

CORINNA TOWNSHIP  
MINUTES  
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION  
February 13, 2018  
7:00 PM

Guck called meeting to order at 7:00pm on February 13, 2018

Board of Adjustment/Planning Commission Members Present: Barry Schultz, Trish Taylor, Larry Smith, Dick Naaktgeboren, Al Guck, Steve Niklaus, Ben Oleson (Zoning Administrator)

Absent: Bill Arendt

Others in Attendance: Jody & Linda Gueningsman, Jim & Deb Shadduck, Patrick O'Keefe, Jennifer Mrugala, Rick Blom, Bernie Miller, Bob Gruys, David Fitzsimmons, Bruce Prevost

Additions or Deletions to the Agenda; Taylor made a motion to approve the agenda. Naaktgeboren seconded the motion. Motion carried unanimously

**Public Hearings**

Variance to construct a dwelling with attached garage and porch approx. 24.6' from the top of a bluff (min. 30 ft required), 11.9 ft from the north property line (min. 15 ft required) and 14 feet from the south lot line (min. 15 ft required).

Applicant: Patrick and Dianne O'Keefe

Property address: 10351 State Hwy 24 NW, Annandale

Sec/Twp/Range: 9-121-27

Parcel number(s): 206000093202

**Present:** Patrick O'Keefe, Bruce Prevost, Bernie Miller

**Miller:** We have been working through this with Bruce and Pat. Pat had a house designer that came to us to see how we can fit a septic & house on the property. We looked at options on how to get the house in with driveway, septic, drainage, saving some trees etc. We looked at some options that he could do and decided on pursuing the variance.

**Oleson:** The variance is from the top of the bluff and some side yard setbacks too. The shaded/hash marks are the existing and the other is the new home. We have a set back to the bluff of 24.6 ft, minimum is 30ft and the side yard is 15ft that is required and we have 11.9 on one side which is matching the existing cabin, the other side is 14 ft to the covered porch, the house itself will meet it, it is just one portion of the porch on this side that does not meet the setback. They are proposing a new septic system. It is a fairly deep lot and goes all the out to highway 24. One question is with it being such a deep lot why not move it back further. There is just the one bump out that does not meet the setback the rest of the house does so you can have discussion around that. On the side yard is there a way to minimize the setback.

**Audience:** None

**Naaktgeboren:** Nice plan we don't usually get plans like that. Question on the footings for the posts do they count the same as the house footing for the setback?

**Oleson:** Yes we would measure to the footings or the actual deck.

**Naaktgeboren:** It would be nice if you cut back a little on the bump out. The other problem I see is that you have others that are closer than you are to the bluff, so I understand why you are asking.

**Miller:** I think as far as the setback; the house is designed and complete and part of it is the driveway, when they tried to design the house to work they did not realize that it was in the bluff and did not know exactly how it would fit in there.

**O'Keefe:** The purpose of that is the view of the lake with the other houses closer than we are we want to see the lake.

**Smith:** My concern is the bump out towards the bluff and would like to see you meet that setback. Side yard setback I am not so worried about.

**Schultz:** If you could at least meet the front of the porch, so moving it back about 2 feet. Square it off rather than having it bump out further.

**Guck:** I'm with everyone else on the front, just wondering about pulling the porch in a foot if that is possible. My main concern is the lake side and bluff.

**O'Keefe:** Then we would only be at 4ft deck after railing. Which would be tight.

**Guck:** How close is the neighbor to the lake?

**Miller:** You would have to look at their variance which was issued 3 years ago or so. If you look at this, there is 50 some feet that does not meet the setback. The main concern is erosion on the bluff and I did talk with Soil and water and they were fine with it. It does not drain towards the bluff it drains back to the south east. The bluff if you look at it, it barley meets the bluff criteria. If it was 6 inches lower it would not be a bluff.

**Taylor:** I would like to see the bump out back another couple of feet I do not have a problem with the side yard setback.

**Miller:** Would you be ok with the 27 feet? We are looking at making room for the driveway and keeping some of the trees.

**Taylor:** That would be better than the 24 ft.

**Niklaus:** When was the house to the west built?

**O'Keefe:** The addition was put on about 3-4 years ago.

**Niklaus:** I think it is a fairly modest request compared to where others are at. I would agree if you could do some small tweaks to come back a little and still get what you would like.

