

TO: Board of Adjustment
FROM: Land Use Management
MEETING DATE: June 23rd, 2025
REPORT DATE: June 13th, 2025

PUBLIC HEARING: Request for Variance, submitted by Jeffery Winters (Owner) to allow construction of a replacement dwelling that is proposed to be 6 feet from Wood Ave Right-of-Way when 25 feet is required. The property is zoned R-1. Parcel 32.130.1330. 29039 Wood Ave Frontenac MN, 55026. Lots 7 & 8, Block 35 of the Westervelt Plat in Florence Township.

Application Information:

Applicant(s): Jeffery Winters (Owner)

Address of zoning request: 29039 Wood Ave Frontenac MN, 55026.

Parcel: 32.130.1330

Abbreviated Legal Description: Lots 7 & 8, Block 35 of the Westervelt Plat in Florence Township.

Township: Florence Township has not signed off on the Township Form at the writing of this report.

Zoning District: R-1 (Suburban Residential)

Attachments:

Application

Site Map(s)

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

Background:

Jeffery Winters (Owner) has applied for a variance to Right-of-Way setback standards in the R-1 zoning district to allow construction of a new replacement dwelling to be 6ft from the Wood Avenue ROW when 25ft is required. The location of the existing well is causing the home to be closer than 25ft from the Wood Ave ROW.

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 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 and accommodating future road expansion.
- The property consists of one parcel containing approximately 14,000 sqft. The minimum lot size in the R-1 District for lots created prior to 2019 is 20,000 sqft.
- The replacement dwelling is proposed to be placed 6ft from the Wood Ave ROW when 25ft is required. The existing well will be no closer than 3ft from the roof overhang.
- The applicant is proposing the placement of the dwelling will be in line with other dwellings in the area. Wood Avenue Right-of-Way is 80ft wide. This Right-of-Way is wide when compared to other Right-of-Ways which are typically 60-66ft in width.
- All buildings have been demolished except for the garage in the back of the parcel. The applicant has a permit from the Environmental Health Department for the installation of a new septic system.
- 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 the development of housing in Residential 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 a replacement dwelling is a reasonable use of property in the R-1 District.
- The previous dwelling was constructed in 1860 and situated about 13ft from the Wood Ave ROW. Well before the enforcement of property lines, ROW setbacks. The building's placement and parcel configuration pose difficulties in complying with the official control.
- Lots in the Westervelt Plat are small and most homes are close to the property lines and ROW.
- 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.

- Dwellings are permitted use in the R-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 related to, and bearing a rough proportionality with, the impact(s) created by the variance.

Staff Recommendation:

Staff recommends the BOA:

- 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 Jeffery Winters (Owner) to allow construction of a replacement dwelling that is proposed to be 6 feet from Wood Ave Right-of-Way when 25 feet is required.



RECEIVED

MAY 21 2025

Variance

Land Use Management

For Staff Use Only	
Permit #	Z 25-0022
\$400 Receipt #	18646
DATE:	5/21/25

SITE ADDRESS, CITY, AND STATE				ZIP CODE:	
29039 Wood Ave. Frontenac, MN				55026	
LEGAL DESCRIPTION:					
Town of Frontenac ID# 32-0160-12300 DOC #701599 Lots 7 & 8 BLK 35					
Attached <input type="checkbox"/>					
PID#	ZONING DISTRICT	LOT AREA (SF/ACRES)	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable):	
321301330		14000 sq ft	100' x 140'J		

APPLICANT OR AUTHORIZED AGENT'S NAME	
Jeffery Winters	
APPLICANT'S ADDRESS:	TELEPHONE:
3185 Shore Wood Dr., Arden Hills, MN 55112	(612) 388-3254
	EMAIL:
	woodhillpainting@comcast.net

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 type="checkbox"/> Steven Schwalbe, Schwalbe Construction Inc.	
ADDRESS:	TELEPHONE:
65988 142nd Ave., Wabasha, MN 55981	(507) 951-1689
	EMAIL:
	sschwalbe@wabasha.net

VARIANCE REQUESTED TO: (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:
	Single Family Dwelling
	PROPOSED USE:
	Single Family Dwelling
	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

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:

5/21/2025

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:

Empty lot purchased to build new home. To have enough room to use existing well and line up house with other
house next door.

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

Would have to redesign home, which would cause the existing well to be abandoned and drill another one.

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:

Wood Ave. being 80' wide and 25' setback from that would push home back on lot so far that there may not be enough
room for septic

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

Same as effects of property, new design, new well, would not look right with other home in area.

