



# 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. April 25, 2022 BOA Meeting Minutes

Documents:

[BOAMEETINGMINUTES\\_APRILMEETING\\_DRAFT.PDF](#)

Conflict/Disclosure Of Interests

PUBLIC HEARING: Request For Variance To Minimum Setback Standards

Request for Variance from Lisa Shoberg-Weiner and Allen Weiner (Owners) to A-1 Zoning District standards to construct a dwelling addition less than 60-feet from the County 12 BLVD Right-of-Way. Parcel 30.008.0100. 7850 County 12 BLVD Kenyon, MN 55946. Part of the NE ¼ of the NE ¼ & E ½ of NW ¼ of NE ¼ Section 8 TWP 109 Range 17 in Cherry Grove Township.

Documents:

[BOAPACKET\\_SHOBERG-WEINER.PDF](#)

PUBLIC HEARING: Request For Variance To Minimum Lot Size Standards

Request for Variance from Terry and Sarah Cox (Owners) to R-1 Zoning District standards to reconfigure parcel lines resulting in a 0.28-acre parcel containing a dwelling site where 1-acre is required. Parcel 32.015.1700. 33583 Hwy 61 BLVD Frontenac, MN 55026. Part of the NW ¼ of the NE ¼ Section 15 TWP 112 Range 13 in Florence Township.

Documents:

[BOAPACKET\\_COX.PDF](#)

PUBLIC HEARING: Request For Variance To Bluffland Standards

Request for Variance, submitted by Todd Kuyath (Owner), to Article 12 (Bluffland Protection Standards) to allow construction of a dwelling addition 45-feet into the bluff impact zone. Parcel 31.023.0800. 22749 320th ST Red Wing, MN 55066. NE ¼ of the SE

¼ of Section 23 TWP 112 Range 15 in Featherstone Township. A2 Zoned District.

Documents:

[BOAPACKET\\_KUYATH.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  
April 25, 2022 MEETING MINUTES  
DRAFT**

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The meeting of the Goodhue County Board of Adjustment was called to order at 5:00 PM by Chair Daniel Knott at the Goodhue County Government Center Board Room.

**Roll Call**

Commissioners Present: Daniel Knott, Keith Allen, Darwin Fox, Denny Tebbe, and Randy Rehtzigel

Commissioners Absent: None

Staff Present: Land Use Director Lisa Hanni, Zoning Administrator Samantha Pierret, Zoning Assistant Alexandra Koberoski, and Zoning Administrative Assistant Patty Field

**1. Approval of Agenda**

<sup>1</sup>Motion by Commissioner Fox and seconded by Commissioner Rehtzigel to approve the meeting agenda.

**Motion carried 5:0**

**2. Approval of Minutes**

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

**Motion carried 5:0**

**3. Conflict/Disclosure of Interest**

*There were no conflicts of interest reported.*

**5. Public Hearings:** Request for Variance from John Vieths (Owner) to A-1 Zoning District standards to construct a dwelling addition less than 60-feet from the County 9 BLVD Right-of-Way. Parcel 33.022.1200. 21225 County 9 BLVD Goodhue, MN 55027. Part of the SW ¼ of the SW ¼ of Section 22 TWP 111 Range 15 in Goodhue Township.

*Koberoski presented the staff report and attachments.*

**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 Commissioner Rehtzigel and seconded by Commissioner Allen to close the Public Hearing.**

**Motion carried 5:0**

*Commissioner Fox asked if staff had visited the site.*

*Pierret responded she had driven past the property, and did not observe any issues with the placement of the addition.*

*Commissioner Fox stated he was not against the proposed addition, as it fit in line with the existing house and was not encroaching closer to the Right-of-Way.*

*Commissioner Tebbe requested confirmation that the Right-of-Way authority was in favor of the request.*

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*Pierret confirmed Goodhue County Public Works had no issues with the request.*

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

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

**APPROVE** the request for a variance, submitted by John Vieths (Owner) to A-1 Zoning District standards to construct an 11-foot by 28-foot dwelling addition no less than 17-feet from the County 9 BLVD Right-of-Way.

**Motion carried 5:0**

**PUBLIC HEARING:** Request for Variance from Joshua Plath (Owner) to A-2 Zoning District standards to construct an accessory building less than 30-feet from a side yard property line. Parcel 34.020.2000. 31780 Hill Valley Road Red Wing, MN 55066. Part of the SE 1/4 of the SE 1/4 of Section 20 TWP 112 Range 14 in Hay Creek Township.

*Koberoski presented the staff report and attachments.*

**Chair Knott opened the Public Hearing.**

*No one spoke for or against the request.*

**5After Chair Knott asked three times for comments it was moved by Commissioner Allen and seconded by Commissioner Tebbe to close the Public Hearing.**

**Motion carried 5:0**

*Chair Knott asked for more information concerning the 'Surveyors Report' which noted a discrepancy between iron monuments found at the site and the written location of the north property line. He asked how a variance could be approved without knowing the exact location of the property line.*

*Hanni explained the previous surveyor found monuments and the setback measurement should be taken from the line depicting the most recent surveyed line, not the historical line. She pointed out that staff and a member from the BOA performed a site visit and observed multiple other spots to build the shed.*

*Commissioner Rehtzigel asked if the structure shown in the report was new.*

*Commissioner Fox responded the owner had begun tearing down the building, and the picture showed the remnants of the structure.*

*Hanni pointed out the well and septic system are not located in areas that significantly impede locations to build.*

*Commissioner Fox confirmed that during the site visit he observed multiple alternative locations for the structure to be built.*

*Commissioner Tebbe mentioned that though the contour map did not show a dramatic drop in elevation, the property was not completely level.*

*Commissioner Fox responded the slope was minimal.*

*Commissioner Tebbe stated he could understand why the property owner would want to keep the*



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*building in the same spot, as it provided screening from the property to the north.*

*Commissioner Fox stated the building would be constructed in a small, tight area bordered by multiple trees. He questioned how construction equipment would be able to access the area.*

*Commissioner Tebbe asked if the trees could be damaged while construction was being completed.*

*Mr. Plath explained the placement of the structure was intended to prevent having to cut down or damage the apple trees. He admitted the apple trees were not in perfect health.*

*Commissioner Tebbe surmised that if the unhealthy trees were removed, the Applicant could then meet the setback.*

*Commissioner Rehtzigel agreed, noting removing the trees would allow better access to the site.*

*Commissioner Tebbe asked staff if the property owner would be responsible for measuring the distance from the property line if the Board required the structure to be placed no closer than 20-feet from the north property line.*

*Hanni replied that the distance would be measured from the most recent surveyed line, rather than the historical. A surveyor could then verify this setback is met after construction.*

*Chair Knott asked when the Applicant purchased the property, and if the previous owner constructed the sheds.*

*Koberoski responded it was purchased in 2017, and confirmed the previous owner built the structures without a permit.*

*Commissioner Fox commented that the motion should include which survey line to measure from.*

*Chair Knott asked Mr. Plath if achieving the 20-foot setback would allow for clearance from any power lines, as well as providing adequate access to the structure.*

*Mr. Plath mentioned he would need to cut down the pine tree to the west of the sheds in order to meet the 20-foot setback.*

*Hanni recommended moving the structure to the east.*

*Mr. Plath noted that moving the structure east would interfere with where his garden is located.*

*Commissioner Tebbe said he could support a variance for the proposal, especially since the neighbor to the north provided a signed consent to allow the structure to be built less than 30-feet from the shared property line and the Township had no issues with the request.*

*Hanni replied that if the Board decided to approve the proposal, they would need to provide Findings of Fact or practical difficulties to substantiate the need for a variance. She recommended tabling the item until the Board meets in May so Board members can visit the property.*

**6Motion by Fox for the Board of Adjustment to:**

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

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**DENY** the request for a variance, submitted by Joshua Plath (Owner) to A-2 Zoning District standards to allow construction of an accessory building no less than 13-feet from the north property line where 30 feet is required.

**Motion failed for lack of a second.**

*Commissioner Rechtzigel asked if the Board denied the request, how long would the Applicant need to wait until they could re-apply.*

*Hanni replied the Applicant would need to wait six months.*

*Chair Knott vocalized his concern that if the request were denied, the Applicant would be unable to build anything for six months.*

*Commissioner Fox reiterated he went out to the site and could not find a practical difficulty that would support the approval of a variance.*

*Hanni reiterated that a site visit may be a good idea, as that would provide the Board with a better understanding of the proposal.*

*Chair Knott replied based on the staff report, he could not justify approving the variance. He did comment that the neighbor to the north consented to the structure being built within 30-feet of the property line, and the Township had no issues.*

*Hanni replied that though neighbor consent and Township input were important, they were not reasons to approve a variance.*

**7Motion by Allen, seconded by Tebbe for the Board of Adjustment to:**

**TABLE** the request for variance, submitted by Joshua Plath (Owner) to A-2 Zoning District standards to construct an accessory building less than 30-feet from a side yard property line until the May 23, 2022 BOA meeting. Staff should coordinate site visits to the Applicant's property.

**Motion carried 5:0**

**5. Other-Discussion**

*Hanni welcomed the new Zoning Administrative Assistant, Patty Field.*

**ADJOURN**

**8Motion by Allen, seconded by Rechtzigel to adjourn the BOA meeting at 5:45 pm.**

**Motion carried 5:0**

Respectfully submitted:  
Alexandra Koberoski, Zoning Assistant

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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 5:0

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

Motion carried 5:0

<sup>4</sup> APPROVE the Variance request to A-2 Zoning District standards to allow an 11-foot by 28-foot dwelling addition no less than 17-feet from the County 9 BLVD Right-of-Way.

Motion carried 5:0

<sup>5</sup> Close the Public Hearing

Motion carried 5:0

<sup>6</sup> DENY the Variance request to A-2 Zoning District standards to allow construction of an accessory building no less than 13-feet from the north property line where 30 feet is required.

Motion failed for lack of a second.

<sup>7</sup> TABLE the Variance request to A-2 Zoning District standards to allow construction of an accessory building no less than 13-feet from the north property line where 30 feet is required.

Motion carried 5:0

<sup>8</sup> ADJOURN

Motion carried 5:0

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UNOFFICIAL UNTIL APPROVED BY THE BOA

# Goodhue County Land Use Management

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

*Lisa M. Hanni, L.S. Director*

Building | Planning | Zoning  
Telephone: 651.385.3104  
Fax: 651.385.3106



*County Surveyor / Recorder*

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

**To:** Board of Adjustment  
**From:** Land Use Management  
**Meeting Date:** May 23, 2022  
**Report date:** May 13, 2022

**PUBLIC HEARING:** Request for Variance by Lisa Shoberg-Weiner & Allen Weiner (Owners) to A-1 Zoning District standards to construct a 48-foot 6-inch by 12-foot 2-inch dwelling addition less than 60-feet from the County 12 BLVD Right-of-Way.

**Application Information:**

Applicant(s): Lisa Shoberg-Weiner & Allen Weiner (Owners)  
Address of zoning request: 7850 County 12 BLVD Kenyon, MN 55946  
Parcel: 30.008.0100  
Abbreviated Legal Description: Part of the NE ¼ of the NE ¼ & E ½ of NW ¼ of NE ¼ Section 8 TWP 109 Range 17 in Kenyon Township.  
Township Information: Cherry Grove Township signed acknowledgement of the variance request with no objections.  
Zoning District: A-1 (Agricultural Protection District)

**Attachments and Links:**

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

**Background:**

Lisa Shoberg-Weiner & Allen Weiner (Owners) have applied for a variance to A-1 minimum setback standards to construct a proposed 48-foot 6-inch by 12-foot 2-inch bedroom/kitchen addition on the east side of the existing dwelling. The proposed addition would be 56-feet from the County 12 BLVD Right-of-Way line at its closest point where 60 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.
- The existing home is located 56-feet from the County 12 BLVD Right-of-Way and is an existing non-conforming structure. The Right-of-Way authority, Goodhue County Public

Works, reviewed the request and determined that locating the addition 56-feet from the Right-of-Way is not anticipated to further impede future road expansion or on-going maintenance.

- The proposed addition would not be located closer to the Right-of-Way than the existing dwelling.
- 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:**

- 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 bedroom/kitchen 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 request to construct a bedroom/kitchen addition is a reasonable use of property in the A-1 District. The addition, as proposed, would meet all other required setbacks.
- The parcel is an existing, rectangular-shaped 21.95-acre parcel which is a conforming lot size in the A-1 District (2-acre minimum). The property contains a single-family dwelling and six accessory structures.
- The Applicants stated that there are no alternative locations for the bedroom/kitchen addition due to the existing dwelling configuration.
- The existing dwelling was constructed in 1918, prior to the establishment of zoning and setback regulations in Goodhue County.
- The Applicants stated they considered expanding the east wall at the 60-foot setback point, however this would have affected the uniformity of the structure.
- The property is surrounded by A-1 zoned properties on all sides.
- 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.**

- Dwelling additions 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 Lisa Shoberg-Weiner & Allen Weiner (Owners) to A-1 Zoning District standards to construct a 48-foot 6-inch by 12-foot 2-inch bedroom/kitchen addition no less than 56-feet from the County 12 BLVD Right-of-Way.

