



Goodhue County

Minnesota

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

Call Meeting To Order

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

1. March 27, 2023 BOA Draft Meeting Minutes

Documents:

[BOAMEETINGMINUTES_MARCHMEETING_DRAFT.PDF](#)

Conflict/Disclosure Of Interests

PUBLIC HEARING: Request For Variance To Minimum Setback Standards

Request for Variance, submitted by John Trelstad (Owner) to A-1 Zoning District standards to allow the construction of an addition less than 60-feet from the 195th Avenue Right-of-Way. Parcel 39.008.1000. 47406 195th Avenue Way Zumbrota, MN 55992. Part of the SW ¼ of the NE ¼ of Section 08 TWP 109 Range 15 in Pine Island Township. A1 Zoned District.

Documents:

[BOAPACKET_TRELSTAD.PDF](#)

Other-Discussion

Adjourn

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

Goodhue County Land Use Management

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
March 27, 2023 MEETING MINUTES
DRAFT**

The meeting of the Goodhue County Board of Adjustment was called to order at 5:00 PM by Vice-Chair Darwin Fox at the Goodhue County Government Center Board Room.

Roll Call

Commissioners Present: Keith Allen, Randy Rechtzigel, Scott Breuer, and Darwin Fox.

Commissioners Absent: Daniel Knott, Dennis Tebbe

Staff Present: Land Use Director Lisa Hanni, Zoning Administrator Samantha Pierret, Zoning Assistant Alexandra Koberoski, and Zoning Administrative Assistant Patty Field

1. Approval of Agenda

¹Motion by Commissioner Rechtzigel and seconded by Commissioner Allen to approve the meeting agenda.

Motion carried 4:0

2. Approval of Minutes

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

Motion carried 4:0

3. Conflict/Disclosure of Interest

There were no reported conflicts/disclosures of interest.

4. Public Hearings:

PUBLIC HEARING: Request for Variance to Minimum Lot Size Standards

Request for Variance, submitted by Samantha and Jacob Suckow (Owners) to A-3 Zoning District standards to allow the split of an existing 2.75 acre parcel, resulting in one 1.73 acre parcel and one 1.02 acre parcel. Parcel 32.200.0290, 32803 Territorial Road Lake City, MN 55041. Part of the NW ¼ of the NW ¼ of Section 31 TWP 112 Range 12 in Florence Township.

Pierret presented the staff report and attachments.

Pierret noted that the specific acreage amounts come from the survey provided by Johnson & Scofield, which was sent to staff last week and provided to each of the commissioners tonight.

Commissioner Rechtzigel asked about a drawing showing the split.

Commissioner Breuer questioned whether the acreage was correct on the map provided by the Applicant.

Pierret stated the map provided by the Applicant was not accurate because it was hand drawn. The 12.3 acres on the Johnson & Scofield survey take into account the land on both sides of the section line. You can see on the survey that was handed out, it is 11.12 acres in Section 36 and 1.02 acres in Section 31.

Commissioner Rechtzigel asked if that would just become one lot.

Pierret said it would be two separate lots because it is on two sides of the section line. The variance request is to split the 2.7-acre piece on the east side of the section line.

**BOARD OF ADJUSTMENT
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Vice-Chair Fox stated that it has to remain two separate parcels because of the section line.

Pierret agreed. The alternative would be to formally plat it. The Applicants are in a time crunch to get everything sold by the end of this month. Also, platting would create a split-zoned parcel.

Commissioner Rehtzigel said adding that parcel would give them access to Territorial Road.

Pierret stated that is correct.

Commissioner Breuer asked if the little strip of land is the access to the wooded bluffland.

Pierret said the narrow strip that runs to the north and connects with the smaller piece in Section 31 would be the access from Territorial Road for Mr. Heitman to get to his new property.

Commissioner Breuer asked where the driveway would cross the 1.6 acres to get to that narrow strip of land.

Pierret said that would be up to Mr. Heitman, as the potential owner of the property.

Commissioner Breuer stated he could cut that right in half.

Pierret agreed. He would own the 1.73 acres. He could put a driveway anywhere. If he is planning on a building site in the future, he may not want to have access to his back acreage going right down the middle of a buildable lot.

