

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
May 10, 2016
7:00 PM

Charlotte Quiggle called meeting to order at 7:00 PM on May 10, 2016

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

Absent: Lee Parks & Barry Schultz

Others in Attendance: Steve Meyer, James Hansen, Steven Ostrom, Diane Wiltermuth, Steve Wiltermuth, Adam Novacek, Eric Stack, Al & Dorie Heinen, Becky & Steve Grabski, Karl Leslie, Warren Schultz, Carter Diers

Additions or Deletions to the Agenda: Smith made a motion to approve the agenda. Naaktgeboren seconded the motion. Motion passed unanimously.

Public Hearings

Variance application to construct a 32' x 32' detached garage approx. 56 feet from the centerline of Irvine Ave. and 52 feet from the centerline of Isaak Ave. (min. 65 ft required). Impervious coverage to be approximately 30.1% (max. 25% allowed).

Applicant: James Hansen

Property address: 8260 ISAAK AVE NW, Annandale

Sec/Twp/Range: 22-121-27

Parcel number(s): 206055001010 and 206054000050

Present: James Hansen

Oleson: the application is for a garage. (Oleson showed the location of the garage on overhead plat) Variance is for setbacks to the roads minimum is 65 ft and he will be 56 ft from Irvine and 52 ft from Isaak. The impervious being at 30.1% with the maximum allowed at 25%. The proposed the garage is too large the max is 800 sq ft and I have talked to him about that. So the three variance requests would be the impervious, setbacks and size. The other thing that came up in a 1987 variance they indicated that the back lot be tied to front lot the reason was for a sewer drainfield if needed. At one point there was a drainfield on the back lot and it froze out.

Hansen: I just had a new one put in and it is in front of the house.

Oleson: Looking at the 1987 variance indicated that they may need that side for a septic, however, a new one was installed with a drainfield on the lake side and there could be another one on the lake side and could be replaced in the same place if something failed. So it is up to the board if having a garage on the back lot is a concern.

Hansen: When I talked to the company in Avon that designed the septic one thing they did was when testing of the soils they did not see any issues with if something were to happen with the septic it could be put in the same location again. I don't believe that the impervious coverage will be an issue when going with a 800 sq foot garage and I am not opposed to

reducing or removing the existing driveway. I could also move the Garage one way or the other if needed.

Quiggle: The structure coverage is what?

Oleson: 10%

Hansen: I talked to Oleson to see if it would make a difference if I went closer to Irvine Ave. Looks like most along there are closer to Irvine. Another question is the address my address is Isaak not Irvine not sure if that makes a difference.

Just: Address issues would have to be addressed at the County – Gary in Planning & Zoning.

Audience: Steve Grabski: I have no issues with the garage, what we have a problem with is that everything flows down to our lot every time it rains. If there is more building coverage will we end up with more water? It is just something I wanted you to be aware of.

Naakgeboren: Maybe put in a French drain that may work to catch some of the water. Put a pipe in the lake?

Quiggle: Will need to infiltrate before it goes to the Lake.

Hansen: If I talk to Planning and Zoning and they can tie the two lots together will that affect what I'm asking for regarding the size of the garage?

Oleson: The short answer is no. Due to a road being between the two lots the size will remain the same.

Guck: The only question I have is who takes care of Irvine and will this have an effect on plowing etc.?

Naakgeboren: The Township takes care of and there would be no issues.

Guck: Then I do not have a problem.

Smith: Do you use that through road a lot? Sometimes but it is mainly used by other and the mail carrier. I would like to see the garage to Irvine and eliminate the throughway.

Taylor: I'm looking at the driveway and cut the garage down a little bit to keep the impervious down.

Quiggle: I'm with you on the impervious and the ordinance limits you to 800 sq ft and to be consistent we need to stick with those ordinance limits.

Hansen: Do you know when that started? Most of the garages are larger than 800 sq ft.

