

CORINNA TOWNSHIP
Minutes
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
August 15, 2018
7:00 PM

Smith called meeting to order at 7:00pm on August 15, 2018

Board of Adjustment/Planning Commission Members Present: Larry Smith, Dick Naaktgeboren, Steve Niklaus, Bill Arendt, Ben Oleson (Zoning Administrator)

Absent: Barry Schultz, Trish Taylor, Al Guck

Others in Attendance: Julie & Bret Gohman, Scott Mavencamp, Conor McGrath, Jeremy & Bria Banker, Lisa & Terry Hjort

Additions or Deletions to the Agenda; Niklaus made a motion to approve the agenda. Arendt seconded the motion. Motion approved unanimously

Public Hearings

Variance to construct a lower level addition to an existing dwelling located approximately 40 feet from Bass Lake (min. 75 ft required).

Applicant: Jeremy and Bria Banken

Property address: 11310 Klever Ave NW, Annandale

Sec/Twp/Range: 5-121-27

Parcel number(s): 206016000011

Present: Jeremy & Bria Banken

Banken: We bought about two years ago. We currently have a retaining a wall that is rotting out when we started at replacing that and for virtually the same cost we could raise the home and go from a crawl space to having a basement. We are not increasing any hard cover just going straight up.

Oleson: We have a Survey from 2016. This is existing house they want to raise, the lake setback is primary issue. There was a variance granted for the porch then 15ft to the side yard, however, it looks like porch did end up meeting the 15ft. The existing house does look to be a little closer than the 15ft to the side yard, however, will not change. That is the two issues. When I added where they were at for impervious I was at about 29% however, one of the driveways was removed and grass put down so they are now under 25%. Looks like there is a permanent easement for the driveway. Another comment from the DNR to make sure the lowest floor meets the DNR elevation.

Audience: None

Arendt: When I was out there you have three sheds, the one has an A/C, does someone live there? Also, one has a hose running to it what is that for?

Banken: One is a bunk house so when we have extra company the other is an outhouse that was there when we bought it.

Arendt: Ben just to confirm they are under impervious?

Oleson: That is one of my conditions I listed to get a survey to verify that.

Arendt: My biggest items is making sure it is under 25% impervious.

Niklaus: The retaining wall still need to be replaced?

Banken: With the foundation we would not need a retaining wall anymore.

Niklaus: Ben you referenced the side yard setback, are you comfortable with that?

Oleson: The back is close to 15ft, to me it is close where it does not seem to be a big issue.

Naaktgeboren: How much fill will be brought in on the road side?

Banken: The grade will stay the same, it will stay the same as the retaining wall.

Naaktgeboren: Will the foundation handle a two story and is that something that should be looked at ahead of time?

Oleson: It depends if you feel that it will not support it and if so would you require them to move the home back? There is an issue with the septic system behind that house that may stop them from moving it back.

Naaktgeboren: Do we know is the septic is good?

Banken: It was inspected when we bought it less than two years ago.

Naaktgeboren: As far as the elevation has to meet the DNR requirements and meet the 25% impervious. Make sure also that there is something in writing regarding the driveway. As far as where it is sitting right now I do not have an issue with it.

Smith: A lot of the questions I had were answered, I too want to make sure we are under the 25% impervious and making sure you are using extra care with erosion control by the lake.

Niklaus: Going back to the engineering is that our jurisdiction or just good advice.

Smith: Just good advice and the building inspectors would look at that.

Niklaus made a motion to approve a variance to construct a lower level addition to an existing dwelling located approximately 40 feet from Bass Lake (min. 75 ft required). With the following conditions:

1. That the lowest floor of the new basement be elevated to meet an elevation of at least 1000.1 (NAVD88).
2. That total impervious coverage be brought to no greater than 25% (this may already be the case, but may need to be verified with an as-built survey).
3. 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.
4. 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 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.

Naaktgeboren seconded the motion. Motion approved unanimously.

Variance to rebuild the existing roof and construct a new attached garage/upper level dwelling addition to an existing dwelling located approximately 13 feet from the top of a bluff (min. 30 ft required). The addition itself will meet the required bluff setback.

Applicant: Bret and Julie Gohman

Property address: 10527 Kimball Ave NW, Annandale

Sec/Twp/Range: 8-121-27

Parcel number(s): 206093000210

Present: Bret & Julie Gohman

Gohman: We have owned property for four years. It is an odd property where it is a reverse walkout with the walkout towards the road not the lake. At one time it had a tuck under garage which was enclosed by one of the previous owners. It is a year round home for us so we would like an attached garage. The idea is to minimize the impact of the non-conforming structure by doing the work towards the road not the lake side. We would like to redo the roof line on the main portion of the house with a little sag in the roof. The only thing that is non-conforming is the roof line as that is on the lake side. We are not planning on any additional bedroom spaces, moving the one from the lower level and moving it to the upper level. We do not have construction drawings yet. The plan is to see if we can proceed then get a contractor to work on the plans.

