

Zoning Administrator's Report

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

1. Arvig Enterprises, Inc. to install fiber in City right-of-way.
2. Jo Lutter, 5432 Sibley Lake Road, for an accessory structure.

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

1. January 22 letter to Curt Johnson regarding 60-day rule;
2. January 30 letter to Nathan Walberg regarding removal of Condition #4.

C. Council Meeting Notes:

The draft Minutes of the February 4 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)
- 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)



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

January 22, 2020

Curt Johnson
PO Box 149
Pequot Lakes, MN 56472

RE: Ordinance Amendment to allow Ground Mounted Solar Energy Systems

Dear Mr. Johnson:

We are approaching the end of the review period mandated by statute. We are notifying you that we will be extending our review period an additional 60 days to have the opportunity to collect the necessary information to amend the ordinance to allow Ground Mounted Solar Energy Systems.

Sincerely,

Dawn Bittner
Zoning Specialist

C: Planning Commission



January 30, 2020

Nathan Walberg
29349 Patriot Avenue
Pequot Lakes, MN 56472

RE: Amend Conditional Use Permit to remove Condition #4

Dear Mr. Walberg:

Please be advised that on January 16, 2020, the Planning Commission approved your Conditional Use Permit amendment to remove Condition #4 requiring a floor drain/sediment trap, based on the following findings of fact:

1. The conditional use permit request is to amend the existing conditional use permit to allow expansion of the parking area for the used motor vehicle lot, add maintenance and repair of customer owned vehicles, provide towing services, tire sales and onsite sales and display of sawmills in the Commercial zone.
2. The subject property is located at 29349 Patriot Avenue and is zoned Commercial and Shoreline Residential.
3. The subject property is conforming. The parcel contains a dwelling, an office, a pole building, and a log building.
4. The subject property is served by private water wells and 2 private sewer systems.
5. The proposed "use" is considered "Commercial Use (Other, Not Classified)" and requires a conditional use permit.
6. The proposed use, with conditions, conforms to the comprehensive plan.
7. The adjacent property is zoned "Shoreline Residential", "Commercial", and "Recreation".
8. The proposed use is compatible with the existing neighborhood.
9. Signage will be applied for under separate Land Use Permit meeting Section 17-7.1 of the City Code.
10. 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.

11. 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.
12. The subject properties are accessed via Patriot Avenue. There will not be a significant increase in traffic on either street 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.
13. The proposed use will not generate any offensive odor, fumes, dust, noise or vibrations that will be a nuisance to neighboring properties.
14. The proposed use will not destroy any natural or scenic features. There are no known historical features of major significance on the subject property.
15. The proposed use, with conditions, will promote the prevention and control of ground and surface waters. No tire sales, exterior display saw mills, or repair/maintenance work on customer owned vehicles may be allowed on the subject property until the conditions of this permit are fulfilled.

Please note that the following conditions still apply to the conditional use permit:

1. No tire sales, exterior display of sawmills, or repair/maintenance work on customer owned vehicles may be allowed on the subject property until the conditions of this permit are fulfilled.
2. There shall be no exterior storage of tires.
3. Fifty percent screening shall be maintained along Patriot Avenue.
4. All garbage, used oil and related waste shall be disposed of in accordance with MPCA regulations.
5. No more than fifteen (15) inoperable units (vehicles and sawmills) shall be present on the property at any given time.
6. All mechanic work on vehicles shall be conducted within an enclosed structure.
7. Signage shall be permitted by separate application.
8. There shall be no more than a total of one hundred fifty (150) vehicles and sawmills allowed on the subject property. The maximum number allowed is a combination of vehicles and sawmills.
9. Parking areas shall be set back a distance of 10' or greater from side property lines in areas that are not screened by a fence.
10. A 6'-7' high wooden privacy fence shall be constructed along the south property line. The fence shall commence at the rear of the front building and run west to the front of the rear building. The fence shall be a minimum of 3 feet from the south property line. The fence shall be installed by August 30, 2019.
11. The property owner shall improve and maintain the access to the property so as to comply with Section 503 of the 2015 Minnesota State Fire Code, as reasonably determined by the City's Fire Chief.

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