

**To:** County Board  
**From:** Land Use Management  
**Meeting Date:** October 1, 2024  
**Report date:** September 23, 2024

**CONSIDER: Request for IUP for a Commercial/Industrial Use Primarily Intended to Serve the Ag. Community**

Request, submitted by Mark Beachy (Owner) for an Interim Use Permit (IUP) to operate a tractor and agricultural equipment repair business on property zoned A-1 (Agricultural Protection District).

**Application Information:**

**Applicant:** Mark Beachy (Owner)

**Address of zoning request:** 37888 280<sup>th</sup> AVE Goodhue, MN 55027

**Parcel(s):** 26.023.0600

**Abbreviated Legal:** Part of the S ½ of the SW ¼ of Section 23 TWP 111 Range 14 in Belvidere Township

**Township Information:** Belvidere Township signed acknowledgment of the proposal on August 23, 2024 and did not add any additional comments.

**Zoning District:** A-1 (Agricultural Protection District)

**Attachments and links:**

Applications and submitted project summary

September 16, 2024 DRAFT Planning Commission Meeting Minutes

Site Map(s)

**Background:**

Mark Beachy (Owner) is requesting an Interim Use Permit to continue operating a tractor and agricultural equipment repair business (Ag Iron Repair) on property in Belvidere Township. The business currently operates out of an existing 40' x 64' pole building. The Applicant has also requested consideration of a future building addition that would be 40' x 88' in size.

All Commercial/Industrial uses primarily intended to serve the agriculture communities in Goodhue County are required to obtain a Conditional Use Permit.

**Project Summary:**

**Property Information:**

- The subject property consists of a single parcel comprising approximately 4.17 acres.
- The business currently operates out of an accessory building on the property which is 2,560 square feet in size.
- The property and adjacent land on all sides are zoned A-1 (Agricultural Protection District). Adjacent land uses consist of row crop agriculture and feedlot operations among low-density residential uses.

- Section 23 of Belvidere Township is limited to 4 dwellings as an A-1 zoned section. There are currently 4 dwellings in Section 23 therefore there is no additional dwelling density available.
- The property also contains the Applicant's dwelling and a small yard shed. The business use of the property does not qualify as a Home Business due to restrictions on outdoor storage (none allowed for Tier 2 Home Businesses), maximum structure size (3,400 square feet for Tier 2 Home Businesses), and minimum parcel size (5 acres for Tier 3 Home Businesses).
- The Applicant has proposed to add 3,520 square feet to the existing accessory building resulting in a 6,080 square foot building. The Applicant has indicated some space within the expanded building may be used for personal storage.
- The property is located approximately 0.1 miles from County 9 BLVD (asphalt surface) on 280<sup>th</sup> Avenue (aggregate surface) and is accessed via a U-shaped driveway. No dwellings are located in this 0.1-mile area.
- Exterior storage of tractors and other implements associated with the business is located on the north side of the accessory building on an existing gravel parking area. The property is well-screened from 280<sup>th</sup> Avenue by existing trees.

**Business Information:**

- The business (Ag Iron Repair) currently operates out of an accessory building on the property. The Applicant proposes to continue repairing tractors and other agricultural equipment out of the existing space and has proposed to add a 40' x 88' addition in the future for additional business space and personal storage. The addition may include a drive-over pit to more easily work under and wash equipment.
- Primary hours of operation are year-round, Monday through Friday from 7:30 AM to 5:30 PM. The Applicant occasionally works outside of these hours because he lives on-site.
- The Applicant has two non-resident employees.
- No equipment creating noise, odor, or dust uncommon to the area is used at the business.
- No traffic beyond that which is reasonable for the local transportation network occurs due to the business and is not anticipated to occur after any building expansion.
- The Zoning Administrator has determined a minimum of 5 parking spaces are currently required for the business. After the proposed addition is constructed there will need to be space for 12 parking spaces. The existing parking and driving area is large enough to accommodate these parking needs and exterior storage of equipment.
- There is an existing sign on the accessory building. No additional signage is proposed to be installed.

**PAC Findings of Fact:**

1. The business and proposed building addition do not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted, nor would it substantially diminish

and impair property values in the immediate vicinity. The business has been operating for several years without complaint.

