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Redwood County

www.co.redwood.mn.us

Application for Variance

REDWOOD COUNTY ENVIRONMENTAL OFFICE

Permit #: 1-20v Date: 2/28/20

Location of the Affected Parcel or Property:

Address: 42529 County Road 7 City: Belview State: MN Zip: 56214

Parcel Number: 68-020-2040 Township Name: Swedes Forest

Section: 20 Township Number: 114 Range: 37

Legal Description:

S 1/2 NW 1/4

Information about the Variance Request:

Zoning District: AGRICULTURE / Shoreland

General description of the building or request:

40x80 shed with attached 40x40 house. Variance of 55' from 150' setback from Boiling Spring Creek

Type of occupancy:

Residence

Building Size: (Please enter dimensions in feet)

Shed Width: 40 Length: 80 Diameter: House Width 40 Length 40 Sidewall Height: 14 Total Height: 20 sidewall 9 Total 20

Setbacks: (Please enter in feet)

Side Yard Setback: 80 Direction: South Side Yard Setback: 200 Direction: East Rear Yard Setback: Direction:

Road Type: Paved/County Setback from the Center of the Road: 2580

Right-of-Way Width measured from Centerline 33 50

Other information:

House will be 95' from the bank of the creek to the south, and the shed will be 125' from the bank of the creek to the east. Old granary building will be moved and placed on a location 125' from the bank of the creek.

Applicant Information:

First Name: Gregory & Julie Last Name: Mensen
Business Name: Mensen Farm
Address: 41433 2Pth Ave City: Albany State: MN Zip: 56307
Home Phone: — Cell Phone: 507-828-9365 Email: gmensen@hotmail.com

Land Owner Information: (Complete only if different from applicant)

First Name: _____ Last Name: _____
Business Name: _____
Address: _____ City: _____ State: MN Zip: _____
House # Street Name
Home Phone: _____ Cell Phone: _____ Email: _____

I affirm that the forgoing information is true and accurate. I understand that if any portion of this information is false or materially misleading, any variance issued in reliance upon this information is voidable at the election of Redwood County.

Land Owner Signature: Gregory & Julie Mensen Date: 2/2/20

The following must be attached for this to be considered a completed application:

* A detailed site map. This must include: the location of watercourses, setbacks from property lines, current and proposed locations of any structures, well location, location and names of roads, railroads, known tile lines, proposed fences, utility rights-of-way, planned entrances and exits for operation area, and any signs being posted.

Office Use Only: * The section below is to be filled out by the Environmental Office Staff

Variance Fee: \$700 ~~\$0.00~~ Receipt #: 53565 Date Approved: _____

Conditions:

