



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

Virtual Meeting Notice

Virtual Meeting Notice: The Goodhue County Board of Adjustment will be conducting a meeting on July 27, 2020 at 5:00 p.m. Due to concerns surrounding the spread of COVID-19, the meeting and all public hearings will be conducted by telephone or other electronic means.

The public may monitor the meeting from a remote site by logging into <https://global.gotomeeting.com/join/507297901> or calling 1-877-568-4106 beginning at 4:50 PM or any time during the meeting. Access Code: 507-297-901

Public Comments: Interested persons must submit comments by phone, in writing, or via email until noon on Monday, July 27, 2020. To submit your comments please email them to samantha.pierret@co.goodhue.mn.us or mail them to the Land Use Management Department at 509 West 5th Street, Red Wing, MN 55066. Comments received by this deadline will be read into the record during the public hearing for that item, including name and address.

Call Meeting To Order

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

Conflict/Disclosure Of Interests

Public Hearing: Request For Variance To Minimum Setback Standards

Request for Variance, submitted by Richard Dosdall (Owner) to A-2 Zoning District standards to construct an accessory building addition less than 60 feet from the County 1 Right-of-Way and less than 30 feet from the toe of a Bluff. Parcel 31.011.0600. 29533 CTY 1 BLVD, Red Wing, MN 55066. Part of the NE ¼ of the SW ¼ of Section 11 TWP 112 Range 15 in Featherstone Township.

Documents:

[BOAPACKET_DOSDALL.PDF](#)

Public Hearing: Request For Variance To Minimum Setback Standards

Request for Variance, submitted by Meryle Vinje (Owner) to A-1 Zoning District standards to construct an accessory building less than 30 feet from a side yard property line. Parcel 46.005.1100. 22900 Polk Avenue (HWY 316 BLVD), Hastings, MN 55033. Part of the S ½ of the SW ¼ of Section 5 TWP 113 Range 16 in Welch Township.

Documents:

[BOAPACKET_VINJE.PDF](#)

Public Hearing: Request For Variance To Minimum Setback Standards

Request for Variance, submitted by Justin Neufeldt (Owner) to A-2 Zoning District standards to establish a mobile home less than 60 feet from the Skunk Hollow Trail Right-of-Way. Parcel 37.005.1400. 7100 Skunk Hollow Trail, Cannon Falls, MN 55009. Part of the NW ¼ of the SW ¼ of Section 5 TWP 111 Range 17 in Leon Township.

Documents:

Other-Discussion

Adjourn

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 ◆

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: July 27, 2020
Report date: July 17, 2020

PUBLIC HEARING: Request for Variance, submitted by Richard Dosedall (Owner), to A-2 Zoning District standards to construct an accessory building addition less than 60 feet from the County 1 BLVD Right-of-Way and less than 30 feet from the toe of a bluff.

Application Information:

Applicant(s): Richard Dosedall (Owner)
Address of zoning request: 29561 CTY 1 BLVD, Red Wing, MN 55066
Parcel: 31.011.0600
Abbreviated Legal Description: Part of the NE ¼ of the SW ¼ of Section 11 TWP 112 Range 15 in Featherstone Township.
Township Information: Featherstone Township has signed acknowledgment of the variance request and did not convey any concerns regarding the application.
Zoning District: A-2 (General Agriculture District)

Attachments and Links:

Application and submitted project summary
Site Map
County 1 BLVD R-O-W Plat
Goodhue County Zoning Ordinance:
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Background:

Richard Dosedall has applied for a variance to A-2 minimum setback standards to construct a proposed 36-foot by 56-foot accessory building addition on the south side of an existing structure. The proposed addition would be 24-feet from the County 1 BLVD Right-of-Way line at its closest point where 60 feet is required and 9-feet from the toe of a Bluff at its closest point where 30 feet is required.

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:

- Property line and Right-of-Way setbacks are intended to create separation among adjacent structures and roads to allow for adequate access and accommodate future road expansion.
- Bluffland setbacks are intended to preserve and protect the sensitive physical features of the Bluffs by regulating development, preventing erosion, and controlling the cutting of timber on the slopes and Bluff tops.
- The existing accessory building is located 35-feet from the edge of the County 1 BLVD Right-of-Way and is, therefore, a pre-existing non-conforming structure. The proposed addition is sited to be in-line with the existing building, however, due to the curvature of the Right-of-Way, the addition would encroach slightly closer to within 24-feet of the edge of the Right-of-Way. Locating the addition 24 feet from the Right-of-Way at its closest point is not anticipated to further impede future road expansion or on-going maintenance.
- The location is also non-conforming to minimum Bluffland setbacks as the existing accessory building is located 9-feet from the toe of a Bluff. The building was constructed prior to the adoption of current Bluffland setback requirements (30-feet minimum). The proposed addition would be no closer to the toe of the Bluff than the existing structure and the proposal is not anticipated to create Bluffland erosion issues.

The request appears in harmony with the purpose and intent of the official controls.

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

- The Goodhue County Comprehensive Plan supports the use of existing rural residences and accessory buildings to provide rural living opportunities in the unincorporated areas of Goodhue County.

The proposed accessory building addition appears consistent with the Goodhue County Comprehensive Plan.

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 Applicant’s desire to expand an existing accessory building to accommodate the storage of tractors and equipment is a reasonable use of property in the A-2 District.

The proposed addition would encroach 11 feet closer to the Right-of-Way and would not encroach closer to the toe of the bluff than the existing accessory building.

There is an existing accessory structure north of the structure proposed to be expanded which is 31 feet from the County 1 BLVD Right-of-Way, this is also a pre-existing non-conforming structure.

- Soil and Water Conservation District representative Beau Kennedy reviewed the proposal and performed a site visit with staff and determined the location of the toe of the Bluff. He noted that grading and berming completed on the property in the Blufflands approximately 50 years ago appears stable and is directing water away from the building area.
- The parcel is an existing 9.54-acre lot which is conforming in the A-2 Zoning District (2-acre minimum). The vast majority of the acreage is designated Bluffland leaving little room for development of structures.
- The Applicant stated that there are no alternative locations for the addition due to existing topography, structures, driveways, and County 1 BLVD Right-of-Way. The accessory building was originally built in the 1980s. At the time the structure was built there were no requirements for structure setbacks from Blufflands in Agricultural zoning districts.

Since that time, County 1 BLVD has been re-configured and re-platted reducing the setback of the existing accessory building from the Right-of-Way.

- Surrounding land uses include low density residential to the north and row crop agriculture and blufflands/woodlands to the west, south, and east.

The request 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.

- Residential accessory structures are a permissible use in the A-2 Zoning District. The request does 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 a variance, submitted by Richard Dosedall (Owner) to A-2 Zoning District standards to allow construction of an accessory building addition no closer than 24 feet from the edge of the County 1 BLVD Right-of-Way and no closer than 9 feet from the toe of the Bluff.

APPLICATION FOR
Variance

RECEIVED
JUN 22 2020
Land Use Management

For Staff Use only	
VARIANCE NUMBER:	220-0030
\$350 RECEIPT#	17322
DATE	6/22/20

SITE ADDRESS, CITY, AND STATE	ZIP CODE:
29561 County One Blvd. Red Wing, Mn	55066
LEGAL DESCRIPTION:	

PID#:	ZONING DISTRICT	LOT AREA (SF/ACRES):	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable):	Attached <input type="checkbox"/>
R31.011.0600	A-2	9.54	400' x 1167'	36' x 56'	

APPLICANT OR AUTHORIZED AGENT'S NAME	
Richard Dordall	
APPLICANT'S ADDRESS:	TELEPHONE:
29533 County One Blvd. Red Wing, Mn. 55066	
	EMAIL:

PROPERTY OWNER'S NAME:	
Same as Above <input type="checkbox"/>	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
29533 County One Blvd. Red Wing, Mn. 55066	Same
	EMAIL:
	same

CONTACT FOR PROJECT INFORMATION:	
Same as Above <input type="checkbox"/>	
ADDRESS:	TELEPHONE:
	EMAIL:

VARIANCE REQUESTED TO: (check all that apply) <input checked="" type="checkbox"/> Road Right-Of-Way Setbacks <input type="checkbox"/> % Lot Coverage <input checked="" 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 type="checkbox"/> Other (specify) <input type="checkbox"/> Subdivision Regulations	CURRENT OR PREVIOUS USE:	
	existing shed - storage	
	PROPOSED USE:	
	tractor storage	
	BUILDING APPLICATION PERMIT NO. (if filed)	DATE 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.		
TOWNSHIP OFFICIAL'S SIGNATURE	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE	DATE
<i>Daniel J. Schwartz</i>	Daniel Schwartz Featherstone Planning Commission Chairman	6/17/2020

- 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: *Richard Dordall* Date: 6/21/2020

Print name: Richard Dordall (owner or authorized agent)

REQUEST SUMMARY

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

Article: 22 Section: 5 Name: General District Regulations

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.

For the following questions, please see attached article.

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

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

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:

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?:

As most of you may know, the Dosdall family, here in Goodhue County, has been affiliated with the sale and repair of farm tractors and equipment since 1949. I have many collectable tractors in storage but now I am out of room. I can't restore anymore until I have room inside for them. Tractors deteriorate quickly in the elements. Currently I have several outside covered with tarps that also deteriorate rapidly.

I have always taken pride in keeping our property looking nice. I mow all of the county's right of way right up to the road. I don't like the idea of having covered tractors in the yard. They should be inside, out of sight. We did have outside vandalism to some tractors at one time.

I can not add to the north side of the shed since it would block my driveway and be too close to my small shop. Nor can I add to the west side. It would be too far into the hillside. The east side is the road side. The south side is the only alternative. If I were to build a separate new shed, it would still be about the same distance from the right of way, which would be south, quite a bit farther away, and still require a variance. I would feel uncomfortable about vandalism with the shed that far away.

If you let me add on, all of the machinery can be inside and would improve the curb appeal. I have come up with no viable alternatives to my storage problems except what I am proposing here. My property runs parallel with the hillside and I can't go deeper anywhere. If the variance is denied, I will have to keep the tractors outside and not restore anymore. I feel that the tarps are an eye sore, very expensive, and only last about six months.

When County One Blvd. was regraded, the road got closer to my buildings. A new bend in the road brings the right of way even closer which does not benefit me.

