



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

Virtual Meeting Notice

Virtual Meeting Notice: The Goodhue County Board of Adjustment and Planning Advisory Commission will be conducting a joint meeting on November 15, 2021 beginning at 5:00 p.m. Due to concerns surrounding the spread of COVID-19, the meeting and all public hearings will be conducted by telephone or other electronic means.

The public may monitor the meeting from a remote site by logging into <https://global.gotomeeting.com/join/646542973> or calling 1-866-899-4679 beginning at 4:50 PM or any time during the meeting. Access Code: 646-542-973

Public Comments: Interested persons must submit comments by phone, in writing, or via email by noon on Monday, November 15, 2021. To submit your comments please email them to samantha.pierret@co.goodhue.mn.us or mail them to the Land Use Management Department at 509 West 5th Street, Red Wing, MN 55066. Comments received by this deadline will be read into the record during the public hearing for that item, including name and address.

5:00 PM Call Meeting To Order

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

1. October 25, 2021 BOA Meeting Minutes

Documents:

[BOAMEETINGMINUTES_OCTOBER_DRAFT.PDF](#)

PUBLIC HEARING: Request For Variance To Minimum Setback Standards

Request for Variance, submitted by Michael Flom (Owner), to A-2 Zoning District standards to construct an accessory building less than 30-feet from side and rear property lines. Parcel 45.010.0400. 35370 30th AVE Dennison, MN 55018. Part of the S ½ of the NW ½ of Section 10 TWP 111 Range 18 in Warsaw Township.

Documents:

[BOAPACKET_FLOM_REDACTED.PDF](#)

PUBLIC HEARING: Request For Variance To Accessory Dwelling Unit Standards
Request for Variance, submitted by Rollin and Sharon Larson (Owners), to Accessory Dwelling Unit standards to permit an Accessory Dwelling Unit greater than 100-feet from the principal dwelling. Parcel 42.022.1400. 15844 315th Street Welch, MN 55089. Part of the SE ¼ of the SE ¼ of Section 22 TWP 112 Range 16 in Vasa Township. A-2 Zoned District.

Documents:

[BOAPACKET_LARSON.PDF](#)

PUBLIC HEARING: Request For Variance To Home Business Standards
Request for Variance, submitted by Emily Fischbach (Owner), to Home Business Standards to establish a Tier II Home Business on a parcel containing less than 2-acres in the A-1 District and within a dwelling that does not meet structure setbacks from the side property line and from the County 9 BLVD and HWY 56 BLVD Right-of-Ways. Parcel 45.022.1100. 3016 County 9 BLVD Dennison, MN 55018. Part of the S ½ of the NW ½ of Section 10 TWP 111 Range 18 in Warsaw Township.

Documents:

[BOAPACKET_FISCHBACH.PDF](#)

PUBLIC HEARING: Request For Variance To Feedlot Setback Standards
Request for Variance, submitted by Jeffrey Nolte (Buyer) and Dee Banitt LT (Owner), to Article 13 (Confined Feedlot Regulations) setback standards to allow a new feedlot to be established within 1000 feet or 94% odor annoyance-free rating (as determined by the odor OFFSET model) of existing dwellings. Parcel 40.034.0900. 51130 152nd AVE Pine Island, MN 55963. Part of the W ¾ of the NE ¼ of the NW ¼ and the SE ¼ of the NW ¼ of Section 34 TWP 109 Range 16 in Roscoe Township. A-2 Zoned District.

Documents:

[BOAPACKET_NOLTE_REDACTED.PDF](#)

Conflict/Disclosure Of Interests

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
October 25, 2021 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: Daniel Knott, Rich Ellingsberg, Darwin Fox, Denny Tebbe, and Randy Rechtzigel

Commissioners Absent: None

Staff Present: Land Use Director Lisa Hanni (Virtual), Zoning Administrator Samantha Pierret, Zoning Assistant Alexandra Koberoski, and Zoning Administrative Assistant Kathy Bauer

1. Approval of Agenda

¹Motion by Commissioner Tebbe, and seconded by Commissioner Fox to approve the meeting agenda.

Motion carried 5:0

2. Approval of Minutes

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

Motion carried 5:0

3. Conflict/Disclosure of Interest

Commissioner Tebbe noted he knows the Applicants but does not feel there is a conflict there.

4. Public Hearings:

PUBLIC HEARING: Request for Variance, submitted by Kim and Kevin Flueger (Owners) to A-2 Zoning District standards to allow a garage addition to be constructed less than 60 feet from Flueger RD Right-of-Way.

Koberoski presented the staff report and attachments.

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 Commissioner Fox and seconded by Commissioner Ellingsberg to close the Public Hearing.**

Motion carried 5:0

⁴**Motion 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

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
October 25, 2021 MEETING MINUTES**

DRAFT

APPROVE the request for a variance, submitted by Kim and Kevin Flueger (owners) to A-2 Zoning District standards to allow construction of a garage addition 36.9-feet from the Flueger RD Right-of-Way.

Motion carried 5:0

5. Other-Discussion

Chair Knott noted the next BOA Meeting will be November 15th, it will be a joint meeting with the PAC, and it is probable it will be virtual.

Pierret stated there are agenda items for the November BOA meeting, but there are currently no agenda items for the PAC.

ADJOURN

⁵Motion by Rechtzigel, seconded by Tebbe to adjourn the BOA meeting at

5:15 p.m.

Motion carried 5:0

Respectfully submitted:

Kathy Bauer, Zoning Administrative Assistant

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

⁴APPROVE Request for Variance to Minimum Setback Standards

Motion carried 5:0

⁵ADJOURN. 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

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: November 15, 2021
Report date: November 5, 2021

PUBLIC HEARING: Request for Variance, submitted by Michael Flom (Owner), to A-1 Zoning District standards to construct an accessory building less than 30 feet from rear and side yard property lines.

Application Information:

Applicant(s): Michael Flom (Owner)
Address of zoning request: 35370 30th AVE Dennison, MN 55018
Parcel: 45.010.0400
Abbreviated Legal Description: Part of the SW ¼ of the NW ¼ of Section 10 TWP 111 Range 18 in Warsaw Township
Township Information: Warsaw Township approved a variance for this property at their October 2021 meeting.
District: A-1 (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:

Michael Flom (Owner) has applied for a variance to A-1 minimum setback standards to construct a proposed 50-foot by 80-foot accessory building on the east side of parcel 45.010.0400. The proposed structure would be 9.9-feet from the north property line and 11.8-feet from the east property line where 30 feet is required by Ordinance. The structure will be used for personal storage.

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 setbacks are intended to create separation among adjacent structures and provide room for future repairs and maintenance.
 - The proposed structure will not be encroaching closer to the north and east property lines

than the existing accessory structures.

The structure will comply with all other GCZO requirements, including size and Right-of-Way setbacks.

- 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 the use of existing rural residences and accessory buildings to provide rural living opportunities in the unincorporated areas of Goodhue County.

The proposed accessory building 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 desire to build an accessory building to accommodate personal storage is a reasonable use of property in the A-1 District.
- The parcel is an existing 0.9-acre lot which is a non-conforming lot size in the A-1 Zoning District (2-acre minimum). The property contains various accessory buildings and a single-family dwelling.
- The Applicant stated that there are no alternative locations for the addition which would not require variance approval due to the configuration of existing structures and lot size restriction.
- The existing accessory building will be demolished and replaced with the proposed accessory structure.
- Surrounding land uses include medium density residential and row-crop agriculture.

The nearest residence is located approximately 160-feet north of the proposed structure and is owned by Bryan Shattuck, Parcel 45.010.0300.

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 permitted uses 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 Michael Flom (Owner) to A-1 Zoning District standards to allow construction of an accessory building 9.9-feet from the north property line and 11.8-feet from the east property line where 30 feet is required.

APPLICATION FOR
Variance

For Staff Use only	
VARIANCE NUMBER:	721-0051
S350 RECEIPT#	17454
DATE	10-15-21

SITE ADDRESS, CITY, AND STATE		ZIP CODE:
35370 30th Ave Dennison, MN		55018
LEGAL DESCRIPTION:		
Attached <input type="checkbox"/>		
PID#:	ZONING DISTRICT	LOT AREA (SF/ACRES):
45.010.0402		
LOT DIMENSIONS:		STRUCTURE DIMENSIONS (if applicable)

APPLICANT OR AUTHORIZED AGENT'S NAME	
Michael Florn	
APPLICANT'S ADDRESS:	TELEPHONE:
Same	[REDACTED]
	EMAIL:
	[REDACTED]

PROPERTY OWNER'S NAME:	
Same as Above <input checked="" type="checkbox"/>	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
	EMAIL:

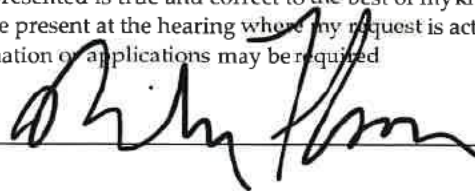
CONTACT FOR PROJECT INFORMATION:	
Same as Above <input type="checkbox"/>	
ADDRESS:	TELEPHONE:
	EMAIL:

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:
	PROPOSED USE:
	BUILDING APPLICATION PERMIT NO.: (if filed)
	DATE FILED:

TOWNSHIP SIGNATURE:		
By signing this form, the Township acknowledges they are aware of the Applicant's variance request. In no way does signing this application indicate the Township's position on the variance request.		
		Attached <input type="checkbox"/>
TOWNSHIP OFFICIAL'S SIGNATURE	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE	DATE

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: 10/21/21

Print name: Mike Florn (owner or authorized agent)

REQUEST SUMMARY

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

Article: _____ Section: _____ Name: _____

Article: _____ Section: _____ Name: _____

SUPPORTING INFORMATION & JUSTIFICATION

You, or your agent, bear the burden of providing information to convince the Board to rule in your favor. Please provide answers to the following questions in the spaces below or in an attached document. You may also attach any additional supporting documentation you desire the board to review.

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

Storage shed

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

Can't build a big enough shed for what I need.

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:

Lot size road and location of septic and house doesn't allow for any other way

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

NONE

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

NONE

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

NO

MAP 01: PROPERTY OVERVIEW



BOARD OF ADJUSTMENT

Public Hearing
November 15, 2021

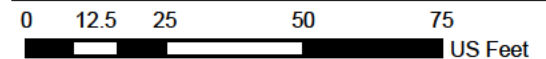
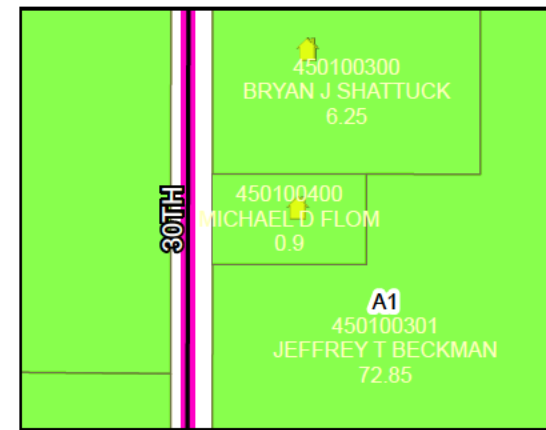
Michael Flom (Owner)
A1 Zoned District

Part of the SW 1/4 of the NW 1/4
Section 10 TWP 111 Range 18 in
Warsaw Township

Variance request to allow construction of an
accessory building less than 30 feet from
rear and side yard property lines

