

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
APRIL 13, 2021

CORINNA TOWN HALL
9801 IRELAND AVE NW, ANNANDALE, MN
(or via web/phone web conference – see below for instructions)

7:00 PM

Guck called meeting to order at 7:00pm on April 13, 2021

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

Others in Attendance or via Computer: Melissa Tschohl, Clay Taylor, Nicholas Taylor, Karen Sutherland, Wayne & Paul Hoisted, Vicki Morgan

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

Public Hearings

Requests relating to the operation of a private/vacation home rental. Approvals required include an interim use permit for the operation of a private/vacation home rental served with a holding tank.

Applicant: Karen Sutherland

Property address: 7470 106TH ST NW, MAPLE LAKE

Sec/Twp/Range: 11-121-27

Parcel number(s): 206000114205

Present: Karen Sutherland

Sutherland: Indicated that she had bought cottage next door and is renting it out in the summer time. The property is serviced by a holding tank on the property that requires an interim use permit.

Oleson: This is an Interim Use Permit for a vacation rental, the trigger is that it is a holding tank. Oleson listed out a few recommendations in the staff report. The board had talked about a water meter with a drain field, however, when talking to the county they did not think a water meter would work with a holding tank and thought that an alarm was more likely to work.

Audience: None

Naaktgeboren: Asked if there was an alarm system on the holding tank?

Sutherland: No alarm, have a float system that is checked every day. Usually emptied on Fridays depending on when it is rented and call when it is about 3 quarters full. Would consider an alarm, however, does not want to rely on something electronic. Lives next door and checks it all the time.

Niklaus: In support, however, feel that an alarm is necessary since we are requiring for others and would like to see a two year time frame for review.

Schultz: Only question is if the porch is used as a bedroom?

Sutherland: No

Smith: Agree with a two-year term. Question on what is being used to mark the boundaries.

Sutherland: Showed what she is using for a boundary, which includes some natural landscape.

Arendt: Asked how many years she had been renting?

Sutherland: About 5 – 6 years.

Guck: Only concern was the septic and having an alarm.

Niklaus made a motion based on the findings of fact to approve Interim use permit for the operation of a private/vacation home rental served with a holding tank with the following conditions:

1. The interim use permit shall expire two (2) years from the date of approval. Upon expiration, the applicant may re-apply for a new interim use subject to the requirements of the Township ordinances at the time.
2. The applicant shall install an audible alarm for the existing holding tank.
3. The applicant shall meet all applicable requirements of Section 781 of the Corinna Township Land Use Ordinance.

Smith seconded the motion. Motion passed unanimously.

Requests relating to the construction of an attached garage. Approvals required include variances to construct an attached garage approx. 10 ft from a side lot line (min. 15 ft required), within the required 10 ft setback to a septic tank and 20 ft from a septic drain field, and attached to a dwelling that is approx. 53 feet from Cedar Lake (min. 75 ft required).

Applicant: Wayne and Paula Hoistad

Property address: 7330 ISAAK AVE NW, ANNANDALE

Sec/Twp/Range: 27-121-27

Parcel number(s): 206068000050

Present: Wayne & Paula Hoistad

Oleson: The only setback we are dealing with is the 10ft side yard and the lake setback. They have withdrawn the request for the 10 ft setback to the septic tank.

Hoistad: The tank was too close and when meeting with Bernie Miller we will be moving the tanks to meet that requirement. For impervious they are at 24.4% according to the calculations.

Audience: None

Arendt: Liked that they are putting in a new tank with it being 40 years old. Ok with side yard.

Smith: Wants to make sure you stay under the 25% impervious as they are very close to being maxed out. Ok with side yard and lake setback.

Schultz: Good with it.

Niklaus: 10 ft is manageable, just keep in mind the impervious.

Naaktgeboren: Did a good job getting things in, I'm good with it.

Guck: No concerns

Schultz made a motion based on the findings of fact to approve variances to construct an attached garage approx. 10 ft from a side lot line (min. 15 ft required), 17 feet from a septic drainfield (min. 20 ft required) and attached to a dwelling that is approx. 53 feet from Cedar Lake (min. 75 ft required) 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.

Niklaus seconded the motion. Motion passed unanimously.

Requests related to the construction of a detached screen porch. Approvals required include a variance to place a structure approximately 25 feet from the top of a bluff (min. 30 ft required).

Applicant: D. Clay and Lisa S. Taylor

Property address: 10041 105TH ST NW, ANNANDALE

Sec/Twp/Range: 8-121-27

Parcel number(s): 206000084102

Present: Clay Taylor

Taylor: Looking to build a screen porch. Submitted information regarding storm runoff, install drain tile that will take all the rain water from the screen porch and go to into a rain barrel. One corner of the screen porch will meet the setback.