I feel that I have answered all the questions from the preceding form. As of this time, the scheduled meeting arrangements are in question because of Covid19. If I am not in attendance, please feel free to call me with any concerns during the meeting. I will be available.

Thank you to everyone for your help.



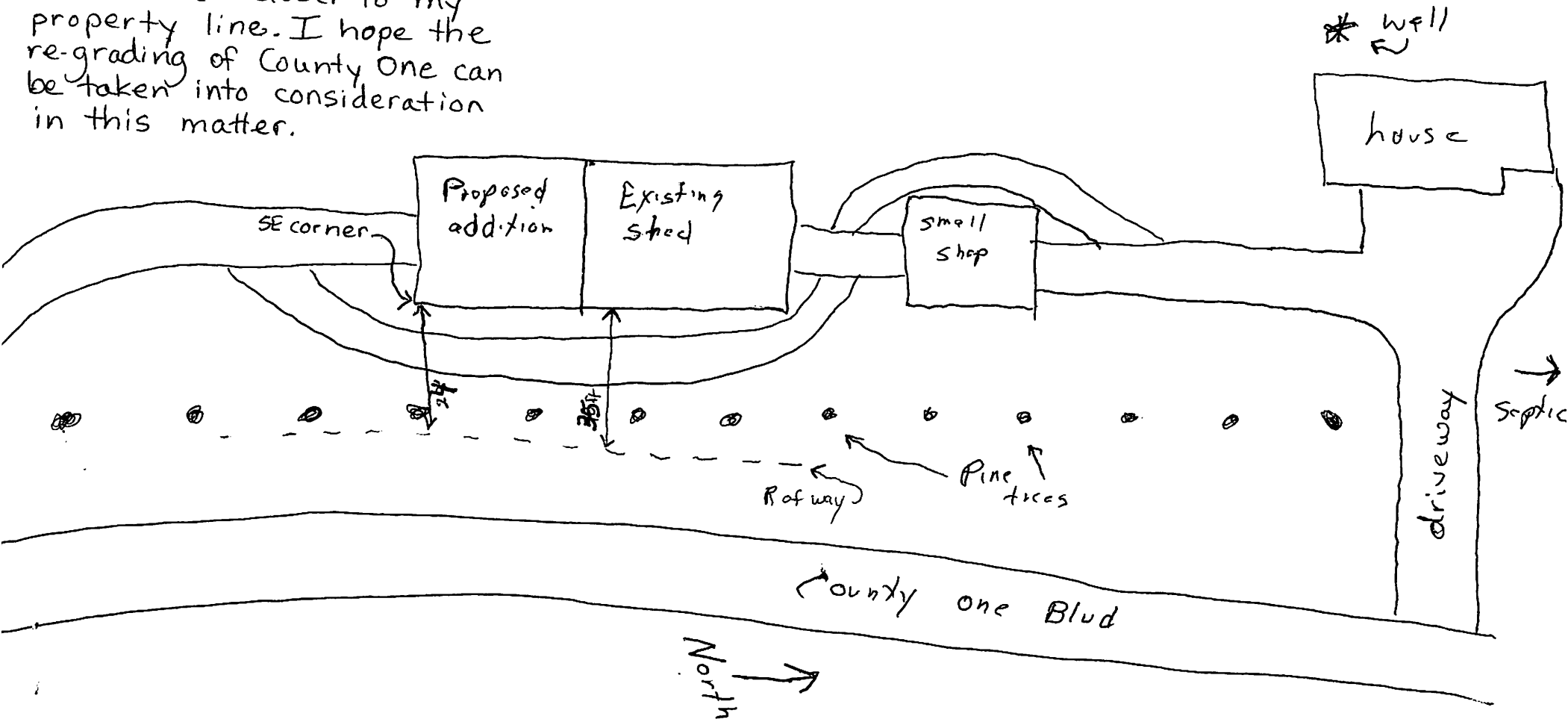
Richard Dosdall

The existing shed is 35 feet from the right of way. Due to the re-grading of County One several years ago, the road is not parallel to the shed anymore. There is a bend in the road directly east of the proposed addition, which brings the southeast corner to 24 feet from the right of way. Also the road was moved closer to my property line. I hope the re-grading of County One can be taken into consideration in this matter.

The north, the west, the South property lines are several hundred feet from addition.

Well and septic are several hundred feet from proposed addition.

Dosdall



Dosdall



April 11, 2016

Search Results: Search by Multiple PIN Numbers Roads 9.600

Override 1

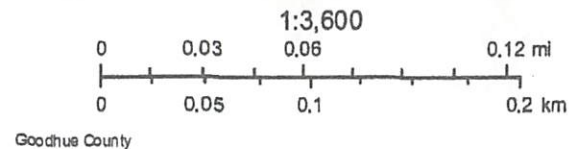
Municipal Boundary

Township or Other Roads

Full Address

PIN

Full Name



MAP 01: PROPERTY OVERVIEW



BOARD OF ADJUSTMENT

Public Hearing
July 27, 2020

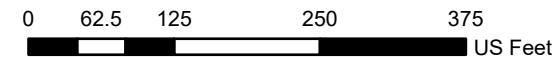
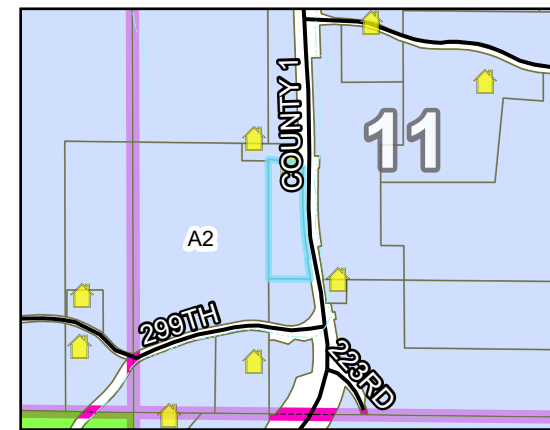
Richard Dosdall (Owner/Applicant)
A2 Zoned District

Part of the NE 1/4 of the SW 1/4 of
Section 11 TWP 112 Range 15 in
Featherstone Township

Variance request to construct a shed
addition less than 60 feet from the County
1 Right-of-Way and less than 30 feet
from the toe of a bluff.

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



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2018 Aerial Imagery
Map Created July, 2020 by LUM



MAP 02: VICINITY MAP



BOARD OF ADJUSTMENT

Public Hearing
July 27, 2020

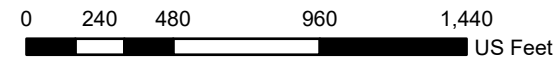
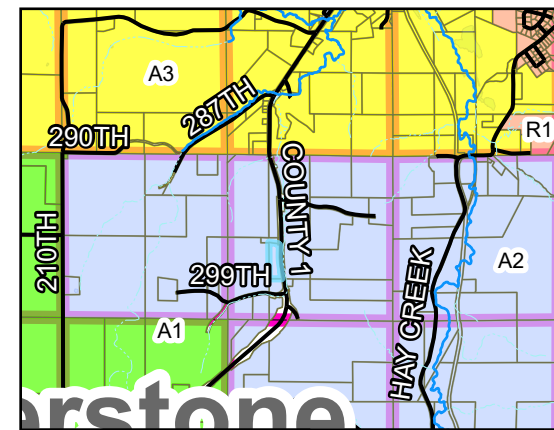
Richard Dosdall (Owner/Applicant)
A2 Zoned District

Part of the NE 1/4 of the SW 1/4 of
Section 11 TWP 112 Range 15 in
Featherstone Township

Variance request to construct a shed
addition less than 60 feet from the County
1 Right-of-Way and less than 30 feet
from the toe of a bluff.

