



# 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. March 22, 2021 BOA Meeting Minutes

Documents:

[BOAMEETINGMINUTES\\_MARCH2021.PDF](#)

Conflict/Disclosure Of Interests

PUBLIC HEARING: Request For Variance To Minimum Lot Size For Farm Winery

Request for Variance, submitted by Wesley Schumacher (owner) to the Farm Winery performance standards to allow establishment of a Farm Winery on a parcel less than 10 acres. Parcel 25.031.0800. 39500 County 8 BLVD, Goodhue, MN 55027. Part of the SW ¼ of Section 31 TWP 111 Range 16 in Belle Creek Township. A1 Zoned District.

Documents:

[BOAPACKET\\_SCHUMACHER\\_REDACTED.PDF](#)

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 ◆

**BOARD OF ADJUSTMENT  
GOODHUE COUNTY, MN  
MARCH 22, 2021 MEETING MINUTES**

**DRAFT**

The meeting of the Goodhue County Board of Adjustment was called to order at 5:00 PM by Chair Knott virtually via GoToMeeting with staff members present at the Goodhue County Government Center Basement IT Conference Room.

**Roll Call**

Commissioners Present virtually via GoToMeeting: Daniel Knott, Rich Ellingsberg, Darwin Fox, Denny Tebbe, and Randy Rechtzigel.

Commissioners Absent: None

Staff Present: Land Use Director Lisa Hanni (Virtual), Zoning Administrator Samantha Pierret and Zoning Administrative Assistant Kathy Bauer

**1. Approval of Agenda**

<sup>1</sup>Motion by **Fox**, and seconded by **Tebbe** to approve the meeting agenda.

**Motion carried 5:0**

**2. Approval of Minutes**

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

*Pierret commented that we have a new Board of Adjustment Member, Randy Rechtzigel.*

*Chair Knott welcomed Commissioner Rechtzigel and asked for a motion on the approval of the previous month's minutes.*

**Motion carried 4:0:1 Rechtzigel abstained.**

**3. Conflict/Disclosure of Interest**

*There were no conflicts of interest reported.*

**4. Public Hearings:**

**PUBLIC HEARING:** Request submitted by Mark Jeanson (on behalf of David Jeanson, Steve Kelling and the Thomas Jeanson Estate) appealing the Zoning Administrator's determination that a proposed 3-lot split creating parcels less than 35-acres in the A3 Zoning District does not conform to the District regulations.

*Pierret presented the staff report and attachments.*

*Pierret commented she had a discussion with a Board Member who was questioning if the townships could annex the land on either side. Pierret stated that under MN Statute 379, the land must remain as it was surveyed in 1906, unless changed by County Board. Further, annexation needs to be approved at the township levels, and in some cases, this can be quite costly and require a lot of time, and is not the best option in this situation.*

*Mark Jeanson spoke on behalf of the estate, stating this was a hardship case, and several parties are affected.*

**Chair Knott opened the Public Hearing.**

*No one spoke for or against the request.*

**<sup>3</sup>After Chair Knott asked three times for comments it was moved by Tebbe and seconded by Rechtzigel to close the public hearing.**

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**DRAFT**

**Motion carried 5:0**

Commissioner Tebbe stated that looking at the aerial view, provided by LUM Staff, he supports the proposal, but stated that it is unfortunate it crosses township lines. He also suggested that an easement for the access to the 25 acres could have also been an option. Commissioner Tebbe suggested the Planning Commission and Staff look at administrative actions in cases such as these where a property owner owns land in multiple townships to make the process easier.

Hanni questioned if there was a way of keeping Parcels "A" and "D" together and recording an easement, to make it less complicated.

Mark Jeanson stated that Parcel "A" was formed 22 years ago and when the land was originally sold with property "C", it was suggested that an easement be created at that time for a crossing of two trails and a steep hill for the driveway, hence the decision to go with a separate parcel. Parcel "B", on the North line, would line up with Parcel "A" on the north side to give electrical and gas easement. The well in the backyard that was sold to Steve Kelling is being utilized. Jeanson further stated that Parcel "B" could be made slightly larger to increase the overall size to 3 acres, Proposed Parcel "D" covers an existing logging trail with access to the back acreage to Parcel "C" and a "wash" and a dwelling driveway to Parcel "C".

Hanni suggested keeping "A" and "D" as one parcel and having a roadway easement to Parcel "C" over the north parcel, could be less costly and would eliminate the need to create Parcel "D".

Jeanson stated he would rather not make that change, and also noted that the gravel road (180<sup>th</sup> Avenue) was recently surveyed noting it has moved 6 feet from where it was originally located.

