



**STAFF REPORT**

**Application:** Variance to construct 10' x 16' storage shed approximately 4 feet from a side lot line (min. 10 ft required), 55 feet from the centerline of a township road (min. 65 ft required) and 0 feet from a septic drainfield (min. 20 feet required).

**Applicant:** Jerome Macmillan

**Agenda Item:** 4(b)

---

**Background Information:**

**Location:**

- Property Address: 11065 Guildner Ave, Maple Lake
- Sec/Twp/Range: 1-121-27
- Parcel Number(s): 206047001030

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

**Lot size:** Approximately 10,800-11,000 sq ft (0.25 acres) according to the submitted property survey and adjustments to that survey by Staff and the original surveyor to subtract land below the Ordinary High Water Level (OHWL) of Indian Lake. A survey of the lot of just land above OHWL has not been submitted.

Existing Impervious Coverage:

- Buildings: Approx. 896 sq ft (8.3%)
- Total: Approx. 2,994 sq ft (30.8%)

Proposed Impervious Coverage:

- Buildings: Approx. 3,394 sq ft (12.0%)
- Total: Approx. 3,394 sq ft (31.4%)

**Septic System Status:** The existing sewer system was found compliant in November 2009 and will not be affected by the proposed construction (in terms of the sizing of the system). The proposed shed will be right at the edge of the drainfield, but should not impact its functioning properly.

**Natural Features:**

Floodplain: The property is not within an identified floodplain, although the water level of Indian Lake does fluctuate.

Bluff/Steep Slopes: The property contains a steep slope along the entire shoreline, but no bluffs. The proposed garage addition is located well outside of the steep slopes.

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

**Proposal:** The applicant is proposing to construct a new 10' x 16' storage shed to be placed where an existing 7' x 7' shed is located. The 7' x 7' shed would be relocated to another part of the lot where it would meet all required setbacks.

**Requested Variance(s):**

- Side yard setback: 10' x 16' storage shed approximately 4 feet from a side lot line (min. 10 ft required)
- Road centerline setback: 10' x 16' storage shed approximately 55 feet from the centerline of a township road (min. 65 ft required)
- Septic setback: 10' x 16' storage shed approximately 0 feet from a septic drainfield (min. 20 feet required).
- **NOTE**: The property is currently over impervious coverage limits (approximately 31% - maximum allowed 25%), but no variance has been applied for to exceed the amount listed as it was originally thought that the landscaping would not count as impervious coverage until it was found that there was plastic underneath the landscape rock. The applicant would need a variance to further increase the impervious coverage limit. The Board can discuss whether the applicant would need a variance if he were to remove as much impervious as he is adding so that there was no net increase.

---

**Applicable Statutes/Ordinances:**

**Minnesota Statutes**

**394.27 CREATION AND DUTIES OF BOARD OF ADJUSTMENT.**

---

**Subd. 7. Variances; practical difficulties.**

The board of adjustment shall have the exclusive power to order the issuance of variances from the requirements of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official control 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 official control. "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 an official control; 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 official controls. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. The board of adjustment 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.

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

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

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

## **Corinna Township/Wright County Zoning Ordinance**

### **405. NON-CONFORMING USES**

#### **405.1 Non-conforming Building and Uses**

- (1) A non-conforming use existing at the time of adoption of this Ordinance may be continued except as provided herein.
- (4) In the event that a non-conforming use is discontinued or its normal operation stopped for a period of six (6) months, the use shall thereafter conform to the regulations of the district in which it is located.

#### **405.2 Expansion and Alteration**

A non-conforming use existing at the time of the adoption of this Ordinance may be continued provided that the exterior dimensions of such use shall not be extended or expanded. If no structural alterations are made, a non-conforming use of the building may be changed to another non-conforming use of the same or more restricted classification. The foregoing provisions shall also apply to non-conforming uses in districts hereafter changed. Whenever a non-conforming use of a building has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use.

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

#### **502.2 Duties and Responsibility**

The Board of Adjustment shall act upon all questions as they may arise in the administration of this Ordinance, including the interpretation of zoning maps, and it shall hear and decide appeals from and review any order, requirement, decision, or determination made by any administrative official charged with enforcing the Ordinance. Such appeal may be taken by any person, firm, or corporation aggrieved, or by any officer, department, Board or bureau of a town, municipality, county, or state.

...

The Board of Adjustment shall have the exclusive power to order issuance of Variances from the terms of any official control including restrictions placed on non-conformities. Variances shall only be permitted when they are in harmony with the general purpose and intent of the official control in cases where there are practical difficulties or

particular hardships in the way of carrying out the strict letter of any official control, and when the terms of the Variance are consistent with the Comprehensive Plan. "Hardship" as used in connection with the granting of a Variance means the property in question cannot be put to a reasonable use if used under the conditions allowed by the official controls; the plight of the landowner is due to circumstances unique to his property, not created by the landowner; and the Variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if a reasonable use of the property exists under the terms of this Ordinance. No Variance may be granted that would allow any use that is prohibited in the zoning district in which the subject property is located. The Board of Adjustment may impose conditions in the granting of Variances to insure compliance and to protect adjacent properties and the public interest. The Board of Adjustment may consider the inability to use solar energy systems a "hardship" in the granting of the Variance.

**403. LOT COVERAGE**

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

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

(3) Side Yard Regulations:

There shall be a minimum side yard of fifteen (15) feet for principal uses and ten (10) feet for accessory uses unless the building is housing livestock, then the setback is 100 feet for livestock buildings.

**612.5 Shoreland Performance Standards**

612.5 (1) General Performance Standard for Lakes

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

(a) General Development Minimum Standards:

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

---

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

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

- a) **Yes.** The spirit and intent of the ordinance (side yard setback) is to require some space between buildings and other improvements and the adjacent lot and to maintain space between structures. Its' intent is also to maintain consistency

from one property to the next in this setback. The proposed setback of 4 feet is not any closer to the property line than is the current storage building and will not create a worse situation, except to have more building within that setback.

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 proposed building will be no closer to the road than other structures in the immediate area and there is a large tree between the proposed building and the road that would limit any impact of the building on public safety.

The spirit and intent of the ordinance (septic setback) is to ensure that systems can be effectively replaced and maintained over time without damaging buildings or preventing pumper trucks from accessing the tank. The proposed shed will have no impact on the ability of pumper trucks to access the tanks for regular maintenance or for equipment that may be necessary to eventually replace the sewer system. The building will also be constructed in a way that it could be easily moved if necessary.

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

**Yes, if impervious surface coverage issues are addressed.** 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 submitted a stormwater management plan, but the proposed storage shed would not have much additional impact. However, given the high impervious coverage of the lot, a stormwater plan of some sort should be submitted to help protect the water quality of Indian Lake.
- 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:** It does not appear that any trees would be removed as a result of the new shed.
- 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:** Temporary silt fence should be installed downslope of the proposed shed during any construction, although ground disturbance is expected to be minimal.

- Limit the amount of grading and filling in the shoreland area so as to minimize the disturbance of soil and prevent erosion.
  - Staff Comment: The amount of excavation and soil disturbance will be limited to just that necessary to put in the shed and a pad for it and is not expected to be extensive.

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

**Yes, if impervious coverage issues are addressed.** The applicant is requesting the ability to construct a new shed to increase the amount of storage available on the property. There is no garage possible on the property due to the small size and the septic location, so small storage sheds are the only way to provide additional storage.

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

**Yes, if impervious coverage issues are addressed.** The need for the variance is created primarily by the very small size of the lot. There is limited places for a septic system and for buildings without need for at least some setback variances. The impervious coverage situation can be greatly improved by converting the plastic underlying the landscaping to landscape fabric. At a minimum, there should not be an increase in impervious coverage as a result of this proposal.

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

**No.** The neighborhood where the property is located is primarily made up of very small lots and limited space for garages. The storage shed will not be out of character with the neighborhood as the two adjacent properties also have similarly sized sheds in similar locations relative to side lot lines and road centerline.

