

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
September 8, 2015
7:00 PM

Charlotte Quiggle called meeting to order at 7:00 PM on September 8, 2015

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

Others in Attendance: Jeanne Kaiser, Charlie Paschka, Bill Cunan, Tony Langemo, Brian Hace, Jeff Rivers, Mark Tambornino, Dick Naaktgeboren, Mark Hayes, Pat Martin

Additions or Deletions to the Agenda; Smith made a motion to approve the agenda with the change to Table Public Hearing B. Taylor seconded the motion. Motion carried unanimously

1. Public Hearings

- a. (Tabled from August meeting) Variance to replace an existing dwelling with a larger 32' x 48' dwelling approximately 52.4 ft from Cedar Lake (min. 75 ft required) and 50 feet from the centerline of a township road (min. 65 ft required). Variance to allow for 16.2% building coverage (max. 15% allowed). Variance to allow for an enlarged dwelling to be served by a holding tank.
 - i. Applicant: Jeffrey and Leanna Rivers
 - ii. Property address: 6799 Ingram Ave NW
 - iii. Sec/Twp/Range: 34-121-27
 - iv. Parcel number(s): 206000341101

Present: Jeff Rivers

Rivers: We came to the meeting last month and we had some discussion regarding septic tanks, holding tanks, and ground coverage. There were some difference as to what would work and we could compromise. We got with a few different people including Ben & Bernie Miller to work on a different design to see what we could do. We did find an alternate home to put on it which is 1/3 smaller, still maintain the proposed shed on the lakeside and added another shed just in case we would need one. We put a couple of things on the plan to help with impervious areas such as the parking area. (Design was brought up for board to review)

Oleson: New plan would put it at 61 ft from the lake previously it was 52.4 ft, on the back they would have a full drainfield which would eliminate the holding tank variance. The shed on the lake side is a little smaller and a shed on the back side which would eliminate the building coverage variance. It will add a variance for the septic to be 4 ft at its closest point and the north property line is 5ft to the road right of way where 10ft is required. Fewer variance than last time.

Audience: none

Taylor: I like the fact that it is back further from the lake and the fact there is a drain field now. I understand the setback to the septic & north property line.

Schultz: I am glad with the changes made.

Smith: The proposed storage building you may put on there is going to be under impervious/building coverage correct?

Rivers: Yes

Lee: Did you raise the height of the home?

Oleson: They have to be 4ft above the Highest know water mark and they are above that.

Quiggle: How far back is the set back from the traveled area of the road?

Oleson: It is a cul-de-sac at that point so they should be far enough back.

Rivers: It is built into a side of a natural hill, taking advantage of the natural elevation. So you will know that it is there.

Quiggle: If it is real obvious that it there that is fine if not just putting a marker on it so that nobody drives over it otherwise I think you did a fabulous job meeting all of our suggestions.

Taylor motion to approve the Variance to replace an existing dwelling with a larger 27'7" x 38'4" dwelling approximately 61 ft from Cedar Lake. Install a septic drain field to be 4 feet and 5 feet from two property lines with the following conditions:

1. That the applicant provides a full septic system design which has been approved by the Township's septic inspectors as adequately meeting state requirements, obtains the required permits and installs the drain field prior to receiving a Certificate of Occupancy.
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. Motion passed unanimously.

- b. ****TABLED UNTIL OCTOBER 2015** (Tabled from August meeting) Variance to replace an existing one-story house with a two-story house on the same footprint approximately 11 feet from Sugar Lake (min. 75 ft required) and 0-1 feet from the side property line (min. 15 ft required). New attached garage to be 0-1 feet from the side property line (min. 15 ft required) and 0-2 feet from the septic tank (min. 10 ft required). New attached screen porch to be approximately 54 feet from Sugar Lake (min. 75 ft required). Building coverage to be 20.1% (max. 15% allowed). Total impervious coverage to be 31.3% (max. 25% allowed). Lowest floor of new home to be less than four (4) feet above the highest known water level.

