

# MOWER COUNTY

AUSTIN, MINNESOTA

55912



November 6, 1986

Minutes of the 90th Meeting of the Mower County Board of Adjustment

Members Present: William Milbrath, Merrill Chesebrough, Kenneth Trom

Members Absent: Jen Ulwelling

Others Present: Julie Lewon

The 90th meeting of the Mower County Board of Adjustment was called to order by Chairman Trom on Thursday, November 6, 1986 at 4:10 p.m. in Conference Room I in the Mower County Courthouse. This being a special meeting there were no minutes to approve.

Richard & Vicki McAnally - Request for a 14 Foot Variance from the Required 20 Foot Side Yard Setback: Ms. Lewon read the staff report. The McAnally's are requesting a variance to allow an attached garage to be 6 feet from the side lot line. The property is located at 2207 10th Avenue S.W. (West 100 feet of the East 224 feet of the North 137 feet, Lot 1, Block 3, Austin Acres). The petitioners formerly had an unattached single car garage that was 6 feet from the side lot line. This garage has been torn down and a new double garage, attached to the house, is being built. The new garage will be no closer to the side lot line than the former garage, 6 feet, but since it will be attached to the house a variance is required.

Mr. McAnally was present and told the Board that he had spoken to the neighbors on each side of his property and they both had no problem with the new garage or its location.

Mr. Chesebrough stated that the property in question is in an area covered by a ten year orderly annexation agreement between the City of Austin and Austin Township. Presumably, some time in the next 10 years, this property will be annexed into the City. In Austin the required side yard setback is 5 feet, which would be met by the garage.

The Board reviewed the criteria for granting the variance and it was determined as follows:

- 1) The variance is in harmony with the ordinance's general intent and purpose as the property is in an urbanized area and should conform to regulations applicable to urbanized areas;

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2) The variance is consistent with the Comprehensive Plan as it allows a setback reasonable in a residential area and the property is in a residential area, even though it is zoned rural.

3) Practical difficulties are shown because if the new attached garage did not match the same ground location of the previous garage, 6 feet from the lot line, there would be no other place to put it on the property. The 20 foot requirement would have the garage running into the house.

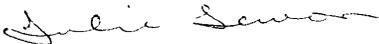
Discussion followed on how the area is completely residential in nature and the fact that approving the variance would in no way alter the character of the neighborhood.

A motion was made by Mr. Milbrath to grant the 14 foot side yard variance based on the above findings. The motion was seconded by Mr. Chesebrough and passed unanimously.

Mr. McAnally was informed that the variance approval would be recorded at the County Recorders Office and would show up on his abstract if it were ever updated.

There being no further business the meeting adjourned at 4:30 p.m. on a motion by Mr. Chesebrough, seconded by Mr. Milbrath and passed unanimously.

Respectfully submitted,



Julie Lewon  
Acting Secretary

JL:km