

To: Board of Adjustment
From: Land Use Management
Meeting Date: February 24th, 2024
Report Date: February 14th, 2024

Agenda Item:

Hold a public hearing and consider a request for a variance submitted by David Jandro (Applicant/Owner) to allow the construction of an accessory structure that will cause the lot to exceed the Maximum Accessory Structure Square Footage of 2,100 square feet for lots greater than 1 acre.

Application Information:

Applicants: David Jandro (Applicant/Owner).

Address of zoning request: 35220 County 14 Blvd, Cannon Falls, MN 55009

Parcel: 37.100.0230

Abbreviated Legal Description: Lot 023 of the El Dorado Plat

Township Information: Leon Township signed off on the Variance application with no additional comments

Zoning District: R-1 (Suburban Residential)

Attachments and Links:

Application and submitted project summary

Site Map

Goodhue County Zoning Ordinance: [zoning_ordinance.pdf \(goodhuecountymn.gov\)](#)

Background:

David Jandro (Owner) has applied for a variance to Article 24 Section 4 (Accessory Structures) to allow the construction of an accessory structure that exceeds the maximum of 2,100 square feet at 2,400 square feet for a lot zoned R-1. The site already contains other accessory structures.

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 that “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 purpose and intent of the accessory structure maximum area standards cited in Article 24, Section 4 is to prevent development that is out of scale with the residential character of the neighborhood. This means that the size or bulk of a building is limited to a residential scale rather than a larger scale that would be allowed in agricultural, commercial, or industrial areas. The ordinance allows detached garages and sheds up to 2,100 square feet as long as all other requirements, such as setbacks, are met. In this case, the additional size of the shed is not going to substantially change the look or feel of the structure
- The property consists of one parcel containing approximately 4.4 acres. The minimum lot size in the R-1 District is 1 acre.
- The Accessory structure will measure 40 ft x 60 ft. The building will be situated with the length of the building running North-South. The structure will meet all setback requirements, and be at least 8 ft. from the side property line, and no closer than 40 ft from the right-of-way property line, which is the front of the property.
- The applicant has submitted a request with the Goodhue County Engineer for new driveway access off County 14 Blvd.
- The Applicant’s proposal 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 individual use of rural property in the unincorporated areas of Goodhue County.

The Applicant’s Accessory Structure request 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 for an accessory structure is a reasonable use of property in the R-1 District.
- As an R-1 zoned parcel, the maximum square footage for accessory structures is 2,100 sq ft. The new structure is proposed to be 2,400 sq ft. This brings the total accessory structure square footage to 3,200 sq ft, which is 1,100 sq ft over the maximum of 2,100 sq ft.
- The applicant intends to use the new structure for personal storage and owning/restoring collector vehicles.

- They have discussed the possibility of a smaller shed but have indicated they would have to store cars outside.
- There is bluff land east of the primary dwelling. Limiting the available building space to the front half of the parcel.
- A review of the existing development pattern in the vicinity reveals medium-density residential development among predominant Bluff land and Woodlands.

The request for variance 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 permissible in the R-1 district. This 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 submitted by David Jandro (Applicant/Owner) to allow the construction of an Accessory Structure that will cause the lot to exceed the Maximum Accessory Structure Square Footage of 2,100 square feet for lots greater than 1 acre, with the following conditions:

1. A building permit must be applied for within 1 year of obtaining the variance
2. The owner must verify all property lines, property corners, and locations of easements prior to obtaining a building permit
3. The owner must obtain a permit for a second driveway or design the garage to load from the existing yard, so the overhead doors are not facing the roadway.
4. The variance is null and void if construction does not start within a year of the variance approval.

