

Coordinated Development In

MOWER COUNTY

AUSTIN, MINNESOTA

55912



(507) 433-1846

AUSTIN-MOWER COUNTY PLANNING DEPT.

August 27, 1982

MINUTES OF THE 54th MEETING OF THE MOWER COUNTY BOARD OF ADJUSTMENT

Members Present: William Milbrath, Conrad Stemson, Ken Trom

Members Absent: M. E. Chesebrough

Others Present: Dave Olson, Julie Lewon

The 54th meeting of the Mower County Board of Adjustment was called to order on Thursday, August 26, 1982 at 8:00 p.m. in Conference Room 1 of the Mower County Courthouse. Minutes of the June 24, 1982 meeting were approved as mailed on a motion by Mr. Milbrath, seconded by Mr. Stemson. The motion passed unanimously.

Vernon Barry - Setback Variance; This is a request from Vernon Barry for a setback variance of 130 feet from the required 200 foot setback from the normal high water mark of a Natural Environment stream. The property is located in the South 125 feet, Out-lot 4 in the W 1/2, E 1/2, Section 23, Lansing Township. The petitioner is proposing to construct a dwelling, 70 feet from the normal high water mark of the Cedar River.

Mr. Olson read the petition and Mr. Barry's replies to the questions on the petition application form and the staff report. A letter from DNR stating they have no problem with the proposed variance, was also read to the commission. Chairman Trom asked if anyone was present to speak against the petition. No one was present to do so. The Board of Adjustment reviewed the criteria for granting a variance and it was concluded as follows:

- 1) The lot only has 160' available to build on, thus the 200' setback presents an impossible distance at which to place the residence.
- 2) There are no conditions unique to this property, however the property should be allowed to be developed as the adjoining lots have been.
- 3) Location of the residence at 70' from the river would place it at approximately the same setback as the other residences in the area and would not be detrimental to the property or neighborhood,

After a brief discussion, Mr. Stemson made a motion to approve a 130 foot variance from the shoreland management ordinance which requires a 200 foot setback from a natural environment stream. The motion was seconded by Mr. Milbrath and passed unanimously.

As there was no further business, a motion was made by Mr. Milbrath to adjourn the meeting. The motion was seconded by Mr. Stemson and passed unanimously. The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Julie Lewon

Julie Lewon, Acting Secretary
Mower County Board of Adjustment