

**OFFICIAL PROCEEDINGS OF THE
RICE COUNTY BOARD OF ADJUSTMENT
Commissioner's Room / Government Services Building
Thursday, November 6, 2025 at 6:00 PM**

I. Call to Order

A. Roll Call

The meeting was called to order both in-person and electronically by Chair Julia Hogan at 6:00 p.m.

Members present were: Julia Hogan, Matt Purfeerst, Kenneth Engen, Jim Cihak

Members absent were: Garrett Johnson

Staff present were: Zoning Administrator Trent McCorkell, Senior Planner Jeremy Edwards,
Administrative Coordinator Anna Aguilar, Office Support Specialist MacKenzie Klett.

Others present: see Sign-in Sheet and Registrant List.

B. Motion by Ken Engen, seconded by Jim Cihak, Reading of the Notice

RESULT: Approved, AYES: Julia Hogan, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

C. Motion by Jim Cihak, seconded by Matt Purfeerst, Approval of the Agenda

RESULT: Approved, AYES: Julia Hogan, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

D. Motion by Matt Purfeerst, seconded by Ken Engen, to approve the minutes of October 2, 2025

RESULT: Approved, AYES: Julia Hogan, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

II. Old Business

1. Variance/Purfeerst - Section 36, Shieldsville Township

Misty Purfeerst has requested the following Variances:

- A 23-ft variance from the 75-ft Lake setback to allow for a home addition to be located 52-ft from Cedar Lake.
- A 2% variance from the 25% lot impervious surface limitation to allow for lot with a 27% impervious surface coverage.

The property is described as: Lot 8 and Part of Lot 9, Cedar Shores Subdivision, Shieldsville Township, Rice County, Minnesota. PID# 09.36.1.26.007. Property address is: 20170 Geneva Ct, Faribault, MN 55021. The property is Zoned GDS, General Development Shoreland.

Motion by Jim Cihak, seconded by Ken Engen, to approve the Variance request with the following conditions and findings for Misty Purfeerst. The property is located in Section 36 of Shieldsville Township.

RESULT: Approved, AYES: Julia Hogan, Ken Engen, Jim Cihak, NAYS: None

CONDITIONS OF APPROVAL – Purfeerst

1. The variance is to allow for a 14-ft by 14-ft attached porch addition to the existing home being 52-ft from Cedar Lake and with a lot to have a 27.3% lot impervious surface coverage, subject to compliance with all other ordinance regulations.
2. The application plans submitted shall be followed.
3. As proposed the property is to be brought down to a 27.5% lot impervious surface coverage.
4. A septic system compliance inspection shall be completed prior to issuance of a building permit for the porch, if the onsite system is found to be not in compliance a compliant system shall be shown to be in place within one year of the variance approval.
5. At least 25-ft of the shoreline within 10-ft landward of the water shall be established and maintained in a natural condition as an un-mowed native vegetative lake buffer.

6. Variance shall be void if a building permit for the proposed porch is not obtained within one year of the variance approval.
7. Failure to comply with the terms of this variance may result in termination of the Variance.

Hearing Minutes:

MP Abstains from item.

Zoning Administrator Trent McCorkell (TM) presented the request to the Board of Adjustment (BOA).

JH - So, I know it said that currently there's 29.5% impervious coverage, and they will be reducing it. What other impervious coverage areas on the lot will they be reducing?

TM - It would probably be best to ask the applicant that. I'm not aware of the exact details of what's being removed or changed.

JC - Is this addition going to get any closer to the lake than the existing structure?

TM - No, it is listed as the same distance as the existing structure.

The BOA asked the applicant, Misty Purfeerst (MP), to come forward to add comments or answer questions regarding the request.

MP - As TM stated, I'm requesting a variance by 2% over, but I'm going to reduce it by about 2.3%. And I'm not going any closer to the lake, I realize I'm already over.

JH- What hardscape are you planning to remove?

MP - There's a stone pathway and stone stairs, and a lot of old stone cemented in by the lakeshore that I'll tear out. And then I will put permeable pavers in or some sort of permeable replacement. You can see the curved path going towards the lake and the stairs, which are underneath the boat lift in that image. All of that will be removed.

JH - Are you aware of the 7 conditions associated with this variance?

MP - Yes.

JH - And you're able to meet all those requirements?

