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# CORINNA TOWNSHIP

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## BOARD OF ADJUSTMENT/ PLANNING COMMISSION

MEETING PACKET FOR  
**March 13, 2014**



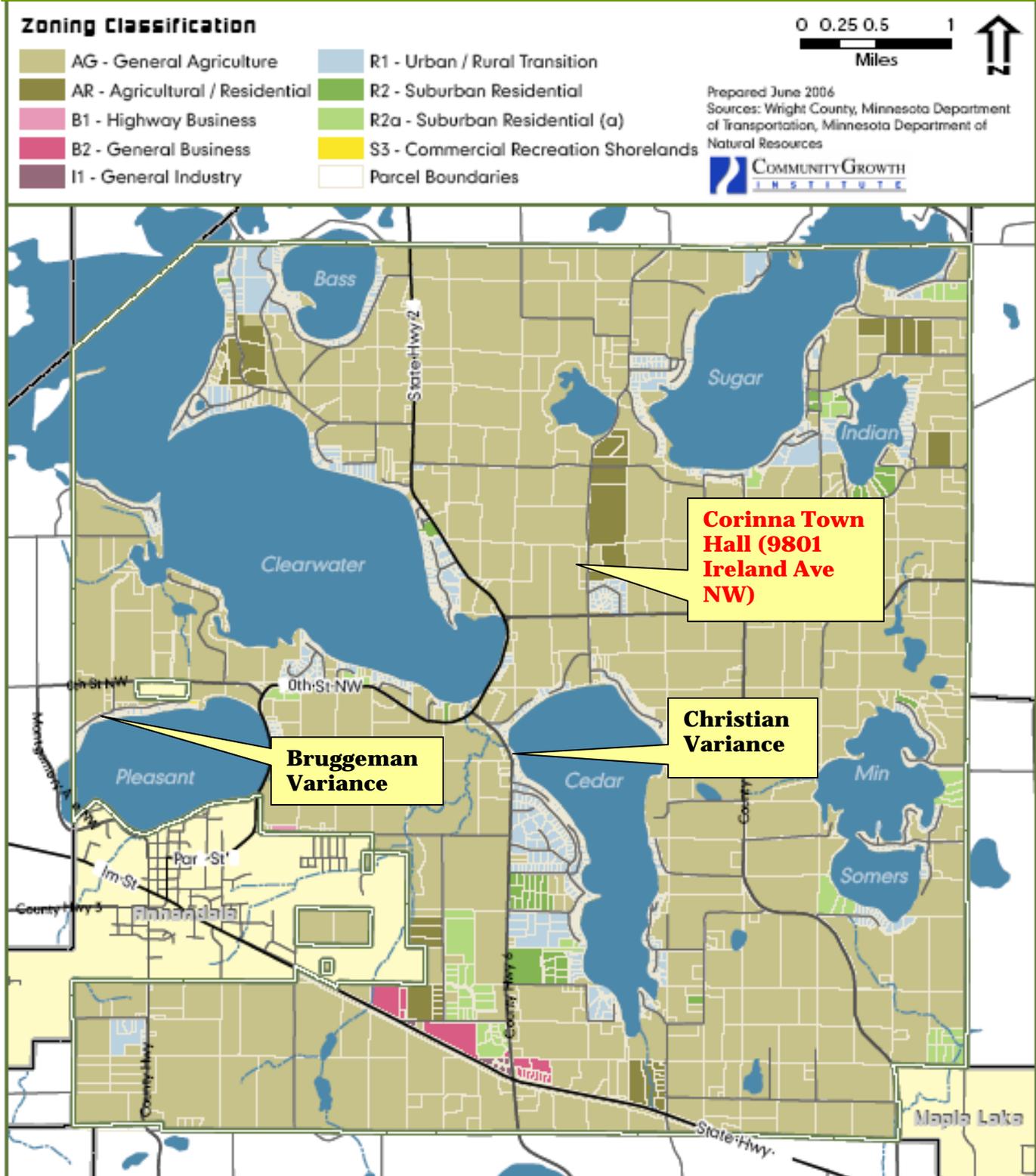
CORINNA TOWNSHIP  
AGENDA  
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION  
March 13, 2014  
7:00 PM

1. Call to Order
2. Roll Call
3. Additions or Deletions to the Agenda
4. Public Hearings
  - a. Variance to construct a dwelling addition approximately 120 ft from the centerline of a county road (min. 130 ft required).
    - i. Applicant: Julie Christian
    - ii. Property address: 8482 County Road 6 NW, Annandale
    - iii. Sec/Twp/Range: 22-121-027
    - iv. Parcel number(s): 206000223204, 206040001010
  - b. Variance to construct up to a 1,000 sq ft detached garage (max. allowed 800 or 1,000 sq ft depending on interpretation) on a parcel previously created primarily for septic system purposes and not allowed for buildings at the time.
    - i. Applicant: Steve Bruggeman
    - ii. Property address: Across from 11815 - 89<sup>th</sup> Street NW, Annandale
    - iii. Sec/Twp/Range: 19-121-027
    - iv. Parcel number(s): 206000192205, 206048000050
5. Approve Previous Meeting Minutes
  - a. February 11, 2014
6. Zoning Administrator's Report
  - a. Permits
  - b. Correspondence
  - c. Enforcement Actions
  - d. Findings of Fact - Previous PC/BOA Decisions
7. Other Business
  - a. Discussion - Policy on Impervious Coverage of Rock Retaining Walls
  - b. Discussion - Escrow for sewer upgrades at property transfer
  - c. Comprehensive Plan Update

8. Adjournment

This agenda is not exclusive. Other business may be discussed as deemed necessary.

# Corinna Township Location Map for March 13, 2014 Public Hearings



**The parcels identified on this map are subject to public hearing.  
The public hearing will be held at Corinna Town Hall  
at 7:00 pm.**

## STAFF REPORT

**Application:** Variance to construct a dwelling addition approximately 120 ft from the centerline of a county road (min. 130 ft required).

**Applicant:** Julie Christian

**Agenda Item:** 4(a)

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### Background Information:

- Proposal:** The applicants are applying to construct a 17' x 26' addition to their existing home to allow for the enlargement of an existing bedroom and other interior changes. The addition would be to the lakeside of the existing home and meet the required lake and side yard setbacks, but be located within the required 130 ft setback from the centerline of County Road 6 (about a 120 ft setback to nearest point). Very little impervious coverage would be added to the property as the addition would be off of the main level, but constructed mostly over an existing patio that exists on the ground level of the walkout basement.
- Location:**
  - o Property address: 8482 County Road 6 NW, Annandale
  - o Sec/Twp/Range: 22-121-027
  - o Parcel number(s): 206000223204, 206040001010
- Zoning:** Urban/Rural Transition (R1) /Residential Recreation Shorelands (S-2) Overlay District, Cedar Lake (General Development lake)
- Lot size:** Approximately 24,250 sq ft for the primary lot and approximately 7,444 sq ft for the adjacent lot in common ownership (31,694 sq ft total - 0.73 acres) according to GIS estimates.

Existing Impervious Coverage:

- Buildings: Approx. 2,720 sq ft (8.6%)
- Total: Approx. 4,537 sq ft (14.3%)

Proposed Impervious Coverage:

- Buildings: Approx. 3,162 sq ft (10.0%)
- Total: 4,979 sq ft (15.7%)

- Septic System Status:** The property is currently served with a trench septic system that was installed in 1998 and designed for four bedrooms at the time. The septic records have been reviewed by Wright County Environmental Health staff and they have determined that no inspection or update/enlargement of the system is necessary as the proposed addition will not be adding any bedrooms - just enlarging an existing bedroom.
- Natural Features:**

- Floodplain: The property is not located within an identified floodplain. The Highest Known Water Level (HKWL) of Cedar Lake is 999.3 ft (1983). The existing home and proposed addition would have a lowest floor elevation of approximately 1016 to 1018, meeting the requirement that a structure be at least 4 ft above the HKWL.
- Bluff/Steep Slopes: The site has a steady slope down to the lake from the home, which is not overly steep and does not constitute a bluff.
- Wetlands: There do not appear to be any wetlands impacting the proposal.

□ **Permit History:**

- 1978 - Septic system
- 1982 - 240 sq ft storage building (on smaller adjacent lot)
- 1998 - Septic system

**Applicable Statutes/Ordinances:**

**Minnesota Statutes**

**462.357 (2011) OFFICIAL CONTROLS: ZONING ORDINANCE.**

**Subd. 6. 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:

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

(2) To hear requests for variances from the requirements of the zoning ordinance including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; 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 do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in section 216C.06, subdivision 14, when in harmony with the ordinance.

The board of appeals and adjustments or the governing body as the case may be, may not permit as a variance any use that is not allowed under the zoning ordinance for property in the zone where the affected person's land is located. The board or governing body as the case may be, may permit as a variance the temporary use of a one family dwelling as a two family dwelling. The board or governing body as the case may be may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

### **Corinna Township/Wright County Regulations**

#### **502. APPEALS AND BOARD OF ADJUSTMENT**

##### **502.4 Findings**

- (1) The Board of Adjustment must review variance petitions and consider the following factors prior to finding that a practical difficulty has been presented. The applicant must provide a statement of evidence addressing the following elements to the extent they are relevant to the applicant's situation.
  - (a) The granting of the variance will be in harmony with the County Land Use Plan.
  - (b) The property owner proposes to use the property in a reasonable manner not permitted by an official control.
  - (c) The plight of the owner is due to circumstances unique to the property not created by the owner.
  - (d) The proposal does not alter the essential character of the locality.
  - (e) The practical difficulty cannot be alleviated by a method other than a variance; and.
  - (f) The granting of the variance will not adversely affect the environmental quality of the area.

The Board of Adjustment may grant a variance if it finds that all of the above factors have been established. The Board of Adjustment must not approve a variance request unless the applicant proves all of the above factors and established that there are practical difficulties in complying with official controls. The burden of proof of these matters rests completely on the applicant.

