

CORINNA TOWNSHIP  
MINUTES  
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION  
November 10, 2020  
7:00 PM

Guck called meeting to order at 7:00pm on November 10, 2020

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

Others in Attendance or via Computer: David Stein, Dan Mahr, Online: Bruce & Cathleen Campbell, Andrew Campbell, Bruce Prevost, George Walker, Jackie?

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 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. 85 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:** Dan Mahr

**Mahr:** We have issues that have to do with two electrical poles and the underground on the side that you were questioning. The shed next to me that was approved is 25x50 and 68ft from the lake. I feel this is the best place for it.

**Oleson:** Last month you approved the deck and tabled the garage, we talked about if there was a different spot that may work better. We talked if there was another spot to be further away. He did give two ways one would be 74.9ft lake set back and the other would be 84.2ft.

**Audience:** None

**Mahr:** The neighbor is 68ft from the lake.

**Oleson:** It is the lake setback and then the road set back is 40 ft instead of 65ft.

**Naaktgeboren:** If you do the long way following the road where would the doors be?

**Mahr:** They would be on the SE Side or maybe it would just be a man door no driveway. They just want storage.

**Naaktgeboren:** Just wondering about how close they to the septic and worried about driving on the septic.

**Niklaus:** I like it better up on top. You are going to want doors on it.

**Mahr:** Maybe we can make it a little smaller.

**Schultz:** The property to the north has a shed?

**Mahr:** Yes, they are 68ft from the lake.

**Schultz:** I'm not sure, cost for moving poles, underground could be expensive.

**Mahr:** Are you thinking just because it would be further from the lake? The other sheds that you approved are closer than what we are looking for.

**Smith:** My big question was how to access that building, I guess I am fine with where you have it, however, my concern is where the door will be and making sure you are not damaging the septic. If you have to make it smaller to make it that is what you will have to do.

**Mahr:** I can talk with Flygare and make sure.

**Arendt:** I agree with Larry with the placement of running it along the road and making sure you are not disturbing the septic.

**Guck:** I guess the preferred would be up the hill, however, I would be ok with it.

**Smith:** Could it be possible to come in from the north that is where the gravel is at now.

Niklaus made a motion to approve Variance to construct a 30' x 40' detached garage approx. 84 ft from Mink Lake (min. 100 ft required) and 40 feet from the centerline of a Township road (min. 65 ft required). Garage may be as close as 15 feet to the absorption area of the septic mound drainfield to allow for vehicle entry to the garage from the north based on the findings of fact and 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, 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 continued operation of a charter school. Approvals required include an interim use permit to continue operating a charter school within an organized group camp beyond the currently permitted expiration of Spring 2021.

Applicant: Jane Goodall Environmental Sciences Academy (JGESA)

Property Owner: True Friends

Property address: 8046 83<sup>rd</sup> St NW, Maple Lake

Sec/Twp/Range: 22-121-27

Parcel number(s): 206000233200 and 206000224100

**Present:** George Walker, Jackie

**Jackie:** We are asking to a conversion from a CUP to an IUP as per the ordinance that was passed about a year ago at both the Township and Wright County. Our CUP is up at the end of the school year spring of 2021. We would like to remain doing what we have been doing since 2016. We would like to go with the IUP with a 5 year plan.

**Oleson:** As she explained originally it was questioned if schools could be allowed, we did approve on our end. The County then amended their ordinance to allow for it on their end. There are items in your packet that show what the requirements are and they have been in operation since 2015. I have not received any complaints or issues from anyone. This would just allow them to continue for another 5 years.

**Smith:** Sounds like it is going good, I am in favor of it my only question is do we go less than 5 years and is 150 still ok for maximum capacity.

**Jackie:** That is not an issue.

**Schultz:** When this first came up I was reluctant, I have not heard any issues, just wondering about 3 years' vs 5.

**Naakgeboren:** What is the difference of a CUP and IUP?

**Oleson:** IUP has a time limit.

**Naaktgeboren:** I did talk to someone regarding parking and said there has never be an issue. I could go 5 years.

**Niklaus:** I'm ok with it.

**Arendt:** I'm fine with it.

**Audience:** None

**Jackie:** We have a 5 year contract with the authorizer of the State of MN so we would prefer a 5 year but will work with whatever.

**Guck:** I do not see any issues other than maybe a 3 year.

Arendt made a motion to approve Interim use permit to continue operating a charter school within an organized group camp (for three years rather than the requested five years) based on the findings of facts and the following conditions:

1. That the approval shall be for no longer than a three (3) year period running from Spring 2021 through June 2024. Any extension of this time frame will require a new interim use permit or otherwise be subject to the zoning regulations in force at the time.
2. That the maximum number of students allowed to be attending the school shall be 150.
3. That permitted activities for students under this conditional use permit shall be limited to indoor school activities and outdoor recreation/learning activities that will not constitute a nuisance to neighboring property owners (specific activities could be discussed by the Commission if it so chooses).
4. That the septic systems shall continue to be monitored on at least an annual basis and that if found to not be operating as required at any point that it shall be upgraded as needed, as determined by the Township and Wright County Environmental Health staff, or otherwise maintained so as to be adequate to handle the number of students allowed.
5. That the applicants meet any applicable building codes required by the Township's Building Official, including any necessary modifications.
6. That the applicants ensure there is adequate parking for the proposed use.

Steve seconded the motion. Motion approved unanimously.

Requests related to the construction of a dwelling addition. Approvals required include a variance to construct an approx. 30' x 40' one-story dwelling addition with basement approx. 38.3 ft from Cedar Lake (min. 75 ft required) and attached to a dwelling no meeting the required 4 ft elevation above the highest known water level (the proposed basement will meet this elevation requirement).

Applicant: Cathleen, Bruce and Andrew Campbell

Property Owner: Bruce F Campbell Rev Trust and Cathleen L Campbell Rev Trust

Property address: 8433 70<sup>th</sup> St NW, Annandale

Sec/Twp/Range: 34-121-27

Parcel number(s): 206024000121

**Present:** Andrew Campbell

**Campbell:** We are looking to pursue a variance that was approved previously approved, however has expired. We are looking at putting on an addition to the north side of the house. The variance is due to the house itself is closer than 75ft from the lake. We would have a basement as well and the basement would meet the water level mandate.

**Oleson:** The variances are Lake Setback as the existing house is close to the lake. The proposed addition would be 38ft at the closest and 41ft at the furthest. It is going in line with existing house. Last time it was approved they be 37.5 ft from the lake that was in 2014. The last request was for some living space and a porch, the new request is all living space. The conditions approved last time was that it had to be at least 37.5ft from the lake and that the lowest floor had to be at 4ft above the highest known water level. They will be meeting that and have provided information regarding that from the surveyor. The 2014 variance expired and that's why they are back again. It is a large lot, 3+acres, one of the issues to move back would be the septic.

**Audience:** None

**Arendt:** I am aware of the property, I have no issue with the addition. My larger concern is with the septic system. The plan is no additions for bedrooms, however, there is a total of six bathrooms and I am wondering about the septic system, is it going to be ok for this addition.

**Oleson:** The way sewer systems are designed it is based on the number of bedrooms. The way the plan has indicated no additional bedrooms. Number of bathrooms is not taken into account. I am sure you could have a designer look, however, my thought is they will go by the number of bedrooms only.

**Campbell:** We are not looking at the practical use as far as the demand that will be put on the septic system. That will not change. The new bathrooms are being attached to the bedrooms.

**Smith:** Will they have to have get a septic compliance before they get a permit?

**Oleson:** The county staff would look at that and decide if a new compliance would be needed. It was last inspected was 2014 and they will review to see if it needs to be done again.

**Smith:** I think it is something we should ask for. I am not a huge fan of being that close to the lake, however, we did grant it previously. I wish there was a way to get it further away.

**Guck:** I am questioning the no net increase in bedrooms?

**Campbell:** We are changing existing bedrooms into other rooms, one will be a library and one would become a basement game room.

**Smith:** Is there a side elevation to the house? What about the new room in the basement?

**Campbell:** Storage/exercise room, one step above an egress window.

**Smith:** Looks too much like a future bedroom, someone will turn that into a bedroom at some point.

**Campbell:** At this point we do not need an extra bedroom.

**Schultz:** I feel that because those could be bedrooms, to me the sewer should be inspected to see if it would be compliant if they were possibility turned into bedrooms.

**Naaktgeboren:** I would like to see the septic re-inspected and no closer to the 37.5 ft.

**Campbell:** We were very aware that we can be no closer to 37.5ft.

**Niklaus:** I am not in favor, this is a large addition and you should have done something back in 2014. We are going to continue to see people wanting to get closer, 75 ft is the requirement and to me this is too close.

