



Redwood County

www.co.redwood.mn.us

Application for Variance

Permit #: 2-23v Date: 5/1/23

Location of the Affected Parcel or Property:

Address: 12778 US Hwy 71 City: Sanborn State: MN Zip: 56083
House # Street Name

Parcel Number: 51-420-0020 Township Name: Charleston

Section: 23 Township Number: T109 Range: 36

Legal Description:

BIK - 001 Hellicksons Subdivision Lot 1 EX TRS

Information about the Variance Request:

Zoning District: _____

General description of the building or request:

Request to add a porch to front of house - 21 ft long and 10 ft wide.

Type of occupancy: _____

Building Size: (Please enter dimensions in feet)

Width: 10 ft Length: 21 ft Diameter: _____

Sidewall Height: _____ Total Height: _____

Setbacks: (Please enter in feet)

Side Yard Setback: 45 Direction: South

Side Yard Setback: 25 Direction: North

Rear Yard Setback: 175 Direction: West

Road Type: State Hwy Setback from the Center of the Road: 130'

Right-of-Way Width measured from Centerline 75'

Other information:

Requesting variance of 8 to 12 feet from the ROW setback

Applicant Information:

First Name: Bradley Last Name: Stark
Business Name: _____
Address: 43467 120th St City: Seneca State: MN Zip: 56083
Home Phone: 507-283-6663 Cell Phone: 507-227-0579 Email: bestark@newulmtel.net

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: Bradley Stark Date: 4/27/03

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 #: 27198 Date Approved: _____

Conditions:

Application Received: _____

Board of Adjustment:

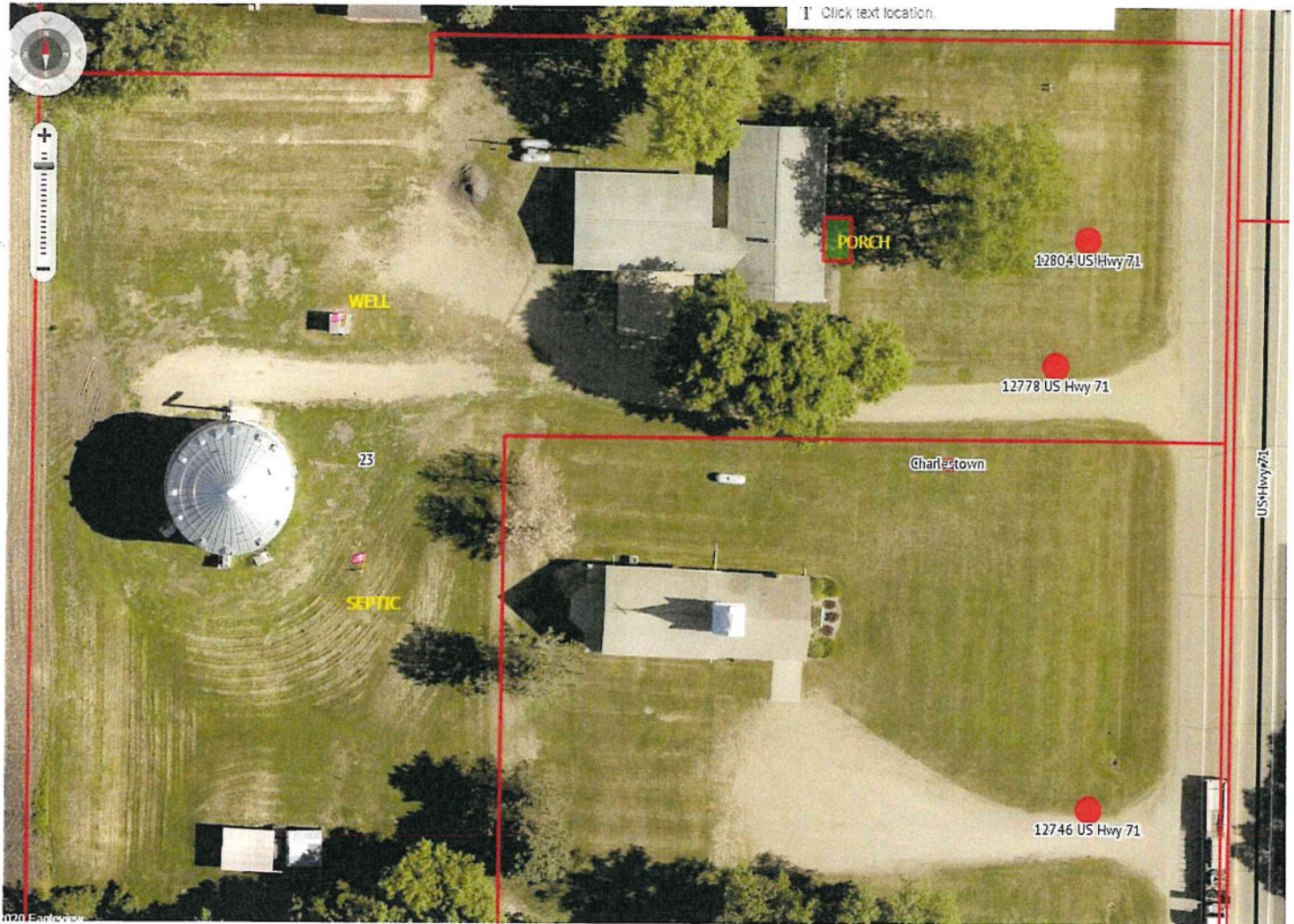
Approved: _____ Date: _____

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: Brady Stark Date: 4-17-23

Administrator Signature: _____ Date: _____

Redwood County Zoning Administrator

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 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? _____

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

Parcel ID	NAME	CJO	Address	Address 2	CITY	State	ZIP
510242070	BENSON/BRUCE D & PATRICIA A		PO BOX 183		SANBORN	MN	56083
510242140	BIERL/BRANDON P		12813 US HWY 71		SANBORN	MN	56083
510231020	BROWN/JOSHUA J & FRANCES A		29748 710 AVE		ST JAMES	MN	56081-3429
510242160	DUKICH WOLF LIVING TRUST		2670 14TH ST NW		NEW BRIGHTON	MN	55112
510231040	GRAMS/GRACE B	% MAURICE J & SUSAN B WOLF	12852 US HWY 71		SANBORN	MN	56083
510231085	KIRSCHSTEIN/HELEN MARIE		18132 CATTAIL CT		EDEN PRAIRIE	MN	55346
510242080	MILLER/CASSIDY J		12578 US HWY 71		SANBORN	MN	56083
510242060	REBSTOCK/JAMES L & NANCY K		12905 US HWY 71		SANBORN	MN	56083
510242200	ROIGER/TERRY & ROBIN		12823 US HWY 71		SANBORN	MN	56083
510231080	SANBORN FAITH EV LUTH CHURCH		12781 US HWY 71		SANBORN	MN	56115
514200040	SCHEFFLER/MICHAEL D & KRISTI	% WILLIS WENDLAND	331 WASHINGTON AVE S		BALATON	MN	56083
510231030	WECKWERTH/ALLEN & LEONA		12804 US HWY 71		SANBORN	MN	56083
510242220	WEGNER/MICHAEL D/RT ETAL		41211 150 ST		SPRINGFIELD	MN	56087
	CHARLESTOWN TOWNSHIP BOARD OF SUPERVISORS	% DOUG MOODY JR, CLERK	1220 NICKLAUS DR		ABERDEEN	SD	57401
	CITY OF SANBORN	% TARA ROIGER, CLERK	30061 140 ST		LAMBERTON	MN	56152
	BRADLEY & MARJETTE STARK ET AL		PO BOX 278		SANBORN	MN	56083
			43667 120 ST		SANBORN	MN	56083

TO: Whom It May Concern

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

DATE: May 4, 2023

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



Please find enclosed a *Notice of Public Hearing* regarding an *Application for Variance* filed by Bradley Stark requesting a variance, pursuant to Redwood County Code of Ordinances, Title XV, Section 153.027, to the required setback between a building and the public road right-of-way, set forth in Title XV, Section 153.203. The variance request is for the construction of a porch addition to the existing residential dwelling on property situated in the County of Redwood, State of Minnesota, to wit:

Lot 1, except tracts, Block 1, Hellicksons Subdivision.