#### **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 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.

605. URBAN/RURAL TRANSITIONAL R-1

605.5 Performance Standards

(2) Front Yard Regulations:

(a) Required Setback Distance

<u>Required Setback Distance From Road Centerline</u>	<u>Road Class</u>
130	State Highway
130	County Road State Aid
65	Local Street (Twp. Rd.)
25	From right of way of cul-de-sac or approved "T"

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**Findings of Fact:** 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 (road setback) for buildings is to help ensure adequate space for road maintenance activities (i.e. snowplowing, road grading, ditch spraying, etc...), to prevent damage to property and promote public safety should a vehicle drive off the road and to allow adequate space for parking of vehicles on driveways without endangering public safety.

The request meets the intent of the road setback in that the proposed addition will be further back from the road than the entire existing house and will not pose any additional problem for any of the issues mentioned above.

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

**Yes, with proper erosion and sedimentation controls.** The Comprehensive Plan states the following as strategies to "protect, preserve, and enhance lake water quality":

- o 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: The applicant has indicated they will be using bio-rolls or straw bales for temporary erosion control during construction. They indicate that they will also be installing rain gutters to direct water away from the lake and toward a neighboring property (*this should be reviewed to ensure that it will not be directing more water to the neighbor than would occur naturally*).
- 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 application will not have any impact on tree cover on the lot as there are not any trees in the area of the proposed addition.
- 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: See comments 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: There will be minimal excavation or grading related to the installation of the new addition.

**3. Is the proposed use of the property reasonable?**

**Yes.** The proposed addition is reasonable in that it represents a modest increase in the size of the existing home which would not be out of character with other homes in the area. The addition will also meet all other required setbacks (excepting the road setback).

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

**Yes.** The landowner clearly has limited control over the size or dimensions of the lot as it has been that way since at least 1983 and the applicant did not purchase the property until 1998. There is nowhere that an addition to the home could be constructed without being within the required road setback.

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

**No.** The site will remain in residential use and in that sense remain consistent with the essential character of the neighborhood. Further, the appearance of the lot from the lake, while obviously changed with the addition, would be

consistent with that of other homes in the area and the addition would meet the required lake setback.

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

**No.** The lot size, the small size of the existing house, and the location of the existing home in relation to the County Road are all factors in the request.

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

**No.** It would not be possible to construct an addition to the home without being located within the required road setback as the entire existing home is within the setback and any attached addition on the lakeside would still be within the setback.

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

**Needs discussion.** The addition itself should not pose any unusual environmental impacts as it meets the required lake setback and would only have normal water runoff. However, the way in which that runoff is managed could have a potential impact on the neighboring property owner property. The applicant indicates they will be directing water via gutters onto the neighboring property. While that is the direction of natural water flow, it would appear that the applicant could direct that water in a way that will allow time for infiltration of that water on their own lot before it reaches the neighbor – all while still protecting the lake quality. The impact will depend on where the downspouts are placed and whether any other methods are used to manage that water (i.e. rain gardens, rain barrels, berms, etc...)

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**Board of Adjustment Direction:** The Board of Adjustment may approve the variance request, deny the request(s), or table the request(s) 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 above, Staff recommends that the road setback variance request be approved as presented.

If the variance is approved, Staff recommends consideration of the following conditions of that approval:

1. The Township Zoning Administrator shall verify that the lake setback will be met prior to the beginning of construction. The applicant shall schedule a time for such inspection with the Zoning Administrator before the issuance of a permit to begin 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 between the area of disturbance and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.

3. The applicant shall submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation and to allow adequate time for infiltration or other treatment of roof water from the addition prior to it flowing onto the neighboring property to the south. 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.

Application # <u>V14-001</u>	Date Application Rec'd <u>2/20/14</u>	Fee Collected \$ <u>400.00</u>
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2-20-14

(for office use only)

**CORINNA TOWNSHIP  
VARIANCE APPLICATION**

Name of Applicant: JULIE CHRISTIAN

Property Address: 8482 Co. Rd. 6 NW

Mailing Address (if different): \_\_\_\_\_

City: ANNANDALE State: MN Zip: 55302

Phone (home/work): 320-274-1826 Phone (cell/other): 763-742-2443

E-mail (optional): \_\_\_\_\_

**Applicant is:** **Title Holder of Property (if other than applicant)**

Legal Owner  Name: \_\_\_\_\_

Contract Buyer  Address: \_\_\_\_\_

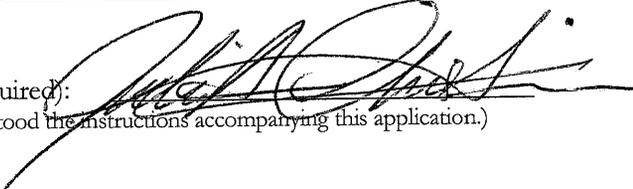
Option Holder  City, State, Zip: \_\_\_\_\_

Agent

Other  Please specify: \_\_\_\_\_

Property ID #: 206-000-223-204 Lake Name CEDAR  
(12 digit # on tax statement) (if applicable)

Legal Description: SECT 22 TWP 121 RANGE 027  
(attach if necessary)

Signature of Legal Owner, authorizing application (required):   
(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.)

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 type="checkbox"/> Lot Line Adjustment            | <input type="checkbox"/> Lake or River Setback     | <input type="checkbox"/> Height of Structure          |
| <input type="checkbox"/> Undersized Lot                 | <input 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 _____                  |

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.hometownplanning.com/corinna-township.html](http://www.hometownplanning.com/corinna-township.html).

**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:

1. What are you proposing for the property? State nature of request in detail:

AN ADDITION TO EXISTING STRUCTURE,  
A FOUR SEASON PORCH TO ALLOW FOR  
BED ROOM EXPANSION, AND MAIN BATH  
RE-MODEL.

2. 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.hometownplanning.com/corinna-township.html](http://www.hometownplanning.com/corinna-township.html)).

THE PROPOSED ADDITION WILL NOT ALTER THE CHARACTER OF THE PROPERTY. WILL NOT BE VISIBLE TO NEIGHBORS, OR ROAD TRAFFIC.

3. Describe why you believe the granting of the variance would be consistent with the Corinna Township Comprehensive Plan (Plan available at [www.hometownplanning.com/corinna-township.html](http://www.hometownplanning.com/corinna-township.html)).

THE RESIDENCE IS ALREADY A FULL-TIME RESIDENCE. CONSTRUCTION WILL NOT INCREASE ANY PRESSURE ON LAKE RESOURCES.

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

ADAPTATIONS TO THE PROPERTY ARE NECESSARY TO CONFORM TO AMERICAN DISABILITY ACT STANDARDS ENSURING JULIE A LONG AND COMFORTABLE STAY IN HER HOME. THE PROPOSED ADDITION ALSO DOES NOT EXTEND OR INTENSIFY NON-CONFORMING BUILDING.

REVISED: DECEMBER 2013

5. 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.

THE EXISTING STRUCTURE IS "NON-CONFORMING" TO ROAD SETBACK. NEW CONSTRUCTION IS TO BE BUILT ON BACK SIDE OF PROPERTY, BUILDING AWAY FROM THE ROAD.

6. 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 ADDITION IS SHIELDED BY THE EXISTING STRUCTURE FROM VISIBILITY AT THE ROAD. NOT VISIBLE BY NEIGHBORS BY MATURE TREE COVER.

7. 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?

THE EXISTING PROPERTY IS DEEMED TOO CLOSE TO THE ROAD. CONSTRUCTION IS TO ATTACH TO EXISTING PROPERTY. BEGINNING @ 120' FROM CENTERLINE OF C.R. 6 NW SETBACK IS MIN. 130' FROM CENTER LINE.

8. 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?

DURING CONSTRUCTION BIO-ROLLS OR STRAW BALE WILL BE USED TO PROTECT AGAINST STORM WATER POLLUTION, AS PART OF THE STORM WATER POLLUTION PREVENTION PLAN. BUTTELS WILL INSTALL TO RE-DIRECT STORM WATER AWAY FROM LAKE

9. Flood Insurance Notice: If your variance request involves a request to construct a structure below the base flood level, you are hereby notified that this will result in an increased premium rate for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage. Such construction below the base or regional flood level increases risks to life and property.

N/A. *\*If you are requesting to construct a structure below the base flood level, please initial here that you have read and understand the above notice:*

ADJACENT LOT UPON COMPLETION OF PROJECT.

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

GROUND WILL BE MOVED FOR FOUNDATION INSTALL, THEN RETURNED TO ORIGINAL GRADIENT.

CURRENT PATIO SLOPES TOWARD HOUSE CAUSING WATER PROBLEMS. CURRENT PATIO WILL BE DEMOLISHED PREVIOUS TO FOOTINGS. POURED CEMENT UPON

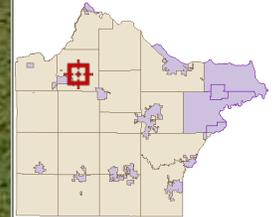
REVISED: DECEMBER 2013

COMPLETION OF PROJECT. SLIGHT PITCH AWAY FROM HOUSE.

CONSTRUCTION TO BEGIN EARLY APRIL, FINISH LATE JUNE 2014.



