

Zoning Administrator's Report

A. August Permits: The following permits were issued over the last month by the Zoning Department:

1. Jason & Kristen Forrest, 5577 Wilderness Road, to replace Water Oriented Accessory Structure;
2. Carla Swenson, 6305 Akerson Road, for an addition;
3. Clay & Jamie Lipke, 27075 Pine Cone Lane, for a patio,
4. Debbie O'Connell & Wade Blumke, 5510 Sibley Lake Road, for an accessory structure.

B. Correspondence: Your Staff sent the following correspondence since the last meeting:

1. August 21, 2020 letter to North Fork Boulders & Excavating regarding hours of operation;
2. August 25, 2020 letter to William & Catherine King regarding After-the-Fact permit application;
3. August 26, 2020 letter to Platinum Investors of Minnesota regarding mobile home permits;
4. August 28, 2020 letter to John & Sara Olson regarding property maintenance;
5. August 28, 2020 letter to Fr. Mike Patullo regarding resolution of potential violation;
6. August 31, 2020 letter to Enzo Sposito regarding Compliance Inspection;
7. September 2, 2020 letter to Wesley Johnson regarding exterior maintenance;
8. September 2, 2020 Lawn Letter to Wesley T. Johnson;
9. September 3, 2020 letter to Thomas Peterson regarding signage and screening.

C. Potential Violations/Enforcement Actions: The City Staff is currently working on the following potential violations/enforcement actions. We will report on each of these each month until they are resolved to the satisfaction of the Planning Commission.

- John and Barbara Derksen – Exterior storage. The City Council, at their August 6, 2019 meeting, unanimously agreed to waive the permit fee of \$50 for the fence permit if there are no verified complaints received in the next 12 months. There were no complaints in the 12 months, so this matter is resolved. (5/13)
- Robert Swenson – The City Council declared this property a public nuisance in 2017. Staff has issued 5 Administrative Citations. (6/16)

- David & Christine Kennedy – Maintenance. Staff has issued 4 Administrative Citations. (5/17)
- Lee Moren – Maintenance, Exterior Storage & Lawn. Staff will monitor next growing season. (8/18)
- Wesley T. Johnson – Maintenance. Received new complaint. (8/20)
- Timothy & Kristi Crist – Exterior Storage and Abandoned Vehicles. (4/20)
- Lloyd & Darleen McAninch – Exterior Storage. (4/20)
- Lance Schmidt – Exterior Storage and Property Maintenance. (4/20)
- Lonesome Real Estate LLC – Offsite Sign. (5/20)
- William Moen – Lawn. (6/20)
- St. Alice Catholic Church – Property Maintenance. Resolved 8/28/20. (6/20)
- Douglas & Arleen Steele – Property Maintenance. (6/20)
- Bill King – After-the-Fact Land Use Permit. (8/20)
- John & Sara Olson – Property Maintenance (8/20)

August 21, 2020

Cease and Desist Order

North Fork Boulders & Excavating
Phil Swenson
5253 – 55th Avenue SW
Pine River, MN 56472

RE: Interim Use Permit for an Extractive Use in the Agriculture District

Dear Mr. Swenson:

It has come to my attention through a complaint that your extraction operations are taking place before 7:00 AM, after 6:00 PM, and on Saturdays. The hours of operation were clearly outlined in the conditions to the interim use permit and agreed to by you.

You are hereby ordered to immediately cease and desist any extraction operations other than between the hours of 7:00 AM and 6:00 PM, Monday through Friday. Failure to do so will invalidate the approval received May 21, 2020.

Sincerely,

Dawn Bittner
Zoning Specialist

C: Justin Burslie, City Planner
Planning Commission



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August 25, 2020

William P. and Catherine M. King
27517 County Road 107
Pequot Lakes, MN 56472

**RE: City of Pequot Lakes
City Code Violation – After-the-Fact Permit Application
PIN: 29117000005A009**

Dear Mr. and Mrs. King:

Per your request I visited your property on June 12, 2020 to discuss the landscaping you planned to construct between the new dwelling and East Twin Lake. You stated you would obtain the retaining wall specifications from your contractor, sign the Land Use Permit Application at City Hall that I would prepare, and pay the fee to obtain the permit.

It has been brought to my attention that this work has been completed without receiving a Land Use Permit to do so. **Please sign the enclosed After-the-Fact Permit Application, insert the specifications for the retaining wall, and return to City Hall with the \$625.00 permit fee no later than September 2, 2020. Please make any necessary corrections to the application information and/or the site plan.** Thank you.

