



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

# Thursday, September 13, 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 August 9, 2018 Minutes

Name	Township	Lake/River	Physical Address	Parcel No.
Richard A. Phelps	Nidaros – Sec. 3	Stuart (56-191)	21399 Mailbox Loop – 56588	41-000-03-0018-014
MaryJane and Don Westra	Eagle Lake – Sec. 11	Eagle (56-253)	14757 Eagle Lake Road E – 56515	18-000-99-0319-000
Yvonne Nordick	Dora – Sec. 34	East Silent (56-517)	40885 Primrose Dr. – 56528	16-000-99-0356-000
James Simpson	Rush Lake – Sec. 13	Rush (56-141)	45029 Plentywood Rd. – 56573	53-000-99-0570-000 53-000-99-0571-000
Eric Spilde	Dora – Sec. 4	Loon (56-523)	44040 Hat Six Lane – 56587	16-000-99-0533-000 16-000-99-0534-000
David Ross	Dead Lake – Sec. 12	Marion (56-243)	West Side of South Marion Drive – Across from 38994 South Marion Drive - 56576	14-000-99-0558-000
Paul & Mary Grindeland	Hobart – Sec. 22	Rose (56-360)	36595 Rose Lake Road E - 56544	32-000-99-0274-000

## 7:30 p.m.

Rick and Carol Frovarp	Dora – Sec. 31	West Silent (56-519)	40345 Silent Acres Drive – 56528	16-000-99-0566-000
Charles and Polly Ann Grell	Girard – Sec. 34	West Battle (56-239)	Between 22773 (Maguire's) and 22986 (Grell's from Larson's) Treetop Road – 56551	29-000-34-0233-003 29-000-34-0233-004
Jennifer Wulfekuhle	Everts – Sec. 4	Otter Tail (56-242)	36391 Segar Lane – 56515	25-000-99-0572-900
Diane McRae	Hobart – Sec. 26	Long (56-388)	37659 County Highway 36 – 56544	32-000-99-0300-000
Char & Mike Solberg/Kesselring Joint Tst	Dunn – Sec. 17	Pelican (56-786)	23498 Pelican Bass Lane – 56572	17-000-99-1610-000 17-000-99-1611-000

## Previously Tabled Item Scheduled for Hearing at the September 13, 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](mailto:wstein@co.ottertail.mn.us)  
Web Address - [www.co.otter-tail.mn.us](http://www.co.otter-tail.mn.us)

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

To Whom It May Concern:

Richard A. Phelps  
3612 Cedar Lane NW  
Bemidji, MN 56601

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, September 13, 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

**Part of Government Lot 6,**

**Property Address – 21399 Mailbox Loop - 56588**

**Section 3, Township 132, Range 39 - Township Name – Nidaros  
Lake No. 56-191, Lake Name – Stuart, Class – GD**

**The variance requested is the following:**

Replacement of existing structure 20' from ordinary high-water level with identical structure in same location as described in Site and Lot Application. Remove 20.5' by 22' existing structure with roof sloping toward lake. Replace structure with steeper pitched roof for snow removal and change slope direction 90 degrees so as to slope away from lake. Current height of structure and roof is 11'. Replace with roof and structure total height of 18.5'. Structure is located 80' and 100' from lot lines.

**August 23, 2018**

*Wayne Stein*  
**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:

MaryJane and Don Westra  
1220 N Tower 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

**Lots 21 and 22 Okeson Beach,**

**Property Address – 14757 Eagle Lake Road East - 56515**

**Section 11, Township 131, Range 40 - Township Name – Eagle Lake  
Lake No. 56-253, Lake Name – Eagle, Class – GD**

**The variance requested is the following:**

Proposing to replace the existing 12'x16' Storage Shed/Fence Area with a 12'x16' Outdoor Kitchen. The proposed Outdoor Kitchen will be 6' from the lot line at the closest point (east corner). Requesting a 4' Variance, Required setback is 10'. The proposed Outdoor Kitchen will be approximately 50.5' from the ordinary high-water level. Required setback is 75', Requesting a 24.5' Variance. Currently, the existing Impervious Surface in the Shore Impact Zone (SIZ) is 416 square feet. By rotating the proposed Outdoor Kitchen will remove the existing structure from the shore impact zone and reduce the shore impact zone coverage by 24 square feet bringing down the coverage to 392 square feet. Asking for a 132 square foot variance. Per Shoreland Management Ordinance the Impervious Surface coverage in the shore impact zone shall not exceed 260 square feet.

