

To: Board of Adjustment
From: Land Use Management
Meeting Date: April 27th, 2026
Report date: April 17th, 2026

PUBLIC HEARING: Request for Variance to Confined Feedlot Setback Standards

Request for Variance, submitted by Bryan Billman (Applicant) on behalf of Billman Brothers LLC (Owner) to allow the construction of a swine barn to be less than the required 1,000-foot setback from a neighboring dwelling.

Application Information:

Applicant: Bryan Billman (Applicant)
Address of zoning request: 15260 460th Street, Zumbrota MN, 55992
Parcel 40.003.0501
Abbreviated Legal Description: N907.50FT of NE1/4 of NW1/4 Section 3, Township 109, Range 16
Township Information: Roscoe Township: The Township signed off on the variance application with no additional comments.
Zoning District: A-1 (Agricultural Protection)

Attachments and Links:

Application and submitted project summary
Site Plan and Maps
Manure management plan
Goodhue County Zoning Ordinance (GCZO):
https://goodhuecountymn.gov/files/county_ordinances/zoning_ordinance.pdf

Background:

The Billman Brothers are expanding their herd and want to build a second swine barn on the property that will be 102 feet by 200 feet. The proposed location will be south of the existing barn. Which will put it about 770 feet from the residence of Kent Billman.

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:

- Article 13, Section 7. States that new construction on existing feedlots shall meet a 91% odor annoyance free rating distance, as determined by the OFFSET odor evaluation model, to a dwelling (other than those designated as an accessory to a feedlot or the feedlot operators dwelling).
- The property is approximately 10 acres. This meets the minimum lot size of 2 acres for the A-1 zoning district.
- The proposed project is to construct a new swine barn 100ft south of the existing barn. The barn will be 100ft or more from the side and rear yard property lines. This meets or exceeds the required setbacks from property lines.
- The barns proposed location meets the required 99% odor annoyance free rating distance from the City of Zumbrota as determined by the OFFSET odor evaluation model.
- The Applicant’s variance request is harmonious with the purpose and intent of the official controls.

2) The variance request is consistent with the adopted Comprehensive Plan:

- The Comprehensive Plan prioritizes agricultural land uses over dwellings to protect farmland and decrease conflict between residential and agricultural uses. The Comprehensive Plan emphasizes informing rural residents that they can expect agricultural activities within the vicinity of their homes. The request appears consistent with the adopted 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 swing barn is a reasonable use of property in the A-1 Zoning District.
- There are some “limiting factors” in complying with the official control. A dwelling to the north would restrict the barn's placement north of the existing barn. The narrow shape of the parcel limits placement on the east or west sides of the existing barn. The dwelling to the south is 770 feet from the proposed location. Which is less than required 1,000 feet or 91% odor free rating, but is owned by Kent Billman. One of the owners of Billman Brothers LLC.
- The surrounding property is zoned A-1. Land uses are primarily agricultural with low-density residential development.
- The Applicant’s request for a variance 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.

- New construction on feedlots are a permitted use in the A-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 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 variance, submitted by Bryan Billman (Applicant) on behalf of Billman Brothers LLC (Owner) to allow the construction of a swine barn to be 770 feet setback from a neighboring dwelling.



Variance

RECEIVED
 MAR 23 2026
 By land use

| For Staff Use Only | |
|--------------------|---|
| Permit # | <u>Z 26-00</u> |
| \$ 450 Receipt # | <u>18865</u> DATE: <u>3/23/26</u> <i>ML</i> |

| | | | | |
|---|-----------------|----------------------|-----------------|---------------------------------------|
| SITE ADDRESS, CITY, AND STATE | | | | ZIP CODE: |
| <u>15260 460th St Zumbrota, MN</u> | | | | <u>55992</u> |
| LEGAL DESCRIPTION: | | | | |
| Attached <input type="checkbox"/> | | | | |
| PID# | ZONING DISTRICT | LOT AREA (SF/ACRES): | LOT DIMENSIONS: | STRUCTURE DIMENSIONS (if applicable): |
| <u>40-003-0501</u> | | <u>10 acres</u> | | <u>102' x 200'</u> |

