



STEELE COUNTY
BOARD OF ADJUSTMENTS AGENDA
Steele County Administration Center – 630 Florence - Owatonna, MN 55060

Tuesday, May 6th, 2025 at 7:00 p.m. – Steele County Boardroom

1. Call to Order
2. Pledge of Allegiance
3. Approve Agenda
4. Minutes (April 1st, 2025)
5. Public Hearing: Variance #669 (Kruckeberg – front yard setback)
6. Public Hearing: Variance #670 (Kopperud – side yard setback)
7. Adjournment

**Minutes
of the
Steele County Board of Adjustments
April 1st, 2025**

Call to Order:

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

Agenda:

Motion by Jaster, second by Ulrich to approve the agenda as submitted. Motion passed.

Minutes:

Motion by Hansen, second by Jaster to approve the January 14th, 2025, minutes as printed. Motion passed 5 to 0.

Public Hearing – Variance #668 (Jacobsen -Fence Height)

This hearing is to consider a variance request from Theo and Leah Jacobsen have requested to construct a six (6) six-foot fence around the house and play area. The east 325 feet of fencing will be privacy fencing. The fence is to be on property located in the SE ¼ of the NE ¼, Section 32, Meriden Township. The property address is 4202 82nd Ave SW. Steele County ordinances limit the height of the fence in the front and side yards to 3 ½ feet.

Questions & Comments by board members:

Schmidt- Amber did you state that the Highway department has no issue with the height of the fence if it is out of the right of way?

Brooks- *The highway did not have an issue with the height of the fence.*

Hansen- Did you think of going any higher with the fence?

Jacobsen- *No if we were to do that, we would have to use commercial fencing.*

Schmidt- Instead of spending money on a survey, have you considered moving the fence back 5 to 10 feet to ensure that you are out of the right of way?

Jacobsen- *The reason we decided to put the fence where it is pictured, is that is the top of the ditch. Also, for the convenience of maintenance on the other side of the fence.*

Schmidt- If you are going to keep the fence as pictured that is a foot and a half away from the right of way, if you move the fence back 5 to 10 feet then we know you are well out of the right of way.

The public hearing was opened.

As there were no other comments the public hearing was closed.

The board reviewed the criteria for considering variance request #668

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' agreed economics were not the only reason for the request.

Motion by Hansen, second by Ulrich to approve variance request #668 based upon the findings of the board. Motion passed, 5 to 0. With the following conditions:

1. A licensed surveyor shall be retained by the property owner to determine that the fence is entirely outside of the highway right of way unless the fence is set back at least five feet from the road right-of-way.

Adjournment:

Motion by Lammers, second by Ulrich to adjourn. Motion passed. Meeting adjourned at 7:32 PM.

**Staff Report
for
Appeal for a Variance #669
Kruckeberg**

Applicant: Tyler Kruckeberg

Property Owner: Tyler Kruckeberg

Property Address: 2640 SW 168th St
Ellendale, MN 56026

Property Description:

That part of Southwest Quarter of Southeast Quarter of Section 32, Township 105 North, Range 20 west, Steele County, Minnesota described as follows:

Beginning at the Southwest corner of the Southeast Quarter of Section 32; thence Easterly 90° 00' 00" assumed azimuth from North, 414.97 feet along the south line of said Southeast Quarter; thence Northerly 359° 50' 55" azimuth parallel with the west line of said Southeast Quarter, 132.34 feet; thence Westerly 271° 45' 23" azimuth 39.52 feet; thence Northerly 359° 50' 55" azimuth 264.89 feet; thence Westerly 270° 00' 00" azimuth 375.50 feet to the west line of said Southeast Quarter; thence Southerly 179° 50' 55" azimuth 392.88 feet along the west line of said Southeast Quarter to the Point of the Beginning.

Zoning District: Agricultural

Ordinance:

Section 705.4a of the Steele County Zoning Ordinance requires a front yard setback of not less than one hundred feet (100) from all public dedicated road centerlines.

Variance Request:

Reconstruct a residence 83 feet from the centerline of SW168th St.

