

TO: Board of Adjustment  
FROM: Land Use Management  
MEETING DATE: June 23<sup>rd</sup>, 2025  
REPORT DATE: June 13<sup>th</sup>, 2025

**PUBLIC HEARING:** Request for Variance, submitted by Craig Milde (Applicant) on behalf of Milde Investments LLC (Owner) to allow construction of a porch addition. The porch addition adds to the impervious surface coverage of the lot which is a maximum coverage of 25% of the lot. The addition is also too close to the Right-of-Way at 10 feet when 25 feet is required. The property is zoned R-1. Parcel 32.290.0020. 28775 Lake Avenue Way Frontenac MN, 55026. Lot 1, Block 2 of the Chateau Frontenac Homes Plat in Florence Township.

**Application Information:**

Applicant(s): Craig Milde (Applicant) on behalf of Milde Investments LLC (Owner)

Address of zoning request: 28775 Lake Avenue Way Frontenac MN, 55026.

Parcel: 32.290.0020

Abbreviated Legal Description: Lot 1, Block 2 of the Chateau Frontenac Homes Plat in Florence Township.

Township: Florence Township signed the Variance application with no additional comments.

Zoning District: R-1 (Suburban Residential)

**Attachments:**

Application

Site Map(s)

Goodhue County Zoning Ordinance: [zoning\\_ordinance.pdf \(goodhuecountymn.gov\)](https://www.goodhuecountymn.gov/zoning_ordinance.pdf)

**Background:**

Craig Milde (Applicant) on behalf of Milde Investments LLC (Owner) has applied for a variance to R-1 Right-of-Way setback standards and percent lot coverage with impervious surface in the Shoreland Zoning District standards to allow construction of a porch addition.

**Variance Standards:**

Variations 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.

Variations 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:**

- Property line and Right-of-Way setbacks are intended to create separation among adjacent structures and roads, allowing for adequate access and accommodating future road expansion.
- The total area of all impervious surfaces on a lot shall not exceed 25% of the total lot area. This is to ensure that lots in the shoreland district have adequate water drainage and retention before entering water bodies. This also reduces soil erosion.
- The property consists of one parcel containing approximately 13,000 square feet. The minimum lot size in the R-1 District for lots created before 2019 is 20,000 square feet.
- The lot is 13,000 square feet. The current lot coverage is at 4,645 square feet plus 80 square feet for the porch. Which brings the total lot coverage to 4,725 square feet or 36%. The maximum lot coverage can't be more than 25% of the total lot.
- The existing building was constructed sometime around 1919, prior to the enforcement of property lines and ROW setbacks in Goodhue County.
- This request 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 development and use of residential lots within the County.

The proposed use 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 to construct a porch addition is a reasonable use of property in the R-1 District.
- This lot along with other lots in the area are small in size and poses setback challenges to property lines and ROW.
- The addition is proposed to be 10 feet from Lake Ave Right-of-Way when 25 feet is required. This is in line with other dwellings in the area.
- 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.**

- Porches are permitted use in the R-1 Zoning 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 related to, and bearing a rough proportionality with, the impact(s) created by the variance.*

**Staff Recommendation:**

Staff recommends the BOA:

- 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 a variance, submitted by Craig Milde (Applicant) on behalf of Milde Investments LLC (Owner) to allow construction of a porch addition. The porch addition adds to the impervious surface coverage of the lot which is already over the maximum lot coverage of 25%.

Staff recommends the BOA:

- 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 a variance, submitted by Craig Milde (Applicant) on behalf of Milde Investments LLC (Owner) to allow construction of a porch addition that will be 10 feet from the Lake Ave Right-of-Way when 25 feet is required.



RECEIVED

MAY 23 2025

# Variance Land Use Management

For Staff Use Only	
Permit #	7 25-0025
\$400 Receipt #	313402021
DATE:	5/23/25

SITE ADDRESS, CITY, AND STATE		ZIP CODE:		
28775 Lake Avenue Way, Frontenac, MN		55026		
LEGAL DESCRIPTION:				
Chateau Frontenac Homes, Lot-001, Block-002				
PID#	ZONING DISTRICT	LOT AREA (SF/ACRES):	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable):
322900020	R1			

APPLICANT OR AUTHORIZED AGENT'S NAME	
Craig Milde	
APPLICANT'S ADDRESS:	TELEPHONE:
7249 Country Club Road W, Byron, MN 55920	507-254-1584
	EMAIL:
	cmilde@leisureaquatic.com

