

# MOWER COUNTY

AUSTIN, MINNESOTA

55912



## Minutes of the Mower County Board of Adjustment

Members Present: Don Olson and Joan Roe.

Members Absent: Bill Millbrath and Kenneth Trom.

Others Present: Dale Taylor (Dexter Township), Roger McGinlay, Cheryl Gossman, Daryl W. Franklin.

The regular meeting of the Mower County Board of Adjustment was called to order by Acting-Chair Don Olson on Wednesday, September 29, 1993, at 2:30 p.m. in the Conference Room of the Mower County Office Building, 1105-1/2 NE 8th Avenue, Austin, Minnesota.

Minutes of the June 30, 1993, meeting were approved as mailed on a motion by Don Olson and seconded by Joan Roe. The motion passed unanimously.

Variance #256, Frank Mayzlik - The Board of Adjustment reviewed the response from Lansing Township concerning the memo about the road. Members asked if Mayzlik had been contacted. In order to ascertain that Mr. Mayzlik was contacted, a conference call was placed to Frank Mayzlik to discuss the situation and letter. Mr. Mayzlik stated that he could not remember if a notice had been sent to him. Mr. Mayzlik asked if we could send further notices to Judy Schwartz in Rose Creek and Jerry Mayzlik, RR 1 Box 228, Austin. A motion was made by Don Olson, seconded by Joan Roe, to continue the hearing to October 27, 1993. Motion passed unanimously.

Variance #258, Roger McGinlay/Cheryl Gossman - Sargeant Township, section 4, variance for an additional farm dwelling per quarter-quarter and variance from the CER rating and land which has been tilled in the last 5 years. Reference was made to the on-site visit to the property. Dale Taylor from the Sargeant Township stated that the township hadn't received any objections to that development. Plans are to move the current house to a site north to an area that is currently under cultivation and a corn field and then sell off the parcel and then construct a new house on the original farm site. Don Olson was concerned on the taking of prime farm land out of production and the high CER rating and compliance with the Mower County Comprehensive Plan. Don Olson stated that their variance does not meet criteria 1 and 2 of granting a variance. Roger McGinlay and Cheryl Gossman stated that none of the neighbors have a problem with this and they see no reason why the Board of Adjustment should not approve the variance. Don Olson stated that the Board has to be consistent in dealing with and it is appropriate to remember their charge of protecting prime farmland with a high CER rating. Mr. McGinlay wanted to know how an individual could build on adjacent land. It was explained that

it may have been done under different rules, and could have been the first non-farm per quarter-quarter. Joan Roe stated that if you bend the rules once where do you stop bending the rules. A motion was made by Don Olson, and seconded by Joan Roe, to deny Variance #258 because it isn't in the harmony and spirit with the ordinance and is not consistent with the Comprehensive Plan. Motion passed unanimously.

There being no further business, the meeting adjourned at 3:55 p.m. on a motion by Joan Roe, seconded by Don Olson. The motion passed unanimously.

Respectfully submitted:



Daryl W. Franklin