Goodhue County
Land Use Management

Building – Environmental Health – Zoning
509 West 5th Street, Red Wing, MN 55066
651-385-3104

To: Board of Adjustment
From: William Lenzen, Zoning Assistant, Land Use Management Department
Meeting Date: November 23rd, 2026
Report Date: November 13th, 2026

Public Hearing
Request for Variance, submitted by Randy DePestel (Applicant) on behalf of James Murin (Owner) to allow a parcel to be less than the required 35 acres per principal building or use.

Application Information:

Applicant(s):	Randy DePestel (Applicant) on behalf of James Murin (Owner)
Site Address:	17617 County 27 Blvd, Pine Island, MN 55963
Parcel:	40.036.3102
Abbreviated Legal Description:	Part of Lots 3 and 4 in the SW1/4 and Part of Lots 7 and 8 in the SE1/4 in Section 36, Township 109, Range 16
Township Information:	Roscoe Township signed the application with no additional comments
Zoning District:	A-3 Urban Fringe

Attachments:
- Application materials
- Land Sell Contract
- Site Plan
- Survey
- County Staff Prepared Maps

Applicable Ordinances:
Goodhue County Zoning Ordinance, Article 23 A-3 District
Goodhue County Zoning Ordinance, Article 5 Variances and Appeals

Summary:
The property owner is looking to split approximately 2.06 acres off of parcel 40.036.3102 and merge with parcel 40.036.3106. The current size of the parcel that is proposed to be split is approximately 17.16 acres in area, with a dwelling and an accessory shed, which is less than the 35-acre requirement for a building site in the A-3 District. The parcel with the building site would be approximately 15.1 acres after the split, not meeting A3 parcel size requirements.

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 intent of the A-3 District is to provide for urban expansion in close proximity to existing incorporated urban centers within Goodhue County in accordance with the Comprehensive Plan by conserving land for farming and other open space land uses for a period of time until urban services become available.
   - Splitting of this lot will put parcel 40.036.3102 at approximately 15.1 acres and parcel 40.036.3106 (receiving parcel) at approximately 20.6 acres.
   - The Applicant's variance request does not appear harmonious 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 encourages development and agricultural uses in areas zoned A-3. The use appears consistent with the Goodhue County Comp 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):**
   - Applicant has **not** established that a practical difficulty exists in complying with the official control.
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.**
   - Residential and agricultural uses are permitted uses in the A-3 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 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 **Deny** the request for a variance, submitted by Randy DePestel (Applicant) on behalf of James Murin (Owner) to allow a parcel to be less than the required 35 acres per principal building or use.

Goodhue County

Variance Application

For Staff Use Only	
Permit #	Z26-0109
Receipt #	3705795559
DATE:	10-19-2026

SITE ADDRESS, CITY, AND STATE	ZIP CODE:
17617 Co. 27 Blvd Pine Island, MN	55963

LEGAL DESCRIPTION: Attached ☐

PID#:	ZONING DISTRICT	LOT AREA (SF/ACRES):	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable):
		2.06	mainly - triangle	—

APPLICANT OR AUTHORIZED AGENT'S NAME	
Randy DeRestel	
APPLICANT'S ADDRESS:	TELEPHONE:
17545 Co. 27 Blvd Pine Island, MN 55963	EMAIL:

PROPERTY OWNER'S NAME:	
Same as Above ☐ James Murin	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
17617 Co. 27 Blvd Pine Island, MN 55963	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) Amend 1st purchase of wood land
- ☐ 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. Attached ☐

TOWNSHIP OFFICAL'S SIGNATURE	TOWNSHIP OFFICAL'S PRINTED NAME AND TITLE	DATE
Pat Mougar Supervisor & Clerk	Pat Mougar Holly S. Harder	11-9-26

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: Randall S DeRestel Date: 10/15/26

Land owner: James Murin Sign. James R Murin Date: 11/7/26

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:

Because property is less then 35 acres, if possible could the original purchase of property be amended to include this?

