



# AGENDA

## Planning Commission Meeting

4:30 PM - Thursday, April 30, 2026  
City Hall Council Chambers

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MINUTES OF THE REGULAR MEETING  
OF THE NEW ULM PLANNING COMMISSION  
HELD THURSDAY, MARCH 26, 2026 AT 4:30 P.M.  
IN THE CITY COUNCIL CHAMBERS IN CITY HALL

MEMBERS PRESENT

Bill Turnblad, Chair  
Joe Schotzko  
Cate Macho  
Larry Mack  
Bobbi Fuhr  
Linda Beck

MEMBERS ABSENT

Michelle Sellner

STAFF PRESENT

John Knisley, Planner  
David Schnobrich, Community Development Director  
Ellwood Zabel, Building Official

**1. CALL TO ORDER**

Chair Turnblad called the meeting to order at 4:30 p.m.

**2. APPROVAL OF MINUTES**

**2.1 February 26, 2026 Planning Commission Minutes**

Chair Turnblad asked if there were any corrections or comments to the February 26<sup>th</sup> meeting minutes. There being none, Ms. Beck made a motion to accept the minutes as presented. Ms. Macho seconded the motion, and all voted aye.

**3. PUBLIC HEARINGS**

**3.1 Conditional Use Permit---Scooter's Coffee Drive-Through Service**

The Commission considered the application of Mr. Brett Skilbred, on behalf of SLD Properties, LLC, to allow the operation of a drive-through service for Scooter's Coffee on property zoned B-4 (Central Business District). The owner of the property is SLD Properties, LLC. The street address of the property was 318—326 North Broadway. The property has a legal description of Lot 8—10, Block 69 North of Center Street.

Mr. Schnobrich presented the staff report. He provided the following additional information:

- Scooter's was tentatively scheduled to occupy the south side of a new commercial building proposed for the property north of the Broadway Haus Apartments.
- The site is in the process of being prepared for the construction of the building.
- There have been no public comments received to date.
- A Drive-Through Service is defined as a facility which accommodates motor vehicles and from which the occupants of the motor vehicles make purchases or transact business, including stacking spaces in which motor vehicles wait. Examples include, but are not limited to, drive-up windows, menu boards, order boards or boxes, drive-in restaurants and drive-up banks. Drive-through facilities shall not include the direct refueling of motor vehicles. The proposed use qualifies as a Drive-Through Service.
- A Drive-Through Service is also subject to the standards in the Accessory Use section of the City's zoning ordinance. A copy of Table 9-5 Accessory Uses by District are provided as Attachment 7. A Drive-Through Service is permitted in the B-4 zoning district with a Conditional Use Permit.
- Section 9.3 Accessory Use Standards/Item 9 identifies development standards for a Drive-Through Service.
- This project will need to comply with standards #2, #4, #5, and #7. The project is in compliance with the remaining standards.

+Standard #2: There are doors from all three businesses that open onto the drive-through lane. The doors are for emergency use.

+Standard #4: Landscaping will be provided as required by the standard.

+Standard #5: Any audio equipment will be programmed so that it is not audible to residents in surrounding residential dwelling units, particularly the Broadway Haus.

+Standard #7: Applicant will need to provide a fence that complies with the requirements on the south property line of the property.

- The total square footage of the building is 6,135 sq. ft.
- An additional development standard that would apply to this use was vehicle stacking space. The proposed use best fit the zoning ordinance category of Drive-Through Restaurant which required 4 spaces from the menu board and 4 spaces from the serving window where the customer paid and picked up the product. The proposed use will comply with this stacking standard.
- The application information on the building and drive-through were read by City staff.
- The Commission and staff reviewed the eight attachments on the video monitor:

Attachment 1: Application

Attachment 2: Site Location Map

Attachment 3: Building Layout and Traffic Flow Map

Attachment 4: Zoning Map

Attachment 5: Site Map

Attachment 6: Ground Level Photographs

Attachment 7: Accessory Uses by District

Attachment 8: Staff Completed Findings of Fact Form

Mr. Knisley noted that any vehicle that will exit through the alley will need to turn right, as it is a one-way alley. Ms. Macho asked what "stacking" refers to? Mr. Schnobrich stated that the term stacking refers to a line of cars, one behind another.

Staff and the Commission reviewed the following conditions, if the application was recommended for approval:

1. The applicant/property owner will pay the cost to record the Permit with the Brown County Recorder's Office.
2. All business activities will take place within the new building as provided in the submitted architectural documents.
3. Uses on the property shall comply with the City of New Ulm noise restriction regulations found in Section 8.08 of the City Code.
4. The owner will remove from the grounds and surrounding properties any debris or garbage associated with or generated by the activities on the site.
5. No exterior storage will be permitted on the property.
6. The project will comply with the City's landscape regulations.
7. The applicant will provide a garbage disposal area in compliance with the City's zoning regulations.
8. The applicant's sign plan will provide sufficient signage advising customers of the businesses in the building and that the alley adjoining the property is a one way alley proceeding in a north to south direction.
9. The applicant will attempt to preserve the two trees located in the northeast corner of the property.
10. Section 9.3 Accessory Use Standards/Item 9 identifies the zoning regulations that the drive-through service shall comply with.

Chair Turnblad asked if anyone on the Commission had any questions for the staff. Mr. Turnblad asked if there were any landscaping details. Mr. Knisley noted that staff had been discussing this matter with the landscape designer for this project. Staff's reaction to the plan was to potentially reduce some of the landscaping shown on their plans. He stated that the landscape plan was either perennial grasses that are 4 feet high or less along the drive-through lane abutting the sidewalk, or a perennial hedge of the same height to reduce headlights shining into the Broadway

Haus. Staff also asked them to incorporate some type of trees, such as evergreens, at the southeast corner so when vehicles turn to go to the Scooter's pick-up window, they won't be shining their headlights into the Broadway Haus building. Staff was still waiting to hear back from the owner on that plan.

Chair Turnblad opened the Public Hearing for public comment. No public comments were made. Chair Turnblad closed the Public Hearing.

Chair Turnblad asked staff for clarification on item #2 of the Findings of Fact. Mr. Schnobrich stated that item #2 was a reference to relevant statements in the Comprehensive Plan that addressed comments in the application. The Housing Chapter was the only location in the Comprehensive Plan where there was reference to a detached structure.

Chair Turnblad asked the Commission if everyone completely read the Findings of Fact form included in the agenda packet and if they were in agreement with those Findings. All Commission members stated that they accepted the Findings of Fact as presented, and all agreed to waive the reading of the form.

Mr. Mack then made a motion to recommend approval with the stated conditions the application of Mr. Brett Skilbred, on behalf of SLD Properties, LLC, to allow the operation of a drive-through service for Scooter's Coffee on property zoned B-4 (Central Business District) as shown on the approved building plans for the project and located on the property legally described as Lot 8-10, Block 69 North of Center Street, City of New Ulm, Brown County, Minnesota. Ms. Fuhr seconded the motion, and all voted aye.

### 3.2 Conditional Use Permit– Non-Conforming Accessory Structure

The Commission considered the application of Craig T. Portner to allow the construction of a 28' x 32' (896 sq ft) detached accessory structure that would be located on a parcel of property that was: 1) non-conforming in lot size; and 2) non-conforming since it was located in an RT-2 (Traditional Neighborhood – Single and Two Family) zoning district. The property was legally described as Part of Lot 11, Block 10, North of Center Street. The street address of the property was 1016 North Valley Street.

Mr. Knisley presented the staff report. He provided the following additional information:

- Mr. Portner was both the applicant and the property owner.
- Mr. Portner proposes to construct a 896 sq. ft. detached accessory structure. The structure will meet the residential detached accessory standards found in Appendix A, allowing a maximum building size of 1,000 sq. ft. and a height of 16 feet.
- The site was vacant with the exception of a small residential accessory structure that was to be removed. There was no house on the property.
- Staff received one e-mail from the public concerning the project. The listed concerns included that the structure would be too close to the property lines, that it would be a large structure that wouldn't fit the character of the neighborhood, and that the structure would be too high.
- When considering this type of structure in a residential zoning district, the building was required to meet all residential detached accessory standards. The building would comply with these standards.
- Even though this was a request for a Conditional Use Permit, the residential accessory structure standards still applied.
- In addition to the side and rear yard setback requirements, this structure also needed to be set back 30 feet from the front yard property line.
- Mr. Knisley had looked for other properties within New Ulm where this specific situation would apply in the RT-2 zoning district. He found four other properties, within a two-block area, where this situation would also apply. This was because the railroad had cut off the rear portion of these lots and had reduced the depth of the lots to a significant degree.

- He read the standards in Section 13.2—Rules—Accessory Building, Section 9.3.B.3.b. Detached Accessory Structure and Section 9.3B.4.---Specific Standards for All Residential Accessory Structures. He noted that these specific standards would apply.
- The total lot area for this specific property is .12 acres or 5,227 sq ft. The normal RT-2 lot has dimensions of 50' x 165'.
- The lot was trapezoidal in shape.
- A new curb cut would be located on North Valley Street, and its location had been approved by the City Engineer.
- The owner of the property lives at 1023 North Valley Street: northwest of the property being considered for a Conditional Use Permit.

Mr. Knisley identified the following unique circumstances associated with this property:

- The property being considered is non-conforming in size and dimension in the RT-2 zoning district.
- There are other residential detached accessory structures without a permitted use to the north and south within a ½ block of the subject property.
- The lot has not had a residential dwelling constructed on it previously and has remained undeveloped since the original city plat was platted was adopted.
- The railroad directly abuts the rear of this property.
- The owner of the vacant lot lives within a ½ block of this property.

