

Zoning Administrator's Report

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

1. Lady of Lakes Catholic Parish, xxxx County Road 29, Timber Harvesting.
2. Boschee Family Holdings LLC, 27348 West Twin Lake Drive, Shoreline Alteration Permit.
3. David Berg, 4747 Main Street, deck.

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

1. Email response to Terry Knutson regarding Wilderness Resort and Thomas Steffens;
2. November 19 letter to Nathan Walberg regarding items in the Patriot Avenue right-of-way;
3. November 19 letter to Joseph and Joann Lutter regarding accessory structures;
4. November 27 letter to Babinski Properties regarding signage;
5. December 10 letter to Randy and Carol Steenholdt regarding Variance request;
6. December 10 letter to Nathan Walberg regarding City Council waiving CUP application fees;
7. December 11 letter to Nathan Walberg regarding CUP application;
8. December 12 letter to Babinski Properties acknowledging resolution of issue.

C. Council Meeting Notes:

The draft Minutes of the January 7 Council Meeting were not available when this packet was put together.

D. 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)

- Timothy & Kristi Crist – Exterior Storage and Lawn. Staff will continue to monitor and meet with Mr. Crist. (4/17)
- 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)
- Scott Pederson – Exterior Storage. Property owner has removed some items and claims to be compliant. Storage is not visible from public right-of-way. (6/18)
- Nathan Walberg – Staff is monitoring. (3/19)
- Wesley T. Johnson – Maintenance. Staff will continue monitoring his mowing and yard maintenance next growing season. (9/18)

Dawn Bittner

From: Dawn Bittner
Sent: Monday, November 18, 2019 8:36 AM
To: 'Teery Knutson'
Cc: Mayor Tayloe
Subject: RE: Building permits

Good Morning, Mr. Knutson:

The following actions by Mr. Steffens have occurred in 2019:

1. He was issued 2 Land Use Permits to move Cabin #4 and Cabin #5;
2. He applied for a Conditional Use Permit (CUP) to expand the beach area and relocate the boat ramp. This CUP request was approved June 20, 2019. He has applied for the necessary permits from the DNR; I have no knowledge whether or not the DNR has approved them.
3. He applied for a Variance to construct a bathroom in a new boat house. This Variance request was denied June 20, 2019.

I will send you notifications of any future applications. At this time I am not aware that he plans to make any application. Please feel free to contact me with any additional questions. Thank you.



Dawn Bittner
Zoning Specialist
City of Pequot Lakes
4638 Main Street
Pequot Lakes, MN 56472
218-568-6699
Direct Line: 218-568-2354
dbittner@pequotlakes-mn.gov
www.pequotlakes-mn.gov

Please note that our mailing address has changed.

From: Teery Knutson [mailto:terryaknutson@aol.com]
Sent: Monday, November 18, 2019 7:53 AM
To: Dawn Bittner <dbittner@pequotlakes-mn.gov>
Subject: Fwd: Building permits

Sent from my iPhone

Begin forwarded message:

From: Teery Knutson <terryaknutson@aol.com>
Date: November 17, 2019 at 1:42:16 PM EST

To: mayor@pequotlakes-mn.gov

Subject: Building permits

I am a homeowner and taxpayer and a resident. My address is:5542 White Pine Drive, Pequot Lakes 56472.

I have been made aware that Thomas Steffens , DBA Lakeshore Properties might be pursuing additional building permits at Wilderness Point Resort.

I am vehemently opposed to any project Mr. Steffens might be seeking permits for at Wilderness.

Please inform me of any items he might place on an agenda.

Mr. Steffens has a long history of misrepresentations and promises and financial delinquency.

Please inform me of any/all business with Wilderness Point.

My winter address is :Terrence Knutson. 13205 Whitehaven Lane #1602 Fort Myers, Florida 33966. Phone : 612-267-7914

Sent from my iPhone



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November 19, 2019

Nathan Walberg
29349 Patriot Avenue
Pequot Lakes, MN 56472

**RE: City of Pequot Lakes
City Code Violation
PIN: 290224100DA0889**

Dear Mr. Walberg:

It was recently brought to my attention that you have vehicles and piles of wood within the right-of-way of Patriot Avenue on the Department of Natural Resources snowmobile trail. All of these items must be removed **no later than 8:00 AM on November 27, 2019.**

Failure to comply with the above will prompt the City to potentially revoke your Conditional Use Permit.