Legend

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

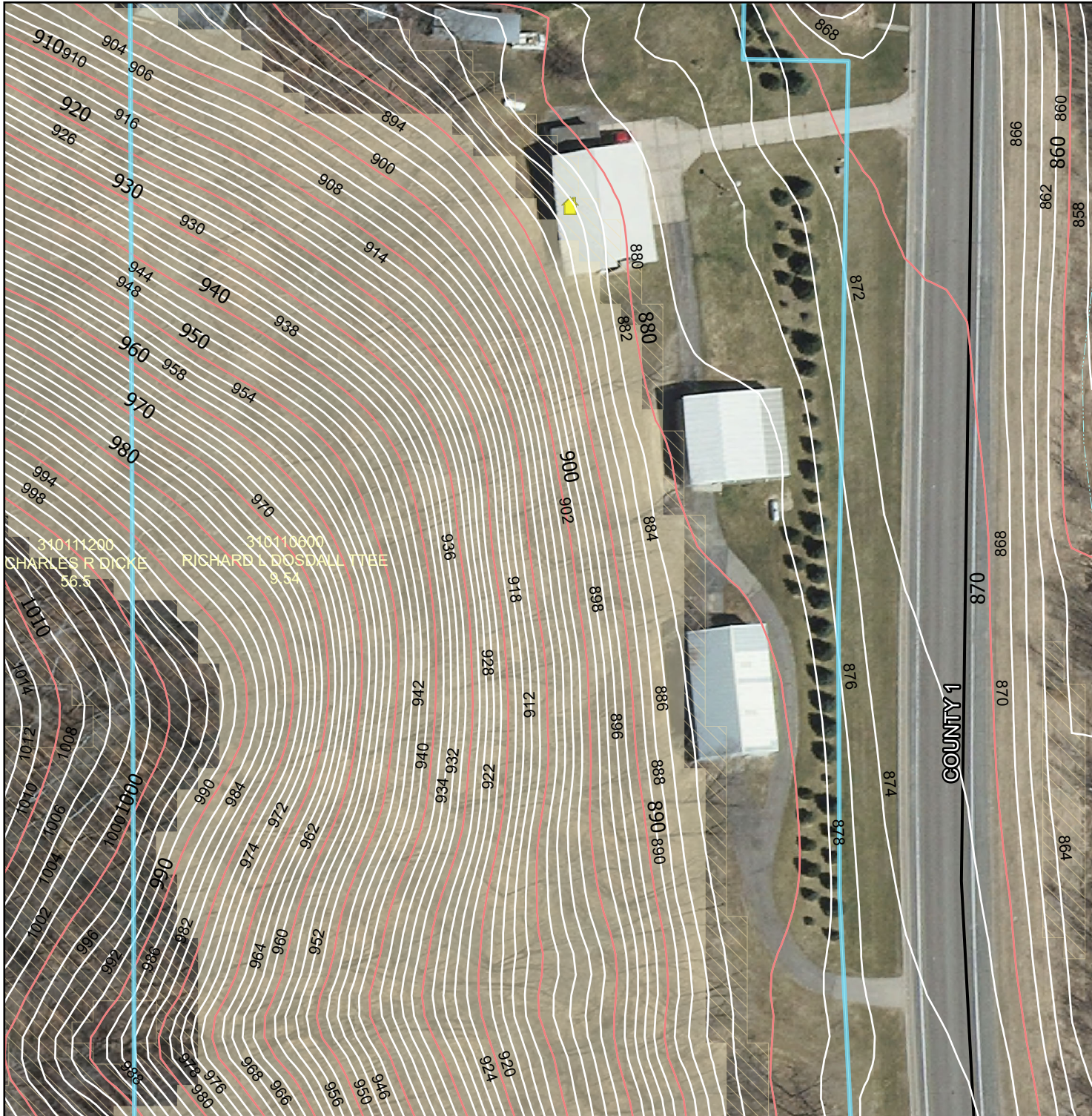


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MAP 03: ELEVATIONS



BOARD OF ADJUSTMENT

Public Hearing
July 27, 2020

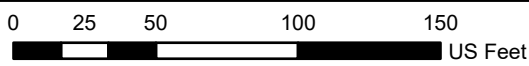
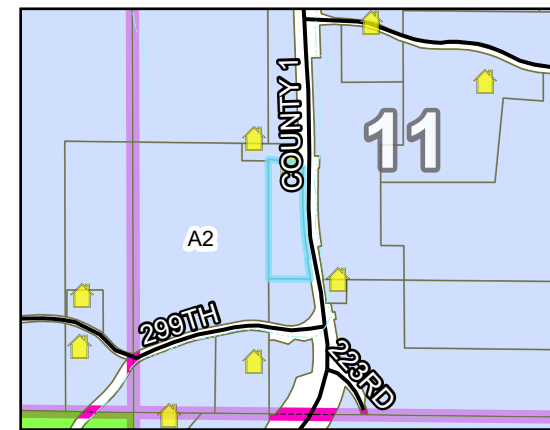
Richard Dosdall (Owner/Applicant)
A2 Zoned District

Part of the NE 1/4 of the SW 1/4 of
Section 11 TWP 112 Range 15 in
Featherstone Township

Variance request to construct a shed
addition less than 60 feet from the County
1 Right-of-Way and less than 30 feet
from the toe of a bluff.

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



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2018 Aerial Imagery
Map Created July, 2020 by LUM

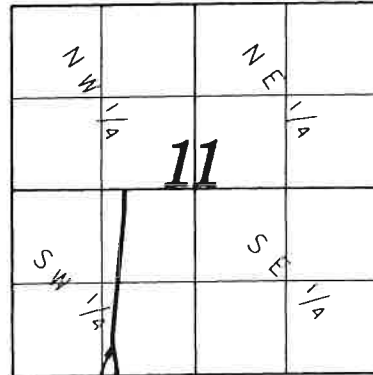


GOODHUE COUNTY RIGHT OF WAY PLAT NO. 183

County State Aid Highway No. 1

VICINITY MAP

Section 11., T.112 N., R.15 W



The County of Goodhue, a body politic and corporate under the laws of the State of Minnesota, pursuant to Minnesota Statutes Chapter 180.085, has caused the right of way of County State Aid Highway No. 1 to be mapped as it transgresses over and across the following described lands in the County of Goodhue, Minnesota, to wit:

That Part of Said Right of Way Included in the following described tracts of land:

Section 11, Township 112 North, Range 15 West:
Southwest Quarter

The Board of Commissioners for Goodhue County, Minnesota, is hereby designating the right of way of C.S.A.H. 1 as shown on GOODHUE COUNTY RIGHT OF WAY PLAT NO. 183

Certified by *Ann Nash* this 08 day of November, 2005

Greg Isakson, P.E.
Goodhue County Engineer
MN License 21785

I hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota, that this plat meets the requirements of Minnesota Statutes Chapter 180.085, that all measurements are correctly shown on the plat, and that the plat right of way boundary is correctly designated on this plat

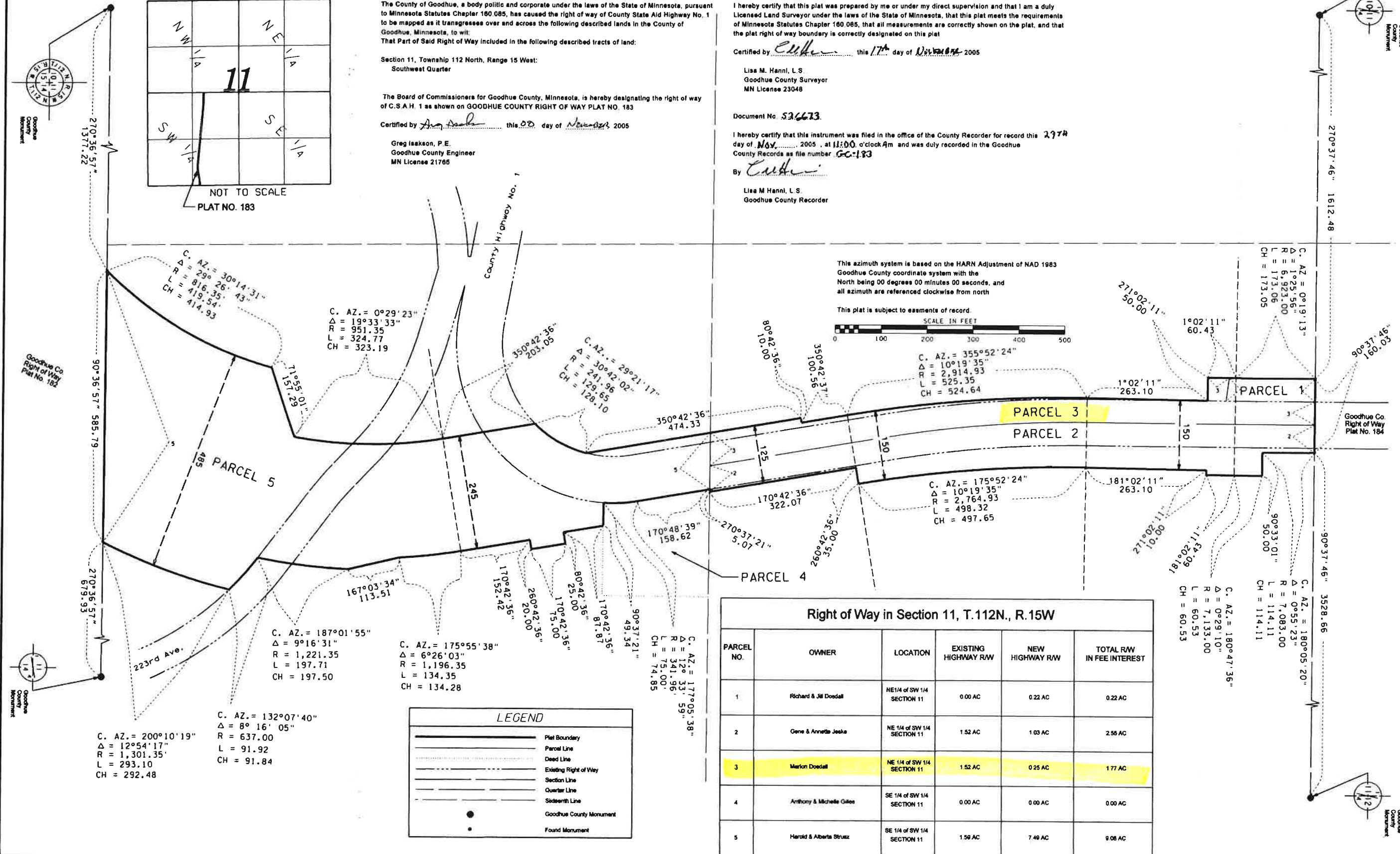
Certified by *Lisa Hanni* this 17th day of November, 2005

Lisa M. Hanni, L.S.
Goodhue County Surveyor
MN License 23048

Document No. 526673

I hereby certify that this instrument was filed in the office of the County Recorder for record this 27th day of May, 2005, at 11:00 o'clock Am and was duly recorded in the Goodhue County Records as file number GC-183

By *Lisa Hanni*
Lisa M. Hanni, L.S.
Goodhue County Recorder



Right of Way in Section 11, T.112N., R.15W

PARCEL NO.	OWNER	LOCATION	EXISTING HIGHWAY RW	NEW HIGHWAY RW	TOTAL RW IN FEE INTEREST
1	Richard & Jill Doodal	NE 1/4 of SW 1/4 SECTION 11	0.00 AC	0.22 AC	0.22 AC
2	Gene & Annette Jaska	NE 1/4 of SW 1/4 SECTION 11	1.52 AC	1.03 AC	2.55 AC
3	Marion Doodal	NE 1/4 of SW 1/4 SECTION 11	1.52 AC	0.25 AC	1.77 AC
4	Anthony & Michelle Gilles	SE 1/4 of SW 1/4 SECTION 11	0.00 AC	0.00 AC	0.00 AC
5	Harold & Alberta Strutz	SE 1/4 of SW 1/4 SECTION 11	1.58 AC	7.49 AC	9.08 AC

LEGEND	
	Plat Boundary
	Parcel Line
	Deed Line
	Existing Right of Way
	Section Line
	Quarter Line
	Sidewalk Line
	Goodhue County Monument
	Found Monument

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: July 27, 2020
Report date: July 17, 2020

PUBLIC HEARING: Request for Variance, submitted by Meryle Vinje (Owner) to A-1 Zoning District standards to construct an accessory building less than 30 feet from the side yard property line.

Application Information:

Applicant: Meryle Vinje (owner)
Address of zoning request: 22900 Polk Avenue, Hastings, MN 55033
Parcel: 46.005.1100
Abbreviated Legal Description: Part of the S 1/2 of the SW 1/4 of Section 5 TWP 113 Range 16 in Welch Township.
Township Information: Welch Township Planning Commission has recommended approval of the Applicant's proposal to the Township Board.

