
TO: Board of Adjustment
FROM: William Lenzen, Zoning Assistant, Land Use Management Department
MEETING DATE: October 26th, 2026
REPORT DATE: October 16th, 2026

PUBLIC HEARING:

Request for Variance, submitted by Jerry Allers (Applicant/Owner) to allow a shed to be 11.8 feet from the yard property line when a 30-foot setback is required.

Application Information:

<u>Applicant(s):</u>	Jerry Allers (Applicant/Owner)
<u>Address of zoning request:</u>	29209 390 th St Goodhue, MN 55027
<u>Parcel:</u>	26.025.0600
<u>Abbreviated Legal Description:</u>	W1/2 of the SW1/4 of Section 25, Township 111, Range 14
<u>Township:</u>	Belvidere Township
<u>Zoning District:</u>	A-1 (Agricultural Protection)

Attachments:

- Application with proposed site plans
- Staff prepared aerial images
- Goodhue County Zoning Ordinance: [zoning_ordinance.pdf \(goodhuecountymn.gov\)](https://www.goodhuecountymn.gov/zoning_ordinance.pdf)

Background:

Jerry Allers is proposing to build a 60-foot by 75-foot addition onto an existing structure. This addition will be on north side of the existing shed and is proposed to be 11.8 feet from the northern property line when the required setback is 30 feet.

Variance Standards:

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

Draft Findings of Fact:

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

- Property line and Right-of-Way setbacks are intended to create separation among adjacent structures and roads, allowing for adequate access, accommodating future road expansion, and adequate separation between property lines.
- This lot is approximately 3.92 acres. This does meet the minimum lot size requirements for the A-1 district.
- The applicant is requesting the addition to be 11.8 feet from the rear yard property line when 30 feet is required.
- Having the building 11.8 feet from the property line will not cause harm to neighboring properties.
- This request is not in harmony with the purpose and intent of the official control.

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

- The Goodhue County Comprehensive Plan supports the development and use of the A-1 District. This request is harmonious 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):

- A building permit is on file for the shed. Which is dated 1976.
- The applicant has not demonstrated that a practical difficulty exists in complying with the official control. There is adequate space on the property for a shed addition or a second structure.
- The property is surrounded by properties zoned A-1 and primarily used for Agricultural use.
- 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.

- Accessory structures and additions are a permitted use in the A-1 District.

Analysis

Given the nature of the parcel, another suitable location for the addition can be found. Although the addition does not seem to alter the essential character of the locality and accessory structures are permitted in the A-1 district, this addition can be made to the eastern side of the shed without any difficulty and complication with well and septic locations. In addition, the proposed shed addition can be made smaller to adhere to the required setbacks set by the Goodhue County Zoning Ordinance. Staff has also found that the shed addition is approximately 5,220 square feet. In combination with the existing shed, this will put the cumulative square footage at 8,820 square feet. This is 1,620 square feet over the permitted 7,200 square foot limit in the A-1 District.

Staff Recommendation:

Staff recommends the Board of Adjustment:

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

Deny the request for variance, submitted by Jerry Allers (Applicant/Owner) to allow a garage to be 11.8 feet from the side yard property line.

Variance Application

For Staff Use Only	
Permit #	Z2160094
Receipt #	19022
DATE: 9-22-26	

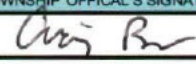
SITE ADDRESS, CITY, AND STATE				ZIP CODE:
29209 390th St Goodhue, MN ~~55027~~				55027
LEGAL DESCRIPTION:				
Sect-25 TWP-111 Range-014				
PID#	ZONING DISTRICT	LOT AREA (SF/ACRES)	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable):
260250600		3.92		45x80 / 47x908

APPLICANT OR AUTHORIZED AGENT'S NAME	
Derry Allers	
APPLICANT'S ADDRESS:	TELEPHONE:
29209 390th St Goodhue, MN 55027	
	EMAIL:

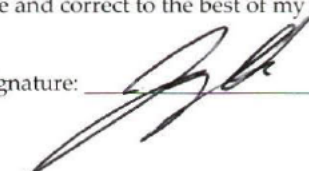
PROPERTY OWNER'S NAME:	
Same as Above ☒	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
	EMAIL:

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

VARIANCE REQUESTED TO: (check all that apply) ☒ Property Line Setbacks ☐ % Lot Coverage ☐ Height Limits ☐ Shoreland or Bluff Setbacks ☐ Lot Width &/or Area ☐ Other (specify) ☐ Subdivision Regulations	CURRENT OR PREVIOUS USE:	
	PROPOSED USE:	
	BUILDING APPLICATION PERMIT NO.: (if filed)	DATE FILED:

TOWNSHIP SIGNATURE:		
By signing this form, the Township acknowledges they are aware of the Applicant's variance request. In no way does signing this application indicate the Township's position on the variance request.		
TOWNSHIP OFFICIAL'S SIGNATURE	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE	DATE
	Craig Brener Supervisor	9-22-26

By signing below, the applicant acknowledges they are the owner or authorized agent of the owner of this property, and the information presented is true and correct to the best of my knowledge.

