

BOARD OF ADJUSTMENT & APPEALS AGENDA

Date: September 19, 2022

Time: 7:00 p.m. (doors open at 6:45)

Location: Nicollet County Board Room, 501 S Minnesota Ave, St. Peter, MN

Copies of the meeting agenda and packet are available on the Nicollet County website at:
<https://mn-nicolletcounty.civicplus.com/AgendaCenter>

Questions or comments regarding the meeting can be directed to Spencer Crawford, Deputy Zoning Administrator, at 507-934-7071, or spencer.crawford@co.nicollet.mn.us.

1. Call to Order
2. Roll Call
3. Review of Cancellations and Additions
4. Approval of Minutes: *August 15, 2022*
5. Public Appearances
6. **PUBLIC HEARING: PLN 22-10**

Applicant: Luke & Hannah Dinse

Landowner: Luke & Hannah Dinse

Reduction of the county road right of way setback, private road setback, and

Request: Ordinary High Water Mark setback for the purpose of installing a replacement septic system

Location: Southeast ¼ of the Northwest ¼ and Northeast ¼ of the Southwest ¼, Section 08-110-030 in Lafayette Township

Parcel Number: 06.108.1400

7. **PUBLIC HEARING: PLN 22-11**

Applicant: Corbin Kiecker

Landowner: Corbin Kiecker

Request: Reduction of the front yard setback for the purpose of constructing a home addition

Location: Northwest ¼ of the Northeast ¼, Section 03-111-029 in Bernadotte Township

Parcel Number: 02.003.0800

Mission Statement

Providing efficient services with innovation and accountability.

Vision Statement

Setting the standard for providing superior and efficient county government services through leadership, accountability and innovation to a growing and diverse society.

Core Values

Leadership. Integrity.
Accountability.
Efficiency. Innovation.

8. PUBLIC HEARING: PLN 22-13

Applicant: Jim Carlson, United Farmer's CO-OP

Landowner: Farmers CO-OP of Lafayette

Request: To install a 30,000 gallon anhydrous ammonia storage tank without a berm as required by section 708 of the Nicollet County Zoning Ordinance

Location: Northeast ¼ of the Northeast ¼, Section 19-111-027 in Lake Prairie Township

Parcel Number: 07.019.0900

9. PUBLIC HEARING: PLN 22-14

Applicant: Jessica Domeier

Landowner: Gerald Domeier & Jessica Domeier

Request: Reduction of the bluff setback for the purpose of constructing a shed addition

Location: Northwest ¼ of the Northwest ¼, Section 09-111-032 in Ridgely Township

Parcel Number: 11.109.0100

10. Old Business

11. Other Business

12. Communications

13. Adjourn



Board of Adjustment & Appeals

MINUTES

AUGUST 15, 2022

7:00 PM

NICOLLET COUNTY
BOARD ROOM

BOARD MEMBERS	Justin Laven ☒ <i>Chair</i>	David Hermanson ☒ <i>Vice Chair</i>	Dave Ubel ☒	Lloyd Hoffmann ☒	
ABSENT EXCUSED	Justin Laven ☐ <i>Chair</i>	David Hermanson ☐ <i>Vice Chair</i>	Dave Ubel ☐	Lloyd Hoffmann ☐	
ABSENT	Justin Laven ☐ <i>Chair</i>	David Hermanson ☐ <i>Vice Chair</i>	Dave Ubel ☐	Lloyd Hoffmann ☐	
STAFF PRESENT	Property & Public Services Assistant Director, Pete Otterness ☒				
	Deputy Zoning Administrator (DZA) Spencer Crawford ☒				
	County Attorney (CA) Michelle Zehnder Fischer ☒				
	Other Staff: ☐				

REVIEW OF CANCELLATIONS & ADDITIONS	None.
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MOTION TO APPROVE MINUTES OF JULY 18, 2022		APPROVE ☒		APPROVE WITH REVISIONS ☐	
1 ST	Justin Laven ☐ <i>Chair</i>	David Hermanson ☐ <i>Vice Chair</i>	Dave Ubel ☒	Lloyd Hoffmann ☐	
2 ND	Justin Laven ☐ <i>Chair</i>	David Hermanson ☒ <i>Vice Chair</i>	Dave Ubel ☐	Lloyd Hoffmann ☐	
VOTE TO APPROVE MINUTES		PASS ☒	FAIL ☐	VOTE: 4-0	

MOTION TO APPROVE FINDINGS OF FACT FOR PLN22-07, MICHALETZ		APPROVE ☒		APPROVE WITH REVISIONS ☐	
1 ST	Justin Laven ☐ <i>Chair</i>	David Hermanson ☐ <i>Vice Chair</i>	Dave Ubel ☒	Lloyd Hoffmann ☐	
2 ND	Justin Laven ☐ <i>Chair</i>	David Hermanson ☐ <i>Vice Chair</i>	Dave Ubel ☐	Lloyd Hoffmann ☒	
VOTE TO ADOPT FINDINGS OF FACT		PASS ☒	FAIL ☐	VOTE: 4-0	

OLD BUSINESS	None.
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OTHER BUSINESS	None.
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COMMUNICATIONS	None.
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MOTION TO ADJOURN					
1 ST	Justin Laven ☐ <i>Chair</i>	David Hermanson ☐ <i>Vice Chair</i>	Dave Ubel ☐	Lloyd Hoffmann ☒	
2 ND	Justin Laven ☐ <i>Chair</i>	David Hermanson ☒ <i>Vice Chair</i>	Dave Ubel ☐	Lloyd Hoffmann ☐	
VOTE TO ADJOURN		PASS ☒	FAIL ☐	VOTE:4-0	

JUSTIN LAVEN, CHAIR		DATE	
SPENCER CRAWFORD, DEPUTY ZONING ADMINISTRATOR		DATE	

DRAFT



VARIANCE

**TO REDUCE THE ORDINARY HIGH WATER
MARK SETBACK TO 52 FEET, COUNTY
ROAD RIGHT OF WAY SETBACK TO 39
FEET, AND PRIVATE ROAD SETBACK TO 6
FEET FOR THE PURPOSE OF INSTALLING
A REPLACEMENT SEPTIC STYSTEM**

Hannah & Luke Dinse

PLN22-10

**NICOLLET COUNTY
BOARD OF ADJUSTMENT AND APPEALS**

SUBJECT:	Variance PLN22-10
APPLICANT:	Hannah & Luke Dinse
LANDOWNER:	Hannah & Luke Dinse
LOCATION:	Part of the southeast ¼ of the northwest ¼ and part of the northeast ¼ of the southwest ¼ of Section 8-110-30 in Lafayette Township
PARCEL NO:	06.108.1400
EXISTING ZONING:	Conservancy, Urban/ Rural Residential, Shoreland, and Floodplain
HEARING DATE:	September 19, 2022

REQUEST

The applicants are requesting variance approval to install a replacement septic system within multiple setbacks:

Setback	Requested	Required	Structure Within Setback
Ordinary High Water Mark	52'	200'	Tank, Drain Field
County Right of Way	39'	50'	Drain Field
Private Road	6'	35'	Tank

The Ordinary High Water Mark setback is a requirement of the Shoreland Zoning District, while the other setbacks are a shared requirement of the Conservancy, Urban/ Rural Residential, Shoreland, and Floodplain Zoning Districts.

PROJECT DESCRIPTION

The existing septic system was determined to be non-compliant in November of 2021 as it is failing to protect groundwater. Nicollet County Property Services required the Dinse's to replace the septic system or install a holding tank by November 23, 2023. The properties of the lot make placement of a new system difficult; it is predominantly covered in steep bluffs, with the southeastern tip being the only area flat enough to support a septic. The flatter area of the property is within 200 feet of Fritche Creek and contains some floodplain, neither of which allow septic systems per the Nicollet County Zoning Ordinance. Placement is further complicated by setbacks from a private road, county right of way, and an existing well. The applicant has no option to place a septic without a variance. The attached survey proposes the smallest variance possible for the proposed system.

EXISTING LAND USE

The property consists of 2.6 acres and contains a home constructed in 1875. The lot has double street frontage from a private road and County Road 21. The majority of the property is steep bluff that begins to level out near Fritche Creek, which is where the home is located. Some parts of the property are in the Fritche Creek floodplain, but the Department of Natural Resources determined that the proposed location of the septic system is not.

SURROUNDING LAND USE

The property is surrounded by forest land, bluffs, and other homes to the north; Fritche Creek across the private road to the southeast; and farmland across County Road 21 to the south and southwest.

SOIL SITE INFORMATION

Minneiska Loam

- Slope: 1% to 4%
- Depth to restrictive feature: More than 80 inches
- Drainage class: Moderately well drained
- Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)
- Depth to water table: About 30 to 43 inches
- Frequency of flooding: None, rare
- Frequency of ponding: None
- Available water supply, 0 to 60 inches: High (about 10 inches)

SITE REVIEW

Staff observed the site and took pictures on March 21st, 2022.

NEIGHBOR NOTIFICATION

Property owners were notified of the request per the standards of Section 503 of the Zoning Ordinance and Minnesota State Statute 394.26.

VARIANCE CRITERIA

NOTE: According to Minnesota Statutes Section 394.27, subdivision 7, “practical difficulties,” as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control, and the plight of the

landowner is due to circumstances unique to the property and not created by the landowner, and the variance will not alter the essential character of the locality.

*ALL SIX of the variance criteria **must** be answered
“True” in order for the variance to be granted.*

1. The variance is in harmony with the general purposes and intent of the official control:

- The applicants are required by Nicollet County Property Services to replace their septic system or install a holding tank by November of 2023.
- The proposal requests the smallest reduction in setbacks possible to install a functional septic system that will meet all county and state sanitation requirements.

2. The variance is consistent with the intent of the comprehensive plan:

- The plan states that the county will ensure land is used in an appropriate manner by minimizing conflicts between land uses. The replacement system does not conflict with the surrounding uses.

3. The variance establishes a practical difficulty in complying with the official controls:

- There is no practical location to place a new septic system on the property without a variance.
- The applicant is not denied reasonable use of the property without a variance as a holding tank could be installed.

4. The plight of the landowner is due to circumstances unique to the property and not created by the landowner:

- The plight is related to:
 - Nicollet County Property Services requiring the septic system to be replaced or a holding tank installed by November of 2023.
 - The topography of the property.
 - The Fritche Creek floodplain and shoreland area.
 - The location of the existing well.

5. The variance will not alter the essential character of the locality:

- The septic system is located underground and only the mound will be visible. There will be no changes to the locality.

6. The practical difficulty includes more than economic considerations alone:

- The request is based on the topography of the property, the proximity to Fritche Creek, and the location of the existing well.

RECOMMENDED CONDITIONS

1. The applicants undertake the project according to the plans and specifications submitted to the County with the application.
2. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
3. The applicants must obtain the appropriate septic permits prior to construction.
4. The septic permit is invalid if the permit holder has not installed the septic system within the period of time allowed on the zoning permit connected with this variance.

**Applicants/Property Owners:
Hannah & Luke Dinse**

PLN22-10

ATTACHMENT A	Application
ATTACHMENT B	Location Map
ATTACHMENT C	Aerial Map
ATTACHMENT D	Submitted by Applicant
ATTACHMENT E	Neighbor Notification List
ATTACHMENT F	Criteria for a Variance



PROPERTY SERVICES DIVISION
501 SOUTH MINNESOTA AVENUE, SAINT PETER MN 56082
507-934-7070

BOARD OF ADJUSTMENT & APPEALS
APPLICATION

Total Fees: \$496.00

Map#: 1008100022

Parcel# 06.108.1400

Permit#: PLN22-10

Date: August 22, 2022

Applicant: Hannah & Luke Dinse, , 41576 595th Ln, New Ulm MN 56073

Phone: 763 772 2407

Owner: Hannah & Luke Dinse, , MN

Property Address: 41576 515th Ln, New Ulm MN 56073

Abbreviated Legal Description:

Township:

Record Type: Variance

Category: Other

Project Description: Septic variance to reduce the OHW setback to 52.2 feet, County right of way setback to 39.8 feet, and front yard setback to 6.9 feet.