RECEIVED

APPLICATION FOR  
**Variance**

APR 25 2022

Land Use Management

For Staff Use only		
VARIANCE NUMBER:	Z 220027	
S350 RECEIPT#	17582	DATE 4-25-22

SITE ADDRESS, CITY, AND STATE		ZIP CODE:		
7850 County 12 Boulevard Kenyon, Minnesota		55946		
LEGAL DESCRIPTION				
DOC#673123 PT OF NE1/4 OF NE1/4 & E1/2 OF NW1/4 OF NE1/4SEC 8-109-17 CM AT NE COR OF <span style="float:right">Attached <input type="checkbox"/></span>				
PID#:	ZONING DISTRICT	LOT AREA (SF/ACRES):	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable):
30.008.0100	A-1 Ag.	21.950		See Proposed Use atch

APPLICANT OR AUTHORIZED AGENT'S NAME	
Lisa Shoberg-Weiner / Allen Weiner	
APPLICANT'S ADDRESS:	TELEPHONE:
1085 23rd Avenue Southwest Rochester, Minnesota 55902	
	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 type="checkbox"/> Doug Kleese	
ADDRESS:	TELEPHONE:
4667 County 30 Boulevard Kenyon, Minnesota 55946	
	EMAIL:

<b>VARIANCE REQUESTED TO:</b> (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:
	House
	PROPOSED USE:
	See Proposed Use and Structure Size page.
	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. <span style="float:right">Attached <input type="checkbox"/></span>		
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: Lisa M. Shoberg-Weiner

Date: 4/25/2022

Print name: Lisa M. Shoberg-Weiner (owner or authorized agent)

REQUEST SUMMARY

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

Article: 21 Section: 5 Name: Subdivision 3. Yard Requirements. Item A.1.a.

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:

Please view the supplemental document attached titled "Supporting Information and Justification for Goodhue County Variance."

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

Please view the supplemental document attached titled "Supporting Information and Justification for Goodhue County Variance."

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:

Please view the supplemental document attached titled "Supporting Information and Justification for Goodhue County Variance."

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

Please view the supplemental document attached titled "Supporting Information and Justification for Goodhue County Variance."

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

Please view the supplemental document attached titled "Supporting Information and Justification for Goodhue County Variance."

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

Please view the supplemental document attached titled "Supporting Information and Justification for Goodhue County Variance."

Proposed Use and Dimensions Page

PID: 30.008.0100  
7850 County 12 Blvd  
Kenyon MN, 55946

Structure Dimensions

Existing Structure:

48' 6" x 27' 8"

New Structure dimension:

70' 6" x 36' 4"

Addition Structures

East Addition: 48' 6" x 12' 2"

South Addition: 22' x 36' 4"

East Addition: Master Bedroom/Master Bath and Kitchen

South Addition: Porch, Office, Sunroom



**Supplemental Information: Photos of Existing Property**

Photo #1



**Photo #1:** The North and East sides of the existing home. The photo is taken facing WSW from the existing driveway on the property. Country Road 12 is on the right-hand side of this photo.

## Supporting Information and Justification for Goodhue County Variance

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

The current site, 7850 Co 12 Blvd, has been the Shoberg family home since Fall of 1965. It was then that our parents, Jim and Sylvia Shoberg, purchased the property and moved their young family to this beautiful community. The tillable acres were run by our father until, due to his age, he needed to rent out the tillable land. After his death in 2020, two of my siblings acquired the tillable 40 acres around the building site and 80 acres approximately a mile south. My husband, Allen, and I acquired the building site and very much wish to attend to the necessary plumbing, electrical, and septic updates in the home.

Built in 1918, this home is reminiscent of a proud history of the farming community in which it is located. We have sought out the advice and recommendations of a draftsman from Design Connection in Rochester as to how we not only make the necessary repairs to the internal workings of the home, but aesthetically retain the character of the early 1900s farmhouse that it is. During several meetings with this draftsman, we consistently modified plans to not extend the north wall, but to extend east and south. This allows not only the outside of the home to harmoniously blend in with the surrounding property, but also allows for original woodworking to remain untouched in the home. We never wanted to extend the footprint of the house north, only east and south. The variance we are asking for is to allow us to run flush with the existing north wall of the home while extending the addition east and south.

### 2. Describe the effects on the property if the variance is not granted:

If the variance is not granted, it will impact the current version of the blueprint and result in our continued modifications of a home in which we are trying to salvage the quality craftsmanship of a bygone era and antiquities within. We have tried to make our modifications without impacting the original hardwood floors and built ins that are in integral part of this home's design aesthetic. We would also have to reconsider the appearance of the home from the outside and how best to try and have this home design stand the test of time.

### 3. 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:

We understand that the current structure of the house is not 60 feet from the right of way. At the time of its construction, it was built on this location which is now

too close to the right of way. We do not have the history to know when the ordinance was changed to be 60 feet. We are assuming that at some point in time, 56 feet and 8 inches from the right of way was within code. We cannot comply with the current right of way requirement because the structure is already built. We believe that if you look from the road, extending eastward will not have a negative impact on the character of the surrounding area.

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

When meeting with our draftsman and his team of professionals, we discussed numerous options for the addition we envisioned and how to best blend that with the existing home. Initially, our plan included extending the east wall 16 ft and leave the existing porch as it is. We ultimately decided to include building the east wall of the porch out to maintain the roofline from north to south. We discussed how to incorporate the use of the existing structure and be respectful of Goodhue County's Comprehensive Plan. We not only wish to live in Goodhue County, but we want to be a part of preserving the history and beauty of this land. With my siblings owning the tillable acres adjacent to this building site, we can work together to preserve and protect this land for long term use.

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

In one of our first designs, we discussed leaving the footprint of the porch as is. We would then extend the rest of the east wall 16 feet. We soon discovered that the porch itself looked like an odd appendage. We quickly decided to extend the porch wall eastward as well.

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

Respectfully, not granting the variance would more likely alter the "essential character" of the neighborhood. We have spent hours trying to create a design that will harmoniously fit into the farming community that my family has been a part of in Cherry Grove Township/Goodhue County since 1965. Our family truly values this home, and we wish to help ensure that it is a place for future generations to enjoy. Our family tree is rooted in a Scandinavian farming upbringing. This upbringing instilled in us the value of hard work, honesty, respect for the land, and honoring family and traditions of the past as well as the future.

Photo #2



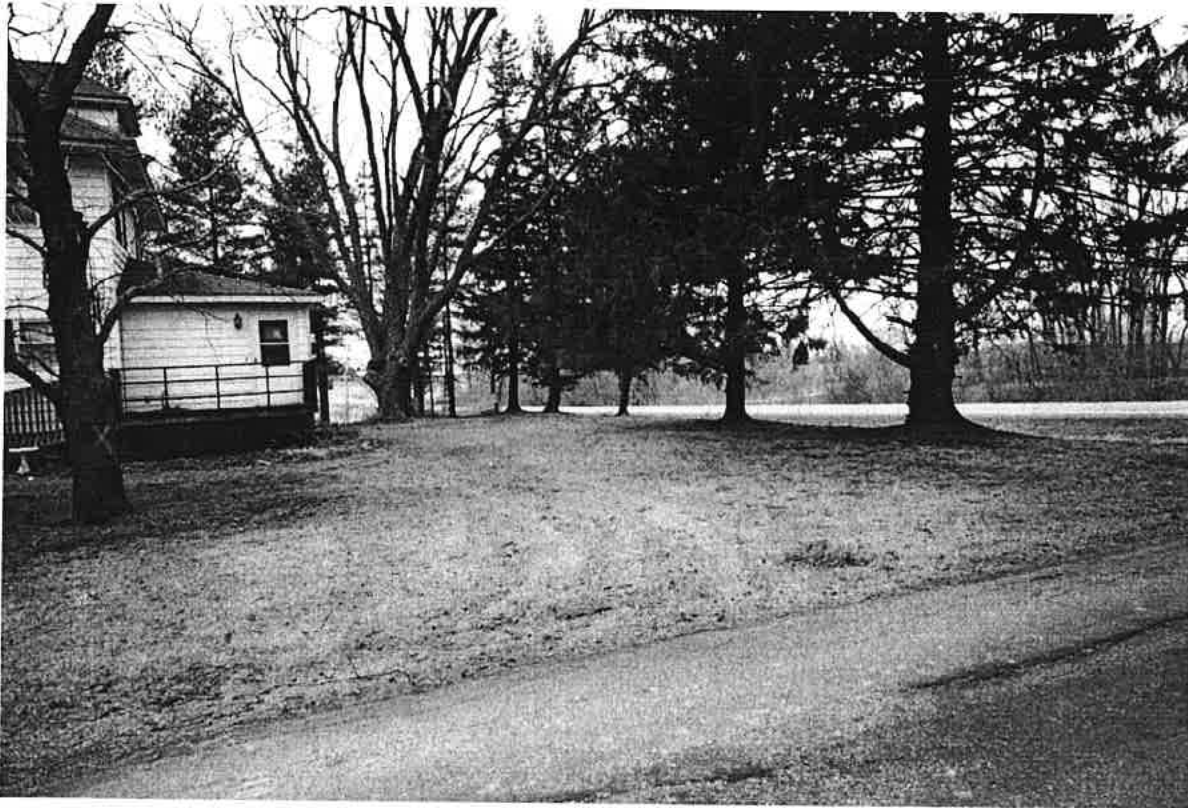
**Photo #2:** The NE corner of the existing home. Photo is taken facing SW from the end of the existing driveway on the property that connects to Country Road 12.

Photo #3



**Photo #3:** The NW corner of the existing home. This photo is taken facing the SE.

Photo #4



**Photo #4:** The NE corner of the existing home. This photo is taken facing NW from the existing driveway on the property. County Road 12 is in frame. Between the existing house and Country Road 12 is a portion of yard, a line of pine trees, and the county ditch.

TOWNSHIP ZONING APPLICATION

Goodhue County

TOWNSHIP NAME Cherry Grove

Parcel # R 30 008 0100

APPLICANT INFORMATION

Last Name Kleese First Doug M.I. G  
 Street Address 4667 city 30 Blvd Phone \_\_\_\_\_  
 City Kenyon State MN ZIP 55946  
 Email Address \_\_\_\_\_  
 Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_

PROJECT INFORMATION

Site Address 7850 city 12  
 Zoning District \_\_\_\_\_ Lot Size \_\_\_\_\_ Structure Dimensions \_\_\_\_\_  
 Type of Project Remodel/Addition Proposed Use house  
 Structure Type \_\_\_\_\_ Replacement? YES  NO   
 Variance # \_\_\_\_\_ Conditional Use Permit # \_\_\_\_\_

GPS Coordinates

DISCLAIMER AND SIGNATURE

I hereby apply for a zoning permit and I acknowledge that the information above is complete and accurate, that the work will be in conformance with the ordinances and codes of Goodhue County. The applicant also understands by signing this application he / she could be held responsible as representative of this project for any violation of compliance with all applicable laws and ordinances of Goodhue County. This permit may be suspended or revoked if the permit has been issued in error or on the basis of incorrect information supplied or in violation of any ordinance or regulation of Goodhue County. All provisions of law and ordinances governing this type of work will be complied with whether specified herein or not.

Signature Doug Kleese Date 3-26-22

TOWNSHIP APPROVALS

I hereby certify that the above described project has been approved by the Township Board, and the structure and use will meet all Township Codes and Ordinances if constructed as indicated.

Signature [Signature] Title Chair Date 4-13-22

Signature [Signature] Title Clerk Date 4/6/2022

Application fee 300 Receipt Number 313745

Approved to allow the variance



## Koberoski, Alexandra

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**From:** Greenwood, Jess  
**Sent:** Monday, May 2, 2022 3:08 PM  
**To:** Koberoski, Alexandra  
**Subject:** RE: County 12 Blvd Variance

Alexandra,

After reviewing I do not have any comments or concerns as the addition does not encroach any further toward the ROW.

Sincerely,

Jess L. Greenwood, P.E.  
Deputy Director / Assistant Engineer  
Goodhue County Public Works  
O: 651-385-3049  
C: 651-212-8771  
[jess.greenwood@co.goodhue.mn.us](mailto:jess.greenwood@co.goodhue.mn.us)



**From:** Koberoski, Alexandra <[alexandra.koberoski@co.goodhue.mn.us](mailto:alexandra.koberoski@co.goodhue.mn.us)>  
**Sent:** Monday, May 2, 2022 10:42 AM  
**To:** Greenwood, Jess <[jess.greenwood@co.goodhue.mn.us](mailto:jess.greenwood@co.goodhue.mn.us)>  
**Subject:** County 12 Blvd Variance

Good Morning,

Goodhue County Zoning is in the process of reviewing a variance request for a 48' x 12' proposed addition on the east side of an existing dwelling. The dwelling is currently 56.8-feet from the Right-Of-Way where 60-feet is required by Ordinance. The addition will not be encroaching closer to the Right-of-Way and will be in-line with the existing house. I have attached the survey for your reference. If you have any comments or concerns regarding the proposal, let me know.

