

To: Board of Adjustment
From: Land Use Management
Meeting Date: June 22nd, 2026
Report Date: June 12th, 2026

Agenda Item:

Request for Variance, submitted by Jeffrey Taube (Applicant/Owner) for the construction of an accessory dwelling unit that is proposed to be greater than the maximum 100-foot setback from the primary dwelling.

Application Information:

<u>Applicant</u>	Jeffrey Taube
<u>Address of zoning request</u>	4599 345 th Street Way, Cannon Falls MN, 55009
<u>Parcel</u>	45.002.0201
<u>Abbreviated Legal Description</u>	Part of the SW1/4 of the NE1/4 Section 02 Township 111 Range 18
<u>Township Information</u>	Warsaw Township
<u>Zoning District</u>	A-2 (Agricultural District)

Attachments and Links:

Application and submitted project summary

Site Map

Goodhue County Zoning Ordinance: [zoning_ordinance.pdf \(goodhuecountymn.gov\)](http://goodhuecountymn.gov/zoning_ordinance.pdf)

Background:

Jeffrey Taube is proposing to construct an Accessory Dwelling Unit that will be 220 feet from the primary dwelling. Originally, they had planned on replacing the existing dwelling but changed their plan when they learned that ADU’s were an option. The plan is to demolish the existing accessory building and construct the ADU in its place. Part of their overall project, they were required to resurvey their parcel (which has been approved) to include all accessory buildings with the primary dwelling.

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 that “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:

The purpose and intent of the maximum distance an Accessory Dwelling Unit can be from the primary dwelling (not more than 100 feet) as cited in Article 11 Section 31 is to prevent the splitting of tax parcels, thus increasing the dwelling density of the section. The property consists of one parcel containing approximately 16 acres. The minimum lot size in the A-2 District is 2 acres. The ADU is proposed to be 220 feet from the primary dwelling. The ADU will not have any negative effect on the surrounding properties. The Applicant's proposal 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 individual use of rural property in the unincorporated areas of Goodhue County. The Applicant's Accessory Dwelling Unit request 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 for an accessory dwelling unit is a reasonable use of property in the A-2 District. Jeffrey mentioned that a seven percent grade between the existing dwelling and the proposed ADU location would require substantial excavation as the practical difficulty. A review of the existing development pattern in the vicinity reveals low-density residential development among predominantly agricultural uses. The request for 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.

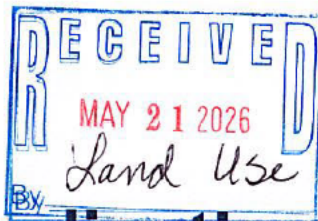
Accessory Dwelling Units are permissible in the A-2 district. This does not constitute a use variance.

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 submitted by Jeffrey Taube (Applicant/Owner) for the construction of an accessory dwelling unit to be 220 feet from the primary dwelling.



Variance Application

For Staff Use Only	
Permit #	Z 26-0055
\$450 Receipt #	18932 DATE: 5/21/26

SITE ADDRESS, CITY, AND STATE 4599 345th St. way Cannon Falls, MN 55009		ZIP CODE 55009
--	--	-------------------

LEGAL DESCRIPTION:				Attached <input type="checkbox"/>
PID#: 45.002.0201	ZONING DISTRICT U2	LOT AREA (SF/ACRES): 80	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable): 98' x 54'

APPLICANT OR AUTHORIZED AGENT'S NAME Jeffrey Taube	
APPLICANT'S ADDRESS: 4599 345th St. way Cannon Falls, MN 55009	TELEPHONE: 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:

VARIANCE REQUESTED TO: (check all that apply) <input type="checkbox"/> Property Line Setbacks <input type="checkbox"/> % Lot Coverage <input type="checkbox"/> Height Limits <input type="checkbox"/> Shoreland or Bluff Setbacks <input type="checkbox"/> Lot Width &/or Area <input checked="" type="checkbox"/> Other (specify) <input type="checkbox"/> Subdivision Regulations ADU Setback	CURRENT OR PREVIOUS USE: None
	PROPOSED USE: ADU Setback
	BUILDING APPLICATION PERMIT NO.: (if filed) 26-0161

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 checked="" type="checkbox"/>
TOWNSHIP OFFICIAL'S SIGNATURE	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE	DATE	

By signing below, the applicant acknowledges they are the owner or authorized agent of the owner of this property, and the information presented is true and correct to the best of my knowledge.

Applicant's Signature: Jeffrey Taube Date: 5-19-26

REQUEST SUMMARY

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

Article: _____ Section: _____ Title: _____

Article: _____ Section: _____ Title: _____

The property owner bears the burden of providing information to convince the Board to rule in their favor. Please provide answers to the following questions or attach a document.

Discuss your current use of the property and the reason for your variance request:

Existing Farm house occupied by my parents. Requesting to build replacement home approximately 220 ft East of Farm House

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

New home would need to be built on a 7% slope that would require more dirt work to allow proper drainage than placing it on already flat ground with positive drainage already established.

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:

contour of land limits building a handi cap ~~style~~ style slab on grade home. to do so would require building retaining walls on East and west side of home to divert rain water away from building

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

Looked into walkout or lookout home. I dig homes for a living. Pushing home approximately 220' East would place home on land that is already flat. major cost savings in amount of excavation needed.

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

See attached

Goodhue County board members,

I am writing to request a variance for the placement of a replacement home on our family farm property. Specifically, I am requesting approval to place the proposed home approximately 220 feet east of the existing farmhouse rather than within the standard 100-foot replacement home-distance requirement.

