



## Planning Commission Meeting Agenda

Monday, June 3<sup>rd</sup>, 2024 @ 6:00 PM

**Chair:** Simon Stricker

**City Clerk:** Krista Okerman

**Commission:**

**Deputy Clerk:** Cassandra Delougherty

Joby Goerges

**City Attorney:** Brad Person

Steve Stricker

Roman Siltman

Sean Smuda

City of Jenkins  
33861 Cottage Avenue  
Jenkins, MN 56474  
(218) 568-4637

Join Zoom Meeting  
<https://zoom.us/join>  
Meeting ID: 353 029 2985  
Password: 56474  
Dial by location: (312) 626-6799 (US Chicago)

**NOTE:** Printed materials relating to agenda items are available for public inspection in a three-ring binder on table by Council Chamber entrance.

1. Call to Order – Pledge of Allegiance
2. Roll Call
3. Approval
  - a. Agenda
  - b. Minutes from the May 6<sup>th</sup>, 2024 meeting
4. Public Hearings-
  - a. 6:00pm: Variance and Conditional Use Application-Ebnet Developments LLC, for construction of a duplex in RR Zone, under 3 acres
    - i. Open hearing for public comment
    - ii. Close public hearing
    - iii. Planning Commission deliberation
    - iv. Planning Commission action
  - b. 6:15pm: Land Subdivision Application- Bean Estates, Richie & Bethany Bean for a 14.95 acre parcel subdivided into 4 separate parcels
    - i. Open hearing for public comment
    - ii. Close public hearing
    - iii. Planning Commission deliberation
    - iv. Planning Commission action
  - c. 6:30pm: Conditional Use Permit Application- OM-AIM LLC, dba AmericInn for roof-mounted solar energy system
    - i. Open hearing for public comment
    - ii. Close public hearing
    - iii. Planning Commission deliberation
    - iv. Planning Commission action
5. Miscellaneous/Communication
  - a. Planning & Zoning Administrator's Report
6. Adjournment

COUNTY OF CROW WING  
CITY OF JENKINS  
**DRAFT\***MINUTES OF THE REGULAR PLANNING COMMISSION MEETING  
MAY 6, 2024

**CALL TO ORDER:** The regular Planning Commission meeting was called to order at 6:00 PM by Chair Stricker with all reciting the Pledge of Allegiance.

**ROLL CALL:** Present: Chair Stricker, Commissioners Siltman and St. Stricker; Clerk Okerman. Absent: Commissioners Goerges and Smuda.

**APPROVAL:** The agenda and minutes were approved on motion by St. Stricker, second by Siltman; all present voted aye.

**PUBLIC HEARING:** *Ebnet Rezone:* Okerman reported that the applicant had withdrawn his application at this time, pending a potential different application. She noted because of the timing requirements, the public hearing notices went out so the Public Hearing had to be held, but there was no application on hand so it was null and void at that time. She said that any future applications would require a public hearing and would need to go through the same process and notifications.

**OPENED 7:05pm:** Okerman reiterated the application had been withdrawn. There was no public comment.

**CLOSED 7:06pm**  
Si. Stricker asked what was different about a Planned Unit Development (PUD). Okerman said that PUD's were in essence their own zoning district with stricter performance standards.

**UNFINISHED BUSINESS:** *Legislative update:* Okerman reported a letter was sent to Senator Port regarding the housing bills being heard. An update on the bills was presented. **No action was taken.**  
Si. Stricker said he did more research on boxable homes. He noted that the homes were more similar to a trailer.

*Northland properties:* Okerman reported Deputy Clerk Delougherty provided information on the Northland Conditional Use Permit related to screening. The Commission discussed the screening and options. The Commission felt it more essential screening be done on the north side of the property that abutted the residential areas. **It was consensus to discuss screening with Northland Properties.**

**MISCELLANEOUS:** Okerman reported there would potentially four public hearing for the June meeting and noted the importance for all members to be in attendance.

**ADJOURNMENT:** St Stricker made motion and Siltman seconded with all present voting aye to adjourn the regular Planning Commission on meeting at 6:24 PM.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Respectfully submitted by Krista A. Okerman, City Clerk-Treasurer.

---

Krista A. Okerman, City Clerk-Treasurer

4a

CITY OF JENKINS  
NOTICE OF PUBLIC HEARING  
MONDAY, JUNE 3<sup>RD</sup>, 2024 at 6:00 PM  
JENKINS CITY HALL  
33861 COTTAGE AVENUE, JENKINS, MN 56474

To Whom It May Concern:

A parcel under your ownership has been identified as being within the 350-foot notification area for variance application.

The following will be the subject of public hearing Monday, June 3<sup>rd</sup>, 2024 at 6:00 p.m., at the Jenkins City Hall.

**Hearing:** Variance request and Conditional Use Permit Application submitted by Ted & Kim Ebnet, of Ebnet Development LLC for construction of a duplex on a 2.3 deeded acre parcel.

The subject property is described as:

LOT 3 BLOCK 1 OF PLEASANT ACRES PLAT

A map identifying the subject properties is located on the reverse side of this notice.

