

**OFFICIAL PROCEEDINGS OF THE
RICE COUNTY BOARD OF ADJUSTMENT
Commissioner's Room / Government Services Building
Thursday, February 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 Vice Chair Matt Purfeerst at 6:00 p.m.

Members present were: Matt Purfeerst, Garrett Johnson, Kenneth Engen, Jim Cihak

Members absent were: Julia Hogan

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

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

B. Motion by Garrett Johnson, seconded by Ken Engen, Reading of the Notice

RESULT: Approved, AYES: Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

C. Motion by Jim Cihak, seconded by Ken Engen, Approval of the Agenda

RESULT: Approved, AYES: Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

D. Motion by Garrett Johnson, seconded by Jim Cihak, to approve the minutes of January 8, 2026.

RESULT: Approved, AYES: Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

II. New Business

1. Variance/Franek - Section 15, Wheatland Township

Joseph Franek has applied for the following variance:

- A 40-ft variance from the 70-ft Road Right of Way (ROW) setback requirement to allow for additions onto a home located 30-ft from the ROW of Cleveland St.

The property is described as: Part of the NW1/4 of the NW1/4, Section 15, Wheatland Township, Rice County, Minnesota. Property address: 5146 Cleveland St, Veseli, MN 55046. PID# 01.15.2.25.004. The property is Zoned A, Agricultural.

Motion by Garrett Johnson, seconded by Jim Cihak, to approve the Variance request with the following conditions and findings for Joseph Franek. The property is located in Section 15 of Wheatland Township.

RESULT: Approved, AYES: Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

CONDITIONS OF APPROVAL – Franek

1. The variance is to allow for attached garage and porch additions onto the existing home located 30-ft from the ROW of Cleveland Ave, subject to compliance with all other Ordinance regulations.
2. Additions will not get closer to the ROW than the existing home.
3. Applicant submitted site plan/building plans shall be followed.
4. A septic system compliance inspection shall be submitted to Rice County Environmental Services prior to issuance of building permit for the additions. If the system is found to not be in compliance a compliant septic system must be installed by no later than November 1, 2026.

5. Variance shall be void if permit(s) are not obtained within one year of the variance approval.
6. 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).

GJ - Are the setbacks different in the Village Mixed Use district?

TM - Yes, they are different in the Village Mixed Use district. In the Ag district, the setbacks are 100ft from a county or state highway and 70ft from a township road. In the Village district, I believe it's 40ft from a county road, and 20ft from a township roadway. So this would exceed the Village district standard of 20ft by 10ft. Likely, if this is ever extended, the roadway will have to be widened as well, but it is outside of that setback.

The BOA asked the applicant, Joseph Franek (JF), to come forward to add comments or answer questions regarding the request.

Randy Suerer - 2nd St NE - I'm here on behalf of Joey. He is just putting an addition of a porch on the north side of the house, and a garage on the south side of the house.

MP - Are you or the landowner aware of the 6 conditions that are on the screen?

RS - Yes.

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

Vice Chair Purfeerst closed the public testimony portion of the item to the public.

Discussion:

KE - It is pretty straightforward, and he would be fine with setbacks even if he gets pulled into the Village Mixed Use district.

GJ - If he was Village Mixed Use, he wouldn't even need a variance. But I understand that the road could get wider.

MP - And he is not getting any closer to the road, even with the additions he won't be encroaching any more than the house already does.

GJ - The existing house is the closest point.

JC - And that was one question I had, and it's answered under condition number two, that none of the additions will get closer to the right-of-way than the current existing.

GJ - Right, it shouldn't be impeding any more than it already is. I motion to approve with the 6 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, adding on to a house where the existing house is the closest part to the road and not adding on towards the road***
- *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 GJ with the conditions as stated above and with no following additions by staff.

Motion made, seconded, and approved unanimously.

III. Adjournment

Hearing no other items before the BOA, a motion was made by KE, second by JC, to adjourn the meeting at 6:09 pm. Motion carried 4-0.

Respectfully Submitted



MacKenzie Klett
Office Support Specialist

Board of Adjustment



Matt Purfeerst, Vice Chair