Sincerely,

Dawn Bittner
Zoning Specialist

Enc.

C: Planning Commission



August 26, 2020

Platinum Investors of Minnesota LLC
7153 Forthun Road, Suite 120
Baxter, MN 56425

**RE: City of Pequot Lakes
Potential City Code Violation
PIN: 290104100BB0009
Pequot Terrace Mobile Home Park**

Dear Sir:

The City of Pequot Lakes was contacted by Taylor Fitterer and Adeline Maine in May, 2020, regarding moving older mobile homes into the mobile home park. The City provided the ordinance language and explained the process necessary to permit these older homes. Several mobile homes have been moved into the mobile home park without being issued permits by the City or being properly inspected.

Per City Code, the following must be addressed within the next thirty (30) days (by September 25, 2020):

- Complete Land Use Permit Applications for each mobile home that has been moved into the mobile home park indicating its age;
- Indicate on the site plan the location of the mobile homes;
- Provide proper certification that Section 17-8.3 are met;
- Cease moving additional mobile homes to the mobile home park.

The City Code states in Section 17-8.3 **MANUFACTURED AND PRE-BUILD HOUSING DEVELOPMENT**:

Section 17-8.3 MANUFACTURED AND PRE-BUILD HOUSING DEVELOPMENT

1. General. Manufactured housing development shall be considered a form of P.U.D. and administered as a Conditional Use in the zoning district where said use

is allowed. Development of this type creates a heavy demand and reliance on municipal type facilities including roads, sewer, water and fire protection. In addition these developments are often the most dense in a community requiring heavier streets, more public recreation facilities and nearby shopping.

2. Minimum Standards.

- A. A Minnesota Department of Health Permit shall be required.
- B. Parcel size shall be a minimum of 20 acres.
- C. At least two (2) acres shall be set aside for parks & recreation.
- D. Minimum individual lot dimensions shall be 60' x 140'.
- E. At least 20% of the land shall be in common ownership not used for individual lots.
- F. The common roadway area, where private, shall be a minimum of 40-foot wide with a 24-foot wide bituminous surfaced road.
- G. There shall be a minimum of 2 and a maximum of three parking spaces for each unit.
- H. Each unit shall be a minimum of 640 square feet.
- I. All units must be skirted, unless placed on an enclosed foundation.
- J. Landscaping shall be required as per the direction of the Planning Commission.
- K. When served by public utilities, there shall be individualized sewer, water and electrical connection for each site.
- L. Solid waste storage and removal shall be centralized within the development and shall be the responsibility of the owner of the development.
- M. Each unit must meet the requirements of the state building code, HUD standards and Minn. Stat. §§327.21 -327.35, as amended.
- N. Units constructed before June 14, 1976 are not allowed. Units older than five (5) years at time of installation shall require evidence the standards of Section 17-4.5 BUILDING STANDARDS are met and shall meet the requirements set forth in MN Statute 327.32.
- O. Sufficient storm shelter shall be provided to accommodate all

residents of the development.

The City Code states in Section 17-4.5 BUILDING STANDARDS:

Section 17-4.5 BUILDING STANDARDS

1. All structures and appurtenances shall be constructed in accordance with the general standards of the building industry. The City does not examine plans nor assume liability for the structural stability or quality of any structures.
2. All dwelling units shall be a minimum of 20 feet wide and shall be placed on a foundation.
3. Any new structure constructed or placed after June 7, 2005 and not on a permanent foundation shall be considered a temporary structure.
4. New manufactured homes and mobile homes shall be installed by a licensed installer and a copy of the installation compliance certificate shall be submitted to the City prior to occupancy of the dwelling.
5. Dwellings in Transit. For dwellings to be moved onto a property, excluding manufactured homes that have never been occupied, the following shall be applicable:
 - A. Permit issuance shall be made only by motion of the Planning Commission. A public hearing is not required for approval.
 - B. Prior to permit issuance, the property owner shall provide documentation of a certified home inspection including the following, at a minimum:
 - (1) Certification that the electrical wiring meets state codes,
 - (2) Certification that the plumbing meets state codes,
 - (3) An evaluation of foundation adaptability and condition,
 - (4) An evaluation of roof condition,
 - (5) An evaluation of structural integrity, and
 - (6) Certification that all doors, windows and siding are in acceptable condition.
 - C. The dwelling, once in place, must meet all municipal ordinances, with consideration given for approved variances.
6. SSTS shall conform to the requirements of Chapter 15, Article 3 of the City Code.
7. Any public or private supply of water for domestic purposes must meet or exceed standards for water quality of the Minnesota Department of Health and

the MPCA.

