



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

Call Meeting To Order

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

1. September 24, 2018 Draft Meeting Minutes

Documents:

[MINUTES_SEPTEMBER2018BOA_DRAFT.PDF](#)

Conflict/Disclosure Of Interests

PUBLIC HEARING: Request For Variance To Feedlot Setback Requirements And Request For Variance To Quarter-Quarter Density Restrictions

Daniel Elioff (owner). Request for variance to feedlot setback requirements to allow a new home to be constructed less than 1000 feet or 94% odor annoyance-free rating from an existing registered feedlot and request for variance to A2 density requirements to allow an additional dwelling to be located in an occupied quarter-quarter section. Parcel 41.017.0800. TBD HWY 56 BLVD Cannon Falls, MN 55009. NE ¼ of SE ¼ and the SW ¼ of NE ¼ in Sect 17, Twp 112, Range 18 in Stanton Township. A2 zoned district.

Documents:

[BOAPACKET_ELIOFF_REDACTED.PDF](#)

PUBLIC HEARING: Request For Variance To Allow Wedding Barn Event Center Hours To Extend Beyond 10:00 PM

Kevin Riester (owner). Request for Variance to Non-Agricultural Uses Associated with Agri-tourism performance standards requiring inside activities be concluded by 10:00 PM to allow a proposed Wedding Barn Event Center to operate until 11:30 PM. Parcel 34.002.0900. 29065 Flower Valley RD Red Wing, MN 55066. Part of the E½ of the SW ¼ of Sect 02 Twp 112 Range 14 in Hay Creek Township. A2 Zoned District.

Documents:

[BOAPACKET_RIESTER_REDACTED.PDF](#)

Staff Updates

Other-Discussion

Adjourn

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

Goodhue County Land Use Management

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
September 24th, 2018 MEETING MINUTES**

The meeting of the Goodhue County Board of Adjustment was called to order at 5:30 PM by Chair Ellingsberg in the Goodhue County Government Center Board Room in Red Wing, MN.

Roll Call

Commissioners Present: Mike Hinsch, Darwin Fox, Rich Ellingsberg, Dan Knott, Bob Benson

Staff Present: Zoning Administrator Lisa Hanni, Zoning Administrator Mike Wozniak, Zoning Assistant Ryan Bechel, Zoning Assistant Abby Breyfogle

1. Approval of Agenda

¹Motion by **Fox**, and seconded by **Hinsch** to approve the meeting agenda

Motion carried 5:0

2. Approval of Minutes

Chair Ellingsberg suggested a time change to August minutes by changing the end time to 5:55 pm.

²Motion by **Benson** and seconded by **Fox** to approve the previous month's meeting minutes with the time change.

Motion carried 5:0

3. Conflict of Interest/Disclosure

There were no reported conflicts of interest.

4. Public Hearings:

PUBLIC HEARING: Bruce's Backhoe Service Inc. (Applicant) and Paul Shaw (Owner). Request for variance to Subsurface Sewage Treatment System (SSTS) setback standards to allow a septic system soil treatment area to be constructed less than 10 feet from a property line and less than 20 feet from a structure. Parcel 34.019.3900. 31651 HWY 58 BLVD, Red Wing, MN 55066. Part of the NW¹/₄ of the SW¹/₄ Sec 19, Twp 112, Range 14, in Hay Creek Township. A2 Zoned District.

The applicant Bruce's Backhoe Service was present to represent the application.

Ryan Bechel (Bechel) presented the staff report and summarized the request.

No questions for staff.

Chair Ellingsberg opened the Public Hearing.

No one spoke for or against the request.

After Chair Ellingsberg asked three times for comments it was moved by Hinsch and seconded by Fox to close the public hearing.

Motion carried 5:0

³Motion by Commissioner Benson, seconded by Commissioner Fox, 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 to Subsurface Sewage Treatment System (SSTS) setback standards to allow a septic system soil treatment area to be constructed less than 10 feet from a property line and less than 20 feet from a structure.

Commissioner Fox commented he appreciates staff coming up with the only option applicable and he is glad that all possible options were explored.

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
September 24th, 2018 MEETING MINUTES**

Hanni stated staff works with contractors closely in looking for the best option for the landowners.

Motion carried 5:0

PUBLIC HEARING: Jason Kjos (Owner). Request for variance to Subsurface Sewage Treatment System (SSTS) setback standards to allow a septic system soil treatment area to be constructed less than 20 feet from a structure. Parcels 32.230.0150 and 32.230.0161. 32574 361st AVE, Lake City, MN 55041. Lot 5 and S $\frac{1}{2}$ of Lot 6 in Block 3 of Lakeview Heights Plat located in Sec 30, Twp 112, Range 12, in Florence Township. R1 Zoned District.

The Applicant (Jason Kjos) was not present.

Ryan Bechel (Bechel) presented the staff report and summarized the request.

Chair Ellingsberg opened the Public Hearing.

No one spoke for or against the request.

After Chair Ellingsberg asked three times for comments it was moved by Hinsch and seconded by Benson to close the public hearing.

Motion carried 5:0

4th Motion by Commissioner Benson, seconded by Commissioner Hinsch, 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 variance to Subsurface Sewage Treatment System (SSTS) setback standards to allow a septic system soil treatment area to be constructed less than 20 feet from a structure.

Parcels 32.230.0150 and 32.230.0161. 32574 361st AVE, Lake City, MN 55041. Lot 5 and S $\frac{1}{2}$ of Lot 6 in Block 3 of Lakeview Heights Plat located in Sec 30, Twp 112, Range 12, in Florence Township. R1 Zoned District.

Motion carried 5:0

5. Other-Discussion

Lisa Hanni introduced Dan Knott, the newest BOA member. She stated the other seat will hopefully be filled soon. She re-introduced Abby Breyfogle as the newest staff member. She continued that staff is looking at changing the ordinance so that SSTS setbacks to the property lines can be done administratively.

Lisa stated that Ryan is somewhat of an expert on septic systems and that even though approval goes through the environmental health department, Ryan can answer a lot of questions for staff.

