

BOARD OF ADJUSTMENT & APPEALS AGENDA

Date: July 18, 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: *June 20, 2022*
5. **PUBLIC HEARING: PLN 22-07**

Applicant: Scott Michaletz

Landowner: Michaletz Building Partners LLP

Request: To allow the construction of an additional single family dwelling within the Northwest ¼ of the Northeast ¼, Section 5-108-27, exceeding the density standard of one new dwelling per quarter-quarter on lots recorded after 07/31/1981 that meet minimum lot size requirements

Location: Belgrade Township

Parcel Number: 01.105.0605

6. Public Appearances
7. Old Business
8. Other Business
9. Communications
10. 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

Core Values

Leadership. Integrity.
Accountability.
Efficiency. Innovation.



Board of Adjustment & Appeals

MINUTES

JUNE 20, 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 UNEXCUSED	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 ☒				
	Assistant County Attorney (ACA) Megan E. Gaudette Coryell ☒				
	Other Staff: ☐				

REVIEW OF CANCELLATIONS & ADDITIONS		None.			
MOTION TO APPROVE MINUTES OF MAY 16, 2022		APPROVE ☒		APPROVE WITH REVISIONS ☐	
1ST	Justin Laven ☐ <i>Chair</i>	David Hermanson ☒ <i>Vice Chair</i>	Dave Ubel ☐	Lloyd Hoffmann ☐	
2ND	Justin Laven ☐ <i>Chair</i>	David Hermanson ☐ <i>Vice Chair</i>	Dave Ubel ☐	Lloyd Hoffmann ☒	
VOTE TO APPROVE MINUTES		PASS ☒	FAIL ☐	VOTE: 3-0	

MOTION TO APPROVE FINDINGS OF FACT, PLN22-06 DOSE		APPROVE ☒		APPROVE WITH REVISIONS ☐	
1ST	Justin Laven ☐ <i>Chair</i>	David Hermanson ☒ <i>Vice Chair</i>	Dave Ubel ☐	Lloyd Hoffmann ☐	
2ND	Justin Laven ☐ <i>Chair</i>	David Hermanson ☐ <i>Vice Chair</i>	Dave Ubel ☐	Lloyd Hoffmann ☒	
VOTE TO ADOPT FINDINGS		PASS ☒	FAIL ☐	VOTE: 3-0	

OLD BUSINESS		None.			
OTHER BUSINESS		None.			
REVIEW OF ADMINISTRATIVE VARIANCES		None.			
COMMUNICATIONS		Deputy Zoning Administrator Spencer Crawford advised the board that they will meet in July to hear a variance request.			
MOTION TO ADJOURN					
1ST	Justin Laven ☐ Chair	David Hermanson ☐ Vice Chair	Dave Ubel ☐	Lloyd Hoffmann ☒	
2ND	Justin Laven ☐ Chair	David Hermanson ☒ Vice Chair	Dave Ubel ☐	Lloyd Hoffmann ☐	
VOTE TO ADJOURN		PASS ☒	FAIL ☐	VOTE:3-0	

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

DRAFT



VARIANCE

To allow the construction of an additional single family dwelling within the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 5-108-27, exceeding the density standard of one new dwelling per quarter-quarter on lots recorded after 07/31/1981 that meet minimum lot size requirements

Scott Michaletz

PLN22-07

**NICOLLET COUNTY
BOARD OF ADJUSTMENT AND APPEALS**

SUBJECT:	Variance PLN22-07
APPLICANT:	Scott Michaletz
LANDOWNER:	Michaletz Building Partners LLP
LOCATION:	Northwest ¼ of the Northeast ¼, Section 5-108-27
PARCEL NO:	01.105.0605
EXISTING ZONING:	Agricultural Preservation
HEARING DATE:	07/18/2022

REQUEST

The applicant is requesting variance approval to construct a single family home on Parcel ID 01.105.0605, which would exceed the density standard of the Agricultural Preservation District.

COUNTY STANDARDS

Per Nicollet County Zoning Ordinance Section 602.2(12), new dwellings in the Agricultural Preservation District are allowed at a maximum density of one per quarter-quarter on lots recorded after July 31, 1981. This density standard was met when a dwelling was constructed in 2000 on an 11.42 acre parcel to the west of the applicant's property. This was the second home within the quarter-quarter; the first was constructed before 1981, making it exempt from the density requirement. The applicants parcel was created during a split in 1989 and has no such exemption.

PROJECT DESCRIPTION

The proposal consists of a 50' x 60' single family dwelling with an 80' x 40' detached shed, situated on a concrete circle with a driveway that leads to 520th Street.

EXISTING LAND USE

The property is currently a mix of farm field and forest land. The site plan indicates there are three existing sheds in the wooded area of the property.

SURROUNDING LAND USE

The surrounding land use is mixed with scattered residential development in all directions at varying distances; North Links Golf Course to the west and northwest; Sawmill Campground to the north; and farm fields with forest land to the south, east, and north.

SOIL SITE INFORMATION

Cordova clay loam

- Slope: 0% to 2%
- Depth to restrictive feature: More than 80 inches
- Drainage class: Poorly 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 0 to 8 inches
- Frequency of flooding: None
- Frequency of ponding: None
- Available water supply 0 to 60 inches: High (about 10.6 inches)

Le Sueur loam

- Slope: 1% to 3%
- Depth to restrictive feature: More than 80 inches
- Drainage class: Somewhat poorly 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 12 to 24 inches
- Frequency of flooding: None
- Frequency of ponding: None
- Available water supply 0 to 60 inches: *0 to 60 inches*: High (about 10.8 inches)

SITE REVIEW

Staff visited the site and took pictures on 07/01/2022.

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 density standard is to limit sprawl and haphazard conversion of agricultural land.
- The proposal fails to limit sprawl because it increases development in a rural area that already has more density than what is typical for the Agricultural Preservation District.
- The proposal converts no agricultural land.

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

- Specific to the Agricultural Preservation District, the intent of the density standard is to preserve commercial agriculture, natural resource areas, and stabilize increases in public expenditures for road maintenance, police, and other public services. The plan calls for increased rural development in areas that can support it, such as the Urban/Rural Residential Zoning District.
- The applicant’s proposal aligns with the comprehensive plan insofar that it does not remove any farmland from production and has a minimal impact on the forest. However, further development within this quarter-quarter could negatively impact public expenditure. The proposal is also not located in a zoning district identified for increased rural development.