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

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

No

APPLICATION NO.	_____
FEE	\$ _____
DATE	_____

1. GENERAL PROVISIONS

- Be sure to discuss circumstances with staff **prior** to completing and submitting Application.
- In reviewing all variance requests, the Florence Township Planning Commission and ultimately the Board of Supervisors will evaluate the request for conformance with the variance standards in conformance with Minnesota State Statute 394.27.
- The Commission and Board may only grant variances when it finds the request meets the following criteria**
 - ☐ Harmony with general purposes and intent of the official controls.
 - ☐ Consistency with the Comprehensive Plan
 - ☐ The applicant has established "practical difficulties" exist in complying with the current official controls. As this pertains to the variance, this means that the applicant proposes to use their property in a reasonable manner not permitted by an official control. The plight 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 variance will not allow any use that is not allowed in the applicable zoning district.

2. APPLICATION IS HEREBY MADE BY:	
OWNER	Jeffrey & Jennifer Winters
ADDRESS	3185 Shorewood Drive Arden Hills, MN 55112
TELEPHONE	612 388 3254
EMAIL	woodhillpainting@comcast.net
AUTHORIZED AGENT / All PROPERTY OWNERS	
ADDRESS	
TELEPHONE	
EMAIL	
CONTRACTOR	Steve Schwalbe
ADDRESS	
TELEPHONE	507 951 1689
EMAIL	sschwalbe@wabasha.net
ADDITIONAL NOTES:	

Florence Township

Variance Request

3. PROJECT INFORMATION

a. Site Address: 29039 Wood Ave

Legal Description: Town of Frontenac id# 32-0160-12300 doc # 701599 Lots 7&8 Block 35

PID# 321301330 Zoning District: _____ Lot Area: 4,000 sq ft

Lot Dimensions: 100x140 Structure Dimensions (If Applicable) _____

b. The property is currently used for: ☐ residence, ☐ commercial building, ☐ industrial building, ☐ accessory building, or ☒ other (describe) _____

c. Proposed Use:
Private residence

d. The Variance for this property is requested for: ☒ Road Right-of-Way Setbacks, ☐ Property Line Setbacks, ☐ Height Limits, ☐ Lot Width/or Area, ☐ Subdivision Regulations, ☐ Bluff Setbacks, ☐ % Lot Coverage, or ☐ other (describe) requesting a front yard setback of 6ft vs 25ft which aligns with neighboring homes on Wood Ave.

e. Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized.

1. Placement of current well
2. Allow room for new septic system
3. Existing garage location

f. The following applicable items shall be submitted with this application:

- ☒ Site Plan
- ☐ Property Survey by a MN Licensed Surveyor (unless waved by Planning Commission)
- ☒ Proof of current property taxes

☒ Signature of property owner, agent or letter of authorization.

☒ Required fees ~~mailed to~~
Bringing to Township meeting

g. Supporting Information & Justification

You, or your agent must provide 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.

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

Empty lot with exiting well and garage.

The variance is being requested to allow for the building of a new home within the existing footprint allowed based on the current placement of the well and garage and the need to add a new septic system and drain field.

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

If the variance is not granted the lot becomes virtually unbuildable. Due to the placement of the existing well and garage and the need to add a new septic system. Asthetically the variance being requested allows the house to align with existing houses on Wood Ave.

3. Describe any unique physical limitations that exist on your property, not generally found on others, which prevents you from complying with the provisions of the current ordinance:

Existing well and garage.

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

There are really no alternatives given the size of the lot and existing restrictions and need to add septic system and drain field.

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

There are really no alternatives given the size of the lot and existing restrictions and need to add septic system and drain field.

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

No, in fact its the opposite. The requested variance allows the house to align with the existing houses and aesthetics on Wood Ave.

h. I hereby apply for a variance and I acknowledge that the information above is complete and accurate, that the work will be in conformance with the ordinances and codes of Florence Township and Goodhue County. The applicant also understands by signing this permit application he / she could be held responsible as representative of this project for any violation of compliance with all applicable laws and ordinances of Florence Township. 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 Florence Township. Additional information or applications may be required. All provisions of law and ordinances governing this type of work will be complied with whether specified herein or not.

Applicants Signature: _____

Date: 4/15/2025

Print name: Jeffrey Winters

(owner or authorized agent)

Public Hearing 12/15/25
Florence R recommends approval.
[Signature]

OFFICIAL USE

Variance Request: ☐ Approved. Fee Received \$ _____

☐ Denied. Not in conformance with the following provision(s) of the Zoning Ordinance.

I hereby certify that the above described project has been approved by the Township Board, and the structure and use will meet all Township Codes and Ordinances if constructed as indicated.