Lisa stated that the November 19 meeting will be a joint meeting with PAC. She stated that we will start the BOA meetings at 5:30 PM, then PAC, and then townships come in later come in about conservation subdivision options for adding more homes.

Discussion about possible October BOA and PAC meetings.

6. Adjourn

5th Motion by Hinsch seconded by Fox to adjourn the Board of Adjustment meeting at 5:46 PM.

Motion carried 5:0

Respectfully submitted,

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
September 24th, 2018 MEETING MINUTES**

Abby Breyfogle, Recording Secretary

MOTIONS

¹ APPROVE the meeting agenda. Motion carried 5:0

² APPROVE the previous meeting's minutes. Motion carried 5:0

³ APPROVE the variance request to SSTS setback standards to allow a septic system soil treatment area to be constructed 10 feet from structures. Motion Carried 5:0

⁴ APPROVE the variance request to SSTS setback standards to allow a septic system soil treatment area to be constructed less than 20 feet from a structure. Motion Carried 5:0

⁵ ADJOURN. Motion carried 5:0

UNOFFICIAL UNTIL APPROVED BY THE BOA

Goodhue County Land Use Management

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

Lisa M. Hanni, L.S. Director

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.385.3106



County Surveyor / Recorder

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

To: Board of Adjustment
From: Land Use Management
Meeting Date: October 22, 2018
Report date: October 12, 2018

PUBLIC HEARING: Daniel Elioff (owner). Request for variance to feedlot setback requirements to allow a new home to be constructed less than 1000 feet or 94% odor annoyance-free rating from an existing registered feedlot and request for variance to A2 density requirements to allow an additional dwelling to be located in an occupied quarter-quarter section. Parcel 41.017.0800. TBD HWY 56 BLVD Cannon Falls, MN 55009. NE ¼ of SE ¼ and the SW ¼ of NE ¼ in Sect 17, Twp 112, Range 18 in Stanton Township. A2 zoned district.

Application Information:

Applicant: Daniel Elioff (owner).

Address of zoning request: TBD HWY 56 BLVD Cannon Falls, MN 55009

Parcel: 41.017.0800

Abbreviated Legal Description: NE ¼ of SE ¼ and the SW ¼ of NE ¼ in Sect 17, Twp 112, Range 18 in Stanton Township.

Township Information: Stanton Township approved a quarter-quarter density variance request for the property on January 10, 2017. Stanton Township does not administer a feedlot ordinance.

Zoning District: A2 (General Agriculture District)

Attachments and Links:

Site Map

Goodhue County Zoning Ordinance: <http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Background:

The applicant owns a parcel of land located in the NE ¼ of the SE ¼ and the SW ¼ of the NE ¼ of Section 17 of Stanton Township. As an A2 zoned district, section 03 allows a maximum dwelling density of 12 dwellings with the stipulation that there be no more than 1 dwelling per each quarter-quarter section (40 acres). Dwelling density is available as there are currently only 11 dwellings in the section. The applicant desires to build a dwelling in the SE ¼ of the SW ¼ which is occupied by an existing dwelling.

The NE ¼ of SE ¼ of Section 17 does not have a dwelling. Building a dwelling in this open quarter-quarter would involve constructing a driveway at least 1800–2000 feet in length. The applicant has indicated that two bogs would need to be crossed to access a potential dwelling site and that each crossing would need culverts and approximately 100 feet of bridge would be required. Such a project may trigger the need for a wetlands review as well.

The property located immediately north of Mr. Elioff's property is owned by Larry Kuehn. Mr. Kuehn has a dwelling and operates a business on the premises (Kuehn's Crane Service). Mr. Kuehn's property has a current feedlot registration for approximately 6 animal units although it is unclear if any animals are currently being kept on the property. A 24-foot x 24-foot shed was constructed in the late 1970's to house animals. New dwellings are required to be setback 1000 feet or 94% odor annoyance-free rating from existing registered feedlots. The applicant is requesting a variance to allow the proposed dwelling to be constructed 500 feet from the existing registered feedlot.

Variance Standards:

Variances shall only be permitted when they are in harmony with the general purposes and intent of the Goodhue County Zoning Ordinance and when consistent with the adopted comprehensive plan. Variances may be granted when the applicant establishes “practical difficulties” exist in complying with the existing official controls. Practical difficulties mean the applicant proposes to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties.

Draft Findings of Fact:

- 1) **Harmony with the general purposes and intent of the official control:**
 - The purpose of the A2 district is to maintain and conserve agricultural investment and prime agricultural farmland. This district has a higher density of dwellings than the A1 district and intended for dispersed less intense agricultural areas.
 - The A2 district allows 12 dwellings per section. Section 17 currently has 11 dwellings leaving 1 dwelling site available.
 - The purpose of the 1 dwelling for every quarter-quarter is to disperse the dwelling sites throughout the section so one dwelling has little effect on neighboring dwellings. The proposed placement of the new dwelling should have little effect on the nearest dwelling (Larry Keuhn) which is located approximately 800 feet north of the proposed dwelling site.
- 2) **The variances request is consistent with the adopted Comprehensive Plan:**
 - The Comprehensive Plan prioritizes agricultural land uses over dwellings to protect farmland and decrease conflict between residential and agricultural uses. The proposed dwelling site is not likely to disrupt any agricultural land as this parcel is not conducive for row-crop farming. Although agriculture is considered a primary use of property within the A-2 Agriculture Zone, it appears that agricultural use of the Kuehn property is accessory to the principal use of the property as a dwelling site and location of the Kuehn’s Crane Service business.
- 3) **There are “practical difficulties” in complying with the official control (the applicant proposes to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality):**
 - The property comprises approximately 50 acres.
 - The Applicant’s request to for variance to the quarter-quarter density requirement is reasonable as a building site in the SW ¼ of the NE ¼ is more accessible than locating a dwelling site on the NE ¼ of the SE ¼ of the applicant’s parcel.
 - Constructing a dwelling site in the back 40 acres located on the NE ¼ of the SE ¼ would require a long driveway that would could multiple bogs/wetlands as well as possibly shutting down the snowmobile trail that runs through the property.
 - Constructing a dwelling in the SW ¼ of the NE ¼ would limit impacts on the existing drainage patterns and water resources.
 - The request for variance appears unlikely to alter the essential character of the locality.
- 4) **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.**
 - As an A2 zoned district, section 03 allows a maximum dwelling density of 12 dwellings with the stipulation that there be no more than 1 dwelling per each quarter-quarter section. Dwelling density is available as there are currently only 11 dwellings in the section. The applicant’s requests do not constitute a use variance.

