

**BOARD OF ADJUSTMENT  
GOODHUE COUNTY, MN  
July 25, 2022 MEETING MINUTES  
DRAFT**

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The meeting of the Goodhue County Board of Adjustment was called to order at 5:02 PM by Chair Daniel Knott at the Goodhue County Government Center Board Room.

**Roll Call**

Commissioners Present: Daniel Knott, Darwin Fox, Randy Rechtzigel, and Keith Allen (via phone).

Commissioners Absent: Denny Tebbe

Staff Present: Zoning Administrator Samantha Pierret, Zoning Assistant Alexandra Koberoski, and Zoning Administrative Assistant Patty Field

**1. Approval of Agenda**

<sup>1</sup>Motion by Commissioner Fox and seconded by Commissioner Rechtzigel to approve the July 25, 2022, amended meeting agenda removing the public hearing for Kevin Riester.

**Motion carried 4:0**

**2. Approval of Minutes**

<sup>2</sup>Motion by Commissioner Fox and seconded by Commissioner Rechtzigel to approve the previous month's meeting minutes.

**Motion carried 4:0**

**3. Conflict/Disclosure of Interest**

*There were no conflicts of interest reported.*

**4. Public Hearings:**

**PUBLIC HEARING: Request for Variance to Bluffland Standards**

Request for Variance, submitted by Dustin Schroeder (Owner), to Article 12 (Bluffland Protection Standards) to allow construction of an accessory building less than 30 feet from the top of a bluff. Parcel 40.033.0303. 50927 Branch Trail Pine Island, MN 55963. Part of the NW ¼ of the NE ¼ of Section 33 TWP 109 Range 16 in Roscoe Township. A-2 Zoned District.

*Koberoski presented the staff report and attachments.*

*Dustin Schroeder (Owner) stated the reason he does not want to put the building to the north is that it will be more accessible closer to the existing driveway. He also won't have to drive over his sidewalk and through the yard to get to the building. He also stated that the fiber optic cables were installed in an unideal location because the proposed building cannot be moved closer to the dwelling.*

*Commissioner Rechtzigel asked if the fiber optic cable only served Mr. Schroeder's property.*

*Mr. Schroeder stated that it runs up to his house along the driveway and only serves his home. He stated he asked them to relocate the cables but the contractor would not return to change the location.*

*Commissioner Fox said he and Koberoski went for a site visit. He noted that a hole was dug and there was some rebar present, he questioned the reason for the rebar.*

*Mr. Schroeder stated the rebar was for a retaining wall.*

**BOARD OF ADJUSTMENT  
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DRAFT**

---

**Chair Knott opened the Public Hearing**

*No one spoke for or against the request.*

**3After Chair Knott asked three times for comments it was moved by Commissioner Fox and seconded by Commissioner Rechtzigel to close the Public Hearing.**

**Motion carried 4:0**

*Chair Knott stated there is some concern with locating the structure to the north with access constraints.*

*Commissioner Fox said that this is a unique situation. He is concerned with maintaining the existing vegetation in the bluff area if the request is granted.*

*Chair Knott stated it looks like the septic is in front of the house and the well is to the east. This restricts the accessibility to the rear yard area.*

*Commissioner Fox confirmed and added that there is an electrical box blocking the access to the rear yard as well.*

*Chair Knott asked staff if they spoke to Chad Hildebrand in Soil and Water Conservation to discuss best management practices.*

*Pierret stated Mr. Hildebrand reviewed the site and assisted staff in determining the location of the bluff. Mr. Hildebrand recommended installing silt fence along the top of the bluff and leaving silt fencing in place until the area is 70% revegetated.*

*Mr. Schroeder said he won't be going into the vegetated area. He asked if he still needed a silt fence.*

*Pierret clarified that the silt fence was to prevent excessive erosion from the work area and revegetation meant the area needs to have grass or natural vegetation established in 70% of the impacted area before removing the silt fence.*

*Chair Knott questioned the retaining wall proposal noting it was not on the application.*

*Pierret stated that the retaining wall location should be included in the variance request therefore the distance to the top of the bluff should be reduced to account for additional impacts within the 30-foot setback.*

*Mr. Schroeder stated the retaining wall will be approximately ten feet from the east side of the building.*

*Discussion continued regarding the location of the retaining wall and the Board concluded that a variance to allow a structure and retaining wall no less than 20 feet from the top of a bluff would be sufficient.*

**4Motion by Fox, seconded by Allen, for the Board of Adjustment to:**

- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

**APPROVE** the request for a variance, submitted by Dustin Schroeder (Owner) to Article 12 (Bluffland Protection Standards) to allow construction of an accessory structure no less than 20 feet from the top of a bluff where 30 feet is required.

**BOARD OF ADJUSTMENT  
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July 25, 2022 MEETING MINUTES  
DRAFT**

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**Motion carried 4:0**

**5. Other-Discussion**

*A thank you to Keith Allen for joining the meeting virtually tonight.*

*We do have something on the agenda for the next meeting on August 22.*

**ADJOURN**

**<sup>5</sup>Motion by Fox, seconded by Rehtzigel to adjourn the BOA meeting at 5:27 pm.**

**Motion carried 4:0**

Respectfully submitted:

Patty Field, Zoning Administrative Assistant

MOTIONS

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<sup>1</sup> APPROVE the meeting agenda as amended.

Motion carried 4:0

<sup>2</sup> APPROVE the previous meeting minutes.

Motion carried 4:0

<sup>3</sup>Close the Public Hearing

Motion carried 4:0

<sup>4</sup>APPROVE the Variance request to Bluffland Protection Standards to allow construction of an accessory structure no less than 20-feet from the top of a bluff where 30-feet is required.

Motion carried 4:0

<sup>5</sup>ADJORN

Motion carried 4:0

UNOFFICIAL UNTIL APPROVED BY THE BOA