
CITY OF EMILY

PLANNING COMMISSION/BOARD OF ADJUSTMENT

AGENDA

Tuesday, June 6, 2023, 6:00 pm

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Additions or Deletions to Agenda
5. Open Forum
6. Public Hearings
7. Approval of Minutes
 - a. May 2, 2023, regular meeting
8. New Business
 - a. Kelly Hodges Permit Extension Request for Permit 19-15
 - b. Nick Usherwood Fine Waiver Request for CUP
 - c. CWC Request for Comments on PID 21230574
9. Old Business
10. Subcommittee Discussion Update (Notes in Packet)
11. P&Z Administrator's Report
12. Adjourn

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

1 **MINUTES**2 **EMILY PLANNING COMMISSION/BOARD OF ADJUSTMENT**3 **REGULAR MEETING**4 **May 2, 2023**

5

6 **1. CALL TO ORDER**

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

8 Pledge of allegiance was recited. Commissioner Johnson welcomed Faye Hughes as Alternate
9 Planning Commissioner.

10

11 **2. ROLL CALL**12 PRESENT: Dave Johnson (Chairperson), Bill Spiess, Patrick Rheaume, Lynn Bartel, Denise
13 Vukelich, and Faye Hughes (Alternate)

14 Council: Greg Koch (Liaison) Mayor Tracy Jones

15 Staff: Brittney Cotner, Zoning Administrator (Sourcewell) and Sue Fahrendorff, Planning &
16 Zoning Clerk

17

18 **3. ADDITIONS OR DELETIONS TO AGENDA**

19 None

20 Commissioner Johnson stated that a previous agenda item (8-a Sketch Plan Review) had been
21 withdrawn prior to the meeting and an updated agenda was created, therefore the Planning
22 Commission will not be discussing the Campground RV Park sketch plan.

23

24 **4. OPEN FORUM**

25 None

26

27 **5. PUBLIC HEARINGS**

28 None

29

30 **6. APPROVAL OF MINUTES**

31

32 a. April 4, 2023, regular meeting

33

34 **MOTION BY COMISSIONER SPIESS TO APPROVE APRIL 4, 2023 MINUTES AS**
35 **PRESENTED. SECONDED BY COMMISSIONER VUKELICH. ALL VOTED IN FAVOR**
36 **5-0. MOTION CARRIED.**

37

38 **7. NEW BUSINESS**

39

40 a. Sketch Plan Review-Withdrawn

41

42 b. Permit Extension Request for Chuck Winkler Permit #20-86 & 20-87

43 Cotner provided background information on the permits. #20-87 was for SSTS
44 installation and #20-86 was to construct a 1,581 SqFt SF dwelling. The owners were
45 granted an administrative extension to April 18, 2023. Mr. Winkler stated that he's
46 been unable to complete the work due to the long winter and requested an
47 additional extension through July 2023. The Planning Commission discussed the
48 status of the construction and if a 2 month extension would be long enough to
49 complete the project.

MINUTES

Emily Planning Commission

May 2, 2023

50
51 **MOTION BY COMMISSIONER SPIESS TO EXTEND PERMIT #20-86 & #20-87**
52 **TO JULY 31, 2023. SECONDED BY COMMISSIONER RHEAUME.**
53

54 Commissioner Johnson opened to further discussion. Alternate Commissioner Hughes
55 asked if the owner would be allowed to get another extension if the work wasn't completed
56 by July 31, 2023. Cotner stated no more extensions would be granted. He would
57 need to reapply for all new permits and pay the fee. The Planning Commission discussed
58 whether 2 months would be long enough or if they should extend longer. Commissioner
59 Johnson asked if the motion should be amended to extend the expiration date past July
60 31st. Commissioner Spiess declined to amend his motion.
61

62 **ROLL CALL VOTE-COMMISSIONER SPIESS-AYE; COMMISSIONER**
63 **RHEAUME-AYE; COMMISSIONER BARTEL-NAY; COMMISSIONER**
64 **VUKELICH-NAY; COMMISSIONER JOHNSON AYE. MOTION CARRIED 3-2.**
65

66 **8. OLD BUSINESS**

67 None
68

69 **9. P & Z ADMINISTRATOR'S REPORT**
70

71 Cotner stated there has been a significant increase in activity regarding permit questions, email
72 requests, SSTS information and additional requested information. Commissioner Spiess stated
73 there are a few properties on the permit extension list that still need completion. Cotner will
74 research and send letters to the property owners.
75

76 **10. ADJOURNMENT**
77

78 **MOTION BY COMMISSIONER SPIESS, SECONDED BY COMMISSIONER**
79 **VUKELICH TO ADJOURN THE MEETING. ALL VOTED IN FAVOR 5-0. MOTION**
80 **CARRIED**
81

