

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
September 8, 2020
7:00 PM

Guck called meeting to order at 7:00pm on September 8, 2020

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

Absent: Dick Naaktgeboren

Others in Attendance or via Computer: Bob Wagner, Brian & Nichole Winter, Bryan Janckila, Rob Gibbs, Kevin Bhom, Vena Vargo, Rob & Shelly Gibbs, Loren Kremer, Mark & Kelli Crawford, Jim Evens, Karla & Greg Wensman, Paul & Melanie Pattee, Walter Byars, Kim Skanson, 320-274-3792, 320-980-1737, 612-743-1442, Mark, Steven Mader

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 an entitlement lot split. Approvals required include a variance to create an entitlement lot split of approximately 20 acres (max. 10 acres allowed).

Applicant: Kim Skanson

Property address: 7921 County Road 7 NW, Maple Lake

Sec/Twp/Range: 26-121-27

Parcel number(s): 206000262100

Present: Kim Skanson, granddaughter

Oleson: This is related to an entitlement lot split creating a split of 20 acres where 10 acres is allowed.

Niklaus: I was out there, I am good with it.

Smith: I'm questioning what there is a third entitlement on the property?

Oleson: There are two on the large parcel and then one on the other parcel? So when you get to 60 acres you round up entitlements. When you hit 60 acres they round up the entitlements per the ordinance.

Smith: Still does not make since to me, I was thinking that there was only one entitlement per 40. Other than that I'm ok with it.

Schultz: Does that change the reason for the variance?

Oleson: Explained that one was a lot of record.

Arendt: The amount that is tillable is very minimal, I am good with it.

Guck: I am good with it.

Niklaus made a motion based on the findings of fact to approve variance to create an entitlement lot split of approximately 20 acres (max. 10 acres allowed). Arendt seconded the motion. Motion approved unanimously.

Requests related to the partial rebuilding of an existing screen porch, the raising of the height of the roof above that porch and extending the roof over an existing entry landing. Approvals required include variances to increase the height of an existing 9' x 20' screen porch by 3 feet and to extend that roof over an existing entry landing approximately 33 feet from Cedar Lake (min. 75 feet required).

Applicant: Robert and Debra Wagner

Property address: 7339 Ingram Ave NW, Maple Lake

Sec/Twp/Range: 27-121-27
Parcel number(s): 206065000090

Present: Robert Wagner

Wagner: The cabin was built in 1935, screen porch added in 1987 and then a wood foundation was added in 1989 with the stoop right next door to the porch. I want to cover the porch is 6x6 and extend the roof line over the porch to cover the stoop that is currently there and to do that I need to raise the roof about 3ft to match the existing roof line.

Oleson: It is a lake setback since it is an expansion of the building in the height of the roof over the screen porch and stoop.

Audience:

Arendt: I have an issue since there is no practical difficulty of what he wants to do. He could leave the roof line the way it is and cover the stoop. So I have an issue with no practical difficulty.

Schultz: From what I can see is that it is not going to be going any further out than what is now.

Wagner: It is actually about 4 feet less.

Schultz: so it is going to match the existing roof to come across.

Wagner: The issue is the valley that is there currently there is only a few inches above the door so I could not come off the existing.

Schultz: I guess I don't have an issue.

Smith: You have a 4x4 supporting a header is that going to be a frost footing?

Wagner: The existing footings are already in place so I am not changing that.

Smith: So you are going off an existing footing, my concern is that is so close to the lake at 33ft. We like to stay at the 37 ½ ft. I do understand you are not doing any footings and not going to change the lake side.

Niklaus: I agree with both Bill and Larry regarding being that close to the lake and practical difficulty. Would this accelerate any addition run off to the lake?

Oleson: Not really since there is already impervious under this new roof. The roof would go over the grass area.

Nicklaus: So there are any things that could be done to have the water routed away from the lake.

Wagner: Could add a gutter to take it to the back side. The other thing I have done is not put a driveway down there.

Guck: I do see a big issue with this and he is not expanding his footprint.

Guck made a motion to approve based on the findings of fact the variances to increase the height of an existing 9' x 20' screen porch by 3 feet and to extend that roof over an existing entry landing approximately 33 feet from Cedar Lake (min. 75 feet required) with the following condition:

1. 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.

Niklaus seconded the motion. Motion passed 3 to 2 with Schultz & Arendt opposed.

Requests related to the construction of a new home, detached garage and septic system. Approvals required include variances to construct a detached garage approximately 41.8 feet from the centerline of a township road (min. 65 feet required) and 9.5 feet from a road right-of-way (min. 20 ft required) and a septic drainfield approximately 5 feet from a side lot line and 1 foot from a road right-of-way (min. 10 feet required) and 12 feet from the proposed garage (min. 20 feet required).

Applicant: Mark and Kelli Crawford

Property address: 11869 Kramer Ave NW, Annandale

Sec/Twp/Range: 5-121-27

Parcel number(s): 206014000380

Present: Mark & Kelli Crawford

Crawford: We bought the seasonal cabin two years ago and are looking at tearing it down and living there year round. To do that we need some variances.

Oleson: The variances here are related to the garage and the sewer. The garage is the road setback at 41.8 ft, 65 ft required and 9.5 from right of way, 20 ft required, it does meet the side yard setback. Septic would be drainfield 5 ft from the side lot line, 1 foot from road right of way and 12 ft from the garage. They are also rebuilding the house, however, they are meeting all setbacks for the house.

Audience: Mike Lofgren: We are on the North lot, we support this variance with what they are trying to do.

Smith: I feel I am ok with the drainfield, you are getting close with everything and it is really tight. Where are they at with impervious?

Oleson: On building they will be right at 15% and impervious they are going from 21% to 22%.

Smith: I appreciate you staying under the impervious, I am ok with the 41.8 ft from the township, and I think we are pushing if the 9.5 ft from right of way, but can live with it.

Niklaus: The drainfield is 5 from the side and only 1ft from the right of way, is there any reason what that cannot be moved?

Crawford: If we took it back from the right of way or side, there is a tree and it would take away from our access. The tanks were new when we purchased so they would stay.

Niklaus: With the impervious being addressed I am ok with it.

Schultz: I appreciate what you're doing. I am for it.

Arendt: The garage now is going to be in the same place and it looks like you have some room to park outside of the garage. I am fine with it.

Guck: I do not see an issue.

Arendt motion to approve based on the findings of fact variances to construct a detached garage approximately 41.8 feet from the centerline of a township road (min. 65 feet required) and 9.5 feet from a road right-of-way (min. 20 ft required) and a septic drainfield approximately 5 feet from a side lot line and 1 foot from a road right-of-way (min. 10 feet required) and 12 feet from the proposed garage (min. 20 feet required) based on the following conditions:

1. The applicant shall ensure that all structures, including the garage, meet the required floodplain elevations for the lowest floor.
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.

Smith seconded the motion. Motion approved unanimously.

Requests related to land alterations/terracing of property and replacement of the existing dwelling foundation. Approvals required include a conditional use permit for the placement of approximately 72 cubic yards of fill (max. 50 cubic yards allowed without a conditional use) to create a terraced lot and improve drainage.

Applicant: Marilyn and Phone Intharaphet

Property address: 10862 Gulden Ave NW, Maple Lake

Sec/Twp/Range: 12-121-27

Parcel number(s): 206045000170

Present: Steven Mader

Mader: We are lifting up cabin and getting a foundation under it. She is unable to get any insurance on it until we fix the foundation.

Oleson: This is a CUP due to the amount of earth that is being moved, they would terrace the yard because of the slope and fix some issues with water going into the foundation. Anything over 50 Cu yard needs a CUP and they will be about 70 yard. There is silt fence up already, it does need to be put back up again.

Audience: Warren Kramer: I live right next door and am totally fine with it.

Schultz: My question is did they already start?

Oleson: Yes, they did get a stop work order and have they have now applied for the permit and as long as they do not have ceiling height over 6ft then it is not an expansion.

Schultz: I'm glad they came in, I'm good with it.

Smith: I think it is good to get the water away from the front door.

Niklaus: I think what you are doing is good, just want to be sure that you are taking care of the storm water management.

Arendt: When things are being done that there is no water negatively affecting the neighbors.

Guck: I guess the drawing is not done to the completion with the terracing and what that will be made of.

Mader: There are no stairs, no plans of a retaining wall in at this time. Marilyn submitted the plans for the so I am not aware of steps going down.

Oleson: you could approve with me getting additional plans for the terracing.

Niklaus made a motion to approve based on the findings of fact a Conditional use permit for the placement of approximately 72 cubic yards of fill (max. 50 cubic yards allowed without a conditional use) to create a terraced lot and improve drainage with the following conditions:

1. That the applicant submits a more detailed plan to the Zoning Administrator before proceeding.
2. The applicant shall ensure that the proposed lowest floor of the dwelling meets the required elevation above the ordinary high water level of Indian Lake.
3. 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 expansion of an existing lakeside deck. Approvals required include a variance to expand a 160 sq ft triangular deck to an approximate 232 sq ft rectangular deck approximately 60 feet from Clearwater Lake (min. 75 feet required).

Applicant: Robinson and Richelle Gibbs

Property address: 9861 Jeske Ave NW, Annandale

Sec/Twp/Range: 16-121-27

Parcel number(s): 206031000110

Present: Robinson Gibbs; Brian Jangkila

Gibbs: Our current deck is a diamond, we are just looking to square it off.

Oleson: It is a lake setback because that point is about 60 ft to the lake. It would still be 60ft from the lake, however, it would be a little more deck. I did make some notes there about the impervious coverage roughly being over the 25%, it may or may not be and this addition would not increase anything since it is already over a patio.

Audience: None

Arendt: The deck you have now has no stairs, with the new deck you will have steps will the stairs increase the impervious.

Jangkila: It will have steps and it will still be going over the patio so no addition to the impervious.

Arendt: I'm fine with it.

Niklaus: I am good with it

Smith: I would really like to see you at 25% impervious.

Oleson: I am not sure if it is over the 25%.

Smith: Just would be nice to have a survey to see where they are at.

Schultz: I'm good with it.

Guck: I do not have an issue with it.

Arendt motion based on findings of fact to approve the Variance to expand a 160 sq ft triangular deck to an approximate 232 sq ft rectangular deck approximately 60 feet from Clearwater Lake (min. 75 feet required) with the following conditions:

1. 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.

Schultz seconded the motion. Motion approved unanimously.

Requests related to the increase of an existing roof pitch and the addition of an entry porch to an existing dwelling. Approvals required include variances to increase the roof pitch on a portion of an existing dwelling to 8/12 and to add a 4 foot by 10.5 foot entry porch on a dwelling located approximately 62 feet from Sugar Lake (min. 75 feet required) and on a parcel which contains approximately 35% impervious coverage (max. 25% allowed).

Applicant: Brian and Nichole Winter

Property address: 11700 Hollister Ave NW, Annandale

Sec/Twp/Range: 2-121-27

Parcel number(s): 206000021302

Present: Brian & Nichole Winter

Winter: We bought in May, we are looking to do a complete remodel on this 1970's home. We are looking for an 8/12 roof pitch the other side will stay the same and the second thing is that we are looking to add a 4x10 entry. We are currently over 25% impervious coverage. We will remove the roof overhang and we will have more green space with removing the side deck, but that it does not help the building coverage which will be slightly over. We live here year round and have a detached garage so we would like some type of entry into the home.

Oleson: The roof pitch on the lake side is a lake setback variance because they are going with an 8/12. If they were going with a 6/12 it would not need a variance. Then the impervious and building coverage, the building is at 15.25% new they would go up to about 15.5, they are at 35% now and would go down to 34.6%.

Winter: Part of the reason this is somewhat of an issue is due to the fact of the cul-de-sac is considered part of property. This is something that the township created and tared the cul-de-sac.

Audience: Kevin Bloom: I am about 3 houses down, I agree that the cul-de-sac was created by the township and is needed. I was appointed from the others along the road to let you know that we are in favor of their request.

Greg Wensman: I am the builder for this project. I just to stress that we have been working with them for options on what can be done to stay within the limitation and the cul-de-sac does create an issue. We did add gutters to the plan to have the water shed towards the north to get it away from the lake.

Niklaus: I was not in favor of impervious/building coverage, however, I know this is a tough one. I like your comments on the storm water management.

Smith: My biggest one on this is the impervious, I understand what you are trying to do and tough when the cul-de-sac is there. You want an 8/12 vs 6/12 why?

Wensman: One of the reasons I did not talk them out of it was because it was a one story and that that it did look more pleasing. I understand the impervious but you really can't win on removing the tar.

Schultz: I don't know how you can fix what you are trying to do. Why can they not connect the road?

Winter: There is a 15ft drop to the other road.

Schultz: I'm ok with it.

Arendt: So the side deck will be gone?

Winter: Yes and the door would be moved to the back.

Arendt: To bring it down to like 28% you would have to reduce it by 1100 sq ft which would be really hard. I'm fine with it.

Niklaus: Rain gutters will cover just the north side of the house?

Winter: It will cover the whole house and all of the water will go to the north.

Niklaus: I think it is an improvement and you are taking all the water to the back.

Arendt made a motion based on findings of fact to approve variances to increase the roof pitch on a portion of an existing dwelling to 8/12 and to add a 4 foot by 10.5 foot entry porch on a dwelling located approximately 62 feet from Sugar Lake (min. 75 feet required) and on a parcel which contains approximately 35% impervious coverage (max. 25% allowed). Building coverage to increase from 15.25% to 15.5% (max. 15% allowed) with the following conditions:

1. 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.

Niklaus seconded the motion. Motion approved unanimously.

Requests related to an adjustment of a common lot line. Approvals required include a lot line adjustment between two nonconforming lots in a shoreland area that are subject to an existing settlement agreement with Wright County prohibiting a lot split.

Applicant 1: Paul and Melanie Pattee

Applicant 2: Nicole Christianson et al.

Property address: 9463 and 9469 Jeske Ave NW, Annandale

Sec/Twp/Range: 16-121-27

Parcel number(s): 206000164202 and 206000164201

Present: Paul & Melanie Pattee

Pattee: The lot has been in the family for 45 years, we bought a lot just to the north of the family property in 1983 and in 2003 we moved into a new residence there that we have built after gaining an easement. Through some changes the property to the south was assigned to the two sons in the family with some falling out we came to a working agreement to sell to my daughter who is now living there. We are looking to redraw our property line between the two structures and to do that a variance is required. The setbacks to the lake are existing, the variance would be needed between the buildings. What was done last year is that two type 4 systems were installed and share the drainfield, so what would happen is the drainfield would sit on the property to the north. A new well was done also. The advantage would be that all the properties would be within the impervious limits.

Oleson: This is a lot line adjustment, the two complicating factors are the shared drainfield that right now is all on one property. The other one is a court settlement between Wright County and the Londo's regarding the guest house and one of the parts with that agreement was that the lot could not be split I believe the intent was they did not want a third lot. I talked with the County Attorney, and he did research and if we approve, they would go back to the court to adjust that.

Audience: none

Smith: Have we ever done that with a shared drain field?

Oleson: We have not done one before, however, there are properties out there that have a shared drainfield.

Smith: I have no issues.

Schultz: I guess I'm ok with it just unsure about the sewer.

Oleson: When I have seen that in other places it is an easement that is used by both property owners and recorded. The main issue is if the drain field failed then they could not get another sewer system in.

Guck: Question also on the water for the guest house and would that need to be changed.

Oleson: Well is on south side and serves both.

Arendt: I'm good with it with the easement written.

Niklaus: I'm fine with it.

Niklaus made a motion to approve based on finding of fact Lot line adjustment between two nonconforming lots in a shoreland area that are subject to an existing settlement agreement with Wright County prohibiting a lot split with the following conditions:

1. That the applicant drafts and files a permanent easement or other acceptable legal document allowing the guest house continued use of the drainfield to which it is currently attached. Alternatively, the applicants could re-route the sewage from the guest house to the drainfield of the property on which it sits, subject to state and local requirements and permitting.

Schultz seconded the motion. Motion approved unanimously.

Requests related to the construction of a detached garage. Approvals required include a variance to construct a 12' x 20' detached garage approximately 2.5 feet from a side lot line (min. 10 feet required).

Applicant: James and Debra Evens

Property address: 9633 Keats Ave NW, Annandale

Sec/Twp/Range: 16-121-27

Parcel number(s): 206031000260

Present: Jim Evens

Evens: The request is for a 12x20 garage. We just finished an addition on the building and now we are looking at getting a garage in. There was a shed there, I would get rid of the shed and put in the garage. I would shrink the driveway to get away from the septic and get the drainage away from the lake.

Oleson: The variance is for a side yard setback. The garage would be 2.9 at the closest and 4.1 at the furthest. They did have a shed was closer than that, and then it would be closer than the 10ft to the septic & 20ft to the drainfield. The impervious is over 25% and they are bringing down to 24.5%

Audience: None

Arendt: Based on the size of the lot, having the garage, driveway and drain field I'm fine with it.

Niklaus: I think your building days are done, but I'm good with it.

Smith: There is not much you can do, I'm not a fan of the side yard setback, I'm not sure what you can do to get a garage in there, but I am not a fan.

Schultz: My biggest thing is driving near or on the drain field. I don't know how you can get away from that. You are the one that will have to deal with it if it fails.

Guck: Could you move it over any?

Evens: Not really, then would be no walk way and there is a slope there.

Guck: I'm good with it.

Arendt made a motion to approve based on findings of fact a variance to construct a 12' x 20' detached garage approximately 2.5 feet from a side lot line (min. 10 feet required) with the following condition:

1. The applicant shall submit a permanent stormwater management plan designed to prevent water from running off onto the neighboring property from the roof of the garage or surrounding land.

Schultz seconded the motion. Motion carried 4-1 with Smith opposed.

Approve Previous Meeting Minutes: Niklaus made a motion to approve the July 14, 2020 meeting minutes.

Arendt seconded the motion. Motion carried unanimously.

Seconded meeting September 29th, 7pm

Zoning Administrator's Report

Permits

Correspondence

Enforcement Actions

Findings of Fact – Previous PC/BOA Decisions

Other Business

Interpretation of impervious surface definition – infrequently used “driveways”

Oleson: Ertl variance original request was for a side yard setback, asked to be tabled and they have submitted a new plan to meet that side yard setback the only real question now is the impervious, your previous direction to me has been that if it is over 25% it needs to be reviewed by you, they have reduced their impervious by quite a bit on this lot over the past year. One of the proposals is that they will get to the 25% if they use a two track driveway. I just want to make sure that you are ok with the two track driveway that will be a two track driveway. Ertl indicated that the driveway we have now is a two track driveway. Board was in agreement that they are ok with the two track driveway as long as they are getting to 25%.

Oleson: There was a driveway that was used just to take the dock in and out, not compacted, not class five, just dirt and river rock would that be considered impervious. Board was in agreement that it should be given 50% credit.

Schultz made a motion to Adjourn. Smith seconded the motion. Motion passed unanimously at 9:03 pm.

Prepared by Jean Just