

# VARIANCE APPLICATION

Filing Fee: \$100.00 (R-1 & R-2 Zones)  
\$200.00 (All other Zones)

(OFFICE USE ONLY)

Escrow Amount: \$400.00 (single var. residential)  
\$500.00 (multiple var. residential)  
→ \$600.00 (single var. commercial)  
\$700.00 (multiple var. commercial)

CASE NO. 16-03  
DATE RECEIVED 4/22/16  
RECEIPT # \_\_\_\_\_  
60 DAY DATE 6/21/16

TOTAL FEES 800.<sup>00</sup>

1. STREET ADDRESS OF PARCEL 1685, 1701 and 1725 Robert Street South

2. NAME OF APPLICANT Venture Pass Partners, LLC Dave Carland  
Phone # 952-473-1210 Email dcarland@venturepass.net

3. ADDRESS OF APPLICANT Venture Pass Partners, LLC  
19620 Waterford Ct.  
Shorewood, MN 55331

4. NAME OF OWNER **See Exhibit A (attached)** Phone # \_\_\_\_\_

5. LEGAL/PID # existing PID's 420200054017, 426477501010, 420200054012

**See Exhibit B for full legal descriptions (attached)**

6. PRESENT USE Credit Union, vacant restaurant w/drive thru, vacant credit union PROPOSED  
USE1) Commercial Medical Office, 2) Retail/Restaurant strip with outdoor patio seating, 3) Restaurant  
with drive thru

7. PRESENT ZONING B-3 DATE ACQUIRED pending

8. VARIANCE SECTION FOR REQUEST 5.9(9)(d)

9. SECTION REQUIREMENTS IN #8 Drive lane in "Front Yard" at Lothenbach curb cut

DESCRIBE VARIANCE REQUEST *Request approval for a primary ingress/egress drive lane interior to Lot at the Lothenbach curb cut to facilitate connection to all parcels to this signalized full access curb cut. Also will be of benefit to other parcels to our north and south.*

The Law requires that the conditions set forth in the three items listed below (#10, 11, 12) must be established before a Variance can be granted. Please explain in detail after each statement if your case conforms to the requirements.

## **10. DIFFICULTIES OR HARDSHIP TO OWNER**

Strict application of the provisions of the Zoning Ordinance would result in peculiar and practical difficulties or exceptional or undue hardship upon the owner of the parcel in developing or using such parcel in a manner customary and legally permissible within the zoning district in which said lot is located.

*The location and configuration of this curb cut is fixed and under MnDOT jurisdiction and ownership. This short section of drive lane is required to connect the parcels to the curb cut. Existing condition that needs to be maintained. Also, it is the City's desire and requirement that we provide connection to this curb cut to the neighboring properties to our north and south.*



**11. EXCEPTIONAL CONDITIONS OF THE PARCEL**

There are special conditions (narrowness, shallowness or shape of a parcel, exceptional topographic or water conditions or other extraordinary and exceptional conditions of such parcel) applying to the structure or land in question that are peculiar to the property involved or immediately adjoining property and do not apply generally to the other land or structures in the district in which said land is located.

*The location and configuration of this curb cut is fixed and under MnDOT jurisdiction and ownership. This short section of drive lane is required to connect the parcels to the curb cut. Existing condition that needs to be maintained. Also, it is the City's desire and requirement that we provide connection to this curb cut to the neighboring properties to our north and south.*

**12. EFFECT ON NEIGHBORHOOD AND COMPREHENSIVE PLAN**

Granting the Variance will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion in the public streets, increase the danger of fire, endanger the public safety, unreasonably diminish or impair established property values in the surrounding area, or in any other way impair health, safety, comfort, morals, or in any other respect be contrary to the intent of the Zoning Ordinance and Comprehensive Plan.

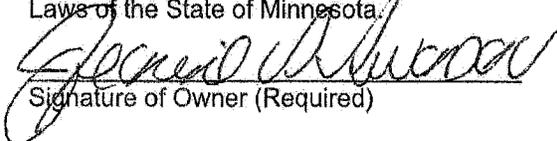
*This will enhance the neighborhood, improves an existing condition and is consistent with the Comprehensive Plan.*

**EXHIBITS REQUIRED**

- A. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 paper copies in sets and folded, or as modified by the Zoning Administrator, of a map or plat showing the property on which the Variance is requested, showing the location of the present and proposed structures, parking, driveways, lot dimensions, yard dimensions, and a floor plan showing the space within the building including dimensions.
- B. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 copies, or as modified by the Zoning Administrator, of a map or plat showing the property on which the Variance is requested and all lands within 150 feet of the boundaries of the property.

**ACKNOWLEDGE AND SIGNATURE**

The undersigned hereby represents upon all of the penalties of law, for the purpose of inducing the City of West St Paul to take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinances and all Codes of the City of West St Paul and the Laws of the State of Minnesota.

