



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

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

1. September 2020 Board Of Adjustment Meeting Minutes

Documents:

[MINUTES_SEPTEMBER_BOA_DRAFT.PDF](#)

Conflict/Disclosure Of Interests

PUBLIC HEARING: Request For Variance To Minimum Setback Standards

Request for Variance, submitted by Eric Barnum (Applicant) and Mid-Continent Gun Club (Owner) to A-2 Zoning District standards to allow construction of a permanent trail-side rest structure less than 30 feet from a side-yard property line and less than 60 feet from the Sunset Trail Right-of-Way. Parcel 42.131.0060. 12644 Sunset Trail, Welch, MN 55089. Part of the SW ¼ of the SE ¼ of Section 31 TWP 113 Range 16 in Vasa Township.

Documents:

[BOAPACKET_BARNUM_REDACTED.PDF](#)

PUBLIC HEARING: Request For Variance To Minimum Setback Standards

Request for Variance, submitted by Charles and Laura Geissler (owners) to A-1 Zoning District standards to allow construction of an accessory structure less than 30 feet from the rear property line. Parcel 41.032.1300. 1244 HWY 19 BLVD, Stanton, MN 55018. Part of the NW ¼ of Section 32 TWP 112 Range 18 in Stanton Township.

Documents:

[BOAPACKET_GEISLER_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
September 28th, 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: Daniel Knott, Robert Benson, Rich Ellingsberg, Darwin Fox, and Denny Tebbe

Commissioners Absent: None

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

1. Approval of Agenda

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

Motion carried 5:0

2. Approval of Minutes

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

Motion carried 4:0 (Chair Knott abstained)

3. Conflict/Disclosure of Interest

There were no conflicts or disclosures of interest.

4. Public Hearings:

PUBLIC HEARING: Request for Variance to Agricultural Tourism Accessory Use Performance Standards

Request for Variance, submitted by Ted Galaty and Willow's Keep Farm LLC (owner/operator) to Agricultural Tourism Accessory Use performance standards to allow hours of operation for outdoor activities ("Fright at the Farm") to extend beyond 10:00 PM. Parcel 39.007.0100. 47385 HWY 52 BLVD, Zumbrota, MN 55992. Part of the NE ¼ of Section 07 TWP 109 Range 15 in Pine Island Township. A-1 Zoned District.

Bechel presented the staff report and attachments.

The Applicant was present via GoToMeeting.

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 Fox and seconded by Benson to close the public hearing.**

Motion carried 5:0

Commissioner Fox noted that he is familiar with the operation and has been pleased with how the operators have worked with the County, MNDOT and other local entities and neighbors regarding the business.

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

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DRAFT**

- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

APPROVE the request for variance submitted by Ted Galaty and Willow's Keep Farm LLC (owner/operator) to Agricultural Tourism Accessory Use performance standards to allow hours of operation for indoor and outdoor activities ("Fright at the Farm") to extend beyond 10:00 PM. Subject to the following condition.

1. Hours of operation shall be allowed to conclude no later than 11:00 PM on Friday and Saturday evenings in October.

Motion carried 5:0

PUBLIC HEARING: Request for Variance to Maximum Accessory Building Size

Request for Variance, submitted by Michael Boraas (owner) to R-1 Zoning District standards to allow construction of an accessory structure greater than 2100 square feet. Parcel 47.032.1000. 19435 CTY 10 BLVD, Zumbrota, MN 55992. Part of the NE ¼ of the NW ¼ of Section 32 TWP 110 Range 15 in Zumbrota Township.

Bechel presented the staff report and attachments.

The Applicant was present via GoToMeeting.

Chair Knott opened the Public Hearing

Bechel read a comment received via email by staff from Robert Post (19383 County 10 BLVD, Zumbrota). Mr. Post stated he and his wife had no objections to the proposed accessory building. (Attachment 1)

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

Motion carried 5:0

⁶Motion by Benson, 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 for a variance, submitted by Michael Boraas (owner), to R1 Zoning District standards (Article 11, section 5) to allow construction of a 3,520 square foot (88-foot x 40-foot) pole-style shed with an attached 448 square foot (8-foot x 56-foot) covered porch.

Motion carried 5:0

PUBLIC HEARING: Request for Variance to Minimum Setback Standards

Request for Variance, submitted by Dean Lindeman (owner) to A-3 Zoning District standards to allow an accessory structure to be constructed less than 30 feet from a side-yard property line. Parcel 41.013.5800. 30596 Oxford Mill RD, Cannon Falls, MN 55009. Part of the SW ¼ of the SE ¼ of Section 13 TWP 112 Range 18 in Stanton Township.

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Pierret presented the staff report and attachments.

The Applicant was present 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 and seconded by Tebbe to close the Public Hearing.

Motion carried 5:0

⁸Motion by Ellingsberg, seconded by Benson, 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 Dean Lindeman (owner) to A-3 Zoning District standards to allow construction of an accessory building 15-feet from the west property line.

Motion carried 5:0

PUBLIC HEARING: Request for Variance to Minimum Setback Standards

Request for Variance, submitted by Dan Williams (owner) to A-3 Zoning District standards to allow an accessory structure to be constructed less than 30 feet from a side-yard property line, less than 60 feet from the County 1 BLVD Right-of-Way, and less than 30 feet from the toe of a Bluff. Parcel 31.002.1300. 28051 CTY 1 BLVD, Red Wing, MN 55066. Part of the NW ¼ of the NE ¼ of Section 02 Township 112 Range 15 in Featherstone Township.

Pierret presented the staff report and attachments.

The Applicant was present via GoToMeeting.

Chair Knott opened the Public Hearing.

Pierret read comments received by staff via phone from Marilyn Conroy (28117 227th AVE Path, Red Wing) stating that the Conroys did not have any issues with the proposed variance or structure.

Pierret read comments received by staff via phone from Christine Radtke (28075 County 1 BLVD, Red Wing) who rescinded her husband's signature on a letter received by staff giving support of the variance request due to civil matters between the Applicant and the Radtkes.

Pierret noted that while neighbor endorsement and support of a variance request is ideal, neighbor support is not required for approval of a variance request. She noted that issues raised by Ms. Radtke to staff were civil issues unrelated to the variance request.

⁹After Chair Knott asked three times for comments it was moved by Fox and seconded by Benson to close the Public Hearing.

Motion carried 5:0

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Commissioner Fox noted that he is familiar with the location of the property and the small lot sizes in the area. He acknowledged that the County 1 Right-of-Way was updated some years ago. Commissioner Fox added his compliments to staff regarding staff reports and presentations being clear and thorough.

¹⁰Motion by Fox, 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 Dan Williams (Owner) to A-3 Zoning District standards to allow construction of an accessory building no closer than 40 feet from the edge of the County 1 BLVD Right-of-Way, no closer than 14 feet from the south property line and no closer than 6 feet from the principal building.

5. Other-Discussion

Staff noted that there will be a BOA meeting in October.

Chair Knott gave his compliments to staff for their detailed reports and presentations.

ADJOURN

¹¹Motion by Benson, seconded by Tebbe to adjourn the BOA meeting at 5:51 PM.

Motion carried 5:0

Respectfully submitted:

Samantha Pierret, Goodhue County Zoning Assistant

MOTIONS

¹ APPROVE the meeting agenda. Motion carried 5:0

² APPROVE the previous meeting's minutes. Motion carried 4:0 (one abstention)

³ Close the Public Hearing. Motion carried 5:0

⁴ APPROVE the variance request to allow hours of operation for indoor and outdoor activities ("Fright at the Farm") to extend beyond 10:00 PM. Motion carried 5:0

⁵ Close the Public Hearing. Motion carried 5:0

⁶ APPROVE the variance request to allow construction of a 3,520 square foot (88-foot x 40-foot) pole-style shed with an attached 448 square foot (8-foot x 56-foot) covered porch. Motion carried 5:0

⁷ Close the Public Hearing. Motion carried 5:0

⁸ APPROVE the variance request to allow construction of an accessory building 15-feet from the west property line. Motion carried 5:0

⁹ Close the Public Hearing. Motion carried 5:0

¹⁰ APPROVE the variance request to allow construction of an accessory building no closer than 40 feet from the edge of the County 1 BLVD Right-of-Way, no closer than 14 feet from the south property line and no closer than 6 feet from the principal building. Motion carried 5:0

¹¹ ADJOURN. Motion carried 5:0

Goodhue County Land Use Management

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

Lisa M. Hanni, L.S. Director



County Surveyor / Recorder

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.385.3106

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

To: Board of Adjustment
From: Land Use Management
Meeting Date: October 26, 2020
Report date: October 16, 2020

PUBLIC HEARING: Request for Variance, submitted by Eric Barnum (Applicant) and Mid-Continent Gun Club (Owner) to A-2 Zoning District standards to allow a permanent trail-side rest structure less than 30 feet from a side-yard property line and less than 60 feet from the Sunset Trail Right-of-Way.

Application Information:

Applicant(s): Eric Barnum (Applicant) and Mid-Continent Gun Club (Owner)

Address of zoning request: 12644 Sunset Trail, Welch, MN 55089

Parcel: 42.131.0060

Abbreviated Legal Description: Part of the SW 1/4 of the SE 1/4 of Section 31 TWP 113 Range 16 in Vasa Township.

Township Information: Vasa Township acknowledged the Application via email and reviewed the request at their October 13th, 2020 meeting. No additional comments from the Township were received.

Zoning District: A-2 (General Agricultural District)

Attachments and Links:

Application and submitted project summary

Site Maps

Goodhue County Zoning Ordinance:

<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Background:

Eric Barnum (Applicant) and Mid-Continent Gun Club (owner) have applied for a variance to A-2 minimum setback standards to construct a proposed 12-foot by 12-foot permanent trail-side rest shelter. The proposed structure would have a 0-foot setback from the Sunset Trail Right-of-Way line where 60 feet is required and a 0-foot setback from the side-yard property line where 30 feet is required.

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 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 proposed location is non-conforming to minimum Right-of-Way setbacks. The new structure is proposed to have a 0-foot Right-of-Way setback where 60 feet is required.

Vasa Township (road authority for Sunset Trail) acknowledged the variance application as proposed with a 0-foot Right-of-Way setback and offered no comments regarding the proposal.

- The proposed location is also non-conforming to minimum side-yard setback requirements. The new structure is proposed to have a 0-foot side-yard setback from the north property line where 30 feet is required.

The property to the north is Goodhue County public property which is managed by the Cannon Valley Trail Joint Powers Board. Trail manager Scott Roepke provided an email noting the Joint Powers Board's approval for the construction of the permanent trail-side rest structure.

The structure is being built with 0-foot setbacks to allow it to be proximate to the trail and immediately accessible to the trail users. The request appears in harmony with the purpose and intent of the official controls.

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

- The Goodhue County Comprehensive Plan supports enhancing the trail systems in Goodhue County and encourages outdoor recreation opportunities.

The proposed permanent trail-side rest structure appears consistent with the Goodhue County Comprehensive Plan.