Overview



Legend

Roads

- CSAHCL
- CTYCL
- MUNICL
- PRIVATECL
- TWPCL

City/Township Limits

- c
- t
- Parcels

Parcel ID	206000223204	Alternate ID	n/a	Owner Address	CHRISTIAN, MARK R & JULIE A
Sec/Twp/Rng	22-121-27	Class	201 - RESIDENTIAL		8482 COUNTY ROAD 6 NW
Property Address	8482 COUNTY ROAD 6 NW ANNANDALE	Acreage	n/a		ANNANDALE, MN 55302
District	n/a				
Brief Tax Description	Sect-22 Twp-121 Range-027 UNPLATTED LAND CORINNA TWP ST AT 1/4 COR ON E SIDE OF SEC 21 TH S70FT FOR POB TH E TO W SHR OF CEDAR LK TH S ALG SHR TO PT DIR E OF A PT 100FT S OF POB TH W TO SEC LN TH N TO POB SWLY TO HWY EAS ALSO PRT OF GOV LT5 DES COM E 1/4 COR OF SEC 21 TH SLY ALG E LN OF SD SEC 70FT THE AGL L98D55' 144FT TO SHR OF LK TH AGL R77D55' ALG LK 21.8FT TH AGL R110D14' 149.5FT TO POB				

(Note: Not to be used on legal documents)

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<b>Parcel ID</b>	206000223204	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	CHRISTIAN, MARK R & JULIE A
<b>Sec/Twp/Rng</b>	22-121-27	<b>Class</b>	201 - RESIDENTIAL		8482 COUNTY ROAD 6 NW
<b>Property Address</b>	8482 COUNTY ROAD 6 NW	<b>Acres</b>	n/a		ANNANDALE, MN 55302
	ANNANDALE				

**District** n/a

**Brief Tax Description** Sect-22 Twp-121 Range-027 UNPLATTED LAND CORINNA TWP ST AT 1/4 COR ON E SIDE OF SEC 21 TH S70FT FOR POB TH E TO W SHR OF CEDAR LK TH S ALG SHR TO PT DIR E OF A PT 100FT S OF POB TH W TO SEC LN TH N TO POB SWLY TO HWY EAS ALSO PRT OF GOV LT5 DES COM E 1/4 COR OF SEC 21 TH SLY ALG E LN OF SD SEC 70FT THE AGL L98D55' 144FT TO SHR OF LK TH AGL R77D55' ALG LK 21.8FT TH AGL R110D14' 149.5FT TO POB

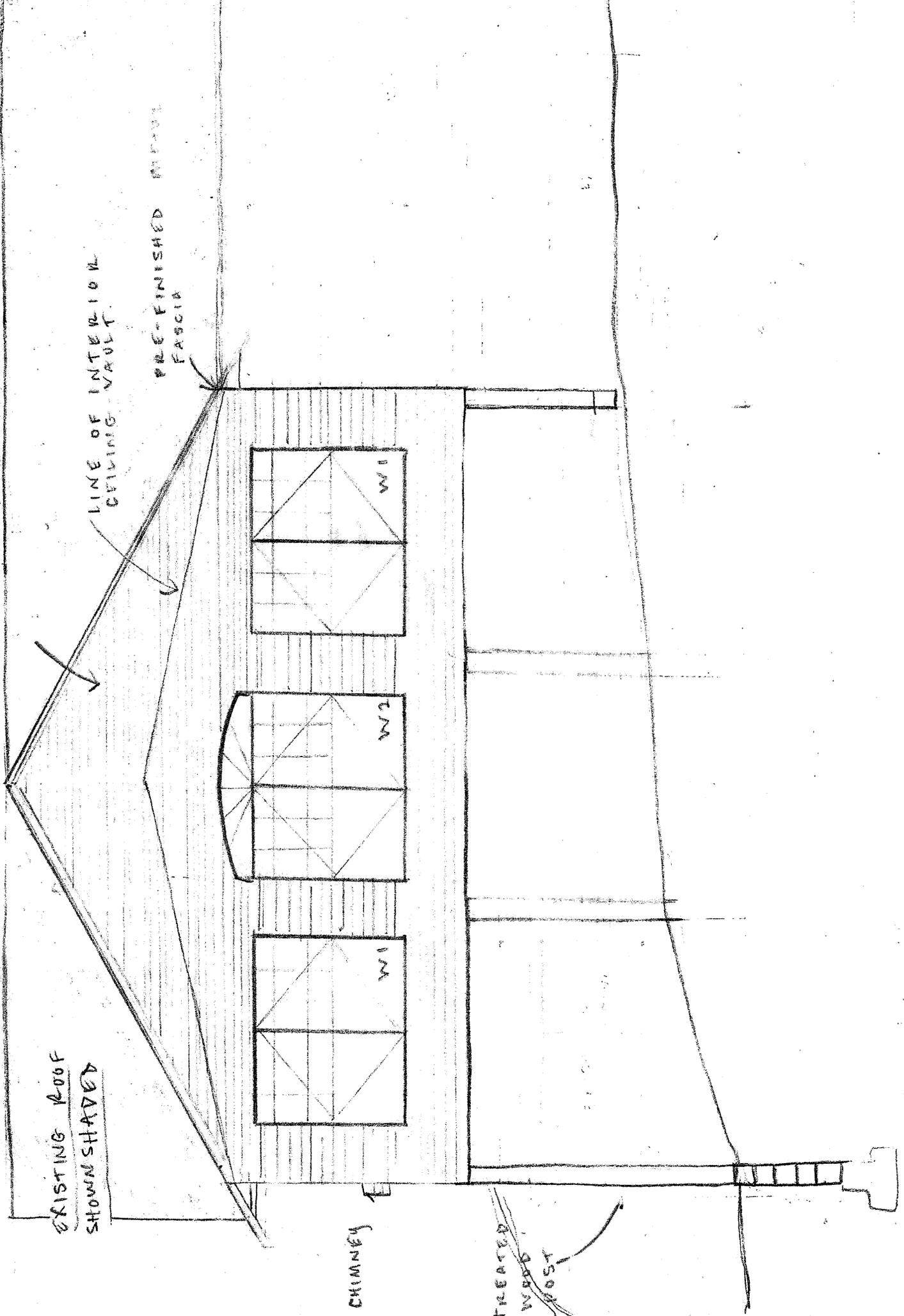
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PORCH

11/21/13.

# EAST ELEVATION



EXISTING ROOF  
SHOWN SHADED

LINE OF INTERIOR  
CEILING VAULT.

PRE-FINISHED FASCIA

CHIMNEY

TREATED  
WOOD  
POST

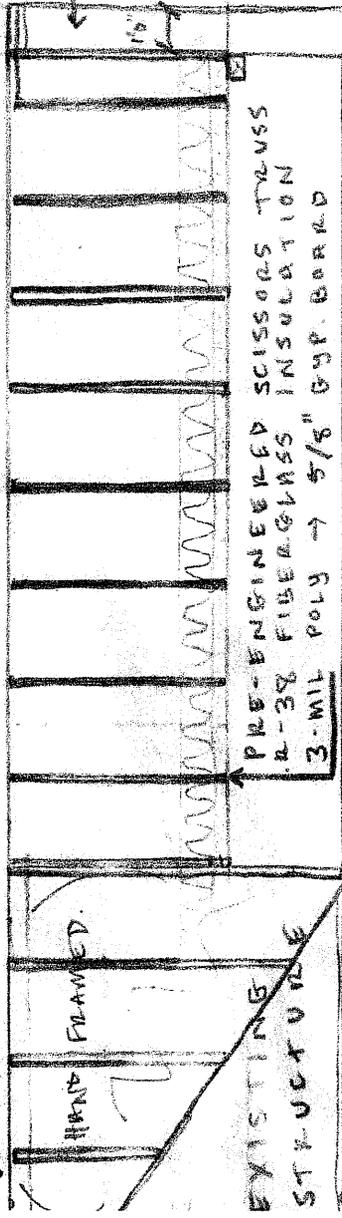
W1

W2

W1

ASPHALT ROOF SHINGLES 15# ROOFING FELT  
 7/16" OSB SHEATHING W/ H-CLIPS  
 PRE-ENGINEERED SCISSORS TRUSS

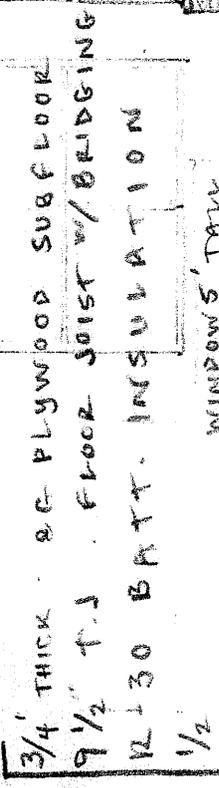
EXISTING ROOFING BACK TO STEEL SHEATHING | LOOK OUT HAND FRAME



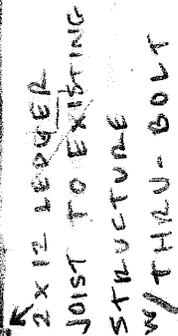
PRE-FINISHED SOFFIT PANELS

TOP OF WALL PLATE

TOP OF WALL PLATE  
 SIDE WALLS



WINDOW



24" FLOOR TRUSS

PORCH BUILDING SECTION 1

POST BEYOND.

2x11 7/8" LAM HEMDEK

EXISTING STRUCTURE

EXISTING

LOWER

LEVEL

2 x LVL

2 x 11 7/8 MICRO LAM

9 1/2" DEEP T.J.L.  
FLOOR-JOIST  
@ 14" O.C.

