



**Variance Board Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Minutes – Wednesday, March 6, 2024 – 5:30 p.m.**

1. Call to Order

Chair Schaffhausen called to order the regular meeting of the Variance Board meeting at approximately 5:30 p.m. and reviewed the role and purpose of the Variance Board.

2. Roll Call

At the request of Chair Schaffhausen, City Planner Thomas Paschke called the Roll.

Members Present: Chair Schaffhausen, Vice Chair Bjorum; and Member Aspnes.

Members Absent: None

Staff Present: City Planner Thomas Paschke, and Community Development Director Janice Gundlach.

3. Approval of Agenda

City Planner Paschke requested Item B be moved to Item A and Item A be moved to Item B.

MOTION

Member Bjorum moved, seconded by Member Aspnes to approve the agenda as amended.

Ayes: 3

Nays: 0

Motion carried.

4. Review of Minutes: February 7, 2024

MOTION

Member Bjorum moved, seconded by Member Aspnes to approve the February 7, 2024 meeting minutes.

Ayes: 3

Nays: 0

Motion carried.

5. Public Hearing

Chair Schaffhausen reviewed protocol for Public Hearings and public comment and opened the Public Hearing at approximately 5:35 p.m.

a. **PLANNING FILE 23-012**

Request by Amarak Ultimate Perimeter Security for a variance to fences in all districts.

City Planner Thomas Paschke reviewed the variance request for this property, as detailed in the staff report dated March 6, 2024.

Mr. Michael Pate, Director of Business Development with Amarak, addressed the Commission regarding the variance proposal.

Member Bjorum asked what the perimeter made out of if it is not fencing.

Mr. Pate explained this will be on private property behind an existing permitted fence line. He explained the system has thirty wires on one system and twenty wires on another one. It depends on which one is being installed. He indicated the wires are four inches apart and horizontally placed up to about three and a half to four feet and separated eight inches apart and are strung between insulated fiberglass poles because there is a current going through them and is a non-scalable device that cannot be climbed. It does not function like a fence. It is not on the property line and is non-scalable. This is also not going to stop any visual acuity of anyone behind it because it cannot really be seen. The only reason a person would be able to recognize where it is because Amarak is required by the standard to put signs on it to warn people not to touch it.

Member Bjorum asked if someone or something comes up and touches it, it is his understanding by what Mr. Pate stated, this would only trigger the alarm system connecting to the different groups but now the Commission is being told there is an actual current running through the fence so if someone touches it the person will be shocked like a cattle fence.

Mr. Pate indicated that is correct. He indicated that is the deterrent effect of the device. People do not like to be shocked. He noted the current is not as strong as a cattle fence current but will deter people from trying to get by it.

Member Bjorum indicated he would agree with staff that this is an electrified fence. He indicated what Mr. Pate described to the Commission is not any different than a perimeter fence would be. This is just an electrified fence.

Member Bjorum asked Mr. Paschke what the existing fence is that is currently there.

Mr. Paschke believed the current fence is made of wood. It is a screen fence.

Member Bjorum asked if the company has tried any other types of deterrents other than just the fence.

Mr. Paschke indicated he was not aware of anything else used.

Mr. Pate explained the fence is a slated cedar fence and not very good for security. There is also lighting on the backside of this but will not stop anyone. There are also cameras up in the corners. Cameras are used for observation of a crime while what he is proposing is a deterrent.

Chair Schaffhausen thanked Mr. Pate for the information. She asked if there was anyone at the meeting who wanted to come forward. There was no one who wished to come forward.

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

Member Aspnes indicated she can appreciate the frustration of the applicant. Her concern is that the applicant has gone from what sounds like fairly passive security to very sophisticated security with nothing in between and she was not comfortable with an electrified fence in Roseville. Appreciating the security needs but this is not something she was comfortable granting a variance for.