The Cannon Valley Trail Master Plan addresses rest areas as an area for improvement and maintenance along the Trail. The proposed permanent trail-side rest structure appears consistent with the Cannon Valley Trail Master 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 parcel is a conforming size at approximately 17.25-acres in the A-2 Zoning District (2-acre minimum). Structures for the firing range and a temporary trail-side rest are currently on the parcel.
- The Applicants are proposing to construct a 12-foot by 12-foot permanent trail-side rest structure on the property. The location of the proposed structure is sited as close to the Cannon Valley Trail as possible while remaining on property owned by the Mid-Continent Gun Club who will be donating the structure for use by trail visitors.
- There are existing temporary benches and signage in the area the new shelter is proposed to be constructed.
- The Applicants will be required to obtain appropriate permits from the Goodhue County Building Permits Department prior to construction of the structure.
- The Applicants stated they alternatively considered siting the structure to comply with all setback requirements as well as increasing the setbacks beyond the proposed 0-feet. These alternatives were rejected due to terrain challenges to access the structure, the desire to maintain a greater setback from the firing line of the gun club, and the need for visibility of

the structure for trail users.

- Property and Right-of-Way lines were surveyed and staked during the fall of 2020 by the Goodhue County Survey Department.
- Surrounding land uses include low-density residential to the south owned by Joshua Otto, bluffs and forested land to the south and west owned by Mark Heiman and Juanita Burke, and row crop agriculture to the east across Sunset Trail owned by Janet Gustafson. The trail to the north is Goodhue County public property which is managed by the Cannon Valley Trail Joint Powers Board.

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.

- Hunting clubs and shooting preserves are a conditional use in the A-2 Zoning District.

The proposed permanent trail-side rest structure 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 Eric Barnum (Applicant) and Mid-Continent Gun Club (Owner) to A-2 Zoning District standards to allow construction of a permanent trail-side rest structure 0-feet from the north property line and 0-feet from the Sunset Trail Right-of-Way.

APPLICATION FOR Variance

For Staff Use only

VARIANCE NUMBER:

\$350 RECEIPT#

DATE

SITE ADDRESS, CITY, AND STATE 12644 Sunset Trail, Welch, MN		ZIP CODE: 55089
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LEGAL DESCRIPTION:
SW 1/4 of SE 1/4 SEC 31 113 16 S OF CEN OF RR LESS RR Attached

PID#: 42.131.0050	ZONING DISTRICT A-2	LOT AREA (SF/ACRES): 17.25 Acres	LOT DIMENSIONS: Approximate border lengths are: S=1400', N=1500', W=800', E=240'	STRUCTURE DIMENSIONS (if applicable): 12' X 12'
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APPLICANT OR AUTHORIZED AGENT'S NAME
Eric Barnum

APPLICANT'S ADDRESS: 16680 Eagleview Pl Lakeville, MN 55044	TELEPHONE: [REDACTED]
	EMAIL: [REDACTED]

PROPERTY OWNER'S NAME:
Same as Above Mid-Continent Gun Club

PROPERTY OWNER'S ADDRESS: PO Box 11494 St. Paul, MN 55111	TELEPHONE: [REDACTED]
	EMAIL: [REDACTED]

CONTACT FOR PROJECT INFORMATION:
Same as Above Same as Applicant

ADDRESS:	TELEPHONE:
	EMAIL:

<p>VARIANCE REQUESTED TO: (check all that apply)</p> <p><input checked="" type="checkbox"/> Road Right-Of-Way Setbacks <input type="checkbox"/> % Lot Coverage</p> <p><input checked="" type="checkbox"/> Property Line Setbacks <input type="checkbox"/> Bluff Setbacks</p> <p><input type="checkbox"/> Height Limits <input type="checkbox"/> Shoreland Setbacks</p> <p><input type="checkbox"/> Lot Width &/or Area <input type="checkbox"/> Other (specify)</p> <p><input type="checkbox"/> Subdivision Regulations</p>	CURRENT OR PREVIOUS USE: Temporary trailside rest area for CVT users
	PROPOSED USE: Permanent trailside rest area for CVT users
	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

TOWNSHIP OFFICIAL'S SIGNATURE 	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE James Heden Clerk	DATE 10/13/20
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- 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: 13-OCT-2020

Print name: ERIC J BARNUM (owner or authorized agent)

REQUEST SUMMARY

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

Article: 22 Section: A-2 Name: Agricultural District

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:

See attached document "Supporting Information & Justification"

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

See attached document "Supporting Information & Justification"

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:

See attached document "Supporting Information & Justification"

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

See attached document "Supporting Information & Justification"

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

See attached document "Supporting Information & Justification"

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

See attached document "Supporting Information & Justification"

Supporting Information & Justification

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

The Mid-Continent Gun Club (MCGC) was established in 1948 and owns the property adjacent to the Goodhue County property that is occupied by the Cannon Valley Trail (CVT). Since the inception of the CVT in 1986, the MCGC has maintained a temporary trailside rest area for the CVT users at the NE corner of the property where it is closest to the CVT and furthest from the shooting lines for the range. As part of our long-range plan to be good community members, we have planned to construct and maintain a permanent trailside rest area on our club property for public use. The current ordinance requires a 30' setback from the northern most property line (Property Line Setback) and a 60' setback from the Sunset Trail Right-Of-Way (Road Right-Of-Way Setback) to the east. To maximize the safety of the CVT users when utilizing the trailside rest area, to place it in the most visible location from the CVT, and to place it in a location that will be the easiest for all CVT users to access, we humbly request this variance of a zero-foot setback.

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

If the variance is not granted, the MCGC will not pursue an alternate location for the permanent trailside rest area for the CVT users and will continue to maintain the current, temporary trailside rest area.

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:

To maximize the safety of all users of the CVT and members of the club, we propose locating the trailside rest area as close to the CVT as possible while maintaining the maximum distance away from the firing line opposite the line of fire.

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

The MCGC has considered placing the permanent trailside rest area at the location closest to the trailhead while maintaining compliance to the existing standards. The MCGC rejects this location because it would not be visible to CVT users, would require CVT users to navigate rough terrain to get from the CVT to the permanent trailside rest area, and presents a less safe location.

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

The MCGC has considered placing the permanent trailside rest area at the location between our

proposed location and the location compliant with existing standards. The MCGC rejects this location because it would be less visible to CVT users, may require CVT users to navigate rough terrain to get from the CVT to the permanent trailside rest area, and presents a less safe location.

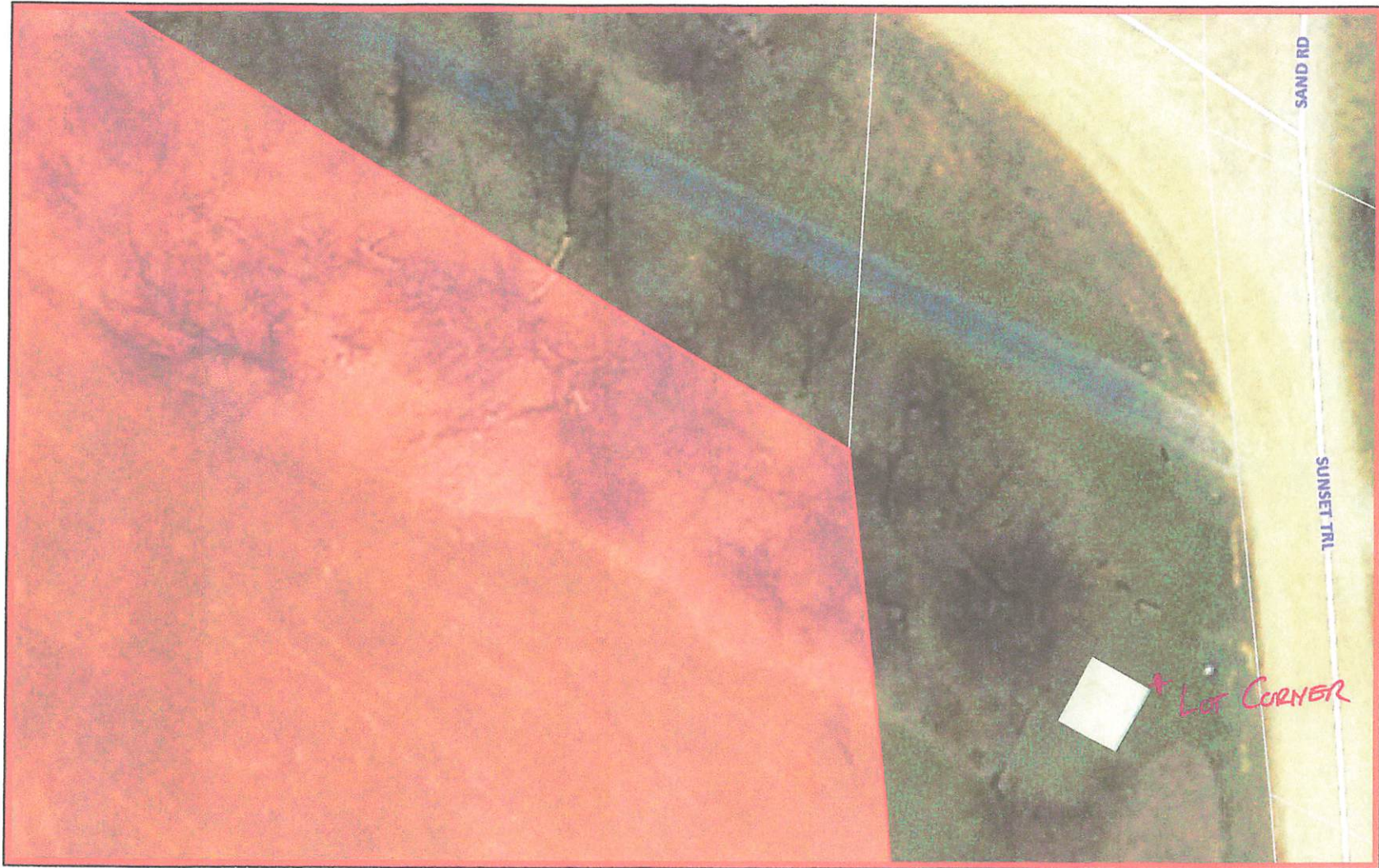
In your opinion, do you think the granting of your variance request would alter the “essential character” of the neighborhood/area?:

The MCGC has been blessed to have a place to promote the safe enjoyment of recreational shooting sports for over 70 years. We take great pride in that we have always placed our neighbor's safety and concerns foremost. Our nonprofit club is committed to providing a relaxing, safe resting space for the hikers, cyclists, cross country skiers and their families that utilize this exceptional scenic trail.

The MCGC membership believes in being good neighbors and good stewards of our property. We have made many improvements over the years to benefit the CVT users by installing berms, trees, fencing and signage to promote safety when traveling by our property. These improvements also serve well for diffusing and mitigating noise concerns for CVT users and our neighboring properties.

