

AGENDA
of the
Steele County Board of Adjustments

Tuesday, January 10th, 2023
7:00 PM

Steele County Administration Center
Board Room
630 Florence Avenue
Owatonna, MN 55060

1. Call to Order
2. Pledge of Allegiance
3. Approve Agenda
4. Organize for 2023
5. Minutes (08-02-22)
6. 2023 Schedule
7. Public Hearing: Variance #653 (Gardner – Side Yard Setback)
8. Public Hearing: Variance #654 (Guse – Feedlot Setback)
9. Adjourn

**Minutes
of the
Steele County Board of Adjustments
August 2nd, 2022**

Call to Order:

The meeting was called to order by Chair Schmidt at 7:00 pm. Members present were Schmidt, Lammers, Jaster, Nelson and staff member Oolman.

Agenda:

Motion by Lammers, second by Nelson to approve the agenda as amended. Motion passed 4 to 0.

Minutes:

Grant Sanders pointed out some clerical errors in the draft minutes as well as some comments he believed were left out. Motion by Lammers, second by Jaster to approve the July 5th, 2022 minutes with the corrections as noted. Motion passed 4 to 0.

Public Hearing –Variance Request #651a & #651b (Jensen)

This hearing is to consider a variance requests from Ed Jensen to construct a shade structure as close as 0 feet from the right of way of County State Aid Highway #28 and 10 feet from the ordinary high water level of Beaver Lake.

Questions & Comments by board members:

- Schmidt asked what the boat house is used for?
Oolman answered it appears to be used for storage but is not being used as a cabin.
- Nelson asked if the structure would be a permanent structure?
*Barry Braaten, family member, indicated it would be moveable.
He also stated he does not oppose a condition concerning any potential damage from road maintenance activities.*
- Schmidt asked if this is still considered a structure if it was not permanent?
Oolman responded that the ordinance does not differ between permanent structures and temporary structures.

The public hearing was opened. As there were no comments the public hearing was closed.

The board reviewed the criteria for considering variance request #651a (road setback)

1) Is the variance in harmony with the intent of the comprehensive plan and ordinance?

All members felt the request met the intent of the comprehensive plan and ordinance.

2) Is the property owner proposing to use the property in a reasonable manner?

All members felt the property owner was using the property in a reasonable manner.

3) The plight of the applicant is due to circumstances unique to the property.

All members felt the uniqueness of the property contributed to the plight of the applicant.

4) Was the plight of the landowner created by someone other than the landowner?

All members felt the circumstances were created by someone other than the landowner.

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

All members felt the character of the locality would remain the same.

6) Economic considerations alone are not the only practical difficulty?

All members did agreed economics were not the only reason for the request.

Motion by Nelson, second by Jaster to grant variance request #651a based upon the findings of the board with the following condition.

The landowner acknowledges that the minimum setback requirements from which he or she is requesting a variance from are in place to provide for the general safety and welfare of the residents of Steele County and the landowner. The landowner also acknowledges that his or her request for a variance from those standards places the landowner and landowner's property at increased risk of damage due to the decreased distance from the public right-of-way. With that knowledge, the landowner agrees to hold Steele County and its employees or contractors harmless from any claims, demands or actions or causes of action, including reasonable attorney's fees and expenses, arising out of any act or omission by Steele County in the normal course of its business, which results in damage to the landowner's property. Activities in the normal course of business include, but are not limited to, snow removal, maintenance of ditches, maintenance of any culverts, and road work including patching, grading, or resurfacing, regardless of whether such activities are performed negligently or not.

Motion to approve passed 4 to 0

The board reviewed the criteria for considering variance request #651b (lake setback)

1) Is the variance in harmony with the intent of the comprehensive plan and ordinance?

All members felt the request met the intent of the comprehensive plan and ordinance.

2) Is the property owner proposing to use the property in a reasonable manner?

All members felt the property owner was using the property in a reasonable manner.