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

- Constructing a new home that does not impact agricultural land and minimally impacts natural resources is reasonable. However, increasing public expenditure due to supporting a higher than normal density is not reasonable.
- The property contains no unique physical features that create a practical difficulty in complying with the regulations.

- The essential character of the locality would be altered as there are no other quarter-quarters within the area that have exceeded the density standard. However, the extent of the alteration is reduced due to higher than normal existing development in the locality compared to other agriculturally zoned areas.

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

- Prohibiting new residential development is not unique to this property. Many parcels within Nicollet County, and specifically the Agricultural Preservation District, are considered unbuildable due to not meeting development standards.
- The plight is created by the landowners desire to exceed the density standard, not features unique to the property.

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

- The essential character of the locality would be altered as there are no other quarter-quarters within the area that have exceeded the density standard. However, the extent of the alteration is reduced due to higher than normal development of the locality in relation to its zoning district.

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

- The practical difficulty is related to the applicants desire to construct a new dwelling. It is not known if this is solely for economic purposes.

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 zoning permits prior to construction.
4. The zoning permit is invalid if the permit holder has not substantially completed the construction within the period of time allowed on the zoning permit connected with this variance.

**Applicants/ Property Owners:
Scott Michaletz/ Michaletz Building Partners LLP**

PLN22-07

ATTACHMENT A	Application
ATTACHMENT B	Location Map
ATTACHMENT C	Survey
ATTACHMENT D	Applicant Questionnaire
ATTACHMENT E	Applicant Submittal
ATTACHMENT F	Neighbor Notification List
ATTACHMENT G	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#: 2105200016
Parcel# 011050605
Permit#: PLN22-07
Date: May 23, 2022

Applicant: Scott & Gail Michaletz, , 52189 415th Ave, North Mankato MN 56003
Phone: 507 317 6417
Owner: MICHALETZ BUILDING PARTNERS LLP, 52189 415TH AVE, NORTH MANKATO MN 56003
Property Address: ,
Abbreviated Legal Description: NW 1/4 OF NE 1/4 "EX 2.50 AC" "EX 11.42 AC" TOTAL ACRES = 40.00
Township: Belgrade Township

Record Type: Variance

Category: Other

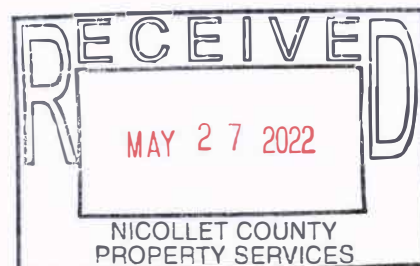
Project Description: Variance request to construct an additional dwelling and an accessory structure in a closed quarter-quarter.