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

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

<b>VARIANCE REQUESTED TO:</b> (check all that apply) <input type="checkbox"/> Road Right-Of-Way Setbacks <input checked="" 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 type="checkbox"/> Other (specify) <input type="checkbox"/> Subdivision Regulations	CURRENT OR PREVIOUS USE:
	Residential
	PROPOSED USE:
	Residential
	BUILDING APPLICATION PERMIT NO.: (if 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		Attached <input type="checkbox"/>
TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE		DATE
<i>Chris Jensen</i>		5/19/2025

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: *Craig Milde*

Date: *5/19/2025*

**REQUEST SUMMARY**

**Please cite the Ordinance Article(s) and Section(s) you are requesting a variance from:**

Article: 31 Section: 8 Name: Subd 3

Article: \_\_\_\_\_ Section: \_\_\_\_\_ Name: \_\_\_\_\_

**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:**

Current use is residential. The County ordinance only allows for 25% lot coverage and our lot is 13,000 square feet which equates to a total coverage of 3,250 square feet. Our current lot coverage is 4,541 square feet for impervious surface, which was nonconforming when we purchased the property.

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

If the variance is not granted, our property will not be into compliance with the ordinance. Granting of the variance will not affect the safety and welfare of the community, the variance will not alter the essential character of the locality, the the uniqueness factor for the variance is the age of the property. The house was built in 1919 and the laws have changed many times since then.

**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 physical limitations that exist on the property was the house was originally built on a private road and was since platted after. The road right-of-way takes up much of the land that was previously available to me, reducing the amount of land available for lot coverage

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

With the extension of the deck, we are proposing to remove the front patio as to not increase the amount of impervious surface. We would like to keep the impervious surface the same and granting of the variance will bring it complaint.

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

The other alternative would be to replace the existing deck as is. The purpose of the deck on the front is to enjoy the view of the lake and not having a back yard to create a deck space. Increasing the deck size will increase the value of the house and still meet the essential character of the neighborhood.

**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 of the neighborhood.



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MAY 23 2025

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Permit #	
\$400 Receipt #	DATE:

SITE ADDRESS, CITY, AND STATE		ZIP CODE:		
28775 Lake Way, Frontenac, MN		55026		
LEGAL DESCRIPTION:				
Chateau Frontenac Homes, Lot-001, Block-002 <span style="float: right;">Attached <input type="checkbox"/></span>				
PID#:	ZONING DISTRICT	LOT AREA (SF/ACRES):	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable):
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APPLICANT OR AUTHORIZED AGENT'S NAME	
Craig Milde	
APPLICANT'S ADDRESS:	TELEPHONE:
7249 Country Club Road W, Byron, MN 55920	507-254-1584
	EMAIL:
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PROPERTY OWNER'S NAME:	
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CONTACT FOR PROJECT INFORMATION:	
Same as Above <input type="checkbox"/> Same as Above	
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<b>VARIANCE REQUESTED TO:</b> (check all that apply) <input checked="" 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 type="checkbox"/> Other (specify) <input type="checkbox"/> Subdivision Regulations	CURRENT OR PREVIOUS USE:	
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	PROPOSED USE:	
	Residential	
	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. <span style="float: right;">Attached <input type="checkbox"/></span>		
TOWNSHIP OFFICIAL'S SIGNATURE	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE	DATE
	Charles Persson	5/19/2025

- 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: 5/19/2025

**REQUEST SUMMARY**

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

Article: 21 Section: 5 Name: Subd 2 A. 1.

Article: Section: Name:

**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:**

Currently use is residential. The County requires a 25 foot setback from the road right-of-way. The house was built prior to this setback requirement, making it non-conforming. The variance request is to acknowledge the setback requirement.

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

If the variance is not granted, our property will not be into compliance with the ordinance. Granting of the variance will not affect the safety and welfare of the community, the variance will not alter the essential character of the locality, the the uniqueness factor for the variance is the age of the property. The house was built in 1919 and the laws have changed many times since then.

**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 physical limitations that exist on the property was the house was originally built on a private road and was since platted later. The road right-of-way takes up much of the land that was previously available. The home currently is only setback approximately 10 feet from the right-of-way line. It is currently 30 feet from the edge of the road.

