

Zoning Administrator's Report

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

1. John & Holly Aasen, 30827 Pequot Blvd., Short-term rental;
2. Annie Swanstrom, 3821 West Lake Street, for an accessory structure;
3. Doug Boschee, 27306 West Twin Lake Drive, replace retaining wall;
4. Ryan Buell, 30928 Maish Street, replace deck;
5. Dennis & Sue Paulson, 4755 County Road 16, for an accessory structure;
6. Tom Peterson, 28831 Hurtig Road, for a new home & garage;
7. Xcel Energy, Right-of-Way construction;
8. James Casper, 3912 West Lake Street, for an accessory structure;
9. Adam Bitzer, 28050 Hurtig Road, Amend Permit #20-19;
10. Timothy Siegel, 28533 Hurtig Road, for an accessory structure;
11. Jeff Ouradnik, 3788 Wildlife Trail, steps to lake;
12. Daniel Richter, 27862 Janco Lane, for an accessory structure;
13. Brent Embree, 28104 Norway Ridge, for a fence & patio;
14. TDS, Right-of-Way construction;
15. Tina Jaekel, 4738 Tree Farm Road, for a deck;
16. Anton Dabbs, 28083 Norway Ridge, for a fence.

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

1. June 15 letter to Lloyd & Darleen McAninch regarding Exterior Storage and Property Maintenance issues;
2. June 15 letter to Timothy & Kristi Crist regarding Exterior Storage and Property Maintenance issues;
3. June 16 letter to Brent & Katie Embree regarding construction/landscaping without a permit;
4. June 18 letter to Lonesome Real Estate LLC offsite sign on semi-trailer;
5. June 19 letter to North Ford Boulders & Excavating regarding IUP approval;
6. June 23 letter to William Moen regarding lawn maintenance;
7. June 24 letter to Fr. Mike Patullo regarding Property Maintenance issues;
8. June 24 letter to Douglas & Arleen Steele regarding Property Maintenance issues;
9. June 24 letter to A. Scott & Susan Pederson regarding Water Oriented Accessory Structure;
10. June 26 letter to Gene & Jean Torgerson regarding Variance approval;
11. July 1 letter to Cheryl Brown regarding barricades and "No Parking" signs.

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. (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. Staff will continue monitoring his mowing and yard maintenance next growing season. (9/18)
- 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. (6/20)
- Douglas & Arleen Steele – Property Maintenance. (6/20)



June 15, 2020

Lloyd & Darleen McAninch, Trustees
19 Park Drive
Circle Pines, MN 55014

**RE: City of Pequot Lakes
Potential City Code Violation
PIN: 290223405A00009 & 290223405BA0009
County Road 168**

Dear Mr. and Mrs. McAninch:

I contacted you April 27, 2020 regarding the Exterior Storage and Property Maintenance issues that needed to be addressed at the above-captioned property. I visited your property recently and took the enclosed photographs which indicate no attempt has been made to address these issues.

Per City Code, the following Exterior Storage and Property Maintenance issues must be addressed within the next fifteen (15) days (by June 30, 2020):

- Remove all miscellaneous items strewn about the property;
- Remove the abandoned and inoperable vehicles;
- Dispose of all solid waste and garbage pursuant to Crow Wing County Standards.

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 17-7.5 EXTERIOR STORAGE:

Section 17-7.5 EXTERIOR STORAGE

1. Declaration of Nuisance. Excess outdoor storage of materials, equipment and other objects is declared to be a public nuisance because it is unsightly, decreases adjoining landowners' and occupants' enjoyment of their property and neighborhood, adversely affects property values and neighborhood patterns and poses a threat to the public health and safety when such objects are visible and accessible to passersby.
2. Standards. Objects stored outside that are visible from public rights of way or neighboring properties are a public nuisance if they are not stored in compliance with the following requirements.
 - A. There shall be no exterior storage allowed on lots that do not contain a principle or accessory structure.
 - B. Where there is a principle or accessory structure, all materials, equipment and other objects shall be stored within a building or fully screened so as not to be visible from adjoining properties, except for the following: laundry drying, recreational equipment, construction landscaping materials and equipment currently being used for

construction of the premises, woodpiles, agricultural equipment and materials if these are used or intended for use on the premises, off-street parking except as otherwise regulated herein.

