

Zoning Administrator's Report

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

1. Roseanne Reed, 4407 Main Street, for a fence;
2. Larsen Rental Properties, 31055 Front Street, for a landing & stairs;
3. CLA Properties, LLC, 30945 First Street, for a reface existing signs;
4. Sam & Janet Hennies, 3835 Hubbard Street, for steps to lake;
5. Preserve LLC, 5855 Little Walnut Lane, to replace pole building;
6. Adam Bitzer, XXXX County Road 16, for an accessory structure;
7. DC Construction of Nisswa, LLC, 3587 Fox Lane, for a new home and garage;
8. Leanne R. Evenson, XXXX County Road 112, for a new home.

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

1. April 19 letter to Stacy & Michael Lippert regarding short-term rental application;
2. May 7 letter to Babinski Foundation regarding variance request to exceed maximum impervious coverage and maximum height allowed;
3. May 7 letter to Babinski Foundation regarding conditional use permit to operate boat sales, service, retail pro shop, and boat storage;
4. May 7 letter to Daniel and Lauri Helbling regarding Metes and Bounds Subdivision request;
5. May 7 letter to Adam Bitzer regarding Metes and Bounds Subdivision request;
6. May 8 letter to Brandon Andersen regarding conditional use permit amendment;
7. May 8 letter to Brandon Andersen regarding ordinance amendment to expand the offsite sign overlay district;
8. May 8 letter to Heather Becker regarding three tax forfeit parcels;
9. May 8 letter to Resort Development/Premier Homes regarding Preliminary Plat of "The Range".

C. Council Meeting Notes:

The Minutes for the May 7 Council meeting were not complete 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. Mr. Derksen has brought this property into compliance except for the snowmobiles. Staff has requested he reduce his Recreational Vehicles to 3. (5/13)
- Diane Koval – Exterior storage. Staff issued an Administrative Citation. (4/16)
- Robert Swenson – The City Council declared this property a public nuisance in 2017. Staff has issued 3 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 2 Administrative Citations. (5/17)
- Gary Galle – Stormwater and Incomplete Construction. Mr. Galle's permit was extended 6 months. Landscaping has been stabilized with straw blanket. Part of the north side and the west side siding needs to be completed. (6/18)
- Lee Moren – Maintenance, Exterior Storage & Lawn. Property owner is making progress and requested additional time to comply. (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 – Parking within the right-of-way of Patriot Avenue and on DNR Snowmobile Trail. (3/1)
- Wesley T. Johnson – Maintenance. Piles of storm debris remain from last summer and need to be removed or burned. Staff will verify in the spring. (9/18)



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April 19, 2019

Stacy and Michael Lippert
8316 County Road 39 NE
Monticello, MN 55362

RE: Short-term Rental Application
3608 Paradise Cove
PIN: 290272207DA0009

Dear Mr. and Mrs. Lippert:

Thank you for submitting your application for a Short-term Rental Permit. The floor plans submitted indicate 2 bedrooms in the basement. When I reviewed the photos on VRBO, these bedrooms do not include egress windows. While the rooms had windows, they didn't appear to be the minimum of 5.7 square feet.

In addition, you included living space above a detached garage as Bedroom #6. This "living space" may not be included as it states in the Ordinance that "*Additional occupancy by use of ... accessory structures, garages ... is not permitted.*"

The septic system was designed and installed in 2003 as a 3 bedroom, Type I system. This dwelling may not be rented as more than a 3 bedroom dwelling.

I am returning your application and Check Number 6556 in the amount of \$75.00. Please complete a new application for a 3 bedroom dwelling and revise your site plan and floor plans. I have enclosed another application for your convenience. Please feel free to contact me with any questions at dbittner@pequotlakes-mn.gov or at 218-568-6699.

Sincerely,

Dawn Bittner
Zoning Specialist

Enc.

