

Zoning Administrator's Report

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

1. Senior Class Community, 4451 East Woodman Street, for signs;
2. Crow Wing County, 5230 County Road 11, for a shelter;
3. Britta Boozell, 4013 Krist Court, for a new home and garage.

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

1. April 6 letter to Sharon Thorson 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.

- 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)



April 6, 2020

Sharon Thorson
31078 Government Drive
Pequot Lakes, MN 56472

RE: Conditional Use Permit Request for a Farmers Market

Dear Mrs. Thorson:

Please be advised that on April 2, 2020, the Planning Commission approved your Conditional Use Permit based on the following findings of fact:

1. The conditional use permit request is to allow a seasonal outdoor farmers market in the Downtown Mixed Use zone. The use or development is an appropriate conditional use in the land use zone.
2. The subject property is a conforming parcel. The property contains 988 square foot retail store with 2 decks and a 77 square foot gazebo.
3. The property is served by municipal water and wastewater.
4. The parking requirements of Section 17-7.10 do not apply. Adequate parking spaces are available along Government Drive and Oriole Street.
5. The proposed "use" is considered "Commercial Use (Other, Not Classified)" and requires a conditional use permit.
6. Signage will be applied for under separate Land Use Permit meeting Section 17-7.1 of the City Code.
7. The proposed use, with conditions, conforms to the Comprehensive Plan, which promotes establishment of Community Supported Agriculture operations.
8. The adjacent property to the north and east are also zoned Downtown Mixed Use. The subject property is adjacent to Government Drive on the west and Oriole Street on the south. The conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
9. The proposed use is compatible with the existing neighborhood, which is a mix of retail, commercial and service uses. The proposed use as a farmers market will only benefit and enhance the character of the neighborhood by offering locally farmed, grown, harvested and produced goods for our community.
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 property is accessed via Government Drive and Oriole Street. There will not be a significant increase in traffic due to the proposed use, as customers for farmers markets are transient in nature and shouldn't occupy parking spaces for a long period of time. 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, with conditions, 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 not impact ground and surface waters.

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

1. The property shall maintain a neat and orderly appearance.
2. The farmers market may operate one day per week from May 1 to October 31 and hours of operation shall be no earlier than 7:00 AM and no later than 6:00 PM.
3. Vendors shall not park on Government Drive; vendor parking shall be on a side street.
4. Signage shall be permitted by separate application.
5. All tents shall be disassembled and stored out of sight from the public right-of-way and adjacent properties after each event is held.
6. Tables, chairs and other temporary items associated with the farmers market shall be stored out of sight from the public right-of-way and adjacent properties after each event is held.

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 Administrator

CC: Planning Commission