8. Plumbing and electrical facilities installed after the date of this ordinance in all structures shall conform to the State Plumbing Code and State Electrical Code, respectively.

MINNESOTA STATUTE 327.32 CODE ENFORCEMENT is enclosed.

As opposed to initiating formal enforcement action against you for a violation of the City Code, we would like the opportunity to work with you to correct the situation. **We are requesting that by no later than September 25, 2020 you perform all of the actions listed above.**

Failure to comply with the City Code by September 25, 2020, will prompt us to initiate enforcement action up to and including criminal prosecution or other civil legal action to remedy the above-described violations. Alternatively, the City may initiate administrative action to achieve voluntary compliance with the above-referenced City Code provisions without resorting to prosecution or other legal action, which administrative action would include citation(s) and administrative penalties in the amount of \$100.00 per day for each day the violation continues.

Having exterior storage and solid waste as depicted in these pictures is not only a blight to the rest of the community, it is a health and safety issue that we take very seriously. Please understand our seriousness and commitment to uphold the City Code. We hope you will take this opportunity to work with us and resolve this matter without further enforcement action becoming necessary.

We would appreciate your assistance at remedying the above issues by the specified deadlines. If you have any questions, please contact me at 218-568-6699 or at dbittner@pequotlakes-mn.gov.

Sincerely,

Dawn Bittner
Zoning Specialist

Enclosure: Minnesota Statute 327.32

C: Planning Commission



August 28, 2020

John and Sara Olson
31753 Bobcat Drive
Pequot Lakes, MN 56472

**RE: City of Pequot Lakes
Potential City Code Violation
PIN: 291020070050009 & 291020070060009
30924 Government Drive**

Dear Mr. and Mrs. Olson:

It has come to my attention through complaints that there are Property Maintenance issues that need to be addressed at the above-captioned property.

Per City Code, the following Property Maintenance issues must be addressed within the next thirty (30) days (by September 27, 2020):

- Repair broken window screen;
- Repair garage door so it closes and repaint;
- Repaint all surfaces of garage with peeling paint;
- Repair or remove storage shed;
- Improve the overall appearance of this parcel.

The City Code states in Section 17-7.4 EXTERIOR MAINTENANCE:
Section 17-7.4 EXTERIOR MAINTENANCE

All structures shall be properly maintained in a clean and acceptable manner so as not to constitute a menace to the public health, safety, convenience, general welfare, property values, and aesthetics. All landscaping shall be properly maintained so as to preserve planting in a live state and free of noxious weeds.

1. Declaration of nuisance. Buildings, fences, and other structures that have been so poorly maintained that their physical condition and appearance

detract from the surrounding neighborhood are declared to be public nuisances because they are unsightly, decrease adjoining landowners' and occupants' enjoyment of their property and neighborhood, and adversely affect property values and neighborhood patterns.

2. Standards. A building, fence, or other structure is a public nuisance if it does not comply with any of the following requirements.
 - A. Structures with rotten, deteriorated or damaged components or peeling paint shall be repaired, replaced, removed or repainted.
 - B. All landscaping shall be properly maintained so as to preserve planting in a live state and shall be kept free of noxious weeds and debris.
 - C. Turf grass and lawns shall not grow to a height to allow such grasses to go to seed.
 - D. All constructed or manufactured landscape elements, such as but not limited to benches, retaining walls, edging, and so forth, shall be maintained so as to be free of cracking, crumbling, dilapidation or deterioration,
 - E. Rotten, deteriorated or damaged landscape elements shall be repaired, replaced, or removed.

The City Code states in Section 17-7.6 VISUAL STANDARDS:
Section 17-7.6 VISUAL STANDARDS – SCREENING

1. General. No use shall create, maintain or continue any activity or structure which has a strong negative visual impact or offends the morals or violates the standards of the City.

