



CITY OF FAIRMONT – 100 Downtown Plaza – Fairmont, MN 56031

Phone (507) 238-9461

www.fairmont.org

Fax (507) 238-9469

**TO:** Board of Zoning Appeals

**FROM:** Peter Bode, Planner/Zoning Official

**DATE:** October 28, 2022

**SUBJECT:** **Agenda – Regular Meeting**  
**Tuesday, November 1, 2022 at 4:30 p.m.**  
**Fairmont City Council Chambers, 100 Downtown Plaza**

- 1) Approval of Agenda
- 2) Approval of Minutes – October 4, 2022

*New Business*

- 3) Public Hearing – Variance Request for Derek Missling at 2437 Albion Ave
- 4) Public Hearing – Variance Request for Keith Kearney at 420 Lake Aires Rd

*Old Business*

*None*

- 5) Adjournment

## MINUTES OF THE FAIRMONT BOARD OF ZONING APPEALS

### Regular Meeting

October 4, 2022

City Council Chambers, City Hall, 100 Downtown Plaza

**Members present:** Mike Jacobson, Susan Krueger, Jay Maynard, Adam Smith, Council Liaison Wayne Hasek

**Members absent:** Mike Klujeske, Council Liaison Bruce Peters

**Staff present:** City Administrator Cathy Reynolds, Planner & Zoning Official Peter Bode

Chair Krueger called the meeting to order at 4:30 p.m.

**Approval of Agenda:** Motion by Maynard and second by Smith to approve the agenda as presented. Motion carried.

**Approval of Minutes:** Motion by Maynard and second by Smith to approve the July 5, 2022 meeting minutes as presented. Motion carried.

**Public Hearing – Variance Request for Jim Draper at 109 Sisseton Dr:** Chair Krueger opened the public hearing. Chair Krueger recused herself from discussion and decision. Bode introduced a request by Jim Draper for a variance to allow a 15-foot in lieu of 30-foot front yard setback requirement at 109 Sisseton Drive. Bode stated that staff's findings support approval.

There were no public comments. Motion by Maynard and second by Smith to close the public hearing. Motion carried.

Members discussed the request.

Motion by Maynard and second by Jacobson to approve the request for a variance to allow a 15-foot in lieu of 30-foot front yard setback requirement as requested. Motion carried.

**Public Hearing – Variance Request for Ben Madsen at 318 E Blue Earth Ave:** Chair Krueger opened the public hearing. Bode introduced a variance request by Ben Madsen to allow a 5-foot in lieu of 10-foot eastern side yard requirement at 318 E Blue Earth Avenue. Bode stated that staff's findings support approval of the variance request.

There were no public comments. Motion by Maynard and second by Jacobson to close the public hearing. Motion carried.

Members discussed the request.

Motion by Maynard and second by Smith to approve the variance request for a 5-foot in lieu of 10-foot eastern side yard requirement as requested. Motion carried.

**Adjournment:** Motion by Maynard and second by Jacobson to adjourn. Motion carried and the meeting adjourned at 4:44 p.m.

*Respectfully submitted, Peter Bode*

### **GENERAL INFORMATION**

Applicant: Derek Missling  
Property Owner: Derek Missling et al.  
Purpose: To allow a 9-foot in lieu of 8-foot deck length requirement  
Address: 2437 Albion Ave  
Parcel Number: 23.237.0020  
Zoning: R-1 Single Family Residential, Shoreland Overlay District Tier B  
Surrounding Land Use: Low-density residential  
Application Date: October 10, 2022  
Review Date: November 1, 2022

### **BACKGROUND**

This non-conforming R-1 Single Family Residential lot is approximately 9,846 square feet in area. The property is served by the Albion Avenue frontage road running north to south. Located across Albion Avenue from Hall Lake, the parcel is overlaid by Tier B of the shoreland management district.

The applicant proposes to extend a deck from the home's entry into the front yard setback 9 feet where an exception allows a deck to extend 8 feet into the setback. An existing entryway was removed which extended approximately 5 feet from the home.

The proposed deck was partially constructed on September 19, extending 9 feet, when staff observed construction occurring without required permitting. Upon inspecting and finding that the deck's length violates City Code, staff ordered work to stop pending either a zoning permit is applied for at the 8 feet required or a variance is granted.

### **POLICY CONSIDERATIONS**

The Fairmont Comprehensive Plan guides the use of this neighborhood to be traditional residential neighborhood. The parcel is zoned R-1, of which front decks are permitted. Shoreland regulations here require the lot cover a maximum of 30%. The proposed deck would be not increase impervious surface coverage.