Thank you,  
**Alex Koberoski** | Goodhue County Zoning Assistant  
Phone: 651-385-3112  
[Alexandra.koberoski@co.goodhue.mn.us](mailto:Alexandra.koberoski@co.goodhue.mn.us)

NOTICE: This e-mail and any files transmitted with it are intended only for the use and viewing of the individual or entity to which they are addressed. If you are not the intended recipient, please immediately notify the sender of the transmission error and then promptly delete this message from your computer system. Please be advised that e-mail correspondence to and from Goodhue County may be public data subject to the Minnesota Data Practices Act and may be disclosed to third parties.



4667 County 30 Blvd.  
Kenyon, MN 55946

Lic. #BC527957

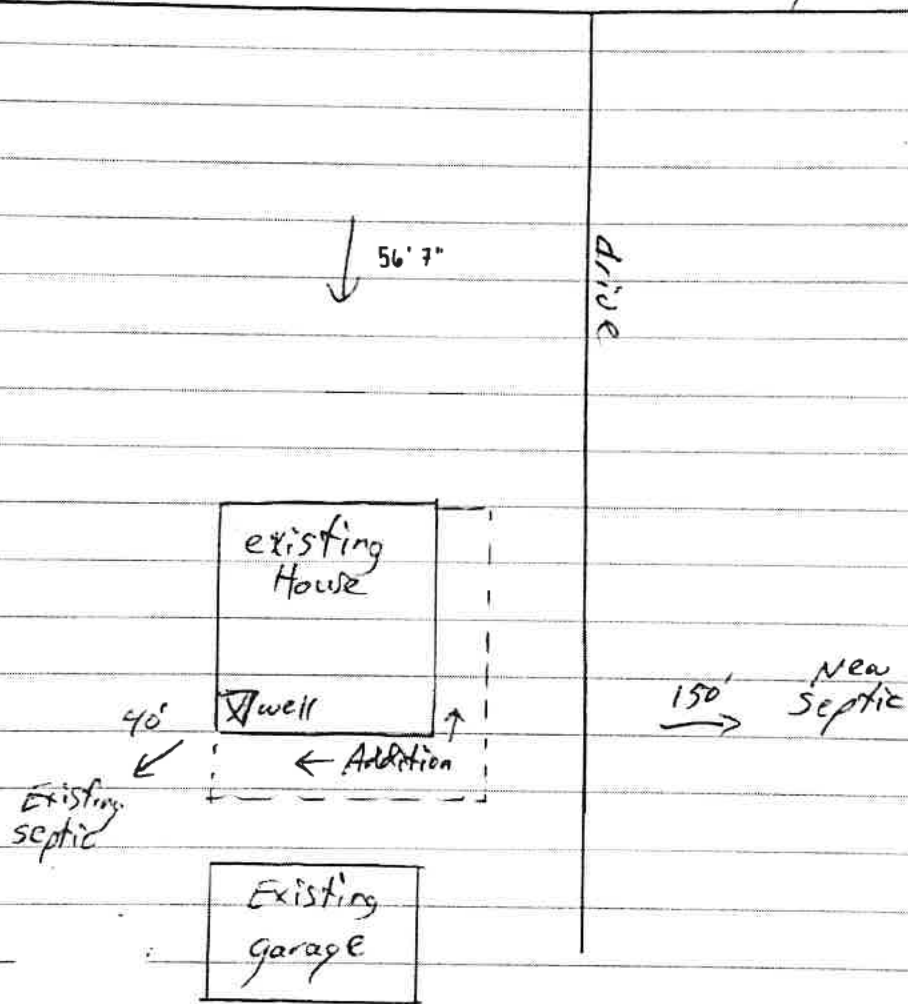


Cell: 507-649-1783  
Home: 507-789-6313

www.kleeseconstruction.com  
doug.kleese@gmail.com

N ↑

City 12





# MAP 01: PROPERTY OVERVIEW



## BOARD OF ADJUSTMENT

Public Hearing  
May 23, 2022

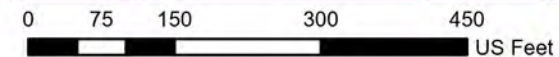
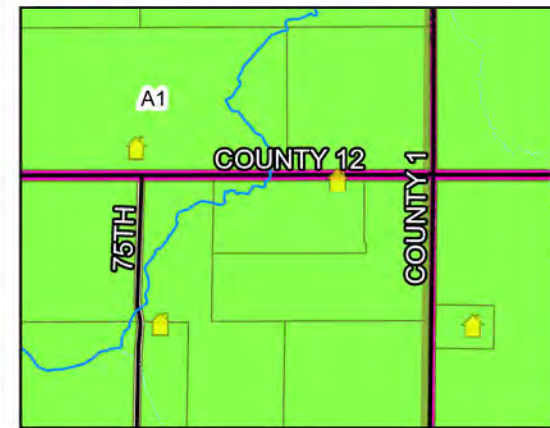
Lisa Shoberg-Weiner and Allen Weiner  
(Owners)  
A-1 District

Part of the NE ¼ of the NE ¼  
& E ½ of NW ¼ of NE ¼  
Section 8 TWP 109 Range 17 in Cherry  
Grove Township.

Variance request to construct a  
bedroom/kitchen addition 56-feet from the  
Right-of-Way where 60-feet is required.

### 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	



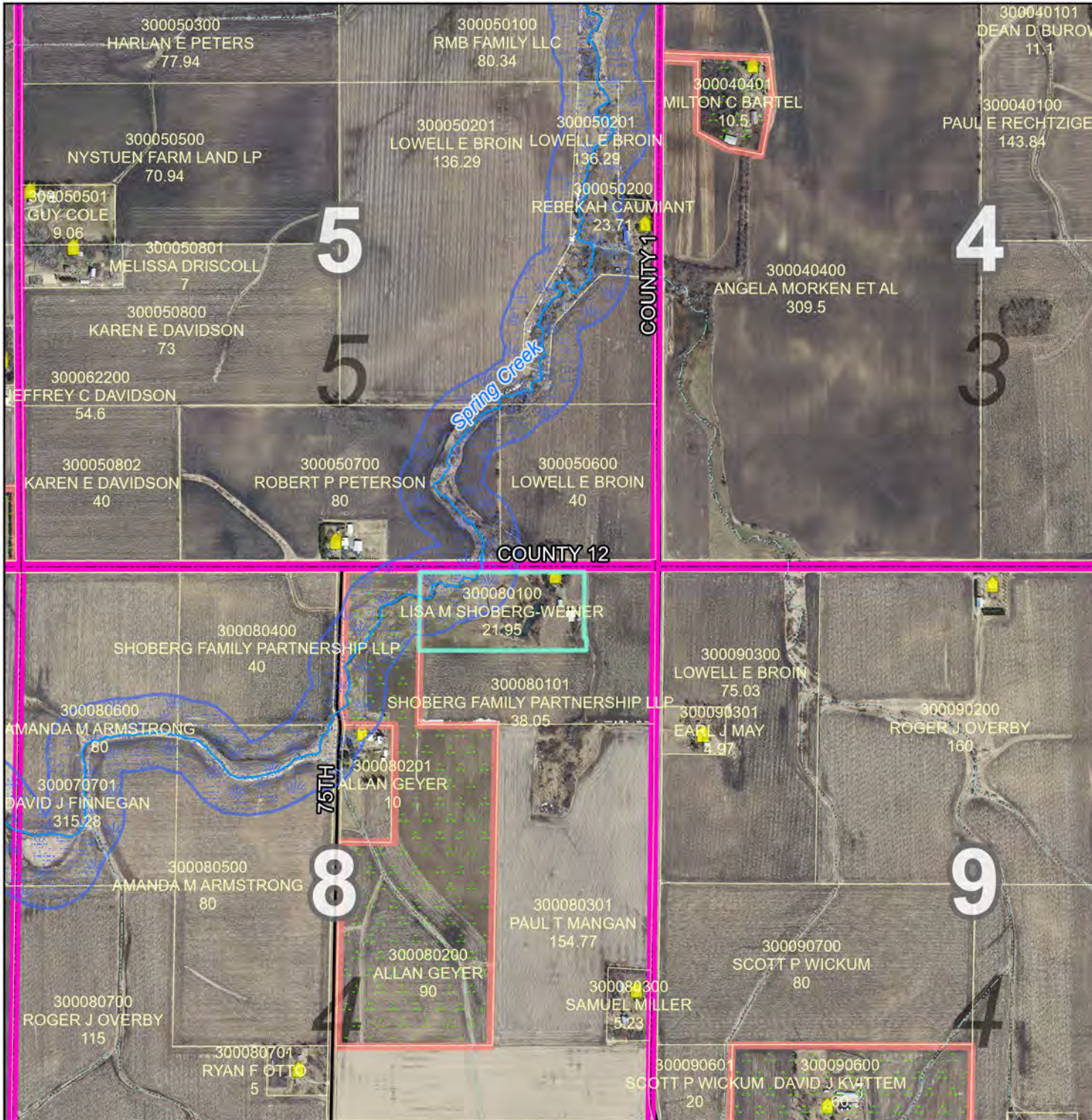
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# MAP 02: VICINITY MAP



## BOARD OF ADJUSTMENT

Public Hearing  
May 23, 2022

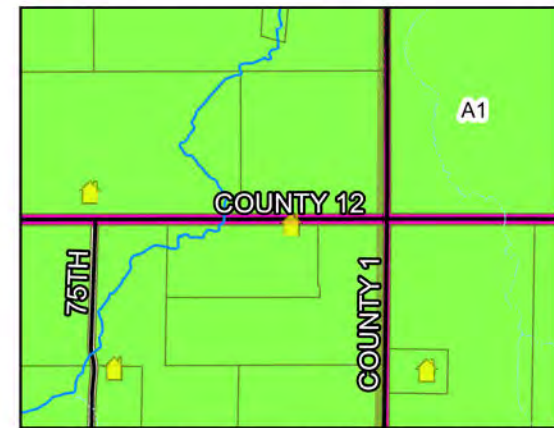
Lisa Shoberg-Weiner and Allen Weiner  
(Owners)  
A-1 District

Part of the NE ¼ of the NE ¼  
& E ½ of NW ¼ of NE ¼  
Section 8 TWP 109 Range 17 in Cherry  
Grove Township.

Variance request to construct a  
bedroom/kitchen addition 56-feet from the  
Right-of-Way where 60-feet is required.

### Legend

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



0 450 900 1,800 2,700  
US Feet

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Map Created May, 2022 by LUM





# MAP 03: ELEVATIONS

## BOARD OF ADJUSTMENT

Public Hearing  
May 23, 2022

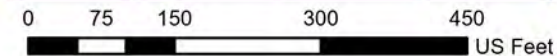
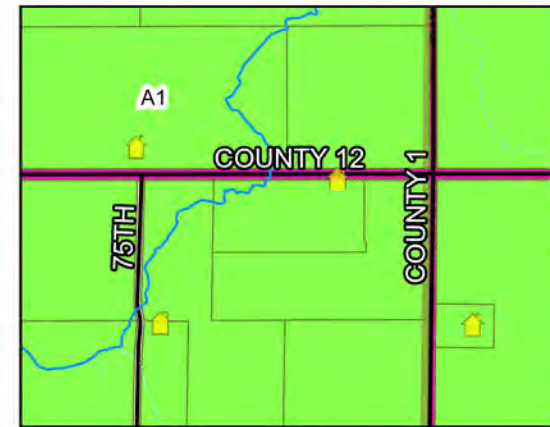
Lisa Shoberg-Weiner and Allen Weiner  
(Owners)  
A-1 District

Part of the NE ¼ of the NE ¼  
& E ½ of NW ¼ of NE ¼  
Section 8 TWP 109 Range 17 in Cherry  
Grove Township.

Variance request to construct a  
bedroom/kitchen addition 56-feet from the  
Right-of-Way where 60-feet is required.

