

TO: Board of Adjustment  
FROM: Land Use Management  
MEETING DATE: June 24, 2024  
REPORT DATE: June 14, 2024

**PUBLIC HEARING:** Request for Variance, submitted by Scott Greenslit (Owner) to R-1 Zoning District standards to allow an attached garage addition to be constructed less than 25 feet from the 55<sup>th</sup> Avenue Right-of-Way.

**Application Information:**

Applicant(s): Scott Greenslit (Owner)  
Address of zoning request: 5517 311<sup>th</sup> Street Cannon Falls, MN 55009.  
Parcel: 41.150.0200  
Abbreviated Legal Description: Lots 9 and 10 Block 2 in the Woodland Heights Addition in Stanton Township.  
Township: Stanton Township approved the variance request 3/0 on May 30<sup>th</sup>, 2024 and did not add any comments.  
Zoning District: R-1 Zoned District (Suburban Residential).

**Attachments:**

Application  
Site Map(s)  
Goodhue County Zoning Ordinance: [zoning\\_ordinance.pdf \(goodhuecountymn.gov\)](https://www.goodhuecountymn.gov/zoning-ordinance.pdf)

**Background:**

Scott Greenslit (Owner) has applied for a variance to R-1 Zoning District (Suburban Residential) minimum setback standards to allow a new 14-foot by 22-foot attached garage addition to be constructed 9 feet from the 55<sup>th</sup> Avenue Right-of-Way where 25 feet is required.

**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 to allow for adequate access and accommodate future road expansion.
- The property is surrounded by land zoned R-1 (Suburban Residential).
- The property consists of one parcel containing approximately 0.88 acres.
- Locating the new structure 9 feet from the 460<sup>th</sup> Street Right-of-Way is not anticipated to further impede future road expansion or ongoing maintenance.
- The house was built around 1968, 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 residential uses in residential-zoned districts.

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 an attached garage addition is a reasonable use of property in the R-1 District.
- The existing pool on the property limits adding onto the north side of the garage. An addition to the south side of the garage would also require variances from Right-of-Way setbacks.
- The parcel is unique in that it has Right-of-Way on three sides.
- 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.**

- Attached garages are permitted use in the R-1 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

**APPROVE** the request for a variance, submitted by Scott Greenslit (Owner) to R-1 Zoning District standards to allow an attached garage addition to be constructed 9 feet from the 55<sup>th</sup> Avenue Right-of-Way.



RECEIVED

MAY 31 2024

For Staff Use Only	
Permit #	224-0031
\$400 Receipt #	ONLINE
DATE:	5/30/24

# Variance

## Land Use Management

SITE ADDRESS, CITY, AND STATE		ZIP CODE		
5517 311th Street Cannon Falls, Minnesota		55009		
LEGAL DESCRIPTION				
WOODLAND HGTS ADD DOC#646431 LOTS 9 & 10 BLK 2 ID# 41-0150-02000				
PID#	ZONING DISTRICT	LOT AREA (SF/ACRES)	LOT DIMENSIONS	STRUCTURE DIMENSIONS (if applicable)
411500200	Stanton	.8	111' x 350'	14'x22'

APPLICANT OR AUTHORIZED AGENT'S NAME	
Scott Greenslit	
APPLICANT'S ADDRESS	TELEPHONE
5517 311th Street Cannon Falls, Minnesota	
	EMAIL

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

CONTACT FOR PROJECT INFORMATION	
Same as Above <input checked="" type="checkbox"/> same as above.	
ADDRESS	TELEPHONE
	EMAIL

<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
	yard
	PROPOSED USE
	Addition to existing garage.
BUILDING APPLICATION PERMIT NO.: (if filed)	DATE FILED
Not filed yet, finalizing building plans.	

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

- 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: Scott Greenslit Date: 05-22-2024

**REQUEST SUMMARY**

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

Article: 24 Section: 5,subd. 2(a)1 Name: R1, Dimensional Requirements, Front Yard requirements

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:**

This is our family home and we are in the process of completing renovations to allow for us to remain their throughout children's school years.  
We are a corner lot and are required to maintain front yard setback on three sides of our property. Our lot is a little unique as it encompasses both corners.  
Currently, our existing garage is only 56' from center of road and 20' from property line. We would like to add a third stall that further reduces our setback towards this road.

