



Jess L. Greenwood, P.E.
Public Works Director – County Engineer

2140 Pioneer Road
Red Wing, MN 55066
Office: (651) 385.3025

TO: Honorable County Commissioners
Scott Arneson, County Administrator

FROM: Jess L. Greenwood, Public Works Director

RE: 16 September 2025 County Board Meeting – PUBLIC HEARING
Public Hearing to Discuss Access Variance Request along CR 42 in Zumbrota Township

Date: 10 September 2025

Summary

It is requested that the County Board hold a public hearing to discuss a request for a variance for the property at 23830 County 42 Boulevard in Zumbrota Township.

Background

On June 24, 2025, Joshua Betcher submitted an application for an access permit. The parcel (PID 470120100) has one existing access, and the owner is requesting a second access for the purposes of avoiding unloading deliveries on CR 42 or backing into the driveway. County staff denied the permit because the proposed access did not meet the spacing requirements outlined in the County's Access Management and Control Ordinance. Furthermore, the parcel currently has a driveway that provides for reasonably convenient and suitable access, which, as defined by the State of Minnesota, entitles a landowner to access from their parcel to the near lane of travel on a public roadway.

On September 2, 2025, the County Board scheduled a public hearing in accordance with the provisions of the Access Management and Control Ordinance, which outlines a process whereby landowners can apply for variances.

Attached to this item is the variance application and supporting documentation submitted by the requestor.

Alternatives

- Hold the public hearing to discuss the variance request.
- Take no action, which would uphold the denial of the permit application.

Recommendations

It is the recommendation of staff that the County Board hold a hearing to discuss the variance request.

"To effectively promote the safety, health, and well-being of our residents"



Variance Application

509 W 5th Street
Red Wing, MN 55066

****Applicants are highly encouraged to discuss their proposed application with Land Use Management Department staff prior to submission. Please call (651) 385-3104 for assistance****

WHAT IS A VARIANCE?

A variance is a request to allow the use of property in a manner otherwise prohibited by ordinance by varying one or more requirements such as the size, design, and siting of buildings and lots. Variances are meant to be an infrequent remedy for situations where the unique physical characteristics of a property impose a substantial burden to reasonable use under the plain and literal interpretation of the ordinances.

FINDINGS FOR VARIANCES:

In reviewing all variance requests, the Board of Adjustment shall specify "Findings of Fact" in each case which evaluates the request for conformance with the variance standards. In conformance with Minnesota State Statute § 394.27 the Board of Adjustment may only grant variances when it finds the request meet the following criteria:

- Harmony with the general purposes and intent of the official controls
- Consistent with the comprehensive plan,
- The applicant has established "practical difficulties" exist in complying with the official controls. "Practical difficulties," as it pertains to variances, means 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."
- The variance would not allow any use that is not allowed in the applicable zoning district

In order to grant a variance, a majority of the Board of Adjustment must find that all of the above criteria have been satisfied. In granting a request, the Board may impose conditions directly related to and bearing a rough proportionality with the potential impacts created by the variance approval.

APPLICATION:

The following items must be received by the Land Use Management Department for a variance application to be considered complete:

- ☒ Completed variance application form & supporting documentation
- ☒ Signature of property owner, agent, or letter of authorization
- ☐ Township signature of acknowledgment *Na Pen Take (County Road)*
- ☒ Site plan
- ☒ Property survey by a MN Licensed Surveyor (unless waived by Zoning Administrator)
- ☒ Proof of current property taxes
- ☐ Additional items as required by the Zoning Administrator
- ☒ Required Fees (\$400.00)

REVIEW PROCESS:

Upon receipt of a complete application, staff will schedule a Board of Adjustment hearing to consider the variance request. Notice of the public hearing will be provided to the official County paper, affected state agencies, all property owners within 500 feet of the Applicant's parcel (minimum of 10), the local Township, and all municipalities within 2 miles. BOA meetings are typically held the 4th Monday of every month.

APPEAL RIGHTS:

In accordance with Goodhue County Zoning Ordinance Article 5, an aggrieved person may appeal a Board of Adjustment decision with the Goodhue County District Court within thirty (30) days.