3) The plight of the applicant is due to circumstances unique to the property.

All members felt the uniqueness of the property contributed to the plight of the applicant.

4) Was the plight of the landowner created by someone other than the landowner?

All members felt the circumstances were not created by the landowner.

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

All members felt the character of the locality would remain the same.

6) Economic considerations alone are not the only practical difficulty?

All members agreed economics were not the only reason for the request.

Motion by Nelson, second by Jaster to grant variance request #651b based upon the findings of the board.

Motion to approve passed 4 to 0.

Public Hearing –Variance Request #652a (Greg Queen)

This hearing is to consider a variance requests from Greg Queen to add an additional dwelling in the SW ¼, SW ¼, Section 9, Havana Township. This ¼, ¼, Section already contains 3 dwellings.

Questions & Comments by board members:

- Lammers asked when the parcels in the area were first created?
Oolman indicated the three parcels with houses were subdivided in the late 1970's and Queen's parcel was subdivided in May of 1979.
- Was the shed on the property when Queen bought it?
Oolman answered the first shed was there when the Queen's purchased the property.
- Was there ever a house on this parcel?
Oolman indicated no.
- Nelson asked if the Queens have an easement on the driveway?
Queen indicated he did.
- Jaster asked if the Queens bought the property knowing it was not buildable?
Queen indicated he was told he could not have a house when he purchased the property.
- Greg Queen commented that his circumstances have changed since he purchased the property. He has since sold his house and would only be using this in the summer. In the winter it would be a storage shed. The property has not been farmed since before he owned it so no farmland would be converted.
- Joan Queen commented that this is to be her hobby shop but they can't entertain from their motor home so would like to have this as a place to do that.

The public hearing was opened. As there were no comments the public hearing was closed.

The board reviewed the criteria for considering variance request # 652a (additional house in ¼, ¼ section)

- 1) **Is the variance in harmony with the intent of the comprehensive plan and ordinance?**
Schmidt, Jaster, & Nelson felt it was not because the parcel was created after the ordinance was adopted. Lammers felt it was.
- 2) **Is the property owner proposing to use the property in a reasonable manner?**
All members felt the property owner was using the property in a reasonable manner.
- 3) **The plight of the applicant is due to circumstances unique to the property.**
Jaster, Nelson, and Lammers felt the uniqueness of the property contributed to the plight of the applicant. Schmidt felt it did not because the ordinance was in effect with each property sale since the parcel was created.
- 4) **Was the plight of the landowner created by someone other than the landowner?**
All members felt the circumstances were created by someone other than the landowner.
- 5) **The variance will not alter the essential character of the locality.**
All members felt the character of the locality would remain the same.
- 6) **Economic considerations alone are not the only practical difficulty?**
All members felt economics were not the only reason for the request.

Motion by Nelson, second by Jaster to deny variance request #652a based upon the findings of the board. Motion to deny passed by a 3 to 1 vote with Lammers voting nay.

Public Hearing –Variance Request #652b (Greg Queen)

This hearing is to consider a variance requests from Greg Queen to allow a dwelling on land that does not abut a public road.

Questions & Comments by board members:

- Schmidt asked when the property was given an address?
Oolman answered it was most likely given an address when the county assigned addresses in the late 1990's.
- Schmidt asked if this road was privately maintained?
Queen said it was.
- Discussion was held on the private drive.

The public hearing was opened.

- Kevin Dilleuth, neighboring property owner north of Rose Street spoke in favor of the variance. He indicated the road is well maintained.
- DeWayne Erickson, neighbor to the north of Rose Street, bought his property in 1975. They have asked the township to maintain the road, but the township has not accepted it.