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

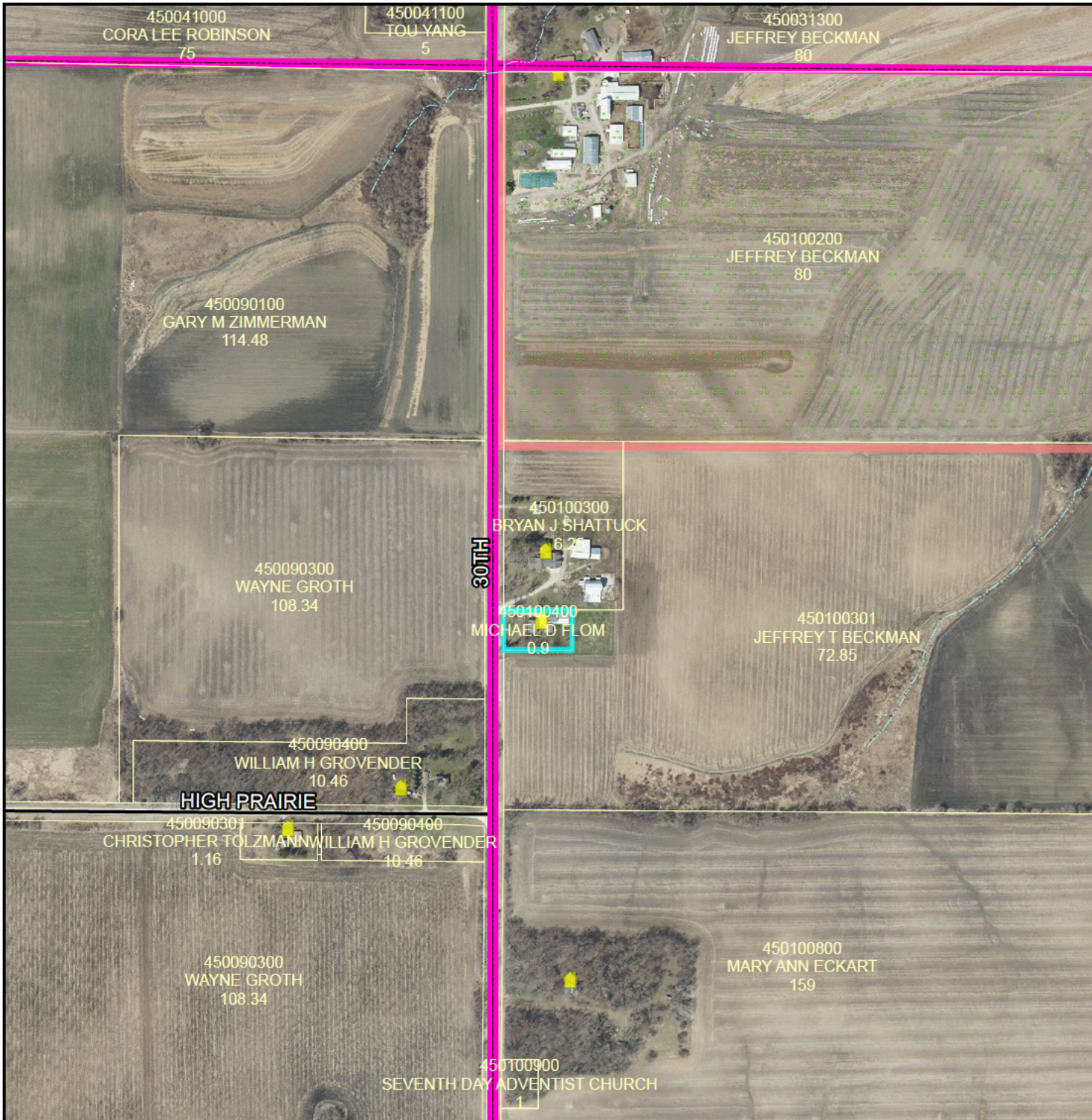


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2020 Aerial Imagery
Map Created November, 2021 by LUM



MAP 02: VICINITY MAP



BOARD OF ADJUSTMENT

Public Hearing
November 15, 2021

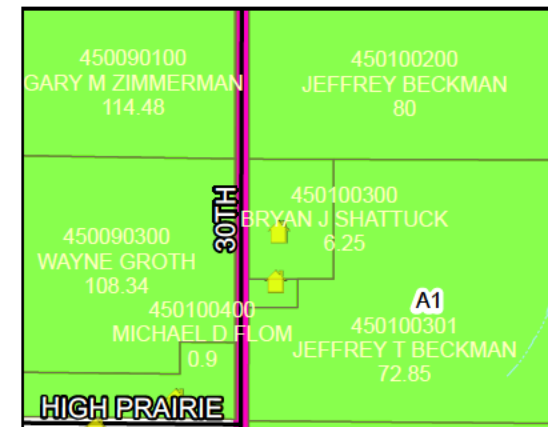
Michael Flom (Owner)
A1 Zoned District

Part of the SW 1/4 of the NW 1/4
Section 10 TWP 111 Range 18 in
Warsaw Township

Variance request to allow construction of an
accessory building less than 30 feet from
rear and side yard property lines

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



0 190 380 760 1,140
US Feet

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2020 Aerial Imagery
Map Created November, 2021 by LUM



MAP 03: ELEVATIONS



BOARD OF ADJUSTMENT

Public Hearing
November 15, 2021

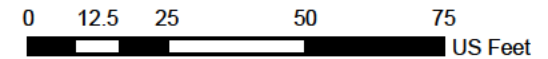
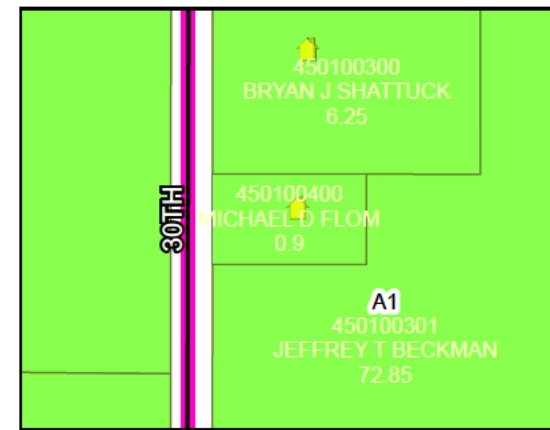
Michael Flom (Owner)
A1 Zoned District

Part of the SW 1/4 of the NW 1/4
Section 10 TWP 111 Range 18 in
Warsaw Township

Variance request to allow construction of an
accessory building less than 30 feet from
rear and side yard property lines

Legend

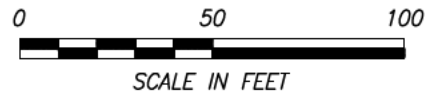
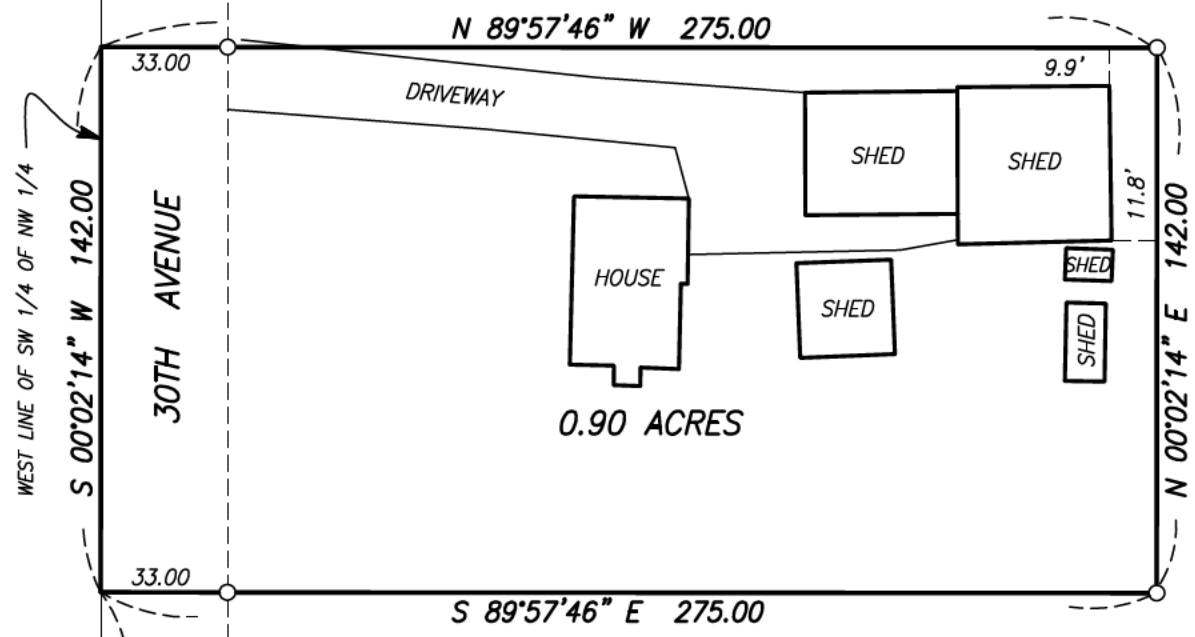
Intermittent Streams	Bluff Impact Zones (% slope)
Protected Streams	20
Lakes & Other Water Bodies	30
Shoreland	FEMA Flood Zones
Historic Districts	2% Annual Chance
Parcels	A
Registered Feedlots	AE
Dwellings	AO
Municipalities	X



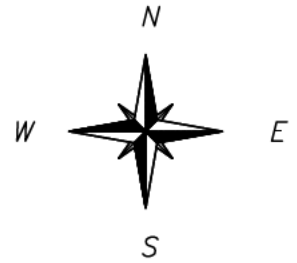
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NO liability for the accuracy or completeness of this map
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or consequential damages that may result from its use
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2020Aerial Imagery
Map Created November, 2021 by LUM





○ DENOTES SET IRON MONUMENT
 W/PLASTIC CAP "RLS 22044"



LEGAL DESCRIPTION:

That part of the Southwest Quarter of the Northwest Quarter of Section 10, Township 111 North, Range 18 West, Goodhue County, Minnesota, described as follows: Beginning at a point in the center of Township Road 563.40 feet north of the West Quarter corner of said Section 10; running thence east for 275 feet; thence north, parallel with Township Road for 142.00 feet; thence at right angles west for 275.00 feet to the center of said Township Road; thence south along the center of the Township Road for 142.00 feet to place of beginning.
 Containing 0.90 acres, more or less.
 Subject to a public road easement and all other easements and restrictions of record, if any.

SW CORNER OF
 SW 1/4 OF NW 1/4
 SEC. 10-T111N-R18W
 GOODHUE COUNTY MONUMENT

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

MARCH 13, 2021
 Dated:

David G. Rapp
 David G. Rapp
 Minnesota Registration No. 22044

CERTIFICATE FOR:
MIKE FLOM
35370 30TH AVENUE
DENNISON, MN 55018

RAPP LAND SURVEYING, INC.
 45967 HIGHWAY 56 BLVD
 KENYON, MN 55946
 612-532-1263

DRAWN BY: DGR	DATE: 3-13-21	PROJECT NO. D2153
SCALE: 1"=50'	SHEET 1 of 1 sheet	BOOK/PAGE 50/18

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: November 15, 2021
Report date: November 4, 2021

PUBLIC HEARING: Request for Variance, submitted by Rollin and Sharon Larson (Owners), to Accessory Dwelling Unit standards to permit an Accessory Dwelling Unit greater than 100-feet from the principal dwelling.

Application Information:

Applicants: Rollin and Sharon Larson (Owners)
Address of zoning request: 15844 315th ST Welch, MN 55089
Parcel: 42.022.1400
Abbreviated Legal Description: Part of the SE ¼ of the SE ¼ of Section 22 TWP 112 Range 16 in Vasa Township
Township Information: Vasa Township signed the Variance application acknowledging the request on October 12, 2021, and provided a narrative regarding the history of the dwelling with no objections to the request
Zoning District: A2 (Agriculture District)

Attachments and Links:

Application and submitted project summary
Site Maps
IUP 14-CU09
Article 11, Section 31 (Accessory Dwelling Units)
Goodhue County Zoning Ordinance: <http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Background:

The Applicants own a 10-acre parcel in Section 22 of Vasa Township. The property includes a principal dwelling, mobile home, and various outbuildings. The Applicants desire to re-classify the existing mobile home from “Temporary Mobile Home for Health Care Reasons” to an Accessory Dwelling Unit. An Interim Use Permit for the mobile home was approved by the Goodhue County Board in 2014 subject to the condition that “The Interim Use Permit will expire upon transfer of property and the dwelling will need to be removed prior to the recording of the deed for transfer”. The Applicants wish to enter into a Contract for Deed for their son, Daniel Larson, to purchase the property while maintaining the existing mobile home on the property. To achieve this, the mobile home must be permitted as an Accessory Dwelling Unit instead of a Temporary Mobile Home.

