

CORINNA TOWNSHIP  
MINUTES  
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION

July 7, 2011

7:00 PM

1. Call to Order: Chair Charlotte Quiggle called the meeting to order at 7:00 PM.

2. Roll Call: Board of Adjustment/Planning Commission Members Present: Charlotte Quiggle (Chair); Dan Shay (Vice-Chair); Steve Huff; Lee Parks; Larry Smith; Barry Schultz

Staff: Ben Oleson, Zoning Administrator; Mary Barkley Brown, Township Clerk/Treasurer

Others in Attendance: Steve Simon; Tom Nimmo; Agris Kelbrants; Jeff Hasslen; Joel Hasslen; Sue Masso; Dean Woodford; Tom Masso; Travis Kotzer; Charlie Onsrud; Linda Onsrud; Holly Bertelsen; Mark Bertelsen; Jim Dearing; Mike Zieska; Randy Cleveland; Dennis Cullip; Sandy Cullip; Steve Sanocki; Maria Sanocki; Bernie Miller; Dick Naaktgeboren; David Holm; Clarence Shallbetter; Vicki Zieska; Harold Hennen; Michael Lease; Mark Lease; Darcy Lease; Chick Lease; Dan Larkin

3. Additions or Deletions to the Agenda: Oleson stated that under Old Business there is one item to add to the Agenda - Discuss Michael Lease Variance which was previously granted in April, 2011.

A motion was made by Shay, second by Smith, to accept the amended agenda. Motion carried unanimously.

4. Public Hearings

a. (Tabled from June 2 meeting) Variance to add a second story (with a 6/12 roof pitch) to an existing dwelling, a second story open deck (over an existing three-season porch), a second garage stall to the existing garage, and a bonus room over the expanded garage (with a 12/12 roof pitch) on an undersized lot. Open deck and second story to be approximately 50 and 58 feet from Clearwater Lake (75 feet required), inside a bluff impact zone, and 8 and 13 feet from the side lot lines (15 feet required). Variance for building coverage to be 15.2 percent (15 percent max. allowed). Total impervious will drop from 33 percent to 29.9 percent (25 percent max. allowed). Applicant(s): Steve and Tammy Simon. Property Address: 9823 – 103<sup>rd</sup> Street NW, Annandale. Sec/Twp/Range: 9-121-27. Parcel Number(s): 206012000020

Steve Simon addressed the Planning Commission.

Oleson explained changes made since last meeting. Will sit mostly over the existing building. There will be a second stall in the garage. Porch will not have second story now. Oleson showed main level plan - shown with garage. Now rather than a 12/12 pitch over the house – it will now be a full second story with a lower pitch on the second story.

Simon: I had an engineer out who said this would support the structure.

Oleson: Structure coverage overall would go from 33% existing to 29.9% proposed mainly by getting rid of some driveway area – it will go back to grass.

Simon: Garage will be 24' x 24'.

Oleson: If shed were taken out, it would more than take care of that difference. Impervious would be under 15% if shed is taken out.

Quiggle: Any comments from audience: There were none.

Quiggle: Would you be willing to take out the shed to get under 15%?

Simon: I need the shed.

Quiggle: Is it possible to downsize the garage instead? We do not deviate from 15% building impervious maximum.

Simon: I could take a foot off the garage and make it 23' x 24'.

Quiggle: If you can submit plans for the keeping under 15% - however you arrive at that. We can make a motion to accept the proposal with that as a condition of final approval.

Shay: Get under 15% or less – include engineer's report – needed new piers to support that second story – make sure that gets taken care of.

Simon: I am not doing that. Just putting railings on.

A motion was made by Huff, seconded by Shay, based on findings of fact, to grant approval of the request for a side yard, bluff and lake setback variance – given the most recent revisions to the original plan. Conditions of approval include the following:

1. The applicant shall find a way to reduce the building coverage to no more than 15%.
2. The applicant must install a 1,500 gallon tank so as to meet minimum tank size requirements. Timed dosing, or other suitable methods, shall be used to ensure that existing undersized drain field is prevented from overloading.
3. The applicant shall submit a permanent storm water 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.
4. 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 down slope 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.

All information must be given before the town board meeting.

Quiggle: You do not have permanent storm water management plans – those should be a condition before the town board approves it. I think they should be submitted to Oleson before the town board approves. It seems like following up after the fact is far more difficult.

Motion carried unanimously.

Quiggle : We will make this recommendation to the town board.

b. Variance to construct a 28ft x 28 ft detached garage approximately 33 feet from the centerline of a township road (65 feet required). Applicant(s): Mark and Holly Bertelsen. Property Address: 11469 Lathrop Ave NW, Annandale. Sec/Twp/Range: 5 and 6-121-27. Parcel Number(s): 206000064100 and 206000053312.

c. Land Alteration permit for the movement of approximately 350 cubic yards of earth and materials to be used as fill. Fill will be used to create a building pad for a detached garage to be located on a steep slope and to create a driveway leading to the garage. Applicant(s): Mark and Holly Bertelsen. Property Address: 11469 Lathrop Ave NW, Annandale. Sec/Twp/Range: 5 and 6-121-27. Parcel Number(s): 206000064100 and 206000053312.

Mark Bertelsen and Jim Dearing addressed the Planning Commission.

Oleson explained the proposed garage is split in two by the road. There is a steep bank that drains into the wetland. The fill requires the CUP – under the garage, under a poured wall foundation. The rest would be for the driveway. It is about a 16 foot drop from road to wetland - heavily wooded. Variance is for the road setback.