MP - Yes.

Chair Hogan opened the public testimony portion of the item to the public and no one spoke.

Chair Hogan closed the public testimony portion of the item to the public.

Discussion:

JH - Question for staff about permeable pavers, do you count that towards impervious coverage?

TM - We count it towards impervious, they are still considered impervious.

KE - Because they are concrete.

JH - Well, some cities and counties don't count permeable pavers as impervious, they're not permeable over time.

KE - Got it.

JC - I don't see any reason not to move forward with it. I motion to approve subject to the 7 conditions.

KE - I second.

The Board of Adjustment reviewed the variance application and found that the applicant has established that all of the following criteria from Section 503 of the Zoning Ordinance are met by this proposal:

- *The variance request in harmony with the general purpose and intent of the Zoning Ordinance and consistent with the Comprehensive Plan? **Yes***
- *The proposed use is an allowed use in the zoning district in which the property is located? **Yes***

- *The proposed sewage treatment system is or can be made compliant with the Rice County Sewage and Wastewater Treatment Ordinance? **Yes***
- *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance? **Yes***
- *The plight of the landowner is due to circumstances unique to the property not created by the landowner? **Yes***
- *The variance, if granted, will not alter the essential character of the locality? **Yes***
- *The applicant has established that there are practical difficulties in complying with the Zoning Ordinance, not constituting economic considerations alone? **Yes***

The findings were read by JC with the conditions as stated above and with the following additions by staff:

TM: It is adding on to an existing home and will not getting any closer to the lake. They'll be reducing the impervious surface as part of this project, and that the lakeshore buffer should help with the view from the water and with the water runoff on site.

Motion made, seconded, and approved unanimously.

III. New Business

1. Variance/Dahle - Section 7, Morristown Township

Scott Dahle has requested the following Variance:

- A 17-ft variance from the 100-ft lake setback to allow for a replacement home/cabin to be located 83-ft from Horseshoe Lake.

The property is described as: Part of Government Lot 4 in the SW1/4, Section 7, Morristown Township, Rice County, Minnesota. PID# 13.07.3.50.006. The property address is: 12985 230th St W, Waterville, MN 56096. The property is Zoned RDS, Recreational Development Shoreland.

Motion by Matt Purfeerst, seconded by Jim Cihak, to approve the Variance request with the following conditions and findings for Scott Dahle. The property is located in Section 7 of Morristown Township.

RESULT: Approved, AYES: Julia Hogan, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

CONDITIONS OF APPROVAL – Dahle

1. The variance is to allow for a proposed 60-ft by 32-ft cabin to be located 83-ft ft from the Ordinary High Water (OHW) mark of Horseshoe Lake, subject to compliance with all other Ordinance regulations.
2. Approved site plan shall be followed.
3. At least 25-ft of the lot's shoreline within 10-ft landward of the water shall be established and maintained in a natural condition as an un-mowed native vegetative lake buffer.
4. Tree removal must be limited to the minimum amount necessary for the construction and maintenance of the new building.
5. Prior to issuance of a final certificate of occupancy for the new structure a certificate of survey verifying that the as built lowest floor elevation is meeting the required 1027.3-ft elevation requirement shall be submitted to Rice County Environmental Services.
6. Variance shall be void if a building permit for the proposed structure is not obtained within one year of the variance approval.
7. The existing cabin shall be removed prior to final occupancy of the new structure.
8. Failure to comply with the terms of this variance may result in termination of the Variance.

Hearing Minutes:

Zoning Administrator Trent McCorkell (TM) presented the request to the Board of Adjustment (BOA).

JH - The existing cabin will be removed, but do you know if the outbuildings will remain?

TM - I believe they're proposing to keep the outbuildings there, yes.

MP - And how much are they proposing to bring it up? You said it had to be brought up?

TM - It's not a lot. It does require surveying with the elevations. I believe it was less than a foot that's needed in that location.

The BOA asked the applicant, Scott Dahle (SD), to come forward to add comments or answer questions regarding the request.

SD - Me and my wife would like to build a new cabin and get rid of the old structure. Make a new cabin that is in compliance.

JH - Are you aware of the 8 conditions associated with this variance?

SD - Yes, I am.

JH - And you plan on keeping the outbuildings on the property, just getting rid of the existing cabin?

SD - Yes.

