

# OTTER TAIL COUNTY PLANNING COMMISSION

Otter Tail County Government Services Center, 540 West Fir, Fergus Falls, MN 56537 218-998-8095

## July 14, 2004

Meeting of the Otter Tail County Planning Commission was held on July 14, 2004 at 6:30 P.M. in the Commissioner's Room, Government Services Center, Fergus Falls, Minnesota.

### Roll Call:

Members Present: Rod Boyer, Les Estes, Frank Lachowitz, Joe Maske, Bert Olson, Robert Schwartz, Richard Sha, David Trites, Rick Wilson and Leona Zimmerman.

Members Absent: None.

Nicole Hansen represented the County Attorney's Office and Bill Kalar represented the Land & Resource Management Office.

**Minutes of June 9, 2004 and June 16, 2004:** A motion by Lachowitz, second by Boyer to approve the Minutes of June 9, 2004 and June 16, 2004 as received. Voting: All Members in favor.

### **David & Rita Heinrich AND George & Gail Krasean – Approved With A Condition:**

HEINRICH: A Conditional Use Permit Application *as stated by the Applicant:* To cut an area from Pleasant Pointe Road approximately 325 feet south and 175 feet north of Pleasant Lake to prepare driveway 300 feet x 16 feet with 3 foot ditch. The spoils (approx. 820 cu yds) to be used to construct a driveway on Lot 2, Block 2. The property is described as Lot 3 Block 2 Pleasant Pointe, Section 5 of Sverdrup Township; Pleasant Lake (56-449), RD.

KRASEAN: A Conditional Use Permit Application *as stated by the Applicant:* To construct a 300' long x 16' wide driveway, starting from Pleasant Lake Road to our lot; (Lot 2 Blk 2) fill will be borrowed from Lot 3 Blk 2. Approx. 820 cubic yards. The property is described as Lot 2 Blk 2 Pleasant Pointe, Section 5 of Sverdrup Township; Pleasant Lake (56-449), RD.

Wayne Evavold (Contractor) represented the Application.

**Motion:** A motion by Estes, second by Boyer to approve as presented, with the condition that appropriate erosion control measures are implemented. It was noted that there has been a precedent set as similar work was done in the area. Voting: All Members in favor.

### **Guy W. Johnson – Denied:**

A Conditional Use Permit Application *as stated by the Applicant:* On public access side of mobile home I would like to have at least 15' of level land to keep home stable. This would require building a retaining wall 2-3' high at the access property line and filling with fill; 1" black dirt & sod. Total 32 c yd dirt. Now it slopes very quickly away from the mobile home (which with out a foundation should have more stability). On the lake front someone put railroad ties to tier the lot years ago. I wish to remove them and slope the lot as my neighbor has done. Requires moving & grading 6" of dirt on the upper tier and adding 30 c yd dirt, fill, sod. The property is described as Pt of GL 6: Beg 685.05' N of SW cor, E 285' S on lk 100', W 285', N 100' to bg (.66 AC), Section 16 of Candor Township; Leek Lake (56-532), RD.

Guy Johnson represented the Application.

Jeanette Wardwell (neighbor) expressed concerns regarding their shared driveway (heavy equipment traveling over it), surface water drainage and the location of the lotline. Tammy Smith (previous owner) discussed the lotline and stated that the project would be an improvement.

**Motion:** A motion by Zimmerman, second by Boyer to deny for the following reasons: 1. Unsure of the effect on surface water run-off. 2. The amount of fill is unacceptable. 3. The DNR's comments/concerns. 4. Destruction of the existing vegetation. **Voting:** All Members in favor.

**Gavin & Tanya McCrary – Approved With a Condition:**

A Conditional Use Permit Application *as stated by the Applicant:* Cut, grade and fill existing property. No import or export of material. All soils will remain on and be used on the property to facilitate house structure. Landscape will protect the lake and neighbor's property on either side. A) One 30' x 150' cut at high lake side ridge. B) Driveway cut to a maximum depth of 4.5 feet; supported by rock retaining wall. Total maximum 300 – 350 cubic yds. The property is described as Lot 4 Blk 1 Paul Lake Preserve, Section 15 of Edna Township; Paul Lake (56-335), RD.

Regg Wenaas represented the Application.

Tanya McCrary indicated that the neighbor to the east is happy with the berm.

**Motion:** A motion by Schwartz, second by Sha to approve provided erosion control fiber blanket is placed from the top of the cut (lakeside) landward 10'. Reasons for approval include: 1. A berm is proposed to prevent surface water run-off to the neighbor to the east & the surface water will be retained on the lot (front & side). 2. It looks like a good landscaping plan. **Voting:** All Members in favor.