MOTION

Member Bjorum moved, seconded by Member Aspnes, adoption of Variance Board Resolution No. 164 (Attachment 4), entitled “A Resolution Denying a Variance to §1011.08.A.3, Fences in All Districts, of the Roseville City Code, at 1914 County Road C.”

Ayes: 3

Nays: 0

Motion carried.

b. PLANNING FILE 23-013

Request by Troy Miller of Troy’s Automotive LLC for a Variance to the Dimensional Standards Table.

City Planner Thomas Paschke reviewed the variance request for this property, as detailed in the staff report dated March 6, 2024.

Member Aspnes asked what the setback was to the north.

Mr. Paschke indicated the setback is twenty feet, almost thirty feet from the property line.

Member Aspnes asked if the new addition will stay within the setback requirement.

Mr. Paschke indicated it would. He noted this meets all of the requirements currently.

Mr. Troy Miller, Troy’s Automotive addressed the Commission regarding his proposal.

Member Aspnes asked if Mr. Miller has heard from any of the neighbors from the apartment building behind his building.

Mr. Miller indicated there have been quite a few people come in asking questions about what is being planned.

Chair Schaffhausen if there was anyone at the meeting who wanted to come forward.

Ms. Anna Grimes, Roseville resident, indicated she is a patron of Troy's Automotive. She indicated Mr. Miller runs a business to support his family and also takes care of anyone who comes through his door. Every neighbor and customer is welcome. If Mr. Miller wants to expand to help more people in this area, he should be able to do that. The other thing is Mr. Miller does more for his community than she has ever seen anywhere. He always looks out for his neighbors.

Ms. Mari Erb indicated she lives on Sandhurst Drive and considers Mr. Miller one of her neighbors. She agreed with Ms. Grimes. She explained Mr. Miller goes above and beyond to help everyone that comes in.

Ms. Trisha Mikelnis, Roseville resident, stated when she moved into area the community was not vibrant and then Mr. Miller bought the property, he was honest and brought a sense of community to the area. She hoped the variance would go through because Mr. Miller deserves the chance to make his business work.

Ms. Connie Buskirk explained they are opposed to the variance. She indicated they live next to the property and the current issues they are having have not been fixed in the last six years and see them keep getting worse. She stated her main concern is by building two bays and servicing more people the business is reducing the footprint of the available parking. The business is using their current parking lot already and are blocking their tenant garages frequently. There is not the space there to handle increased business. She explained Mr. Miller has approached them to tell them he is going to take care of the issues, but nothing has been taken care of and building on the bays will not solve the problem, it will make it worse.

Mr. Michael Buskirk explained a while ago Mr. Miller came to them saying he wanted to build a large storage building and what was actually put there was a large storage container, and everything was moved down, and the big pile of tires are in view of their building rather than tucked behind it. There are a lot of things stored directly behind Mr. Miller's building and looks bad. He did not see how this is going to solve anything. He indicated his residents have to see and deal with the noise and mess and parking.

Member Bjorum asked if there is a connection between the two lots or are the cars coming down the driveway to park in the tenant parking area.

Ms. Buskirk explained the patrons of Troy's are coming down their driveway to park in their lot.

Mr. David Miller explained he is the old owner of Troy's Automotive and his father took over the corner in 1965 and he started working there when he was eleven years old and worked for his father until 1972. He took over the business and owned the business for 48 years before he sold the business to Mr. Miller. He explained when the business was busy the parking lot was full. He tried for many years to get an additional put on to do more work but could not get it done. He stated Mr. Miller is trying to do the same thing and needs more space to work on more cars. By allowing more bays, more vehicles can get worked on and the congestion will be alleviated quicker. He indicated he is trying to help Mr. Miller to clean up the business and area.

Ms. Patty Miller did not think that the pile of tires and everything else is relevant to adding to the bays. She explained they own the property to the north side and have offered Mr. Miller storage area to put some of the things sitting outside so the storage issue should be resolved. She stated they really want to see this happen to him.

