

TO: Board of Adjustment  
FROM: Land Use Management  
MEETING DATE: April 27<sup>th</sup>, 2026  
REPORT DATE: April 17<sup>th</sup>, 2026

**PUBLIC HEARING:**

Request for Variance, submitted by Aaron Bauer (Applicant/Owner) to allow the construction of an Accessory Building to be less than the required 30-foot setback from the property and section line.

**Application Information:**

Applicant(s): Aaron Bauer (Applicant/Owner)

Address of zoning request: 12998 Welch Trail, Welch MN, 55089

Parcel: 46.030.0900

Abbreviated Legal Description: S1/2 of SE1/4 of Section 30, Township 113, Range 16.

Township: Welch Township

Zoning District: A-1 (Agricultural Protection)

**Attachments:**

- Application with proposed site plans
- Staff prepared aerial images
- Certificate of survey
- Goodhue County Zoning Ordinance: [zoning\\_ordinance.pdf \(goodhuecountymn.gov\)](https://www.goodhuecountymn.gov/zoning_ordinance.pdf)

**Background:**

Aaron Bauer is proposing to build a 60-foot by 120-foot by 20-foot accessory structure to house the water infrastructure for the farm and larger, taller agricultural equipment. This building will be in the same location as the existing shed and is proposed to be about 3 feet south of the section/property line. The existing building is approximately 7 feet north of the section/property line. Welch Township has signed off on the variance application with no additional comments.

**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

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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, accommodating future road expansion, and adequate separation between property lines.
- Parcel 46.030.0900 is approximately 7.4 acres. This meets the minimum lot size of 2 acres for the A-2 District.
- The applicant is requesting the new accessory building to be 3 feet over the section/property line, while maintaining a 30-foot setback from the side yard property line.
- Having the building 3 feet over the section could pose challenges for future property owners should the two parcels ever not be owned by the same owner.
- 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 A-1 District within the County.

This request appears 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 Applicant’s request to construct an accessory structure is a reasonable use of property in the A-1 District.
- Some “practical difficulties” in complying with the official control are as follow. The two parcels (46.031.0200 & 46.030.0900) are separated by a section line and the two sections are also in different zoning districts. There is bluff land to the west restricting building placement.
- The property is surrounded by properties zoned A-1 and A-2. Primary use of the surrounding land is Agricultural.

- 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 A-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 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 Aaron Bauer (Applicant/Owner) to allow the construction of an accessory building to 3 feet over the property and section line.



# Variance



For Staff Use Only	
Permit #	726-0036
\$450 Receipt #	18886
DATE:	4/7/26

SITE ADDRESS, CITY, AND STATE		ZIP CODE:		
12998 Welch Trail Welch, MN		55089		
LEGAL DESCRIPTION: <span style="float: right;">Attached <input type="checkbox"/></span>				
PID#	ZONING DISTRICT	LOT AREA (S/ACRES)	LOT DIMENSIONS	STRUCTURE DIMENSIONS (if applicable)
460300900	A1	7.47	Irregular shaped parcel	60 x 120 x 20

APPLICANT OR AUTHORIZED AGENT'S NAME	
Aaron M. Bauer	
APPLICANT'S ADDRESS:	TELEPHONE:
26469 130th Avenue Welch, MN 55089	
	EMAIL:

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:

<b>VARIANCE REQUESTED TO:</b> (check all that apply) <input type="checkbox"/> Road Right-Of-Way Setbacks <input type="checkbox"/> % Lot Coverage <input checked="" 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:
	Agriculture
	PROPOSED USE:
	Agriculture
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.		Attached <input type="checkbox"/>
TOWNSHIP OFFICIAL'S SIGNATURE	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE	DATE
<i>Andrew J. Jensen</i>	ANDREW JENSON CHAIRMAN	4/6/26

- 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: *A. Bauer*

Date: 4-6-26

**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:**

Homestead for agriculture purposes. Reason: Building not currently tall enough for agriculture product and agriculture equipment storage. Currently, the existing shed is non-conforming with being 8 feet more or less north of the section line.

