

Coordinated Development In

MOWER COUNTY

AUSTIN, MINNESOTA

55912



(507) 433-1846

September 30, 1982

AUSTIN-MOWER COUNTY PLANNING DEPT.

MINUTES OF THE 55th MEETING OF THE MOWER COUNTY BOARD OF ADJUSTMENT

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

Members Absent: None

Others Present: David Olson, Julie Lewon

The 55th meeting of the Mower County Board of Adjustment was called to order on Thursday, September 30, 1982 at 8:00 p.m. in Conference Room 1 of the Mower County Courthouse. Minutes of the August 26, 1982 meeting were approved as mailed on a motion by Mr. Stemson, seconded by Mr. Milbrath and passed unanimously.

James May - Setback Variance: This is a request from James May 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 SE $\frac{1}{4}$, Section 30, Adams Township. The petitioner is proposing to construct a free stall building 30 feet from the township road right-of-way.

Mr. Olson 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. Mr. Chesebrough asked what the actual setback from the right-of-way was. Mr. May replied that the building was about 30 feet from the ROW. Mr. Olson stated that he had visited the site previously with Commissioner Finbraaten and measured where the building would be. At that time it was understood that the building would be no closer to the ROW than the existing garage and silo. The footings that have been poured are closer, and a new setback would be established. Mr. May replied that he couldn't get the footing dug out wide enough, so he had to go farther east. The footings are around the outside of a slab that was there. Mr. Chesebrough said that the floor looks to be 5 to 10 feet from the ROW. Mr. Milbrath stated that there is no argument that where the new building will be placed is a good location for working with the other buildings.

Discussion followed on whether or not action could be taken as the board was not certain exactly how much of a variance would be needed. Mr. Olson stated that a new application would have to be filled out asking for a larger variance and that staff would go back to the May property and get new measurements. Mr. Trom stated that the Board of Adjustment would require a written agreement that if the road were ever widened, the county or township would be held harmless. It was decided that staff would notify everyone of the time of a special meeting after new information was gathered. Mr. Milbrath made a motion to table the request until new information was gathered. The motion was seconded by Mr. Stemson and passed unanimously.

George Zahradnik - Setback Variance: This is a request from George Zahradnik for a setback variance of 25 feet from the required 90 foot setback from the trunk highway right-of-way (ROW). The property is located in the N $\frac{1}{2}$, SW $\frac{1}{4}$, Section 22, Lansing Township. The variance would allow a mobile home to be placed 65 feet from the trunk highway ROW. The mobile home is already on the property. Mr. Olson read the petition

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and staff report to the Board of Adjustment. Chairman Trom stated that there was need to adequately answer all of the questions that were asked on the variance petition. The Board of Adjustment reviewed the criteria for granting a variance, and it was concluded as follows:

- 1) If the mobile home were placed 90 feet from the ROW, it would be far from the existing septic system. Because of this distance, there would be a greater risk of the system not working correctly.
- 2) The septic tank is already in place on the premises, thereby setting a limit as to how far back the mobile home can be placed.
- 3) Allowing the mobile home to be located 65 feet from the ROW would not establish a new setback, as there are existing barns closer to the ROW.

After a brief discussion, Mr. Stenson made a motion to approve a 25 foot variance from the required 90 foot setback from a trunk highway ROW. 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. Stenson and passed unanimously. The meeting adjourned at 9:20 p.m.

Respectfully submitted,



Julie Lewon, Secretary
Mower County Board of Adjustment