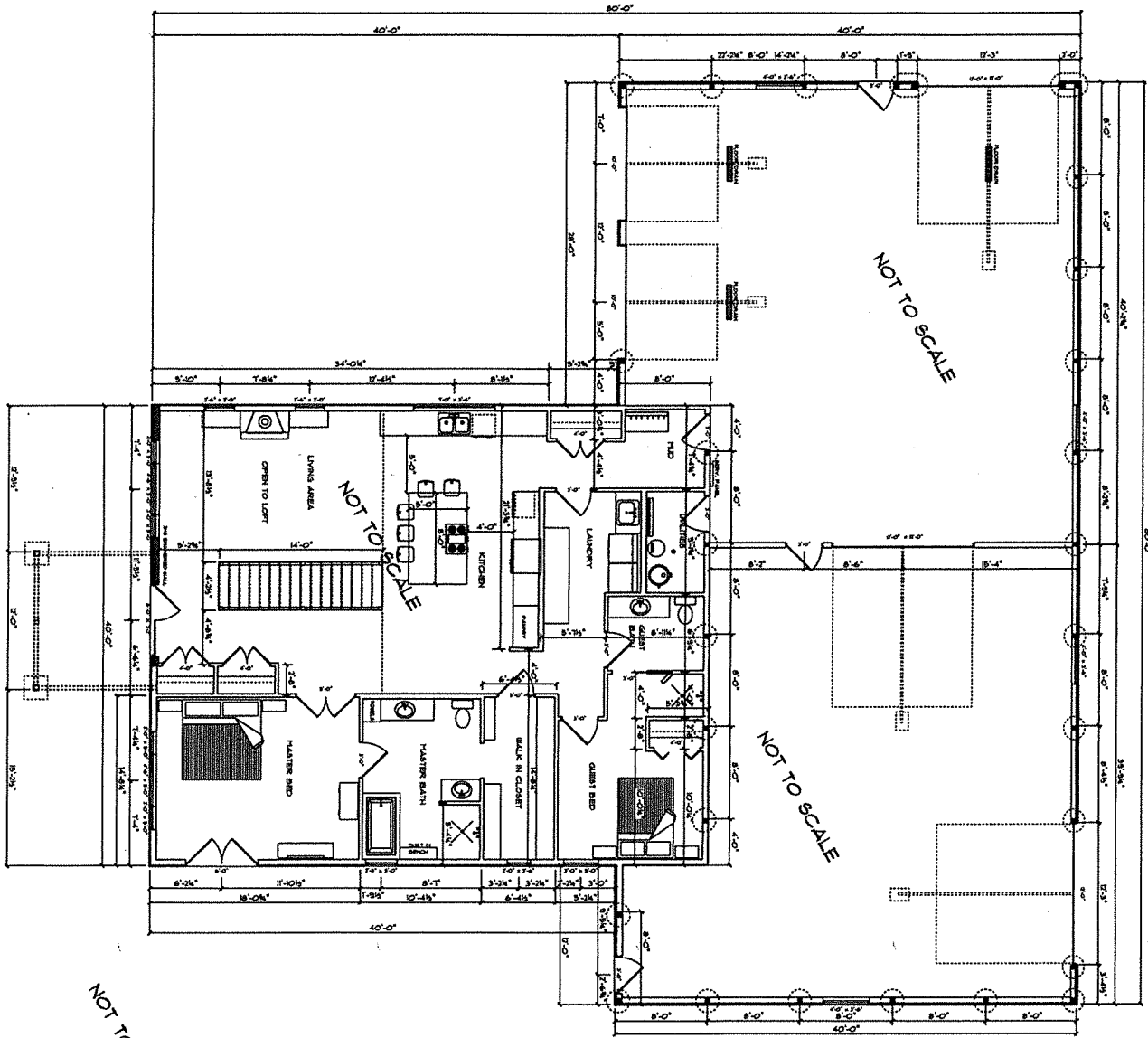
Variance applies to the new house/shed building and the granary building only

Application Received: 2/28/20

Board of Adjustment:

Approved: _____ Date: _____

Disapproved: _____ Date: _____

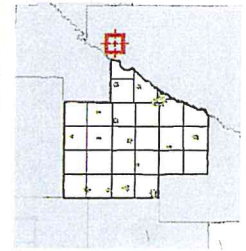


NOT TO SCALE

MAIN FLOOR PLAN
 DESIGNED BY: ALE HENNER
 CREATED: 10.15.15
 REVISION 01: 11.15.15
 REVISION 02: 12.15.15
 REVISION 03: 01.15.16
 REVISION 04: 02.15.16



Overview



Legend

- Municipal Boundaries
- Sections
- Surrounding Counties
- Townships
- Address Points
- Parcels
- Major Roads**
- County/Twp/City
- State/Federal
- County
- Minor Roads

Parcel ID	68-020-2040	Alternate ID	n/a	Owner Address	MENSEN/GREGORY J & JULIE A
Sec/Twp/Rng	20-114-37	Class	AGRICULTURE		41433 210 AVE
Property Address	42529 CO HWY 7 BEL 56214-1102	Acreage	79		ALBANY MN 56307
District	n/a				
Brief Tax Description	S1/2 NW1/4, 80.A <i>(Note: Not to be used on legal documents)</i>				