| | |
|--|------------|
| APPLICANT OR AUTHORIZED AGENT'S NAME | |
| <u>Billman Brothers LLC</u> | |
| APPLICANT'S ADDRESS: | TELEPHONE: |
| <u>13358 460th St Wanamingo, MN 55983</u> | |
| | EMAIL: |
| | |

| | |
|---|------------|
| PROPERTY OWNER'S NAME: | |
| Same as Above <input type="checkbox"/> | |
| PROPERTY OWNER'S ADDRESS: | TELEPHONE: |
| <u>Kent Billman 47174 170th Ave Zumbrota, MN 55992</u> | |
| | EMAIL: |
| | |

| | |
|--|------------|
| CONTACT FOR PROJECT INFORMATION: | |
| Same as Above <input checked="" type="checkbox"/> | |
| ADDRESS: | TELEPHONE: |
| <u>Bryan Billman 13358 460th St Wanamingo, MN 55983</u> | |
| | 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 <u>Feedlot</u> | CURRENT OR PREVIOUS USE: |
| | PROPOSED USE: |
| | 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 |
| <u>Patrick Morgan</u> | <u>Patrick Morgan Chairman</u> | <u>2-17-2026</u> |

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: 3/23/26

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:

Currently have a variance from existing feedlot. Would like to expand said feedlot.

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

No permit for feedlot expansion

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:

None

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

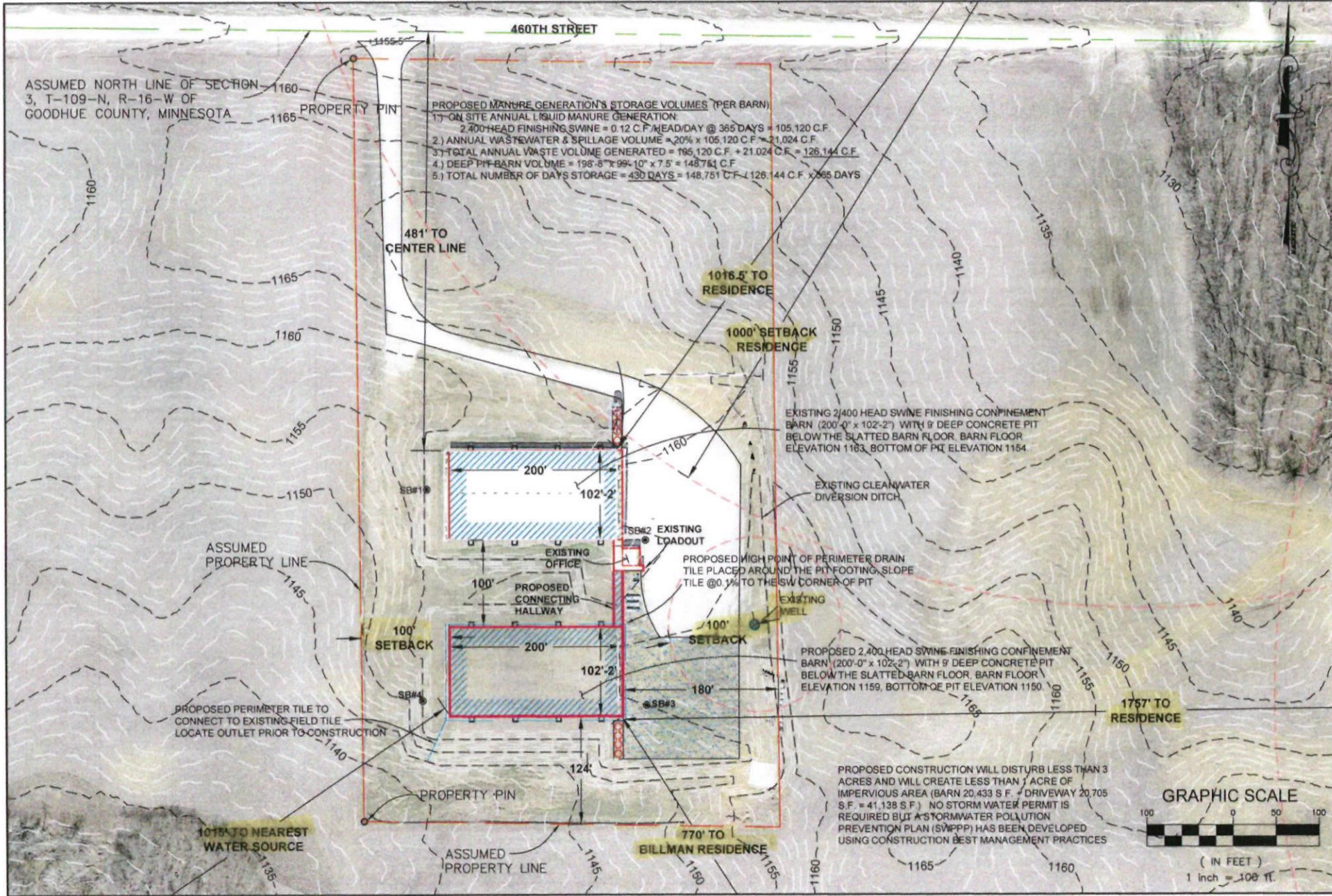
None

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

None

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

There is already an existing feedlot



PROPOSED MANURE GENERATION'S STORAGE VOLUMES (PER BARN)

- 1) ON SITE ANNUAL LIQUID MANURE GENERATION:
2,400 HEAD FINISHING SWINE = 0.12 C.F./HEAD/DAY @ 365 DAYS = 105,120 C.F.
- 2) ANNUAL WASTE WATER & SPILLAGE VOLUME = 20% x 105,120 C.F. = 21,024 C.F.
- 3) TOTAL ANNUAL WASTE VOLUME GENERATED = 105,120 C.F. + 21,024 C.F. = 126,144 C.F.
- 4) DEEP PIT BARN VOLUME = 198'-8" x 99'-10" x 7'-5" = 148,761 C.F.
- 5) TOTAL NUMBER OF DAYS STORAGE = 430 DAYS = 148,761 C.F. / 126,144 C.F. x 365 DAYS

PROPOSED CONSTRUCTION WILL DISTURB LESS THAN 3 ACRES AND WILL CREATE LESS THAN 1 ACRE OF IMPERVIOUS AREA (BARN 20,433 S.F. + DRIVEWAY 20,705 S.F. = 41,138 S.F.) NO STORM WATER PERMIT IS REQUIRED BUT A STORMWATER POLLUTION PREVENTION PLAN (SWPPP) HAS BEEN DEVELOPED USING CONSTRUCTION BEST MANAGEMENT PRACTICES



| | |
|--|---------|
| SHEET | 2/7 |
| Project No. | 19-112 |
| Checked By | N.J.R. |
| Date | 2/21/24 |
| Drawn | D.D.A. |
| BILLMAN BROTHERS PROPOSED SWINE CONFINEMENT BARN NW 1/4, SECTION 3, T109N, R16W GOODHUE COUNTY, MINNESOTA | |
| ProAg Engineering, Inc. 77402 U.S. Highway 71, P.O. Box 181 Jackson, MN 56143 (507) 849-7200 | |

Odors From Feedlots Setback Estimation Tool

OFFSET Ver 2.0
 University of Minnesota
 1/21/2017

| | |
|-------------------|------------------|
| Farm Name | Billman Brothers |
| Address or County | Goodhue County |
| Evaluator | K. Petit |
| Date | 1/15/2026 |

Clear All

OFFSET
 Annoyance-free
 88%

| | |
|--------------------------------------|-----|
| Source Edge to Nearest Neighbor (ft) | 770 |
| Source Edge to Property Line (ft) | 100 |

Building Sources

| Building Type | Width (ft) | Length (ft) | # of Similar Sources | Total Area (sqft) | Control Technology | % air treated |
|----------------------------|------------|-------------|----------------------|-------------------|--------------------|---------------|
| Swine Finishing - deep pit | 102 | 200 | 1 | 20400 | None | |
| None | | | | 0 | None | |
| None | | | | 0 | None | |
| None | | | | 0 | None | |
| None | | | | 0 | None | |
| None | | | | 0 | None | |
| None | | | | 0 | Biofilter | |

