

# WABASHA COUNTY BOARD OF ADJUSTMENT

## NOTICE OF MEETING

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The Wabasha County Board of Adjustment will hold a meeting on **February 9, 2016 at 7:00 p.m.** in the County Board Room located in the Courthouse Annex Building, 625 Jefferson Ave., Wabasha, MN. This meeting is open to the public.

### Agenda

1. Call to order.
2. Approval of the agenda.
3. Approval of the minutes from the January 12, 2016 meeting.
4. Public Hearing:
  - Application submitted by Henry Keller requesting a variance from Section 5, Subd. 512 of the Wabasha County Feedlot Ordinance to allow for the construction of a feedlot barn 65' from a property line. The property on which the request is being made is described as parcel R03.00075.00 located in Section 8, Township 110 North, Range 13 West, Town of Gillford (66852 Hwy. 63, Lake City, MN).
5. Close public hearing and move to the findings.
6. Take action as necessary on Keller application.
7. Public Hearing:
  - Application submitted by Deb and Lyle Andreen requesting a variance from Chapter 394.36, Subd. 4 Minn. Stats. and Chapter 7.06 of the Wabasha County Zoning Ordinance to allow for the expansion of a nonconforming structure that will have a final setback of 42.5' from the center of a public road. The property on which the request is being made is described as parcel R09.00373.15 located in Section 34, Township 109 North, Range 14 West, Town of Mazeppa (40346 County Road 90, Mazeppa, MN).
8. Close public hearing and move to the findings.
9. Take action as necessary on Andreen application.
10. Other business.
11. Adjourn

MINUTES OF THE NOVEMBER 10, 2015  
WABASHA COUNTY BOARD OF ADJUSTMENT MEETING

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1. The meeting was called to order at 7:00 p.m. by Vice-Chair Jon Beckman. Other members present were Ken Jacob, and Mike Wallerich. Robert Walkes arrived at 7:05 p.m.
2. Motion by Jacob/Wallerich to approve the agenda as presented. Motion carried.
3. Motion by Wallerich/Jacob to approve the minutes of the November 10, 2015 meeting. Motion carried.
4. Public Hearing:
  - Application submitted by Derek and Dana Johnson requesting variances from Chapter 7.06 of the Wabasha County Zoning Ordinance; Article 13, Section 8, Subd. 4 of the Wabasha County Zoning Ordinance; Article 13, Section 9, Subd. 5 of the Wabasha County Zoning Ordinance; and Chapter 394.36, Subd. 4 Minn. Stats. The application is asking for variances to allow part of a septic system to be located less than 75' from the ordinary highwater mark of Lake Zumbro, allow for the expansion of a nonconforming dwelling, have an impervious surface of a parcel greater than 25%, and have a dwelling less than 15' to a side property line. The property where the variances are being requested is described as parcel R17.00347.00 located in Sec. 34, T. 109 N., R. 14 W., Town of Zumbro (40674 Ryan's Bay Road, Zumbro Falls).
5. Motion by Jacob/Walkes to close the public hearing on the request and to move to the findings. Motion carried.
6. Motion by Wallerich/Walkes to approve the Johnson variance request as presented with the following conditions. A shoreland buffer of native vegetation that extends landward an average of 25' and runs parallel to the shoreline, except for a 30' wide viewing corridor, shall be established. A restoration plan and schedule for the buffer shall be submitted prior to a building permit being issued and a document shall be recorded on the parcel for the buffer to remain as required by this decision. Also, the stormwater from a 2-year, 24-hour storm event shall be retained on the property through the means of a rain garden or subsurface drainage system for any impervious surface over the 25% threshold. Motion carried.
7. No additional business discussed.
8. Motion by Jacob/Walkes to adjourn at 7:35 p.m. Motion carried.

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Chairman

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Date



Parcel ID # 03.00075.00

# Wabasha County Application for Variance or Appeal

- An accurate and complete application for a variance or appeal shall be submitted along with a \$300 application fee to begin processing the application. **Incomplete applications will not be processed.**
- A plot plan shall be submitted with all applications.
- Applications must be received by the Zoning Department on or before the 15<sup>th</sup> day of the month in order to be considered by the Board of Adjustment at the meeting in the **proceeding** month.
- As per state statute, notice of the public hearing for your request will be sent to all landowners within 500 feet of the property upon which the variance is being sought.