Oleson: I am not sure when that when into effect, however, anything constructed before then did not have to meet that restriction, however, everyone going forward will.

Naakgeboren: My question is going closer to Irvine, I think you will need more fill and heads to your neighbors. Impervious is my big thing so cutting it down to stay around the 800 sq ft.

Hansen: The impervious will be under 25% will not be an issue with the 800 sq ft building.

Quiggle: The one thing is the county condition on the secondary septic system. I would like you to retain the required location for a secondary system thing we should abide that. There is plenty of room for that

Naaktgeboren: I call Flygare today on this one. He indicated that it is a pressure system so if this one fails you just replace it therefore, his feeling is that no secondary system is needed.

Quiggle: Where are you at with your lake lot for coverage?

Hansen: I had it figured out but did not bring it with me.

Quiggle: I know it is not a factor in this, you just limit your options for the future.

Oleson: They are under at approximately 19%.

Quiggle: I just want to make sure you are aware.

Oleson: I want to make sure I am getting the impervious coverage correct. With garage 32x32, existing driveway 20x100, new driveway 32x25. If you cut down the garage that would help, if

you move it closer to the road that would be less driveway. If you go with a 800sq ft garage keep existing driveway and new driveway that would be 25x20 you would be at 24.9%.

Hansen: I do not mind moving the garage closer to the existing driveway to cut down on the driveway coverage.

Oleson: If you say that he has meet that 25% we can work that out later. This is all based off me calculating off the old survey and if you feel it is needed you can require that.

Quiggle: Since we are close I would want an as build survey and you may want one before.

Hansen: Do you want one either way?

Quiggle: I think so.

Smith: It's good to have.

Smith made a motion to approve Variance application to construct a 800 sq ft detached garage approx. 56 feet from the centerline of Irvine Ave. and 52 feet from the centerline of Isaak Ave. Impervious coverage to be at 25% or less. Taylor seconded the motion. Quiggle would like to add that impervious will be confirmed with an as built survey. Taylor seconded the motion. Motion passed unanimously.

Variance application to replace one stairway, widen another by 1.5 feet, add a retaining wall and replace a sidewalk with stepping stones so as to create a small net reduction in impervious coverage on a lot with approx. 18-20% building coverage (max. 15% allowed) and approx. 39-41% total impervious coverage (max. 25% allowed).

Applicant: Allen and Dori Heinen

Property address: 11245 HOLLISTER AVE NW, Annandale

Sec/Twp/Range: 02-121-27

Parcel number(s): 206056003050

Present: Al and Dori Heinen

Mr. Heinen: We bought this property last year. What we want to accomplish is replace uneven steps and make them 4ft steps. In front of the cabin the land slopes from the patio gradually to the lake, would would like to put in a 25 ft bolder wall to level the front yard. We would remove the pavers that are out in front. So that is the front, the back stairs are concrete and slopes so we would like to replace in the same footprint remove the fences. There is a public access and the retaining wall is falling so we would like to replace to stop it from falling and clean up the area.

Oleson: The main issue is that their lot is so small under 9000sq ft and it has a driveway, a patio, the building so it is over impervious. If they were just replacing it would be ok, However, they would like to increase the size of the stairs and make a few other changes in return they are removing in some areas which will result in a small decrease in impervious coverage over all.

Audinace: None

Smith: The steps need some upgrade and I'm just fighting the issue you are over the impervious is there any way to get rid of the she or find ways to reduce more impervious?

Heinen: The parking area we could maybe look at removin some of that we do not always use it all. The patio in the back is thick so I am not sure what it woud do to the septic in the back or to the house so I do have a concern with removing that.

Smith: Can one of the sheds go? Maybe 3ft vs 4ft of the steps?

Heinen: One is pretty permanent. Our hope is that maybe we could purchase some property across the road. Our hope is that over time we will remove more impervious. For us the 3.5 would be ok but 2.5 is not wide enough.