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

The house is unable to comply with the existing standards due to the fact that it was a private street originally which are typically more narrow than a public street. It was then platted, increasing the right-of-way width.

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

The deck extension will not increase the variance request as the new deck will not extend closer to the right-of-way. It will just extend north and south making it longer.

**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 of the neighborhood.



# PUBLIC NOTICE: NEIGHBORHOOD MAILING MAP

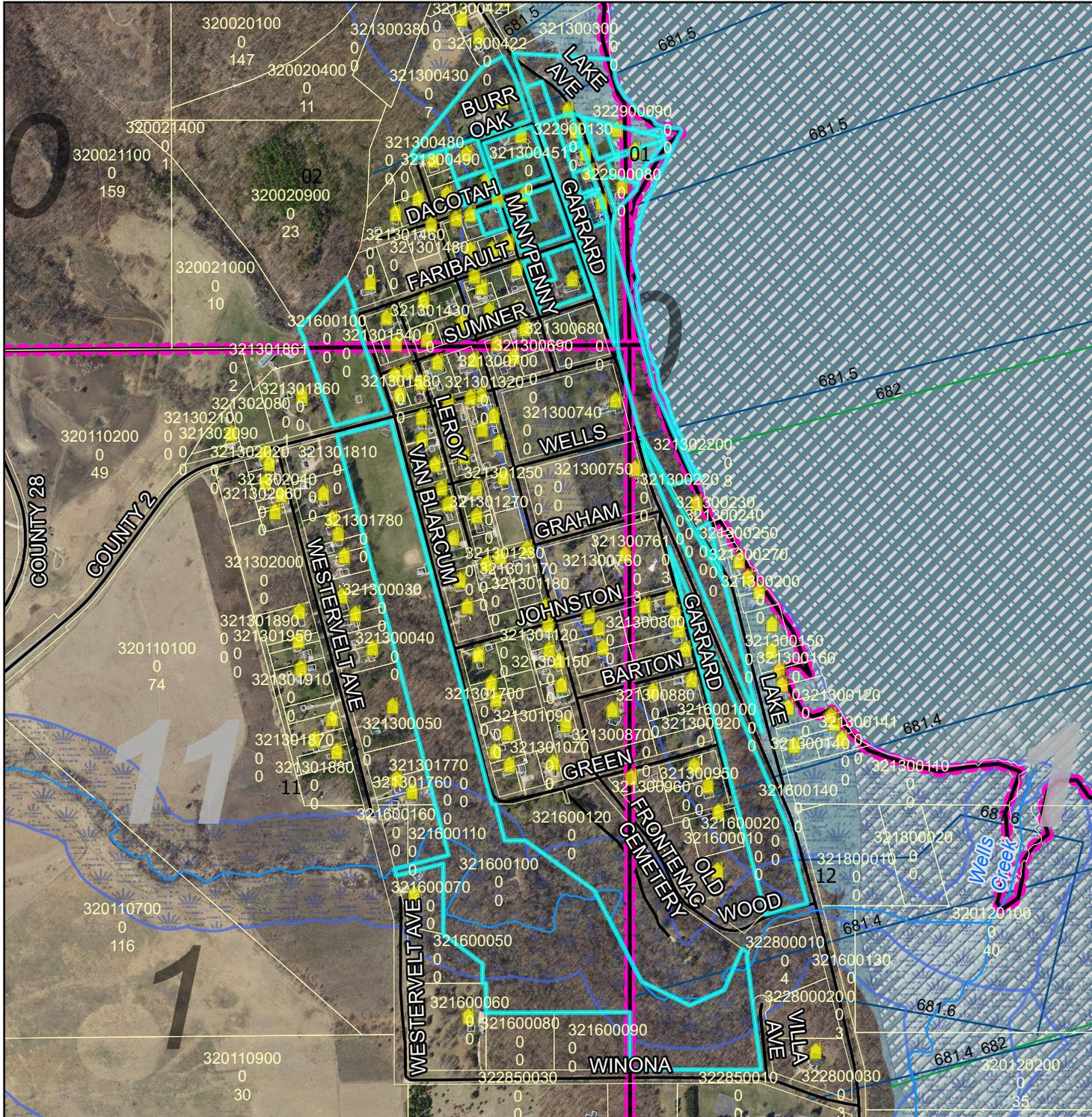
## BOARD OF ADJUSTMENT

Public Hearing  
June 23, 2025

Craig Milde (Applicant) on behalf of  
Milde Investments LLC (Owner)  
R-1 Zoned District.