Commissioner Breuer said Kristofer Platte's parcel shares a driveway with the Suckows now.

Pierret indicated yes.

Commissioner Breuer asked if they would maintain the same.

Pierret stated yes.

Commissioner Allen asked whether the lot in the front that they are proposing to split is big enough to build anything on.

Pierret stated no, as it is zoned right now that parcel is not buildable because the minimum lot size is 35 acres. If it were to be rezoned to Residential, then it could be a dwelling site. The one acre to the north is not eligible as a building site because the house is split by the section line.

Jacob Suckow, Applicant stated this variance will help four families. It won't change the make-up of the area and how it is owned. It would also allow Mr. Heitman to have access to his property. A single mother wants to buy the dwelling site. She does not want all of the land as she does not want to maintain all of it.

Vice-Chair Fox opened the Public Hearing

Jon Heitman, 35389 County 5 Boulevard stated most of his comments will be a duplicate of what Jacob said. The 19.5 acres he owns are currently landlocked. If this is approved, it will open up the landlocked property and he will gain some tillable ground. He understands this variance is not granting him a building site. If approved, he will own the access to his land and he would like to have this for a possible future building site. He asked if he wanted to start the re-zoning process, could he start right away?

**BOARD OF ADJUSTMENT
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Pierret indicated he could. He would need to begin by going to Florence Township. He would then come through the Planning Commission, and then the County Board makes the final decision.

Mr. Heitman said it is pretty rare that you can accommodate three families, and everyone gets what they want. He has owned his land for 26 years and has been waiting for many years and now this has come up for sale.

3After Vice-Chair Fox asked three times for comments it was moved by Commissioner Allen and seconded by Commissioner Rehtzigel to close the Public Hearing.

Motion carried 4:0

Vice-Chair Fox said this is one of the more unique requests we have seen in a long time.

Commissioner Breuer said the only question that he has is about the shared driveway for Kristofer Platte. He is assuming there is some kind of easement in the sale of the property.

Pierret stated yes. On the Johnson & Scofield survey, they indicated a 33-foot wide easement, which meets our access standards. The survey indicates the document number that the easement was recorded under. It runs from Territorial Road back to the Platte property line.

Pierret wanted to add that she would have been able to approve this administratively had the house not been built over the section line.

Commissioner Breuer indicated that the narrow strip for the extra driveway makes a lot of sense in the long run.

Pierret agreed. It does help with owning access.

Vice-Chair Fox said essentially they would be granting the variance on the fact that the building sits on the section line, which has created the issue as to why this could not have been administratively approved.

Pierret agreed.

Commissioner Breuer said that until the 1.73 acres are proposed to be re-zoned, that isn't an issue today.

Pierret said that is correct. It is vacant land and we cannot issue any building permit for that property.

Commissioner Breuer stated it seems that only John Dose's property would be affected. He is here and doesn't seem to have a problem with it.

John Dose, 32937 Territorial Road, thinks they thought this out pretty well and has no objections.

4Motion by Commissioner Allen, seconded by Commissioner Breuer 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
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APPROVE the request for a variance, submitted by Samantha and Jacob Suckow (Owners) to A-3 minimum lot size standards to split an existing 2.75 acre parcel resulting in one 1.73 acre parcel and one 1.02 acre parcel.

Commissioner Breuer asked about the wedge-shaped property on the map. It shows on his drawing at 19.5 acres, next to the Wesley Moechnig property. Is that part of the property being split?

Pierret stated that is not part of the split. This is already owned by Mr. Heitman.

Commissioner Breuer said Section 36 is the only property being affected.

Pierret indicated that Section 31 is where the variance is happening. In Section 36 all of the splits will be approved administratively.

Motion carried 4:0

5. Other-Discussion

5th Motion by Commissioner Allen, seconded by Commissioner Rehtzigel to adjourn the BOA meeting at 5:27 PM.

Motion carried 4:0

Respectfully submitted:

Patty Field, Zoning Administrative Assistant

MOTIONS

¹ APPROVE the BOA meeting agenda.

Motion carried 4:0

² APPROVE the previous month's meeting minutes.

Motion carried 4:0

³ Motion to close the Public Hearing.

Motion carried 4:0

⁴ APPROVE the Variance request to A-3 minimum lot size standards.

