

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
June 13, 2017
7:00 PM

Taylor called meeting to order at 7:00pm on June 13, 2017

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

Others in attendance: Amanda & Eric Lenarz, Rory & Kim Norgren, Bob & Joanny Milligan, Jim Dearing, Darwin Hoffman, Steve & Kelly Bruggeman, Rob & Karen Gusaas, Tom Colburn, George Walker, Jackie Longhenry, Anne Brakob, Johanna Brunson, Jerry Pitra, Mike Brower, Mike Roseberger.

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

Public Hearings

Variance to tear down and replace a portion of an existing one-story, one-bedroom dwelling with a two-story, three-bedroom dwelling approximately 48 feet from Sugar Lake (min. 75 ft required) and 54 feet from the centerline of a township road (min. 65 ft required). Existing portion of home is approximately 4 ft from a side lot line (min. 15 ft required). Home to be served by an existing holding tank (drainfield required).

Applicant: Eric and Amanda Lenarz

Property address: 11605 Gulden Ave NW, Maple Lake

Sec/Twp/Range: 1-121-27

Parcel number(s): 206085000150

Present: Eric & Amanda Lenarz & Rory Norgren

E. Lenarz: We bought the cabin about 3 - 4 years ago we are looking to tear down the older part of the cabin. It has very poor windows and we had some storm damage which triggered us to see if we can improve the home, we are trying to stay in the same foot print that we currently have, we are looking to extend one wall across and fill it in. In the front of the home (Lake Side) extend the wall across where the entry door is and make it more functional.

Norgren: We have a design now for a septic with a drainfield.

Oleson: We do have a design for a type 4 septic system that was an issue before since they currently have a holding tank.

E. Lenarz: The newer part of the home is 4 season and we would like to make everything 4 season. Not that we use it much in the winter.

Norgren: We would raise the new part up and make it level with the rest of the house. It will also make the drainage a lot better.

Oleson: Variance is for the lake set back, the 4ft extension towards the lake, they would be enclosing the pump, there is the road set back and a portion of the roof is too close to the side lot line. They were going to be expanding on a holding tank however, that has been eliminated. In terms at the estimate for impervious 19% building is 13%. We do not have a survey, however, I do have the estimates. Lowest floor has to be 4ft above highest known water mark.

Norgren: That is why we are raising the existing to make sure we are above that.

Audience: Brad Gessler: My father in law owns the place to the east. I don't have any issue with the building, my question is regarding the septic, the intention is to have the drainfield kind of by the driveway, and our future plan is to not have that driveway there which they use, so what if the plan if that goes away, as far as construction where would they be going? Will they be on the road or in the driveway?

Norgren: We would utilize the driveway.

Lenarz: The driveway is currently shred at the beginning on the other property and then veers off. We would not be opposed to rearranging the driveway so that it is on our property.

Gessler: We just ask that if there is any damage to the driveway that it is taken care of.

Michael Rosenberger: I live next door, my question is regarding the drainage. Where would be going.

Norgren: It is not coming out any further, we are changing to a gable end with a gutter and still coming out the same and drain it to the right and drain tile to the left.

Rosenberger: Just wanted to make sure there was a plan, so no other issues.

Naaktgeboren: If the driveway is an issue, could you move the septic closer the house?

Norgren: Yes according to this we could, have not talked to Bernie yet we just got it before we could. I'm think we could move things.

Naaktgeboren: The cedars could come down also make sure you are meeting the OHW mark at 4ft above. Is there a way to move it closer to the road rather than doing anything on the lake side?

Lenarz: It could be done, however, a little more work on the interior walls. Also, we tried to stay within the same foot print as much as possible. It was more for functionality bet we certainly could try.

Naaktgeboren: taking out taking out some wood/pavers?

Lenarz: Under the wood is red cement and we are tearing out all of that, besides it is not draining very well so we can make that better in the back yard.

Smith: Dick addressed some of the issues, I would like to see a little more detail with driveway and redesign so it is a little further from the lake.

Schultz: I am ok with it, maybe angle it a little more, and make a minimal forward part. The rest of it I am fine with.