C: Planning Commission



May 7, 2019

Babinski Foundation
Attn: Bob Erickson
30533 Patriot Avenue
Pequot Lakes, MN 56472

Re: Variance Request to Exceed Maximum Impervious Coverage and Maximum Height Allowed

Dear Mr. Erickson:

Please be advised that on April 18, 2019 the Board of Adjustment approved your Variance request to exceed maximum impervious coverage and denied your request to exceed the maximum height allowed, based on the following Findings of Fact:

On the request to exceed the maximum impervious surface coverage allowed and construct a flag pole exceeding the maximum building height allowed:

1. The subject property is located at 29240 Patriot Avenue and is in the "Commercial" zone.
2. The property contains two 24,000 square foot buildings and a 4,160 square foot garage.
3. Applicant plans to lease the subject property to be used for boat sales, service, retail pro shop, boat storage, and outdoor display area.
4. The subject property is served by a private deep well and a compliant septic system.

On the request to exceed the maximum impervious surface coverage:

5. Customer parking spaces will be along the south side next to the building.
6. Applicant proposes to expand the asphalt parking area to the south for the outdoor display of potentially 200 boats.
7. Applicant proposes to expand the asphalt parking area to the north to accommodate a customer pickup and drop-off area for roughly 100 boats.
8. The current impervious coverage of the entire parcel is 43.9%. Applicant proposes to increase the impervious coverage to 59.2%.

9. The applicant has established that there are practical difficulties in complying with the code. The existing asphalt does not allow sufficient parking area to display numerous luxury boats for sale. Gravel display areas are not conducive to the overall appearance or the cleanliness required for the proposed use.
10. The property owner proposes to use the property in a reasonable manner.
11. The deviation from the Code will still be in harmony with the general purposes and intent of the City Code and Comprehensive Plan. The applicant will be required to retain additional stormwater runoff generated by the increased impervious surface coverage onsite.
12. The variance will not create a land use not permitted in the Commercial zone. The proposed commercial use of the property is allowed with a conditional use permit (Conditional Use Permit #19-10).
13. The subject property is surrounded by Commercial development to the north and west. The subject property is bounded on the east and south by State Highway 371. The variance will not alter the essential character of the locality of the subject property.
14. The variance has not been made based on economic considerations.

On the request to construct a flag pole exceeding the maximum building height:

15. The applicant proposes to place an 80-foot flag pole in the southeast corner of subject property. The maximum height for structures in the Commercial Zone is 25 feet.
16. The applicant intends to fly a 30' X 40' American flag on the proposed flag pole.
17. The applicant has not established there are practical difficulties in complying with the maximum height ordinance. A flag pole meeting the requirements of the ordinance may be constructed in multiple locations on the subject property which would be visible to patrons of the proposed commercial business and the adjacent public right-of-way.
18. The property owner does not propose to use the property in a reasonable manner. An 80 ft high flag pole is not reasonable given it is over three times the maximum height allowed in the Commercial Zone.
19. The "plight of the landowner" (not being able to construct an 80 ft tall flag pole under current ordinance) is not due to circumstances unique to the property not created by the landowner. The subject property is relatively level. The height and location of existing structures on the subject property and adjacent properties do not create a visibility issue for a 25' high flag pole. The subject property does not have any unique circumstances or features which would justify an 80 ft tall flag pole.
20. The deviation from the Ordinance with any attached conditions will not be in harmony with the general purposes and intent of the Ordinance and the Comprehensive Plan.
21. Flag poles are an allowed use in the Commercial Zone. The variance will not create a land use that is not allowed.
22. The variance request would alter the essential character of the locality. The exceedingly tall flag pole (and flag) would be visible from great distances. No other commercial or residential properties in the city have flag poles remotely close in height to the proposed flag pole.

23. The variance request has not been made based on economic considerations.

Please note the Board of Adjustment included the following Conditions in their motion to approve your Variance request:

1. Before a permit is issued for the additional impervious surface coverage, the applicant shall submit a stormwater management plan created by a licensed engineer which contains the 10-year, 24 hour storm event on the subject property for all new impervious surfaces. Said plan shall be implemented in full.