Applicant's name: Henry Keller Phone number: 507 696 2176  
 Applicant's address: 6685 2 Hwy 63 Lake City MN 55041  
 Address of property: 6685 2 Hwy 63 Lake City MN 55041  
 Legal description: Sec. 08, T. 116, R. 013, Township of Gilford

**The following questions shall be answered in order to consider your application.**

1. List the appeal or variance(s) being requested: To have a freestall barn for dairy cows to be <sup>closer</sup> ~~closer~~ than <sup>the</sup> 200 ft distance to neighboring property. The real distance will be 65 <sup>ft</sup>
2. For a variance request, explain the unique circumstances or conditions that cause you to seek a variance as opposed to finding an alternative that would comply with the Zoning Ordinance. The land lies more level where I'd like to put the building. The spot can be accessed ~~by~~ easier by feed trucks, milk trucks, etc. We'll be able to ~~se~~ build w/o having to have extra roads and dikes (retaining wall) to hold back dirt and divert water around building

Receipt # 6245 300<sup>00</sup> ✓ # 7976

3. Explain the general character of the surrounding properties and how your variance request(s) will not have an adverse effect on the character and quality of the area if granted. I would be expanding existing feed lot, the area I live in is agricultural, the fence line is cash crop land

4. Indicate the local township official notified of your request(s)(see clerk list on back of application), the date the official was notified, and any applicable permits you may have received from the township. met with Lyle Wright earlier this year, he said if its ok with MPCA is ok with township

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for staff of the Wabasha County Zoning Department to enter onto the property on which the variance is being proposed by this application during daylight hours to collect information relative to my proposal. I further agree to withdraw this application if substantive false or incorrect information has been included. I also understand that the \$300 fee is nonrefundable once a public hearing has been conducted on my proposal.

Henry Keller  
SIGNATURE OF APPLICANT

12-29-15  
DATE

OFFICE USE ONLY

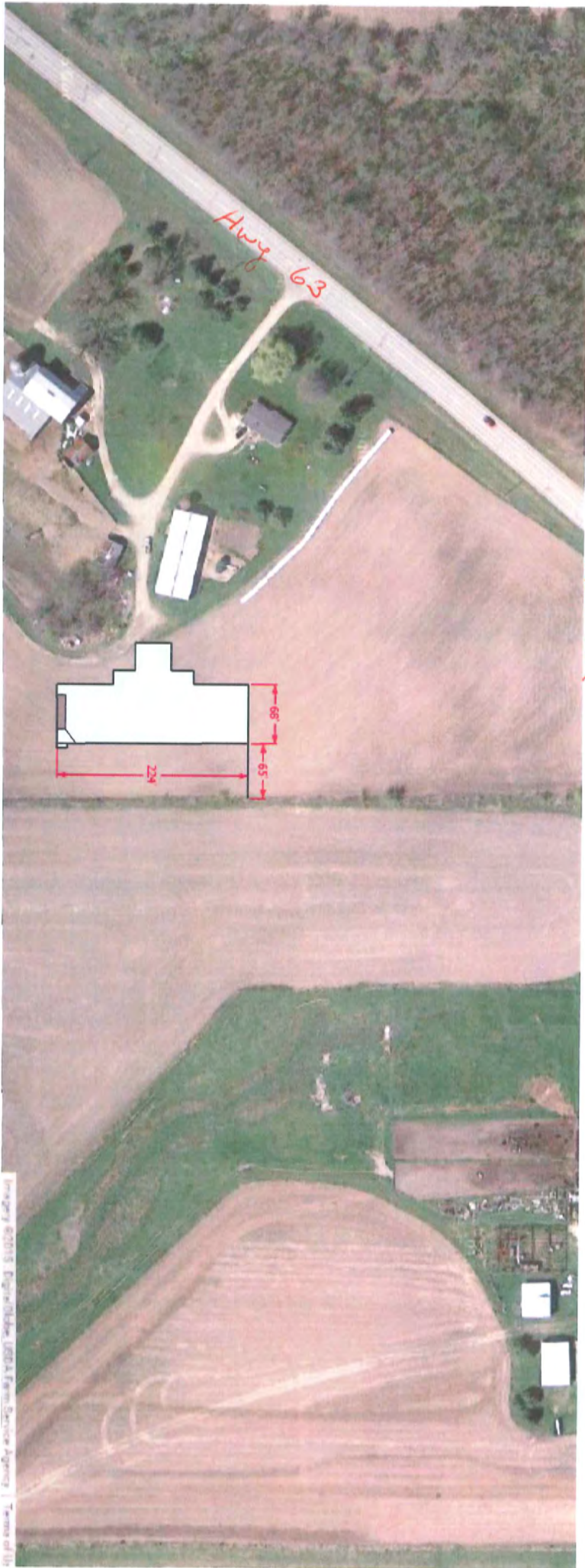
Zoning District:        A-1   A-2   A-3   R-1

