



# 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 will be conducting a meeting on February 28, 2022 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/325469245> or calling 1-866-899-4679 beginning at 4:50 PM or any time during the meeting. Access Code: 325-469-245

Public Comments: Interested persons must submit comments by phone, in writing, or via email until noon on Monday, February 28, 2022. To submit your comments please email them to [samantha.pierret@co.goodhue.mn.us](mailto: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.

## Call Meeting To Order

### Approval Of Current Agenda

### Approval Of Previous Month's Meeting Minutes

1. December 13, 2021 BOA Meeting Minutes

Documents:

[BOAMEETINGMINUTES\\_DECEMBERMEETING\\_DRAFT.PDF](#)

### Appointment Of Chair And Vice-Chair

### Conflict/Disclosure Of Interests

### PUBLIC HEARING: Request For Variance To Minimum Setback Standards

Request for Variance, submitted by Travis Prihara (Owner), to A-2 Zoning District standards to construct a garage addition less than 30 feet from a side yard property line. Parcel 34.019.1500. 24373 Old Camp Lane Red Wing, MN 55066. Part of the SE ¼ of the NW ¼ of Section 19 TWP 112 Range 14 in Hay Creek Township.

Documents:

[BOAPACKET\\_PRIHARA.PDF](#)

**PUBLIC HEARING: Request For Variance To Bluffland Standards**

Request for after-the-fact Variance, submitted by Tyler Harrison (Owner), to Article 12 (Bluffland Protection Standards) to allow construction of a residential deck less than 30-feet from the top of a bluff. Parcel 41.008.0900. 1475 300th Street Way Cannon Falls, MN 55009. Part of the SE ¼ of the SW ¼ of Section 08 TWP 112 Range 18 in Stanton Township. A-2 Zoned District.

Documents:

[BOAPACKET\\_HARRISON.PDF](#)

**PUBLIC HEARING: Request For Variance To Shoreland And R-1 Lot Size Standards**

Request for Variance, submitted by Leroy Otto (Owner), to Article 31 (Shoreland Standards) to allow establishment of a single family dwelling on a non-riparian parcel less than 40,000 square feet and less than 150-feet wide classified as Shoreland and less than 20,000 square feet in the R-1 Suburban Residence District. Parcel 32.130.0421. 28571 Lake Avenue Way Frontenac, MN 55026. Lots 6 & 7 Block 15 in the Town of Frontenac.

Documents:

[BOAPACKET\\_OTTO.PDF](#)

**PUBLIC HEARING: Request For Variance To Minimum Setback Standards**

Request for Variance, submitted by Larry Hunecke (Owner), to R-1 Zoning District standards to construct a dwelling addition less than 25-feet from the Wood Avenue Right-of-Way. Parcel 32.130.1470. 28815 Wood Avenue Frontenac, MN 55026. Lots 10, 11, and 12 Block 38 in the Town of Frontenac.

Documents:

[BOAPACKET\\_HUNECKE.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  
December 13, 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 Board 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**

<sup>1</sup>Motion by Commissioner Tebbe, and seconded by Commissioner Fox to approve the meeting agenda.

**Motion carried 5:0**

**2. Approval of Minutes**

<sup>2</sup>Motion by Commissioner Tebbe and seconded by Commissioner Ellingsberg to approve the previous month's meeting minutes.

**Motion carried 5:0**

**3. Conflict/Disclosure of Interest**

*There were no conflicts of interest reported.*

**4. Public Hearings:**

**TABLED: 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 152<sup>nd</sup> AVE Pine Island, MN 55963. Part of the W <sup>3</sup>/<sub>4</sub> of the NE <sup>1</sup>/<sub>4</sub> of the NW <sup>1</sup>/<sub>4</sub> and the SE <sup>1</sup>/<sub>4</sub> of the NW <sup>1</sup>/<sub>4</sub> of Section 34 TWP 109 Range 16 in Roscoe Township. A-2 Zoned District.

*Pierret presented the amended staff report and attachments.*

*Commissioner Fox asked how long Dee Banitt owned the property.*

*Pierret answered for many years.*

*Chair Knott stated he went on a site visit to the property and met both Dee Bannitt and Jeffrey Nolte, and agreed with Pierret that Bannitt has owned the property for quite some time.*

*Commissioner Rechtzigel stated he heard Banitt previously inquired about selling the property with separate building sites, but was turned down because the density in the area was already full. Further stated the applicants have made the proper steps in applying for this variance and believes it should be approved.*

*Commissioner Fox said he went to look at this property as well. He stated the property has been under the same ownership for quite a number of years, property owners in the county were given the opportunity to register feedlots at the time the program came in to place, you didn't necessarily have to*

**BOARD OF ADJUSTMENT  
GOODHUE COUNTY, MN  
December 13, 2021 MEETING MINUTES  
DRAFT**

---

have animals. Therefore, Commissioner Fox has a hard time justifying this variance request.

Hanni stated the feedlot will be in the existing barn. If the barn was 130 feet in a different direction, the applicant would not need a variance.

Commissioner Ellingsberg stated this is in an agricultural zone, they can have a feedlot up to 300 animal units, and the variance request is for 33.8, the buildings needed are already there with a large piece of the property for manure disposal. Commissioner Ellingsberg feels the small amount of cattle and a few pigs should not be an issue, and it is also well beyond the 99 percent odor offset rating; he is in favor of this variance request.

Andy Huneke, Roscoe Township said he wanted to listen in on the meeting because he feels this is a discussion they have been having more and more. Stated Roscoe Township is mostly agricultural and this is suitable for the area.

**3Motion by Ellingsberg, seconded by Rehtzigel, for the Board of Adjustment to:**

- adopt the staff report into the record;
- adopt the findings of
- 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.

**Motion carried 4:1. Fox against**

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

Pierret presented the staff report and attachments.

**Chair Knott opened the Public Hearing.**

Pierret read an email from Robert and Roslyn Hjermsstad, 30830 Woodhaven Trail, Cannon Falls, MN stating they have no opposition to the request.

**4After Chair Knott asked three times for comments it was moved by Commissioner Fox and seconded by Commissioner Tebbe to close the Public Hearing.**

**Motion carried 5:0**

Commissioner Fox commented this variance request is a good example of why variance requests and ADU standards work and why they are in place; the best thing to come out of these requests is it gets them on record at the County, people can be heard and voice their opinions either for or in opposition of the variance.

**5Motion by Fox, seconded by Tebbe, 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  
December 13, 2021 MEETING MINUTES  
DRAFT**

---

**APPROVE** the request submitted by Linda and Tom Winter (Owners) to allow an Accessory Dwelling Unit 172-feet from the principal dwelling where 100 feet is required.

**Motion carried 5:0**

**PUBLIC HEARING: Request for Variance to Minimum Setback Standards**

Request for Variance, submitted by David O'Reilly (Owner), to A-2 Zoning District standards to allow parcel line reconfiguration creating property lines closer than 30-feet from existing structures. Parcel 31.033.1400. 33474 200<sup>th</sup> AVE Red Wing, MN 55066. Part of the W 1/2 of the SW 1/4 of Section 33 TWP 112 Range 15 in Featherstone Township.

*Koberoski presented the staff report and attachments.*

*Pierret added staff would recommend a condition upon approval of this variance stating an easement should be recorded over the existing driveway for access to the farm structures.*

**Chair Knott opened the Public Hearing.**

*No one spoke for or against the request.*

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

**Motion carried 5:0**

**7Motion by Fox, seconded by Tebbe, for the Board of Adjustment to:**

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

**APPROVE** the request submitted by David O'Reilly (owner) to A-2 Zoning District standards to allow parcel line reconfiguration of Parcel 31.033.1400 creating property lines no closer than 5.0-feet from existing structures as depicted on the submitted survey dated November 10, 2021 subject to the following condition:

1. An easement shall be recorded for access to the farm structures on the provided survey.

**Motion carried 5:0**

**5. Other-Discussion**

*Commissioner Ellingsberg has officially retired from the Board of Adjustments after 9 years, as of the finish of this meeting.*

*The next BOA Meeting is tentatively set for January 24<sup>th</sup>, 2022. It is probable the meetings would remain virtual until at least April 2022, upon the completion of Goodhue County courtroom renovation.*

**ADJOURN**

**8Motion by Ellingsberg seconded by Rechtzigel to adjourn the BOA meeting at 5:59 pm.**

**Motion carried 5:0**

Respectfully submitted:  
Kathy Bauer, Zoning Administrative Assistant

**BOARD OF ADJUSTMENT  
GOODHUE COUNTY, MN  
December 13, 2021 MEETING MINUTES  
DRAFT**

---

MOTIONS

---

<sup>1</sup> APPROVE the meeting agenda.

Motion carried 5:0

<sup>2</sup> APPROVE the previous meeting's minutes.

Motion carried 5:0

<sup>3</sup>APPROVE Request for Variance to Article 13 (Confined Feedlot Regulations)setback standards to allow a new Feedlot no closer that 870-feet from neighboring dwellings

Motion carried 4:1

<sup>4</sup>Close the Public Hearing

Motion carried 5:0

<sup>5</sup>APPROVE the Variance request to allow an Accessory Dwelling Unit 172-feet from the principal dwelling where 100-feet is required.

Motion carried 5:0

<sup>6</sup>Close the Public Hearing

Motion carried 5:0

<sup>7</sup>APPROVE Variance request to allow line reconfiguration of Parcel 31.033.1400 creating property lines no closer than 5-feet from existing structures

Motion carried 5:0

<sup>8</sup>ADJOURN.

Motion carried 5:0

UNOFFICIAL UNTIL APPROVED BY THE BOA

# Goodhue County Land Use Management

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

*Lisa M. Hanni, L.S. Director*

Building | Planning | Zoning  
Telephone: 651.385.3104  
Fax: 651.385.3106



*County Surveyor / Recorder*

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

**To:** Board of Adjustment  
**From:** Land Use Management  
**Meeting Date:** February 28, 2022  
**Report date:** February 18, 2022

**PUBLIC HEARING:** Request for Variance, submitted by Travis Prihara (Owner) to A-2 Zoning District standards to allow an attached garage addition and lean-to to be constructed less than 30 feet from a side yard property line and less than 60 feet from the Old Camp LN Right-of-Way.

### **Application Information:**

Applicant: Travis Prihara (Owner)  
Address of zoning request: 24373 Old Camp Lane  
Parcel: 34.019.1500  
Abbreviated Legal Description: Part of the SE 1/4 of the NW 1/4 of Section 19 TWP 112 Range 14 in Hay Creek Township.  
Township Information: Hay Creek Township reviewed the request at their meeting on May 12, 2021, and had no objections.  
Zoning District: A-2 (Agriculture District)

### **Attachments and Links:**

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

### **Background:**

Travis Prihara (Owner) has applied for a variance to A-2 minimum setback standards to construct a proposed 34-foot by 12-foot lean-to and a 26-foot by 15-foot proposed garage addition on the east side of the existing garage. The lean-to will be 3.1-feet from the east property line and the proposed garage addition will be 6.6-feet from the east property line where 30 feet is required. The proposed addition will be 15-feet from the Old Camp LN Right-of-Way where 60-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 setbacks are intended to create separation among adjacent structures and uses to allow for adequate access and accommodate future maintenance needs.
  - There is a shed located 0.7-feet from the property line that is an existing non-conforming structure. The shed is proposed to be removed and replaced by the proposed lean-to and



garage addition. Locating the lean-to and proposed garage addition 3.1-feet and 6.6-feet, respectively, from the east property line is not anticipated to impede future maintenance needs.

- The existing garage is located 30-feet from the Old Camp LN Right-of-Way and is an existing non-conforming structure. Locating the proposed addition 15-feet from the Right-of-Way is not anticipated to further impede future road expansion or on-going maintenance. Hay Creek Township is the road authority and has reviewed the proposal with no concerns. This request appears in harmony with the purpose and intent of the official control.

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

- The Goodhue County Comprehensive Plan supports the use of existing rural residences to provide rural living opportunities in the unincorporated areas of Goodhue County.

The proposed garage addition appears consistent with the Goodhue County Comprehensive Plan.

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

- The Applicant’s request to construct an attached garage addition and lean-to is a reasonable use of property in the A-2 District.
- The parcel is a non-conforming size at 1.02-acres (2-acre minimum in A-2 District). The structures would meet all other required setbacks as outlined in the Goodhue County Zoning Ordinance. The property is also within the Shoreland of an unnamed creek and will have less than 25% impervious surface coverage as required by Article 31 Shoreland Regulations.
- The Applicant stated that there are no alternative locations for the garage addition due to the configuration of the parcel and existing dwelling.
- The closest neighbor to the east, Tyler Diercks (PID 34.019.1600), has been made aware of the request and has provided written consent to construction of the proposed structures.
- The property is surrounded by A-2 zoned properties on all sides. There are six parcels in the vicinity of the Applicant’s property that do not meet the 2-acre minimum parcel size, and two other structures along Old Camp LN which may be located less than 60-feet from the Right-of-Way.
- 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.**

- Attached garage additions are a permitted use in the A-2 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 Travis Prihara (owner) to A-2 Zoning District standards to allow construction of an attached garage addition and lean-to no closer than 3.1-feet from the east property line and no less than 15-feet from the Old Camp LN Right-of-Way.

RECEIVED

APPLICATION FOR  
**Variance**

JAN 25 2022

Land Use Management

For Staff Use only	
VARIANCE NUMBER:	222-0009
\$350 RECEIPT#	17520
DATE	1/25/22

SITE ADDRESS, CITY, AND STATE		ZIP CODE:		
24373 Old Camp Lane, Red Wing, MN		55066		
LEGAL DESCRIPTION:				
Attached <input checked="" type="checkbox"/>				
PID#:	ZONING DISTRICT	LOT AREA (SF/ACRES)	LOT DIMENSIONS	STRUCTURE DIMENSIONS (if applicable)
R 34.019.1500				

APPLICANT OR AUTHORIZED AGENT'S NAME	
Travis D. Prihara	
APPLICANT'S ADDRESS:	
24373 Old Camp Lane Red Wing, MN 55066	
EMAIL:	

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

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

<b>VARIANCE REQUESTED TO:</b> (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:
	Yard
	PROPOSED USE:
	Garage
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 checked="" 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: 1/20/22

Print name: TRAVIS PRIHARA (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:

• Currently yard space  
• requesting variance as we want to build a garage addition

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

there will be no garage addition

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:

Current limitations - 20 foot set back. Existing garage is within that set back. Need approval to build closer to property line.