Signature	Title	Date
Signature	Title	Date



509 W. 5th Street
Red Wing, MN 55066
651-385-3040
goodhuecountymn.gov

Property Information

Parcel Number:
32.130.1330

Property Address:

29039 WOOD AVE
FRONTENAC MN 55026

Legal Description:

TOWN OF FRONTENAC ID# 32-0160-12300 DOC #701599 LOTS 7 AND 8
BLK 35
TCA: 3202 ACRES: 0



*****ALL FOR AADC 550

17303/60/1

JEFFREY J WINTERS
JENNIFER L WINTERS
3185 SHOREWOOD DR
ARDEN HILLS MN 55112-7948

PROPOSED TAXES 2025

THIS IS NOT A BILL. DO NOT PAY.

VALUES AND CLASSIFICATION			
Taxes Payable Year		2024	2025
Step 1	Estimated Market Value	-\$138,200	\$174,200
	Homestead Exclusion	\$24,800	\$30,872
	Other Exclusion/Deferrals	\$0	\$0
	Taxable Market Value	\$113,400	\$143,328
	Property Classification	RES HSTD	RES HSTD
Step 2	PROPOSED TAX		
	Property Taxes before credits		\$1,332.00
	School building bond credit		\$0.00
	Agricultural market value credit		\$0.00
	Other Credits		\$0.00
	Property Taxes after credits		\$1,332.00
Step 3	PROPERTY TAX STATEMENT Coming March 2025		
The time to provide feedback on PROPOSED LEVIES IS NOW			
It is too late to appeal your value without going to Tax Court.			

Proposed Property Taxes and Meetings by Jurisdiction for Your Property

Contact Information

Actual 2024

Proposed 2025

Meeting Information

STATE	\$0.00	\$0.00	
GOODHUE COUNTY LUCAS DAHLING 509 5TH ST W, RED WING PHONE: 651-385-3040 GOODHUECOUNTYMN.GOV	\$477.14	\$588.92	DECEMBER 3, 2024 6:00 PM GOODHUE CO GOVERNMENT CTR 509 W 5TH ST
FLORENCE TWP PAMELA MILLER 29065 LEROY AVE, FRONTENAC WWW.FLORENCETWP.ORG	\$167.70	\$193.84	BUDGET SET AT ANNUAL MEETING MARCH 2024
SCHOOL DISTRICT 813 ARIANA WRIGHT 300 GARDEN ST S, LAKE CITY PHONE: 651-345-2198 WWW.LAKE-CITY.K12.MN.US			DECEMBER 16, 2024 7:00 PM LINCOLN HIGH SCHOOL 300 S GARDEN ST
VOTER APPROVED LEVIES	\$211.44	\$227.04	
OTHER LEVIES	\$264.48	\$314.64	
OTHER SPECIAL TAX DISTRICTS	\$11.24	\$7.56	
TOTAL EXCLUDING SPECIAL ASSESSMENTS	\$1,132.00	\$1,332.00 17.67%	

IMPORTANT INFORMATION IS PRINTED ON THE BACK OF THIS FORM.

What Else Should You Know?

Your local units of government have proposed the amounts they will need to levy in 2025.

The following circumstances could change these amounts:

- Upcoming referenda
- Legal judgments
- Natural disasters
- Voter-approved levy limit increases, or
- Special assessments

Your county commissioners, school board, city council (if your property is located in a city with a population over 500), and any required special taxing district will soon be holding meetings to discuss the 2025 budgets and proposed 2025 property taxes. (The school board will discuss the 2024 budget.) You are invited to attend these meetings to express your opinion.

Supplemental Budget Information - Proposed 2025 Taxes

How Can You Learn More?

The time to provide feedback on proposed levies is now.

You are invited to attend budget meetings to express your opinion.