**Ahead of Schedule:** At 7:24 P.M., the Commission was ahead of schedule and Bill Kalar informed the Commission that the County Board is in the process of creating a committee to review Cluster Developments. He indicated that the committee may consist of approximately 27 members, including Commissioner Bob Block, the DNR, the MPCA, the Planning Commission and the Board of Adjustment. There will be public meetings to allow for public input and information.

**Woodland Resort / James & Miriam Hatlevig – Approved As Presented:**

A Conditional Use Permit Application *as stated by the Applicant:* Woodland Resort has 3 of 6 cabins that are original from 1947. They are government grainerys from WWII which needs to be replaced. One cabin will be replaced on site, the other two will be moved back off the lake (200 feet). This structure will combine 2 units into 1 structure (walkout lower level) thus reducing the footprint on the land. The property is described as Pt of GL 4 ... (2.02 AC), Section 16 of Dead Lake Township; Dead Lake (56-383), NE.

Jim Hatlevig represented the Application.

**Motion:** A motion by Estes, second by Wilson to approve as presented; reasons being that this is an improvement, this is a needed business, and there will be a decrease in impervious surface. **Voting:** All Members in favor.

**“Golden View” / Paul & Roberta Olson – Withdrawn:**

A Preliminary Plat of “Golden View” consisting of 2 Lots 1 Blk for Single Family Residential Use. The property is described as Pt GL 2 ...(17.10 AC), Section 35 of Tordenskjold Township; Stalker Lake (56-437), RD.

Bill Kalar read a letter, from Anderson Land Surveying, dated July 2, 2004, requesting withdrawal.

**Motion:** A motion by Lachowitz, second by Maske to accept the withdrawal as requested. **Voting:** All Members in favor.

**“Baileys Beach” / D. Kersten/Taylor Investment Corp. – Approved With A Condition:**

A Preliminary Plat titled “Baileys Beach”, consisting of 12 single family residential lots, 2 blks and 2 outlots and a Conditional Use Permit Application *as stated by the Applicant:* Construct a new driveway into the existing cabin within the proposed plat of Bailey’s Beach” Lot 5 Block 1. Length of driveway is approx. 450’, driving surface will be approx. 14’ with 3 inches of class five gravel. Driveway to be constructed on existing terrain. The property is described as Lot 9 Ex 4.63 Ac Tr, Section 1 of Sverdrup Township; East Lost Lake (56-378), RD.

Scott Sealy (Taylor Investment Corp.) & David Landecker (Landecker & Assoc.) represented the Application.

Dan Stenoin (Sverdrup Townboard) expressed concerns regarding 273<sup>rd</sup> Street & indicated they would like it relocated to the north. Diana Beebout (Sverdrup Townboard, Clerk & resident of East Lost Lake) expressed concerns regarding the proposed additional traffic on 273<sup>rd</sup> Street, indicating it can not handle it. Tom Leuthner indicated he supports the comments made regarding the road and also supported the development. Mark Williams agreed with the previous comments stating the roads need addressing. Calvin Hoff expressed concerns regarding 330<sup>th</sup> street. Henry Smith stated moving 273<sup>rd</sup> Street will not help 330<sup>th</sup>. Harold Smith expressed concerns regarding gravelling and building a road.

**Motion:** A motion by Estes, second by Boyer to approve as requested with the condition that the existing home on proposed Lot 5 Block 1 be legally relocated prior to filing the final plat. The Commission also recommends that the Townboard continue their collaborative efforts to improve the traffic flow in this area. **Voting:** All Members in favor.

**Ahead of Schedule / Break:** At 8:15 the Commission took a 15 minute break.

**“West Lost Lake Addition”/ B. Carr/3 Season LLP/– Approved With Conditions:**

A Preliminary Plat titled “West Lost Lake Addition” consisting of 10 single family residential lots, 2 blocks and a Conditional Use Permit Application *as stated by the Applicant:* To build a road to township standards for a 10 lot development on West Lost Lake. Approximately 2,300 feet in length to meet minimum road standards in Appendix III of Otter Tail Subdivision Ordinance; the property is described as GL 5, Pt GL 4, 6 & 7 ...(35.6 AC), Section 29 of Maine Township, West Lost Lake (56-481), NE.

Brad Nyberg (Nyberg Surveying Inc.) & Ken Landgaard represented the Application.

Randy Klawitter expressed concerns regarding the backlot (embankment & wetlands) & questioned the buildable area. Julie Klawitter indicated it would be nice to leave it natural. Alexander Stuart expressed concerns with the location of the proposed road (abuts his property).

**Motion:** A motion by Trites, second by Boyer to approve the Revised Plat (map dated June 16, 2004) with the following conditions: 1. Proposed Lot 7 is eliminated and becomes

part of proposed Lots 6 & 8. 2. The proposed road is shortened approximately 500' and the new cul-de-sac abuts the new proposed Lot 7. 3. No fill for lake access will be allowed (lake access is limited to above ground boardwalks). 4. Permits are required to remove emergent vegetation below the ordinary high water level. 5. The existing structures on Lot 1 must be removed prior to filing the final plat. 6. Lot 1 Block 1 will be considered a residential lot and Lot 1 Block 2 will be considered a nonresidential lot. Voting: All Members in favor, except Zimmerman abstained.

