

---

# CITY OF EMILY

---

## PLANNING COMMISSION/BOARD OF ADJUSTMENT

### AGENDA

Tuesday March 4, 2025 6:00 pm

---

***Please Silence All Cell Phones.***

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Additions or Deletions to Agenda *(Commission Action-Motion)***
- 5. Open Forum-** *This is the time to provide comments to the Planning Commissioners about items **not** on the agenda. No action will be taken on these items. If you're speaking, please come to the podium, state your name and address for the record.*
- 6. Public Hearing**
- 7. Approval of Minutes**
  - a. February 4, 2025, regular meeting *(Commission Action-Motion)*
- 8. Land Use Ordinance Subcommittee Meeting update**
  - a. Dave Johnson is to be replaced by Patrick Rheume as a subcommittee member.  
*(Commission approval)*
- 9. New Business**
  - a. Permit Extension request for Jeff Haugen 39898 Par West Drive PID 21320504.  
Permit# 22-58 *(Commission Action-Motion)*
- 10. Old Business**
  - a. Conditional Use Permit application for Northern Lights over Roosevelt Lake Homeowners Association modifying conditions of an existing Final Plat. The subject property is located at Twilight Court and Evening Star Lane. PID 21030546.  
*(Commission Action-Motion)*
- 11. P&Z Administrator's Report**
- 12. Adjourn *(Commission Action-Motion)***

This agenda is not exclusive. Other business may be discussed as deemed necessary.

1 **MINUTES**

2 **EMILY PLANNING COMMISSION/BOARD OF ADJUSTMENT**

3 **REGULAR MEETING**

4 **February 4, 2025**

5  
6 **1. CALL TO ORDER**

7 The meeting was called to order by Commissioner Johnson at 6:00 pm.

8  
9 **2. Pledge of Allegiance was recited.**

10  
11 **3. ROLL CALL**

12  
13 **PRESENT:** Dave Johnson, Pat Rheame, Mark Mosman, and Lynn Bartel

14 **Council:** Greg Koch (Liaison) and Gary Hanson

15 **City Attorney:** Tom Pearson

16 **Staff:** Steve Jones, Zoning Administrator (Sourcewell), Sue Fahrendorff , Zoning Clerk

17  
18 **4. ELECTION CHAIRPERSON AND VICE-CHAIRPERSON**

19  
20 **COMMISSIONER JOHNSON NOMINATED COMMISSIONER RHEAUME AS**  
21 **CHAIRPERSON OF THE PLANNING COMMISSION BOARD OF ADJUSTMENTS.**  
22 **ALL VOTED IN FAVOR 4-0. COMMISSIONER RHEAUME IS CHAIRPERSON.**

23  
24 **COMMISSIONER BARTEL NOMINATED COMMISSIONER JOHNSON AS VICE-**  
25 **CHAIRPERSON OF THE PLANNING COMMISSION BOARD OF ADJUSTMENTS.**  
26 **ALL VOTED IN FAVOR 4-0. COMMISSIONER JOHNSON IS VICE CHAIRPERSON.**

27  
28 **5. ADDITIONS OR DELETIONS TO AGENDA**

29 None

30  
31 **MOTION MADE BY COMMISSIONER JOHNSON TO ADOPT THE AGENDA AS**  
32 **PRESENTED. SECONDED BY COMMISSIONER MOSMAN. ALL VOTED IN**  
33 **FAVOR. MOTION CARRIED 4-0.**

34  
35 **6. OPEN FORUM**

36 None

37  
38 **7. PUBLIC HEARINGS**

- 39 a. Conditional Use Permit application for Northern Lights over Roosevelt Lake  
40 Homeowners Association modifying conditions of an existing Final Plat. The subject  
41 property is located at Twilight Court and Evening Star Lane. PID 21030546.  
42 Tom Pearson, City Attorney, provided a brief summary and background on the  
43 Conditional Use Permit (CUP) for Northern Lights HOA. Pearson stated the original  
44 CUP was never filed; therefore, he has recreated a draft with a combination of conditions  
45 from the original and 2024 modification. Discussion regarding northbound right turn  
46 lane and a southbound bypass lane off of HWY 6 at the Smokey Hollow Road  
47 intersection. Lynn Kosloske, HOA Treasurer, stated per MnDOT, that access was not  
48 required, instead MnDOT required the HOA to put in a driveway access to cross HWY 6,