Variance

For Staff Use Only	
Permit #	
\$400 Receipt #	DATE:

SITE ADDRESS, CITY, AND STATE				ZIP CODE:
23830 Co 42 Blvd, Mazepa MN				55956
LEGAL DESCRIPTION:				
Attached <input type="checkbox"/>				
PID#:	ZONING DISTRICT	LOT AREA (SF/ACRES):	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable):

APPLICANT OR AUTHORIZED AGENT'S NAME	
Joshua Betcher	
APPLICANT'S ADDRESS:	TELEPHONE:
	507-696-3074
	EMAIL:
	jb.farms@hotmail.com

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

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

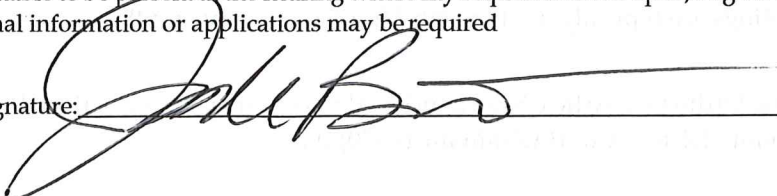
VARIANCE REQUESTED TO: (check all that apply) <input type="checkbox"/> Road Right-Of-Way Setbacks <input type="checkbox"/> % Lot Coverage <input type="checkbox"/> Property Line Setbacks <input type="checkbox"/> Bluff Setbacks <input type="checkbox"/> Height Limits <input type="checkbox"/> Shoreland Setbacks <input type="checkbox"/> Lot Width &/or Area <input checked="" type="checkbox"/> Other (specify) <input type="checkbox"/> Subdivision Regulations Driveway	CURRENT OR PREVIOUS USE:	
	Farm & Home	
	PROPOSED USE:	
	Farm	
	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

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:

8/7/2025

REQUEST SUMMARY

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

Article: _____ Section: _____ Name: _____

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:

Farm access is current use. We have 450 Acre grain & Livestock operation with 350 Head of meat goats & 50 head of beef cattle. Currently when receiving deliveries we have to unload on the road or back in the driveway.

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

Without this variance we have safety concerns of unloading on the county road, blocking traffic, or backing in the driveway. This is unacceptable as I have personally lost a brother to an accident while a truck was backing in a driveway on Cty 4 in Goodhue County.

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:

Current driveway cannot be improved due to location of well and power distribution along with undue challenges to have to completely move a building.

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

Second access to the east is the most logical place, it does not interfere with traffic, can clearly see > 500 ft, and removes the need to tear out the old driveway. Easement on neighboring property was considered, but is too close to 240th ave / Cty 42 intersection.

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

Variance needed is the distance between the current drive way and the proposed. Both are on our property and should not cause conflict with each other. This also eliminates the need for an easement on neighboring properties, an