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

would like this piece to be use to recharge so my pasture doesn't flood any more when we get alot of rain

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:

N/A

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

N/A

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

I think because I own the property next to it & doesn't affect neighbors

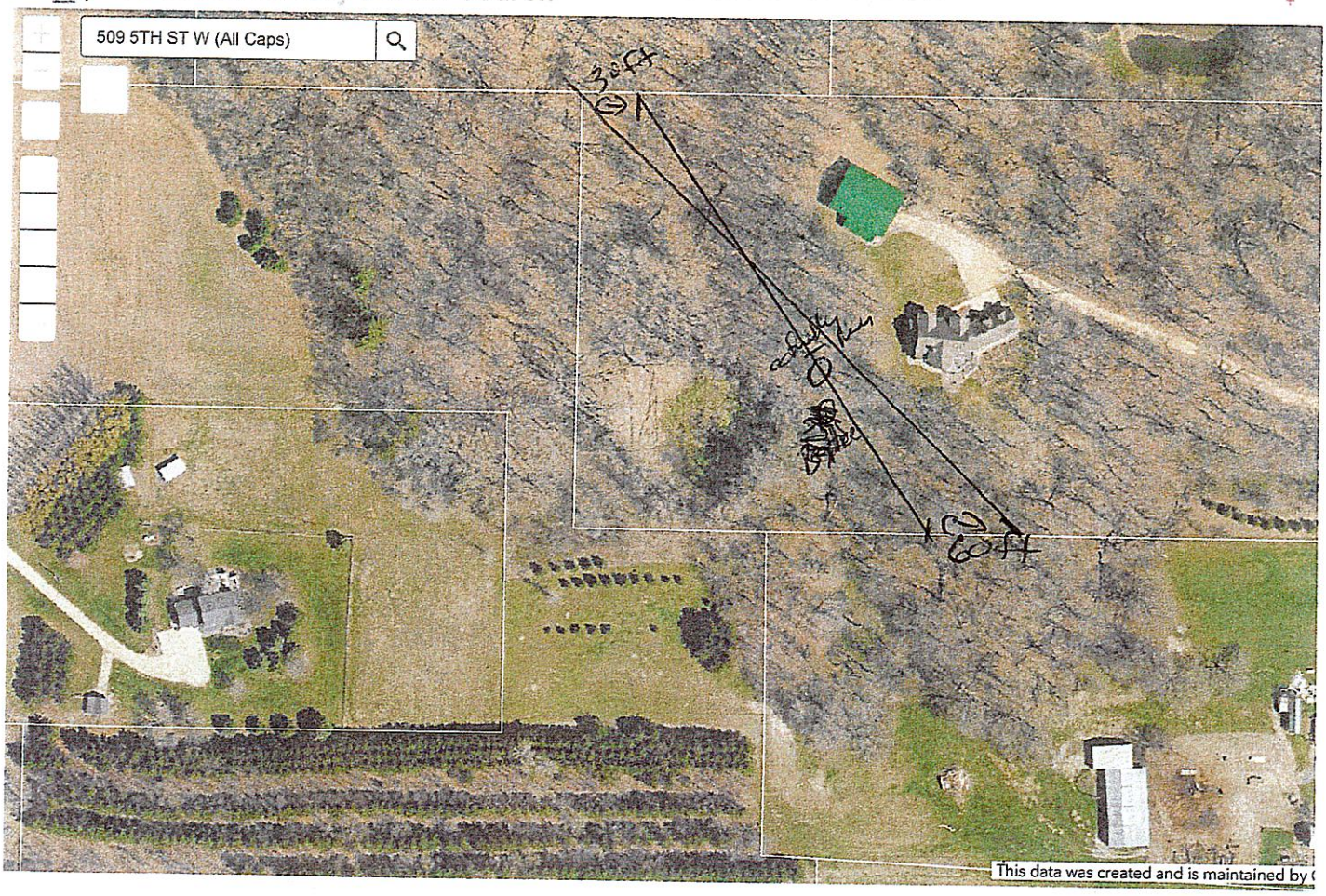
Land Sell Contract 10/5/2026

I, James Murin, agree to sell an additional 2.06 acres of wooded land to Randy DePestel as an amendment to be added to the original land purchase agreement that took place previously but was excluded at that time.