AREA SOURCES

| Source Description | Shape | Width (ft) (or Dia) | Length (ft) | Area (sqft) | Control Technology |
|------------------------|-----------|---------------------|-------------|-------------|--------------------|
| Steel or concrete tank | Rectangle | 102 | 200 | 20400 | None |
| None | Rectangle | | | 0 | None |
| None | Rectangle | | | 0 | None |
| None | Rectangle | | | 0 | None |
| None | Rectangle | | | 0 | None |
| None | Rectangle | | | 0 | None |
| None | Rectangle | | | 0 | None |

| Building Sources | |
|---------------------------------|--|
| Add Source Type | |
| Name of Source | |
| Odor Flux (ou/s/m2) | |
| H2S Flux (ug/s/m2) | |
| NH3 Flux (ug/s/m2) | |
| Documentation | |
| Add a Control Technology | |
| Name of technology | |
| Odor reduction (%) | |
| H2S reduction (%) | |
| NH3 Reduction (%) | |
| Documentation | |

| Area Sources | |
|-------------------------------|--|
| Add a Source Type | |
| Name of Source | |
| Odor Flux (ou/s/m2) | |
| H2S Flux (ug/s/m2) | |
| NH3 Flux (ug/s/m2) | |
| Documentation | |
| Add Control Technology | |
| Name of technology | |
| Odor reduction (%) | |
| H2S reduction (%) | |
| NH3 Reduction (%) | |
| Documentation | |

Odors From Feedlots Setback Estimation Tool

OFFSET Ver 2.0
 University of Minnesota
 1/21/2017

| | |
|-------------------|-----------------------------|
| Farm Name | Billman Brothers Cty of ZTA |
| Address or County | Goodhue County |
| Evaluator | K. Petit |
| Date | 1/15/2026 |

Clear All

OFFSET
 Annoyance-free
 99%

| | |
|--------------------------------------|------|
| Source Edge to Nearest Neighbor (ft) | 6282 |
| Source Edge to Property Line (ft) | 100 |

Building Sources

| Building Type | Width (ft) | Length (ft) | # of Similar Sources | Total Area (sqft) | Control Technology | % air treated |
|----------------------------|------------|-------------|----------------------|-------------------|--------------------|---------------|
| Swine Finishing - deep pit | 102 | 200 | 1 | 20400 | None | |
| None | | | | 0 | None | |
| None | | | | 0 | None | |
| None | | | | 0 | None | |
| None | | | | 0 | None | |
| None | | | | 0 | None | |
| None | | | | 0 | Biofilter | |

AREA SOURCES

| Source Description | Shape | Width (ft) (or Dia) | Length (ft) | Area (sqft) | Control Technology |
|------------------------|-----------|---------------------|-------------|-------------|--------------------|
| Steel or concrete tank | Rectangle | 102 | 200 | 20400 | None |
| None | Rectangle | | | 0 | None |
| None | Rectangle | | | 0 | None |
| None | Rectangle | | | 0 | None |
| None | Rectangle | | | 0 | None |
| None | Rectangle | | | 0 | None |
| None | Rectangle | | | 0 | None |

| Building Sources | |
|---------------------------------|--|
| Add Source Type | |
| Name of Source | |
| Odor Flux (ou/s/m2) | |
| H2S Flux (ug/s/m2) | |
| NH3 Flux (ug/s/m2) | |
| Documentation | |
| Add a Control Technology | |
| Name of technology | |
| Odor reduction (%) | |
| H2S reduction (%) | |
| NH3 Reduction (%) | |
| Documentation | |

| Area Sources | |
|-------------------------------|--|
| Add a Source Type | |
| Name of Source | |
| Odor Flux (ou/s/m2) | |
| H2S Flux (ug/s/m2) | |
| NH3 Flux (ug/s/m2) | |
| Documentation | |
| Add Control Technology | |
| Name of technology | |
| Odor reduction (%) | |
| H2S reduction (%) | |
| NH3 Reduction (%) | |
| Documentation | |

