

Mower County
1105-1/2 NE 8th Avenue
Austin, MN 55912

507/437-9527

Fax 507/437-9582

Minutes of the Mower County Board of Adjustment

Members Present: Gary Braaten, Don Olson, Joan Roe.

Members Absent: Bill Millbrath.

Others Present: Denny Mealy, neighbors, William Buckley, Daryl Franklin.

The regular meeting of the Mower County Board of Adjustment was called to order by Vice-Chair Don Olson on Wednesday, January 25, 1995, 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 December 28, 1994, meeting were approved as mailed on a motion by Joan Roe, seconded by Gary Braaten. The motion passed unanimously.

Election of Officers - Vice-Chair Olson called for the election of the Chair since Ken Trom's term had expired. A motion was made by Joan Roe, seconded by Gary Braaten, to nominate Don Olson for Chair and nominations cease and the secretary be instructed to cast unanimous ballot. The motion passed unanimously.

A motion was made by Joan Roe, seconded by Don Olson, to nominate Gary Braaten as Vice-Chair and nominations ceased and the secretary be instructed to cast unanimous ballot. The motion passed unanimously.

Variance #282 - Denny Mealy - Variance from Section 14-50h(1) of the Mower County Zoning Ordinance and a variance from the Mower County Individual Sewage Treatment Ordinance Section 11-3, 7080.0210, Subp. 6. Staff reports were presented. In order to grant a variance, the Board of Adjustment must find:

- 1.) That the variance is in harmony with the spirit and intent of the Ordinance?
- 2.) The variance is consistent with the Comprehensive Plan?
- 3.) Are practical difficulties or particular hardships shown?

Reference was made to the on-site inspection by the Board of Adjustment

and staff members prior to the meeting on this day. Mr. Mealy explained that his house was built in 1979 and that he was the third or fourth owner. He had purchased the property from HUD as a foreclosed home. It was discovered that the County did not have any record of the sewer system for this home. Under the Mower County Individual Sewage Treatment Ordinance, the current home must have a conforming system if a variance is approved. Concerns were raised by Karl Theuer and Lloyd Matthes that there was a waiver approved in 1981 that there was to be no further building on the property. The neighbors stated that they did not want any additional homes built in the area. After some discussion, Mr. Mealy stated that he wished to withdraw his variance application. A motion was made by Gary Braaten, seconded by Joan Roe, to accept the withdrawal of the application. The motion passed unanimously.

There being no further business, the meeting adjourned at 3:25 p.m. on a motion by Joan Roe, seconded by Gary Braaten. The motion passed unanimously.

Respectfully submitted:



Daryl W. Franklin