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

**No.** There are other considerations than simply economic. These are primarily related to the very small lot size and the location of the septic system.

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

**Needs discussion.** The only way for the applicant to alleviate the requested variance would be to reduce the size of the storage shed so that a lesser setback variance would be needed. There does not appear to be anywhere else to place a storage shed of this size on the property without needing some kind of setback variance.

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

**Needs discussion.** The most likely impact on the environment would come from an increase in impervious surfaces, which would require a separate variance. Maintaining no net increase in the impervious coverage will not worsen the existing situation significantly, but there will still be an impact. Removing the plastic underneath the landscaping appears to be a reasonable way to reduce

impervious coverage and possibly make the property conform to the 25% limit on impervious coverage.

---

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

---

**Staff Recommendation:** Based on the findings of fact and discussion listed above, Staff would recommend approval of the requested side yard, road centerline and septic system setback variances as the proposed shed is of a reasonable size.

Staff would recommend that any approval of a variance include at least the two following conditions:

1. The applicant shall submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation. These may include directing rain gutters to appropriate areas, rain barrels, or other acceptable best management practices. Once approved, the plan should be implemented at the time of construction or within a reasonable time period after construction is completed.
2. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences on downslope areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets or other forms of temporary cover until vegetation is re-established.
3. The applicant shall remove all plastic underlayment for the landscaped areas and otherwise ensure that the landscaped areas are considered pervious by the ordinance. Using landscape fabric instead of plastic would accomplish this. This plastic, when it was installed by the previous owner, did not meet the requirements of the ordinance at the time and would thus be considered an illegal nonconformity.

Application # _____	Date Application Rec'd ____/____/____ (for office use only)	Fee Collected \$ _____
---------------------	--	------------------------

**CORINNA TOWNSHIP  
VARIANCE APPLICATION**

Name of Applicant JEROME C. MACMILLAN Phone 320.963.3433

Property Address (E911#) 11065 GUILDNER AVE NW

Mailing Address \_\_\_\_\_ Local Phone \_\_\_\_\_  
*(if different than above)* *(if different than above)*

City, State, Zip MAPLE LAKE, MN 55358

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

Legal Owner	<input checked="" type="checkbox"/>	_____
Contract Buyer	<input type="checkbox"/>	(Name)
Option Holder	<input type="checkbox"/>	_____
Agent	<input type="checkbox"/>	(Address)
Other _____		_____
		(City, State, Zip)

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

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

Property ID # (12 digit # beginning with 206-XXX-XXXXXXX) 206047001030

Full legal description of property involved in this request, including total acreage or square footage (required – attach separate sheet if necessary):  
13,800 SQ. FT. APPROX.

Zoning District R-1, Lake Name (if applicable) INDIAN LAKE

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 checked="" 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 checked="" type="checkbox"/> Undersized Lot      | <input checked="" type="checkbox"/> Side or Rear Line Setback | <input type="checkbox"/> Septic System Setback                   |
| <input type="checkbox"/> Appeal of Staff Interpretation | <input type="checkbox"/> Bluff Setback                        | <input type="checkbox"/> Other _____                             |

What are you proposing for the property? State nature of request in detail: I WANT TO CONSTRUCT A 10' x 16' STORAGE SHED ON THE BACK CORNER OF MY LOT. THE SHED WOULD BE HIDDEN BY EXISTING TREES, SCRUBS AND MY NEIGHBOR'S SHEDS. THE NEW SHED WOULD BE CLOSER THAN 10' TO THE LOT LINE. BECAUSE OF MY DRAINFIELD I CANNOT PUT A SHED ANYWHERE ELSE NOR CAN I CONSTRUCT A GARAGE.

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

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

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

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

I LIVE ON A SHORT DEAD END STREET SO WE DO NOT HAVE MUCH TRAFFIC. THUS ONLY MY NEIGHBORS WOULD SEE THE SHED. MOST OF MY NEIGHBORS HAVE A SHED ALREADY AND NONE WOULD BE AFFECTED BY MY SHED.

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

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

I AM HAMPERED BY AN UNDERSIZED LOT AND MY DRAINFIELD. I CANNOT BUILD A GARAGE. IF I CANNOT BUILD A STORAGE SHED MY WIFE AND I CANNOT LIVE IN OUR HOME YEAR ROUND.

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

SAME AS ABOVE.

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

MOST OF MY NEIGHBORS HAVE A SHED AND NONE ARE WITHIN RESTRICTIONS. UNLESS YOU LIVE ON INDIAN POINT YOU WOULD NOT NOTICE THE STORAGE SHED. ALL OF MY NEIGHBORS HAVE A SHED OR GARAGE.

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

I LOOKED AT CONSTRUCTING A SHED BELOW MY DECK BUT THAT WOULD NOT LOOK GOOD PLUS IT WOULD NOT ~~BE~~ CONFORM TO RESTRICTIONS.

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

THE SHED WOULD BE HIDDEN FROM THE ROAD BY EXISTING TREES AND SHRUBS AND EXISTING SHEDS.

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

THE SHED IS MY ONLY OPTION FOR STORAGE. THIS IS OUR YEAR-ROUND HOME.

## MACMILLAN VARIANCE DETAILS

THE SHED I PROPOSE TO CONSTRUCT WILL BE APPROXIMATELY 4 FEET FROM THE WEST SIDE LOT LINE AND APPROXIMATELY 45 FEET FROM THE EDGE OF THE ROAD AND WILL BE 10' x 16' IN SIZE. THIS AREA IS ON THE BACK LEFT CORNER OF MY LOT AND IS BEHIND TREES AND SHRUBS.

THIS AREA IS ON THE CORNER OF MY DRAIN FIELD WHERE THE LAND IS FLAT. THE FIELD DRAINS TO THE OPPOSITE SIDE (EAST).

THE ARIEL PICTURE SHOWS A PROPANE TANK THAT IS NO LONGER THERE BECAUSE I HAVE CONVERTED TO NATURAL GAS.

320-963-3433

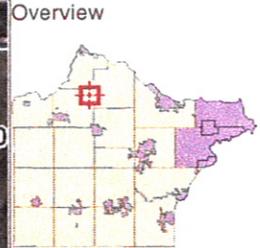
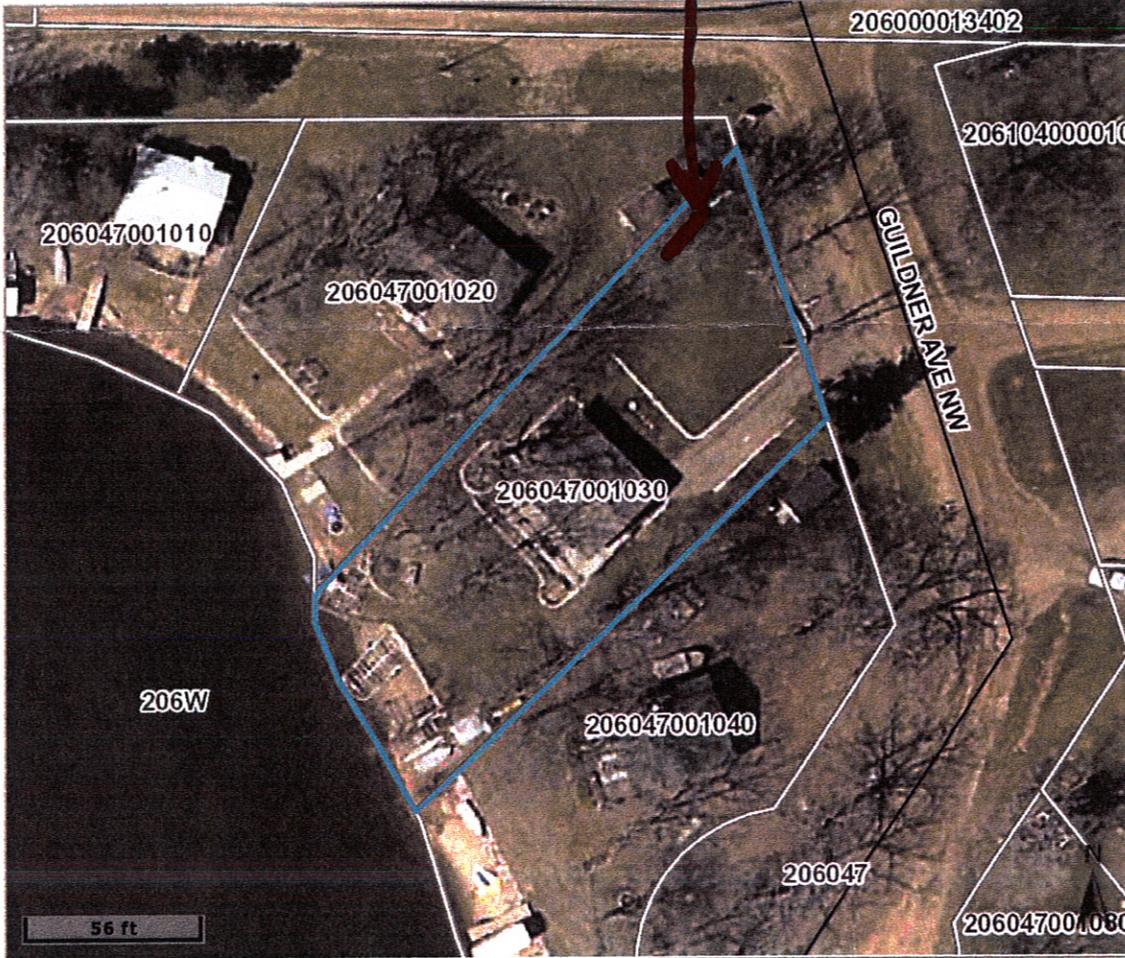
Wright County, MN