MINUTES

Emily Planning Commission

February 4, 2025

49 which was installed by the HOA in 2024. Commissioner Johnson requested the HOA  
 50 provides notification to the city of any MnDOT requests. Discussion regarding water  
 51 mitigation, erosion, and application of mulch on the trail going towards the lakeshore.  
 52 Kosloske stated there has not been any erosion since the mulch was installed in 2024.  
 53 Pearson stated he will make changes to the draft CUP regarding water mitigation.  
 54 Discussion regarding the ATV's and UTV's utilizing the trails to cross over HWY 6 to the  
 55 driveway access. HOA has been working with Over-the-Hills Gang ATV Club to stop  
 56 nonresidents from using the area within the HOA as a trail system.  
 57 Discussion regarding the parking area for ATV's, UTV's, and golf carts. MnDOT will be  
 58 removing existing parking signs and replacing them with signs that state daytime only  
 59 parking.  
 60 Pearson will make revisions to the draft CUP as discussed and present it to the Planning  
 61 Commission at the March meeting.

62  
 63 **MOTION BY COMMISSIONER JOHNSON TO HAVE CITY ATTORNEY MAKE**  
 64 **CHANGES AS DISCUSSED AND PRESENT FINAL CUP TO THE MARCH 4,**  
 65 **2025 PLANNING COMMISSION MEETING. SECONDED BY**  
 66 **COMMISSIONER MOSMAN. ALL VOTED IN FAVOR. MOTION CARRIED**  
 67 **4-0.**

68  
 69 **8. APPROVAL OF MINUTES**

- 70
- 71 a. December 3, 2024 Regular Meeting Minutes.
- 72

73 **MOTION BY COMMISSIONER BARTEL TO APPROVE MINUTES AS PRESENTED.**  
 74 **SECONDED BY COMMISSIONER JOHNSON. ALL VOTED IN FAVOR. MOTION**  
 75 **CARRIED 4-0.**

76  
 77 **9. LAND USE ORDINANCE SUBCOMMITTEE MEETING UPDATE**

78 Commissioner Johnson provided a brief update on the subcommittee meeting. The  
 79 subcommittee meeting continued with discussion of variances verbiage. Jones and  
 80 Fahrendorff will work on sample ordinance revisions and permit application, and  
 81 present at the next subcommittee meeting in March.

82  
 83 **10. NEW BUSINESS**

- 84 a. After-the-fact Permit Fee for a septic system. Brian Ronayne 40107 E. Emily Dr. PID  
 85 21260571. Mr. Ronayne stated he hired a contractor to install his septic system but  
 86 assumed the contractor would apply for the septic permit. He didn't know the septic  
 87 system was installed until he received an email from the zoning office stating there was  
 88 no permit application. After-the-fact fees are 10 times the permit fee of \$260.00 which is  
 89 \$2,600.00. An application fee was paid on 1-2-2025, so the remaining balance is  
 90 \$2,340.00. Attorney Pearson stated he believed Mr. Ronayne honestly assumed the  
 91 contractor he hired to install the septic system would obtain the permit prior to  
 92 installation. Attorney Pearson's recommendation was that the City Council waive the  
 93 After-the-fact fee. Discussion regarding a contractor's responsibility and if the City could  
 94 penalize a contractor for installing a septic system without permit verification. (This is  
 95 the second time this particular contractor has not verified with the property owner that a  
 96 permit was obtained.) Attorney Pearson stated our ordinance states the permit  
 97 application is the property owner's responsibility.

**MOTION BY COMMISSIONER JOHNSON TO RECOMMEND THE CITY COUNCIL REDUCE THE PENALTY TO \$1,300 AFTER-THE-FACT PERMIT FEE. MOTION DIED FOR LACK OF A SECOND.**

**MOTION MADE BY COMMISSION BARTHEL TO RECOMMEND THE CITY COUNCIL WAIVE THE AFTER-THE-FACT PERMIT FEE. SECONDED BY COMMISSIONER MOSMAN. COMMISSIONERS BARTEL, RHEAUME AND MOSMAN VOTED IN FAVOR. COMMISSIONER JOHNSON OPPOSED. MOTION CARRIED 3-1.**

- b. 2025 Planning Commission regular meeting dates approval.

**MOTION MADE BY COMMISSIONER JOHNSON TO ACCEPT THE REGULAR MEETING DATES AS PRESENTED. SECONDED BY COMMISSION MOSMAN. ALL VOTED IN FAVOR. MOTION CARRIED 4-0.**

- c. Planning Commission to discuss a requirement in the land use permit process regarding city road condition prior to construction.

Greg Koch, Council Liaison, stated the City Council had a discussion at their December 2024 meeting regarding damage to a city road during construction. City Council requested the Planning Commission have a discussion regarding changes to the permit application process to provide proof of before and after photos documenting the condition of the city road. Discussion of how to prove a contractor actually did the damage would require a video or photo of the damage being done. Commissioner Rheaume asked if the property owner is liable for the damages. Jones stated that it would be difficult to prove damage was done by a specific contractor unless you had visually witnessed the damage. Jones stated time and money spent by staff to monitor the road conditions during construction would not benefit the city. Koch stated the City Council has other options they could explore regarding road damage that would not result in using staff resources.

