

**MINUTES OF THE MEETING
OF THE
OTTER TAIL COUNTY BOARD OF ADJUSTMENT
Thursday, November 8, 2018**

The Otter Tail County Board of Adjustment met Thursday, November 8, 2018, with the following persons in attendance:

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| Douglas Larson | Thomas Lee | Darren Newville |
| Steve Schierer | Kenneth Vorderbrugen | David Wass |
| Chris LeClair, Land and Resource Management | | |
| Michelle Eldien, County Attorney | | |
| Ben Olson, Assistant 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 October 11, 2018 meeting as mailed.

The Board of Adjustment considered the following applications for variance:

Gary Brock – Variance application approved as requested. (6:32) p.m.

Gary Brock, Government Lot 5, Section 4 and part of Government Lots 5 and 6, Section 5 of Tordenskjold Township by German Lake, requested a variance to add an addition to our existing dwelling the proposed addition will be further back from the lake than existing dwelling, a previous variance approved dwelling to be at 85' to ordinary high-water level with a later variance approval to add a porch at 81' to ordinary high-water level. Also requesting a variance to exceed the allowable 260 square feet of impervious surface in the Shore Impact Zone. Existing impervious surface is 234 square feet new proposed will be 1,022 square feet this will include new addition along with previously approved porch addition and proposed platform/patio. Lynn Brock appeared with the applicant at the public hearing. The audience was polled with no one speaking for or against the variance as requested. After discussion and consideration, Darren Newville made a motion, seconded by Kenneth Vorderbrugen and unanimously carried, to approve the variance as requested in the application dated September 28, 2018 and as depicted on the drawing submitted with the variance application. The proposed development will not restrict the view from the adjacent properties and is located behind the setback allowed by a previous variance application. The variance as granted does not directly or indirectly grant any other variances for proposed or future development.

Larry and Kathy Morris – Variance application approved as requested. (6:35 p.m.)

Larry and Kathy Morris, Lot 10 Block 1 Engstrom Beach, West McDonald Lake in Edna Township, requested the following: We were granted a variance for our existing cottage allowing it to be 12' from the road right-of-way in 1985. This variance allowed us with a permit to build a single attached garage at the same setback in 1990. Because our variance has expired, we are requesting the same variance (12' setback from road right-of way) to add a second story to the attached garage without changing the footprint. The required setback to the road right-of way is 20'. The proposed 2nd story addition to the attached garage will be no closer than the existing attached garage and approximately 50' from the water. Required setback to the ordinary high-water level is 100'. Also request a .7% variance on the impervious surface coverage as our lot currently is at 25.7%. Our variance request will not add any additional impervious surface coverage as our proposal is a 2nd story addition to the attached garage. Required impervious surface coverage is 25%. The audience was polled with Mike Diekman speaking for the variance as requested. A letter from Larry Morris regarding the possibility that the existing garage would need to be demolished for the purpose of installing proper footing was noted for the record. After discussion and consideration, Thomas Lee made a motion, seconded by David Wass and unanimously carried, to approve the variances as requested in the variance application dated October 16, 2018 and as depicted on the drawing submitted with the application noting that the proposed development is consistent with other development in this immediate area and the proposed development will not change the footprint of the existing development. It should be noted that the variance as approved will allow the applicants to rebuild the existing garage in the exact same footprint should the existing garage need to be demolished for the purpose of installing support footing for the proposed development. The variances as approved do provide the applicants with a reasonable use of their property and the ability to enjoy the same rights and privileges as other in the immediate neighborhood.

Arlan Mueller – Denied. (6:40 p.m.)

Arlan Mueller, part of Government Lot 7, Section 24 and part of the Northeast Quarter of the Northwest Quarter, Section 25 of Everts Township by Molly Stark Lake, requested the following: I wish to maintain the location of my 12' by 22' storage structure which is 25' from the ordinary high-water level. The required setback is 200'. Requesting a variance of 175'. Also requesting a variance of 6.5' from the closet lot line as the shed sits 3.5' from it at the closet point. I wish to maintain the location of my pergola approximately 22' from the ordinary high-water level. Requesting a variance of 178'. Request a variance from the allowed 260 square feet of impervious surface in the shore impact zone. Existing impervious surface in the shore impact zone was 2,084 square feet. The storage structure and pergola increase it to 2,412 square feet. The pergola does sit on an existing paver patio. All structures and other impervious surfaces are within the shore impact zone due to the lot size. The audience was polled with Robert J. Lee and Kurt Maethner speaking against the variances as requested. A letter from Robert J. Lee objecting to the variances as requested was read for the record. After significant discussion and consideration, Steve Schierer made a motion, seconded by David Wass and unanimously carried, to deny the variances as requested as there is already significant impervious surfaces within the shore impact zone without the addition of the structures referenced in the application and no adequate hardship/practical difficulty had been shown that would allow for the granting of the variances as requested. The structures subject to this variance request must be either removed or placed in a location that meets the ordinance requirements on or before March 1, 2019.

Robert and Marylou Haskell – Variance application approved as requested. (7:10 p.m.)

Robert and Marylou Haskell, part of Government Lot 1, Section 25 of Clitherall Township by Crane Lake, requested the following: Replace existing drain field that is in the road right-of-way (from previous variance) with a holding tank in the same location (in road right-of-way). (Drain field is non-compliant due to higher water table and Ness Backhoe recommends a holding tank replacement). The audience was not polled as there was no one in attendance at the time of this public hearing. After discussion and consideration, Darren Newville made a motion, seconded by Douglas Larson and unanimously carried, to approve a variance to replace an existing drain field, which is currently located in the road right-of-way with a holding tank(s) in the same location within the road right-of-way. It was noted that the applicants have no other suitable options. The variance as approved does not directly or indirectly grant any other variances for future development.

Jesse and Kimberly Veil – Tabled per the request of the applicants. (7:16 p.m.)

Jesse and Kimberly Veil, Lot 4 Block 3 Echo Ranch Riviera 5th Addition, Otter Tail Lake in Otter Tail Township, requested a variance of 9' from the ordinary high-water level setback of 75' to construct a 19' by 20' addition to our cabin. The addition would be 66' from the ordinary high-water level. Prior to the public hearing, the office received an email from Jesse Veil indicating that neither he or his contractor would be able to attend and requested within the body of his email consideration of this application at a later date. After discussion and consideration, Thomas Lee made a motion, seconded by Darren Newville and unanimously carried, to honor Mr. Veil's request and to table the public hearing on his application until a future meeting date.

With no further business, Steve Schierer, Chairman declared the meeting adjourned at 7:18 p.m.

Prepared by:

Wayne Stein, Secretary

The minutes were mailed on Tuesday, November 13, 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.