Applicant's Signature: 

Date: 9-22-26

REQUEST SUMMARY

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

Article: _____ Section: _____ Title: _____

Article: _____ Section: _____ Title: _____

The property owner bears the burden of providing information to convince the Board to rule in their favor. Please provide answers to the following questions or attach a document.

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

New addition on Shed ~~impose~~ imposes with the property line set back

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

I will not be able to provide indoor work space.

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 shed was placed at an angle from the property lines before I bought the property.

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

Buying additional land from the neighboring property, but he is not wanting to sell anything at this time.

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

I have down ~~sized~~ sized the ~~length~~ length all ready to set rough to half of the property line set back, if I go shorter on the length It will not be enough physical work space.

EXHIBIT A

That part of the West Half of the Southwest Quarter of Section 25, Township 111 North, Range 14 West, Goodhue County, Minnesota, which lies northerly of the centerline of the Township Road named 390th Street, as now located and established, described as follows:

Commencing at the southwest corner of the Southwest Quarter of said Section 25, thence on an assumed bearing of East, along the south line of the Southwest Quarter of said Section 25, a distance of 862.14 feet, thence on a bearing of North, a distance of 239.19 feet to the intersection with the centerline of the Township Road named 390th Street, as now located and established and the point of beginning of the land to be described, thence continuing on a bearing of North, a distance of 440.84 feet; thence on a bearing of East, a distance of 447.00 feet; thence on a bearing of South, a distance of 323.21 feet to said centerline of the Township Road; thence South 75 degrees 15 minutes 27 seconds West, along said centerline a distance of 462.22 feet to the point of beginning.

Except that part described as follows:

Commencing at the southwest corner of the Southwest Quarter of said Section 25; thence on an assumed bearing of East, along the south line of the Southwest Quarter of said Section 25, a distance of 862.14 feet; thence on a bearing of North, a distance of 635.72 feet to the point of beginning of the land to be described; thence on a bearing of East, a distance of 365.00 feet; thence on a bearing of South, a distance of 300.49 feet, to the centerline of the Township Road named 390th Street, as now located and established; thence South 75 degrees 15 minutes 27 seconds West, along said centerline, a distance of 377.43 feet, to an intersection with a line bearing South from the point of beginning; thence on a bearing of North, a distance of 396.53 feet to the point of beginning.

For informational purposes only

Property Address: 28955 390th St, Goodhue, MN 55027

Tax Key No.: Part of 26.025.0602



CERTIFICATE OF SURVEY

LEGAL DESCRIPTION (AREA TO BE ADDED)

I hereby certify that this is a correct representation of a survey of:

That part of the West Half of the Southwest Quarter of Section 25, Township 111 North, Range 14 West, Goodhue County, Minnesota, which lies northerly of the centerline of the Township Road named 390th Street, as now located and established, described as follows:

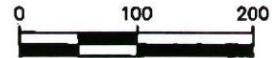
Commencing at the southwest corner of the Southwest Quarter of said Section 25; thence on an assumed bearing of East, along the south line of the Southwest Quarter of said Section 25, a distance of 862.14 feet; thence on a bearing of North, a distance of 635.72 feet to the point of beginning of the land to be described; thence on a bearing of East, a distance of 365.00 feet; thence on a bearing of South, a distance of 300.49 feet, to the centerline of the Township Road named 390th Street, as now located and established; thence North 75 degrees 15 minutes 27 seconds East, along said centerline, a distance of 84.79 feet; thence on a bearing of North, a distance of 323.21 feet; thence on a bearing of West, a distance of 447.00 feet, to an intersection with a line bearing North from the point of beginning; thence on a bearing of South, a distance of 44.31 feet to the point of beginning.

Containing 1.00 acres, more or less.

And that this survey and certificate 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.