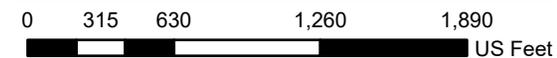
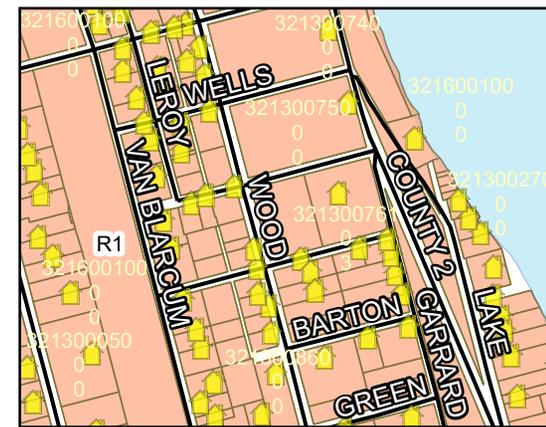
Lot 1, Block of the Chateau Frontenac  
Homes Plat in Florence Township.

Request for a Variance to allow construction of a porch addition that will add to the total impervious surface coverage and the addition will be too close to the Lake Ave Right-of-Way at 10ft when 25ft is required.



### Legend

- |  |                            |  |                              |
|--|----------------------------|--|------------------------------|
|  | Intermittent Streams       |  | Bluff Impact Zones (% slope) |
|  | Protected Streams          |  | 30                           |
|  | Lakes & Other Water Bodies |  | FEMA Flood Zones             |
|  | Shoreland                  |  | 2% Annual Chance             |
|  | Historic Districts         |  | A                            |
|  | Parcels                    |  | AO                           |
|  | Registered Feedlots        |  | X                            |
|  | Dwellings                  |  |                              |
|  | Municipalities             |  |                              |



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2024 Aerial Imagery  
Map Created June, 2025 by LUM



# MAP 03: ELEVATIONS



## BOARD OF ADJUSTMENT

Public Hearing  
June 23, 2025

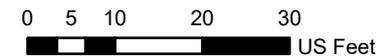
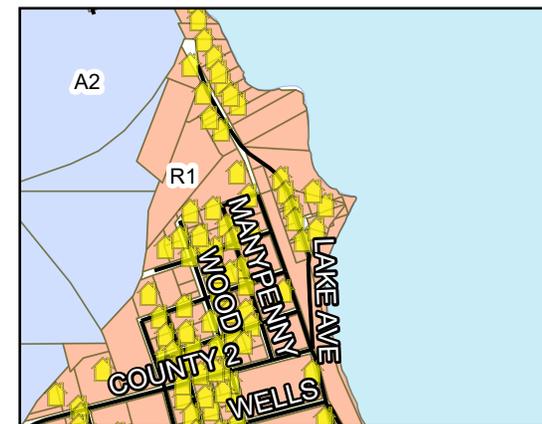
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Request for a Variance to allow construction  
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total impervious surface coverage and the  
addition will be too close to the Lake Ave  
Right-of-Way at 10ft when 25ft is required.

### Legend

Intermittent Streams	Bluff Impact Zones (% slope) 20
Protected Streams	Bluff Impact Zones (% slope) 30
Lakes & Other Water Bodies	<b>FEMA Flood Zones</b>
Shoreland	2% Annual Chance
Historic Districts	A
Parcels	AE
Registered Feedlots	AO
Dwellings	X
Municipalities	