- C. No more than two fish houses are permissible. Fish houses must be stored at least 10 feet distance from a rear property line and outside of the OHW setback.
- D. Exterior storage shall be allowed as follows:

ZONING CLASSIFICATION	STANDARD
Shoreline Residential Shoreline Commercial	A maximum of three (3) recreational vehicles, including boats, shall be allowed to be parked and/or stored outside a building on private property in the rear yard of a riparian lot, not less than the applicable setback from any property line or ordinary high water mark of a public water. (1) (2)

- (1) All recreational vehicles, including boats, shall display a current license or watercraft registration if required for such boat or recreational vehicle.
- (2) Non-motorized watercraft nine (9) feet in length or less that do not require watercraft registration by the State of Minnesota are not considered as stored under this article, so long as applicable setbacks are maintained.
- (3) For the purposes of this section, multiple recreational vehicles stored on a single trailer less than 16 feet in length shall be considered one recreational vehicle.

- G. Abandoned motor vehicles shall be stored within a structure or completely screened from view from adjacent properties and right-of-way. See Chapter 3, Article 8.

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.

The City Code states in Section 17-7.7 SOLID WASTE:

1. All solid waste shall be disposed of in accordance with the standards of Crow Wing County.

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 June 30, 2020 you perform the actions listed above.**

Failure to comply with the City Code by June 30, 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. You will also be responsible to reimburse the City for any expenses incurred in remedying this violation. This would include any consultant fees or other professional services that City Staff determines is necessary, including but not limited to the City Planner, the City Engineer or the City Attorney, as well as any abatement costs. Any expenses or costs will be assessed against your property.

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

Sincerely,



Dawn Bittner
Zoning Specialist

Enclosures: Photographs

C: Planning Commission



June 15, 2020

Timothy & Kristi Crist
30660 Rae Avenue
Pequot Lakes, MN 56472

**RE: City of Pequot Lakes
Potential City Code Violation
PIN: 291050010040009 - 291050010070009
31215 Pine Street**

Dear Mr. and Mrs. Crist:

I contacted you April 23, 2020 regarding the Exterior Storage and Property Maintenance issues that needed to be addressed at the above-captioned property. I visited your property recently and took the enclosed photographs which indicate no attempt has been made to address these issues.

Per City Code, the following Exterior Storage and Property Maintenance issues must be addressed within the next fifteen (15) days (by June 30, 2020):

- Remove any and all items stored outside that do not meet the standards of Section 17-7.5, Subpart 2 (D) below, ***including items stored behind buildings visible from neighboring properties;***
- Remove all abandoned vehicles or store within a structure;
- Remove the sections of fencing constructed between the dwelling façade and the front property line. Fences shall not exceed 48 inches between the dwelling façade and the front property line.

The City Code states in Section 17-7.5 EXTERIOR STORAGE:
Section 17-7.5 EXTERIOR STORAGE

1. Declaration of Nuisance. Excess outdoor storage of materials, equipment and other objects is declared to be a public nuisance because it is unsightly, decreases adjoining landowners' and occupants' enjoyment of their

property and neighborhood, adversely affects property values and neighborhood patterns and poses a threat to the public health and safety when such objects are visible and accessible to passersby.

2. **Standards.** Objects stored outside that are visible from public rights of way or neighboring properties are a public nuisance if they are not stored in compliance with the following requirements.
 - A. There shall be no exterior storage allowed on lots that do not contain a principle or accessory structure.
 - B. Where there is a principle or accessory structure, all materials, equipment and other objects shall be stored within a building or fully screened so as not to be visible from adjoining properties, except for the following: laundry drying, recreational equipment, construction landscaping materials and equipment currently being used for construction of the premises, woodpiles, agricultural equipment and materials if these are used or intended for use on the premises, off-street parking except as otherwise regulated herein.
 - C. No more than two fish houses are permissible. Fish houses must be stored at least 10 feet distance from a rear property line and outside of the OHW setback.
 - D. Exterior storage shall be allowed as follows:

ZONING CLASSIFICATION	STANDARD
Rural Residential Transition Residential Urban Residential	A maximum of three (3) recreational vehicles, including boats, shall be allowed to be parked and/or stored outside a building on private property in the rear yard of a non-riparian lot not less than the applicable setback from any property line. (1) (2) (3)

(1) All recreational vehicles, including boats, shall display a current license or watercraft registration if required for such boat or recreational vehicle.

