



PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS MONDAY, AUGUST 17, 2026

6:00 PM

1. Call to Order
2. Approve Agenda
3. Approval of the Minutes
4. Public Hearings
 - A. Quiggle/330 13th St NW - Conditional Use Permit; Variances
 - 1 Resolution 2026-XXX Approve a Conditional Use Permit for an Accessory Dwelling Unit at 330 13th St NW
 - 2 Resolution 2026-XXX Approve Variance for Separate Utilities and Impervious Surface at 330 13th St NW
 - 3 Resolution 2026-XXX Approve Variance for ADU Size at 330 13th St NW
 - 4 Resolution 2026-XXX Deny Variance for Accessory Structure Size at 330 13th St NW
 - B. Bagley Addition/17575 38th St NW - Zoning Map Amendment; Preliminary and Final Plat; Variance
 - 1 Ordinance 2026-XX Approve a Zoning Map Amendment for 17575 38th St NW
 - 2 Resolution 2026-XXX Approve the Preliminary and Final Plats for Bagley Addition
 - 3 Resolution 2026-XXX Approve a Variance for Bagley Addition
5. Requests to be Heard - NONE
6. Items for Discussion - NONE
7. Routine Business - NONE
8. Board & Commissions Updates & Reports
9. Adjournment

Please contact the Departments of Community & Economic Development at 507-334-0100 if you need special accommodations to participate in this meeting.

Para pedir este documento en otro idioma, envíe un correo electrónico y adjunte el documento a accessibility@faribault.org.

Si aad u codsato dukumeentigan oo ku qoran luqad kale, fadlan e-mail u soo dir oo ku soo lifaaq dukumiintiga accessibility@faribault.org.

HONESTY ▪ RESPECT ▪ DEDICATED ▪ VISIONARY ▪ ACCOUNTABILITY



REQUEST FOR PLANNING COMMISSION

TO: Planning Commission
THROUGH:
FROM:
MEETING DATE: August 17, 2026
SUBJECT: Approve Agenda

Background:

Recommendation:

Attachments:



PLANNING COMMISSION MINUTES

COUNCIL CHAMBERS

MONDAY, AUGUST 3, 2026

6:00 PM

1. Call to Order/ Approve Agenda:

A regular meeting of the Planning Commission was called to order at 6:00 p.m. by Chair Barton Jackson. Commissioners present were Samantha Green, Ed Miglio, Emily Shaw, and Chair Barton Jackson. Staff present included City Clerk; Heather Slechta, City Planning Manager, Harry Davis, and Leslie McGillivray-Rivas, Planner I.

Motion: A motion was made by Commissioner Green to approve the agenda, seconded by Commissioner Wilson to approve the agenda as presented.

The motion carried on a 6/0 Vote

2. Approval of the Minutes of July 20, 2026:

A motion was made by Commissioner Green to approve the minutes, seconded by Commissioner Shaw. The motion for approval of the meeting minutes carried on a 6/0 vote

3. Public Hearings:

A. Larson Properties Addition/1515 30th St NW - Preliminary and Final Plat; Variance:

Harry Davis gave a summary of the applications noting that two motions will be made with planning commission recommendations. Commissioner Salt asked about the reason that cul-de-sac design limits are 650'. Commissioner Wilson questioned about the extension of the road to the south. Davis answered that there are infrastructure fire protection and street design limits. The land to the south is city land dedicated for parkland per the development agreement from the prior subdivisions.

Public Hearing: John Schulte, LS the applicant was present to introduce himself and be available for questions regarding the project application. He explained that the consolidation was to facilitate the expansion of the existing business on the northern portion of Lot 1.

No other person wished to be heard.

1. Recommend Planning Commission Forward with Approval to City Council Resolution 2026-XXX Approve the Preliminary and Final Plats for Larson Properties Addition

A motion was made by Commissioner Greene, seconded by Commissioner Salt to approve Ordinance 2026-xx. Motioned carried unanimously, 6/0

2. Recommend Planning Commission Forward with Approval to City Council Resolution 2026-XXX Approve a Variance for Larson Properties Addition.

A motion was made by Commissioner Wilson, seconded by Commissioner Miglio to approve. Motioned was approved unanimously, 6/0

- B. Resolution 2026-XXX Approve a Conditional Use Permits for a Craftsman Studio at 1033 Faribault Rd

Harry Davis gave background of the proposal, noting that the center is in operation at the property currently. He noted the State of Minnesota has enacted a change of licensure requirements which precipitated the need for the application.

Public Hearing: Two households, having received notices of the application, were present and had questions about the proposal. The questions asked if the business hours of operations could be changed later as they were concerned about the potential for noise during the evening hours.

No other person wished to be heard.

Discussion: Commissioners asked staff for clarification to address citizen concerns. Davis stated that establishment of the hours of operation are a condition of approval for the Conditional Use Permit. In addition, there is a city noise ordinance in place which is applicable to this business. Should the sound limits be exceeded at any time, a violation notice could be issued. Should the business wish to change the hours of operation, the applicant will be required to make a formal request to do so.

A motion was made by Commissioner Wilson seconded by Commissioner Salt to approve. Motioned carried unanimously 6/0.

4. Requests to be Heard – NONE.
5. Items for Discussion – NONE
6. Routine Business - NONE

7. Board & Commissions Updates & Reports-

Harry Davis stated that prior applications reviewed and recommended by Planning Commission were approved at the July 28, 2026, City Council Meeting.

8. Adjournment:

A motion was made by Commissioner Salt, seconded by Commissioner Miglio to adjourn the meeting at 6:22pm. The motion carried on a 6/0 vote.



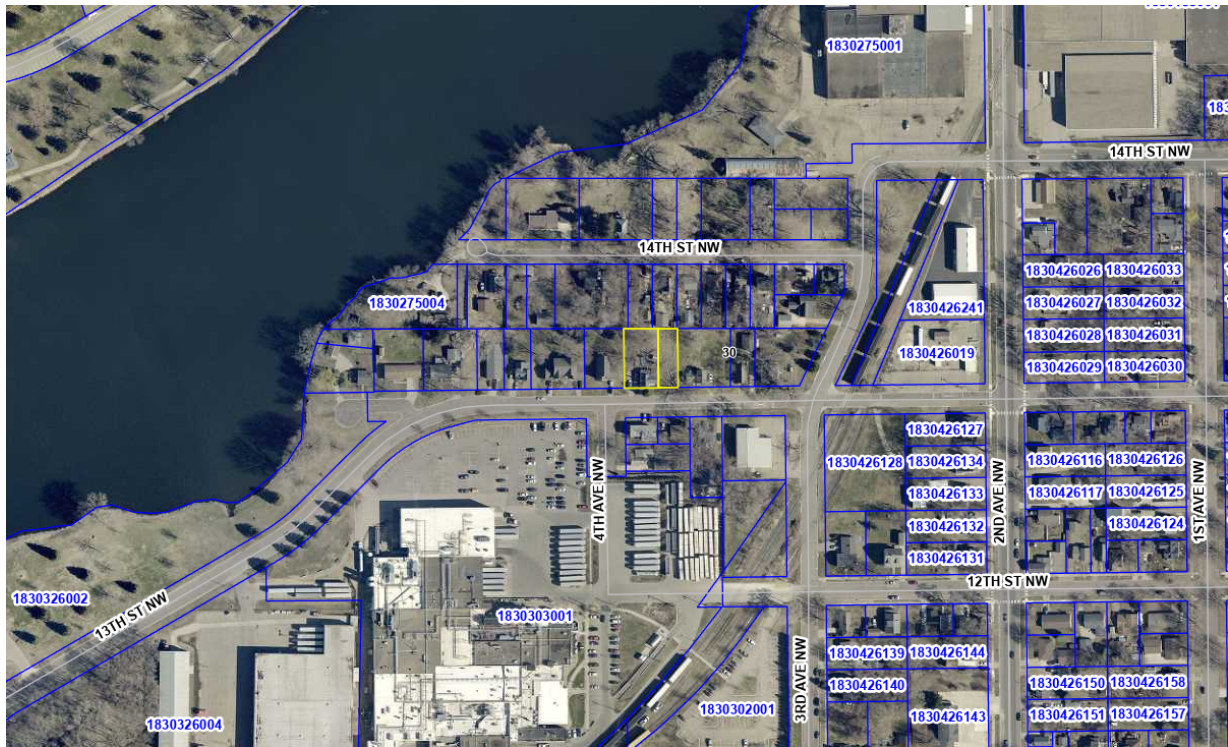
Staff Report to the Planning Commission

TO: Planning Commission
FROM: Harry Davis, City Planning Manager
MEETING DATE: August 17, 2026
SUBJECT: Quiggle/330 13th St NW – CUP; Variance

Request:	The applicant requests a conditional use permit (CUP) for an accessory dwelling unit (ADU), including variances for accessory structure.
Recommendation:	The City Planning Manager recommends the Planning Commission forward part of the request to City Council with a recommendation of <u>approval</u>, including the CUP with separate utilities, ADU size, and impervious surface variances. The City Planning Manager recommends the Planning Commission forward part of the request to City Council with a recommendation of <u>denial</u>, including the variances relating to the overall amount of accessory structure sq ft and the size of the accessory structure versus the house.
Recommended Motion:	Motion to recommend forwarding to City Council the CUP and variances for separate utilities, ADU size, and impervious surface, with a recommendation of <u>approval</u>. Motion to recommend forwarding to City Council the variances for the overall amount of accessory structure sq ft and the size of the accessory structure versus the house, with a recommendation of <u>denial</u>.

Request:

Shane Quiggle (Applicant and Property Owner) requests a CUP and variances for an ADU at 330 13th St NW. The property is zoned R-2, Low Density Residential and is approximately 13,278 sq ft (0.30 ac). As a note, the Applicant submitted a minor subdivision application to legally combine the subject property.



Location along 13th St NW

Background and Project Description:

Overall, the proposal is for an ADU of 1,600 sq ft with a second floor of ~610 sq ft for a game and media room. The second floor is accessed from an external staircase, which transitions into a 10-foot by 24-foot deck above the entrance to the garage. The driveway is approximately 16-feet from garage face to the ROW line and the 2nd floor deck abuts the front setback of approximately 5.9 feet (which is an averaged distance based on the adjacent homes, as allowed under Sec 10-115).

The proposal may be broken down into two major categories:

1. CUP

The CUP is to allow an ADU and increase the maximum size from 864 to 1,080 sq ft. The need for an ADU arises from the Applicant wanting to care for their aging parents, who will require more care as time goes on. The ADU includes wider spaces to accommodate a wheelchair, and the Applicant's designer claims the layout is the smallest possible while accommodating impaired mobility.

2. Variances

The variances include the following:

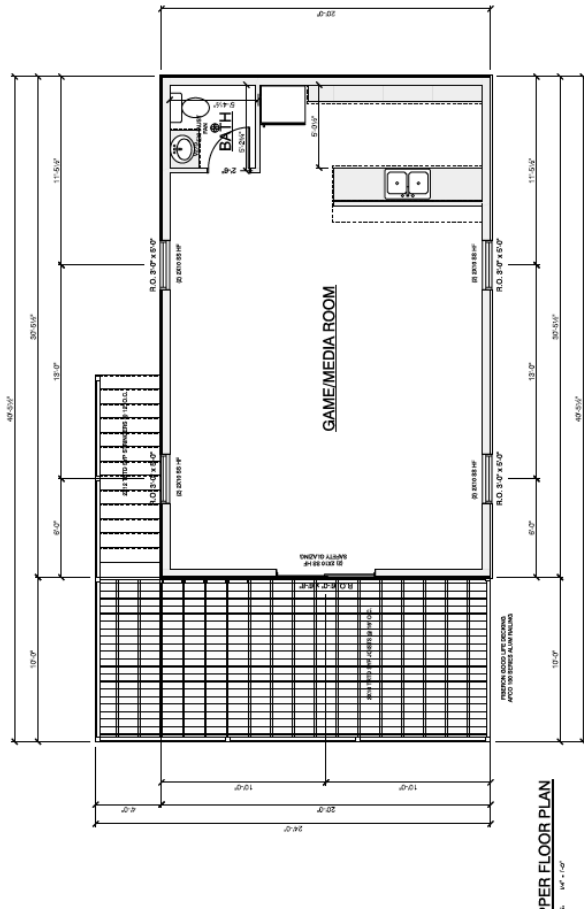
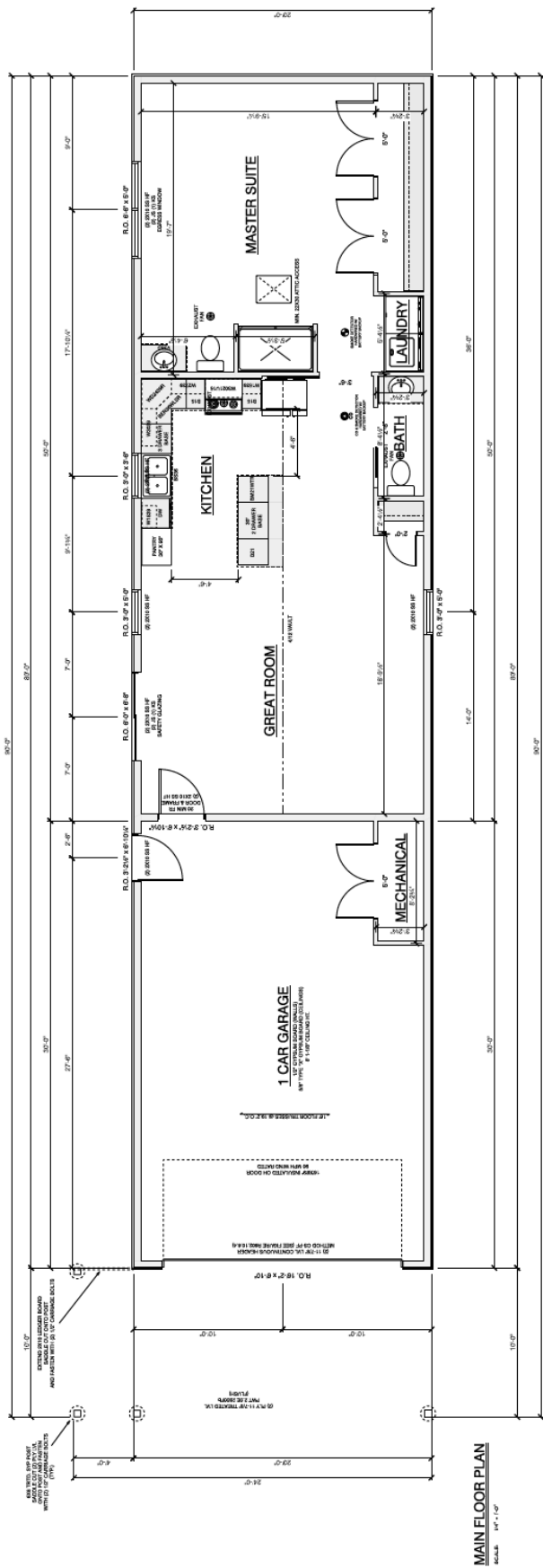
- i. Allow a separate set of utilities instead of using the utilities for the main structure. The property has two sets of water and sewer stub-outs, and the Applicant would rather make use of the stub-outs instead of removing them.
- ii. Increase the impervious surface of the property above the allowable threshold (25%) within the Shoreland Overlay.

With the ADU footprint, new driveway, existing house, and existing driveway, the impervious surface coverage will end up close to 30%.

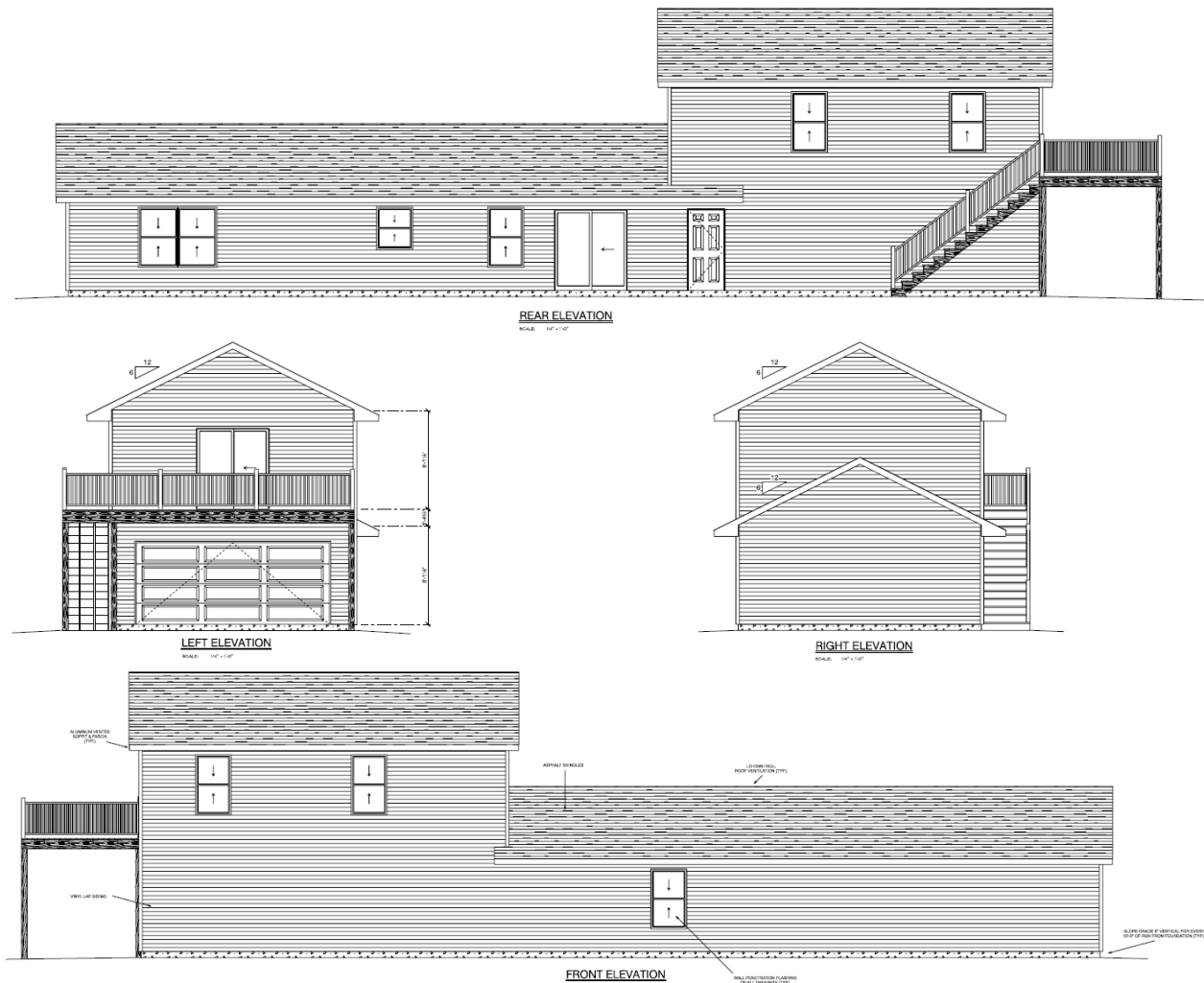
- iii. Increase the size of an accessory dwelling unit, beyond what was increased in the CUP, from 1,080 to 1,600. The Applicant describes the additional space as needed to facilitate accessibility in the garage and the ADU for wheelchair users.
- iv. Increase the maximum combined size of all accessory structures from 1,200 sq ft to 2,210 sq ft total.
- v. Allow the amount of accessory use and structure area (2,210 sq ft) to surpass the amount of principal use and structure area (1,171 sq ft). The principal structure has a stone foundation and the applicant who has been in the building industry is concerned that any expansion, or alteration to the principal structure with habitable area or attaching a garage may compromise the integrity.