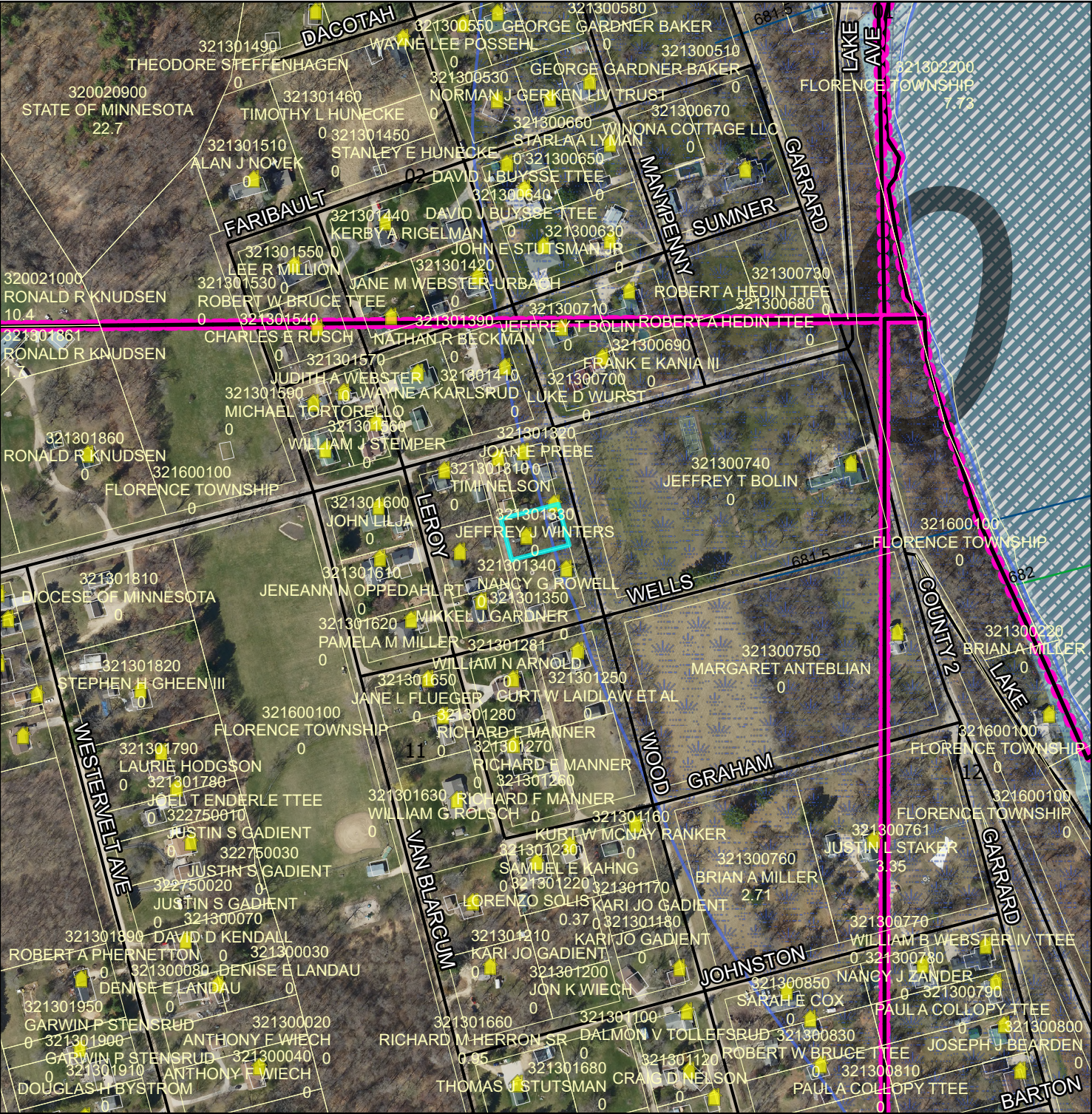
Levy information is provided by the county, city, and school district. It compares two years for those jurisdictions. For more information, contact the county, city, or school district directly or visit their websites.

Levy amounts impact the taxes owed for your property. Additional factors that may impact your property tax amount include changes to taxable market value, improvements made to the property, and changes in special programs, such as the homestead market value exclusion.

Levy Information

Taxing Authority	2024 Actual	2025 Proposed	Percent Change
Goodhue County	\$43,787,376	\$45,725,455	4.4%
City of Bellechester	\$70,000	\$70,000	0.0%
City of Cannon Falls	\$3,435,602	\$3,584,090	4.3%
City of Dennison	\$190,000	\$200,000	5.3%
City of Goodhue	\$662,528	\$685,905	3.5%
City of Kenyon	\$1,277,965	\$1,400,000	9.5%
City of Lake City	\$4,596,601	\$4,997,472	8.7%
City of Pine Island	\$3,833,519	\$4,047,058	5.6%
City of Red Wing	\$25,705,708	\$27,505,108	7.0%
City of Wanamingo	\$1,070,000	\$1,170,000	9.3%
City of Zumbrota	\$2,628,789	\$2,839,092	8.0%
School District 195 (Randolph)	\$1,946,753	\$1,843,775	-5.3%
School District 200 (Hastings)	\$21,086,836	\$20,988,913	-0.5%
School District 252 (Cannon Falls)	\$4,984,788	\$5,346,174	7.2%
School District 253 (Goodhue)	\$2,879,605	\$3,136,171	8.9%
School District 255 (Pine Island)	\$4,476,376	\$4,867,401	8.7%
School District 256 (Red Wing)	\$10,819,487	\$10,584,197	-2.2%
School District 656 (Faribault)	\$12,255,234	\$12,338,073	0.7%
School District 659 (Northfield)	\$21,946,253	\$21,865,532	-0.4%
School District 813 (Lake City)	\$5,396,041	\$5,350,679	-0.8%
School District 2125 (Triton)	\$3,246,582	\$3,512,155	8.2%
School District 2172 (Kenyon-Wanamingo)	\$3,432,010	\$3,528,705	1.3%
School District 2805 (Zumbrota-Mazeppa)	\$6,775,464	\$6,921,616	2.2%