(2) Non-motorized watercraft nine (9) feet in length or less that do not require watercraft registration by the State of Minnesota are not considered as stored under this article, so long as applicable setbacks are maintained.

(3) For the purposes of this section, multiple recreational vehicles stored on a single trailer less than 16 feet in length shall be considered one recreational vehicle.

G. Abandoned motor vehicles shall be stored within a structure or completely screened from view from adjacent properties and right-of-way. See Chapter 3, Article 8.

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.

The City Code states in Section 17-7.7 SOLID WASTE:

1. All solid waste shall be disposed of in accordance with the standards of Crow Wing County.

The City Code states in Section 17-5.9 URBAN RESIDENTIAL:

4. Performance Standards. The following performance standards apply to all development in this zone:

C. Fences. Fences not exceeding 48 inches may be constructed between the dwelling façade and the front property line. Dwelling façade shall not include decks, entry ways, porches, and other building projections from the principal face of the dwelling. Fences not exceeding 72 inches in height may be constructed from the dwelling façade to the side yard and to the rear yard of a property. Under no circumstances shall a fence be constructed closer than 10 feet from the surface of a public road and in all cases not within the public right-of-way. Materials shall consist of usual fencing materials with posts and fence of metal, wood, concrete, brick or smooth wire. Barbed or electrified wire is prohibited, except where specific approval has been given by the Planning Commission.

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 June 30, 2020 you perform the actions listed above.**

Failure to comply with the City Code by June 30, 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. You will also be responsible to reimburse the City for any expenses incurred in remedying this violation. This would include any consultant fees or other professional services that City Staff determines is necessary, including but not limited to the City Planner, the City Engineer or the City Attorney, as well as any abatement costs. Any expenses or costs will be assessed against your property.

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

Sincerely,

Dawn Bittner
Zoning Specialist

Enclosures: Photographs

C: Planning Commission



4638 MAIN STREET • PEQUOT LAKES, MN 56472 • (218) 568-5222 • FAX: (218) 568-5860 • www.pequotlakes-mn.gov

June 16, 2020

Brent and Katie Embree
28104 Norway Ridge
Pequot Lakes, MN 56472

**RE: City of Pequot Lakes
Potential City Code Violation
PIN: 290263401B00009
28104 Norway Ridge**

Dear Mr. and Mrs. Embree:

It has come to my attention through a complaint that there is a construction/landscape project under way at the above captioned property. An After-the-Fact Land Use Permit is required for the structures depicted on the enclosed photograph.

Please complete the enclosed Land Use Permit Application and return to City Hall no later than June 25, 2020. A detailed site plan is also required.

Please feel free to contact me at 218-568-6699 or dbittner@pequotlakes-mn.gov with questions.

Sincerely,

Dawn Bittner
Zoning Specialist

Enc.

C: Planning Commission



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June 18, 2020

Lonesome Real Estate LLC
c/o Brandon Andersen
PO Box 665
Pequot Lakes, MN 56472

RE: City of Pequot Lakes
City Code Violation
PIN: 291130020020009
4772 Morehouse Drive

Dear Mr. Andersen:

Thank you for calling and talking with the City Administrator in my absence. We have researched your concerns and our findings are below:

The banner attached to the semi-trailer would be considered an offsite sign because it is not located on the contiguously owned property with the use which is being advertised.

The banner would not be considered a moving sign as the City Code does not address mobile signs. A "portable" sign would require a permit if the sign is posted for more than 14 days in a 90-day period.

