

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
July 28th, 2025, MEETING MINUTES
DRAFT**

The meeting of the Goodhue County Board of Adjustment was called to order at 5:00 PM by Chair Daniel Knott at the Goodhue County Government Center Board Room.

Roll Call

Commissioners Present: Randy Rechtzigel, Scott Breuer, Mark Huneke, and Dennis Tebbe.

Commissioners Absent: Daniel Knott and Jeff Traxler

Staff Present: Land Use Management Director Megan Smith and Zoning Assistant William Lenzen.

1. Approval of Agenda

¹Motion by Commissioner Tebbe and seconded by Commissioner Huneke to approve the meeting agenda.

Motion carried 4:0

2. Approval of the previous month's meeting minutes

²Motion by Commissioner Tebbe and seconded by Commissioner Huneke to approve the April 28th, May 19th, May 28th, and June 23rd Meeting Minutes.

Motion carried 4:0

3. Conflict/Disclosure of Interest

There were no conflicts or disclosures.

4. Public Hearings:

PUBLIC HEARING: Request for Variance to Mineral Extraction Facilities for Dwelling Setbacks

Request for Variance, submitted by Savannah Carlson (Owner) to allow a dwelling to be located less than 1,000 feet, but not closer than 300 feet from a Mineral Extraction Facilities property boundaries at the surface and their vertical extensions below the surface. The parcels are zoned A-2. Parcels 32.015.2400 & 32.015.2402. Along 306th Street, Frontenac MN, 55026. Part of the E1/2 of the NE1/4 of Sec 15 Twp 112 Range 13 in Florence Township.

Lenzen presented the staff report and attachments.

Savannah Carlson (Applicant) stated that the previous owner only changed the zoning at the Township and did not get it changed at the County.

Vice Chair Rechtzigel opened the Public Hearing.

Jeffery Mund stated that there are no houses and shouldn't be any houses on the south side of 306th Street, and that he supports the staff recommendation to deny the request.

³**After Vice Chair Rechtzigel asked three times for comments, it was moved by Commissioner Huneke and seconded by Commissioner Tebbe to close the Public Hearing.**

Motion carried 4:0

Commissioner Tebbe stated that with the property being so close to the mine, he would have a hard time supporting this.

Commissioner Rechtzigel asked if the mine is mined daily.

Smith stated that the mine is required to register annually, but that doesn't show how often there is mine activity.

Commissioner Huneke stated that the Planning Advisory Commission voted to table the change of zone request until the Board of Adjustment made a decision. He mentioned to the Commissioners that the lots to the east

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are zoned Residential and are platted. The first few lots in the west portion of the plat would be just as close to the mine as the applicant's property would be by the time the mine gets to the east property line.

Smith explained the difference between platted land and non-platted land in relation to mine setbacks.

Commissioner Huneke told the commissioners that the mining company expressed that they will mine all the way to the east property line.

Commissioner Tebbe stated that the mine would most likely end when the cost-effectiveness doesn't justify continuing to mine.

Commissioner Breuer, why are the platted lots allowed to be so close to the mine boundaries?

Smith stated that when land goes through the platting process, it is assumed that the setbacks from mines are understood during that process.

Commissioner Tebbe stated that he sees this as reasonable

⁴Motion by Commissioner Tebbe, seconded by Commissioner Huneke, for the Board of Adjustment to:

- 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 Variance, submitted by Savannah Carlson (Owner), to allow a dwelling to be located less than 1,000 feet, but not closer than 300 feet from a Mineral Extraction Facilities property boundaries at the surface and their vertical extensions below the surface.

Motion carried 4:0

⁵Motion by Commissioner Tebbe, seconded by Commissioner Huneke, to amend the previous motion stating that this use of the land is in harmony with the general purpose and intent of the official control.

Motion carried 4:0

PUBLIC HEARING: Request for Appeal to the A-2 Zone Dwelling Density Standards

Request for Appeal, submitted by Orin and Dorothy Haugen (Owners) to allow construction of a replacement dwelling in a currently occupied quarter-quarter section. Sections zoned A-2 can have a maximum of 12 single-family dwellings per section, one per $\frac{1}{4}$ $\frac{1}{4}$ section. The property is zoned A-2. Parcel 39.003.0500. 21674 460th Street Zumbrota MN, 55992. Part of the NW1/4 of the NE1/4 of Sec 3 Twp 109 Range 15 in Pine Island Township.

Lenzen presented the staff report and attachments.

Haugen stated that the manufactured home was removed in 2016 and that the neighbor was able to build a home on their parcel, which had its home removed.

Commissioner Rechtzigel asked if that site was considered a homestead.

Breuer asked if there was a homestead on Wesley Dorn's parcel.

Haugen stated that it already has water, septic, and electricity.

Commissioner Breuer asked if there was a permit already in effect.

Haugen stated that it hasn't been abandoned for over 10 years.

Smith clarified the history of the parcels and how density transfers worked back then.

Commissioner Tebbe asked if we know if the well and septic are in compliance?

Haugen stated that the water test came back good, and the septic system is sized for a 3-bedroom house. Also

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stated.

Vice Chair Rechtzigel opened the Public Hearing.

No one spoke for or against.

⁶After Vice Chair Rechtzigel asked three times for comments, it was moved by Commissioner Huneke and seconded by Commissioner Tebbe to close the Public Hearing.

Motion carried 4:0

Commissioner Tebbe stated that this is a tough decision because he understands that it needs to comply with the Ordinance and that the property already has utilities and won't take AG land out of production.

Commissioner Huneke agrees on preserving prime farmland.

Commissioner Tebbe asked staff if they received any letters from other residents.

Smith stated that when that home was built, it essentially occupied that quarter quarters density.

Commissioner Huneke asked when the three homes were built in the east quarter?

Lenzen stated that those parcels were a land transfer back in the year 2000

Commissioner Rechtzigel asked when the density transfers get removed from the ordinance

Smith stated that staff doesn't know when the transfer was removed from the ordinance.

Commissioner Tebbe stated that he agrees about using the site for a home because it's not Ag land, won't disrupt Ag land, and it already has a well, septic, and electricity.

⁷Motion by Commissioner Huneke, seconded by Commissioner Breuer, for the Board of Adjustment to:

Accept the Appeal, submitted by Orin and Dorothy Haugen (Owners) to allow construction of a replacement dwelling in a currently occupied quarter-quarter section. Based on the facts that this parcel already has a septic system, a well, electricity, and is not rated as prime Ag land.

Motion carried 4:0

5. Other-Discussion

Smith introduced Leah Pieper our new Zoning Assistant.

6. Adjourn

⁸Motion by Commissioner Huneke, seconded by Commissioner Breuer, to adjourn the BOA meeting at 5:50 pm.

Motion carried 4:0

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Respectfully submitted:

William Lenzen, Zoning Assistant

MOTIONS

- ¹ **Motion to Approve agenda as amended**
Motion carried 4:0
- ² **Motion to Approve the previous month's meeting minutes**
Motion carried 4:0
- ³ **Motion to Close the Public Hearing**
Motion carried 4:0
- ⁴ **APPROVE the Variance to Mineral Extraction Facilities Setback Standards**
Motion carried 4:0
- ⁵ **Motion to Amend the Approval motion that it is in harmony**
Motion carried 4:0
- ⁶ **Motion to Close the Public Hearing**
Motion carried 4:0
- ⁷ **APPROVE the Appeal to A2 Density Standards**
Motion carried 4:0
- ⁸ **Motion to Adjourn**
Motion carried 4:0

Unofficial until Approved By BOA