The board reviewed the criteria for considering variance request 652b (residence that does not abut a public road)

- 1) Is the variance in harmony with the intent of the comprehensive plan and ordinance?**
Schmidt, Jaster, & Nelson felt it was not because the parcel was created after the ordinance was adopted. Lammers felt it was.
- 2) Is the property owner proposing to use the property in a reasonable manner?**
All members felt the property owner was using the property in a reasonable manner.
- 3) The plight of the applicant is due to circumstances unique to the property.**
All members felt the uniqueness of the property contributed to the plight of the applicant.
- 4) Was the plight of the landowner created by someone other than the landowner?**
All members felt the circumstances were created by someone other than the landowner.
- 5) The variance will not alter the essential character of the locality.**
All members felt the character of the locality would remain the same.
- 6) Economic considerations alone are not the only practical difficulty?**
All members felt economics were not the only reason for the request.

Motion by Jaster, second by Nelson to deny variance request #652b based upon the findings of the board. Motion to deny passed by a 3 to 1 vote with Lammers voting nay.

Adjournment:

Motion by Jaster, second by Nelson to adjourn. Motion passed. Meeting adjourned at 8:11 PM.

Proposed 2023 Board of Adjustments Meeting Dates

Meeting Date

January 10

February 7

March 7

April 4

May 2

June 6

~~July 18~~ July 11th

August 1

September 5

October 3

October 31

December 5

*All meetings are scheduled for 7:00 PM in the Board Room of the Steele County Administration Building.

Staff Report
for
Appeal for a Variance #653
Gardner

Applicant: Anna Gardner

Property Owner: Anna Gardner

Property Address:

9584 74th Ave. SE
Blooming Prairie, MN 55955

Property Description:

All that part of the SW1/4 of Section 26, T 106 N, R 19 W, Steele County, Minnesota, described by:

Commencing at the southwest corner of said SW 1/4; thence N 90°00' E, assumed bearing 2432.72 feet along the south line of said SW 1/4 to a point on the centerline of SE 74th Avenue; thence N 43°43'01" W 264.00 feet along the centerline of said Avenue; thence S 51°18'56" W 305.28 feet to the south line of said SW 1/4; thence N 90°00' W 319.58 feet along the south line of said SW 1/4; thence N 43°43'01" W 891.36 feet to the True Point of Beginning; thence N 43°43'01" W 373.48 feet; thence N 43°10'09" E 535.87 feet to the centerline of said Avenue; thence S 43°43'01" E 457.01 feet along said centerline; thence S 52°05'26" W 537.84 feet to said True Point of Beginning.

Zoning District: Agricultural

Ordinance:

Section 705.5a of the Steele County Zoning Ordinance requires a minimum building setback of twenty (20) feet from the side yard property line.

Variance Request:

Locate a 30' x 64' storage shed as close as 10 feet from the property line

Practical Difficulty in Complying with Ordinance:

The owners claim of practical difficulty is that they believed the required setback was actually 10 feet instead of 20 feet based on conversations with the Steele County building inspector and inspections done on the building early in the process.

Criteria for Granting Variances:

The following criteria must be examined by the Board of Adjustments when considering a variance.

1) Is the variance in harmony with the intent of the comprehensive plan and ordinance?

The intent of the side yard setback is to restrict potential impacts to neighboring properties from structures. The adjoining property is currently used as a pasture with a fence 3 to 5 feet

from the property line. The property slopes towards the back (southwest) so drainage should not be a problem. The neighboring property owner has indicated he supports the variance.

2) Is the property owner proposing to use the property in a reasonable manner?

Storage structures are allowed in the agricultural district.

3) The practical difficulty is due to circumstances unique to the property.

The property is a typical rural building site and contains a house and a couple of outbuildings. This building was originally going to be placed between the two outbuilding as that location offered proximity to the house and was on the higher ground on the property. The elevation drops off towards the southwest and is wetter making that part of the property less desirable for structures. However, putting the building there, placed it too close to the adjoining buildings, so they decided to move it between the northwest building and the fence line.

4) The practical difficulty was not created by the landowner.

The land owners did move the location of the building on the site but did so after they believed the new location was ok'd by the county.

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

The character of area will not change.

6) Economic considerations alone are not the only practical difficulty?

