



**STAFF REPORT**

**Application:** Variance for a lot line adjustment between two undersized lots to increase one lot from 65 to 78 feet of shoreline and decrease the other lot from about 85 feet to about 72 feet of shoreline. The side lot line setback of an existing house would increase from 1.4 ft to 8.5 ft (15 ft required). The side lot line setback of three detached structures would change from 1-6 ft over the property line to 0-3.7 ft from the property line.

**Applicant:** Philip Trout (Sue Burke Trust) and William and Delores Burke

**Agenda Item:** 4(c)

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**Background Information:**

**Location:**

Property Address: 7364 and 7384 Isaak Ave NW, Annandale

Sec/Twp/Range: 27-121-27

Parcel Number: 206068000030 and 206068000020

- Zoning:** Urban/Rural Transition (R1) /Residential Recreation Shorelands (S-2) Overlay District, Cedar Lake (General Development lake).

- Lot size:** If the lot line adjustment is granted as proposed, the Trout property would be enlarged from 22,416 sq ft to 24,413 sq ft and the Burke property would be reduced in size from about 25,648 sq ft to about 23,652 sq ft.

The width of the Trout property along the lake would increase from 65 ft to 78 ft. The width of the Burke property would decrease from approximately 85 feet to about 72 feet.

The width of the two properties along the road would not change.

Existing Impervious Coverage:

- Trout Property: Buildings: 10.3%, Total 32.3%
- Burke Property: Buildings: 6.7%, Total: 18.4%

Proposed Impervious Coverage:

- Trout Property: Buildings: 9.5%, Total 24.4%
- Burke Property: Buildings: 7.2%, Total 19.9%

- Septic System Status:** The existing sewer systems on the Trout property was inspected and found compliant in May 2011. The existing system on the Burke property was installed in 1986. Records are unclear as to where the edge of the drainfield is and whether it would continue to meet the side yard setback (min. 10 ft) after the lot line adjustment.

**Natural Features:**

Floodplain: The properties are not within an identified floodplain.

Bluff/Steep Slopes: The property does not contain a bluff. They do have steep slopes between the homes and the lake.

Wetlands: There do not appear to be any wetlands on the property. The Burke property does have a low area to the road side of the lot that has been collecting water given the heavy and sustained rain experienced this year.

- **Proposal:** The proposal is to adjust the lot lines between these two lots – neither of which meets today’s minimum required lot size of one acre (the lots were platted in 1954). The proposed lot line adjustment would make the Burke lot smaller, but it would still meet the minimum DNR-required lot size of 20,000 square feet (20,000 sq ft is also the minimum lot size for a lot of record to be considered buildable).

If the lot line adjustment is granted as proposed, the Trout property would increase in size from 22,416 sq ft to 24,413 sq ft and the Burke property would be reduced in size from about 25,648 sq ft to about 23,652 sq ft.

The width of the Trout property along the lake would increase from 65 ft to 78 ft. The width of the Burke property would decrease from approximately 85 feet to about 72 feet.

The width of the two properties along the road would not change.

- **Requested Variances:**

- Lot line adjustment involving substandard-sized lots (lot line adjustments are to be reviewed by the Board of Adjustment when such lots are used as building sites).

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### **Applicable Statutes/Ordinances:**

#### MN Statutes 462.357, Subd. 6(2)

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

(2) To hear requests for variances from the literal provisions of the ordinance in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of the ordinance. "Undue hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance...The board or governing body as the case may be may impose conditions in the granting of variances to insure compliance and to protect adjacent properties.

#### MN Rules 6120.3900, Subp 3 (Variances)

Variances may only be granted in accordance with Minnesota Statutes, chapters 394 or 462, as applicable. They may not circumvent the general purposes and intent of the official controls. No variance may be granted that

would allow any use that is prohibited in the zoning district in which the subject property is located. Conditions may be imposed in the granting of variances to ensure compliance and to protect adjacent properties and the public interest. In considering variance requests, boards of adjustment must also consider whether property owners have reasonable use of the lands without the variances, whether existing sewage treatment systems on the properties need upgrading before additional development is approved, whether the properties are used seasonally or year-round, whether variances are being requested solely on the basis of economic considerations, and the characteristics of development on adjacent properties.

#### 404 LOTS OF RECORD

Lots of record in the office of the County Recorder prior to the effective date of this Ordinance may be allowed as residential building sites provided:

- (1) They have frontage on an existing public right-of-way or have frontage on an existing easement or other private roadway existing prior to January 1, 1977.
- (2) They have at least 20,000 square feet of area. Lots smaller than 20,000 square feet may be used as dwelling sites if the owner can prove that adequate sanitary facilities can be provided. Said sanitary facilities must be located on the same lot of record as the dwelling, or on adjacent land which is legally available to the owner. Extraordinary alteration of the lot through land filling or excavation shall not constitute proof of an adequate site for sanitary facilities.

#### 502.2 Duties and Responsibility

The Board of Adjustment may review lots of record in the office of the County Recorder which do not meet standards established by this Ordinance for size, width, elevation, depth, or other provisions. The Board may require that such parcels be joined, combined, modified in size, shape, or other ways to more nearly achieve the standards of this Ordinance if the owner wishes to use such parcels as building sites.

#### 502.3 Findings

The Board of Adjustment shall not grant a Variance unless it finds the following facts at the hearing where the applicant shall present a statement of evidence proving the following:

- (1) The granting of the Variance will not be in conflict with the Comprehensive Plan;
- (2) The property will not yield a reasonable return if used in compliance with this Ordinance;
- (3) The conditions causing the hardship are unique and are not shared by neighboring property in the same zone;
- (4) The granting of the Variance will not essentially alter the character of the neighborhood; and,

- (5) The granting of the Variance will not adversely affect the environmental quality of the area.

If the appellant fails to prove only one of the conditions, the Board of Adjustment cannot legally grant the Variance. The burden of proof of these matters rests on the applicant. He is requesting a special privilege, and it is incumbent upon him to prove that the conditions necessary for granting of the privilege are satisfied.

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**Staff Findings:** The following findings of fact are presented by Staff for consideration by the Board of Adjustment in relation to the proposed lot line adjustment:

1. Both lots involved in the lot line adjustment do not meet the minimum required lot size of today's ordinance (1 acre, 150 feet in width)
2. Both lots, after the proposed adjustment, would continue to meet the minimum required lot size required in DNR regulations (at least 20,000 sq ft). The Trout lot would be 24,413 sq ft and the Burke lot would be 23,652 sq ft.
3. The Trout lot would increase from 65 feet in width at the lake to 78 feet. This would bring it closer to conformance with the requirement of 150 feet in today's ordinance and 100 feet for DNR-required minimums.
4. The Burke lot would decrease in width from about 85 feet to about 72 feet. In either case, it does not meet the minimum required lot width of 150 feet in today's ordinance and 100 feet for DNR-required minimums.
5. The lot line adjustment would increase the side yard setback of the dwelling on the Trout lot from 1.4 feet over the property line to 8.5 feet from the property line. This would more closely conform to the required 15 ft setback in today's ordinance.
6. The dwelling on the Burke lot would continue to meet the required 15 ft side yard setback, with a setback of 17.7 feet after the proposed lot line adjustment.
7. The two existing sheds and one existing garage on the Trout property would be removed from the site – eliminating the existing nonconformities relating to impervious surface coverage and side yard setbacks.

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

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**Staff Recommendation:** Based on the findings of fact and discussion listed above, Staff recommends that the lot line adjustment be approved as presented.

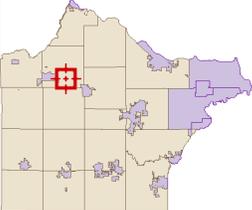
Staff recommends the following conditions of approval:

1. The applicant must demonstrate that the sewer system on the Burke property will continue to meet the minimum required side yard setback of 10 feet. If it is found to not be meeting that setback, the lot line adjustment shall be adjusted accordingly and impervious surface coverage shall be recalculated to ensure that the 25% maximum coverage allowed is not exceeded.





**Overview**



**Legend**

**Roads**

- CSAHCL
- CTYCL
- MUNICL
- PRIVATECL
- TWPCL

**City/Township Limits**

- c
- t
- Parcels
- Water

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## STAFF REPORT

**Application:** Variance to construct a 24 ft x 38 ft dwelling/garage addition to the existing house approximately 70 feet from Cedar Lake (75 feet required). Replace roof over entire home (closets point about 40 feet from Cedar Lake) and increase pitch from 5/12 to 8/12.

**Applicant:** Philip Trout (Sue Burke Trust)

**Agenda Item:** 4(d)

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### Background Information:

**Location:**

Property Address: 7364 and 7384 Isaak Ave NW, Annandale

Sec/Twp/Range: 27-121-27

Parcel Number: 206068000030 and 206068000020

**Zoning:** Urban/Rural Transition (R1) /Residential Recreation Shorelands (S-2) Overlay District, Cedar Lake (General Development lake).

**Lot size (after proposed property line adjustment):** 78 ft wide at lake, 80 ft at road, 322-332 feet in depth (24,413 sq ft)

Existing Impervious Coverage:

- Buildings: Approx. 2,310 sq ft (10.3%)
- Total: Approx. 7,243 sq ft (32.3%)

Proposed Impervious Coverage:

- Buildings: Approx. 2,314 sq ft (9.5%)
- Total: Approx. 5,950 sq ft (24.4%)

**Septic System Status:** The existing sewer system was inspected in May 2011 and is considered compliant until 2014. Records are insufficient to determine when the existing system was installed or how many bedrooms the system was designed for. Staff is confirming with the builder that no additional bedrooms are being added to the home as a result of the addition/remodeling.

**Natural Features:**

Floodplain: The properties are not within an identified floodplain.

Bluff/Steep Slopes: The property does not contain a bluff. They do have steep slopes between the homes and the lake.