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



May 7, 2019

Babinski Foundation
Attn: Bob Erickson
30533 Patriot Avenue
Pequot Lakes, MN 56472

RE: Conditional Use Permit to operate Boat Sales, Service, Retail Pro Shop,
and Boat Storage

Dear Mr. Erickson:

Please be advised that on April 18, 2019, the Planning Commission approved your Conditional Use Permit based on the following findings of fact:

1. The conditional use permit request is to allow boat sales, service, retail pro shop, boat storage, and outdoor display and additional signage in the Commercial 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 two 24,000 sf buildings and a 4,160 sf garage.
3. The property is served by a deep well and a compliant subsurface sewage treatment system.
4. The subject property contains an adequate number of off-street parking spaces.
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.
8. The adjacent property to the north and west is zoned Commercial, while the property to the south is the State Highway 371/Patriot Avenue interchange and to the east by the Paul Bunyan Trail. 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.

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 Patriot Avenue. 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.
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 trees and vegetation shall remain along the west property line to provide screening.
3. Existing trees and vegetation along Patriot Avenue shall remain.
4. All hazardous waste from the service area shall be stored and disposed in accordance with Minnesota Pollution Control Agency standards.
5. Signage shall be permitted by separate application.
6. All work on boats shall be conducted within an enclosed structure.
7. A floor drain/sediment trap shall be installed in the repair area in accordance with Minnesota Department of Health's best management practices. The floor drain shall be connected to a holding tank and pumped regularly. The holding tank system shall be designed by a licensed plumber. A copy of a maintenance/pumping contract shall be submitted to the city.
8. All exterior lighting shall be projected downward.
9. Applicant shall provide a fire alarm system satisfactory to the Pequot Lakes Fire Chief.
10. All boats stored outside shall be stored/displayed on a paved surface.

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



May 7, 2019

Daniel and Lauri Helbling
PO Box 488
Pequot Lakes, MN 56472

Re: Metes and Bounds Subdivision Request

Dear Mr. and Mrs. Helbling:

Please be advised that on April 18, 2019 the Planning Commission approved your metes and bounds subdivision request based on the following Findings of Fact:

1. The subject property is zoned Rural Residential.
2. The lot widths of the proposed parcels both meet the minimum standard of 200 feet.
3. Both of the proposed parcels meet the minimum buildable area requirements of 5 acres in the Rural Residential Zone.
4. Proposed "Tract A and Tract B" are vacant.
5. The subject property is not adjacent to municipal water and wastewater utilities. Proposed "Tract A and Tract B" contain sufficient space for a primary and alternate SSTS location.
6. There is a wetland located in the northwest corner of subject property.
7. The property is suitable in its natural state for the intended purpose and this lot split would not be harmful to the health, safety, or welfare of future residents or of the community.
8. The applicant is not proposing any provisions for water-based recreation.
9. The proposed lot layout meets the requirements of the ordinance.
10. The proposed side lot lines are at right angles to the adjacent property lines.
11. Each of the proposed parcels has at least 33-feet of frontage on public right-of-way on Little Walnut Lane, a 33-foot wide ingress and egress easement.
12. The subject property meets the requirements of the code for stormwater management.
13. There are no public streets proposed within the development.

Please be advised that the Planning Commission attached the following as conditions of approval: No conditions added.

Section 17-11.9 (5H) of the Pequot Lakes City Code states "Failure of the subdivider to act after an approval of a Metes and Bounds subdivision within one (1) year shall void the approval unless extended by the Planning Commission. A second extension shall require a new review by the Planning Commission."