The draft Findings of Fact shall be amended to reflect concerns conveyed at the Board of Adjustment meeting and public hearing.

The Board should specify the facts and reasons that are the basis of the Board's determination. In granting a variance, the Board of Adjustment may impose conditions directly related to, and bearing a rough proportionality with, the impact(s) created by the variance.

Staff Recommendation:

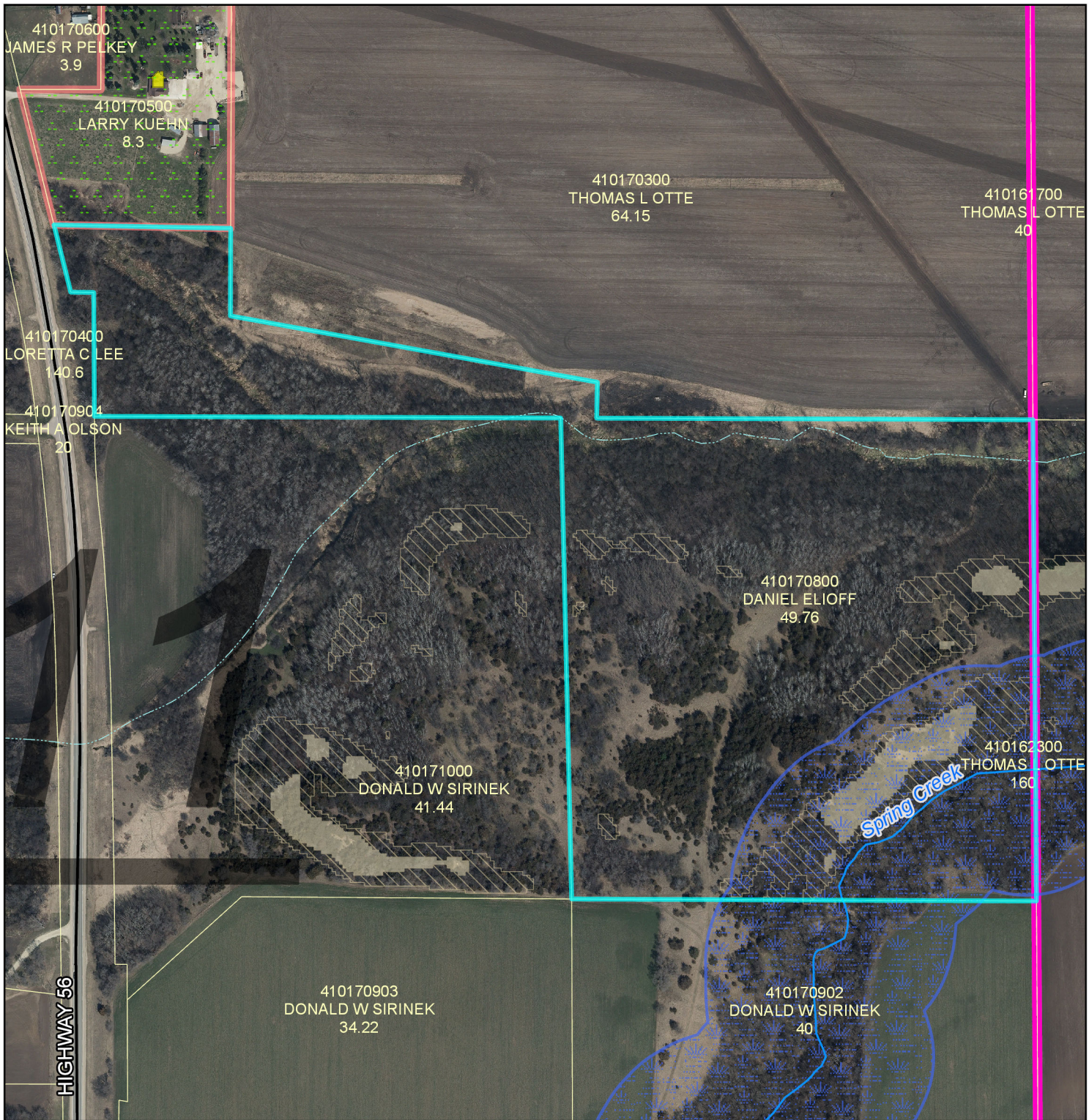
- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

APPROVE the request for variance to feedlot setback requirements to allow a new home to be constructed 500 feet from an existing registered feedlot and **APPROVE** the request for variance to A2 density requirements to allow an additional dwelling to be located in the SW ¼ of the NE ¼ of Section 17, Township 112, Range 18 in Stanton Township.

Subject to the following condition(s):

1. No dwellings shall be permitted on that portion of Parcel#41.017.0800 located within the SW ¼ of the NE ¼ of Section 17, Twp 112, Range 18 in Stanton Township.

