

BOARD OF ADJUSTMENT & APPEALS AGENDA

Date: April 15, 2024

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

Location: Emergency Operations Center - Government Center, 501 S. Minnesota Avenue, St. Peter

Copies of the meeting agenda and packet are available on the Nicollet County website at: co.nicollet.mn.us/AgendaCenter

Questions or comments regarding the meeting can be directed to the Nicollet County Property Services Department by calling 507-934-7070 or by emailing niccopermitapps@co.nicollet.mn.us.

1. Call to Order
2. Roll Call
3. Silence Your Cell Phone
4. Review of Cancellations and Additions
5. Approval of Minutes: *March 18, 2024*
6. Approval of Findings of Fact: 3/18/2024
 - PLN 24-03: Matties
7. Public Appearances
8. **PUBLIC HEARING: PLN24-06**
 - Applicant: Richard Krohn with Krohn Construction
 - Landowner: Randy & Shelly Dorn
 - Request: Reduction of the side and rear yard setbacks in the Special Protection Zoning District for the purpose of constructing a replacement dwelling
 - Location: Part of the Northeast ¼ of the Northeast ¼, Section 33-110-28, in Granby Township
 - Parcel Number: 05.033.0210
9. Old Business
10. Other Business
11. Communications
12. Adjourn

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.



BOARD OF ADJUSTMENT & APPEALS REGULAR MONTHLY MEETING MINUTES

MARCH 18, 2024	7:00 PM	E.O.C. CONFERENCE ROOM
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ROLL CALL	COMMISSIONERS PRESENT	COMMISSIONERS ABSENT EXCUSED	NICOLLET COUNTY STAFF PRESENT
	☒ Lloyd Hoffmann, <i>Vice Chair</i> ☒ Justin Laven ☒ Randy Schwab, <i>Chair</i> ☒ Jon Thoreson ☒ Dave Ubel	☐ Lloyd Hoffmann, <i>Vice Chair</i> ☐ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☐ Dave Ubel	☒ Spencer Crawford, Zoning Specialist (ZS) ☒ John Zehnder, Zoning Specialist (ZS) ☒ Michelle Zehnder Fischer, County Attorney (CA) ☒ Crystal Madden, Recording Secretary ☐ Other Staff:

REVIEW OF CANCELLATIONS & ADDITIONS	None.
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APPROVAL OF FEBRUARY 26, 2024 MINUTES	MOTION	SECOND
APPROVE	☐ Lloyd Hoffmann, <i>Vice Chair</i> ☐ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☒ Dave Ubel	☐ Lloyd Hoffmann, <i>Vice Chair</i> ☐ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☒ Jon Thoreson ☐ Dave Ubel
VOTE TO APPROVE MINUTES	☒ PASS	☐ FAIL VOTE: 5 - 0

PUBLIC APPEARANCES	None.
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VARIANCE PUBLIC HEARINGS			
PLN24-03	APPLICANT/LANDOWNER: Leon J. Matties <i>[Continued from 2/26/2024 meeting]</i>		
DESCRIPTION OF REQUEST	Reduction of the bluff setback from thirty (30) feet to twenty-three (23) feet, and reduce the Ordinary High Water (OHW) setback from two-hundred (200) feet to fifty-five (55) feet, for the purpose of constructing an expanded replacement garage, on property owned by the Applicant. PID: 13.002.0300		
CONFLICT OF INTEREST	None.		
SITE VISIT & PUBLIC CONTACT	Board Members Hoffmann, Laven, Schwab, Thoreson & Ubel visited the site. There was no contact with Board Members from members of the public.		
STAFF REPORT PRESENTED BY	ZS Zehnder		
APPLICANT TESTIMONY	Present to represent the application was Leon J. Matties located at 62579 346th Street, Gibbon.		
PUBLIC TESTIMONY	No one was present to provide public testimony. No other correspondence was received.		
BOARD DISCUSSION	Further discussion between the Applicant, Board, and Staff took place.		
BOARD ACTION - MOTION	MOTION	SECOND	
DENIAL OF THE VARIANCE REQUEST	☐ Lloyd Hoffmann, <i>Vice Chair</i> ☒ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☐ Dave Ubel	☒ Lloyd Hoffmann, <i>Vice Chair</i> ☐ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☐ Dave Ubel	
VOTE TO DENY REQUEST	☒ PASS	☐ FAIL	VOTE: 5 - 0

