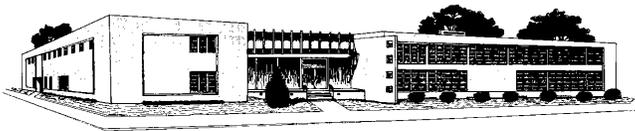


Coordinated Development In

**MOWER COUNTY**

AUSTIN, MINNESOTA



55912

(507) 433-1846

AUSTIN-MOWER COUNTY PLANNING DEPT.

April 26, 1979

MINUTES OF THE 32nd MEETING OF THE MOWER COUNTY BOARD OF ADJUSTMENT

MEMBERS PRESENT: Kenneth Trom, William Milbrath

MEMBERS ABSENT: M. E. Chesebrough

STAFF PRESENT: Chris Huang, Daryl Franklin, Bill Buckley

The 32nd meeting of the Mower County Board of Adjustment was called to order at 4:00 p.m. on April 26, 1979 by Vice-Chairman Trom in Conference Room #1 of the Mower County Courthouse. The minutes of March 29, 1979 were approved as mailed on a motion by Mr. Milbrath and seconded by Mr. Trom. The motion passed unanimously.

**Dale Renchin - Setback Variance:** Mr. & Mrs. Renchin are petitioning for a 10' setback variance from Section 14-9 of the zoning ordinance, in order to build an addition to the kitchen 80 feet from the right-of-way of T.H. 218 North. The property is located on T.H. 218 N on 10.3 acres in the S $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 34, Udolpho Township, west of the railroad track. The existing house sets back 80 feet from the right-of-way of T.H. 218 N. The proposed kitchen addition will be on the south of the house and lines up with the house. Section 14-9 of the County Zoning Ordinance requires a 90 foot minimum setback on T.H. 218. Therefore, a 10 foot variance is requested.

The Board of Adjustment reviewed the three criteria of granting a variance and agreed that:

1. The 90 foot requirement will result in practical difficulties for petitioner to add the addition to the current kitchen location.
2. It will not create a new front line.

On a motion by Mr. Milbrath and seconded by Mr. Trom the Board of Adjustment unanimously voted to grant a 10 foot variance for Mr. Renchin to build the addition.

**Brian Rech - Lot Size Variance from Sewage Control Ordinance:** Mr. Rech owns Lot 21, Norman Park - 1st Addition in Section 4, Austin Township. He wishes to construct a 2 to 3 bedroom home on the lot measuring 100' X 75' (17,500 sq. ft.) which will require an on-site sewage treatment system. Due to the insufficient lot size for a proper sewage treatment system, the County Sanitarian denied the application for a sewage permit. The County Sanitarian stated that the soil is not good enough for a proper sewage system. The County Sanitarian recommended two alternatives:

1. Have the property annexed to the City.
2. Use a special design mound and holding tank as an interim system until the property is annexed to the City.

The County Sanitarian stressed that he preferred the annexation. The interim system using a mound and holding tank was recommended because the petitioner would like to build a house as soon as possible. The property has the potential of being annexed to the City, but the annexation petition can not be initiated by the petitioner because the property is not located adjacent to the current city limits. The County Sanitarian also stated that there is a sewer discharge problem in the Norman Park area.

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Most sewage systems of homes drain into a common tile. Mr. Rech stated that he bought the lot and sold their current home. Therefore, they would have to build a new home as soon as possible. After a lengthy discussion on the interim system, water saving devices and future annexation plans in the area, Mr. Milbrath made a motion to approve the variance subject to the recommendation from the County Sanitarian - that if the mound is used the water saving devices would have to be installed. The motion was seconded by Mr. Trom and passed unanimously.

Joseph Krebsbach - Variance: Mr. Kresbach applied for a building permit to build a garage in August, 1978. The application for a building permit was denied by the County Zoning Administrator because the property is located within a designated floodway. Because of the flood hazard no structures are allowed to be built within a floodway. Mr. Krebsbach is not satisfied with the Zoning Administrator's decision of denial and is appealing to the Board of Adjustment for a reconsideration to allow him to build the garage within the floodway.

Mr. Franklin stated that the property is located in a designated floodway. According to state regulations, no building is allowed within floodway. Mr. Franklin also stated that the County Board has sent a letter to the Corps of Engineers of the U.S. Department of Flood Insurance and Department of Natural Resources requesting reasons for the floodway and flood fringe designation. It is possible that this area could be changed from a floodway to flood fringe. The change from floodway to flood fringe would allow the petitioner to build the garage on the condition that the ground be raised up to a flood protected level.

On a motion by Mr. Milbrath and seconded by Mr. Trom, the Board of Adjustment tabled the petition until the next meeting in order to obtain further information from DNR and U.S. Flood Insurance Administration.

Respectfully submitted,

  
Chris Huang, Secretary  
Board of Adjustment