Bertelsen: Put a garage on the other side. Trying to be respectful of other neighbors. Our setback would be twice as far back as neighbors from center of road. Overall water would be the same – we just want to channel it property.

Parks: You will have a pad at the bottom?

Dearing: There will not be a lower garage. That is just how the footings lay. That is how the hill drops off. No retaining wall – will do a poured wall foundation. No fill outside of the foundation - exposed concrete foundation.

Quiggle: Comment from audience? There were none.

Oleson: Several comments from Wright County Soil and Water and Wright County Planning and Zoning. Quiggle read Wright County's comments.

Smith: I tend to agree with Wright County – awful steep slope – I can see why you would want an extra garage, but it does not fit the lay of the land.

Shultz: I agree with Smith.

Parks: I agree with Smith.

Shay: Any thought of putting garage on other side?

Bertelsen: That puts you literally right in the road.

Shay: A 20 foot driveway is enough to park a vehicle. Cut back the fill – might be something to consider.

Huff: What will stop that garage from sliding down into the swamp? I tried walking down the hill there. I think it is a problem.

Quiggle: I don't understand – there is an existing 2 car garage –I have a hard time justifying putting another structure on a very steep slope. It is contrary to the lay of the land. Are there any more comments?

A motion was made by Smith, seconded by Huff, to deny the request for variance for the garage. Findings to include that the applicant already has a two-stall attached garage and that the

amount of fill required to allow the garage to be built is an unreasonable amount given that adequate storage space already exists. Motion carried unanimously.

A motion was made by Smith, seconded by Parks to deny the CUP to move fill as the variance required for the garage had been denied. Motion carried unanimously.

Recommendations will be given to the town board.

d. Land Alteration permit for the movement of approximately 650-980 cubic yards of earth and materials to be used as fill. Fill will be used to create a building pad for a dwelling/garage and a driveway that will meet required floodplain elevations. Applicant(s): Stephen and Maria Sanocki. Property Address: Between 9531 and 9581 Jeske Ave NW, Annandale. Sec/Twp/Range: 16-121-27. Parcel Number(s): 206031000320

Steve and Maria Sanocki and Bernie Miller addressed the Planning Commission.

Oleson explained that this is in two phases. Prepare pad for house – raise 3 feet at highest point This is in the flood plain of Clearwater Lake. That is why they need fill to meet flood plain height in order to build a future dwelling. There is driveway access off east side off of Jeske. Driveway would have to be raised.

Phase two would bring in additional fill. Meet fill elevation 15 feet out from the house all ways – according to flood plain elevation regulations. Retaining wall – 2 foot along this property line. Bring in extra fill required for driveway.

Then they would build the house. I talked to Bernie Miller. There are two issues: the fill necessary depends on size of house. Concern about how the water is going to flow to the north. How would the neighbor's property be affected in the event of another flood?

Miller: I would like to add a few things: We did the phase two – part of this is that there is fill available at the present time, the fill is nearby, coming off another property. We looked at the availability of that fill and we needed a plan of what they might do in the future. I designed a septic plan. This may not be exactly what they build.

Steve Sanocki: The house plan will already be different. The study area will be removed. Site plan has house included on it – where existing garage is to the south – right now there is an existing driveway that comes in and goes to another property. We would remove 600 square feet of driveway there, based on some comments received from Wright County – concerns with size and run off concerns. I did calculations – in the worst case scenario – what would run off be per inch of rain? 170 cubic feet of water that will come off all impervious surfaces. 30% would be to front of house – 50% would be to other sides of property. If you look at raising entire plain 2 to 3 feet- drainage now goes back to the road – then snakes into another property and back toward the road.

Jeff Hasslen: According to these regulations – driveway has to be two feet lower than the flood plain – you would be raising your driveway?

Quiggle: Any more comments?

Joel Hasslen: Drainage in a specific area – last time property flooded – water came from the bay, from across the road, went across this property and onto our property.

Steve Sanocki: 1984 flood?

Joel Hasslen: Natural drainage is generally from the back of the property and across this property back to the bay. By raising this – you are changing the natural drainage of the

property. If you are going to build up property between us and the bay – we are very concerned about having a swamp at the back of the property. Slope would divert natural draining to our lot. These are all issues for us.

Miller: If you look at the elevations 994, 995, and 996 – this would be the proposal to raise the driveway. The elevations are what we shot when we surveyed this. I don't see this whole area – it is all sand in this area. If water comes up – it is because lake comes up to that level. The elevation of that and the lake level are the same. None of the watershed from this house – it can all be guttered and sent to the sides. There are multiple ways you can take the runoff that would have to land on the area. You could deal with that with artificial drainage behind the wall. I don't see a lot of – could have standing water and water running – there already is a crest on the driveway. It could top the driveway. It is extremely flat. On the road side – there is 996 – in here is 995 – there is a huge opportunity – it almost naturally is a natural rain guard – this could easily be accomplished – very little has to be done to make this into a rain garden did some calculations – in phase two – 614 cubic yards of fill. If there is going to build a house built there – or even a cabin – there will be near 600 cubic yards of fill.

Parks: What is elevation across property line?

Miller: 994.

Parks: Are you creating a dam from water coming to property?

Miller: You could do a culvert with a basin on either side. This entire area is extremely flat. If this was a smaller basin – but it is a fast area – a lot of other people have already done it. If we need to have a storm water plan before we get this – you could spend an awful lot of money.

