

CARVER COUNTY BOARD OF ADJUSTMENT

Regular Meeting – **Wednesday, February 3, 2021**
Via WebEx Conference Call

AGENDA

- 7:00 p.m. **Meeting call to order** by Zoning Official
- A. Organization of the Board
 - B. Election of Chair
 - C. Election of Vice-Chair
 - D. Appointment of Land Management Staff as Secretary
1. Approve minutes of December 2, 2020 Pages 1-1 through 1-2
2. **File #20210001** Public hearing on request by Jim Burns, representing
Woodhill Partners, LLC, for a variance.
 (Width/Depth Ratio, Reduced Road Frontage & Twp Road Easement)
 Watertown Township Pages 2-1 through 2-9
 Issue Order #20210001 – Woodhill Partners, LLC
3. **File #20200062**- Public hearing on request by Tim Heiland for a variance.
 (Width/Depth Ratio & Reduced Road Frontage)
 Dahlgren Township Pages 3-1 through 3-9
 Issue Order #20200062 – Timothy R Heiland

Other Business

CARVER COUNTY BOARD OF ADJUSTMENT
Regular (WebEx video teleconference) Meeting – December 2, 2020
Minutes

Members Present: Mark Willems, Richard Kvitek, Gerald Bruner, Doug Weber, Virgil Stender, Robin Bielefeldt

Members Absent: None

Members Late: None

Staff Present: Jason Mielke, Aaron Stubbs, Jennifer Tichey, Nancy Buckentine

Pursuant to due call and published notice thereof, the December 2, 2020, meeting of the Carver County Board of Adjustment was called to order by Chairman Willems at 7:00 p.m.

Willems conducted a roll call for Board of Adjustment members present: Willems, Kvitek, Bruner, Weber, Stender, and Bielefeldt responded. All members were present.

Mielke confirmed the staff members present: Jason Mielke, Aaron Stubbs, Jennifer Tichey, Nancy Buckentine, County Commissioner elect Matt Udermann

Minutes – A motion was made by Kvitek and seconded by Bielefeldt to approve the minutes of the November 4, 2020 meeting as written. Willems conducted a roll call vote for approval of the November 4, 2020 Board of Adjustment minutes. All voted aye. Motion carried.

Board Decision - File # 20200056 – Oakwood Community Church – Chairman Willems acknowledged the Board of Adjustment needed to make a decision on the application of Pastor Jon Tolly, representing Oakwood Community Church, pursuant to Chapter 154 of the County Code. The public hearing was conducted at the November 4, 2020 meeting to consider a request for increased square footage for signage pursuant to Chapter 154 of the County Code. The property is in Section 30 of Laketown Township.

The following was present: Jon Tolly

The following items were entered into the record:

Exhibit H – Email from Pastor Jon Tolly for withdrawal of the request

Stubbs announced that earlier in the day, Land Management staff received an email request from Pastor Jon Tolly for the withdrawal of the application at this time. The church membership would like some time to consider other signage options and also visit with the neighbors about their proposal for additional signage and would return with an application at a future date.

Chairman Willems asked the applicant if he had any additional comments.

Pastor Jon Tolly stated he had no other comments.

Chairman Willems called for a motion to accept the applicant's request to withdraw the application.

A motion was made by Stender and seconded by Kvitek to accept the withdrawal of the application by Oakwood Community Church. Willems conducted a roll call vote on the motion to close the public hearing. All voted aye. Motion carried. The withdrawal was acknowledged at 7:06 p.m.

Other Business

Willems asked County Commission elect Matt Udermann to introduce himself to the Board.

Matt Udermann confirmed he is the newly elected County Commissioner representing District 3, and has been in contact with Bielefeldt, the Board of Adjustment representative from District 3, to listen and learn about the issues. He stated he is accessible for members to contact him to offer their insight and information.

Mielke stated this is the last meeting for Chairman Willems on the Board of Adjustment and acknowledged his dedication to serve on the Board and also as the representative to the Planning Commission as the Township Association representative. Mielke recognized Willems' experience and passion to represent the citizens of Carver County. All of the Board members joined in thanking Willems for his service.

Bruner expressed frustration with difficulty of signing into the WebEx meetings. Mielke stated he would make the IT Department aware of the issues.

Adjournment

A motion was made by Bielefeldt and seconded by Stender to adjourn the meeting. Willems conducted a roll call to adjourn the December 2, 2020, Board of Adjustment meeting. All voted aye. The meeting was adjourned at 7:13 p.m.

COUNTY OF CARVER
PUBLIC SERVICES DIVISION
Department of Land Management

January 25, 2021

TO: Carver County Board of Adjustment & Watertown Town Board

FROM: The Land Management Department

SUBJECT: Application for a Variance to reconfigure an existing parcel with reduced Lot Requirements and a Township Road Easement

FILE #: PZ20210001

APPLICANT: Woodhill Partners, LLC (Jim Burns, CFO)

OWNER: Charles F Poppler, Trust

SITE ADDRESS: 3675 Co Rd 10N 55388

VARIANCE TYPE: Width/Depth Ratio, Reduced Road Frontage, and Township Road Easement

PURSUANT TO: Carver County Code: Section 152.033 (D) (1-2, and 4)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 10-015-0300

BACKGROUND:

1. Woodhill Partners, LLC owns an approximate 110-acre parcel in the West Half (W½) of Section 15, Watertown Township. Woodhill Partners, LLC purchased the subject parcel of land from the Charles F Poppler Trust on a Contract for Deed in 2017. The parcel consists of an existing farmstead, crop production land, and a few wetland areas. The site is improved with a single-family dwelling, detached garage, former dairy barn, and several agricultural structures. The property is located within the Agricultural Zoning District and the CCWMO (Crow River Watershed).
2. The applicant is requesting a variance that would allow for the extension of a Township Road (66-foot) right-of-way further to the north, without platting. The variance would also facilitate a minor subdivision to create two (2) parcels – a residential parcel with the existing building site (approx. 9.20 acres), and an agricultural parcel (approx. 100.8 acres). The newly created farmstead parcel and agricultural parcel would not meet the minimum road frontage or width to depth requirements; therefore, a variance has been requested.