My father, Jerry Taube of Taube Septic & Excavating, and I have spent considerable time evaluating possible locations for the new home. I am also in the excavation business and primarily work on residential housing excavations, so we carefully reviewed several potential building options south of the large shop where the home could potentially fit within the 100-foot requirement.

The area south of the shop has an approximate 7% grade change. We explored multiple housing designs and layouts in an effort to make that location work, including:

- Lookout-style homes
- Walkout-style homes
- Homes with dropped garages
- Various foundation and grading configurations

While some of these options may technically be possible, they are not practical for our intended home design and would create significant site challenges.

My wife and I are planning to build a slab-on-grade home with zero-entry access that is fully handicap accessible. Constructing this type of home within the 100-foot area would require substantial excavation on both sides of the structure, along with large retaining walls to properly direct drainage around the home and provide adequate frost protection on the downslope side. The amount of earth moving necessary would greatly increase the project's complexity, cost, and long-term maintenance concerns.

The proposed location approximately 220 feet east of the existing farmhouse is much more suitable because the land naturally flattens in that area. This location would:

- Require significantly less excavation and grading
- Allow proper drainage around the slab-on-grade home
- Reduce the need for retaining walls and excessive site disturbance
- Better accommodate the accessibility needs of the home design
- Allow easier placement of the preapproved septic system located west of the proposed home site

If the variance is denied and the home must be constructed within the 100-foot requirement, it would force us into a location that is substantially less practical and would require excessive excavation, retaining walls, and additional site modification to make the project feasible. It would also negatively impact on our ability to construct the accessible slab-on-grade home that best fits our family's long-term needs.

We respectfully request consideration and approval of this variance based on the site conditions, accessibility considerations, reduced environmental disturbance, and overall practicality of the proposed location.

Thank you for your time and consideration.

 Jeff Taube

5-19-26

 Elizabeth Taube

TOWNSHIP ZONING APPLICATION

TOWNSHIP NAME Warsaw

Goodhue County

Parcel # ~~RP52.540.0450~~
45.002.0201

APPLICANT INFORMATION			
Last Name	<u>Taube</u>	First	<u>Jeffrey</u>
		M.I.	<u>G</u>
Street Address	<u>4599 345th St Way</u>		Phone
City	<u>Cannon Falls</u>	State	<u>MN</u>
		ZIP	<u>55009</u>
Email Address			
Township	<u>111</u>	Range	<u>018</u>
		Section	<u>2</u>
PROJECT INFORMATION			
Site Address <u>4599 345th St Way Cannon Falls, MN 55009</u>			
Property Owner: <u>Jeffrey and Elise Taube</u>			
Type of Project	<u>Replacement home</u>	Proposed Use	<u>Family Residence</u>
Structure Type	<u>residential home</u>	Replacement	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Variance #	_____ Conditional Use Permit # _____		
Zoning District:	Lot size <u>80 acres</u>	Structure dimensions <u>98 x 54</u>	
DISCLAIMER AND SIGNATURE			
<p><i>I hereby apply for a zoning permit and I acknowledge that the information above is complete and accurate, that the work will be in conformance with the ordinances and codes of Goodhue County. The applicant also understands by signing this application he / she could be held responsible as representative of this project for any violation of compliance with all applicable laws and ordinances of Goodhue County. This permit may be suspended or revoked if the permit has been issued in error or on the basis of incorrect information supplied or in violation of any ordinance or regulation of Goodhue County. All provisions of law and ordinances governing this type of work will be complied with whether specified herein or not</i></p>			
Signature <u>[Signature]</u>		Date <u>5-11-26</u>	
TOWNSHIP APPROVALS			
<p><i>I hereby certify by signing that I am authorized to act on the behalf of the Township Board, and the structure and use will meet all Township Codes and Ordinances if constructed as indicated.</i></p>			
Signature <u>[Signature]</u>		Title <u>Supervisor</u>	Date <u>5/11/26</u>
Signature <u>[Signature]</u>		Title <u>CLUP</u>	Date <u>5/11/24</u>
Application fee _____		Receipt Number _____	Expiration Date _____

The granting of this permit does not exempt the permittee from having to secure other permits from other Local (Goodhue County), State, or Federal units of government which may have jurisdiction over portions of the authorized project.

1 of 3 (1)

GENERAL PROVISIONS

1. No changes in plans or specifications can be made to the work authorized herein unless such change is first approved in writing by the permitting authority.
2. Permittee shall grant access to the site at all reasonable times so that the permitting authority or its agent(s) may conduct inspections to verify compliance with the terms and conditions of this permit.
3. The construction site shall be kept reasonably free of debris at all times so as to not create a public nuisance.
4. Permittee shall install appropriate erosion control measures to prevent erosion from the project site onto adjacent parcels of land, public waters, public roads, ditches, etc. Permittee shall cease all construction activities until any such problem is corrected as verified by the permitting authority.

1. See attached **Township Conditions** agreement

2. _____

3. _____

Jeffrey and Elise Taube
4599 345th St Way
Cannon Falls, MN 55009
5/11/2026

Dear Township Board Members,

I am writing to formally request approval to construct a replacement residential dwelling on my property located at 4599 345th St Way Cannon Falls, MN.

The purpose of this request is to allow me to live on the property while continuing to care for my parents, who currently reside in the existing home. As they age, it is important for me to remain close by to assist with daily care, health needs, and general support, while still maintaining appropriate and comfortable living arrangements for both households.

At this time, my parents will continue to reside in the existing residence, and the proposed new home would be occupied by me. This arrangement would allow me to provide ongoing care while preserving their independence.

I understand that the construction of a second dwelling may require special approval, such as a conditional use permit, variance, or consideration as a hardship dwelling. I am fully willing to comply with all township zoning ordinances, permitting requirements, and any conditions the Township may impose. We will be approximately 220 feet from the existing home. Location was chosen due to topography and surface drainage. We will be removing the old residence within one year of there passing.

