



Redwood County

www.co.redwood.mn.us

### Application for Variance

Permit #: ~~#~~ 1-22v Date: 4-14-22

**Location of the Affected Parcel or Property:**

Address: 17088 Hwy 19 City: Vesta State: MN Zip: 56292  
House # Street Name

Parcel Number: 72-029-2060 Township Name: Vesta

Section: 29 Township Number: 112 Range: 38

**Legal Description:**

Farm site of Derrick + Alissa "lightfoot" Determan

**Information about the Variance Request:**

Zoning District: County?

**General description of the building or request:**

- House addition - Request for septic variance due to ~~the~~ tank distance from home - No additional bedrooms over current status.  
- Agriculture Homestead

**Type of occupancy:**

House

**Building Size:** (Please enter dimensions in feet)

Width: 38' Length: 35 + 15 Diameter: N/A (House addition)  
Sidewall Height: 9 Total Height: 24? see map

**Setbacks:** (Please enter in feet)

Side Yard Setback: \_\_\_\_\_ Direction: \_\_\_\_\_

Side Yard Setback: \_\_\_\_\_ Direction: \_\_\_\_\_

Rear Yard Setback: \_\_\_\_\_ Direction: \_\_\_\_\_

Road Type: \_\_\_\_\_ Setback from the Center of the Road: \_\_\_\_\_

Right-of-Way Width measured from Centerline \_\_\_\_\_

**Other information:**

House addition next to septic tank. Requesting not to move/disturb current tank + mound if possible.

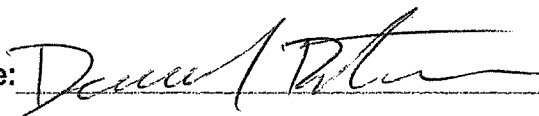
**Applicant Information:**

First Name: Derick Last Name: Determan  
Business Name: n/a  
Address: 17088 Hwy 19 City: Vesta State: MN Zip: 56292  
Home Phone: - Cell Phone: 507-227-5757 Email: derick\_d\_2003@hotmail.com

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

First Name: SAA Last Name: SAA  
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:  Date: 4-14-22