ADDITIONAL ITEMS			
OLD BUSINESS	None.		
OTHER BUSINESS	None.		
COMMUNICATIONS	None.		
ADJOURN MEETING	MOTION		SECOND
7:40 PM	☐ Lloyd Hoffmann, <i>Vice Chair</i> ☐ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☒ Jon Thoreson ☐ Dave Ubel		☐ Lloyd Hoffmann, <i>Vice Chair</i> ☒ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☐ Dave Ubel
VOTE TO ADJOURN MEETING	☒ CARRIED	☐ FAILED	VOTE: 5 – 0

JOHN ZEHNDER, ZONING SPECIALIST		DATE	4/15/2024
RANDY SCHWAB, CHAIR		DATE	4/15/2024



BOARD OF ADJUSTMENTS AND APPEALS CRITERIA FOR GRANTING A VARIANCE

Name of Applicant Leon Matties
Property Owner Leon Matties
File PLN24-03

Hearing February 26, 2024
Continuation March 18, 2024
Parcel ID 13.002.0300

Variance Request Reduction of the bluff setback from thirty (30) feet to twenty-three (23) feet, and reduce the Ordinary High Water (OHW) setback from two-hundred (200) feet to fifty-five (55) feet, for the purpose of constructing an expanded replacement garage

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.

BOARD MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☐	☒	☐	☐	The purpose of the setback is to steer development away from areas subject to erosion, and sensitive environments. The official control is designed to protect natural characteristics of the land, and in this case the structure will be within the one-hundred (100) foot Shore Impact Zone. There is room to move the building so there is no reduction to the bluff setback.
Justin Laven	☐	☒	☐	☐	
Randy Schwab	☐	☒	☐	☐	
Jon Thoreson	☐	☒	☐	☐	
Dave Ubel	☐	☒	☐	☐	

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

BOARD MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☒	☐	☐	☐	Yes: The request is consistent with the intent of the Comprehensive Plan for the fact that the location already serves as a farm site, and the occupants are replacing an existing structure. The request does not increase the potential for land use conflict. No: While the request is being built on an existing farm site there is room to move the building outside the one-hundred (100) foot Shore Impact Zone. Building within the Shore Impact Zone will decrease the protections to the lake.
Justin Laven	☐	☒	☐	☐	
Randy Schwab	☐	☒	☐	☐	
Jon Thoreson	☒	☐	☐	☐	
Dave Ubel	☒	☐	☐	☐	

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

BOARD MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☐	☒	☐	☐	There are other areas on the site where the shed can be located, and it is believed that the request is more of a want than a need. The shed could be located further to the West to remain outside the Shore Impact Zone and bluff setback.
Justin Laven	☐	☒	☐	☐	
Randy Schwab	☐	☒	☐	☐	
Jon Thoreson	☐	☒	☐	☐	
Dave Ubel	☐	☒	☐	☐	

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

BOARD MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☒	☐	☐	☐	Yes: This is an established farm site which was built before the current rules and regulations.
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☐	☒	☐	☐	No: There appear to be other reasonable areas to build the shed, which are outside of the Shore Impact Zone. The Applicant can build within the existing footprint of the demolished shed without a variance.
Jon Thoreson	☐	☒	☐	☐	
Dave Ubel	☐	☒	☐	☐	

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

BOARD MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☒	☐	☐	☐	This farm site was established over a century ago, and includes other structures that are closer to the lake and nonconforming. The structure would replace a building and is screened by trees.
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	
Jon Thoreson	☒	☐	☐	☐	
Dave Ubel	☒	☐	☐	☐	