It is hereby ordered that a Public Hearing thereon will be held on Monday, May 15th, 2023, at 9:00 a.m. before the Redwood County Board of Adjustment at the proposed building location, located at 12778 US Hwy 71, Sanborn.

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: Bradley Stark (w/encl)

County of Redwood

In the Matter of the Application of)
Bradley Stark for a Variance)
to Redwood County Ordinance)

NOTICE OF PUBLIC HEARING


An *Application for Variance* has been filed by Bradley Stark requesting a variance, pursuant to Redwood County Code of Ordinances, Title XV, Section 153.027, to the required setback between a building and the public road right-of-way, set forth in Title XV, Section 153.203. The variance request is for the construction of a porch addition to the existing residential dwelling on property situated in the County of Redwood, State of Minnesota, to wit:

Lot 1, except tracts, Block 1, Hellicksons Subdivision.

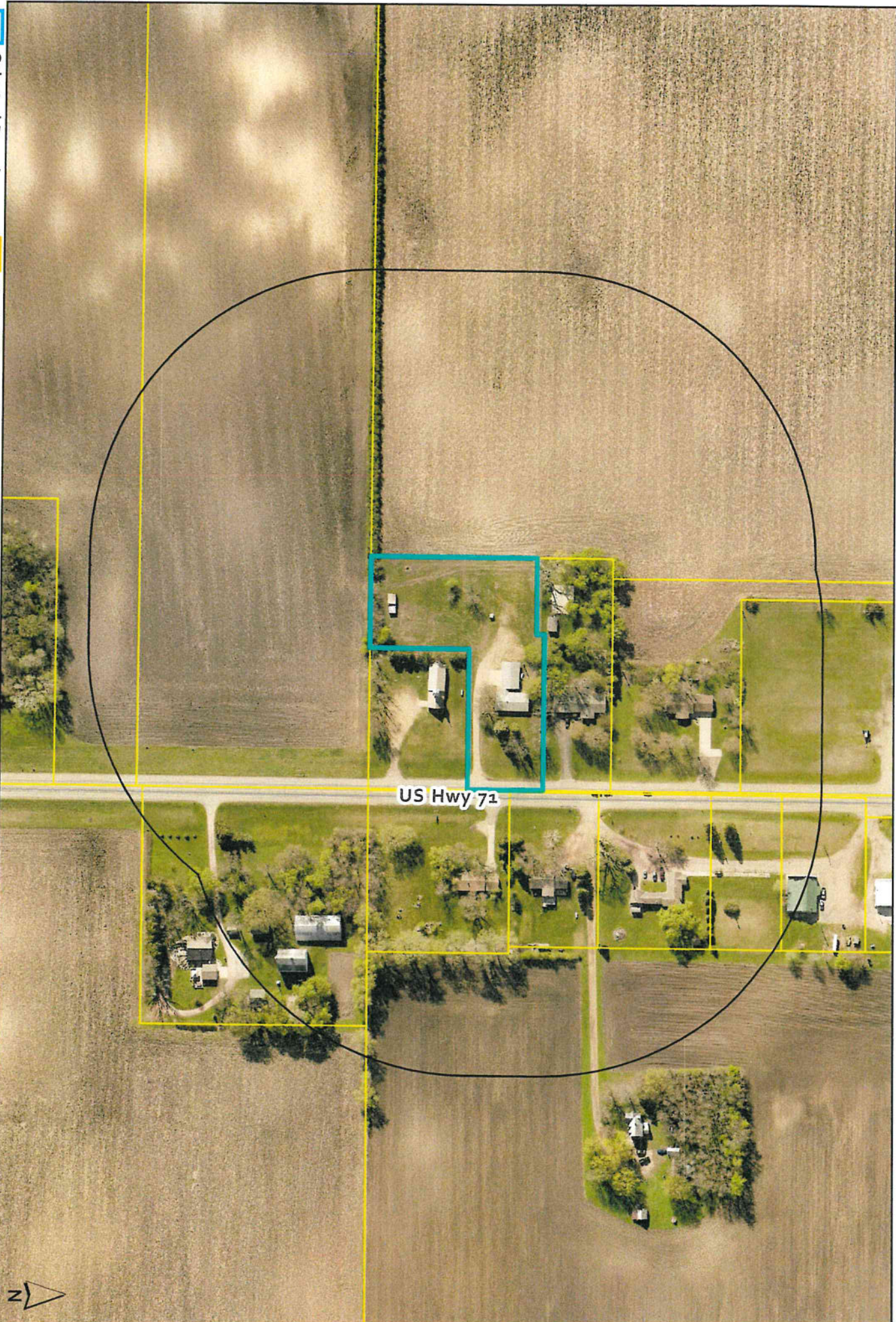
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If you have any questions regarding this matter, please contact the Redwood County Environmental Office by telephone at (507) 637-4023, via email at environmental@co.redwood.mn.us, or in writing at the following address: *Redwood County Environmental Office, P.O. Box 130, Redwood Falls, MN 56283.*


