



Redwood County

www.co.redwood.mn.us

Application for Variance

Permit #: 3-21v Date: 8/31/2021

Location of the Affected Parcel or Property:

Address: 25722 Porter Ave City Morgan State: MN Zip 56266
House # Street Name

Parcel Number 59-018-1020 Township Name: Morgan

Section 18 Township Number T-111-N Range: R-34-W

Legal Description:

E1/2 NE1/4, 80.A

Information about the Variance Request:

Zoning District: Agricultural

General description of the building or request: NOTICE: Change of land use may affect your property taxes.

Move building in from Farmfest and place it on this site. To be used as a garage.

Type of occupancy:

Personal garage

Building Size: (Please enter dimensions in feet)

Width: 42 Length 42 Diameter: _____

Sidewall Height: _____ Total Height: 12

Setbacks (Please enter in feet)

Side Yard Setback _____ Direction: _____

Side Yard Setback _____ Direction: _____

Rear Yard Setback: _____ Direction _____

Road Type Township Setback from the Center of the Road 60

Setback from the center of the road 60

Other information:

Applicant Information

First Name: Dale Last Name: Hansen

Business Name _____

Address 41679 260th St City: Morgan State: MN Zip 56266

Home Phone: _____ Cell Phone (507) 430-3367 Email: dhansen@mvtvwireless.co

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

First Name: Violet Last Name: Hansen

Business Name: _____

Address: 25722 Porter Ave City: Morgan State MN Zip 56266
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: *Violet Hansen by Dale Hansen POA* Date 8/31/21

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 \$700.00 Receipt # _____ Date Approved: _____

Conditions

Application Received _____

Board of Adjustment

Approved _____ Date _____

Disapproved _____ Date _____

Permit # _____

Please add the following items to the map:

- 1. New Structure(s)
- 2. Septic System
- 3. Well



I affirm that the forgoing information is true and accurate. I understand that if any portion of this information is false or misleading, any zoning or land use permit issued in reliance upon this information is voidable at the election of the Redwood County Zoning Administrator.

