

Coordinated Development In

MOWER COUNTY

AUSTIN, MINNESOTA



55912

(507) 433-1846

AUSTIN-MOWER COUNTY PLANNING DEPT.

December 3, 1981

MINUTES OF THE 48th MEETING OF THE MOWER COUNTY BOARD OF ADJUSTMENT

Members Present: Ken Trom, Conrad Stemson

Members Absent: William Milbrath, M. E. Chesebrough

Others Present: David Olson, Bill Buckley

The 48th meeting of the Mower County Board of Adjustment was called to order at 4:15 p.m. on December 3, 1981. The minutes of the October 29, 1981 meeting were approved as mailed on a motion by Mr. Stemson and seconded by Chairman Trom. The motion passed unanimously.

Daniel Getman Setback Variance: This is a request from Mr. Daniel Getman for a setback variance from the Mower County Shoreland Management Ordinance which requires structures be set back from a natural environment stream (Cedar River) 200 feet. Mr. Getman's property is along the Cedar River in Section 33, Austin Township.

Mr. Olson read the petition and staff report. Chairman Trom asked if anyone was present to speak against the variance request. Mr. Bob Anderson, member of the Austin Town Board, stated that he and other members of the town board felt that the county ordinances needed to be enforced in this case, and that a variance should not be granted.

Chairman Trom reviewed the application form questions and the replies Mr. Getman had given. Mr. Stemson stated that he agreed with Mr. Getman's reply which stated that if the 200 foot setback were required, the building would be located in an area being used to grow food. As a result, Mr. Getman would be required to farm around the building. Mr. Getman also stated that he planned to now build a 16'x40' pole building rather than the 16'x16' originally stated. Chairman Trom asked whether this situation actually constituted a hardship. Chairman Trom then asked Mr. Getman about possible alternate sites. Mr. Getman stated that there other possible sites, but he site he had chosen was the most practical.

Chairman Trom read the second question on the application form and Mr. Getman's reply. Mr. Stemson stated that he agreed with Mr. Getman's reply that the parcel was a long and narrow strip. Chairman Trom added that although the parcel in question was a long narrow strip, the building could be placed so as to meet all setback requirements.

Chairman Trom read the third and last question on the application form and Mr. Getman's reply. There was little or no discussion on this reply.

Mr. Anderson made several comments regarding the best use of the land.

Chairman Trom asked if there was enough of an unnecessary hardship to constitute the granting of a variance. Mr. Getman stated that he felt an unnecessary hardship exists.

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David Jackson, who arrived late, asked several questions concerning the regulations of the Department of Natural Resources.

Chairman Trom stated he would entertain a motion. After no motion was made to either grant or deny the variance request, Mr. Stenson made a motion to table the variance request until the next regular meeting. Chairman Trom seconded the motion and it passed unanimously.

Sherbun Roberts Sewage Treatment Variance: This is a request from Sherbun Roberts (owner/operator Riverbend Campground) for a variance from the Sewage Control Ordinance to allow a drainfield system to be constructed within the 10-year flood plain elevation. The applicant has been informed by the Minnesota Department of Health to expand his current sewage disposal system.

Bill Buckley read the staff report and went on to explain the request further. He also read a letter from Bill Huber of the Department of Natural Resources which stated the only acceptable system on this particular site would be a holding tank system with off-site disposal. Mr. Buckley also read a letter from Bill Adler of the Minnesota Department of Health which also stated the only acceptable system would be a holding tank system.

Mr. Roberts stated he could not afford to construct a system of this type when taking into consideration what revenue his campground brings in.

There was a brief discussion on the licensing requirements of the Minnesota Department of Health and licensed sewage haulers that would be required to haul sewage from the site.

It was then stated that Mr. Roberts would not be required to get a variance for putting in a system of holding tanks.

There was a brief discussion concerning the denial of the variance request or having Mr. Roberts withdraw his variance request. At this time, Mr. Roberts withdrew his variance request, subject to a signed document affirming this withdrawal.

There being no further business, on a motion by Mr. Stenson and seconded by Chairman Trom, the meeting adjourned at 6:00 p.m. The motion passed unanimously.

Respectfully submitted,



David L. Olson, Secretary
Mower County Board of Adjustment