

## **MOWER COUNTY BOARD OF ADJUSTMENT**

### ***Minutes of the Mower County Board of Adjustment***

Members Present: Bill Millbrath, Don Olson, Joan Roe.

Members Absent: Gary Braaten.

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

The regular meeting of the Mower County Board of Adjustment was called to order by Chair Don Olson on Wednesday, March 29, 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 January 25, 1995, meeting were approved as mailed on a motion by Bill Millbrath, seconded by Joan Roe. 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 January 25, 1995, meeting. Mr. Mealy provided information on what he was proposing to do. He wants to move a mobile home on to his property and install a holding tank for a septic system for his parents and that it would be temporary. He stated that he had contact David White and Mr. Swinyard and they had no problem with the proposal. Lloyd Mathes spoke against the variance since it would devalue the property. Carl Theuer, Cathy Carlson and Gene Francis were opposed to the additional non-farm dwelling because of possible devaluation of their property. David White spoke in favor of the variance and that he did not see anything wrong with the variance application. After some discussion, a motion was made by Bill Millbrath, seconded by Joan Roe, that the variance for an additional non-farm dwelling be denied.

because (1.) the variance is not in harmony with the spirit and intent of the Ordinance and (2.) the variance is not consistent with the Comprehensive Plan.

Aye: Millbrath, Roe.

Nay: Olson

In regard to the variance for the holding tank, a motion was made by Joan Roe, seconded by Bill Millbrath, to deny the variance for the holding tank since (1.) the variance is not in harmony with the spirit and intent of the Ordinance and (2.) the variance is not consistent with the Comprehensive Plan. The motion passed unanimously.

There being no further business, the meeting adjourned at 3:14 p.m. on a motion by Bill Millbrath, seconded by Joan Roe. The motion passed unanimously.

Respectfully submitted:



Daryl W. Franklin