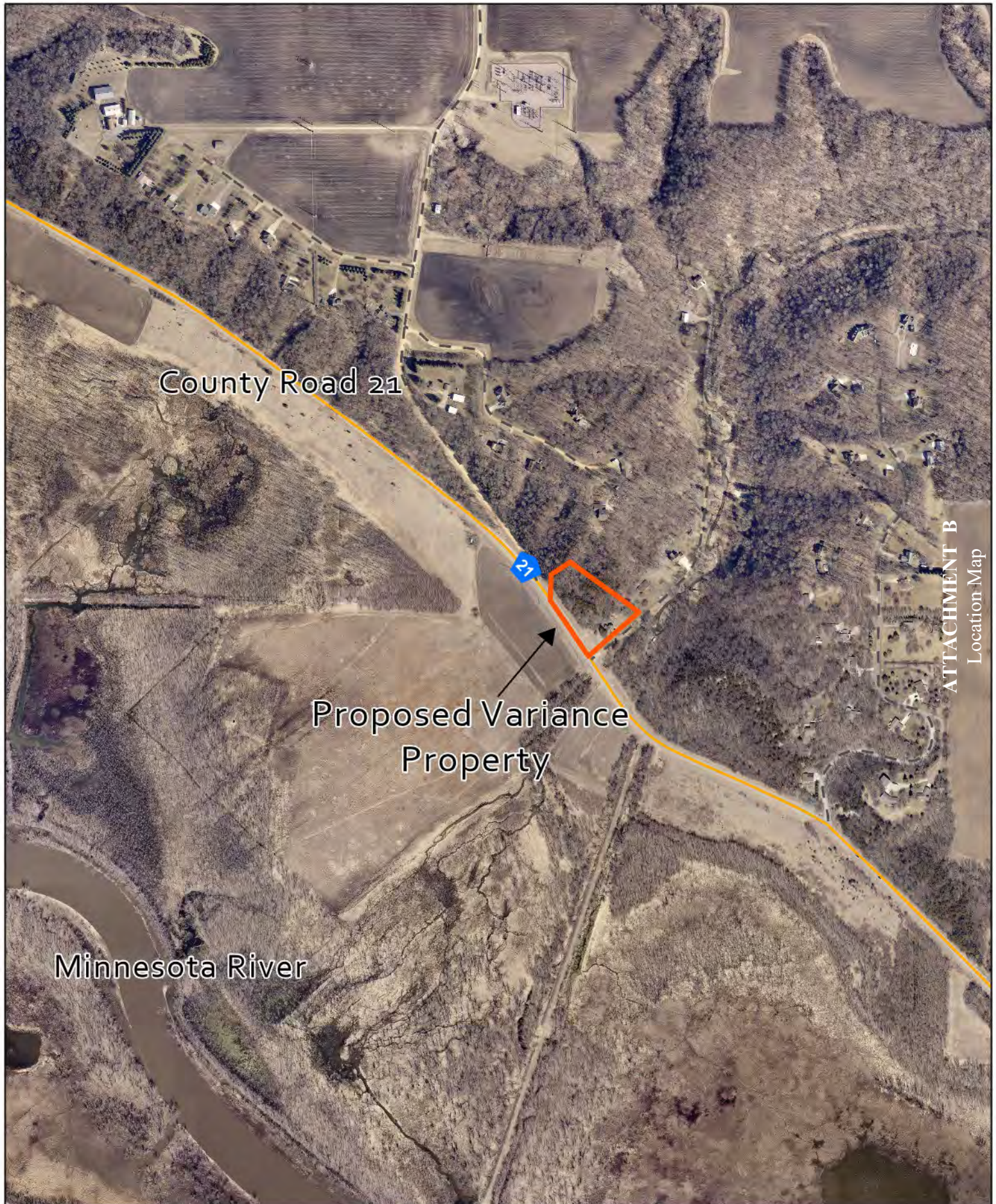
Hearing Date: 08/19/2022

APPLICANT SIGNATURE

8-22-22

DATE

ATTACHMENT A
Application



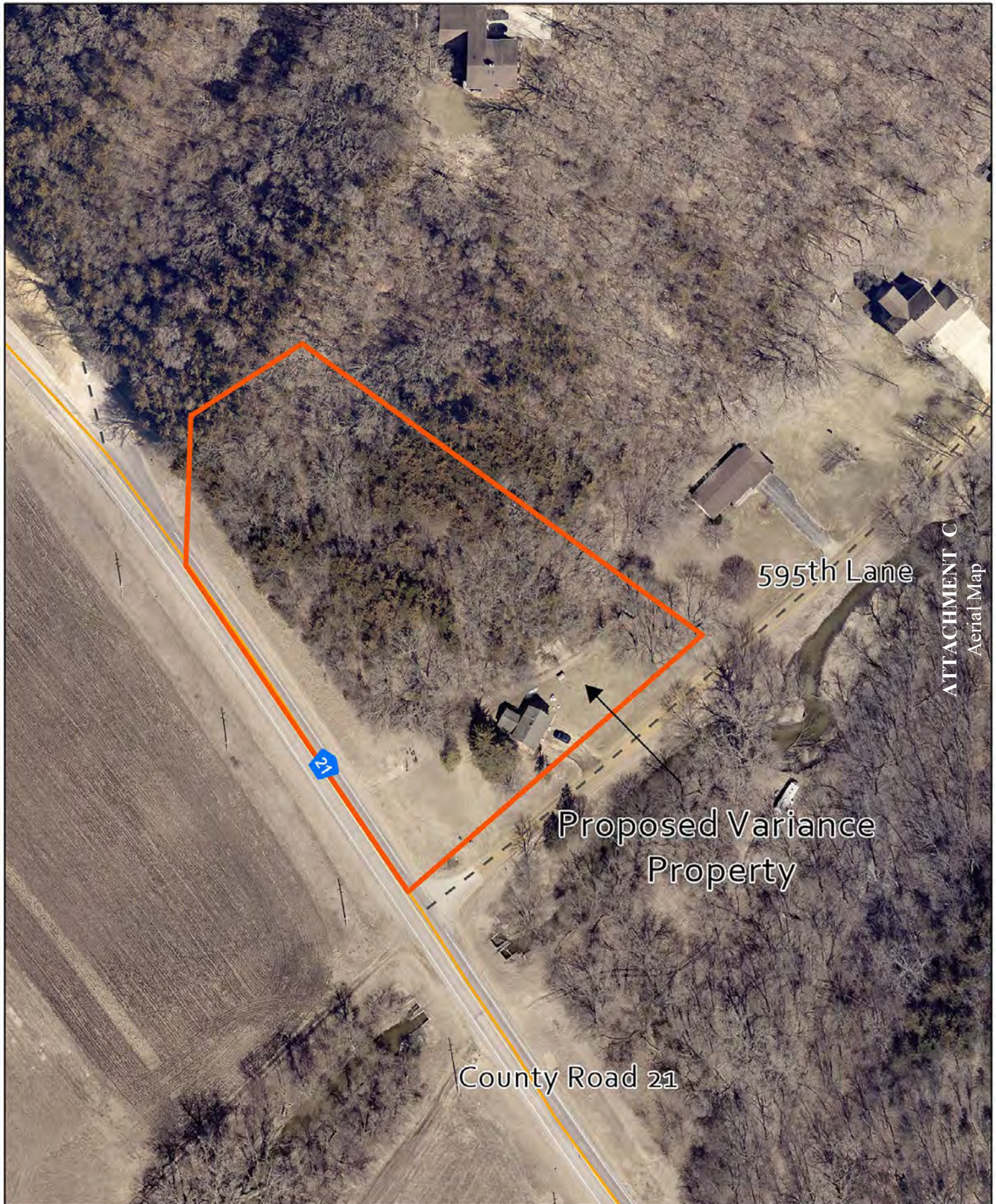
County Road 21

21

Proposed Variance
Property

Minnesota River

ATTACHMENT B
Location Map



ATTACHMENT C
Aerial Map





VARIANCE APPLICANT QUESTIONNAIRE
PROJECT DESCRIPTION

Name of Applicant: Luke + Hannah Dinse

Date: 8-15-2022

Please describe the specific details related to your request, including but not limited to:

- why you feel the project is a *need* rather than a *want*;
- what alternatives you explored and the reasons they were not reasonable for you; and
- what use, or uses, the project will provide for you;

If your request is approved, you will be **held** to the plans and specifications submitted to the County with your application.

- The project is a need because we are required to have a compliant septic system.

- This is the only way to go about putting in a compliant septic system because our property does not meet the set backs required.

- The project will provide a working and compliant septic system that will protect the ground water.

ATTACHMENT D

Submitted by Applicant



Name of Applicant: Luke + Hannah Dinse

Date: 8-15-2022

Request: Septic Variances

A variance may be granted only where the strict enforcement of the Nicollet County zoning controls results in a practical difficulty. A determination that a practical difficulty exists is based upon criteria defined by the Minnesota Supreme Court; Minnesota State Statute §394.27, Subdivision 7; and Nicollet County Zoning Ordinance, Section 503.1.

Why do you feel the request meets the following criteria?

1. The variance is in harmony with the general purposes and intent of the official control.

Yes, no choice but to make our septic system compliant.
The ordinance requires it, so we're doing our best to
fix the system.

2. The variance is consistent with the intent of the Comprehensive Plan.

Yes, we are trying to protect the ground water by
putting in a working and compliant septic system.

3. The variance establishes a practical difficulty in complying with the official controls.

The unique nature of our property can't meet
the set backs.

4. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

We have a bluff on our property and it is close
to floodplains.

(Continued onto back)

5. The variance will not alter the essential character of the locality.

No, the septic system is underground and won't change the neighborhood.

6. The practical difficulty includes more than economic considerations alone.

We love our home, and we are hoping to stay there awhile to raise our family.

***ALL SIX VARIANCE CRITERIA MUST BE MET
IN ORDER FOR THE REQUEST TO BE APPROVED.***

SURVEYOR'S CERTIFICATION

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

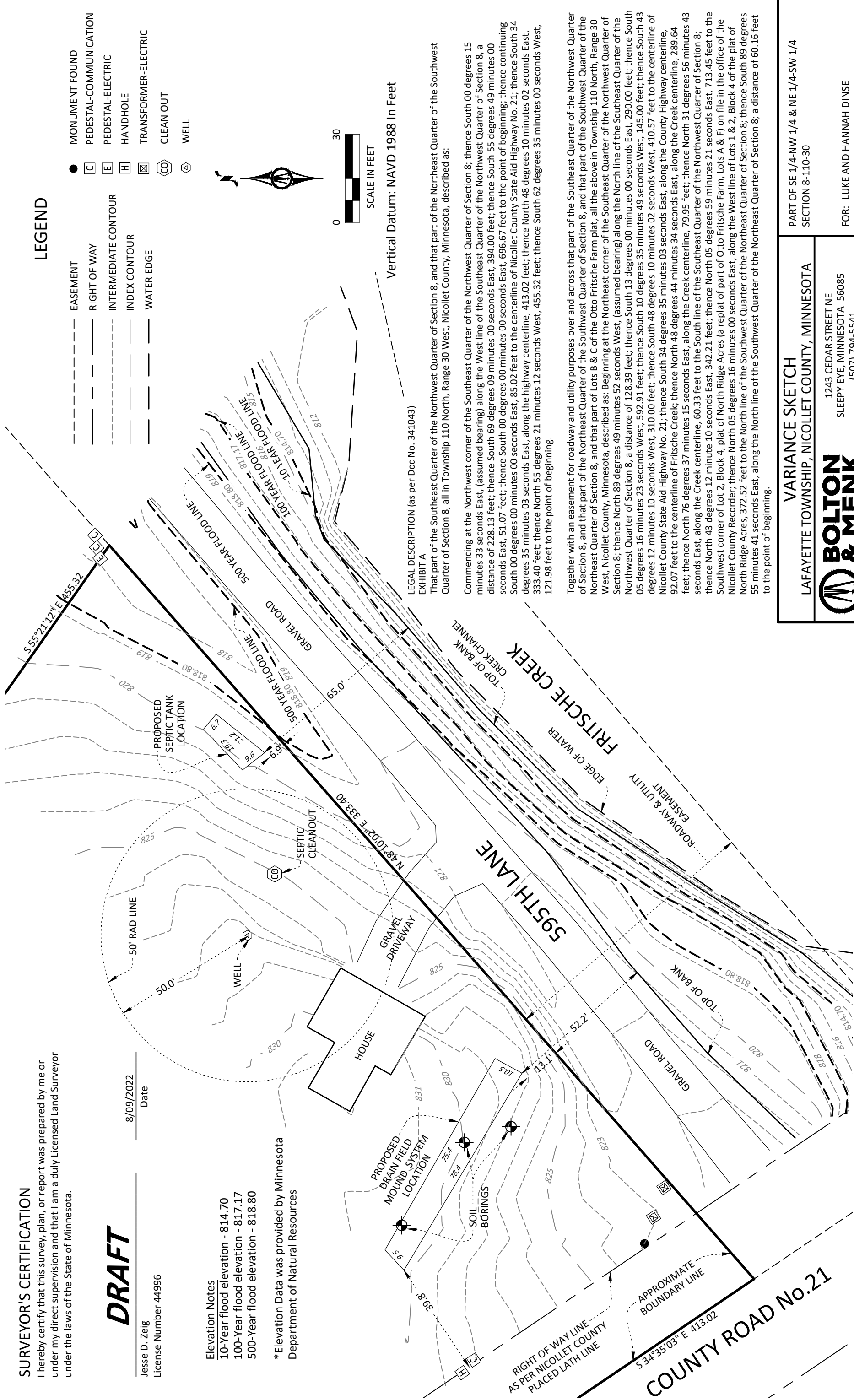
DRAFT

Jesse D. Zeig
License Number 44996

8/09/2022
Date

Elevation Notes
10-Year flood elevation - 814.70
100-Year flood elevation - 817.17
500-Year flood elevation - 818.80