- d. Planning Commission to discuss interpretation of City Ordinance regarding number of guest houses allowed on a parcel.

Jones stated our ordinance does not clearly define how many guest houses or quarters are allowed on a parcel. This question came up when a property owner asked if he could have two living quarters in addition to a dwelling on their property. Jones asked for interpretation from the Planning Commissioners on what they believe is the intent of the code and should the code be changed at some point to reflect that intent. This topic will be discussed at the next Land Use Ordinance Subcommittee meeting in March.

- e. Education & Training Opportunities for Planning Commissioners.

Commissioner Rheaume encouraged all Planning Commissioners that have not attended in the past to attend these training sessions.

f. Variance Scenario-Julie & Mike Smithson 21930 County Rd 1. PID 21220560.

Julie Smithson attended the meeting via Zoom and provided background information on her variance scenarios of a kitchen expansion lakeside or addition towards the roadside. Smithson stated her property is very long and narrow and would require a variance for either addition. She also stated that they would like to create a 3 season porch under the existing deck and possibly adding a detached garage with bunk house above. Jones stated the septic system will need to be reviewed for compliance prior to moving forward with a variance application.

**11. OLD BUSINESS**

None

**12. P & Z ADMINISTRATOR’S REPORT**

Recap and summary of permits issued for 2024.

**13. ADJOURNMENT**

**MOTION BY COMMISSIONER BARTEL TO ADJOURN THE MEETING.  
SECONDED BY COMMISSIONER JOHNSON. ALL VOTED IN FAVOR 4-0.  
MOTION CARRIED**

The meeting adjourned at 7:45 pm.

Respectfully submitted,

Sue Fahrendorff,  
Zoning Clerk

City of Emily  
MN Planning & Zoning Commission  
39811 State Highway 6  
Emily, MN 56447

February 24, 2025

Re: Building Permit Extension #: 22-58

Attn: City of Emily Planning & Zoning Committee Members

I am writing to request a consideration to extend a Building Permit that we have. The PID's for this building permit were 21320504 (Main Lot) & 21320524 (Back Lot).

Background Information: Upon receiving the approved building permit, we began to seek out builders and General Contractors. Due to the fact that it was getting into September and October of 2022, we were unable to find a contractor who could start our project at that time due to the short time frame before winter. We then began to plan on starting our project in early 2023. We were able to find a contractor who could assist us in starting the process of building an accessory garage on the backlot and continued to search for contractors to build the house on the main lot. We were able to complete the process of building the accessory garage on the backlot in November of 2023. Over the past 18 months or so, we have been able to obtain bids/estimates from 5 different builders and General Contractors. Unfortunately, with no success in being able to actually start our home project, for a variety of reasons. During this time is when our existing building permit expired.

We have continued our efforts to find a contractor/builder and over the past few months we have made some progress, however we now plan on serving as our own General Contractor, rather than hiring one.

As of today, we have received and accepted bids/estimates from 3 contractors (Excavating, Masonry/Concrete/Foundation, & a Builder/Construction Co.), that would get us to the stage of the house being built and enclosed (Including; roofed, sided, and fully enclosed with doors and windows). Each of the above contractors have verbally committed to beginning our project early this Spring as soon as Spring Road Restrictions are lifted. With that said, we feel confident that we can get the house built and fully enclosed within the timing of a building permit extension, if granted.

I/We have spoken to Sue Fahrendorf and Steve Jones as of this morning regarding our situation, and have suggested/advised us to request an extension through the Planning & Zoning Committee at your 3/4/25 meeting.

We appreciate your consideration of granting an extension to our Building Permit. Should you need any additional information or have any questions, feel free to contact us.

Respectfully,

Jeff & Lynette Haugen  
1925 128<sup>th</sup> Avenue NW  
Coon Rapids, MN 55448  
763-913-8840 (Jeff-Cell)  
612-384-3929 (Lynette-Cell)

## **152.158 ZONING PERMITS.**

(A) Zoning permits are required for all new structures and any change in structure dimensions, structural components, number of bedrooms, any construction or repair of a sewage system and any grading and filling in shoreland not exempted by this chapter. Zoning permits shall only be issued to the owner of the property.

(B) Where a proposed use requires action of the Board of Adjustment, Planning Commission or Council or posting of financial security, said action shall occur and the conditional use permit, variance, zoning district change, final plat plan approval, approval of metes and bound division shall be issued or security posted before the zoning permit is issued.