Smith: What kind of fill?

Miller: Sand and gravel.

Shay: There is merit to raising the house with a flood control foundation, eliminate the 15 feet all the way around - and eliminating a lot of the fill.

Miller: Still going to end up, between driveway and house – still going to have 500 yards of fill – as a guess.

Steve Sanocki: Is that an option?

Oleson: Requires a CUP to elevate in a way other than fill. It is a separate procedure.

Shay: A floodable foundation.

Miller: That would be a lot less desirable.

Parks: Driveway has to be raised above the flood plain - that is causing a restriction in the way the water flows.

Miller: It is so very flat in there that it is very difficult to determine. In any case, with the area we have – it is all doable. Neighbors don't have to have any impact from this.

Quiggle: Have you consulted with Wright County Soil and Water regarding storm water management – guttering – rain gardens ?

Steve Sanocki: That was in the notes you folks sent out.

Oleson: I talked with Brian at Wright County Soil and Water and he mentioned one concern with the neighbor – he wouldn't recommend a rain garden – he suggested swales to direct water instead.

Quiggle: Contour the ground with swales directing it away from adjacent properties and to someplace where it would infiltrate rapidly?

Huff: Where is water going to go – it is already at the water table.

Miller: Go back to the lake – the water is at 991 to 993 – ordinary high water. This are is 994, 995, and 996. During average years – lake is at 990 – a foot below ordinary high water.

Huff: That is not where the problem is.

Jeff Hasslen: House has to be above flood plain. If driveway did not have to build up - it would have natural drainage. If we get a big rain – the water is going to come to us. It will be on our property. If there could be a variance to lower the driveway ...

Oleson: This is the requirement from federal flood regulations. You have to talk about when it does flood – they cannot live there.

Huff: The other way is culverts.

Joel Hasslen: A foot will impact us.

Miller: Driveway would be a foot higher than it is now. Dwelling has to be 997.7 - that puts driveway at 995.7.

Huff: Culverts?

Quiggle: A professionally done plan addressing swales, culverts.

Huff: I am pretty sure culverts would eliminate the whole problem.

Miller: Some calculations would have to be done. Part of the problem is that some of this flows onto their property.

Quiggle: Yours is the low area of the neighborhood.

Shay: Swales down to the property lines.

Miller: This area is wooded. You have to look at what can be done with minimal impact and not affect anyone else. That is what we fully want to do.

Quiggle: Consulting with Wright County Soil and Water – giving you a storm water plan – to maintain that on site.

Huff: When would you build a house?

Steve Sanocki: Hopefully in a year or two.

Oleson: You can approve both phases of fill now – or approve second one later. Another overriding issue – gray area- because house would be on a Type III sewer system – the key thing is that 50% of value – the county has treated that as new construction. I think it would require a variance to build a house.

Miller: That needs to be addressed. Just because it is not a type 1 does not mean it is not a better system - a type IV system – very few lots that we come across – can even have a Type 1 system – especially on the lake. There are other enhancements we can do.

They would like to do phase one and phase two. They are not asking for variances for a house at this time with a Type III system – that process they would still have to go through, so – understanding that in the future they are going to address the storm water control and not flood out the neighbors.

Oleson: If this was not previously built on – it would need a Type I system. Because it was already built on – it gets gray.

Miller: It would be best to have both phases.

Oleson: if you get to the next phases – you may not get approval.

Miller: There is no point of filling if we can't build a house.

Quiggle: We can't answer the questions about the Type III sewer at this time.

Miller: Any lots created after 1996 are required to have both primary and future – lots prior to that had no restrictions - there have been plenty done in Wright County without standard sewers.

Oleson: CUPS last for 6 months – and up to a year for meeting the conditions of it. In terms of doing both phases – have to do both within a year.

Miller: You can't grant an extension?

Steve Sanocki: Have all the fill in within a year? That would be doable.

Quiggle: I know people have asked for extensions of CUPs.

Oleson: That would be at the discretion of the township.

Quiggle: Default – extend that if we want in our motion. Continues to be a buildable lot with Type III sewer – not looking for a holding tank?

Oleson: Look at Type III versus size house being proposed. I do not feel comfortable...

Miller: I would feel comfortable with this. There are many things they can do with the sewer. There is nothing abnormal – other than two or three borings there are 6 inches of fill. Type III throws in all kinds of things. I would not be concerned about variance to build house.

Huff: Bring in fill on phase two – going to bring up the road? Have plan prior to phase two? How will you get things to grow on this? Erosion control – topsoil?

Shay: If we go ahead with granting the fill for both phases – does there need to be storm water measures put into place so that we protect the neighbors sitting here tonight?

A motion was made by Shay, seconded by Smith, to grant the CUP for phase one and phase two, with the following two requirements:

The applicant shall submit a permanent storm water 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. The plan shall show in detail where water will be directed, how, and the capacity of retention areas to handle typical rainfall. Once approved, the plan shall be implemented as the fill is placed on the property.

Erosion and sedimentation control measures must be installed and maintained until the filled/disturbed areas have been stabilized. These shall include at a minimum silt fences on

down slope areas. and disturbed areas shall be covered with mulch, erosion control blankets or other forms of temporary cover until vegetation is re-established.

Must do in one year's time. Culverts, storm water prevention management plan – and plans for erosion and sediment control measures must be in place before the town board meeting.

Motion carried unanimously.

