

CORINNA TOWNSHIP  
AGENDA  
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION  
June 10, 2014  
7:00 PM

1. Call to Order
2. Roll Call
3. Additions or Deletions to the Agenda
4. Public Hearings
  - a. Interim use permit for a home occupation (hair salon).
    - i. Applicant: Teresa Zuehl
    - ii. Property address: 9167 Kilbury Ave NW
    - iii. Sec/Twp/Range: 17-121-027
    - iv. Parcel number(s): 206030001230
  - b. Rezoning of entire 6+ acre property from General Agricultural (AG) to Suburban Residential (R2).
    - i. Applicant: David Snyder/Thomas Tart
    - ii. Property address: None (property bounded by 110<sup>th</sup> and 111<sup>th</sup> Street NW and Hollister Ave NW and Hart Ave NW)
    - iii. Sec/Twp/Range: 2-121-027
    - iv. Parcel number(s): 206000024400
  - c. Conditional Use Permit for a 36' x 82' expansion of an existing bus garage on property zoned Highway Business (B1).
    - i. Applicant: Rk Holdings LLC/M&M Bus Service
    - ii. Property address: 10606 Hemlock Street NW
    - iii. Sec/Twp/Range: 20-121-027
    - iv. Parcel number(s): 206000203403
  - d. Variance to construct an approximate 4' x 8', 11' x 4' and 10' x 6' expansion to the existing open deck ranging from approximately 45-50 ft from Cedar Lake (min. 75 ft required) and on a lot with existing impervious coverage of approximately 30-35% (max. 25% allowed).
    - i. Applicant: John & Kimberly Wernz
    - ii. Property address: 8841 Ingram Ave NW
    - iii. Sec/Twp/Range: 22-121-027
    - iv. Parcel number(s): 206021000140
  - e. Preliminary plat of a Rural Planned Unit Development (PUD) involving the creation of five buildable lots ranging from 3.7 acres to 10 acres and one 9.6 acre outlot to be commonly owned open space.
    - i. Applicant: Frederick Jude
    - ii. Property address: 8120 113<sup>th</sup> Street NW
    - iii. Sec/Twp/Range: 3-121-027

- iv. Parcel number(s): 206000034100
  - f. Ordinance Amendment to Section 503.1 (Planning Commission: Creation and Membership) of the Corinna Land Use Ordinance to increase the allowable number of alternate members from one to two.
    - i. Applicant: Corinna Township
- 5. Approve Previous Meeting Minutes
  - a. May 13, 2014
- 6. Zoning Administrator's Report
  - a. Permits
  - b. Correspondence
  - c. Enforcement Actions
  - d. Findings of Fact - Previous PC/BOA Decisions
- 7. Other Business
  - a. Planning Commission/Board of Adjustment Training Session (if time allows)
  - b. Comprehensive Plan Update (if time allows)
- 8. Adjournment

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





## STAFF REPORT

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**Application:** Interim use permit for a home occupation (hair salon).

**Applicant:** Teresa Zuehl

**Agenda Item:** 4(a)

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### **Background Information:**

- Proposal:** The applicants are proposing to convert a portion of their attached garage for use as a salon business. The salon portion itself would be approximately 10' x 13'. An additional area of 10' x 7' would also be created.

There is also a detached garage on the property, which would not be used for the proposed salon.

- Location:**
  - o Property address: 9167 Kilbury Ave NW
  - o Sec/Twp/Range: 17-121-027
  - o Parcel number(s): 206030001230
- Zoning:** Urban/Rural Transition (R1) /Residential Recreation Shorelands (S-2) Overlay District, Clearwater Lake (General Development lake)
- Lot size** (according to Beacon website):
  - o Approx. 1.01 acres
- Impervious/Building Coverage:**
  - o **Existing:**
    - Buildings: Approx. 2,220 sq ft (5.0%)
    - Total: Approx. 5,978 sq ft (13.6%)
  - o **Proposed:**
    - Buildings: Approx. 2,220 sq ft (5.0%)
    - Total: Approx. 5,978 sq ft (13.6%)
- Septic System Status:** The existing sewer system on this property is about 29 years old, which would typically be at about the end of its life expectancy. The system was found compliant in May 2013. The Township's contracted sewer inspectors indicate that one salon chair is estimated at about 285 gallons per day of additional flow beyond that of the main home. They would recommend installation of a water meter, installation of an additional septic tank, and review by a septic designer and monitoring of the effluent twice per year. Chemicals should not be put into the septic system. See attached e-mail.
- Natural Features:**
  - Floodplain: Based on topography maps and flood maps, the property is near, but not within an identified floodplain.

Bluff/Steep Slopes: There are no bluffs or steep slopes on the property that impact the proposal.

Wetlands: There do not appear to be any wetlands on this property that would impact the proposal.

□ **Permit History:**

- 1979 - Replat and Land Alteration by Conditional Use Permit
- 1985 - Septic System
- 1985 - Home and attached garage
- 1986 - Lot Line Adjustment by Board of Adjustment
- 1999 - Detached Garage
- 2000 - 19' x 22' open deck
- 2002 - Septic certification (exemption)
- 2013 - Dwelling remodel (related to the current application)
- 2013 - Septic certification (compliant)

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**Applicable Statutes/Ordinances/Court Decisions:**

**Corinna Township/Wright County Ordinances**

507. INTERIM USE PERMIT

507.1 Purpose

- (1) The purpose of an interim use permit is to allow a temporary use that is not otherwise prohibited, but is acceptable for a limited period of time subject to conditions set forth in this section. An interim use is granted to a particular individual or other applicant and does not accrue to the subject property.
- (2) An interim use is intended to allow a use that is presently acceptable but that, with anticipated development, will not be acceptable in the future, or will be replaced in the future by a permitted or conditional use allowed within the respective zoning district. Buildings and other improvements allowed by interim use shall be of a size and nature such that they can be easily removed from the property or will conform to zoning regulations for permitted or conditional uses should the interim use permit expire.

507.2 Criteria for Granting Interim Use Permits

In granting an interim use permit, the Township Board shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety and general welfare of occupants or surrounding lands. The criteria used for reviewing conditional use permit shall also be used when considering interim use permits, along with the following additional considerations:

- (1) The use will conform to the applicable zoning regulations, including any dimensional restrictions the regulations may impose on buildings or uses; and
- (2) The use will terminate upon a date or event that can be identified with certainty and/or clarity; and
- (3) The use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and
- (4) The use will be subjected to, by agreement with the property owner, any conditions that the Town Board deems appropriate in allowing the proposed interim use, including a condition that the owner will provide an appropriate surety to cover costs that would be necessary to eliminate the interim use from the property, including removal of buildings, equipment, restoration of the landscape to a suitable condition or other appropriate and necessary costs.

#### 507.4 Termination of an Interim Use Permit

An interim use permit shall terminate upon the occurrence of any of the following events, whichever comes first:

- (1) Five (5) years from the initial approval of an interim use, unless a shorter time period is specified in the initial approval. After the initial approval period and if a renewal is approved by the Township, the interim use permit shall terminate upon the date or event stated in the permit approval; or
- (2) When the use has been discontinued for one year or more; or
- (3) When there is a change in ownership of the property of any kind, unless the Town Board approves such change in ownership as not substantially changing who is operating and/or managing the use and property. Such requests must be presented to the Planning Commission for a recommendation to the Town Board, but need not require a public hearing; or
- (4) Within 24 months of the date of an amendment to the Zoning Ordinance that no longer allows the use as an interim or permitted use.

#### 507.5 Renewal or Amendment of Interim Use Permit

- (1) **Renewal:** An application to extend an interim use permit may be renewed within 24 months prior to the date or event upon which it is to expire. The application shall be processed and administered as if it were a new application. Should such application to renew be denied, the applicant shall be allowed to continue the use until the expiration of the interim use permit provided all conditions of the original approval are being met. If the application to renew is approved, the Township shall specify a new date or event on which the renewed permit will expire. There shall not be a limit on the number of times an interim use permit may be extended. Application fees for renewal of an interim use permit shall be as established in the Township fee schedule.
- (2) **Amendment:** Any change in an approved interim use permit involving more than minor structural alterations, enlargement, intensification of use, or similar changes not specifically permitted by an interim use permit, as determined by

the Zoning Administrator, shall require an amended interim use permit to be reviewed as if it were a new interim use permit.

#### 507.6 Procedure

- (1) An application for an interim use permit shall follow the same procedures applicable to a conditional use permit, as outlined in this Ordinance.
- (2) The township hereby reserves the right, upon approval of an interim use, to inspect the premises in which an interim use is being conducted to ensure compliance with the provisions of this section or any additional conditions imposed.

### 505. CONDITIONAL USE PERMITS

#### 505.1 Criteria for Granting Conditional Use Permits

In granting a conditional use permit, the Wright County Planning Commission shall consider the effect of the proposed use upon the health, safety, morals, and general welfare of occupants of surrounding lands. Among other things, the County Planning Commission shall make the following findings where applicable.

- (1) That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity;
- (2) That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area;
- (3) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided;
- (4) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use;
- (5) The use is not in conflict with the Policies Plan of the County; and,
- (6) That adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

#### 505.2 Additional Conditions

In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may impose, in addition to these standards and requirements expressly specified by this Ordinance, additional conditions which the Planning Commission considers necessary to protect the best interest of the

surrounding area or the community as a whole. These conditions may include, but are not limited to the following:

- (1) Increasing the required lot size or yard dimension.
- (2) Limiting the height, size or location of buildings.
- (3) Controlling the location and number of vehicle access points.
- (4) Increasing the street width.
- (5) Increasing the number of required off-street parking spaces.
- (6) Limiting the number, size, location or lighting of signs.
- (7) Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.
- (8) Designating sites for open space.

Any change involving structural alterations, enlargements, intensification of use, or similar change not specifically permitted by the Conditional Use Permit issued shall require an amended Conditional Use Permit and all procedures shall apply as if a new permit were being issued. The Wright County Zoning Administrator shall maintain a record of all conditional use permits issued including information on the use, location, and conditions imposed by the Planning Commission; time limits, review dates, and such other information as may be appropriate.

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**Staff Findings:** The following findings of fact are presented by Staff for consideration by the Planning Commission:

- 1) The use will conform to the applicable zoning regulations, including any dimensional restrictions the regulations may impose on buildings or uses.**

Yes, the application - if an interim use permit is issued - will meet the applicable zoning regulations. The attached garage which would be converted to accommodate the salon already exists and meets the applicable setback and height requirements of the ordinance for the R-1 zoning district.

- 2) The use will terminate upon a date or event that can be identified with certainty and/or clarity.**

Yes, pending determination by the Township of a date upon which the interim use will expire.

- 3) The use will not impose additional costs on the public if it is necessary for the public to take the property in the future.**

Yes, the use of the property as a salon would not be expected to create any significant or unusual costs on the Township if it were to take over the property, provided there are no chemicals or other hazardous substances associated with the proposed use that would be difficult to dispose of.

- 4) **The use will be subjected to, by agreement with the property owner, any conditions that the Town Board deems appropriate in allowing the proposed interim use, including a condition that the owner will provide an appropriate surety to cover costs that would be necessary to eliminate the interim use from the property, including removal of buildings, equipment, restoration of the landscape to a suitable condition or other appropriate and necessary costs.**

Yes, pending discussion and imposition of conditions by the Township.

- 5) **Will the Conditional use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or substantially diminish and impair property values within the immediate vicinity?**

No. The use of the property for a hair salon, with appropriate restrictions on signage, traffic levels and other exterior evidence, should not be very noticeable from the outside of the building or impair property values.

- 6) **Will the establishment of the Conditional Use impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area?**

No. See discussion in #5 above.

- 7) **Do adequate utilities, access roads, drainage and other necessary facilities exist or will they be provided?**

Yes. The area is already served by utilities and a paved township road coming in off of State Highway 24. The use of an existing building for the proposed salon would mean no change to the existing drainage on the property, which appears adequate.

- 8) **Have adequate measures been taken to provide sufficient off-street parking and loading space to serve the proposed use?**

Yes. The property contains a driveway of sufficient length to accommodate the anticipated 1-2 customers at a time.

- 9) **Will the use conflict with the Policies Plan of Corinna Township and/or Wright County?**

No. The Comprehensive Plan does not directly address issues relating to the review of applications for home occupations. There are general goals associated with supporting businesses in the area and ensuring clear, consistent enforcement of zoning ordinances.

- 10) **Have adequate measures been taken, or will they be taken, to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result?**

Yes. The proposed project would not be expected to create any significant odors, fumes, dust, noise or vibration that would be apparent from beyond the property. Any such nuisances that might come up in the operation of the business could be addressed during any request to renew the interim use permit once it expires.

**11) Are there any other conditions which the Planning Commission considers necessary to protect the best interest of the surrounding area or the community as a whole?**

Primary issues of concern with this application would include the amount and frequency of customer traffic, whether it would negatively impact the neighborhood and whether adequate sewage treatment will be available for the increased flow and potential for non-residential chemicals in the wastewater stream.

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**Planning Commission/Board of Adjustment Direction:** The Planning Commission/Board of Adjustment may approve the conditional use request, deny the request, or table the request if the Commission/Board should need additional information from the applicant. If the Commission/Board should approve or deny the request, it should state the findings which support either of these actions.

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**Staff Recommendation:** Staff recommends approving the requested interim use.

If the applications are approved, Staff would recommend the following conditions:

1. That the hours of operation shall be limited to 7:00 am to 8:00 pm (any day of the week).
2. That the applicant properly handles any chemicals or hazardous waste associated with the business.
3. That exterior signage associated with the business shall be limited to one freestanding sign, located outside of the road right-of-way, no greater than 8 sq ft in size and no more than 6 feet in height (measured to the top of the sign). Up to one additional sign, no greater than 8 sq ft, may be placed on the outside sidewall or window of the salon/attached garage.
4. That the interim use shall expire five (5) years from the date of approval. Any extension of this time frame shall be as required by applicable ordinance(s) in effect at the time.
5. That all customer and resident parking on the property shall be off-street.
6. That the salon shall be approved for one chair/customer at a time. Any expansion or changes to the salon to accommodate more than one customer at a time shall require a new application.
7. That the applicant meets all of the requirements of the Zoning Ordinance regarding the proper sizing and design of the septic system on the property.



Application # <u>C14-004</u>	Date Application Rec'd <u>4/29/14</u>	Fee Collected \$ <u>250<sup>00</sup></u>
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(for office use only)

**CORINNA TOWNSHIP  
INTERIM USE APPLICATION**

Name of Applicant Teresa Zuehl Phone 320-224-4699

Property Address (E911#) 9167 Kilbury Ave NW Annandale MN 55302

Mailing Address \_\_\_\_\_ Local Phone \_\_\_\_\_  
(if different than above) (if different than above)

City, State, Zip Annandale MN 55302

Applicant is:		Title Holder of Property : (if other than applicant)
Legal Owner	<input checked="" type="checkbox"/>	_____
Contract Buyer	<input type="checkbox"/>	(Name)
Option Holder	<input type="checkbox"/>	_____
Agent	<input type="checkbox"/>	(Address)
Other _____		_____
		(City, State, Zip)

Signature of Legal Owner, authorizing application (required): Teresa Zuehl  
(By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): \_\_\_\_\_  
(By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

Property ID # (12 digit #) 206-030-001230

Full legal description of property involved in this request, including total acreage (required – attach separate sheet if necessary):  
sect-17 Twp-121 Range-027 Clearview Acres Block-001  
LT23 BLK1 EXTR DES IN BK318-894

Zoning District R-1, Lake Name (if applicable) \_\_\_\_\_

What are you proposing for the property? State nature of request in detail:  
Single Operator Hair Salon located in half of the attached garage.

What changes (if any) are you proposing to make to this site?

Building: Splitting the attached garage in half for salon area

Landscaping: \_\_\_\_\_

Parking/Signs: \_\_\_\_\_

Pursuant to the Corinna Township Zoning Ordinance, Section XV (Interim Use Permit), the applicant should be prepared at the public hearing to discuss the following issues:

**Please complete all of the following questions to the best of your ability (some questions may not apply, depending on the nature of your request):**

1. List the date or event that you would like the interim use permit to expire. **NOTE:** The Zoning Ordinance requires that the initial approval of an interim use permit must expire no later than five (5) years from the date it is approved. After that initial period, you may apply for renewal which may be allowed to continue for a different time period.

5 years from permit date

2. Would the proposed use would be harmful to the use and enjoyment of other property in the immediate area (for uses that are permitted)? Why or why not? Would the property reduce or otherwise diminish property values in the immediate area? Why or why not?

It would not be harmful to the use and enjoyment of other property or reduce/diminish property values. The salon would operate an average of 15 hours per week with one client at a time.

3. Will the proposed use prevent other landowners in the area from developing their property in a normal and orderly way? Why or why not?

It will have no impact on other land owners developing their properties.

4. Will the proposed use require any utilities, access roads, drainage or other public or semi-public facilities? If so, are these already provided in the area? If not, how will they be provided?

clients would access the Salon via Kilbury Ave NW.

5. Will the proposed use require off-street parking or loading space? If so, what actions will you take to provide sufficient space and where?

clients are scheduled one at a time and will use the driveway for parking.

6. Discuss how the proposed use will be in conformance with the Comprehensive Plan of the Township and Wright County.

7. Will the proposed use create any odors, fumes, dust, noise, vibration, or involve any lighted signs or other lights? If so, how do you intend to control these so that they do not create a nuisance for neighboring properties? Discuss how the proposed use will be in conformance with the Comprehensive Plan of the Township.

*No signs will be erected and there would not be any extra noise, dust, odors or fumes from the Salon.*

8. Will the proposed use involve any exterior storage of materials? If so, how will the storage prevent reducing nearby property values, impair scenic views or threaten habitat or other living amenities?

*No exterior storage required*

9. Will the proposed use involve any harvesting of timber or other clearing of forest land? If so, how will exposed soil be stabilized or prevented from eroding? Please attach an erosion and sediment control plan developed and approved by the local soil and water conservation district.