2. The business and proposed building addition are not anticipated to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The use appears compatible with existing adjacent land uses.
3. A review of the Applicant's submitted project summary indicates adequate utilities, drainage, and other necessary facilities are available to accommodate the use. The building addition will be reviewed by County staff prior to construction for compliance with building code, well/septic codes, and grading and erosion control provisions.
4. The property has ample room to provide sufficient off-street parking and loading space to serve the use and meet the Goodhue County Zoning standards.
5. The business is primarily conducted within the existing structure. Exterior storage is well-screened by existing trees from the right-of-way. Any odor, fumes, dust, noise, or vibration created by the business is not uncommon in the agricultural area.

**PAC Recommendation:**

The Planning Advisory Commission recommends the County Board of Commissioners:

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

**APPROVE** the request submitted by Mark Beachy (Owner) for an IUP to continue operating a business primarily intended to serve the agricultural community (tractor and agricultural equipment repair).

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this IUP;
2. On-street parking, loading, and off-loading are prohibited;
3. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
4. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 21 (Agricultural Protection District);
5. A structure addition no greater than 3,520 square feet shall be permissible without amending this IUP;
6. The Applicant shall obtain building permit approval and well/septic approval from Goodhue County prior to constructing any structure addition(s); and
7. This IUP shall expire upon the sale of the property.







## GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 26.023.0600Permit# 24-0041

## PROPERTY OWNER INFORMATION

Last Name Beachy First Mark Email: [REDACTED]  
 Street Address 3788 230th Ave Phone: [REDACTED]  
 City Goodhue State MN Zip 55027 Attach Legal Description as Exhibit "A" ☐  
 Authorized Agent Phone \_\_\_\_\_  
 Mailing Address of Landowner: Same as above  
 Mailing Address of Agent: \_\_\_\_\_

## PROJECT INFORMATION

Site Address (if different than above): \_\_\_\_\_

Lot Size 4.2 acres approx Structure Dimensions (if applicable) New proposed addition (40x38)What is the conditional/interim use permit request for? addition to existing building (40x64)

Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized

We operate an ag repair shop and with equipment getting bigger and wishing to stock more parts I would like more space, and also possibly some storage space in this for service truck and/or some personal things.

## DISCLAIMER AND PROPERTY OWNER SIGNATURE

*I hereby swear and affirm that the information supplied to Goodhue County Land Use Management Department is accurate and true. I acknowledge that this application is rendered invalid and void should the County determine that information supplied by me, the applicant in applying for this variance is inaccurate or untrue. I hereby give authorization for the above mentioned agent to represent me and my property in the above mentioned matter.*

Signature of Landowner: Mark E BeachyDate 08-20-2024

Signature of Agent Authorized by Agent: \_\_\_\_\_

## TOWNSHIP INFORMATION

Township Zoning Permit Attached? ☐ If no please have township complete below:

By signing this form, the Township acknowledges being made aware of the request stated above. In no way does signing this application indicate the Township's official approval or denial of the request.

Signature \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Comments: \_\_\_\_\_

## COUNTY SECTION

COUNTY FEE \$400

RECEIPT # 18515DATE PAID 8-22-2024

Applicant requests a CUP/IUP pursuant to Article \_\_\_\_\_ Section \_\_\_\_\_ Subdivision \_\_\_\_\_ of the Goodhue County Zoning Ordinance

What is the formal wording of the request? \_\_\_\_\_

Shoreland \_\_\_\_\_ Lake/Stream Name \_\_\_\_\_ Zoning District \_\_\_\_\_

Date Received \_\_\_\_\_ Date of Public Hearing \_\_\_\_\_ DNR Notice \_\_\_\_\_ City Notice \_\_\_\_\_

Action Taken: ☐ Approve ☐ Deny Conditions: \_\_\_\_\_

AUG 22 2024

RECEIVED

Land Use Management



## GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

**PROJECT SUMMARY**

Please provide answers to the following questions in the spaces below. If additional space is needed, you may provide an attached document.

1. Description of purpose and planned scope of operations (including retail/wholesale activities).

Repair shop involves in and out jobs and stocking some parts and filters, etc.