6 x 6 TREATED POST

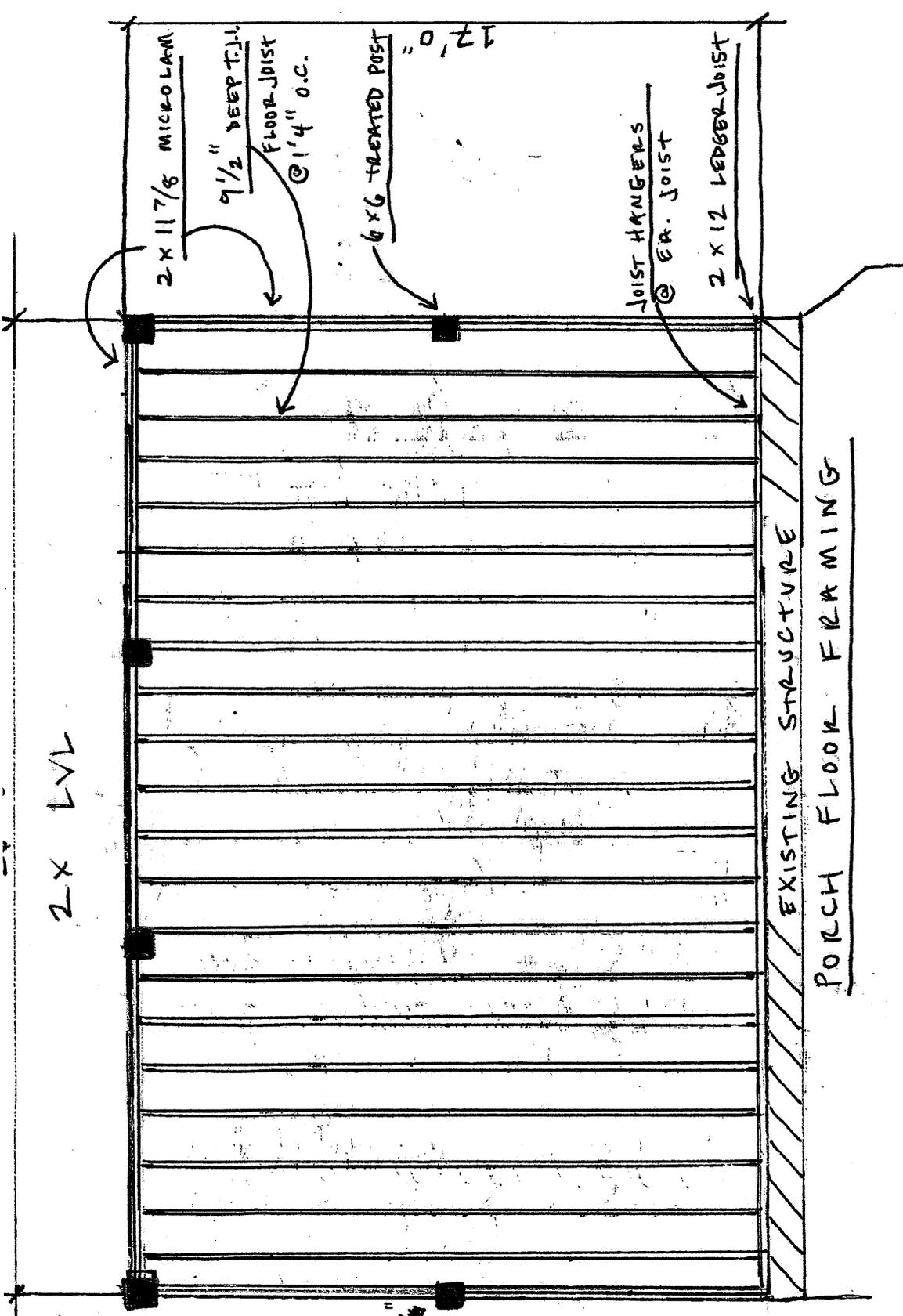
12' 0"

JOIST HANGERS  
@ EA. JOIST

2 x 12 LEDGER JOIST

EXISTING STRUCTURE  
PORCH FLOOR FRAMING

2 x 14  
MICRO LAM



27' 0"

2 x 6  
OUTSIDE  
WALLS.

2 x 11 7/8" LVL  
MICROLAM  
HEADER  
BOTH SIDES

C O N T - I N U O U S H E A D E R

STICK FRAMED GABLE WALL W/ SOLID BLOCKING.

2 x 2x10 HEADERS

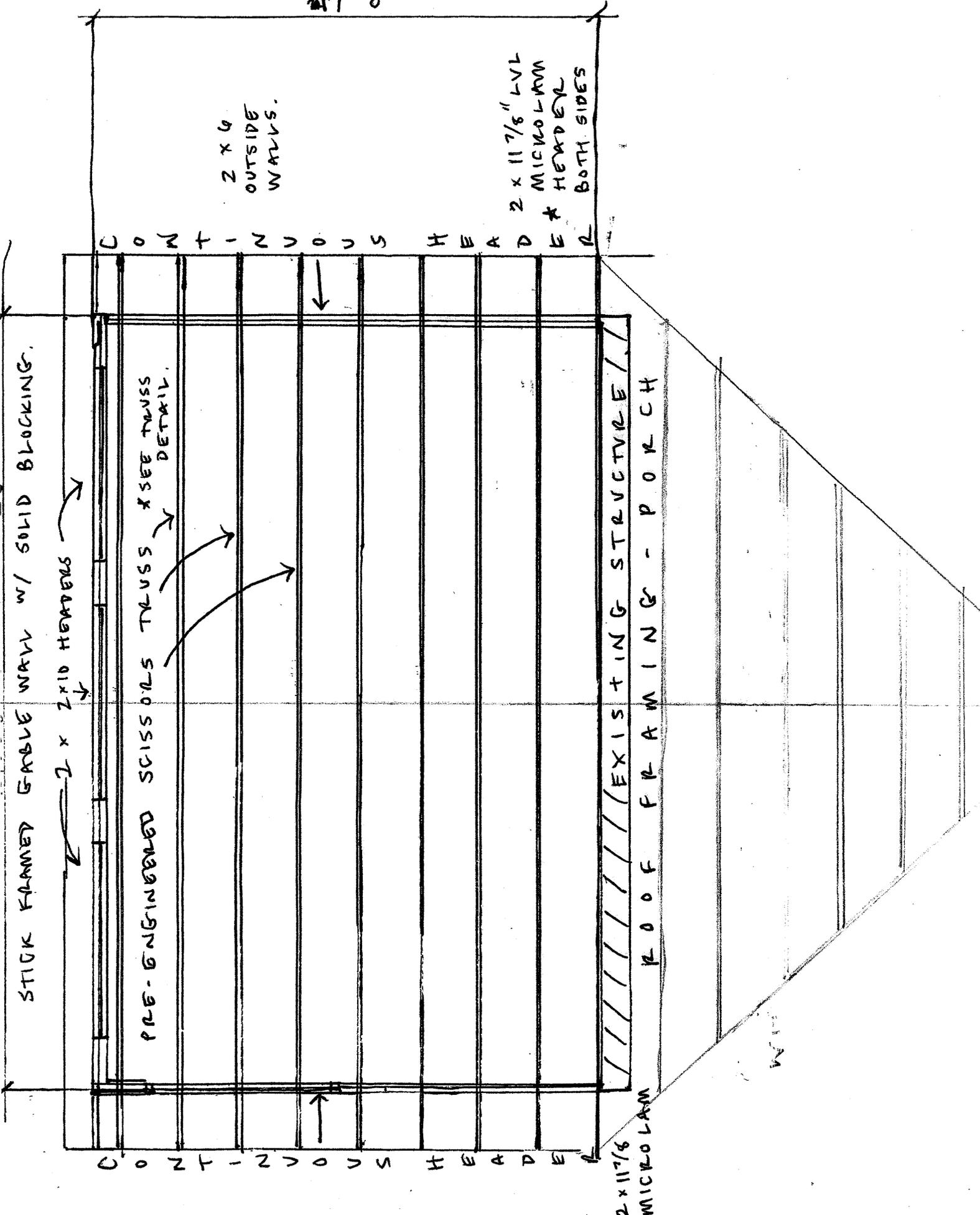
PRE-ENGINEERED SCISSORS TRUSS \*SEE TRUSS  
DETAIL.

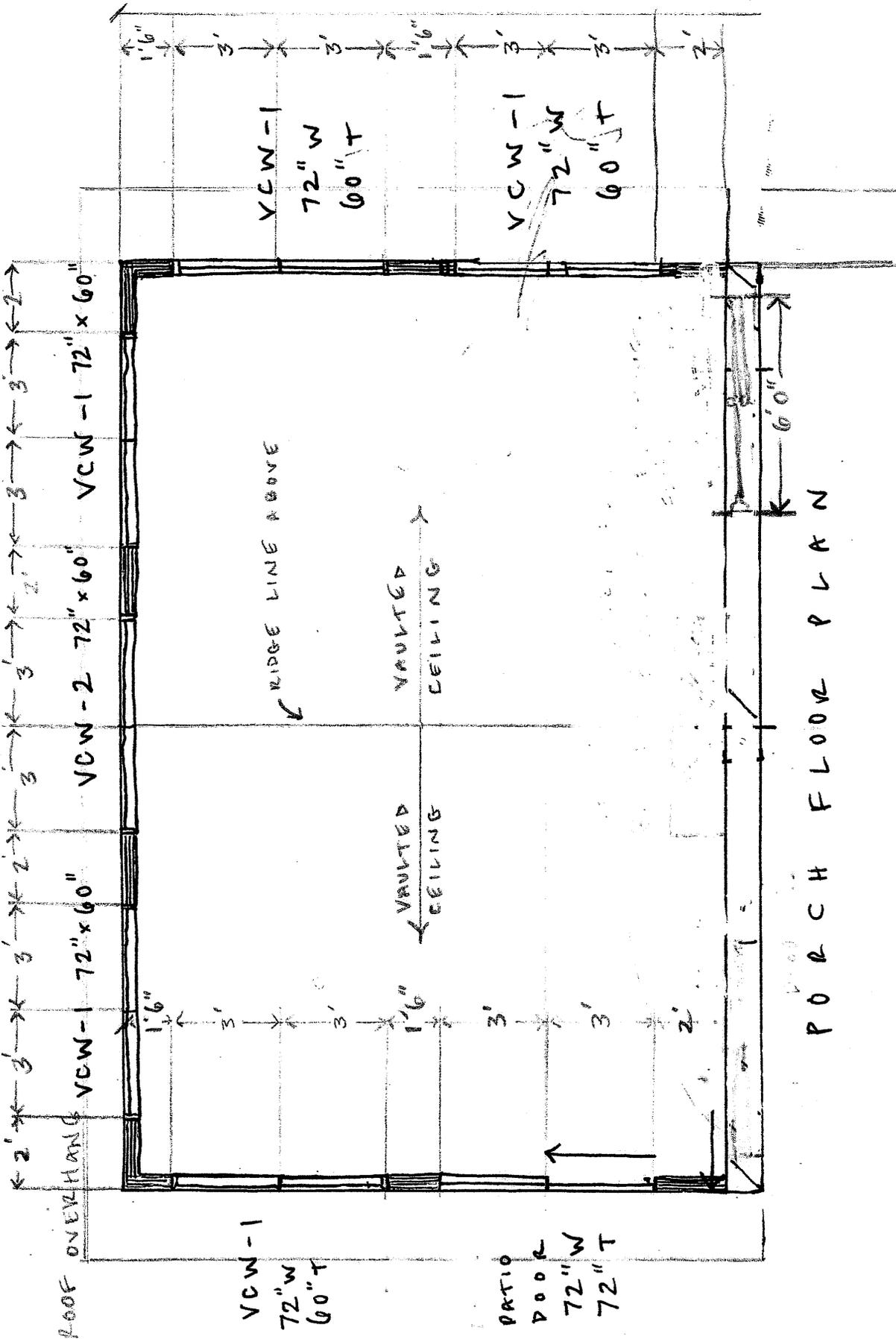
EXISTING STRUCTURE  
ROOF FRAMING - PORCH