Mr. Wayne Nelson stated he is a customer of Mr. Miller's. He explained Mr. Miller is a great person and runs a great business. He did not think a lot of issues stated have to do with a variance for two additional bays. He thought there could be something that could be worked out to allow this variance.

Ms. Linda Lange, 1366 Burke, Roseville, explained they built their house in 1985 and bought gas and had their cars occasionally repaired at Dave's and she continues to do so with Troy's Automotive. She explained it is convenient to have this on the corner and be able to get service close to home. She thought it made sense to allow Mr. Miller to build two more bays. She thought this would be good for the neighborhood and an asset to the area.

Ms. Clark Ritri, indicated he moved to Roseville when he was ten and everyone knows Mr. Miller is a good guy. He thought it made sense to allow Mr. Miller to grow his business because of the growing needs of the community.

Mr. Brian Ollrgen, explained he is a neighbor and a patron of Mr. Miller's business. He explained Mr. Miller does really good work. He thought everything that is a complaint can be mitigated. He thought the variance should be granted and even if the variance is denied he will still have the business he has.

Mr. Phil Toconita, Roseville resident explained the corner has never been a problem for him and he is glad he does not have far to go to get his car repaired. He did not see a problem with any kind of additional Mr. Miller is planning to put there.

Mr. Phil Toconito, Jr., Roseville resident explained Mr. Miller has taken care of their vehicles over the years and he thought it would be nice to have the business grow and flourish to fulfill the needs of the Roseville community.

Ms. Buskirk addressed the Commission to clarify the problems they are having with Troy's Automotive, and she felt those issues are relevant to the variance.

Ms. Gundlach indicated Mr. Paschke and herself did have a chance to review the packet of information Ms. Buskirk sent over and what is in the packet has not changed staff's mind regarding granting of the variance. She noted some of the exterior storage issues the City used a different City Code to deal with those kinds of issues and making sure businesses comply with those codes.

Mr. Troy Miller thanked everyone for coming to the meeting today to support him and his business. He thought some of the things that were identified tonight can be resolved. He thought the obvious goal is to have people work together and he will work with staff and anyone willing to get everything done.

Chair Schaffhausen closed the public hearing at 7:02 p.m.

Member Bjorum asked if the variance is just the discussion of the setback and there are a whole other set of requirements for Mr. Miller to go forward with the build on water mitigation, impervious surface and not necessarily a component of what the Board is talking about tonight, this is just discussion about where the building placement occurs on the site.

Mr. Paschke indicated that is correct.

Mr. Aspnes indicated she had some thoughts about expanding this building because this is a very small lot and this was discussed previously about the zoning, MU1 and what is permitted in an MU1 site, and this is a tiny lot. She indicated she did not have reservations about the variance request itself. She has some mild reservations about expanding the building greatly. She was confident the Roseville's Planning Department will work with Mr. Miller in making sure that anything put on the property is going to be correct and that Mr. Miller will continue to work with his neighbors about making sure the site is as nice to look at as possible. She hoped that whatever is built there is in keeping with the rest of the neighborhood and an asset to the area.

Mr. Paschke explained staff does preliminary reviews and such. Everything has generally been looked at and compared to the City building standards. He reviewed with the Board what items will change on the property with the building of the bays.

MOTION

Member Bjorum moved, seconded by Member Aspnes, adoption of Variance Board Resolution No. 165 (Attachment 4), entitled "A Resolution Approving a Variance to Table 1005-2-Dimensional Standards Neighborhood Mixed-Use (MU-1) Districts, of the Roseville City Code, in support of a 20-Foot Rear Yard Setback Variance for a proposed 30-foot by 34-foot vehicle service addition at 2171 Hamline Avenue."

Ayes: 3

Nays: 0

Motion carried.

6. Adjourn

MOTION

Chair Schaffhausen adjourned the meeting at 7:12 p.m. with no formal motion made.