LEGAL BACKGROUND:

§ 152.033 LOT REQUIREMENTS.

(D) *Road frontage, lot width and depth.*

- (1) *Road frontage.* All new lots shall have frontage on a public road or be attached to an adjacent parcel having the required road frontage; minimum road frontage is 125 feet.
- (2) *Minimum width.* One hundred twenty-five feet with 125 feet of frontage on a public road existing at the time of application or the minimum width required to maintain width to depth ratio, whichever is greater. The minimum width must be maintained for the entire depth of the lot except where the lot is located on a cul-de-sac.
- (4) *Width to depth ratio.* Depth of the lot shall not exceed five times the width. Road frontage of 500 feet or more will support a lot of any depth.

STAFF ANALYSIS:

1. The County Code typically requires the platting process (Major Subdivision) to be completed for any subdivision request that does not meet the criteria for the minor subdivision as follows: the subdivision must meet the frontage requirement on an existing road; and the subdivision would not require the construction of any public improvements or new road.
2. The applicant is requesting to subdivide the existing parcel (i.e. minor subdivision) with an approximate 9.20± acre farmstead and a 100.8± acre parcel (tillable and wetland parcel w/1 building eligibility). The approval of this variance would allow the owners to subdivide the existing building site in order to sell and retain the tillable land for continued farming activities. The current parcel configuration has limited road frontage which restricts them from creating the conforming parcels needed in order to meet the standards in the Carver County Zoning Code; therefore, a variance has been requested.
3. The existing parcel was created prior to the enactment of the Zoning Ordinance in 1974; therefore, the parcel is a legal non-conforming parcel. At that time, the farmstead had a driveway access connecting to Co Rd 10N from the south. In 1994, the adjacent property to the south was platted (i.e. Woodhill Farm) into 6 lots. The existing driveway servicing the subject property was platted as Woodhill Lane; therefore, providing 50.02 feet of road frontage at the northern end of a platted township road (Woodhill Lane).
4. The proposed 66-foot x 125-foot road right-of-way easement would extend Woodhill Lane north providing additional road frontage for the existing farmstead (i.e. 9.20± acre lot). The easement would also provide 66 feet of road frontage to the tillable farm field (i.e. 100.80± acre parcel). Being that these parcels are at the end of a township cartway the only possible way to subdivide without a variance would be to construct a road on the property(s) to create legal conforming lot(s).
5. The Zoning Code requires a minimum width of 125 feet for any new lot, or the minimum width required to maintain the width to depth ratio (depth to be no more than five times the width). As a part of the minor subdivision process, the residential lot created would have approximately 125 feet of road frontage, and create an access for the farmstead parcel, but would not meet the minimum frontage or the width/depth standards for a newly created lot. Based on the County's regulations, a parcel with approximately 1,042 feet of depth would be required to have at least 208 feet of width. The dedicated frontage would extend only the length of the residential parcel; therefore, the 100.80-acre parcel would have 66 feet of road frontage and would not meet the minimum frontage or the width/depth standards for a newly created lot. The depth required for the agricultural parcel pursuant to the Zoning Code would need to be approximately 340 feet.
6. The applicant has indicated that a practical difficulty exists based on the fact that the existing parcel lacks adequate road frontage. This prohibits the ability to subdivide conforming parcels. The parcel has been utilized for farming since the enactment of the first zoning ordinance and will continue to be utilized in the same manor until the land use changes (i.e. City of Watertown Annexation). The subdivision and easement would decrease the non-conformity of the parcel by creating road frontage for the farmstead and the tillable land while providing a future right-of-way easement for orderly growth. This would be the most practical option for the parcel in order to sell the existing building site and retain the tillable acreage for farming.
7. This request has been reviewed by the County's Environmental Services department. On January 19, 2021, this request was reviewed by Joe Enfield, Senior Environmentalist for Carver County. Mr. Enfield stated the current SSTS is compliant on the Woodhill parcel and does not require any further review for this variance from the SSTS.
8. The granting of the variance would not be in conflict with the intent of the Comprehensive Plan or the County Zoning Code. The proposed parcels would continue to have reasonable access to a public road and the proposed township road easement would be an improvement to the existing non-conforming parcel (i.e. increasing road frontage).