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

Sincerely,

Dawn Bittner
Zoning Specialist

C: Planning Commission



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May 7, 2019

Adam Bitzer
31636 Green Scene Drive
Breezy Point, MN 56472

Re: Metes and Bounds Subdivision Request

Dear Mr. Bitzer:

Please be advised that on April 18, 2019 the Planning Commission approved your metes and bounds subdivision request based on the following Findings of Fact:

1. The subject property is zoned Rural Residential.
2. The lot widths of the proposed parcels both meet the minimum standard of 200 feet.
3. Both of the proposed parcels meet the minimum buildable area requirements of 5 acres in the Rural Residential Zone.
4. Proposed "Tract A and Tract B" are vacant.
5. The subject property is not adjacent to municipal water and wastewater utilities. Proposed "Tract A and Tract B" contain sufficient space for a primary and alternate SSTS location.
6. The property is suitable in its natural state for the intended purpose and this lot split would not be harmful to the health, safety, or welfare of future residents or of the community.
7. The applicant is not proposing any provisions for water-based recreation.
8. The proposed lot layout meets the requirements of the ordinance.
9. The proposed side lot lines are at right angles to the adjacent property lines.
10. Each of the proposed parcels has at least 33-feet of frontage on public right-of-way.
11. The subject property meets the requirements of the code for stormwater management.
12. There are no public streets proposed within the development.

Please be advised that the Planning Commission attached the following as conditions of approval: No conditions added.

Section 17-11.9 (5H) of the Pequot Lakes City Code states *“Failure of the subdivider to act after an approval of a Metes and Bounds subdivision within one (1) year shall void the approval unless extended by the Planning Commission. A second extension shall require a new review by the Planning Commission.”*

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

Sincerely,

**Dawn Bittner
Zoning Specialist**

C: Planning Commission



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May 8, 2019

Brandon Andersen
Lonesome Real Estate LLC
PO Box 665
Pequot Lakes, MN 56472

RE: Conditional Use Permit Amendment

Dear Mr. Andersen:

At last night's City Council meeting, the Council waived the \$450 application fee for you to apply for an amendment to your Conditional Use Permit regarding the screening requirement from State Highway 371. Please complete the enclosed Conditional Use Permit Application and complete the questions as they pertain to that one condition. Please return the completed application to me by May 22, 2019 in order to hold the Public Hearing at the June 19 Planning Commission meeting.

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.

C: Planning Commission



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May 8, 2019

**Brandon Andersen
Lonesome Real Estate LLC
PO Box 665
Pequot Lakes, MN 56472**

RE: Ordinance Amendment to Expand the Offsite Sign Overlay District

Dear Mr. Andersen:

At last night's City Council meeting, the Council approved the Ordinance Amendment to Expand the Offsite Sign Overlay District to include your four parcels in the Pequot Lakes Industrial Park.

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

Sincerely,

**Dawn Bittner
Zoning Specialist**

C: Planning Commission



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May 8, 2019

Heather Becker
Assessment Specialist
Land Services Building
322 Laurel Street
Brainerd, MN 56401

RE: Tax Forfeit Parcel
PIN: 2912500090BC009

Dear Ms. Becker:

Please be advised that the City of Pequot Lakes has reviewed the above-captioned parcels and supports the County Board's action to classify them as "Non-Conservation" and be offered for sale.

The zoning classification for these lots is Rural Residential.

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

Sincerely,

Dawn Bittner
Zoning Specialist



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May 8, 2019

Heather Becker
Assessment Specialist
Land Services Building
322 Laurel Street
Brainerd, MN 56401

RE: Tax Forfeit Parcel
PIN: 291010010290009 and 291010010300009

Dear Ms. Becker:

Please be advised that the City of Pequot Lakes has reviewed the above-captioned parcels and supports the County Board's action to classify them as "Non-Conservation" and be offered for sale to the adjacent property owner to the east.

The zoning classification for these lots is Commercial.

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

Sincerely,

Dawn Bittner
Zoning Specialist



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May 8, 2019

Heather Becker
Assessment Specialist
Land Services Building
322 Laurel Street
Brainerd, MN 56401

RE: Tax Forfeit Parcel
PIN: 291000010140009 and 291000010150009

Dear Ms. Becker:

Please be advised that the City of Pequot Lakes has reviewed the above-captioned parcels and supports the County Board's action to classify them as "Non-Conservation" and be offered for sale together.

The zoning classification for these lots is Urban Residential.

