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### Application for Variance

Permit #: 4-20v Date: 8/27/2020

**Location of the Affected Parcel or Property:**

Address: 16419 330th St City: Vesta State: MN Zip: 56292  
House # Street Name

Parcel Number: 72-007-2060 / 72-007-104 Township Name: Vesta

Section: 7 Township Number: T-112-N Range: R-38-W

**Legal Description:**

TR COM NE COR NW1/4; S 270', W 600', N 270', E 600' TO POB, 3.72A M/L

**Information about the Variance Request:**

Zoning District: Agricultural

General description of the building or request: NOTICE: Change of land use may affect your property taxes.

Construct cow/calf shelter. Will be 55 feet from the center line of 330th Street, so a variance of 45 feet is needed from the r/w setback. Will match existing non-conforming building.

**Type of occupancy:**

Agriculture

**Building Size:** (Please enter dimensions in feet)

Width: 36 Length: 60 Diameter: \_\_\_\_\_

Sidewall Height: 10 Total Height: 18

**Setbacks:** (Please enter in feet)

Side Yard Setback: 500 Direction: East

Side Yard Setback: \_\_\_\_\_ Direction: \_\_\_\_\_

Rear Yard Setback: 175 Direction: South

Road Type: Township Setback from the Center of the Road: 55

Setback from the center of the road 55

**Other information:**

Applicant is working with neighbor to the west to acquire additional property on which to place the west end of the building. When the farm site was originally split off, it was incorrectly described.

**Applicant Information:**

First Name: John Last Name: Rohlik

Business Name: \_\_\_\_\_

Address: 16419 330th St City: Vesta State: MN Zip: 56292

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Land Owner Information:** (Complete only if different from applicant)

First Name: John & Holly Last Name: Rohlik

Business Name: \_\_\_\_\_

Address:   City: \_\_\_\_\_ State: MN Zip: \_\_\_\_\_  
House # Street Name

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Email: \_\_\_\_\_

I affirm that the forgoing information is true and accurate. I understand that if any portion of this information is false or materially misleading, any variance issued in reliance upon this information is voidable at the election of Redwood County.

Land Owner Signature: Mary Ann Kramer Date: 8/28/20

**The following must be attached for this to be considered a completed application:**

\* A detailed site map. This must include: the location of watercourses, setbacks from property lines, current and proposed locations of any structures, well location, location and names of roads, railroads, known tile lines, proposed fences, utility rights-of-way, planned entrances and exits for operation area, and any signs being posted.

**Office Use Only:** \* The section below is to be filled out by the Environmental Office Staff

Variance Fee: \$700.00 Receipt #: 217097 Date Approved: \_\_\_\_\_

**Conditions:**

Application Received: 9/1/20

**Board of Adjustment:**

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_



6

16419

330th St

VESTA

Proposed Barn

Property Line

7

## Factors Regarding an *Application for Variance*

### Statutory Factors<sup>1</sup>:

- (1) Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?
- (2) Is the need for a Variance due to circumstances unique to the property and not created by the property owner?
- (3) Will the issuance of a Variance maintain the essential character of the locality?
- (4) Does the need for a Variance involve more than economic considerations?

### Redwood County Ordinance Factors:

- (1) Is the proposed use allowed in the zoning district in which the subject property is located?
- (2) Are the conditions attached to the variance, if any, directly related to the variance, and roughly proportional to the impact created by the variance?

### Additional Factors for After-the-Fact Variances<sup>2</sup>:

- (1) Did the applicant act in good faith and attempt to comply with the ordinance?
- (2) Did the applicant make a substantial investment?
- (3) Is the construction complete?
- (4) Are there similar structures in the area?
- (5) Are the county's benefits outweighed by the applicant's burden if the applicant were required to comply with the ordinance?

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<sup>1</sup> Minn. Stat. Section 394.27, subd. 7.

<sup>2</sup> In re Stadvold, 754 N.W.2d 323 (Minn. 2008)

**Application for Variance Checklist**

(1) Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why or why not? \_\_\_\_\_

(2) Is the need for a Variance due to circumstances unique to the property and not created by the property owner?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why or why not? \_\_\_\_\_

(3) Will the issuance of a Variance maintain the essential character of the locality?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why or why not? \_\_\_\_\_

(4) Does the need for a Variance involve more than economic considerations?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why or why not? \_\_\_\_\_

(5) Is the proposed use allowed in the zoning district in which the subject property is located?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why or why not? \_\_\_\_\_

(6) Are the conditions attached to the variance, if any, directly related to the variance, and roughly proportional to the impact created by the variance?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why or why not? \_\_\_\_\_

*Additional Factors for After-the-Fact Variances:*

(1) Did the applicant act in good faith and attempt to comply with the ordinance?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why or why not? \_\_\_\_\_

(2) Did the applicant make a substantial investment?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why or why not? \_\_\_\_\_

(3) Is the construction complete?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why or why not? \_\_\_\_\_

(4) Are there similar structures in the area?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why or why not? \_\_\_\_\_

(5) Are the county's benefits outweighed by the applicant's burden if the applicant were required to comply with the ordinance?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why or why not? \_\_\_\_\_

DATED: \_\_\_\_\_

\_\_\_\_\_  
Chair of Redwood County Board of Adjustment