MAP 02: VICINITY MAP



BOARD OF ADJUSTMENT

Public Hearing
June 23, 2025

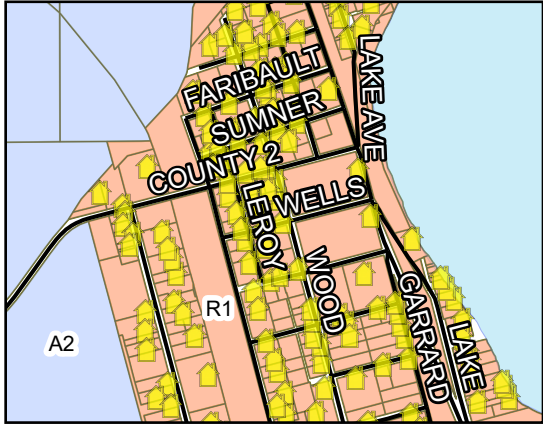
Jeffery Winters (Owner)
R-1 Zoned District.

Lots 7 & 8, Block 35
of the Town of Frontenac Plat
in Florence Township.

Request for a variance to allow construction
of a replacement dwelling that is proposed to
be 6ft from the Wood Ave Right-of-Way when
25ft is required.

Legend

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



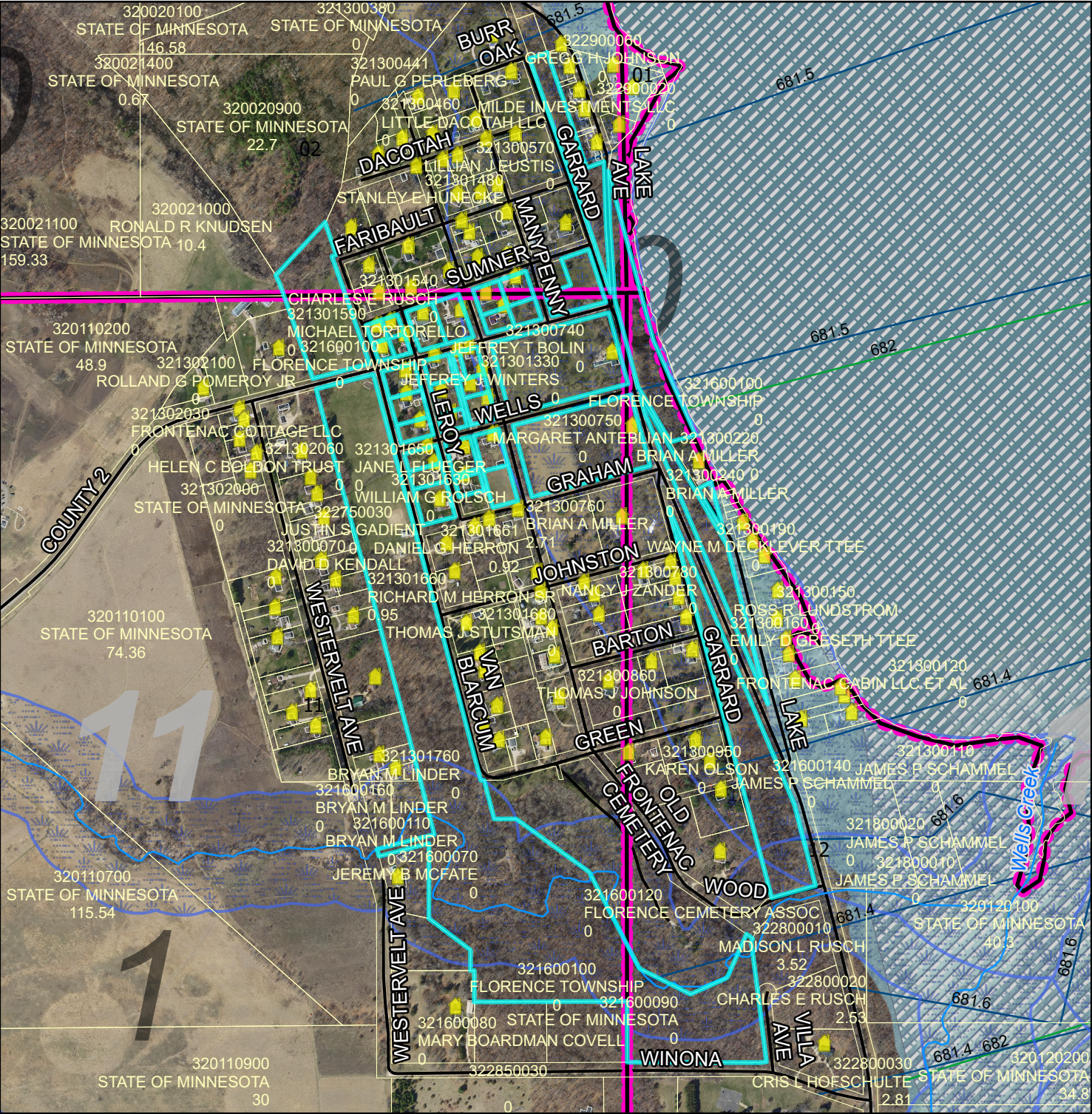
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2024 Aerial Imagery
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PUBLIC NOTICE: NEIGHBORHOOD MAILING MAP