Wetlands: There do not appear to be any wetlands on the property. The Burke property does have a low area to the road side of the lot that has been collecting water given the heavy and sustained rain experienced this year.

**Proposal:** The applicant is proposing to construct a new 38' x 24' garage/dwelling addition to attach to the road side of the existing dwelling. The garage itself would be 28' x 24' and would be constructed on a slab. The dwelling addition would be 10' x 24' and would have two levels – a laundry room and entryway on the top level and an

enlarged bedroom and utility/storage room on the lower level. As part of the proposal, the driveway would be reconfigured and extended to enter into the new garage. Two existing storage sheds and a detached garage would be removed from the property to bring the property into compliance on impervious coverage.

□ **Requested Variance(s):**

- Lake setback: Proposed garage to be approximately 70 feet from the OHWL of Cedar Lake (75 feet required).
- Roof over entire house is being replaced and the pitch is being increased from 5/12 to 8/12 (closest portion of roof is approximately 40 feet from Cedar Lake).

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

1.1A bill for an act

1.2relating to local government; providing for variances from city, county, and town

1.3zoning controls and ordinances;amending Minnesota Statutes 2010, sections

1.4394.27, subdivision 7; 462.357, subdivision 6.

1.5BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2010, section 394.27, subdivision 7, is amended to read:

1.7 Subd. 7. **Variances; hardship practical difficulties.** The board of adjustment shall

1.8have the exclusive power to order the issuance of variances from the ~~terms~~ requirements

1.9of any official control including restrictions placed on nonconformities. Variances shall

1.10only be permitted when they are in harmony with the general purposes and intent of the

1.11official control ~~in cases when there are practical difficulties or particular hardship in~~

1.12~~the way of carrying out the strict letter of any official control, and when the terms of~~

1.13~~the variance~~ variances are consistent with the comprehensive plan. "Hardship" as used

1.14~~in connection with the granting of a variance means the property in question cannot be~~

1.15~~put to a reasonable use if used under the conditions allowed by the official controls; the~~

1.16~~plight of the landowner is due to circumstances unique to the property not created by the~~

1.17~~landowner; and the variance, if granted, will not alter the essential character of the locality.~~

1.18Variances may be granted when the applicant for the variance establishes that there

1.19are practical difficulties in complying with the official control. "Practical difficulties,"

1.20as used in connection with the granting of a variance, means that the property owner

1.21proposes to use the property in a reasonable manner not permitted by an official control;

1.22the plight of the landowner is due to circumstances unique to the property not created by

1.23the landowner; and the variance, if granted, will not alter the essential character of the

1.24locality. Economic considerations alone shall do not constitute a ~~hardship~~ if a reasonable

2.1use for the property exists under the terms of the ordinance practical difficulties. Practical

2.2difficulties include, but are not limited to, inadequate access to direct sunlight for solar

2.3energy systems. Variances shall be granted for earth sheltered construction as defined in

2.4 section 216C.06, subdivision 14, when in harmony with the official controls. No variance  
2.5 may be granted that would allow any use that is ~~prohibited~~ not allowed in the zoning  
2.6 district in which the subject property is located. The board of adjustment may impose  
2.7 conditions in the granting of variances ~~to~~. A condition must be directly related to and must  
2.8 bear a rough proportionality to the impact created by the variance insure compliance  
2.9 and to protect adjacent properties and the public interest. The board of adjustment may  
2.10 consider the inability to use solar energy systems a "hardship" in the granting of variances.  
2.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.12 Sec. 2. Minnesota Statutes 2010, section 462.357, subdivision 6, is amended to read:

2.13 Subd. 6. **Appeals and adjustments.** Appeals to the board of appeals and  
2.14 adjustments may be taken by any affected person upon compliance with any reasonable  
2.15 conditions imposed by the zoning ordinance. The board of appeals and adjustments has  
2.16 the following powers with respect to the zoning ordinance:

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

2.20 (2) To hear requests for variances from the ~~literal provisions of the ordinance~~  
2.21 ~~in instances where their strict enforcement would cause undue hardship because of~~  
2.22 ~~circumstances unique to the individual property under consideration, and to grant such~~  
2.23 ~~variances only when it is demonstrated that such actions will be in keeping with the spirit~~  
2.24 ~~and intent of the ordinance. "Undue hardship" as used in connection with the granting of a~~  
2.25 ~~variance means the property in question cannot be put to a reasonable use if used under~~  
2.26 ~~conditions allowed by the official controls, requirements of the zoning ordinance including~~  
2.27 ~~restrictions placed on nonconformities. Variances shall only be permitted when they are in~~  
2.28 ~~harmony with the general purposes and intent of the ordinance and when the variances are~~  
2.29 ~~consistent with the comprehensive plan. Variances may be granted when the applicant for~~  
2.30 ~~the variance establishes that there are practical difficulties in complying with the zoning~~  
2.31 ~~ordinance. "Practical difficulties," as used in connection with the granting of a variance,~~  
2.32 ~~means that the property owner proposes to use the property in a reasonable manner not~~  
2.33 ~~permitted by the zoning ordinance; the plight of the landowner is due to circumstances~~  
2.34 ~~unique to the property not created by the landowner; and the variance, if granted, will not~~  
2.35 ~~alter the essential character of the locality. Economic considerations alone shall do not~~  
3.1 ~~constitute an undue hardship if reasonable use for the property exists under the terms of~~  
3.2 ~~the ordinance. Undue hardship also includes practical difficulties. Practical difficulties~~  
3.3 ~~include, but is are not limited to, inadequate access to direct sunlight for solar energy~~  
3.4 ~~systems. Variances shall be granted for earth sheltered construction as defined in section~~  
3.5 216C.06, subdivision 14, when in harmony with the ordinance. The board of appeals and

3.6 adjustments or the governing body as the case may be, may not permit as a variance any  
3.7 use that is not ~~permitted~~ allowed under the zoning ordinance for property in the zone  
3.8 where the affected person's land is located. The board or governing body as the case  
3.9 may be, may permit as a variance the temporary use of a one family dwelling as a two  
3.10 family dwelling. The board or governing body as the case may be may impose conditions  
3.11 in the granting of variances ~~to insure compliance and to protect adjacent properties.~~ A  
3.12 condition must be directly related to and must bear a rough proportionality to the impact  
3.13 created by the variance.  
3.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.

### MN Rules 6120.3900, Subp 3 (Variances)

Variances may only be granted in accordance with Minnesota Statutes, chapters 394 or 462, as applicable. They may not circumvent the general purposes and intent of the official controls. No variance may be granted that would allow any use that is prohibited in the zoning district in which the subject property is located. Conditions may be imposed in the granting of variances to ensure compliance and to protect adjacent properties and the public interest. In considering variance requests, boards of adjustment must also consider whether property owners have reasonable use of the lands without the variances, whether existing sewage treatment systems on the properties need upgrading before additional development is approved, whether the properties are used seasonally or year-round, whether variances are being requested solely on the basis of economic considerations, and the characteristics of development on adjacent properties.

### 502.3 Findings

The Board of Adjustment shall not grant a Variance unless it finds the following facts at the hearing where the applicant shall present a statement of evidence proving the following:

- (1) The granting of the Variance will not be in conflict with the Comprehensive Plan;
- (2) The property will not yield a reasonable return if used in compliance with this Ordinance;
- (3) The conditions causing the hardship are unique and are not shared by neighboring property in the same zone;
- (4) The granting of the Variance will not essentially alter the character of the neighborhood; and,
- (5) The granting of the Variance will not adversely affect the environmental quality of the area.

If the appellant fails to prove only one of the conditions, the Board of Adjustment cannot legally grant the Variance. The burden of proof of these matters rests on the applicant. He is requesting a special privilege, and it is incumbent upon him to prove that the conditions necessary for granting of the privilege are satisfied.

**403. LOT COVERAGE**

Not more than fifteen (15) percent of a lot may be covered by buildings and not more than twenty-five (25) percent of lot may be covered by impervious surfaces, including all structures, decks and pavement areas except as provided in Section 608, 609, and 610.

**612.5 Shoreland Performance Standards**

**612.5 (1) General Performance Standard for Lakes**

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

(a) General Development Minimum Standards:

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

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

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

**Yes.** The spirit and intent of the ordinance, according to the DNRs SONAR statement in 1989, is:

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

Given that the existing house is already within the lake setback (30.3 feet as measured to the open deck and approximately 40 feet to the house) and the dwelling/garage addition would be to the road side of the house, the existing conditions will not be worsened. Implementation of a stormwater management plan, as proposed, would further ensure that the spirit of the ordinance is met.

The roof replacement is generally consistent with MN State Statutes 394.36 which allows for replacement, but not expansion, of existing nonconformities.

**2) Will the granting of the variance be consistent with the Corinna Township Comprehensive Plan?**

**Yes, with possible conditions addressing stormwater management, erosion control and impervious coverage.** The Corinna Township

Comprehensive Plan does not directly address lake setback issues except to make statements about protecting lake quality in shoreland areas as land is developed. The Wright County Comprehensive Plan states “Development of lakeshore property shall abide by State Shoreland Management Rules to maintain, as far as practical, a natural shoreline and natural views of shoreland areas from the lake's surface.”

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

- Require on-site storm water retention and erosion-control plans for all new lakeshore development and redevelopment of existing sites, to ensure that storm water runoff is properly managed and treated before entering surface waters.
- Require the use of best management practices as outlined by the Minnesota DNR, University of Minnesota Extension, or other appropriate agencies during the development and re-development of all property in the Township to prevent erosion and sedimentation that eventually reaches area lakes and wetlands through ditches, direct runoff, or other means.
  - Staff Comment: The applicant has not submitted any specified stormwater management plan for the lot.
- Seek ways to ensure that new development, landscaping, or other alterations on lakeshore properties preserve and/or provide for the planting of native trees and shoreline vegetation.
  - Staff Comment: See comment above.
- Limit the amount of grading and filling in the shoreland area so as to minimize the disturbance of soil and prevent erosion.
  - Staff Comment: Earth work for this project would include reconfiguring and extending the driveway, excavating soil for the dwelling addition and disturbing soil to prepare a pad for the new garage. None of this will occur on the steep slopes near the shore.

