

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
October 13, 2015
7:00 PM

Charlotte Quiggle called meeting to order at 7:00 PM on October 13, 2015

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

Absent: Trish Taylor

Others in Attendance: Marlin Grant, David Nelson, John Harapat, Karen Arone, Jim & Ginny Arone, Ken & Darlene Isaacson, Judy Bryan, Marilyn Gordon, Al & Cheryl Smith, Dan Lemm, John Schutz, Art & Joan Roemer, Linnea Lindquist, Dale & Diane Haase, Betty & Dave Gordon, Jim Martin, Don Rachel, Kari McDermott, Joan & Steve Harnett, Cindy Anderson, Doug & Annette Steinborn, Mel Dykhuizen, Diane & Steve Wiltermuth, Chad Arvola, Steve Schmidt, Wally McKelvy, Tom Nimmo, Stan & Shirley Hillestad, John Dearing, Rick & Melissa Riesgraf, Tom Dohmen, Agris Kelbrants, Marty Champion, Paul Gustafson, Pat Dahl, Amy Miller, Kevin Hertz, Richard Kanninen, Mary & Rod Kruse, Scott Ergen, Don Rasset, Gary Ruotsi, Lisa Ruotsi, Ed Goff, Dave Seestrup, Mike Zieska, Dave Werschay, Jerry Pitra, Fred & Geraldine Menth, Vinnie Menth, Paul Steffens, Robert Ahsenmacher, Chuck Carlson

Oleson indicated that the Planning Commission would be having a second meeting this month which will be held on Wednesday October 28th, 2015 at 7:00pm.

Additions or Deletions to the Agenda; Schultz made a motion to approve the agenda with no changes. Smith seconded the motion. Motion passed unanimously.

Public Hearings

Variance to replace an existing 20' x 24' single-story dwelling, 12' x 12' screen porch and 156 sq ft open deck with a 24' x 26' dwelling/upper loft and an 120 sq ft open deck 5 ft from a side lot line (min. 15 ft required), 37.1 ft from the centerline of a township road (min. 65 ft required) and served by a holding tank (drainfield required).

Applicant: Gary & Lisa Ruotsi

Property address: 11263 HOLLISTER AVE NW, Maple Lake

Sec/Twp/Range: 2-121-27

Parcel number(s): 206056004020

Present: Gary Ruotsi

Oleson: They have an existing building that they would like to replace with a 24x24 home, that would have a screen porch off to the side. There had been an open deck to the side until they removed it some years ago. The variances are the side lot line which

is 5ft, 37.1 ft from the centerline of the road and they are requesting this to be on a holding tank. The ordinance indicates that any expansion cannot be on a holding tank. So those are the items for discussion. Oleson showed some pictures of the plan - it is single story with a 12x10 area on top.

Ruotsi: We are asking for a 96 ft expansion so that we can get the second bedroom it would be almost impossible to get a second bedroom in there if we keep it the same size. We are a family of 3 so a second bedroom is really necessary. That is why we are asking for the small expansion. That is 1/3 the size of the expansion that was approved previously. Which was approved by Wright County on a holding tank. Regarding the 5 ft from the property line that is where the existing structure is. The reason for that is we would like to save some of the yard, and if we move it we are going to kill some trees and lose parking. The last item is the holding tank vs. a drainfield. There was a drainfield design done for this property in 2006, however, it was denied because of the location of the neighboring wells are too close.

Audience: None

Schultz: Pass for right now.

Smith: My biggest concern is the holding tank at this point, building a new expanded structure on a holding tank. Have you talked to anyone regarding a sewer design again?

Mr. Ruotsi: I did review it with Bernie Miller again since he did the original design and felt there was not an option to go with a drainfield and that we were better off with a holding tank.

Oleson: Mr. Ruotsi was not the owner when the other variance was granted.

Smith: I am not too concerned with the side set back and road set back does not bother me. My biggest hang up is the holding tank.

Parks: That is where I am stuck at too. There is no modern type of system that can be put in there?

Ruotsi: The issue is with the surrounding wells.

Oleson: The issue is that with a shallow well the setback would be 100' and that would take a variance from the State.

Ruotsi: What Bernie Miller told me is that the Department of Health turned it down.

Oleson: The plan from 2006 shows the design and existing well is unknown.