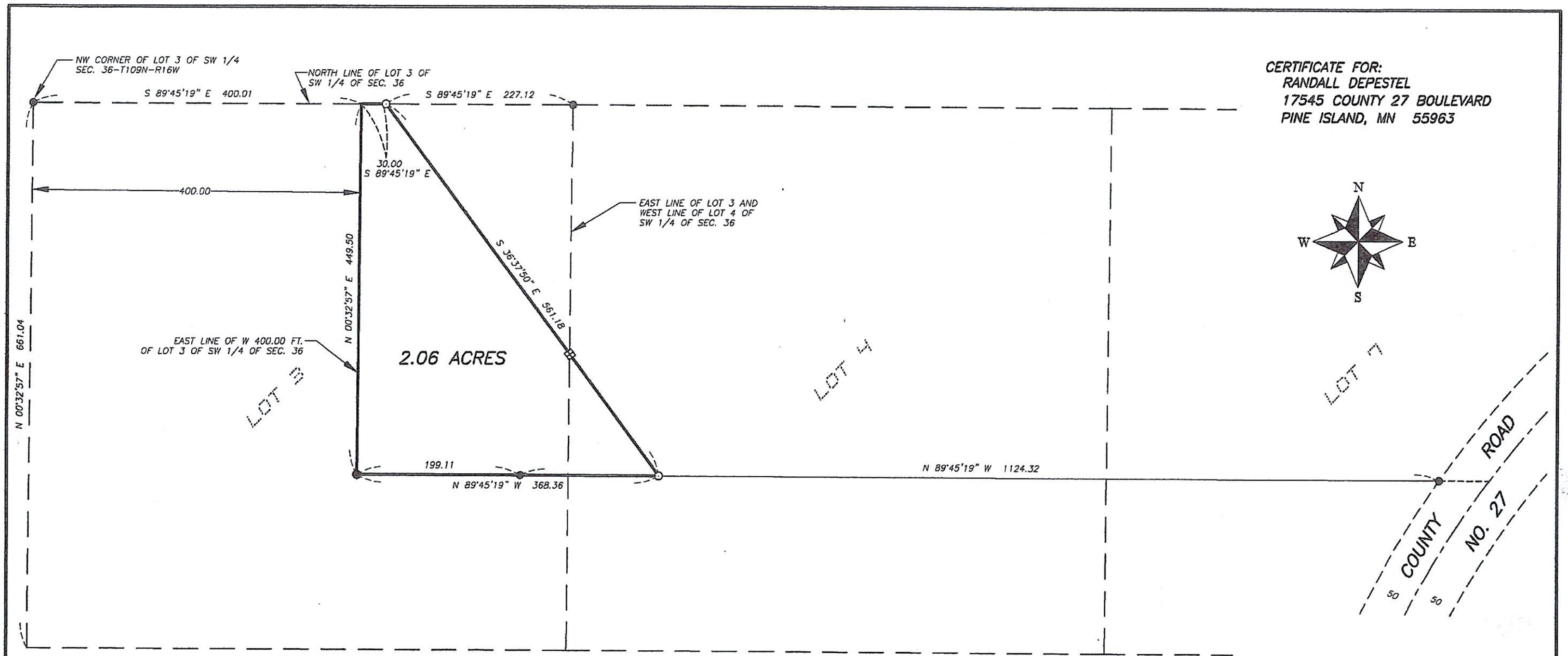
Seller: James Murin James R Murin 10/6/2026

Buyer: Randy DePestel Randy DePestel 10/6/2026

Goodhue County Parcel Search



100ft



CERTIFICATE FOR:
RANDALL DEPESTEL
17545 COUNTY 27 BOULEVARD
PINE ISLAND, MN 55963

PROPOSED LEGAL DESCRIPTION:

That part of Lots 3 and 4 of the Southwest Quarter of Section 36, Township 109 North, Range 16 West, Goodhue County, Minnesota, described as follows: Commencing at the northwest corner of said Lot 3 of the Southwest Quarter; thence South 89 degrees 45 minutes 19 seconds East, along the north line of said Lot 3, a distance of 400.01 feet to the east line of the West 400.00 feet of said Lot 3 and the point of beginning of the land to be described; thence continuing South 89 degrees 45 minutes 19 seconds East, along said north line of Lot 3, a distance of 30.00 feet; thence South 36 degrees 37 minutes 50 seconds East 561.18 feet; thence North 89 degrees 45 minutes 19 seconds West 368.36 feet to said east line of the West 400.00 feet of Lot 3; thence North 00 degrees 32 minutes 57 seconds East, along said east line of the West 400.00 feet, a distance of 449.50 feet to the point of beginning. Containing 2.06 acres, more or less.
Subject to all easements and restrictions of record, if any.

