

Zoning Administrator's Report

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

1. Lakes Area Habitat for Humanity, 31320 Front Street, for a new home;
2. Jeff Silker, 5970 N. Sluetter Road, for shoreline alteration;
3. Vicki Rorie, 5979 Jack Pine Road, for a driveway;
4. David & Patricia Gustason, 5969 Jack Pine Road, for a driveway;
5. Jeremy & Kari Skjerven, 28809 County Road 107, for an accessory structure;
6. David & Margaret Stone, 27553 County Road 107, for a 2-story addition;
7. Xcel Energy, for a Right-of-Way Permit;
8. Premier Homes, 5695 Little Walnut Lane, for a new home and garage;
9. Premier Homes, 5739 Little Walnut Lane, for a new home and garage;
10. Premier Homes, 5751 Little Walnut Lane, for a new home and garage;
11. Fred Soukup, 4538 Olson Road, to amend Land Use Permit #21-80.

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

1. November 9 letter to Ken and Judy Kadash regarding Conditional Use Permit approval;
2. November 9 letter to August Ventures, LLC regarding Conditional Use Permit approval.

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.

- Robert Swenson – The City Council declared this property a public nuisance in 2017. This matter has been sent to the Prosecuting Attorney. (6/16)
- Lee Moren – Maintenance, Exterior Storage & Lawn. Staff is monitoring in 2021. (8/18 & 9/20)
- Wesley T. Johnson – Maintenance. Received new complaint. Exterior Storage and Lawn. (8/20)
- Timothy & Kristi Crist – Exterior Storage and Abandoned Vehicles. (4/20)
- Lloyd & Darleen McAninch – Exterior Storage. This matter has been sent to the Prosecuting Attorney. (4/20)
- Lonesome Real Estate LLC – Offsite Sign. (5/20)

- John & Sarah Olson – Exterior Maintenance. (8/20)
- Joseph & Joann Lutter – After-the-Fact Land Use Permit. (11/19)
- Robert Walker – Exterior Storage on vacant parcel. (4/21)
- Larsen Rental Properties LLC – Exterior Storage. Some items have been removed. Letter Three sent. (4/21)
- J. Amelia’s LLC – Lawn. Lawn Letter sent. No response. (6/21)
- Logan R. Johnson – Exterior Storage. (6/21)
- David & Louise Johnson – Exterior Storage. (6/21)
- SHN Properties, LLC – Animal Husbandry in the DMU. (8/21)
- Wayne Vold – Exterior Storage. (8/21)



November 9, 2021

Ken and Judy Kadash
6110 Waterford Court South
Edina, MN 55436

RE: Conditional Use Permit to allow 25% impervious surface coverage in the Shoreline Residential Zone

Dear Mr. and Mrs. Kadash:

Please be advised that on October 21, 2021, the Planning Commission approved your Conditional Use Permit based on the following findings of fact:

1. The subject property is located at 30539 Pequot Boulevard (PIN 29151072) and is zoned "Shoreline Residential."
2. The conditional use permit request is to allow 25% impervious surface coverage in the Shoreline Residential District. The use is an appropriate conditional use in the land use zone.
3. The subject property is a conforming parcel. Applicants propose to remove and replace the existing dwelling and detached garage and to remove the impervious landscape and replace with mulch.
4. The subject property will utilize the existing deep well and will properly abandon the existing Subsurface Sewage Treatment System (SSTS) and install a new Type I, 3-bedroom SSTS.
5. To increase the impervious coverage to 25% requires a conditional use permit meeting the requirements of Section 17-5.8 (4B) of the City Code.
6. The proposed use, with conditions, conforms to the Comprehensive Plan.
7. The proposed use is compatible with the existing neighborhood.
8. The proposed use, with conditions, will not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the City.
9. The conditional use, with conditions, will not be injurious to the use and enjoyment of other property in the immediate vicinity of the subject property.
10. The subject property is accessed via Pequot Blvd. and the proposed use will not generate additional traffic on Pequot Blvd. The public cost for

facilities and services for the proposed development will not be detrimental to the economic welfare of the community.

11. Adequate off-street parking has been indicated on the Certificate of Survey.
12. The proposed use will not generate any offensive odor, fumes, dust, noise or vibrations that will be a nuisance to neighboring properties.
13. The proposed use will not destroy any natural or scenic features. There are no known historical features of major significance on the subject property.
14. The proposed use, with conditions, will promote the prevention and control of ground and surface waters.

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

1. Applicant shall provide a Certificate of Survey once construction is complete to verify impervious surface coverage does not exceed 25% and stormwater basins have adequate capacity based on raw calculations.
2. The property shall be properly graded so that stormwater runoff is directed to the stormwater retention areas identified on the plan.