### **3) Is the proposed use of the property reasonable?**

**Yes.** The proposed use of the property for a small dwelling addition and new attached garage to replace the existing detached garage is reasonable as the resulting dwelling size and garage location are similar to other homes in the area. The internal layout of the home and the location of the existing well line presents some barriers to adding on to the southwest side of the dwelling where a lake setback variance may not be necessary. Adding to the southwest would also require a side yard setback variance.

The roof replacement is reasonable given the need to maintain the roof and the relatively minor increase in roof pitch.

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

**Yes.** The need for the variances is created primarily by the existing location and internal layout of the dwelling.

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

**No.** The proposed dwelling addition, attached garage addition and roof pitch change would be similar to what exists in the rest of the neighborhood. No change to the character of the neighborhood is expected.

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

**No.** There are other considerations involved, including the location of the existing house, the internal layout of the dwelling, the location of the existing well line, the need for maintenance of the roof and the dimensions of the lot as originally platted.

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

**No.** Unless the house is to be significantly altered on the inside, the proposed location of the addition is the most feasible. A complete tear down and rebuilding of the home further back in the lot appears possible, but not without significant additional cost.

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

The most likely impact on the environment would come from stormwater runoff from the addition. These can be reasonably addressed with some basic stormwater management practices to direct runoff from the roof to the road-side of the property.

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

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**Staff Recommendation:** Based on the findings of fact and discussion listed above, Staff would recommend approval of the variance as requested.

Staff would recommend the following conditions of approval:

1. That the applicant removes/reconfigures the driveway as shown in the submitted site plan (dated 8/2/2011), removes the existing garage and concrete apron, removes the two existing sheds and otherwise ensures that the property will not exceed 25% coverage in impervious surfaces.
2. The applicant should submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation. 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.
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 on downslope areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion

control blankets or other forms of temporary cover until vegetation is re-established.

Application # <u>V11-012</u>	Date Application Rec'd <u>7/14/2011</u>	Fee Collected \$ <u>400.00</u> <u>7/14/2011</u>
(for office use only)		

**CORINNA TOWNSHIP  
VARIANCE APPLICATION**

Name of Applicant Bruce Lavost Phone 320-274-3928

Property Address (E911#) 7384 ISAAC AVE

Mailing Address PO Box 625 Annandale Local Phone 274-2185  
(if different than above) (if different than above)

City, State, Zip Annandale MD 55302

Applicant is:	Title Holder of Property (if other than applicant)
Legal Owner ( )	<u>Sue Burke Trust</u>
Contract Buyer ( )	(Name)
Option Holder ( )	<u>7392 ISAAC AVE</u>
Agent ( )	(Address)
Other <u>Builder</u> ( )	<u>Annandale MD 55302</u>
	(City, State/Zip)

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

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

Property ID # (12 digit # beginning with 206-XXX-XXXXXX) 206-068-000020

Full legal description of property involved in this request, including total acreage or square footage (required -- attach separate sheet if necessary): Lot 2 P. Scott's Cedar Lake shore lots

Sec 27 Twp 121 Range 27

Zoning District \_\_\_\_\_, Lake Name (if applicable) Cedar

- What type of variance are you requesting (check as many as apply)?
- |   |   |   |
|---|---|---|
| <input type="checkbox"/> 1 per 40 Division              | <input checked="" type="checkbox"/> Road Setback              | <input type="checkbox"/> Building/Impervious Coverage |
| <input checked="" type="checkbox"/> Lot Line Adjustment | <input checked="" type="checkbox"/> Lake or River Setback     | <input type="checkbox"/> Height of Structure          |
| <input checked="" type="checkbox"/> Undersized Lot      | <input checked="" type="checkbox"/> Side or Rear Line Setback | <input type="checkbox"/> Septic System Setback        |
| <input type="checkbox"/> Appeal of Staff Interpretation | <input type="checkbox"/> Bluff Setback                        | <input type="checkbox"/> Other _____                  |

What are you proposing for the property? State nature of request in detail: WE would like a Lot Line Adjustment of the SE Corner to Move South 13' To Create the East Line From 65' to 78' of shoreline. Would also like to add a Entry, Laundry Rm, and 2 car garage to the West/NW corner of house. This would add a 24 x 38 ft print to West side (road side) away from the lake.

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

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

Please complete all of the following questions (if you are outside a shoreland zone, do not complete these questions. Instead complete the next set of questions below):

1. Describe why you believe the granting of the variance request would be in harmony with the general purposes and intent of the Corinna Township Land Use and/or Subdivision Ordinance (available at [www.corinnaplanning.info](http://www.corinnaplanning.info)).

Because this is upgrading the property with as little of environmental impact as possible. We are not infringing on ~~any~~ any set backs.

2. Describe why you believe the granting of the variance would be consistent with the Corinna Township Comprehensive Plan (Plan available at [www.corinnaplanning.info](http://www.corinnaplanning.info)).

Improvement of the property without building closer to the lake or side yard set backs

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

We are retiring and would like to use the property year round. Would like to have an attached garage because of possible future health concerns

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

Under sized lot, existing home is too close to lake, existing side yard set backs.

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

The garage addition is only 1 story with shallow pitch. Addition is on rd side & garage will face west like most of the neighbors.

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

It is the best option in accordance with Wright City's  
Covina township ordinances.

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

Don't see any environment impact. Water drains west  
as it always has.

