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TO: Board of Adjustment  
FROM: William Lenzen  
MEETING DATE: August 24<sup>th</sup>, 2026  
REPORT DATE: August 14<sup>th</sup>, 2026

**PUBLIC HEARING:**

Request for Variance, submitted by Diana Johnson (Applicant/Owner) to allow a garage to be 2 feet from the side yard property line when an 8-foot setback is required.

**Application Information:**

|                                       |                                                  |
|---------------------------------------|--------------------------------------------------|
| <u>Applicant(s):</u>                  | Diana Johnson (Applicant/Owner)                  |
| <u>Address of zoning request:</u>     | 33743 Germania Street, Frontenac, MN 55026       |
| <u>Parcel:</u>                        | 32.140.0150                                      |
| <u>Abbreviated Legal Description:</u> | Lot 9, Block 3, of the Plat of Frontenac Station |
| <u>Township:</u>                      | Florence Township                                |
| <u>Zoning District:</u>               | R-1 (Suburban Residential)                       |

**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:**

Diana Johnson is proposing to build a 15-foot by 30-foot accessory structure as a single car garage. This building will be in the same location as the existing shed and is proposed to be 2 feet from the side yard property line. The existing building is on the property line. The current accessory structure is used as a shed.

**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.

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**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 7,500 square feet. This does not meet the minimum lot size of 20,000 square feet for R-1 lots created prior to 2019.
- The applicant is requesting the new accessory building to be 2 feet from the side yard property line when 8 feet is required.
- Having the building 2 feet from the property line will not cause harm to neighboring properties as this will be farther than the existing accessory structure.
- This request is 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 development and use of the R-1 District within the County. This request is in harmony 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 lot was platted in the 1870s, house was built over 80 years ago, making the lot nonconforming. The location of the well, septic tank and drain field allow only one possible garage and drive access location, creating practical difficulties.
- The property is surrounded by properties zoned R-1 and primarily used for residential. Other parcels in the area also have lots of similar size and have accessory structures of the same size or larger.
- 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 a permitted use in the R-1 District.

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### **Analysis**

Upon review of the application, staff also found that the applicant's proposed new structure will put it over the maximum allowed 20% R-1 lot coverage (by 451 square feet) and the 25% impervious (by 73 square feet) surface coverage limit in the Shoreland Regulations. The lot is approximately 7,567 square feet. Because the garage is a replacement structure in generally the same size and location of the existing garage, staff is recommending the board also allow the site's impervious surface areas to continue to be exceeded/

*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 recommends the Board of Adjustment:

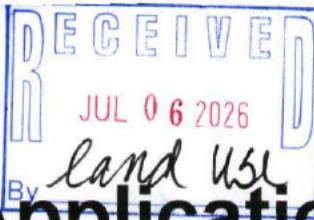
- adopt the staff report into the record;
  - accept the application, testimony, exhibits, and other evidence presented into the record;
- and

**Approve** the request for variance, submitted by Diana Johnson (Applicant/Owner) to allow a garage to be 2 feet from the side yard property line when an 8-foot setback is required with the follow condition(s).

### **Additional motion to consider:**

**Approve** variance with the staff calculations showing the site exceeds both the R-1 and Shoreland coverage limits due to the garage being a replacement garage.

**Option:** the board may require a new application to be submitted for the coverage limit.



| For Staff Use Only |               |
|--------------------|---------------|
| Permit #           | 7-26-0073     |
| Receipt #          | 18961 7/16/24 |
| DATE:              |               |

# Variance Application

|                                                                                               |                 |                     |                |                                      |
|-----------------------------------------------------------------------------------------------|-----------------|---------------------|----------------|--------------------------------------|
| SITE ADDRESS, CITY, AND STATE                                                                 |                 |                     |                | ZIP CODE:                            |
| 33743 Germania St. Frontenac MN 55026                                                         |                 |                     |                |                                      |
| LEGAL DESCRIPTION:                                                                            |                 |                     |                |                                      |
| Frontenac Station Lpt -009 Block-003 Doc #663249 Lot 9 B1K3 Attached <input type="checkbox"/> |                 |                     |                |                                      |
| PID#                                                                                          | ZONING DISTRICT | LOT AREA (SF/ACRES) | LOT DIMENSIONS | STRUCTURE DIMENSIONS (if applicable) |
| 32-140-0150                                                                                   | R1              | 0.170/7,405         | 50 x 150       | Proposed 15 x 30                     |

