

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
January 14, 2020
7:00 PM

Guck called meeting to order at 7:00pm on January 14, 2020

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

Absent: Dick Naaktgeboren, Bill Arendt

Others in Attendance: Ed Prewitt, Karen Sutherland, Darwin Hoffman, Kathy & Orv Jonsrud, Carter Diers, Michael Cole, Traci Prewitt, Jeff Lundquist, Rick & Melissa Riesgraf, Steve Mertens, Sarah Brown, Nathan Brown, Chuck Carlson, Warren Sch? (not legible)

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

Public Hearings

Proposed amendments to the Corinna Township Land Use Ordinance relating to the regulation of short-term "vacation" rental of property. The purpose of the hearing is to gather public comment based on two example ordinances adopted in other Minnesota communities.

Applicant: Corinna Township

Oleson: We have received a number of calls and concerns about various aspects about people that are renting out their homes on a nightly or weekly type bases. This is an issue going on around the state. There are some changes from the state to tax more commercially if rented more than lived in. This meeting tonight is to get input from others before we work on putting together an ordinance. There is no draft language yet, however, we do have two examples that we put out there from Stearns County & Douglas County. There will be a smaller committee that will get together and eventually there will be another hearing if they decide to adopt and ordinance. We do not have taxation authority. Our authority would be about the use of property. This is a different type of use of property, sometimes it goes well other times it does not. Some examples are making them a permitted use as long as you meet the standards or it could be a Conditional use and they would be required to have a hearing.

Audience:

Pruitt: Has there been any discussion regarding how many days commercial?

Oleson: If you're talking taxing, that is a state or county that we will not have a control over.

Diers: I live next to a vacation rental for the last 6 years, the owner has never spent one night there. For the most part they are good people, however, I live next to a commercial property. I moved there to live next to a community and now I have new people every weekend. It is a commercial use. People do not have the same responsibility if they do not live there. The chance of people coming and going and not as concerned about what they bring into the lake. There are cars lined up and down the property, not sure this a reasonable use of this home. It is

summer only and they come and go, rental is either long weekends or up to two weeks. I would like to see more monthly rather than weekly or daily.

Oleson: We are not regulating monthly rentals, we are talking only about the weekly type rentals.

Sutherland: I am on Sugar Lake, the house next door to me went into foreclosure so I purchased and I am renting it. I take care of my rental, I do rent short term. I have family's that come back year after year. What this does is allow those that cannot afford to live on the lake come and enjoy for a short time. I live next door and I handle it myself. I think you need to set up regulations that they need to abide by.

Riesgraf: I agree that the owner needs to be held responsible.

Niklaus: What would be too restrictive?

Sutherland: I would say that only two people would be too restrictive? I have no issues with parking, I can't think of anything that would be too restrictive.

Kathy Onsrud: Thank you for taking up this issue and listening to what the community has to say. I took a quick look at VRBO site; Cedar Lake has 8, Sugar Lake has 5 and Clearwater Lake had a couple. What I would like to see is that we are clear that we are talking about short term rental less than 30 days. I think we talk about the occupancy based on what the septic will handle. Maybe Wright County can give us some guidelines I feel that we should continue to talk about and look at updates for 2021.

Prewitt: I appreciate the comments, there is a ton of conversation that has to happen. My wife and I got into this because there was an old cabin that needed work so we decided to purchase and rent it out. We have traveled and used VRBOs several times. We have two cabins, one on Clearwater and one on Sylvia. We have some amazing neighbors and renters that come back every year, they spend money in the community, and one of the things we have discussed we wanted to set a certain bar. We wanted a professional business and some legality. We do ask a lot of questions, we set curfews etc. I would hate that someone that would have weeds, we tell everyone that they need to go to the decontamination station.

There was discussion between the board and the audience regarding what are reasonable limitations; some of them being septic capacity, parking, recreational vehicles, trespassing and defining boundaries. Do they look at minimum length and what is that along with visitors and how many are allowed? How do you make sure things are up to code, such as fire alarms, carbon monoxide, fire extinguishers? Will there be fees and if so what are they? How is it regulated? There were two comments that were received. There will be a committee meeting on this and will bring back information to the board.

