GOODHUE COUNTY MINNESOTA

TO EFFECTIVELY PROMOTE THE SAFETY, HEALTH, AND WELL-BEING OF OUR RESIDENTS

Goodhue County Board of Adjustment
Government Center- Board Room
509 West 5th St, Red Wing MN 55066

Monday, August 22, 2016
5:30 PM

Call Meeting To Order

Approval Of Current Agenda

Approval Of Minutes From Previous Meeting

Documents:

MINUTES_JULY.25-2016_BOA_DRAFT.PDF

Conflic/Disclosure Of Interests

PUBLIC HEARING AGENDA ITEM: Lucking Lot Area Variance

PUBLIC HEARING AGENDA ITEM: John & Cynthia Lucking - Variance request from the A3 Urban Fringe district, General District Regulations, Lot Area requirement to allow a parcel less than 35 acres, to build a residence at 31815 Willow Trail. Part of the NE ¼ of the SE ¼ of Section 14 in Stanton Township.

Documents:

LUCKING BOA PACKET.PDF

PUBLIC HEARING AGENDA ITEM: Clemens Density Variance

PUBLIC HEARING AGENDA ITEM: Ronald & Cheryl Clemens – Variance request from the A2 Agricultural District, General District Regulations, Density Requirements, which limits each Section to 12 dwellings (currently there are 15 dwellings) and limits development to one dwelling per ¼ , ¼ section (currently there are 3 dwellings); to build a residence at 13482 Sunset Trail. Part of E ½ of the NW ¼ of Section 5 in Vasa Township.

Documents:

CLEMENS BOA PACKET.PDF

Old Business

Anyone interested is invited to attend. Agenda items may be subject to change.

Goodhue County Land Use Management

◆ Goodhue County Government Center ◆ 509 West Fifth Street ◆ Red Wing ◆ Minnesota ◆ 55066 ◆
◆ Building ◆ Planning ◆ Zoning ◆ Telephone: 651/385-3104 ◆ Fax: 651/385-3106 ◆

BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
July 25, 2016 MEETING MINUTES
DRAFT

The meeting of the Goodhue County Board of Adjustment was called to order at 5:30 pm by Chair Bob Benson in the Goodhue County Board room in Red Wing, Minnesota.

1. Roll Call

Commissioners Present: Robert Benson, Richard Ellingsberg, Brandon Schafer, Richard Mallan, Mike Hinsch, and Howard Stenerson,

Commissioners Absent: None

Staff Present: Planner/Zoning Administrator Wozniak, Ben Hoyt from Environmental and Zoning Assistant Casey MacCallum

2. Approval of Agenda

[1]Motion by Commissioner Stenerson and seconded by Commissioner Schafer to approve the agenda for the July 25, 2016 meeting. Motion carried 6:0.

3. Approval of Minutes

[2]Motion by Commissioner Schafer and seconded by Commissioner Hinch to approve the June 27, 2016 minutes with correction. Motion carried 6:0.

4. Conflict/Disclosure of Interest

None of the Board members declared a conflict of interest.

PUBLIC HEARING: Steve Matthees. Variance request from the Confined Feedlot Regulations Article 13, Section 7, Subdivision 6 to construct a feed lot within the 1,000 foot setback for the property at 23216 County 9 Blvd., Goodhue, MN 55027; Section 25, Township 111, and Range 15 in Goodhue Township from a dwelling on the property at 23089 County 9 Blvd., Goodhue, MN 55027; Section 25, Township 111, and Range 15 in Goodhue Township.

Mike Wozniak presented the staff report and attachments.

Commissioner Stenerson inquired about the time line for construction of the project and if language needed to be added to allow the Applicant more time to start the project. Zoning Administrator Mike Wozniak informed the Board that they can change the time but don't need to.

Commissioner Schafer asked about the process and legal limitation.

Chair Benson opened the public hearing: no one commented.

The Matthees family was present. *The Matthees explained the project and the history of the property.*

Commissioner Stenerson requested clarification on the purpose of the request. Zoning Administrator explained the odor offsets application.

[3]**After Chair Benson asked three times for further comments. After hearing none, it was moved by Commissioner Stenerson and seconded by Commissioner Schafer to close the public hearing.**

Motion carried 6:0

Commissioner Stenerson inquired about the construction time line. Zoning Administrator Mike Wozniak informed the Board that the first phase of the project was underway.

BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
July 25, 2016 MEETING MINUTES
DRAFT

Commissioner Schafer discussed amending the staff recommendation by replacing "from a dwelling on the property at 23089 County 9 Blvd., Goodhue, MN 55027" with "all dwellings" and adding the 91% odor offset to the variance request. Commissioner Stenerson recommended a reference to the "application dated June 15th 2016.

[4]**Motion Commissioner Schafer, second by Commissioner Stenerson, that the Board of Adjustment**

- **adopt the staff report into the record (dated July 14, 2016);**
- **adopt the findings of fact;**
- **based on the application, testimony, exhibits, and other evidence presented; and**

APPROVE the variance request of Steve Matthees from Variance request from the Confined Feedlot Regulations Article 13, Section 7, Subdivision 6 to construct a feed lot within the 1,000 foot setback and the 91% Odor Offset for the property at 23216 County 9 Blvd., Goodhue, MN 55027; Section 25, Township 111, and Range 15 in Goodhue Township from all dwellings as detailed in the application submitted to Goodhue Land Use Management office dated June 15, 2016 ~~from a dwelling on the property at 23089 County 9 Blvd., Goodhue, MN 55027; Section 25, Township 111, and Range 15 in Goodhue Township~~.

Subject to the following conditions:

1. **Conformance with the application submitted to Goodhue County Land Use Management Office dated June 15, 2016,**
2. **Compliance with all necessary state and federal permits and licensing,**

PUBLIC HEARING: Mikkel and Carol Gardner: Variance request from the MN Rules 7080 Front Yard setback requirement of 10 feet from the property line, to place a septic system up to the lot line at 29072 Leroy Ave., MN 55026, Lot 12 & 13 block 35 Town of Frontenac, Section 11 Township 112, and Range 13, in Florence Township.

Zoning Administrator Mike Wozniak and Ben Hoyte presented the staff report and attachments.

Commissioner Mallan noted the need for township support and stated his support for the variance.

Commissioner Schafer clarified that the variance is to the property line. Zoning Administrator Mike Wozniak explained the septic system permitting process and requirement for Township approval.

Mikkel and Carol Gardner were present. *The Applicant informed the Board that they have gone to the Township twice and received approval both times. They also noted the Township did not know what approval they needed.*

Commissioner Schafer and Zoning Administrator Mike Wozniak noted the need for memorialize the easement due to future improvements to the road.

Commissioner Stenerson commented that the township will most likely prefer an easement instead of a vacation to make future improvements easer. Commissioner Stenerson also questioned the wording of the variance and if "up to the property line" would provide the Applicant with the protection they needed to construct the system over the property line and

within the right-of-way. Zoning Administrator Wozniak explained staff's interpretation of the County's jurisdiction.

Commissioner Stenerson asked if the new system could be placed where the existing system is. Ben Hoyt from Goodhue's Environmental Health Department explained the affects the soil and sensitive well has on the placement of the new system. Zoning Administrator Wozniak explained the delineation of the State and County regulations and procedures. Ben Hoyte described the alternative septic options, and Mike described the costs and procedures involved in those options.

Zoning Administrator Wozniak described the new regulations that require compliance upon sale of the homes, which will increase in frequency with which the Board may see similar requests as the Gardner's.

Chair Benson opened the public hearing: no one commented.

[5] **After Chair Benson asked three times for further comments. After hearing none, it was moved by Commissioner Ellingberg and seconded by Commissioner Schafer to close the public hearing.**

Motion carried 6:0

[6]**Motion by Commissioner Stenerson, second by Commissioner Hinsch, that the Board Of Adjustment:**

- **adopt the staff report into the record (dated July 15th , 2016);**
- **adopt the findings of fact, and based on the application, testimony, exhibits, and other evidence presented**

<u>APPROVE</u> the variance request from the MN Rules 7080 Front Yard setback requirement of 10 feet from the property line, to place a septic system up to the lot line (abutting the Wells Street Right-of-Way).

