

**OFFICIAL PROCEEDINGS OF THE
RICE COUNTY BOARD OF ADJUSTMENT**
Commissioner's Room / Government Services Building
Thursday, March 5, 2026 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 February 5, 2026.

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

II. New Business

1. Variance/Wesley - Section 2, Morristown Township

Kevin Wesley has applied for the following variance:

- A 420-sqft variance from the 1200-sqft size limitation to allow for a 420-sqft addition to an existing 1200-sqft agricultural building.

The property is described as: Part of the NE1/4, Section 2, Morristown Township, Rice County, Minnesota. Property address: 21242 Halstad Ave, Morristown, MN 55052. PID# 13.02.1.75.001. The property is Zoned NES, Natural Environmental Shoreland.

Motion by Matt Purfeerst, seconded by Ken Engen, to approve the Variance request with the following conditions and findings for Kevin Wesley. The property is located in Section 2 of Morristown Township.

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

CONDITIONS OF APPROVAL – Wesley

1. The variance is to allow for a 420-sqft addition to an existing 1200-sqft agricultural use structure, subject to compliance with all other Ordinance regulations.
2. Approved site plan shall be followed.
3. The proposed building shall be for agricultural use only and will not be used for any residential, non-agricultural business or other uses. Any future change in use will require a new variance and building permitting.
4. Variance shall be void if a permit for the proposed addition is not obtained within one year of the variance approval.
5. 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).

The BOA asked the applicant, Kevin Wesley (KW), to come forward to add comments or answer questions regarding the request.

KW - Just for storage, and we have a well out there for irrigation purposes, I need to house the pressure tank. And just general equipment storage.

JH - Are you aware of the 5 conditions?

KW - Yes.

JH - Are you able to comply with all 5?

KW - 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 - Some of these Natural Environment Shoreland (NES) lots are large and further away from the lake, they're not blocking any views. It's understandable why an addition would want to be done on an outbuilding like that.

MP - Like you said, it's not affecting anybody. It's a large lot, a long way away from the lake, even though the flood line looks like it's farther up on a marshy area. I'm going to make a motion to approve with the five 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, wooded lot and not affecting neighbors.***
- *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: It is a very large parcel compared to the minimum lot size. It's actually over 20 times the minimum size. It's very well screened to the lake, and the ag use of the property does require a larger storage area.

Motion made, seconded, and approved unanimously.

2. Variance/Thiele - Section 9, Walcott Township

Randall Thiele, on behalf of landowner Thiele CR Properties Corp, has applied for the following variance:

- A 40-ft variance from the 70-ft rear property line setback to allow for a 210-ft by 300-ft greenhouse addition and a new 294-ft by 300-ft greenhouse be 30-ft from the rear property line.

- A 48% variance from the 25% lot impervious surface percent to allow for a lot with a 73% impervious surface limitation.

The property is described as: Part of the SW1/4 of the SW1/4, Section 9, and Part of the SE1/4 of the SE1/4, Section 8, Walcott Township, Rice County, Minnesota. Property address: 3103 227th St E, Faribault, MN 55021. PID# 15.09.3.50.003. The property is Zoned A, Agricultural.

Motion by Ken Engen, seconded by Matt Purfeerst, to approve the Variance request with the following conditions and findings for Randall Thiele, on behalf of landowner Thiele CR Properties Corp. The property is located in Section 9 of Walcott Township.

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

CONDITIONS OF APPROVAL – Thiele

1. The variance is to allow for a 210-ft by 300-ft agricultural greenhouse addition to be located 30-ft from the south property line, a 294-ft by 300-ft new agricultural greenhouse to be located 30-ft from the south property line and resulting in a property with a 73% impervious surface coverage, subject to compliance with all other Ordinance regulations.
2. Approved site plan dated 1-30-26 shall be closely followed.
3. A septic system compliance inspection for any/all onsite septic systems shall be completed and submitted to Rice County Environmental Services prior to any structure or grading permits being approved. If the onsite system is found to not be in compliance with current regulations, a new system must be permitted and installed within one-year of the variance approval.
4. A full stormwater control plan, designed by a licensed engineer, shall be submitted to Rice County Environmental Services prior to issuance of any construction or grading permits. Proposed stormwater controls must be shown to be adequate to prevent stormwater runoff volumes and rates, leaving the property, from exceeding existing storm water volume and rates.
5. Variance shall be considered void if permits are not obtained and construction of the phase one greenhouse and full site grading commenced within one year of the variance approval, and phase two greenhouse construction commenced within five years.
6. Failure to comply with the terms of this variance may result in termination of the Variance.
7. The existing evergreen screening along the roadway shall be extended along the west property line to provide screening for the neighboring home.

