

Zoning Administrator's Report

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

1. David Koblas, 6631 S. Sluetter Road, for decks;
2. Charter Communications for Right-of-Way permit to replace cable;
3. Charter Communications for Right-of-Way permit to repair cable;
4. Jon Besser, 30125 Pequot Blvd., to extend Land Use Permit #20-96.

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

1. December 10 letter to Anton and Regan Dabbs regarding complete Metes and Bounds Application;
2. December 13 letter to Matt McBryde regarding Exterior Storage along County Road 168;
3. December 14 letter to John and Caroljean Weise regarding Property Maintenance issues;
4. December 17 letter to Anton and Regan Dabbs regarding Metes and Bounds Subdivision approval;
5. December 29 letter to Raoul and Theresa Warzecha regarding additional information request for Variance application.

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. Staff has contacted individual occupying parcel. (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)**
- **J. Amelia’s LLC – Lawn. Lawn Letter sent. No response. (6/21)**
- **David & Louise Johnson – Exterior Storage. (6/21)**
- **John and Caroljean Weise – Exterior Storage (9/21)**
- **John and Caroljean Weise – Property Maintenance (12/21)**



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December 10, 2021

Anton and Regan Dabbs
28083 Norway Ridge
Pequot Lakes, MN 56472

RE: Metes and Bounds Subdivision
PIN: 290263401AYA009 / 29260563

Dear Mr. and Mrs. Dabbs:

The City of Pequot Lakes has received your request for a Metes and Bounds Subdivision of the above-captioned parcel. We have determined that your application is complete and we have placed your request on the December 16, 2021 Planning Commission Agenda. The meeting begins at 6:00 p.m. at City Hall. There is 1 public hearing before your request will be heard. You should attend in the event the Planning Commission has any questions.

The City prepares a Staff Report for the Planning Commission prior to the meeting. The report will discuss the pertinent ordinances and an evaluation and recommendation on your application. A copy of the report will be available at City Hall for you to read no later than a week before the meeting or you can read it online at www.pequotlakes-mn.gov.

If you have any questions or concerns, please do not hesitate to contact me at 218-568-6699.

Sincerely,

Dawn Bittner
Zoning Specialist

C: Planning Commission



December 13, 2021

Matt McBryde
3734 County Road 168
Pequot Lakes, MN 56472

**RE: City of Pequot Lakes
Potential City Code Violation
PIN: 290223405A00009 & 290223405BA0009
County Road 168**

Dear Mr. McBryde:

Thank you for meeting with Sgt. Franz and me on November 16, 2021 to discuss the Exterior Storage and Property Maintenance complaints we have received regarding the above-captioned property which you stated you are the responsible party for. We discussed:

- Numerous abandoned and/or inoperable vehicles along County Road 168 and parked in the woods;
- Miscellaneous items strewn about the property;
- Miscellaneous items visible from Sibley Lake.

Regarding the abandoned and/or inoperable vehicles you agreed the vehicles need to be removed and would reach out to Grant Walker at Walker Recycling to remove them.

Concerning the miscellaneous items strewn about the property, you agreed to contact a refuse hauler to deliver a roll off to remove them.

Regarding the complaints as viewed from the lake, I suggested we wait until spring to address those issues. You stated they should be addressed now.

We discussed a timeline and I suggested 30 days to address the issues; you requested 60 days and Sgt. Franz and I agreed to 60 days. I drove past this property today and found

there has been no attempt to address the vehicles or miscellaneous items. Per City Code, the following Exterior Storage and Property Maintenance issues must be addressed within the next thirty (30) days (by January 16, 2022):

- Permanently remove all of the abandoned and/or inoperable vehicles along County Road 168 and parked in the woods;
- Remove ALL of the miscellaneous items strewn about the property;
- We will address the miscellaneous items visible from the lake in the spring;
- Dispose of all solid waste and garbage pursuant to Crow Wing County standards.