Mr. Bauer retained Johnson & Scofield to create a subdivision plat in order to combine both tax parcels which would have eliminated the need for the variance request; however it was later determined that since the property in Section 30 is zoned A-1 and

the land in Section 31 is zoned A-2 that the plat would not be able to be recorded due to the two different zones. Therefore the setback variance was suggested as the best way to proceed in order to obtain a building permit.

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

Agriculture products and storage would then need to be outsourced offsite. All of the water infrastructure for the house and barn are inside of the existing 50'x80' shed. If variance is denied said infrastructure will prevent a larger agriculture building to be constructed. (See attached photos of infrastructure)

**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:**

Bluff to the west, ravines and drainage ways to the south. Section line dividing parcel to the south which creates 2 different agriculture zones and a property line to the north which does not run parallel to the existing shed. There is an existing 50'x80'x14' pole shed that is being replaced with a 60'x120'x20' pole shed which will be constructed in the same general location as the existing structure only to be moved southerly to accommodate larger building and still meet 30' setback to the north.

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

Improving buildings, 1) too much investment into old structure. 2) Variance is required due to the amount of investment into a non-conforming structure IE: existing section line setback of 8 feet more or less.

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

It was determined that the request being made is the lessor request.

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

No. Agricultural use and pole sheds are throughout the entire area.

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**EXHIBIT A**

LTI File Number: 697318

Policy No. M-9011-000238225

**Parcel 1:**

That part of the North Half of the Northeast Quarter of Section 31, Township 113, Range 16, Goodhue County, Minnesota, described as follows:

Beginning at the Northeast corner of said North Half of the Northeast Quarter; thence South 0 degrees 18 minutes 27 seconds West (assumed bearing) along the East line thereof 117.61 feet; thence South 88 degrees 08 minutes 48 seconds West 876.00 feet; thence South 4 degrees 31 minutes 55 seconds East 347.26 feet; thence South 88 degrees 41 minutes 16 seconds West 1398.00 feet; thence North 24 degrees 12 minutes 36 seconds West 75.58 feet; thence North 34 degrees 05 minutes 36 seconds West 41.96 feet; thence North 44 degrees 30 minutes 52 seconds West 470.31 feet to the Northwest corner of said North Half of the Northeast Quarter; thence North 88 degrees 08 minutes 51 seconds East along the North line of said North Half of the Northeast Quarter 2631.98 feet to the point of beginning.

**Parcel 2:**

That part of the East Half of the Southeast Quarter and part of the East 10 acres of the Southwest Quarter of the Southeast Quarter of Section 30, Township 113, Range 16, Goodhue County, Minnesota, described as follows: Commencing at the Southeast corner of said East Half of the Southeast Quarter; thence South 88 degrees 08 minutes 51 seconds West (assumed bearing) along the South line of said East Half of the Southeast Quarter 885.93 feet to the point of beginning of the land to be described; thence North 4 degrees 31 minutes 55 seconds West 19.28 feet; thence North 65 degrees 47 minutes 36 seconds West 343.06 feet; thence North 4 degrees 17 minutes 53 seconds West 548.90 feet; thence South 88 degrees 18 minutes 35 seconds West 387.15 feet to the East line of the West 30 acres of said Southwest Quarter of the Southeast Quarter; thence South 0 degrees 09 minutes 08 seconds East along said East line 719.77 feet to the South line of said Southwest Quarter of the Southeast Quarter; thence North 88 degrees 08 minutes 51 seconds East along said South line of the Southeast Quarter 741.01 feet to the point of beginning.