Variance or appeal from section: \_\_\_\_\_

Date submitted: \_\_\_\_\_

Date of public hearing: \_\_\_\_\_

Date recorded: \_\_\_\_\_



North ↗



Wabasha County Environmental Services

County Courthouse
625 Jefferson Avenue
Wabasha MN 55981
Telephone: (651) 565-3062

Township Approval Form

Permit #

Parcel # 03.00075.00

Name of Applicant Henry Keller Phone # (507) 696 2176

Mailing Address 66852 Hwy 63 City Lake City State MN Zip 55041

911/Fire Address Same

Subdivision Name Lot Block

Section Township Range 1/4 Section

New Construction [checked] New Addition Remodel/ repair

Land split Other

For activity involving splitting property a letter of approval from a Township officer is required or their signature on this form. A list of current Township Officers is available at

http://www.co.wabasha.mn.us/images/pdf/docs/auditor\_treas/directory.pdf

Below are contacts for townships that may be more restrictive than the County in some areas of zoning and subdivision activity.

Table with 4 columns: Township Name, Contact Name, and Phone Number. Rows include Chester, Elgin, Mazeppa, Plainview, Zumbro, Greenfield, Mt. Pleasant, and Lake Townships.

The above activity meets the requirements of our Township Zoning Ordinance/Regulation and is hereby approved.

Township Official Signature [Signature] Date 12-29-15

Notes: Township has no issues with this project

\*\*GREENFIELD TOWNSHIP has an Ordinance for Road Excavation which requires a permit to install or connect a driveway or other private road to a Township street, alley, road or cartway. The Township Supervisors do not have to sign and return this form

THIS FORM MUST BE SIGNED BY A TOWNSHIP SUPERVISOR OR TOWNSHIP ZONING ADMINISTRATOR AND RETURNED TO:

WABASHA COUNTY ZONING ADMINISTRATOR
625 JEFFERSON AVENUE
WABASHA, MN 55981

# Wabasha County Application for Variance or Appeal

- An accurate and complete application for a variance or appeal shall be submitted along with a \$300 application fee to begin processing the application. **Incomplete applications will not be processed.**
- A plot plan shall be submitted with all applications.
- Applications must be received by the Zoning Department on or before the 15<sup>th</sup> day of the month in order to be considered by the Board of Adjustment at the meeting in the **proceeding** month.
- As per state statute, notice of the public hearing for your request will be sent to all landowners within 500 feet of the property upon which the variance is being sought.