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

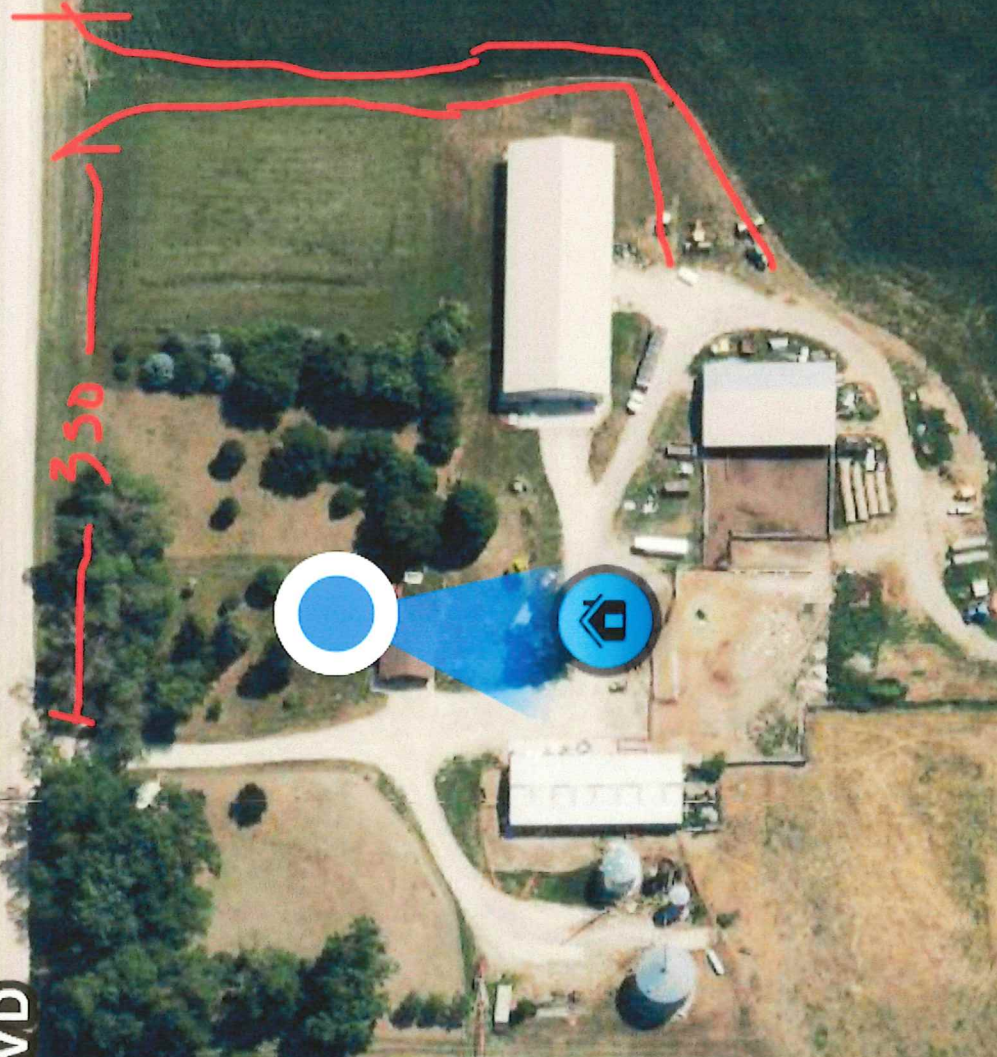
This variance fits the use and character of the neighborhood. Other farms have this and are on paved County roads - Humeke Beef, Humeke Dairy, Holst Dairy, Partholone Dairy to name a few.

H AVE

500

350

42 BLVD



SAMUELSON SURVEYING INC.

