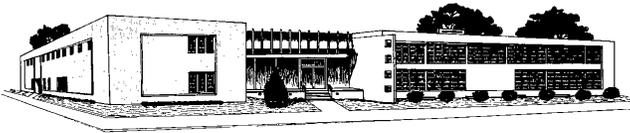


Coordinated Development In

# MOWER COUNTY

AUSTIN, MINNESOTA



AUSTIN-MOWER COUNTY PLANNING DEPT.

55912

(507) 433-1846

May 27, 1982

MINUTES OF THE 52ND MEETING OF THE MOWER COUNTY BOARD OF ADJUSTMENT

Members Present: Conrad Stemson, Ken Trom, M. E. Chesebrough

Members Absent: William Milbrath

Others Present: Julie Lewon

The 52nd meeting of the Mower County Board of Adjustment was called to order on Thursday, May 27, 1982 at 8:00 p.m. in Conference Room 1 of the Mower County Courthouse. The minutes of the April 29, 1982 meeting were approved as mailed on a motion by Mr. Stemson, seconded by Mr. Chesebrough. The motion passed unanimously.

Le Roy Brandt - Setback Variance: This is a request from Le Roy Brandt for a setback variance of 10 feet from the required 40 foot setback from the road right-of-way. The property is located in the S $\frac{1}{2}$ , SW $\frac{1}{4}$  and the W $\frac{1}{2}$ , W $\frac{1}{2}$ , N $\frac{1}{2}$ , SW $\frac{1}{4}$ , Section 19, Austin Township. The petitioner is proposing to construct a grain bin 28 feet in diameter approximately 30 feet from the township road right-of-way.

Miss Lewon read the petition and Mr. Brandt's replies to the questions on the petition application form and the staff report.

Chairman Trom asked if there was anyone present to speak to the petition. Mr. Chesebrough stated that the Board has asked Mr. Brandt why this site had been picked and Mr. Brandt had explained that there was another potential site, but it would be close to the well site and the chosen site would work better with the location of the dryer.

The Board of Adjustment reviewed the criteria for granting the variance, and it was concluded as follows:

1. Hardships would be incurred by the petitioner because of the location of the dryer and existing bins.
2. There are exceptional circumstances to the property since placing the bin 40 feet from the right-of-way would block access to the existing bins to the south.
3. The granting of the variance would not have a detrimental effect on the surrounding property or zone.

Mr. Sheldon Lukes, a neighboring property owner, stated that the road used to come to a dead end at Mr. Brandt's site and that is why the buildings are laid out as they are.

After some discussion, Mr. Chesebrough made a motion to approve a variance of 10 feet from the required 40 foot setback. The motion was seconded by Mr. Stemson and passed unanimously.

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Daniel Emanuel - Variance to Allow an Additional Non-farm Dwelling: This is a request from Daniel Emanuel for a variance to allow an additional non-farm dwelling per quarter section of rural zoned land. The property is located on 5.5 acres in the southwest corner of the SW $\frac{1}{4}$  of Section 36, Nevada Township. The petitioner is proposing to place a mobile home on the above described property. There is an existing house on the property and the mobile home would be placed south of the home on land that is tillable, but is not in itself feasible for farming purposes. Miss Lewon read the petition and Mr. Emanuel's replies to the questions on the petition application form and the staff report.

Chairman Trom asked if there was anyone present to speak to the petition. Mr. Emanuel's father was present but had nothing to add to the report.

The Board of Adjustment reviewed the criteria for granting the variance and it was concluded as follows:

1. Hardships would be incurred by the petitioner because of the unusual physical layout with the existing home being in the middle of the 5.5 acres. The land to the south being proposed for the additional home is too narrow to be farmed with modern equipment.
2. There are exceptional circumstances to the property because of the layout of the existing home and the shape of the site being proposed.
3. The site being proposed is not practical for agricultural purposes because of its size and thus the granting of the variance will not be injurious to the property in question.

After some discussion, a motion was made by Mr. Stemson to grant the variance. The motion was seconded by Mr. Chesebrough and passed unanimously.

Ivan Bartholomew - Setback Variance: This is a request from Mr. Bartholomew for a setback variance of 4 feet from the required 20 foot setback from side property lines. The property is located in the N $\frac{1}{4}$ , SE $\frac{1}{4}$ , South 60 feet of Outlot 2 of Feeley's Outlots, Section 14, Austin Township. The petitioner is proposing to construct an addition onto the existing home and would be approximately 16 feet from the side property line. The existing home is 16 feet from the side property line, and the addition would continue straight west, being no closer to the property line than the house.

Miss Lewon read the petition and Mr. Bartholomew's replies to the questions on the petition application form, and the staff report.

Chairman Trom asked if there was anyone present to speak to the petition. Mr. R. E. Crawford, adjoining property owner to the north, stated that if the addition would come no closer to the property line than the existing house he would have no objections. Mr. Bartholomew said that the addition would be straight back from the existing wall. Miss Lewon stated that if the Crawfords signed a waiver of side lot lines, allowing Mr. Bartholomew to build closer than the required 20 feet, there would be no need for a variance. Mr. Crawford stated that he was unsure of the exact location of the property line and therefore did not want to sign the waiver.

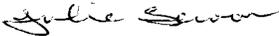
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After some discussion, the Board unanimously agreed with the answers given by Mr. Bartholomew to the criteria for granting a variance. Mr. Chesebrough made a motion to grant a four foot variance from the 20 foot setback required on the north property line, and stated that it is the intent of this motion to permit the extension of the existing north face of the house to the west with no reduction of the space between this property and the Crawford property. The motion was seconded by Mr. Stemson and passed unanimously.

As there was no further business, a motion was made by Mr. Chesebrough to adjourn the meeting. The motion was seconded by Mr. Stemson and passed unanimously. The meeting adjourned at 8:45 p.m.

Respectfully submitted,



Julie Lewon, Acting Secretary  
Mower County Board of Adjustment