The MCGC feels that by providing the permanent trailside rest area it gives the CVT users a safe, contained area to stop for a breather. This permanent trailside rest area makes it possible for the CVT users to be safely off the CVT thereby increasing the safety of fellow CVT users. Additionally, this area provides a safe stopping point well off Sunset Trail and the car and truck traffic that drive on it. We know that this relaxing spot, with an incredible view of the Cannon River Valley, serves thousands of users in a year. The permanent trailside rest area would also see continued usage throughout the winter for cross country skiers and winter hikers. The MCGC members would like to improve on what we have accomplished to date and show by example that we are good neighbors and caretakers of our club property.

ArcGIS WebMap



September 28, 2020

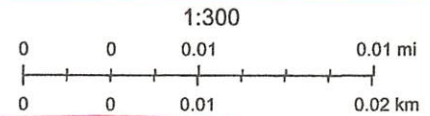
Override 1

ParcelsAGOLBasemap

Township or Other Roads

Township or Other Roads

Township or Other Roads



REQUESTING A ZERO FOOT SETBACK

Mid-Continent Gun Club
12644 Sunset Trail
Welch, MN 55089

September 29, 2020

To: Goodhue County Land Use Management,

The purpose of this letter is to confirm that Mid-Continent Gun Club (MCGC) is seeking approval to construct and maintain a permanent trailside rest area shelter to replace the temporary trailside rest area we have sponsored since the inception of the Cannon Valley Trail (CVT) System in 1986.

The MCGC has been a part of the Vasa township since 1948. In our original charter, the MCGC was created by US Military Veterans returning home at the end of World War II as a place to practice "the fine art of marksmanship." These skills and competitions were well honed during their years of service to their country. We are proud to continue that tradition today and into the future. Two of our major areas of focus in our original charter are to be good neighbors and to be good caretakers of our club property. The MCGC has been proud to offer part of our private property for use as a temporary trailside rest area for public users of the Cannon Valley Trail System.

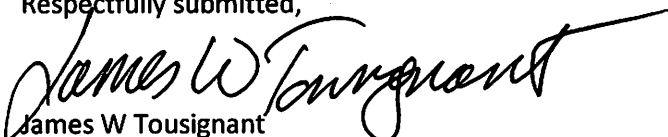
The MCGC is now seeking to improve the support of the CVT system for many years to come. The MCGC has raised enough private donations in memory of the many past members that have donated their time and talents assuring that the MCGC is a well-managed, well maintained, 75-member private organization dedicated to the shooting sports.

Our goal to construct and maintain a permanent trailside rest area and new structure on our club property for public use is part of our long-range plan to continue to be good community members. As a leadership group we are in the process of obtaining all the proper applications, permissions, permits and variances necessary to gain acceptance of our proposal.

The MCGC membership held an informational club meeting with a unanimous vote of membership to accept and support this proposal on September 8, 2020. Working with the CVT Trail Management, Vasa Township and Goodhue County we are optimistic that we have a solid foundation for this proposal. We look forward to a favorable reply and ultimately proceeding with this project to be ready to use for the summer 2021 recreational season.

Thank you for your time and consideration.

Respectfully submitted,


James W. Tousignant

President Mid-Continent Gun Club

"A private club dedicated to the fine art of marksmanship"



Mid-Continent Gun Club - Proposed Shelter



Thu, Oct 1, 2020 at 10:39 AM

Dear Mid-Continent Gun Club,

Thank you for making the Cannon Valley Trail aware of the proposed trailside rest area including a roofed shelter at the northeast cornering of the Mid-Continent Gun Club property which is adjacent to Goodhue County property managed by the Cannon Valley Trail. The Cannon Valley Trail acknowledges you are applying for a variance for the rest area and roofed shelter. The Cannon Valley Trail approves the proximity of the shelter to property managed by the Cannon Valley Trail. Please see the attached board minutes from the CVT JPB meeting held on September 22nd, 2020.

“Roepke reported the Mid-Continental Gun Club would like to build a Shelter near the CVT on their property in memory of one of their members. They are looking for support from the CVT if a variance is needed to build close to the property line. Richardson made a motion to support the Gun Club’s shelter project and to authorize the Trail Manager to sign any necessary forms if needed to approve a variance. Seconded by Hove. Motion passed with all present voting ayes.”

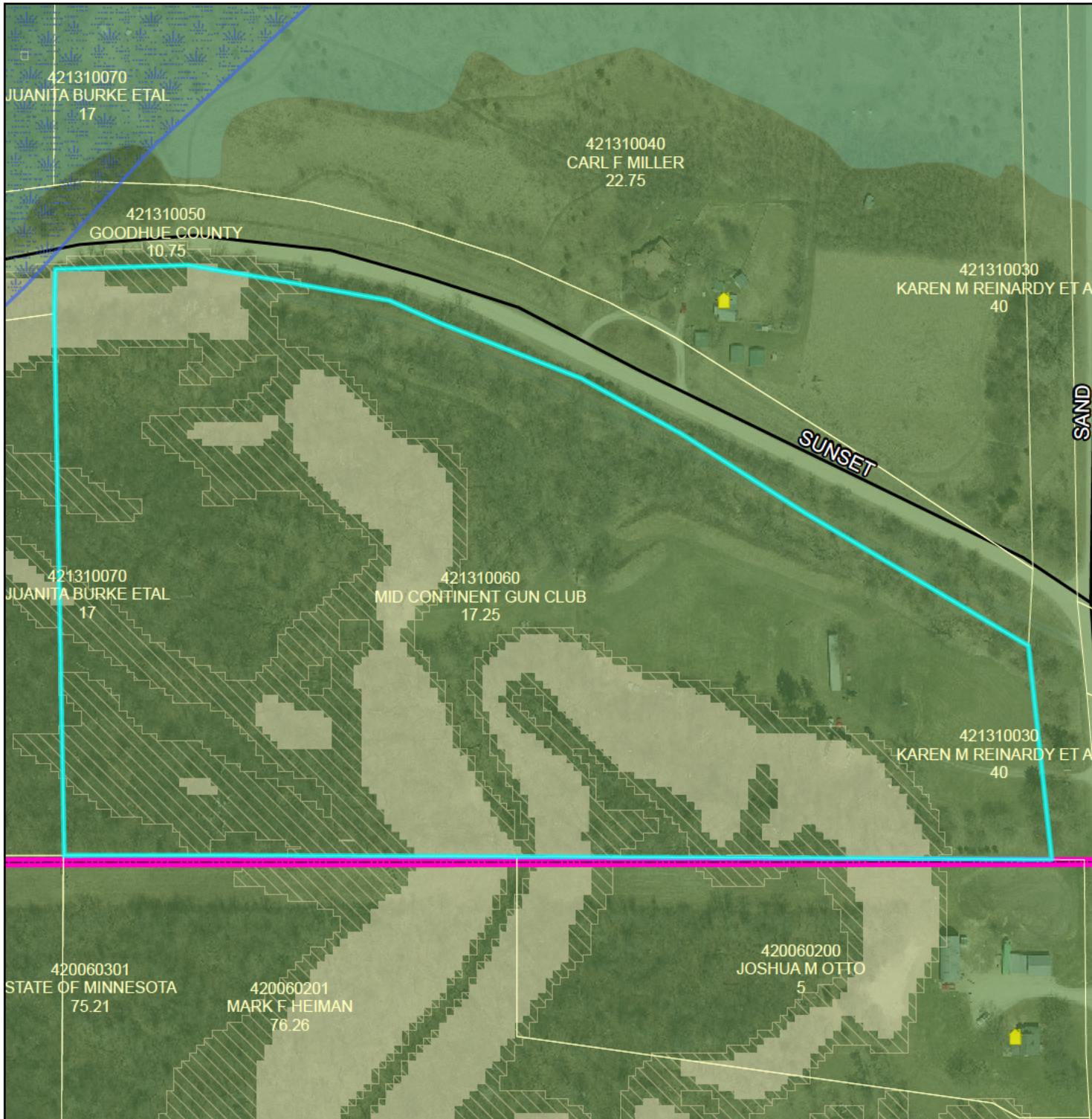
Thank you for your cooperation.

Scott Roepke

Trail Manager

Cannon Valley Trail

MAP 01: PROPERTY OVERVIEW



BOARD OF ADJUSTMENT

Public Hearing
October 26, 2020

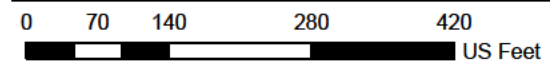
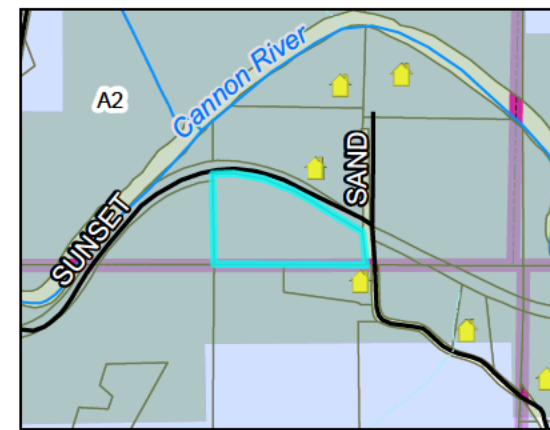
Eric Barnum (Applicant) Mid-Centinent
Gun Club (Owner)
A2 Zoned District

Part of the SW 1/4 of the SE 1/4 of
Section 31 TWP 113 Range 16 in
Vasa Township

Variance request to construct a permanent
trail-side rest structure less than 30 feet
from a side-yard property line and less
than 60 feet from the Sunset Trail 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