The R-1 district requires a 30-foot setback requirement from the front property line for all structures including decks. Section 26-152(e)(4)(e) allows an exemption from the 30-foot requirement for a porch to extend a maximum of 8 feet into the front yard setback.

### **REVIEW OF VARIANCE STANDARDS**

**City Code Section 26-101** guides the Board of Zoning Appeals in how to review variance requests:

*No variance shall be granted to allow a use not permissible under the terms of this chapter. Variances shall only be permitted when they are in harmony with the general purposes and intent of this chapter and when the terms of the variance are consistent with the comprehensive plan. In granting a variance the board may prescribe appropriate conditions in conformity with this chapter. When such conditions are made part of the terms under which the variance is granted, violation of the conditions is a violation of this chapter. A variance shall not be granted by the board of appeals and adjustments, or by the city council on appeal, unless it conforms to the following standards.*

- (1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved that cause practical difficulties in complying with the requirements of this chapter and do not result from the actions of the petitioner. Economic considerations alone shall not constitute practical difficulties.**

The petitioner states that the extended length of the deck allows the deck to completely cover an existing sidewalk. Staff find that this circumstance does not represent a practical difficulty as set forth in statute and code. Options open to the petitioner to comply with the intent of code exist including replacing the removed deck at its original dimension or cutting the sidewalk's concrete to allow for footings to be placed at the 8 feet required.

- (2) Literal interpretation of the provisions of this chapter would deprive the petitioner of rights commonly enjoyed by other properties in the same district under the terms of this chapter and the granting of the variance will not alter the essential character of the locality.**

Staff find that literal interpretation of City Code would not deprive the petitioner of rights commonly enjoyed in the area. Front yard setbacks are consistently conforming in this neighborhood. Staff find no decks or other structures extending further than 8 feet into the front yards along this block.

- (3) Granting the variance will not confer on the petitioner any special privilege that is denied by this chapter to other lands, structures, or buildings in the same area and the petitioner proposes to use the property in a reasonable manner.**

Placing a non-conforming deck here would be inconsistent with the purpose of code and may support granting similar variances in the neighborhood in the future.

- (4) The proposed variance will not impair an adequate supply of air and light to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the city.**

Staff find that granting the request will not impair supplies of air or light to adjacent property, or otherwise impact the public welfare or property values.

#### **RECOMMENDATION**

Staff recommend that the Board of Zoning Appeals consider the legal standards set forth by **Minnesota Statute 462.357(6)** when considering variance applications. This includes a three-factor practical difficulties test:

- 1) Reasonableness- does the landowner intend to use the property in a reasonable manner?**
- 2) Uniqueness- are there unique physical characteristics of the land, not personal preferences of the landowner, that creates the circumstance?**
- 3) Essential Character- will the resulting structure be out of scale, out of place or otherwise inconsistent with the surrounding area?**

Staff find that the proposal does not meet the test for reasonableness because alternative sizes and distances exist to bring the deck into conformance with City Code. Staff do not find unique characteristics of the land which create a circumstance of practical difficulty. Instead, staff believe the desire to place the deck's footings outside of the existing sidewalk at 9 feet is a personal preference. The resulting structure will not be largely out of scale for the neighborhood. Staff measured front decks along this block and found none to be 9 feet or more in depth, two to be 8 feet, and the remaining to be less than 8 feet in depth.

Considering applicable statute and code, staff's findings support denial of the request to vary from the zoning code with a front deck to extend 9 feet instead of the 8 feet required.

*Respectfully submitted,*

*Peter Bode*

*Planner & Zoning Official*



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232370020



DEREK MISSLING ETAL  
2437 ALBION AVE  
0.226 Acres Value \$130323 Note:

View: [Parcel Report](#) | [Soil Report](#) | [Pictometry Imagery](#) | [Parcel Report - lasWorld](#) | [Parcel Report - ACS](#)



**CITY OF FAIRMONT**  
**Planning & Zoning**  
**Application Form**

**NOTE TO APPLICANT:** This is a comprehensive application form. Only those items related to your specific type of development are to be completed. All items applicable must be included prior to acceptance of the application.

