



A G E N D A
Otter Tail County Board of Adjustment

Thursday, May 10, 2018

5:45 p.m. – Building open to the public
6:30 p.m. – Meeting Starts

6:30 p.m. – Call to Order and Approve April 12, 2018 Minutes

Name	Township	Lake/River	Physical Address	Parcel No.
Stephen and Anne Scott	Edna – Sec. 1	Devils (56-245)	45936 Devils Lake Road – 56573	20-000-01-0002-084
Devin Gemelli	Amor – Sec. 23	Otter Tail (56-242)	38860 Eldorado Beach Road – 56515	02-000-23-0174-000
Edward F and Merry Jo Stroot	Leaf Mountain – Sec. 20	Spitzer (56-150)	41889 Spitzer Lake Circle – 56524	36-000-20-0141-000
Peterson Family Cabin LLC	Eagle Lake – Sec. 15	Eagle (56-253)	37651 Eagle Lake Trail – 56515	18-000-15-0099-000
Corrine M. Nokken	Candor – Sec. 16	Leek/Trowbridge (56-532)	49992 Leek Lake Bend – 56587	08-000-16-0105-000
Robert Hyslop	Dane Prairie – Sec. 19	Swan (56-781)	18364 Interlaken Lane - 56537	13-000-19-0012-000
Smith Lake Prop Partnership	Everts – Sec. 1	Otter Tail (56-242)	Across Road from 39667 Clearmont Rd – 56515	25-000-01-0006-013

7:30 p.m.

Randy Bade	Gorman – Sec. 7	Silver (56-224)	50764 397 th Ave – 56544	30-000-07-0039-001
Julie Vculek ET AL	Otter Tail – Sec. 7	Otter Tail (56-242)	40226 Blue Heron Loop – 56576	46-000-99-0337-001
Donald and Joann Houge	Elizabeth – Sec. 13	Jewett (56-877)	21166 Jewett Lake Road – 56537	22-000-13-0099-013 22-000-13-0099-014 22-00013-0099-000
Thomas Sazama	Star Lake – Sec. 9	Star (56-385)	38572 County Highway 41 – 56528	56-000-09-0054-001
Brian Petschl	Maine – Sec. 3	Dead (56-383)	31843 Brightwood Shore Drive – 56528	38-000-99-0580-000
Darrin and Claire Riley	Otter Tail – Sec. 3	Otter Tail River (56-ORC)	43142 Long Lake Lane – 56571	46-000-99-0400-000
Tracy Handt	Dunn – Sec. 29	Lizzie (56-760)	47781 Sunset Beach Lane – 56572	17-000-99-1111-000

8:30 p.m.

Stewart & Jane Hofland	Perham – Sec. 4	NA	New Road Just Southeast of 45481 425 th Ave – 56573 (New Road Travels East)	51-000-04-0060-001
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Previously Tabled Item Scheduled for Hearing at the May 10, 2018 Meeting –

Troy and Mary Wolf	Scambler – Sec. 12	Pelican (56-786)	21005 Broadwater Drive – 58104	55-000-12-0092-002
Janet Seim and Janice Adair	Girard – Sec. 32	West Battle (56-239)	22535 Ferncliff Road – 56524	29-000-99-0633-000



Notice of Hearing for Variance

Otter Tail County
Government Services Center
510 Fir Ave W
Fergus Falls, MN 56537

Phone - (218) 998-8030/998-8041
Email – wstein@co.ottertail.mn.us
Web Address - www.co.otter-tail.mn.us

Applicant and/or applicant's representative must be present at the scheduled hearing.

To Whom It May Concern:

Stephen and Anne Scott
613 Shoshone Court
Windsor, Colorado 80550

has/have made application to the Otter Tail County Board of Adjustment for a variance as per requirements of the Otter Tail County Shoreland Management Ordinance, the Otter Tail County Set Back Ordinance and/or the Subdivision Controls Ordinance. The Otter Tail County Board of Adjustment will assemble for this hearing on

Thursday, May 10, 2018 at 6:30 p.m.

in the Commissioners' Room of the Otter Tail County Government Services Center, Fergus Falls, MN. (Please use the public entrance located on the northeasterly side of the Government Services Center. The second left off Fir Ave.) **Individuals requiring special accommodations should contact the County Auditor's office prior to the date of the public hearing.**

The property concerned in the application is legally described as

Lot 82 Nedberg-Nye Survey Lots of Government Lots 1, 2 and 3,

Property Address – 45936 Devils Lake Road - 56573

**Section 1, Township 136, Range 40 - Township Name – Edna
Lake No. 56-245, Lake Name – Devils, Class – GD**

The variance requested is the following:

We would like to rebuild our deck to a smaller 8' by 20' size, we would also like to replace a shed with a 10 by 12 or perhaps 10 by 10 size. At present we have no place to store our lawn equipment, etc. Deck will be approximately 12' from the lake. The shed will be 15' from the road and 55' from the lake.