*Elevation Data was provided by Minnesota
Department of Natural Resources



VARIANCE SKETCH
LAFAYETTE TOWNSHIP, NICOLLET COUNTY, MINNESOTA

PART OF SE 1/4-NW 1/4 & NE 1/4-SW 1/4
SECTION 8-110-30



1243 CEDAR STREET NE
SLEEPY EYE, MINNESOTA 56085
(507) 794-5541

FOR: LUKE AND HANNAH DINSE

DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
LUKE & HANNAH DINSE	41576 595TH LN	NEW ULM, MN 56073
MARLYS LINDSTROM	41544 595TH LN	NEW ULM MN 56073
RICK & KATHY VANROEKEL	41520 595TH LN	NEW ULM MN 56073
TATE & KAREN STILLWELL	59501 414TH LN	NEW ULM MN 56073
SHAWN & KELCEY ANDREWS	59549 414TH LN	NEW ULM MN 56073
JOHN & JENNIFER GAG	1500 N FRONT ST	NEW ULM MN 56073
JASON & JENNIFER KUESTER	18951 RIVERBLUFF DR	NEW ULM MN 56073
BILLY & DIANE PRUITT	59569 414TH LN	NEW ULM MN 56073
NOEL & BRIDGET PHIFER	59593 414TH LN	NEW ULM MN 56073
ROBERT & JOYCE LINGBEEK	59804 COUNTY ROAD 21	NEW ULM MN 56073
PAUL & JANET ROBLING	19891 HARLOW AVE	JORDAN MN 55352
DANIEL & JULIE LONG	41427 595TH LN	NEW ULM MN 56073
595TH LANE LLC	41427 595TH LN	NEW ULM MN 56073
JASON ENTER, LAFAYETTE TOWNSHIP	57108 422ND ST	NEW ULM MN 56073



NICOLLET COUNTY BOARD OF ADJUSTMENTS AND APPEALS CRITERIA FOR GRANTING A VARIANCE

Name of Applicant/ Hannah & Luke Dinse
Property Owner: Hannah & Luke Dinse

Date: September 19, 2022

File #: PLN22-10

Variance Requested: The applicants are requesting variance approval to install a replacement septic system within multiple setbacks.

FINDINGS OF FACT

A variance may be granted only where the strict enforcement of the Nicollet County zoning controls results in a **practical difficulty**. A determination that a practical difficulty exists is based upon criteria defined by the Minnesota Supreme Court; Minnesota State Statute 394.27, subdivision 7; and Nicollet County Zoning Ordinance, Section 503.1.

1. The variance is in harmony with the general purpose and intent of the official control.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

2. The variance is consistent with the intent of the Comprehensive Plan.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

3. The variance establishes a practical difficulty in complying with the official controls.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

ATTACHMENT F
Criteria for a Variance

4. The plight of the landowner is due to circumstances unique to the property and not created by the landowner.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

5. The variance will not alter the essential character of the locality.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

6. The practical difficulty includes more than economic considerations alone.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

SPECIAL CONDITIONS ARE LISTED ON THE RECORDED VARIANCE AND IN THE RECORD

THE NICOLLET COUNTY BOARD OF ADJUSTMENT AND APPEALS:
(☐ APPROVES) (☐ DENIES) THE REQUESTED VARIANCE

This decision is based on:

- ☐ Application
- ☐ Staff Report
- ☐ Pictures
- ☐ Information received at public hearing

Viewed by Members of Board:

- ☐ Laven
- ☐ Hermanson
- ☐ Ubel
- ☐ Hoffmann
- ☐

Facts supporting the answer to each question above are hereby certified as the Findings of the Nicollet County Board of Adjustments and Appeals.

Date: _____ Chair: _____



VARIANCE

REDUCTION OF THE FRONT YARD SETBACK FOR THE PURPOSE OF CONSTRUCTING A HOME ADDITION

Corbin Kiecker

PLN22-11

**NICOLLET COUNTY
BOARD OF ADJUSTMENT AND APPEALS**

SUBJECT:	Variance PLN22-11
APPLICANT:	Corbin Kiecker
LANDOWNER:	Corbin Kiecker
LOCATION:	Northwest ¼ of the Northeast ¼, Section 3-111-29 in Bernadotte Township
PARCEL NO:	02.003.0800
EXISTING ZONING:	Rural Townsite
HEARING DATE:	09/19/2022

REQUEST

The applicant has submitted a variance request to reduce the county road front yard setback in the Rural Townsite Zoning District for the purposes of constructing a home addition. The requested setback is 27.7 feet; a 44.6% reduction from the 50 feet required per Nicollet County Zoning Ordinance Section 612.4.

PROJECT DESCRIPTION

The proposal consists of a 17.5' x 25' attached garage on the south side of the home, on top of an existing concrete pad currently used for parking. The addition does not affect the driveway or approach, and Nicollet County Public works did not have any concerns with the proposal. There is an existing deck on the western side of the house that protrudes into the front yard setback further than the addition.

EXISTING LAND USE

The 0.66 acre lot is within the unincorporated community of Bernadotte, and contains a single family home with two detached accessory structures. The property has a gentle northwest to southeast slope, with no grades being over 12%.

SURROUNDING LAND USE

The property is the southernmost home in a row of dwellings along 515th Ave. Bernadotte Lutheran Church is across the road to the west; farmland is to the south and east. The homes and church together make the unincorporated community of Bernadotte.

SOIL SITE INFORMATION

Clarion Loam

- Slope: 2% to 6%
- Depth to restrictive feature: More than 80 inches
- Drainage class: Moderately well drained
- Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 2.00 in/hr)
- Depth to water table: About 20 to 47 inches
- Frequency of flooding: None
- Frequency of ponding: None
- Available water supply, 0 to 60 inches: High (about 11.0 inches)

SITE REVIEW

Staff visited the site and took photos on 09/02/22.

NEIGHBOR NOTIFICATION

Property owners were notified of the request per the standards of Section 503 of the Zoning Ordinance and Minnesota Statutes Section 394.26.

VARIANCE CRITERIA

NOTE: According to Minnesota Statutes Section 394.27, subdivision 7, “practical difficulties,” as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control, and the plight of the landowner is due to circumstances unique to the property and not created by the landowner, and the variance will not alter the essential character of the locality.

*ALL SIX of the variance criteria **must** be answered
“True” in order for the variance to be granted.*

1. The variance is in harmony with the general purposes and intent of the official control:

- The purpose of the front yard setback is to provide a buffer between land uses. For this request, the land uses being buffered are transportation and residential.
- Nicollet County Public Works has no concern with the reduction of the front yard setback for this home addition.

2. The variance is consistent with the intent of the comprehensive plan:

- The comprehensive plan states that right of ways are a valuable public asset to be maintained.
- The proposal does not impact the right of way, and no expansion of 515th Ave is currently planned.
- The comprehensive plan states the Rural Townsite Zoning District may be associated with higher-density residential development.

3. The variance establishes a practical difficulty in complying with the official controls:

- Without a variance, the applicant is not denied reasonable use of the property (e.g., for use as a dwelling site).
- Almost all of the homes within the unincorporated community of Bernadotte are partially within the front yard setback due to the small size of the lots. This makes it more difficult to place home additions.

4. The plight of the landowner is due to circumstances unique to the property and not created by the landowner:

- The plight is related to the landowners desire to construct an attached garage. The applicant is not denied reasonable use of the property.
- The plight is also related to the small nature of the lot and the location of the existing home within the right of way.

5. The variance will not alter the essential character of the locality:

- The applicant has an existing deck closer to the right of way than the proposed garage addition.

- Almost all dwellings within the unincorporated community of Bernadotte are partially within the right of way.

6. The practical difficulty includes more than economic considerations alone:

- The difficulty is related to the size of the existing lot and the location of the home in regard to the right of way.

RECOMMENDED CONDITIONS

Staff recommends the attachment of the following conditions if the variance request is approved:

1. The applicants undertake the project according to the plans and specifications submitted to the County with the application.
2. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
3. The applicants must obtain the appropriate zoning permits prior to construction.
4. The zoning permit is invalid if the permit holder has not substantially completed the accessory structure within the period of time allowed on the zoning permit connected with this variance.

**Applicant/Property Owners:
Corbin Kiecker**

PLN22-11

ATTACHMENT A	Application
ATTACHMENT B	Location Map
ATTACHMENT C	Aerial Map
ATTACHMENT D	Submitted by Applicant
ATTACHMENT E	Neighbor Notification List
ATTACHMENT F	Criteria for a Variance



PROPERTY SERVICES DIVISION
501 SOUTH MINNESOTA AVENUE, SAINT PETER MN 56082
507-934-7070

BOARD OF ADJUSTMENT & APPEALS
APPLICATION

Total Fees: \$496.00

Map#: 0503200004
Parcel# 020030800
Permit#: PLN22-11
Date: August 25, 2022

Applicant: Corbin Kiecker, , 34147 515th Ave, Lafayette MN 56054
Phone: 507 430 3742
Owner: KIECKER CORBIN, 34147 515TH AVE, LAFAYETTE MN 56054
Property Address: 34147 515TH AVE, LAFAYETTE MN 56054
Abbreviated Legal Description: S 174' OF N 891' OF W 165' OF NW 1/4 OF NE NE 1/4 ACRES .66
Township: Bernadotte