The Commission and staff reviewed the following attachments on the video monitor:

- Attachment 1: Application and Site/Building Plan
- Attachment 2: Site Location Map
- Attachment 3: Zoning Map
- Attachment 4: Site Map
- Attachment 5: Ground level photographs of the property
- Attachment 6: Findings of Fact form
- Attachment 7: Email with concerns on the CUP request

Mr. Knisley discussed with the staff and Commission prior ownership of lots and structures in this general area. Mr. Mack asked if there was a Conditional Use Permit issued to allow the existing small accessory structure on the lot. Mr. Knisley stated he didn't find any evidence that a permit had previously been issued for this garage structure. Prior to 2022, a detached accessory structure without a permitted use or residence in a residential zoning district was handled as a variance request. To make it a more clean and understandable process, it was made a Conditional Use Permit process in 2022.

The staff and Commission reviewed the following conditions, if the request was recommended for approval:

1. The applicant shall pay the cost to record the Conditional Use Permit with the Brown County Recorder's Office.
2. The applicant shall comply with all of the standards for accessory uses in the RT-2 zoning district.
3. There shall be no exterior storage on the property.
4. The detached accessory structure shall not be used for commercial purposes.

Mr. Knisley stated that upon consideration of these conditions he would like to add a fifth condition:

5. Accessory structures on the property shall not exceed 1,000 square feet in size.

Mr. Turnblad asked the Commissioners if they had any questions. Ms. Macho asked for clarification regarding the concerns sent via email regarding the structure being too large. Mr. Knisley stated that this proposal meets the guidelines. Ms. Fuhr asked what the proposed height of the structure was. Mr. Knisley stated that the proposed height at its tallest point is 16 feet, which is the maximum height allowed. Mr. Turnblad asked if it's possible to hook up sewer and water to an accessory structure. Mr. Knisley replied, yes, that it was possible.

Ms. Macho asked if the property owner would be allowed to locate additional structures on this lot? Mr. Knisley replied that there were a series of permitted uses in the zoning district that would be allowed there. An accessory use garage could be built with the primary structure.

Mr. Turnblad and Ms. Macho asked if it would be possible to amend a conditional use permit to allow a second structure, including a tiny home or shouse. Mr. Mack stated there was a minimum square footage requirement for houses, so that would make it difficult to build a residence there.

Chair Turnblad opened the public hearing. Mr. Craig Portner, 1023 North Valley Street stated that he started discussion with staff on this project back in January and understood that there was no opportunity to build a residence on this property. He also stated that the peak height of the building would remain the same, but the width of the building could change. He understands that he was limited to 1,000 square feet. He feels that it would be advantageous to hook up to water and sewer and include a small bathroom in the structure. Chair Turnblad asked what the construction materials would be? Mr. Portner stated that it will be a metal pole structure due to the 16-foot height limit. It will be a metal building. He wants to make it look nice for the area.

Mr. Johnnie Strange, 1122 North Payne Street, stated that he owns the two lots to the south. He noted that upon purchasing the property, he was told that they could not build a house, but they would be allowed to build a garage. Upon discussion on the construction of a garage, they were then told they needed to apply for additional permits. His only concern with this project was with the setbacks from the property line. He had his property surveyed and said that the stakes were moved since then. Chair Turnblad asked staff how far the current applicant would be allowed to build from the southern lot line which is shared with Mr. Strange. Mr. Knisley stated he would need to maintain a distance of five feet from the property line. Mr. Turnblad stated that although the stakes were removed, a surveyor likely drove monuments into the ground as well. Chair Turnblad asked if there were any other comments from the public. There being none he closed the public hearing.

Chair Turnblad asked the Commission if they had any further comments or questions. There were none. Chair Turnblad asked if the pole structure proposed to be built is all done by code, Mr. Knisley confirmed that it will be done by code.

Chair Turnblad asked the Commission if they had completely read the Findings of Fact form included in the agenda packet and if they were in agreement with those findings. All Commission members stated that they accepted the Findings of Fact as presented, and all agreed to waive the reading of the form.

Chair Turnblad asked what the main concern was on the written comment from the public. Mr. Knisley stated that the main concern in the one e-mail from the public was regarding the size and height of the building, as well as the setbacks, all of which would be in compliance with the City Code.

Mr. Schotzko made a motion to recommend approval with conditions the application of Craig T. Portner for a Conditional Use Permit to allow the construction of a 28' x 32' detached accessory structure that is 1) non-conforming in lot size area, and 2) allow the construct of the accessory building on property zoned RT-2 (Traditional Neighborhood – Single and Two Family Residence District) and legally described as Part of Lot 11, Block 10, North of Center Street. This property has a street address of 1016 North Valley Street. Ms. Fuhr seconded the motion, and all voted aye.

Mr. Mack left the meeting at this time.

#### **4. OLD BUSINESS**

##### **4.1 Discussion on the Expansion of Uses Considered Appropriate in the B-3 (Community Business) Zoning District.**

Chair Turnblad explained that the Commission had started this discussion at last month's meeting. This concerns some of the big box stores in town and how do we give them another life if they are vacant. This item was tabled and the staff went back and did some further resource to bring some more information back to us

Mr. Knisley stated that staff were directed to bring back some potential land uses that could be considered for vacant large commercial space that was not currently allowed in that zoning district. Staff reviewed the Comprehensive Use Table outlined in the zoning ordinance and selected uses that were allowed in the B-2 (General Business) zoning district, and not currently in the B-3 zoning district or were light industrial in nature. Those definitions have been provided in the agenda packet. Also in the agenda packet, you can see that the last sheet has a highlighted line going down the last three or four pages showing the B-3 zoning district and those uses that were allowed there. At this time, he had counted approximately 39 permitted uses and 10 conditional uses that would be allowed in the B-3 zoning district. The Target property hasn't generated interest in those types of specific commercial uses and most of the uses that have been brought forward have been light industrial in nature or not permitted on the site.

Mr. Kinsley reported that when looking at large commercial spaces over 50,000 sq ft in the community, he found only six buildings that met these criteria. He identified the location of the six commercial buildings. The goal was to provide some additional types of uses that provide no or minimal external impact on surrounding properties. Mr. Schnobrich noted that the Mall property was made up of three different connected buildings. Mr. Knisley noted that of the six total buildings, four of these would be in the B-3 zoning district. Mr. Knisley stated of the four that had 50,000 square feet and were located in the B-3 zoning district, we only have one property that was actually vacant or was not fully utilized.

Mr. Knisley commented that the agenda packet included definitions, and 13 different land uses that staff believes could be considered as a potential use, more than likely with a conditional use permit or some type of restrictive permit for a 50,000 square foot building in the B-3 zoning district. He reviewed the proposed land uses. He remarked that what staff was trying to do was identify some type of uses that would have minimal or no external impact on surrounding properties, if possible.

Mr. Knisley asked for feedback from the Commission. Chair Turnblad stated that some of the potential uses might be a better fit than others. He noted that the landscaping could be located outdoors. He didn't know about that but in certain circumstances maybe that would work. He expressed concern about uses being included that were industrial and they would be located on Broadway. Mr. Schnobrich commented that staff were recommending approval of these items by conditional use permit. Mr. Knisley commented that we have had probably the most interest in the manufacturing minor category of land use. He reported that there shouldn't be any external impacts from the use. Mr. Schnobrich noted that the permit would allow the City to limit or eliminate certain impacts of a use. Ms. Fuhr stated that it would be preferable to see life on a property. Mr. Schotzko remarked that a minor manufacturing use would also bring activity to the property.

Mr. Knisley noted that the Commission was focused on just one property. At the last meeting, there was discussion about limiting these land uses to specific sized buildings or using performance standards. He further stated that any adopted standards could also apply to a limited number of other buildings in the community. Mr. Turnblad asked if any new requirement would only apply to building reuses and not to new buildings. Would we allow a new building or have them go to a more appropriate location like I-1 zoned property. He remarked that we were trying to fix a big box that had gone dark. We have vacant industrial property for new construction. Ms. Fuhr commented that we were trying to fix a problem and not create a new one. The Commission discussed other potential uses that could be allowed by a conditional use permit. Mr. Schotzko stated that we're trying to solve this problem and we should look at it as an opportunity. We are trying to use that space more appropriately without creating a rule that is going to corner ourselves later. Using the conditional use permit would be appropriate because it

is kind of a unique parcel. It will be difficult to find one use that would use the entire building. If it's broken down, it would not be as bad. Mr. Knisley noted that the staff had not had a chance to look at the possible use of performance standards. The performance standards could be another column in that zoning district. Mr. Schnobrich remarked that the City already had performance standards in the zoning ordinance. However, we don't cover everything. Most of them have not been permitted there.

Mr. Schotzko noted the difference between Running's and Menard's and the location of outdoor products. Running's is much more open. Mr. Knisley suggested that the staff could prepare a zoning ordinance for the Commission to review. Mr. Schnobrich suggested giving staff a chance to look at these different items, refine them a little bit more, look at possible performance standards and see what we could apply there. Mr. Knisley remarked that staff hears something different frequently that was looking at the property. The current one that was interesting would be allowed there. It changes pretty frequently. Chair Turnblad remarked that it was OK to take some time to think this through, that sounds good. Mr. Schnobrich stated that it was difficult for staff to know how serious the business was in considering its location in New Ulm. Chair Mr. Turnblad stated that he preferred to take our time and try to get it right.

## 5. REPORTS

### 5.1 City Council Decisions concerning Planning Commission matters in March, 2026

#### At the City Council's March 3<sup>rd</sup> meeting.

- Conducted a Public Hearing on a Tax Abatement Program between the City, Garden Terrace New Ulm 2 and Oak Hills Living Center for an apartment building currently under construction.
- Conducted a second Public Hearing on a Tax Abatement Program for SLD Properties. When the previous buildings were removed, much of the debris was either disposed of in the basement area or the basement walls and floor remained in place. To construct a new building, all that debris needed to be removed. This added cost to the project, and they requested tax abatement assistance to help pay for this work.
- Approved the issuance of a Conditional Use Permit to Royal Oaks Recycling at 810 North Front Street.
- Approved two variances that were requested for Royal Oaks Recycling for a lot size area and the distance from a residential area to a recycling business.