Parcel: 41.017.0800 located at TBD HWY 56 BLVD Cannon Falls, MN 55009
NE ¼ of SE ¼ and the SW ¼ of NE ¼ in Sect 17, Twp 112, Range 18 in Stanton Township



BOARD OF ADJUSTMENT

Public Hearing
September 24, 2018

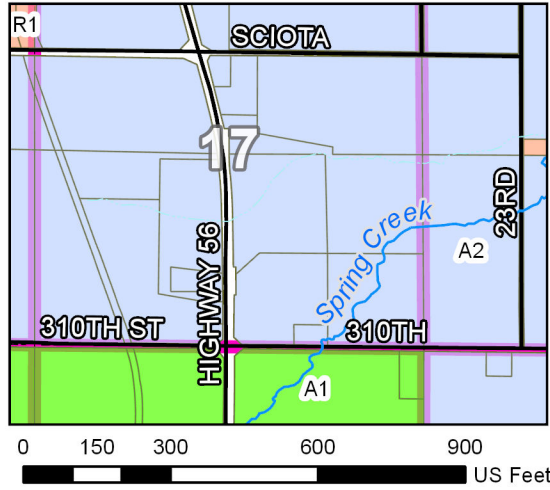
Jason Kjos
R1 Zoned District

Parcel # 32.230.0150 & 32.230.0161
Lot 5 and S1/2 of Lot 6 in Block 3 of
Sec 30 Twp 112 Range 12
Florence Township

Request for Variance to SSTS setback
requirements to allow septic system
less than 20 feet from a structure

Legend

- | | |
|----------------------------|---------------------------------|
| Intermittent Streams | Bluff Impact Zones (% slope) 20 |
| Protected Streams | Bluff Impact Zones (% slope) 30 |
| Lakes & Other Water Bodies | FEMA Flood Zones |
| Shoreland | 2% Annual Chance |
| Historic Districts | A |
| Parcels | AE |
| Registered Feedlots | AO |
| Dwellings | X |
| Municipalities | |



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
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2016 Aerial Imagery
Map Created October, 2018 by Abby Breyfogle



RECEIVED

APPLICATION FOR Variance

SEP 28 2018

Land Use Management

For Staff Use only

VARIANCE NUMBER:

218-0047

\$350 RECEIPT#

16506

DATE

9.28.18

SITE ADDRESS, CITY, AND STATE TBD Highway 36				ZIP CODE:
LEGAL DESCRIPTION: Sect-17 Twp-112 Range 018 NE 1/4 of SE 1/4				
PID#: R41.017.0800	ZONING DISTRICT R-1	LOT AREA (SF/ACRES): 50 Acres	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable): 56 x 74

APPLICANT OR AUTHORIZED AGENT'S NAME Daniel Elioff Jennifer Elioff - 9522405013	
APPLICANT'S ADDRESS: 206 12th St Farmington MN 55024	TELEPHONE:

PROPERTY OWNER'S NAME: Same as Above	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
	EMAIL:

CONTACT FOR PROJECT INFORMATION: Same as Above	
ADDRESS:	TELEPHONE:
	EMAIL:

VARIANCE REQUESTED TO: (check all that apply) <input type="checkbox"/> Road Right-Of-Way Setbacks <input type="checkbox"/> % Lot Coverage <input checked="" type="checkbox"/> Property Line Setbacks <input type="checkbox"/> Bluff Setbacks 500ft of front lot. <input type="checkbox"/> Height Limits <input type="checkbox"/> Shoreland Setbacks <input type="checkbox"/> Lot Width &/or Area <input checked="" type="checkbox"/> Other (specify) 1/4 1/4 density variance, <input type="checkbox"/> Subdivision Regulations 200/1000 ft set back of front lot	CURRENT OR PREVIOUS USE: vacant land
	PROPOSED USE: Home stead
	BUILDING APPLICATION PERMIT NO.: (if filed)

TOWNSHIP SIGNATURE: By signing this form, the Township acknowledges they are aware of the Applicant's variance request. In no way does signing this application indicate the Township's position on the variance request.			Attached <input type="checkbox"/>
TOWNSHIP OFFICIAL'S SIGNATURE	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE	DATE	

By signing below, the applicant acknowledges:

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 hearing where my request is acted upon, I agree to accept the Notice of Decision via mail.
4. Additional information or applications may be required

Applicant's Signature: D. Elioff

Date: 9-27-18

Print name: Dan Elioff

(owner or authorized agent)

REQUEST SUMMARY

Please cite the Ordinance Article(s) and Section(s) you are requesting a variance from:

Article: 13 Section: _____ Name: Feed lot
Article: 22 Section: _____ Name: 1/4 1/4 Density

SUPPORTING INFORMATION & JUSTIFICATION

You, or your agent, bear the burden of providing information to convince the Board to rule in your favor. Please provide answers to the following questions in the spaces below or in an attached document. You may also attach any additional supporting documentation you desire the board to review.

Discuss your current use of the property and the reason for your variance request:

Current use is recreation. Reason for variance is to build house in a more logistical location.

Describe the effects on the property if the variance is not granted:

The cost of building increases by ~40k or more. Would need to shut down snowmobile trail that runs through property

Describe any unique physical limitations that exist on your property, not generally found on others, which prevent you from complying with the provisions of the current ordinance:

There are 2 bogs that need to be crossed to access the back 40 acres. Each one would need culverts and ~100ft of bridge

Discuss alternatives you considered that comply with existing standards. If compliant alternatives exist, provide your reasoning for rejecting them:

Trying to purchase more land. Before we bought current property we discussed variances and were under the impression stanton would be more strict. Buying more land would cause us to be unable to build.

