

TO: Board of Adjustment  
FROM: Land Use Management  
MEETING DATE: August 19, 2024  
REPORT DATE: August 9, 2024

**PUBLIC HEARING:** Request for Variance, submitted by Shane and Crystal Eckhoff (Owners) to A-1 Zoning District standards to allow an accessory building to be constructed less than 30 feet from a rear yard property line.

**Application Information:**

Applicant(s): Shane and Crystal Eckhoff (Owners)

Address of zoning request: 15994 325<sup>th</sup> Street Goodhue, MN 55027

Parcel: 42.027.0701

Abbreviated Legal Description: Part of the NE ¼ of the SE ¼ of Section 27 TWP 112 Range 16 in Vasa Township.

Township: Vasa Township signed the Township zoning application on February 13, 2024, with no additional comments.

Zoning District: A-1 (Agricultural Protection)

**Attachments:**

Application

Site Map(s)

Goodhue County Zoning Ordinance: [zoning\\_ordinance.pdf \(goodhuecountymn.gov\)](https://www.goodhuecountymn.gov/zoning_ordinance.pdf)

**Background:**

Shane and Crystal Eckhoff (Owners) have applied for a variance to A-1 Zoning District standards to allow a 48-foot x 32-foot accessory building to be constructed 5 feet from a rear yard property line.

**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 setbacks are intended to create separation among adjacent structures to allow for adequate access.
- The property is surrounded by land zoned A-1.
- The property consists of one parcel containing approximately 5.25 acres. The minimum lot size for A-1 zoned parcels is 2 acres.
- 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 accessory buildings and uses that complement rural character and development.

The proposed use appears consistent with the Goodhue County Comprehensive Plan.

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

- The Applicant’s request to construct an accessory building is a reasonable use of property in the A-1 District.
- The parcel has woods, wetlands, and shoreland of an unnamed creek on the western half, limiting building placement there. There is an area of steeper slopes west of the dwelling that may be considered bluffs in the Shoreland area.
- Surrounding land uses include mainly row crop agriculture among medium-density residential.
- The septic system and drain field are located north of the dwelling. The well is located directly south.
- The Applicant proposes locating the new building 5 feet from the south property line. There appears to be space on the property to accommodate a new structure that meets the required setbacks. This open area has a 10% slope from the top of the driveway down to 325<sup>th</sup> Street. Any construction between the dwelling and road would require excavation and/or fill to be brought into the sensitive environmental area near Shoreland. The only flat area of the property is in the area proposed for the construction of the accessory building.
- 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 are permitted use in the A-1 Zoning District.

*The draft Findings of Fact shall be amended to reflect concerns conveyed at the Board of Adjustment meeting and public hearing. The Board should specify the facts and reasons that are the basis of the Board's determination. In granting a variance, the Board of Adjustment may impose conditions related to, and bearing a rough proportionality with, the impact(s) created by the variance.*

**Staff Recommendation:**

Staff have prepared two options for the BOA to consider. These are presented in no particular order. The BOA may either:

- 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 Shane and Crystal Eckhoff (Owners) to A-1 Zoning District standards to allow an accessory building to be constructed 5 feet from a rear yard property line.

OR

- 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

**DENY** the request for a variance, submitted by Shane and Crystal Eckhoff (Owners) to A-1 Zoning District standards to allow an accessory building to be constructed 5 feet from a rear yard property line.

Any denial must be accompanied by a statement as to the findings of fact for denial on the record.



RECEIVED

JUL 24 2024

# Variance

Land Use Management

For Staff Use Only	
Permit #	724-0036
\$400 Receipt #	18493
DATE:	7-24-2024

SITE ADDRESS, CITY, AND STATE 15994 325th St. Goodhue MN	ZIP CODE: 55027
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LEGAL DESCRIPTION: \_\_\_\_\_ Attached

PID#: 42-027-0701	ZONING DISTRICT	LOT AREA (SF/ACRES)	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable):
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APPLICANT OR AUTHORIZED AGENT'S NAME  
Crystal Eckhoff

APPLICANT'S ADDRESS: Same	TELEPHONE:
	EMAIL:

PROPERTY OWNER'S NAME:  
Same as Above

PROPERTY OWNER'S ADDRESS: Same	TELEPHONE:
	EMAIL:

CONTACT FOR PROJECT INFORMATION:  
Same as Above

ADDRESS: Same	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 type="checkbox"/> Lot Width &/or Area <input type="checkbox"/> Other (specify) <input type="checkbox"/> Subdivision Regulations	CURRENT OR PREVIOUS USE:			
	PROPOSED USE:			
	<table border="1"> <tr> <td>BUILDING APPLICATION PERMIT NO.: (if filed)</td> <td>DATE FILED:</td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	BUILDING APPLICATION PERMIT NO.: (if filed)	DATE FILED:	
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 checked="" type="checkbox"/>
TOWNSHIP OFFICIAL'S SIGNATURE	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE	DATE	

- By signing below, the applicant acknowledges:
1. The undersigned is the owner or authorized agent of the owner of this property.
  2. The information presented is true and correct to the best of my knowledge.
  3. If I am unable to be present at the hearing where my request is acted upon, I agree to accept the Notice of Decision via mail.
  4. Additional information or applications may be required

Applicant's Signature: Crystal Eckhoff

Date: 7/24/24

**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:

new shed

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

no covered storage

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

Hills @ front of property w/ drainfield, Shoreland present

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

major excavation would need to happen if placed at front or driveway reconfiguration

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

limited flat area at top, area to turnaround, electrical box

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

No.

TOWNSHIP ZONING APPLICATION

TOWNSHIP NAME \_\_\_\_\_

Goodhue County

Parcel # \_\_\_\_\_

**APPLICANT INFORMATION**

Last Name	ECKHOFF	First	SHANE	M.I.	S
Street Address	15994 325TH ST			Phone	
City	GOODHUE	State	MN	ZIP	55066
Email Address					
Township	VASA	Range		Section	

**PROJECT INFORMATION**

Site Address	15994 325TH ST				
Zoning District	Lot Size	5.25 acres	Structure Dimensions		
Type of Project	NEW STORAGE SHED	Proposed Use	PERSONAL		
Structure Type	Replacement?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>		
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  Date 2/13/24