April 20, 2018

Wayne Stein
Board of Adjustment Secretary



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To Whom It May Concern:

Devin Gemelli
38860 Eldorado Beach Road
Battle Lake, MN 56515

has/have made application to the Otter Tail County Board of Adjustment for a variance as per requirements of the Otter Tail County Shoreland Management Ordinance, the Otter Tail County Set Back Ordinance and/or the Subdivision Controls Ordinance. The Otter Tail County Board of Adjustment will assemble for this hearing on

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The property concerned in the application is legally described as

Part of Government Lot 2,

Property Address – 38860 Eldorado Beach Road - 56515

**Section 23, Township 134, Range 40 - Township Name – Amor
Lake No. 56-242, Lake Name – Otter Tail, Class – GD**

The variance requested is the following:

Asking for the following variances to construct two additions to existing dwelling –

1 – A 10' by 26' Addition – 30' variance to top of bluff.
A – 8' variance to 75' ordinary high-water level setback.
2-A 16' by 20' addition – 20' variance to top of bluff.

Hardship is the location of existing dwelling.

April 20, 2018

Wayne Stein
Board of Adjustment Secretary



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To Whom It May Concern:

Edward and Merry Jo Stroot
3090 Lexington Ave N Unit B5
Roseville, MN 55113

has/have made application to the Otter Tail County Board of Adjustment for a variance as per requirements of the Otter Tail County Shoreland Management Ordinance, the Otter Tail County Set Back Ordinance and/or the Subdivision Controls Ordinance. The Otter Tail County Board of Adjustment will assemble for this hearing on

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The property concerned in the application is legally described as

Part of Government Lot 4,

Property Address – 41889 Spitzer Lake Circle - 56524

**Section 20, Township 131, Range 39 - Township Name – Leaf Mountain
Lake No. 56-160, Lake Name – Spitzer, Class – NE**

The variance requested is the following:

Edward and Merry Jo Stroot are the owners of Parcel No. 36000200141000 on the south side of Spitzer Lake, being 3.8 acres as shown in a 1986 metes and bounds survey (recorded as Doc. No. 1036093) as Tract D. Yvette and Steven VanDerBrink are the owners of Parcel No. 36000200141004 on the south side of Spitzer Lake, being 3.3 acres as shown in the same 1986 metes and bounds survey as Tract E, lying east of and adjoining Tract D.

VanDerBrinks want to purchase the Stroot Garage which sits approximately 280' southerly of the Stroot cabin. Because of the terrain the garage and surrounding lands can be better used by the VanDerBrinks than the Stroots.

We are requesting subdivision approval of Parcel D1, being 0.78 acres from Tract D, to be permanently attached to Tract E as shown on the Anderson Land Surveying Certificate of Survey No. 8548, signed April 11, 2018. Please note that Parcel D1 contains no lakeshore, the remainder of Tract D is 3.02 acres more or less, and approval of this subdivision puts the VanDerBrink driveway on their own property.

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To Whom It May Concern:

Peterson Family Cabin LLC
C/O David Peterson
1345 Lori Ave
Detroit Lakes, MN 56501

has/have made application to the Otter Tail County Board of Adjustment for a variance as per requirements of the Otter Tail County Shoreland Management Ordinance, the Otter Tail County Set Back Ordinance and/or the Subdivision Controls Ordinance. The Otter Tail County Board of Adjustment will assemble for this hearing on

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The property concerned in the application is legally described as

Part of Government Lot 3, all of Government Lot 4 and Part of the Southwest Quarter of the Northwest Quarter,

Property Address – 37651 Eagle Lake Trail South - 56515

**Section 15, Township 131, Range 40 - Township Name – Eagle Lake
Lake No. 56-253, Lake Name – Eagle, Class – GD**

The variance requested is the following:

The variance request is to subdivide without platting tax parcel 18-000-15-0099-000, a 5.05-acre parcel (county auditor lists it as 7.9 acres) located within shoreland near Eagle Lake (56-253 GD) in Eagle Lake Township. The proposed subdivision consists of three backlots (86,520 square feet; 66,866 square feet; 50,622 square feet), together with a fourth backlot tract (15,921 square feet) which is adjacent to and to be permanently affixed to lakeshore tax parcel 18-000-99-0294-000, 37651 s. Eagle Lake Trail. This backlot tract contains the septic system for that parcel and enlarges the lakeshore parcel to an aggregate area of approximately 25,527 square feet.