Oleson: No guarantees on variance for house.

Steve Sanocki: No. Our risk.

Miller: Phase one – not going to cut off their drainage. Maybe we can figure out a way short term and not have any effect on neighbors. By the time – in the next year – after we start fill for phase two – prior to phase two fill going in – we will have plans to address drainage.

Huff: Do we need to change motion?

Huff: I wish to amend the motion to state they only need permanent storm water management plan before starting phase two.

Shay and Smith approved amendment to motion.

Motion carried unanimously.

Quiggle : We will make this recommendation to the town board.

- e. Variance to enlarge an existing dwelling by adding a second story loft under a 10/12 roof pitch approximately 60 feet from Somers Lake (100 ft required) and 7.5 feet from the east (side) lot line. Variance to construct a new, detached garage with a 10/12 roof pitch and 8 ft of headroom (max. allowed 6/12 pitch and 6 ft of headroom) approximately 48 feet from the centerline of a township road (min. 65 feet required) and approximately 15 feet from a septic drain field (min. 20 feet required). Applicant(s): Travis Kotzer. Property Address: 6411 – 80<sup>th</sup> Street NW, Maple Lake. Sec/Twp/Range: 25-121-27. Parcel Number(s): 206017003060

Travis Kotzer addressed the Planning Commission.

Oleson: They do sometimes grant administrative variances to get closer to the septic drain field. Detached garage – house that would be elevated. House and garage plans shown. Right now – just a one story house we have pictures of. The variance for garage is pitch and road setback. Would not meet the maximum pitch or headroom.

Kotzer: One concern – with headroom – as close as it is with the house – we could carry it over and attach to the house.

Oleson: If he attached garage to the house – it is one full structure.

Deck would remain.

No comments or questions from audience.

Shay: Breezeway – 6 foot difference – pull garage back 6 feet and attach – further back from center line.

Kotzer: I think it sits on the property fine the way it is. Given the detached garage – we already have the overhang on the roof – not adding impervious area. There is some room to adjust there.

Parks: Your opinion on moving it back?



Kotzer: I don't want to.

Parks: If he attaches – the roof pitch problem goes away. You just have the distance from the road.

Oleson: Still has lake setback within 60 feet - you are enlarging the house within 60 feet of the lake – the minimum is 100 feet. I want to be clear that we are enlarging the house, too, within the minimum setback.

Shay: Would you call the breezeway – that 6 foot area becomes square footage.

Huff: I am for taking the breezeway out completely.

Smith: I think Steve is going down the right path.

Kotzer: My only complaint is having the entrance right into the kitchen. Could I move garage out to 28 feet? Make the garage a little bigger?

Huff: That is a pretty big garage.

Kotzer: I guess I could change the plans.

Oleson: Bedrooms – will have one bedroom down and one bedroom up. Are there going to be three bedrooms instead of two?

Kotzer: No .

Oleson: My understanding is that it would need a closet and a window to be considered a bedroom.

Oleson: The sewer is designed for two bedrooms.

Kotzer: I do not want three bedrooms.

Schultz: The neighbor is a lot closer. If he made the garage attached – I am OK.

Parks: I agree with Schultz.

Shay: Clarification, attached – roof line – that is all it takes to be attached. There will be no breezeway. If you kept the breezeway – I would have an issue.

Oleson: Not an issue if not doing the breezeway.

A motion was made by Huff, based on the staff findings and discussion of changes to the plans, to approve

Dwelling setback to the lake;

Dwelling setback to the side lot line;

Garage setback to the road centerline (maintain at least a 20 foot setback to the right-of-way)

with the following conditions:

Attaching the house and garage together-no breezeway.

The applicant shall submit a permanent storm water 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 shall be implemented at the time of construction or within a reasonable time period after construction is completed.

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 down

slope 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.

The applicant shall have the 20 foot minimum setback from the road right-of-way staked on site prior to beginning any construction.

The applicant shall submit a more detailed plan proving that the final proposal, including a new driveway, will meet the required limitations on impervious coverage.

Better, detailed plans to be submitted to Oleson before the town board meeting.

Oleson: The driveway will get longer. Garage will be 26' by 26'. We need a detailed site plan and impervious calculations before the town board meeting. Need to get that info to Oleson to verify.

Smith seconded the motion.

Motion carried unanimously.

Kotzer needs to get calculations, adjusted building plans, garage, impervious, storm water plans to Oleson.

Quiggle : We will make this recommendation to the town board.

f. Variance to construct a new detached garage approximately 41 feet from the centerline of a township road (65 feet required) and with an 8/12 roof pitch and 6.5 feet of headroom (max. 6/12 pitch and 6 feet of headroom allowed). Applicant(s): Charles Onsrud. Property Address: 8338 Irvine Ave NW, Annandale. Sec/Twp/Range: 22-121-27. Parcel Number(s): 206000223201

Charles and Linda Onsrud addressed the Planning Commission.

Oleson: Showed map – we have roof pitch issue. If attached – issue would go away – close to the road – steep bank that goes down to the lake – steep drive that goes down to the lake as well. It did look like they were very close or over the impervious limit. They were talking about eliminating some of road going down to lake.

Onsrud: I would move part of the road to counteract. We have an existing French drain. We are going to put in gutters to assist the French drain. We have a French drain on the lot line to protect the house.

