



GOODHUE COUNTY MINNESOTA

TO EFFECTIVELY PROMOTE THE SAFETY, HEALTH, AND WELL-BEING OF OUR RESIDENTS

Goodhue County Board of Adjustment
Government Center- Board Room
509 West 5th St, Red Wing MN 55066

Call Meeting To Order

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

1. July 27, 2020 Minutes

Documents:

[MINUTES_JULY_BOA_DRAFT.PDF](#)

Conflict/Disclosure Of Interests

PUBLIC HEARING: Request For Variance To Minimum Setback Standards

Request for Variance, submitted by Shane and Melissa Matthees (owners) to A-1 Zoning District standards to construct a dwelling addition less than 60 feet from the County 9 Boulevard Right-of-Way. Parcel 33.025.0200. 23710 CTY 9 BLVD, Goodhue, MN 55027. Part of the N ½ of the NE ¼ of Section 25 TWP 111 Range 15 in Goodhue Township.

Documents:

[BOAPACKET_MATTHEES.PDF](#)

PUBLIC HEARING: Request For Variance To Minimum Setback Standards

Request for Variance, submitted by Schwartau Farms (owner) to A-1 Zoning District standards to allow parcel line reconfiguration creating property lines closer than 30 feet from existing accessory structures. Parcels 31.009.0200 and 31.009.0202. 29232 and 29230 CTY 53 BLVD, Red Wing, MN 55066. Part of the NW ¼ of Section 09 TWP 112 Range 15 in Featherstone Township.

Documents:

[BOAPACKET_SCHWARTAU_REDACTED.PDF](#)

Other-Discussion

Adjourn

Anyone interested is invited to attend. Agenda items may be subject to change.

Goodhue County Land Use Management

◆ Goodhue County Government Center ◆ 509 West Fifth Street ◆ Red Wing ◆ Minnesota ◆ 55066 ◆
◆ Building ◆ Planning ◆ Zoning ◆ Telephone: 651/385-3104 ◆ Fax: 651/385-3106 ◆

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
July 27th, 2020 MEETING MINUTES
DRAFT**

The meeting of the Goodhue County Board of Adjustment was called to order at 5:00 PM by Chair Knott virtually via GoToMeeting with staff members present at the Goodhue County Government Center Basement IT Conference Room.

Roll Call

Commissioners Present virtually via GoToMeeting: Robert Benson, Rich Ellingsberg, Darwin Fox, Daniel Knott and Denny Tebbe

Commissioners Absent: None

Staff Present: Zoning Administrator Ryan Bechel and Zoning Assistant Samantha Pierret

1. Approval of Agenda

¹Motion by **Benson**, and seconded by **Fox** to approve the meeting agenda

Motion carried 5:0

2. Approval of Minutes

²Motion by **Tebbe** and seconded by **Benson** to approve the previous month's meeting minutes.

Motion carried 5:0

3. Conflict/Disclosure of Interest

There were no conflicts or disclosures of interest.

4. Public Hearings:

PUBLIC HEARING: Request for Variance to Minimum Setback Standards

Request for Variance, submitted by Richard Dosdall (Owner) to A-2 Zoning District standards to construct an accessory building addition less than 60 feet from the County 1 Right-of-Way and less than 30 feet from the toe of a Bluff. Parcel 31.011.0600. 29533 CTY 1 BLVD, Red Wing, MN 55066. Part of the NE ¼ of the SW ¼ of Section 11 TWP 112 Range 15 in Featherstone Township.

Pierret presented the staff report and attachments.

The Applicant was present via phone.

Chair Knott opened the Public Hearing.

No one spoke for or against the request.

³ **After Chair Knott asked three times for comments it was moved by Benson and seconded by Ellingsberg to close the public hearing.**

Motion carried 5:0

Commissioner Tebbe noted that he concurred with staff's recommendation and analysis and had driven by the site prior to the meeting. He added that the site does appear to be limited on possible locations for a structure addition due to the existing topography.

Chair Knott noted that there did not appear to be any other options for the Applicant to add onto the existing structure except as proposed.

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
July 27th, 2020 MEETING MINUTES
DRAFT**

4Motion by Tebbe, seconded by Fox, for the Board of Adjustment to:

- 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 Richard Dossall (Owner) to A-2 Zoning District standards to allow construction of an accessory building addition no closer than 24 feet from the edge of the County 1 BLVD Right-of-Way and no closer than 9 feet from the toe of the Bluff.

Motion carried 5:0

PUBLIC HEARING: Request for Variance to Minimum Setback Standards

Request for Variance, submitted by Meryle Vinje (Owner) to A-1 Zoning District standards to construct an accessory building less than 30 feet from a side yard property line. Parcel 46.005.1100. 22900 Polk Avenue (HWY 316 BLVD), Hastings, MN 55033. Part of the S ½ of the SW ¼ of Section 5 TWP 113 Range 16 in Welch Township.

Pierret presented the staff report and attachments.

The Applicant was present via phone.

Chair Knott opened the Public Hearing

No one spoke for or against the request.

5After Chair Knott asked three times for comments it was moved by Ellingsberg and seconded by Benson to close the Public Hearing.

Motion carried 5:0

Commissioner Fox stated that the Welch Township Planning Commission considered the Applicant's request at their July 2020 meeting and recommended the Township Board approve the variance request as presented. He added that the Township Board will be meeting in August to make the final approval on the item.

Commissioner Tebbe questioned whether the Board of Adjustment should condition their approval at the County level contingent on Welch Township Board approval.

Bechel stated that the County and Township approvals are separate and the Board of Adjustment does not need to add that condition to their approval.

6Motion by Benson, seconded by Ellingsberg, for the Board of Adjustment to:

- 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 Meryle Vinje (owner), to A-1 Zoning District standards to allow construction of an accessory building 8 feet from the north property line.

Motion carried 5:0

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
July 27th, 2020 MEETING MINUTES
DRAFT**

PUBLIC HEARING: Request for Variance to Minimum Setback Standards

Request for Variance, submitted by Justin Neufeldt (Owner) to A-2 Zoning District standards to establish a mobile home less than 60 feet from the Skunk Hollow Trail Right-of-Way. Parcel 37.005.1400. 7100 Skunk Hollow Trail, Cannon Falls, MN 55009. Part of the NW 1/4 of the SW 1/4 of Section 5 TWP 111 Range 17 in Leon Township.

Bechel presented the staff report and attachments. He also presented one public comment received by staff from Mike and LeAnn Thorburn giving their support for the request.

The Applicant was present virtually via GoToMeeting.

Chair Knott opened the Public Hearing.

No one spoke for or against the request.

7After Chair Knott asked three times for comments it was moved by Fox, seconded by Tebbe to close the Public Hearing.

Motion carried 5:0

Commissioner Tebbe stated that the request is reasonable and that he concurred with staff's recommendation.

Chair Knott gave his support for the inclusion of the condition that the mobile home not be converted into an Accessory Dwelling Unit as recommended by staff.

⁸Motion by Ellingsberg, seconded by Fox, for the Board of Adjustment to:

- 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 Justin Neufeldt (Owner) to A-2 Zoning District standards to establish a mobile home no closer than 30 feet from the edge of the Skunk Hollow Trail Right-of-Way.

Subject to the following conditions:

1. The mobile home shall be removed within 6-months of issuance of the Certificate of Occupancy for the new dwelling.
2. The mobile home shall not be converted to an accessory structure or Accessory Dwelling Unit (ADU).

Motion carried 5:0

5. Other Discussion

Bechel noted future BOA meetings will most likely be held virtually again.

Chair Knott stated he will not be available for the August BOA meeting.

ADJOURN

⁹Motion by Benson, seconded by Tebbe to adjourn the BOA meeting at 5:34PM.