Economics did not play a factor in choosing the location for the building.

A court case in 2009 "Stadsvold" suggested that in an after-the-fact variance situation, additional factors should be looked at by the Board of Adjustments. The Court noted that an after-the-fact variance is fundamentally different from regular variances, noting that treating them the same can produce unfair results. Stadsvold's additional after-the-fact standards include.

7) Is construction completed?

The courts inferred that the board of adjustments should consider whether construction has been completed, realizing that once the structure is constructed, it is much more difficult to tear down and move. In this situation, the framing has been completed, and the application of tin has begun. Moving the structure at this point would basically involve tearing down the structure and starting over. It may also require the re-purchase of additional materials as the posts have been concreted in and the framing is ring-shanked together making deconstruction difficult if not impossible without destroying components.

8) Are there similar structures in the area?

Similar pole typed storage structures are located all over the rural areas of the county.

9) Is the burden to the applicant greater than the benefit to the County if compliance is required.

In this standard the courts indicated the County should consider whether the benefit of adherence to the ordinance out-ways the benefits the ordinance provides. This criteria also give the Board of Adjustments the ability to weigh the evidence of the criteria instead of

requiring that a request meet all the criteria like in a standard variance. So even if the request doesn't meet all the criteria it may still be granted if the Board gives more weight to the criteria it does meet.

10) Was the violation intentional or unintentional.

While standard #7 requires the County to consider whether the structure has already been constructed, standard #10 allows the County to consider whether the applicant was aware of the ordinance when they constructed it. In this way individuals would not be granted any benefit by simply building and asking for forgiveness afterward. In this variance request, the Gardner's were working with the County from the beginning. They applied for a permit and informed the County that they were switching locations of the structure. They also indicate they were told the setback was only 10 feet and it even appears an inspection was completed on the holes before any additional construction was completed, thereby giving the County at least one opportunity to correct any errors before significant construction occurred.



Gardner

December 21, 2022

0 0.01 0.03 0.03 mi

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This shows how far we are from the property line/ence. Roughly 13 feet as we thought it only had to be 10 feet.



This picture and the following page show you how far along we are. The footings / building are cemented in place. The frame is held together with ring shank nails which are not removable in order to take the structure apart, so it would likely destroy the building

FINDINGS OF FACT for VARIANCE

653

PARCEL#	04-026-3203	PROP. ADDRESS:	9584 74th Ave. SE
DISTRICT:	Agricultural		Blooming Prairie, MN 55917
APPLICANT:	Anna Gardner	LANDOWNER:	Same
ADDRESS:	9584 74th Ave. SE	ADDRESS:	
	Blooming Prairie, MN 55917		

LEGAL DESCRIPTION OF PROPERTY:

All that part of the SW1/4 of Section 26, T 106 N, R 19 W, Steele County, Minnesota, described by: Commencing at the southwest corner of said SW 1/4; thence N 90°00' E, assumed bearing 2432.72 feet along the south line of said SW 1/4 to a point on the centerline of SE 74th Avenue; thence N 43°43'01" W 264.00 feet along the centerline of said Avenue; thence S 51°18'56" W 305.28 feet to the south line of said SW 1/4; thence N 90°00' W 319.58 feet along the south line of said SW 1/4; thence N 43°43'01" W 891.36 feet to the True Point of Beginning; thence N 43°43'01" W 373.48 feet; thence N 43°10'09" E 535.87 feet to the centerline of said Avenue; thence S 43°43'01" E 457.01 feet along said centerline; thence S 52°05'26" W 537.84 feet to said True Point of Beginning.

ORDINANCE THAT VARIANCE IS REQUESTED FROM:

Section 705.5a of the Steele County Zoning Ordinance requires a minimum building setback of twenty (20) feet from the side yard property line.

VARIANCE REQUEST:

Locate a shed as 10 feet from the property line.