**TOWNSHIP APPROVALS**

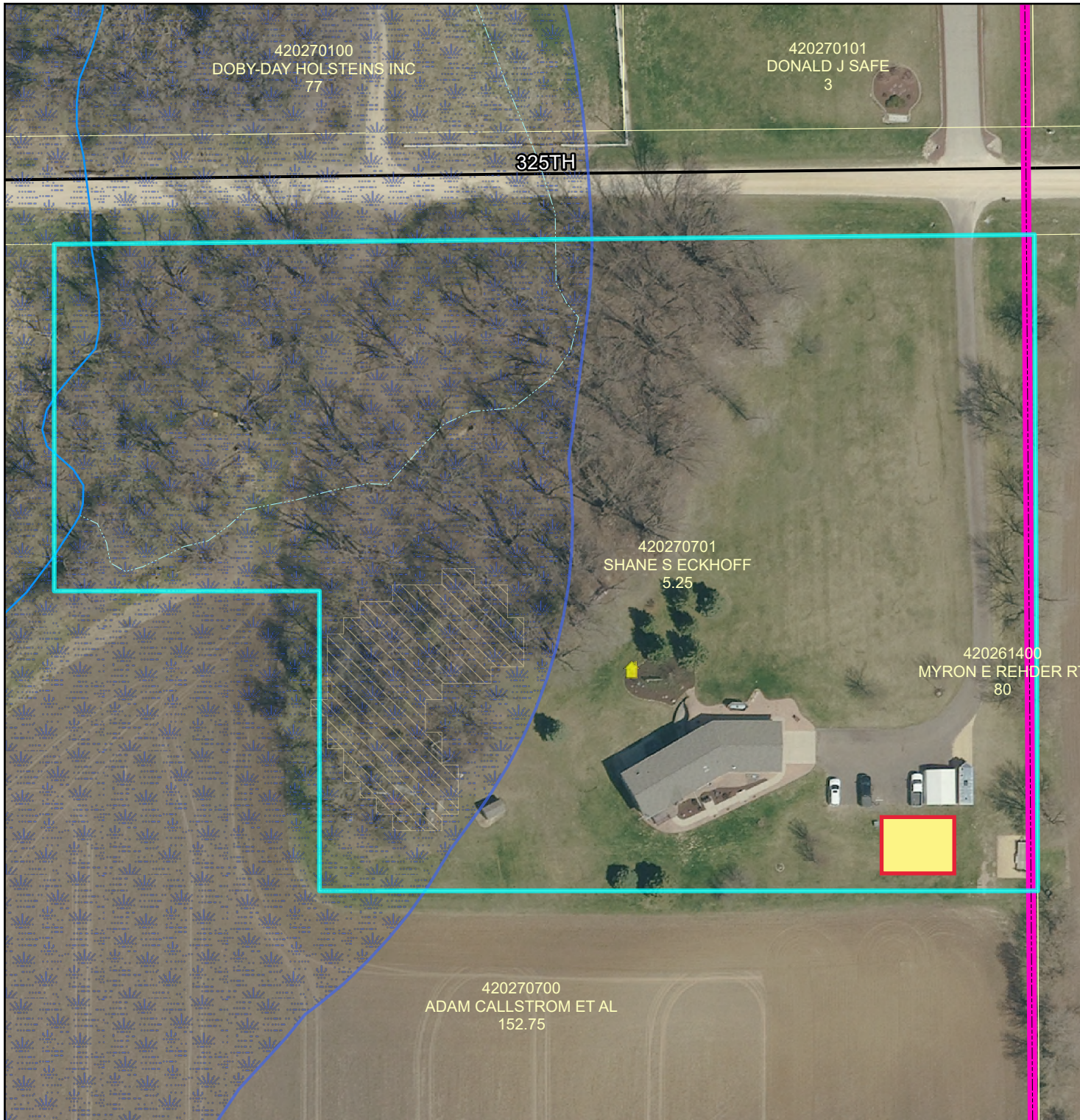
*I hereby certify that the above described project has been approved by the Township Board, and the structure and use will meet all Township Codes and Ordinances if constructed as indicated.*

Signature  Title clerk Date 2/13/24

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

Application fee \_\_\_\_\_ Receipt Number \_\_\_\_\_

# MAP 01: PROPERTY OVERVIEW



## BOARD OF ADJUSTMENT

Public Hearing  
August 19, 2024

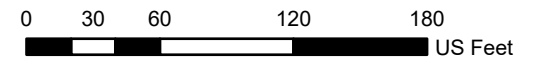
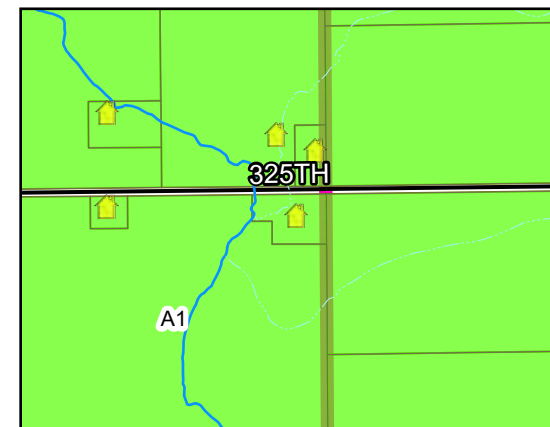
Shane and Crystal Eckhoff (Owners)  
A1 Zoned District

Part of the NE 1/4 of the SE 1/4  
of Section 27 TWP 112 Range 16  
in Vasa Township.

Request for Variance, A1 Zoning District  
Standards to allow an accessory  
structure to be constructed  
less than 30 feet from the  
rear yard property line.

