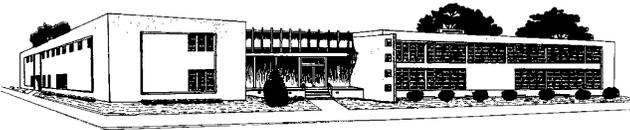


MOWER COUNTY

AUSTIN, MINNESOTA



June 30, 1983

MINUTES OF THE 62nd MEETING OF THE MOWER COUNTY BOARD OF ADJUSTMENT

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

Members Absent: Ken Trom

Others Present: David Olson, Julie Lewon, William Buckley

The 62nd meeting of the Mower County Board of Adjustment was called to order on Thursday, June 30, 1983 at 8:00 p.m. in Conference Room 1 of the Mower County Courthouse. Minutes of the May 26, 1983 meeting were approved as mailed on a motion by Mr. Milbrath, seconded by Mr. Chesebrough. The motion passed unanimously.

Giles Healy and James Vacura (Ramsey Golf Course) - Variance From the Required 200 Foot Structure Setback from a Natural Environment Stream: This is a request from Giles Healy and James Vacura for a 135 foot variance to allow a pole building to be constructed approximately 65 feet from the Cedar River. The property is located in the NW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 23, Lansing Township. The building will be used for the storage of golf carts. The petitioners feel this is the only site open to them that would not interfere with the layout of the golf course.

The Board of Adjustment reviewed the criteria for granting a variance, and it was concluded as follows: 1) the requested variance would be in harmony with the ordinance intent and general purpose as the ideal use for this location (floodway) would be recreation which the golf course is and the proposed building is an accessory use. 2) The variance is consistent with the comprehensive plan. 3) Practical difficulties are shown as putting the building farther back would place it in the middle of the golf course. The building could be placed on the other side of the golf course, but this would not be an efficient site with the existing layout of the golf course. After further discussion, a motion was made by Mr. Chesebrough to approve the 135 foot variance from the required 200 foot structure setback from a Natural Environment Stream with the condition that the approval be subject to the granting of a conditional use permit for a building in the floodway by the planning commission and the Board of Commissioners. The motion was seconded by Mr. Milbrath and passed unanimously.

Vernon Barry - Variance from the Required 40 Foot Setback from the Road Right-of-Way: This is a request from Vernon Barry for a 20 foot variance from the required 40 foot setback from the road right-of-way. The property is located at the south 125 feet of OL 4 in the W $\frac{1}{2}$, E $\frac{1}{2}$, Section 23, Lansing Township. Mr. Barry was granted a variance last year to be closer than 200 feet to the Cedar River. At that time he said the house would be 40 feet from the road. Now, Mr. Barry is planning to move the location of the home farther east, closer to the road. His reason for this is to give him room to put a septic system behind his house.

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The Board of Adjustment reviewed the criteria for granting a variance, and it was concluded as follows: 1) the requested variance would be in harmony with the ordinance intent and general purpose as it would not be establishing a new setback line. There are existing buildings closer to the road than Mr. Barry will be. 2) The variance is consistent with the comprehensive plan as this will allow the home to be even farther back from the river. Environmentally this is better and will help to preserve the natural environment of the river and shoreland area. 3) Practical difficulties are found as the lot is only 160-165 feet deep, and meeting the 200 foot shoreland setback and the 40 foot right-of-way setback would be impossible. After further discussion, Mr. Milbrath made a motion to approve the 20 foot variance from the required 40 foot setback from the road right-of-way. The motion was seconded by Mr. Chesebrough and passed unanimously.

Vernon Barry - Variance from Required 150 Foot Sewer System Setback from a Natural Environment Stream: This is a request from Vernon Barry for a 50 foot variance from the required 150 foot sewer system setback from a Natural Environment Stream. This property is located at the south 125 feet of Outlot 4 in the W $\frac{1}{2}$, E $\frac{1}{2}$, Section 23, Lansing Township. Mr. Barry wishes to construct a septic system 100 feet from the river. He feels that the soils are more suitable for a septic system at this location. If the system were put in on the east end of the lot, he would have to pump and he would rather not do this. Mr. Chesebrough asked Mr. Buckley to show where the drainfield would go if the variance were not granted. Mr. Buckley drew a site plan on the blackboard showing that there is 10-12 feet on the east side of the lot that can be used for the system. This site would meet the 150 foot setback requirement. There were several other questions concerning where the system could be located, but there was not enough information available regarding elevations. Mr. Buckley said he would need more elevations before he could even approve the system at the petitioner's proposed site. Mr. Milbrath stated that it would be in the owners best interests to have a survey done of the property. Mr. Buckley stated he would be willing to show Mr. Barry exactly what he is looking for and that Mr. Barry get an engineer or surveyor out to look at the property. Mr. Chesebrough said that the board does not have information to make an intelligent decision, and made a motion to table the petition until additional engineering information can be obtained. The motion was seconded by Mr. Milbrath and passed unanimously.

There being no other business, Mr. Milbrath made a motion to adjourn. The motion was seconded by Mr. Chesebrough, passed unanimously, and the meeting adjourned at 9:49 p.m.

Respectfully submitted,



Julie Lewon
Secretary