MacMILLAN



# PROPOSED SHED

Date Created: 8/9/2011



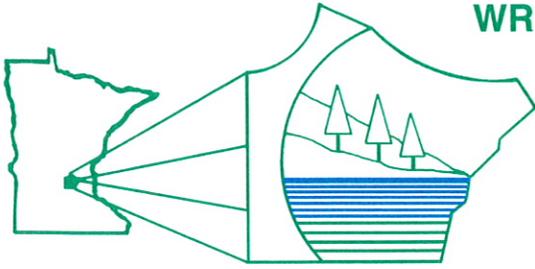
- Legend**
- Roads**
- CSAHCL
  - CTYCL
  - MUNICL
  - PRIVATECL
  - TWPCL
- City/Township Limits**
- c
  - t
  - Parcels

<b>Parcel ID</b>	206047001030	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	JEROME C & JANE MACMILLAN
<b>Sec/Twp/Rng</b>	1-121-27	<b>Class</b>	201 - RESIDENTIAL		11065 GUILDNER AVE NW
<b>Property Address</b>	11065 GUILDNER AVE NW MAPLE LAKE	<b>Acreage</b>	n/a		MAPLE LAKE, MN 55358
<b>District</b>	n/a				
<b>Brief Tax Description</b>	Sect-01 Twp-121 Range-027 INDIAN POINT Lot-003 Block-001				
	<i>(Note: Not to be used on legal documents)</i>				

Last Data Upload: 8/9/2011 8:10:47 AM







## WRIGHT SOIL AND WATER CONSERVATION DISTRICT

311 Brighton Ave. S., Suite C  
Buffalo, Minnesota 55313  
Telephone (763) 682-1933  
(763) 682-1970  
Fax (763) 682-0262

October 31, 2011

Corinna Township Zoning Administrator  
Ben Oleson  
9801 Ireland Avenue NW  
Annandale, MN 55302

**RE: SE ¼ of the SW ¼, Section 1, Township 121, Range 27, Wright County, Minnesota,  
(Corinna Township). Variance request to construct storage shed within the centerline of a township  
road, side lot line and septic drainfield.**

Dear Mr. Oleson,

The Wright Soil and Water Conservation District (SWCD) has reviewed and inspected the above mentioned property and considered the proposal for the variance.

Given the small size of the proposed project, rapid stabilization for the proposed activity is recommended. If the project will be constructed with minimal disturbance and promptly, then the use of silt fence or additional temporary control measures would not be required. However, if this project is constructed throughout the upcoming year silt fence should be installed on all down gradient perimeters to avoid erosion of exposed soils onto neighboring parcel or Indian Lake. Final grading should blend all disturbed areas into the natural landscape and maintain drainage of the existing conditions. Once construction has ceased all exposed soils require sod or grass seed to ensure stabilization of the site.

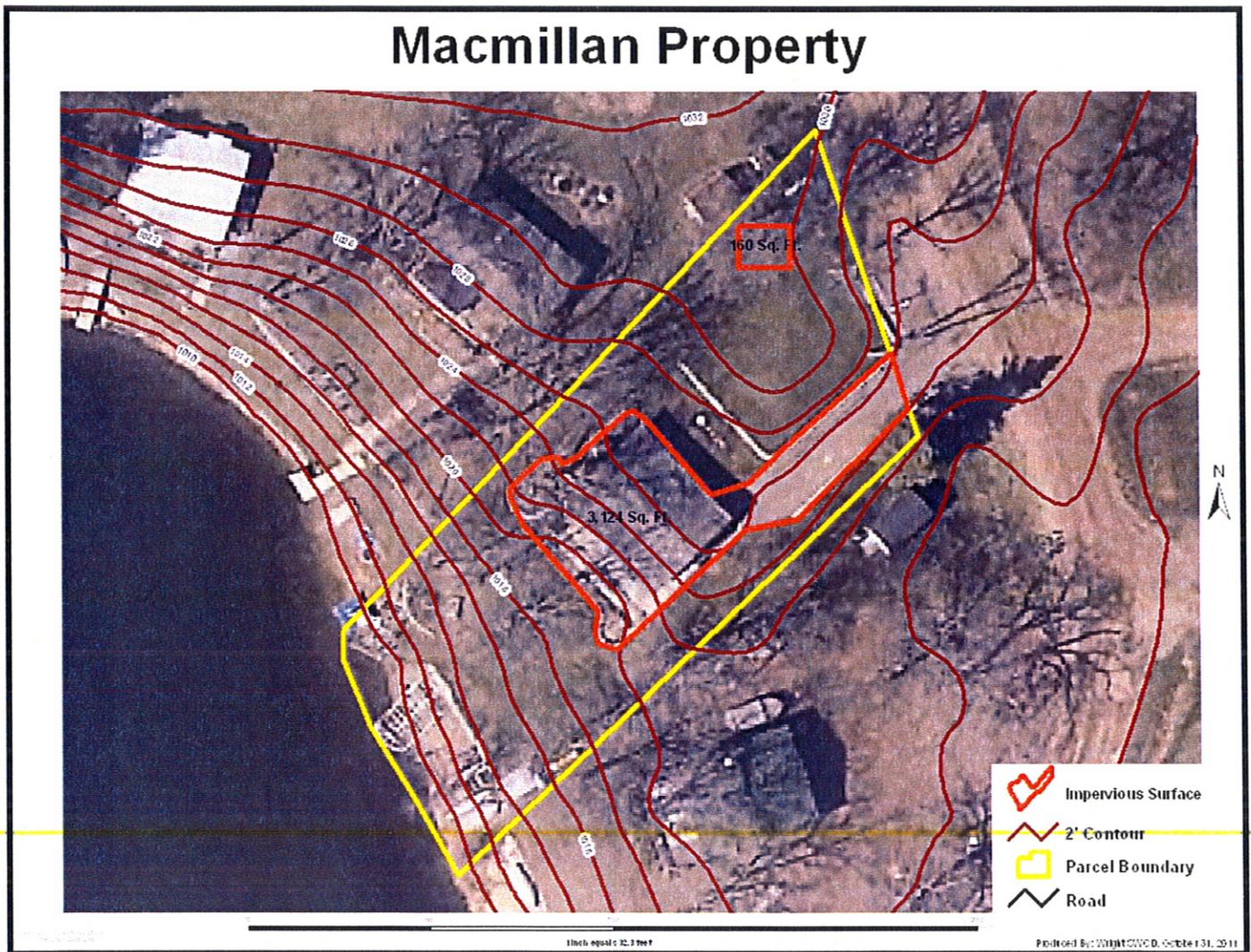
Additional structures being proposed will increase the overall footprint from the existing structure and impervious surface on the lot. Impervious surfaces are a surface that is incapable of being penetrated by water and thereby restricts percolation of water into the ground or does not maintain a vegetative cover. Impervious surfaces include but are not limited to the footprint of all structures or buildings, decks, stairways, lifts and landings, patios, sidewalks, and all driving and parking areas. The proposed impervious surfaces account for approximately 30% of the lot size, which is well over the allowable 25% coverage. These figures were derived from existing impervious of 3,124 square feet combined with the proposed 160 square feet for a total of 3,284 square feet on a lot of approximately 11,000 square feet. The existing impervious surface should be reduced to 25% before allowing the proposed variance to avoid further environmental impacts on the undersized lot.

