

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

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

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

Absent: Bill Arendt

Others in Attendance Via Teleconference: Jeff Shellberg, Susan Shellberg, Kathy Jonsrud, Bruce Emmerson, Jodi Tvedt, Bernie Miller, Rick & Sandy Miller

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

Public Hearings

(Tabled from March 4, 2020 meeting) 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 27.5% (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:** Susan & Jeff Shellberg, Jodi Tvedt

**Shellberg:** We met about a month ago proposing a month ago, above the guidelines and bought unknowingly, proposed reduce from 32% down to 30% you asked if we can get down to 27.5% we did make those adjustments reducing the driveway and moving the shed along with reduction of the boulder wall to get it down to 27.5%.

**Oleson:** The board asked for 27.5% and that is what they did, there are areas that they reduced to get down to that.

**Audience:** None

**Naaktgeboren:** I appreciate the work that you did to get it down.

**Niklaus:** I am good with it.

**Smith:** I am good with it

**Guck:** Thank you - I do not have an issue with it.

Smith made a motion to approve Variance to reduce impervious coverage from approximately 32% to 27.5% (maximum 25% allowed) as part of a landscaping and deck replacement project 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.

Naaktgeboren seconded the motion. Motion approved unanimously.

Requests related to the construction of a 9' x 18.5' breezeway and 28' x 28' attached garage addition to an existing home. Approvals required include variances to construct a garage addition approx. 6 feet from a septic drainfield (min. 20 ft required), to increase building coverage to approx. 15.2% (max. 15% allowed) and to increase impervious surface coverage from approx. 30% to 34% (maximum 25% allowed).

Applicant: Richard and Sandra Miller

Property address: 9505 110<sup>th</sup> St NW, Annandale

Sec/Twp/Range: 9-121-27

Parcel number(s): 206000091200

**Present:** Rick & Sandy Miller

**Sandy Miller:** We are proposing to add a garage to our existing home. Wondering if this will work and how this works.

Oleson pulled up a picture of how the house is now.

**Oleson:** It will be added with a breezeway and then a two car garage which would be a total of 28x28. The variance is the setback from the septic/drainfield 6 ft - 6.5ft, 20ft required. The other reason is that the lot is fairly small and in the middle of a couple fields. With the addition and driveway it would be up to about 34% impervious. We did talk about buying additional land which they are not sure is an option. They are asking for 34% instead of the 25% allowed and they are currently at about 26%.

**Guck:** Any question on the road and where the township goes to turn around?

**Sandy Miller:** The Township took care of that for us, they come all the way in and turn around in the driveway.

**Oleson:** John Dearing indicated that the township does serve that property. Not sure if it is by easement or not.

**Smith:** My first questions was where does the township road end, have you ever had that conversation about purchasing some additional property to the North of you?

**Rick Miller:** We have talked to Doug & Brad over the years, in the past it was not an option. I have not approached Janet yet. We are out in the middle of the field with it all the way around us so I would prefer not to have to do that.

**Rick Miller:** We cannot be land locked so I am sure there is an easement that is out there. I know that we worked with an attorney years ago. I am not sure what is recorded.

**Smith:** My thought is maybe you own more land with that easement and that would help you get the land you need.

**Naaktgeboren:** My question is with the easement that is recorded that would help you out. If you went 20 ft to the north and you would have all the land that you needed. I would like to see you look at that option. As far as the drainfield I do not think that is a problem.

**Bernie Miller:** I do not see them being close to the septic is an issue and no environmental issue with that. Just being careful when they are doing construction.

**Niklaus:** I would like to see if they could get a little more land, it is hard to give a permit for increased impervious. I realize that this is an AG area and not much of an issue, however, it puts us in a place that granting it would allow for others.

**Guck:** I think the road thing needs to be looked at and take care of the impervious.

**Miller:** Everyone keeps talking going north? Can it be anyway?

**Guck:** Yes any direction would be fine

**Schultz:** I agree I would like to see if you can expand that area a little, I would be in favor of tabling it to see what can be done.

**Oleson:** There is an easement of record. That will not help them impervious since that is still owned by Janet Lantto.

**Miller:** Does the driveway even run on the easement?

**Oleson:** Looks like most of the easement does include the driveway. The only way to do that is to remove some existing other impervious or add more land.

**Schultz:** IF they just purchase the easement part would that take care of their impervious?

**Oleson:** IT would add about 4450 sq ft, which would bring them down to about 28% impervious so it would be closer.

**Guck:** I would like to see us table it and look into some other options.

Niklaus made a motion to table the request to have more time to review. Schultz seconded the motion. Motion carried unanimously.

**Oleson:** They can either get it done in 60 days or sign a waiver to extend it further.

Requests related to the construction of a new dwelling with covered entry. Approvals required include variances to construct a dwelling approx. 70 feet from Cedar Lake (min. 75 ft required), 17.3 ft from a septic drainfield (min. 20 ft required), and approx. 20 ft from a road right-of-way (min. 65 ft required) and to construct a septic drainfield approx. 5 ft from two separate property lines (min. 10 ft required).

Applicant: Bruce and Julie Emerson

Property address: 7557 Imhoff Ave NW, Maple Lake

Sec/Twp/Range: 27-121-27

Parcel number(s): 206044000040

**Present:** Bruce Emerson

**Emerson:** Basically the existing cabin was built in the 1950s and it has issues. My wife & I just purchased the cabin from my mother and we would like to rebuild and make it more year round and would like to have the family and the grand kids.

**Bernie Miller:** Bruce did a good job designing the house, basically fit in there without having to re-drill the well or move the septic to the lake side which we did not feel was a good option. There is

maybe a possibility if we took some nice big trees down, however that was not a great location. There is really no other location for the septic and we kept the house as far back as we could from the lake.

**Audience:** none

**Oleson:** Variance is the lake setback, most of the house is meeting the 75ft it is only one corner that is 70ft. They will meet the side yard on both sides, and on the back side the septic would be 5 ft from two different property lines and it would be within 17ft of the house. The road way that is shown was just recently vacated and that will become part of the Emerson's land. They currently access the property from the south. There will be an easement from their properties.

**Niklaus:** The existing gravel on the South is that is that own d by Quams?

**Emerson:** The driveway is owned by us as more land. Quams would acquire the roadway that is vacated and would be their land and then the roadway that went across the back of our yard would be our land.

**Oleson:** The vacated portion was vacated road right of way and there was an easement created to access the land.

**Niklaus:** I think it is a good plan are the trees coming down?

**Miller:** The intent is to keep them.

**Naaktgeboren:** I think you did a good job and the easement and making sure that is taken care of. Are you going to have to bring in fill?

**Emerson:** Maybe a little but I will leave that up to Bernie.

**Smith:** You did a good job to make it work, I am good with it.

**Guck:** The only other thing was that you pulled it away from the lake so thank you.

**Schultz:** I like the whole plan and I think you did a great job.

Naaktgeboren made a motion to approve Variances to construct a dwelling approx. 70 feet from Cedar Lake (min. 75 ft required), 17.3 ft from a septic drainfield (min. 20 ft required), and approx. 20 ft from a road right-of-way (min. 65 ft required) and to construct a septic drainfield approx. 5 ft from two separate property lines (min. 10 ft required) with the following conditions:

1. The public road must be vacated first, including the recording of the private ingress/egress easement that will provide access to this and the adjacent property from a public road.
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.

Smith seconded the motion. Motion approved unanimously.

(Tabled from March 4, 2020 meeting) 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:** Last month we had the public hearing regarding the Ordinance for Private/Vacation Home Rentals which was then tabled. I send off the newly edited version and have highlighted the items to start in 2020 vs the items that will start in 2021. We received one written comment regarding the editing questions, so we did add some of those. Your options tonight are to recommend the document to go on board just as it is written, or you could make changes, deny it or table it again.

**Naaktgeboren:** I have two questions on page 3, 781.2 "if there is more than one rental on the property or more than two private. What is that about?

**Oleson:** Most of the ordinance talks about just one unit so what this is talking about is that if you want to have more than one rental unit such as a house and a bunk house you would need some additional review on that.

**Naaktgeboren:** The other one is on page 4, 781.4 item 2, you talked about being 200ft?

**Oleson:** What that is saying is if you get approved you would have to provide a contact name and phone number to the neighboring property owners and to the township.

**Naaktgeboren:** Do we need to say the neighboring property in case the 200ft is not enough?

**Oleson:** We can reword that if you would want to.

**Guck:** I feel we should be adding and/or adjoining properties.

**Naaktgeboren:** Who would they contact?

**Oleson:** I would assume that it would be me since it is part of the ordinance. Interim use permits would require a public hearing.

**Guck:** I think this is a good starting point.

Board had some discussion on how to administer the ordinance which still has to be worked out once it is adopted. Some of the items would be enforced by the sheriff and other by the township.

Niklaus made a motion to recommend adoption of the ordinance for both the implementation dates along with the one change to add adjoining properties. Smith seconded the motion. Motion approved unanimously.

**Kathy Jonsrud:** Thank you for your work on this. I am wondering if the commission has had any discussion or consideration including the minimum length of stay. Not for this year but maybe for next year.

**Guck:** Personally I think it is up to land owner and we have not had much discussion on that.

**Oleson:** What would have to happen, either the board would have to make that change prior to adopting or it would have to be a change to the ordinance prior to 2021.

**Niklaus:** I think this is a good start and we can look at it further in the future.

Guck made a motion to approve the meeting minutes of March 4, 2020. Naaktgeboren seconded the motion. Motion approve unanimously.

## Zoning Administrator's Report

Permits; none

Correspondence

**Oleson:** Steinhoff question about different building plans; couple years ago the Steinhoff's came in for variance and was approved, did not go ahead with the plans. What they are doing now is a different addition, with less of an addition but it is a different one. The previous one is more than 3 years old. We would normally require a new variance do you agree.

Board felt that a new variance would be required.

**Oleson:** I had a conversation with Mrs. Maki, this is project that has been discussed for a long time. Basically what she would like to do is split her property in two. It is on Cedar Lake at the end of 70<sup>th</sup> Street. Everything around it is zoned R1 and hers is still AG, so the first step is that it would have to be rezoned. If it was R1 the minimum lot width is 150ft and the way that we measure that is the shortest distance between two lot lines. This is a unique property, at this lot would not be able to meet the 300ft needed. I told her if she had a survey done to show us that it would meet those requirements we could discuss further. She had some conversations with Charles Webb thinking they could meet the 150ft for each lot, however, no actual survey has been done. I let her know that she would need to show us for sure that she could meet the requirements. She is frustrated with the process and wanting to have someone to work with her on this and see if there is a way to work with her on this. If someone from the township wants to work with her and push for this that is fine with me. Pulled up a drawing from Webb, which showed the drawing. In talking with the County they want you to have a 150 ft box and they do not tend to approve if they do not meet the requirements.

Enforcement Actions; none

Findings of Fact – Previous PC/BOA Decisions

## Other Business

Niklaus made a motion to adjourn. Smith seconded the motion. Motion approved unanimously at 8:32 pm

Prepared by Jean Just