
CROW WING TOWNSHIP
PLANNING AND ZONING COMMISSION

AGENDA
July 11, 2022

1. Call to Order
2. Roll Call
3. Public Hearing(s)
4. Additions or Deletions to Agenda
5. Open Forum
6. Approval of Minutes
 - a. June 13, 2022
7. New Business
 - a. Camping ordinance amendment
 - b. Enforcement ordinance amendment
8. Old Business
 - a. Ream complaint
 - b. Jillson complaint
 - c. Anderson/Schuety septic noncompliance
 - d. Jackson complaint
 - e. Bigwood Enterprises
 - f. Traxler complaint
9. P&Z Administrator's Report - **No new land use permits**
10. Town Board Correspondence
11. Adjournment

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

Crow Wing Township Planning Commission Meeting June 13, 2022, 6:00 PM

Commission Members Present: Brad Arnold (Chair), and Commissioners Linda Schuety and Dan Lee Amanda Peterson (Planning and Zoning Administrator), & Sue Kern (Township clerk). Tucker Schuety and David Nelson were absent.

Brad called the meeting to order at 6:00 PM and the Pledge of Allegiance was recited.

Public Hearings: None.

Additions or Deletions to Agenda: Brad moved the Owned Storage 371 landscaping plan review to later in the agenda as a possible site visit might be required.

Open Forum: None.

Approval of Minutes: Linda made the motion to approve the minutes as written. Dan seconded. Brad made mention of a minor typo. Motion passed 3-0.

New Business: There was a complaint received regarding Traxler property at 7792 Joshua Lane stating that a pit of junk/debris is present. Amanda has talked to them and drove by to observe. The problem will be resolved within the next 30 days. Amanda had sent a letter. Amanda will follow up.

There was a citizen complaint regarding the Plante property with a vehicle and a pile of wood possibly in the Right of Way. Amanda had sent them a letter. There has been no response. It appears it is right on the line of ROW. Carol Wermter stated the road is on the homeowner's property, so he owns the ditch. The owner has passed away and the son is currently living there. Brad felt the complaint is just "splitting hairs". Linda stated she measured it and the truck is totally on his own property and the wood is not but is right on the edge. It was noted that the street measurement could be off as well. Brad will talk to Dustin when he sees him.

The Jackson complaint for parcel #56270517 just came in late Friday afternoon by the Crow Wing County Sheriff's Office regarding campers on the property. The neighboring residents stated the Sheriff's department wanted to have information of ordinances being broken specifically regarding camping. The Sheriff Department strongly stated to not to do a site visit. There is one camper that has only recently popped up but one that has been there more than 8 months from last summer. The owner of the property, Ronnie Jackson, is in poor health. The campers are entering from both ends of the property. They do not have additional entry permits and there has been extensive traffic coming and going all winter with tracks in the snow. There have been as many as 20-30 cars there at a time with out of state license plates. Debris is starting to accumulate. The Sheriff's department questioned if they have permission of the landowner, and the residents stated the Sheriff's Department was requesting a list of violations. There are 4-6 possible violations. It was stated that this has become a life safety issue and was of utmost importance. Brad stated they are squatting and not the owners. Amanda will do a letter with the current violations including lack of driveway entry permit, violation of junk ordinances, camping violations past the 14-day window, and violations of structures being put up without permits. She will call the Sheriff and request assistance. Additionally, a neighbor has recorded unidentified people on a trail camera within 30 feet of their property. The township camping ordinance was discussed.

Old Business: The Ream Complaint was discussed. Brad and Mary have been unable to meet for a site visit. Brad will follow up.

The Jillson complaint was discussed. Brad said the owner has a hearing coming up July 12th. They have not heard from the probation officer. The property needs to be cleaned up to meet a work visa. Amanda will email Kristin regarding what needs to be done.

The Anderson Schuety septic noncompliance was discussed. The attorney wrote a letter stating that she did not feel a cease desist was the proper channel to proceed with. The attorney thinks there should be a civil lawsuit started which could cost several thousand dollars. Further, the matter should be run by the township board and the planning commission. It was decided that an initial contact from the attorney may be enough to get their attention and it will be sent to both owner and the occupants. The matter will be brought to the township board.