Guck: Is the little shed on the lot line?

Lenarz: It is the neighbors shed not ours.

Guck: When you grade everything up where is the drainage going?

Norgren: When we are raising it up we can go back towards the road away from the lake.

Rosenberger: The drainage back there is bad anyways maybe culvert?

Guck: You will have a lot more roof coverage and may need some type of rain garden would be helpful.

Norgren: As far as roof we are not adding that much more roof space, just more gutter work on our part and changing the direction of where the water goes.

Guck: The only other thing is getting closer to the lake.

Quiggle – I am with everyone else. I would like to see it shifted back rather than forward so that it is no closer than what is there now. I think it would be good to have a survey that will show where everything will be including the new driveway and what that plan will be. As far as bringing into fill in the back it will shed somewhere and preferably it will go to the wet lands. As far as the front, it is already low so having a rain garden, I don't know if that will work but having a buffer on the lake shore with native plants that will add to the stop erosion to the lake side.

Arendt: They have said all I thought of and certainly the drainage is a big thing.

Taylor: Mine is the setback. I would rather see closer to the road. I would like to see more drainage like a buffer.

Lenarz: Is there something that we presented that is a concern with the drainage?

Quiggle: If you bring fill to the back that may be changing things, that is why a survey may be needed.

Taylor: I think we all have a concern with the lake setback. It would be up to you if you would like to table this and bring it back with a new plan.

Lenarz: I think the table option is good so that we can go back and make changes.

Quiggle: I have a question regarding having to raise the structure will it be flush to the newer part that you are keeping?

Norgren: I think it will be flush, but will check on that.

Taylor: You may want to come back with where the driveway could be.

Quiggle made a motion to table. Smith seconded the motion. Motion carried unanimously.

Conditional use permit to place a used 26' x 28' detached garage and a used 12' x 20' detached garage on property.

Applicant: Robert and Karen Gusaas

Property address: None (across from 11532 Hoyer Avenue NW - west side of road), Maple Lake

Sec/Twp/Range: 2-121-27

Parcel number(s): 206140002150

Present: Robert & Karen Gusaas

Gusaas: We are asking for a CUP to move two good garages from our front lake lot to our back lot. We might tweak the buildings a little, however, will still be within the setbacks.

Oleson: The reason for this is because existing buildings are being moved to a different property. Mostly the concern is if they fit in the neighborhood and they are currently in the neighborhood.

Audience: None

Smith: As long as you meet the setbacks I am good

Schultz: I am good with it

Guck: I am good

Quiggle: I think it is good

Taylor: I am good with it

Naaktgeboren: Are you considering the new road setbacks since that was changed in case the township decides to expand that road?

Gusaas: Yes the stakes are still there and we are going by those.

Schultz made a motion to approve the CUP to move a used 26' x 28' detached garage and used 12' x 20' detached garage. Guck seconded the motion. Motion passed unanimously.

Variance to tear down an existing dwelling and replace it with a new dwelling approximately 54 feet from Cedar Lake (min. 75 ft required) and 9.8 feet and 10 feet from the side lot lines (min. 15 ft required).

Applicant: Robert and Joanne Milligan

Property address: 8997 Ingram Ave NW, Annandale

Sec/Twp/Range: 22-121-27

Parcel number(s): 206022000110

Present: Robert & Joanne Milligan, Jim Dearing

Milligan: Something came up last week and we are going to buy the neighboring so we would like to table and bring it back in August once we make changes to the plan.

Dearing: We are thinking we will be able to eliminate two of the variances.

Smith made a motion to table the variance request. Quiggle seconded the motion. Motion passed unanimously.

Variance to construct a new dwelling approximately 45 feet from the centerline of a township road (min. 65 ft required).

Applicant: Gerald Pitra and Karen Kirk-Pitra

Property address: 11105 Hoyer Ave NW, Annandale

Sec/Twp/Range: 2-121-27

Parcel number(s): 206066000410

Present: Gerald Pitra

Pitra: I am looking to move it closer to the road to help with flow of water and bring in less fill.

