



*Trail to the Past. Road to the Future.*

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**CITY COUNCIL MEETING**  
**MANTORVILLE CITY COUNCIL CHAMBERS**  
**21 5<sup>TH</sup> STREET E, MANTORVILLE, MN 55955**  
**MONDAY, May 22, 2023**  
**6:30 PM**

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Adopt the Agenda**

**4. Consent Agenda \***

Accounts Payable Claims List

**5. Proclamations, Presentations and Recognitions – *No Items***

**6. Public Concerns**

*Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium and state their name and address for the Clerk's audio and written record. Generally, the City Council will not take official action on items discussed at this time but may, typically, refer the matter to Staff for a future report or direct that the matter be scheduled on an upcoming agenda.*

**7. Public Safety Update – *No Items***

**8. Public Hearing \***

Application for variance from section 150.069(F) to allow a reduced building setback of approximately 13 feet along Adam's Street and 20 feet along 7<sup>th</sup> Street West; and section 150.069(G) to allow the percentage of lot area covered by a main building and accessory buildings to exceed 25%.

**9. Old Business/New Business – *No Items***

**10. Tabled Items – *These are items that the Council has previously discussed and voted to table, take action on, or continue discussion of at a later date. These items may be brought back by the Council for discussion at any future meeting***

**11. Reports**

**A. Public Works Report**

**B. City Clerk Report**

**C. Consultant Report**

**D. Committee Reports**

*Chamber, EDA, Finance/Budget, Fire Department, Infrastructure, KM Joint Powers, MRA, Park Board, Personnel, Township*

- E. Councilmember Reports
- F. Mayor's Report

**12. Executive Session – No Items**

**13. Adjourn \***

<b><i>Upcoming Meetings and Events in Mantorville:</i></b>		
<i>May 22, 2023</i>	<i>6:30 pm</i>	<i>Regular City Council Meeting</i>
<i>May 29, 2023</i>	<i>City Offices Closed in Observance of Memorial Day</i>	
<i>May 30, 2023</i>	<i>6:30 pm</i>	<i>Regular Parks &amp; Recreation Committee Meeting</i>
<i>June 10, 2023</i>	<i>Annual Cemetery Walk</i>	<i>Evergreen Cemetery in Mantorville</i>
<i>June 12, 2023</i>	<i>6:30 pm</i>	<i>Regular City Council Meeting</i>
<i>June 19, 2023</i>	<i>City Offices Closed</i>	<i>Observance of Juneteenth</i>
<i>June 21, 2023</i>	<i>7:30 pm</i>	<i>Mantorville Fire Dept General Members Meeting</i>
<i>June 26, 2023</i>	<i>6:30 pm</i>	<i>Regular City Council Meeting</i>
<i>June 27, 2023</i>	<i>6:30 pm</i>	<i>Regular Parks &amp; Recreation Committee Meeting</i>
<b><i>Members of the City Council and other Boards may be in attendance at all meetings and community events in Mantorville</i></b>		

\* Indicates Council Action Items

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Payments

Current Period: May 2023

Payments Batch AP05222023		\$15,064.87	
Refer	0 HARBAUGH, DUKE	-	
Cash Payment	E 101-42200-208 Training, Mileage	Meal Reimbursement	\$15.00
Invoice	05022023 5/22/2023		
Transaction Date	5/18/2023	Citizens State Bank 10100	<b>Total</b> \$15.00
Refer	0 MINNESOTA ENERGY	-	
Cash Payment	E 101-41940-380 Utility Services	4016467-5 STREETS	\$0.00
Invoice	4575818918 5/22/2023		
Cash Payment	E 101-41940-380 Utility Services	4300149-4 STREETS	\$483.83
Invoice	4575818918 5/22/2023		
Cash Payment	E 101-41940-380 Utility Services	4028156-0 STREETS	\$423.26
Invoice	4575818918 5/22/2023		
Cash Payment	E 101-42200-380 Utility Services	4229566-7 FIRE DEPT	\$1,008.53
Invoice	4575818918 5/22/2023		
Cash Payment	E 602-49450-380 Utility Services	4299022-6 WWTP	\$287.37
Invoice	4575818918 5/22/2023		
Cash Payment	E 101-41940-380 Utility Services	5121503-6 NEW SHOP	\$0.00
Invoice	4575818918 5/22/2023		
Transaction Date	5/18/2023	Citizens State Bank 10100	<b>Total</b> \$2,202.99
Refer	0 OPG-3, INC.	-	
Cash Payment	E 101-41500-300 Professional Srvs (GEN AnnualPP		\$1,200.00
Invoice	6720 5/22/2023		
Transaction Date	5/18/2023	Citizens State Bank 10100	<b>Total</b> \$1,200.00
Refer	0 LINCOLN NATIONAL LIFE INS. CO.	-	
Cash Payment	G 101-21711 Life Insurance Payable	Premium	\$154.02
Invoice	5/22/2023		
Transaction Date	5/18/2023	Citizens State Bank 10100	<b>Total</b> \$154.02
Refer	0 DODGE COUNTY INDEPENDENT	-	
Cash Payment	E 101-41110-352 Publishing	Public Hearing Notice	\$103.50
Invoice	15980 5/22/2023		
Cash Payment	E 101-41110-352 Publishing	Public Hearing Notice	\$186.30
Invoice	15980 5/22/2023		
Transaction Date	5/18/2023	Citizens State Bank 10100	<b>Total</b> \$289.80
Refer	0 CMS - CONSTRUCTION MGMT. SE	-	
Cash Payment	E 101-42400-300 Professional Srvs (GEN Engineering		\$387.66
Invoice	817-234236-4 5/22/2023		
Transaction Date	5/18/2023	Citizens State Bank 10100	<b>Total</b> \$387.66
Refer	0 STUSSY CONSTRUCTION INC	-	
Cash Payment	E 101-43100-224 Street Maint Materials	CR Rock	\$241.23
Invoice	324204 5/22/2023		
Transaction Date	5/18/2023	Citizens State Bank 10100	<b>Total</b> \$241.23
Refer	0 ON-SITE COMPUTERS, INC	-	
Cash Payment	E 601-49400-300 Professional Srvs (GEN Remote Support		\$12.00
Invoice	CW86361 5/22/2023		
Cash Payment	E 101-41500-300 Professional Srvs (GEN Remote Support		\$88.55
Invoice	CW86361 5/22/2023		