Hanni stated the easement could go entirely over Parcel "D" if preferred.

Jeanson noted there is currently a logging trail and semi storage on Parcel "D". Also, Parcel "A" is two parcels that the family combined, and does not want that overlooked. The semis belong to the owners of Parcel "C".

Commissioner Tebbe stated that Roscoe Township wanted 50 additional feet added to the back side of the house on Parcel "A" for setback.

Jeanson said it was actually 100 feet, and the email was sent to LUM Staff by the township. Parcel "B" would give access to the electrical service for Parcel "A".

Chair Knott questioned where the well and septic are located on Parcel "A", and if they are required for it to stay in the same ownership.

Jeanson stated the locations of the existing well and septic and noted a new septic must be installed on Parcel "A". Pam Holst, Goodhue County Well and Septic Inspector and engineers, met with them in regards to the septic. They approved and filed the paperwork.

Hanni clarified the reason for creating Parcel "D" is because the existing equipment and cleanup of the parcel, and the new owner does not want to own it as is.

Jeanson agreed. He also noted it would also give easier access to the middle of the property where the "wash" is, to go up into the Parcel "C"s wooded area for maintenance. Jeanson noted that all parties involved are in agreement with the proposal.

**4Motion by Tebbe, seconded by Ellingsberg, for the Board of Adjustment to:**

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

REVERSE the Zoning Administrator's determination that a proposed 3-lot split creating parcels less than 35-acres in the A3 Zoning District does not conform to the District regulations. With the condition that:

**BOARD OF ADJUSTMENT  
GOODHUE COUNTY, MN  
MARCH 22, 2021 MEETING MINUTES**

**DRAFT**

- 
1. No structures shall be constructed on Parcels “B” and “D” to maintain conformance with the intent of the A3 District regulation of “35-acres per principal building or use”.

*Commissioner Fox added that he is now in agreement with this motion, after some initial hesitation upon hearing the explanation for the creation of Parcel “D”.*

*Chair Knott agreed.*

*Commissioner Tebbe added that the potential annexation issues would be a long process and there are no guarantees that it would be approved.*

**Motion carried 5:0**

**6. Other-Discussion**

*Hanni stated that Ryan Bechel has left his employment at Goodhue County, and that Samantha Pierret is now the new Zoning Administrator.*

**ADJOURN**

**<sup>5</sup>Motion by Fox, seconded by Tebbe to adjourn the BOA meeting at 5:45 p.m.**

**Motion carried 5:0**

Respectfully submitted:

Kathy Bauer, Zoning Administrative Assistant

**MOTIONS**

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<sup>1</sup> APPROVE the meeting agenda. Motion carried 5:0

<sup>2</sup> APPROVE the previous meeting’s minutes. Motion carried 4:0:1

<sup>3</sup> Close the Public Hearing. Motion carried 5:0

<sup>4</sup> REVERSES the Zoning Administrator’s decision. Motion carried 5:0

<sup>5</sup> ADJOURN. Motion carried 5:0

# 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:** April 26, 2021  
**Report date:** April 16, 2021

## **PUBLIC HEARING: Request for Variance to Minimum Lot Size for Farm Winery**

Request for Variance, submitted by Wesley Schumacher (owner) to the Farm Winery performance standards to allow establishment of a Farm Winery on a parcel less than 10 acres.

### **Application Information:**

Applicants: Wesley Schumacher (owner)  
Address of zoning request: 39500 County 8 BLVD Goodhue, MN 55027  
Parcel: 25.031.0800  
Abbreviated Legal Description: Part of the SW ¼ of Section 31 TWP 111 Range 16 in Belle Creek Township  
Township Information: Belle Creek Township provided acknowledgement of the request to staff via email on March 28, 2021  
Zoning District: A1 (Agriculture Protection District)

### **Attachments and Links:**

Application and submitted project summary  
Site Map  
Article 11, Section 27 (Farm Wineries)  
Goodhue County Zoning Ordinance: <http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

### **Background:**

The Applicant (Wesley Schumacher) is requesting a variance to allow establishment of a Farm Winery on a 6 acre parcel in Belle Creek Township. The Goodhue County Zoning Ordinance (GCZO) requires a parcel to be at least 10 acres to establish a Farm Winery.

### **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 minimum parcel size for Farm Wineries cited in Article 11, Section 27 of the GCZO was based upon minimum parcel sizes found in various Ordinances from around the country at the time of its adoption in 2009. The intent is to allow enough acreage for fruit planting, structures associated with the Farm Winery and any parking or ancillary activities that may

take place on the land.