My letter dated May 20, 2020 did outline enforcement for failure to comply with removal of the sign by June 20, 2020, including administrative penalties in the amount of \$100.00 per day for each day the violation continues. Since this response was not timely, **we are hereby extending the deadline to resolve the violation until June 30, 2020. Please remove the sign from the semi-trailer by this deadline.**

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

C: Planning Commission



June 19, 2020

North Fork Boulders & Excavating
Phil Swenson
5253 – 55th Avenue SW
Pine River, MN 56474

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

Dear Mr. Swenson:

Please be advised that on May 21, 2020, the Planning Commission approved your Interim Use Permit, contingent upon receiving the Bond and Storm Water Pollution and Protection Plan, based on the following findings of fact:

1. The subject property meets the minimum lot size and use standards for the Agriculture zone, being 70 acres in size, more than 500 feet wide, and having ample space within the building envelope for the proposed operation.
2. The subject property lies within the Extractive Use Overlay District.
3. Applicant has supplied the required information including a site plan, a description for restoration, and has indicated that Wild Acres Road will serve as the primary haul route.
4. Applicant has proposed to excavate an approximate 18 acre area, including an approximate 5.25 acre stockpile/processing area. This excavation area is more than 50 feet from all property lines.
5. The proposed excavation area is more than 50 feet from the right-of-way of Wild Acres Road, being approximately 830 feet from the right-of-way.
6. Applicant has indicated signage and locked gate as barriers to the site.
7. Applicant has indicated existing topsoil will be removed and placed along the east and west excavation areas.
8. The excavation area is more than 800 feet from the nearest residence, located on the parcel directly north of the excavation area. There is also a residence on the property to the northwest that is approximately 1,000 feet from the excavation area. The nearest lake, Island Lake to the north, is more than 3,000 feet from the processing area, and the nearest stream

is more than one mile to the north of the site. The excavation area is more than one mile outside the Wellhead Protection Area.

9. Excavation will not occur at a water-producing depth as approximately 30 feet from the existing elevation will be excavated. Applicant has indicated that depth to saturated soil after material is removed is estimated to be 50' to 60'.
10. Applicant has applied for a Construction Stormwater General Permit from the MPCA.
11. Applicant has indicated the location of a holding pond for stormwater runoff and their plan to revegetate excavation area.
12. Applicant has stated they plan to reclaim the pit area by sloping the banks, grading the pit floor, reapply the top soil, and seed with vegetation such as rye, timothy, alfalfa, and clover to all disturbed areas.
13. City Code requires 4 inches of black topsoil be placed on all areas, vegetation shall be restored by planting of appropriate grass seeds or planting of shrubs or trees, banks of excavation not backfilled shall be sloped to 3:1 slope, and reclamation of extractive use sites and haul roads shall be completed within 1 year after cessation of the operation.
14. The proposed extractive use is an appropriate use in the Agriculture zone; extractive uses are listed as interim uses in the Agriculture zone.
15. Wild Acres Road is currently being used as a haul route for other excavation operations in the area. The applicant has indicated their trucks will be accessing on and off of Wild Acres Road and routed to their required destination.
16. The proposed use is compatible with the surrounding neighborhood. There are several extractive uses in the surrounding area, including Pequot Lakes and Ideal Township. There is a large extractive use operation on the adjacent properties to the east of the subject property.
17. The proposed use will not be injurious to the public as necessary permits for stormwater and pollution control will be obtained, as well as permits for noise and air emissions. The proposed use will not pose a threat to groundwater quality.
18. The proposed use will not be injurious to the use and enjoyment of property in the immediate vicinity. Applicant has indicated equipment shall not be housed or operated less than 1,000 feet from a residential use district and other neighboring properties are either undeveloped or contain extractive uses themselves.
19. The proposed use will not impede the normal and orderly development of surrounding vacant properties for uses predominant in the area; the neighborhood is largely zoned for agriculture and forestry uses.
20. The proposed use will not require public facilities or services at public cost. Section 17-8.5, Subdivision 4 of the City Code does contain a provision requiring the applicant to furnish a bond to guarantee that rehabilitation, reclamation, and restoration are completed to the satisfaction of the City.
21. The proposed use will not create traffic congestion on Wild Acres Road.

22. The applicant has not indicated that adequate measures have been taken to provide sufficient off-street parking and loading space. However, given the size of the site, there is more than ample space for off-street parking.
23. There are not any known significant historic, natural or scenic features located on the property that would be damaged or destroyed by the proposed use.
24. The proposed use will not contaminate groundwater as the proposed extraction shall take place at least five (5) feet above the water table, if not more. In addition, the necessary stormwater management permits will be obtained to control stormwater onsite and prevent erosion. The nearest surface water body, Island Lake, is more than 3,000 feet to the north of the property, so it is unlikely that the proposed use will pollute surface waters.