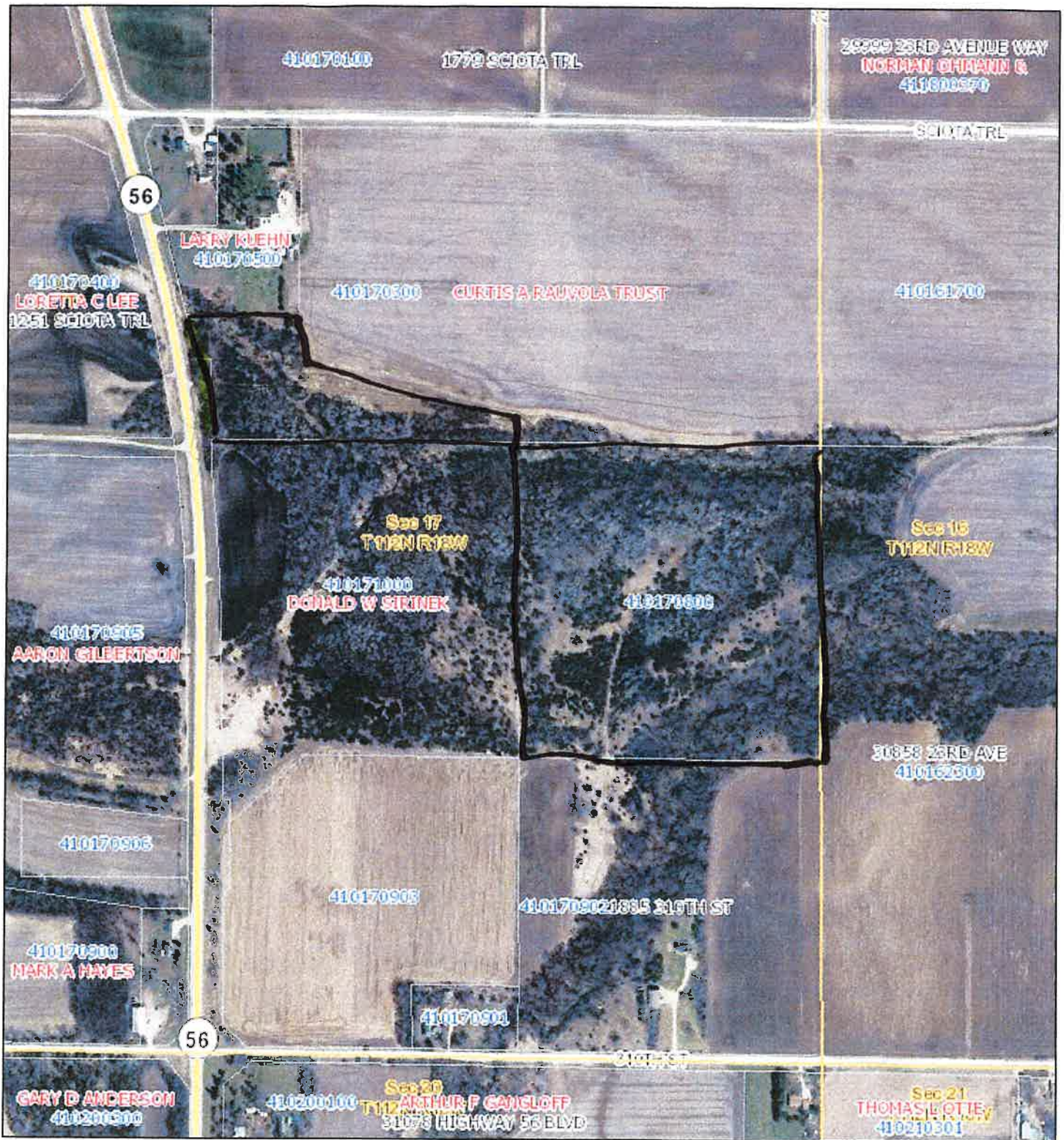
Discuss alternatives you considered that would require a lesser variance. If you rejected such alternatives, provide your reasoning:

Asking neighbors to land swap. Would loose access to other parts of property.

In your opinion, do you think the granting of your variance request would alter the "essential character" of the neighborhood/area?:

The area we have chosen to build, in our opinion is the least impactful on the essential character of the area. ~~the~~