- Mr. Schumacher has proposed to operate a Farm Winery on his property in compliance with the GCZO and State of Minnesota requirements. The Applicant intends to plant at least 2 acres of fruit with some land devoted to native grasses and wild flowers. No new structures will be constructed for the Farm Winery operation. The Applicant has not proposed a tasting room or public retail space on the property. All indoor processing will comprise an area less than 10,000 square feet, which is the threshold when a Conditional Use Permit is required by Goodhue County.

Given the Applicant's proposal which will meet the 2 acre planting requirement, the absence of a tasting room or public retail space, and the intent to adhere to all GCZO and State of Minnesota regulations, the Applicant's proposal appears in harmony with the purpose and intent of the official control.

If the Applicant's operation changes in the future (opening a tasting room, public retail facility or operating in a structure larger than 10,000 square feet) a revised Farm Winery permit would need to be submitted to the Zoning Administrator and a Conditional Use Permit may be required. The Farm Winery must also comply with all State of Minnesota regulations for the duration of its operation.

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

- The Goodhue County Comprehensive Plan supports the use of existing agricultural properties as Farm Wineries to promote local agriculture production. Farm Wineries are also encouraged as an integral component of the rural and agricultural ambiance of the County and to maintain the viability of fruit farming through value added processing and direct sales of wine and wine related beverages made from locally grown fruit.

The Applicant's request 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 6-acre parcel is a conforming lot size in the A1 District (2-acre minimum).
- The Applicant's request to establish a Farm Winery utilizing existing structures is a reasonable use of property in the A1 District.
- The Farm Winery would meet or exceed all other regulations of the GCZO including fruit planting acreage and maximum square footage limitations for wine processing (less than 10,000 square feet).
- The Applicant alternatively considered adding additional land (4 acres) to his parcel to meet the 10 acre minimum parcel size requirement. This alternative was rejected as surrounding farmland is part of a single large row crop agriculture parcel. The Applicant noted that even if additional acreage was purchased, soil tests may indicate the land is not conducive to planting wine fruits, thereby rendering newly acquired property useless for the Farm Winery operation.
- The Applicant will be required to obtain appropriate permits from the State of Minnesota prior to beginning operations as a Farm Winery.
- Mr. Schumacher's property is located in an agricultural area surrounded by row crop agriculture fields. There is one dwelling within ¼ mile of the Applicant's parcel, owned by Nancylu Arndt TTEE.

The planting of fruits for a Farm Winery operation would not be uncharacteristic within this rural setting. The Applicant has not proposed to open the Farm Winery to the public, resulting in little changes to traffic patterns in the area. 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.**

- Farm Wineries operating in structures less than 10,000 square feet are permissible in the A1 district. The proposal 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 variance request, submitted by Wesley Schumacher (owner), to Farm Winery Performance Standards (Article 11, section 27) to allow establishment of a Farm Winery on a 6 acre parcel in the A1 Zoning District.



APPLICATION FOR  
**Variance**

**RECEIVED**

MAR 30 2021

Land Use Management

For Staff Use only

VARIANCE NUMBER: Z21-0013  
\$350 RECEIPT# 17866 DATE 3.30.21

SITE ADDRESS, CITY, AND STATE 39500 County 8 BLVD, Goodhue, MN		ZIP CODE: 55027	
LEGAL DESCRIPTION: Sect-31 Twp-111 Range-016 6.00 AC DOC#633416 PT OF SW1/4 SEC 31- 111-16 COM ON W LINE 340FT S OF NW COR S83DG E800FT MOR L TO CEN CO RD 8 BEING PT OF BEG S83DG E78G PT OF BEG S83DG E78 0FT N500FT MOR L TO N LINE SW1/4 W ALG N LINE 310FT MOR L TO CEN C			
PID# 25.031.0800	ZONING DISTRICT A1	LOT AREA (SF/ACRES) 6 Acres	LOT DIMENSIONS: 6 Acre, 4 sided lot
			STRUCTURE DIMENSIONS (if applicable):

APPLICANT OR AUTHORIZED AGENT'S NAME Wesley Allan Schumacher	
APPLICANT'S ADDRESS: 39500 County 8 BLVD Goodhue, MN 55027	TELEPHONE: [REDACTED]
	EMAIL: [REDACTED]

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

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

<b>VARIANCE REQUESTED TO:</b> (check all that apply) <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 checked="" type="checkbox"/> Lot Width &/or Area <input type="checkbox"/> Other (specify) <input type="checkbox"/> Subdivision Regulations	CURRENT OR PREVIOUS USE: Residential/Hobby Farm	
	PROPOSED USE: Farm Winery (Owners will still reside on property)	
	BUILDING APPLICATION PERMIT NO.: (if filed) NA	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.			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: Wesley Allan Schumacher

Date: 3/29/2021

Print name: Wesley Allan Schumacher (owner or authorized agent)

**REQUEST SUMMARY**

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

Article: 11      Section: 27      Name: Subd3 (The minimum parcel size required to construct and operate a farm winery shall be ten (10) acres or the minimum parcel size required for the construction of a structure in the Zone District the property is located within, whichever is greater.)