**August 23, 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:

Yvonne Nordick  
3707 12<sup>th</sup> 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 9 Peach's Silent Lake Beach,**

**Property Address – 40885 Primrose Dr. - 56528**

**Section 34, Township 136, Range 41 - Township Name – Dora  
Lake No. 56-517, Lake Name – East Silent, Class – RD**

**The variance requested is the following:**

In the summer of 2016 I had screen installed to connect the existing deck with the existing roof and constructed an 8' x 10.5' storage shed onsite. Requesting a variance for the storage shed which was placed 4' from the lot line and Approximately 56' from the ordinary high-level. Required setback is 10' to the Lot Line and 100' to the ordinary high-water level. The shed was placed in-line with the existing shed.

Requesting a Variance for the screen porch being approximately 25' from the ordinary high water-level. Required setback is 100' from ordinary high-water level. Currently the existing Impervious Surface Calculation in the Shore Impact Zone (SIZ) is 994.5 square feet. Asking for a 734.5 square feet variance for impervious surface in the shore impact zone. The maximum allowable is 260 square feet of impervious surface coverage in the shore impact zone.

**August 23, 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:

James Simpson  
45029 Plentywood Rd  
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

**Lost 1 and 2 Squires Addition,**

**Property Address – 45029 Plentywood Rd - 56573**

**Section 13, Township 135, Range 39 - Township Name – Rush Lake  
Lake No. 56-141, Lake Name – Rush, Class – GD**

**The variance requested is the following:**

I have two contiguous lots (Section 13 Township 135 Range 039, Lot 1 Block 1 and Lot 2 Block 1 of Squires Addition), not on Rush Lake but within 1000 feet of Rush Lake. Lot 1 contains a residence and a storage building and is 21,000 square feet. Lot 2 is vacant and is 23,000 square feet. I wish to sell Lot 2 but retain a 15 ft strip along the west side to be permanently attached to Lot 1. Therefore Lot 1 would have 23,800 square feet and Lot 2 would be 20,100 square feet. The buyer has three contiguous lots on Rush Lake (Sec 13 Township 135 Range 039 Lots 3 and 4 of Oak Grove Beach parcel number 53000990306000 and Lot 5 of Oak Grove Beach parcel number 53000990307000) totaling 32,000 square feet. Lot 2 as modified above, would be permanently attached to riparian lots 3,4 and 5 Oak Grove Beach, Lot 2 Squires Addition would be for Non-Residential Use. My remaining Lot 1 Squires Addition as modified above to remain as a buildable residential lot.

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To Whom It May Concern:

Eric Spilde  
1101 8<sup>th</sup> Ave SE  
Barnesville, MN 56514

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

**Lots 4 and 5 West Loon Lake Beach,**

**Property Address – 44040 Hat Six Lane - 56587**

**Section 4, Township 136, Range 41 - Township Name – Dora  
Lake No. 56-523, Lake Name – Loon, Class – RD**

The variance requested is the following:

Existing cabin was built in 1972 and would like to remove and build a new home on the lot that is larger than existing with expansion to the back and side and make two stories. Existing deck structure is 35 feet from ordinary high-water level, existing cabin is at 45 feet from ordinary high-water level at the closest point which does not meet the 100-foot setback requirement. Due to lot shape and size, existing garage at the back of the lot, septic design and lot drainage for neighbors, cannot meet the 100-foot setback from the ordinary high-water level with a new structure. We request a variance to that would move the building back farther than existing, moving out of the shoreland impact zone with the patio starting at 50 feet from the ordinary high-water level at its closet point and the cabin starting at 60 feet at its closest point from the ordinary high-water level.

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*Wayne Stein*  
Board of Adjustment Secretary

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To Whom It May Concern:

David Ross  
12449 Flanders Ct. NE Unit A  
Blaine, MN 55449-5198

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 9 Block 1 Hutmacher's Addition to Klein and Adams Point,**

**Property Address – West Side of South Marion Drive – Across from 38994 South Marion Drive**

**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:

Goal is to build a single-family dwelling and detached garage on a back lot that sits on the west side of South Marion Drive near Marion Lake. The back lot is currently wooded and undeveloped. Hardship/practical difficulty is a substandard lot where the width and square footage of the lot is less than what the ordinance requires. Ultimately, we are requesting the lot to be declared buildable for residential purposes. The building plans we develop will conform to all other requirements stated in the Otter Tail County Shoreland Management Ordinance.

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To Whom It May Concern:

Paul and Mary Grindeland  
2808 Elm St N  
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

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The property concerned in the application is legally described as

**Part of Lots 22 and 23 Rose Lake Beach First Addition,**

**Property Address – 36595 Rose Lake Road E - 56544**

**Section 22, Township 137, Range 40 - Township Name – Hobart  
Lake No. 56-360, Lake Name – Rose, Class – RD**

**The variance requested is the following:**

Requesting a variance of 20' from the required ordinary high-water level setback of 100' for placement of an 8' by 8' shed approximately 80' from the ordinary high-water level.