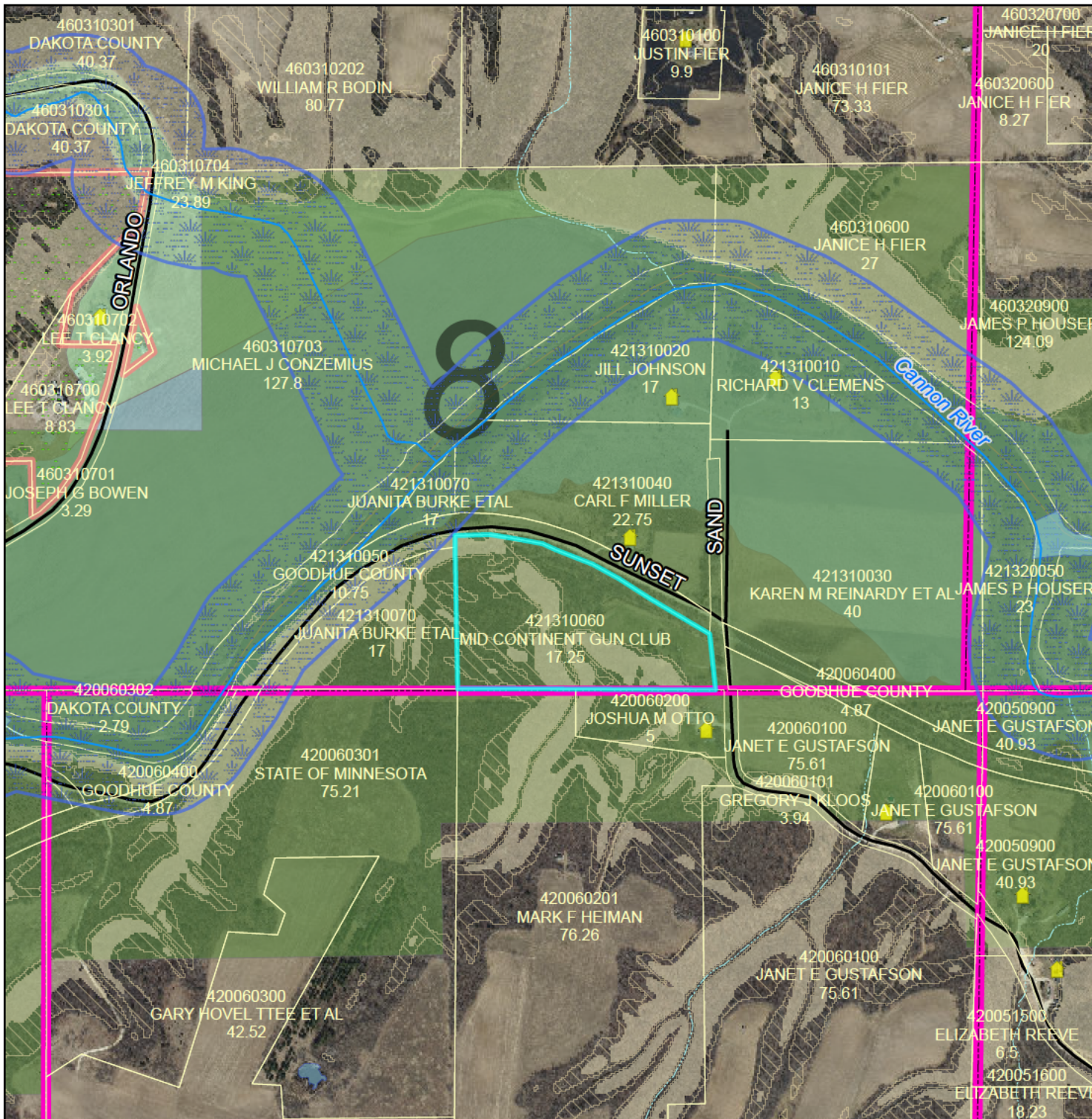


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MAP 02: VICINITY MAP



BOARD OF ADJUSTMENT

Public Hearing
October 26, 2020

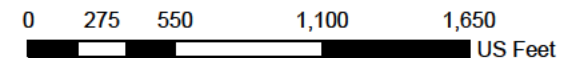
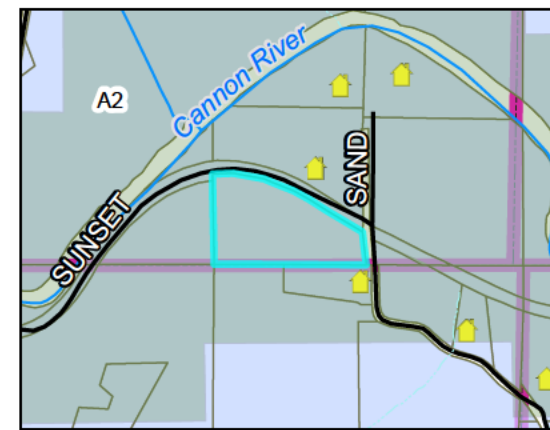
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	Lakes & Other Water Bodies		
	Shoreland		
	Historic Districts		
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	Dwellings		
	Municipalities		
			FEMA Flood Zones
			2% Annual Chance
			A
			AE
			AO
			X

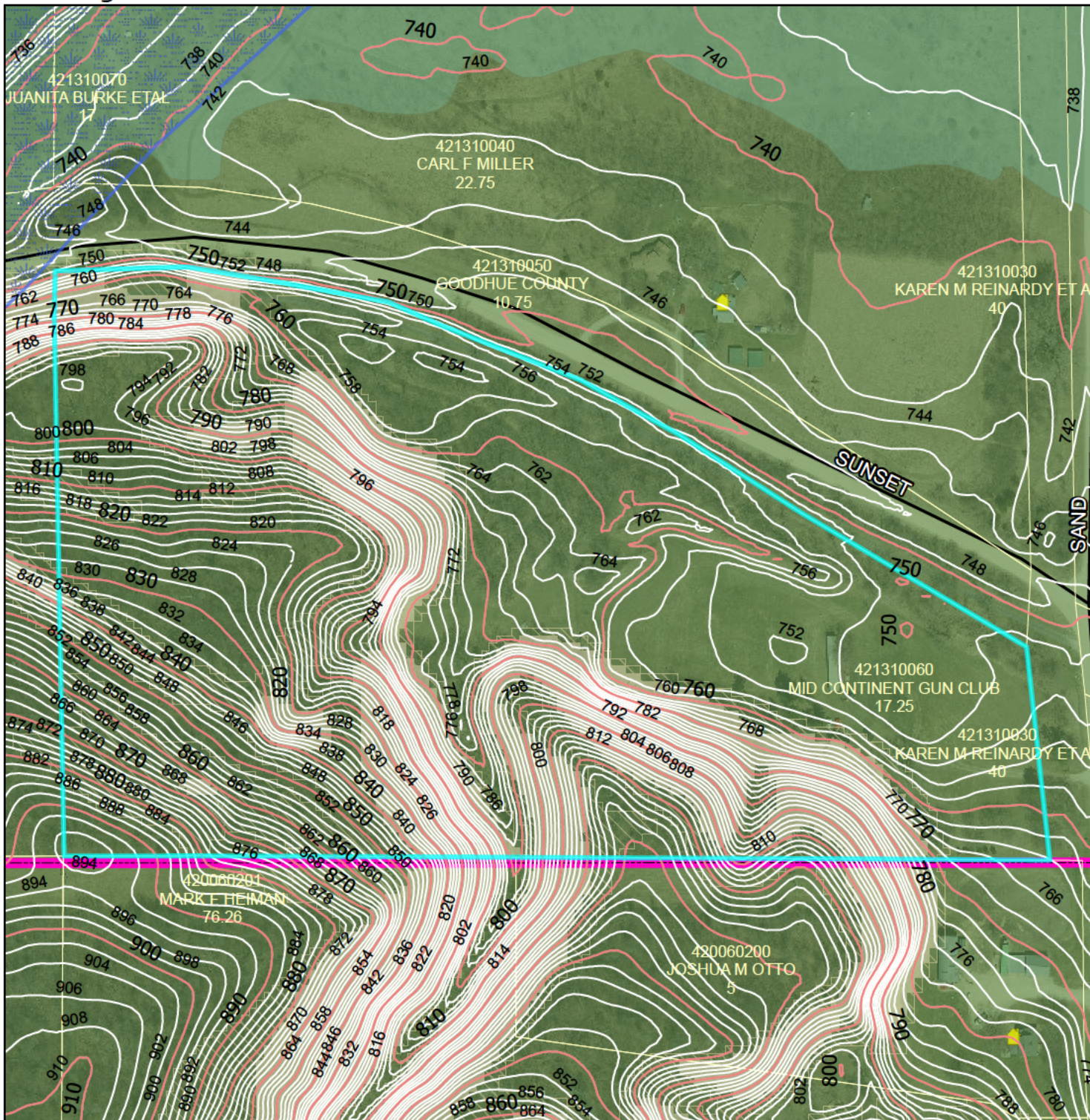


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MAP 03: ELEVATIONS



BOARD OF ADJUSTMENT

Public Hearing
October 26, 2020

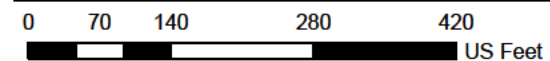
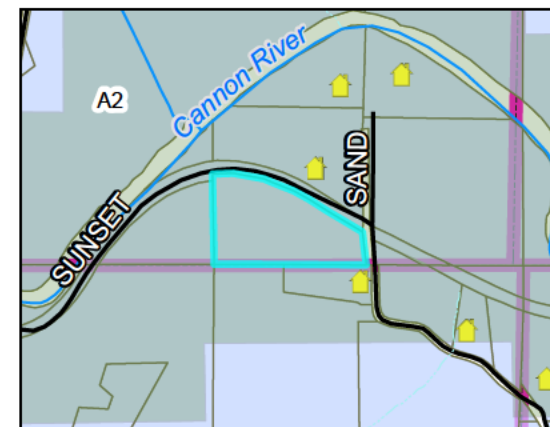
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	Shoreland		
	Historic Districts		
	Parcels		
	Registered Feedlots		FEMA Flood Zones
	Dwellings		2% Annual Chance
	Municipalities		A
			AE
			AO
			X