**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:

The property is owners personal residence and used for gardening and hobbies. Owner plans to use property as a FARM WINERY, where grapes, apples and other fruits will be grown and fermented into wine. No tasting room or additional buildings will be erected. There will be a minimum of 2 acres of land utilized for growing the fruit and honey for the wines produced. No retail sale of wine will occur on property.

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

If not granted, the owner will be unable to utilize the property as a FARM WINERY. Current property is surrounded by very large, undivided parcels of farmland. Surrounding property is not for sale and would not be available for the purchase of an adjacent 4 acres to meet the 10 acre minimum. Even if the additional land could be acquired, the soil would need to be tested and the layout of the additional land will likely not be unsuitable for the specific needs of fruit for wine making. If not granted, owner would need to purchase additional property and buildings and move family residence to a new location and start business from scratch.

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:

In this instance, the primary limitation is the size of the property. Owner would need to purchase a substantial piece of land in another location dramatically increasing the startup cost of the winery. The existing property has an excellent soil profile and slight southward facing slope which is perfect for growing and harvesting grapes and other fruits.

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

Two alternatives exist: Purchase additional farmland adjacent to existing property, or sell existing property and purchase newer, larger property. No adjacent property is for sale and the soil is likely not suitable for fruit production. Owner would prefer to not have to sell current property and move family to a new location due to the lot size limitation since it is cost prohibitive.

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

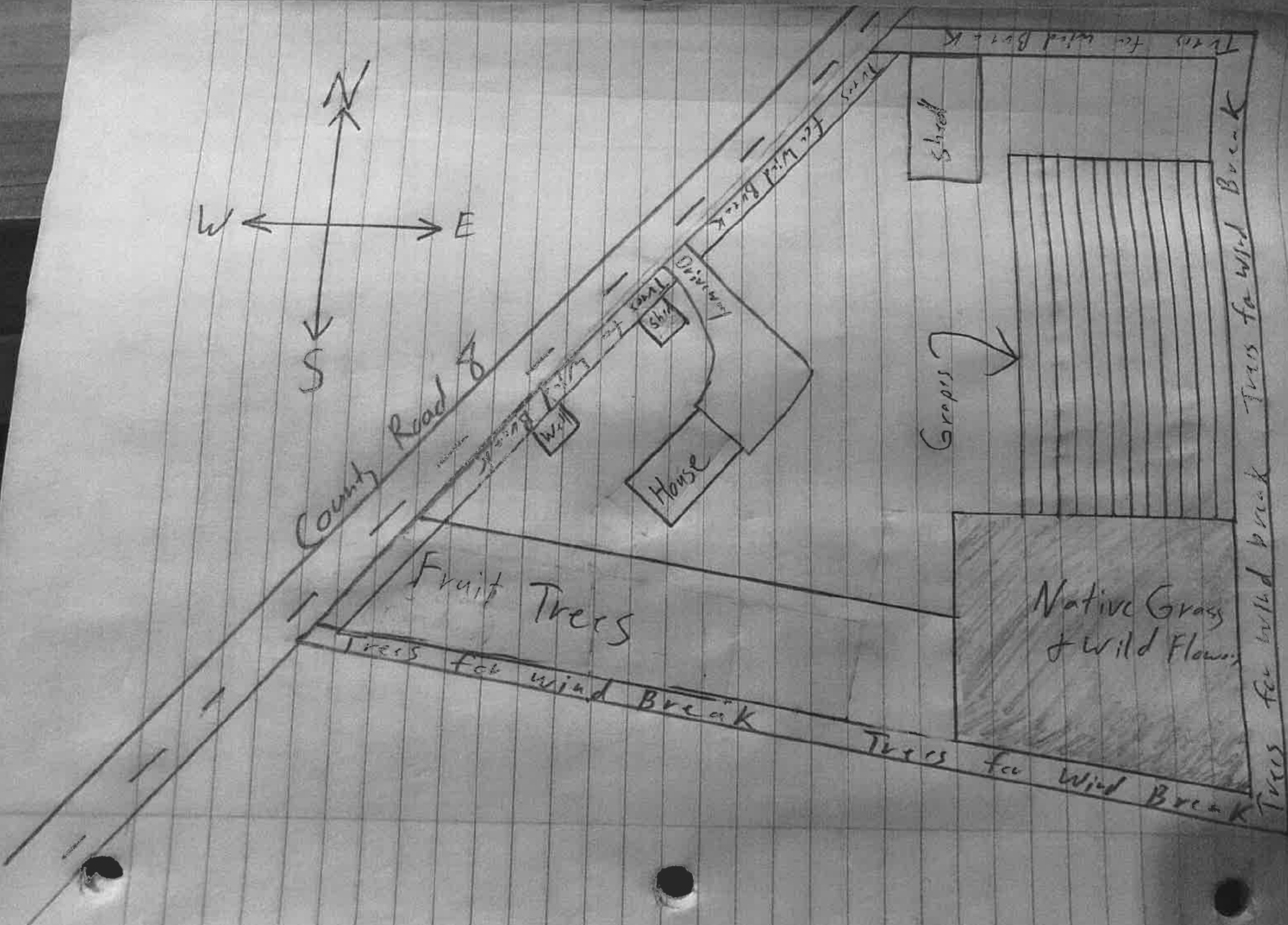
Nothing additional to add that is not already noted above.

