

**MINUTES OF THE MEETING  
OF THE  
OTTER TAIL COUNTY BOARD OF ADJUSTMENT  
Thursday, June 5, 2003**

The Otter Tail County Board of Adjustment met Thursday, June 5, 2003, with the following persons in attendance:

Cecil Femling	Paul Larson
Randall Mann	Joe Maske
Steve Schierer	Mark Steuart
Mark Ronning, Land and Resource Management	
Cherie Clark, County Attorney	

**Call to Order –**

Randall Mann, Chairman, called the meeting of the Board of Adjustment to order at 6:30 p.m.

**Minutes Approved -**

Hearing no corrections or additions the minutes of the May 8, 2003 meeting was approved as mailed.

**The following variance requests were heard:**

**Karen and Jerry Dovenmuehle – Approved with condition. (6:32 p.m.)**

Karen and Jerry Dovenmuehle, Lot 8A, Wasche Survey Lots of Government Lot 1, Boedigheimer Lake in Rush Lake Township, requested a variance of 29' from the required ordinary high water level setback of 100' for the construction of a 24' by 32' addition 71' from the ordinary high water level. The audience was polled with no one speaking for or against the request. After consideration and discussion, motion was made by Steve Schierer, second by Paul Larson and unanimously carried, to approve a variance of 29' from the required ordinary high water level setback of 100' for the construction of a 24' by 32' addition 71' from the ordinary high water level with the condition that an existing travel trailer must be removed from the lot before a site permit can be issued for the proposed addition. It was noted that the proposed development would be no closer to the ordinary high water level than the existing structure.

**Charles Hong – Approved as requested. (6:35 p.m.)**

Charles Hong, Sub Lot 1 of Government Lot 7, Section 34 of Dunn Township by Franklin Lake, requested a variance of 55' from the required ordinary high water level setback of 100' for the construction of a 16' by 20' addition 45' from the ordinary high water level. It should be noted that the proposed 16' by 20' addition would connect an existing guest cabin to the main dwelling. The audience was polled with no one speaking for or against the request. A letter from Donald and Kay Torgerson in support of the variance as requested was read for the record. After consideration and discussion, motion was made by Cecil Femling, second by Joe Maske and unanimously carried, to approve a variance of 55' from the required ordinary high water level setback of 100' for the construction of a 16' by 20' addition 45' from the ordinary high water level. It should be noted that the proposed development is an improvement over what is currently located between the guest cabin and the main dwelling. Hardship is a substandard lot of record.

**Glen McDowell – Approved as modified. (6:40 p.m.)**

Glen McDowell, part of Government Lot 3, Section 21 of Otter Tail Township by Otter Tail Lake, requested a variance to add living space of one level with no walkout ahead of string test of Smith garage and Klousterman house, but on the line of Smith house to Klousterman house behind both decks. Living space is 64' back from Otter Tail Lake and over 10' from side lot boundary. The audience was polled with no one speaking for or against the request. A letter from Jerry and Shirley Smith in support of the variance as requested was read for the record. After consideration and discussion, motion was made by Steve Schierer, second by Cecil Femling and carried with Mark Steuart voting no, to approve the proposed development being no closer to the ordinary high water level than the applicant's existing deck and being no higher than the applicant's existing deck. It was noted that the development as approved would be behind the string line. Hardship is a substandard lot of record.

**Robert C. Nelson – Denied 12' by 12' addition as requested. Approved deck repair and alternative location for the addition. (6:50 p.m.)**

Robert C. Nelson, Lot 10, Ukkelberg Beach, West Battle Lake in Girard Township, requested a variance of 10' from the required ordinary high water level setback of 75' for the addition of 12' by 12' screen porch and for the replacement of an existing deck 65' from the ordinary high water level. The audience was polled with no one speaking for or against the request. After consideration and discussion, motion was made by Randall Mann, second by Cecil Femling and unanimously carried, to deny the variance as requested for the 12' by 12' screen porch addition, but to allow the addition of a porch on the west side of the cabin being no closer to the ordinary high water level than the main cabin and to allow for the repair/replacement of the existing deck in its present location and at its current size and shape. It was noted that the proposed screen porch would be ahead of the string line and that there is adequate room to place the proposed porch on the west side of the applicant's home. It was also noted that the deck is in need of repair for safety reasons. Hardship is a substandard lot of record.

**Joseph S. Jr. and Diane Lang – Denied as requested. Approved as modified. (7:00 p.m.)**

Joseph S. Jr. and Diane Lang, Lot 10, Silent Point, West Silent Lake in Dora Township, requested a variance of 76' from the required ordinary high water level setback of 100' for the placement of a 10' by 12' storage shed 24' from the ordinary high water level. Lori and John Reyant represented the applicants. The audience was polled with no one speaking for or against the request. After consideration and discussion, motion was made by Paul Larson, second by Randall Mann to approve the variance as requested. This motion failed with Cecil Femling, Randall Mann, Joe Maske and Steve Schierer voting no. After additional consideration and discussion, motion was made by Steve Schierer, second by Joe Maske and carried with Paul Larson voting no, to allow for the placement of a 10' by 12' storage shed no closer to the ordinary high water level than the existing cabin and being no further away from the existing cabin than 3'. The general opinion of the Board was that the approved location would obstruct the view from the neighboring properties the least. Hardship is the terrain and a substandard lot of record.