The Wright SWCD appreciates the opportunity to comment on the variance of the proposed project. Thank you for addressing our concerns and if you have any questions or concerns please feel free to contact myself or the District.

Kind Regards,



Brian Sanoski  
Urban Conservation Specialist





**STAFF REPORT**

**Application:** Variance to construct a second story above an existing dwelling approximately 22.5 feet, two open decks approximately 20.3 and 33.3 feet, and a two story dwelling/garage addition approximately 39.2 feet from Sugar Lake (75 feet required in all cases) on an undersized lot. Variance to construct a septic drainfield 5 feet from a side and right-of-way property line (min. 10 feet required).

**Applicant:** Kevin Blohm and Veda Vargo

**Agenda Item:** 4(c)

---

**Background Information:**

**Location:**

- Property Address: 11708 Hollister Ave NW, Maple Lake.
- Sec/Twp/Range: 2-121-27.
- Parcel Number(s): 206011002070 and 206011000032

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

**Lot size:**

With additional road vacation: 13,730 sq ft (0.32 acres) according to provided survey.

Without additional road vacation: 12,851 sq ft (0.30 acres) according to provided survey.

Existing Impervious Coverage:

- Buildings: Approx. 1,339 sq ft (10.4%)
- Total: Approx. 1,402 sq ft (10.9%)

Proposed Impervious Coverage:

- Buildings: Approx. 1,924 sq ft (14.97%)
- Total: Approx. 2,491 sq ft (19.38%)

- Septic System Status:** The applicant is proposing the construction of a new, replacement sewer system as part of this request. The new system would be a Type 4 with reduced separation to saturated soil and a Multi-Flo system would be used for primary treatment. The pressure bed will need to be raised and over-excavated.

The proposed floor plan shows a master bedroom and another bedroom on the second floor. No bedrooms are identified on the main floor. The second floor also contains a “family/rec room.”

**Natural Features:**

Floodplain: The property is not within an identified floodplain. The ordinance required, in such cases, that the lowest floor of a dwelling be located at least 4 feet above the highest known water level (HKWL). For Sugar Lake, the highest known

water level is 990.03 (7/16/2011)<sup>1</sup> and the proposed lowest floor of the dwelling would be 993.4.

Bluff/Steep Slopes: There are no steep slopes of bluffs on the property.

Wetlands: There do not appear to be any wetlands on the property that would impact the proposal. There is a large wetland located across Hollister Avenue.

- **Proposal:** The applicant is proposing to build a two-story addition to the existing one-story home, and also construct a second story over approximately 2/3 of the first floor.

In previous months, there had been discussion of possibly having some road right-of-way vacated to increase the applicant's lot size and thus allow for more building to be constructed while still meeting the building coverage limits. The road right-of-way is not going to be vacated though after discussions with the Town Board and the applicant has adjusted his addition size downward to stay under the 15% building coverage limit.

The revised plans will also now meet the required road setback (min. 20 feet from edge of road) as a result of the downsized addition.

- **Requested Variance(s):**
  - Lake setback: Construct a second story above an existing dwelling approximately 22.5 feet, two open decks approximately 20.3 and 33.3 feet, and a two story dwelling/garage addition approximately 39.2 feet from Sugar Lake (75 feet required in all cases)
  - Septic system setback: Septic drainfield to be constructed 5 feet from a side and right-of-way property line (min. 10 feet required).
  - **NOTE:** The building elevation of the lowest floor will need to be raised to meet the requirement that it be 4 feet above the highest known water level (HKWL). Staff's understanding is that the applicant is aware of this, but we are confirming this.

---

**Applicable Statutes/Ordinances:**

**Minnesota Statutes**

**394.27 CREATION AND DUTIES OF BOARD OF ADJUSTMENT.**

**Subd. 7. Variances; practical difficulties.**

The board of adjustment shall have the exclusive power to order the issuance of variances from the requirements of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official control and when the variances are consistent with the comprehensive plan. Variances may be granted

---

<sup>1</sup> The highest known water level at the time the applicant originally applied for this variance was 989.89 (5/11/2008). The difference between that reading and the current highest known water level is 0.14 feet, or 1.68 inches. Staff discussed this matter with the DNR Hydrologist (R. Stradal) and he indicated that the Township should use whatever the HKWL is at the time the permit is issued. The applicant's initial building plans had used the previous, lower HKWL and will need to be amended.

when the applicant for the variance establishes that there are practical difficulties in complying with the official control. "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 an official control; 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 official controls. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. The board of adjustment 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.

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

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

### **Corinna Township/Wright County Zoning Ordinance**

#### **405. NON-CONFORMING USES**

##### 405.1 Non-conforming Building and Uses

- (1) A non-conforming use existing at the time of adoption of this Ordinance may be continued except as provided herein.
- (4) In the event that a non-conforming use is discontinued or its normal operation stopped for a period of six (6) months, the use shall thereafter conform to the regulations of the district in which it is located.

##### 405.2 Expansion and Alteration

A non-conforming use existing at the time of the adoption of this Ordinance may be continued provided that the exterior dimensions of such use shall not be extended or expanded. If no structural alterations are made, a non-conforming use of the building

may be changed to another non-conforming use of the same or more restricted classification. The foregoing provisions shall also apply to non-conforming uses in districts hereafter changed. Whenever a non-conforming use of a building has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use.

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

### **502.2 Duties and Responsibility**

The Board of Adjustment shall act upon all questions as they may arise in the administration of this Ordinance, including the interpretation of zoning maps, and it shall hear and decide appeals from and review any order, requirement, decision, or determination made by any administrative official charged with enforcing the Ordinance. Such appeal may be taken by any person, firm, or corporation aggrieved, or by any officer, department, Board or bureau of a town, municipality, county, or state.

...

The Board of Adjustment shall have the exclusive power to order issuance of Variances from the terms of any official control including restrictions placed on non-conformities. Variances shall only be permitted when they are in harmony with the general purpose and intent of the official control in cases where there are practical difficulties or particular hardships in the way of carrying out the strict letter of any official control, and when the terms of the Variance are consistent with the Comprehensive Plan. "Hardship" as used in connection with the granting of a Variance means the property in question cannot be put to a reasonable use if used under the conditions allowed by the official controls; the plight of the landowner is due to circumstances unique to his property, not created by the landowner; and the Variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if a reasonable use of the property exists under the terms of this Ordinance. No Variance may be granted that would allow any use that is prohibited in the zoning district in which the subject property is located. The Board of Adjustment may impose conditions in the granting of Variances to insure compliance and to protect adjacent properties and the public interest. The Board of Adjustment may consider the inability to use solar energy systems a "hardship" in the granting of the Variance.

## **403. LOT COVERAGE**

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

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

### **(3) Side Yard Regulations:**

There shall be a minimum side yard of fifteen (15) feet for principal uses and ten (10) feet for accessory uses unless the building is housing livestock, then the setback is 100 feet for livestock buildings.