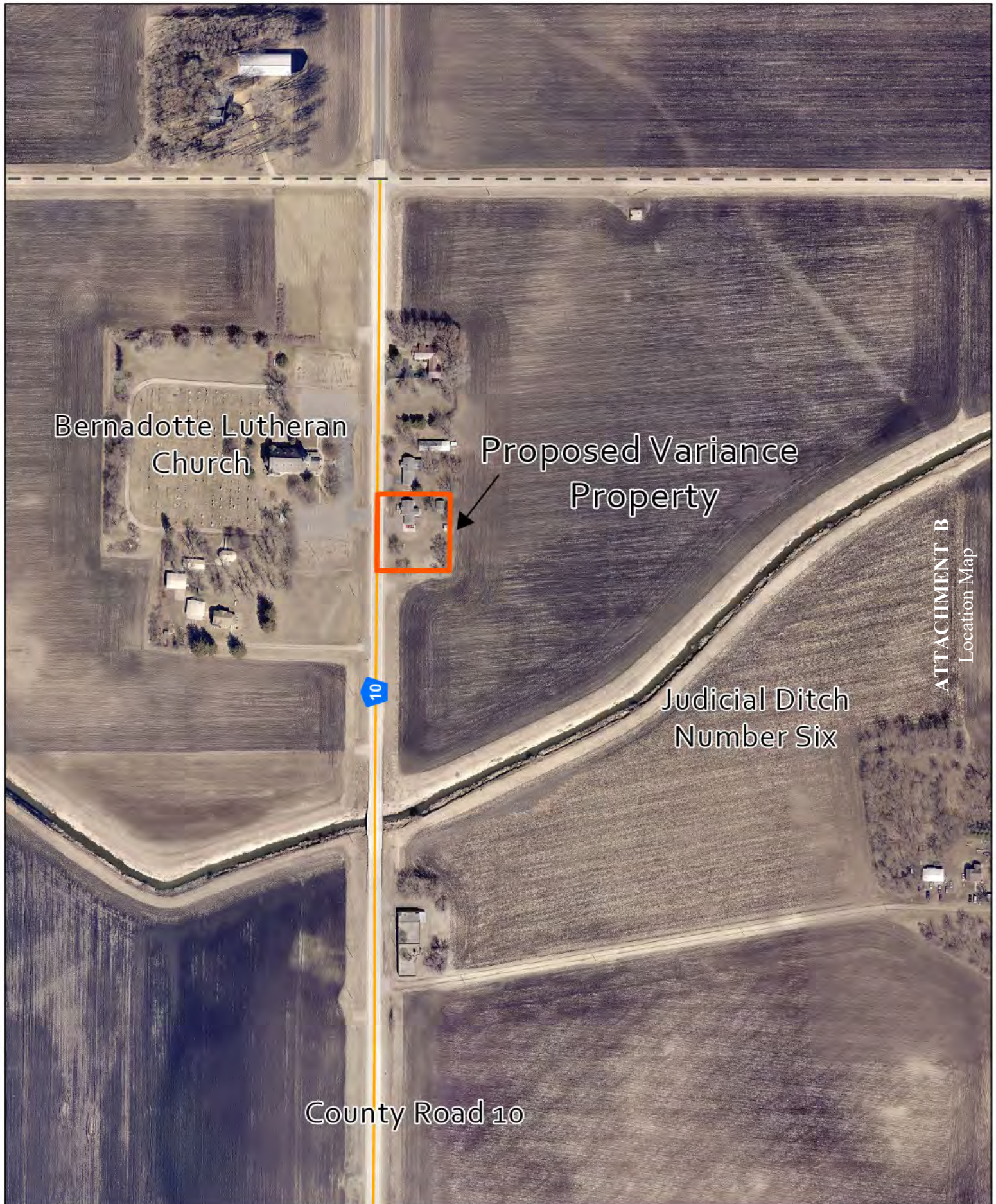
Record Type: Variance
Category: Front Yard
Project Description: Front yard setback variance for a home addition.
Hearing Date: 09/19/2022



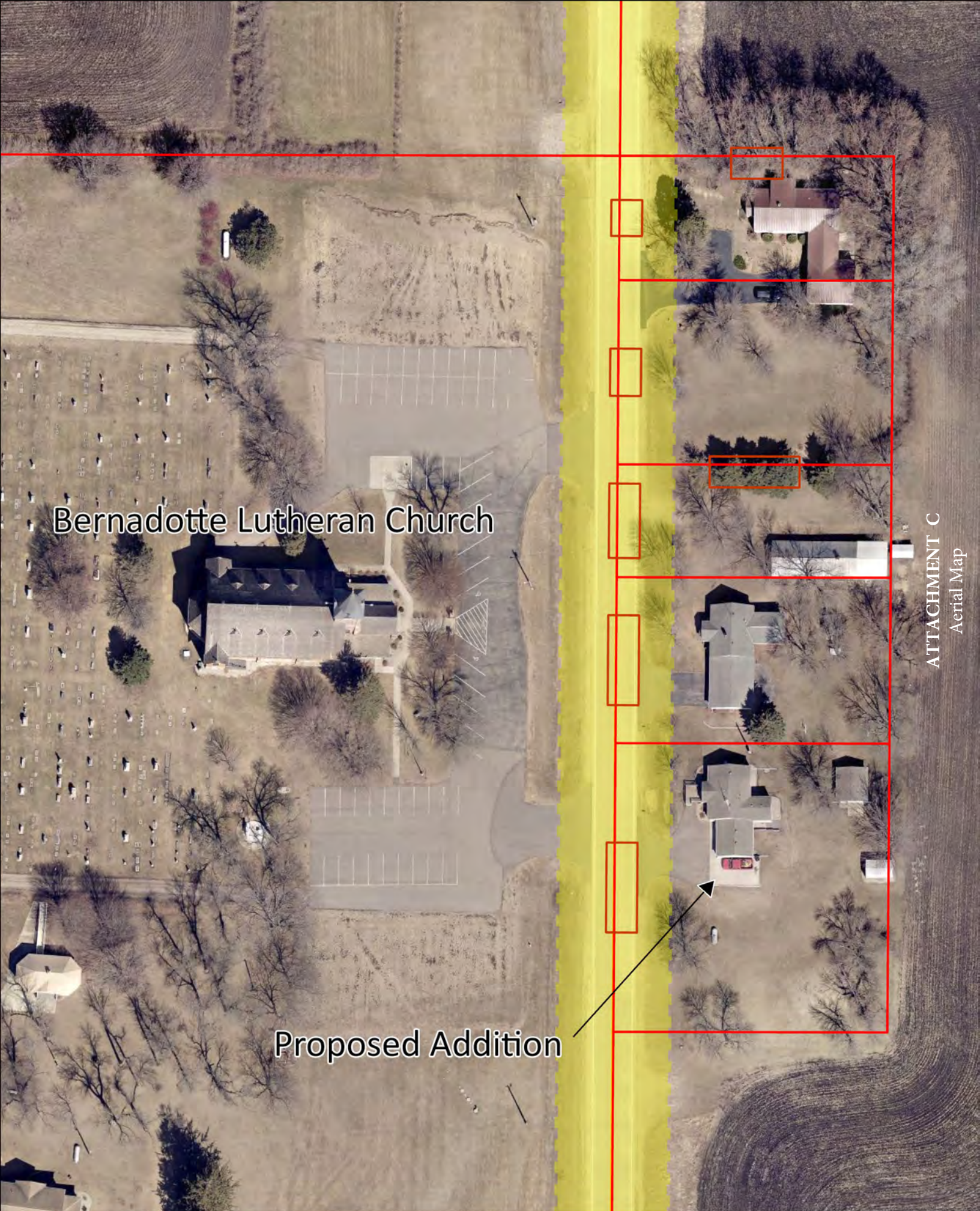
APPLICANT SIGNATURE

8-26-22
DATE

ATTACHMENT A
Application



ATTACHMENT B
Location Map



Bernadotte Lutheran Church

Proposed Addition

ATTACHMENT C
Aerial Map



Name of Applicant: Corbin Kiecker
Request: Garage addition

Date: 8-5-22

A variance may be granted only where the strict enforcement of the Nicollet County zoning controls results in a practical difficulty. A determination that a practical difficulty exists is based upon criteria defined by the Minnesota Supreme Court; Minnesota State Statute §394.27, Subdivision 7; and Nicollet County Zoning Ordinance, Section 503.1.

Why do you feel the request meets the following criteria?

1. The variance is in harmony with the general purposes and intent of the official control.

yes I'm just looking to expand for more storage

2. The variance is consistent with the intent of the Comprehensive Plan.

yes not looking to rezone property or change anything about my location

3. The variance establishes a practical difficulty in complying with the official controls.

yes since I'm close to Right of Way and highway this is my only option of expanding

4. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

house is in Right of way any expansion is requires a variance because of location

ATTACHMENT D
Submitted by Applicant

5. The variance will not alter the essential character of the locality.

Y/L Just looking for more storage

6. The practical difficulty includes more than economic considerations alone.

The concrete pad is there and existing
and the house is already there and nothing I could
bring in the front of way

***ALL SIX VARIANCE CRITERIA MUST BE MET
IN ORDER FOR THE REQUEST TO BE APPROVED.***



Name of Applicant: Corbin Kiecker

Date: 8-5-22

Please describe the specific details related to your request, including but not limited to:

- why you feel the project is a *need* rather than a *want*;
- what alternatives you explored and the reasons they were not reasonable for you; and
- what use, or uses, the project will provide for you;

If your request is approved, you will be **held** to the plans and specifications submitted to the County with your application.

I feel this a need because I do need more storage
I've explored other options, this is the only feasible one
also a need because the elements of weather and
needing to keep my valuables and vehicle inside

I've looked at other ideas such as building a shed
or putting a garage, both are more costly
and not practical with what's already existing

The uses include storage for items, working on
projects, keeping my items inside and out of the
elements

CERTIFICATE OF SURVEY

~for~ CORBIN KIECKER

~Part of~ NW1/4-NE1/4, Sec. 3-111-29

Bernadotte Township, Nicollet County, MN

LEGEND

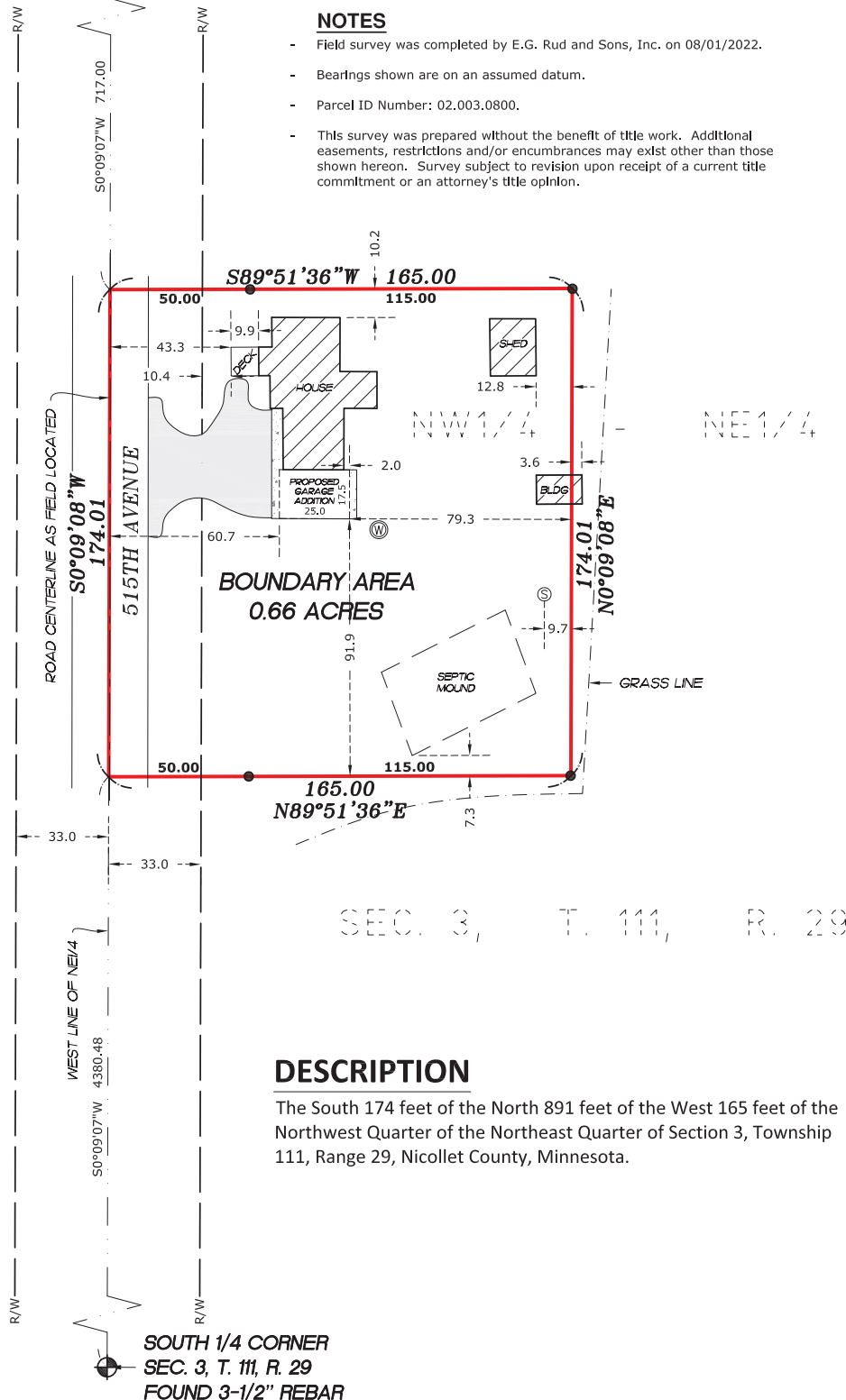
- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- DENOTES NICOLLET COUNTY SECTION CORNER
- DENOTES SEPTIC
- DENOTES WELL
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE

NORTH

NORTH 1/4 CORNER
SEC. 3, T. 111, R. 29

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 08/01/2022.
- Bearings shown are on an assumed datum.
- Parcel ID Number: 02.003.0800.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.



DESCRIPTION

The South 174 feet of the North 891 feet of the West 165 feet of the Northwest Quarter of the Northeast Quarter of Section 3, Township 111, Range 29, Nicollet County, Minnesota.

