

Coordinated Development In

**MOWER COUNTY**

AUSTIN, MINNESOTA



55912

(507) 433-1846

AUSTIN-MOWER COUNTY PLANNING DEPT.

June 25, 1981

MINUTES OF THE 44TH MEETING OF THE MOWER COUNTY BOARD OF ADJUSTMENT

MEMBERS PRESENT: Conrad Stemson, M. E. Chesebrough

MEMBERS ABSENT: William Milbrath, Ken Trom

OTHERS PRESENT: Dan Rogness

The 44th meeting of the Mower County Board of Adjustment was called to order at 4:00 p.m. on June 25, 1981. The minutes of the February 26, 1981 meeting were approved as mailed, on a motion by Mr. Stemson, seconded by Mr. Chesebrough, and the motion passed unanimously.

David Bierne - Shoreland Setback Variance: This is a request from Mr. Bierne for a setback variance from the Shoreland Management Ordinance requirement of a minimum setback of 75 feet. The applicant is proposing to place a temporary mobile home within the shoreland management area along Dobbins Creek in Section 29, Red Rock Township.

Mr. Rogness read the petition and staff report to the Board of Adjustment. Acting Chairman Chesebrough stated that there was a need to adequately answer all of the questions that were asked on the petition.

All of the Board members concluded that Mr. Bierne had adequately answered all of the required questions on the variance application and that the Minnesota State Statutes in regard to granting variances were followed in accordance with the requirements. A hardship would be incurred by the petitioner because the proposed location is the best suitable site to place the mobile home, considering the future plans of the property owner. Exceptional circumstances exist because of unusual topography and substantially valid elevation above the shoreland which is unique to this vicinity. It was shown that the granting of the variance would not be injurious to the surrounding property since no concentrations of residences in the area exist that would be affected by the variance. In addition, the statewide standards used for determining shoreland setback variances includes that in areas of unusual topography or substantially valid elevation above the shoreland level, setbacks may be varied to allow the owner reasonable use and enjoyment of his property. The Board found that this standard was true.

Mr. Stemson made a motion to approve the granting of the 60 foot variance from the 75 foot shoreland setback requirement with the condition that the variance will not exceed five years from this date for the location of a temporary mobile home unless a survey is submitted to show the structure would be out of the floodway. Mr. Chesebrough seconded the motion and the motion passed unanimously.

There being no further business, on a motion by Mr. Stemson, seconded by Mr. Chesebrough, the meeting adjourned at 4:30 p.m. The motion passed unanimously.

Respectfully submitted,

*Dan Rogness*  
Dan Rogness