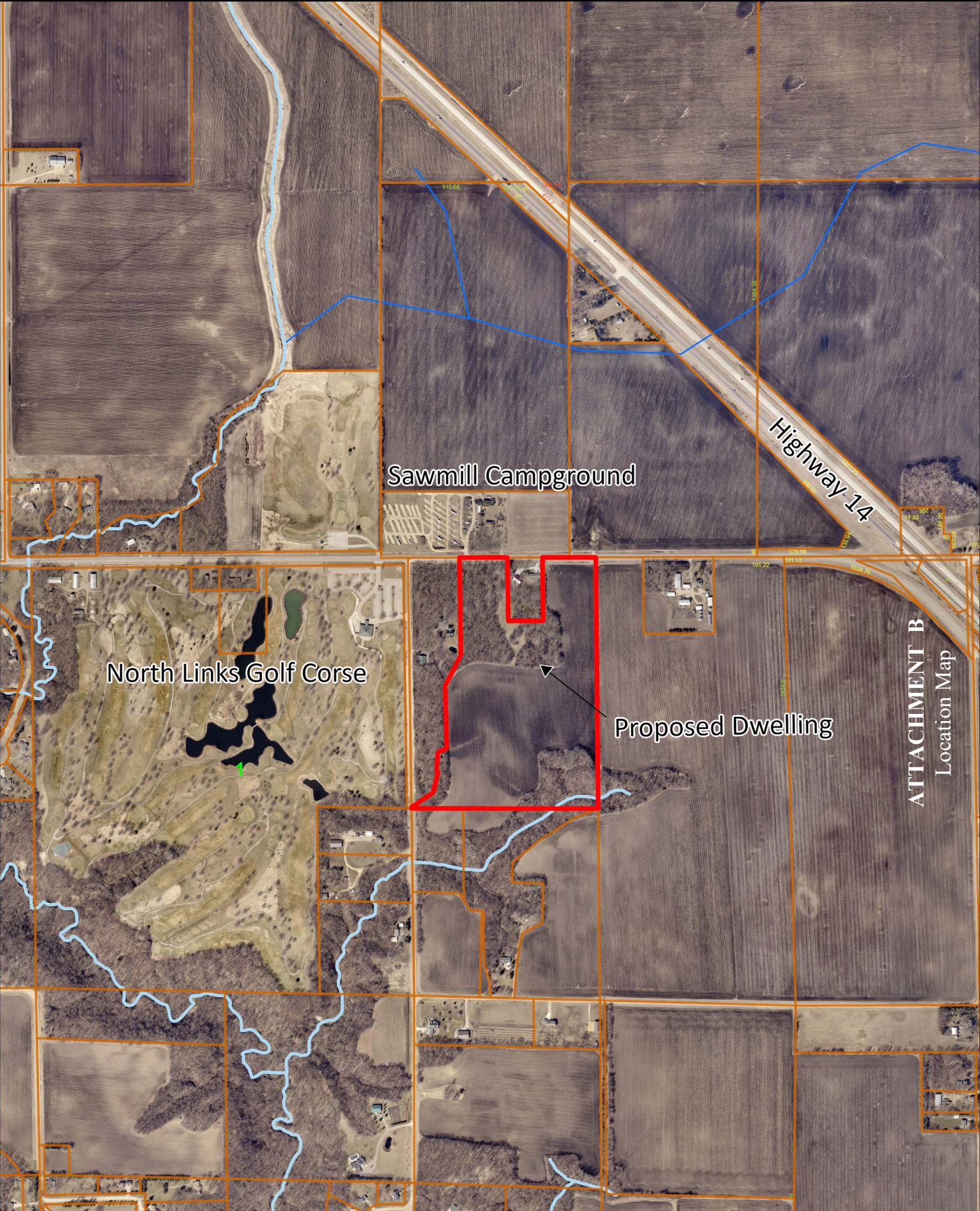
Hearing Date: 06/20/2022

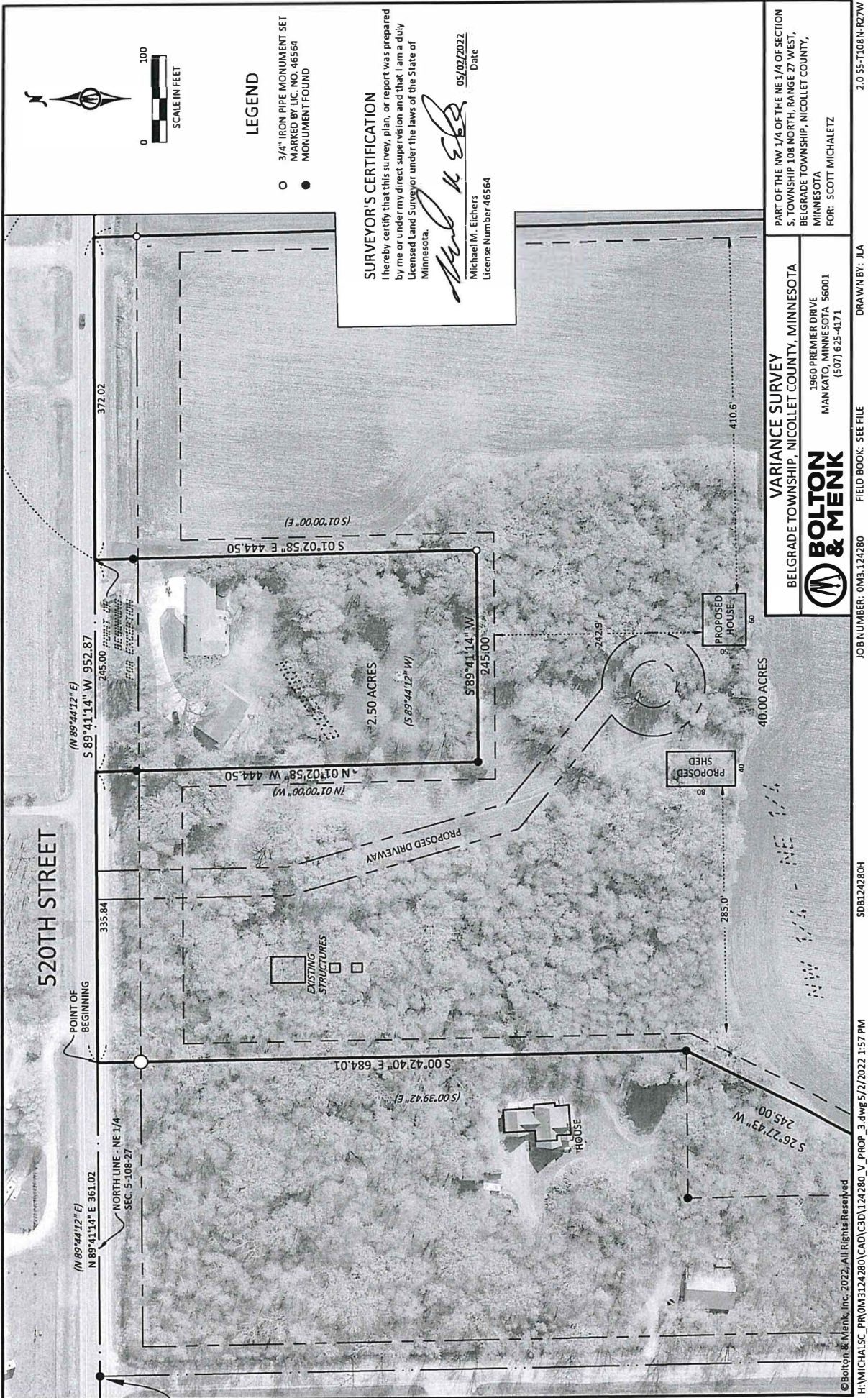

APPLICANT SIGNATURE

5/24/22.
DATE

ATTACHMENT A
Application







520TH STREET



LEGEND

- 3/4" IRON PIPE MONUMENT SET MARKED BY LIC. 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
Michael M. Eichers
License Number 46564

05/02/2022
Date

VARIANCE SURVEY

BELGRADE TOWNSHIP, NICOLLET COUNTY, MINNESOTA



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

PART OF THE NW 1/4 OF THE NE 1/4 OF SECTION 5, TOWNSHIP 108 NORTH, RANGE 27 WEST, BELGRADE TOWNSHIP, NICOLLET COUNTY, MINNESOTA
FOR: SCOTT MICHALETZ

2.0 55-T108N-R27W

DRAWN BY: JLA

FIELD BOOK: SEE FILE

JOB NUMBER: 0MB3.124280

SOB124280H

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ATTACHMENT C
Survey



VARIANCE APPLICANT QUESTIONNAIRE
PROJECT DESCRIPTION

Name of Applicant: Scott Michaletz

Date: 4-15-22

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;

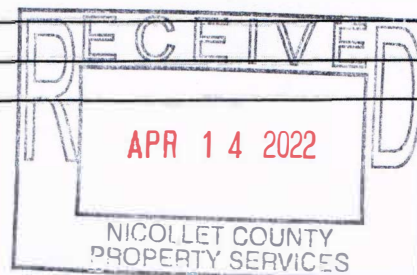
If your request is approved, you will be **held** to the plans and specifications submitted to the County with your application.

Gail and I would like to build a single family home on this 40 acres. This was a homesite in the past. There are existing sheds on the site from the original homesite. The home was torn down. I own the 11 acres next to this land which I would sell in order to build here. I have access to North Mankato city water and sewer so no permits needed for water and sewer. I am surrounded by active campground and 18 hole golf course. This project would increase the property tax on this 40 acres.

We greatly appreciate your consideration and would be happy to answer any questions or concerns.

Sincerely,

Scott Michaletz





VARIANCE APPLICANT QUESTIONNAIRE

Name of Applicant: Scott Michaletz

Date: 4-15-2022

Request: Single Family 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 request meets the following criteria?

