

**MANKATO TOWNSHIP PLANNING COMMISSION**  
**Regular Meeting March 19, 2025 - 6:30 p.m.**  
**Mankato Township Hall**  
**788 South Victory Drive, Mankato MN**

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Any person speaking to the Commission shall give to the Secretary of the  
Commission the NAME and HOME ADDRESS of such person prior to speaking.

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1.     **CALL TO ORDER**

2.     **APPROVAL OF AGENDA**

3.     **APPROVAL OF MINUTES**

1.     

A copy of the Minutes will be available at the Planning Commission Meeting.

4.     **BUSINESS ITEMS**

1.     

CYM01-25

**Request of James and Beth Zarn for a Variance to reduce the rear yard setback from 50 feet to 42 feet. The subject property is described as Lot 1, Zarn Acres plat, Mankato Township, Blue Earth County (19519 Ivywood Lane, Blue Earth County PID R430835452012).**

5.     **MISCELLANEOUS**

6.     **ADJOURNMENT**

**Mankato Township Planning Commission**

**3. 1.**

**Meeting Date:** 03/19/2025

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**Title**

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A copy of the Minutes will be available at the Planning Commission Meeting.

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**Meeting Date:** 03/19/2025

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CYM01-25

**Request of James and Beth Zarn for a Variance to reduce the rear yard setback from 50 feet to 42 feet. The subject property is described as Lot 1, Zarn Acres plat, Mankato Township, Blue Earth County (19519 Ivywood Lane, Blue Earth County PID R430835452012).**

**Applicant**

James and Beth Zarn are the applicants and property owners.

**Request**

Request of James and Beth Zarn for a variance to reduce the rear yard setback from 50 feet to 42 feet. The subject property is described as Lot 1, Zarn Acres plat, Mankato Township, Blue Earth County (19519 Ivywood Lane, Blue Earth County PID R430835452012).

**Location**

The subject property is described as Lot 1, Zarn Acres plat, Mankato Township, Blue Earth County (19519 Ivywood Lane, Blue Earth County PID R430835452012).

**Existing Land Use**

The land consists of two parcels, R430835452012 and R481302200010, consisting of 6.4 acres and 76.17 acres respectively. The first parcel, ending in 2012, currently has a shop house that is used as a residential space as well as a garage shop for agricultural practices. The second parcel located in the Rapidan Township, ending in 0010 is currently a wooded bluff area, containing wetlands and land utilized for agricultural farming purposes.

**Zoning**

The site is zoned Conservation District by the Mankato Township Zoning Ordinance.

**Environmentally Sensitive Areas**

There are environmentally sensitive areas in both parcels of land. There is a shoreline district and a ravine showing on the environmental sensitive map for parcel R430835452012. The second parcel, R481302200010, is also located in a shoreline district, contains a wooded area with a ravine, and wetlands.

**Review**

The applicant is requesting for a variance on the existing Shouse located on the southern border of Lot 1, which was not constructed on the site in accordance with the approved plans. The current placement does not meet the required rear yard setback of 50 feet. Instead the slanted structure has been placed with a 42 feet side yard setback, thus not meeting the required amount.

In October of 2021, Mr. Zarn applied for a permit to build a “Shouse”, a shop house that achieved the required

setbacks. The application and proposed site plan show the applicant would have been compliant with the 50 foot side yard setback, however the placement of the structure when built was not parallel as shown on the plans, but rather placed at an angle.

In November of 2024, the applicant applied for an after-the-fact variance to decrease the rear yard setback from 50 feet to 42 feet in order for the misplaced shouse to be compliant with code. The request was denied by the Mankato Township Board due to the applicant's request not achieving practical difficulty standards.

The applicant is now requesting reconsideration of the previously denied variance request. According to Mankato Township Land Use Ordinance, "If a request for a variance is denied by the Mankato Township Board of Adjustment; a new application for a Variance which is substantially the same as, or similar to, that which was denied shall not be accepted by the Board of Adjustments for a 12-month period following denial" (Section 20 Board of Adjustment, Part 0100.2004 Powers and Appeals, Subpart 2. Appeals, C.). This request differs from the previous submission by providing a solution on the property located in the adjacent Rapidan Township in order to meet the required rear yard setback set forth in the Conservation District of the Mankato Township. The applicant is requesting to adjust the southern property line by cutting a 10 feet by 218 feet of a parcel, owned by the applicant, located in the Rapidan Township to bring the slanted building back into conformance.