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Payments

Current Period: May 2023

Cash Payment	E 101-41500-300	Professional Srvs (GEN	Remote Support		\$313.00
Invoice	CW86361	5/22/2023			
Transaction Date	5/18/2023		Citizens State Bank	10100	<b>Total</b> \$413.55
Refer	0	ON-SITE COMPANIES			
Cash Payment	E 603-45183-400	Repairs & Maint Cont (G	Supplies		\$79.00
Invoice	0001530319	5/22/2023			
Cash Payment	E 603-45183-400	Repairs & Maint Cont (G	Supplies		\$84.84
Invoice	0001530319	5/22/2023			
Transaction Date	5/18/2023		Citizens State Bank	10100	<b>Total</b> \$163.84
Refer	0	OLMSTED MEDICAL CENTER CLIN			
Cash Payment	E 101-41500-300	Professional Srvs (GEN	Drug Screen		\$127.00
Invoice					
Transaction Date	5/18/2023		Citizens State Bank	10100	<b>Total</b> \$127.00
Refer	0	NCPERS GROUP LIFE INS.			
Cash Payment	G 101-21711	Life Insurance Payable	Life Insurance		\$32.00
Invoice	608900062023	5/22/2023			
Transaction Date	5/18/2023		Citizens State Bank	10100	<b>Total</b> \$32.00
Refer	0	VERIZON WIRELESS			
Cash Payment	E 101-42200-321	Communications Phone/	Phones		\$139.20
Invoice	9933300531	5/22/2023			
Transaction Date	5/18/2023		Citizens State Bank	10100	<b>Total</b> \$139.20
Refer	0	BOUND TREE MEDICAL, LLC			
Cash Payment	E 101-42200-311	First Responder Train/E	Supplies		\$152.84
Invoice	84946055	5/22/2023			
Transaction Date	5/18/2023		Citizens State Bank	10100	<b>Total</b> \$152.84
Refer	0	INTERSTATE POWERSYSTEMS			
Cash Payment	E 602-49450-300	Professional Srvs (GEN	Service Generator		\$1,567.10
Invoice	r001197737	5/22/2023			
Transaction Date	5/18/2023		Citizens State Bank	10100	<b>Total</b> \$1,567.10
Refer	0	ADAMS, JOE			
Cash Payment	E 602-49450-300	Professional Srvs (GEN	Mailing Package		\$5.50
Invoice		5/22/2023			
Transaction Date	5/18/2023		Citizens State Bank	10100	<b>Total</b> \$5.50
Refer	0	OREILLY			
Cash Payment	E 101-45200-404	Repairs/Maint Machiner	Barrery		\$56.93
Invoice	6235-103283	5/22/2023			
Transaction Date	5/18/2023		Citizens State Bank	10100	<b>Total</b> \$56.93
Refer	0	KENNEDY & GRAVEN, CHARTERE			
Cash Payment	E 101-41600-304	Legal Fees	City Matters, Wilcox, Pederson		\$447.70
Invoice		5/22/2023			
Cash Payment	E 101-41600-304	Legal Fees	City Matters, Wilcox, Pederson		\$244.40
Invoice		5/22/2023			
Cash Payment	E 101-41600-304	Legal Fees	City Matters, Wilcox, Pederson		\$159.00
Invoice		5/22/2023			
Cash Payment	E 101-41600-304	Legal Fees	City Matters, Wilcox, Pederson		\$44.30
Invoice		5/22/2023			

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Payments

Current Period: May 2023

Transaction Date	5/18/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$895.40</b>
Refer	0 OREILLY AUTOMOTIVE	-			
Cash Payment	E 101-45200-404 Repairs/Maint Machiner	Shop Stuff			\$31.88
Invoice	6235102275	5/22/2023			
Transaction Date	5/19/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$31.88</b>
Refer	0 SIMPLY TIDY, LLC	-			
Cash Payment	E 101-41940-439 Janitors	Custodial			\$65.00
Invoice	102	5/22/2023			
Transaction Date	5/19/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$65.00</b>
Refer	0 CAPITAL ONE TRADE CREDIT	Ck# 005902	5/22/2023		
Cash Payment	E 101-45200-404 Repairs/Maint Machiner	conf # 304071			\$45.02
Invoice	1648653656	5/22/2023			
Transaction Date	5/19/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$45.02</b>
Refer	0 JOHN DEERE FINANCIAL	Ck# 005901	5/22/2023		
Cash Payment	E 101-43100-228 Equip. Repair and Maint	Hoses			\$169.75
Invoice	IK17849	5/22/2023			
Transaction Date	5/19/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$169.75</b>
Refer	0 SOUTHEAST SERVICE COOPERAT	Ck# 005900	5/22/2023		
Cash Payment	G 101-21706 Hospitalization/Medical Ins	Health Insurance			\$2,510.94
Invoice	June 2023	5/22/2023			
Transaction Date	5/19/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$2,510.94</b>
Refer	0 REINDERS	-			
Cash Payment	E 101-45200-200 Supplies	Pesticide			\$256.66
Invoice	318553200	5/22/2023			
Transaction Date	5/19/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$256.66</b>
Refer	0 SCHMIT, TIM	-			
Cash Payment	E 603-45183-440 Refunds and Reimburse	Refund for Camping 6/28-7/4 6 nights			\$180.00
Invoice		5/22/2023			
Transaction Date	5/19/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$180.00</b>
Refer	0 THUE, LORI	-			
Cash Payment	E 603-45183-440 Refunds and Reimburse	Camping Refund 6/30-7/1 2 nights			\$60.00
Invoice		5/22/2023			
Transaction Date	5/19/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$60.00</b>
Refer	0 INTERNAL REVENUE SERVICE	Ck# 005905	5/22/2023		
Cash Payment	G 101-21703 FICA Tax Withholding	Soc Security			\$1,042.70
Invoice	05/19/23	5/22/2023			
Cash Payment	G 101-21709 Medicare	Medicare			\$243.88
Invoice	05/19/23	5/22/2023			
Cash Payment	G 101-21701 Federal Withholding	Tax Withholding Federal			\$739.29
Invoice	05/19/23	5/22/2023			
Transaction Date	5/19/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$2,025.87</b>
Refer	0 MN PERA	Ck# 005903	5/22/2023		
Cash Payment	G 101-21704 PERA	Pera			\$1,278.80
Invoice	05/19/23	5/22/2023			
Transaction Date	5/19/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$1,278.80</b>