Subject to the following conditions:

1. **Conformance with the application submitted to Goodhue County Land Use Management Office dated June 21, 2016,**
2. **Compliance with all necessary State and Federal permits and licensing,**
3. **A survey to illustrate and describe the easement or vacated right-of-way (Wells Street) where the proposed wastewater system will be constructed shall be submitted to Goodhue County as part of the Wastewater System Permit application.**
4. **The septic system shall be designed to minimize encroachment within the Wells Street Right-of-Way.**

at 29072 Leroy Ave., Old Frontenac, MN 55026,. Lot 12 & 13 block 35 Town of Frontenac, Section 11 Township 112, and Range 13, in Florence Township.

Commissioner Stenerson clarified that his motion was for approval as presented.

Motion carried 6:0

BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
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5. Other Business

None

6. Staff Updates

Zoning Administrator Wozniak provided clarity to the Board on the Feedlot Officer's interpretation and staff's interpretation of the Confined Feedlot Regulations. Commissioner Stenerson and Schafer commented on the impact of opening up the Confined Feedlot Regulations and having a Public Hearing.

Commissioner Stenerson asked about the Feedlot Officers' funding source. He also inquired if the Feedlot Officer was availabile for night meetings. Zoning Administrator Wozniak informed the Board that the Feedlot Officer will be requested when needed.

[7]Adjourn: Moved by Commissioner Stenerson, second by Commissioner Mallan, to adjourn the July 25, 2016 Board of Adjustment meeting at 6:37 p.m.

Motion carried 6:0.

Respectfully Submitted,

Casey MacCallum
Zoning Assistant

MOTIONS

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[1] APPROVE the BOA meeting agenda. Motion carried 6:0.
[2] APPROVE the March 28,2016 minutes. Motion carried 6:0.
[3] CLOSE the Public Hearing. Motion carried 6:0.
[4] APPROVE the variance. Motion carried 6:0.
[5] CLOSE the Public Hearing. Motion carried 6:0.
[6] APPROVE the variance. Motion carried 6:0.
[7] ADJOURN the July 25, 2016 Board of Adjustment meeting. Motion carried 6:0

DRAFT

Goodhue County Land Use Management

Goodhue County Government Center | 509 West Fifth Street | Red Wing, Minnesota 55066

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.385.3106

Environmental Health | Land Surveying | GIS
Telephone: 651.385.3223
Fax: 651.385.3098

To: Board of Adjustment
From: Land Use Management
Report Date: August 12, 2016
Meeting Date: August 22, 2016

Application Information:

Applicant: John & Cynthia Lucking
Address of zoning request: 31815 Willow Trail, Cannon Falls MN 55009
Zoning district: A3
Township Information: Stanton Township approved the variance to the density controls for Section 24 on 7/12/16.

Attachments:

Site Map
Applicant Statement
Stanton Township Application Form
Goodhue County Zoning Ordinance: Article 23
Survey of Parcel 41.024.2200 and Parcel 41.024.2300

Notice: John & Cynthia Lucking - Variance request from the A3 Urban Fringe District, General District Regulations, Lot Area requirement to allow a parcel less than 35 acres and build a residence at 31815 Willow Trail. Part of the NE ¼ of the SE ¼ of Section 14 in Stanton Township; PID 41.024.2200.

Background: The purpose of this variance is to build a dwelling on parcel 41.024.2200. Parcels under Article 23 Urban Fringe District, Section 5 General District Regulations Subdivision 1.1 are required to have a minimum lot size of thirty-five 35 acres per principal building. The Applicant has 9.4 acres on Parcel 41.024.2200 where the dwelling will be constructed, and another 25.02 acres on the contiguous Parcel 41.024.2300.

Findings of Fact:

Before any such variance may be granted, the Board of Adjustment shall specify in their findings, the facts in each case. Variances shall only be permitted when:

1) They are in harmony with the general purposes and intent of the official control; **The intent and general purpose of the A3 Urban Fringe District is to provide for urban expansion in close proximity to existing incorporated urban centers within Goodhue County. Furthermore, it is intended that urban development be deferred until an orderly**

transition from farm to urban uses can be achieved by annexation or centralized sewage treatment systems.

Subdivision and development of the general vicinity of the Applicant's property and the subject parcel predate the establishment of the A3 zoning classification. According to the Goodhue County Recorders' Office, 41.024.2200 has not been split since at least 1975, and 41.024.2300 has not been split since 1985. The A3 Zoning classification was implemented in 1993.

The Applicant's property is located in an area with numerous other dwelling sites located on parcels less than 35 acres in area. The City of Cannon Falls has expressed no interest in annexing Mr. Lucking's property at this time and it is unlikely that one additional dwelling site would impede future expansion of the City of Cannon Falls.

2) The variance is consistent with the comprehensive plan;
The 2016 Comprehensive Plan speaks to this variance in the Agricultural and Housing elements

AGRICULTURAL ELEMENT

Plant Agriculture Objective #4 (pg. 18): If residential development occurs, it should be compact and designed to preserve the prime farmland for agricultural uses or other compatible uses to minimize conflicts between agricultural and non-agricultural uses.
The surrounding lots have residences and constructing a dwelling on this lot would achieve the compactness intent of this Objective. This lot is not prime farm land and constructing a dwelling would not remove farmland.

Plant Agriculture Implementation Strategy #2 (pg. 19): Siting of dwellings or businesses should take into consideration the amount of farmland being used and shall minimize the impact to the greatest extent possible.
The construction of a home on this dwelling would not remove farmland and, in fact, give the Applicant close proximity to his neighboring tree farm operation.

Plant Agriculture Implementation Strategy #3 (pg. 19): housing developments shall be directed to incorporated city limits first.
The proposed home would not within incorporated city limits, but is within a mile of the City of Cannon Falls.

HOUSING ELEMENT

Housing Objective #8 (pg58): Monitor housing demand in the County's unincorporated areas effect on transportation improvements, business, and industrial development in the region.
Approval of the variance to construct a home on the Applicants property will not have a significant impact on the road infrastructure, business or industry development.

Housing Objective #13 (pg58): Provide more housing choices for rural residents.
The Applicant's property will increase the housing choices within the County.

Housing Objective #15 (58): Provide opportunities for adequate and nearby housing for farm labor families.
The Applicant owns an orchard on the neighboring property to the west. Granting the variance will increase his proximity to the farm.

Housing Implementation Strategy # 3 (pg. 59): Re-evaluate the purpose and need for the current A3 Urban Fringe District.
Following the recent adoption of the 2016 Goodhue County Comprehensive Plan it is anticipated that a re-evaluation of the purpose and need for the A3 Zone District will be undertaken. This exercise may result in a change of zone for properties currently within A3 Zone including the Lucking property. However, the Lucking's are interested in building a dwelling at this time and contend that the constructing a dwelling on Parcel 41.024.2200 represents a reasonable use of the property.

3) There are practical difficulties in complying with the official control. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner, not permitted by an official control. Economic considerations alone do not constitute practical difficulties.
The intent of the A3 provisions is to limit development of properties around urban centers in preservation of orderly annexation. The construction of a dwelling, which is consistent with the surrounding properties reflects a reasonable use of the subject property and would be compatible with the surrounding area. There are few other appropriate uses for this property; and the land owner's contiguous properties total over 34 acres, which is consistent with the intent of the A3 Zone to allow one dwelling per 35 acres.

4) The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
The Applicant did not split or alter the properties, which were made nonconforming when the A3 District was implemented. The A3 lot size requirements result in the prohibition of the construction of the dwelling.

5) The variance, if granted, will not alter the essential character of the locality.
The surrounding neighborhood's character will not change.

6) No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located.
There is no use change. Residences are allowed.