If approved, a deed restriction will be placed on Lot 1, Zarn Acres and on the Parcel ending in 0010 located in the southerly Rapidan Township, stating the two shall be considered a zoning lot and shall be sold together. Additionally, the parcel located in the Rapidan Township ending in 0010, will not be considered a developable lot. Because this parcel is necessary to achieve the setbacks for the structure, a condition has been listed herein that will limit the development on the Rapidan Township side.

In order to grant a variance, the Board shall make affirmative findings in five categories. Those categories are: the conformance to code 0100.2005-part A and B in Mankato Township Zoning ordinance, the use of property is in a reasonable manner, the circumstances are unique to the property that is not caused by the property owner, the request does not alter the essential character or the zoning district, and that the use is in harmony with Mankato Township Ordinances and Comprehensive Plan.

The proposed variance conforms to the standards for granting a variance found in the Mankato Township ordinance section 0100.2005. There are special circumstances or conditions affecting the land, building, or use that apply generally to other properties in the same vicinity. Since the applicant owns both of the parcels, he is proposing to take a portion out of the lot located in Rapidan Township in order to meet the required setback in the Mankato Township. Given the ownership of both tracts of land, "the granting of the application will not materially adversely affect the health or safety of persons residing or working in the area" (Section 20 Board of Appeals, Part 2005 Findings Required, subpart B). The applicant has agreed to the proposed deed restrictions. The parcel located in the Rapidan Township will continue to be utilized for Agricultural and Recreational purposes only.

The property owners propose to use the property in a reasonable manner, by bringing the misplaced structure back into conformance with the Code's standards. The use of the property will remain a one-single-family dwelling shouse that will be removed once the construction permit has been issued for the relocated development right on the subject property.

There are circumstances unique to the property, since the owner of both parcels has ownership in two separate townships, is requesting to cut 10 feet into the Rapidan Township, and has agreed to place a deed restriction on both parcels in order to achieve the required setbacks in the Mankato Township. The Conservation District is intended to provide a district with the protection and preservation of environmentally sensitive areas that may contain natural resources. The parcel containing the illegal nonconformity does have some environmentally sensitive areas, but they do not conflict with the current placement of the structure.

The request does not alter the essential character of the Mankato Township and the Conservation district by providing an alternative solution to meet the required rear yard setback on 50 feet. All dwellings shall meet the required setbacks from their front, rear, and side yard in the district. Currently, the "shouse" does not align with the

regulations set forth in Mankato Township Land Use Ordinance and is therefore altering the character of the district. In order to bring the building back into conformance, the applicant is proposing to adjust the southern property line by 10 feet in order to extend the rear yard and meet the required setback of 50 feet.

The proposed use is in harmony with the purpose and general intent of Mankato Townships ordinance and is consistent with the Mankato Township comprehensive plan. The purpose of remaining rural in the Township and with a low demand for urban services does align with this request and with the general intent.

### **Findings**

Staff respectfully submits the following findings:

1. The proposed variance does conform to the standards for granting a variance found in the Mankato Township ordinance section 0100.2005. Given the request to adjust the southern property line to bring the shouse into compliance with the Mankato Township Land Use Ordinance.
2. The property owners propose to use the property in a reasonable manner. The existing use as a single-family dwelling is allowed in the Town code.
3. There are circumstances unique to the property, in this request, given that the adjacent property is located in a different township and the applicant is requesting to utilize a portion of the land to conform to the Townships setbacks. The applicant is also willing to place a deed restriction on the two parcels to be tied and sold together.
4. The request does not alter the essential character of Mankato Township in the Conservation district. The structures located in this district require a 50 feet rear yard setback and by allowing the 10 feet cut out, the shouse would then be consistent with the surrounding area.
5. The proposed use is in harmony with the general intent of Mankato Townships ordinance and is consistent with the Mankato Township comprehensive plan.