0 120 240
SCALE IN FEET

- DENOTES FOUND IRON MONUMENT
- DENOTES SET IRON MONUMENT W/PLASTIC CAP "RLS 22044"

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.

DECEMBER 23, 2025 — Dated:
David D. Rapp — David G. Rapp, Minnesota Registration No. 22044

RAPP LAND SURVEYING, INC.
45967 HIGHWAY 56 BLVD
KENYON, MN 55946
612-532-1263

DRAWN BY:	DATE:	PROJECT NO.
BDR	12-23-25	D25333
SCALE:	SHEET	BOOK/PAGE
1" = 120'	1 of 1 sheet	22/36

FP #400363102

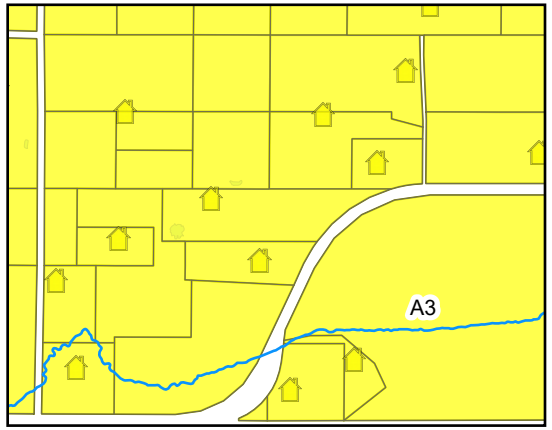
MAP 02: VICINITY MAP

BOARD OF ADJUSTMENT



Legend

- Township Roads
- Streams
  - Intermittent
  - Protected
- Dwelling Point
- Tax Parcels
- Section Lines
- Roads
- Shoreland
- Feedlots2026Poly
- Blufflands
- Soils_Type
  - Slope
  - Soils