# PUBLIC NOTICE: NEIGHBORHOOD MAILING MAP

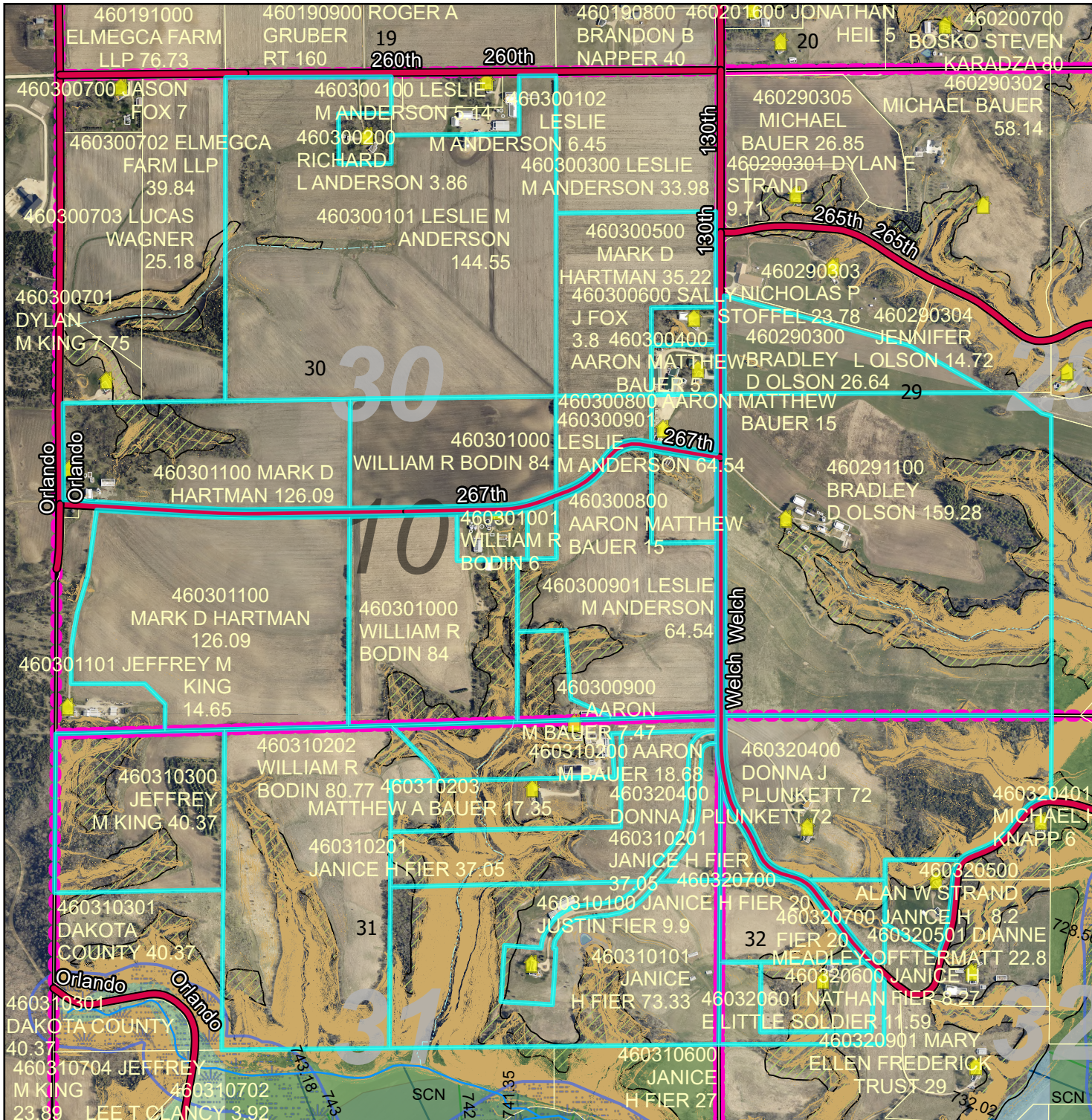
## BOARD OF ADJUSTMENT

Public Hearing  
April 27th, 2026

Aaron Bauer (Owner)  
A-1 Zoned District.

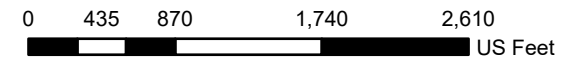
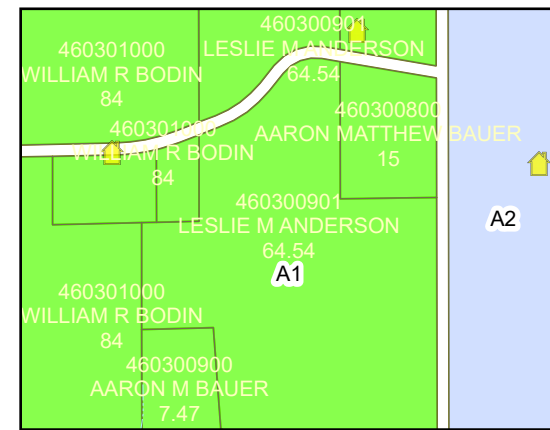
The S1/2 of the SE 1/4 of Section 30  
TWP 113, Range 16 in Welch Township.