Name of Applicant: Derek Missling Address: 2437 Albion Phone#: 507-525-2659

Street Address of Proposal: 2437 Albion Ave

Legal Description of Property: parcel # 232370020

Existing Use of Property: personal residence

Proposed Use of Property: personal residence

Type of Application	Fee	Submission Requirements (Attached)
<input type="checkbox"/> Appeal/Code Amendment	\$150.00	7
<input type="checkbox"/> Administrative Appeal	50.00	8
<input type="checkbox"/> Conditional Use Permit	150.00	4, 6(d-g)
<input type="checkbox"/> Home Occupation Permit	30.00	9
<input type="checkbox"/> Minor Plat	90.00	2(a), 5 (a-b)
<input type="checkbox"/> Planned Unit Development	150.00	1, 4, 6(d-g)
<input type="checkbox"/> Preliminary Plat	150.00	5 (b), 6
<input type="checkbox"/> Rezoning	150.00	1
<input checked="" type="checkbox"/> Variance	90.00	2,3

I HEREBY CERTIFY THAT THE INFORMATION AND EXHIBITS HERewith SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Derek Missling \_\_\_\_\_  
 Owner's Name(Printed)  Owner's Signature

Derek Missling \_\_\_\_\_  
 Applicant's Name (Printed)  Applicant's Signature

**City Staff Use Only**

DATE FILED: \_\_\_\_\_

DATE FEE PAID: \_\_\_\_\_

MEETING DATE: \_\_\_\_\_

NOTICES SENT (DATE): \_\_\_\_\_

NOTIFICATION OF EXTENSION (LETTER SENT): \_\_\_\_\_

October 10, 2022

Derek Missling  
2437 Albion Ave  
Fairmont, MN 56031

City of Fairmont  
Planning and Zoning Commission

I am writing to request a variance for my property. I recently took out the cement steps from the front of my home. These steps were crumbling and needed to be replaced. Next to the steps is a sidewalk that was already in place when I purchased the home. After removing the steps I noticed the new deck would need to be longer than the 8 feet the city ordinance allows. Without the extended length of the deck the current sidewalk and the steps of the deck would not align with each other. Because of this, I am asking for a variance to allow my deck to be 9 feet from my house.

Thank you for considering my request for this variance.

Derek Missling







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**Kathy Totzke**

2433 Albion Ave.  
Fairmont, MN 56031

10/25/2022

**City of Fairmont**  
**att: Patricia Monsen**  
**100 Downtown Plaza**  
**Fairmont, MN 56031**

Dear Ms. Monsen,

I am sending this comment in regard to the upcoming Fairmont Board of Zoning Appeals meeting with Derek Missling 2437 Albion Ave. Fairmont, MN

I live next door to Derek and I have absolutely **no issues** with his front deck and stairs extending one foot beyond the required size. He is a hard working young man and works hard to improve his property. I believe his variance should be approved.

Sincerely,

Kathy Totzke

### **GENERAL INFORMATION**

Applicant: Keith Kearney  
Property Owner: Keith & Denise Kearney  
Purpose: To allow a 30-foot in lieu of 50-foot OHWL requirement  
Address: 420 Lake Aires Road  
Parcel Number: 23.229.0010  
Zoning: R-1 Single Family Residential, Shoreland Overlay District Tier A  
Surrounding Land Use: Low-density residential  
Application Date: October 12, 2022  
Review Date: November 1, 2022

### **BACKGROUND**

This abnormally-shaped R-1 Single Family Residential lot is located on the southwestern shore of Amber Lake, along Lake Aires road on the southern edge of city limits. The applicant proposes to place a boathouse to store boating and marine equipment 30 feet from the Ordinary High Water Level (OHWL) of the lake where 50 feet is normally required.

The petitioner has previously applied for a conditional use permit (CUP) as required for this boathouse. City Council denied the request because the proposal would not meet the 50-foot OHWL requirement. The petitioner believes the circumstance also represents a practical difficulty and thus has requested a variance. If a variance is granted by the Board of Zoning Appeals, the petitioner may proceed with a new CUP application.

### **POLICY CONSIDERATIONS**

The Fairmont Comprehensive Plan guides the use of this neighborhood to be traditional residential neighborhood. The parcel is zoned R-1. Shoreland regulations here require that boathouses be conditional and that all structures be placed 50 feet from OHWL.

The Minnesota DNR model shoreland ordinance, as well as state rules, provide an exemption for water oriented accessory structures like the one proposed to be placed 10 feet from OHWL instead of 50 feet as required for most other structures. As such, DNR has not recommended for or against this proposal generally, and their comment is attached. However, the City of Fairmont's local shoreland management code does not provide this 10-foot exemption for boathouses.