(C) The city shall not accept applications where the applicant has past due fees or charges due to the city or the county until the account is made current.

(D) No applications shall be accepted by the Zoning Administrator from a contractor or property owner having outstanding violations. Permits can only be issued to contractors or property owners with outstanding violations by majority vote of the Planning Commission after the violation has been resolved to the satisfaction of the Planning Commission.

(E) The zoning permit shall contain the parcel number of the property, the signature of the fee or contract owner of the property and any other reasonable information needed to determine compliance with this chapter.

(F) Lot corners shall be visible on the lot. The Zoning Administrator may require a new survey when stakes are not visible or have been removed through erosion, construction or other action and require that a new certificate with existing and recorded dimensions shall be provided.

(G) Where a covenant is required by this chapter, evidence that such a covenant has been recorded shall be provided to the Zoning Administrator.

(H) Unless extended by the Zoning Administrator, where a zoning permit has been issued but no action has occurred within 12 months, the zoning permit shall be null and void. Exterior work on the structure shall be complete in 24 months from the issuance of the zoning permit. The time limit may be extended up to six months by the Zoning Administrator for good cause. A second extension shall be decided by the Planning Commission.

(I) Granting of a zoning permit shall occur when all requirements of this chapter have been met, but shall not be considered a statement of compliance with regional, state or federal codes, statutes or laws or approval of the design of the structure or accessories, or description of the property.

Subsequent actions of the Zoning Administrator shall not be considered acceptance of structural components or workmanship, but rather shall be for the purpose of determining general compliance with this chapter.

(J) If the Zoning Administrator determines that any violation of the permit or other section of this chapter has occurred, the permit shall become null and void.

(Ord. 906-2011, passed - -2011)





# CITY OF EMILY PERMIT



**PERMIT #: 22-58      DATE: August 23, 2022**

**NAME: Jeffery J. & Lynette M. Haugen**

**ADDRESS: 39898 Par West Dr., Emily, MN 56447**

**PID: 21320504 (main lot) & 21320524 (back lot)**

**PURPOSE:**      Construct a 30'X75' (2,250 SqFt) New Dwelling w/attached garage on main lot.  
                         Construct a 30'X30' (900 SqFt) Accessory Structure on back lot

**EXPIRATION:      MUST BEGIN BY: 08/23/2023**  
**MUST COMPLETE: 08/23/2024**

*Please call or email Zoning Office when construction project is completed.  
[zoning@emily.net](mailto:zoning@emily.net) or 218-763-2480*

**Additional Information:** Water/sewer installation per HOA requirements.





These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Date: 2/25/2025 Time: 10:57 AM



**Amy Prokott, Deputy Clerk, City of Emily**

---

**From:** paymentconfirmation@allpaid.com  
**Sent:** Tuesday, February 25, 2025 1:06 PM  
**To:** deputyclerk@emily.net  
**Subject:** MISCELLANEOUS PAYMENTS Payment Notification



24 Hour Customer Service #: 800-989-7780

**MISCELLANEOUS PAYMENTS CONFIRMATION EMAIL**

**PLC:** CITY OF EMILY **DATE:** 02/25/25  
**a001xi** 39811 STATE HIGHWAY 6  
EMILY, MN 56447  
**FOR: MISCELLANEOUS PAYMENTS**

**TRANSACTION INFORMATION**

<b>Name:</b>	JEFFERY JON HAUGEN	<b>TRANSACTION REFERENCE #:</b>	44966998
<b>Description of Payment::</b>	PERMIT EXTENSION FEE	<b>TRANSACTION DATE/TIME:</b>	02/25/2025 14:05:54 EST

**BILLING INFORMATION**

**NAME:** JEFFERY J HAUGEN  
**ADDRESS:** 1925 128TH AVENUE NW  
**CITY, STATE ZIP:** COON RAPIDS, MN 55448  
**PHONE #:** 763-913-8840  
**CARD #:** xxxx-xxxx-xxxx-6660

**PAYMENT INFORMATION**

<b>APPROVAL #:</b>	025882
<b>PAYMENT AMOUNT:</b>	\$50.00
<b>SERVICE FEE:</b>	\$3.99
<b>TOTAL AMOUNT:</b>	\$53.99

**The service fee is not refundable.**

**ATTENTION CITY OF EMILY:**

To make corrections, call AllPaid at 800-989-7780, or login to ProviewExp at [www.ProViewEXP.com](http://www.ProViewEXP.com).