#### At the City Council's March 17<sup>th</sup> meeting

- There were no Planning Commission items considered by the City Council at this meeting.
- The Safety Commission, in response to a study that was done, was considering new speed limits around local schools. Currently the speed limit is 30 mph, and they were looking at bringing it down to 20 or 25 mph.
- The City Council elected to accept both National Guard properties (the field maintenance shop and the armory) at a cost of \$1 for each. The City will likely request proposals for the development of the armory. The City's building staff went through both properties to assess their condition.

#### At the City Council's Work Session

- Distributed from the architect for the reconstruction of the Herman Monument a cost estimate of just under \$12 million. It will take two years to complete the project by deconstructing the structure and assess if any materials can be reused. If they cannot be

reused, they will need to be replaced with something similar. An archeological study will also need to take place in the areas that will be disturbed by the project.

## 5.2 Heritage Preservation Commission Activities

- Mr. Zabel stated there were no items to report on.

## 6. **ADJOURNMENT**

The meeting was adjourned at 6:01 p.m.

Respectfully submitted,

Linda Beck  
Secretary

**TO:** New Ulm Planning Commission  
**FROM:** David Schnobrich, Community Development Director  
John Knisley, Planner  
**DATE:** April 27, 2026  
**Request:** **PUBLIC HEARING—VARIANCE REQUEST – To allow the construction of residential dwelling addition seven feet (7’) from the front yard property line abutting South Franklin Street.**  
**Applicant:** Joseph L Deml  
**Property Owner:** SAME  
**Legal Description:** Lot 7, Block 146 South of Center Street  
**Street Address:** 900 5<sup>th</sup> South Street  
**Property Location:** The property is generally located in the NW corner of the South Franklin/5<sup>th</sup> South Street intersection.

**A. BACKGROUND/INFORMATION**

**Deadline for Decision:** May 12, 2026

**Land Use Designation:** Low Density Residential  
**(Comprehensive Plan)**

**Surrounding Land Uses (Comprehensive Plan):** North, South, East and West: Low Density Residential

**Zoning Designation:** RT-2 (Traditional Neighborhood – Single and Two-Family Residence District)

**Surrounding Zoning:** North, South, East and West: RT-2

**Current Site Land Use:** Single Family Home

**Current Area Land Uses:** North: Vacant residential lot and single-family homes and associated uses.  
South, East and West: Single-family homes and associated uses.

**Notice:** Notice was provided to all property owners within 350 feet of the subject property and published in The Journal on April 18, 2026.

**Public Comments:** None to date.

**Project Description:**

- The purpose of the RT-2 zoning district is to provide for low density one- and two-unit dwellings generally located in a grid development pattern along with directly related complementary uses.
- The property is a traditional grid lot with dimensions of 50' wide by 165' long or 8,250 square feet.
- The applicant is proposing to construct a 14' wide building addition to the north side of the existing home, in-line with the existing home facing South Franklin Street.
- The existing home was constructed in 1888.
- Lot 6 to the north is also 50' wide by 165' deep and remains undeveloped. This vacant property is also owned by the applicant.
- The existing home is 7' from the north property line abutting South Franklin Street.
- The next home to the north is located 27' from the property line abutting South Franklin Street.
- Section 13.2 Rules allows for "Front Yard Averaging" in the low-density residential zoning districts. This rule would allow for the proposed home addition to be located 17' from the front yard property line abutting South Franklin Street. This would place the home addition 10' behind the front of the existing home.
  - + The property owner is requesting that the home addition be constructed in line with the existing front of the home – which would be 7' from the front property line and require a 10' reduction in the required setback.
- The proposed layout of the home addition stacks the new bathroom above the existing plumbing serving the home. At this time the home does not have a bathroom located on the main floor of the home.

**Site Conditions:**

- There is an approximate 6% slope from the front to the rear of the lot.
- The proposed addition would meet the required side, street side, and rear yard setbacks.
- The addition would be designed to match the existing home on the property.
- With the new addition it would bring the total lot coverage on the site to approximately 23%. The maximum allowed lot coverage in this zoning district is 35%.

The application provided the following information on the project to staff:

- "I would like to line up the front of the house with the new addition."
- "I am trying to make the home single level living."
- "Going only as far as the existing structure."

**Evaluation**

- The Zoning Ordinance Variance criteria dictates that there must be features unique to a property such as the "physical surroundings, lot size and shape, topography, water conditions or other physical conditions unique to the property."
- The existing home was constructed in 1888 before there were zoning regulations implemented in the City.
- The abutting lot to the north is vacant and owned by the applicant. This is unique to the neighborhood but not unique to the "grid area" of the City. There are other locations in the "grid area" where an abutting landowner owns a vacant property.
- Because the proposed addition is directed towards the interior of the lot, it would not obstruct the vision of vehicles passing through the intersection of 5<sup>th</sup> South and South Franklin Streets.
- Staff does not believe the variance request on its own would be injurious to other properties in the vicinity.

- The request being made is a reasonable use of the property and will not change the essential character of the neighborhood.
- Further staff evaluation can be found in Attachment 6 – Staff Completed Findings of Fact.

**Project Considerations:**

In order to recommend approval of the Variance request, the Commission will need to adopt findings of fact and recommendations using the review criteria as provided on the Findings of Fact form on Attachment 6.

The Planning Commission and City Council must make an affirmative finding on all variance criteria in order to grant a Variance request. The applicant has the burden of proof to show that all of the criteria above have been satisfied.

**B. ATTACHMENTS**

- Attachment 1: Application and Site/Building Plan
- Attachment 2: Site Location Map
- Attachment 3: Zoning Map
- Attachment 4: Site Map
- Attachment 5: Ground level photographs of the property
- Attachment 6: Findings of Fact form

**C. CONDITIONS, IF RECOMMENDED FOR APPROVAL**

1. The applicant shall pay the cost to record the variance with the Brown County Recorder’s Office.
2. The applicant will contact the City to verify the location of the addition once it is staked for construction.

**D. POTENTIAL MOTIONS**

Motion by \_\_\_\_\_, second by \_\_\_\_\_ to recommend approval with conditions the Variance request by Joseph Deml to construct a home addition 7’ from the front yard property line abutting South Franklin Street on property legally described as Lot 7, Block 146, South of Center Street.

-OR-

Motion by \_\_\_\_\_, second by \_\_\_\_\_ to recommend denial of the Variance request by Joseph Deml to construct a home addition 7’ from the front yard property line abutting South Franklin Street on property legally described as Lot 7, Block 146, South of Center Street.



# VARIANCE APPLICATION

City of New Ulm Community Development Department

100 North Broadway  
New Ulm, Minnesota 56073  
Web Site: [www.newulmmn.gov](http://www.newulmmn.gov)  
Email: [communitydev@newulmmn.gov](mailto:communitydev@newulmmn.gov)

Telephone: (507) 359-8245  
Fax: (507) 359-8306  
Hours: M-F 8 a.m.- 4:30 p.m.

**APPLICATION FEE: \$350.00** Make check payable to "City of New Ulm."  
Application fee must be provided at the time of application.

Date received: 3-13-2024  
Fee paid: CHK # 5052  
Jk

Please print.

## APPLICANT

NAME: Joseph L. Dent EMAIL ADDRESS: jdent@newulm.net  
ADDRESS: 900 Fifth St. So. PHONE NUMBER: 507-766-6719  
New Ulm, MN 56073 507-354-3063

## PROPERTY OWNER (If different from Applicant)

NAME: \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ PHONE NUMBER: \_\_\_\_\_

## PROPERTY INFORMATION

PROPERTY ADDRESS: 900 Fifth St So., New Ulm, MN 56073

FULL LEGAL DESCRIPTION: South of center Lot 007 Block 146

ACREAGE/SIZE: \_\_\_\_\_

CURRENT ZONING DISTRICT: \_\_\_\_\_

CURRENT USE OF PROPERTY: \_\_\_\_\_

DESCRIPTION OF PROPOSED PROJECT: \_\_\_\_\_

SPECIFY THE SECTION OF THE CITY CODE FROM WHICH A VARIANCE IS SOUGHT: \_\_\_\_\_

EXPLAIN HOW YOU WISH TO VARY FROM CITY CODE REQUIREMENTS (If more space is needed, attach a separate sheet.): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REQUIREMENTS FOR APPROVAL**

The City' Zoning Ordinance provides standards to evaluate your Variance request. An incomplete application will not be accepted. Please answer the following questions as they relate to your request. (If more space is needed, attach a separate sheet.)

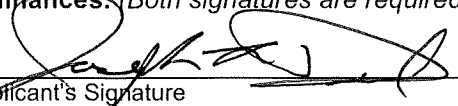
- 1. In your opinion, is the variance in harmony with the purposes and intent of the City's Zoning Ordinance?  
Yes (X) No ( ) Why or why not? \_\_\_\_\_
- 2. In your opinion, is the variance request consistent with the City's Comprehensive Plan?  
Yes (X) No ( ) Why or why not? \_\_\_\_\_
- 3. In your opinion, does the proposal put property to use in a reasonable manner not permitted by the City Zoning Ordinance?  
Yes (X) No (X) Why or why not? \_\_\_\_\_
- 4. In your opinion, the request will not impair adequate supply of light and air to adjacent property, unreasonably increase congestion of public streets, increase the danger of fire, substantially diminish property values and will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the zoning district or neighborhood in which the property is located?  
Yes ( ) No (X) Why or why not? \_\_\_\_\_
- 5. In your opinion, are the physical surroundings, lot size or shape, topography, water conditions, or other physical conditions unique to the property?  
Yes (X) No ( ) Explain. \_\_\_\_\_
- 6. In your opinion, the unique circumstances related to the property do not generally apply to other properties or buildings in the same zoning district or vicinity?  
Yes (X) No (X) Explain. \_\_\_\_\_
- 7. In your opinion, the unique circumstances related to the property were not created by the owner of the property?  
Yes (X) No ( ) Why or why not? \_\_\_\_\_
- 8. In your opinion, the variance will not alter the essential character of the locality?  
Yes (X) No (X) Why or Why Not: \_\_\_\_\_
- 9. In your opinion, is your variance request the minimum amount necessary to eliminate the practical difficulties?  
Yes (X) No ( ) Why or why not? Going only as far as the existing structure
- 10. In your opinion, economic considerations alone do not constitute reasonable use of the property?  
Yes (X) No ( ) Why or why not? \_\_\_\_\_

**SITE DRAWING**



In order to grant a Variance, the Planning Commission and City Council must make a finding that the Variance request complies with the above standards. The Applicant has the burden of proof to show that all of the standards listed above have been satisfied.

