

RESOLUTION NO. 2015-13

RICE CREEK WATERSHED DISTRICT BOARD OF MANAGERS

**RESOLUTION ISSUING VARIANCE PURSUANT TO RCWD RULE L: NARR, Lot 12, AUDITOR'S
SUBDIVISION NO. 79, RAMSEY COUNTY, MINNESOTA**

Manager Waller offered the following Resolution and moved its adoption, seconded by Manager Weinandt:

WHEREAS, Keith Narr and Nancy Narr (the "Owners") are the fee owners of certain real property existing in Ramsey County, City of New Brighton, State of Minnesota legally described as follows (the "Property"):

Lot 12, Auditor's Subdivision No. 79, Ramsey County, Minnesota; and

WHEREAS, the Rice Creek Watershed District ("RCWD") has adopted and implements rules governing permits for land disturbance in order to manage flooding, protect water quality and for other purposes; and

WHEREAS, the Owners applied for a permit with the RCWD for the purposes of demolishing and rebuilding a single-family home located on the Property (Permit #25-115); and

WHEREAS, RCWD rules required that the single-family home be constructed with at least a two-foot freeboard between the Rice Creek 100-year Flood Elevation, NAVD88, 871.9, and the low floor of the proposed structure; and

WHEREAS, despite the freeboard requirements being communicated with the applicant's contractor, work proceeded on the proposed structure located on the Property; and

WHEREAS, after substantial completion of the proposed structure, it was discovered that the proposed structure's low floor elevation was approximately 1.9 feet below the regulatory 100-year flood elevation and did not comply with RCWD's freeboard requirements; and

WHEREAS, the Owners have submitted a variance request to remove the two-foot freeboard requirement; and

WHEREAS, on December 10, 2025, The RCWD Board of Managers reviewed the request for variance, its Engineer's Technical Memorandum and other evidence related to the variance request; and

WHEREAS, the Board evaluated the evidence under the standards articulate in its Administrative Rule L; and

WHEREAS, based on its consider of the facts and circumstances herein, the Board determines that, due to the unique conditions of the Property, the Owners face practical difficulties in complying with the District's rules; and

WHEREAS, the Board further that the current house plan cannot be raised to meet the freeboard requirements while also maintaining a reasonable and compliant driveway slope to the Property; and

WHEREAS, the Board further finds that the criteria set forth in Administrative Rule L.2(a-d) are satisfied; and

WHEREAS, in order to protect the interests of the RCWD, the Owners and any future owners of the Property, the Board finds it reasonable that the Owners be required to record evidence of the variance issued herein on the Property record.

Therefore, be it resolved by the RCWD Board of Managers that:

A. The RCWD Board of Managers approves the request for variance under Permit #25-115 for the Property.

B. The approval is conditioned upon the following:

The Owners must record a notice, in substantially the form appended hereto, identifying the variance and the details of the variance. The notice must be recorded with the Ramsey County Recorder and Registrar of Titles, filing cost to be borne by the Owners. The notice will be unlimited in duration without being re-recorded.

C. If the owners refuse to record the notice as required, the Board authorizes the preparation and execution of a similar notice to be recorded by the District.

The question was on the adoption of the Resolution and there were 3 yeas and 0 nays as follows:

	Yea	Nay	Absent	Abstain
BRADLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERTSON	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WAGAMON	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WALLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WEINANDT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the President declared the Resolution passed.

John Waller
John Waller, Pro Tem Secretary

Dated: December 10, 2025

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I, John Walker, Pro Tem Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above Resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this 10th day of December, 2025.

John Walker
John Walker, Pro Tem Secretary