Attachments and Links:

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

Background:

Meryle Vinje (owner), has applied for a variance to A-1 minimum setback standards to construct a proposed 30-foot by 40-foot accessory building on the north side of their property. The proposed building would be 8 feet from the north property line where 30 feet is required by Ordinance.

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:

- Property line setbacks are intended to create separation among adjacent structures and provide room for future repairs and maintenance.

There are no neighboring structures or dwellings directly north of the proposed structure and some space would remain to allow for future repairs and maintenance. The request appears in harmony with the purpose and intent of the official control.

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

- The Goodhue County Comprehensive Plan supports the use of existing rural residences and associated accessory buildings to provide rural living opportunities in the unincorporated areas of Goodhue County.

The proposed accessory building for residential use appears consistent with the Goodhue County Comprehensive Plan.

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 Applicant is proposing to construct a 30-foot by 40-foot accessory structure on the property. The proposed size of the structure complies with accessory structure maximum size standards for the A-1 Zoning District.
- The Applicant’s proposal to construct a personal storage building is a reasonable use of the existing residential/agricultural property in the A-1 District.
- The parcel is a non-conforming size at approximately 0.97-acres (2-acre minimum in A-1). A single-family dwelling and existing accessory building are present on the site.
- The land north of the existing dwelling has electrical and water lines running to the existing accessory building. The well is located in the middle of the yard north of the dwelling, septic tanks are located east of the dwelling and the septic drainfield is located southeast of the dwelling. There are several mature trees on the north side of the parcel as well.
- Access to the existing accessory building is located north of the dwelling off of HWY 316. If the new accessory building were constructed further south than proposed, access would be cut-off to the existing accessory building because access is not possible over the septic system east of the dwelling.

MNDOT Metro District representative Buck Craig reviewed the proposed site plan provided by the Applicant and noted they have no issues with the existing access being used for a second accessory structure.

- There is an existing accessory structure less than 30 feet from north and east property lines located on the property.
- Alternative locations on the property for the proposed shed would have interfered with accessibility to the existing accessory building, existing buried electrical and water lines and septic system and drainfield. The shed is proposed to be further from the north property line than the existing accessory building.
- The surrounding land uses include A-1 Zoned properties on all sides owned by Ries Farms LLC to the north, St. John’s Cemetery to the west across HWY 316, Luke Hood to the south and Nicholas Ries to the east. Land to the north and east of the property is used for row-crop agriculture, land to the west is a cemetery and land to the south is a homestead.

The request 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.**

- Residential Accessory Structures are a permitted use in the A-1 Zoning District. The request does 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 a variance, submitted by Meryle Vinje (owner) to A-1 Zoning District standards to allow construction of an accessory building 8 feet from the north property line.

APPLICATION FOR
Variance

RECEIVED

JUL - 1 2020

Land Use Management

For Staff Use only	
VARIANCE NUMBER: 220 0033	
S350 RECEIPT# 17351	DATE 7.1.20

SITE ADDRESS, CITY, AND STATE 22900 Polk Ave Hastings MN	ZIP CODE: 55033
--	---------------------------

LEGAL DESCRIPTION:					Attached <input type="checkbox"/>
PID#: 460051100	ZONING DISTRICT: A1	LOT AREA (SF/ACRES): .77 Acre	LOT DIMENSIONS: 338 FT X 162 FT	STRUCTURE DIMENSIONS (if applicable): 30 x 40	

APPLICANT OR AUTHORIZED AGENT'S NAME Meryle Vinje and Mark Vinje	
APPLICANT'S ADDRESS: 22900 Polk Ave Hastings MN 55033	

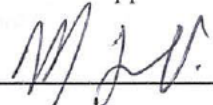
PROPERTY OWNER'S NAME: Same as Above LI Meryle Vinje	
PROPERTY OWNER'S ADDRESS: 22900 Polk Ave Hastings MN 55033	

CONTACT FOR PROJECT INFORMATION: Same as Above - Mark Vinje	
ADDRESS: 22900 polk Ave Hastings MN 55033	

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 <input type="checkbox"/> Height Limits <input type="checkbox"/> Shoreland Setbacks <input type="checkbox"/> Lot Width &/or Area <input type="checkbox"/> Other (specify) <input type="checkbox"/> Subdivision Regulations	CURRENT OR PREVIOUS USE: Site Not used
	PROPOSED USE: Pole buildings
	BUILDING APPLICATION PERMIT NO.: (if filed) DATE FILED: 6-30-20

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:  Date: 6-29-20

Print name: _____ (owner or authorized agent)

REQUEST SUMMARY

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

Article: 21 Section: C 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:

With The well & Septic only leaves one area for a shed The use is Residential Home.

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

Not able to build

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:

My property is long but narrow and with well & septic is why I can't with the current ordinance

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

No alternatives

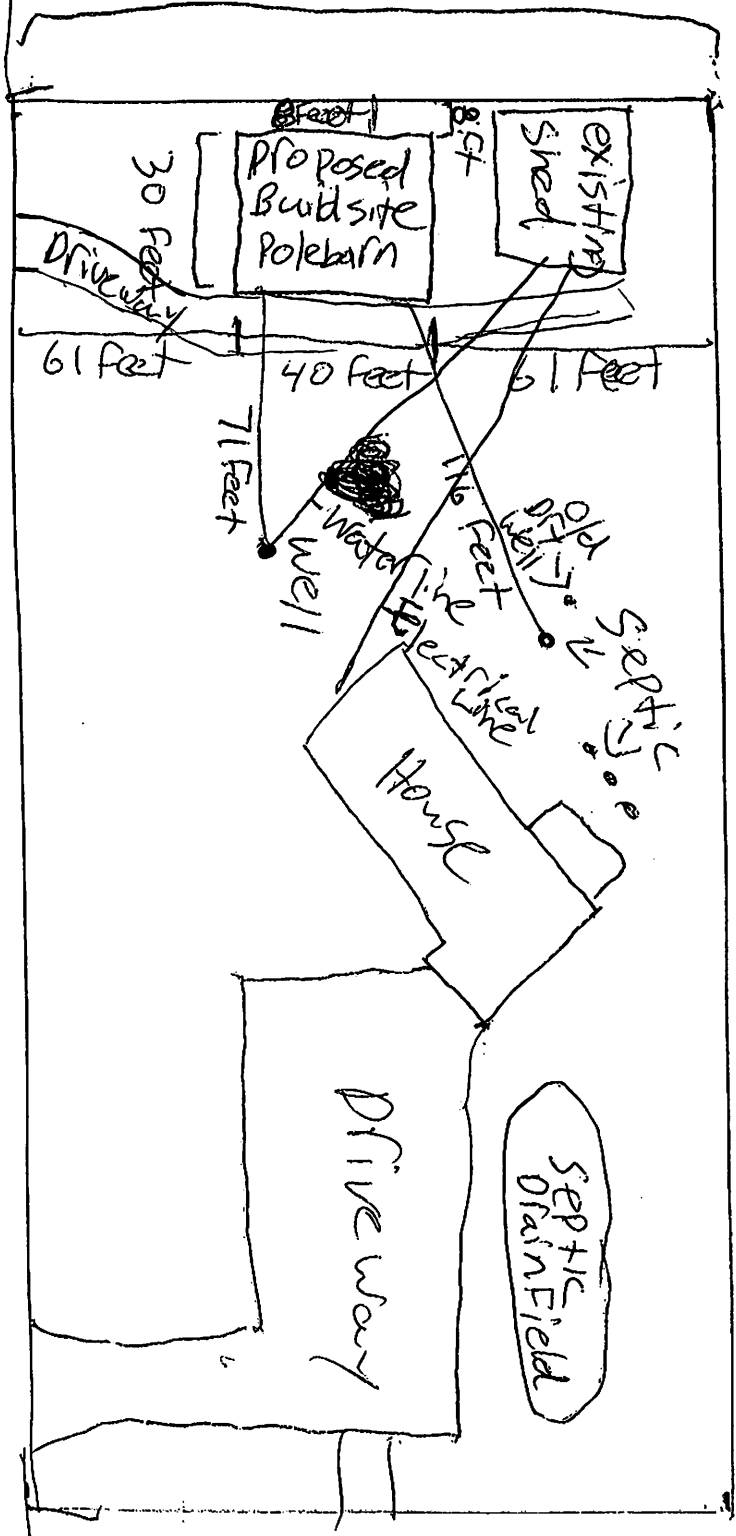
Discuss alternatives you considered that would require a lesser variance. If you rejected such alternatives, provide your reasoning:

No Alternatives

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

No

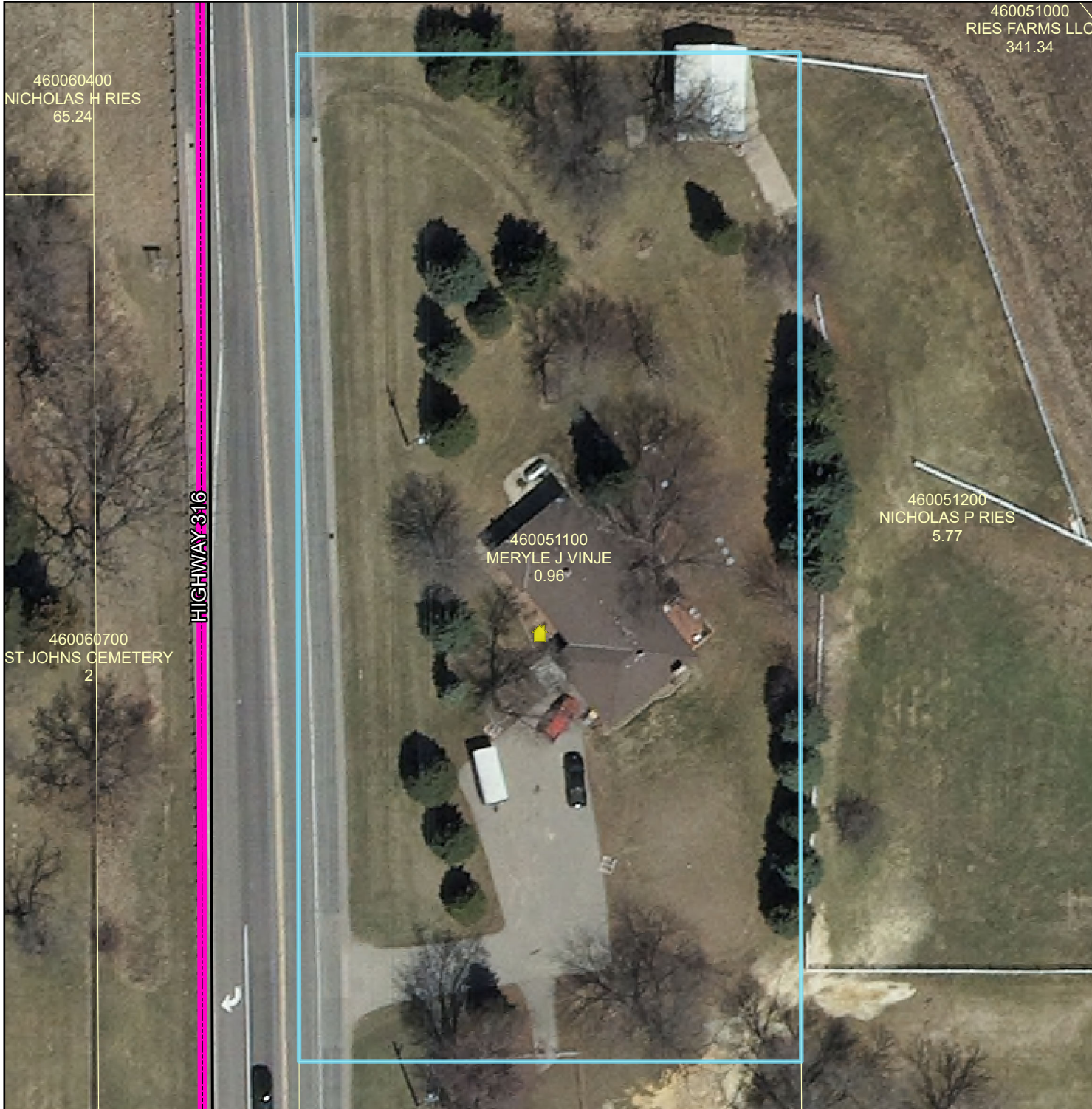
Hiway 316



343 feet

~~162 feet~~

MAP 01: PROPERTY OVERVIEW



BOARD OF ADJUSTMENT

Public Hearing
July 27, 2020

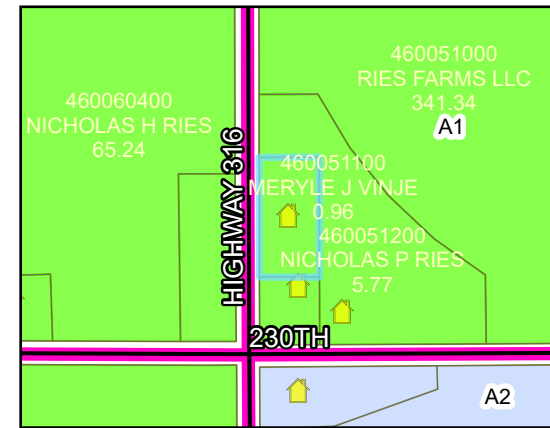
Maryle Vinje (Owner/Applicant)
A1 Zoned District

Part of the S 1/2 of the SW 1/4 of
Section 5 TWP 113 Range 16 in
Welch Township

Variance request to construct an
accessory building less than 30 feet
from the side yard property line

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



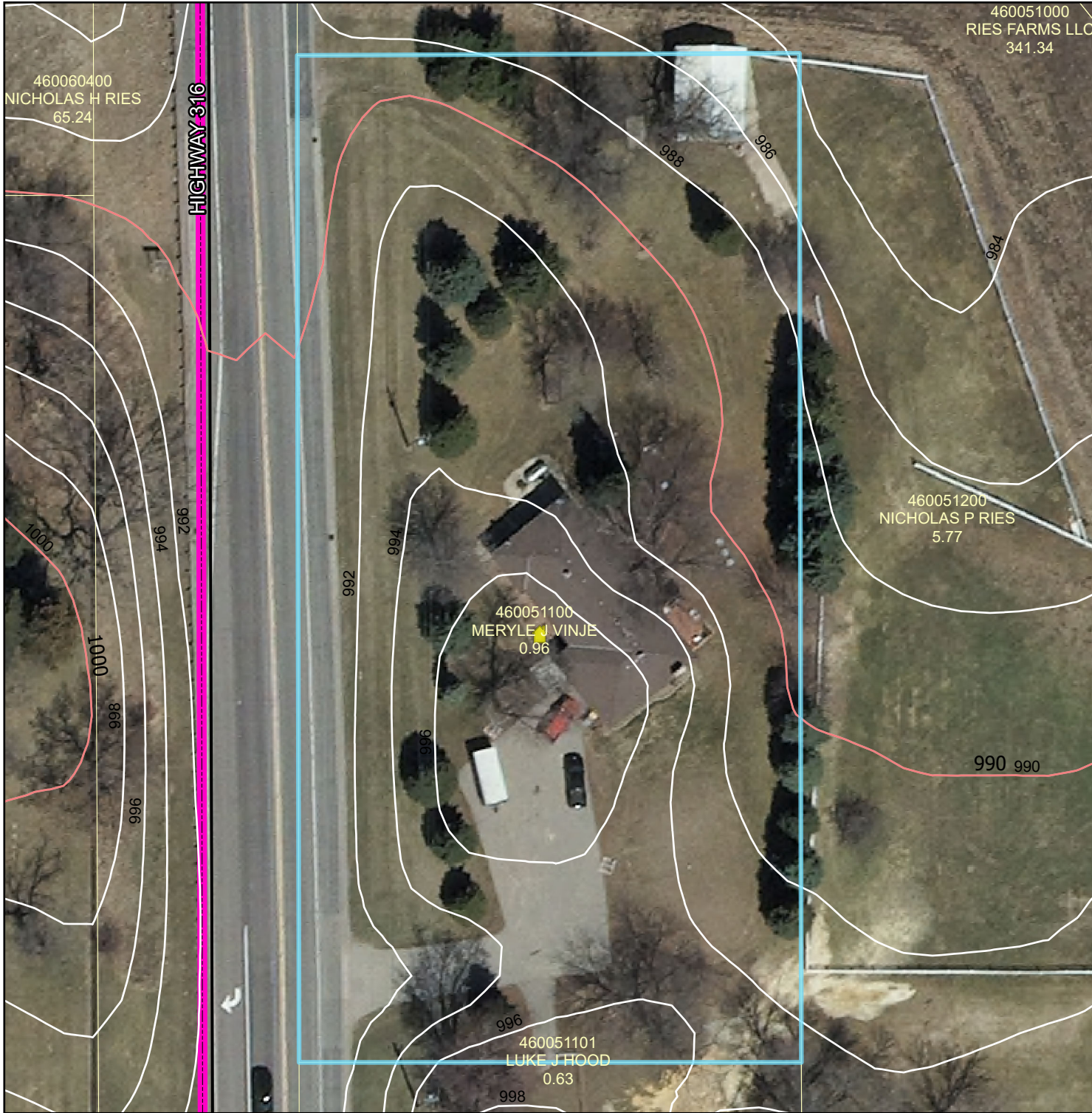
0 15 30 60 90
US Feet

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MAP 03: ELEVATIONS



BOARD OF ADJUSTMENT

Public Hearing

July 27, 2020

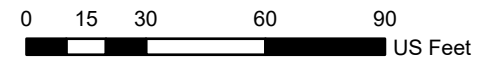
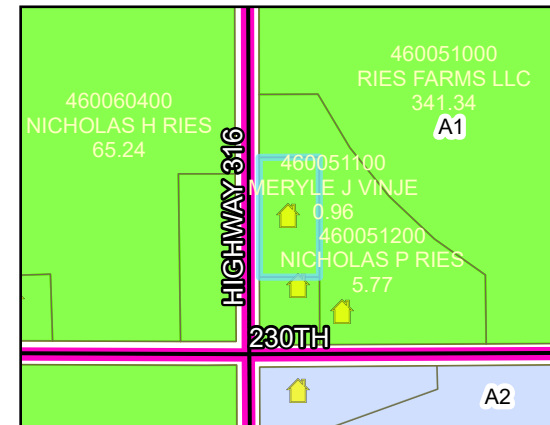
Meryle Vinje (Owner/Applicant)
A1 Zoned District

Part of the S 1/2 of the SW 1/4 of
Section 5 TWP 113 Range 16 in
Welch Township

Variance request to construct an
accessory building less than 30 feet
from the side yard property line