### Legend

	Streams		Dwelling Point
	Intermittent		Bluff Impact
	Protected		% Slope
	Lakes & Other Water Bodies		20
	Shoreland		30
	Section Lines		

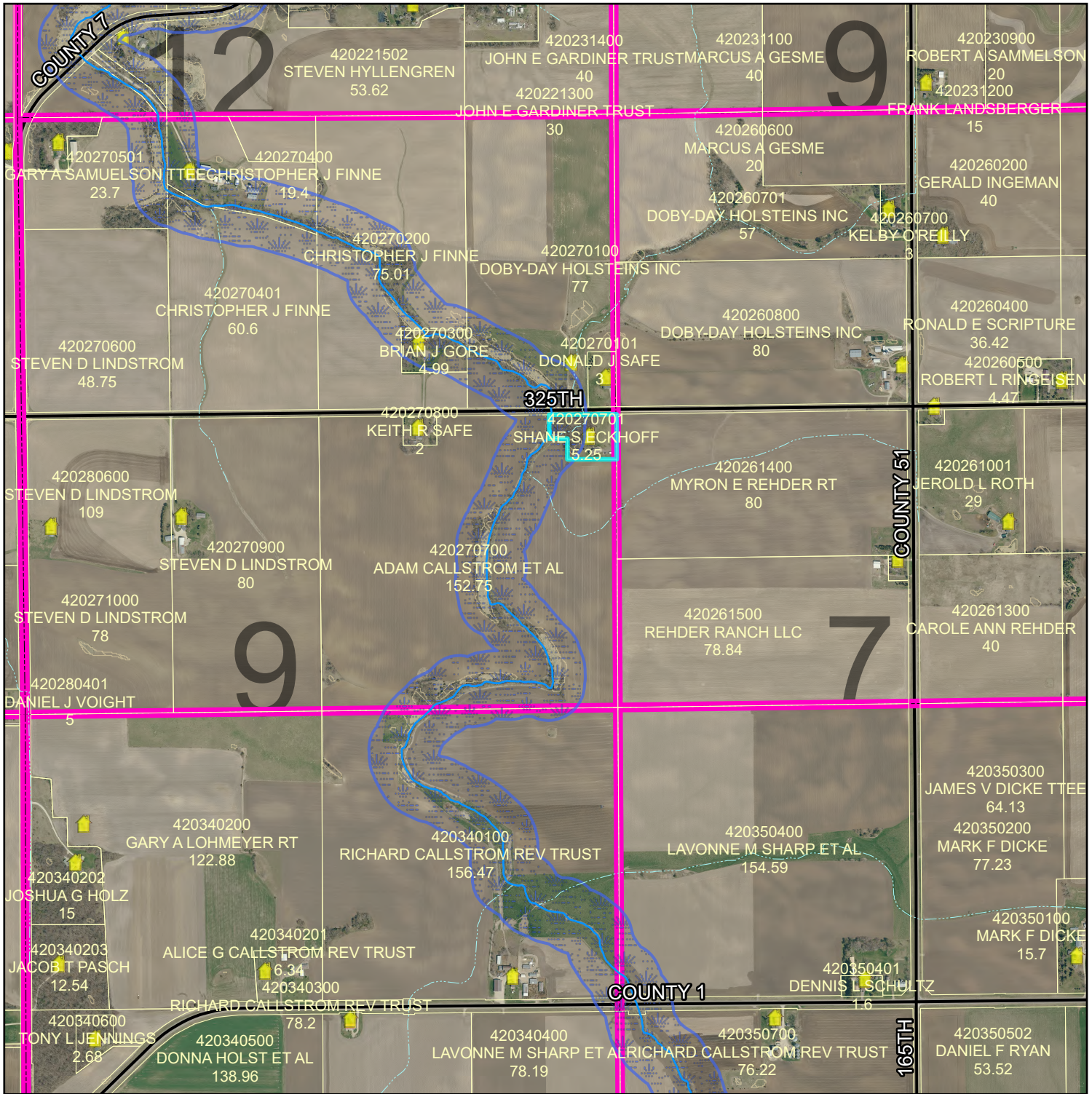


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# MAP 02: VICINITY MAP



## BOARD OF ADJUSTMENT

Public Hearing  
August 19, 2024

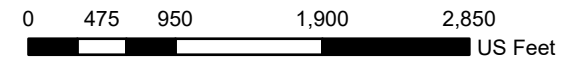
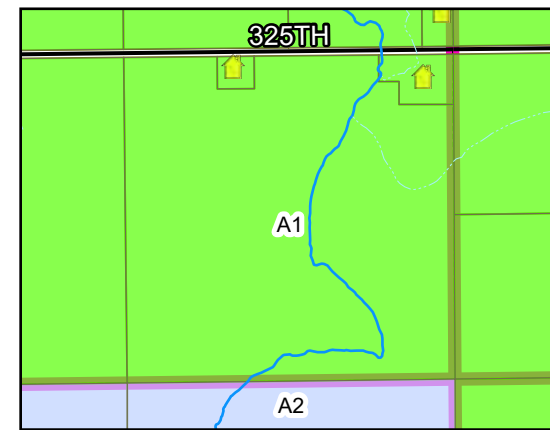
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### Legend