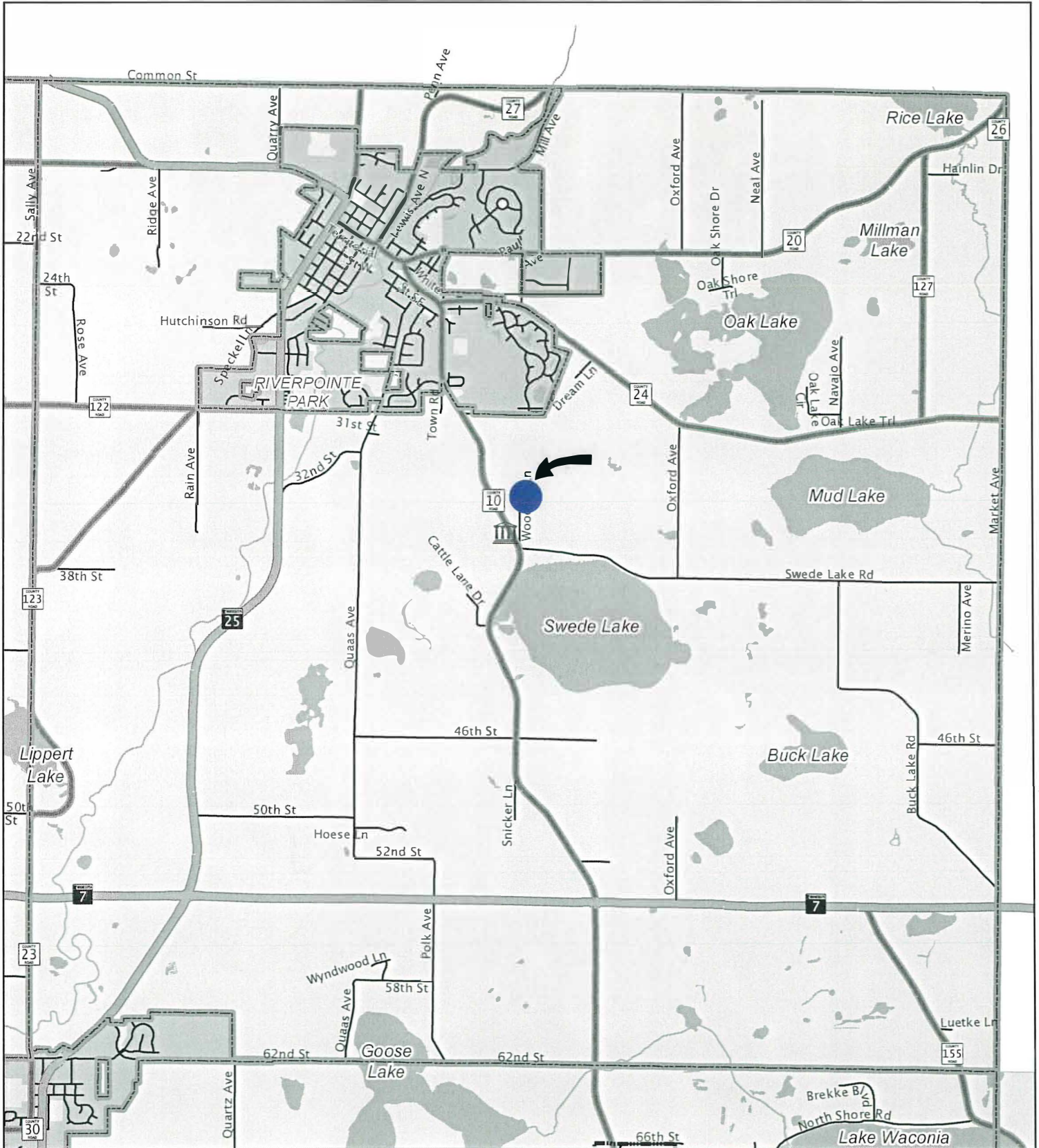
9. The granting of the variance would not materially, adversely affect the health or safety of persons residing or working in the area adjacent to the property of the applicants and would not be materially detrimental to the public welfare or injurious to property or improvements in the area adjacent to the properties.
10. The neighborhood is comprised of agricultural uses and residences, and the request would not cause a substantial change in the character of the neighborhood, nor would it have a negative impact on government services.
11. The Watertown Town Board reviewed the request during their January 4, 2021, Town Board meeting; however, no recommendation was made at that time. The Board wanted to visit the site before making a recommendation. Therefore, the applicant has been scheduled for the February 1, 2021, Town Board meeting. More information will be available during the February 3, 2021, Board of Adjustment Meeting.

BOARD CONSIDERATION:

If the Board of Adjustment determines that a practical difficulty has been identified, and that approving the variance for creating parcels with reduced road frontage and width/depth would serve in the interest of justice, and the following conditions should be attached:

1. A Minor Subdivision application shall be submitted and approved prior to the recording of any deed(s). The parcels shall be subdivided in accordance with the County Zoning Code requirements including but not limited to, a completed Minor Subdivision application, a survey, SSTS compliance, and road easement description.
2. Prior to the Minor Subdivision completion, the township road easement (or deed) shall be dedicated to Watertown Township, and recorded at the County Recorder's Office, providing for a minimum of 66 feet x 125 feet. The dedication as a right-of-way easement of the township road shall be pursuant to the approved site plan, providing frontage to all parcels. The easement shall be reviewed Watertown Township and Carver County, prior to recording. The township road easement shall be privately maintained, pursuant to Watertown Town Board requirements.

