



CITY OF RANIER
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**CITY OF RANIER
LAND USE PLANNING COMMISSION
MEETING MINUTES
NOVEMBER 12, 2020 @ 5:45 PM**

Present:

Planning and Zoning Commissioners: Berta Wilcox, Ladd Kocinski, Jeff McHarg, and JoAnn Kellner, Land Use Administrator Sherril Gautreaux.

Marty Goulet representing Ranier Development Company, LLC

Absent: Mary Ann Kasich

RE: ZONING VARIANCE REQUEST – PARCEL #98-001-02010 Ranier Plat South 137 feet of Lots 1 and 2 of Block 2

Property Owner, Ranier Development Company, LLC has filed a Variance from the literal language of Unified Land Use Ordinance #153 section 4.03.5.1. Property owners wish to build a fence up to 12 feet in height on the west side of the property.

4.03.05.1 No fence shall exceed six (6) feet in height in residential districts or twelve (12) feet in non-residential districts, nor be less than three (3) feet in height.

The commission finds that:

1. A variance is a means of departure from the literal requirements of the Unified Land Use ordinance where strict adherence would cause practical difficulties due to special conditions or circumstances unique to the property not created by the landowner.

Because the Ranier Development Company property is non-residential property adjacent to residential property located in Ranier Town Center, the literal meaning of the Ordinance would only allow a 6 feet high fence. The adjacent residential property owner desires more privacy from the non-residential property which is to be developed.

2. Because of the particular surroundings, or the shape, configuration, topography or other conditions of the specific parcel of land involved, strict adherence to the regulations of the land use ordinance would cause practical difficulties:

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would only allow a 6 feet high fence. The adjacent residential property owner desires more privacy from the non-residential property which is to be developed.

3. The conditions upon which the petition for variance is based are unique to the parcel of land for which the variance is sought and are not applicable, generally, to other property within the same zoning classification:

Because the Ranier Development Company property is non-residential property adjacent to residential property located in Ranier Town Center, the literal meaning of the Ordinance would only allow a 6 feet high fence. The adjacent residential property owner desires more privacy from the non-residential property which is to be developed.

4. The alleged practical difficulty has not been created by any persons presently having an interest in the parcel of land.

The Ranier Development Company property has continuously been used as commercial property and is therefore, non-conforming in the existing Unified Land Use Ordinance.

5. The granting of the variance will not alter the essential character of the locality or be injurious to other property in the vicinity in which the parcel of land is located or substantially diminish property values.

The granting of the variance will actually enhance the adjacent property owner by giving them more privacy with a taller fence.

6. The proposed variance will not substantially increase the congestion of the public streets or be detrimental to the public welfare or endanger the public safety.

The proposed variance of increasing the height of the fence does not increase congestion.

7. It has been demonstrated that the granting of the variance will be in keeping with the spirit and intent of ordinance and is consistent with the Community Plan.

The proposed variance is consistent with the Community Plan in that it complements the residential property adjacent to the non-residential property.

MOTION

A motion was made by Wilcox; seconded by McHarg and carried unanimously to recommend approval of the Variance from the literal wording of ULU Ordinance #153 section 4.03.05 allowing the fence to be up to 12 feet high for **PARCEL #98-001-02010**. Such will be forwarded to the council for final review on 11/17/2020.