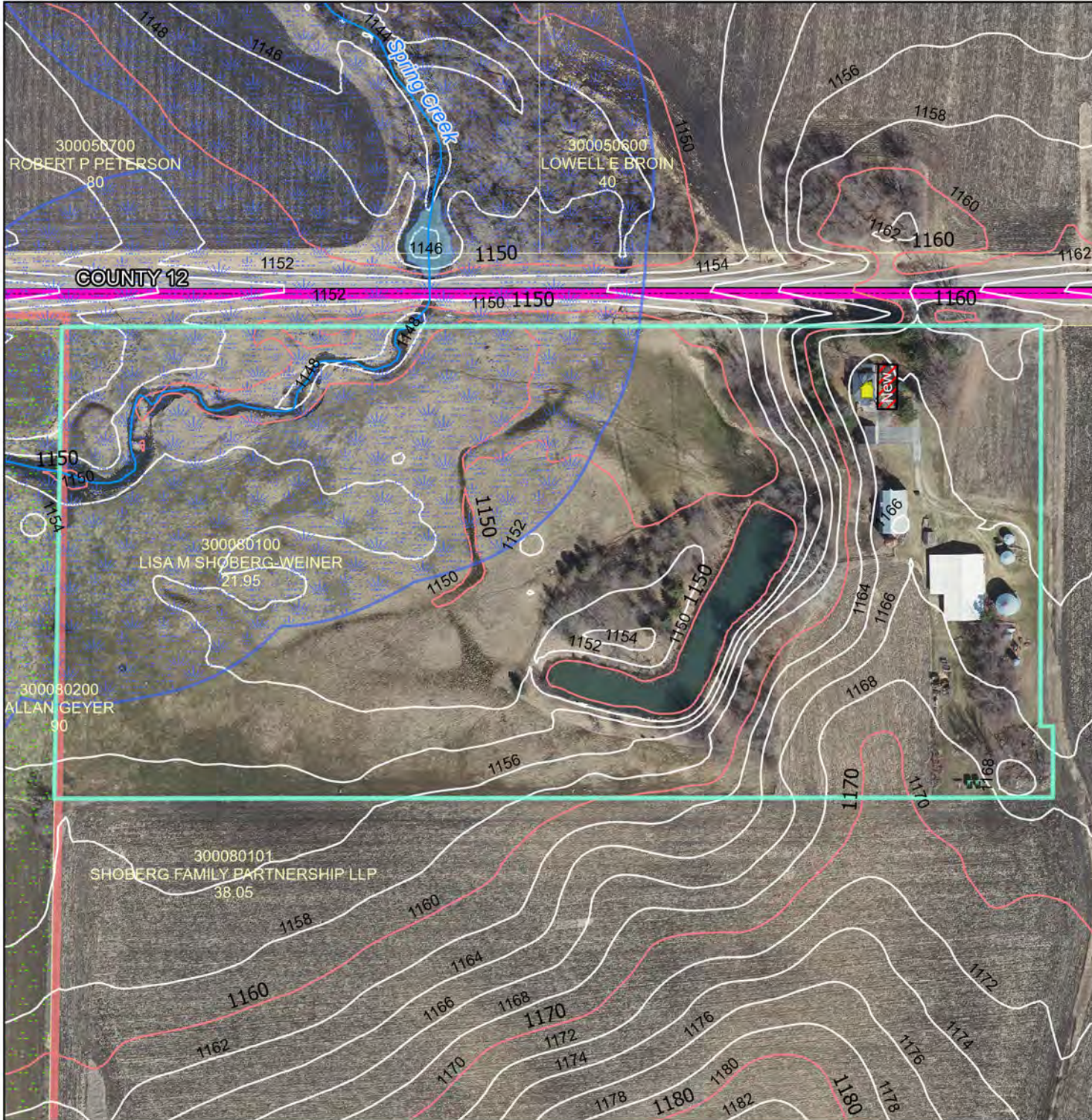
### Legend

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



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2020Aerial Imagery  
Map Created May, 2022 by LUM





S 89°51'06" W 1355.69

NORTH LINE OF NE 1/4 OF NE 1/4  
SEC. 8-T109N-R17W

S 89°51'06" W  
618.92

NE CORNER OF  
NE 1/4 OF NE 1/4  
SEC. 8-T109N-R17W  
GOODHUE COUNTY MONUMENT

COUNTY 12 BLVD

50

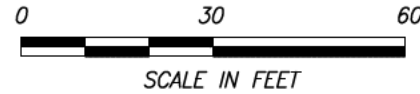
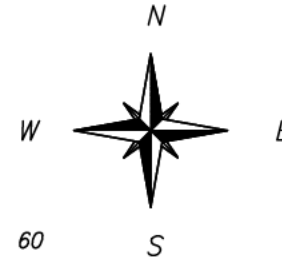
50.00

225'±

S'LY ROW LINE OF COUNTY 12 BLVD

56.8'

56.7'

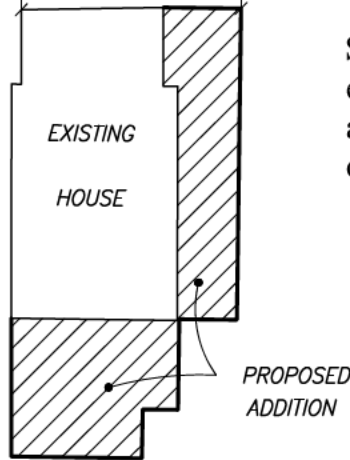


SCALE IN FEET

○ DENOTES SET IRON MONUMENT  
W/PLASTIC CAP "RLS 22044"

PROPERTY LINE  
N 00°06'22" E 604.15

Survey showing relationship of  
existing house and proposed  
addition to the southerly right  
of way line of County 12 Blvd.



CERTIFICATE FOR:  
ALLEN WEINER  
1085 23RD AVENUE SW  
ROCHESTER, MN 55902

PROPOSED  
ADDITION

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

APRIL 19, 2022

Dated:

*David G. Rapp*

David G. Rapp  
Minnesota Registration No. 22044

**RAPP LAND SURVEYING, INC.**

45967 HIGHWAY 56 BLVD  
KENYON, MN 55946  
612-532-1263

DRAWN BY:  
DGR

DATE:  
4-19-22

PROJECT NO.  
D2296

SCALE:  
1"=30'

SHEET  
1 of 1 sheet

BOOK/PAGE  
30/31

# 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:** May 23, 2022  
**Report date:** May 13, 2022

**PUBLIC HEARING:** Request for Variance by Terry & Sarah Cox (Owners) to R-1 Zoning District standards to reconfigure parcel lines resulting in a 0.28-acre parcel containing an existing dwelling site where 1-acre is required.

**Application Information:**

Applicant(s): Terry & Sarah Cox (Owners)

Address of zoning request: 33583 Hwy 61 BLVD Frontenac, MN 55026

Parcel: 32.015.1700

Abbreviated Legal Description: Part of the NW ¼ of the NE ¼ Section 15 TWP 112 Range 13 in Florence Township.

Township Information: Florence Township signed acknowledgment of the variance request with no objections.

Zoning District: R-1 (Suburban Residential)

**Attachments and Links:**

Application and submitted project summary

Site Plan and Maps

Goodhue County Zoning Ordinance:

<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

**Background:**

The Applicants own and operate the Twin Fawns Mobile Home Park in Frontenac Station. The Mobile Home Park obtained a Conditional Use Permit from the County Board in 2016. The Applicants are proposing to split the existing single-family dwelling (which also functions as the mobile home park's office and storm shelter) from the parcel containing the mobile homes. The 0.28-acre lot containing the septic system for the mobile home park (parcel 32.015.1800), will be combined with the mobile home park property (parcel 32.015.1700).

The 2016 CUP included the condition that minor site plan revisions may be approved administratively by the Zoning Administrator. The Zoning Administrator has determined that splitting the dwelling from the mobile home park while remaining an office and storm shelter for the park is a minor site plan modification not requiring a CUP Amendment.

**Variance Standards:**

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

## **Draft Findings of Fact:**

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

- The R-1 minimum lot size standards are intended to define and protect areas suitable for low to medium density residential development as the principal land use and to allow related facilities desirable for a residential environment.
- The R-1 District minimum lot size was increased from 20,000 square feet to 1-acre in 2019 to accommodate space required for septic systems, replacement systems if needed, and structure setbacks. The existing dwelling uses the shared septic system with the mobile home park and the dwelling will be able to meet required structure setbacks to new property lines.
- The existing home is located on a 4.34-acre parcel shared with the existing mobile home park. The creation of a separate 0.28-acre parcel for the dwelling will not affect the current operation of the park. Staff spoke with Heather Flueger from the Minnesota Department of Health and she stated there were no issues regarding the proposal.
- 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 directly addressed in The Goodhue County Comprehensive Plan. However, the plan does support the use of existing rural residences to provide rural living opportunities in the unincorporated areas of Goodhue County.

The proposed parcel split 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 request to establish new property lines to simplify dwelling ownership in an existing mobile home park operation is a reasonable use of property in the R-1 District.
- The Applicants stated that due to the well and septic location for the mobile home park (on parcel 32.015.1800), they are unable to create a 1-acre lot. The dwelling will meet all other GCZO requirements including setbacks from new property lines and structure coverage maximums (less than 20% structure coverage).
- The dwelling is currently used as the designated storm shelter and office for the mobile home park. Neither the GCZO nor the existing CUP requires the storm shelter and office to be located on the same tax parcel as the mobile home park. The proposal is not anticipated to impede the current operation of the mobile home park.
- The Applicant is aware that the construction of additional structures or new office/storm shelters on the mobile home park parcel will require an amendment to the existing 2016 CUP to be approved by the County Board.
- Surrounding land uses include single-family residential and mixed-use properties to the north, east, and south (across HWY 61) zoned R-1 (Suburban Residence District), MXH (Mixed Use Hamlet District), and A-2 (General Agriculture District) respectively. Land to the west is used for row crop agriculture and is zoned A-2.
- Several parcels in Frontenac Station have a similar amount of acreage as the proposed parcel.
- 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.**

- No change in use is proposed or anticipated as a result of the variance request.

*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 Terry & Sarah Cox (Owners) to R-1 minimum lot size standards to establish a separate tax parcel for an existing dwelling no less than 0.28-acres in size.



# APPLICATION FOR Variance

For Staff Use only	
VARIANCE NUMBER:	
3350 RECEIPT#	DATE

SITE ADDRESS, CITY, AND STATE 33583 Hwy 101 Blvd, Frontenac, MN				ZIP CODE: 55026
LEGAL DESCRIPTION: Sect-15, Twp-112 Range-013 4.34 AC DOC# 1402752 PT of NW 1/4 of Attached <input type="checkbox"/>				
PID#: R 37.015.1700	ZONING DISTRICT: Res.	LOT AREA (SF/ACRES): 4.34 acres	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable):

APPLICANT OR AUTHORIZED AGENT'S NAME Terry and Sarah Cox	
APPLICANTS ADDRESS: 34894 Johnston St. Frontenac, MN 55026	TELEPHONE:  EMAIL:

PROPERTY OWNER'S NAME: Same as Above <input checked="" type="checkbox"/>	
PROPERTY OWNER'S ADDRESS:  <b>RECEIVED</b>  APR 2 10 2022	TELEPHONE:  EMAIL:

CONTACT FOR PROJECT INFORMATION: Same as Above <input checked="" type="checkbox"/>	
ADDRESS: Land Use Management	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: Residence and Mobile Home Park	
	PROPOSED USE: Create new parcel	
	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. Attached <input type="checkbox"/>		
TOWNSHIP OFFICIAL'S SIGNATURE: 	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE: Mike Blair, Chairman	DATE: 4/28/2022

- 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: 3/21/2022

Print name: Terry L. Cox Sarah E. Cox (owner or authorized agent)

REQUEST SUMMARY

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

Article: \_\_\_\_\_ Section: \_\_\_\_\_ Name: \_\_\_\_\_

Article: \_\_\_\_\_ Section: \_\_\_\_\_ Name: \_\_\_\_\_

SUPPORTING INFORMATION & JUSTIFICATION

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

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

Currently we have a home attached to our Mobile Home Park and we would like to create a new parcel with just the home. Separate from the MHP.

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

n/a

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 Septic + Well systems for the park prohibit us from adding to be the 1 acre.

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

There are no alternatives for us to consider.

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

There are no lesser variance alternatives.

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

No I do not.





NW COR. OF NW 1/4 OF  
NE 1/4 OF SEC. 15,  
TWP. 112 N, RGE 13 W.

