

MOWER COUNTY BOARD OF ADJUSTMENT

Minutes of the Mower County Board of Adjustment – July 31, 2002

Members Present: Gary Braaten, Michael Adams, Mary Kenyon

Members Absent: Joan Roe, 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, July 31, 2002, at 2:10 p.m. at the Mower County Courthouse, Commissioners Room, 201 1st Ave NE, Austin, Minnesota.

Minutes of the June 26, 2002, meeting were approved as mailed on a motion by Mike Adams and seconded by Mary Kenyon. The motion passed unanimously.

Variance #461 – Bernard Howard – 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 $\frac{3}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, Frankford Township, Mower County, Minnesota. PIN #06-008-0070.

Reference was made to the site visit by the Board of Adjustment at approximately 1:30 p.m. The Staff Report was presented. Bernard Howard explained his proposal. Tom Baudler, Attorney at Law, also spoke and presented a memo explaining the proposal.

Statement from Public: Letters from Dale Maule, Minnesota Department of Transportation, and Jonathan J. Nesbitt, a concerned neighbor, were introduced.

Mike Adams, Board of Adjustment member, was concerned about noise from the nearby race track and wanted to know which side the house would face and Mr. Howard stated it would face east.

After some discussion, a motion was made by Mike Adams and seconded by Mary Kenyon to approve Variance #461 with the following conditions based upon the testimony and the document from Attorney Thomas C. Baudler 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. House location must be a minimum of 100 feet from the north tree line and a minimum of 200 feet from the centerline of Hwy. 63.

Role Call

Gary Braaten - Yes
Michael Adams – Yes
Mary Kenyon - Yes

Summary: 3 Yeas; 0 Nays Motion passed unanimously.

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

Respectfully submitted,

/s/ Daryl W. Franklin
Daryl W. Franklin