**The undersigned certifies that he/she is familiar with application fees and other associated costs, and also with the procedural requirements of the City Code and other applicable ordinances.** *(Both signatures are required if the Applicant is not the Property Owner.)*

  
\_\_\_\_\_  
Applicant's Signature

03/13/2026  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner's Signature

\_\_\_\_\_  
Date

## **AUTHORITY TO FILE APPLICATIONS**

Unless otherwise specified in the City Zoning Ordinance, applications may be initiated by:

1. The owner of the property that is the subject of the application;
2. The owner's authorized agent;
3. The City

## **VARIANCE APPLICATION AND REVIEW PROCEDURES**

The City's established Variance Application and Review Procedures can be found in its full extent in Section 2.4.F of Appendix A (Zoning Ordinance) of the City Code.

## **DETAILED APPLICATION REQUIREMENTS**

All Variance Applications shall be in accordance with Section 2.3, General Review Procedures and Requirements of the Zoning Ordinance.

In addition to the general review requirements, applications for a Variance shall include the following:

1. A written narrative demonstrating that the review criteria for a Variance as identified in Section 2.4 (C) (5) of the Zoning Ordinance have been met.
2. A site plan of the property showing all information necessary to allow the City to determine conformance with all zoning provisions, and to evaluate or calculate the specific Variance being requested. Information shall include but not be limited to:
  - a) Property and structure setbacks;
  - b) Setback dimensions/measurements;
  - c) Locations and dimensions of parking areas and access points.
3. If deemed necessary by the Community Development Department, a survey may be required to be submitted with the application in addition to a site plan.
4. Any other information that may be reasonably required by the City to evaluate the application.

## **APPLICATION**

Applications are to be submitted to the Community Development Department. Offices are open Monday through Friday from 8:00 AM to 4:30 PM.

## **DEADLINE FOR APPLICATION**

Complete applications need to be submitted to the Community Development Department at least 15 days before the Planning Commission meeting. This allows the City of New Ulm time to notify surrounding property owners of the date of the hearing and details of the variance and meet public hearing noticing requirements as provided by State Law.

## **NOTICE OF PUBLIC HEARING**

Notice is mailed to all property owners that are located within 350 of the site. Notice is mailed 10 days prior to the hearing.

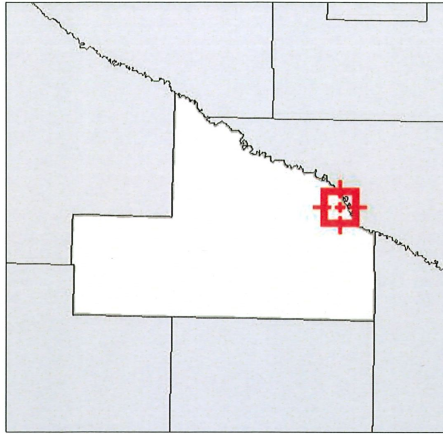
## **MEETINGS AND PUBLIC HEARINGS**

Meetings of the Planning Commission are scheduled on the last Thursday of the month. Meetings are held at 4:30 PM in the City of New Ulm Council Chambers, 100 North Broadway. The Planning Commission may approve, deny or amend the variance request and establish conditions to ensure compliance with the request and protect surrounding property owners.

## **STAFF REPORT**

After review of the application and site visit, staff will prepare a report to the Planning Commission. This report, along with support documentation, are sent to the Planning Commission in advance of the meeting. Commission members may visit the site before the meeting. All application materials, emails and written information are public information, and may be used in the staff report and distributed to the public.

### SITE LOCATION MAP



### OWNER INFO.

**Joseph L Deml**  
**900 5TH ST S**  
**NEW ULM MN 56073**

### PROPERTY SUMMARY

Parcel ID	00100214607070
Property Address	900 5TH ST S NEW ULM MN 56073
Sec/Twp/Rng	N/A
Brief Tax Description	SOUTH OF CENTER LOT-007 BLOCK-146 <i>(Note: Not to be used on legal documents)</i>
Deeded Acres	0.00
Class	201 - (HSTD) 1A/1B/4BB RESIDENTIAL SINGLE UNIT
District	(0101) NEW ULM-0088
School District	0088

### EXISTING CONDITIONS AERIAL OVERLAY

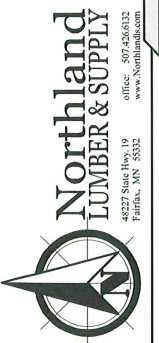


SCALE: 1" = 60'-0"

### PROPOSED ADDITION



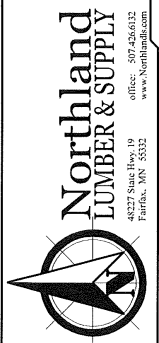
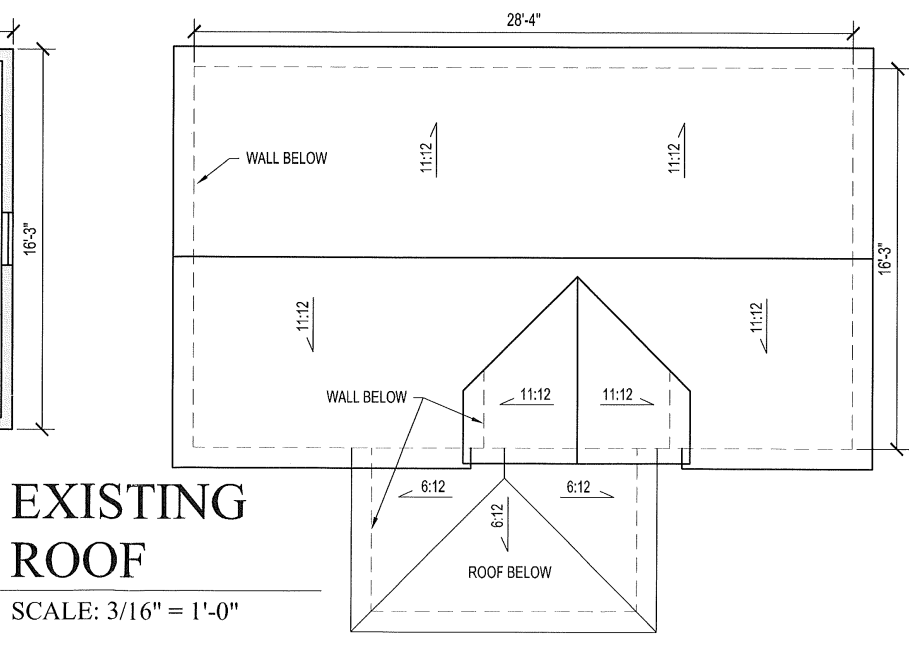
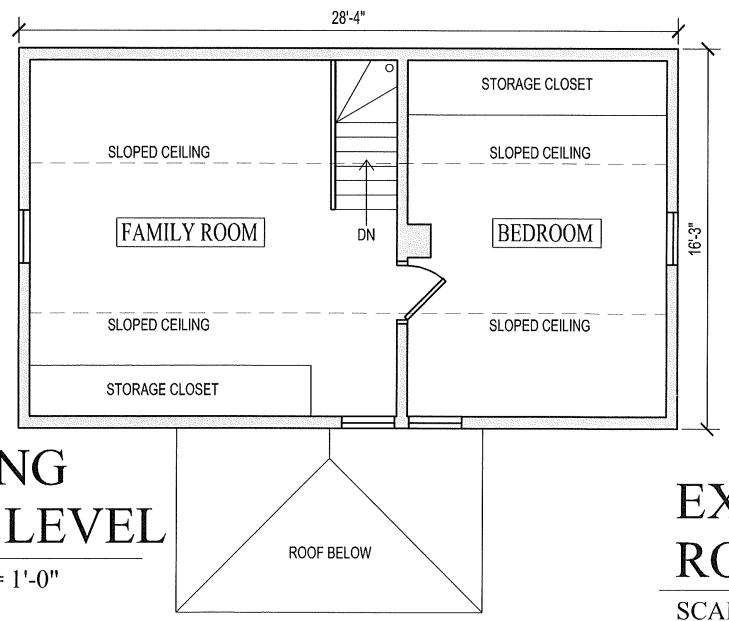
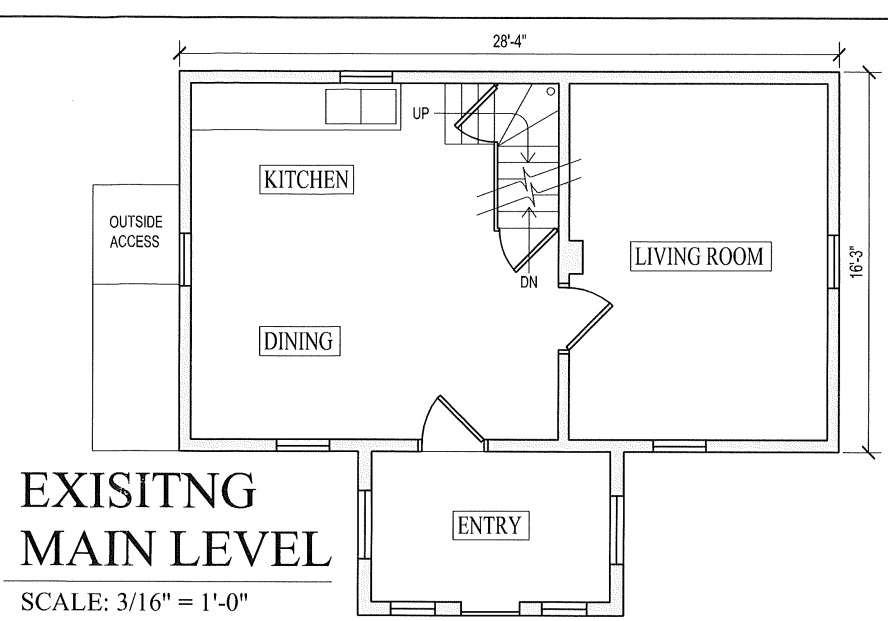
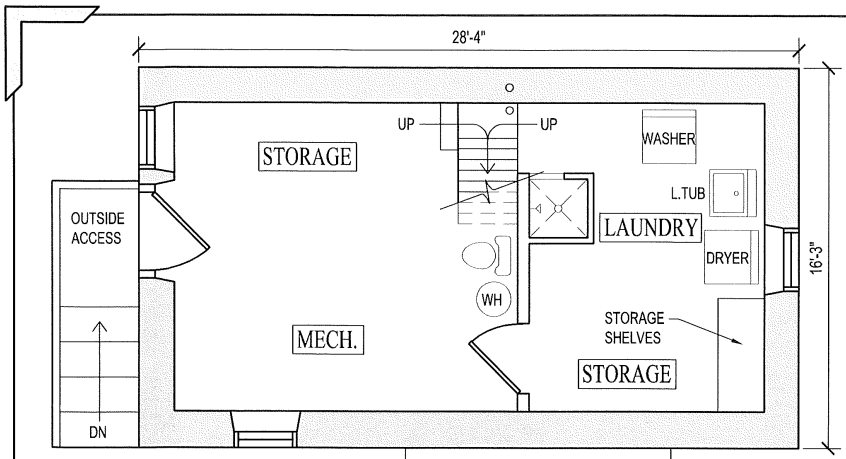
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Joseph Deml  
**Home Addition**  
 900 5th Street South New Ulm, MN 56073