All interested persons are invited to attend this hearing and be heard or send written comments to City Hall or via email at [krista.okerman@cityofjenkins.com](mailto:krista.okerman@cityofjenkins.com). A staff report will be made available at City Hall typically one week before the scheduled meeting.

Krista Okerman  
City Clerk-Treasurer



The subject property is located at xxxx Ellis Road. (PID 26220535):





CHILDS, TYLER &  
3151 ELLIS RD  
PINE RIVER MN 56472

DROWN, ALEXANDER W  
35002 COUNTY ROAD 15  
JENKINS MN 56456

EBNET DEVELOPMENT LLC  
6707 WILD ACRES RD  
PEQUOT LAKES MN 56472

ELLIS, WILLIAM G & MARGARET  
3176 ELLIS RD  
PEQUOT LAKES, MN 56472

HANSON, BEAU J & AMY M REV TRUST  
35131 COUNTY ROAD 15  
PINE RIVER MN 56474

HUBER, TROY  
PO BOX 181  
PEQUOT LAKES, MN 56472

KEPNER, BENJAMIN J & MORGAN E  
35049 COUNTY RD 15  
PINE RIVER, MN 56474

TORKELSON, SAMANTHA LEANN  
3098 ELLIS RD  
PEQUOT LAKES, MN 56472

## STAFF REPORT

---

**Application:** Variance Request for Lot Size Reduction to Construct a Duplex

**Applicants:** Ted and Kimberly Ebnet of Ebnet Development LLC

**Zoning Classification:** R-R (Rural Residential)

**Lot Size:** 2.3 acres

**Required Lot Size:** 3 acres.

**Variance Requested:** Permission to construct a duplex on a 2.3-acre lot where the minimum required lot size is 3 acres, per § 150.027 RURAL DISTRICT (RR).

---

### **Background Information**

The applicants, Ted, and Kimberly Ebnet have submitted a request for a variance to allow the construction of a duplex on their 2.3-acre lot located at Pleasant Acres: Lot 3, Block 1, Ellis Rd, city of Jenkins. The subject property is situated within an R-R (Rural Residential District), where the zoning ordinance stipulates a minimum lot size of 3 acres for the construction of duplexes.

### **Findings of Fact: Property Description**

1. The subject property is a 2.3-acre parcel located on Ellis Rd within a low-density residential neighborhood. Though the Crow Wing County GIS lists the parcel as 2.69-acres, the surveyed Pleasant Acres Plat indicates that the parcel lines calculate to 2.3-acres.
2. The surrounding land uses include single-family homes, some of which are on lots of varying sizes.
3. The immediate vicinity is characterized by low-density residential development, and a few Agricultural uses consistent with the semi-rural zoning designation per the city ordinance.
4. The property is currently vacant and has no existing structures.

### **Findings of Fact: Zoning Ordinance Requirements**

1. According to the R-R zoning regulations, the minimum lot size required for constructing a duplex is 3 acres.
2. The intent of this requirement is to ensure sufficient space for residential structures and associated amenities while maintaining the character and density of the neighborhood.

### **Findings of Fact: Uniqueness of the Property**

1. The property is unique in that it is only slightly smaller than the required 3-acre minimum, with a deviation of 0.7 acres.
2. The lot's size and shape do not significantly differ from other properties in the vicinity, but the minor shortfall is a specific characteristic affecting the applicants' ability to comply with the zoning requirement.

### **Findings of Fact: Impact on Surrounding Area**

1. The proposed duplex is designed to be compatible with the architectural character and scale of the surrounding neighborhood.
2. The minor reduction in lot size is not expected to adversely impact existing residential nature, density, or property values of the adjacent properties.

### **Findings of Fact: Hardship and Practical Difficulty**

1. Strict adherence to the 3-acre minimum lot size requirement would impose a practical difficulty on the applicants, preventing them from making reasonable use of their property.
2. The hardship is not self-created, as the lot size is a pre-existing condition.

### **Findings of Fact: Minimum Variance Necessary**

The requested variance is the minimum necessary to allow the construction of the duplex, given the small size deviation of 0.7 acres.

### **Findings of Fact: No Detriment to Public Welfare**

1. Granting this variance will not be detrimental to public welfare or injurious to other properties in the area.
2. The duplex will be constructed in compliance with all other zoning and building regulations, ensuring safety and aesthetic harmony.

### **Conditions for Considerations**

1. Has the applicant established practical difficulties, as defined by the city code, in complying with the official control?
2. Does the requested deviation from the minimum lot size requirement for a duplex in R-R district still conforms with the general purposes and intent of the zoning ordinance and the comprehensive plan? and
3. Will the variance potentially result in land use not permitted in the R-R zoning district?

### **Recommendation**

Staff would like the Planning Commission to review the Variance request, as well as the staff findings and approve or deny based on the information provided from this report and any public testimony during the public hearing. (Variances are not required to be reviewed by the City Council unless the applicant is appealing a Planning Commission decision.)