2. Planned use of existing buildings and proposed new structures associated with the proposal.

We would continue to use the main shop and spread into the new section. Possibly we would put a drive over pit in to work under/wash equipment.

3. Proposed number of non-resident employees.

2

4. Proposed hours of operation (time of day, days of the week, time of year) including special events not within the normal operating schedule.

Monday-Friday 7:30-5:30 All major holidays we take off. I work some evenings because I live here

5. Planned maximum capacity/occupancy.

3 or 4 people

6. Traffic generation and congestion, loading and unloading areas, and site access.

Large lane so shouldn't be an issue

7. Off-street parking provisions (number of spaces, location, and surface materials).

35 spaces, Class 5 rock

8. Proposed solid waste disposal provisions.

Lake City Disposal

9. Proposed sanitary sewage disposal systems, potable water systems, and utility services.

If need be we'd like to hook into existing septic, and water and electric are to shed already

10. Existing and proposed exterior lighting.

Dusk to dawn light one place now. Possibly add another

11. Existing and proposed exterior signage.

One sign on existing shop. None to be added

12. Existing and proposed exterior storage.

As it is now tractors parked in a row

13. Proposed safety and security measures.

What is needed. We take safety ~~to~~ very important

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

Very adequate

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

None that I am aware of

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

We will need to add some fill to the building site by pushing part of the bank to the north behind the shop and grade so water flows correct.

17. Existing and proposed surface-water drainage provisions.

This will need graded to make it drain correctly around the addition

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

None

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



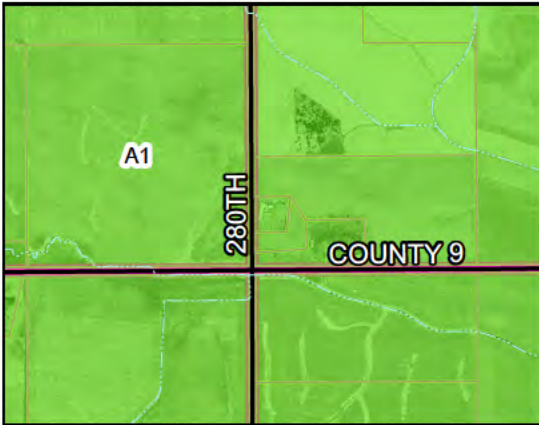


# SITE PLAN

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.

## Legend

- |                            |                           |
|----------------------------|---------------------------|
| Intermittent Streams       | <b>Blufflands</b>         |
| Protected Streams          | 30% Slope or Greater      |
| Lakes & Other Water Bodies | Bluffland Protected Soils |
| Shoreland                  | <b>FEMA Flood Zones</b>   |
| National Wetland Inventory | 2% Annual Chance          |
| Parcels                    | A                         |
| Registered Feedlots        | AE                        |
| Dwellings                  | AO                        |
| Municipalities             | Floodway                  |



0 30 60 90

US Feet

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2024 Aerial Imagery  
Map Created August, 2024 Samantha Pierret





## TOWNSHIP ZONING APPLICATION

TOWNSHIP NAME Belvidere

Goodhue County

Parcel # T-111-N

APPLICANT INFORMATION				
Last Name <u>Beachy</u>		First <u>Mark</u>		M.I.
Street Address <u>37888 280<sup>th</sup> Ave</u>				Phone <span style="background-color: black; color: black;">[REDACTED]</span>
City <u>Goodhue, MN</u>		State <u>MN</u>		ZIP <u>55021</u>
Email Address				
Township	Range <u>R-14-W</u>		Section <u>23</u>	
PROJECT INFORMATION				
Site Address <u>Same</u>				
Zoning District	Lot Size		Structure Dimensions <u>40x88</u>	
Type of Project		Proposed Use		
Structure Type <u>Shed</u>	Replacement?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
Variance # _____		Conditional Use Permit # _____		
Name of Property Owner:				
DISCLAIMER AND SIGNATURE				
<i>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.</i>				
Signature <u>Mark E Beachy</u>			Date <u>08-23-2024</u>	
TOWNSHIP APPROVALS				
<i>I hereby certify by signing that I am authorized to act on the behalf of the Township Board, and the structure and use will meet all Township Codes and Ordinances if constructed as indicated.</i>				
Signature <u>[Signature]</u>		Title <u>clerk</u>	Date <u>8/23/24</u>	
Signature		Title	Date	
Application fee _____		Receipt Number _____		