As opposed to initiating formal enforcement action against you for a violation of the City Code, we would like the opportunity to work with you to correct the situation. **We are requesting that by no later than September 27, 2020 you perform all of the actions listed above.**

Failure to comply with the City Code by September 27, 2020, will prompt us to initiate enforcement action up to and including criminal prosecution or other civil legal action to remedy the above-described violations. Alternatively, the City may initiate administrative action to achieve voluntary compliance with the above-referenced City Code provisions without resorting to prosecution or other legal action, which administrative action would include citation(s) and administrative penalties in the amount of \$100.00 per day for each day the violation continues.

Having maintenance issues as depicted in these pictures is not only a blight to the rest of the community, it is a health and safety issue that we take very seriously. Please understand our seriousness and commitment to uphold the City Code. We hope you will take this opportunity to work with us and resolve this matter without further enforcement action becoming necessary.

We would appreciate your assistance at remedying the above issues by the specified deadlines. If you have any questions, please contact me at 218-568-6699 or at dbittner@pequotlakes-mn.gov.

Sincerely,

Dawn Bittner
Zoning Specialist

Enclosure: Photographs

C: Planning Commission



August 28, 2020

Fr. Mike Patullo
St. Alice Catholic Church
PO Box 759
Pequot Lakes, MN 56472

**RE: City of Pequot Lakes
Potential City Code Violation
PIN: 291020080020009
30957 Rasmussen Road**

Dear Fr. Patullo:

The City of Pequot Lakes would like to acknowledge your efforts to bring the above-captioned property into compliance regarding Exterior Maintenance and Visual Standards. We would like to take this opportunity to thank you for your assistance in remedying this situation.

We consider this matter resolved.

Sincerely,

Dawn Bittner
Zoning Specialist

C: Planning Commission



August 31, 2020

Enzo Sposito
c/o Joseph & Joann Lutter
5432 Sibley Lake Road
Pequot Lakes, MN 56472

Dear Mr. Sposito:

When the Land Use Permit was issued for the accessory structure you agreed to provide a Compliance Inspection on the septic system. This Compliance Inspection is a State requirement which the City must enforce in Section 15-3.24, Subpart 3/a (1):

“A. *Compliance inspections shall be required when any of the following conditions occur:*

(1) *When applying for a land use permit, ...”*

Please contact someone from the Inspector column of the enclosed list of professionals to have the inspection completed **no later than September 10, 2020.**

As opposed to initiating formal enforcement action against you for a violation of the City Code, we would like the opportunity to work with you to correct the situation. **We are requesting that by no later than September 10, 2020 you perform the action listed above.**

Failure to comply with the City Code by September 10, 2020, will prompt us to initiate enforcement action up to and including criminal prosecution or other civil legal action to remedy the above-described violations. Alternatively, the City may initiate administrative action to achieve voluntary compliance with the above-referenced City Code provisions without resorting to prosecution or other legal action, which administrative action would include citation(s) and administrative penalties in the amount of **\$100.00 per day for each day the violation continues.**

Please understand our seriousness and commitment to uphold the City Code. We hope you will take this opportunity to work with us and resolve this matter without further enforcement action becoming necessary.

We would appreciate your assistance at remedying the above issue by the specified deadline. If you have any questions, please contact me at 218-568-6699 or at dbittner@pequotlakes-mn.gov.

Sincerely,

Dawn Bittner
Zoning Specialist

Enc.



September 2, 2020

Westley T. Johnson
3894 Ramsey Street
Pequot Lakes, MN 56472

**RE: City of Pequot Lakes
Potential City Code Violation
PIN: 291070030410009 and 291070030420009
3894 Ramsey Street**

Dear Mr. Johnson:

It has come to my attention through complaints that there are Property Maintenance issues that need to be addressed at the above-captioned property.

Per City Code, the following Property Maintenance issues must be addressed within the next thirty (30) days (by October 2, 2020):

- Remove the tree logs lying on the ground and dispose of them;
- Remove the tree branches strewn about the yard; and
- Repair or remove the fence that is rotting and falling down.

The City Code states in Section 17-7.4 EXTERIOR MAINTENANCE:
Section 17-7.4 EXTERIOR MAINTENANCE

All structures shall be properly maintained in a clean and acceptable manner so as not to constitute a menace to the public health, safety, convenience, general welfare, property values, and aesthetics. All landscaping shall be properly maintained so as to preserve planting in a live state and free of noxious weeds.

