



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

Thursday, June 14, 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 May 10, 2018 Minutes

Name	Township	Lake/River	Physical Address	Parcel No.
Robert D & Catherine R Nelson	Dunn – Sec. 27	Franklin (56-759)	47600 Henry Hill Lane – 56572	17-000-99-1294-000
Janice K. Urtel	Elizabeth – Sec. 13	Jewett (56-877)	21600 Eureka Lane – 56537	22-000-99-0373-000
Leon & Rebecca Merz	Friberg – Sec. 10	Heilberger (56-695)	25713 County Highway 22 – 56534	28-000-10-0071-008
Jeff Huber	Dora – Sec. 24	West McDonald (56-386)	33581 Charlie Trapp Road – 56528	16-000-99-0442-000
Richard & Peggy Wilhelmi	Clitheral – Sec. 14	Clitheral (56-238)	19186 Peninsular Trail – 56515	10-000-04-0092-000
Mark & Ann Anderson	Girard – Sec. 31	West Battle (56-239)	22819 Ferncliff Lane - 56524	29-000-99-0609-000
Thomas Golden	Everts – Sec. 30	North Turtle (56-379)	23664 Big Buck Road – 56586	25-000-99-1033-000

7:30 p.m.

Walter and Renee Fuchs	Lida – Sec. 11	Lida (56-747)	26184 County Highway 4 – 56572	37-000-99-0243-000
Luther and Deloris Melby	Lida – Sec. 28	Lida (56-747)	2455 Twilight Lane is access location	37-000-28-0151-033
Keith & Bonnie Nelson	Maine – Sec. 15	Pickerel (56-475)	31390 Shady Road – 56586	38-000-99-0342-000
Diana Snelgrove	Dead Lake – Sec. 12	Marion (56-243)	Located adjacent to 38926 S Marion Drive – 56576	14-000-99-0390-000
Orland W. Ohe	Trondhjem – Sec. 13	NA	37462 150 th Ave – 56579	59-000-13-0081-000 59-000-13-0083-002
Wade and Amy Sandy	Edna – Sec. 1	Devils (56-245)	45756 Devils Lake Rd – 56573	20-000-01-0002-061
Gordon Jensen	Lida – Sec. 5	Rush/Lizzie (56-760)	Gordon’s Lake Home – 23439 Chokecherry Lane – 56572	37-000-99-1051-000

8:30 p.m.

David Sholy	Dunn – Sec. 3	Pelican (56-786)	25273 Midland Beach Ln – 56501	17-000-03-0058-000
Jerry Schumann	Lida – Sec. 10	Crystal (56-749)	25449 Deerpath Loop – 56572	37-000-99-1085-000

Previously Tabled Item Scheduled for Hearing at the June 14, 2018 Meeting –

NONE				
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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:

Robert D and Catherine R Nelson
2208 35th Ave S
Fargo, ND 58102

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, June 14, 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 21 Henry's Hill,

Property Address – 47600 Henry Hill Lane - 56572

**Section 27, Township 137, Range 42 - Township Name – Dunn
Lake No. 56-759, Lake Name – Franklin, Class – RD**

The variance requested is the following:

The property is over the allowable 260 square feet of impervious surface within shore impact zone which is the first 50' from the ordinary high-water level. Therefore, a variance is requested so a concrete slab on grade at the front entrance (size 26' by 17') along with a new set of stairs at the entrance can be replaced for safety. This will provide a safe landing and stairs at the entrance along with a patio.

May 24, 2018

Wayne Stein
Board of Adjustment Secretary

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To Whom It May Concern:

Janice K. Urtel
21600 Eureka Lane
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

Lot 7 Eureka Beach,

Property Address – 21600 Eureka Lane 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:

A variance from the structure setback requirement. We wish to build a garage/shed on the line of an existing variance. Request for 15' variance from road right-of-way.

May 24, 2018

Wayne Stein
Board of Adjustment Secretary

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

To Whom It May Concern:

Leon and Rebecca Merz
24326 300th St.
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 9,

Property Address – 25713 County Highway 22 - 56534

**Section 10, Township 134, Range 42 - Township Name – Friberg
Lake No. 56-695, Lake Name – Heilberger, Class – RD**

The variance requested is the following:

Request for permission to place 10' by 16' storage shed in designated bluff area on abandoned road bed. No grading required. All setback will be met.

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To Whom It May Concern:

Jeff Huber
12315 Farley Street
Overland Park, KS 66213-1817

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 32 Block 1 Crystal Beach,

Property Address – 33581 Charlie Trapp Road - 56528

**Section 24, Township 136, Range 41 - Township Name – Dora
Lake No. 56-386, Lake Name – West McDonald, Class – RD**

The variance requested is the following:

I have approved permits to build my house and now want to build a garage at the same time. I'm asking to build my garage inside of the 20' setback from road right-of-way as that is my only alternative in order for us to have a garage on my property, and we plan for this to be our year-round home. The garage will be 22' deep and 24' wide, now my impervious percentage will be 19% on buildings with a new total % for buildings and other impervious surfaces of 24.5%. Requesting to construct detached garage being 1' 4" at the closet point to the road right-of-way, required setback is 20'.