7) The Board of Adjustment may impose <u>conditions</u> in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
If the variance is approved than, in accordance with this provision, a single condition will be recommended to the Board of Adjustment to include when taking action. The condition will require conformance

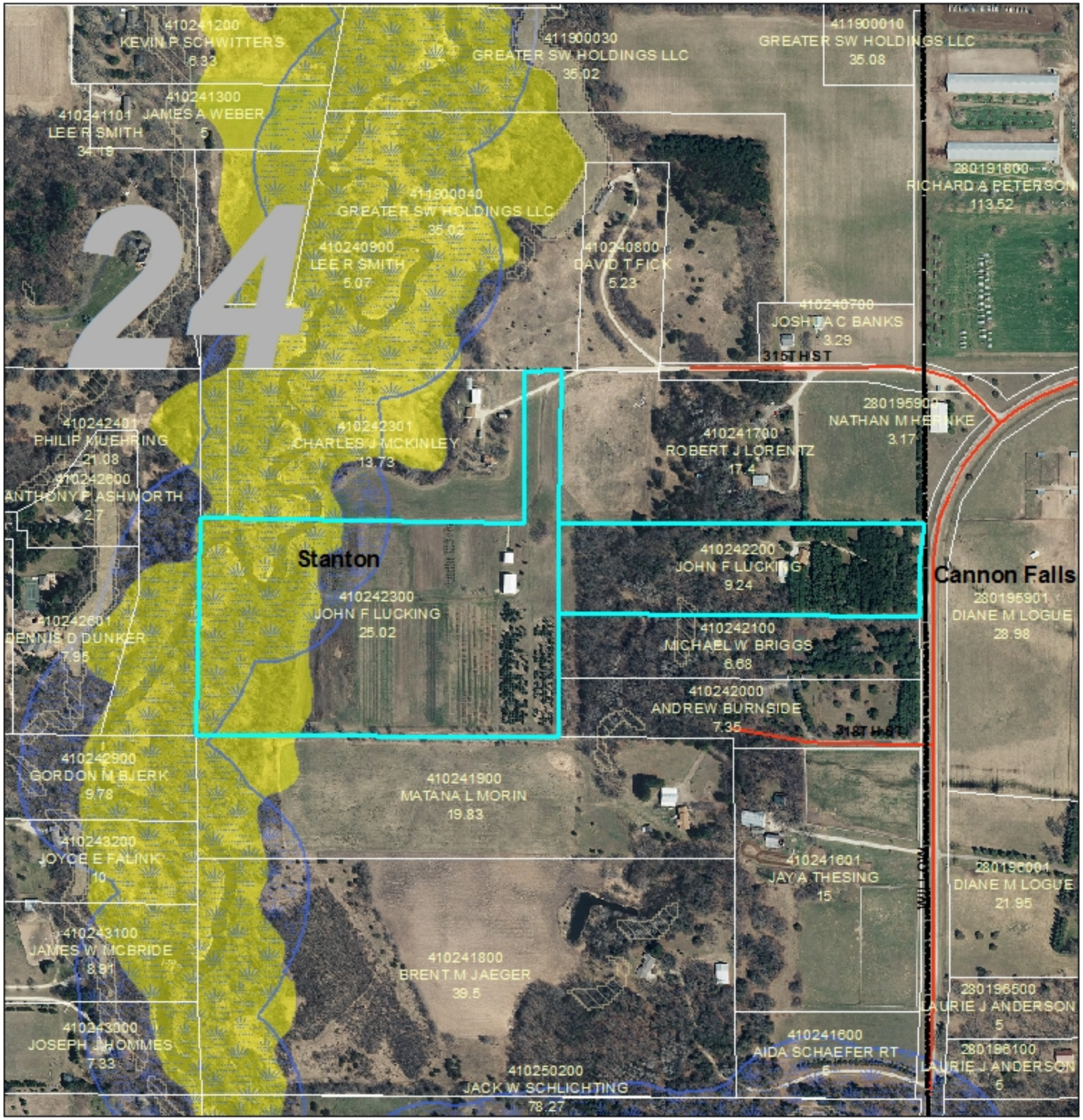
with the variance application submitted to Goodhue County Land Use Management Office dated July 22, 2016.

The following should be edited to reflect any concerns that were raised at the August 22, 2016 *BOA meeting and public hearing:*

Staff Recommendation:

Staff recommends the Board of Adjustment adopt the staff report into the record (dated August 4, 2016); adopt the findings of fact; and based on the application, testimony, exhibits, and other evidence presented: approve the variance request from the A3 Urban Fringe district, General District Regulations, Lot Area requirement to allow a parcel less than 35 acres, and build a residence at 31815 Willow Trail. Part of the NE ¼ of the SE ¼ of Section 14 in Stanton Township; 41.024.2200.

Subject to the following condition: Conformance with the application submitted to Goodhue County Land Use Management Office dated July 22, 2016.



PUBLIC HEARING:
John & Cynthia Lucking - Variance request from A3 Urban Fringe district, General District Regulations, Lot Area to allow a parcel less than 35 acres (34.26 acres combined), to build a residence at 31815 Willow Trail in Stanton Township. Part of the NE ¼ of the SE ¼ of Section 14 in Stanton Township; PID 41.024.2200.

Legend

Municipal Boundaries
Road

Bluff Impact

% Slope

20
30
Tax Parcel
Shoreland

Special Flood Hazard Area

FLD_ZONE

0.2 PCT ANNUAL CHANCE FLOOD HAZARD
A
AE
AO
X

Feet
0 125 250 500 750 1,000

DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2015.

2014 Aerial Imagery

Map Created 2016 Kate Eiynck

APPLICATION FOR

Variance

RECEIVED
JUL 22 2016
Land Use Management

Application for Variance

VARIANCE NUMBER: For Staff Use only 7 16-0050

$350 RECEIPT# 15463 DATE 7/22/16

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: JOHN + CYNTHIA LUCKING

PROPERTY OWNER'S ADDRESS: 31815 WILLOW TRAIL CANNON FALLS MN 55009

TELEPHONE: (651) 263-3353

EMAIL:

APPLICANT OR AUTHORIZED AGENT'S NAME: JOHN + CYNTHIA LUCKING

Same as Above ☒

APPLICANT'S ADDRESS:

TELEPHONE: ( )

EMAIL:

CONTACT FOR PROJECT INFORMATION: JOHN (JACK) LUCKING

Same as Above ☒

ADDRESS:

TELEPHONE: (651) 263-3353

EMAIL:

2. Location and Classification

STREET ADDRESS OF PROJECT: SAME

ZIP CODE:

LEGAL DESCRIPTION:

Attached ☒ WILL BRING IN

IF YOU ARE NOT SURE OF THE EVENTUAL SIZE OF THE FINAL PROJECT, PROVIDE THE MAXIMUM ESTIMATES

PID#:	ZONING DISTRICT	LOT AREA (SQ FT):	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable):
(41.024.2300) 41.024.2200	A3	9.24 (combined would be 34.26)		

(Please check all that apply)

☐ New Building on vacant land
☐ New Addition to existing building
☐ Animal Building
☐ Storage building ☐ Other Please clarify

ADDITIONS TO BUILDING:
☐ Rear
☐ Front
☐ Side

PRESENT OR PREVIOUS USE: AG OFFICE + STORAGE SHED

PROPOSED USE: NEW DWELLING

BUILDING APPLICATION PERMIT NO.: (if filed)

DATE FILED:

TOWNSHIP:

By signing this form, the Township acknowledges being made aware of the request stated above. In no way does signing this application indicate the Township's official approval or denial of the variance request.

Attached ☒

TOWNSHIP OFFICAL'S PRINTED NAME AND TITLE | TOWNSHIP OFFICAL'S SIGNATURE | DATE

3. Applicant's Affidavit

Under penalty of perjury the following declarations are made:

1. The undersigned is the owner or authorized agent of the owner of this property.
2. The information presented is true and correct to the best of my knowledge.
3. If I am unable to be present at the meeting where my request is decided, I agree to accept the Notice of Decision by certified USPS.
4. Other information or applications may be required.

Signature: Jack Lucking Date: 7-22-16

Print name: _____ owner or authorized agent (circle one)

Application for **Variance**

VARIANCE NUMBER:
For Staff Use only

Project Summary (Attach a separate sheet if more space is needed)

Please state which section(s) of the Ordinance from which you are requesting a variance.

Article 23 (A3 Urban Fringe District)
Section 5 Subd. 1 Lot Area

Variance Findings

Pursuant to Goodhue County Zoning Ordinance Article 5, before approving a variance application, the Board of Adjustment needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding. The Board of Adjustment may grant a variance only if the variance request complies with each and every one of these findings in full. The responsibility for completing the variance questionnaire rests solely with the applicant. If the description of how the project meets all of the criteria are not fully supported with written information and appropriate drawings or pictures, the Board may find the information insufficient and the criteria are not satisfied.

Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

1. What are the special circumstances of the proposal site which distinguish it from nearby properties with the same zoning? (relating to size, shape, topography, location, surroundings and features of the subject property).

2. Who or What created the circumstances?

3. What is the character of the area (ie- rural, residential, agricultural, commercial, etc.) and how is the request consistent with this character?

4. Describe how the rules in the zoning ordinance deprive you of rights commonly enjoyed by other properties in the same zoning district.

5. Indicate why the requested variance will not result in your receiving any special privileges that are denied by the zoning ordinance to others in the same zoning district.

6. Is the proposed variance the minimum amount necessary to allow a reasonable use of the property? Please, explain.

7. Is the sole reason for the proposed variance based on a desire of the owner, occupant, or applicant for increased financial gain or reduced financial hardship? Please explain.

Please use this page if more space is needed

Application for **Variance**

VARIANCE NUMBER:
For Staff Use only

I WOULD LIKE TO BUILD A HOME ON PARCEL #41.024.2200. THIS WILL NOT CHANGE THE CHARACTER OF MY LAND OR HAVE A NEGATIVE IMPACT ON ANY OF THE SURROUNDING LAND OWNERS. IN MY OPINION I THINK A SINGLE FAMILY HOME IS THE BEST USE OF THIS PROPERTY.

STANTON TOWNSHIP
VARIANCE/CONDITIONAL USE
APPLICATION FORM

Application Date 6-21-16

Application No. 6212016
Fee Amount $175.00

PROPERTY

Site Address	Tax Parcel No.	Township Zoning District
31815 Willow Trail	41024 2200	R-1

Lot	Block	Subdivision	Section	Township	Range	Qtr/Qtr
			24	112	18	NE/SE

OWNER

Name	Day Phone	Evening Phone
Jack Lucking		

Mailing Address	City	State	Zip
Box 132	Cannon Falls	MN	55009

VARIANCE/CONDITIONAL USE REQUESTED

Variance on density controls for Section 24 (67 homes built); variance on NE/SE density (1 home built) Contingent upon Goodhue County A-3 zoning status. BOA to meet in August.

JUSTIFICATION

The Section is already saturated 67 homes - The parcel is conforming to Stanton Township P&Z Ordinance @ 9.24 acres. Setbacks can be met. Public hearing revealed no significant opposition to the proposal. Housing was deemed "best use" of property and surrounding uses were deemed consistent.

TOWNSHIP PLANNING COMMISSION RECOMMENDATION

Date: 7-12-16

- [x] Approve
- [x] Add Stipulation (s)
- [ ] Deny

Reason for Approval/Denial: Current Section density is supportive and consistent with the proposal. NE/SE sites only one other dwelling. Approval is contingent upon Goodhue County zoning controls.

TOWNSHIP BOARD ACTION

Date

- [x] Approved
- [x] With Stipulation (s)
- [ ] Denied

Reason for Approval/Denial - Conforms to township's P&Z Ordinance. The Section has shown a trend toward higher density, as a whole. The NE/SE sites 1 other dwelling, consistent w/neighboring properties. Approval is contingent upon Goodhue County zoning controls.

Expiration Date	Deadline to Approve an/Extension	Authorized Board Signature
		Robert Benson

STIPULATIONS

Goodhue County must remove or adjust the A-3 Zoning currently applied to Parcel #. 41024 2200, 35 acre minimum, for all approvals to be valid.

Township Information

Township Name: Stanton

*******Applicant Complete This Section********

Applicant Name			Authorized Agent
Jack Lucking, Cannon Falls, MN 55009			
Mailing Address	City	State	Zip
Box 132, Cannon Falls, MN 55009			
Property Address	City	Zip	
31815 Willow Trail			
Day Phone	Evening Phone	Cell Phone	
Parcel Number	Section	Quarter/Quarter or Plat Name	
410242200	24	NE/SE	

What is the Request for?

Variance on Section density and quarter/quarter density

*******Township Section********

Name of Person Completing Form	Title	Date
Cheryle Peters	Clerk	7-20-16

1. Was a public hearing necessary for the request? yes

2. Were there any concerns about the request raised by the board/public at your meeting? Please explain.

Mr. Roger Carlson wondered about the 55 acre minimum

1 email critical of the request, no attendance.

3. Was the request officially approved/denied? Attach official action/findings of fact. (If no answer 4) yes

4. Does the township support the request? yes

5. Did the township place any provisions, or modify the request? Please explain. Mr. Lucking needs some adjustment from Goodhue County

*******Township Official Signature********

I Cheryle Peters am acting on behalf of the Township of Stanton in capacity of Clerk/Supervisor/Chair hereby certify that the above described project has been received by the Township and heard on 7-19-16.

Cheryle A. Peters

ARTICLE 23 A-3, URBAN FRINGE DISTRICT

SECTION 1. PURPOSE

The intent of the A-3 District is to provide for urban expansion in close proximity to existing incorporated urban centers within Goodhue County in accordance with the Comprehensive Plan by conserving land for farming and other open space land uses for a period of time until urban services become available.

It is the intent that urban development be deferred in such areas until an orderly transition from farm to urban uses shall be achieved by either the annexation of areas adjacent to the incorporated limits of existing urban centers or the extension of public or other centralized sewage collection and treatment systems.

It is intended that the status of all areas in this district be reviewed, jointly, by the appropriate planning bodies who shall determine whether there should be a transfer of all or any part of such area to some other appropriate land use, or to indicate any changes in the existing Land Use Plan for the particular political entity or change in the Capital Program of the community affecting this district.

SECTION 2. PERMITTED USES

Subd. 1. Single family dwellings.

Subd. 2. A second farm dwelling.

Subd. 3. Any agriculture operation including tree farms.

Subd. 4. Direct marketing of produce in a Farm Market/On-farm market/roadside stand in a retail structure not to exceed 2400 square feet.

Subd. 5. Plant nurseries and sales.

Subd. 6. Home occupations as regulated in Article 11 of this Ordinance.

Subd. 7. Accessory structures and uses customarily incidental to any of the above permitted uses when located on the same property.

Subd. 8. Wind Energy conversion Systems in accordance with Article 18 of this ordinance.

Subd. 9. Farm Wineries including Tasting Rooms in buildings up to 10,000 square feet subject to approval of a zoning permit by the Zoning Administrator (see Article 11, Section 28).

SECTION 3. CONDITIONAL USES AND INTERIM USES

In the A-3, Urban Fringe District, the following uses may be allowed subject to obtaining a conditional use permit in accordance with the provisions of Article 4 of this Ordinance.

Subd. 22. Non-Agricultural uses/activities associated with an agri-tourism ((as defined in Article 10).

Subd. 23. Direct marketing of produce in a Farm Market/On-farm market/roadside stand in a retail structure that exceeds 2400 square feet in area (see Article 11, Section 29).

Subd. 24 Farm Wineries including Tasting Rooms in buildings exceeding 10,000 square feet (see Article 11, Section 28).

SECTION 4. ACCESSORY STRUCTURES AND USES

Accessory structures and uses customarily incidental to any of the above permitted uses shall be permitted when located on the same property. Refer to Article 11, Section 5 for further regulations on Accessory Structures. Accessory uses in the A-1 District shall include Agricultural Related Uses as defined in Article 10 of this ordinance subject to performance standards set forth in Article 11 of this Ordinance.

SECTION 5. GENERAL DISTRICT REGULATIONS

Any lot in the A-3, Urban Fringe District on which any permitted or conditionally permitted use is erected shall meet the following minimum standards:

Subd. 1. Lot Area.

A. There shall be a minimum lot size of thirty-five (35) acres per principal building or use when not served by a public or centralized sewage collection and treatment system.

B. Lot area shall meet the requirements in Article 24, Section 5, Subd. 1.B if served by a municipal sewage treatment system.

C. Parcels with an existing dwelling as of June 5, 2012 which have 35 acres or more may be split provided the minimum lot size for the dwelling parcel must be at least 2 acres. All other requirements listed in Subdivisions 2, 3 and 4 of this Section would apply. Further development of dwellings on a parcel from which a dwelling site has been split shall be prohibited until such time as the Zone District Classification is changed.