FINDINGS of the BOARD OF ADJUSTMENT

- 1 Is the variance request in harmony with the purpose and intent of the ordinance and consistent with the comprehensive plan? Yes ☐ No ☐

why or why not? _____

- 2 Is the owner proposing to use the property in a reasonable manner? Yes ☐ No ☐

why or why not? _____

- 3 Is the plight of the land owner due to circumstances that are unique to the property? Yes ☐ No ☐

why or why not? _____

- 4 Were the unique circumstances created by someone other than the landowner? Yes ☐ No ☐

why or why not? _____

- 5 Will the character of the locality remain the same after granting the variance? Yes ☐ No ☐

why or why not? _____

- 6 Does the practical difficulty involve more than economic considerations? Yes ☐ No ☐

why or why not? _____

- 7 Is construction completed? Yes ☐ No ☐

why or why not? _____

- 8 Are there similar structures in the area? Yes ☐ No ☐

why or why not? _____

9 Is the burden on the applicant greater than the benefit to the County?

Yes

☐

No

☐

why or why not? _____

10 Was the violation un-intentional.

Yes

☐

No

☐

why or why not? _____

☐

Deny

☐

Approve

Date:

Information and testimony presented supporting this decision are hereby certified to be the Findings of the Steele County Board of Adjustments.

Chair, Steele County Board of Adjustments

Date

Document prepared by the Steele County Planning and Zoning Director.

Director, Steele County Planning and Zoning

Date

RECORD of FINDINGS

653

PARCEL #:	04-026-3203	PROP. ADDRESS:	9584 74th Ave. SE
DISTRICT:	Agricultural		Blooming Prairie, MN 55917
APPLICANT:	Anna Gardner	LANDOWNER:	Same
ADDRESS:	9584 74th Ave. SE	ADDRESS:	
	Blooming Prairie, MN 5591		

RECORD of FINDINGS of the BOARD OF ADJUSTMENT

(to grant a variance the board of adjustments must answer yes to all of the following.)

- 1 Is the variance request in harmony with the purpose and intent of the ordinance and consistent with the comprehensive plan?

Schmidt	Yes	☐	No	☐	Why?	
Jaster	Yes	☐	No	☐	Why?	
Ulrich	Yes	☐	No	☐	Why?	
Nelson	Yes	☐	No	☐	Why?	
Lammers	Yes	☐	No	☐	Why?	

- 2 Is the owner proposing to use the property in a reasonable manner?

Schmidt	Yes	☐	No	☐	Why?	
Jaster	Yes	☐	No	☐	Why?	
Ulrich	Yes	☐	No	☐	Why?	
Nelson	Yes	☐	No	☐	Why?	
Lammers	Yes	☐	No	☐	Why?	

- 3 Is the plight of the land owner due to circumstances that are unique to the property?

Schmidt	Yes	☐	No	☐	Why?	
Jaster	Yes	☐	No	☐	Why?	
Ulrich	Yes	☐	No	☐	Why?	
Nelson	Yes	☐	No	☐	Why?	
Lammers	Yes	☐	No	☐	Why?	

- 4 Were the unique circumstances created by someone other than the landowner?

Schmidt	Yes	☐	No	☐	Why?	
Jaster	Yes	☐	No	☐	Why?	
Ulrich	Yes	☐	No	☐	Why?	
Nelson	Yes	☐	No	☐	Why?	
Lammers	Yes	☐	No	☐	Why?	

5 Will the character of the locality remain the same after granting the variance?

Schmidt	Yes	☐	No	☐	Why?	
Jaster	Yes	☐	No	☐	Why?	
Ulrich	Yes	☐	No	☐	Why?	
Nelson	Yes	☐	No	☐	Why?	
Lammers	Yes	☐	No	☐	Why?	

6 Does the practical difficulty involve more than economic considerations?

Schmidt	Yes	☐	No	☐	Why?	
Jaster	Yes	☐	No	☐	Why?	
Ulrich	Yes	☐	No	☐	Why?	
Nelson	Yes	☐	No	☐	Why?	
Lammers	Yes	☐	No	☐	Why?	