0 165 330 660 990 US Feet

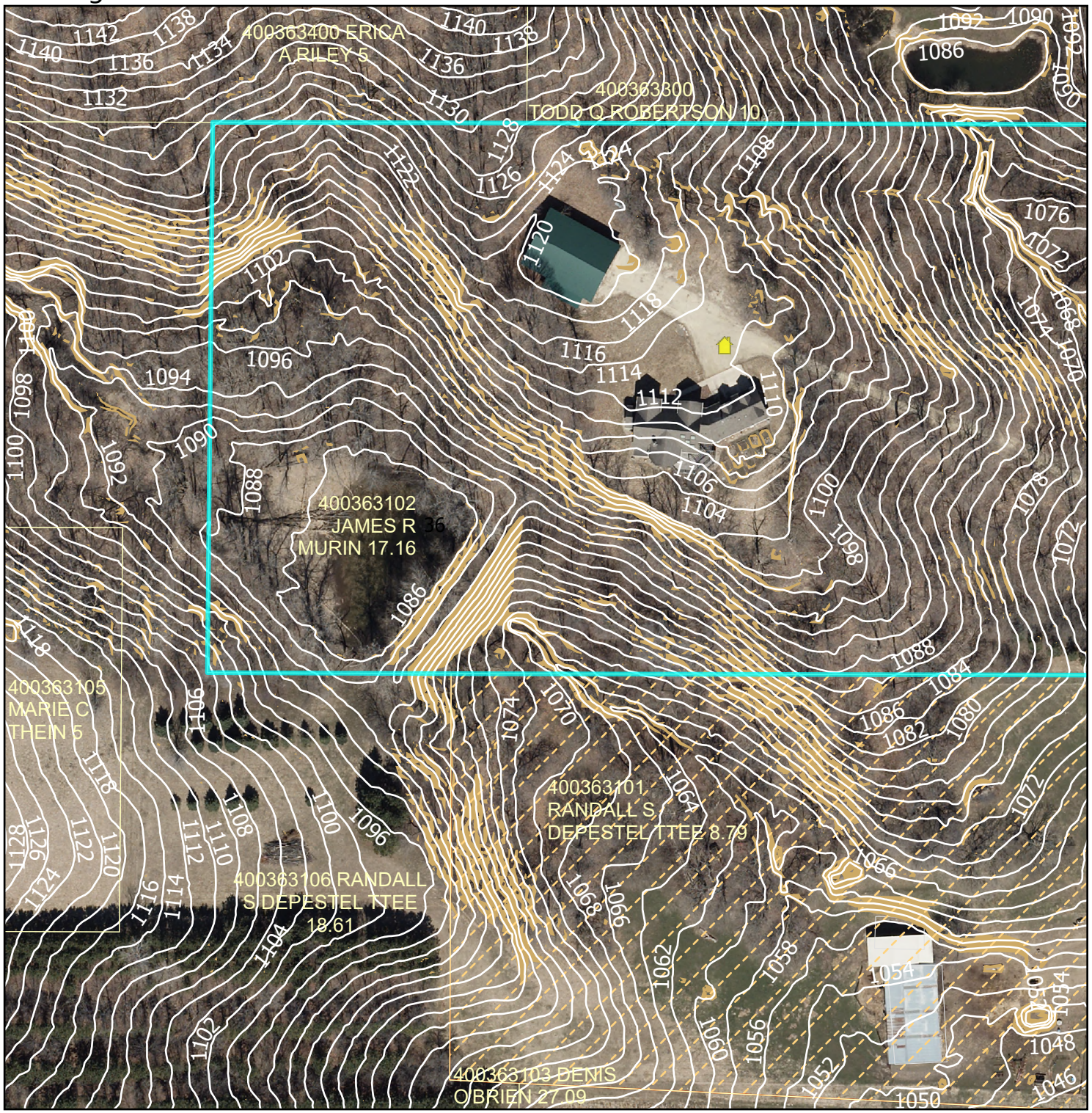
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2024 Aerial Imagery
Map Created November, 2026 by LUM

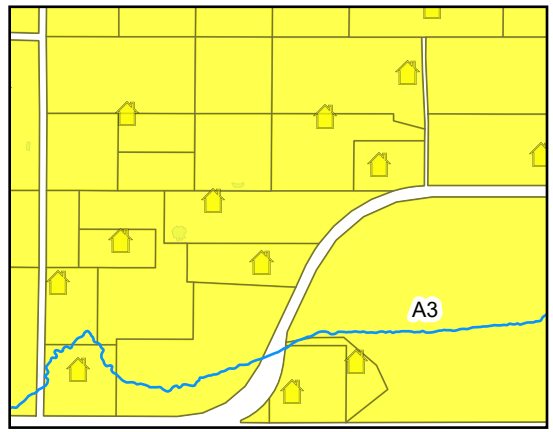
MAP 03: ELEVATIONS

BOARD OF ADJUSTMENT



Legend

- Township Roads
- Roads
- Streams
- Shoreland
- Intermittent
- Feedlots2026Poly
- Protected
- Blufflands
- Dwelling Point
- Soils_Type
- Tax Parcels
- Slope
- Section Lines
- Soils