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

BOARD MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☒	☐	☐	☐	Yes: The Applicant wants to maintain the current building, and other potential building sites are too far from the dwelling.
Justin Laven	☐	☒	☐	☐	
Randy Schwab	☐	☒	☐	☐	No: There is a buildable site to the Southeast of the dwelling that could host this building and would not be too distant from the residence. That site may not be two-hundred (200) feet from the lake, but is an improvement compared to the previous site and the proposed location request.
Jon Thoreson	☐	☒	☐	☐	
Dave Ubel	☐	☒	☐	☐	

THE NICOLLET COUNTY BOARD OF ADJUSTMENT AND APPEALS

☐ APPROVES THE REQUESTED VARIANCE

☒ DENIES THE REQUESTED VARIANCE

THIS DECISION WAS BASED UPON

☒ Application

☒ Site visit

☒ Staff Report

☒ Photographs

☐ Information received at public hearing

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

FACTS SUPPORTING THE ANSWER TO EACH QUESTION ABOVE ARE HEREBY CERTIFIED AS THE FINDINGS OF THE NICOLLET COUNTY BOARD OF ADJUSTMENT & APPEALS.

Date: _____ Chair: _____

**STATE OF MINNESOTA
COUNTY OF NICOLLET**

The foregoing instrument was acknowledged before me this _____ day of
_____ 2024, by _____.

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

NOTARIAL STAMP OR SEAL (or other title or rank)



VARIANCE

REDUCTION OF THE SIDE AND REAR YARD SETBACKS FOR THE PURPOSE OF CONSTRUCTING A REPLACEMENT DWELLING

Krohn Construction/Randy & Shelly Dorn

PLN24-06

**NICOLLET COUNTY
BOARD OF ADJUSTMENT AND APPEALS**

SUBJECT	Variance PLN24-06
APPLICANT	Richard Krohn with Krohn Construction
LANDOWNER	Randy & Shelly Dorn
LOCATION	Part of the Northeast ¼ of the Northeast ¼, Section 33-110-28, in Granby Township
PARCEL NO	05.033.0210
EXISTING ZONING	Special Protection Zoning District
HEARING DATE	04/15/24
60 DAYS FROM REQUEST	05/21/24
PREPARED BY	Spencer Crawford, Zoning Specialist

REQUEST

Krohn Construction is requesting a reduction of the following setbacks in the Special Protection Zoning District for the purpose of constructing a replacement dwelling:

Area	Required Setback	Requested Setback
Rear Yard	50'	5.9'
Side Yard	50'	46'

ORDINANCE

Nicollet County Zoning Ordinance 611.4 (3) Side and Rear yards: Fifty (50) foot setback.

PROJECT BACKGROUND & DESCRIPTION

The Dorn homesite is located on Highway 111 and consists of two dwellings along with several grain bins and sheds. The northernmost dwelling resides on a 10-acre parcel and is separated from the other structures by a property line, although it functions as one site in conjunction with the other buildings. The current configuration of the property lines was created on July 16th, 2013 in association with an approved variance to reduce the side yard setback for a shed. Randy Dorn was advised this configuration would make the dwellings a nonconformity due to encroaching on the setbacks, and that a variance would be needed for future expansion but could not be guaranteed.

The current request involves removing the northernmost dwelling for use offsite and replacing it with a 3,400 square foot patio home. The new dwelling would generally occupy the same space as the old one, with an expanded attached garage that goes further into the side and rear setbacks. Staff explored several options with the applicant, including rearranging the property lines to accommodate the new dwelling. This was determined to be unfeasible, as the proposed location would not leave enough space to maintain the required 50-foot setback between the two dwellings on the applicants homesite. However, it appears as if the new dwelling could be rotated counterclockwise to meet all Zoning Ordinance standards without changing the property lines. Moreover, there are several other locations the new dwelling could go; the 10-acre parcel appears to be entirely buildable outside of the property line setbacks, although moving the dwelling away from the homesite could change the character of their property. The Applicant states that he hired Bolton & Menk to reposition the home, who determined the proposed location was best.

