

CORINNA TOWNSHIP
Minutes
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
March 4, 2020
7:00 PM

Guck called meeting to order at 7:00pm on March 4, 2020

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

Absent: Steve Niklaus

Others in Attendance: Mike Mack, Ed Prewitt, Traci Prewitt, Kathy Jonsrud, Jeff & Susan Shellberg, Jodi Tvedt, John Dearing, Jerry Konz, Steve Meters, Carter Diers

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

Public Hearings

Requests related to the construction of a 25' x 26' attached garage with living space above. Approvals required include variances to construct a garage/dwelling addition approximately 65 feet from Cedar Lake (min. 75 ft required) and to a dwelling that is approximately 40 feet from the lake and for the addition to be approximately 10 feet from a side lot line (min. 15 ft required).

Applicant: Michael Mack

Property address: 7916 Irvine Ave NW, Annandale

Sec/Twp/Range: 27-121-27

Parcel number(s): 206000272101 and 206077001180

Present: Mike Mack

Mack: Would like to do an addition to the cabin I have 45x26. I did give Ben a new plan so the addition is shifted over to get a little further back and have better run off to keep the water off the neighbors.

Oleson: The variance is for the lake setback, addition is about 65 feet from the lake and the original cabin is about 45 feet. Was going to be about 10 ft from the side yard, however now it will meet the 15ft although the cabin is still 10ft. There is a natural low area in the back. Not planning on doing anything to the existing cabin. There was a garage a built on the back lot that was a variance.

Ardent: Where is the tank and drain field?

Oleson: Pulled up the picture indicating where the drain field and tank are located. We received one written comment general concern about it being larger than what they talked about before and seems like a lot of storage. Also, concern about the RV.

Audience: None

Mack: I use that about a couple times a month.

Schultz: Will you have to enlarge the septic?

Oleson: I talked to the county and they did say it was adequate.

Smith: I'm surprised that it passed when it was purchased, I would recommend that you update the septic.

Mack: I am willing to do that.

Smith: I am glad that you moved it away from the side lot line.

Naaktgeboren: Is that RV going to continue to be used the same way?

Mack: I hope not, I currently use it two times or so a month year round. My plan is not have to use it when I have the bedrooms added.

Arendt: You plan on keeping the cabin, why would you not tear down and start over.

Mack: I like the look, the kitchen and windows and want to keep the character of that the cabin has.

Arendt: You have a garage in back, what are you going to do with the new garage?

Mack: I would like to park my car in there. The back one is used for boat.

Arendt: You have this little cabin with a two car garage with the living area, I think it will look a different with the other houses in the neighborhood.

Mack: The others are the same with two stories and I will be residing the existing cabin to blending it all in.

Guck: My thought is are we better to tear down and move it back, however, the addition is further back. I would like to see the septic updated or at least inspected.

Schultz: Are we good on impervious coverage?

Oleson: Yes

Naaktgeboren made a motion to approve the variance to construct attached garage with second floor living space to existing dwelling with the following conditions:

1. That the lowest floor of the addition (including the garage floor) must meet an elevation of at least 1003.3 (NGVD29).
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.
4. The sewer system will need to be upgraded to meet all state and local requirements.

Smith seconded the motion. Motion approved unanimously.

Requests related to a landscaping and deck replacement project involving the reconfiguration of impervious surfaces. Approvals required include a variance to reduce impervious coverage from approximately 32% to approximately 30 (maximum 25% allowed).

Applicant: Susan Shellberg

Property Owner: Susan K. Shellberg Trust

Property address: 8947 Ingram Ave NW, Annandale

Sec/Twp/Range: 22-121-27

Parcel number(s): 206021000010

Present: Jeff & Susan Shellberg, Jerry Konz & Jodi Tvedt

Tvedt: We are rearranging and rebuilding decks that are on the property. We realized that they would be very close on impervious so they did get a survey and they are over. Within our plan we are looking at giving them some usable space on the lake side by binging in permeable pavers to help on the coverage, they have agreed to take out portions of their asphalt driveway to help improve the impervious and then to offer them a safe access to their lakeshore by replacing the steps down. To take care of environmental items we are looking at planting trees, shrubs and wild flowers along the hill side between the walls. The main reason to do the retaining walls is to allow them access in order to maintain the grasses. There are a lot of bare spots on the lot, imperative that they are able to maintain them and retaining walls making it safer. We do not plan on taking out any of the trees, the new landscaping will help with the run off. They are currently at 32% and going down to 30%, we want to make sure we minimized the erosion. We are not putting any more hard cover on the lake side.

Shellberg: We bought it the way it is right now and we had no idea that it was over impervious.

Oleson: This is not typical variance with structure setbacks or anything being built. The reason for the variance is that our previous policy has been when a site is over the 25% limit and they need a permit to do whatever they are planning on doing, then you either have to come down to 25% or ask for the variance to be above. The hillside is not tall enough to be a bluff. I did get a message from Dan that he is good with the plan as long as there is tile behind. The main thing I found is the previous owners did receive a variance to replace this house in 2002 and there were a number of things that were approved, however, the side walkway and the larger deck by the lake was not approved by the County. They have been there since 2002. They are removing some things, shrinking the driveway, smaller decks etc.

Tvedt: Just want to note that both entrances to the house are not at ground level. So in order to enter the home they will need some kind of decking.

Audience: None

Naaktgeboren: Is the shed staying?

Shellberg: I understand that at one time it supposed to be moved, however, there is electric in there and I use it to store the lawn mower and there is electric in there. The shed is about 160 sq ft.

Naaktgeboren: You could maybe move the little shed over across the road. I'm looking to see how you can knock it down a little more. Is there any way to change a few things on the lake side to cut it down? I know that you did not do this but I would like to see if we can knock it down a little more.

Konz: They bought this and they did not know this, they are trying to reduce this and control some of the erosion. The want to make things right.

Naaktgeboren: I realize that. What do we give credit for on pervious pavers?

Oleson: We can give 50% credit for pervious pavers as long as they are installed correctly.

Tvedt: The survey does account for the pervious pavers. Maybe we can look at cutting down the driveway a little more. To get us a percent, and possibly not having the side deck going all the way around.

Mr. Shellberg: There could be some issues with that with getting from the back of the house to the front of the house. We could do nothing and leave it at the 32%.

Schultz: Question on the steps going down, is that all poured concrete?

Tvedt: That is all going to be removed and replaced with 3ft wide stone steps.

Smith: I really like the plan it looks nice. I myself would like to see if you can get down to 27.5% that would be a huge gain. Get rid of the shed and remove a part of the drive way.

Arendt: I agree with Larry, I would like to see you down. Do we table it and have you come back showing you can get down to 27.5%.

Guck: I like the plan will the only place you will have grass is down by the lake?

Tvedt: Yes and it not the typical lawn grass so that it will grow down there.

Guck: I like Larry's idea on splitting the difference.

Naaktgeboren made a motion to table the request to see if they can get the impervious down a little further. Arendt seconded the motion. Motion passed unanimously.

Ordinance amendment to add a new Section 781 (Private/Vacation Home Rental) and make related changes in Section 6 (Zoning Districts and District Provisions). Amendments would add regulations relating to the short-term rental of dwellings in all zoning districts. The regulations would consider rentals with less than 3 overnight guests per bedroom (up to 12 persons) a permitted use with those having more guests an interim use. Other regulations relating to parking, sewage treatment, noise, management of such rentals, and information required to be provided to nearby property owners would also be included. The proposal would make certain property management, neighbor notification and parking requirements applicable immediately upon adoption while other regulations would not become effective until 2021.

Applicant: Corinna Township

Oleson: We did have input at our last meeting and then the day after that we had a meeting with a subcommittee. We reviewed Stearns County and Douglas County ordinance. The committee agreed to go with the Douglas County one as a basis to start with. The main thing that came out of that is they would like to do it in two stages, with the first stage starting this summer and the second state would start next summer. The first stage is with owners to notify renters of the rules along with giving contact information to township and neighbors. One of the main features in the Douglas County ordinance that we went with was to, as long as there is a certain number of guests then it would be a permitted use and would not have to go through a public hearing. If they went over that they would have to come in for an interim use permit and would have a time line. Walking through the language, the purpose just states what we are trying to accomplish. The second part is a license requirement with the public health department. I did look into that, I talked to Wright County Public Health and the State Public

Health. The county does not regulate that and unless you feel that the Township wants to get into doing those inspections, I think it would make sense to not have a public health license. Some of that language would then come out of this. Then we get into the general requirements regarding noise, parking, number of guests per bedroom, septic systems requirements etc. Anything in yellow would be implemented this year, and the others would be next year. We did receive one written comment on some wording changes.

Audience: Pruitt: I spoke last time, I think you are being very fair and if there is anything we can help with or be of service we are willing to help. One of the things I would like to ask, I am not sure where I would find these highlighted notes as I want to make sure we are implementing these things right away.

Oleson: It is on the website or I can email it to you.

Pruitt: If they are not being responsible is there a fine coming or how are you going to regulate what is being done?

Oleson: It will not be a regulatory thing, but, part of the requirement is that they have to submit information. This will be something we will have to work out and start reaching out to owners that have VRBO's. It will take some time and we have to work out how we are going to monitor things.

Steve Martin: First I would want to say Thank You. I feel there has been a lot of thought put into this and I appreciate that safety aspect of this, think you are doing what needs to be done. I would ask you put a minimum stay of at least a week on the rental of the properties.

Kathy Jonsrud: Thank You. I have a couple of questions, under purpose and intent 1a regarding language that they contribute to the tax base, not sure that it needs to be there do we know that for sure? The next one is under general requirements number 5c talking about septic systems and if they are compliant, what's the intention.

Oleson: Primarily we talked about was what the requirement should be and what would be considered sub-standard. Like if it was an older septic that may not be the standard in today's requirements.

Kathy: I like that it is in there, but maybe more clear on what needs to be done there. Is there going to be a fee?

Oleson: There was talk, however, that had to do health inspecting. If they have to get an interim use permit there would be a fee and they would have to renew every so many years.

Kathy: I would like to see the minimum of 7 day rentals.

Oleson: They did talk about that and there were feeling on both sides of that.

Pruitt: One of the things we noticed when we went to weekly rentals rather than weekends we had more families.

Carter Diers: The last time I was here, I want to make sure that the issue I have is not with the owner, but with the idea that it is not a residential property vs commercial property. Neighbors should have a say and that there should be a minimum stay.

Guck closed the public hearing.

Oleson: For the board your options are to move forward and approve as is, table with changes or not approve.

The board discussed some of the wording that needed to be updated and changed, they would like to move forward, however, would like it updated before doing so.

Smith made a motion to table for further review and updating. Naaktgeboren seconded the motion. Motion approved unanimously.

Ordinance amendment to Section 707 (Parking). Amendments would clarify allowable durable and dustless surfaces allowed and match amendments recently adopted by Wright County.

Applicant: Corinna Township

Oleson: This is just clarifying that class 5 is a durable and dustless surface, however, they can require more on case by case basis. The only adding interim use permit.

Audience: None

Schultz made a motion to approve the ordinance amendment. Smith seconded the motion. Motion approved unanimously.

Schultz made a motion to approve the meeting minutes of February 11, 2020. Smith seconded the motion. Motion approve unanimously.

Zoning Administrator's Report

Permits

Correspondence

Enforcement Actions

Findings of Fact - Previous PC/BOA Decisions

Other Business

Naaktgeboren made a motion to adjourn. Schultz seconded the motion. Motion approved unanimously at 8:43 pm

Prepared by Jean Just