PUBLIC NOTICE: NEIGHBORHOOD MAILING MAP

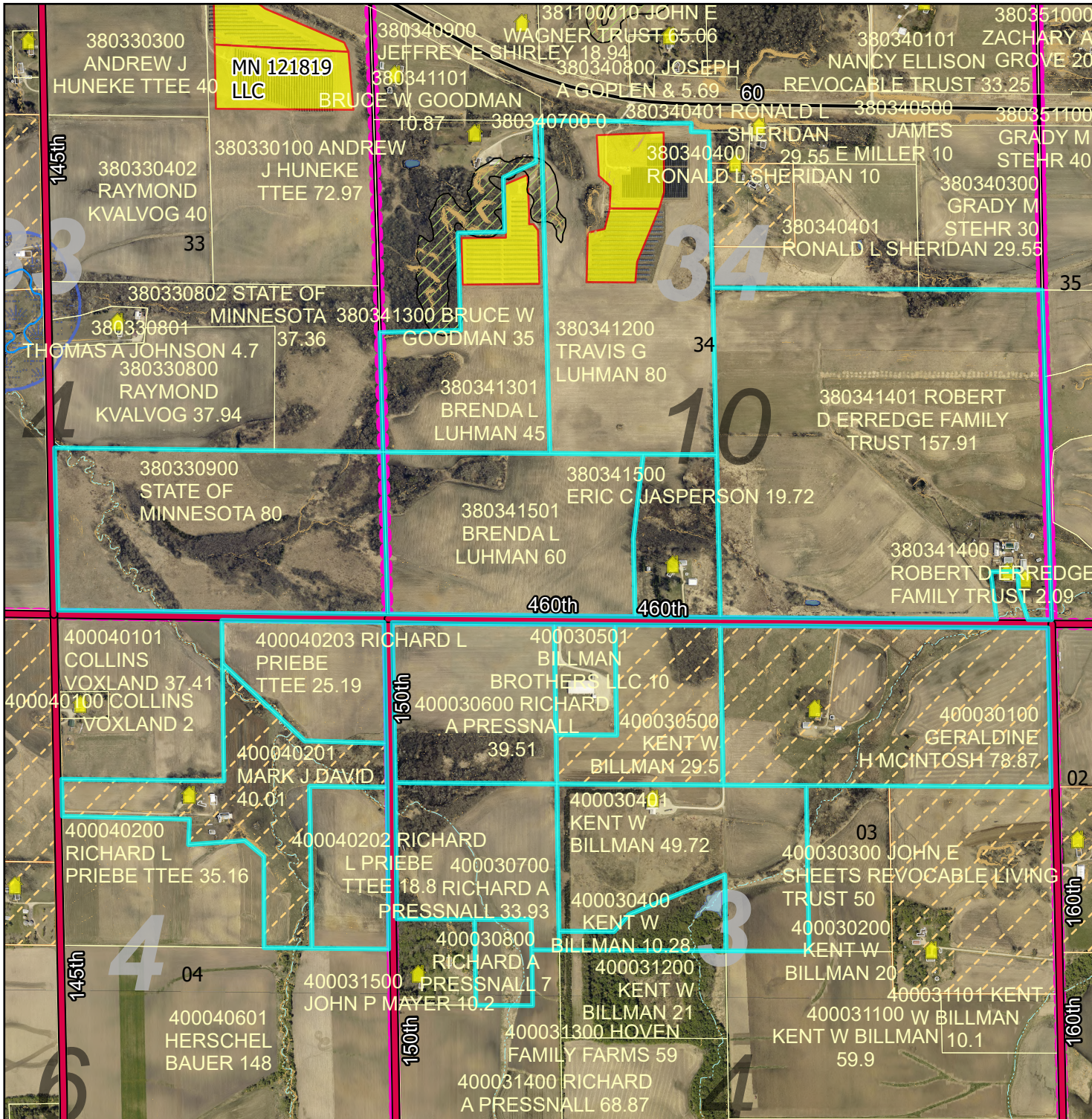
BOARD OF ADJUSTMENT

Public Hearing
April 27th, 2026

Bryan Billman (Applicant) on behalf of
Billman Brothers LLC (Owner)
A-1 Zoned District.