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
July 27th, 2020 MEETING MINUTES
DRAFT**

Motion carried 5:0

MOTIONS

-
- ¹ APPROVE the meeting agenda. Motion carried 5:0
 - ² APPROVE the previous meeting's minutes. Motion carried 5:0
 - ³ Close the Public Hearing. Motion carried 5:0
 - ⁴ APPROVE the variance request to construct an accessory building addition less than 60 feet from Right-of-Way and 9 feet from toe of bluff. Motion carried 5:0
 - ⁵ Close the Public Hearing. Motion carried 5:0
 - ⁶ APPROVE the variance request to construct an accessory building less than 30 feet from the side yard property line. Motion carried 5:0
 - ⁷ Close the Public Hearing. Motion carried 5:0
 - ⁸ APPROVE the variance request to establish a mobile home less than 60 feet from the Right-of-Way. Motion carried 5:0.
 - ⁹ ADJOURN. Motion carried 5:0

UNOFFICIAL UNTIL APPROVED BY THE BOA

Goodhue County Land Use Management

Goodhue County Government Center | 509 West Fifth Street | Red Wing, Minnesota 55066

Lisa M. Hanni, L.S. Director

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.385.3106



County Surveyor / Recorder

Environmental Health | Land Surveying | GIS
Telephone: 651.385.3223
Fax: 651.385.3098

To: Board of Adjustment
From: Land Use Management
Meeting Date: August 24, 2020
Report date: August 14, 2020

PUBLIC HEARING: Request for Variance, submitted by Shane and Melissa Matthees (owners), to A-1 Zoning District standards to construct a dwelling addition less than 60 feet from the County 9 BLVD Right-of-Way.

Application Information:

Applicant: Shane and Melissa Matthees (owners)
Address of zoning request: 23710 CTY 9 BLVD, Goodhue, MN 55027
Parcel: 33.025.0200
Abbreviated Legal Description: Part of the N 1/2 of the NE 1/4 of Section 25 TWP 111 Range 15 in Goodhue Township
Township Information: Goodhue Township has signed acknowledgment of the variance request and did not convey any concerns regarding the application.
Zoning District: A-1 (Agricultural Protection District)

Attachments and Links:

Application and submitted project summary
Survey/Site Plan
Goodhue County Zoning Ordinance:
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Background:

Shane and Melissa Matthees (owners) have applied for a variance to A-1 minimum setback standards to construct a proposed 28-foot by 40-foot dwelling addition on the north side of their existing dwelling. The proposed addition would be 27 feet from the edge of the County 9 BLVD Right-of-Way where 60 feet is required by Ordinance.

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 to allow for adequate access and accommodate future road expansion.
 - The existing home is located 69.2 feet from the edge of the County 9 BLVD Right-of-Way and is a conforming structure. The proposed dwelling addition would be located 27.2 feet from

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www.co.goodhue.mn.us

the County 9 BLVD Right-of-Way. The distance of the existing structure from the Right-of-Way does not allow for an addition large enough for a laundry room/mud-room and attached 2 car garage within the required setback. Locating the addition 27.2-feet from the Right-of-Way is not anticipated to further impede future road expansion or on-going maintenance. 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 use of existing rural residences to provide rural living opportunities in the unincorporated areas of Goodhue County.

The proposed dwelling addition 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 an addition to the existing dwelling is a reasonable use of property in the A-1 District. The addition, as proposed, would meet all other required setbacks.
- The Applicant desires to construct an addition on the north side of the home for a laundry room/mud-room and attached 2 car garage. The north portion of the home, where the addition will be constructed, is screened from County 9 BLVD to the north and west by several large trees.

The home was originally constructed in 1978.

- The Applicant stated that there are no alternative locations for the addition because the septic system is located on the south side of the home and there is limited access for a garage if constructed to the east.
- No reasonably sized addition could be constructed on the north side of the house given it is currently located 9.2-feet from the CTY 9 BLVD R-O-W setback.
- The surrounding property zoning includes A-1 Zoned properties on all sides owned by Philip Evers to the east, south and west and Charles Ryan to the north across County 9 BLVD. All surrounding properties are currently used for row-crop agriculture.

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.

- Single Family Dwellings are a permitted use in the A-1 Zoning District. The request 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 for a variance, submitted by Shane and Melissa Matthees (owners) to A-1 Zoning District standards to allow construction of a dwelling addition 27.2 feet from the County 9 BLVD Right-of-Way.

RECEIVED

JUL 31 2020

APPLICATION FOR

Variance

Land Use Management

For Staff Use only

VARIANCE NUMBER: Z20-0041

\$150 RECEIPT# 17401 DATE 8-3-20

SITE ADDRESS, CITY, AND STATE <u>23710 County 9 Blvd Goodhue MN</u>			ZIP CODE: <u>55027</u>
LEGAL DESCRIPTION: <u>See Survey</u>			
PID#: <u>33.025.0200</u>	ZONING DISTRICT: <u>A-1</u>	LOT AREA (SQUARES): <u>5 AC</u>	LOT DIMENSIONS: <u>See Survey</u>
STRUCTURE DIMENSIONS (if applicable):			

APPLICANT OR AUTHORIZED AGENT'S NAME:
Shane and Melissa Matthees

APPLICANT'S ADDRESS:
23710 County 9 Blvd
Goodhue mn 55027

PROPERTY OWNER'S NAME:
Same as Above

PROPERTY OWNER'S ADDRESS:

TELEPHONE:

EMAIL:

CONTACT FOR PROJECT INFORMATION:
Same as Above

ADDRESS:

TELEPHONE:

EMAIL:

VARIANCE REQUESTED TO: (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: <u>Residential living</u>
	PROPOSED USE: <u>Residential living</u>
	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: Robert Nirsch TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE: Robert Nirsch Supervisor DATE: 7/30/2020

Attached

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: 7/30/2020

Print name: Shane Matthees

(owner or authorized agent)

REQUEST SUMMARY

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

Article: 21 Section: SA-1 Name: Agricultural Protection District Setbacks

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:

We use the property as a Residential Homestead. Our home is a split level with a truck under garage. We would like to add on an main level laundry/mudroom as well as a 2 car garage that is better suited for larger vehicles, as we can only fit ^{one car in our current garage.}

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

If the variance was not granted we would be unable to make the improvement to our current home as there are no other options for this addition to any other area of our home.

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:

We are limited to the North side of our property because the Southside is where our Septic is located and to the East side, or the back of our home, has no access.

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

The existing standards gave us 9.5 feet so we could of added only a small laundry room and would not solve our problem of getting both vehicles in a garage.

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

Our current plans, which have not been fully drafted yet, would put our building at 31.2 feet off the property line as we have requested an additional 4 feet as a buffer.

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

NO our request would not alter the essential character of the area.

TOWNSHIP ZONING APPLICATION

TOWNSHIP NAME

Goodhue

Goodhue County

Parcel # 33.025.0200

APPLICANT INFORMATION

Last Name	Matthees	First	Shane	M.I.	T
Street Address	23710 County 9 Blvd			Phone	651-764-3425
City	Goodhue	State	MN	ZIP	55007
Email Address	mmatthees@gmail.com				
Township	III	Range	015	Section	25

PROJECT INFORMATION

Site Address	23710 County 9 Blvd Goodhue MN 55007				
Zoning District	Lot Size	5 Ac		Structure Dimensions	
Type of Project	Addition		Proposed Use Residential living		
Structure Type	Wood	Replacement?	YES	<input checked="" type="radio"/> NO	
Variance #			Conditional Use Permit #		

Name of Property Owner: Shane and Melissa Matthees

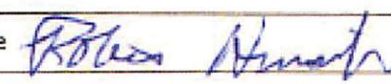
DISCLAIMER AND SIGNATURE

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.