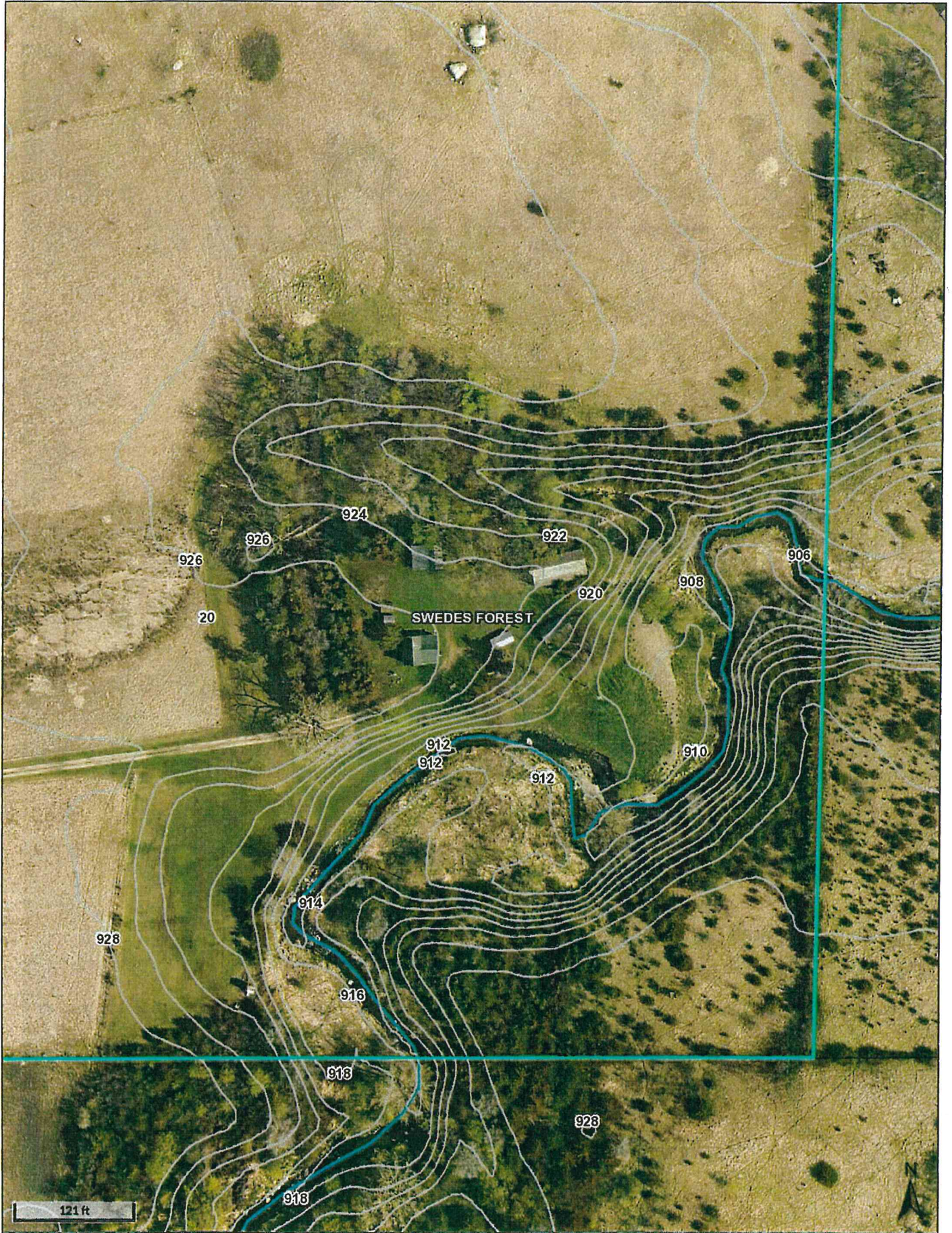
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Last Data Uploaded: 2/27/2020 9:59:50 PM

