

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
October 8, 2019
7:00 PM

Guck called meeting to order at 7:00pm on October 8, 2019

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

Absent: Barry Schultz, Dick Naaktgeboren

Others in Attendance: Tina & Brian Diedrick, Paul Gustafson, Kelly Ojeda, Sandy Braun, Daren Braun, Lisa & Paul Steffens

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

Public Hearings

(Tabled from July meeting) Requests related to the construction of a 20' x 28' garage addition. Approvals required include a variance to construct an accessory building addition approximately 5.6 feet from a side lot line (min. 10 feet required) on a parcel with approximately 26-27% impervious coverage (max. 25% allowed). Applicant intends to reduce impervious coverage to meet 25% limit.

Applicant: Paul and Lisa Steffens

Property address: 11300 Hoyer Ave NW, Annandale

Sec/Twp/Range: 2-121-27

Parcel number(s): 206091000070

Present: Paul & Lisa Steffens

Steffen: We were hear in July since then we have done a lot of different planning and this is what we are proposing. The garage layout or footprint would be similar, however, we would move it to meet the 10ft setback, however, we are running into issues with the parking and getting into the garage so we are asking an increase in impervious.

Oleson: Back in July, they asked for two different things one for garage and one for the porch which was approved with the condition to get to the 25% impervious. There are some challenges in getting into the garage. Instead of asking for the 10ft side yard setback they would tear it down and meet that setback, however, they would be over on impervious. They are coming down from where they are originally at.

Audience: Paul Gustafson – I live next to the lot that you did approve impervious of 28% prior. We see no problem and support of this change.

Oleson: we did have two comments come in. One urged that it be approved, the other is the water district asking for 25% maximum impervious.

Smith: When we are talking to get down to 25% is it the size of the garage or is it the driveway?

Steffen: It is not the size of the garage as much as it is getting in and turned around. In order to save the tree and get turned in there we need a little longer driveway.

Smith: What would it take it down to 25%?

Oleson: Approximately 595 sq ft

Discussion on different ideas on where it could be located to get down to the 25% by either pushing it back closer to the road, or driving straight in from the road, or reducing the size of the garage.

Steffens: We would feel more comfortable with the garage doors visible from the house for safety & security reasons. It would then block the view from the road to the house.

Smith: What size garage?

Steffens: It will be a four car garage which is 1364 sq ft. That has not changed from last time.

Smith: I myself would like to get you down to 25% since that is what we asked for.

Niklaus: Taking down the trees would solve the problem in terms of visibility and you would not need as much turn round which would reduce the turn around.

Steffens: Part of it is the tree and part of it is having the garage closer to the house.

Niklaus: Impervious is the issue here.

Oleson: Yes they originally requested to be at 10ft from the side lot line and you asked them to come back with a plan to meet that, this is the plan to meet that, however, now it is the impervious.

Niklaus: You could turn it and have it come straight from the road may solve the problem. I appreciate your persistence to make this work.

Questions regarding a previous variance in the area that was approved at 28%, the previous variance started at a much higher impervious percentage and the garage was considerably smaller.

Arendt: I feel that we need to get down to 25%. Either move the driveway, get closer to the road or remove the tree.

Guck: I have to go with what we had already agreed too and stay at 25%.

Steffens: We did agree to the 25% on the first part, however, this is the second part of it and we did not know how it would lay out by moving it over to meet the side yard setback.

Guck: I do not see the hardship on this one.

Smith: Lose some of the driveway or reduce the size of the garage.

Gustafson: I do not understand why you allowed one and will not allow another. I am sorry I feel you are treating the two couples differently.

Niklaus: If you're looking at impervious vs setback is one more important?

Guck: I feel you're looking at is it a hardship or not and can you live with a garage smaller than 50ft?

Niklaus: Were trying to accommodate and you did buy a small lot. I feel there are options.

Steffens: Do we just use tire paths again on the driveway? But, I come back to consistency, were surrounded by others getting these things and why not us.

Arendt made a motion to approve the variance with meeting the 25% impervious coverage.

Oleson: That would not be a variance.

Smith: If we allowed the side yard would they meet the 25% Impervious?

Steffens: That could be possible, however, we would only be 5.5 ft from the side yard. Can we compromise a little?

Discussion on where the turnaround would be and if they need as much driveway and what they could do to get to what they need.

Smith made a motion to approve variance to construct an accessory building on a parcel resulting in 26.5% impervious coverage (max. 25% allowed) and to modify the conditions of approval for a variance granted in July 2019 to allow for greater than 25% impervious coverage with the following conditions:

1. That the applicant must provide an as-built survey, after implementation of the impervious reduction plan, to show that impervious coverage is 26.5% or less.
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.

Niklaus seconded the motion. Motion approved unanimously.

