

Marshall Planning Commission
Report to City Council – Request for a Variance Adjustment Permit
112 South Street, City of Marshall, Lyon County, Minnesota

WHEREAS, the office of the City of Marshall Zoning Administrator received an application for a Variance Adjustment Permit dated June 17, 2026, for a reduced side yard related to property located at 112 South 6th Street, and

WHEREAS, the applicant for the Variance Adjustment Permit is the property owner Turkey Valley Farms, and

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A variance adjustment permit to reduce a side yard for steel structure from required 10 feet to five feet, and

WHEREAS, notice required pursuant to Minnesota Statutes Section 462.357 including the time, place and purpose of the hearing was published in the official newspaper at least ten days prior to the day of the hearing; and

WHEREAS, notice required pursuant to Minnesota Statutes Section 462.357 was mailed at least ten days before the day of the hearing to each owner of affected property and property situated wholly or partly within 350 feet of the property to which the variance adjustment permit relates, including BNSF Railroad Company; and

WHEREAS, City staff representatives from the Community Planning Department reviewed the application for the Variance Adjustment Permit; and

WHEREAS, Zoning Ordinance requires a side yard in an I-2 general industrial district to be ten feet, and

WHEREAS, Zoning Ordinance provides for considerations for granting a variance as follows: the applicant shall prove that the literal enforcement of the provisions of this chapter would cause practical difficulties because of circumstances unique to the individual property under consideration and the granting of the variances will be in keeping with the spirit and intent of this chapter. The term "practical difficulties," as used in connection with the granting of a variance means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality, and

WHEREAS, staff believe this proposal meets all three conditions for practical difficulties test for the following reasons:

- Building structural support for mechanical equipment needed for production is reasonable.
- The lot is located along the existing railroad; as a result, the lot in question does not have any adjacent occupiable lots.
- There are already several buildings close to the property line.

WHEREAS, the public hearing was scheduled for July 8, 2026, and was held as scheduled. Staff presented the above facts, and the Planning Commission discussed the variance request and heard from the applicant; and

WHEREAS, the Planning Commission has evaluated all applicable considerations and finds and determines that granting a requested Variance Adjustment Permit will not be injurious to the adjacent properties and that all conditions for granting a variance are satisfied.

NOW THEREFORE, it is recommended by the Planning Commission to the Marshall City Council that the Variance Adjustment Permit for a reduced side yard of five feet for a new structure be approved as recommended by staff. The motion offered by and seconded by , and declared carried on the following vote:

Ayes:

Nays:

Abstained:

Passed:

Marshall Planning Commission

By: Larry Doom

Its: Chair

Approval is contingent upon execution and return of this document to the City Planning Office.
I have read and agree to the conditions of this recommendation as outlined above.

Property Owner / Applicant

Date