Background:

Tyler Kruckeberg is requesting to rebuild a house 83 feet from the centerline of County road 37. County road 37 is a border route of Steele County that is maintained by Freeborn County. The house currently on the property was struck by a tree causing significant structural damage. The new structure will be 80' by 56'. He indicates that the current placement of the home makes the best use of the lot. He also notes that the south part of the property is at a higher elevation than the north part and could be subject to flooding if placed elsewhere.

Criteria for Granting a Variance:

Variances may be granted when the applicant establishes that there are practical difficulties in complying with the official control. The Board of Adjustments shall utilize the following criteria to determine if the request meets the meaning of “Practical Difficulties”

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

The intent of the setback is multi- purpose:

- Provide safety to motorist and the structure should a vehicle leave the road.
The building site is situated next to the road and was established before the ordinances were adopted.
- Reduce the obstruction of sightlines as viewed from the road or an access.
Sight lines from the road are good as the road is straight and level in the location of the proposed structure. Sightlines from the accesses will not change as the new house will not be any closer to the road than the current house.
- Prevent damage to structures from road maintenance activities.
Snow or ice from snow plowing has the potential to reach the proposed structure although it has not been an issue thus far. Kruckeberg mows the ditch as part of the normal lawn mowing so the potential of thrown rocks from township mowing is minimal. When we granted variances from front yard setback in the past, we have included a condition limiting the liability of the township from damages from maintenance activities.
- Providing an area for construction should the road need to be rebuilt.
Freeborn County’s required setback is at 73’. It is anticipated that any road construction activities can take place within the existing road right of way. Freeborn does not object to the house at 80’ as it does meet their requirements however, the house is located in Steele County and this could set the precedent that we will accept something less than our standard even though there may be a way to meet that standard.
- Minimize snow drifting on the road.
Again, since there is currently already a home located on this property at this setback, snow drifting would most likely not be any different than it is currently.

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

A dwelling is an allowable use in the agricultural district provided it meet standards and building codes.

3) Is the plight of the landowner due to circumstances unique to the property?

Kruckeberg states the layout of the existing buildings on the site make the site unique. The house was built in 1920 and the building site was established before setback ordinances were adopted. The topography drops off to the north making it less desirable to move it north.

4) The unique circumstances were not created by the landowner?

The current landowner bought the property in 2019. The topography and buildings were in place when he purchased the property.

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

The character of the building site should not change with the construction of a new house.