SURROUNDING LAND USE

The surrounding land use is predominately agricultural with farm fields in all directions. Swan lake is to the west, middle lake is to the east, and the city of Nicollet is to the south.

SITE REVIEW

Property Services staff visited the site and took pictures on March 28, 2024.

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

A variance to a provision of the Zoning Ordinance may be issued to provide relief to the landowner in those zones where the intent of the official control creates practical difficulties for the property owner in the use of their land. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. No variance shall permit standards lower than those required by state law. A variance may be granted only in the event that the following circumstances exist:

- 1. The variance is in harmony with the general purposes and intent of the official control?**
 - The general purpose and intent of the side and rear yard setbacks is to provide space and separate incompatible land uses.

- Randy Dorn owns both sides of the property line and the proposed dwelling would function as part of a unified homesite.

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

- The comprehensive plan states:
 - The purpose of the Special Protection Zoning District is to minimize development impacts to the Swan and Middle Lake wetland complexes.
 - The proposal does not impact Swan Lake, Middle Lake, or any wetland.

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

- Reconfiguring the property lines to meet the required 50' foot setback is not feasible given the proposed location of the home.
- The majority of the 10-acre property is considered buildable. There are several locations in which a new home could be placed that would maintain the required setbacks.

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

- The plight concerns the location of the property lines in relation to the proposed dwelling. The current configuration of the property lines was created by the property owner in 2013. Property Services Staff made him aware the existing dwellings would become nonconformities, and that a variance would be needed to expand which could not be guaranteed.
- There is no way in which the property owner could have rearranged the property lines in 2013 and maintained the required setback between the two dwellings. There is not enough space due to the unique layout of the homesite.

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

- The new dwelling is predominantly in the same place as the old one.
- Randy Dorn owns both sides of the property line.

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

- The practical difficulty, if one exists, is related to the unique configuration of the property owners homesite. More specifically it is related to the location of the proposal in relation to the property line.

RECOMMENDED CONDITIONS

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

1. The Applicant undertakes 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 Applicant must obtain the appropriate zoning permits prior to construction.

**Applicant/Property Owner:
Krohn Construction/Randy & Shelly Dorn**

PLN24-06

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



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

BOARD OF ADJUSTMENT & APPEALS APPLICATION

TOTAL FEES: \$496.00

Parcel#: 05.033.0210
Permit#: PLN24-06
Date: 3/22/2024

Applicant: Krohn Construction on behalf of Randy Dorn
Telephone: 507 469 0388
Owner: Randy & Shelly Dorn
Property Address: 45168 STATE HIGHWAY 111, NICOLLET MN 56074
Abbreviated Legal Description: PT NENE 33 110 28
Township: Nicollet Township
Zoning District(s): SPECIAL PROTECTION
Hearing Date: Monday, April 15, 2024

Record Type: Variance
Subtype: Replace
Category: Residential
Description: SIDE AND REAR YARD VARIANCE

Copies of the meeting agenda and packet are available on the Nicollet County website: co.nicollet.mn.us/AgendaCenter

Questions regarding the hearing can be directed to:

Spencer Crawford

Phone: 507-934-7071

Email: Spencer.Crawford@co.nicollet.mn.us

Richard Krohn
Richard Krohn (Mar 22, 2024 15:39 CDT)

APPLICANT SIGNATURE

Mar 22, 2024

DATE

Spencer Crawford

PROPERTY SERVICES

03/22/24

DATE

ATTACHMENT A
Application

PLN24-06 App

Final Audit Report

2024-03-22

Created:	2024-03-22
By:	Spencer Crawford (Spencer.Crawford@co.nicollet.mn.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAA4J5kP4XWw568quJ_GVqtOQipaySNCegy