**Naaktgeboren:** Would you move the whole house back or just the bump out?

**Prevost:** We would be moving the whole house back.

Naaktgeboren made a motion to approve a Variance to construct a dwelling with attached garage and porch approx. 27' from the top of a bluff (min. 30 ft required), 11.9 ft from the north property line (min. 15 ft required) and 14 feet from the south lot line (min. 15 ft required) with the following conditions:

1. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences between any areas of disturbance (if there will be any) and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.
2. The applicant shall submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation and to allow adequate time for infiltration or other treatment of rainwater from the lot prior to it flowing onto

neighboring properties, the bluff and into the lake. These may include directing rain gutters to appropriate areas, rain barrels, establishing or maintaining a buffer of native vegetation along the shoreline, or other acceptable best management practices. Once approved, the plan should be implemented at the time of construction or within a reasonable time period after construction is completed and maintained indefinitely.

Taylor seconded the motion.

Oleson confirmed that they will still be able to meet the 14' side yard setback if they move it back.

Motion passed unanimously.

Variance to construct additions to the entry of an existing dwelling approx. 74 ft from Sugar Lake (min. 75 ft required) and an addition to the existing attached garage approx. 10 ft from the north (side) property line (min. 15 ft required). Additions are to an existing dwelling that is approx. 58 ft from Sugar Lake (min. 75 ft required). Building coverage to increase from approx. 18% to 19% (max. 15% allowed). Total impervious coverage to remain at approx. 34.5% (max. 25% allowed).

Applicant: Jody and Linda Gueningsman

Property address: 10465 Hollister Ave NW, Maple Lake

Sec/Twp/Range: 11-121-27

Parcel number(s): 206000114203, 206072000200 and 206000114208

**Present:** Jody & Linda Gueningsman

**Gueningsman:** We bought the property in July and have been looking at options of what we could do with the property. We had Ben out to meet with us to see what options we may have. The biggest thing that we decided to do was the foot entry and the foyer between the main entry and the garage. There is currently a slab that slopes back towards the house and leaks into the house where there is heavy rain. By moving the walls to the end of the slab it takes care of the issue and allows us to move the cutter system and re-route the water away from the house. There is a small porch roof that would go along the front entrance and moving the garage out four feet. The other thing we are not doing is increasing any impervious coverage. Everything is over existing concrete. The footings are already there.

**Oleson:** The variance issues are the side yard setback which would be within the 15ft set back, we do not have a survey so they are approximate. The additions would meet the setbacks. Outside of that the issues are the impervious and building coverage. Impervious is over the 25%. The buildings on the lot all were constructed prior to the current ordinances so it is a legal non-conforming lot. The building coverage is also over 15% and would increase. Even though the total impervious would not change the building coverage would change. Estimates existing is under 18% and 33% for impervious. Building coverage would change to approx. 19%. Not any closer than what they are currently.

**Audience:** None; Oleson indicated there were some comments that came in with concerns regarding taking out the concrete rather than adding coverage over the top. There were not any concerns from Soil and water.

**Niklaus:** I think you were cognizant of the storm water concern. Did the sellers disclose any water issues?

**Gueningsman:** No, and I'm not sure they were aware of the issue. We did not see any issue when we bought and until we had the heavy rains and wind there had not been an issue.

**Niklaus:** I think with only a 1% increase is tolerable. I cannot see requiring you to dig up the concrete.

**Gueningsman:** Part of us removing concrete has to do with the footings that are there for the garage and having to redo that.

**Taylor:** My big thing is the impervious coverage, it is almost 10% more than what is allowed. Is there some place that you can decrease? One thing we look at is finding ways decrease the impervious. Wondering if there is any way to decrease the driveway.

**Gueningsman:** The septic is to the left and it is already really tight for parking.

**Guck:** My biggest is the impervious and trying to decrease some of that. (Oleson pulled up pictures) I would like some reduction in the impervious.

**Schultz:** How wide is that sidewalk? Could that be cut down maybe even half?

**Naaktgeboren:** If you cut the sidewalk down to 4ft and cut the angle you will cut a lot of impervious out. That is a give an take for both sides.