Please note that the Planning Commission also added the following as conditions to the interim use permit:

1. All submittal requirements of this interim use approval (below) shall be submitted to and approved by the city prior to any excavation of material on the subject property.
2. Applicant shall furnish a site specific Stormwater Prevention and Pollution Plan to the City, as well as MPCA, NPDES and MPCA General Permit. Applicant has provided MPCA NPDES/SDS General Permit C00056287.
3. Topsoil berms shall be placed and vegetated in such a way as to screen the excavation area from view and to serve as a noise and dust buffer for area residences, as indicated on attached Exhibit A.
4. Applicant shall install fencing on all sides of the excavation area as a safety barrier, as indicated on attached Exhibit B.
5. The applicant shall furnish a bond in the amount that is acceptable to the City Engineer and the Planning Commission to serve as a guarantee that the restoration and rehabilitation requirements are met to the satisfaction of the City.
6. The applicant shall submit information required in Section 8.5 "Extractive Uses and Restoration" Subparts 5 (B) (C) and (D). (These are indicated on Exhibits A & B and Map C)
7. The applicant shall provide a detailed restoration plan meeting the requirements of Section 8.5 "Extractive Uses and Restoration" Subpart 4, as indicated on Exhibit C.
8. The applicant shall provide soil boring data/ground water elevation for at least three boring sites throughout the excavation area. The boring locations shall be spaced at least 100' apart. Applicant has provided soil boring data/ground water elevation for 3 boring sites throughout the excavation area.
9. Extraction operations shall take place between 7:00 AM and 6:00 PM, Monday through Friday.
10. The slopes surrounding the excavation area shall be graded or backfilled to contour and shape the peaks and depressions thereof, so as to produce a

- gently drained surface that will minimize erosion due to rainfall and which will be in substantial conformity to the adjoining land area.
11. Four (4) inches of black topsoil shall be placed on all areas.
 12. Vegetation shall be restored by appropriate seeds of grasses or planting of shrubs or trees in all parts of said mining area.
 13. The banks of all excavation not backfilled shall be sloped not steeper than 3:1 and said bank shall require the establishment of vegetation.
 14. This extractive use shall terminate 5 years from date of approval, May 21, 2025.
 15. Reclamation of the extractive use site shall be completed within one (1) year after the cessation of the operation.

You have provided the Performance Bond and Storm Water Pollution and Protection Plan and are now able to move forward with your extractive use.

Uses defined as Interim Uses are allowed pursuant to Minnesota Statutes after appropriate review and approval in accordance with the criteria, standards and procedures for a Conditional Use Permit contained in Section 17-11.6 (8) of the Pequot Lakes City Code which states *“Failure by the owner to act on a Conditional Use Permit within 12 months, or failure to complete the work under a Conditional Use Permit within 2 years, unless extended by the Planning Commission, shall void the permit. A second extension shall require a new public hearing.”* If you have any questions, please feel free to contact me.

Sincerely,

Dawn Bittner
Zoning Administrator

CC: Planning Commission



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June 23, 2020

THIS IS THE ONLY NOTICE YOU WILL RECEIVE!

William L. Moen
6771 Abbott Road
Duluth, MN 55803

**RE: ORDER TO CORRECT ADMINISTRATIVE VIOLATION
PIN: 29106001005A009 and 29106001006A009
Corner of Spruce Street and West Sibley Street**

Dear Mr. Moen:

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 July 3, 2020 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 

6-23-2020



6-23-2020





June 24, 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:

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 July 24, 2020):

- Repaint all surfaces with peeling paint;
- 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 July 24, 2020 you perform all of the actions listed above.**

Failure to comply with the City Code by July 24, 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 property 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



June 24, 2020

Douglas C. and Arleen J. Steele
11486 Manhattan Point Blvd.
Crosslake, MN 56442

**RE: City of Pequot Lakes
Potential City Code Violation
PIN: 29103000907B009
30867 Rasmussen Road**

Dear Mr. and Mrs. Steele:

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 July 24, 2020):

- Repaint all surfaces with peeling paint;
- 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 July 24, 2020 you perform all of the actions listed above.**

Failure to comply with the City Code by July 24, 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 property 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



June 24, 2020

Via Email and US Mail

A. Scott and Susan Pederson
3823 County Road 17
Pequot Lakes, MN 56472

**RE: City of Pequot Lakes
City Code Violation
PIN: 291440010160009
Water Oriented Accessory Structure**

Dear Mr. and Mrs. Pederson:

The City has made numerous attempts to resolve the issues with the Water Oriented Accessory Structure since 2017. The following items must be addressed within the next thirty (30) days (by July 24, 2020):

- Reduce the size of the “deck” by 50%;
- Complete the steps as discussed during onsite visit August 6, 2018;
- Provide photographs indicating the above has taken place or invite me for an onsite visit to document completion.

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 July 24, 2020 you perform all of the actions listed above.**

Failure to comply with the City Code by July 24, 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 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

C: Planning Commission



June 26, 2020

Gene and Jean Torgerson
2122 – 141st Lane NE
Ham Lake, MN 55304

Re: Variance Request to construct an accessory structure within the setback to State Highway 371 in the Shoreline Residential zoning classification

Dear Mr. and Mrs. Torgerson:

Please be advised that on June 18, 2020 the Board of Adjustment approved your Variance request based on the following Findings of Fact:

1. The subject property is located at 27748 West Twin Lake Drive and is in the "Shoreline Residential" zone.
2. The property contains a 1,092 square foot dwelling.
3. The applicant proposes to place a 9' X 16' accessory structure 12 feet from the east property line, State Highway 371 right-of-way line.
4. The proposed accessory structure is less than the maximum height allowed for an accessory structure in the Shoreline Residential zone.
5. The proposed accessory structure includes a loft area for storage purposes.
6. The subject property is served by a deep well and compliant septic system.
7. The applicant has established that there are practical difficulties in complying with the Code. The building envelope is small due to the setbacks from the OHW of West Twin Lake and West Twin Lake Drive and State Highway 371. Moving the proposed accessory structure to the west would require removal of several trees.
8. The property owner proposes to use the property in a reasonable manner.
9. The deviation from the Code will still be in harmony with the general purposes and intent of the City Code and Comprehensive Plan.
10. The variance will not create a land use not permitted in the Shoreline Residential zone.
11. The variance will not alter the essential character of the locality as the neighboring cabins and homes utilize detached garages and accessory structures.
12. The variance has not been made based on economic considerations.

Please note the Board of Adjustment included the following Conditions in their motion to approve your Variance request:

1. Existing trees and vegetation between the dwelling and the OHW shall remain in a live state to provide screening as viewed from the lake. In the event the existing trees and vegetation dies or is damaged by a natural event, additional trees and vegetation shall be planted to provide screening as viewed from the lake.
2. The loft area of the structure may only be utilized as an open area or storage space.
3. The structure shall not be modified in the future to contain habitable space.

Section 17-11.7 (7) of the Pequot Lakes City Code states *“Failure by the owner to act within 6 months on a Variance unless extended by the Board of Adjustment shall void the Variance. A second extension shall require a new public hearing.”* If you have any questions, please feel free to contact me.

Sincerely,

Dawn Bittner
Zoning Specialist

C: Board of Adjustment



4638 MAIN STREET • PEQUOT LAKES, MN 56472 • (218) 568-5222 • FAX: (218) 568-5860 • www.pequotlakes-mn.gov

July 1, 2020

Cheryl Brown
4402 Oriole Street
Pequot Lakes, MN 56472

Dear Ms. Brown:

It has come to my attention that you have placed barricades and “No Parking” signs along Oriole Street. The location of these barricades is within public right-of-way. Please remove the barricades and “No Parking” signs. The Downtown Mixed Use zoning classification is designed for on-street parking.

Please feel free to contact me at dbittner@pequotlakes-mn.gov or at 218-568-6699.

Sincerely,

Dawn Bittner
Zoning Specialist

C: Jason Gorr
Public Works Director