Chair Hogan opened the public testimony portion of the item to the public and no one spoke.

Chair Hogan closed the public testimony portion of the item to the public.

Discussion:

JH - He is bringing the cabin back from the lakeshore. It only shows a foot and 3 inches. And the conditions outright state what they need to do to make it in compliance with the floodplain, so that is a plus.

MP - They are moving it further away and not making it overly huge. I have no problem with it at all. And he's within floodplain there, so hopefully there won't be any issues down the road being above floodplain.

JH - I think condition #5 should help with that.

MP - I motion to approve with the 8 conditions.

JC - I second.

The Board of Adjustment reviewed the variance application and found that the applicant has established that all of the following criteria from Section 503 of the Zoning Ordinance are met by this proposal:

- *The variance request in harmony with the general purpose and intent of the Zoning Ordinance and consistent with the Comprehensive Plan? **Yes***
- *The proposed use is an allowed use in the zoning district in which the property is located? **Yes***
- *The proposed sewage treatment system is or can be made compliant with the Rice County Sewage and Wastewater Treatment Ordinance? **Yes***
- *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance? **Yes***
- *The plight of the landowner is due to circumstances unique to the property not created by the landowner? **Yes***
- *The variance, if granted, will not alter the essential character of the locality? **Yes***
- *The applicant has established that there are practical difficulties in complying with the Zoning Ordinance, not constituting economic considerations alone? **Yes***

The findings were read by MP with the conditions as stated above and with the following additions by staff:

TM: The applicant has moved the cabin back as far from the lake as they can to butt up to the road right

of way setback without needing additional variances.

Motion made, seconded, and approved unanimously.

2. **Variance/Jensen - Section 7, Wells Township**

Neil Jensen has requested the following Variances:

- A 3-ft variance from the 20-ft rear property line setback to allow for a garage addition with the existing garage being located 17-ft from a rear property line.
- A 3-ft variance from the 10-ft side property line setback to allow for a garage addition with the existing garage being located 7-ft from a side property line.
- A 3-ft variance from the 20-ft wetland setback to allow for a garage addition with the existing garage being located 17-ft from a wetland.
- A 492-sqft variance from the 25% lot impervious surface limitation to allow for a lot that will have a 29% impervious surface coverage
- A 4-sqft variance from the 1200-sqft size limitation to allow for a 1204-sqft garage.

The property is described as: Lot 13 Pexa Subdivision and Part of Government Lot 4 in the NE1/4, Section 7, Wells Township, Rice County, Minnesota. PID# 10.07.1.76.033. Property address is: 16460 Elmore Trail, Faribault, MN 55021. The property is Zoned GDS, General Development Shoreland.

Motion by Matt Purfeerst, seconded by Ken Engen, to approve the Variance request with the following conditions and findings for Neil Jensen. The property is located in Section 7 of Wells Township.

RESULT: Approved, AYES: Julia Hogan, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

CONDITIONS OF APPROVAL – Jensen

1. The variance is to allow for a garage addition to replace an existing garage with the resulting expanded 1204-sqft garage being 17-ft from the rear property line, 17-ft from a wetland and 7-ft from the west property line, subject to compliance with all other ordinance regulations.
2. Lot impervious surface shall not exceed 29%.
3. A septic/pump tank compliance inspection shall be completed prior to issuance of building permits.
4. The existing south garage shall be removed.
5. An area of least 25-ft by 10-ft along the north property line/wetland boundary, shall be established and maintained in a natural condition as an un-mowed native vegetative wetland buffer.
6. Variance shall be void if building permits for the construction is not obtained within one year of the variance approval.
7. Failure to comply with the terms of this variance may result in termination of the Variance.

Hearing Minutes:

Zoning Administrator Trent McCorkell (TM) presented the request to the Board of Adjustment (BOA).

MP - Is the new addition just adding on to the existing building and coming towards the lake?

TM - Yes, it will be coming south towards the roadway and the lake, and away from the wetland area, which is further to the north there.

JH - So would you say a lot of the properties in this area are over the 25% Impervious coverage limit?

TM - Yes, quite a few of them are.

JH - So it'd be kind of in line with what's in the neighboring area.

TM - Over the years, several of the structures further down this roadway, multiple lots were combined, and smaller cabins were replaced with larger homes. The garages are similar. You can see from that first picture looking down, they all pretty much line up that way. I believe that is what the applicant's kind of proposing to do, is to line up with those garages as well.

