

MOWER COUNTY

AUSTIN, MINNESOTA

55912



March 29, 1984

MINUTES OF THE 69th MEETING OF THE MOWER COUNTY BOARD OF ADJUSTMENT

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

Members Absent: Ken Trom

Others Present: Julie Lewon

The 69th meeting of the Mower County Board of Adjustment was called to order by Vice-Chairman Stemson on Thursday, March 29, 1984 at 4:00 p.m. in Conference Room II of the Mower County Courthouse. Minutes of the February 23, 1984 meeting were approved as mailed on a motion by Mr. Chesebrough, seconded by Mr. Milbrath, and passed unanimously.

Neil Maldeis - Variance for an Additional Non-Farm Dwelling in the Quarter-Quarter Section: A petition from Neil Maldeis for a variance for an additional non-farm dwelling on five acres in the NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 14, Pleasant Valley Township, was read to the Board. Mr. Maldeis lives in the existing home on the property. He wishes to move a mobile home onto the property for his retired parents to live in. Mr. & Mrs. Maldeis were present and gave the board a drawing showing the location of the home and proposed mobile home. The mobile home would be placed on land that had not been tilled in the last five years.

The Board then reviewed the conditions for granting a variance and it was determined as follows:

- 1) The variance would be in keeping with the ordinance intent and general purpose as (a) there are no other non-farm single-family dwellings not only in the $\frac{1}{4}$, $\frac{1}{4}$ section, but in the whole quarter section. Part of the ordinance states that there be no more than four non-farm single-family dwellings per mile length on a single side of a public highway. The variance would not be in violation of this part of the ordinance; (b) The mobile home will not be placed in an area classified as wetlands, floodways or peat and muck areas; (c) The mobile home will be placed on land that has been part of a farmstead with buildings and trees and has not been tilled in the last five years at least.
- 2) The variance would be consistent with the comprehensive plan as it is not taking farm land out of production.
- 3) Particular hardship was shown as the back of the lot can't be used for agricultural purposes as the size is too small. The area has been non-agricultural in use over the years. The neighborhood won't be altered by the addition of another non-farm dwelling in this area.

Based on these findings, Mr. Milbrath then made a motion to approve the variance with the condition that the property not be split into two separate lots. The motion was seconded by Mr. Chesebrough and passed unanimously.

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Ronald Clark - Variance for an Additional Non-Farm Dwelling the Quarter-Quarter Section:

A petition from Ronald Clark for an additional non-farm dwelling in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 11, Austin Township, was read to the board. Mr. Clark is proposing to purchase a piece of property from his father for a new home. The property is the site of the old Woodson School. There are existing non-farm dwellings to the north and south of the site. Conrad Masyga, a neighboring property owner was present and questioned whether a septic system could be placed on the lot. The board responded that if the variance were granted, they would probably put a condition on it that the county sanitarian approve a septic system for the site before a house could be built. Mr. Clark proposes to tear down the old school house and the new home would be set back the same as the houses to the north and south.

The board then reviewed the conditions for granting a variance and it was determined as follows:

- 1) The variance would be in harmony with the ordinance intent and general purpose as it would not be taking prime farm land out of production. It would not be intensifying the land use as the area is semi-suburban now.
- 2) The variance would be consistent with the comprehensive plan as it is not taking prime agricultural land out of production.
- 3) Particular hardship was shown as the area is semi-suburban and the adjoining lots are used for residential purposes. The lot in question couldn't be used for any residential purpose without a variance. The petitioner did not create the circumstances of the property. The character of the neighborhood will not be altered by the addition of the non-farm dwelling.

Based on these findings, Mr. Chesebrough made a motion to approve the variance with the condition that a septic system for the site must be approved by the county sanitarian before a house can be built on the lot. The motion was seconded by Mr. Milbrath and passed unanimously.

There being no further business, the meeting adjourned at 4:35 p.m.

Respectfully submitted,

Julie Lewon

Julie Lewon, Secretary