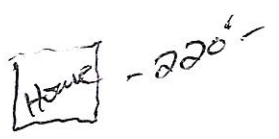
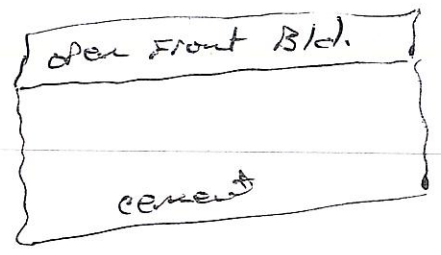
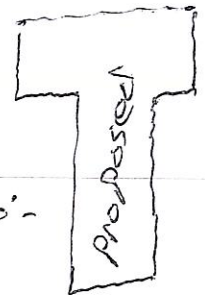
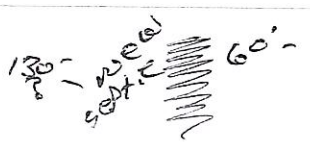
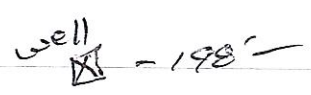
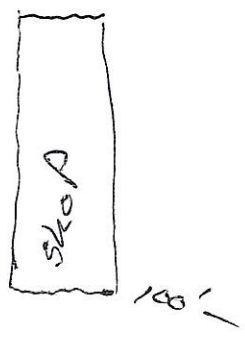
I respectfully ask for your consideration of this request and guidance on the appropriate next steps in the approval process. Please let me know if additional documentation, site plans, or applications are required. Superior 5

Thank you for your time and consideration.