Comments for audience:

Randy Cleveland: I posted my comments online. I am not against any one building – but want them to stay within – center line of existing road. There have been multiple – any time anything is done – cut trees – just mowed – centerline is in question. Another neighbor wants survey of road – prior to setback from road. Our line of sight – we are directly behind this. We pay extra taxes for lake view. And there is too much drainage into the lake. The road pitch is double with the current cabin. Impervious percentage – in plans garage door toward lake side – be assured that is taken out. It appears from the site plan – you could put garage next to house and not need a variance.

Onsrud: Actually – wasn't a drain just put from your property to the road?

Cleveland: It has been there since we have lived there.

Charles Onsrud: We have been trying to mitigate the water. We did consider our neighbors behind us – most of their view comes from court side – pitch of roof variance – my baseball caps do not have buttons on the tops from height of ceiling– we would still be within maximum height – still under that.

Oleson: Maximum pitch would be 6/12.

Onsrud: We are asking for another 6 inches for the sake of moving around.

Linda Onsrud: I am not sure what the concern is with the tuck-under garage.

Cleveland: Impervious – make sure stuff is taken out so there is proper drainage on the property. If we can do this without variance – why not do without a variance?

Charles Onsrud: We do need a place so we don't have a boat and pontoon – underneath I plan to have a workshop. On other side – we would probably store the boat. I would offset impervious by putting grass to deck area. It would be less impervious than exists now.

Quiggle: We will need very specific calculations.

Charles Onsrud: I am talking about reducing coverage.

Quiggle: We need exact numbers.

Huff: When you add the new structure – you go back to the old rules. If we approve this garage – you cannot go over impervious limits – you have to decide – do you want a garage or impervious that exists as it is now?

Charles Onsrud: We are planning on making it less than it is now by putting grass where it is now.

Smith: My first concern is it seems like it devalues the property by putting the garage there. It does not quite fit.

Linda Onsrud: We can't live there without a garage.

Smith: This is my opinion.

Quiggle: Setback from the road and roof pitch.

Smith: Do not grant roof pitch. Not concerned with road setback.

Schultz: How far from house to garage?

Charles Onsrud: We have a deck – allowing enough for the width of a car if I need to back in – maybe 14 feet?

Parks: Which way is gable end on the garage?

Charles Onsrud: It will run with the gables on the house.

Quiggle: Read Wright County recommendations aloud.

Parks: Seems like there will be a water issue between the two structures. You can gutter to the road that goes to the lake. Seems like the way the water is going to flow – it will be right up against the house.

Shay: What is the pitch on house?

Linda Onsrud: I don't know.

Oleson: I would guess 4/12 pitch. He showed picture of house.

The only concern I have is that the pitch 8/12 instead of 6/12 – Wright County has been very strict about – granted it is only 6 inches of headroom. If you got rid of it – it would make this so much easier. Road setback – we have granted closer. I also looked at – the further back we go – the higher the garage is going to look for the neighbors.

Quiggle: I could not approve a variance for the roof pitch. It should stay 6/12. Stay with 6 feet of headroom. That is the purpose of the ordinance.

Huff: Done.

Schultz: If you attached the garage to house?

Huff: Any chance to make the garage smaller?

Mr. Onsrud: Made it bigger for a pontoon in the wintertime.

A motion was made by Smith to accept road setback variance approximately 41 feet from the centerline of a township road to construct a new detached garage with the following conditions from staff:

1. Applicant submits adequate information to assure that they will be meeting the limitations on impervious coverage. They have noted that they will be restoring some of the existing drive down the slope to the lake to grass as a way to assure this.
2. The applicant shall submit a permanent storm water 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 shall 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 down slope 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.

The motion was also to deny the request for roof pitch variance of 8/12 roof pitch and 6.5 feet of headroom as no practical difficulty was demonstrated. Limited to no more than 25% total impervious lot coverage. Need a survey. Need updated survey to show what you are planning to do – with garage driveways – parts of impervious that will be removed – all hard surface there and added up to show up. Motion was seconded by Huff. Have conditions one and two done before the town board meeting. Motion carried unanimously.

Quiggle: Get impervious calculations to Ben Oleson, storm water management plan, etc. to Oleson before the Town Board meeting. We will make this recommendation to the town board.

g. Variance to construct a new 8.5 x 11.2 foot dwelling addition and replace existing roof with higher 8/12 pitch roof approximately 70 feet from Mink Lake (min. 100 ft required). Applicant(s): Dennis Cullip. Property Address: 8221 Greer Ave NW, Maple Lake. Sec/Twp/Range: 24-121-27. Parcel Number(s): 206020002050

Dennis and Sandy Cullip addressed the Planning Commission.

Oleson: This is on Mink Lake – they have an existing cabin – they want to square it off– roof over entire structure would be replaced – no living above first floor – just a vault. Deck would stay. They are working with the existing building – it has had some water damage.

Cullip: Roof replacement is more a matter of a structural issue. Better energy savings with a new roof. Cold is a problem.

Quiggle: Any audience comments? There were none.

Shay: Positive. Looks like this will be an improvement.

Parks: I agree.

Schultz: I agree.

Smith: I agree

Quiggle: I commend you for having your storm water management plans ahead of time.

Dennis Cullip: We will have to come back for a CUP for the rain garden. We did not apply for that immediately. Our timing will be an issue. Should we apply for CUP immediately?

Oleson: I tried to address that in the first condition. You have to address this within a year. It has to do with the amount of fill. Our suggestion is that they do this within a year. We talked some about conditions of the house. What if it is not salvageable? This does not approve a complete rebuild.