I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

By: *[Signature]*
Minnesota License No. 45356

Dated 08 day of August 2022.

DATUM: Assumed

JOB NO. 22.0839BS

REVISIONS

NO.	DATE	DESCRIPTION	BY
1			
2			
3			

SCALE: 1" = 40'

DATE: 8/8/22

DRAWN BY: SW

CREW: JWM & LAD



E.G. RUD & SONS, INC.

Professional Land Surveyors
335 Main Ave., P.O. Box 988
Gaylord, MN 55334

Tel. (507) 237-5212
www.egrud.com

L-B

Document No. 336166

Certified Recorded on 02-04-2021 at 08:00 AM

No delinquent taxes and Transfer entered on **February 4, 2021**
Certificate Real Estate (X) filed () not required

Certificate of Real Estate Value No. **34270** (eCRV 1212485)

Deed Tax Paid \$436.92

Current Property Tax (X) Exempt () Paid in full
(MS 272.121)

**Mandy Landkamer, Property & Public Services Director
Nicollet County, Minnesota, by Deputy AH**

Fee: \$46.00

PID #: 02.003.0800

Pkg: 154206

Rec'd: SCOTT COUNTY ABSTRACT & TITLE INC

(Top 3 inches reserved for recording data)

WARRANTY DEED
Individual(s) to Individual(s)

Minnesota Uniform Conveyancing Blanks
Form 10.1.1 (2018)

eCRV number: 1212485

DEED TAX DUE: \$436.92

DATE: 02/01/2021
(month/day/year)

FOR VALUABLE CONSIDERATION, Ty Reimers, a single person

(insert name and marital status of each Grantor)

____ ("Grantor"),

hereby conveys and warrants to Corbin Kiecker

(insert name of each Grantee)

____ ("Grantee"), as

(Check only one box.)

- ☐ tenants in common,
- ☐ joint tenants,

(If more than one Grantee is named above and either no box is checked or both boxes are checked, this conveyance is made to the named Grantees as tenants in common.)

real property in Nicollet County, Minnesota, legally described as follows:

Beginning at a point on the North and South Half-Section line of the Section hereinafter named, 54 rods due South of the Northwest corner of the Northeast Quarter of Section 3, in Township 111 North, Range 29 West; and thence running due East 10 rods; thence North 174 feet; thence due West 10 rods; and thence South on said Half-Section line 174 feet to and terminating at the given point of beginning, Nicollet County, Minnesota.

Check here if all or part of the described real property is Registered (Torrens) ☐

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

I-32962
Scott County Abstract and Title, Inc.
 223 South Holmes St. Box 300
 Shakopee, MN 55379
 83183

Check applicable box:

- ☐ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: _____.)
I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

[Signature]
(signature) Ty Reimers

(signature)

(signature)

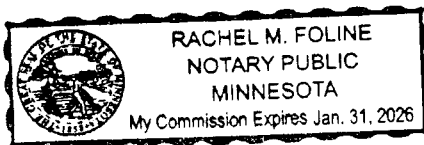
(signature)

State of Minnesota, County of Scott

This instrument was acknowledged before me on 02/01/2021, by Ty Reimers, a single person
(month/day/year)

(insert name and marital status of each Grantor)

(Stamp)



[Signature]
(signature of notarial officer)

Title (and Rank): notaryMy commission expires: 01/31/2026
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

Scott County Abstract & Title
103 East Main Street
New Prague, MN 56071
I-32962

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS
INSTRUMENT SHOULD BE SENT TO:
(insert legal name and residential or business address of Grantee)

Corbin Kiecker
34147 515th Avenue
Lafayette, MN 56054

DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
Anna Johnson	34663 515 Ave	Lafayette Mn 56054
Denise Johnson	51656 340Th St	Winthrop Mn 55396
Bernadotte Swedish Evangelical Lutheran Church	Po Box 173	Lafayette Mn 56054
Corbin Kiecker	34147 515Th Ave	Lafayette Mn 56054
Brandel Jeffery P Life Estate	34131 515Th Ave	Lafayette Mn 56054
Ruth Sundeen	34085 515Th Ave	Lafayette Mn 56054
Ruth Klossner	34085 515Th Ave	Lafayette Mn 56054
Denise Johnson	51656 340Th St	Winthrop Mn 55396
Roger Johnson	33629 505th Ave	Winthrop Mn 55396
Max Stevensen	45937 551St Ave	Courtland MN 56021
Brian Nelson- Bernadotte Township	39194 531st Ave	New Ulm Mn 56073



NICOLLET COUNTY BOARD OF ADJUSTMENTS AND APPEALS CRITERIA FOR GRANTING A VARIANCE

Name of Applicant/ Corbin Kiecker
Property Owner: Corbin Kiecker

Date: September 19, 2022

File #: PLN22-11

Variance Requested: The applicant has submitted a variance request to reduce the county road front yard setback in the Rural Townsite Zoning District for the purposes of constructing a home addition.

FINDINGS OF FACT

A variance may be granted only where the strict enforcement of the Nicollet County zoning controls results in a **practical difficulty**. A determination that a practical difficulty exists is based upon criteria defined by the Minnesota Supreme Court; Minnesota State Statute 394.27, subdivision 7; and Nicollet County Zoning Ordinance, Section 503.1.

1. The variance is in harmony with the general purpose and intent of the official control.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

2. The variance is consistent with the intent of the Comprehensive Plan.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

3. The variance establishes a practical difficulty in complying with the official controls.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

ATTACHMENT F
Criteria for a Variance

4. The plight of the landowner is due to circumstances unique to the property and not created by the landowner.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

5. The variance will not alter the essential character of the locality.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

6. The practical difficulty includes more than economic considerations alone.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

SPECIAL CONDITIONS ARE LISTED ON THE RECORDED VARIANCE AND IN THE RECORD

THE NICOLLET COUNTY BOARD OF ADJUSTMENT AND APPEALS:
(☐ APPROVES) (☐ DENIES) THE REQUESTED VARIANCE

This decision is based on:

- ☐ Application
- ☐ Staff Report
- ☐ Pictures
- ☐ Information received at public hearing

Viewed by Members of Board:

- ☐ Laven
- ☐ Hermanson
- ☐ Ubel
- ☐ Hoffmann
- ☐

Facts supporting the answer to each question above are hereby certified as the Findings of the Nicollet County Board of Adjustments and Appeals.

Date: _____ Chair: _____



VARIANCE

**TO INSTALL AN ANHYDROUS
AMMONIA TANK WITHOUT A
BERM**

United Farmers Cooperative

PLN22-13

**NICOLLET COUNTY
BOARD OF ADJUSTMENT AND APPEALS**

SUBJECT:	Variance PLN22-13
APPLICANT:	United Farmers Cooperative
LANDOWNER:	Farmers CO-OP of Lafayette
LOCATION:	Northeast ¼ of the Northeast ¼, Section 19-111-27
PARCEL NO:	07.019.0900
EXISTING ZONING:	Highway Business, Conservancy, Shoreland
HEARING DATE:	09/19/2022

REQUEST

The applicant is requesting variance approval to install a 30,000 gallon anhydrous ammonia storage tank at their Norseland Ag Service Center without a berm. This variance is concurrent with PLN22-13, which is a Conditional Use Permit request for approving the tank.

ORDINANCE

Nicollet County Zoning Ordinance 708 (5) states:

The County Board shall require the development of berming around bulk storage containers. Berming shall be suitably sealed and shall hold a leakage capacity equal to one hundred fifteen (115) percent of the largest container capacity.

PROJECT DESCRIPTION

The applicant wishes to forgo berming as they believe it to be an unnecessary cost and burden. They state that ammonia would be released as a gas during an emergency, making berming ineffective. However, they are proposing the installation of a concrete barrier to prevent damage to the tank. This barrier does not meet the requirements of the zoning ordinance as it is permeable and not able to hold 115% of the tanks capacity.

The Minnesota Department of Agriculture has permitting authority over the tank and enforces safety regulations, such as berming. The Minnesota Department of Agriculture does not require a berm for an anhydrous ammonia tank of this size.

EXISTING LAND USE

The existing land use is commercial. Norseland Ag Service Center has a shop, repair center, and existing anhydrous ammonia storage tank on site.

SURROUNDING LAND USE

The service center is located on State Highway 22 within the unincorporated community of Norseland. It is surrounded by homes to the east, west, and southwest; there is a farm field to the north and east, with forest land to northwest.

SITE REVIEW

Staff visited the site and took photographs on 09/01/2022.

NEIGHBOR NOTIFICATION

Property owners were notified of the request per the standards of Section 503 of the Zoning Ordinance and Minnesota Statutes Section 394.26.

VARIANCE CRITERIA

NOTE: According to Minnesota Statutes Section 394.27, subdivision 7, “practical difficulties,” as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control, and the plight of the landowner is due to circumstances unique to the property and not created by the landowner, and the variance will not alter the essential character of the locality.

*ALL SIX of the variance criteria **must** be answered
“**True**” in order for the variance to be granted.*

1. The variance is in harmony with the general purposes and intent of the official control:

- The intent of the official control is to keep dangerous liquids contained in the event of tank failure.
- Berming for a tank of this size is not a safety requirement of the Minnesota Department of Agriculture.
- The proposal includes a concrete barrier to prevent the tank from being struck by a vehicle.

2. The variance is consistent with the intent of the comprehensive plan:

- The comprehensive plan emphasizes the importance of public safety in land use decisions.
- Berming for a tank of this size is not a safety requirement of the Minnesota Department of Agriculture.
- The proposal includes a concrete barrier to prevent the tank from being struck by a vehicle.

3. The variance establishes a practical difficulty in complying with the official controls:

- Without a variance, the applicant is not denied reasonable use of the property (as an agricultural specialty center).
- There are no unique features of the property that prevent the construction of a berm.
- Placing a storage tank of this size without a berm is reasonable as the Minnesota Department of Agriculture does not require it for safety.

4. The plight of the landowner is due to circumstances unique to the property and not created by the landowner:

- The plight is related to the landowners desire to increase their anhydrous ammonia storage capacity without occurring the additional cost and requirements of berming, rather than features unique to the property.
- Berming is unique in that it is a requirement of the Nicollet County Zoning Ordinance, and not the Minnesota Department of Agriculture for a tank of this size.

5. The variance will not alter the essential character of the locality:

- The applicant has an existing anhydrous ammonia storage tank without a berm.
- The applicant has submitted a landscaping plan that will screen the proposal from surrounding uses.

6. The practical difficulty includes more than economic considerations alone:

- The practical difficulty is related to the landowners desire to increase their anhydrous ammonia storage capacity without occurring the additional cost and difficulty of berming.

RECOMMENDED CONDITIONS

Staff recommends the attachment of the following conditions if the variance request is approved:

1. The applicants undertake the project according to the plans and specifications submitted to the County with the application.
2. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
3. The applicants must obtain the appropriate zoning permits prior to construction.
4. The zoning permit is invalid if the permit holder has not substantially completed the project within the period of time allowed on the zoning permit connected with this variance.
5. The applicant obtains a permit from the Minnesota Department of Agriculture and follows all local, state, and federal regulations.

**Applicant/Property Owners:
United Farmers Cooperative / Farmers CO-OP of Lafayette**

PLN22-13

ATTACHMENT A	Application
ATTACHMENT B	Location Map
ATTACHMENT C	Aerial Map
ATTACHMENT D	Submitted by Applicant
ATTACHMENT E	Neighbor Notification List
ATTACHMENT F	Criteria for a Variance



PROPERTY SERVICES DIVISION
501 SOUTH MINNESOTA AVENUE, SAINT PETER MN 56082
507-934-7070

BOARD OF ADJUSTMENT & APPEALS
APPLICATION

Total Fees: \$496.00

Map#: 0719226018
Parcel# 070190900
Permit#: [PLN22-13](#)
Date: August 26, 2022

Applicant: Jim Carlson, United Farmers Cooperative, 37597 State Highway 22, Saint Peter MN 56082

Phone: 612-597-8482

Owner: FARMERS CO-OP OF LAFAYETTE, PO BOX 461, WINTHROP MN 55396

Property Address: 37597 STATE HIGHWAY 22, ST PETER MN 56082

Abbreviated Legal Description: LOT 7 OF NE 1/4 OF NE 1/4 ACRES 1.74; & PT OF LOT A & PT OF LOT 6 ACRES 1.00
& BURKE LANDS ADJ TO LOT 7 & 8 (PT OF LOT A) ACRES 0.30 TOTAL ACRES 3.04

Township: Lake Prairie Township

Record Type: Variance

Category: Other

Project Description: Variance request to forgo berming around a bulk storage container as required by Zoning Ordinance 708.5.
The variance is in conjunction with CUP PLN22-12.