Jeff Taube 5-11-26
Elise Taube

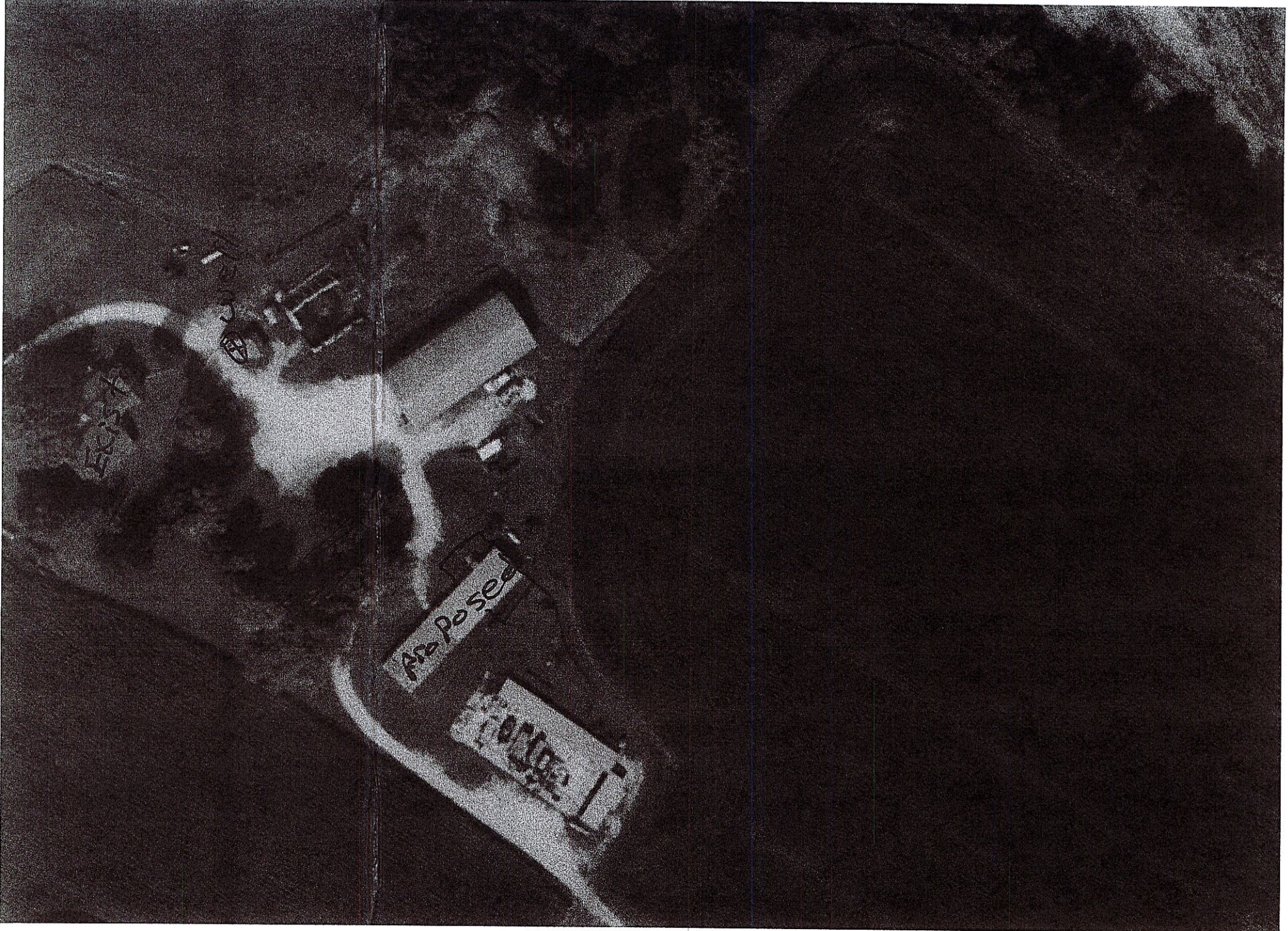
Jim Eld
Jim Eld
Jim Eld 3 of 3

↑ North

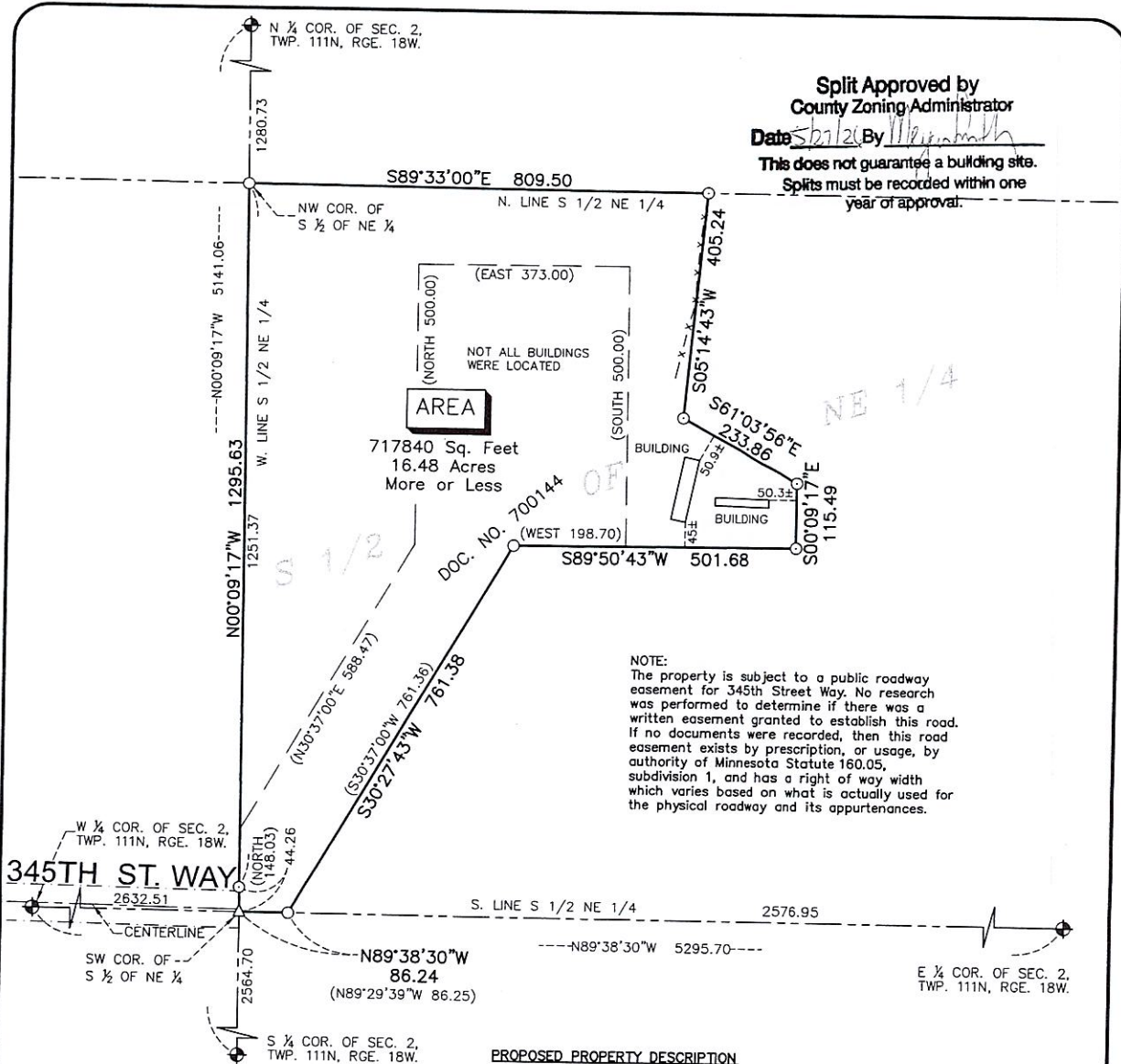


N No. 12

REDACTED



Split Approved by
 County Zoning Administrator
 Date 5/12/26 By [Signature]
 This does not guarantee a building site.
 Splits must be recorded within one
 year of approval.



NOTE:
 The property is subject to a public roadway
 easement for 345th Street Way. No research
 was performed to determine if there was a
 written easement granted to establish this road.
 If no documents were recorded, then this road
 easement exists by prescription, or usage, by
 authority of Minnesota Statute 160.05,
 subdivision 1, and has a right of way width
 which varies based on what is actually used for
 the physical roadway and its appurtenances.

PROPOSED PROPERTY DESCRIPTION

That part of the South Half of the Northeast Quarter of Section 2, Township 111 North, Range 18 West, Goodhue County, Minnesota, described as follows:

Beginning at the southwest corner of the South Half of the Northeast Quarter of said Section 2; thence on an assumed bearing of North 00 degrees 09 minutes 17 seconds West, along the west line of said South Half of the Northeast Quarter, a distance of 1295.63 feet to the northwest corner of said South Half of the Northeast Quarter; thence South 89 degrees 33 minutes 00 seconds East, a distance of 809.50 feet; thence South 05 degrees 14 minutes 43 seconds East, along the north line of said South Half of the Northeast Quarter, a distance of 405.24 feet; thence South 61 degrees 03 minutes 56 seconds East, a distance of 233.86 feet; thence South 00 degrees 09 minutes 17 seconds East, a distance of 115.49 feet to the easterly extension of the southerly line of the Taube property described in Document Number 700144; thence South 89 degrees 50 minutes 43 seconds West, along said easterly extension and along the southerly line of said Taube property, a distance of 501.68 feet to an angle point in the southerly line of said Taube property; thence South 30 degrees 27 minutes 43 seconds West, along the southerly line of said Taube property, a distance of 761.38 feet to an angle point in the southerly line of said Taube property, being on the south line of said South Half of the Northeast Quarter; thence North 89 degrees 38 minutes 30 seconds West, along the south line of said South Half of the Northeast Quarter, a distance of 86.24 feet to the point of beginning.