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

**No. In fact, by allowing the owner to plant and harvest larger quantities of grapes and other fruits for the purposes of winemaking, it would benefit the neighboring community and wildlife by increasing the charm and ambiance of the landscape and creating many more pollinating plants, benefiting the many pollinating insects we depend on.**

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# Schumacher Site Plan



14. Adequacy of accessibility for emergency services to the site.

Property is immediately adjacent to county road 8 and provides access to all emergency vehicles

15. Potential for generation of noise, odor, or dust and proposed mitigation measures.

NA

16. Anticipated landscaping, grading, excavation, filling, and vegetation removal activities.

Additional fruit trees and vines will be added to property over time but will utilize existing property and not impose on neighboring properties

17. Existing and proposed surface-water drainage provisions.

No changes to current surface water drainage will be completed

18. Description of food and liquor preparation, serving, and handling provisions.

1. The first step of the wine making process is the primary fermentation process which lasts between 7 – 20 days. If making a honey based wine (mead), the process begins with the honey being heated in a warm water bath until it is 85 degrees and properly liquefied. Once mixed together, the mixture is called "Must". If making a fruit based wine without honey, the same general steps will be followed with the exception of adding and heating honey as a first step. The must will then be poured into a sanitized fermentation vessel and mixed with water, nutrient and yeast. Depending on the type of wine, additional nutrients, fruits, juices and spices will be added to the primary fermentation and will be de-gassed daily through the entirety of the primary fermentation. The fermentation vessel will have a lid on top of it with an airlock allowing only air to escape but no air or other foreign material to enter. Oxygen will be introduced daily during the primary fermentation process when the must is mixed in the fermentation vessel.
2. When the primary fermentation has completed, the must will be transferred (racked) to secondary fermentation which occurs in another sanitized fermentation vessel. Additional spices or flavors may be added during this phase of the fermentation. The secondary fermentation will take approximately 30 days or until the gravity of the must is at target and has reached the appropriate ABV.
3. When secondary fermentation has completed the must will be chilled to 30 degrees for 3 days to assist in the clearing of the wine. Once this is completed, the wine will be racked one last time to another vessel for aging and will have sulfites added to stabilize and allow the wine to properly age.
4. Once the wine is appropriately aged to taste and clarity, it will be racked to a bottling vessel and transferred into wine bottles for additional aging or to kegs for immediate consumption.
5. The goal is for the majority of the wine to be ready to be bottled and consumed in 4 months or less from the beginning of the process with the exception of a select few wines that may require additional time to age or require specific oak barrel aging.
6. Since no serving will be occurring on the property, no details on serving the wine are included in this summary

19. Provide any other such information you feel is essential to the review of your proposal.

NA



# MAP 01: PROPERTY OVERVIEW



## BOARD OF ADJUSTMENT

Public Hearing  
April 26, 2021

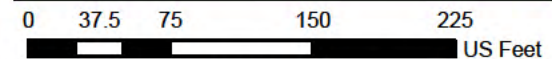
Wesley Schumacher (Owner)  
A1 Zoned District

Part of the SW 1/4 of Section 31  
TWP 111 Range 16 in Belle  
Creek Township

Variance request to allow establishment  
of a Farm Winery on a parcel less  
than 10 acres