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

none - will not build addition

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

none - will not build addition

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

no, it would add to it

RECEIVED

JAN 25 2022

TOWNSHIP ZONING APPLICATION

TOWNSHIP NAME Hay Creek

Goodhue County

Land Use Management

Parcel # 34.019.1500

**APPLICANT INFORMATION**

Last Name <u>Prihara</u>	First <u>Travis</u>	M.I. <u>D</u>
Street Address <u>24373 Old Camp Lane</u>		Phone
City <u>Red Wing</u>	State <u>MN</u>	ZIP <u>55066</u>
Email Address		
Township <u>112</u>	Range <u>014</u>	Section <u>19</u>

**PROJECT INFORMATION**

Site Address <u>Same</u>		
Zoning District	Lot Size	Structure Dimensions
Type of Project <u>House/Garage Addition</u>	Proposed Use <u>Dwelling</u>	
Structure Type	Replacement? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
Variance # <u>222-0009</u>	Conditional Use Permit # _____	
GPS Coordinates		

**DISCLAIMER AND SIGNATURE**

*I hereby apply for a zoning permit and I acknowledge that the information above is complete and accurate, that the work will be in conformance with the ordinances and codes of Goodhue County. The applicant also understands by signing this application he / she could be held responsible as representative of this project for any violation of compliance with all applicable laws and ordinances of Goodhue County. This permit may be suspended or revoked if the permit has been issued in error or on the basis of incorrect information supplied or in violation of any ordinance or regulation of Goodhue County. All provisions of law and ordinances governing this type of work will be complied with whether specified herein or not*

Signature 	Date <u>5/12/21</u>
---	---------------------

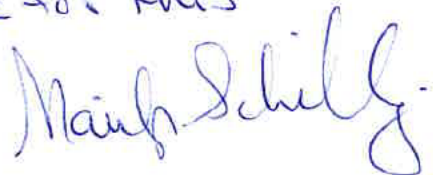
**TOWNSHIP APPROVALS**

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

Signature 	Title <u>clerk</u>	Date <u>5/12/2021</u>
Signature 	Title <u>Supervisor</u>	Date <u>5/12/2021</u>
Application fee <u>\$50.00</u>	Receipt Number <u>354</u>	

Needs

Variance from property line  
Variance from road right of way  
Township has no objection to  
issuing a variance for this  
project.



May 6, 2021

To Whom it May Concern:

I, Tyler Diercks, am in agreeance that my neighbors Travis & Becky Prihara at 24373 Old Camp Lane will be constructing a garage at the location next door to my property at 24401 Old Camp Lane. I understand that construction may be near to my property line.

Sincerely,

Tyler Diercks

A handwritten signature in blue ink, appearing to read "Tyler Diercks". The signature is fluid and cursive, with a large loop at the end.

# MAP 01: PROPERTY OVERVIEW

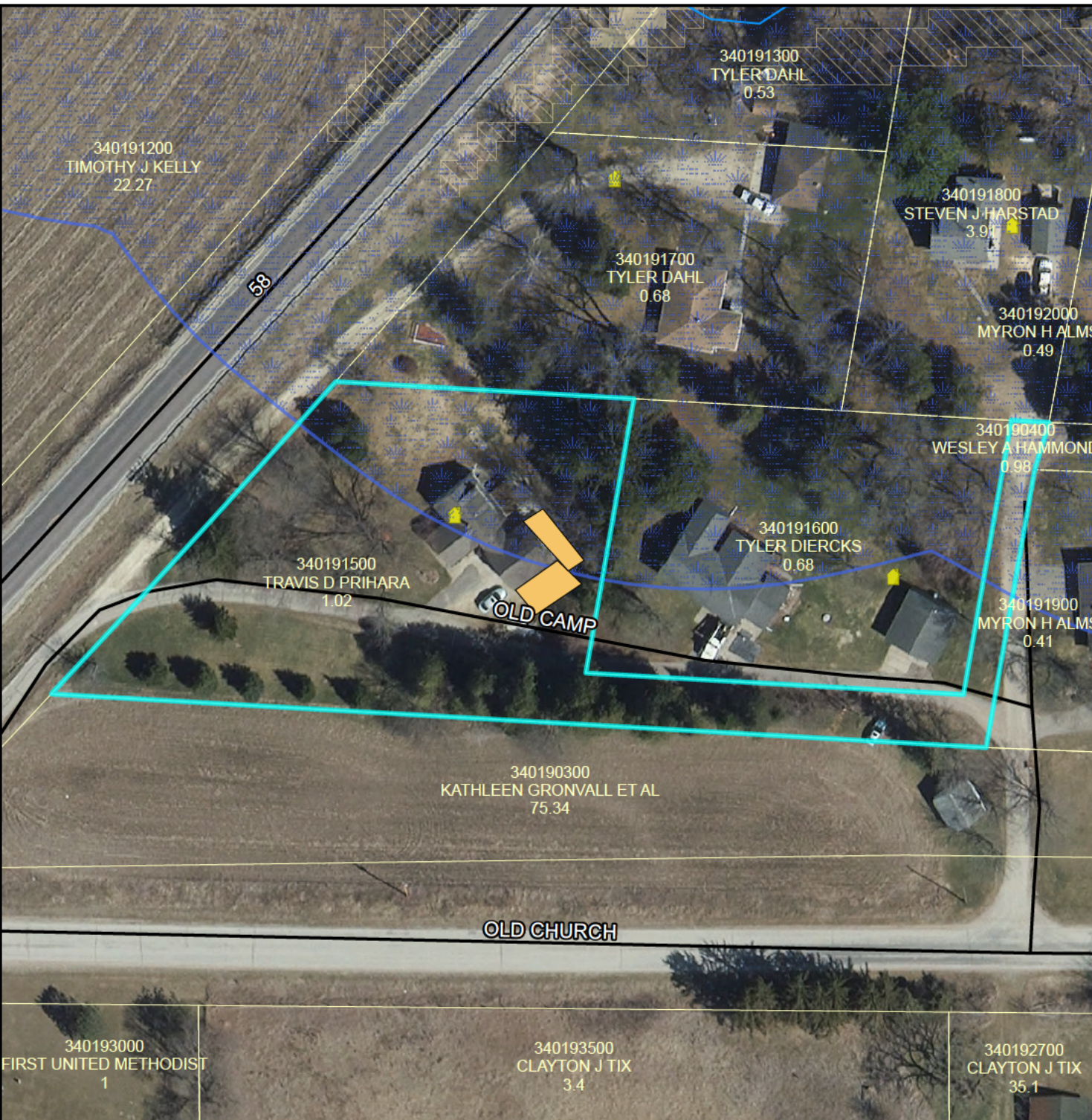
## BOARD OF ADJUSTMENT

Public Hearing  
February 28, 2022

Travis Prihara (Owner)  
A2 Zoned District

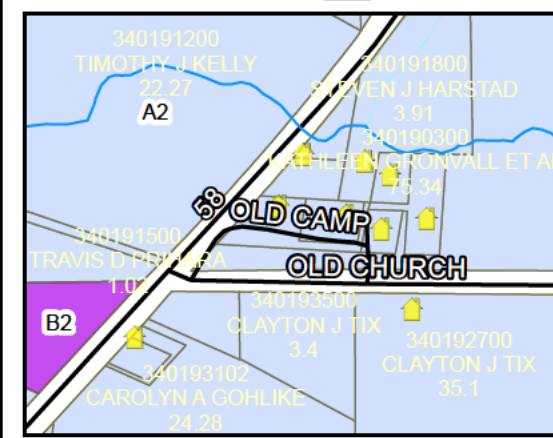
Part of the SE 1/4 of the NW 1/4 of  
Section 19 TWP 112 Range 14  
Hay Creek Township

Variance request to allow construction of  
a garage addition less than 30-feet  
from a side yard property line



### Legend

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



DATA DISCLAIMER: Goodhue County assumes  
NO liability for the accuracy or completeness of this map  
OR responsibility for any associated direct, indirect,  
or consequential damages that may result from its use  
or misuse. Goodhue County Copyright 2022.

2020 Aerial Imagery  
Map Created February, 2022 by LUM



# MAP 02: VICINITY MAP



## BOARD OF ADJUSTMENT

Public Hearing  
February 28, 2022

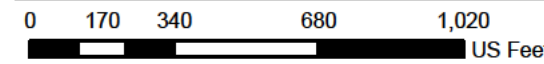
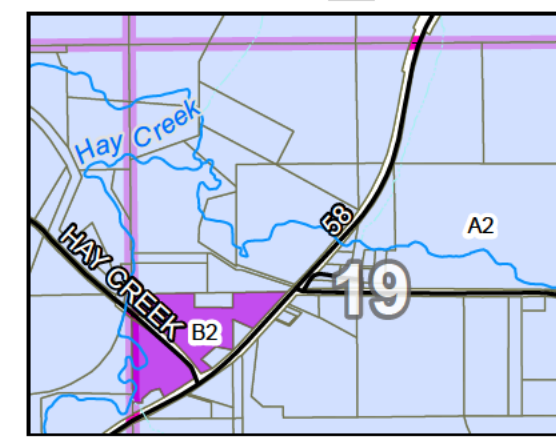
Travis Prihara (Owner)  
A2 Zoned District

Part of the SE 1/4 of the NW 1/4 of  
Section 19 TWP 112 Range 14  
Hay Creek Township

Variance request to allow construction of  
a garage addition less than 30-feet  
from a side yard property line

### 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             |  |                              |



DATA DISCLAIMER: Goodhue County assumes  
NO liability for the accuracy or completeness of this map  
OR responsibility for any associated direct, indirect,  
or consequential damages that may result from its use  
or misuse. Goodhue County Copyright 2022.





**BOARD OF ADJUSTMENT**

Public Hearing  
February 28, 2022

Travis Prihara (Owner)  
A2 Zoned District

Part of the SE 1/4 of the NW 1/4 of  
Section 19 TWP 112 Range 14  
Hay Creek Township

Variance request to allow construction of  
a garage addition less than 30-feet  
from a side yard property line

**Legend**

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



0 25 50 100 150 US Feet

DATA DISCLAIMER: Goodhue County assumes  
NO liability for the accuracy or completeness of this map  
OR responsibility for any associated direct, indirect,  
or consequential damages that may result from its use  
or misuse. Goodhue County Copyright 2022.

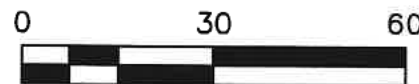
2020Aerial Imagery  
Map Created February, 2022 by LUM





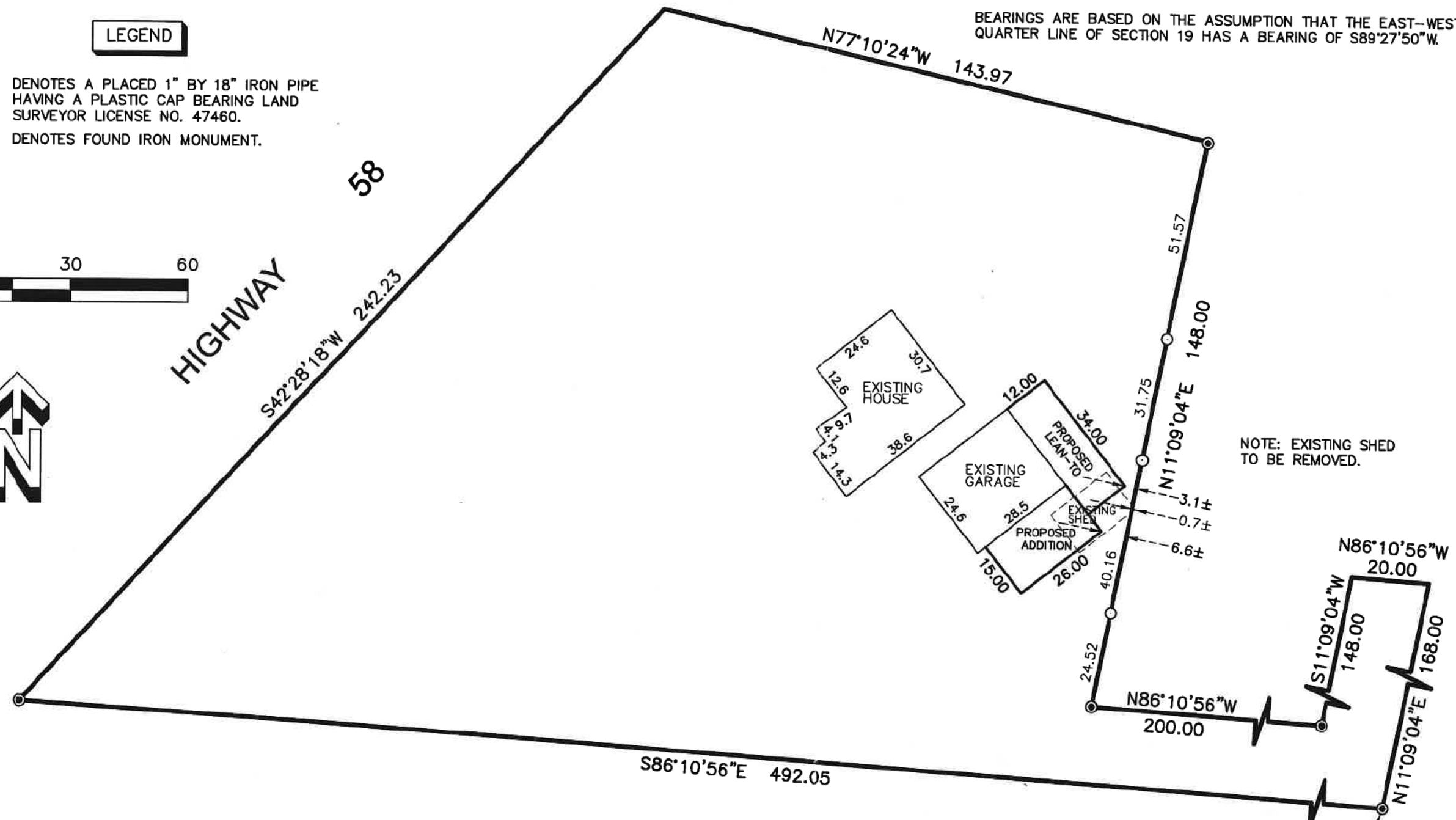
**LEGEND**

- DENOTES A PLACED 1" BY 18" IRON PIPE HAVING A PLASTIC CAP BEARING LAND SURVEYOR LICENSE NO. 47460.
- DENOTES FOUND IRON MONUMENT.