Motion carried 4:0

⁵ ADJOURN

Motion carried 4:0

Goodhue County Land Use Management

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

Lisa M. Hanni, L.S. Director

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.385.3106



County Surveyor / Recorder

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

To: Board of Adjustment
From: Land Use Management
Meeting Date: April 24, 2023
Report date: April 14, 2023

PUBLIC HEARING: Request for Variance by John Trelstad (Owner) to A-1 Zoning District standards to construct an addition less than 60 feet from the 195th Avenue Right-of-Way.

Application Information:

Applicant(s): John Trelstad (Owner)
Address of zoning request: 47406 195th AVE Zumbrota, MN 55992
Parcel: 39.008.1000
Abbreviated Legal Description: Part of the SW ¼ of the NE ¼ of Section 08 TWP 109 Range 15 in Pine Island Township.
Township Information: Pine Island Township signed acknowledgment of the variance request with no additional comments.
Zoning District: A-1 (Agricultural Protection District)

Attachments and Links:

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

Background:

John Trelstad (Owner) has applied for a variance to A-1 minimum setback standards to construct a 12-foot by 18-foot four-season porch on the west side of an existing dwelling. The proposed structure would be 53 feet from the 195th Avenue Right-of-Way line at its closest point where 60 feet is required.

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 71 feet from the edge of the 195th Avenue Right-of-Way and is a conforming structure. The proposed four-season porch addition would be located 53 feet from the 195th Avenue Right-of-Way. The four-season porch is intended to add additional

indoor living space to the dwelling while maintaining outdoor deck space and preserving the existing entry on the east side.

- The right-of-way authority, Pine Island Township, reviewed the request and signed the variance application acknowledgment with no additional comments. Locating the addition 53 feet from the Right-of-Way is not anticipated to further impede future road expansion or ongoing 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 four-season porch addition is a reasonable use of property in the A-1 District. The addition, as proposed, would meet all other required setbacks.
- The Applicant desires to construct a four-season porch addition on the west side of the home for additional living space.
- The property is an existing 5-acre parcel which is a conforming lot size in the A-1 District (2-acre minimum). The property contains a single-family dwelling and a residential storage building.

The home was originally permitted and constructed in 1977.

- The Applicant stated that there are no alternative locations for the addition because of the existing dwelling configuration including existing access points and the location of utilities.
- The property is surrounded by A1-zoned properties on all sides. Surrounding uses include medium-density residential among tilled cropland and wooded areas.
- The request appears unlikely to alter the essential character of the locality.

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

- Single-family dwellings are a permitted use in the A-1 Zoning District. The request does not constitute a use variance.

The draft Findings of Fact shall be amended to reflect concerns conveyed at the Board of Adjustment meeting and public hearing. The Board should specify the facts and reasons that are the basis of the Board’s determination. In granting a variance, the Board of Adjustment may impose conditions directly related to, and bearing a rough proportionality with, the impact(s) created by the variance.

Staff Recommendation:

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

APPROVE the request for a variance, submitted by John Trelstad (Owner) to A-1 Zoning District standards to allow the construction of a dwelling addition 53 feet from the 195th Avenue Right-of-Way.



East side of house, photo from Goodhue County Assessor's Office





Utilities enter the home on the south side.

APPLICATION FOR
Variance

RECEIVED

MAR 29 2023

For Staff Use only

VARIANCE NUMBER: 7230010
\$350 RECEIPT# 18069 DATE 3/29/23

Land Use Management

SITE ADDRESS, CITY, AND STATE <u>47406 195th Ave Zumbrota, MN</u>		ZIP CODE: <u>55992</u>
LEGAL DESCRIPTION:		
Attached <input type="checkbox"/>		
PID#: <u>390081000</u>	ZONING DISTRICT: <u>A-1</u>	LOT AREA (SF/ACRES): <u>4.94 acres</u>
LOT DIMENSIONS: <u>327.05 W 657.57' D</u>		STRUCTURE DIMENSIONS (if applicable): <u>26' X 48'</u>

APPLICANT OR AUTHORIZED AGENT'S NAME <u>John Trelstad</u>	
APPLICANT'S ADDRESS: <u>47406 195th Ave Zumbrota, MN 55992</u>	TELEPHONE:
	EMAIL:

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

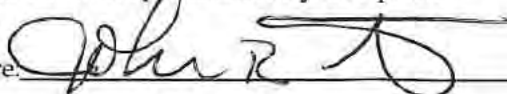
CONTACT FOR PROJECT INFORMATION: Same as Above <input checked="" type="checkbox"/>	
ADDRESS:	TELEPHONE:
	EMAIL:

VARIANCE REQUESTED TO: (check all that apply) <input 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: <u>Residence</u>
	PROPOSED USE: <u>Four-season addition</u>
	BUILDING APPLICATION PERMIT NO.: (if filed)
	DATE FILED:

TOWNSHIP SIGNATURE: By signing this form, the Township acknowledges they are aware of the Applicant's variance request. In no way does signing this application indicate the Township's position on the variance request.			Attached <input type="checkbox"/>
TOWNSHIP OFFICIAL'S SIGNATURE <u>Glen Betcher</u>	TOWNSHIP OFFICIAL'S PRINTED NAME AND TITLE <u>GLEN BETCHER</u>	DATE <u>3-28-23</u>	

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: 3.27.2023

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:

Single family residence. Would like to add a four season addition on the west side of the house.

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

We need the extra space, probably would have to discuss selling property

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:

The front of the house, west is not used as the main entry to the house

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

Discussed Addition to the North, Not Practicable due to Entry in House
Discussed Addition to the South, All Utilities Come in.
Discussed Addition to the West, Already have a deck there

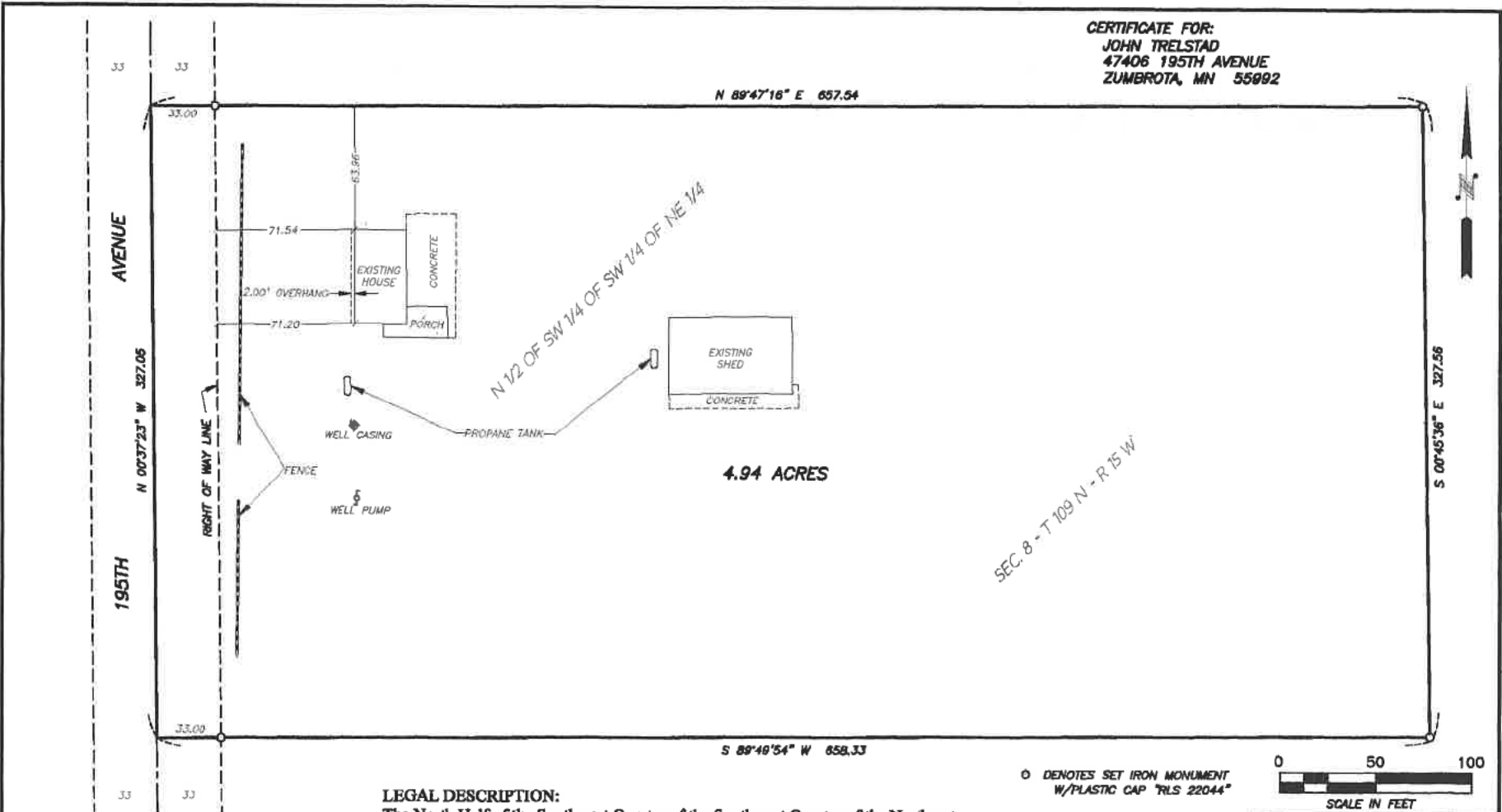
Discuss alternatives you considered that would require a lesser variance. If you rejected such alternatives, provide your reasoning:

We have discussed other options, the other options were not practicable for use.

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

It would not alter the neighborhood. It would make the property better

CERTIFICATE FOR:
 JOHN TRELSTAD
 47406 195TH AVENUE
 ZUMBROTA, MN 55092



4.94 ACRES

LEGAL DESCRIPTION:
 The North Half of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 8, Township 109 North, Range 15 West, Goodhue County, Minnesota. Containing 4.94 acres, more or less.
 Subject to a public road easement and all other easements and restrictions of record, if any.

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



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

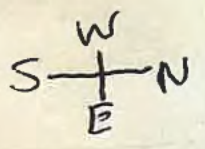
MARCH 28, 2023
 David D. Rapp
 David D. Rapp
 Minnesota Registration No. 22044

RAPP LAND SURVEYING, INC.		
40667 HIGHWAY 58 BLVD HENRIK, MN 55041 (612) 532-1263		
DRAWN BY: DR	DATE: 5-26-23	PROJECT NO. 02352
SCALE: 1" = 80'	SHEET: 1 of 1 sheet	BOOK/PAGE: 55/10

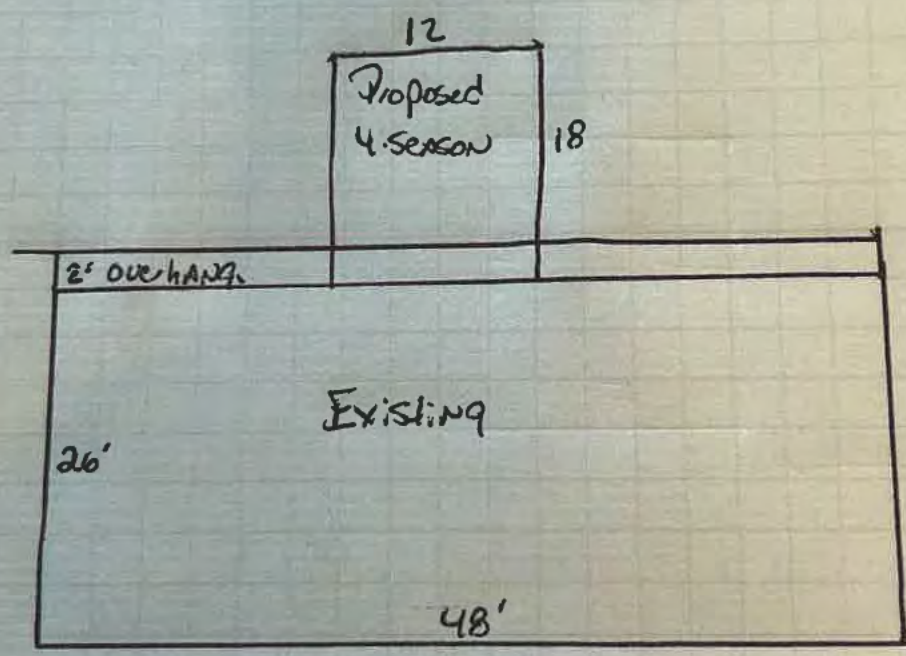
AIR CONDITIONING
PLUMBING & HEATING
WATER WORKS SUPPLIES



INDUSTRIAL SUPPLIES
PIPE, VALVES & FITTINGS
PUMPS & WELL SUPPLIES



53.54'
To Right/Wall



BOARD OF ADJUSTMENT

Public Hearing
April 24, 2023

John Trelstad (Owner)
A1 Zoned District

Part of the NW 1/2 of the SW 1/4
of the SW 1/4 of the NE 1/4 of
Section 8 TWP 109 Range 15
in Pine Island Township

Request for Variance to construct
an addition less than 60-feet from the
195th Avenue Right-of-Way.



390080900
LYNN D RITTER
10

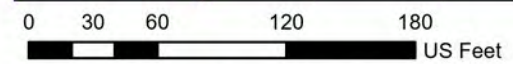
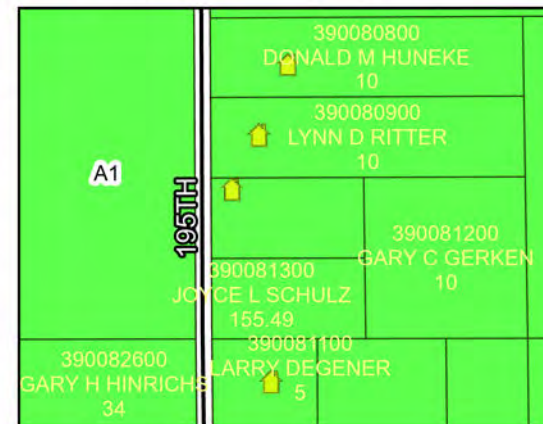
390081000
JOHN R TRELSTAD
5