WATERTOWN TOWNSHIP

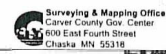


This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



Map Created by Carver County GIS

SEC. 15, T.117, R.25



1/7/2020

To: Carver County Board of Adjustment & Watertown Township

From: Woodhill Partners, LLC

Steve & Jim Burns

3470 County Rd 21

Mayer, MN 55360

952-270-5750

jim.burns@procisesolutions.com

Woodhill Partners, LLC owns a 110 acre parcel at 3675 County Rd 10 N in Watertown (Parcel ID: 10.0150300). We would like to subdivide the buildings and 9.20 acres from the rest of the parcel. The current parcel has limited road frontage at the end of Woodhill Lane. Due to the current parcel configuration we are unable to provide the minimum road frontage for the resultant parcels. We are requesting a variance for reduced road frontage and width to depth requirements.

We are proposing to extend the Road Right of Way Easement for Woodhill Lane 125' to the north and 66' wide. This will allow for 125' of frontage to the new parcel and allow frontage of 66' on the parent parcel.

We met with the Watertown Township Board at its January meeting and the board members wanted the opportunity to view the site before making a recommendation. We will be on the agenda for their February 1st meeting. From our initial discussions with the township, we are proposing to apply gravel to build an extension of the current road surface to allow the township more room to turn around with the plow truck and grader. We will work directly with the township to ensure this extension meets their needs.

The extended Road Right of Way easement be privately maintained by the landowners. The Township has the option at its sole discretion to take over maintenance in the future if it chooses. If the road is ever extended further to the North, the landowner requesting the extension will be responsible to upgrade this section of road to Township specifications as required.

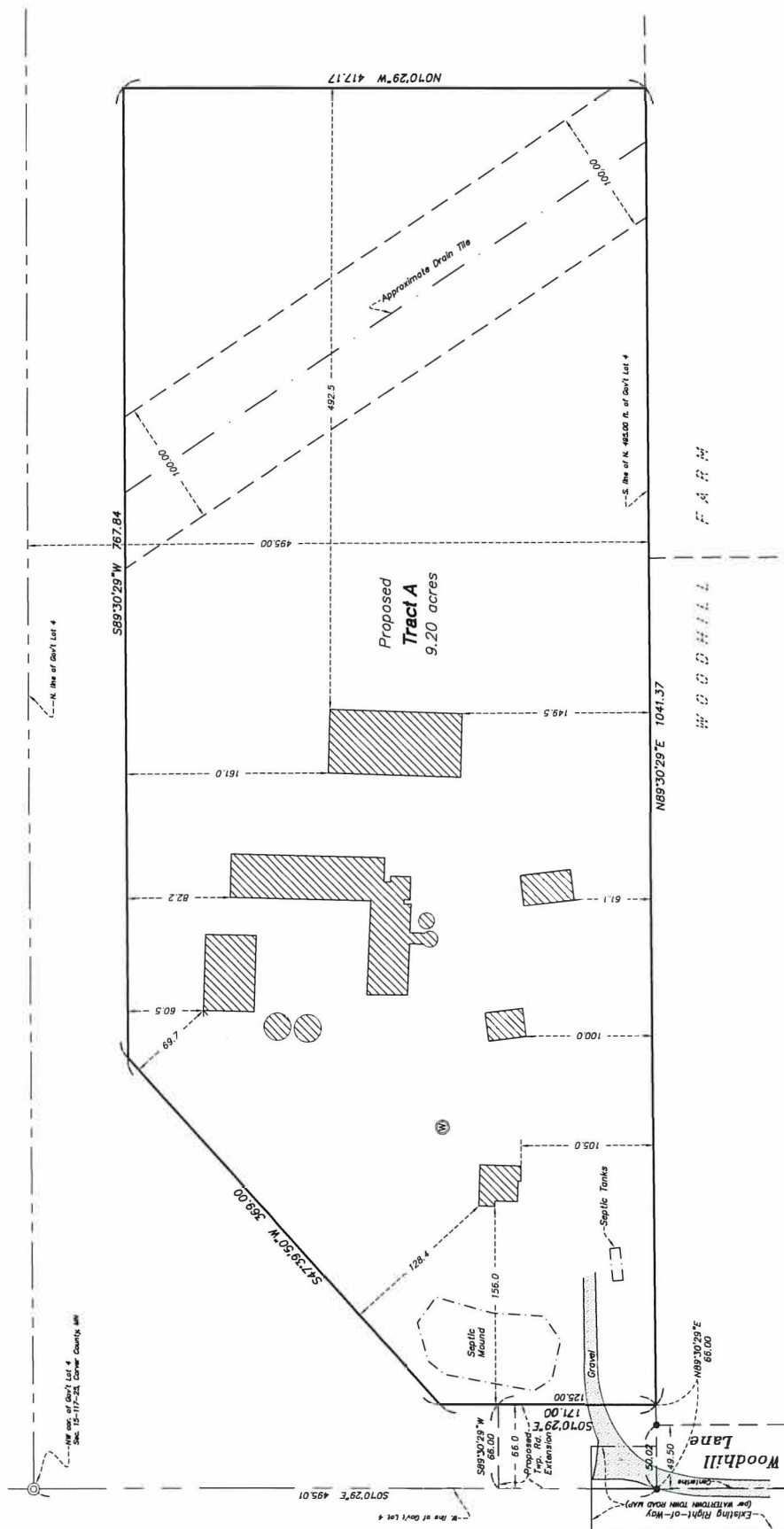
Respectfully Submitted,



Jim Burns

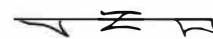
Site Sketch

Prepared for:
Jim Burns
12/18/20



Legend

- Found Iron Monument
- Cast Iron Monument
- Existing Well





Township Presentation & Recommendation Form

PARCEL # 10.0150300	Permit # PE 20210001	
Owner's Name: Charles F Poppler Trust	Owner's Mailing Address: Tracy Mortenson - Trustee, 7916 105th Ave SE	
City: Clear Lake	Owner State: MN	Owner Zip: 55319
Applicant (if other than owner): Woodhill Partners, LLC	Site Address: 3675 County Rd 10 N, Watertown	

