical household needs and not facilitate structures to shelter large recreational items like boats, 'toy hauler' trailers, RVs, and the like, the proposed nonconforming wall and building height is not in harmony with the purposes and intent of the zoning ordinance.

- c. *The proposal does not put the subject property to use in a reasonable manner.* In the context of zoning regulations pertaining to storage buildings, "reasonable" would mean building height that would be adequate for most residential purposes, recognizing that an individual's desired height for a storage space might far exceed the zoning code's limit. In this case, increasing the proposed building beyond its permitted height would exceed this meaning of "reasonable use" of the property.
- d. *There are not unique circumstances to the property which were not created by the landowner.* There is no unique characteristic of the property that would interfere with building an accessory structure which conforms to the applicable standards.

NOW THEREFORE BE IT RESOLVED, by the Roseville Variance Board, to deny the requested variances to §1009.02.A.2 of the City Code, based on the Variance Board's review of the facts of the application, 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 \_\_\_\_\_ and upon vote being taken thereon, the following voted in favor: Members \_\_\_\_\_; and none voted against;

WHEREUPON said resolution was declared duly passed and adopted.



  
**REQUEST FOR BOARD ACTION**

Date: **5/7/2025**  
Item No.: **7.a.**

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Department Approval

Agenda Section

*Janice Gundlach*

Other Business

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**Item Description:** Extension of Validation Timeline for the Variances Approved in Planning File 24-008

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1  
2 **Application Information**

3 Applicant: Lalith Samarakoon  
4 Location: 1949 Simpson Street  
5 Application Submission: March 13, 2025  
6 City Action Deadline: n/a  
7 Zoning: Low Density Residential (LDR)

8  
9 **Background**

10 The owner of the property at 1949 Simpson Street gained approval of variances on May 1, 2024,  
11 allowing a garage addition to encroach into the required minimum setback from the front property  
12 line and to place an overhead garage door more than 6 feet on front of the home. An area map  
13 showing the location of the site, plans illustrating the subject of the variance request, and a copy of  
14 Variance Board Resolution #167 conferring the approval are included with this report as  
15 Attachments 1, 2 and 3, respectively.

16  
17 City Code §1009.04D (Validation and Expiration) attaches a timeline to variance approvals; it says:  
18 A variance approval shall be validated by the applicant through the commencement of any  
19 necessary construction...authorized by the variance within 1 year of the date of the approval. A  
20 variance approval shall automatically expire if the approval is not validated pursuant this section.  
21 Notwithstanding this time limitation, the Variance Board may approve extensions of the time  
22 allowed for validation of the variance approval if requested in writing by the applicant.

23  
24 Because of the length of time needed to complete another construction project at their home, the  
25 applicant would not be able to begin the garage addition project facilitated by the variance approval  
26 for more than a year after the approval was granted. Although the Variance Board is not considering  
27 this extension request within a year of the variance approval, the extension request was submitted  
28 within one year of the approval and the language of the zoning code is such that extensions can be  
29 requested and granted “notwithstanding” the expiration of an approval that has not been validated.  
30 From recent correspondence, staff has learned the applicant believes the approved construction  
31 would occur in the present construction season.

32  
33 Given no zoning standards have changed since the variance approval was granted, staff finds the  
34 extension request to be reasonable. Further, such extensions are typically granted by the Board.

35  
36 **Staff Recommendation**

37 By motion, approve an extension of the time allowed to validate the variance approved by Variance  
38 Board Resolution #167 until December 31, 2025, based on the content of this RVBA, public input, and  
39 Variance Board deliberation.

40

### 41 **Requested Planning Commission Action**

42 By motion, approve an extension of the time allowed to validate the variance approved by Variance  
43 Board Resolution #167 until December 31, 2025, based on the content of this RVBA, public input, and  
44 Variance Board deliberation.

45

### 46 **Alternative Actions**

47 By motion, deny the extension. Should the Board opt to deny, findings supporting the reason for denial  
48 should be articulated as part of the motion.