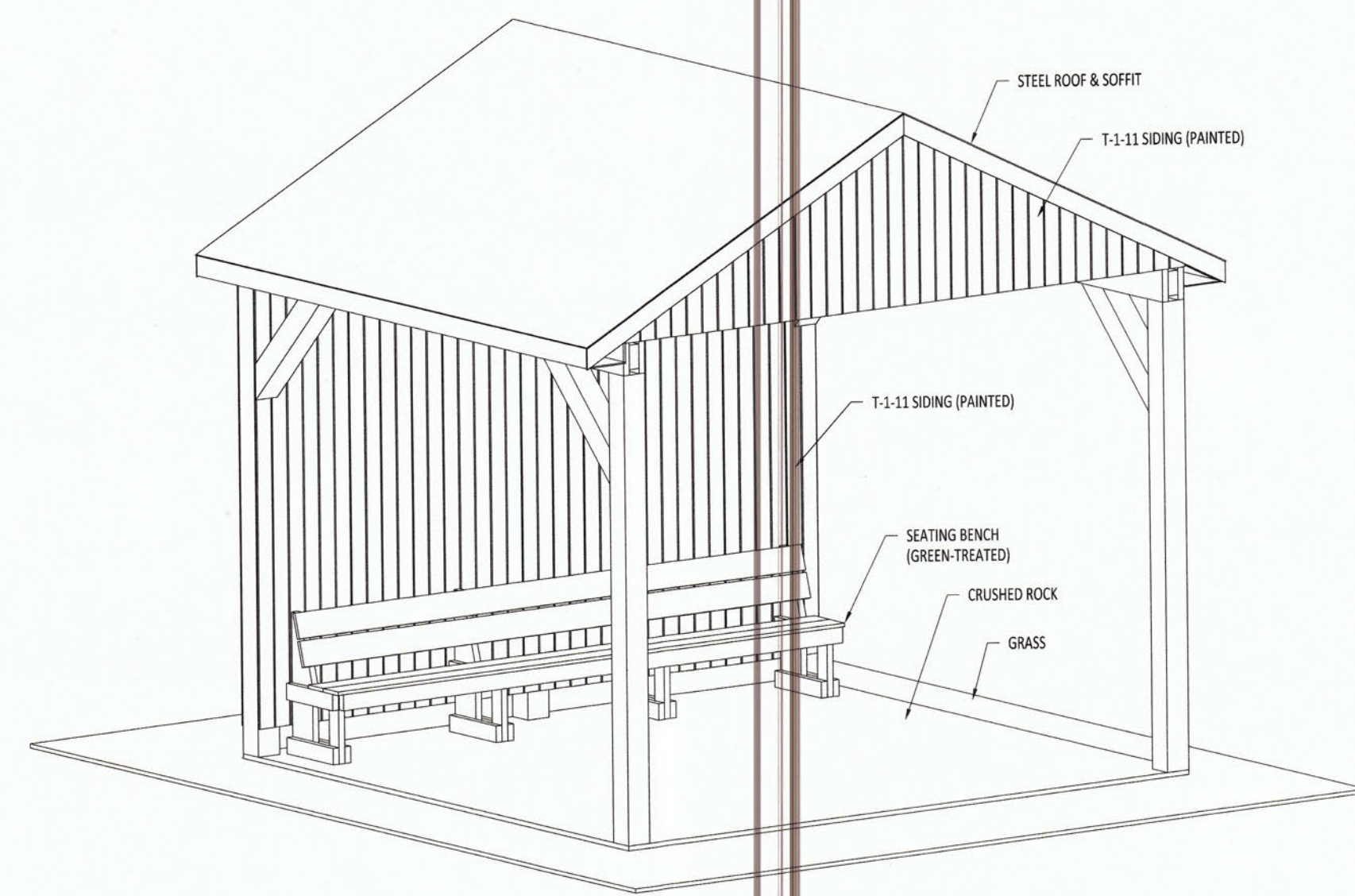
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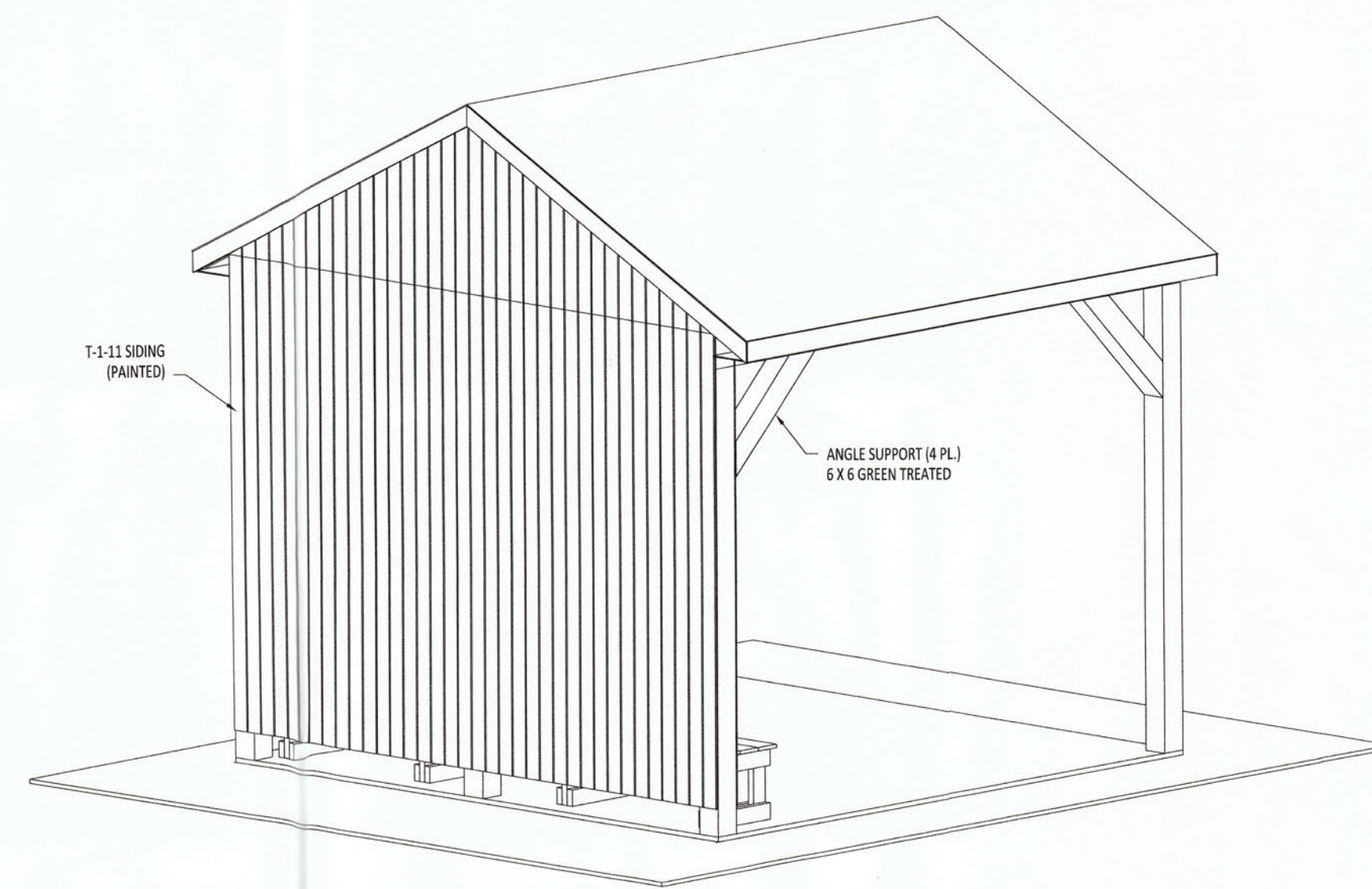