HIGHWAY 58

BEARINGS ARE BASED ON THE ASSUMPTION THAT THE EAST-WEST QUARTER LINE OF SECTION 19 HAS A BEARING OF S89°27'50"W.



PROPERTY DESCRIPTION OF RECORD (DOC. NO. 534209)

P.O.B. DOC. NO. 534209

That part of the Southwest Quarter of the Northeast Quarter and that part of the Southeast Quarter of the Northwest Quarter, all in Section 19, Township 112 North, Range 14 West, Goodhue County, Minnesota, described as follows:

Commencing at the east quarter corner of said Section 19; thence South 89 degrees 27 minutes 50 seconds West, assumed bearing, along the east-west quarter line of said Section 19, a distance of 2638.93 feet; thence North 00 degrees 32 minutes 10 seconds West, a distance of 112.82 feet to the point of beginning of the land to be described; thence North 11 degrees 09 minutes 04 seconds East, a distance of 168.00 feet to the southeasterly corner of the property described in Document Number 252781 on file in the Office of the County Recorder, Goodhue County, Minnesota; thence North 86 degrees 10 minutes 56 seconds West along the southerly line of said property described in Document Number 252781, a distance of 20.00 feet to the northeasterly corner of the property described in Document Number 358139, on file in the Office of the County Recorder, Goodhue County, Minnesota; thence South 11 degrees 09 minutes 04 seconds West, along the easterly line of said property described in Document Number 358139, a distance of 148.00 feet to the southeasterly corner thereof; thence North 86 degrees 10 minutes 56 seconds West, along the southerly line of said property described in Document Number 358139, a distance of 200.00 feet to the southwesterly corner thereof; thence North 11 degrees 09 minutes 04 seconds East along the westerly line of said property described in Document Number 358139, a distance of 148.00 feet to the northwesterly corner thereof, also being a angle point in the southerly line of the property described in Document Number 175456, on file in the Office of the County Recorder, Goodhue County, Minnesota; thence North 77 degrees 10 minutes 24 seconds West, along the southerly line of said property described in Document Number 175456, a distance of 143.97 feet to the southwesterly corner thereof, being a point on the southeasterly right of way line of State Trunk Highway Number 58, as now located and established; thence South 42 degrees 28 minutes 18 seconds West, along said southeasterly right of way line, a distance of 242.23 feet to the intersection with a line bearing North 86 degrees 10 minutes 56 seconds West from the point of beginning; thence South 86 degrees 10 minutes 56 seconds East, a distance of 492.05 feet to the point of beginning.

S/SHARE/STR/CERTS/112-14/19/PRIHARA 21-1133/PRIHARA.DWG

CERTIFICATE OF SURVEY FOR:

TRAVIS PRIHARA

JOHNSON & SCOFIELD INC.  
SURVEYING AND ENGINEERING



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

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

Marcus S. Johnson  
Minnesota License No. 47460  
Date: January 12, 2022

BK. NA	PG. NA	W.O.#	DRAWING NUMBER
SHEET 1 OF 1 SHEETS	21-1133	S-9929	

# 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:** February 28, 2022  
**Report date:** February 18, 2022

**PUBLIC HEARING:** Request for an after-the-fact variance, submitted by Tyler Harrison (Owner), to Article 12 (Bluffland Protection Standards) to allow a residential deck less than 30-feet from the top of a bluff.

### **Application Information:**

Applicant(s): Tyler Harrison (Owner)

Address of zoning request: 1475 300<sup>th</sup> ST. WAY Cannon Falls, MN 55009

Parcel: 41.008.0900

Abbreviated Legal Description: Part of the SE 1/4 of the SW 1/4 of Section 8 TWP 112 Range 18 in Stanton Township.

Township Information: Stanton Township has signed acknowledgment of the variance request and did not convey any concerns regarding the application.

Zoning District: A-2 (Agriculture District)

### **Attachments and Links:**

Application and submitted project summary

Site Map(s)

GCZO Article 12 Bluffland Protection Standards

Goodhue County Zoning Ordinance:

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

### **Background:**

Tyler Harrison (Owner) has applied for an after-the-fact variance to Bluffland Protection Standards for a 12-foot by 24-foot residential deck that was built 28-feet from the top of a bluff 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:**

- Bluffland setbacks are intended to preserve and protect the sensitive physical features of the bluffs by regulating development and preventing erosion.
- Chad Hildebrand of the Goodhue Soil & Water Conservation District inspected the built deck and did not identify any issues concerning erosion or negative impacts to the physical

“To effectively promote the safety, health, and well-being of our residents”

[www.co.goodhue.mn.us](http://www.co.goodhue.mn.us)

features of the bluff. Photo 2 (attached) shows Mr. Hildebrand with a pink flag which depicts the location of the required 30-foot bluff setback. 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 prioritizes protecting and conserving natural landscapes and utilizing best management practices to enhance the health of environmentally sensitive areas.

The deck has not had any negative effects on the bluff and 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 construct a residential deck is a reasonable use of property in the A-2 District.
- The parcel is an existing 0.73-acre lot which is a non-conforming lot size in the A-2 Zoning District (2-acre minimum). The deck meets all other setback requirements as outlined in the Goodhue County Zoning Ordinance. The property has less than 25% impervious surface coverage as required by Article 31 Shoreland Regulations.
- The Applicant stated that there were no alternative locations for the deck due to the lot size and configuration, the location of the well and septic, and the existing topography.
- The property contains bluffs abutting Lake Byllesby to the north, all within the Shoreland District. All neighboring parcels are zoned A-2 Agriculture District. There are two dwellings along 300<sup>th</sup> Street which may be located less than 30-feet from bluffs and are less than 2-acres in size.

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.**

- Decks are a permissible use in the A-2 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 an after-the-fact variance, submitted by Tyler Harrison (Owner) to Bluffland Protection Standards to allow a residential deck to be no less than 28-feet from the top of a bluff.





RECEIVED

APPLICATION FOR

# Variance

JAN 31 2022

Land Use Management

For Staff Use only	
VARIANCE NUMBER	222-0011
\$350 RECEIPT#	17522
DATE	1/31/22

SITE ADDRESS CITY AND STATE 1475 300 <sup>th</sup> ST. WAY, CANNON FALLS, MN				ZIP CODE 55009
LEGAL DESCRIPTION				
Attached <input type="checkbox"/>				
PIC# 41,008.0900	ZONING DISTRICT	LOT AREA (SF/ACRES) 0.73 ACRE	LOT DIMENSIONS 200 FT x 159 FT	STRUCTURE DIMENSIONS (if applicable) 12 FT x 24 FT.

APPLICANT OR AUTHORIZED AGENT'S NAME TYLER HARRISON	
APPLICANT'S ADDRESS 1475 300 <sup>th</sup> ST. WAY, CANNON FALLS, MN 55009	T [REDACTED]
[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

<b>VARIANCE REQUESTED TO:</b> (check all that apply) <input type="checkbox"/> Road Right-Of-Way Setbacks <input type="checkbox"/> % Lot Coverage <input type="checkbox"/> Property Line Setbacks <input checked="" 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 RESIDENTIAL	
	PROPOSED USE RESIDENTIAL DECK	
	BUILDING APPLICATION PERMIT NO. (if filed) 21-0642	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 Karen L. Slivinger	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE Karen L. Slivinger, Chairperson	DATE 1-15-22

- 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: Tyler Harrison Date: 1/13/2022

Print name: TYLER HARRISON (owner or authorized agent)

## REQUEST SUMMARY

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

Article: 12 Section: 4 Name: BLUFFLAND PROTECTION

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 PROPERTY IS MY PRIMARY RESIDENCE. I AM CONSTRUCTING A DECK ON THE BACK OF THE HOME, AND MY DESIGN INCLUDES A CORNER THAT IS APPROXIMATELY 28 FT FROM THE EDGE OF THE BLOFF

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

IF THE VARIANCE IS NOT GRANTED, I WILL NEED TO RESTRUCTURE THE DECK IN ORDER TO MEET THE SETBACK REQUIREMENT.

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:

A PHYSICAL LIMITATION IS THE ACCESS POINT FROM THE HOUSE ONTO THE DECK. THAT ACCESS POINT PROHIBITS THE DECK FROM BEING BUILT FURTHER TO THE SOUTHEAST ALONG THE BACK OF THE HOUSE.

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

FRANKLY, I WAS UNAWARE OF THIS SETBACK REQUIREMENT WHEN I BEGAN THE PROJECT. I DID NOT REALIZE THE HILL IN MY BACKYARD WOULD HAVE A SETBACK. MY GARAGE (BUILT IN 1960s) IS <sup>LESS</sup> THAN 15 FT FROM THE EDGE OF THE HILL.

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

CURRENT VARIANCE REQUEST IS APPROXIMATELY 2 FT, LESS THAN 10% DEVIATION FROM THE STANDARD.

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

I DO NOT BELIEVE THIS VARIANCE REQUEST ALTERS THE ESSENTIAL CHARACTER OF MY NEIGHBORHOOD. IN FACT, THE DECK IS NOT VISIBLE TO ANY NEIGHBORS OR THE STREET, AND MEETS PROPERTY LINE SETBACKS.



### Site Plan

Tyler Harrison  
1475 300th St Way  
Cannon Falls, MN 55009

300th St Way

Google

300th St Way



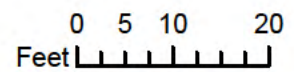


**Harrison\_BP021-0642  
Stanton Township, Section 8**

**Figure D**



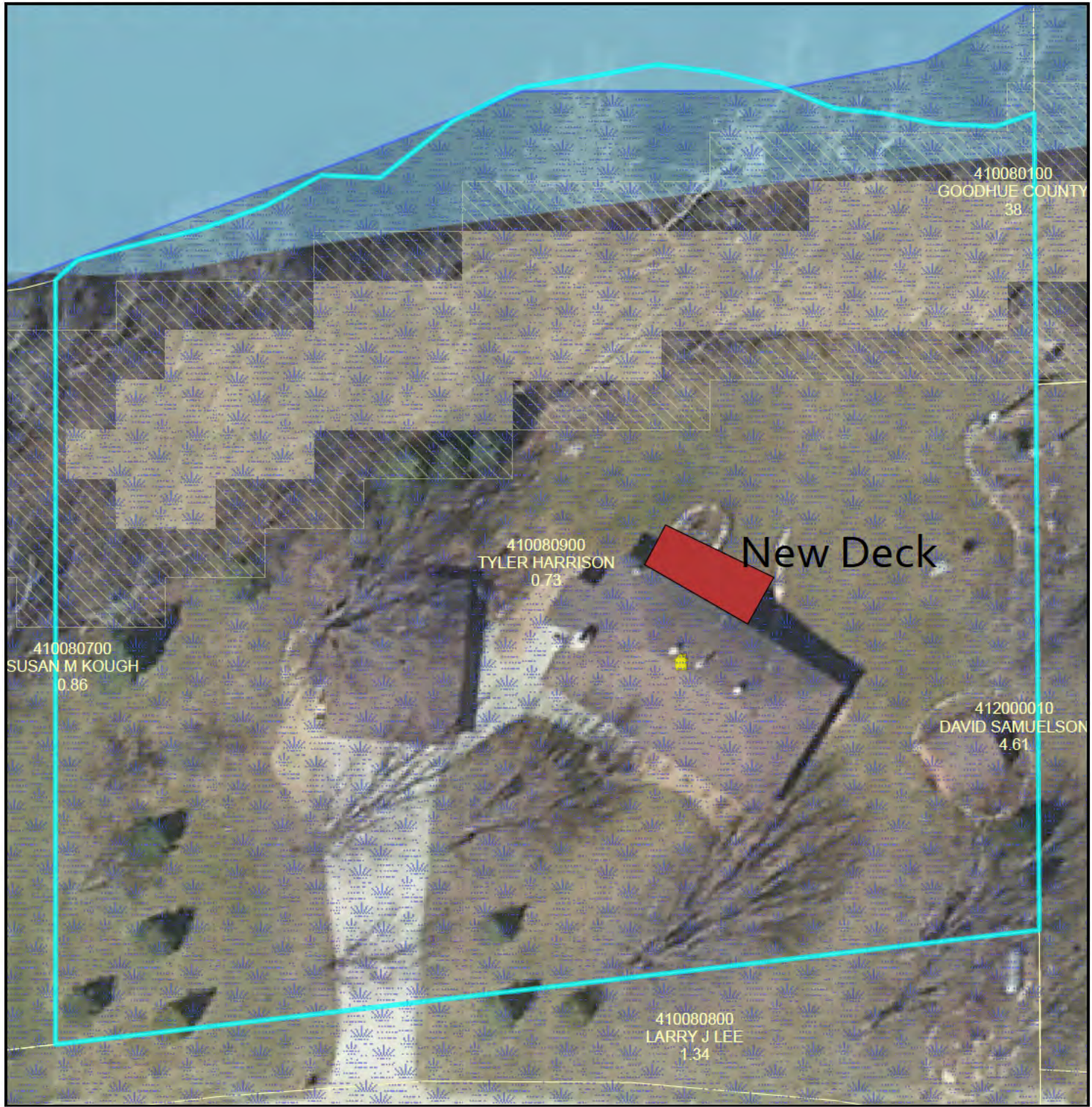
- 30 feet Bluff Setback
- 100 ft OHWL Setback
- Deck



**2020 Aerial Imagery**



# MAP 01: PROPERTY OVERVIEW



## BOARD OF ADJUSTMENT

Public Hearing  
February 28, 2022

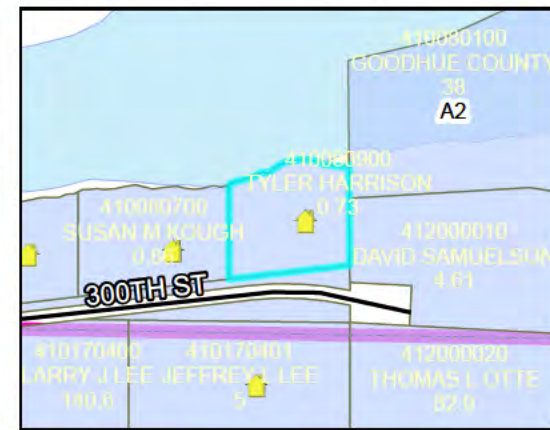
Tyler Harrison (Owner)  
A2 Zoned District

Part of the SE 1/4 of the SW 1/4 of  
Section 08 TWP 112 Range 18  
Stanton Township

Variance request to allow construction of  
a residential deck less than 30-feet from  
the top of a bluff

### 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



0 10 20 40 60 US Feet

DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2022.