Requests related to the construction of a dwelling. Approvals required include variances for the dwelling to be approximately 59.4 and 59.8 feet from the centerline of a township road (min. 65 feet required).

Applicant: Casey Richter

Property address: None (80XX Greer Ave NW, Maple Lake)

Sec/Twp/Range: 24-121-27

Parcel number(s): 206000244303

Present: Dan Mahr, Father-in-law

Mahr: They wanted to do a lake variance and they asked me to ask if you would allow that six feet closer to the lake rather than road, however, I know you like the lake more. They are trying to save some pine trees.

Oleson: The variance is just the road set back. They are meeting the 100ft setback and would like to be closer if possible.

Audience: None

Niklaus: The intent of the road set back is the maintenance of the road?

Oleson: Yes

Niklaus: You are correct that we value the lake more than the road. I am good with road setback.

Smith: I am good with it I would rather see the road then the lake.

Arendt: If the impervious good, it looks like they will have more room for driveway correct?

Oleson: Yes they are good with impervious.

Arendt: I'm fine with it.

Guck: I am good with it.

Niklaus made a motion to approve variances for a dwelling to be approximately 59.4 and 59.8 feet from the centerline of a township road (min. 65 feet required) with the following condition:

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.

Smith seconded the motion. Motion approved unanimously.

Requests related to the construction of a dwelling replacing an existing dwelling. Approvals required include variances for the dwelling to be approximately 65 feet from Sugar Lake (min. 75 feet required), 9 feet from the north side property line (min. 15 feet required) and 15 feet from a new septic drainfield (min. 20 feet required).

Applicant: Jim Dearing

Property Owner: Brian and Tina Diedrick

Property address: 11125 Hollister Ave NW, Maple Lake

Sec/Twp/Range: 2-121-27

Parcel number(s): 206056001070

Present: Brian & Tina Diedrick, Jim Dearing

Diedrick: We grew up here and this was my home growing up. We know that it is a small lot and this is what we have to work with.

Dearing: It is a small lot and we looked at all options. We are meeting 15% building and 25% impervious. We have a path way going to the lake on one side so we pushed the house a little to the north to meet the 15ft on the one side.

Oleson: Lake setback, side yard setback, and septic which we are usually good with. We are right at the 25% impervious. I talked to Bernie Miller to make sure the driveway was all included in the calculations. We did talk about shifting the house to get to the well however, they have assured me they can get to it if needed.

Audience: None: We do have one comment that was written in: Asking about the 10ft path, if was going to be blocked and if damaged during construction who would fix it along with vehicles during construction and blocking the road.

Diedrick: It is an ingress & egress not an actual easement. It allows people to walk down to the lake and back.

Arendt: Does the 25% count the stairs and railings?

Oleson: Yes

Dearing: For a rain garden we will be running culvert down the Southside with a catch basin on the top to catch the water and stop the erosion on the hill.

Arendt: My concern is that they are maxed out on impervious. Possibly keep the house 5ft smaller to get make sure they stay under?

Diedrick: We could remove some of the boulders or remove steps and use the other walkway.

Arendt: As long as you are in agreement to make sure you are not going over your 25% impervious.

Niklaus: It is a small lot and I appreciate you brought it with in the standards for building & impervious coverage. Making sure the rain garden is maintained will be important.

Smith: I agree, you put as small of a house as you could. Just keep in mind that you are at the 25%.

Guck: My only thought is could we go a little closer to the septic to get another 5 ft from the lake?

Diedrick: It would make us under the impervious to move it.

Dearing: How about moving back 3ft?

Smith motion to approve variances for the dwelling to be approximately 68 feet from Sugar Lake (min. 75 feet required), 9 feet from the north side property line (min. 15 feet required) and 12 feet from a new septic drainfield (min. 20 feet 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 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 construction of a stairway landing. Approvals required include variances for a landing to be approximately 90 square feet (maximum 32 square feet allowed).

Applicant: Kelly Wheeler

Property Owner: Anthony Ojeda

Property address: 9639 Keats Ave NW, Annandale

Sec/Twp/Range: 16-121-27

Parcel number(s): 206031000250

Present: Kelly Ojeda

Ojeda: We bought two years ago and the bluff was a mess, there was no way to get down, it is very steep bluff. It was full of granite slab & garbage. We met with Wright County Soil and Water, on what to do. We want to have a landing/walkway that is 90 sq ft to have one spot that we can sit and look at the water.

Oleson: The ordinance limits landings to 32 square feet so that is the reason for the variance. This one is 15x6 landing. We talked about a couple different options and they wanted to see about getting a variance.

Audience: None

Smith: 32 sq ft is what is allowed and the landing is what I would call at the bottom of a stairway leading to the nest stairway. My question is, that landing would only be that size to meet the other so you would have to reduce it by about 60 sq ft. I do not know how we can get there.