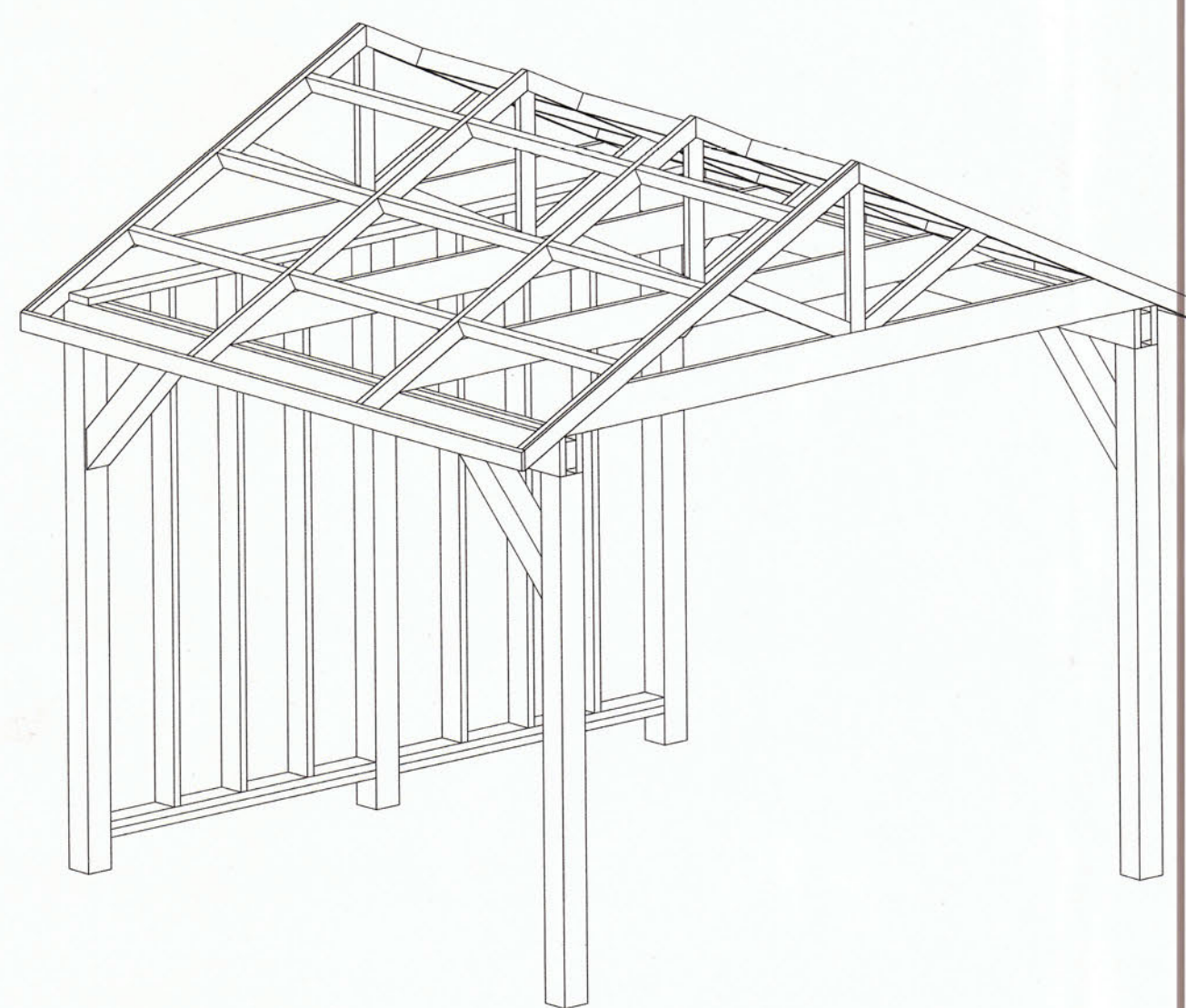




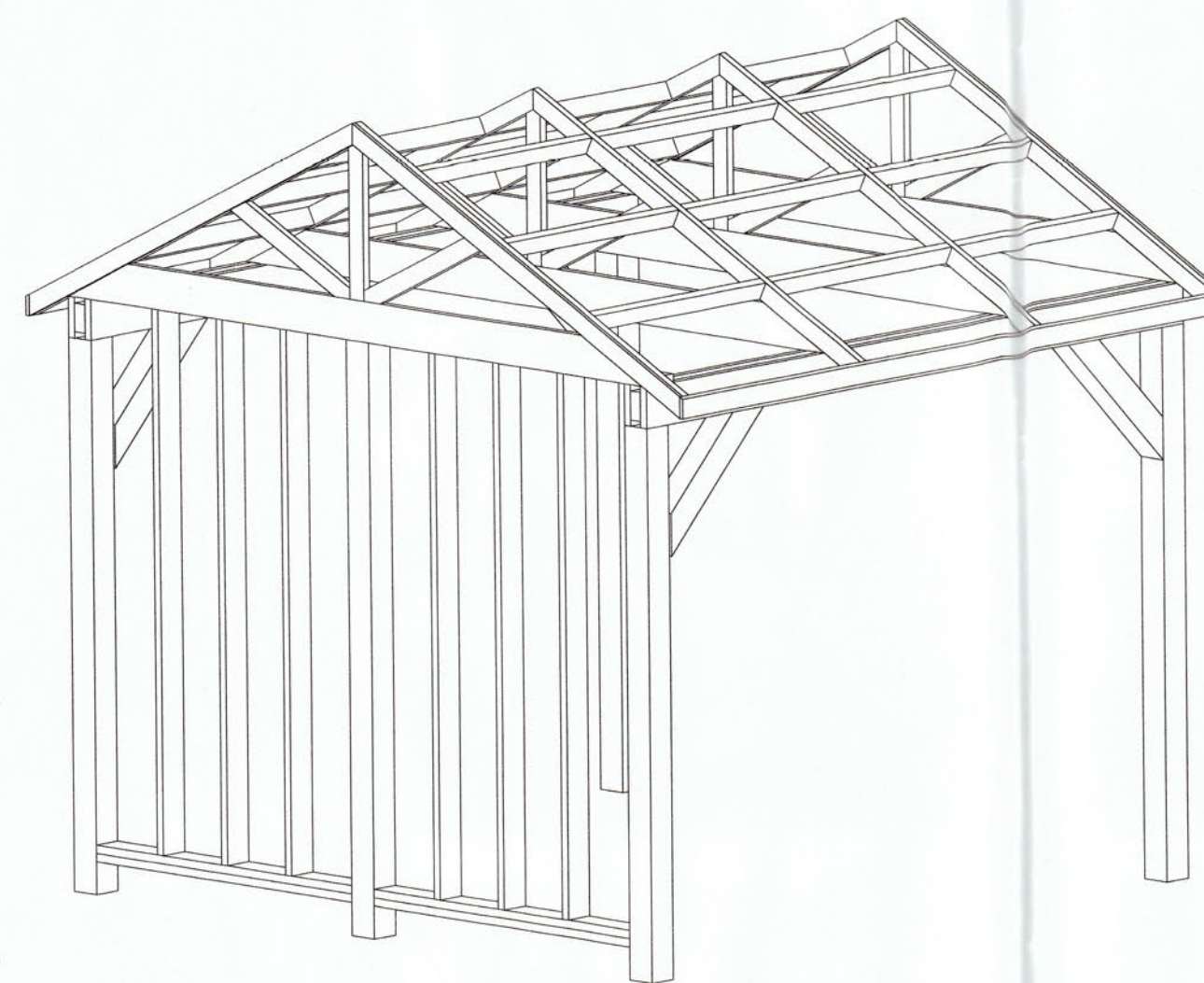
1 ISOMETRIC VIEW - FRONT
A1 SCALE: 3/8" = 1'-0"



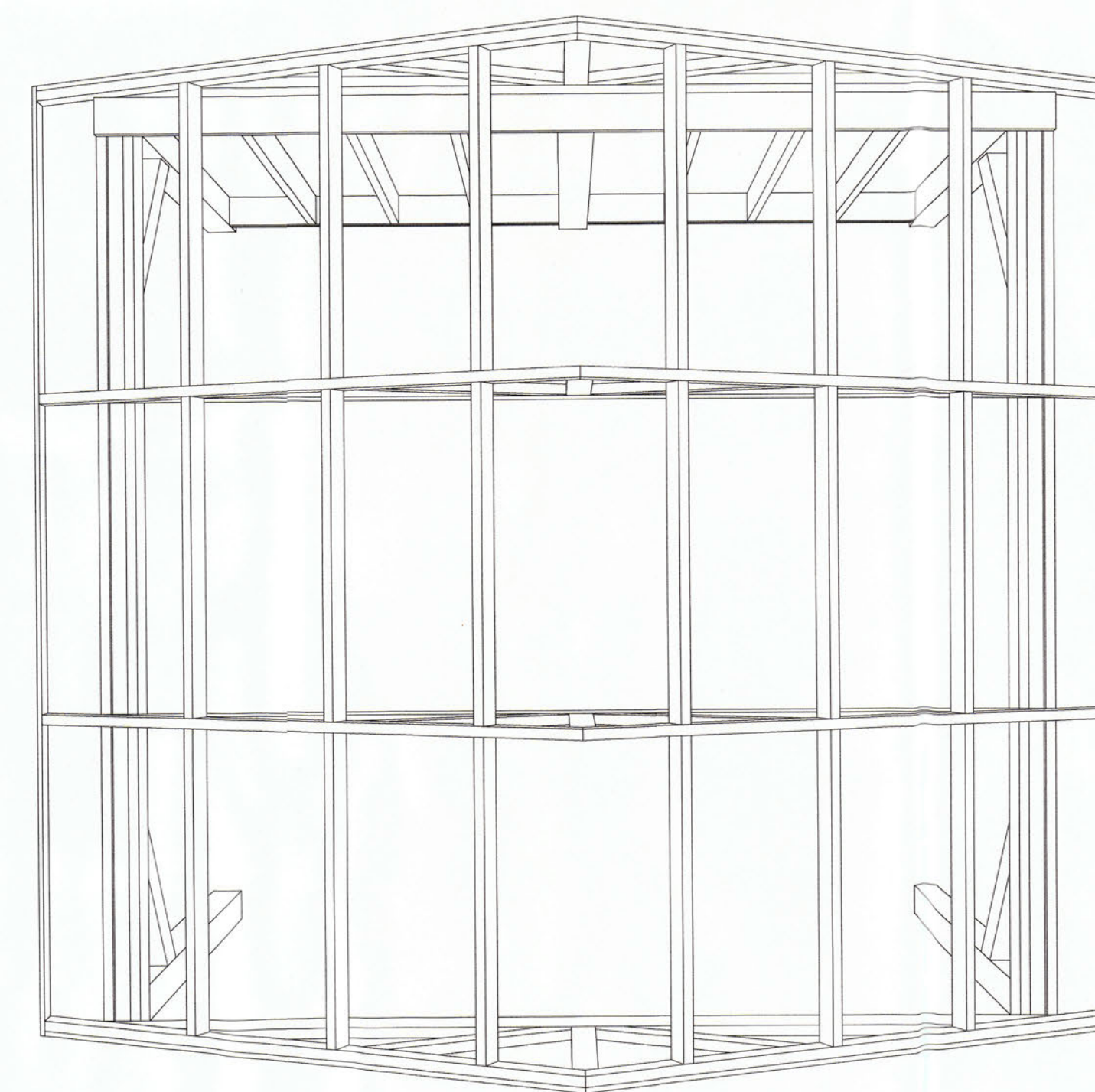
2 ISOMETRIC VIEW - REAR
A1 SCALE: 3/8" = 1'-0"



3 ISOMETRIC FRAMING VIEW - REAR
A1 SCALE: 3/8" = 1'-0"



4 ISOMETRIC FRAMING VIEW - REAR
A1 SCALE: 3/8" = 1'-0"



5 ISOMETRIC FRAMING VIEW - TOP
A1 SCALE: 3/8" = 1'-0"

MATERIALS

BUILDING MATERIALS:

ROOFING: ROOF: X
FACIA: X
SOFFIT: X

SIDING: SIDING: X
CEILING: X

STRUCTURE: POSTS: X
ANGLE SUPPORTS: X

FINISHES:

PAINT: T-1-11 SIDING: X

ROOF: ROOF: X
FACIA: X
SOFFIT: X

HARDWARE:

REVISIONS:

REVISION:	REVISION DATE:	REVISED BY:

CHECKED BY:

DATE:	CHECKED BY:
PRE STAGE 2 X/XX	X.X.
PRE STAGE 3 X/XX	X.X.

PROJECT NAME:
**MID-CONTINENT GUN CLUB
BIKE TRAIL SHELTER**

FACILITY CONTRACT: SALES REP.:

DRAWN BY: SCALE: AS NOTED DATE:

PROJECT #/FILE NAME:

SHEET: SERIES:

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: October 26, 2020
Report date: October 16, 2020

PUBLIC HEARING: Request for Variance, submitted by Charles and Laura Geissler (Owners) to A-1 Zoning District standards to construct an accessory building less than 30 feet from the rear property line.

Application Information:

Applicant: Charles and Laura Geissler (owners)
Address of zoning request: 1244 HWY 19 BLVD, Stanton, MN 55018
Parcel: 41.032.1300
Abbreviated Legal Description: Part of the NW 1/4 of Section 32 TWP 112 Range 18 in Stanton Township.
Township Information: Stanton Township signed acknowledgment of the variance request on October 1st, 2020. A variance for a 20 foot setback was approved by Stanton Township.

Attachments and Links:

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

Background:

Charles and Laura Geissler (owners), have applied for a variance to A-1 minimum setback standards to construct a 20-foot by 32-foot accessory structure (gazebo) on the south side of their property. The proposed building would be 20 feet from the south property line where 30 feet is required by Ordinance.

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 provide room for future repairs and maintenance.

There are no neighboring structures or dwellings immediately south of the proposed structure and 20-feet would remain to allow for future repairs and maintenance. The 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 and associated accessory buildings to provide rural living opportunities in the unincorporated areas of Goodhue County.

The proposed accessory building is 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 Applicants are proposing to construct a 20-foot by 32-foot accessory structure on the property. The proposed size of the structure complies with accessory structure maximum size standards for the A-1 Zoning District.
- The parcel is a conforming size at approximately 9.53-acres in the A-1 Zoning District (2-acre minimum). The parcel is narrow leaving less room to accommodate new structures that would meet all required setbacks. A single-family dwelling and two existing accessory buildings are present on the site.

The Applicants’ proposal to construct a gazebo is a reasonable use of the existing residential/agricultural property in the A-1 District.

- The Applicants will be required to obtain appropriate permits from the Goodhue County Building Permits Department prior to construction of the building.
- The land west of the dwelling is occupied by the existing septic tanks and drainfield area. The property west of this area is unbuildable as the Federal Aviation Administration (FAA) prohibits new structures within the designated flight path of runway 36 at the Stanton Airfield.
- The gazebo could be constructed on the east side of the existing structures however this area is utilized for agricultural crop production. The east portion of the property is also outside of the “livable yard area” of the property and would be an impractical place to site a recreational gazebo.
- The gazebo cannot be constructed closer to the dwelling than proposed as adequate width needs to be maintained for septic maintenance vehicles as mature trees and landscaping block access to the septic tanks and drainfield from the north along Highway 19 BLVD.
- Property to the north across Highway 19 consists of low-density residential and the Stanton Airfield. Property to the west is low-density residential with some row-crop agriculture. Property to the south is row-crop agriculture and property to the east is vacant land within the Shoreland of Prairie Creek.

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.**

- Residential Accessory Structures 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 Charles and Laura Geissler (owners) to A-1 Zoning District standards to allow construction of an accessory building 20-feet from the south property line.

