

## **MOWER COUNTY BOARD OF ADJUSTMENT**

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

Members Present: Gary Braaten, Mary Kenyon, 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, November 26, 1997, at 2:20 p.m. in the Conference Room, Mower County Offices, 1105-1/2 NE 8th Avenue, Austin, Minnesota. Minutes of the August 27, 1997, meeting were approved as mailed on a motion by Mary Kenyon, seconded by Joan Roe, The motion passed unanimously.

**Variance #358 - Tim Duren/Chris Hanson & Gilbert Bercier.** Variance from Section 14-151(c) of the Mower County Zoning Ordinance to locate a new sign within 850 feet from an existing sign instead of the required 1,000 feet in Section 4 of Windom Township. Reference was made to the site visit by the Board of Adjustment at 1:40 p.m. on this date. Staff report was presented. Mr. Duren reported on the new sign construction, location, and features. A letter from MN DOT stating that they had no objection to the sign was presented. After some discussion, a motion was made by Gary Braaten, seconded by Mary Kenyon, to approve Variance #358 because (1) the variance is in harmony with the spirit and intent of the ordinance because the land is zoned General Business District and the new sign will not disrupt the agricultural use of the land; (2) the variance is consistent with the Comprehensive Plan because the economic viability of Mower County is being expanded, (3) there are practical difficulties and particular hardships shown because areas of the County zoned for sign placement is extremely limited and it is not feasible to move the other sign. The variance was approved with the following conditions:

1. The sign must be used by business in the Austin area, if not it must be removed.

The motion passed unanimously.

**Variance #359 - John Grass, Jr.** Variance from Section 11-1, Subd, 1, of the Mower County Individual Sewage Treatment Ordinance to allow for an alternative sewage treatment system in Section 22 of LeRoy Township. Staff report was presented. Mr. Bill Buckley explained the conditions that were stated on the staff report. After some discussion, a motion was made by Joan Roe, seconded by Gary Braaten, to approve Variance #359 because 1) the variance is in harmony with the spirit and intent of the ordinance because land application is an acceptable means of disposal, (2) the variance is consistent with the Comprehensive Plan because alternative systems are acceptable under MPCA and County Rules, (3) there are practical difficulties and particular hardships shown

because it is not practical because of the limited water usage may not work in a standard sewage system. The variance was approved with the following conditions:

1. The holding tank shall be constructed the same as a water tight septic tank.
2. A clean-out pipe of at least 6-inches diameter shall extend to the ground surface and be provided with seals to prevent odor and to exclude insects and vermin. A manhole of at least 20 inches in diameter shall extend through the cover to a point within 12 inches but no closer than 6 inches below finished grade. The manhole cover shall be covered with at least 6 inches of earth.
3. The tank shall be protected against floatation.
4. The holding tank will be a minimum of 1,000 gallons.
5. The holding tank shall be located in an area readily accessible to a pumping truck. The tank shall be pumped as needed by a MPCA licensed sewage tank pumper or the homeowner with appropriate equipment.
6. The holding tank shall be monitored to prevent accidental sewage overflow and a device such as a warning light or bell or other visual technique shall be used to prevent overflow.
7. Septage (sewage) shall be incorporated in the soil following appropriate state and federal guidelines and standards or shall be disposed of at a municipal treatment plant with the appropriate authorization.
8. A garbage disposal or water softener will not be discharged into the holding tank.
9. The tank shall be installed by a MPCA licensed ISTS contractor.
10. A plan stating alternatives to field spreading of sewage must be submitted to the Mower County Environmental Health Department.

The motion passed unanimously.

**Other Business:**

There being no further business, the meeting adjourned at 3:30 p.m. on a motion by Joan Roe, seconded by Gary Braaten. The motion passed unanimously.

Respectfully submitted:



Daryl W. Franklin