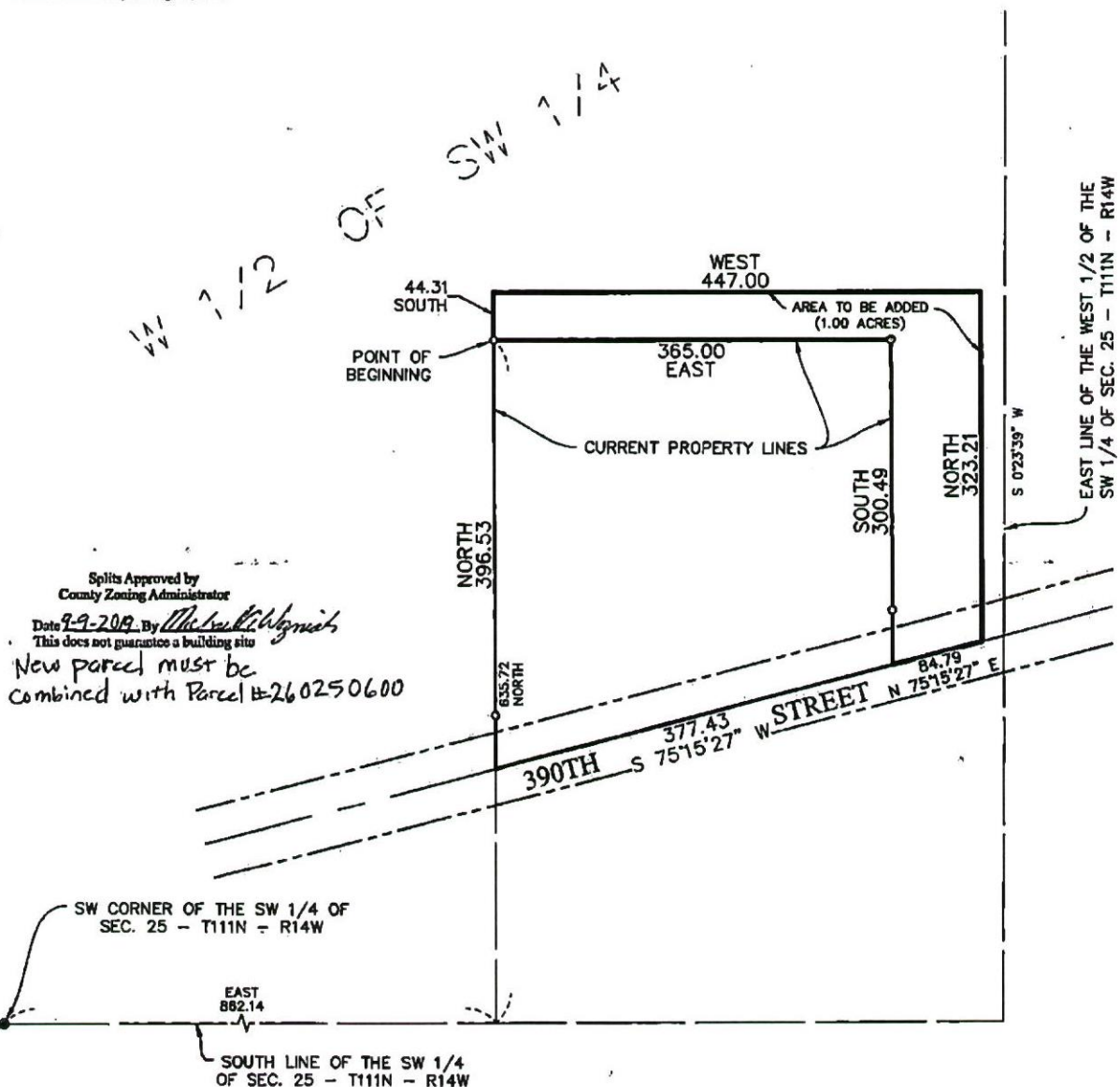
Glen A. Mullenbach

Glen A. Mullenbach, MN License No. 47470
Dated this 21st Day of August, 2019.



NOTE
BEARINGS ARE ASSUMED DATUM

- DENOTES EXISTING MONUMENT FOUND
- DENOTES IRON PIPE SET AND MARKED BY LICENSE NO. 47470



Splits Approved by
County Zoning Administrator
Date 9-9-2019 By *[Signature]*
This does not guarantee a building site
New parcel must be
combined with Parcel #260250600