Page: 1 of 13  
 Date: 3-13-26  
 Revised:  
 Dwg by: JAV  
 Signature:

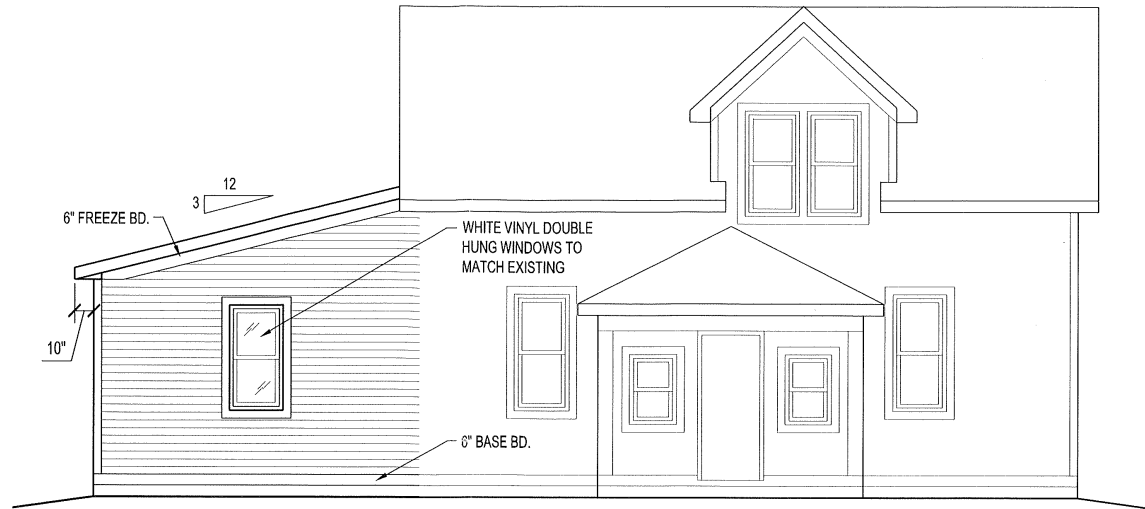


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Joseph Deml  
**Home Addition**  
900 5th Street South  
New Ulm, MN 56073

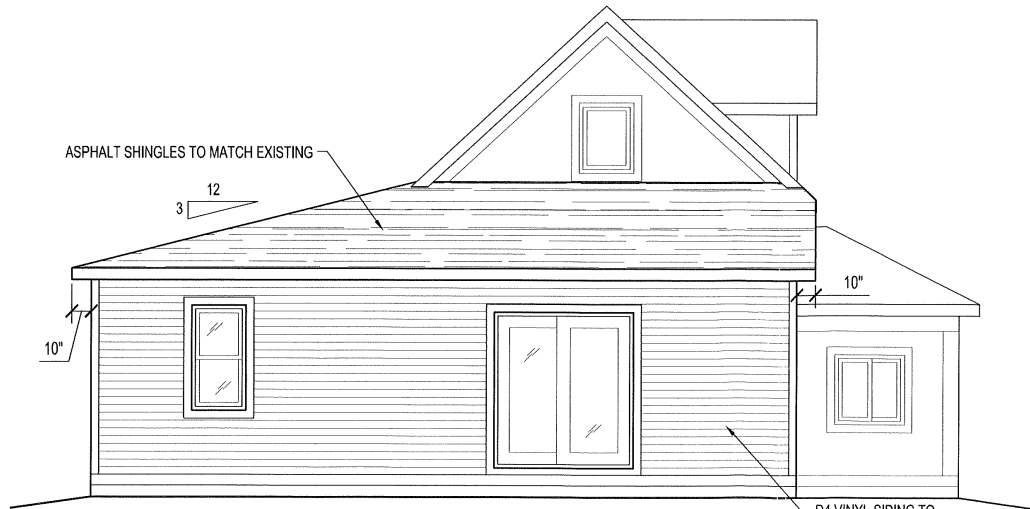
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Date: 3-13-26  
Revised:  
Revised:  
Dwg by: JALV  
Signature:



### FRONT ELEVATION

SCALE: 3/16" = 1'-0"

FACING 5th ST. S



### LEFT SIDE ELEVATION

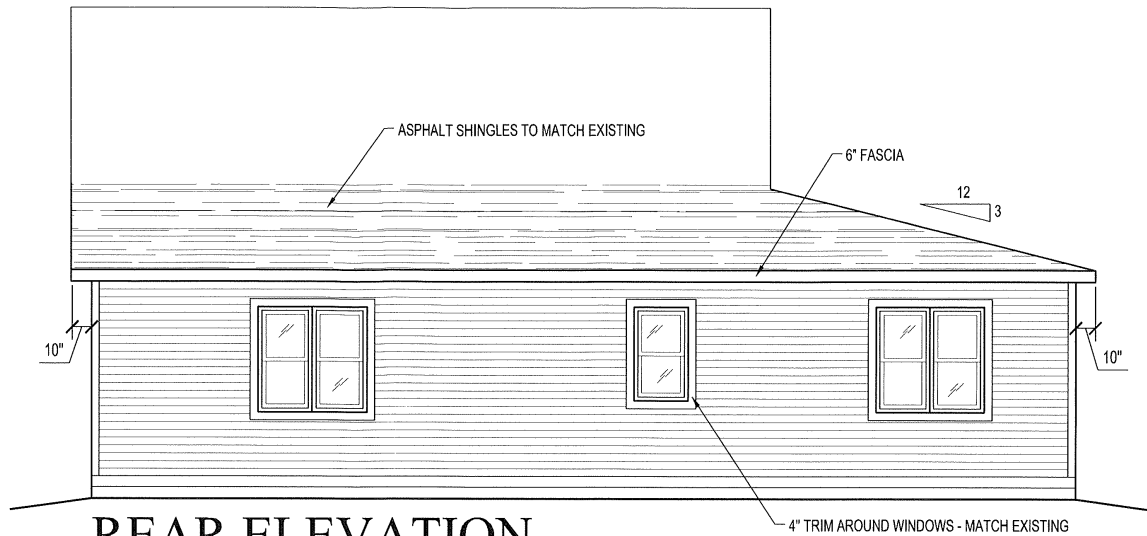
SCALE: 3/16" = 1'-0"



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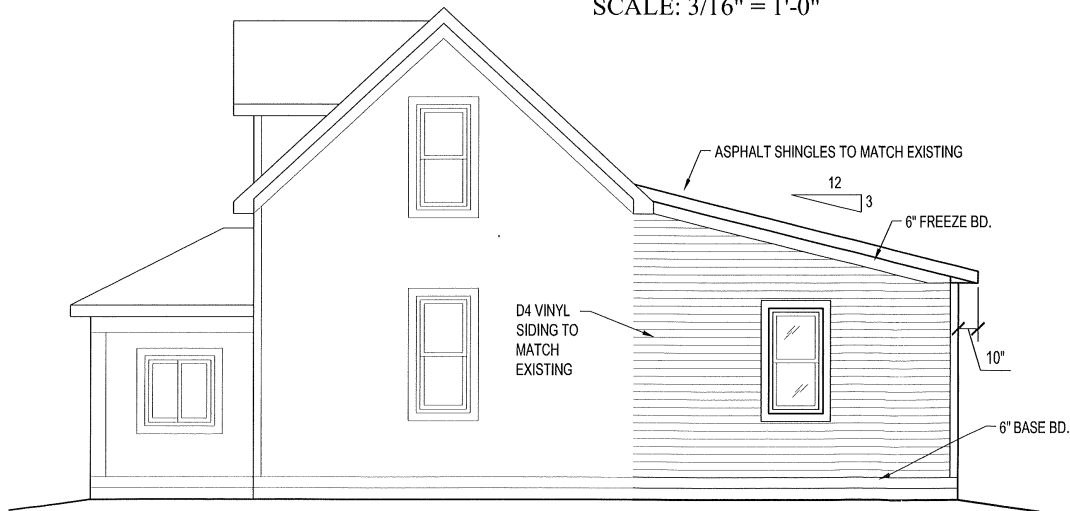
Joseph Deml  
**Home Addition**  
 900 5th Street South New Ulm, MN 56073

