

MOWER COUNTY BOARD OF ADJUSTMENT

Minutes of the Mower County Board of Adjustment

Members Present: Mike Adams, Harold Boverhuis, Mary Kenyon, Joan Roe

Members Absent: Gary Braaten

Others Present: Daryl W. Franklin, Amy Olson, Citizens

The regular meeting of the Mower County Board of Adjustment was called to order by Vice Chair, Joan Roe on Wednesday, April 26, 2000, at 2:30 p.m. at the Mower County Courthouse, Courtroom, Commissioners Room, 201 1st Ave NE, Austin, Minnesota.

Minutes of the March 29, 2000 meeting were approved as mailed on a motion by Harold Boverhuis, seconded by Mary Kenyon. The motion passed unanimously.

Variance #418 – Glenn Medgaarden - Variance from Section 14-52(b) of Mower County Zoning Ordinance to construct a new shop and mini-storage building 19' from the road right-of-way instead of the required 40'. The existing building is currently 7' from the right-of-way. Section 15 Lansing Township PIN#08-015-0090. Reference was made to the site visit by the Board of Adjustment at 1:10 p.m., April 26, 2000. *Staff Report* was presented. Mr. Medgaarden presented information as to why the variance was needed and the practical difficulties that exist. He explained that moving the new building 40', as required by the ordinance, may present potential problems in bringing water to the new building because the pump house that serves the facility would be separated from the building. There could also be potential problems in moving the building further south because the power company would need to relocate power poles which would be an inconvenience to others in the area. Harold Boverhuis stated that Lansing Township was very supportive of the variance because the setback would be greater than the existing setback, it would provide additional visibility, and would be a noticeable improvement to the area. After reviewing the testimony, a motion was made by Harold Boverhuis and seconded by Mary Kenyon to approve Variance #418 because it is in accordance with the Comprehensive Plan and with the Zoning Ordinance. Agricultural land will not be taken out of production and the building will enhance and improve the area. Practical difficulties exist in that the new setback is actually greater than the setback of the existing building. Variance #418 was approved with the following conditions:

1. A zoning permit must be issued for the new shop and mini storage building by December 31, 2004, or the variance is void.

2. Site evaluation completed on existing sewer system. If not in compliance install new system by June 30, 2002.

Roll Call

Michael Adams – Yes
Mary Kenyon – Yes
Harold Boverhuis – Yes
Joan Roe – Yes
Summary: 4 Yeas – 0 Nays. Motion passed unanimously.

Variance #417 – Gregory & Vicky Knudson - Variance from Section 14-50 (h) 1 & 2 of the Mower County Zoning Ordinance to construct an additional dwelling on a 10 acre parcel, Section 30 Racine Township. PIN#15-030-0040. Reference was made to the site by the Board of Adjustment at 2:00 p.m., April 26, 2000. *Staff Report* was presented. Gregory Knudson and Norbert Schroeder presented information to the Board of Adjustment stating that 6 – 7 acres of the 10 acre parcel is wooded and mowed and is non-agricultural land. Approximately 3 – 4 acres are under cultivation. Mr. Knudson and Mr. Schroeder also explained that the parcel will not be separated. When the Mr. & Mrs. Schroeder no longer need the home site, Mr. & Mrs. Knudson (Mrs. Knudson is the daughter of the Schroeders) will purchase the total 10 acre parcel. They will move the home off the site and it will once again be a 1 dwelling per parcel. It was also explained that the children will be needed to provide care to the parents. After reviewing the testimony, a motion was made by Harold Boverhuis and seconded by Mike Adams to approve variance #417 because it is in accordance with the Comprehensive Plan since agricultural land is not being taken out of production. It is also in accordance with the Zoning Ordinance because a separate building site is not being created. Practical difficulty exists because a permanent separate dwelling parcel is not being created. Variance #417 was approved with the following conditions:

1. A zoning permit and ISTS permit must be issued for the new dwelling by December 31, 2004, or the variance is void.
2. No future subdivision of parcel without applying for and receiving a variance.
3. An evaluation be conducted by a licensed Designer I or Inspector, on any sewage treatment system serving the property. If the sewer system is found to be failing as defined in the Mower County Individual Sewage Treatment Ordinance, the system will have to be upgraded or replaced to MPCA 7080 standards as a condition of the variance within one (1) year of approval of the variance. Inspection form must be forwarded to the Mower County Planning Dept. upon completion of evaluation.

Roll Call

Michael Adams – Yes
Harold Boverhuis – Yes
Mary Kenyon - Yes
Joan Roe - Yes
Summary: 4 Yeas – 0 Nays. Motion passed unanimously.

There being no further business, the meeting adjourned at 2:55 p.m. on a motion by Harold Boverhuis, seconded by Mike Adams. The motion passed unanimously.

Respectfully submitted,



Daryl W. Franklin

vjk