|                                                                                         |           |
|-----------------------------------------------------------------------------------------|-----------|
| APPLICANT OR AUTHORIZED AGENT'S NAME                                                    |           |
| Diana Johnson                                                                           |           |
| APPLICANT'S ADDRESS                                                                     | TELEPHONE |
| 33743 Germania St *Mailing<br>Frontenac, MN 55026<br>P.O. Box 13<br>Frontenac, MN 55026 |           |
|                                                                                         | EMAIL     |

|                                                   |           |
|---------------------------------------------------|-----------|
| PROPERTY OWNER'S NAME:                            |           |
| Same as Above <input checked="" type="checkbox"/> |           |
| PROPERTY OWNER'S ADDRESS                          | TELEPHONE |
| Same as above                                     |           |
|                                                   | EMAIL     |

|                                                   |           |
|---------------------------------------------------|-----------|
| CONTACT FOR PROJECT INFORMATION:                  |           |
| Same as Above <input checked="" type="checkbox"/> |           |
| ADDRESS                                           | TELEPHONE |
|                                                   |           |
|                                                   | EMAIL     |

|                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| <b>VARIANCE REQUESTED TO:</b> (check all that apply)<br><input checked="" type="checkbox"/> Property Line Setbacks <input type="checkbox"/> % Lot Coverage<br><input type="checkbox"/> Height Limits <input type="checkbox"/> Shoreland or Bluff Setbacks<br><input type="checkbox"/> Lot Width &/or Area <input type="checkbox"/> Other (specify)<br><input type="checkbox"/> Subdivision Regulations<br><br>15' x 30' w/ 2' setbacks | CURRENT OR PREVIOUS USE                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                        | 1940's garage-non-functional / Replace     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                        | PROPOSED USE                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                        | New Garage for vehicle / storage           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                        | 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 |
|                                                                                                                                                                                                       |                                            |      |

Township / Signed -  
See included Variance

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: Diana Ant Johna Date: 7/13/2024

## REQUEST SUMMARY

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

Article: 1-24 Section: 5 subd 2B Title: Dimensional Reg / Side yard minimum of 8 feet.  
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:**

Property use residence. Property is a non-conforming lot for today's standards. Existing old garage is non-functional with a nonlinear side lot from neighbor that is 1.5-0.6 per survey. Request is to rebuild on same approximate location but with an  
**Describe the effects on the property if the variance is not granted:** slightly improved 2 foot linear setback on neighbors side.

Property would not have a garage to park a vehicle

and no protection from Minnesota elements. Value of property has limitations with no garage.

**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:**

Property platted in 1870's. House built over 80 years ago. Today's standards it is by nature non-conforming. Location of house, well, septic tank and field allow only one possible garage and drive access location.

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

There are no compliant alternatives to side yard setback variance. Having side yard 2 foot distance for garage, avoids additional variance issues with septic tank and field.

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

Even with an allowed variance, the proposed garage will only possibly be a one car garage. Having at least a 15 foot wide garage building and a 12 foot door. I have a child that is disabled that often requires physical assistance getting out of the car. I would need to be able to fully open a car door in the garage to lift her out and be able to put her into a wheelchair. Florence Township issued a building Permit for a 15x30 garage with 2 foot distance on neighbors

sideyard. I would very much like to discuss any concerns the county may have with our building site. A site visit and any discussion, in fact would be preferred. I desire to enhance my property to help myself and my daughter live here well in the community.

- DENOTES A PLACED 1" BY 18" IRON PIPE  
HAVING A PLASTIC CAP BEARING LAND  
SURVEYOR LICENSE NO. 47460.
- DENOTES FOUND IRON MONUMENT.
- (50) DENOTES DISTANCE OF RECORD.
- ⊙ DENOTES WELL.
- ⊙ DENOTES SEPTIC MANHOLE.
- ⊙ DENOTES SEPTIC VENT.
- ⊙ DENOTES WATER SPOUT.
- ⊙ DENOTES POWER POLE.
- HP— DENOTES OVERHEAD POWER LINE.
- x- DENOTES FENCE LINE.
- ▨ DENOTES LANDSCAPING.
- ▨ DENOTES RETAINING WALL.