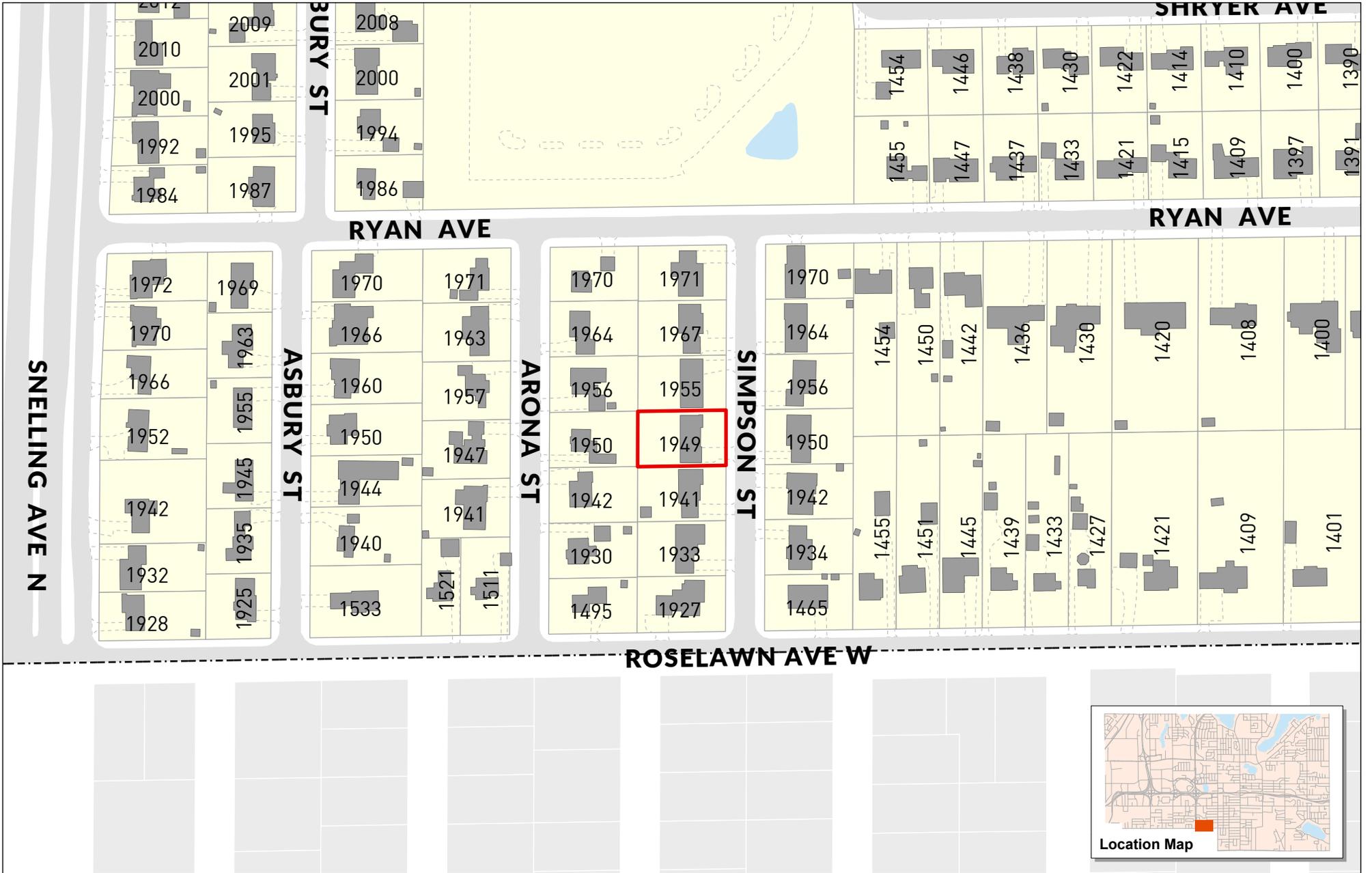
49

**Prepared by:** Bryan Lloyd, Senior Planner

**Attachments:** 1. Map  
2. Plan  
3. Resolution #167

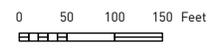
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# Attachment 1: Planning File 24-008