In 2017 the County amended the Zoning Ordinance to allow a second, “accessory”, dwelling unit on the same parcel as a principal dwelling subject to performance standards. ADU performance standards require an ADU to be located within 100 feet of the primary dwelling unit. The existing mobile home is located approximately 115-feet east of the principal dwelling. The Applicant is requesting the Board of Adjustment grant a variance to the 100-foot requirement to allow the existing mobile home to be reclassified as an Accessory Dwelling Unit. The GCZO also specifies that dwelling units permitted as temporary dwelling units that request to be converted to ADU status must have a public hearing at the PAC and be approved by the County Board. The PAC will consider the request to reclassify the existing mobile home at their November 15, 2021 meeting.

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:

- The purpose and intent of the ADU maximum distance standards cited in Article 11, Section 31 of the GCZO are to prevent proposed ADU’s from being located outside of an existing yard area where they could potentially be split off in the future thereby creating additional dwelling density exceeding the allowable density (i.e an ADU couldn’t be on the opposite side of the “40” as the principal dwelling).

The ADU is currently located within the well-defined yard area of the property where utility services are already established. Given the mobile home is already established on the parcel and is served by existing utilities the Applicants’ proposal appears in harmony with the purpose and intent of the official control.

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

- The Goodhue County Comprehensive Plan supports the establishment of ADU’s to provide rural living opportunities in the unincorporated areas of Goodhue County.

The Applicant’s ADU request appears consistent with the Goodhue County Comprehensive Plan.

3) There are “practical difficulties” in complying with the official control (the applicant proposes to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality):

- The Applicant’s request to reclassify an existing mobile home as an ADU is a reasonable use of property in the A2 District.
- As an A2 zoned district, section 22 allows a maximum dwelling density of 12 dwellings in the section with a maximum of one dwelling per original ¼ ¼ section. Dwelling density is not available as there are currently 12 dwellings in the section. Since an ADU does not count against dwelling density, the section density count would not be affected.
- The existing mobile home was established prior to the adoption of the current ADU performance standards.
- The ADU would comply with all other ADU performance standards.
- A review of the existing development pattern in the vicinity reveals low-density residential development among predominantly agricultural uses (row crops).

The request for variance will not alter the essential character of the locality as the mobile home is currently located on site.

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.

- ADU’s are a permitted use in the A2 district.

The draft Findings of Fact shall be amended to reflect concerns conveyed at the Board of Adjustment

meeting and public hearing.

The Board should specify the facts and reasons that are the basis of the Board's determination. In granting a variance, the Board of Adjustment may impose conditions directly related to, and bearing a rough proportionality with, the impact(s) created by the variance.

Staff Recommendation:

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

APPROVE the request submitted by Rollin and Sharon Larson (Owners) to allow an Accessory Dwelling Unit 115 feet from the principal dwelling where 100 feet is required.

APPLICATION FOR
Variance

OCT 14 2021

Land Use Management

For Staff Use only

VARIANCE NUMBER: 221-0050

\$350 RECEIPT# 17451 DATE 10/14/21

SITE ADDRESS, CITY, AND STATE 15844 315 th Welch MN 55089		ZIP CODE: 55089
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LEGAL DESCRIPTION: _____ Attached

PID#: 42-022-1400	ZONING DISTRICT	LOT AREA (SF/ACRES)	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable):
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APPLICANT OR AUTHORIZED AGENT'S NAME
Rollin & Sharon Larson

APPLICANT'S ADDRESS: 15844 315 th St Welch, MN 55089	TELEPHONE:
---	------------

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 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:
	PROPOSED USE:
	BUILDING APPLICATION PERMIT NO.: (if filed)
	DATE FILED:

TOWNSHIP SIGNATURE:
By signing this form, the Township acknowledges they are aware of the Applicant's variance request.
In no way does signing this application indicate the Township's position on the variance request. Attached

TOWNSHIP OFFICIAL'S SIGNATURE <i>James Hedeon</i>	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE James Hedeon Clerk	DATE 10/12/21
--	--	------------------

- 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: Rollin Larson Date: 10/14/21

Print name: Rollin LARSON (owner or authorized agent)

REQUEST SUMMARY

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

Article: _____ Section: _____ Name: _____

Article: _____ Section: _____ Name: _____

SUPPORTING INFORMATION & JUSTIFICATION

You, or your agent, bear the burden of providing information to convince the Board to rule in your favor. Please provide answers to the following questions in the spaces below or in an attached document. You may also attach any additional supporting documentation you desire the board to review.

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

(house) were 15' from trailer

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

have to move trailer 15' feet, trees in way

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:

When accessory unit was put in you didn't require 100' variance set back

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

None

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

None

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

No

Larson Variance Request

There was a variance approved for this property allowing an accessory dwelling for medical reasons before the ordinance was changed.

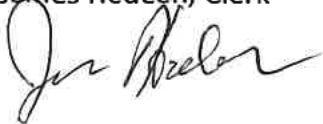
The existing accessory dwelling is 115' from the home, 15' more than the current ordinance allows.

As both dwellings are well established the Larsons are asking for a variance from the existing ordinance allowing a spacing of 115' between structures. It would be a hardship for the Larsons to move the accessory building to meet the new ordinance.

The Vast Township Board has no objections to this request.

Rick Samuelson, Chairman

James Hedeem, Clerk

A handwritten signature in black ink, appearing to read "Jim Hedeem", written in a cursive style.

Certified, Filed, and or Recorded on:
February 04, 2015 2:01 PM
Signed: *Lisa M Hanni* Deputy
LISA M HANNI
GOODHUE COUNTY RECORDER
Fee Amount: \$46.00

**STATE OF MINNESOTA
COUNTY OF GOODHUE**

**COUNTY BOARD
CONDITIONAL USE PERMIT PROCEEDINGS
FILE NO. 14-CU09**

In the matter of: Rollin and Sharon Larson

A request for an Interim Use Permit submitted by Rollin and Sharon Larson to allow a temporary mobile home for health care reasons. A public hearing was held by the Goodhue County Planning Committee on the 15TH day of September, 2014 on a petition for an interim use permit pursuant to Goodhue County Zoning Ordinance.

PROPERTY ADDRESS: 15844 315th St, Welch MN 55089

Mailing Address: Same

PARCLE NO. 42-022-1400

LEGAL DESCRIPTION: SEE ATTACHED "EXHIBIT A"

The above entitled matter came before the Goodhue County Board on the 7th day of October, 2014 on a petition for a conditional use permit pursuant to Goodhue County Zoning Ordinance.

IT IS ORDERED that the Interim Use Permit for Rollin and Sharon Larson allow a temporary mobile home for health care reasons is hereby approved with the following conditions:

1. The Interim Use Permit will expire upon transfer of property and the dwelling will need to be removed prior to recording of the deed for transfer.
2. The dwelling will be removed when the need for medical assistance is no longer required.
3. A building permit will be obtained prior to placing the dwelling onto the property.
4. Completion of all necessary state and federal permits.

Date signed: 2/3/15

Ted Seifert

Chairperson
Goodhue County Board of Commissioners

that there will be no unreasonable adverse impact on the neighbors from the noise, traffic, trespass, light or other impacts deemed relevant by the County.

- B. There is adequate provision for parking of vehicles so that there is no parking on public roads and adequate setbacks from adjacent properties are maintained. Temporary parking areas may be approved at the sole discretion of the County. Parking areas must be a minimum of forty (40) feet from all property lines, and appropriately screened from neighboring property. Light sources shall be directed downwards and shielded to prevent light being directed off the premises.
- C. The County may require a planted buffer between adjacent properties and parking or building if it is determined that such a buffer is necessary to avoid adverse impacts on adjacent properties.
- D. All State of Minnesota and Goodhue County requirements related to Water and Subsurface Wastewater Treatment Systems must be met.
- E. Outside activities shall be completed during daylight hours. Inside activities shall be completed by 10:00 PM unless approved through the CUP process to conclude no later than 12:00 AM (midnight).
- F. Any on-site preparation and handling of food or beverages must comply with all applicable Federal, State or Local Standards.
- G. The owner/operator will maintain a log of the activities occurring at the included activity/event dates, group identity, times and number of guests.
- H. The site plan with the above written descriptions along with any condition added during Planning Advisory Commission and/or County Board review will become a part of any approved conditional use permit or interim use permit.

Section 31. ACCESSORY DWELLING UNITS (ADUS)

Subd. 1. Accessory Dwelling Units (ADUs) are dwelling units that are accessory to a primary dwelling unit and are on the same tax parcel of land as the primary dwelling unit.

- A. An ADU can be either:
 - 1. Attached to, or within the primary dwelling unit; or
 - 2. Located within 100 feet of the primary dwelling unit on the same tax parcel as the primary dwelling unit.
- B. ADU's must have separate kitchen and bathroom facilities
- C. Only one (1) ADU is permitted per primary dwelling site tax parcel
- D. The ADU cannot be separated from the primary dwelling tax parcel
- E. Dwelling units that were permitted as temporary dwelling units that request to be converted to ADU status must have a public hearing at the PAC and approved by the County Board.

Subd. 2. Performance Standards

- A. Setbacks: The ADU must meet all district setbacks for structures

- B. Size: An ADU cannot exceed the size of the primary dwelling
- C. The ADU will be required to obtain all necessary permits, including Zoning, Building, Well, and SSTS

Section 32. ABANDONED HOMESTEADS

Subd. 1. To qualify as an Abandoned Homestead, a site shall satisfy the following criteria:

- A. Clear, physical evidence of a dwelling, and
- B. A distinct yard containing features such as fencing, windbreaks, or other readily apparent features characteristic of a previously established homestead.

Subd. 2. Abandoned Homestead dwelling reestablishments shall comply with the following standards:

- A. The parcel shall meet the minimum size regulations, yard requirements, road access standards, Bluffland ,Shoreland , and Floodplain requirements, and
- B. The reestablished dwelling shall be sited as near to the location of the abandoned dwelling foundation as practical, and
- C. An approval for reestablishment of a dwelling as an Abandoned Homestead site shall expire and be considered null and void one (1) year after the approval date if the use has not been established.

Section 33. CONTRACTORS YARD

Subd. 1. Contractors Yards shall comply with the following standards:

- A. The minimum parcel size shall be 3 acres and shall meet road access standards.
- B. The site shall not be located within Shoreland, Floodplain, or Blufflands.
- C. Materials, structures, and operations associated with the Contractors Yard shall be located a minimum of 100 feet from adjacent neighboring dwellings existing at the time of permit application.
- D. Non-Resident Employees, except designated office or shop personnel, may occupy the site only for the purpose of gathering equipment and supplies, necessary fabrication, or general maintenance.
- E. There shall be no on-site retail sales. The sale of incidental stock-in-trade shall not be considered retail sales.
- F. Exterior storage of materials, vehicles, and equipment may require screening from public view.
- G. The routes and conditions of local transportation networks will be part of the review process to determine if they are capable of supporting the proposed use without appreciably diminishing traffic safety along primary access routes. When appropriate, the applicant shall bear the costs of required dust mitigation measures.

MAP 01: PROPERTY OVERVIEW



BOARD OF ADJUSTMENT

Public Hearing
November 15, 2021

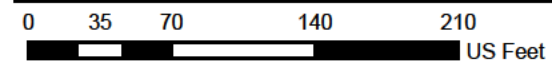
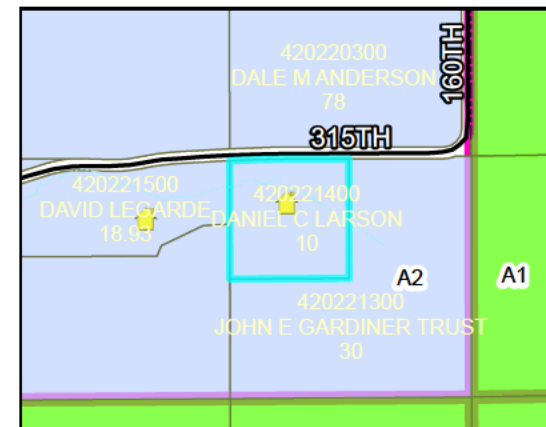
Rollin & Sharon Larson (Owners)
A2 Zoned District

Part of the SE 1/4 of the SE 1/4 of Section
22 TWP 112 Range 16 in Vasa Township

Variance request to allow an ADU to be
located greater than 100-feet from the
principal dwelling.