8. Please include any other comments pertinent to this request.

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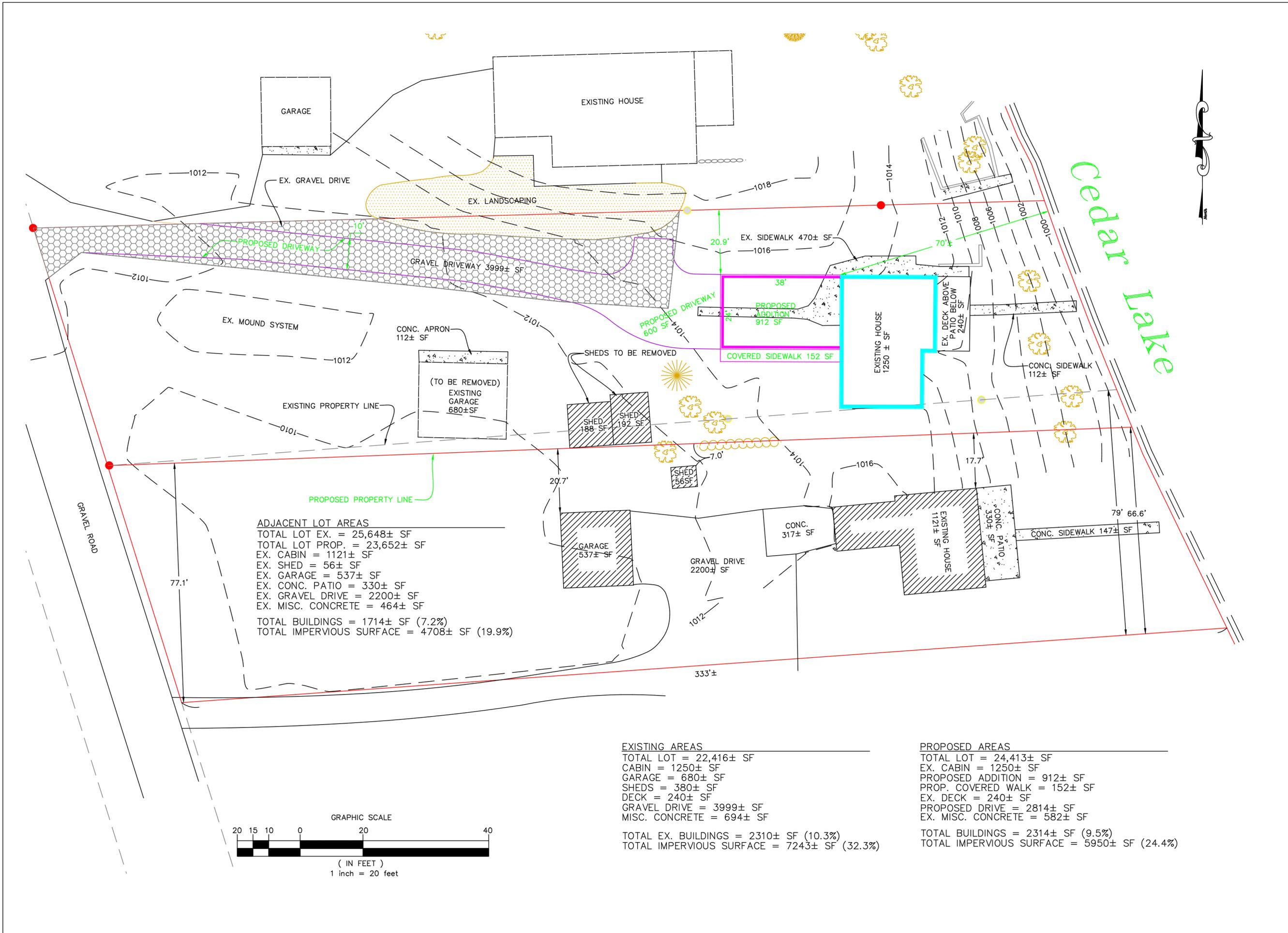
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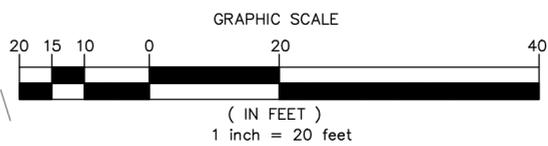
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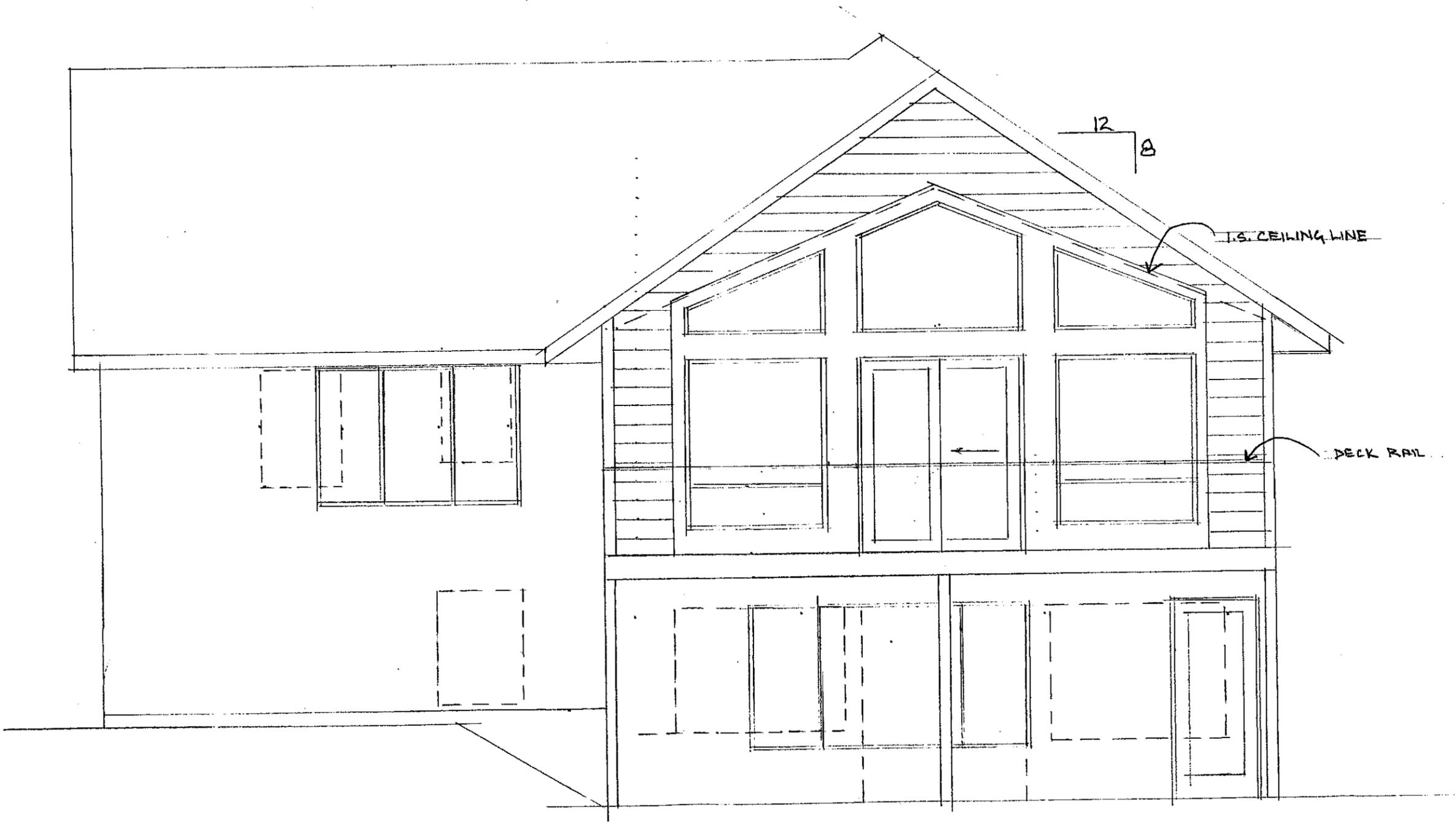


**ADJACENT LOT AREAS**  
 TOTAL LOT EX. = 25,648± SF  
 TOTAL LOT PROP. = 23,652± SF  
 EX. CABIN = 1121± SF  
 EX. SHED = 56± SF  
 EX. GARAGE = 537± SF  
 EX. CONC. PATIO = 330± SF  
 EX. GRAVEL DRIVE = 2200± SF  
 EX. MISC. CONCRETE = 464± SF  
 TOTAL BUILDINGS = 1714± SF (7.2%)  
 TOTAL IMPERVIOUS SURFACE = 4708± SF (19.9%)

**EXISTING AREAS**  
 TOTAL LOT = 22,416± SF  
 CABIN = 1250± SF  
 GARAGE = 680± SF  
 SHEDS = 380± SF  
 DECK = 240± SF  
 GRAVEL DRIVE = 3999± SF  
 MISC. CONCRETE = 694± SF  
 TOTAL EX. BUILDINGS = 2310± SF (10.3%)  
 TOTAL IMPERVIOUS SURFACE = 7243± SF (32.3%)

**PROPOSED AREAS**  
 TOTAL LOT = 24,413± SF  
 EX. CABIN = 1250± SF  
 PROPOSED ADDITION = 912± SF  
 PROP. COVERED WALK = 152± SF  
 EX. DECK = 240± SF  
 PROPOSED DRIVE = 2814± SF  
 EX. MISC. CONCRETE = 582± SF  
 TOTAL BUILDINGS = 2314± SF (9.5%)  
 TOTAL IMPERVIOUS SURFACE = 5950± SF (24.4%)