390081200
GARY C GERKEN
10

390081100
LARRY DEGENER
5

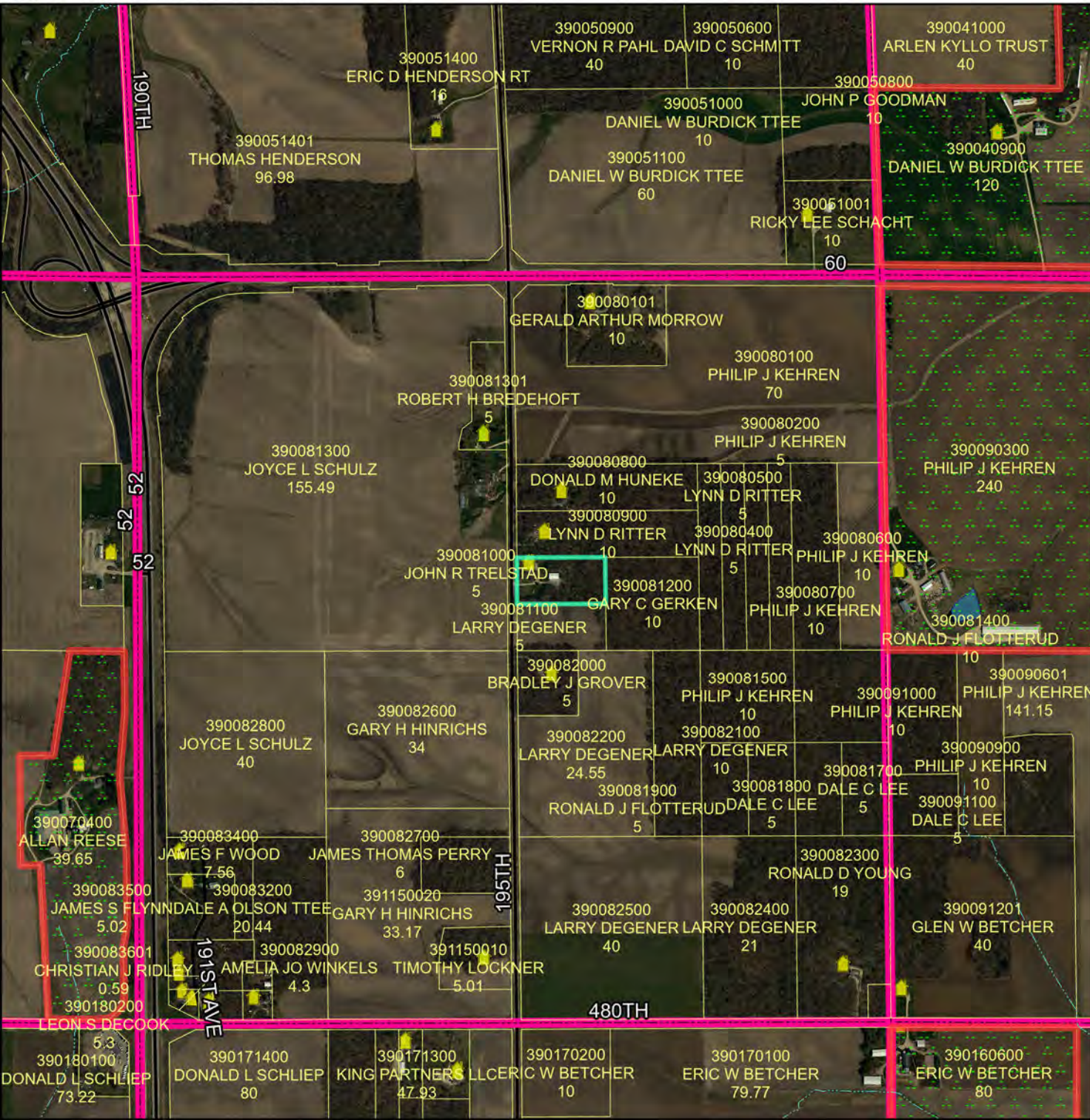
Legend

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



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BOARD OF ADJUSTMENT

Public Hearing
April 24, 2023

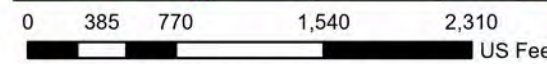
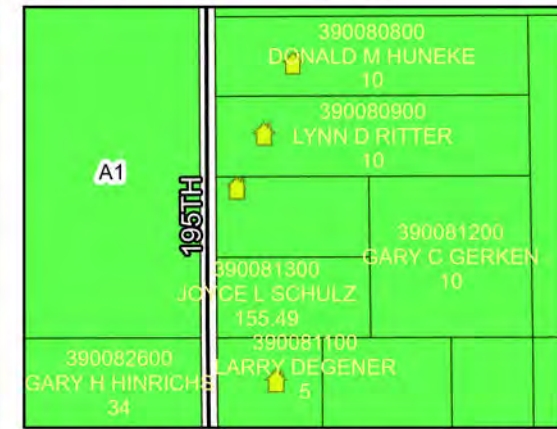
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- Intermittent Streams
- Protected Streams
- Lakes & Other Water Bodies
- Shoreland
- Historic Districts
- Parcels
- Registered Feedlots
- Municipalities
- Bluff Impact Zones (% slope) 20
- Bluff Impact Zones (% slope) 30
- FEMA Flood Zones 2% Annual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



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BOARD OF ADJUSTMENT

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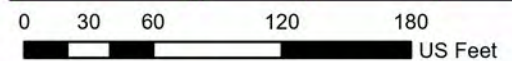
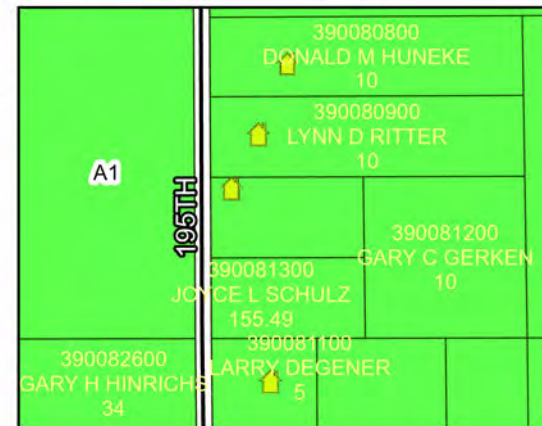
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2020 Aerial Imagery
Map Created March, 2023 by LUM