- Tax Parcels
- Section Lines
- Dwelling Point
- Bluff Impact
- % Slope
- 20
- 30



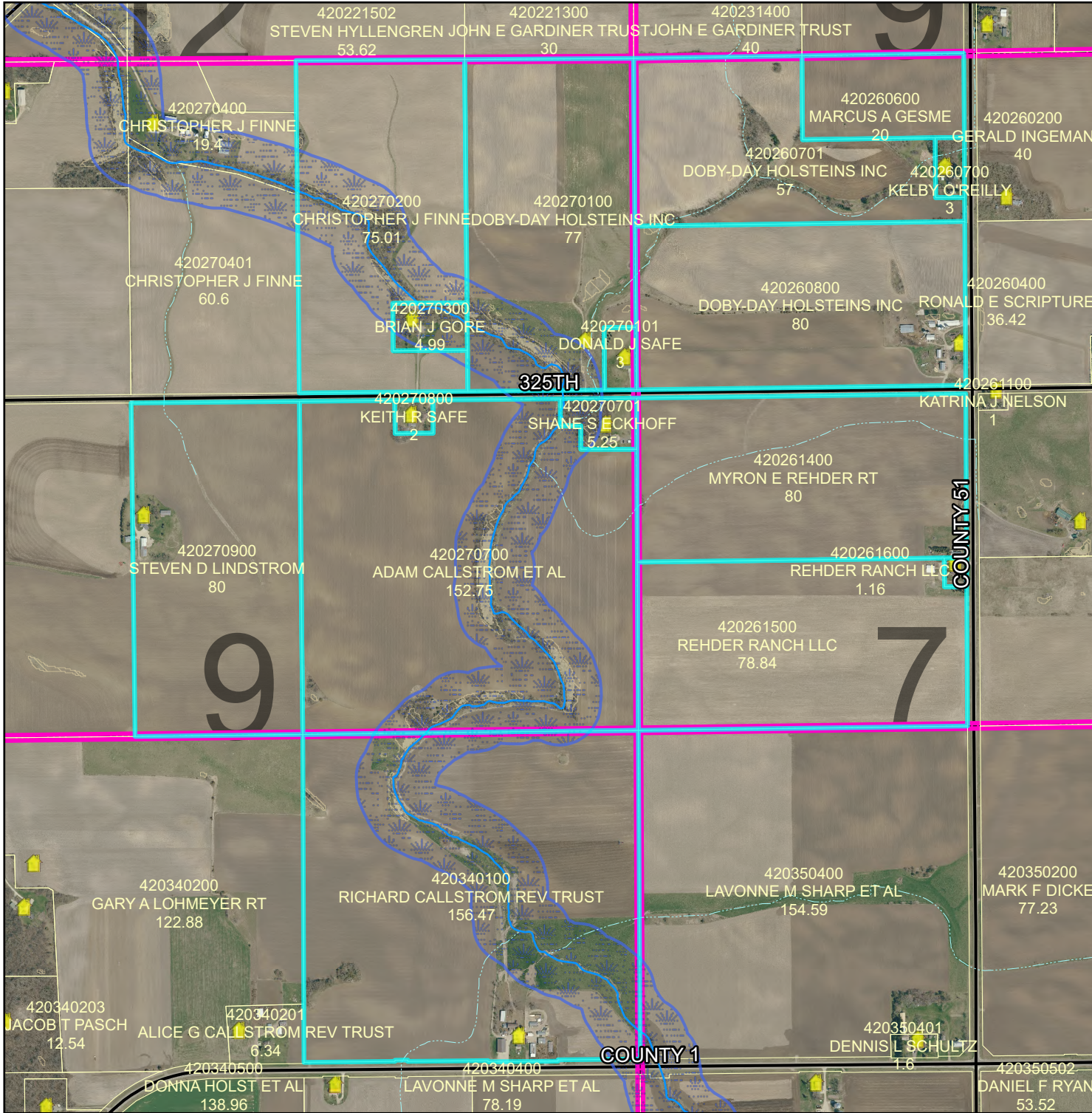
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# PUBLIC NOTICE: NEIGHBORHOOD MAILING MAP