Schultz: Are you putting a larger tank than what is there now.

Ruotsi: There is not one there now so we will be putting in a new holding tank. There was one on the bluff it has collapsed long ago.

Guck: Are there any systems that can be utilized, like a central sewer system?

Oleson: My understanding of the law is that it is either a holding tank that is pumped out or to a drainfield.

Schultz: I don't know what else they can do.

Quiggle: Like Larry I have an issue with the holding tank with the expansion. We are following the counties lead by holding to that. However, I have looked at a spread sheet on what has happened in the past 8 years and your neighbor was allowed to add 80 sq ft and go up to 520 sq ft to allow them to have a bathroom. It is right in the same neighborhood and kind of the same issues although you do have a bathroom. I think we could see a way to going to the same size as Walkers did. We have had others come to us and we have said no. However, this is one of the smallest existing cabin come before us.

Oleson: Of the recent ones that is true.

Ruotsi: It will still be a small cabin.

Smith: If they built in the same foot print they would not need a variance?

Oleson: If you stay in the same footprint they would not need a variance. The caveat to that is that the structure has been derelict and falling apart. You can look at it as abandoned and treat as a bare lot or you treat as a structure and allow for replacement.

Smith: If they were going to build in the same footprint they would have to put in a holding tank as part of the criteria to build correct.

Oleson: Yes you have to have type of sewer system when you build. I will just point to couple sections on your staff report, on 4a-4 in section 404 they are talking about lots that are essentially bare and when do we allow for them to be built on - They have 20,000 sq ft on the lot which this lot does not, and if not the BOA has to determine if adequate sanitary facilities can be provided. It indicates that holding tanks need not be considered as adequate sanitary facilities for year-round use, which implies they could be used for seasonal use, so you could limit it to seasonal use as an option, 4a-5 #716 states holding tanks shall not be used as sanitary systems for new residential dwelling. The intent is that you do not want holding tanks if you're dealing with new construction. You could allow and limit it to seasonal use.

Quiggle: That's only on exact replacement.

Oleson: That is on 4a-5 Holding tanks may be used for exact replacement of an existing dwelling where no expansion in livable space occurs. So the requested for 96 sq feet addition on a holding tank which is the variance. You have a few options, you could allow it on a seasonal use only dwelling, you can limit # of bedrooms, you can say no not allow it.

Parks: How can we limit it to seasonal use?

Smith: I think we are stuck with the same foot print.

Guck: What is the hold up with holding tanks, are they alarmed?

Oleson: They have to be alarm and they have to be pumped.

Guck: I am not against it, I do not see a problem with it.

Schultz: I am not against it and it is better than what they got.

Smith made a motion to deny the variance request for the expansion, Parks seconded the motion. Motion passed unanimously.

Ruotsi: Can we talk about our plan B?

Oleson: What I am understanding is that you are not allowing for expansion. You can rebuild in the same footprint following the guidelines for expansion and you are allowing all the setbacks as indicated.

Smith: Correct

Quiggle: And we are allowing for the open porch to be replaced with a screen porch.

Oleson: Just to clarify the board has denied the request to replace an existing 20'x24' single story dwelling, 12'x12' screen porch and 156sq ft open deck with a 24'x24' dwelling/ upper loft on a holding tank. The Board is approving a variance to replace an abandoned existing 20'x24' single-story dwelling and 12'x12' covered porch with a 20'x24' dwelling/ upper loft and 12'x12' screen porch 5 ft from a side lot line and 37.1 ft from the centerline of a township road and served by a holding tank.

Smith indicated that is correct with the following conditions:

1. That the replacement home not exceed a footprint of 20' x 24' and not be expanded in any other way consistent with Township policy regarding expansions.
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. 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.

Motion passed unanimously.

Variance to construct a 17' x 16' covered deck addition to an existing dwelling approximately 35 feet from Sugar Lake (min. 75 feet required).

Applicant: Rick and Melissa Riesgraf

Property address: 11847 GULDEN AVE NW, Maple Lake

Sec/Twp/Range: 1-121-27

Parcel number(s): 206086001120

Present Melissa & Rick Riesgraf

Oleson: One correction I need to make on the on the original notice I listed it as a 17' x 26' that is incorrect it is 17'x16'. This addition would be on the north side of the exiting house and it would be a setback of about 37 or 38 ft back from the lake, the lot exceeds the 25% maximum impervious coverage and they would be adding more to that. It was suggested that they remove up to 1.5% of what they are adding. They have listed a walkway & Canoe rack. Otherwise all the other set back would be met.