*N/A*

**If in Shoreland Areas, please complete all of the following questions:** *N/A*

1. Describe any aspects of the proposed use that could harm the lake or stream. Discuss how you will reduce or prevent any impacts.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Discuss why the proposed use is suited to a shoreland area.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Will the proposed use involve any grading or filling of the natural or existing topography? If so, how will you minimize earthmoving, erosion, tree clearing and the destruction of natural amenities.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Will the proposed use involve any connections to public waters, such as boat slips, canals, lagoons, or harbors? If so, has the MN Department of Natural Resources approved the connection?

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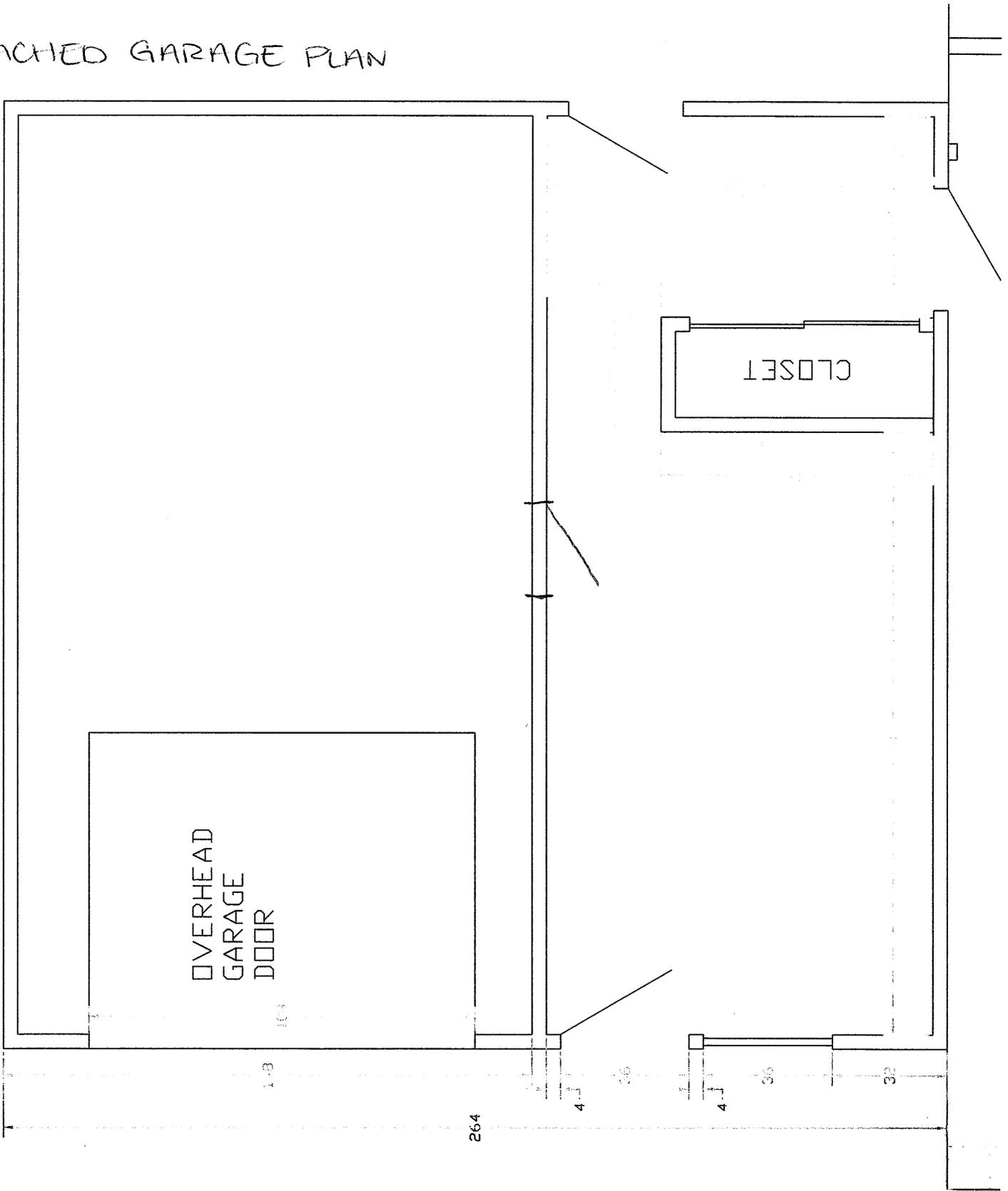
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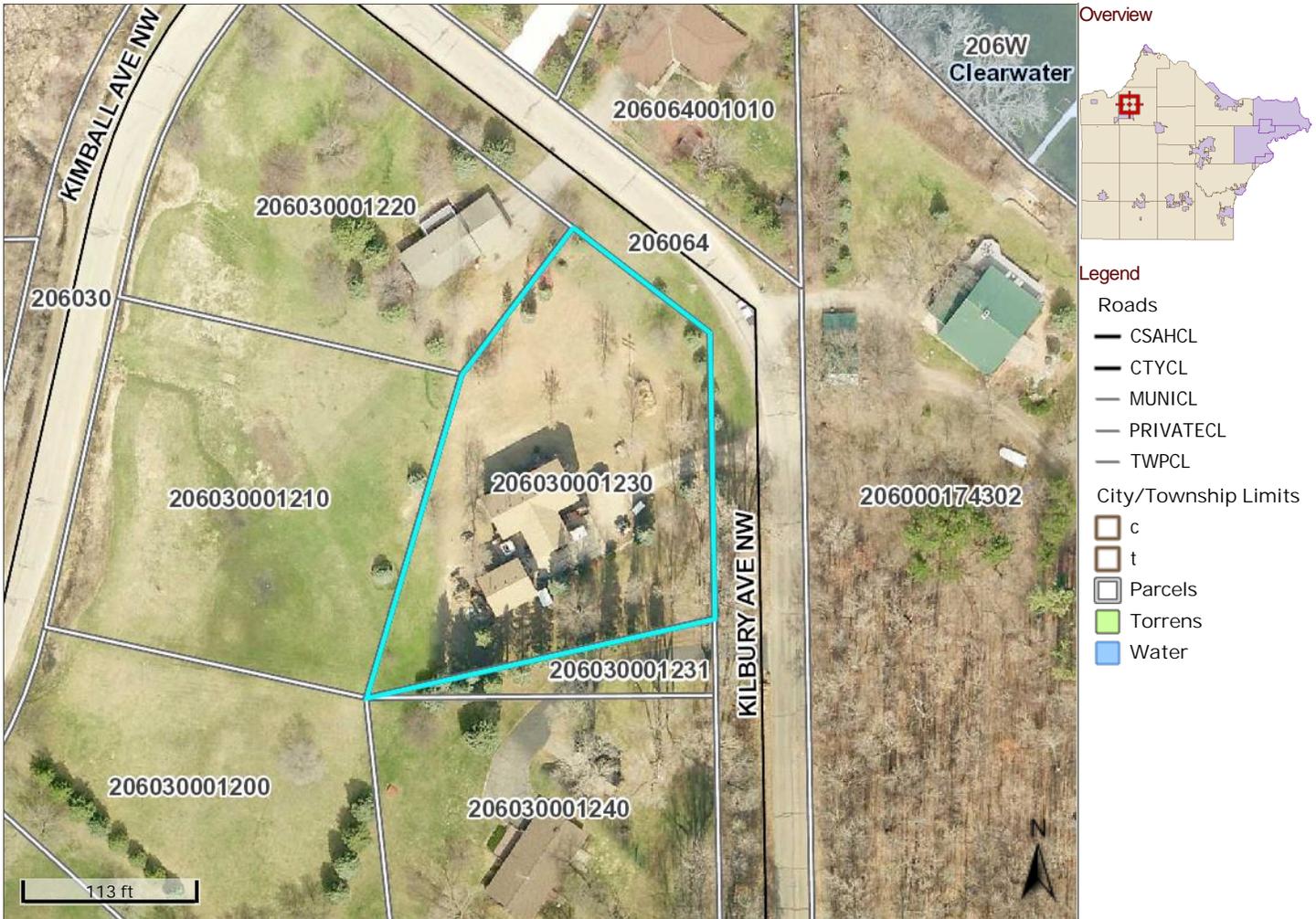
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JEFF + TERESA ZUEHL  
9167 KILBURY AVE NW  
ANNANDALE MN 55302  
320-558-6689

ATTACHED GARAGE PLAN





Parcel ID	206030001230	Alternate ID	n/a	Owner Address	ZUEHL,JEFFREY S & TERESA K
Sec/Twp/Rng	17-121-27	Class	201 - RESIDENTIAL		3046 FULTON CIR
Property Address	9167 KILBURY AVE NW ANNANDALE	Acreage	n/a		CLEARWATER, MN 55320

District n/a  
 Brief Tax Description Sect-17 Twp-121 Range-027 CLEARVIEW ACRES Block-001 LT23 BLK1 EX TR DES IN BK318-894  
 (Note: Not to be used on legal documents)

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## STAFF REPORT

**Application:** Rezoning of entire 6+ acre property from General Agricultural (AG) to Suburban Residential (R2).

**Applicant:** David Snyder/Thomas Tart

**Agenda Item:** 4(b)

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### Background Information:

- Proposal:** The applicants are proposing to rezone their existing 6+ acre property from its current General Agricultural (AG) classification to a Suburban Residential (R2) classification.

About 3.5 acres of the 6 acres is used for crop farming at the current time. The remainder is used for landscaped areas or small sheds. About 0.5 acres is a low area that collects waters after heavy rain events.

The property is located across the road from seven lakeshore properties that are zoned R-1. The properties to the north is also zoned R-1 (1 ac minimum lot size required). The land to the south is zoned R-2 (2.5 ac minimum lot size required).

All rezoning requests that involve a higher allowance for dwellings must be ultimately approved by Wright County. As such, any recommendation by the Planning Commission on this item would go to the Town Board and then on to Wright County as a recommendation from the Township.

- Location:**
  - o Property address: None (property bounded by 110<sup>th</sup> and 111<sup>th</sup> Street NW and Hollister Ave NW and Hart Ave NW)
  - o Sec/Twp/Range: 2-121-027
  - o Parcel number(s): 206000024400
- Existing Zoning:** General Agricultural (AG)/Residential Recreation Shorelands (S-2) Overlay District, Sugar Lake (General Development lake)
- Proposed Zoning:** Suburban Residential (R2)/Residential Recreation Shoreland (S-2) Overlay District, Sugar Lake (General Development lake)
- Lot size** (according to Beacon website):
  - o Approx. 6.37 acres
- Impervious/Building Coverage:**
  - o **Existing:** Minimal
  - o **Proposed:** No additional proposed at this time. Any future development would be subject to the 15% (building) and 25% (overall) limits.
- Septic System Status:** The property does not currently have any septic systems or dwellings on it.

- Natural Features:**

Floodplain: The property is not within an identified floodplain. Ordinance requires that dwellings have their lowest floor at least 4 ft above the highest known water level of the lake. From topography maps, at its lowest point (NW Corner), this land is about 16 ft above the highest recorded water level. The field itself ranges from about 20-35 ft above the lake.

Bluff/Steep Slopes: There are no bluffs or steep slopes on the property that impact the proposal.

Wetlands: There do not appear to be any wetlands on this property, although there is an area in the NW corner that appears to regularly collect water after heavy rain events.

□ **Permit History:**

- 1982 - Board of Adjustment denial for the placement of a caboose as a play structure.

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**Applicable Statutes/Ordinances/Court Decisions:**

**Corinna Township/Wright County Ordinances**

The subject property is current zoned "General Agriculture" (AG), which is given the following purpose in the Zoning Ordinance:

604. GENERAL AGRICULTURE AG

604.1 Purpose

General Agricultural areas are established for the purpose of preserving, promoting, maintaining and enhancing the use of land for commercial agricultural purposes, to prevent scattered and leap-frog non-farm growth, to protect and preserve natural resource areas and to stabilize increases in public expenditures for such public services as roads and road maintenance, police and fire protection, and schools.

The requested zoning classification is "Suburban Residential (R-2)" whose purpose is described as:

606. SUBURBAN RESIDENTIAL R-2

606.1 Purpose

The major purpose of this District is to allow for a "rural life-style" by permitting low-density residential development in areas that are marginal or non-feasible for agriculture.

**504. ZONING AMENDMENTS**

504.1 County Control.

All requests for rezoning within Corinna Township shall be made to Wright County and follow the procedures adopted by Wright County. The final

decision to establish a zoning classification within Corinna Township shall belong to the Wright County Board of Commissioners.

#### 504.2 Township Evaluation<sup>1</sup>.

Corinna Township shall make a recommendation regarding a rezoning to the County only after consideration of the following criteria:

- A. Preservation of natural sensitive areas.
- B. Present ownership and development.
- C. Soil types and their engineering capabilities.
- D. Topographic characteristics.
- E. Vegetative cover.
- F. Quality of the land for agricultural purposes.
- G. In-water physical characteristics.
- H. Recreational use of surface water.
- I. Road and service center accessibility.
- J. Socio economic development needs of the public.
- K. Availability of public sewer and water utilities.
- L. The necessity to reserve and restore certain areas having significant historical or ecological value.
- M. Conflicts between land uses and impacts of commercial uses or higher densities on adjacent properties.
- N. Alternatives available for desired land use.
- O. Prevention of spot zoning.
- P. Conformance to the Corinna Township Comprehensive Plan.
- Q. Conformance to the Corinna Township Future Land Use Map and any other official maps of the Township.

### **Corinna Township Comprehensive Plan**

The Corinna Township Comprehensive Plan (adopted in 2007) classifies the property as appropriate for a future land use of "Rural Preservation", which is described as:

**Rural Preservation:** A land use designation for properties that are best suited for rural farmsteads and farming. This classification would be most consistent with the Wright County Agricultural zoning classification. The Township believes it prudent to respond to future growth pressure by considering low-density, rural residential development in these areas, utilizing a cluster-style development strategy to maintain the rural character of the community.

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<sup>1</sup> Amended 2/15/2011 (Resolution 2011-08)

## Wright County Comprehensive Plan

The Wright County Comprehensive Plan, adopted in 2009, classifies the property as appropriate for “Residential Large Lot”, which is described as:

**Residential Large Lot** Primarily designates those areas that have already been converted to a rural/suburban, residential environment with lot sizes ranging from two to ten acres due to past decisions. Undeveloped lands that are surrounded or nearly surrounded by such patterns may also be included in this district. Existing land types may include large wooded areas, non-productive farmland near existing developed areas, infill on lands near highly developed lakeshore areas and other areas where large lot development may occur without posing a threat to the environment, or long term agricultural uses. Appropriate zoning may include Agricultural, Agricultural Residential, R-2(a) and, in special cases, R-2. Rezoning from Agricultural to residential districts will generally be considered appropriate for large lot (R-2a) proposals and for smaller sizes (R-2) in cases where existing development trends or environmental factors are appropriate. Rezoning to R-1 will only be considered for riparian lots on shorelands especially suited to that type of residential development, or for small areas of "infill" which are predominately R-1 already.

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**Staff Findings:** We propose the following findings for consideration by the Planning Commission, based on the criteria for making zoning amendments in Section IX of the Corinna Township Zoning Ordinance:

**1. Preservation of natural sensitive areas.**

- The only portion of the property that could be considered “sensitive” is the area which holds water after heavy rains in the NW corner – although this area is perhaps not “natural” as it appears to be mowed and used for gardening and likely recreation. The majority of the rest of the property is farmed or just open space next to the field.

**2. Present ownership and development.**

- The property is currently undeveloped and used for farming purposes and for a few small storage buildings. Adjacent properties are primarily residential on the north, west and south.

**3. Soil types and their engineering capabilities.**

- The subject property contains two soil types in the area to be rezoned. The majority (eastern  $\frac{3}{4}$  or so) of the property is identified as being Lester fine sandy loam with 6-12% slopes. The remainder is an Angus fine sandy loam with 2-5% slopes. Neither are identified as having ponding or flooding problems and are described as either moderately well drained or well drained. They appear suitable for septic systems, although this would have to be confirmed prior to issuance of building permits for

structures which generate sewage.

**231C – Lester fine sandy loam, 6 to 12 percent slopes**

**Component Description**

**Lester and similar soils**

Depth to restrictive feature: Very deep (more than 60 inches)

Drainage class: Well drained

Parent material: Till

Flooding: None

Depth to wet soil moisture status: More than 6.7 feet all year

Ponding: None

**1036B – Angus fine sandy loam, 2 to 5 percent slopes**

**Component Description**

**Angus and similar soils**

Depth to restrictive feature: Very deep (more than 60 inches)

Drainage class: Well drained

Parent material: Till

Flooding: None

Wet soil moisture status is highest (depth, months): 3.6 feet (April)

Wet soil moisture status is lowest (depth, months):

More than 6.7 feet (January, February, July, August, September)

Ponding: None

**4. Topographic characteristics.**

- The land slopes up from west to east, rising about 15 feet in that distance. There is a low depression in the NW corner which collects water during heavy rains.

**5. Vegetative cover.**

- As most of the land is farmed, there is relatively little vegetative cover on the property. Outside of the field, there are a few pine and other trees primarily scattered throughout the western edge of the property.

**6. Quality of the land for agricultural purposes.**

- The land has almost agricultural value in that it has been successfully farmed for a number of years. The land around is essentially fully developed unless additional rezoning and development occurs to the east and south, making the addition of new homes unlikely in the immediate area (which could cause additional conflict between the residential and agricultural uses).

**7. In-water physical characteristics.**

- The proposed rezoning is not directly on the lake.

**8. Recreational use of surface water.**

- The proposed rezoning is not directly on the lake. Any development that might follow a rezoning would not be expected to create a burdensome increase in recreational use of surface water.

**9. Road and service center accessibility.**

- The property abuts Hart Avenue (paved) to the east and two gravel township roads on the north and south (111<sup>th</sup> and 110<sup>th</sup>, respectively). The property is bordered by Hollister Ave (gravel Township road) on the west.

**10. Socio economic development needs of the public.**

- The property is currently farmed for row crops and serves the needs of the public for supporting the food supply, although the field is relatively small at about 3.5 acres. The area surrounding the property on three sides is used residentially and use of the property to accommodate limited residential growth can be done efficiently with existing roads.

**11. Availability of public sewer and water utilities.**

- The lot would be served by private sewer and water. Electric, phone and other basic utilities are available.

