

**MINUTES OF THE MEETING
OF THE
OTTER TAIL COUNTY BOARD OF ADJUSTMENT
Thursday, December 12, 2019**

The Otter Tail County Board of Adjustment met Thursday, December 12, 2019, with the following persons in attendance:

Rick Wilson	Douglas Larson	Steve Schierer
Darren Newville	Kenneth Vorderbrugen	Thomas Lee

Chris LeClair, Director, Land & Resource Management
Ben Olson, Assistant County Attorney

Called to Order – Steve Schierer, Chairman called the meeting of the Board of Adjustment to order at 6:00 p.m.

Minutes Approved - The Board of Adjustment approved the minutes of the November 14, 2019 meeting.

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

Brian & Emily Hagen – Variance Application Approved as Requested (6:03 p.m.)

Brian & Emily Hagen, Lot 15 of Plainview Sandy Beach 1st Addn., Little McDonald Lake (56-328) in Edna Township requested the following: 7' variance from the shore impact of 50' for a setback of 43' for a 2nd story addition. Also requesting impervious within SIZ to be a total of 528 sq. ft. (note) required is 260 sq. ft. *not increasing the impervious at all*

Brian & Emily Hagen, Property Owners represented the variance application. The audience was polled with no one speaking for or against the variance application.

After consideration and discussion, Darren Newville made a motion, seconded by Kenneth Vorderbrugen and unanimously carried to approved the variance request as described in the variance application and as depicted on the drawing submitted with the variance to construct a 2nd story addition being 43' from the ordinary high water level. This approval 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.

Rick & Deb Mielke – Tabled (6:05 p.m.)

Rick & Deb Mielke, Part of GL 5 & 6 Com SE Cor GL 5 (4.30 Acres), North Turtle Lake (56-379) in Everts Township requested the following: 1. Normal setback is 200'. We are requesting a 50' variance to build a new dwelling at 150' from the OHWL. 2. We are also requesting a variance to forego the interim use process to keep the existing dwelling on the property until the new dwelling is finished. Once the new dwelling is finished, the existing dwelling will be reverted into a detached garage by adding a garage door back in as originally permitted in 1995. Reversion would be completed by the expiration date of the corresponding site permit.

Rick & Deb Mielke represented the variance application. The audience was polled with no one speaking for or against the variance application. Steve Schierer received a phone call opposing the variance request.

After consideration and discussion, Darren Newville made a motion, seconded by Rick Wilson and unanimously carried to table with the verbal permission of the applicant until the next scheduled Board of Adjustment meeting (April 2020) to allow the applicant to explore other options for their proposal.

Damian & Dora Meier – Approved Variance Request #3 with Denial of Lotline Setback (6:20 p.m.)

Damian & Dora Meier, Lot 40 of Fair Oaks, West Battle Lake (56-239) in Girard Township requested the following: We are proposing to construct a new detached garage. We are proposing 3 different options:

Damian & Dora Meier Cont.

Option #1 – Construct a 30’x32’ detached garage being 26’ from the OHWL, 5.5’ from the lotline and 13’ from the RROW. The Shore Impact Zone (SIZ) Impervious surface is currently 1184 Sq. Ft. and we are proposing to increase the SIZ Impervious Surface Coverage to 1484 Sq. ft. add an additional 300 Sq. Ft.

Option #2 – Construct a 30’x30’ detached garage being 28’ from the OWHL, 5.5’ from the lotline and 13’ from the RROW. The Shore Impact Zone (SIZ) Impervious surface is currently 1184 Sq. Ft. and we are proposing to increase the SIZ Impervious Surface Coverage to 1424 Sq. ft. add an additional 240 Sq. Ft.

Option #3 - Construct a 30’x27’ detached garage being 31’ from the OWHL, 5.5’ from the lotline and 13’ from the RROW. The Shore Impact Zone (SIZ) Impervious surface is currently 1184 Sq. Ft. and we are proposing to increase the SIZ Impervious Surface Coverage to 1334 Sq. ft. add an additional 150 Sq. Ft.

The required setback from the OHWL is 75’, Lotline setback requirement is 10’ and the RROW setback requirement is 20’.

Our Lot was Created June 16, 1966 which is a substandard Lot therefore it makes it very difficult for us to meet setback requirements with the average lot depth being 68’. Please note that the 2 existing storage sheds will be removed, there will be a reduction in the size of the patio, reduction in the size of the deck, remove a portion of the sidewalk (which will be covered by proposed driveway) and remove a portion of the driveway.

Damian & Dora Meier, Property Owners represented the Variance. The audience was polled with no one speaking for or against the application.

After consideration and discussion, Steve Schierer made a motion, seconded by Darren Newville and unanimously carried to approve option #3 as described in the variance request to place a detached garage 31’ from the ordinary high water level, 13’ from the road right of way, the impervious surface coverage request and to deny the lotline setback request. 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.

Discussion

Chris LeClair spoke to the Board of Adjustment members in regard to adding another Board of Adjustment member to eliminate a tie vote. He also handed out the proposed Land Use Administrative Ordinance and went over the Board of Adjustment section.

Chris also indicated that he would have Scott Anderson, Attorney come to Otter Tail County and do a training with the County Board, Planning Commission and Board of Adjustment the end of February or early March.

With no further business, Steve Schierer, Chairman declared the meeting adjourned at 6:52 p.m.

Prepared by:

Amy Busko, Secretary

The minutes were mailed on Thursday, December 27, 2019, 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.