82 The meeting adjourned at 6:17 pm.
83

84 Respectfully submitted,
85

86
87
88
89 Sue Fahrendorff,
90 Zoning Clerk
91

zoning@emily.net

From: Kelly Hodges <mkjrobinson5@gmail.com>
Sent: Monday, May 8, 2023 1:36 PM
To: zoning@emily.net; brittney.Cotner@sourcewell-mn.gov
Subject: Permit extension

Good afternoon Brittney,

I'm emailing to contact you with an update and request an extension on the building permit.
Location is 21140 Mill Rd, Emily, MN 56447 permit #19-15

We have the windows and doors installed and the siding was extremely delayed due to everything falling behind during the covid shutdown. The siding that we are using is now available to us and should be delivered by the first part of June. Then we can get busy putting the siding on to get the outside completed. We are also using rough cut wood siding for part of it and the company we used in Pine River had messed up the logs we delivered to make the siding. So we had to find new logs, which is hard to do. We finally got the correct logs delivered and they processed the siding the proper way. So we also have that on hand to have installed as soon as the remaining is delivered in June. I'd greatly appreciate an extension on the permit to allow this to be completed with no further expenses from fines.

Thank you
Kelly Hodges/Judy Stiner



Land Services Department
218-824-1010

322 Laurel Street
Brainerd Minnesota 56401

April 14, 2023

Christa Andrews
City of Emily
PO Box 68
Emily, MN 56447



Re: Classification to "Non-Conservation" and Future Sale of Tax Forfeited Lands

Dear Ms. Andrews:

In the near future, the Crow Wing County Board of Commissioners will classify the tax forfeited parcels, attached, as "Non-Conservation" which is required prior to sale pursuant to MS 282.01

Before, however, Crow Wing County can proceed with its plans to offer these parcels for sale, the city or township wherein these parcels lie **"must first approve the classification and intended sale"** by the County Board. The city or township **"is considered to have approved the classification and sale if the county board is not notified of the disapproval...within 60 days of the date"** of this letter.

If you respond within 60 days and do not support the County Board's action, **"the County Board must follow the procedures in paragraphs (c) and (d) per MS Statute 282.01, with regard to the parcel, and must additionally cause to be published in a newspaper a notice of the date, time, location, and purpose of the required meeting."**

Please review the list of tax forfeited parcels, attached, and inform this office of your approval or disapproval of the County Board's future action to classify said parcels to a "non-conservation" status with intentions to sell at a future public auction.

Please include the zoning information for each tax forfeited parcel along with any special assessments that are or will be attached to each parcel.

Maps have been enclosed to aid in your review.

If you have any questions concerning this process, please advise.

Sincerely,

Steven Timblin & Janele Waterman

Environmental Services Coordinators

Enclosures

Our Vision: Being Minnesota's favorite place.

Our Mission: Serve well. Deliver value. Drive results.

Our Values: Be responsible. Treat people right. Build a better future

CITY OF EMILY

Tract	Description	Sec.-Twp.-Rge.	Approx. Lot Size (acres)	RE Code(s)	Remarks	Specials	Judgement Year	Forfeited	Zoning
	NE1/4 OF NE1/4 23 138 26	23-138-26	40.09	21230574				1/25/1937	



21230574

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



Land Use Ordinance (LUO) Subcommittee Meeting Notes

Date: May 2, 2023 Meeting

Attended: Dave Johnson, Bill Spiess, Gary Hanson, Greg Koch, Brittney Cotner and Sue Fahrendorff

- Quick review of last meeting topics and notes.
- Clarified with Bill, HMU to be left AS-IS on HWY 6 until need arises in the future.
- Discussed the need for verbiage on Land Use Permit regarding business or future business-applicant would need to come back to PZ and apply for a CUP?
- Printed appendix A-Table of Uses regarding HMU column. Need to change E (Excluded) to Not Allowed to not be allowed. Will look at the Appendix and discuss at next meeting.
- Read definition of HMU-Question is why HMU was allowed to have a side business along with house not a standalone business. Bill stated it was because DMU was limited on lots and land, which is why they created HMU to allow a business and house.
- Next meeting go through HMU and change what needs to be updated P VS E