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

We will need look for other storage options for items routinely stored in the garage, or just routinely park all of our vehicles in our driveway.  
With young children we have lots of toys, additionally, I have my own hobbies that require storage. (wood working equipment, duck hunting gear, boat storage, etc)

**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:**

My home is a corner lot. I have a pool behind the garage that limits extending the garage back.  
\_\_\_\_\_  
\_\_\_\_\_

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

None exist for adding on to garage. The garage is already non-conforming as it does not meet the 58' from centerline (township) or 25' from road right of way.  
\_\_\_\_\_  
\_\_\_\_\_

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

None exist for adding onto the garage. Not receiving variance would require building a detached structure or relying on portable shed options.  
\_\_\_\_\_  
\_\_\_\_\_

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

No. There are multiple instances of property owners encroaching upon the right of way setback with portable sheds and a house has a front yard set back of 44' from centerline and 8' from property line (PID 411500260)  
\_\_\_\_\_  
\_\_\_\_\_

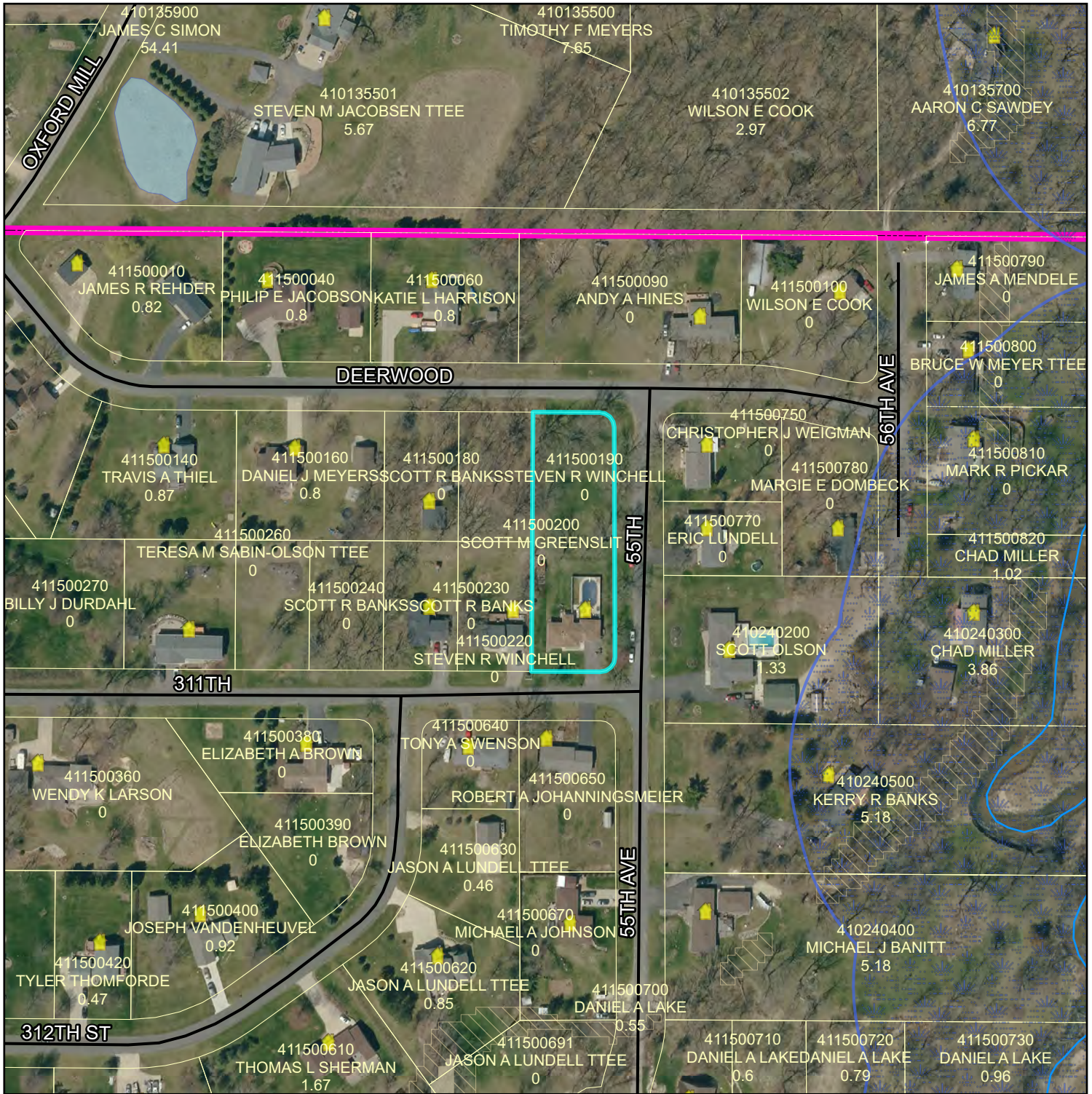