BOARD OF ADJUSTMENT

Public Hearing
June 23, 2025

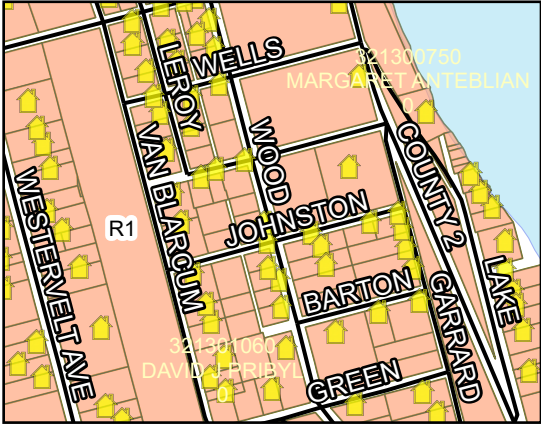
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| Registered Feedlots | A |
| Dwellings | AE |
| Municipalities | AO |
| | X |



0 295 590 1,180 1,770
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MAP 03: ELEVATIONS



BOARD OF ADJUSTMENT

Public Hearing
June 23, 2025

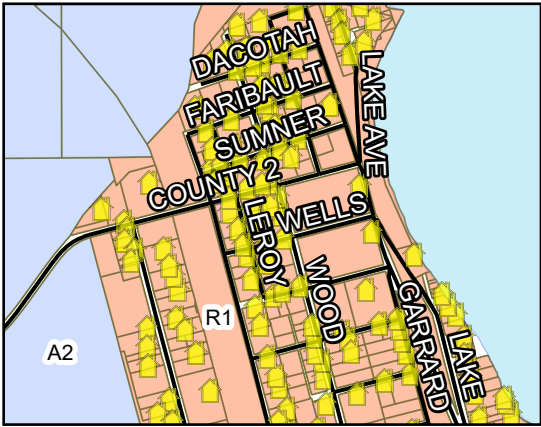
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- | | |
|----------------------------|------------------------------|
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| Lakes & Other Water Bodies | 30 |
| Shoreland | |
| Historic Districts | FEMA Flood Zones |
| Parcels | 2% Annual Chance |
| Registered Feedlots | A |
| Dwellings | AE |
| Municipalities | AO |
| | X |