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To Whom It May Concern:

Corrine M. Nokken
500 44th Ave S
Moorhead, MN 56560

has/have made application to the Otter Tail County Board of Adjustment for a variance as per requirements of the Otter Tail County Shoreland Management Ordinance, the Otter Tail County Set Back Ordinance and/or the Subdivision Controls Ordinance. The Otter Tail County Board of Adjustment will assemble for this hearing on

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The property concerned in the application is legally described as

Part of Government Lot 4,

Property Address – 49992 Leek Lake Bend - 56587

**Section 16, Township 137, Range 41 - Township Name – Candor
Lake No. 56-532, Lake Name – Leek/Trowbridge, Class – RD**

The variance requested is the following:

Request a 75' setback from ordinary high-water level instead of the 100' setback. Proposing to remove the existing cabin and bathhouse and replace with a 40' by 44' cabin with deck and a 24' by 30' attached garage.

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To Whom It May Concern:

Robert Hyslop
C/O Mark Jacobs
21356 County Highway 22
Fergus Falls, MN 56537

has/have made application to the Otter Tail County Board of Adjustment for a variance as per requirements of the Otter Tail County Shoreland Management Ordinance, the Otter Tail County Set Back Ordinance and/or the Subdivision Controls Ordinance. The Otter Tail County Board of Adjustment will assemble for this hearing on

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The property concerned in the application is legally described as

Part of Government Lot 3,

Property Address – 18364 Interlake Lane - 56537

**Section 19, Township 132, Range 42 - Township Name – Dane Prairie
Lake No. 56-781, Lake Name – Swan, Class – RD**

The variance requested is the following:

The proposed 1705 square foot house will be 30' from lake edge. Requesting a 20' variance from the 50' shore impact zone setback and a 70' variance from the 100' structure setback. Existing (previous) home was 16' from lake. Was removed Fall of 2017.

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To Whom It May Concern:

Smith Lake Property Partnership
1615 4th St N
Wahpeton, ND 58075

has/have made application to the Otter Tail County Board of Adjustment for a variance as per requirements of the Otter Tail County Shoreland Management Ordinance, the Otter Tail County Set Back Ordinance and/or the Subdivision Controls Ordinance. The Otter Tail County Board of Adjustment will assemble for this hearing on

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The property concerned in the application is legally described as

Part of Government Lot 2,

Property Address – Across road from 39667 Clearmont Road - 56515

**Section 1, Township 133, Range 40 - Township Name – Everts
Lake No. 56-242, Lake Name – Otter Tail, Class – GD**

The variance requested is the following:

Adding second level to existing garage. Structure will be considered a dwelling as change in height is above 20' and setback of current building will not change. Setback to remain at 4' at closest point from lot line. No change to impervious surface. Previous variance approved for a garage at 4' from lot line.

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To Whom It May Concern:

Randy Bade
50764 397th Ave
Frazee, MN 56544

has/have made application to the Otter Tail County Board of Adjustment for a variance as per requirements of the Otter Tail County Shoreland Management Ordinance, the Otter Tail County Set Back Ordinance and/or the Subdivision Controls Ordinance. The Otter Tail County Board of Adjustment will assemble for this hearing on

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The property concerned in the application is legally described as

Part of Government Lot 7,

Property Address – 50764 397th Ave - 56544

**Section 7, Township 137, Range 39 - Township Name – Gorman
Lake No. 56-224, Lake Name – Silver, Class – NE**

The variance requested is the following:

Requesting new house to be 130' from ordinary high-water level. Want to move new house closer to lake, so that we can get out of waterway from water from neighbors and road and would also like to put up a shop down in low area, so I don't have to dig into hillside by road and keep things more together.

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Board of Adjustment Secretary



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Email – wstein@co.ottertail.mn.us
Web Address - www.co.otter-tail.mn.us

Applicant and/or applicant's representative must be present at the scheduled hearing.