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

Would like to build a single family home - 40 acres. Was an existing home site with power, water, and septic.

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

Would fit the one home per 40 acres requirement.

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

Would be in compliance for the 40 acres rule.

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

Property line has been recently surveyed and boundaries established.

(Continued onto back)



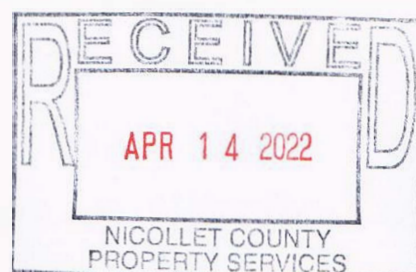
5. The variance will not alter the essential character of the locality.

Would not change landscape as this was a homesite originally.

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

I don't see any problems. Would increase tax rate of the land.

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



RECEIVED
APR 14 2022
NICOLLET COUNTY
PROPERTY SERVICES

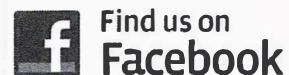


WINGERT REAL ESTATE
LAND SERVICES, INC.

We are pleased to present
Ruth Fitterer Farm
41.42 ± Acres
Belgrade Township, Nicollet County



Listing Agent: Charles Wingert, ALC
Office: 507-345-LAND (5263)
Toll Free: 800-730-LAND (5263)
Direct: 507-381-9790
Auctioneer #07-18-10
Charles@WingertRealty.com
www.WingertRealty.com
www.FarmlandMinnesota.com



WINGERT REALTY
&
LAND SERVICES, INC.



April 15th, 2022

Michaletz Building Partners LLC
52189 415th Ave
North Mankato, MN 56003

Via Email to Sgmichaletz21@gmail.com

RE: Notice of Incomplete Variance Application

Mr. Michaletz,

This letter is in response to your application for a variance to section 602.2(12) of the Nicollet County Zoning Ordinance for Parcel ID 01.105.0605. Per Minnesota State Statute 15.99, Subd. 3(a), Nicollet County has 15 business days to determine whether an application contains all required information. Our office has reviewed your application and has determined it to be **incomplete** for the reasons indicated below.

Revisions

Your application will remain on-hold until the following information is submitted to Property Services:

- ① • A survey prepared by a surveyor licensed in the State of Minnesota showing all of the following:
 - The proposed dwelling, including all decks, patios, garages, etc.
 - Existing structures, including their use and dimensions.
 - The setback of the proposed dwelling to the property lines.
- ② • A legal description of the property (this can be obtained from the Records Office).
- ③ • Payment of \$496.00 for the hearing and recording fee. Payment can be made in person or mailed to Nicollet County Property Services at 501 S Minnesota Ave, St. Peter, MN 56082.

To conclude, your application will remain incomplete and on-hold until the above revisions and additional materials are submitted to Nicollet County Property Services. Once your application has been deemed complete, your request will be added to the next available hearing date. Please do not hesitate to contact me with any questions.

Respectfully,

Spencer Crawford
Deputy Zoning Administrator

Mission Statement

Providing efficient services
with innovation and accountability.

Leadership. Efficiency.
Accountability. Innovation.
Integrity.

Vision Statement

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

April 19, 2022

Nicollet County Property Services
C/O Spencer Crawford
501 South Minnesota Avenue
St. Peter, MN 56082

Re: Requested Variance

Hi Spencer,

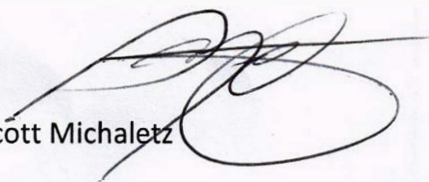
In response to your attached letter, I'll try to answer your 3 concerns.

1. I've enclosed recent land surveys completed 7-1-21 by Bolton and Menk. This parcel is now 40 acres. I've drawn in where we would like to build our new home and out building, we would be over 100ft from any property lines.
2. I've enclosed an email sent to Mandy Landkammer on 3-21-2020 with the existing building square feet. There are also two smaller chicken coops at 10x12 each. The old house foundation is still there and above ground. I estimate this foundation at 30x40 feet=1200 square feet. The existing building are old, and we use for storage of personal property.
3. I've attached the new legal description that was recorded with Nicollet County on 11-30-2021.
4. I've enclosed payment of \$490 made out to Nicollet County Property Services.

We look forward to discussing this variance request with the planning and zoning board. This was an existing site and the one home per 40 acres would still be within the current zoning regulations.

We are surrounded by a public golf course to the west, a campground to the north. We would simply like to build one single family home on these 40 acres in these beautiful woods. By granting this variance the county would be preserving this land as it currently is, not converting this land to a commercial venture.