**Applicant's name:** Deb and Lyle Andreen **Phone number:** 507-269-0144 (Deb), 507-269-9280 (Lyle)

**Applicant's address:** 40346 County Road 90, Mazeppa, MN 55956

**Address of property:** Same as Above. (Primary Residence)

**Legal description:** Sec. 34, T. 109 N, R. 14, Township of Mazeppa

**The following questions shall be answered in order to consider your application.**

1. **List the appeal or variance(s) being requested:**
  - A) Expansion of a non-conforming structure
  - B) Addition of a front porch which will be located 42 ½' from center of road
2. **For a variance request, explain the unique circumstances or conditions that cause you to seek a variance as opposed to finding an alternative that would comply with the Zoning Ordinance.**
  - A) Expansion of a non-conforming structure (See Attachments 1 and 2; Existing Structure)
    - We have worked hard to minimize the footprint of our requested expansion (436 square feet; See shaded area 'A' on Attachment 3). This is our primary home and the requested modest expansion will allow us to add a needed main floor bathroom, bedroom, and laundry room, none of which we currently have. Because of this, we are unable to entertain friends and/or family who are physically challenged due to the fact that they would need to navigate a full set of stairs to access a bathroom. As we are nearing retirement years, having a main floor bathroom, bedroom, and laundry room will also allow us to live in our home longer should we become ill and/or physically challenged ourselves.
    - The expansion will connect the house to the garage, thus allowing direct access from the garage into the home. Given the harsh Minnesota weather, especially in the winter, this expansion will help prevent falls particularly on snow/ice during the long winter months, thus improving safety.

Additionally, the garage (built in the 1950s) will be modestly lengthened to allow storage for the larger size of modern day, multiple vehicle households.

- The existing structure has several sagging beams, little insulation, and some original knob and tube wiring. The requested variance will allow us to gut the existing structure, replace sagging beams, install better insulation, replace knob-and-tube wiring, update plumbing and heating, and replace/repair other issues as found. This will improve the safety of our home, as well as making it more energy efficient.

B) Addition of a Front Porch

- With the recent widening of County Road 90, the front porch will be located 42 ½' from the center of the road. (Of note, there are several surrounding homes that are closer.) The addition of a front porch, a modest 198 square feet, will not only aesthetically improve the appearance of the home, but also allow for the placement of rain gutters, promote a 'front-porch' neighborhood mentality, and provide protection from the elements to us, visitors, and guests. (See 'B' on Attachment 3, as well as Attachment 4.)

3. **Explain the general character of the surrounding properties and how your variance request(s) will not have an adverse effect on the character and quality of the area if granted.** The surrounding properties have single family homes on them. The changes we are requesting will not have any adverse effects on our area. Rather, the changes will positively impact the value, character and quality of our neighborhood.
4. **Indicate the local township official notified of your request(s)(see clerk list on back of application), the date the official was notified, and any applicable permits you may have received from the township.** We met with Mazeppa Township members on March 2, 2015 and obtained an approved township permit.

**ADDENDUM:**

Please note:

- This property has obtained the necessary FEMA "Letter of Map Revision Floodway Determination Document (Removal), which ruled the structure is not in a floodway. The fact that our structure and property did not sustain any damage in the 'once in a lifetime' 2010 Lake Zumbro flood is further evidence that the FEMA map ruling/revision is accurate.
- We remain under the 25% impervious structure guideline, even with the proposed expansion.
- We recently replaced our retaining wall which was approved by the County, as well as the Department of the Army Corps of Engineers. We regraded part of the lawn and did extensive new landscaping along the retaining wall edge to help prevent run-off. We also plan to install a rain barrel (already purchased), and are willing to do additional landscaping work and/or buffer work as needed to further protect our lake and surrounding environment.



We are hopeful this proposed expansion is a win-win for all stakeholders. Thank you for considering our request.

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for staff of the Wabasha County Zoning Department to enter onto the property on which the variance is being proposed by this application during daylight hours to collect information relative to my proposal. I further agree to withdraw this application if substantive false or incorrect information has been included. I also understand that the \$300 fee is nonrefundable once a public hearing has been conducted on my proposal.