Dennis Cullip: We have taken out most of the interior of the house. We are down to bare walls and foundation. We do not want to tear the house down.

A motion was made by Shay, seconded by Parks, to accept variance to construct a new 8.5 x 11.2 foot dwelling addition and replace existing roof with higher 8/12 pitch roof approximately 70 feet from Mink Lake. Plans must include the following:

1. The applicant is required to implement the storm water management plan submitted in conjunction with Wright County SWCD, or a similar plan as approved by the SWCD, within one year of the date of the completion of the house work.
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 the down slope 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.

Motion carried unanimously.

Quiggle : We will make this recommendation to the town board.

h. Variance to convert an existing one-story storage shed into a 22' x 26' two-story dwelling (min. 24 ft width/length required) with a Type III sewer system (Type I system required) on an undersized lot.

Applicant(s): Mike Zieska. Property Address: 11804 Gulden Ave NW, Annandale. Sec/Twp/Range: 1-121-27. Parcel Number(s): 206000012102

Mike and Vicki Zieska addressed the Planning Commission.

Oleson: There were a couple options. They decided to apply for a full house. It does not meet minimum width. Being that this is undeveloped – it is required by state statute to have a Type I sewer system. That is the reason for the sewer variance. Shed will be raised up to become second story. There is another shed on the property. Meets the road and lake setbacks. House is not wide enough to meet minimum size and sewer type. Alternate – apply for guest cabin. Would need variances for that as well.

Mike Zieska: This seems like the correct way of doing it. Structure – floor and everything comes with it. It is designed to be a second story. It is a new structure. I understand that the width issue – on the location – the 14 houses leading here are all small structures – keeps it to less impervious surface – fits the neighborhood – big enough as is- everyone wants to build big houses – this would make a nice structure for a couple people without a family.

Bernie Miller: Sewer – the sewer plan design is Type III primarily because we are removing soil from beneath the existing soil – there is peat underneath. Fill, soil, peat soil underneath the system – we will

remove that – beneath that is sand. That is why it is a type III system – the site is low. The issues we have with septic systems: treat the sewage – need dry soil to treat sewage – we maintain 3 feet of dry soil to treat sewage. It is quite simple. We have done this a number of times in other counties. We have tested that – we have done that – done a couple on Bass Lake, Clearwater Lake, similar situation in Meeker County - ice ridge that pushed over peat – or in this case – there has been fill placed on this lot – over sand. All the soil – mostly peat – is unsuitable. Taking out the peat is easier. We drilled down 7 feet and the hole was dry. It is easier when the peat is dry. There are no constraints on why this sewer cannot be made bigger. Under a Type III system it already meets requirements from the state for a two bedroom. It does not meet the county's requirements for a two bedroom. However, this is not a two bedroom. This is a one bedroom.

Shay: What is the square footage difference between Type II and Type III?

Miller: What they need is the state minimum for 2 bedroom – if you used it – at 300 gallons a day – would be a 15 year life. It is time delayed – slow - is regulated so that it can only get in as day as much as it can handle. Tank can hold it if you use more than capacity. It can store it and the next day it can take it out. If you have too many big days – you might have to pump it or conserve.

Comments from audience:

Clarence Shallbetter: We are next to Zieska's main house. As we discuss this parcel and the proposal – what you need to understand – is that Sunset Point was sold in the 1950s. Natural lakeshore moved like this - after a previous owner to Zieska – they filled in entire lot – with truckload after truckload to create a lot. The road was build to the tool shed. Then we recently saw this particular structure moved to this lot. The structure came from another nearby lot. Back here is where the garage is. Our concern relates to the absorption of soil. Directly under most of this lot – really lies the lake water of Sugar Lake. There is lake water very far back. There are cattails, bulrushes. They would be on most of this lot if it had not been filled it. The water of the lake remains underneath most of this parcel of property. Any kind of sewage can leach into adjoining lake area. I am not an expert on the types of sewers. The state calls for Type I – used by us and Zieska in their main place. That type might not work – as there is no natural drain field possibility. You cannot dump sewage and expect it to go anywhere but into the lake. I am not an expert about types of sewer systems. I am concerned that when you dig down – you will be at the water table. I do not know how often the owner is required to have this inspected – by current and future owners. Question about potential contamination of the lake by sewage. Humans discharge waste and phosphates . If only used a guest house – it might be different. I think this is a serious question about lake quality and drainage.

Harold Hennen: I was a sewer and water contractor. I have a similar mound system – and similar elevation. Wright county has approved it twice. I think a second story on this building would look much better that it looks now. I have no problem with what is proposed.

Dan Larkin: I think it would greatly make the lot look better with the roof off the ground. The water level is going to be the same across the point. I do not see the issue with the tanks. The water level is the same at my place as here, as I see it.

Miller: Majority of Sugar Lake is mostly the same – have ground water at that elevation. Three feet of dry soil – very stringent requirements in MN. Water, in this case, if we did not take this out – you could have a situation where you would artificially raise the water up. In this case – there is three feet of separation – bottom of rock at 992.2 – which is 4 feet above ordinary high water. It will have 4 feet of separation. I agree we need to be careful. I understand Troy at Wright County has looked at this. This is monitored yearly. Wright Country requires monitoring annually for three years. At that point – if there have been problems – they can require it be monitored for some time after that.

Mike Zieska: Extending the three feet – because it would be the proper thing to do – make it 300. This letter was sent.