Table 1 – Variance Table

Variance Issue	Requirement	Proposed	Variance
Municipal water and sewer (Sec 6-305(j))	Municipal water and sewer shall [...] [use] the same service as the principal dwelling [...] [and] shall not be a separate service [...]	Separated utilities	Separated utilities
Stormwater management (Sec 13-700(A)(5))	Impervious surface coverage of lots must not exceed [25%] of the lot area.	30%	5%
ADU size (Sec 6-305(b))	Maximum size of an accessory dwelling unit [...] may [with CUP] be [1,080 sq ft]	1,600 sq ft	520 sq ft
Accessory use area (Sec 6-170(3))	Total accessory [...] floor area shall be subordinate in area, extent, and purpose to the total principal [...] floor area	2,210 sq ft	1,039 sq ft
Requirements for detached accessory structures (Sec 6-180, Table 6-1)	Maximum combined size of all detached accessory structures	2,210 sq ft	1,010 sq ft



1st and 2nd Floor Plan



Elevations

Discussion:

The following provides an overview of the key planning and zoning-related items associated with:

CUP Summary

In general, the CUP meets zoning and comprehensive plan requirements. For aspects that do not meet zoning requirements, the applicant requested variances. Additional findings may be found in the associated resolution.

Variance Summary

The DRC and City Planning Manager separate the five requested variances into different categories:

1. *Supported Variances*

- a. The variances for separated utilities and impervious surface coverage demonstrate practical difficulties. The applicant is combining their lots to achieve ~27.5% across the whole

0.30 acres. Considering a requirement from City Staff to pave the existing driveway and parking area on the far side, City Staff believes 30% is a fair and minimally necessary variance to grant. Regarding the existing utility stubs, it does not make practical sense for the applicant to dig down to cap those lines, only to dig elsewhere on the property to connect private utility lines from the principal structure.

- b. Increasing the size of the ADU demonstrates practical difficulty. In the ordinance for accessory structures, it is a requirement that a property without a garage must build a garage when a significant investment is made to the property. In order to accommodate parking for both the ADU with the 25% increase and the existing dwelling, even across two vehicle access points, a garage is added to the ADU. While the garage would be a possible, but tight fit, for two vehicles, it does provide adequate space for property storage. The ADU by itself is only 1,000 (less than the house), and to add on the garage, which is larger to accommodate some all-around storage and car parking, is a reasonable request serving all current and future residents of the property.

2. *Un-supported Variances*

The request for an accessory use or structure area of 2,210 sq ft is both 1,010 sq ft beyond the allowance for single-family residential and approximately 1,039 larger than the existing dwelling. The applicant has not demonstrated a clear practical difficulty for the additional square footage past the ADU and attached garage. The resulting subject property will be incompatible with the neighborhood.

The City recently updated the accessory structure ordinance in 2025. On all single- and two-family properties, the accessory use area increased by ~22% and allowed for consolidation into one structure (or separated into three) rather than two different structures. Both the Planning Commission and City Council found it appropriate to raise this limit to 3,000 sq ft when you have a lot over 2 acres in size. The subject property is ~15% of a 2 acre lot and the accessory structure is almost double what any other lot below 2 acres is allowed to do.

When compared to properties along the same street, the overall size of the ADU (minus the garage) and game/media room on the

2nd floor of 1,610 sq ft (combined into gross floor living area) surpasses most other homes on the block, including the principal dwelling on the subject property. The proposed accessory structure is ~22% more than the average principal land use size. The complete amount of gross living floor area proposed on the subject property is ~111% more than any other property, aside from the duplex. When looking at the total amount of principal and accessory use on a property, the proposed structure is ~23% the size of any other combined principal and accessory (detached or attached). The resulting subject property principal and accessory area is double the average of any other property on the street.

Table 2 – House and Garage Comparison Table

Address	Gross Floor Living (sq ft)	Garage	Gross Floor Garage (sq ft)	Total
516 13 th St NW	1112	Y, Detached	600	1712
508 13 th St NW	1090	Y, Attached	638	1728
502 13 th St NW	1872**	Y, Detached	576	2448
420 13 th St NW	1232	Y, Attached	672	1904
414 13 th St NW	1271	N	N/A	1271
412 13 th St NW***	1386	Y, Attached	400	1786
408 13 th St NW***	1386	Y, Attached	400	1786
404 13 th St NW	1754	Y, Attached	400	2154
330 13 th St NW	1171	N	N/A	1171
320 13 th St NW	1079	N	N/A	1079
312 13 th St NW	1046	Y, Detached	672	1786
306 13 th St NW	1414	N	N/A	1414
317 13 th St NW	776*	Y, Detached	1024* **	1800
321 13 th St NW	1176	Y, Detached	264*	1440
1227 4 th Ave NW	2112* **	N	N/A	2112
1217 4 th Ave NW	1129	Y, Detached	320	1449
AVERAGE	1313	Y, Detached	542 (373)	1690
MEDIAN	1204	N/A	576 (400)	1757
PROPOSED STRUCT.	1610	Y, Attached	600	2210
PROPOSED SUBJECT PROPERTY	2781	N, Detached	600	3381

* = Min/max of dataset

** = Outlier

*** = Townhomes on same lot (duplex)

Additional findings may be found in the associated resolutions.

Public Comment

This project was noticed in the newspaper on August 6th, 2026 and neighborhood notices were sent to all properties within 350 feet. Staff has not received any input from the public as of publishing this report.

Development Review Committee Recommendation

The Development Review Committee (DRC) reviewed the submittals on August 4th, which then forwarded them to Planning Commission.

DNR Comments

DNR Area Hydrologist, Todd Piepho, did not have any major concerns regarding the impervious surface coverage variance. The area has similar, or more egregious, impervious surface coverage per lot, and a variance of 5% is not a major change.

In addition, the DNR requires that undersized properties according to zoning and shoreland be combined with adjacent properties under the same ownership. Combining properties is state law, so the DNR supports the minor subdivision application running in parallel with the CUP and variances.

Recommendation:

The City Planning Manager recommends the Planning Commission forward part of the request to City Council with a recommendation of approval, including the CUP with separate utilities, ADU size, and impervious surface variances.

The City Planning Manager recommends the Planning Commission forward part of the request to City Council with a recommendation of denial, including the variances relating to the overall amount of accessory structure sq ft and the size of the accessory structure versus the house.

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2026-XXX

APPROVE A CONDITIONAL USE PERMIT FOR AN ACCESSORY DWELLING UNIT AT 330 13TH ST NW

WHEREAS, Shane Quiggle (the "Applicant" and "Property Owner") requests approval of a conditional use permit (CUP) for an accessory dwelling unit (ADU) with a 25% size increase at 330 13th St NW (the "Subject Property"), legally described in Exhibit A; and

WHEREAS, the Applicant proposes an ADU of 2,200 sq ft, as generally depicted in Exhibit B; and

WHEREAS, the Property is zoned R-2, Highway Commercial; and

WHEREAS, Chapter 6, Sec. 6-305 of the City of Faribault's Unified Development Ordinance requires a CUP for an ADU in R-2; and

WHEREAS, Chapter 6, Sec. 6-305 of the City of Faribault's Unified Development Ordinance allows an ADU structure a 25% size bonus, totaling 1,080 sq ft; and

WHEREAS, the Applicant submitted variances alongside the CUP to supplement the complete request; and

WHEREAS, City Staff completed a review of the Applicant's conditional use permit applications and prepared a report to the Planning Commission about said request, attached as Exhibit C; and

WHEREAS, the Planning Commission, on August 17, 2026, following proper notice, held a public hearing to consider the Applicant's request, and following said public hearing recommended that the City Council approve the Applicant's conditional use permit amendment request based on the findings required in Section 2-300 of the Unified Development Ordinance as follows:

- 1. The conditional use will not be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare.**

Finding: The proposed ADU will not be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare of neighboring properties. The use and overall property are compatible with nearby uses within the general area and adjacent residential properties. Staff does not anticipate adverse impacts from an accessory dwelling at this location.

- 2. The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.**

Finding: The proposed ADU is set back from the street versus the principal structure and will have a driveway to the attached two-car garage. The ADU will not be injurious to surrounding properties. The proposed ADU is on a platted property in the middle of a developed neighborhood, so it will not impede orderly development.

- 3. The conditional use will be designed, constructed, operated, and maintained in a manner that is compatible in appearance with the existing or intended character of the surrounding area.**

Finding: The proposed ADU will relate in character to other residential uses nearby, due to it appearing like just another dwelling. The ADU utilizes normal residential building materials with a front-facing garage.

- 4. The conditional use will not impose hazards or disturbing influences on neighboring properties.**

Finding: The ADU will be attached on the same property to the principal structure and the property owner must live on the property to mitigate any hazards or influences.

5. The conditional use will not substantially diminish the value of neighboring properties.

Finding: The proposed ADU is unlikely to diminish nearby property values. Investment in a neighborhood typically improves nearby property values and the applicant has worked hard on proposing an ADU that is functional and aesthetically fits with the neighborhood.

6. The site is served adequately by essential public facilities and services, including utilities, access roads, drainage, police and fire protection, and schools or will be served adequately as a result of improvements proposed as part of the conditional use.

Finding: Public sewer, water, and all other applicable municipal services serve the subject property. The property has adequate access to the larger road network.

7. Development and operation of the conditional use will not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.

Finding: The proposed ~~residential care facility ADU~~ will not create excessive additional requirements for city facilities and services. This use will ~~not create an be similar in~~ impact as it resembles to a single-family home.

8. Adequate measures have been or will be taken to minimize traffic congestion in the public streets and to provide for adequate on-site circulation of traffic.

Finding: The proposed ADU will be served by a public street that will accommodate the traffic. Traffic will be no different from a single-family home.

9. The conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance to the community.

Finding: The subject property does not have important natural, scenic, or historic features. The existing residence built in the 1900 retains it's stone foundation and the new structure will not impact or damage that foundation.

- 10. The conditional use is consistent with the applicable policies and recommendations of the City's Land Use Plan or other adopted land use studies.**

Finding: The City's Comprehensive Plan guides the Property for residential use, which is consistent with an ADU.

- 11. The conditional use(s), in all other respects, conforms to the applicable regulations of the district in which it is located.**

Finding: The project conforms to the Unified Development Ordinance requirements and applicable regulations within R-2, Low Density Residential, and is requesting separate variances for aspects that are not meeting the ordinance; and

WHEREAS, the City Council, during a public meeting on August 25, 2026, considered the Applicant's requests and concurred with the findings of the Planning Commission as stated in the above recitals and hereby makes identical findings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARIBAULT, MINNESOTA, AS FOLLOWS:

Section 1: Approval of a Conditional Use Permit. The City Council hereby approves the Applicant's requests for a conditional use permit to allow an accessory dwelling unit (ADU) in R-2, Low Density Residential, and for its size to be increased by 25%, as generally illustrated in Exhibit B on property described in Exhibit A.

Section 2: Concurrent Entitlement Approvals. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to work with the applicant if one or more of the associated variances are not granted. Changes resulting from a change in variance conditions of approval or denial shall be approved by the DRC. Changes made not within the intent of this Resolution or that require a new variance request must follow normal variance process and procedure.

Section 3: Conditions of Approval. The conditional use permit is approved subject to conditions listed herein as authorized under Section

2-310 of the Unified Development Ordinance, which are deemed necessary to mitigate potential adverse impacts associated with the conditional use, to protect neighboring properties, and to achieve the objectives identified in the Unified Development Ordinance. The conditions of approval are as follows:

1. The ADU and principal dwelling may never be divided onto separate properties without an amendment to this CUP.
2. The property owner must occupy either the principal dwelling or accessory dwelling.
3. The existing gravel driveway must be improved (paved) at the time of COO for the ADU.
4. Registration requirements as laid out in Sec 6-305 are required.

Section 4: Additional Conditions of Approval. This conditional use permit includes the following additional conditions of approval:

1. Failure of the City to act on a violation of a condition, covenant, or term of this permit is not a waiver of such condition, covenant, or term, or any subsequent violation of the same or any other condition, covenant, or term.
2. The City may inspect the Property at all reasonable times to ensure compliance with the conditions of this permit.
3. This permit is subject to the City's code requirements. The Owner must comply with all applicable federal, state, and local laws, rules, and ordinances and obtain other permissions and permits as may be required.
4. The violation of any terms or conditions of this permit, including but not limited to any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The City must give the Owner written notice of any violation and reasonable time, as determined by the City, to cure the violation before the permit revocation.
5. This permit and its conditions are binding on the parties, their successors, and assigns. This permit runs with the Property and does not affect the subsequent sale, lease, or change from current ownership. The Owner's obligations under this permit

shall also be the obligations of any subsequent owners or assigns of the Property.

6. Use of the Property as allowed by this permit signifies the agreement of the permit's terms and conditions without qualification, limitation, or reservation.
7. If substantial development or construction of the Project has not taken place within one (1) year of the date of approval of the conditional use permit, such permit shall be void unless the City Council grants a time extension. The Owner must submit an extension request in writing at least thirty (30) days before the expiration of the conditional use permit.

Section 5. Findings and Incorporation of Recitals and Exhibits.

Where applicable, the recitals and exhibits incorporated in this Resolution constitute the written findings of the City Council, all of which protect the public's health, safety, and welfare.

Section 6. Authorization to take Additional Steps. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this Resolution, including any minor changes to this Resolution.

(Remainder of this page intentionally left blank)

Section 7. Effective Date. This Resolution shall be effective upon passage.

Date Adopted: July 28, 2026

Faribault City Council

Thomas J. Spooner, Mayor

ATTEST:

Jessica L. Kinser, City Administrator

Exhibit A
Legal Description

Lot 6 and the West 15 feet of Lot 5 in lock 1, in Turner and Batchelder's Addition to Faribault, Rice County, Minnesota (now vacated)

AND ALSO

The most Easterly 40 feet of Lot 5 in Block 1, of Turner and Batchelder's Addition (now vacated) to Faribault, Rice County, Minnesota.

(per Dec. No. A765339)

Exhibit B

CUP Submittal Documents

Dear City of Faribault Planning Commission and Staff,

I am writing to formally request variances for a detached Accessory Dwelling Unit (ADU) and garage structure that I have been attempting to build on my property since November of last year. While the process has been challenging, I want to express my sincere appreciation for Leslie and Harry in the building department, who have been incredibly helpful in navigating the city regulations.

To provide context for this project, this ADU is designed specifically as an ADA-compliant home for my father, a retired, disabled Marine veteran. He currently spends 70% of his time in a wheelchair, with the expectation that this will increase to 100% in the coming years. As a family, we are committed to keeping him out of a care facility. Because my mother is a small woman and my father is a large man, she will require my physical assistance to care for him as his mobility decreases. Additionally, looking long-term, we are anticipating the need for a live-in caregiver. To accommodate this future care, our plans include a 600 sq. ft. garage on the main level with a wheelchair-accessible vehicle lift, and a 600 sq. ft. living suite on the second story, totaling 1,200 sq. ft. and 1,000 sq. ft. of total habitable living space on the main level.

To move forward with this essential care plan, I am requesting relief and clarification on the following items:

1. Footprint & Size Limits

I am requesting a variance regarding the square footage limits for the detached structure. I have included a letter from my designer confirming that this 1,600 sq. ft. structural footprint (600 sq. ft. garage floor and 1000 sq. ft. main living area) is the absolute smallest layout possible that fully accommodates permanent wheelchair accessibility, turning radiuses, and the required vehicle lift. Every square foot is dedicated to my father's medical and physical needs.

2. Utility Connections (The Code Contradiction)

The current ADU code requires me to route city water and sewer lines directly through my existing primary home to feed the ADU. However, Faribault Water Works Code Sec. 28-22 explicitly states: *"No more than one house or building shall be connected with the municipal water system through one curb stop."* I find myself in a regulatory "Catch-22" where complying with the ADU code violates the utility code, and vice versa. I am asking for a variance to bypass this restriction and connect directly to the separate water and sewer stubs that are already present on my property.

Exhibit B (contd)

3. Clarification on Structural Height

City staff initially informed me that I would require a variance for the building height. My proposed structure measures 20' 7" to the center of the gable (the city's standard point of measurement). However, I would like to draw attention to Table 6-1, Footnote ***, which states that the standard 16-foot height limit *"May be increased to two (2) stories or twenty-four (24) feet to accommodate a second-story accessory dwelling unit."* Because my design is a two-story ADU and sits well under the 24-foot allowance at 20' 7", I believe this structure meets the code's intended exception and a height variance should not be required. If the staff still deems a variance necessary, I ask that this letter serve as my formal request for relief to allow the 20' 7" height.

Table 6-1 Requirements for detached accessory structures, residential districts.

Use	One or Two-Family Residential Use**	Other Multi-Family Residential Use	Permitted Nonresidential Use
Number of structures allowed	3	3	3
Maximum combined size of all detached accessory structures	1,200 sq. ft.****	350 sq. ft/unit	1,250 sq. ft.
Maximum height	16 feet***	20 feet	20 feet
Required setbacks			
Side	5 feet	10 feet	15 feet
Rear	5 feet	10 feet	15 feet
Between structures	10 feet	10 feet	10 feet

** See exceptions for larger properties in Table 6-2 below.

*** May be increased to two (2) stories or twenty-four (24) feet to accommodate a second-story accessory dwelling unit.

**** Accessory structures over one thousand (1,000) square feet must meet building code requirements, which may include construction standards and permitting similar to a commercial building, or segmented building construction into no larger than one thousand (1,000) square foot sections.

Exhibit B (contd)

Thank you for your time, consideration, and service to our community. I look forward to working with you to create a safe, accessible home for a veteran who gave so much to our country and his family.