## STAFF REPORT

---

**Applicants:** Ted and Kimberly Ebnet of Ebnet Development LLC

**Property Address:** Lot 3, Block 1, Pleasant Acres, Ellis Rd, City of Jenkins

**Lot size:** 2.6 acres

**Zoning classification:** Rural Residential (R-R)

**Request:** Conditional Use Permit to Construct a Duplex

---

### **Background Information**

The applicants, Ted, and Kimberly Ebnet have submitted a request for a Conditional Use Permit (CUP) to allow the construction of a duplex on their 2.3 -acre property located at Lot 3, Block 1, Pleasant Acres, in the Rural Residential (RR) District of Jenkins, MN. The R-R District is intended to be semi-rural in character and to allow low density residential and compatible agricultural uses in shore land and non-shoreland areas. However, duplexes are permitted as a conditional use subject to public hearing review, recommendation of the Planning Commission and approval and issuance of CUP by City Council.

### **Zoning and Ordinance Requirements**

Under the Jenkins Zoning Ordinance, the Rural Residential (RR) District permits duplexes with a Conditional Use Permit. The criteria for granting a CUP include compatibility with surrounding uses, consistency with the comprehensive plan, and ensuring that the use will not adversely affect the health, safety, and welfare of the community.

### **Staff Findings**

1. The subject property is a vacant 2.3-acre lot located on Ellis Rd, city of Jenkins.
2. Surrounding properties are predominantly single-family houses on large lots, consistent with the Rural Residential zoning.
3. The 2.3-acre lot is below the lot size requirement for a duplex in the Rural Residential district. However, the applicant has petitioned the Planning Commission to vary from this requirement.
4. The proposed design incorporates rural architectural features that blends with the existing neighborhood character.
5. A driveway access is being proposed at the southwest corner of the lot (at the curve area of Ellis Rd).
6. The applicant is proposing a 100 feet setback from a drain field.
7. The applicant is proposing a 50 feet side setback.
8. Traffic impact is expected to be very minimal due to the low density of the area and the sufficient parking provided on-site.

### **Conditions for Considerations**

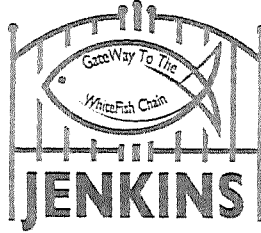
The following conditions must be met:

1. The use or development is an appropriate conditional use in the land use zone.
2. The use or development, with conditions, conforms to the comprehensive land use plan.
3. The use with conditions is compatible with the existing neighborhood.
4. The use with conditions would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance, or prosperity of the City.

### **Recommendation**

Staff would like the Planning Commission to review the Conditional Use Permit, as well as the staff findings and approve or deny based on the information provided in this report and any public testimony during the public hearing. Additionally, the Planning Commission should consider imposing the following conditions:

1. The property will be served by adequate infrastructure, including sewer and well systems, which will be installed in compliance with all applicable regulations. A copy of these plans must be submitted for city records.
2. Adequate landscaping and screening will be provided to minimize visual impact on neighboring properties.
3. Must comply with all applicable zoning, building, and environmental regulations.
4. Maximum building height must be 35 feet.
5. The use and development must meet all state, local, and federal regulations.



CITY OF JENKINS  
VARIANCE APPLICATION

A. Applicant's Name: Ebnet Development Telephone \_\_\_\_\_  
Ted & Kimberly Ebnet Home: 218-851-7650  
Work/Cell: 218-838-7300

B. Address (Street, City, State, ZIP):  
6707 Wild Acres Road, Peguot Lakes Mn 56472

C. Property Owner's Name (If different from above): Telephone Ted  
Ebnet Development LLC Home: 218-851-7650  
Work/Cell: \_\_\_\_\_

D. Location of Project:  
Parcel Id # 261050010030009

E. Legal Description:  
Plat 26105 - Pleasant Acres Lot 3 Block 1

F. Description of Proposed Project:  
Build Duplex

G. Specify the section of the ordinance from which a variance is sought:  
TRACK OF SMALLER size 2.6 AC instead of 3 AC

H. Explain how you wish to vary from the applicable provisions of the ordinance:  
2.6 AC of LAND VS 3 AC AS PER CITY ORDINANCE

I. Please attach a site plan or accurate survey as may be required by ordinance.

J. Please answer the following questions as they relate to your specific variance request:

1. In your opinion, is the variance in harmony with the purposes and intent of the ordinance?

Yes () No ( ) Why or why not?

---

---

---

2. In your opinion, is the variance consistent with the comprehensive plan?

Yes () No ( ) Why or why not?

STILL RESIDENTIAL

---

---

3. In your opinion, does the proposal put property to use in a reasonable manner?

Yes () No ( ) Why or why not?

STILL RES

---

---

4. In your opinion, are there circumstances unique to the property?

Yes ( ) No () Why or why not?

---

---

5. In your opinion, will the variance maintain the essential character of the locality?

Yes () No ( ) Why or why not?

RES

---

---

The Planning Commission must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of the City Code and other applicable ordinances.