Developed by Schneider
GEO SPATIAL

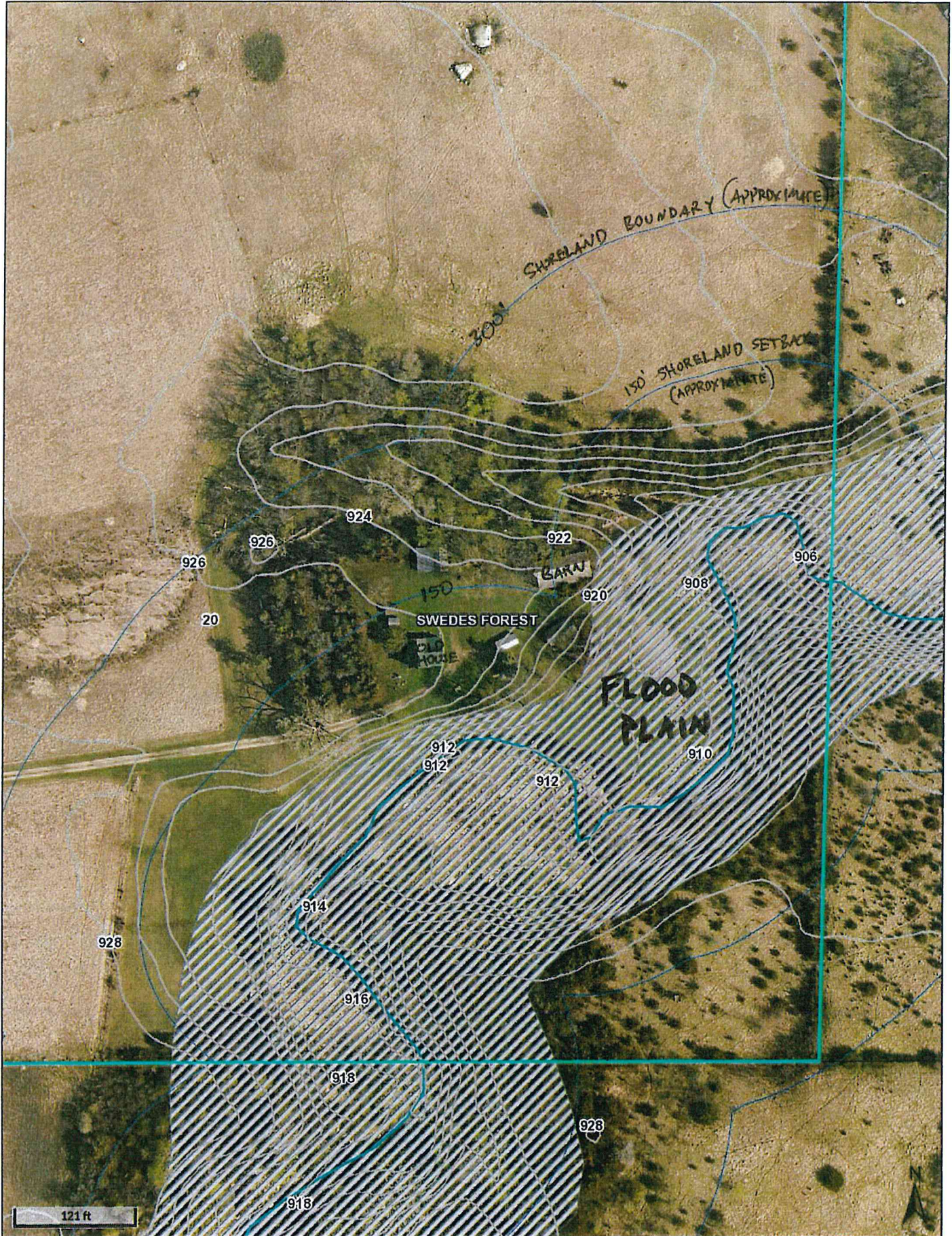
MENSEN AREA MAP



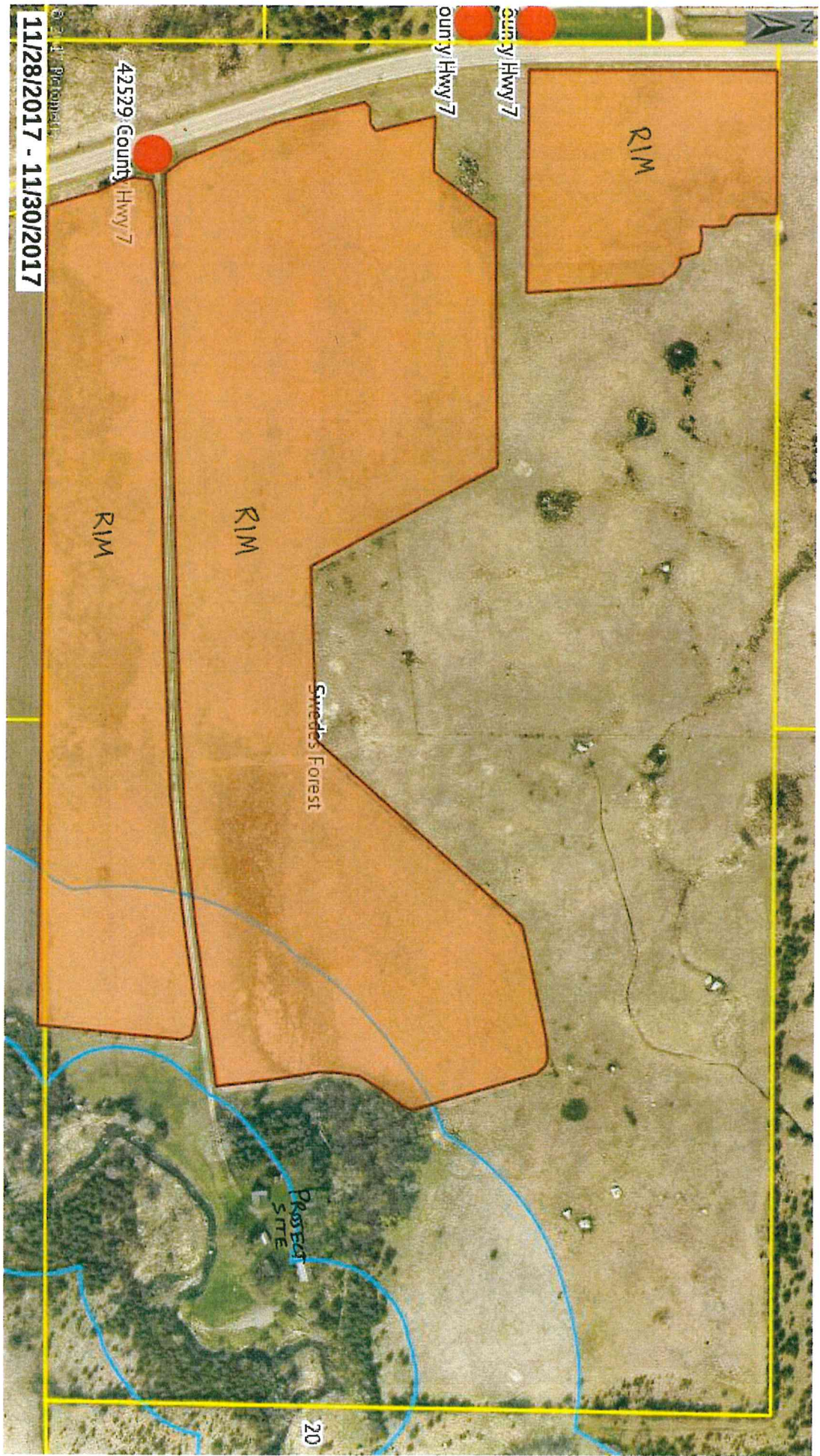
MENSEN ELEVATION MAP



MENSEN FLOODPLAIN / SHORELAND MAP



MENSEN - RIM MAP



Factors Regarding an *Application for Variance*

Statutory Factors¹:

- (1) Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?
- (2) Is the need for a Variance due to circumstances unique to the property and not created by the property owner?
- (3) Will the issuance of a Variance maintain the essential character of the locality?
- (4) Does the need for a Variance involve more than economic considerations?