## PLANNING COMMISSION

Public Hearing  
August 19, 2024

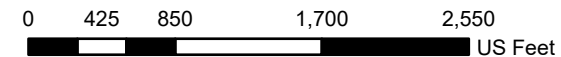
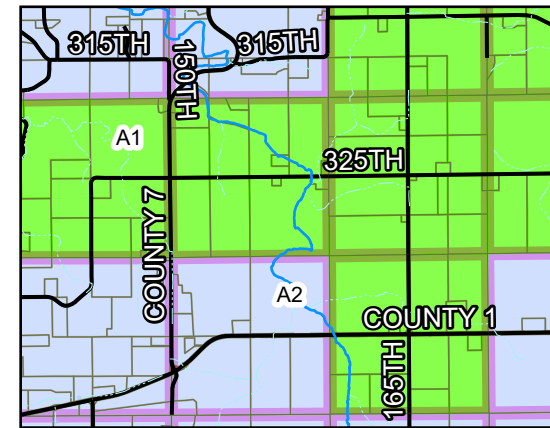
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### Legend

- |                |                     |
|----------------|---------------------|
| Tax Parcels    | <b>Bluff Impact</b> |
| Section Lines  | % Slope             |
| Dwelling Point | 20                  |
|                | 30                  |

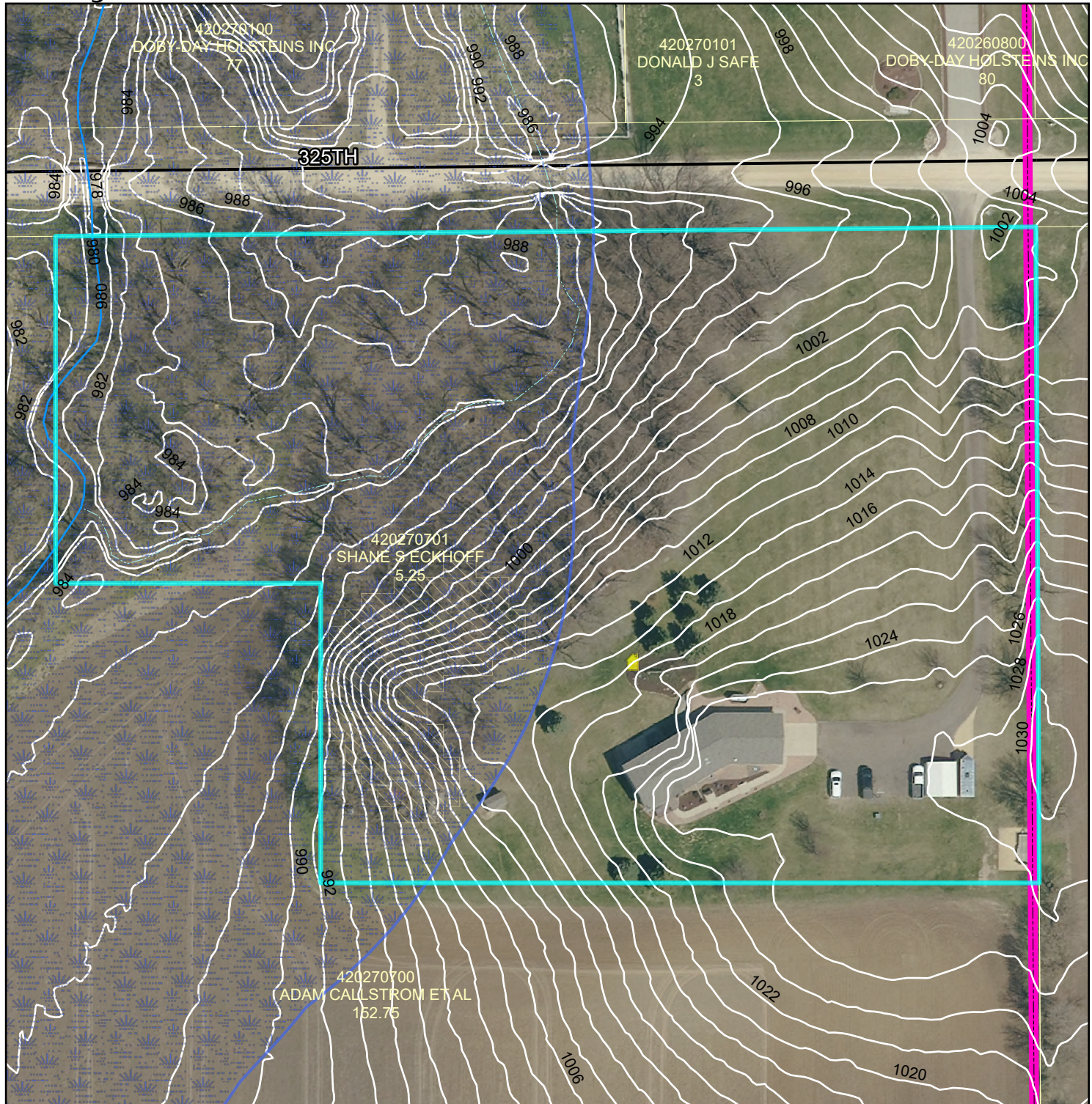


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# MAP 03: ELEVATIONS



## BOARD OF ADJUSTMENT

Public Hearing  
August 19, 2024

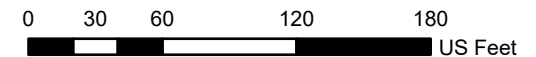
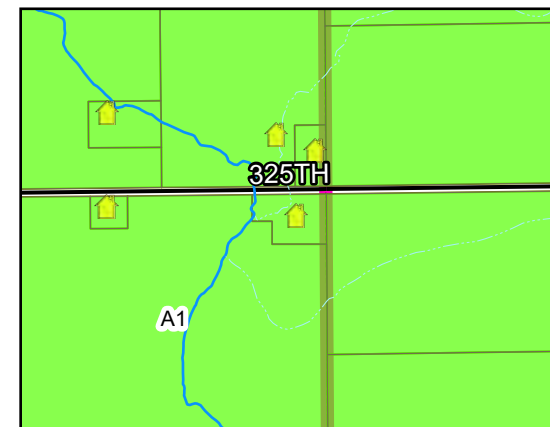
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Request for Variance, A1 Zoning District  