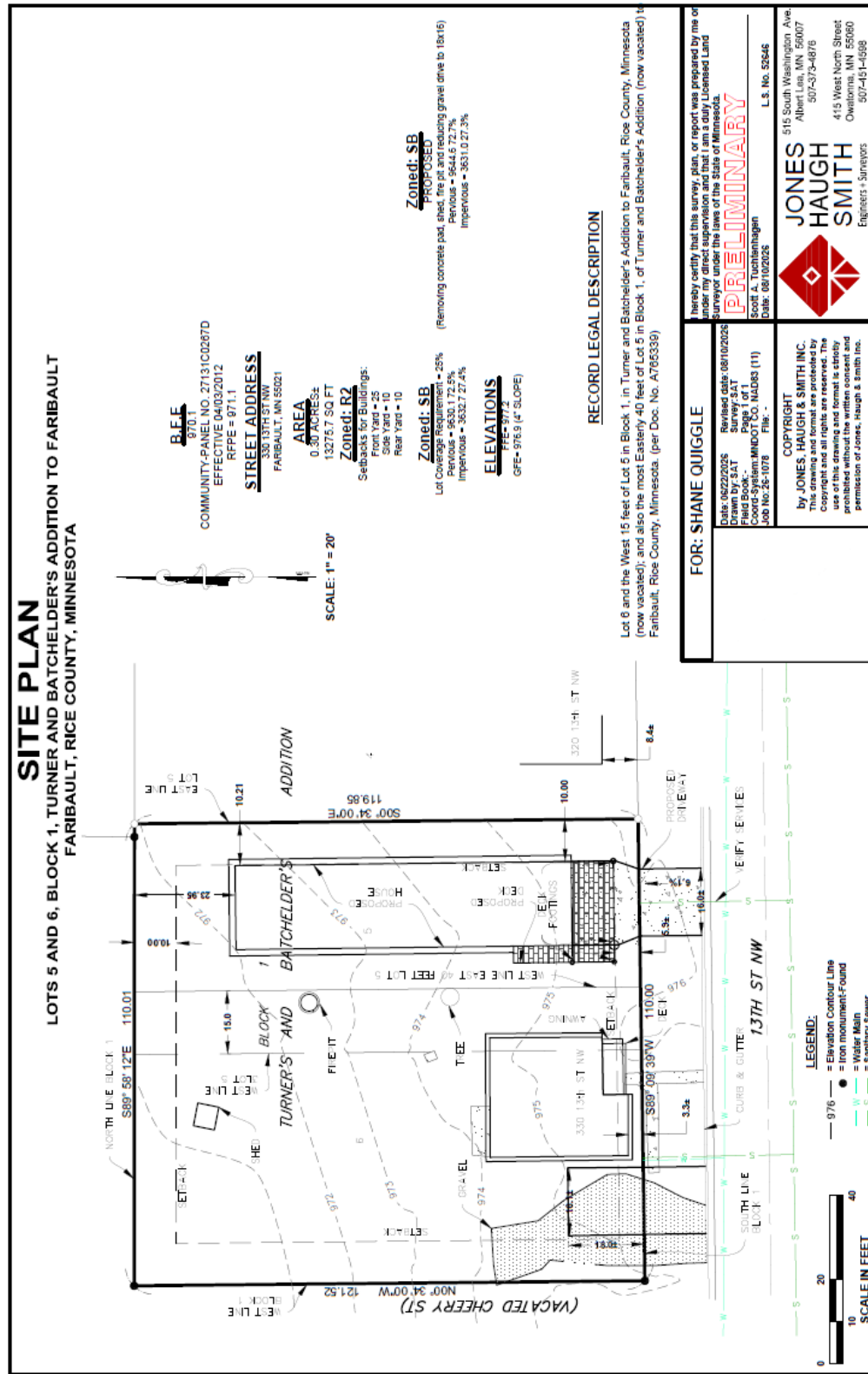
Sincerely,

Shane Quiggle

330 13th st NW

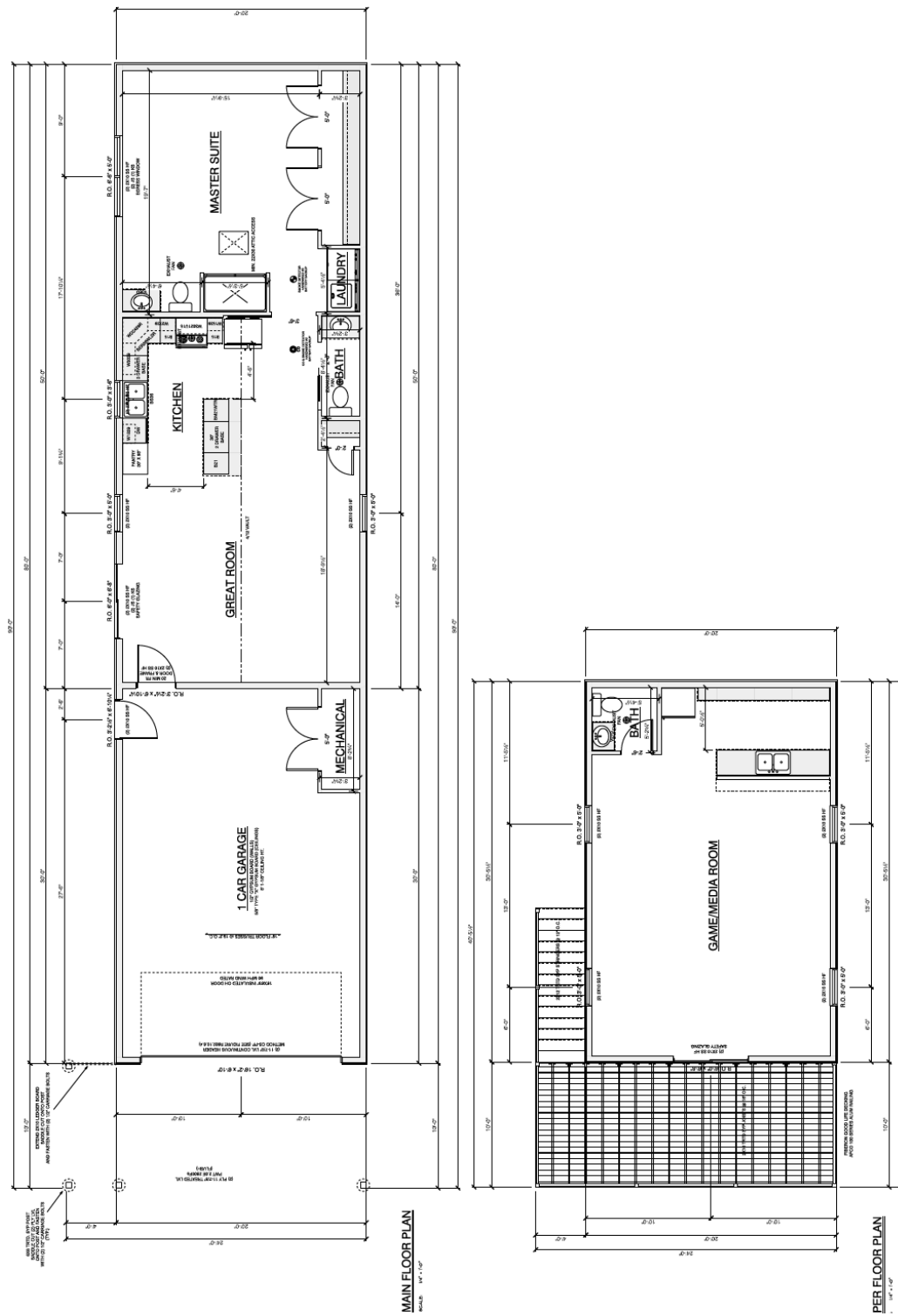
Faribault MN 55021

Exhibit B (contd.)



Site Plan

Exhibit B (contd.)



Floor Plans

Exhibit B (contd.)

Elevations

Exhibit C
Staff Report from Planning Commission

(insert document after this page)

CITY OF FARIBAULT

RESOLUTION #2026-XXX

APPROVE VARIANCE FOR SEPARATE UTILITIES AND IMPERVIOUS SURFACE AT 330 13TH ST NW

WHEREAS, Shane Quiggle (the “Applicant” and “Property Owner”) requests approval of variances from having separate utilities for an accessory dwelling unit (ADU) and the maximum impervious surface coverage at 330 13th St NW (the “Subject Property”), legally described in Exhibit A; and

WHEREAS, the Applicant plans to construct an ADU on the Subject Property and requests utilizing an existing utility stub-outs for water and sewer within the 13th St NW right-of-way and impervious surface coverage up to 30%, as depicted in Exhibit B; and

WHEREAS, under Appendix B UDO, Chapter 6, Sec 6-305(j) an ADU must connect to water and sewer through the same service lines as the principal structure; and

WHEREAS, under Appendix B UDO, Chapter 13, Sec 13-700(A)(5) the maximum amount of impervious surface coverage allowed on a property is 25%; and

WHEREAS, City Staff completed a review of the application and made a report to the Planning Commission pertaining to said request, attached as Exhibit C, a copy of which has been presented to the City Council; and

WHEREAS, the DNR completed a preliminary review and stated no objections to the minor increase in impervious surface coverage; and

WHEREAS, the Planning Commission, on August 17, 2024, following proper notice, held a public hearing regarding the request, and following said public hearing, the Planning Commission recommended approval of the requested variances based on the following findings as required by Section 2-460 of the City's Unified Development Ordinance:

1. The variance is in harmony with the general purposes and intent of the City's ordinances.

Finding: The variance requested by the applicant is in harmony with the general purposes and intent of the City's ordinances. In general, the UDO is to protect the health, safety, and welfare of residents and organizations within the community. The small increase in impervious surface coverage will not have a life-threatening impact on the public. While the property does have floodplain on it, the amount is confined to the northwest corner and construction does not impact the floodplain. If there was an impact to floodplain or construction was within the floodplain, an elevation certificate would be required. For ADUs, the requirement for combined services with the principal structure is to solidify the idea that an ADU is a dependent and accessory use to the principal use of the property. In this case, there are two sets of water and sewer stub-outs for this property. This is not a situation created by the property owner and is more related to the fact that the subject property has historically been two separate lots. Chapter 28 of the City Code would permit and encourage the ADU to utilize that existing stub-out pair for services. The ADU ordinance was not written with the idea that one property would have two sets of utility stub-outs. An ADU with its own connection to utilities is also not a threat to public health, safety, or welfare.

2. The variance is consistent with the Comprehensive Plan.

Finding: The property is guided for residential use through Established Residential Neighborhood per the Comprehensive Plan. The current use of the property is residential, which is

consistent with the Comprehensive Plan. The Comprehensive Plan supports the applicant's proposal through the following:

Core Guiding Principles #3: Remove or minimize barriers and create or strengthen opportunities for all individuals, businesses, industries, organizations, and services to succeed.

Additional Guiding Principles #2: Balance individual property rights with community interests and goals.

Due to the minor increase in impervious surface and utilizing already existing utility stub-outs, this proposal and subsequent review show minimizing barriers and balancing interests to the benefit of the property owner without compromising public goals.

3. The applicant proposes to use the property in a reasonable manner not permitted by the City's ordinances.

Finding: The applicant is using the property in a reasonable manner. The applicant currently does not have a garage on the property and City Code allows property owners to build a garage, ADU (through the concurrent CUP proposal in Resolution 2026-XXX), or both accessory uses on their property. The subject property is largely unpaved, so the minor increase to 30% impervious surface coverage is done with care towards not impacting the floodplain and within character for the neighborhood. With a second pair of utility stub-outs, it's a reasonable request to dig down to the stub-outs and use them. If the utility stub-outs are not used, Chapter 28 of the City Code would require the property owner to cap them, and then UDO Sec 13-700 would then require the property owner to split service from the principal structure.

4. Unique circumstances apply to the property, which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which the owner of the

property has not had control. The unique circumstances do not result from the actions of the applicant.

Finding: The unique circumstance for this property is the City installed, during a reconstruction project, the additional set of stub-outs. The requirement to combine the lots is a DNR and state law for undersized and adjacent parcels under the same ownership. For the impervious surface coverage, the DNR correctly identified that this property is not along the shore and there are more egregious impervious surface coverage elsewhere in the neighborhood. The DNR noted that being 5% above the impervious surface maximum is not out of character for single-family properties of this size.

5. The variance does not alter the essential character of the neighborhood.

Finding: The essential character of the neighborhood will not be impacted. The ADU will be an accessory structure on the same property as the principal structure, and the property owner will be required to live on-site. Underground utilities are not going to impact how the property is viewed from the street or adjacent properties. For impervious surface coverage, the applicant carefully designed the project to fit within its context, and the additional impervious surface will be in line with other properties nearby.

6. The variance requested is the minimum variance, which would alleviate the practical difficulties.

Finding: The impervious surface coverage of 30% and having separate utility services are the minimum necessary to alleviate practical difficulties. The 30% maximum will allow the applicant room to address existing nonconformities on-site and make small adjustments to the layout as necessary. For utilities, not utilizing the existing stub-outs is an identified practical difficulty. If the stub-out exists, another portion of City Code supports using those connection points.

7. Economic conditions alone do not constitute practical difficulties.

Finding: The applicant has made a case that the variance is not based on economic conditions alone. The applicant provided a clear set of reasoning for the variance which City Staff supports.

WHEREAS, the City Council, at a public meeting, on August 25, 2026, considered the request, the report to the Planning Commission, and the results of the public hearing, and concurred with all findings of the Planning Commission as stated in the above recitals and hereby makes the identical findings.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY FARIBAULT, MINNESOTA AS FOLLOWS:

Section 1: Approval of the Requested Variance. The City Council hereby approves the requested variances from Chapter 6, Sec 6-305(j) and Chapter 13-700(A)(5) of the City's Unified Development Ordinance. Said approval is based on the foregoing recitals, which are incorporated herein by reference, and which constitute the findings of the City Council, all of which are to protect the public's health, safety, and welfare.

Section 2: Concurrent Entitlement Approvals. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to work with the applicant if one or more of the associated entitlements for this project are not granted. The DRC shall approve changes resulting from entitlement conditions of approval or denial. Changes made not in accordance with the intent of this Resolution, or that require a new variance request, must follow the normal variance process and procedures.

Section 3. Conditions of Approval. The City Council may impose such conditions upon the premises benefited by the variance as may be necessary to comply with the standards established by the City's ordinances, or to reduce or minimize the effect of such variance upon other properties in the neighborhood and to better carry out the intent of the variance. The condition must be directly related to and must bear a rough proportionality to the impact created by the variance. The

following are conditions of approval imposed on the subject property and project.

1. If Resolution 2026-XXX granting the CUP for an ADU on the property is not granted, this approval becomes null and void.
2. The applicant shall construct as generally depicted in Exhibit B. Any small deviations from this design shall require DRC review and approval, while significant deviations may require a separate variance.
3. The applicant shall apply for the necessary permits prior to starting and completing the work.

Section 4. Expiration of Variance. If substantial development or construction has not taken place within one (1) year of the date of approval of a variance, such variance shall be considered void unless a petition for a time extension has been granted by the City Council. Such extension request shall be submitted in writing at least thirty (30) days prior to expiration of the variance and shall state facts showing a good faith effort to complete work permitted under the original approval.

Section 5. Authorization to take Additional Steps. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this Resolution, including any minor changes to this Resolution.

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Section 6. Effective Date. This resolution shall become effective immediately upon its passage and without publication.

Date Adopted: August 25, 2026

Faribault City Council

Thomas J. Spooner, Mayor

ATTEST:

Jessica L. Kinser, City Administrator

Exhibit A
Property Legal Description

Lot 6 and the West 15 feet of Lot 5 in lock 1, in Turner and Batchelder's Addition to Faribault, Rice County, Minnesota (now vacated)

AND ALSO

The most Easterly 40 feet of Lot 5 in Block 1, of Turner and Batchelder's Addition (now vacated) to Faribault, Rice County, Minnesota.

(per Dec. No. A765339)

Exhibit B Variance Submittal

Dear City of Faribault Planning Commission and Staff,

I am writing to formally request variances for a detached Accessory Dwelling Unit (ADU) and garage structure that I have been attempting to build on my property since November of last year. While the process has been challenging, I want to express my sincere appreciation for Leslie and Harry in the building department, who have been incredibly helpful in navigating the city regulations.

To provide context for this project, this ADU is designed specifically as an ADA-compliant home for my father, a retired, disabled Marine veteran. He currently spends 70% of his time in a wheelchair, with the expectation that this will increase to 100% in the coming years. As a family, we are committed to keeping him out of a care facility. Because my mother is a small woman and my father is a large man, she will require my physical assistance to care for him as his mobility decreases. Additionally, looking long-term, we are anticipating the need for a live-in caregiver. To accommodate this future care, our plans include a 600 sq. ft. garage on the main level with a wheelchair-accessible vehicle lift, and a 600 sq. ft. living suite on the second story, totaling 1,200 sq. ft. and 1,000 sq. ft. of total habitable living space on the main level.

To move forward with this essential care plan, I am requesting relief and clarification on the following items:

1. Footprint & Size Limits

I am requesting a variance regarding the square footage limits for the detached structure. I have included a letter from my designer confirming that this 1,600 sq. ft. structural footprint (600 sq. ft. garage floor and 1000 sq. ft. main living area) is the absolute smallest layout possible that fully accommodates permanent wheelchair accessibility, turning radiuses, and the required vehicle lift. Every square foot is dedicated to my father's medical and physical needs.

2. Utility Connections (The Code Contradiction)

The current ADU code requires me to route city water and sewer lines directly through my existing primary home to feed the ADU. However, Faribault Water Works Code Sec. 28-22 explicitly states: *"No more than one house or building shall be connected with the municipal water system through one curb stop."* I find myself in a regulatory "Catch-22" where complying with the ADU code violates the utility code, and vice versa. I am asking for a variance to bypass this restriction and connect directly to the separate water and sewer stubs that are already present on my property.

Exhibit B (contd)

3. Clarification on Structural Height

City staff initially informed me that I would require a variance for the building height. My proposed structure measures 20' 7" to the center of the gable (the city's standard point of measurement). However, I would like to draw attention to Table 6-1, Footnote ***, which states that the standard 16-foot height limit *"May be increased to two (2) stories or twenty-four (24) feet to accommodate a second-story accessory dwelling unit."* Because my design is a two-story ADU and sits well under the 24-foot allowance at 20' 7", I believe this structure meets the code's intended exception and a height variance should not be required. If the staff still deems a variance necessary, I ask that this letter serve as my formal request for relief to allow the 20' 7" height.

Table 6-1 Requirements for detached accessory structures, residential districts.

Use	One or Two-Family Residential Use**	Other Multi-Family Residential Use	Permitted Nonresidential Use
Number of structures allowed	3	3	3
Maximum combined size of all detached accessory structures	1,200 sq. ft.****	350 sq. ft/unit	1,250 sq. ft.
Maximum height	16 feet***	20 feet	20 feet
Required setbacks			
Side	5 feet	10 feet	15 feet
Rear	5 feet	10 feet	15 feet
Between structures	10 feet	10 feet	10 feet

** See exceptions for larger properties in Table 6-2 below.

*** May be increased to two (2) stories or twenty-four (24) feet to accommodate a second-story accessory dwelling unit.

**** Accessory structures over one thousand (1,000) square feet must meet building code requirements, which may include construction standards and permitting similar to a commercial building, or segmented building construction into no larger than one thousand (1,000) square foot sections.

Exhibit B (contd)

Thank you for your time, consideration, and service to our community. I look forward to working with you to create a safe, accessible home for a veteran who gave so much to our country and his family.