Smith: We will want to see some water management

Taylor: I think I would like to see the 3ft steps. The impervious is way over what we allow maybe we can get rid some of the driveway. Making sure you have a storm water management plan.

Quiggle: I think the impervious goes without saying, narrowing the stairs, maybe some driveway; however, My major concern is the landscaping. Habitat restoration using native grasses will infiltrate very well. If you put in a bolder wall your destroying that and a flat surface is not going to handle the storm water run off better than the native plants that are currently there. however, a little further up from the lake they installed a rain garden and then the rain garden infiltrates there it overflows to boulders around the perimeter. Since you already have the patio under the deck I don't think you need more of a seating area. I would look at putting some sort of rain garden and help with the stormwater management area and you wouldn't kill the trees which may happen if you excavate in that area.

Heinen: Explained where the boulder wall will go, explaining it would be at the top of the hill not going down the hill and not touching the plant area.

Quiggle: I still don't think it will help infiltrate the stormwater and you are already so far over impervious.

Naaktgeboren: I have 2.5 ft steps and they work just fine. I agree that in front where your going to do the retainer your are not doing anything for water. I can see what your going to do and level out but I would not go out more than 8" not go more than, your not doing yourself anygood and your not doing the lake any good. I would cut the drive way in half. If you need more parking space park in the lawn. Front steps going down are you doing to change those.

Heinen: Yes they will be the exact same size that they are right now.

Naaktgeboren: You could put pavers where the sidewalk is that will help.

Guck: The impervious is the issue. If you flatten it will you end up having water come back towards the lake. So my feeling is you have to reduce the impervious.

Quiggle: Do you want to set a limit or a max or a ratio?

Oleson: If you want to set ratio as to how much you want them to reduce vs. how much they are adding is the easiest. The parking area is 1192 sq ft according to the survey;

Quiggle: So we could say to cut that half?

Oleson: It is a 60 ft lot so remove 30ft would remove 600 sq ft.

The board and Heinen looked at several idea's as to where they could remove impervious and calculations.

Taylor: I would say to forget the retaining wall.

Naaktgeboren: I can see leveling out a little bit just not do the retaining wall.

Quiggle: I would say you should replace the stairway with 3ft wide; replace stairway from driveway in the same foot print; cut the driveway by 30ft and replace sidewalk with some stepping stone.

Heinen: We have 2 ½ ft stairs now and we could do that without a variance, and it sounds like boulder is a no. So do we even need a variance? So we are giving up Half our driveway to gain ½ ft on our stairs down to the lake.

Oleson: You could approve like your talking about and they could make that decision if they want to go wider with the steps and remove the driveway or leave the driveway and not change the width of the steps or they could withdraw their application.

Quiggle: We could table it and you could talk about it and talk to your land scaper to see if there was something different you wanted you could come back.

Heinen: How much fill can you bring in?

Oleson: If under 10 cubic yards you don't need a permit if between 10-50 cubic yards you would need an over the counter permit.

Quiggle: If we do table you could always come back and discuss further.

Heinen: So if we go with the 2 ½ foot stairs we can move forward and do not need to come back, however, if we want to go with 3ft we would have to come back next month?

Quiggle: Yes if we table it you would have to come back.

There was discussion as what would happen if they tabled or not.

Quiggle made a motion to table until June 14, 2016 meeting. Taylor seconded the motion. Smith discussed that if we approved the three foot steps going down to the lake with the condition that they cut the driveway in half we could approve now.

Heinen: So if we come back next month we will be starting all over?

Smith: I am thinking we will come to the same conclusion.

Motion failed with a Three to Two vote against.