To Whom It May Concern:

Julie Vculek Et Al
C/O Jane Miller
1715 Red River Court
Wahpeton, ND 58075

Brad Neuerburg
44434 Harvest Ave
PO Box 148
Perham, MN 56573

has/have made application to the Otter Tail County Board of Adjustment for a variance as per requirements of the Otter Tail County Shoreland Management Ordinance, the Otter Tail County Set Back Ordinance and/or the Subdivision Controls Ordinance. The Otter Tail County Board of Adjustment will assemble for this hearing on

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The property concerned in the application is legally described as

Part of Lot 16,

Property Address – 40226 Blue Heron Loop - 56576

**Section 7, Township 134, Range 39 - Township Name – Otter Tail
Lake No. 56-242, Lake Name – Otter Tail, Class – GD**

The variance requested is the following:

1. Raise the existing detached garage 48" and place it on a new concrete foundation in the same location. Current height at peak of roof would increase from 16' to 20'.
2. The detached garage is currently 5' from the septic system. The garage would remain 5' away from the septic.
3. Change the access point of the owners' lot from Blue Heron Lane to Blue Heron Loop. We would remove a portion of the pavement and replace it with a reduced amount of pavement to create the new driveway. The existing impervious would be reduced by 60.5 square feet.
4. The location of the new driveway would be placed 5' from the west lot line (5' into the setback) in order to avoid disrupting the septic systems that is next to the garage.

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To Whom It May Concern:

Donald and Joann Hogue
21166 Jewett Lake Road
Fergus Falls, MN 56537

has/have made application to the Otter Tail County Board of Adjustment for a variance as per requirements of the Otter Tail County Shoreland Management Ordinance, the Otter Tail County Set Back Ordinance and/or the Subdivision Controls Ordinance. The Otter Tail County Board of Adjustment will assemble for this hearing on

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The property concerned in the application is legally described as

Part of Government Lot 4,

Property Address – 21166 Jewett Lake Road - 56537

**Section 13, Township 134, Range 43 - Township Name – Elizabeth
Lake No. 56-877, Lake Name – Jewett, Class – GD**

The variance requested is the following:

Create two separate riparian lots less than five acres in size

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Board of Adjustment Secretary



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To Whom It May Concern:

Thomas J. Sazama
38572 County Highway 41
Dent, MN 56528

has/have made application to the Otter Tail County Board of Adjustment for a variance as per requirements of the Otter Tail County Shoreland Management Ordinance, the Otter Tail County Set Back Ordinance and/or the Subdivision Controls Ordinance. The Otter Tail County Board of Adjustment will assemble for this hearing on

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The property concerned in the application is legally described as

Part of Government Lot 2,

Property Address – 38572 County Highway 41 - 56528

**Section 9, Township 135 Range 41 - Township Name – Star Lake
Lake No. 56-385, Lake Name – Star, Class – GD**

The variance requested is the following:

Adding second story addition over lakeside portion of structure. Replacing garage with deck/patio. Nothing proposed will be closer to lake than existing approximately 60 feet from ordinary high-water level.

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To Whom It May Concern:

Brian Petschl
14320 River Hills Pkwy
Dayton, MN 55327

has/have made application to the Otter Tail County Board of Adjustment for a variance as per requirements of the Otter Tail County Shoreland Management Ordinance, the Otter Tail County Set Back Ordinance and/or the Subdivision Controls Ordinance. The Otter Tail County Board of Adjustment will assemble for this hearing on

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The property concerned in the application is legally described as

Lot 7 Minn - Kota Beach,

Property Address – 31843 Brightwood Shores Drive - 56528

**Section 3, Township 134, Range 41 - Township Name – Maine
Lake No. 56-383, Lake Name – Dead, Class – NE**

The variance requested is the following:

Request to add 30' by 30' addition to the current cabin. This addition will be no closer to the ordinary high-water level than the existing structure, which is located 83' from ordinary high-water level. Also requesting to exceed the allowable 260 square feet in the shore impact zone. Existing is at 432 square feet adding 418 square feet for a total of 850 square feet.