### LEGEND

BEARINGS SHOWN HEREON ARE  
ORIENTED TO THE GOODHUE  
COUNTY COORDINATE SYSTEM, NAD  
83, 1996 ADJUSTMENT (HARN)

**PROPERTY DESCRIPTION OF RECORD (DOC. NO. 707330)**  
Lot 9, Block 3, of Frontage Station, according to the  
plat thereof and of record in the Office of the County  
Recorder for Goodhue County, Minnesota.

path: S:\Shore\PLATS\FRONTENAC STATION\DIANA JOHNSON\DIANA JOHNSON.dwg

CERTIFICATE OF SURVEY FOR:

DIANA JOHNSON

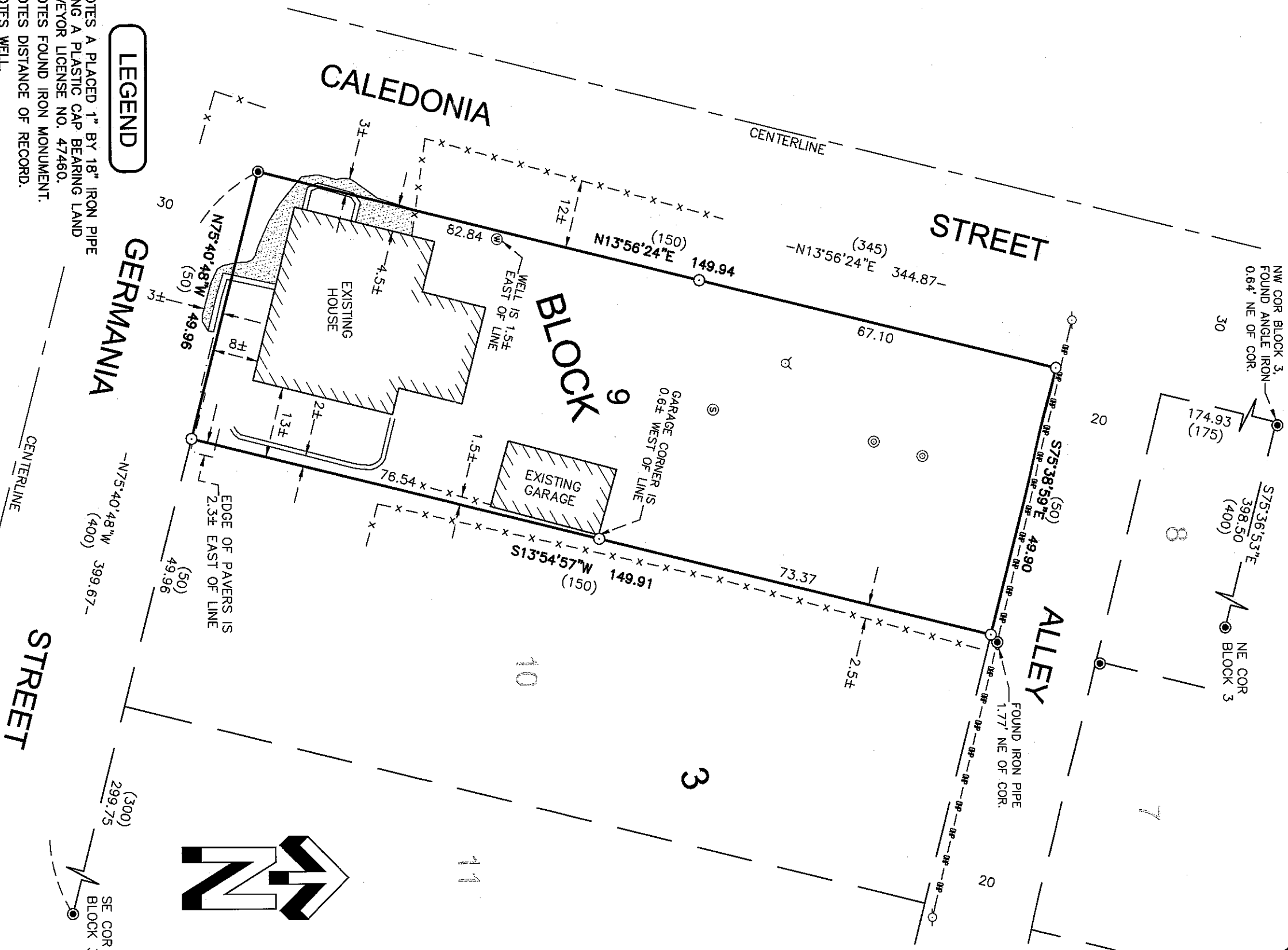
**JOHNSON & SCOFIELD INC.**  
**SURVEYING AND ENGINEERING**