*Deb Andreen*

SIGNATURE OF APPLICANT

*4/14/2016*

DATE

OFFICE USE ONLY

Zoning District:      A-1   A-2   A-3   R-1

Variance or appeal from section: \_\_\_\_\_

Date submitted: \_\_\_\_\_

Date of public hearing: \_\_\_\_\_

Date recorded: \_\_\_\_\_

Receipt No# 6268  
✓ # 5036 - \$500.<sup>00</sup>

-92.475432 - 44.208330

Google Maps

1/6/2016



402nd Ave

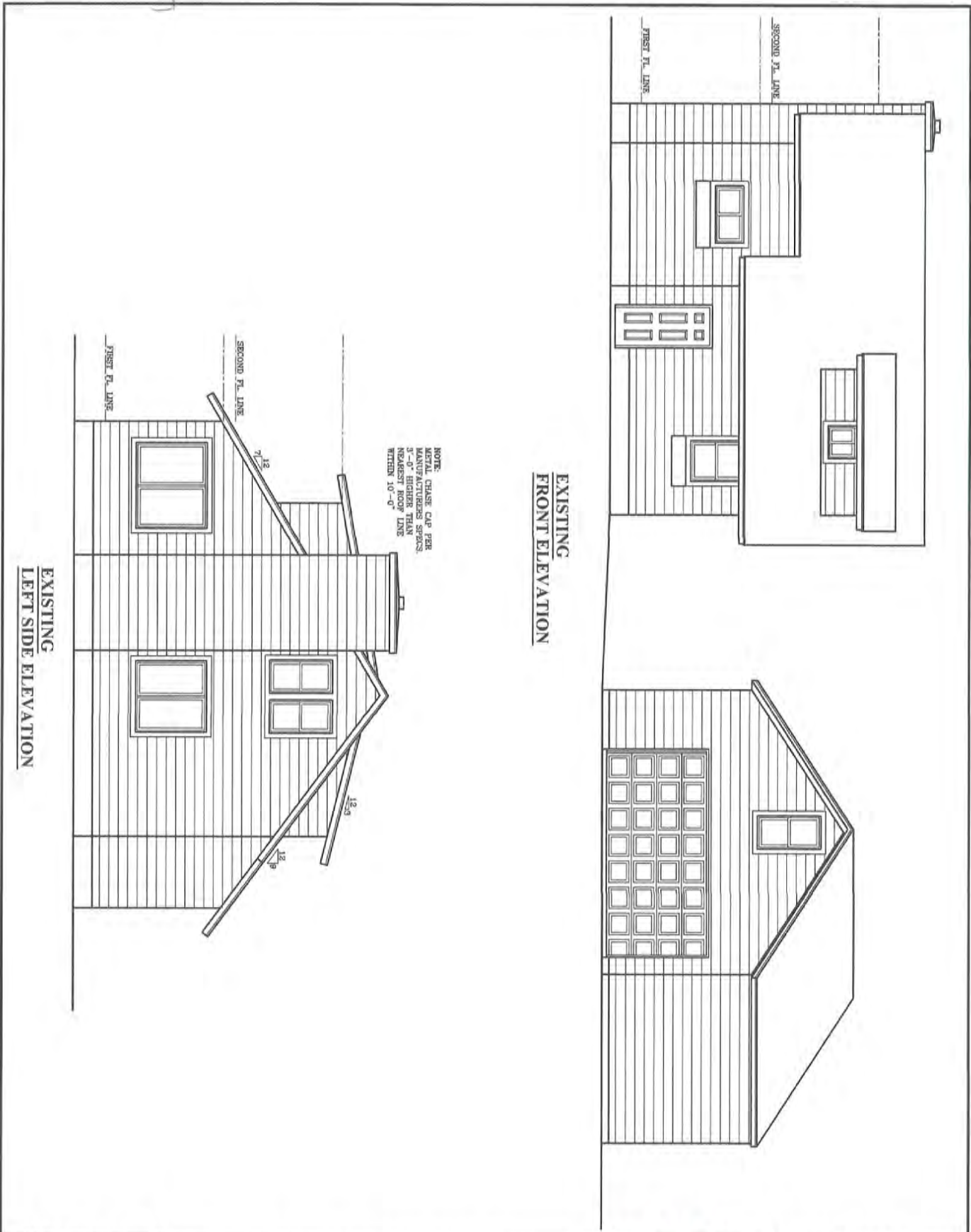
402nd Ave

402nd Ave

Google

Casey Publications

Imagery ©2016 Google, Map data ©2016 Google 50 ft



NOTE:  
METAL CHASE CAP PER  
MANUFACTURERS SPECS.  
NEEDS STRIPS THAN  
WIDEN STRIPS  
WITHIN 10'-0"