Hearing Minutes:

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

JH - So phase 1 is the one they are looking at now and phase 2 would be at a later date?

TM - The applicant had stated there are two phases to this. One would be more immediate within a year, which is the variance requirement, to be started within a year. The second one is a little further out, not as certain. Within the conditions I wrote that it is covered under the variance as long as it is done within 5 years.

JH - Can you pull the site plan back up please? The first phase would not have them at 73% impervious surface?

TM - It would be a lesser amount. I know on the site plan it had those details, the variance is proposed to cover the full project.

JH - And they plan on doing the stormwater pond with which phase?

TM - Along with the grading at the first phase, that would be required to be part of the first phase placement there. So, the second phase would really just be the building of the structures on the pad.

JH - And that's where you require it being done within the 5 years?

TM - Yes.

The BOA asked the applicant, Randall Thiele (RT), to come forward to add comments or answer questions regarding the request.

RT - Thank you for taking the time to hear this request. Our company is better known as Simple and Grand. We have been in Faribault since 2021. During that time, we have grown rapidly, we have nearly doubled in size. We are now in a state where we're looking towards the future, and we have a lot of complications that go along with this. We have a right of first refusal with a property that's adjacent to ours. If they were to sell that property, we have greenhouse space that we're leasing there. For our business, it's really important that the buildings are connected to one another for efficiency. As you can see from a lot of those pictures, they're all connected. You walk in there, it's just one big room. The reason that we requested a two-phase approach was because the cost of building the first phase is pretty expensive. We're looking at a \$1.2 to \$1.4 million build. If Phase 1 is approved, and later date Phase 2 wouldn't be approved that would really be detrimental to our business. So, we're looking to try to get this done. Now, I want to point out a couple key features here that I think are really important. Just considerations that we're thinking about as stewards, not only of the community, but also of our neighbors. Our current facility right now was built by the previous owner who we bought from in 2021. We had a storm that wiped out some of the greenhouses, so we had to do some rebuilding. It's not really set up well for our neighbors at this point. We have a mulch pile that we don't have any other way to get to, so we have to put it kind of in the front, which we saw in the image, which is kind of an eyesore. We have a lot of vehicles that we don't have a parking lot for, so we park in front of the facility. Our goal with part of this is to make sure that we can hide some of that stuff, so, from a community perspective, it just looks like a big greenhouse. We've planted arborvitaes along the north side of the buildings so as they grow, they hopefully hide some, and we're hoping that we can move some of the trucks and some of the mulch more towards the back. We also want to be mindful of the farmers that are adjacent to us, and we have put as part of our plan to build a pond to catch any stormwater or any type of rain that might be, you know, a very rare occurrence. So, with that, if there are any questions that anyone has, I'm happy to answer them.

JH - Were there any other sites within the county that were larger in size, more than 10 acres, to offset such a large facility?

RT - We bought the business with the facility on it.

JH - Okay, when you bought it originally, you didn't think you would have a larger project like this?

RT - That's a good question, but let me address that if you don't mind. When we bought the property, it was a complicated ordeal. They were our supplier and there were two adjacent properties. The individuals who bought this property were neighbors with the owner's father-in-law. The father-in-law went back and forth whether or not he was going to sell the property, and we do have right of first refusal to purchase that property, when or if he wants to sell. In talking to him, and I've asked the question, can we buy, like, carve out some of this? He's 92 years old and says, I'm going to leave these to my kids. So, we don't know what the future hold, but frankly we bought the business for a variety of reasons. One is they had an established customer base, they were our supplier, they had a great team of employees. I live in Victoria, Minnesota, so just to be clear, I live an hour and a half away from here. I would love to have a property that was in Victoria or close by. But the reality is we have a great team here. We've got great people here; we have great customers here. We employ 70 people in the community. And, we want to continue to be here. So, when we're looking at this, when we're looking at options, to your question, we're trying to figure out what the tolerance is going to be, knowing that we want to buy the neighbor's property when he sells. But if there isn't a tolerance. Then, this will be a shipping, you know, still horticulture, and still within the confines of what we're able to do. But we'll have to move a lot of our operations north, and that's not what we want to do. We want to be here. We think, you know, as a company now that's employing more and more people with good positions and good roles, and I think, frankly by doing this improvement it's going to be better for our neighbors. Because right now, like I said, it's an eyesore. I wouldn't want to live next to it. We're following all the rules, but realistically, we're trying to put a square peg through a round hole, it's a challenge. So, we're doing the best we can.