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

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*  
Marcus S. Johnson  
Minnesota License No. 47460  
Date: September 30, 2025

|                     |        |         |                |
|---------------------|--------|---------|----------------|
| BK. NA              | PG. NA | W.O.#   | DRAWING NUMBER |
| SHEET 1 OF 1 SHEETS | 25-818 | S-12215 |                |



Saledonia Curb 2' from center



66' From center of Alley 58.5

Please note:  
a combination of gutters  
on the garage, gentle  
grading of driveway  
away from eastern  
property line, and  
a drainage swale  
along eastern property  
border will accommodate  
potential watershed  
issues.

\*Township approved  
16x30 (modified from  
green 15x32) with  
green showing 2 foot  
distance (variance)  
approved 10/30/2005

90' From center of Germania 86.5

Scale 1/8" = 1'

# Florence Township

## Goodhue County, Minnesota | VARIANCE REQUEST

APPLICATION NO. \_\_\_\_\_  
FEE \$ \_\_\_\_\_  
DATE \_\_\_\_\_

### 1. GENERAL PROVISIONS

- Be sure to discuss circumstances with staff **prior** to completing and submitting Application.
- In reviewing all variance requests, the Florence Township Planning Commission and ultimately the Board of Supervisors will evaluate the request for conformance with the variance standards in conformance with Minnesota State Statute 394.27.
- The Commission and Board may only grant variances when it finds the request meets the following criteria
  - ☐ Harmony with general purposes and intent of the official controls.
  - ☐ Consistency with the Comprehensive Plan
  - ☐ The applicant has established "practical difficulties" exist in complying with the current official controls. As this pertains to the variance, this means that the applicant proposes to use their property in a reasonable manner not permitted by an official control. The plight 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 variance will not allow any use that is not allowed in the applicable zoning district.

### 2. APPLICATION IS HEREBY MADE BY:

OWNER Diana Johnson  
ADDRESS 33743 Germania St.  
Frontenac MN 55026  
TELEPHONE \_\_\_\_\_  
EMAIL \_\_\_\_\_

### AUTHORIZED AGENT / ALL PROPERTY OWNERS

ADDRESS Owner-builder  
- see above  
TELEPHONE \_\_\_\_\_  
EMAIL \_\_\_\_\_

CONTRACTOR Owner-builder  
ADDRESS - see above

TELEPHONE \_\_\_\_\_  
EMAIL \_\_\_\_\_

### ADDITIONAL NOTES:

# Florence Township

Goodhue County, Minnesota | VARIANCE REQUEST

## 3. PROJECT INFORMATION

a. Site Address: 33743 Germania Street Frontenac MN 55026

Legal Description: Frontenac Station Lot-009 block-003 Doc# 663249 ID 32 0180  
01300

PID# 321400160 Zoning District: R1 Lot Area: 9

Lot Dimensions: 67 x 161 Structure Dimensions (If Applicable) proposed 30' x 24' w x  
200

b. The property is currently used for: ☒ residence, ☐ commercial building, ☐ industrial building, ☐ accessory building, or ☐ other (describe) \_\_\_\_\_

c. Proposed Use:

Detached Garage for Vehicle

d. The Variance for this property is requested for: ☐ Road Right-of-Way Setbacks, ☒ Property Line Setbacks, ☐ Height Limits, ☐ Lot Width/or Area, ☐ Subdivision Regulations, ☐ Bluff Setbacks, ☐ % Lot Coverage, or ☐ other (describe) \_\_\_\_\_

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

Conflicts exist on property lot only and explained  
page 3.

f. The following applicable items shall be submitted with this application:

- ☒ Site Plan
- ☒ Property Survey by a MN Licensed Surveyor (unless waived by Planning Commission)
- ☒ Proof of current property taxes

- ☒ Signature of property owner, agent or letter of authorization.
- ☒ Required fees

**g. Supporting Information & Justification**

You, or your agent must provide 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.