Applicant's Signature:

Date:

---

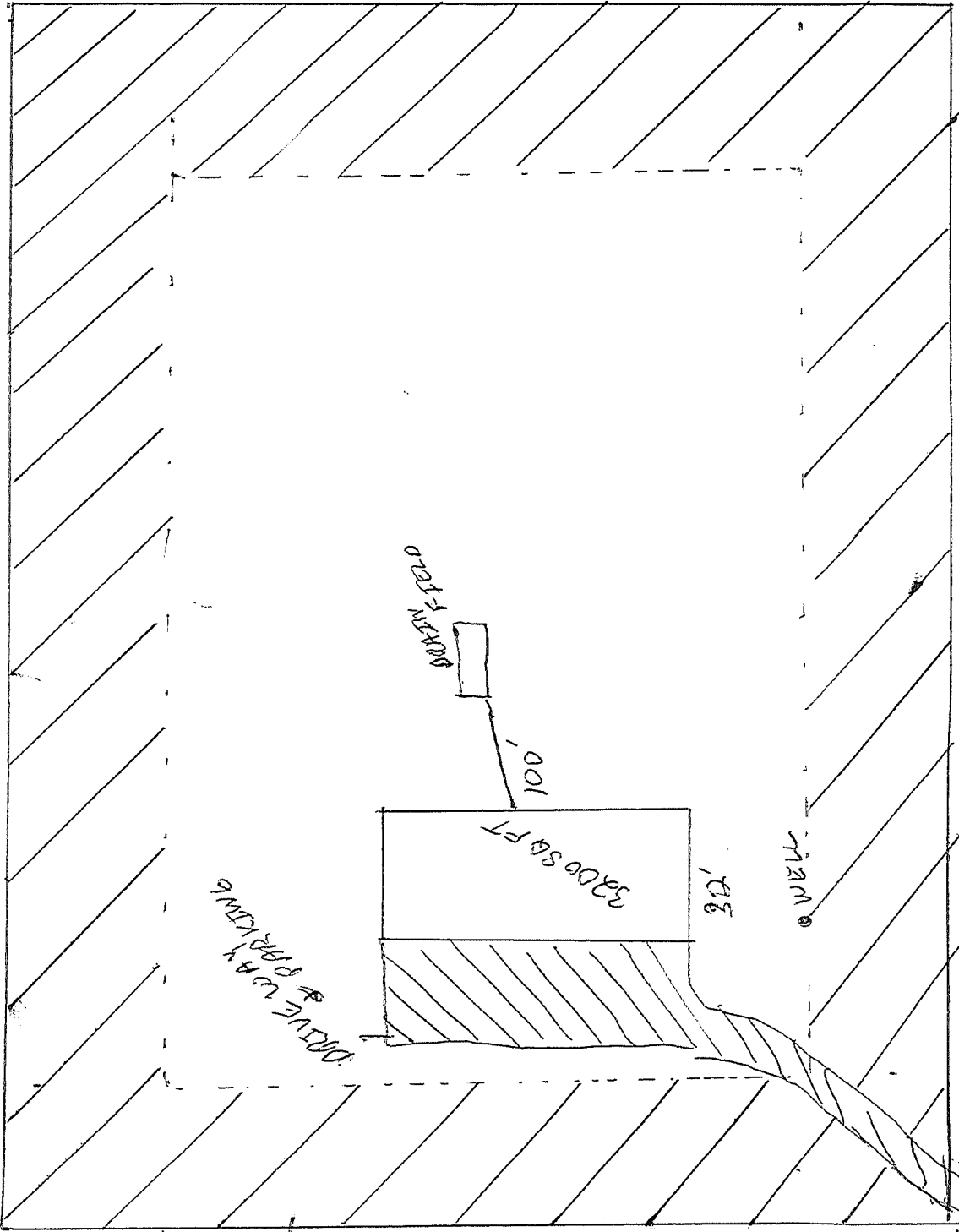
---

Fee Owner's Signature:

Date

---

---



50' = 1"

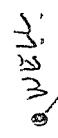
GREEN FIELD



100'

3200 SQ FT

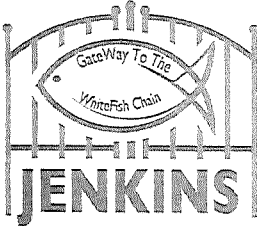
WELL



DRIVE WAY PARKING

50' SET BACK

ROAD EASEMENT



33861 Cottage Avenue  
Jenkins, MN 56474  
Phone: (218) 568-4637  
[www.ci.jenkins.mn.us](http://www.ci.jenkins.mn.us)

Received by City: \_\_\_\_\_

Application Number: \_\_\_\_\_

Non-refundable Fee Paid: \_\_\_\_\_

Receipt #: \_\_\_\_\_

## Conditional Use Application

Name of Applicant Ebnet Development LLC - Ted & Kim Ebnet  
Address 6707 Wild Acres Road  
City, State, Zip Pegula Lakes MN 56472  
Phone 218-851-7650 Ted Alternate Phone 218-838-7300 Kim

Physical Address / Location of Property \_\_\_\_\_

Legal Description of Property Lot 3 Block 1 Pleasant Acres  
Plat # 26105 Pleasant Acres

Parcel ID Number 261050010030009 Zoning District Crow Wing RR

Applicant is:

Legal Owner of Property

Contract Buyer

Option Holder

Agent

Other \_\_\_\_\_

Title Holder of Property (if different than applicant):

Name Ebnet Development

Address \_\_\_\_\_

City, State, ZIP \_\_\_\_\_

Phone \_\_\_\_\_

State the nature of your request in detail. What are you proposing for your property?