"PLN24-06 App" History

-  Document created by Spencer Crawford (Spencer.Crawford@co.nicollet.mn.us)
2024-03-22 - 7:36:44 PM GMT
-  Document emailed to krohnconstruction@gmail.com for signature
2024-03-22 - 7:42:44 PM GMT
-  Email viewed by krohnconstruction@gmail.com
2024-03-22 - 7:43:01 PM GMT
-  Signer krohnconstruction@gmail.com entered name at signing as Richard Krohn
2024-03-22 - 8:39:02 PM GMT
-  Document e-signed by Richard Krohn (krohnconstruction@gmail.com)
Signature Date: 2024-03-22 - 8:39:04 PM GMT - Time Source: server
-  Agreement completed.
2024-03-22 - 8:39:04 PM GMT



**VARIANCE
APPLICANT QUESTIONNAIRE
PROJECT DESCRIPTION**

APPLICANT NAME: Randy Dorn DATE: 03/19/2024
REQUEST: Adjust variance for new home

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;

I feel the requested variance adjustment is a need because of the extra 30 foot requirement due to Swan Lake District.

I hired Bolten & Menk to move and reposition the house on the property and it was determined that this was the best location to build the house.

ATTACHMENT B
Submitted by Applicant



VARIANCE APPLICANT QUESTIONNAIRE

APPLICANT NAME: Randy Dorn DATE: 03/19/2024
REQUEST: Adjust variance for new home

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 REQUESTS MEETS THE FOLLOWING CRITERIA?

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

I feel the location of the new home is in harmony with the general purpose and intent of the official control because there's an existing house there now.

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

I feel my request is consistent with the intent of the Comprehensive Plan because Bolten & Menk gave me their professional opinion on the location of the house and agree that a variance is needed.

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

Due to the Swan Lake District requirements, it creates a difficulty because of the added 30 feet setbacks to property lines.

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

The unique circumstance is the Swan Lake District requirements.

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

No, the variance will not alter the essential character of the locality.

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

Yes, the practical difficulty of the requirements include more than economic considerations alone.

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



Horizontal Datum: Nicollet County Coordinate System (1996 Adj.)

DESCRIPTION

All that part of the Northeast Quarter of Section 33, Township 110 North, Range 28 West, Nicollet County, Minnesota, described as: Beginning at the Northeast corner of said Section 33; thence South 00 degrees 23 minutes 40 seconds East (Nicollet County Coordinates NAD83, 1996 Adjustment) on the east line of said Northeast Quarter, a distance of 895.80 feet; thence South 89 degrees 43 minutes 52 seconds West, a distance of 159.49 feet; thence North 00 degrees 23 minutes 01 seconds West, a distance of 86.49 feet; thence North 00 degrees 23 minutes 40 seconds West, a distance of 406.14 feet; thence North 89 degrees 15 minutes 21 seconds West, a distance of 468.15 feet; thence North 00 degrees 23 minutes 40 seconds North 89 degrees 15 minutes 21 seconds East on said north line, a distance of 711.60 feet to the point of beginning.
Contains 10.00 acres of land.

LEGEND

- 3/4" IRON PIPE MONUMENT SET MARKED BY L.C. NO. 46564
- MONUMENT FOUND

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.