7 Is construction completed?

Schmidt	Yes	☐	No	☐	Why?	
Jaster	Yes	☐	No	☐	Why?	
Ulrich	Yes	☐	No	☐	Why?	
Nelson	Yes	☐	No	☐	Why?	
Lammers	Yes	☐	No	☐	Why?	

8 Are there similar structures in the area?

Schmidt	Yes	☐	No	☐	Why?	
Jaster	Yes	☐	No	☐	Why?	
Ulrich	Yes	☐	No	☐	Why?	
Nelson	Yes	☐	No	☐	Why?	
Lammers	Yes	☐	No	☐	Why?	

9 Is the burden on the applicant greater than the benefit to the County?

Schmidt	Yes	☐	No	☐	Why?	
Jaster	Yes	☐	No	☐	Why?	
Ulrich	Yes	☐	No	☐	Why?	
Nelson	Yes	☐	No	☐	Why?	
Lammers	Yes	☐	No	☐	Why?	

10 Was the violation un-intentional?

Schmidt	Yes	☐	No	☐	Why?	
Jaster	Yes	☐	No	☐	Why?	
Ulrich	Yes	☐	No	☐	Why?	
Nelson	Yes	☐	No	☐	Why?	
Lammers	Yes	☐	No	☐	Why?	

Motion _____
Second _____

Approve

☐

Deny

☐

Schmidt	Aye	☐	Nay	☐
Jaster	Aye	☐	Nay	☐
Ulrich	Aye	☐	Nay	☐
Nelson	Aye	☐	Nay	☐
Lammers	Aye	☐	Nay	☐

Approved

☐

Denied

☐

Date: _____

Information and testimony presented supporting this decision are hereby certified to be the Findings of the Steele County Board of Adjustments.

Chair, Steele County Board of Adjustments

Date

Document prepared by the Steele County Planning and Zoning Director.

Director, Steele County Planning and Zoning

Date

**Staff Report
for
Appeal for a Variance #654
Guse**

Applicant: Jarod Guse

Property Owner: Jarod Guse

Property Address:
887 58th St. SE
Owatonna, MN 55060

Property Description:
The East one-fourth of the NE 1/4 of the NW 1/4 of Section 10, Township 106 North, Range 20 West, Steele County, Minnesota.

Zoning District: Agricultural

Ordinance:
Section 1525.3 of the Steele County Zoning Ordinance requires new animal feedlots to be setback 1,000 feet from neighboring residences.

Variance Request:
Register a feedlot that is as close as:
330 feet from the residence at 793 58th St. SE
625 feet from the residence at 1025 58th St. SE
980 feet from the residence at 677 58th St. SE
590 feet from the residence at 960 58th St. SE
910 feet from the residence at 958 58th St. SE

Practical Difficulty in Complying with Ordinance:
The claim of practical difficulty is the building site and structures that have been in existence since before setback ordinances were enacted making it impossible to use the existing buildings for livestock and still meet today's setback ordinances.

Criteria for Granting Variances:
The following criteria must be examined by the Board of Adjustments when considering a variance.

- 1) **Is the variance in harmony with the intent of the comprehensive plan and ordinance?**
The intent of the separation distance between feedlots and residences is to protect residences from nuisances such as odor and to give the producer a standard from which they have some protection from nuisance complaints. The 1000 feet setback was first adopted in 1993 during the period where the development of large confinement poultry and swine barns became standard. It has however been applied to all registered feedlots of any size as these have historically had the option to expand. The applicant has had some beef and dairy cattle on-

sight for years but has reached a point where he needs to register the site. He currently has around 50 head but would like the opportunity to grow up to 75 head. As a general rule, odors from solid manure from cattle is not near as objectionable as odors from liquid manure even at lesser distances.

2) Is the property owner proposing to use the property in a reasonable manner?

