

# Zoning Administrator's Report

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

1. Thomas R. Bliss, 31086 Spruce Street, Deck;
2. Tom J. Graumann, 31410 Paul Circle, Accessory Structure;
3. Dale Christensen, 4392 Jack Pine Drive, Accessory Structure;
4. Lori Rosemore, 4469 Blueberry Lane, Accessory Structure;
5. Steven L. Melby, XXXX S. Oak Street, New Home and Garage.

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

1. September 12 Letter to Thomas Greeney for removal of dock from city-owned property;
2. September 12 letter to David Watkins for removal of dock from city-owned property;
3. September 17 letter to William P. and Catherine M. King regarding revegetation plan.

## **C. Council Meeting Notes:**

An excerpt of the draft October 1 Council Minutes is included:

### 6.1. The Range Final Plat Resolution

Nancy Malecha stated that Andrew Birch from the Planning Commission is present to address any questions that council may have. Ms. Malecha presented the Final Plat of the Range where the applicants, Dan and Lauri Helbling, are proposing to subdivide property along little Walnut lane into a 15 single family residential building sites and one commonly owned lodge or green space. She stated that the property is zoned "Rural Residential" and is located within the Residential-Golf Course Community Overlay District".

Ms. Malecha stated that the City Council approved the Preliminary Plat of The Range on May 7, 2019 and this application is the final step in the subdivision process. Ms. Malecha stated that the applicant has complied with the 13 Conditions of approval of Preliminary Plat, including payment of the Park Dedication Fee. She stated the applicant has also fulfilled the Final Plat requirements contained in the Ordinance and all the documents are acceptable to the City Attorney. Ms. Malecha stated that the Planning Commission unanimously recommends the City Council approve the Final Plat of The Range.

**COUNCIL MEMBER PEDERSON MOVED TO ADOPT THE RESOLUTION APPROVING THE FINAL PLAT OF THE RANGE, BASED ON THE 11 FINDINGS OF FACT, 1 CONDITION, AND 11 REQUIREMENTS. COUNCIL MEMBER SWANSON SECONDED THE MOTION. MOTION CARRIED 4-0.**

9.1. 2020 Road Improvement Projects Update

Tim Houle stated a couple of months ago he went through sections of Rasmussen Road and South Washington, roadway widths, curb and gutter and other details. Mr. Houle talked about curb and gutter and that it drops the road just a little bit in places so they're working on the computer to get that road to lay into the land. He stated last month that he, Nancy Malecha and Jason Gorr talked with some property owners about storm water drainage, especially on the South side of Rasmussen Road. Mr. Houle said that property owners are open to providing the city storm water drainage easements which clears a big hurdle for storm drainage. He stated there will be more specifics in the upcoming meetings with some approvals on granting or obtaining easements.

Council Member Seils asked if we still have right away issues. Mr. Houle discussed clearing up the right of way issues in conjunction with the easements.

Council Member Swanson asked what the schedule is for the road improvements. Mr. Houle stated that they want to finish up the design and be able to go to public bidding early spring. Discussion ensued about bidding and having the project be bid as one project. Mr. Houle talked about putting in individual intermittent milestone completion dates to minimize the issues and access but he said we don't want to get so prescriptive in the schedule that you lose a price advantage with the bidders.

Council Member Swanson asked if North Sluetter is included with this project. Mr. Houle explained that it would be a separate project based on what the Council approved. Discussion ensued about the paving of North Sluetter Road and the classification of Rustic Road in order for it to be paved, it was stated that the details are still be worked on and that it is on the November City Council agenda for further discussion.

Council Member Pederson asked if the cost of the road project will change. Mr. Houle stated that the study that strip map is related to had a cost estimate associated with it and that study is probably going on two years now. He said once they get further into the design they will do another estimate before the bids based on actual quantities, curb and gutter and bituminous pavement using the best information they have on recent bid prices. Mr. Houle stated that they would like to keep that in their work

product and have a rounded number or range so they do not unduly influence bidders. Discussion ensued about the budget being adjusted if the project cost increases.

11. Other Business

Council Member Swanson suggested that redesigning Patriot Avenue start at the earliest possible time, before we dissipate all of the funds and before the price tag goes sky high. She believes it will take a year to design and receive community input. Council Member Pederson agreed and asked Tim Houle if there was a pencil drawing or a rough draft. Mr. Houle stated that the City would want to start with some kind of input. Council Member Pederson suggested using the Traffic Study as a guide. Discussion ensued about the useful life of Patriot Avenue and saving money.

Council Member Pederson talked about getting engineering plans or pencil drawings and said the Planning and Zoning Commission is looking at the Downtown Plan and the Park Commission is looking at Park plans which includes reducing the width of roads. He suggested we start looking at Patriot. Andrew Birch agreed that something needs to be done with Patriot Avenue and discussed how the road does not fit the community and the use that it has right now. Discussion ensued about the current uses of the road, including commercial traffic.

Council Member Pederson asked if it would be out of line to ask Mr. Houle to give an estimate and maybe we can add it to the budget or do something for next year. Ms. Malecha stated that with all the projects we have on our plates right now and she didn't know if she, Jason or Tim can physically fit that in. Mr. Houle said after everything that everyone's said around the room that he would suggest incorporating it into the 2021 budget. Discussion ensued about the budget and using the Highway 371 funds for the design.

Andrew Birch suggested since the City is revamping the downtown plan that as a community we would come together and have a better sense of what we want to do before we turn it over to the experts. He stated that the earlier it is turned over to the experts, the more iterations and the more time they spend adds more to the costs. Mr. Birch said it is important that the community gets involved right away so that when this happens we don't have to go back to Mr. Houle's team over and over again with redesigns. Council Member Pederson suggested getting sketches from our city planner since he has a vast knowledge of what our town is and what it could be.