### **REVIEW OF VARIANCE STANDARDS**

**City Code Section 26-101** guides the Board of Zoning Appeals in how to review variance requests:

*No variance shall be granted to allow a use not permissible under the terms of this chapter. Variances shall only be permitted when they are in harmony with the general purposes and intent of this chapter and when the terms of the variance are consistent with the comprehensive plan. In granting a variance the board may prescribe appropriate conditions in conformity with this chapter. When such conditions are made part of the terms under which the variance is granted, violation of the conditions is a violation of this chapter. A variance shall not be granted by the board of appeals and adjustments, or by the city council on appeal, unless it conforms to the following standards.*

**(1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved that cause practical difficulties in complying with the requirements of this chapter and do not result from the actions of the petitioner. Economic considerations alone shall not constitute practical difficulties.**

Staff find that a special circumstance exists in which the land itself becomes steeper the farther it extends away from Amber Lake. At the location the petitioner proposes to place the boathouse, the land is flatter than the land at the 50-foot requirement. Some land exists further than the 50-foot requirement without elevation concerns, but this land is near the front of the property and is ill-suited for a structure to store boating equipment.

**(2) Literal interpretation of the provisions of this chapter would deprive the petitioner of rights commonly enjoyed by other properties in the same district under the terms of this chapter and the granting of the variance will not alter the essential character of the locality.**

Accessory structures used to store boating equipment are common in the district. Many are located closer to OHWL than the modern 50-foot requirement. Staff believe that under the current code, the literal 50-foot requirement should be adhered to unless the land itself presents a practical difficulty.

**(3) Granting the variance will not confer on the petitioner any special privilege that is denied by this chapter to other lands, structures, or buildings in the same area and the petitioner proposes to use the property in a reasonable manner.**

In its modern application, the shoreland management code denies structures like this from being placed closer to OHWL than the 50 feet required. Staff recommend the Board consider whether, in this case, a genuine practical difficulty exists which sets the proposal apart from others.

**(4) The proposed variance will not impair an adequate supply of air and light to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the city.**

Staff find that granting the request will not impair supplies of air or light to adjacent property, or otherwise impact the public welfare or property values. If granted, the variance would have to be accompanied by a CUP. Under the CUP, certain conditions should be attached which ensure the proposal is well screened from view of the lake and will not otherwise impact the public welfare.

Should it choose to grant one, the Board also has the authority to attach conditions to the variance. The Board may consider the following conditions to ensure the proposal meets this variance standard:

1. The boathouse must be screened from view of the lake by keeping the adequate vegetation between the boathouse and the lake in place and maintained.
2. The boathouse must be painted a color which blends with the natural environment of the lake or land.
3. The boathouse may not be used for human habitation or be installed with water or sewer treatment infrastructure.



## **RECOMMENDATION**

Staff recommend that the Board of Zoning Appeals consider the legal standards set forth by **Minnesota Statute 462.357(6)** when considering variance applications. This includes a three-factor practical difficulties test:

- 1) Reasonableness- does the landowner intend to use the property in a reasonable manner?**
- 2) Uniqueness- are there unique physical characteristics of the land, not personal preferences of the landowner, that creates the circumstance?**
- 3) Essential Character- will the resulting structure be out of scale, out of place or otherwise inconsistent with the surrounding area?**

Upon review of the statutory and code requirements related to practical difficulties, staff find that the petitioner proposes to use the land in a reasonable manner. The physical characteristic of the land itself, in that it becomes steeper closer to the OWHL requirement, creates the circumstance. Staff believe the proposed structure will not be out of scale or place of the surrounding area.

Considering applicable statute and code, staff's findings support granting the variance request for a 30-foot in lieu of 50-foot OWHL setback requirement for a boathouse.

*Respectfully submitted,*

*Peter Bode*

*Planner & Zoning Official*

Minnesota Department of Natural Resources  
Southern Region  
21371 State Hwy 15  
New Ulm, MN 56073  
507-359-6000

Todd Piepho MN DNR Area Hydrologist  
50507 Sakatah Lake State Park Rd.  
Waterville, Mn 56096

9/29/2022

Peter Bode  
Planner and Zoning Official City of Fairmont

**Re: Lund/Kearney CUP applications**

Good Morning Peter:

Thank you for sharing the CUP applications for the Lund and Kearney sites. It is understood that Fairmont considers these proposed structures boathouses, per local ordinance and requires a CUP for such proposals. MN Rule 6120 Shoreland and Floodplain Management has a slightly different definition of boathouse as defined below;