- See site plan for location reference of setback of side lot - septic tank/field
1. Discuss your current use of the property and the reason for your variance request:  
Property use: Residence Variance - side lot setback of 1 foot.  
Reason: Old garage currently 1 foot. Using existing side lot setback for replacement build maintains conformity with Septic Tank and drainfield setbacks.
  2. Describe the effects on the property if the variance is not granted:  
Septic tank setback encroachment < 10 feet if New garage is moved closer to property midline
  3. Describe any unique physical limitations that exist on your property, not generally found on others, which prevents you from complying with the provisions of the current ordinance:  
The current location of Septic tank and drainfield or potential replacement options all require back lot of property to remain available or free of impervious structures.
  4. Discuss alternatives you considered that comply with existing standards. If compliant alternatives exist, provide your reasoning for rejecting them:  
There are no compliant alternatives that would require NO variances.
  5. Discuss alternatives you considered that would require a lesser variance. If you rejected such alternatives, provide your reasoning.  
This site plan has least amount of variances - (1 foot side lot setback that reflects what already exists). This lesser Variance plan accommodates protection and preservation of Septic tank and drainfield
  6. In our opinion, do you think the granting of your variance request would alter the "essential character" of the neighborhood/area:  
No essential character changes to neighborhood.  
New garage replacing old garage.

- h. I hereby apply for a variance and I acknowledge that the information above is complete and accurate, that the work will be in conformance with the ordinances and codes of Florence Township and Goodhue County. The applicant also understands by signing this permit application he / she could be held responsible as representative of this project for any violation of compliance with all applicable laws and ordinances of Florence Township. 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 Florence Township. Additional information or applications may be required. All provisions of law and ordinances governing this type of work will be complied with whether specified herein or not.

Applicants Signature: Diana Grant Johnson Date: 8/13/25  
Print name: Diana Grant Johnson (owner or authorized agent)