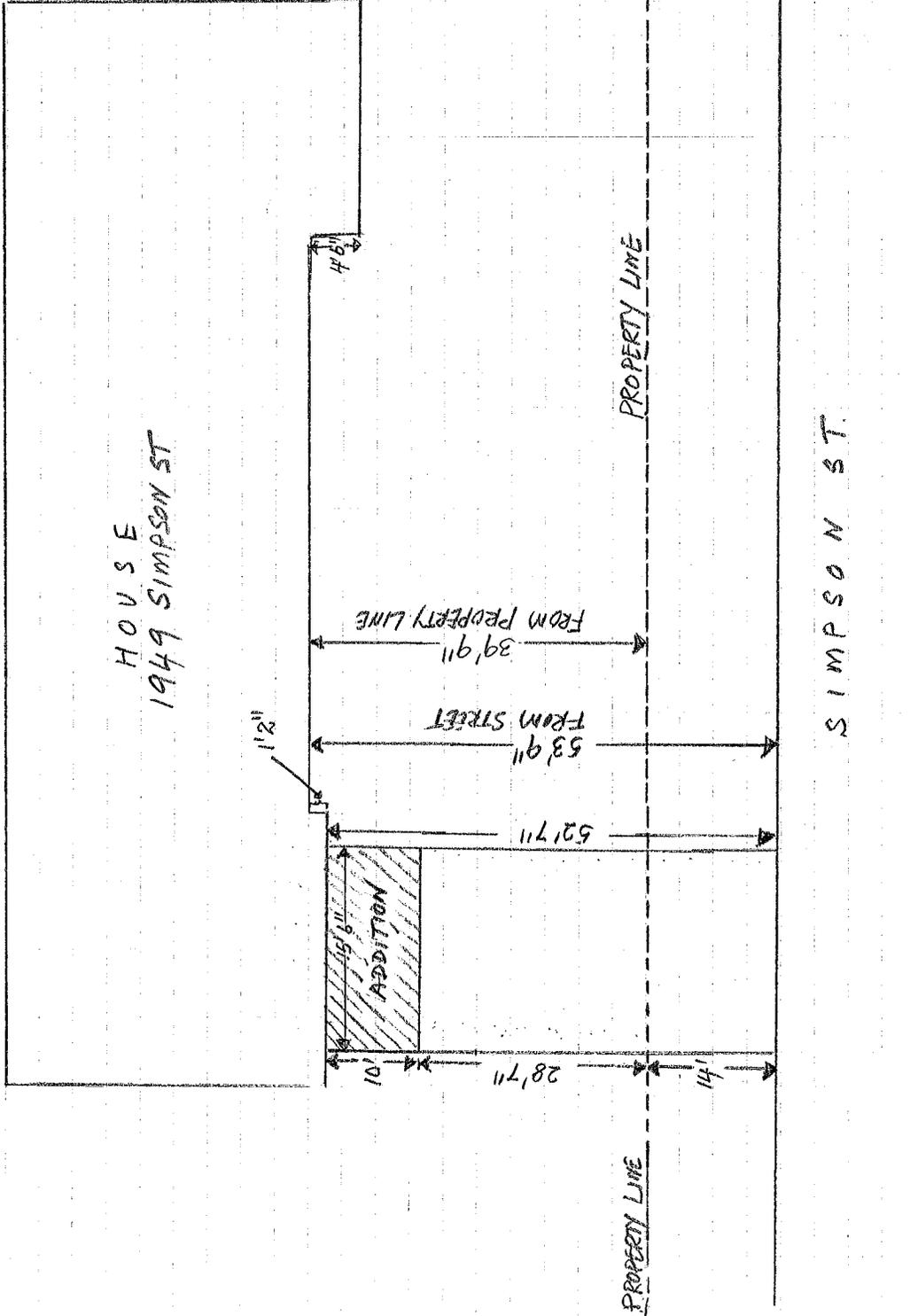


**Data Sources**  
 \* Ramsey County GIS Base Map (4/2/2024)  
 For further information regarding the contents of this map contact:  
 City of Roseville, Community Development Department,  
 2660 Civic Center Drive, Roseville MN