Request for a Variance to allow the  
construction of an accessory building to be  
less than the required 30-foot setback from  
property and section line.



### Legend

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

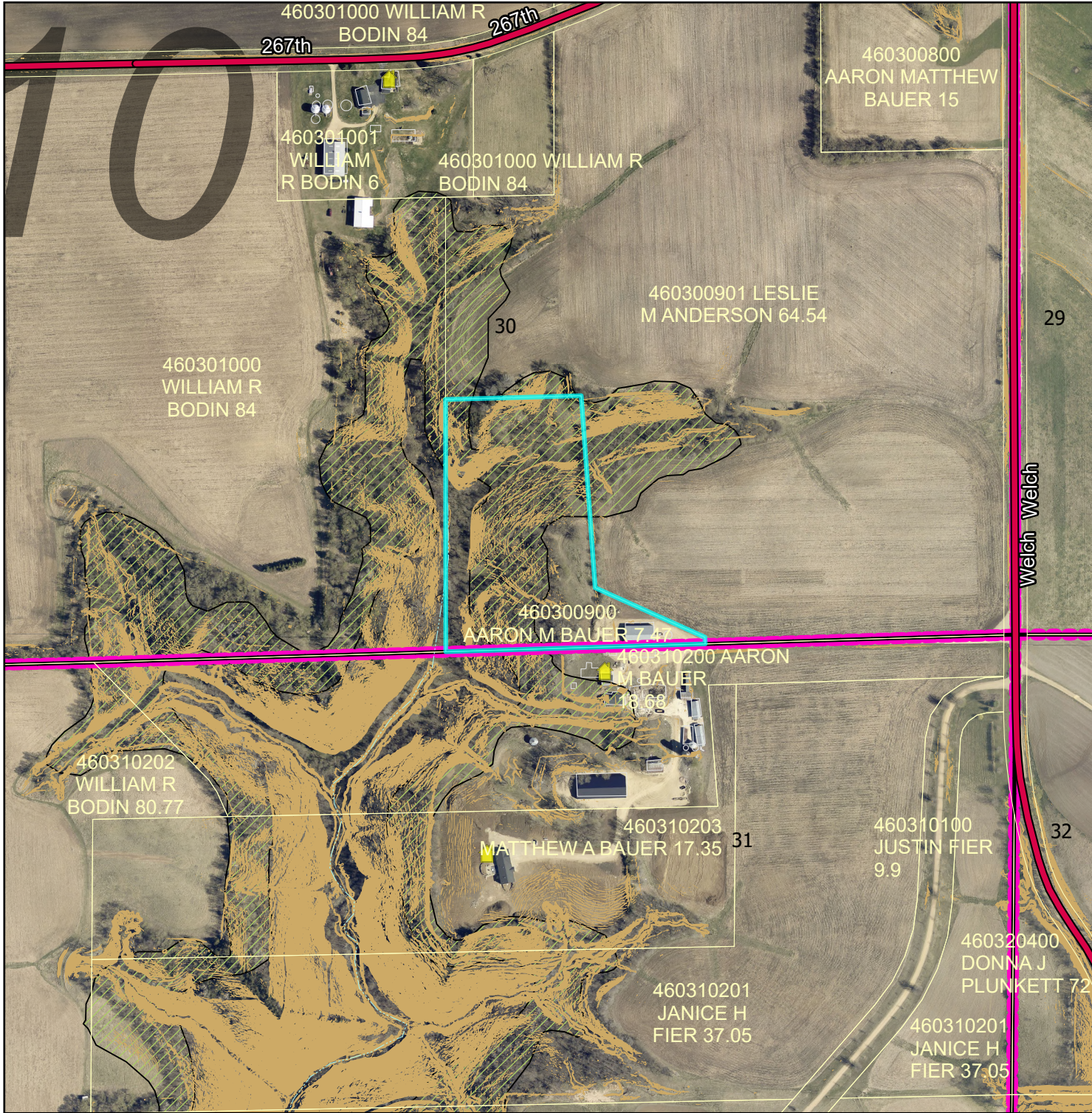


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Map Created April, 2026 by LUM