**Thank you for using AllPaid**



**CITY OF EMILY  
PLANNING COMMISSION  
CONDITIONAL USE PERMIT APPROVAL**

On the 4th, of March 2025, following an earlier held public hearing conducted by the Emily Planning Commission, the City of Emily hereby approved a conditional use permit request on behalf of: **Northern Lights Over Roosevelt Lake Homeowner's Association**

In accordance with the provisions of the City of Emily Land Use Ordinance and pursuant to the requirements of Chapter 462 of the Minnesota Statutes the approved conditional use permit is issued in conjunction with Northern Lights Over Roosevelt Lake Homeowner's Association earlier granted plat approval on the following property located in the City of Emily, Crow Wing County:

**Legal Description: Outlots A and B, Common Interest Community Number 1113, a Planned Community, Northern Lights Over Roosevelt Lake, Crow Wing County, Minnesota.**

The approval was made based on the following findings of fact and with the following conditions of approval.

**Finding of Facts:**

- 1) The subject property identified by PIN 21030546.
- 2) The conditional use permit request is made by the applicant in order to fulfill requirements of the 2009 final plat approval granted by the City of Emily.
- 3) The proposed use, with conditions, conforms to the comprehensive plan. The intended use of the property is for residential and homeowner's association purposes.
- 4) The proposed use, with conditions, is compatible with the existing neighborhood.

The subject property is located adjacent to State Highway 6 and is in the vicinity of commercial businesses.

- 5) The proposed use will not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance, or prosperity of the city.
- 6) The proposed use will not impede the orderly development and improvement of surrounding vacant property for uses predominant in the area (residential and commercial).
- 7) The conditional use, with conditions, will prevent pollution of ground and surface waters including sedimentation and control of nutrients.
- 8) The Emily City Council approved Resolution 24-22 on May 14, 2024 revising terms of the applicant's 2009 final plat approval.

**Conditions:**

- 1) All conditions imposed by the 2009 final plat approval, as well as those imposed by the City Council's Resolution 24-22 of May 14, 2024.
- 2) The Northern Lights Over Roosevelt Lake Homeowner's Association shall continue to coordinate with MnDOT and MnDOT's recommendations shall be implemented and maintained including, but not limited to:
  - A. The north approach/drop off area will be allowed as outlined by the terms of the 2009 plat approval and with respect to MnDOT recommendations in that approval, as well as requirements by MnDOT in their letters dated April 3, 2024 and April 19, 2024, attached hereto as **Exhibit A**.
  - B. A northbound right turn lane and a southbound bypass lane must be constructed on TH 6 at the Smokey Hollow Road intersection, if at any point in the future MnDOT would require it.
  - C. Lighting and signs shall be installed as per MnDOT guidance.
  - D. Roadway and safety appurtenances will be installed as per MnDOT guidance.
  - E. Drainage patterns need to be perpetuated and erosion/sediment controlled. A drainage plan must be submitted to MnDOT for review, if MnDOT requires it.
  - F. No drainage ponds will be allowed in the right-of-way.
  - G. There will be no net increase in development drainage to the highway right-of-way.
  - H. Proposed development signs must be located outside of the right-of-way.

- I. No fences or structures are allowed in the right-of-way.
  - J. No excavation or grade changes are allowed in the right-of-way.
  - K. All MnDOT permits must be obtained.
- 3) Day parking for ATVs, UTVs and golf carts shall be allowed, no closer than 42 feet from the nearest white line on State Highway 6, and no closer than 75 feet from the lakeshore.
  - 4) Automobiles and trucks can be used for drop off and pick up purposes but automobiles and trucks may not be allowed to park at the day parking area at any time.
  - 5) No overnight parking shall be allowed at the day parking area for any type of vehicle.
  - 6) All costs of compliance with MnDOT conditions shall be paid for by the Northern Lights Over Roosevelt Lake Homeowner's Association.
  - 7) Docking will be stored on the shoreline and walking path each year.
  - 8) Lifts will be removed by a professional service hired by Northern Lights Over Roosevelt Lake Homeowner's Association/owners and moved for storage to the individual owner's place of residence in the development at Northern Lights Over Roosevelt Lake Association.
  - 9) Northern Lights Over Roosevelt Lake Homeowner's Association will develop a plan for approval by the Planning Commission and City Council to divert water at the top of the trail to prevent erosion. The two signs at the top of the trail indicating no motorized vehicles may stay in place, subject to MnDOT approval.
  - 10) Northern Lights Over Roosevelt Lake Homeowner's Association will install and maintain an 8-10 foot ditch driveway for crossing over the road on Highway 6, as recommended by MnDOT, and subject to MnDOT approval.
  - 11) All costs of compliance with MnDOT conditions shall be paid for by Northern Lights Over Roosevelt Lake Homeowner's Association.
  - 12) Subject to acceptance by Crooked Lake Township, Northern Lights Over Roosevelt Lake Homeowner's Association will improve Smokey Hollow Road to Crooked Lake Township's road standards up to the second entrance to the development. If Crooked Lake Township does not accept the improvements, no improvements to Smokey Hollow Road will be required.
  - 13) Northern Lights Over Roosevelt Lake Homeowner's Association shall not burn anything related to its construction activities in compliance with this Conditional Use Permit and its terms.