Smith made a motion to deny Variance to replace a 2.5 ft wide stairway with a 4 ft wide stairway and to add a retaining wall and replace a sidewalk with stepping stones so as to create a small net reduction in impervious coverage. Smith made a motion to approve Variance to replace a 2.5 ft wide stairway with a 3 ft wide stairway on a lot with approx. 18-20% building coverage and approx. 39-41% total impervious coverage with the following conditions:

1. That the existing parking area be reduced in size to no greater than 30 feet wide and a depth to the existing retaining wall on the road side of the septic drainfield (approx. 18-20 feet).

Guck seconded the Motion. Taylor added the following staff recommendations:

2. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences between any areas of disturbance (if there will be any) and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.
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 or to other properties. 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.

Quiggle seconded the motion. Motion passed unanimously.

Preliminary plat application to create three lots from a previously unplatted parcel and one additional lot combining parts of seven previously platted lots and a public right-of-way (road vacation petition pending).

Applicant: True Friends (Children's Disability Service Association/Friendship Ventures)

Property address: None

Sec/Twp/Range: 22-121-27

Parcel number(s): 206000221103, 206028001010, 206028002030, 206028002040, 206028002050, 206028002060, 206028002070, and 206028002080

Present: Steve Meyer

Meyer: What we want to do is take the one lot that we have and make it into three separate parcels and take the five parcels and make into one parcel so we would make 4 parcels that would be sold. This is unused land at this time. We would be vacating a portion of the road that is not maintained and is really just a trail going back. It has all been platted out and septic is available on all with an alternative on all. We would move the cul-de-sac from where it is down to the end.

Oleson: Fairly straight forward, the lots all meet the minimum for width and size and meet septic guidelines. The five lots that become one we have had some discussions with Wright County, the ordinance indicates that it needs to be 150ft width, our subdivision says 50 ft width on a cul-de-sac. So the one lot would not meet that.

Meyer: The right of way issue is the road that goes in here goes down the hill. We were going to give them a right of way so they can get down to the lake and deed that to them.

Oleson: (Oleson went over the drawing showing where the right of way is what they were going to vacate) If they left this right of way just the way it is they would get 150 ft of road frontage. It is not a maintained road by the township however, it would be considered a public right of way. That is the only issue I see with this plat.

Quiggle: Could we give a variance for the inadequate road frontage?

Oleson: Yes, however we could not do that tonight; we do have a comment from the Soil and Water District, They are very close to the one acre of disturbance. (Oleson read the letter noting the need for storm water management and highly erodible area>

Meyer: There is one building site and two septic site areas on lot 4 the road has basically been abandoned and has a gate across it. We are going to be tearing out the other Cul-de-sac and putting sod in.

Oleson: If you disturbed an acre of soil then you have to do a state permit for storm water/erosion control. The plans show they are going to be doing a swale. Estimating 16,000 sq ft of new impervious coverage for the three vacant lots the other one already has a house and driveway. Basically about 5300 sq ft per lot. I guess what I would say is if you want you could do that as a requirement for the final plat to ensure they are under the 1 acre. (Oleson pulled up the proposed grading plan)

Smith: I am assuming that you have not look at what you could do to meet the 150ft.

Meyer: We were going off the preliminary plan and have not had a chance to review.

Taylor: As long as they meet all the necessary requirements I am ok with it and I would like to see the storm water management plan. What is the one that does not the meet the 150ft of road frontage?

(Oleson pulled up the plat and indicated where the lot is question is.

Audience:

Karl Leslie: My concern is what is going to happen to that road that is going down to the lake and have spent money on it to maintain it and have a cabin down there. That is our only way down.

Meyer: The plan is that the road would be deeded. It would come off the cul-de-sac.

Leslie: My concern is where it will come off the cul-de-sac and run off since I maintain the road way.

Oleson: It looks like the first part of the road is public right of way. If you don't vacate you would meet the road frontage, however we would have to check with the county to make sure they are ok with that. My concern is that once you start vacating the right of way you limit others from using it if we can avoid that it eliminates that issue.

Meyer: When talking to the county they did not really commit if they were ok with it or not, however, did talk about it staying 66 ft wide.