Council Member Pederson would like to have a discussion with Loon Lake about Myers Road. He stated that they approached Pequot Lakes a year ago and he has have been getting input from Pequot Lakes residents therefore he would like to know if Loon Lake is thinking about paving the

road. He would like to meet with them and bring back information to the City and the Council agreed. Nancy Malecha suggested he talk to Rick Wilson.

**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. Exterior storage has been removed and a Lawn Letter was recently sent. (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 is monitoring his mowing and yard maintenance. (9/18)
- Michael & Stacy Lippert – Demolition bag along S. Sluetter Road has been removed. (8/19)



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September 12, 2019

Thomas Greeney  
1408 E. Division Street  
Faribault, MN 55021

**RE: City of Pequot Lakes  
City Code Violation  
PIN: 2911000000B0009**

Dear Mr. Greeney:

The City of Pequot Lakes would like to take this opportunity to thank you for your efforts in removing the dock from the city-owned property on Sibley Lake. The walkway/path and area along the lake must be allowed to revegetate; there shall be no more weed-whipping or trimming along the shoreline and walkway/path.

Please feel free to contact me with any questions at [dbittner@pequotlakes-mn.gov](mailto:dbittner@pequotlakes-mn.gov) or at 218-568-6699.

Sincerely,

Dawn Bittner  
Zoning Specialist

Enc. – Photographs

C: Nancy Malecha, City Administrator – via email  
Jason Gorr, Public Works Director – via email  
Planning Commission



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September 12, 2019

David Watkins  
31061 Honeysuckle Street  
Pequot Lakes, MN 56472

**RE: City of Pequot Lakes  
City Code Violation  
PIN: 2911000000B0009**

Dear Mr. Watkins:

The City of Pequot Lakes would like to take this opportunity to thank you for your efforts in removing the dock from the city-owned property on Sibley Lake. The walkway/path and area along the lake must be allowed to revegetate; there shall be no more weed-whipping or trimming along the shoreline and walkway/path.

Please feel free to contact me with any questions at [dbittner@pequotlakes-mn.gov](mailto:dbittner@pequotlakes-mn.gov) or at 218-568-6699.

Sincerely,

Dawn Bittner  
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September 17, 2019

William P. and Catherine M. King  
1373 E. Pointe Drive  
East Gull Lake, MN 56401

**RE: City of Pequot Lakes  
Potential City Code Violation  
PIN: 29117000005A009**

Dear Mr. and Mrs. King:

Kramer Leas Deleo has provided the After-the-Fact Grading Application, Certificate of Survey, and their check in the amount of \$625 representing the After-the-Fact permit fee. The Certificate of Survey indicates less than 10 yards of material was moved.

My earlier correspondence indicated you need to provide a plan to revegetate the Shore Impact Zone in accordance with Section 17-7.9:

The City Code states in Section 17-7.9 **VEGETATION REMOVAL**:  
**Section 17-7.9 VEGETATION REMOVAL**

1. Removal or alteration of vegetation, except for agricultural and forest management uses as regulated in Articles 5 and 6, is allowed subject to the following standards:
  - A. No vegetation shall be removed along the shoreline, within shore impact zones, on steep slopes, and within bluff impact zones, except in conjunction with an approved site preparation or land alteration permit to accommodate the placement of stairways, landings, access paths, or authorized shoreland alterations.
  - B. Except within bluff impact zones and steep slopes, between the shore impact zone and the building setback line, the removal of twenty-five percent (25%) of trees and one hundred percent (100%) of shrubs is

allowed. Pruning and limbing of trees is allowed to provide a view to the water from the principal dwelling site and to accommodate the placement of stairways, landings, or access paths.

- C. All vegetative alterations are subject to the following conditions:
- (1) The cutting is not done in any contiguous strip or row over twelve (12) feet wide from the OHW to the structure setback;
  - (2) The screening of structures, vehicles, or other facilities as viewed from the water, assuming summer, leaf-on conditions, is not substantially reduced;
  - (3) Along rivers, existing shading of water surfaces is preserved,
  - (4) All cutting is done by hand, without the use of heavy machinery, and topsoil is not disturbed; and
  - (5) Erosion and stormwater control plans must be approved by the Crow Wing Soil & Water Conservation District. A silt fence or other sediment control measures meeting SWCD standards must be properly installed between the project area and the lake or river before any construction begins and must remain in place until all permanent erosion control measures are in place.
- D. Diseased or dead trees that pose a hazard shall be removed immediately and disposed of and replaced with native tree species.
- E. Intensive vegetative clearing is allowed behind the structure setback.

In order to resolve the land use violation on your property you must provide a written vegetation plan identifying the number, location, height and species of trees to be planted on your property. This plan must provide screening consisting of native trees and shrubs covering a minimum of 75 percent of the area (leaf on conditions) in the shore impact zone in order to retain the scenic beauty and rural character as viewed from the lake. (Section 17-5.8 (4 I))

Per the City Code, no applications shall be accepted by the City from a property owner or contractor having outstanding violations. (Section 17-11.8 (5)) The City cannot accept a Land Use Permit Application for the construction of a new dwelling or the septic design until an approved revegetation plan is in place.

If you have any questions, please contact me at 218-568-6699 or at [dbittner@pequotlakes-mn.gov](mailto:dbittner@pequotlakes-mn.gov).

Sincerely,

Dawn Bittner  
Zoning Specialist

C: Planning Commission