Quiggle: Did everyone see the memo from the SWCD?

Mr. Riesgraf: Part of the reason we are over the impervious coverage was due to gravel areas that have been there for years, we were not aware there was a law change in 2007 and many of those areas were there prior to that. In total they are about 1500sq ft and we are over by 1000 sq ft. We will remove impervious so that we do not increase that problem. We have pushed it back further so that we are further back from the lake.

Oleson: Wright County used to not include gravel as part of their impervious areas prior to 2007. They changed the ordinance at that time. There was no mention of the gravel or anything in the meeting in 2002 when they added the garage.

Audience: Tom Nimmo we own the property to the North. We reviewed the request and feel it should be supported and it fits in well with the neighborhood.

Parks: I don't have a problem as long as we can do it without increasing impervious coverage.

Oleson: They are going to remove some gravel down to the lower area.

Mr. Riesgraf: We would be removing 1 ½ times what we are adding, path, some gravel areas and canoe rack.

Guck: I do not have any questions as long as they are removing more than they are adding.

Schultz: I am good with it.

Smith: Did you do any numbers to see how much coverage you are removing?

Mr. Riesgraf: More than the 1 ½ times.

Smith: You're still exceeding the impervious coverage even removing the 1 ½ times correct.

Mr. Riesgraf: I believe so.

Smith: Is there any way you can get down to the 25%?

Mr. Riesgraf: Without getting rid of all parking areas I don't think so.

Smith: I would like to see if you can get to the 25%.

Quiggle: I agree, I understand that you pushed the porch back and you are just outside the shore impact zone. The setback is supposed to be 75ft. This is quite a variance and is not something we allow, however, the house is where the house is. Given that and the fact that you are adding impervious coverage right there and almost within the shore impact zone. Just about everything in front of the house is impervious so anything coming off that roof is going to go to the lake without being filtered. Have you come up with a storm water management plan?

Mr. Riesgraf: Besides gutters we have not yet.

Quiggle: I did some calculation the roof of the porch and house is 1492 sq ft in a one inch rain event your roof is going to be shedding 930 gallons of water. It goes to gutters and down to the lake unless you are sending it to the back of the house so you need a plan. We require storm water management plans on everything.

Mrs. Riesgraf: How do you get to that storm water management plan?

Quiggle: You can work with the SWCD, rain barrels, and rain gardens.

Parks: We cover that in the recommendations.

Quiggle: I just want to make sure we cover the storm water management plan and I would like to see the impervious come down to 25%

Oleson: Beyond what they have already proposed that would require another 632 sq feet to get down to 25%

Mr. Riesgraf: I am not sure we can do that. I feel we got trapped with this gravel thing and did not know that before.

Quiggle: If you cannot get down the 25%, what else can you take out?

Mr. Riesgraf: We could maybe take a couple feet off the front deck on the lake side which will be 80 ft more than what we already proposed and is well beyond the 1 ½ times.

Parks: They are meeting the 1 ½ times.

Mr. Riesgraf: And we could remove another 80 more ft.

Parks made a motion to approve the variance to construct a 17' x 16' covered deck addition to an existing dwelling approximately 38 feet from Sugar Lake with the following conditions:

1. The applicant must remove a total of 1.5 times the impervious coverage being added – with at least an amount equal to what is being added removed from an area as close or closer to the lake.
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. 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.

Schultz seconded the motion.

Discussion: Quiggle indicated that if they could get it to the 2 x she could live with that.

Oleson: Just for clarification the motion is for removing at least 1 ½ times impervious coverage from what is being added.

Quiggle: Correct, I am just adding this for discussion since they had mentioned they are going to be doing a lake side deck.

Parks indicated he is fine with his motion.

Motion passed with Parks, Schultz & Guck in Favor; Smith & Quiggle against.

Variance to replace an existing 28' x 36' dwelling with a 906 sq ft dwelling 748 sq ft attached garage and 35 sq ft covered porch approximately 60 feet from Clearwater Lake (min. 75 ft required), 13.55 ft from a side lot line (min. 15 ft required) and without 15 feet of fill meeting floodplain elevation requirements around all sides. Conditional use permit to elevate dwelling to meet floodplain requirements by alternative method than fill.