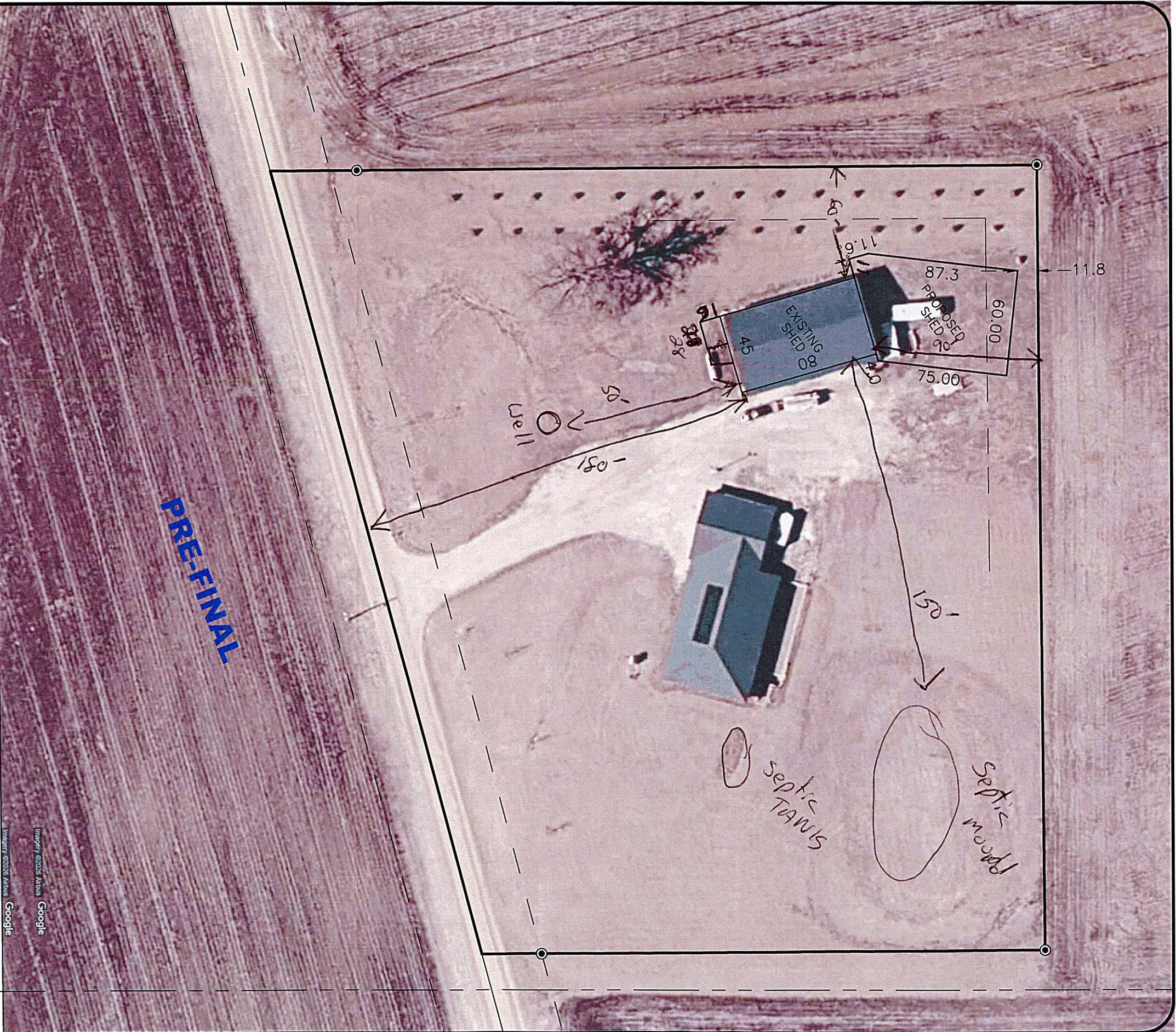
NO.	DATE	REVISION DESCRIPTION	BY	PROJECT NO.	PREPARED FOR:	 ZILLGITT CIVIL DESIGN 231 S. Main St. Pine Island, MN (507) 288-9200 ZCIVILDDESIGN.COM
				M19047	Jerry Allers	
				DRAWN: GAM	29209 390th Street	
				CHECKED: GAM	Goodhue, MN 55027	
				DATE: 8-21-19		
				SCALE: AS SHOWN		

EXHIBIT A

That part of the West Half of the Southwest Quarter of Section 25, Township 111 North, Range 14 West, Goodhue County, Minnesota, which lies northerly of the centerline of the Township Road named 390th Street, now located and established as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 25; thence on an assumed bearing of East, along the south line of the Southwest Quarter of said Section 25, a distance of 862.14 feet; thence on a bearing of North, a distance of 635.72 feet to a point of beginning of the land to be described; thence on a bearing of East, a distance of 365.00 feet; thence on a bearing of South, a distance of 300.49 feet, to the centerline of the Township Road named 390th Street, as now located and established; thence South 75 degrees 15 minutes 27 seconds West, along said centerline, a distance of 377.43 feet, to an intersection with a line bearing South from the point of beginning; thence on a bearing of North, a distance of 396.53 feet to a point of beginning.

Property Address: 29209 390th St
Tax Key No: 26-025-0600



CERTIFICATE OF SURVEY FOR:
JERRY ALLERS CONSTRUCTION

JOHNSON & SCOTFIELD INC.
SURVEYING AND ENGINEERING

1203 MAIN STREET, RED WING, MN 55066
(651) 388-1558



path: s/str

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.

Marcus S. Johnson Minnesota License No. 47460 Date: XX, 2023.			
BK. NA	PG. NA	W.O.#	DRAWING NUMBER
SHEET 1 OF 1 SHEETS	23-		S-



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Minnesota License No. 47460
Date: XX, 2023.

BK. NA PG. NA W.O.# DRAWING NUMBER
SHEET 1 OF 1 SHEETS 23- S-