# MAP 02: VICINITY MAP



## BOARD OF ADJUSTMENT

Public Hearing  
April 27th, 2026

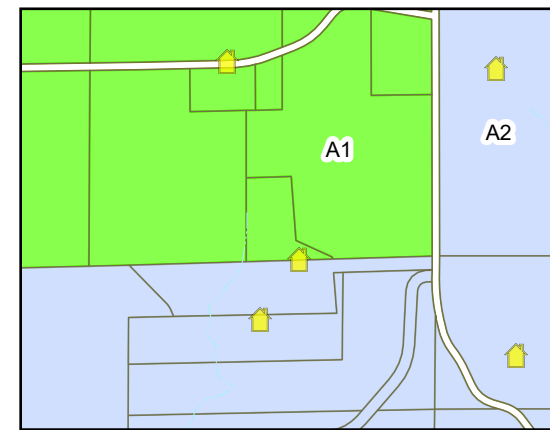
Aaron Bauer (Owner)  
A-1 Zoned District.

The S1/2 of the SE 1/4 of Section 30  
TWP 113, Range 16 in Welch Township.

Request for a Variance to allow the construction of an accessory building to be less than the required 30-foot setback from property and section line.

### Legend

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



0 155 310 620 930 US Feet

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# MAP 03: ELEVATIONS



## BOARD OF ADJUSTMENT

Public Hearing  
April 27th, 2026

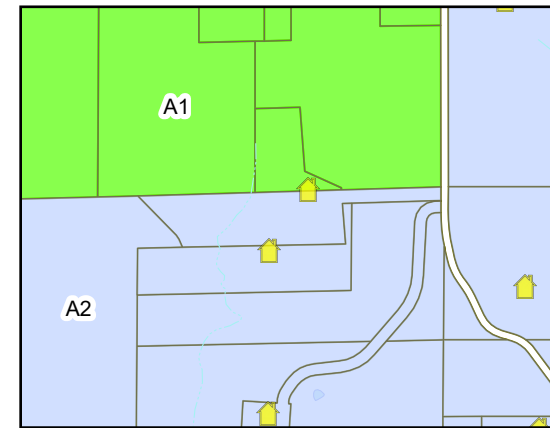
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A-1 Zoned District.

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TWP 113, Range 16 in Welch Township.

Request for a Variance to allow the  
construction of an accessory building to be  
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property and section line.