Type of Request: ☐ CUP ☐ IUP ☐ Preliminary Plat ☐ Final Plat ☒ Variance ☐ Appeal		
Description of Request: We would like to subdivide the house and buildings with 9.20 acres. Due to the current parcel configuration we are unable to provide the minimum road frontage for the resultant parcels. We are requesting a variance for reduced road frontage and width to depth. We are proposing to extend the easement for Woodhill Lane 125' to the north and 66' wide. This will allow for 125' of frontage to the new parcel, and allow frontage of 66' on the parent parcel. The extension would be an easement for frontage purposes only and the township would not be required to maintain it. The road surface will be extended per township requirements to allow a turn around for Township equip.		
Date of County Public Hearing: 02/03/2021	Date of Township Meeting: 01/04/2021 & 02/01/2021	

Actions:

Township Action Taken: ☐ Recommends approval and use of the Township Road (if applicable) with the following comments: ☐ Recommends denial for the following reasons: ☐ No recommendation, but will comment on the request at the Planning Commission or Board of Adjustment hearing:

****Important:** I understand that I must appear at the Town Board meeting to present my request and obtain their recommendation prior to appearing before the County Planning Commission or Board of Adjustment.

	Date
Signature of Applicant	
	Date
Signature of Township Official	

EXHIBIT "A" – LEGAL DESCRIPTION

PID NUMBER: 10-015-0300

File# PZ20210001

APPLICANT: Woodhill Partners, LLC

OWNER: Charles F Poppler Trust

Charles F Poppler, Carolann M Wren, & Tracy A

Mortenson as Trustees

* * * * *

The North 495 feet of Government Lots 3 and 4; South Half of the Southwest Quarter of the Northwest Quarter; North Half of the Southwest Quarter of the Northwest Quarter; and the Southeast Quarter of the Northwest Quarter, all in Section 15, Township 117, Range 25, consisting of 110 acres, more or less.

COUNTY OF CARVER
PUBLIC SERVICES DIVISION
Department of Land Management

January 25, 2021

TO: Carver County Board of Adjustment & Dahlgren Town Board

FROM: The Land Management Department

SUBJECT: Application for a Variance (reduced road frontage and width/depth ratio).

FILE #: PZ20200062

PROPERTY OWNER: John & Joyce Heiland

APPLICANT: Tim Heiland

SITE ADDRESS: TBD County Road 43, 55318

VARIANCE TYPE: Width/Depth Ratio and Reduced Road Frontage

PURSUANT TO: Carver County Zoning Code: Section 152.033 (D)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 04-014-0410

BACKGROUND:

1. John & Joyce Heiland own approximately 63.02 acres in part of the Northwest Quarter (NW¼) of Section 14, Dahlgren Township. The property currently has one, 1 per 40, building eligibility that can be used to create a new residential dwelling. The subject parcel consists primarily of crop production land, and also has a large wooded area on top of a bluff in the southeast corner of the property. The property is located within the Agricultural Zoning District, the Transition Overlay District for the City of Carver, and the CCWMO (Carver Creek watershed).
2. The applicant is requesting a variance that would allow for a Minor Subdivision to create a new residential parcel in the wooded area. The remnant agricultural parcel would be approximately 46 acres and would meet all County regulations for agricultural parcels. The residential parcel would not meet the required road frontage or the width/depth standard; therefore, a variance has been requested.

LEGAL BACKGROUND:

§ 152.033 LOT REQUIREMENTS.

(D) Road frontage, lot width and depth.

- (1) Road frontage. All new lots shall have frontage on a public road or be attached to an adjacent parcel having the required road frontage; minimum road frontage is 125 feet.
- (2) Minimum width. One hundred twenty-five feet with 125 feet of frontage on a public road existing at the time of application or the minimum width required to maintain width to depth ratio, whichever is greater. The minimum width must be maintained for the entire depth of the lot except where the lot is located on a cul-de-sac.
- (3) Minimum lot depth. One hundred twenty-five feet.
- (4) Width to depth ratio. Depth of the lot shall not exceed five times the width. Road frontage of 500 feet or more will support a lot of any depth.

(Ord. 47, passed 7-23-02; Am. Ord. 70-2010, passed 1-25-11)

STAFF ANALYSIS:

1. The County Code typically requires the platting process (Major Subdivision) be completed for any subdivision request that does not meet the criteria for the Minor Subdivision as follows: the subdivision must meet the frontage requirement on an existing road; and the subdivision would not require the construction of any public improvements or new road. The approval of the variance would negate the Major Subdivision requirement.
2. The existing 63.02-acre parcel was part of a larger tract of land; however, a minor subdivision approval in 2006 created the create acreage. That property split separated the tillable acreage, wooded area, and one building eligibility from the existing farmstead and agricultural buildings.
3. The Zoning Code requires all newly created parcels to have a minimum of 125 feet of road frontage to a publicly dedicated road and a minimum depth of 125 feet. As the depth of a proposed parcel increases, the width must also increase so that the depth does not exceed five times the width of the proposed parcel. A width of 500 feet, will support any depth. In addition, all newly created parcels must maintain the required width for the entire depth of the lot.
4. The applicant is proposing to split off the wooded area from the tillable by creating an approximate 16.23-acre parcel with a maximum depth of approximately 2,015 feet. Based on the Zoning Code regulations, this depth would require a minimum of 403 feet to meet the County's standards. If the applicant were to include the required 403 feet of road frontage, the new lot configuration would split off an additional 8 acres of tillable ground, with approximately 5 acres of that tillable being categorized as prime agricultural soil.
5. The applicant has stated that the practical difficulty in this case is related to the existing lot configuration and the classification of the surrounding roadways. Access to the wooded high ground is extremely limited based on the topography of the location. In addition, it is unlikely that a new access point would be granted from either of the surrounding roadways. The applicant has stated that an easement agreement is being finalized between the property owner and an adjacent landowner to the southeast. This access easement would allow for the wooded high ground to be accessed using the driveway to the south of the subject parcel.
6. The granting of the variance is in harmony with the general purpose and intent of the official control. The official control in this request is the width to depth regulations and road frontage standards. The intent of these regulations is to prohibit the development of parcels that do not have adequate frontage to accommodate future needs and to prohibit the creation of a parcel configuration which would not meet the future SSTS needs of a location. This parcel is being proposed with approximately 133 feet of road frontage and maintains a width no less than 125 feet for the entire depth of the parcel. Although it does not meet the specific standards, it appears to meet the intent of the regulations.
7. The granting of the variance would not conflict with the intent of the Comprehensive Plan. In the Comprehensive Plan, the preservation of agriculture land is listed as one of the major themes. If the proposed land split were to be done in a manner consistent with County guidelines, it would result an additional 8 acres of tillable land being fragmented from the parent parcel.
8. The applicant is proposing to use the property in a reasonable manner, not permitted by an official control. The property does have an existing 1 per 40 building eligibility. Trying to use the existing B.E. in a wooded area that would not reduce the amount of tillable acreage on the remnant is a reasonable use of the property that would not be permitted by the official control.
9. The plight of the landowner is due to circumstances unique to the property, not created by the landowner. This property is bounded by Highway 212, and County Road 43. Both roads are classified in a manner that makes new access points difficult to obtain. In addition, this parcel has a ravine and a wooded area that happens to be at the top of a steep slope. The wooded area is the best option for residential development without fragmenting the tillable acreage. The surrounding road classifications combined with the natural formations on this property create a unique set of circumstances not created by the landowner.

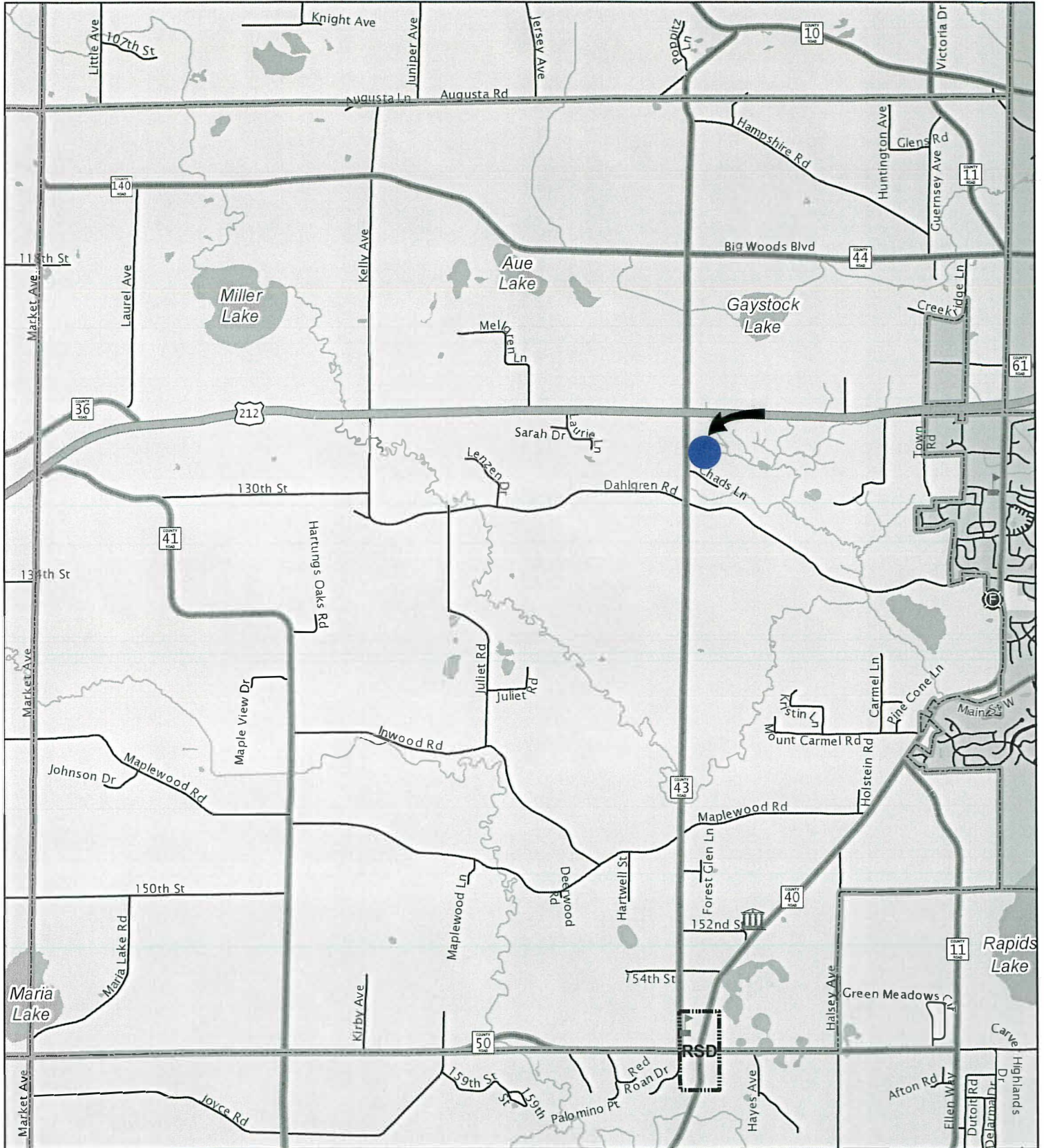
10. The neighborhood is comprised of agricultural uses and residences, and the request would not cause a substantial change in the character of the neighborhood, nor would it have a negative impact on government services.
11. The granting of the variance would not materially, adversely affect the health or safety of persons residing or working in the area adjacent to the property of the applicants and would not be materially detrimental to the public welfare or injurious to property or improvements in the area adjacent to the properties.
12. This request has been reviewed by the City of Carver. On July 30, 2020, staff spoke with Erin Smith, the Planner for the City of Carver. During that conversation, Ms. Smith indicated that the City of Carver would not object to this request. She also stated that in her opinion, the City of Carver would not extend to this area in the next 40 years.
13. This request has been reviewed by the County's Environmental Services department. On January 19, 2021, this request was reviewed by Joe Enfield, Senior Environmentalist for Carver County. Mr. Enfield stated the applicant has submitted a design for a future septic system. This design has been reviewed and approved. In addition, the soils for this location have been reviewed and approved by County Environmentalist II, Lori Brinkman.
14. The Dahlgren Town Board has reviewed and recommended approval of the request during their November 9, 2020, Town Board meeting.