Redwood County Ordinance Factors:

- (1) Is the proposed use allowed in the zoning district in which the subject property is located?
- (2) Are the conditions attached to the variance, if any, directly related to the variance, and roughly proportional to the impact created by the variance?

Additional Factors for After-the-Fact Variances²:

- (1) Did the applicant act in good faith and attempt to comply with the ordinance?
- (2) Did the applicant make a substantial investment?
- (3) Is the construction complete?
- (4) Are there similar structures in the area?
- (5) Are the county's benefits outweighed by the applicant's burden if the applicant were required to comply with the ordinance?

¹ Minn. Stat. Section 394.27, subd. 7.

² In re Stadsvold, 754 N.W.2d 323 (Minn. 2008)

Application for Variance Checklist

Variance # 1-20v - Greg Mensen

- (1) Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?

Yes _____ No _____

Why or why not? _____

- (2) Is the need for a Variance due to circumstances unique to the property and not created by the property owner?

Yes _____ No _____

Why or why not? _____

- (3) Will the issuance of a Variance maintain the essential character of the locality?

Yes _____ No _____

Why or why not? _____

- (4) Does the need for a Variance involve more than economic considerations?

Yes _____ No _____

Why or why not? _____

- (5) Is the proposed use allowed in the zoning district in which the subject property is located?

Yes _____ No _____

Why or why not? _____

- (6) Are the conditions attached to the variance, if any, directly related to the variance, and roughly proportional to the impact created by the variance?

Yes _____ No _____

Why or why not? _____

Additional Factors for After-the-Fact Variances:

(1) Did the applicant act in good faith and attempt to comply with the ordinance?

Yes _____ No _____

Why or why not? _____

(2) Did the applicant make a substantial investment?

Yes _____ No _____

Why or why not? _____

(3) Is the construction complete?

Yes _____ No _____

Why or why not? _____

(4) Are there similar structures in the area?

Yes _____ No _____

Why or why not? _____

(5) Are the county's benefits outweighed by the applicant's burden if the applicant were required to comply with the ordinance?

Yes _____ No _____

Why or why not? _____

DATED: _____

Chair of Redwood County Board of Adjustment

AFFIDAVIT OF SERVICE VIA U.S. MAIL

STATE OF MINNESOTA)
)ss
COUNTY OF REDWOOD)

RE:*Application for Variance* submitted by Gregory Mensen, Permit Application No. 1-20v.

I, Lali Ortega, a person not less than eighteen (18) years of age, being first duly sworn upon oath, hereby state a copy of the following:

1. **Notice of Public Hearing on *Application for Variance*; and**
2. **Notice of Public Hearing.**

were duly served upon:

WILBERT WERNER
42314 CO HWY 7
BELVIEW MN 56214

LARRY T & KAREN J LEE
5471 EL JARDIN ST
LONG BEACH CA 90815

HAROLD W & DORTHY A HUSEBY
22445 420 ST
BELVIEW MN 56214

JAC INC
21023 440 ST
BELVIEW MN 56214

JEFFREY OUSKY
42620 CO HWY 7
BELVIEW MN 56214

GREGORY J & JULIE A MENSEN
41433 210 AVE
ALBANY MN 56307
MELVINE & KAY GRANNES
21477 425 ST
BELVIEW MN 56214



TIMOTHY M & KELLY S WERNER
265 NORTHWOOD DR
COTTONWOOD MN 56229

STPB LLC
5015 EAGLE CREEK BLVD
SHAKOPEE MN 55379

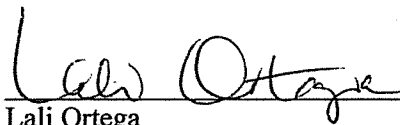
LOWELL E GRYPING TRUST NO. 1
% BLAIR HANSCOM
10200 39 AVE N
PLYMOUTH MN 55441