Legend

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

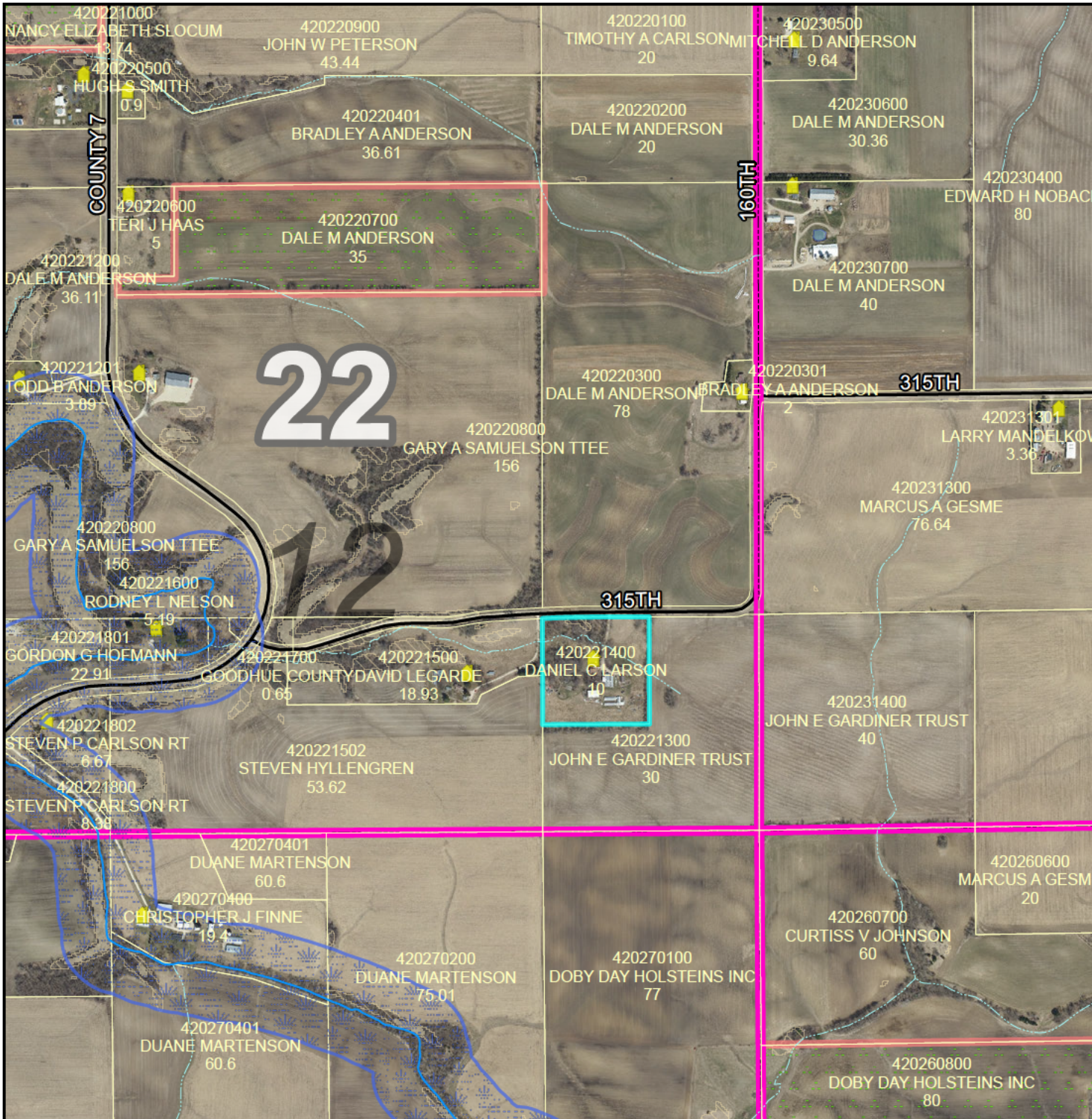


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Map Created November, 2021 by LUM



MAP 02: VICINITY MAP



BOARD OF ADJUSTMENT

Public Hearing
November 15, 2021

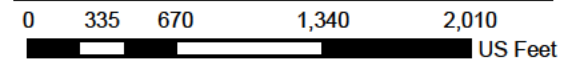
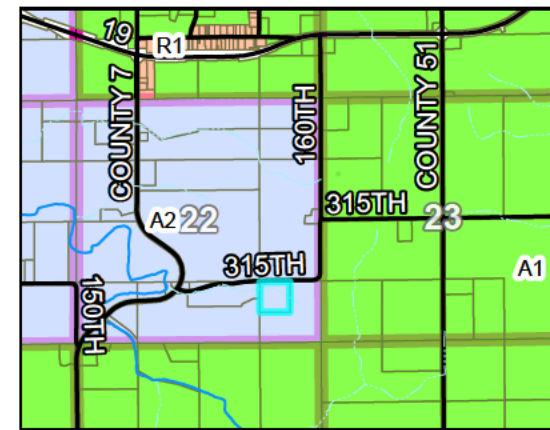
Rollin & Sharon Larson (Owners)
A2 Zoned District

Part of the SE 1/4 of the SE 1/4 of Section
22 TWP 112 Range 16 in Vasa Township

Variance request to allow an ADU to be
located greater than 100-feet from the
principal dwelling.

Legend

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



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MAP 03: ELEVATIONS



BOARD OF ADJUSTMENT

Public Hearing
November 15, 2021

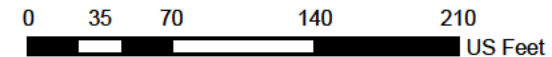
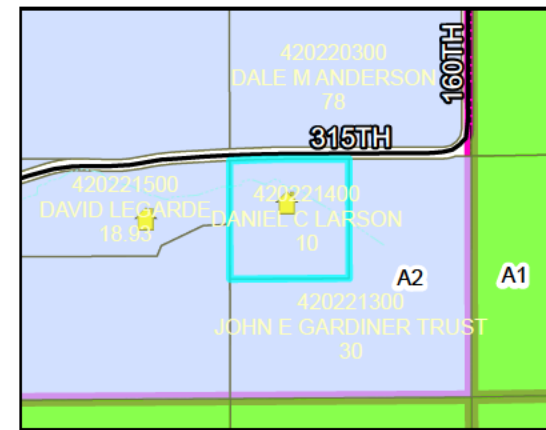
Rollin & Sharon Larson (Owners)
A2 Zoned District

Part of the SE 1/4 of the SE 1/4 of Section
22 TWP 112 Range 16 in Vasa Township

Variance request to allow an ADU to be
located greater than 100-feet from the
principal dwelling.

Legend

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



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or misuse. Goodhue County Copyright 2021.

2020Aerial Imagery
Map Created November, 2021 by LUM



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: November 15, 2021
Report date: November 4, 2021

PUBLIC HEARING: Request for Variance to Home Business Standards

Request for Variance, submitted by Emily Fischbach (Owner) to Home Business Standards to establish a Tier II Home Business on a parcel containing less than 2-acres in the A-1 District and within a dwelling that does not meet structure setbacks from the side property line and from the County 9 BLVD and HWY 56 BLVD ROWs.

Application Information:

Applicants: Emily Fischbach (owner)
Address of zoning request: 3016 County 9 BLVD Dennison, MN 55018
Parcel: 45.022.1100
Abbreviated Legal Description: Part of the S 1/2 of the NW 1/2 of Section 10 TWP 111 Range 18 in Warsaw Township
Township Information: Warsaw Township provided acknowledgment of the request to staff via email on October 26, 2021
Zoning District: A1 (Agriculture Protection District)

Attachments and Links:

Application and submitted project summary
Site Maps
Article 11, Section 12 (Home Businesses)
Goodhue County Zoning Ordinance: <http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Background:

The Applicant, Emily Fischbach (Owner), is requesting a variance to allow the establishment of a Tier II Home Business on a 0.62-acre parcel in Warsaw Township. The Goodhue County Zoning Ordinance (GCZO) requires a parcel to meet minimum size standards for the applicable zone to establish a Home Business (2-acres). The Home Business will also be located within a dwelling that does not meet minimum structure setback requirements from a side property line nor the setbacks from County 9 BLVD and HWY 56 BLVD.

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:

- The minimum parcel size for Home Businesses is intended to provide parking/loading space, area to meet required structure setbacks, and ample room to perform business activities. 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 dwelling is located 20-feet from the HWY 56 ROW and 10-feet from the CTY 9 BLVD ROW where 60-feet is required. The dwelling also has a 0-foot side yard setback from the east property line where 30-feet is required. No new structures will be constructed for the Home Business operation and no outdoor storage is proposed for the operation.
- The Applicant has proposed to sell hand-made clothing, jewelry, and décor within the existing dwelling (420-square foot area). Tier II Home Businesses are permitted to operate in no more than 50% of the total square footage of the dwelling. The Applicant has proposed to use 420 square feet of an existing 1377 square foot dwelling for the business which is 30% of the gross square footage.
- There is room within the existing driveway area to accommodate parking for the proposed operation and avoid having vehicles parking on the street.

The Applicant's proposal appears in harmony with the purpose and intent of the official control.

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

- The Goodhue County Comprehensive Plan supports new economic opportunities within the County and the establishment of home occupations.

The Applicant's request 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 0.62-acre parcel is a nonconforming lot size in the A1 District (2-acre minimum). The parcel configuration and size were established prior to the adoption of the Zoning Ordinance. The parcel has also been impacted by the expansion of Right-of-Ways for County 9 BLVD, HWY 56 BLVD, and County 24 BLVD.
- The existing dwelling was established on the property before the 1950s, prior to County zoning regulations.
- The Applicant's request to establish a Tier II Home Business utilizing existing structures is a reasonable use of property in the A1 District.
- The Home Business would meet or exceed all other regulations of the GCZO including parking and signage.
- The Applicant will be required to obtain a Land Use Permit from County Zoning Staff to establish the Home Business.
- The property is located in a mixed-use area surrounded by row-crop agriculture fields to the south and west across HWY 56 BLVD, land within the County 24 BLVD, County 9 BLVD, and HWY 56 BLVD ROWs to the north, and the Warsaw Town Hall and land owned by the Township to the east. The closest dwelling is approximately 550-feet southwest of the parcel on HWY 56 BLVD owned by Steven Underdahl.

The proposed Home Business would not be uncharacteristic within this setting. 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.

- Tier II Home Occupations are permissible uses in the A1 district and are typically approved administratively by the Zoning Administrator via a Land Use Permit. The proposal 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 variance request, submitted by Emily Fischbach (owner), to Home Business Standards (Article 11, section 12) to allow the establishment of a Tier II Home Business on a 0.62-acre parcel and within a structure 0-feet from the west property line, 20-feet from the HWY 56 BLVD ROW and 10-feet from the County 9 BLVD ROW in the A1 Zoning District.