Quiggle: It does not look like it is 66 ft wide and I would be ok with it being a 33ft right of way.

Naaktgeboren: I would be ok with the way it is drawn.

Taylor: In order to get to the final plat you will need 150 ft of road frontage.

Quiggle: I would be satisfied with it being platted as a 33 ft right of way and the traveled surface remaining as it is.

Audience: Glen: Clarification on the 1 acre total new impervious does that limit the size you can build on the lot? So if someone that is going to buy the lot would be limited?

Oleson: This is a little different in the fact that when the state was looking at this builders were developing the land and building. Here we are looking at selling lots and someone else is then building. It's not that you can't its if you do go over you have the storm water management plan.

Quiggle: Why not just get the state permit?

Oleson: That would be one option; they were assuming 5300 sq ft for each lot. So depending on the size of the house and length of the driveway.

Glen: If you would exceed does that force the land owner to have that additional cost for the storm water management plan?

Oleson: I'm more concerned with more than 1 acre disturbed soil while you are building the roads during the development plan and controlling erosion temporarily. The second is if they are going to do more than 1 acre of additional impervious coverage and needing the permanent storm water management plan. I'm more concerned with the second one since they are going to sell at different times. The temporary one is easy.

Naaktgeboren: Don't we ask for the storm water management plan every time someone builds?

Oleson: Not if they meet all setbacks and coverages.

Quiggle: Can we make that a condition that each lot has to have a storm water management plan before they build?

Oleson: You would have to put that as a specific condition on each lot.

Leslie: What is the distance from existing to the new cul-de-sac?

Oleson: 80 - 90 feet. Are you looking at keeping the right of way as it is?

Quiggle: I would like to see 33 ft as the right of way.

Smith: I agree to the 33ft.

Discussion on the width of the road and the length took place, Oleson indicated that some in the process of vacating the road.

Naaktgeboren made a motion to approve Preliminary plat and conditional use permit application to create three lots from a previously unplatted parcel and one additional lot combining parts of seven previously platted lots and a public right-of-way (road vacation petition pending) with the following conditions:

1. That the existing 60 ft wide public road right of way that leads from the end of the proposed cul-de-sac to the northeast side of Lot 3, Block 2 of Cedar Woods be left as it is, so as to ensure the minimum lot width is met for proposed Lot 4. This right of way shall continue to be unimproved and not maintained by Corinna Township.
2. Any topographic or vegetative alterations on the bluff shall meet the requirements of the Township ordinance. No water-oriented accessory structures may be constructed near the shoreline unless all setbacks can be met and it does not require filling of wetlands.
3. That all lots created by this subdivision shall submit a stormwater management plan to promote adequate infiltration and filtration of stormwater from impervious surfaces on the lot at the time of application to construct improvements on the lot. Such plan shall be subject to review by Wright County Soil & Water Conservation District (SWCD) and approval of the Corinna Township Zoning Administrator.

Smith seconded the motion. Motion passed unanimously.

Variance to construct a 16' x 22' addition to an existing dwelling approximately 12.4 feet from a side lot line (min. 15 feet required) and 48.4 feet from Pleasant Lake (min. 75 feet required). Impervious coverage to be reduced from 26.9% to 24.9% (max. 25% allowed).

Applicant: Eric Stack

Property address: 11847 89TH STREET NW, Annandale

Sec/Twp/Range: 19-121-27

Parcel number(s): 206048000070

Present: Eric Stack; Adam Novacek

Stack: Application is 10x22 not 16'x 22', just want to clear that up. I will be taking 440 sq ft of parking space out and then take about 5x22 out by the telephone pole to put the line underground. So it would be a little over 500 ft out making sure I am under the 25% impervious.

Taylor: You will be putting in a bedroom & office?

Stack: Yes and we have a septic plan from Bernie Miller and it complies with the state and the county.