C O N T - I N U O U S H E A D E R

2 x 11 7/8  
MICROLAM

WIP

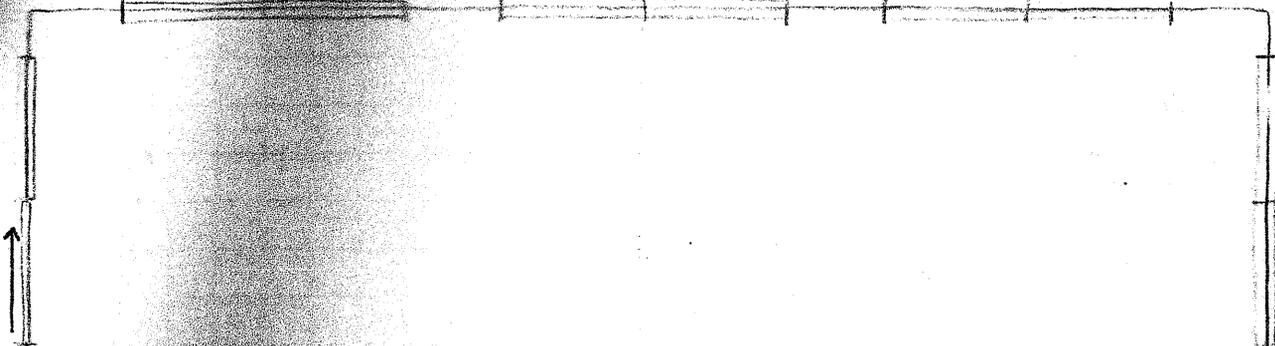




W 1

W 2

W 1



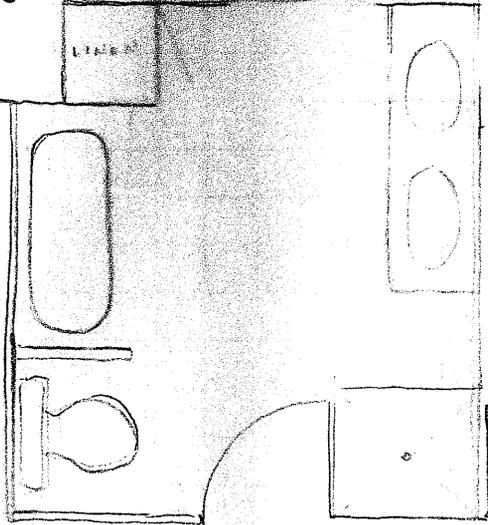
MASTER  
BED ROOM

FIRE  
PLACE

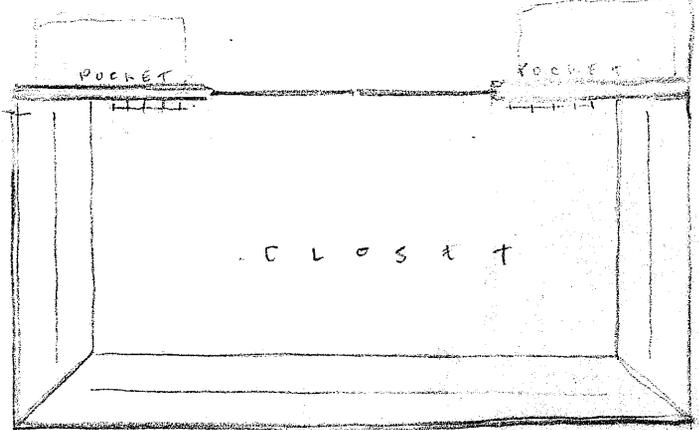
W 3

TOTAL  
ADDITION  
442 sq'

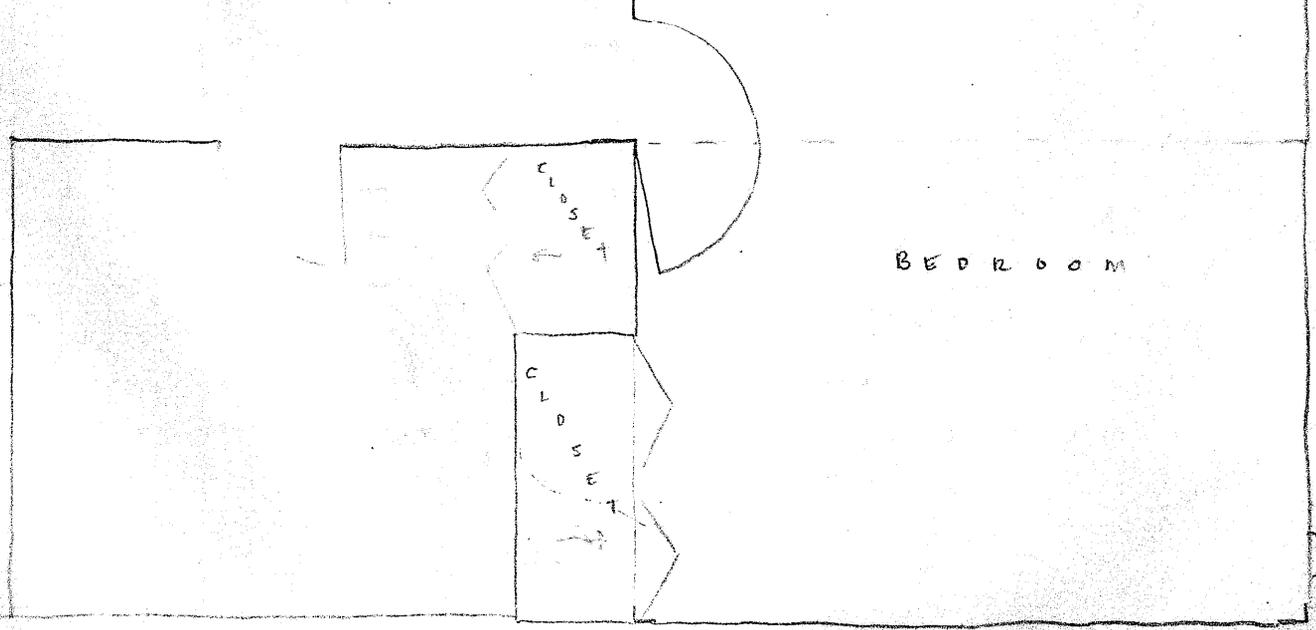
POCKET



OFFICE



CLOSET



BED ROOM

CLOSET

CLOSET





## STAFF REPORT

**Application:** Variance to construct up to a 1,000 sq ft detached garage (max. allowed 800 or 1,000 sq ft depending on interpretation) on a parcel previously created primarily for septic system purposes and not allowed for buildings at the time.

**Applicant:** Steve and Kelly Bruggeman

**Agenda Item:** 4(b)

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### Background Information:

- **Proposal:** The applicants are applying to construct a 17' x 26' addition to their existing home to allow for the enlargement of an existing bedroom and other interior changes. The addition would be to the lakeside of the existing home and meet the required lake and side yard setbacks, but be located within the required 130 ft setback from the centerline of County Road 6 (about a 120 ft setback to nearest point). Very little impervious coverage would be added to the property as the addition would be off of the main level, but constructed mostly over an existing patio that exists on the ground level of the walkout basement.
- **Location:**
  - Property address: Across from 11815 - 89<sup>th</sup> Street NW, Annandale
  - Sec/Twp/Range: 19-121-027
  - Parcel number(s): 206000192205, 206048000050
- **Zoning:**
  - Proposed garage lot (back lot): General Agricultural (AG) / Residential Recreation Shorelands (S-2) Overlay District, Pleasant Lake (General Development lake)
  - Lake lot in common ownership (main home lot): Urban/Rural Transition (R1) / Residential Recreation Shorelands (S-2) Overlay District, Pleasant Lake (General Development lake)
- **Lot size:** 17,369.90 sq ft or 0.40 acres (back lot where garage is proposed) according to provided survey.
  - Existing Impervious Coverage:
    - None
  - Proposed Impervious Coverage:
    - Buildings: Up to 1,000 sq ft (5.8%)
    - Total: Approx. 3,000 sq ft (17.3%)
- **Septic System Status:** The property on which the garage would be placed was originally created (as per BOA action in February 2013) for the purpose of accommodating a septic system to serve the applicants home across the road. That

system has not yet been installed, but its location is identified on the site plan submitted for this application.

**Natural Features:**

- Floodplain: The property is not within an identified floodplain.
- Bluff/Steep Slopes: The two proposed properties contain steep slopes, but are not considered bluffs.
- Wetlands: There is a wetland which encroaches into the bottom of the hill on proposed Lot 2.