Hearing Date: 09/19/2022

Jim Carlson

Digitally signed by Jim Carlson
Date: 2022.08.26 08:55:06
-05'00'

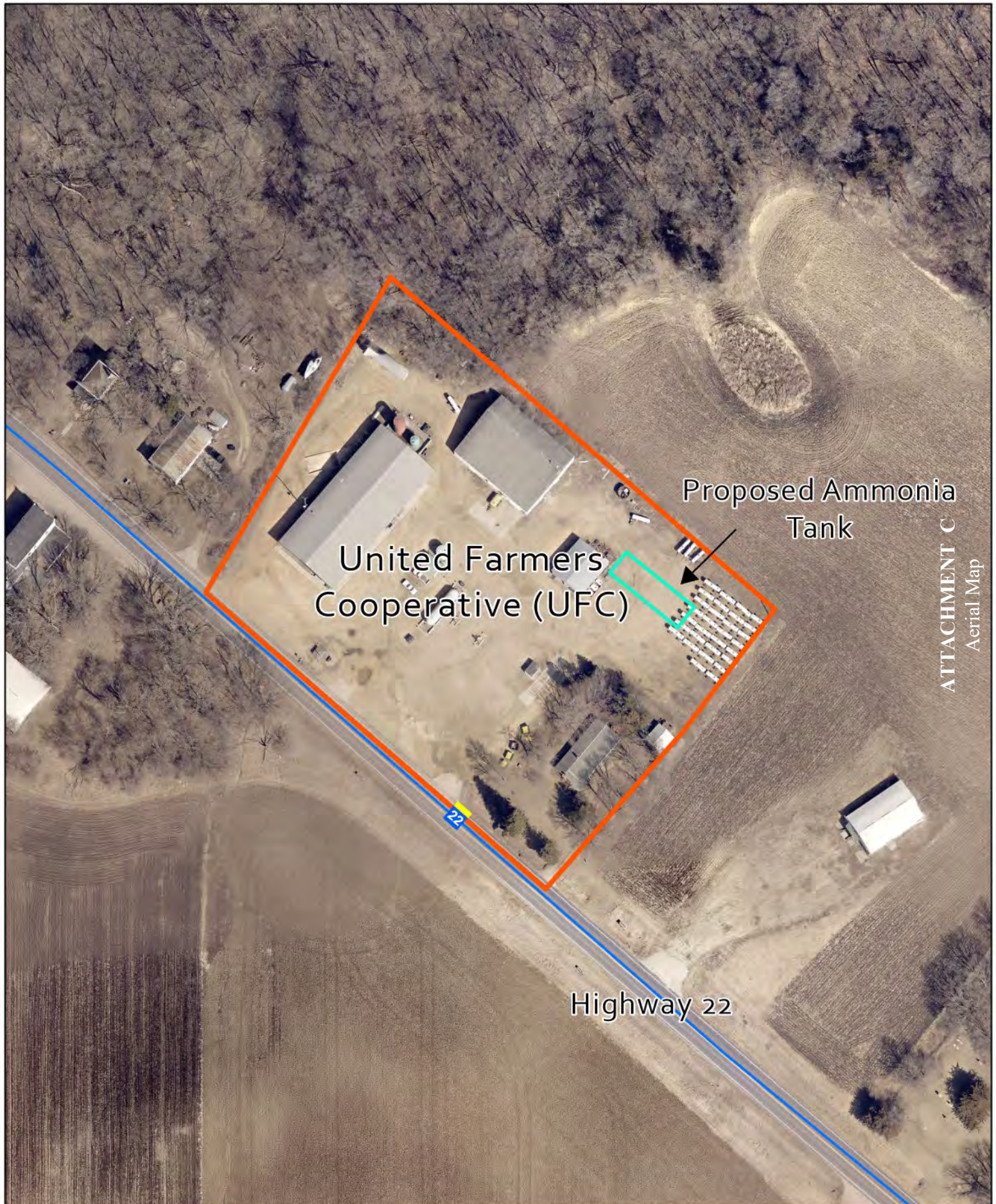
APPLICANT SIGNATURE

DATE

ATTACHMENT A
Application



ATTACHMENT B
Location Map



ATTACHMENT C
Aerial Map

Name of Applicant: United Farmers Cooperative
Request: Variance to Ordinance 708 (5)

Date: 8/10/22

A variance may be granted only where the strict enforcement of the Nicollet County zoning controls results in a practical difficulty. A determination that a practical difficulty exists is based upon criteria defined by the Minnesota Supreme Court; Minnesota State Statute §394.27, Subdivision 7; and Nicollet County Zoning Ordinance, Section 503.1.

Why do you feel the request meets the following criteria?

1. The variance is in harmony with the general purposes and intent of the official control.
This request follows in line with all other existing storage locations across the area. This particular material does not flow as a liquid when not under pressure within the tank.

2. The variance is consistent with the intent of the Comprehensive Plan.
UFC will following all other requirments of County and State.

3. The variance establishes a practical difficulty in complying with the official controls.
This particular stored material does not release in liquid form, therefore a diked area would be entirely ineffective.

4. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
The cost of ineffective diking is an unnecessary financial burden.

ATTACHMENT D
Submitted by Applicant

(Continued onto back)

5. The variance will not alter the essential character of the locality.

All other requirements will be followed to there full extent.

6. The practical difficulty includes more than economic considerations alone.

***ALL SIX VARIANCE CRITERIA MUST BE MET
IN ORDER FOR THE REQUEST TO BE APPROVED.***



VARIANCE APPLICANT QUESTIONNAIRE
PROJECT DESCRIPTION

Name of Applicant: United Farmers Cooperative

Date: 8/19/22

Please describe the specific details related to your request, including but not limited to:

- why you feel the project is a *need* rather than a *want*;
- what alternatives you explored and the reasons they were not reasonable for you; and
- what use, or uses, the project will provide for you;

If your request is approved, you will be **held** to the plans and specifications submitted to the County with your application.

United Farmer Cooperative has the need to increase storage capacity of anhydrous ammonia at our Norseland site to fulfill the timely needs of growers in the area. As growers get larger with larger equipment our business is needing to adjust with bigger and faster infrastructure and equipment to keep up. We are asking to increase storage capacity to 30,000 gals. instead of the existing 18,000 gals. With that said this product that we are storing is handles exactly like the current storage tank. It also handles exactly like propane. Both products store as liquid under pressure but when released from pressure form into a gas. Field application is a gas. We are asking for an exception to the code that requires berming/diking to equi 115% of storage. Doing this we will incur cost that is not needed. A berm/dike will be in-effective. All our other ammonia site in Sibley, McLoed, and Renville counties do no have diking.



United Farmers Cooperative (UFC)
Noresland
37597 State Hwy 22
St. Peter, MN 56082

This is a brief description of the proposed site enhancement of the above property. Please let me know what questions you have.

- Purchase adjacent property with the hopes of rezoning so UFC can increase inventory storage capacity of NH₃ at this location. Purchasing the property is needed to meet required setback requirements.
- Current inventory capacity is 18,000 gal and we'd like to increase it by putting a 30,000 gal tank on site.
- Existing 18,000 tank will be de-commissioned once the 30,000 gal tank is operational.
- Existing tank at our Gaylord site will be moved to this site. This tank is being used for the same purpose as it will be in Norseland. Nameplate and existing site photo below. Concrete barriers will be installed for safety as shown at existing site.

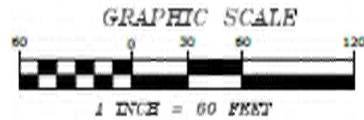


- Tank moving and installation will occur prior to October 2023 and not before January 1, 2023 if approved. We would like to be operational for fall 2023 season which starts in October.
- State permits will be applied for once stie plan and variance are approved. State has been contacted regarding intent with no obvious obstacles present to complete the project.

Managing inventory in season is a real challenge when you have small capacity tanks. Application of this product is so weather dependent...if the weather is good, it runs hard and turning semi loads fast enough is logistically difficult. More tank capacity creates more flexibility with a better chance of not running out of inventory when the farmer needs it.

SITE PLAN

~for~ United Farmers Cooperative (UFC)
 ~Part of~ Lots 6, 7 & A, PLAT
 SHOWING BURKE LANDS in Sec. 19
 & 20, T. 111N, R. 27W, Lake Prairie
 Twp., Nicollet Co., MN



LEGEND
 ● DENOTES IRON MONUMENT FOUND
 ○ DENOTES IRON MONUMENT SET

NORTH



NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 6/17/22.
- Bearings shown are based on the Nicollet County Coord. Sys. NAD83 (96 ad.).
- Parcel ID Number: 07.019.0900.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Aerial photo obtained from Microsoft Corp. is shown for graphical reference purposes only and the accuracies are unknown.

I hereby certify that this plan, survey or report was prepared by me, or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

By: *[Signature]*
 Minnesota License No. 45156

Dated 24th day of June, 2022.

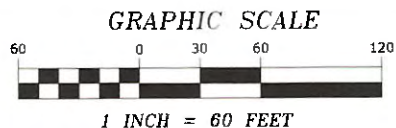
DATUM: Co. Coord.	JOB NO. 22.0693
REVISIONS	SCALE: 1" = 60'
1	DATE: 6-24-22
2	DRAWN BY: KDN
3	CREW: JWM
NO. DATE DESCRIPTION BY	

E.G. RUD & SONS, INC.
 Professional Land Surveyors
 990 5th Ave SE, Suite 2
 Hutchinson, MN 55350
 Tel. (202) 587-2022
 www.egrud.com

L-15

SITE PLAN

~for~ United Farmers Cooperative (UFC)
 ~Part of~ Lots 6, 7 & A, PLAT
 SHOWING BURKE LANDS in Sec. 19
 & 20, T. 111N, R. 27W, Lake Prairie
 Twp., Nicollet Co., MN



LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET



NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 6/17/22.
- Bearings shown are based on the Nicollet County Coord. Sys. NAD83 (96 adj.).
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- Aerial photo obtained from Microsoft Corp. is shown for graphical reference purposes only and the accuracies are unknown.

I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

By: *KSM*
 Minnesota License No. 45356

Dated 24th day of June, 2022.

DATUM: Co. Coord.

JOB NO. 22.0693

REVISIONS

NO	DATE	DESCRIPTION	BY
1			
2			
3			

SCALE: 1" = 60'

DATE: 6-24-22

DRAWN BY: KDN

CREW: JWM



E.G. RUD & SONS, INC.

Professional Land Surveyors

990 5th Ave SE, Suite 2

Hutchinson, MN 55350

Tel. (320) 587-2025

www.egrud.com

L-B

Landscaping Plane

1. Bushes on the NE Corner similar to this



Once we clean up the house site, we will use what we can of existing trees and tie into them.

3. New tanks site will include required barriers using more astatically pleasing materials. Current is concrete blocks.



4. This building will be demoed or sold and moved.
5. Refer to next page for survey and placement of tank.



DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
Norwegian Methodist Church	123 Unknown	Unknown Mn 00000
Robert & Donna Widdifield	37615 State Highway 22	Saint Peter Mn 56082
Randy & Jeffrey Swenson	37580 State Highway 22	Saint Peter Mn 56082
Michael Pugh	37566 State Highway 22	Saint Peter Mn 56082
Farmers Co-Op Of Lafayette	Po Box 461	Winthrop Mn 55396
Andrew Greve & John Anderson	37577 State Hwy 22	Saint Peter Mn 56082
Joel Anthony & Wanda Anthony	37561 State Highway 22	Saint Peter Mn 56082
Michael Anthony	42628 County Road 52	Saint Peter Mn 56082
Dorothy Anthony	37553 State Hwy 22	Saint Peter Mn 56082
Roger Swenson Family Farm Llc	3032 12Th Ave	Fort Dodge Ia 50501
Dorothy Anthony	37553 State Hwy 22	Saint Peter Mn 56082
Swedish Lutheran Church Scandian Grove	42869 County Road 52	Saint Peter Mn 56082
Lois Annexstad	38005 403Rd Ave	Saint Peter Mn 56082
Michael Anthony	42628 County Road 52	Saint Peter Mn 56082
Ron Regenscheid- Lake Prairie Township	35724 375th Ave	Saint Peter Mn 56082



NICOLLET COUNTY BOARD OF ADJUSTMENTS AND APPEALS CRITERIA FOR GRANTING A VARIANCE

Name of Applicant/ United Farmers Cooperative
Property Owner: Farmers CO-OP of Lafayette

Date: September 19, 2022

File #: PLN22-13

Variance Requested: The applicant is requesting variance approval to install a 30,000 gallon anhydrous ammonia storage tank at their Norseland Ag Service Center without a berm.