Ojeda: How do you get down to that? There are tree's and other items in the way.

Oleson: You can do multiple landings at 32 sq ft.

Smith: I did not get out there to look, however, wondering if you the steps would have been angled differently could you have eliminated some of the landing. I know you want a sitting

area but it is not allowed. There are many that would like to have one. We need to make that more in compliant.

Ojeda: So you would rather have two landings? How wide can a walk way be?

Oleson: 4ft is normal.

Smith: It could have been made small like 4x8 which would get you down.

Oleson: The ordinance states no more than 4ft wide & 32 sq ft total.

Niklaus: It would be nice to turn the clock on this one.

Ojeda: We had several people come out and not want to work on since the hill is so steep. There are a lot of trees in the way.

Niklaus: It is unfortunate, however, we are charged with upholding the ordinance and standards. This one is a real challenge.

Smith: It is frustrating that who did do this did not ask for a permit or check was permitted. They should have asked. I know the neighbor two doors down wants to do the same thing and was told he could not.

Ojeda: Is there any kind of compromise that we can do with a plan to keep the hill in place naturally?

Arendt: Wondering if you could move the stairs down to landing and make the landing smaller.

Ojeda: There are old retaining walls and patio pavers off to the side.

Arendt: Could they come down, have a little landing and then angle them towards the landing to remove a portion of the existing landing.

Oleson: There is not a permit needed for stairways, however, they have to meet standards. The 32ft landing comes from the DNR.

Niklaus: Do you know why?

Oleson: To me it is somewhat the visual aspect, and some about impervious and being closer to the lake.

Smith: Do you want to go back to the builder to see what could be done?

Ojeda: What am I going to ask them?

Arendt: If we allowed 8 x 6 would that work? That way they are cutting it back by half.

Guck: To me the landing has more of a building code/Ordinance Issue.

Niklaus: There are some consideration for decks on lake. 90ft is not a huge distraction for people. However, if we allow this everyone is going to just do it and ask for forgiveness later.

Oleson: The DNR indicates the reason for limiting the size is to limit what is disturbed in hillside plus soil erosion.

Smith: What he did was a good job. It's just that he did not meet the parameters.

Oleson: Wright County Soil & Water recommended vegetation in the buff to be stable with native vegetation.

Guck: Do you know what you are going to go back with?

Ojeda: So what we can do to get down to 32 sq ft?

Smith: I think the one post needs to stay so may we compromise and go with 7.5 x 4 or at least get to at least 45 sq ft.

Niklaus made a motion to table for the following information:

- Exploration of reducing the size of the landing from approximately 90 square feet to approximately 45 square feet.

Arendt seconded the motion. Motion carried.

Requests related to the construction of a 25' x 50' storage building. Approvals required include variances for a building to be approximately 58 feet from Mink Lake (min. 100 feet required) and 40 feet from the centerline of a township road (min. 65 feet required).

Applicant: Daren Braun

Property address: None (south of 8229 Keats Ave NW, Annandale)

Sec/Twp/Range: 24-121-27

Parcel number(s): 206000244304

Present: Daren Braun

Braun: I submitted two site plans one was to get further from the lake, so I wanted to give the two options.

Audience: None

Oleson: So either way it is lake and road setback. The discussion has been we also have the 20 ft from the right of way as a minimum so that vehicles can get off, with this the entrance is on the side so maybe that is less important. It is a bare lot right now and the house is back on lot 12. It is not a bluff. We do have a comment from Soil and Water and they are generally ok with it.

Braun: It is a wooded lot and you would not be able to see it from the lake.

Guck: Would that be a buildable lot?

Oleson: It would be subject to the lake setback and would need a variance.

Niklaus: You realize it prohibits a house from going on there.

Braun: Yes, we do not plan on selling.

Niklaus: I do not have any issue keeping it back further from the lake.

Smith: Yes I like the second option further from the lake.

Arendt: I agree I'm ok with it.

Guck: I'm ok with it.

Arendt motion to approve variances for a storage building to be approximately 68 feet from Mink Lake (min. 100 feet required) and 10 feet from the road right-of-way of a township road (min. 20 feet 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 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.

Smith seconded the motion. Motion approved unanimously.

Arendt made a motion to approve the meeting minutes of September 10, 2019. Guck seconded the motion. Motion approve unanimously.

Zoning Administrator's Report

- Permits

- Correspondence

- Enforcement Actions

- Findings of Fact - Previous PC/BOA Decisions

Oleson: I have one question if they needed a variance or not. They have a cellar door on the outside and they want to put a roof over that to avoid some water issues they have, however, the addition is 12x12 fully enclosed addition. We had discussed in the past if just adding door no variance needed, however this is enclosed. I am thinking it does need one, however, wanted to check with you. They have applied. Board did feel that they should have a variance.

Other Business

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

Prepared by Jean Just