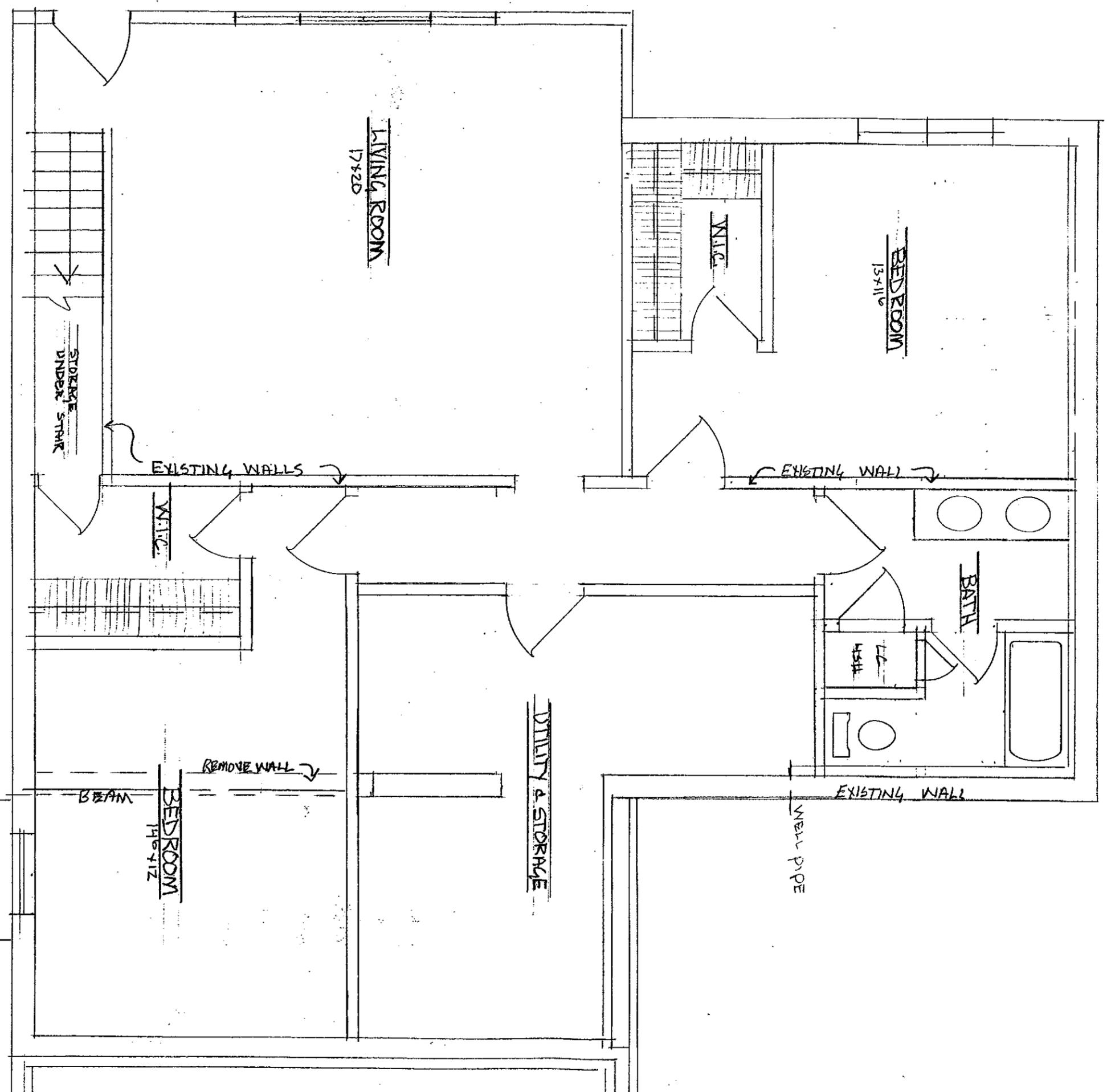




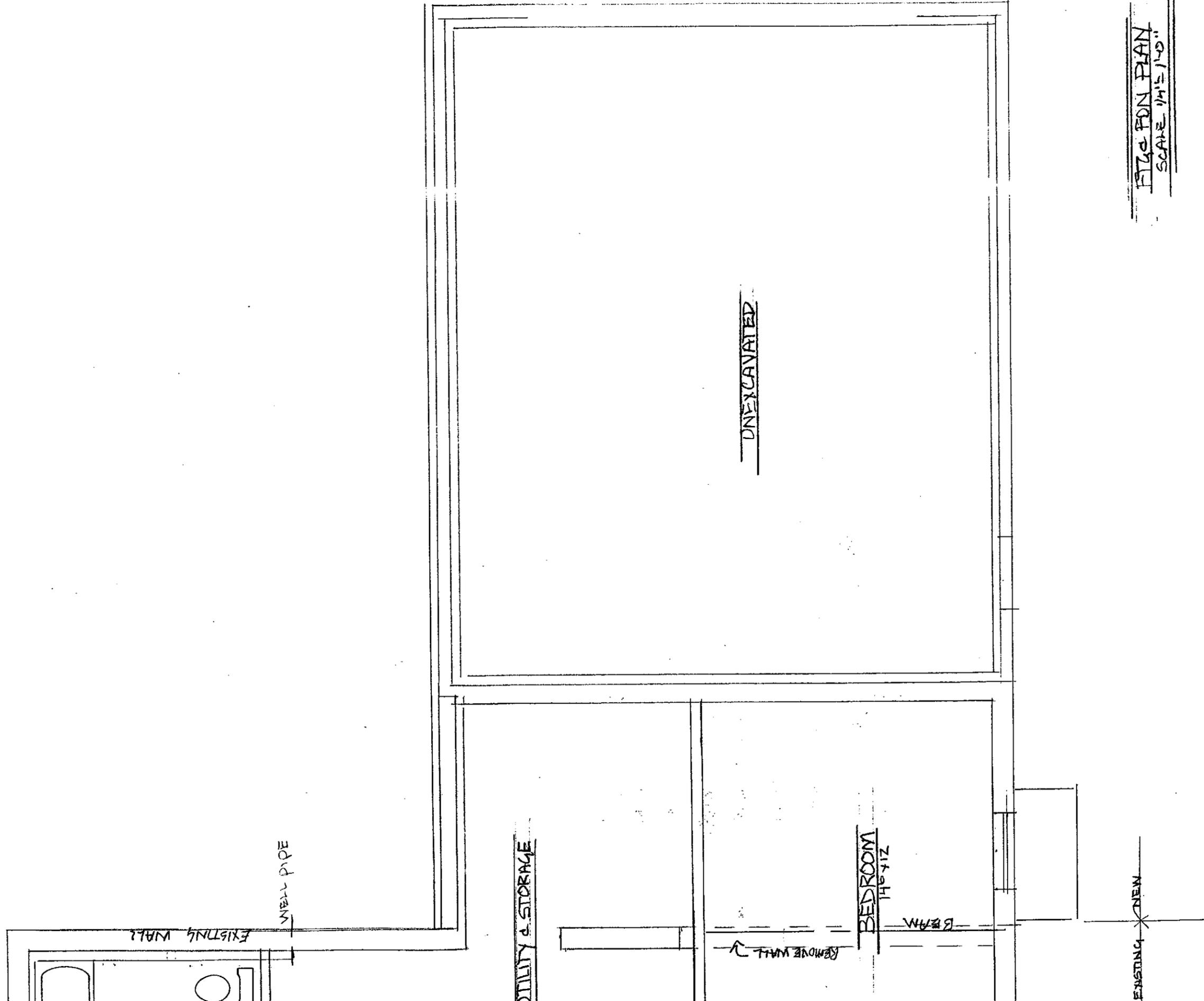
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8