## Justification Statement

My home is located on a corner lot, surrounded by Deerwood RD to the north, 55th Avenue to the east, and 311th street to the south. Corner lots are required to maintain the front yard setback of 58' along each road. My existing garage is located 56' from the centerline of 55th Avenue and is an existing non-conforming structure. Locating the proposed garage addition 42' from the road centerline (6' from property line) is not anticipated to impede future road expansion or on-going maintenance. Additionally, parcels in my general area been afforded the same allowances.

Examples of parcels with permanent structures in front yard setback:

- (1) Parcel ID: 411500260, attached garage 46' from 311th Street Centerline and 8' from property line
- (2) Parcel ID: 410134600, detached garage structure located 40' from Oxford Mill Rd centerline and 6' from property line.
- (3) Parcel ID: 410253400, has multiple structures within the 58' setback: (a) permanent covered storage structure 38' from Oxford Mill Rd centerline and 6' from property line, (b) garage 46' Oxford Mill Rd centerline and 12' from property line, and (c) an accessory building 48' from Oxford Mill Rd centerline and 15' from property line.
- (4) Parcel ID: 411810090, detached garage (built in 2013) 37' from 23<sup>rd</sup> Avenue Way centerline and 4' from property line.

# MAP 02: VICINITY MAP



## BOARD OF ADJUSTMENT

Public Hearing  
June 24, 2024

Scott Greenslit (Owner)  
R-1 Zoned District

Lots 9 and 10 Block 2 in the  
Woodland Heights Addition in  
Stanton Township.

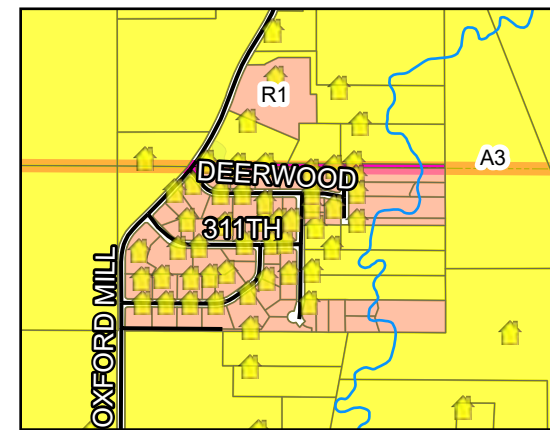
Request for Variance, to Article 24  
R-1 Zoning District Standards to allow an  
attached garage addition to be constructed  
less than 25 feet from the 55th  
Avenue Right-of-Way.