Build Duplex

Signature of Owner, authorizing application \_\_\_\_\_

(By signing, the owner is certifying that he/she has read and understands the instructions accompanying this application.)

Signature of Applicant (if different than owner) \_\_\_\_\_

(By signing, the applicant is certifying that he/she has read and understands the instructions accompanying this application.)

\*By signing above, I acknowledge that I understand that I am responsible for all fees incurred by the City as a result of professional services provided by the City Engineer, City Attorney, and other contracted agencies in reviewing my application.\* Initial application fees: \$300 (Residential) \$400 (Commercial) due with completed application.

**CONDITIONAL USE:** A land use or land development, as defined by the Ordinance, that is allowed, but would not be appropriate without restrictions or conditions as determined by the Planning Commission. The proposed use must meet the following standards: (a) the use or development is an appropriate conditional use in the land use zone, (b) the use or development with conditions conforms to the comprehensive land use plan, (c) The use with conditions is compatible with the existing neighborhood, and (d) the use with conditions would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, or prosperity of residents in the City.



The following questions must be answered.

1. What changes are you proposing to make to this property?

Building: Duplex  
Landscaping: \_\_\_\_\_  
Parking/Signs: \_\_\_\_\_

2. Describe the impact on the use and enjoyment of other property in the immediate vicinity. If there is no impact, explain why.

NONE Residential AREA  
\_\_\_\_\_  
\_\_\_\_\_

3. Describe the character of the area and the existing patterns and use of development in the area. How is the proposal consistent with those patterns and uses?

R R Houses  
\_\_\_\_\_  
\_\_\_\_\_

4. Describe the impact on the capacity of existing or planned community facilities (sewer, drainage, other). Explain if additional facilities will be required.

N/A  
\_\_\_\_\_  
\_\_\_\_\_

5. Describe the impact on the character of the neighborhood in which the property is located.

NONE ALREADY RES  
\_\_\_\_\_  
\_\_\_\_\_

6. Describe the impact to the traffic on roads and highways in the vicinity, and the expected traffic generated by the proposed use. Is there adequate off-street parking available to accommodate the proposal?

MINIMAL 2-4 CARS  
\_\_\_\_\_  
\_\_\_\_\_

7. Discuss any environmental limitations of the area that would limit or constrain construction on this property.

NONE  
\_\_\_\_\_  
\_\_\_\_\_

8. Please include any other comments pertinent to this request.

---

---

---

---

---

**INSTRUCTIONS TO THE APPLICANT**

Completed applications, with *all* submittal requirements, must be submitted to the Planning & Zoning Department no fewer than **25 days** prior to the meeting date. In order for your application to be accepted as complete, and to have a public hearing scheduled, the following information **must** be submitted:

- \_\_\_\_\_ 1. This application must be completed, including responses to all parts of this application.
- \_\_\_\_\_ 2. The required fee must be paid. See fee schedule for details.
- \_\_\_\_\_ 3. Legal description of the site.
- \_\_\_\_\_ 4. Site plan, drawn to scale, showing parcel and existing structure dimensions, water features, and 10 foot contour lines (smaller contour lines may be required if deemed necessary by the Planning Department, Planning Commission, or City Council).
- \_\_\_\_\_ 5. The site plan should also show the location of all structures and their square footage.
- \_\_\_\_\_ 6. Existing and proposed curb cuts, driveways, access roads, turn-arounds, parking including RV, boat and additional vehicle storage, off-street loading, and sidewalks. Size and type of surface should also be included.
- \_\_\_\_\_ 7. Proposed landscaping and screening plans: garbage dumpsters, areas preserved in natural state including buffer areas, areas to be developed into lawn (grass), areas to be covered by woodchips or mulch, garden areas, shrubbery, types, size, age, and number of proposed trees and their locations, exterior lighting to be proposed including location and type, any other items deemed appropriate.
- \_\_\_\_\_ 8. Square footage of all impervious coverage. Impervious coverage includes the horizontal area of all buildings, decks, roof overhangs, patios, walks, driveways, and any other parking areas and drives constructed of any material.
- \_\_\_\_\_ 9. Proposed drainage plan.
- \_\_\_\_\_ 10. Proposed and existing sanitary sewer and water supply plans with estimated usages on peak day.
- \_\_\_\_\_ 11. Soils data showing capability for building and on-site sewage treatment.
- \_\_\_\_\_ 12. Existing iron pipe boundary monuments marked with proof of survey.
- \_\_\_\_\_ 13. Approximate location of any proposed signs (if applicable).
- \_\_\_\_\_ 14. Outside storage proposal.
- \_\_\_\_\_ 15. Elevation plans for all existing and proposed structures. *1 FT OVER HIGHEST POINT*

CITY OF JENKINS  
NOTICE OF PUBLIC HEARING  
MONDAY, JUNE 3<sup>RD</sup>, 2024 at 6:15 PM  
JENKINS CITY HALL  
33861 COTTAGE AVENUE, JENKINS, MN 56474

To Whom It May Concern:

A parcel under your ownership has been identified as being within the 350-foot notification area for variance application.

