

## BOARD OF ADJUSTMENT, GOODHUE COUNTY, MN

### SEPTEMBER 26, 2011

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The meeting of the Goodhue County Board of Adjustment was called to order at 6:30 p.m. by Chair Dennis Monroe in the Goodhue County Justice Center located at 454 West Sixth Street in Red Wing, Minnesota.

Present: Mike Hinsch                      Mike Wozniak                      Dennis Monroe                      Rich Bauer  
                 Mike McKay                      Brad Anderson

Absent: Judy Fritzingler

Late arrival: Mike Hinsch

C/D. Monroe stated that George and Marion Olson requested to be moved to the first item on the agenda.

***1*Motion by R. Bauer seconded by B. Anderson and carried to approve the amended September 26, 2011 Board of Adjustment Agenda. Motion carried 4-0.**

***2*Motion by R. Bauer seconded by B. Anderson and carried to approve the August 22, 2011 Board of Adjustment regular meeting minutes. Motion carried 4:0**

**Conflict/Disclosure of Interest:** None to be discussed.

*M. Hinsch arrived.*

**George and Marion Olson** Part of Lot 1 Auditor Subdivision Plat 36110, Kenyon Township. The request is for a variance to build an addition onto a dwelling five feet from the West property line instead of the required 30 foot side yard setback (variance for 25 feet).

M. Wozniak presented the staff report, draft findings of fact and staff recommendation.

#### **Discussion**

*C/D. Monroe opened the public hearing.*

*After no public comment it was motioned by B. Anderson and seconded by M. McKay to close public comment. Motion carried 5:0.*

***3*Motion by M. McKay and seconded by R. Bauer to Approve the variance to build an addition onto a dwelling five feet from the West property line instead of the required 30 foot side yard setback (variance for 25 feet). Motion carried 5:0.**

**Audrey Novek-Byron and Candis Novek** SW ¼ Section 31, T112N R14W, Hay Creek Township. The request is a variance to allow an additional dwelling in the NW ¼ of the SW ¼ Section 31 Hay Creek Township.

M. Wozniak presented the staff report, draft findings of fact and staff recommendation.

#### **Discussion**

*Motioned by B. Anderson and seconded by M. Hinsch to take off table. Motion carried 5:0.*

*C/D. Monroe opened the public hearing.*

*After no public comment it was motioned by M. Hinsch and seconded by B. Anderson to close public comment. Motion carried 5:0.*

M. McKay commented that the dwelling site preferred by the applicants represents a reasonable use of the property in that it has several advantages in regard to site planning including greater distance (depth) between the toe of the bluff and the flood-prone area along the stream, the dwelling would be set back further from County Road 3, and it would offer better opportunity for solar access.

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***4Motion by M. McKay and seconded by M. Hirsch to Approve the variance to allow an additional dwelling in the NW ¼ of the SW ¼ Section 31 Hay Creek Township with deed restriction. Motion carried 5:0.***

**Morris Dicke** Part of NW ¼ of SW ¼ Section 36 T112N R15W, Featherstone Township. The request is for a variance to build an accessory building with the intent to house livestock 52 feet from the North property line instead of the required 100 foot side yard setback (variance for 48 feet).

M. Wozniak presented the staff report, draft findings of fact and staff recommendation.

**Discussion**

*C/D. Monroe opened the public hearing.*

*After no public comment it was motioned by R. Bauer and seconded by M. Hirsch to close public comment. Motion carried 5:0.*

***5Motion by M. McKay and seconded by M. Hirsch to approve the variance to build an accessory building with the intent to house livestock 52 feet from the North property line instead of the required 100 foot side yard setback (variance for 48 feet). Motion carried 5:0.***

**Jeff Simonson** West 1320 feet of SW ¼ Section 4 T112N R15W, Featherstone Township. The request is for a variance to build an accessory building within the bluff impact zone instead of the required 30 foot setback to the toe of the bluff (variance is for 30 feet).

M. Wozniak presented the staff report, draft findings of fact and staff recommendation.

**Discussion**

*C/D. Monroe opened the public hearing.*

*After no public comment it was motioned by M. McKay and seconded by R. Bauer to close public comment. Motion carried 5:0.*

***6Motion by M. McKay and seconded by B. Anderson to approve the variance to build an accessory building within the bluff impact zone instead of the required 30 foot setback to the toe of the bluff (variance is for 30 feet). Motion carried 5:0.***

**Staff Updates:**

M. Wozniak gave an update on the silica sand moratorium request. Staff looking at constructing new language for a CUP option for contractor yards and staging areas in Agricultural Zone Districts.

***7Motion by R. Bauer and seconded by M. Hirsch to adjourn the September 26, 2011 Board of Adjustment meeting at 7:36 p.m. Motion carried 5:0.***

Respectfully Submitted,

Kelly Moriarty  
Secretary

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**MINUTES**

<sup>1</sup> APPROVE the amended September 26, 2011 Board of Adjustment Agenda. Motion carried 4:0.

<sup>2</sup> APPROVE the August 22, 2011 Board of Adjustment regular meeting minutes. Motion carried 4:0.

<sup>3</sup> APPROVE the variance to build an addition onto a dwelling five feet from the West property line instead of the required 30 foot side yard setback (variance for 25 feet). Motion carried 5:0.

<sup>4</sup> APPROVE the variance to allow an additional dwelling in the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 31 Hay Creek Township. Motion carried 5:0.

<sup>5</sup> APPROVE the variance to build an accessory building with the intent to house livestock 52 feet from the North property line instead of the required 100 foot side yard setback (variance for 48 feet). Motion carried 5:0.

<sup>6</sup> APPROVE variance to build an accessory building within the bluff impact zone instead of the required 30 foot setback to the toe of the bluff (variance is for 30 feet). Motion carried 5:0.

<sup>7</sup> ADJOURN September 26, 2011 Board of Adjustment meeting at 7:36p.m. Motion carried 5:0.