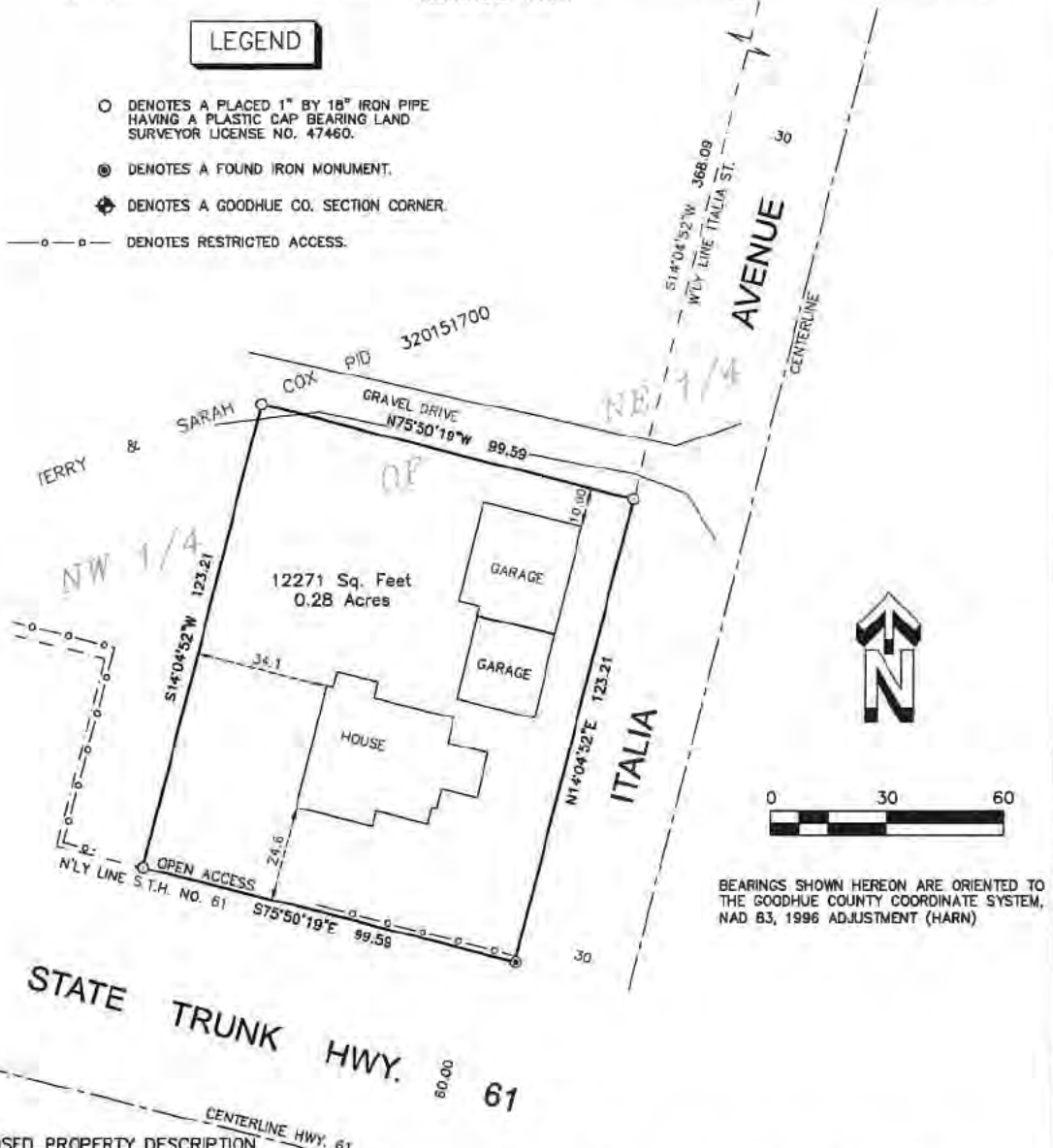
NE COR. SEC. 15,  
TWP. 112 N, RGE 13 W.

N. LINE OF NE 1/4

N89°52'50"E 2614.46  
N89°52'50"E 462.11

**LEGEND**

- DENOTES A PLACED 1" BY 18" IRON PIPE  
HAVING A PLASTIC CAP BEARING LAND  
SURVEYOR LICENSE NO. 47460.
- ⊙ DENOTES A FOUND IRON MONUMENT.
- ⊕ DENOTES A GOODHUE CO. SECTION CORNER.
- DENOTES RESTRICTED ACCESS.



BEARINGS SHOWN HEREON ARE ORIENTED TO  
THE GOODHUE COUNTY COORDINATE SYSTEM,  
NAD 83, 1996 ADJUSTMENT (HARN)

PROPOSED PROPERTY DESCRIPTION

That part of the Northwest Quarter of the Northeast Quarter of Section 15, Township 112 North, Range 13 West, Goodhue County, Minnesota, described as follows:

Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence North 89 degrees 52 minutes 50 seconds East, assumed bearing, along the north line of said Northwest Quarter of the Northeast Quarter, a distance of 462.11 feet to the westerly line of Italia Avenue; thence South 14 degrees 04 minutes 52 seconds West, along said westerly line, a distance of 368.09 feet to the point of beginning of the land to be described; thence North 75 degrees 50 minutes 19 seconds West, a distance of 99.59 feet; thence South 14 degrees 04 minutes 52 seconds West, a distance of 123.21 feet to the northerly line of State Trunk Highway Number 61; thence South 75 degrees 50 minutes 19 seconds East, along said northerly line, a distance of 99.59 feet to said westerly line of Italia Avenue; thence North 14 degrees 04 minutes 52 seconds East, along said westerly line, a distance of 123.21 feet to the point of beginning.

Subject to all easements and restrictions of record.

path: s:\shore\str\certs\112-13\15\cox wa 22-307\cox.dwg

CERTIFICATE OF SURVEY FOR:  
**TERRY & SARAH COX**

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.

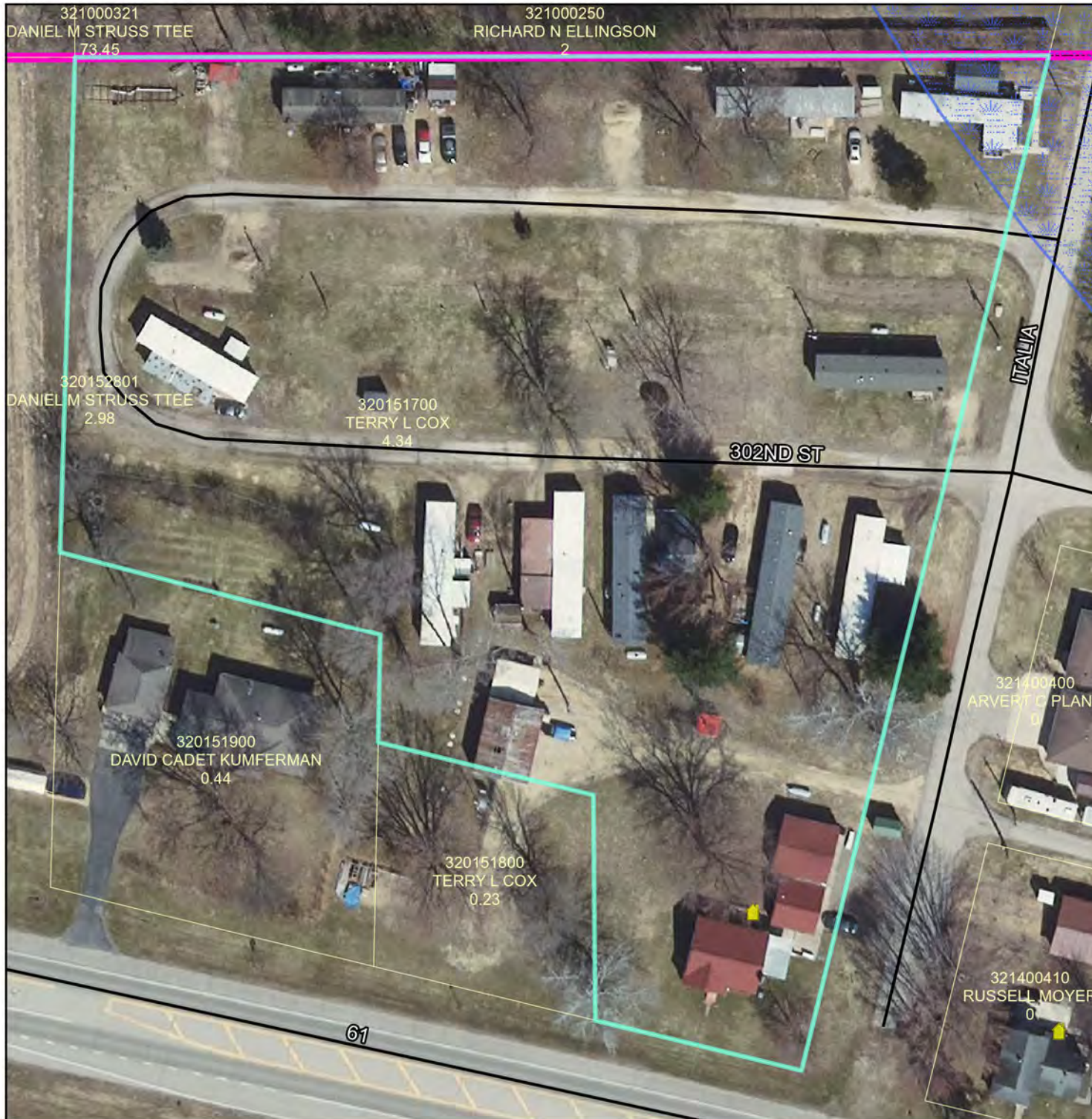
**JOHNSON & SCOFIELD INC.**  
SURVEYING AND ENGINEERING  
1203 MAIN STREET, RED WING, MN 55068  
(651) 388-1558

*Marcus Johnson*  
Marcus Johnson  
Minnesota License No. 47460  
Date: April 21, 2022

BK. NA	PG. NA	W.O.#	DRAWING NUMBER
SHEET 1 OF 1 SHEETS	22-307		S-10099



# MAP 01: PROPERTY OVERVIEW



## BOARD OF ADJUSTMENT

Public Hearing  
May 23, 2022

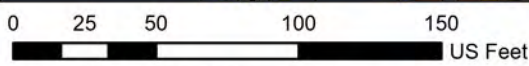
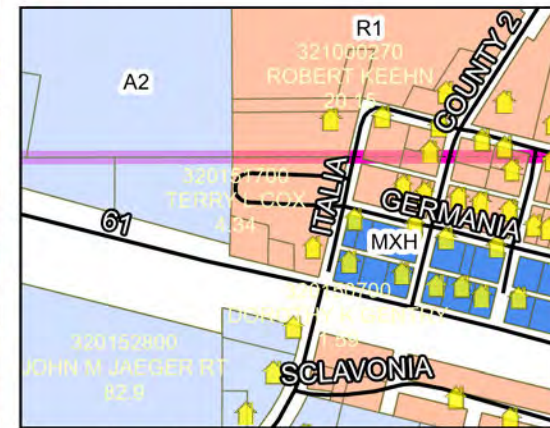
Terry and Sarah Cox (Owners)  
R-1 District

Part of the NW ¼ of the NE ¼  
Section 15 TWP 112 Range 13  
in Florence Township.

Variance request to reconfigure parcel lines  
resulting in a .28-acre parcel containing a  
dwelling site where 1-acre is required.

### 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 Created May, 2022 by LUM





# MAP 02: VICINITY MAP

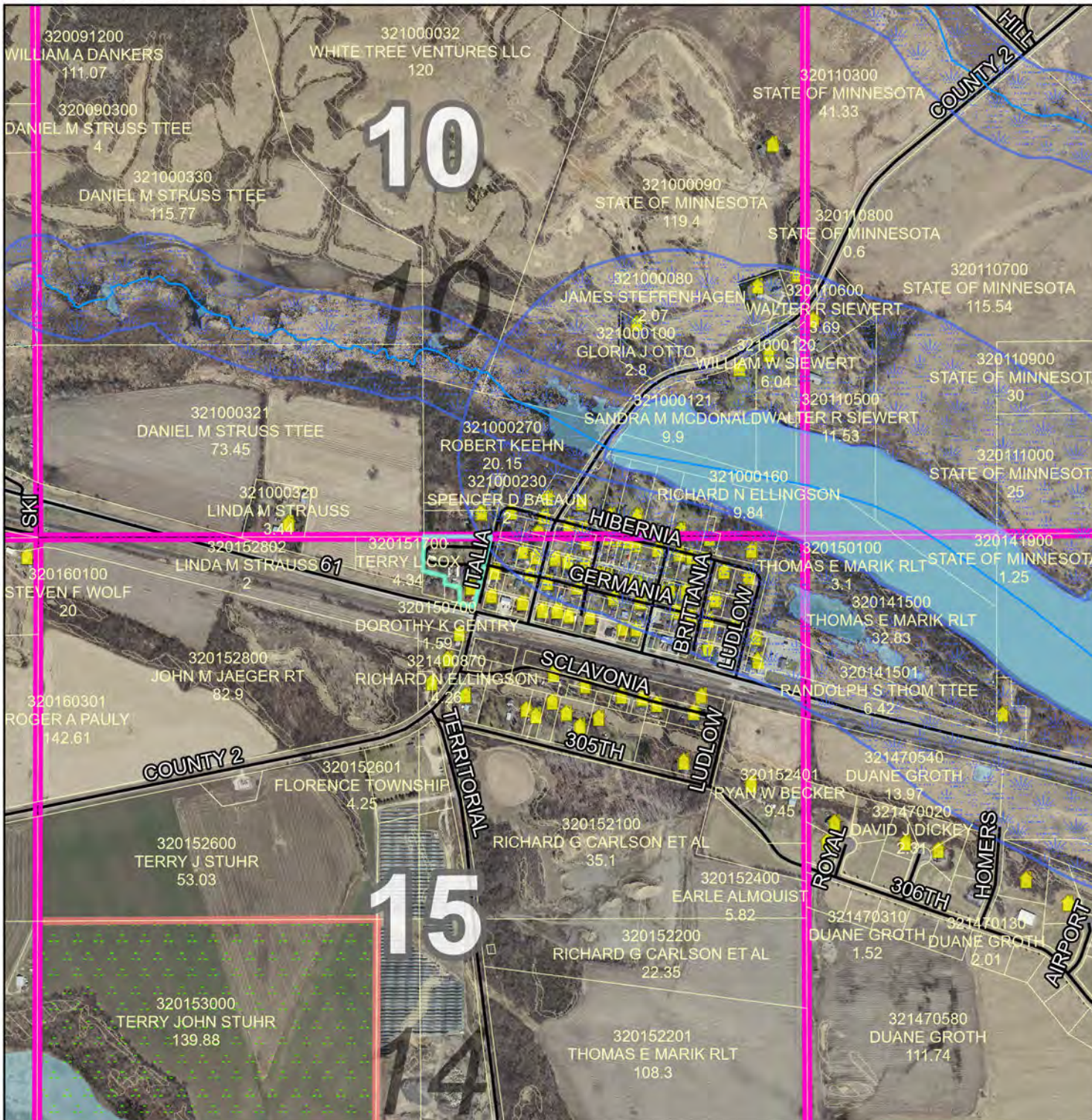
## BOARD OF ADJUSTMENT

Public Hearing  
May 23, 2022

Terry and Sarah Cox (Owners)  
R-1 District

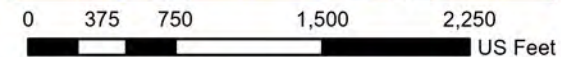
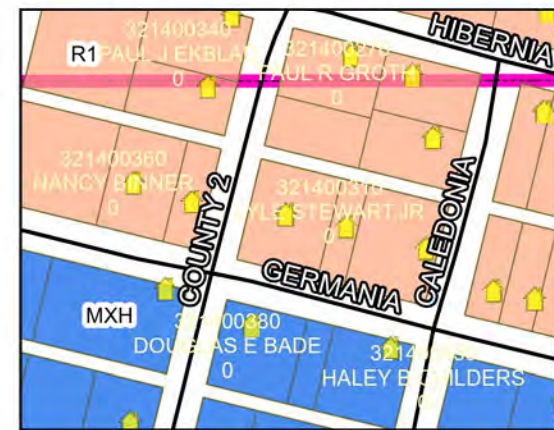
Part of the NW ¼ of the NE ¼  
Section 15 TWP 112 Range 13  
in Florence Township.

