

CORINNA TOWNSHIP
AGENDA
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
October 9, 2018
7:00 PM

Guck called meeting to order at 7:00pm on October 9, 2018

Board of Adjustment/Planning Commission Members Present: Al Guck, Trish Taylor, Steve Niklaus, Bill Arendt, Ben Oleson (Zoning Administrator)

Absent: Barry Schultz, Larry Smith, Dick Naaktgeboren

Others in Attendance: Bonnie Peterson, Kyle Peterson, Mark Peterson, Kris Porter, Ann Porter, Jeremy Banken, Al Dubbeldee, Debs Dubbeldee, Darwin Hoffman, Jane Hurley, Hannah Zieska, Vicki Zieska, John & Bonnie Sadergaski, Westin & Wendy Nelson, Tom Denny Wayne Lindberg, Ben & Trisha Rivers

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

Public Hearings

~~APPLICATION WITHDRAWN BY APPLICANT. Requests related to the placement of an existing 12' x 30' garage on the property. Approvals required include a conditional use permit for the permanent relocation of a building in a residential areas.~~

- ~~i. Applicant: Tim Hayes.~~
- ~~ii. Property address: 8824 Ingram Ave NW, Annandale.~~
- ~~iii. Sect-Twp-Range: 22-121-27.~~
- ~~iv. Parcel number(s): 206023001050.~~

(Tabled from September 11, 2018 meeting) Requests related to the construction of an entryway and attached garage with living space above to replace an existing detached garage. Approvals required include variances to construct additions to an existing dwelling located approx. 27 ft (min. 75 ft required) from Clearwater Lake (additions themselves to be approx. 56.7 ft from the lake) and 4 ft from a side property line (min. 15 ft required). Structure to be constructed without fill to the required flood elevation at least 15 feet in all directions.

Applicant: Jim and Laurie Muehlbauer
Property address: 11171 107th St NW, Annandale
Sect-Twp-Range: 7-121-27
Parcel number(s): 206034000100

Present: Darwin Hoffman

Hoffman: Last month we were here and we were asked to move it 4 ft more off the property line and that is what we did.

Audience: None

Oleson: Like he said last time it was 8 ft from the property line, it was requested that he move it 4 ft further from the property line and that is what they did. The variance is for the addition with a lofted area above the garage.

Taylor: I am good with the 12ft, I just could not go with the 8ft. Nothing else has been changed?

Hoffman: We moved the garage over and narrowed it.

Arendt: I am fine with it, they did what we asked.

Niklaus: I am fine with it, looks like it requires a septic upgrade, and monitoring. Who does that?

Oleson: When you get into the type 3 or type 4 it requires monitoring. Bernie Miller is one person that does that.

Guck: I do not see an issue with it.

Arendt made a motion to approve Variances to construct additions to an existing dwelling located approx. 27 ft (min. 75 ft required) from Clearwater Lake (additions themselves to be approx. 56.7 ft from the lake) and 12 ft from a side property line (min. 15 ft required). Structure to be constructed without fill to the required flood elevation at least 15 feet in all directions 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.

Niklaus seconded the motion. Motion approved unanimously.

Requests related to the replacing of an existing 20' x 32' dwelling with a new 28' x 36' dwelling. Approvals required include variances to construct a dwelling approx. 46 feet from Cedar Lake (min. 75 ft required), 11.7 and 13.8 ft from side lot lines (min. 15 ft required) and 64 feet from the centerline of a township road (min. 75 ft required).

Applicant: John and Bonnie Sadergaski

Property address: 8032 Irvine Ave NW, Annandale

Sect-Twp-Range: 22-121-27
Parcel number(s): 206076000100

Present: John & Bonnie Sadergaski

John Sadergaski: We would like to move out the cabin & build a retirement home.

Bonnie Sadergaski: We would be going with a two bedroom home which is the same as what the cabin is now. It would have one on the main level which is a slab on grade and then a loft upstairs for the second bedroom. Septic was updated two years ago.