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MAP 01: PROPERTY OVERVIEW



BOARD OF ADJUSTMENT

Public Hearing
June 23, 2025

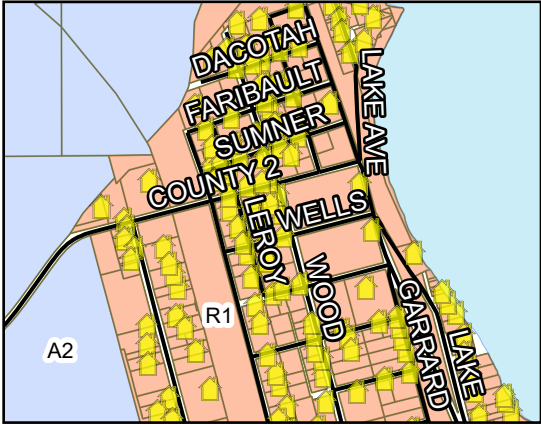
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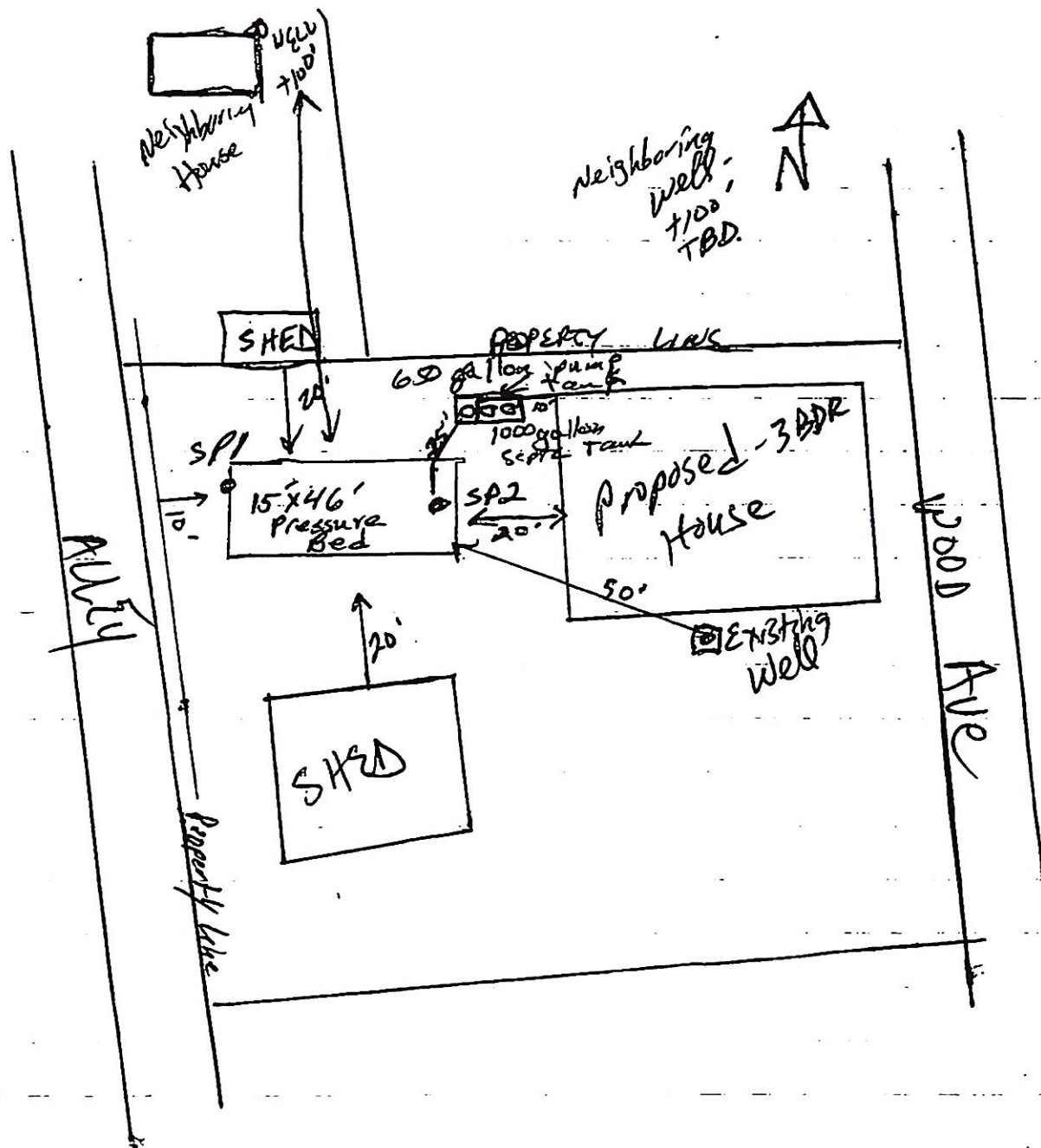
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|----------------------------|------------------------------|
| Intermittent Streams | Bluff Impact Zones (% slope) |
| Protected Streams | 20 |
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| Historic Districts | 2% Annual Chance |
| Parcels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