JH - Are you aware of the 6 conditions?

RT - Yes, I have read these, of course.

Chair Hogan opened the public testimony portion of the item to the public and the following spoke:

Charlie Peters - *Commissioner 5th District* - I think it's a great business. Reading through the packet and I have received a couple of phone calls. As long as the stormwater runoff pond is engineered and taken care of. I know the farmer to the south, and I would have concerns about that. And crop spraying, can he do that normally? Right up to the line where he farms or are there certain stipulations on that?

Those where the concerns I had and also the call I got.

Kathy Stepka & Paul Stepka- 227th St E - My name is Kathy Stepka, and this is my husband, Paul. We live adjacent, west to Simple and Grand. And we're here just for some clarification, on the purpose of the expansion, and we've kind of heard that they want to expand their business beyond. And then we want to express a few concerns. Since they've moved in the last 3 to 4 years, they have said they've about doubled, and I think they'd be probably two thirds or more if they expanded again, and we have been seeing a lot of traffic that has come into the area. In the past 3 years, it's been significant, and the roads have greatly deteriorated. We do dust control in front of our house already, but in some cases, they'll go by and grade, and by that afternoon or evening after grading, we already have tons of potholes, and if it rains, water, ice buildup, so the roads have definitely seen some deterioration. With the expansion of the business and the traffic, we're just concerned about the dust, the potholes, the additional employee traffic. Prior to them moving in, we certainly had very little traffic going that direction, and especially on a gravel road. And the main concern would be also with the delivery trucks and vans. We have trucks going by constantly, and, also several semis that are going by, which certainly are hurting the roads as well as the dust. And the traffic noise in general. They were talking about the parking lot. We are glad to hear that they would like to hide that somewhere else, as currently they're parking a lot of large refrigerated, I think they're refrigerated trailers to keep stuff from freezing this time of the year, or keep stuff cool in the summer. But they run a diesel motor themselves, so they're turning on and off, 24-7. And our bedroom faces that direction, we can't have our windows open at nighttime, because that's all I hear is that. I'm not certain if they would still need that or if there would be more of them. Would it be closer to our property? As the buildings move our direction, would that decrease the distance of the trailers running? I guess I do have a question about how close that building will be to our property.

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

Discussion:

JH called applicant to the speaker stand

JH - One of the questions was with spraying, could you speak to that?

RT - We don't have an issue with spraying, that's not a concern at all.

JH - Can you speak to the traffic concerns, dust control, what you guys are doing for dust control? Are you guys trying to mitigate employee traffic? Anything you can speak to on that would be great.

RT - I can speak to all of it. Let's start with the trucks. Throughout the last year, there has been a 16-foot truck that has driven down that road, 400 times out, 400 times in. So, it's one truck, basically over the course of the year, that's just over one time a day. Now, to be clear, it is concentrated over, like, two-week segments where it's pretty heavy, and then there's nothing. That's the current scenario. Will that increase? Yes. Will it increase if you guys decline this? Yes. The bearing of that particular thing is not going to change the traffic because really, at the end of the day, that will be our shipping facility. I think what will change if this isn't approved is they're not going to be as well hidden, it's going to be more of an eyesore, truthfully. In terms of the refrigerated trailers we do own 4 refrigerated trailers, 3 of them are at the site. They run, two times of the year, where they're actually on. They're used as storage the majority of the time. They're on right now, we're storing tulips and bulbs in two of the trailers. They'll run to keep the temperature at 40-44 degrees. And so, if the weather is very cold, it'll heat them up. If it's warm, it'll cool them down. In the winter, we use them from October 15th till about November 15th to keep things cold. Again, weather-dependent could go a little longer, a little shorter. I recognize the concern around those refrigerated trailers and we can do what we can to put those in a spot where they're not heard and hidden from the road. I am willing to work with the neighbors on that. In terms of spraying the road, we do the same. We don't want the dust, so we do the same. And realistically, we are dealing with a dirt road and I don't think anybody likes driving on a gravel road every day. Your car gets dirty, it sprays dust, it's just not a good thing to do. We consistently have talked to our employees in regard to driving in a tactful way on the road so we don't spread more dust than needs to be spread, but we do spray, we do everything we can to accommodate. There are potholes. I don't think they have anything to do with the semi-trucks that are there. Frankly, we don't have that many semi-trucks that come to our facility. We do have some, but it's not a frequent occurrence. Any other questions that I missed?