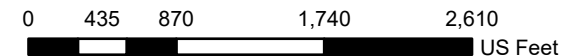
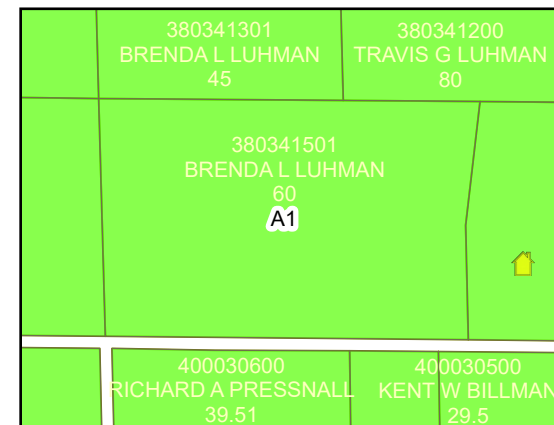
N907.50FT of NE1/4 of NW1/4
Section 3, Township 109, Range 16.
Roscoe Township.

Request for variance to allow construction
of a swing barn to be less than the
required 1,000-foot setback from a
neighboring dwelling.



Legend

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



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MAP 02: VICINITY MAP



BOARD OF ADJUSTMENT

Public Hearing
April 27th, 2026

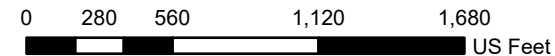
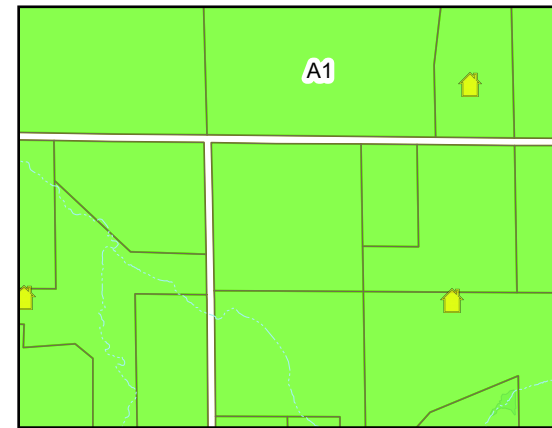
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Legend

| | | | |
|--|----------------------------|--|------------------------------|
| | 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 03: ELEVATIONS