1. Declaration of nuisance. Buildings, fences, and other structures that have been so poorly maintained that their physical condition and appearance detract from the surrounding neighborhood are declared to be public nuisances because they are unsightly, decrease adjoining landowners' and

occupants' enjoyment of their property and neighborhood, and adversely affect property values and neighborhood patterns.

2. Standards. A building, fence, or other structure is a public nuisance if it does not comply with any of the following requirements.
 - A. Structures with rotten, deteriorated or damaged components or peeling paint shall be repaired, replaced, removed or repainted.
 - B. All landscaping shall be properly maintained so as to preserve planting in a live state and shall be kept free of noxious weeds and debris.
 - C. Turf grass and lawns shall not grow to a height to allow such grasses to go to seed.
 - D. All constructed or manufactured landscape elements, such as but not limited to benches, retaining walls, edging, and so forth, shall be maintained so as to be free of cracking, crumbling, dilapidation or deterioration,
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The City Code states in Section 17-7.6 VISUAL STANDARDS:
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1. General. No use shall create, maintain or continue any activity or structure which has a strong negative visual impact or offends the morals or violates the standards of the City.

As opposed to initiating formal enforcement action against you for a violation of the City Code, we would like the opportunity to work with you to correct the situation. **We are requesting that by no later than October 2, 2020 you perform all of the actions listed above.**

Failure to comply with the City Code by October 2, 2020, will prompt us to initiate enforcement action up to and including criminal prosecution or other civil legal action to remedy the above-described violations. Alternatively, the City may initiate administrative action to achieve voluntary compliance with the above-referenced City Code provisions without resorting to prosecution or other legal action, which administrative action would include citation(s) and administrative penalties in the amount of \$100.00 per day for each day the violation continues.

Having debris piles and broken fencing as depicted in these pictures is not only a blight to the rest of the community, it is a health and safety issue that we take very seriously.

Please understand our seriousness and commitment to uphold the City Code. We hope you will take this opportunity to work with us and resolve this matter without further enforcement action becoming necessary.

We would appreciate your assistance at remedying the above issues by the specified deadlines. If you have any questions, please contact me at 218-568-6699 or at dbittner@pequotlakes-mn.gov.

Sincerely,

Dawn Bittner
Zoning Specialist

Enclosure: Photographs

C: Planning Commission



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September 2, 2020

THIS IS THE ONLY NOTICE YOU WILL RECEIVE!

Wesley T. Johnson
3894 Ramsey Street
Pequot Lakes, MN 56472

**RE: ORDER TO CORRECT ADMINISTRATIVE VIOLATION
PIN: 291070060410009 and 291070030420009
3894 Ramsey Street**

Dear Mr. Johnson:

The City of Pequot Lakes has embarked on a program of concentrated code enforcement. This program is a positive effort to improve property values and quality of life in our neighborhoods. It has been noted that a City Code violation has occurred on the above-captioned property.

Violation: Maintenance
City Code: Section 17-7.4
Description: Turf grass and lawns shall not grow to a height to allow such grasses to go to seed.

Corrective action is required; ten (10) days are allowed from the date of this letter.

To review City Codes on our website, please go to www.pequotlakes-mn.gov.

Action must be taken on or before September 2, 2019 and continue to be maintained for the remainder of the growing season.

If you are unable to make the corrections in the required time or believe this violation is in error, you will need to call this office to make other arrangements. Office hours are 8:00 AM to 4:00 PM Monday through Friday. Please contact Dawn at 218-568-6699.

CITY OF PEQUOT LAKES

By: Dawn Bittner, Zoning Specialist 



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September 3, 2020

Thomas P. Peterson
3712 Lincoln Street
Columbia Heights, MN 55421

RE: Landscape Plan and Signage
PIN: 290271100ACA009
29795 Peterson Path

Dear Mr. Peterson:

The commercial building permitted in 2018 at the above captioned location required 100% screening to adjacent residential parcels and over 50% screening from the road. A Landscape Plan was provided by Kent and Pamela Johnson and approved by the Planning Commission, a copy is enclosed. You may either implement the Johnson's plan or provide a new plan. Whichever you choose must be implemented this construction season, before frost.

In addition, signage requires a permit. I have enclosed the City Code regarding signs and highlighted the portions that pertain to this location, as well as the Land Use Permit Application to complete.

If you have any questions, please feel free to contact me at 218-568-6699 or at dbittner@pequotlakes-mn.gov.

Sincerely,

Dawn Bittner
Zoning Specialist

Enc. - 3