RECEIVED

JAN 24 2025

| For Staff Use Only | |
|--------------------|---------------|
| Permit # | Z 25-0003 |
| \$400 Receipt # | 298913249 |
| | DATE: 1/24/25 |
| | Online |

Variance

Land Use Management

| | | | |
|---|-----------------|----------------------|---------------------------------------|
| SITE ADDRESS, CITY, AND STATE | | ZIP CODE: | |
| 35220 County 14 Blvd, Cannon Falls, MN 55009 | | 55009 | |
| LEGAL DESCRIPTION: | | | |
| EL DORADO LOT-023 4.40 AC DOC#608496 LOT 23 ID# 37-0500-02300 | | | |
| PID#: | ZONING DISTRICT | LOT AREA (SFIACRES): | LOT DIMENSIONS: |
| 371000230 | Leon | 4.4 | Approx 383' x 490' |
| | | | STRUCTURE DIMENSIONS (if applicable): |
| | | | 2400 |

| | |
|--|------------|
| APPLICANT OR AUTHORIZED AGENT'S NAME | |
| David Jandro | |
| APPLICANT'S ADDRESS: | TELEPHONE: |
| 35220 County 14 Blvd, Cannon Falls, MN 55009 | |
| | EMAIL: |
| | |

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

| | |
|----------------------------------|---------------|
| CONTACT FOR PROJECT INFORMATION: | |
| Same as Above | |
| ADDRESS: | TELEPHONE: |
| Same as Above | Same as Above |
| | EMAIL: |
| | Same as Above |

| | |
|--|---|
| VARIANCE REQUESTED TO: (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 checked="" type="checkbox"/> Other (specify) <input type="checkbox"/> Subdivision Regulations | CURRENT OR PREVIOUS USE: |
| | N/A |
| | PROPOSED USE: |
| | See attached supporting documentation |
| | 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 |
| | Matt Lyon Supervisor | 1-21-25 |

- 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: 1/22/2025

David and Vanessa Jandro
35220 County 14 Blvd
Cannon Falls, MN 55009
Leon Township in Goodhue County

Goodhue County Variance Application, Supporting Information and Justification

We have already submitted a variance for the township and paid their fee. We have also submitted a permit and paid the fee for a variance to the county engineer for a new driveway access.

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:

We currently have a single-family home and a detached garage on our property. Our current home is only about 1700 square feet and it has very limited storage, causing us to store more things than usual in our tuck under garage and our detached garage. Our detached garage is about 800 square feet. We have a family of four and our hobbies include owning/restoring collector vehicles. We are looking to build a storage post frame shed approx. 2400 square feet.

We are requesting a variance for the building size because it will be over 2100 square feet.

I would like to place the shed even with our detached garage which is 41 feet from the right of way. Knowing that the county setback limit is 40 feet from the right of way, this should not be a problem. I would not be able to push the shed back any further away from the road due to the limestone in the hill. I already had a professional excavator inspect the property and he confirmed the presence of limestone and recommended not intruding so far into the hillside.

In summary we are requesting a variance to the following ordinance:

1. Article 11 Section 5. To exceed the size of 2100 square feet outbuilding

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

The effects of not getting the variance approved would be the following:

- We do not have anywhere that we could store our vintage cars or boat. We enjoy restoring classic vehicles and do not currently have routine access to them due to being stored off our property. Our only option would be to store them outside, which is not good for the value of the vehicle nor esthetics for the property.

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 limestone hill prevents us from going further back into the hill and causing us to put the shed closer to the right of way.
- We would like to keep the new building close to the current detached garage for access to tools/equipment.

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

- We discussed making a smaller shed, but we would like a 40 x 60 shed to accommodate the collector and recreational vehicles. A smaller shed would mean needing to store some vehicles outside. Keeping these in the shed will ensure the property is neat and appears well maintained as well as protecting our property from the elements.

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

- There is not a lesser variance that we are aware of to allow for the needed storage.

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

- No, it would not alter the essential character in a negative way. The area is rural with many properties having outbuildings. It will in fact improve the character of the neighborhood as the only other option would be to keep vehicles outside which would look untidy and unkempt. The placement of the shed that we have proposed would not hinder anyone's view. We have already spoke with our neighbor to the north and he does not object to us building a shed in that location. Also, by building the shed would increase the property value.