Oleson: This home was applied for and approved meeting all setbacks. When getting ready to build it was noted that it would block the natural flow of water. If we move it towards the road they can keep the natural drainage.

Audience: None

Schultz: I am good with it

Guck: I do not have a problem

Quiggle: Maintaining the drainage is a good thing, I am good with it.

Arendt: I am good with it.

Naaktgeboren: I'm fine.

Smith: I am good.

Taylor: I am good just to make sure the drainage and storm water management.

Quiggle motion to approve the Variance to construct a new dwelling approximately 45 feet from the centerline of a township road with the practical difficulty being maintaining the proper drainage way 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, 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.

Preliminary plat and conditional use permit for a two-lot subdivision.

Applicant: Steven and Kelly Bruggeman
Property address: 6772 Inman Ave NW, Annandale
Sec/Twp/Range: 34-121-27
Parcel number(s): 206024000010 and 206000341201

Present: Steve & Kelly Bruggeman

Bruggeman: This is our fourth time here, so I think everyone knows what this is about.

Oleson: This is a two lot subdivision. They were here earlier this year and when they went to Wright County they rezoned both lots to R2 which requires 2.5 acre minimum so they show that. One is on the lake with the cabin already there. Lot 2 is in the back and there is a large wetland on the lot. It is on an existing road so no road setbacks that need to be met and no new storm water ponds.

Audience: none

Guck: I have nothing to comment on

Quiggle: I think we have reviewed and it looks good

Arendt: I am fine with it

Naaktgeboren: I am good

Smith: Good

Schultz: Good

Taylor: Looks good – I am fine with it.

Guck made a motion to recommend the approval of the proposed plat and conditional use permit for a two-lot subdivision. Schultz seconded the motion. Motion carried unanimously.

Request to extend the time frame for the temporary operation of a charter school within an existing organized group camp from spring 2018 to spring 2021.

Applicant: Jane Goodall Environmental Sciences Academy (JGESA)/True Friends
Property address: 8046 83rd Street NW, Maple Lake

Sec/Twp/Range: 22-121-27
Parcel number(s): 206000224100

Present: Tom Colburn, George Walker, Jackie Longhenry

Colburn: We are a charter school, we had received a CUP to use this space for three years. At the time there was skepticism if three years was enough time to get a plan together, it turns out they were right we do need more time to get a plan together. We are working with True Friends which is plan A, which is to build a new building at their location. That is only one of our several plans, that plan is based on several things that we are not sure we can do yet. We need to work with Wight County and yourself. The original plan was to use a property in Silver Creek and that property has fallen through for us. The idea was donate the property to the DNR and rent the land back from the DNR. To be honest I am not sure if that really works. Therefore, we need to do a couple of things to make that happen, we have to come to an agreement with True Friends. We need to work through all the requirements that are placed on the school and have been looking into other areas outside of Wright County. We have a great relationship with True Friends, our mission aligns very well and would like to make this work with them. I feel we have met all the other conditions of the on the CUP and we realize this cannot be permanent location at this time, without, some sort of change.

Walker: One of the other things, as far as charter schools are concerned, we cannot purchase properties until we are in our fifth year. At that time we can create an organization and move forward at that time.

Longhenry: That is why we are asking for 2021, so that would give us a year after we can establish that.

Audience: Karen Martin – I am a parent and a tutor at the school, I know that not only for our family is it the best fit it is has been good for many family's in Wright County.

Ed Stracke: We are support of the request our missions really do align and it provides a unique leaning opportunity especially for kids with special needs. The first time we appeared before the body Bob DeBoer was with us and owned the 100 acres by Maria State Park. He is not involved any longer so it took it took this back to the basic level to figure out what to do. I did not realize there was a 5 year time frame to move forward. It is a wonderful opportunity.

Mike Brower: Father of two boys, my oldest son is special needs. We have had a variety of challenges with our son he has been in both Kimball and Annandale school district. When this opportunity came up we looked at would be best for our kids. I cannot speak for the zoning, I respect what you have to do, However, I also know that for the kids that are there it is a very good fit. What I have seen with our older son is he has gone from a specific course line, we are taking kids and making them project managers and finding things that are important to them and applying to what they need in the future. I really hope that you allow this because it means it a lot to my family.

