

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
August 16th, 2024, MEETING MINUTES**

The Meeting of the Goodhue County Board of Adjustment was called to order at 5:00 PM by Chair Daniel Knott at the Goodhue County Government Center Board Room.

Roll Call

Commissioners Present: Daniel Knott, Randy Rechtzigel, Scott Breuer, Dennis Tebbe, Darwin Fox, and Keith Allen (arrived 5:14 PM)

Commissioners Absent: None

Staff Present: Zoning Administrator Samantha Pierret and Zoning Assistant William Lenzen

1. Approval of Agenda

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

Motion carried 5:0

2. Approval of Minutes

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

Motion carried 5:0

3. Conflict/Disclosure of Interest

There were no reported conflicts/disclosures of interest.

4. Public Hearings:

PUBLIC HEARING: Request for Variance to Accessory Dwelling Unit Standards

Request for Variance, submitted by Greg Goplen (Applicant) on behalf of the Goplen Family Irrevocable Trust (Owner) to Article 11 Section 31 Accessory Dwelling Units (ADUS) to allow an ADU to be established greater than 100 feet from the principal dwelling.

Lenzen presented the staff report and attachments.

Chair Knott asked where the main electric panel was located.

Lenzen explained that the panel is located on the shed just west of the proposed ADU location.

Chair Knott opened the Public Hearing

No one spoke for or against the request.

³After 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 stated that this is another good example of an ADU that fits the variance requirement due to the waterway between the primary dwelling and the proposed ADU location.

Commissioner Rechtzigel stated that he agreed.

⁴Motion by Commissioner Rechtzigel, 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

APPROVE the Request for Variance, submitted by Greg Goplen (Applicant) on behalf of the Goplen Family Irrevocable Trust (Owner) to Article 11 Section 31 Accessory Dwelling Units (ADUS) to allow an ADU to be

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established 160 feet from the principal dwelling.

Motion carried 5:0

PUBLIC HEARING: Request for Variance to Minimum Setback Standards

Request for Variance, submitted by Shane and Crystal Eckhoff (Owners) to A-1 Zoning District standards to allow an accessory building to be constructed less than 30 feet from a rear yard property line.

Lenzen presented the staff report and attachments.

Chair Knott wanted clarification as to where staff was suggesting the applicant could place the shed.

Lenzen stated that the area north of the house and west of the driveway was the area in mind.

Chair Knott stated that the applicant showed that the drain field is also located in that area just north of the house.

Lenzen also understood that the drain field was there and mentioned that the shed could go north of the drain field.

Commissioner Breuer questioned whether the temporary building would be removed once the new building is built.

Shane Eckhoff (Applicant) stated the temporary building would be removed.

Chair Knott opened the Public Hearing.

Lenzen read a letter submitted by Adam Callstrom(15566 County 1 BLVD Red Wing, MN) who owns the property just south of Shane and Crystal Eckhoff. Mr. Callstrom indicated he was okay with the placement of a shed 10 feet from the property line.

Commissioner Breuer questioned the distance stated in the Callstrom letter versus the variance request. The letter mentioned 10 feet and the request was for a 5-foot setback.

Chair Knott agreed with Commissioner Breuer's observation.

⁵After Chair Knott asked three times for additional comments, it was moved by Commissioner Tebbe and seconded by Commissioner Fox to close the Public Hearing.

Motion carried 6:0

Commissioner Tebbe stated that he can see why the Applicant doesn't want to put the shed to the north of the house to avoid excessive grading and for security purposes. The location proposed seems reasonable, he also had concerns about the setback difference from the letter and request.

Commissioner Fox stated that he was concerned about the 5-foot distance from the property line.

Commissioner Breuer wondered whether the applicant could move it farther away from the property line.

Shane Eckhoff stated that he considered asking to be further away from the property line but he didn't know if the builder would want to stay farther away from the buried power lines.

Commissioner Breuer clarified that if the building was moved farther away from the property line would it be over the buried lines?

Applicant added that the neighbor has an easement through their property on the northwest side.

Richard Callstrom (Adam Callstrom's Father) stated that he and Adam have no problems with Eckhoff's proposal to be 5 feet from the property line.

Commissioner Allen stated that image 1 and image 2 attached to the staff packet show the property lines in different spots. He asked which one was more accurate.

Lenzen stated that he did find the southeast survey pin while on the site visit and would say that image/map 1 is more accurate.

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The Applicant added that the letter was from earlier this year before the electrical lines were marked. At that time the Applicant believed a 10-foot setback would be adequate.

⁶Motion by Commissioner Breuer, seconded by Commissioner 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 for Variance, submitted by Shane and Crystal Eckhoff (Owners) to A-1 Zoning District standards to allow an accessory building to be constructed no less than 5 feet from a rear yard property line.

Commissioner Rehtzigel stated that he is not in favor of approving this request due to the 5-foot setback. He discussed previous requests for similar setbacks from farm fields and the impacts of runoff.

Commissioner Fox stated that he isn't comfortable approving this with such a small setback.

Chair Knott stated that having the roof sloped toward the field could create an erosion problem.

Commissioner Tebbe stated that it looks like all the water already runs onto the field.

Chair Knott stated that this area is the high point. He also asked which way the roof would be sloped.

The Applicant stated that the roof will be sloped from the north to the south.

Motion carried 4:2 (Fox and Rehtzigel against)

PUBLIC HEARING: Request for Variance to Minimum Setback Standards

Request for Variance, submitted by Lyle Stewart (Owner) to R-1 Zoning District standards to allow an accessory building to be constructed less than 25 feet from the Caledonia Avenue Right of Way.

Lenzen presented the staff report and attachments.

Chair Knott opened the Public Hearing

No one spoke for or against the request.

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

Motion carried 6:0

Commissioner Fox stated that this seemed straightforward, the only thing that triggered a variance was the fact that the shed would be bigger than the original.

⁸Motion by Commissioner Fox, seconded by Commissioner 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 for Variance, submitted by Lyle Stewart (Owner) to allow an accessory building to be constructed 14 feet from the Caledonia Avenue Right-of-Way.

Commissioner Breuer asked if the BOA can approve a County variance before the Township approves their variance.

Chair Knott stated that this board is approving the County's Variance and Florence Township will need to act on their variance.

Motion carried 6:0

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Other-Discussion

There was no other discussion.

⁹Motion by Commissioner Breuer, seconded by Commissioner Allen to adjourn the BOA meeting at 5:45 PM.

Motion carried 6:0

Respectfully submitted:

William Lenzen, Zoning Assistant

MOTIONS

¹ Motion to approve Agenda

Motion carried 5:0

² Motion to approve previous month's meeting minutes

Motion carried 5:0

³ Motion to close the Public Hearing

Motion carried 5:0

⁴ APPROVE the Variance to Accessory Dwelling Unit Standards

Motion carried 5:0

⁵ Motion to close the Public Hearing

Motion carried 6:0

⁶ APPROVE the Variance to Minimum Setback Standards

Motion carried 4:22

⁷ Motion to close the Public Hearing

Motion carried 6:0

⁸ APPROVE the Variance to Minimum Setback Standards

Motion carried 6:0

⁹ Motion to adjourn

Motion carried 6:0