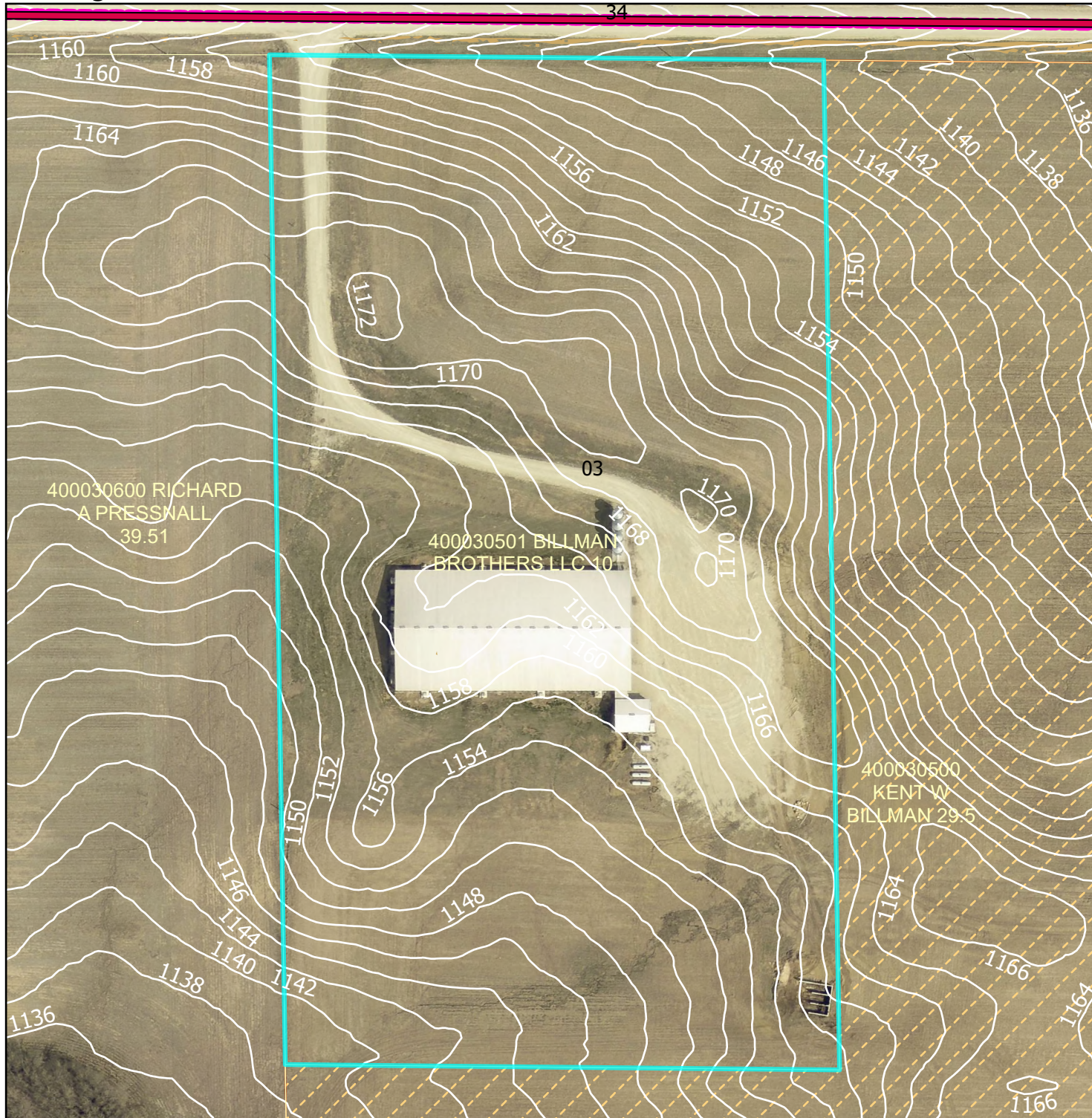
BOARD OF ADJUSTMENT

Public Hearing
April 27th, 2026

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A-1 Zoned District.

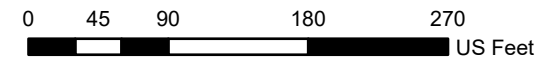
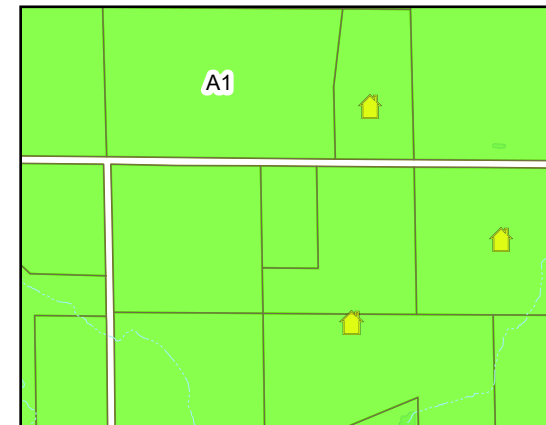
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required 1,000-foot setback from a
neighboring dwelling.