I certify that the above is a true and correct statement based on the approved minutes of the Emily Planning Commission meeting held on March 4, 2025, and the Emily City Council meeting held on \_\_\_\_\_, 2025, and on record at Emily City Hall, 39811 State Highway 6, Emily, MN 56447.

Date: \_\_\_\_\_, 2025

\_\_\_\_\_  
Cari Johnson  
City Clerk

**EXHIBIT A**



**zoning@emily.net**

---

**From:** Munsch, Richard (DOT) <richard.munsch@state.mn.us>  
**Sent:** Wednesday, April 3, 2024 9:44 AM  
**To:** Emily Zoning Office  
**Cc:** Mike Gates; Cruikshank, Thomas (DOT)  
**Subject:** Northern Lights on Roosevelt Lake

Brittney,

We received your letter dated October 3, 2023. I apologize for the slow response regarding the property owners request to modify the original conditions of the permit. We brought the request to our Development Review Committee. The items discussed included are as follows:

Access from the plat – MnDOT feels there should be a trail access to TH 6 from the development. This would improve the walkability to the lake from the development. This would include building an 8' to 10' wide access across the ditch. The ditch in this area is part of the ATV trail and is continually in disrepair with ruts and standing water, and not always in the best shape for walking across. This access would provide a safer and more visible crossing to both the traveling motorists and ATV's. MnDOT will be placing pedestrian crossing ahead signs in advance of the crossing. We will not be allowing a designated painted crosswalk due to the high speeds on this rural segment.

Parking/Drop Off Area – The old road will continue to be allowed to be used for loading/unloading with no long-term parking allowed. No real estate signing will be allowed on MnDOT Right of Way, all existing signs should be removed.

Dock Storage – The dock and lifts will be allowed to be placed along the shoreline of the lake for winter storage.

If you have any questions, feel free to call or email me.  
Thanks rich

Richard Munsch  
Minnesota Department of Transportation  
Roadway Regulations Supervisor  
7694 Industrial Park Road  
Baxter, MN 56425  
218-821-6358  
[richard.munsch@state.mn.us](mailto:richard.munsch@state.mn.us)

**zoning@emily.net**

---

**From:** Munsch, Richard (DOT) <richard.munsch@state.mn.us>  
**Sent:** Friday, April 19, 2024 10:31 AM  
**To:** Emily Zoning Office  
**Cc:** Mike Gates; Cruikshank, Thomas (DOT); lkosltske12@gmail.com  
**Subject:** RE: Northern Lights on Roosevelt Lake

Brittney,

I am sending a note to clear up the lo term parking comment below.

Daytime parking will be allowed outside the roadside clear zone. The clear zone is measured from the edge of the traveling lane (white line). The clear zone distance at this location is 42 feet from the white line of the nearest lane. MnDOT will be posting "no overnight parking" signs at this location.

If you have any questions, feel free to call me.  
Thanks rich

**From:** Munsch, Richard (DOT)  
**Sent:** Wednesday, April 3, 2024 9:44 AM  
**To:** Emily Zoning Office <zoning@emily.net>  
**Cc:** Mike Gates <thegators55@yahoo.com>; Cruikshank, Thomas (DOT) <Thomas.Cruikshank@state.mn.us>  
**Subject:** Northern Lights on Roosevelt Lake

Brittney,

We received your letter dated October 3, 2023. I apologize for the slow response regarding the property owners request to modify the original conditions of the permit. We brought the request to our Development Review Committee. The items discussed included are as follows:

Access from the plat – MnDOT feels there should be a trail access to TH 6 from the development. This would improve the walkability to the lake from the development. This would include building an 8' to 10' wide access across the ditch. The ditch in this area is part of the ATV trail and is continually in disrepair with ruts and standing water, and not always in the best shape for walking across. This access would provide a safer and more visible crossing to both the traveling motorists and ATV's. MnDOT will be placing pedestrian crossing ahead signs in advance of the crossing. We will not be allowing a designated painted crosswalk due to the high speeds on this rural segment.

Parking/Drop Off Area – The old road will continue to be allowed to be used for loading/unloading with no long-term parking allowed. No real estate signing will be allowed on MnDOT Right of Way, all existing signs should be removed.