RECEIVED

APPLICATION FOR

Variance

OCT 20 2021

Land Use Management

For Staff Use only

VARIANCE NUMBER:	Z21-0052	
S350 RECEIPT#	17463	DATE 10/20/21

SITE ADDRESS, CITY, AND STATE 3016 County 9 Blvd Dennison MN			ZIP CODE 55018
LEGAL DESCRIPTION: sect 22 TWP-111 Range 018 ⁶² part of NW 1/4 of SW 1/4 sec 22 111 18 ⁶² bony 10 RDs sq in NW corner Attached			
PID#: 450221100	ZONING DISTRICT A1	LOT AREA (SF/ACRES): .62	STRUCTURE DIMENSIONS (if applicable): 440 sq ft

APPLICANT OR AUTHORIZED AGENT'S NAME Helf Puccio	
APPLICANT'S ADDRESS: 3016 County 9 Blvd	TELEPHONE: EMAIL:

PROPERTY OWNER'S NAME: Same as Above <input type="checkbox"/> Emily Fischbach	
PROPERTY OWNER'S ADDRESS: 3016 County 9 Blvd	TELEPHONE: EMAIL:

CONTACT FOR PROJECT INFORMATION: Same as Above <input checked="" type="checkbox"/>	
ADDRESS:	TELEPHONE: EMAIL:

VARIANCE REQUESTED TO: (check all that apply) <input checked="" type="checkbox"/> Road Right-Of-Way Setbacks <input type="checkbox"/> % Lot Coverage <input type="checkbox"/> Property Line Setbacks <input type="checkbox"/> Bluff Setbacks <input type="checkbox"/> Height Limits <input type="checkbox"/> Shoreland Setbacks <input checked="" type="checkbox"/> Lot Width &/or Area <input type="checkbox"/> Other (specify) <input type="checkbox"/> Subdivision Regulations	CURRENT OR PREVIOUS USE: Residential Home
	PROPOSED USE: Home business Tier I
	BUILDING APPLICATION PERMIT NO. (if filed): DATE FILED:

TOWNSHIP SIGNATURE: By signing this form, the Township acknowledges they are aware of the Applicant's variance request. In no way does signing this application indicate the Township's position on the variance request.			Attached <input type="checkbox"/>
TOWNSHIP OFFICIAL'S SIGNATURE	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE	DATE	

By signing below, the applicant acknowledges:

1. The undersigned is the owner or authorized agent of the owner of this property.
2. The information presented is true and correct to the best of my knowledge.
3. If I am unable to be present at the hearing where my request is acted upon, I agree to accept the Notice of Decision via mail.
4. Additional information or applications may be required

Applicant's Signature: *Emily Fischbach* Date: 10/18/2021

Print name: Emily Fischbach (owner or authorized agent)

REQUEST SUMMARY

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

Article: _____ Section: _____ Name: _____

Article: _____ Section: _____ Name: _____

SUPPORTING INFORMATION & JUSTIFICATION

You, or your agent, bear the burden of providing information to convince the Board to rule in your favor. Please provide answers to the following questions in the spaces below or in an attached document. You may also attach any additional supporting documentation you desire the board to review.

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

Current is living courters. Would like to sell what I make in the living room area for people to walk in & see & purchase. Selling on line now & the sells are not enough to live on.

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

Not much will change from the way it is now

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:

Property is 0.63 acres in size

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

0

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

re-zoning out of a1 agriculture is not feasible

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

No nothing would change

GOODHUE COUNTY LAND USE PERMIT APPLICATION

PROJECT SUMMARY

Please provide answers to the following questions in the spaces below. If additional space is needed, you may provide an attached document.

1. Description of purpose and planned scope of operations (including retail/wholesale activities).

Southwestern Retail store

Items made by me

2. Planned use of existing buildings and proposed new structures associated with the proposal.

Living Room 21 FT wide 20 FT long

3. Proposed number of non-resident employees.

0

4. Proposed hours of operation (time of day, days of the week, time of year) including special events not within the normal operating schedule.

9^{AM}-6^{PM} mon - sat I see NO problem or reason

Why people would park on the street unless around Christmas Time

5. Planned maximum capacity/occupancy.

4 customers AT 1 Time. We have parking for 4 cars at 1 time. We only have 1 car which my wife uses for work mon - Fri 8-6

6. Traffic generation and congestion, loading and unloading areas, and site access.

22.5 ft long 21 FT wide driveway
TO Curb of road

7. Off-street parking provisions (number of spaces, location, and surface materials).

Dirt driveway that can hold 4 cars at 1 time

8. Proposed solid waste disposal provisions.

Residential Waste Management

9. Proposed sanitary sewage disposal systems, potable water systems, and utility services.

Well water in house + septic tank

10. Existing and proposed exterior lighting.

2 lights on outside of front porch + motion light on Garage

11. Existing and proposed exterior signage.

1 sign for the business that says Southwestern Trading Post mon - sat 9am - 6pm in the yard ^{front} (removable)

12. Existing and proposed exterior storage.

0

13. Proposed safety and security measures.

in house security system

14. Adequacy of accessibility for emergency services to the site.

yes

15. Potential for generation of noise, odor, or dust and proposed mitigation measures.

0

16. Anticipated landscaping, grading, excavation, filling, and vegetation removal activities.

landscaping all ready done

17. Existing and proposed surface-water drainage provisions.

drainage ditch at corner of property
corner of 56 + county 9 Blvd

18. Description of food and liquor preparation, serving, and handling provisions.

0

19. Provide any other such information you feel is essential to the review of your proposal.

small speciality retail store
People I have spoken to would like to be able to look at my items.

on Back

Things I make

Dream Catchers

Leather Bags

Leather Vests

Leather moccasins

Bead work

Jewelry

T shirts

Hall hangings

Pillows

- A. Specific conservation management and/or structural practices to be implemented to bring the parcel of land in question to "T" or to control/correct the accelerated erosion or sedimentation.
- B. The deadline date when the practices will be completed.
- C. If the land occupier is unwilling or unable to develop a plan within thirty (30) days, the Soil and Water Conservation District representative will notify the Zoning Administrator of the situation and an evaluation of what practices will be required to bring the land into compliance with the Ordinance.

Subd. 6. Violation and Penalty. Refusal to comply with request for compliance with this Section shall be subject to penalty under Article 7 of this Ordinance.

SECTION 12. HOME BUSINESSES

The purpose of this section is to provide citizens residing in the unincorporated areas of Goodhue County opportunities for the use or adaptive re-use of residential, accessory, and farm structures to engage in economic activities that are not detrimental or injurious to the public health and safety or character of the surrounding area. The following provisions are only intended to serve as an “incubator” for rural entrepreneurship. Home Business ventures seeking to expand beyond the scale of “subordinate and incidental” to a principal residential use shall rezone the property to an appropriate zoning district or relocate to an appropriate zoning district.

Subd. 1. **TIER 1 HOME BUSINESS.** The following standards shall apply to all Tier 1 Home Businesses:

- A. No more than one (1) non-resident employee shall be employed in conjunction with a permitted Tier 1 home business.
- B. The home business shall be incidental and subordinate to the use of the premises for farming or residential purposes.
- C. The home business shall be conducted entirely within a single-family dwelling (including any attached garage) and shall not occupy more than an area equal to 25% of the gross floor area of the dwelling. Tier 1 Home Businesses shall not be conducted in an accessory building.
- D. No traffic shall be generated by the home business beyond that which is reasonable and normal for the area in which it is located.
- E. No equipment or process shall be used in such home business which creates noise, vibration, glare, fumes, odors, or electrical interference detectable off the premises.
- F. Exterior display or storage of goods, equipment or other materials associated with the home business is prohibited.
- G. Adequate off-street parking shall be provided in accordance with the requirements of Article 11, Section 16.
- H. The parcel shall meet or exceed the minimum size standards for the applicable zone.
- I. All equipment, buildings, and activities associated with the home business shall meet all setbacks for the applicable zoning district.

- J. No more than two home businesses shall be permitted on a single parcel. The total space allowed for two home businesses combined shall not exceed the maximum allowed for a single home business.

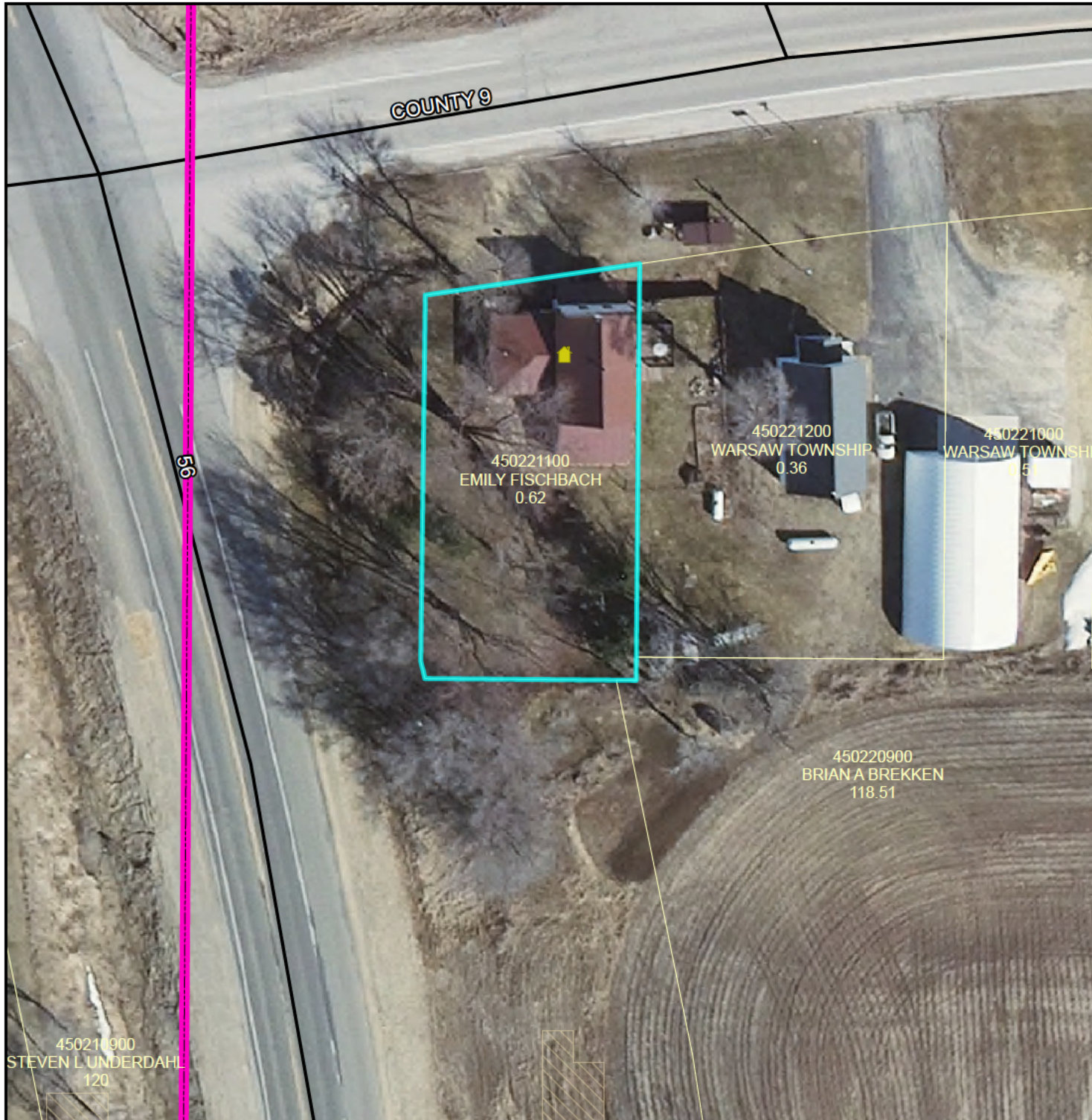
Subd. 2. **TIER 2 HOME BUSINESS.** The following standards shall apply to Tier 2 home businesses:

- A. No more than two (2) non-resident employees shall be employed in conjunction with a permitted Tier 2 home business.
- B. The home business shall be incidental and subordinate to the use of the premises for farming or residential purposes.
- C. If located within a dwelling, the home business shall occupy no more than 50% of the gross floor area of the dwelling. If located in an accessory building, the home business shall not occupy an area greater than 2100 of gross floor area feet on parcels up to 2 acres or 3400 of gross floor area feet for parcels 2 acres or greater.
- D. No traffic shall be generated by the home business beyond that which is reasonable and normal for the area in which it is located.
- E. No equipment or process shall be used in such home business which creates noise, vibration, glare, fumes, odors, or electrical interference detectable off the premises.
- F. Exterior display or storage of goods, equipment or other materials associated with the home business is prohibited.
- G. Adequate off-street parking shall be provided in accordance with the requirements of Article 11, Section 16.
- H. The parcel must meet or exceed the minimum size standards for the applicable zone.
- I. All equipment, buildings, and activities associated with the home business shall be required to meet all setbacks for the applicable zoning district.
- J. No more than two home businesses shall be permitted on a single parcel. The total space allowed for two home businesses combined shall not exceed the maximum allowed for a single home business.

