

**MINUTES OF THE MEETING  
OF THE  
OTTER TAIL COUNTY BOARD OF ADJUSTMENT  
Thursday, October 11, 2018**

The Otter Tail County Board of Adjustment met Thursday, October 11, 2018, with the following persons in attendance:

Doug Larson	Thomas Lee	Darren Newville
Steve Schierer	Kenneth Vorderbruggen	Warren R. Wilson
Kyle Westergard, Land and Resource Management		
Michelle Eldien, County Attorney		

**Called to Order – Steve Schierer, Chair called the meeting of the Board of Adjustment to order at 6:30 p.m.**

**Minutes Approved** - The Board of Adjustment approved the minutes of the September 13, 2018 meeting as mailed.

**The Board of Adjustment considered the following applications for variance:**

**Sean McDonald – Variance application approved as requested. (6:32 p.m.)**

Sean McDonald, Lot 10 Block 1 Plainview Sandy Beach Third Addition, Kerbs Lake in Edna Township, requested a variance of 11' from the required 90' side lot line setback. Structure (WOAS) to be locate 79' off east lot line. The audience was polled with no one speaking for or against the variance application as presented. A letter from Dawn and David Edvall in support of the variance as requested as read for the record. After discussion and consideration, Steve Schierer made a motion, seconded by Kenneth Vorderbruggen and unanimously carried, to approve a variance of 11' from the required side lot line setback of 90' for the placement of an 8' by 12' storage shed 79' from the east lot line. The proposed location will not obstruct the view from the adjacent properties. The variance as granted is consistent with past action of the board. The hardship/practical difficulty is the terrain of the applicant's property. The variance as approved does not directly or indirectly grant any other variances for proposed or future development.

**Annette Trudeau – Variance application approved as requested. (6:40 p.m.)**

Annette Trudeau, Lot 35 Fair Oaks, West Battle Lake in Girard Township, requested a variance of 7' 6" to be 12' 6" from the road right-of-way. Required is 20'. Hardship is a substandard lot of record and the existing placement of dwellings. We are adding attached garage NW side of house. The audience was polled with no one speaking for or against the variance application as presented. Dwight Nessel represented the applicant at the public hearing. After discussion and consideration, Darren Newville made a motion, seconded by Rick Wilson and unanimously carried, to approve a variance of 7' 6" from the required road right-of-way setback of 20' for the placement of an attached garage 12' 6" from the road right-of-way. Hardship/practical difficulty is a substandard lot of record and the placement of the existing structures. The proposed development will be no closer to the ordinary high-water level than the existing structure. The variance as approved does not directly or indirectly grant any other variances for proposed or future development.

**Timothy G. Risbrudt – Variance application approved as requested. (6:43 p.m.)**

Timothy G. Risbrudt, Government Lots 7 and 8, Southeast Quarter of the Southeast Quarter and the East 30 Rods of the Southwest Quarter of the Southeast Quarter, Section 2 of St. Olaf Township by Long Lake, requested a variance to be 3' taller than the 20' height restriction on a non-dwelling. Detached garage to be no taller than 23' when it is completed. Would like to utilize the upper level of the garage for storage. Garage location already permitted per attached permit copy. The audience was polled with no one speaking for or against the variance application as presented. After discussion and consideration, Rick Wilson made a motion, seconded by Thomas Lee and carried with Darren Newville and Steve Schierer voting no, to approve a variance of 3' from the maximum allowable non-dwelling height of 20' for the construction of a 30' by 34' detached garage having an overall height of 23'. It was noted that the proposed development will not obstruct the view from any neighboring property as the applicant owns considerable property surrounding the development area and the design of the proposed garage fits well with the other structure on this property. The variance as approved does not directly or indirectly grant any other variances for proposed or future development.

**Arlene Neu – Approve the variance for the addition and denied the variances for the proposed garage with a condition. (6:48 p.m.)**

Arlene Neu, Lots 14 and 15 First Addition to Klein and Adams Point, Dead Lake in Dead Lake Township, requested the following: Proposing to construct a 20' by 22' addition to dwelling being 48' from ordinary high-water level. Required setback is 75', requesting a 27' variance from ordinary high-water level. Proposing to construct a 20' by 28' detached garage. The detached garage meets the building line setback which was verified by Land and Resource Management. Need to request a variance for the detached garage being 5' from the lot line at the closest point and 15' from the road right-of-way at the closest point. Required setback from lot line is 10' and required setback from road right-of-way is 20'. The audience was polled with no one speaking for or against the variance application as presented. After discussion and consideration, Thomas Lee made a motion, seconded by Darren Newville and unanimously carried, to approve a variance of 27' from the required ordinary high water level setback of 75' for the placement of a 20' by 22' addition to the existing dwelling 48' from the ordinary high-water level and to deny the road right-of-way and side lot line variances as requested for the proposed 20' by 28' garage with the condition that no more than 25% of the total eligible lot area can be covered with impervious surfaces. The proposed 20' by 22' addition to the existing dwelling will be no closer to the ordinary high-water level than the existing structure. The applicant has adequate room to place a garage that will provide reasonable use without the granting of the requested variances. The variance as approved does not directly or indirectly grant any other variances for proposed or future development.

