

MOWER COUNTY BOARD OF ADJUSTMENT

Minutes of the Mower County Board of Adjustment

Members Present: Gary Braaten, Mary Kenyon, Joan Roe.

Members Absent: Don Olson.

Others Present: Citizens, Daryl W. Franklin.

The regular meeting of the Mower County Board of Adjustment was called to order by Vice-Chair Gary Braaten on Wednesday, March 25, 1998, at 4:30 p.m. at the Mower County Offices, 1105-¹/₂ NE 8th Avenue, Austin, Minnesota. Minutes of the January 28, 1998, meeting were approved as mailed on a motion by Mary Kenyon, seconded by Joan Roe. The motion passed unanimously.

Variance #367 - Don Cooper- Variance from Section 14-50(h) of the Mower County Zoning Ordinance for an additional dwelling per quarter section in Section 36 of Racine Township. Reference was made to the site visit by the Board of Adjustment at 2:50 p.m. on this date. Staff report was presented. Feedlot report was presented. Mr. Don Cooper stated his proposal to sell off the approximately 25-acres which contained a former building site at one time. The site does contain a well and some old outbuildings. After some discussion, a motion was made by Joan Roe, seconded by Mary Kenyon, to approve Variance #367 because (1) the variance is in harmony with the spirit and intent of the ordinance because no tilled agricultural land is being taken out of production, (2) the variance is consistent with the Comprehensive Plan because the economic viability of Mower County is being maintained; (3) there are practical difficulties and particular hardships shown because of the property has a well, driveway, and was previously a building site. The variance was approved with the following condition:

1. Property can not be further subdivided in the future without another variance issued by Mower County.
2. A zoning permit and ISTS permit be issued for the new dwelling by December 31, 1999, or the variance is void.

The motion passed unanimously.

Variance #368 - Roxanne Branch and Erik Jorgensen - Vice-Chair Braaten explained that there would not be a hearing on this variance and no application and payment were received.

Variance #366 - Marilyn Oswald and Walter Oswald - Variance from Section 14-50(h) of the Mower County Zoning Ordinance for an additional dwelling per quarter section in Section 34 of Adams Township. Reference was made to the site visit by the Board of Adjustment at 3:40 p.m. on this date. Staff report was presented. Feedlot report was presented. Ms. Marilyn Oswald stated that she wanted to build on approximately two acres of land. She stated that she had the contractors all lined up to build. Mr. Walter

Oswald stated that they are losing their rights and are not able to build on farm land. The Board of Adjustment members discussed the need to be consistent and the concern of taking agriculture land out of production. It was noted that the property Ms. Oswald wants to construct a home on has been under cultivation for the past five years. After some discussion, a motion was made by Mary Kenyon, seconded by Joan Roe, to table the variance request until April 1, 1998, at 1:30 p.m. The motion passed unanimously.

Variance #365 - Robert & Marva Blake- Variance from Section 14-50(h) of the Mower County Zoning Ordinance for an additional dwelling per quarter section in Section 31 of Lansing Township. Reference was made to the site visit by the Board of Adjustment at 4:15 p.m. on this date. Staff report was presented. Feedlot report was presented. Mr. Mr. Roger Levy, representing Lansing Township, stated that the town board does not have a problem with this variance. Mr. Robert Blake explained their plans to build a home on this site. After some discussion, a motion was made by Mary Kenyon, seconded by Joan Roe, to approve Variance #365 because (1) the variance is in harmony with the spirit and intent of the ordinance because no tilled agricultural land is being taken out of production and previously had been the location of a cabin, (2) the variance is consistent with the Comprehensive Plan because the economic viability of Mower County is being maintained; (3) there are practical difficulties and particular hardships shown because the property is too small to be used for agricultural production and had been the location of a cabin. The variance was approved with the following condition:

1. Property can not be further subdivided in the future without another variance issued by Mower County.
2. A survey be completed by a registered land surveyor or engineer showing the floodway and shoreland on the property and filed with the Mower County Planning Office before applying for a zoning permit.
3. A zoning permit and ISTS permit be issued for the new dwelling by December 31, 1999, or the variance is void.

The motion passed unanimously.

Other Business:

There being no further business, the meeting adjourned at 5:05 p.m. on a motion by Joan Roe, seconded by Mary Kenyon. The motion passed unanimously.

Respectfully submitted:


Daryl W. Franklin

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