- i. Applicant: Mark Ertl and Martha Hurr Ertl
- ii. Property address: 11543 Gulden Ave NW
- iii. Sec/Twp/Range: 1-121-27

- iv. Parcel number(s): 206085000310
- c. (Tabled from August meeting) Variance to replace the existing 591 sq ft home with a 1,549 sq ft home approx. 31 ft from Bass Lake (min. 75 ft required) and 35 ft from the centerline of a township road (min. 65 ft required). Variance to construct a septic tank approx. 30 ft from Bass Lake (lagoon side – min. 50 ft required), a septic drain field approx. 37.5 ft from Bass Lake (both sides – min. 50 ft required) and both within the required road setback.
 - i. Applicant: Jeanne Kaiser
 - ii. Property address: 10608 117th Street NW, Annandale
 - iii. Sec/Twp/Range: 5-121-27

Present: Jeanne Kaiser, Charles Paschke

Paschke: (passed out a copy to show where road is) The road that is now being used is in the shaded area and goes out to the property of Dr. Beadle. And the road in yellow is just on paper and is not real. It is a platted paper road.

Kaiser: It was never used and actually goes right through my cabin and was never removed. The neighbors to the west would also like to see it removed.

Charles: So we are looking at vacating that section of road and describe where the current private road is.

Kaiser: It is not maintained by the township or the county.

Quiggle: However, it is a public road that is platted and recorded just not maintained by the Township.

Quiggle: My question is since your building a year round residence will you be living there year round.

Kaiser: Yes and I would have it plowed.

Quiggle: Do you have permission from Dr. Beadle to vacate this road?

Kaiser: We have the neighbor to the west Scott Vasko that has signed off, I have not talked to Dr. Beadle yet.

Quiggle: You would need Dr. Beadle's permission to vacate the road so that he has access to his property. You would want all interested parties involved.

Kaiser: The platted road does not go to Beadle's property it goes to the lake.

Discussion as to where the current road goes and where the platted road goes since it goes from Kaiser's cabin and into the water.

Taylor: You would have to get Dr. Beadles permission to vacate the road.

Quiggle: What we are looking at doing is revising the location of the plated road and exchanging it for the existing road.

Illustration was brought up to view where the two locations were. Septic designer gave information as to where the platted road was and where the actual road is.

Quiggle: When was it re-platted?

Naaktgeboren: 1951, the Township has never taken over maintenance and from the Township prospective we can vacate it.

Kaiser: When the cabin was built they said nothing needed to be done and there had never been an issue in the past.

Paschke: We would do a survey so that it was legally identifiable. We would do a vacation through the township.

Taylor: Then the vacation would be recorded.

Kaiser: I will be responsible for the survey?

Taylor: You should be able to do just the vacated portion of the road and where the current road is located.

Smith: Should we should just table this?

Quiggle: I think that she would like to know where things stand assuming that the road vacation happens and what is the likely hood will be for her to build.

Oleson: There appears to be another land owner between you and Beadle so you will need to get both of their signatures.

Quiggle: Jeanne could you like to update us on the changes.

Kaiser: We brought the home back to 37.5 ft from Bass Lake instead of the 31 ft, We reduced the sq footage of the home from 1,549 to 1439 sq feet; We have changed our parking area by digging it out and putting in black dirt and seeding it.

Oleson: Part of the 1439 is a covered porch correct?

Kaiser: Yes

Taylor: What is the impervious?

Oleson: Right now they are way under building coverage at 5.7% and impervious is 27% and what they would go to 13% on building and impervious should go below 25%, however, you can give direction on if they need to be below 25% or no higher than where they are at now which is 27%.

Quiggle: Are these figures based on the lot size to the traveled road or the platted road?

Oleson: It is based on the traveled road and he is measuring the ord. high water mark.

Kaiser: We will have to bring a little fill it to make the house it level.

Oleson: The main thing is that she has moved it back to be out of the shore impact zone. The other item is if they can get a drain field in and we have been back and forth with the County.

Hayes: The County will not review anything until we get the road figured out. We did everything based on reality. We are going to meet the house setback to the septic and the road setback to the drain field. What this is going to look like is a square built up with a pressure bed. We have done several of these around the lakes before. The county will not render an opinion on this until the road situation is taken care of.

Oleson: So we are not hear to design the septic; I think just give us your opinion if a drain field system will work.