Michael M. Eichers
License Number 46564

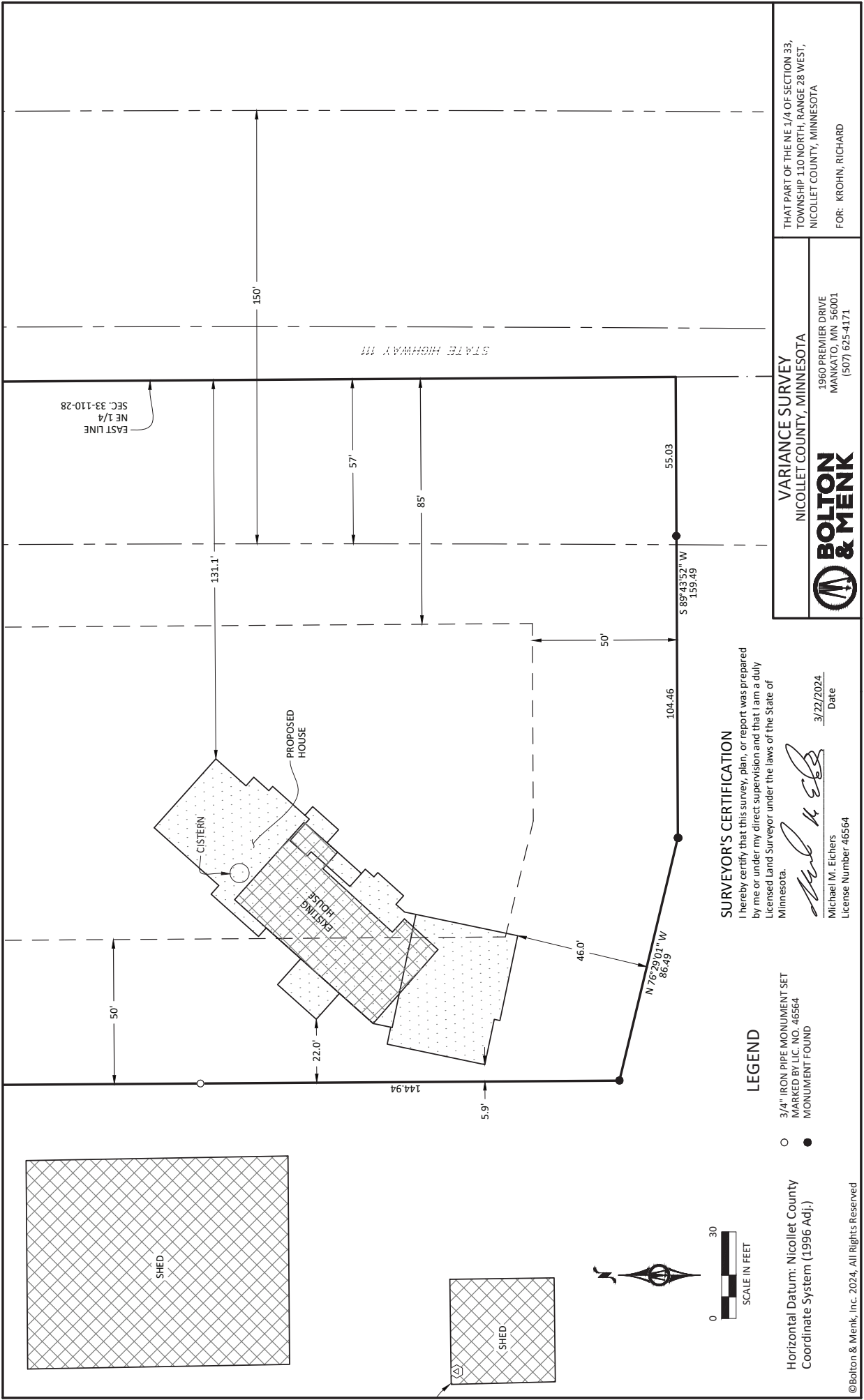
XX/XX/XXXX
Date

VARIANCE SURVEY
NICOLLET COUNTY, MINNESOTA



THAT PART OF THE NE 1/4 OF SECTION 33,
TOWNSHIP 110 NORTH, RANGE 28 WEST,
NICOLLET COUNTY, MINNESOTA

FOR: KROHN, RICHARD



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.