### Legend

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



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# MAP 03: ELEVATIONS



## BOARD OF ADJUSTMENT

Public Hearing  
April 26, 2021

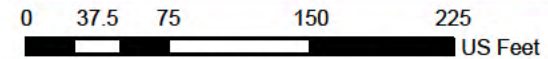
Wesley Schumacher (Owner)  
A1 Zoned District

Part of the SW 1/4 of Section 31  
TWP 111 Range 16 in Belle  
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Variance request to allow establishment  
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### Legend

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



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# MAP 02: VICINITY MAP



## BOARD OF ADJUSTMENT

Public Hearing  
April 26, 2021

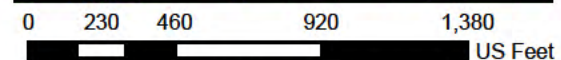
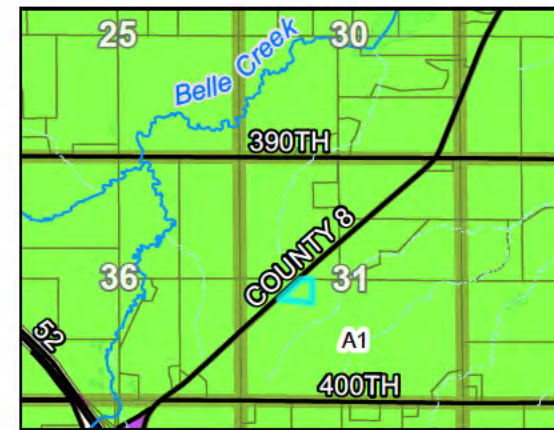
Wesley Schumacher (Owner)  
A1 Zoned District

Part of the SW 1/4 of Section 31  
TWP 111 Range 16 in Belle  
Creek Township

Variance request to allow establishment  
of a Farm Winery on a parcel less  
than 10 acres

### Legend

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



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2020 Aerial Imagery  
Map Created April, 2021 by LUM



- Subd. 2. The Planning Advisory Commission shall take into consideration the following information and performance standards in which to base their recommendation to the County Board for kennel conditional use permit applications:
- A. The measures taken to minimize noise from the proposed kennel;
  - B. The impact on local traffic;
  - C. Permanent water lines and septic systems may be required in the kennel building for drinking water, cleaning the kennels, and disposing of the waste water in an approved manner; and
  - D. Allow periodic inspections of the facility in coordination with the Land Use Management department.

## **SECTION 27. FARM WINERIES**

Subd. 1. **Statement of Purpose.** Wineries are welcomed by Goodhue County as appropriate farm activities. It is the intent of this section to promote local agriculture production by allowing construction of a farm winery with tasting room and retail sale of winery products in the A-1, A-2 and A-3 Zone Districts. It is also the intent of this section to encourage the growing of wine fruit and production of wine as an integral component of the rural and agricultural ambiance of Goodhue County and to maintain the viability of fruit farming through value added processing and direct sales of wine and wine related beverages made from locally grown fruit.

Subd. 2. **Definitions**

- A. **Farm winery.** "Farm winery" is a winery operated by the owner of a Minnesota farm which produces table, sparkling, or fortified wines from grapes, grape juice, other fruit bases, or honey with a majority of the ingredients grown or produced in Minnesota.
- B. **Wine.** "Wine" is the product made from the normal alcoholic fermentation of grapes, including still wine, sparkling and carbonated wine, wine made from condensed grape must, wine made from other agricultural products than sound, ripe grapes, imitation wine, compounds sold as wine, vermouth, cider, sherry and sake, in each instance containing not less than one-half of one percent nor more than 24 percent alcohol by volume for non-industrial use. Wine does not include distilled spirits as defined in Minnesota Statutes.
- C. **Fortified wine.** "Fortified wine" is wine to which brandy, or neutral grape spirits, has been added during or after fermentation resulting in a beverage containing not less than one-half of one percent nor more than 24 percent alcohol by volume for nonindustrial use.
- D. **Table or sparkling wine.** "Table or sparkling wine" is a beverage made without rectification or fortification and containing not more than 25 percent of alcohol by volume and made by the fermentation of grapes, grape juice, other fruits, or honey.
- E. **Distilled spirits.** "Distilled spirits" is ethyl alcohol, hydrated oxide of ethyl, spirits of wine, whiskey, rum, brandy, gin, and other distilled spirits, including all dilutions and mixtures thereof, for nonindustrial use.



