

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
March 25th, 2019 MEETING MINUTES**

The meeting of the Goodhue County Board of Adjustment was called to order at 5:30 PM by Chair Ellingsberg in the Goodhue County Government Center Court Room in Red Wing, MN.

Roll Call

Commissioners Present: Darwin Fox, Rich Ellingsberg, Kristin Toegel, Robert Benson, Dan Knott

Staff Present: Zoning Administrator Michael Wozniak, Zoning Assistant Ryan Bechel

1. Approval of Agenda

¹Motion by **Benson**, and seconded by **Fox** to approve the meeting agenda
Motion carried 5:0

2. Approval of Minutes

²Motion by **Benson** and seconded by **Toegel** to approve the previous month's meeting minutes with the time change.
Motion carried 5:0

3. Appointment of Chair and Vice Chair

³Motion by **Toegel** and seconded by **Fox** to reappoint Rich Ellingsberg as Chair
Motion carried 5:0

⁴Motion by **Benson** and seconded by **Fox** to appoint Daniel Knott as Vice Chair
Motion carried 5:0

4. Conflict of Interest/Disclosure

There were no reported conflicts of interest.

5. Public Hearings:

PUBLIC HEARING: Request for Variance to Feedlot Setback Standards

Request for Variance, submitted by Jeremy Schafer, 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 OFFSET model) of an existing dwelling. Parcels 26.021.0101. 26990 370th ST, Goodhue, MN 55027. Part of the NE ¼ of the NE ¼ of Sect 21 Twp 111 Range 14 in Belvidere Township. A1 Zoned District.

The applicant was not present to represent the application.

Ryan Bechel (Bechel) presented the staff report and summarized the request.

Commissioner Knott asked if the dwelling on the Applicant's property is also required to meet the 1000 foot setback requirement.

Bechel responded that it is not required because the dwelling is on the same parcel as the proposed feedlot.

Commissioner Toegel commented that it appeared the subject property and the parcel to the west was at one time combined.

Wozniak responded that was likely the case and they were subdivided prior to current zoning regulations.

Chair Ellingsberg opened the Public Hearing.

No one from the public was present to speak for or against the request.

After Chair Ellingsberg asked three times for comments it was moved by Benson and seconded by Toegel to close the public hearing.

Motion carried 5:0

Commissioner Fox inquired about the manure management plans for the proposed feedlot.

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Kelsey Petit (Goodhue County Feedlot Officer) responded that the applicant has spreading agreements with nearby family to land apply the animal waste.

5 Motion by Commissioner Benson, seconded by Commissioner Fox, 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 Jeremy Schafer, to Article 13 (Confined Feedlot Regulations) setback standards to allow a new registered feedlot to be established less than 1000 feet or 94% odor annoyance-free rating (as determined by the OFFSET model) from an existing dwelling.

Motion carried 5:0

PUBLIC HEARING: Request for Variance to Setback Requirements for Livestock Buildings

Request for Variance, submitted by Jeremy Schafer, to the 100-foot side-yard structure setback standard for buildings containing livestock to allow an existing barn to be re-established as a feedlot. Parcels 26.021.0101. 26990 370th ST, Goodhue, MN 55027. Part of the NE ¼ of the NE ¼ of Sect 21 Twp 111 Range 14 in Belvidere Township. A1 Zoned District.

The Applicant was not present to represent the request.

Bechel presented the staff report and summarized the request.

Commissioner Toegel asked if the 4.6-acre parcel was large enough to support 35 beef cattle.

Bechel responded that feedlot manure management plans often specify off-premises areas for handling animal waste. Sometimes the property is where the waste is applied is owned by the feedlot operator, other times they have land spreading agreements in place.

Chair Ellingsberg opened the Public Hearing.

No one from the public spoke in favor or against the request.

After Chair Ellingsberg asked three times for comments it was moved by Fox and seconded by Benson to close the public hearing.

Motion carried 5:0

Commissioner Fox commented that there are a lot of instances in the county where we have existing lots that were established prior to current setback standards. It is good practice to get the variances and zoning approvals in place now when the neighboring property owner is a relative before someone new moves in who doesn't understand the situation.

6 Motion by Commissioner Fox, seconded by Commissioner Toegel, 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 Jeremy Schafer, to allow buildings containing livestock 50 feet from the west side-yard property line where 100 feet is required.

Motion carried 5:0

6. Other-Discussion

There was discussion regarding changes to Land Use Management staffing and comments regarding Solar Energy System Activities in the County. A status update of Douglas Mahoney's Table Mineral Extraction Variance requests was provided.

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7. Adjourn

7Motion by Benson seconded by Knott to adjourn the Board of Adjustment meeting at 6:11 PM.

Motion carried 5:0

Respectfully submitted,

Zoning Assistant, Ryan Bechel

MOTIONS

¹ APPROVE the meeting agenda. Motion carried 5:0

² APPROVE the previous meeting's minutes. Motion carried 5:0

³ APPOINT Rich Ellingsberg chair of the BOA. Motion carried 5:0

⁴ APPOINT Richard Mallan Vice Chair of the BOA. Motion carried 5:0

⁵ APPROVE the variance request to 1000 foot feedlot setback standards. Motion Carried 5:0

⁶ APPROVE the variance request to side-yard setback standards to allow a building containing livestock 50 feet from a side-yard property line. Motion Carried 5:0

⁷ ADJOURN. Motion carried 5:0

UNOFFICIAL UNTIL APPROVED BY THE BOA