### **Recommendation**

Staff recommends approval of the variance with the following conditions:

1. A deed restriction shall be recorded on the property in Mankato Township and the property in Rapidan Township tying them together. The deed restriction should require that the properties are considered one zoning lot and may not be sold independent of each other.
2. All final deed restrictions shall be sent to the Mankato Township Board.
3. An additional deed restriction on parcel R48.13.02.200.010 shall be placed on the property stating that the lot is not buildable and the property shall only be utilized for agricultural and/or recreational purposes.

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### **Attachments**

General Location Map

Aerial Map

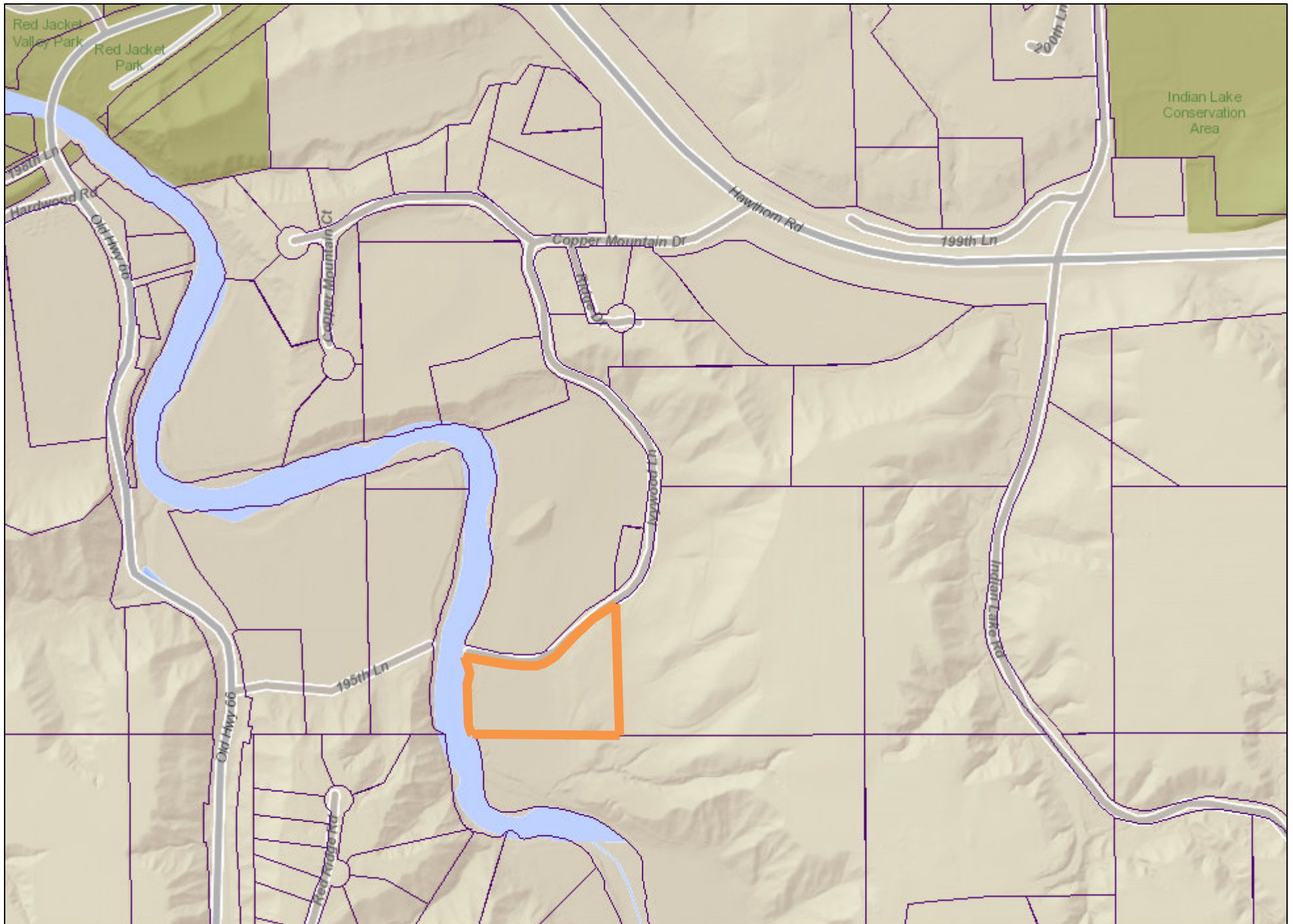
Site Plan

Rapidan Township Parcel- Deed Restriction

Mankato Township Parcel-Deed Restriction

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# General Location Map



**Date:** February 2025

**Author:**

This information is to be used for reference purposes only. The City of Mankato does not guarantee accuracy of the material contained herein and is not responsible for misuse or misinterpretation.