Variance request to reconfigure parcel lines  
resulting in a .28-acre parcel containing a  
dwelling site where 1-acre is required.



### Legend

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



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Map Created May, 2022 by LUM













# Goodhue County Land Use Management

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

*Lisa M. Hanni, L.S. Director*



*County Surveyor / Recorder*

Building | Planning | Zoning  
Telephone: 651.385.3104  
Fax: 651.385.3106

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

**To:** Board of Adjustment  
**From:** Land Use Management  
**Meeting Date:** May 23, 2022  
**Report date:** May 13, 2022

**PUBLIC HEARING:** Request for Variance, submitted by Todd Kuyath (Owner), to Article 12 (Bluffland Protection Standards) to allow construction of a dwelling addition 45-feet into the bluff impact zone.

### **Application Information:**

Applicant(s): Todd Kuyath (Owner)  
Address of zoning request: 22749 320<sup>th</sup> ST Red Wing, MN 55066  
Parcel: 31.023.0800  
Abbreviated Legal Description: NE ¼ of the SE ¼ of Section 23 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(s)  
GCZO Article 12 Bluffland Protection Standards  
Goodhue County Zoning Ordinance:  
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

### **Background:**

Todd Kuyath (Owner) has applied for a variance to Bluffland Protection Standards to construct a dwelling addition and perform grading/excavation work 45-feet into the bluff impact zone. The existing dwelling was constructed in the bluff impact zone sometime between 1991 and 2002 (based on historic aerial images) and was used as a seasonal cabin. The Applicant has indicated a primitive cabin existed on the site prior to the 1990s. Staff was unable to locate a building or zoning permit for the dwelling in our records. A septic installation permit was found from 1991.

Additional repairs including window replacement completed around 2015 also did not obtain appropriate building permits. Zoning staff was not aware a dwelling was present on this property until Mr. Kuyath applied for the structure addition in April 2022. The Goodhue County Assessor's office also has varying records regarding this parcel and it is unclear when it began being taxed as a seasonal cabin instead of agricultural land between 1991 and 2002. It should be noted that Mr. Kuyath purchased the property in April 2022 and was not the property owner when the dwelling was constructed.

The County Zoning Administrator performed a site visit on April 29, 2022, to verify the area qualified as bluffland requiring a variance. Prior to the site visit, the Applicant's contractor consulted with a land surveyor who prepared a proposed survey of the bluffland loosely based on County definitions. Upon reviewing County GIS and LIDAR data, consultation with the Goodhue SWCD, and viewing the site the Zoning Administrator determined that the proposed addition would be located within the bluff impact zone and require variance approval. The SWCD has provided an attachment

showing the location of the toe of the bluff based on GIS LIDAR data. During the site visit, the Zoning Administrator determined the toe of the bluff begins approximately 4-feet behind the existing dwelling, around contour line 872. It should also be noted that during the site visit the owner's contractor had already begun interior demolition and construction without a valid building permit. The contractor has since applied for the proper permits with the Building Official.

**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:**

- Bluffland setbacks and restrictions on grading/excavating in the bluff impact zone 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 tops of bluffs.
- The proposed location of the dwelling addition was chosen to accommodate zero-entry access to the main living area. Currently, the main living area is accessed via a full set of stairs from the lower level. The Applicant intends to reside in the dwelling full-time instead of using it as a seasonal cabin as it has been used for the past approximately 30 years.
- The dwelling is located in an A-2 zoned section where a maximum of 12 dwellings are permitted to be established, one per original ¼ ¼ section. Section 23 currently has 6 dwellings.
- The Applicant expressed willingness to abide by best management practices when constructing the addition and performing grading/excavation work.

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 providing more housing choices for rural residents and flexible dwelling choices.
- The Goodhue County Comprehensive Plan also prioritizes protecting and conserving natural landscapes and utilizing best management practices to enhance the health of environmentally sensitive areas.

The proposed dwelling addition appears consistent with the Goodhue County Comprehensive Plan if best management practices are used to prevent excessive erosion.

**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 construct a dwelling addition is a reasonable use of property in the A-2 District.

The proposed addition would be constructed approximately 45-feet into the bluff impact zone. The addition would comprise approximately 41-feet of the encroachment with an additional 4-feet of bluff impact caused by grading for the addition. The Applicant proposes

to use at least 4-foot sidewalks and construct a swale/water diversion system around the north side of the addition to prevent erosion along with other best management practices recommended by staff including silt fencing and seeding.

- The parcel is an existing 40-acre lot which is a conforming lot size in the A-2 Zoning District (2-acre minimum).
- The existing dwelling was constructed sometime between 1991 and 2002 in the bluff impact zone. Bluffland regulations were not added to the County's Zoning Ordinance until the mid-1990s.
- The Applicant stated that there are no alternative locations for the addition due to the configuration of the dwelling, the desire to have zero-entry access, and the location of the well and septic system on the property.
- Goodhue County Soil and Water Conservation District Manager Beau Kennedy reviewed the proposal and assisted staff in determining the location of the toe of the bluff. Mr. Kennedy noted that the proposed addition would not be detrimental to the bluff impact zone if best management practices were used to avoid excessive erosion, the area was properly revegetated/seeded, and proper water diversion techniques were implemented to divert water around the structure.

SWCD staff and Zoning staff will review the building permit application for compliance with bluffland protection standards and establishment of best management practices prior to construction.

- The dwelling is surrounded by Blufflands/woodlands in all directions. Hay Creek runs east to west on the southern portion of the property. A majority of the acreage is used for row crop agriculture. Several dwellings in the vicinity were constructed close to or within bluff impact zones.

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.**

- Dwelling additions 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 Todd Kuyath (Owner) to Bluffland protection standards to allow construction of a dwelling addition and associated excavation/grading of land 45-feet into the bluff impact zone.

APPLICATION FOR  
**Variance**

For Staff Use only		
VARIANCE NUMBER:	Z 220029	
\$350 RECEIPT#	17590	DATE 5/3/22

SITE ADDRESS, CITY, AND STATE		ZIP CODE:	
22749 320 th Street Red Wing MN		55066	
LEGAL DESCRIPTION:			
Sect-23 Twp-112 Range-015 40.00 AC ID# 31-0000-24300 NE1/4 OF SE1/4 SEC 23-112-15 DOC#684734 <span style="float:right">Attached</span>			
PID#:	ZONING DISTRICT	LOT AREA (SF/ACRES):	LOT DIMENSIONS:
310230800	A2	40 Acres	+/- 1,300 x 1,300
			STRUCTURE DIMENSIONS (if applicable):
			30' x 32'

APPLICANT OR AUTHORIZED AGENT'S NAME	
Todd Kuyath	
APPLICANT'S ADDRESS:	TELEPHONE:
22870 320TH ST Red Wing, MN	
	EMAIL:

PROPERTY OWNER'S NAME:	
Same as Above <input checked="" type="checkbox"/> Todd Kuyath	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
22870 320TH ST Red Wing, MN	
	EMAIL:

CONTACT FOR PROJECT INFORMATION:	
Same as Above <input checked="" type="checkbox"/> Todd Kuyath	
ADDRESS:	TELEPHONE:
22749 320TH ST Red Wing, MN	
	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 checked="" 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:	
	Residential / Ag	
	PROPOSED USE:	
	Residential / Ag	
	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. <span style="float:right">Attached <input type="checkbox"/></span>		
TOWNSHIP OFFICIAL'S SIGNATURE	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE	DATE
<i>Carl Bang</i>	Chairman	5-2-2022

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: *Carl Bang Todd Kuyath* Date: 5-2-2022

Print name: Todd Kuyath (owner or authorized agent)

REQUEST SUMMARY

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

Article: 12 Section: 12 Name: Subd 2

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:

The current use of property is Single Family Home. The existing configuration of the home will not allow for a zero entry addition to the main Floor. The intent of the addition is to create an age-in-place home.

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

If the variance is not granted, the addition cannot be constructed and the entry will have limited access via steps

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 existing structure was constructed near the bank,

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

If addition was added to the south of home, it would not be accessible to main floor and well and septic would be blocked off

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?: No . The minor grading will not affect the bank or the visibility to the public

Swale around garage addition for runoff







# ARTICLE 12 BLUFF LAND PROTECTION

---

## SECTION 1. INTENT AND PURPOSE

Goodhue County recognizes the historic and economic values of the bluffs that line the many rivers and valleys of the County. These standards set out to protect and preserve the sensitive physical features of the bluffs by regulating development, preventing erosion and controlling the cutting of timber on the slopes and tops of the bluffs.

## SECTION 2. SCOPE

These standards shall regulate the setback of structures, sanitary waste treatment facilities and row crops from bluff impact zones to protect the existing and/or natural scenic values, significant historic sites, vegetation, soils, water and bedrock from disruption by man-made structures or facilities. These standards will also regulate alterations of the natural vegetation and topography.

- Subd. 1. **BLUFF.** A natural topographic feature such as a hill, cliff, or embankment having the following characteristics:
- A. The slope rises at least twenty-five (25) feet above the toe of the bluff; and
  - B. The grade of the slope from the toe of the bluff to a point twenty-five (25) feet or more above the toe of the bluff averages thirty (30) percent or greater;
  - C. An area with an average slope of less than twenty (20) percent over a horizontal distance of fifty (50) feet shall not be considered part of the bluff.
- Subd. 2. **BLUFF IMPACT ZONE.** All of the land lying between the top of the bluff and the toe of the bluff.
- Subd. 3. **SIGNIFICANT HISTORIC SITE.** Any archaeological site, standing structure, or other property that meets the criteria for eligibility to the National Register of Historic Places or is listed in the State Register of Historic Sites, or is determined to be an unplatted cemetery that falls under the provisions of Minnesota Statutes, Section 307.08. A historic site meets these criteria if it is presented listed on either register or if it is determined to meet the qualifications for listing after review by the Minnesota State Archaeologist or the Director of the Minnesota Historical Society. All unplatted cemeteries are automatically considered to be significant historic sites.
- Subd. 4. **TOE OF THE BLUFF.** The point on a bluff where there is, as visually observed, a clearly identifiable break in the slope, from gentler to steeper slope above. If no break in the slope is apparent, the toe of the bluff shall be determined to be the lowest end of the lowest fifty (50) foot segment that exceeds twenty (20) percent slope.
- Subd. 5. **TOP OF THE BLUFF.** The point on a bluff where there is, as visually observed, a clearly identifiable break in the slope, from steeper to gentler slope above. If no break in the slope is apparent, the top of the bluff shall be determined to be the highest end of the highest fifty (50) foot segment that exceeds twenty (20) percent slope.
- Subd. 6. **VISUALLY INCONSPICUOUS.** Difficult to be seen and not readily noticeable from any point on the river or valley during the time when the leaves are on the deciduous trees.