DATED: April 28, 2023




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



 Selected Parcel

 Municipal Boundaries

 Notification Area

 Sections

 Parcels

 Roads

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

US Hwy 71



Parcel IDs: 51-420-0020



Affidavit of Publication

State of Minnesota)
) SS.
County of Renville)

RECEIVED
MAY 09 2023
REDWOOD COUNTY
ENVIRONMENTAL OFFICE

Denise Bonsack, being first duly sworn, on oath states as follows:

1. I am the publisher of the Standard-Gazette & Messenger, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:

Wed, May 3, 2023

4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows:

\$7.50

5. Mortgage Foreclosure Notices [Effective 7/1/15]. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Renville County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

Denise Bonsack

[Signature]

Subscribed and sworn to before me on this 3 day of May 2023.



Chris Jandl

Notary Public

NOTICE OF PUBLIC HEARING

State of Minnesota
County of Redwood
Board of Adjustment

In the Matter of the Application of Bradley Stark for a Variance to Redwood County Ordinance

An Application for Variance has been filed by Bradley Stark requesting a variance, pursuant to Redwood County Code of Ordinances, Title XV, Section 153.027, to the required setback between a building and the public road right-of-way, set forth in Title XV, Section 153.203. The variance request is for the construction of a porch addition to the existing residential dwelling on property situated in the County of Redwood, State of Minnesota, to wit:

Lot 1, except tracts, Block 1, Hellicksons Subdivision.

It is hereby ordered that a Public Hearing thereon will be held on Monday, May 15th, 2023, at 9:00 a.m. before the Redwood County Board of Adjustment at the proposed building location, located at 12778 US Hwy 71, Sanborn.

If you have any questions regarding this matter, please contact the Redwood County Environmental Office by telephone at (507) 637-4023, via email at environmental@co.redwood.mn.us, or in writing at the following address: Redwood County Environmental Office, P.O. Box 130, Redwood Falls, MN 56283.

DATED: April 28, 2023

Nicholas W. Brozek

Land Use and Zoning Supervisor

Redwood County Environmental Office

Published in the Standard-Gazette & Messenger May 3, 2023.

PROOF OF PUBLICATION

Notice ID: BPEFJnc2Bdm10mgp
BOA - Application for Bradley Stark

RECEIVED

MAY 05 2023

REDWOOD COUNTY ENVIRONMENTAL OFFICE

AFFIDAVIT OF PUBLICATION: #1072590

STATE OF MINNESOTA, COUNTY OF REDWOOD

The Redwood Falls Gazette has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspapers' known office of issue is located in Brown, Chippewa, Lyon, Polk, Redwood, Watonwan & Yellow Medicine counties. The newspapers comply with the conditions in §580.033, subd. 1, clause (1) or (2). If the newspaper known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

The affixed notice appeared in said newspaper on the following issues:

05/04/2023

Sworn to and subscribed before on 05/04/2023.