The City Code states in Section 17-7.4 EXTERIOR MAINTENANCE:
Section 17-7.4 EXTERIOR MAINTENANCE

All structures shall be properly maintained in a clean and acceptable manner so as not to constitute a menace to the public health, safety, convenience, general welfare, property values, and aesthetics. All landscaping shall be properly maintained so as to preserve planting in a live state and free of noxious weeds.

1. Declaration of nuisance. Buildings, fences, and other structures that have been so poorly maintained that their physical condition and appearance detract from the surrounding neighborhood are declared to be public nuisances because they are unsightly, decrease adjoining landowners' and occupants' enjoyment of their property and neighborhood, and adversely affect property values and neighborhood patterns.
2. Standards. A building, fence, or other structure is a public nuisance if it does not comply with any of the following requirements.
 - A. Structures with rotten, deteriorated or damaged components or peeling paint shall be repaired, replaced, removed or repainted.
 - B. All landscaping shall be properly maintained so as to preserve planting in a live state and shall be kept free of noxious weeds and debris.
 - C. Turf grass and lawns shall not grow to a height to allow such grasses to go to seed.
 - D. All constructed or manufactured landscape elements, such as but not limited to benches, retaining walls, edging, and so forth, shall be maintained so as to be free of cracking, crumbling, dilapidation or deterioration,
 - E. Rotten, deteriorated or damaged landscape elements shall be repaired, replaced, or removed.

The City Code states in Section 17-7.5 EXTERIOR STORAGE:

Section 17-7.5 EXTERIOR STORAGE

1. **Declaration of Nuisance.** Excess outdoor storage of materials, equipment and other objects is declared to be a public nuisance because it is unsightly, decreases adjoining landowners' and occupants' enjoyment of their property and neighborhood, adversely affects property values and neighborhood patterns and poses a threat to the public health and safety when such objects are visible and accessible to passersby.

2. **Standards.** Objects stored outside that are visible from public rights of way or neighboring properties are a public nuisance if they are not stored in compliance with the following requirements.
 - A. There shall be no exterior storage allowed on lots that do not contain a principle or accessory structure.

 - B. Where there is a principle or accessory structure, all materials, equipment and other objects shall be stored within a building or fully screened so as not to be visible from adjoining properties, except for the following: laundry drying, recreational equipment, construction landscaping materials and equipment currently being used for construction of the premises, woodpiles, agricultural equipment and materials if these are used or intended for use on the premises, off-street parking except as otherwise regulated herein.

 - C. No more than two fish houses are permissible. Fish houses must be stored at least 10 feet distance from a rear property line and outside of the OHW setback.

 - D. Exterior storage shall be allowed as follows:

ZONING CLASSIFICATION	STANDARD
Shoreline Residential Shoreline Commercial	A maximum of three (3) recreational vehicles, including boats, shall be allowed to be parked and/or stored outside a building on private property in the rear yard of a riparian lot, not less than the applicable setback from any property line or ordinary high water mark of a public water. (1) (2)

(1) All recreational vehicles, including boats, shall display a current license or watercraft registration if required for such boat or recreational vehicle.

(2) Non-motorized watercraft nine (9) feet in length or less that do not require watercraft registration by the State of Minnesota are not

considered as stored under this article, so long as applicable setbacks are maintained.

(3) For the purposes of this section, multiple recreational vehicles stored on a single trailer less than 16 feet in length shall be considered one recreational vehicle.

G. Abandoned motor vehicles shall be stored within a structure or completely screened from view from adjacent properties and right-of-way. See Chapter 3, Article 8.

The City Code states in Section 17-7.6 VISUAL STANDARDS:
Section 17-7.6 VISUAL STANDARDS – SCREENING

1. General. No use shall create, maintain or continue any activity or structure which has a strong negative visual impact or offends the morals or violates the standards of the City.

The City Code states in Section 17-7.7 SOLID WASTE:

1. All solid waste shall be disposed of in accordance with the standards of Crow Wing County.

As opposed to initiating formal enforcement action against you for a violation of the City Code, we would like the opportunity to work with you to correct the situation. We are requesting that by no later than January 16, 2022 you perform all of the actions listed above.

