

Coordinated Development In

MOWER COUNTY

AUSTIN, MINNESOTA



55912

(507) 433-1846

AUSTIN-MOWER COUNTY PLANNING DEPT.

March 29, 1979

MINUTES OF THE 31st MEETING OF THE MOWER COUNTY BOARD OF ADJUSTMENT

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

MEMBERS ABSENT: None

STAFF PRESENT: Chris Huang

The 31st meeting of the Mower County Board of Adjustment was called to order at 4:00 p.m. on March 29, 1979 by Chairman Chesebrough in Conference Room #1 of the Mower County Courthouse. The minutes of August 31, 1978 meeting were approved on a motion by Mr. Trom and seconded by Mr. Milbrath. The motion passed unanimously.

Neal Nicol - Setback Variance from Zoning Ordinance: Chairman Chesebrough stated that Mr. Neal Nicol is petitioning the county for a setback variance from the County Zoning Ordinance to build a shed for his auto repair business.

The petitioner's property is described as Sublot 2, Outlot 10, Nicolville in Section 33, Red Rock Township. The Sublot 2 is zoned commercial. The petitioner would like to build a shed north of the auto repair shop. The existing shed (12' X20') will be removed. The 40' setback requirement would force the proposed shed to be built on the swimming pool.

The proposed shed (24' X 42") will setback about 15' from the road right-of-way and about 2' from the north property line. A waiver of the side lot line has been obtained by Mr. Nicol from Roy Angell, to allow the proposed shed to be located as close as 2' from the north property line. Therefore, a variance of 25' is requested. Neighbors from the area voiced their main concern about the traffic on the narrow subdivision road and hoped that granting the variance would not create any problems.

Two letters were read. One was from the County Planning Commission stating that the County Planning Commission has reviewed the plan and specifications for a commercial building to be erected by Mr. Nicol. The second letter was from Mrs. Grace Dooley, one of the neighboring property owners, who expressed no objection to the petition if it does not deter application of Section 1-30 (b) of Zoning Regulations.

After a lengthy discussion, the Board of Adjustment reviewed the three criterias and agreed:

1. Strict application of the provisions of the zoning ordinance (40' setback requirement) will cause petitioner undue hardship because with the existing setup, the 40' setback requirement would force the proposed pole shed to be located on the existing swimming pool.
2. The exceptional circumstance is that the lot was previously platted and houses and garage were built closer than the required setback.

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3. The proposed shed will be setback further than the existing buildings to the south and will not create a new front line.

On a motion by Mr. Trom and seconded by Mr. Milbrath, the Board of Adjustment voted unanimoously to grant a variance approximately 24'4" for building a 24' X 42' shed with the condition attached that the east end of the proposed shed must be in alignment with the east end of the Nicol Auto Repair Shop and the east lot line.

There being no further business the meeting adjourned at 4:55 p.m. on a motion by Mr. Trom and seconded by Mr. Milbrath. The motion carried unanimously.

Respectfully submitted,



Chris Huang, Secretary
Mower County Board of Adjustment