2020 Aerial Imagery  
Map Created February, 2022 by LUM



# MAP 02: VICINITY MAP

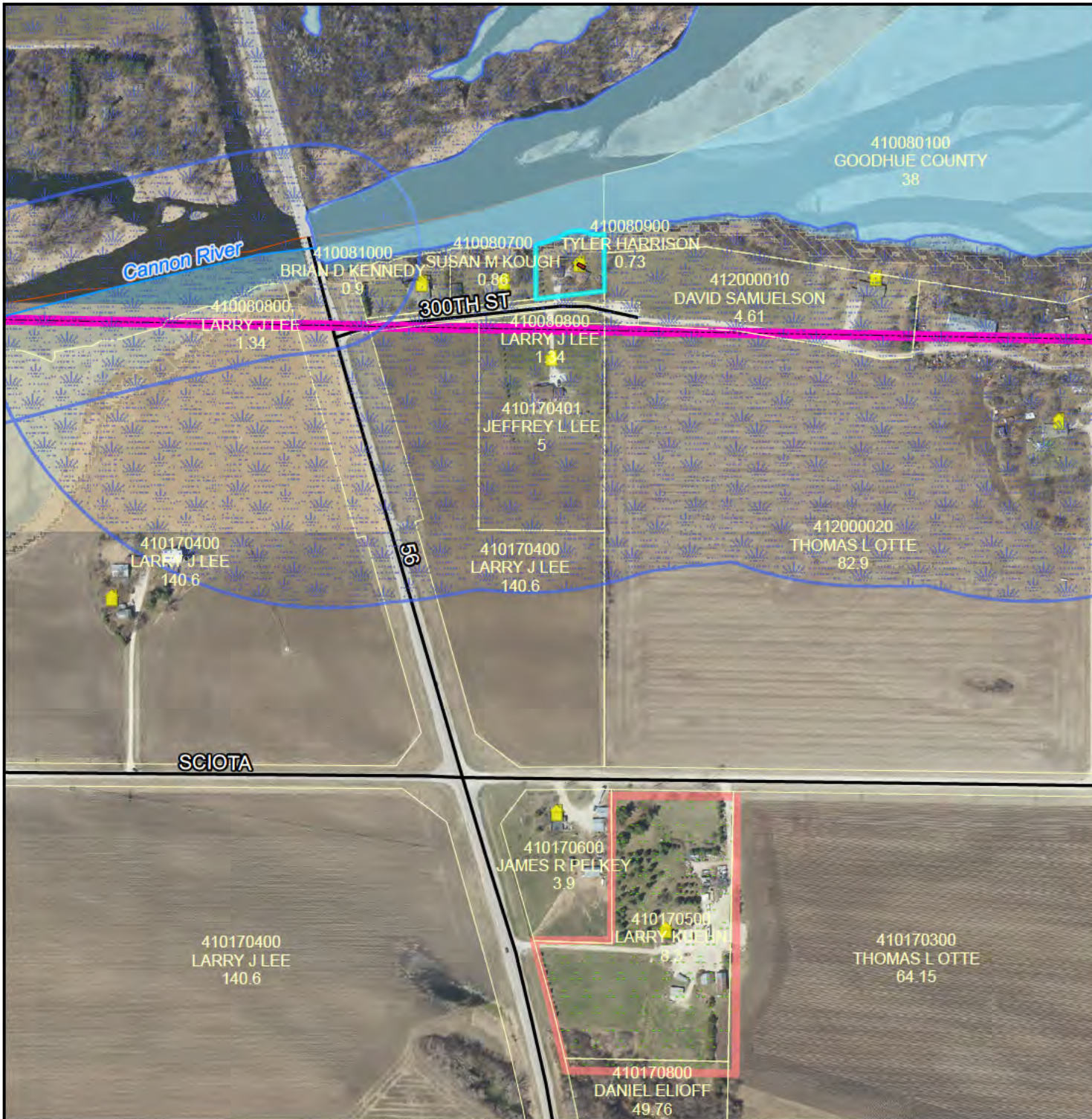
## BOARD OF ADJUSTMENT

Public Hearing  
February 28, 2022

Tyler Harrison (Owner)  
A2 Zoned District

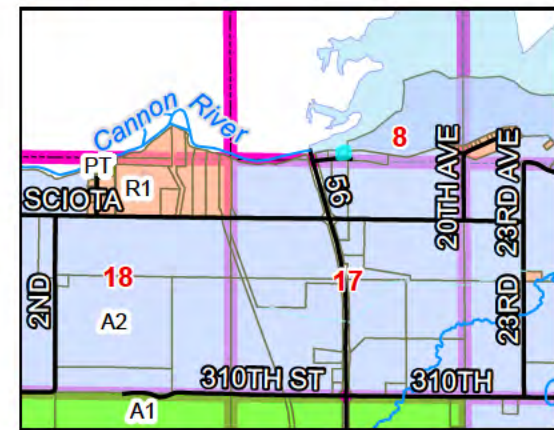
Part of the SE 1/4 of the SW 1/4 of  
Section 08 TWP 112 Range 18  
Stanton Township

Variance request to allow construction of  
a residential deck less than 30-feet from  
the top of a bluff



### Legend

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



0 155 310 620 930  
US Feet

DATA DISCLAIMER: Goodhue County assumes  
NO liability for the accuracy or completeness of this map  
OR responsibility for any associated direct, indirect,  
or consequential damages that may result from its use  
or misuse. Goodhue County Copyright 2022.

2020 Aerial Imagery  
Map Created February, 2022 by LUM



# MAP 03: ELEVATIONS

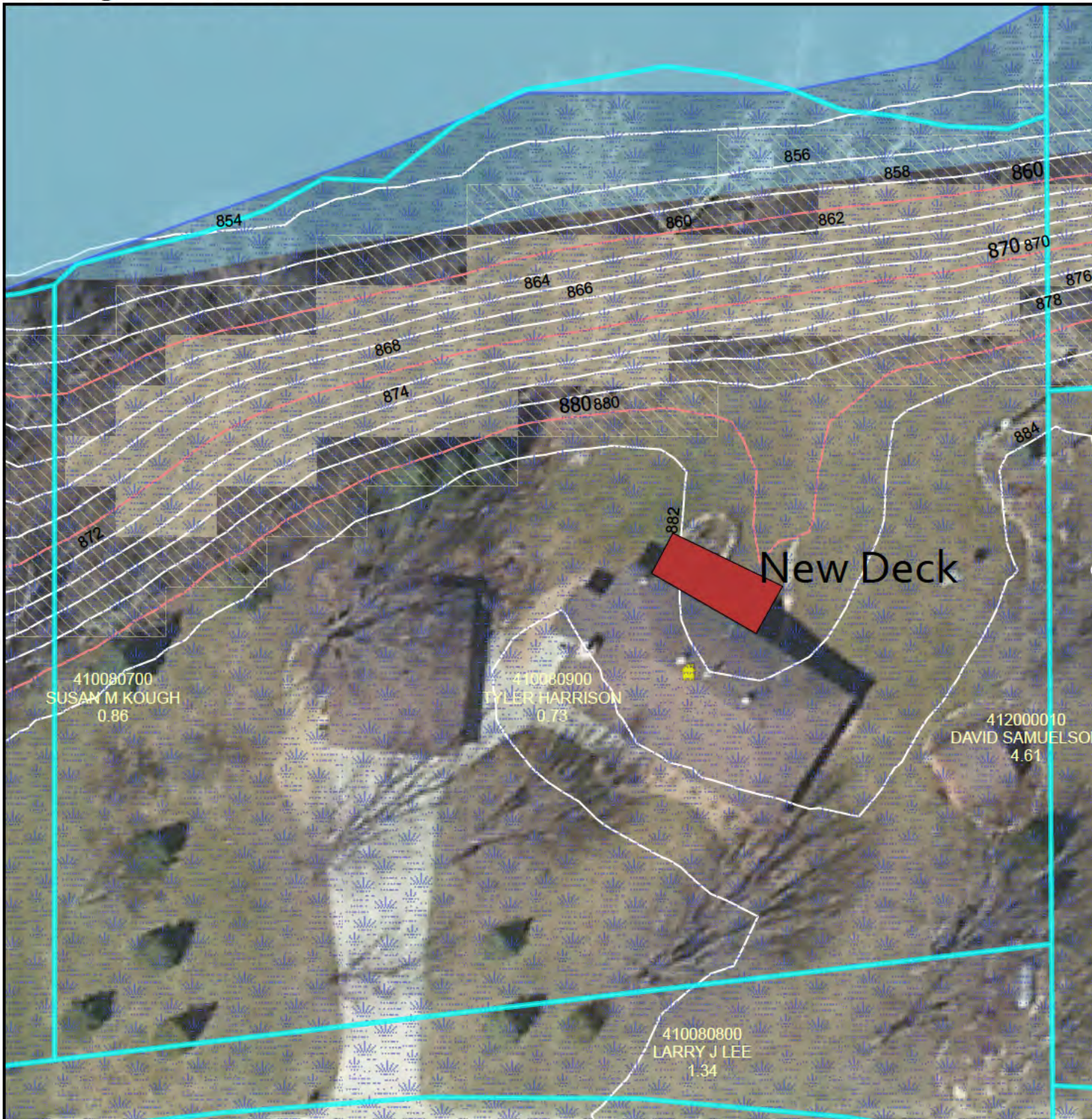
## BOARD OF ADJUSTMENT

Public Hearing  
February 28, 2022

Tyler Harrison (Owner)  
A2 Zoned District

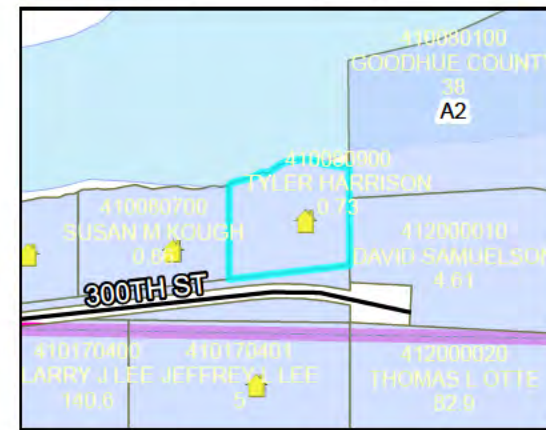
Part of the SE 1/4 of the SW 1/4 of  
Section 08 TWP 112 Range 18  
Stanton Township

Variance request to allow construction of  
a residential deck less than 30-feet from  
the top of a bluff



### Legend

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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2022.

2020Aerial Imagery  
Map Created February, 2022 by LUM



# ARTICLE 12 BLUFF LAND PROTECTION

---

## SECTION 1. INTENT AND PURPOSE

Goodhue County recognizes the historic and economic values of the bluffs that line the many rivers and valleys of the County. These standards set out to protect and preserve the sensitive physical features of the bluffs by regulating development, preventing erosion and controlling the cutting of timber on the slopes and tops of the bluffs.

## SECTION 2. SCOPE

These standards shall regulate the setback of structures, sanitary waste treatment facilities and row crops from bluff impact zones to protect the existing and/or natural scenic values, significant historic sites, vegetation, soils, water and bedrock from disruption by man-made structures or facilities. These standards will also regulate alterations of the natural vegetation and topography.

- Subd. 1. **BLUFF.** A natural topographic feature such as a hill, cliff, or embankment having the following characteristics:
- A. The slope rises at least twenty-five (25) feet above the toe of the bluff; and
  - B. The grade of the slope from the toe of the bluff to a point twenty-five (25) feet or more above the toe of the bluff averages thirty (30) percent or greater;
  - C. An area with an average slope of less than twenty (20) percent over a horizontal distance of fifty (50) feet shall not be considered part of the bluff.
- Subd. 2. **BLUFF IMPACT ZONE.** All of the land lying between the top of the bluff and the toe of the bluff.
- Subd. 3. **SIGNIFICANT HISTORIC SITE.** Any archaeological site, standing structure, or other property that meets the criteria for eligibility to the National Register of Historic Places or is listed in the State Register of Historic Sites, or is determined to be an unplatted cemetery that falls under the provisions of Minnesota Statutes, Section 307.08. A historic site meets these criteria if it is presented listed on either register or if it is determined to meet the qualifications for listing after review by the Minnesota State Archaeologist or the Director of the Minnesota Historical Society. All unplatted cemeteries are automatically considered to be significant historic sites.
- Subd. 4. **TOE OF THE BLUFF.** The point on a bluff where there is, as visually observed, a clearly identifiable break in the slope, from gentler to steeper slope above. If no break in the slope is apparent, the toe of the bluff shall be determined to be the lowest end of the lowest fifty (50) foot segment that exceeds twenty (20) percent slope.
- Subd. 5. **TOP OF THE BLUFF.** The point on a bluff where there is, as visually observed, a clearly identifiable break in the slope, from steeper to gentler slope above. If no break in the slope is apparent, the top of the bluff shall be determined to be the highest end of the highest fifty (50) foot segment that exceeds twenty (20) percent slope.
- Subd. 6. **VISUALLY INCONSPICUOUS.** Difficult to be seen and not readily noticeable from any point on the river or valley during the time when the leaves are on the deciduous trees.