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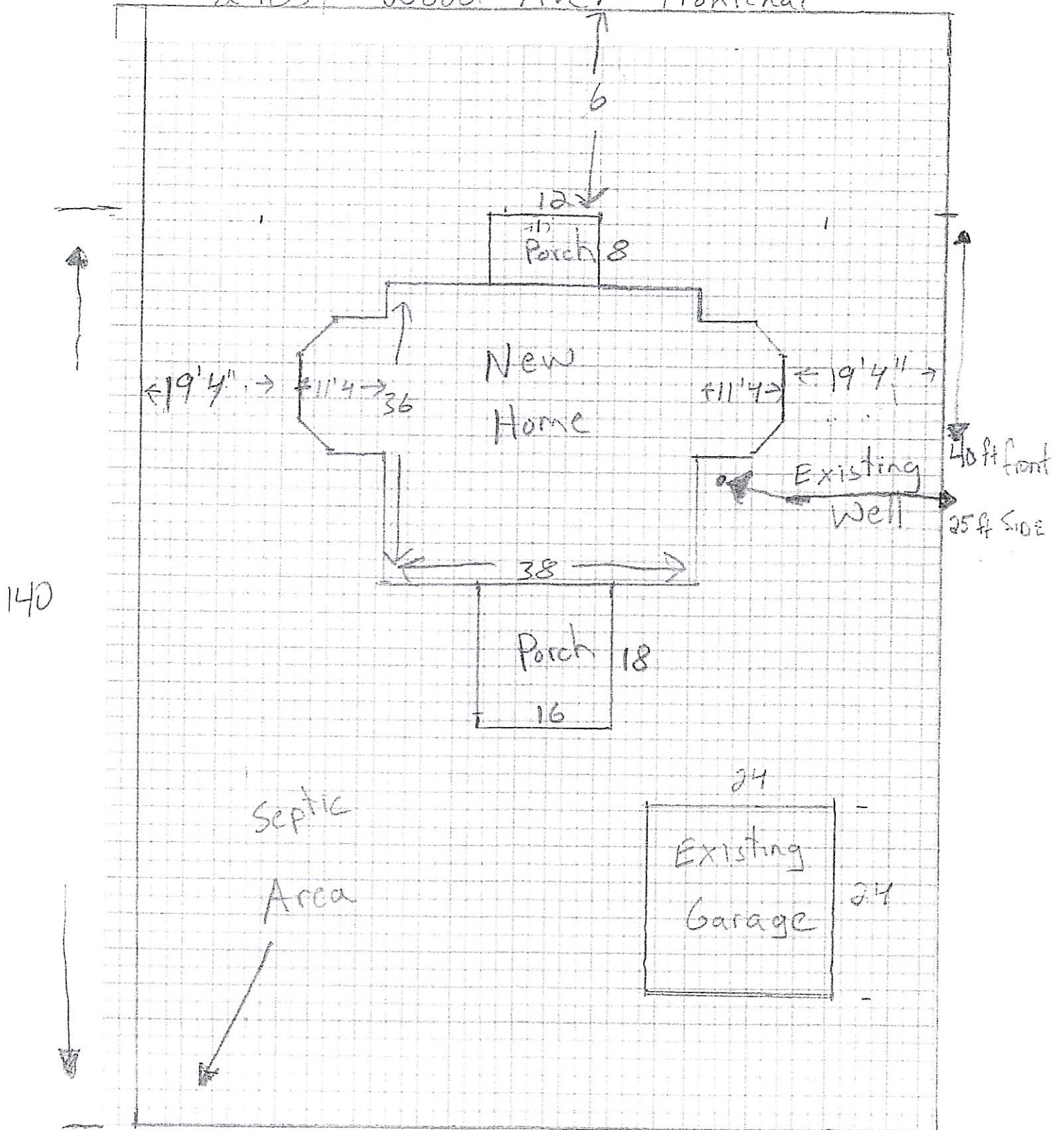


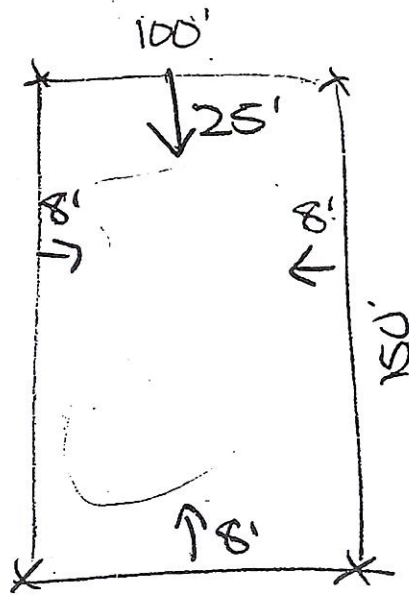
Winters

← 100' →

3-18-25

29039 Wood Ave. Frontenac





$$\begin{array}{r} 2368 \\ 188 \\ \hline 62 \end{array}$$

Overall Dimension - 60' wid x 62' deep

R1 District

25'	Front	Setback
8'	side	
8'	Rear	