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

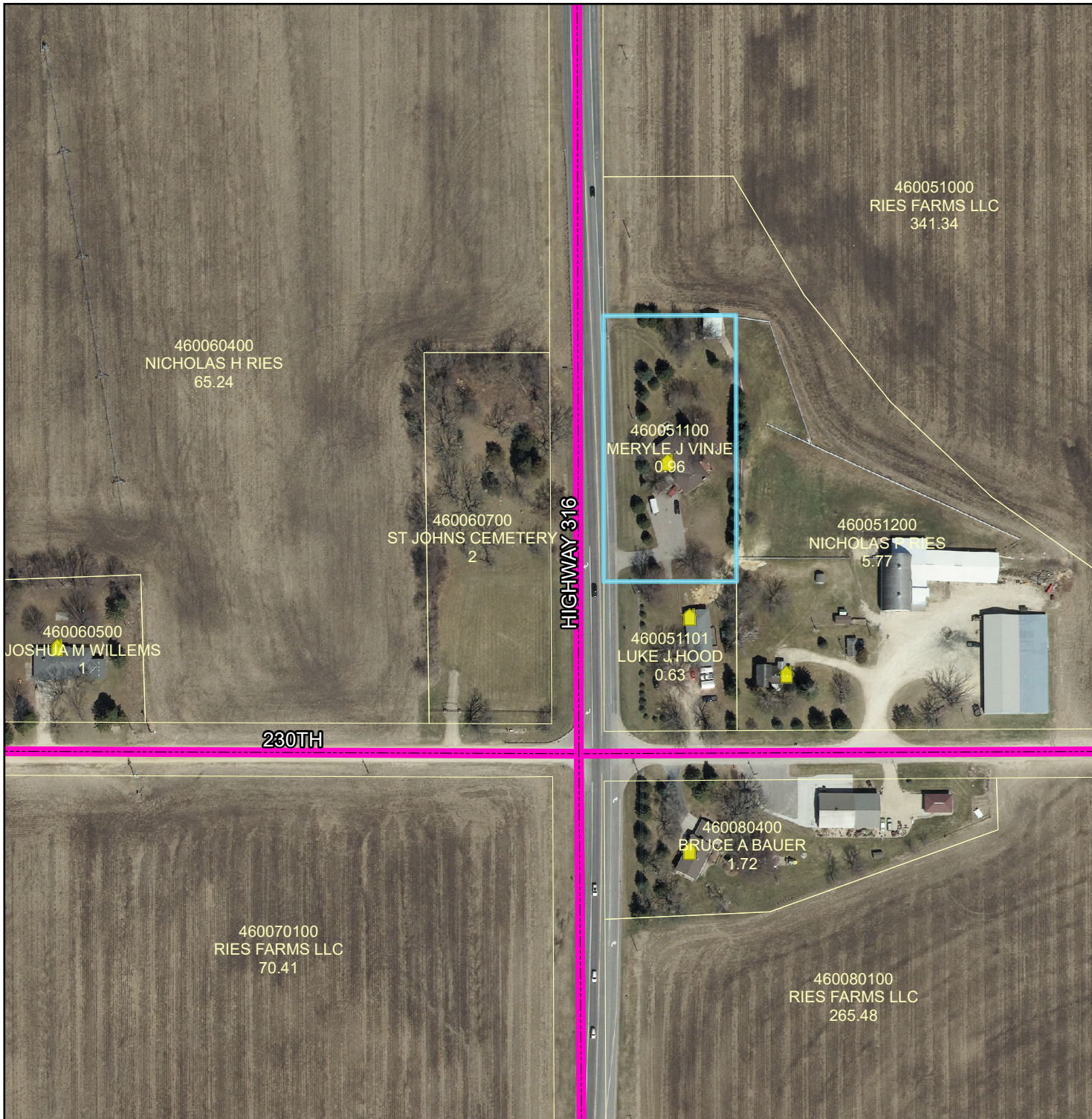


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MAP 02: VICINITY MAP



BOARD OF ADJUSTMENT

Public Hearing
July 27, 2020

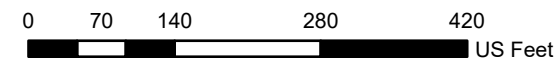
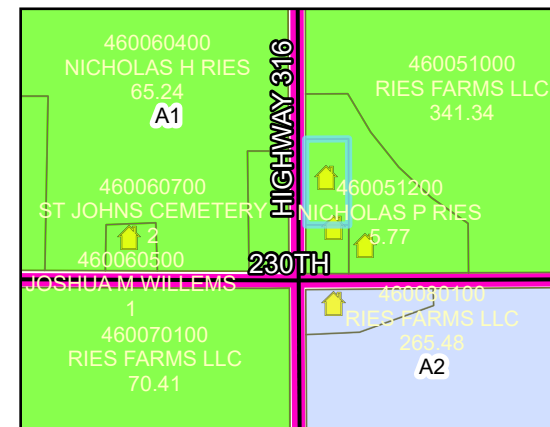
Maryle Vinje (Owner/Applicant)
A1 Zoned District

Part of the S 1/2 of the SW 1/4 of
Section 5 TWP 113 Range 16 in
Welch Township

Variance request to construct an
accessory building less than 30 feet
from the side yard property line

Legend

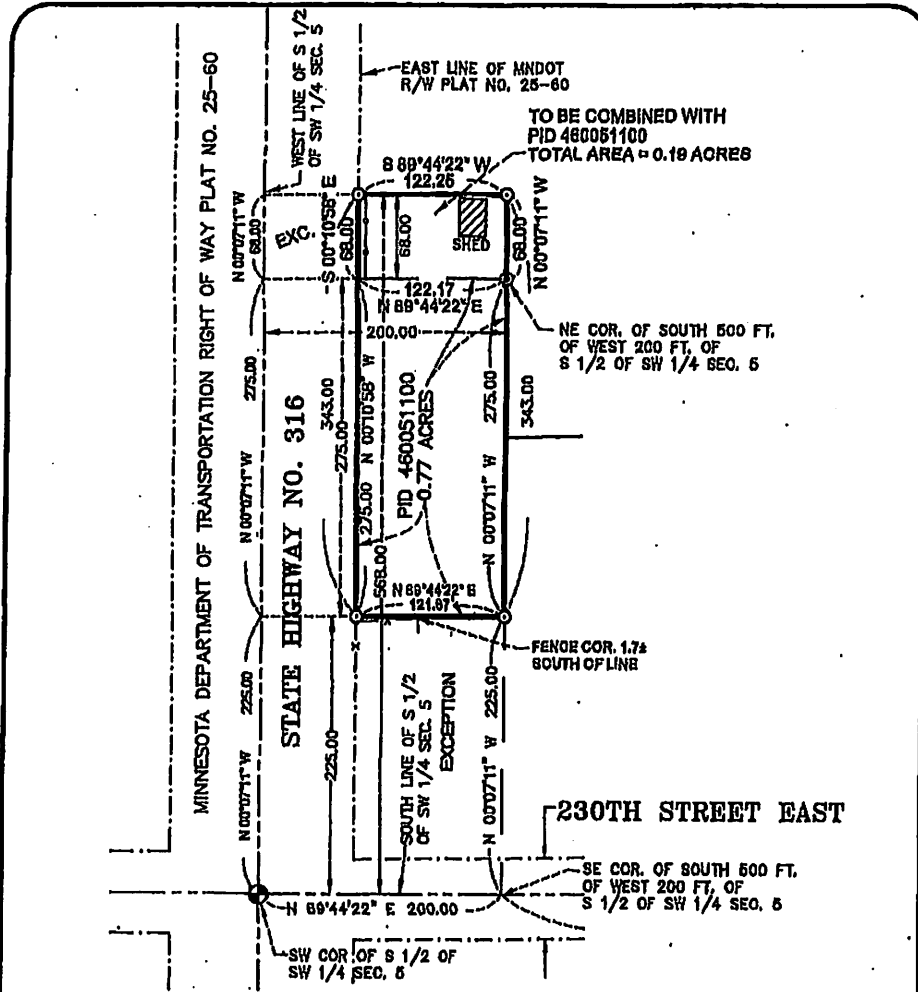
	Intermittent Streams		Bluff Impact Zones (% slope)
	Protected Streams		20
	Lakes & Other Water Bodies		30
	Shoreland	FEMA Flood Zones	
	Historic Districts		2% Annual Chance
	Parcels		A
	Registered Feedlots		AE
	Dwellings		AO
	Municipalities		X



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Map Created July, 2020 by LUM





PROPOSED PROPERTY DESCRIPTION TO BE ADDED TO PIN 480051100

The North 68.00 feet of the South 688.00 feet of the West 200.00 feet of the South Half of the Southwest Quarter of Section 5, Township 113, Range 16, Goodhue County, Minnesota, EXCEPT that part taken by Minnesota Department of Transportation Right of Way Plat No. 25-60.

Subject to easements of record.


EXISTING PROPERTY DESCRIPTION

The South 500.00 feet of the West 200.00 feet of the Southwest Quarter of Section 5, Township 113 North, Range 16 West, Goodhue County, Minnesota, EXCEPT

The South 225.00 feet of the West 200.00 feet of the South Half of the Southwest Quarter of Section 5, Township 113 North, Range 16 West, Goodhue County, Minnesota.

--- DENOTES ACCESS CONTROL
 BEARINGS SHOWN HEREON ARE ORIENTED TO THE GOODHUE COUNTY COORDINATE SYSTEM, NAD 83, 1988 ADJUSTMENT (HARN)



 <p>JOHNSON & SCOFIELD INC. SURVEYING AND ENGINEERING 1112 HIGHWAY 65, SUITE 201, HASTINGS, MN 55033 (651) 438-0000</p>	<p>CERTIFICATE OF SURVEY FOR: BAUER FAMILY ESTATE</p> <p>I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.</p> <p><i>Mitchell A. Scofield</i> Mitchell A. Scofield MN License No. 48834 Date: 6/19/2017</p>	
	<p>○ DENOTES A PLACED 1" BY 16" IRON PIPE HAVING A PLASTIC CAP BEARING LAND SURVEYOR LICENSE NO. 48834.</p> <p>⊕ DENOTES FOUND IRON MONUMENT.</p> <p>⊕ DENOTES FOUND COUNTY MONUMENT.</p>	<p>BK. NA PG. NA</p> <p>W.O. NUMBER 17-521</p> <p>DRAWING NUMBER S-8852</p>

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: July 27, 2020
Report date: July 17, 2020

PUBLIC HEARING: Request for Variance to Minimum Setback Standards

Request for Variance, submitted by Justin Neufeldt (Owner) to A-2 Zoning District standards to establish a mobile home less than 60 feet from the Skunk Hollow Trail Right-of-Way.

Application Information:

Applicants: Justin Neufeldt (Owner)
Address of zoning request: 7100 Skunk Hollow Trail, Cannon Falls, MN 55009
Parcel: 37.005.1400
Abbreviated Legal Description: Part of the NW 1/4 of the SW 1/4 of Section 5 TWP 111 Range 17 in Leon Township
Township Information: Leon Township provided electronic acknowledgment of the Applicant's request. The Applicant is concurrently seeking Township approval for this 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 owns a 32.5-acre parcel in section 05 of Leon Township. The property had been his primary residence up until June 13th, 2020 when the dwelling caught fire and burned (total loss). Mr. Neufeldt is working on rebuilding his home in the footprint of the old one. Construction of the new dwelling could take a year or more. He is proposing to place a mobile home on the property to live in temporarily while their permanent home is constructed so that his family can move back onto the property during the construction phase. The County zoning ordinance allows the mobile home to be sited on the property as the primary residence with the stipulation that it is removed within 6-months of completion of the new dwelling, which is the applicant's intention.

Due to existing improvements, access challenges, topography, utilities, and drainage concerns, the applicant is requesting a variance to site the mobile home 30 feet from the edge of the Skunk Hollow Trail Right-of-Way. A 60-foot setback to the Right-of-Way is required by Ordinance within the A-2 (General Agriculture) District.

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:

- Right-of-Way setbacks are in place to create separation among adjacent structures and roads to allow for adequate access, roadway safety, and avoid hindering potential future road expansion.