EXISTING  
FRONT ELEVATION

EXISTING  
LEFT SIDE ELEVATION

FINKE DRAFTING & DESIGN E1 OF 3	PLAN NO: #15-320
	SCALE: 1/4"=1'-0"
	ORIGINAL DATE: 6/8/2015
	REVISED DATE: 11/13/2015
	DRAWN BY: BRAD FINKE

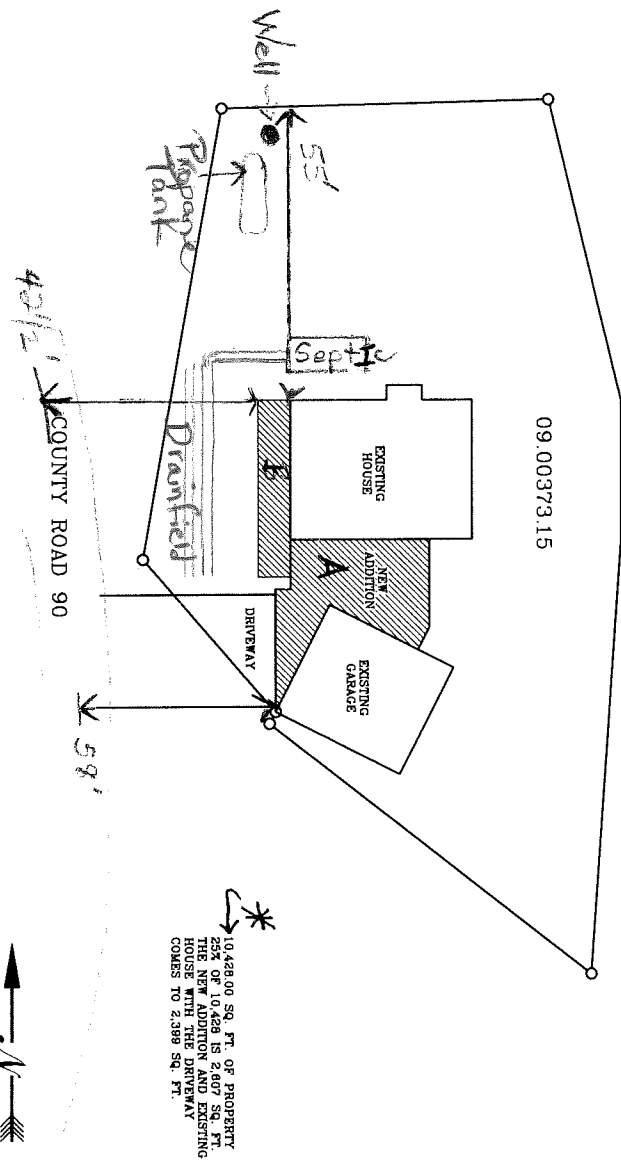
**ANDREEN RESIDENCE**  
 PERSONAL RESIDENCE ADDITION  
 40346 COUNTY 90

**FINKE**  
 DRAFTING & DESIGN

P: 567-526-0025      109 7th St. NE, Suite 14  
 E: bfinke@gnail.com      Rochester, MN 55905

**DISCLAIMER**

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**PLOT PLAN**



10,428.00 SQ. FT. OF PROPERTY  
 2,388.00 SQ. FT. OF THE  
 NEW ADDITION AND EXISTING  
 HOUSE WITH THE DRIVEWAY  
 COMES TO 2,388 SQ. FT.