MP - So it'll be smaller than both garages on both sides of them, basically.

TM - Total square footage is probably similar to them, just a little bit different shape, really. The current garage being removed is probably the one closest to the roadway, at least along this stretch here.
KE - I take it they leaving the concrete slab?

TM - Under the one that's being removed? I don't remember the details with that. There is some stuff that's being converted to grass throughout the process, but there will also be some driveway as well.

The BOA asked the applicant, Niel Jensen (NJ), to come forward to add comments or answer questions regarding the request.

NJ - TM did a good job of explaining what I am looking for. I'm going to tear down the front garage, and line a new addition up with the rest of them. Most of the variances are due to the existing garage. And for impervious surface, I have a road going through my property which counts as impervious, it's beyond my control. I guess that's one of the main things, it's the biggest one, and then the square footage of 1204sqft is close, but to make it a 24 by 30 I rounded up. I could notch out the 4sqft, but that wouldn't look good.

JH - I was going to ask if there was any way you could get rid of the 4sqft, but I understand. Were there any thoughts about tearing down both and then putting up a new one to try and meet setbacks as best you could?

NJ - The back one is in good condition. And what I'm looking for is, to be able to back my boat and my truck in and that would make it deep enough. And then have just a man cave on the one side. But the goal was to get it deep enough so I could back my boat and pickup in and not unhook them. With this type of L, that gets that done.

JH - Are you aware of the 7 conditions that are associated with this variance?

NJ - Yes.

JH - Are you able to comply?

NJ - Yes.

Chair Hogan opened the public testimony portion of the item to the public and no one spoke.

Chair Hogan closed the public testimony portion of the item to the public.

Discussion:

JH - I understand wanting to keep a good building up and add on to it. I just wish it was a little bit further from the property lines.

MP - I feel like every lakeshore lot we deal with is always budding right up to this impervious limit. It's just constant, but he is right, the road running through his lot is a huge step towards the impervious surface limit. I know we are sticklers on keeping the impervious at or under 25% but this one is a unique circumstance. And I know you don't want to look at the neighboring properties, but he wouldn't be doing anything astronomically different than what the neighbors have done.

JH - I agree. And he is taking the most southern garage away from the road.

MP - I motion to approve with the 7 conditions.

KE - I second.

The Board of Adjustment reviewed the variance application and found that the applicant has established that all of the following criteria from Section 503 of the Zoning Ordinance are met by this proposal:

- *The variance request in harmony with the general purpose and intent of the Zoning Ordinance and consistent with the Comprehensive Plan?* **Yes**
- *The proposed use is an allowed use in the zoning district in which the property is located?* **Yes**
- *The proposed sewage treatment system is or can be made compliant with the Rice County Sewage and Wastewater Treatment Ordinance?* **Yes**
- *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance?* **Yes**

- *The plight of the landowner is due to circumstances unique to the property not created by the landowner? **Yes, the road running through the middle of the property***
- *The variance, if granted, will not alter the essential character of the locality? **Yes***
- *The applicant has established that there are practical difficulties in complying with the Zoning Ordinance, not constituting economic considerations alone? **Yes***

The findings were read by MP with the conditions as stated above and with the following additions by staff:

TM: Again, the addition appears that it closely aligns with the neighboring garages, and that part of the impervious surface is a shared roadway. The wetland buffer condition should assist in protecting the wetland area, and the lot is quite limited due to it being a parcel of record. It is just over half of the current minimum lot size.

Motion made, seconded, and approved unanimously.

IV. Adjournment

Hearing no other items before the BOA, a motion was made by KE, second by MP, to adjourn the meeting at 6:30 pm. Motion carried 4-0.

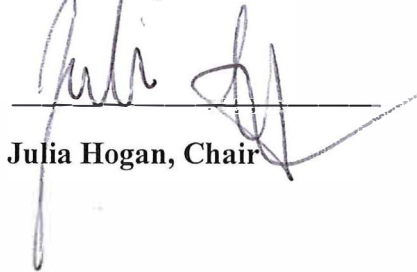
Respectfully Submitted



MacKenzie Klett

Office Support Specialist

Board of Adjustment



Julia Hogan, Chair