**12. The necessity to reserve and restore certain areas having significant historical or ecological value.**

- The property does not have any significant historical or ecological value as far as Staff is aware.

**13. Conflicts between land uses and impacts of commercial uses or higher densities on adjacent properties.**

- The proposed use for the property (either continued farming or limited residential) is the existing or predominant use in the area and no significant or unusual conflict would be expected.

**14. Alternatives available for desired land use.**

- The alternative land use for this property is essentially just to remain being used as it currently is – as an agricultural field. Alternatively, as a lot of record, it could be used for the construction of one dwelling.

**15. Prevention of spot zoning.**

- The request is to be rezoned to R-2 (Suburban Residential)
- The properties immediately to the west and north are zoned R-1. The property to the south is zoned R-2. The property to the east is zoned AG.
- Given that the Corinna Township Comprehensive Plan identifies this property for “Rural Preservation” and the Wright County Comprehensive Plan states that rezoning to R-2 “Rezoning from Agricultural to residential districts will generally be considered appropriate for large lot (R-2a) proposals and for smaller sizes (R-2) in cases where existing development trends or environmental factors are appropriate,” it is Staff’s opinion that a rezoning to R-2 would not be “spot zoning” under the current Comprehensive Plans of both the Township and County.

- Rezoning to R-2a would not provide any benefit in terms of the number of homes allowed on the property, since it is already allowed one home as a lot of record and the 5 ac minimum required in R-2a would not allow for subdivision of the parcel.

**16. Conformance to the Corinna Township Comprehensive Plan.**

- The Comprehensive Plan of Corinna Township identifies this property as Rural Preservation, which states that it is “prudent to respond to future growth pressure by considering low-density, rural residential development in these areas, utilizing a cluster-style development strategy to maintain the rural character of the community”. Given the relatively small size of this lot and the relatively small size of the field that would be lost if it were developed residentially, the Township may view this site as less than ideal for a cluster-style development. The Commission should discuss whether it feels two 2½ -3 acre lots on this parcel would be consistent with the Comprehensive Plan.

**17. Conformance to the Corinna Township Future Land Use Map and any other official maps of the Township.**

- See answer to #16 above.

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**Planning Commission/Board of Adjustment Direction:** The Planning Commission/Board of Adjustment may approve the rezoning request, deny the request, or table the request if the Commission/Board should need additional information from the applicant. If the Commission/Board should approve or deny the request, it should state the findings which support either of these actions.

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**Staff Recommendation:** Staff recommends approving the requested rezoning provided that the Commission feels that it is consistent with the Township’s Comprehensive Plan and general goal of preserving the rural character of the Township.



RZ14-001

4-28-2014

**CORINNA TOWNSHIP  
ORDINANCE/ZONING MAP AMENDMENT APPLICATION**

Name of Applicant DAVID W JNYDER  
THOMAS R. YART Phone 952-545 9679

Property Address (E911#) SEE ATTACHED

Mailing Address 1807 TIMBERLINE TRAIL Local Phone \_\_\_\_\_  
(if different than above) (if different than above)

City, State, Zip MINNEAPOLIS MN 55305

Applicant is:		Title Holder of Property (if other than applicant)
Legal Owner	<input checked="" type="checkbox"/>	_____
Contract Buyer	<input type="checkbox"/>	(Name)
Option Holder	<input type="checkbox"/>	_____
Agent	<input type="checkbox"/>	(Address)
Other	_____	_____
		(City, State, Zip)

Signature of Legal Owner, authorizing application (required): \_\_\_\_\_  
By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): Thomas R. Yart  
(By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

Legal description of property involved in this request, including total acreage:  
SEE ATTACHED

Property ID # 206 0000 24400 Zoning District AG  
(12 digit # beginning with 206)

Nature of request (select only one):

<input type="checkbox"/> Zoning Ordinance Amendment	List section(s) to be amended:
<input type="checkbox"/> Subdivision Ordinance Amendment	_____
<input checked="" type="checkbox"/> Zoning Map Amendment	_____
<input type="checkbox"/> Comprehensive Plan Amendment	

Current Zoning AG Proposed Zoning R-2

**Note: Applications for ordinance/zoning map amendments must be approved by Wright County if the zoning would be less restrictive than current zoning (i.e. would allow a higher density of homes or would change from residential to commercial or industrial). For these applications, Corinna Township provides a recommendation to Wright County. Applicants are responsible for contacting Wright County to be placed on their agenda.**

Please describe the proposed amendment, stating the exact language change proposed or the current and proposed zoning districts (attach separate page, if needed):

CHANGE AG-REG TO R-Z

Please outline why you consider the proposed amendment to be consistent with the goals and policies of the Corinna Township and Wright County Comprehensive Plans (copies of the Comprehensive Plan are available at the Township Office and at [www.hometownplanning.com/corinna-township.html](http://www.hometownplanning.com/corinna-township.html)).

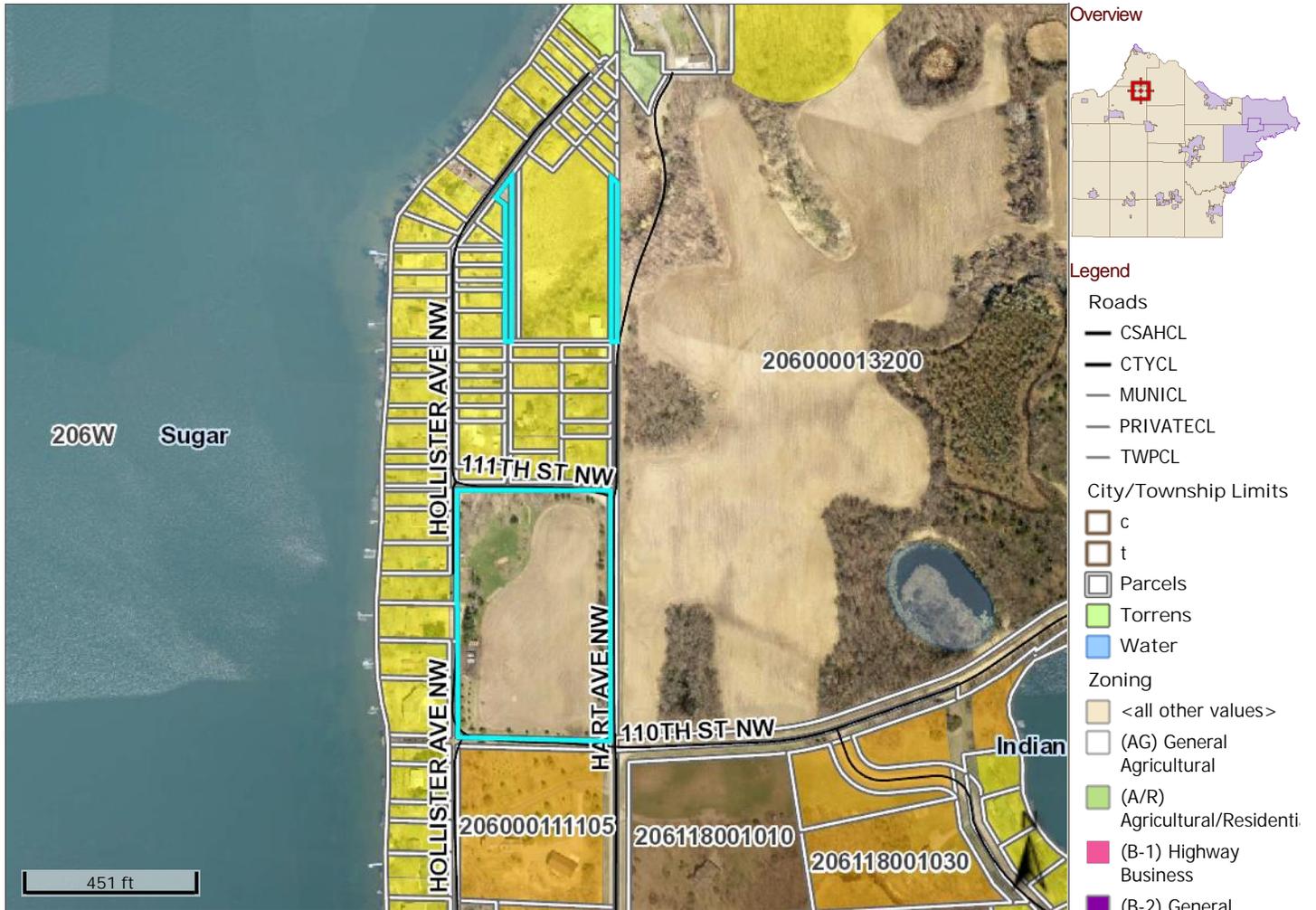
Please state any other relevant information and/or attach any supporting information:

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## EXHIBIT A

That part of Government Lot 1, Section 2, Township 121, Range 27, except that part which lies north of a line described as follows: Commencing at the corner post of the Southwest corner of Section 1, Township 121, Range 27, west 16 1/2 feet, thence north 680 feet to the beginning of the line to be described herein; thence west 402.5 feet, thence south 300 feet, thence west 215 feet to the shore of Sugar Lake and also excepting the 2.22 acres platted as Sugar Lake Heights, according to the plat of record, reserving in favor of the sellers for the benefit of the remainder of the parcel described in Book 204 of Deeds, page 473, as Document No. 238934, an easement for ingress and egress over the south 25 feet of said parcel.

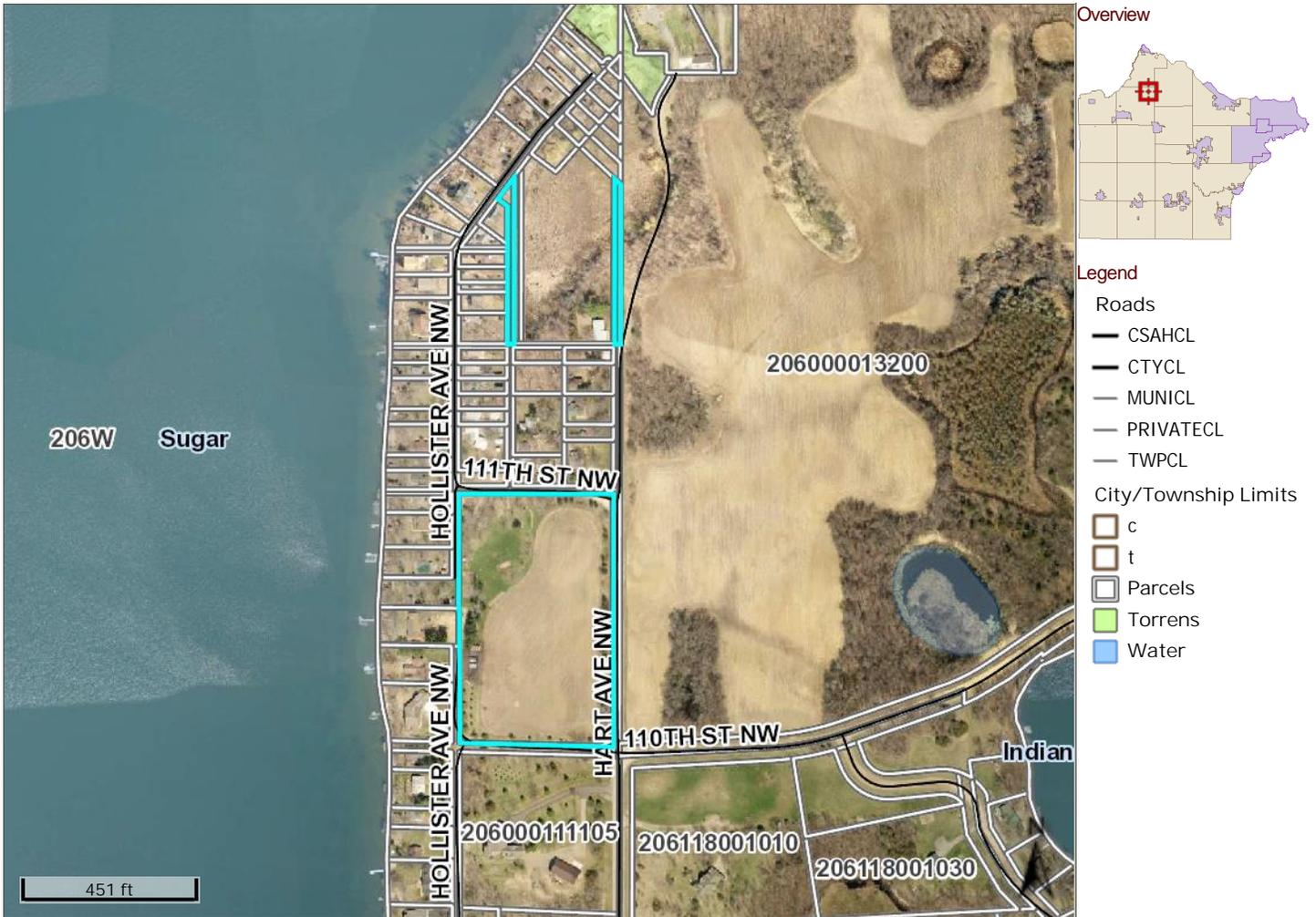
Subject to and together with prior  
restrictions, reservations and  
easements, if any.



Parcel ID 206000024400  
 Sec/Twp/Rng 2-121-27  
 Property Address

Alternate ID n/a  
 Class 151 - SEASONAL RES REC  
 Acreage n/a

Owner Address TART, THOMAS R & CONSTANCE J  
 1807 TIMBERLINE TRL  
 MINNETONKA, MN 55305



Parcel ID	206000024400	Alternate ID	n/a	Owner Address	TART, THOMAS R & CONSTANCE J
Sec/Twp/Rng	2-121-27	Class	151 - SEASONAL RES REC		1807 TIMBERLINE TRL
Property Address		Acreage	n/a		MINNETONKA, MN 55305
District	n/a				
Brief Tax Description	Sect-02 Twp-121 Range-027 UNPLATTED LAND CORINNA TWP TH PRT OF GOV LT1 EX TH PRT WH LIES N OF LN DES COM SW COR OF SEC1-121-27 TH W16.5FT TH N680 FT TO POB TH W402.5FT TH S300 FT TH W215FT TO SHR OF SUGAR LK& EX 2.22A PLATTED AS SUGAR LK HTGS				
	<span style="color: red;">(Note: Not to be used on legal documents)</span>				

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## STAFF REPORT

**Application:** Conditional Use Permit for a 36' x 82' expansion of an existing bus garage on property zoned Highway Business (B1).

**Applicant:** Rk Holdings LLC/M&M Bus Service

**Agenda Item:** 4(c)

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### Background Information:

- Proposal:** The applicant is proposing to construct a 36' x 82' addition on to an existing bus garage to accommodate additional buses. The size is zoned B-1 and has been a bus garage for many years. The addition would be built on to the east end of the largest building on the property.
- Location:**
  - o Property address: 10606 Hemlock Street NW
  - o Sec/Twp/Range: 20-121-027
  - o Parcel number(s): 206000203403
- Zoning:** B-1 - Highway Business
- Lot size:** Approximately 6 acres according to Beacon website.

Existing and Proposed Impervious Coverage:

- Buildings: Approximately 0.43 acres - about 7% (50% building coverage max.)
- Total: Approximately 2.5 acres - about 42% (no set limit)
- Septic System Status:** The existing system was installed originally in 1974 and upgraded in 1998. It does not appear that it has been inspected since that time. The proposed building addition does not indicate any new bathrooms that would impact the septic system.
- Natural Features:**
  - Floodplain: The property is not within an identified floodplain.
  - Bluff/Steep Slopes: There are no steep slopes or bluffs on this property.
  - Wetlands: There do not appear to be any wetlands on the property that would be impacted by the proposed addition.
- Permit History:**
  - 1973 - Rezoning to B1
  - 1974 - Building (detached garage)
  - 1974 - Septic System
  - 1990 - Storage Building
  - 1990 - Commercial Building

- 1990 - Setback Variance
- 1996 - Shop Addition
- 1998 - Septic System
- 2009 - Administrative Order
- 2011 - Storage Building, Reroof, Reside
- 2011 - Deck/Porch
- 2014 - Pole Building
- 2014 - Pole Building Addition

---

**Applicable Statutes/Ordinances/Court Decisions:**

**Corinna Township/Wright County Ordinances**

505. CONDITIONAL USE PERMITS

505.1 Criteria for Granting Conditional Use Permits

In granting a conditional use permit, the Wright County Planning Commission shall consider the effect of the proposed use upon the health, safety, morals, and general welfare of occupants of surrounding lands. Among other things, the County Planning Commission shall make the following findings where applicable.

- (1) That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity;
- (2) That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area;
- (3) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided;
- (4) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use;
- (5) The use is not in conflict with the Policies Plan of the County; and,
- (6) That adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

505.2 Additional Conditions

In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may impose, in addition to these standards and requirements expressly specified by this Ordinance, additional conditions which the Planning Commission considers necessary to protect the best interest of the surrounding area or the community as a whole. These conditions may include, but are not limited to the following:

- (1) Increasing the required lot size or yard dimension.
- (2) Limiting the height, size or location of buildings.
- (3) Controlling the location and number of vehicle access points.
- (4) Increasing the street width.
- (5) Increasing the number of required off-street parking spaces.
- (6) Limiting the number, size, location or lighting of signs.
- (7) Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.
- (8) Designating sites for open space.

Any change involving structural alterations, enlargements, intensification of use, or similar change not specifically permitted by the Conditional Use Permit issued shall require an amended Conditional Use Permit and all procedures shall apply as if a new permit were being issued. The Wright County Zoning Administrator shall maintain a record of all conditional use permits issued including information on the use, location, and conditions imposed by the Planning Commission; time limits, review dates, and such other information as may be appropriate.

## **608. HIGHWAY BUSINESS DISTRICT B-1**

### **608.1 Purpose**

A B-1 District is established to accommodate those types of businesses that require an accessibility to highways to successfully function. To minimize unmanageable strip development, B-1 should only allow the type of businesses that absolutely require highway accessibility.

### **608.2 Conditional Uses**

Drive-In Movie Theater.

Drive-In Restaurant.

Recreation Equipment Sales.

Motels.