**“InterLaken” / Mike Vipond – Withdrawn:**

A Preliminary Plat titled "InterLaken" consisting of 19 Lots, 2 Blocks for Single Family Residential Use and a Conditional Use Permit Application *as stated by the Applicant*: To construct approximately 3,000 feet for the propose road for the Preliminary Plat of InterLaken. The propose dedicated road to be constructed to the minimum road standards of Appendix 3 of the Otter Tail County Subdivision Ordinance. The property is described as Pt GL 5, 6, 7 & 8 ...(55.87 AC), Section 22 of Dunn Township; Elbow Lake (56-774), NE/Franklin Lake (56-759), RD.

Bill Kalar read a letter, from Anderson Land Surveying, dated July 8, 2004, requesting withdrawal.

**Motion**: A motion by Estes, second by Maske to acknowledge the request for withdrawal.  
**Voting**: All Members in favor.

**Ahead of Schedule / Break**: At 9:15 P.M., the Commission took a 15 minute break.

**Chad Canton / Carie Strubbe – Approved With A Condition:**

A Conditional Use Permit Application *as stated by the Applicant*: Cut hill to create driveway and area for building site. Cut will be 45' wide by 85' in length, depth of cut 6' on road right-of-way tapering to 0' to the south. All spoils will be pushed to the south (as shown by arrows on drawing, / drawing is available for viewing at Land & Resource Mgt. Office.) The average depth of cut is 5'. Driveway will be 15' wide x 108' in length and will be covered with Class 5. Bank along lotline will be seeded to prevent erosion. Total cubic yds. 750 max. The property is described as : West Otter Shores Lot 1 Blk 1 & 2, not to be split, Section 31 of Candor Township; Otter Lake (56-577), NE.

Chad Canton represented the Application.

**Motion**: A motion by Schwartz, second by Maske to approve with the condition that the driveway is adjusted to allow for better vision. Note: The property is away from the lake and this appears to be a good plan. Voting: All Members in favor.

**Mark A. Wise – Approved As Presented:**

A Conditional Use Permit Application *as stated by the Applicant*: Four retaining walls will be built on the south and west sides of the home. Wall 1 will be made of retaining block and will be 4' high by 20' wide. Wall 2 will be made of stone and will be 3.5' high by 75' wide. Wall 3 will be made of stone and will be 3.5' high by 100' wide. Wall 4 will be made of stone and will be 2' high by 65' wide. All stone walls will be made from 15" to 24" diameter stone. The deepest cut will be 3' & deepest fill will be 2'. Maximum depth is 3'. Existing dirt will be used with 20 cubic yards of black dirt brought in for fill. The areas will be seeded with grass seed. The property is described as Pt GL 2 ...(known as Parcel C), Section 2 of Dead Lake Township; Marion Lake (56-243), GD.

Mark Wise represented the Application.

**Motion:** A motion by Sha, second by Maske to approve as presented. **Voting:** All Members in favor.

**Philip Douglas – Approved With A Condition:**

A Conditional Use Permit Application *as stated by the Applicant:* I want to build a road from 260<sup>th</sup> Ave. along south property line 33 ft. from fence line approx. 1200 – 1400 ft. and then it will angle northeast for approx. 350 – 500 ft. to top of hill (by gate), approx. 400 – 500 ft. from High Island Lake. Driveway will be 24' wide with about 16,000 cubic yds. of dirt moved. Cut area will follow contour of the land with a small cut approx. 660' from road (260<sup>th</sup> Ave.) with a culvert and fill from hills on both sides. Approx. 400' of project out of shoreline area. The property is described as Pt SW1/4 NW1/4 & Pt GL 4 ... (60.5 AC), Section 11 of Friberg Township; High Island Lake (56-697), NE/Heilberger Lake (56-695), RD.

Philip Douglas represented the Application.

Doug Everhart had questions and expressed concerns regarding the purpose of the road & indicated that he opposes it if the plan includes subdividing the land. Linda Kugler expressed concerns regarding the purpose of the road. Greg Kugler (Townboard Member) indicated that the Township has not been approached to take over the road. Jeanne Everhart questioned the use of the road (public or private).

**Motion:** A motion by Maske, second by Lachowitz to approve as presented with the condition that the Applicant & contractor meet onsite with Bill Kalar (Land & Resource Management), to review the need for culverts. **Voting:** All Members in favor.

**Adjourn:** A motion by Maske, second by Lachowitz to adjourn the Meeting at 10:25 P.M., the next Meeting is scheduled for July 21, 2004.

Respectfully submitted,

Marsha Bowman  
Recording Secretary