## SECTION 3. BOUNDARIES

- Subd. 1. The bluff land protection area shall include all areas with the following soil types as determined by the Goodhue County Soil Survey:
- A. N634E - Massbach-Schapville complex, 18-35% slopes
  - B. N598E - Winneshiek-Waucoma complex, 18-35% slopes
  - C. N594E - Chelsea loamy sand, 12-35% slopes
  - D. N553E - Frankville-Nasset-Mt. Carroll complex, 18-35% slopes
  - E. N635E - Frankville-Nasset-Downs complex, 18-35% slopes
  - F. N642E - Frankville-Nasset complex, Oneota formation, 18-35% slopes
  - G. N609E - Hawick sandy loam, 18-45% slopes
  - H. M516E - Wangs-Wagen Prairie complex, 18-35% slopes
  - I. M537E - Meridian-Bassett complex, 18-35% slopes
  - J. N526F - Gale-Oak Center complex, 18-45% slopes
  - K. M540F - Frontenac-Bellechester complex, 18-45% slopes
  - L. N639F - Frontenac-Lacrescent complex, 20-45% slopes
  - M. N631E - Schapville silt loam, 18-35% slopes
  - N. N580G - Brodale, very flaggy-Bellechester-Rock outcrop complex, 45-90% slopes
  - O. N632G - Brodale, flaggy-Schapville complex, 18-80% slopes
  - P. N638G - Brodale, flaggy-Bellechester complex, 30-70% slopes
  - Q. N640G - Lacrescent, flaggy-Frontenac-Rock outcrop complex, 45-90% slopes
  - R. N641F - Brodale channery loam, 20-45% slopes, flaggy
  - S. N639G - Frontenac-Lacrescent complex, 30-70% slopes
  - T. M539F - Bellechester loamy sand, 18-45% slopes

## SECTION 4. GENERAL REGULATIONS

- Subd. 1. Developments and other land disturbing activities including: structures, accessory facilities, driveways, and parking areas shall not be placed within bluff impact zones except the following:
- A. Stairways and landings subject to provisions set forth in Subd. 6, of this Section.
  - B. Facilities such as ramps, lifts, or mobility paths subject to provisions set forth in Subd. 6, of this Section.
  - C. Uses identified in Article 30; Section 3; Subd. 6, Subd. 12, and Subd. 1
- Subd. 2. Setback from top or toe of the bluff to any structure in any district shall be no less than thirty (30) feet. Exceptions may include structures allowed under Article 30, Section 3, Subdivisions 6, 12, and 13.
- Subd. 3. The maximum height of any structure shall be twenty-five (25) feet from the highest natural grade touching foundation. Exceptions may include structures allowed under

the following provisions: Article 30; Section 3; Subd. 6, Subd. 12, and Subd. 13. Height for structures that may be permitted within bluff impact zones under these provisions shall be set forth within Conditional or Interim Use Permits

- Subd. 4. No person may begin a mining or quarrying activity or expand a mining or quarrying activity within three hundred (300) feet of the toe or top of a bluff without a conditional use permit.
- Subd. 5. Towers as defined in Article 17 (Wireless Communication Facilities) must be located outside of bluff impact zones and shall be subject to a minimum setback of 1.1 times the height of the tower from the top of a bluff and a minimum of 30 feet from the toe of a bluff.
- Subd. 6. All stairways and lifts on bluffs and in shoreland areas shall be visually inconspicuous. Stairways and lifts shall meet the following design requirements:
- A. Stairways and lifts must not exceed four (4) feet in width on residential lots.
  - B. Landings for stairways and lifts on residential lots must not exceed thirty-two (32) square feet in area. Landings larger than thirty-two (32) square feet may be used for public open space recreational properties.
  - C. Canopies or roofs are not allowed on stairways, lifts, or landings.
  - D. Stairways, lifts, and landings may be either constructed above the ground on posts or pilings, or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion.
  - E. Stairways, lifts, and landings must be located in the most visually inconspicuous portions of lots, as viewed from the surface of the public water assuming Summer, leaf on conditions, whenever practical.
  - F. Facilities such as ramps, lifts, or mobility paths are also allowed for achieving access to shore areas, provided that the dimensional and performance standards of sub-items A-E are complied with in addition to the requirements of the Minnesota Accessibility Code.
- Subd. 7. No grading, excavating or filling (including Mineral Extraction) within the bluff impact zones, except for approved erosion control measures. Erosion control projects within the bluff impact zone shall comply with A. and B. below:
- A. Altered areas shall be stabilized to acceptable erosion control standards consistent with the field office technical guides of the Goodhue Soil and Water Conservation District and the USDA, Natural Resources Conservation Service.
  - B. Plans to place fill or excavated materials in bluff impact zones shall be prepared by qualified professional for continued slope stability, and approved by Land Use Management. All costs to be born by the applicant.
- Subd. 8. The top or toe of bluffs shall be certified by a Minnesota Licensed Land Surveyor or Zoning Administrator.
- Subd. 9. Vegetation Alterations. Vegetation alterations shall be subject to the standards found in Article 11, Section 7 of the Goodhue County Zoning Ordinance.

# 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:** February 28, 2022  
**Report date:** February 18, 2022

**PUBLIC HEARING:** Request for Variance, submitted by Leroy Otto (Owner), to Article 31 (Shoreland Standards) to allow establishment of a single-family dwelling on a non-riparian parcel less than 40,000 square feet and less than 150-feet wide classified as Shoreland and less than 20,000 square feet in the R-1 Suburban Residence District.

### **Application Information:**

Applicant(s): Leroy Otto (Owners)  
Address of zoning request: 28571 Lake Avenue Way Frontenac, MN 55026  
Parcel: 32.130.0421  
Abbreviated Legal Description: Lots 6 & 7 Block 15 in the Town of Frontenac  
Township Information: Florence Township approved a variance request for the project at their January 24, 2022 meeting.  
Zoning District: R-1 (Suburban Residence District)

### **Attachments and Links:**

Application and submitted project summary  
Property Maps  
Site Plan  
Article 31 Shoreland Standards and Article 24 R-1 District Standards  
Goodhue County Zoning Ordinance:  
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

### **Background:**

Leroy Otto (Owner) has applied for a variance to Article 31 (Shoreland Standards) to renovate an existing structure into a single-family dwelling (cabin) on a non-riparian parcel less than 40,000 square feet and less than 150-feet wide. A variance to Article 24 (R-1 Suburban Residence District) is also required to construct the cabin on a parcel less than 20,000 square feet in area. The proposed 34-foot by 32-foot cabin would meet all other zoning standards including setbacks, impervious surface coverage within the Shoreland District, and structure coverage within the R-1 District.

The existing structure is proposed to be relocated within the property boundaries and expanded to create a single-family dwelling that meets County definitions and regulations for a dwelling. Article 10 of the Goodhue County Zoning Ordinance defines a dwelling as: *“Two or more rooms within a structure which are arranged, designed or used as living quarters for one family only. Individual bathrooms and complete kitchen facilities, permanently installed shall be included for each dwelling.”* The existing structure does not currently meet this definition and is therefore considered an accessory building.

### **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:**

- Goodhue County has adopted state Shoreland regulations (Chapter 103F) by reference in Article 31 of the Zoning Ordinance. Shoreland District regulations are intended to provide guidance for the development of shorelands of public waters and preserve and enhance the quality of surface waters and preserve economic and natural environmental values of shorelands.
- The R-1 Suburban Residence District is intended to provide a district which will define and protect areas suitable for low to medium density residential development as the principal land use and to allow related facilities desirable for a residential environment.
- Shoreland regulations were established by the State of Minnesota in the 1970s. At that time all parcels within a General Development Shoreland District were required to be at least 24,000 square feet and at least 100-feet wide. The non-riparian shoreland lot size was increased in the 1990s to 40,000 square feet and 150-feet in width. The Otto parcel did not comply with the area requirements at 15,000 square feet and was no longer in were updated to include a provision for lots of record that did not meet minimum lot size standards:

*According to MN Statute 394.36 Subd. 5 “(b)A nonconforming single lot of record located within a shoreland area may be allowed as a building site without variances from lot size requirements, provided that: (1) all structure and septic system setback distance requirements can be met; (2) a Type 1 sewage treatment system...can be installed...; and (3) the impervious surface coverage does not exceed 25 percent of the lot.”* Local governments may be stricter and require a variance for developing nonconforming lots, even if the lots do meet these three criteria. Staff determined that because a variance is required to R-1 lot size standards and the Applicant has proposed to install a Type II septic system the Board of Adjustment should also consider a variance to Shoreland standards. The request appears in harmony with the purpose and intent of the official control.

- Parcel 32.130.0421 consists of two 50-foot by 150-foot lots (15,000 square feet total, 100-feet in total width) in the original plat for the Town of Frontenac from 1857. Goodhue County adopted Residential District zoning standards in 1971. At that time the minimum lot width for residential districts was 80-feet and the minimum lot area was 12,000 square feet. The Otto parcel complied with both of these regulations at the time and would have been considered buildable. In 1993 the minimum lot size in the R-1 District was increased to 20,000 square feet and the minimum lot width was increased to 100-feet. R-1 lot size has increased over the years to ensure all structures can meet required setbacks and allow adequate room for a septic system and a replacement septic if needed. The proposed cabin will meet all structure setbacks for the R-1 District and a compliant septic system can be installed on-site with room for a replacement system if needed. This request appears in harmony with the purpose and intent of the official control.

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

- The Goodhue County Comprehensive Plan supports providing more housing choices for rural residents and directing the location of new dwelling sites to areas that minimize loss or conversion of prime agriculture soils.

The proposed dwelling establishment 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 establish a single-family dwelling (cabin) is a reasonable use of property in the R-1 District. The structure, as proposed, would meet all required setbacks, impervious surface coverage limits (up to 25% impervious coverage permitted in Shoreland), and structure coverage limits (up to 20% occupied by structures).
- The parcel was originally platted in 1857 before zoning and shoreland ordinances were enforced in Goodhue County.
- The Applicant stated that there are no alternatives to the proposed variance as strict enforcement of the Ordinance would not allow the establishment of a dwelling on the parcel. Zoning regulations permit regular maintenance of existing structures however no structural alterations (such as additions) are permitted on existing non-conforming structures.
- The property is surrounded by R-1 zoned properties on all sides.
- The request appears unlikely to alter the essential character of the locality as there are existing dwellings established along Lake Avenue Way and there are several dwellings established on non-riparian R-1 zoned parcels less than 20,000 square feet in Old Frontenac.

**4) No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located.**

- Single-family dwellings are a permitted use in the R-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 Leroy Otto (owner) to Article 31 (Shoreland Standards) to allow the establishment of a single-family dwelling on a non-riparian parcel less than 40,000 square feet and less than 150-foot wide classified as Shoreland and less than 20,000 square feet in the R-1 Suburban Residence District.





RECEIVED

APPLICATION FOR  
**Variance**

FEB - 2 2022

Land Use Management

For Staff Use only	
VARIANCE NUMBER:	222-0012
\$350 RECEIPT#	17523 DATE 2/2/22

SITE ADDRESS, CITY, AND STATE 28571 N. Lake Ave			ZIP CODE:
LEGAL DESCRIPTION: R-32-130-0421			
PID#: 32.130.0421	ZONING DISTRICT: R-1.	LOT AREA (SF/ACRES): 15,000	LOT DIMENSIONS: 150x100
			STRUCTURE DIMENSIONS (if applicable): 16x20

APPLICANT OR AUTHORIZED AGENT'S NAME LeRoy Otto	
APPLICANT'S ADDRESS: 835 Aurora circle Redwing mn	TELEPH: EMAIL:

PROPERTY OWNER'S NAME Same as Above ✓	
PROPERTY OWNER'S ADDRESS: Same	TELEPHONE: EMAIL:

CONTACT FOR PROJECT INFORMATION: Same as Above ✓	
ADDRESS:	TELEPHONE: EMAIL:

<b>VARIANCE REQUESTED TO:</b> (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 checked="" 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: 2-2-2022

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: LeRoy Otto Jr Date: 2-2-22

Print name: LeRoy Otto (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:

cabin - want to remodel + expand

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

lose use

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:

original size lots from over 100 yrs ago and shoreland ordinance left them reduced

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

not adequate to continue using the property as we have

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 & just only improve it.

# Florence Township

Goodhue County, Minnesota | VARIANCE REQUEST

APPLICATION NO.	_____
FEE	\$ _____
DATE	_____

## 1. GENERAL PROVISIONS

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

*Ben Kay*

<b>2. APPLICATION IS HEREBY MADE BY:</b>	
OWNER	<i>LEROY OTTO Pat (OTTO) Taber</i>
ADDRESS	<i>835 Aurora circle Red wing MN 55066</i>
TELEPHONE	_____
EMAIL	_____
<b>AUTHORIZED AGENT / All PROPERTY OWNERS</b>	
ADDRESS	_____
TELEPHONE	_____
EMAIL	_____
CONTRACTOR	<i>Self</i>
ADDRESS	_____
TELEPHONE	_____
EMAIL	_____
<b>ADDITIONAL NOTES:</b>	
_____	
_____	
_____	
_____	
_____	
_____	

# Florence Township

Goodhue County, Minnesota | VARIANCE REQUEST

### 3. PROJECT INFORMATION

a. Site Address: 28571 N. Lake Ave. Old Frontenac

Legal Description: B1K-15 lots 6+7 parcel R-32-130-0421

PID# \_\_\_\_\_ Zoning District: \_\_\_\_\_ Lot Area: \_\_\_\_\_

Lot Dimensions: 100' x 150' Structure Dimensions (If Applicable) Existing 20 x 16  
Addition 14 x 16

b. The property is currently used for:  residence,  commercial building,  industrial building,  accessory building, or  other (describe) Seasonal cabin - winter storage

c. Proposed Use: Seasonal cabin,

d. The Variance for this property is requested for:  Road Right-of-Way Setbacks,  Property Line Setbacks,  Height Limits,  Lot Width/or Area,  Subdivision Regulations,  Bluff Setbacks,  % Lot Coverage, or  other (describe) shore land

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

owned property since 1988 - cabin there w/ electricity well + heat - since 1994 -

well + elect 1965

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

- Site Plan
- Property Survey by a MN Licensed Surveyor (unless waived by Planning Commission)
- Proof of current property taxes
- Signature of property owner, agent or letter of authorization.
- Required fees



**g. Supporting Information & Justification**

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

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

SEASONAL cabin - Addition - Add Bath-rm. + deck  
+ handicapped ramp - move existing to a more centered  
position away from lot lines - use post + beam -

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

NOT as handicapped  
accessible for VAN parking + ramp + bath room (is an outdoor  
portable

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

None

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

We had had the septic  
+ county test - septic possible as a mound but would  
rather have pump out due to limited use + small size  
of building + it would be less of an environmental impact than a  
mound

5. Discuss alternatives you considered that would require a lesser variance. If you rejected such alternatives, provide your reasoning.
- location - No alternative on post + beam + re-  
\* addition could be a covered porch possibly  
as it will be only used 3 months summer

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

yes - it would improve the  
neighborhood.