Auto Service Stations.

Seasonal Produce Stand.

Auto Sales Lot.

Cafes and Restaurants.

Parking Lots.

Any other incidental repair, processing and storage necessary to conduct a permitted principal use provided that said accessory use does not exceed thirty (30) percent of the floor space of the principal building.

Essential Services - Utility lines and other necessary appurtenant structures.

Other highway-oriented business activities of the same general character as listed.

Church

Commercial Recreation.

Subdivisions - minimum size of one acre.

Commercial Day Care Centers

Convenience - type retail outlets with high customer turnover rate.

**608.3 Performance Standards**

(2) Height Regulations:

No building shall hereafter be erected or structurally altered to exceed two and one half (2 1/2) stories or thirty-five (35) feet in height.

(3) Front Yard Regulations:

(a)	<u>Required Setback Distance</u>	<u>Road Class</u>
	<u>From Road Centerline</u>	
	160	State/Federal Highway
	160	County Road
	95	Local Road (TWP Road)

(b) Where a lot is located at the intersection of two (2) or more roads or highways which bound two or more sides of the lot, no building shall project beyond the front yard line of either road.

(4) Side Yard Regulations:

(a) There shall be a side yard having a width of not less than twenty (20) feet on each side of a building.

(b) No building shall be located within fifty (50) feet of any side lot line abutting a lot in any Residential or Agricultural District.

- (5) Rear Yard Regulations:
- (a) There shall be a minimum rear yard of thirty-five (35) feet.
  - (b) No building shall be located within fifty (50) feet of any side lot line abutting a lot in any Residence or Agricultural District.
- (8) Screening and Fencing
- The County may require the screening and fencing of commercial uses especially on side and rear yards facing Residential and Agricultural Districts.
- (9) No more than fifty (50) percent of the lot ground area shall be covered by buildings.
- (10) General Regulations:
- Requirements for signs, parking, shopping centers, and other regulations are set forth in Section 7.

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**Staff Findings:** The following findings of fact are presented by Staff for consideration by the Planning Commission:

- 1) Will the Conditional use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or substantially diminish and impair property values within the immediate vicinity?**

**No.** The change to the existing use and appearance of the property will be minimal. It will help to enclose buses within buildings so that they are not being stored outdoors.

- 2) Will the establishment of the Conditional Use impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area?**

**No.** The proposed addition would do little to impeded future development of surrounding land, which already developed or in farmland.

- 3) Do adequate utilities, access roads, drainage and other necessary facilities exist or will they be provided?**

**Yes.** The area is already served by a paved roadway which already accommodates buses. The proposed garage will simply house some of these buses.

- 4) Have adequate measures been taken to provide sufficient off-street parking and loading space to serve the proposed use?**

**Yes.** The property is about 6 acres in size has more than adequate space for the parking of buses.

- 5) Will the use conflict with the Policies Plan of Corinna Township and/or Wright County?**

**No.** The Corinna Township Comprehensive Plan identifies this area for Commercial Use.

The Wright County Land Use Plan identifies this area as appropriate for Commercial use.

- 6) **Have adequate measures been taken, or will they be taken, to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result?**

**Yes.** The proposed use of the property will not change and the proposed building should help to reduce the noise from buses.

- 7) **Are there any other conditions which the Planning Commission considers necessary to protect the best interest of the surrounding area or the community as a whole?**

The Commission may wish to discuss screening requirements – both to minimize the impact on the residential properties to the north and for motorists on State Highway 55.

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**Planning Commission/Board of Adjustment Direction:** The Planning Commission/Board of Adjustment may approve the conditional use request, deny the request, or table the request if the Commission/Board should need additional information from the applicant. If the Commission/Board should approve or deny the request, it should state the findings which support either of these actions.

---

**Staff Recommendation:** Staff recommends approving the requested conditional use as presented, with consideration to the following conditions of that approval:

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 any downslope property lines, or as otherwise approved by the Zoning Administrator.

Application # <u>C14-005</u>	Date Application Rec'd <u>5/22/14</u> (for office use only)	Fee Collected \$ <u>350<sup>00</sup></u>
------------------------------	---	--

**CORINNA TOWNSHIP  
CONDITIONAL USE APPLICATION**

Name of Applicant: M & M Bus Service Inc.  
 Property Address: 10606 Hemlock St NW Annandale MN 55302  
 Mailing Address (if different): \_\_\_\_\_

City: Annandale State: MN Zip: 55302

Phone (home/work): 320.274.8313 Phone (cell/other): 612-290-4091

E-mail (optional): rogerma@lakedalelink.net

**Applicant is:** **Title Holder of Property (if other than applicant)**

Legal Owner  Name: R K Holdings LLC

Contract Buyer  Address: 10606 Hemlock St NW

Option Holder  City, State, Zip: Annandale MN 55302

Agent

Other  Please specify: \_\_\_\_\_

Property ID #: (12 digit # on tax statement) 206-000-203403 Lake Name (if applicable) NA

Legal Description: Sect. 20 Twp 121 Range 027 unplatted land - Corinna Twp. TH PKT  
 (attach if necessary)  
SE 1/4 of SW 1/4 DES COM SE COR TH N1D13'44"E ALG E LN 16.50 FT TO POB TH CONT N1D13'44"E  
303.27 FT (18.38 RDS) TH N88D50'17"W PAR/WS LN 865 FT TO WLN OF E 865 FT TH S1D13'44"W

Signature of Legal Owner, authorizing application (required): [Signature]  
 (By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): \_\_\_\_\_  
 (By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

What are you proposing for the property? State nature of request in detail:

Construction of additional cold storage

Any questions for building contractor can be forwarded to 320-980-2057

Aerial view map has been submitted by LIMAN Post + Beam

What changes (if any) are you proposing to make to this site?

Building: Addition of 36' x 82' on east side of existing cold storage building

Landscaping: None

Parking/Signs: None

Pursuant to the Corinna Township Zoning Ordinance, Appendix A, Section 505.1, the Planning Commission will consider the effect of the proposed use upon the health, safety, morals, and general welfare of occupants of surrounding lands. Among other things, the Planning Commission shall make the following findings where applicable:

Please complete all of the following questions to the best of your ability (some questions may not apply, depending on the nature of your request):

1. Would the proposed use would be harmful to the use and enjoyment of other property in the immediate area (for uses that are permitted)? Why or why not? Would the property reduce or otherwise diminish property values in the immediate area? Why or why not?

No

2. Will the proposed use prevent other landowners in the area from developing their property in a normal and orderly way? Why or why not?

No

3. Will the proposed use require any utilities, access roads, drainage or other public or semi-public facilities? If so, are these already provided in the area? If not, how will they be provided?

No

4. Will the proposed use require off-street parking or loading space? If so, what actions will you take to provide sufficient space and where?

No

5. Discuss how the proposed use will be in conformance with the Comprehensive Plan of the Township and Wright County.

Property is zoned for business

6. Will the proposed use create any odors, fumes, dust, noise, vibration, or involve any lighted signs or other lights? If so, how do you intend to control these so that they do not create a nuisance for neighboring properties? Discuss how the proposed use will be in conformance with the Comprehensive Plan of the Township.

No

7. Will the proposed use involve any exterior storage of materials? If so, how will the storage prevent reducing nearby property values, impair scenic views or threaten habitat or other living amenities?

No

8. Will the proposed use involve any harvesting of timber or other clearing of forest land? If so, how will exposed soil be stabilized or prevented from eroding? Please attach an erosion and sediment control plan developed and approved by the local soil and water conservation district.

No

**If in Shoreland Areas, please complete all of the following questions:**

1. Describe any aspects of the proposed use that could harm the lake or stream. Discuss how you will reduce or prevent any impacts.

NA

2. Discuss why the proposed use is suited to a shoreland area.

NA

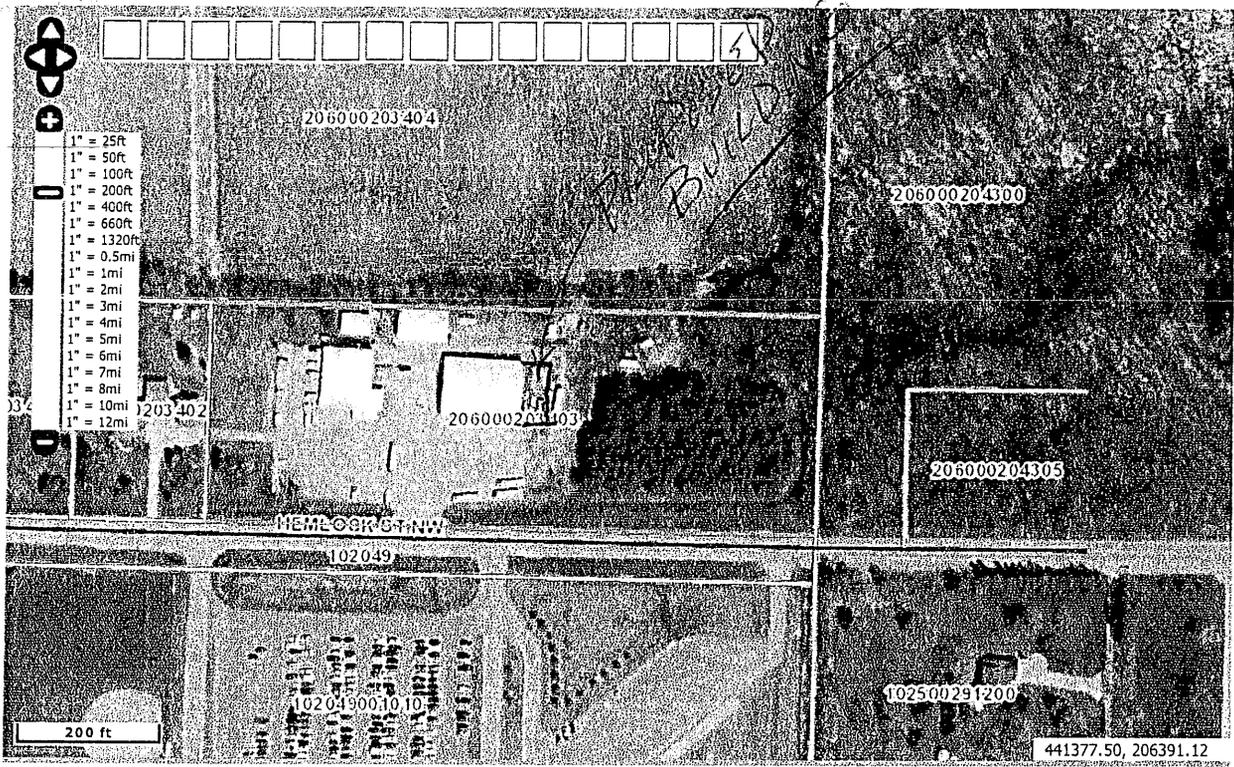
3. Will the proposed use involve any grading or filling of the natural or existing topography? If so, how will you minimize earthmoving, erosion, tree clearing and the destruction of natural amenities.

NA

4. Will the proposed use involve any connections to public waters, such as boat slips, canals, lagoons, or harbors? If so, has the MN Department of Natural Resources approved the connection?

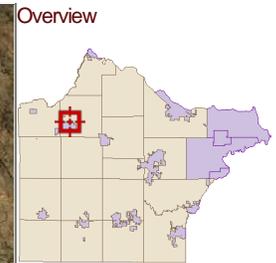
NA

Map



<b>Parcel ID</b>	206000203403	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	RK HOLDINGS LLC
<b>Sec/Twp/Rng</b>	20-121-27	<b>Class</b>	233 - COMM LAND & BLDGS		10606 HEMLOCK ST NW
<b>Property Address</b>	10606 HEMLOCK ST NW	<b>Acres</b>	n/a		ANNANDALE, MN 55302
	ANNANDALE				
<b>District</b>	n/a				
<b>Brief Tax Description</b>	Sect-20 Twp-121 Range-027 UNPLATTED LAND CORINNA TWP TH PRT SE1/4 OF SW1/4 DES COM SE COR TH N1D13'44"E ALG E LN 16.50FT TO POB TH CONT N1D13' 44"E 303.27FT(18.38RDS)TH N88D 50'17"W PAR/W S LN 865FT TO W LN OF E865FT TH S1D13'44"W 303.27FT(18.38RDS)TO INT/SEC/W LN DRWN 16.50FT NLY &PAR/W SD S LN TH S88D50'17"E 865FT TO POB				
	(Note: Not to be used on legal documents)				

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**Legend**

**Roads**

- CSAHCL
- CTYCL
- MUNICL
- PRIVATECL
- TWPCL

**City/Township Limits**

- c
- t
- Parcels

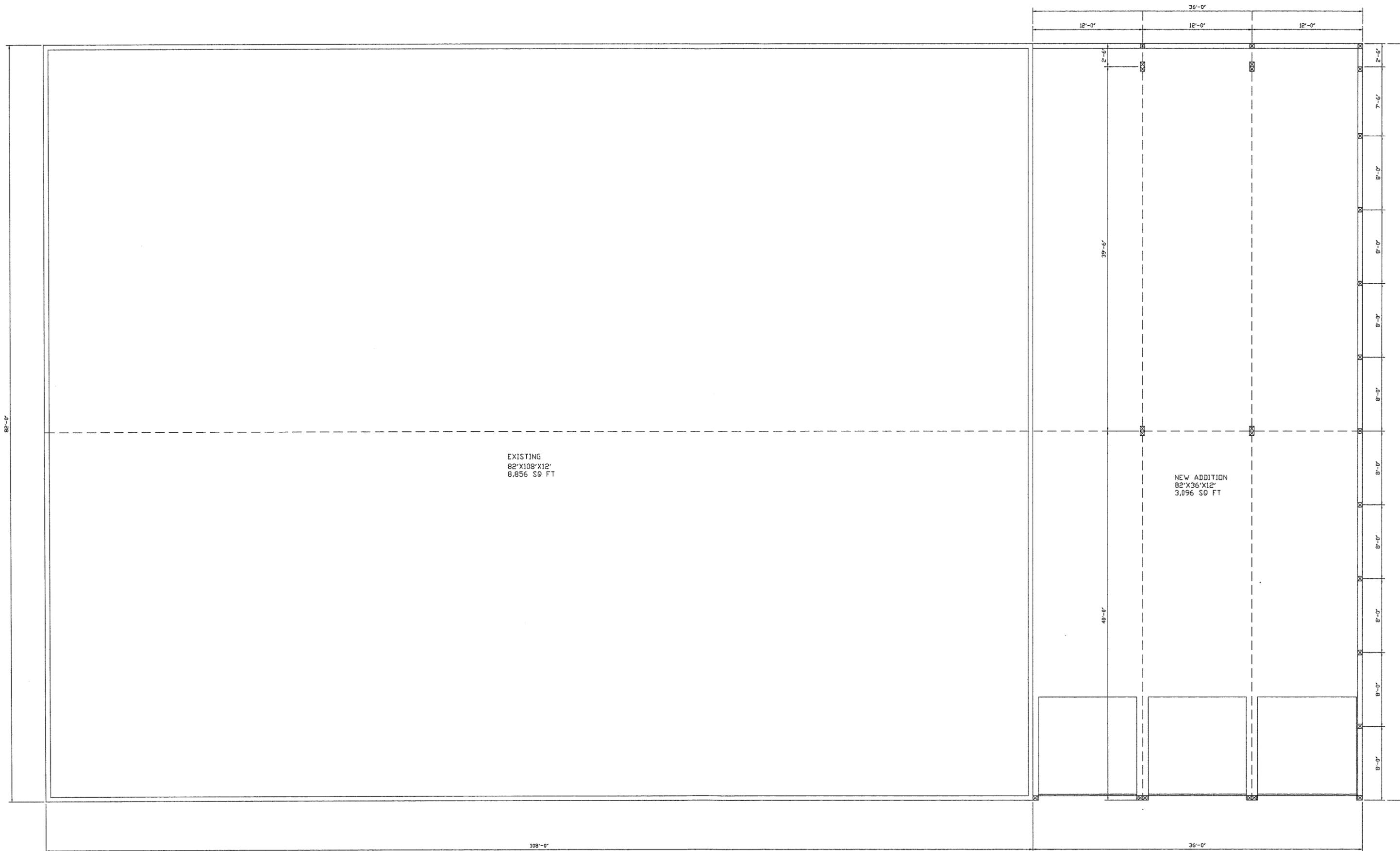
Parcel ID	206000203403	Alternate ID	n/a	Owner Address	RK HOLDINGS LLC
Sec/Twp/Rng	20-121-27	Class	233 - COMM LAND & BLDGS		10606 HEMLOCK ST NW
Property Address	10606 HEMLOCK ST NW	Acreage	n/a		ANNANDALE, MN 55302
	ANNANDALE				

District n/a

Brief Tax Description Sect-20 Twp-121 Range-027 UNPLATTED LAND CORINNA TWP TH PRT SE1/4 OF SW1/4 DES COM SE COR TH N1D13'44"E ALG E LN 16.50FT TO POB TH CONT N1D13' 44"E 303.27FT(18.38RDS)TH N88D 50'17"W PAR/W S LN 865FT TO W LN OF E865FT TH S1D13'44"W 303.27FT(18.38RDS)TO INT/SEC/W LN DRWN 16.50FT NLY &PAR/W SD S LN TH S88D50'17"E 865FT TO POB

(Note: Not to be used on legal documents)

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EXISTING  
82'X108'X12'  
8,856 SQ FT

NEW ADDITION  
82'X36'X12'  
3,096 SQ FT

108'-0"

36'-0"

82'-0"

82'-0"

36'-0"  
12'-0" 12'-0" 12'-0"

2'-6"

39'-6"

40'-0"

2'-6"

7'-6"

8'-0"

8'-0"

8'-0"

8'-0"

8'-0"

