

MOWER COUNTY BOARD OF ADJUSTMENT

Minutes of the Mower County Board of Adjustment

Members Present: Gary Braaten, Bill Milbrath, Don Olson, Joan Roe

Members Absent: none

Others Present: Citizens, Daryl W. Franklin.

The regular meeting of the Mower County Board of Adjustment was called to order by Chair Don Olson on Wednesday, September 25, 1996, at 2:40 p.m. in the County Office's, Mower County Office Building, 1105-1/2 NE 8th Avenue, Austin, Minnesota. Minutes of the August 28, 1996, meeting were approved as mailed on a motion by Gary Braaten, seconded by Bill Milbrath. The motion passed unanimously.

Variance #312 - George Wyland/Kathryn Bjerstedt Variance from Section 14-50(h)(1)(4) of the Mower County Zoning Ordinance for an additional non-farm dwelling on agricultural land and land with a CER of over 60 in Section 12 of Pleasant Valley Township. Staff report was presented. Reference was made to the on-site visit conducted by the Board of Adjustment at 1:30 p.m. on this day. George and Carol Wyland explained their proposal to buy the land and build a home. The land has a CER of 81. A letter from Robert Kuhlman, township chair, was presented but it was not known if this was the official position of the township. Brian Meyerhofer stated that he was concerned about creating non-farms in farming areas. Loren Meyerhofer said that this site could be a wetland area. Bill and Kim Fillion were concerned about not following the Ordinance and changing the character of the neighborhood. Bob Bardwell said that this is not prime farmland but could be a good location for a non-farm dwelling. After some discussion, a motion was made by Gary Braaten and seconded by Joan Roe to table this variance until a special meeting is held on October 16, 1996. This will allow the Township to make a formal comment. The motion passed unanimously.

Variance # 314 - Robert & Judy Osmundson - Variance from Section 14-50(h)(1) of the Mower County Zoning Ordinance for an additional non-farm dwelling on agricultural land in Section 36 of Marshall Township. Staff report was presented. Reference was made to the on-site visit conducted by the Board of Adjustment at 2:05 p.m. on this day. Judy Osmundson explained their proposal to move a mobile home on their parcel for her parents to live in. After some discussion, a motion was made by Joan Roe, seconded by Bill Milbrath, to approve variance #314 because (1) the variance is in harmony with the spirit and intent of the ordinance because it will not be creating an additional building site; (2) the variance is consistent with the Comprehensive Plan because no agricultural land will be removed from production; (3) there are practical difficulties and particular hardships shown because the parents need the assistance of their children; with the following conditions:

1. An evaluation be conducted by a licensed Designer I Inspector, on any sewage treatment system serving property on which a variance is granted. If the sewer system is found to be failing the Individual Sewage Treatment Ordinance, as a

condition of the variance, the system will have to be upgraded or replaced by MPCA 7080 standards.

2. Apply for and receive a zoning permit and ISTS permit for new mobile home.
3. Mobile home is for parents use only and removed when no longer needed by the parents.

The motion passed unanimously.

Other Business:

Don Pedersen was present to question if he needed a variance since he purchased his 45-acre parcel in 1995 and had investigated building on it at that time and did not need a variance. Since then the regulations changed and he needs a variance. The Board of Adjustment stated that he definitely needs a variance and should apply to be heard at the special meeting in October.

There being no further business, the meeting adjourned at 4:00 p.m. on a motion by Bill Milbrath, seconded by Gary Braaten. The motion passed unanimously.

Respectfully submitted:



Daryl W. Franklin