MAP 01: PROPERTY OVERVIEW



PLANNING COMMISSION

PAC Meeting  
September 16, 2024

Mark Beachy (Owner)

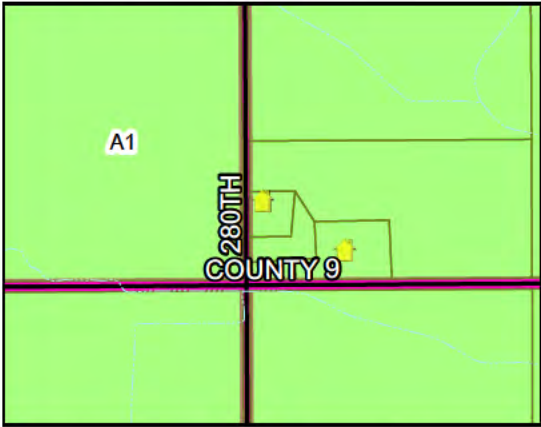
A1 Zoned District

Part of the S 1/2 of the SW 1/4 of Section  
23 TWP 111 Range 14 in Belvidere Township

Request for IUP to operate a tractor and  
agricultural equipment repair business on  
property zoned A-1

Legend

- |                            |                           |
|----------------------------|---------------------------|
| Intermittent Streams       | Blufflands                |
| Protected Streams          | 30% Slope or Greater      |
| Lakes & Other Water Bodies | Bluffland Protected Soils |
| Shoreland                  | FEMA Flood Zones          |
| Historic Districts         | 2% Annual Chance          |
| Parcels                    | A                         |
| Registered Feedlots        | AE                        |
| Dwellings                  | AO                        |
| Municipalities             | X                         |



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MAP 01: PROPERTY OVERVIEW



**PLANNING COMMISSION**

PAC Meeting  
September 16, 2024

Mark Beachy (Owner)

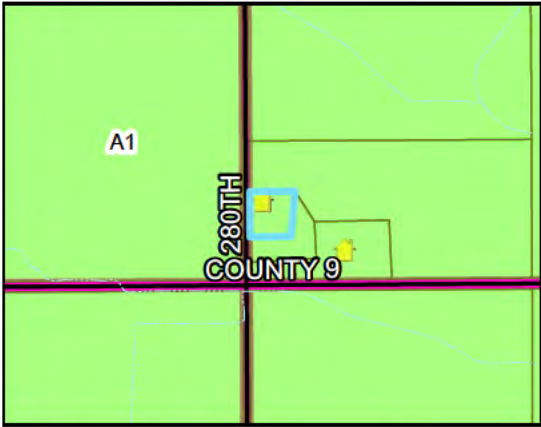
A1 Zoned District

Part of the S 1/2 of the SW 1/4 of Section  
23 TWP 111 Range 14 in Belvidere Township

Request for IUP to operate a tractor and  
agricultural equipment repair business on  
property zoned A-1

**Legend**

- |                            |                           |
|----------------------------|---------------------------|
| Intermittent Streams       | <b>Blufflands</b>         |
| Protected Streams          | 30% Slope or Greater      |
| Lakes & Other Water Bodies | Bluffland Protected Soils |
| Shoreland                  |                           |
| Historic Districts         | <b>FEMA Flood Zones</b>   |
| Parcels                    | 2% Annual Chance          |
| Registered Feedlots        | A                         |
| Dwellings                  | AE                        |
| Municipalities             | AO                        |
|                            | X                         |



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MAP 02: VICINITY MAP



PLANNING COMMISSION

PAC Meeting  
September 16, 2024

Mark Beachy (Owner)