Subd. 3. **TIER 3 HOME BUSINESS.** The following standards shall apply to Tier 3 Home Businesses:

- A. The maximum number of non-resident employees employed in conjunction with a home business shall be 10.
- B. The minimum parcel size shall be 5 acres.
- C. If located in an accessory building, the home business shall not occupy an area greater than 7200 of gross floor area feet.
- D. Exterior operations and storage of goods, equipment or materials shall be screened from view of public roads, adjacent dwellings and adjoining residential districts.
- E. The Planning Advisory Commission shall determine the expiration of the interim use permit; which may include a time limit or a transfer of the property ownership.
- F. The Interim Use Permit may be renewed administratively up to 30 days after the expiration of the permit so long as all the conditions placed by the Board of

MAP 01: PROPERTY OVERVIEW



BOARD OF ADJUSTMENT

Public Hearing
November 15, 2021

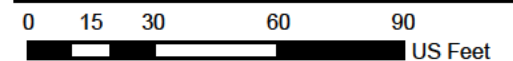
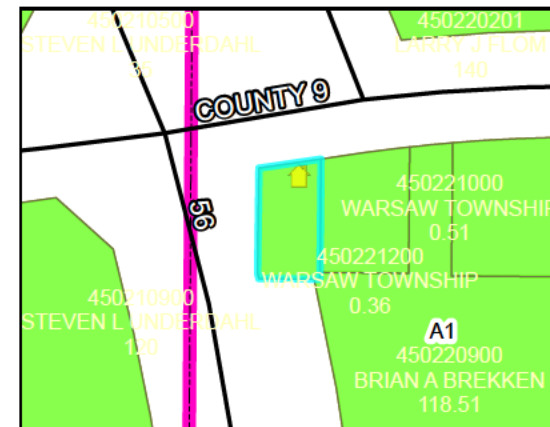
Emily Fischbach (Owner)
A-1 District

Part of the S 1/2 of the NW 1/4 of Section
10 TWP 111 Range 18 in
Warsaw Township

Variance request to establish a Tier I
Home Business on a parcel less than 2
acres and within a dwelling that does
not meet structure setbacks from side
property line and ROWs

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

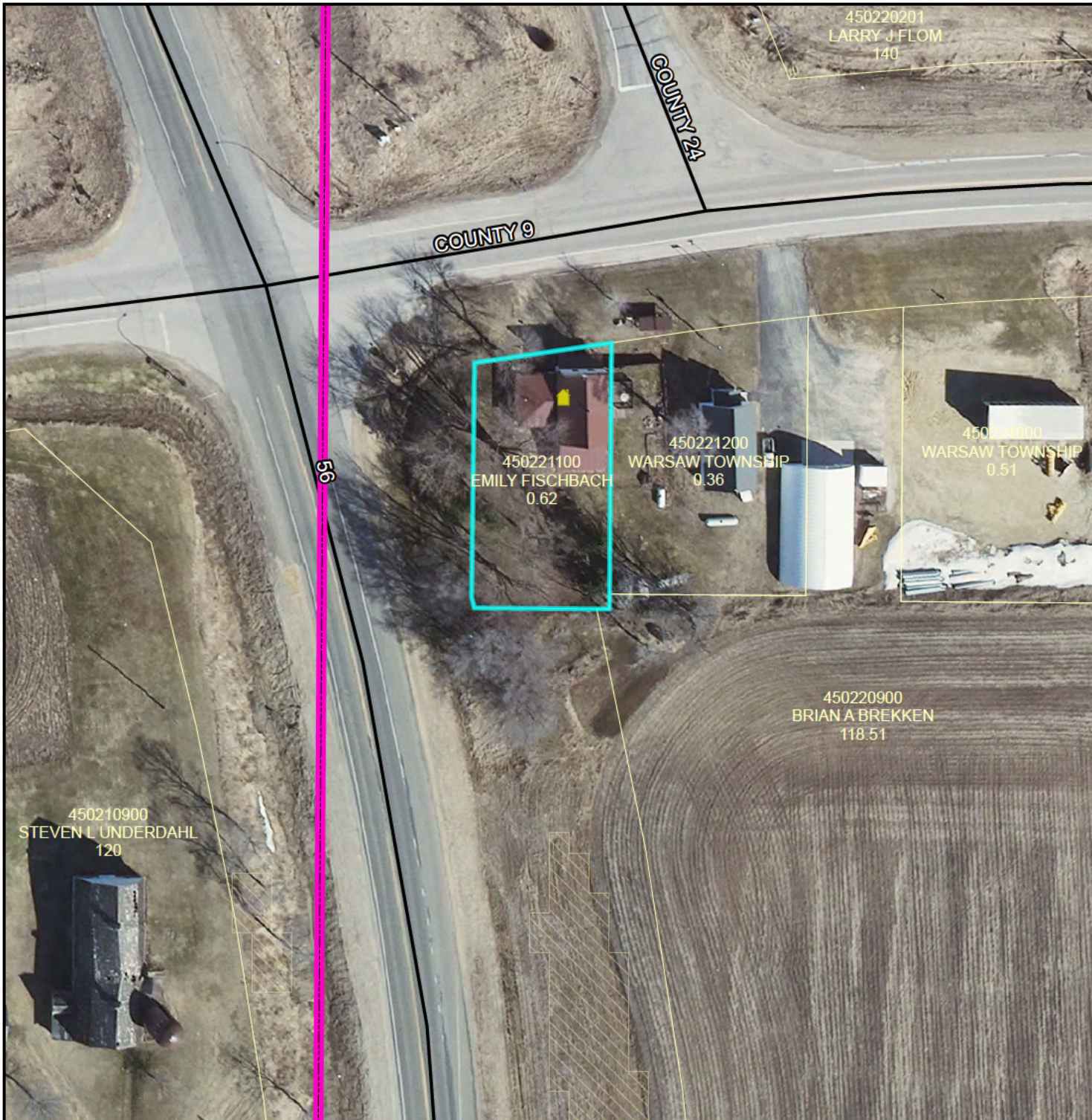


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MAP 02: VICINITY MAP



BOARD OF ADJUSTMENT

Public Hearing
November 15, 2021

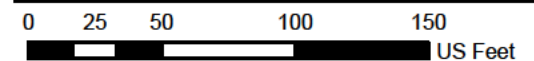
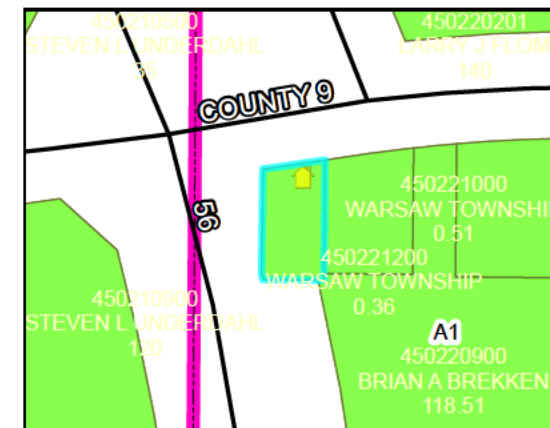
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Parcels	A
Registered Feedlots	AE
Dwellings	AO
Municipalities	X



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MAP 03: ELEVATIONS



BOARD OF ADJUSTMENT

Public Hearing
November 15, 2021

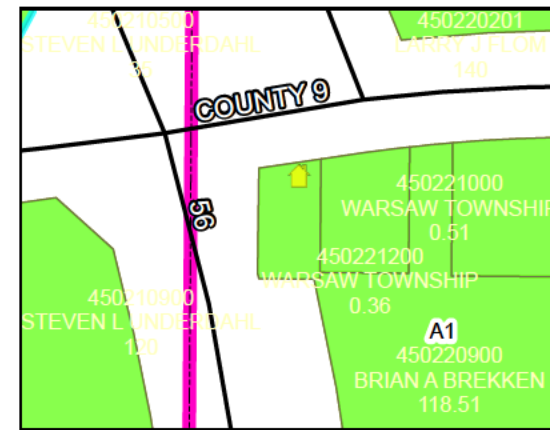
Emily Fischbach (Owner)
A-1 District

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Warsaw Township

Variance request to establish a Tier I
Home Business on a parcel less than 2
acres and within a dwelling that does
not meet structure setbacks from side
property line and ROWs

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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Map Created November, 2021 by LUM



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: November 15, 2021
Report date: November 5, 2021

PUBLIC HEARING: Request for Variance to Feedlot Setback Standards

Request for Variance, submitted by Jeffrey Nolte (Buyer) and Dee Banitt LT (Owner), to Article 13 (Confined Feedlot Regulations) setback standards to allow a new feedlot to be established within 1000 feet or 94% odor annoyance-free rating (as determined by the odor OFFSET model) of existing dwellings. Parcel 40.034.0900.

Application Information:

Applicant: Jeffrey Nolte (Buyer) and Dee Banitt LT (Owner)

Address of zoning request: 51130 152nd AVE

Parcel: 40.034.0900

Abbreviated Legal Description: Part of the W $\frac{3}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 34 TWP 109 Range 16.

Township Information: Roscoe Township signed off on the application acknowledging the Applicant's proposal and did not add any comments.

Zoning District: A-2 (Agriculture District)

Attachments and Links:

Application and Project Summary

Site Map

OFFSET Calculations

Goodhue County Zoning Ordinance (GCZO):

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

Background:

Jeffrey Nolte (Buyer) and Dee Banitt LT (Owner) have applied for a variance to allow the establishment of a Feedlot consisting of approximately 33.8 AU (Animal Units). The animals would include cattle, calves and swine. Article 13 (Confined Feedlot Regulations) setback standards require a new feedlot to be at least 1,000-feet or 94% odor annoyance-free rating (as determined by the odor OFFSET model) of existing dwellings.

Property owners are required to complete a Feedlot Registration for any property containing 10 or more Animal Units (1 slaughter steer or stock cow is 1 Animal Unit).

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:

- The purpose of the A2 district is to maintain and conserve agricultural investments and prime agricultural farmland but provide for a slightly higher density of dwellings than the A1 District. This district is intended to apply to those areas where large farms and feedlots are more scattered and greater numbers of non-farm uses or small parcels are present.

- Reciprocal feedlot setbacks between feedlots and dwellings are intended to decrease potential conflicts among residential and agricultural uses.

Two residences are located within the 1000-foot required setback area for the proposed Feedlot. The dwelling to the north is owned by Jill Swenson (Parcel 40.027.0801), and the property to the east is owned by Jeffrey Salisbury (Parcel 40.034.0700). Ms. Swenson's and Mr. Salisbury's dwellings are located 920-feet and 870-feet from the proposed feedlot, respectively.

- All other dwellings are more than 1000-feet from the proposed feedlot.
- Given the proposed feedlot will achieve a 99% odor annoyance-free rating (as determined by the OFFSET model) from these two dwellings, the request appears harmonious with the purpose and intent of the official controls.

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

- The Comprehensive Plan prioritizes agricultural land uses over dwellings to protect farmland and decrease conflict between residential and agricultural uses. The proposed variance is not likely to produce conflict among residential and agricultural uses.
- Future buyers of the dwellings will have the opportunity to be informed of the existence of the Feedlot.
- The request does not appear inconsistent with the adopted Comprehensive Plan.

3) There are “practical difficulties” in complying with the official control (the applicant proposes to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality):

- The property comprises 80-acres and is a conforming lot size in the A2 district (2-acre minimum). The Applicant's request to establish a registered Feedlot is a reasonable use of property in the A2 District.
- A majority of the property is made up of woodlands and Bluffland, and is primarily used for row-crop agriculture.
- The proposed Feedlot will use existing structures to house the animals. Alternative locations for housing of animals were not considered because appropriate structures already exist on the property.
- The Feedlot will meet all other applicable setback requirements of the Goodhue County Zoning Ordinance.
- A review of the existing development pattern in the vicinity reveals medium-density residential development among agricultural uses (row-crop agriculture), as well as the floodplain of the North Branch of the Mid Fork of the Zumbro River.

