

MOWER COUNTY BOARD OF ADJUSTMENT

Minutes of the Mower County Board of Adjustment – June 27, 2001

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

Members Absent: None

Others Present: Glen Jacobsen, Daryl W. Franklin

The regular meeting of the Mower County Board of Adjustment was called to order by Gary Braaten on Wednesday, June 27, 2001, at 3:00 p.m. at the Mower County Courthouse, Commissioners Room, 201 1st Ave NE, Austin, Minnesota.

Minutes of the April 25, 2001 meeting were approved as mailed on a motion by Harold Boverhuis and seconded by Joan Roe. The motion passed unanimously.

Variance #435 – Francis & Barbara Stier – Variance from Section 14-50(h) 1 & 4 of the Mower County Zoning Ordinance to build an additional dwelling per quarter section on property located at SW ¼ NW 1/4, Section 36, Grand Meadow Township, Mower County, Minnesota. PIN #07-036-0020. Reference was made to the site visit by the Board of Adjustment at approximately 1:25 p.m. Staff Report was presented. Francis & Barbara Stier discussed the proposal and the letter prepared by Attorney Paul Sween.

After some discussion a motion was made by Harold Boverhuis and seconded by Mike Adams to approve Variance #435 with the following conditions based upon the testimony and the document from Mr. Sween which will become part of the official record showing that the criteria for granting a variance has been met.

- 1) A zoning permit and ISTS permit must be issued for the new dwelling by December 31, 2003 or the variance is void.
- 2) No future subdivision of parcel without applying for and receiving a variance.
- 3) Home must be at least 1,000 feet from any licensed feedlot.

Roll Call

Gary Braaten - Yes
Michael Adams – Yes
Joan Roe – Yes

Mary Kenyon - Yes
Harold Boverhuis – Yes

Summary: 5 Yeas; 0 Nays. Motion passed unanimously.

Variance #436 – Sarah Douty (Petitioner) and George Nolte (Owner – Variance from Section 14-50(h) 1 of the Mower County Zoning Ordinance to construct an additional dwelling per quarter section on property located at 3.87 Ac. in NE ¼ SE ¼ NE ¼, S of Cntrline Old RR Rt-Wy Bk 329-466 & 395-241, Section 10, Adams Township, Mower County, Minnesota. PIN #01-010-0070. Reference was made to the site visit by the Board of Adjustment at approximately 1:45 p.m. Staff Report was presented. Sarah Douty discussed the proposal and the letter prepared by Attorney Craig Johnson.

After some discussion a motion was made by Mary Kenyon and seconded by Harold Boverhuis to approve Variance #436 with the following conditions based upon the testimony and the document from Mr. Johnson which will become part of the official record showing that the criteria for granting a variance has been met.

- 1) A zoning permit and ISTS permit must be issued for the new dwelling by December 31, 2003 or the variance is void.
- 2) No future subdivision of parcel without applying for and receiving a variance.
- 3) Home must be at least 1000 feet from any licensed feedlot.

Roll Call

Gary Braaten - Yes
Michael Adams – Yes
Joan Roe – Yes

Mary Kenyon - Yes
Harold Boverhuis – Yes

Summary: 5 Yeas; 0 Nays. Motion passed unanimously.

Variance #437 – Kim Anderson – Variance from Section 14-50(h) 1, 2 & 4 of the Mower County Zoning Ordinance to build an additional dwelling per quarter section, more than two dwellings per mile length on a single side of public road and on land that has been tilled in the last five years on property located at SE ¼ SW ¼, Section 9, Adams Township, Mower County, Minnesota. PIN #01-009-0060.

Reference was made to the site visit by the Board of Adjustment at approximately 2:00 p.m. Staff Report was presented. Kim Anderson discussed the proposal and the letter prepared by Attorney Craig Byram.

After some discussion a motion was made by Joan Roe and seconded by Mike Adams to approve Variance #437 with the following conditions based upon the testimony and the document from Mr. Byram which will become part of the official record showing that the criteria for granting a variance has been met.

- 1) A zoning permit and ISTS permit must be issued for the new dwelling by December 31, 2003 or the variance is void.
- 2) No future subdivision of parcel without applying for and receiving a variance.
- 3) Home must be at least 1000 feet from any licensed feedlot.

Roll Call

Gary Braaten - Yes
Michael Adams – Yes
Joan Roe – Yes

Mary Kenyon - Yes
Harold Boverhuis – Yes

Summary: 5 Yeas; 0 Nays. Motion passed unanimously.

Variance #438 – Peter Kontinakis – Variance from Section 14-52(b)(1)(a) of the Mower County Zoning Ordinance to construct a 24 x 28 garage twenty feet from the road right-of-way instead of the required forty feet on property located at W 655.59 ft. NW ¼ NW ¼ NW ¼ N of Cntr. Line River Doc. #479496, Section 31, Lansing Township, Mower County, Minnesota. PIN #08-031-0066. Reference was made to the site visit by the Board of Adjustment at approximately 2:35 p.m. Staff Report was presented. Peter Kontinakis discussed the letter prepared by Attorney Robert Maus.

Harold Boverhuis abstained on the voting. He stated that Lansing Township is in favor of this request.

Glen Jacobsen shared information and stated he is concerned about building closer to CSAH #14.

After some discussion a motion was made by Mike Adams and seconded by Joan Roe to approve Variance #438 with the following conditions based upon the

testimony and the document from Mr. Maus which will become part of the official record showing that the criteria for granting a variance has been met.

- 1) A zoning permit must be issued for the garage by December 31, 2003 or the variance is void.

Roll Call

Gary Braaten - Yes
Michael Adams - Yes
Joan Roe - Yes

Mary Kenyon - Yes
Harold Boverhuis - Abstained

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

There being no further business, the meeting adjourned at 3:40 p.m. on a motion by Mary Kenyon, seconded by Joan Roe. The motion passed unanimously.

Respectfully submitted,


/s/ Daryl W. Franklin

Daryl W. Franklin

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