Payments

Current Period: May 2023

Refer	0 MINNESOTA REVENUE	Ck# 005904 5/22/2023	
Cash Payment	G 101-21702 State Withholding	Withholding Tax	\$396.89
Invoice	05/19/23 5/22/2023		
Transaction Date	5/19/2023	Citizens State Bank 10100	<b>Total</b> \$396.89

Fund Summary

	10100 Citizens State Bank	
101 GENERAL FUND		\$12,789.06
601 WATER FUND		\$12.00
602 SEWER FUND		\$1,859.97
603 RV PARK		\$403.84
		<u>\$15,064.87</u>

Pre-Written Checks	\$6,427.27
Checks to be Generated by the Computer	\$8,637.60
Total	<u>\$15,064.87</u>

CITY OF MANTORVILLE  
APPLICATION FOR VARIANCE

Fee \$250

- (A) Applicant's Name Ron & Deb Pederson Phone \_\_\_\_\_
- (B) Address \_\_\_\_\_ Email Address: \_\_\_\_\_
- (C) Owner's Name (if different from Applicant) \_\_\_\_\_ Phone \_\_\_\_\_
- (D) Owner's Address \_\_\_\_\_ Email Address: \_\_\_\_\_
- (E) Address of the Property Empty lot, no address
- (F) Tax Parcel ID Number(s) 25.426.1991
- (G) Legal Description of Property The west 100 ft. of Block 30 Frank Mantor's Addition, according to the plat thereof on file at County Recorder's office.
- (H) Description of Request Waiver of setbacks on west & south sides of property. Waiver of lot coverage.
- (I) Reason(s) for Request Unable to build on property without waiving setbacks
- (J) Present Zoning Classification of the Property Residential (R-1)
- (K) Existing Use of the Property Empty lot
- (L) Section of the Zoning Ordinance in which a variance is sought: ~~B~~ 150.069 ~~(F)~~ + (G)
- (M) Explain how you wish to vary from the applicable provisions of the Zoning Ordinance: We would like to have the 25-ft. setback waived on the west side of the property since there is substantial space between the road and property already, and are asking to have at least 15 ft. waived on the south side, as again there is ample space between the road & property. We also wish to waive the lot coverage requirement because the lot is so small. We would like to build a patio home and have a smaller lot so we can age in place.



(N) A variance may only be granted by the City Council where the strict enforcement of the Zoning Ordinance will result in "practical difficulties." Under the new law, **practical difficulties means** (1) the property owner proposes to use the property in a reasonable manner permitted by the ordinance, (2) the owner's plight is due to circumstances unique to the property not created by the owner, and (3) the variance will not alter the locality's essential character. The Applicant is responsible for establishing the existence of practical difficulties regarding the particular property and that the request otherwise satisfies the requirements of the Zoning Ordinance. Whether or not "practical difficulties" exist is determined by the City Council considering all of the following factors. Please summarize the facts as to your property and alleged "practical difficulties" with regard to each of the factors, using additional paper and attachments, if necessary.

1. In your opinion, is the variance in harmony with the purposes and intent of the Zoning Ordinance?

Yes  No Why or why not? Explain:

There is ample space between both roads and our property line and between neighboring homes and our property

2. In your opinion, is the variance consistent with the comprehensive plan?

Yes  No Why or why not? Explain:

In reading the comprehensive plan, we found nothing in conflict.

3. In your opinion, are you proposing to use your property in a reasonable manner not permitted by the Zoning Ordinance?

Yes  No Why or why not? Explain:

We want to build a one story home that should fit in well with the rest of the neighborhood.

4. In your opinion, is your dilemma due to circumstances unique to your property which do not apply to other properties in the same zone or vicinity?

Yes  No Why or why not? Explain:

Our lot is too small to accommodate the setback and lot coverage requirements.

5. In your opinion, were the circumstances causing the practical difficulties created by someone or something other than you or the previous owners of the property?

Yes  No Why or why not? Explain:

The zoning ordinances were in place before purchase of the property. The previous owners were apparently unaware of the requirements, and we were told by a number of people who had done work for the city that we had to be 25ft. back from the middle of the adjacent roads.



6. In your opinion, will the granting of the variance maintain and not alter the essential character of the area or the neighborhood?

Yes  No Why or why not? Explain:

Not only will our house maintain and not alter the essential character, but it will greatly improve what has been an unsightly lot for years.