Landowner Signature: Violet Hansen by Dale Hansen POA Date: 8/31/21

Administrator Signature: _____ Date: _____

Redwood County Zoning Administrator

590181020

SEPTIC

Morgan

25722 Porter Ave

Porter Ave

WELL 1

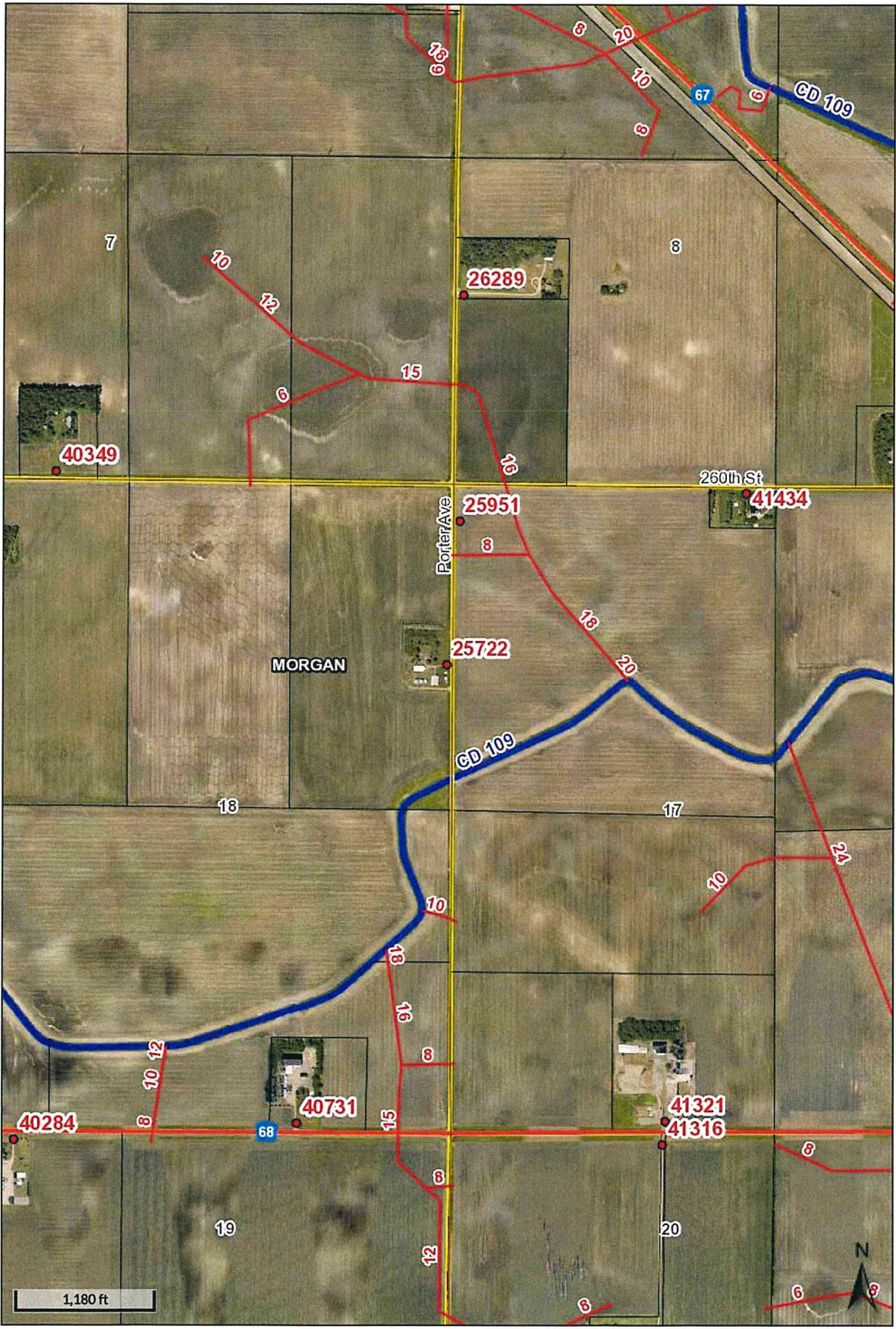
WELL 2

GARAGE





- Legend**
- Municipal Boundaries
 - Surrounding Counties
 - Townships
 - Open Ditch
 - Drain Tile
 - Address Points
 - Parcels
 - Major Roads
 - County/Twp/City
 - State/Federal
 - County
 - Minor Roads



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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

(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? _____

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(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

TO: Whom It May Concern

FROM: Nick Brozek 
Land Use and Zoning Supervisor
Redwood County Environmental Office

DATE: September 8, 2021

RE: Notice of Public Hearing on *Application for Variance*.

COPY



Please find enclosed a *Notice of Public Hearing* regarding an *Application for Variance* filed by Dale Hansen, on behalf of Violet Hansen et al, landowner, requesting a variance, pursuant to Redwood County Code of Ordinances, Title XV, Section 153.026, to the required setback between a building and the public road right-of-way set forth in Redwood County Code of Ordinances, Title XV, Section 153.144(C)(1)(a). The variance request is for the construction of a personal garage 27 feet from the right-of-way of Porter Avenue, on property situated in the County of Redwood, State of Minnesota, to wit:

The East Half of the Northeast Quarter (E1/2 NE1/4), Section 18, Township 111 North, Range 34 West, Morgan Township.

It is hereby ordered that a Public Hearing thereon will be held on Friday, September 24, 2021, at 8:30 a.m. before the Redwood County Board of Adjustment at the proposed building location, located at 25722 Porter Avenue, Morgan, 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: Dale Hansen (w/encl)
Violet Hansen et al (w/encl)

State of Minnesota

Board of Adjustment

County of Redwood

COPIES

In the Matter of the Application of)
Dale Hansen for a Variance)
to Redwood County Ordinance)

NOTICE OF PUBLIC HEARING

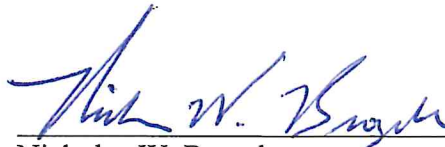
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DATED: September 8, 2021