### Legend

- Tax Parcels
- Section Lines
- Dwelling Point

### Bluff Impact

- 20
- 30



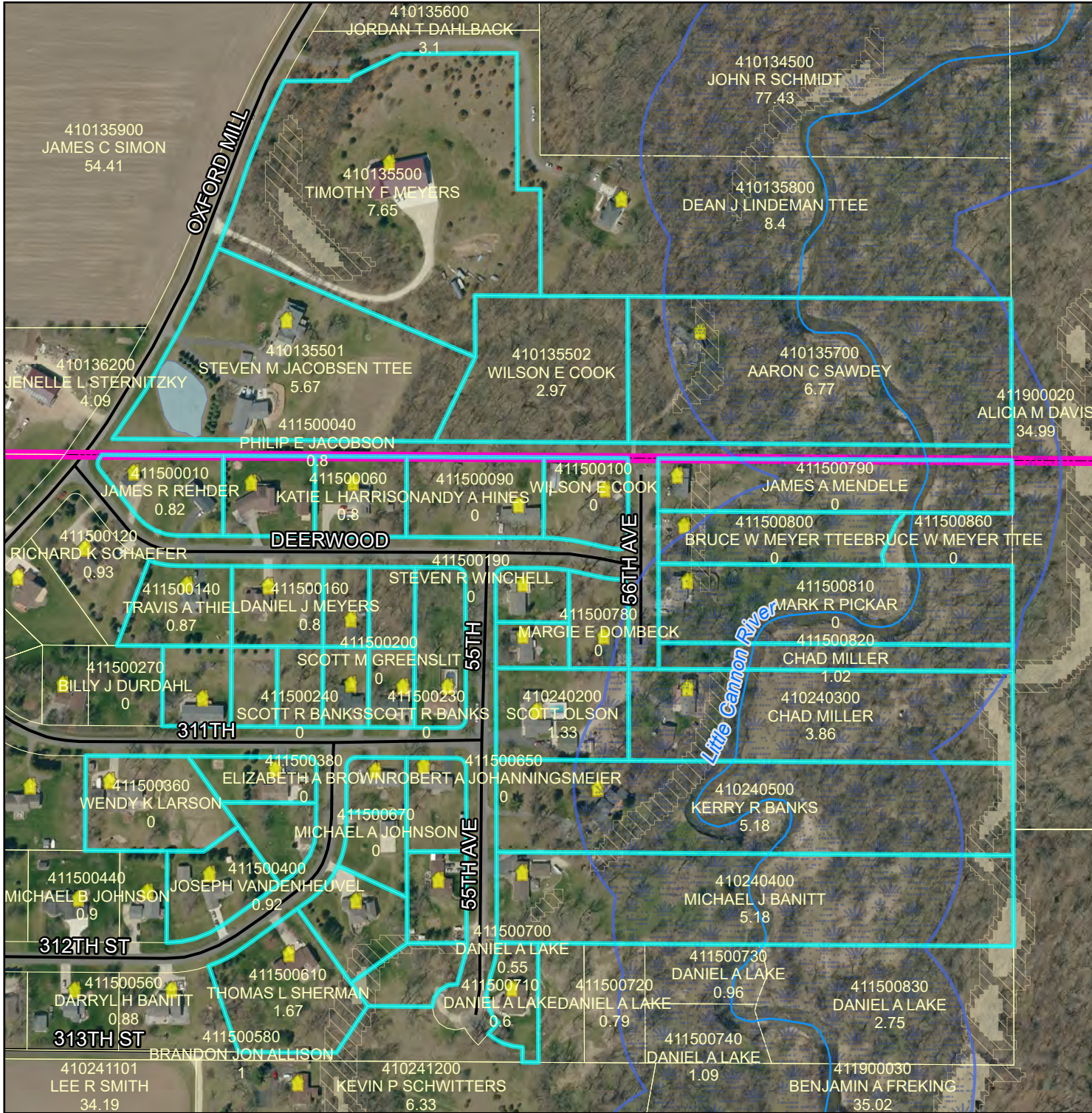
0 70 140 280 420 US Feet

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Map Created June, 2024 by LUM



# PUBLIC NOTICE: NEIGHBORHOOD MAILING MAP



## PLANNING COMMISSION




Public Hearing  
June 24, 2024

Scott Greenslit (Owners)  
R-1 Zoned District



Lots 9 and 10 Block 2 in the  
Woodland Heights Addition in  
Stanton Township.