MAP 02: VICINITY MAP

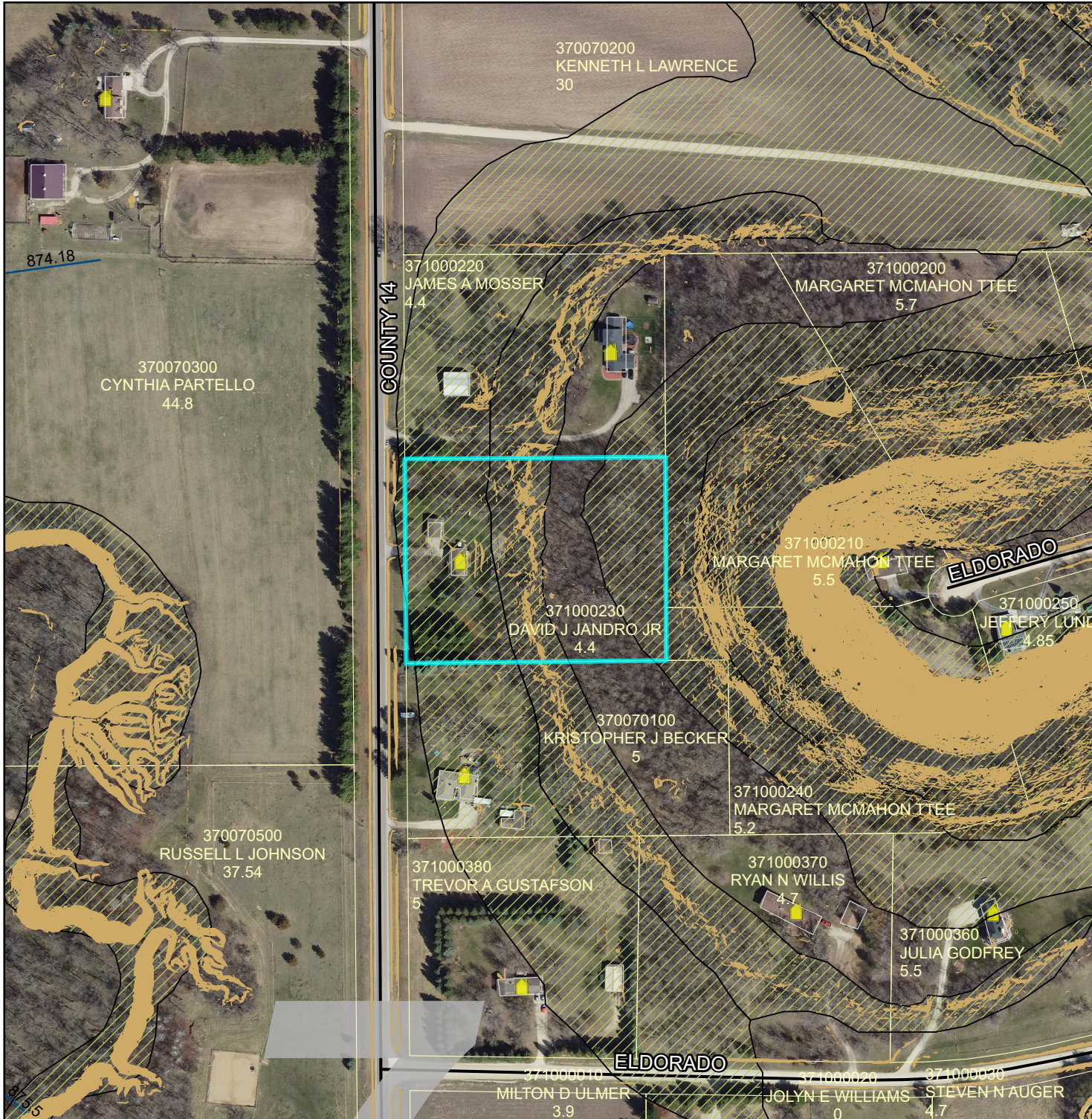
BOARD OF ADJUSTMENT

Public Hearing
February 24, 2025

David Jandro (Owner)
R-1 Zoned District.