7. In your opinion, do the alleged practical difficulties involve more than just economic considerations?

Yes  No Why or why not? Explain:

If held to the requirements, we could not build on this lot at all.

The City will not consider as a variance any use that is not permitted for the property in the district where the affected person's land is located.

No application for a variance shall be considered by the Council within a 1-year period following a denial of the request unless, in the opinion of the Council, new evidence or a change in circumstances warrant it.

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of the Mantorville Zoning Ordinance and other applicable City ordinances. Submittal of the application, required information and fee does not guarantee the issuance of a variance. Additional information may be needed or conditions may exist that would prevent the actual granting of a variance.

I hereby certify with my signature that all data on my application form, and any additional sheets, plans and specifications, are true and correct to the best of my knowledge.

Ronald V. Pederson Deborah A. Pederson 4-20-2023  
Applicant Signature Date

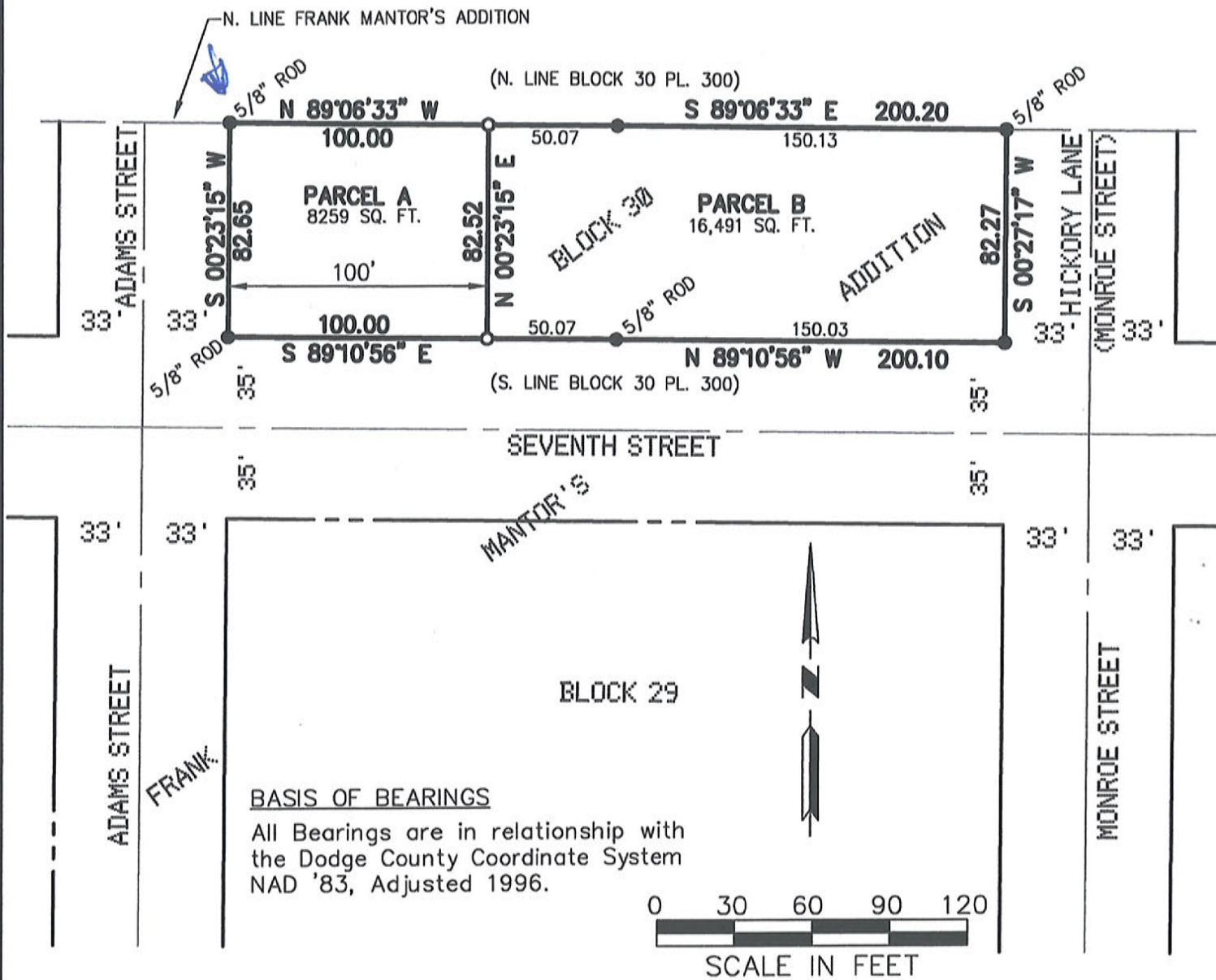
\_\_\_\_\_  
Property Owner Signature (if different from Applicant) Date

# CERTIFICATE OF SURVEY

## BLOCK 30

### FRANK MANTOR'S ADDITION

### MANTORVILLE, MINNESOTA



#### DESCRIPTION

PARCEL A

The West 100.00 feet of Block 30, FRANK MANTOR'S ADDITION, according to the plat thereof on file at the County Recorder's Office, Dodge County, Minnesota.

Said parcel contains 8,259 square feet, more or less.