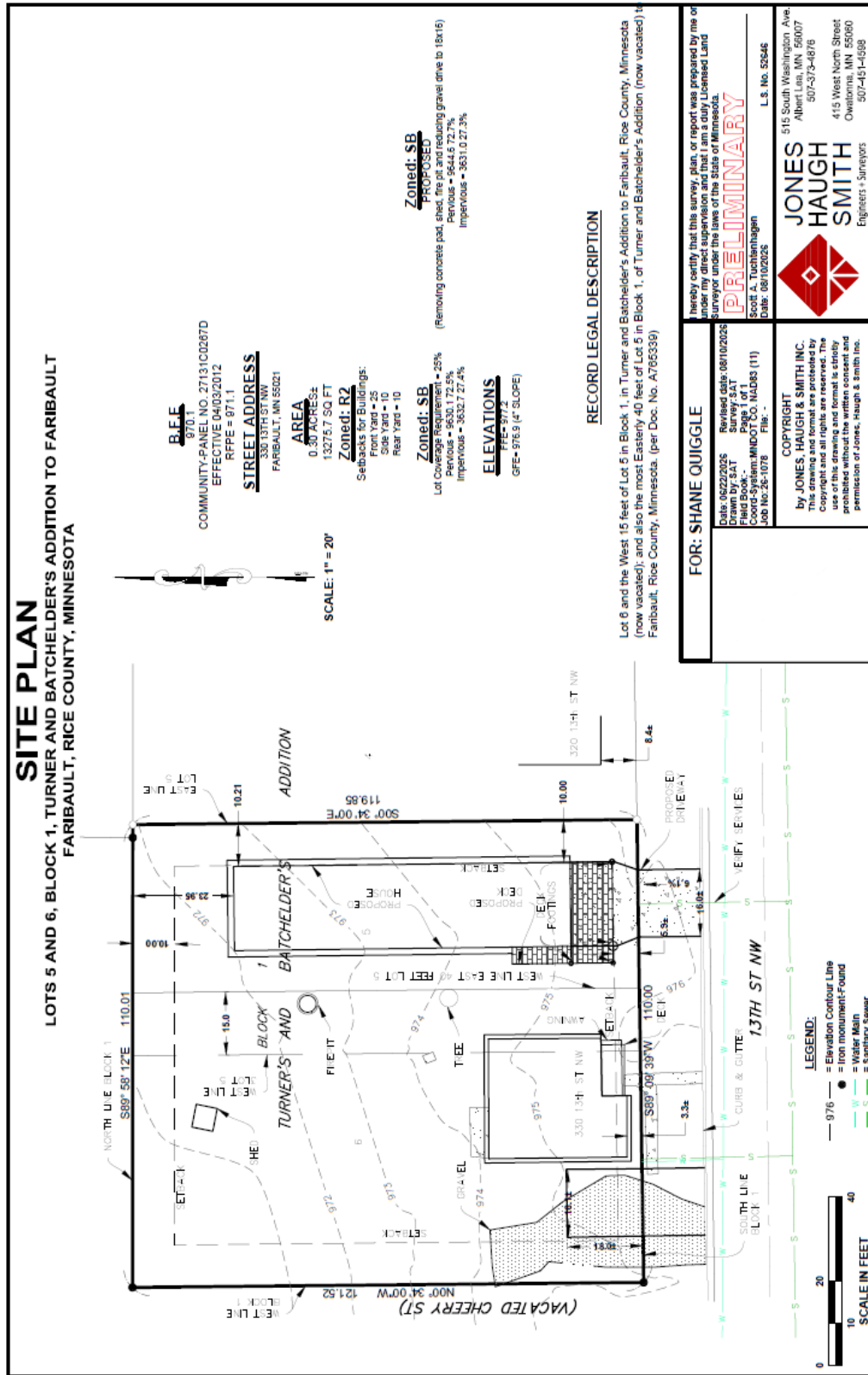
Sincerely,

Shane Quiggle

330 13th st NW

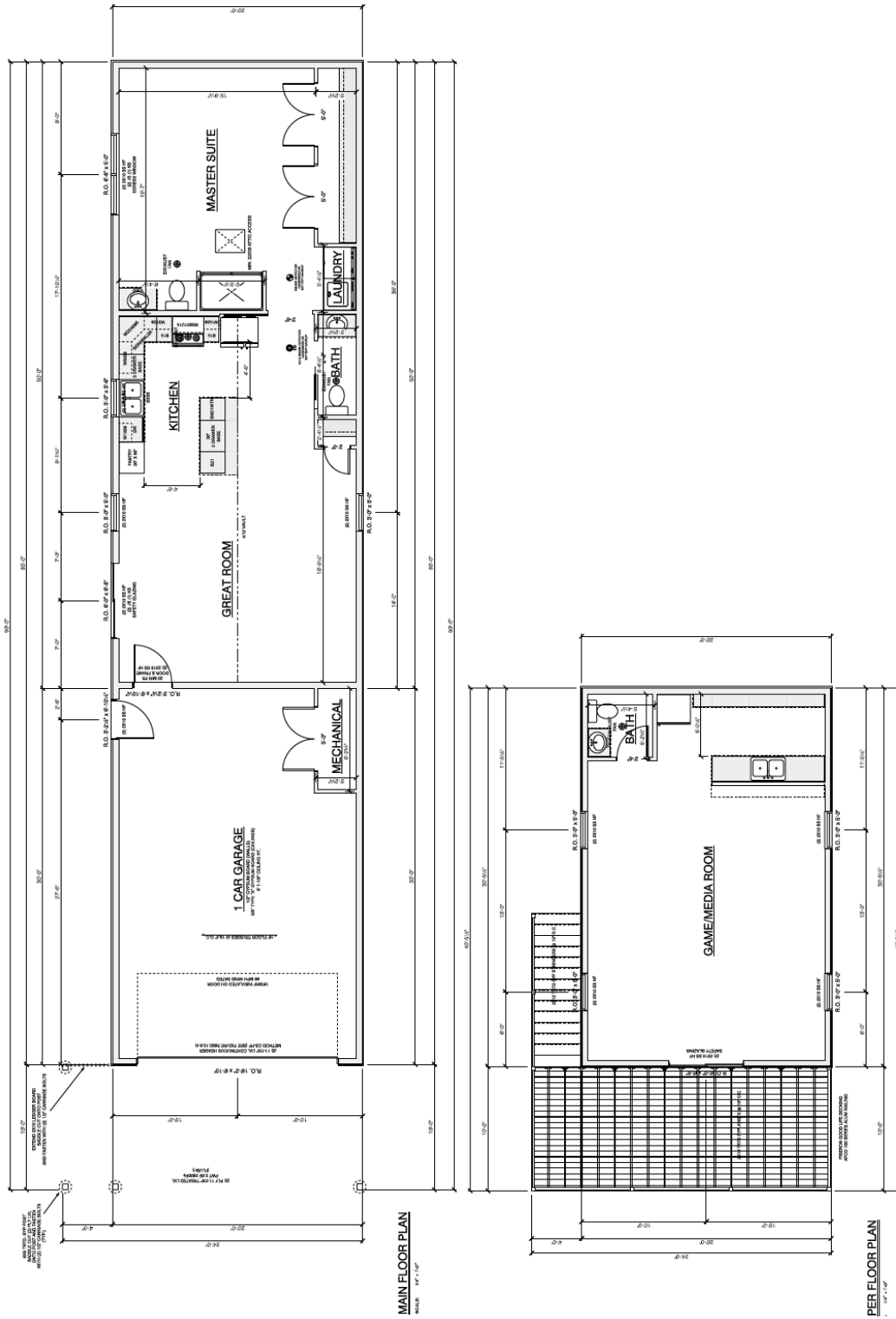
Faribault MN 55021

Exhibit B (contd.)



Site Plan

Exhibit B (contd.)



Floor Plans

Exhibit B (contd.)

Elevations

Exhibit C
Staff Report from Planning Commission

(insert document after this page)

CITY OF FARIBAULT

RESOLUTION #2026-XXX

APPROVE VARIANCE FOR ADU SIZE AT 330 13TH ST NW

WHEREAS, Shane Quiggle (the “Applicant” and “Property Owner”) requests approval of a variance to the maximum accessory dwelling unit (ADU) size at 330 13th St NW (the “Subject Property”), legally described in Exhibit A; and

WHEREAS, the Applicant plans to construct an ADU of 1,600 sq ft on the Subject Property, as depicted in Exhibit B; and

WHEREAS, the proposed second level of the overall structure is part of the structure and accessory use total but is not integral or connected to the 1st floor combined ADU and garage; and

WHEREAS, under Appendix B UDO, Chapter 6, Sec 6-305(b) an ADU may be expanded up to 25% (or 1,080 sq ft) with a conditional use permit (CUP) and when connected to a garage; and

WHEREAS, City Council is considering a CUP for the ADU and an expansion up to 25% in Resolution 2026-XXX alongside this request and Resolution; and

WHEREAS, City Staff completed a review of the application and made a report to the Planning Commission pertaining to said request, attached as Exhibit C, a copy of which has been presented to the City Council; and

WHEREAS, the Planning Commission, on August 17, 2024, following proper notice, held a public hearing regarding the request, and following said public hearing, the Planning Commission recommended approval of the requested variances based on the following findings as required by Section 2-460 of the City's Unified Development Ordinance:

1. The variance is in harmony with the general purposes and intent of the City's ordinances.

Finding: The variance requested by the applicant is in harmony with the general purposes and intent of the City's ordinances. In general, the restrictions on ADUs are to solidify the idea that an ADU is a dependent and accessory use to the principal use of the property. While the overall ADU and attached garage will be bigger than the house, the 1,000 sq ft ADU itself is smaller than the principal structure, and the 600 sq ft garage will be usable and accessible for all residents of the property. The garage will comfortably fit one car, but could fit two, and with ample room for storage or a workshop. It's not drastically different from having a reasonably-sized ADU along with a detached garage.

2. The variance is consistent with the Comprehensive Plan.

Finding: The property is guided for residential use through Established Residential Neighborhood per the Comprehensive Plan. The current use of the property is residential, which is consistent with the Comprehensive Plan. The Comprehensive Plan supports the applicant's proposal through the following:

Core Guiding Principles #3: Remove or minimize barriers and create or strengthen opportunities for all individuals, businesses, industries, organizations, and services to succeed.

Additional Guiding Principles #2: Balance individual property rights with community interests and goals.

This proposal and subsequent review show minimizing barriers and balancing interests to the benefit of the property owner without compromising public goals.

3. The applicant proposes to use the property in a reasonable manner not permitted by the City's ordinances.

Finding: The applicant is using the property in a reasonable manner. The applicant currently does not have a garage on the property and City Code allows property owners to build a garage, ADU, or both accessory uses on their property. The applicant has provided testimony from their designer that the ADU is planned to accommodate a wheelchair-bound resident, but a 1,000 sq ft accessory dwelling is still less than the size of the principal structure. The addition of the garage tips the overall ADU size to 1,600 sq ft, but having a garage is required under both the ADU ordinance and the accessory structure ordinance. As stated in this Resolution, the garage could accommodate two cars and have ample storage space left over for all residents of the subject property. Car parking and storage or a workshop area appears to be a reasonable element to construct and have on a single-family lot.

4. Unique circumstances apply to the property, which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which the owner of the property has not had control. The unique circumstances do not result from the actions of the applicant.

Finding: The unique circumstance for this property is that the area where the ADU is proposed was, at the beginning of this project, a separate lot. The applicant submitted a concurrent minor subdivision to combine the lots because the DNR and state law require undersized properties in shoreland areas to be combined with adjacent parcels when in common ownership. This is a benefit to the applicant in terms of impervious surface area, but became a problem when

considering the structure as an ADU. The applicant has worked with their team and City Staff on numerous versions of the project.

5. The variance does not alter the essential character of the neighborhood.

Finding: The essential character of the neighborhood will not be impacted. The ADU will be an accessory structure on the same property as the principal structure, and the property owner will be required to live on-site. The applicant carefully designed the project to fit within its context, using similar building materials and projecting a façade that is similar in impact to other accessory structures elsewhere in the neighborhood.

6. The variance requested is the minimum variance, which would alleviate the practical difficulties.

Finding: The additional 520 sq ft for an ADU is the minimum necessary to alleviate practical difficulties. As stated in this Resolution, the applicant is required to have a garage based on the improvements to the property and an ADU is certainly allowable by CUP. While the ADU is a large, one-bedroom dwelling, it is, in the short term, designed to accommodate a wheelchair resident. In the longer term, the ADU would be attractive to young professionals or empty nesters. Since the community is home to the state schools for the deaf and blind, the additional room within the structure and attached garage would be able to accommodate residents with different impairments.

7. Economic conditions alone do not constitute practical difficulties.

Finding: The applicant has made a case that the variance is not based on economic conditions alone. The applicant provided a clear set of reasoning for the variance which City Staff supports.

WHEREAS, the City Council, at a public meeting, on August 25, 2026, considered the request, the report to the Planning Commission, and the results of the public hearing, and concurred with all findings of the Planning Commission as stated in the above recitals and hereby makes the identical findings.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY FARIBAULT, MINNESOTA AS FOLLOWS:

Section 1: Approval of the Requested Variance. The City Council hereby approves the requested variances from Chapter 6, Sec 6-305(b) of the City's Unified Development Ordinance. Said approval is based on the foregoing recitals, which are incorporated herein by reference, and which constitute the findings of the City Council, all of which are to protect the public's health, safety, and welfare.

Section 2: Concurrent Entitlement Approvals. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to work with the applicant if one or more of the associated entitlements for this project are not granted. The DRC shall approve changes resulting from entitlement conditions of approval or denial. Changes made not in accordance with the intent of this Resolution, or that require a new variance request, must follow the normal variance process and procedures.

Section 3. Conditions of Approval. The City Council may impose such conditions upon the premises benefited by the variance as may be necessary to comply with the standards established by the City's ordinances, or to reduce or minimize the effect of such variance upon other properties in the neighborhood and to better carry out the intent of the variance. The condition must be directly related to and must bear a rough proportionality to the impact created by the variance. The following are conditions of approval imposed on the subject property and project.

1. If Resolution 2026-XXX granting the CUP for an ADU on the property is not granted, this approval becomes null and void.
2. The applicant shall construct as generally depicted in Exhibit B. Any small deviations from this design shall require DRC review and approval, while significant deviations may require a separate variance.

3. The applicant shall apply for the necessary permits prior to starting and completing the work.

Section 4. Expiration of Variance. If substantial development or construction has not taken place within one (1) year of the date of approval of a variance, such variance shall be considered void unless a petition for a time extension has been granted by the City Council. Such extension request shall be submitted in writing at least thirty (30) days prior to expiration of the variance and shall state facts showing a good faith effort to complete work permitted under the original approval.

Section 5. Authorization to take Additional Steps. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this Resolution, including any minor changes to this Resolution.

(Remainder of page intentionally left blank)

Section 6. Effective Date. This resolution shall become effective immediately upon its passage and without publication.

Date Adopted: August 25, 2026

Faribault City Council

Thomas J. Spooner, Mayor

ATTEST:

Jessica L. Kinser, City Administrator

Exhibit A
Property Legal Description

Lot 6 and the West 15 feet of Lot 5 in lock 1, in Turner and Batchelder's Addition to Faribault, Rice County, Minnesota (now vacated)

AND ALSO

The most Easterly 40 feet of Lot 5 in Block 1, of Turner and Batchelder's Addition (now vacated) to Faribault, Rice County, Minnesota.

(per Dec. No. A765339)

Exhibit B Variance Submittal

Dear City of Faribault Planning Commission and Staff,

I am writing to formally request variances for a detached Accessory Dwelling Unit (ADU) and garage structure that I have been attempting to build on my property since November of last year. While the process has been challenging, I want to express my sincere appreciation for Leslie and Harry in the building department, who have been incredibly helpful in navigating the city regulations.

To provide context for this project, this ADU is designed specifically as an ADA-compliant home for my father, a retired, disabled Marine veteran. He currently spends 70% of his time in a wheelchair, with the expectation that this will increase to 100% in the coming years. As a family, we are committed to keeping him out of a care facility. Because my mother is a small woman and my father is a large man, she will require my physical assistance to care for him as his mobility decreases. Additionally, looking long-term, we are anticipating the need for a live-in caregiver. To accommodate this future care, our plans include a 600 sq. ft. garage on the main level with a wheelchair-accessible vehicle lift, and a 600 sq. ft. living suite on the second story, totaling 1,200 sq. ft. and 1,000 sq. ft. of total habitable living space on the main level.

To move forward with this essential care plan, I am requesting relief and clarification on the following items:

1. Footprint & Size Limits

I am requesting a variance regarding the square footage limits for the detached structure. I have included a letter from my designer confirming that this 1,600 sq. ft. structural footprint (600 sq. ft. garage floor and 1000 sq. ft. main living area) is the absolute smallest layout possible that fully accommodates permanent wheelchair accessibility, turning radiuses, and the required vehicle lift. Every square foot is dedicated to my father's medical and physical needs.

2. Utility Connections (The Code Contradiction)

The current ADU code requires me to route city water and sewer lines directly through my existing primary home to feed the ADU. However, Faribault Water Works Code Sec. 28-22 explicitly states: *"No more than one house or building shall be connected with the municipal water system through one curb stop."* I find myself in a regulatory "Catch-22" where complying with the ADU code violates the utility code, and vice versa. I am asking for a variance to bypass this restriction and connect directly to the separate water and sewer stubs that are already present on my property.

Exhibit B (contd)

3. Clarification on Structural Height

City staff initially informed me that I would require a variance for the building height. My proposed structure measures 20' 7" to the center of the gable (the city's standard point of measurement). However, I would like to draw attention to Table 6-1, Footnote ***, which states that the standard 16-foot height limit *"May be increased to two (2) stories or twenty-four (24) feet to accommodate a second-story accessory dwelling unit."* Because my design is a two-story ADU and sits well under the 24-foot allowance at 20' 7", I believe this structure meets the code's intended exception and a height variance should not be required. If the staff still deems a variance necessary, I ask that this letter serve as my formal request for relief to allow the 20' 7" height.

Table 6-1 Requirements for detached accessory structures, residential districts.

Use	One or Two-Family Residential Use**	Other Multi-Family Residential Use	Permitted Nonresidential Use
Number of structures allowed	3	3	3
Maximum combined size of all detached accessory structures	1,200 sq. ft.****	350 sq. ft/unit	1,250 sq. ft.
Maximum height	16 feet***	20 feet	20 feet
Required setbacks			
Side	5 feet	10 feet	15 feet
Rear	5 feet	10 feet	15 feet
Between structures	10 feet	10 feet	10 feet

** See exceptions for larger properties in Table 6-2 below.

*** May be increased to two (2) stories or twenty-four (24) feet to accommodate a second-story accessory dwelling unit.

**** Accessory structures over one thousand (1,000) square feet must meet building code requirements, which may include construction standards and permitting similar to a commercial building, or segmented building construction into no larger than one thousand (1,000) square foot sections.

Exhibit B (contd)

Thank you for your time, consideration, and service to our community. I look forward to working with you to create a safe, accessible home for a veteran who gave so much to our country and his family.