## **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"

(c) Within existing developed areas, the above front yard setback requirements may be adjusted to coincide with average setback occurring on either side of the proposed building within three hundred (300) feet except that no building shall be located less than twenty (20) feet from the right-of-way line.

**612.5 Shoreland Performance Standards**

612.5 (1) General Performance Standard for Lakes

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

(a) General Development Minimum Standards:

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

716. SEWAGE AND WASTEWATER TREATMENT AND DISPOSAL STANDARDS

716.3 Site Evaluation and Design Requirements

**Table 3  
Minimum Setback Distances (Feet)**

	Sewage or Holding Tank	Soil Treatment or Absorption Area	Building Sewer or Supply Pipes
Water Supply Wells* (50 feet of continuous casing or encountering 10 feet of impervious material)	50	50	50**
Water Supply Wells* (less than 50 feet of continuous casing)	50	100	50**
Buried water suction pipe*	50	50	50**
Buried pipe distributing water under pressure*	10	10	10
Buildings***	10	20	-
Property Lines****	10	10	-
Subsurface drainage systems such as field tile lines	50	50	-
Surface drainage systems such as open ditches	30	30	-
The ordinary high water mark of the following types of lakes:			
Natural Environmental Lakes and Transitional River Segments (North Fork of the Crow)	150	150	-
Recreational Development Lakes, Mississippi River, Agricultural Rivers and Tributaries as defined in Section 612.4	75	75	-
General Development Lakes	50	50	-
All public water wetlands as defined by Minnesota Statutes, Section 103G.005, Subd. 15a or successor statute	50	50	-

\* Setbacks from buried water pipes and water supply well as governed by Minnesota Rules, Chapters 4715 and 4725, respectively.

\*\* The setback can be reduced from 50 to 20 feet if the building sewer or supply pipe is air tested by holding 5 pounds of air pressure for 15 minutes.

\*\*\* For structures other than buildings these setbacks may be reduced if necessary due to site conditions, but in no case shall any part of the individual sewage treatment system be located under or within the structure. For this provision to be employed there shall not be interior space below the structure. For the new construction of a structure without interior space below the structure no part of the absorption area shall encroach closer than 10 feet.

\*\*\*\* The setback from the treatment area to the platted road may be reduced with written approval from the road authority. The Board of Adjustment shall review variance requests, including those from common property lines, per 502 Appeals and Board of Adjustment in the Wright County Zoning Ordinance.

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

**1) Will the granting of the variance be in conflict with the Comprehensive Plan?**

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:** A stormwater plan has been submitted by the applicant. It would direct rainwater from the roof of the existing/proposed dwelling and garage into a non-perforated draintile that would discharge the water into the wetland across the road. Staff spoke with SWCD staff about whether discharging to a wetland would be a concern and they stated they did not feel it would given the relatively small amount of water involved.

- 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: Given the existing location of the home, there is very little room between the home and the lake to engage in much large scale planting. Some planting of a buffer would be helpful though in preserving lake quality and/or minimizing the visual impact of the home from the lake.
- 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: A stormwater plan has been submitted by the applicant, as discussed 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: No major grading or filling of land is expected as part of this application. The only site preparation would be for the garage/dwelling addition and possible new driveway.

**2) How substantial is the variation requested in relation to the minimum requirement of the Zoning Ordinance?**

Lake setback: The applicant is requesting to be about 22.5 feet from the lake with the second story addition (min. required is 75 feet). This is no closer than the current setback. A new lakeside deck is proposed that would be about 20.3 feet from the lake, which is closer than anything that exists today. The deck and house/garage addition would be 33-39 feet from the lake. All of these encroachments on the 75 foot setback are considered substantial in that they are mostly within the shore impact zone. However, given the shallow dimensions of the lot and the required road setbacks, there is really no other choice if an addition is to be constructed.

Septic system setback: The proposed setback variances to the road right-of-way and side lot line are not uncommon variances as there is often a desire to prioritize effective sewage treatment over maintaining the required 10 ft setbacks. So long as the neighboring property is not negatively affected, Staff does not view this variance request as significant. If the road is not vacated as shown in the drawings, the previous plan indicated the septic system could still meet a 5 ft setback from the road and would be slightly closer to the lake (but still meet the min. required 50 ft setback).

**3) Will the granting of the variance have a negative effect on government services?**

The proposed variance would not appear to create any significant additional or negative impact on government services as the use of the property would remain single-family residential in nature. The home would increase in size however, could accommodate a larger number of people, and is intended for year-round use if approved. There is some possibility that there would be increased demand

for public snow-plowing and road maintenance – if not now sometime in the future as other homes in the area are replaced with year-round homes. Still, the potential impact on government services would not be overly negative or out of the ordinary for the neighborhood.

**4) Will the granting of the variance effect a substantial change in the character of the neighborhood or be a substantial detriment to neighboring properties?**

The neighborhood where the property is located is a mix of mostly small, seasonal, single-story cabins and a few larger 1.5-2 story dwellings with the potential for year-round use. As with other areas of the Township's shoreland areas, the homes in this neighborhood are likely to steadily be converted over from the small, seasonal cabins to larger year-round dwellings. The proposed home would both change the footprint covered by dwelling area and the height of the building.

Overall, Staff does not feel that the character of the neighborhood will be substantially changed, although there will certainly be a change in how the house would appear from the lake.

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

To avoid the need for the requested impervious coverage variance, the proposed addition would need to be downsized by about 123 sq ft. The addition would need to be about 1.5 feet shallower to meet at least a 20 ft right-of-way setback. There does not appear to be any reasonable way to add to the footprint of the existing dwelling without a road and/or lake setback variance. There does not appear to be a reasonable way to place a septic system on this lot that would meet all required setbacks, unless the garage/dwelling additions were significantly downsized.

**6) How did the practical difficulty occur (including whether the owner created the need for the variance)?**

The need for the variances is created primarily by the layout of the lot, as it was originally platted, the location of the township road, and the desire of the applicant for a year-round dwelling.

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

The most likely impact on the environment would come from the increased impervious coverage on the lot. With the changes to the size of the proposed addition, the property will increase in its building and total lot coverage, but will remain within the maximums allowed. Additionally, the year-round nature of the home to be constructed could increase the use of the lake.

The impacts associated with the building and lot coverage, while not exceeding the maximum allowed, could be improved via a stormwater management plan. This is also justified by the fact the addition and buildings are within the lake setback and even within the shore impact zone. Recreational use of the lake, even if it is at a higher level than previously, would not be significantly greater than what is typical of other homes around the lake and the near-shore area is not identified as having unique habitat or stands of aquatic vegetation.

**8) In light of the above factors, will allowing the variance serve the “interest of justice”?**

This criterion comes from the 2008 MN Supreme Court decision addressing the criteria for variances. Unfortunately, the Court did not seem to provide much direction as to what it means by “interest of justice”. As such, it is left to the local government to interpret “interest of justice” as it sees fit.

Staff would offer the following as issues relating to “the interests of justice”:

1. Many other homes and buildings within the area do not meet the lake and road setback requirements due to the layout of the lots and the road.
2. The lot, with its small size and shallow depth, may not be appropriate for year-round use if such use requires variances from lot coverage requirements.

---

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

---

**Staff Recommendation:** Based on the findings of fact and discussion listed above, Staff recommends approval of the request as it is currently presented. The applicant has made changes to reduce the need for variances from the impervious/.building coverage limits and the road setback (related to the house addition). Staff recognizes that any improvement to the building on this lot will require a lake setback variance and likely a septic system setback variance given the dimensions of the lot.

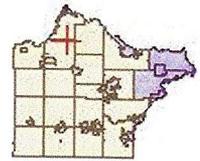
If the Board of Adjustment recommends approval of a variance, Staff would recommend the following conditions:

1. The applicant shall meet the required 4 ft elevation above the highest known water level (July 2011 measurement).
2. The applicant shall implement the permanent stormwater management plan as submitted with the application. All necessary construction shall be completed at the time of the construction of the additions.
3. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences on downslope areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets or other forms of temporary cover until vegetation is re-established.