Subject to a roadway easement over and across that part taken by 345th Street Way, and subject to all other easements and restrictions of record.

LEGEND

- DENOTES A PLACED 1" BY 18" IRON PIPE HAVING A PLASTIC CAP BEARING LAND SURVEYOR LICENSE NO. 47460.
- △ DENOTES A PLACED PK NAIL.
- ⊙ DENOTES FOUND COUNTY MONUMENT.
- ⊕ DENOTES FOUND GOODHUE CO. P.L.S. CORNER.
- x - x - DENOTES FENCE.
- (WEST 198.70) DENOTES BEARING AND/OR DISTANCE OF RECORD.



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

PATH: S\SHARE\STR\CERTS\111-18\2\TAUBE\TAUBE.DWG

CERTIFICATE OF SURVEY FOR:
JEFF TAUBE

JOHNSON & SCOFIELD INC.
 SURVEYING AND ENGINEERING

1203 MAIN STREET, RED WING, MN 55066
 (651) 388-1558

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

[Signature]
 Marcus S. Johnson
 Minnesota License No. 47460
 Date: May 19, 2026

BK. NA	PG. NA	W.O.#	DRAWING NUMBER
SHEET 1 OF 1 SHEETS	26-540	S-12646	

PUBLIC NOTICE: NEIGHBORHOOD MAILING MAP

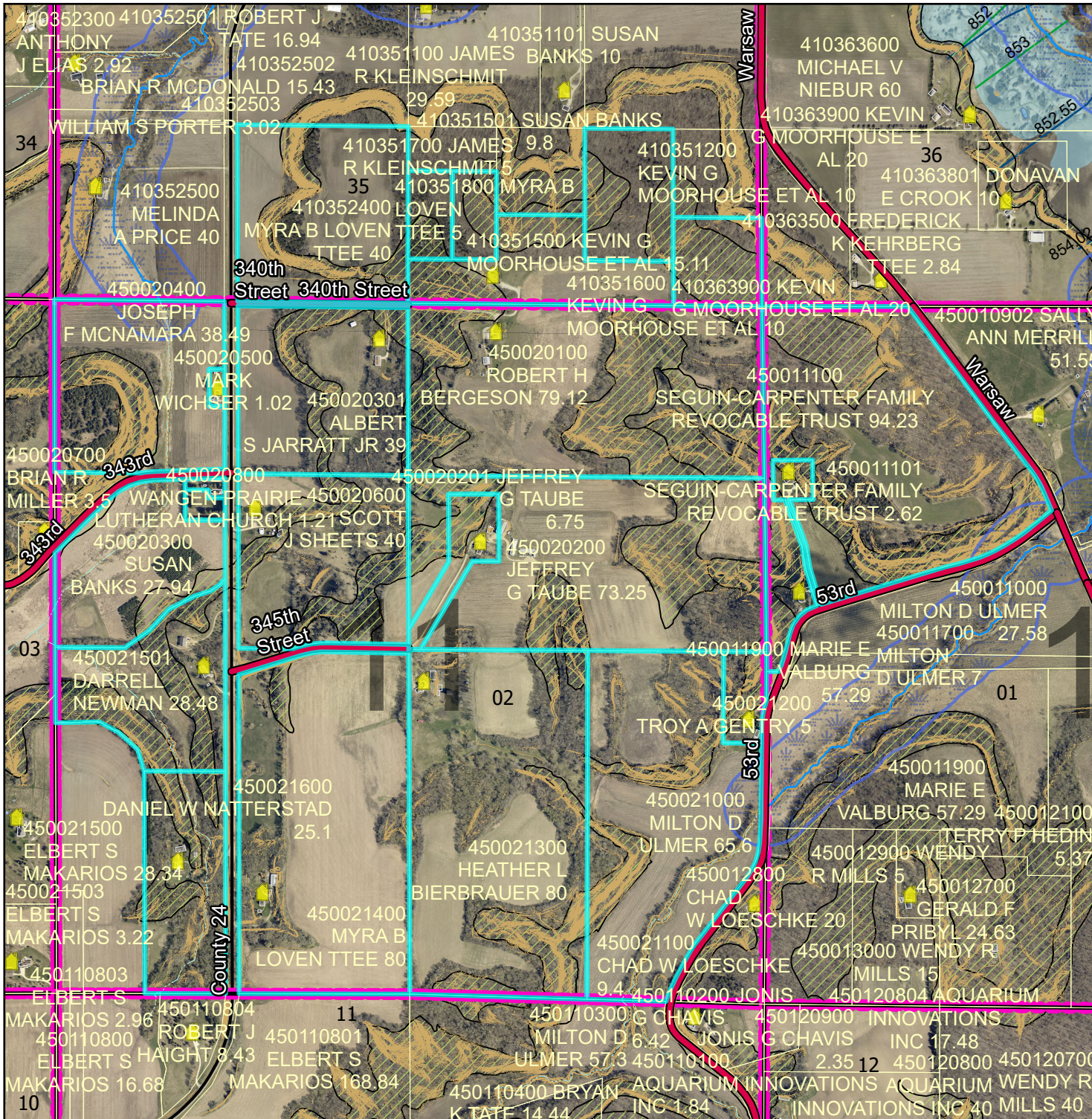
BOARD OF ADJUSTMENT

Public Hearing
June 22, 2026

Jeffrey Taube (Owner)
A-2 Zoned District.