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

Applicants Signature: Jay F Otto Patricia L. Tabor Date: 11-8-21

Print name: L. RAY F. OTTO PATRICIA L. TABOR (owner or authorized agent)

**OFFICIAL USE**

Variance Request:  Approved. Fee Received \$ \_\_\_\_\_  
 Denied. Not in conformance with the following provision(s) of the Zoning Ordinance.

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

Signature [Signature] Title Chairman Date 1/24/2022

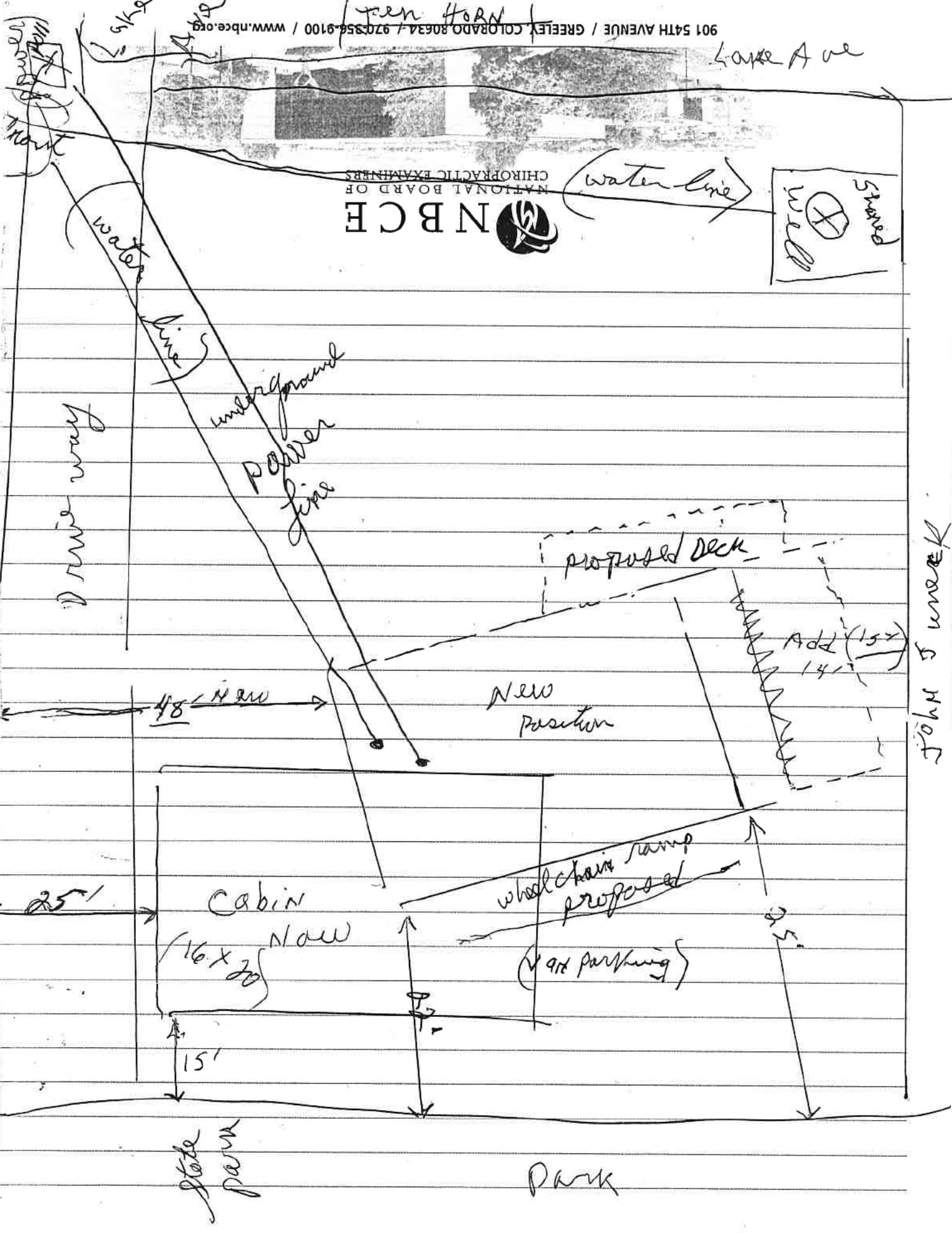
Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_



NBCE NATIONAL BOARD OF CHIROPRACTIC EXAMINERS

John Horn

Lake Ave



John S. Wreck

# MAP 01: PROPERTY OVERVIEW



## BOARD OF ADJUSTMENT

Public Hearing  
February 28, 2022

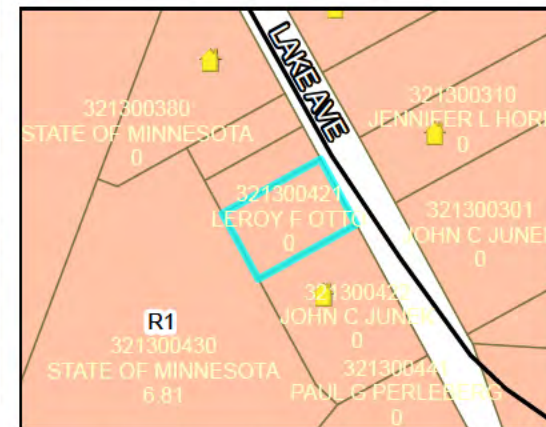
Leroy Otto (Owner)  
R1 Zoned District

Lots 10, 11, & 12 in the Town of Frontenac  
Florence Township

Variance request to allow establishment of a single family dwelling on a non-riparian parcel less than 40,000 square feet & less than 150-foot wide in the Shoreland District and less than 20,000 square feet in the R-1

### District Legend

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



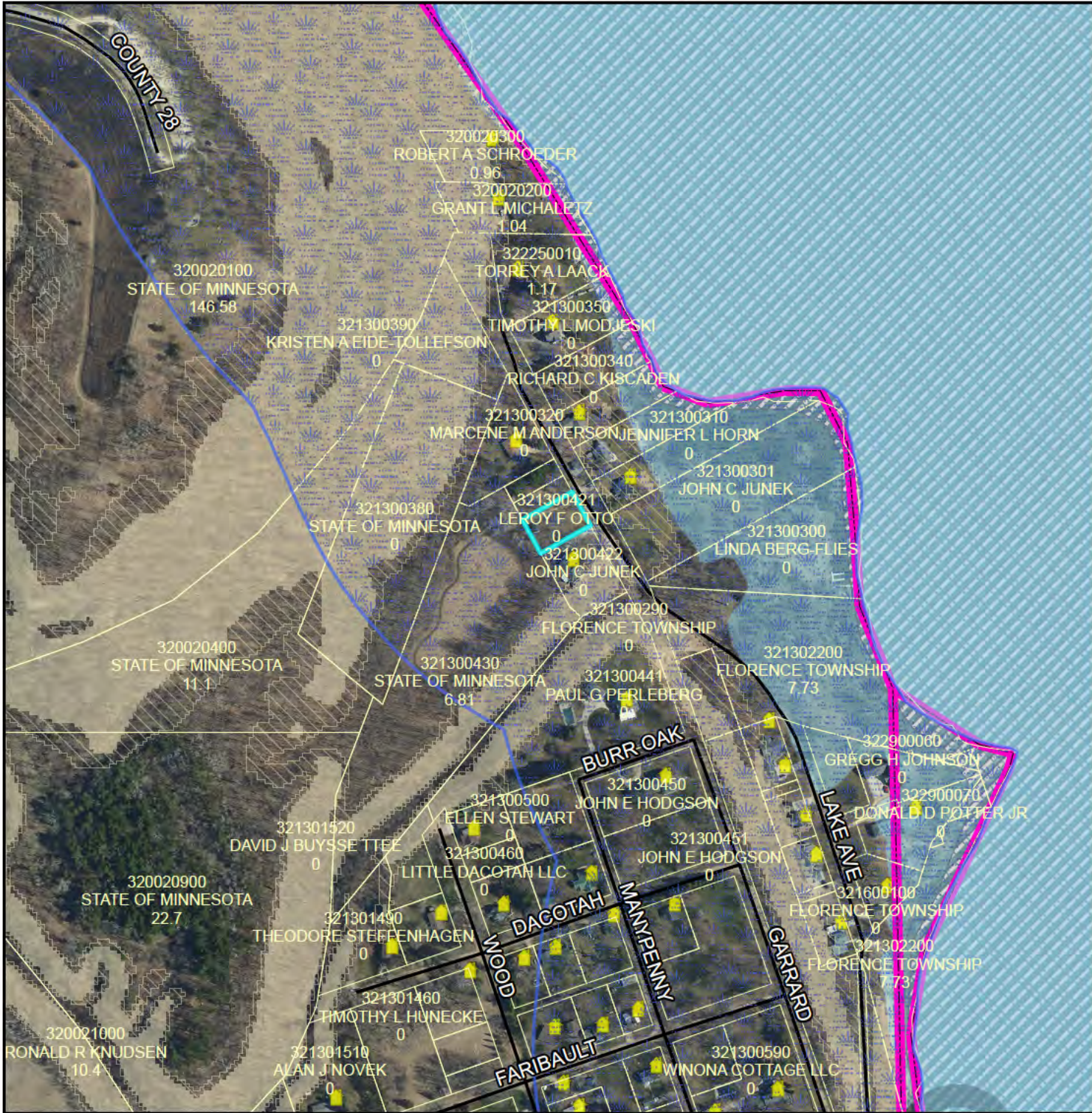
0 5 10 20 30  
US Feet

DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2022.

2020 Aerial Imagery  
Map Created February, 2022 by LUM



# MAP 02: VICINITY MAP



## BOARD OF ADJUSTMENT

Public Hearing  
February 28, 2022

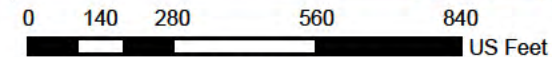
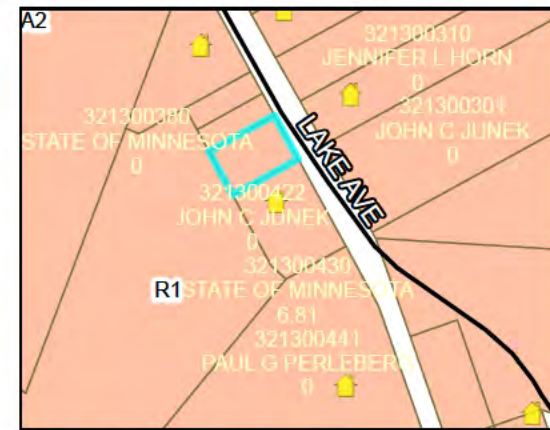
Leroy Otto (Owner)  
R1 Zoned District

Lots 10, 11, & 12 in the Town of Frontenac  
Florence Township

Variance request to allow establishment of a single family dwelling on a non-riparian parcel less than 40,000 square feet & less than 150-feet wide in the Shoreland District and less than 20,000 square feet in the R-1

### District Legend

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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2022.

2020 Aerial Imagery  
Map Created February, 2022 by LUM



# MAP 03: ELEVATIONS



## BOARD OF ADJUSTMENT

Public Hearing  
February 28, 2022

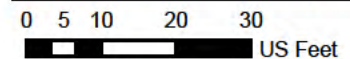
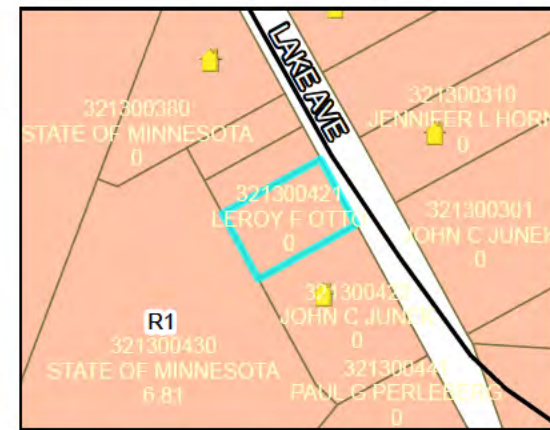
Leroy Otto (Owner)  
R1 Zoned District

Lots 10, 11, & 12 in the Town of Frontenac  
Florence Township

Variance request to allow establishment of a single family dwelling on a non-riparian parcel less than 40,000 square feet & less than 150-feet wide in the Shoreland District and less than 20,000 square feet in the R-1 District

### District Legend

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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2022.

2020Aerial Imagery  
Map Created February, 2022 by LUM



Subd. 5. **Existing nonconforming lots in shoreland areas.** (a) This subdivision applies to shoreland lots of record in the office of the county recorder on the date of adoption of local shoreland controls that do not meet the requirements for lot size or lot width. A county shall regulate the use of nonconforming lots of record and the repair, replacement, maintenance, improvement, or expansion of nonconforming uses and structures in shoreland areas according to this subdivision.

(b) A nonconforming single lot of record located within a shoreland area may be allowed as a building site without variances from lot size requirements, provided that:

(1) all structure and septic system setback distance requirements can be met;

(2) a Type 1 sewage treatment system consistent with Minnesota Rules, chapter 7080, can be installed or the lot is connected to a public sewer; and

(3) the impervious surface coverage does not exceed 25 percent of the lot.

(c) In a group of two or more contiguous lots of record under a common ownership, an individual lot must be considered as a separate parcel of land for the purpose of sale or development, if it meets the following requirements:

(1) the lot must be at least 66 percent of the dimensional standard for lot width and lot size for the shoreland classification consistent with Minnesota Rules, chapter 6120;

(2) the lot must be connected to a public sewer, if available, or must be suitable for the installation of a Type 1 sewage treatment system consistent with Minnesota Rules, chapter 7080, and local government controls;

(3) impervious surface coverage must not exceed 25 percent of each lot; and

(4) development of the lot must be consistent with an adopted comprehensive plan.

(d) A lot subject to paragraph (c) not meeting the requirements of paragraph (c) must be combined with the one or more contiguous lots so they equal one or more conforming lots as much as possible.

(e) Notwithstanding paragraph (c), contiguous nonconforming lots of record in shoreland areas under a common ownership must be able to be sold or purchased individually if each lot contained a habitable residential dwelling at the time the lots came under common ownership and the lots are suitable for, or served by, a sewage treatment system consistent with the requirements of section 115.55 and Minnesota Rules, chapter 7080, or connected to a public sewer.