JH - What are your busy times? You said that it's more condensed in some parts of the year.

RT - We start delivering our spring stuff in early April for about 2 weeks. It's weather dependent. We deliver to 6 different states. We have 26-foot trucks. Those trucks will start going out in March, but it's busiest around the facility in early April to mid-April. Then we still have stuff going on but not as many deliveries. And then it picks up again in late May, early June. Then there's a break, and then right after Labor Day, there's about a two-week stretch where it's pretty busy. And then November and then early parts of December will be pretty busy. To give you guys an idea, we have 10 delivery trucks that we use. We have two 26-ft trucks and four refrigerated trailers. The goal with this variance is to be able to go behind the facility and park on the west-hand side.

JH - Okay, the west-hand side of the newer building. I think you were able to answer the questions. Thank you for answering those.

Applicant left speaker stand

JH - It sounds like it's a thriving agricultural business. I understand the concerns regarding traffic, with the business increasing and the drainage concerns. I do appreciate the storm water pond on site which should help offset drainage issues to the neighboring fields.

MP - Yeah, and condition #4 really outlines that well. TM, I have a question on condition #4. Does that include both phases, or is that just phase one they have to design the stormwater pond for?

TM - They have to design it for the full project.

JH - Because with the variance they have to have the full build-out within 5 years.

MP - To me it really comes down to is there anything we can do to provide dust control? The other thing I had on my list was hours of operation for the construction. You know, that is going to be right next to their building. I just wanted to see what the board had to say about hours of operation during the construction phase. Not to restrict it, but make sure it's not going on at 9p.m. right outside their window. TM, how have we worded something if we have a gravel pit for example, and there are dust control issues?

TM - For those types of uses, we do have some kind of standard language. I would remind you that this isn't a conditional use permit. We're dealing with a variance request, just the impervious surface. Now, certainly as part of that is an increased usage potential, so you could spread into some of those other topics a little bit, but we have to make them connect back to what's being proposed instead of the use part. It's a little bit trickier with that.

MP - Otherwise I am all for business. I think they have a lot of employees and it's good for the community.

JH - In a lot of commercial projects you see a standard maximum of 75%, so 73% isn't that uncommon on larger commercial or industrial projects like that. I have seen lots that are at max 75% and they're able to make it work with stormwater or local ponding. I think if they're able to mitigate the drainage issues, obviously neighbors have that concern, then I don't really see an issue. I also understand the concern with increased traffic with an expansion like this, too.

KE - Extra wear and tear on the road.

JC - The impervious surface limitation we can deal with. But when you have someone here who has already acknowledged before this expansion that there's an issue with dust and wear and tear on the road, my thoughts are we need to address that prior to granting them the variance.

JH - Again, this is not so much the use. We're specifically looking at the building itself and the expansion, not so much the traffic part, as it's kind of out of the purview of a variance, unfortunately. Like TM said, it'd be different if it was a contractor's yard for CUP that came in and was asking for something like that, but this is more looking at the building and the impervious and the setbacks that are in question. I agree but I don't know how we can incorporate that into this, or if we can even.

KE - As far as the variance goes, I don't have an issue with the two they are asking for. It would be nice to be able to do something about the road and the traffic but it is not part of what we are discussing.

TM - It is complicated with that issue. It certainly wouldn't be inappropriate to have the applicant come up and ask if there's anything they're willing to do for dust control. Or maybe how to address that issue, if they have some ability to do that.

JH Applicant called to speaker stand

JH - Is there anything additional that you'd be willing to do to address the road with this expansion?