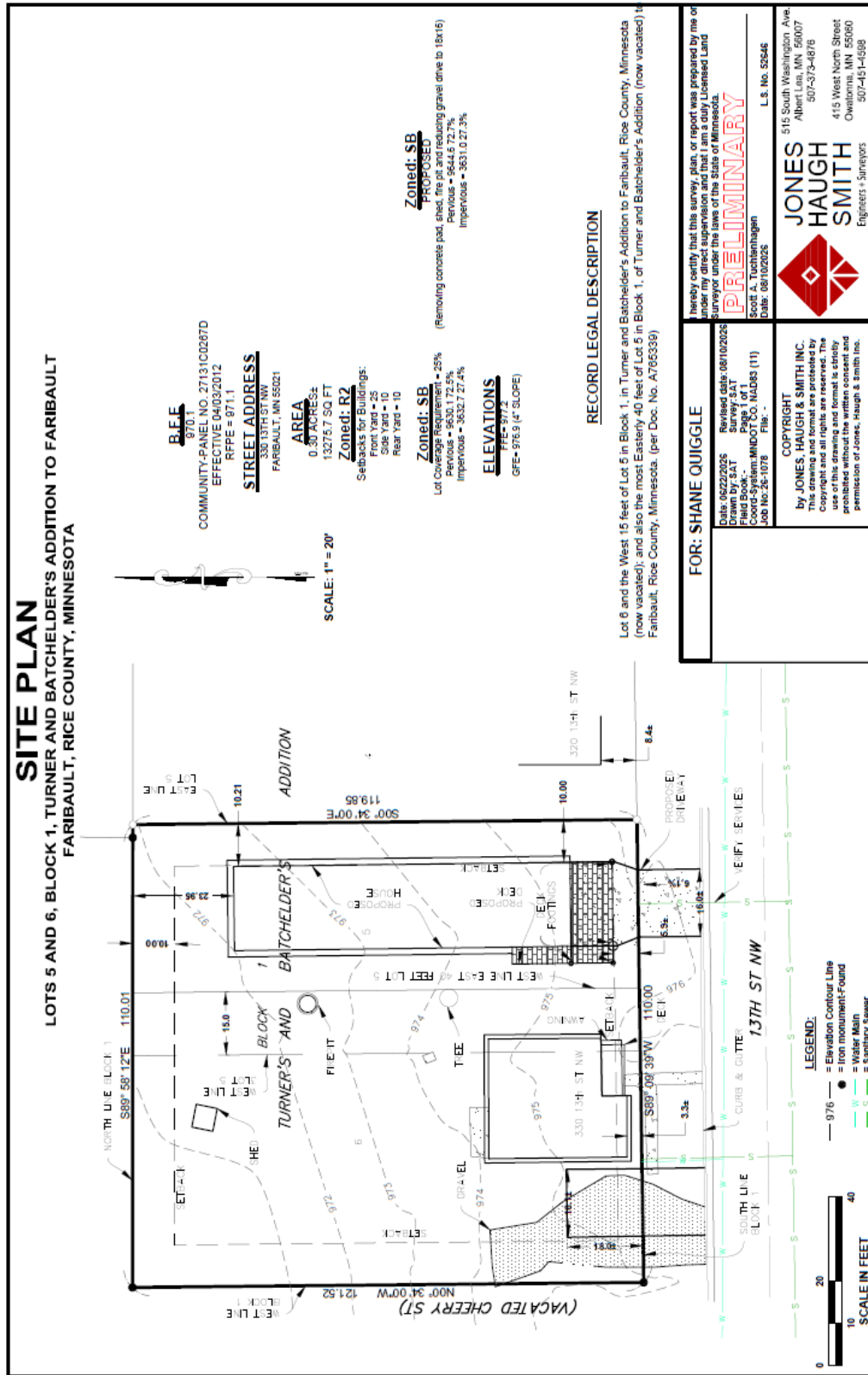
Sincerely,

Shane Quiggle

330 13th st NW

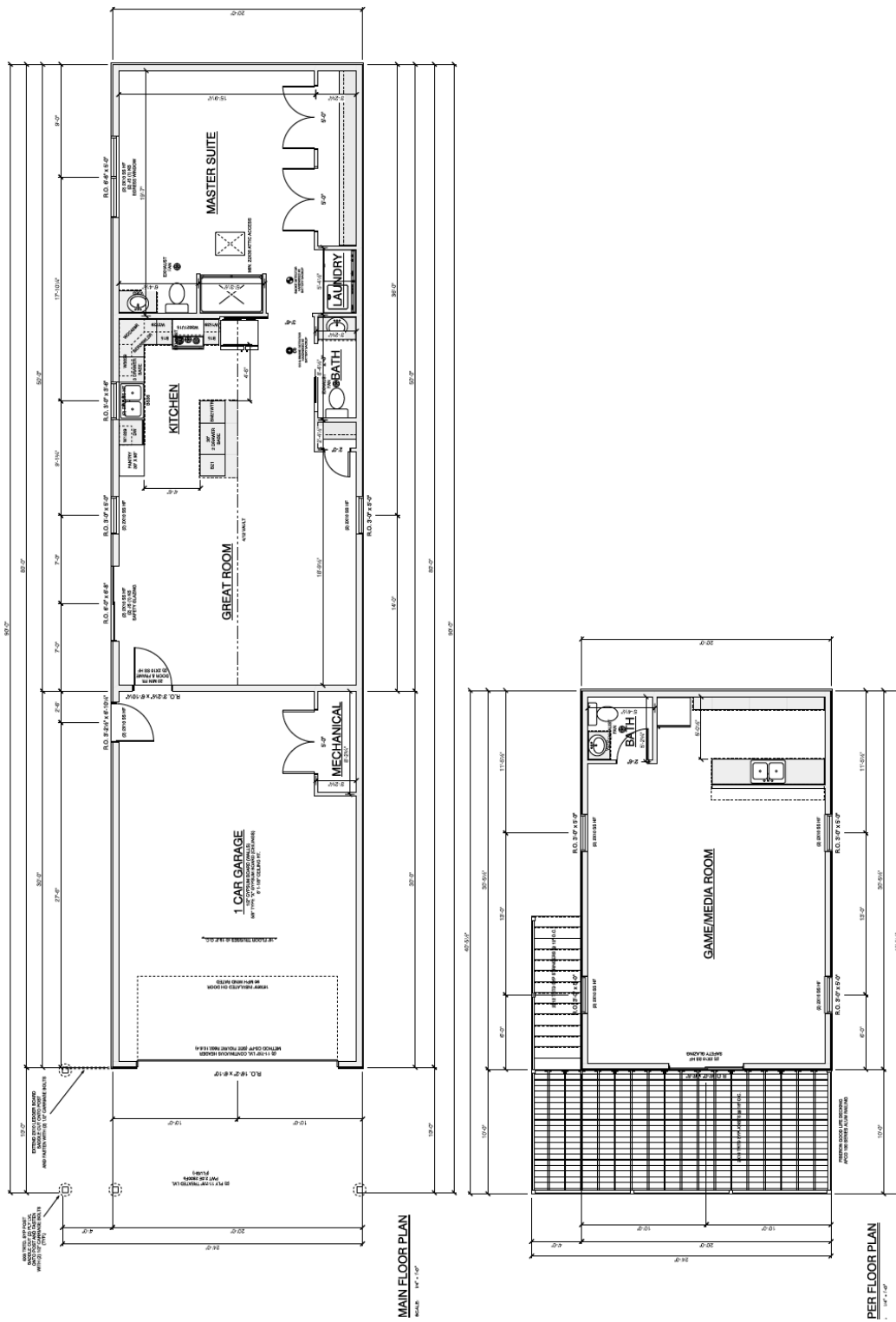
Faribault MN 55021

Exhibit B (contd.)



Site Plan

Exhibit B (contd.)



Floor Plans

Exhibit B (contd.)

Elevations

Exhibit C
Staff Report from Planning Commission

(insert document after this page)

CITY OF FARIBAULT

RESOLUTION #2026-XXX

APPROVE VARIANCE FOR ACCESSORY STRUCTURE SIZE AT 330 13TH ST NW

WHEREAS, Shane Quiggle (the "Applicant" and "Property Owner") requests approval of a variance to the maximum accessory use limit and for an accessory structure larger than the principal structure at 330 13th St NW (the "Subject Property"), legally described in Exhibit A; and

WHEREAS, the Applicant plans to construct a total of 2,210 sq ft of accessory structure use on the Subject Property, as depicted in Exhibit B; and

WHEREAS, under Appendix B UDO, Chapter 6, Sec 6-170(3) the total accessory use or structure floor area shall be subordinate to the total principal use or structure floor area; and

WHEREAS, under Appendix B UDO, Chapter 6, Table 6-1 sets the maximum combined size of all detached accessory structures at 1,200 sq ft for a single-family property; and

WHEREAS, City Council is considering a CUP for the ADU in Resolution 2026-XXX alongside this request and Resolution; and

WHEREAS, City Staff completed a review of the application and made a report to the Planning Commission pertaining to said request, attached as Exhibit C, a copy of which has been presented to the City Council; and

WHEREAS, the Planning Commission, on August 17, 2024, following proper notice, held a public hearing regarding the request, and following said public hearing, the Planning Commission recommended approval of the requested variances based on the following findings as required by Section 2-460 of the City's Unified Development Ordinance:

1. The variance is in harmony with the general purposes and intent of the City's ordinances.

Finding: The variance requested by the applicant is not in harmony with the general purposes and intent of the City's ordinances. City Staff, the Planning Commission, and City Council recently amended the accessory structure ordinance and increased the allowed amount of accessory structure area for most properties in the city by 22% (from a rigid 984 sq ft across two structures to a flexible 1,200 sq ft across 3 structures). City Staff supported increasing the size of the ADU (see Resolution 2026-XX for the associated CUP) and a variance to its size (see Resolution 2026-XXX). However, the applicant has not provided a reasonable justification for almost doubling the amount of allowed accessory use on the property. 2,210 sq ft of accessory use is over two-thirds of what is allowed by-right on a 2-acre property within city limits.

2. The variance is consistent with the Comprehensive Plan.

Finding: The property is guided for residential use through Established Residential Neighborhood per the Comprehensive Plan. The current use of the property is residential, which is consistent with the Comprehensive Plan. The Comprehensive Plan does not support the applicant's proposal through the following:

Additional Guiding Principles #2: Balance individual property rights with community interests and goals.

The proposal results in an amount of accessory use that would be inconsistent with the community's goals of reasonably limiting accessory structures and uses. They must be incidental to or supportive of the principal use without resulting in

oversized and incompatible development with adjacent properties.

3. The applicant proposes to use the property in a reasonable manner not permitted by the City's ordinances.

Finding: The applicant is not using the property in a reasonable manner. While the garage is a requirement, and City Council may grant the CUP for the ADU, the applicant has not provided justification for the additional accessory structure area. While a game or media room for hosting friends or family isn't unreasonable, the applicant doesn't address why it's a practical difficulty to not have the additional space.

4. Unique circumstances apply to the property, which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which the owner of the property has not had control. The unique circumstances do not result from the actions of the applicant.

Finding: The applicant has not provided any unique circumstance for this property justifying the need for additional accessory use area. While properties in this neighborhood vary in size and shape, the property itself is not terribly encumbered by floodplain or easements. The size is not out of character for the neighborhood, which justifies more accessory use for larger properties.

5. The variance does not alter the essential character of the neighborhood.

Finding: The essential character of the neighborhood will be impacted. The ADU will be an accessory structure on the same property as the principal structure, but the dynamic will be different. The combined size of the ADU (minus the garage) and game/media room on the 2nd floor of 1,610 sq ft (combined into gross floor living area) surpasses most other homes on the block, including the principal dwelling on the

subject property. The proposed accessory structure is ~22% more than the average principal land use size. The complete amount of gross living floor area proposed on the subject property is ~111% more than any other property, aside from the duplex. When looking at the total amount of principal and accessory use on a property, the proposed structure is ~23% the size of any other combined principal and accessory (detached or attached). The resulting subject property principal and accessory area is double the average of any other property on the street. As a minor note, the accessory structure is proposed to be taller than the principal structure, which is allowed by right, but the second floor is the majority of the variance. It would be easy to mistake the ADU as the principal structure.

6. The variance requested is the minimum variance, which would alleviate the practical difficulties.

Finding: The additional 1,039 sq ft over the principal structure and 1,010 sq ft over the maximum amount of accessory use is not the minimum necessary to alleviate practical difficulties. The applicant has not adequately demonstrated a practical difficulty present in the additional accessory structure area.

7. Economic conditions alone do not constitute practical difficulties.

Finding: The applicant has not made a case that the variance is based on economic conditions alone. The applicant provided reasoning for the variance that did not include economic feasibility.

WHEREAS, the City Council, at a public meeting, on August 25, 2026, considered the request, the report to the Planning Commission, and the results of the public hearing, and concurred with all findings of the Planning Commission as stated in the above recitals and hereby makes the identical findings.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY FARIBAULT, MINNESOTA AS FOLLOWS:

Section 1: Approval of the Requested Variance. The City Council hereby denies the requested variances from Chapter 6, Sec 6-170(3) and Chapter 6, Table 6-1 of the City's Unified Development Ordinance. Said denial is based on the foregoing recitals, which are incorporated herein by reference, and which constitute the findings of the City Council, all of which are to protect the public's health, safety, and welfare.

Section 2: Concurrent Entitlement Approvals. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to work with the applicant if one or more of the associated entitlements for this project are not granted. The DRC shall approve changes resulting from entitlement conditions of approval or denial. Changes made not in accordance with the intent of this Resolution, or that require a new variance request, must follow the normal variance process and procedures.

Section 3. Authorization to take Additional Steps. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this Resolution, including any minor changes to this Resolution.

(Remainder of page intentionally left blank)

Section 4. Effective Date. This resolution shall become effective immediately upon its passage and without publication.

Date Adopted: August 25, 2026

Faribault City Council

Thomas J. Spooner, Mayor

ATTEST:

Jessica L. Kinser, City Administrator

Exhibit A
Property Legal Description

Lot 6 and the West 15 feet of Lot 5 in lock 1, in Turner and Batchelder's Addition to Faribault, Rice County, Minnesota (now vacated)

AND ALSO

The most Easterly 40 feet of Lot 5 in Block 1, of Turner and Batchelder's Addition (now vacated) to Faribault, Rice County, Minnesota.

(per Dec. No. A765339)

Exhibit B Variance Submittal

Dear City of Faribault Planning Commission and Staff,

I am writing to formally request variances for a detached Accessory Dwelling Unit (ADU) and garage structure that I have been attempting to build on my property since November of last year. While the process has been challenging, I want to express my sincere appreciation for Leslie and Harry in the building department, who have been incredibly helpful in navigating the city regulations.

To provide context for this project, this ADU is designed specifically as an ADA-compliant home for my father, a retired, disabled Marine veteran. He currently spends 70% of his time in a wheelchair, with the expectation that this will increase to 100% in the coming years. As a family, we are committed to keeping him out of a care facility. Because my mother is a small woman and my father is a large man, she will require my physical assistance to care for him as his mobility decreases. Additionally, looking long-term, we are anticipating the need for a live-in caregiver. To accommodate this future care, our plans include a 600 sq. ft. garage on the main level with a wheelchair-accessible vehicle lift, and a 600 sq. ft. living suite on the second story, totaling 1,200 sq. ft. and 1,000 sq. ft. of total habitable living space on the main level.

To move forward with this essential care plan, I am requesting relief and clarification on the following items:

1. Footprint & Size Limits

I am requesting a variance regarding the square footage limits for the detached structure. I have included a letter from my designer confirming that this 1,600 sq. ft. structural footprint (600 sq. ft. garage floor and 1000 sq. ft. main living area) is the absolute smallest layout possible that fully accommodates permanent wheelchair accessibility, turning radiuses, and the required vehicle lift. Every square foot is dedicated to my father's medical and physical needs.

2. Utility Connections (The Code Contradiction)

The current ADU code requires me to route city water and sewer lines directly through my existing primary home to feed the ADU. However, Faribault Water Works Code Sec. 28-22 explicitly states: *"No more than one house or building shall be connected with the municipal water system through one curb stop."* I find myself in a regulatory "Catch-22" where complying with the ADU code violates the utility code, and vice versa. I am asking for a variance to bypass this restriction and connect directly to the separate water and sewer stubs that are already present on my property.

Exhibit B (contd)

3. Clarification on Structural Height

City staff initially informed me that I would require a variance for the building height. My proposed structure measures 20' 7" to the center of the gable (the city's standard point of measurement). However, I would like to draw attention to Table 6-1, Footnote ***, which states that the standard 16-foot height limit *"May be increased to two (2) stories or twenty-four (24) feet to accommodate a second-story accessory dwelling unit."* Because my design is a two-story ADU and sits well under the 24-foot allowance at 20' 7", I believe this structure meets the code's intended exception and a height variance should not be required. If the staff still deems a variance necessary, I ask that this letter serve as my formal request for relief to allow the 20' 7" height.

Table 6-1 Requirements for detached accessory structures, residential districts.

Use	One or Two-Family Residential Use**	Other Multi-Family Residential Use	Permitted Nonresidential Use
Number of structures allowed	3	3	3
Maximum combined size of all detached accessory structures	1,200 sq. ft.****	350 sq. ft/unit	1,250 sq. ft.
Maximum height	16 feet***	20 feet	20 feet
Required setbacks			
Side	5 feet	10 feet	15 feet
Rear	5 feet	10 feet	15 feet
Between structures	10 feet	10 feet	10 feet

** See exceptions for larger properties in Table 6-2 below.

*** May be increased to two (2) stories or twenty-four (24) feet to accommodate a second-story accessory dwelling unit.

**** Accessory structures over one thousand (1,000) square feet must meet building code requirements, which may include construction standards and permitting similar to a commercial building, or segmented building construction into no larger than one thousand (1,000) square foot sections.

Exhibit B (contd)

Thank you for your time, consideration, and service to our community. I look forward to working with you to create a safe, accessible home for a veteran who gave so much to our country and his family.