### 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	



0 40 80 160 240 US Feet

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# MAP 01: PROPERTY OVERVIEW

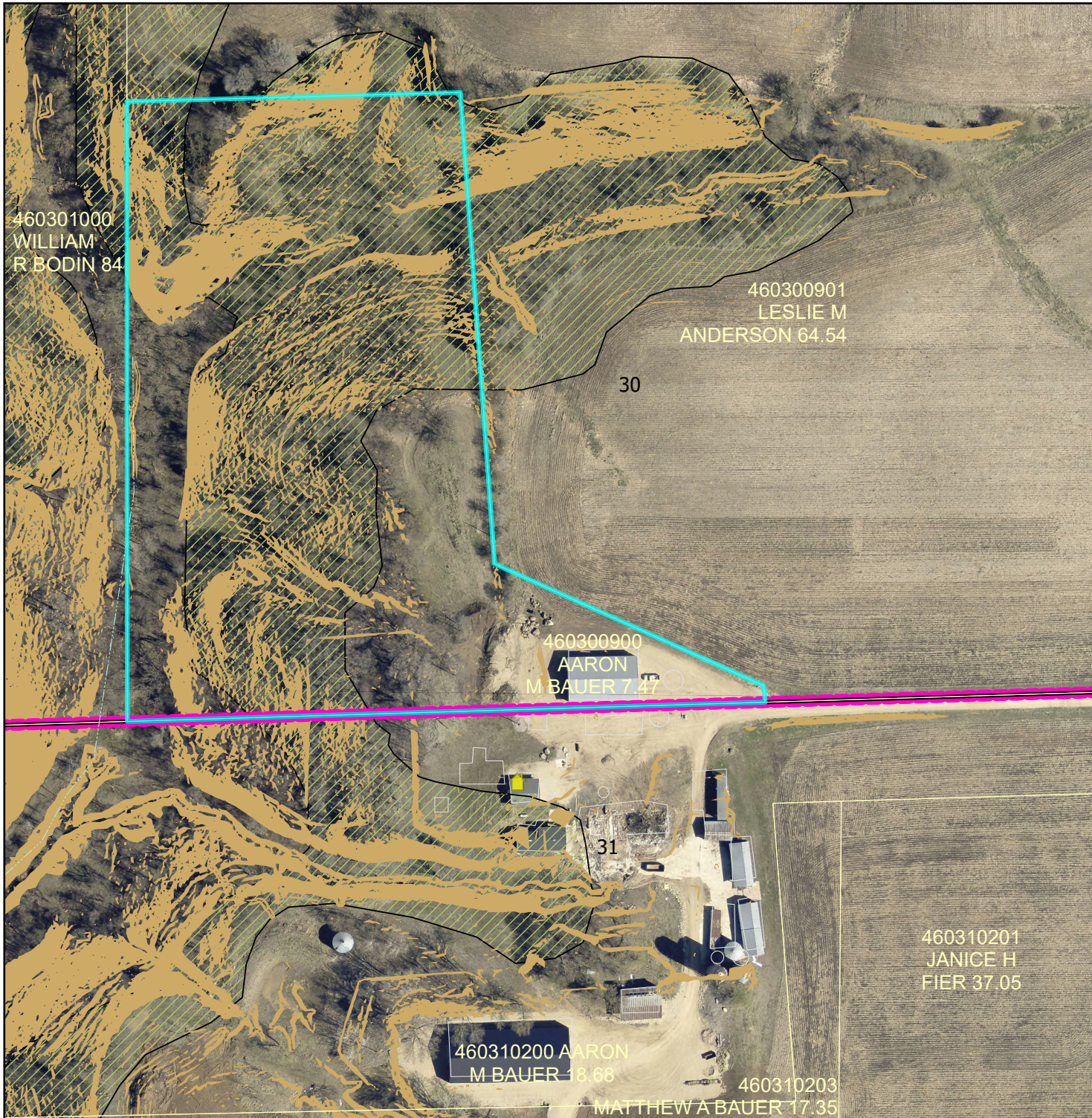
## BOARD OF ADJUSTMENT

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April 27th, 2026

Aaron Bauer (Owner)  
A-1 Zoned District.

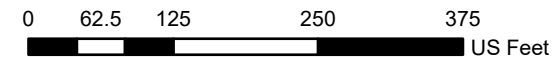
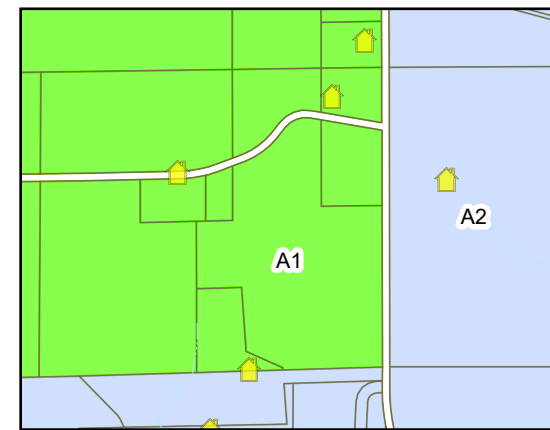
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Request for a Variance to allow the construction of an accessory building to be less than the required 30-foot setback from property and section line.