Dock Storage – The dock and lifts will be allowed to be placed along the shoreline of the lake for winter storage.

If you have any questions, feel free to call or email me.  
Thanks rich

Richard Munsch  
Minnesota Department of Transportation  
Roadway Regulations Supervisor

**CITY OF EMILY  
PLANNING COMMISSION  
CONDITIONAL USE PERMIT APPROVAL**

On the ~~14th~~ 4th, of ~~January~~ March 2025, following ~~an earlier held a~~ public hearing conducted by the Emily Planning Commission, the City of Emily hereby approved a conditional use permit request on behalf of: **Northern Lights Over Roosevelt Lake Homeowner's Association**

In accordance with the provisions of the City of Emily Land Use Ordinance and pursuant to the requirements of Chapter 462 of the Minnesota Statutes the approved conditional use permit ~~authorizes the above named to: expand and operate an existing commercial mini storage business within the Highway Mixed Use zoning district is issued in conjunction with Northern Lights Over Roosevelt Lake Homeowner's Association earlier granted plat approval~~ on the following property located in the City of Emily, Crow Wing County:

Legal Description: ~~[ ]~~ Outlots A and B, Common Interest Community Number 1113, a Planned Community, Northern Lights Over Roosevelt Lake, Crow Wing County, Minnesota.

The approval was made based on the following findings of fact and with the following conditions of approval.

**Finding of Facts:**

- 1) The subject property ~~is located at \_\_\_\_\_.~~ is located at \_\_\_\_\_ identified by PIN 21030546.
- 2) The conditional use permit request is made by the applicant in order to fulfill requirements of the 2009 final plat approval granted by the City of Emily.

- 3) The proposed use, with conditions, conforms to the comprehensive plan. The intended use of the property is for residential and homeowner's association purposes.
- 4) The proposed use, with conditions, is compatible with the existing neighborhood. The subject property is located adjacent to State Highway 6 and is in the vicinity of commercial businesses.
- 5) The proposed use with not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance, or prosperity of the city.
- 6) The proposed use will not impede the orderly development and improvement of surrounding vacant property for uses predominant in the area (residential and commercial).
- 7) The conditional use, with conditions, will prevent pollution of ground and surface waters including sedimentation and control of nutrients.
- ~~7)8)~~ The Emily City Council approved Resolution 24-22 on May 14, 2024 revising terms of the applicant's 2009 final plat approval.

**Conditions:**

- 1) All conditions imposed by the 2009 final plat approval, as well as those imposed by the City Council's Resolution 24-22 of May 14, 2024.
- 2) The Northern Lights Over Roosevelt Lake Homeowner's Association shall continue to coordinate with MnDOT and MnDOT's recommendations shall be implemented and maintained including, but not limited to:
  - A. The north approach/drop off area will be allowed as outlined by the terms of the 2009 plat approval and with respect to MnDOT recommendations in that approval, as well as requirements by MnDOT in their letters dated April 3, 2024 and April 19, 2024, attached hereto as **Exhibit A**.
  - B. A northbound right turn lane and a southbound bypass lane must be constructed on TH 6 at the Smokey Hollow Road intersection, if at any point in the future MnDOT would require it.
  - C. Lighting and signs shall be installed as per MnDOT guidance.
  - D. Roadway and safety appurtenances will be installed as per MnDOT guidance.
  - E. Drainage patterns need to be perpetuated and erosion/sediment controlled. A drainage plan must be submitted to MnDOT for review, if MnDOT requires it.
  - F. No drainage ponds will be allowed in the right-of-way.

- G. There will be no net increase in development drainage to the highway right-of-way.
  - H. Proposed development signs must be located outside of the right-of-way.
  - I. No fences or structures are allowed in the right-of-way.
  - J. No excavation or grade changes are allowed in the right-of-way.
  - K. All MnDOT permits must be obtained.
- 3) Day parking for ATVs, UTVs and golf carts shall be allowed, no closer than 42 feet from the nearest white line on State Highway 6, ~~and~~ no closer than 75 feet from the lakeshore.
  - 4) Automobiles and trucks can be used for drop off and pick up purposes but automobiles and trucks may not be allowed to park at the day parking area at any time.
  - 5) No overnight parking shall be allowed at the day parking area for any type of vehicle.
  - 6) All costs of compliance with MnDOT conditions shall be paid for by the Northern Lights Over Roosevelt Lake Homeowner's Association.
  - 7) Docking will be stored on the shoreline and walking path each year.
  - 8) Lifts will be removed by a professional service hired by Northern Lights Over Roosevelt Lake Homeowner's Association/owners and moved for storage to the individual owner's place of residence in the development at Northern Lights Over Roosevelt Lake Association.
  - 9) Northern Lights Over Roosevelt Lake Homeowner's Association will develop a plan for approval by the Planning Commission and City Council to divert water at the top of the trail to prevent erosion. The two signs at the top of the trail indicating no motorized vehicles may stay in place, subject to MnDOT approval.
  - 10) Northern Lights Over Roosevelt Lake Homeowner's Association will install and maintain an 8-10 foot ditch driveway for crossing over the road on Highway 6, as recommended by MnDOT, and subject to MnDOT approval.
- ~~11) Subject to the 2009 plat approval and with respect to MnDOT recommendations in that approval the following items are included:~~
- ~~A. The north approach/drop off area is not allowed.~~
  - ~~B. A northbound right turn lane and a southbound bypass lane must be constructed on TH 6 at the Smokey Hollow Road intersection.~~