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

WINTHEISER/ROSEMARY/ETAL

GABRIELSON/GARY
A & ANITA R

COPY

OTTO/NEIL

OTTO/LANGE J
& LAUREL R

BASBALLE/KNUD
S/JR &

GREENFIELD
LLP

HANSEN/LEONARD
J & VIOLET V

NOLTING/GREGORY C

NOLTING/GREGORY C

CARLSON/JOHN/RT

HANSEN/VIOLET
V/ETAL

KERKHOFF/DAVID
J & THERESA R

MATHIOWETZ
INVESTMENT HOLDINGS

SHANK AG LLC

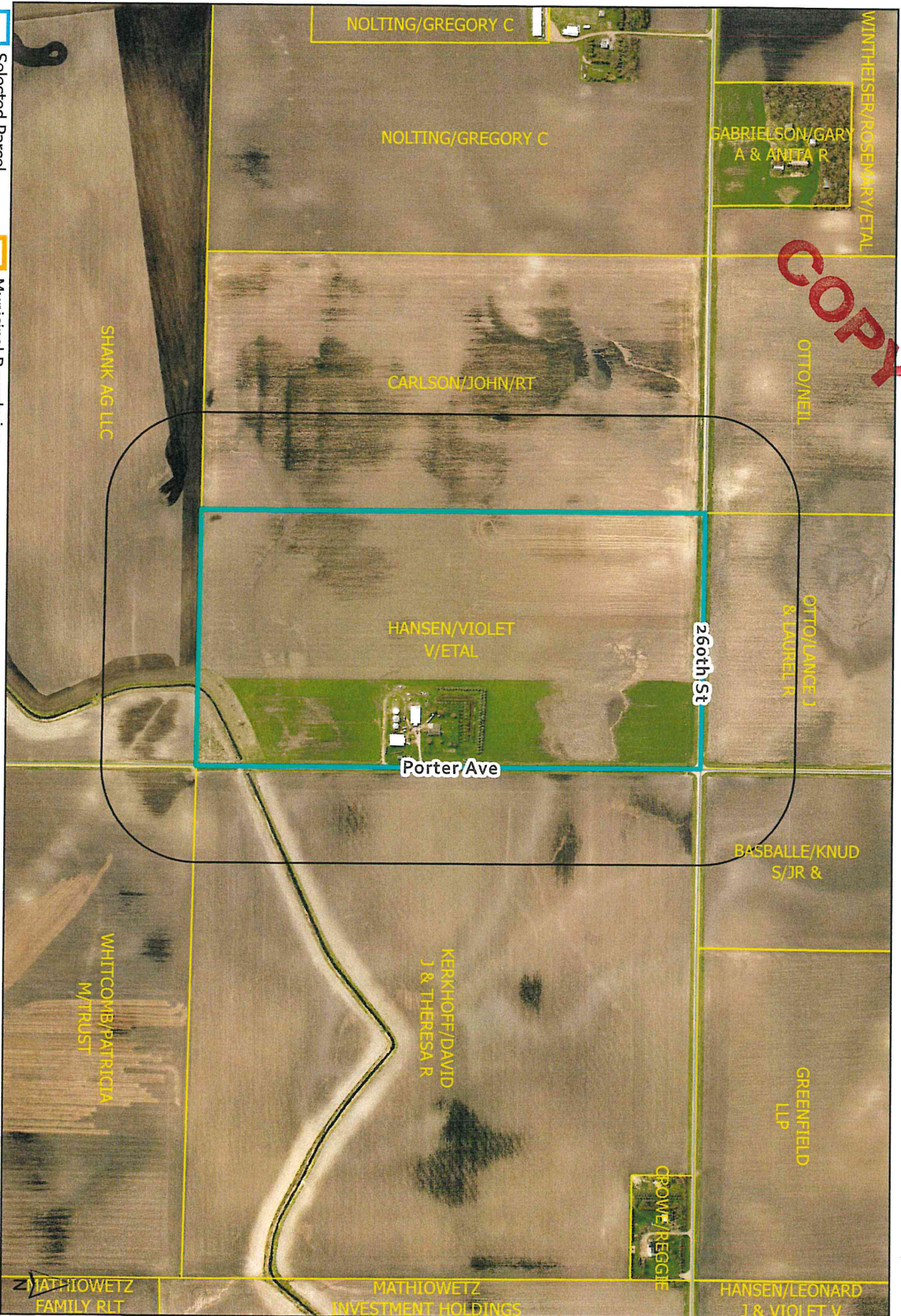
WHITCOMB/PATRICIA
M/TRUST

MATHIOWETZ
FAMILY RLTY

POWE/REGGIE

260th St

Porter Ave



 Selected Parcel

 Notification Area

 Parcels

 Municipal Boundaries

 Sections

 Roads

Variance Notification Area:
500 feet from selected parcel

Parcel ID: 59-018-1020





REDWOOD COUNTY ENVIRONMENTAL OFFICE

*Planning & Zoning • Parks & Trails • GIS
Aquatic Invasive Species • Septic Inspector
Drainage Inspector • Agricultural Inspector*

PO BOX 130
REDWOOD FALLS
MINNESOTA 56283
PH: 507-637-4023

REDWOOD COUNTY BOARD OF ADJUSTMENT

MINUTES

Meeting Date: September 15, 2021

A meeting of the Redwood County Board of Adjustment convened on Wednesday, the 15th day of September, 2021. The meeting consisted of one public hearing. The meeting was convened at 11085 State Hwy 68, Milroy. The following Board of Adjustment members were present: Dan Tauer, John Rohlik, and John Schueller. The following individuals were also present: Joshua Leach, Dan Leach, and Redwood County Land Use & Zoning Supervisor Nick Brozek.

At 8:30 a.m., the meeting was called to order by Chair Dan Tauer.

Chair Tauer opened a public hearing on an *Application for Variance*, Permit Application No. 3-21v, submitted by Joshua Leach. Prior to the Board of Adjustment meeting, the Board of Adjustment members were provided an informational packet which included the following information regarding the matter:

1. Joshua Leach is proposing to construct a new total confinement cattle feedlot on his farm site located at 11085 State Hwy 68, Milroy. The feedlot will consist of one 110' x 36' barn housing approximately 105 beef cattle (105 animal units).
2. The feedlot will be located 500 feet south of the nearest neighboring residence, located at 11067 State Hwy 68. Feedlots between 100 and 200 Aus in size are subject to a ¼ mile setback (1320 feet). Consequently, Leach is requesting a variance of 820 feet to the required setback from a neighboring dwelling.