  
Signature of Owner (Required)

651-747-8917  
Phone Number

\_\_\_\_\_  
Signature of Owner (Required)

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Signature of Owner (Required)

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Signature of Applicant (If different)

\_\_\_\_\_  
Phone Number

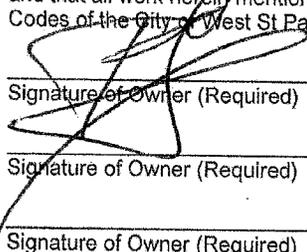
**NOTE: All Materials relevant to this Application must be filed on or before the dates listed on Operating Procedures for Applicants page. The Committee of Adjustments holds its regular meeting at 7:00pm on the third Tuesday of each month.**

**EXHIBITS REQUIRED**

- A. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 paper copies, of a map or plat showing the property on which the Conditional Use Permit is requested, and all parcel within 150 feet of the boundaries of the subject parcel.
- B. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 paper copies in sets and folded plans, showing application information as follows:
  - a. Proposed and existing topography and drainage.
  - b. A complete plan prepared and signed by a registered Civil Engineer, Architect, and/or Landscape Architect showing:
    - i. The parking layout, access provisions, structure locations, landscaping, drainage, trees and shrubbery including types and locations, and sizes.
    - ii. Any fences, walls, or other screening, including height and type of material.
    - iii. All lighting provisions, including type, location, and lumens affecting the surrounding parcels and streets.
    - iv. Curb type and location on site.
    - v. Proposed plans for sidewalk to service, parking, recreation and service areas within the site.

**ACKNOWLEDGE AND SIGNATURE**

The undersigned hereby represents upon all penalties of law, for the purpose of inducing the City of West St Paul to take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinances and all Codes of the City of West St Paul and the State of Minnesota.

  
\_\_\_\_\_  
Signature of Owner (Required)

650-445-7578  
\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Signature of Owner (Required)

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Signature of Owner (Required)

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Signature of Applicant (If different)

\_\_\_\_\_  
Phone Number

**NOTE: All Materials relevant to this Application must be filed on or before the dates listed on Operating Procedures for Applicants page. The Planning Commission holds its regular meeting at 7:00pm on the third Tuesday of each month.**

**EXHIBIT A**  
**EXISTING PROPERTY OWNER INFORMATION**

**1685 Robert Street South:   pid 420200054017**  
**Sharepoint Credit Union**

Riley Family Investments, LLP  
Jonathon P. Riley  
2320 Lexington Avenue South  
Mendota Heights, MN 55120  
[jonriley@condormgt.com](mailto:jonriley@condormgt.com)  
(651) 452-2627

**1701 Robert Street South:   pid 426477501010**  
**Sonic**

The Benjamin and Denise Gage Trust  
1805 Willow Road  
Hillsborough, CA 94010-6356  
Atten: Daniel Gage  
1246 El Camino Real #12  
Burlingame, CA 94010  
[danielpgage@gmail.com](mailto:danielpgage@gmail.com)  
(650) 445-7578

**1725 Robert Street South:   pid 420200054012**  
**Ideal Credit Union**

Ideal Credit Union  
8499 Tamarack Road  
Woodbury, MN 55125  
Atten: Jeanine Swanson  
[jswanson@idealcu.com](mailto:jswanson@idealcu.com)  
(651) 747-8917

## **Exhibit B**

### **420200054017 1685 ROBERT ST S**

The East 280 feet of the North 133.19 feet of the North 266.38 feet of the South 466.38 feet of the North 1416.26 feet of the East 477 feet of the West One-Half of the Southwest One-Quarter of Section 20, Township 28, Range 22, except the East 40 feet taken for Robert Street.

Dakota County, Minnesota

### **426477501010 1701 ROBERT ST S**

Lot 1, Block 1, Robert Street Sonic Addition, Dakota County, Minnesota.

### **420200054012 1725 ROBERT ST S**

Description from title commitment:

South 200 feet of North 1416.26 feet of East 477 feet of the West Half of the Southwest Quarter of Section Twenty (20), Township Twenty Eight (28), Range Twenty Two (22), Dakota County, Minnesota, EXCEPTING therefrom the West 12 feet thereof;

AND

EXCEPTING that part thereof lying Easterly of Line 1 described below:

Line 1:

From a point on the East line of the West Half of the Southwest Quarter of said Section 20, distant 1277.56 feet South of the Northeast corner thereof, run Westerly at right angles to the East line of said West Half of the Southwest Quarter to an intersection with the Westerly right of way line of said Trunk Highway No. 52 which is the point of beginning of Line 1 to be described; thence run Southwesterly to a point distant 60 feet Westerly (Measured at right angles) of a point on the East line of said West Half of the Southwest Quarter, distant 1292.56 feet South of the Northeast corner of said West Half of the Southwest Quarter; thence run Southerly parallel with the East line of said West Half of the Southwest Quarter for 45 feet; thence run Southeasterly to the point of intersection of the Westerly right of way line of said Trunk Highway No. 52 with a line run Westerly at right angles to the East line of said West Half of the Southwest Quarter from a point thereon distant 1357.56 feet South of the Northeast corner of said West Half of the Southwest Quarter and there terminating, according to the Government Survey thereof.

Dakota County, Minnesota