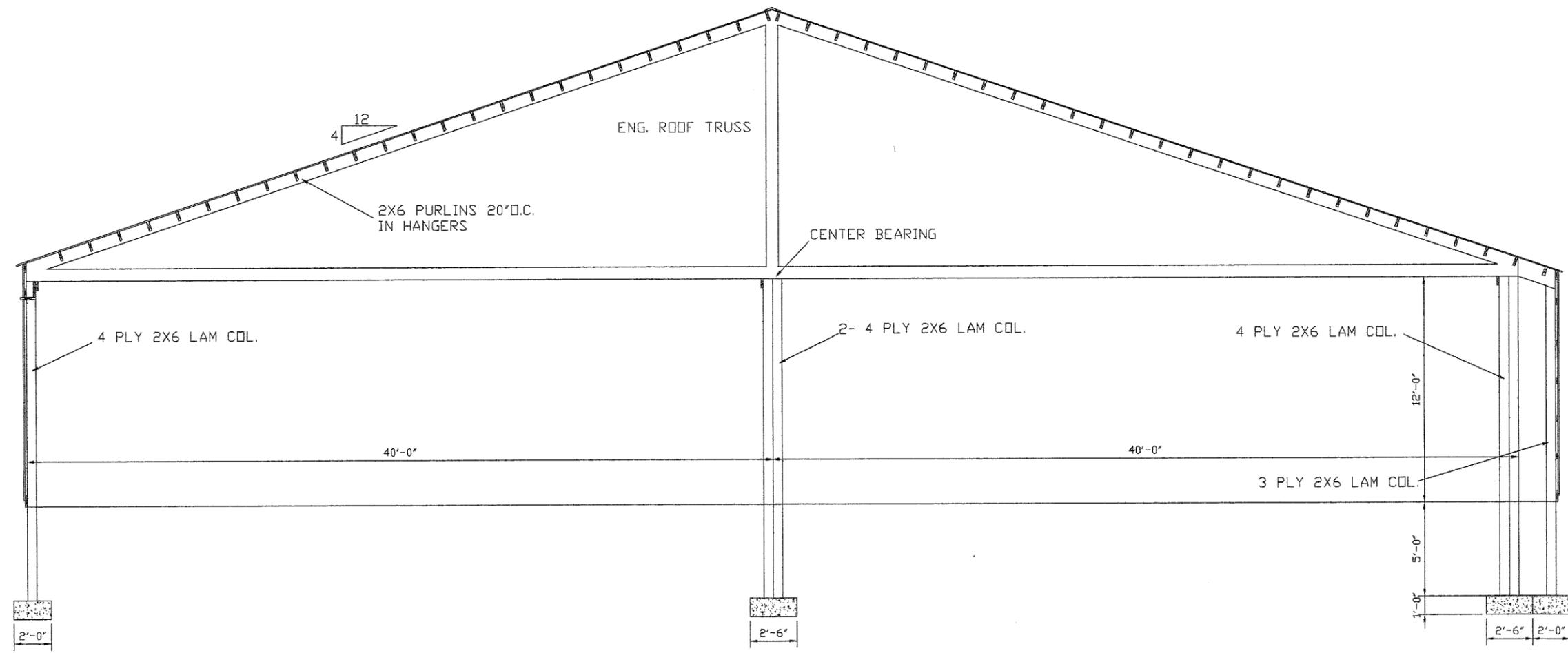
8'-0"

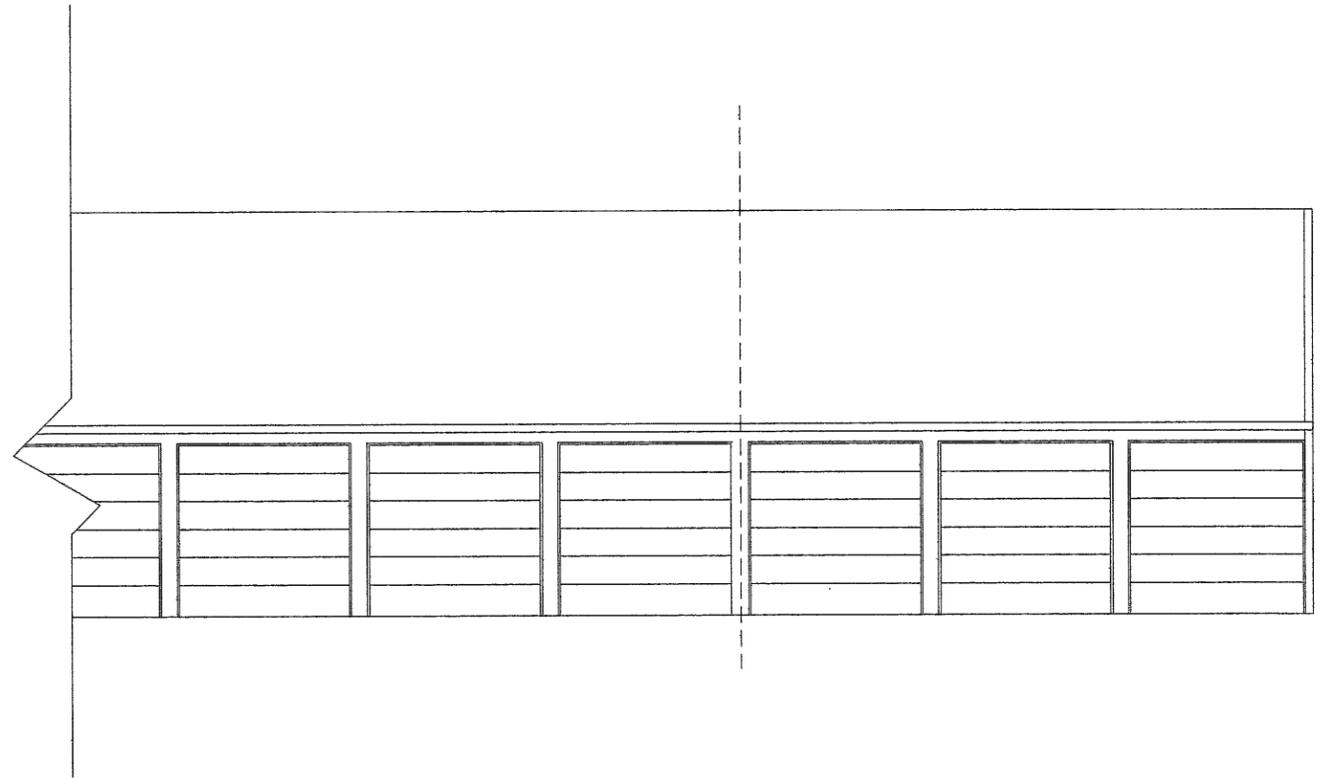
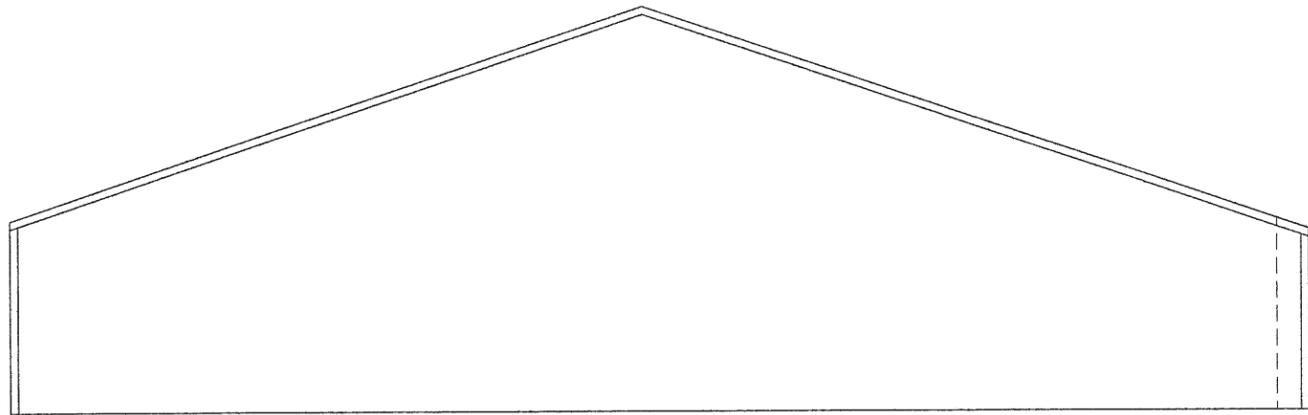
8'-0"

8'-0"

8'-0"

8'-0"





## STAFF REPORT

**Application:** Variance to construct an approximate 4' x 8', 11' x 4' and 10' x 6' expansion to the existing open deck ranging from approximately 45-50 ft from Cedar Lake (min. 75 ft required) and on a lot with existing impervious coverage of approximately 30-35% (max. 25% allowed).

**Applicant:** John & Kimberly Wernz

**Agenda Item:** 4(d)

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### Background Information:

- **Proposal:** The applicants had a previously permitted 10' x 14' open lakeside deck that was constructed in 1998. They propose to replace and enlarge that deck to the side (no closer to the lake) with a walkway to connect the existing deck to a new deck that would extend out from another portion of the home<sup>1</sup>. The current deck was permitted as part of a home that was granted a variance in 1998 to be no closer than 50 ft to the lake (the deck itself is closer than 50 ft to the lake). The proposed deck would have a lake setback of approximately 45-50 feet.

The lot also appears to be well over its impervious limit (the applicant has indicated he has ordered a survey on the property and expects it to be done before the public hearing). A good share of this overage may be due to the change in the County's ordinances regarding gravel driveways which began counting these as impervious in 2007, although that is unclear. Also related to impervious coverage, there was a permit issued in 2008 by Wright County to construct a 5' x 9' front stoop on the road side of the existing house. As a condition of that permit, the applicant was required to remove a 9' x 15' concrete area at the end of the driveway and a 3' x 24' area along the SE side of the house (a net decrease in impervious of 162 sq ft). It does not appear that the 9' x 15' area was ever removed, but the applicant states that he spoke with the previous landowner about this and was told that "he removed the 3x24 and did not remove the 2<sup>nd</sup> area drawn, but did remove a large amount of concrete from the patio and stairs to the lake so they happily signed off." From 2008 vs 2011 aerial photos, this does appear to be the case (that they removed a fairly large amount of impervious from the patio area on the lakeside of the house).

The deck would be built mostly over surfaces that are either impervious (about a 4' x 4' area is above an existing concrete patio and all but about a 2' x 10' area would be above rock landscaping (although this rock landscaping is considered pervious in

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<sup>1</sup> The construction on the proposed deck has already begun. The applicant had submitted an application for construction and indicates they were told by the building inspector they could begin work. The building inspector did not recall making such a statement.

The applicant was allowed to complete reconstruction of the 10' x 14' deck that previously existed and was permitted in 1998, as this does not require a variance.

the ordinance as it has fabric underneath the rock that is supposed to allow water to go through).

- **Location:**
  - Property address: 8841 Ingram Ave NW
  - Sec/Twp/Range: 22-121-027
  - Parcel number(s): 206021000140
- **Zoning:** Urban/Rural Transition (R1) /Residential Recreation Shorelands (S-2) Overlay District, Cedar Lake (General Development lake)
- **Lot size:** 8,636 sq ft according to 2008 survey.

Existing Impervious Coverage:

- Buildings: Approx. 1,200-1,300 sq ft (13.9-15%)
- Total: Approx. 2,700-2,800 sq ft (31.3-32.4%)

Proposed Impervious Coverage:

- Buildings: Approx. 1,200-1,300 sq ft (13.9-15%)
- Total: Approx. 2,776-2,876 sq ft (32.1-33.3%)

- **Septic System Status:** The property is served by a septic system that was installed in 1998. The system was found compliant in 2006 and again in 2011.
- **Natural Features:**
  - Floodplain: The property is not within an identified floodplain.
  - Bluff/Steep Slopes: The property contain steep slopes, but it is not tall enough to be considered a bluff.
  - Wetlands: There do not appear to be any wetlands that would impact this proposal.
- **Permit History:**
  - 1975 - Septic system
  - 1998 - Variance to construct a dwelling within the lake setback (approved)
  - 1998 - Permit to construct a home and deck
  - 1998 - Septic system
  - 2006 - Septic certification
  - 2008 - Covered stoop on roadside
  - 2011 - Septic certification

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**Applicable Statutes/Ordinances:**

## Minnesota Statutes

### 462.357 (2011) OFFICIAL CONTROLS: ZONING ORDINANCE.

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#### Subd. 6. Appeals and adjustments.

Appeals to the board of appeals and adjustments may be taken by any affected person upon compliance with any reasonable conditions imposed by the zoning ordinance. The board of appeals and adjustments has the following powers with respect to the zoning ordinance:

(1) To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative officer in the enforcement of the zoning ordinance.

(2) To hear requests for variances from the requirements of the zoning ordinance including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in section [216C.06, subdivision 14](#), when in harmony with the ordinance. The board of appeals and adjustments or the governing body as the case may be, may not permit as a variance any use that is not allowed under the zoning ordinance for property in the zone where the affected person's land is located. The board or governing body as the case may be, may permit as a variance the temporary use of a one family dwelling as a two family dwelling. The board or governing body as the case may be may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

## Corinna Township/Wright County Regulations

### 502. APPEALS AND BOARD OF ADJUSTMENT

#### 502.4 Findings

- (1) The Board of Adjustment must review variance petitions and consider the following factors prior to finding that a practical difficulty has been presented. The applicant must provide a statement of evidence addressing the following elements to the extent they are relevant to the applicant's situation.

- (a) The granting of the variance will be in harmony with the County Land Use Plan.
- (b) The property owner proposes to use the property in a reasonable manner not permitted by an official control.
- (c) The plight of the owner is due to circumstances unique to the property not created by the owner.
- (d) The proposal does not alter the essential character of the locality.
- (e) The practical difficulty cannot be alleviated by a method other than a variance; and.
- (f) The granting of the variance will not adversely affect the environmental quality of the area.

The Board of Adjustment may grant a variance if it finds that all of the above factors have been established. The Board of Adjustment must not approve a variance request unless the applicant proves all of the above factors and established that there are practical difficulties in complying with official controls. The burden of proof of these matters rests completely on the applicant.

**612.5 Shoreland Performance Standards**

612.5 (1) General Performance Standard for Lakes

Performance standards in shoreland areas are additional to standards of the primary zoning district. In case of a conflict, the stricter standard shall apply as well as any additional requirements if flood plain elevations have been established.

(a) General Development Standards:

Structure setback from NOHW	75 ft.
Structure setback from Bluff	30 ft.
Height	2 1/2 stories (35 ft.)
Elevation of lowest floor above highest known water level	4 ft.
Water Oriented Accessory Structure Setback from NOHW	10 ft.

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**Findings of Fact:** The following findings of fact are presented by Staff for consideration by the Board of Adjustment:

**1. Will the granting of the variance be in harmony with the general purposes and intent of the Corinna Township Land Use (Zoning) and/or Subdivision Ordinance?**

**Needs discussion:** The ordinance clearly limits impervious coverage to 15% building coverage and 25% total coverage and the intent is to ensure that there is adequate space on a lot to allow for infiltration and filtering of rainwater before it enters the lake. In this situation, it appears the building coverage is right at the 15% limit and the overall coverage is at about 31-33% coverage. In these

situations, where the coverage is nonconforming, but apparently legal at the time it was added, the goal is generally to reduce coverage to some degree, if not all the way down to 25%. It appears that the previous landowner did remove some of the excess coverage, but the coverage is still at about 31-33%. The BOA should discuss whether they feel that no net increase or a net decrease in impervious coverage would be consistent with the general purposes and intent of the ordinance (which would require a requirement of approval that there be a reduction in impervious coverage elsewhere on the lot).

The spirit and intent of the ordinance (lake setback), according to the DNRs SONAR statement in 1989, is:

“In general, structure setbacks are needed to provide an adequate distance between the development of a shoreland area and the adjacent waterbody or near blufftops to control the resource damaging effects of non-point source pollution. Soil erosion and subsequent sedimentation in water bodies and the loading of nutrients, toxics and other pollutants to the water body from shoreland area surface water runoff are examples of non-point source pollution.”

Comment (lake setback): The proposed deck enlargement will clearly put more structure within the lake setback, but it appears it will not be any closer than the existing deck. With proper stormwater management practices, it appears possible to have any rainwater runoff from the new deck be captured and infiltrated so that it does not impact the lake.

## 2. Will the granting of the variance be consistent with the Corinna Township Comprehensive Plan?

**Needs discussion:** The Comprehensive Plan states the following as strategies to “protect, preserve, and enhance lake water quality”:

- Require on-site storm water retention and erosion-control plans for all new lakeshore development and redevelopment of existing sites, to ensure that storm water runoff is properly managed and treated before entering surface waters.
  - Staff Comment: The applicant has not provided any specific plans for stormwater retention or erosion control as of the writing of this report. Such plans could be required as a condition of any approval.
- Seek ways to ensure that new development, landscaping, or other alterations on lakeshore properties preserve and/or provide for the planting of native trees and shoreline vegetation.
  - Staff Comment: The application will not require the removal of any trees or shrubs.
- Require the use of best management practices as outlined by the Minnesota DNR, University of Minnesota Extension, or other appropriate agencies during the development and re-development of all property in

the Township to prevent erosion and sedimentation that eventually reaches area lakes and wetlands through ditches, direct runoff, or other means.

- Staff Comment: See comments above.
- Limit the amount of grading and filling in the shoreland area so as to minimize the disturbance of soil and prevent erosion.
  - Staff Comment: Very minimal changes will take place in relation to the existing ground and grade as a result of this project.

**3. Is the proposed use of the property reasonable?**

**Needs discussion.** The proposed addition is reasonable in that it represents a reasonable lakeside deck size and configuration. However, the proposal to add impervious to a site that already significantly exceeds the impervious limit suggests a less reasonable request (although this could potentially be mitigated with at least an equal reduction in impervious elsewhere on the lot).

**4. Is the plight of the landowner due to circumstances unique to the property not created by the landowner?**

**Yes.** The need for the variance is due largely to factors out of the applicants control – the relatively small lot size as originally platted, the construction of impervious surfaces by previous owners, and the change in ordinance requirements over the years.

**5. Will the variance, if granted, alter the essential character of the locality?**

**Needs discussion.** The deck itself is not out of character with shoreland dwellings in the area. The high impervious coverage is not entirely unusual for lakeshore development on small lots platted many years ago, but does represent a potential impact on the character of the locality.

