

BOARD OF ADJUSTMENT, GOODHUE COUNTY, MN

FEBRUARY 22, 2010

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

Present: Judy Fritzingler Stanley Klair Lisa Hanni Bernie Overby Dennis Monroe
Brad Anderson

Absent: Mike McKay

¹Motion by B. Overby seconded by S. Klair and carried to approve the February 22, 2010 Board of Adjustment Agenda. Motion carried 5-0.

²Motion by D. Monroe seconded by J. Fritzingler and carried to approve the January 25, 2010 Board of Adjustment regular meeting minutes. Motion carried 5-0.

Staff Updates: L. Hanni said LUM staff still looking at March 15 Joint PAC-BOA meeting before PAC meeting with County Board at 5 pm. PUC meeting on March 4 at Mazeppa middle school at 7 pm.

Conflict/Disclosure of Interest: None.

Stuart Diepenbrock—Part of Lot 54 Section 30 T112N, R12W, Florence Township. The request is for a variance to build a 20'x46' addition onto an accessory building which would cause the total square footage of the building to be larger than the allowed 1,500 square feet in the R-1 District. The total square feet of the structure would be 3,080 square feet.

L. Hanni presented the staff report, findings of fact and staff recommendation:

Findings of Fact:

The topography of the property is such that the addition will not be very visible from the road, making the addition to the accessory building less obtrusive, than an additional structure would be. The request should have no adverse material affects on neighboring properties, nor will it affect the health or safety of persons residing or working in the area adjacent to the property of the applicant. Denying the variance could alter the essential character of the locality by allowing a third accessory building on a residential lot. The hardship in this circumstance is the aesthetics of the property. The property is being put to reasonable use, and the applicant could build a separate building to house his RV, without the need of the variance. However, a separate building would be aesthetically detrimental and unnecessary. The addition to the structure is to the north side of the building further from the road less obtrusive from the road. The parcel to the north of Mr. Diepenbrock is used as agricultural land, and the property owner adjacent to the shed has no issues with the variance. The request would increase the square footage of the structure by half. The character of the neighborhood should remain unchanged. A separate building could be built. The existing building could be altered to make an RV fit better; however economics would play a part in that situation. These are small parcels, and Mr. Diepenbrock owns two original lots which allowed him the extra space to build the accessory building in the first place, but the property is not set up to support another structure, it would be uncharacteristic of the neighborhood to allow the alternative to occur. In weighing all of the factors above, it appears that practical difficulties exist and that the interests of the justice would not be served by denying the variance.

Staff Recommendation

Based on the findings of fact, staff recommends that the Board of Adjustment adopt the staff report into the record, accept the findings of fact, and approve the variance to build a 20'x46' addition onto an accessory building which would cause the total square footage of the building to be larger than the allowed 1,500 square feet in the R-1 District. The total square feet of the structure would be 3,080 square feet.

Discussion

L. Hanni Gave update to size of Variance and read report.

Mr. Diepenbrock gave explanation of setback change and building size adjustment.

L. Hanni said he does not need variance to setback, just size. She continued report, findings of fact , and recommendation of total of 3, 120 feet structure.

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B. Overby asked L. Hanni about original building not being used commercial, should we put that in.

L. Hanni said you could, R-1 District, don't want commercial there.

Mr. Diepenbrock said no commercial, just storage, re-stated size adjustment from builders. Has to take tires off to get RV in now. Build down 2 feet in cut to bring some of foundation down also.

J. Fritzingler asked would that be level then.

Mr. Diepenbrock said may stick a foot or two below original line of existing roof in back.

S. Klair gave site visit summary, tight fit now.

C/B. Anderson opened the public hearing.

No one present wished to speak for or against the request.

After no public comment it was motioned by S. Klair and seconded by D. Monroe to close public comment. Motion carried 5-0.

S. Klair explained double lot and room for it.

C/B. Anderson added not second septic are also.

S. Klair said it made sense.

³Motion by S. Klair and seconded by J. Fritzingler to adopt the staff report into the record, accept the findings of fact, and approve the variance to build a 20'x48' addition onto an accessory building which would cause the total square footage of the building to be larger than the allowed 1,500 square feet in the R-1 District. The total square feet of the structure would be 3,120 square feet, with added wording no commercial. Motion carried 5-0.

L. Hanni asked BOA what points do they want to tell County Board.

B. Overby said lot splits.

C/B. Anderson explained Weiss situation of banks wanting smaller parcels for home loans, etc.

L. Hanni explained banks and taxes affecting Ordinance.

B. Overby brought up A-3 and 35 acres issues.

C/B. Anderson said can't get financing for homes at 35 acres unless like agstar.

L. Hanni brought up past variances from 2004 dropping in volume till now.

⁴Motion by S. Klair and seconded by D. Monroe to adjourn the February 22, 2010 Board of Adjustment meeting at 6:45 p.m. Motion carried 5:0.

Respectfully Submitted,

Kelly Moriarity

Secretary

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MINUTES

¹ APPROVE February 22, 2010 Board of Adjustment Agenda. Motion carried 5:0.

² APPROVE the January 25, 2010 Board of Adjustment regular meeting minutes. Motion carried 5:0.

³ APPROVE the variance to build a 20'x46' addition onto an accessory building which would cause the total square footage of the building to be larger than the allowed 1,500 square feet in the R-1 District. The total square feet of the structure would be 3,120 square feet. Motion carried 5:0.

⁴ ADJOURN February 22, 2010 Board of Adjustment meeting at 6:45 p.m. Motion carried 5:0.