

MOWER COUNTY

AUSTIN, MINNESOTA

55912



November 24, 1986

Minutes of the 91st Meeting of the Mower County Board of Adjustment

Members Present: Jen Ulwelling, Merrill Chesebrough, William Milbrath

Members Absent: Kenneth Trom

Others Present: Julie Lewon, Craig Eliason

The 91st meeting of the Mower County Board of Adjustment was called to order by Acting Chairman Chesebrough on Monday, November 24, 1986 at 4:00 p.m. in Conference Room I in the Mower County Courthouse. The minutes of the October 30, 1986 and November 6, 1986 meetings were approved as mailed on a motion by Mrs. Ulwelling, seconded by Mr. Milbrath and passed unanimously.

Harold Boverhuis - Variance to Allow an Additional Non-Farm Dwelling in the Quarter-Quarter Section: Ms. Lewon read the staff report. Mr. Boverhuis is requesting a variance to allow an additional non-farm dwelling in the quarter-quarter section. This property is located on the South 649.29 feet of the SE 1/4 NE 1/4, East of Railroad, Section 10, Lansing Township (4.7 acres) and there are many other non-farm dwellings in the quarter-quarter section. Therefore the variance is required. The existing land use is Vacant and the existing zoning is Rural. The surrounding land use and zoning is as follows: North - Residential, zoned Rural; South - Residential, zoned Rural; East - Residential, zoned Rural; and West - Agricultural, zoned Rural.

The Board reviewed the conditions 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 area is already residential in nature.
- 2) The variance is consistent with the Comprehensive Plan because the 1970 Mower County Comprehensive Plan shows this area as recommended for residential use.
- 3) Particular hardships are shown by the following: The property is bound on three sides by residential areas and it would not be feasible to use the property for agricultural purposes. Granting the variance will not take any cultivated agricultural land out of production, nor will it alter the character of the neighborhood.

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A motion was made by Mrs. Ulwelling to grant the variance to allow an additional non-farm dwelling in the quarter-quarter section based on the above findings. The motion was seconded by Mr. Milbrath and passed unanimously.

Acting Chairman Chesebrough announced that the variance approval would be recorded at the County Recorder's Office and would show up on the abstract if it were ever updated. The variance goes with the property and not the owner.

Joan Bustad - Variance to Allow an Additional Non-Farm Dwelling in the Quarter-Quarter Section: Ms. Lewon read the staff report. Ms. Bustad previously had a home on this property located on 4.5 acres in the E 1/2 W 1/2 E 1/2 SW 1/4 NW 1/4, except the West 4 rods of the North 20 rods, Section 23, Austin Township. The home burned down in 1983. She is now proposing to rebuild. There are several other non-farm dwellings in this quarter-quarter section and therefore, a variance is required for the new home. The existing land use is Vacant and the existing zoning is Rural. The surrounding land use and zoning are as follows: North - Agricultural, zoned Rural; South - Agricultural, zoned Rural; East - Residential, zoned Rural; and West - Residential, zoned Rural.

Ms. Lewon informed the Board that she had been contacted by a couple neighbors and members of the Austin Town Board and they had no problem with granting the variance.

Ms. Bustad was present to answer any questions the Board may have.

After some discussion, 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 already residential in nature.
- 2) The variance is consistent with the Comprehensive Plan as the 1970 Mower County Comprehensive Plan shows this area as recommended for residential use.
- 3) Particular hardships are shown by the following: The property has previously had a non-farm home on it and the area is already residential in nature. It is not feasible for the property to be used for agricultural purposes. Granting the variance will not alter the character of the neighborhood.

A motion was made by Mr. Milbrath to grant the variance to allow an additional non-farm dwelling in the quarter-quarter section based on the above findings. The motion was seconded by Mrs. Ulwelling and passed unanimously.

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Acting Chairman Chesebrough announced that the variance approval would be recorded at the County Recorder's Office and would show up on the abstract if it were ever updated. The variance goes with the property and not the owner.

John and Marjorie Uitermarkt - 85 Foot Variance From the 125 Foot Lot Frontage Requirement and 45 Foot Variance From the 125 Foot Lot Frontage Requirement: Ms. Lewon read the staff report. The petitioners wish to split this property located on the west 651 feet of the SE 1/4 NW 1/4, except the North 33 feet, Section 23, Austin Township, into two parcels of approximately 3.17 acres (A) and 15.98 acres (B). The two parcels would have frontage on the township road of approximately 40 feet for (A) and 80 feet for (B). In order to do this, the variances are requested. The township road comes to a dead end on the north end of the property approximately 120 feet east of the west edge of the property, according to Mr. Uitermarkt. He is proposing to split the property into two parcels as described above. The 3.17 acre parcel would include the building site. The existing land use is Residential and Agricultural and the existing zoning is Rural. The surrounding land use and zoning is as follows: North - Agricultural, zoned Rural; South - Agricultural, zoned Rural; East - Agricultural, zoned Rural; West - Residential and Agricultural, zoned Rural.

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 granting the variance would still provide adequate access to both properties.
- 2) The variance is consistent with the Comprehensive Plan as the existing land uses would remain the same.
- 3) Practical difficulties are shown because the dead end road does not permit 125 feet of frontage on both properties.

A motion was made by Mrs. Ulwelling to grant the 85 foot variance from the 125 foot lot frontage requirement for (A) and 45 foot variance from the 125 foot lot frontage requirement for (B) based on the above findings. The motion was seconded by Mr. Milbrath and passed unanimously.

Other Business:

Ms. Lewon presented a map to the Board outlining those areas which are residentially built up throughout the county and still zoned Rural. After some discussion the board decided that it would be willing to make a recommendation to the Planning Commission to rezone those areas to residential.

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Owatonna Workshop: Ms. Lewon reminded the Board of the workshop to be held in Owatonna on December 4, 1986.

There being no further business, the meeting adjourned at 4:50 p.m. on a motion by Mrs. Ulwelling, seconded by Mr. Milbrath and passed unanimously.

Respectfully submitted,

Craig Eliason
Craig Eliason, Secretary