*Boathouse- a structure designed and used solely for the storage of boats or boating equipment.*

The applications for the Lund and Kearney sites appear to be a water oriented accessory structure, per MN Rule 6120, definition below-assuming they intend to store more than just boats or boating equipment;

*Water Oriented Accessory Structure or facility- a small, above ground building or other improvement, except stairways, fences, docks, and retaining walls, which, because of the relationship of its use to a surface water feature, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures and facilities include boathouses, gazebos, screen houses, fish houses, pump houses, and detached decks.*

With that said, my comments on the applications are as follows;

1. These structures cannot be designed for human habitation-no water supply or sewage treatment can be installed. Both of these applications do not mention any intent of this, I believe they should be good there. I bring this up as an option to add conditions or language to the CUP if approved that do not allow this to take place in the future after approval of the CUP.
2. The structure should be screened from the view of the public waters and adjacent shorelands. Planting of native trees/shrubs is generally a recommendation I make as a condition of the permit approval through the local LGU for screening.

3. Water oriented accessory structures need to be a minimum of 10' from the OHWL. It appears both of these structures will meet that setback.
4. Size limit for water oriented accessory structures is 250' square feet, bot applications appear to meet this requirmenet.

If you have any additional questions please feel free to email or call.

Sincerely,



Todd Piepho  
MN DNR Area Hydrologist

cc:

Todd Kolander-Southern District Manager  
Dan Girolamo-Area Hydrologist

pd CK# 13142

### CITY OF FAIRMONT Planning & Zoning Application Form

**NOTE TO APPLICANT:** This is a comprehensive application form. Only those items related to your specific type of development are to be completed. All items applicable must be included prior to acceptance of the application.

Name of Applicant: Keith Kearney Address: 420 Lake Aves Rd Fairmont, MN Phone#: 612-327-7801

Street Address of Proposal: 420 Lake Aves Rd, Fairmont, MN 56031

Legal Description of Property: A. STAGE W. AMBER LAKE Lot 001 Block 001 - also see 1986 plat description.

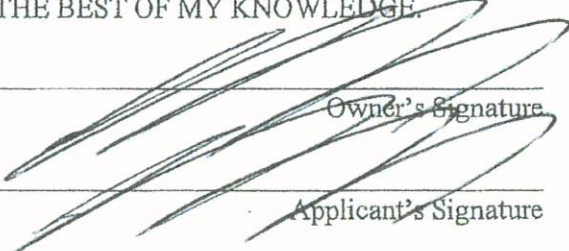
Existing Use of Property: residential

Proposed Use of Property: residential

Type of Application	Fee	Submission Requirements (Attached)
<input type="checkbox"/> Appeal/Code Amendment	\$150.00	7
<input type="checkbox"/> Administrative Appeal	50.00	8
<input type="checkbox"/> Conditional Use Permit	150.00	4, 6(d-g)
<input type="checkbox"/> Home Occupation Permit	30.00	9
<input type="checkbox"/> Minor Plat	90.00	2(a), 5 (a-b)
<input type="checkbox"/> Planned Unit Development	150.00	1, 4, 6(d-g)
<input type="checkbox"/> Preliminary Plat	150.00	5 (b), 6
<input type="checkbox"/> Rezoning	150.00	1
<input checked="" type="checkbox"/> Variance	90.00	2,3

I HEREBY CERTIFY THAT THE INFORMATION AND EXHIBITS HERewith SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Keith Kearney  
Owner's Name (Printed)



Owner's Signature

Keith Kearney  
Applicant's Name (Printed)

Applicant's Signature

City Staff Use Only	
DATE FILED:	_____
DATE FEE PAID:	_____
MEETING DATE:	_____
NOTICES SENT (DATE):	_____
NOTIFICATION OF EXTENSION (LETTER SENT):	_____



To: Peter Bode, Planning & Zoning  
Board of Zoning Appeals

From: Keith Kearney   
420 Lake Aires Rd  
Fairmont, MN 56031  
(612) 327-7801

Subj: Application for variance to install a storage container shed within the 50' structure setback from ordinary high-water mark.

Date: October 12, 2022

Dear Board-

We would like to install a shed (storage container) to store our canoe and accessories to avoid having to carry our gear up and down the hill. Unfortunately, our perfect location is 30' from the lakeshore so we are requesting a variance to the 50' structure setback from ordinary high-water mark. (the proposed 8x20 container would be able to store our 17' canoe.)