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To Whom It May Concern:

Darrin and Claire Riley
10345 Oregon Trail Lane
Blair, NE 68008

has/have made application to the Otter Tail County Board of Adjustment for a variance as per requirements of the Otter Tail County Shoreland Management Ordinance, the Otter Tail County Set Back Ordinance and/or the Subdivision Controls Ordinance. The Otter Tail County Board of Adjustment will assemble for this hearing on

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The property concerned in the application is legally described as

Lot 14 Channel View,

Property Address – 43142 Long Lake Lane - 56571

**Section 3, Township 134, Range 39 - Township Name – Otter Tail
River No. 56-ORC, River Name – Otter Tail, Class – Trans**

The variance requested is the following:

Improved lot is a non-conforming, 7,017 square foot (100 wide by 71.7' average depth), riparian lot containing a 742 square foot building that is a manufactured home, serving as a single-family residence. In accordance with Minnesota Statute 394.36, Subdivision 4, property owners needs to replace the almost 40-year-old, existing building and nearly 20-year-old patio due to structural issues, heating/cooling efficiency, to improve interior and exterior aesthetics and improve the overall property value. The proposed improvements, will be placed 25 feet east of the existing footprint, will not encroach upon the right-of-way and will be no closer to the ordinary high-water level. The plan is to reduce the impervious surface 1,670 square feet to 1,555 square feet.

Following is a summary of the existing setback variances and setback variances requested: Right-of-Way Existing: - 2.5' Proposed 0.0', Western Lot Line Existing: 6' Proposed: 30', Building Ordinary High-Water Level Existing: 54' Proposed: 50' Patio Ordinary High-Water Level Existing: 40' Proposed: 42'.

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To Whom It May Concern:

Tracy Handt
18200 Kathleene Drive
Minnetonka, MN 55345-4219

has/have made application to the Otter Tail County Board of Adjustment for a variance as per requirements of the Otter Tail County Shoreland Management Ordinance, the Otter Tail County Set Back Ordinance and/or the Subdivision Controls Ordinance. The Otter Tail County Board of Adjustment will assemble for this hearing on

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The property concerned in the application is legally described as

Lot 15 Sunset Beach-Lizzie,

Property Address – 47781 Sunset Beach Lane - 56572

**Section 29, Township 137, Range 42 - Township Name – Dunn
Lake No. 56-760, Lake Name – Lizzie, Class – RD**

The variance requested is the following:

Replace cabin with new building in the same location and same footprint and add a second story. Approximately 50 feet from ordinary high-water level. (28 by 24). There will be no change to current impervious surfaces. Requesting impervious surfaces to remain at 36%

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Wayne Stein
Board of Adjustment Secretary



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Government Services Center
510 Fir Ave W
Fergus Falls, MN 56537

Phone - (218) 998-8030/998-8041
Email – wstein@co.ottertail.mn.us
Web Address - www.co.otter-tail.mn.us

Applicant and/or applicant's representative must be present at the scheduled hearing.

To Whom It May Concern:

Stewart and Jane Hofland
45914 425th Ave
Perham, MN 56573

has/have made application to the Otter Tail County Board of Adjustment for a variance as per requirements of the Otter Tail County Shoreland Management Ordinance, the Otter Tail County Set Back Ordinance and/or the Subdivision Controls Ordinance. The Otter Tail County Board of Adjustment will assemble for this hearing on

Thursday, May 10, 2018 at 8:30 p.m.

in the Commissioners' Room of the Otter Tail County Government Services Center, Fergus Falls, MN. (Please use the public entrance located on the northeasterly side of the Government Services Center. The second left off Fir Ave.)

Individuals requiring special accommodations should contact the County Auditor's office prior to the date of the public hearing.

The property concerned in the application is legally described as

Government Lot 2 and North Half of the Southeast Quarter,

Property Address – New Road Just Southeast of 45481 425th Ave - 56573

**Section 4, Township 136, Range 39 - Township Name – Perham
Lake No. 56-NA, Lake Name – NA, Class – NA**

The variance requested is the following:

Turtle Bay Subdivision was created in a great rural setting just north of Perham, MN. The development plan was designed to accommodate single family housing with a mix of 2.5 acres parcels and 5 acres parcels in shoreland areas. We are requesting the following: allow a duplex building on 6 of the 2.5-acre parcels with each side of the duplex owning at least 1 acre (43,560 square feet). Otter Tail County Ordinance requires 20,000 for platted lands outside of the shoreland area with a minimum width of 120' this application exceeds both of these criteria. Our practical difficulty is the road is an easement road and still a private road until the density of the development increases. The road does have a 66' right-of-way and construction of the road meets or exceeds the required construction specifications of the Otter Tail County Subdivision Controls Ordinance. We have included in this application a concept of possible duplex arrangements on the six parcels that are presented in this application.

April 20, 2018

Wayne Stein
Board of Adjustment Secretary