**Permit History:**

- 2013 - Board of Adjustment approval to create lot (which was required to be tied to the applicant's lake lot across the road for the purposes of future sale)

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**Applicable Statutes/Ordinances:**

**Minnesota Statutes**

**462.357 (2011) OFFICIAL CONTROLS: ZONING ORDINANCE.**

**Subd. 6. 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:

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

(2) To hear requests for variances from the requirements of the zoning ordinance including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; 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 do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in section [216C.06, subdivision 14](#), when in harmony with the ordinance. The board of appeals and adjustments or the governing body as the case may be,

may not permit as a variance any use that is not allowed under the zoning ordinance for property in the zone where the affected person's land is located. The board or governing body as the case may be, may permit as a variance the temporary use of a one family dwelling as a two family dwelling. The board or governing body as the case may be may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

### Corinna Township/Wright County Regulations

#### 502. APPEALS AND BOARD OF ADJUSTMENT

##### 502.4 Findings

- (1) The Board of Adjustment must review variance petitions and consider the following factors prior to finding that a practical difficulty has been presented. The applicant must provide a statement of evidence addressing the following elements to the extent they are relevant to the applicant's situation.
  - (a) The granting of the variance will be in harmony with the County Land Use Plan.
  - (b) The property owner proposes to use the property in a reasonable manner not permitted by an official control.
  - (c) The plight of the owner is due to circumstances unique to the property not created by the owner.
  - (d) The proposal does not alter the essential character of the locality.
  - (e) The practical difficulty cannot be alleviated by a method other than a variance; and.
  - (f) The granting of the variance will not adversely affect the environmental quality of the area.

The Board of Adjustment may grant a variance if it finds that all of the above factors have been established. The Board of Adjustment must not approve a variance request unless the applicant proves all of the above factors and established that there are practical difficulties in complying with official controls. The burden of proof of these matters rests completely on the applicant.

#### 605. URBAN/RURAL TRANSITIONAL R-1

##### 605.3 Accessory Uses

Garages and Non-Commercial pole structures subject to the following size restrictions:

- (a) Lot area under 20,000 square feet - maximum 800 square feet structure with maximum side wall height of 12 feet.

- (b) Lot area over 20,000 square feet but less than 80,000 square feet - maximum 1400 square feet structure with maximum side wall height of 14 feet.
- (c) Lot area over 80,000 square feet - maximum 2000 square feet structure with maximum side wall height of 14 feet.

605.5 Performance Standards

(2) Front Yard Regulations:

(a) Required Setback Distance

<u>Required Setback Distance From Road Centerline</u>	<u>Road Class</u>
130	State Highway
130	County Road State Aid
65	Local Street (Twp. Rd.)
25	From right of way of cul-de-sac or approved "T"

743 DETACHED ACCESSORY STRUCTURES

Detached accessory structures and garages on lots less than one acre shall not have a second story, must have no more than six (6) feet of headroom in a rafter storage area, and have a maximum 6/12 roof pitch.

Accessory buildings and structures, individually and combined (not to include attached garages nor decks), on isolated residential parcels (those that are not adjoining other residential parcels/lots) smaller than 10 acres in size shall not exceed the following maximum size limits:

<u>Parcel size</u>	<u>Max. Building area</u>	<u>Max. Sidewall</u>
Less than 20,000 sq. ft.	1000 square feet	14 feet
20,000 sq. ft.-.99 acres	1600 square feet	14 feet
1-2.49 acres	2400 square feet	14 feet
2.5-4.99 acres	3200 square feet	14 feet
5-9.99 acres	4000 square feet	16 feet

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**Findings of Fact:** 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, needs discussion regarding maximum size:** The ordinance does allow for accessory buildings, although there was a specific requirement at the time this lot

was created in early 2013 that there not be any buildings allowed at that time. The applicant has submitted a proposal which would meet all required setbacks, but cannot be approved administratively due to the prior condition of approval when the lot was created. A review of the minutes and audio recording of that meeting indicates that the Board of Adjustment did not necessarily intend that a building never be constructed on the lot – just not at that time and without further review by the Board of Adjustment after proper public notice.

The lot on which the lot would sit remains zoned AG, as it had prior to the lot being created. As such, the maximum size building allowed is 1,000 sq ft. However, the lot – when it was created – was required to be tied for the purposes of future sale to the lake lot across the road, which is zoned R-1. In the R-1 district, the maximum size building for a lot less than 20,000 sq ft in size is 800 sq ft. Staff would suggest that the starting point for what is allowed on this lot must be 1,000 sq ft – since the lot is zoned AG. However, the Board may reduce the size allowed as a condition of the variance being granted (if it is granted) if the topographic conditions or some other factor justifies it.

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

**Yes, with proper erosion and sedimentation controls.** 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.
  - Staff Comment: The applicant has not provided any detailed erosion control plan as of the writing of this report. It will be important to discuss this as the garage would be built into a slope and will likely need a retaining wall or other method to stabilize the building area. A driveway would also be constructed. The drainage on the site is down the side of the road toward a wetland.
- 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 application will require the removal of several trees and shrubs which have grown naturally on the hillside.
- 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: See comments 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: There will need to be a fair amount of grading to accommodate the garage and driveway into the hillside. Retaining walls may also be necessary.

**3. Is the proposed use of the property reasonable?**

**Needs discussion.** The proposed addition is reasonable in that it represents a typical residential garage and would not be significantly out of character with the neighborhood. Staff suggests discussion regarding the appropriate size of the garage given that the zoning of the lot would allow for a larger garage than would be allowed on most of the lake lots in the immediate area (with the exception of the neighboring lake lot to the north/east from the applicants lake lot - which would be allowed a 1,400 sq ft accessory building since it is over 20,000 sq ft in size). Further to the east and west along the road, there are other lots that would allow for 1,400 sq ft garages.

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

**Yes.** The need for the variance is exclusively due to the condition imposed on the approval of the lot when it was created in February 2013, which was not something the applicant could control.

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

**Needs discussion.** See discussion in #3 above regarding the size of the proposed garage in relation to the neighborhood. The construction of a garage on this property would also represent the first of its kind in the area as most of the land on the same side of the road is either farmland or wetland.

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

**No.** The need for the variance is a previous condition imposed by the Board of Adjustment.

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

**No.** Given the condition previously imposed by the Board of Adjustment when the lot was created, there is no way to construct a garage without obtaining a variance.

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

**Needs discussion.** The garage would be built into a relatively steep hillside and the impact on the environmental quality of the area will depend largely on the measures taken to prevent erosion and sedimentation both during construction and in the long-term.

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**Board of Adjustment Direction:** The Board of Adjustment may approve the variance request, deny the request(s), or table the request(s) 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 above, Staff recommends that the variance to construct a garage be approved.

If the variance is approved, Staff recommends consideration of the following conditions of that approval:

1. (For discussion) That the size of the garage be limited to that allowed in the R-1 zoning district, since the lot to which this is tied is limited as such and because the majority of properties in the area are limited as such.
2. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences between the area of disturbance and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.
3. The applicant shall submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation and to allow adequate time for infiltration or other treatment of roof water from the addition prior to it flowing onto the neighboring property to the south. 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. That any use of a retaining wall in the construction of the garage that would be greater than four (4) feet in height shall require a separate building permit in accordance with the building code.
5. That if the amount of material to be moved around (earthwork, grading, excavation) in constructing the garage and driveway will exceed 50 cubic yards, a separate conditional use permit shall be applied for and granted prior to the issuance of any permits to construct the garage.

Application # <u>V14-002</u>	Date Application Rec'd <u>2/20/14</u> (for office use only)	Fee Collected \$ <u>400.00</u>
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**CORINNA TOWNSHIP  
VARIANCE APPLICATION**

Name of Applicant: STEVE & KELLY BRUGGEMAN

Property Address: 11815 89TH STREET N.W.

Mailing Address (if different): P.O. Box 298

City: ANNANDALE State: MN Zip: 55302

Phone (home/work)  320-274-5737 Phone (cell) other:  612-889-5245

E-mail (optional): STEVE@OAKREALTYMN.COM

**Applicant is:** \_\_\_\_\_ **Title Holder of Property (if other than applicant)**

Legal Owner  Name: \_\_\_\_\_

Contract Buyer  Address: \_\_\_\_\_

Option Holder  City, State, Zip: \_\_\_\_\_

Agent

Other  Please specify: \_\_\_\_\_

Property ID #: \_\_\_\_\_ Lake Name \_\_\_\_\_  
(12 digit # on tax statement) 206- 000-192205 (if applicable)

Legal Description: BACK LOT  
(attach if necessary)

Signature of Legal Owner, authorizing application (required): Steve Bruggeman  
(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.)

What type of variance are you requesting (check as many as apply)?

- 1 per 40 Division
- Road Setback
- Building/Impervious Coverage
- Lot Line Adjustment
- Lake or River Setback
- Height of Structure
- Undersized Lot
- Side or Rear Line Setback
- Septic System Setback
- Appeal of Staff Interpretation
- Bluff Setback
- Other \_\_\_\_\_

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.hometownplanning.com/corinna-township.html](http://www.hometownplanning.com/corinna-township.html).

**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:

1. What are you proposing for the property? State nature of request in detail:

REQUESTING to build a 1,000 sq ft. Building on the Backlot. WE PLAN to tuck the building in the slope. GARAGE DOOR to THE EAST. LANDSCAPE AND DRIVEWAY to LINE-UP with CURRENT DRIVEWAY.

2. 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.hometownplanning.com/corinna-township.html](http://www.hometownplanning.com/corinna-township.html)).

PER THE SURVEY AND TOPO MAP. WE HAVE A BUILDING SITE THAT WILL ACCOMMODATE A 1,000 sq ft Building, DRIVEWAY & LANDSCAPING NEEDED AND STILL HAVE ROOM for Septic System.

3. Describe why you believe the granting of the variance would be consistent with the Corinna Township Comprehensive Plan (Plan available at [www.hometownplanning.com/corinna-township.html](http://www.hometownplanning.com/corinna-township.html)).

WANT to KEEP THE AREA NEAT & CLEAN. would like to HAVE AMPLE STORAGE SPACE to Put ALL INSIDE AND out of site.

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

PLAN to FIT THE GARAGE AND LANDSCAPE to BLEND IN to the Neighborhood.

5. 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.

OUR HOME IS ZONED R1 AND THE BACKLOT AG.  
WE ARE UNSURE OF WHAT ZONING WE FALL UNDER.  
WE ARE ASKING TO BUILD A 1,000 SQ FT. BUILDING ON  
THE BACKLOT - ZONED AG.

