

*Amended
Minutes
6/28/00*

MOWER COUNTY BOARD OF ADJUSTMENT

Minutes of the Mower County Board of Adjustment

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

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

The regular meeting of the Mower County Board of Adjustment was called to order by Chair, Gary Braaten on Wednesday, May 31, 2000, at 3:00 p.m. at the Mower County Courthouse, Courtroom, Commissioners Room, 201 1st Ave NE, Austin, Minnesota.

Minutes of the April 26, 2000 meeting were approved as mailed on a motion by Mike Adams, seconded by Harold Boverhuis. The motion passed unanimously.

Variance #419 – Jerry & Susan Marr - Variance from Section 14-50(h) 1 of Mower County Zoning Ordinance to approve an existing feedlot 800' from an existing home instead of the required 1000'. Mr. Marr missed the date of 12/31/99 to be licensed as an existing feedlot in Section 13 Frankford Township - PIN#06-007-0120. Reference was made to the site visit by the Board of Adjustment at 2:00 p.m., May 31, 2000. *Staff Report* was presented. Mr. Marr presented information as to why the variance was needed and the practical difficulties that exist. He explained that he has two areas one where he pastures up to two (2) bulls for approximately 5-6 weeks during the Spring. The other area is the old barn where he pastures approximately 50-60 cows and calves. He explained that he inadvertently failed to make application for his feedlot prior to the 12/31/99 deadline. From his perspective 200 animal units would be a reasonable amount for this area. Mr. Marr also explained that he has been given permission to plow up his pasture land, by the Soil Conservation Service, if a feedlot is not approved. However, he does not want to take this approach because it would cause increased erosion. It was also explained that Dan Vermilyea from the County Feedlot Office did not see a problem with the granting of the variance. A letter was introduced into testimony from Bob Baarsch, a feedlot operator in the area. Mr. Baarsch stated that he did not see a problem with granting a variance for the feedlot. No one was present to speak in opposition of the variance. After reviewing the testimony a motion was made by Harold Boverhuis, seconded by Mary Kenyon to approve Variance #419 because it is in accordance with the Comprehensive Plan and with the Zoning Ordinance and practical difficulties exist. Agricultural land will not be taken out of production and the area been a feedlot and used for agriculture for many years. Variance #419 was approved with the following conditions:

1. The feedlot can be no greater than 200 animal units.
2. If a new confinement operation or any re-confinement operation is constructed the building must be at least 800' from the existing homes to the east.

Roll Call

Michael Adams – Yes

Harold Boverhuis – Yes

Gary Braaten – Yes

Mary Kenyon – Yes

Summary: 4 Yeas – 0 Nays. Motion passed unanimously.

Variance #420 – Alfred Mullenbach - Variance from Section 14-96 (f) of the Mower County Zoning Ordinance to install a sewage treatment system within the 75-foot setback from the Little Cedar River, Section 28 of Adams Township.

PIN#01-027-0070. *Staff Report* was presented, material from Mr. Buckley, and information and comments from Bob Bezek, who stated that he did not see a problem with granting the variance. Mr. John O'Connell thought the variance was needed because without the variance a pump would need to be installed and the location of the drainfield would need to be changed. Harold Boverhuis was concerned that there was information available indicating the location of the stream prior to the issuance of the permit and that the permit should not have been approved. After further discussion a motion was made by Mike Adams and seconded by Harold Boverhuis to table Variance #420 until the June 28, 2000 meeting at which time further information could be presented by Mr. Buckley and Mr. O'Connell.

Roll Call

Michael Adams – Yes

Gary Braaten - Yes

Harold Boverhuis – Yes

Mary Kenyon - Yes

Summary: 4 Yeas – 0 Nays. Motion passed unanimously.

There being no further business, the meeting adjourned at 3:45 p.m. on a motion by Harold Boverhuis, seconded by Mary Kenyon. The motion passed unanimously.

Respectfully submitted,



Daryl W. Franklin

vjk

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1. The feedlot can be no greater than 200 animal units.
2. If a new confinement operation or any re-confinement operation is constructed the building must be at least 800' from the existing homes to the east.

Roll Call

Michael Adams – Yes

Harold Boverhuis – Yes

Gary Braaten – Yes

Mary Kenyon – Yes

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