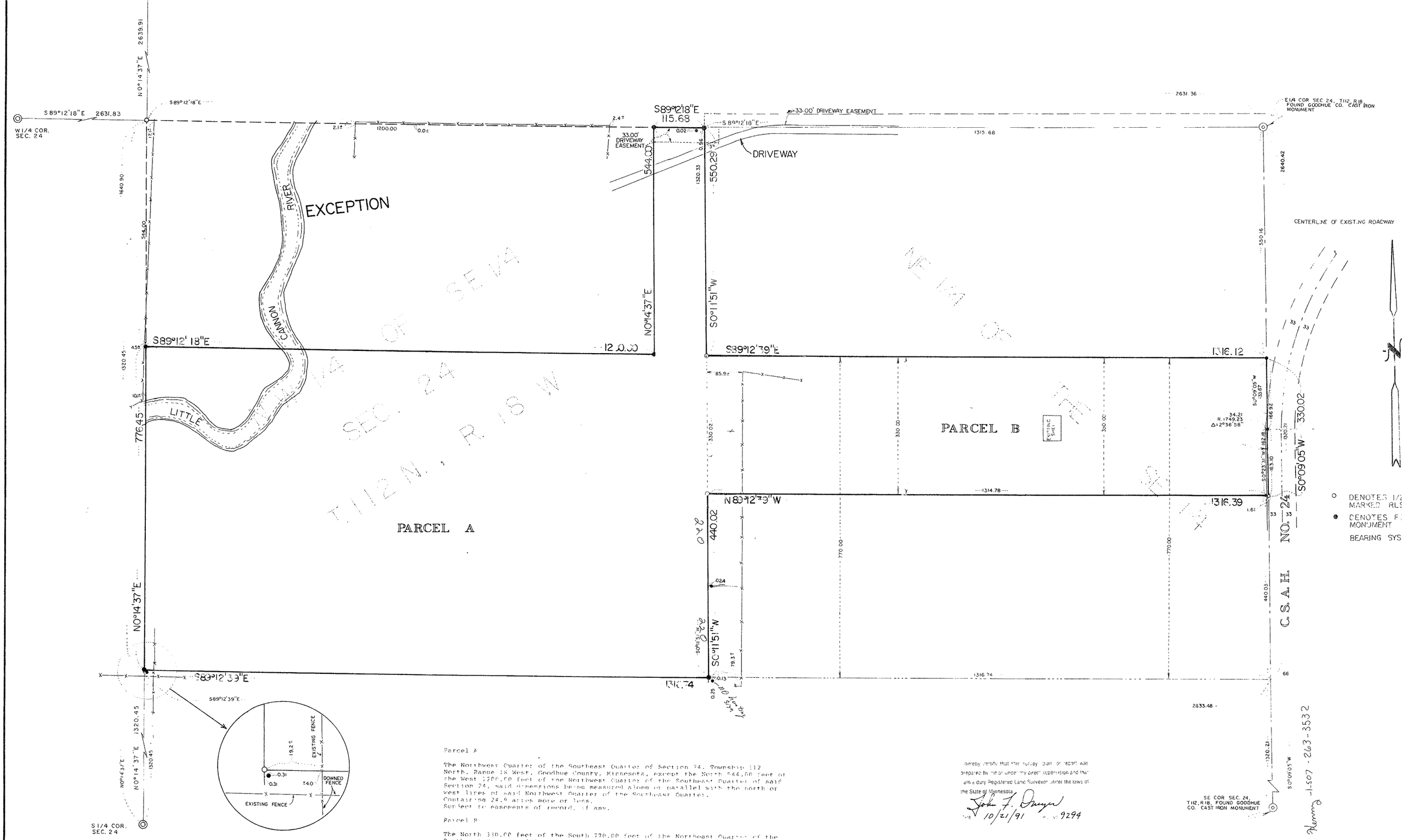
Subd. 2. Yard Requirements.

A. Every permitted, conditionally permitted or accessory building shall meet the following yard requirements:

1. Front Yard.

a. There shall be a minimum setback of sixty (60) feet from the right-of-way line of any public road or highway.

b. In the event any building is located on a lot at the intersection of two (2) or more roads or highways, such lot shall have a front yard abutting each such road or highway.



Parcel A

The Northwest Quarter of the Southeast Quarter of Section 24, Township 112 North, Range 18 West, Goodhue County, Minnesota, except the North 544.00 feet of the West 1200.00 feet of the Northwest Quarter of the Southeast Quarter of said Section 24, said dimensions being measured along or parallel with the north or west lines of said Northwest Quarter of the Southeast Quarter.
Containing 24.9 acres more or less.
Subject to easements of record, if any.

Parcel B

The North 330.00 feet of the South 770.00 feet of the Northeast Quarter of the Southeast Quarter of Section 24, Township 112 North, Range 18 West, Goodhue County, Minnesota.
Containing 10.0 acres more or less.
Subject to that part taken for County State Aid Highway No. 24 and easements of record, if any.

MISC4:0600 DDXXV

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

John F. Dwyer
Date 10/21/91 Reg. No. 9294

DWYER & ASSOCIATES, INC.
Land Surveyors
875 Spiral Boulevard
Hastings, Minnesota 55033
Bus. (612) 437-2909 Res. (612) 435-5417

BOUNDARY S
Scale: 1"=100'
Date: 7-29-31
MIDWAY NATIONAL 3

Henry 1-507-263-3532

Goodhue County Land Use Management

Goodhue County Government Center | 509 West Fifth Street | Red Wing, Minnesota 55066

Lisa M. Hanni, L.S. Director ***County Surveyor / Recorder***

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.385.3106

Environmental Health | Land Surveying | GIS
Telephone: 651.385.3223
Fax: 651.385.3098

To: Board of Adjustment
From: Land Use Management
Report Date: August 8, 2016
Meeting Date: August 22, 2016

Application Information:

Applicant: Ronald & Cheryl Clemens
Address of Zoning request: 13482 Sunset Trail
Zoning district: A2
Township Information: The Applicant has informed staff that the Township approves of the Variance.

Attachments:

Applicant Statement
Goodhue County Zoning Ordinance: Articles 22
Site Map

Notice: Ronald & Cheryl Clemens – Variance request from the A2 Agricultural District, General District Regulations, Density Requirements, which limits each Section to 12 dwellings (currently there are 15 dwellings) and limits development to one dwelling per ¼ ¼ section (currently there are 3 dwellings); to build a residence at 13482 Sunset Trail. Part of E ½ of the NW ¼ of Section 5 in Vasa Township.

Background: The purpose of this variance is to seek approval to build a dwelling on parcel 42.005.1104. Article 22 Agricultural District, Section 5 General District Regulations, Subdivision 2, limits the number dwellings to 12 dwellings per Section and a limit of one dwelling per ¼ ¼ Section. Section 5 of Vasa Township currently has 15 dwellings and the SE ¼ of the NW ¼ of Section 5 currently has 3 dwellings.

The north ½ of Section 5 includes 14 of the 15 dwellings located within the Section. These existing dwelling sites are located along a stretch of Sunset Trail which runs through a rolling, wooded landscape and includes very little land being used for agricultural purposes.

Findings of Fact:

Before any such variance may be granted, the Board of Adjustment shall specify in their findings, the facts in each case. Variances shall only be permitted when:

1) They are in harmony with the general purposes and intent of the official control; **The intent and general purpose of the A2 District is to maintain and conserve agricultural investments and prime agricultural farmland,**

but provide for a slightly higher density of dwellings than the A1 District. The A2 District is intended to apply to those areas where large farms and feedlots are more scattered and greater numbers of non-farm uses or small parcels are present.

A decision by the Board of Adjustment to allow the construction of a dwelling on the Applicant's property will not significantly impact agricultural land use due to its small size, sloped topography and the presence of abutting dwelling sites. Not more than 1/3 of Section 5 is currently used for agricultural purposes.

2) The variance is consistent with the comprehensive plan;
The 2016 Comprehensive Plan speaks to this variance in the Housing Element.