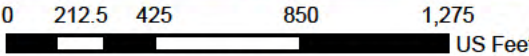
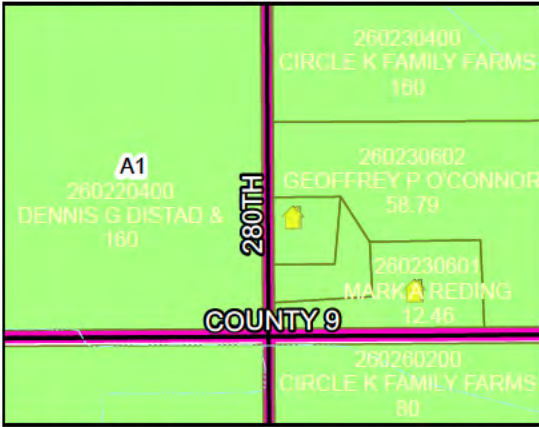
A1 Zoned District

Part of the S 1/2 of the SW 1/4 of Section  
23 TWP 111 Range 14 in Belvidere Township

Request for IUP to operate a tractor and  
agricultural equipment repair business on  
property zoned A-1

Legend

- |                            |                           |
|----------------------------|---------------------------|
| Intermittent Streams       | Blufflands                |
| Protected Streams          | 30% Slope or Greater      |
| Lakes & Other Water Bodies | Bluffland Protected Soils |
| Shoreland                  | FEMA Flood Zones          |
| Historic Districts         | 2% Annual Chance          |
| Parcels                    | A                         |
| Registered Feedlots        | AE                        |
| Dwellings                  | AO                        |
| Municipalities             | X                         |



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MAP 03: ELEVATIONS



PLANNING COMMISSION

PAC Meeting  
September 16, 2024

Mark Beachy (Owner)

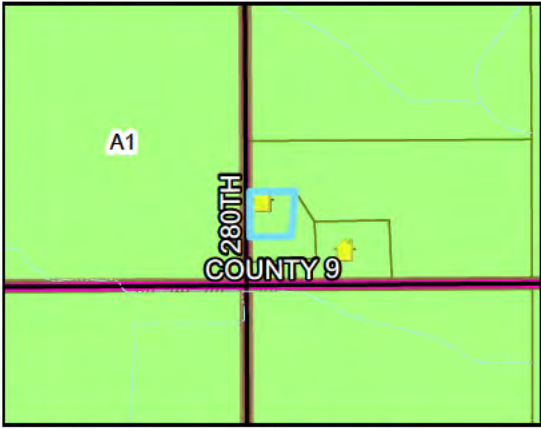
A1 Zoned District

Part of the S 1/2 of the SW 1/4 of Section  
23 TWP 111 Range 14 in Belvidere Township

Request for IUP to operate a tractor and  
agricultural equipment repair business on  
property zoned A-1

Legend

- |                            |                           |
|----------------------------|---------------------------|
| Intermittent Streams       | Blufflands                |
| Protected Streams          | 30% Slope or Greater      |
| Lakes & Other Water Bodies | Bluffland Protected Soils |
| Shoreland                  | <b>FEMA Flood Zones</b>   |
| Historic Districts         | 2% Annual Chance          |
| Parcels                    | A                         |
| Registered Feedlots        | AE                        |
| Dwellings                  | AO                        |
| Municipalities             | X                         |



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Map Created August, 2024 by LUM





**PLANNING ADVISORY COMMISSION  
GOODHUE COUNTY, MN  
September 16<sup>th</sup>, 2024, MEETING MINUTES  
DRAFT**

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this IUP;
2. Hours of operation shall be limited to appointments only between 7:00 AM and 8:00 PM daily;
3. On-street parking, loading, or off-loading is prohibited;
4. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
5. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 22 A-2 (Agricultural District);
6. A new structure for the business may be constructed on either parcel 28.015.1500 or 28.015.1501 with proper permits from Goodhue County; and
7. This IUP shall expire upon the sale of either property.

**Motion carried 7:0**

**PUBLIC HEARING: Request for IUP for a Commercial/Industrial Use Primarily Intended to Serve the Ag Community**

Request, submitted by Mark Beachy (Owner) for an Interim Use Permit (IUP) to operate a tractor and agricultural equipment repair business on property zoned A-1 (Agricultural Protection District). 37888 280<sup>th</sup> AVE Goodhue, MN 55027. Parcel 26.023.0600. Part of the S ½ of the SW ¼ of Section 23 TWP 111 Range 14 in Belvidere Township.