Jaythe King
Authorized Agent

Leanne Kaufenberg
Notary, State of MN, County of Redwood
Commission expires January 31, 2025

Publication Cost: \$94.47

Order No: 1072590

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

State of Minnesota
Board of Adjustment
County of Redwood
In the Matter
of the Application of
Bradley Stark
for a Variance to
Redwood County Ordinance
NOTICE OF
PUBLIC HEARING

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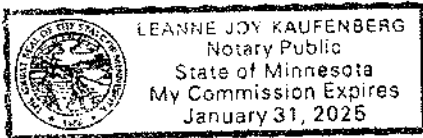
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DATED: April 28, 2023
Nicholas W. Brozek
Land Use and
Zoning Supervisor
Redwood County
Environmental Office
May 4, 2023

1072590





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: January 10, 2023

A meeting of the Redwood County Board of Adjustment convened on Tuesday, the 10th day of January, 2023. The meeting consisted of one public hearing. The meeting was convened at 36419 US Hwy 71, Redwood Falls. The following Board of Adjustment members were present: John Schueller, John Rohlik and Dan Tauer. The following individuals were also present: Paul U'Ren, Chett Bisel, Randy Mage, and Redwood County Land Use & Zoning Supervisor Nick Brozek.

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

The first order of business was the election of officers for the 2023 calendar year.

On a motion by Schueller, seconded by Rohlik, John Rohlik was nominated for Board of Adjustment Chair for 2023. The motion passed unanimously.

On a motion by Schueller, seconded by Rohlik, Dan Tauer was nominated for Board of Adjustment Vice-Chair for 2023. The motion passed unanimously.

Chair Rohlik opened a public hearing on an *Application for Variance*, Permit Application No. 1-23v, submitted by Paul U'Ren. 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. Farmers Union Industries is proposing to construct an addition to the existing industrial building at the Artex Manufacturing site located at 36419 US Hwy 71, Redwood Falls. The site is also known as Lot 1 of Block 2, Little Crow Addition. Everstrong Construction is the contractor and Paul U'Ren is applying for the permit on behalf of the landowner.
2. The purpose of the addition is to provide more space for Artex's existing industrial activities. The proposed footprint of the addition is 14,350 square feet. Total lot coverage will be about 25%.
3. The addition will be located on the west and north sides of the existing building, wrapping around the existing northwest corner. It will extend out 20 feet to the north from the existing north wall, along the entire length of said wall. It will also extend out 65 feet from the existing west wall, and will run for a total of 190 feet, measured north to south.
4. The west wall of the addition will only be 10 feet from the west property line. The required setback in the Industrial District, in which the property is located, is 15 feet from the side lot line.

5. Farmers Union Industries also owns the two lots abutting the Artex site to the west, and will use those properties to access the addition. However, property lines still exist between adjoining properties that are under the same ownership, unless said properties are combined into a single parcel. Unfortunately, the properties in question here cannot be combined, because they are in different platted subdivisions. The project property is in the Little Crow Addition and the neighboring properties are in the Moccasin Springs First Addition.
6. 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:

Paul U'Ren and Chett Bisel were present to explain the project. They made the following statements about the application:

- Welding production is expanding as business grows.
- This site is limited, corner lot, and the proposed addition is close to the property line, which includes an easement for utilities.
- Two transformers were already relocated to make room for the project.
- The easement will still be accessible.

The Board had the following questions and comments:

- How will the variance affect the property line, compared to the easement?

The applicant provided the following responses to the Board and the township:

- The addition will be 10 feet from the property line. Artex/Farmers Union also owns the neighboring property, so this will not affect any other landowner.
- The easement extends 10 feet from the property line, so the addition will not be within the easement.

No one spoke in opposition to the variance.

Tauer made a motion to approve the variance, for the length of the west property line, within the building setback line. The motion was seconded by Schueller and passed unanimously.

Discussion was held regarding the Minutes of the Board of Adjustment meeting held on the 18th day of August, 2022. On a motion made by Schueller and seconded by Rohlik, it was moved and passed unanimously that said minutes be approved as presented.

The meeting was adjourned at 9:00 a.m.

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

John Rohlik, Chair
Redwood County Board of Adjustment