BOARD CONSIDERATION:

If the Board of Adjustment determines that a practical difficulty has been identified, and that approving the variance would serve in the interest of justice, the following conditions should be attached:

1. A Minor Subdivision application shall be submitted and approved prior to the recording of any deed(s). The parcels shall be subdivided in accordance with the County Zoning Code requirements including but not limited to, a completed minor subdivision application, a survey and SSTS compliance.
2. Prior to the Minor Subdivision completion, an access easement allowing for the use of the existing driveway on the south side of the proposed parcel shall be approved by Land Management and recorded at the County Recorder's Office.

DAHLGREN TOWNSHIP



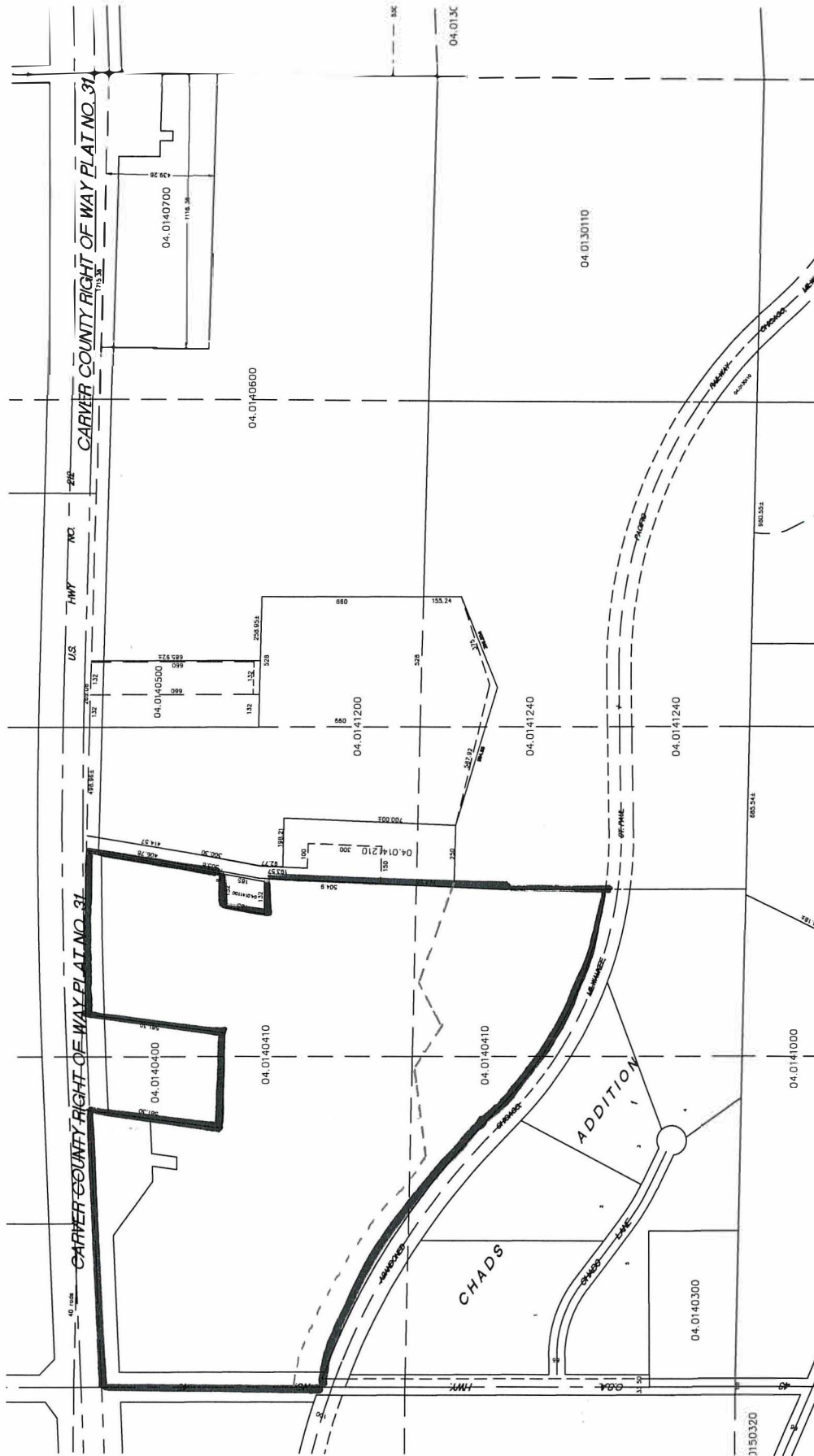
This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