Oleson: It is a bluff setback requirement and it is only the one corner that does not meet the setback.

Naaktgeboren: No concerns

Niklaus: The reason is to protect the bluff and they have done that with their water management plan.

Schultz: Looked at where the drain tile is going to go. Asked if they could run the house cutters into the drain tile also.

Smith: No concerns

Guck: No Concerns

Arendt: Should there be a concern with the septic?

Oleson: Could add that as a condition, however, when applying for a permit the county does review the septic and will ask for compliance if needed.

Arendt made a motion based on the findings of fact to approve a variance to place a structure approximately 25 feet from the top of a bluff (min. 30 ft required), 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.

Smith seconded the motion. Motion passed unanimously.

Requests relating to the operation of a private/vacation home rental for up to 18 guests. Approvals required include an interim use permit for the operation of a private/vacation home rental served with a septic system not designed for 75 gallons per day per guest.

Applicant: John and Melissa Tschohl

Property address: 9151 KEATS AVE NW, ANNANDALE

Sec/Twp/Range: 17-121-27

Parcel number(s): 206000174408

Present: John & Melissa Tschohl

Tschohl: Purchased in November of 2020, it is a large piece of property at 7+ acres. One of the appeals was the size as we have a large extended family and we have had issues trying to find a large property to rent. We are aware of making sure we do not affect the neighbors and have talked to the neighbors, they did not have concerns. The reason for the variance is the septic not designed for up to 18 guests. Do currently have an alarm and looking to install some kind of Wi-Fi alarm so that we can be notified immediately.

Oleson: It is a vacation rental and not meeting the septic for gallons per day. Again we are looking at the making sure the system does not get overloaded along with making sure the boundary lines are marked.

Tschohl: We do plan on making sure the property lines are marked and posting that at the property.

Audience: Morgan: No objections just wanted to listen in

Schultz: No concern would like to see the water meter.

Niklaus: Would like to see the water meter installed, vacation rentals seem to have more of a chance to have an issue with the septic. Some concern with the number of people as 18 seems to be high.

Oleson: Explained that a water meter is after the fact and there could potentially still be an issue with over use of the system.

Naaktgeboren: No concerns as long as they have a water meter to monitor the septic.

Smith: Monitor every two years, need to have a water meter, concern with the drain field with that many people and if we need to look at a time dose system.

Arendt: Would like to see a maximum of 14, felt that 18 is too many.

Guck: If the drain field fails, does that mean it would have to be replaced.

Oleson: Yes, that could happen.

Guck: Would like to see maximum of 14 people to not over capacitate the septic.

Morgan: Question regarding the lakeshore as there are not much room there with that many people.

Tschohl: Hired a landscaper to do some rehab down by the lake and hope to have two docking stations for boats. There is also some patio space up near the house.

Niklaus made a motion to approve based on the findings of fact an Interim use permit for the operation of a private/vacation home rental served with a septic system not designed for 75 gallons per day per guest, with the following conditions:

1. The maximum number of guests that may be allowed is fourteen (14).
2. The interim use permit shall expire two (2) years from the date of approval. Upon expiration, the applicant may re-apply for a new interim use subject to the requirements of the Township ordinances at the time.
3. The applicant shall install a water meter to the existing sewer system. All water meter readings shall be submitted to the Township no less than annually.
4. The applicant shall meet all applicable requirements of Section 781 of the Corinna Township Land Use Ordinance.

Schultz seconded the motion. Motion passed unanimously.

(Tabled from March 25, 2021 meeting) Requests relating to the amending of the Corinna Township Land Use Ordinance. Approvals required include text amendments to Sections 302 (Definitions), 604 (General Agriculture) and adding a new section 765. The purpose of the amendments is to define and allow for "Treatment and Recovery Facilities" as a conditional or interim use in the General Agriculture zoning district and to add performance standards applicable to such uses.

Applicant: Corinna Township

Oleson indicated this is the one was talked about last month regarding Treatment and Recovery Facilities and if we would like to adopt that as well or not change our ordinance which is more restrictive. There was a specific application that lead to the ordinance change. It could be amended at any time if you choose not to do it now. Smith made a motion to recommend to not change the ordinance at this time. Arendt seconded the motion. Motion passed unanimously.

Niklaus made a motion to approve the March 11th & March 25th, 2021 meeting minutes. Smith seconded the motion. Motion approved unanimously.

Zoning Administrator's Report - No

Permits

Correspondence

Enforcement Actions

Findings of Fact - Previous PC/BOA Decisions

Other Business: Oleson indicated that he sent out the Land Use Map for the board to review today. Will continue to review and discuss again next month.

Niklaus made a motion to Adjourn. Arendt seconded the motion. Motion passed unanimously at 8:30 pm. Prepared by Jean Just