# Aerial Map

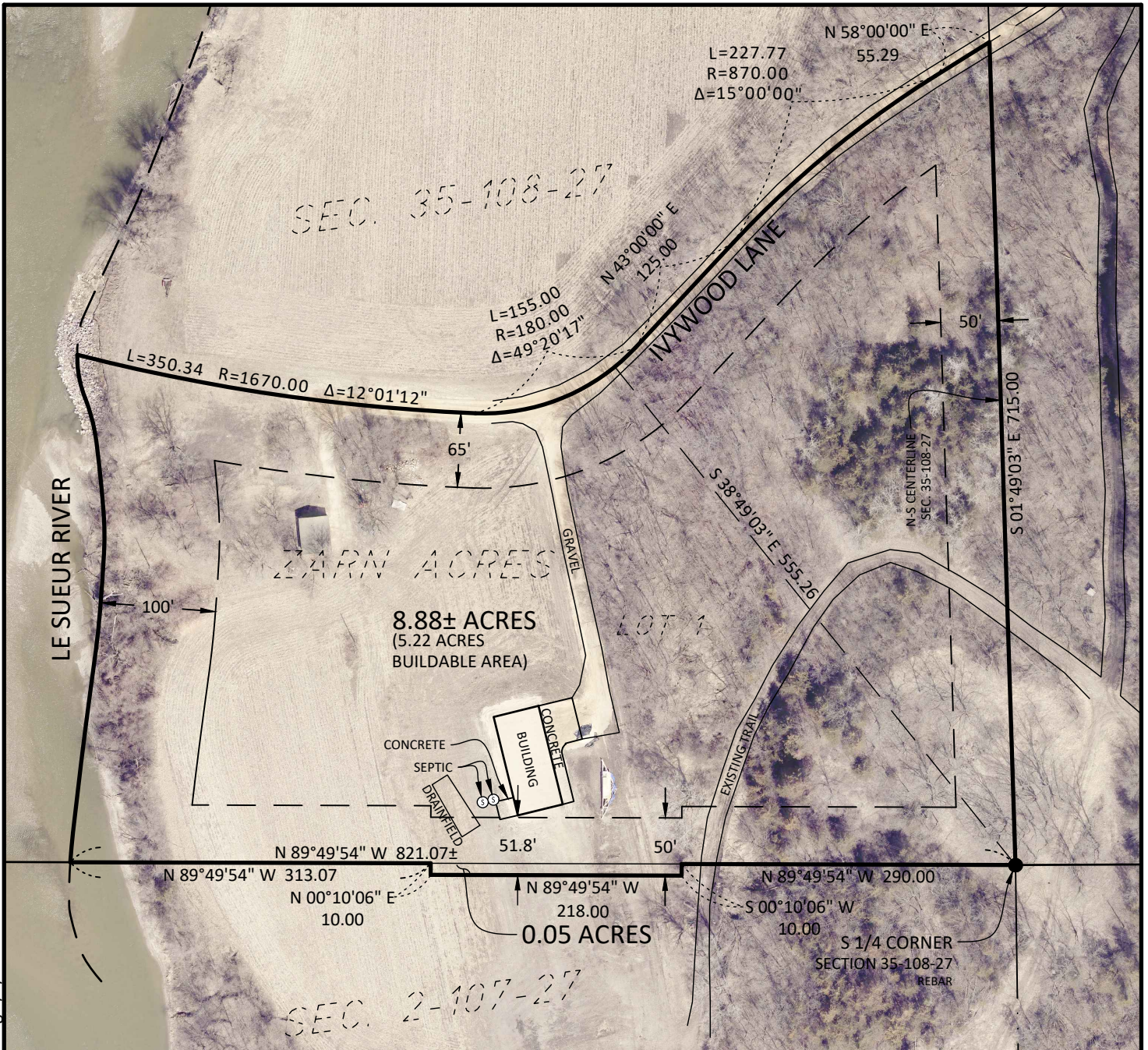


Date: February 2025

Author:

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## PROPERTY ZONED C-1

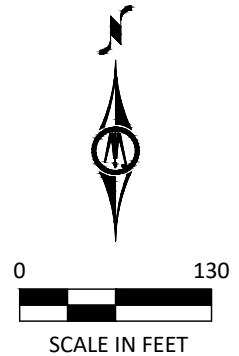
C - CONSERVATION DISTRICT  
SETBACK REQUIREMENTS - BLUE EARTH COUNTY  
BUILDING SETBACKS (PRIMARY STRUCTURE)  
FRONT 130 FEET FROM E COUNTY HIGHWAY  
FRONT 65 FEET FROM E TOWNSHIP ROAD  
SIDE 50 FEET  
REAR 50 FEET  
MINIMUM BUILDABLE AREA = 1.0 ACRE (EXCLUDING SETBACKS)

## LEGEND

- 3/4" IRON PIPE MONUMENT SET  
MARKED BY LIC. NO. XXXXXX
- MONUMENT FOUND

Horizontal Datum: Blue Earth County Coordinate System (1996 Adj.)

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## SITE PLAN BLUE EARTH COUNTY, MINNESOTA



1960 PREMIER DRIVE  
MANKATO, MN 56001  
(507) 625-4171

PART OF LOT 1, ZARN ACRES, BLUE EARTH COUNTY,  
MINNESOTA

FOR: ZARN, JIM

SDB133319H

JOB NUMBER: 0M3.133319

FIELD BOOK:

DRAWN BY: CDT

1.0 S35-T108N-R27W-(34)

**DEED RESTRICTION**

**BARE LOT**

**This Deed Restriction** is made this \_\_\_\_ day of March 2025, by James M. Zarn and Elizabeth A. Zarn, married to each other, as the Owners of the property described as follows:

See attached Exhibit A.

The Owners hereby impose the following deed restrictions on the above-described property in compliance with the accompanying Decision Notice from Blue Earth County, a Minnesota political subdivision:

**See attachment B.**

1. This document shall apply upon the recording of a transfer document for the newly created property described in the deed restriction. It will apply in perpetuity until the subject property is brought into compliance and a decision notice is issued by the Zoning Administrator and recorded at the county recorder's office.
2. This parcel may not be sold separately from PIN R43.08.35.452.012.

Owners specifically understand(s) that this deed restriction will be recorded with the Blue Earth County Recorder.

\_\_\_\_\_  
James M. Zarn, Owner

\_\_\_\_\_  
Elizabeth A. Zarn, Owner

**STATE OF MINNESOTA     )**  
                                                     **) ss.**  
**COUNTY OF BLUE EARTH    )**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2025, by James M. Zarn and Elizabeth A. Zarn, a married to each other.

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC

EXHIBIT "A"

R48.13.02.200.010

Drafted by  
Steven H. Fink (#0175328)  
Farrish Johnson Law Office  
1907 Excel Drive  
Mankato, MN 56001

## DEED RESTRICTION

**This Deed Restriction** is made this \_\_\_ day of March 2025, by James M. Zarn and Elizabeth A. Zarn, married to each other, as the Owners of the property described as follows (Real Property):

See Attached Exhibit A.

The Owners hereby impose the following deed restrictions on the above-described property in compliance with the accompanying Decision Notice from Blue Earth County, a Minnesota political subdivision.

See Attached Exhibit B.

1. This document shall apply upon the recording of a transfer document for the newly created property described in the deed restriction. It will apply in perpetuity until the subject property is brought into compliance and a decision notice is issued by the Zoning Administrator and recorded at the county recorder's office.
2. This parcel may not be sold separately from PIN R.48.13.02.200.010.

Owners specifically understand(s) that this deed restriction will be recorded with the Blue Earth County Recorder.

James M. Zarn, Owner

Elizabeth A. Zarn, Owner

**STATE OF MINNESOTA            )**  
                                               **) ss.**  
**COUNTY OF BLUE EARTH      )**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2025, by James M. Zarn and Elizabeth A. Zarn, a married to each other.

SIGNATURE OF NOTARY PUBLIC

EXHIBIT "A"

R43.08.35.452.012

Drafted By

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