FINDINGS OF FACT

A variance may be granted only where the strict enforcement of the Nicollet County zoning controls results in a **practical difficulty**. A determination that a practical difficulty exists is based upon criteria defined by the Minnesota Supreme Court; Minnesota State Statute 394.27, subdivision 7; and Nicollet County Zoning Ordinance, Section 503.1.

1. The variance is in harmony with the general purpose and intent of the official control.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

2. The variance is consistent with the intent of the Comprehensive Plan.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

3. The variance establishes a practical difficulty in complying with the official controls.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

ATTACHMENT F
Criteria for a Variance

4. The plight of the landowner is due to circumstances unique to the property and not created by the landowner.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

5. The variance will not alter the essential character of the locality.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

6. The practical difficulty includes more than economic considerations alone.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

SPECIAL CONDITIONS ARE LISTED ON THE RECORDED VARIANCE AND IN THE RECORD

THE NICOLLET COUNTY BOARD OF ADJUSTMENT AND APPEALS:
(☐ APPROVES) (☐ DENIES) THE REQUESTED VARIANCE

This decision is based on:

- ☐ Application
- ☐ Staff Report
- ☐ Pictures
- ☐ Information received at public hearing

Viewed by Members of Board:

- ☐ Laven
- ☐ Hermanson
- ☐ Ubel
- ☐ Hoffmann
- ☐

Facts supporting the answer to each question above are hereby certified as the Findings of the Nicollet County Board of Adjustments and Appeals.

Date: _____ Chair: _____



VARIANCE

REDUCTION OF THE BLUFF SETBACK FOR THE PURPOSE OF CONSTRUCTING A SHED ADDITION

Jessica Domeier

PLN22-14

**NICOLLET COUNTY
BOARD OF ADJUSTMENT AND APPEALS**

SUBJECT:	Variance PLN22-14
APPLICANT:	Jessica Domeier
LANDOWNER:	Jessica & Gerald Domeier
LOCATION:	Part of the Northwest ¼ of the Northwest ¼ Section 9-111-32, Ridgely Township
PARCEL NO:	11.109.0100
EXISTING ZONING:	Conservancy
HEARING DATE:	09/19/2022

REQUEST

The applicant has submitted a variance request to reduce the bluffline setback in the Conservancy District for the purpose of constructing a shed addition. The requested setback is 4.4 feet; this would result in an 85.34% reduction from the 30 feet required setback per Nicollet County Zoning Ordinance Section 603.4(5).

PROJECT DESCRIPTION

The proposal consists of a 16' x 40' attached addition on the south side of an existing shed, which would be used to house farm equipment per the survey.

EXISTING LAND USE

The 13.5 acre lot is located in the bluffs along Highway 21, with the home and shed sitting in a small valley that widens as it approaches the road. There is a large power line that spans the property from east to west. The existing shed sits under the power line, and the proposal would be just to the south of it. The applicant is working with the power company to gain approval for construction.

SURROUNDING LAND USE

The area is predominantly rural as the property is surrounded by scattered forested bluffs and farmland. The Minnesota River is half a mile to the south, and other residences are located to the north, west, and east.

SOIL SITE INFORMATION

Belview-Omsrud Complex

- Slope: 22 to 40 percent
- Depth to restrictive feature: More than 80 inches
- Drainage class: Well drained
- Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 2.00 in/hr)
- Depth to water table: More than 80 inches
- Frequency of flooding: None
- Frequency of ponding: None
- Calcium carbonate, maximum content: 25 percent
- Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
- Available water supply, 0 to 60 inches: High (about 11.1 inches)

SITE REVIEW

Staff visited the site and took photos on 08/31/22.

NEIGHBOR NOTIFICATION

Property owners were notified of the request per the standards of Section 503 of the Zoning Ordinance and Minnesota Statutes Section 394.26.

VARIANCE CRITERIA

NOTE: According to Minnesota Statutes Section 394.27, subdivision 7, “practical difficulties,” as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control, and the plight of the landowner is due to circumstances unique to the property and not created by the landowner, and the variance will not alter the essential character of the locality.

*ALL SIX of the variance criteria **must** be answered
“True” in order for the variance to be granted.*

1. The variance is in harmony with the general purposes and intent of the official control:

- The intent of the bluff setback in the Conservancy District is to prevent slumping and improve slope stability.
- The request would result in an 85.34% reduction of the 30 foot bluffline setback, but it does not impact the bluff itself.

2. The variance is consistent with the intent of the comprehensive plan:

- The comprehensive plan identifies bluffs as a natural resource to be preserved, protected, and conserved.
- The proposal reduces the bluff setback, but does not impact the bluff itself.

3. The variance establishes a practical difficulty in complying with the official controls:

- There is no legal place to construct a shed addition due to close proximity of bluffs on three sides.
- Without a variance, the applicant is not denied reasonable use of the property (e.g., for use as a dwelling site).

4. The plight of the landowner is due to circumstances unique to the property and not created by the landowner:

- The plight of the landowner is related to the topography of the property in relation to the bluffline setback.
- The plight is also related to the applicant's desire to construct a shed addition. Without a variance, the applicant is not denied reasonable use of the property (e.g., for use as a dwelling site).

5. The variance will not alter the essential character of the locality:

- The addition will not be visible from neighboring properties due to the bluff.

6. The practical difficulty includes more than economic considerations alone:

- The request appears to include more than economic considerations alone. The request is based on the existing shed location and topography of the property.

RECOMMENDED CONDITIONS

Staff recommends the attachment of the following conditions if the variance request is approved:

1. The applicants undertake the project according to the plans and specifications submitted to the County with the application.
2. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
3. The applicants must obtain the appropriate zoning permits prior to construction.
4. The zoning permit is invalid if the permit holder has not substantially completed the accessory structure within the period of time allowed on the zoning permit connected with this variance.

**Applicant/Property Owners:
Jessica Domeier/ Jessica & Gerald Domeier**

PLN22-14

ATTACHMENT A	Application
ATTACHMENT B	Location Map
ATTACHMENT C	Aerial Map
ATTACHMENT D	Submitted by Applicant
ATTACHMENT E	Neighbor Notification List
ATTACHMENT F	Criteria for Variance



PROPERTY SERVICES DIVISION
501 SOUTH MINNESOTA AVENUE, SAINT PETER MN 56082
507-934-7070

BOARD OF ADJUSTMENT & APPEALS
APPLICATION

Total Fees: \$496

Map#: 0209100002
Parcel# 111090100
Permit#: PLN22-14
Date: August 26, 2022

Applicant: Jessica Domeier, , 71082 Co Rd 21, Fairfax MN 55332
Phone: 507 995 3604
Owner: DOMEIER GERALD L & JESSICA A DOMEIER, 71082 COUNTY ROAD 21, FAIRFAX MN 55332
Property Address: 71082 COUNTY ROAD 21, FAIRFAX MN 55332
Abbreviated Legal Description: N 13 1/2 AC OF W 55 AC OF W 1/2 OF NW 1/4 ACRES 13.50
Township: Ridgely Township

Record Type: Variance

Category: Bluff

Project Description: Variance to reduce the bluff setback in the Conservancy District from 30 feet to 4.4 feet.

Hearing Date: 09/19/2022


APPLICANT SIGNATURE

8.28.22
DATE

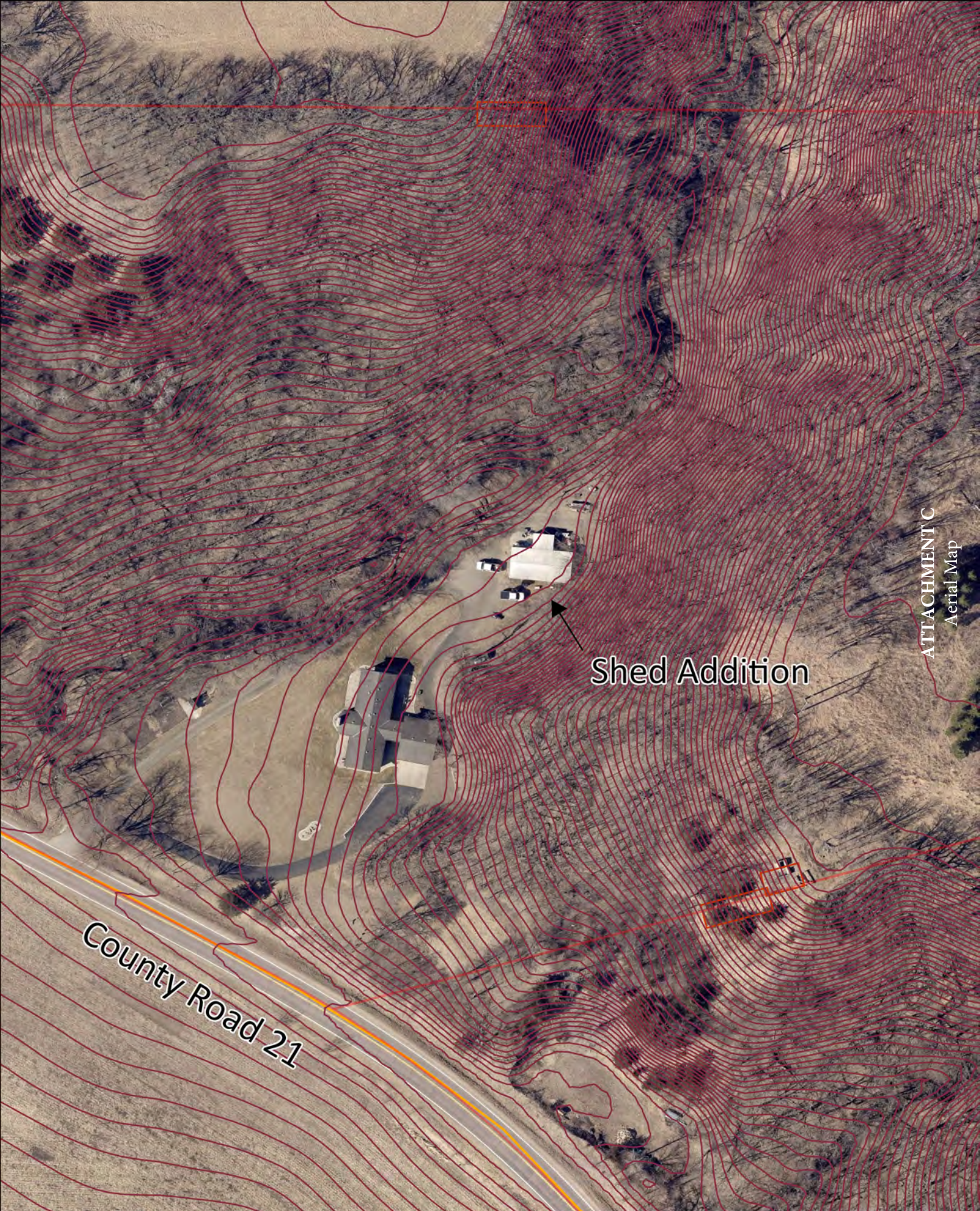


ATTACHMENT B
Location Map

County Road 21

Shed Addition

Minnesota River



ATTACHMENT C
Aerial Map

Shed Addition

County Road 21

Name of Applicant: Gerald & Jessica Domeier
Request: Variance Permit Request

Date: 8/22/22

A variance may be granted only where the strict enforcement of the Nicollet County zoning controls results in a practical difficulty. A determination that a practical difficulty exists is based upon criteria defined by the Minnesota Supreme Court; Minnesota State Statute §394.27, Subdivision 7; and Nicollet County Zoning Ordinance, Section 503.1.

Why do you feel the request meets the following criteria?

1. The variance is in harmony with the general purposes and intent of the official control.
Yes, this variance request is in harmony with the general purposes and intent of the official control. Nicollet County ordinance provides for a 30 feet structure setback from bluffline.

