

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
August 11, 2015
7:00 PM

Charlotte Quiggle called meeting to order at 7:00 PM on August 11, 2015

Roll Call: Board of Adjustment/Planning Commission Members Present: Larry Smith, Trish Taylor, Barry Schultz, Lee Parks, Charlotte Quiggle (chair), Ben Oleson (Zoning Administrator)

Absent:

Others in Attendance: Dick Naaktgeboren, Chuck Carlson, Mark Stanley, Lydia Kulesor-Tanley, Mel Dykhuizen, Bernie Miller, Mark & Jan Curley, Mark & Pam Rentz, Bill Campbell, Jeff Rivers, Joel Vos, Derrick Bergstrom, Rick Suddendorf, Rick Kannianen, Gary & Lisa Ruotsi, Diane & Steve Wiltermuth, Chad Filek, Loretta Helm, Michelle DiBattista, Eric Swenson, Mark & Martha Ertl, Steve Bruggeman, Jeanne Kaiser, Bill Curran, Daniel Erdmann, Frances Murnane

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

Public Hearings

- a. Variance to construct a partial second story addition to an existing single story home that is approx. 50 ft from Cedar Lake (min. 75 ft required) and approx. 3 feet from a side lot line (min. 15 ft required) and a 10' x 12' single-story mud room addition to the southeast corner of the existing dwelling.
 - i. Applicant: Richard Suddendorf
 - ii. Property address: 8899 Ingram Ave NW
 - iii. Sec/Twp/Range: 22-121-27
 - iv. Parcel number(s): 206021000070

Present: Richard Suddendorf

Oleson: This is a single story house and the proposal is to add a mud room to the side and a second story to 2/3 of the building. Two variances, one is the lake set back existing house is 50 feet from the lake and the existing house is within the side yard setback it is about 3 feet away.

Suddendorf: The reason to do this is I love the cabin the way it is it is a 1940 cabin and for most it was a tear down, but I grew up coming to the lake and it is a 1 bedroom 1 bath and we share a bedroom with our 6 year old and we don't think he will want to do that when he is 16. All we are looking to do is add a partial second story so that we have two bedrooms on the upper level and make the kitchen & bath little larger. It's a 22,000 sq ft lot and I just want to make it a little more comfortable. My neighbor is here and I think he is ok with being close to the side lot and I am way below what is required for lot coverage.

Audience: None

Taylor: I do not have an issue as long as they are using the existing cabin. Are you removing any trees?

Suddendorf: I think just one tree on the one side due to the second story. None of the 100 year maples will be lost.

Taylor: Where the cement steps are is that where the mud room will go?

Suddendorf: Yes

Schultz: good

Smith: good

Parks: good

Quiggle: It does seem like a reasonable request to be also.

Parks made a motion to approve the Variance to construct a partial second story addition to an existing single story home that is approx. 50 ft from Cedar Lake and approx. 3 feet from a side lot line, and a 10' x 12' single-story mud room addition to the southeast corner of the existing dwelling 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. These may include directing rain gutters to appropriate areas, rain barrels, 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.

Taylor second the motion. Motion approved unanimously.

- b. Conditional Use Permit/Land Alteration for the movement of approx. 1000 cubic yards of soil in a shoreland area.
 - i. Applicant: Mark and Pam Rentz
 - ii. Property address: 11877 Grant Ave NW, Maple Lake
 - iii. Sec/Twp/Range: 1-121-27
 - iv. Parcel number(s): 206000011111

Present: Mark & Pam Rentz

Oleson: This is a lot that does not have a permanent home on it right now just an RV. They are proposing to bring up the back side of the lot, they would like to bring in fill have a building pad for a house with a garage and driveway. IT will require about 1,000 total for home and driveway. We have a design on how the house, garage, driveway would fit in there along with a sewer plan and more recently a storm water management plan. There is a culvert across the road that drains down the side along with a swale. The house itself will meet all set back requirements.

Rentz: We purchased the property about 10 years ago now with the hope to someday build on the property. We have worked with several people to get things placed where they need to be.

We care very much that keeping the property the way it is, we came up with a plan that will be very good for the lake and the surrounding area. The last thing I want is erosion problems.