ELEMENT 3: Housing

Objective #1: "Direct the location of new or replacement dwelling sites in areas that minimize loss or conversion of prime agriculture soils."
Approval of the Applicant's request for a variance to construct a home on the site in question would "direct the location of a new dwelling sites in areas that will minimize loss" of Ag land, because this land is viable for agricultural use. Abutting and nearby properties along Sunset Trail are also residential.

Agricultural use of the Applicant's property may be detrimental to the surrounding parcels and neighborhood. If the Board allowed the construction of a dwelling on the Applicant's property no tillable prime agricultural land would be removed because most of the soils are not considered prime agriculture soils.

Objective #2: "Consider adjustments to the density of Agricultural Zoning Standards, ¼ ¼ Limit in A-2 Zone or other standards to allow limited additional rural dwelling sites in agriculture zones."
Adjustments to the A2 Zone, specifically the ¼ ¼, would alleviate the need for part of this variance. Approval of this variance would "allow limited additional rural dwelling sites in agriculture zones."

Objective #12: "Provide opportunities for smaller communities to thrive through more compact land development practices, diversity of business land uses, mixed use development and pedestrian orientated design."
Approval of the variance would "provide opportunities for smaller communities to thrive through more compact land development practices." Along a 1 ¾ mile stretch of Sunset Trail there are currently 24 dwelling sites, 14 of which are located in the north ½ of the Section.

Objective #13: "Provide more housing choices for rural residents"
Approval of the variance would "provide more housing choices".

Implementation strategy #1: "Explore other housing density criteria instead of the current Section based limits; take into account land use, topography, scenic views, and access to roads."

The surrounding "land use, topography, scenic views," and road access make the Applicants property a suitable residential site.

ELEMENT 1: Agriculture

Plant Agriculture Objective #4: "If residential development occurs, it should be compact and designed to preserve the prime farmland for agricultural uses or other compatible uses to minimize conflicts between agricultural and non-agricultural uses."
Approval of the Variance would be consistent with Objective #4, by contributing to a "compact" residential area and preserving prime farmland.

3) There are practical difficulties in complying with the official control. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner, not permitted by an official control. Economic considerations alone do not constitute practical difficulties.
The intent of the A2 District is to encourage long-term agricultural uses and preserve prime agricultural farmland by restricting the location and density of non-farm dwellings.

The best use of the subject property is a dwelling. No farm land will be lost to the construction of dwelling. The dwelling will not increase the density of housing in a way that will negatively affect the "preservation of prime agricultural farmland and agricultural production, due to the sparse residential nature of the immediate area."

4) The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
The Applicant has not contributed to the need for a variance. The Section was full before the land owner obtained the property. The land owner purchased the parcel that had been split from a farm property.

5) The variance, if granted, will not alter the essential character of the locality.
The surrounding neighborhood character will not change. In fact, construction of a dwelling on the subject property may well reinforce the character of the neighborhood.

6) No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located.
Residences are allowed within the A2 Zone. The variance request involves an exception to Section and ¼ ¼ dwelling density limit, not land use.

7) The Board of Adjustment may impose <u>conditions</u> in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

If the variance is approved than, in accordance with this provision, conditions the Board of Adjustment may impose conditions.

The following should be edited to reflect any concerns raised at the August 22, 2016 *BOA meeting and public hearing:*

Staff Recommendation:

Staff recommends the Board of Adjustment adopt the staff report into the record (dated August 8, 2016); adopt the findings of fact; and based on the application, testimony, exhibits, and other evidence presented: approve the variance request from the A2 Agricultural District, General District Regulations, Density Requirements, which limits each Section to 12 dwellings (currently there are 15 dwellings) and limits development to one dwelling per ¼ ¼ section (currently there are 3 dwellings); to build a residence at 13482 Sunset Trail. Part of E ½ of the NW ¼ of Section 5 in Vasa Township;

Subject to the following condition: Conformance with the application submitted to Goodhue County Land Use Management Office dated July 25, 2016.

APPLICATION FOR

Variance

Application for Variance	
VARIANCE NUMBER: For Staff Use only	Z16-0051
$350 RECEIPT# 154165	DATE 7/25/16

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:
Ronald + Cheryl Clemens

PROPERTY OWNER'S ADDRESS:
Parcel # 420051104
13482 Sunset trail
55089

TELEPHONE:
(651) 301-0880

EMAIL:
Shariclemens@Hotmail.com

APPLICANT OR AUTHORIZED AGENT'S NAME:

Same as Above ☐

APPLICANT'S ADDRESS:
513 5th Street East
Wanamingo MN 55983

TELEPHONE:
(507) 824-2603

EMAIL:
ShariClemens@Hotmail.com

CONTACT FOR PROJECT INFORMATION:
Ronald Clemens

Same as Above ☒

ADDRESS:

TELEPHONE:
( )

EMAIL:

2. Location and Classification

STREET ADDRESS OF PROJECT:
13482 Sun Set trail

ZIP CODE:
55089

LEGAL DESCRIPTION:
Parcel # 420051104

Attached ☒

IF YOU ARE NOT SURE OF THE EVENTUAL SIZE OF THE FINAL PROJECT, PROVIDE THE MAXIMUM ESTIMATES

PID#: ZONING DISTRICT LOT AREA (SQ FT): LOT DIMENSIONS: STRUCTURE DIMENSIONS (if applicable):

(Please check all that apply)

☒ New Building on vacant land
☐ New Addition to existing building
☐ Animal Building
☐ Storage building ☐ Other Please clarify

ADDITIONS TO BUILDING:
☐ Rear
☐ Front
☐ Side

PRESENT OR PREVIOUS USE:

PROPOSED USE:
To Build our house

BUILDING APPLICATION PERMIT NO.: (if filed) DATE FILED:

TOWNSHIP:
By signing this form, the Township acknowledges being made aware of the request stated above. In no way does signing this application indicate the Township's official approval or denial of the variance request.

Attached ☐

TOWNSHIP OFFICAL'S PRINTED NAME AND TITLE TOWNSHIP OFFICAL'S SIGNATURE DATE

signed on 7/8

3. Applicant's Affidavit

Under penalty of perjury the following declarations are made:
1. The undersigned is the owner or authorized agent of the owner of this property.
2. The information presented is true and correct to the best of my knowledge.
3. If I am unable to be present at the meeting where my request is decided, I agree to accept the Notice of Decision by certified USPS.
4. Other information or applications may be required.

Signature: Ronald Clemens + Cheryl Clemens Date: 7-22-2016

Print name: Ronald Clemens + Cheryl Clemens owner or authorized agent (circle one)

Application for **Variance**

VARIANCE NUMBER: For Staff Use only

Project Summary (Attach a separate sheet if more space is needed)

Please state which section(s) of the Ordinance from which you are requesting a variance.

Requesting a change from 12 parcels per Section to allow use of our property

Variance Findings

Pursuant to Goodhue County Zoning Ordinance Article 5, before approving a variance application, the Board of Adjustment needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding. The Board of Adjustment may grant a variance only if the variance request complies with each and every one of these findings in full. The responsibility for completing the variance questionnaire rests solely with the applicant. If the description of how the project meets all of the criteria are not fully supported with written information and appropriate drawings or pictures, the Board may find the information insufficient and the criteria are not satisfied.

Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

1. What are the special circumstances of the proposal site which distinguish it from nearby properties with the same zoning? (relating to size, shape, topography, location, surroundings and features of the subject property).

   Our property is located in a A-2 section with a density limit that was set at 12 parcels per section. Currently there are 14 or 15 parcels in this section. We are set in the area of little to no Ag land that is in use. Our property is not large enough for Ag use.

2. Who or What created the circumstances?

   Goodhue County Zoning Ordinance Density

3. What is the character of the area (ie- rural, residential, agricultural, commercial, etc.) and how is the request consistent with this character?

   We are currently being taxed non residential Homestead because we have a pole shed on our property which is in Ag2 area.

4. Describe how the rules in the zoning ordinance deprive you of rights commonly enjoyed by other properties in the same zoning district.

   Other property owners adjacent to ours are enjoying their country homes in the same area with little use of their Ag2 parcels.

5. Indicate why the requested variance will not result in your receiving any special privileges that are denied by the zoning ordinance to others in the same zoning district.