Audience: none

Oleson: We did have the survey that was submitted, the purple is where the new home will go which is about 6ft further back from the old, green is old, screen porch out front would be removed and the pavers on the side would be removed. Their impervious is fine, the variance is for the setbacks to the sides, the road, and the lake. It is a fairly small lot, there is two story to the north and a single story to the south, the proposal is a lofted second story. It is pretty flat towards the lake. The sewer is across the road.

Taylor: I take it where the purple is where the house is going to be?

Oleson: Yes

Taylor: On the survey it says that the old home is 9.8ft?

Oleson: That is the screen porch. Existing home is 13.8 ft to on one side and 8.4 ft on the other. The new home will be 13.8 ft on one side and 11.7 ft on the other.

Oleson: I had one call about side yard, however, nothing was submitted. The new house is going to be further than the current cabin is now.

Taylor: I do not have a whole lot more, would like to see an updated survey to show the exact location of new home. I can live with the setbacks that you are proposing.

Arendt: It seems it will be pretty similar to what is going on in the neighborhood. I am fine with it.

Niklaus: I am fine with it, nice design.

Guck: I like that you are pulling it back from the lake, the side yard you are doing better than it was. It looks like a nice home.

Niklaus made a motion to approve variances to construct a dwelling approx. 49 feet from Cedar Lake (min. 75 ft required), 11 and 13.8 ft from side lot lines (min. 15 ft required) and 56 feet from the centerline of a township road (min. 65 ft required) with the following conditions:

1. That the applicant provides an updated survey to indicate the actual approved location of the home.
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 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.

Arendt seconded the motion. Motion approved unanimously.

Requests related to the construction of a 16' x 16' water-oriented accessory structure. Approvals required include a variance to construct a building within a bluff (min. 30 ft setback required) and with a building height of 12 feet (max. 10 feet allowed).

Applicant: Al and Debs Dubbeldee

Property address: 11747 89th St NW, Annandale

Sect-Twp-Range: 19-121-27

Parcel number(s): 206062000010

Present: Al & Debs Dubbeldee

Dubbeldee: We have been approved for the rip/rap on the shore line & to replace the steps that are currently there. The shed is for storage at the lake. As you can see the neighbors have one, and the other side is an empty lot. There is a natural flat spot that we would hope to put the shed. Neither neighbor would see the structure and both neighbors are both ok with it. We would be able to store the dock in there during the winter. The variance in size is something we could possibly give up, but the height, it is a hip roof and it meets it on all four sides, there is just one spot that does not meet height. We have been working with NCRS in Buffalo for plantings in the bluff area.

Audience: None

Oleson: There are three different variances here, one is building within a bluff, more commonly that is the top of the bluff, and they are putting this at the bottom. The other one is the size, the general size is 250 sq ft however, on General Development Lakes like Pleasant there is some allowance to up to 400 sq ft. Then there is the height which is measured to the peak of the roof to the floor. As they did mention there are some other things on the drawing being done that can be approve administratively, I did get a few notes from the DNR to make sure you are meeting their requirements also, I will give you that information. As you can see it does flatten out a little bit at the bottom. I did not find a record of the neighbor shed, so I am thinking it may have been there before zoning.

Niklaus: The shed you're looking at what type of floor you are putting in?

Dubbeldee: Not sure yet.

Niklaus: Can you tell me more about the 400ft exception?

Oleson: Any General Development Lake, which is Pleasant, if they are used solely for watercraft storage it can go up to 400 sq ft. with a maximum width of 20ft. I did not include that as one of the variances.

Niklaus: My concern is that anything we approve with you we allow with others. Could they build two?

Oleson: They are only allowed one.

Niklaus: My only concern is with the bluff. How significant is that?

Oleson: Normally it has to do more with the top of the bluff, so less of a concern at the bottom, but still some concern if digging into the bottom of the bluff.

Niklaus: So maybe with the concrete it could have more of a disruption.

Arendt: I have an issue with it in the bluff, as far as what Ben was saying it is mitigated at the bottom. We do have height issue so I would like to see the maximum of 10ft.

Taylor: Ben what does the DNR have to say about building into the bluff.

Oleson: No comment from them DNR other than the rip/rap. We do get these rules from the DNR regarding building in a bluff, they do allow for a stairways and landings in a bluff.

Taylor: Do you really need it 12 ft in height?