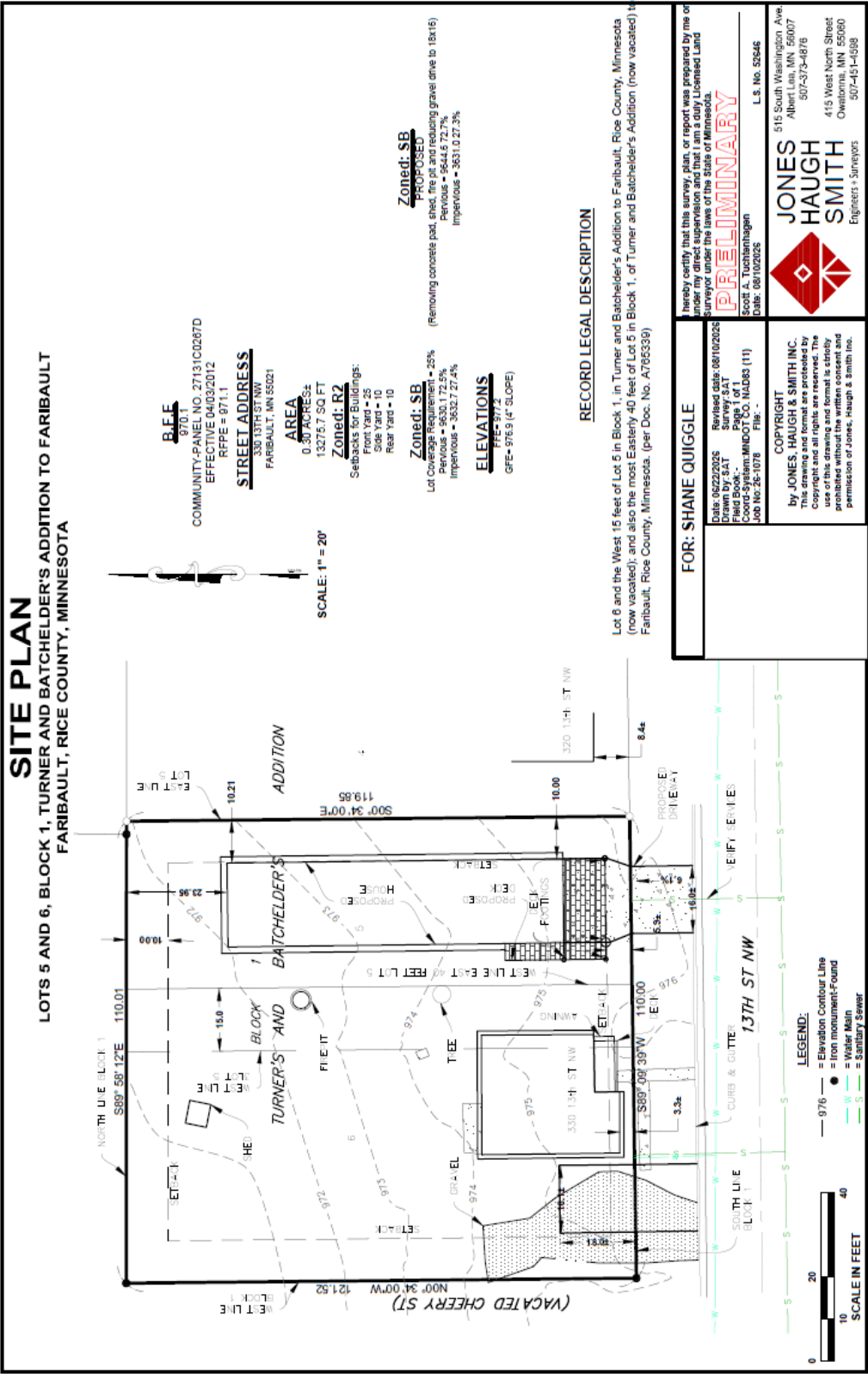
Sincerely,

Shane Quiggle

330 13th st NW

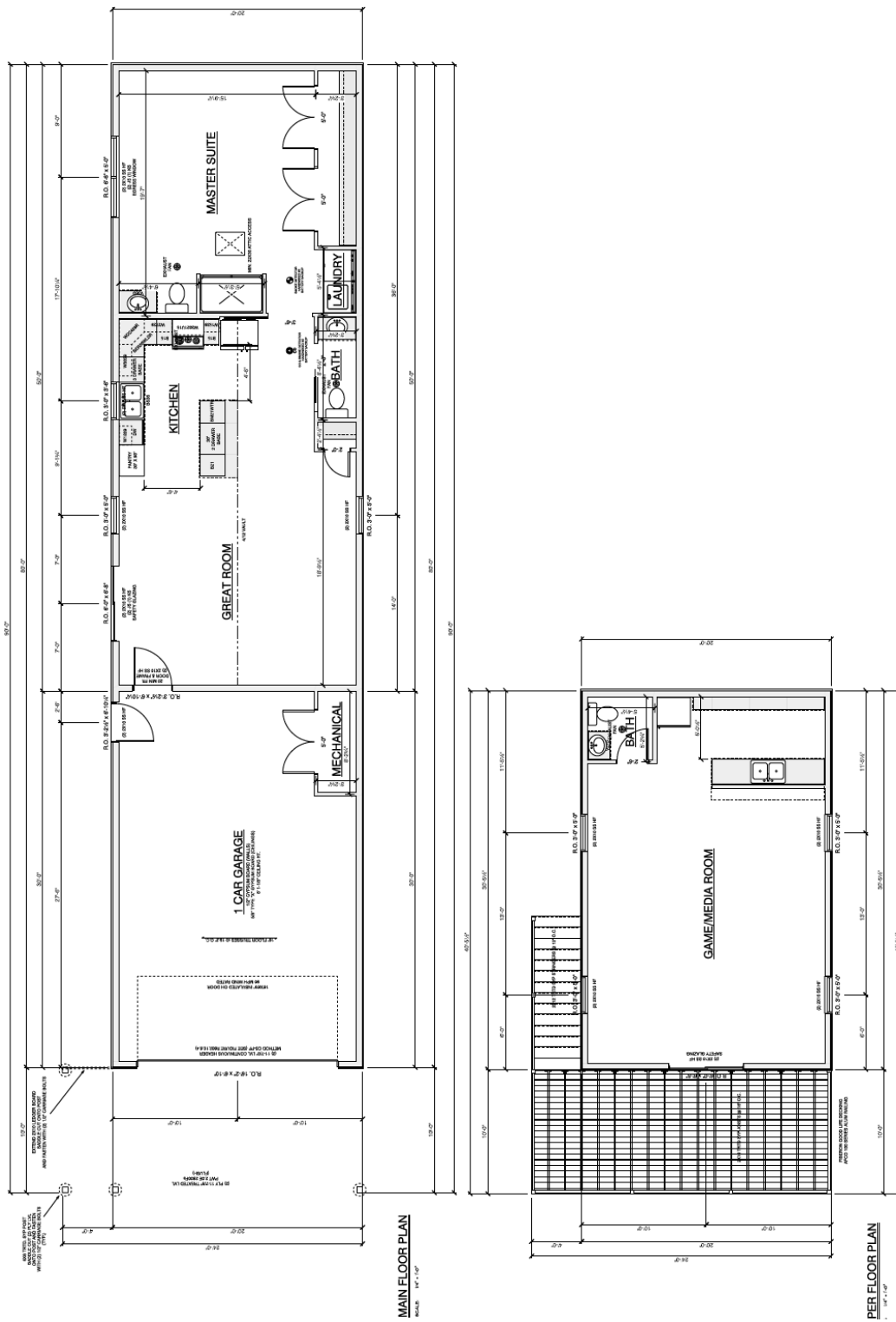
Faribault MN 55021

Exhibit B (contd.)



Site Plan

Exhibit B (contd.)



Floor Plans

Exhibit B (contd.)

Elevations

Exhibit C
Staff Report from Planning Commission

(insert document after this page)



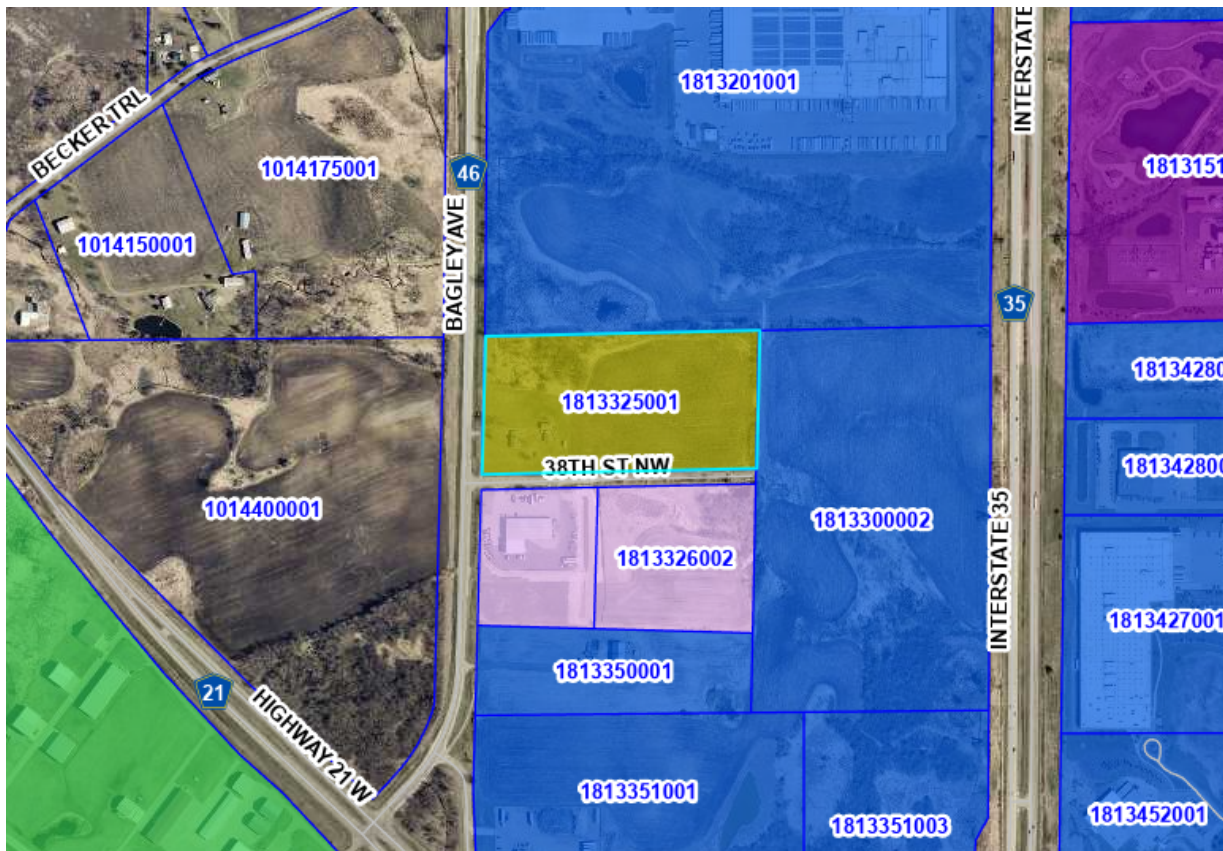
Staff Report to the Planning Commission

TO: Planning Commission
FROM: Harry Davis, City Planning Manager
Mark DuChene, Director of Engineering
MEETING DATE: August 17, 2026
SUBJECT: Bagley Addition/17575 Bagley Ave – ZMA, PPL; FPL, VAR

Request:	The applicant requests a zoning map amendment, preliminary plat, final plat, and a variance.
Recommendation:	The City Planning Manager recommends the Planning Commission forward the requests to City Council and recommend approval.
Recommended Motion:	Motion to forward the requests to City Council and recommend approval, with conditions.

Request:

Rutger Heffelfinger from Scannell Properties (Applicant) with approval from the property owners Greg and Julie Fisher (Property Owner) requests a zoning map amendment (rezoning), preliminary plat, final plat, and a variance for property located at 17575 Bagley Ave. The subject property is approximately 18.2 acres, zoned TUD, Transitional Urban Development, and with an existing house and farmland. To the north is I-P with the Aldi Distribution Center, to the east is I-P and vacant, to the south is I-1 and a repair business, and to the west across Bagley Ave is vacant, county-zoned land.



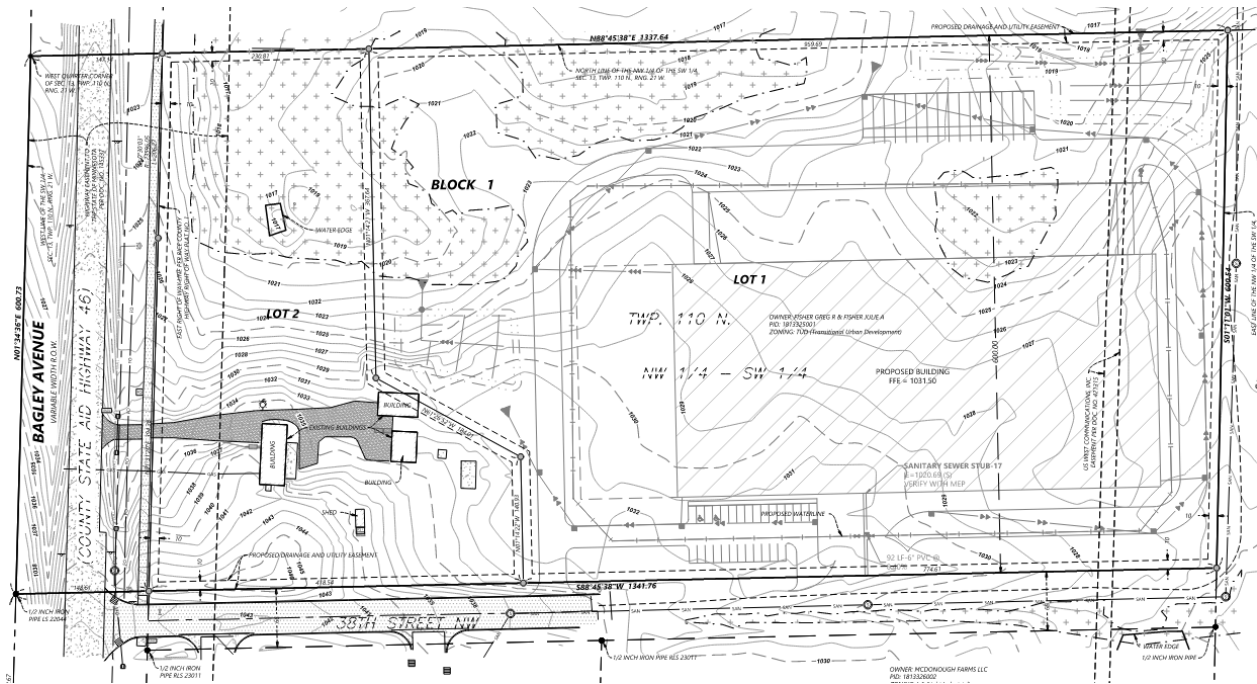
Location at 4th St NW and 2nd Ave NW

Background and Project Description:

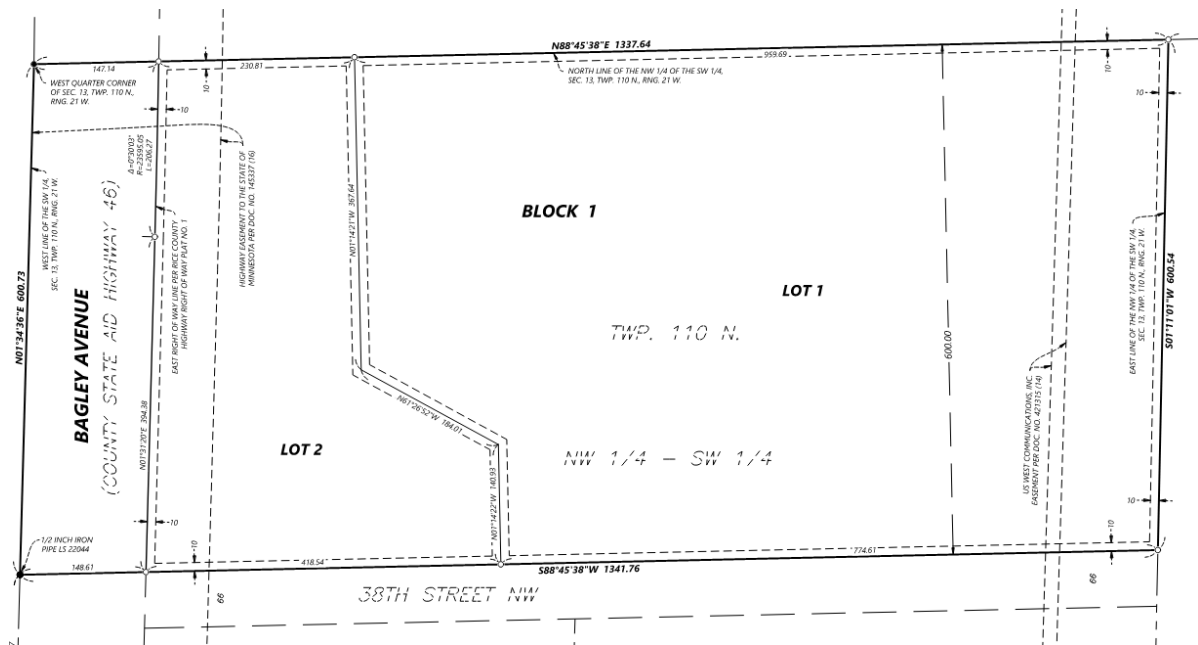
The proposed rezoning, plats, and variance seek to facilitate zoning the property for I-1, Light Industrial, plat the property into two lots, and construct a new warehouse on the larger resulting lot. The smaller lot will be for future development or warehouse expansion. The development is required to improve part of 38th St NW, which extends the existing road along the ROW frontage. The extension of road does create a dead-end street of approximately 880 feet. The maximum length of a dead-end street is 650 feet, so a variance is required. The site is located in the Section 13 Township 110N, Range 21W.

Table 1 – Variance Table

Variance Issue	Requirement	Proposed	Variance
Dead-end streets (Sec 15-280(B))	[...] Culs-de-sac shall not serve more than twenty (20) lots nor be longer than six hundred fifty (650) feet in length [...]	Approximately 880 feet	Approximately 230 feet



Preliminary Plat



Final Plat

The areas within the plat include:

Lot 1, Block 1	10.844 acres	(472,383 sf)
Lot 2, Block 1	5.567 acres	(242,511 sf)
ROW	2.042 acres	(88,933 sf)
Total	18.453 acres	(803,827sf)

At the time of final plat, the Developer agrees to provide sufficient permanent property monumentation per the development agreement and

shall submit to the City written verification by a registered land surveyor licensed in the State of Minnesota. Developer shall submit a digital copy of the final plat in an AutoCAD format to the City Engineer.

Discussion:

The following provides an overview of the key planning and zoning-related items associated with:

Zoning Map Amendment Summary

Shifting the subject properties from TUD to I-1 is appropriate for this location. The surrounding properties are all I-P or I-1 and the Comprehensive Plan supports industrial at this location.

Preliminary and Final Plat

Summary. The preliminary and final plats generally meet the criteria for approval. Details may be found in the resolution. Approval is conditioned on the follow items being addressed:

Conditions of Approval:

- On the plat
 - i. Clear labelling for ROW to be dedicated on plat.
 - ii. All proposed easements must be clearly shown and identified.
 - iii. Statement for dedication per ordinance.
 - iv. 'Jessica L. Kinser' for City Administrator and 'Thomas J. Spooner' for Mayor
 - v. Notarized certification of surveyor.
 - vi. Signatures from all owners and persons of interest in the property, including mortgage holders.
- All existing easements noted in the title commitment must be clearly shown and identified.
- The proposed plat shows perimeter drainage and utility easements as required by City code. Ten (10) foot public drainage and utility easements shall be designated along the plat boundary and public rights-of-way. Final easement location and sizes shall be subject to review and approval of the City Engineer.
- A temporary easement is required for the temporary cul-de-sac at the proposed end of 38th St NW.
- The building that is bisected by the proposed property line must be removed prior to recording the plat.
- Applicant will need to submit full stormwater calculations before

issuance of a grading permit.