Miller: In 2006 we started on it and have been working on this since trying to figure out how to make it work. We gave given them a little bit of a starting point to work with the grade and to avoid all variances. It is designed around getting the septic in and stay away from having to get a variance. Some of the challenge was the existing culvert that comes across the road to their property. Since they had the property they have not had erosion problems. The field on the other side is all grass and there is a lot of gray so the challenge is building the driveway and minimize the amount of soil that needed to be moved. Fill for the driveway is 300 cubic yards, taking out 303 yards from the house. The front yard is another 300 yards.

Audience: Campbell: For many years I owned the property to the south and today I am hear for my two sisters that own the property. Asked a few questions on the updated plans, We have been going up to this property since the 1950's and we built that road and driveway in, we are seeing a new neighbor - tw3o concerns first is the South side yard, the elevation of the corner of the house seems to be 1010, and the elevation on the other side seems to be 1004, that is a 6ft drop and wondering how that will be accomplished, another question is that the water flows north along the property line, this is the lowest lot our lot drains toward it. What is going to happen and is there going to enough room for a swale that will allow the water to run?

Miller: This is 1010 and there is a 4ft retaining wall and indicated where the swale would be.

Campbell: That is very reassuring.

Miller: Showed where the water will flow on the map.

Campbell: That is good to see - can we get a copy?

Oleson: It is up on line now.

Campbell: That is great I think that will work. My other concern is that everyone built a driveway into their property from the road. Water coming off the road comes down to the ditch and into the culvert and down to the lake. Water flows along the side of the road, however, about 10 years ago the current owner bought the property and put in the driveway the driveway was built over the mouth of the culvert. Now we have a situation of steel culvert that runs to us and it terminates under the new driveway. What does it do for us? Instead of the water going through the culvert, it fills up the drainage tube and it flows in a thin and broad way across our lot. We have a building that is set on concrete block and the water flows under that building. I would like to see when we are doing the work that the culvert is opened back up as it had been.

Miller: The current driveway will come out. What we would like to do instead of putting a culvert there is split where the water and have the water go both ways with berms and swale. It will create a little retention area for the water.

Rentz: It was 4" plastic tube and we inadvertently covered it up.

Schultz: It sounds like Miller has done his homework and I am good with what they are trying to do.

Smith: My question is clarification, how far along the north side of garage are you going to fill?

Miller: That is a retaining wall to allow a swale and water flow. So on the North side at maximum is about the 2 ft of fill.

Parks: I am good

Taylor: I am good

Quiggle: I agree that Miller and the owners have done their homework and it sounds like a good plan.

Schultz made a motion to approve Conditional Use Permit/Land Alteration for the movement of approx. 1000 cubic yards of soil in a shoreland area 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 the area of disturbance and the road and neighboring property to the west, seeding of all disturbed areas and installation of erosion control blankets as identified in the submitted erosion control plan, or as otherwise recommended by Wright County SWCD and/or approved by the Zoning Administrator.
2. The applicant shall implement 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 runoff from the site prior to it flowing onto the township road and/or the neighboring property to the east. These may include directing rain gutters to appropriate areas, rain barrels, 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.
3. The applicant shall submit a stormwater mitigation plan that identifies additional best management practices that could be taken to address stormwater containment that may be necessary if the fill were to negatively impact the neighboring property or the lake if the approved plan proves to be inadequate.
4. If, at any time within five (5) years of the approval of the placement of the fill the Zoning Administrator determines, after consultation with the Wright County SWCD and the landowner, that significant erosion, drainage or other negative impacts from stormwater runoff are occurring as a result of this project, the applicant shall implement best management practices sufficient to mitigate those negative impacts, whether or not such necessary practices were contained in the original or mitigation plan identified in #3 and 4 above. This may include the removal of fill placed during this process to restore an area for flow or detention of water.

Smith seconded the motion. Motion approved unanimously.

- c. Variance to construct a 30' x 80' storage building approximately 5 feet from a rear property line (min. 50 ft required).
 - i. Applicant: Lampi LLC
 - ii. Property address: 9094 64th Street NW
 - iii. Sec/Twp/Range: 33-121-27
 - iv. Parcel number(s): 206106001011

Present: Tom Lampi

Oleson: So this is a 3 sided building for storage on the property. Minimum rear property line set back is 50 ft and they are going to be 5 feet from the rear property line. Reason for the building is to store items that are now outside can be stored inside.

Lampi: I would like to put the building within 5 ft of Fergusons property. He has no objection to it. There will be no excavating. If we come out further it will come in front of the overhead doors. I would like to cover the stuff sitting outside.