Rauvola Sec. 17-112-18



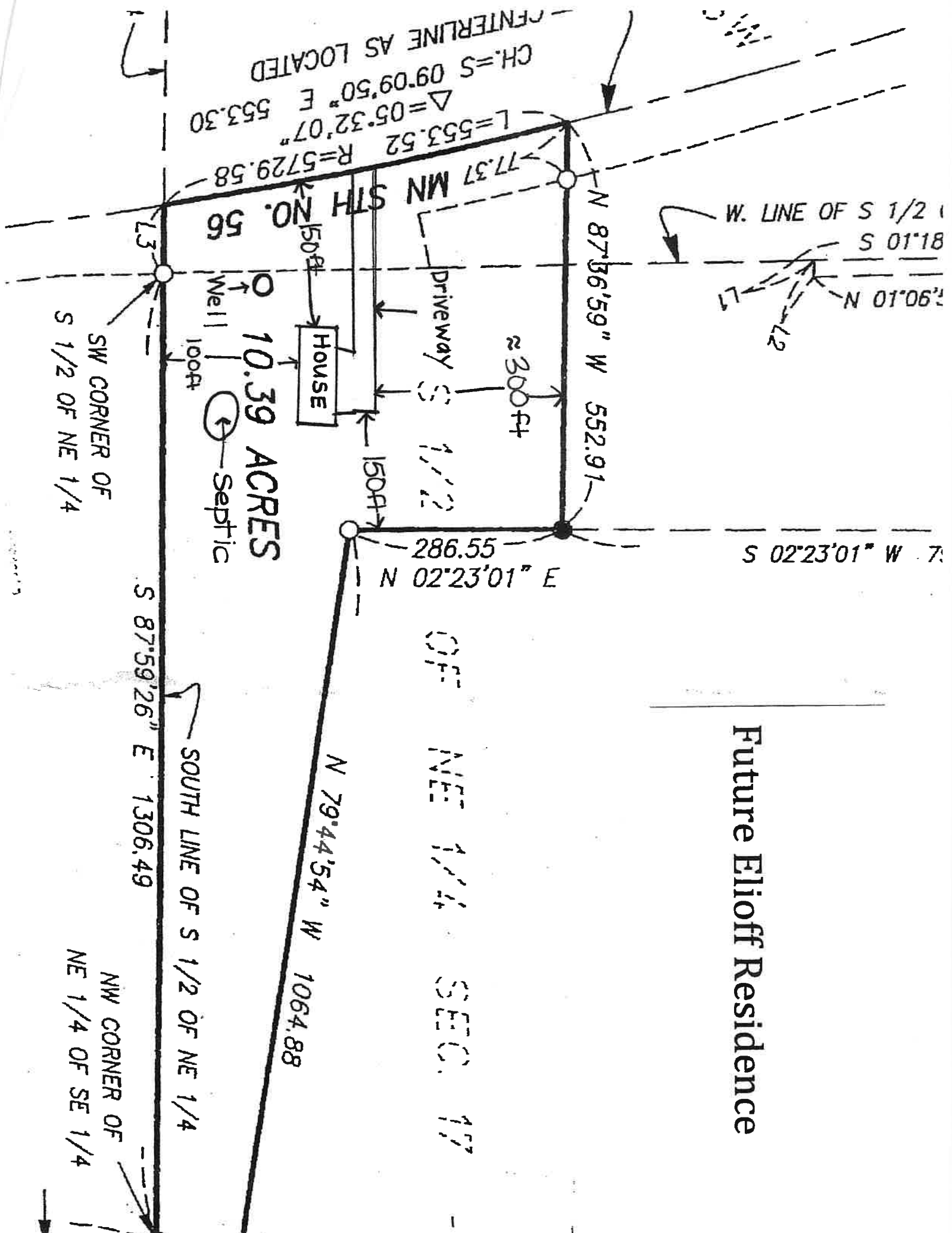
November 14, 2015

1:7,200



Future Elioff Residence

OFF NE 1/4 SEC. 17



CH. = S 09°09'50" E 553.30
Δ = 05°32'07"
L = 553.52 R = 5729.58

MN STH NO. 56

10.39 ACRES

Well
Septic

SW CORNER OF
S 1/2 OF NE 1/4

SOUTH LINE OF S 1/2 OF NE 1/4

NW CORNER OF
NE 1/4 OF SE 1/4

W. LINE OF S 1/2
S 01°18'
N 01°06'10"

S 02°23'01" W 712.55'

N 02°23'01" E 286.55'

N 87°36'59" W 552.91'

N 79°44'54" W 1064.88'

S 87°59'26" E 1306.49'

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
Meeting Date: October 22, 2018
Report date: October 12, 2018

PUBLIC HEARING: Kevin Riester (owner). Request for Variance to Non-Agricultural Uses Associated with Agri-tourism performance standards requiring inside activities be concluded by 10:00 PM to allow a proposed Wedding Barn Event Center to operate until 11:30 PM. Parcel 34.002.0900. 29065 Flower Valley RD Red Wing, MN 55066. Part of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sect 02 Twp 112 Range 14 in Hay Creek Township. A2 Zoned District.

Application Information:

Applicants: Kevin Riester (owner)
Address of zoning request: 29065 Flower Valley RD, Red Wing, MN 55066
Parcel(s): 34.002.0900 and 34.002.0905
Abbreviated Legal Description: Part of the E 1/2 of the SW 1/4 of Sect 02 Wp 112 Range 14 in Hay Creek Township
Township Information: Hay Creek Township endorsed acknowledgment of the applicant's request.
Zoning District: A2 (General Agriculture District)

Attachments and Links:

Application and submitted project summary
Site Map
Goodhue County Zoning Ordinance:
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Background:

The applicant (Kevin Riester) renovated a barn and shed on his property to host his wedding. He has since utilized the facilities to host weddings and events for friends and family on a limited basis for the last 7 years. The applicant has applied for a CUP to allow him to host 1 event per weekend from May through October with a proposed maximum occupancy of 300 people. The CUP request will be heard by the Planning Advisory Commission on October 15, 2018.

The Goodhue County Zoning Ordinance (GCZO) Article 11, Section 30 stipulates inside activities must conclude by 10:00 PM for Non-Agricultural Uses Associated with Agri-tourism. The applicant desires a variance to allow inside activities to conclude no later than 11:30 PM on Saturday evenings from May to October to allow his proposed Wedding Barn Event Center to be operationally competitive with similar existing facilities within the County.

Variance Standards:

Variations shall only be permitted when they are in harmony with the general purposes and intent of the Goodhue County Zoning Ordinance and when consistent with the adopted comprehensive plan. Variations may be granted when the applicant establishes “practical difficulties” exist in complying with the existing official controls. Practical difficulties mean the applicant proposes to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties.

Draft Findings of Fact:

1) Harmony with the general purposes and intent of the official control:

- The purpose and intent of the GCZO Article 11, Section 30 is to provide the opportunity for the establishment of non-agricultural uses in agricultural districts that are compatible with the rural character of the area while protecting existing neighboring development from potential negative impacts.
- This property has operated as a Wedding venue in the past hosting 2 events per year since the barn was repurposed.

2) The variances request is consistent with the adopted Comprehensive Plan:

- The Goodhue County Comprehensive Plan supports agricultural tourism opportunities that encourage diversification of the rural economy. Furthermore, the Plan supports businesses and uses that, when sited in compatible areas, would not be extraneous nuisances to adjacent landowners.
- Noise generated during events is planned to be confined to the shed and barn to minimize impacts to neighboring properties. The nearest residence is located approximately 550 feet east of the site (Audrey Stumpf).
- The applicant has hosted similar weddings and events for the past 7 years. Goodhue County has not received any official complaints regarding the applicant’s previously hosted events.
- Given the applicants nuisance mitigation measures, the applicant’s request appears unlikely to be an extraneous nuisance to adjacent landowners.

3) There are “practical difficulties” in complying with the official control (the applicant proposes to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality):

- Adaptive re-use of an existing barn and associated existing structures to accommodate wedding and/or social events is a reasonable use of the property.
- Wedding event facilities customarily offer guests the opportunity to conclude later than 10:00 PM. The variance would allow the applicant’s proposed Wedding Barn Event Center to offer hours that are competitive with similar event facilities currently operating within Goodhue County.
- Adjacent land uses include undeveloped woodlands, low-density residential and row-crop agriculture. The request for variance appears unlikely to alter the essential character of the locality.

4) **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.**

- Non-Agricultural uses associated with Agri-Tourism are permissible as Conditionally Permitted Uses in the A2 District.

The draft Findings of Fact shall be amended to reflect concerns conveyed at the Board of Adjustment meeting and public hearing.

The Board should specify the facts and reasons that are the basis of the Board's determination. In granting a variance, the Board of Adjustment may impose conditions directly related to, and bearing a rough proportionality with, the impact(s) created by the variance.

Staff Recommendation:

- 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 variance request to Non-Agricultural Uses Associated with Agri-tourism performance standards requiring inside activities be concluded by 10:00 PM to allow a proposed Wedding Barn Event Center to operate until 11:30 PM.

