

CORINNA TOWNSHIP  
MINUTES  
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION  
April 11, 2017  
7:00 PM

Taylor called meeting to order at 7:00pm on April 11, 2017

Board of Adjustment/Planning Commission Members Present: Larry Smith, Barry Schultz, Charlotte Quiggle, Al Guck, Trish Taylor (Chair), Dick Naaktgeboren, Bill Arendt, Ben Oleson (Zoning Administrator)

Others in Attendance: Peter Schreiner, Rob, Karen & Sarah Gusaas, Dan Erdman, Sheree Mattes, Ed Beduhn

Additions or Deletions to the Agenda; Quiggle made a motion to approve agenda as presented. Schultz seconded the motion. Motion carried unanimously.

Public Hearings

Variance to replace an existing home, detached garage and small storage building with a new dwelling and attached garage approximately 5 feet (garage) and 13.5 feet (home) from the north side lot line (min. 15 feet required). Construct a new open deck to be approximately 73 feet from Sugar Lake (min. 75 feet required).

Applicant: ROBERT AND KAREN GUSAAS

Property address: 11498 HOYER AVE NW, MAPLE LAKE

Sec/Twp/Range: 2-121-27

Parcel number(s): 206091000220

**Present:** Robert and Karen Gusaas

**Mr. Gusaas:** Thank you for consideration, we have been working on this since 1999. We are looking to improve the property. We remodeled in 1999 and there are 3 different foundations on it so we decided that rebuilding was a better option then trying to remodel again. So we want to consolidate is 3 non-conforming homes into one. We are going to pull the home back from the lake and we want to improve the water management. When it rains the water runs down the side walk towards the lake. So we are planning on gutters and rain barrels. We are trying to locate a few trees. The foot print is similar to what we have currently. We are staying under the coverages of 15 & 25%. We are looking for a little more space in our garage and inside the house we plan to put in 7ft doors. We believe the plan that works for the board, county and township.

**Mrs. Gusaas:** With the sidewalk we can tell that prior to us there was water in the basement and that may have been the reason for so much impervious. We want to correct that.

**Oleson:** Two variances, the Lake set back is one, there is 1.5 ft into the lake setback the rest is back far enough. The side yard the front porch is slightly into that about 1.5 or so. The other side is the attached garage is 5ft from the property line. The minimum is 15 for new construction. The primary comment has either been in favor or any of the concerns have been the 5ft on the garage side. They will have to move the holding tanks and Bernie miller did submit a plan yesterday. The other thing I looked into was the basement floor meeting the high water and it does.

**Audience:**

**Dan Erdman:** We did send in a letter in support of the project and the two other garages on the property did not meet the setback and feel this is a good trade off. Hopefully this will allow them to become residence of the township.

**Ed Beduhn:** We own the property to the south. I did write a letter, briefly the variance concept is, is there any harm being? We do not feel that there is any harm. The side that is 5ft, I do not feel that is an issue since there is no current harm being done and there is more than 100ft there to build on in the future.

**Oleson:** Reviewed the comments both for an opposed

**Naaktgeboren:** It is a nice house plan, question on the drainfield?

**Gusaas:** Bernie Miller checked it and said it is ok.

**Naaktgeboren:** I am ok with the lake set back. On the garage side I feel the 5ft is too close, is there a way to move the garage? I am not be ok with a 5ft.

**Guck:** You are moving buildings that are closer than the 5ft, so I feel that it is a give and take on that. I am ok with the lake set back, the side yard I feel you are going to be further than you currently are.

**Schultz:** I am in agreement with Al we are winning more than loosing.

**Smith:** I feel we need to be further than 5ft from the side lot.

**Quiggle:** I have a problem with the side yard as well, I could live with a 10ft side yard. The other thing I would like to see, currently the yard is all turf grass I would like to see a vegetative buffer, leaving about 25% for your docks beach etc. which is what the DNR recommends.

When water comes off turf grass sediment goes into the lake. When you have a buffer it stops 95% of that.

**Arendt:** I agree with Dick on the garage too close, and with the buffer that needs to be there.

**Taylor:** I agree with the 5ft being too close, however, I could live with even 8 or 9ft. Buffer is another item that should happen. My biggest issue is the 5ft setback.

**Smith:** How wide is the garage?

**Gusaas:** It is 34ft, at 31ft it could still be a three car garage. I think we could adjust it slightly to get the same square footage.

**Taylor:** You do have an option to table and come back with a new plan.

**Gusaas:** Is there an option to approve a version of what was submitted?

**Naaktgeboren:** I would be fine with 10ft, I think there are options.

**Smith:** I agree with that.

Quiggle made a motion to approve the variance to replace an existing home, detached garage and small storage building with a new dwelling and attached garage approximately 10 feet (garage) and 14 feet (home) from the side lot line. Construct a new open deck to be approximately 73 feet from Sugar Lake with the following conditions:

1. That the setback of the attached garage to the side lot line be increased to at least 10 feet, the side yard setback for the house to be 13'9" and the deck setback to the lake to be 73.5' (with supports to be at least 75 feet).
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 guother 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. 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. The plan shall include, at a minimum, a shoreline buffer extending at least 30 feet back from the rip rap on the shoreline and covering at least 75% of the shoreline width.