APPLICATION FOR
Variance

RECEIVED

OCT - 2 2020

Land Use Management

For Staff Use only

VARIANCE NUMBER: **220-0055**
\$350 RECEIPT# **17764** DATE **10-2-20**

SITE ADDRESS, CITY, AND STATE				ZIP CODE:	
1244 Hwy 19 Blvd, Stanton MN 55018				55018	
LEGAL DESCRIPTION: see attached document "Exhibit A" Attached <input type="checkbox"/>					
PID#:	ZONING DISTRICT	LOT AREA (SF/ACRES):	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable):	
410321300	A-1	9.53 acres	250 x 1575		

APPLICANT OR AUTHORIZED AGENT'S NAME	
Charles + Laura Beisler	
APPLICANT'S ADDRESS:	TELEPHONE:
1244 Hwy 19 Blvd Stanton, MN 55018	[REDACTED]
	EMAIL:
	[REDACTED]

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: current use of proposed variance request site is lawn.
	PROPOSED USE: lawn + gazebo structure
	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
Cheryle A. Peters	CHERYLE A. PETERS, CLERK	10-1-20

- By signing below, the applicant acknowledges: ** 3 acres of our property is land used for right of way for Hwy 19*
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: *Laura Beisler* Date: 9-19-2020

Print name: Laura Beisler CHARLES BEISLER (owner or authorized agent)

REQUEST SUMMARY

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

Article: 21.5.01 Section: 21.5.01 Name: General District Regulations ~~West~~ ^{Requester must sides} ~~Red Hook~~

Article: 21.5.01 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:

The western part of our property is used for our house + yard. We want to create an outdoor entertaining space. With our narrow lot, there is ~~almost~~ ^{almost} nowhere to build ~~without~~ an outdoor gazebo w/ ~~no~~ ^{almost} setback restrictions.

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

We will be unable to build. With our small house, it would impact our ability to entertain.

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:

West of the driveway, the westernmost portion falls within the FAA designated flight path for ~~the~~ runway 36 @ Stanton Airfield. Between the house + the area under the flight path, the area ~~is mostly~~ ^{is mostly} w/ allowed setbacks is mainly occupied by septic, drainfield and a few mature trees.

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

We considered the east side of the yard. ~~Without setbacks it is~~ ^{Without setbacks it is} this isn't the part of the yard we use as living space + it would restrict the possibility of agriculture use of this area in the future. Moving it closer to the house on the west side would restrict space ~~needed~~ ^{needed} to access the yard for septic maintenance. We need enough room to ~~put~~ ^{put} equipment into the area for maintenance.

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

We considered moving the structure ~~back~~ ^{back} 30' from rear property line. It felt very encroaching on the house + prevents access to the septic. We considered moving slightly west + would have to remove a significant # of mature trees.

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

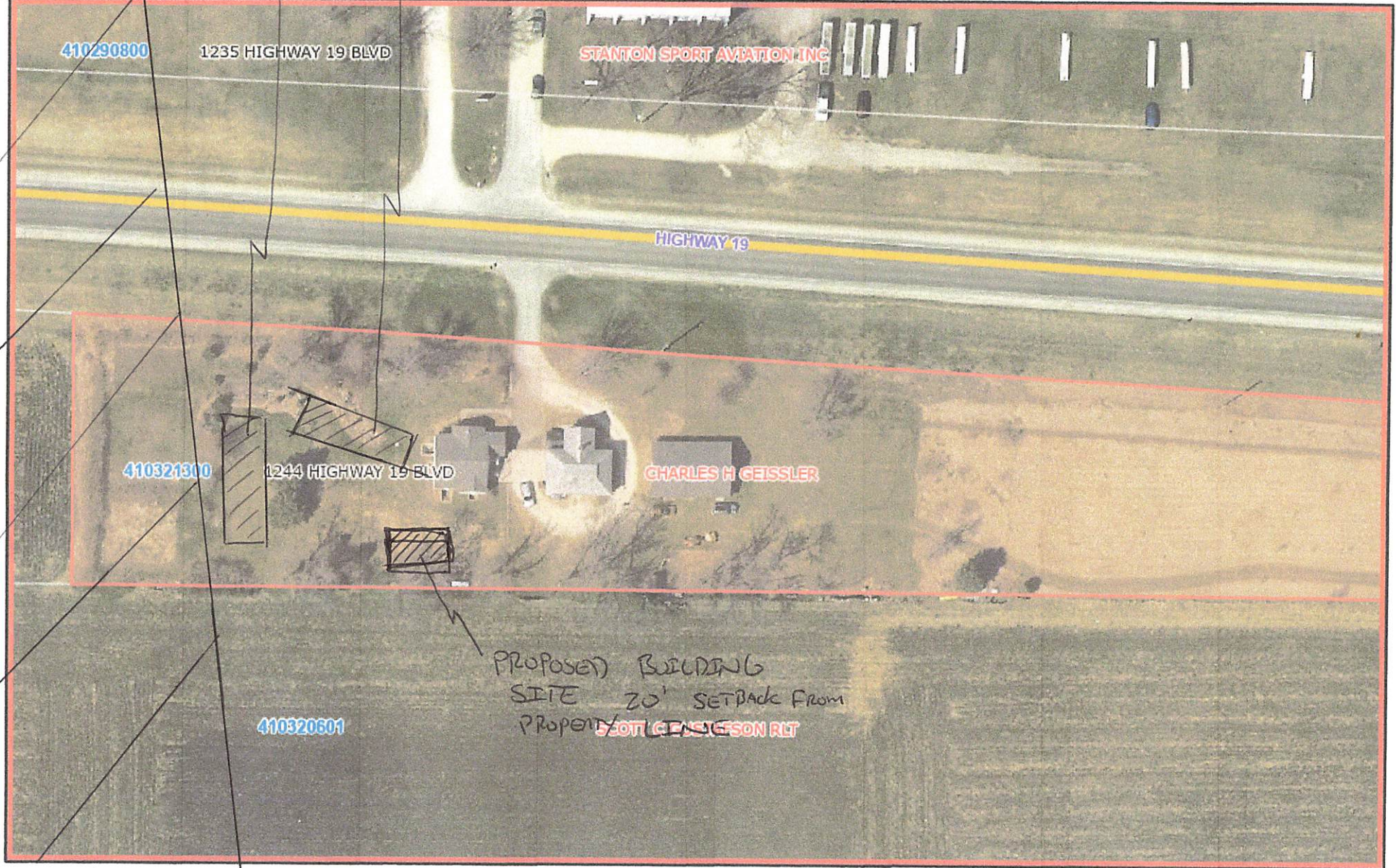
Not at all. ~~All~~ ^{All} the current vegetation buffer can remain in place. The only vegetation we would remove would be lawn grass. It even enhances the essential character, we have had to cancel social gatherings because of crop spraying. This structure would create a physical buffer to separate agriculture ~~or~~ residential activities. ~~It also~~ ^{It also} It creates space for us to invite our neighbors to gather + socialize, enhancing a sense of social community.

FAA CLEARWAY
FOR RUNWAY 36
AT STANTON
AIRFIELD

SEPTIC
DRAIN
FIELD

SEPTIC
TANKS &
PUMP

ArcGIS WebMap



July 30, 2020

Override 1

PIN

Major Roads 1,200

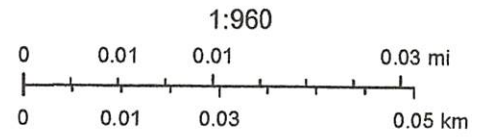
Municipal Boundary

Full Address

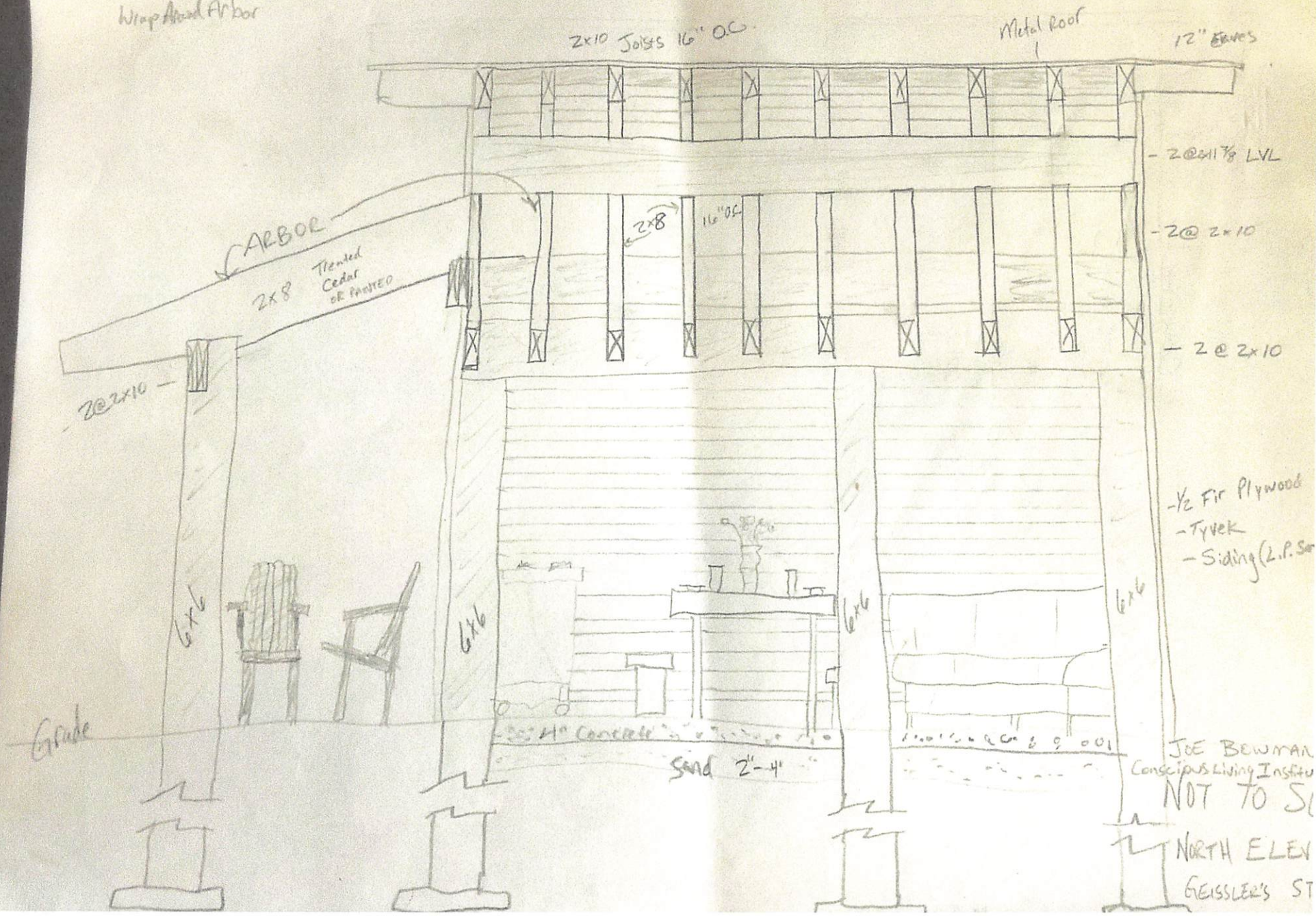
Full Name

State Highway

Parcels



Outdoor 3 sided Shed roof Patio Shelter
 Wrap Around Arbor



- 2 @ 2x11 7/8 LVL
- 2 @ 2x10
- 2 @ 2x10
- 1/2 Fir Plywood
- Tyvek
- Siding (2x4s)