Sincerely,

Dawn Bittner
Zoning Specialist

CC: Planning Commission



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November 19, 2019

Joseph and Joann Lutter
5432 Sibley Lake Road
Pequot Lakes, MN 56472

**RE: City of Pequot Lakes
Potential City Code Violation
PIN: 29109002000009 – 291090020030009**

Dear Mr. and Mrs. Lutter:

It has come to my attention through a complaint that several accessory structures have been constructed on your property. I visited your property and noted there are numerous accessory structures that have been constructed since you provided a site plan in 2002. Construction of some of the structures appears to be incomplete as tarps and plastic have been used for roofs and siding which is not aesthetically appealing.

Please complete the enclosed Land Use Permit Application, provide a complete site plan, and furnish a timeline to complete construction **by no later than December 10, 2019.**

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

Sincerely,

Dawn Bittner
Zoning Specialist

Enc.



November 27, 2019

Babinski Properties
Attn: John Babinski
30533 Patriot Avenue
Pequot Lakes, MN 56472

**RE: City of Pequot Lakes
Potential City Code Violation
PIN: 290154100A00009
30533 Patriot Avenue**

Dear Mr. Babinski:

I contacted you July 15, 2019 regarding the freestanding sign that needed to be addressed at the above-captioned property. I visited your property yesterday and took the enclosed photograph which indicate no attempt has been made to address these issues. I have been in contact with Bob Erickson several times with promises the sign would become compliant. The sign remains too large and is upward lit.

Per City Code, the following issues must be addressed within the next ten (10) days (by December 9, 2019):

- Remove signage so the freestanding sign is no more than 96 square feet in size;
- Turn the lights off until the lighting can be made downward directional.

Section 17-7.1 SIGNS

2. Required Permits. All signs are considered structures and require a Zoning Permit, except signs placed by the City, County or State to relate the laws or ordinances, or to promote the health, safety and welfare of the community which are exempt, and signs exempted in this Chapter.

5. Onsite Signs.

A. Commercial and Industrial Districts.

(4) Each property is allowed one freestanding sign so long as the

sign can meet setbacks and its placement does not obstruct lines of sight or pedestrian corridors.

- (a) On all freestanding signs, both sides of the sign are counted to determine the sign area.
- (b) Buildings located in a 45 mile per hour speed zone or higher are allowed up to 96 square feet of freestanding sign that shall not exceed 15 feet in height.
- (c) Buildings located in a less than 45 mile per hour speed zone are allowed up to 64 square feet of freestanding sign and, for multi-business buildings, are allowed an additional 8 square feet for each business after the first. The sign may not exceed 10 feet in height.

Section 17-5.10 COMMERCIAL (C)

- E. Lighting. Lighting shall be minimal. Lighting shall be downward directional and shall be compatible with the surrounding development. Lights approved with signs must be turned off at the close of business each day.

Section 17-11.8 LAND USE PERMITS

- 1. Land Use Permits shall be issued for all new structures and any change in structure exterior, plumbing or number of bedrooms, any construction or repair of a sewage system and any grading and filling in shoreland not exempted by this ordinance. No person shall assemble, install, repair, remodel, remove or construct any structure prior to applying for and receiving a Land Use Permit.

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 December 9, 2019 you perform the actions listed above.**

Failure to comply with the City Code by December 9, 2019, 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: Photograph

C: Planning Commission



December 10, 2019

Randy and Carol Steenholdt
11231 Red Bluff Lane
Fort Myers, FL 33912-8914

Re: Variance Request to construct guest quarters on an undersized lot, exceed the maximum square footage for guest quarters, exceed the maximum square footage of an accessory structure, and exceed the maximum building height of an accessory structure in the Shoreline Residential zoning classification

Dear Mr. and Mrs. Steenholdt:

Please be advised that on November 21, 2019 the Board of Adjustment approved your Variance request based on the following Findings of Fact:

1. The subject property is located at 6184 Inland Trails Road and is in the "Shoreline Residential" zone.
2. The property contains a dwelling and an accessory structure.
3. Applicants propose to convert the loft/storage area above the accessory structure into a bunkhouse (guest quarters) and construct a 600 square foot addition. The maximum accessory structure size is 1,280 square feet. With the addition to the accessory structure, the finished area of the guest quarters would be approximately 750 square feet. The maximum area for guest quarters shall not cover more than 700 square feet.
4. The existing accessory structure measures 14.5 feet in height. The maximum building height for an accessory structure is 13 feet. Applicants propose the addition to the accessory structure to be 14.5 feet in height to match the existing structure.
5. The accessory structure is approximately 260 feet from the OHW of Middle Cullen Lake. The proposed addition would not be lakeward.
6. The minimum lot width for guest quarters in the Shoreline Residential zone is 180 feet. The lot width along Middle Cullen Lake is 151.54 feet.
7. The subject property is served by a private deep well and a compliant Subsurface Sewage Treatment System (SSTS). Applicant proposes to add a bathroom in the guest quarters.
8. The applicant has established that there are practical difficulties in complying with the Code.

9. The plight of the landowner is due to circumstances unique to the property not created by the landowner
 - a. The subject property does not meet the minimum width requirement for the guest quarters. This practical difficulty was not created by the landowner.
 - b. The existing accessory structure which exceed the maximum height allowed was constructed by a previous landowner.
10. The deviation from the Code, with conditions, will still be in harmony with the general purposes and intent of the City Code and Comprehensive Plan.
11. The Variance will not create a land use not permitted in the Shoreline Residential zone. Accessory structures and guest quarters are an allowed use.
12. The subject property is surrounded by Shoreline Residential and Rural Residential development. The variance, with conditions, will not alter the essential character of the locality of the subject property.
 - a. There are accessory structures in the vicinity of the subject property that exceed the maximum area allowed however there are no guest quarters in the vicinity of the subject property that exceed the 700 sf limitation.
13. The Variance does not appear to be for economic reasons alone and reasonable use of the property seems to exist under the Code.

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 accessory structure 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 Design for the bathroom addition shall be submitted by a state licensed SSTS Designer.
3. The guest quarters contained in the accessory structure may not exceed 700 sf. A detailed floor plan of the accessory structure shall be submitted identifying the location and dimensions of the proposed guest quarter area and proposed uses for the other spaces in the accessory structure.

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



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December 10, 2019

Nathan Walberg
29349 Patriot Avenue
Pequot Lakes, MN 56472

RE: Conditional Use Permit Condition

Dear Mr. Walberg:

As directed by the Planning Commission at their November 21, 2019 meeting, I conferred with the City Attorney regarding removal of the condition requiring installation of a floor drain/sediment trap. This cannot just be “removed”; a Public Hearing must be held to remove it. I have placed this on the January 16, 2020 Agenda to hold the public hearing.

In addition, the City Council at their December 3, 2019 meeting, waived the \$450 application fee and \$46 recording fee. If you have any questions, please feel free to contact me.

Sincerely,

Dawn Bittner
Zoning Specialist



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December 11, 2019

Nathan Walberg
29349 Patriot Avenue
Pequot Lakes, MN 56472

RE: Amend Conditional Use Permit to Remove Condition #4

Dear Mr. Walberg:

Enclosed please find the Conditional Use Permit Application to remove Condition #4. Please sign the application where indicated, answer the questions, and return to me in the enclosed self-addressed, stamped envelope at your earliest convenience. I will need to receive this by December 20, 2019 in order to hold the Public Hearing on January 16, 2020.

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

Sincerely,

Dawn Bittner
Zoning Specialist

Enc.



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December 12, 2019

Babinski Properties
Attn: John Babinski
30533 Patriot Avenue
Pequot Lakes, MN 56472

**RE: City of Pequot Lakes
Potential City Code Violation
PIN: 290154100A00009
30533 Patriot Avenue**

Dear Mr. Babinski:

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

Sincerely,

Dawn Bittner
Zoning Specialist

C: Planning Commission