**Schultz:** What are you going to with the steps?

**Gueningsman:** They will come and turn onto the existing pad.

**Smith:** If you can cut 280-300 sq ft concrete I would be good.

Taylor made a motion to approve the variance to construct additions to the entry of an existing dwelling approx. 74 ft from Sugar Lake (min. 75 ft required) and an addition to the existing attached garage approx. 10 ft from the north (side) property line (min. 15 ft required). Additions are to an existing dwelling that is approx. 58 ft from Sugar Lake (min. 75 ft required). Building coverage to increase from approx. 18% to 19% (max. 15% allowed). With the following conditions:

1. Total impervious coverage to be reduced by 300 sq feet.
2. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences between any areas of disturbance (if there will be any) and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.
3. The applicant shall submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation and to allow adequate time for infiltration or other treatment of rainwater from the lot prior to it flowing onto neighboring properties, the bluff and into the lake. These may include directing rain gutters to appropriate areas, rain barrels, establishing or maintaining a buffer of native vegetation along the shoreline, or other acceptable best management practices. Once approved, the plan should be implemented at the time of construction or within a reasonable time period after construction is completed and maintained indefinitely.
4. Recommend that a survey is done indicating total impervious and building coverage.

Naaktgeboren seconded the motion.

Oleson asked to confirm the 300 sq ft. indicating it will be hard to determine that. Could we do 1 ½ times impervious be removed? Also, since we do not have a survey can we state they can get no closer to the lake?

Taylor amended her motion to total impervious coverage to be reduced by 1 ½ times and no closer to the lake than they are currently.

Naaktgeboren seconded the motion. Motion carried unanimously.

Variance to construct a dwelling and tuck under garage addition approx. 41 ft and 50 ft from Cedar Lake (min. 75 ft required) to a dwelling that is currently 3 ft from a side lot line (min. 15 ft required).

Applicant: Michael and Jennifer Mrugala  
Property address: 6980 Ingram Ave NW, Maple Lake  
Sec/Twp/Range: 34-121-27  
Parcel number(s): 206069000011 and 206000341103

**Present:** Jennifer Mrugala (Michael by phone)

**Mrugala:** We bought property this past summer, it was a family property, the neighboring lot is additional family members. We are looking to expand the living space by adding an addition so that we could live on the property when we retire. We would like to build the addition in line with where the cabin sits currently. So we would need a variance.

**Oleson:** Variance is for the lake setbacks, it is on a peninsula so they have two sides. The closest is 41 ft and it is 50 ft on the other side. They have the survey, they are safely under impervious and building coverage so we are just dealing with the lake setback. The addition itself meets the side yard setback, however, the cabin itself does not. The deck is closer to the lake, the additions are further back.

**Audience:** None

**Schultz:** I am ok with it, they are not changing what they currently have.

**Oleson:** There are two parcels, however, we are treating them as one which may be part of the conditions.

**Smith:** This is a unique piece of property with the lake on two sides. I would like to see somehow it pulled back on one side. I'm not sure if there is a way to redesign it. I know the closest we have ever allowed is 37.5ft and we are getting very close to that.

**Mrugala:** Part of the problem is making it look right, even adding the same amount of space is going to make it difficult. The 40ft on the north side were not right on the water, there is a lot of bull rushes so there is a buffer.

**Smith:** Even if it looks further it is still only 40 - 41ft. I would like to see if we could get the 50ft closer to about 60ft I would feel better.

**Mrugala:** The reason for that was to get a two car garage and so that you could get out of the garage park there. There is a block structure to the east side.

**Smith:** Maybe we need to look at if you could bring it forward a little more.

**Oleson:** That would actually bring it closer to the lake.

**Mrugala:** Our septic is on the back side and there is a wall there so we could not build on that side of the house.

**Naaktgeboren:** Question on the septic, could the build right up next to where that wall is?

**Oleson:** Buildings are supposed to be 20ft from the drainfield, 10ft from the tanks. The ordinance allows for an administrative variance to be closer. I would check with the septic inspector to see if it would be ok.

**Naaktgeboren:** Can they come out alongside that wall to bring the addition over further away from the lake.

**Oleson:** There are two tanks and then comes to the drainfield that comes right up to the wall. If they were to come out closer to the retaining wall would bring them closer to the drainfield, therefore they would then need an administrative variance. Driveway goes along the retaining wall.

**Naaktgeboren:** Existing cabin is 40 – 41 ft and I am ok with that, however, can we go with a smaller garage like a 22ft garage then you would be about 56 – 58ft which is closer than you are allowed.

**Mrugala:** It's going to look a little strange so by imagery it's going to look like an afterthought.

**Naaktgeboren:** That may be the case but you I'm thinking you need to be further from the lake.

**Oleson:** The 60 feet is a Wright County, however, like you said this is a unusual lot.

**Mrugala:** I think if you look at the existing structure, our plan is improve and make it look better. With siding and guttering would improve the existing structure. The other part of the deal with the addition and roof lines we would be able to get all the water running south away from the lake with the driveway.