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

Sincerely,

Dawn Bittner
Zoning Specialist



May 8, 2019

Resort Development/Premier Homes
PO Box 488
Pequot Lakes, MN 56472

RE: Preliminary Plat of "The Range"

Dear Mr. Helbling:

Please be advised that on May 7, 2019, the City Council accepted the Planning Commission's recommendation to approve the Preliminary Plat of "The Range" based on the following Findings of Fact:

On the conditional use permit and preliminary plat:

1. The subject property is located along Little Walnut Lane and is 12.4 acres.
2. The subject property is zoned "Rural Residential" and is located within the "Residential-Golf Course Community Overlay District".
3. The request is for a Conditional Use Permit for a Planned Unit Development and approval of the corresponding Preliminary Plat of "The Range".
4. The proposed development consists of 15 single-family residential building sites and one commonly owned lot to be utilized as "greenspace".

On the Conditional Use Permit (Planned Unit Development):

5. The proposed Planned Unit Development is an appropriate use in the "Rural Residential" zone. Residential Planned Unit Developments are allowed in the "Rural Residential" zone with a Conditional Use Permit.
6. The proposed density of the development is 1.25 units per acre. Two units per acre is allowed.
7. Lot 16 consists of 11 acres of commonly owned property. The proposed lot includes a wetland, greenspace, and private roadways.
8. The development pattern preserves natural features including trees and other vegetation by utilizing a 50-foot buffer around the perimeter of the development. Trees and other vegetation will also be preserved in Lot 16.

9. The Planned Unit Development is accessed via Little Walnut Lane.
10. The proposed development pattern is in harmony with the land use density, transportation facilities, and community facilities objectives in the Comprehensive Plan. The Plan identifies the subject property as "Rural Residential" which is, "Development patterns in this area are low-density residential. These areas will not be served by municipal utilities and the amount of new roads and development will be limited."
11. The proposed residential lots are 42.0' X 96.0' (4,032 sf).
12. Setbacks: All proposed residential lots and proposed structures are outside the 50-foot buffer.
13. Access: The PUD has direct access to Little Walnut Lane, a private road. Preserve Blvd. was built to highway standards and provides access to the Preserve Golf Course. Access to Little Walnut Lane is from Preserve Blvd. Little Walnut Lane is a gravel road and development of this PUD will provide for a paved road and maintenance by the home owner's association.
14. Utilities: The PUD will be served by private wells and subsurface sewage treatment systems. An SSTS site suitability report created by an advanced SSTS designer has been submitted.
15. Open Space: Over 67% of the development will remain in permanent open space communally owned and maintained by the home-owner's association.
16. The use and enjoyment of other property in the immediate vicinity of the subject property will not be impaired. The surrounding uses include a seasonal home and vacant land to the north, vacant County owned land to the east, and the Preserve Golf Course to the south and west. The development includes a 50-foot buffer (no buildings) around the perimeter of the subject property.
17. The proposed development will not impede the normal and orderly development of surrounding vacant property.
18. Adequate plans for utilities, access roads, draining and other necessary facilities have been submitted. The city engineer will approve final utility, road and drainage plans.
19. The development has a sufficient number of off-street parking spaces. Loading spaces are not necessary since the development does not include commercial uses.
20. The development will not generate public nuisances such as offensive odor, fumes, dust, noise, or vibration. The development does not contain street lights or other lighting that will impact adjacent properties.
21. The development will not depreciate property values within the immediate vicinity.
22. The development will not cause the Local, County, and State road systems to exceed their safe carrying capacity.

On the preliminary plat:

23. The subject property is properly zoned for the proposed use of a single-family residential housing development.
24. There is a wetland on the western edge of the subject property.
25. There are no non-conforming structures on the subject property.
26. Each of the proposed lots will be served private water and sewer utilities.