Oleson: There were two written comments; both in support from parents that are there. From an ordinance prospective the issues has always been that Wright County ordinance does not allow for school in agricultural zoning district. By state law we have to be as restrictive if not more restrictive. When they were before us last time there was some debate on if we could grant this some felt we could not because it was a school others felt it was ok if it was a temporary thing and that is where the three year time frame came into play. There were some specific expectations. We were somewhat pushing it already with the temporary use, but it will be up to you if you want to extend that. I don't ting the issue of the 5 years came out at the last hearing probably since it was not looking to be an issue with turning the property over to the State. I know you have talked about going to the County for an ordinance change that would

have to be approved by both the County and the Township. A rezoning would also have to go through the County and the Township and I am not sure if that would even be possible. You would have to rezone to a district that would allow for schools.

Quiggle: I do not believe there is a zoning district that would allow for a school that is not within the city limits.

Colburn: We were not sure if that was an option or not.

Oleson: So the best option would be to go for an ordinance change. So in that respect our hands are somewhat tied. At some point it going to be an issue and what it temporary.

Schultz: Was there something that it had to have public water?

Oleson: I can get some information, however, I think the language in the County ordinance has to do with being close to city water and sewer and also close to emergency services. One of the discussion at that time and part of the requirements was to address emergency services and that was addressed. They are Requesting and extension of another 3 years.

Quiggle: I applaud the mission of the school I think it is great, the thing is we are not hear to discuss the merits for this kind of school, we are here to discuss land use. I have a number of questions, basically DeBoer and other have left over a year ago, what have you done during this time to see what needs to be done regarding the land use?

Longhenry: We have formed a building committee. None of us have been in this situation we have been researching those things and checking what needs to be done so that we can plan. Right now we cannot raise money and cannot purchase land for five years. So our hands are very much tied as to what we can do. We can plan to our hearts content but we cannot do anything.

Colburn: A little bit of background on this, in the state charter on that in the state charter schools is they want time spent on getting the school going and not spending time on raising money. This is a state sponsored charter school.

Quiggle: I'm just surprised you have not been working on the ordinance change yet because without that you will not have a school in Wright County.

Oleson: Just to clarify, in a R1 zoning district, they can have a school if within a half mile of the city limits.

Longhenry: We are aware of it and we are working on it.

Colburn: We have not been in contact with Wright County.

Brower: We thought this was state wide, we did not know this was just a Wright County ordinance.

Colburn: I did not get involved in the building committee until this winter. My first experience was when I attended a township meeting. I understood that it was a township matter and did not realize that this was a planning commission issue. I reviewed the township minutes I did not see the Planning Board Minutes.

Longhenry: None of the founding board is part of the organization any longer.

Quiggle: who's to say that another three years is enough?

Colburn: That is why we are here now a year before our CUP is to expire. We are behind but we are here to catch up.

Arendt: No comment since my wife is on the board of True Friends.

Naaktgeboren: Is this the new board? Can you get us a list of board members? What kind of testing are you doing is it the same as an the MCA tests?

Longhenry: We can email you a list of board members.

Brower: We use the MWA testing, it is not exactly the same as the MCA. The MWA is more individualized and is given at the beginning of the year and again at the end so we can measure how the students' progress.

Naaktgeboren: I think what you're doing is great. I think you need to work on getting an exit plan.

Longhenry: We have looked at tentative plans and hired a consultant to help with this process.

Naaktgeboren: If you stay at Camp Courage, who would build the building?

Longhenry: They would build the building and we would lease from them.

Naaktgeboren: I personally do not personally have a problem with another three years, however, you need to work with Wright County to get the ordinance change.

Smith: I was in favor of it last time, however, I would like to hear what the county would have to say before we make a decision.

Schultz: If you cannot raise money how do you get money?

Longhenry: We are state funded.

Shultz: What prompted you to come here tonight?