Section 17-11.6 (8) of the Pequot Lakes City Code 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 Specialist

CC: Planning Commission



November 9, 2021

Via US Mail and Email

August Ventures, LLC
5708 West 35th Street
St. Louis Park, MN 55416

RE: Conditional Use Permit to expand existing beach area and relocate existing boat access ramp

Dear Mr. Sullivan:

Please be advised that on October 21, 2021, the Planning Commission approved your Conditional Use Permit based on the following findings of fact:

1. The conditional use permit request is to expand the existing beach to a width of 156 feet and to relocate the existing boat ramp to the north side of the beach.
2. The subject property is a conforming parcel. It is approximately 30 acres in size and is zoned Shoreline Commercial and Open Space. The Shoreline Commercial District allows commercial planned unit developments.
3. There is no reason to believe that expansion of the beach area or relocating the boat ramp at Wilderness Resort, with conditions, would harm the health, safety, or welfare of the community.
4. Access to the resort is off of public right-of-way.
5. The planned unit development will continue to act as a resort. Although there will be some intensification of use, there will be no change in land use. The use will remain compatible with the adjacent properties.
6. A Commercial PUD is a permitted conditional use within the Shoreline Commercial District.
7. The Comprehensive Plan states *“Make the area’s natural, scenic, and recreational amenities the Pequot Lakes brand. The primary reason that people choose to live, work, and visit the Pequot Lakes area is the natural, scenic beauty and the many recreational opportunities.”* This proposal, with vigorous conditions to safeguard the environment and water quality, is consistent with the objectives of the Comprehensive Plan.
8. Onsite stormwater retention ponds will reduce sedimentation and nutrient loading of public waterways.

9. The site is largely covered by wooded areas and wetlands. The proposal will not significantly reduce the amount of wooded areas and will not impact the wetlands.
10. The subject property contains an adequate number of off-street parking spaces.
11. The adjacent property to the north is zoned Recreation, while the property to the south is zoned Shoreline Residential and to the west is zoned Recreation. The subject property is adjacent to Middle Cullen Lake on the south and east. The conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
12. The proposed use is compatible with the existing neighborhood.
13. The proposed use, with conditions, will not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the City.
14. The conditional use, with conditions, will not be injurious to the use and enjoyment of other property in the immediate vicinity of the subject property.
15. The subject property is accessed via Wilderness Road. There will not be a significant increase in traffic due to the proposed use. The public cost for facilities and services for the proposed development will not be detrimental to the economic welfare of the community.
16. The proposed use, with conditions, will not generate any offensive odor, fumes, dust, noise or vibrations that will be a nuisance to neighboring properties.
17. The proposed use will not destroy any natural or scenic features. There are no known historical features of major significance on the subject property.
18. The proposed use, with conditions, will not impact ground and surface waters.

Beach Area:

19. The existing beach area is located on the west side of the point and is approximately 100 feet wide. The applicant is proposing to extend the width of the existing beach area to 156' wide.
20. Removal of aquatic vegetation is necessary for the creation/expansion of the beach areas. The City does not have jurisdiction on any work performed below the OHW.
21. The City Code does not allow grading in excess of 50 cubic yards in the Shore Impact Zone.
22. Centralization of the beach area will reduce adverse impacts (unfiltered runoff, erosion, etc.) to the shoreline and the lake.
23. The distance between the location of the proposed boat ramp and the existing boathouse is approximately 165'.

Relocation of the Boat Ramp:

24. The applicant is proposing to relocate the existing boat ramp to the north side of the existing beach and swimming area.
25. Relocation of the ramp will require removal of approximately 10 – 20 feet of aquatic vegetation on the north side of the beach to allow for installation of the boat launch.
26. Relocation of the existing boat ramp may require a permit from the Minnesota Department of Natural Resources.

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

Beach Area:

1. The applicant shall demonstrate with professional grading and drainage plan how untreated runoff will be prevented for entering the lake via the proposed beach area.
2. In order to minimize negative impacts on Middle Cullen Lake, one centralized beach area shall be allowed on the subject property. The existing beach may be expanded to 156' in width.
3. Grading in the vicinity of the beach area shall include the use of berms, swales and natural vegetation near the beach area.
4. Necessary permits shall be obtained from the DNR for the removal of any aquatic vegetation for the expansion of the beach area.
5. In order to maintain the "up north" character referenced in the Comprehensive Plan and to protect the shoreline and Middle Cullen Lake, the resort may have one centralized beach area.
6. The existing beach area may be expanded to the length of the shoreline between the proposed boat ramp location and the west corner of the existing boat house.
7. The centralized beach area may not exceed existing width (landward).
8. The proper permits shall be obtained from DNR before the boat ramp may be relocated.
9. Stormwater shall be diverted away from the lake. Surface runoff at turnaround area and landward shall be diverted to stormwater features and not allowed to run directly down into the lake.
10. A vegetation / screening plan consisting of two staggered rows of seven (14 total trees) 6'-8' tall planted height evergreen trees located west of the boat access area be submitted and implemented prior to issuance of the shoreline alteration permit. The trees shall be properly maintained. Any tree that dies shall be replaced with a new 6'-8' planted height evergreen tree.
11. Stormwater management / grading plan addressing conditions number one, three, and nine of this permit shall be submitted to the city and implemented upon approval.

Section 17-11.6 (8) of the Pequot Lakes City Code 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.

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Zoning Specialist**

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