

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
JUNE 8, 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 May 11, 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: Dan & Heidi Geiger, Andy & Tina Williams, Susan Stinn, Joan Henrikson

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

Public Hearings

Requests related to the construction of a dwelling addition. Approvals required include a Variance to construct a 10'6" x 13'8" bedroom addition to an existing dwelling approx. 8 feet from a side property line (min. 15 ft required) and approx. 18 feet from the top of a bluff (min. 30 feet required).

Applicant: Paul and Susan Stinn
Property address: 6847 Ingram Ave NW
Sec/Twp/Range: 34-121-27
Parcel number(s): 206069000140

Present: Susan Stinn

Stinn: Plan to build a room on the existing deck and extend two feet closer to the north. No closer to water. There is already a bump out to that side of the house. It would be a bedroom, we would be removing a bedroom from the lower level so it would still be a four bedroom.

Oleson: The variance is the side yard and the other is the bluff. There was a variance to build this house and to add an 8ft deck from the previous owner. Looks like the deck it was built at 10 ft and the county did not catch or allowed for it. Building over the top of the deck so it is an expansion of the house.

Stinn: On the north side they were granted a 10ft side yard.

Oleson. The home is at 10ft from the side yard and they are asking for 8ft on the addition. Currently the stairs are 7ft and the new addition would be 8ft away. Impervious and building coverage both seem to be ok.

Audience: none

Smith: In some ways it would be nice to have a survey since we are not sure where you are at. Back when the county it was granted for a 10ft side yard?

Oleson: Yes

Smith: Would like to stay at 10ft for the side yard.

Schultz: Ok with it

Naaktgeboren: Agreed that it should be 10ft and maybe an as built survey.

Niklaus: Would not support adding on when it is already too close.

Arendt: Questioned if the septic would stay the same.

Stinn: It would we are not adding any additional bedrooms.

Arendt: Agreed it needs to be 10ft side yard.

Guck: Question regarding another stair way.

Stinn: There is one on the other side of the deck.

Guck: Would like it not going any further to side lot line.

Oleson: If they got a survey and they were at 12 ft way, would you be ok with them being 10ft away from the side yard.

Guck: No closer than where they are at currently.

Niklaus based on findings of fact I would make a motion to deny this request.

Oleson: Are you looking to deny or table for a survey?

Niklaus changed his motion to table the request for a survey.

Stinn: If I changed the request to not go any closer to the side yard and to stay in line with where the house is currently I would not need a survey?

Niklaus: We are dealing with unknowns hear I think we need a survey.

With no second the motion failed

Smith made a motion based on the findings or fact to approve the variance to construct a 10'6" x 11'8" bedroom addition to an existing dwelling approx. 10 feet from a side property line (min. 15 ft required) and approx. 18 feet from the top of a bluff (min. 30 feet 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.

Arendt seconded the motion.

Discussion regarding not going any closer to the side yard than they are currently.

Motion approved unanimously.

Requests related to the construction of an open deck addition to an existing dwelling. Approvals required include a Variance to construct an open deck approx. 5 feet from a side lot line (min. 15 feet required)

Applicant: Andrew and Christina Williams

Property address: 11504 Klever Ave NW

Sec/Twp/Range: 5-121-27

Parcel number(s): 206014000190

Present: Andrew & Christina Williams

Williams: We did review the comments and the alternatives, the request is the 5 ft setback. Where the proposed stairs we would add a 7ft high privacy screen towards the neighbors.

Oleson: Variance from the side lot and the house and the items attached to the house require 15ft. This would 5 ft, side only lake is good and impervious is good.

Audience: Dan Geiger, I am the property owner to the north 5ft away. My goal is to not prevent what is going to be done just maybe revise it. The property is used as an Air B&B rental and we have had significant issues with the renters. We just want to prevent renters from spilling onto our property. I want to be supportive, however, putting a deck that close to our property line is not something I could support since that is a place that people congregate. There was a door on the NE corner of the property was added after they purchased the property. When the house was designed the decks and patios were located on the South East of the home to make sure traffic was directed away from the property line. Adding that door changed the traffic significantly and is located 5 ft from our property line. Concern about the noise. I would propose a few solutions, one proposal I have is remove the door, and have a patio with a sound barrier wall, another plan would be to create an open air deck to the south of the home which would not need a variance, or revise the plan to place a 8ft solid barrier for noise coming out of the front door.

Oleson: We have one other letter from the other neighbor also expressing concerns about the noise and effect on vacation rental. We have a separate vacation rental ordinance, not sure how they connect those and the vacation rental as a separate issue.

Guck: What is the percentage of time it is used for vacation rental?

Williams: We have had eight so far this year. I appreciate Dan's comments and want to make sure we are being good neighbors. We have added some privacy screening on that side of the home and moved the fire pit so that it is on the other side of the home. Do not disagree that we can look at some other arrangements for the new deck.

Oleson: There was not a record of the new door being permitted.

Williams: We hired a contractor so we can check with them as to why they did not get a permit. We will put in a request for a privacy wall.

Niklaus: Not in support of putting a deck that close to neighbor. Feel they need to go further away.

Naaktgeboren: Would suggest that you have the steps go to the side and get 15ft from the property line with the deck. Possibly change the stairs going to the side instead of out front.

Niklaus: Does not feel the Air B&B is an issue, I would not be in favor whether it was a vacation rental or private home.

Naaktgeboren: Not sure I would be in favor.

Schultz: Would hope you can come in agreement with your neighbor. Questioned if the door could be moved. Noted that the other side is a sunken living room so it would not work.

Oleson: Just to note that if someone were to come to put in a door to their house, it would not require a zoning review. The only item would be the steps out and if only 4ft wide they would not need to meet the setbacks. Noted in staff report that if the stairs come down to a patio and it is not attached to the house they would not need a variance. So a perspective of having the door or a patio there they could do that without a variance.

Schultz: Would like to see if they turn the stairs and then a patio.

Smith: Would like the privacy fence and in favor of being closer than 15 ft.

Oleson: Privacy fence over 7ft high would need a building code

Arendt: Would like 15ft and a privacy fence.

Guck: Would like to see the traffic sent to the south and take all the traffic from the neighbors.

Oleson: Noted that the only way for the board to have a say on the privacy wall is if you are approving the variance. If they decide to go with a patio they do not have to have a variance.

Niklaus made a motion to table the request to draw up a new plan. Smith seconded the motion. Motion approve unanimously.

Smith made a motion to approve the May 11, 2021 meeting minutes. Schultz seconded the motion. Motion approved unanimously.

Zoning Administrator's Report

- Permits

- Correspondence

- Enforcement Actions

- Findings of Fact – Previous PC/BOA Decisions

Oleson: Question regarding if the house was meeting set back to highway 24, it was real close but not 100%, they were slightly enlarging deck by squaring it off on the back side of the house. The deck was fine and we did issue it. I just wanted to make sure you did not feel differently. Board was good with approving that.

Other Business; There is a meeting regarding the Land Use Plan at Silver Creek Township on June 17th @ 7pm for anyone that wants to attend. Bill, Larry & Barry will go

Smith made a motion to Adjourn. Schultz seconded the motion. Motion passed unanimously at 8:18 pm.

Prepared by Jean Just