Signature:  Date: 7/30/2020

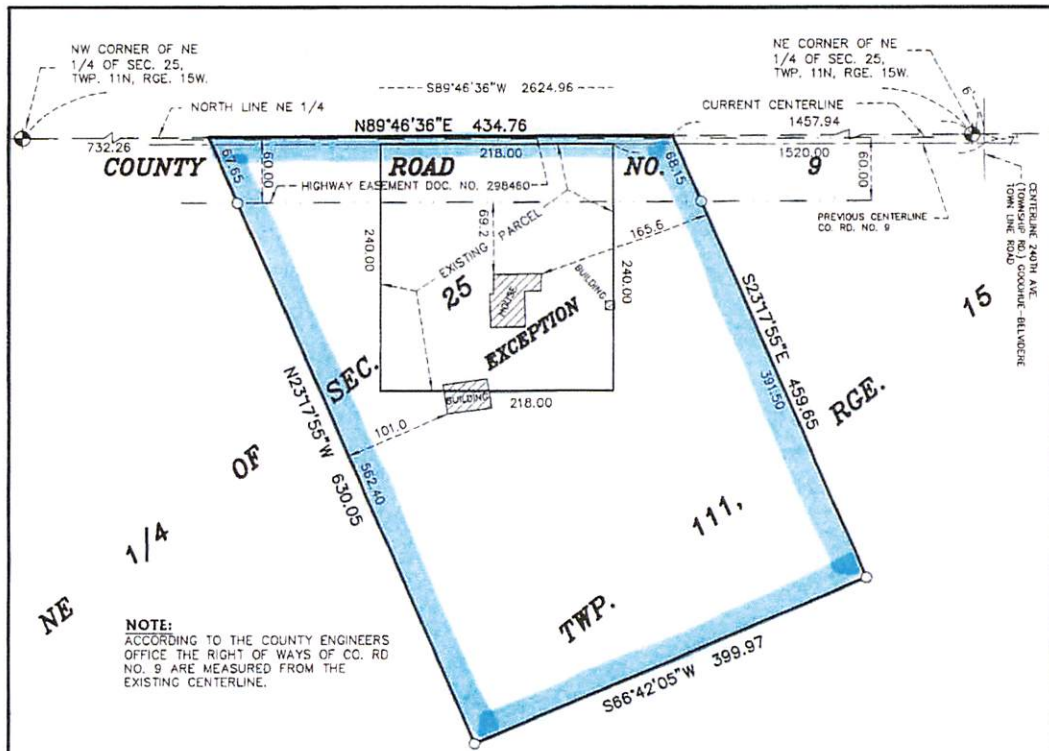
TOWNSHIP APPROVALS

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.

Signature:  Title: Supervisor Date: 7/30/2020

Signature: Brenda L. Hensch Title: Clerk Date: 7/31/2020

Application fee _____ Receipt Number _____



NOTE:
 ACCORDING TO THE COUNTY ENGINEERS
 OFFICE THE RIGHT OF WAYS OF CO. RD
 NO. 9 ARE MEASURED FROM THE
 EXISTING CENTERLINE.

TOTAL AREA OF PARCEL
 INCLUDING EXCEPTION AND
 INCLUDING CO. RD. RIGHT OF
 WAY = 5.0 ACRES.

AREA OF PARCEL INCLUDING
 EXCEPTION AND EXCLUDING CO.
 RD. RIGHT OF WAY = 4.4
 ACRES.

AREA OF PARCEL INCLUDING
 CO. RD. RIGHT OF WAY AND
 EXCLUDING EXCEPTION = 3.8
 ACRES.

PROPOSED PROPERTY DESCRIPTION

That part of the Northeast Quarter of Section 25, Township 111 North, Range 15 West, Goodhue County, Minnesota, described as follows:

Commencing at the northeast corner of said Northeast Quarter; thence South 89 degrees 46 minutes 36 seconds West, assumed bearing, along the north line of said Northeast Quarter, a distance of 1457.94 feet to the point of beginning of the land to be described; thence South 23 degrees 17 minutes 55 seconds East, a distance of 459.65 feet; thence South 66 degrees 42 minutes 05 seconds West, a distance of 399.97 feet; thence North 23 degrees 17 minutes 55 seconds West, a distance of 630.05 feet to the north line of said Northeast Quarter; thence North 89 degrees 46 minutes 36 seconds East, along said north line, a distance of 434.76 feet to the point of beginning.

EXCEPT:

That part of the North Half (N1/2) of the Northeast Quarter (NE1/4) of Section 25, Township 111, Range 15 described as follows:

Beginning at a point 1520 feet West from the center of Goodhue and Belvedere town line road and the center of Goodhue County #9; then 240 feet due south, then 218 feet due West, then 240 feet due North, then 218 feet due East to the point of beginning.

Subject to an easement for Highway purposes over, under and across the north 60.00 feet thereof, for County Road Number 9, and subject to all other easements and restrictions of record.

- DENOTES A PLACED 1" BY 18" IRON PIPE HAVING A PLASTIC CAP BEARING LAND SURVEYOR LICENSE NO. 15473.
- ⊕ DENOTES FOUND COUNTY MONUMENT.



THE BEARINGS SHOWN HEREON ARE ORIENTED TO THE GOODHUE COUNTY COORDINATE SYSTEM, NAD 83, HARN 96 ADJ.

STR\CERTS\111-15\24\STEVE MATTHEES

CERTIFICATE OF SURVEY FOR:

STEVE MATTHEES

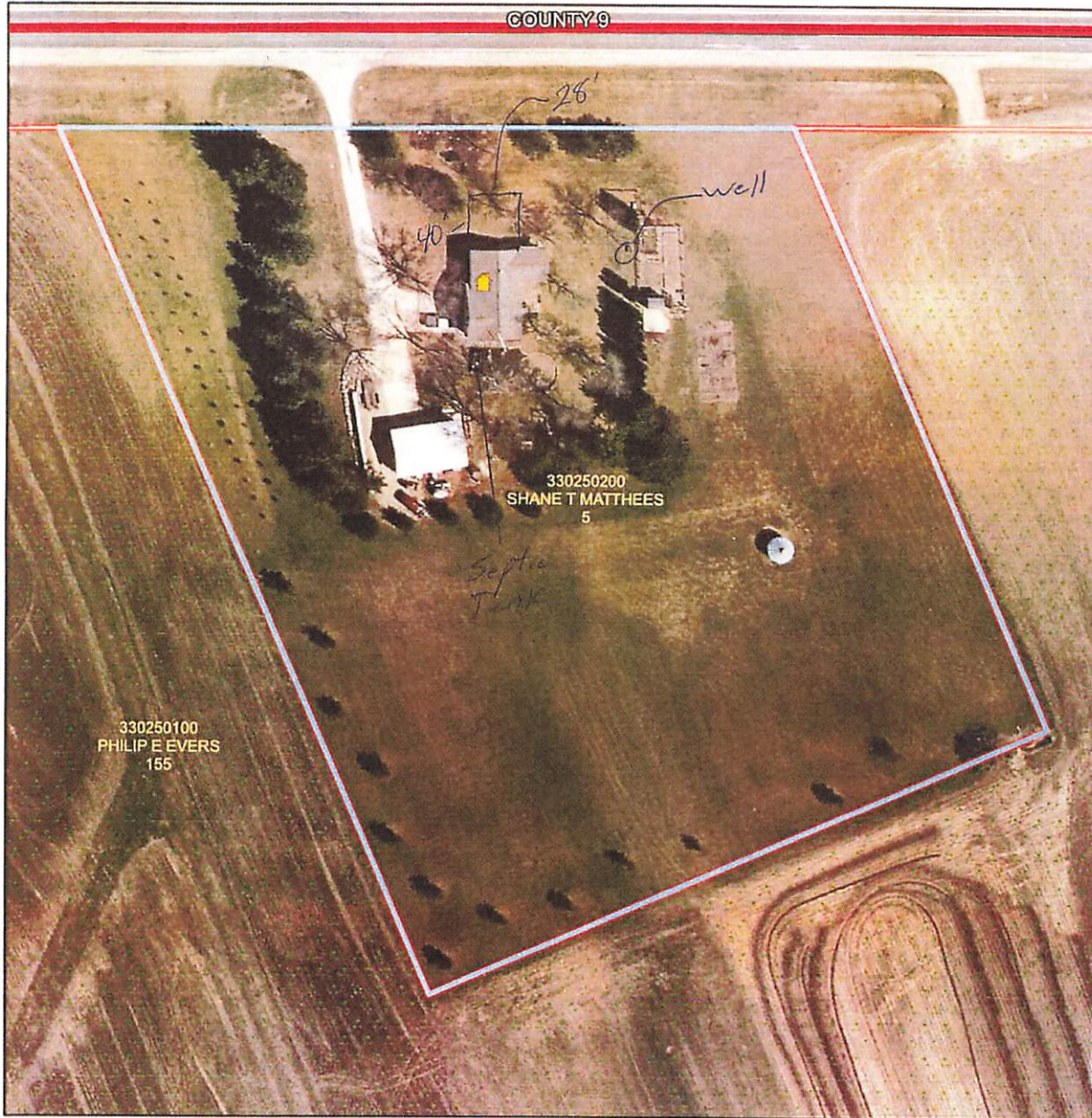
JOHNSON & SCOFIELD INC.
SURVEYING AND ENGINEERING
 1203 MAIN STREET, RED WING, MN 55066
 (651)388-1558, (800)736-0585

