

**MINUTES OF THE MEETING
OF THE
OTTER TAIL COUNTY BOARD OF ADJUSTMENT
Thursday, April 18, 2019**

The Otter Tail County Board of Adjustment met Thursday, April 18, 2019, with the following persons in attendance:

Rick Wilson
Darren Newville

Douglas Larson
Kenneth Vorderbruggen

Steve Schierer

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

Member(s) Absent: Thomas Lee

Called to Order – Steve Schierer, Chairman 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 March 14, 2019 meeting as corrected.

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

Steve and Amanda Wrangham – Denied (6:35 p.m.)

Steve and Amanda Wrangham, Lot 3 Block 1 of Adams Point, Marion Lake in Rush Lake Township, requested the following After-the-Fact request: Structure is greater than 260 ft² and closer than 20' to OHWL. Structure is 20' x 20' for a total of 400 sq. ft. Drip line is 5' from lake. The audience was polled with no one speaking for or against the variance as requested. After consideration and discussion, Darren Newville made a motion, second by Doug Larson and carried with Steve Schierer voting no, to deny the variance request as no adequate hardship/practical difficulty unique to the property has been shown that would allow for the granting of the variance as requested and based on the Findings of Fact and Decision Form, which contains the criteria reviewed and the Board's finding has been attached to and incorporated as an official part of the minutes which has been placed on file with the Land & Resource Management Department. It was noted that the property owner must have the structure removed by July 1, 2019 and work with Land & Resource to bring the property into compliance and minimize soil disturbance.

Robert Larson – Denied (7:10 p.m.)

Robert Larson, Pt GL 5 Com SE Cor...(.22 Acres) in Hobart Township, requested the following: Replace permitted camper with a 28' x 28' dwelling & construct 12' x28' deck. Cabin to be 36' from OHWL (Req. is 100') & deck at 24' from OHWL (Req. is 100'). Proposed cabin at the closest point will be 18' from road right-of-way (Req. is 20'). Proposed impervious surface in SIZ is 744 ft², 260 ft² is allowed. Proposed will be place on a substandard lot of record. Existing dwelling is permitted at 22' from OWHL. Trying to setback as far as possible. Trying to keep in same location to block boat access ramp next to us. The audience was polled with the following individual speaking in regard to the variance request: Gary Skillings wanted a clarification of the last line in the notice which indicates "Trying to keep in same location to block boat access ramp next to us". He was concerned that they were going to build their structure on the boat access, he also stated that this is a small lot and they should be able to construct a structure on it. Letters & Emails from Brenda Koski & Scott & Vickie Meyer expressing concerns were read for the record. A letter from Marilyn Skillings indicating that she has no objection to building on the lot was read for the record and a letter from Terry Hanson opposing the proposal was read for the record as well. After consideration and discussion, Steve Scheirer made a motion, second by Kenneth Vorderbruggen and unanimously carried to deny the variance request as no adequate hardship/practical difficulty unique to the property has been shown that would allow for the granting of the variance as requested and based on the Findings of Fact and Decision Form, which contains the criteria reviewed and the Board's finding has been attached to and incorporated as an official part of the minutes which has been placed on file with the Land & Resource Management Department. It was noted that there is a previous variance dated October 14, 2004 with an amended drawing accepted by the Board of Adjustment on 12-1-04 that allows for reasonable use of the property.

Bryce & Lauren Anderson – Approved as Requested (7:20 p.m.)

Bryce & Lauren Anderson, Pt of GL 7 & 8 Lying Nly of LN Com NE Cor...(16.23 Acres) in Friberg Township, request the following: Requesting a 130'-0" setback (200' setback required). The 200' setback is not achievable since the house is surrounded by water. This will be to add a bedroom and bathroom to the north, larger kitchen and living room to the west, and a front porch entry to the east to meet the demands of our growing family. Septic system will also be updated during renovations to accommodate 4 bedrooms. The audience was polled with no one speaking for or against the variance as requested. After consideration and discussion, Darren Newville made a motion, second by Rick Wilson and unanimously carried to approve the variance as requested to construct additions to the dwelling being 130' from the OHWL and based on the Findings of Fact and Decision Form, which contains the criteria reviewed and the Board's finding has been attached to and incorporated as an official part of the minutes which has been placed on file with the Land & Resource Management Department. It was noted that the property is surrounded by water.

Mark Bring & Dacia Stiles – Denied (7:28 p.m.)

Mark Bring & Dacia Stiles, Pt GLs 6 & 9 Com SW Cor GL 6...(37.40 Acres) in Sverdrup Township, request the following: Authorization to construct a dwelling 100' from OHWL, a variance from 200' setback. The audience was polled with Gary Denbrook speaking in opposition to the variance application indicating that the 200' setback should be maintained. After consideration and discussion, Darren Newville made a motion, second by Douglas Larson and unanimously carried to deny the variance request as no adequate hardship/practical difficulty unique to the property has been shown that would allow for the granting of the variance as requested and based on the Findings of Fact and Decision Form, which contains the criteria reviewed and the Board's finding has been attached to and incorporated as an official part of the minutes which has been placed on file with the Land & Resource Management Department. It was noted that the current dwelling meets setbacks according to an inspection in 1993 and that there is enough land to meet setbacks.

Kevin & Laurel Wanke – Approved as Requested with Condition (7:45 p.m.)