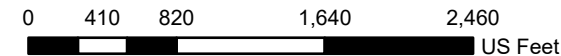
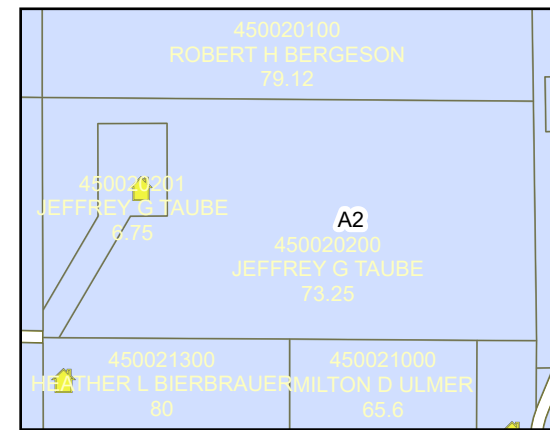
Part of the SW1/4 of the NE1/4 of Section 2,
Township 111, Range 18 in Warsaw Township.

Request for Variance for the construction of
an accessory dwelling unit that is proposed to
be greater than the maximum 100-foot
setback from the primary dwelling.



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 |

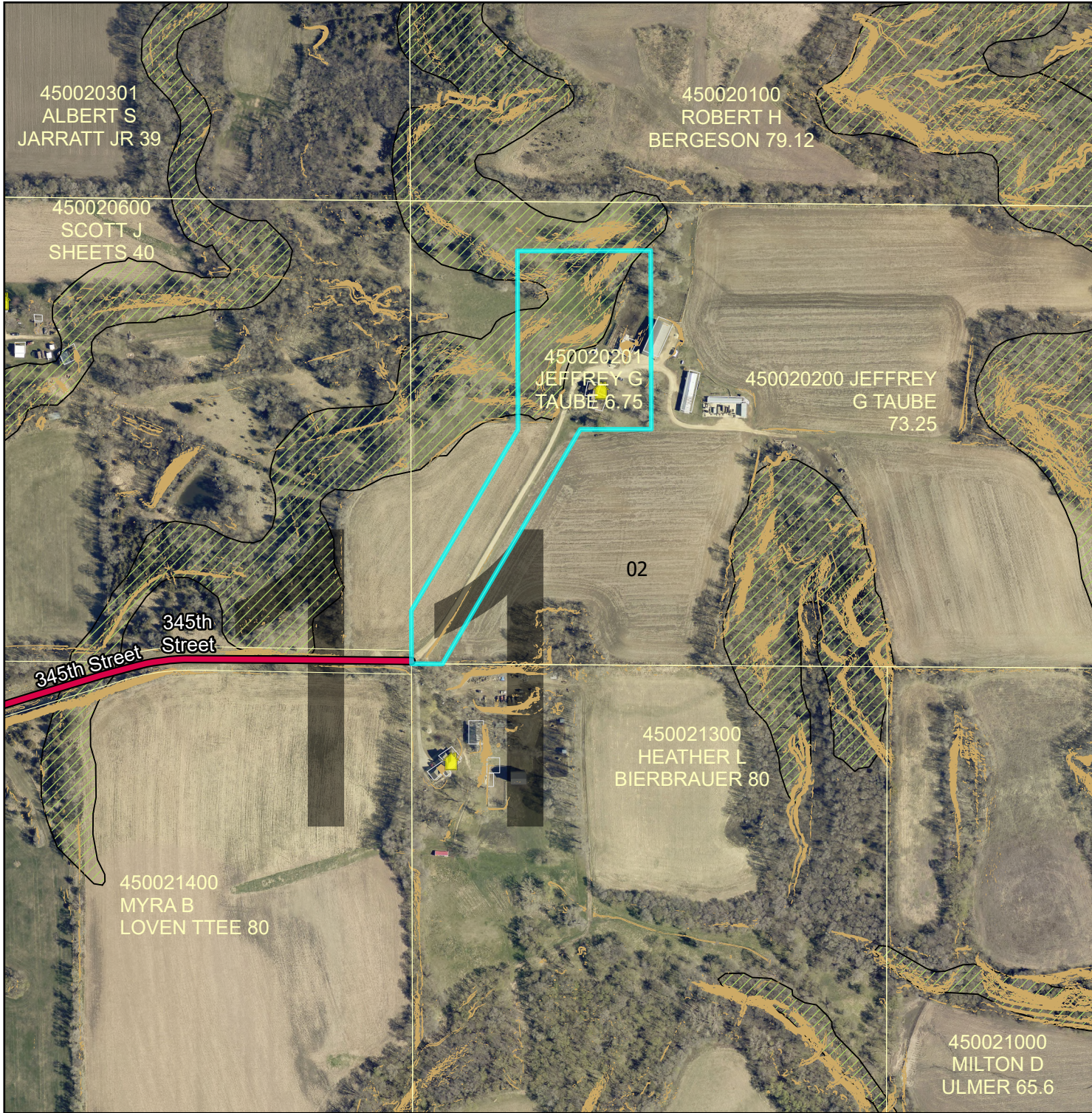


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MAP 02: VICINITY MAP



BOARD OF ADJUSTMENT

Public Hearing
June 22, 2026

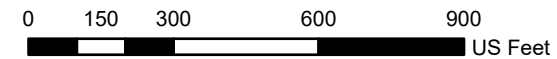
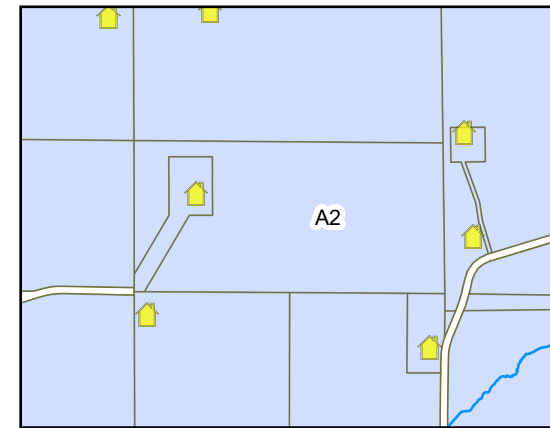
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Intermittent Streams	Bluff Impact Zones (% slope)