2023 Permits--Emily Planning and Zoning

<u>NUMBER</u>	<u>Recd</u>	<u>Appvrd</u>	<u>RE CODE</u>	<u>LAST</u>	<u>FIRST</u>	<u>ADDRESS</u>	<u>TYPE</u>	<u>DESCRIPTION</u>	<u>FEE</u>	<u>DISTRICT</u>	<u>Project Completed Y/N</u>
23-01	1/3/2023	1/3/2023	21040581	Wes Hanson Builders/Kosiak	Rhonda Kosiak	20048 Roosevelt Ridge	Land Use	42'X28' (1,176 SqFt);Addition to existing accessory structure pole shed	\$250.00	RP	
23-02	1/30/2023	1/31/2022	21030519	Proctor	Todd	21438 Evening Star Lane	After-The-Fact Land Use	Construct 10'X16' (160 SqFt) Accessory Structure shed 36" wide stairs from existing deck to ground level for access	\$750.00	RP	1/31/2022
23-03	2/2/2023	2/7/2022	21260620	Rheaume	Patrick & Jacqueline	40900 Yellow Birch Lane	Land Use	Installing a new holding tank in existing septic system	\$60.00	SR	NA
23-04	2/22/2023	5/23/2023	21170518	Krumwiede	Kevin & Valetta	42865 Minnie Lake Drive	SSTS	Construct New 28'X64' (1,792 SqFt) Modular home and 24'X30' (720 sqft) Accessory Structure garage	\$250.00	NR	
23-05	2/22/2023	3/7/2023	21170518	Krumwiede	Kevin & Valetta	42865 Minnie Lake Drive	Land Use	Install 14.85 KW DC solar system on flush mount roof racking	\$75.00	SR	Yes- SF 4/24/2023 per email notification
23-06	2/27/2023	3/7/2023	21080521	Real Solar		19573 Blue Lake Rd	Land Use-Solar Panels	Construct a 60'X104' (6,240 SqFt) pole shed	\$400.00	SR	
23-07	2/27/2023	2/28/2023	21080517	Angell	Stacey	43876 Roosevelt Dr	Land Use	Construct a 11'X24' (264 SqFt) shed	\$150.00	RP	
23-08	2/27/2023	2/28/2023	21030519	Proctor	Todd	21438 Evening Star Lane	Land Use	Annual Camper Permit	\$25.00	RP	
23-09	2/27/2023	2/28/2023	21030519	Proctor	Todd	21438 Evening Star Lane	Land Use- Camper				

23-10	3/13/2023	4/4/2023	21270656	Emily Wesleyan Church	Kris Balvin	40141 State HWY 6	Outdoor Market Permit	Outdoor Market Permit	\$75.00	DM	
23-11	3/15/2023	3/22/2023	21090670	Gorsuch	Beverly	20529 Clearwater Dr	Land Use	Construct a 10'X16' (160 SqFt) deck to existing home	\$75.00	NR	
23-12	3/20/2023	3/22/2023	21250526	Adamsheck	Jeff	23252 South Shore Dr	Land Use	Construct a 45'X48' (2,160 SqFt) Accessory Structure	\$400.00	SR	
23-13	4/3/2023	4/11/2023	21060502	Sundstrom	Kari & Eeva	44865 Preserve Pt	Land Use	Construct a 20X29 (580 SqFt) 3 season dwelling with 20X6(120 SqFt) Porch	\$250.00	SR	
23-14	4/11/2023		21080576	Solar Permits- Trevor Southards	Timothy Gillespie	18774 Crooked Creek Rd	Land Use-Solar Panels	Install roof mounted solar system 44 panels, 2 inverters, 16.28 KW	75-Need to Pay	SR	
23-15	4/24/2023		21080567	Patnode	Loren	19590 Blue Lake Rd	Land Use	?	400-Need to Pay	SR	
23-16	4/26/2023	5/2/2023	21030558	Mallery	leonard	44924 S Smokey Hollow Rd	Land Use	Construct a 16'X24' (384 SqFt) Accessory Structure	\$150.00	SR	
23-17	5/9/2023	5/9/2023	21220582	Huff	Crystal	21343 Mill Rd	Land Use	Construct a 24X35 (840 SqFt) Accessory structure (garage) AND 24X25 (600 SqFt) secondary dwelling with deck	\$400.00	NR	
23-18	5/16/2023	5/16/2023	21040541	Worley	Scott & Paula	20741 Levitt Ln	Land Use	Construct a 16'X12' (192 SqFt) addition to home and 16'X16' (256 SqFt) patio	\$150.00	SR	
23-19	5/16/2023	5/16/2023	21330616	Istvanovich	John & Jessica	20125 Cty Rd 1	Land Use	Construct a 8'X32' (256 SqFt) accessory structure(chicken coopw/run) and 14'X16' (224 SqFt) free standing deck	\$150.00	RP	
23-20	5/16/2023	5/16/2023	21270610	Stern	Jon & Karen	XXXX Bloomquist Dr	Land Use	New Dwelling 25'X56' (1,400 SqFt) with 23'X24' (552 SqFt) attached garage	\$450.00	DMU	