**6. Are economic considerations the only reason the applicant cannot meet the strict requirements of the ordinance?**

**No.** The need for the variance is due to other factors mentioned in #4 above.

**7. Could the practical difficulty be alleviated by a feasible method other than a variance (taking into account economic considerations)?**

**No.** A variance is necessary to add additional decking on. Without a variance, the applicant would be limited to their existing deck. A patio could potentially be added instead of the deck extension (i.e. the decking would need to be less than 30" off the ground), but this would only eliminate the need for a lake setback – not from the impervious coverage variance.

**8. Will the granting of the variance adversely affect the environmental quality of the area?**

**Needs discussion.** The deck, as at least a partially impervious surface in practice, will have the potential to increase runoff into the lake before having a chance to

infiltrate or be filtered. This could be mitigated by effective stormwater management practices.

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**Board of Adjustment Direction:** The Board of Adjustment may approve the variance request, deny the request(s), or table the request(s) if the Board should need additional information from the applicant. If the Board should approve or deny the request, the Board should state the findings which support either of these actions.

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**Staff Recommendation:** Based on the findings of fact and discussion above, Staff recommends that the Board only approve the request if there is at least an equal reduction in the amount of impervious that is being added elsewhere on the lot (about 92 sq ft is being added).

In order to reduce coverage on the lot to the max. allowable 25%, approximately 540-640 sq ft of impervious would need to be eliminated (subject to verification from the survey of the property expected to be available at the meeting). The only feasible locations for this to take place would appear to be the concrete area at the lake end of the driveway, the patio area below the existing deck, or the boathouse built into the hillside.

If the variance is approved, Staff recommends consideration of the following conditions of that approval:

1. That the applicant removes an area of existing impervious on the property at least 2 times the amount being added (approximately 185 sq ft).
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 the area of disturbance 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.
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. 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.

If the variance is denied, Staff recommends that the Board of Adjustment establish a date by which the already begun construction of the deck be removed.



Application # _____	Date Application Rec'd ___/___/___	Fee Collected \$ _____
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(for office use only)

**CORINNA TOWNSHIP  
VARIANCE APPLICATION**

Name of Applicant: John and Kim Wernz

Property Address: 8841 Ingram Ave NW

Mailing Address (if different): 19820 Schutte Farm Road

City: Corcoran State: MN Zip: 55340

Phone (home/work): 612-321-1455 Phone (cell/other): 763-416-9941

E-mail (optional): johnwernz@yahoo.com

**Applicant is:** Title Holder of Property (if other than applicant)

Legal Owner  Name: \_\_\_\_\_

Contract Buyer  Address: \_\_\_\_\_

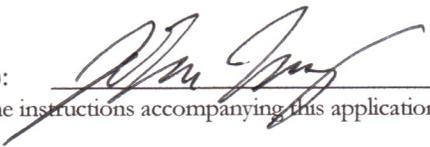
Option Holder  City, State, Zip: \_\_\_\_\_

Agent

Other  Please specify: \_\_\_\_\_

Property ID #: -021-000140 Lake Name Cedar Lake  
 (12 digit # on tax statement) 206-\_\_\_\_\_ (if applicable) \_\_\_\_\_

Legal Description: \_\_\_\_\_  
 (attach if necessary)

Signature of Legal Owner, authorizing application (required):   
 (By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): \_\_\_\_\_  
 (By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

What type of variance are you requesting (check as many as apply)?

- 1 per 40 Division
- Road Setback
- Building/Impervious Coverage
- Lot Line Adjustment
- Lake or River Setback
- Height of Structure
- Undersized Lot
- Side or Rear Line Setback
- Septic System Setback
- Appeal of Staff Interpretation
- Bluff Setback
- Other \_\_\_\_\_

Please read the variance application in its entirety before submitting the application. See the attached schedule of public hearings for relevant application deadlines. The full land use ordinance is available at the Town Hall and online at [www.hometownplanning.com/corinna-township.html](http://www.hometownplanning.com/corinna-township.html).

**NOTE: Incomplete applications, as determined by the Zoning Administrator, will not be accepted or scheduled for a hearing. It is recommended that you work with the Zoning Administrator well before the application deadline to ensure that you have all required information so as to avoid delays in the hearing of your application.**

**Please complete all of the following questions:**

1. What are you proposing for the property? State nature of request in detail:

Extending existing deck with existing variance to reach sliding glass door. Existing glass door requires landing and steps per state code. Deck addition (connecting portion) is over existing landscaping and cement patio and extends no closer to the lake than previously granted variance causing limited / no change to impervious impact.

2. Describe why you believe the granting of the variance request would be in harmony with the general purposes and intent of the Corinna Township Land Use and/or Subdivision Ordinance (available at [www.hometownplanning.com/corinna-township.html](http://www.hometownplanning.com/corinna-township.html)).

Deck steps will cover less that 20 square feet of existing lawn which was built on backfill. Home is substantially further from the lake than recently completed neighboring home and deck extension will cause limited to no run off / coverage issue

3. Describe why you believe the granting of the variance would be consistent with the Corinna Township Comprehensive Plan (Plan available at [www.hometownplanning.com/corinna-township.html](http://www.hometownplanning.com/corinna-township.html)).

Deck extension was designed with respect to nature (run off) and the lake. The extension has no impact on coverage (impervious) or otherwise and moves the structure no closer to the lake or buffer zone next to the lake compared to existing approved structure

4. Describe why you feel that your proposal is a reasonable use of the property.

Extension of deck allows safe exit via existing sliding glass door and deck to the backyard. Extension made as small as possible to allow for safe exit.

5. Describe what factors contributing to the need for a variance were not in your control. Address factors such as the lot size or shape, topography, location of existing buildings, sewer systems and wells, and any other factors you feel are relevant.

Narrow lot size allows for minimal expansion with coverage formula. Existing structure approved.

6. Describe the character of the area and why your project will not substantially change the character of the neighborhood or be a detriment to nearby properties.

We are covering existing approved cement patio, retaining wall, and land rock land scaping with decking material. The step of the deck extension would go over existing backfill lawn.

7. Describe why it is not feasible for your project to meet the minimum requirements of the ordinance. What options did you explore that would minimize the variance necessary and why did you determine these were not feasible alternatives?

Deck extension made as small as possible to allow exit from sliding glass door. Extension is never more the 4-6 feet wide (from the house). Decking allows for proper drainage to existing patio / landscaping. backfill lawn.

8. Discuss what impacts, if any, the requested variance may have on the environmental quality of the area. For any potential impacts, how do you intend to eliminate or minimize their effect?

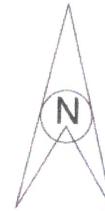
There will no impacts due to the existing structures underneath the proposed deck extension. The deck is no nearer to the lake. While the deck is ruled as 'impervious' - it should no impact on run off.

9. **Flood Insurance Notice:** If your variance request involves a request to construct a structure below the base flood level, you are hereby notified that this will result in an increased premium rate for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage. Such construction below the base or regional flood level increases risks to life and property.

***\*If you are requesting to construct a structure below the base flood level, please initial here that you have read and understand the above notice:*** \_\_\_\_\_

10. Please include any other comments pertinent to this request.  
We also completed relandscaping of a portion of the yard close to the lake and used no rubber or fabric barriers to improve natural shoreline / limit any negative impacts. We are planting all recommended plants to improve strength of slope and improve our footprint in relation to the lake.

# Certificate of Survey



AREA TO SHORELINE = 8636± SF



- denotes power pole
- T-T- denotes telephone line
- G-G- denotes gas line
- x-x- denotes fence

**LEGAL DESCRIPTION:**

Lot 15 and the South Half of Lot 14, CEDAR LAKE BEACH, Wright County, Minnesota, according to the record plot thereof.

- denotes iron monument found
- denotes iron pipe set and marked as shown: (D770-1434) (D770-4082)
- ⊙ denotes soil boring
- ⊙ denotes percolation test hole

Certificate of Survey on  
 Lot 15 and the S. 1/2 of  
 Lot 14, CEDAR LAKE BEACH,  
 Wright County, Minnesota

Requested By:

**Jeremy Thompson**

Date: 4/15/08      Drawn By: M.L.H.      Scale: 1" = 20'      Checked By: E.J.O.

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  
*Edward J. Otto*  
 Edward J. Otto  
 Date: 4/23/08 License # 14343



Web Site:  
[www.ottoassociates.com](http://www.ottoassociates.com)

9 West Division St.  
 Buffalo, MN 55313  
 Ph: (763)682-4727  
 Fax: (763)682-3522

Revised:

Job No.

1-08-0089

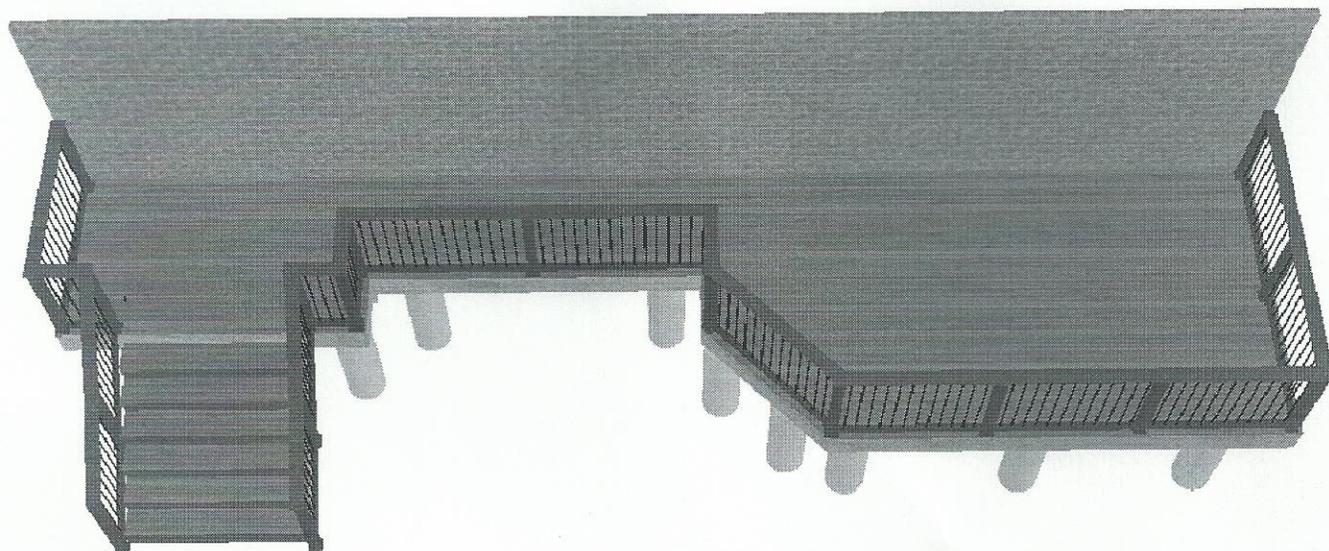


# Pro Deck Design™



3D View

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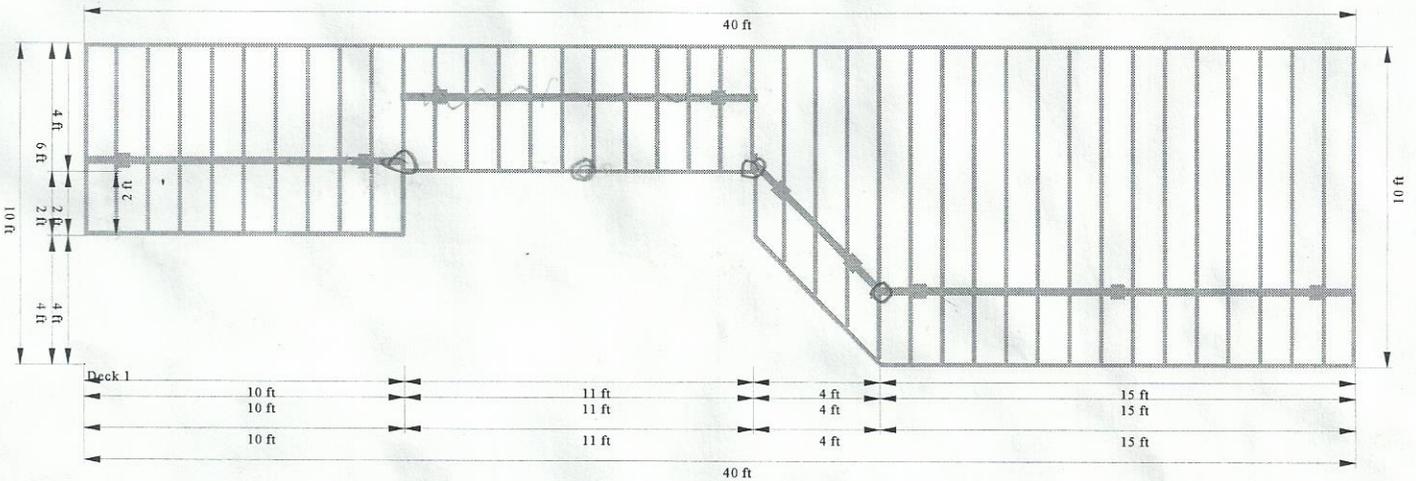
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# Pro Deck Design™



## Dimension View



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# Pro Deck Design™



## Deck Information

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### Deck 1

Construction Method - Beam on Top of Post  
Footing Type - Pier In-Ground  
Live Load - 60  
Dead Load - 10  
Decking Spacing - 1/8 in  
Joist Spacing - 12 in  
Beam Spacing - 72 1/16 in  
Post Spacing - 114 in  
Decking - L5/4x6 S/OSpiced Rum Grooved Trex - Decking  
Beams - L2x12 CedarTone PT Southern Pine No. 2  
Joists - L2x12 CedarTone PT Southern Pine No. 2  
Posts - L6x6 CedarTone PT Southern Pine No. 2  
Deck Height - 48 in  
Diagonal Bracing - No  
Joist Overhang - 24 in  
Beam Overhang - 12 in  
Decking Deflection Factor - 360  
Joist Deflection Factor - 360  
Beam Deflection Factor - 360  
Pref Decking Size - 5/4x6  
Pref Joist Size - 2x12  
Pref Beam Size - 2x12  
Pref Post Size - 6x6

### Stair 2

Step Width - 72 in  
Step Height - 41 1/16 in  
Step Rise - 6 27/32 in  
Step Run - 11 in  
Stringers - L2x12 CedarTone PT Southern Pine No. 2  
Risers - L1x8 S/OVintage Lantern Trex - Fascia  
Treads - L5/4x6 S/OSpiced Rum Square Trex - Decking

### Railing 1

Railing Height - 36 in  
Baluster Spacing - 3 3/4 in

### Railing 2

Railing Height - 36 in  
Baluster Spacing - 3 3/4 in

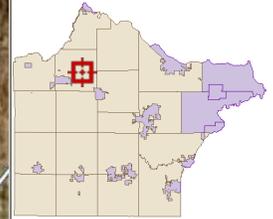
### Railing 3

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### Overview



### Legend

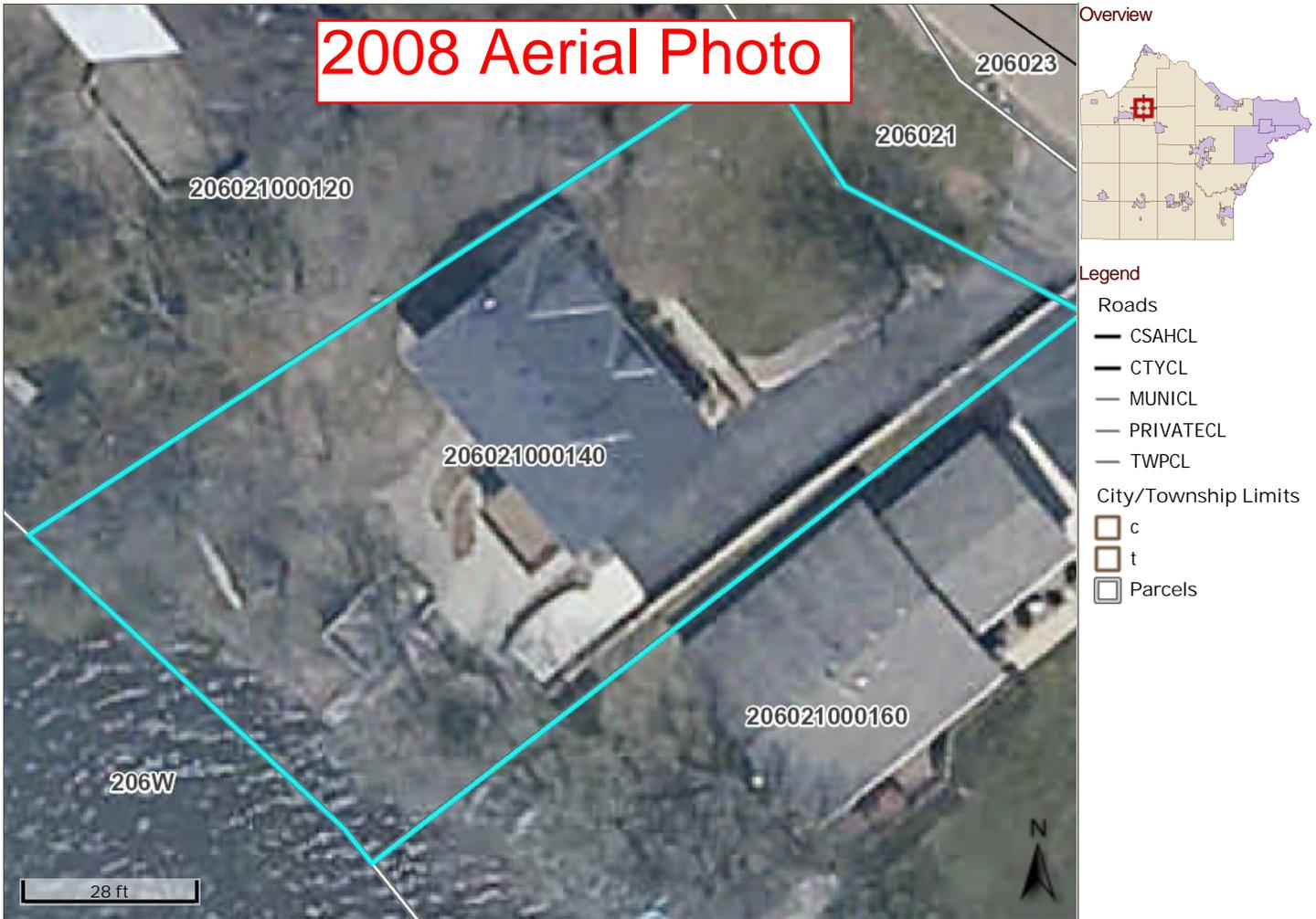
#### Roads

- CSAHCL
- CTYCL
- MUNICL
- PRIVATECL
- TWPCL

#### City/Township Limits

- c
- t
- Parcels
- Torrens
- Water

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Parcel ID	206021000140	Alternate ID	n/a	Owner Address	WERNZ,JOHN & KIMBERLY
Sec/Twp/Rng	22-121-27	Class	151 - SEASONAL RES REC		19820 SCHUTTE FARM RD
Property Address	8841 INGRAM AVE NW ANNANDALE	Acreage	n/a		CORCORAN, MN 55340

District: n/a

Brief Tax Description: Sect-22 Twp-121 Range-027 CEDAR LAKE BEACH Lot-014 LT15 & S1/2 LT14

(Note: Not to be used on legal documents)

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Parcel ID	206021000140	Alternate ID	n/a	Owner Address	WERNZ,JOHN & KIMBERLY
Sec/Twp/Rng	22-121-27	Class	151 - SEASONAL RES REC		19820 SCHUTTE FARM RD
Property Address	8841 INGRAM AVE NW ANNANDALE	Acreage	n/a		CORCORAN, MN 55340

District	n/a
Brief Tax Description	Sect-22 Twp-121 Range-027 CEDAR LAKE BEACH Lot-014 LT15 & S1/2 LT14 <i>(Note: Not to be used on legal documents)</i>

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**Submitted Information:**

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**Which agenda items does your comment relate to?**

Wernz Variance

**Comment**

Looks like a nice deck plan that will add value to their house and the neighborhood. Please give them the variance needed to do what they want and build their new deck.