Date Created: 2/11/2011  
Map Scale: 1 in = 80 ft



Overview



Legend

- Water
- Parcels
- City/Township Limits
- t
- c
- Roads**
- CSAHCL
- CTYCL
- MUNICL
- PRIVATECL
- TWPCCL
- Interstate
- State Hwy
- US Hwy

<b>Parcel ID</b>	206011002070	<b>Alternate ID</b>	N/A	<b>Owner Address</b>	KEVIN BLOHM & VEDA VARGO 7465 SCOTT TER EDEN PRAIRIE, MN 55346
<b>Sec/Twp/Rng</b>	2-121-27	<b>Class</b>	151 - SEASONAL RES REC		
<b>Property Address</b>	11708 HOLLISTER AVE NW ANNANDALE	<b>Acres</b>	0.00		

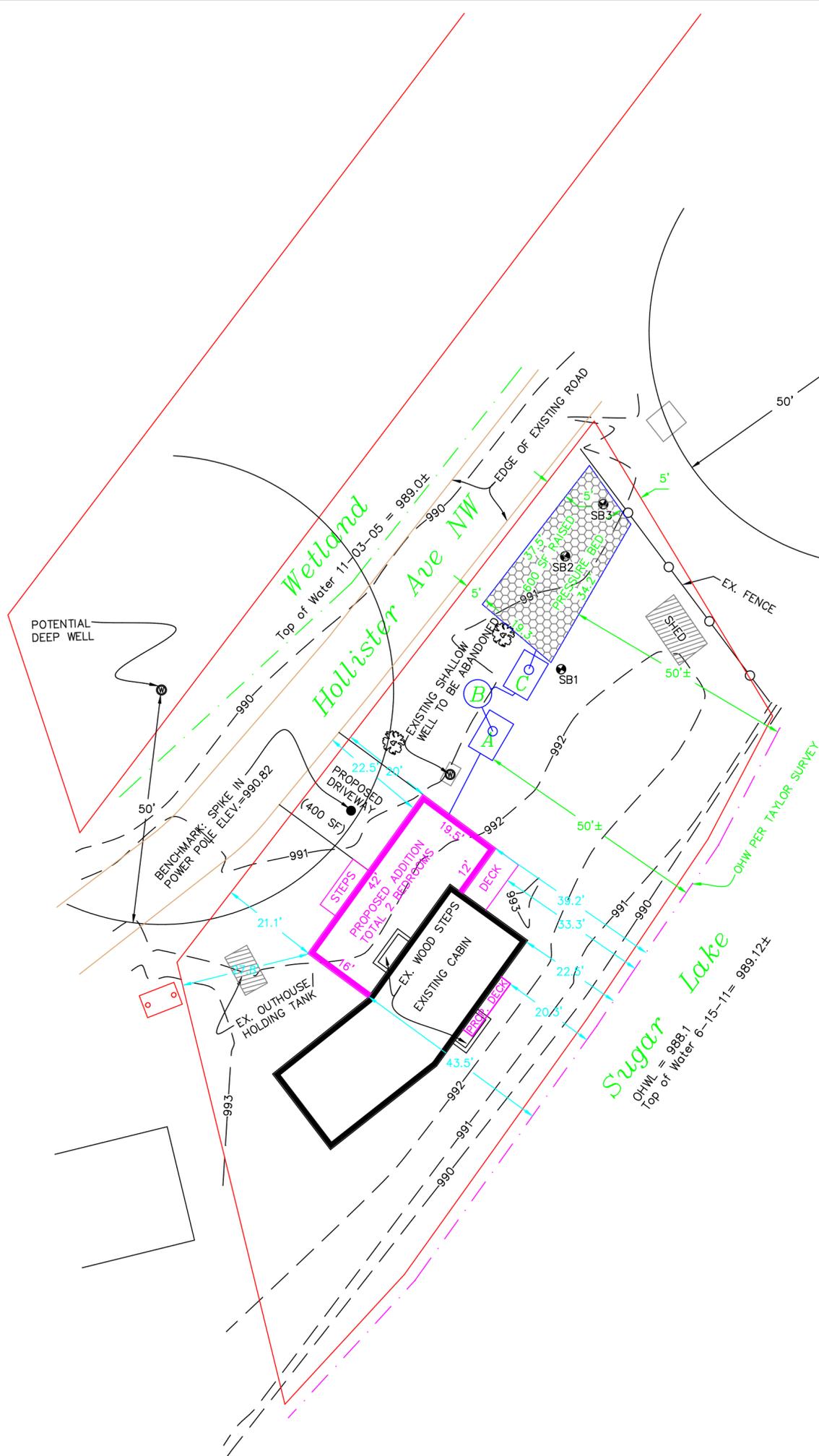
**District**

**Brief Tax Description**

Sect-02 Twp-121 Range-027 ADDISON BAY Lot-007 Block-002 LOTS 7 & 8 BLK 2 ADDISON BAY ALSO TH PRT OF VAC LAKE ST WH LIES NWLY BETWEEN THE EXT OF NELY LN OF LT7 & NWLY COR OF LT8 ADDISON BAY, LY SWLY OF NW EXT OF NELY LN LT6 BLK2 SD ADDISON BAY & LY SE OF LN DRWN NELY FR NWLY COR LT8 BLK2 ADDISON BAY TO PT ON SD NWLY EXT LN OF NELY LN OF LT6 11FT NW OF MST NLY COR OF SD LT6

(Note: Not to be used on legal documents)

Last Data Upload: 2/11/2011 6:58:42 AM



**LEGEND**

- ⊙ denotes well location
- ⊖ denotes perc test location
- ⊕ denotes soil boring location
- ( 97\*8 ) denotes proposed elev.
- 97\*8 denotes existing elev.
- ← denotes surface drainage

**ELEVATIONS**

OHW = 988.1  
 10YR FLOOD = NONE  
 100YR FLOOD = NONE  
 HIGHEST KNOWN = 989.89 (5/11/08)  
 PROPOSED 1ST FLOOR ELEV. = 993.4

**EXISTING AREAS**

PROP. LOT AFTER ROW VACATION (ABOVE OHW) = 12,851± SF  
 BACKLOT = 10,500 SF  
 EXISTING CABIN/GARAGE = 1210± SF  
 OTHER BUILDINGS (SHEDS) = 129± SF  
 WOOD STEPS = 63± SF  
 TOTAL EX. BUILDINGS = 1339± SF (10.42%)  
 TOTAL IMPERVIOUS = 1402± SF (10.91%)

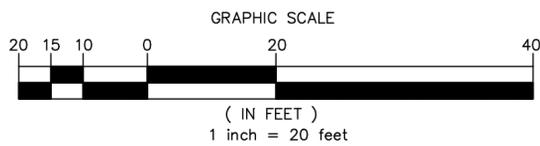
**PROPOSED AREAS**

PROP. LOT AFTER ROW VACATION (ABOVE OHW) = 12,851± SF  
 PROPOSED ADDITION=714± SF  
 EXISTING CABIN/GARAGE = 1210± SF  
 OTHER BUILDINGS. = 0± SF  
 PROPOSED DRIVEWAY = 400± SF  
 UPPER DECKS = 119± SF  
 MAIN ENTRY STEPS = 48± SF  
 TOTAL BUILDINGS AFTER CONST. = 1924± SF (14.97%)  
 TOTAL IMPERVIOUS AFTER CONST. = 2491± SF (19.38%)

**TANK LEGEND**  
 A=1000 GALLON TRASH TRAP / MULTI~FLO DOSING TANK  
 B=500 GALLON MULTI~FLO TREATMENT PLANT  
 C=1000 GALLON DRAINFIELD DOSING TANK

**Notes**

1. Avoid compaction of drainfield area before, during and after construction.
2. Verify before construction that no wells are within 50 feet of the proposed or existing septic tank.
3. Verify before construction that no shallow wells are within 100 feet, or any deep wells within 50 feet of proposed treatment area.
4. All materials used for construction must meet or exceed the M.P.C.A. Chapter 7080 requirements.
5. Divert surface drainage away or around the septic area.
6. All dimensions, quantities and elevation shown on plan are approximate.