Audience: None

Smith: I do not have a problem with it I do see anything that will ever be built behind you. I would like to see a little further away, however, you would have no way to access the buildings. I am good with it.

Parks: I am ok with it. Never going to be anything back behind them.

Taylor: ok

Schultz: You will still be able to go between the two buildings?

Lampi: Yes

Quiggle: I have a question, we had some sort of storm water management with Marty

Ferguson: Do that we have a storm management system here?

Oleson: We did have him put gutters on and the issue is that the bottom side of his is on the hill. We did this so that we do not have gully's form and to direct the water from the roof.

Lampi: The water is going to go into the pond which is where it goes now. The property is flat. Smith moved to approve the Variance to construct a 30' x 80' storage building approximately 5 feet from a rear property line 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. These may include directing rain gutters to appropriate areas, rain barrels, 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. The plan should have a particular focus on protecting the slope leading down to the wetland in the rear of the property.

Taylor seconded the motion. Motion approved unanimously.

- d. Variance to replace an existing dwelling with a larger 32' x 48' dwelling approximately 52.4 ft from Cedar Lake (min. 75 ft required) and 50 feet from the centerline of a township road (min. 65 ft required). Variance to allow for 16.2% building coverage (max. 15% allowed). Variance to allow for an enlarged dwelling to be served by a holding tank.
 - i. Applicant: Jeffrey and Leanna Rivers
 - ii. Property address: 6799 Ingram Ave NW
 - iii. Sec/Twp/Range: 34-121-27
 - iv. Parcel number(s): 206000341101

Present: Jeff & Leanna Rivers

Oleson: They have an existing manufactured home building on the property and they would like to build a new home 48x32 within the lake set back and road set back The meet the side yard setback. The number that the surveyor came up with is 16.2% of building coverage and the maximum coverage is 15%. As mentioned it is on a holding tank right now and that would require a variance also. It is a flat lot that is pretty low.

Jeff Rivers: A few questions; the calculation does not include the shed for impervious as it is a portable shed. When we look at the amount we are over the building coverage we are looking at about an 11x11 shift we went and checked the foundation of the home and it is a little different, it is 48x29 ft. We are down to about 15.03% building coverage. When we purchased the property we lived up the hill and it was not a very attractive property. We have considered everything from a park model to put on the property, we did find a standard size home with a patio built in. We have been working with Ben on this for some time. I convinced we can meet the building coverage so my main concern is the holding tank. When we purchased it had no septic just a pipe that went to the ground. We purchased the property and thought we had done our due diligence to make sure we had a solution for a septic. Working what we felt was our due diligence put in a holding tank. We have met with Bernie Miller and they have done some borings and it was not very good for putting in a true septic system. We are going from 2 bedrooms currently to another 2 bedroom, so not a change in what we currently have. We understand that it is not desirable to go to a bigger home on a holding tank. We have found one that is only 1008 sq ft, we would like to request that we could be from 1000 to 1300 sq ft. So we are asking for approval for a home not more than 1300 sq ft and keeping the building coverage under 15% with a holding tank.

Miller: We did just some preliminary work just some soil borings, and it would be undersized and if it would be possible with the neighbors well.

Audience: None

Parks: I don't know that there is a lot we can do with adding sq footage without a septic system. I think there are some alternative is a septic system you can put above ground but you would have to check into that.

Smith: Are you looking at this as a permanent home?

Rivers: No, it will be a summer home. It will be a manufactured home that looks good. We have it pumped and a multifold system requires annual systems. Neighbor's two doors up has a holding tank and it works just fine for them. I feel we want to take care of the property and raise its value.

Smith: I think we should look alternative plans before we make a decision.

Quiggle: I feel that before we make a decision that we need to have a septic designer take a look at it. The ordinance is clear that they cannot expand on a holding tank and that is something that Wright County seems to be strict on. I think we really need to get information from a septic designer before we go any further on this.

Taylor: I would really like to see on the septic design and also that we stay within the 15% Taylor made a motion to table until we get more information regarding if a septic will or will not work on the property. Parks seconded the motion.

Smith added that the house plan needs to meet the 15% building.