Dubbeldee: Yes, we went through the staff findings and feel that we can meet those findings, it not affecting the environmental area, it is unique to the property, it meets the character of the area.

Taylor: How will you get everything down there to build it?

Dubbeldee: We will be carrying it down the stairway one 2x4 at a time. We plan on working on it ourselves.

Taylor: I still have an issue with the bluff and I would rather see it at 10ft. And again it is for storage only. With the bluff, everything should be done to make sure that bluff is stabilized. Do you know how much you will be digging into the bluff?

Oleson: There are no specific plans on how far or if they would have to dig into the bluff.

Guck: How tall is the knee wall is in the back?

Dubbeldee: 4ft and it would be done by a contractor.

Guck: I would like it to stay within the 10ft in height, however, it is nice that it is a hip roof with only the one point higher. What are the side walls?

Dubbeldee: The door is 84" high.

Guck: It looks like you will be into that hill quite a bit, I would like to see how far it will go.

Taylor: My other question is will a 4ft retaining wall hold it?

Oleson: Once you go over 4ft it has to meet building code requirements.

Taylor: I would like to see more information as to how far you will be back into the bluff, I am looking at if something gives way and now that building goes down. My main concern is building into the bluff and the stability. I can live it with it but would like to see it at 10.

Niklaus: I am looking at what we are allowing for height in the future.

Guck: I do not see an issue with the height.

Oleson: I would like to explain recommendation number one on the window opening, that us to do when you go above 250-400 it is supposed to be for storage only. They are only going 6ft above the 250 so not much of a concern, but that is why it was added.

Niklaus made a motion to table to get more information on erosion control, type of floor, and how far back into the bluff you will be going.

Arendt seconded the motion. Motion approved unanimously.

Requests related to the adjustment of the lot line between adjacent parcels. Approvals required include a lot line adjustment that would transfer of one property to another to eliminate or reduce a building and a driveway encroachment and a variance for the property that would have a reduced lot size to further exceed lot coverage limits (the lot already exceeds lot coverage limits).

Applicant: Jeremy Banken/Virginia Kobe
Property address: 11326 Klever Ave NW, Annandale
Sect-Twp-Range: 05-121-27
Parcel number(s): 206016000011, 206016000012, 206016000010,
206000054200, 206013000091 and 206000053105

Present: Jeremy Banken

Banken: I bought two years ago, Ms. Kobe has passed away and so I reached out to the trustee about getting my boat house on my property before it is sold again. The surveys were being done and felt it was a good time we could get things cleaned up.

Audience: None

Oleson: So lot line adjustment, the line would move slightly so the boat house would be entirely on Banken property. The only real issue is that the Kobe property was significantly over impervious, they were granted a variance a few years ago and one of the conditions was that they hand to come down in impervious coverage, which they did. However, technically they would be losing some land, so it would increase them to be over 25% again. It is not going to change anything on the ground since the boat house is already there, but it would technically increase their coverage. Other than that it is correcting some issue with encroachments of driveways and boat house.

Niklaus: Has this been talked about in the past?

Banken: Only owned the property for two years so I am not sure.

Niklaus: Do we know if they are aware of the impervious coverage or is that our concern?

Oleson: On a technical aspect you're creating an impervious situation with the approval. However, it is not changing anything on the ground.

Arendt: The amount that is going from Kobe to Banken is such a small piece.

Guck: I do not see an issue with it

Taylor: I do not see an issue with it as long as they both stay as close as they can to the 25% knowing that Kobe will be slightly over. Kobe cannot add any additional impervious coverage.

Arendt: I'm fine with it.

Taylor made a motion to approve Lot line adjustment that would transfer portions of one property to another to eliminate or reduce a building and a driveway encroachment and a variance for the property that would have a reduced lot size to further exceed lot coverage limits (the lot already exceeds lot coverage limits) with the following conditions:

1. That no additional impervious coverage shall be allowed on the Kobe parcels, except in accordance with limits of the Township ordinances.
 2. That the Township shall be provided information from a licensed surveyor indicating what the total square feet will be for both lots once the lot line adjustment is completed.
- Niklaus seconded the motion. Motion passed unanimously.