SWEDES FOREST TOWNSHIP BOARD OF SUPERVISORS
% BARRY HULTQUIST, CLERK
41831 FRONTIER AVE
BELVIEW MN 56214

DEPARTMENT OF NATURAL RESOURCES
COMMISSIONER SARAH STROMMENT
500 LAFAYETTE RD
ST PAUL MN 55155

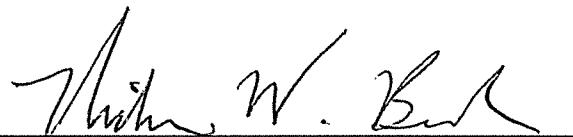
DEPARTMENT OF NATURAL RESOURCES
ECOLOGICAL & WATER RESOURCES
1400 E LYON ST
MARSHALL MN 56258

by enclosing a copy of the same in an envelope, with postage prepaid, and depositing said envelope in a United States Postal Service mailbox located at Redwood Falls, Minnesota, on the 3rd day of March, 2020.

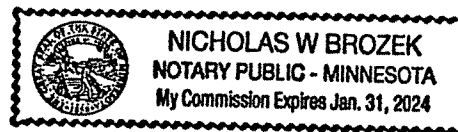


Lali Ortega
Environmental Office Administrative Assistant

Subscribed and sworn to before me, a Notary Public, on this 3rd day of March, 2020, by Nicholas W. Brozek.



Notary Public



TO: Whom It May Concern
FROM: Nick Brozek *NB*
Land Use and Zoning Supervisor
Redwood County Environmental Office



DATE: March 2, 2020
RE: Notice of Public Hearing on *Application for Variance*.

Please find enclosed a *Notice of Public Hearing* regarding an *Application for Variance* filed by Gregory Mensen requesting a variance, pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.026 and 153.244, to the required setback from Boiling Spring Creek set forth in Redwood County Code of Ordinances, Title XV, Section 153.246. The variance request is for the construction of a replacement primary dwelling and attached garage/workshop on property situated in the County of Redwood, State of Minnesota, to wit:

The South Half of the Northwest Quarter (S1/2 NW1/4) of Section 20, Township 114 North, Range 37 West, Swedes Forest Township.

It is hereby ordered that a Public Hearing thereon will be held on Wednesday, March 18, 2020, at 9:00 a.m. before the Redwood County Board of Adjustment at the proposed building location, located at 42529 County Hwy 7, Belview, Minnesota.

Pursuant to Redwood County Ordinance, written notice shall be provided to all property owners of record within five hundred (500) feet of the affected property via U.S. Mail as to the time and place of the public hearing. Further, written notice shall also be provided to the affected board of township supervisors and the municipal council of any municipality within two (2) miles of the affected property.

If you have any questions regarding this matter, please contact the Redwood County Environmental Office by telephone at (507) 637-4023 or in writing at the following address: *Redwood County Environmental Office, P.O. Box 130, Redwood Falls, MN 56283* and/or attend the public hearing at the time and date set forth in the enclosed *Notice of Public Hearing*.

Enclosure

Cc: Gregory Mensen (w/encl)

Redwood County Government Center - Environmental Department
P.O. Box 130 Redwood Falls, MN 56283
(507) 637-4023 redwoodcounty-mn.us Environmental@co.redwood.mn.us

In the Matter of the Application of)
Gregory Mensen for a Variance)
to Redwood County Ordinance)

NOTICE OF PUBLIC HEARING

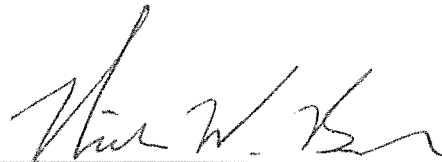
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DATED: March 2, 2020



Nicholas W. Brozek
Land Use and Zoning Supervisor
Redwood County Environmental Office

NOTIFICATION RADIUS MAP

COPY