PARCEL B

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed (  ) not required

Certificate of Real Estate Value No. \_\_\_\_\_

Wendy Iverson  
Deputy Auditor/Treasurer

March 9, 2023  
Date

DATE 3-10-2023  
DEED TAX HEREON OF \$ 1.65 PAID  
RECEIPT NO. 110479  
Janna Boh Dep.  
County Auditor/Treasurer

QUIT CLAIM DEED Individual(s) to Individual(s) Minnesota Uniform Conveyancing Blanks Form 10.3.1 (2016)

eCRV number: \_\_\_\_\_

DEED TAX DUE: \$ 1.65

DATE: March 7, 2023  
(month/day/year)

FOR VALUABLE CONSIDERATION, Jonathan Buck and Tessa Buck, married to each other  
(insert name and marital status of each Grantor)

hereby conveys and quitclaims to Ronald Pederson and Deborah Pederson  
(insert name of each Grantee) ("Grantor"),

\_\_\_\_\_ ("Grantee"), as

(Check only one box.)  tenants in common, (If more than one Grantee is named above and either no box is checked or both boxes are checked, this conveyance is made to the named Grantees as tenants in common.)  
 joint tenants,

real property in Dodge County, Minnesota, legally described as follows:

The West 100.00 feet of Block 30, Frank Mantor's Addition, according to the plat thereof on file at the County Recorder's Office, Dodge County, Minnesota

Said parcel contains 8,259 square feet, more or less.

Consideration for this transfer is \$3,000.00 or less

Check here if all or part of the described real property is Registered (Torrens)

together with all hereditaments and appurtenances belonging thereto.  
None

25.426.1990 split  
25.426.1991

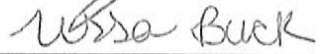


Check applicable box:

- The Seller certifies that the Seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: \_\_\_\_\_.)
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

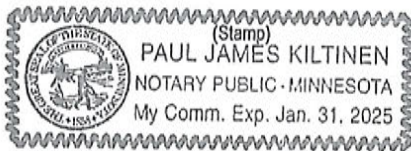
  
 \_\_\_\_\_  
 (signature) Jonathan Buck

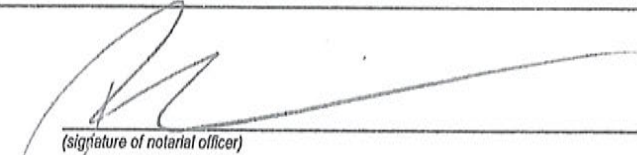
  
 \_\_\_\_\_  
 (signature) Tessa Buck

State of Minnesota, County of Dodge

This instrument was acknowledged before me on March 7, 2023, by Jonathan Buck and Tessa Buck  
 \_\_\_\_\_  
 (month/day/year)

married to each other  
 \_\_\_\_\_  
 (insert name and marital status of each Grantor)



  
 \_\_\_\_\_  
 (signature of notarial officer)

Title (and Rank): \_\_\_\_\_

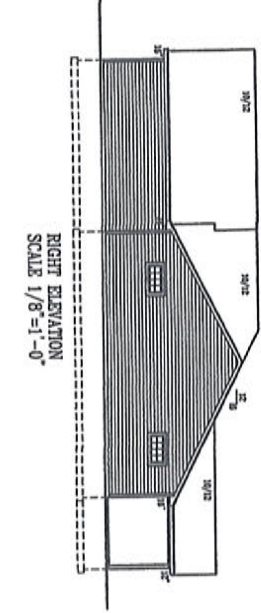
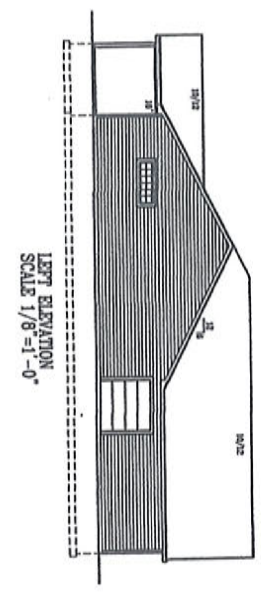
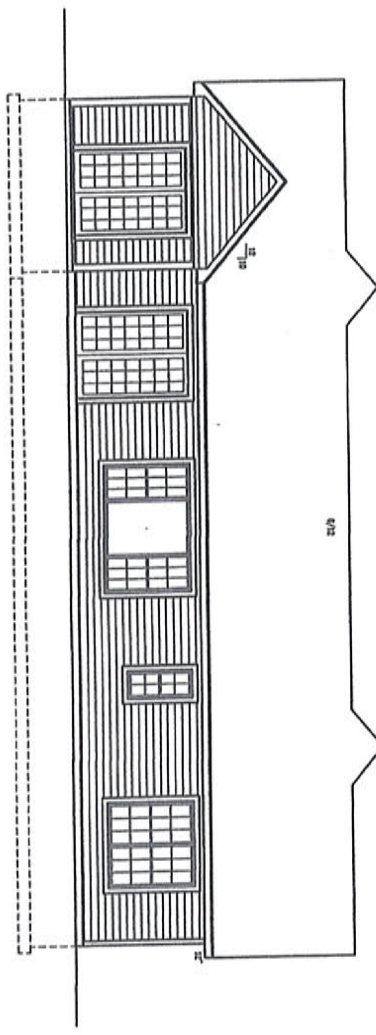
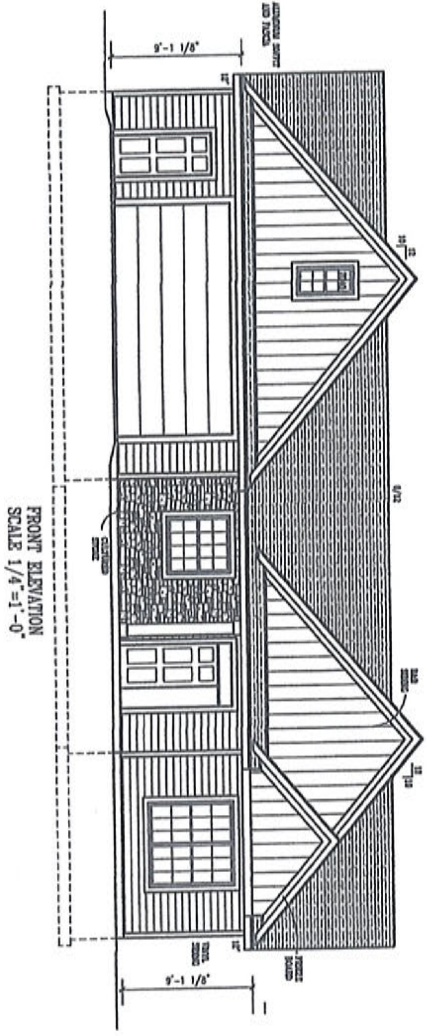
My commission expires: \_\_\_\_\_  
 \_\_\_\_\_  
 (month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:  
 (insert name and address)