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.

Alan K. Scofield
 Alan K. Scofield
 Minnesota License No. 15473
 Date: January 17, 2008

BK.	PG.	W.O.#	DRAWING NUMBER
EPFILES:		08-107	S-4140
SHEET 1 OF 1 SHEETS			

MAP 01: PROPERTY OVERVIEW



BOARD OF ADJUSTMENT

Public Hearing
August 24, 2020

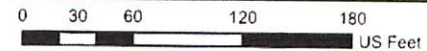
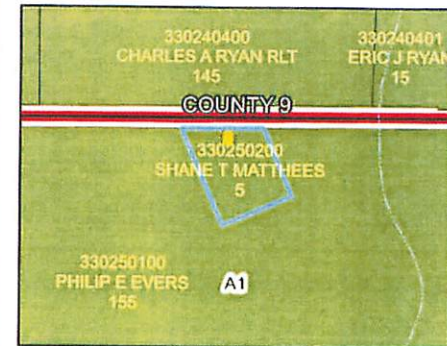
Shane Matthees (Owner/Applicant)
A1 Zoned District

Part of the N 1/2 of the NE 1/4 in
Section 25 TWP 111 Range 15
Goodhue Township

Variance request to construct an
dwelling addition less than 60 feet
from the County 9 BLVD ROW

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	A0
Municipalities	X

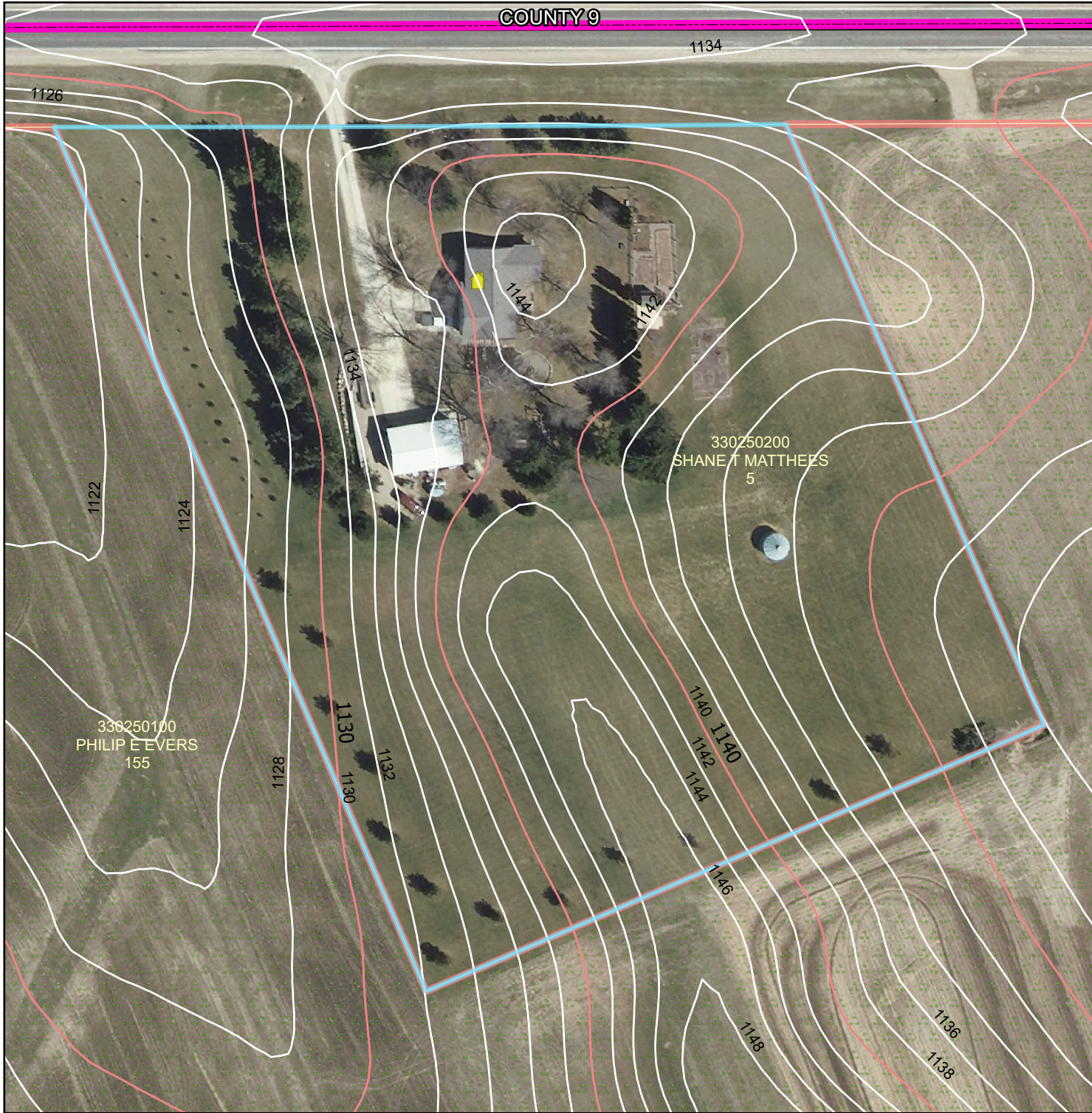


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Map Created August, 2020 by LUM



MAP 03: ELEVATIONS



BOARD OF ADJUSTMENT

Public Hearing
August 24, 2020

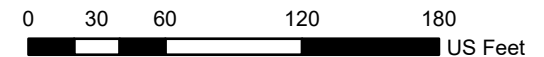
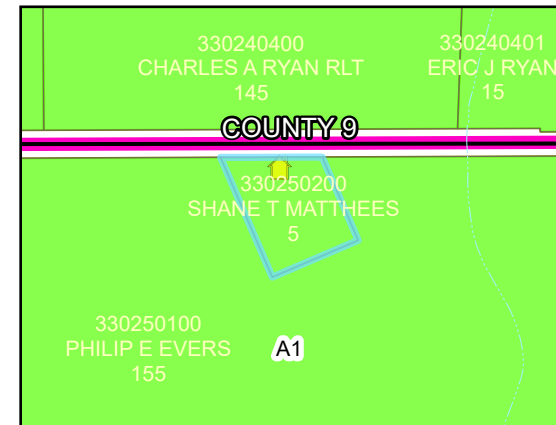
Shane Matthees (Owner/Applicant)
A1 Zoned District

Part of the N 1/2 of the NE 1/4 in
Section 25 TWP 111 Range 15
Goodhue Township

Variance request to construct an
dwelling addition less than 60 feet
from the County 9 BLVD ROW

