

Coordinated Development In

MOWER COUNTY

AUSTIN, MINNESOTA



AUSTIN-MOWER COUNTY PLANNING DEPT.

55912

(507) 433-1846

July 30, 1981

MINUTES OF THE 45th MEETING OF THE MOWER COUNTY BOARD OF ADJUSTMENT

MEMBERS PRESENT: William Milbrath, Conrad Stemson, Ken Trom, M. E. Chesebrough

MEMBERS ABSENT: None

OTHERS PRESENT: Dan Rogness, William C. Buckley, Julie Lewon

The 45th Meeting of the Mower County Board of Adjustment was called to order at 3:30 p.m. on July 30, 1981. The minutes of the June 25, 1981 meeting were approved as mailed on a motion by Mr. Chesebrough, seconded by Mr. Stemson. The motion passed unanimously.

James Rush Density Variance: This is a request from Mr. & Mrs. James Rush for a density variance from the Mower County Zoning Ordinance which requires no more than one non-farm dwelling to be located per quarter-quarter section of land. The applicant is proposing to construct an additional non-farm dwelling within the quarter-quarter section of Section 6, Windom Township, which already has a number of non-farm dwellings.

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

All of the Board members concluded that Mr. Rush had adequately answered all of the required questions on the variance including the following: A hardship would be incurred by the petitioner because the property would be put to a more reasonable use by allowing another non-farm dwelling to be located at the site. Exceptional circumstances exist because the quarter-quarter section already has approximately nine non-farm dwellings located within the area. It was shown that the granting of the variance would not be injurious to the surrounding property since the surrounding area was predominately residential.

It was explained to Mrs. Rush by the Board why the zoning ordinance restrictions were written as they were. After additional discussion on the matter, a motion was made by Mr. Milbrath to grant the variance under the condition that the property shall be platted according to the appropriate county regulations. The motion was seconded by Mr. Stemson and the motion passed unanimously.

Ramsey Golf Course Sewage Treatment Variance: This is a request from the Ramsey Golf Course of Austin for a Sewage Control Ordinance variance to allow a drainfield system to be constructed within the 10-year floodplain elevation. The applicant's current system needs to be reconstructed, and the proposal is to locate a new drainfield system north of the existing clubhouse. They system would require using the existing septic tanks and construct-

ing a new pump tank to move the sewage to a new drainfield.

Mr. Rogness read the petition and staff report to the Board of Adjustment. A letter was also read to the Board from William Huber from the Minnesota Department of Natural Resources indicating their positive recommendation of granting the variance for the proposed location of the drainfield. Mower County Sanitarian, William Buckley, was also present to give further input on the problems of the existing system and the advantages of the proposed new system. A letter had been sent to Mr. Buckley from Mike Hansel of Minnesota Pollution Control Agency in regard to the design of the system.

Chairman Trom stated that there was a need to answer all of the questions on the petition. All of the Board members concluded that the answers had been adequately answered as follows: A hardship would be incurred by the petitioner because the existing location of the drainfield is not feasible to reconstruct and the clubhouse location and the Cedar River preclude any locations except for the proposed one. Exceptional circumstances exist because of the lot layout including the clubhouse, the green-ways, and the Cedar River. It was shown that the granting of the variance would not be injurious to the surrounding property because of its secluded location.

After additional discussion on the matter, a motion was made by Mr. Stenson to grant the variance for the proposed location of the septic system. The motion was seconded by Mr. Milbrath and passed unanimously.

Donald McKenzie: 1) Variance to Construct First-Floor Level Below Flood Protection Elevation; 2) Variance to construct within the 200 foot shoreland management zone; 3) Sewage Variance to construct sewage disposal system within 150 feet setback area and within 10-year floodplain elevation; This is a request from Donald McKenzie for the variances as indicated. The applicant is proposing to construct a house addition onto the existing house in Lot 3 of Cedar Dale - 1st Addition. A five foot high crawl-space with concrete floor is planned below the first floor level, which would be five feet below the regulatory flood protection elevation. The existing septic system needs to be reconstructed to the County's standards. Mr. McKenzie is proposing to locate the new septic system within the 150 foot setback area and the 10-year floodplain elevation.

Mr. Rogness read the petition and staff report to the Board of Adjustment. A letter was also read from Mr. William Huber of the Minnesota Department of Natural Resources (DNR) in regard to their recommendations on the proposed variances. The DNR recommended that the only variance to be allowed should be construction within the 200 foot shoreland management setback area. Mower County Sanitarian, William Buckley, was also present to give further information on the septic system and his recommended proposal that a pump be installed to pump the sewage to a drainfield located outside of the 150 ft. setback area.

Chairman Trom stated that there was a need to adequately answer all of the questions that were asked for each petition request: 1) 200 ft. shoreland management setback variance. A motion was made by Mr. Milbrath to approve the variance to allow construction of an addition onto the existing house as recommended by the DNR. Since the addition would be constructed on the west side of the house away from the river, the structure would not

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increase the substandard dimensions. The motion was seconded by Mr. Stenson and passed unanimously.

2) Variance to construct basement level below regulatory flood protection elevation. The letter from the DNR recommended that if the variance was approved, the basement should be flood-proofed to FP-1 classification according to the state building code. The letter further indicated that a variance may be required from the Federal Emergency Management Agency and Federal Insurance Administration. Because of this additional information, a motion was made by Mr. Chesebrough and seconded by Mr. Stenson to table the granting of this variance until the next regular meeting. At this time this information would be considered.

3) Spetic System varinace: Mr. McKenzie indicated to the Board that there may be another possible location for the septic system drainfield other than what was presented at the meeting. Because of this possibility, a motion was made by Mr. Stenson to table the granting of this variance until the next regular meeting. The motion was seconded by Mr. Milbrath and passed unanimously.

There being no further business, on a motion by Mr. Stenson, seconded by Mr. Chesebrough, the meeting adjourned at 5:20 p.m. The motion passed unanimously.

Respectfully submitted,


Dan Rogness, Secretary
Mower County Board of Adjustment