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 |

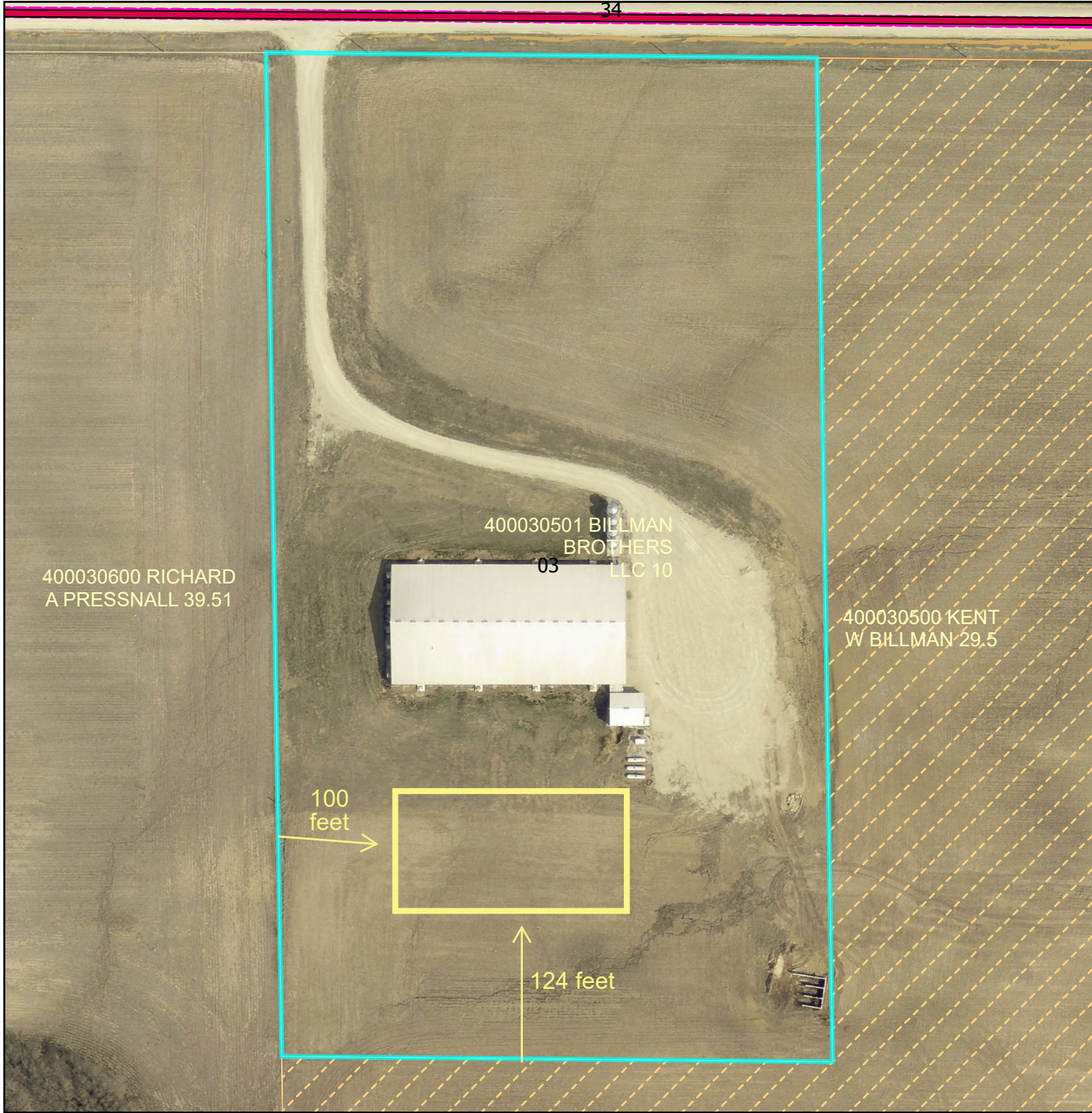


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MAP 01: PROPERTY OVERVIEW



BOARD OF ADJUSTMENT

Public Hearing
April 27th, 2026

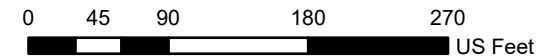
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| Intermittent Streams | Bluff Impact Zones (% slope) |
| Protected Streams | 20 |
| Lakes & Other Water Bodies | 30 |
| Shoreland | FEMA Flood Zones |
| Historic Districts | 2% Annual Chance |
| Parcels | A |
| Registered Feedlots | AE |
| Dwellings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



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