- The establishment of a Feedlot on this parcel will not affect neighboring parcels' dwelling eligibility as Section 34 is zoned A2 and already contains 12 dwellings where a maximum of 12 dwellings are allowed.
 - 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.**
- Feedlots are permissible uses in the A2 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 variance, submitted by Jeffrey Nolte (Buyer) and Dee Banitt LT (Owner) to Article 13 (Confined Feedlot Regulations) setback standards to allow a new Feedlot to be established no closer than 870-feet from neighboring dwellings.

RECEIVED

APPLICATION FOR
Variance

OCT 29 2021

Land Use Management

For Staff Use only

VARIANCE NUMBER: 221-0056
S350 RECEIPT# 17478 DATE 10/29/21

SITE ADDRESS, CITY, AND STATE: 51130 152 AVENUE PINE ISLAND, MN ZIP CODE: 55963

LEGAL DESCRIPTION:
PID#: 40.034.0900 ZONING DISTRICT: Goodhue C1 LOT AREA (SFIACRES): LOT DIMENSIONS: STRUCTURE DIMENSIONS (if applicable):

APPLICANT OR AUTHORIZED AGENT'S NAME: JEFF NOLTE

APPLICANT'S ADDRESS: 790 Warren Ave
Zumbrota MN 55992

PROPERTY OWNER'S NAME: DFE

PROPERTY OWNER'S ADDRESS: 51130 152nd Ave
PINE ISLAND MN 55992 TELEPHONE: 8 EMAIL:

CONTACT FOR PROJECT INFORMATION: Same as Above

ADDRESS: TELEPHONE: EMAIL:

VARIANCE REQUESTED TO: (check all that apply)
 Road Right-Of-Way Setbacks % Lot Coverage
 Property Line Setbacks Bluff Setbacks
 Height Limits Shoreland Setbacks
 Lot Width &/or Area Other (specify)
 Subdivision Regulations
CURRENT OR PREVIOUS USE: FARM
PROPOSED USE: FARM WITH FEEDLOT PERMIT
BUILDING APPLICATION PERMIT NO. (if filed): DATE FILED: 10-28-2021

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: DATE:

- By signing below, the applicant acknowledges:
1. The undersigned is the owner or authorized agent of the owner of this property.
 2. The information presented is true and correct to the best of my knowledge.
 3. If I am unable to be present at the hearing where my request is acted upon, I agree to accept the Notice of Decision via mail.
 4. Additional information or applications may be required.

Applicant's Signature: Jeff Nolte Date: 10-28-2021

Print name: JEFFREY S. NOLTE (owner or authorized agent)

REQUEST SUMMARY

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

Article: _____ Section: _____ Name: _____

Article: _____ Section: _____ Name: _____

SUPPORTING INFORMATION & JUSTIFICATION

You, or your agent, bear the burden of providing information to convince the Board to rule in your favor. Please provide answers to the following questions in the spaces below or in an attached document. You may also attach any additional supporting documentation you desire the board to review.

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

The current owner does not have a FEEDLOT permit for this 80 acre farm listed at 51130 152nd Ave Pine Island. We have a signed purchase agreement on the property.

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

This FEEDLOT permit is a contingency on the sale of the property. I would not have the flexibility to raise livestock as the building land and pasture will support without it.

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:

There happens to be two separate neighbors that have building sites within 1000 feet of the building site on this 80 acre farm.

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

I am simply trying to be in compliance with having a Goodhue County feedlot permit for this property. I intend to use the property as a hobby farm and grow livestock for sale.

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

I am not putting up a large hog building or large dairy operation. I am just trying to use the 80 acre farm for what the buildings and other characteristics seem appropriate in the country.

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

It is a rural area intended for agriculture. I am just purchasing it for those same purposes. I believe in agriculture and what it does. I just want to do my part and carry on what my parents taught me.

Map -> over

OCT 29 2021

Land Use Management

TOWNSHIP ZONING APPLICATION

TOWNSHIP NAME Roscoe

Goodhue County Variance

Parcel # 40-034-0900

APPLICANT INFORMATION			
Last Name	<u>NOLTE</u>	First	<u>JEFFREY</u>
M.I.	<u>S</u>		
Street Address	<u>790 warren Ave</u>		
City	<u>Zumbrota</u>	State	<u>MN</u>
ZIP	<u>55992</u>		
Email Address	[REDACTED]		
Township	Range	Section	
PROJECT INFORMATION			
Site Address	<u>Feedlot Permit 51130 152nd Ave</u>		
Zoning District	<u>Roscoe</u>	Lot Size	<u>80 acres</u>
Structure Dimensions			
Type of Project	<u>Feedlot permit</u>		
Proposed Use	<u>cattle on farm</u>		
Structure Type	Replacement?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Variance # <u>221-0056</u>	Conditional Use Permit # _____		
Name of Property Owner:			
DISCLAIMER AND SIGNATURE			
<p><i>I hereby apply for a zoning permit and I acknowledge that the information above is complete and accurate, that the work will be in conformance with the ordinances and codes of Goodhue County. The applicant also understands by signing this application he / she could be held responsible as representative of this project for any violation of compliance with all applicable laws and ordinances of Goodhue County. This permit may be suspended or revoked if the permit has been issued in error or on the basis of incorrect information supplied or in violation of any ordinance or regulation of Goodhue County. All provisions of law and ordinances governing this type of work will be complied with whether specified herein or not.</i></p>			
Signature	<u>[Signature]</u>		Date <u>10-28-2021</u>
TOWNSHIP APPROVALS			
<p><i>I hereby certify by signing that I am authorized to act on the behalf of the Township Board, and the structure and use will meet all Township Codes and Ordinances if constructed as indicated.</i></p>			
Signature	<u>Susan Behr</u>	Title	<u>Clerk</u>
Date	<u>10/28/2021</u>		
Signature		Title	Date
Application fee	<u>\$10.00</u>		
Receipt Number	<u>3777</u>		

2018081
2817
2018081

GENERAL PROVISIONS

1. No changes in plans or specifications can be made to the work authorized herein unless such change is first approved in writing by the permitting authority.
2. Permittee shall grant access to the site at all reasonable times that the permitting authority or his/her agents may conduct inspections to ascertain compliance with the terms and conditions of this permit.
3. The Construction Site shall be kept reasonably free of debris at all times so as to not create a public nuisance.
4. Permittee shall install permanent and temporary erosion control measures in order to prevent erosion of disturbed soils from the project site onto adjacent parcels of land, public waters, public roads, ditches, sewer facilities and the like. Permittee shall cease all related authorized construction activities until such time as any such problem is corrected as agreed to by the permitting authority.
5. The granting of this permit does not exempt the permittee from having to secure other permits from other State, Federal or Local units of government which may have jurisdiction over portions of the authorized project.

Township Conditions

1. The Supervisors reviewed the application. Final approval is up to the County.
2. _____
3. _____

Goodhue County Zoning,

I give Jeff Nolte permission to seek a feedlot variance as we have a signed purchase agreement for address 51130 152nd Ave Pine Island, MN 55963.

Thank you, Dee Bannitt

A handwritten signature in cursive script that reads "Dee Bannitt". The signature is written in black ink and is positioned below the typed name.

11-01-2021

OFFSET Summary and Results

OFFSET Ver 2.0
 University of Minnesota
 1/21/2017

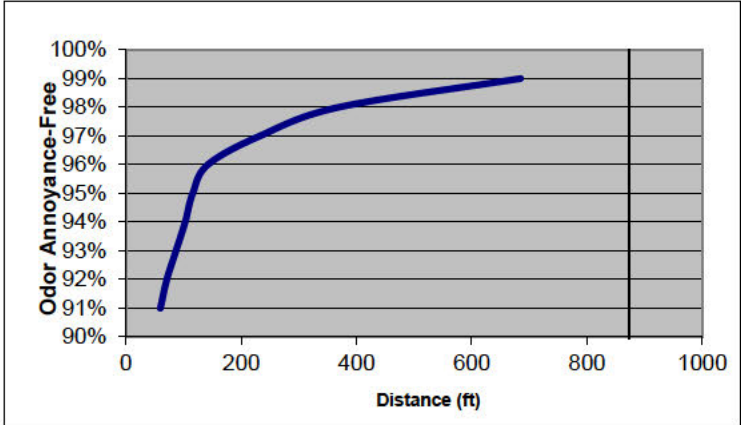
Farm Name	Nolte-Proposed-Roscoe TWP
County	51130 152nd Ave Pine Island
Evaluator	BK
Date	10/28/21

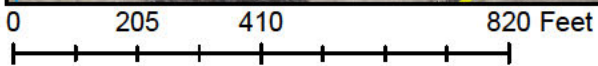
Source Characteristics Summary					Flux Rates (with control technology)				Source Emission Rates*		
	Similar Sources	Emit Area	Control Technology	Percent	Odor	OFFSET	H2S	Ammonia	Odor	H2S	Ammonia
		sq ft	Type	Treated	ou/s/m2	OER	ug/s/m2	ug/s/m2	ou/s	ug/s	ug/s
Buildings											
Beef - loose housing	1	1200	None	0%	1.2	6.0	1.7	25.0	137	190	2789
Area Sources											
Open lot Dairy or Beef		1200	None		4.3	4	0.0	0.0	480	0	0

*includes control technologies

Site Emissions	
Total Site Area (ft2)	2,400
Total Odor Emission Factor (TOEF)	1
Total Site H2S Emissions (mg/s)	0
Total Site H2S Emission AVERAGE (lbs/day)	0
Total Site H2S Emission MAX (lbs/day)	0
Total Site H2S Emissions (tons/yr)	0
Total Site Ammonia Emissions (mg/s)	3
Total Site Ammonia Emission AVERAGE (lbs/day)	1
Total Site Ammonia Emissions MAX (lbs/day)	1
Total Site Ammonia Emissions (tons/yr)	0

Source Edge to Nearest Neighbor (ft)	874
OFFSET Annoyance-free frequency	0%





Nolte Feedlot Proposal Sec 34 Roscoe TWP
 94% Odor Offset (125') and 1,000' setback





104 East 3rd Avenue - PO Box 335
 Goodhue, MN 55027
 651-923-5286 Ext. 4

Feedlot registration form

Feedlot Program

Doc Type: Feedlot Registration

Instructions: Minn. R. ch. 7020 requires most owners of livestock operations to provide information requested in this form to the Minnesota Pollution Control Agency (MPCA) at least once in a four-year cycle, unless a permit application has been made. Feedlots with a National Pollutant Discharge Elimination System (NPDES) or State Disposal System (SDS) permit cannot use this form to document change of name or ownership.

Submittal Instructions:

For feedlots located in a delegated county: Send this form to your County Feedlot Officer

Facility name and address The information below reflects a change to the name of an existing registered facility.

Facility name: _____ Registration number: _____
 Facility Address: 51130 182nd Ave Parcel ID number: 40.034.0900
 City: PINE ISLAND State: MN Zip code: 55963
 Phone: _____ Email: _____

Ownership information The information below reflects a change of ownership of an existing registered facility.