(f) In evaluating all variances, zoning and building permit applications, or conditional use requests, the zoning authority shall require the property owner to address, when appropriate, storm water runoff management, reducing impervious surfaces, increasing setback, restoration of wetlands, vegetative buffers, sewage treatment and water supply capabilities, and other conservation-designed actions.

(g) A portion of a conforming lot may be separated from an existing parcel as long as the remainder of the existing parcel meets the lot size and sewage system requirements of the zoning district for a new lot and the newly created parcel is combined with an adjacent parcel.

**History:** 1959 c 559 s 16; 1974 c 571 s 41-43; 2002 c 366 s 5; 2006 c 270 art 1 s 3-5; 2009 c 149 s 1,2; 2013 c 143 art 14 s 61

## SECTION 5. BOUNDARIES

The boundaries of the Shoreland District are established within the following distances from the ordinary high water mark of the surface water depending on the size of the surface water as indicated on the Goodhue County Shoreland District Map.

SURFACE WATER	DISTANCE (FEET)*
Greater than ten (10) acres	1,000
Rivers and Streams (draining an area greater than two (2) square miles)	300**

\* The practical distance may be less whenever the waters involved are bounded by topographical divides which extend landward from the waters for lesser distances and prevent flowage toward the surface water.

\*\* The distance requirement shall be increased to the limit of the floodplain when the floodplain is greater than three hundred (300) feet.

## SECTION 6. SHORELAND CLASSIFICATION SYSTEM

The surface waters affected by this Section and which require controlled development of their shoreland (Shoreland District) are shown on the map designated as the official "Zoning Map of Goodhue County" which is properly approved and made a part of this Section and filed with the Zoning Administrator. Surface waters generally greater than ten (10) acres and given an identification number by the State of Minnesota are defined in Article 10 of this Ordinance and listed below.

### Subd. 1. Lake Classification System

#### *GENERAL DEVELOPMENT LAKES:*

DNR Identification Number	Name
25-0001-00	Lake Pepin
25-0017-00	U.S. Lock and Dam No. 3 Pool
25-0017-02	Nelson Lake
25-0017-03	Twin Lake
25-0017-04	North Lake
25-0017-06	Sharp Muskrat Lake
79-0005-00	U.S. Lock and Dam No. 4 Pool

#### *RECREATIONAL DEVELOPMENT LAKES*

DNR Identification Number	Name
19-0006-00	Lake Byllesby

#### *NATURAL ENVIRONMENT LAKES:*

DNR Identification Number	Name
25-0003-00	Frontenac Lake
25-0004-00	Grotes Pond (aka Wacouta Pond)
25-0005-00	Goose Lake
25-0006-00	Brunner Lake
25-0009-00	Birch Lake
25-0011-00	Spring Creek Lake
25-0012-00	Cannon Lake
25-0016-00	Larson Lake
25-0018-00	Upper Clear Lake
25-0019-00	Clear Lake
25-0021-00	Lower Rattling Springs Lake



Subd. 2. River Classification System

*TRANSITION:*

River Vermillion	From	To
	Border of Goodhue & Dakota Counties	Confluence with Mississippi River in Sec 11, T113N, R15W

*AGRICULTURE:*

N. Fork Zumbro	Border of Goodhue & Rice Counties	Border of Goodhue & Wabasha Counties
Middle Fork Zumbro	Border of Goodhue & Olmsted Counties	Border of Goodhue & Olmsted Counties
North Branch Middle Fork Zumbro	Confluence with Unnamed tributary in Sec 31, T109N, R17W	Border of Dodge & Goodhue Counties
North Branch Middle Fork Zumbro	Border of Dodge & Goodhue Counties	Confluence with Middle Fork Zumbro River in Sec 32, T109N, R15W

*TRIBUTARY:*

All other non-classified water courses as shown on the Goodhue County Protected Waters Inventory Map.

## SECTION 7. ALLOWABLE LAND USES

The land uses allowable for the Shoreland Overlay District shall follow the permitted, accessory, and conditional use designations as defined and outlined in the base zoning districts, found in Articles 21-28 of this Ordinance, as may be amended, referred to as the Goodhue County Zoning Ordinance and shall be properly delineated on the Official Zoning Map for the shorelands of Goodhue County. These land use districts are in conformance with the criteria specified in Minnesota Regulations, Part 6120.3200, Subd. 3.

## SECTION 8. SHORELAND DEVELOPMENT STANDARDS

The following development standards shall apply for each lake and river designation for lots platted or created by metes and bounds.

Subd. 1. Lot Standards. Subject to other more restrictive limitations which may be imposed by this Ordinance, the following minimum requirements shall be observed in the following zoning districts which are overlaid by the Shoreland District.

A. Agriculture (A-1, A-2, A-3). The minimum lot size and width requirements allowable for the Shoreland District shall follow the base zoning districts.

B. Residential (R-1).

1. Unsewered Lakes.

a. Natural Environment.

	Riparian		Non-Riparian	
	Area	Width	Area	Width
Single	80,000	200	80,000	200
Duplex	120,000	300	160,000	400

- |    |                           |         |     |         |     |  |
|----|---------------------------|---------|-----|---------|-----|--|
|    | Triplex                   | 160,000 | 400 | 240,000 | 600 |  |
|    | Quad                      | 200,000 | 500 | 320,000 | 800 |  |
| b. | Recreational Development. |         |     |         |     |  |
|    | Single                    | 40,000  | 150 | 40,000  | 150 |  |
|    | Duplex                    | 80,000  | 225 | 80,000  | 265 |  |
|    | Triplex                   | 120,000 | 300 | 120,000 | 375 |  |
|    | Quad                      | 160,000 | 375 | 160,000 | 490 |  |
| c. | General Development.      |         |     |         |     |  |
|    | Single                    | 20,000  | 100 | 40,000  | 150 |  |
|    | Duplex                    | 40,000  | 180 | 80,000  | 265 |  |
|    | Triplex                   | 60,000  | 260 | 120,000 | 375 |  |
|    | Quad                      | 80,000  | 340 | 160,000 | 490 |  |
2. Sewered Lakes.
- |    |                           |         |        |        |        |     |
|----|---------------------------|---------|--------|--------|--------|-----|
| a. | Natural Environment.      |         |        |        |        |     |
|    | Single                    | 40,000  | 125    | 20,000 | 125    |     |
|    | Duplex                    |         | 70,000 | 225    | 35,000 | 220 |
|    | Triplex                   | 100,000 | 325    | 52,000 | 315    |     |
|    | Quad                      | 130,000 | 425    | 65,000 | 410    |     |
| b. | Recreational Development. |         |        |        |        |     |
|    | Single                    | 20,000  | 100    | 20,000 | 100    |     |
|    | Duplex                    | 35,000  | 135    | 26,000 | 135    |     |
|    | Triplex                   | 50,000  | 195    | 38,000 | 190    |     |
|    | Quad                      | 65,000  | 255    | 49,000 | 245    |     |
| c. | General Development.      |         |        |        |        |     |
|    | Single                    | 20,000  | 100    | 20,000 | 100    |     |
|    | Duplex                    | 26,000  | 135    | 20,000 | 135    |     |
|    | Triplex                   | 38,000  | 195    | 25,000 | 190    |     |
|    | Quad                      | 49,000  | 255    | 32,500 | 245    |     |
3. River/Stream Lot Width Standards. There is no minimum lot size requirements for rivers and streams. The lot width standards for single, duplex, triplex, and quad residential developments for the six river/stream classifications are:

	Remot e	Foreste d	Transition al	Agricultur al	Urban and Tributary No Sewer	Sewer
Single	300	200	250	150	100	75

Duple x	450	300	375	225	150	115
Triple x	600	400	500	300	200	150
Quad	750	500	625	375	250	190

4. Only land above the ordinary high water level of public waters can be used to meet lot area standards, and lot width standards must be met at both the ordinary high water level and at the building line. The sewer lot area dimensions in Section 8, Subd. 1.B.2 can only be used if publicly owned sewer system service is available to the property.

C. Commercial and Industrial (B-1, B-2, I-1). The minimum lot size and width requirements allowable for the Shoreland District shall follow the base zoning district.

Subd. 2. Setback Standards.

A. Structure and On-Site Sewage System Setbacks From the Ordinary High Water Mark.

	Structures		Sewage Treatment System
	Unsewered	Sewered	
Lakes:			
Natural Environment	200	200	200
Recreational Development	100	100	100
General Development	75	75	75
Rivers:			
Remote	200	200	150
Forested and Transition	150	150	100
Agriculture, Urban & Tributary	100	75	75

B. Side Yard Setbacks. (Setbacks subject to individual district requirements.)

C. Additional Structure Setbacks.

1. Unplatted cemetery - fifty (50) feet.
2. Federal, state, county local roads from centerline - one hundred (100) feet.

Subd. 3. All structures in residential districts, except churches and non-residential agricultural structures shall not exceed twenty-five (25) feet in height.

Subd. 4. The total area of all impervious surface on a lot shall not exceed twenty-five (25) percent of the total lot area.

## SECTION 9. DESIGN CRITERIA FOR STRUCTURES

Subd. 1. Placement and Design of Structures.

# **ARTICLE 24 R-1, SUBURBAN RESIDENCE DISTRICT**

---

## **SECTION 1. PURPOSE**

The R-1, Suburban Residence District is intended to provide a district which will define and protect areas suitable for low to medium density residential development as the principal land use and to allow related facilities desirable for a residential environment.

## **SECTION 2. PERMITTED USES**

All permitted uses are subject to zoning and building permits. Permitted uses allowed in the R1 Zoning District shall be as shown in Article 20, Section 7, "Table of Uses".

## **SECTION 3. CONDITIONAL USES AND INTERIM USES**

All conditional uses and interim uses are subject to zoning and building permits. Conditional and interim uses allowed in the R1 Zoning District shall be as shown in Article 20, Section 7, "Table of Uses."

## **SECTION 4. ACCESSORY STRUCTURES AND USES**

Accessory structures and uses in the R1 district may be permitted when located on the same parcel as the Principal structure or use and shall comply with the following standards:

- Subd. 1. No accessory buildings or uses shall be permitted on a parcel prior to establishment of the principal building.
- Subd. 2. Detached accessory buildings shall be limited in size to 1,500 square feet in area for parcels 12,000 square feet to 1 acre and 2,100 square feet in area for parcels greater than 1 acre.
- Subd. 3. Any private garages, either separated or in connected groups, having common unpierced dividing walls between contiguous private garages.
- Subd. 4. Any temporary buildings for uses incidental to construction work, which shall be removed upon completion or abandonment of such construction work.

## **SECTION 5. DIMENSIONAL REQUIREMENTS**

Parcels in the R-1 District shall meet the following minimum standards:

- Subd. 1. Parcel Size, Width and Depth.
  - A. Parcels shall contain a minimum 1 acre of Buildable Area.
  - B. Parcels rezoned or subdivided prior to September 3, 2019 shall contain a minimum 20,000 square feet of area per dwelling unit when served by an individual SSTS or 6,000 square feet of area per dwelling unit when served by a Community SSTS.
  - C. All parcels shall have a minimum width of 100 feet at the building setback line and a minimum depth of 125 feet.

- Subd. 2. **Yard Requirements.** Every building shall meet the following yard requirements:
  - A. **Front Yard.**
    - 1. There shall be a minimum setback of 40 feet from the right-of-way line of any public road or highway; except that, this setback may be reduced to 25 feet when such public road is a minor street serving only a residential subdivision.
    - 2. In the event any building is located on a lot at the intersection of 2 or more roads or highways, such lot shall have a front yard abutting each such road or highway.
  - B. **Side Yard.** Every building shall have 2 side yards. Each side yard shall have a minimum width of 8 feet.
  - C. **Rear Yard.** Every building shall have a rear yard. The rear yard shall have a minimum depth of 8 feet.
- Subd. 3. **Bluff Impact Zone.** For any use or structure in the R-1 District, the setback from the bluff impact zone shall be no less than 30 feet.
- Subd. 4. **Height Requirements.** Every building shall meet the following height requirements:
  - A. Buildings shall not exceed 35 feet in height.
  - B. Freestanding accessory structures, including but not limited to, communication towers or antennas shall be limited to a height of 10 feet less than the distance to the nearest property line or shall be designed and engineered to collapse progressively within the distance between the tower and the property line.
- Subd. 5. **Parcel Coverage.** No principal building together with its accessory buildings shall occupy more than 20 percent of the total parcel area.
- Subd. 6. **Substandard Lots of Record.** When contiguous and under identical ownership, must be combined to meet minimum standards of this Ordinance in order that any permitted or conditionally permitted use is allowed on such lot or lots.

## **SECTION 6. GENERAL REGULATIONS**

- Subd. 1. **Plat Required.** Any subdivision of an R1 zoned parcel that could result in the creation of one or more additional dwelling sites shall be platted according to procedures set forth in the Goodhue County Subdivision Controls Ordinance.
- Subd. 2. **Public Road Frontage or Road Access Easements Standards:**
  - A. Each Parcel shall include a minimum 33 feet of frontage on a public road right-of-way line extending to the building line. As an alternative, a single parcel that does not front on a public road may be permitted upon the recording (with the Goodhue County Recorder) of a driveway access easement that is a minimum of 33 feet in width and has been determined to be acceptable by the Goodhue County Land Use Management Department.
  - B. Access for two or more lots shall follow the Road Design Standards in the Goodhue County Subdivision Controls Ordinance.

# 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:** February 28, 2022  
**Report date:** February 18, 2022

**PUBLIC HEARING:** Request for Variance, submitted by Larry Hunecke (Owner), to R-1 Zoning District standards to construct a dwelling addition less than 25-feet from the Wood Avenue Right-of-Way.

### **Application Information:**

Applicant(s): Larry Hunecke (Owner)  
Address of zoning request: 28815 Wood AVE Frontenac, MN 55026  
Parcel: 32.130.1470  
Abbreviated Legal Description: Lots 10, 11, and 12 Block 38 in the Town of Frontenac  
Township Information: Florence Township Planning Commission recommended approval to the Township Board for a variance and building permit for the project. The Township Board will meet on February 28, 2022 to approve the project.  
Zoning District: R-1 (Suburban Residence District)

### **Attachments and Links:**

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

### **Background:**

Larry Hunecke (Owner) has applied for a variance to R-1 minimum setback standards to construct a proposed 34-foot by 26-foot addition on the south side of an existing dwelling. The proposed addition would be 1.6-feet from the Wood Avenue Right-of-Way line where 25-feet is required.