There is an existing legal non-nonconforming pole-shed approximately 65-feet west of the proposed mobile home pad that is situated 30-feet from the Right-of-Way. The proposed mobile home would be no closer than the existing shed. The proposal is not anticipated to further impede future road expansion or on-going maintenance. The mobile home will be required to be removed within 6-months of the establishment of the new dwelling in the old dwelling footprint to the southwest. This request appears in harmony with the purpose and intent of the official control.

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

- This is a unique situation that is not specifically addressed within the Comprehensive Plan. However, the Goodhue County Comprehensive Plan supports the use of existing rural residences to provide rural living opportunities in the unincorporated areas of Goodhue County.

The proposed dwelling does not appear inconsistent with the Goodhue County Comprehensive Plan.

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 Applicant’s request to establish a mobile home on the property for short-term use so his family can relocate to the site while their home that was destroyed by fire is reconstructed is a reasonable use of land in the A2 District.
- The parcel is 32.5-acres and is a conforming lot in the A2 District.
- Due to topographical challenges, driveway access needs, the location of existing utilities and improvements the most practical area to locate the mobile home where it would not interfere with the reconstruction of the new dwelling is in the proposed area to the east of the existing pole shed.
- The Applicants considered moving the proposed mobile home to the south or southeast of the proposed location to comply with the 60-foot setback requirement. Moving the structure to the south would damage their existing garden area and moving it to the southeast would damage and disturb the agricultural land as well as impact field drainage-ways and wet-spots. The slopes become much steeper as you move further south of the road as well.

Given the proposed temporary nature of the mobile home site, the Applicant has sited it in the proposed location to avoid permanently disturbing these resources and take advantage of the gentler slopes nearer to the road.

- The mobile home would comply with all other zoning setback standards.
- The Applicant will be required to obtain appropriate sanitary permits from the Environmental Health Department as well as Building Permits prior to placement of the mobile home.
- A review of the existing development pattern in the vicinity reveals low-density residential development among predominantly agricultural uses.

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.

- Dwellings are a permissible use in the A2 district. The mobile home is required by Ordinance to be removed within 6-months of the establishment of the new dwelling.

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 submitted by Justin Neufeldt (Owner) to A-2 Zoning District standards to establish a mobile home no closer than 30 feet from the edge of the Skunk Hollow Trail Right-of-Way. Subject to the following conditions.

1. The mobile home shall be removed within 6-months of issuance of the Certificate of Occupancy for the new dwelling.
2. The mobile home shall not be converted to an accessory structure or Accessory Dwelling Unit (ADU).

RECEIVED

APPLICATION FOR
Variance

JUL 14 2020

Land Use Management

For Staff Use only	
VARIANCE NUMBER:	220-0034
\$350 RECEIPT#	17362
DATE	7-14-2020

SITE ADDRESS, CITY, AND STATE		ZIP CODE:		
7100 Skunk Hollow Trail, Cannon Falls, MN		55009		
LEGAL DESCRIPTION:				
PT LYING SLY CEN TWP RD ID# 37-0000-05801		Attached <input type="checkbox"/>		
PID#:	ZONING DISTRICT	LOT AREA (SF/ACRES):	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable):
37.005.1400	AG-1	32.50 AC		15'-2" X 76'

APPLICANT OR AUTHORIZED AGENT'S NAME	
Justin & Nashana Neufeldt	
APPLICANT'S ADDRESS:	TELEPHONE:
7100 Skunk Hollow Trail, Cannon Falls, MN 55009	
	EMAIL:

PROPERTY OWNER'S NAME:	
Same as Above <input checked="" type="checkbox"/>	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
	EMAIL:

CONTACT FOR PROJECT INFORMATION:	
Same as Above <input checked="" type="checkbox"/>	
ADDRESS:	TELEPHONE:
	EMAIL:

VARIANCE REQUESTED TO: (check all that apply) <input checked="" 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 type="checkbox"/> Other (specify) <input type="checkbox"/> Subdivision Regulations	CURRENT OR PREVIOUS USE:	
	Primary Residence - structure burned - complete loss	
	PROPOSED USE:	
	Temp Residence - Mobile Home	
	BUILDING APPLICATION PERMIT NO. (if filed)	DATE 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.		
TOWNSHIP OFFICIAL'S SIGNATURE		Attached <input type="checkbox"/>
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 certified mail.
 4. Additional information or applications may be required

Applicant's Signature:  Date: 7/14/2020

Print name: Justin Neufeldt (owner or authorized agent)

REQUEST SUMMARY

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

Article: 22 Section: 5 Name: Subdivision 3 - Front Yard Setback

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:

Property is our primary residence which burned to the ground on June 13th. Variance request is for a temp mobile home to be placed on the property during the reconstruction. Location of temp dwelling is due to geographic site limitations, basically its the only location on the property the trailer can be placed.

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

The property itself would not be effected. The variance is necessary for our family to be able to return home.

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:

The property is on a side hill. The elevation changes, and locations of existing structures, drain field, and natural year around springs prevent us from placing the temp structure elsewhere on the property.

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

Alternatives are not possible without a variance for setback. The chosen location allows the second access off Skunk Hollow to be placed at the highest elevation so to not cuase any water drainage issues. A culvert will be placed under the second access.

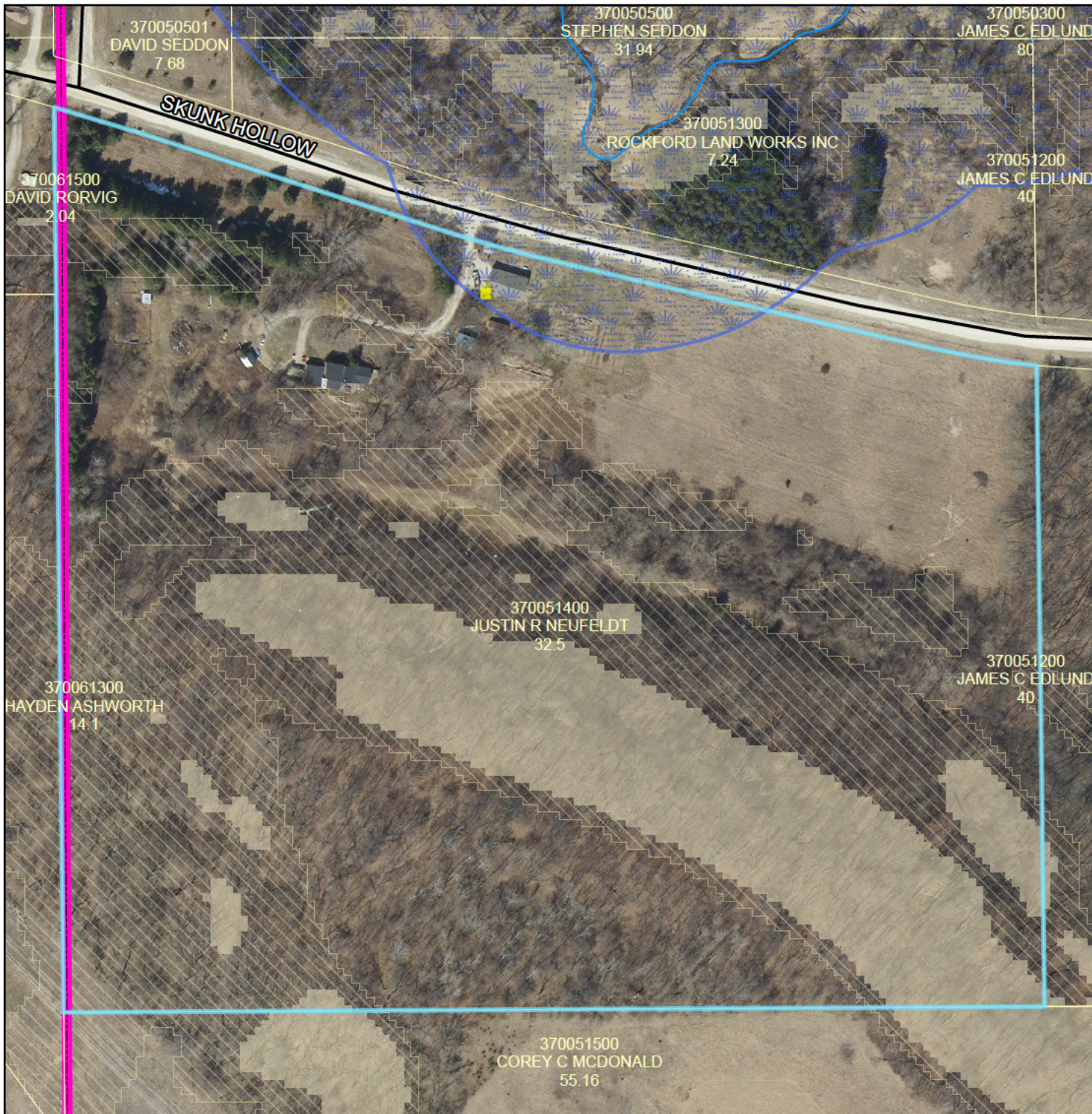
Discuss alternatives you considered that would require a lesser variance. If you rejected such alternatives, provide your reasoning:

N/a

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

No.