**Taylor:** I can live with the 41 because it's already there, I would like to see the other side closer to 60ft. I am ok with the 3ft on side lot line. The further away from the lake the better at least 56 – 58ft.

**Niklaus:** I agree with a high profile property. If you go with the 50ft you are setting a precedence that you will hear about for years to come.

**Taylor:** Another thing to note I would like to see the properties combined.

**Guck:** Have you considered going up on the footprint that is there.

**Mrugala:** My concern would be a tree that is there and we would like to keep as much of it on one level.

Schultz made a motion to table and come up with a plan that is more than 50 ft from the lake. Mrugala asked if they would agree to 56 or 58 ft and I would just have to conform to what you approve. With no second motion died.

Smith made a motion to approve variance to construct a dwelling and tuck under garage addition 41 ft and 58 ft from Cedar Lake (min. 75 ft required) to a dwelling that is currently 3 ft from a side lot line (min. 15 ft required). With the following conditions:

1. That the applicant must combine the two parcels into one and/or file a deed restriction tying the two lots together.
2. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences between any areas of disturbance (if there will be any) and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.
3. The applicant shall submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation and to allow adequate time for infiltration or other treatment of rainwater from the lot prior to it flowing onto neighboring properties, the bluff and into the lake. These may include directing rain gutters to appropriate areas, rain barrels, establishing or maintaining a buffer of native vegetation along the shoreline, or other acceptable best management practices. Once

approved, the plan should be implemented at the time of construction or within a reasonable time period after construction is completed and maintained indefinitely Schultz seconded the motion. Motion passed unanimously.

Preliminary plat for a two lot residential subdivision. Lots to be approx. 6.81 and 1.78 acres in size and approx. 306 and 157 ft in width.

Applicant: James Shadduck

Property address: 8873 State Hwy 24 NW, Annandale

Sec/Twp/Range: 21-121-27

Parcel number(s): 206000211200

**Present:** James Shadduck, Rick Blum, Deb Shadduck

**Shadduck:** Since last time we have the preliminary plat drawn up dividing the property for my brother and myself.

**Oleson:** Fairly straight forward it meets the minimum sizes. We did get some questions from MN Dot when they got the notice, however, I did not receive any feedback. Their main concern is with the driveway approaches.

**Shadduck:** At this time we are looking at using the same entrance that is currently there.

**Naaktgeboren:** Would MN Dot allow one?

**Oleson:** MN Dot would have the discretion to allow or not allow an entrance.

**Shadduck:** When we talked to them in the past, as long as we have a shared driveway they are not going to want more driveways coming out onto 24. I would rather keep the one access. There would be an easement for each lot.

**Oleson:** The only thing I noticed is the utility easements, the town board can weigh in on this if they need additional easements.

**Blum:** They do show utility easements 10ft along the road and 5 ft on each side of each side lot lines.

**Niklaus:** What is the small piece that is on the other side of Hwy 24?

**Shadduck:** It is a small piece that could be attached to one of the properties on the other side.

**Oleson:** This would be approving the split of two lots. You could ask that the orphan piece be attached to something if you want.

Taylor made a motion to recommend approval of the Preliminary Plat/Conditional Use for two lot residential subdivisions. Lots to be approx. 6.81 and 1.78 acres in size and approx. 306 and 157ft in width. With the following conditions:

1. That the applicant provides utility easements as follows: 10 feet along the Highway 24 right of way and 5 feet along all side lot lines.
2. That the applicant must attach the remainder of the parcel to be platted (on the south side of Highway 24) to Parcel 206-000-211205 such that the new combined parcel is considered one lot for the purposes of sale or development.

Schultz seconded the motion. Motion carried unanimously.

Smith made a motion to approve the January 9, 2018 meeting minutes. Schultz seconded the motion. Motion passed unanimously.

Zoning Administrator's Report

Permits

Correspondence

Enforcement Actions

Findings of Fact - Previous PC/BOA Decisions

**Oleson:** only thing I have is something that came up today. There is a garage that is within the road set back. They are asking about adding on to the back of the garage. The question is do they need a variance. The board felt that yes it would need a variance since they are adding on to a building that is not meeting the setbacks.

Other Business

Discussion - Erosion protection requirements and enforcement

Review of previously granted variance requests (if time allows)

Smith made a motion to adjourn. Schultz seconded the motion. Motion approved unanimously at 8:50pm.