I hereby certify that this site plan was prepared by me or under my direct supervision.

*Bernie Miller* 8/11/11  
 Bernie Miller D.R.P. M. P. C. A. License # 1921

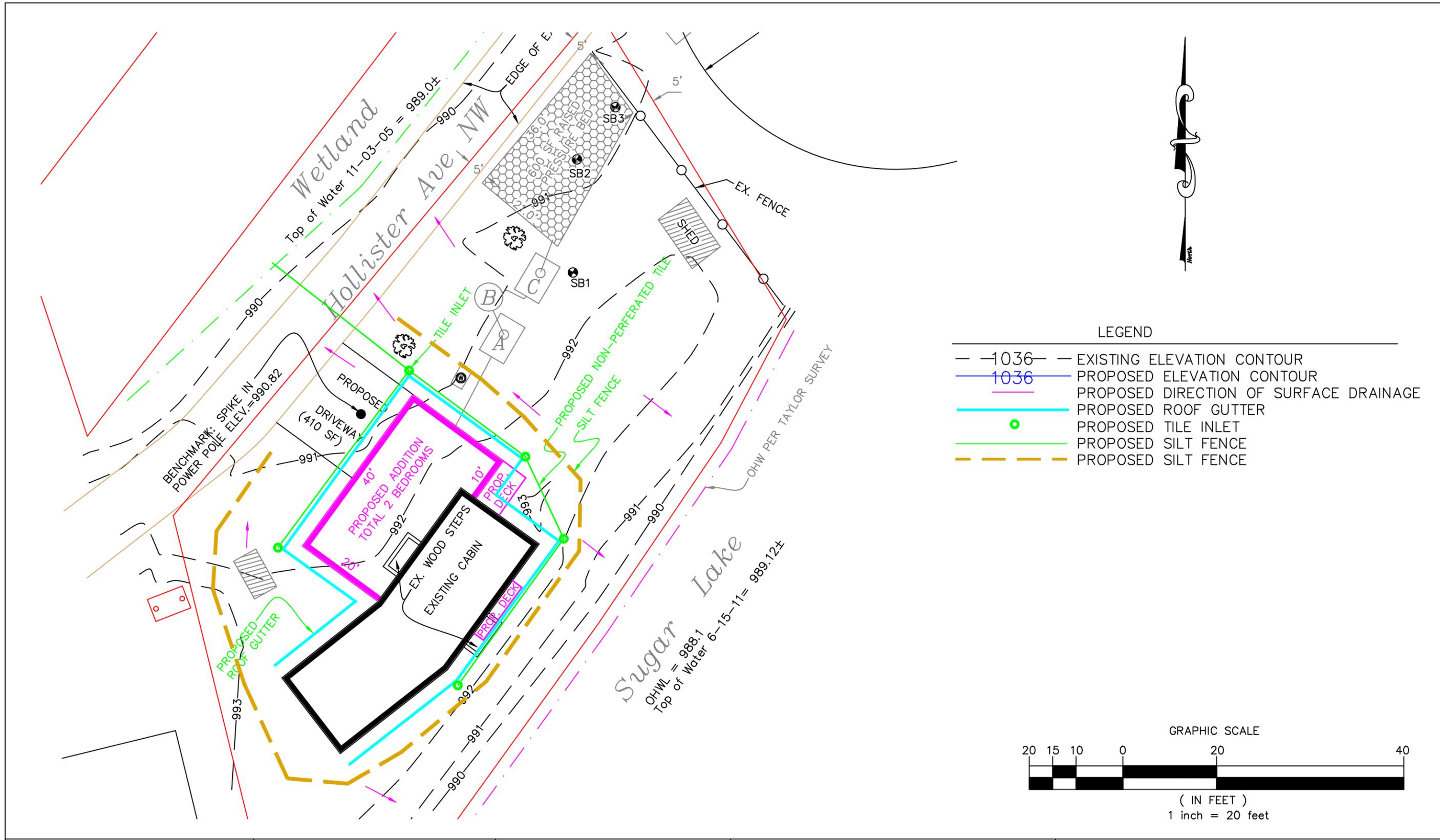
**MILLER'S SEWAGE TREATMENT SOLUTIONS**  
 A division of WRM Services Inc.  
 9075 155th St. Kimball, MN 55353  
 (320) 398-2705 cell (320) 980-1737

**PROPERTY LOCATION**  
 Lots 7&8, Addison Bay, Wright County,  
 Minnesota.  
 PID#206-011-002070

**Septic System Site Plan**

DATE	JOB NO.	SCALE
10/12/11	2005-128	1=20

PREPARED FOR:  
**Kevin Blohm**

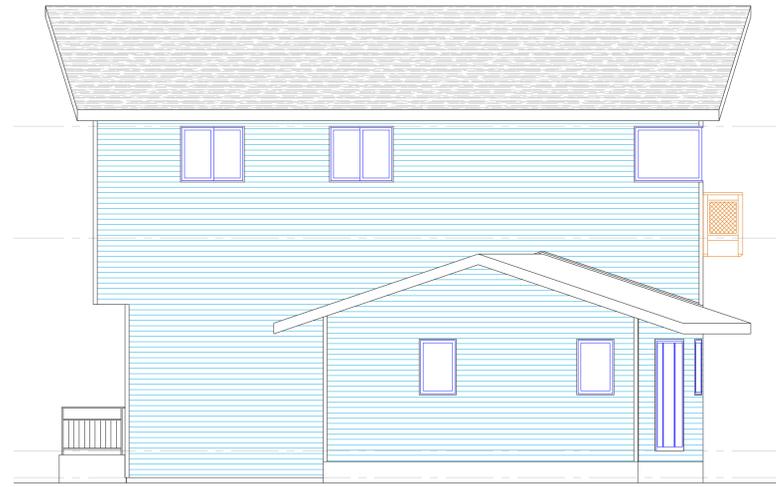


**MILLER'S SEWAGE TREATMENT SOLUTIONS**  
A division of WRM Services Inc.  
9075 155th Street, Kimball, MN 55353  
(320) 398-2705 cell (320) 980-1737

**PROPERTY LOCATION**  
Lots 7&8, Addison Bay, Wright County,  
Minnesota.  
PID#206-011-002070

<b>Stormwater Management Plan</b>		
DATE	JOB NO.	SCALE
8/19/11	2005-128	1-20

PREPARED FOR:  
**Kevin Blohm**



**WEST ELEVATION**  
3/16" = 1'-0"



**SOUTH ELEVATION**  
3/16" = 1'-0"



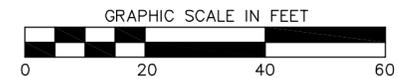
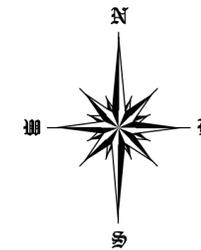
**EAST ELEVATION**  
3/16" = 1'-0"



**NORTH ELEVATION**  
3/16" = 1'-0"

# CERTIFICATE OF SURVEY

FOR  
**KEVIN BLOHM**



DENOTES:  

 IRON MONUMENT FOUND  
 IRON MONUMENT SET & CAPPED RLS 15233

Lots 7 and 8, Block 2, ADDISON BAY, according to the recorded plat thereof, Wright County, Minnesota and that part of vacated Lake Street of said ADDISON BAY lying southwesterly of the northwest extension of the northeasterly line of said Lot 7 and lying southeast of a line drawn northeast from the northwesterly corner of said Lot 8 to a point on the northwest extension of the northeasterly line of Lot 6, said Block 2, ADDISON BAY distant 11.00 feet northwest of the most northerly corner of said Lot 6.