Parcels 34.002.0900 and 34.002.0905. Located at 29065 Flower Valley RD, Red Wing, MN 55066.

Part of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sect 02 Twp 112 Range 14, in Hay Creek Township.

Board of Adjustment

Public Hearing
October 22, 2018

Kevin Riester
A2 Zoned District

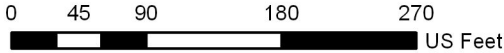
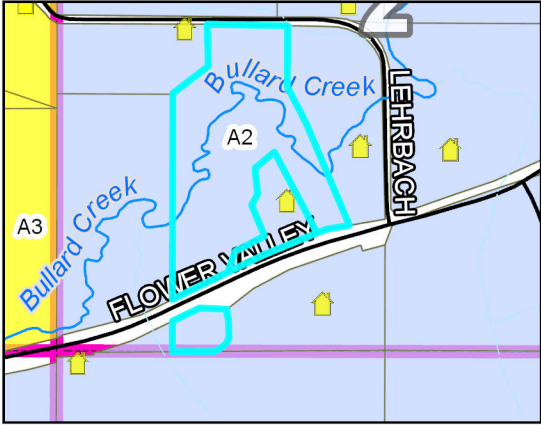
Parcel # 34.002.0900
E 1/2 SW 1/4 of S 2 T112 R14 in
Hay Creek Township

Variance request to allow
Wedding Barn Event Center
hours until 11:30 PM



Legend

- | | |
|----------------------------|------------------------------|
| Intermittent Streams | Bluff Impact Zones (% slope) |
| Protected Streams | 20 |
| Lakes & Other Water Bodies | 30 |
| Shoreland | FEMA Flood Zones |
| Historic Districts | 2% Annual Chance |
| Parcels | A |
| Registered Feedlots | AE |
| Dwellings | AO |
| Municipalities | X |



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 2018.

2016 Aerial Imagery
Map Created October, 2018 by Ryan Bechel



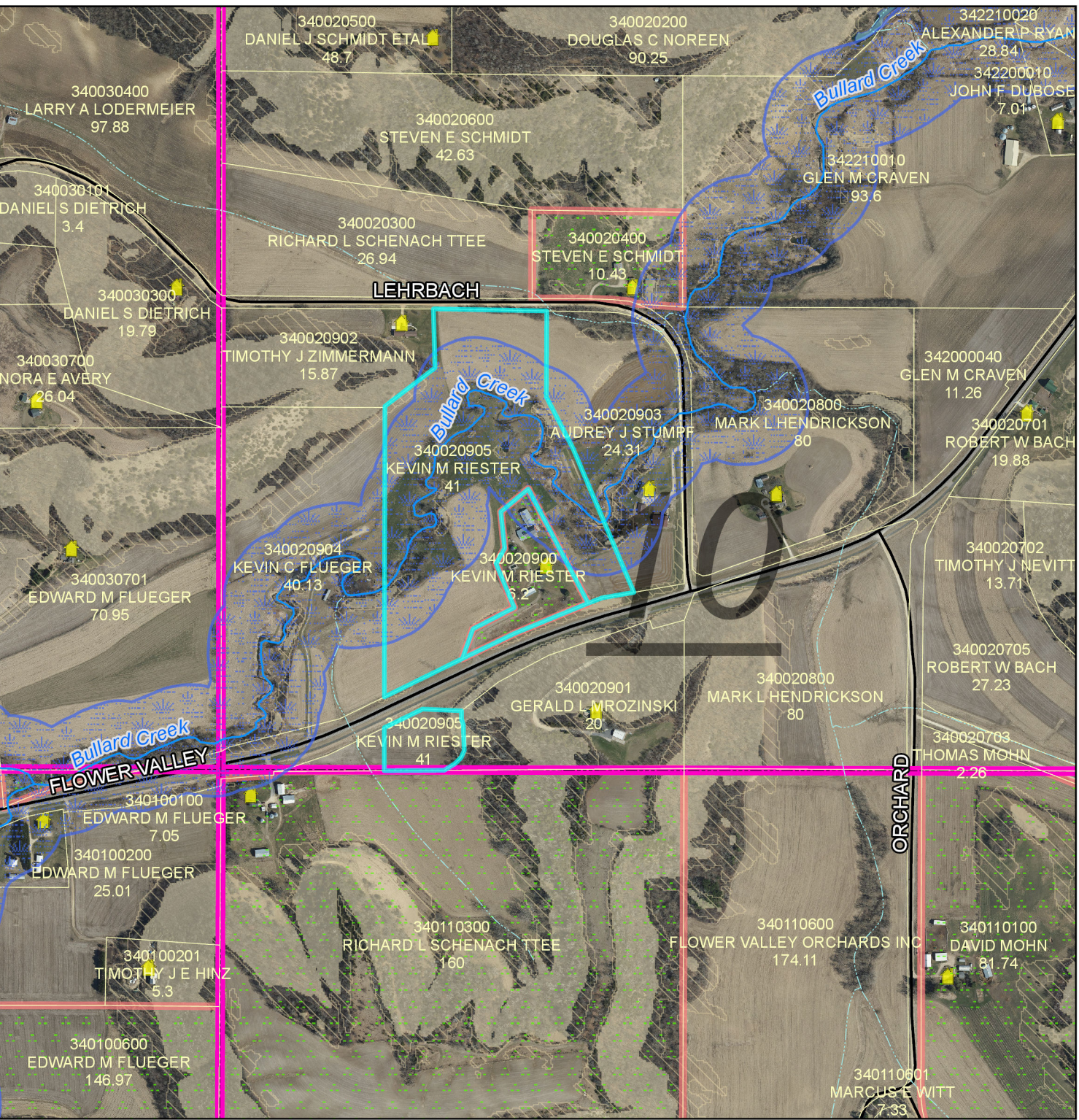
Board of Adjustment

Public Hearing
October 22, 2018

Kevin Riester
A2 Zoned District

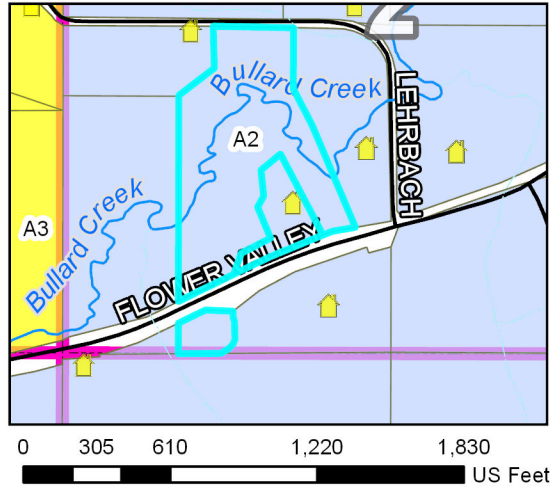
Parcel # 34.002.0900
E½ SW¼ of S 2 T112 R14 in
Hay Creek Township