- F. **Tasting Room.** A room in conjunction with a farm winery where:
- 1) Tasting of wine, fruit wines, and nonalcoholic fruit juices takes place at a charge or no charge to the individual; and
  - 2) The retail sales of winery products, incidental retail sales of non-food items, products by the bottle for off premises consumption and food items are allowed as provided herein. On premise consumption (wine by the glass) is also allowed.

Subd. 3. Performance Standards.

Farm Wineries are permitted provided:

- A. The farm winery is licensed by the US Treasury, Bureau of Alcohol Tobacco & Firearms; and the State of Minnesota Department of Public Safety. In addition, the farm winery must operate in conformance with all applicable local, state and federal laws, rules, and ordinances.
- B. The minimum parcel size required to construct and operate a farm winery shall be ten (10) acres or the minimum parcel size required for the construction of a structure in the Zone District the property is located within, whichever is greater.
- C. The farm winery parcel shall have a minimum of two planted acres of fruit maintained pursuant to generally accepted management practices.
- D. The total land area covered by buildings and structures used for wine processing, storage and sales does not exceed two percent (2%) of the contiguous lot area. If the total land area covered by buildings and structures used for wine processing, storage and sales exceeds ten thousand (10,000) square feet, the project is subject to approval of a conditional use permit.
- E. The above ground portion of any individual building shall not be greater than 20,000 square feet.
- F. All farm winery buildings shall comply with minimum yard setbacks for the zone district of the parcel. However, if the farm winery building is open to the public, that building shall be set back at least 100 feet from any lot line. To encourage the use of existing buildings, the setback requirements may be reduced to the other standards of the districts, subject to site plan review.
- G. Sales. Farm wineries licensed by the State of Minnesota operating in Goodhue County may sell, on the farm winery premises: table, sparkling, or fortified wines produced by that farm winery at on-sale or off-sale, in retail, or wholesale lots in total quantities not in excess of 50,000 gallons in a calendar year. In addition sale of glassware, wine literature and accessories, cheese and cheese spreads and other wine-related food items in conjunction with an approved farm winery. A farm winery may provide samples of distilled spirits manufactured pursuant to Minnesota Statutes 340A.315 distilled spirits only through a licensed wholesaler. Samples of distilled spirits may not exceed 15 milliliters per variety.
- H. There is adequate provision for parking of vehicles so that there is no parking on public roads and adequate setbacks from adjacent properties are maintained. Temporary parking areas may be approved at the sole discretion of the County. Parking areas must be a minimum of forty (40) feet from all property lines, and

appropriately screened from neighboring property. Light sources shall be directed downwards and shielded to prevent light being directed off the premises.

- I. Outside, activities must be completed during daylight hours. Inside activities must be completed by 10:00 p.m.

## **SECTION 28. AGRICULTURAL TOURISM ACCESSORY USES**

Subd. 1. Agricultural Related Uses are permitted as accessory uses within the A-1, A-2 and A-3 Zone Districts subject to approval of a zoning permit by the Zoning Administrator. Evidence in the form of a site plan and description of the use must be provided to indicate compliance with the following standards and any other applicable requirements set forth in this Ordinance.

- A. There is adequate provision for parking of vehicles so that there is no parking on public roads and adequate setbacks from adjacent properties are maintained. Temporary parking areas may be approved at the sole discretion of the County. Parking areas must be a minimum of forty (40) feet from all property lines, and appropriately screened from neighboring property. Light sources shall be directed downwards and shielded to prevent light being directed off the premises.
- B. The operator must have a written statement from the County Environmental Services indicating the maximum number of persons that can be accommodated with existing toilet facilities and additional portable toilets must be provided for any guests exceeding the aforementioned number.
- C. Outside, activities must be completed during daylight hours. Inside activities must be completed by 10:00 p.m.
- D. Any on-site preparation and handling of food or beverages must comply with all applicable Federal, State or Local Standards.

## **SECTION 29. FARM MARKET/ON-FARM MARKETS/ROADSIDE STANDS**

Subd. 1 Farm Markets/On-Farm Markets/Roadside Stands in buildings or structures exceeding 2400 square feet as permitted uses within the A-1, A-2 and A-3 zone districts are subject to approval of a conditional use permit or interim use permit. In addition to submittal requirements set forth Article 4 (Conditional and Interim Uses), the following information must be provided with a conditional use permit or interim use permit application.

- A. Plan drawn to an appropriate scale for effective interpretation.
- B. Property boundaries, onsite parking areas and access roads.
- C. Existing uses on adjacent properties and distance of dwellings within 500 feet of the property boundary.
- D. Existing and proposed structures with maximum capacity of each building where guests have access as required to comply with building code and applicable fire safety requirements.
- E. Location of temporary or permanent toilet facilities, which may be required.

