

# MOWER COUNTY

## AUSTIN, MINNESOTA



July 28, 1983

### MINUTES OF THE 63rd MEETING OF THE MOWER COUNTY BOARD OF ADJUSTMENT

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

Members Absent: None

Others Present: David Olson, William Buckley

The 63rd meeting of the Mower County Board of Adjustment was called to order on Thursday, July 18, 1983 at 8:00 p.m. in Conference Room I of the Mower County Courthouse. Minutes of the June 30, 1983 meeting were approved as read on a motion by Mr. Chesebrough, seconded by Mr. Milbrath, and passed unanimously.

Vernon Barry - Variance from Required 150' Sewer System Setback from a Natural Environment Stream: The request from Vernon Barry for a 50 foot variance from the required 150 foot sewer system setback from a Natural Environment Stream, on property 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 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 on the east end of the lot, he would have to pump and he would rather not do this.

This request was tabled from the June 30th meeting in order for Mr. Barry to gather more information, including elevations, contours, and a profile of the whole system.

Mr. Barry was present at the meeting and went on to explain the drawings which had been prepared by himself and the contractor, explaining the elevations at different points of the lot plus soils information. Several questions were asked of Mr. Barry by Board of Adjustment members and Mr. Buckley. Mr. Milbrath stated that he thought a topographical map of the lot would be helpful. Mr. Barry replied that he had already spent what he felt was too much money and the possibility was still there that the variance request would be denied. Mr. Chesebrough inquired about alternative sites for the system which would not require a variance. Mr. Buckley explained to the Board of Adjustment that he had been informed that where Mr. Barry's driveway would be would not allow a sewer system to be put in the front part of the lot. Mr. Milbrath, after discussing with the Board the borings, and the slope on both sides of the sewer system, said that he felt that contours on this part of the lot would make for a well informed decision.

Mr. Chesebrough reminded the Board of Adjustment that they still had to determine whether a hardship existed in regard to this variance petition.

Mr. Buckley went on to state his concern about the elevations of the proposed drainfield site and the amount of fill that would be needed. He stated that possibly no approved system could be installed, based on amount of fall of elevation across the drainfield area. He wanted to see the sewer contractor's proposal on how many feet of drainfield line and the number of yards of fill that would be needed to install an approved system.

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A lengthy discussion took place to determine if the 50 foot variance would allow enough room for Mr. Barry to install his proposed system and still meet side yard setbacks and setbacks required from the house, tank, etc. Mr. Chesebrough asked if there was any possibility of pollution problems from installing the drainfield at the proposed site. Mr. Buckley went on to say that he did not feel that it would be a potential pollution problem for the Cedar River.

Mr. Buckley suggested that Mr. Barry and his contractor meet him at the site in a week or two with a transit and other necessary equipment to try to obtain the information necessary for the Board to take action on the requested variance. Mr. Chesebrough stated that in reviewing the information on the request that the Board should be concerned only with the circumstances unique to the property and not created by the property owner.

Mr. Buckley stated that the following would be needed for the Board to make an informed decision on the variance: 1) a profile of the system from the footing of the house to the end of the drainfield line; 2) contours from the 100 foot mark to the end of the lot; 3) more dimensions of the site, house, drainfield, etc.

Mr. Milbrath stated that he must respectfully suggest that the Barrys get the information Mr. Buckley requested. He then moved to table the motion until August 25, 1983, which is the next regular meeting of the Board of Adjustment. Mr. Stenson seconded the motion and it passed unanimously.

There being no further business, Mr. Stenson moved to adjourn, seconded to Mr. Milbrath and passed unanimously. The meeting adjourned at 9:00 p.m.

Respectfully submitted,



David L. Olson  
Acting Secretary