Sincerely,

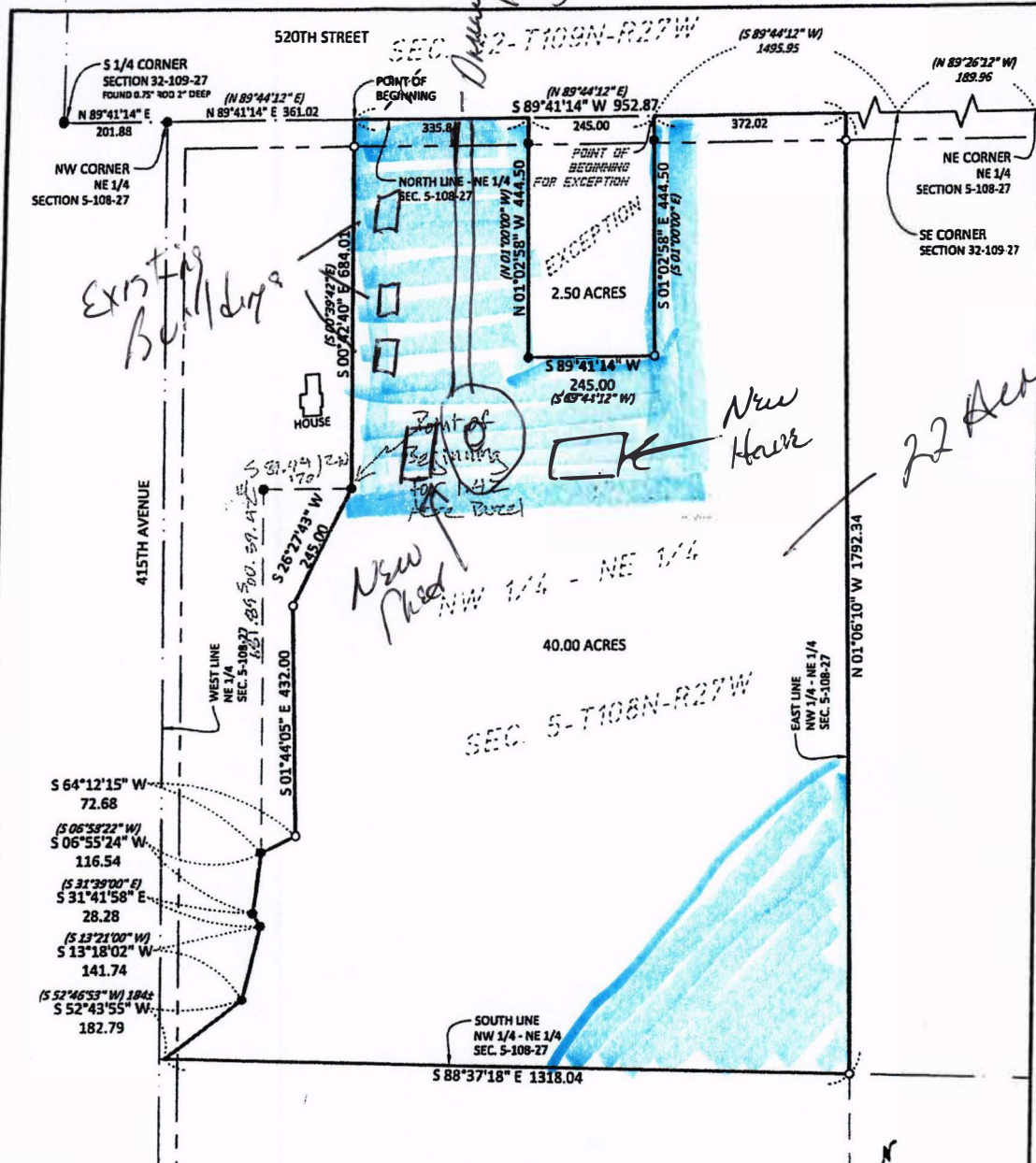

Scott Michaletz

Note: we would have access to city water and sewer co. No environmental permits needed.

507-317-6417

Sgmichaletz21@gmail.com

New / After Survey Blue = Wooded Lot / Land



DESCRIPTION

All that part of the Northwest Quarter of the Northeast Quarter of Section 5, Township 108 North, Range 27 West, Nicollet County, Minnesota described as:

Commencing at the Northwest Corner of the Northeast Quarter of Section 5, Township 108 North, Range 27 West; thence North 89 degrees 44 minutes 12 seconds East (assumed bearing) on the North line of said Northeast Quarter, a distance of 361.02 feet to the point of beginning; thence South 00 degrees 39 minutes 42 seconds East, 684.01 feet; thence South 26 degrees 27 minutes 43 seconds West, 245.00 feet; thence South 01 degrees 44 minutes 05 seconds East, 432.00 feet; thence South 64 degrees 12 minutes 15 seconds West, 72.68 feet; thence South 06 degrees 58 minutes 22 seconds West, 116.54 feet; thence South 31 degrees 39 minutes 00 seconds East, 28.28 feet; thence South 13 degrees 21 minutes 00 seconds West, 141.74 feet; thence South 52 degrees 46 minutes 53 seconds West, 182.79 feet; thence South 52 degrees 43 minutes 55 seconds West, 182.79 feet; thence South 89 degrees 41 minutes 14 seconds West, 245.00 feet to the point of beginning.

EXCEPTING THEREFROM

Commencing at the Northeast Corner of the Northeast Quarter of Section 5, Township 108 North, Range 27 West; thence North 89 degrees 26 minutes 12 seconds West (assumed bearing) on the North line of the Northeast Quarter of said Section 5, 189.95 feet to the Southeast Corner of Section 32, Township 109 North, Range 27 West; thence South 89 degrees 44 minutes 12 seconds West on the North line of the Northeast Quarter of said Section 5, (being the South line of said Section 32) 1495.95 feet to the point of beginning; thence South 01 degrees 00 minutes 00 seconds East, 444.50 feet; thence South 89 degrees 44 minutes 12 seconds West, 245.00 feet; thence North 01 degrees 00 minutes 00 seconds West, 444.50 feet to the North line of the Northeast Quarter of said Section 5; thence North 89 degrees 44 minutes 12 seconds East, 245.00 feet to the point of beginning.

LEGEND

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

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H:\MICHAELSC_PR\0M3124280\CAD\C30124280_V_PROP_2.dwg 7/1/2021 3:26 PM JOB NUMBER: DM3.124280

CERTIFICATE OF SURVEY NICOLLET COUNTY, MINNESOTA



1960 PREMIER DRIVE
MAHKAU, MINNESOTA 56001
(507) 625-4171

PART OF THE NW 1/4 - NE 1/4 OF SECTION 5,
TOWNSHIP 108 NORTH, RANGE 27 WEST,
NICOLLET COUNTY, MINNESOTA

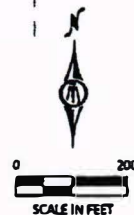
FOR: MICHALETZ, SCOTT

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

7/1/2021
Date

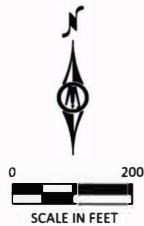


Horizontal Datum: 1996 Nicollet County
Coordinate System

5081242804

FIELD BOOK: SEE FILE DRAWN BY: CDS 2.0 55-T108N-R27W-(12)

OLD - PRIOR to Survey -



LEGEND

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

Horizontal Datum: 1996 Nicollet County
Coordinate System

Michael M. Eichers
License Number 46564

XX/XX/XXXX
Date

EXHIBIT NICOLLET COUNTY, MINNESOTA



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

PART OF THE NW 1/4 - NE 1/4 OF SECTION 5,
TOWNSHIP 108 NORTH, RANGE 27 WEST,
NICOLLET COUNTY, MINNESOTA

FOR: MICHALETZ, SCOTT

SD0124280H

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Date Received _____

NICOLLET COUNTY
Property & Public Services Department

Nicollet County Government Center
501 S Minnesota Ave
St Peter, MN 56082
Phone (507) 934-7806 Fax (507) 931-0856

COPY

Application to Combine Real Estate Parcels

Under Minn. Stat. § 272.46, the owners of contiguous property may submit a written application to combine real estate parcels, solely for property tax purposes, for which the applicant(s) hold title.