Smith seconded the motion. Motion approved unanimously.

Ordinance amendments to Sections 603 and 604 of the Corinna Township Land Use Ordinance to add "Commercial Agricultural Tourism" as a conditional use, Section 716 to clarify regulations relating to septic systems, Section 762 adding regulations for solar energy systems, Section 724 regulating signs, Section 714.2 relaxing certain restrictions for the raising of chickens and other farm animals, Section 741 relaxing certain rules for "home extended businesses", Section 302 revising or adding certain definitions and other miscellaneous changes throughout the Corinna Township Land Use Ordinance.

Applicant: CORINNA TOWNSHIP

**Oleson:** These are changes that the County has made in last year and we are looking at either accepting as is or making any changes to be more restrictive.

**Section 603 & 604 adding "Commercial Agricultural Tourism" as a conditional use:**

Question if some types like an apple orchard should be AG not commercial agricultural tourism. It would depend if it was attached to a business that is doing retail. May be good to add that there may be conditions which will be limits on numbers, hours etc.

**Section 716 to clarify regulations relating to septic systems:**

**Section 762 adding regulations for solar energy systems:**

Question on the drain tile and is that protecting the other land. Indicates that they need to know where the tile is at so that it is not disturbed. The County regulates them as a Conditional Use Permit and then puts a date on them. I have updated them to Interim Use permits.

**Section 724 regulating signs:**

**Section 714.2 relaxing certain restrictions for the raising of chickens and other farm animals:**

Questions regarding animal units, basically 1000lbs is one animal unit. Waterfowl counts towards an animal unit. They are trying to allow for people to have up to 30 chickens & 5 water fowl. This was added to the feed lot ordinance and that ordinance is the County's. If we want

to be more restrictive we will have to check with them. Clarified what is allowed in Residential Districts **Would like to keep A/R & Residential Districts limited to less than 10 animal units.**

**Section 741 relaxing certain rules for “home extended businesses”:**

Clarify they are getting a little less restrictive with allowing for storage of items in a fully enclosed fence.

**Section 302 revising or adding certain definitions and other miscellaneous changes:**

Question regarding large lot setback regulation eliminated, this was due to it being moved to the feed lot ordinance. Wondering if it should still have this in the land use ordinance? If it is not in the Land use ordinance you are depending on the County to regulate it. All feed lots have to get a permit from Wright County and they would make sure setbacks are being met. Oleson will talk with Tracy and Wright County before meeting with the town board.

Question regarding 725 Essential services under 725.4 under exemptions indicated final completing within 90 days, however if it is already existing there is no reason for a 90 days.

Just to clarify that CUPs have to start the project with in 2years and have it completed within 3 years.

Schultz recommend approval of the ordinance with the suggested changes. Smith seconded the motion. Motion carried.

Oleson indicated he would make sure our language is the same as the County with the changes you suggested and review with the board.

Schultz made a motion to approve the March 15, 2017 meeting minutes. Quiggle seconded the motion. Motion passed unanimously.

Zoning Administrator's Report

Permits - no discussion

Correspondence

Question has come up regarding reducing impervious but still over their limit. My memory is if the project needs a permit we require a permit if the project does not need a permit it would not require a permit. Just want to confirm. On Sugar Lake, they would like to rebuild, they would be moving the home back to meet Lake Setback and will meet the road setback. They are currently at about 40% impervious, the county does look to see if it was a legal non-conformity meaning they did not add the impervious recently, and going back to 2005 the aerial shows all the concrete was already there. In the non-conformity statue it indicates we are to address the non-conformity so in my mind that means if they are over bring them down. They are asking to rebuild and would bring it down to 29%. I am working with the surveyor to see if they can meet the 25%, however if not my thought is they need to come in for a variance. Board felt yes they would have to come in for a variance.

Steve Bruggeman re-zoning was approved by the County however, approved it differently than we had. They approved R2 for everything rather than R1 on lakeshore & R2 on the back lot. What that means is he needs a 2.5 acre lot for each one. He can do that with moving one line

back into the wetlands. Now he has to come through for the final plat. One of our conditions was the wet land delineation, however, the Town Board did not require that. In talking with him he feels the wetlands are pretty noticeable so a delineation should not be needed. This is something that you can opt out of. A survey will give indications where the wetland is.

Enforcement Actions - no discussion

Findings of Fact - Previous PC/BOA Decisions;

Quiggle made a motion to approve the findings of fact for Nelson & Strom. Guck seconded the motion. Motion approved unanimously.

Other Business

Discussion - Erosion protection requirements and enforcement (if time allows)

Review of previously granted variance requests (if time allows)

Oleson indicated he has been having conversation with the DNR & Wright County regarding replacement of re-building without a variance. The DNR was looking at it differently. After going back and forth it was decided that we will be keeping it as we have been doing it.

Guck made a motion to adjourn. Taylor seconded the motion. Motion approved unanimously at 8:37pm.

Prepared by Jean Just