Applicant: Thomas A. and Lisa A. Dohmen

Property address: 11953 KRAMER AVE NW, Maple Lake

Sec/Twp/Range: 5-121-27

Parcel number(s): 206000052202

Present: Tom Dohmen & Dave Werschay

Oleson: When first submitted they had a 40'x50' which has changed to 906 sq ft dwelling which is 60 ft from the lake, the side yard would be 13.55 ft, back side would meet requirements. They had indicated a holding tank initially, however, they have identified an area that may fit although they have not done soil borings they are anticipating it will be a mound and the last aspect is the flood plain this whole area is in a flood plain and so they have to meet the state and federal guidelines which means they would have to elevate to a certain level. The State of MN added additional requirements indicating they have to meet the elevation in one of two ways. They either have to bring fill in to a certain elevation 15ft around the house, the

other option is to elevate it with something other than fill. In talking to DNR on how they look at them, they do occasionally support or don't oppose variances for less fill and they might propose they get rid of that condition. There is general concern with fill and how that will impact the neighbors. Comments that came in were the general concern regarding impact of fill and there has been some work already done out there with negative impact on neighboring properties. Suggested maybe there needs to be some engineering.

Werschay: From the concept plan we were considering for the property it's a house that is 40 ft wide and we are very close to that now. I think from the perspective of the lake we are 60 ft away at the closest point most of the house will be further away from than the lake than where the current building is.

Dohmen: We really like the property we want a place to go when our kids go away to college. We have had some flooding around the garage area and we cannot use it anymore. We do not want it to get worse. There are many things that need to be fixed so the solution was to rebuild. We tried to find talented builders to help us make an attractive project that would fit into the neighborhood. We are not opposed to make sure everyone is happy with what we are doing. After reading a little more on what the County is looking for, it sounds like you want people to build here and invest here. Without putting in new house there it will continue to deteriorate. Desire to be here long term and make little impact those around us.

Audience:

Jerry Pitra: How big is the Lot?

Oleson: On the Lake side is 19,650; 68 x 214.

Cindy Anderson: I am the cabin to the south. His lot from North of the side walk to mine and the next two are all very low and so I am concerned increased impervious along with any additional fill. So if his septic system is a drain field in there it will flood. Not sure how a drainfield works when the soil is saturated. Currently there is not a driveway here and would that increase the impervious and water flow. I heard this could be a potential mound system and that will cast all of that water to the north which is my cabin. I have significant concerns with the plans being made and the accountability to make sure what is asked is done. The information in the letter that they referred to was a few years ago Mr. Dohmen without any previous conversation or permission dug up his yard and my yard by adding a lot of fill and covered up lots of stuff in my yard without my permission. (Pictures were handed out of what was done) He indicated he would get it back to our specification and nothing else was ever heard from and he didn't do what he had indicated. There was not any accountability and he also covered the culverts that were in my yard that drained water and as a result of that myself and the Lambergers get more water. Any fill is going to increase that and storm water is going to increase that. I just would like an agreement on how he will be held accountable.

Dohmen: Indicated where the lot lines were.

Quiggle: One thing I would like to clarify is we do not have a definite answer on if a septic with a drainfield is going to work right?

Oleson: Correct

Quiggle: If that is true I would like to table this until we know if we can get septic on the property.

Doug Steinborn: My house is two houses to the south and I have concerns with flooding. Is there any height restrictions as to how high you can go with a house?

Quiggle: There are considerations such as character of the neighboring properties.

Steinborn: I am concerned with the water, a few years ago with the high water and the roof pitch and storm water coming off the home.

Kevin Holtz: My major concern is the water. We can get about one inch of rain and my property is where the puddles sit. Any additional coverage will add more water. I understand the situation we bought them as we bought them. As far putting something new in there I am fine with that. I like to keep the aesthetics of the neighborhood. We are in the lower spot and we know we have issues. I need to know from the board what they are going to do to make sure additional water does not come onto our property. The water has to go somewhere. Would like to see the storm water management plan or all the neighbors come together and do something at the same time.

Quiggle: Does the water come from the wetlands towards you?