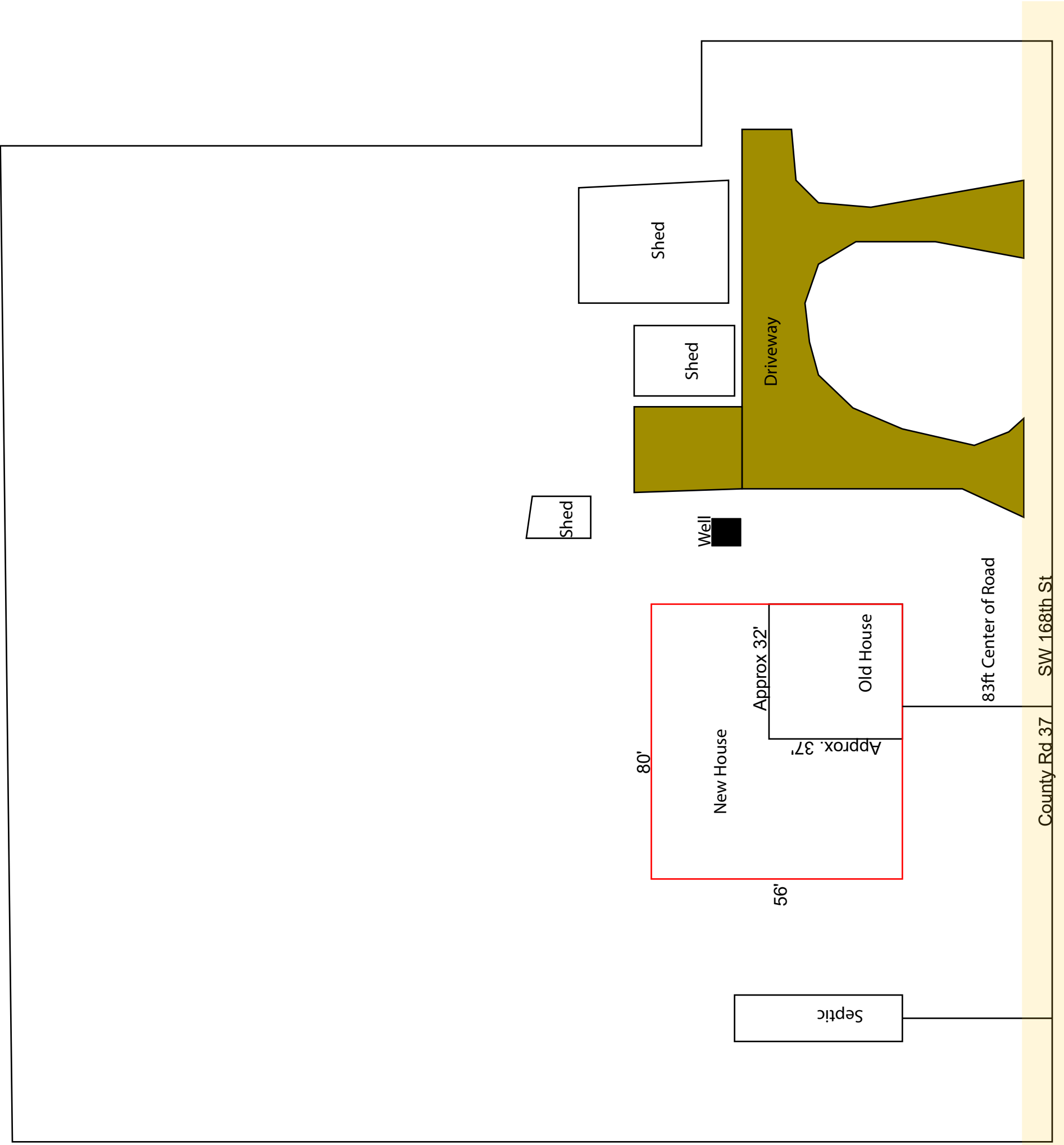
6) Economic considerations alone do not constitute a practical difficulty.