   The zoning Ordinance already allowed 2 more parcels per section in this Parcel which is over the 12 parcels per section guidelines

6. Is the proposed variance the minimum amount necessary to allow a reasonable use of the property? Please, explain.

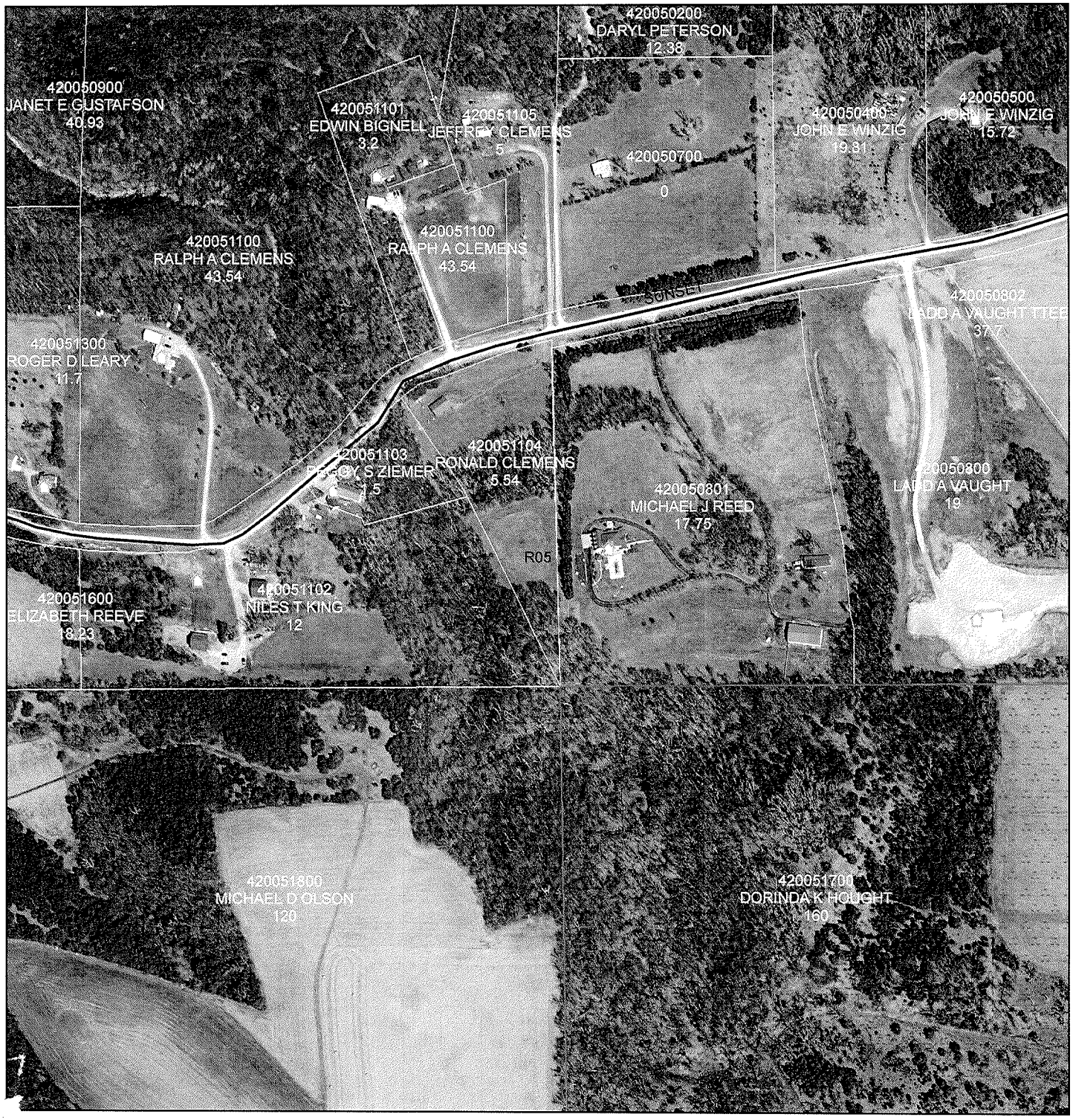
   Yes, By allowing this variance we would be able to finally build our home we want.

7. Is the sole reason for the proposed variance based on a desire of the owner, occupant, or applicant for increased financial gain or reduced financial hardship? Please explain.

   Yes, we currently own 2 properties and have been trying to build on this parcel since 2001. The cost for taxes and not being able to use this parcel as our home is a Hardship.

See Back of Page →

We would have a hard time selling our property without a home on it, and that to would cause a hardship.



Parcel #420051104
Ronald Clemons - Variance to A-2
Section Density Limit
to allow a dwelling

Legend

- Road
- 2014 Feedlot parcel
- Tax Parcel
- Section Line
- Municipal Boundaries
- Dwelling Point

0 87.5 175 350 525 700 Feet

DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2015.

2014 Aerial Imagery

Map Created 2016 Land Use Management

ARTICLE 22 A-2, AGRICULTURE DISTRICT

SECTION 1. PURPOSE

The purpose of this district is to maintain and conserve agricultural investments and prime agricultural farmland, but provide for a slightly higher density of dwellings than the A-1 District. This A-2 District is intended to apply to those areas where large farms and feedlots are more scattered and greater numbers of non-farm uses or small parcels are present. This district also has more topographic features and less prime farmland than the A-1 District.

SECTION 2. PERMITTED USES

Subd. 1. Single family dwellings.

Subd. 2. A second farm dwelling.

Subd. 3. Any agriculture operation including tree farms.

Subd. 4. Feedlots as regulated in Article 13.

Subd. 5. Direct marketing of produce in a Farm Market/On-Farm Market/Roadside Stand in a retail structure not to exceed 2400 square feet in area.

Subd. 6. Any mining, quarrying, excavating, or filling of land subject to the standards of Article 14 of this Ordinance.

Subd. 7. Plant nurseries and sales.

Subd. 8. Home occupations as regulated in Article 11 of this Ordinance.

Subd. 9. Wind Energy Conversion Systems in accordance with Article 18 of this Ordinance.

Subd. 10. Farm Wineries including Tastings Rooms in buildings up to 10,000 square feet subject to approval of a zoning permit by the Zoning Administrator (see Article 11, Section 28).

SECTION 3. CONDITIONAL USES AND INTERIM USES

In the A-2, Agriculture District, the following uses may be allowed subject to obtaining a conditional use permit in accordance with the provisions of Article 4 of this Ordinance.

Subd. 1. A mobile home as a temporary second dwelling when there is a need to provide health care services to residents of one of the dwellings.

Subd. 2. Any aircraft landing field and associated facilities.

Subd. 3. Commercial recreation facilities including, but not limited to, golf courses, driving ranges, tennis courts, skiing, swimming pools, park facilities, and health facilities.

Subd. 4. Any community building, church, cemetery or memorial garden.

Subd. 5. Any commercial radio and television towers and transmitters.

Subd. 6. Any public, private or nursery school.

Subd. 7. Any public stable.

Subd. 8. Any raising of fur bearing animals or commercial kennel.

Subd. 9. Commercial and industrial uses primarily intended to serve the agricultural community.

Subd. 10. Any boarding and rooming houses or bed & breakfast inn.

Subd. 11 Campground and RV site.

Subd. 12. Park manager's residence limited to one single family unit per any licensed campground or RV site regulated, consisting of thirty (30) or more campsites.

Subd. 13. Any veterinary clinics.

Subd. 14. Junk/salvage reclamation yards.

Subd. 15. Any migratory labor camp.

Subd. 16. Any park or recreational area operated by a governmental agency.

Subd. 17. Hunting club or shooting preserve.

Subd. 18. Temporary or seasonal off-site roadside produce stands. No more than two (2) signs totaling fifty (50) square feet of sign area advertising the stand shall be permitted. In addition, the structure shall be limited in size to two thousand (2,000) square feet.

Subd. 19. Educational Farm Retreat.

Subd. 20. Retreat Centers.

Subd. 21. Wind Energy Conversion Systems as per Article 18 of this Ordinance.

Subd. 22. Non-Agricultural uses/activities associated with an agri-tourism (as defined in Article 10).