I.S. CEILING LINE

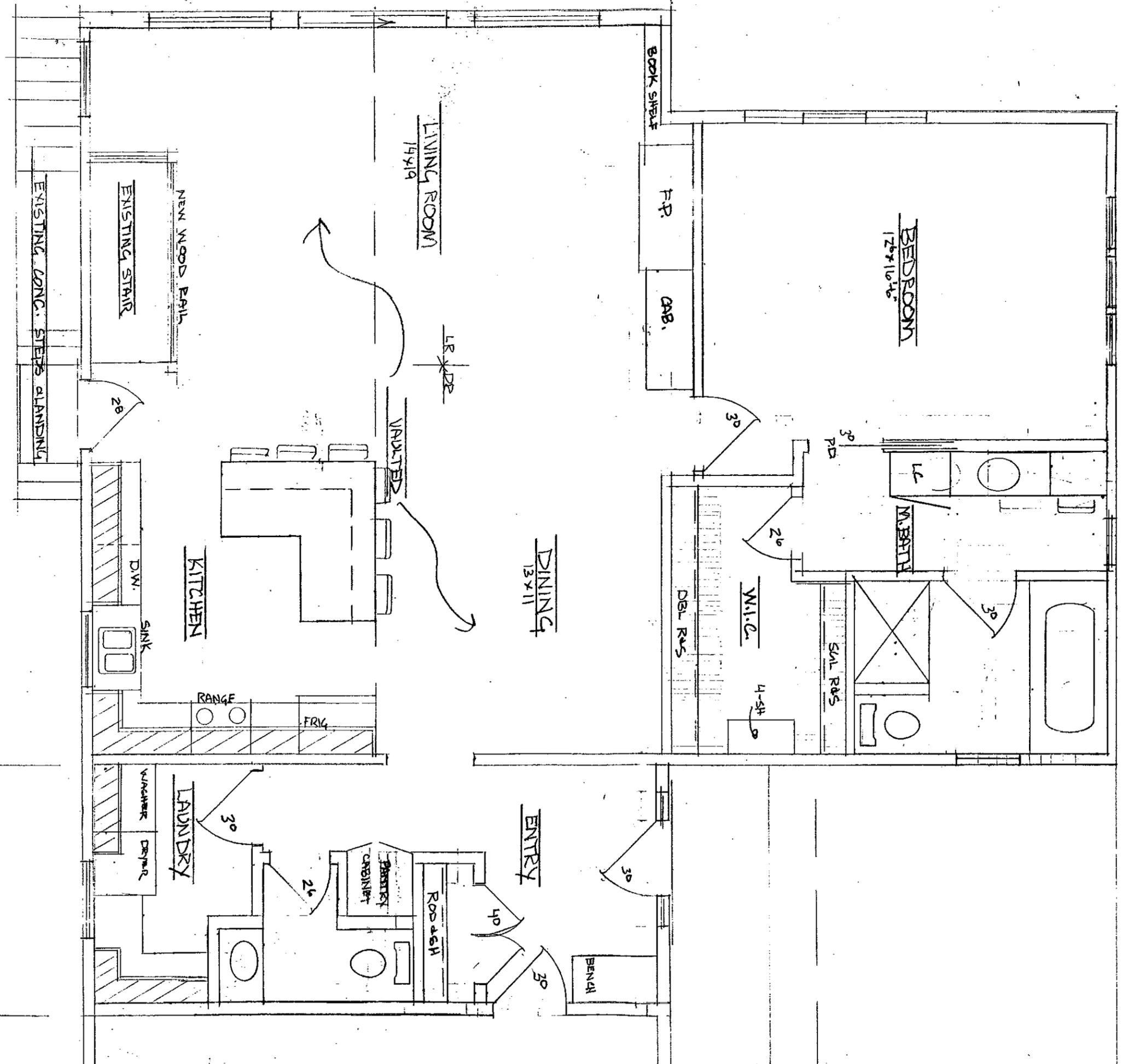
DECK RAIL



EXISTING \* NEW

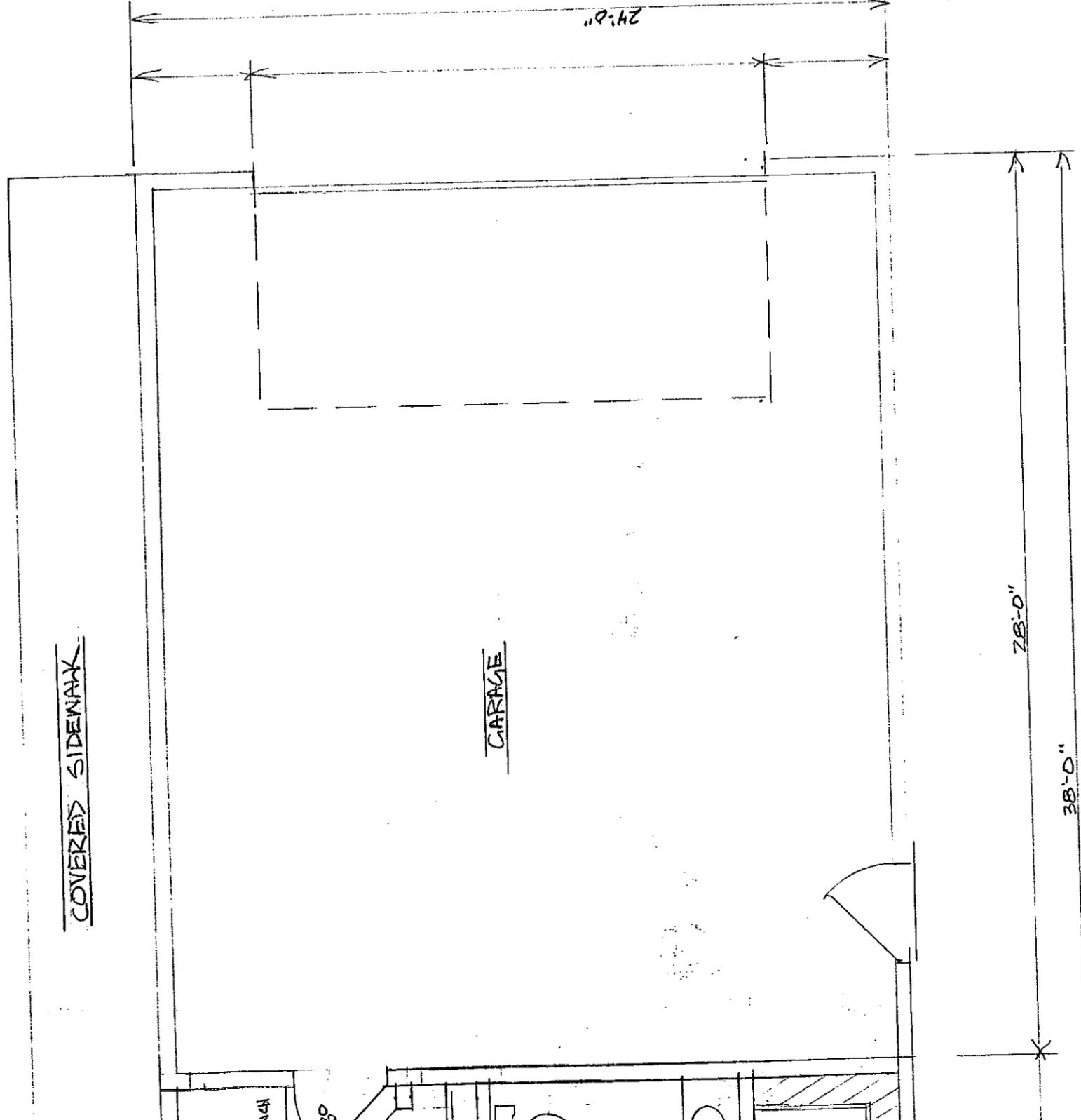


FLOOR PLAN  
SCALE 1/4" = 1'-0"



EXISTING \* NEW

10'-0"



FLOOR PLAN

SCALE 1/4"=1'-0"

ADDITION	240 SQFT
GARAGE	672 SQFT
EXISTING	1188 SQFT













## STAFF REPORT

**Application:** Land Alteration permit for the movement of approximately 200 cubic yards of earth, rock, sand and materials to replace existing retaining walls near home, install a new retaining wall near lakeshore, install a sand beach and replace existing above-ground wood stairway to lake with in-ground landscaping block stairway.

**Applicant:** Marty Dietrich-Blocker

**Agenda Item:** 4(e)

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### Background Information:

**Location:**

- Property Address: 9895 Jeske Ave NW, Annandale
- Sec/Twp/Range: 16-121-27
- Parcel Number: 206031000100

**Zoning:** Urban/Rural Transition (R1) /Residential Recreation Shorelands (S-2) Overlay District, Clearwater Lake (General Development lake).

**Lot size:** Approximately 80 ft wide (lake) and 130 ft wide (road) x 400-435 ft wide at sides (~1 acre) according to provided survey and GIS information.

Existing Impervious Coverage:

- Buildings: Approx. 3,200 sq ft (7.3%)
- Total: Approx. 7,400-7,600 sq ft (17-17.4%)

Proposed Impervious Coverage:

- Buildings: Approx. 3,200 sq ft (7.3%)
- Total: Approx. 7,600-7,800 sq ft (17.4-17.9%)

**Septic System Status:** The existing sewer system was inspected and found compliant in February 2007. Recertification would not be necessary unless the Commission felt it necessary as a condition of approval.

**Natural Features:**

Floodplain: The property is within an identified floodplain. The regulatory flood protection elevation (RFPE) for Clearwater Lake is 997.7 feet.

Bluff/Steep Slopes: The property contains a steep slope in which the retaining wall would be constructed. It does not have the height to be considered a bluff.

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

**Proposal:** The applicant is proposing to bring in approximately 200 cubic yards of earth, rock, sand and materials to replace existing retaining walls near home, install a new retaining wall near lakeshore, install a sand beach and replace existing above-ground wood stairway to lake with in-ground landscaping block stairway.

**Requested Conditional Use:**

- Movement of approximately 200 cubic yards of earth, rock, sand and materials to replace existing retaining walls near home, install a new retaining wall near

lakeshore, install a sand beach and replace existing above-ground wood stairway to lake with in-ground landscaping block stairway

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

505. CONDITIONAL USE PERMITS

505.1 Criteria for Granting Conditional Use Permits

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

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

505.2 Additional Conditions

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

- (1) Increasing the required lot size or yard dimension.
- (2) Limiting the height, size or location of buildings.
- (3) Controlling the location and number of vehicle access points.

- (4) Increasing the street width.
- (5) Increasing the number of required off-street parking spaces.
- (6) Limiting the number, size, location or lighting of signs.
- (7) Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.
- (8) Designating sites for open space.

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

## 728. LAND ALTERATIONS

### 728.1 Permit Required

- (1) A Land Alteration Permit shall be required in all cases where excavation, grading and/or filling of any land within the county would result in a substantial alteration of existing ground contour or would change existing drainage or would cause flooding or erosion or would deprive an adjoining property owner of lateral support and would remove or destroy the present ground cover resulting in less beneficial cover for present and proposed development, uses and enjoyment of any property in the County.
- (2) Substantial alteration shall be defined as the extraction, grading, or filling of land involving movement of earth and materials in excess of fifty (50) cubic yards in the Shorelands Districts and in excess of five hundred (500) cubic yards in all other districts except drain tiles and ditch cleaning in agricultural areas. Such substantial alteration shall require a conditional use permit.
- (5) A Land Alteration Permit is also required from the County and from the Commissioner of Natural Resources for any alteration in the Flood Plain District and the Shorelands Districts. Such alteration shall include any filling, dredging, channeling, or any other work in the beds of public waters which would change the course, current or cross section of a public water.
- (6) A Land Alteration Permit shall be valid for a period of six (6) months from the date of issue. A Land Alteration Permit shall be administered in the same manner as a Conditional Use Permit.

## 728.2 Requirements

Before the issuance of a Land Alteration Permit or an Administrative Land Alteration Permit, it must be established that all of the following conditions are met. These conditions must also be adhered to during the issuance of construction permits, permits, conditional use permits, variances and subdivision approvals:

- (2) Alterations must be designed and conducted in a manner that ensures only the smallest amount of bare ground is exposed for the shortest time possible;
- (3) Mulches or similar materials must be used, where necessary, for temporary bare soil coverage, and a permanent vegetation cover must be established as soon as possible;
- (4) Methods to minimize soil erosion and to trap sediments before they reach any surface water feature must be used;
- (5) Altered areas must be stabilized to acceptable erosion control standards consistent with the field office technical guides of the local soil and water conservation districts and the United States Soil Conservation Service;
- (6) Fill or excavated material must not be placed in a manner that creates an unstable slope;
- (10) Alterations of topography must only be allowed if they are accessory to permitted or conditional uses and do not adversely affect adjacent or nearby properties; and

## 611.4 FLOOD FRINGE AREA

### (2) Permitted Uses

Permitted Uses shall be those uses of land or structures listed as Permitted Uses in the underlying zoning district(s). All Permitted Uses shall comply with the standards for all Flood Fringe "Permitted and Conditional Uses" listed in Section 611.4(4).

- (a) All structures, including accessory structures, must be elevated on fill so that the lowest floor including basement floor is at or above the Regulatory Flood Protection Elevation. The finished fill elevation for structures shall be no lower than one (1) foot below the Regulatory Flood Protection Elevation and the fill shall extend at such elevation at least fifteen (15) feet beyond the outside limits of the structure erected thereon.
- (c) The storage of any materials or equipment shall be elevated on fill to the Regulatory Flood Protection Elevation.

### (4) Standards for All Flood Fringe Uses:

- (d) Fill shall be properly compacted and the slopes shall be properly protected by the use of riprap, vegetative cover or other acceptable method. The Federal Emergency Management Agency (FEMA) has established criteria for removing the special flood hazard area designation for certain structures properly elevated on fill above the 100-year flood elevation - FEMA's requirements incorporate specific fill compaction and side slope protection standards for multi-structure or multi-lot developments. These standards should be investigated prior to the initiation of site preparation if a change of special flood hazard area designation will be requested.
- (e) Flood plain developments shall not adversely affect the hydraulic capacity of the channel and adjoining flood plain of any tributary watercourse or drainage system where a floodway or other encroachment limit has not been specified on the Official Zoning Map.

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

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

**No, if long-term slope stability can be addressed.** The proposed improvement to the stairway and the construction of a retaining wall would be of an attractive and safe nature that should not impair property values so long as it remains in place and in good repair.

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

**No, if long-term slope stability can be addressed.** See comments in 1) above.

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

**Yes.** The proposed project does not directly impact utilities, roads or drainage issues related to the broader neighborhood.

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

Not applicable.

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

**No, provided there are conditions addressing stormwater management and erosion control.** The Corinna Township Comprehensive

Plan does address issues related to fill – particularly in shoreland areas. The Wright County Comprehensive Plan states “Development of lakeshore property shall abide by State Shoreland Management Rules to maintain, as far as practical, a natural shoreline and natural views of shoreland areas from the lake's surface.”

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

Require on-site storm water retention and erosion-control plans for all new lakeshore development and redevelopment of existing sites, to ensure that storm water runoff is properly managed and treated before entering surface waters.

Staff Comment: No specific storm water retention or erosion-control plan has been submitted as part of the conditional use application except for the planting of native plants on the slope.

Seek ways to ensure that new development, landscaping, or other alterations on lakeshore properties preserve and/or provide for the planting of native trees and shoreline vegetation.

Staff Comment: The applicant is proposing to replace existing underbrush with native plants. Large trees will remain as they are.

Require the use of best management practices as outlined by the Minnesota DNR, University of Minnesota Extension, or other appropriate agencies during the development and re-development of all property in the Township to prevent erosion and sedimentation that eventually reaches area lakes and wetlands through ditches, direct runoff, or other means.

Staff Comment: No specific storm water retention or erosion-control plan has been submitted as part of the conditional use application except for the planting of native plants on the slope.