Request to rezone an approx. one acre portion of property from R2a – Suburban Residential (a) to AG – General Agriculture. Rezoned area would be combined with adjacent parcel already zoned AG.

Applicant: Hannah Zieska

Property Owner: Ben and Trisha Rivers

Property address: 11733 County Road 7 NW, Maple Lake
Sect-Twp-Range: 1-121-27
Parcel number(s): 206000011403

Present: Hannah Ziska & Ben Rivers

Rivers: We would like to sell an acre of our property to our neighbor.

Ziska: We would like to add an acre to ours and we are currently zoned Agriculture.

Audience: None

Oleson: (pulled up map showing the zoning districts) The Rivers property is zoned R2a and the minimum lot size is 2.5 acres so it did not make sense rezoning Ziska's. In talking with the county they also felt that having the one acre rezoned to AG was the way to go. Your approving the Re-zoning which will have to go through the county as well.

Taylor: I do not have an issue with it going back to AG.

Arendt: I am fine.

Niklaus: Fine.

Guck: I do not have an issue.

Taylor made a motion to recommend approval to rezone an approx. one acre portion of property from R2a - Suburban Residential (a) to AG - General Agriculture.

Arendt seconded the motion. Motion approved unanimously.

Requests related to the construction of a 28' x 40' pole shed. Approvals required include variances to construct an accessory building approx. 90 ft from Somers Lake (min. 100 ft required) and approx. 45 feet from the centerline of a Township road (min. 65 ft required) and to result in approx. 1744 sq ft of detached accessory building (max. 1600 sq ft allowed).

Applicant: Kris Porter

Property address: 6387 80th St NW, Maple Lake

Sect-Twp-Range: 25-121-27

Parcel number(s): 206017003080

Present: Kris Porter

Porter: I would like to build a pole shed on my extra lot on the Somers Lake. It used to be a separate lot with a house, the house is gone and we have combined the lots. This type of building is not out of character for this area and better than having just laying around. It would be used for storage.

Oleson: In your report I did not have the survey, however, we do have one now. The distances are a little different than I had originally. I had about 90ft from the lake they are showing about 83ft, hey are keeping it 20ft from the right of way line which is something we try to keep to and 50 ft from the right of way. Those are the two setback issues. If he was to keep all buildings he has now with the new shed he would be over his limit for accessory buildings, but not by a whole lot. If he removed a 12x12 shed he would be within his limits.

Porter: It is used for the tables in the winter time.

Audience: None

Oleson: We received three e-mailed comments. They all were concerned on the size and look of the building and if being used for business/auto repair.

Taylor: A lot of the emails indicate that you are using for a business?

Porter: It is being used for cold storage. I have no plans to do work from my home.

Taylor: what type of floor?

Porter: None at this time.

Taylor: I am concerned about the size and being over the accessory building limit. Unless you want to eliminate that other shed.

Oleson: It would be about 90 sq ft over. So it is over the 1600 that is allowed. The pole shed itself he is meeting the allowance for any one building, however, he is not meeting it for all sheds combined. So the limit is related to the total of detached buildings.

Taylor: I would like to see better drawings of the shed plans.

Porter: I submitted the shed plans.

Guck: My concern is where the water is going to go when it rains. Other than that I do not have an issue with it. Maybe do gutters to make sure you do not have runoff to the neighboring property.

Porter: I can put gutters on and the property is sloped my way.

Arendt: So the water would go towards your house?

Porter: Somewhat, it will not go towards them since it goes up towards their house.

Niklaus: I think the location is good, it is not an eye sore, so I think gutters would be good to control the water. I do think we need to meet the 1600 for detached buildings.

Arendt: I would like to see the little shed removed to we meet the 1600 sq ft. and the new shed have gutters.

Taylor: The only thing I want to see is that the pole shed not be used for any business.

Taylor made a motion to approve variances to construct an accessory building approx. 82.8 ft from Somers Lake (min. 100 ft required) and approx. 50 feet from the centerline of a Township road (min. 65 ft required) with the following conditions:

1. That the accessory building coverage on the lot may not exceed the allowed 1,600 sq ft.
2. That the setback to the road surface be at least 20 feet.
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.