**Your Email (optional)**

**Your Name (optional)**

Brett Bergeron

**Your Address (optional)**

8809 Ingram Ave NW

Annandale, MN wright 55302

## STAFF REPORT

**Application:** Preliminary Plat/Conditional Use Permit for a Rural Planned Unit Development (PUD) involving the creation of five buildable lots ranging from 3.7 acres to 10 acres and one 9.6 acre outlot to be commonly owned open space.

**Applicant:** Frederick Jude

**Agenda Item:** 4(e)

---

**Background:** The proposed subdivision of land is related to a rezoning of the property that was recommended by Corinna Township earlier this year and approved by Wright County in May (from General Agricultural - AG to Agriculture/Residential - A/R.)

The plan for subdividing the land here is the same as was presented to Wright County during the rezoning process, but different from what was originally presented when the Planning Commission last reviewed the application in January 2014. The current proposal is for five buildable lots and one unbuildable outlot.

The development is proposed as a Rural Planned Unit Development (PUD). The ordinance outlines the purpose of a PUD as follows:

“The purpose of the Planned Unit Development District is to encourage flexibility in the design and development of land in order to promote its appropriate use; to facilitate the adequate and economical provisions of streets and utilities; and to preserve natural and scenic qualities. The PUD district shall be an overlay district, however, it shall apply only to specific projects which have been approved through the procedures outlined herein. If any standards contained with Minnesota Rules, parts 6120.2500 or 6120.3800 are more restrictive than this Ordinance the stricter standards shall apply.” (Sec. 614.1)

The alternative to developing the land as a PUD would be to plat it as a “normal” subdivision in the A/R zoning district, which would require 10 acre minimum lot sizes. That process would allow for three buildable lots on this parcel instead of the five which are proposed under the PUD process.

The Township/County’s PUD ordinances do not lay out many specific requirements for how a planned unit development is to be designed, except for limiting the number of homes that may be in a PUD to 15% of the land acreage (in this case 38 acres \* 15% = 5.7 = 5 allowable dwelling units).

The proposed subdivision application involves an approximately 38 acre parcel of land which currently contains two large storage buildings, several large and small wetland areas, and open fields with scattered wooded areas. The proposed unbuildable outlot contains most of the large wetland that is in the NE corner and E side of this property.

The property has road frontage on Ireland Avenue along the west side (paved) and 113th Street NW on the south side (gravel). Both are Township roads.

The land to the south is zoned Rural/Urban Transition (R-1) and contains lots of approximately 1 - 1.25 acres in size (the “Sugar Acres” plat). Land to the west is used for

residential purposes (two 5 acre lots) and all other surrounding land appears to be used for agricultural purposes. Only the far eastern portion of the land is located within Shoreland (which is mostly wetland).

The proposed Lot 4 is laid out as a 10 acre lot because that is the minimum size that a lot must be by ordinance to allow for the amount of detached accessory buildings that is already on that lot.

The applicant has stated their primary intent at this time is to build a home for themselves – likely in the SW corner of the property. The remaining land would be for future subdivision/sale when they see fit.

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**Applicable Statutes/ Ordinances:** This application is subject to the following regulations:

**Corinna Township Subdivision Ordinance**

**4.1 Standard Plat**

**B. Preliminary Plat Approval Process for Plats Consisting of Two or More Lots**

- i. The Platting Committee and Planning Commission shall consider, but not be limited to, the following criteria when considering a preliminary plat:
  1. The preliminary plat shall conform to all applicable official controls and all state and federal laws.
  2. The preliminary plat shall be consistent with the Corinna Township Comprehensive Plan.
  3. No plat shall be approved which does not conform to any applicable floodplain regulations.
  4. No plat shall be approved unless there is provision for two (2) standard on-site sewage treatment systems for each lot, unless served with public sewer or an approved cluster sewer system serving lots within the subdivision.
  5. A plat shall not be approved where a variance will subsequently be required in order to use the lots for their intended use.
  6. No plat shall be approved that does not contain adequate provisions for storm water runoff. If required, no plat shall be approved without an NPDES Phase II-compliant storm water management plan reviewed and approved by the Township or its designated representative.
  7. Each lot shall have sufficient buildable lot area which, for the purposes of this Ordinance, shall be defined as the contiguous area of a lot which is sufficient in area to accommodate the construction of water supply systems, sewage treatment systems, buildings and driveways, while still providing for adequate setbacks. Areas which are floodways, wetlands, rights-of-way,

bluffs or which have soils that are unsuitable for individual sewage treatment systems cannot be included in calculating the buildable area of a lot.

8. Each lot shall be of sufficient size and character to meet applicable sewage treatment system standards
9. When deemed appropriate by the Zoning Administrator or the Planning Commission, the subdivider shall provide a vegetative buffer adjacent to delineated wetlands and/or wetlands identified on the National Wetland Inventory Map.
10. The Planning Commission shall consider whether the plat as proposed adequately protects the health, safety and welfare of the residents of the Township by providing for safe and adequate drinking water supply, adequate sewage treatment capacity, safe road access, proper road alignment and proper setbacks and buffering from conflicting land uses.

## **Corinna Township Zoning Ordinance**

### 505. CONDITIONAL USE PERMITS

#### 505.1 Criteria for Granting Conditional Use Permits

In granting a conditional use permit, the Wright County Planning Commission shall consider the effect of the proposed use upon the health, safety, morals, and general welfare of occupants of surrounding lands. Among other things, the County Planning Commission shall make the following findings where applicable.

- (1) That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity;
- (2) That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area;
- (3) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided;
- (4) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use;
- (5) The use is not in conflict with the Policies Plan of the County; and,
- (6) That adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

## 505.2 Additional Conditions

In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may impose, in addition to these standards and requirements expressly specified by this Ordinance, additional conditions which the Planning Commission considers necessary to protect the best interest of the surrounding area or the community as a whole. These conditions may include, but are not limited to the following:

- (1) Increasing the required lot size or yard dimension.
- (2) Limiting the height, size or location of buildings.
- (3) Controlling the location and number of vehicle access points.
- (4) Increasing the street width.
- (5) Increasing the number of required off-street parking spaces.
- (6) Limiting the number, size, location or lighting of signs.
- (7) Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.
- (8) Designating sites for open space.

Any change involving structural alterations, enlargements, intensification of use, or similar change not specifically permitted by the Conditional Use Permit issued shall require an amended Conditional Use Permit and all procedures shall apply as if a new permit were being issued. The Wright County Zoning Administrator shall maintain a record of all conditional use permits issued including information on the use, location, and conditions imposed by the Planning Commission; time limits, review dates, and such other information as may be appropriate.

## 603. AGRICULTURAL/RESIDENTIAL A/R

### 603.1 Purpose

This district is created to serve as a buffer between commercial agricultural areas and more intensely developed residential areas, to provide for very low density residential development in areas especially unsuited to long term agricultural uses, and to allow limited residential development which will not be provided with an urban level of services.

### 603.2 Permitted Uses

One single-family dwelling per lot of record

### 603.4 Conditional Uses

Subdivisions - 10 acre minimum lot size

Rural Planned Unit Development in accord with Section 614

614. PLANNED UNIT DEVELOPMENT (PUD)

614.3 Number of Units

(2) Rural Planned Unit Development

For a Rural Planned Unit Development, The number of dwelling units shall be determined by multiplying the gross acreage of the project area by fifteen percent (15%). Fractional results shall be rounded to the nearest whole number. Multi-family structures shall not be permitted in a Rural P.U.D.

614.4 Coordination with Subdivision Control Ordinance

- (1) It is the intent of this Ordinance that subdivision review under the subdivision control ordinance be carried out simultaneously with the review of a planned development under this chapter of the zoning ordinance. All P.U.D. proposals must be platted.
- (2) The plans required under this Section must be submitted in a form which will satisfy the requirements of the subdivision control ordinance for the preliminary and final plats required under those regulations.

614.7 Procedure - Preliminary Development Plan Approval

- (1) General procedures for the approval of a preliminary development plan shall be the same as for the approval of a conditional use permit for a preliminary plat, as outlined in the County Subdivision Regulations and Section 505 of this Ordinance. If more than ninety (90) days elapses between the establishment of the P.U.D. district and approval of a preliminary development plan, the Planning Commission may order renotification of nearby property owners before final approval.
- (2) The preliminary development plan must include all of the following information, in addition to that required for a preliminary plat:
  - (a) Proposed uses and location of common open space and restricted lands.
  - (b) Areas proposed to be conveyed, dedicated, or reserved for parks, parkways, playgrounds, public buildings, and similar public and semi-public uses.
  - (c) A plot plan for each building site and common open area, showing the approximate location of all buildings, structures, and improvements.
  - (d) Elevation and perspective drawings for all proposed structures and improvements except single-family residences and their accessory buildings.
  - (e) A development schedule indicating:

- The approximate date when construction of the project can be expected to begin.
- The stages in which the project will be built and the approximate date when construction of each stage can be expected to begin.
- The approximate dates when the development of each of the stages in the development will be completed.
- The area and location of common open space that will be provided at each stage.

(f) Agreements, provisions, or covenants which govern the use, maintenance, and continued protection of the planned unit development and any of its common open areas or restricted lands.

(g) Any other plans or studies determined necessary by the Planning Commission to protect the public health, safety or welfare.

(3) In its final approval of a preliminary development plan, the Planning Commission may include conditions which must be met before approval of a final development plan, and also conditions which are permanent. Only the permanent conditions need be recorded.

#### 614.9 Common Open Space

(1) Except for the establishment of restricted lands in a rural planned unit development, as provided in Section 614.10, all lands shown on the preliminary development plan as common open space must be conveyed under one of the following options. Under no circumstances may lands used to calculate the Number of Units be transferred or used for any purpose not included in the approved preliminary development plan.

(a) It may be conveyed to a public agency which will agree to maintain the common open space and any buildings, structures, or improvements which have been placed on it.

(b) It may be conveyed to trustees provided in an indenture establishing an association or similar organization for the maintenance of the planned development. The common open space must be conveyed to the trustees subject to covenants to be approved by the Planning Commission which restrict the open space to the uses specified on the preliminary development plan, and which provide for the maintenance of the common open space in a manner which assures its continuing use for its intended purpose.

(2) The following standards shall be used by the Planning Commission to review the provision of common open spaces.

- (a) The location, shape, size and character of the common open space must be suitable for the planned development.
- (b) Common open space must be used for amenity or recreational purposes. The uses authorized for the common open space must be appropriate to the scale and character of the planned unit development, considering its size, density, expected population, topography, and the number and type of dwellings to be provided.
- (c) Common open space must be suitably improved for its intended use, but common space containing natural features worthy of preservation may be left unimproved. The buildings, structures and improvements which are permitted in the common open space must be appropriate to the uses which are authorized for the common open space and must conserve and enhance the amenities of the common open space having regard to its topography and unimproved condition.
- (d) The development schedule which is part of the preliminary development plan must coordinate the improvement of the common open space, the construction of buildings, structures, and improvements in the common open space, and the construction of residential dwellings in the planned unit development.
- (e) If the preliminary development plan provides for buildings, structures, or improvements in the common open space the developer must provide a bond or other adequate assurance that the buildings, structures, and improvements will be completed.

### **Corinna Township Comprehensive Plan**

The Corinna Township Comprehensive Plan (adopted in 2007) classifies the property and most of the surrounding properties as appropriate for a future land use of “Rural Preservation”, which is described as:

**Rural Preservation:** A land use designation for properties that are best suited for rural farmsteads and farming. This classification would be most consistent with the Wright County Agricultural zoning classification. The Township believes it prudent to respond to future growth pressure by considering low-density, rural residential development in these areas, utilizing a cluster-style development strategy to maintain the rural character of the community.

### **Wright County Comprehensive Plan**

The Wright County Comprehensive Plan, just adopted in 2009, classifies the property as appropriate for “Rural Residential/ Agricultural Residential”, which is described as:

**Rural Residential** Designates those areas where a combination of agriculture,

hobby farms and very large lot residential areas is deemed appropriate. The purpose is to provide a buffer between agricultural and other uses, and also to provide housing opportunities in a rural environment where large lot sizes and the rural atmosphere will be maintained. Existing land types may include large wooded areas, non prime farmland, pasture and other lands in areas not well suited to long term agricultural uses. Appropriate zoning may include Agricultural, Agricultural Residential, or, in unique circumstances, R-2(a). Rezoning from Agricultural to Agricultural Residential will be considered on a case by case basis, and not considered to be automatic, with the need for residential land, effect on nearby agricultural operations, the timing of the proposal in light of land uses in the area, and plan policies being prime considerations. Rezoning to R-1 or R-2 will only be considered for riparian lots on shorelands especially suited to residential development. Rezoning to R-2a may be appropriate in unique circumstances such as: infill for areas that are already developed in a similar manner; adjacent to developed areas with smaller lot sizes to serve as a transition, and; other unique situations which do not establish R-2a as a new zoning district in a previously "undeveloped" area.

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**Staff Findings (Subdivision Criteria):** We propose the following findings for consideration by the Planning Commission, based on the criteria for reviewing subdivision applications in the Corinna Township Subdivision Ordinance:

**1. The preliminary plat shall conform to all applicable official controls and all state and federal laws.**

There are no minimum lot sizes in a PUD development. The proposal meets the specific requirements for density. Future development of the lots with homes and sewer systems would be subject to setback and other normal zoning requirements.

**2. The preliminary plat shall be consistent with the Corinna Township Comprehensive Plan.**

The Comprehensive Plan does not directly address PUD developments in terms of specific requirements. Generally, the Comprehensive Plan states that "the Township believes it prudent to respond to future growth pressure by considering low-density, rural residential development in these areas, utilizing a cluster-style development strategy to maintain the rural character of the community." The Commission may wish to discuss whether the proposed development meets the intent of this general statement.

**3. No plat shall be approved which does not conform to any applicable floodplain regulations.**

This property is not located in any designated floodplain area.

**4. No plat shall be approved unless there is provision for two (2) standard on-site sewage treatment systems for each lot, unless served with public sewer or an approved cluster sewer system serving lots within the subdivision.**

The proposed lots would be served with private sewer systems. No specific sewer locations have been proposed or designed for these lots. However, given that the lots are all over 3 acres in size (some significantly larger, it is highly unlikely that two sewer sites could not be found on each lot. Still, with the wetlands on the lots it would be desirable to know this information prior to approval of the preliminary plan.

- 5. A plat shall not be approved where a variance will subsequently be required in order to use the lots for their intended use.**

Given the large size of the lots, no variances would be expected to be necessary to use the lots for residential purposes.

- 6. No plat shall be approved that does not contain adequate provisions for storm water runoff. If required, no plat shall be approved without an NPDES Phase II-compliant storm water management plan reviewed and approved by the Township or its designated representative.**

An NPDES-Phase II stormwater management plan is not required if the development of the property will not result in the disturbance of more than one acre of land. That largely depends on how the land is developed, but given that the land is such large lots and so spread out and disturbance would take place at different times, the intent of the NPDES requirement for stormwater management does not seem to apply here. The Commission can certainly discuss this and verify the plan for development. No new roads are proposed and the only land disturbance would be for the five homes that would be allowed after subdivision approval.

- 7. Each lot shall have sufficient buildable lot area which, for the purposes of this Ordinance, shall be defined as the contiguous area of a lot which is sufficient in area to accommodate the construction of water supply systems, sewage treatment systems, buildings and driveways, while still providing for adequate setbacks. Areas which are floodways, wetlands, rights-of-way, bluffs or which have soils that are unsuitable for individual sewage treatment systems cannot be included in calculating the buildable area of a lot.**

Given that the lots range from 3-10 acres in size, and because each proposed lot has multiple acres of upland available for building, and because each proposed lot has adequate road frontage, Staff feels there is more than enough buildable area.

- 8. Each lot shall be of sufficient size and character to meet applicable sewage treatment system standards.**

See answer for #4 above.

- 9. When deemed appropriate by the Zoning Administrator or the Planning Commission, the subdivider shall provide a vegetative buffer adjacent to delineated wetlands and/or wetlands identified on the National Wetland Inventory Map.**

The applicant has not proposed a vegetative buffer adjacent to any existing wetlands. There is a large wetland on the proposed outlot and in several areas of

the development. At this point, natural buffers would be anticipated to remain. The Zoning Ordinance does not require a setback from buildings to wetlands.