Feedlot owner Same as feedlot name and address
 Name: _____ Address: _____
 City: _____ State: _____
 Phone: _____ Zip: _____
 Email: _____

Contact person Same as feedlot owner information
 Name: JEFF NOLTE
 Address: 790 WARREN AVE
 City: ZUMBROTA State: MN
 Phone: _____ Zip: 55992
 Email: _____

Facility locational information

County: GOODHUE City/Township: ROSCOE

Township (26-71 or 101-168)	Range (1-51)	Section (1-36)	¼ Section (NW, NE, SW, SE)	¼ of ¼ Section (NW, NE, SW, SE)

Any surface waters or tile intakes within 1,000 feet of the facility? (If Yes, indicate types below) Yes No
 Lake/Pond larger than 25 acres Wetland Drainage ditch River/Stream/Creek Tile intake

Is any part of the facility within 300 feet of a river/stream? Yes No

Any part of the facility located within a delineated flood plain (100 year flood)? Yes No

Any part of the facility located within designated shoreland? Yes No

Any part of the facility within 300 feet of a known sinkhole? Yes No

Facility operations information (indicate components that are currently part of your livestock or poultry operation)

Animals on pasture for part of the year Yes No

Open lots (dirt, concrete, other) that are designed as animal holding areas Yes No

Buildings that are designed for animal confinement or as animal holding areas Yes No

If yes to either above, what is the shortest distance from an animal holding area to a well?(including unused or unsealed wells) 50 feet

A liquid manure storage structure Yes No

A manure stockpile (solid manure storage area) Yes No

If yes to either above, what is the shortest distance from a manure storage area to a well?(including unused or unsealed wells) _____ feet

If you closed a liquid manure storage area or permanent manure stockpile since your last registration, complete the following:

Date closed: _____ Liquid storage Solid storage Date closed: _____ Liquid storage Solid storage

MAP 01: PROPERTY OVERVIEW



BOARD OF ADJUSTMENT

Public Hearing
November 15, 2021

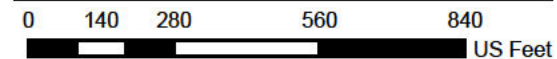
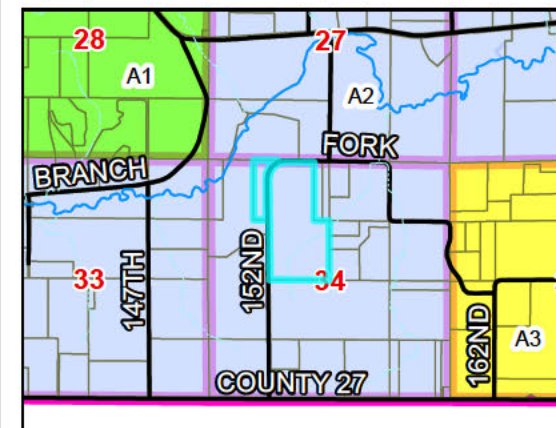
Jeffrey Nolte (Buyer) and Dee Banitt
LT (Owner)
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NW 1/4 and the SE 1/4 of the NW 1/4
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in Roscoe Township

Variance request to allow a new feedlot to
be established within 1000-feet of existing
dwellings

Legend

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Parcels	FEMA Flood Zones AO
Registered Feedlots	FEMA Flood Zones X
Dwellings	
Municipalities	

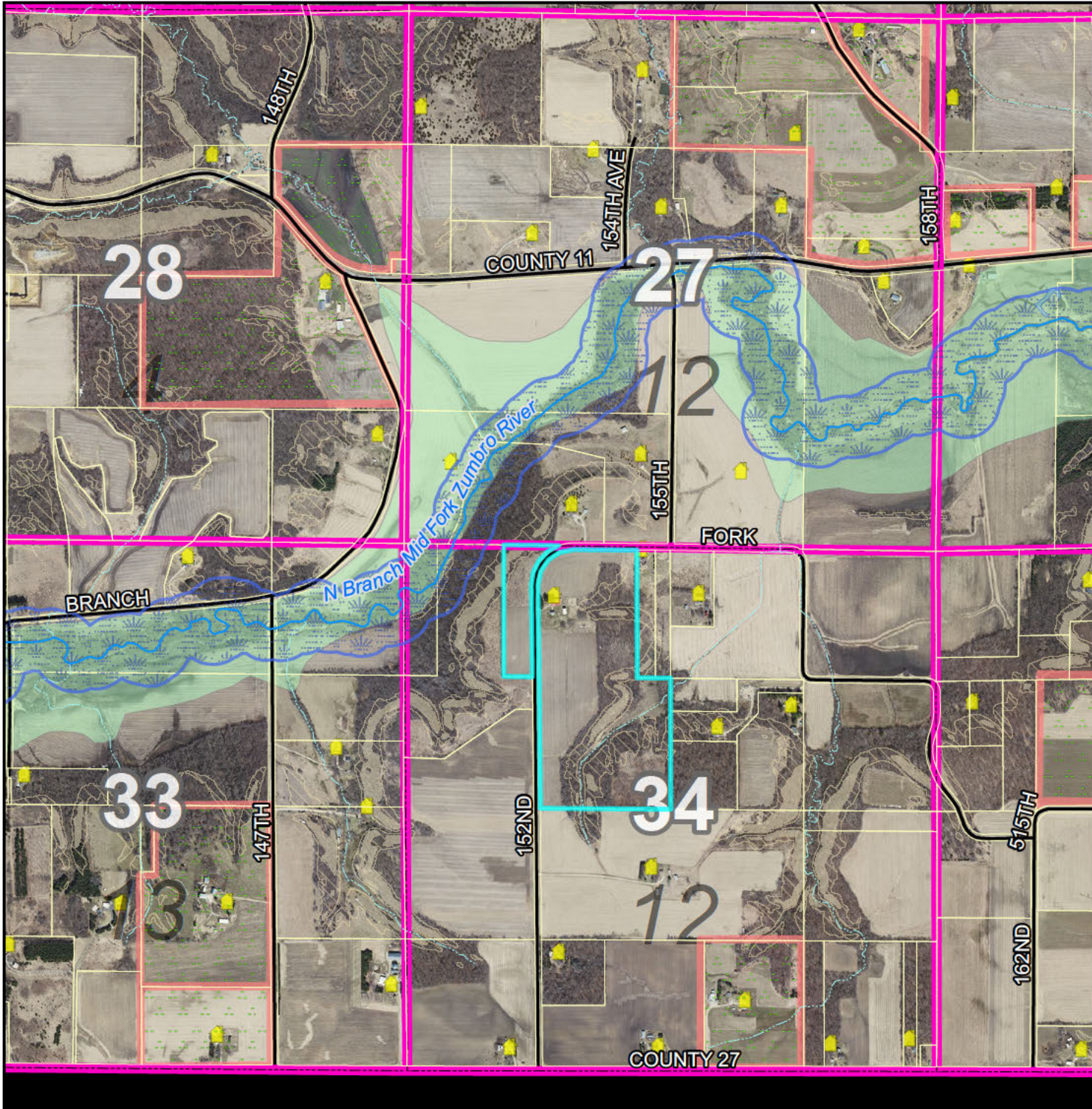


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MAP 02: VICINITY MAP



BOARD OF ADJUSTMENT

Public Hearing
November 15, 2021

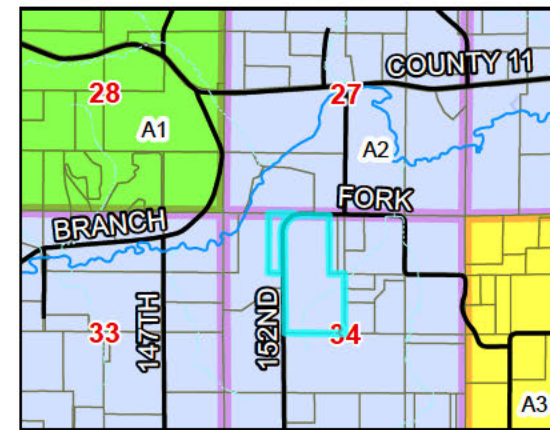
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be established within 1000-feet of existing
dwellings

Legend

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

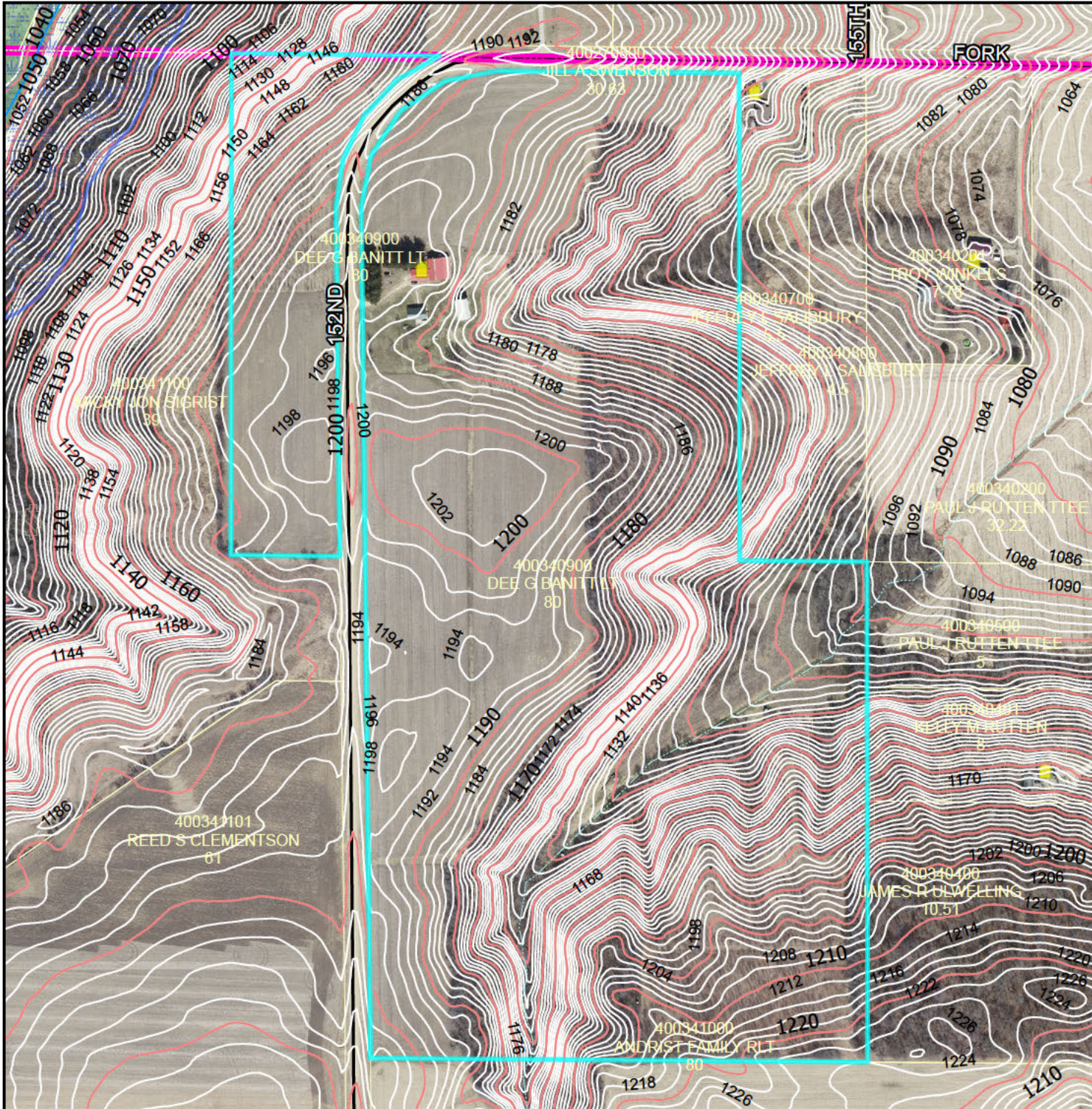


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MAP 03: ELEVATIONS



BOARD OF ADJUSTMENT

Public Hearing
November 15, 2021

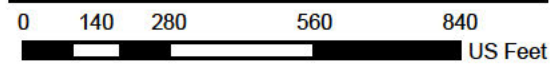
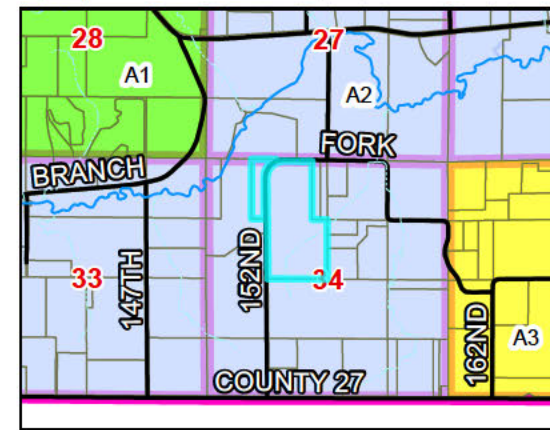
Jeffrey Nolte (Buyer) and Dee Banitt
LT (Owner)
A-2 District

Part of the W 3/4 of the NE 1/4 of the
NW 1/4 and the SE 1/4 of the NW 1/4
of Section 34 TWP 109 Range 16
in Roscoe Township

Variance request to allow a new feedlot to
be established within 1000-feet of existing
dwellings

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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