Subd. 23. Direct marketing of produce in a Farm Market/On-Farm Market/Roadside Stand in a retail structure that exceeds 2400 square (see Article 11, Section 29).

Subd. 24 Farm Wineries including Tasting Rooms in buildings exceeding 10,000 square feet subject to approval of a zoning permit by the Zoning Administrator (see Article 11, Section 28).

Subd. 25. Residential accessory building(s) exceeding seven thousand two hundred square feet.

SECTION 4. ACCESSORY USES AND STRUCTURES

Accessory structures and uses customarily incidental to any of the above permitted uses shall be permitted when located on the same property. Refer to Article 11, Section 5 for further regulations on Accessory Structures. Accessory uses in the A-1 District shall include Agricultural Related Uses as defined in Article 10 of this ordinance subject to performance standards set forth in Article 11 of this Ordinance.

SECTION 5. GENERAL DISTRICT REGULATIONS

Any parcel in an A-2, Agriculture District on which any permitted or conditionally permitted use is erected shall meet the following minimum standards:

Subd. 1. Lot Size.

A. All buildable parcels in this district shall contain an area not less than two (2) acres.

Subd. 2. Density Requirements.

A. Twelve (12) single family dwellings per section unless additional dwellings are permitted by Sections 2 and 3 of this Article.

B. Any dwellings allowed by Subd. A. above shall be limited to one per 1/4, 1/4 section, except as allowed by Sections 2 and 3 of this Article.

Subd. 3. Yard Requirements.

A. Every permitted, conditionally permitted or accessory building shall meet the following yard requirements:

1. Front Yard.

a. There shall be a minimum setback of sixty (60) feet from the right-of-way line of any public road or highway.

b. In the event any building is located on a lot at the intersection of two (2) or more roads or highways, such lot shall have a front yard abutting each such road or highway.

2. Side Yard.

a. Every building shall have two (2) side yards. Each side yard shall have a minimum width of thirty (30) feet. However, livestock buildings shall be subject to a side yard setback of one hundred (100) feet.

3. Rear Yard.

a. Every building shall have a rear yard. The rear yard shall have a minimum depth of thirty (30) feet. However, livestock buildings shall be subject to a side yard setback of one hundred (100) feet.

Subd. 4. Public Road Frontage or Road Access Easements Standards:

A. Each Lot shall include a minimum 33 feet of frontage on a public road right-of-way line extending to the building line. As an alternative a single lot that does not front on a public road may be permitted upon recording (with the Goodhue County Recorder) of a driveway access easement that is a minimum of 33 feet in width and has been determined to be acceptable by the Goodhue County Land Use Management Department.

B. Two lots that do not front on a public road may be permitted upon recording (with the Goodhue County Recorder) of a shared driveway access easement that is a minimum of 66 feet in width and has been determined to be acceptable by the Goodhue County Land Use Management.

C. Access for three (3) or more lots shall meet the requirements for public roads in Goodhue County Subdivision Ordinance.

PUBLIC HEARING:
Ronal & Cheryl Clemens – Variance request from the A2 Agricultural District, General District Regulations, Density Requirements, which limits each Section to 12 dwellings (currently there are 15 dwellings) and limits development to one dwelling per ¼ , ¼ section (currently there are 3 dwellings); to build a residence at 13482 Sunset Trail. Part of E ½ of the NW ¼ of Section 5 in Vasa Township

Legend
- Municipal Boundaries
- Road
- Section Line

Bluff Impact

% Slope
- 20
- 30
- Tax Parcel
- Dwelling Point
- Shoreland

Miles
0 0.05 0.1 0.2 0.3 0.4 0.5

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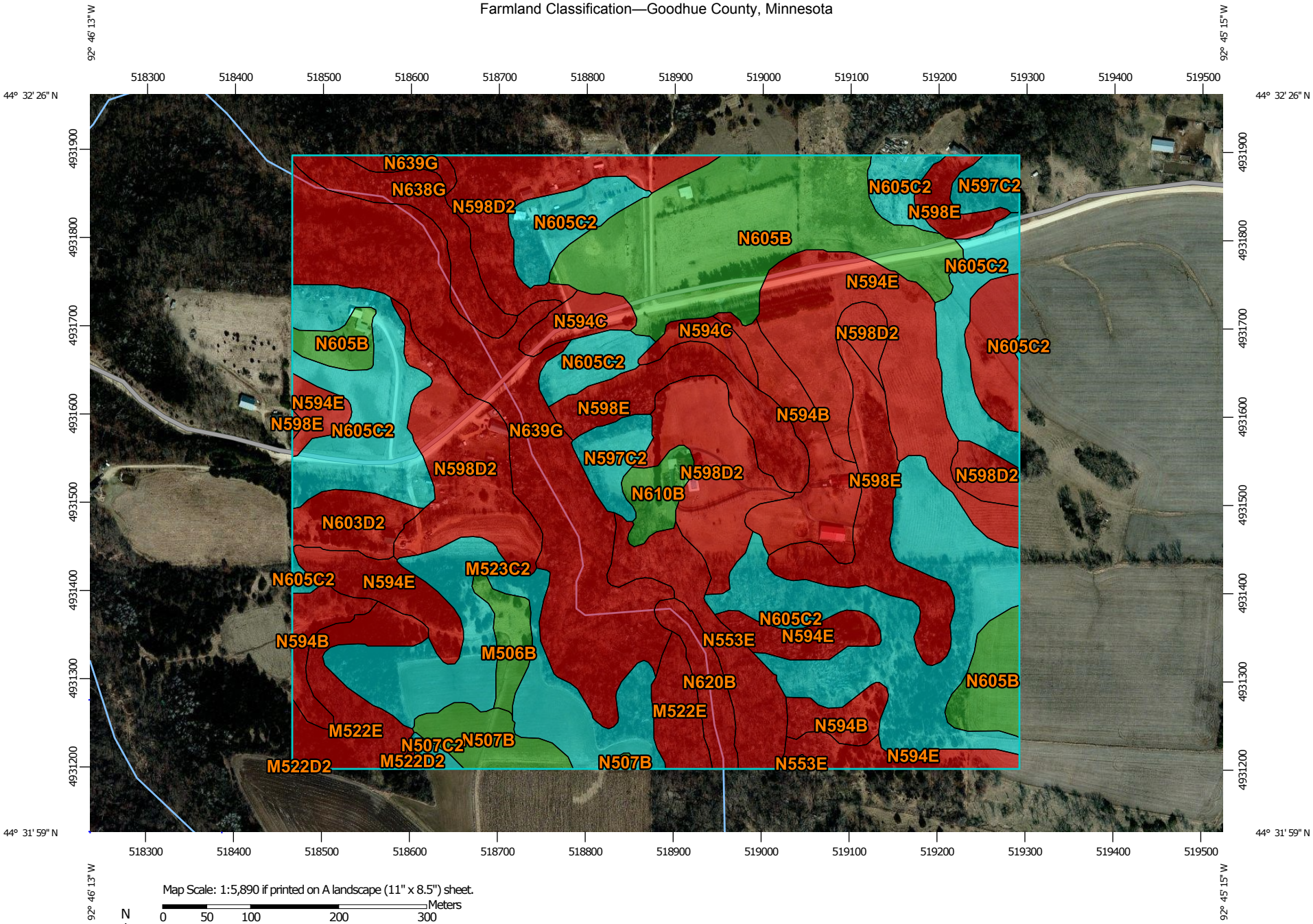
2014 Aerial Imagery

Map Created 2016 Kate Eiynck

Farmland Classification—Goodhue County, Minnesota



Map Scale: 1:5,890 if printed on A landscape (11" x 8.5") sheet.

Meters: 0 50 100 200 300

Feet: 0 250 500 1000 1500

N

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

- Soil Survey Areas
- Soil Map Unit Lines

Soil Rating Polygons

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of local importance
- Farmland of unique importance
- Not rated or not available

Soil Rating Lines

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
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- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
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- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of local importance
- Farmland of unique importance
- Not rated or not available

Soil Rating Points

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
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- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance

MAP INFORMATION

- Farmland of local importance
- Farmland of unique importance
- Not rated or not available

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Goodhue County, Minnesota
Survey Area Data: Version 11, Sep 18, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 16, 2012—Apr 26, 2012

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.