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rear yard property line.

### Legend

- |                |              |
|----------------|--------------|
| contours       | Bluff Impact |
| Tax Parcels    | % Slope      |
| Section Lines  | 20           |
| Dwelling Point | 30           |



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Map Created July, 2024 by LUM





## SITE PLAN

State the use of the property. Show the size, shape and location of structures with distance to property lines and location of ALL wells and septic systems.

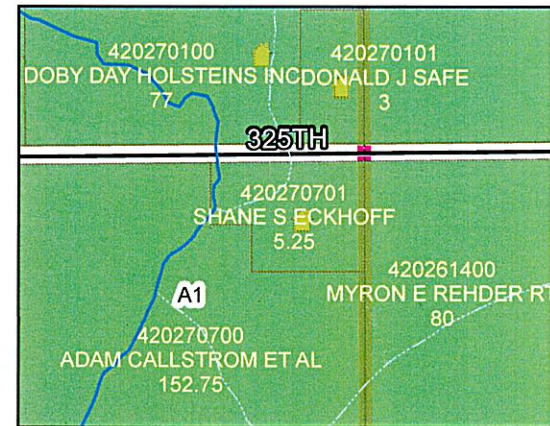
Tanks = 135 ft.

Drainfield = 115 ft

Well = 96 ft.

### Legend

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



0 30 60 120 180 US Feet

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