Steinborn: The water stays in the wetlands. The road is higher and it does not run back towards the homes, however, it also holds the water on the yard. Is there a chance to putting in culvers to run into the wetlands? Not sure if that would help.

Dearing: We probably could try but the wetlands seem to stay the same level as the lake so not sure if that would do any good.

Quiggle: Since we do not have information on the septic I am thinking we need to table. Smith made a motion to table until we have a septic design. Parks seconded the motion.

Discussion: Quiggle informed that they should bring back a septic design that is going to work and a storm water management plan. Schultz indicated that maybe they could meet with neighbors to make sure it is not affecting others. Quiggle indicated that she also has a concern with it fitting in with the neighborhood. Everything is a single story cabin and you're proposing a two story home and I feel it is out of character with the neighborhood.

Werschay: We are willing to make the investment in the sewer I am wondering what would be in character?

Smith: I think Ben can work with you on that before you come back before the board. Motion passed unanimously.

Variance to replace an existing 27' x 26' dwelling with a new 39' x 26' dwelling addition within the bottom of a bluff (min. 30 ft setback required). New dwelling to be 8 ft further into the bluff than what currently exists.

Applicant: Steven Schmidt

Property address: 11748 90TH ST NW, Annandale

Sec/Twp/Range: 18-121-27

Parcel number(s): 206000182400

Present: John Schutz, Chad Arvola, Steve Schmidt

Oleson: This is the existing structure built into the hillside. It is a bluff and they are on the lower end of the bluff. The proposal would be to build a structure with another story on top of it. It would be roughly in the same footprint only little further back in the bluff. 8 ft into the bluff on the one end and 4 ft closer to the lake on the other end. The lake set back is fine the only variance issue is the bluff and building further into the bluff. SWCD /Soil Water letters talk about the gully's running down through the hill side, and having concern about the hill side and making sure the slop would be stabilized once it is built. Watershed district had same concerns about building into the bluff, being stable and recommend an engineer to review. They talked about maybe moving the house closer to the lake rather than into Bluff. This home is part of a club and has to be approved by the club also. There was one written comment, basically the concern was change to the characteristic of the club with the increase in footprint.

Schmidt: The picture you just saw was about five renditions ago. I am a member of the club and it does need to meet the characteristics of the club. I bought the cabin when I was 29 and

we rehabbed it. The reason we are at the Glendale Club is my wife grew up in one of the cabins. I brought Chad who is our builder in case you have questions. (Mr. Schmidt gave pictures of what they are proposing) The structure is currently a two story as are some others at the club. What we are asking is to go from a 6ft ceiling to an 8 ft. As we take a look at the front of the cabin, there is creek in front of the cabin, some of the suggestions was to bring it forward and that is an option, however, there is a creek there and we do not want to encroach on that creek. If we take a look at building back into the bluff many cabins have added slabs into the bluff to add bathrooms. I would certainly support if that is what is needed to bring in a soil engineer. In the original footprint there was a slab on grade as there were stairs that went to the back and to the upper level. Certainly if the soil engineer said it would support us going 8ft back that is what we would prefer, however, we could possibly go back 4ft and forward 4ft that would be a suggestion that would be acceptable. The size of the cabin is going slightly bigger. However, we took off the enclosed porch and if you included that it would only increase by 30 sq ft.

John Schutz: As cabin 1 owner and president of the Glendale Club we are trying to keep in character of the place. So as you look down the row of cabins everyone uses the parking lot to left and most of us use wheel barrels to bring our items to the cabin. When we met as a club last week overall the club members are supportive of the character changes of the cabin being done. The preference would be to have him go back rather than to come forward and change the site line.

Arvola: The back 8 foot would be a slab on grade so the height now would be about the same and we would not be excavating down we would be excavating up. After it was backfilled it would be very minimal impact on the soil.

Audience: The comment is that Majority are in agreement with this?

Schutz: If I stated that incorrect I'm sorry I meant that the majority are in agreement with the final rendition that was made as opposed to the original plans.

Schmidt: Just to clarify that if the variance was approved at this level, the Glendale Club will still have to give the final approval.

Guck: Where is the soil specialist opinion?

Schmidt: I talked with Dan at Soil & water he said wait to see if that is what you ask for. If there are any issues with erosion I want to make sure it is safe for years to come.