Michael M. Eichers
Michael M. Eichers
License Number 46564
3/22/2024
Date

LEGEND

- 3/4" IRON PIPE MONUMENT SET MARKED BY LIC. NO. 46564
- MONUMENT FOUND

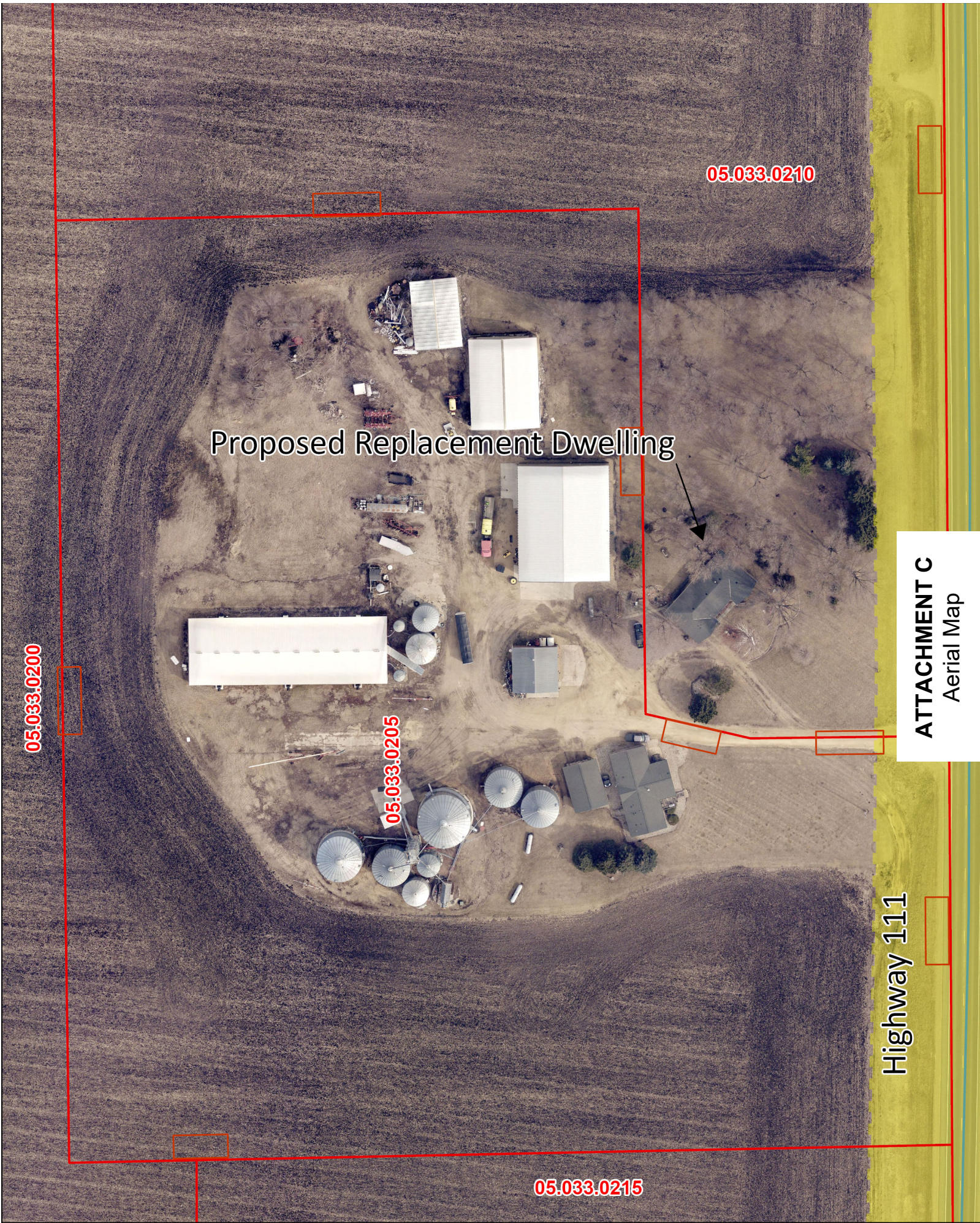
Horizontal Datum: Nicollet County Coordinate System (1996 Adj.)