**Corrine M. Nokken – Variance application approved as requested. (6:58 p.m.)**

Corrine M. Nokken, part of Government Lot 4, Section 16 of Candor Township by Leek/Trowbridge Lake, requested the following: On May 10, 2018 the Board of Adjustment approved our request to remove the existing cabin and replace with a 40' by 44' cabin with a 10' by 40' deck and a 24' by 30' attached garage being 75' from the ordinary high-water level. Upon further review of our plans and site the proposed deck will be 65' from the ordinary high-water level instead of 75' from ordinary high-water level. Requesting a 35' variance from the ordinary high-water level. Required setback is 100'. Please note that the cabin will be 75' from the ordinary high-water level as previously approved on May 10, 2018. Corey Peterson, Contractor, appeared with the applicant at the public hearing. The audience was polled with no one speaking for or against the variance application as presented. An email from Allen Sather in support of the variance application was noted for the record. After discussion and consideration, Darren Newville made a motion, seconded by Kenneth Vorderbruggen and unanimously carried, to approve a variance of 35' from the required ordinary high-water level setback of 100' for the placement of the development as proposed in the variance application dated September 17, 2018 and as depicted on the drawing submitted with the variance application 65' from the ordinary high-water level. The variance as approved does not directly or indirectly grant any other variances for proposed or future development. It was noted that the proposed development is significantly further back than the existing structure.

**Northwood Specialty Company – Variance application approved as requested with a condition. (7:02 p.m.)**

Northwood Specialty Company, part of Government Lot 4 and part of Southeast Quarter of the Southwest Quarter, Section 22 of Parkers Prairie Township by Adley Lake, requested the following: The parcel contains 8.58 acres and the intention is to retain 6.23 acres and sell 2.35 acres (which is less than the required 5-acre size when the property is within 1,000 feet of shoreland). The buyer owns adjacent land to the 2.35-acres, but it is abstract, and the 8.58-acres is Torrens, so they cannot be combined into one parcel as initially intended. The audience was polled with no one speaking for or against the variance application as presented. Rick Gappa represented the applicant at the public hearing. After discussion and consideration, Thomas Lee made a motion, seconded by Rick Wilson and unanimously carried, to approve the proposed subdivision as described in the variance application dated September 13, 2018 and as depicted on the drawing submitted with the application with the condition that a registered survey must be presented at the time of conveyance. It was noted that the parcel being retained by the applicant will be over 5 acres and the 2.35-acre tract will be joined to an adjacent parcel owned by the purchasers of the 2.35-acre tract. The variance as approved does not directly or indirectly grant any other variances for proposed or future development.

**Robert and Jeanne Schultz – Variance application approved as requested. (7:08 p.m.)**

Robert and Jeanne Schultz, part of Government Lot 3, Section 1 of Edna Township by Devils Lake, requested a variance to move existing cabin and deck away from the lake 10' to prevent future footing and foundation damage. Replacing current footings and foundation due to damage from winter ice expansion. The approximate setback from lake will be 28' Currently we are in front of the neighbors and this will bring us more in line with them. Request for future 2<sup>nd</sup> story loft addition, not to exceed 35' in height. The audience was polled with no one speaking for or against the variance application as presented. After discussion and consideration, Darren Newville made a motion, seconded by Kenneth Vorderbruggen and unanimously carried, to approve the variance as requested in the variance application dated September 20, 2018 and as depicted on the drawing submitted with the variance application. It was noted that the applicants are moving away from the ordinary high-water level. The variance as approved does not directly or indirectly grant any other variances for proposed or future development.

With no further business, Steve Schierer, Chairman declared the meeting adjourned at 7:10 p.m.

Prepared by:

Wayne Stein, Secretary

The minutes were mailed on Monday, October 15, 2018, to the Otter Tail County Board of Adjustment. Official action regarding these minutes will be taken by the Board of Adjustment at their next regularly scheduled meeting.