JOE BEWMAN
 Conscious Living Institute
 NOT TO SCALE
 NORTH ELEV
 GEISSLER'S ST

MAP 01: PROPERTY OVERVIEW



BOARD OF ADJUSTMENT

Public Hearing
October 26, 2020

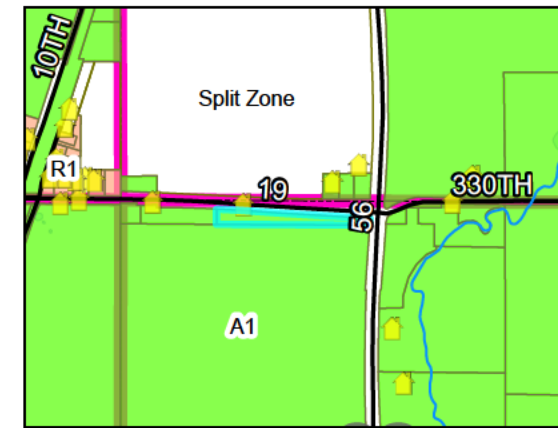
Charles & Laura Geissler (Owner/Applicant)
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Variance request to construct an
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0 85 170 340 510
US Feet

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MAP 02: VICINITY MAP

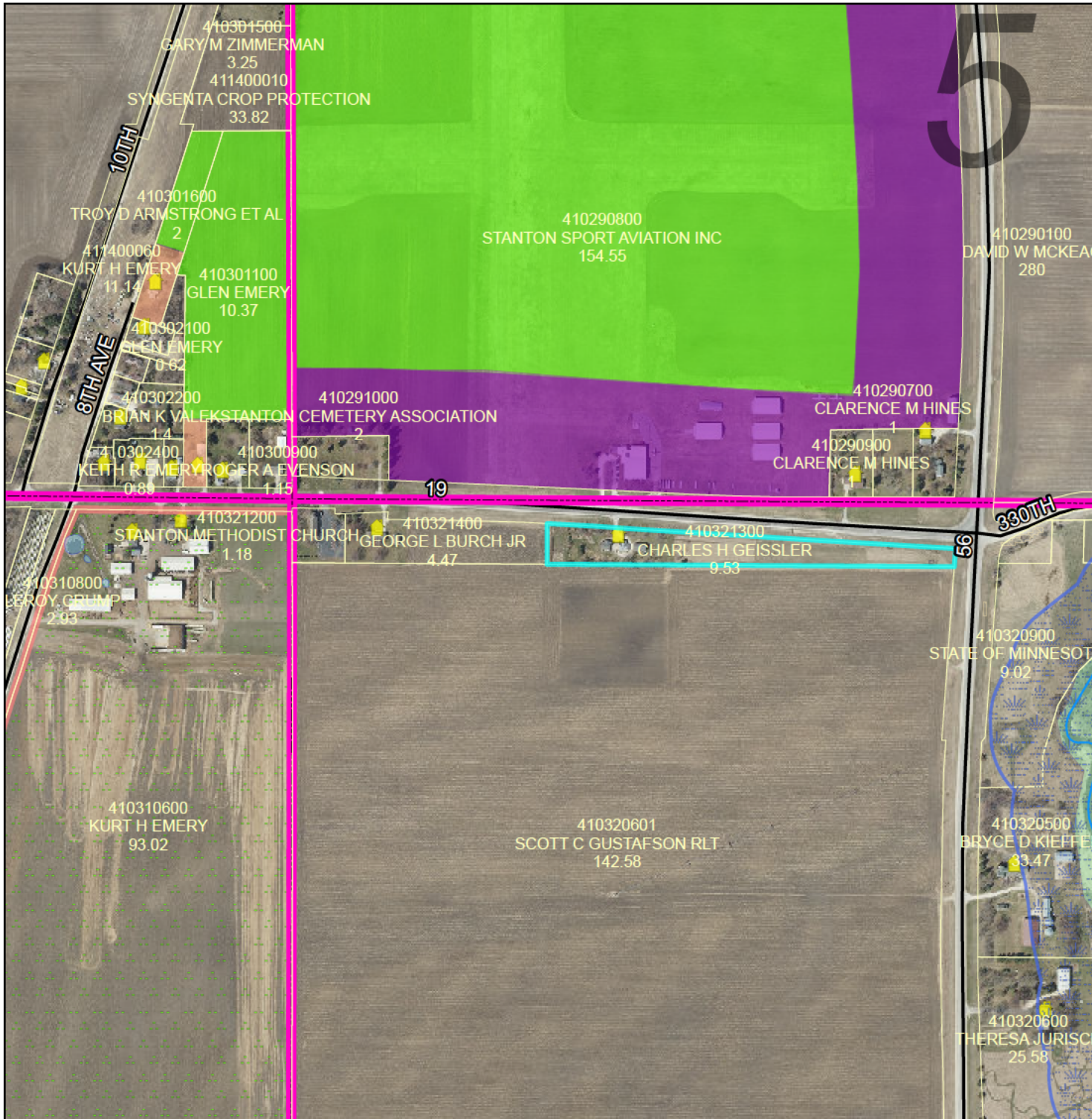
BOARD OF ADJUSTMENT

Public Hearing
October 26, 2020

Charles & Laura Geissler (Owner/Applicant)
A1 Zoned District

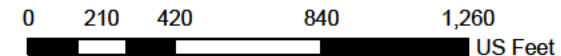
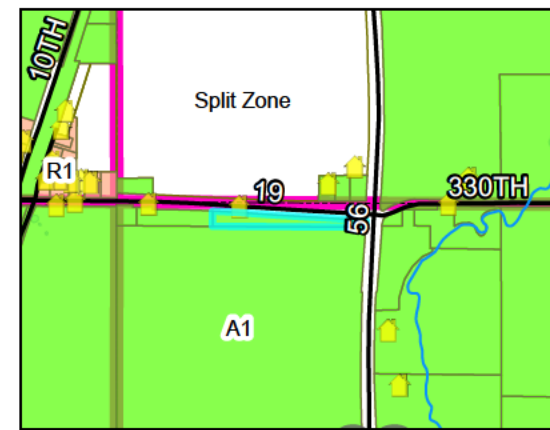
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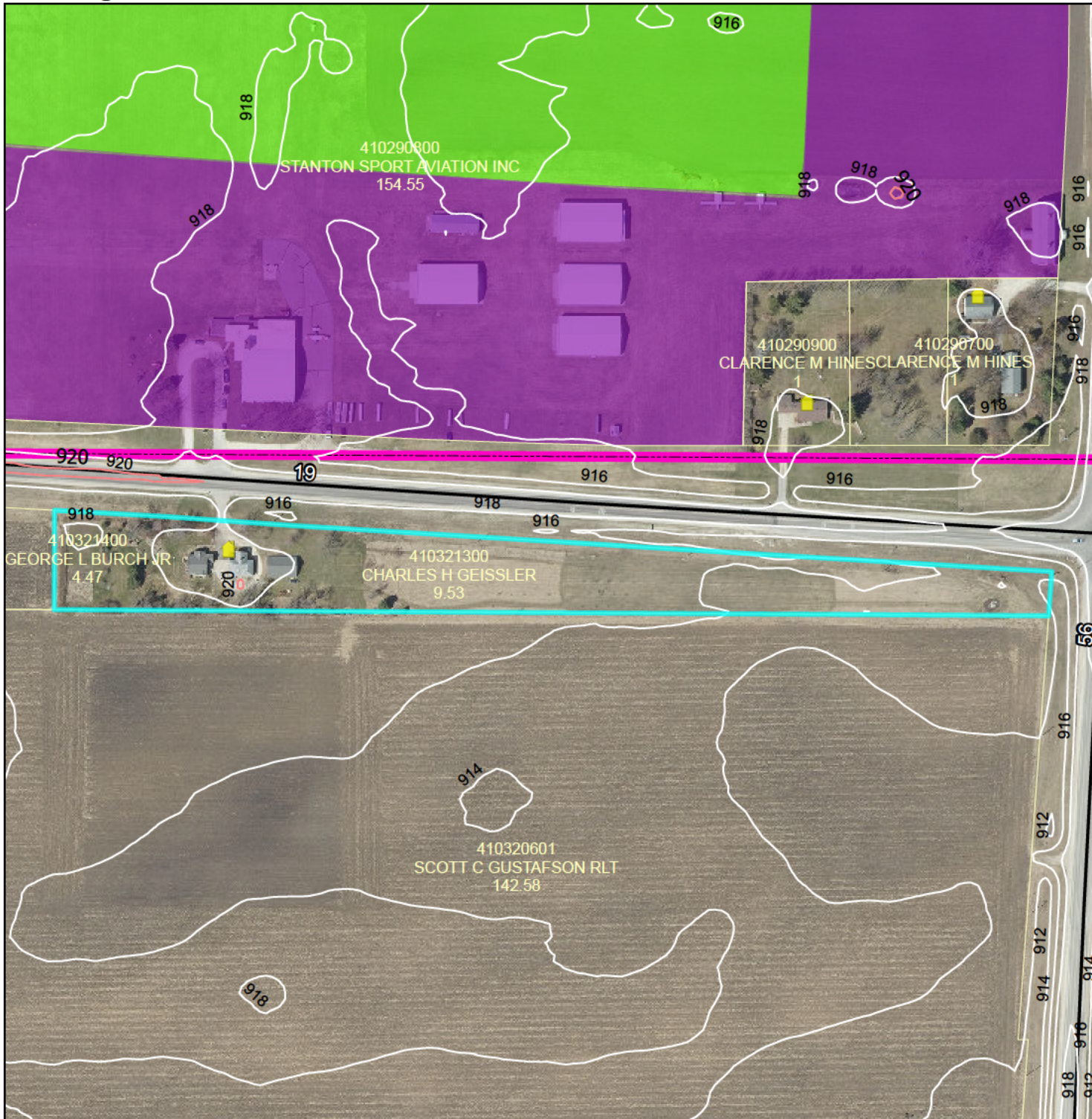


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MAP 03: ELEVATIONS



BOARD OF ADJUSTMENT

Public Hearing
October 26, 2020

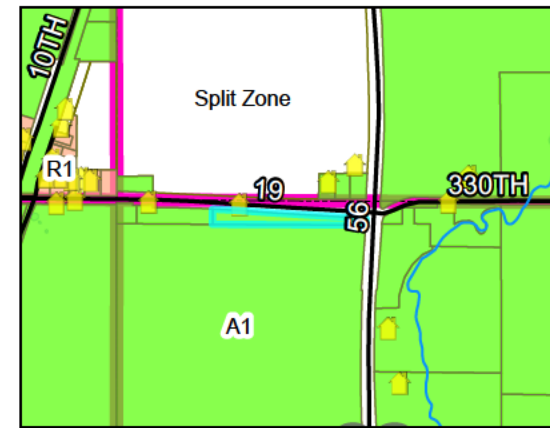
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0 85 170 340 510
US Feet

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