The following conditions must be met BEFORE properties will be consolidated:

- The Applicant(s) must complete a Parcel Combination Form and have it signed by all owners or authorized representatives.
- The fee title of all parcels must be the same (identical) based upon the deeds of record.
- Any delinquent and all current year taxes must be paid in full on all parcels being considered for consolidation.
- The parcels must be within the same taxing district (i.e. city or township) and within the same school district.
- The parcels must be contiguous
- Application must be received by December 31st for the combination to be applied in the following tax year.
- All Special Assessments should be paid on all parcels or the city/town would need to recertify those special assessments for the new parcels.

Combined property tax will be reflected on next year's tax statement

Owner (Applicant) Name: Gail L. Michaletz

Date 11/23/2021

Address: 52189 415th Avenue

Reason for Combination Acquired Adjacent Parcel

North Mankato, MN 56003

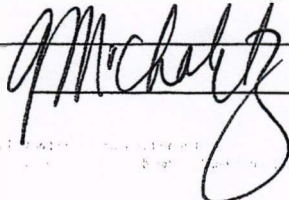
Phone Number: 507-317-6418

Parcels #'s to be combined: 01.1 06.010

CAUTION

- ☒ Applicant understands that once parcels are combined that the requirements for splitting parcels will apply should the applicant wish to again separate the parcels.
- ☒ Applicants understand that they should discuss the parcel combination with City officials (for property within city limits) or county officials (for property outside of city limits) to review city subdivision or county regulations applicable to the parcels.
- ☒ Applicants understand it is important to keep all lenders or mortgagees aware when real property is being divided or combined. Applicants should consult their mortgage company as to whether they need to issue an amendment to, or a partial release of, any mortgage or other encumbrance of the affected real property as a foreclosure of the affected real property can undo any previously approved division or combination.
- ☒ Applicants understand the intent of this form is to reduce the number of tax statements they receive. This form does not alter the legally described parcel for county zoning purposes.

Signature of All Owners: _____



Date Received _____

Office Use Only

Department Approval

- Are both parcels...
 - Contiguous
 - In the same Taxing Districts
 - In the exact same name/ownership
 - In the same plat/section
 - In a TIF District
 - Are all taxes paid?
 - Are there special assessments?
 - If yes, have they been recertified by the city?
 - Did the city give approval if in city limits?

[illegible]

Department Approval _____

- Public Services
 - DA Approved _____ Denied By _____
- Property Services
 - _____ Approved _____ Denied By _____

Once worksheet is created, process like a normal split

The combined parcels will have the following parcel # _____

Date Combined/Completed _____



Jaci Kopet

Property & Public Services Director
Office of the County Recorder

No delinquent taxes and Transfer entered on **November 30, 2021**

Certificate Real Estate () filed (X) not required

Deed Tax Paid: \$ **1.65**

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

Jaci Kopet, Property & Public Services Director
Nicollet County, Minnesota, signed by Deputy PZ

Document No. 340740

Certified Recorded on 11-30-2021 at 10:00 AM

Fee: \$46.00

PID #: 01.105.0610

Pkg: 159116

Rec'd: RILEY-TANIS & ASSOCIATES, PLLC

(Top 3 inches reserved for recording data)

WARRANTY DEED

Business Entity to Individual

eCRV number: N/A

DEED TAX DUE: \$1.65

DATE: 11/23, 2021

FOR VALUABLE CONSIDERATION, Michaletz Building Partners LLP, a limited liability partnership under the laws of Minnesota ("Grantor"), hereby conveys and warrants to Gail L. Michaletz ("Grantee"), real property in Nicollet County, Minnesota, legally described as follows:

Commencing at the Northwest corner of the Northeast Quarter (NE¼), Section 5, Township 108 North, Range 27 West, Nicollet County, Minnesota; thence North 89 degrees 41 minutes 14 seconds East, 361.02 feet; thence South 00 degrees 42 minutes 40 seconds East, 684.01 feet to the point of beginning; thence South 26 degrees 27 minutes 43 seconds West, 245 feet; thence South 01 degrees 44 minutes 05 seconds East, 432 feet; thence South 64 degrees 12 minutes 15 seconds West, 72.68 feet; thence North 00 degrees 39 minutes 42 seconds West, 681.89 feet; thence North 89 degrees 44 minutes 12 seconds East, 170 feet to the point of beginning and there terminating. Said parcel contains 1.42 acres, more or less.

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: None.

The total consideration for this transfer of property is \$3,000.00 or less.

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.

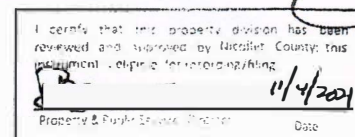
MICHALETZ BUILDING PARTNERS LLP

By: [Signature]

Scott G. Michaletz, Partner

By: [Signature]

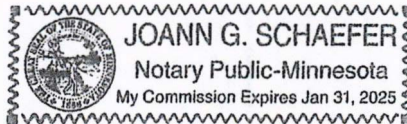
Gail L. Michaletz, Partner



State of Minnesota, County of Neenah

This instrument was acknowledged before me on 11/25, 2021, by Scott G. Michaletz and Gail L. Michaletz, Partners of Michaletz Building Partners LLP, a limited liability partnership under the laws of Minnesota.

(Stamp)



Joann G. Schaefer
(signature of notarial officer)

Title (and Rank): Notary PublicMy commission expires: 1/31/2025
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
Paul H. Tanis, Jr.
RILEY-TANIS & ASSOCIATES, PLLC
324 S. Minnesota Avenue
P.O. Box 360
St. Peter, MN 56082
507-934-3430

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS
INSTRUMENT SHOULD BE SENT TO:

Gail L. Michaletz
52189 415th Avenue
North Mankato, MN 56003



Summary

Parcel ID 01.105.0605
Property Address N/A
Sec/Twp/Rng 05/108/027
Brief Tax Description NW 1/4 OF NE 1/4 "EX 2.50 AC" & "EX 10 AC" = 41.42 ACRES
 (Note: Not to be used on legal documents)
Area 41.42 Acres
Use Code 2ANHGA-Agricultural Non-homestead - Non HGA; 2B-Rural Vacant Land/Non-Productive - Non Homestead
Tax Authority Group 0077 BELGRADE

* The Use Code is the Assessor Office's determination of the use of the property and is not the same as the property's zoning.