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# MAP 01: PROPERTY OVERVIEW

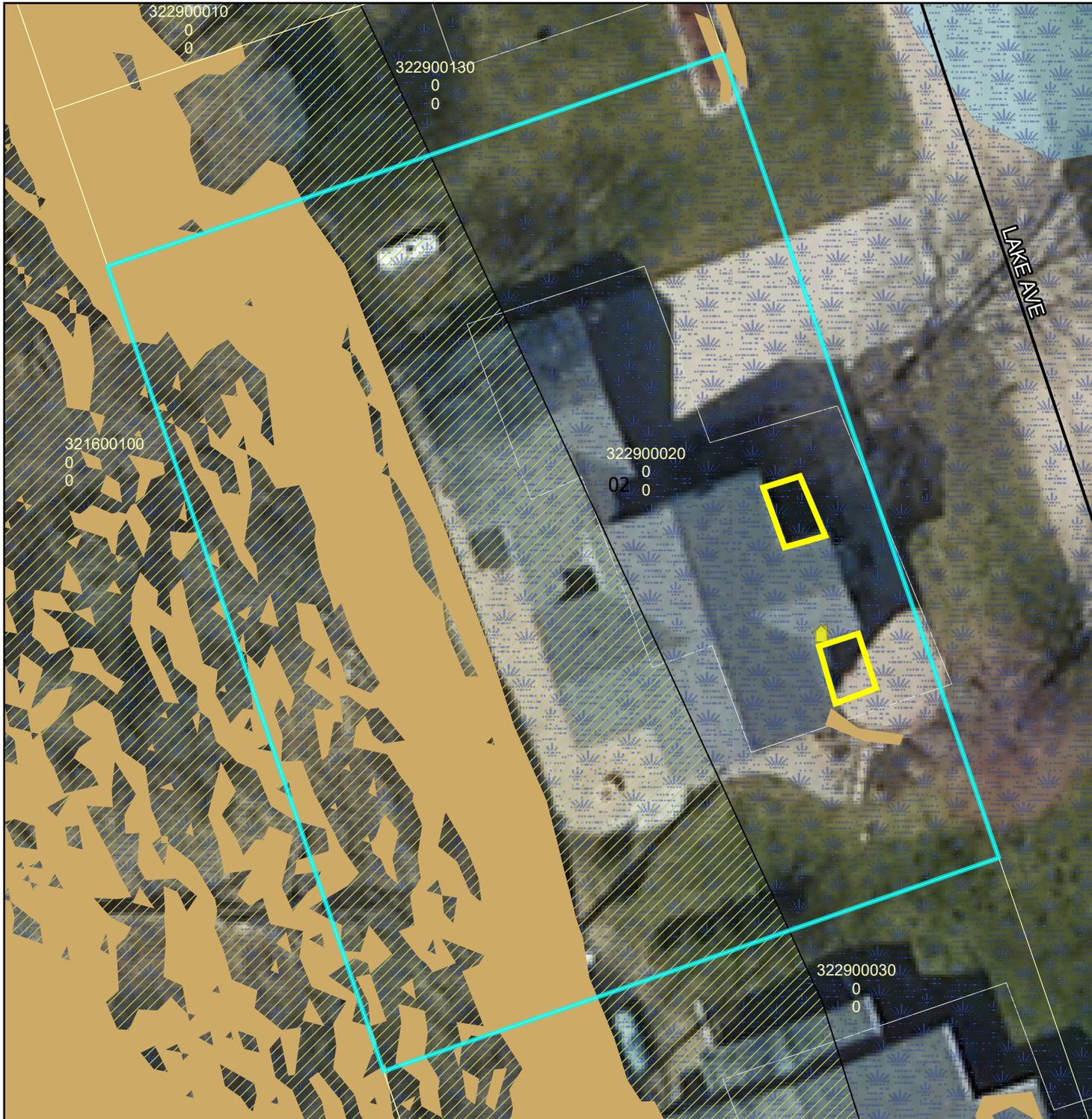
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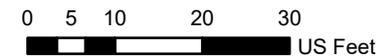
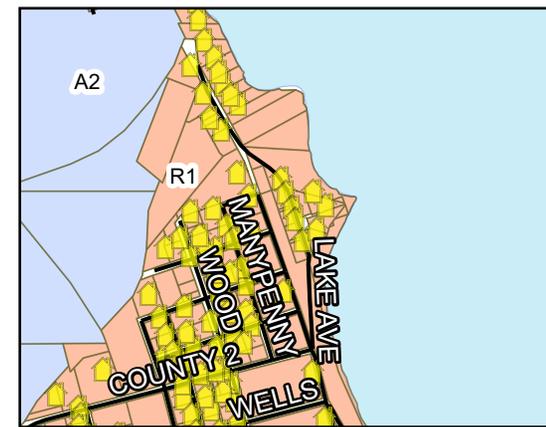
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### Legend

	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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Map Created June, 2025 by LUM



ENGE  
SHIP  
216004100

322900430

322900020  
28775  
MILDE  
INVESTMENTS  
LLC

322900030  
28793  
RICHARD B  
SWARD ET AL

50'

600'



30'

LAKE AVE WAY

3  
GT  
FRO  
HOME