Page: 3 of 13  
 Date: 3-13-26  
 Revised:  
 Revised:  
 Dwg by: JAV  
 Signature:



### REAR ELEVATION

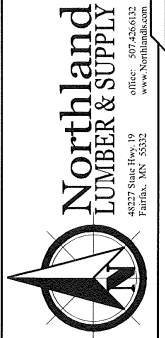
SCALE: 3/16" = 1'-0"



### RIGHT SIDE ELEVATION

SCALE: 3/16" = 1'-0"

FACING FRANKLIN



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Joseph Deml

**Home Addition**  
 900 5th Street South New Ulm, MN 56073

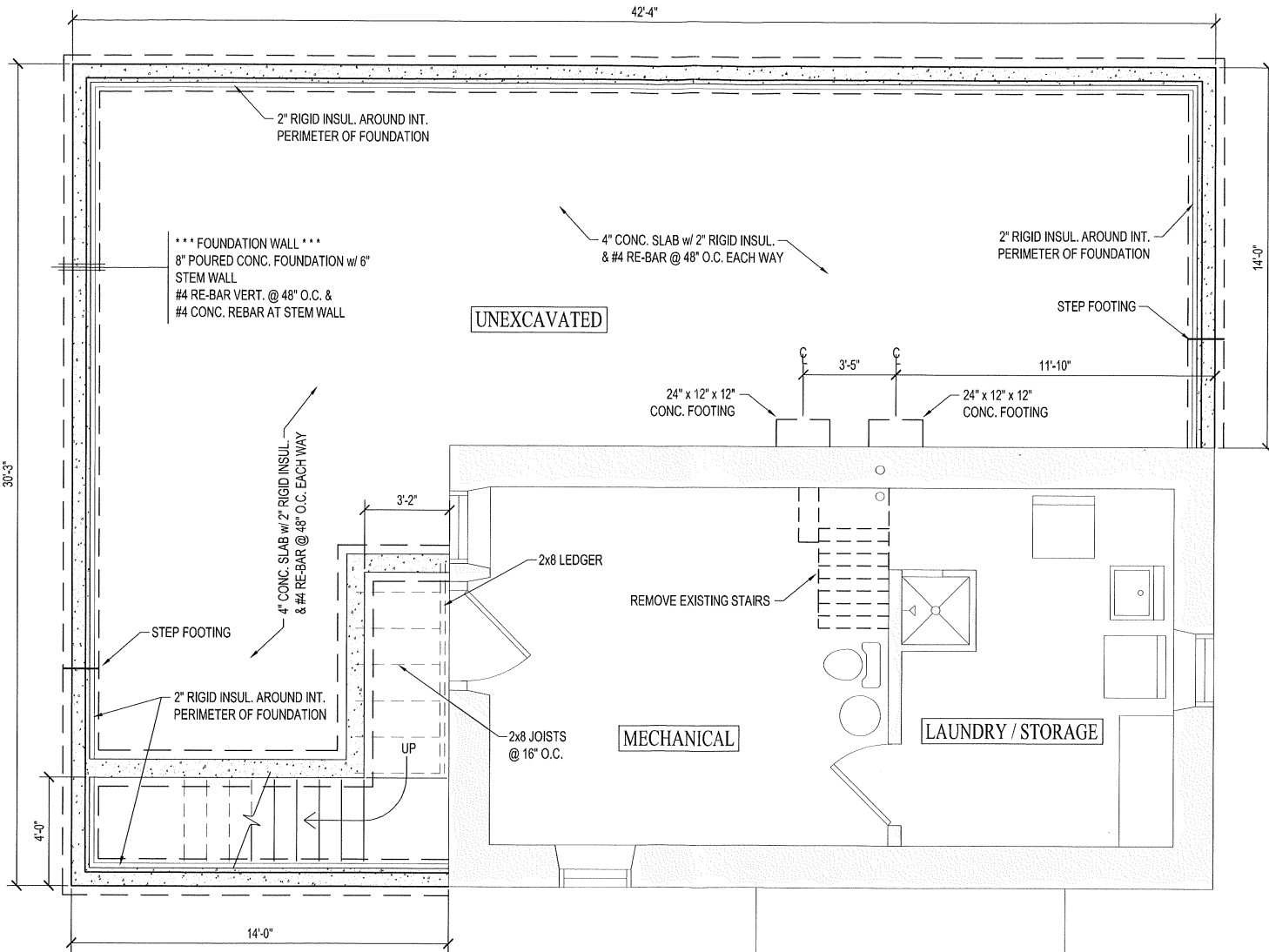
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Date: 3-13-26

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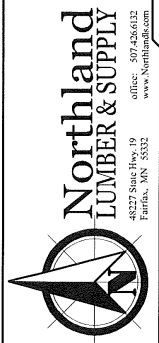
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Signature:



# FOUNDATION PLAN

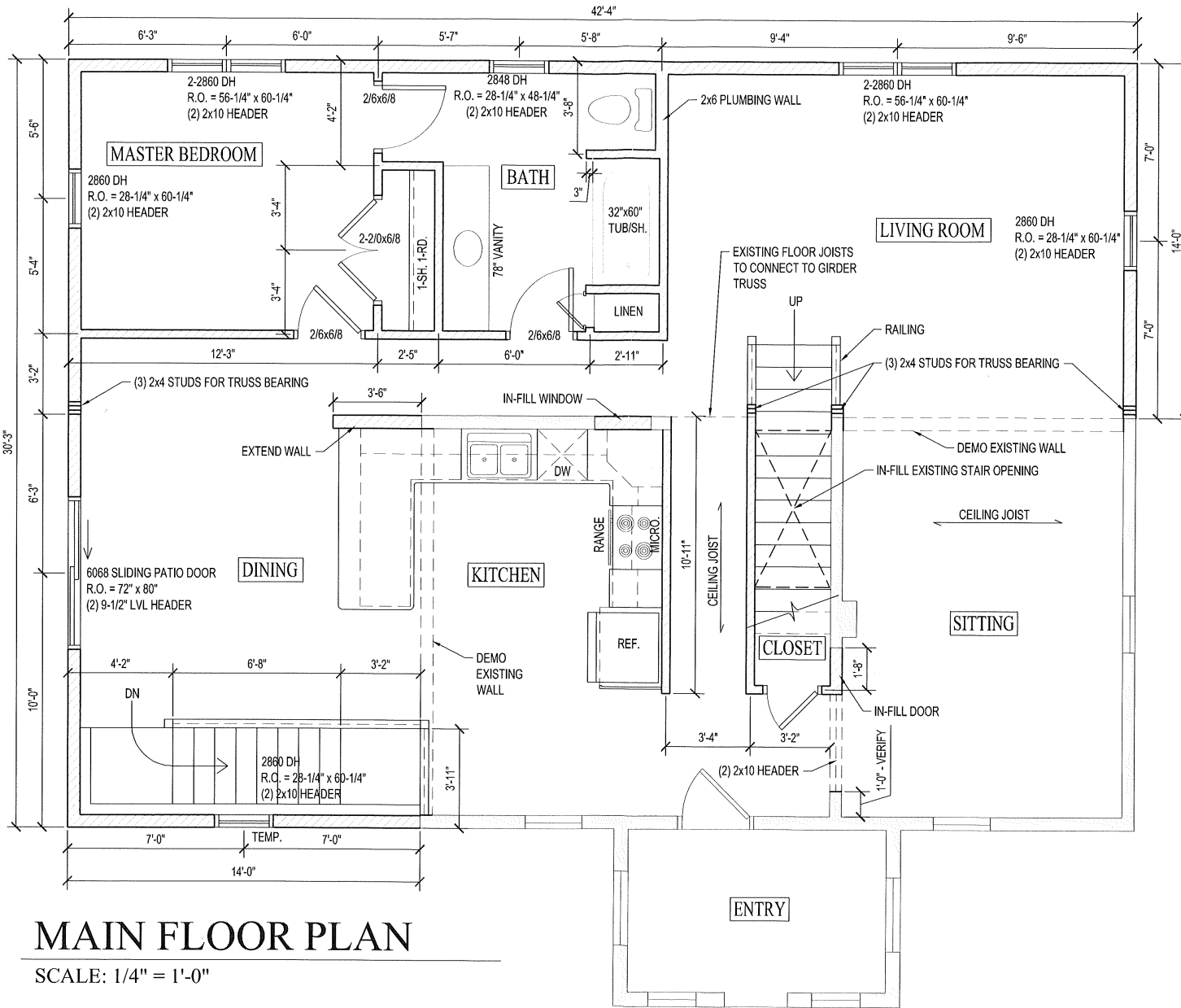
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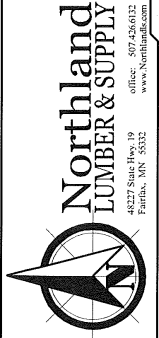
Joseph Deml  
**Home Addition**  
 900 5th Street South New Ulm, MN 56073

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 Date: 3-13-26  
 Revised:  
 Revised:  
 Dwg By: JAV  
 Signature:



# MAIN FLOOR PLAN

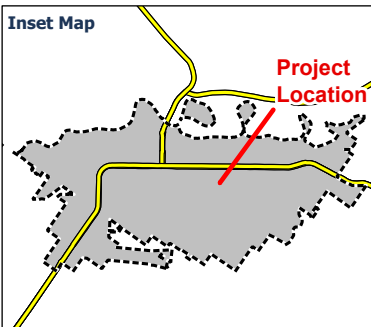
SCALE: 1/4" = 1'-0"



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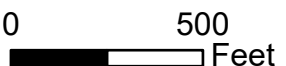
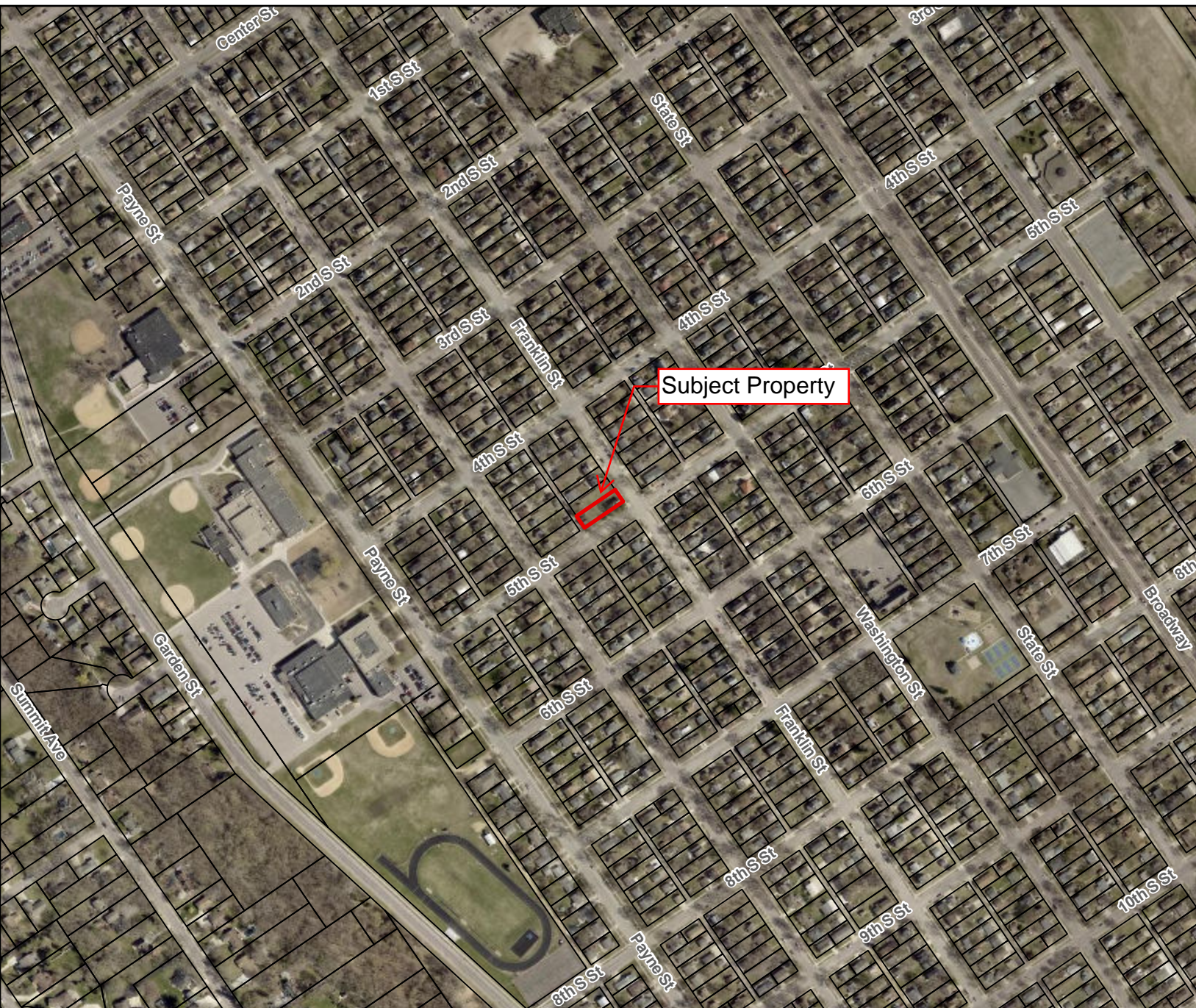
Joseph Deml  
**Home Addition**  
 900 5th Street South New Ulm, MN 56073

Page: 6 of 13
Date: 3-13-26
Revised:
Dwg by: JAV
Signature:



**Legend**

- Subject Property
- Parcels



Source: Brown County, MnDOT, MnDNR



- Legend**
- A-OS
  - B-1
  - B-2
  - B-3
  - B-4
  - CM
  - I-1
  - I-2
  - I-3
  - INS-E
  - INS-M
  - INS-O
  - MH
  - MU-E
  - MU-T
  - R-1
  - R-1S
  - R-2
  - R-3
  - R-4
  - RT-1
  - RT-2
  - Subject Property
  - City Limits



0 500 Feet

Source: Brown County, MnDOT, MnDNR



**Legend**

-  Subject Property
-  City Limits
-  Street Labels
-  Parcels



0 30 Feet

Source: Brown County, MnDOT, MnDNR











**City of New Ulm**  
**Planning Commission**  
100 North Broadway  
New Ulm, Minnesota 56073

**Findings of Fact**  
**Supporting / Denying a Variance**

**Name of Applicant:** Joseph Deml

**Address of the Location of Variance Request:** 900 5th South Street

**Planning Commission Hearing Date:** April 30, 2026

**City Council Hearing Date:** May 5, 2026

**Variance Request:** To construct a residential dwelling addition seven feet (7') from the front yard property line abutting South Franklin Street.

A variance may be granted only where the strict enforcement of city zoning controls will result in a practical difficulty due to circumstances unique to the individual property under consideration. A decision on a variance request shall be based on the following criteria:

1. Is the variance in harmony with the purpose and intent of the City's Zoning Ordinance?

**Yes (x) No ( )**

Why or why not?

The variance is in harmony with the purpose and intent of the City Zoning Ordinance. The variance does not have an impact on public safety or general welfare of the community of general character of the neighborhood.

2. Is the variance request consistent with the City's Comprehensive Plan?

**Yes (x) No ( )**

Why or why not?

The Comprehensive Plan designates this area as Low Density Residential. The proposed variance is for construction of a building addition that is residential in character.

3. Does the proposal put the property to use in a reasonable manner not permitted by the City Zoning Ordinance?

**Yes (x) No ( )**

Why or why not?

The proposed building addition is a reasonable use of the property. Residential building additions are allowed uses in the RT-2 zoning district. The applicant is proposing to stay in-line with the existing front of his home. The layout of the addition takes into account existing plumbing systems in the existing home and designed to match the location of these systems.

4. Does the proposal impair adequate supply of light and air to adjacent property, unreasonably increase congestion of public streets, increase the danger of fire, substantially diminish property values and will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the zoning district or neighborhood in which the property is located?

**Yes ( ) No (x)**

Why or why not?

The requested variance does not impact pedestrian or vehicle safety in the general vicinity. It is not anticipated that nearby property values will be diminished nor will the addition be detrimental to the surrounding neighborhood. The proposed addition maintains side, street side, and rear yard setback requirements of the RT-2 zoning district. There is currently a vacant lot between the proposed addition and the neighboring house to the north. This vacant lot would remain developable in the future and would not be impacted by the proposed addition.

5. Are the physical surroundings, lot size or shape, topography, water conditions, or other physical conditions unique to the property?

**Yes (x) No ( )**

Why or why not?

There is an approximate 6% slope from the front of the property (South Franklin St.) to the rear of the property (alley). The slope is significant but does not prohibit development. The lot is regular in size (8,250 sf) and dimension (50'x165') for a "grid lot". The existing home was constructed in 1888, prior to zoning regulations being adopted, and the proposed addition would be in-line with the front of the existing home. There are no known water conditions on the site.

6. The unique circumstances related to the property do not generally apply to other properties or buildings in the same zoning district or vicinity?

**Yes (x) No ( )**

Why or why not?

Most properties in the RT-2 zoning district are the same size and dimension as this lot (8,250 sf and 50'x165'). The majority of the RT-2 zoning district has been developed into single and two-family residential uses. Many of the homes in the district meet the 30' required front yard setback, but there are a fair amount that do not meet this required setback. In the 1/2 block where this property is located, homes range from 16'-27' from the front yard property line abutting South Franklin Street. What could be considered unique about this property is that the home was constructed in the 1800's, that the lot has a 6% slope and that the abutting lot to the north is vacant and owned by the applicant.

7. The unique circumstances related to the property were not created by the owner of the property?

**Yes (x) No ( )**

Why or why not?

The slope on the property was not created by the current owner. The existing home was not constructed by the current property owner. The owner does have space on the lot to construct the addition 17' from the front yard property line the meet zoning regulations.

8. Will the variance alter the essential character of the locality?

**Yes ( ) No (x)**

Why or why not?

A home addition, in-line with the existing front of the home would not alter the essential character of the neighborhood. Within the 1/2 block in which the property is located, none of the homes meet the required 30' setback. This type of situation was considered when drafting the zoning ordinance and provided some relief in allowing any new homes or additions to use the average of homes on either side to dictate the required setback.

9. Is the variance request the minimum amount necessary to eliminate the practical difficulty(s)?

**Yes ( ) No (x)**

Why or why not?

The property owner does have space on the property to construct the proposed home addition and yet meet the required front yard setback.

# City of New Ulm

## Planning Commission

100 North Broadway

New Ulm, Minnesota 56073

10. Do economic considerations alone not allow for the reasonable use of the property?  
**Yes ( ) No (X)**

Why or why not?

Staff does not believe economic considerations were the reason for the variance request. Staff believes that the request was so that they would continue with a strait building line for the front of the home.