**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 Receipt #: 27030 Date Approved: \_\_\_\_\_

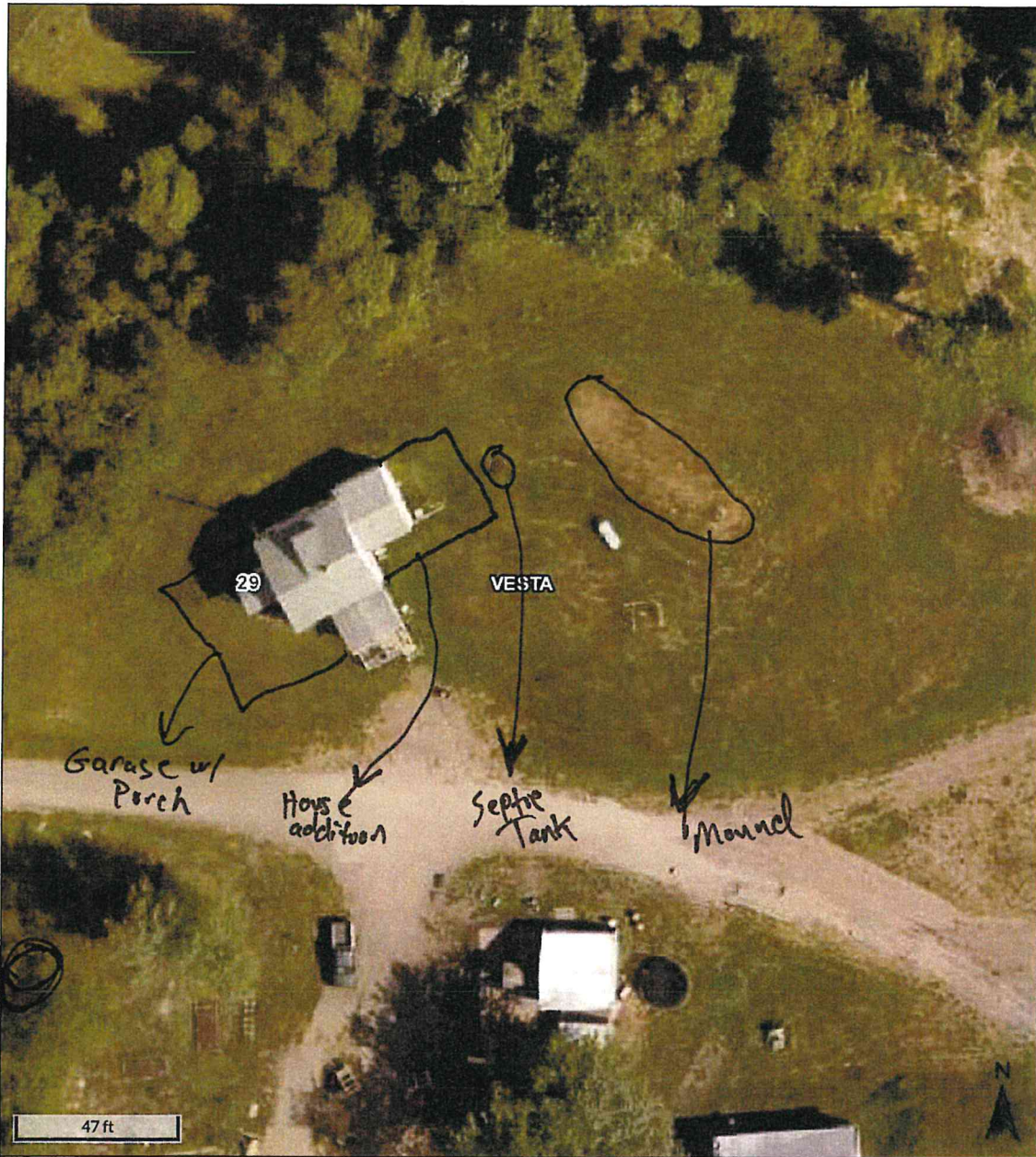
**Conditions:**

Application Received: \_\_\_\_\_

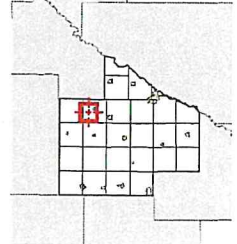
**Board of Adjustment:**

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_



Overview



Legend

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

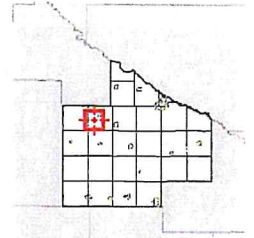
Date created: 4/14/2022  
 Last Data Uploaded: 4/13/2022 9:53:36 PM

Developed by Schneider  
 GEOSPATIAL

Water Well



**Overview**



**Legend**

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

Parcel ID	72-029-2060	Alternate ID	n/a	Owner Address	DETERMAN/DERICK RYAN/&
Sec/Twp/Rng	29-112-38	Class	AGRICULTURE		ALISSA ANN LIGHTFOOT DETERMAN
Property Address	17088 HWY 19 VESTA 56292	Acreage	28.5		17088 HWY 19 VESTA MN 56292
District	n/a				
Brief Tax Description	TR IN N1/2 NW1/4 LYING S & E OF C/L OF STATE HWY 19, 28.50A <i>(Note: Not to be used on legal documents)</i>				

Date created: 4/11/2022  
Last Data Uploaded: 4/7/2022 10:06:57 PM

Developed by  Schneider  
GEOSPATIAL

## Factors Regarding an Application for Variance

### Statutory Factors<sup>1</sup>:

- (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 Variances<sup>2</sup>:

- (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?

---

<sup>1</sup> Minn. Stat. Section 394.27, subd. 7.

<sup>2</sup> In re Stadvold, 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? \_\_\_\_\_



**TO:** Whom It May Concern

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

**DATE:** May 9, 2022

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

---

Please find enclosed a *Notice of Public Hearing* regarding an *Application for Variance* filed by Derick Determan requesting a variance, pursuant to Redwood County Code of Ordinances, Title XV, Section 151.22(F), to the required setback between a structure and a septic tank set forth in Minn. Rules Ch. 7080, adopted by reference in Redwood County Code of Ordinances, Title XV, Section 151.22. The variance request is for the construction of a garage and porch addition to an existing primary dwelling, which will not meet the required 10-foot setback from the existing septic tank, on property situated in the County of Redwood, State of Minnesota, to wit:

*A 28.50-acre tract in the North Half of the Northwest Quarter (N1/2 NW1/4) lying south and east of State Hwy 19, in Section 29, Township 112 North, Range 38 West, Vesta Township.*

It is hereby ordered that a Public Hearing thereon will be held on Thursday, May 26, 2022, at 8:30 a.m. before the Redwood County Board of Adjustment at the proposed building location, located at 17088, State Hwy 19, Vesta, 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: Derick Determan (w/encl)

State of Minnesota

Board of Adjustment

County of Redwood

In the Matter of the Application of )  
Derick Determan for a Variance )  
to Redwood County Ordinance )

**NOTICE OF PUBLIC HEARING**

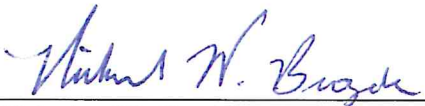
An *Application for Variance* has been filed by Derick Determan requesting a variance, pursuant to Redwood County Code of Ordinances, Title XV, Section 151.22(F), to the required setback between a structure and a septic tank set forth in Minn. Rules Ch. 7080, adopted by reference in Redwood County Code of Ordinances, Title XV, Section 151.22. The variance request is for the construction of a garage and porch addition to an existing primary dwelling, which will not meet the required 10-foot setback from the existing septic tank, on property situated in the County of Redwood, State of Minnesota, to wit:

*A 28.50-acre tract in the North Half of the Northwest Quarter (N1/2 NW1/4) lying south and east of State Hwy 19, in Section 29, Township 112 North, Range 38 West, Vesta Township.*

It is hereby ordered that a Public Hearing thereon will be held on Thursday, May 26, 2022, at 8:30 a.m. before the Redwood County Board of Adjustment at the proposed building location, located at 17088, State Hwy 19, Vesta, Minnesota.

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.*

DATED: May 2, 2022

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





Parcel ID: 72-029-2060

**Variance Notification Area: 500 feet from selected parcel**

Selected Parcel  
 Notification Area  
 Parcels

Municipal Boundaries  
 Sections  
 Roads

Scale: 0 210 420 840 Feet