

MOWER COUNTY

AUSTIN, MINNESOTA

55912



Minutes of the 79th Meeting of the Mower County Board of Adjustment

Members Present: Kenneth Trom, Merrill Chesebrough, Jen Ulwelling

Members Absent: William Milbrath

Others Present: Julie Lewon, Craig Eliason

The 79th meeting of the Mower County Board of Adjustment was called to order by Chairman Trom on Monday, August 12, 1985 at 8:00 p.m. in the Commissioner's Conference Room in the Mower County Courthouse. Minutes of the July 25, 1985 meeting were approved on a motion by Mr. Chesebrough, seconded by Mrs. Ulwelling and passed unanimously.

Roger Beinhorn - Variance to allow a garage to be built within the 200' shoreland setback: A petition from Roger Beinhorn to allow a garage to be built within the 200' shoreland setback was read by Ms. Lewon. The petitioner wishes to construct a garage on the property located on the E458' of the N463.7' of the S688.7' in the W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ northwest of the river, 3.3 acres in Section 4, Udolpho Township. The proposed location of the garage is 123' from the normal high water mark of the Cedar River. The shoreland setback for the Cedar River is 200' measuring from the normal high water mark of the river. Therefore, a 77' variance from the required 200' shoreland setback is required.

Ms. Lewon said she had received no correspondence from any of the neighbors or from the Department of Natural Resources concerning this variance.

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

- 1) The variance is in harmony with the ordinance's general intent and purpose as the area is not prone to flooding.
- 2) The variance is consistent with the comprehensive plan because the building would not be located in the floodplain.

Practical difficulties are shown as follows:

- 1) A 200' setback would not allow the garage to be built on the property.

Hardships are shown as follows:

- 1) The property can not be put to reasonable use if used under the conditions allowed by the official controls.
- 2) The variance will not alter the essential character of the neighborhood as the garage is further back than the house from the river.

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After further discussion, a motion was made by Mrs. Ulwelling to approve a 77' variance from the required 200' shoreland setback for the reasons given above. The motion was seconded by Mr. Chesebrough and passed unanimously.

Ms. Lewon informed Mr. Beinhorn that this variance would be recorded on his deed and become a permanent record.

There being no further business, a motion to adjourn was made by Mr. Chesebrough, seconded by Mrs. Ulwelling and passed unanimously. The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Craig Eliason
Craig Eliason
Secretary