Quiggle: I am not just the erosion but the possible failure of the bluff.

Schultz: Right now I am not in favor going into the bluff at all.

Schmidt: If we were going to go back to the pad that is currently there and I don't think it would cut into the bluff at all would that create an issue.

Smith: Anything going into the bluff needs to have footings.

Schmidt: Correct it will have footings.

Audience: Mike Zieska, Soil & Water - When we mentioned about the bluff I think we would feel if a soil engineer stated it was ok we would rely on that expert and their opinion.

Schmidt: So if we get the engineer information could we get on the 10/28 Agenda.

Quiggle: Yes

Schmidt: Aside from that are there any other questions or concerns?

Schultz: I have a question, you basically have a two story now? Is the downstairs usable?

Schmidt: It is used, however, only has 6ft ceilings.

Schultz: What I am looking at is a three story and I am not for that.

Quiggle: The ordinance does not allow.

Schmidt: Have you looked at the new sketch? Most of the cabins have a basement, a main floor and a second floor. The ordinance does not allow for a three story?

Quiggle: Two and half story max.

Smith made a motion to table until the October 28th meeting. Schultz seconded the motion. Motion approved unanimously.

Request to rezone the property from General Agriculture (AG) to a mix of Urban/Rural Transitional (R-1), Suburban Residential (a) (R2a), and Agricultural/Residential (AR).

Applicant: Judith I. (Judy) Bryan

Property address: 6400 102ND ST NW, Maple Lake

Sec/Twp/Range: 12-121-27

Parcel number(s): 206000121300

Present: Judy Bryant, David Nelson

Oleson: We have a unique property that is one parcel number, however, three Sections. One in the middle, one down by the lake, and the farm area. They are asking to go from AG to a mix of R1, R2a and AR. (Oleson brought up a map of others lots and zoning in the area) – Just for clarification we are here for rezoning only, not for the sub-division. We are making a recommendation, the County will make the final decision. (Oleson pulled up the map of what is being requested).

Bryant: We would like like to rezone to what it already looks like.

Schultz: I'm ok with it

Smith: makes since

Parks: Fine

Guck: Fine

Guck made a motion to recommend the approval to rezone the property from General Agriculture (AG) to a mix of Urban/Rural Transitional (R-1), Suburban Residential (a) (R2a), and Agricultural/Residential (AR) as follows:

1. Lakeshore Portion – Ag to R1
2. House Portion – AG to R1
3. Field portion east of Grover Ave NW – AG to A/R

Parks seconded the motion. Motion approved unanimously.

Request to rezoned the property from General Agriculture (AG) to Urban/Rural Transitional (R-1) with a Planned Unit Development (PUD) overlay and Agricultural/Residential (A/R) with a Rural PUD overlay.

Applicant: Rachel Properties LLC

Property address: 7764 117TH ST NW, Annandale

Sec/Twp/Range: 2-121-27

Parcel number(s): 206000022300

Present: Marty Campion; Don Rachel

Oleson: (Oleson pulled up a picture of the property to be viewed) This is proposed to be divided into a couple different zoning districts. Oleson described what the request was for the different areas. Looking a the Lake lots to be zoned R1 which is 1 acre minimum; the rest of the property would be AG Residential (A/R) with a PUD overlay what that does is normally A/R would have a minimum of 10 aces, with the PUD instead of the the 10 acre lots they would

cluster homes into smaller lots and have open non-developed areas. There are some lots along Hoyer that would be less than 1 acre and are intended to be for lake owners that wish to put in a sewer systems or garages.

Campion: We have had a number of meetings with the township and county. We are a little ahead of ourselves with the plan and have been making changes. One of the requests from the County was to make the smaller lots along Hoyer non-buildable they are intended to be for septic systems or outbuildings. Depending on the interest the configuration and the location could change depending on who will be interested. We have worked with the people on the east end of the plat to make sure that they have access to their property and to their garage. There are a number of things to work with the neighbors in the area. All of the lake lots are larger than the 1 acre minimum. We are less dense than the PUD would allow at 17 which 20 allowed, we are meeting the open space requirement, we would be paving 117th and the two new cul-de-sacs coming in.