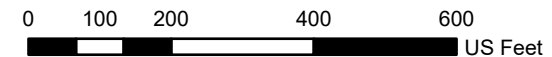
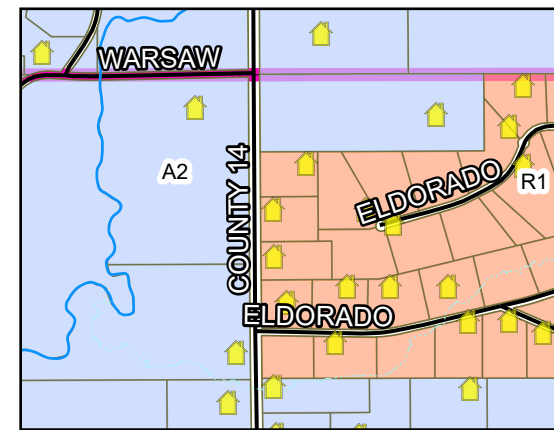
Lot 23 of the El Dorado Plat
in Leon Township.

Request for a Variance to exceed the maximum accessory structure square footage of 2,100 square feet for lots greater than 1 acre.



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 |



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PUBLIC NOTICE: NEIGHBORHOOD MAILING MAP

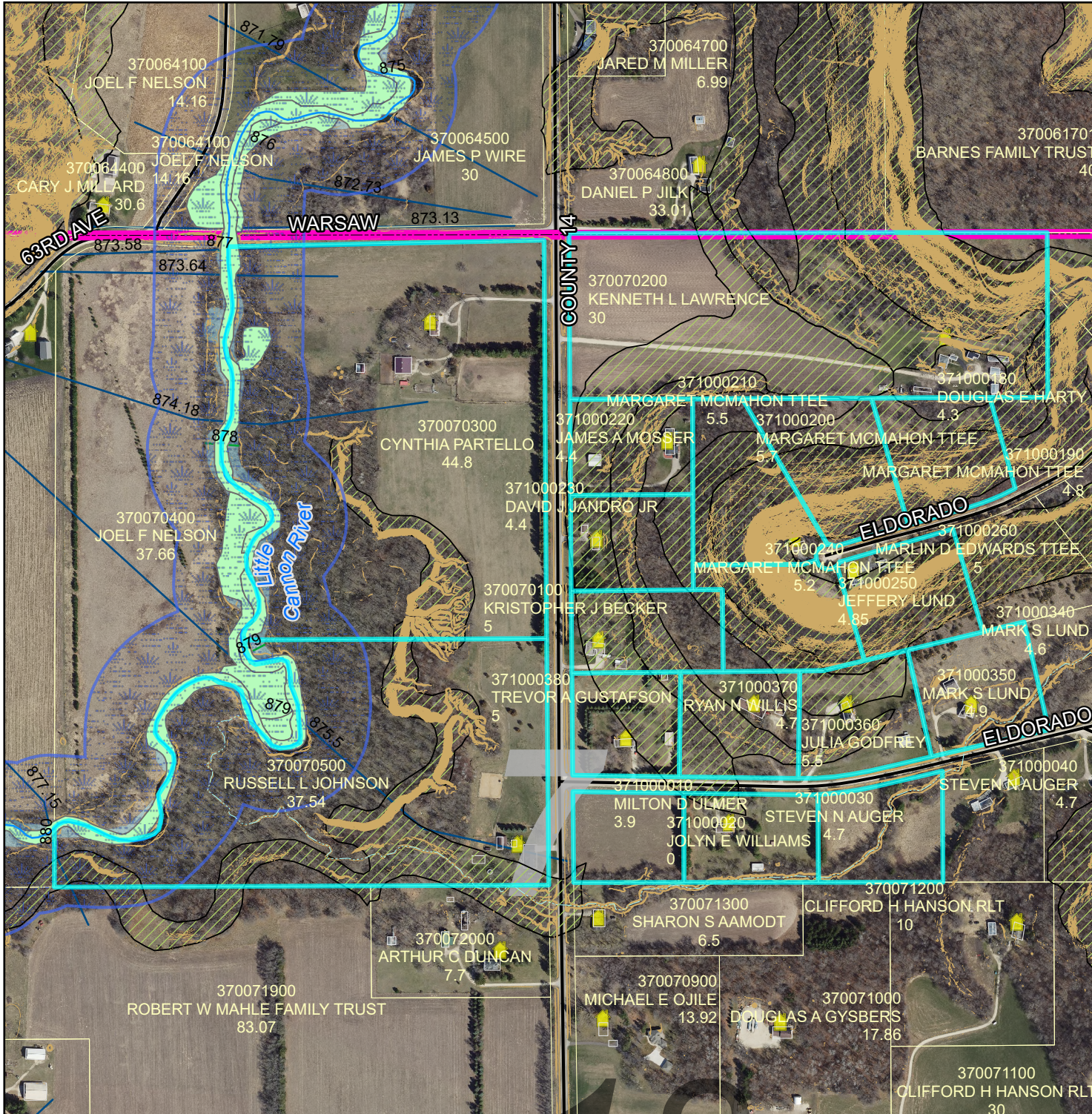
BOARD OF ADJUSTMENT

Public Hearing
February 24, 2025

David Jandro (Owner)
R-1 Zoned District.

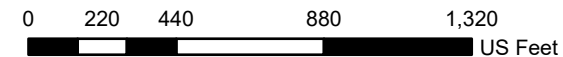
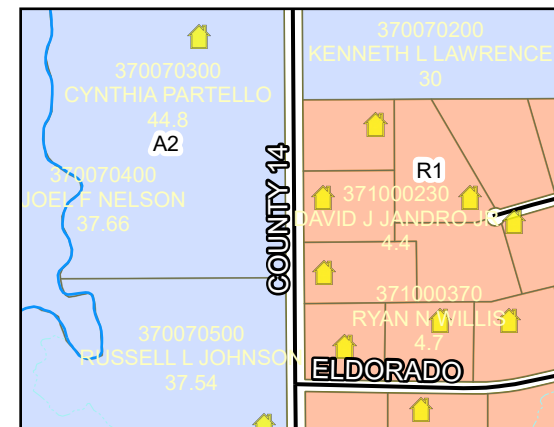
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| | Dwellings | | |
| | Municipalities | | |
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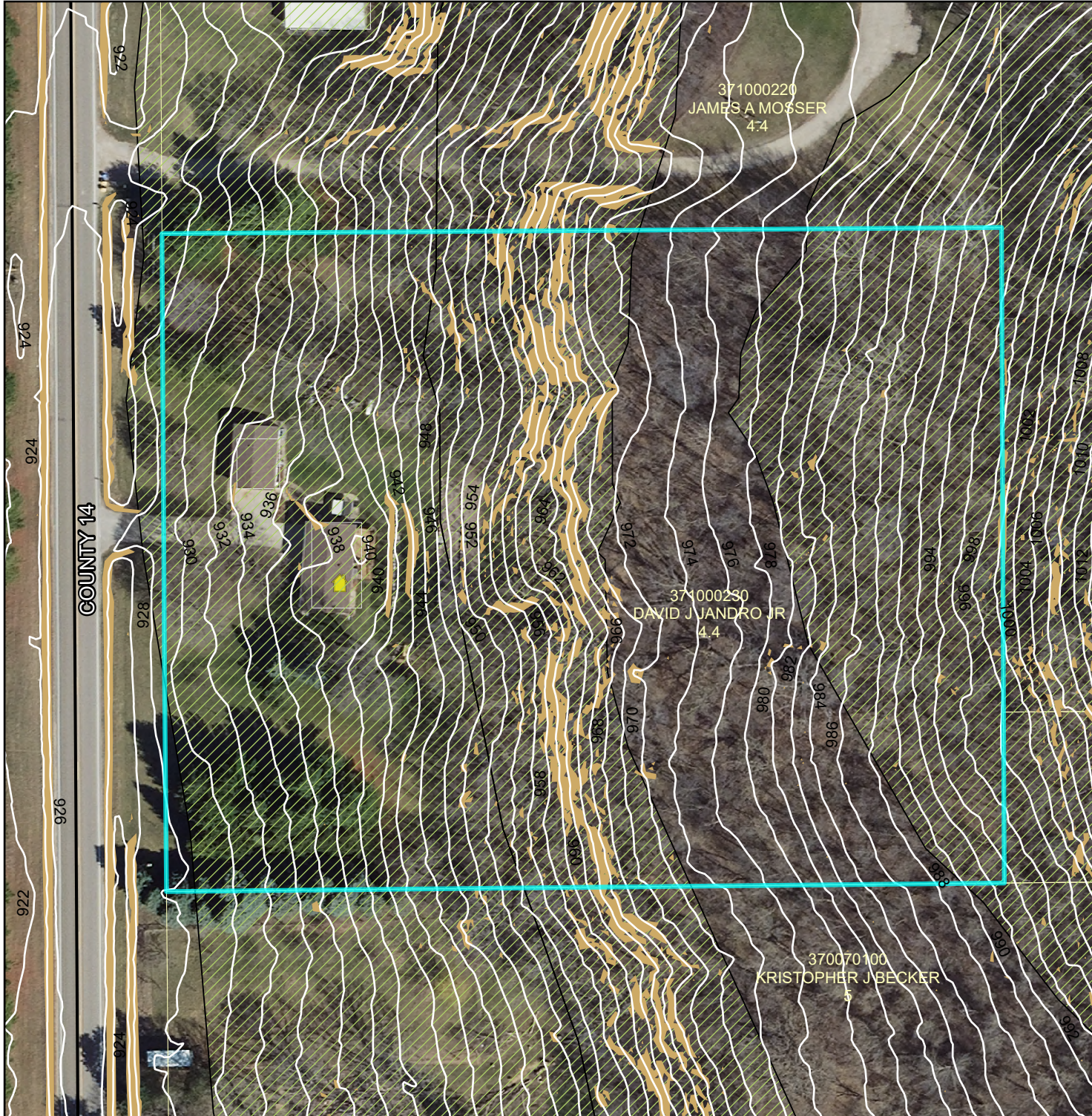