# GOODHUE COUNTY ZONING ORDINANCE

## Table of Uses

Use	A-1	A-2	A-3	R-1	CS
<b>Residential</b>					
Single-Family Dwelling	P	P	P	P	P
Two, Three, Or Four Family Dwellings	NP	NP	NP	P	NP
Accessory Dwelling Unit (ADU) (Art. 11 § 31)	P	P	P	P	P
Residential Accessory Buildings $\geq 7,200\text{ft}^2$ (Art. 11 § 6)	C/I	C/I	C/I	NP	C/I
Mobile Home Park (Art. 16)	NP	NP	NP	C/I	NP
<b>Agricultural</b>					
Feedlots (Art.13)					
New Feedlot (Art.13)	P	P	NP	NP	NP
New Feedlot outside of Farmyard (Art.13)	C/I	C/I	NP	NP	NP
Feedlot expansion up to $\leq 100$ Animal Units (Art.13)	P	P	P	NP	NP
Feedlot expansion to $\geq 300$ Animal Units (Art.13)	P	C/I	NP	NP	NP
Feedlot expansion to $\geq 500$ Animal Units (Art.13)	C/I	C/I	NP	NP	NP
Animal waste storage structure $\geq 500,000$ gallons (lagoon system, earthen basin, or associated structure [pit]) (Art.13)	C/I	C/I	C/I	NP	NP
Agricultural Operations (including tree farms) (Art.11 § 24)	P	P	P	NP	P
Farm Market/On-farm market/Roadside Stand $< 2400\text{ft}^2$ (Art. 11 § 29)	P	P	P	NP	NP
Farm Market/On-farm market/Roadside Stand $> 2400\text{ft}^2$ (Art. 11 § 29)	C/I	C/I	C/I	NP	NP
Plant Nurseries & Sales	P	P	P	NP	NP
Farm Wineries $< 10,000\text{ft}^2$ (Art. 11 § 27)	P	P	P	NP	NP
Farm Wineries $> 10,000\text{ft}^2$ (Art. 11 § 27)	C/I	C/I	C/I	NP	NP
Temporary/Seasonal Off-Site Roadside Produce Stands	C/I	C/I	NP	NP	C/I
Education Farm Retreat (Art. 11 § 14)	C/I	C/I	C/I	NP	NP
Non-Agricultural Uses Associated W/Agritourism (Art. 11 § 30)	C/I	C/I	C/I	NP	NP
1 Animal Unit per acre on a minimum 1-acre parcel				I	
Agricultural Tourism Accessory Uses (Art. 11 § 28) (including, but not limited to, barn dances, corn mazes, gift shops, petting farms, sleigh/hay rides, vineyard harvest festivals)	P	P	P	NP	NP
<b>Commercial</b>					
Home Businesses - Tier 1 (Art.11 § 12)	P	P	P	P	P
Home Businesses - Tier 2 (Art.11 § 12)	P	P	P	I	I
Home Businesses - Tier 3 (Art.11 § 12)	I	I	I	NP	NP
Commercial Kennel/Raising of fur-bearing animals (Art.11 § 26)	C/I	C/I	C/I <sup>bc</sup>	NP	NP
Commercial/Industrial Uses primarily intended to serve Ag. Community	C/I	C/I	C/I <sup>bc</sup>	NP	NP
Boarding or Rooming Houses as an accessory use	C/I	C/I	C/I <sup>bc</sup>	C/I	NP
Bed and Breakfast Inn (Art.11 § 13)	C/I	C/I	C/I <sup>bc</sup>	C/I	NP
Contractors Yard (Art.11 § 33)	C/I	C/I	C/I	NP	NP
Veterinary Clinic	C/I	C/I	NP	NP	NP
<b>Industrial</b>					
Mining, Quarrying, Excavating/Filling (Art.14)	P	P	NP	NP	NP
Junk/Salvage Reclamation Yard (Art.11 § 10)	C/I	C/I	NP	NP	NP

a. Accessory buildings  $> 500\text{ft}^2$  shall be  $\geq 100\text{ft}$  from any lot line and  $\geq 20\text{ft}$  from the nearest dwelling (Art.23 § 3 subd. 1)

b. Any mining, excavating, or filling of land for these uses shall be by conditional use (Art.23 § 3 subd. 10)

c. Accessory structures and uses customarily incidental to this use shall be by conditional use (Art.23 § 3 subd. 11)

KEY: P = PERMITTED NP = NOT PERMITTED C = CONDITIONAL USE PERMIT I = INTERIM USE PERMIT