1103 West Main Street
Cannon Falls, MN. 55009

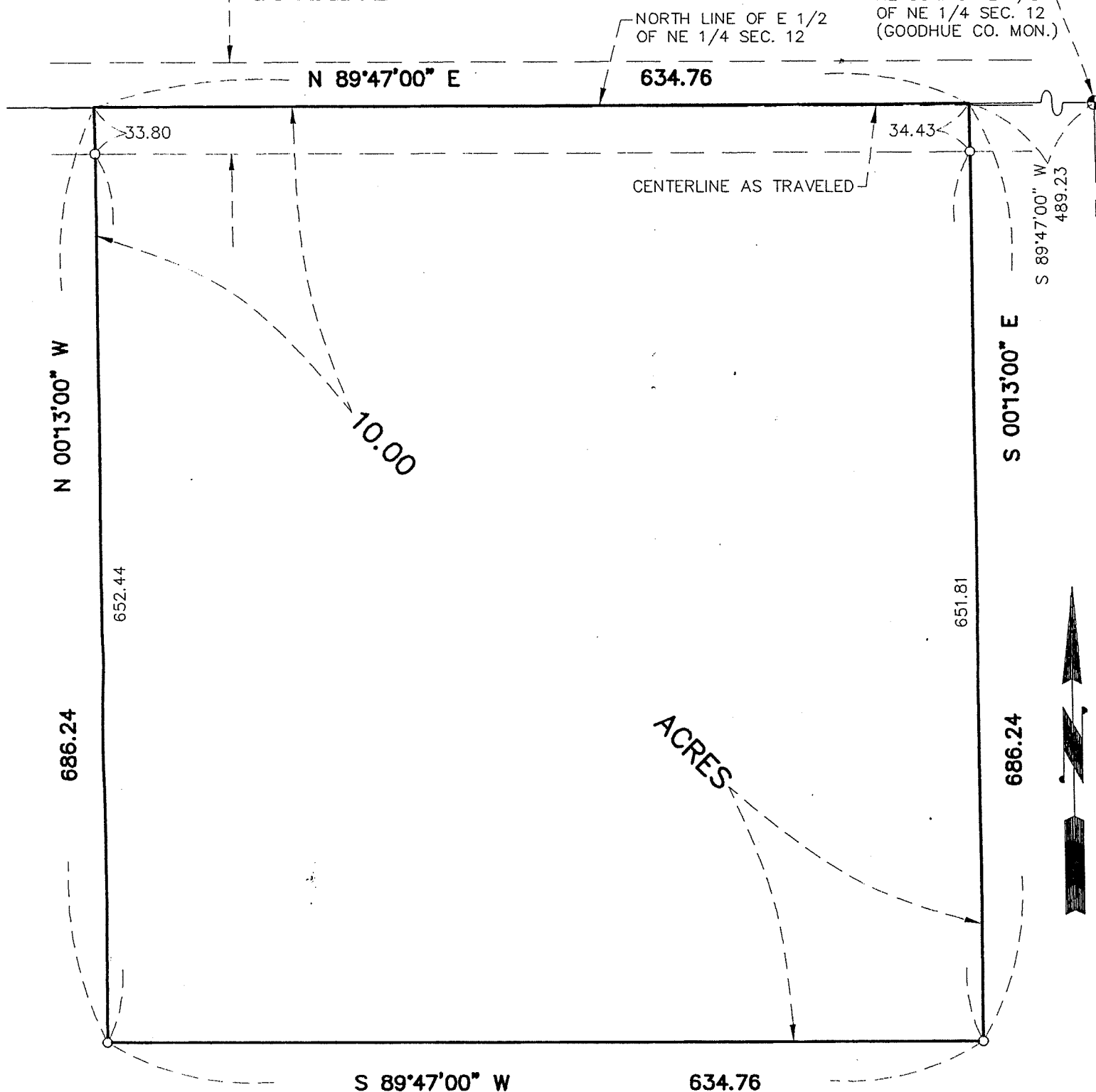
V. Richard Samuelson
Registered Land Surveyor

SURVEYORS CERTIFICATE

GOODHUE COUNTY ROAD NO. 42

NE COR. OF E 1/2
OF NE 1/4 SEC. 12
(GOODHUE CO. MON.)

- NORTH LINE OF E 1/2
OF NE 1/4 SEC. 12



PROPOSED LEGAL DESCRIPTION

That part of the East Half of the Northeast Quarter of Section 12, Township 110, Range 15, Goodhue County, Minnesota, described as follows:

Beginning at the northeast corner of said East Half of the Northeast Quarter; thence South 89 degrees 47 minutes 00 seconds West (HARN adjustment of the 1983 Goodhue County Coordinate System) along the north line of said East Half of the Northeast Quarter 489.23 feet to the point of beginning of the land to be described; thence South 0 degrees 13 minutes 00 seconds East 686.24 feet; thence South 89 degrees 47 minutes 00 seconds West 634.76 feet; thence North 0 degrees 13 minutes 00 seconds West 686.24 feet to said north line of the East Half of the Northeast Quarter; thence North 89 degrees 17 minutes 00 seconds East along said north line 634.76 feet to the point of beginning.

Subject to easements of record.

○ DENOTES SET IRON PIPE WITH
PLASTIC CAP MARKED RLS 16998

● DENOTES FOUND IRON

GRAPHIC SCALE



(IN FEET)

1 inch = 100 ft.

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR
REPORT WAS PREPARED BY ME OR UNDER MY DIRECT
SUPERVISION, AND THAT I AM A DULY REGISTERED
LAND SURVEYOR UNDER THE LAWS OF THE
STATE OF MINNESOTA.

DATE: October 1, 2008

V. Richard Samuelson

Minnesota Reg. No. 16998