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MAP 03: ELEVATIONS



BOARD OF ADJUSTMENT

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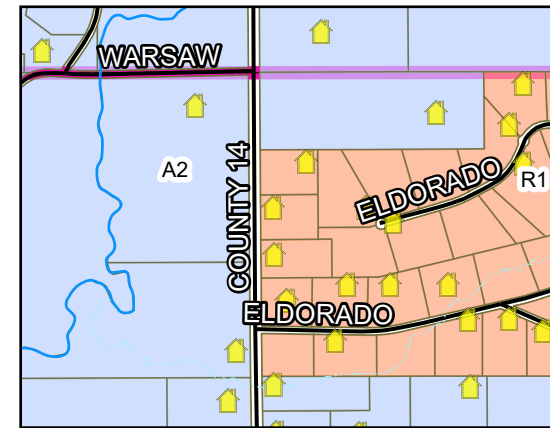
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| | Shoreland | | FEMA Flood Zones |
| | Historic Districts | | 2% Annual Chance |
| | Parcels | | A |
| | Registered Feedlots | | AE |
| | Dwellings | | AO |
| | Municipalities | | X |



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MAP 01: PROPERTY OVERVIEW



BOARD OF ADJUSTMENT

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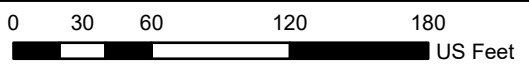
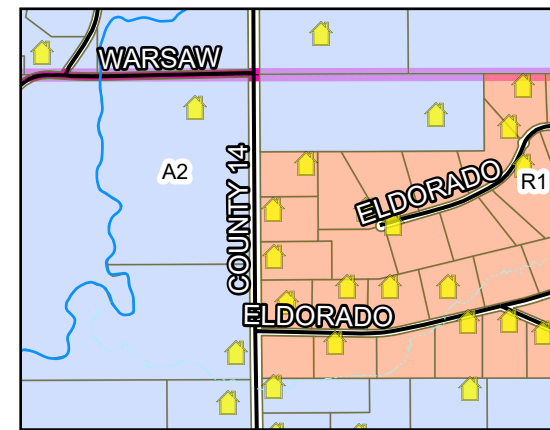
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Figure 1 Proposed new driveway access location (street view)



Figure 2 The proposed new driveway access is shown in blue. The proposed shed is depicted in orange.



Figure 3 Image depicts that proposed shed would be at least 15 feet away from the property line to the north.



Figure 4 The image depicts the proposed shed will be at least 40 feet from the right of way. I would want to stay even with the detached garage which is about 41 feet away from the right of way.



Figure 5 The image depicts a 12 feet long by 8 feet wide lean-to that protrudes off the south and east corners of the proposed shed.