The addition would consist of 560 square feet of interior living space and 324 square feet of porch space on the east and south sides of the addition.

### **Variance Standards:**

Variances shall only be permitted when they are in harmony with the general purposes and intent of the Goodhue County Zoning Ordinance and when consistent with the adopted comprehensive plan. Variances may be granted when the applicant establishes “practical difficulties” exist in complying with the existing official controls. Practical difficulties mean the applicant proposes to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties.

### **Draft Findings of Fact:**

#### **1) Harmony with the general purposes and intent of the official control:**

- Property line and Right-of-Way setbacks are intended to create separation among adjacent structures and roads to allow for adequate access and accommodate future road expansion.

- The existing home is located 1.6-feet from the Wood Avenue Right-of-Way and is an existing non-conforming structure. Locating the addition 1.6-feet from the Right-of-Way is not anticipated to further impede future road expansion or on-going maintenance. This request appears in harmony with the purpose and intent of the official control.

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

- The Goodhue County Comprehensive Plan supports the use of existing rural residences to provide rural living opportunities in the unincorporated areas of Goodhue County.

The proposed addition appears consistent with the Goodhue County Comprehensive Plan.

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

- The Applicant’s request to construct a dwelling addition is a reasonable use of property in the R-1 District. The addition, as proposed, would meet all other required setbacks.
- The Applicant stated that there are no alternative locations for the addition due to the existing dwelling configuration and locations of existing accessory structures on the property.
- The property is surrounded by R-1 zoned properties on all sides. Several dwellings and accessory buildings along Dacotah Street to the north and Wood Avenue to the east also do not meet the required setback distance from the right-of-ways.
- The existing dwelling was constructed around 1951 prior to County Zoning standards and right-of-way setback requirements.
- 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.**

- Dwelling additions are a permitted use in the R-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 Larry Hunecke (owner) to R-1 Zoning District standards to allow construction of a dwelling addition 1.6-feet from the Wood Avenue Right-of-Way.







RECEIVED

FOR

FEB - 8 2022



Land Use Management

For Staff Use only

VARIANCE NUMBER 222-0013  
\$350 RECEIPT# 17531 DATE 2/8/22

CITY AND STATE 28815 Wood Ave FRONTENAC MI		ZIP CODE: 55026-1024
LEGAL DESCRIPTION: ID# 32-0160-1300 Lots 10, 11 + 12 BLK 38 Vacated ALLEY		
PID#: 32-130-1470	ZONING DISTRICT: R1	STRUCTURE DIMENSIONS (if applicable):

APPLICANT OR AUTHORIZED AGENT'S NAME: LARRY HUNECKE	
APPLICANT'S ADDRESS: 903 S. ELM ST. Jefferson, IA 50129	TELEPHONE:

PROPERTY OWNER'S NAME: Same as Above X	
PROPERTY OWNER'S ADDRESS: Same	TELEPHONE: Same
	EMAIL: Same

CONTACT FOR PROJECT INFORMATION: Same as Above X	
ADDRESS:	TELEPHONE:
	EMAIL:

<b>VARIANCE REQUESTED TO:</b> (check all that apply) <input checked="" type="checkbox"/> Road Right-Of-Way Setbacks <input type="checkbox"/> % Lot Coverage <input type="checkbox"/> Property Line Setbacks <input type="checkbox"/> Bluff Setbacks <input type="checkbox"/> Height Limits <input type="checkbox"/> Shoreland Setbacks <input type="checkbox"/> Lot Width &/or Area <input type="checkbox"/> Other (specify) <input type="checkbox"/> Subdivision Regulations	CURRENT OR PREVIOUS USE: Cabin/dwelling
	PROPOSED USE: Same
	BUILDING APPLICATION PERMIT NO.: (if filed) 22-0032
	DATE FILED: 2-8-22

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

By signing below, the applicant acknowledges:

- The undersigned is the owner or authorized agent of the owner of this property.
- The information presented is true and correct to the best of my knowledge.
- 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.
- Additional information or applications may be required.

Applicant's Signature:

*Larry Hunecke*

Date:

2/8/22

Print name:

LARRY HUNECKE

(owner or authorized agent)

Acknowledgement

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:

Seasonal (Summer) Home

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

Would not be able to put on Addition

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:

House Built in 1951 when regulations were nonexistent

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:

House only 32' long. To meet set back would have to thru Bedroom

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

NO



DELETE  
STAIRS

REMOVE ↓

NEW  
ELEC  
MAST

11.2 x  
9.9

KIT  
18.10 x  
9.3

LR  
17.10 x  
15.10

EXIST  
FURNACE  
EXHAUST

OLD  
ELEC  
MAST

20 x 28

DOWN  
UP

BATH

WOW

MBR  
15.6 x  
11.4

BRM  
11.3 x  
8.8

WOW

⊕ DAK

⊕ DAK

⊕ DAK



Public Hearing  
February 28, 2022

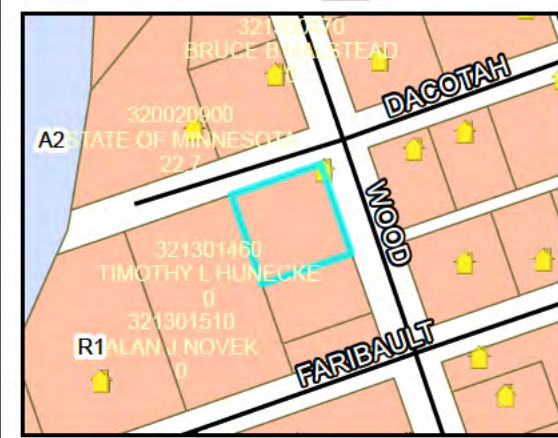
Larry Hunecke (Owner)  
R1 Zoned District

Lots 10, 11, & 12 in the Town of Frontenac  
Florence Township

Variance request to construct a dwelling  
addition less than 25-feet from the  
Wood Avenue ROW

**Legend**

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



DATA DISCLAIMER: Goodhue County assumes  
NO liability for the accuracy or completeness of this map  
OR responsibility for any associated direct, indirect,  
or consequential damages that may result from its use  
or misuse. Goodhue County Copyright 2022.

2020 Aerial Imagery  
Map Created February, 2022 by LUM



# MAP 02: VICINITY MAP



## BOARD OF ADJUSTMENT

Public Hearing  
February 28, 2022

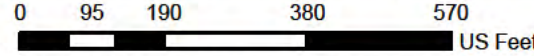
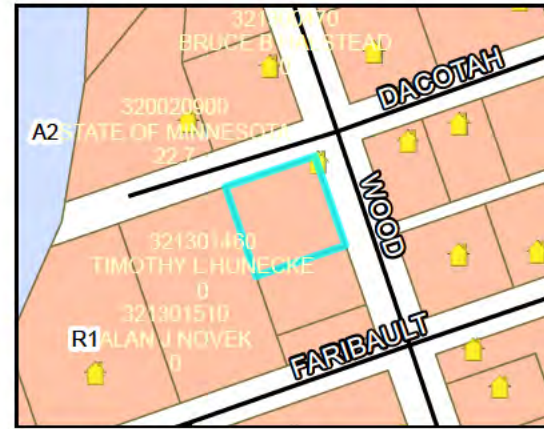
Larry Hunecke (Owner)  
R1 Zoned District

Lots 10, 11, & 12 in the Town of Frontenac  
Florence Township

Variance request to construct a dwelling  
addition less than 25-feet from the  
Wood Avenue ROW

### Legend

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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2022.



Public Hearing  
February 28, 2022

Larry Hunecke (Owner)  
R1 Zoned District

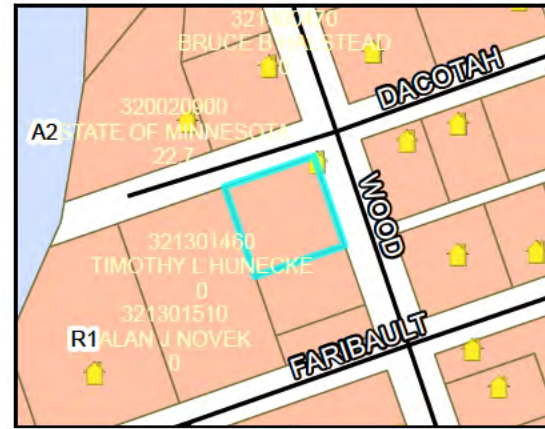
Lots 10, 11, & 12 in the Town of Frontenac  
Florence Township

Variance request to construct a dwelling  
addition less than 25-feet from the  
Wood Avenue ROW



**Legend**

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

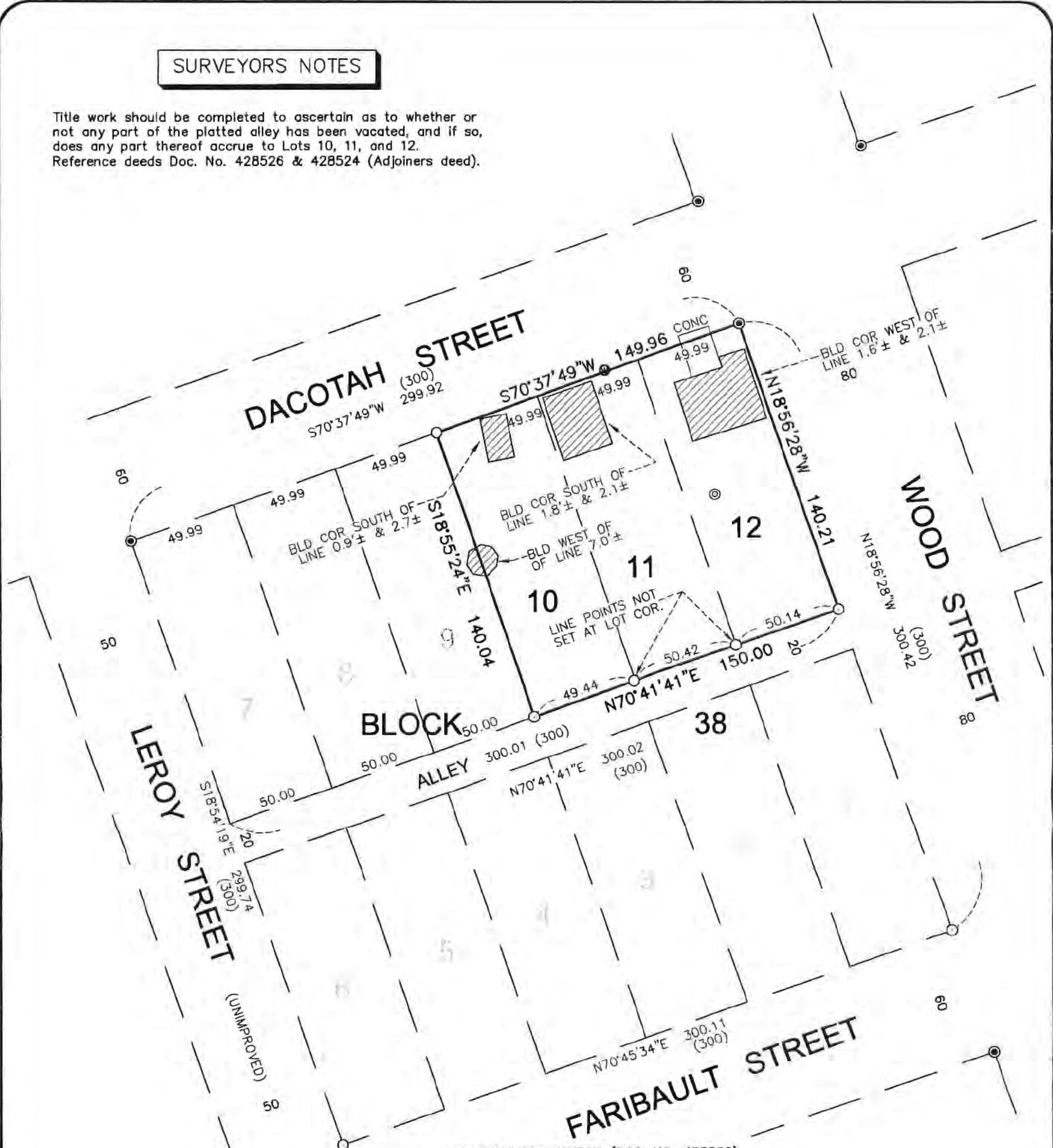


DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2022.



**SURVEYORS NOTES**

Title work should be completed to ascertain as to whether or not any part of the platted alley has been vacated, and if so, does any part thereof accrue to Lots 10, 11, and 12. Reference deeds Doc. No. 428526 & 428524 (Adjoiners deed).



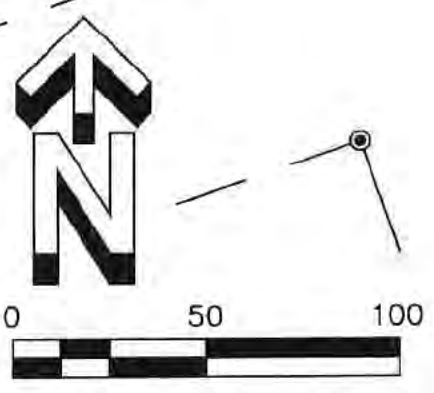
**PROPERTY DESCRIPTION (DOC. NO. 428526)**  
 Ten (10), Eleven (11), and Twelve (12), Block Thirty-Eight (38), Town of Frontenac, Goodhue County, Minnesota.

**LEGEND**

- DENOTES A PLACED 1" BY 18" IRON PIPE HAVING A PLASTIC CAP BEARING LAND SURVEYOR LICENSE NO. 47460.
- DENOTES FOUND IRON MONUMENT.
- ⊙ DENOTES WELL.
- ⊙ DENOTES SEPTIC VENT.
- (300) DENOTES DISTANCE OF RECORD.
- ▨ DENOTES BUILDING.

**AREA**

21016 Sq. Feet  
 0.48 Acres



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

path: s/plats/city of frontenac/block 38/hunecke/hunecke.dwg

**CERTIFICATE OF SURVEY FOR:**  
**LARRY HUNECKE**

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

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

*Marcus S. Johnson*  
 Marcus S. Johnson  
 Minnesota License No. 47460  
 Date: July 30, 2019

BK. NA	PG. NA	W.O.#	DRAWING NUMBER
SHEET 1 OF 1 SHEETS	19-650	S-8320	