

MOWER COUNTY

AUSTIN, MINNESOTA



MINUTES OF THE 12th MEETING OF THE MOWER COUNTY BOARD OF ADJUSTMENT

MEMBERS PRESENT: M. E. Chesebrough, Kenneth Trom, William Schlichter

STAFF PRESENT: James Harberts

The twelfth meeting of the Mower County Board of Adjustment was called to order at 4:30 p.m. on June 22, 1976 by Chairman M. E. Chesebrough. All members of the Board were present. The first order of business was a request for a special permit by Edwin Krulish to grade and level along the bank of an unnamed creek which flows through his property located in Section 28 of Lyle Township. Under Section 4.32 of the Shoreland Ordinance, grading and filling in shoreland areas or any alterations of the natural topography where the slope of the land is toward a public water or a water-course leading to a public water must be authorized by a special use permit obtained from the Board of Adjustment.

A motion was made by William Schlichter to grant the special permit based on the fact that the unnamed creek does have a very small flow and the leveling and grading will increase the aesthetic beauty of the shoreland in the area of Mr. Krulish's new house. Mr. Trom seconded the motion and it carried unanimously.

A second request from Robert Burzinski was presented. Mr. Burzinski requested a 20 foot variance from the 200 foot setback requirement from the normal high water mark of a natural environment stream. Mr. Burzinski would like to place a mobile home on 12.6 acres of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 4, Lyle Township. The property lies west of the Cedar River with TH 105 dividing the property into two separate parts. The Cedar River flows close to the road right-of-way in this area thus placing the road and the proposed building site within the required 200 foot setback.

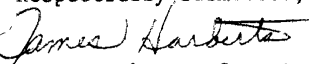
The Board found upon investigation of the site that there would be an added expense to the petitioner if he were to comply with the ordinance. The conditions causing the hardship are unique to the property especially the fact that the river bank is of such vertical height to preclude flooding and that TH 105 would act like a dike to any possible overflow.

On a motion by Kenneth Trom and seconded by William Schlichter, the Board unanimously granted the variance.

Minutes were approved as sent out on a motion by Kenneth Trom. The last order of business was to set a date for a variance request from Harlen Peck. Thursday, July 8 was established as the hearing date, this would give the staff enough time to get all the required notices out.

There being no further business, the meeting was adjourned.

Respectfully submitted,


James Harberts, Secretary
Mower County Board of Adjustment