

MOWER COUNTY

AUSTIN, MINNESOTA

55912



April 24, 1991

Minutes of the 114th Meeting of the Mower County Board of Adjustment Meeting

Members Present: Bill Milbrath, Merrill Chesebrough

Members Absent: Ken Trom, Don Olson

Others Present: Katie Losness

The meeting of the Mower County Board of Adjustment was called to order by Acting Chair Chesebrough on Wednesday, April 24, 1991, at 4:00 p.m. in the Conference Room of the Austin-Mower County Planning Department in Austin, Minnesota. Minutes of the January 16, 1991, meeting were approved as mailed on a motion made by Mr. Milbrath, seconded by Mr. Chesebrough and passed unanimously.

Variance #230 - Variance of 31 Feet from the 90 Foot Setback from the Road Right-of-Way of U.S. Highway #218 - Paul Stegemann: Ms. Losness read the staff report. Mr. Stegeman is requesting the variance to allow him to replace his barn with a new building 59 feet from the right-of-way on his property in Lansing Township (S 1/2, SE 1/4, Section 9). The existing land use is agricultural and the zoning is Agricultural District. The surrounding land uses are residential to the north and agricultural to the south, east and west. Surrounding zoning is Agricultural District.

The Board referenced the inspection they made of the site prior to the hearing. The project will involve removing an older barn structure and replacing it with a new metal building approximately 40' x 54' (wider side running parallel to the highway) so that the side facing the highway sits approximately seven feet further back than the existing front line. The house is currently at least 15 feet closer to the right-of-way than the proposed structure. The proposed location for the new building would allow Mr. Stegemann to utilize the existing water hydrant. Staff related that they had received no correspondence or phone calls regarding this request.

The Board then reviewed the statutory requirements for granting a variance. They found that the variance is in harmony with the spirit and intent of the Ordinance as it would not be creating any new structures closer to the right-of-way than those existing and for that reason it is also consistent with the Comprehensive Plan. The Board also found practical difficulties were shown because the placement of the building which would conform to the Ordinance would result in the blocking of a road that leads to the field and would block off access to the rest of the property.

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Therefore, Mr. Milbrath made a motion to approve the 59 foot variance. The motion was seconded by Mr. Chesebrough and passed unanimously.

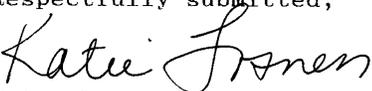
Variance #229 - Variance of 14 1/2 Feet from the Required 40 Foot Setback from the Road Right-of-Way - Wilfred Bissen: Ms. Losness read the staff report. Mr. Bissen is requesting the variance to allow him to build a bin 25 1/2 feet from the 40 foot setback from the road right of way at his property in Adams Township (NW 1/4 NW 1/4, Section 18). The existing and surrounding land use is agricultural and zoning is Agricultural District.

The Board referenced their on-site inspection of the premises prior to the hearing. The proposed location for the new bin is west of existing large storage building and would be seven feet further away from the right-of-way than said building. Therefore, this bin would not establish a new setback line.

The Board reviewed the statutory requirements for granting a variance and found that the variance was in harmony with the spirit and intent of the Ordinance and consistent with the Comprehensive Plan since it would not be establishing a new setback closer to the road right-of-way. The Board also made a finding of practical difficulties because a different location would set the bin away from the existing set of bins which would make loading and unloading at the same site prohibitive. Therefore, a motion was made by Mr. Milbrath and seconded by Mr. Chesebrough to grant the variance of 14 1/2 feet from the 40 foot setback from the road right-of-way. The motion passed unanimously.

There being no further business to discuss, the meeting adjourned at 4:15 p.m. on a motion by Mr. Milbrath, seconded by Mr. Chesebrough and passed unanimously.

Respectfully submitted,


Katie Losness