0 40 80 160 240 US Feet

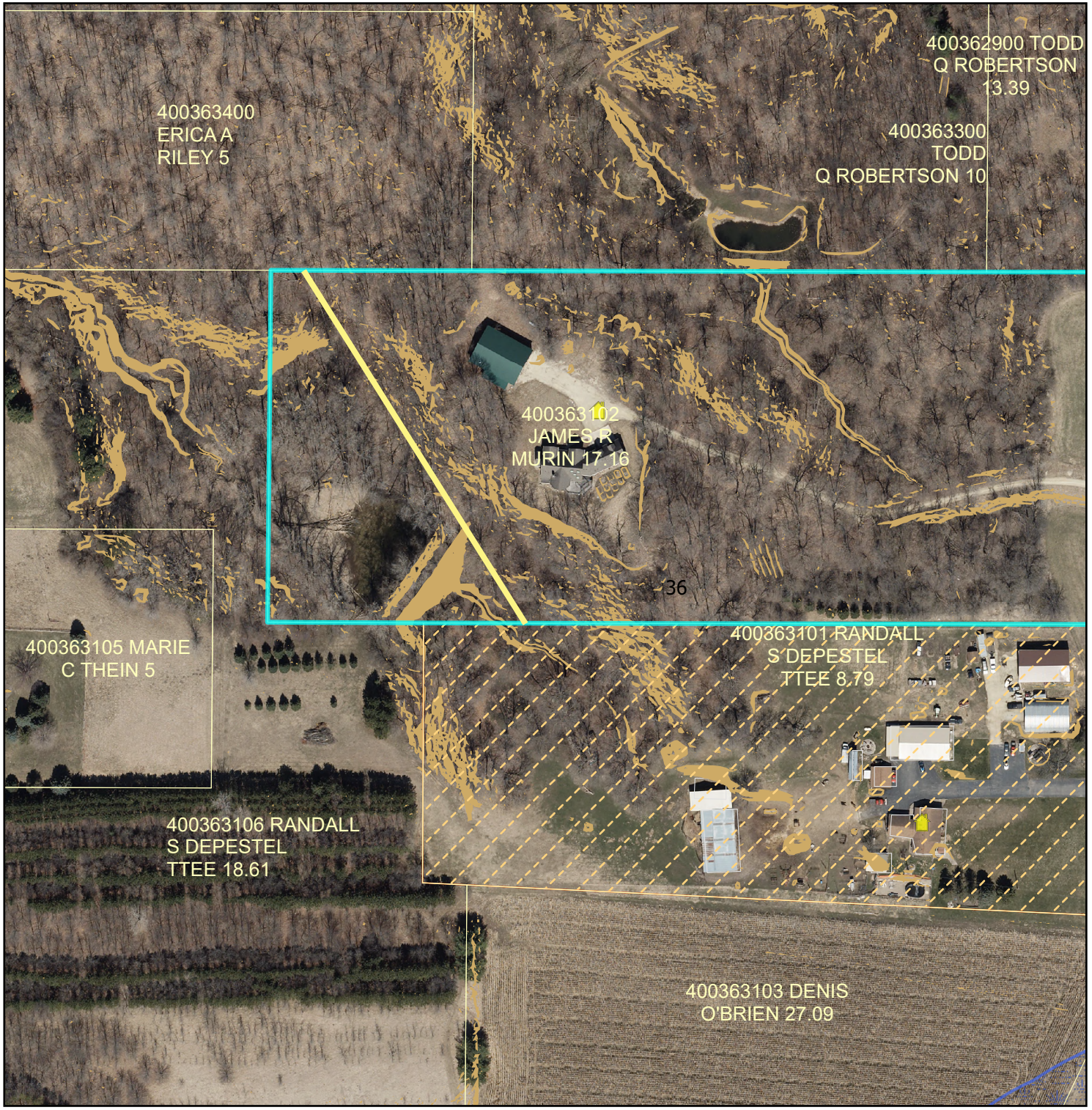
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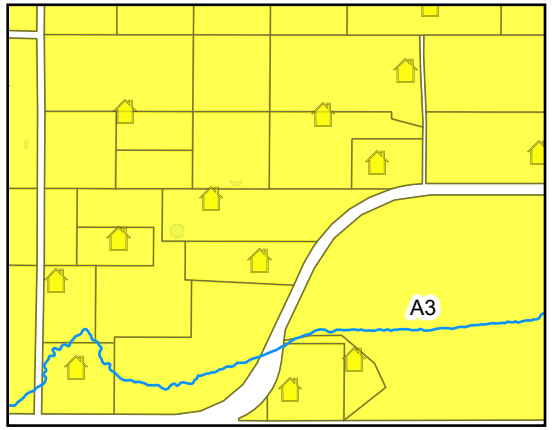
MAP 01: PROPERTY OVERVIEW

BOARD OF ADJUSTMENT



Legend

- Township Roads
- Streams
  - Intermittent
  - Protected
- Dwelling Point
- Tax Parcels
- Section Lines
- Roads
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- Blufflands
- Soils_Type
  - Slope
  - Soils



0 65 130 260 390 US Feet

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