Oleson: The variance is for the setback is the bluff with the existing building, the garage itself would meet the setback, however, the roof change would be in the bluff setback. They do have plenty of room so no impervious issues.

Audience: None

Niklaus: I do not see any issues on this one with Ben's recommendations.

Naaktgeboren: Just making sure water from the bluff side runs back towards the road. I do not have an issue.

Smith: My biggest concern is the pitch of the roof, I would like to see more detail, and have better idea with a detailed plan before I give me a blessing.

Gohman: I am thinking a 6/12 pitch.

Smith: I don't mind a 6/12 I don't want to see anything bigger than that and just making sure the garage is not oversized.

Gohman: We are going to keep it short due to issues with the slope and limiting the amount of steps.

Arendt: I share Dick's concerns with making sure the water is coming away from the lake/bluff.

Gohman: We will be putting gutters & downspouts and directing them back.

Smith: I would like a condition that no greater than 6/12 pitch.

Gohman: Is this due to the lake side?

Smith: Yes and when you get wider it gets a larger pitch.

Naaktgeboren approved a Variance to rebuild the existing roof and construct a new attached garage/upper level dwelling addition to an existing dwelling located approximately 13 feet

from the top of a bluff (min. 30 ft required). The addition itself will meet the required bluff setback 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 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.
3. The maximum roof pitch on the bluff/lake side of the home shall be 6/12

Gohman: I have one question, if we find that there is so much work to be done that it would be better to tear down and rebuild can we do that in the same spot we are in?

Oleson: It would be in the same footprint and size as what we are approving tonight. That is the state law, as long as they do not expand any more that what has been approved.

Niklaus seconded the motion. Motion carried unanimously.

Variance to construct a 12' x 20' storage building approximately 60 feet from Mink Lake (min. 100 ft required).

Applicant: John Jones

Property address: None

Sec/Twp/Range: 24-121-27

Parcel number(s): 206000244302

Present: John Jones

Jones: IT is 60 - 70 ft from the lake. I was in a few months ago to build a house and was approved. It is an undersized lot. I am back to see if I can put a shed on it on top of the hill 60-70ft from the lake, it is a steep hill. It does meet the side yard and road setback. It is under the 250 sq ft guidelines. Looking for something to put mowers in

Oleson: So lake set back is the only issue, the impervious is fine. You already approved the other variances. So it is just the shed. We did look at this and the ordinance does allow for water accessory structure, however, this one does not meet the height restriction.

Jones: Part of the reason was to keep it up by the house and not down by the lake.

Audience: None

Naaktgeboren: Are they over or under the 25%? What kind of foundation?

Oleson: When I first did the calculations I figured it wrong, he is under at about 15%.

Jones: I am thinking just on posts with timbers, I would like a slab under if we can.

Naaktgeboren: you should be able too, just back sure you are not too close to the slope going down, may have to move it back a little.

Niklaus: Are you going to construct or move it in. How tall is it?

Jones: I am buying and moving it in, it has 8ft side walls with 10ft peek.

Arendt: I am fine with it. Ben why are you saying that if we approved he could not have a water accessory structure?

Oleson: I just added that for discussion, you could list that as a condition, as it stands he could still have a water accessory structure in the future.

Smith: I am fine with it.

Arendt made the motion to approve Variance to construct a 12' x 20' storage building approximately 60 feet from Mink Lake (min. 100 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 include in the permanent stormwater management plan required by the June 2018 variance approval treatment of water running off the proposed shed.

Smith seconded the motion. Motion approved unanimously.

Variance to construct an overhead sign with a height of approximately 15'8" (max. 15 ft allowed), size of up to 50 square feet (max. 32 sq ft allowed) and a road right-of-way setback of approximately 12 feet (min. 30 feet required).

Applicant: True Friends

Property address: 8135 County Road 7 NW, Maple Lake

Sec/Twp/Range: 23-121-27

Parcel number(s): 206000233201

Present: Conor McGrath

McGrath: Looking at constructing of new overhead sign. We have been working with planning and zoning on what is needed for the construction of the sign. The reason for the height has to do with fire trucks needing to get in and out. It is closer to the road, however, it would be in the same location that it is currently located.

Oleson: Not too much else to say it is within the road setback and it exceeds height requirement.

Audience: None

Arendt: My concern is that the existing sign is a lot smaller. I think for the size of the sign is too close to the road it should go back more.

McGrath: The existing sign lettering is actually larger.

Arendt: This sign is larger and raised it should go back more.

Naaktgeboren: Has there been talk with the county for turn lanes coming in, that would be one reason that you may want to move that back in case that does happen. I do see you would have to take a few trees if you move it back. I guess I do not have a problem with it.

Smith: I know we went to some planning meetings with the county and there was talk about County Road 7 having some work done and they did talk about a possible turn lane. Not sure if they will do that but it may be valuable to move it back and not have to do it at a later date.

McGrath: We can only go back as far as the power pole.

Naaktgeboren: Maybe not 30ft but you may want to go back some.

Niklaus: When you planning on starting?

