

**MINUTES OF THE MEETING
OF THE
OTTER TAIL COUNTY BOARD OF ADJUSTMENT
Thursday, January 9, 2020**

The Otter Tail County Board of Adjustment met Thursday, January 9, 2020, with the following persons in attendance:

Rick Wilson
Darren Newville

Douglas Larson
Michael Donoho

Thomas Lee

Kyle Westergard, Director, Land & Resource Management
Ben Olson, Assistant County Attorney

Called to Order – Thomas Lee, Vice Chair called the meeting of the Board of Adjustment to order at 5:58 p.m.

Selection of Officers (5:58 p.m.)

Thomas Lee, 2019 Vice Chair, call for nominations for Chair and Vice Chair of the 2020 Board of Adjustment. Mike Donoho made a motion, seconded by Doug Larson and unanimously carried to elect Thomas Lee as Chair of the 2020 Board of Adjustment and Darren Newville as Vice Chair of the Board of Adjustment.

Minutes Approved - The Board of Adjustment approved the minutes of the December 12, 2019 meeting.

The Board of Adjustment considered the following application(s) for variance:

Eric & Emily Lilly – Variance Application Denied (6:03 p.m.)

Eric & Emily Lilly, Lots 1, 2 & 3 Blk 1 of West Sandy Point Beach, West Leaf Lake (56-114) in Leaf Lake Township requested the following: Variance request on existing first-generation 1950's Boathouse (40'x20') situated within the setbacks (drip edge 20' from OWHL) which was originally used as a beer-and-bait convenience store for lake fishermen and campers. Beer and bait sales have long ceased, and the property no longer functions as a resort. Originally, the Boathouse was equipped with plumbing for indoor and outdoor bait tanks. This request is to allow the landowners to modify the Boathouse by (1) adding a bathroom and (2) adding a small dormer (16' x 7'). A new septic drainfield was added to the property in 2019 with capacity for an additional bathroom. The maximum height of the dormer would not be more than one foot taller than the Boathouse's existing Grain Belt beer rooftop sign. No more than 16' in height. There will be no increase to the impervious surface in the SIZ, existing is at 1280 sq.ft.

Eric Lilly, property owner represented the variance application. The audience was polled with no one speaking for or against the variance application.

After consideration and discussion, Douglas Larson made a motion, seconded by Thomas Lee and unanimously carried by raising their right hand to deny the variance request as described in the variance application dated November 20, 2019. The reason for denial is the change in use from a bait store to a water oriented accessory structure which the bait store use ceased over a year ago. This denial is also based on the Findings of Fact and Decision Form, which contains the criteria reviewed and the Board's finding have been attached to and incorporated as an official part of the minutes which have been placed on file with the Land & Resource Management Department. It was noted that if a non-conforming use ceases for over a year then you must comply with a con-forming use which in this situation would be a water oriented accessory structure. The board would then have to analyze the proposal and decide why they should allow that.

Lon & Susan Hanson and Pam Scheer – Variance Application Approved with Conditions (6:27 p.m.)

Lon & Susan Hanson and Pam Scheer, Lot 10 Blk 1 of South Oaks, Lot 2 Blk 1 and Lot 2 Blk 2 of Lamplight View, Buchanan Lake (56-209) in Otter Tail Township requested the following: Plat of Lamplight View is a 2017 Plat. This application contains 2 requests. 1st – Riparian (non-buildable) Lot 2 Block 1 Lamplight View to be permanently attached to existing riparian Lot 10 Block 1 South Oaks *The Plat of Lamplight View required permanent attachment of Lot 2 Blk 1 to Lot 2 Blk 2, request to reassign the permanent attachment to Lot 10 Bk 1 South Oaks. 2nd – Minor subdivision by variance of Lot 2 Block 2 Lamplight View to be split into 2 lots for single family residential use. A surveyor's map accompanies this application which shows the proposed split and attachment.

Lon & Susan Hanson and Pam Scheer – Conti.

Pam Scheer, property owner/proposed buyer and Jack Rosenthal, Compass Consultants represented the variance application. The audience was not polled as there was no one in the audience.

After consideration and discussion, Darren Newville made a motion, seconded by Michael Donoho and unanimously carried to approve the variance request as described in the variance application and as depicted on the drawing(s) submitted with the variance application to permanently attach Lot 2 Blk 1 Lamplight View (riparian non-buildable lot) to Lot 10 Blk 1 South Oaks (riparian lot) and subdivide Lot 2 Blk 2 Lamplight View into 2 single family residential lots with the conditions that the property transfer is completed and there is room for 2 onsite septic systems on proposed Parcel B. The documentation for the 2 onsite septic systems needs to be submitted to Land & Resource Management prior to the land transfer. This decision is also based on the Findings of Fact and Decision Form, which contains the criteria reviewed and the Board's finding have been attached to and incorporated as an official part of the minutes which have been placed on file with the Land & Resource Management Department. The variance as approved does not directly or indirectly grant any other variances for future development.

Michael & Lori Georgen – Approved Variance Request with Condition (6:38 p.m.)

Michael & Lori Georgen, Lot 13 of Abie's Acres, Star Lake (56-385) in Dora Township requested the following: Currently I have an existing cabin setback approximately 1.3' from the lotline on the East side and approximately 2' from the lotline on the West side of the lot. We are proposing to replace the existing cabin being 9 ft from the west and east lotlines. Requesting a 1' variance. Required setback is 10'. We are in the process of acquiring an additional 10' from the property to the east of us which will give us a 60' wide lot. Currently our lot is 50' wide. Our lot is a substandard lot of record created February 2, 1949. The proposed structure will be located behind the building line.

Michael Georgen, property owner represented the variance application. The audience was not polled as there was no one in the audience.

After consideration and discussion, Darren Newville made a motion, seconded by Rick Wilson & Douglas Larson and unanimously carried to approve the variance request to construct a new cabin being 9 feet from the east and west lotlines with the condition the property owner needs to acquire and record the additional 10 feet of property to the east of their property. This decision is also based on the Findings of Fact and Decision Form, which contains the criteria reviewed and the Board's finding have been attached to and incorporated as an official part of the minutes which have been placed on file with the Land & Resource Management Department. The variance as approved does not directly or indirectly grant any other variances for future development.

With no further business, Thomas Lee, Chairman declared the meeting adjourned at 6:43 p.m.

Prepared by:

Amy Busko, Secretary

The minutes were mailed on Thursday, January 14, 2020, 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.