The Deason shoreland violation was discussed. Twenty trees have been planted and Jason and Amanda have visited the site. It is noted that the trees must stay alive for two years. It was decided that semi annual site visits will need to occur to monitor the health of the trees.

Bigwood Enterprises complaint was discussed. There has been no response to the letter. There is a pile of scrap metal, a brush pile, and a debris pile. Some items were moved to the back of the building. His clean-up is short of what is expected. Another letter will be sent.

The Owned Storage 371 landscaping plan was reviewed. The applicants and owner of adjacent property were present. It has been discovered that there is an encroachment in the driveway. Brad has met on site with Carol and Mike. There is a storage shed that was moved on to Carol's property. The applicants are offering an easement to Carol to resolve the driveway encroachment problem. The property line is not where it was thought to be. After considerable discussion, it was decided that the plan needed to add some verbiage regarding trees and fencing. The fence has already been staked out to show the exact location. The applicant will legally give an easement to the benefit of the property owner where there is encroachment in the driveway. The lighting will be down on the applicant's side and the added buffering of fence and trees should block light from the residence. The fence will be done at the end of the month with tree planting to follow. Dan made a motion to approve the landscaping design as written with execution of an easement at the applicant's expense to the property owner's benefit including future owners that they agreed to sign and record; additionally including 11 needle bearing coniferous trees of 6-8' in height staggered as allowable, 225' of linear cedar fencing 6' high but not more than 6.5' stained in a natural color (tan/brown) with the best side to the neighbor and a minimum of 6 deciduous trees (silver maple) of 3" caliber on the west side is added to the presented landscaping plan. Linda seconded the motion. Further discussion included the easement. Motion passed 3-0. Amanda will do the necessary paperwork for the town board's next meeting.

P&Z Administrator's Report: Amanda presented her report. The Childcare facility is not ready to move forward.

There was additional discussion regarding the proposed Camping ordinance verbiage. Pros and cons were discussed. Amanda will do more research and come back with proper language.

Adjournment: Linda made a motion to adjourn. Dan seconded the motion. No discussion. Motion passed 3-0. Meeting adjourned at 8:09 pm.

NEW BUSINESS ITEMS

The planning commission should review, discuss and/or provide direction for

- a. **Camping ordinance amendment**- Draft ordinance amendment attached for review

- b. **Enforcement ordinance amendment**- Ginny Knudson suggested an ordinance amendment surrounding the ordinance's enforcement language in order to recover attorney's fees. I did let Ginny know that I'd be happy to initiate and carry out the ordinance amendment, but I'd look to her for ordinance language, and the Town Board would need to approve that process.

**ORDINANCE NO. 05-22,
AN ORDINANCE AMENDING ARTICLES 10 AND 20 OF THE CROW WING
TOWNSHIP LAND USE ORDINANCE REGARDING CAMPING
CROW WING TOWNSHIP
COUNTY OF CROW WING
STATE OF MINNESOTA**

The Town Board of Crow Wing Township does ordain as follows:

Purpose and Intent: The purpose of this ordinance amendment is to add “Camping” to Article 10.3 “Land Use Tables,” Article 20 to establish “Camping Standards” in the zoning districts where camping is permitted, and Article 46.2 “Definitions” to define camping.

Amendment: Article 10.3 “Land Use Tables,” Article 20, “Camping Standards”, and Article 46.2 “Definitions” are hereby amended as follows:

10.3 LAND USE TABLES

LAND USE TABLES	S D	A G E	UG	RR 1	RR 2.5	RR 5, 10, 20	C 1	C 2	W C	C/ LI	C/ HI	R E S
A. Residential and Related Uses												
Camping	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>						P

ARTICLE 20 – CAMPING STANDARDS

20.1 GENERAL

- A. All recreational vehicles must be designed to operate on state roads without a special permit and must have a current license.
- B. No camping unit may be permanently placed or skirted.
- C. All camping units must be able to be moved readily.
- D. Camping units must meet dwelling setback requirements.
- E. Prior to placing a camping unit, the occupant must have the permission of the property owner. The permission must be written when the property owner is not available on site.

20.2 PROPERTIES WITH PRINCIPLE STRUCTURES.

- A. There shall be a maximum of two units allowed at any one time.
- B. No individual camping unit may be placed for use longer than 14 days within any 60 days.
- C. One camping unit may be allowed in outside storage. That unit may be stored year-round.