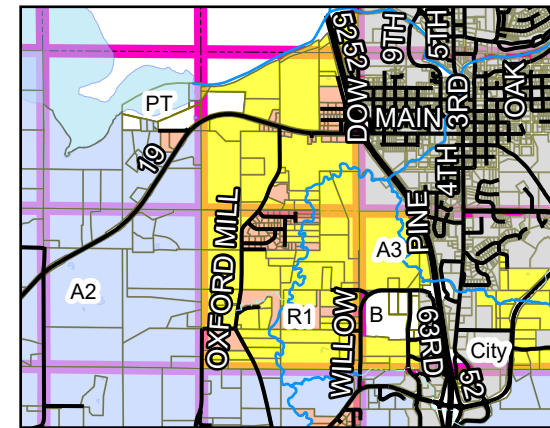
Request for Variance, to Article 24  
R-1 Zoning District Standards to allow an  
attached garage addition to be constructed  
less than 25 feet from the 55th  
Avenue Right-of-Way.

### Legend

-  Tax Parcels
-  Section Lines
-  Dwelling Point

### Bluff Impact

-  20
-  30



0 115 230 460 690 US Feet

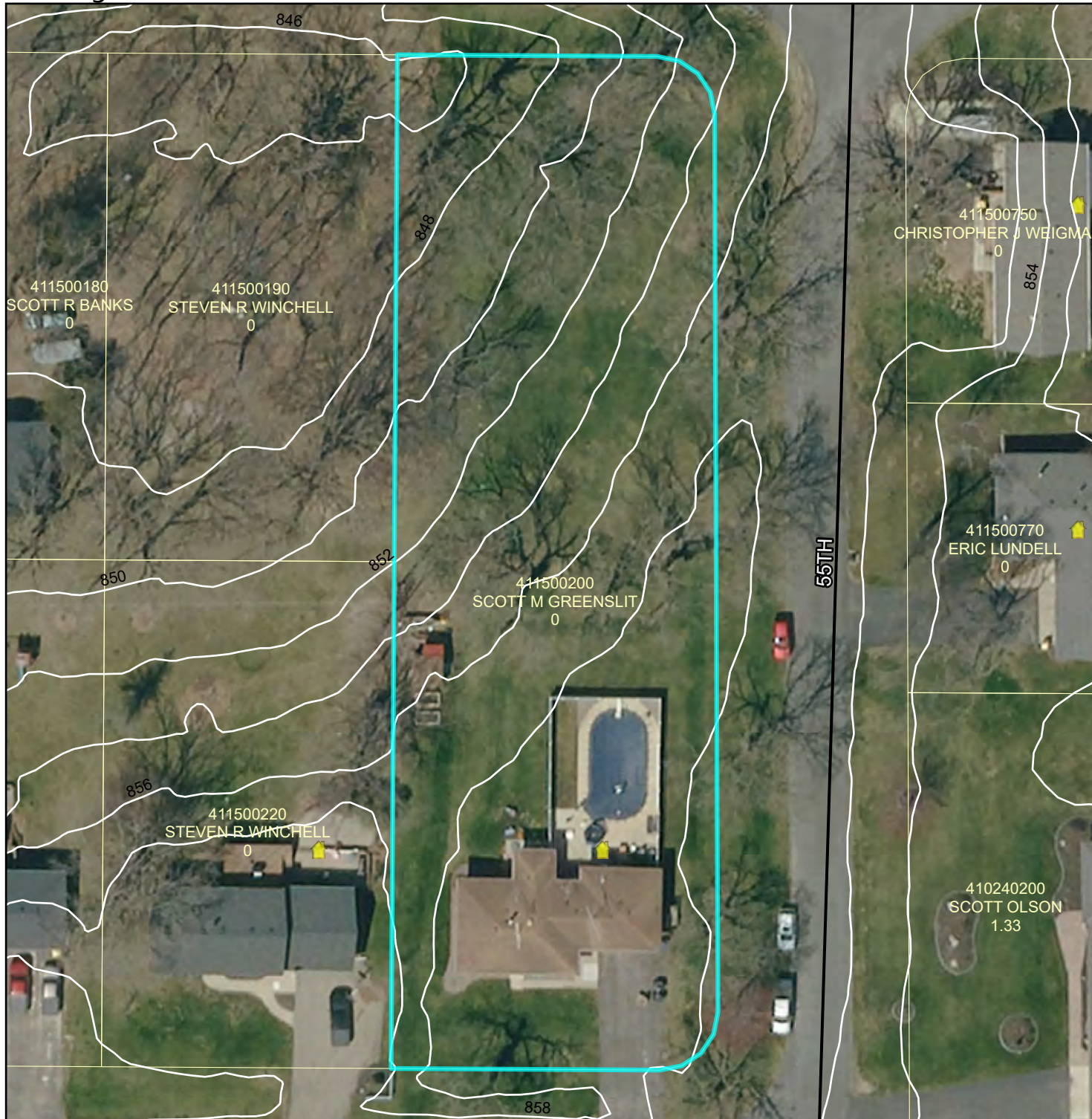
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# MAP 03: ELEVATIONS