**August 23, 2018**

*Wayne Stein*  
**Board of Adjustment Secretary**



# Notice of Hearing for Variance



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Web Address - [www.co.otter-tail.mn.us](http://www.co.otter-tail.mn.us)

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

To Whom It May Concern:

Rick and Carol Frovarp  
916 41<sup>st</sup> 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

**Lot 16 Silent Point,**

**Property Address – 40345 Silent Acres Drive - 56528**

**Section 31, Township 136, Range 41 - Township Name – Dora  
Lake No. 56-519, Lake Name – West Silent, Class – RD**

**The variance requested is the following:**

We are requesting a 62' variance for setback of structure to be 38' from the ordinary high-water mark. Required is 100'. We are requesting a 15' variance for a road right-of-way setback of 5'. We are requesting a 5' variance for the lot line setback.

**August 23, 2018**

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To Whom It May Concern:

Charles and Polly Ann Grell  
3006 30<sup>th</sup> Street Court South  
St. Cloud, MN 56301

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 – Between 22773 (Maguire's) and 22896 (Grell's from Larson's) Treetop Road - 56551**

**Section 34, Township 133, Range 39 - Township Name – Girard  
Lake No. 56-239, Lake Name – West Battle, Class – GD**

**The variance requested is the following:**

We propose to vary from current ordinance to create and sell a buildable lot on 200' by 100' (unrecorded plat of Vern Villa Beach Lots 7 and 8; parcel R 29000340233004). Attach remainder (unrecorded plat of Vern Villa Beach Lots 5 and 6; parcel R 29000340233003) to our parcel R 29000340233000) which has physical address of 22896 Treetop Road, Henning. The parcel to be considered single family lot. The lot is 20,000 square feet. We do meet frontage requirements. Required is 40,000 square feet.

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To Whom It May Concern:

Jennifer Wulfekuhle  
2260 300<sup>th</sup> St.  
Breckenridge, MN 56520

Dave Erwin Construction Inc.  
34687 Northview 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 Lot 3 and all of Lot 4 Segar Beach,**

**Property Address – 36391 Segar Lane - 56515**

**Section 4, Township 133, Range 40 - Township Name – Everts  
Lake No. 56-242, Lake Name – Otter Tail, Class – GD**

**The variance requested is the following:**

Proposing to replace the existing dwelling being 59' from the ordinary high-water level. Requesting a 16' variance from ordinary high-water level, required setback is 75'

**August 23, 2018**

*Wayne Stein*  
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To Whom It May Concern:

Diane McRae  
1352 Highway 10 E  
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

**Lot 3 Longview First Addition,**

**Property Address – 37659 County Highway**

**Section 28, Township 137, Range 40 - Township Name – Hobart  
Lake No. 56-388, Lake Name – Long, Class – RD**

**The variance requested is the following:**

Request a variance to place new cabin 13' from road right-of-way at closest point and holding tank in the road right-of-way. County Highway Department has been out to mark road right-of-way.

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*Wayne Stein*  
**Board of Adjustment Secretary**

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To Whom It May Concern:

Char and Mike Solberg/Kesselring  
Attn: Mike Solberg  
3100 13<sup>th</sup> Ave S  
Fargo, ND 58103

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

**Lots 28 and 29 Block 1 Haugen's Point,**

**Property Address – 23498 Pelican Bass Lane - 56572**

**Section 17, Township 137, Range 42 - Township Name – Dunn**

**Lake No. 56-786, Lake Name – Pelican, Class – GD**

**The variance requested is the following:**

We are requesting a variance to subdivide Lot 29 and permanently attach a portion to Lot 28. As part of the variance, we are requesting that the remaining portion of Lot 29 to be allocated for residential use of the existing cabin on the lot. Due to the existing substantial topography and density of mature trees on Lot 28, to build a structure would require significant excavation as well as tearing down most of the mature trees. By subdividing Lot 29 and permanently attaching a portion to Lot 28 it would allow for a structure that would not disturb the existing landscape features. In addition, this variance would allow for Lot 29 to retain the character and use of two of the existing buildings on the site. We also request to modify the impervious surface area within the shore impact zone on Lot 29 to reallocate the existing paved surfaces for a new patio adjacent to the existing cabin. This will be an overall decrease of impervious surface area for Lot 29 from 2561 Square Feet to 1721 Square Feet. Proposing to create an access easement within shore impact zone of Lot 28 to access Lot 29. If this variance is granted a final survey will be filed to establish the parameters listed above. See attached for supplemental information.

**August 23, 2018**

*Wayne Stein*  
**Board of Adjustment Secretary**