20.3 PROPERTIES WITHOUT PRINCIPLE STRUCTURES.

- A. There shall be a maximum of two units allowed at any one time.
- B. Each individual camping unit is allowed for 14 days in any one calendar year without a permit.
- C. A permit is required for camping units established for more than 14 days in any one calendar year. The maximum time an individual unit can be established is nine months in any one calendar year.
- D. One permit per parcel per calendar year is allowed.
- E. A permit for a camping unit requires installation of a permanent sewage treatment system.

20.4 PROPERTIES WHERE A PRINCIPLE STRUCTURE IS BEING CONSTRUCTED.

- A. Camping units are allowed in conjunction with a land use permit for construction of a principle structure.
- B. Camping units are allowed up to 12 months during construction, with extension for an additional 12 months in conjunction with extension of a zoning permit.

46.2 DEFINITIONS

CAMPING

Habitation of a temporary structure.

Effective Date: This ordinance amendment shall be in full force and effect from and after passage and publication according to state law.

Repeal: This ordinance shall repeal all ordinances inconsistent herewith.

Tucker Schuety, Town Board Chair

ATTEST:

Sue Kern, Township Clerk

2022 PERMITS

<u>NUMBER</u>	<u>Rec'd</u>	<u>Approved</u>	<u>PID CODE</u>	<u>LAST</u>	<u>FIRST</u>	<u>ADDRESS</u>	<u>DESCRIPTION</u>	<u>FEE</u>	<u>ZONE</u>
01-22	3/21/2022	3/21/2022	56320516	Arnold	Brad	6534 50th Avenue	28'x50' accessory structure	\$300.00	Ag Forestry
02-22	3/30/2022	4/6/2022	56190507	Voegel	Kevin	8394 Business 371	16' x 26' animal enclosure	\$100	Commercial 2
03-22	04/06/22	4/8/2022	56170622	Ittner	Mike & Brenda	5500 Sweet Road	40' x 48' pole building to be used as a dog training facility approved through a conditional use permit on 2/14/2022	\$400	RR-5
04-22	04/20/22	4/20/2022	56150513	Wickline	Robert	7533 Stone Ridge	24' x 32' detached garage	\$250	RR-2.5
05-22	05/04/22	5/10/2022	56130513	Kuseske	Jerry	9151 Black Bear Trail	24' x 26' detached garage	\$250	Residential
06-22	05/09/22	5/10/2022	56170528	Starks	Larry	9576 Libby Lane	12' x 16' accessory structure	\$100	RR-2.5
07-22	05/16/22	5/16/2022	56150508	Dehne	Jake	9258 Atwater Court	28' x 36' detached garage	\$300	RR - 2.5
08-22	05/16/22	5/16/2022	56300503	Andrew	Thomas	4153 80th Street	44'x56' commercial addition	\$300	Commercial 1
09-22	05/18/22	5/23/2022	56170589	Umland	Josh	9771 Arielle Drive	13' x 32' home addition (no bedrooms)	\$175	RR - 2.5
10-22	06/07/22	6/9/2022	56080511	Boyd	Robert	5904 Brandon Way	28' x 56' home with a 28'x24 attached garage	750.00	RR - 2.5

(Reserved for Recorder)

**CROW WING TOWNSHIP
PLANNING COMMISSION
CONDITIONAL USE PERMIT APPROVAL**

On the 13th of December 2021, following a public hearing conducted by the Crow Wing Township Planning Commission, Crow Wing Township hereby approved a conditional use permit request on behalf of: **Battalion Holdings LLC**

In accordance with the provisions of Crow Wing Township 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:

1. **Establish a planned unit development, “Owned Storage 371”, which consists of 32 individually owned storage units.**

on the following property located in Crow Wing Township, Crow Wing County:

Parcel Number: 56200544

Legal Description: PT OF SW1/4 OF NW1/4 DESC COMM AT NE COR OF SD SWNW THEN N 89D 16'45"W CWC SYSTEM ALG N LINE OF SD SWNW A DIST OF 139.4 FT THEN S 56D 11'15"W A DIST OF 783 FT THEN S 33D 48'45"E A DIST OF 220.08 FT TO INTER WITH W'LY ROW LINE OF MN DOT ROW PLAT #18-35 THEN S 52D 46'8"W ALG SD W'LY ROW LINE A DIST OF 332.76 FT POB OF TRACT TO BE DESC THEN N 33D 48'45"W A DIST OF 70 FT THEN N 49D 53'6"W A DIST OF 61.4 FT THEN N 33D 48'45"W A DIST OF 45 FT THEN N 10D 29' 54"E A DIST OF 706.37 FT TO INTER WITH N LINE OF SD SWNW THEN N 89D 16'45"W ALG SD N LINE A DIST OF 400 FT TO INTER WITH W LINE OF SD SWNW THEN S 1D 41'12"E ALG SD W LINE A DIST OF 827.08 FT TO INTER WITH W'LY ROW LINE OF MN DOT ROW PLAT #18-35 THEN N 89D 5'17"E ALG SD W'LY ROW LINE A DIST OF 38.74 FT THEN S 1D 41'15"E ALG SD W'LY ROW LINE A DIST OF 245.71 FT THEN N 52D 46'8"E ALG SD W'LY ROW LINE TO POB. Section 20, Township 44, Range 31.

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

FINDINGS OF FACT:

1. The proposed use will not impact the health, safety, or general welfare of the occupants in the surrounding neighborhood. The use, with conditions, will not generate offensive noise, odors, or pose any detrimental impacts to the safety of the surrounding neighborhood.
2. The proposed use will meet all Crow Wing Township Zoning regulations and conditions outlined in this conditional use permit. Final approval and review of conditions will be given at time of land use permit and before approval of the final plat.
3. The proposed use meets the following goals and policies listed in the Comprehensive Plan:
 - Goal 3: Ensure that new subdivisions and developments are designed to maintain privacy for adjacent properties: The proposed planned unit development will have substantial screening in the areas adjacent to residentially zoned property.
 - Goal 7: All properties in the township should maintain a basic level of appearance that is neat and non-offensive: The proposed use, with conditions, will ensure the property is maintained in a fashion that is neat and non-offensive.
4. The proposed use will not impact nor prevent any potential future development in the surrounding area. The south side of the parcel is adjacent to State Highway 371, and the subject property is located within the "Commercial" zone on the future land use map. The Commercial zone is a designation for property that is best suited for commercial development. Parcels should be adjacent to and have direct access to a state highway.
5. The proposed use will not impact any groundwater, surface, or air quality. Proposed improvements will include a detailed stormwater management plan to retain water onsite per the MPCA. The nature of the use will not generate any kind of odors nor impact the air.
6. No water is needed to service the proposed use so no impacts to the water supply will occur. The use does not propose any subsurface sewage treatment systems so no impacts will occur. Proper stormwater management techniques and best practices will be strictly followed. All proposed stormwater improvements will adhere to state, and local regulations. During construction all erosion and sediment control best practices will be strictly adhered to and checked.

CONDITIONS OF APPROVAL

1. The applicant shall submit a lighting plan showing all exterior lighting.
2. The applicant shall submit elevation drawings of the proposed storage buildings, and the color shall be approved by the Planning Commission prior to application of land use permits.
3. The planned unit development shall have zero lot line setbacks for all interior lots (1-32). however, overhang of roofs will be prohibited.
4. Prior to land use permit approval, landscaping, grading, and driveways shall be approved by the township.
5. No exterior storage of materials or equipment shall be allowed.
6. The structures within the development may only be utilized for personal (non-commercial) storage.
7. There shall be no habitation of the storage units.

8. Subsurface sewage treatment systems and water wells (other than for irrigation) shall not be allowed on the subject property.
9. There shall be no encroachments on State Highway 371 ROW, and any work in the ROW will require a permit from the State of Minnesota Department of Transportation.
10. The approved stormwater management plan will include the use of sedimentation ponds or comparable, and there will be no stormwater runoff to Highway 371 ROW.

I certify that the above is a true and correct statement based on the minutes and action by the Crow Wing Township Planning Commission meeting that was held on December 13th, 2021.

Sue Kern
City Clerk

Date

Brad Arnold
Crow Wing Township Planning Commission
Chairperson

Date

Drafted By:
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