- Developer shall submit copies of all wetland submittals, applications and approvals and an exhibit and legal description for the wetland buffer area to be used to complete a conservation easement.
- A detailed construction cost estimate for the public improvements, grading and stormwater treatment system shall be submitted for the purposes of determining development security amounts.
- A cost estimate for public improvements is required prior to recording and will be included in the Developer's Agreement.
- Developer shall revise plat submittal documents according to comments in this report and other comments provided under separate cover prior to the plat being recorded.
- Developer shall submit construction plans and specifications for the proposed project to the City Engineer for review and approval prior to any construction starting. Plans and specifications shall be designed to meet the City of Faribault standards and the latest editions of the Minnesota Department of Transportation Standard Specifications for Construction and the City Engineers Association of Minnesota Standard Specifications.
- Developer shall enter into a development agreement prior to construction and shall submit the necessary financial security, and insurance.

Other elements of the preliminary and final plat are as follows:

1. *Design Standards.*

The proposed plat complies with most of the required design standards. The plat should include a stronger recognition of land to be dedicated as ROW and easements along lot perimeters, subject to determination by the City Engineer.

2. *Park Dedication.*

Parkland dedication is required. DRC determined that no parkland is needed at this location, so the committee is recommending fees in-lieu of \$13,462.

3. *Required Basic Improvements.*

The proposed plat complies with design standards for basic improvements. Any proposed site improvements shall comply with existing regulations, codes and ordinances.

4. *Street & Sidewalk Layout.*

38th Street NW

The proposed development will be served by an extension of 38th Street NW a local roadway in the City's long-term transportation plan. 38th Street NW shall be constructed as a 37-foot (back of curb to back of curb) roadway with curb and gutter and terminate in a paved temporary cul-de-sac with a minimum radius of 45-feet. No sidewalks or trails are proposed within the development.

Developer shall submit a street signage layout plan for City approval as part of construction plan submittals. City shall install all required street signage, and Developer shall be responsible for all costs associated with installing street name and regulatory signs within the development as directed by the City.

5. *Grading, Drainage, and Erosion Control.*

The development is located within the Cannon River via Unnamed Creek (M-048-024) district as identified in the City's 2022 Surface Water Management Plan. Stormwater runoff generated within the site is proposed to be routed through a storm sewer system and water quality treatment is to be provided by two infiltration basins. Runoff is ultimately discharged to the I-35 drainage system and ultimately to the Cannon River to the east via an unnamed waterway. Permanent stormwater management facilities must be designed to meet the City's Developer's Guide for Stormwater Management requirements and applicable City codes.

Proposed storm sewer improvements must be designed to accommodate the runoff from a 10-year storm, 24-hour SCS Type II precipitation event as defined by the National Oceanic and Atmospheric Administration Atlas 14 precipitation frequency estimate for the Faribault Station. Drainage calculations for the proposed storm sewer system shall be submitted to the City Engineer for review and approval with the final construction plans. Storm sewer systems must be designed to limit the post-construction rate of runoff from the 2, 10 & 100 yr. 24-hour storm events to less than or equal to existing conditions. Final storm sewer locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans. The infiltration basins shall be considered private facilities. Developer shall be required to enter into a stormwater operations and maintenance agreement with the City prior to any final certificate of occupancy or acceptance of public improvements.

A City grading permit and a National Pollution Discharge Elimination System Construction Stormwater General Permit for construction activity is required by the Minnesota Pollution Control Agency (MPCA) for areas exceeding one acre being disturbed by grading. A copy of the Notice of Stormwater Permit Coverage must be submitted to the City upon receipt from the MPCA. A stormwater pollution prevention plan (SWPPP) must be submitted meeting the requirements of the City's municipal separate storm sewer system permit and associated ordinances and the erosion and sediment control requirement as set forth in the MPCA construction stormwater general permit. A full copy of the SWPPP must be submitted to the City Engineer with the final construction plans for review and approval.

A final post-construction as-built grading plan must be submitted meeting the requirements of Article VII, Section 28-230 of the City of Faribault Code of Ordinances.

6. *Wetlands*

There are multiple wetlands located on the site. The wetlands must be delineated in accordance with the Wetland Conservation Act (WCA). No disturbance of the delineated wetland areas or required buffer strip areas may commence without appropriate mitigation and approvals according to the WCA and compliance with City Code Sec. 28-231.

A Minnesota Routine Assessment Method ("MNRAM") must be completed and the wetland quality established to determine the applicable wetland buffer strip from the edge of the delineated wetland and 15 foot minimum setback from the wetland buffer strip. The Developer shall be required to provide a conservation easement in favor of the city for protection of the wetlands and wetland buffer strips on the site that are to remain and not be mitigated. The easement must legally and geographically describe the boundaries of the wetlands and wetland buffer strips, wetland buffer strip markers and their locations and prohibit any structures, paving, mowing, introduction of non-native vegetation, cutting, filling, dumping, yard waste disposal, fertilizer application or removal of the wetland buffer strip markers within the wetland buffer strip or the wetland. Prior to issuance of any building permits, the easement document must be recorded in the Rice County recorder's office along with a duplicate original of the easement document and the wetland buffer strip markers must have been installed. The City shall provide the wetland buffer strip

markers and the Developer shall reimburse the City for the costs of said markers and shall be responsible for their install.

7. *Utilities*

Sanitary Sewer

The development is proposed to be served by public sanitary sewer facilities. An existing 8-inch sanitary sewer serves the proposed development. The existing City-owned downstream facilities have sufficient capacity to serve the development. The Developer is responsible for all costs associated with sanitary sewer connections, sanitary sewer pipes and structures and tracer wire installation according to City Standards.

Final utility locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans.

Trunk line sanitary sewer was previously installed by the City from Park Avenue to Bagley Avenue to serve the proposed development area. The Developer will be charged \$1,000 per developable acre in lieu of charging non-standard SAC charges which is consistent with adjacent development served by the trunk main. Lots within the proposed subdivision shall be charged the standard sewer access connection charges in conjunction with any building permit submittals.

Watermain

The development is proposed to be served by public watermain facilities. An eight-inch (8") watermain will be constructed within 38th Street NW to serve the proposed development. The Developer is responsible for all costs associated with watermain connections including water services, hydrants and valves and tracer wire installation according to City Standards.

Final utility locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans. Final hydrant location and spacing shall be approved by the Fire Chief.

Trunk line watermain was previously installed by the City along Bagley Avenue from Air Tech Drive to 38th Street NW to serve the proposed development area. The Developer will be charged \$1,000 per developable acre in lieu of charging non-standard WAC charges which is consistent with adjacent development served by

the trunk main. Lots within the proposed subdivision shall be charged the standard water access connection charges in conjunction with any building permit submittals.

Lighting and Electrical Utilities

The Developer shall be responsible for the cost of installing street lighting as required by City Council Resolution NO. 2003-198. Developer shall submit a proposed streetlight layout plan to the City for review and approval. Developer shall pay the electric company or reimburse the City for the purchase of all components of the street lighting system as approved by the City and all costs incurred by the utility company for the installation of the streetlight system not covered in the electric utility company rate for this service. The City and electric company shall enter into a contractual agreement for the operation and maintenance of the street lighting system.

Per Section 15-380 of Appendix B (Unified Development Regulations) of the City Code of Ordinances, all utilities that serve newly developing areas are to be placed underground. The Developer shall be responsible for arranging and coordinating with the respective utility companies and paying for any related costs for the movement of any existing overhead utilities within the proposed development underground in conjunction with the arranging of utility servicing for the newly created lots within the subdivision and the installation of streetlights.

Storm Sewer

Storm sewer facilities must be designed to accommodate the runoff from a 10-year storm, 24-hour SCS Type II precipitation event as defined by the National Oceanic and Atmospheric Administration Atlas 14 precipitation frequency estimate for the Faribault Station. Drainage calculations for the proposed storm sewer system shall be submitted to the City Engineer for review and approval with the final construction plans.

Final storm sewer locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans

8. *Phasing and Development Schedule.*

Presuming the City Council approves the preliminary and final plat, the Applicant and City will enter into a Development Agreement that will address the details, responsibilities, and costs associated with

the proposed subdivision. City staff anticipates development to take place across 2026 and 2027.

Variance Summary

The request to exceed the dead-end maximum of 650' for 38th Street NW is a reasonable request and demonstrates practical difficulty. To the north is the Aldi Distribution Center property, which is unlikely to split off property for development, so staff doesn't see value in stubbing out to the property. There are enough unknowns about the vacant property to the south and east that may allow a future developer to create a T-shaped intersection, which negates the need for this variance. Additional findings may be found in the associated ordinance.

Public Comment

This project was noticed in the newspaper on August 6th, 2026 and neighborhood notices were sent to all properties within 350 feet. Staff has not received any input from the public as of publishing this report.

Development Review Committee Recommendation

The Development Review Committee (DRC) reviewed the submittals on August 4, 2026. The DRC recommended this project and forwarded it to Planning Commission with conditions of approval.

Rice County

City Staff did share plat details with Rice County as the plat borders Bagley Ave, a county road. Any comments from Rice County shall be included in the conditions of approval.

Recommendation:

The City Planning Manager and City Engineer recommend the Planning Commission forward the requests to City Council and recommend approval, subject to the comments within this report.

**CITY OF FARIBAULT
ORDINANCE No. 2026-XX**

APPROVE A ZONING MAP AMENDMENT FOR 17575 38TH ST NW

WHEREAS, Rutger Heffelfinger from Scannell Properties (the "Applicant") on behalf of Greg and Julie Fisher (the "Property Owner"), requests a zoning map amendment from TUD, Transitional Urban Development to I-1, Light Industrial at 17575 38th St NW, legally described in Exhibit A (Subject Property); and

WHEREAS, City Staff prepared a report to the Planning Commission; and

WHEREAS, the Planning Commission, on August 17, 2026, following proper notice, held a public hearing to review the request, listened to public comments, and make a recommendation to the City Council regarding the Applicant's request; and

WHEREAS, following the public hearing, the Planning Commission recommends City Council approve the requested zoning map amendment based on the following written findings of the Planning Commission as required by Section 2-180 of the City's Unified Development Ordinance:

1. Criteria: Whether the amendment is consistent with the applicable policies of the City's Land Use Plan.

Finding: The proposed zoning map amendment for the subject property is consistent with the Comprehensive Plan as it designates the property as Industrial/Commercial mix. I-1 is an industrial district and the Comprehensive Plan encourages a mix of industrial and commercial uses along a major corridor like I-35.

2. Criteria: Whether the amendment is in the public interest and is not solely for the benefit of a single property owner.

Finding: It is in the public interest to develop the property into a an industrial property like ones nearby and along I-35. New investment in the subject property is a positive benefit to other properties in the corridor.

3. Criteria: Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of a particular property.

Finding: Changing the subject property's zoning from TUD to I-1 is compatible with the general area, nearby zoning districts, and uses. Nearby properties along I-35 are zoned I-P and I-1, so the uses on those properties and the uses allowed in the proposed map amendment are compatible.

4. Criteria: Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of a particular property.

Finding: The existing TUD district is primarily meant as a "holding" district and the default zoning district for any newly annexed property. The amount of permitted and conditional uses in TUD is not conducive to the intended future use of industrial or commercial in the area. The industrial uses allowed in I-1 make sense with the nearby context.

5. Criteria: Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of a particular property.

Finding: The surrounding area is intended, through the Comprehensive Plan and zoning map, for industrial and commercial. The proposed zoning map amendment is responding to the

Comprehensive Plan and nearby industrial uses moving in within the past 5-10 years.

WHEREAS, the City Council held a public meeting on August 25, 2026 and approved the first reading of Ordinance 2026-XX; and

WHEREAS, the City Council also held a public meeting on September 8, 2026 and approved the second reading of Ordinance 2026-XX; and

WHEREAS, based on the City Staff's report, the results of the public hearing, and the written findings of the Planning Commission, the City Council of the City of Faribault concurs with the written findings of the Planning Commission and makes the identical findings.

NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:

Section 1: Findings and Incorporation of Recitals and Exhibits. Where applicable, the recitals and exhibits incorporated in this ordinance constitute the written findings of the City Council.

Section 2: Rezoning Approval. The City Council hereby rezones the subject property graphically depicted and legally described in Exhibit A to C-3, Community Commercial District. The effective date of the rezoning shall be as outlined in Section 6 of this resolution.

Section 3: Official Zoning Map. The City does not need to republish the City's official zoning map to show the rezoning. However, the City Planning Manager shall show the rezoning on the official zoning map on file with the City.

Section 4: Authorization to Take Additional Steps. The City Council authorizes and directs the Mayor, City Staff, and City Consultants to take any additional steps and actions necessary and convenient to accomplish the intent of this ordinance.

Section 5: Continued Use of the Subject Property. The City informs the applicant and all future owners of the subject property that a new business or owner of said property shall require a Zoning Certificate to review any new use. A new use may require improvements to the property related to life and safety, ADA, or other development standards. The business and/or property owner shall work with staff on determining any necessary improvements.

Section 6: Effective Date. This ordinance is effective immediately upon its passage and publication per the City Charter.

First Reading: August 25, 2026
Second Reading: August 8, 2026
Publication Date: September 15, 2026

Faribault City Council

Thomas J. Spooner, Mayor

ATTEST:

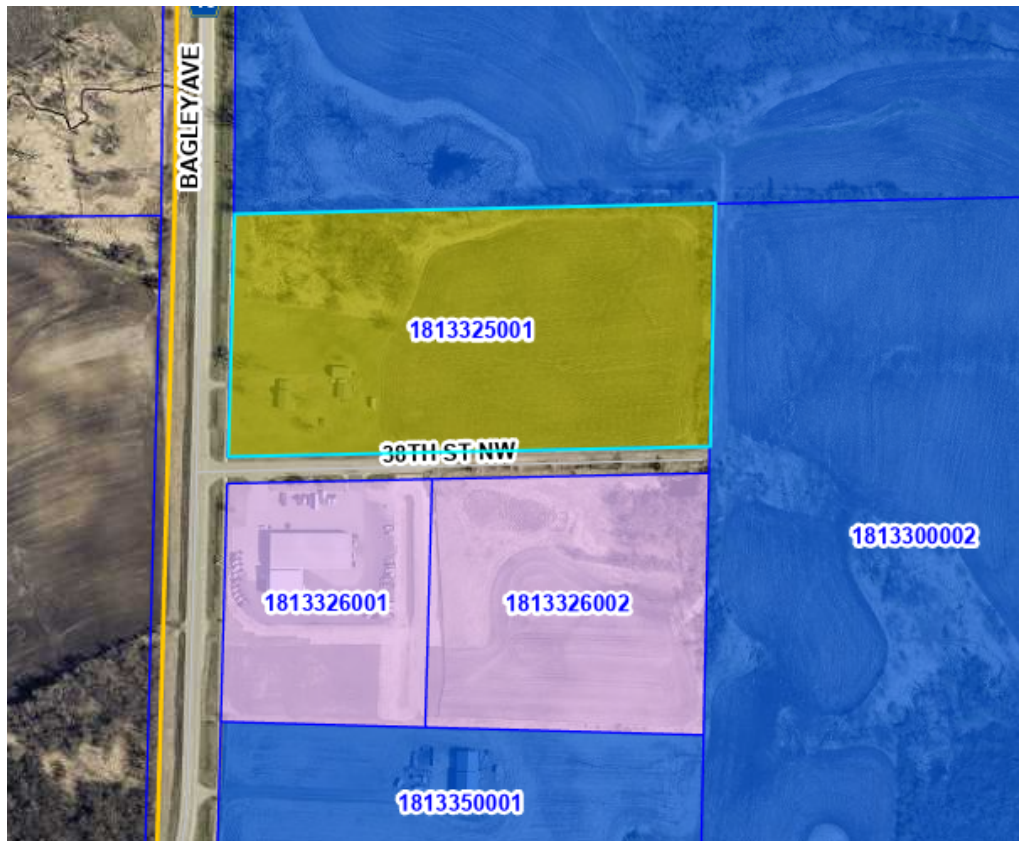
Jessica L. Kinser, City Administrator

EXHIBIT A:
Legal Description and Graphic Depiction of Subject Property

All that part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section 13, Township 110 North, Range 21 West of the Fifth Principal Meridian, Rice County, Minnesota, which lies Northerly of a line 600 feet Southerly from, and parallel with the North line of said Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of said Section 13.

Property to be Rezoned to I-1, Light Industrial District:

- PID # 18.36.2.50.006 – 17575 38th St NW



Subject Property shown in Cyan

CITY OF FARIBAULT

RESOLUTION #2026-XXX

**APPROVE THE PRELIMINARY AND FINAL PLATS FOR
BAGLEY ADDITION**

WHEREAS, Rutger Heffelfinger from Scannell Properties (the "Applicant") on behalf of Greg and Julie Fisher (the "Property Owner"), requests preliminary and final plat approval for property at 17575 38th St NW, legally described in Exhibit A (Subject Property); and

WHEREAS, City Staff reviewed the Applicant's applications and made a report to the Planning Commission, a copy of which City Staff presented to the City Council; and

WHEREAS, the Planning Commission, on August 17, 2025, following proper notice, held a public hearing regarding the applications, and following said public hearing, made written findings and recommended approval of the applications; and

WHEREAS, the City Council, on August 25, 2026, at a public meeting, considered the applications; and

WHEREAS, based upon said report, hearing, and recommendation, the City Council hereby finds that approval of the preliminary plat for Bagley Addition, as depicted in Exhibit B and subject to conditions of approval, is appropriate with the following findings as required by Section 15-130 of the City's Unified Development Ordinance:

- 1. Criteria: The proposed preliminary plat conforms with the requirements of the Unified Development Ordinance, the**

applicable zoning district regulations, and any other applicable provisions of this Ordinance, subject only to acceptable rule exceptions.

Finding: The proposed preliminary plat is substantially consistent with UDO requirements within the I-1 (per Ordinance 2026-XXX) and subdivision platting requirements. For the street length, the applicant has submitted a variance, which is addressed separately.

- 2. Criteria: The proposed subdivision is consistent with the City's Land Use Plan and any other adopted land use studies.**

Finding: The City's Land Use Plan guides the subject property for industrial/commercial mix. The proposed subdivision is consistent with this plan.

- 3. Criteria: The plat contains a sound, well-conceived parcel and land subdivision layout that is consistent with good land planning and site engineering design principles.**

Finding: The preliminary plat provides for reasonable use of land intended for industrial expansion and development on the west side of the city. The applicant's approach is based on sound planning and engineering principles. The project extends infrastructure to bring the dead-end road into compliance and provide street frontage to nearby properties.

- 4. Criteria: The spacing and design of proposed curb cuts and intersection locations is consistent with good traffic engineering design and public safety considerations.**

Finding: The preliminary plat lot is consistent with the provisions of the City's Unified Development Ordinance. The subdivision will have access to Bagley Ave, which can adequately disperse traffic.