**Thomas J. Stevenson - Approved as requested. (7:19 p.m.)**

Thomas J. Stevenson, Lot 47, Block 1, Timberlane Hills and an interest in Lot 11, Timber Lane Beach Rearrangement, Round Lake in Everts Township, requested a variance to have a nonbuildable lot declared a buildable lot for the purpose of constructing a 28' by 40' garage. The audience was polled with no one speaking for or against the request. Letters from James and Diane Lambert, Walt and Diane Johnson and Elois Vikander in support of the variance as requested were read for the record. After consideration and discussion, motion was made by Steve Schierer, second by Randall Mann and unanimously carried, to approve the variance as requested for the construction of a 28' by 40' garage. The granting of the variance will provide the applicant's with an ability to enjoy the same rights and privileges as others in the immediate area. Hardship is a substandard lot of record.

**Nicole Losee - Approved as requested. (7:31 p.m.)**

Nicole Losee, Lots 40 and 41, Nedberg-Nye Survey Lots of Government Lots 1, 2 and 3, Section 1 of Edna Township by Devils Lake, requested a variance to construct a 24' by 26' detached garage 40' from the ordinary high water level and 15' from the road right-of-way. The audience was polled with no one speaking for or against the request. After consideration and discussion, motion was made by Paul Larson, second by Joe Maske and unanimously carried, to approve a variance to construct a 24' by 26' detached garage 40' from the ordinary high water level and 15' from the road right-of-way in the location as depicted on the applicant's drawing.

**George and Dorothy Ford – Denied. (7:42 p.m.)**

George and Dorothy Ford, part of Government Lot 1, Section 34 of Candor Township by Loon Lake, requested a variance to subdivide, by metes and bounds description, an existing 3.1-acre parcel into two residential parcels. One parcel would be 40,300 square feet and the other parcel would be 94,500 square feet. The proposed parcels would meet the minimum size requirements for platted lot on a recreational development lake. The minimum size for metes and bounds parcels within the shoreland area is 5 acres. Chris, a Surveyor with Meadowland Surveying, Inc., appeared along with the applicant at the public hearing. The audience was polled with no one speaking for or against the request. After consideration and discussion, motion was made by Mark Steuart, second by Steve Schierer and unanimously carried, to deny the variance as requested as no adequate hardship unique to the property had been shown that would allow for the granting of the variance as requested. It was noted that the applicants do have the ability to plat their property.

**Steven M. and Caroline R. Lorentzen – Approved as requested. (7:47 p.m.)**

Steven M. and Caroline R. Lorentzen, the southeasterly 15' of Lot 13 and all of Lot 14, Henry's Hill, Franklin Lake in Dunn Township, requested a variance of 50' from the required ordinary high water level setback of 100' for the placement of a 30' by 36' house 50' from the ordinary high water level. The audience was polled with no one speaking for or against the request. After consideration and discussion, motion was made by Steve Schierer, second by Randall Mann and unanimously carried, to approve the placement of a 30' by 36' dwelling no closer to the ordinary high water level than the existing sunroom, which is assumed to be 50' from the ordinary high water level. It was noted that the same footprint is being used to replace an existing trailer and attached sunroom with a 30' by 36' dwelling. It was also noted that the proposed development would be smaller than the existing development by 160 square feet, however, the applicants were cautioned to be very careful not to cover more than 25% of their total lot area with impervious surfaces. Hardship is a substandard lot of record.

**Richard Hockstein – Approved as requested. (7:56 p.m.)**

Richard Hockstein, Southwest Quarter of the Northwest Quarter, Section 6 of Girard Township by Blanche Creek, requested a variance of 23' from the required ordinary high water level setback of 100' for the construction of a two bedroom cottage on an existing 40' by 32' foundation located 77' from the ordinary high water level. The audience was polled with no one speaking for or against the request. After consideration and discussion, motion was made by Steve Schierer, second by Cecil Femling and unanimously carried, to approve a variance of 23' from the required ordinary high water level setback of 100' for the construction of a two bedroom cottage on an existing 40' by 32' foundation located 77' from the ordinary high water level. It was noted that the property has been greatly improved. Hardship is the existing foundation on the applicant's property.

