

**AUSTIN
MOWER COUNTY
PLANNING DEPARTMENT**

August 30, 1989

Minutes of the 108th Meeting of the Mower County Board of Adjustment

Members Present: Merrill Chesebrough, Don Olson, Ken Trom (8.07 p.m.)

Members Absent: Bill Milbrath

Others Present: Katie Losness

The meeting of the Mower County Board of Adjustment was called to order by Vice-Chair Olson on Wednesday, August 30, 1989, at 8:00 p.m. in the Conference Room of the Austin-Mower County Planning Department in Austin, Minnesota. Minutes of the March 29, 1989 meeting were approved as mailed on a motion made by Mr. Chesebrough, seconded by Mr. Olson and passed unanimously.

Variance #223 to Allow an Attached Garage Closer than the 40 Foot Setback Requirement - Gary Bahl: Ms. Losness read the staff report. Gary Bahl is requesting a 14 foot variance from the required 40 foot setback from the road right-of-way on property owned by him in Red Rock Township (E 495 ft. S 1/2 E 1/2 SE 1/4 exc. S 660 ft. W 231 ft. of Section 32). He would like to build a double attached garage 26 feet from the township road right-of-way.

Mr. Chesebrough stated for the record that he and Mr. Olson were out to the site which is north of Highway 46 and has a township road east of the house. The proposed garage would be on the northeast side of the house. There is an existing deck eight feet to the east of the house which is three feet closer to the township road than the proposed garage.

As the garage would not be establishing a new setback line, Mr. Chesebrough stated that it has been past practice to approve such a variance. They discussed the proposal and found the following:

- 1) The variance is in harmony with the spirit and intent of the Ordinance as the present deck is a legal non-conforming use which intrudes further into the 40 foot setback, therefore, the request would not create a new setback.

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- 2) It is consistent with the Comprehensive Plan for the reasons stated above.
- 3) Practical difficulties are shown as a location further west would cut off the light to existing windows and be too close to the existing well. To establish new standards for this property at this late date would be a practical difficulty. It is a situation which pre-dates this new Ordinance and wouldn't affect any other property owners in the area.

Therefore, Mr. Olson made a motion to approve the variance which was seconded by Mr. Chesebrough and passed unanimously.

There being no further business to discuss, the meeting adjourned at 8:20 p.m. on a motion made by Mr. Chesebrough, seconded by Mr. Olson and passed unanimously.

Respectfully submitted,



Katie Losness
Assistant Planner

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