Requests related to the construction of a new septic system drainfield to serve an
Requests related to the creation of a 2.1 acre residential lot on Indian Lake from an
original 14.7 acre parcel. Approvals required include a conditional use permit and a
preliminary plat for a residential subdivision.

Applicant: Nathan and Sarah Brown

Property address: 10448 Gulden Ave NW, Maple Lake

Sec/Twp/Range: 12-121-27

Parcel number(s): 206000123201

Present: Nathan & Sarah Brown

Brown: We are starting the Preliminary plat process breaking off one residential lot at approximately 1.2 acres. We are not looking to build and would sell the lot.

Oleson: This went through rezoning process and was rezoned to R1. They are now looking to split off a 1.2 acre lot. It is over by Indian Lake. Buyer would be responsible for any upgrading on the lot. They show two drain field sites on the lot. There are some high slopes and could be a challenge for a driveway, if you approve we would deal with that later.

Audience: none

Schultz: I am not seeing any issues.

Niklaus: This is under the 4.2 standard plot third page in, letter B #5 Plat should be approved where a variance would be required, or used for its intended use.

Oleson: That means if you are creating a lot that cannot meet the setbacks to build, this is not that type of lot. Part of this process is showing that they can meet the setbacks.

Niklaus: I'm ok with it.

Smith: Does this go to the county?

Oleson: The final plat will go with the county.

Smith: I am good with it.

Guck: The size of the house is just an example?

Oleson: Correct, they are not building at this time it is just showing that a home can fit on the lot and meet the setbacks.

Guck: no issue

Niklaus made a motion to approve the conditional use permit and a primary plat for a one-lot (approx. 2.1 acres) residential subdivision. Smith seconded the motion.

Smith made a motion to approve the meeting minutes of December 10, 2019. Schultz seconded the motion. Motion approve unanimously.

Zoning Administrator's Report

Permits

Correspondence

Enforcement Actions

Findings of Fact – Previous PC/BOA Decisions

Other Business:

Oleson: Riesgraf are back regarding a couple of things. They were here and were approved for a 12x12 addition. They have decided to not remodel but to tear down and rebuild. When they submitted the drawings there was some confusion. The original one included the 12x12 addition but also included adding a bump in and they were going to square that off. I did not catch it and we did not talk about it in any of our discussions. One of the questions is did your approval include this as well since it was part of the original drawing even though we did not talk about it. The other thing that was not part of the original submittal, however, was part of the revised submittal that came in the day before the meeting was a covered porch area. So that's the other questions is because it was not received originally but was submitted prior to the meeting are you ok with that being part of what was approved. The last thing is they have decided that they will get rid of the bump towards the lake and is a little bigger than the what is being added on the other side so in that since I would consider that is something we can just approve since it is not adding on any more square footage and nothing going closer to the lake.

So really it comes down to the covered porch area. Normally if adding covered space and not meeting on the setback they need it approved. We do say in our notice that things can change at the hearing. They do not create any more impervious and they are not expanding the house. Two ways to go, one is to say that it was not really discussed and that you need to go through the variance process again or we can say given the circumstances that they did submit this before the last hearing it is not substantial enough to go through another hearing. They are not doing the 12x12 addition.

Niklaus: I am fine with it.

Smith: I'm fine with it, I just wish it would have come before us earlier that the day before.

Schultz: I'm good with it.

Guck: I am good with it.

Oleson: I will give this a change to the final decision that will be recorded. The variance is good for three years.

Election of Chair & Vice Chair:

Schultz made a motion to appoint Al Guck as Chairman. Niklaus seconded the motion. Motion carried unanimously.

Schultz made a motion to appoint Steve Niklaus as Vice-Chair. Guck seconded the motion. Motion carried unanimously.

Schultz made a motion to adjourn. Niklaus seconded the motion. Motion approved unanimously at 8:45 pm

Prepared by Jean Just