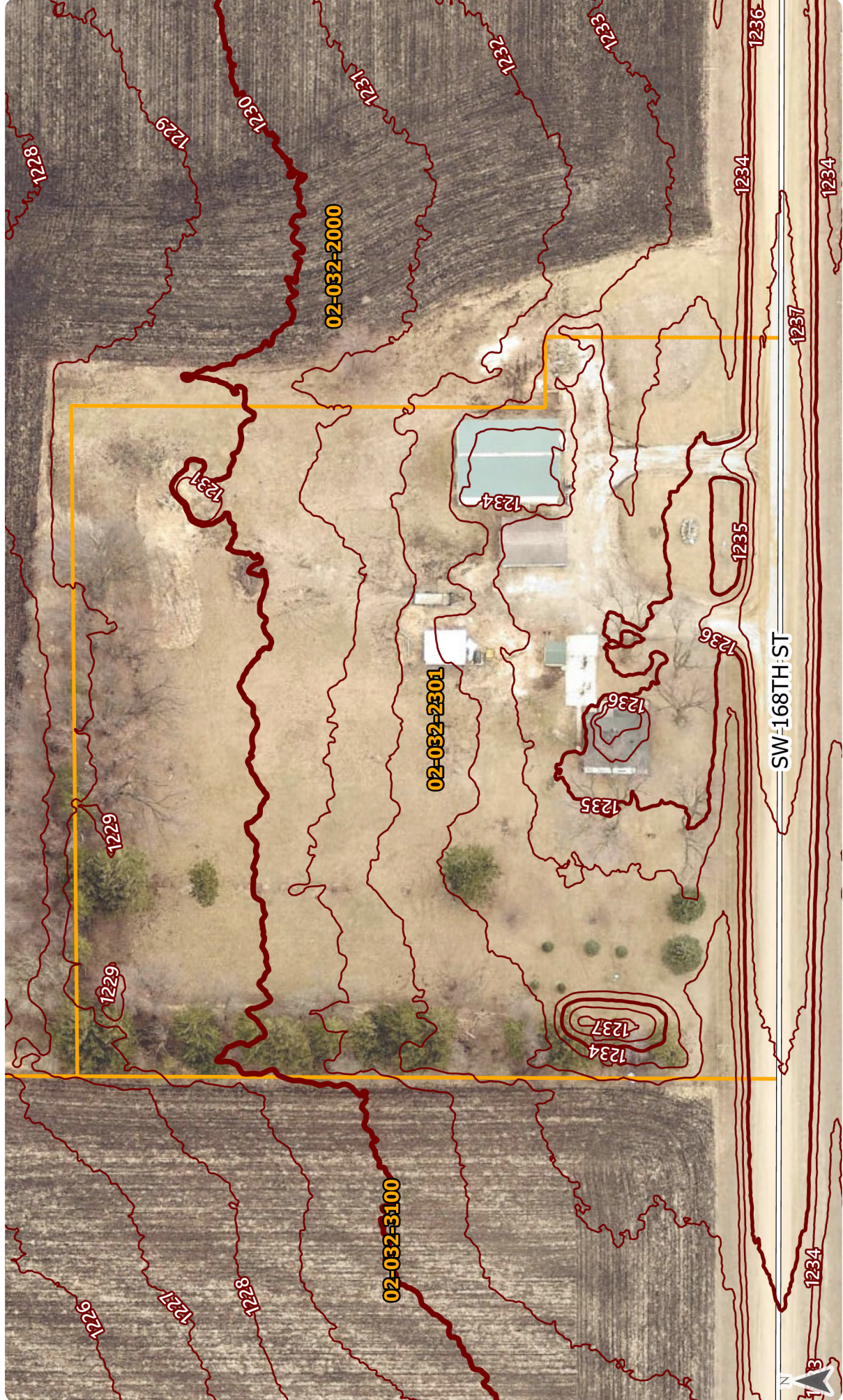
Economics do not appear to be a factor in this request.

Potential Conditions:

In granting previous variances from road setbacks, the board of adjustments have added the following conditions.

The land owner acknowledges that the minimum setback requirements from which he or she is requesting a variance are in place to provide for the general safety and welfare of the residents of Steele County. The land owner also acknowledges that his or her request for a variance from those standards places the land owner and land owners property at increased risk of damage due to the decreased distance from the public right-of-way. With that knowledge, the land owner agrees to hold Steele County, its employees and officials, Freeborn County, its employees and officials, 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 or Freeborn County in the normal course of its business, which results in damage to the land owner's property. Activities in the normal course of business include, but are not limited to, snow removal, maintenance of ditches, maintenance of any County maintained culverts, and road work including patching, grading, or resurfacing, regardless of whether such activities are performed negligently or not.





Variance 669 1' Contours

RECORD of FINDINGS

#669

PARCEL #: 02-032-2301
DISTRICT: Residential

PROP. ADDRESS: 2640 SW 168th St
Ellendale, MN 56026

APPLICANT: Tyler Kruckeberg
ADDRESS: 2640 SW 168th St
Ellendale, MN 56026

LANDOWNER: Tyler Kruckeberg
ADDRESS: 2640 SW 168th St
Ellendale, MN 56026

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?	
Hansen	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?	
Hansen	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?	
Hansen	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?	
Hansen	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?	_____
Hansen	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?	_____
Hansen	Yes	☐	No	☐	Why?	_____
Lammers	Yes	☐	No	☐	Why?	_____

Motion _____

Second _____

Approve ☐

Deny ☐

Condition(s) _____

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 #670
Kopperud**

Applicant: Derek Kopperud

Property Owner: Derek Kopperud

Property Address: 5411 SE 73rd St.
Owatonna, MN 55060

Property Description:

All that part of the NE1/4 SW1/4 & SE1/4 SW1/4 Section 18-T106N-R21W, Steele County, Minnesota; described as follows:

Beginning at the northwest corner of said SE1/4 SW1/4;
thence South 00°34'11" West a distance of 183.00 feet on an assumed bearing on the west line of said SE1/4 SW1/4;
thence South 64°16'16" East a distance of 164.54 feet, to the centerline of SW 75th Street;
thence South 89°54'50" East a distance of 65.56 feet on said centerline
thence North 00°34'11" East a distance of 254.57 feet, parallel with said west line, to the north line of said SE1/4 SW1/4;
thence South 89°59'22" West a distance of 16.50 feet on said north line;
thence North 00°34'11" East a distance of 495.00 feet, parallel with the west line of said NE1/4 SW1/4;
thence South 89°59'22" West a distance of 198.00 feet, parallel with the south line of said NE1/4 SW1/4, to the west line of said NE1/4 SW1/4;
thence South 00°34'11" West a distance of 495.00 feet on said west line, to the point of beginning;
subject to a public road easement on the south side thereof.

Zoning District: Agricultural

Ordinance:

Section 705.5a of the Steele County zoning Ordinance requires a minimum side yard setback of 20 feet.

Variance Request:

Derek Kopperud would like to construct a 32' x 60' shed 10 feet from the east property line shared with Gary & Judith Johnson.

Criteria for Granting a Variance:

Variances may be granted when the applicant establishes that there are practical difficulties in complying with the official control. The Board of Adjustments shall utilize the following criteria to determine if the request meets the meaning of "Practical Difficulties"

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

The intent of the side yard setback is to minimize potential impacts to neighboring properties and in some cases provide adequate room for emergency vehicles such as fire trucks to access the structure if needed. In this situation, there is an open area located to the east of the proposed building although it is on the neighboring property.

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

The property would continue to be used as it currently has been. The shed would be used for the storage, maintenance, and repair of their vehicles and trailers.

3) Is the plight of the landowner due to circumstances unique to the property?

The building site is somewhat unique in that the property is oddly shaped. It is primarily 198 feet wide, and 660 feet long. The house is located in the middle of the cleared building site. A mature oak grove is located on the property. The location of these oak trees does not allow for building a shed without removal of the trees and the property owner would like to preserve the trees.

4) The unique circumstances were not created by the landowner?

The current owners purchased the property in 2024. The house was built around 1950 and the oak trees are over 100 years old.

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

The character of the building site will not change as a result of granting this variance.

6) Economic considerations alone do not constitute a practical difficulty.

Economics do not appear to be the only consideration.

Potential Conditions:

In granting previous variances from road setbacks, the board of adjustments have added the following conditions.

The landowner acknowledges that the minimum setback requirements from which he or she is requesting a variance are in place to provide for the general safety and welfare of the residents of Steele County. The landowner also acknowledges that his or her request for a variance from those standards places the landowner and landowners 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, its employees and officials, Freeborn County, its employees and officials, 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 or Freeborn 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 County maintained culverts, and road work including patching, grading, or resurfacing, regardless of whether such activities are performed negligently or not.



Mature Tree ✖
-3' Diameter
-Edge of Tree 54'
from property line

06-018-3101

60'

10'

32'

Lemond



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Variance 670 - Siteplan

0 0 0.01 0.01
mi

April 29, 2025





Mature Oak 54' from east property line

RECORD of FINDINGS**#670**

PARCEL #: 06-018-3101
DISTRICT: Residential

PROP. ADDRESS: 9908 SW 75th St
Ellendale, MN 56026

APPLICANT: Derek Kopperud
ADDRESS: 9908 SW 75th St
Ellendale, MN 56026

LANDOWNER: Derek Kopperud
ADDRESS: 9908 SW 75th St
Ellendale, MN 56026

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?	_____
Hansen	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?	_____
Hansen	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?	_____
Hansen	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?	_____
Hansen	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? _____
Hansen	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? _____
Hansen	Yes	☐	No	☐	Why? _____
Lammers	Yes	☐	No	☐	Why? _____

Motion _____
 Second _____

Approve ☐ Deny ☐
 Condition(s) _____

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