Oleson: I meant to say with the PUD classification and multiple by 15% to get the number of units that are allowed. As Mr. Campion indicated that 20 would be allowed and they are looking at 17. As I stated with the last hearing this is for recommendation of rezoning only. There are certain things that go along with rezoning, however, things that deal with the location of the road and where the septic is going to be on each lot and what the size of the lots will be are going to be dealt with at another hearing. So the criteria we have to go through is 17 items that are listed in the staff report. We received comments and to summarize most are expressing concerns with the development to do with the back lots on Hoyer ranging from loss of trees, protection from storms, traffic concerns and the character of the property.

Campion: I believe that the county has this guided as AR going into the future.

Oleson: Yes they have this in the comprehensive plan for future A/R.

Marlin Grant: 11274 Hoyer ave; I want to clarify a couple of things regarding whether the field is and that there are some of wetland areas. Question regarding staking being done.

Campion: Staking that was done today could be to do with septic systems. There are areas that will be common open space.

Oleson: The common land where it is owned in common by all of the land owners in the PUD or owned by someone other than the homeowners and would not be buildable and that would be part of the platting process.

Grant: Can you tell me more about the six lots set aside for septic systems?

Rachel: We had some people on Hoyer contact us to see if they could purchase some back lots for sewer. So in an effort to accommodate that we made some smaller lots that could be bought affordably.

Grant: Expressed going to 11 lots on the other side of Hoyer would be a huge change with the possibility of trees being taken down. That is the setting that should be park land.

Lemm: Expressed concern regarding storm water with that many lots close to the lake. With 100's to 1000's of water coming off the roofs that will be going into the lake or wetland area.

Quiggle: This is only the zoning phase not the plan unit development plan. These will be worked out at that time.

Steffens: Purchased property on Hoyer about a year ago and what attracted us to the property is the woods on the back side of the property. It gave the feel of a rural setting. I get this is about rezoning it's not about the plan. One of the topics is the preservation of natural area and there is a lot of wild life see them going back and forth all day long. From a wetland perspective, I worry about the run off. We have issues with run off already. The other thing is we count on that for wind protection. Topographic characteristics again concern with the run

off coming into our yard. Without knowing the usage of docks or lake usage have concerns about the potential of an increase of docks and boat traffic. We have a little dirt road and there areas that wash out already we start adding more homes and more traffic the road is not equipped to handle that. We bought to there because we appreciate the privacy and the nature. We are not looking to develop this further. There are many other areas that could be developed.

Harnett: I am on the Far end on Sugar Lake off 117th, I heard something that they are making sure that Smith has access to his property, I have not heard anything and need to make sure that I am not land locked.

Campion: The easterly two properties will be given some land to have access to garage and will have access of the new road/cul-de-sac. It will be access beyond your property. One other thing that I want to mention regarding lake users. There are 36 lake users right now and there is not any intent to give anyone access except for the 10 lake lots.

Others in the Audience: Questions regarding centralized sewer systems, where the access for the Hoyer lots would be and if there could be a road on the back side rather than using the existing road. Preserving the woods along Hoyer Ave and a way to preserve the character of the area along Hoyer Ave. Usage of out lot A and the open areas.

Rachel: Indicated that they could look at a central sewer system or it is something that the land owners could look into. They have not looked at building another road and not sure the township would be in favor of that.

Quiggle: The comments are very valuable especially to the developers, but most of these concerns will be part of the sub-division process. Tonight we will only make a recommendation to the township board who will then make a recommendation to Wright County Planning Commission. If it is rezoned it will come back to us for sub-division.

Schultz: I understand what the concerns are, however, myself as a land owner, I feel we cannot say what we can do if it fits into the land use plan. My feeling is if you are concerned buy it.

Dearing: Indicated that he has had many calls regarding the neighbor hauling manure on the land and what can we do to get it rezoned, now you're all fighting the development of the land.

Grant: How this group feel about the concept plan?

Guck: I guess I have not been down by Warner's resort. This seem pretty simple make him an offer on the land.

Quiggle: How do you feel about the R1 which is the lake rezone and how do you feel about the AR PUD?

Guck: They are under the max with 17 lots so I am fine with the PUD and the R1.

Oleson: The basic question is, is the land suitable for that zoning for the R1 & A/R with a PUD.

Schultz: I do not have a problem with R1. What did we change Fred Jude land to?

Oleson: Fred Jude is A/R with a PUD.