Failure to comply with the City Code by January 16, 2022, will prompt us to initiate enforcement action up to and including criminal prosecution or other civil legal action to remedy the above-described violations. Alternatively, the City may initiate administrative action to achieve voluntary compliance with the above-referenced City Code provisions without resorting to prosecution or other legal action, which administrative action would include citation(s) and administrative penalties in the amount of \$100.00 per day for each day the violation continues.

Having exterior storage and solid waste as depicted in these pictures is not only a blight to the rest of the community, it is a health and safety issue that we take very seriously. Please understand our seriousness and commitment to uphold the City Code. We hope you will take this opportunity to work with us and resolve this matter without further enforcement action becoming necessary.

We would appreciate your assistance at remedying the above issues by the specified deadlines. If you have any questions, please contact me at 218-568-6699 or at dbittner@pequotlakes-mn.gov.

Sincerely,

Dawn Bittner
Zoning Specialist

C: Planning Commission



December 14, 2021

John and Caroljean Weise
26506 Sunset Valley Road
Pequot Lakes, MN 56472

**RE: City of Pequot Lakes
Potential City Code Violation
PIN: 291000010110009 - 291000010130009
30924 South Heath Street**

Dear Mr. and Mrs. Weise:

It has come to my attention through complaints that there are Property Maintenance issues that need to be addressed at the above-captioned property.

Per City Code, the following Property Maintenance issues must be addressed within the next thirty (30) days (by January 14, 2022):

- Properly secure this building to prohibit rodents and transients from entering.

This property is in very poor condition and the City will contact you in the spring to either bring this building into compliance or remove same.

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nuisances because they are unsightly, decrease adjoining landowners' and occupants' enjoyment of their property and neighborhood, and adversely affect property values and neighborhood patterns.

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Sincerely,

Dawn Bittner
Zoning Specialist

Enclosure: Photographs

C: Planning Commission



December 17, 2021

Anton and Regan Dabbs
28083 Norway Ridge
Pequot Lakes, MN 56472

Re: Metes and Bounds Subdivision Request

Dear Mr. and Mrs. Dabbs:

Please be advised that on December 16, 2021, the Planning Commission approved your metes and bounds subdivision request based on the following Findings of Fact:

1. The subject properties are properly zoned "Shoreline Residential" and "Rural Residential."
2. The lot widths of the proposed parcels both meet the minimum standards for each zoning classification.
3. Both of the proposed parcels meet the minimum area requirements for each zoning classification.
4. The existing structures on "Parcel A" and "Parcel B" meet all setback requirements.
5. The subject property is not adjacent to the municipal water and wastewater utilities. "Parcel A" contains a private, compliant SSTS and water well. Parcel B" contains a new SSTS and water well.
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 existing road line and the property line of the adjacent property.
10. The property contains more than 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.

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.”*

Prior to recording the deed for the sale of the 1/3-acre parcel from the Olson’s, the deed will need to be executed by the City. The County Recorder will not record the deed without the City’s stamped approval. In addition, the 1/3-acre shall be consolidated with Parcel 29260561 and shall not be allowed to be a stand-alone parcel.

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
Kevin and Joyce Olson**



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December 29, 2021

Raoul and Theresa Warzecha
13637 - 91st Street SE
Becker, MN 55308

Dear Mr. and Mrs. Warzecha,

The City Planner and I have reviewed your Variance Application and additional submittals and have the following comments/concerns:

1. The Drainage Plan needs more detail including calculations. Good resources for this can be found at <https://www.crowwing.us/245/Stormwater> . In addition, we need to know the proposed height, location and number of tiers for the retaining walls. If they are over 4 feet in height they will need to be designed by an engineer.
2. Your Screening Plan depicts your Erosion Control Plan. We will need a Screening Plan that depicts the proposed tree types, number, location, and height of the trees to be planted to screen the dwelling as viewed from the lake.
3. Please provide a legible email address so I can contact you in a timely manner.

We will need the above information as soon as possible to continue processing your application for the January 20 Planning Commission meeting. Please feel free to contact me with any questions.

Sincerely,

Dawn Bittner
Zoning Specialist

C: Planning Commission