6. 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.

OUR PLAN IS TO BUILD A BUILDING ABOVE STANDARD  
WITH LANDSCAPING THAT WILL ENHANCE AND BLEND  
WITH THE AREA.

7. 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?

VARIANCE TO BUILD A 1,000 SQ FT. BUILDING

8. 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?

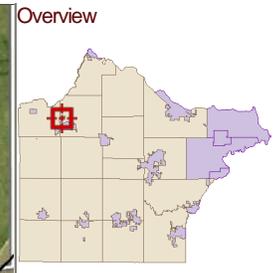
PLAN TO USE THE CURRENT SLOPE OF THE PROPERTY  
AND NESTLE THE BUILDING INTO THE SIDE OF THE HILL  
WITH THE GARAGE DOOR FACING EAST AND THE DRIVEWAY  
TO THE BUILDING TO LINE UP WITH OUR CURRENT  
DRIVEWAY.

9. Flood Insurance Notice: If your variance request involves a request to construct a structure below the base flood level, you are hereby notified that this will result in an increased premium rate for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage. Such construction below the base or regional flood level increases risks to life and property.

*\*If you are requesting to construct a structure below the  
base flood level, please initial here that you have read and  
understand the above notice:*

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



**Legend**

**Roads**

- CSAHCL
- CTYCL
- MUNICL
- PRIVATECL
- TWPCL

**City/Township Limits**

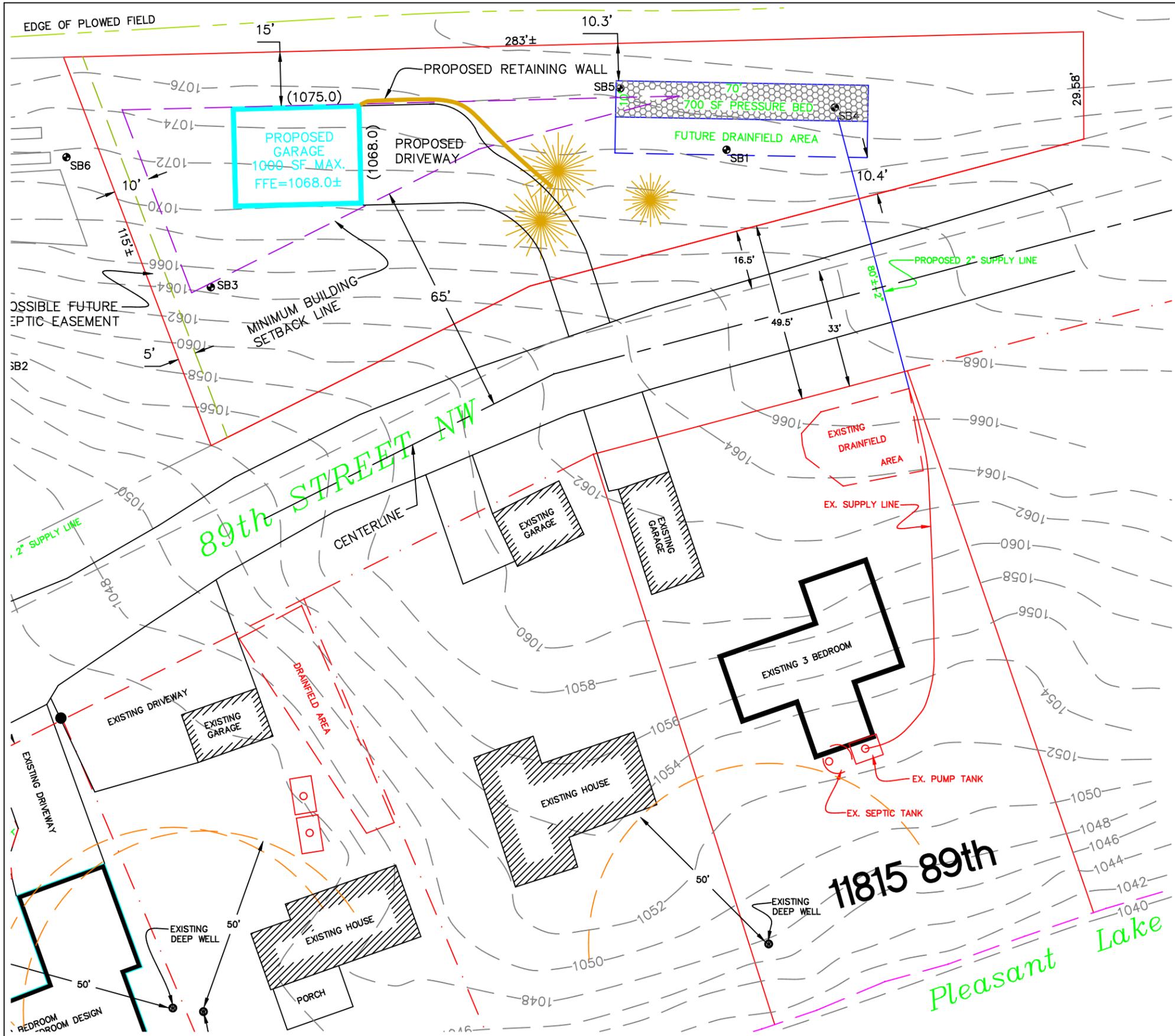
- c
- t
- Parcels

Parcel ID	206000192205	Alternate ID	n/a	Owner Address	BRUGGEMAN, STEVEN A & KELLY R
Sec/Twp/Rng	19-121-27	Class	101 - AGRICULTURAL		11815 89TH ST NW
Property Address		Acreage	n/a		PO BOX 298
					ANNANDALE, MN 55302

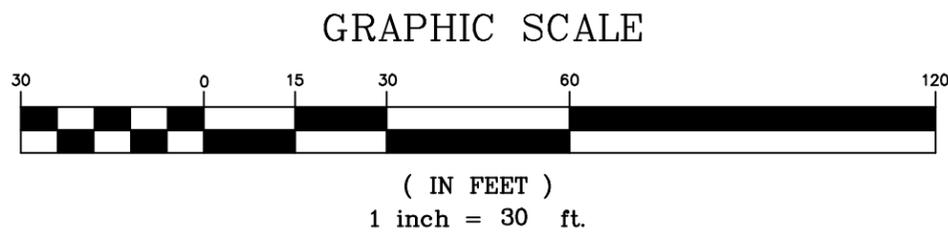
District: n/a

Brief Tax Description: Sect-19 Twp-121 Range-027 UNPLATTED LAND CORINNA TWP THAT PART OF GOVERNMENT LOT 3 DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 3; THENCE ON AN ASSUMED BEARING OF SOUTH 85 DEGREES 55 MINUTES 46 SECONDS WEST ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 3, A DISTANCE OF 289.40 FEET; THENCE SOUTH 0 DEGREES 26 MINUTES 14 SECONDS EAST, A DISTANCE OF 1022.83 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE SOUTH 89 DEGREES 12 MINUTES 45 SECONDS WEST, A DISTANCE OF 283.14 FEET; THENCE SOUTH 20 DEGREES 13 MINUTES 41 SECONDS EAST, A DISTANCE OF 115.04 FEET TO A LINE DISTANT 49.50 FEET NORTHWEST OF, MEASURED AT A RIGHT ANGLE TO AND PARALLEL WITH THE SOUTHEASTERLY LINE OF CEDAR LANE OF JACKSON'S PARK (NOW 89TH STREET NW); THENCE NORTH 64 DEGREES 06 MINUTES 51 SECONDS EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 98.91 FEET; THENCE NORTH 75 DEGREES 48 MINUTES 56 SECONDS EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 159.44 FEET TO THE INTERSECTION OF A LIN

(Note: Not to be used on legal documents)



- LEGEND
- EXISTING WELL LOCATION
  - SOIL BORING
  - TEST PIT
  - PERC TEST
  - X-98.2 EXISTING ELEVATION
  - X-(98.2) PROPOSED ELEVATION



**MILLER'S SEWAGE TREATMENT SOLUTIONS**  
 A division of WRM Services Inc.  
 9075 155th Street, Kimball, MN 55353  
 (320) 398-2705 cell (320) 980-1737

**PROPERTY LOCATION**  
 Part of Gov't Lot 3, Section 19,  
 Township 121, Range 27, Wright  
 County, Minnesota.  
 PID#206-000-192205

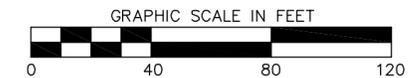
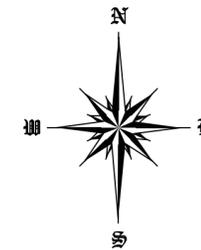
Septic System Site Plan		
DATE	JOB NO.	SCALE
2/20/14	2012-344	1-30

PREPARED FOR:  
**Steve Bruggeman**

I hereby certify that this site plan was prepared by me or under my direct supervision.  
*Bernie Miller* 2/20/14  
 Bernie Miller Advanced Designer Lic. # 1921

# CERTIFICATE OF SURVEY

FOR  
**STEVE BRUGGEMAN**



DENOTES:  
● IRON MONUMENT FOUND  
○ IRON MONUMENT SET & CAPPED RLS 15233

That part of Government Lot 3 of Section 19, Township 121, Range 27, Wright County, Minnesota described as follows: Commencing at the northeast corner of said Government Lot 3; thence on an assumed bearing of South 85 degrees 55 minutes 46 seconds West along the north line of said Government Lot 3, a distance of 289.40 feet; thence South 0 degrees 26 minutes 14 seconds East, a distance of 1022.83 feet to the point of beginning of the land to be described; thence South 89 degrees 12 minutes 46 seconds West, a distance of 283.14 feet; thence South 20 degrees 13 minutes 41 seconds East, a distance of 115.04 feet to a line distant 49.50 feet northwest of, measured at a right angle to and parallel with the southeasterly line of Cedar Lane of JACKSON'S PARK, according to the recorded plat thereof, Wright County, Minnesota (now 89th Street NW.); thence North 64 degrees 06 minutes 51 seconds East along said parallel line, a distance of 98.91 feet; thence North 75 degrees 48 minutes 56 seconds East along said parallel line, a distance of 159.44 feet to the intersection of a line bearing South 0 degrees 26 minutes 14 seconds East from the point of beginning; thence North 0 degrees 26 minutes 14 seconds West, a distance of 29.58 feet to the point of beginning.