- e. Variance to replace an existing one-story house with a two-story house on the same footprint approximately 11 feet from Sugar Lake (min. 75 ft required) and 0-1 feet from the side property line (min. 15 ft required). New attached garage to be 0-1 feet from the side property line (min. 15 ft required) and 0-2 feet from the septic tank (min. 10 ft required). New attached screen porch to be approximately 54 feet from Sugar Lake (min. 75 ft required). Building coverage to be 20.1% (max. 15% allowed). Total impervious coverage to be 31.3% (max. 25% allowed).
 - i. Applicant: Mark Ertl and Martha Hurr Ertl

- ii. Property address: 11543 Gulden Ave NW
- iii. Sec/Twp/Range: 1-121-27
- iv. Parcel number(s): 206085000310

Present: Martha & Mark Ertl

Oleson: Existing home is a one story with a tuck under boat house. They have a sewer system to the driveway. The side lot line is very close right now and on the lake side they are 11 - 12 ft from the lake with boathouse coming into the lake. The proposal is to replace on the same footprint with a little shrinking so that they would not go over the side lot line. They would add a 2nd story, screen porch, and attached garage. The variances are the lake & side yard setback, building coverage was 17% coverage and would be 29% impervious. Current building coverage is 12.5% going to 17%. Impervious from 28.25 29.77%. There is a survey done that shows the lot size but not the exact impervious coverage. A little bit of the township road that is on their property.

Mrs. Ertl: In reviewing the staff report and comments listed on line. We have read the plan and respect the spirit of the plan. We both grew up on a lake and respect the rules that are put in place. We bought this home because we love the lake and the Annandale area. We currently have a 3 bedroom year round cabin that has a sub pump that runs continuously pumping water back into the lake. What we are proposing is a new 3 BR home. We have made some updates and reviewing the staff report, we understand we need to revise our plan further, therefore, we are not asking for a decision today, we would like some clarification so that we can adjust our plans. We are asking Otto & Associates to update our survey. There may be some question on the township roadway encroaching on our property. We know how important it is to have accurate information. We need to update our plan so that building coverage be no more than 15% and total impervious no greater than what already exists on the lot today. We hope to improve on those and also would like some clarity on a few items addressed in the staff report. The first issue is that the side yard be increased to 10ft, my understanding is this is a common request and my question would be what is more important the side yard or setback to the septic? The second as we calculated the impervious it included the grass driveway and our initial indication was that it would not be included, just clarify if grass driveways are included?

Quiggle: Any driving surface is included in impervious.

Mrs. Ertl: Next question has to do with the lake set back, it was indicated that we should move the home back to meet at least the 37.5ft, just wanted to share that we went with using the same footprint with the thought that it would be the least disruptive to the shore, excavation, and fill. Given our shape moving it back will require shifting of the home and additional side & road setback along with redesigning our current septic which may not be a favorable septic system. So our question would be what is more important the lake setback or having multiple side yard setbacks, road setbacks, and a desirable septic system. Lastly the report indicated the request would alter the character of the area, there are several year round and lake homes along this roadway, we received information that many homes are converting to larger year round homes and that many have added second stories, it may change the look from the lake.

Audience: Mark Stanley: I own the property to the south, I grew up on the property spending most of my summers there. I support the staff recommendation to not approve this variance request as presented. As the adjoining property owner I do not want our north property line blocked by a two story wall. It would tower above the lake shore reduce the circulation of air around our cabin, it would create more waste water and sewage that would easily flooded the existing septic. Based on the staff recommendations and findings I stand behind the board's

recommendation for a new building plan back from the lakeshore away from the side lot line and require a new septic system.

Quiggle: Then everyone see the comments online regarding when they moved the road and filled in the wet lands. Mr. Stanley had sent in a copy of how that happened. The road was vacated and shifted over.

Naaktgeboren: It was done about 40 years ago and it was recorded about 4 – 5 years ago.

Stanley: I put together a visualization so we could see some of the changes of the property. He showed the visualization he had sent in and explained what had happened over time.

Loretta Helm: I am on the other side, I agree with what Stanley has said.

Taylor: I really would like to table until we see some new plans. In the new plans with the size of the home increasing will the bedrooms increase?

Mr. Ertl: No we will be going from 3BR to 3BR

Taylor: One thing I saw was with the boat house and the water coming right up to it. I would like to see if you can get a little distance from the lake so that you are not right on top of the lake.

Mr. Ertl: Part of the plan is shrinking the home to 15% and getting a little more frontage.

Taylor: Getting to 37.5ft would be ideal.

Mr. Ertl: Then we would have to get a new septic and I don't know if there is room.

Schultz: I am thinking they may need a new septic anyways.

Oleson: The septic would need to be checked and would be certified before building.

Taylor: When I was out there I would like to see some new plans; maybe they can do some repositioning.