* Please contact the zoning authority for information regarding zoning.

Owner

Primary Owner
 Fitterer Ruth M
 40511 520th
 North Mankato MN 56003

Alternate Taxpayer

Fee Owner

Land

Lot Area 41.42 Acres ; 1,804,255 SF

Agricultural Land

Description	Soil Type	Acres
Tillable	79	26.43
Woods Pract to sep	WDS-P	14.43
Road	RD	0.56
Total Acres:		41.42
Tax CER/Acres:		78.000

Valuation - Assessment Year

	Proposed Payable 2020 Values	Payable 2019 Values	Payable 2018 Values	Payable 2017 Values	Payable 2016 Values
EMV Improvement	\$0	\$0	\$0	\$0	\$0
EMV Land	\$257,700	\$257,700	\$257,700	\$284,500	\$284,500
EMV Machine	\$0	\$0	\$0	\$0	\$0
EMV (Estimated Market Value) Total	\$257,700	\$257,700	\$257,700	\$284,500	\$284,500
Green Acres Value	\$0	\$0	\$0	\$0	\$0
Homestead Exclusion	\$0	\$0	\$0	\$0	\$0

Taxation

	2019 Payable	2018 Payable	2017 Payable	2016 Payable	2015 Payable
Estimated Market Value	\$257,700	\$257,700	\$284,500	\$284,500	
Taxable Market Value	\$257,700	\$257,700	\$284,500	\$284,500	
Net Tax Amount	\$2,284.00	\$2,330.00	\$2,628.00	\$2,730.00	\$2,700.00
+ Special Assessments	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
= Total Taxes Due	\$2,284.00	\$2,330.00	\$2,628.00	\$2,730.00	\$2,700.00
+ Penalty	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
+ Interest	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
+ Fees	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
- Amount Paid	\$1,142.00	\$2,330.00	\$2,628.00	\$2,730.00	\$2,700.00
= Outstanding Balance	\$1,142.00	\$0.00	\$0.00	\$0.00	\$0.00

Taxes Paid

Tax Year	Receipt	Payment Date	Tax Amount	Special Assessment	Penalty	Interest	Fees	Total Payment
2019	U19.7020	5/15/2019	(\$1,142.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,142.00)
2018	U18.15715	10/29/2018	(\$1,165.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,165.00)
2018	U18.5999	5/14/2018	(\$1,165.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,165.00)
2017	U17.17269	11/9/2017	(\$1,314.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,314.00)
2017	U17.4708	5/10/2017	(\$1,314.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,314.00)
2016	U16.18267	11/14/2016	(\$1,365.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,365.00)
2016	U16.6405	5/13/2016	(\$1,365.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,365.00)
2015	U15.16773	11/4/2015	(\$1,350.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,350.00)
2015	U15.4549	5/11/2015	(\$1,350.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,350.00)
2014	U14.19864	11/12/2014	(\$1,147.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,147.00)
2014	U14.8256	5/14/2014	(\$1,147.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,147.00)
2013	U13.20001	11/12/2013	(\$891.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$891.00)
2013	U13.5440	5/10/2013	(\$891.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$891.00)

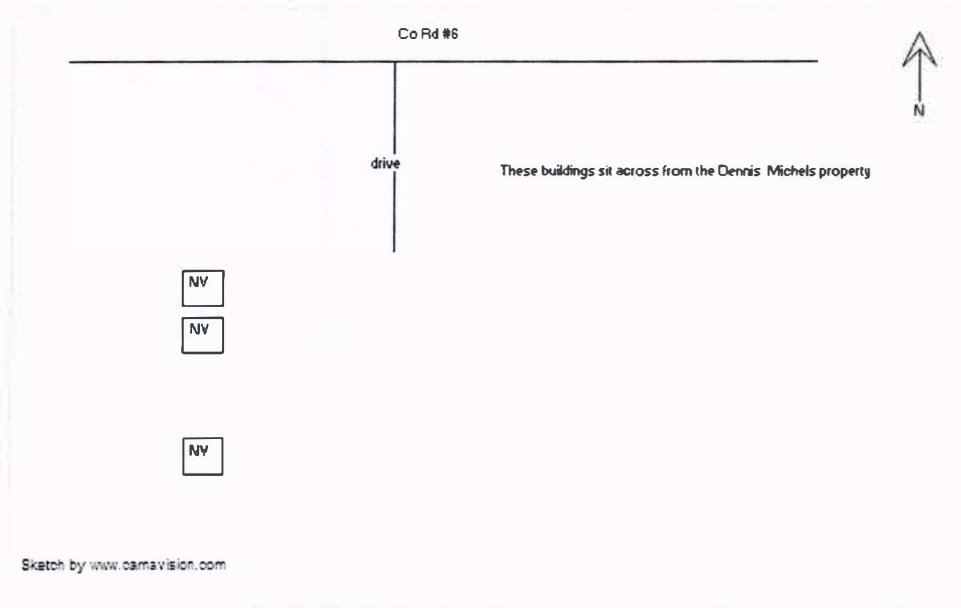
Tax Statements

[Click here to show a list of available documents](#)

Photos



Sketches



RecordEase

[Click here to search for recorded documents](#)

No data available for the following modules: Residential Dwellings, Commercial Buildings, Agricultural Buildings, Yard Extras, Permits, Sales, Delinquent Taxes.

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[User Privacy Policy](#)
[GDPR Privacy Notice](#)

Last Data Upload: 9/17/2019 10:25:17 PM

Developed by



Version 2.3.4

Scott Michaletz, CIC

From: Mandy Landkamer <Mandy.Landkamer@co.nicollet.mn.us>
Sent: Tuesday, March 24, 2020 3:15 PM
To: Scott Michaletz, CIC
Cc: Gail Michaletz
Subject: RE: Building size

Thanks Scott, I will add the email to the file for future documentation.