PROPERTY AREA TO ORDINARY HIGH WATER ELEVATION = 12,851 SQ. FT. MORE OR LESS

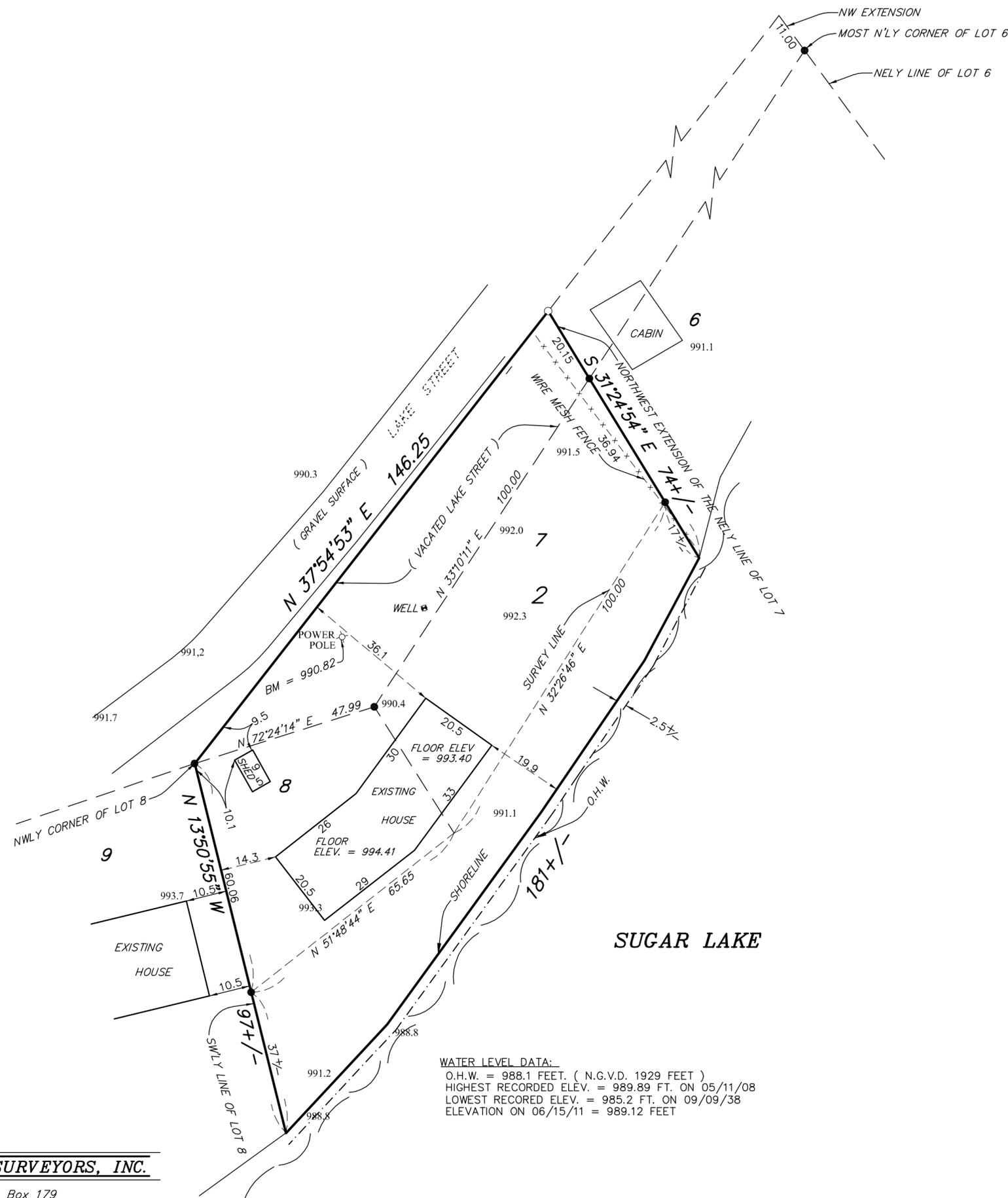
ONLY EASEMENTS ON RECORD PLAT ARE SHOWN ON THIS SURVEY UNLESS ADDITIONAL DOCUMENTATION OF OTHER EASEMENTS OF RECORD ARE PROVIDED TO US.

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

BENCHMARK ELEVATION = 990.82 FEET ( N.G.V.D 1929 )  
 DOUBLE SPIKES IN SE FACE OF POWER POLE WEST OF NW CORNER OF HOUSE

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 06/30/11



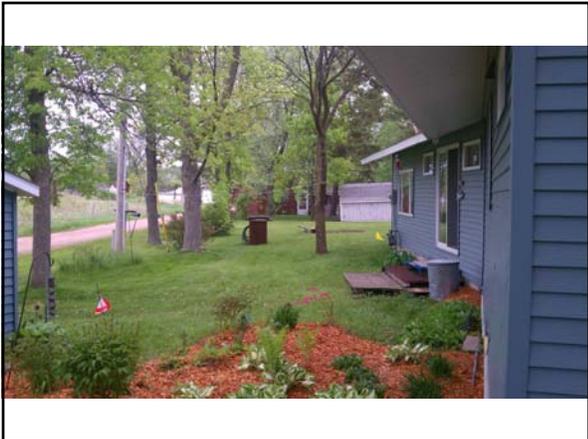
**WATER LEVEL DATA:**  
 O.H.W. = 988.1 FEET. ( N.G.V.D. 1929 FEET )  
 HIGHEST RECORDED ELEV. = 989.89 FT. ON 05/11/08  
 LOWEST RECORDED ELEV. = 985.2 FT. ON 09/09/38  
 ELEVATION ON 06/15/11 = 989.12 FEET

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

DRAWN BY:	CHECKED BY:	BOOK / PAGE	SHEET OF:	SCALE	DATE DRAWN:	FILE NO.
B.TAYLOR	D. TAYLOR	F-394 / 65	1 1	1IN.=20FT.	06/23/11	11066

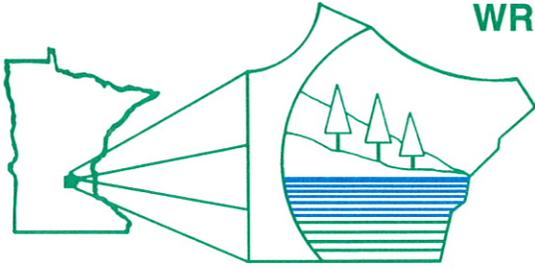
Kevin Blohm Variance

Photos Taken 5/31/2011









## WRIGHT SOIL AND WATER CONSERVATION DISTRICT

311 Brighton Ave. S., Suite C  
Buffalo, Minnesota 55313  
Telephone (763) 682-1933  
(763) 682-1970  
Fax (763) 682-0262

October 27, 2011

Corinna Township Zoning Administrator  
Ben Oleson  
9801 Ireland Avenue NW  
Annandale, MN 55302

**RE: NW ¼ of the NE ¼, Section 2, Township 121, Range 27, Wright County, Minnesota, (Corinna Township). Variance to construct a second story above an existing dwelling, two open decks and a two story dwelling/garage addition approximately 39 feet from Sugar Lake on an undersized lot. Proposed activity within septic drainfield, side lot, and ordinary high water (OHW) setbacks.**

Dear Mr. Oleson,

The Wright Soil and Water Conservation District (SWCD) inspected and reviewed the above mentioned property and considered the proposal for the variance. The Wright SWCD provided comments on this request on September 9, 2011 and would recommend the concerns at that time be considered when reviewing the proposed request.

The new design of the dwelling has an existing impervious building footprint of 10.42% and proposed impervious buildings at 14.97%. The calculations in the existing areas have accounted for the shed on the property, but not in the proposed areas. If the shed is to remain with the lot the impervious surfaces of the buildings will be over the allowable 15%. The total impervious being proposed has been reduced to 19.38% from the previous proposal of 19.6% compared to the lot size.

The Wright SWCD appreciates the opportunity to comment on the variance request. The District highly recommends incorporating our concerns from submitted September 9<sup>th</sup> letter and ensuring the total building coverage is within the allowable coverage. Thank you for addressing our concerns and if you have any questions or comments please feel free to contact myself or the District.

Kind Regards,

Brian Sanoski  
Urban Conservation Specialist