

MOWER COUNTY

AUSTIN, MINNESOTA



October 5, 1982

MINUTES OF THE 56th MEETING OF THE MOWER COUNTY BOARD OF ADJUSTMENT

Members Present: William Milbrath, Conrad Stemson, Ken Trom

Members Absent: M. E. Chesebrough

Others Present: David Olson

The 56th meeting of the Mower County Board of Adjustment was called to order on Tuesday October 5, 1982 at 7:00 p.m. in Conference Room 1 of the Mower County Courthouse.

James May - Setback Variance: This is a request from James May for a setback variance of 35.5 feet from the required 40 foot setback of structures from the township right-of-way. The property is located in the SE $\frac{1}{4}$ of Section 30 of Adams Township. The petitioner is proposing to construct a free stall building at this site.

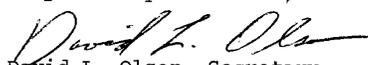
Mr. Olson read the petition and Mr. May's replies to the questions on the petition application, and also the staff report. A proposed agreement was read which stated that if a variance were granted, Mr. May would not hold the county or the township liable for any costs incurred for moving the building if the road were to be widened. No one was present to speak against the petition. Mr. May was the only person present to speak in favor. This request had been tabled from the regular September meeting held September 30, 1982, because of the lack of correct dimensions as to where the building would be in relation to the township road. The board reviewed the criteria for granting a variance and it was concluded as follows:

1. The building could not be built 40 feet from the right-of-way as there is an existing barn in the way.
2. There is an existing barn which prevents the free stall building from being placed 40 feet from the right-of-way, and the proposed site would work best with the layout of all existing buildings.
3. Granting this variance would not be materially detrimental to public health, welfare, or injurious to property improvement.

After a brief discussion, Mr. Stemson made a motion to approve the 35.5 foot variance from the zoning ordinance, which requires a 40 foot setback from road rights-of-way. Mr. Milbrath seconded the motion and it passed unanimously. It was suggested that the agreement signed be cross-referenced in the minutes and that they be recorded as supporting documents.

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 7:30 p.m.

Respectfully submitted,


David L. Olson, Secretary
Mower County Board of Adjustment