- ~~C. — Lighting and signs shall be installed as per MnDOT guidance.~~
- ~~D. — Roadway and safety appurtenances will be installed as per MnDOT guidance.~~
- ~~E. — Drainage patterns need to be perpetuated and erosion/sediment controlled. A drainage plan must be submitted to MnDOT for review.~~
- ~~F. — No drainage ponds will be allowed in the right-of-way.~~
- ~~G. — There will be no net increase in development drainage to the highway right-of-way.~~
- ~~H. — Proposed development signs must be located outside of the right-of-way.~~
- ~~I. — No fences or structures are allowed in the right-of-way.~~
- ~~J. — No excavation or grade changes are allowed in the right-of-way, except as permitted by MnDOT.~~
- ~~K. — All MnDOT permits must be obtained.~~

- ~~4211)~~ All costs of compliance with MnDOT conditions shall be paid for by Northern Lights Over Roosevelt Lake Homeowner's Association.
- ~~4312)~~ Subject to acceptance by Crooked Lake Township, Northern Lights Over Roosevelt Lake Homeowner's Association will improve Smokey Hollow Road to Crooked Lake Township's road standards up to the second entrance to the development. If Crooked Lake Township does not accept the improvements, no improvements to Smokey Hollow Road will be required.
- ~~4413)~~ Northern Lights Over Roosevelt Lake Homeowner's Association shall not burn anything related to its construction activities in compliance with this Conditional Use Permit and its terms.

I certify that the above is a true and correct statement based on the approved minutes of the Emily Planning Commission meeting held on ~~January 14, 2025~~ March 4, 2025, and the Emily City Council meeting held on \_\_\_\_\_, 2025, and on record at Emily City Hall, 39811 State Highway 6, Emily, MN 56447.

Date: \_\_\_\_\_, 2025

\_\_\_\_\_  
Cari Johnson  
City Clerk

**Drafted By:**

~~Thomas C. Pearson (#0260071)  
Gammello-Pearson, PLLC  
14275 Golf Course Dr., Suite 200  
Baxter, MN 56425  
Telephone: (218) 828-9511~~

# EXHIBIT A



# 2025 Permits--Emily Planning and Zoning

NUMBER	Recd	Apprvd	RE CODE	LAST	FIRST	ADDRESS	TYPE	DESCRIPTION	FEE	DISTRICT	Project Completed Y/N
25-01	12/27/2024	2/4/2025	21260571	Ronayne	Brian	40107 E Emily Dr	SSTS	After-the-Fact Permit for Septic Installation	\$260.00- ATF Permit fee per city council 5X	SR	Yes-GK 12-16-2024
25-02	1/13/2025	2/4/2025	21250540	Wes Hanson Builders	Jason Quilling	XXXX S Shore Dr	Land Use	Construct New Dwelling-2,719 SqFt	\$550.00	SR	
25-03	1/13/2025	2/4/2025	21250540	Wes Hanson Builders	Jason Quilling	XXXX S Shore Dr	SSTS	Install New Septic-Winter Agreement	\$260.00	SR	Winter Agreement
25-04	1/13/2025	1/14/2025	21260550	Frodesen	Fred	21843 Whitetail Dr	Camper Permit	Annual Camper Permit	\$25.00	NR	NA
25-05	2/10/2025	2/10/2025	21260571	Ronayne	Brian	40107 E Emily Dr	Camper Permit	Annual Camper Permit	\$25.00	SR	NA
25-06	2/5/2025	2/18/2025	21270501	Emily Food Shelf		20948 County Rd 1	Land Use	Enclose drive through for cold storage and install new sign	NA-waived by city council	DMU	
25-07	2/24/2025	2/25/2025	21170535	Doberstein	Timothy	19227 Blue Lane E	Land Use	Construct a new 18'X24' (432 SqFt) Accessory Structure	\$150.00	NE	