- 5. Criteria: All submission requirements have been satisfied.**

Finding: The proposed preliminary plat adequately addresses the submission requirements as outlined in the City's Unified Development Ordinance; and

WHEREAS, the City Council further finds that approval of the final plat

of Bagley Addition as depicted on Exhibit C, subject to certain conditions of approval, is appropriate with the following findings as required by Section 15-210 of the City's Unified Development Ordinance:

1. Criteria: The final plat substantially conforms to the approved preliminary plat.

Finding: The Owner concurrently applied for the final plat approval with the preliminary plat. The final plat conforms to the preliminary plat as required.

2. Criteria: The plat conforms to all applicable requirements of the Unified Development Ordinance, subject only to approved rule exceptions.

Finding: The final plat conforms to all applicable requirements or exceptions of the City's Unified Development Ordinance.

3. All submission requirements have been satisfied.

Finding: The proposed final plat adequately addresses the submission requirements outlined in the City's Unified Development Ordinance.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARIBAULT AS FOLLOWS:

Section 1. Preliminary and Final Plat Approval. The City Council approves the preliminary and final plat for Bagley Addition included in Exhibit B and Exhibit C, respectively, subject to the following conditions:

1. The Applicant/Property Owner must make the following changes regarding the final plat:
 - a. Clear labelling for ROW to be dedicated on plat.
 - b. All proposed easements must be clearly shown and identified.
 - c. Statement for dedication per ordinance.
 - d. 'Jessica L. Kinser' for City Administrator and 'Thomas J. Spooner' for Mayor
 - e. Notarized certification of surveyor.
 - f. Signatures from all owners and persons of interest in the property, including mortgage holders.
2. The Applicant/Property Owner must address the following:
 - a. All existing easements noted in the title commitment must be clearly shown and identified.

- b. The proposed plat shows perimeter drainage and utility easements as required by City code. Ten (10) foot public drainage and utility easements shall be designated along the plat boundary and public rights-of-way. Final easement location and sizes shall be subject to review and approval of the City Engineer.
 - c. A temporary easement is required for the temporary cul-de-sac at the proposed end of 38th St NW.
 - d. The building that is bisected by the proposed property line must be removed prior to recording the plat.
 - e. All taxes and special assessments paid.
 - f. Applicant will need to submit full stormwater calculations before issuance of a grading permit.
 - g. Developer shall submit copies of all wetland submittals, applications and approvals and an exhibit and legal description for the wetland buffer area to be used to complete a conservation easement.
 - h. A detailed construction cost estimate for the public improvements, grading and stormwater treatment system shall be submitted for the purposes of determining development security amounts.
 - i. A cost estimate for public improvements is required prior to recording and will be included in the Developer's Agreement.
 - j. Developer shall revise plat submittal documents according to comments in this report and other comments provided under separate cover prior to the plat being recorded. This includes comments provided separately, such as any applicable comments from Rice County.
 - k. Developer shall submit construction plans and specifications for the proposed project to the City Engineer for review and approval prior to any construction starting. Plans and specifications shall be designed to meet the City of Faribault standards and the latest editions of the Minnesota Department of Transportation Standard Specifications for Construction and the City Engineers Association of Minnesota Standard Specifications.
3. The Owner and City must enter into a Development Agreement the specifies the provisions of the development related to the plat.
 4. The applicant shall be required to pay fees in-lieu of parkland dedication for this plat to the amount of \$13,462. Fees shall be paid in accordance with the associated Developer's Agreement.
 5. Before recording the plat with the Rice County Recorder, the

Owner must pay all applicable fees, special assessments, and taxes.

6. The plat must be recorded with the Rice County Recorder within 12 months following City Council approval or it shall be automatically deemed null and void, unless the City Council extends the deadline to record the plat.
7. The Developer shall submit current title work for the Property pursuant to Minnesota Statutes Section 505.03, the Faribault City Code and the required Development Agreement for this matter and abide by all conditions resulting from such title work and the resulting attorney plat opinion, as well as city staff review of the title work.

Section 2. Findings. The recitals in this Resolution are integral to this Resolution and, where applicable, constitute the findings of the City Council.

Section 3. Authorization to take Additional Steps. The City Council authorizes and directs City Staff and City Consultants to take all additional steps and actions necessary or convenient to accomplish the intent of this Resolution, including minor edits to this Resolution and attached Exhibits.

Section 4. Authorization to Execute Documents. The City Council authorizes and directs the Mayor and City Administrator to take all necessary actions and to execute all appropriate documents to effectuate the approvals contemplated by this Resolution.

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Section 5. Effective Date. This Resolution is effective immediately upon its passage and without publication.

Date Adopted: August 25, 2026

Faribault City Council

Thomas J. Spooner, Mayor

ATTEST:

Jessica L. Kinser, City Administrator

Exhibit A
Legal Description

All that part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section 13, Township 110 North, Range 21 West of the Fifth Principal Meridian, Rice County, Minnesota, which lies Northerly of a line 600 feet Southerly from, and parallel with the North line of said Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of said Section 13.

Exhibit B **Depiction of the Preliminary Plat**

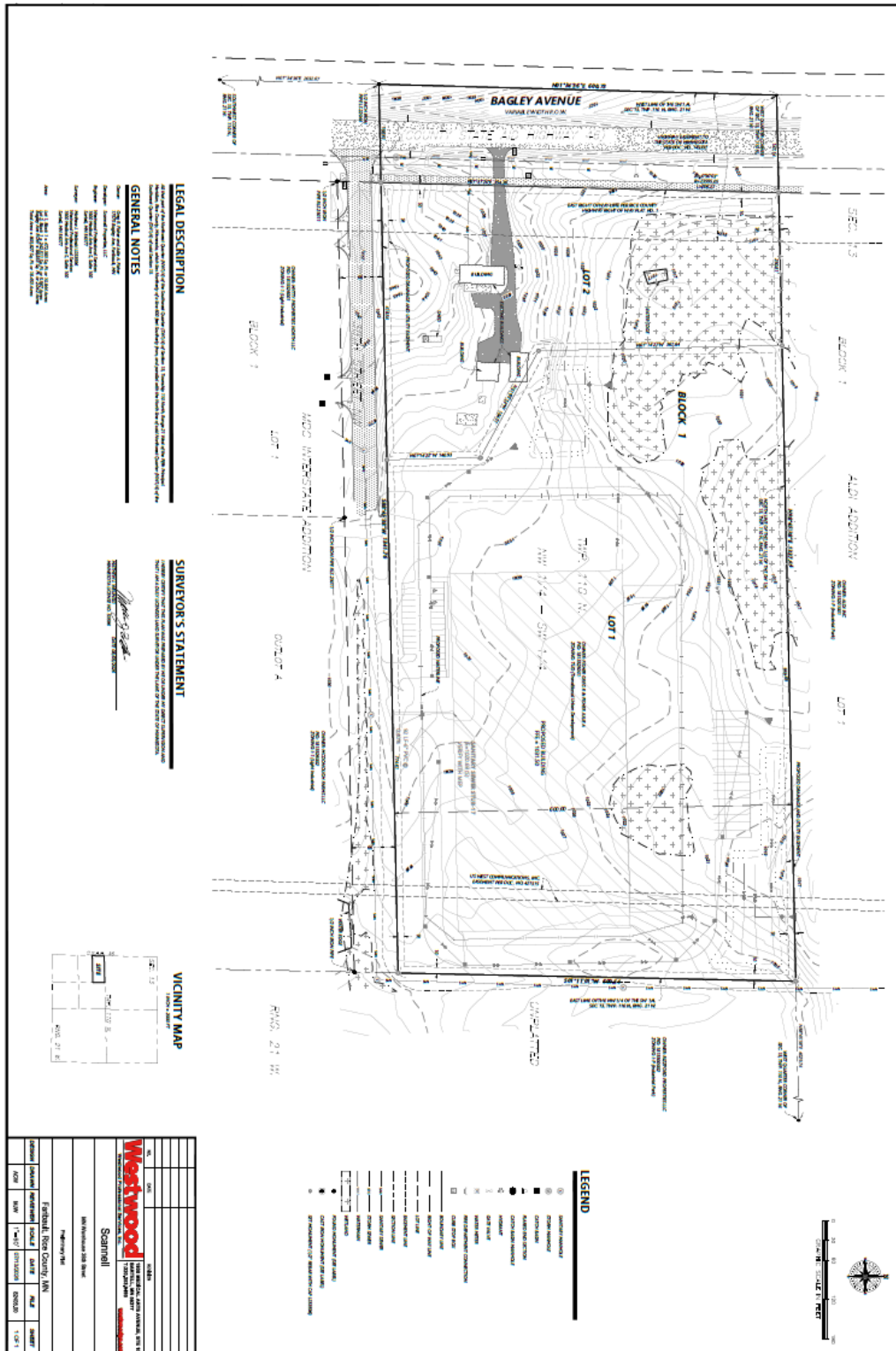


Exhibit C

Depiction of the Final Plat

BAGLEY ADDITION

SECTION 13

BLOCK 1

ALDQ ADDITION

LOT 1

LOT 2

BLOCK 1

LOT 1

LOT 2

LOT 3

LOT 4

LOT 5

LOT 6

LOT 7

LOT 8

LOT 9

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CITY OF FARIBAULT

RESOLUTION #2026-XXX

APPROVE A VARIANCE FOR BAGLEY ADDITION

WHEREAS, Rutger Heffelfinger from Scannell Properties (the "Applicant") on behalf of Greg and Julie Fisher (the "Property Owner"), requests to construct a dead-end road as a part of preliminary and final plat approval for property at 17575 38th St NW, legally described in Exhibit A (Subject Property); and

WHEREAS, the Applicant requests platting and constructing a road that, in total and including existing improved roadways, would be approximately 880 feet in length, as depicted in Exhibit B; and

WHEREAS, under Appendix B UDO, Chapter 15, Sec 15-280(B) the maximum length for a dead-end street is 650 feet; and

WHEREAS, City Staff completed a review of the application and made a report to the Planning Commission pertaining to said request, attached as Exhibit C, a copy of which has been presented to the City Council; and

WHEREAS, the Planning Commission, on August 17, 2024, following proper notice, held a public hearing regarding the requests, and following said public hearing, the Planning Commission recommended approval of the requested variances based on the following findings as required by Section 2-460 of the City's Unified Development Ordinance:

1. The variance is in harmony with the general purposes and intent of the City's ordinances.

Finding: The variance requested by the applicant is in harmony with the general purposes and intent of the City's ordinances. One purpose behind Sec 15-280 and the maximum length for dead-end streets is to prevent emergency services from having only one access point to serve properties in the event of an emergency. The Fire Chief did not express any concerns with the extension. For all public services, ranging from EMS to snow removal, having a full turnaround will be an improvement.

2. The variance is consistent with the Comprehensive Plan.

Finding: The property is guided for Industrial/Commercial mix per the Comprehensive Plan and the existing use of the land is residential with agriculture. The subdivision intends for the redevelopment of the property with a large lot along 38th and a smaller lot at the corner of 38th and Bagley. The Comprehensive Plan supports the applicant's proposal through the following:

Core Guiding Principles #3: Remove or minimize barriers and create or strengthen opportunities for all individuals, businesses, industries, organizations, and services to succeed.

Additional Guiding Principles #1: Ensure that the planning we do, or fail to do, does not place undue burdens on future generations.

Additional Guiding Principles #2: Balance individual property rights with community interests and goals.

Additional Guiding Principles #5: Seek first to strengthen existing development and guide new development in areas currently served by existing community infrastructure.

3. The applicant proposes to use the property in a reasonable manner not permitted by the City's ordinances.

Finding: The applicant is using the property in a reasonable manner. To the north is the Aldi Distribution Center property, which is unlikely to split off property for development, so staff doesn't see value in stubbing out to the property. There are enough unknowns about the vacant property to the south and east that may allow a future developer to create a T-shaped intersection, which negates the need for this variance.

4. Unique circumstances apply to the property, which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which the owner of the property has not had control. The unique circumstances do not result from the actions of the applicant.

Finding: The unique circumstance for this property is the existing development to the north and enough unknowns to the east and south where making a connection would be feasible.

5. The variance does not alter the essential character of the neighborhood.

Finding: The essential character of the neighborhood will not be impacted. A slightly longer 38th St NW with a full turnaround is not out of place in an industrial subdivision.

6. The variance requested is the minimum variance, which would alleviate the practical difficulties.

Finding: The proposed dead-end street length is necessary to extend the road far enough south for potential future development to the south or east. The road will be extended long enough for street frontage and with a temporary turnaround, so it is the minimum necessary variance needed to alleviate the practical difficulties.

7. Economic conditions alone do not constitute practical difficulties.

Finding: The applicant has made a case that the variance is not based on economic conditions alone.

WHEREAS, the City Council, at a public meeting, on August 25, 2026, considered the request, the report to the Planning Commission, and the results of the public hearing, and concurred with all findings of the Planning Commission as stated in the above recitals and hereby makes the identical findings.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY FARIBAULT, MINNESOTA AS FOLLOWS:

Section 1: Approval of the Requested Variance. The City Council hereby approves the requested variance from Chapter 15, Sec 15-280(B), of the City's Unified Development Ordinance. Said approval is based on the foregoing recitals, which are incorporated herein by reference, and which constitute the findings of the City Council, all of which are to protect the public's health, safety, and welfare.

Section 2. Conditions of Approval. The City Council may impose such conditions upon the premises benefited by the variance as may be necessary to comply with the standards established by the City's ordinances, or to reduce or minimize the effect of such variance upon other properties in the neighborhood and to better carry out the intent of the variance. The condition must be directly related to and must bear a rough proportionality to the impact created by the variance. The following are conditions of approval imposed on the subject property and project.

1. The applicant shall construct the road with a compliant turnaround, as depicted in Exhibit B. Any significant deviations from this design shall require a separate variance.
2. The applicant shall apply for the necessary permits prior to starting and completing the work.

Section 3. Expiration of Variance. If substantial development or construction has not taken place within one (1) year of the date of

approval of a variance, such variance shall be considered void unless a petition for a time extension has been granted by the City Council. Such extension request shall be submitted in writing at least thirty (30) days prior to expiration of the variance and shall state facts showing a good faith effort to complete work permitted under the original approval.

Section 4. Compliance. The City Council authorizes the Mayor, City Administrator, City Planner, and the City Attorney to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

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Section 5. Effective Date. This resolution shall become effective immediately upon its passage and without publication.

Date Adopted: August 25, 2026

Faribault City Council

Thomas J. Spooner, Mayor

ATTEST:

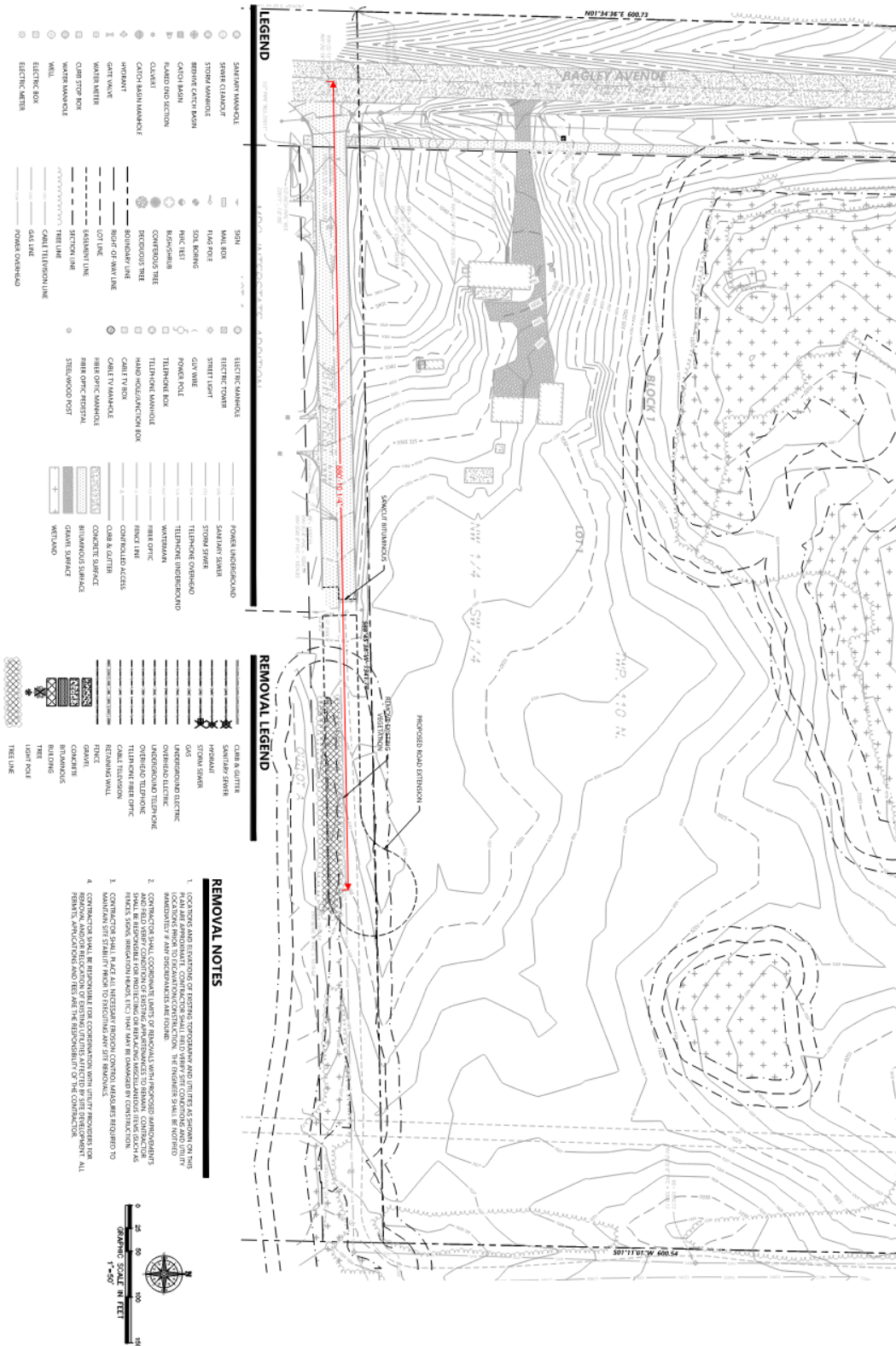
Jessica L. Kinser, City Administrator

Exhibit A
Property Legal Description

All that part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section 13, Township 110 North, Range 21 West of the Fifth Principal Meridian, Rice County, Minnesota, which lies Northerly of a line 600 feet Southerly from, and parallel with the North line of said Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of said Section 13.

Exhibit B

Depiction of Variance



Red Line = Approximate Length of 880 feet

Exhibit C
PC Staff Report

(insert after this page)



REQUEST FOR PLANNING COMMISSION

TO: Planning Commission
THROUGH:
FROM:
MEETING DATE: August 17, 2026
SUBJECT: Requests to be Heard - NONE

Background:

Recommendation:

Attachments:



REQUEST FOR PLANNING COMMISSION

TO: Planning Commission
THROUGH:
FROM:
MEETING DATE: August 17, 2026
SUBJECT: Board & Commissions Updates & Reports

Background:

Recommendation:

Attachments: