

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
October 13, 2020
7:00 PM

Niklaus called meeting to order at 7:00pm on October 13, 2020

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

Absent: Al Guck

Others in Attendance or via Computer: Tom & Laura Emms, Chuck & Laura Weum; Online William Brannan

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

Public Hearings

Requests related to the construction of a 4-season porch addition to the existing dwelling over an existing deck. Approvals required include variances to construct a 14' x 15' dwelling addition approx. 47 feet from Bass Lake (min. 75 ft required) on a lot which exceeds the 25% impervious coverage limit.

Applicant and Property Owner: Charles and Laura Weum

Property address: 11261 Kimball Ave NW, Annandale

Sec/Twp/Range: 5-121-27

Parcel number(s): 206000054202

Present: Charles & Laura Weum

Weum: We would like to do an addition to the house. It started with our neighbors they had a boat house that was torn down and have now put it back up with a deck on top and now it looks down on our place and takes away from the privacy from our place. We are looking at putting a 4 season porch on top of our current deck. This would give us some more privacy on our deck and will give us a little more living space. We did have discussions with our neighbors and they were all good with it.

Audience: None

Oleson: The proposed addition is a variance for the lake setback. This would be about 47ft from the lake. This is a lot that appears to be over impervious, there was a garage that was permitted and one of the conditions was to get an as built survey to show they are under the 25% impervious. This may require them to remove some items to get under. They have ordered a survey, it is just not done yet.

Weum: We have Otto coming out next week to do the survey.

Arendt: In 2017 they were to do an as built and needed to be at 25% and they have not done that. When I was out today to look at the property there is a lot of stone and deck around and it

seems to me they have a lot of options to bring it down to 25%. I would be ok with the addition, however, the impervious has to be at 25%.

Weum: We did not realize that we had to do that.

Naaktgeboren: As far as the screen porch addition I am good with it. They need to be at 25% impervious.

Smith: I agree you need to be under 25% as long as you meet that I am ok with the addition.

Schultz: I agree I would rather table and see what the survey says. I am ok with it if they are under the 25%.

Niklaus: Can we conditionally approve with them getting down to 25% impervious?

Oleson: The only thing I would say if you approve that you decide when the impervious has to be done.

Arendt made a motion to approve based on findings of fact a Variance to construct a 14' x 15' dwelling addition approx. 47 feet from Bass Lake (min. 75 ft required) with the following conditions:

1. That impervious coverage be reduced to no greater than 25% by no later than June 1, 2021. This shall be proven through an as-built survey unless sufficient other evidence from previous surveys or otherwise can be provided to the satisfaction of the Zoning Administrator.
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, wetlands, road right-of-way or onto adjoining properties. 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. With no further discussion motion was approved unanimously.

Requests related to the construction of a privacy fence. Approvals required include a variance to construct a privacy fence approx. 45 feet from Clearwater Lake (min. 59-75 ft required).

Applicant and Property Owner: Thomas and Laura Emms

Property address: 11239 Lawrence Ave NW, Annandale

Sec/Twp/Range: 6-121-27

Parcel number(s): 206019000080

Present: Thomas & Laura Emms

Emms: We are asking to put a privacy fence on one side of our property. We purchased 1.5 years ago, putting up the privacy fence should not impede on any views for the neighbor. We only have 75ft of lake shore and it feels a little crowded. The new owners tend to congregate right on the property line if not over and it is uncomfortable. We are asking for an additional 14 ft to put up that fence, it will be professionally installed. Their house is so far in front of ours that if we don't get the extra 14ft it would not provide the privacy we are looking for.

Audience: One online just asking about height. A= 6ft

Oleson: The question is on how close to the lake. So this is different than we normally see, the requirement is to be as far back as the house so 75ft. We did have some discussion regarding this when the neighbor is closer than they are. Thinking we would go with the average set back from 75 ft vs the setback to the other home, that average would be 59ft and they are asking for 45ft.

Schultz: I am ok with the fence, I understand why, just wondering setback to the side lot line?

Oleson: No setback requirement, just on your own property.

Smith: Any thought in other type of screening such as shrubs?

Emms: One of the things in planting is we don't want them to get tall and we did not want to crowd them in when the branch out.

Smith: I am not in a huge favor of a fence, I would like shrubs or something in that line.

Naaktgeboren: Is there a height limit and do they need to stay out of the road right away?

Oleson: No restriction, however under 6ft to not need building code requirements and yes they would have to stay out of the road right of way.

Naaktgeboren: I do not have an issue with the fence, I'm thinking max of 50'

Oleson: Question on line is why 45ft?

Emms: If you look at where 59ft is, it would not give much privacy to the deck and would not restrict their view. There are two bunk houses that are closer.

Arendt: I can see the need the need for the fence, I was out there today and they are very close. The question is how far.

Nicklaus: If you were to put a vertical arborvitae there how close can they go to the lake?

Oleson: It can go all the way to the lake, no restrictions for plants or shrubs.

Niklaus: I'm ok with this one too, however, I would be concerned with others wanting to do fences and could cause issues down the road.

Oleson: Online comment is that they are in favor as the neighbor to the north and see the benefit.

Arendt: What would the variance be?

Oleson: Anything closer than 59' would need the variance.

Naaktgeboren made a motion to approve a Variance to construct a privacy fence to go 50 ft from Clearwater Lake based on the findings of fact.

Arendt seconded the motion.

Further Discussion: Schultz asked about where 50ft would be the end of the fence.

Oleson showed approx. location on the map

With no more discussion motion passed 3 - 2 with Niklaus & Smith opposed.

Requests related to the construction of an open deck attachment to an existing dwelling and a detached garage. Approvals required include a variance to construct a deck addition to the existing dwelling approx. 95 feet from Mink Lake (min. 100 ft required) and an approx. 25' x 45' detached garage approx. 68 ft from Mink Lake and 40 feet from the centerline of a Township road (min. 65 ft required).

Applicant: Casey and Jennifer Richter

Property Owner: Casey Richter

Property address: 8237 Griffith Ave NW, Maple Lake

Sec/Twp/Range: 24-121-27

Parcel number(s): 206000244303

Present: None

Oleson: So this one had a variance to build a house on this lot and at that time they were meeting the lake setback, the need was for the road setback. They are now asking for a new open deck that would put them within the lake setback by about 5ft. The other is the garage in the northwest corner. They have two options, either would put them within the road setback and lake set back. I talked to Dan Mahr, who is the father, and asked some questions that you may have as far as the garage regarding the location once of the issues is the power pole that would have to be moved and they he felt the neighbors would prefer the location they are proposing.

Smith: I would like to see if they can find a different location for the garage. I am fine with the deck.

Schultz: I agree they need to look at different locations for the garage. I am good with the deck.

Arendt: The space between the house and the garage, there is a lot of land there could it move that direction?

Oleson: I think the sewer may be in that location.

Naaktgeboren: I do not have an issue with the deck. I think they need to look at other options for the garage.

Niklaus: I think we are good with the deck.

Smith motion table the garage request and to approve the Variance to construct an approx. 30' x 40' detached garage approx. 74.9 ft from Mink Lake and 40 feet from the centerline of a Township road (min. 65 ft required), based on the findings of fact 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.

Schultz seconded the motion. With no further discussions motion approve unanimously.

Approve Previous Meeting Minutes: Schultz made a motion to approve the September 8th, 2020 meeting minutes. Arendt seconded the motion. Motion carried unanimously.

Zoning Administrator's Report

Permits

Correspondence

Enforcement Actions

Findings of Fact – Previous PC/BOA Decisions

Oleson: I had a question come up today. This is on sunset point on Sugar Lake. They are proposing to rebuild the guest house and storage shed. They are the same footprint as before. One would go to a flat roof with a railing, and the two story boat house/guest cabin, they are asking to raise it by two courses of block to get a little more head room in the bottom level. We do have a policy about expansion and we talked about a 1ft increase but that is for normal building. For this one it is a boat house that is already over the 10ft maximum so not sure how you would look at that and if it should come in for a variance. The other item I am looking at is if they would have to elevate due to the high water mark. I did talk with the county and they were ok as long as the total height does not increase. I did leave a message for the building to let him know that to see if they could make changes. So the question is if it is increased do they need to come in for a variance. The board indicated a variance would be needed.

Oleson: I received a call regarding a concern about cutting tree's on neighbor's property. They do have a land alteration permit and did indicate that they could take one area of trees out, however it sounds like they have taken more out and others are marked. The normal rule is they cannot clear cut a lot and not supposed to cut more than a path to the lake. My question is, normally we are tougher on the lake impact zone. Should I be getting more aggressive and tell them they have to replant tree's when this happens? **Smith:** Can we make them replant bigger trees? **Oleson:** Yes we can do that. Board discussion would like to see anything in the shore impact zone should be more aggrieve in replanting.

Smith asked that look at our policy regarding new developments, currently if it is an existing township road and they are only developing on one side we do not require them to upgrade the road. Oleson will do some research to see what if anything could be changed.

Other Business: Sent out a daft for the VRBO letter, please review and let me know if any changes need to be made.

Schultz made a motion to Adjourn. Smith seconded the motion. Motion passed unanimously at 8:20 pm.

Prepared by Jean Just