Facts supporting the answer to each question, above, are hereby certified to be the Findings of the New Ulm Planning Commission

**APPROVED ( ) DENIED ( ) TABELD ( )**

DATED: \_\_\_\_\_

\_\_\_\_\_  
Chair, Planning Commission

List of supporting documents included as part of the record of proceedings:

- 1: See Staff Report to the Planning Commission
- 2: \_\_\_\_\_
- 3: \_\_\_\_\_

Light Industrial or other Commercial Uses Not permitted in the B-3 Zoning district and Potential Performance Standards

**Agriculture:** The use of land where such land is devoted to the production of plants or horticulture products, including but not limited to: field crop farming; pasture for hay; fruit growing; tree, plant, shrub, or flower nursery without building; and truck gardening. Agriculture shall not include the use of land for recreational purposes, suburban residential acreages, rural home sites, or farm home sites and yard plots whose primary function is for residential or recreational purposes even though such properties may produce or maintain some of those plants or animals listed in the foregoing definition.

Zoning Districts Allowed: Permitted in all zoning districts except MU-E and MU-T (Mixed-Use Emmerson and Turner Districts)

**Recommendation/Change to read:** Home Gardens are generally permitted as accessory uses in residential zoning districts, defined as incidental and subordinate to the principal dwelling or principal use on any vacant lot or outlot. Agriculture within a building in excess of **30,000** square feet in any zoning district will require a Conditional Use Permit.

Note: Indoor locations for growing food generally require consistent, moderate temperatures, high intensity light, easy access to water and regulatory compliance.

**Bus Garage (Not Defined)**

Zoning Districts Allowed: B-2, I-1, and I-2, permitted

Recommendation: Remove definition from Chapter 13 (Rules and Definitions) of Ordinance A. “Bus garage” would be covered under the definition of “Transportation Services”.

**Industrial Services (General):** Business that are engaged in the repair, servicing or custom fabrication of industrial, business, or consumer machinery, equipment, products, or by-products; or providing other related services primarily for industrial businesses. Industrial service firms that service consumer goods do so by mainly providing centralized service for separate retail outlets. Also includes firms such as contractors and building maintenance services and similar establishments engaged in performance of service off-site. Accessory activities may include retail sales, offices, parking and storage.

Zoning Districts Allowed: B-2, CUP; I-1 and I-2, Permitted; I-3, CUP

**Recommendation:** Land use is appropriate in this zoning district if inside of a building and with a Conditional Use Permit.

**Landscaping/Nursery Business:** A retail business devoted to: 1) the growth, display, and/or sale of plants, shrubs, trees and/or landscaping materials; or 2) landscaping services including the construction, installation and maintenance of lawns, trees, yards, shrubs, gardens, patios, walls, fences and other outdoor areas.

Zoning Districts Allowed: B-2, Permitted; I-1, I-2, I-3 and AOS – Permitted

Light Industrial or other Commercial Uses Not permitted in the B-3 Zoning district and Potential Performance Standards

**Recommendation:** Define as a business that: **1)** can not sell rock but instead focuses on soft scaping, high-end maintenance or specialized new-rock installations or **2)** allow the business to operate as described in the definition. Require a Conditional Use Permit. May include retail sales. Another option would be to exclude the sale of aggregate materials.

Businesses of this type may or may not have a need for a 90,000 square foot building but could use a portion of the building.

**Machinery/Truck Repair and Sales:** This business performs mechanical, electrical, structural, and cosmetic repairs to trucks and heavy equipment. Permitted business practices include: tune ups and adjustments, replacement of parts, rebuilding of parts or components when installation is available, body repair, collision service and painting, frame straightening and repair, steam cleaning and/or sandblasting, undercoating and rust proofing, radiator repair, tire repair, wheel alignment and balancing, washing, cleaning, and polishing.

Zoning Districts Allowed: B-2, CUP; I-1 and I-2.

**Recommendation:** Land use is not appropriate in this zoning district.

**Manufacturing, Minor:** Uses which include the manufacture, compounding, processing, packaging, treatment or assembly of products and materials provided such use will not generate objectionable and/or offensive influences; including but not limited to: odors, material/byproduct discharges, dust, glare, ash, smoke, vibration and noise beyond the lot on which the use is located.

Zoning Districts Allowed: B-2 - CUP; I-1 and I-2, Permitted

**Recommendation:** Land use is appropriate in this zoning district if inside of a building and with a Conditional Use Permit. May include retail sales.

**Repair Establishment:** An establishment primarily engaged in the provision of repair services for TV's, bicycles, clocks, watches, shoes, guns, canvas products, appliances, and office equipment; including tailor, locksmith and upholsterer.

Zoning Districts Allowed: B-2 - Permitted; I-1 and I-2, Permitted; I-3 – CUP

**Recommendation:** Land use is appropriate in this zoning district if inside of a building and with a Conditional Use Permit. May include retail sales.

**Research, Development/ Testing Laboratory:** Establishment in which facilities for scientific research, investigation, testing or experimentation are located, but not facilities for the manufacture of products, except as incidental to the main purpose of the laboratory.

Zoning Districts Allowed: B-2 - CUP; I-1 and I-2 permitted

**Recommendation:** Land use is appropriate in this zoning district if inside of a building and with a Conditional Use Permit.

Light Industrial or other Commercial Uses Not permitted in the B-3 Zoning district and Potential Performance Standards

<p><b>Self-Storage Facility:</b> A building or group of buildings that contains equal or varying sizes of individual, compartmentalized, and controlled access stalls, lockers or units designed and used for the storage of residential or commercial customer’s goods and wares.</p> <ul style="list-style-type: none"> <li>A. External Access: Generally, consist of long, single-story, connected units with simplified building structure, direct drive-up access and individual exterior access doors.</li> <li>B. Internal Access: Generally, consist of units that are fully enclosed in a building with all units having an access door from an interior hallway inside the building rather than by accessing the unit directly from the outdoors.</li> </ul> <p><i>Zoning Districts Allowed: B-2 - CUP; I-1, I-2, and I-3 permitted</i></p> <p><b>Recommendation:</b> Land use is appropriate in this zoning district if inside of a building and with a Conditional Use Permit.</p>
<p><b>Transportation Services:</b> Vehicles that travel by public or private carrier and related cost to activities and program resources in the community. Including consultation, medical and other services.</p> <p><i>Zoning Districts Allowed: B-2, Permitted; I-1 and I-2, Permitted; I-3 – CUP</i></p> <p><b>Recommendation:</b> Land use is appropriate in this zoning district if inside a building and with a Conditional Use Permit.</p>
<p><b>Warehouse &amp; Distribution Facility:</b> An establishment engaged in the storage or movement of goods, such as manufactured products, supplies, equipment or food.</p> <p><i>Zoning Districts Allowed: B-2 - CUP; B-3 - CUP; I-1 and I-2 – Permitted; I-3, CUP; CM-Permitted</i></p> <p><b>Recommendation:</b> Currently permitted in the B-3 (Community Commercial Business) with a Conditional Use Permit. No change necessary.</p>
<p><b>Wholesale:</b> An establishment primarily engaged in selling and/or distributing merchandise to retailers, to industrial commercial, institutional or professional business users or other wholesaler, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies. This is not considered a commercial use.</p> <p><i>Zoning Districts Allowed: B-2 - CUP; B-3 - CUP; I-1 and I-2 – Permitted; I-3, CUP; CM-Permitted</i></p> <p><b>Recommendation:</b> Remove definition from Chapter 13 (Rules and Definitions) of Ordinance A. “Wholesale” would be covered under the definition of “Wholesale Sales”.</p>
<p><b>Wholesale Sales:</b> Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users; or to other wholesalers. Wholesale establishment does not include contractor’s materials or office or retail sales of business supplies/office equipment.</p>

Light Industrial or other Commercial Uses Not permitted in the B-3 Zoning district and Potential Performance Standards

*Zoning Districts Allowed: B-2 and B-3 - Permitted; I-1 and I-2 – Permitted*

**Recommendation:** Land use is appropriate in this zoning district if inside a building and with a Conditional Use Permit.

**Potential Performance Standards for a Zoning District**

- |                             |  |
|-----------------------------|--|
| 1. Noise                    | 27. Outdoor Storage                                  |
| 2. Smoke                    | 28. Grading, Filling, Land Reclamation & Excavations |
| 3. Odor                     | 29. Outdoor Public Address Systems                   |
| 4. Dust & Dirt              |  |
| 5. Noxious Gases            |  |
| 6. Glare & Heat             |  |
| 7. Fire Hazards             |  |
| 8. Industrial Wastes        |  |
| 9. Transportation & Traffic |  |
| 10. Aesthetics              |  |
| 11. Psychological Effects   |  |
| 12. Wetlands                |  |
| 13. Water Courses           |  |
| 14. Floodplains             |  |
| 15. Steep Slopes            |  |
| 16. Woodlands               |  |
| 17. Landscaping             |  |
| 18. Exterior Lighting       |  |
| 19. Parking                 |  |
| 20. Hours of Operation      |  |
| 21. Traffic Generation      |  |
| 22. Screening               |  |
| 23. Exterior Storage        |  |
| 24. Hazardous Materials     |  |
| 25. Nuisances               |  |
| 26. Erosion & Drainage      |  |

**Development Standards**

1. Minimum Lot Area
2. Minimum Lot Width
3. Minimum Lot Depth
- 4. Setbacks**
  - a. Front
  - b. Interior Sideyard
  - c. Interior Sideyard Abutting
    - a Residential District
  - d. Street Sideyard
  - e. Rear
  - f. Rear Yard Abutting a Residential District
- 5. Building Standards**
  - a. Maximum Height
  - b. Minimum Floor Area
  - c. Minimum Width
6. Maximum Building Coverage
7. Abutting a Residential District

Light Industrial or other Commercial Uses Not permitted in the B-3 Zoning district and Potential Performance Standards