Quiggle: I think we are going to be tabling this they would just like some feedback.

Schultz: Just to answer your question as far as priority is the set back to the lake and the sewer. Question for Ben, if that house burnt down could the rebuild.

Oleson: They can rebuild without expansion.

Mr. Ertl: Part of what we would like to do is raise it up so the water no longer comes up to the foundation.

Schultz: It sits way to close to the lake, I would like to see it back away from the lake further.

Oleson: If the overhang is over the property line they may have to move that and elevation would have to be raised to meet the elevation of the lake.

Smith: Lake setback is a must at 37.5ft and I don't think we approved one less than that. I think I can live with side yard more than the lake.

Mrs. Ertl: You mentioned the 37.5 feet back, can you clarify the difference with the one across the lake where a second story addition is being added on that is 20 ft from the lake. What is the difference from their request and ours?

Quiggle: First of all putting a second story on an existing house is not necessarily new construction. You're doing new all new construction.

Mr. Ertl: So if we build on top of our wet boat house that is ok?

Quiggle: If you leave the house where it is without expanding with the factors that Ben has explained you can do that. A lot of these things were built way before we had the ordinances.

Parks: I would rather give the variance to center the new house. It is going to be hard to meet any setbacks. I would forgo some of the setbacks rather than have you just build on top of what you have there. I would rather approve a variance to build a new house.

Quiggle: That is what they are asking for just want to keep it close to the lake.

Mr. Ertl: Not necessarily, we just do not want to have to replace the septic, it that was not there we would rather move it back and have a front yard.

Taylor: I would be ok with giving more of a variance to the septic
Oleson clarified where the septic is located.

Quiggle: My thoughts is that when we have a new lot it has to be conforming at 20,000 sq ft this is 11,000 sq ft. and it is doubling in size than what it was originally. This is not meant for a permanent home. You are trying to too much for a limited piece of land. I do see there is room here to expand. The shoreland rules state no new construction in the shore impact zone and the shore impact zone is half the distance of the required set back which would be 37.5 ft. That creates a problem for the septic and the garage, maybe you have to eliminate the garage. As far as the coverages they need to stay at the 15% coverage and 25% impervious. That is my thoughts. There are not very many permanent homes along here and if they are the lots are much bigger.

Mr. Ertl: This was a permanent home year round home.

Mrs. Ertl: We understand and to be considered we know we need to get to the 15% building coverage and not to exceed our current impervious which is 28%. We are not looking for a decision today just looking to prioritize what is more important.

Smith made a motion to table until we have more information. Schultz second motion.

Oleson: Just to clarify what would you considered impervious on the driveway.

Smith: Just the impacted surface.

Motion passed unanimously.

- f. Request to rezone property from General Agricultural (AG) to Agriculture/Residential (A/R).
 - i. Applicant: Derrick and Cheryl Bergstrom
 - ii. Property address: None
 - iii. Sec/Twp/Range: 12-121-27
 - iv. Parcel number(s): 206000121400

Present: Derrick Bergstrom

Oleson: This is request to rezoning. It is just under 20 acres. Ben showed a map of area's that are already rezoned A/R which is what they are requesting. You can see that it is mostly wooded with a little wet land. A/R would allow for 10 acre min. lot which is what is in the comprehensive plan. We would be making a recommendation to the town board and they would have to approve.

Bergstrom: It used to be a tree farm at one time it may have been open grass.

Oleson: The only other thing we should mention is because it is a little bit under 20 acres you will not be able to get two 10 acres lots. Because he owns the lot line next to it he may be able to do a lot line adjustment at a later date.

Bergstrom: I would rather see it be under 10 acres because there is not access to the back side without going onto the highway or going through water. But will do what we need to do.

Oleson: The request would be split down the middle.

Schultz: If under 10 acres are they limited what they can build.

Quiggle: That is something they would discuss at sub-division time.

Bergstrom: Would we have to get a variance at the county if the rezone so that they could be under 10 acres?

Oleson: County would not be involved in the split and it would be at the township level.

Bergstrom: I know they have already rezoned many lots around me.

Audience: None

Schultz: I have no problem with it

Smith : I think it is ok

Parks: I am good

Taylor: Ok

Quiggle: I am good.

Quiggle made motion to recommend the approval to rezone property from General Agricultural (AG) to Agriculture/Residential (A/R). Smith seconded the motion. Motion passed unanimously.