### Legend

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



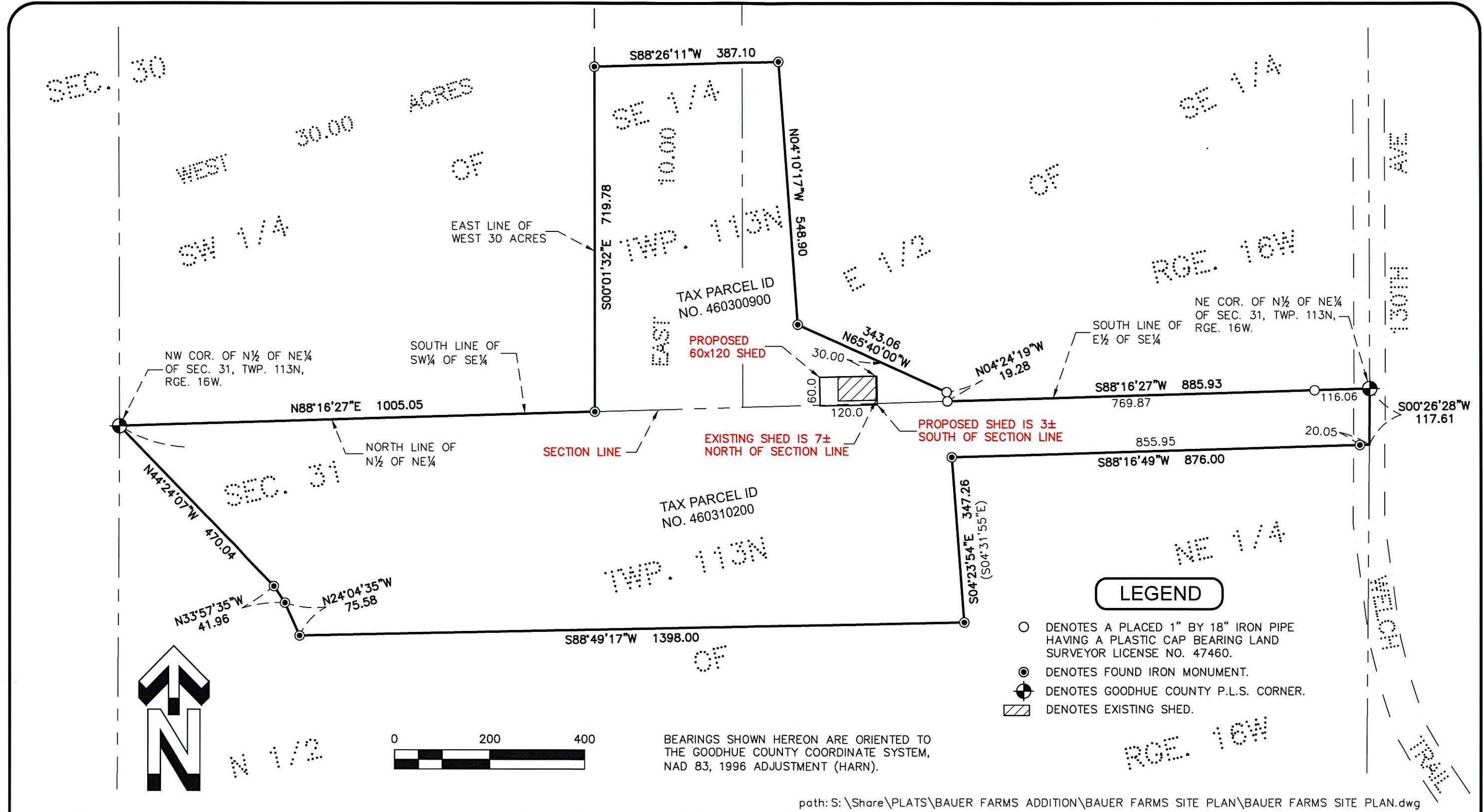
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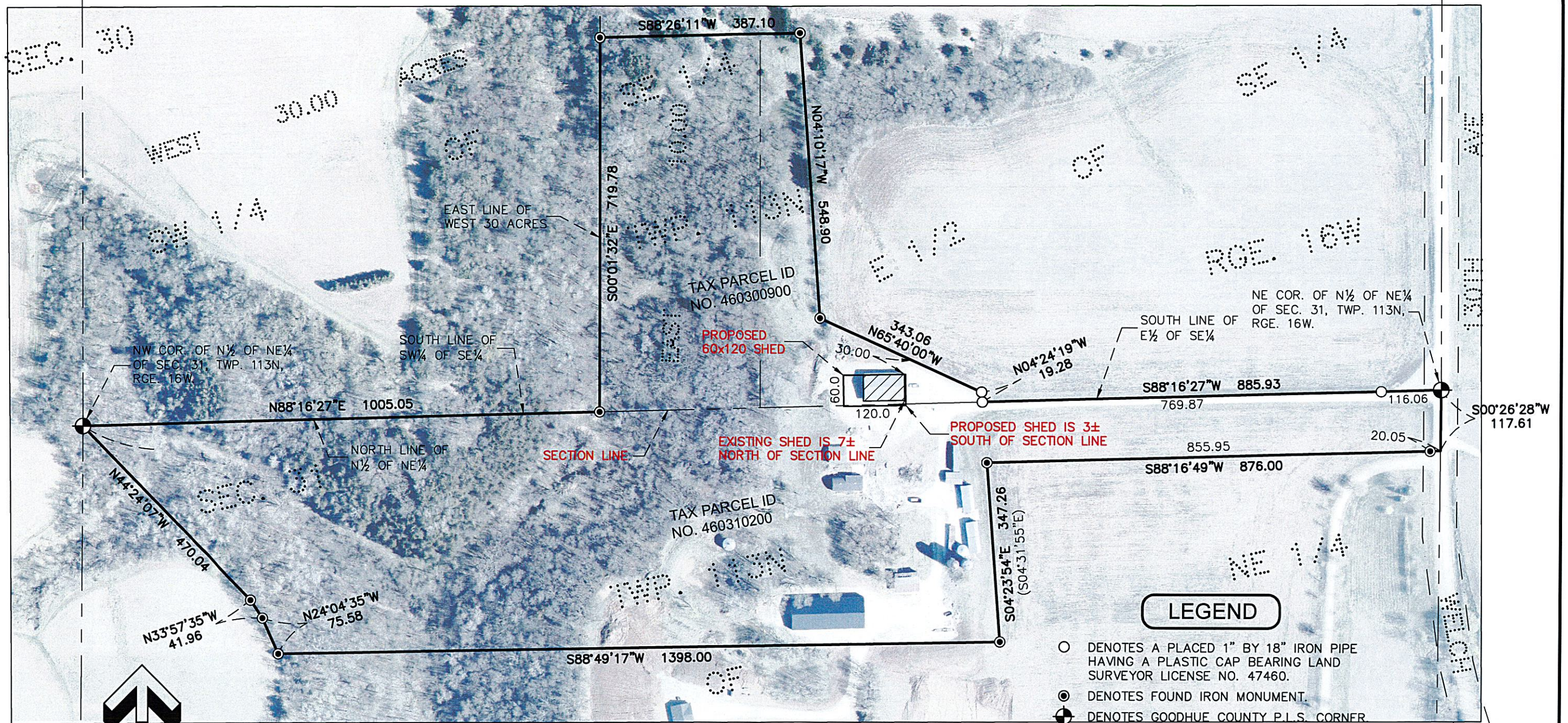


**JOHNSON & SCOFIELD INC.**  
**LAND SURVEYING**  
 1203 MAIN STREET, RED WING, MN 55066  
 (651) 388-1558

SITE PLAN SKETCH FOR:  
**AARON BAUER**

Date: April 6th, 2026

W.O.# N/A  
 DRAWING NUMBER S-12550  
 SHEET 1 OF 1 SHEETS



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

- LEGEND**
- DENOTES A PLACED 1" BY 18" IRON PIPE HAVING A PLASTIC CAP BEARING LAND SURVEYOR LICENSE NO. 47460.
  - ⊙ DENOTES FOUND IRON MONUMENT.
  - ⊕ DENOTES GOODHUE COUNTY P.L.S. CORNER.
  - ▨ DENOTES EXISTING SHED.

path: S:\Share\PLATS\BAUER FARMS ADDITION\BAUER FARMS SITE PLAN\BAUER FARMS SITE PLAN.dwg

**JOHNSON & SCOFIELD INC.**  
**LAND SURVEYING**  
 1203 MAIN STREET, RED WING, MN 55066  
 (651) 388-1558

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SHEET 1 OF 1 SHEETS