Atypical Title, Inc.  
 16 N. Mantorville Ave  
 Kasson, MN 55944

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:  
 (insert legal name and residential or business address of Grantee)

Ronald Pederson and Deborah Pederson  
 409 W 5th Street  
 Mantorville, MN 55955



DATE	4/14/23
PROJECT	23130815
NOTED	
DATE	

CONTRACTOR:	EVANS CONSTRUCTION LLC
OWNER:	PEDERSON RESIDENCE

I hereby certify that this set of architectural drawings was prepared by me or under my direct supervision and that I am a duly licensed professional architect in the State of North Carolina. I am not providing these drawings for any other project or purpose. I understand that these drawings are to be used for the construction of the project described herein and that I will be responsible for any errors or omissions in these drawings. I understand that these drawings are to be used for the construction of the project described herein and that I will be responsible for any errors or omissions in these drawings. I understand that these drawings are to be used for the construction of the project described herein and that I will be responsible for any errors or omissions in these drawings.

Architected by \_\_\_\_\_  
Customer/Contractor Signature \_\_\_\_\_

**PROGRESSIVE PLAN DESIGN LLP**  
RESIDENTIAL ARCHITECTURE  
115 County Rd 2 27 Ave. SE 27008  
(817) 715-6717 progressiveplan.com



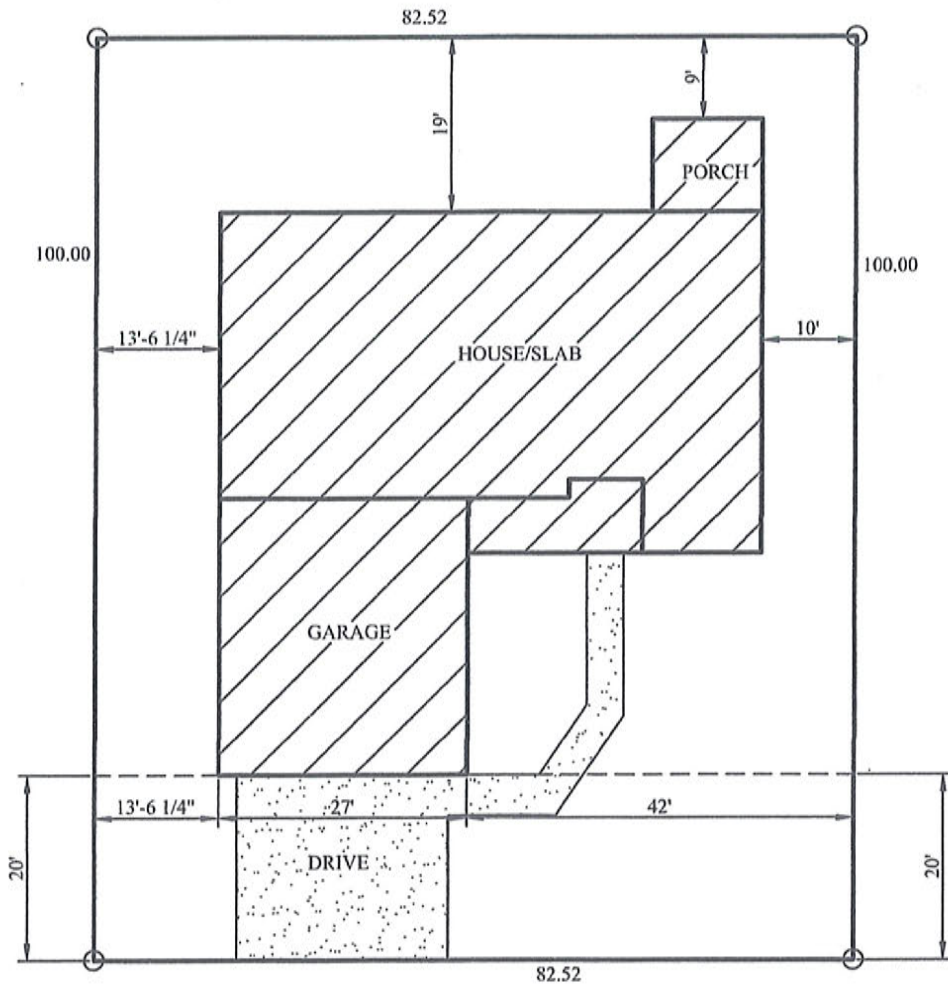
# PROGRESSIVE PLAN DESIGN LLP

RESIDENTIAL ARCHITECTURE  
714 County Rd 3 NW Byron MN 55920  
(507)776-8877 progressiveplandesign@gmail.com