- 10. The Planning Commission shall consider whether the plat as proposed adequately protects the health, safety and welfare of the residents of the Township by providing for safe and adequate drinking water supply, adequate sewage treatment capacity, safe road access, proper road alignment and proper setbacks and buffering from conflicting land uses.**

Private wells would be expected to provide safe and adequate drinking water supply. There do not appear to be any impediments to designing and installing private sewers meeting state and local requirements, although this should be confirmed with a soil boring report from a licensed sewer designer. Existing road access is available to all proposed lots from Township roads. The proposed subdivision would likely provide a good buffer between the smaller lots to the south and the larger farmstead and farming lots in the area.

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**Staff Findings (Conditional Use):** The following findings of fact are presented by Staff for consideration by the Planning Commission:

- 1) Will the Conditional use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or substantially diminish and impair property values within the immediate vicinity?**

**No.** The relatively large proposed lot sizes is consistent with providing a transition between the small lots and the larger farmsteads, rural residences and farmland in the area. Rural residential housing and agricultural uses should continue to be able to coexist in the area.

- 2) Will the establishment of the Conditional Use impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area?**

**No.** See comments in 1) above.

- 3) Do adequate utilities, access roads, drainage and other necessary facilities exist or will they be provided?**

**Yes.** The lots are adequately served by existing roads, utilities and drainage for the density of homes that would result and the large lot size being proposed.

- 4) Have adequate measures been taken to provide sufficient off-street parking and loading space to serve the proposed use?**

**Yes.** Any residential sites resulting from this subdivision would have more than enough room to accommodate off-street parking.

- 5) Will the use conflict with the Policies Plan of Corinna Township and/or Wright County?**

**No.** The Comprehensive Plan states that these properties are in an area best suited for rural farmsteads and farming. The Plan states that the Township believes it prudent to respond to future growth pressure by considering low-

density, rural residential development in these areas, utilizing a cluster-style development strategy to maintain the rural character of the community. Whether the proposed development meets these goals should be discussed by the Commission.

- 6) **Have adequate measures been taken, or will they be taken, to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result?**

**Yes.** The proposed project would not be expected to create any long-term or ongoing nuisance such as are listed above.

- 7) **Are there any other conditions which the Planning Commission considers necessary to protect the best interest of the surrounding area or the community as a whole?**

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**Planning Commission Direction:** The Planning Commission can approve the request, deny the request, or table the request if additional information is needed. If the decision is for approval or denial, findings of fact should be cited.

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**Staff Recommendation:** Based on the findings of fact presented in this report, staff recommends that the Planning Commission discuss whether the proposed development meets the general intent of the Zoning Ordinance and Comprehensive Plan regarding planned unit developments and preserving the rural character of the community.

If the Commission recommends approval, Staff recommends consideration of the following conditions of that approval:

1. That the applicant provides sufficient evidence from a licensed sewer designer to indicate that there are at least two sewerable sites on each of the five buildable lots.
2. That the applicant meets the requirements of the ordinance regarding the establishment of the common open space ownership arrangement.
3. (For discussion) Any specific requirements relating to the use of the common open space.



Application # <u>P14-001</u>	Date Application Rec'd <u>5/23/14</u>	Fee Collected \$ <u>300<sup>00</sup></u>
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(for office use only)

**CORINNA TOWNSHIP  
STANDARD SUBDIVISION & PLANNED UNIT DEVELOPMENT  
APPLICATION**

Name of Applicant Frederick C. Jude Phone 763 442 6206

Property Address (E911#) 8120 113<sup>th</sup> St NW Annandale MN 55302

Mailing Address 9711 Ingram Ave NW Local Phone 320 274-2599  
*(if different than above)* *(if different than above)*

City, State, Zip Annandale MN 55302 612-859-1659  
Diane cell

Applicant is:	Title Holder of Property <i>(if other than applicant)</i>
Legal Owner <input checked="" type="checkbox"/>	_____
Contract Buyer <input type="checkbox"/>	(Name)
Option Holder <input type="checkbox"/>	_____
Agent <input type="checkbox"/>	(Address)
Other _____	_____
	(City, State, Zip)

Signature of Legal Owner, authorizing application (required): *Frederick C. Jude*  
By signing the owner is certifying that they have read and understood the instructions accompanying this application.

Signature of Applicant (if different than owner): \_\_\_\_\_  
(By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

Full legal description of property involved in this request, including total acreage (required – attach separate sheet if necessary):  
See attached tax statement and Survey Description

Property ID # 206-000 - 034100 Zoning District \_\_\_\_\_  
(12 digit # on tax statement)

Nature of request (select all that apply):  
 Standard Subdivision – Preliminary Plat  
 Planned Unit Development, including Common Interest Communities (CICs)

**Note: Applications for preliminary plat approval, if approved, must be followed by an application for final plat approval incorporating any changes or conditions required by the Corinna Town Board during the approval of the preliminary plat. Applications for final plat approval must be received within 12 months of preliminary plat approval or such approval becomes null and void.**



Robert J Hiivala  
 WRIGHT COUNTY AUDITOR/TREASURER  
 10 SECOND STREET N.W. ROOM 232  
 BUFFALO, MN 55313-1194  
 763-682-7572 or 763-682-7584  
 www.co.wright.mn.us

Property ID#: R206-000-034100

Taxpayer ID Number: 21560  
 FREDERICK C JUDE  
 9711 INGRAM AVE NW  
 ANNANDALE MN 55302

**\$\$\$** You may be eligible for one or even two  
 refunds to reduce your property tax.  
**REFUNDS?** Read the back of this statement to find  
 out how to apply.

TAX STATEMENT			2014
2013 Values for Taxes Payable in			
VALUES & CLASSIFICATION Sent in March 2013			
Taxes Payable Year:		2013	2014
Step 1	Estimated Market Value:	254,000	242,800
	Improvements Excluded:		
	Homestead Exclusion:		
	Taxable Market Value:	254,000	242,800
	New Improvements/ Expired Exclusions*:		
Property Classification:	RES NON-H RVL NHSTD	RES NON-H RVL NHSTD	
Property Description: Sect-03 Twp-121 Range-027 UNPLATTED LAND CORINNA TWP 38.00 AC NE1/4OF SE1/4EX S2RDS EX TR IN BK293- 871			
PROPOSED TAX Sent in November 2013			
Step 2	Proposed Tax:		2,154.00
PROPERTY TAX STATEMENT			
Step 3	First-half Taxes:		1,192.00
	Second-half Taxes:		1,192.00
	Total Taxes Due in 2014:		2,384.00

1. Use this amount on Form M1PR to see if you are eligible for a property tax refund. File by August 15. If this box is checked, you owe delinquent taxes and are not eligible.

2. Use these amounts on Form M1PR to see if you are eligible for a special refund.

Your Property Tax and Credits			
3. Your property taxes before credits	2,538.00	2,384.00	
4. Credits that reduce your property taxes			
A. Agricultural market value credit			
B. Other credits			
5. Property taxes after credits	<u>2,538.00</u>	<u>2,384.00</u>	
Property Tax by Jurisdiction			
6. County	1,126.60	1,055.85	
7. City or Town (TOWN OF CORINNA )	476.79	470.09	
8. State General Tax			
9. School District (0876 )	A. Voter approved levies B. Other local levies	709.95 224.66	650.76 207.30
10. Special Taxing Districts	A. B. C. D.		
11. Non-school voter approved referenda levies			
12. Total property tax before special assessments	<u>2,538.00</u>	<u>2,384.00</u>	
Special Assessments on Your Property			
13. Special assessments			
14. YOUR TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS	<u>2,538.00</u>	<u>2,384.00</u>	

**PAYABLE 2014 2ND HALF PAYMENT STUB**

TO AVOID PENALTY PAY ON OR BEFORE: OCTOBER 15

PLEASE READ THE BACK OF THIS STATEMENT FOR IMPORTANT INFORMATION

If your address has changed please check this box and show the change on the back of this stub.

Property ID Number: R 206-000-034100

SECOND 1/2 TAX AMOUNT DUE: \$ 1,192.00

Bill Number: 27800

PENALTY: TOTAL:

ID Number: 21560

MAKE CHECKS PAYABLE & MAIL TO:  
 Robert J Hiivala  
 Wright County Auditor/Treasurer  
 10 Second Street N.W., Room 232  
 Buffalo, MN 55313-1194

FREDERICK C JUDE  
 9711 INGRAM AVE NW  
 ANNANDALE MN 55302

No Receipt Unless Requested. Your cancelled check is your receipt. This Receipt is void if check is not honored.

DETACH HERE AND RETURN THIS STUB WITH YOUR SECOND HALF PAYMENT. DO NOT STAPLE

**PAYABLE 2014 1ST HALF PAYMENT STUB**

TO AVOID PENALTY PAY ON OR BEFORE: MAY 15

PLEASE READ THE BACK OF THIS STATEMENT FOR IMPORTANT INFORMATION

If your address has changed please check this box and show the change on the back of this stub.

Property ID Number: R 206-000-034100

FULL TAX AMOUNT: \$ 2,384.00

Bill Number: 27800

FIRST 1/2 TAX AMOUNT DUE: \$ 1,192.00

ID Number: 21560

PENALTY: TOTAL:

MAKE CHECKS PAYABLE & MAIL TO:  
 Robert J Hiivala  
 Wright County Auditor/Treasurer  
 10 Second Street N.W., Room 232  
 Buffalo, MN 55313-1194

FREDERICK C JUDE  
 9711 INGRAM AVE NW  
 ANNANDALE MN 55302

No Receipt Unless Requested. Your cancelled check is your receipt. This Receipt is void if check is not honored.

DETACH HERE AND RETURN THIS STUB WITH YOUR FIRST HALF PAYMENT. DO NOT STAPLE



**WEBB  
SURVEYING LLC**

201 Division St. W, Suite B  
P.O. Box 323  
MAPLE LAKE, MN 55358  
763-898-9999

Wright County Monument at the northeast corner of  
the Northeast Quarter of the Southeast Quarter  
of Section 2, Township 121, RANGE 277

**LEGAL DESCRIPTION OF PROPERTY:**  
(per Document No. 496066)

Northeast Quarter of the Southeast Quarter of Section 3., Township 121, Range 27,  
Wright County, Minnesota, except therefrom the South 2 Rods and also except the  
tract described in Bk 293 of deeds, Page 871.

**NOTES:**

- 1) Total Area: 1617085.94 SqFt    37.123 Acres
- 2) Benchmark: Railroad spike in west face of siren pole near the south line of the  
subject property on the north side of 113th Street N.W.  
Elevation = 1023.82 (N.A.V.D. 1988)
- 3) Please note the wetlands as shown hereon were obtained from the F.W.S.  
website using the online N.W.I Wetlands Mapper and are approximate.

WRIGHT COUNTY PLANNING COMMISSION

Meeting of: April 10, 2014

A G E N D A

The Wright County Planning Commission will meet on Thursday, April 10, 2014 at 7:30 p.m. in the County Commissioners Board Room at the Wright County Government Center, Buffalo, Minnesota to consider the following items:

- 1. KEITH M. BURNHAM – Cont. from 3/13/14

LOCATION: 11002 Bolton Avenue NW – S1/2 of SW ¼, Section 2, Township 121, Range 26, Wright County, Minnesota. (Silver Creek Twp.) Tax #216-000-023400

Petitions to rezone approximately the west 40 acres from AG General Agricultural to A/R Agricultural-Residential (remaining acreage to the east with existing house to remain zoned AG) (*County Board action was favorable 3/25/14*) and a Conditional Use Permit to subdivide into four ten-acre lots that will front Clementa Avenue as regulated in Section 603 of the Wright County Zoning Ordinance and Subdivision Regulations.

- 2. CHRISTOPHER A. ROHR, SAC for AT & T – New Item

LOCATION: SW ¼ of NW ¼, Section 36, Township 122, Range 27, Wright County, Minnesota. (Clearwater Twp.) Tax #204-100-362300 Property owner: Frederick & Janel Schaefer

Petitions for a Conditional Use Permit as regulated in Section 604.4 & 760 of the Wright County Zoning Ordinance to construct a 300’ cellular antenna tower with unmanned ground-level telecommunications enclosure in the northeast corner of the farm.

- 3. CANDICE & DENNIS LANGE – New Item

LOCATION: 1605 Highway 55 NE- Part of W ½ of NE ¼ & the West 2 rods of Gov’t Lot 3 north of public road, Section 32, Township 120, Range 25, Wright County, Minnesota. (Buffalo Twp.) Tax # 202-000-321300 Property owner: William LaPlant

Petitions for a Conditional Use Permit as regulated in Section 610.2 of the Wright County Zoning Ordinance to allow a wholesale distribution business in the most eastern portion of the existing building. The business is to mix dry gluten-free mixes/products and bag them for wholesale distribution and does not involve any retail sales from this building.

- 4. FREDERICK C. JUDE – New Item

LOCATION: 8120 – 113<sup>TH</sup> Street NW – NE ¼ of SE ¼, except tract described in Book 293 of Deeds, page 871, Section 3, Township 121, Range 27, Wright County, Minnesota. (Corinna Twp.) Tax #206-000-034100

Petitions to rezone approximately 38 acres from AG General Agricultural to A/R Agricultural-Residential and Rural Planned Unit Development District as regulated in Section 603 & 614 of the Wright County Zoning Ordinance.



Wright County, MN

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Property ID: 206-000-034100

Tax Year: 2014 ▼

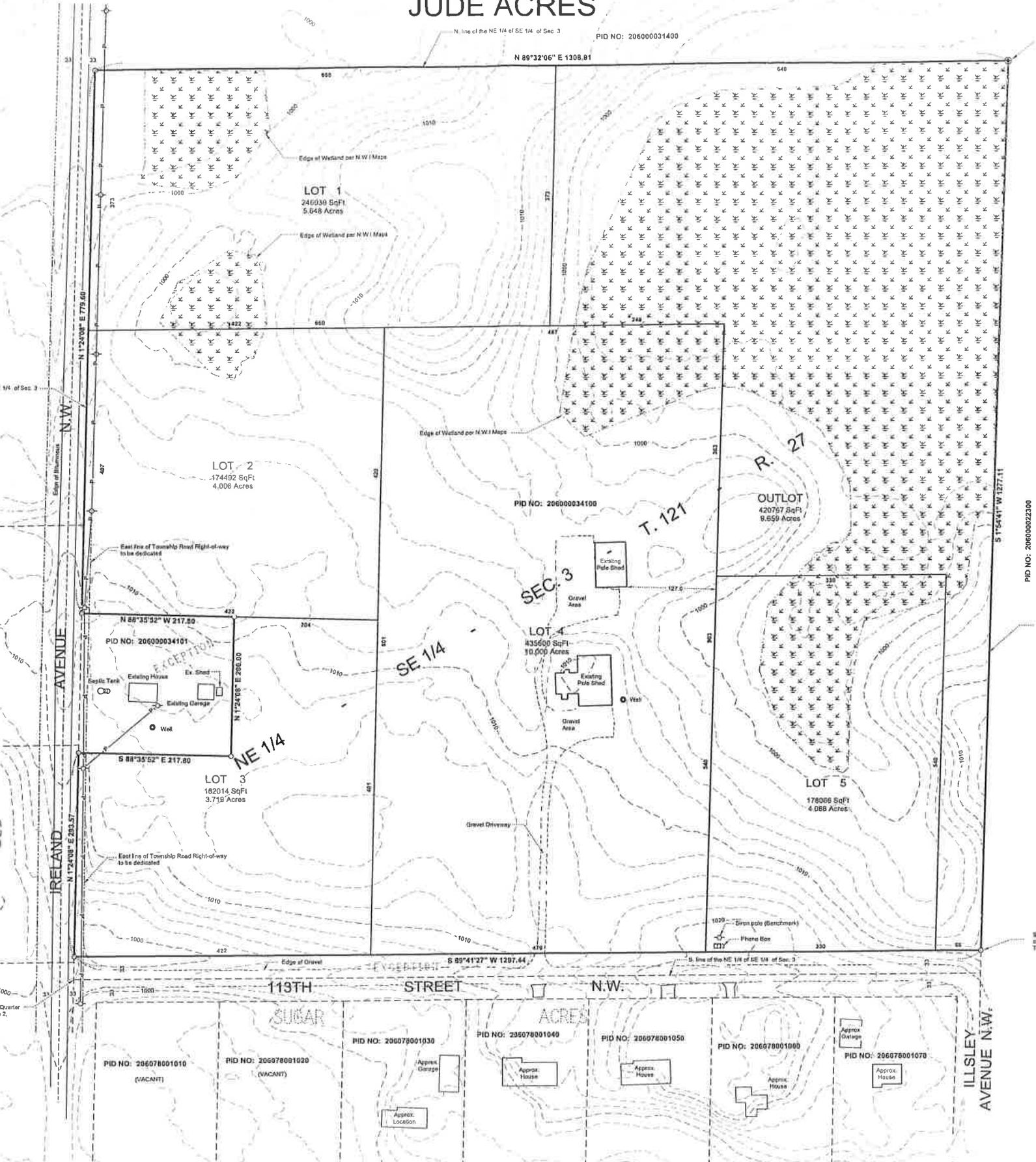
<b>Property Address:</b> 8120 113TH ST NW ANNANDALE MN 55302	<b>Municipality:</b> TOWN OF CORINNA <b>School Dist :</b> 0876- SD 0876 ANNANDALE
<b>Owner Name:</b> FREDERICK C JUDE	<b>Taxpayer Name &amp; Address:</b> FREDERICK C JUDE 9711 INGRAM AVE NW ANNANDALE MN 55302

<b>Lot:</b>	<b>Section:</b> 03	<b>Plat Name:</b>
<b>Block:</b>	<b>Township:</b> 121	UNPLATTED LAND CORINNA TWP
	<b>Range:</b> 027	
<b>Deeded Acre:</b> 38.11 <b>Legal Description:</b> NE1/4OF SE1/4EX S2RDS EX TR IN BK293-871 Note: Legal descriptions here are for tax purposes only. Do not use them for recording purposes.		

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# Outline Development Plan of JUDE ACRES



PID NO: 2060002300

10.0



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