The following will be the subject of public hearing Monday, June 3<sup>rd</sup>, 2024 at 6:15 p.m., at the Jenkins City Hall.

**Hearing:** Land Subdivision Application request made by Richie & Bethany Bean to subdivide a 14.95 deeded acre parcel into Bean Estates, consisting of 4 separate parcels.

The subject property is described as:

NW1/4 OF SW1/4 EXC N 300 FT & EXC PT OF NWSW  
LYING S'LY OF FOL DESC LINE: COMM AT SW COR  
OF SD NWSW THEN N OD 46'57" W ASSM BEAR ALG W  
LINE OF SD NWSW 328.94 FT TO POB OF LINE TO  
BE HEREIN DESC THEN N 68D 48'2" E 723.73 FT  
THEN E'LY 240.57 FT ALG A TANG CURVE CONCAVE  
TO S HAVING A RADIUS OF 648 FT & C/A OF 21D  
16'15" THEN S 89D 55'43" E TANG TO SD CURVE  
239.1 FT THEN E'LY 168.17 FT ALG A TANG CURVE  
239.1 FT THEN E'LY 168.17 FT ALG A TANG CURVE  
51" MOL TO E LINE OF SD NWSW & SD LINE THERE  
TERM.


A map identifying the subject properties is located on the reverse side of this notice.

All interested persons are invited to attend this hearing and be heard or send written comments to City Hall or via email at [krista.okerman@cityofjenkins.com](mailto:krista.okerman@cityofjenkins.com). A staff report will be made available at City Hall typically one week before the scheduled meeting.

Krista Okerman  
Clerk-Treasurer

The subject property is located at 40208 County Road 145. (PID 26260528)





BEAN, RICHARD & BETHANY  
PO BOX 15  
PINE RIVER MN 56474

PETZOLDT, DANIEL S & KATHERINE J  
3586 CEMETERY RD  
PEQUOT LAKES, MN 56472

CITY OF JENKINS  
KRISTA OKERMAN CITY CLERK  
33861 COTTAGE AVE  
JENKINS, MN 56456

REIERSON, ERIC G  
17136 TOWNLINE RD  
MINNETONKA, MN 55345

HANSON, COLTON J & RACHEL E  
3887 ACKERMAN TRL  
PEQUOT LAKES MN 56472

ROUBAL, JOHN P  
P O BOX 742  
PEQUOT LAKES, MN 56472

HURRY, MICHAEL & MARCIA  
7135 E LOMITA AVE  
MESA, AZ 85208

STONE, KRISTINA MARIE  
4025 COUNTY ROAD 145  
PEQUOT LAKES MN 56472

KIEFER, DARREN J & JESSICA L  
3982 COUNTY RD 145  
PEQUOT LAKES, MN 56472

THURLOW, JAMES & SHARON  
34513 W NELSON LAKE RD  
PEQUOT LAKES MN 56472

LARSON, MICHAEL & LARSON, CURTIS  
3883 ACKERMAN TRL  
PEQUOT LAKES MN 56472

UNDIVIDED INTEREST

MAKOWSKY, DAVID WS  
3888 ACKERMAN TRL  
PEQUOT LAKES MN 56472

WEIK, CHAD J & STEPHANIE E  
3671 CEMETERY RD  
PEQUOT LAKES, MN 56472

NELSEN, CHESTER CHADWELL  
19463 HAVEN RD  
LITTLE FALLS MN 56345

WELLNITZ, MICHAEL & STACY  
4223 COUNTY ROAD 145  
JENKINS, MN 56472

NELSON, CODY C & SARAH J  
PO BOX 144  
SAUK CENTRE, MN 56378

WOLFE, DANIEL J & JANIS M  
3640 CEMETERY RD  
PEQUOT LAKES, MN 56472

OLSON, KEVIN L & JOYCE E  
5071 OLSON RD  
PEQUOT LAKES MN 56472



## STAFF REPORT

---

**Applicants:** Richie and Bethany Bean

**Property Address:** 4028 County Rd 145

**Lot size:** 14.95 acres

**Zoning classification:** AG (Agricultural)

**Request:** Preliminary Plat

---

### **Background Information**

The applicants are Richie and Bethany Bean, and they requesting to subdivide an existing 14.95-acre parcel into four parcels. The subject property has an existing structure at the SW corner of the plat, and they are proposing a lot split that would result in 3 additional lots. The property is zoned Ag and the minimum lot requirement for a single-family development is 2 acres.