Approved a 2' (two) set back at Township meeting

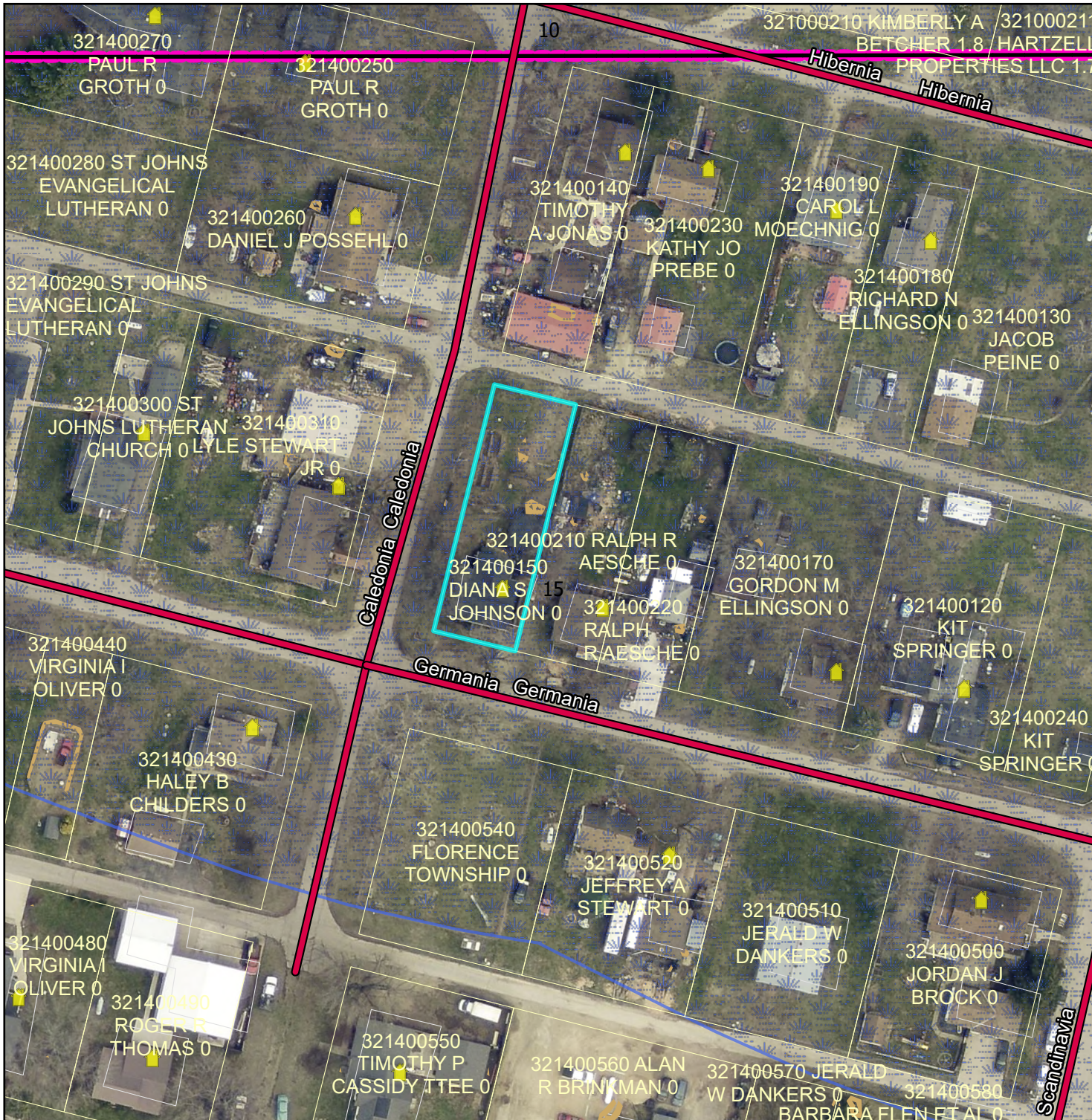
#### OFFICIAL USE

Variance Request: ☒ Approved. Fee Received \$ \_\_\_\_\_  
☐ Denied. Not in conformance with the following provision(s) of the Zoning Ordinance.

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 | <u>[Signature]</u> | Title | <u>Chairman</u> | Date | <u>10/20/2025</u> |
| Signature | _____              | Title | _____           | Date | _____             |

# MAP 02: VICINITY MAP



## BOARD OF ADJUSTMENT

Public Hearing  
August 24, 2026

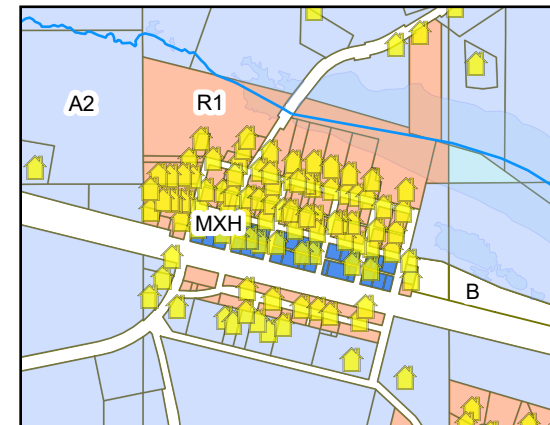
Diana Johnson (Owner)  
R-1 Zoned District.

Lot 9, Block 3, of the plat of Frontenac Station in Florence Township.

Request for Variance to allow a garage to be 2 feet from the side yard property line when an 8-foot setback is required

## Legend

- Township Roads
- Dwelling Point
- Tax Parcels
- Section Lines
- Roads
- Shoreland



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2024 Aerial Imagery  
Map Created August, 2026 by LUM



MAP 03: ELEVATIONS



BOARD OF ADJUSTMENT

Public Hearing  
August 24, 2026

Diana Johnson (Owner)  
R-1 Zoned District.

Lot 9, Block 3, of the plat of Frontenac  
Station in Florence Township.

Request for Variance to allow a garage  
to be 2 feet from the side yard property  
line when an 8-foot setback is required

Legend

- Township Roads
- Roads
- Dwelling Point
- Tax Parcels
- Section Lines
- Contours\_2ft
- Shoreland



0 5 10 20 30  
US Feet

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2024 Aerial Imagery  
Map Created August, 2026 by LUM