Limit the amount of grading and filling in the shoreland area so as to minimize the disturbance of soil and prevent erosion.

Staff Comment: This project will require disturbance of soil. The primary area of concern would be the area where the retaining wall would be installed at the bottom of the slope near the lake, as this would be the area most likely to destabilize and affect the lake. At the same time, the retaining wall, if properly installed and maintained, could help to maintain the slope and prevent it from slumping.

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

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

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

Staff's primary concern with this application is whether the project can be minimized. In particular, can the retaining wall and beach area be reduced in width so as to keep more of the shoreline in a natural condition. Staff would defer to the advice of the Wright County SWCD, which has been requested.

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

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**Staff Recommendation:** Staff finds that the conditions for approval of a Conditional Use permit have generally been met, but is concerned about whether the project needs to impact the entire width of the lot – particularly with the retaining wall and sand beach area.

Staff has asked Wright Co SWCD for their advice on this project.

If the application is approved, Staff would recommend at least the additional two requirements.

1. The applicant shall provide sufficient evidence that the retaining wall nearest the lake will be outside of the required flood elevation.
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 on downslope areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets or other forms of temporary cover until vegetation is re-established.

Application # <u>C11-003</u>	Date Application Rec'd <u>7/11/11</u>	Fee Collected \$ <u>250.00</u>
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(for office use only)

**CORINNA TOWNSHIP  
CONDITIONAL USE APPLICATION**

Name of Applicant Marty Dietrich-Blocker Phone 612-718-7515 - Marty  
+ Lisa Dietrich-Blocker 612-718-0606 - Lisa

Property Address (E911#) 9895 Jeske Ave. N.W.

Mailing Address same Local Phone -  
*(if different than above)* *(if different than above)*

City, State, Zip Annandale, MN 55302

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

Signature of Legal Owner, authorizing application (required) *Marty Blocker* *Lisa Dietrich-Blocker*  
 (By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

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

Property ID # (12 digit #) 206 - 031 - 000100

Full legal description of property involved in this request, including total acreage (attach separate sheet if necessary):  
Sect-16 Twp-121 Range-027 Clearwater Beach Lot-010 ALSO  
DES AS TH PRT OF GOV LOT 5

Zoning District \_\_\_\_\_, Lake Name (if applicable) Clearwater Lake

What are you proposing for the property? State nature of request in detail:  
Replace two side retaining walls (deteriorating) and place two new retaining walls at lakeside, along with new landscape plantings to retain hillside (includes the removal of wooden staircase - deteriorating). Replace shoreline rip-rap.  
Replace existing stairs with precast stairs.

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

Building: \_\_\_\_\_

Landscaping: the addition of two retaining walls at lake side of property, addition of landscape plant materials

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

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

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

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

No. It would improve the area aesthetically, adding value to our property and the surrounding properties. By retaining the hillside we will protect our lakeshore and prevent negative impacts of erosion.

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

No. We are staying within the current footprint to replace the retaining walls on the two sides of the property. The two new lakeside retaining walls would not affect landowners adjacent to the property.

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

No.

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

No -  
We don't anticipate this to be necessary - we have a large turnaround driveway.

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

We will be adding retaining walls and landscape plantings to prevent lakeside erosion, removing invasive buckthorn, and removing deteriorating wooden and cement structures.

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

There will be noise during the construction/excavation of the retaining walls. These activities will be performed during business hours in consideration of our neighboring property owners.

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

No.

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

No.

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

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

We will plan to do the excavation and retaining wall construction with a silt fence installed on the lakeshore.

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

The retaining walls and landscape plantings will help to protect the hill from sliding and prevent erosion of the lakeshore, while adding natural beauty.

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

Yes. We are preserving all the mature trees at the lake side. We will be moving approximately 150 yards of soil to allow for proper installation of the proposed retaining walls, bringing in approx. 20 yds. of drainage rock for behind the wall, and approx. 30 yds. of wash sand for the lake side of the lower retaining wall.

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

*No.*

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## \* Landscape Shrubs:

*Salix integra* 'Hakuro Nishiki'

*Rhus aromatica* 'Gro-Low'

*Ribes alpinum*

*Hydrangea macrophylla*

*Diervilla lonicera*

*Clethra alnifolia* 'compacta'

*Cornus alba* 'Irony Halo'

*Vaccinium angustifolium*

*Taxus cuspidata* 'Dwarf Bright Gold'

*Buxus macrophylla* var. *Koreana*

*Taxus x media* 'Tauntonii'

*Buddleia davidii*

*Rhus typhina* 'Bailtiger'

*Cornus sericea* 'Isanti'

*Sambucus canadensis* 'Aurea'

*Cornus sericea* 'Cardinal'

\* other species may need to be substituted  
depending on availability

## \* Perennial Flowers to be used in landscape planting:

*Actea rubrum*

*Actea pachypoda*

*Aquilegia*

*Mertensia virginiana*

Blood root

*Trillium*

*Pulmonaria*

*Asclepias*

*Liatris*

*Rudbeckia*

*Perovskia*

*Verbena*

Bergamot - *Monarda*

*Giillardia*

*Polygonatum*

*Ligularia*

Ferns - various

*Gillenia*

*Arisaema triphyllum*  
Jack-In-the-pulpit

*Cimicifuga*

*Primula*

*Lobelia*

*Uvularia grandiflora*

*Ratibida pinnata*

*Phlox divaricata*

*Helenium*

*Echinacea*

*Dicentra acaullaria*

*Dalea purpurea*

*Agastache foeniculum*

## \* Grasses

*Schizachyrium scoparium*

*Sorghastrum nutans*

*Hakonechloa*

*Carex pennsylvanica*

*Sporobolus heterolepis*

*Panicum virgatum*

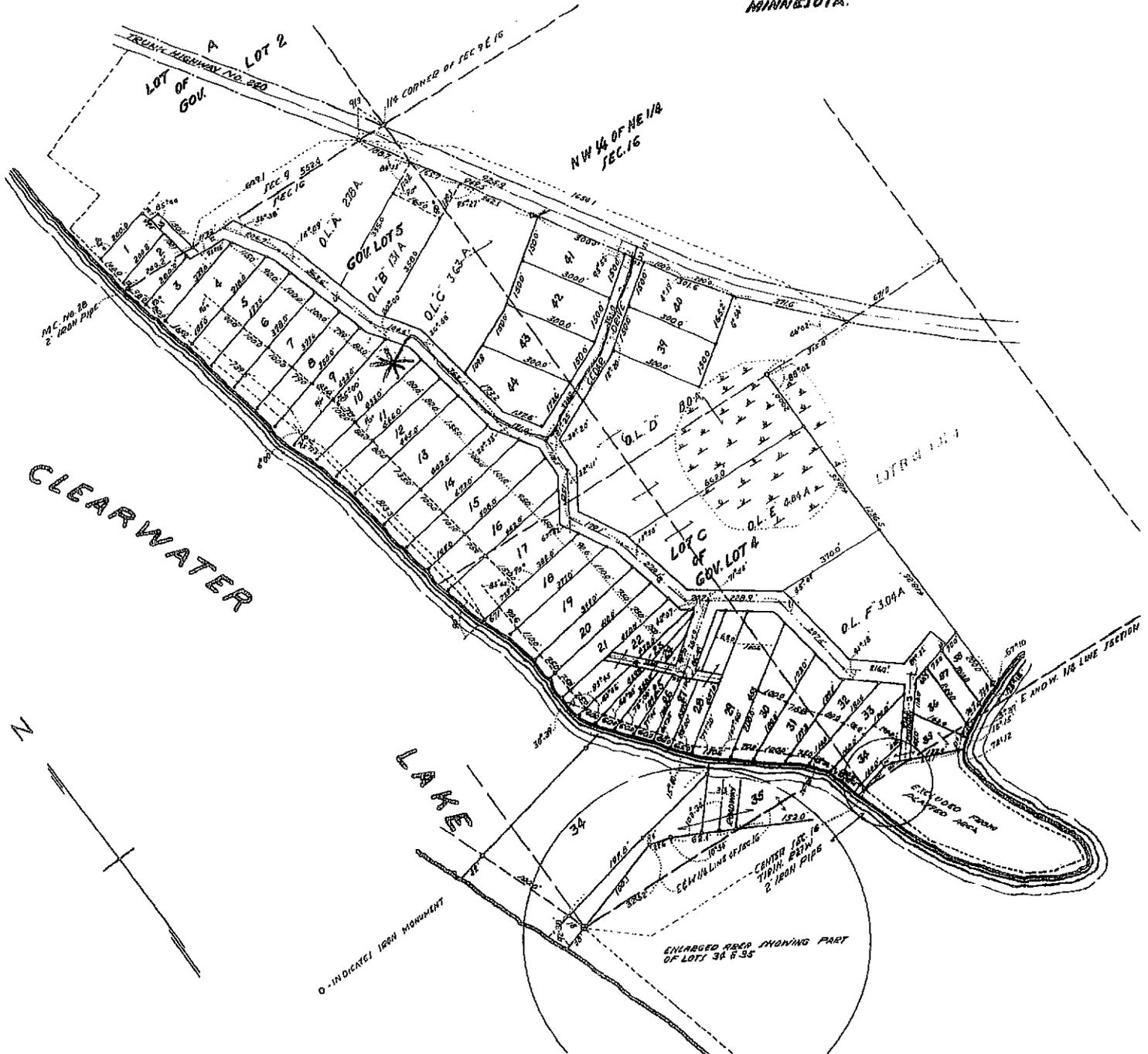
\* Dependant on availability; some species will need to be added in the spring.

We plan to begin this project once the application has been approved, and as soon as our landscaper can order material needed for the project. We anticipate a three-week completion time for the project, dependant on availability of materials and weather factors.