Legend

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

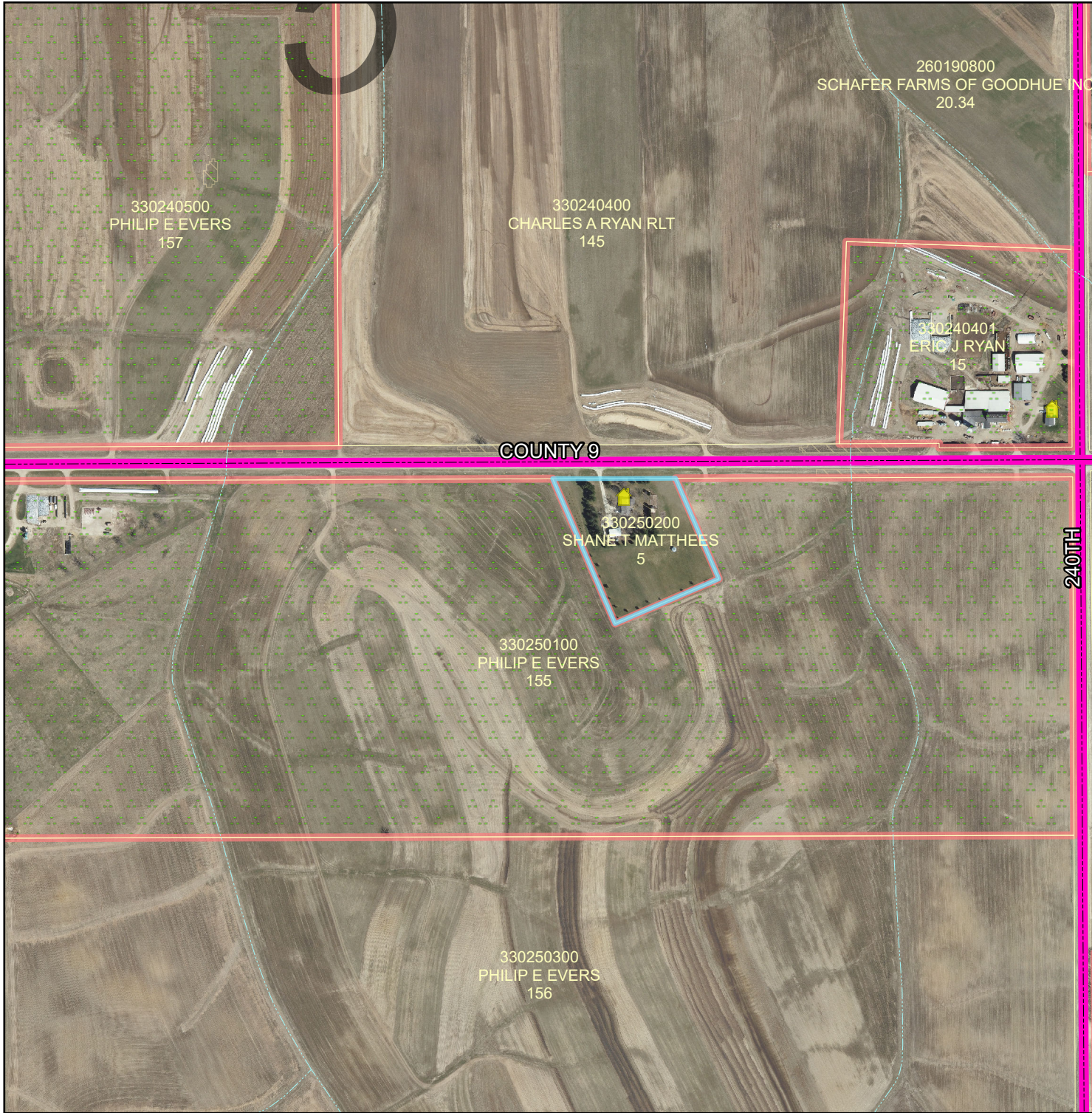


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2018 Aerial Imagery
Map Created August, 2020 by LUM



MAP 02: VICINITY MAP



BOARD OF ADJUSTMENT

Public Hearing
August 24, 2020

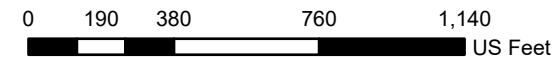
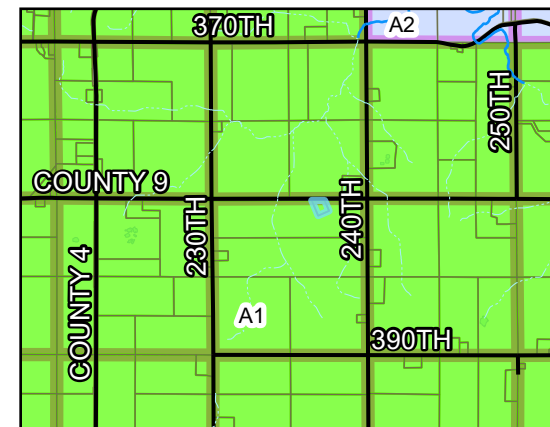
Shane Matthees (Owner/Applicant)
A1 Zoned District

Part of the N 1/2 of the NE 1/4 in
Section 25 TWP 111 Range 15
Goodhue Township

Variance request to construct an
dwelling addition less than 60 feet
from the County 9 BLVD ROW

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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Goodhue County Land Use Management

Goodhue County Government Center | 509 West Fifth Street | Red Wing, Minnesota 55066

Lisa M. Hanni, L.S. Director

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.385.3106



County Surveyor / Recorder

Environmental Health | Land Surveying | GIS
Telephone: 651.385.3223
Fax: 651.385.3098

To: Board of Adjustment
From: Land Use Management
Meeting Date: August 24, 2020
Report date: August 17, 2020

PUBLIC HEARING: Request for Variance, submitted by Schwartau Farms (owner) to A-1 Zoning District standards to allow parcel line reconfiguration creating property lines closer than 30 feet from existing accessory structures.

Application Information:

Applicants: Schwartau Farms (David & Daniel Schwartau)
Address of zoning request: 29232 and 29230 CTY 53 BLVD, Red Wing, MN 55066
Parcels: 31.009.0200 and 31.009.0202
Abbreviated Legal Description: Part of the NW 1/4 of Section 09 TWP 112 Range 15 in Featherstone Township
Township Information: Featherstone Township endorsed acknowledgment of the Applicant's request.
Zoning District: A1 (Agriculture Protection District)

Attachments and Links:

Application and submitted project summary
Site Map
Goodhue County Zoning Ordinance: <http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Background:

David and Daniel Schwartau together with their partnership (Schwartau Farms) own 3 parcels comprising approximately 160-acres in the NW1/4 of section 09 in Featherstone Township. The acreage includes a 2.15-acre parcel (PID 31.009.0201) that is David's homestead, a 2.0-acre parcel (PID 31.009.0202) that is Daniels' homestead, and a 154.85-acre parcel jointly owned by the brothers under Schwartau Farms that includes a farmstead, dwelling, and agricultural lands.

The Schwartau brothers are working on selling their multigenerational family farm to a family member interested in continuing the farming operation. The purchase of the entire farm acreage is planned to occur in 3 to 4 phases to help ease the financial challenges of acquiring the property. The Applicants intend to split the 154.85-acre parcel into 3 parcels (Parcels "A", "C", & "E" on the attached survey) which would then be purchased by the family member over a period of time with the intent that they would ultimately be recombined into a single farmstead once the full property acquisition was complete.

As part of the proposed split, Daniel Schwartau would like to retain ownership of 2 existing outbuildings that are used for equipment storage along his south property line (Parcel "B"/PID 31.009.0202). His south property line currently runs through the center of these two buildings. To resolve the property line issue as part of the farm transition, the Applicants would like to move Daniel's property boundary south and east so that the buildings would remain with his property.