27. The property is not adjacent to a public water body so provisions for water based recreation are not necessary.
28. Lot areas and dimensions are consistent with the zoning ordinance with approval of the planned unit development.
29. Lot layouts are compatible with the adjoining properties. The surrounding uses include a seasonal home and vacant land to the north, vacant County owned land to the east, and the Preserve Golf Course to the south and west.
30. The planned unit development has approximately 780 feet of frontage on Little Walnut Lane, a private roadway. The development is accessible via Little Walnut Lane and Preserve Blvd.
31. There are no private streets within this development.
32. There is no public infrastructure required with this development.
33. All of the lots may be developed with single family homes without requiring variances.
34. Survey standards: The preliminary plat was prepared by a licensed surveyor (Patrick A. Trottier-PLS #41002) and conforms to the standards in Minnesota Statutes.
35. The subject property is accessed via a 33' wide easement Document #A888164.
36. Street improvement standards: The proposed private drive will be constructed by the developer and maintained by the home owners association. There are no public streets proposed in the development.
37. Sanitary provision standards: The development will be served by a cluster sewer system. The system will be installed by the developer at his expense. The system will be maintained by the developer/home owner's association.
38. Water supply standards: The development will be served by a cluster water system. The system will be installed by the developer at his expense. The system will be maintained by the developer/home owner's association.
39. Drainage/grading standards: The total proposed impervious surface coverage of the development is 17.5% (20% allowed). An engineered stormwater management plan has not been submitted by applicant.
40. Dedication to the Public Standards: Section 17-9.10 requires a payment or dedication to the City a portion of land for public use. This planned unit development does not include any land dedicated for public use.

Please note that the City Council also added the following conditions:

1. Except as amended by these conditions, the development of the subdivision and planned unit development shall be in substantial conformance with the approved preliminary plat, site plan and elevations that govern the general location of lots, roadways, buffers, infiltration basins and improvements dated April 8, 2019.
2. Prior to construction, excavation, grading or other terrain disturbance, final plans for all infrastructure (private roads, water system, etc.) and grading shall be submitted to and approved by the City Engineer. The improvements within the development shall be designed by a licensed engineer.
3. The 50-foot buffer around the perimeter of the planned unit development shall remain in a natural state in perpetuity, except for road access areas and SSTS components. The vegetation in the buffer shall not be altered except to create areas

for SSTS tanks/drainfield(s) and road accesses. Structures may not be constructed in the buffer.

4. Lots 1 – 15 may only be developed with single family homes.
5. Lot 16 (greenspace) may not contain any structures, except a well house that will not exceed 120 square feet in size. Vegetation located in Lot 16 shall substantially remain in a natural state. Vegetation may be removed from Lot 16 in order to construct trails, private roads, sewer system, and water system. Reference to these provisions shall be made in the development covenants.
6. A hydrant shall be installed off of the deep water well for fire protection.
7. Ownership and long-term maintenance responsibilities/obligations for the community water system shall be described in the development covenants.
8. Ownership and long-term maintenance responsibilities/obligations for the sewer system shall be described in the development covenants.
9. The cluster sewer system shall conform to Minnesota Pollution Control Agency Standards (Chapter 7080 – 7083 of the Minnesota Administrative Rules) and the City of Pequot Lakes SSTS standards. The final plat shall not be signed until the final SSTS design is reviewed and approved by an Advanced Inspector per Minnesota Rules.
10. The cluster water system shall conform to the Minnesota Department of Health Rules and Regulations MHD 210-230 “Water Well Construction Code”, and the cluster system shall receive the approval of the City Engineer.
11. The city attorney shall review and approve the declaration, covenants, by-laws, etc. before the final plat is signed.
12. The developer shall pay a park dedication fee in the amount of \$14,040.00 in accordance with Section 17-9.10 “Dedication to the Public – Standards”. (416 X 2.25 PPH = \$936 X 15 lots = \$14,040.).
13. Prior to the submission of a Final Plat application the applicant shall provide for the construction of the required improvements at their expense and shall have the work completed or shall enter a Development Contract and give bond or other financial assurance satisfactory to the Council in an amount equal to 125% of the estimated cost of the uncompleted improvements except as provided in 10.3. The bond shall be released by the City Council upon the recommendation of the City Engineer indicating the improvements are satisfactorily complete.

If you have any questions, please feel free to contact me.

Sincerely,

Dawn Bittner
Zoning Specialist

C: Planning Commission