**Syvertsen Trust – Approved as requested. (8:00 p.m.)**

Syvertsen Trust, West half of Lot 6 and the East half of Lot 7, Segar Beach, Otter Tail Lake in Everts Township, requested a variance of 51' from the required ordinary high water level setback of 75' for the reconstruction of a 16' by 18' portion of an existing cabin located 24' from the ordinary high water level. The audience was polled with no one speaking for or against the request. After consideration and discussion, motion was made by Cecil Femling, second by Steve Schierer and unanimously carried, to approve a variance of 51' from the required ordinary high water level setback of 75' for the reconstruction of a 16' by 18' portion of an existing cabin located 24' from the ordinary high water level. It was noted that the proposed development is necessary to repair a portion of the structure, which has been damaged by ice. It was also noted that the proposed development will be further back from the lake and that the overall square footage of the structure as been reduced to comply with the impervious surface requirement of the ordinance. Hardship is a substandard lot of record.

**Leon A. Bjerke – Approved as requested. (8:05 p.m.)**

Leon A. Bjerke, Lots 7 and 8, Moores Beach, Pickerel Lake in Maine Township, requested a variance of 54' from the required ordinary high water level setback of 100' for the placement of a 34' by 10' deck and a 17' by 3' deck 46' from the ordinary high water level. The audience was polled with no one speaking for or against the request. After consideration and discussion, motion was made by Steve Schierer, second by Paul Larson and unanimously carried, to approve a variance of 54' from the required ordinary high water level setback of 100' for the placement of a 34' by 10' deck and a 17' by 3' deck 46' from the ordinary high water level. It was noted that this is a repair/replacement project, which is necessary to make the decks safe. It was also noted that the proposed development will occur within the same footprint as the existing decks and that new decks will be no closer to the ordinary high water level or to the lot lines than the existing decks.

**Timothy Hertel – Approved as modified. (8:10 p.m.)**

Timothy Hertel, Lot 26, Block 1, Trowbridge Point, Leek Lake in Candor Township, requested a variance of 16' from the required road right-of-way setback of 20' and a variance of 6' from the required side lot line setback of 10' for the construction of a 28' by 34' structure 4' from the road right-of-way and 4' from the side lot line. **May Meeting** - The audience was polled with no one speaking for or against the request. After discussion and consideration, motion was made by Steve Schierer, second by Paul Larson and unanimously carried with the applicant's approval, to table this hearing until the June 5, 2003 meeting so that the applicant can consider other alternatives and have an opportunity to meet with the township. **June Meeting** – The applicant submitted his revised plans for consideration. After discussion and consideration, motion was made by Mark Steuart, second by Steve Schierer and carried with Joe Maske abstaining, to approve the placement of the holding tank and the placement of the proposed dwelling, excluding the deck, in the locations as depicted on the revised drawing submitted by the applicant. Candor Township has approved the location of the proposed holding tank. It was also note that the applicant's revised plans no longer call for a variance from the side lot lines. Hardship is a substandard lot of record.

**Jon B Swarts – Approved with condition. (8:15 p.m.)**

Jon B Swarts, part of Government Lots 5 and 6, Section 5 of Everts Township by the Otter Tail River, requested a variance to subdivide, by metes and bounds description, a 3.9 acre parcel, having water frontage of 117', from an existing 36.53 acre parcel and a variance to have this proposed lot declared a buildable lot for residential purposes. The minimum size for metes and bounds parcels within the shoreland area is 5 acres and the minimum water frontage is 150'. Jim Peterson, Surveyor, appeared along with the applicant at the public hearing. **May Meeting** -The audience was polled with no one speaking for or against the request. After discussion and consideration, motion was made by Steve Schierer, second by Paul Larson and unanimously carried, with the permission of the applicant, to table this variance application hearing until the June 5, 2003 Board of Adjustment meeting for a review of other possible alternatives. **June Meeting** – After discussion and consideration, motion was made by Paul Larson, second by Steve Schierer and carried with Joe Maske abstaining, to declared the 3.9 acre parcel a buildable lot with the condition that a parcel containing at least 150' of shoreline across the dedicated road must be added and permanently attached to the 3.9 acre parcel. Hardship is the terrain and the placement of the dedicated road, which serves the Turner Point plat.

**Eloise Felton – Approved with condition. (8:30 p.m.)**

Eloise Felton, part of Government Lot 7, Section 4 of Otter Tail Township by the Otter Tail River, requested a variance of 69' from the required ordinary high water level setback of 150' for a 12' by 16' addition, 81' from the ordinary high water level. Jon Gundersen represented the applicant at the public hearing. The audience was polled with no one speaking for or against the request. After consideration and discussion, motion was made by Steve Schierer, second by Randall Mann and unanimously carried to approve a variance of 69' from the required ordinary high water level setback of 150' for a 12' by 16' addition 81' from the ordinary high water level with the condition that before a site permit can be issued for the proposed development the existing boathouse must be removed. It was noted that the proposed development would be no closer to the ordinary high water level than the existing structure. Hardship is a substandard lot of record.

With no further business, Randall Mann, Chairman declared the meeting adjourned at 8:36 p.m.

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Wayne Stein, Secretary