Map Created by Carver County GIS

N 1/2 SEC. 14, T.115, R.24

THIS IS NOT A LEGALLY RECORDED PLAT.
 IT IS A PRELIMINARY DRAFT OF A PLAT.
 OFFICIALS AND OFFICES SHALL BE RESPONSIBLE
 FOR THE ACCURACY OF THE INFORMATION CONTAINED
 HEREIN. THE COUNTY AND ITS AGENTS
 MAKE NO GUARANTEE OF THE ACCURACY OF THE
 INFORMATION CONTAINED HEREIN.



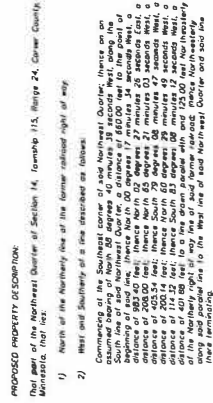
January 11, 2021

To Whom This May Concern:

I am submitting this application with the intent to get a variance on this property. We are looking to increase the maximum allowed width to depth ratio from 1:5 to 1:16 to accommodate a new lot. We are planning on using the existing bldg. eligibility for this project. The access to the new property will be from the existing driveway that the Jacobson family owns. We have also submitted a recorded easement for your review. If you have any further questions, please let me know.

Thanks,

Tim R. Heiland



CARVER
COUNTY

Township Presentation & Recommendation Form

PARCEL # 04.014.0410	Permit # PZ20200062		
Owner's Name: John & Joyce Heiland	Owner's Mailing Address: 7831 Nacissus		
City: Victoria	Owner State: MN	Owner Zip: 55386	
Applicant (if other than owner): Tim Heiland	Site Address: TBD County Road 43, Chaska, MN 55318		

Type of Request:	☐ CUP	☐ IUP	☐ Preliminary Plat	☐ Final Plat	☒ Variance	☐ Appeal
Description of Request: Increase the maximum allowed width to depth ratio from 1:5 to 1:16 to accommodate a new residential lot.						
Date of County Public Hearing: 02/03/2021			Date of Township Meeting: 11/09/2020			

Actions:**Township Action Taken:**

- ☒ Recommends approval and use of the Township Road (if applicable) with the following comments:
- ☐ Recommends denial for the following reasons:
- ☐ No recommendation, but will comment on the request at the Planning Commission or Board of Adjustment hearing:

****Important:** I understand that I must appear at the Town Board meeting to present my request and obtain their recommendation prior to appearing before the County Planning Commission or Board of Adjustment.

Signature of Applicant

Signature of Township Official

Date

Date

12/14/20

EXHIBIT "A" – LEGAL DESCRIPTION

PID NUMBER: 04-014-0410/part of

File# PZ20200062

APPLICANT: Timothy R Heiland

OWNERS: The John J Heiland Revocable Trust

John J Heiland and Joyce M Heiland, Trustees

* * * * *

That part of the Northwest Quarter of Section 14, Township 115, Range 24, Carver County, Minnesota, that lies:

- 1) North of the Northerly line of the former railroad right of way,
- 2) West and Southerly of a line described as follows:
Commencing at the Southeast corner of said Northwest Quarter; thence on an assumed bearing of North 88 degrees 40 minutes 39 seconds West, along the South line of said Northwest Quarter, a distance of 660.00 feet to the point of beginning of said line; thence North 00 degrees 17 minutes 34 seconds West, a distance of 983.40 feet; thence North 02 degrees 27 minutes 26 seconds East, a distance of 208.00 feet; thence North 65 degrees 21 minutes 03 seconds West, a distance of 405.54 feet; thence South 79 degrees 08 minutes 47 seconds West, a distance of 200.14 feet; thence North 60 degrees 29 minutes 49 seconds West, a distance of 114.32 feet; thence South 83 degrees 08 minutes 12 seconds West, a distance of 401.88 feet to a line drawn parallel with and 125.00 feet Northeasterly of the Northerly right of way line of said former railroad; thence Northwesterly along said parallel line to the West line of said Northwest Quarter and said line there terminating.