We live on a uniquely-shaped .75 acre city lot that includes both a corner and lakefront, located on the southernmost edge of Fairmont city limits (across the street from us is County). The proposed location requiring variance is fairly flat but closer to the 50' setback meets steeper elevation and would require disturbing the hillside. The proposed 30' offset will not disturb shoreline nor the hill and won't change lot permeability ratios. The proposed location is out of sight from the street, lake, and neighbors (over 90' to the nearest neighbor's property plus another 70' vacant parcel they have between our parcel and their home). It is also behind an established tree line, etc. The one and only adjoining neighbors, Mike and Linda Katzenmeyer, have verbally approved of our request and would validate/confirm if requested.

We have chosen an attractive new navy-blue storage container that blends with the décor and is guaranteed waterproof and pest-proof. It will be placed on a wood base (not an impervious concrete pad), will cause no pollution, and will be delivered with minimal disruption. A storage container is semi-permanent so could be removed easily if no longer needed.

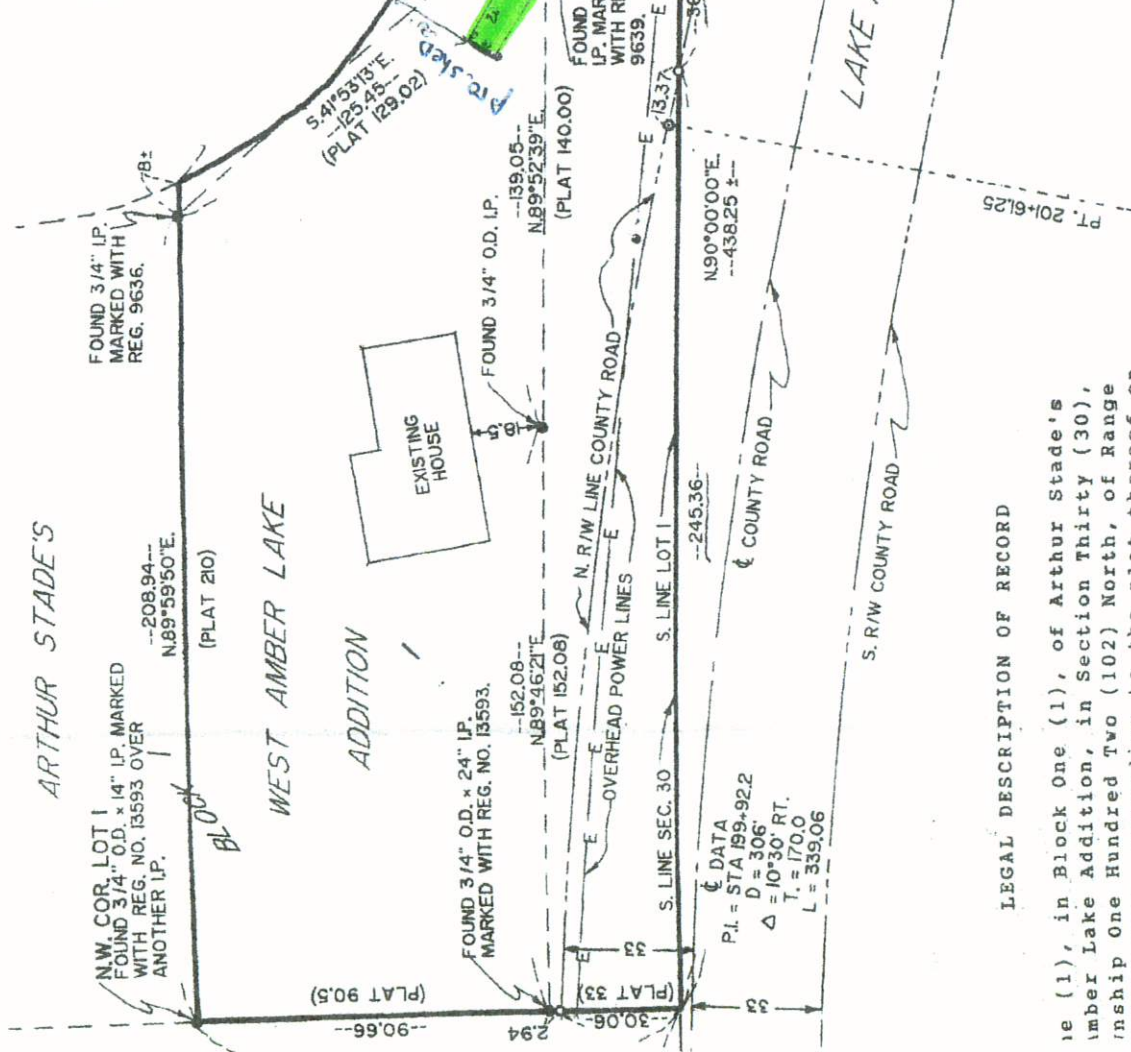
We take pride in our home and the city of Fairmont, are active in local civics, and have been responsibly updating & improving our home since purchase in September of 2020. Thank you for your consideration, we appreciate your support of this variance to improve the aesthetics of our little corner of Fairmont. Thank you.