- g. Lot line adjustment to attach a portion of Lot 12 and attach it to Lot 11 of "Thompson's Bass Lake Park".
 - i. Applicant: Joseph Spielmann (Owner: Spielmann Estate)
 - ii. Property address: 11441 Kimball Ave NW, Annandale
 - iii. Sec/Twp/Range: 5-121-27
 - iv. Parcel number(s): 206087000110 and 206087000120

Present: Steve Bruggeman, Francis Murnane

Oleson: Basically a lot line adjustment that initially was communicated that the land transfer had already occurred some years ago and just was not approved by the County or the Township. This is to formalize that. Ultimately it is would we approved this adjustment.

Bruggeman: What we are trying to do is that there is an old road at one time the top half of the road was on one property and the bottom half was on another property so the lot line adjustment was to get it all on one property so that there is no encroachment.

Oleson: Every N of line A would become part of lot 11, and everything south would become part of lot 12, so it becomes almost a swap of land.

Audience: None

Smith: What would be the footage of lot 12 on the lake side?

Oleson: Well over 150 ft at a minimum.

Parks: Good

Taylor: Fine with it

Schultz: Looks fine.

Quiggle: I am fine with it also.

Parks made a motion to approve the Lot line adjustment to attach a portion of Lot 12 and attach it to Lot 11 of "Thompson's Bass Lake Park" as indicated on provided survey. Taylor seconded the motion. Motion passed unanimously.

- h. Variance to install an in-ground swimming pool approximately 180 ft from a Natural Environment lake (min. 200 ft required).
 - i. Applicant: Chad and Jennifer Filek
 - ii. Property address: 9177 Gowan Ave NW, Maple Lake
 - iii. Sec/Twp/Range: 13-121-27
 - iv. Parcel number(s): 206000134400

Present: Chad Filek & Lars Raisanen, Backyard Reflections

Oleson: They own a 100 acre parcel and they would like to put an in-ground swimming pool. There is an unnamed environmental lake on the property which indicates they would need to be 200 feet away from that and they about 180 feet. The land slopes down steeply and goes to a drainage pond and they have the septic to the one side. They have explored other ways to

move it but due to slopes and septic it would make it difficult.

Filek: Ben came out and we were taping it off and to meet the 200ft we would have to go over the top of our septic tanks. We are trying to leave as much of the green to eliminate erosion.

Raisanen: Like chad said we thought we had to meet the 150 ft set back so we were surprised we had to be 200ft. We would be doing a lot more impact to the land if we had to move it. We really feel we are not impacting the wet land.

Quiggle: What is the distance to the unnamed lake?

Oleson: The DNR minimum lake set back is 150ft, this is a case where Wright County choose to be more restrictive.

Parks: I do not have a problem with it.

Quiggle: It is a 5 % variance from the County minimum so I do not see an issue

Taylor: What options are there for the size of the pool?

Filek: We need that so we can be put a diving board on, there are requirements on that so that someone does not break their neck.

Schultz: Is the 200 ft the DNR or County

Oleson: Wright County.

Schultz: I'm good.

Smith: I am ok with it.

Smith made a motion to approve the Variance to install an in-ground swimming pool approximately 180 ft from a Natural Environment lake with the following conditions:

1. A small building for pool-related equipment shall also be included in the variance approval.
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.

Schultz seconded the motion.

Quiggle: We are giving a variance at 180 for the pool. Is the shed closer?

Filek: NO

Motion passed unanimously.

- i. Variance to replace the existing 591 sq ft home with a 1,549 sq ft home approx. 31 ft from Bass Lake (min. 75 ft required) and 35 ft from the centerline of a township road (min. 65 ft required). ~~Variance to construct a septic tank approx. 30 ft from Bass Lake (lagoon side - min. 50 ft required), a septic drainfield approx. 37.5 ft from Bass Lake (both sides - min. 50 ft required) and both within the required road setback. Variance to construct a 600 sq ft detached garage approx. 31 ft from Bass Lake (min. 75 ft required) and 20 ft from the centerline of a township road (min. 65 ft required). Building coverage to be approx. 16% (max. 15% allowed).~~
 - i. Applicant: Jeanne Kaiser
 - ii. Property address: 10608 117th Street NW, Annandale
 - iii. Sec/Twp/Range: 5-121-27
 - iv. Parcel number(s): 206014000130 and 206014000140