## SECTION 3. BOUNDARIES

- Subd. 1. The bluff land protection area shall include all areas with the following soil types as determined by the Goodhue County Soil Survey:
- A. N634E - Massbach-Schapville complex, 18-35% slopes
  - B. N598E - Winneshiek-Waucoma complex, 18-35% slopes
  - C. N594E - Chelsea loamy sand, 12-35% slopes
  - D. N553E - Frankville-Nasset-Mt. Carroll complex, 18-35% slopes
  - E. N635E - Frankville-Nasset-Downs complex, 18-35% slopes
  - F. N642E - Frankville-Nasset complex, Oneota formation, 18-35% slopes
  - G. N609E - Hawick sandy loam, 18-45% slopes
  - H. M516E - Wangs-Wagen Prairie complex, 18-35% slopes
  - I. M537E - Meridian-Bassett complex, 18-35% slopes
  - J. N526F - Gale-Oak Center complex, 18-45% slopes
  - K. M540F - Frontenac-Bellechester complex, 18-45% slopes
  - L. N639F - Frontenac-Lacrescent complex, 20-45% slopes
  - M. N631E - Schapville silt loam, 18-35% slopes
  - N. N580G - Brodale, very flaggy-Bellechester-Rock outcrop complex, 45-90% slopes
  - O. N632G - Brodale, flaggy-Schapville complex, 18-80% slopes
  - P. N638G - Brodale, flaggy-Bellechester complex, 30-70% slopes
  - Q. N640G - Lacrescent, flaggy-Frontenac-Rock outcrop complex, 45-90% slopes
  - R. N641F - Brodale channery loam, 20-45% slopes, flaggy
  - S. N639G - Frontenac-Lacrescent complex, 30-70% slopes
  - T. M539F - Bellechester loamy sand, 18-45% slopes

## SECTION 4. GENERAL REGULATIONS

- Subd. 1. Developments and other land disturbing activities including: structures, accessory facilities, driveways, and parking areas shall not be placed within bluff impact zones except the following:
- A. Stairways and landings subject to provisions set forth in Subd. 6, of this Section.
  - B. Facilities such as ramps, lifts, or mobility paths subject to provisions set forth in Subd. 6, of this Section.
  - C. Uses identified in Article 30; Section 3; Subd. 6, Subd. 12, and Subd. 1
- Subd. 2. Setback from top or toe of the bluff to any structure in any district shall be no less than thirty (30) feet. Exceptions may include structures allowed under Article 30, Section 3, Subdivisions 6, 12, and 13.
- Subd. 3. The maximum height of any structure shall be twenty-five (25) feet from the highest natural grade touching foundation. Exceptions may include structures allowed under



the following provisions: Article 30; Section 3; Subd. 6, Subd. 12, and Subd. 13. Height for structures that may be permitted within bluff impact zones under these provisions shall be set forth within Conditional or Interim Use Permits

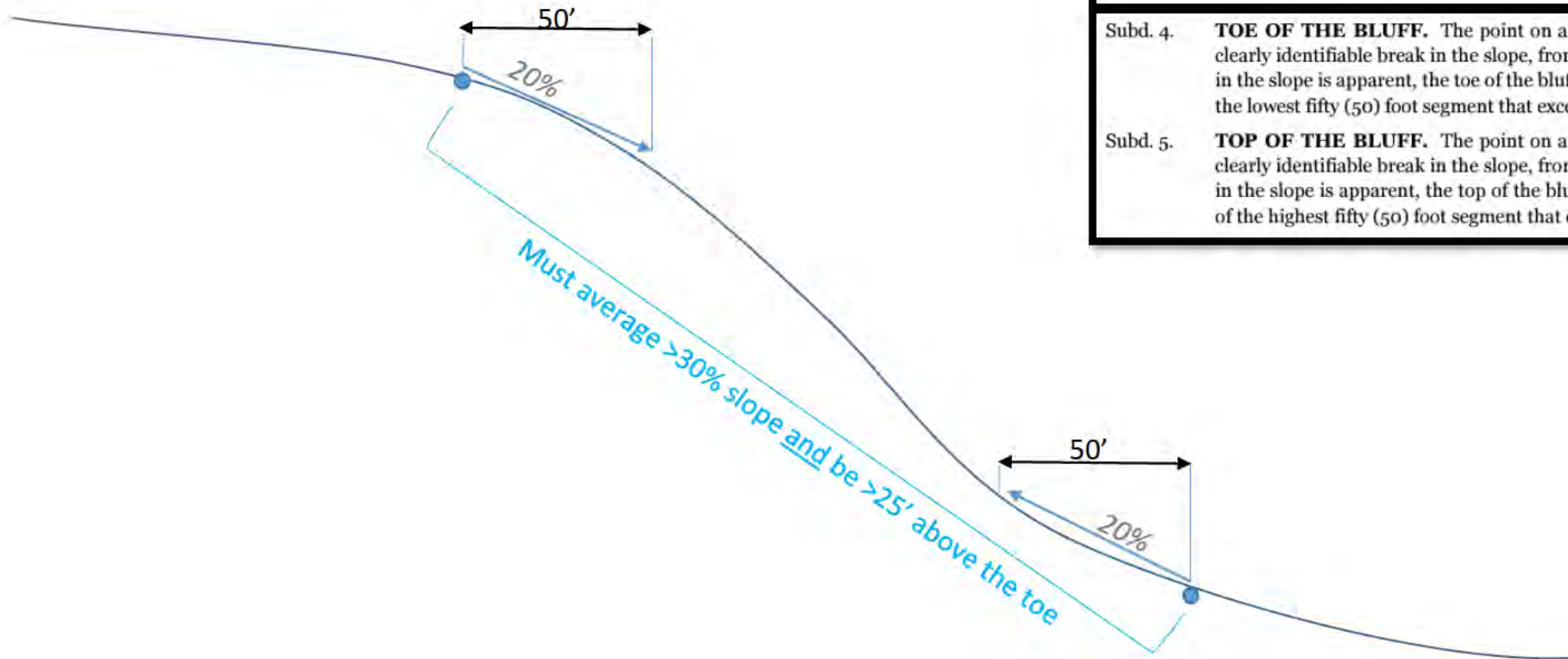
- Subd. 4. No person may begin a mining or quarrying activity or expand a mining or quarrying activity within three hundred (300) feet of the toe or top of a bluff without a conditional use permit.
- Subd. 5. Towers as defined in Article 17 (Wireless Communication Facilities) must be located outside of bluff impact zones and shall be subject to a minimum setback of 1.1 times the height of the tower from the top of a bluff and a minimum of 30 feet from the toe of a bluff.
- Subd. 6. All stairways and lifts on bluffs and in shoreland areas shall be visually inconspicuous. Stairways and lifts shall meet the following design requirements:
  - A. Stairways and lifts must not exceed four (4) feet in width on residential lots.
  - B. Landings for stairways and lifts on residential lots must not exceed thirty-two (32) square feet in area. Landings larger than thirty-two (32) square feet may be used for public open space recreational properties.
  - C. Canopies or roofs are not allowed on stairways, lifts, or landings.
  - D. Stairways, lifts, and landings may be either constructed above the ground on posts or pilings, or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion.
  - E. Stairways, lifts, and landings must be located in the most visually inconspicuous portions of lots, as viewed from the surface of the public water assuming Summer, leaf on conditions, whenever practical.
  - F. Facilities such as ramps, lifts, or mobility paths are also allowed for achieving access to shore areas, provided that the dimensional and performance standards of sub-items A-E are complied with in addition to the requirements of the Minnesota Accessibility Code.
- Subd. 7. No grading, excavating or filling (including Mineral Extraction) within the bluff impact zones, except for approved erosion control measures. Erosion control projects within the bluff impact zone shall comply with A. and B. below:
  - A. Altered areas shall be stabilized to acceptable erosion control standards consistent with the field office technical guides of the Goodhue Soil and Water Conservation District and the USDA, Natural Resources Conservation Service.
  - B. Plans to place fill or excavated materials in bluff impact zones shall be prepared by qualified professional for continued slope stability, and approved by Land Use Management. All costs to be born by the applicant.
- Subd. 8. The top or toe of bluffs shall be certified by a Minnesota Licensed Land Surveyor or Zoning Administrator.
- Subd. 9. Vegetation Alterations. Vegetation alterations shall be subject to the standards found in Article 11, Section 7 of the Goodhue County Zoning Ordinance.

Subd. 1. **BLUFF.** A natural topographic feature such as a hill, cliff, or embankment having the following characteristics:

- A. The slope rises at least twenty-five (25) feet above the toe of the bluff; and
- B. The grade of the slope from the toe of the bluff to a point twenty-five (25) feet or more above the toe of the bluff averages thirty (30) percent or greater;
- C. An area with an average slope of less than twenty (20) percent over a horizontal distance of fifty (50) feet shall not be considered part of the bluff.

Subd. 4. **TOE OF THE BLUFF.** The point on a bluff where there is, as visually observed, a clearly identifiable break in the slope, from gentler to steeper slope above. If no break in the slope is apparent, the toe of the bluff shall be determined to be the lowest end of the lowest fifty (50) foot segment that exceeds twenty (20) percent slope.

Subd. 5. **TOP OF THE BLUFF.** The point on a bluff where there is, as visually observed, a clearly identifiable break in the slope, from steeper to gentler slope above. If no break in the slope is apparent, the top of the bluff shall be determined to be the highest end of the highest fifty (50) foot segment that exceeds twenty (20) percent slope.





# MAP 01: PROPERTY OVERVIEW

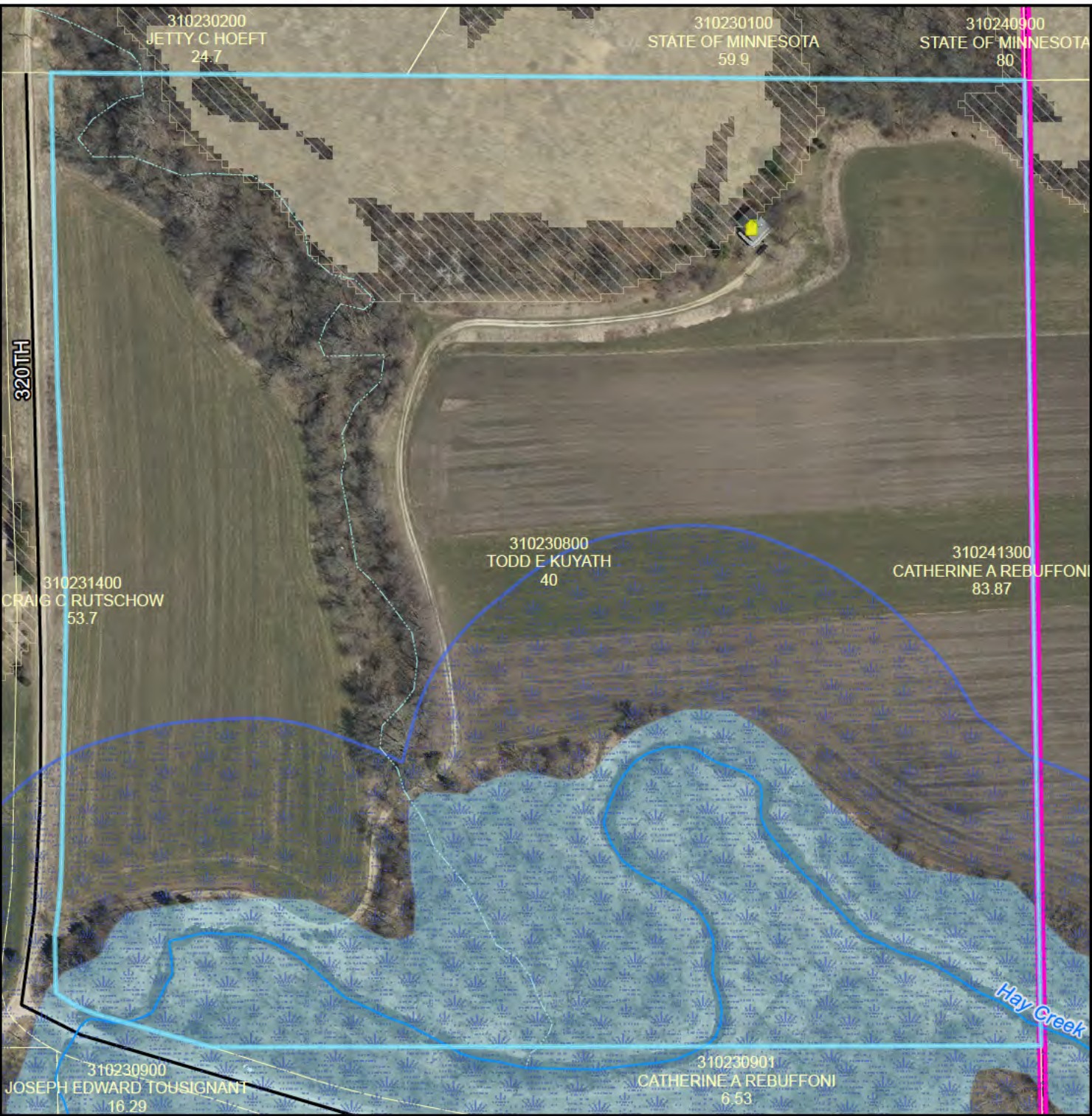
# BOARD OF ADJUSTMENT

Public Hearing  
May 23, 2022

Todd Kuyath (Owner)  
A2 Zoned District

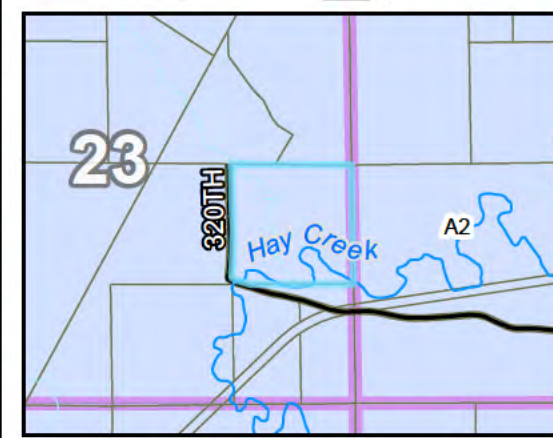
NE 1/4 of the SE 1/4 Section 23 TWP 112  
Range 15 in Featherstone Township