Sincerely,

Keith Kearney



# SURVEY OF LOT I, BLOCK I, STADE'S WEST AMBER LAKE ADDITION, FAIRMONT, MINNESOTA

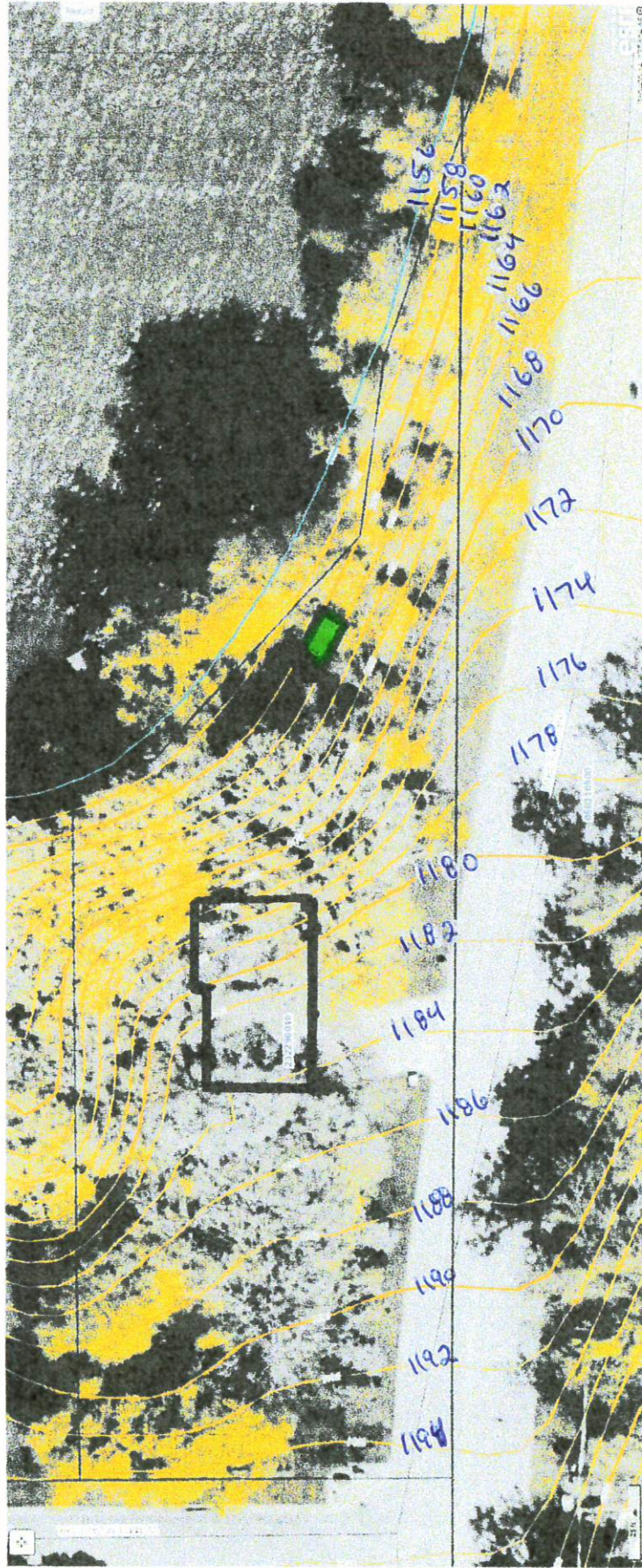


## LEGAL DESCRIPTION OF RECORD

Block I, in Block One (1), of Arthur Stade's West Amber Lake Addition, in Section Thirty (30), Township One Hundred Two (102) North, of Range (30) West, according to the plat thereof on file of record in the office of the Register of Deeds in and for said County and State.



420 Lake Aires Rd  
Fairmont, MN



LEGAL DESCRIPTION OF RECORD

Lot One (1), in Block One (1), of Arthur Stade's West Amber Lake Addition, in Section Thirty (30), of Township One Hundred Two (102) North, of Range Thirty (30) West, according to the plat thereof on file and of record in the office of the Register of Deeds in and for said County and State.