Quiggle read letter from Roovers aloud. They have no objections. Quiggle read comments from Wright County aloud.

Oleson: Statute requires that to be considered buildable – a Type I sewer is needed – impervious must be met – right now there are at 75 foot lake setback. Road setback is OK. There is plenty of room to the side setbacks. If this were torn down in the future – could it be rebuilt to meet setbacks – if it were an 800 square foot house in the future? You could do it – it would have to be further from from side setback. If we approve – we are saying this is a buildable lot for a standard house.

Huff: Explain the hardship?

Zieska: Not 24 feet wide?

Huff: Why should we grant you a variance?

Zieska: The lot cannot be used for any kind of dwelling if you do not grant variance.

Huff: You brought the house in – you want me to grant variance for actions you did yourself. If you started from scratch – this would not be an issue.

Zieska: I understand the 800 square feet - there are lots of small cabins on the surrounding lakes. On lake lots – this fits in well – it is a good use of the property for the environment as well. It won't look funny, it functions well, and I guess that is why I am asking for the variance. It makes a good use of the property.

Huff: When we grant variance – it is due to factors owner had no control over. I am not sure I can do that without getting into trouble.

Miller: No matter what you build – you need a Type I sewer. So not matter what – no dwelling can be put on there without a Type I sewer. Do you want him to come back with a bigger house?

Zieska: A smaller footprint is better for lake.

Smith: I think we are heading down the right avenue. Why not get a house as big as you can get? You want a structure that is adequate for re-sale – not too small. You are going to spend money for the sewer anyhow.

Zieska: Cabins near there are smaller and they have resale value. This will be my retirement home. This is bigger than some structures in the area.

Miller: So – is your daughter going to live there for now?

Zieska: Yes.

Miller: Nice for her to have a one bedroom house? Then in time you can live there. Your family will be close but without having to build an 800 square foot house.

Huff: The point is what Corinna Township is going to be left with the day after this decision is made.

Schultz: Whoever you sell this to is going to come back and want a bigger house.

Zieska: One of the recommendations is for you to decide.

Miller: You can always turn that down in the future.

Huff: Ending actions – guy being yelled at for living in a fish house.

Huff: That is the whole point. Where do we set the line?

Parks: If we increase to minimum size – what does that take away? If he incorporates that into the footprint?

Parks: Creative carpentry would make that work.

Mike Zieska: Inside to inside is 24 feet each way. Whole structure is 25.5.

Shay: Thinking like Parks – get square footage where it meets 800 on first floor – I could see some merit in it. Septic set up for two bedrooms instead of one – restrictions of no further building on this lot – unless Type III sewer goes away.

Oleson: I think one story has to be 800 square feet. Should this be used as a guest house or is it fine to be used as a dwelling? There are two sets of regulations that don't fit.

Quiggle: Combine properties?

Oleson: If there were a deed restriction – became moot as it is going to be used as a dwelling.

Quiggle: I would feel better if they were tied together. My issue is not the small size of the house. It was originally not a buildable lot. It is in a critical bay – low lying – if tied to your property as a guest house – I am looking at it differently than other people. Is it considered a separate lot that can be sold? Someone will want to build bigger.

Smith: Where is existing septic on house side? Can it be tied into it?

Oleson: 2 precedents: Allow a full house to be on a Type III? Hardship – argue soils are what they are and that is a hardship. Other precedent – this would be a larger guesthouse than allowed – 750 square feet – total floor area – If you allow this as a year 'round – on Type III – poor soils – you would be setting a precedent to allow for year 'round homes to have a Type III system. Since they can't get a Type I on here...

Miller: We see larger parcels that you can't do a Type I system on. That precedence – you have the opportunity to review them on a case by case basis. If something seems like it should be there and you can adequately deal with the septic system – in time – there is technology there - that membrane technology – will have no regulations on how it is discharged. Someday that will be out of the question. Does anyone know the background of the minimum size?

Michael Lease: Going back to 800 square feet of living – can't have a basement house?

Zieska: You do not want a small hut on a 5 acre lot or in a development because it devalues the property and the property around it.

Smith: Hardship is the neighborhood?

Oleson: Does this meet the purpose and intent of 800 square feet? An argument you could make is that it is similar to neighboring homes.

A motion was made by Smith, seconded by Parks, to table. It was recommended that Zieska look at making it bigger – floor plan – add onto top part to make it work – or ways to make it a guest house instead of a dwelling. Motion carried unanimously.

## 5. Approve Previous Meeting Minutes

### a. May 5, 2011

A motion was made by Huff, seconded by Smith to approve the May 5, 2011 Meeting Minutes. Motion carried unanimously.



b. June 2, 2011

A motion was made by Huff, seconded by Smith to approve the June 2, 2011 Meeting Minutes. Motion carried unanimously.

#### 6. Zoning Administrator's Report

- c. Permits – no report.
- d. Correspondence – no report.
- e. Enforcement Actions – Quiggle asked about Cedar Acres Park. Oleson said he went to town board at last meeting. They are still discussing it.

#### 7. New Business

- f. Discuss new meeting schedule – PC/BOA meetings (switch to 2<sup>nd</sup> Tuesday of each month): Discussed.

Discuss maximum number of applications per scheduled public hearings:

Smith: 4 should be maximum number of public hearings.

Schultz: Then there should be a second, overflow meeting.

Huff: I would rather get it done in one meeting.

Schultz: We could wind up with more than 8 in one night.