### **Staff Findings**

1. The subject property is located at 4028 CR 145, CITY OF Jenkins, MN
2. The land area is 13.20 acres while the road area is 1.75 acres. This amounts to 14.95 acres in total
3. The SW corner is with an existing structure (appears to be a single-family home with driveway access off the CR 145.
4. The proposed lot 4 of the plat features a delineated wetland area.
5. Proposed lot sizes meet the minimum lot size requirements in Ag zoning district.
6. Per the engineering comments, lot 3 and lot 4 will have access off CR 145 while lot 1 will access off Cemetery Road.
7. All setback lines are marked and meets city of Jenkins zoning requirements.
8. Per the engineering comments, septic and water supply wells appear to be feasible for each lot proposed.
9. Buildable areas for lot 1, 3, and 4 are 1.56 acres, 1.55 acres, and 1.26 acres respectively.
10. Lot 4 layout respects the wetland boundaries and includes appropriate buffer zones.
11. Copies of Crow Wing County Site Suitability Assessments for all proposed lots have been submitted by the applicants.

### **Engineer's Comments:**

- Based on the proposed lot splits, there will be 3 lots that will access off CR 145 and one lot will access off Cemetery Road. The proposed lot accessing from Cemetery Road will be sufficiently set back from the intersection for a new driveway entrance. The City should review the need for a culvert when a driveway permit is requested. The County may comment on the lots accessing the County roadway.
- There are no proposed public improvements noted for this plat; therefore, no development agreement or escrow is necessary.
- Septic systems and water supply wells appear to be feasible for each lot based on the submittals.



- Stormwater management for each lot at the impervious coverage limits should be feasible for each lot. The typical runoff anticipated from a full impervious buildout should be submitted with the final plat to demonstrate that stormwater can be managed on each lot.
- The final plat should include the dedication language for all public rights-of-way being dedicated for public use for both Cemetery Road and CR 145.

### **Planning Commission Considerations**

- i. Review and consider all engineering comments and any other agency comments.
- ii. Review and consider CWC site suitability assessments.
- iii. This plat was sent to CWC for their review. As of the date of this report we have not received any comments from them.

### **Recommendation**

There doesn't appear to be any issues with the plat and the proposed splits. Based on staff findings and other agency comments/report, staff would like the Planning Commission to approve, deny or table the request.



CITY OF JENKINS  
LOT SPLIT/SUBDIVISION/REZONING APPLICATION

Name of Applicant Richie + Bethany Bear Phone <sup>Richie</sup> 218-232-3532 <sup>Bethany</sup> 218-821-4660

Property Address (E911#) 4028 County Rd 145 Local Phone \_\_\_\_\_

Mailing Address 4028 County Rd 145 PL 56472 E-mail designsbybethanybear@gmail.com  
*(if different than above)*

City, State, Zip \_\_\_\_\_

Applicant is: \_\_\_\_\_ Title Holder of Property *(if other than applicant)* \_\_\_\_\_  
Legal Owner X \_\_\_\_\_ (Name) \_\_\_\_\_  
Contract Buyer \_\_\_\_\_ (Address) \_\_\_\_\_  
Option Holder \_\_\_\_\_ (City, State, Zip) \_\_\_\_\_  
Agent \_\_\_\_\_  
Other \_\_\_\_\_

Signature of Owner, authorizing application (required): [Signature] Bethany Bear  
By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): \_\_\_\_\_  
(By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

Location of property involved in this request: North of County Rd 145, east of  
Cementary Road (Corner of 145 + Cementary Rd)

Property ID # 26260528 Zoning District AG  
(15 digit # on tax statement)

- Nature of request (select only one):
- Preliminary Plat X
  - Final Plat \_\_\_\_\_
  - Metes and Bounds \_\_\_\_\_
  - Rezoning \_\_\_\_\_

Proposed New Zoning District \_\_\_\_\_

**Note: Applicants may apply for Preliminary Plat and Final Plat at the same time, but they must be on separate applications. Preliminary Plat and Final Plat hearings will not be held at the same meeting. Effective date of Final Plat application will be the date of Preliminary Plat approval.**

APP # \_\_\_\_\_  
Date \_\_\_\_\_  
Fee \_\_\_\_\_  
(for office use only)





26260528

CITY OF  
JENKINS

CO RD 142

26260500



# PRELIMINARY PLAT BEAN ESTATES

**EXISTING DESCRIPTION** - (As Per Doc. No. - 874823 Parcel No. 28260528)

That part of the Northwest Quarter of the Southwest Quarter, Section Twenty-six (26), Township One Hundred Thirty-seven (137) North, Range Twenty-nine (29) West, One Wing County, Minnesota, lying Southwesterly of the North 300.00 feet thereof and lying Northwesterly of the following described line:

Commencing at the Southwest corner of said Northwest Quarter of the Southwest Quarter, thence North 00 degrees 48 minutes 57 seconds West, assumed bearing, along the West line of said Northwest Quarter of the Southwest Quarter 228.24 feet to the point of beginning of the line to be herein described thence North 88 degrees 48 minutes 02 seconds East 733.72 feet, thence Southerly 840.57 feet along a tangent curve concave to the South having a radius of 648.00 feet and a central angle of 21 degrees 16 minutes 15 seconds, thence South 89 degrees 02 minutes 43 seconds East tangent to said curve 238.10 feet, thence Southerly 163.17 feet along a tangent curve concave to the North having a radius of 648.00 feet and a central angle of 10 degrees 09 minutes 51 seconds, more or less, to the East line of said Northwest Quarter of the Southwest Quarter and said line then terminating.