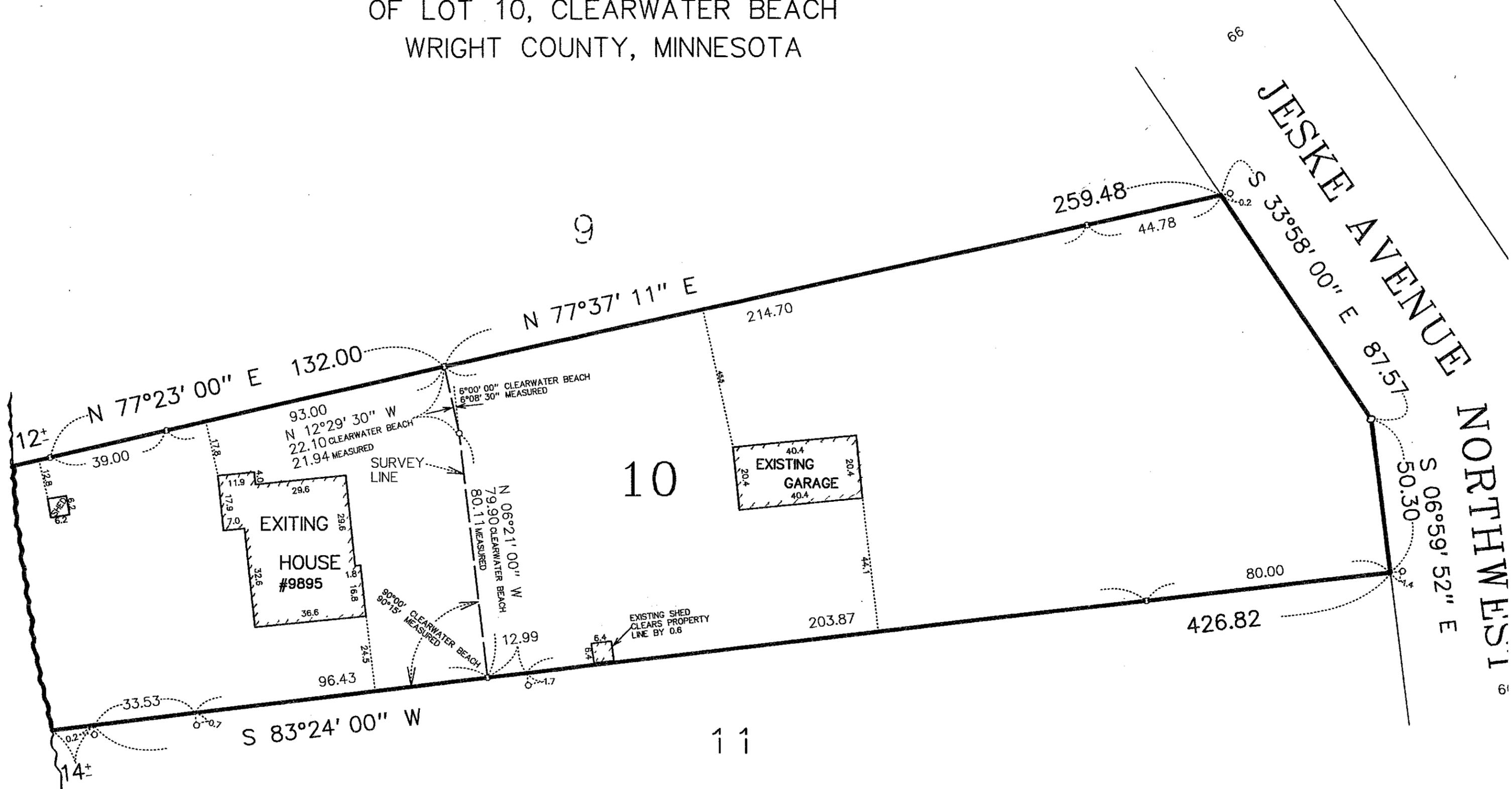
The property is currently staked with property-line wooden markers due to a recent survey.

# PLAT OF CLEARWATER BEACH

A PART OF  
GOV. LOTS 2-5-4 IN SECTION 9 AND SECTION 16, AND NW 1/4 OF  
NE 1/4 OF SECTION 16, T121, R27, WRIGHT COUNTY,  
MINNESOTA.



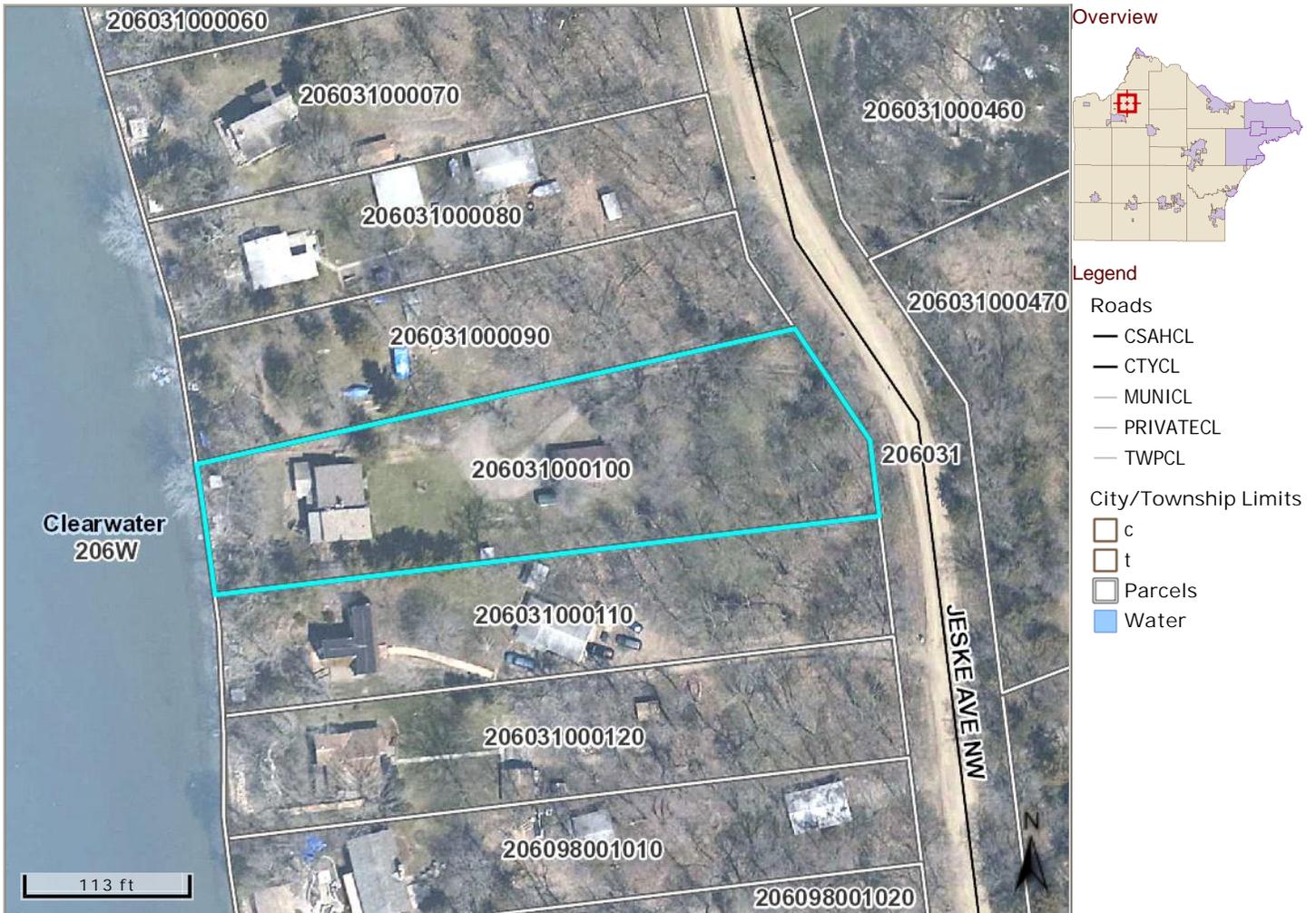
OF LOT 10, CLEARWATER BEACH  
 WRIGHT COUNTY, MINNESOTA



LEGAL DESCRIPTION OF PREMISES :

Lot 10, CLEARWATER BEACH





Parcel ID	206031000100	Alternate ID	n/a	Owner	MARTY D DIETRICH-BLOCKER&
Sec/Twp/Rng	16-121-27	Class	151 - SEASONAL RES REC	Address	LISA DIETRICH-BLOCKER
Property Address	9895 JESKE AVE NW ANNANDALE	Acreage	n/a		458 LINDEN AVE LONG LAKE, MN 55356

District: n/a

Brief Tax Description: Sect-16 Twp-121 Range-027 CLEARWATER BEACH Lot-010 ALSO DES AS TH PRT OF GOV LT 5 SEC16-121-27 DES COM AT NE COR TH W ALG N LN 823.92FT TH S16D 38'07"E 679.63FT TO PT ON NLY LN OF LT10 CLEARWATER BEACH TH CONT S16D38'07"E 22.08FT TH S10D39'52"E 80.12FT TO S LN OF SD LT10 &POB TH N79D05'39"E ALG S LN 296.51FT TO SE COR LT 10 TH N11D16'06"W ALG ELY LN OF SD LT10 50.82FT TH N38D14' 06"W ALG E LN 86.87FT TO NE COR OF SD LT10 TH S73D21'53"W ALG N LN 410FT M/L TO WTR'S EDG OF CLEARWATER LK TH SLY ALG SD WTR'S EDG TO SD S LN LT 10 WH BRS S79D05'39"W FR POB TH N79D05'39"E TO POB

(Note: Not to be used on legal documents)

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existing  
conditions



6' x 6' x 7' tall  
shed

New walls and rip rap

(Note: see planting schedule)