Present: Jeanne Kaiser

Oleson: Originally was applied she was to place a larger home and a garage on the property. Since then there are changes so the garage got eliminated they have some plans to put a drain field in and the home was reduced in size. It is a unique lot. Bass lake has 117th street that comes in to the two parcels. Based on the black line the gap is a platted right of way from the original plat, not sure if we need more clarity the one survey shows it in the one area. Oleson Showed the latest survey to the board. With the platted area and the road surface also showed back as part of the lake or is it wetland. Talked to DNR and anything below the Ordinary high elevation is considered lake. Everything is real tight and close. Variance request at this time is home with in lake set back, set back to the township road with the issue of what is the platted road vs. the actual road, and then the issue of septic system that was designed. What was designed was a raised septic. Sent this to the County Septic inspectors and the question was is it in the road and two the design was questionable so they may need an engineer to design it. Building coverage is ok but will depend on what we count as the lot.

Quiggle: Do either of the township supervisors know about the road?

Naaktgeboren: It was all dug out at one time and we have never serviced the road.

Kaiser: The person on the point put the road in to the point and he service's that.

In the impervious area we added more parking and we can change it back into grass. I have a trailer there with all my stuff and would like to leave that until I find out what I can do. We have owned the cabin since 1985 and we are hoping to build a year round manufactured home 1439 sq ft with a 10 ft porch. With the porch we are at 15%. The proposed septic system is a pressure raised system and if that will not work we will figure something else out. I asked Bernie Miller to have him take a look at what can be done. Since 2005 I had my septic pumped and we put in new tanks. I know that there are things that I need to find out and I will work with getting the home further back. First we need to find out if the road is going through the middle of our property.

Quiggle: Yes you will need to figure out the road and work with Bernie to find out what can be done with a septic system.

Oleson: Finding out if the road is actually there through the legal descriptions. If it is right there you would have to vacate the road and there is a process to do that.

Naaktgeboren: There is a process that would have to happen and people have to agree to it. We would not take over the road.

Kaiser: I can work with the neighbors.

Schultz: Need to get answers on the road and the sewer.

Taylor made a motion to table until further information is found on the septic and roadway. Smith seconded the motion. Motion passed unanimously.

- j. Ordinance amendment to amend the Township fee schedule to reduce the state building code surcharge from \$5 to \$1.

- i. Applicant: Corinna Township

Schultz: Why are we going back on this?

Oleson: The state had raised it a few years back and now they are going back to the \$1.00

Quiggle made a motion to amend the Township fee schedule as per what the state's building code surcharge is. Taylor seconded the motion. Motion passed unanimously.

Schultz made a motion to approve the July 14, 2015 meeting minutes. Smith seconded the motion. Motion carried unanimously.

Zoning Administrator's Report

Permits - reviewed

Correspondence - not discussed

Enforcement Actions - not discussed

Findings of Fact - Previous PC/BOA Decisions - not discussed

Other Business

Review of previously granted variance requests (if time allows)

Oleson: A variance granted a few years back we had a retaining wall with a raingardens as part of the conditions. The idea was to keep the water from going to the neighbor's property. They did the rain gardens, grading, cutters etc. We had complaints that things are worse than they were before. I did go out there and they put 2 raingardens in and put a suppression area to hold the water and they ran tile to the rain garden for the gutters. What the neighbor was indicating is that they water was coming around the retaining wall she also talked about them putting in sprinklers. Mr. Forte explained they have them misting and pointing towards their home. So the question is did they meet their conditions and things are still happening with water to the neighbor is that something we get involved in?

Schultz: How tall is the wall?

Oleson: About 2 ft

Taylor: That lot is very low and had water before

Quiggle: with all the rain the ground is saturated.

Schultz: When you were out there was dead spots in the grass.

Oleson showed before and after pictures.

Oleson: I guess when I look at it, it's hard to say it is worse than it was before.

Taylor: I agree.

Smith: Basically I think we need to wait it out another year, this is a usually heavy rain year.

Think about Suddendorf mud room addition, this is someone else but a good one to use as an example. They have a structure that does not meet setbacks, however, the mud room addition meets all setbacks, would it require a variance? I asked the County and they said it a case by case, unless it is a minor addition like an entry way or deck they would require a variance, however how you do it is up to you. All board members agreed they needed a variance. Any non-conforming structure should need a variance.

Schultz made a motion to adjourn. Taylor seconded the motion. Motion carried unanimously at 9:45 pm.

Prepared by: Jean Just