Variance request to allow
Wedding Barn Event Center
hours until 11:30 PM



Legend

- | | |
|----------------------------|-----------------------------------|
| Intermittent Streams | Bluff Impact Zones (% slope) 20 |
| Protected Streams | Bluff Impact Zones (% slope) 30 |
| Lakes & Other Water Bodies | FEMA Flood Zones 2% Annual Chance |
| Shoreland | FEMA Flood Zones A |
| Historic Districts | FEMA Flood Zones AE |
| Parcels | FEMA Flood Zones AO |
| Registered Feedlots | FEMA Flood Zones X |
| Dwellings | |
| Municipalities | |



0 305 610 1,220 1,830 US Feet

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2016 Aerial Imagery
Map Created October, 2018 by Ryan Bechel



APPLICATION FOR
Variance

For Staff Use only

VARIANCE NUMBER	
\$350 RECEIPT#	DATE

SITE ADDRESS, CITY, AND STATE 29065 FLOWER VALLEY TRL, RED WING, MN	ZIP CODE 55066
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LEGAL DESCRIPTION

PID# 340020906	ZONING DISTRICT	LOT AREA (SF/ACRES) 6	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable) 100'x40'SHD 40'x60' BARN
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APPLICANT OR AUTHORIZED AGENT'S NAME
KEVIN RIESTER

APPLICANT'S ADDRESS
**29065 FLOWER VALLEY TRL
RED WING, MN 55066**

PROPERTY OWNER'S NAME
Same as Above

PROPERTY OWNER'S ADDRESS	TELEPHONE:
	EMAIL:

CONTACT FOR PROJECT INFORMATION
Same as Above

ADDRESS	TELEPHONE
	EMAIL

<p>VARIANCE REQUESTED TO: (check all that apply)</p> <input type="checkbox"/> Road Right-Of-Way Setbacks <input type="checkbox"/> % Lot Coverage <input type="checkbox"/> Property Line Setbacks <input type="checkbox"/> Bluff Setbacks <input type="checkbox"/> Height Limits <input type="checkbox"/> Shoreland Setbacks <input type="checkbox"/> Lot Width &/or Area <input checked="" type="checkbox"/> Other (specify) <input type="checkbox"/> Subdivision Regulations	CURRENT OR PREVIOUS USE: STORAGE SHED + BARN
	PROPOSED USE: EVENT VENUE
	BUILDING APPLICATION PERMIT NO.: (if filed) NONE. EXISTING
	DATE FILED: 9/11/18
STRUCTURES	

TOWNSHIP SIGNATURE

By signing this form, the Township acknowledges they are aware of the Applicant's variance request in no way does signing this application indicate the Township's position on the variance request.

TOWNSHIP OFFICIAL'S SIGNATURE <i>Marilyn Schilling</i>	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE Marilyn Schilling	DATE 9-12-18
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- By signing below, the applicant acknowledges:
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 hearing where my request is acted upon, I agree to accept the Notice of Decision via certified mail.
 4. Additional information or applications may be required

Applicant's Signature: *Kevin Riestler* Date: 9/11/18

Print name: KEVIN RIESTER (owner or authorized agent)

REQUEST SUMMARY

Please cite the Ordinance Article(s) and Section(s) you are requesting a variance from:

Article 11 Section 30 Name: _____
Article _____ Section _____ Name: _____

SUPPORTING INFORMATION & JUSTIFICATION

You, or your agent, bear the burden of providing information to convince the Board to rule in your favor. Please provide answers to the following questions in the spaces below or in an attached document. You may also attach any additional supporting documentation you desire the board to review.

Discuss your current use of the property and the reason for your variance request:

CURRENTLY PROPERTY IS USED FOR STORAGE AND A COUPLE EVENTS EACH YEAR. I JUST WANT TO GO THROUGH THE FORMAL PERMIT PROCESS SO THERE ARE NO ISSUES IN THE FUTURE. BASICALLY WE ARE LOOKING FOR A VARIANCE TO HAVE THE EVENTS LAST UNTIL 11:30 PM.
Describe the effects on the property if the variance is not granted:
WE HAVE HOSTED 2 EVENTS EACH YEAR FOR THE PAST 7 YEARS. WE HAVE NOT HAD ANY ISSUES WITH NOISE OR TRAFFIC. IF NOT GRANTED THE PERMIT, I GUESS WE WOULD CONTINUE TO USE THE FACILITY FOR STORAGE.

Describe any unique physical limitations that exist on your property, not generally found on others, which prevent you from complying with the provisions of the current ordinance:

I DON'T SEE ANY LIMITATIONS. THE PROPERTY AND BUILDINGS ARE SET UP VERY WELL FOR EVENTS.

Discuss alternatives you considered that comply with existing standards. If compliant alternatives exist, provide your reasoning for rejecting them:

Discuss alternatives you considered that would require a lesser variance. If you rejected such alternatives, provide your reasoning:

In your opinion, do you think the granting of your variance request would alter the "essential character" of the neighborhood/area?:

I DO NOT THINK THIS VARIANCE WOULD ALTER THE CHARACTER OF OUR AREA. THE NOISE IS MOSTLY CONTAINED INDOORS. WE HAVE HAD EVENTS ON SITE WITH NO COMPLAINTS FROM OUR NEIGHBORS.

THANKS
[Signature]