VARIANCE SURVEY
NICOLLET COUNTY, MINNESOTA

1960 PREMIER DRIVE
MANKATO, MN 56001
(507) 625-4171

THAT PART OF THE NE 1/4 OF SECTION 33,
TOWNSHIP 110 NORTH, RANGE 28 WEST,
NICOLLET COUNTY, MINNESOTA
FOR: KROHN, RICHARD



05.033.0210

Proposed Replacement Dwelling

05.033.0200

05.033.0205

05.033.0215

ATTACHMENT C
Aerial Map

Highway 111

Swan Lake

Middle Lake

Dorn Property

Highway 111

City of Nicollet

Lot:
OUTLOTA
Block:

ATTACHMENT D
Location Map



ATTACHMENT E
Site Photographs





3/27/2024

DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
BOB WILLS- GRANBY TOWNSHIP	41156 465TH AVE	NICOLLET, MN 56074
BREEZY OAK FAMILY PARTNERSHIP LLP	61360 NISSWA LN	MADISON LAKE MN 56063
CARLETON DANIEL & ABIGAIL CARLETON	45479 STATE HIGHWAY 111	NICOLLET MN 56074
CARLETON DANIEL S & ABIGAIL JEAN WALLIN CARLETON	45425 STATE HIGHWAY 111	NICOLLET MN 56074
DORN RANDY & SHELLY K DORN	45178 STATE HWY 111	NICOLLET MN 56074
DUNKER-HOLMIN ANITA	45615 STATE HIGHWAY 111	NICOLLET MN 56074
ENTER SHIRLEE LIVING TRUST	PO BOX 355	NICOLLET MN 56074
FLOWERS TERRY	104 SE 30TH PLACE	PORTLAND OR 97214-1915
HONKEN PAUL A	44322 STATE HIGHWAY 111	NICOLLET MN 56074
KROHN MARVIN E & LAURIE KROHN	43527 COUNTY ROAD 4	NICOLLET MN 56074
OTTO KENNETH J LIVING TRUST	44663 STATE HIGHWAY 111	NICOLLET MN 56074
PALMQUIST GERALD & JOLEEN PALMQUIST	33066 460TH ST	KASOTA MN 56050
STATE OF MINNESOTA DNR	500 LAFAYETTE RD BOX 45	SAINT PAUL MN 55155-4045
WELS GERALD H & ROXANN WELS	44644 STATE HIGHWAY 111	NICOLLET MN 56074-4362



BOARD OF ADJUSTMENTS AND APPEALS CRITERIA FOR GRANTING A VARIANCE

Name of Applicant Richard Krohn with Krohn Construction **Hearing** April 15, 2024

Property Owner Randy & Shelly Dorn

Continuation N/A

File PLN24-06

Board Member _____

Variance Request Reduction of the side and rear yard setbacks in the Special Protection Zoning District for the purpose of constructing a replacement dwelling

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 ☐ REASON: _____

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

YES ☐ NO ☐ REASON: _____

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

YES ☐ NO ☐ REASON: _____

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

ATTACHMENT G
Criteria for a Variance

YES ☐ NO ☐ REASON: _____

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

YES ☐ NO ☐ REASON: _____

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

YES ☐ NO ☐ REASON: _____

THE NICOLLET COUNTY BOARD OF ADJUSTMENT AND APPEALS

☐ APPROVES THE REQUESTED VARIANCE ☐ DENIES THE REQUESTED VARIANCE

THIS DECISION WAS BASED UPON

☐ Application ☐ Site visit ☐ Staff Report ☐ Photographs
☐ Information received at public hearing

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

FACTS SUPPORTING THE ANSWER TO EACH QUESTION ABOVE ARE HEREBY CERTIFIED AS THE FINDINGS OF THE NICOLLET COUNTY BOARD OF ADJUSTMENT & APPEALS.

Date: _____ Member: _____