The property is 10 acres and contains a house two existing barns with open pens and a shed. The applicant is using the barns to raise dairy and beef steers. Livestock has historically been kept onsite. The applicant is asking to allow up to 75 head. If the board approves this variance, they may want to limit the number and /or species of animals.

3) The practical difficulty is due to circumstances unique to the property.

The building site and the neighboring building sites were established before setbacks were established. One of the barns on this property was built a century ago and the other building and feed bin built in the 1960's. All of the neighboring residences were built before the setback was established with the most recent built in 1993 and other built in the 1960's and 1970's or before.

4) The practical difficulty was not created by the landowner.

The location of the building site and the buildings were established before ordinances and setbacks were adopted. The applicant did not build the structures used for the livestock but asking to utilize them as livestock structures.

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

The character of area will not change.

6) Economic considerations alone are not the only practical difficulty?

Economics have not played a role in the need for the variance.

Considerations:

If the Board determines the request meets the criteria to grant a variance, they may want to consider limiting the number and / or species of livestock as each type of livestock has its own manure type and animal unit classification. For example, liquid manure or poultry manure often are more objectionable than solid manure. Animal units also vary by species type. 75 steers is equal to 75 animal units per the livestock ordinance but 75 animal units of poultry equals 7500 chickens, and 75 animal units of finishing pigs equals 1500 animals.

Potential Conditions:

1. This site shall be limited to a maximum of 75 animal units as defined by the Steele Livestock Operation Ordinance. No more than 10 animal units shall be of a species other than beef cattle.
2. The open lots or buildings shall not be expanded or modified so that the feedlot becomes closer to the neighboring residences.
3. No liquid manure storage structures allowed.

05-003-3000

05-003-3201

05-003-2303

958

05-003-2305

960

911.21 ft.

592.47 ft.

05-010-410687

793

332.42 ft.

985.98 ft.

05-010-4102

677

05-010-4104

Guse Site



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Guse Site

December 22, 2022



FINDINGS OF FACT for VARIANCE

654

PARCEL#	05-010-4101	PROP. ADDRESS:	887 58th St SE
DISTRICT:	Agricultural		Owatonna, MN 55060

APPLICANT:	Jarod Guse	LANDOWNER:	Same
ADDRESS:	887 58th St SE	ADDRESS:	
	Owatonna, MN 55060		

LEGAL DESCRIPTION OF PROPERTY:

The East one-fourth of the NE 1/4 of the NW 1/4 of Section 10, Township 106 North, Range 20 West, Steele County, Minnesota.

ORDINANCE THAT VARIANCE IS REQUESTED FROM:

Section 1525.3 of the Steele County Zoning Ordinance requires new animal feedlots to be setback 1,000 feet from neighboring residences.

VARIANCE REQUEST:

Register a feedlot as close as:

- 330 feet from 793 58th St. SE
- 625 feet from 1025 58th St. SE
- 980 feet from 677 58th St. SE
- 590 feet from 960 58th St. SE
- 910 feet from 958 58th St. SE

VARIANCE of the STEELE COUNTY ORDINANCE

654

FINDINGS of the BOARD OF ADJUSTMENT

(to grant a variance the board of adjustments must answer yes to all of the following.)

- 1 Is the variance request in harmony with the purpose and intent of the ordinance and consistent with the comprehensive plan? Yes ☐ No ☐

why or why not? _____

- 2 Is the owner proposing to use the property in a reasonable manner? Yes ☐ No ☐

why or why not? _____

- 3 Is the plight of the land owner due to circumstances that are unique to the property? Yes ☐ No ☐

why or why not? _____

- 4 Were the unique circumstances created by someone other than the landowner? Yes ☐ No ☐

why or why not? _____

- 5 Will the character of the locality remain the same after granting the variance? Yes ☐ No ☐

why or why not? _____

- 6 Does the practical difficulty involve more than economic considerations? Yes ☐ No ☐

why or why not? _____

☐ Deny ☐ Approve _____ Date: _____

Information and testimony presented supporting this decision are hereby certified to be the Findings of the Steele County Board of Adjustments.