3. The three next nearest neighboring dwellings are located 2000', 2300', and 2500' away, respectively, from the proposed feedlot.
4. A public hearing will be held on September 15, 2021, at 8:30 a.m. regarding an Application for Variance filed by Joshua Leach, landowner, pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.026 to the required setback between a feedlot and a neighboring dwelling set forth in Redwood County Code of Ordinances, Title XV, Section 153.290.
5. 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.

The following information was presented to and considered by the Redwood County Board of Adjustment at the public hearing:

Joshua Leach was present to explain the project. He made the following statements about the application:

- Leach is proposing to construct a pole shed for finishing cattle.
- The shed will measure approximately 30'x110' with an outdoor lot.
- He might use part of the building for hay and machinery storage.
- All areas, in the building and the open lot, where animals are kept, will be concrete floor.
- The building will be open to the south and the lot will be on that side.
- The north side of the building will be open wall for now. Curtains may be added later depending on how much the building protects the livestock from the weather.
- He hasn't decided what manure storage will look like. He may build a concrete pad east of the finishing building. Most manure will be immediately hauled away and spread on nearby farm fields. The Leaches have 500 acres within 3 miles they can apply the manure to. Manure will only be stockpiled between planting and harvesting wheat in July. They plant wheat and small grains each year.

No one spoke in opposition to the variance.

Schueller made a motion to approve the variance as requested. The motion was seconded by Rohlik and the variance was approved by unanimous vote.

Discussion was held regarding the Minutes of the Board of Adjustment meeting held on the 13th day of May, 2021. On a motion made by Rohlik and seconded by Schueller, it was moved and passed unanimously that said minutes be approved as presented.

The meeting was then adjourned.

Nick Brozek, Land Use and Zoning Supervisor
Redwood County Environmental Office

Dan Tauer, Chair
Redwood County Board of Adjustment