Quiggle: Has the County reviewed and ok'd it?

Stack: It was compliant with the County already and we had to do this dousing to comply with the state.

Oleson: County did review the septic and they are ok with adding the dousing and they note that it does require a permit and inspection. The need is because the lake set back is at 48.4 ft instead of the 75 ft and the side yard is supposed to be at 15 ft and they are between 12.4 to 14.7 because it angles as it goes back. They will be under 25% impervious limits and right at 14.9% building coverage. They do have a well there just making sure it can be get to it.

Audience: None

Guck: Just that side set back is really close and being 40 ft from the lake with a new addition which is a sticking point for me.

Smith: Not much of an addition and still tight on the side, lake bothers me a little bit. Have you researched any other options?

Stack On the other side its closer, the septic is to the back and a nice really large tree that we do not want to damage.

Taylor: You not going any closer to the lake which is good and your reducing the imprvius. The one end you are close at 14.7%. The only thing I was wonderin is coming of with the steps.

Adam: Being real close to the tree and disturbing it with footings could be an issue.

Taylor: That would be the only other option but that leaves other complications.

Novacek: layout wise this was the best way without going any closer to the lake.

Naaktgeboren: I looked at that option too but I think it would not make since and your screwing up the rest of the house. As far as the lake set back, everyone along there are close to the lake. The side yard at 12.4% is a little close but your are close to meeting it on the other side and with removing the black top and getting down on your impervious I can live with it.

Quiggle: For me we are getting the impervious down and building coveage is under, I can deal with the lake and the side lot. I wish it was further back and with the getting rid of he bitoumimious. Its reasonable.

Taylor motion to approve Variance to construct a 10' x 22' addition to an existing dwelling approximately 12.4 feet from a side lot and 48.4 feet from Pleasant Lake with the following conditions:

1. That the applicant directs all water from the roof of the dwelling addition to the road side of the property or other appropriate location such that it would allow for maximum reasonable infiltration without negatively affecting the lake or neighboring properties. A plan shall be submitted to the Zoning Administrator for review and approval prior to issuance of a building permit.
2. Building and impervious coverage on the lot must be compliant with the requirements of the Land Use Ordinance (15% max for buildings, 25% maximum for total impervious).
3. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences between any areas of disturbance (if there will be any) and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.
4. All septic system requirements must be met.

Naaktgeboren seconded the motion. Quiggle asked to amend the moiton to included the following condition since they are so close on building and impervious coverage:

5. That the applicant submits an as-built survey to show that they have met the conditions of approval, including those relating to impervious and building coverage.

Taylor seconded the amended motion. Motion passed unanimously.

Variance to replace an existing 12' x 20' detached garage with an attached 22' x 24' two-story garage approx. 50 feet from Sugar Lake from the centerline of a township (min. 65 ft required). Building coverage to increase from approx. 20% to 23% (max. 15% allowed) and total impervious coverage to increase from approx. 31-32% to 32-33%.

Applicant: Steven and Diane Wiltermuth
Property address: 11955 HART AVE NW, Annandale
Sec/Twp/Range: 02-121-27
Parcel number(s): 206000021105

Present: Steven & Diane Wiltermuth

Wiltermuth: Our proposal is to building a 22x24 two story garage with tornado room underneath it. The reason for this is so that we do not have to go through the snow and icy sidewalks in the winter; be safe during the stormy weather; and a place to store items we need to get through. To help with impervious coverage we would take down 11ft of the deck by the lake and replace with a rain garden to catch the run off. We feel this will be better for the lake. Our measurements show an increase of coverage 239 sq ft however, with the removal of part of the deck and walkway we would have a net decrease of 112.37 sq ft. We would not put in a paver driveway it would remain gravel. We are currently 2.2 ft from the side lot line with the existing garage and would be further with the new garage. We bought in 1998 at that time we had a total of 2760 sq ft of impervious and with the new garage and changes we will be at 2306 sq ft of impervious coverage.