Hayes: I am confident in my design, however, there is a risk since it is being done in an area that is close to the water level. Since the holding tank is already there and it is staying in the ground that is a good sign.

Oleson: You have two options either table it or deny it and then have her reapply with possibly waving the fee.

Quiggle: I think table until we figure it out and have her sign letter indicating that.

Oleson: Two separate matters one is vacating the road and the other is the variance before you. Another option is to withdraw it.

Schultz: I am thinking we should deny and reapply.

Parks: I think we gave as much guidance as we can.

Quiggle: So the fact that I want to see if the house can be moved back do we want to discuss that?

Smith: I think they are on the right path and that they are going move forward with the vacating of the road which is a doable deal. Sounds like we can get a septic that will meet what we are looking for. So I think we should table it. I do agree I would like to see if we can get it a little further back from the lake if possible.

Quiggle: I agree, we are not looking way down the road hear. I just want her to have a better idea hear if she will be able to have a home.

Kaiser: I don't know where I'm going to stay this winter and I'm getting a little worried. I did not realize there were was going to be any issues.

Quiggle: That is why I would like to give you as much guidance as possible.

Taylor made a motion to table until we have more information on the vacation of the road and agreement by the neighbors. Smith seconded the motion. Motion carried unanimously.

- d. Variance to enlarge an existing dwelling currently located approx. 66.9 ft from Cedar Lake (min. 75 ft required). Expansion will replace an existing 165 sq ft portion of a one-story dwelling with a 484 sq ft addition to include a lofted 2nd story. The addition itself will be located outside of the required 75 ft setback.
 - i. Applicant: Brian and Elizabeth Hace
 - ii. Property address: 8503 76th Street NW, Annandale
 - iii. Sec/Twp/Range: 27-121-27
 - iv. Parcel number(s): 206027000120

Present: Brian Hace; Mark Tambornino, Architect

Hace: We have an existing cabin that we bought in 2011, built in 1935. It is a one bedroom and one bath with a breakfast nook on the west side, we are looking at tearing down the breakfast nook area and replace it with a larger area and adding a second story on top of that. We would be adding a second bathroom and lofting the area above that for sleeping.

Oleson: This is a little different because the addition is not in the lake set back, however, the exiting house is within the lake set back and it is an expansion. So the variance is because they are enlarging the existing dwelling.

Audience: None

Schultz: I am good with this.

Smith: Good

Parks: Looks good

Taylor: Good

Smith made a motion to approve the variance to enlarge an existing dwelling currently located approx. 66.9 ft from Cedar Lake. Expansion will replace an existing 165 sq ft portion of a one-story dwelling with a 484 sq ft addition to include a lofted 2nd story. The addition itself will be located outside of the required 75 ft setback with the following conditions.

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

Parks seconded the motion. Motion passed unanimously.

Taylor made a motion to approve the August 11, 2015 meeting minutes. Schultz seconded the motion. Motion passed unanimously.

Zoning Administrator's Report

Permits - no discussion

Correspondence

Enforcement Actions

Findings of Fact - Previous PC/BOA Decisions

Other Business

Discussion re: Erosion protection requirements and enforcement:

Olson explained that not just here in Corinna but in other areas also there has been lots of discussion on erosion protection with all the rain this year. Several items have come up so thought it should be discussed. In the past we talked about things like should we require something before they start work, should we get some financial security, talked about working with contractors, education. We have put into place information about how to put in silt fence. This information is included in every permit that is issued. We had one site on Sugar Lake that with lots of rain coming down was going into other lots and across township road and onto other properties. The construction was done and they were working on putting in the yard, however, it was all exposed.

The board discussed ideas regarding who should be checking on these; should we have more frequent inspections; should photos be sent; can money be put in an escrow, are these things that could be done without an ordinance change. Right now the enforcement is Ben calling and letters being sent.

General feeling from the Board was that we should talk to Wright County and see if they would inspect silt fence when they do the footing inspection and could they issue a stop work order if it is not being done.

Review of previously granted variance requests (if time allows) - No Review

Schultz made a motion to adjourn. Parks seconded the motion. Motion passed unanimously at 8:48pm

Prepared by: Jean Just