The County Zoning Ordinance requires a minimum setback of 30-feet between structures and adjacent property lines. Due to an existing machine shed being located approximately 30-feet southeast of Daniel's sheds there is insufficient space to retain a 30-foot setback to all structures

when relocating Daniel’s property boundary. The Applicants are therefore requesting a variance to allow Daniel’s property line to be located 15.6-feet from his existing shed on the east property line of proposed Parcel “B” and 15.53-feet from the west property line of the shed on proposed Parcel “A” to facilitate the sale of the farmstead to their next generation.

It should be noted that the split of the 154.85-acre farmstead is anticipated to occur over the course of a few years beginning with Parcel “A”. The split will not require formal platting so long as no more than one tax parcel is split from a single tax parcel within any 6-month period. Additionally, there is an existing dwelling on the farmstead property that will remain with the feedlot throughout the transition to prevent creating a feedlot outside of a farmyard which would require Conditional Use Permit approval.

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:

- Property line setbacks are intended to create separation among adjacent structures and uses to allow for adequate access and accommodate future maintenance needs.

The existing outbuildings on Daniel’s parcel (Parcel “B”/PID 31.009.0202) are currently non-conforming as the property lines already intersect them. The proposed property boundary would create a conforming south property line (30-foot setback) for the outbuildings and improve the property setback from 0-feet to 15.6-feet. The existing shed to southeast would retain a 15.53-foot setback to the proposed property line leaving sufficient area for access and future maintenance. 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:

- This is a unique situation that is not specifically addressed within the Comprehensive Plan. However, the Goodhue County Comprehensive Plan supports the use of existing rural residences to provide rural living opportunities in the unincorporated areas of Goodhue County.

The proposed boundary realignment does not appear inconsistent 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 relocate an existing non-conforming property line as part of a farm ownership transition is a reasonable use of property in the A1 District.
- All of the Applicant’s parcels currently conform to the A1 District minimum lot size of 2-acres and would continue to do so after the proposed splits.
- Due to the current property configuration, the lot line separating Daniel Schwartau’s property (Parcel “B”/PID 31.009.0202) from the farm partnership property (PID 31.009.0200) currently crosses over two existing outbuildings. To resolve the issue, the Applicants would

like to move the line south so that Daniel can retain ownership of the outbuildings.

- There is only 31.13-feet separating the shed in the southeast corner of Daniel’s property from the adjacent shed on the farm partnership property. Given the minimum setback required by ordinance for each of these structures is 30-feet, there isn’t enough space to locate a property line between them meeting setback to each building.

The proposed property line is intended to evenly distribute the available space so that each building would retain adequate space for access as well as future repairs and maintenance.

- The Applicant’s alternatively considered moving Daniel’s property line 30-feet north of the existing outbuildings, however, that would prevent Daniel from retaining ownership of them, and would have removed a large portion of Daniel’s front yard area.
- A review of the existing development pattern in the vicinity reveals very low-density residential uses among predominantly feedlot and row-crop 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.

- No change in use is proposed or anticipated as a result of the variance request.

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 Schwartau Farms (owner) to A-1 Zoning District standards to allow the east property line of PID 31.009.0202 to be located 15.6-feet from an existing structure and to allow the west property of PID 31.009.0200 (proposed parcel “A” on the submitted survey) to be located 15.53-feet from an existing structure.

APPLICATION FOR
Variance

RECEIVED

AUG 4 2020

Land Use Management

For Staff Use only	
VARIANCE NUMBER:	220.0042
\$350 RECEIPT#	17405 DATE 8.4.20

SITE ADDRESS, CITY, AND STATE		ZIP CODE:	
29232 County 53 BLVD Red Wing, MN		55068	
LEGAL DESCRIPTION:			
Attached (Parcel A)			Attached
PID#:	ZONING DISTRICT	LOT AREA (SF/ACRES):	LOT DIMENSIONS:
31,009.0200	A2	60	Attached
STRUCTURE DIMENSIONS (if applicable):			

APPLICANT OR AUTHORIZED AGENT'S NAME	
Schwartz Form - David + Daniel Schwartz	
APPLICANT'S ADDRESS:	TELEPHONE:
29232 County 53 BLVD	
Red Wing, MN 55068	
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"/> 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:
	Agricultural
	PROPOSED USE:
	Agricultural
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
Chuck Schwartz, Clerk	Chuck Schwartz, Clerk	8-4-2020

- 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: David R Schwartz Date: 8/4/2020

Print name: David R Schwartz (owner or authorized agent)

REQUEST SUMMARY

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

Article: 2a Section: 5 Name: Subdivision 2
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 is currently used for agriculture. Splitting up the farm site so the next generation can begin buying it. Dan would like to maintain ownership of 2 buildings to keep with his property to store his equipment

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

the involved parties would not be able to have or retain ownership of the desired buildings.

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:

We are splitting a dairy building site with several buildings near the property lines, none of which would meet setback requirements.

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

Alternatives could include using current property line located on the back of the building. This alternative was rejected because Dan wanted to maintain ownership of a building for storage of his equipment.

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

None exist

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

No, because family is buying into the farm and they would eventually like to own and recombine all parcels.

Property line will run directly between an existing barn and the existing main farm shop. Daniel would like to retain ownership of barn as it is directly behind his existing property line (see parcel B south line) and creates a natural barrier between his back yard and the main farm yard. Additionally, he would like to retain ownership of the barn to store his equipment in. The parcels involved are listed on the survey as parcel A and parcel B. The property line in question is marked on the survey and the 2 buildings (and setbacks) in question are shown.

The purchasing party (family – daughter and son in law of David Schwartau) would like to own the rest of the building site (including the shop) as the farm house and rest of the building site is included in the planned sale (see parcel A) The purchasing party will purchase the other parcels and recombine them into one (parcels B, C, D and E will eventually be purchased) in the future.

MAP 01: PROPERTY OVERVIEW



BOARD OF ADJUSTMENT

Public Hearing
August 24, 2020

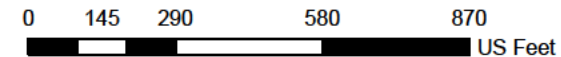
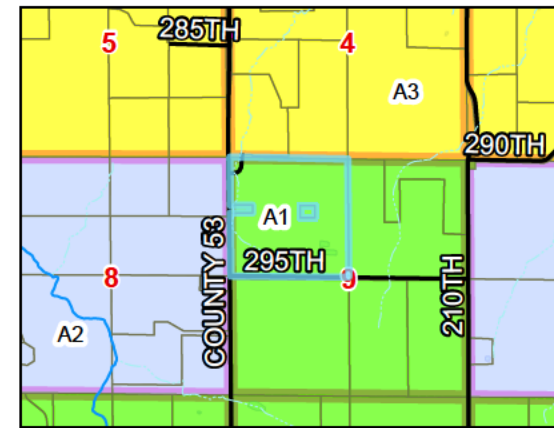
Schwartau Farms (Owner/Applicant)
A1 Zoned District

Part of the NW 1/4 of
Section 09 TWP 112 Range 15 in
Featherstone Township

Variance request to allow parcel line
reconfiguration creating property lines
closer than 30 feet from existing
accessory structures

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
August 24, 2020

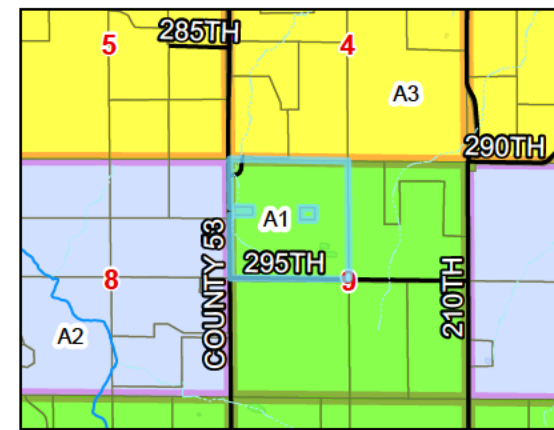
Schwartau Farms (Owner/Applicant)
A1 Zoned District