PLAN NO: #15-320
SCALE: 1/16"=1'-0"
ORIGINAL DATE: 12/29/2015
REVISED DATE: 12/29/2015
DRAWN BY: BRAD FINKE

**ANDREEN RESIDENCE**

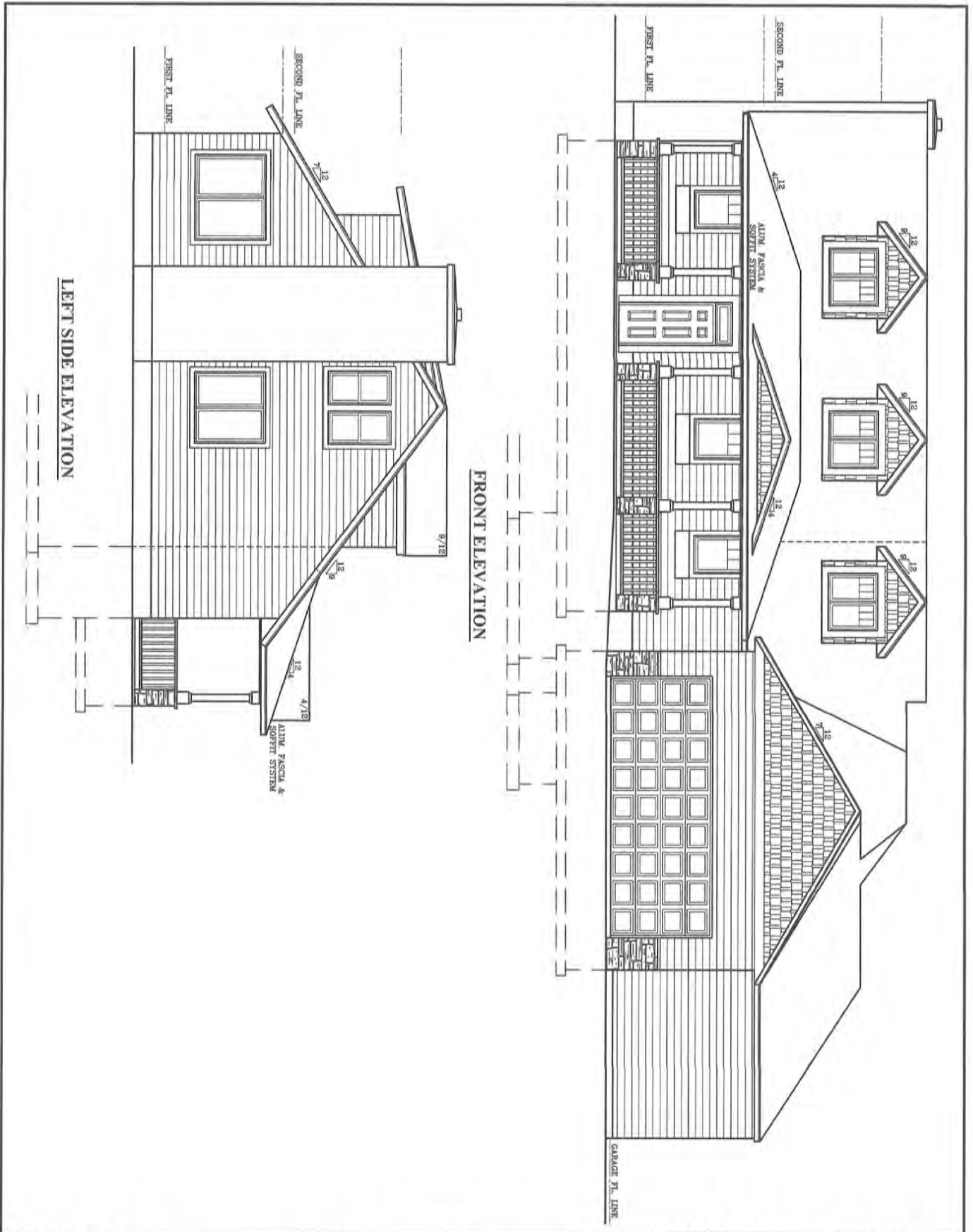
PERSONAL RESIDENCE ADDITION  
 40346 COUNTY 90

**FINKE**  
 DRAFTING & DESIGN

P: 507-536-0029      103 7th St. NE, Suite 14  
 E: fdd@fd@gmail.com      Rochester, MN 55906

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SHEET NUMBER IN 1 OF 6	PLAN NO: #15-320
	SCALE: 1/4"=1'-0"
	ORIGINAL DATE: 6/8/2015
	REVISED DATE: 11/16/2015
DRAWN BY: BRAD FINKE	

**ANDREEN RESIDENCE**  
 PERSONAL RESIDENCE ADDITION  
 40346 COUNTY 90

**FINKE**  
 DRAFTING & DESIGN

P: 507-538-0029      1007th St. NE, Suite 14  
 E: bfinke@gnaf.com      Rochester, MN 55906

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