## BOARD OF ADJUSTMENT





Public Hearing  
June 24, 2024

Scott Greenslit (Owner)  
R-1 Zoned District




Lots 9 and 10 Block 2 in the  
Woodland Heights Addition in  
Stanton Township.

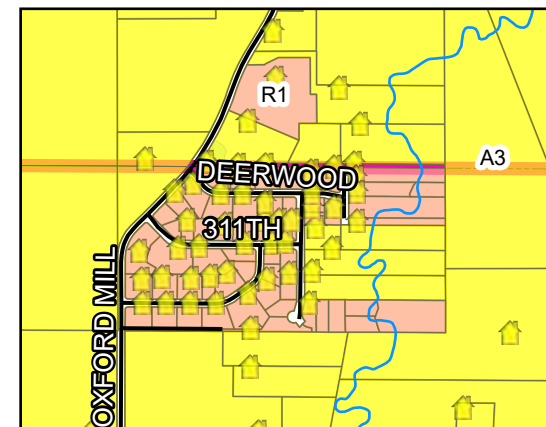
Request for Variance, to Article 24  
R-1 Zoning District Standards to allow an  
attached garage addition to be constructed  
less than 25 feet from the 55th  
Avenue Right-of-Way.

### Legend

-  contours
-  Tax Parcels
-  Section Lines
-  Dwelling Point

### Bluff Impact

-  % Slope
-  20
-  30



0 15 30 60 90  
US Feet

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# MAP 01: PROPERTY OVERVIEW



## BOARD OF ADJUSTMENT

Public Hearing  
June 24, 2024

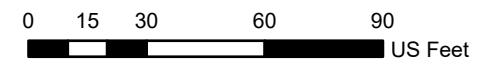
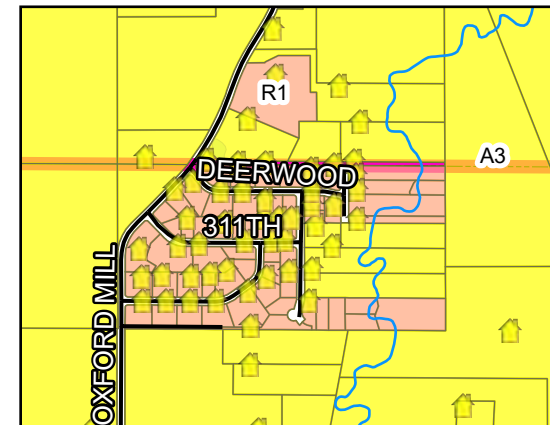
Scott Greenslit (Owner)  
R-1 Zoned District

Lots 9 and 10 Block 2 in the  
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Stanton Township.

Request for Variance, to Article 24  
R-1 Zoning District Standards to allow an  
attached garage addition to be constructed  
less than 25 feet from the 55th  
Avenue Right-of-Way.