Oleson: We have the side yard, road, and lake setback, along with the impervious and building coverage which would both be increasing when they are already over. They did get a variance from the county in 2006. The initial application they got downsized and then they had to change something and items that needed to be moved. However, it was unclear. There was some talk about staying within the 15% building coverage and the shed would have put you over that, however, unclear in the minutes.

Quiggle: Indicated that the application and survey show it being removed.

Wiltermuth: It was talked about but did not state we had to move it.

Oleson: (pulled up orig. application along with a copy of the survey)

Wiltermuth: Indicated that the one shown was from the original application and that was changed after the first hearing. (Wiltermuth read what the minutes approved from that variance which indicated the approval of a 1075 sq ft dwelling 39ft from the lake, 15 ft from the west side, 18 ft from the east side, and 14ft from road right of way)

Quiggle: Read some of the discussion that had taken place.

Wiltermuth: Indicated they had talked about a lot of things however, that is not what was approved.

Oleson: The immediate question is if they can replace the existing garage with an attached garage. The rest is historical and it is either water under the bridge or do they need to now get into compliance? Some of that is clear some of that is not.

Wiltermuth: We know we are not going to get to the 15% for building coverage, but we are willing to remove a portion of the deck and change the size of the garage. We would also look at taking the whole deck off and doing some other things to get as close to 25% as we can.

Taylor: How much would that remove if they removed the deck?

Oleson: It would bring them from 32.2% to 26.9% for impervious coverage with the addition. Building coverage is going up.

Discussion with the board and applicant regarding reducing the size of the garage to bring down the size of the garage.

Smith: I have an issue with the 2.5ft on the side lot line and even shrinking the garage you are still over building coverage, impervious as well but building coverage is big.

Taylor: Side lot setback is one I'm having and issue so would you consider going down in garage size so that you are 8 ft off the side yard and taking out the deck so that your impervious is around the 26% that is better than what is was.

Naaktgeboren: I feel the deck has to go and not allow a two stall garage so you can get away from the lot line. How are you going to access the second level of the garage?

Wiltermuth: Through the Master Bedroom depending on the size of the garage.

Naaktgeboren: I would say downsize the garage, I feel the two story garage is too large. I think it should only be a one story. We are over building.

Guck: The side set back is a real issue they made the setback 15 ft for a reason.

Quiggle: I have a lot of problems with this. The 2004 application said they were going to be removing the garage and they limited you to 15% and that assumed no other buildings. They gave you the maximum size house and then you did not take them down or move them.

Wiltermuth: I don't think that was the part of the approval. That was based on the first plan that had an attached garage. I am not sure who put the x's through the survey, we did not do that.

Quiggle: That's what you applied for in the application. It should have been gone and it is too small of lot with too much building on it.

Wiltermuth: There was concrete walkways of cement that had to be removed and was.

Quiggle: That is where I stand.

Wiltermuth: If we remove the deck and build the 18x25 that would bring impervious down to 26.9%, that's retaining 200sq ft for grill.

Taylor: I can't see the 2.5 ft side lot set back, the deck removed and smaller garage, no two story. It will get better for impervious but building coverage will remain high.

Oleson: If we go back to this survey from 2004 if the add the sq footage so that there is no net increase?

Quiggle: Were not going back to the 2004 survey and looking at no net increase. I don't think that because they were faulty in the language in the motion the intent of the minutes is that they were to not go over the 15%.

Oleson: Then it becomes an enforcement issue and is separate than the request at hand.

Taylor: I cannot approve as is. If there are some alternatives, smaller garage and no two story or removing the deck. Maybe a 15x20 garage?

Naakgeboren made a motion to deny Variance to replace an existing 12' x 20' detached garage with an attached 22' x 24' two-story garage approx. 50 feet from Sugar Lake, 2.5 feet from a side lot line, and 20 feet from the centerline of a township. Building coverage to increase from approx. 20% to 23% and total impervious coverage to increase from approx. 31-32% to 32-33%.

