

Commissioner R. Bauer introduced the following resolution and moved for its adoption:

**RESOLUTION #25-196**

**RESOLUTION GRANTING A VARIANCE TO THE DISTANCE SEPARATION REQUIREMENTS FOR AN OFF-PREMISES DIGITAL BILLBOARD SIGN AT 6111 HIGHWAY 10 NW**

**RECITALS**

1. The City of Ramsey received an application from Mr. Scott Levine of Kenjoh Outdoor Advertising (the "Permittee") requesting a Variance to the minimum separation requirements of an off-premises digital billboard sign per Section 108-55(b)(3) of City Code on the properties owned by 6111 Ramsey Properties LLC generally known as 6111 Highway 10 NW and legally described as follows:

*Lot 1, Block 1, Guy Addition, except Parcel 66 Anoka County Highway Right-of-Way Plat No. 103, Anoka County, Minnesota;*

*Lot 1A, Block 1, Guy Addition, Anoka County, Minnesota;*

*Lot 2, Block 1, Guy Addition, except Parcel 67 Anoka County Highway Right-of-Way Plat No. 103, Anoka County, Minnesota.*

(the "Subject Property")

2. That City Code Section 108-55(b)(3) specifies that off-premises digital billboard signs shall be no closer than two miles from each other.
3. That City Code Section 108-55(b)(2) states that there shall be no more than three off-premises digital billboard signs located within the City of Ramsey.
4. That two other such signs have been legally constructed within the City of Ramsey.
5. That the Subject Property is zoned B-2, Community Business District where such signs are allowed by conditional use permit subject to performance standards.
6. That the proposed location does not meet the required two-mile spacing from the sign located near the intersection of Riverdale Drive and Traprock Street NW, being 811 feet short of this requirement, necessitating a variance to construct the sign in this location.
7. That the **Permittee** appeared before the Planning Commission for a public hearing pursuant to Section 106-220 (Variances) of the Ramsey City Code on August 28, 2025, and that said public hearing was properly advertised and that the minutes of said public hearing are available.

## FINDINGS OF FACT

1. That the off-premises digital billboard sign does not violate the intent and purpose of the Comprehensive Plan.
2. That the practical difficulties, as stated by the Permittee, in placing the sign in a location not meeting the two-mile spacing requirement of Section 108-55(b)(3) are:
  - A. **That the property owner proposes to use the property in a reasonable manner not permitted by the zoning code.** The applicant is proposing to construct a digital off-premises billboard in a location specifically designated by the city's zoning for such use. This is a reasonable and anticipated use of the property in this district. The sign complies with all applicable design, height, and dimensional requirements outlined in the ordinance. The proposed sign aligns with the city's intention to allow up to three digital billboards along Highway 10.
  - B. **The plight of the landowner is due to circumstances unique to the property not created by the landowner.** The need for the variance comes from the physical location of this property and the location of the pre-existing placement of the two other off-premises digital billboards. This area – the eastern portion of the off-premise digital billboard overlay district along Highway 10 is the last remaining area feasible for the code contemplated third digital billboard. Due to the placement of the existing, previously approved off-premises digital billboards, achieving the two-mile spacing is mathematically impossible. The two-mile spacing puts the next allowable sign outside of the city's boundary to the east. This creates a unique hardship and the application would otherwise be fully compliant if it were not for this slight spacing shortfall. Any other location to the east would also need a variance for spacing. These circumstances were brought about by the city defined spacing intervals combined with the previous placement of the two previously approved digital off-premises signs, which is not the result of any action or decision by the applicant or landowner.
  - C. **The variance, if granted will not alter the essential character of the locality.** The proposed sign is located within the designated off-premise digital billboard overlay district and is compliant with all other requirements of the ordinance with exception of the spacing variance. The code permits up to three of these signs – two of which have already been constructed. The variance would allow the third and final sign as contemplated by the ordinance, and fulfill the city's original vision of having three signs distributed along Highway 10. The original intention was one sign on the west end, one sign in the middle, and one sign on the east end. This fulfills that vision. The sign's design and placement are consistent with existing permitted signs and will be located along a major commercial corridor, where such signs are expected and appropriate. The variance does not introduce a new or unexpected intensity of use into the area. It simply allows for the completion of the originally intended sign plan. The character will remain consistent and the visual and functional impact of the sign is aligned with the city's intended land use in this area.

D. **Economic considerations alone do not constitute practical difficulties.** While there is an economic component to the development and use of any billboard, the variance request is not based on financial considerations. The practical difficulty stems from the limitations created by the existing placement of the other two permitted billboards and the fixed length of the Highway 10 corridor within city limits.

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:**

- 1) That the Ramsey Planning Commission hereby grants approval of a variance to deviate from the required two-mile separation requirement of Section 108-55(b)(3) by 811 feet to be constructed and operate on the Subject Property, subject to review and approval as to legal form and contingent upon the following conditions:

**CONDITIONS**

1. That the off-premises digital billboard sign must obtain a building permit and pass all required inspections.
2. That the off-premises digital billboard sign must follow all of the other performance standards as outlined in Section 108-55 of City Code.
3. That the off-premises digital billboard sign must obtain and maintain the required permit(s) from the Minnesota Department of Transportation.
4. That the Permittee must enter into a community benefit agreement as required by Section 108-55(c)(10) of City Code.
5. That conditions set forth in previous conditional use permits and variances remain in effect, including the approved landscape plan from 1999. For this, the diseased ash trees must be removed and replaced new trees. The remainder of the landscape may be modified for hardier species that meets the intent of the 1999 plan upon review by City staff.
6. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Variance**.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner N. Bauer, and upon vote being taken thereon, the following voted in favor thereof:

Chairperson Gengler  
Commissioner R. Bauer  
Commissioner N. Bauer  
Commissioner Anderson  
Commissioner Lubarski  
Commissioner Musgrove  
Commissioner VanScoy

and the following voted against the same:

None

and the following abstained:

None

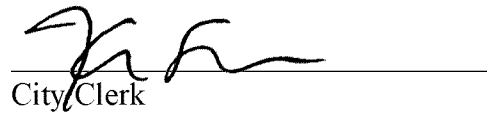
and the following were absent:

None

whereupon said resolution was declared duly passed and adopted by the Ramsey Planning Commission this the 28<sup>th</sup> day of August, 2025.

  
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Planning Commission Chairperson

**ATTEST:**

  
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City Clerk