*Pierret presented the staff report and attachments.*

**Chair Buck Opened the Public Hearing**

*No one spoke for or against the request.*

**<sup>7</sup>After Chair Buck called three times for comments, it was moved by Commissioner Fox and seconded by Commissioner Huneke to close the Public Hearing.**

**Motion carried 7:0**

**<sup>8</sup>It was moved by Commissioner Fox and seconded by Commissioner Huneke for the Planning Advisory Commission to:**

- Adopt the staff report into the record
- Adopt the findings of fact
- Accept the application, testimony, exhibits, and other evidence into the record; and

Recommend the County Board of Commissioners **APPROVE** the Request, submitted by Mark Beachy (Owner) for an Interim Use Permit (IUP) to operate a tractor and agricultural equipment repair business on property zoned A-1 (Agricultural Protection District).

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this IUP;
2. On-street parking, loading, or off-loading is prohibited;
3. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
4. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 21 (Agricultural Protection District);
5. A structure addition no greater than 3,520 square feet shall be permissible without amending this IUP;

**PLANNING ADVISORY COMMISSION  
GOODHUE COUNTY, MN  
September 16<sup>th</sup>, 2024, MEETING MINUTES  
DRAFT**

6. The Applicant shall obtain building permit approval and well/septic approval from Goodhue County prior to constructing any structure additions(s); and
7. This IUP shall expire upon the sale of the property.

**Motion carried 7:0**

**PUBLIC HEARING: Request for Text Amendments to the Goodhue County Subdivision Ordinance and to the Goodhue County Zoning Ordinance Article 30 (CR, Commercial Recreational District)**

Request, submitted by Every River LLC (Megan Smith, Applicant) to consider proposed text amendments to the Goodhue County Subdivision Ordinance and Goodhue County Zoning Ordinance to allow Planned Unit Developments (PUDs) as a Conditional Use in the Commercial Recreational District with specific performance standards.

*Pierret presented the staff report and attachments. Pierret stated that there should be two separate motions tonight, one for the Goodhue County Subdivision Ordinance and the second for the Goodhue County Zoning Ordinance Article 30. She also read through the text amendments to those Ordinances.*

*Megan Smith (Applicant) stated that this PUD (Planned Unit Development) would only pertain to the Commercial Recreation zoning districts (CR). Goodhue County has a lot to offer in recreation such as the beaches, bluffs, boating, camping, recreation trails, etc. An owner would be able to split up their land into smaller units for individual ownership forming what is sometimes called common interest communities (CIC). Examples could be a campground where an individual campsite can be owned rather than owning the entire campground. This allows investment into the property. These PUDs would not be allowed to be year-round residences. These could relieve some housing in certain areas from being used as Airbnb or VRBO and be used as a CIC on property zoned CR. PUDs would complement the Goodhue County Comprehensive Plan in the Outdoor Tourism and Business & Industry sections.*

*Commissioner Miller stated that the proposed language says these units are not to be lived in year-round. How many days does that mean?*

*Pierret stated that she added this because the Commercial Recreation zone doesn't allow permanent dwellings. It's up to the HOA or developer to determine and manage how long people stay.*

*Commissioner Miller questioned whether the owner of a unit could have their mail forwarded to the place wouldn't that make it a residence?*

*Pierret stated that this is something that has been thought about and discussed with the applicants. It really is up to the HOA and staff, the Planning Commission, and the County Board to review those documents before approving any PUD.*

*Commissioner Buck questioned how this would affect the other properties zoned CR.*

*Pierret stated that they would have the opportunity to plat their parcel and split it up to sell them as units. Or if it's a campground they could sell individual campsites or cabins.*

*Commissioner Gale asked what amenities there are, this sounds like a condo that could be lived in year-round. He doesn't know how you could restrict people from living there year-round.*

*Commissioner Miller complimented staff for including Subd 6 O which states that Townships have the right to deny a proposed PUD.*

*Pierret stated Townships with zoning authority may need to update ordinances. All Townships must sign off on the plat before it can be recorded, and staff requires Applicants to discuss the proposal with the Township before County approval to avoid bringing a final plat to a Township that would not sign off.*

**Chair Buck Opened the Public Hearing**