Smith seconded the motion. Motion passed unanimously.

Naaktgeboren questioned if what happened in 2006 should be looked into and made a motion for Ben to meet with county staff and find out what the intent was in 2006. Quiggle seconded the motion. Motion carried unanimously.

Request to remove a condition on the previously approved conditional use permit for the "Danielson's Rolling Ridge Acres" planned unit development regulating detached accessory buildings as per R-1 zoning standards and allowing them to be regulated as per the Agricultural/Residential zoning district.

- i. Applicant: Corinna Township
- ii. Property address: (Various) JENKINS AVE NW, Annandale
- iii. Sec/Twp/Range: 33-121-27
- iv. Parcel number(s): 206116001010, 206116001020, 206116001030, 206116001040, 206116001050, 206116001060

Oleson: This is a sub-division that was done as a PUD because it is zoned Ag Res because they are smaller than 10 acre lots. One of the conditions was they put on is that all accessory buildings should be regulated as R1 building district and that should show that there can be a primary and secondary septic site. Question come up with a 2400 sq ft. shed and we had told them yes only to find out after the purchase had taken place that this condition was in place. So the discussion is this condition something they want to maintain or is it something they would like to get rid of. There are a couple of factors, one is that the reason that they may have put this on is because these lots are all under 2.5 acres. Across the road is another development that is also a PUD in that case they limited to an R2 depending on the lot size. I think you look at this as either yes these lots are consistent to the R1 rule which usually goes with lake shore or in town neighborhood or look at the area as a whole and across the street they can have 2400 sq ft. garage. (Oleson pulled up map to show the area) One other thing to note is that although they can have only one 1400 sq ft building they could have multiple buildings to 2400 sq ft. I talked to Sean Riley and it felt it was up to us to make that change.

Quiggle: To recap in R1 you limited to 1 building at 1400 sq ft, however you can multiple buildings up to a total of 2400sq ft.

Oleson: Correct

Audience: Diers: We purchased property for the purpose of having a 2400 sq ft. shed. We believed we did our due diligence by asking. I think anyone was trying to feed us wrong information and they also believed they were giving us correct information. I don't believe that having more than one building is the look that anyone is going for. I did talk to neighbors and they would prefer only one building. None of the lots have a building on them at this time so no one was limited if the condition was removed at this time.

Taylor: I think one shed is good on the lot rather than two small ones.

Naaktgeboren: The 40 acres to the west is in the city correct?

Oleson: Yes

Naaktgeboren: I have no problem with this it does not make since in this neighborhood.

Guck: Does not make since I agree with Dick.

Smith: I think we are fine what is the smallest lot?

Oleson: About 1.6 acres.

Quiggle: I agree, makes since to me and is consistent with the ordinance.

Naaktgeboren: When you're looking this up do you have it or do you have to do some research?

Oleson: In this case I did not look, however in the future I will be asking. It is not something that automatically comes up and you do have to search the plat requirements.

Taylor motion to remove a condition on the previously approved conditional use permit for the "Danielson's Rolling Ridge Acres" planned unit development regulating detached accessory buildings as per R-1 zoning standards and allowing them to be regulated as per the Agricultural/Residential zoning district.

Quiggle second the motion. Motion passed unanimously.

Taylor made a motion to approve the April 12, 2016 meeting minutes. Smith seconded the motion. Motion approved unanimously.

April 28, 2016 (special meeting) - Tabled

Zoning Administrator's Report - None

Permits

Correspondence

Enforcement Actions

Findings of Fact - Previous PC/BOA Decisions

Other Business - None

Training meeting will be May 18th @ 7pm.

Smith made a motion to adjourn. Naaktgeboren seconded the motion. Motion passed unanimously at 10:27 pm.

Prepared by: Jean Just