Variance request to allow construction  
of a dwelling addition into the bluff impact  
zone



### Legend

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



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Public Hearing  
May 23, 2022

Todd Kuyath (Owner)  
A2 Zoned District

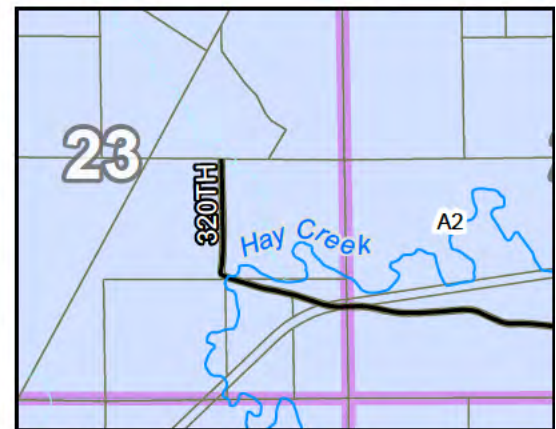
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Variance request to allow construction  
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**Legend**

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



0 5 10 20 30  
US Feet

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Map Created May, 2022 by LUM

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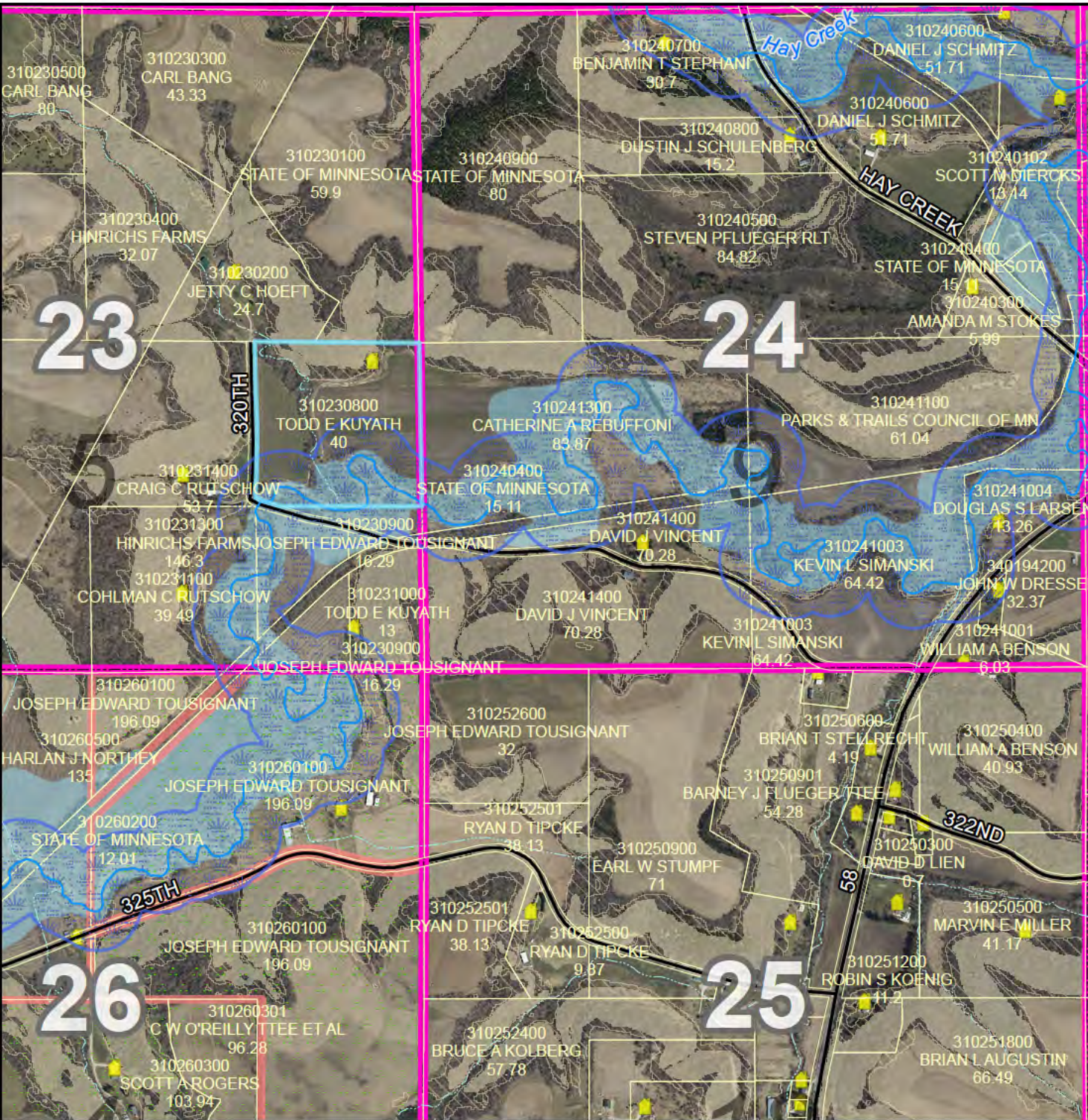


Public Hearing  
May 23, 2022

Todd Kuyath (Owner)  
A2 Zoned District

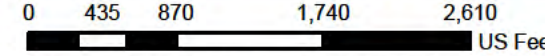
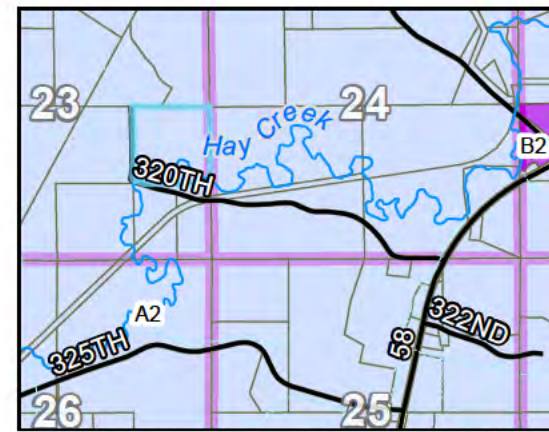
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Variance request to allow construction  
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zone



**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

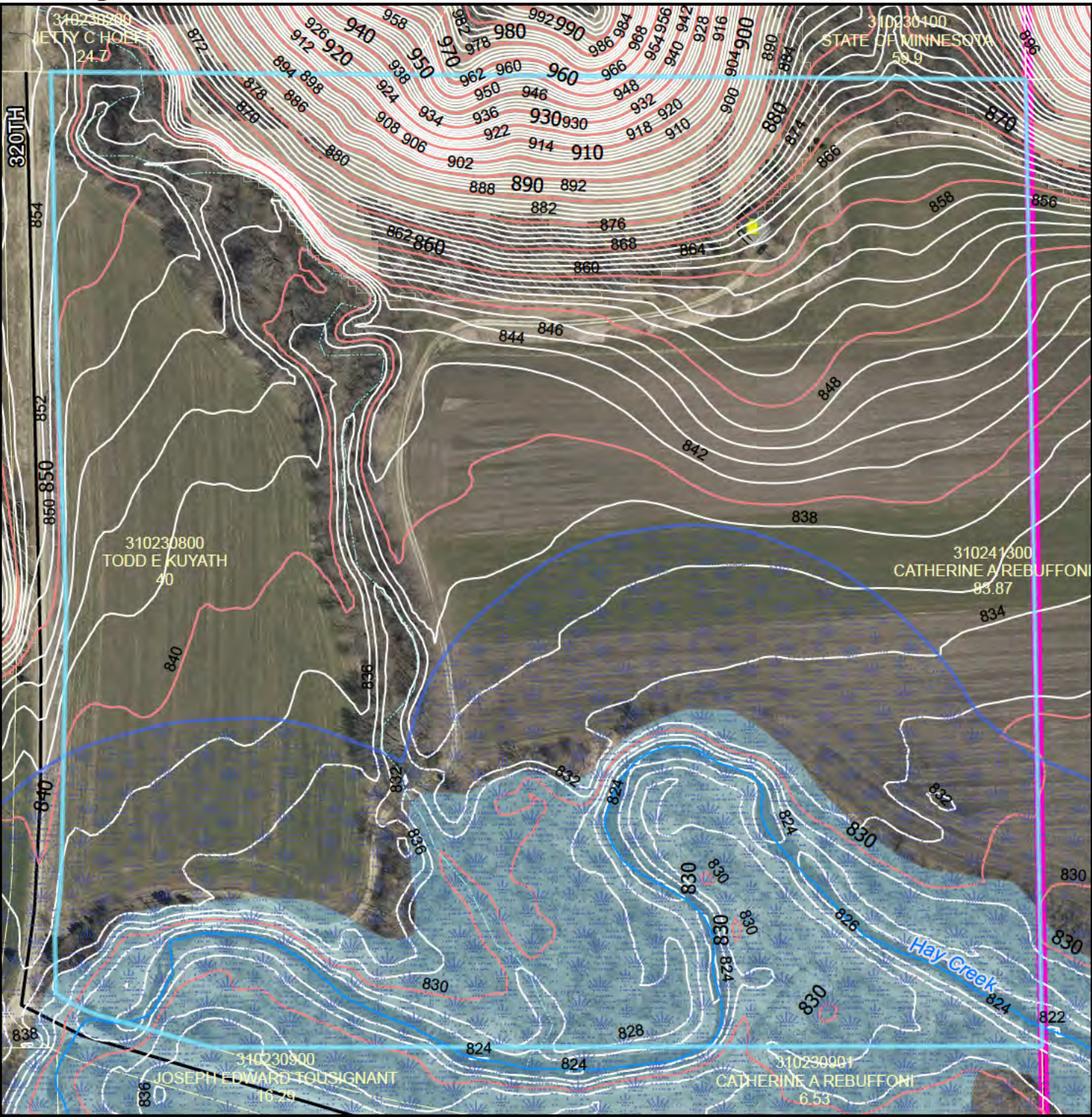
**BOARD OF ADJUSTMENT**

Public Hearing  
May 23, 2022

Todd Kuyath (Owner)  
A2 Zoned District

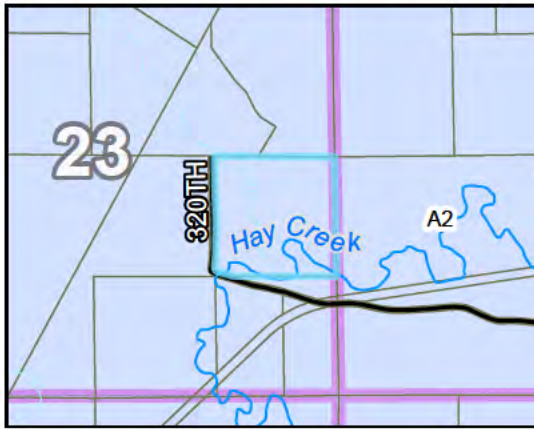
NE 1/4 of the SE 1/4 Section 23 TWP 112  
Range 15 in Featherstone Township

Variance request to allow construction  
of a dwelling addition into the bluff impact  
zone



**Legend**

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



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Map Created May, 2022 by LUM





Public Hearing  
May 23, 2022

Todd Kuyath (Owner)  
A2 Zoned District

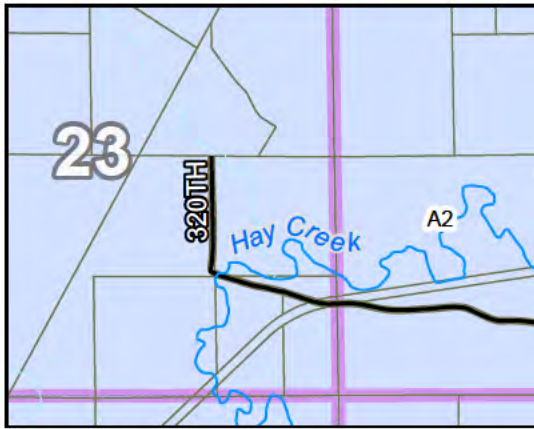
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Variance request to allow construction  
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**Legend**

- |                            |                                 |
|----------------------------|---------------------------------|
| Intermittent Streams       | Bluff Impact Zones (% slope) 20 |
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894 CATHERINE A

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LAKES  
GAS