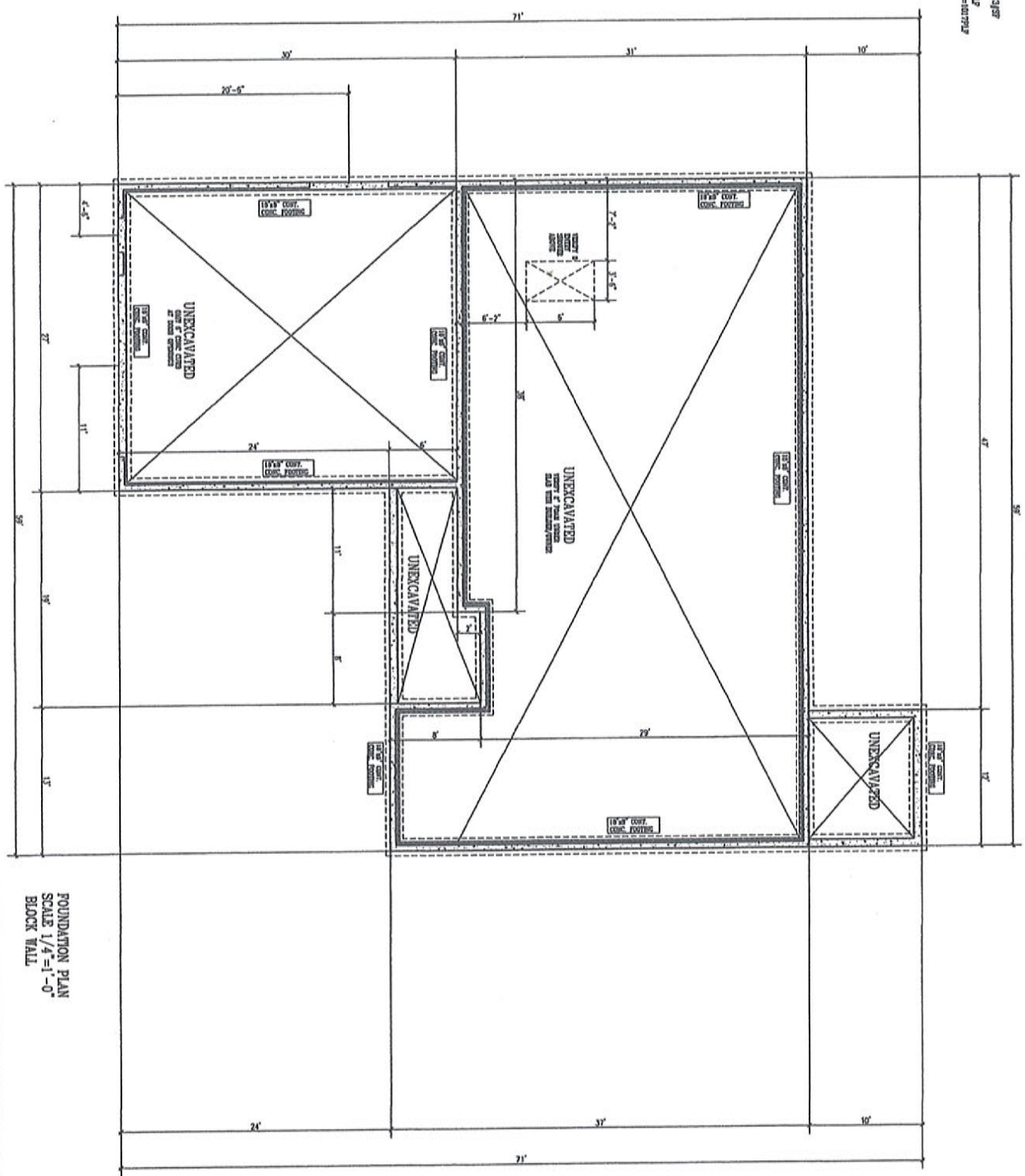
LOT, #PARCEL A BLK. #30  
SUBDIVISION: FRANK MANTORS ADD.  
CITY: MANTORVILLE STATE: MN  
CONTRACTOR: EVANS CONSTRUCTION  
CUSTOMER: PEDERSON



SCALE: 1" = 20'



HOUSE FOUNDATIONS:  
 FOUNDATION WALL 4" TALL @ 11/8" SF  
 12" LIGSTEN - 4000 PSI  
 18" WIDE @ 1" TALL 18" WIDE @ 18" SF  
 18" WIDE @ 1" TALL 18" WIDE @ 18" SF  
 18" WIDE @ 1" TALL 18" WIDE @ 18" SF  
 18" WIDE @ 1" TALL 18" WIDE @ 18" SF  
 18" WIDE @ 1" TALL 18" WIDE @ 18" SF



FOUNDATION PLAN  
 SCALE 1/4"=1'-0"  
 BLOCK WALL

NO.	DATE	DESCRIPTION
1	1/18/21	ISSUED FOR PERMITS
2	2/1/21	REVISED
3	2/1/21	REVISED

CONTRACTOR	EVANS CONSTRUCTION LLC
OWNER	PEDERSON RESIDENCE

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Acknowledged by: \_\_\_\_\_ Date: \_\_\_\_\_

**PROGRESSIVE PLAN DESIGN LLP**  
 RESIDENTIAL ARCHITECTURE  
 114 County Rd 9 #200 Baytown TX 77528  
 2819 478-8977 progressiveplanllp@gmail.com







**PROCEDURES:** The procedure for applying for a Variance from the regulations of the Zoning Ordinance are as follows:

1. The applicant shall file the completed application together with the required exhibits listed below and pay an application fee as established by the City Council.
2. When the City Clerk determines the application to be complete the public hearing date will be set.
3. The City Clerk shall publish a notice of the Public Hearing at least once in the legal newspaper not less than ten (10) days prior to the hearing.
4. The City Clerk shall give written notice to all property owners within 350 feet of the outer boundaries of the property in question; however, failure of any property owner to receive such notification shall not invalidate the proceedings.
5. The City Council shall take action to approve or deny the application within sixty (60) days of receiving a completed application. If the Council cannot take action to approve or deny the application within these sixty (60) days, the Council may extend the timeline for taking action before the end of the initial 60-day period by providing written notice of the extension to the applicant. The notification shall state the reasons for the extension and its anticipated length, which may not exceed sixty (60) days unless approved by the applicant in writing.
6. No application for a Variance shall be considered by the City Council within a one (1) year period following a denial of such request, except that the City Clerk may permit a new application to be filed if new evidence or a change in circumstances warrant it.

