

MOWER COUNTY

AUSTIN, MINNESOTA



August 25, 1983

MINUTES OF THE 64th MEETING OF THE MOWER COUNTY BOARD OF ADJUSTMENT

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

Members Absent: None

Others Present: Dave Olson, William Buckley

The 64th meeting of the Mower County Board of Adjustment was called to order on Thursday, August 25, 1983 at 8:00 p.m. in Conference Room 1 of the Mower County Courthouse. Minutes of the July 28, 1983 meeting were approved as amended on a motion by Mr. Stemson. The second to last paragraph where it stated that Mr. Milbrath stated that he must respectfully suggest that the Barrys get the information Mr. Buckley requested, was amended to read: "Mr. Milbrath stated that he most respectfully suggests that the Barrys get the information Mr. Buckley requested." Mr. Chesebrough seconded the motion and it passed unanimously.

Vernon Barry - Variance from the Required 150 Foot Sewer System Setback from a Natural Stream: This is a request from Vernon Barry for a 58 foot variance from the required 150 foot sewer system setback from a Natural Environment Stream on his property located at the South 125 feet of Outlot 4 in the W $\frac{1}{2}$, E $\frac{1}{2}$ of Section 23, Lansing Township. Mr. Barry wishes to construct a sewer system 92 feet from the river. He feels that this soil is more suitable at this location. If the system were put on the east end of the lot, or front portion, he feels he would have to pump to this location and would rather not do this. This request was tabled for a second time from the July 28, 1983 meeting in order for Mr. Barry to gather specific information for Mr. Buckley, including elevations, contours, and a profile of the whole system and site being proposed. Mr. Buckley, Mower County Sanitarian, reviewed two alternatives with the Board of Adjustment. He discussed these, using transparencies and diagrams which he had prepared. The first alternative was the site Mr. Barry was proposing which required approximately a 58-60 foot variance. The second alternative was a system to be utilized in the east or front part of the lot which would require a 10 foot variance. The second alternative, Mr. Buckley felt, could utilize either a gravity or semi-gravity system and possibly not have to pump to this location. He went on to state that he felt a system would probably function equally at either site. Although, Mr. Buckley went on to explain, Mr. Barry could not locate his well where he had originally proposed with the second alternative.

The following questions were asked of Mr. Buckley by the general contractor Mr. Barry had in attendance at the meeting with him. He asked Mr. Buckley: 1) The amount of fill that would be required; 2) The amount of square footage of drainfield; 3) the depth of cover over the lines required; 4) The depth of the lines themselves; 5) The actual level of the water table, which he thought was lower than Mr. Buckley had cited in his report; and 6) The general contractor wished to know the amount of slope allowed in a bed type system. The contractor went on to explain to Mr. Buckley and the Board

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that he had planned to have a 12x30 foot bed installed. The contractor went on to say that he could raise the elevation of the house approximately two feet. Mr. Buckley stated that that he disagreed with the contractor on the idea of installing a bed at the proposed site. Mr. Buckley asked if the contractor could raise the elevation of the house for the site Mr. Barry was proposing, why could he not raise the elevation of the house in order to locate the sewer at the east end of the lot. The general contractor felt that even with the raising of the elevation of the house, the site at the east or front end of the lot would need a pumping station. Again, Mr. Buckley said that he disagreed with the general contractor's proposal as to the method or type of system to be installed at either of the sites. He stated that by raising the house by two feet, a pump would not be needed on the east, and that without raising the house, a pump would also be necessary for Mr. Barry's preferred site.

Mr. Buckley explained to the Board that even though with the site at the east end of the lot, it would require a 10 foot variance. He felt that the encroachment on the river would be less and that it would be more in the spirit and intent of the ordinance to be 140 feet back rather than the 90 feet as Mr. Barry was proposing.

There was then a lengthy discussion, in which Mr. Chesebrough voiced his concerns about the apparent contradiction between the staff report submitted and included in the packet and Mr. Buckley's proposal to the Board of Adjustment. In the staff report, it was stated that because of the the placement of the driveway, the east end of the lot could not be utilized for the installation of a septic system. It was found that with only requesting a 10 foot variance that a system could in fact be installed there. After further discussion, a motion was made by Mr. Milbrath to grant a 60 foot variance to Mr. Barry for the installation of a sewer system 90 feet from the Cedar River. Mr. Stenson seconded the motion and it passed 3-0 with Mr. Chesebrough abstaining.

There being no further business, Mr. Stenson moved to adjourn the meeting at 9:35 p.m. The motion was seconded by Mr. Milbrath and passed unanimously.

Respectfully submitted,



David L. Olson, Secretary