**Guck:** My thoughts are similar to Steve. We highly suggest that they get out to the 75 ft to get it right.

**Campbell:** This is an addition not a rebuild.

**Guck:** I have some concerns with it being that close. What would happen if the septic is not compliant? Could it be pulled back at all?

**Campbell:** We will have to decide that if that is the case and see what can be done. We have addressed any water runoff and where the water will be routed coming off the house.

**Guck:** It seems there is a lot of concern with the septic what are the options?

**Oleson:** This could be two things. One is to make sure is currently compliant which would require an inspection. The other would be if it is compliant for a three or four bedroom and if it is possible to add onto the current system.

**Niklaus:** I feel there is no practical difficulty. To me this would not be consistent with being further back from the lake.

**Naaktgeboren:** Is there a way to jog it to the south west?

**Campbell:** It is not laid out that way, so it would be difficult to change that around.

**Naaktgeboren:** Is there a way to move it back just 10ft?

**Smith:** I would be more favorable if you could move it back 10ft.

**Campbell:** We do have the issues with the garage right there, we do want it to look aesthetically pleasing also. I understand consistently, however, this was approved previously.

**Niklaus:** what we are seeing is a significant about of building and very close to the lake.

**Campbell:** There should be some concession when there is not alternative vs someone that has an alternative location.

**Naaktgeboren:** I understand and I have seen ones that have had a jog in them.

**Campbell:** My thought is if we can do what is here, then we will have to look at it further to see if it is worth it. If it is not functional it is not worth it.

**Schultz:** We can table this and see if there is something you can change to see if you can make it better.

**Campbell:** So you do you want to come back with septic or move back 10ft?

**Guck:** I feel we are looking at both.

**Smith:** I would like to say no closer than 45 ft.

Schultz made a motion to table to look at additional options. Smith seconded the motion.

Motion passed unanimously.

Requests related to the construction of a 3-season porch addition and the enlargement of an existing open deck. Approvals required include an after-the-fact variance to construct an approx. 12' x 31' 3-season porch and expanded open deck approx. 50 ft from Clearwater Lake (min. 75 feet required) and approx. 6 feet from a side lot line (min. 15 ft required).

Applicant and Property Owner: David Stein  
Property address: 11844 103<sup>rd</sup> St NW, Maple Lake  
Sec/Twp/Range: 7-121-27  
Parcel number(s): 206042000170

**Present:** David Stein

**Stein:** When this started it was a simple repair of a sagging deck and turned into a three season porch. We started working on it and being focused on other items I did not think about getting a permit. What we did was extend the existing open deck 4ft to the east and want to cover it and make it a screened 3 season porch. The variance is to be 50ft from Clearwater Lake and 6ft from the side lot line. There was a concern with the 25% impervious, I own the lot to the east and we are going to combine those two parcels. So that we can remove the side yard and impervious issue.

**Oleson:** The only variance that is left is lake and that is at 50ft from the lake. We do have a survey and with combining the two lots the impervious and side yard setback goes away.

**Audience:** None

**Niklaus:** No net increase closer to the lake?

**Oleson:** It is not closer than the original.

**Niklaus:** Appreciate you solving the impervious and side lot setback. I am ok with it.

**Naaktgeboren:** Could this ever be split again once he combines?

**Oleson:** Not without a variance.

**Naaktgeboren:** I do not have an issue.

**Schultz:** I am ok with it.

**Smith:** I am fine with the setback from the lake.

**Arendt:** I am fine as long as they are combined with the county.

**Guck:** Yes I am ok with it.

Niklaus made a motion to approve an After-the-fact variance to construct an approx. 12' x 31' 3-season porch and expanded open deck approx. 50 ft from Clearwater Lake (min. 75 feet required) based on the findings of fact and the following conditions:

1. That Parcels 206042000170 and 206042000160 be combined into one parcel to eliminate the need for any variances related to the side yard setback or impervious coverage. This shall be completed prior to the "stop work order" being lifted on the construction of the addition.
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.

Smith seconded the motion. Motion passed unanimously.

Schultz made a motion to approve the September 29, 2020 & October 13, 2020 meeting minutes. Smith seconded the motion. Motion approved unanimously.

Zoning Administrator's Report

Permits - No action

Correspondence - No action

Enforcement Actions - No action

Other Business - None

Arendt made a motion to Adjourn. Smith seconded the motion. Motion passed unanimously at 8:33 pm.

Prepared by Jean Just