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To Whom It May Concern:

Richard and Peggy Wilhelmi
19186 Peninsula Trail
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 Lots 2 and 3,

Property Address – 19186 Peninsular Trail - 56515

**Section 14, Township 132, Range 40 - Township Name – Clitheral
Lake No. 56-238, Lake Name – Clitheral, Class – RD**

The variance requested is the following:

The garage would start 74' from the ordinary high-water level. We are requesting a 26' variance.

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Web Address - www.co.otter-tail.mn.us

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To Whom It May Concern:

Mark and Ann Anderson
22819 Ferncliff Lane
Clitherall, MN 56524

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 6 South Point on West Battle Lake,

Property Address – 22819 Ferncliff Lane - 56524

**Section 31, Township 133, Range 39 - Township Name – Girard
Lake No. 56-239, Lake Name – West Battle Lake, Class – GD**

The variance requested is the following:

1. Total building area exceeds 20% by 2.7%.
2. Total building and impervious surfaces exceed 25% by 3.7%
3. Requesting 3' variance from required 10' lot line side yard setback.
4. Request a 6' variance from the required 75' lake setback to construct extension to existing garage.

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To Whom It May Concern:

Thomas Golden
738 Van Dyke Road
Alexandria, MN 56308-4936

Mark Miller
8037 Garfield St. NE
Spring Lake Park, MN 55432

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 2 Auditor's Subdivision No. 117,

Property Address – 23664 Big Buck Road - 56586

**Section 30, Township 133, Range 40 - Township Name – Everts
Lake No. 56-379, Lake Name – North Turtle, Class – NE**

The variance requested is the following:

We seek approval to extend current structure toward the lake with a connected three season porch and deck. The addition will be 93' from the ordinary high-water level. Requesting 107' variance from the required setback.

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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:

Walter and Renee Fuchs
26184 County Highway 4
Pelican Rapids, MN 56572

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 Lots 4, 5 and 6 Block 2 Crystal-Lida Beaches,

Property Address – 26184 County Highway 4 - 56572

**Section 11, Township 136, Range 42 - Township Name – Lida
Lake No. 56-747, Lake Name – Lida, Class – GD**

The variance requested is the following:

A variance is requested to change the structural setback to the road right-of-way from 20' to 10'. The existing house is 4' from the road right-of-way. We are requesting the variance to build a new similar size house 10' from the road right-of-way. The sewer and impervious surface will be updated to conform with current codes.

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To Whom It May Concern:

Luther and Deloris Melby
PO Box 213
Dalton, MN 56324-0213

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 Lots 2 and 3,

Property Address – 2455 Twilight Lane is access location

**Section 28, Township 136, Range 42 - Township Name – Lida
Lake No. 56-747, Lake Name – Lida, Class – GD**

The variance requested is the following:

Requesting a 30' setback to ordinary high-water level on eastside of dwelling and 50' on west side of dwelling. Approximate square feet in shore impact zone, to be 3,100 square feet this includes driveway, parking and a portion of house.

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Board of Adjustment Secretary

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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:

Keith and Bonnie Nelson
16838 52nd St SE
Kindred, ND 58051

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 3 Shady Nook Beach,

Property Address – 31390 Shady Road - 56586

**Section 15, Township 134, Range 41 - Township Name – Maine
Lake No. 56-475, Lake Name – Pickerel, Class – GD**

The variance requested is the following:

Proposing to enclose a patio (186 square feet) being 65' from ordinary high-water level. Required setback is 75'. Requesting a 10' variance from ordinary high-water level. Our existing imperious surface is for building is 14.7% and for buildings and other is 32.4%. Our proposed imperious surface is building will be 17.1%. Building and other will be 27.9%. Requesting a variance for imperious being 27.9%, required is 25%. Requesting a 2.97% variance for impervious. Please note that we park on our back lot but did add a 200 square foot parking area in our imperious calculations. This parking area is grass. Excluding the 200 square foot parking area our imperious is 25.3%

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To Whom It May Concern:

Diana Snelgrove
55308 360th Street
New York Mills, MN 56567

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 1 Klien and Adams Point 4th,

Property Address – Located Adjacent to 38926 S Marion Drive - 56576

**Section 12, Township 135, Range 40 - Township Name – Dead Lake
Lake No. 56-243, Lake Name – Marion, Class – GD**

The variance requested is the following:

Proposing to construct a new dwelling with an attached garage and decks in a 36' by 60' building area on lot. The proposed development would be no closer than 50' to the ordinary high-water level. Required setback is 75' requesting a 25' variance being 50' from ordinary high-water level. Will meet the requirements for impervious surface, being within the 20% maximum allowable for building and 25% maximum allowable for building and other. Have met with septic contractor on site.