23-21	5/17/2023		21150526	Usherwood Dylan Burge- Beachcombers LLC	Nicolas	42524 St HWY 6	Conditional Use Permit	Small business use; Machine shop & repair shop	500-Need to pay	HMU	
23-22	5/22/2023		21220529	Dawn Korinek	Dawn Korinek	40948 Poplar	Land Use Permit	Install a 254 SqFt Paver Patio with 20 FT boulder edgin	\$150.00	SR	
23-23	5/22/2023	5/23/2023	21190569	Keller	Dean & Barb	17875 Emerald Dr	Land Use Permit	Construct a 30'X40' (1,200 SqFt) garage	\$250.00	SR	
23-24	5/23/2023	5/23/2023	21060533	Sorg	Robert	18526 Woodlake Blvd	Land Use Permit	New Dwelling Construction 40'X30' (1,200 SqFt)	\$450.00	SR	
23-25	5/23/2023	5/23/2023	21060533	Sorg	Robert	18526 Woodlake Blvd	SSTS Permit	Install a Type 1 Mound Design SSTS System. 300 GPD, 1,500 gallons 2 compartment tank	\$250.00	SR	
23-26	5/23/2023	5/23/2023	21220504	Edmonds	James	41122 Poplar Dr	Land Use Permit	Construct a 36'X56' (2,016 SqFt) Accessory Structure	\$400.00	SR	
23-27	5/30/2023	5/30/2023	21170528	Gerlach	Ryan	43251 Minnie Lake Dr	Land Use Permit	construct a 76'X32' (2,432 SqFt) Dwelling	\$550.00	SR	
23-28	5/30/2023	5/30/2023	21170528	Gerlach	Ryan	43251 Minnie Lake Dr	SSTS	Install a Type 1 Trench/Pressure Bed design, 750 GPD, 2250 Gallons 1 tank	\$250.00	SR	
23-29	5/30/2023	NA-Cass Cty	21060584	Wilhelmi	Billy	17960 Wood- Lake Blvd	Annual Camper- Permit	Place a RV Fishhouse- on lot. Porta Potty on- site	\$25.00	SR	Cass County

2023 PERMIT EXTENSIONS

DATE REQUESTED	NAME	ADDRESS	REASON FOR EXTENSION	EXTENDED TO DATE	Decision	Completed
6/29/2022	Brian Steele	20705 Civ Rd 1	Finish installing doors & siding on accessory structure	7/1/2023	6 MO extension was administratively approved by zoning administrator 10/28/2022 - Brian Steele requested an additional extension on his permit due to injuries and is unable to complete the work until he heals. 12/6/2022 Planning Commission granted an additional extension to 7/1/2023	
7/7/2022	Kelly Hodges/Property owner Gary & Judith Stiner	21140 Mill Rd	Installation of exterior siding, windows and doors	9/3/2022	Permit was reinstated 09/02/2020 by Justin Bursille 10/25/2022-Per Bill, work has not been completed. Certified Letter was sent to property owner Gary & Judith Stiner requesting status update 11/12/2022- Certified letter returned by Post Office as unclaimed	
8/22/2022	Brian Enait	23253 N Shore Dr.	Relocate accessory structure that was built in a wetland *****34.X56' (2,016 SqFt) Accessory Structure	12/29/2023	Permit was extended to 12/29/2023 by Justin Bursille-See email note in file	1/27/2023
8/31/2022	Charles Winkler	23145 N Shore Dr	Construction of dwelling	7/31/2023	8/30/2022-Bill did a driveby inspection and noted that material is NOT within the ROW, however construction is not near finished. Original permit expiration 10-20-2022. 8/31/2022 Certified letter sent requesting status update- signed and delivered on 9/2/2022 10/18/2022 Driveby inspection by Britney shows construction has started. Email was sent to property owner letting her him know the permit will expire in 2 days if an extension is needed he needs to apply before 10-20-2022 October 24, 2022-Received email request to extend permit. Britney extended permit for 6 mo (4-18-2023) 4/18/2023--Received email request to extend permit through July 2023. Britney will add to May 2nd PZ agenda. 5/2/2023 Planning commission granted the 2nd and final extension to July 31, 2023.	
9/27/2022	Scott & Karen Tasler	40840 Yellow Birch Lane	Pending	Pending	9/14/2022-Bill did a driveby inspection and noted the siding has not been completed. Original permit expiration 7/28/2022. Letter sent by regular mail requesting status update. No response from homeowner	
3/9/2023	Michael Helberg	40552 S Bay Dr	Relocate or remove accessory structure that was built in ROW	6/9/2023 proposed new location map submitted 9/9/2023	3/9/2023-Received an email from Michael Helberg (3/8/2023)requesting an extension. Britney administratively approved the 6 mo extension with an expiration date of 9/9/2023 with condition proposed new location of the accessory structure be submitted to zoning by 6/9/2023	