3,

SSUMED TO





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Phone (507) 238-9461

CITY OF FAIRMONT – 100 Downtown Plaza – Fairmont, MN 56031  
[www.fairmont.org](http://www.fairmont.org) ♦ [citygov@fairmont.org](mailto:citygov@fairmont.org)

Fax (507) 238-9469

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**CITY OF FAIRMONT  
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Fairmont Board of Zoning Appeals will meet at the City Council Chambers, 100 Downtown Plaza, Fairmont, MN 56031 at 4:30 p.m. on Tuesday, November 1, 2022 to conduct a Public Hearing to review the following items:

Derek Missling  
2437 Albion Ave (Parcel ID 23.237.0020)  
Variance for a front deck to extend 9 feet where 8 feet is usually required

Keith Kearney  
420 Lake Aires Rd (Parcel ID 23.229.0010)  
Variance for a structure 30 feet from water where 50 feet is usually required

Members of the public wishing to provide public comment may attend the meeting. Written comments can also be submitted to City of Fairmont, attention Patricia Monsen, 100 Downtown Plaza, Fairmont, MN 56031.

Questions about the proposal can be directed to Peter Bode, Planner & Zoning Official at [pbode@fairmont.org](mailto:pbode@fairmont.org) or 507-238-3940.

Patricia Monsen  
City Clerk  
(Published in Fairmont Sentinel October 19, 2022)



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Phone (507) 238-9461

CITY OF FAIRMONT – 100 Downtown Plaza – Fairmont, MN 56031  
[www.fairmont.org](http://www.fairmont.org) ♦ [citygov@fairmont.org](mailto:citygov@fairmont.org)

Fax (507) 238-9469

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**CITY OF FAIRMONT  
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Variance for a front deck to extend 9 feet where 8 feet is usually required

Keith Kearney  
420 Lake Aires Rd (Parcel ID 23.229.0010)  
Variance for a structure 30 feet from water where 50 feet is usually required

Members of the public wishing to provide public comment may attend the meeting. Written comments can also be submitted to City of Fairmont, attention Patricia Monsen, 100 Downtown Plaza, Fairmont, MN 56031.

Questions about the proposal can be directed to Peter Bode, Planner & Zoning Official at [pbode@fairmont.org](mailto:pbode@fairmont.org) or 507-238-3940.

Patricia Monsen  
City Clerk

**You are receiving this notice by mail as a neighboring property owner who could be affected by the proposed request. You have the right to provide public comment.**

BLUE EARTH VALLEY COMMUNICATIO  
123 7TH ST W  
BLUE EARTH, MN 56013

BONITA L ROGGOW  
2545 ALBION AVE  
FAIRMONT, MN 56031

BRADLEY M & LAURA A BEARSON  
2519 STELLA ST  
FAIRMONT, MN 56031

CAROL A BREKKE  
2437 STELLA ST  
FAIRMONT, MN 56031

CAROL ANN SPANGLER  
2440 STELLA CT  
FAIRMONT, MN 56031

DANIEL R HECTOR &, NICOLE A HECTOR  
2449 STELLA ST  
FAIRMONT, MN 56031

DAVID E LLOYD  
2509 ALBION AVE  
FAIRMONT, MN 56031

DAVID L & MELISSA J SANVIG  
2518 STELLA ST  
FAIRMONT, MN 56031

DEREK MISSLING ETAL  
2437 ALBION AVE  
FAIRMONT, MN 56031

FAIRMONT PROPERTY LLC  
2423 ALBION AVE  
STE 100  
FAIRMONT, MN 56031

GARY R & DYANNA L PARK  
2507 ALBION AVE  
FAIRMONT, MN 56031

HALL LAKE CABINS & RENTALS LLC  
1012 E 4TH ST  
FAIRMONT, MN 56031

HERBERT W & LUCINDA L WALLACE  
2510 STELLA ST  
FAIRMONT, MN 56031

JASON ROGER HARRIS  
2512 ALBION AVE  
FAIRMONT, MN 56031

JEFFREY POETTER  
3270 HWY 13  
EAGAN, MN 55121

JOHN M & SYLVIA POETTER  
42324 110TH ST  
BLUE EARTH, MN 56013

KATHY MARIE TOTZKE  
2433 ALBION AVE  
FAIRMONT, MN 56031

KEVIN A & SANDRA K KIMM  
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