2. The variance is consistent with the intent of the Comprehensive Plan.
Yes, the variance request is consistent with the intent of the comprehensive plan. Applicants need to request variance due to the location of the property in bluffline. Applicants request a variance to reduce the structure setback from bluffline of 30 feet to 4.4 feet. The southeast corner of the current shed is 6 feet from bluffline so reducing setback by an additional 1.6 feet.

3. The variance establishes a practical difficulty in complying with the official controls.
Yes, applicants submit they have practical difficulties in complying with the setback requirements and their variance request is consistent with the purpose of the official control and comprehensive plan. The property will be used in reasonable manner.

4. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
Yes, the plight of the landowner is due to circumstances unique to the property not created by the landowner. Applicants own property located in the bluffline and need to enlarge shed for ag use.

ATTACHMENT D
Submitted by Applicant

(Continued onto back)

5. The variance will not alter the essential character of the locality.

No, the variance will not alter the essential character of the locality. Request is to enlarge current existing shed by 16 feet on the south side. No earthwork will need to be done to complete this project.

6. The practical difficulty includes more than economic considerations alone.

Yes, the practical difficulties include more than economic considerations. Applicants request variance to enlarge current shed for purposes relating to farm business needs and storage.

***ALL SIX VARIANCE CRITERIA MUST BE MET
IN ORDER FOR THE REQUEST TO BE APPROVED.***

Name of Applicant: Gerald & Jessica Domeier

Date: 8/22/22

Please describe the specific details related to your request, including but not limited to:

- why you feel the project is a *need* rather than a *want*;
- what alternatives you explored and the reasons they were not reasonable for you; and
- what use, or uses, the project will provide for you;

If your request is approved, you will be **held** to the plans and specifications submitted to the County with your application.

Applicants own home and property in bluffline. Since purchase of this property, applicants have become heavily involved in the family farm operation. In order to assist and continue with the family farm business, more shed space is needed for working on farm vehicles and equipment, and there is a great need for more farm supply and seed storage to save on other storage and transportation costs currently being utilized.

Applicants have researched selling home, but have concluded at this time in today's current market and current interest rates, that selling the property is not the best reasonable option for applicants.

Applicants will be unable to get a building permit for enlarging current shed without obtaining a variance.

Larger shed will provide more farm equipment, supply, and seed storage for our family farm operation.

SITE PLAN & PARTIAL TOPOGRAPHY SURVEY

~for~ JESSICA & GERALD DOMEIER
~part of~ West 55 Acres of W1/2-NW1/4
Ridgely Township, Nicollet County, MN

N89°34'21"W 914.70 MEAS. - 900± (DEED)
NORTH LINE-NW 1/4

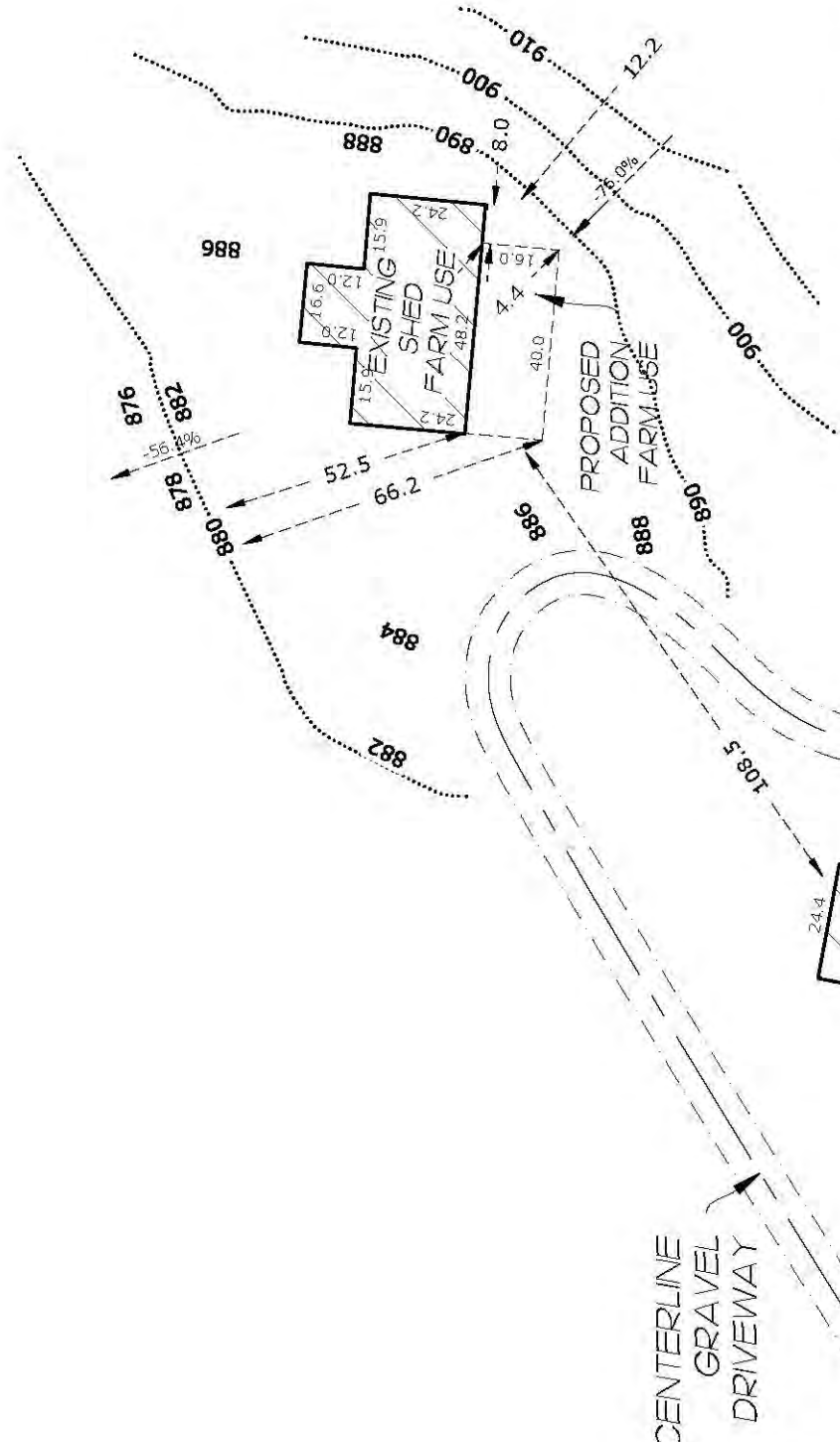
NORTHWEST CORNER
SEC. 9, T. 111, R. 32

DESCRIPTION OF RECORD PER DOC. NO. 302872

TRACT I:

That part of the West 55 acres of the West Half of the Northwest Quarter of Section 9, Township 111 North, Range 32 West, described as follows: Commencing at a point on the Northwest corner of Northwest Quarter of Said Section 9, thence South along the Westerly boundary of said Northwest Quarter of Section 9, a distance of 550 feet, more or less, to a point where said westerly boundary meets with the North edge of a duly dedicated Highway known and numbers as Nicollet County Highway Number 21, thence Southeasterly along the North edge of said Nicollet County Highway Number 21, a distance of 340 feet, more or less, thence Northeasterly a distance of 600 feet, more or less, to a point on the East boundary of the West 55 acres of the West Half of the Northwest Quarter of said Section 9, which is 550 feet South of the Northeast corner of said West 55 acres of the West Half of the Northwest Quarter of Section 9, thence North 550 feet, more or less, to a point on the Northeast corner of said West 55 acres of the West Half of the Northwest Quarter of Section 9, thence West a distance of 900 feet, more or less, to the point of beginning, containing 13 1/2 acres, more or less, Nicollet County, Minnesota.

50°50'53"E 520.44 MEAS. - 550± (DEED)
WEST LINE-NW 1/4



CONTOURS BASED ON GROUND SURVEY
DATUM: NAVD88

NORTHERLY R/W LINE
CO. ROAD NO. 21
BASED ON CENTERLINE,
AS FIELD LOCATED

BITUMINOUS
DRIVEWAY

592°15'32"E 208.78

COUNTY ROAD No. 21

CENTERLINE
CO. ROAD NO. 21
AS FIELD LOCATED

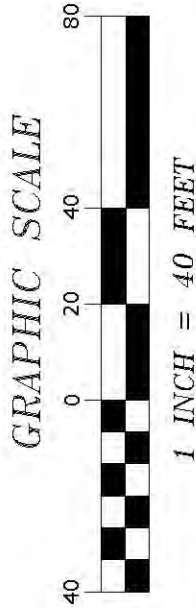
452°04'32"E
R=991.38
49.24

N78°42'28"E 626.79 COMP. - 600± (DEED)

NORTHEAST CORNER-WEST 55.0 ACRES-W 1/2-NW 1/4

00°50'53"W 550.00
EAST LINE-WEST 55.0 ACRES-W 1/2-NW 1/4

NORTH



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

KURT D. NELSON
Date: 4AUG22 License No. 45356

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 07/12/22.
- Bearings shown are based on the Nicollet County Coord. Sys. NAD83 (96 adj.).
- Elevation Datum: NAVD88
- Parcel ID Number: 11.109.0100.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Boundary shown based on best interpretation of the record legal description.

E.G. RUD & SONS, INC.
Professional Land Surveyors
335 Main Ave., P.O. Box 988
Gaylord, MN 55334
Tel. (507) 237-5212

www.egrud.com

DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
Daryl & Jane Nosbush	69328 Fort Rd	Fairfax Mn 55332
Douglas & Louette Nosbush	68849 Fort Rd	Fairfax Mn 55332
Hellendrung Living Trust, Richard & Sandra J Hellendrung Living Trust	61081 480Th St	Fairfax Mn 55332
Patrick & Dawn S Kienlen	70313 County Road 21	Fairfax Mn 55332
Mn Dnr & Real Estate Management	500 Lafayette Rd	Saint Paul Mn 55155-4030
Dennis & Christine Mangen	71475 County Road 21	Fairfax Mn 55332
Gerald & Jessica A Domeier	71082 County Road 21	Fairfax Mn 55332
Peichel Hill & Prairie Llc	70725 Fort Rd	Fairfax Mn 55332
John Palmer & Elaine Living Trust	70474 Fort Rd	Fairfax Mn 55332
Clellan Weldy	47547 640Th Ave	Fairfax Mn 55332
Eugene Nachreiner- Ridgely Township	36476 693rd Ave	Fairfax, MN 55332



NICOLLET COUNTY BOARD OF ADJUSTMENTS AND APPEALS CRITERIA FOR GRANTING A VARIANCE

Name of Applicant/ Jessica Domeier
Property Owner: Jessica & Gerald Domeier

Date: September 19, 2022

File #: PLN22-14

Variance Requested: The applicant has submitted a variance request to reduce the bluffline setback in the Conservancy District for the purpose of constructing a shed addition.

FINDINGS OF FACT

A variance may be granted only where the strict enforcement of the Nicollet County zoning controls results in a **practical difficulty**. A determination that a practical difficulty exists is based upon criteria defined by the Minnesota Supreme Court; Minnesota State Statute 394.27, subdivision 7; and Nicollet County Zoning Ordinance, Section 503.1.

1. The variance is in harmony with the general purpose and intent of the official control.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

2. The variance is consistent with the intent of the Comprehensive Plan.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

3. The variance establishes a practical difficulty in complying with the official controls.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

ATTACHMENT F
Criteria for Variance

4. The plight of the landowner is due to circumstances unique to the property and not created by the landowner.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

5. The variance will not alter the essential character of the locality.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

6. The practical difficulty includes more than economic considerations alone.

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
Justin Laven	☐	☐	☐	☐	
David Hermanson	☐	☐	☐	☐	
Dave Ubel	☐	☐	☐	☐	
Lloyd Hoffmann	☐	☐	☐	☐	
	☐	☐	☐	☐	

SPECIAL CONDITIONS ARE LISTED ON THE RECORDED VARIANCE AND IN THE RECORD

THE NICOLLET COUNTY BOARD OF ADJUSTMENT AND APPEALS:
(☐ APPROVES) (☐ DENIES) THE REQUESTED VARIANCE

This decision is based on:

- ☐ Application
- ☐ Staff Report
- ☐ Pictures
- ☐ Information received at public hearing

Viewed by Members of Board:

- ☐ Laven
- ☐ Hermanson
- ☐ Ubel
- ☐ Hoffmann
- ☐

Facts supporting the answer to each question above are hereby certified as the Findings of the Nicollet County Board of Adjustments and Appeals.

Date: _____ Chair: _____