Part of the NW 1/4 of
Section 09 TWP 112 Range 15 in
Featherstone Township

Variance request to allow parcel line
reconfiguration creating property lines
closer than 30 feet from existing
accessory structures

Legend

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



0 355 710 1,420 2,130 US Feet

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PARCEL A PROPOSED PROPERTY DESCRIPTION

That part of the Northeast Quarter of the Northwest Quarter and that part of the Southeast Quarter of the Northwest Quarter in Section 9, Township 112 North, Range 15 West, Goodhue County, Minnesota, described as follows:

Beginning at the northeast corner of the Northwest Quarter of said Section 9; thence on an assumed bearing of North 89 degrees 00 minutes 15 seconds West, along the north line of said Northwest Quarter, a distance of 797.97 feet; thence South 00 degrees 25 minutes 45 seconds East, a distance of 873.66 feet; thence South 89 degrees 25 minutes 52 seconds West, a distance of 409.76 feet; thence South 00 degrees 34 minutes 08 seconds East, a distance of 437.70 feet; thence South 84 degrees 22 minutes 39 seconds East, a distance of 1324.90 feet to the south line of said Northwest Quarter; thence South 89 degrees 16 minutes 20 seconds East, along said south line, a distance of 1206.66 feet to the southeast corner of said Northwest Quarter; thence North 00 degrees 25 minutes 45 seconds West, along the east line of said Northwest Quarter, a distance of 2641.77 feet to the point of beginning.

Subject to a roadway easement over and across that part taken by 295th Street and subject to all other easements and restrictions of record.

EXCEPT

That part of the Northeast Quarter of the Northwest Quarter and that part of the Southeast Quarter of the Northwest Quarter in Section 9, Township 112 North, Range 15 West, Goodhue County, Minnesota, described as follows:

Commencing at the northeast corner of the Northwest Quarter of said Section 9; thence on an assumed bearing of North 89 degrees 00 minutes 15 seconds West, along the north line of said Northwest Quarter, a distance of 797.97 feet; thence South 00 degrees 25 minutes 45 seconds East, a distance of 873.66 feet; thence South 89 degrees 25 minutes 52 seconds West, a distance of 409.76 feet; thence South 00 degrees 34 minutes 08 seconds East, a distance of 437.70 feet; thence South 84 degrees 22 minutes 39 seconds East, a distance of 119.27 feet; thence South 75 degrees 11 minutes 43 seconds East, a distance of 90.17 feet; thence South 65 degrees 25 minutes 29 seconds East, a distance of 92.38 feet; thence South 89 degrees 52 minutes 16 seconds East, a distance of 182.09 feet; thence North 00 degrees 18 minutes 45 seconds West, a distance of 81.53 feet; thence North 00 degrees 34 minutes 08 seconds West, a distance of 268.06 feet; thence South 89 degrees 25 minutes 52 seconds West, a distance of 62.23 feet; thence North 00 degrees 25 minutes 45 seconds West, a distance of 166.35 feet to the point of beginning.

PARCEL B PROPOSED PROPERTY DESCRIPTION

That part of the Northeast Quarter of the Northwest Quarter and that part of the Southeast Quarter of the Northwest Quarter in Section 9, Township 112 North, Range 15 West, Goodhue County, Minnesota, described as follows:

Commencing at the northeast corner of the Northwest Quarter of said Section 9; thence on an assumed bearing of North 89 degrees 00 minutes 15 seconds West, along the north line of said Northwest Quarter, a distance of 797.97 feet; thence South 00 degrees 25 minutes 45 seconds East, a distance of 873.66 feet to the point of beginning of the land to be described; thence South 89 degrees 25 minutes 52 seconds West, a distance of 409.76 feet; thence South 00 degrees 34 minutes 08 seconds East, a distance of 437.70 feet; thence South 84 degrees 22 minutes 39 seconds East, a distance of 119.27 feet; thence South 75 degrees 11 minutes 43 seconds East, a distance of 90.17 feet; thence South 65 degrees 25 minutes 29 seconds East, a distance of 92.38 feet; thence South 89 degrees 52 minutes 16 seconds East, a distance of 182.09 feet; thence North 00 degrees 18 minutes 45 seconds West, a distance of 81.53 feet; thence North 00 degrees 34 minutes 08 seconds West, a distance of 268.06 feet; thence South 89 degrees 25 minutes 52 seconds West, a distance of 62.23 feet; thence North 00 degrees 25 minutes 45 seconds West, a distance of 166.35 feet to the point of beginning.

Subject to all easements and restrictions of record.

PARCEL C PROPOSED PROPERTY DESCRIPTION

That part of the Northeast Quarter of the Northwest Quarter and that part of the Northwest Quarter of the Northwest Quarter in Section 9, Township 112 North, Range 15 West, Goodhue County, Minnesota, described as follows:

Commencing at the northeast corner of the Northwest Quarter of said Section 9; thence on an assumed bearing of North 89 degrees 00 minutes 15 seconds West, along the north line of said Northwest Quarter, a distance of 797.97 feet to the point of beginning of the land to be described; thence South 00 degrees 25 minutes 45 seconds East, a distance of 873.66 feet; thence South 89 degrees 25 minutes 52 seconds West, a distance of 409.76 feet; thence South 00 degrees 34 minutes 08 seconds East, a distance of 437.70 feet; thence South 84 degrees 22 minutes 39 seconds East, a distance of 1129.58 feet to the point of beginning of the land to be described; thence South 84 degrees 22 minutes 39 seconds East, a distance of 270.67 feet; thence North 00 degrees 02 minutes 37 seconds East, a distance of 407.71 feet; thence North 00 degrees 25 minutes 52 seconds West, a distance of 564.08 feet to the easterly right of way boundary line of GOODHUE COUNTY RIGHT OF WAY PLAT NO. 84, according to the recorded plat thereof, on file in the office of the Goodhue County Recorder; thence North 00 degrees 35 minutes 50 seconds East, along said easterly right of way boundary line, a distance of 534.68 feet to an angle point in said easterly right of way boundary line; thence North 89 degrees 24 minutes 10 seconds East, along said easterly right of way boundary line, a distance of 40.00 feet to an angle point in said easterly right of way boundary line; thence North 00 degrees 35 minutes 50 seconds West, along said easterly right of way boundary line, a distance of 100.00 feet to an angle point in said easterly right of way boundary line; thence South 89 degrees 24 minutes 10 seconds West, along said easterly right of way boundary line, a distance of 100.00 feet to an angle point in said easterly right of way boundary line; thence South 89 degrees 24 minutes 10 seconds West, along said easterly right of way boundary line, a distance of 534.68 feet to the easterly right of way boundary line of GOODHUE COUNTY RIGHT OF WAY PLAT NO. 84, according to the recorded plat thereof, on file in the office of the Goodhue County Recorder; thence North 00 degrees 35 minutes 50 seconds East, along said easterly right of way boundary line, a distance of 1791.51 feet to the point of beginning.

Subject to a roadway easement over and across that part taken by 290th Street and subject to all other easements and restrictions of record.

PARCEL D PROPOSED PROPERTY DESCRIPTION

That part of the Northwest Quarter of the Northwest Quarter of Section 9, Township 112 North, Range 15 West, Goodhue County, Minnesota, described as follows:

Commencing at the northeast corner of the Northwest Quarter of said Section 9; thence on an assumed bearing of North 89 degrees 00 minutes 15 seconds West, along the north line of said Northwest Quarter, a distance of 797.97 feet; thence South 00 degrees 25 minutes 45 seconds East, a distance of 873.66 feet; thence South 89 degrees 25 minutes 52 seconds West, a distance of 409.76 feet; thence South 00 degrees 34 minutes 08 seconds East, a distance of 437.70 feet; thence North 84 degrees 22 minutes 39 seconds West, a distance of 1129.58 feet to the point of beginning of the land to be described; thence South 84 degrees 22 minutes 39 seconds East, a distance of 270.67 feet to the easterly right of way boundary line of GOODHUE COUNTY RIGHT OF WAY PLAT NO. 84, according to the recorded plat thereof, on file in the office of the Goodhue County Recorder; thence South 00 degrees 35 minutes 50 seconds East, along said easterly right of way boundary line, a distance of 399.52 feet to the intersection with a line bearing South 86 degrees 38 minutes 04 seconds West from the point of beginning; thence North 86 degrees 38 minutes 04 seconds East, a distance of 270.67 feet to the point of beginning.