May 24, 2018

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To Whom It May Concern:

Orland W. Ohe
36627 208th Ave
Erhard, MN 56534-9540

Aaron Thibert
401 Champagne Ave SW
Red Lake Falls, MN 56750

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

Northwest Quarter of the Southeast Quarter, Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter,

Property Address – 37462 150th Ave - 56579

**Section 13, Township 135, Range 44 - Township Name –Trondhjem
Lake No. 56-NA, Lake Name – NA, Class – NA**

The variance requested is the following:

Requesting variance on County Wind Energy Conversion System Ordinance 600' wetland setback. Due to siting and practical difficulties encountered we are asking for variance on setback distance relating to one wetland located within 600'. Without variance practical difficulties would render the project infeasible and prevent Lake Region Electric Cooperative from obtaining low cost renewable energy. Asking for variance to be within 275' of nearest wetland. CUP application to follow.

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To Whom It May Concern:

Wade and Amy Sandy
4185 54th St S
Fargo, ND 58104

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 59 of Nedberg Nye Survey Lots of Government Lots 1, 2 and 3,

Property Address – 45756 Devils Lake Road - Perham

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

The variance requested is the following:

The lot is a substandard lot and as such presents practical difficulty to construct within the setback ordinance requirement. We are requesting a variance of 31' from the ordinary high-water level setback (i.e. we would like to build 44 feet from the lake's ordinary high-water line). The existing structure (approximately 600 square feet) is 27' from the ordinary high-water setback. (The closest proposed structure point is 44' from lake.) We are proposing to add an additional approximately 800 square feet on to the existing structure.

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To Whom It May Concern:

Gordon Jensen
1051 East Inlet Drive
Marco Island, FL 34145

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

Tract N of Auditor's Subdivision Number 102,

Property Address – 23439 Chokecherry Lane – 56572 (Gordon's Lake Home)

**Section 5, Township 136, Range 42 - Township Name – Lida
Lake No. 56-760, Lake Name – Rush/Lizzie, Class – GD**

The variance requested is the following:

I want to build a cabin on my lake Lot N of Auditor's Subdivision NO. 102. The slope of the land is such that if I were to build behind the 200' setback line I would not be able to see the lake. I am asking for a variance of 69' 74' and 89' from the 200' setback line across Lot N as shown on Anderson Land Surveying Certificate of Survey No. 8562. Please note that I will be abiding by the 30' setback from the top of bluff across Lot N with this request.

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To Whom It May Concern:

David Sholy
PO Box 1778
Fargo, ND 58107

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 6,

Property Address – 25273 Midland Beach Road - 56501

**Section 3, Township 137, Range 42 - Township Name – Dunn
Lake No. 56-786, Lake Name – Pelican, Class – GD**

The variance requested is the following:

The layout of the lot (with diagonal shoreline, access road thru the lot, and back wet lands) seemingly prevents construction of a traditional lake cabin (with well and septic tank). As a result, the only option to actually utilize the recreational designation of the lot is a Water Oriented Accessory Structure (proposed site – 13' by 20'). And, the only feasible location for it is on the west side of the lot. Thus, our plan calls for the Water Oriented Accessory Structure to be approximately 24' from the west property line, rather than the usual 40' guideline. This location will provide as 20 – 30 ' setback from the lake and a 20' - 22' setback from the road. Finally, our proposed building plan with Ouren Construction consists of substantial extra funds intended to produce a structure with an attractive "mini lake cabin" look rather than a boring or unattractive "box type" storage/garage type building.

May 24, 2018

Wayne Stein
Board of Adjustment Secretary

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:

Jerry Schumann
907 3rd Ave NE
Dilworth, MN 56529

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, June 14, 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

Lot 9 Block 1 Deerpath at Crystal,

Property Address – 25449 Deerpath Loop - 56572

**Section 10, Township 136, Range 42 - Township Name – Lida
Lake No. 56-749, Lake Name – Crystal, Class – RD**

The variance requested is the following:

My shed is only 32' from one of the property lines instead of 65' but is not visible to my neighbor and he signed a form stating he is ok with it. Requesting a variance of 33' from the west property line to place a Water Oriented Accessory Structure. The standard setback for a Water Oriented Accessory Structure on an RD lake is 65'. Also requesting a variance to maintain the water source to the Water Oriented Accessory Structure

May 24, 2018

Wayne Stein
Board of Adjustment Secretary