**REQUIRED EXHIBITS FOR VARIANCES** The following exhibits shall be required:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Yes ___ No | 1. A completed application form.   |
| <input checked="" type="checkbox"/> Yes ___ No | 2. An accurate boundary description of the property, in some cases a survey of the property by a licensed Surveyor will be required. |
| <input checked="" type="checkbox"/> Yes ___ No | 3. Evidence of ownership or enforceable option on the property   |
| <input checked="" type="checkbox"/> Yes ___ No | 4. An accurate drawing, at scale, showing property lines, locations of existing buildings and proposed project.                      |

**NOTE: SUBMITTAL OF THE REQUIRED INFORMATION DOES NOT GUARANTEE THE ISSUANCE OF A VARIANCE. ADDITIONAL INFORMATION MAY BE NEEDED OR CONDITIONS MAY EXIST THAT WOULD PREVENT THE ACTUAL GRANTING OF A VARIANCE.**

**FOR OFFICE USE ONLY**

Date Submitted 4/20/23 Date Accepted \_\_\_\_\_ Fee Paid \$250<sup>00</sup>  
Check # 1016

Public Hearing Date: \_\_\_\_\_

(Circle one) Approved Denied by the City Council on \_\_\_\_\_, \_\_\_\_\_.

If approved, the following conditions were prescribed:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

If denied, denial was for the following reason(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**CITY OF MANTORVILLE  
DODGE COUNTY, MINNESOTA**

**RESOLUTION 2023-16**

**A RESOLUTION GRANTING A VARIANCE FOR CERTAIN  
REAL PROPERTY LOCATED IN THE CITY**

**WHEREAS**, Ronald Pederson and Deborah Pederson (collectively, the “Applicants”) are fee owners of certain real property located in Mantorville, Minnesota, Dodge County PID 25.426.1991, which is legally described as follows

*The West 100.00 feet of Block 30, FRANK MANTOR’S ADDITION, according to the plat thereof on file at the County Recorder’s Office, Dodge County, Minnesota.*

(the “Property”); and

**WHEREAS**, the Applicants have made application to the City for a variance from the following two sections of the City’s zoning regulations, which is necessary to construct their desired single-family dwelling on the Property: section 150.069(F) to allow building setbacks of 13.5 feet along Adam’s Street and 20 feet along 7<sup>th</sup> Street West; and section 150.069(G) to allow the percentage of lot area covered by a main building and accessory buildings to exceed 25%; and

**WHEREAS**, a depiction of the proposed single-family dwelling, including an attached garage and porch, is attached hereto as Exhibit A; and

**WHEREAS**, on May 22, 2023, the Mantorville City Council held a duly noticed public hearing on the application, at which time it heard from those wishing to speak on the variance request and reviewed any written testimony or information provided to the City regarding this matter; and

**WHEREAS**, the City Council hereby finds and determines the following:

- (a) The requested variance is in harmony with the purposes and intent of the City’s zoning regulations and is consistent with the comprehensive plan because such variance will allow for a reasonably sized single-family dwelling to be constructed on the Property;
- (b) The Applicants have proven to satisfy the “practical difficulties” standard, which is set forth in Minnesota Statutes Section 462.357, subdivision 6, paragraph (2), as the Applicants propose to use the Property in a reasonable manner not otherwise permitted by the zoning ordinance; the plight of the Applicants is due to circumstances unique to the Property, i.e. a smaller buildable lot that was not created by them; and the variance requested will not alter the essential character of the locality.

**NOW THEREFORE BE IT RESOLVED**, that the above findings are made part of this resolution and the City Council hereby approves and issues the variance for the Property, as requested, subject to all of the following conditions:

1. The Applicants shall construct the single-family dwelling and attached garage and porch, as depicted on Exhibit A attached hereto. Accordingly, the allowed setback along Adam's Street is reduced to 13.5 feet and the allowed setback along 7<sup>th</sup> Street West is reduced to 20 feet. The variance approved herein shall be rendered null and void if construction of the proposed home does not commence within one year of the date of this resolution.
2. The Applicants and the Property shall remain in compliance with all applicable federal, state and local laws, rules, and ordinances.
3. All conditions of this approval must be complied with, shall run with the land, and shall not in any way be affected by the subsequent sale, lease or other change from current ownership of the Property.
4. The Applicants shall make reimbursement to the City for all costs incurred by the City in relation to the application, including, but not necessarily limited to, consulting fees incurred.
5. This resolution is subject to the condition that all representations, written and oral, made by the Applicants and their agents and representatives to the City contained in and concerning the Applicants' application for the variance must have been true, complete, and accurate at the time they were made, and that they remain true and accurate for the duration of the variance.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the City Clerk-Treasurer is hereby authorized and directed, *only upon the satisfaction of the above conditions*, to record a certified copy of this resolution with the Office of the County Recorder, Dodge County, Minnesota.

Adopted by the Mantorville City Council this 22<sup>nd</sup> day of May, 2023.

---

Mayor

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Attest: City Clerk-Treasurer

EXHIBIT A

**PROGRESSIVE PLAN  
DESIGN LLP**  
RESIDENTIAL ARCHITECTURE  
714 County Rd 3 NW Byron MN 55920  
(607)775-8877 progressiveplandesign@gmail.com

LOT, #PARCEL A BLK. #30  
SUBDIVISION: FRANK MANTORS ADD.  
CITY:MANTORVILLE STATE: MN  
CONTRACTOR:EVANS CONSTRUCTION  
CUSTOMER:PEDERSON



SCALE: 1" = 20'

