

CORINNA TOWNSHIP

BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
December 10, 2013

7:00 PM

Charlotte Quiggle called the meeting to order at 7:00 pm on December 10, 2013.

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

Absent: Trish Taylor

Other in Attendance: Dick Naaktgeboren, Mel Dykhuizen

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

Public Hearings

- Amendments to various sections throughout the Corinna Township Zoning Ordinance, including Sections 611 (Floodplain Overlay District), 612 (Shoreland Zoning Regulations) and other sections which are applicable in shoreland and non-shoreland areas.
 - i. Applicant(s): Corinna Township
 - ii. Purpose: To adopt changes to shoreland-related ordinances which are consistent with minimum requirements of MN Rules 6120 and which remain at least as restrictive as the Wright County Zoning Ordinance. To adopt changes which formalize past interpretations of existing ordinance language in both shoreland and non-shoreland areas. To reformat the existing Corinna Zoning Ordinance so as to assemble into one document (based on the format of the Wright County Zoning Ordinance), rather than referencing the county zoning ordinance in an appendix.

Oleson began with stating that at the December 3rd meeting of the Wright County Board of Commissioners, a resolution was approved recognizing Corinna Township as the shoreland zoning authority within Corinna Township.

The next step in the process required by state law for the Township to be fully administering shoreland zoning is to have its ordinance approved by the Department of Natural Resources. There are two elements, one is the shoreland; Oleson received a letter from the DNR with conditional approval this afternoon. Once we go through tonight's meeting and the town board meeting on December 17, 2013 for approval we will then send that back to the DNR for their final approval. The second is the Floodplain which has to be approved by DNR & FEMA and

may not be ready by January 1st, 2014. Oleson has sent the preliminary draft to the DNR and Wright County. We will have to talk with the town board along with Wright County to make sure we are covered until we are approved by FEMA. We may have to check with Wright County to see if we can do an extension just for the floodplain portion. We want to make sure we are not putting any land owner at risk if the issue does come up. We should know what our steps are going to be if not approved by January 1st.

The public hearing is to adopt not just changes related to the shoreland ordinances, but also other amendments staff and the commission have worked on over the past year or more. Most of the other changes relate to an attempt to clarify certain grey areas and interpretations in the ordinance. These are the result of conversations with Wright County staff over the past several years - trying to gauge how the County has interpreted certain sections in the past.

Another area where changes have been made is the Floodplain ordinance (section 611) and related definitions in Section 3. These changes are being made as the Township expects to apply for approval from the DNR and FEMA to administer floodplain ordinances. Oleson has been working with the DNR staff to review the draft in your packet. The DNR staff has indicated they hope to have comments back soon, however, FEMA staff must also review the draft ordinance.

The board reviewed and discussed several of the updates noting that the DNR is at times more restrictive than Wright County. Corinna Township will have to be as restrictive as Wright County and the DNR. We will follow the DNR guidelines when they are more restrictive.

Section 712 on Guest Houses and Cottages noting that shoreland vs. non-shoreland have different requirements, definition section should be updated to indicate that Guest Cottages in shoreland do not allow for a kitchen.

One thing to note is the height of buildings that is allowed. DNR & Wright County are different and they measure differently. The DNR rules indicates that the height limit only applies for cities not for counties or townships. We will follow the County wide height rule of 35 ft and it is measured from the peak.

Section 614.2 General Standards for Planned Unit Developments (PUD) The County was more restrictive than the DNR. However, the DNR recommended some language changes that were made.

Added language that the DNR required if a resort converts to a PUD.

Board discussed Camp Friendship and Camp Courage and indicated that they would be something we would have to determine what they would fall under: P.U.D or Retreat Center? Will add to agenda for 2014 to make some determinations/recommendations.

Mr. Dykhuizen asked some questions regarding his property - Oleson let him know that he could take the time to review how everything would affect him. Oleson asked that he call him after the meeting sometime and he would be happy to go over everything with him.

There were some additional DNR comments that they wanted clarified and Oleson has made those changes. There were a few lakes/wetlands and some unnamed lakes that needed to be classified even if the lake/wetland is not in the township but due to the Township being within 1000 ft of the lake/wetland we have to have them listed.

A fence does not require a permit if 6 ft or less in height and does not have to meet setback requirements. Fences do come into play in the floodplain section since debris can obstruct the flood waters. If over 6ft it would be considered a structure and would have to meet all requirements.

Quiggle questioned whether "estimated market value" should be defined? It indicates that it is as established by assessor but buried within the ordinance. Oleson will add that as a definition.

Generally in the floodplain section there are changes that have some different language than what Wright County has this is largely because of the new model ordinance that the DNR has. They will be coming out with better maps for the floodplain areas. There is the floodplain which is all of it, then there is a floodway which is where the water is expected to flow, the flood fringe which is where the water sits. The rules are stricter in the floodway since there is more potential to move structures.

Oleson indicated that RV's in the floodplain are different for DNR vs the County and we made sure we are more restrictive. RV's & Travel trailers definition include both. This has been sent to the DNR area that handles floodplains and they should be reviewing it. They said they would try to have something to us by next week's board meeting if not sooner

Oleson stated to the Commission that if they are making a recommendation tonight the floodplain is still up in the air since we do not have their review yet. You can either approve everything with the condition indicating that if there are changes regarding the floodplain from the DNR we would make those changes or table the floodplain, or recommend approving just the shoreland related items along with the non-shoreland changes and table the floodplain.

Quiggle asked for some clarification on the following: Page 34 "buildings or structures less than 120 square feet in total ground coverage and which are not attached to a residence" What if they are attached to an accessory structure? Oleson indicated that he would check with Craig Schulz since that is a building code issue. We do indicate that they do have to meet all building and zoning regulations. Page 35 "for all lots of 10 acres or less in size" should we indicate dwelling or the enlargement of building? Oleson indicated that Wright County does not apply that in those situations, however, we could be more restrictive. It was decided to leave as written. Page 154 irrigation systems: Quiggle asked if this could be read to apply to residential irrigation. Oleson indicated he felt the definition of "irrigation system" specifies agricultural only, but could look at this section for clarification.

Thompson made a motion to close the public hearing and adopt the Corinna Township Zoning Ordinance changes for both shoreland & non-shoreland and table the Floodplain ordinance changes. Smith seconded the motion. Motion passed unanimously.

Approve Previous Meeting Minutes

Schultz made a motion to approve the November 12, 2013 meeting minutes. Quiggle seconded the motion. Motion approved unanimously.

Zoning Administrator's Report

- Permits: Reviewed
- Correspondence - None
- Enforcement Actions - None
- Findings of Fact - Previous PC/BOA Decisions: 3 separate ones - 2 from last month and Selle's from September. Board reviewed and approved to send Pribyl's and Selle's. Board asked Oleson to review minutes on the Force document before the next meeting.

The board discussed the information that was presented to the Town Board regarding Solar Farms. Both Dick Naaktgeboren and Oleson gave an overview of what was presented. Oleson indicated that he has talked to the Public Utilities Commission and nothing has been decided at this time. More information will come once a location has been decided on.

Other Business

- Discuss possible update to 2007 Comprehensive Plan - Tabled
- Wright County discussion - definition of "Bluff" - Tabled
- Training Session - Balancing Property Rights and Land Use Regulations - Tabled

Adjournment:

Smith made a motion to adjourn. Thompson seconded the motion. Motion carried unanimously at 9:00pm.

This agenda is not exclusive. Other business may be discussed as deemed necessary.