RT - What do you have in mind?

JH - Some kind of dust control, or at the least working with the neighbors to mitigate some concerns that are relevant or prevalent to the road currently.

RT - I will ask John because he is in charge of this. We spray it every year, right?

Jon Hensel (Jon H) - We have done dust control from Waynes' driveway to about 200ft from our driveway to the west.

RT - And do we do that twice a year or once a year?

Jon H - Once a year.

KE - One of the photos that staff had showed, you can kind of see where the dust control stops.

RT - In front of our property?

KE - Yes, looking at the road.

Staff pulled up close aerial photo

KE - Looking at this road, the lighter color is not sprayed.

RT - If that's the case, I wasn't aware of that. We certainly, not only regardless of what the outcome of this meeting is, we do need to talk to them about spraying all the way to the end of the property line, for sure. I am not aware of where they stop right now, and I see what you are seeing here. If there's anything in addition that we can do to remedy and take recommendations from the community as well as the board, we'd be happy to do it. We're trying to present a brand that is a higher-end brand. When you have white delivery trucks that have dust all over them, it doesn't really help our cause. So, we're on board with making sure that there isn't a lot of dust. I really don't think that the potholes are from us, I'm sure we contribute, I don't want to suggest that we don't.

KE - I think that might come down to the speed that you're driving. If there's a little hole, every time it gets hit, it gets bigger.

RT - Frankly, when we bought the property there were potholes all over and we didn't have delivery trucks out there yet. We want to be good stewards. This is an easy fix, and if there's other recommendations that are prudent and make sense for the residents on the road, we're happy to accommodate. We don't want to be difficult to work with.

MP - I think from my seat, if you would just use dust control all the way up to the end of your property, I think that would take care of a lot of my concern.

RT - That's not a problem at all. And frankly, I thought we were going all the way out there, so this is a good visual for me.

KE - I would just say work with your neighbors.

RT - For sure, we certainly want to.

Applicant left speaker stand

MP - Just to confirm we cannot put that as a condition, it was just a verbal agreement?

JH - Yes.

TM - I think you are on the right track with that issue. You could make the connection with the site; I just think it's a little more difficult and it's probably best to leave it at willingness to comply.

JH - I agree.

JC - TM, how would that be enforced? If it doesn't happen, if the dust control doesn't happen.

JH - You could call in?

TM - At this point, without it as a condition there wouldn't be anything that we would force on that. When we get complaints on those issues, we certainly talk to landowners involved and try to work that out. Dust control, especially on a road that has had these kind of potholes, wash boarding issues are kind of a complicated issue. You apply the dust control; you don't want to grade the road. You grade the road; the dust control is no longer effective. So, it can be a back and forth, kind of, for the Townships on that. I've dealt with many of these issues outside of conditions, and usually it can be worked out. I mean, they have reasons to not want to create dust issues, certainly for everybody involved with them. I did have potentially one other condition though, dealing with some screening. There was the request, I think, with the view from the neighboring property, and it would have a condition just saying the existing evergreen screening, which is along the roadway be extended along the neighboring property.

MP - So that would include the west line of their property?

TM - Where the neighboring house property is. It looks like it does start to come pretty close there already, so that would be a suggestion I would have based on the comments.

JH - I agree with that. That would be the seventh condition.

KE - I motion to approve with the 7 conditions.

MP - 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 KE with the conditions as stated above and with the following additions by staff:

TM: The impervious surface is being addressed with the stormwater design and control requirements, and the screening requirement should assist with the visual and some of the sound impacts in the area.

Motion made, seconded, and approved unanimously.

III. Adjournment

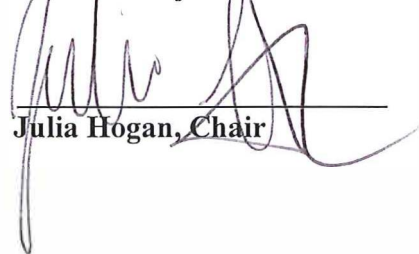
Hearing no other items before the BOA, a motion was made by MP, second by JC, to adjourn the meeting at 6:44 pm. Motion carried 4-0.

Respectfully Submitted



MacKenzie Klett
Office Support Specialist

Board of Adjustment


Julia Hogan, Chair