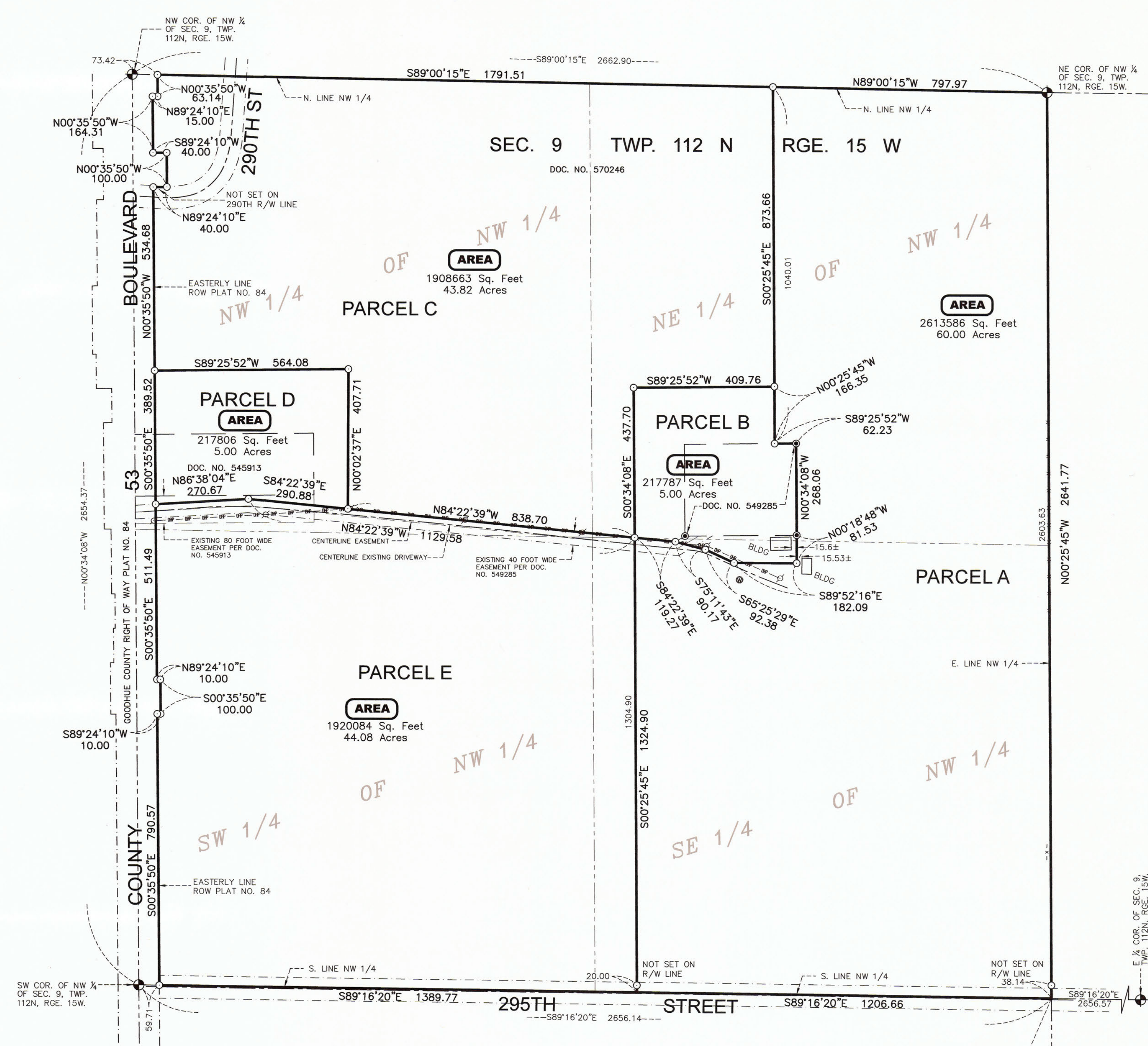
Subject to all easements and restrictions of record.

PARCEL E PROPOSED PROPERTY DESCRIPTION

That part of the Northeast Quarter of the Northwest Quarter, that part of the Northwest Quarter of the Northwest Quarter, that part of the Southwest Quarter of the Northwest Quarter and that part of the Southeast Quarter of the Northwest Quarter, all in Section 9, Township 112 North, Range 15 West, Goodhue County, Minnesota, described as follows:

Commencing at the northeast corner of the Northwest Quarter of said Section 9; thence on an assumed bearing of North 89 degrees 00 minutes 15 seconds West, along the north line of said Northwest Quarter, a distance of 797.97 feet; thence South 00 degrees 25 minutes 45 seconds East, a distance of 873.66 feet; thence South 89 degrees 25 minutes 52 seconds West, a distance of 409.76 feet; thence South 00 degrees 34 minutes 08 seconds East, a distance of 437.70 feet to the point of beginning of the land to be described; thence North 84 degrees 22 minutes 39 seconds West, a distance of 1129.58 feet; thence South 86 degrees 38 minutes 04 seconds East, a distance of 270.67 feet to the easterly right of way boundary line of GOODHUE COUNTY RIGHT OF WAY PLAT NO. 84, according to the recorded plat thereof, on file in the office of the Goodhue County Recorder; thence South 00 degrees 35 minutes 50 seconds East, along said easterly right of way boundary line, a distance of 511.49 feet to an angle point in said easterly right of way boundary line; thence North 89 degrees 24 minutes 10 seconds East, along said easterly right of way boundary line, a distance of 10.00 feet to an angle point in said easterly right of way boundary line; thence South 00 degrees 35 minutes 50 seconds West, along said easterly right of way boundary line, a distance of 100.00 feet to an angle point in said easterly right of way boundary line; thence South 89 degrees 24 minutes 10 seconds West, along said easterly right of way boundary line, a distance of 100.00 feet to an angle point in said easterly right of way boundary line; thence South 89 degrees 24 minutes 10 seconds West, along said easterly right of way boundary line, a distance of 534.68 feet to the easterly right of way boundary line of GOODHUE COUNTY RIGHT OF WAY PLAT NO. 84, according to the recorded plat thereof, on file in the office of the Goodhue County Recorder; thence North 00 degrees 35 minutes 50 seconds East, along said easterly right of way boundary line, a distance of 1389.77 feet to the intersection with a line bearing South 00 degrees 25 minutes 45 seconds East from the point of beginning; thence North 00 degrees 25 minutes 45 seconds West, a distance of 1324.90 feet to the point of beginning.

Subject to a roadway easement over and across that part taken by 295th Street and subject to all other easements and restrictions of record.



NOTE: The property is subject to a public roadway easement for 290th Street & 295th Street. 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 Min. Stat., §160.05, subd. 1 and has a right of way width which varies based on what is actually used for the physical roadway and its appurtenances.

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 SECTION CORNER.
- ⊙ DENOTES A WELL.
- ⚡ DENOTES A POWER POLE.
- — — — — DENOTES OVERHEAD POWER.
- - - - - DENOTES REMNANT FENCE POSTS AND WIRE.



PATH: S/SHARE/STR/CERTS/112-15-9/SCHWARTAU FARMS.DWG

CERTIFICATE OF SURVEY FOR: SCHWARTAU FARMS. 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. Marcus S. Johnson, Minnesota License No. 47460, Date: August 3, 2020. BK. NA PG. NA W.O.# DRAWING NUMBER SHEET 1 OF 1 SHEETS 20-556 S-8983