Subject to a 10.00 easement for septic purposes under and across the following described property:

Government Lot 3 of Section 19, Township 121, Range 27, Wright County, Minnesota.

The center line of said easement is described as follows: Commencing at the northeast corner of said Government Lot 3; thence on an assumed bearing of South 85 degrees 55 minutes 46 seconds West along the north line of said Government Lot 3, a distance of 289.40 feet; thence South 0 degrees 26 minutes 14 seconds East, a distance of 1022.83 feet; thence South 89 degrees 12 minutes 46 seconds West, a distance of 283.14 feet to the point of beginning of said center line of the easement to be described; thence South 20 degrees 13 minutes 41 seconds East, a distance of 115.04 feet to a line distant 49.50 feet northwest of, measured at a right angle to and parallel with the southeasterly line of Cedar Lane of JACKSON'S PARK, according to the recorded plat thereof, Wright County, Minnesota (now 89th Street NW.) and said center line there terminating. The side lines of said easement are to be prolonged or shortened to terminate on a line bearing South 89 degrees 12 minutes 46 seconds West and North 89 degrees 12 minutes 46 seconds East from the point of beginning and said parallel line distant 49.50 feet northwest of the southeasterly line of Cedar Lane.

PROPERTY AREA = 17,369.90 SQ. FT. OR 0.40 ACRES

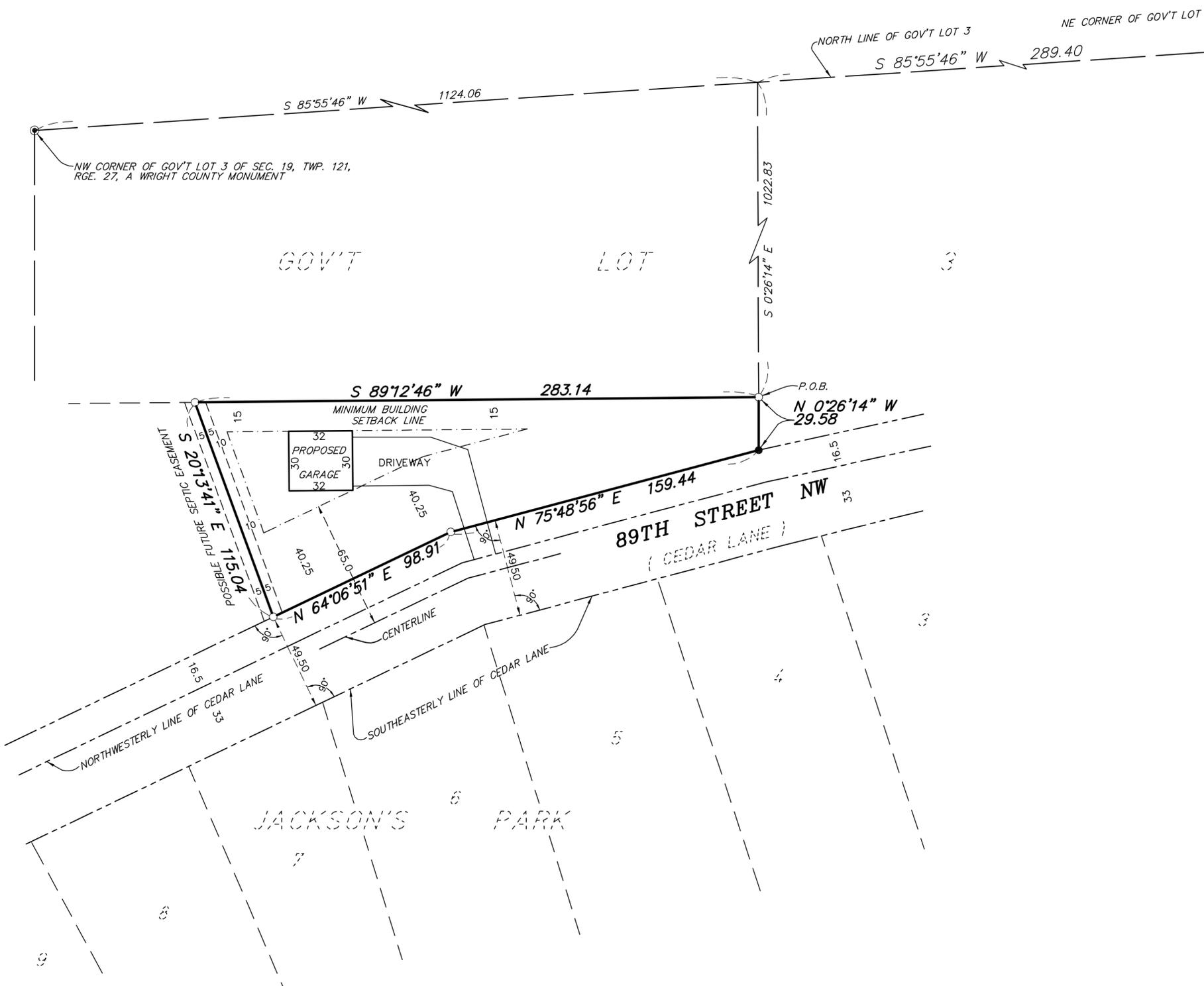
EASEMENTS OF RECORD ARE SHOWN ON THIS SURVEY ONLY IF PROPER DOCUMENTATION IS PROVIDED TO US.

SUBJECT TO PUBLIC RIGHT OF WAYS AND EASEMENTS OF RECORD IF ANY.

I HEREBY CERTIFY THAT THIS SURVEY PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

DENNIS V. TAYLOR REG. NO.15233

DATE



**TAYLOR LAND SURVEYORS, INC.**  
213 W. Broadway P.O. Box 179  
Monticello, MN 55362  
Phone # 763-295-3388 Fax # 763-295-3408

REV: 2/17/14 PROPOSED GARAGE LOCATION  
REV: 12/23/13 ADDED PROPOSED GARAGE LOCATION  
REV: 03/18/13 ADDED SEPTIC EASEMENT DESCRIPTION

DRAWN BY:	CHECKED BY:	BOOK / PAGE	SHEET OF:	SCALE	DATE DRAWN:	FILE NO.
B.TAYLOR	D. TAYLOR	F-398 / 74	1 1	1IN.=40FT.	03/04/13	13009





## STAFF REPORT

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**Other Business:** Discuss Policy on Impervious Coverage of Rock Retaining Walls  
Discuss Escrow Amounts for Sewer Upgrades at Property Transfer  
Comprehensive Plan Update

**Agenda Item:** 7(a-c)

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### Staff Comments:

Impervious Coverage of Rock Retaining Walls – Last summer, the Board of Adjustment approved a variance (Court Holman – 8334 Irvine Avenue) that gave a 50% credit for large boulder retaining walls (so that only half of the area covered would be considered impervious). The reasoning was that with boulders – as opposed to retaining walls or other structures – some of the rainwater that falls on it is likely to fall in the gaps between the rocks and infiltrate down through the gaps in the lowest layer and into the ground.

For future reference on other applications, Staff would request that the Commission provide direction as to whether such a credit would be granted to all rock retaining walls. In some cases, if no credit is given, a variance would be required from impervious coverage limits. If the credit is given, a variance may not be needed.

Considerations in discussing this issue could include:

1. Does the size of the rocks in the wall matter?
2. Does it matter if there is plastic weed barriers installed behind the rock, but not under the lowest layer of the wall?
3. Does it matter if the rock is for erosion control and slope stabilization vs. decorative purposes? When would a wall be considered decorative?
4. Does it matter how close to the lake or other water body such a wall is located?

Escrow Amounts for Sewer Upgrades at Property Transfer – Wright County currently has an ordinance (separate from zoning) that requires property owners transferring the property to have the sewer system inspected (unless it is exempt under state law or waived after a review of the records by Wright County Environmental Health staff). In cases where a system does not pass this inspection, and a new system cannot be installed due to weather conditions or for some other reason, an escrow is required to cover the cost of installing the replacement system or making the required upgrades.

The County currently requires that this escrow amount be 1.5 times “a reasonably calculated bid to meet all septic system inspection, upgrade or replacement costs.”

The Town Board, in trying to ensure that septic systems are upgraded properly when necessary, has asked the Commission to discuss whether a higher escrow amount should be required – perhaps 2 or 2.5 times the “reasonably calculated bid”. There have been several instances where systems that were supposed to be upgraded and had escrows in place, have not been upgraded. A higher escrow requirement may provide a greater incentive to install the systems and to recover any amount in excess of what is needed to update the system.

Considerations in discussing this issue could include:

1. How would this be enforced? It may (would likely) require that the Township adopt its own “point of sale” ordinance and enforce it themselves (the alternative would be for the Township to work with the County to enforce a higher escrow amount within Corinna Township only).
2. Would a higher escrow help ensure more systems are updated as required?

Comprehensive Plan Update – As per previous discussions by the Planning Commission and Town Board, the Township is beginning a process to review and update its 2007 Comprehensive Plan. The decision was to take the update in sections.

Staff suggests that we begin with a review of Section 3: Goals & Strategies at the March meeting and continue into subsequent meetings as necessary. The discussion will be expected to be fairly open ended, with the Commission giving Staff direction as to where and how to make changes. However, Staff will plan to come to the meeting(s) with listings of suggested changes or topics for discussion based on where additional strategies might be beneficial as the Township seeks to implement the plan and address certain zoning issues.

Section 3 can be reviewed in your P&Z Handbook/binder or online at: [http://www.hometownplanning.com/uploads/1/0/9/1/10915834/crna\\_compplan\\_final.pdf](http://www.hometownplanning.com/uploads/1/0/9/1/10915834/crna_compplan_final.pdf).