

Coordinated Development In

MOWER COUNTY

AUSTIN, MINNESOTA

55912



507-437-9527

AUSTIN-MOWER COUNTY PLANNING DEPARTMENT

September 30, 1987

Minutes of the 99th Meeting of the Mower County Board of Adjustment

Members Present: Merrill Chesebrough, Jen Ulwelling, William Milbrath, Kenneth Trom

Members Absent: None

Others Present: Daryl W. Franklin, Katie Losness

The meeting of the Mower County Board of Adjustment was called to order by Chairman Trom on Wednesday, September 30, 1987 at 4:00 p.m. in Conference Room I in the Mower County Courthouse in Austin, Minnesota. Minutes of the July 29, 1987 meeting were approved as mailed on a motion by Mr. Chesebrough, seconded by Mr. Milbrath and passed unanimously.

Fastbender Brothers - Variance to Allow a Sow Barn to be Thirty-Five Feet From the Road Right-of-way Instead of the Required 40 Feet:

Ms. Losness read the staff report. Petitioner is requesting a 5 foot variance from the required 40 foot setback from the road right-of-way. The sow barn would be 35 feet from the right-of-way line. The legal description is as follows: W 1/2 SW 1/4, Section 19, Lodi Township, 83 acres. The existing land use is agriculture and existing zoning is rural. The surrounding land use and zoning: North - Agriculture, zoned Rural; South - Agriculture, zoned Rural; East - Agriculture, zoned Rural; West - Agriculture, zoned Rural.

Mr. Trom stated that the Board had visited the site earlier in the day. He then asked Ms. Losness if the Planning Department had received any calls or correspondence from any neighbors or the Township Board to which she responded that they had not.

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 wouldn't be establishing a new setback line from the road right-of-way.
- 2) The variance is consistent with the Comprehensive Plan for the same reasons as outlined in #1.
- 3) Practical difficulties are shown by the following:

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Because the area is already quite built up, the proposed area is the only space available in which to build the barn.

Following further discussion, a motion was made by Mrs. Ulwelling to approve the five foot variance to allow a barn to be built. The motion was seconded by Mr. Milbrath and passed unanimously.

Richard Koch - Variance to Allow the Extension of an Existing Milking Facility 20 Feet From the Road Right-of-Way: Ms. Losness read the staff report. Petitioner is requesting a 20 foot setback from the road right-of-way. The legal description of the property is SE 1/4, Section 11, T101N, R14W, LeRoy Township, 160 acres. The existing land use is Agricultural and existing zoning is Rural. The surrounding land use and zoning is as follows: North - Agriculture, zoned Rural; South - Agriculture, zoned Rural; East - Agriculture, zoned Rural; West - Quasi-public, zoned Rural.

Mr. Trom stated that the Board had visited the site earlier in the day and asked Ms. Losness if the Planning Department had received any calls or correspondence from neighbors or the Township Board. She answered that they had not.

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

- 1) A 15' variance rather than the requested 20' variance is in harmony with the Ordinance's general intent and purpose as the road right-of-way is wider and will be aligned with the current cement block.
- 2) The variance is consistent with the Comprehensive Plan for the same reason as outlined in #1.
- 3) Practical difficulties are shown by the fact the farmstead is built up in such a way that the 40 foot setback could not be met without obstructing the use of already existing structures.

A motion was made to grant a 15 foot variance from the required 40 foot setback from the road right-of-way by Mr. Milbrath. The motion was seconded by Ms. Ulwelling and passed unanimously.

There being no further business to discuss the meeting adjourned at 4:45 p.m. on a motion by Mrs. Ulwelling, seconded by Mr. Milbrath and passed unanimously.

Respectfully submitted,



Katie Losness