Mandy

From: Scott Michaletz, CIC [mailto:smichaletz@katoins.com]
Sent: Tuesday, March 24, 2020 3:04 PM
To: Mandy Landkamer
Cc: Gail Michaletz
Subject: Building size

Hi Mandy; Thanks for the call back; Here are the sizes of the current three buildings that remain standing.

- 1- 20x40
- 2- 20x40
- 3- 18x24

2032 total square feet. Note at one time there also was a single family house on this property. Not sure what the size was but the old slab foundation is still there if that can be counted. Thanks,



Scott Michaletz, CIC
President

Kato Insurance Agency
507.387.4081 • Office
507.625.4486 • Fax

website • staff directory • email

"Building relationships and earning trust since 1983."

Confidentiality Notice: This information is intended only for the use of the addressee and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately by returning it to the sender and deleting it from your computer system. Please note that insurance coverage cannot be considered bound until confirmed by a licensed agent.

Nicollet County
Property Assessment
501 S Minnesota Avenue
St Peter, MN 56082
507-934-7062
www.co.nicollet.mn.us

VALUATION NOTICE

2023

2022 Values for Taxes Payable in

Property tax notices are delivered on the following schedule:

Valuation and Classification Notice

Step 1 Class: Ag Non-Hstd
Estimated Market Value: 296,400
Homestead Exclusion: 0
Taxable Market Value: 296,400

See Details
Below.

Step 2 Proposed Taxes Notice

2023 Proposed Tax: Coming November 2022

Step 3 Property Tax Statement

Property Tax Statement for taxes payable in 2023 coming March 2023

Taxpayer: MICHALETZ BUILDING PARTNERS LLP
52189 415TH AVE
NORTH MANKATO MN 56003



The time to appeal or question your
CLASSIFICATION or VALUATION
is NOW!

It will be too late when proposed taxes are sent.

Property ID#: 01.105.0605

You must have appealed to the Local Board of Appeal meeting first in order to appear before the County Board of Appeal. To appear at the County Board of Appeal you must call the Assessor to get on the agenda.		Property Information (legal description and/or property address) Acres: 40.00 Section 05 Township 108 Range 027	
Your Property's Classification(s) and Values	Taxes Payable in 2022 (2021 Assessment)	Taxes Payable in 2023 (2022 Assessment)	☐ If this box is checked, your classification has changed from last year's assessment. <i>The classification(s) of your property affect the rate at which your value is taxed.</i>
The assessor has determined your property's classification(s) to be:	Ag Non-Hstd NH Rur Vac Land	Ag Non-Hstd NH Rur Vac Land	
The assessor has estimated your property's market value to be:			
Estimated Market Value (EMV):	238,300	296,400	
Several factors can reduce the amount that is subject to tax:			
Green Acres Value Deferral			
Rural Preserve Value Deferral			
Open Space Deferral			
Platted Vacant Land Exclusion			
Exclusion for Veterans With Disabilities			
Mold Damage Exclusion			
Homestead Market Value Exclusion			
Taxable Market Value (TMV)	238,300	296,400	
The following values (if any) are reflected in your estimated and taxable market values:			
New Improvement Value Not Assessed in Previous Year 0			
Property information is available by calling Nicollet County Property Assessment at 507-934-7062 from 8:00 a.m. to 4:30 p.m., Monday through Friday, OR online at www.co.nicollet.mn.us.			
HOW TO RESPOND: If you believe your valuation and property class are correct, it is not necessary to contact your assessor or attend any listed meetings. If you have concerns about the information on this notice, please contact your assessor. If your questions or concerns are not resolved, more formal appeal options are available. Please read the back of this notice for important information about the formal appeal process.			
Local Board of Appeal and Equalization/Open Book Meeting		County Board of Appeal and Equalization	
Thursday, April 14 at 6:00 p.m. 50975 421st Ave N Mankato Please call 507-934-7062 by April 8th to schedule an appointment to appeal.		Monday, June 13th at 6:30 p.m. Nicollet County Gov't Center Please call 507-934-7806 to schedule and appeal appointment.	

Please read the back of this notice for important appeal information.

DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
Eugene & Leora Cole	52404 415Th Ave	North Mankato, Mn 56003
Christopher & Emily Frederick	41396 526Th St	North Mankato, Mn 56003
Duane & Diane Severtson	52412 415Th Ave	North Mankato, Mn 56003
Troy Herding	41353 520Th St	North Mankato, Mn 56003
Gregory & Gail Depuydt	41183 520Th St	North Mankato, Mn 56003
John & Mary Depuydt LLC	41183 520Th St	North Mankato, Mn 56003
Dennis Michels	41392 520Th St	North Mankato, Mn 56003
Christian Compart	45198 400Th St	Nicollet, Mn 56074
James Compart	45198 400Th St	Nicollet, Mn 56074
Michael Johnson	957 Curry Trl	Eagan, Mn 55123
North Links LLC	1599 Mckusick Rd	Stillwater, Mn 55082
Michaletz Buildng Partners Llp	52189 415Th Ave	North Mankato, Mn 56003
Gail Michaletz Trust	52189 415Th Ave	North Mankato, Mn 56003
Joan Untiedt	P.O Box 2075	North Mankato, MN 56003

ATTACHMENT F
Neighbor Notification List



**NICOLLET COUNTY BOARD OF ADJUSTMENT AND APPEALS
CRITERIA FOR GRANTING A VARIANCE**

Name of Applicant/ Scott Michaletz
Property Owner: Michaletz Building Partners LLP

Date: July 18, 2022

File #: PLN22-07

PC Name: _____

Variance Requested: To allow the construction of an additional single family dwelling within the Northwest ¼ of the Northeast ¼, Section 5-108-27, exceeding the density standard of one new dwelling per quarter-quarter on lots recorded after 07/31/1981 that meet minimum lot size requirements.

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 purposes and intent of the official control.

☐ YES ☐ NO **WHY:** _____

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

☐ YES ☐ NO **WHY:** _____

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

☐ YES ☐ NO **WHY:** _____

ATTACHMENT G
Criteria for a Variance

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

☐ YES ☐ NO **WHY:** _____

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

☐ YES ☐ NO **WHY:** _____

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

☐ YES ☐ NO **WHY:** _____

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 Adjustment and Appeals.

Date: _____ Chair: _____