

## **MOWER COUNTY BOARD OF ADJUSTMENT**

### **Minutes of the Mower County Board of Adjustment – May 29, 2002**

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

Members Absent: Harold Boverhuis

Others Present: Daryl W. Franklin

The regular meeting of the Mower County Board of Adjustment was called to order by Gary Braaten on Wednesday, May 29, 2002, at 1:50 p.m. at the Mower County Courthouse, Commissioners Room, 201 1<sup>st</sup> Ave NE, Austin, Minnesota.

Minutes of the April 24 2002, meeting were approved as mailed on a motion by Mary Kenyon and seconded by Joan Roe. The motion passed unanimously.

**Variance #455 – Arnold, Naomi & James Wiste** – A variance from Section 14-50(1) of the Mower County Zoning Ordinance to build an additional home per quarter section of land on property located at: N 2053 ft. E 1485 ft. SE ¼ Exc. E 330 ft. NE ¼ SE ¼, Section 31, Red Rock Township, Mower County, Minnesota. PIN #16-031-0021.

Reference was made to the site visit by the Board of Adjustment at approximately 1:15 p.m. The Staff Report was presented. Arnold Wiste discussed the proposal and explained the proposal. The basement will be at existing grade level and fill will be brought in around the home. Jon Voz, SWCD, has told Mr. Wiste that there are no wetland issues regarding the site.

**Statement from Public:** None

After some discussion, a motion was made by Joan Roe and seconded by Mary Kenyon to approve Variance #455 with the following conditions based upon the testimony and the document from David Hoversten 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, 2005 or the variance is void.
2. No future subdivision of parcel without applying for and receiving a variance.
3. The Owner/Petitioner is responsible for installation of driveway including culvert and fill.
4. Home must be at least 1,000 feet from any licensed feedlot.
5. Home must be above 100 year floodplain.

**Role Call**

Gary Braaten - Yes  
Michael Adams – Yes

Mary Kenyon – Yes  
Joan Roe – Yes

Summary: 4 Yeas; 0 Nays Motion passed unanimously.

**Variance #457 – Chad Quandt (Petitioner) and Marilyn Calkins Trust (Owner) –**

Variance from Section 14-50(h) 1 of the Mower County Zoning Ordinance to build an additional dwelling per quarter section on property located at: E ½ NW ¼ & W ½ NE ¼ Exc. .5 Ac., Section 14, Pleasant Valley Township, Mower County, Minnesota. PIN #14-008-0061.

A site visit was not conducted regarding this request, as the Board of Adjustment visited property just across the road last month regarding another variance request. The Staff Report was presented. Ray Quandt discussed their proposal and stated they would like to build a new home on the property.

**Statements from Public:** Via telephone, Greg Meyerhofer spoke in opposition to the variance request. He feels this is taking agricultural land out of production and stated Mr. Quandt is not involved in farming.

After some discussion, a motion was made by Mike Adams and seconded by Joan Roe to approve Variance #457 with the following conditions based upon the testimony and the document from Thomas W. Jacobson 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, 2005 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.
4. Home must be out of the 100 year floodplain.

**Roll Call**

Gary Braaten - Yes  
Michael Adams – Yes/No

Mary Kenyon - No  
Joan Roe – Yes

Summary: 3 Yeas; 1 Nay. Motion passed unanimously.

**Variance #458 – Larry Wilson –** Variance from Section 14-52(b)1(a) of the Mower County Zoning Ordinance to construct a new garage (26 x 41 feet) thirty-five feet from the road right-of-way instead of the required forty feet. A five foot variance is

being requested on property located at: 1.12 Ac. in W ½ NE ¼ Bk 258-365, Section 32, Lansing Township, Mower County, Minnesota. PIN #08-032-0110.

Reference was made to the site visit by the Board of Adjustment at approximately 1:35 p.m. Staff Report was presented. Larry Wilson discussed his proposal and explained his need for the building.

**Statements from Public:** None

After some discussion, a motion was made by Mary Kenyon and seconded by Mike Adams to approve Variance #458 with the following conditions based upon the testimony and the document from Larry Wilson 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 new building by December 31, 2004 or the variance is void.

**Roll Call**

Gary Braaten - Yes  
Michael Adams - Yes

Joan Roe - Yes  
Mary Kenyon - Yes

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

There being no further business, the meeting adjourned at 2:30 p.m. on a motion by Mary Kenyon and seconded by Joan Roe. The motion passed unanimously.

Respectfully submitted,



/s/ Daryl W. Franklin  
Daryl W. Franklin