Schultz: I agree that it is in accordance with what our future plans are.

Smith: I am in favor of both of them.

Parks: I don't know how we can have two properties next to each other and not allow it.

Quiggle: I appreciate the concerns but this concept assuming the septic work out ok - that is part of the otherwise I would recommend going forward.

Parks made a motion to recommend the approval to rezoning the lakeshore portion from AG to R1 and the remainder of the property from AG to A/R with a Rural PUD overlay. Smith seconded the motion. Motion passed unanimously.

Variance to construct a 12' x 28' porch addition to an existing dwelling approximately 59 ft from Indian Lake (min. 100 ft required).

Applicant: Linnea Lindquist

Property address: 10985 GROVER AVE NW, Maple Lake

Sec/Twp/Range: 12-121-27

Parcel number(s): 206029001040

Present: Scott Ergen & Linnea Lindquist

Oleson: Looking to add a covered porch up on top to extend the roof out, they have had water problems on the roof. The variance comes in because they are within 59ft of the high-water-mark. Indian high water mark is about 2 feet higher than the water ever has been. The reason for that is because the Lake is land locked. 100 ft is the normal set back.

Lindquist: I have a front porch that has a deck on it since 1992 in July the ceiling had a water spot so we had the deck that was on their removed and need to fix the roof since it is leaking. Rather than replace the deck, I thought if I did a screened room that would protect the flat roof from future leaking.

Audience: none

Parks: You are not getting any closer to the lake.

Quiggle: Your variance was for 67 ft but you are 59 ft how?

Lindquist: Not sure the inspector measured and said we were good so I assumed we were where we were supposed to be.

Schultz: To me all she is doing is putting a roof over the other roof, so I'm good with it.

Smith: Good

Smith made a motion to approve a Variance to construct a 12' x 28' porch addition to an existing dwelling approximately 59 ft from Indian with the following condition:

1. 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.

Guck seconded the motion. Motion passed unanimously.

Variance to construct a 16' x 22.5' attached garage addition to an existing dwelling approximately 9.9 ft from a side lot line (min. 15 ft required) on a lot with 34.5 percent impervious coverage (max. 25% allowed). No increase in impervious coverage is proposed.

Applicant: Robert and Roxanne Ahsenmacher

Property address: 9777 103RD ST NW, Annandale

Sec/Twp/Range: 9-121-27

Parcel number(s): 206000093203

Present: Scott Ergen, Robert Ahsenmacher

Oleson: Existing house remodel inside and extend the garage out. Variance is due to side yard setback. They will be adding 16ft or maybe a little more. The lot is already over impervious but the addition is going to be over an existing driveway so more impervious.

Quiggle: The existing garage is now going to be bedroom and bathroom correct? What is the purpose for the pavement coming to the existing garage? Can that be removed?

Ahsenmacher: We are just adding onto the existing the garage forward. The roof line would be changed.

Ergen: We would be putting the addition over the driveway.

Guck: Will that change the where water goes?

Quiggle: Where will the water be directed too?

Ahsenmacher: We will be adding gutters and down the driveway towards the road.

Quiggle: I would to make sure you direct it to the back and away from the lake or rain barrels.

Ergen: Yes they will be directed away from the lake.

Parks: There is nothing else we could drop the impervious?

Oleson: Not really the driveway is narrow and that is the only thing that is impervious besides the house.

Guck made a motion to approve Variance to construct a 18' x 22.5' attached garage addition to an existing dwelling approximately 9.9 ft from a side lot line on a lot with 34.5 percent impervious coverage. No increase in impervious coverage is proposed with the following condition:

1. 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

Parks seconded the motion. Motion passed unanimously.

Ordinance revision to amend the written notification distance for public hearings from ½ mile to that required by MN Statutes 394.26.

Schultz made a motion to approve the Ordinance amendment. Smith seconded the motion. Motion passed unanimously.

Smith made a motion to approve the September 8, 2015 meeting minutes. Schultz seconded the motion. Motion passed unanimously.

Zoning Administrator's Report

Permits

Correspondence

Enforcement Actions

Findings of Fact – Previous PC/BOA Decisions

Other Business

Schultz made a motion to adjourn. Parks seconded the motion. Motion passed unanimously at 10:22 pm.

Prepared by: Jean Just