Shay asked Ben Oleson at what point does this stress you out to get these all figured out? How much can you get put together?

Smith: How often is this going to happen?

Quiggle: What does next month look like?

Oleson named a few items for the agenda at this time.

- g. Discuss Wright County "Point of Sale" ordinance - proposed amendments: No discussion.
- h. Discuss interpretation of "expansion" when applying MN Statutes 394.36, Subdivision. 4 and 462.357, Subdivision. 1e (Nonconformity statutes): No discussion.

#### 8. Old Business

- i. Discuss Michael Lease variance – previously granted April 2011

Oleson: In April we approved a variance for Michael Lease to rebuild their cabin. Their original request was to go 5 feet out either side. Instead they kept the footprint the same size to address some concerns – but are going up. Mark had described that plan.

Mark Lease: Discussion was about 8/12 pitch with a loft.

Oleson: Loft – In listening back to the tape – there was discussion about putting the bedrooms upstairs - up in the lofted area. There are two bedrooms on the main floor now. You handed out rough, hand sketches of what it might look like. Then I guess the first question is that now they have applied for a permit – there is some concern about what they have applied for is actually what was approved. I am going around and ask what people thought when we talked about going up – what it was going to look like.

Parks: You did not have room for mechanical, right?

Mark Lease: We have to stay on our existing footprint – One of the things we (Michael and Mark Lease) talked about – but was not actually on the variance - was being one foot under our neighbor's cabin height. There was a footprint we had to stay within – 26' x 36'. Originally we thought a chalet style,

without any dormers, would work. That was the hand sketch that I had given. When we had an architect look at it - there was no way to bring a staircase up because of the way the ceiling would run.

Michael Lease: With 26' x 36' footprint – your bedrooms would be so small – it would be all walls coming down.

Quiggle: But this is expansion on a holding tank. The house is expanding considerably on a holding tank.

Oleson showed a picture of what had been proposed.

Mark Lease: Expansion was discussed – going up was going to be an expansion -thus the variance.

Quiggle: You started with a roof that was fairly flat – we talked about a higher pitched, lofted roof – but I don't recall us talking about a full two stories.

Ben Oleson read aloud the motion that passed at the April meeting.

Michael Lease asked that his new blueprints be shown.

Michael Lease: Before the dormers – we still had 2 bedrooms - If the dormers don't come out – we have slanted ceilings in the bedrooms that we will knock our heads on.

Shay: Did this come before the Town Board?

Oleson: Yes.

Shay: What did they approve?

Oleson: They approved what the Planning Commission approved.

Shay: Did they see this plan?

Oleson: No. This plan just came in. This was just submitted now that they are actually planning to build the house. You were not planning on dormers originally.

Michael Lease: Correct.

Mark Lease: The architect said that to do 2 bedrooms up there – you would probably have to be 50' wide. We are working within 36'. The alternative to lose the dormers would be to expand the cabin to 50' wide.

Oleson showed a drawing sent to him in October of 2010.

Quiggle: You put in a holding tank – knowing you could not expand on a holding tank.

Michael Lease: When we put in holding tank we fully expected we were going to remodel what we had – leave everything that was there. After we put in the 3,000 gallon holding tank - then Wright County lowered our value so that we could not even remodel it.

Quiggle: But you opted not to put in a full sewer system.

Mark Lease: This was part of the hardship issue.

Oleson: In my mind – we are not here to re-decide the Variance – rather - is this plan consistent with what we granted?

Shay: My question is – should this be decided here or in front of the Town Board? The Town Board granted the Variance. If it is the same as what is here – it does not say what the roof line was or if there were dormers or anything. I missed the Planning Commission Meeting that night. In reality should it be before the Town Board as to what they interpreted – they actually granted the Variance.

Clerk Brown: The Town Board was presented with a 6/12 roof pitch by Quiggle at the Town Board Meeting. I have it hand-written in the margins of my notes as Quiggle was presenting the Variance to them.

Mark Lease: This plan is in keeping with the neighborhood. This is really close to what we are looking like.

Quiggle: Are those houses you described on full septic systems?

Parks: I don't think they really changed the intent of what we granted. It would be one thing if they put in a billiard room up there. Basically they are using the space economically – as we granted the variance for two bedrooms – I guess – I don't know how else you can do it.

Quiggle: I voted against it. I am not going to change my mind.

Oleson: I have an application before me – as long as it meets the Variance granted. Does this meet the Variance as granted?

Huff: I am sticking with my original.

Oleson: I am looking for some direction. The first thing that caught my eye was dormers. I thought – I do not remember ever seeing a picture that indicated dormers.

Schultz: I do remember us – now that it has been brought up -talking about the dormers –but it was not.....

Michael Lease: Believe me - \$1800 later, when we got the drawings back from the engineers – it was the first thing that caught our eyes, too. We did not want to make this really big on top – it is just the way it laid out with the engineers.

Huff: It looks like a nice cute, lake cabin home.

Schultz: I think it is a good fit.

Oleson: Could you flip the bedrooms the other way so you do not have the dormers?

Lease: Well, we would lose the entire loft.

Schultz: I am good with it.

Parks: I am good with it.

Oleson: Dan Shay was gone.

Huff: I am in.

Oleson: I will double check everything - as long as it meets what was granted and the ordinances and all that – I will have the building code reviewed.

#### 9. Adjournment

A motion was made by Huff, seconded by Smith, to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 10:35 p.m.

Minutes respectfully submitted by Mary Barkley Brown