Arendt seconded the motion. Motion passed unanimously.

Approve Previous Meeting Minutes of September 11, 2018 were tabled.

Zoning Administrator's Report

Permits

Correspondence

Enforcement Actions

Findings of Fact - Previous PC/BOA Decisions

Other Business: Last month we talked about Westin Nelson's CUP on 108th street, Clearwater Lake. We were talking about if they need to come back in if they go over what was granted in the previous CUP. When listening back to my audio on that I think I gave you some wrong numbers for how much they were approved for. I had mentioned 3500 and I'm not sure where that came from, as I looked back their approval was for 500 cubic yards and they estimated they are at about 600 right now and will need more.

Nelson: When we came before you guys for the variance and CUP we had Bernie Miller do some estimates on what we thought we would need, using what we would have with digging the basement and fill on the property already, his initial thought was about 500 yards. The house that was there left a very big hole and we did not get as much out of the ground as we thought we would. So right now we are at about 550-600 yards of fill, the original plan was to have two driveways, as we have been building and looking at it we thought it would be nice to not break out to 108th and bring the driveway back around and only have one driveway. So we figure to finish the drive way as proposed originally I am figuring about 518 yards. To circle back and connect to our existing driveway would be about an additional 140 yds and to finish the landscaping/grading about 200 yards more.

Taylor: So what is the total that you are looking at?

Nelson: I would say about 1000 yards.

Oleson: So the question today is would you be ok approving this as an amendment without going through another public hearing.

Niklaus: Can you explain the challenge with this?

Oleson: Anything over 50 cubic yards requires a CUP. The question is how you hold people to a number, things come up or landscaping changes. They were granted 500 cu. yds, now we are looking at an additional 1000 cu. yds. When we look at these things we look at how is it going to affect the neighbors, lake, and road. Most of the drainage is away from the lake. Some of it does go towards the neighbor, however, it currently slopes that way.

Niklaus: Are these things being done professionally?

Nelson: The work has been done by a contractor/landscaper.

Guck: Where is the water going to go?

Nelson: We were told to make sure the water goes across the road and we have made sure that it continues to go across the road and have put in a culvert between us and the neighbor and under the driveway. We have made sure we kept the water going in the same direction.

Dearing: I think they need another CUP if they are going that far over. I think the neighbors have a right to know that there is a change.

Guck: That is a concern for me also, the neighbors should have a right to know.

Nelson: I don't think anyone will wonder what is being done, if you go by our house you can see we are 2ft short to get into the garage.

Oleson: What were you hoping to get done this fall?

Nelson: My main concern is to get the driveway done.

Oleson: So to do exactly what you were approved for the calculations were off and you need an additional 518 cu yards and to change the driveway you need an additional 140 cu yards for a total of 658 cu yards.

Guck: Could we give him what it takes to get the driveway done? I do not have an issue with the driveway. Then come back in the spring when they have a better idea of what they need to do the grading & landscaping.

Oleson: Normally when we are counting the 50 cubic yards we would exempt the amount put in the foundation area, however, this is different since you are taking an old house out. The

whole idea really is to not affect the lake, neighbors, and road and keep the water flowing as it originally was.

Nelson: I was told to keep the cement to keep the fill amount down, however I chose to haul it out and bring in clean fill.

Niklaus: Will the flow of water change? Will it affect your neighbors?

Nelson: Nothing will change.

Taylor: I do not necessarily have an issue, however, I feel that the neighbors have a right to know.

Guck made a motion to amend the original CUP to allow for 658 cubic yards of additional fill for the loop type driveway only. Come back in the spring for the additional fill needed for grading and landscaping. Niklaus seconded the motion. Motion approved.

When Camp friendship came through for the subdivision to rezone by Camp Friendship (subdivision to rezoning to R2). They went and talked to the staff at Wright County and they felt it would push them to R2a which is 5 acre lots. They were told they could apply, however, the question is would they have to come back to the township for the R2a? If were ok with R2 2.5 acre lots, would be ok with R2a 5 acre lots.

Arendt made a motion to adjourn. Taylor seconded the motion. Motion approved unanimously at 8:44 pm