Chair, Steele County Board of Adjustments

Date

Document prepared by the Steele County Planning and Zoning Director.

Director, Steele County Planning and Zoning

Date

Conditions of Steele County Variance # 654

- 1 This site shall be limited to a maximum of 75 animal units as defined by the Steele Livestock Operation Ordinance. No more than 10 animal units shall be of a species other than beef cattle.
- 2 The open lots or buildings shall not be expanded or modified so that the feedlot becomes closer to the neighboring residences.
- 3 No liquid manure storage structures allowed.

RECORD of FINDINGS

654

PARCEL #:	05-010-4101	PROP. ADDRESS:	887 58th St SE
DISTRICT:	Agricultural		Owatonna, MN 55060
APPLICANT:	Jarod Guse	LANDOWNER:	Same
ADDRESS:	887 58th St SE	ADDRESS:	
	Owatonna, MN 55060		

RECORD of FINDINGS of the BOARD OF ADJUSTMENT

(to grant a variance the board of adjustments must answer yes to all of the following.)

- 1 Is the variance request in harmony with the purpose and intent of the ordinance and consistent with the comprehensive plan?

Schmidt	Yes	☐	No	☐	Why?	
Jaster	Yes	☐	No	☐	Why?	
Ulrich	Yes	☐	No	☐	Why?	
Nelson	Yes	☐	No	☐	Why?	
Lammers	Yes	☐	No	☐	Why?	

- 2 Is the owner proposing to use the property in a reasonable manner?

Schmidt	Yes	☐	No	☐	Why?	
Jaster	Yes	☐	No	☐	Why?	
Ulrich	Yes	☐	No	☐	Why?	
Nelson	Yes	☐	No	☐	Why?	
Lammers	Yes	☐	No	☐	Why?	

- 3 Is the plight of the land owner due to circumstances that are unique to the property?

Schmidt	Yes	☐	No	☐	Why?	
Jaster	Yes	☐	No	☐	Why?	
Ulrich	Yes	☐	No	☐	Why?	
Nelson	Yes	☐	No	☐	Why?	
Lammers	Yes	☐	No	☐	Why?	

- 4 Were the unique circumstances created by someone other than the landowner?

Schmidt	Yes	☐	No	☐	Why?	
Jaster	Yes	☐	No	☐	Why?	
Ulrich	Yes	☐	No	☐	Why?	
Nelson	Yes	☐	No	☐	Why?	
Lammers	Yes	☐	No	☐	Why?	

5 Will the character of the locality remain the same after granting the variance?

Schmidt	Yes	☐	No	☐	Why? _____
Jaster	Yes	☐	No	☐	Why? _____
Ulrich	Yes	☐	No	☐	Why? _____
Nelson	Yes	☐	No	☐	Why? _____
Lammers	Yes	☐	No	☐	Why? _____

6 Does the practical difficulty involve more than economic considerations?

Schmidt	Yes	☐	No	☐	Why? _____
Jaster	Yes	☐	No	☐	Why? _____
Ulrich	Yes	☐	No	☐	Why? _____
Nelson	Yes	☐	No	☐	Why? _____
Lammers	Yes	☐	No	☐	Why? _____

Motion _____
 Second _____

Approve

☐

Deny

☐

Schmidt	Aye	☐	Nay	☐
Jaster	Aye	☐	Nay	☐
Ulrich	Aye	☐	Nay	☐
Nelson	Aye	☐	Nay	☐
Lammers	Aye	☐	Nay	☐

Approved

☐

Denied

☐

Date: _____

Information and testimony presented supporting this decision are hereby certified to be the Findings of the Steele County Board of Adjustments.

Chair, Steele County Board of Adjustments

Date

Document prepared by the Steele County Planning and Zoning Director.

Director, Steele County Planning and Zoning

Date