Kevin & Laurel Wanke, Lot 3 Blk 1 of Juniper Shores in Candor Township, request the following: Request to construct a dwelling 150' from the lake, requesting a 50' variance from the required 200' setback. The audience was polled with no one speaking for or against the variance as requested. Jeff Norby (proposed buyer) represented the variance application and provided an additional exhibit for the Board of Adjustment members. After consideration and discussion Rick Wilson made a motion, second by Kenneth Vorderbruggen and unanimously carried to approve the variance request as requested with the condition that a storm water retention plan must be submitted with the permit application and based on the Findings of Fact and Decision Form, which contains the criteria reviewed and the Board's finding has been attached to and incorporated as an official part of the minutes which has been placed on file with the Land & Resource Management Department. It was noted at the 200' setback from the OHWL there is a drainage area which wasn't created by the property owner.

Devin Gemelli – Tabled (8:00 p.m.)

Devin Gemelli, Wly 613' of SL1 of GL 2 Ex 5 Tracts of 500' on Lk in Amor Township, request the following: Requesting Variance to attach garage to the house. Garage foundation will be 24' from Bluff. Proposed attached garage will tie into the existing roof approx. 20' from the bluff. The audience was polled with no one speaking for or against the variance as requested. A letter from Cindy Dean was read for the record. After consideration and discussion, Rick Wilson made a motion, second by Douglas Larson and unanimously carried to table with verbal permission of the applicants at this public hearing until the May 9, 2019 meeting of the Board of Adjustment to allow the Board of Adjustment members to get clarification of the Statute in reference to an expansion of a non-conforming structure.

Dustin Dodd – Tabled (8:27 p.m.)

Dustin Dodd, Pt GL 2 Com N1/4 Cor...(20 Acres) in Star Lake Township, request the following: Required 75' setback to lake, requesting a 27' variance to be 48' from the OHWL. House is currently less than 75' (see drawing on file at Land & Resource Management) if you count the bog, I would be compliant. Not changing the existing footprint, want to add a 2nd story. See blueprint on file at the Land & Resource Management Office. The audience was not polled. After consideration and discussion, Darren Newville made a motion, second by Rick Wilson and unanimously carried to table with verbal permission of the applicant at this public hearing until the May 9, 2019 meeting of the Board of Adjustment to allow the Board of Adjustment members to get clarification of the Statute in reference to an expansion of a non-conforming structure.

John & Donna Burns – Tabled (8:30 p.m.)

John & Donna Burns, Lots 68 & 69 and Vac Rd Adj of Pleasure Park & Pt Lot 10 S of Rd in Otter Tail Township, request the following: Current cabin is located in Shore Impact Zone and would like to add a 14' x 22' addition to existing cabin. Cabin and proposed addition meets lot setbacks (more than 10' from lot line) and will comply with sewer and well setbacks. Addition is set behind building line of neighborhood and no closer to lake than existing structure. Current impervious in shore impact zone 1406 sf, proposed 308 sf for a total of 1714 sf. The audience was polled with no one speaking for or against the variance as requested. After consideration and discussion, Steve Schierer made a motion, second by Darren Newville and unanimously carried to table with verbal permission of the applicants at this public hearing until the May 9, 2019 meeting of the Board of Adjustment to allow the Board of Adjustment members to get clarification of the Statue in reference to an expansion of a non-conforming structure.

Robert & Sheila Christenson – Variance Approved for Roof Replacement and Variance for Deck Denied (8:33 p.m.)

Robert & Sheila Christenson, Survey Lots of GL 5 & 6 90' on Lk (Called Lot #22) in Tordenskjold Township, request the following: Proposing to replace the existing flat roof with a pitch roof being at the closest point 47' from lake. Required setback is 100' asking for a 53' Variance. Also proposing to add a 16' x 10' Deck to the lakeside of the cabin being approximately 42' from the lake. Required setback is 100', asking for a 58' Variance. Currently our Shore Impact Zone Impervious Surface coverage is at 378 Sq. Ft., by adding the deck we will be increasing our coverage to 538 Sq. Ft. Ordinance requirement is not to exceed 260 Sq. Ft. in the Shore Impact Zone. The audience was polled with no one speaking for or against the variance as requested. After consideration and discussion, Darren Newville made a motion, second by Kenneth Vorderbruggen with Steve Schierer voting no to approve the variance for replacing the existing flat roof with a pitch roof on the existing dwelling and deny the request to construct a deck based on the Findings of Fact and Decision Form, which contains the criteria reviewed and the Board's finding has been attached to and incorporated as an official part of the minutes which has been placed on file with the Land & Resource Management Department. It was noted that the roof replacement is maintenance.

Kvare Family Trust – Denied (7:39 p.m.)

Kvare Family Trust, Lot 4 Blk 1 of Kvare's Beauty Bay East in Dunn Township, request the following: Request for house and deck to be 5' ft. from east property line, minimum requirement is 10'. Charles Kvare represented the application. The audience was polled with no one speaking for or against the variance as requested. After consideration and discussion, Darren Newville made a motion, second by Douglas Larson and unanimously carried to deny the variance request as no adequate hardship/practical difficulty unique to the property has been shown that would allow for the granting of the variance as requested and based on the Findings of Fact and Decision Form, which contains the criteria reviewed and the Board's finding has been attached to and incorporated as an official part of the minutes which has been placed on file with the Land & Resource Management Department. It was noted that there is adequate room to meet setbacks.

With no further business, Steve Schierer, Chairman declared the meeting adjourned at 8:57 p.m.

Prepared by:

Amy Busko, Secretary

The minutes were mailed on Thursday, May 2, 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.