### Legend

	Intermittent		Dwelling Point
	Protected		Bluff Impact
	Lakes & Other Water Bodies		% Slope
	Shoreland		20
	Section Lines		30

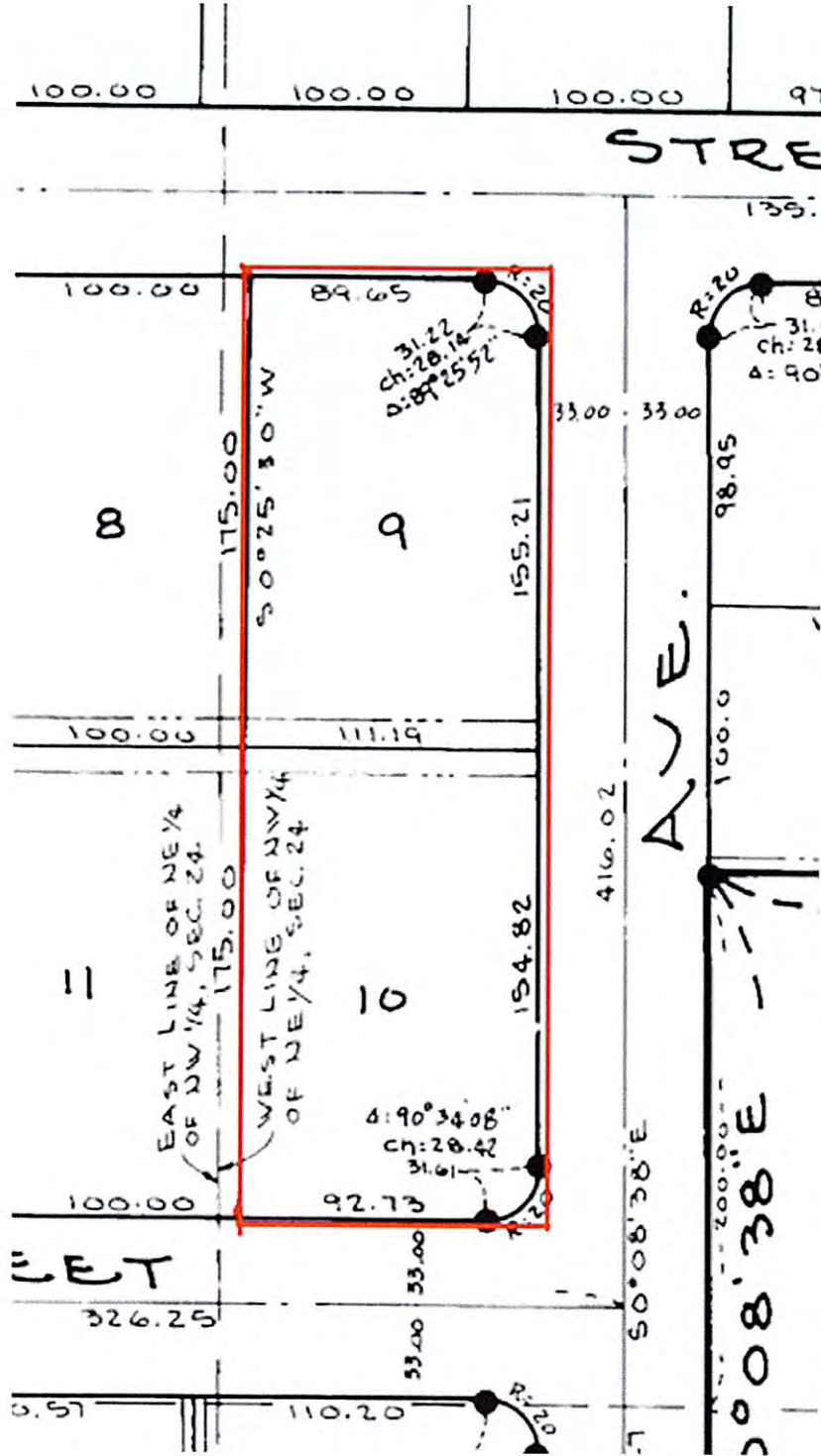


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Map Created June, 2024 by LUM



41.150.0200: ORIGINAL PLAT



EXISTING SEPTIC TANK

1 Block = 4'

WOODLAND HEIGHTS ADDITION  
5517 311th St  
41.150.0200