Protected Streams	20
Lakes & Other Water Bodies	30
Shoreland	FEMA Flood Zones
Historic Districts	2% Annual Chance
Parcels	A
Registered Feedlots	AE
Dwellings	AO
Municipalities	X

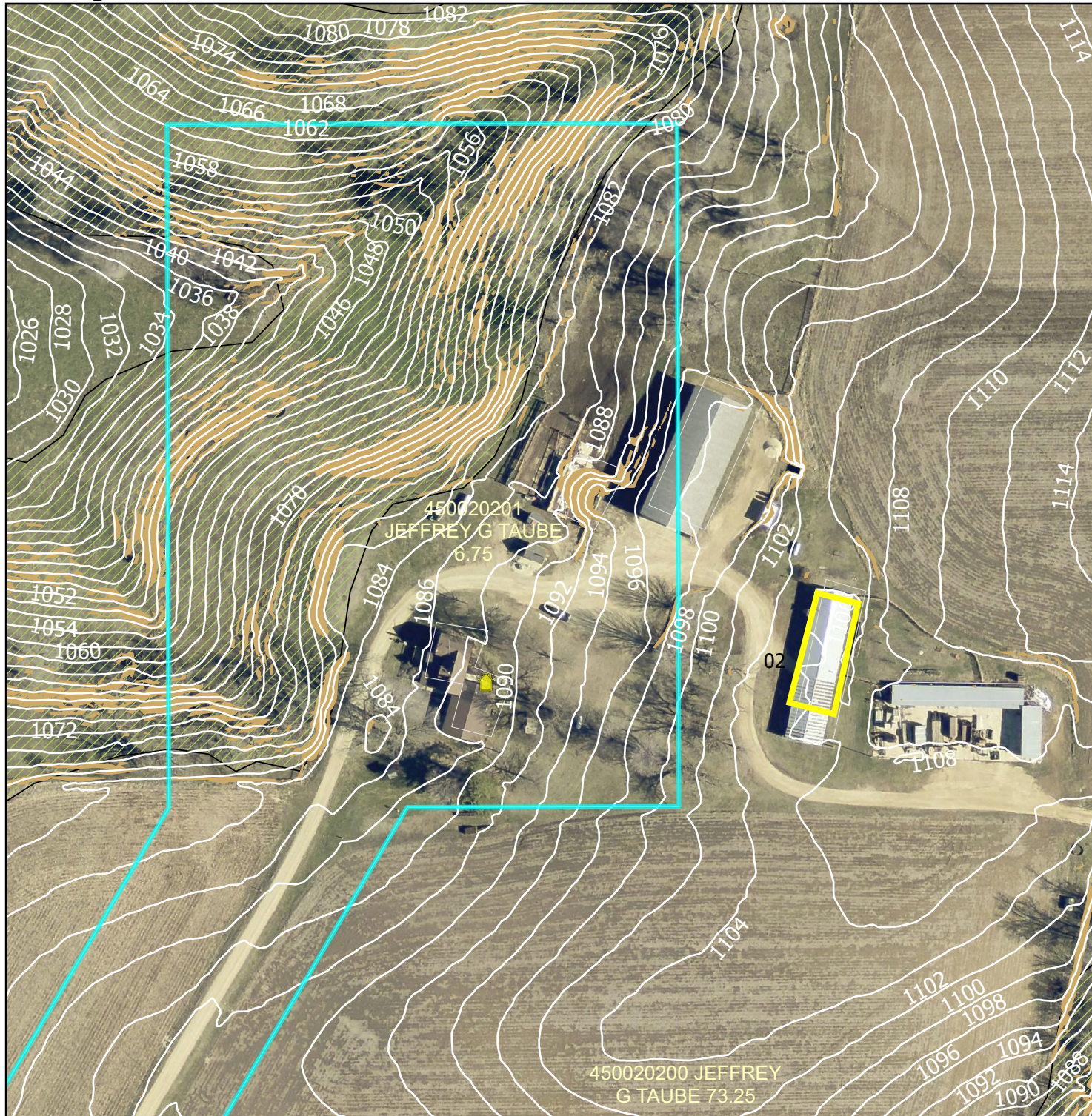


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MAP 03: ELEVATIONS



BOARD OF ADJUSTMENT

Public Hearing
June 22, 2026

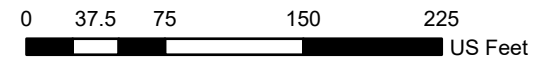
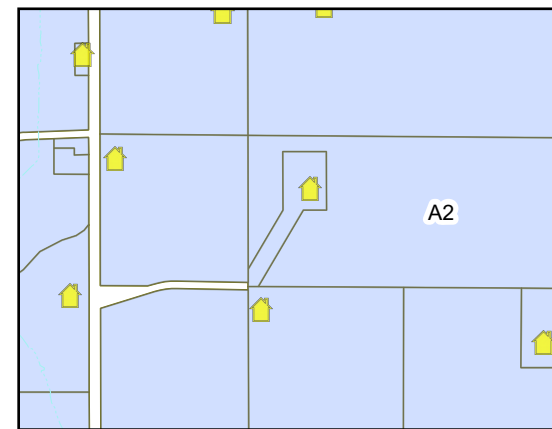
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	Intermittent Streams		Bluff Impact Zones (% slope)
	Protected Streams		20
	Lakes & Other Water Bodies		30
	Shoreland		FEMA Flood Zones
	Historic Districts		2% Annual Chance
	Parcels		A
	Registered Feedlots		AE
	Dwellings		AO
	Municipalities		X