MAP 01: PROPERTY OVERVIEW



BOARD OF ADJUSTMENT

Public Hearing
July 27, 2020

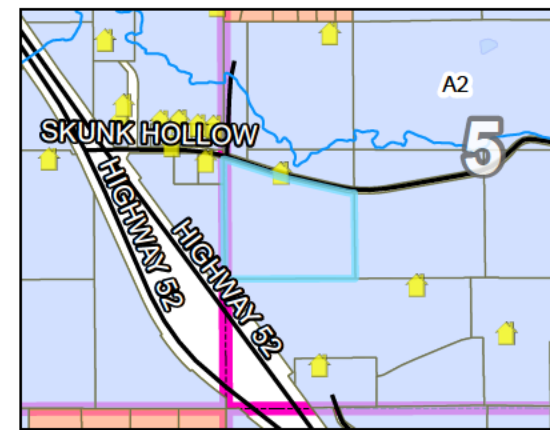
Justin Neufeldt (Owner/Applicant)
A2 Zoned District

Part of the NW 1/4 of the SW 1/4 of
Section 5 TWP 111 Range 17 in
Leon Township

Variance request to establish a
mobile home less than 60 feet
from the Skunk Hollow Trail ROW

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



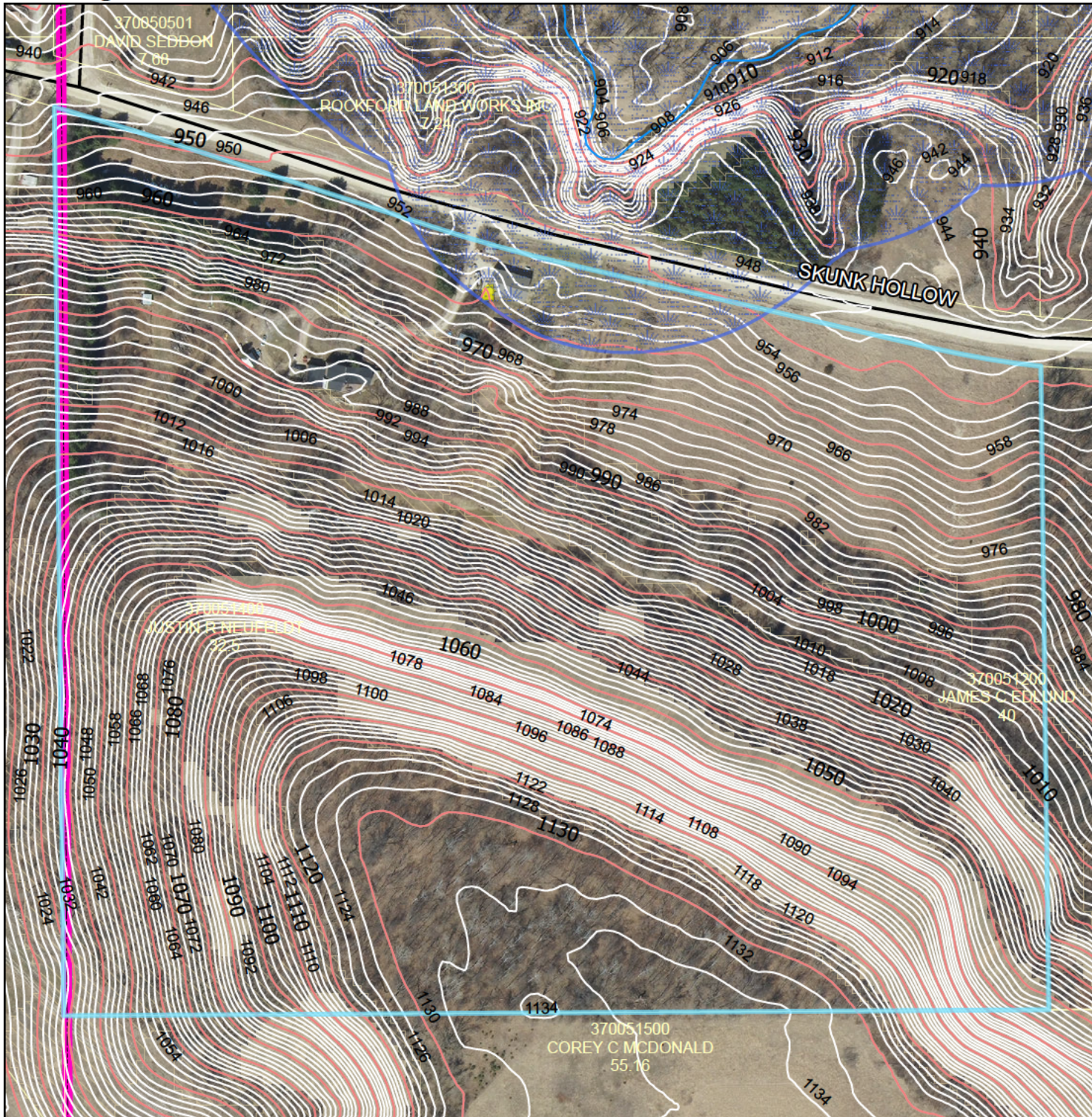
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MAP 03: ELEVATIONS



BOARD OF ADJUSTMENT

Public Hearing
July 27, 2020

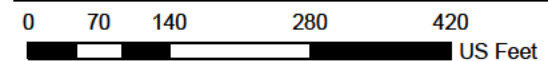
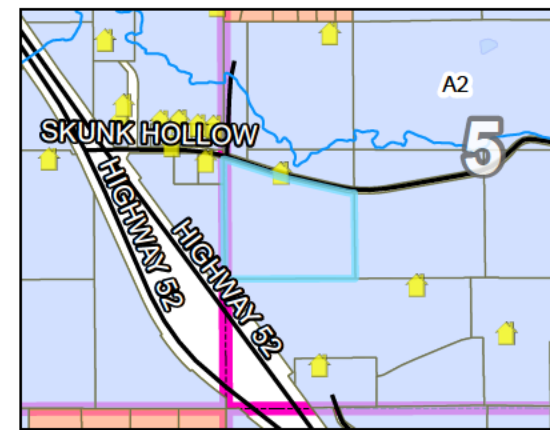
Justin Neufeldt (Owner/Applicant)
A2 Zoned District

Part of the NW 1/4 of the SW 1/4 of
Section 5 TWP 111 Range 17 in
Leon Township

Variance request to establish a
mobile home less than 60 feet
from the Skunk Hollow Trail ROW

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

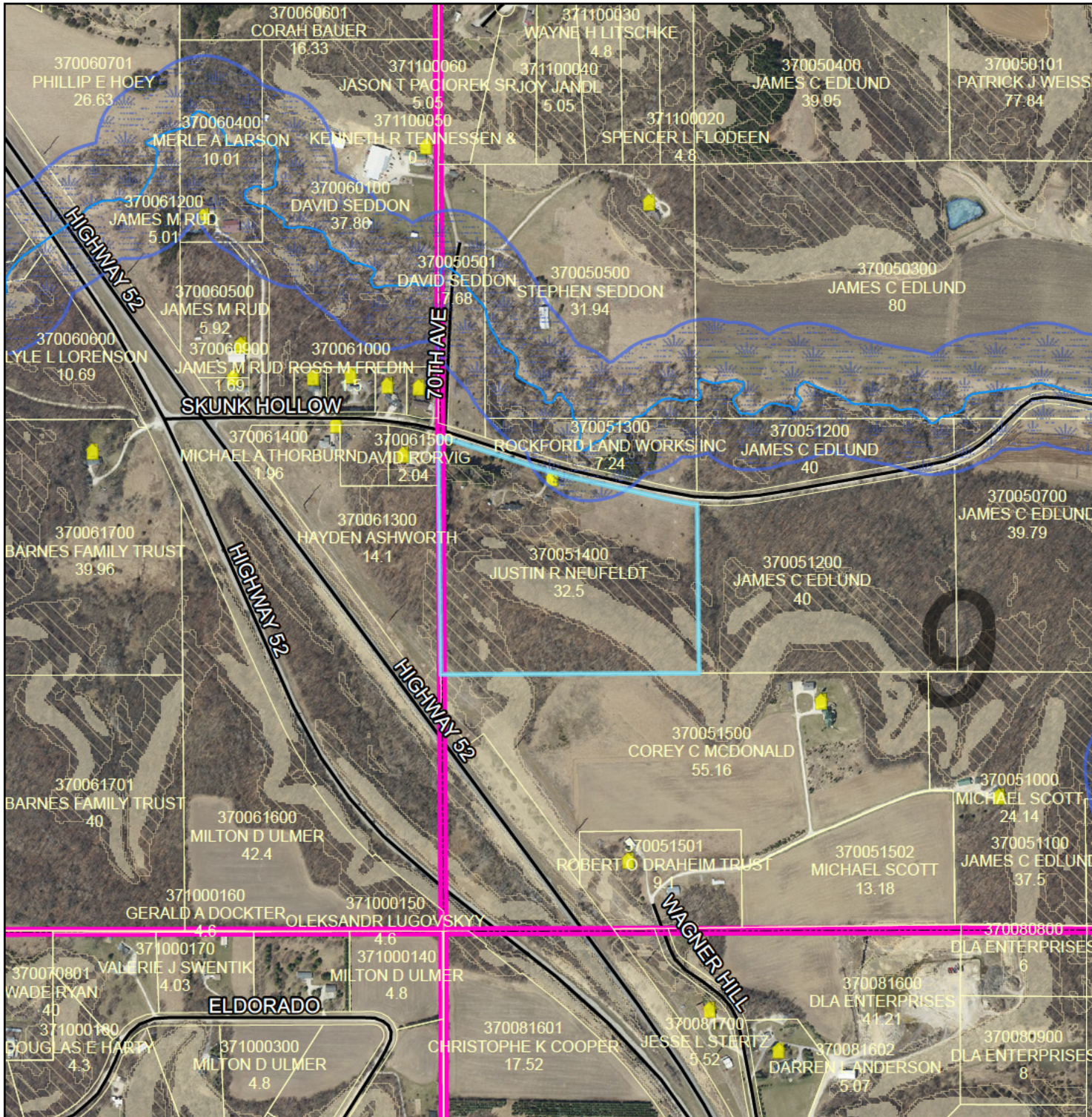


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MAP 02: VICINITY MAP



BOARD OF ADJUSTMENT

Public Hearing
July 27, 2020

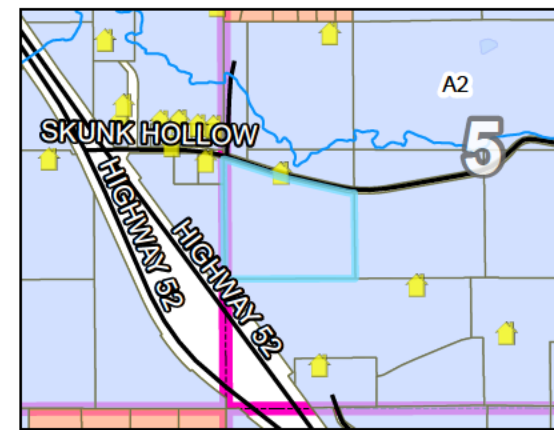
Justin Neufeldt (Owner/Applicant)
A2 Zoned District

Part of the NW 1/4 of the SW 1/4 of
Section 5 TWP 111 Range 17 in
Leon Township

Variance request to establish a
mobile home less than 60 feet
from the Skunk Hollow Trail ROW

Legend

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



0 280 560 1,120 1,680 US Feet

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2018 Aerial Imagery
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