Oleson: No - Colburn ended up coming to a Township Board meeting before I could reach out to them.

Naaktgeboren: If we give you another three years will that give you enough time to work with Wright County or find another location?

Longhenry: That is exactly what we are looking for.

Colburn: It is something we want to work with the county and if we can stay with true friends during that time it would be preferred.

Schultz: I am thinking we should table until we hear more from the county.

Guck: Do you use the whole camp?

Longhenry: About half.

Guck: Do you have a growth plan?

Colburn: We do and if we continue to expand we will need more room.

Guck: I am all in favor of this even in a small business you get 5 years to make a profit so I am in favor of granting the extension.

Quiggle: Don't get me wrong I am for this. I just don't feel that you feel the urgency of getting this done. You need to work on getting the ordinance changed. I think its vital that you get going. I think that Camp Courage is the right place for this school.

Taylor: I understand that you are a new board. I agree that this is needed and they should have been keeping up updated as to what is happening. If we approve I feel that we need regular updates. The biggest thing to get going is working with Wright County to see what is needed to get an ordinance change. We are already taking a chance with the County so I feel there would be no more extensions. I would give a limit of 150 students with updates every 6 months due to the situation we are all in. I give True friends credit in working with you and trying to help.

Quiggle: What the original request from 2007 was a environmental resource center, not just a school. You may have to get creative.

Guck: They did come to us prior to us reaching out to them.

Guck made a motion to grant a three year extension to their CUP. With no second the motion failed.

Smith made a motion to table the CUP to bring back additional information. Schultz seconded the motion.

Oleson: What kind of information?

Smith: I would like to see some additional information from Wright County. Smith amended the motion to table for up to three months. Schultz seconded the motion. Motion carried unanimously.

Smith made a motion to approve the May 9, 2017 meeting minutes. Guck seconded the motion. Motion passed unanimously.

Zoning Administrator's Report

Permits

Correspondence;

Hoffman was present regarding the Ward application/withdrawal

Oleson: Ward on Sugar Lake, they were looking to add screen porch onto cabins within lake setback. We had tabled the request and then they withdrew their application. During that meeting there was conversation on what they could do. We had some back and forth emails and phone conversations. From my perspective I think there was confusion as to how we handle pergolas. Both have been built on both cabins. The question is when it's a Pergola does it have to meet setbacks and definitions of a water accessory structure which is 250 sq ft which they both meet and the 10 ft height maximum. One of them is about 17 ft tall & one is a little shorter. So I guess I am asking you for your recollection of things, and I sent some information regarding pergolas not needing to permits and according to Craig Schultz it does not need a permit for building codes requirements. I think we can say that pergolas do not need to meet height restrictions within the lake set back or yes they do because they are a water orientated accessor structure.

Quiggle: Does a gazebo have to meet has to meet?

Oleson: Yes, the difference is one has a roof and one does not. One is about 12ft high and one is about 15ft high.

Guck: There is no roof so water goes right through.

Hoffman: The board's just holds it together so it does not fall from the wind and it is not attached to the house.

Oleson: He kind of indicated he would it difficult not to call it a water oriented structure.

Hoffman: What I understood is that this would be a landscape structure since there is no roof and no walls.

Taylor: What is under it?

Hoffman: Pavers, there was a deck and we have removed 2000 ft of deck and replaced with Pavers just under the pergolas. I feel it is a landscape structure not a water orientated structure since it is not holding anything.

Naaktgeboren: I feel it is not shedding water so I don't think it matters.

Smith: This is a tough one, but I tend to agree it is not shedding water.

Board came to the understanding that it should be a landscape structure with not building permit needed and Oleson will come back with wording for an ordinance change.

Enforcement Actions; Michael Staye - our requirement was to be converted by June 1st, Just as information our next step is to send a letter; Fred Jude just built house and lots of washing, we have sent a letter.

Findings of Fact - Previous PC/BOA Decisions - no discussion

Other Business

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

Review of previously granted variance requests (if time allows)

Schultz made a motion to adjourn. Smith seconded the motion. Motion approved unanimously at 9:15pm.

Prepared by Jean Just