McGrath: We are hoping to get it done this year, we are working with the building inspector.

Niklaus: I understand why you are asking for the variance since having it back further may be harder to see.

Oleson: usually road setbacks are not to cloud the sight visually - part of it would the height and blow into.....

Smith: Maybe we could get back to maybe 20ft? Maybe it would it be wise to see what the county would need for a setback.

Oleson: Usually the set back from the road is not to cloud the visibility from the road and possibly when it is tall making sure it does not fall on the road.

Niklaus made a motion to approve variance to construct an overhead sign with a height of approximately 15'8" (max. 15 ft allowed) and a road right-of-way setback of approximately 20 feet (min. 30 feet required).

Arendt seconded the motion. Motion approved unanimously.

Variance to create a 5 acre lot (max. 2.5 acres allowed) in a General Agricultural zoning district.

Applicant: Scott and Sarah Mavencamp

Property address: None

Sec/Twp/Range: 26-121-27

Parcel number(s): 206000264101

Present: Scott Mavencamp

Mavencamp: We are asking for 5 acres. We bought 2.5 acres already and would like to buy another 2.5 acres. We would like to eventually build a shed and to do that I will need 5 acres. We plan on still having Tom Segner farm about 2 acres of it, and do a garden.

Oleson: The reason for the request is that the ordinance in the Ag. District when it is considered prime Ag land the maximum lot size is 2.5 acres. He is asking to expand it to the 5 acres. Like I said in the staff recommendations in other cases we have required that the buildings be constructed in the 2.5 acre area. The county initially had some concerns with the septic location.

Mavencamp: We needed to stay 10ft back from the property to the East with the downslope would be within 2 ft of the setback. It is going to be a mound and will be filled to the top of the mound it slopes down on the southeast corner.

Audience: None

Mavencamp: The absorption area would need stay back 10 ft and it will meet that.

Naaktgeboren: Where is the shed going to be?

Mavencamp: It will be on the west side of the house. Not sure yet until the final grade is done on the house.

Naaktgeboren: Where would they still farm?

Mavencamp: He will 60-70 ft from the west end and then on the south side.

Naaktgeboren: One reason that we like the 2.5 acres is because after time it does not get mowed and becomes an issue. I like the condition to have everything within the 2.5 acres.

Niklaus: The current requirement is to protect Ag land correct?

Oleson: Right, the idea is that it is not taking productive Ag. Land.

Niklaus: I'm ok

Arendt: When you began this, you said you would still farm about 2 acres so you would have 3 acres for the house and shed.

Oleson: When I wrote that condition regarding 2.5 acres it is any 2.5 acres not necessarily the same 2.5 acres that he now has. The extra ½ acres could be garden, etc just not buildings.

Smith: I would like to see it within the original 2.5 acres for buildings which makes it cleaner.

Arendt made a motion to approve variance to create a 5 acre lot (max. 2.5 acres allowed) in a General Agricultural zoning district with the following condition:

1. That no buildings or other permanent structures be placed or constructed except in a maximum 2.5 acre area of the parcel within a contiguous 2.5 acre area of the property that minimizes the loss of land which could potentially be farmed.

Naaktgeboren seconded the motion. Motion approved unanimously.

Niklaus made a motion to approve the June 12, 2018 & July 10, 2018 meeting minutes.

Naaktgeboren seconded the motion. Motion approved unanimously.

Zoning Administrator's Report

Permits - no discussion

Correspondence - no discussion

Enforcement Actions - no discussion

Findings of Fact - Previous PC/BOA Decisions - no discussion

Other Business: Terry & Lisa Hjort: I own a property on 8260 Isaak Ave, Cedar Lake. We bought last year. They had an existing variance to put a shed on the back lot. I would like to do that just not sure I want it exactly how approved. We are looking at starting from scratch, and we want to know what we need to have, my understanding is we can have up to 15% for building & 25% for all impervious coverage.

Oleson: They asked for a variance for something larger than 800 sq ft and were denied. 800 sq ft is the maximum garage for that size lot.

Hjort: We were wondering about having the driveway come in from the other side since the way they had it would be a tight turn, so would like the doors facing Irvine. Where the back of the garage was shown there would be a lot of fill so if I move over more to the center of the lot there would not be as much fill.

Oleson: 800 sq ft is firm, with maximum 12ft side wall, maximum 6/12 pitch if second level no more than 6ft ceiling height. Initially when you talked about sliding it over, I was not sure if it was approved for the specific location or not with the concern of drainage in that area.

Smith: We have looked putting ditches or culverts in, however, there has been a lot of push back since there is no room in that area.

Oleson: Do they have some movement to slide it if they meet the setbacks that were approved? After discussion by the board as long as they are not going beyond what was approved as far as setbacks they do not need additional approval.

Hjort: Can we start taking trees and get some fill in for pads, do we need a permit for that.

Oleson: As long as you're not going beyond what you need for the garage you do not need any additional permits.

Niklaus made a motion to adjourn. Naaktgeboren seconded the motion. Motion approved unanimously at 8:30 pm