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PROPOSED GARAGE EXTENSION PLAN





Doc No **A05038890**

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

Office of the County Recorder  
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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 duly held on the 1st day May, 2024 at 5:30 p.m.

The following members were present: Chair Schaffhausen, Vice Chair Bjorum and Member Aspens and none were absent.

Member Bjorum introduced the following resolution and moved its adoption:

**VARIANCE BOARD RESOLUTION No. 167**

**RESOLUTION APPROVING VARIANCES TO DIMENSIONAL STANDARDS AND  
DESIGN STANDARDS PERTAINING TO A GARAGE ADDITION  
AT 1949 SIMPSON STREET (PF24-008)**

WHEREAS, the subject property is in the Low-Density Residential (LDR) District, is assigned Ramsey County Property Identification Number 15-29-23-23-0061, and is legally described as Lot 4, Block 2, Kay-Reen Homesites, Ramsey County, Minnesota;

WHEREAS, City Code §1004.06.A (Residential Design Standards) prohibits the overhead doors of attached garages from standing more than 5 feet in front of the dwelling; and

WHEREAS, City Code §1004.09.B (LDR Dimensional Standards) establishes a minimum front yard setback of 30 feet; and

WHEREAS, Lalith Samarakoon, owner of the property at 1949 Simpson Street, has requested variances to said provisions to allow a 10-foot addition to the front of the existing attached garage; and

WHEREAS, the proposed 10-foot garage addition would place the overhead door about 6 feet further in front of the dwelling than the maximum distance allowed and would encroach about 1.5 feet into the minimum front 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 living area built into the space above the garage has lowered the ceiling of the existing garage to such an extent that it no longer functions as a two-car garage, and the fact this

situation can only be rectified by extending the garage toward the front property line represents a practical difficulty which the variance process is intended to relieve

- b. The proposed garage addition is generally consistent with the Comprehensive Plan because it represents a standard amenity on a residential property and embodies the sort of continued investment promoted by the Comprehensive Plan's goals and policies for residential neighborhoods.
- c. Although it is the garage door, and not the dwelling area of the home, that is approaching the front property line, the proposed forward expansion is in harmony with the purposes and intent of the zoning ordinance to make fuller use of the front side of the property.
- d. In Roseville, a "reasonable" garage has come to mean one that can accommodate two vehicles because a two-car garage has long been found to be adequate for most households. Therefore, the proposed garage expansion would essentially recreate a two-car garage and thereby put the property to use in a reasonable manner.
- e. The incursion of the upstairs living space into the existing garage is a unique circumstance which was not created by the landowner.
- f. Despite the fact it would allow the forward extension of the garage more than what is normally permitted, the proposed addition is not particularly large and is clearly residential in nature. Therefore, the variance, if approved, would not negatively alter the character of the surrounding residential neighborhood.

NOW THEREFORE BE IT RESOLVED by the Roseville Variance Board to approve the requested 1.5-foot variance to the minimum front yard setback and 6-foot variance to the maximum distance a garage door may stand in front of the home at 1949 Simpson Street, based on the content the public record, public input, and Variance Board deliberation

The motion for the adoption of the foregoing resolution was duly seconded by member Aspnes and upon a vote being taken thereon, the following voted in favor thereof: Schaffhausen, Bjorum and Aspenes; and none voted against the same.

WHEREUPON, said resolution was declared duly passed and adopted.