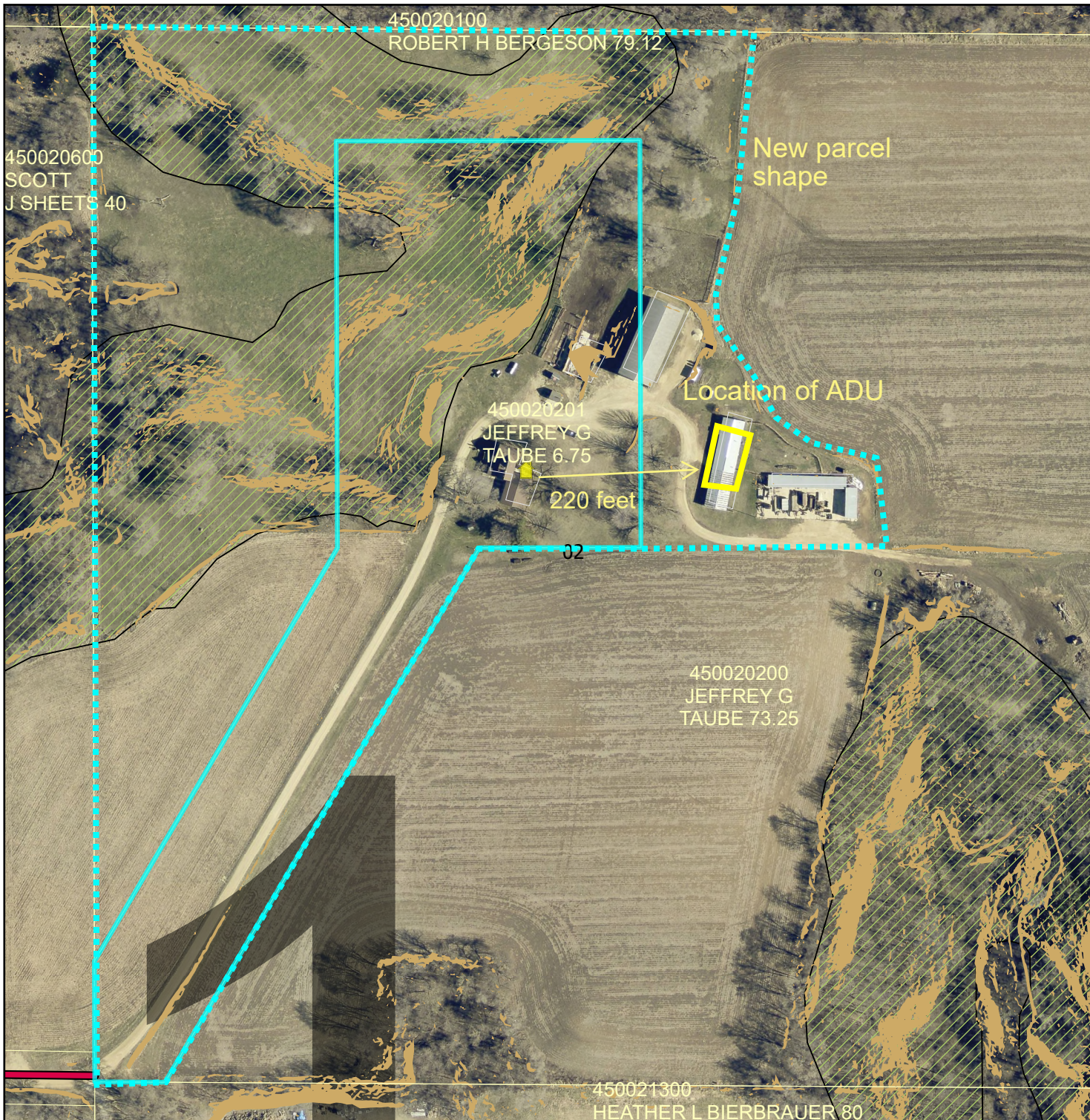


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MAP 01: PROPERTY OVERVIEW



BOARD OF ADJUSTMENT

Public Hearing
June 22, 2026

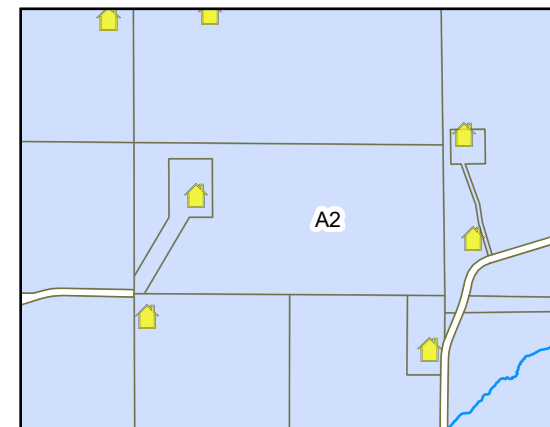
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Intermittent Streams	Bluff Impact Zones (% slope)
Protected Streams	20
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Shoreland	FEMA Flood Zones
Historic Districts	2% Annual Chance
Parcels	A
Registered Feedlots	AE
Dwellings	AO
Municipalities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



0 65 130 260 390 US Feet

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