

# MOWER COUNTY

## AUSTIN, MINNESOTA



April 26, 1984

### MINUTES OF THE 70<sup>th</sup> MEETING OF THE MOWER COUNTY BOARD OF ADJUSTMENT

Members Present: William Milbrath, Conrad Stemson, Ken Trom

Members Absent: M. E. Chesebrough

Others Present: Julie Lewon

The 70<sup>th</sup> meeting of the Mower County Board of Adjustment was called to order by Chairman Trom on Thursday, April 26, 1984 at 4:00 p.m. in Conference Room II of the Mower County Courthouse. Minutes of the March 29, 1984 meeting were approved as mailed on a motion by Mr. Milbrath, seconded by Mr. Stemson and passed unanimously.

James & Debbie Johnson - Variance for an Additional Non-Farm Dwelling in the Quarter-Quarter Section: A petition from James & Debbie Johnson for a variance for an additional non-farm dwelling in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 26, Austin Township, was read to the Board. This property is owned by a Mary A. Bush, mother of Mrs. Johnson. Mrs. Bush was present at the meeting. There is an existing non-farm home on five acres. It is located just south of the stream. Mr. & Mrs. Johnson wish to purchase 2 acres to build a home on. The proposed location is part a wooded area and part the yard area of Mrs. Bush's home.

The Board 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 agricultural land out of production.
- 2) The variance would be consistent with the comprehensive plan as no prime farm land is being taken out of production. The land to be used has been left as part of a yard and a wooded area.
- 3) The site where the house is to be built is too small to farm and is wooded. This area has been non-agricultural in use over the years. The neighborhood will not be altered by the addition of another non-farm dwelling in the area.

Mrs. Colleen Brunton, owner of the existing non-farm house, was present. Mrs. Brunton was concerned about how close the proposed home would be to her home. The Brunton home has solar panels and they were concerned that the new home would block the sun from the solar panels. Mrs. Bush said that the new home would be near her house and far enough away from the Brunton home that the solar panels would not be blocked. There were some questions about the septic system and Mrs. Bush was told that William Buckley, County Sanitarian, had to approve a septic system before it could be put in.

Based on the above stated findings, Mr. Stemson then made a motion to approve the variance

Page two

Mower County Board of Adjustment

April 26, 1984

for an additional non-farm dwelling in the quarter-quarter section. The motion was seconded by Mr. Milbrath and passed unanimously.

Ronald Clark - Variance for a Lot to Have Less than 125 Foot Frontage: A petition from Ronald Clark for a variance for a lot to have less than 125 foot frontage in the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 11, Austin Township, was read to the Board. Mr. Clark and his father, Edward Clark, are proposing to divide their two adjacent lots to make two equal sized lots. This split will leave Ronald Clark's lot with 116 feet, 3 inches of frontage. The lot now has a frontage of 150 feet.

The Board 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 the lot would be increasing in depth, giving more room for a septic system even though the frontage would be decreasing. The requested variance is not substantial.
- 2) The variance would be consistent with the comprehensive plan as there is existing housing in the area with similar size lots. The variance would not result in a lot out of character with the existing development.
- 3) Practical difficulties are shown as the small size of the lot without the variance would make it difficult to put in a septic system. Although the lot frontage will decrease, the lot area will increase as more land is being added to the back of the lot. The larger size will make it easier to install an approved septic system.

Two members of the Austin Town Board, Erwin Gill and Sal Espe were present. They were concerned that the lot was less than one acre. Austin Township has a requirement that all lots to be built on must have a minimum lot size of one acre. The county is allowing the home to be built on less than an acre as it is a lot of record.

Mr. Milbrath made a motion to approve the variance with the condition that Ronald Clark receive approval from the Austin Town Board to build on less than one acre and that William Buckley, county sanitarian, approve a septic system for the lot. The Austin Town Board members stated that their main concern was whether a septic system could be installed on a lot this size. The motion was seconded by Mr. Stenson and passed unanimously.

Edward Clark - Variance for a Lot to Be Less Than One Acre in Size: A petition from Edward Clark for a variance for his lot to decrease from 1.1 acres to 0.9 of an acre, was read to the Board. Mr. Clark will be dividing his j-shaped lot with his son's lot directly to the south. His lot frontage will be increasing from 82'5" to 116'3".

The Board 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 the property being taken from the lot has not been used for the drainfield of the house. The initial lot is j-shaped with the back part not being used along with the rest of the lot.