**LAND AREA:**  
13.20 ACRES

**ROAD AREA:**  
1.75 ACRES

**MINIMUM LOT REQUIREMENTS:**  
MINIMUM LOT AREA = 2 Acres  
MINIMUM LOT WIDTH = 150 feet

**WETLAND:**  
Delineated by Mitch Brink, Certified Wetland Delineator #1007, on 5/18/2023.

**OWNER-DEVELOPER:**  
Richard & Bethany Bean

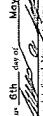
**SITE LOCATION:**  
4026 County Road 145  
Pequot Lakes, MN, 56472

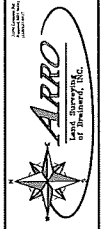
**PARCEL No.**  
28260528

**ZONED:**  
Agricultural District

**SURVEYOR:**  
ARRO Land Surveying of Brainerd, Inc.  
20396 Division Road  
Brainerd, MN 56401  
(218) 820-2738

**PREPARED:**  
05/06/2024

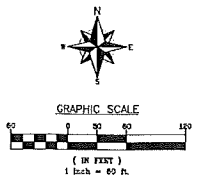
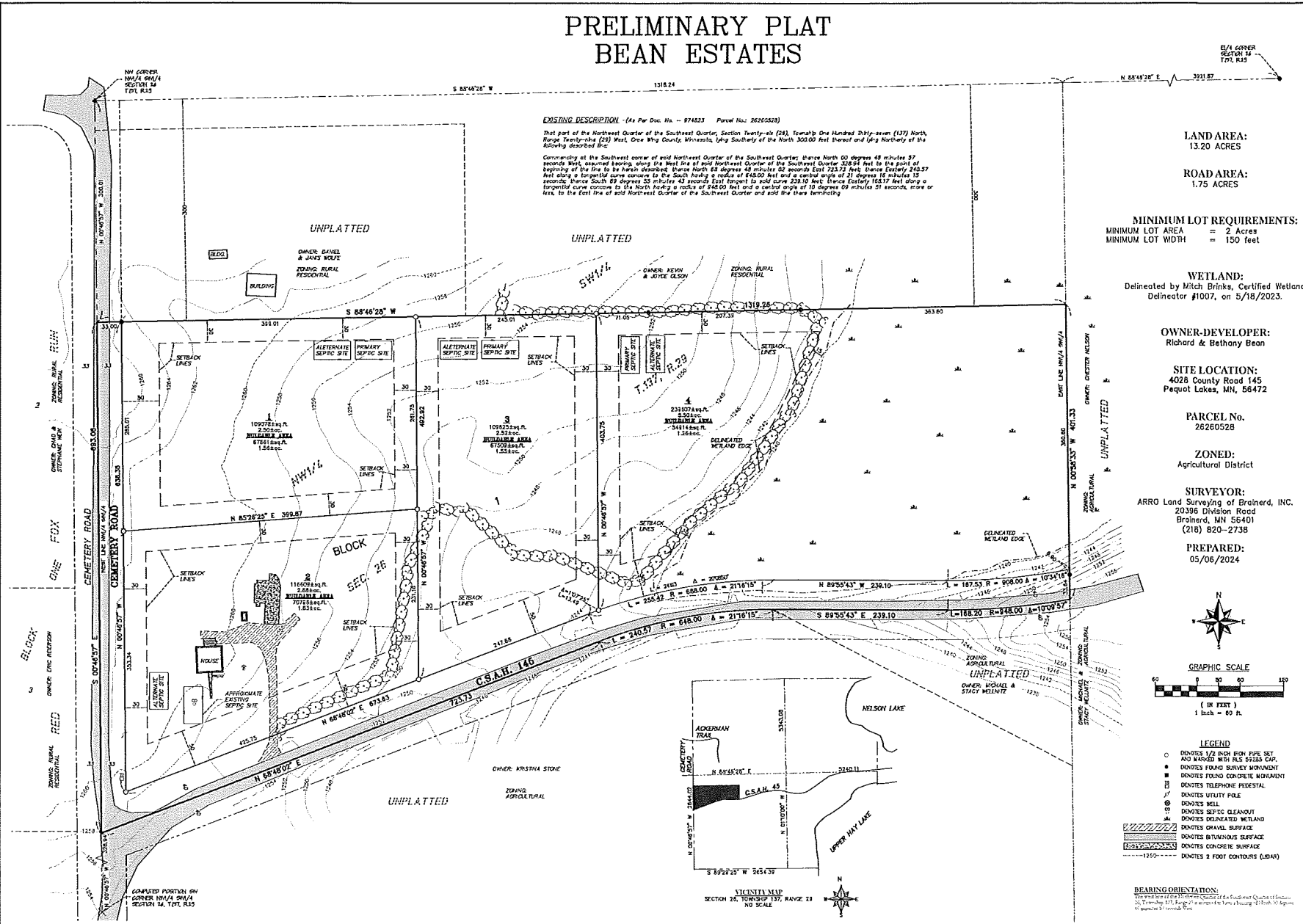
I hereby certify that the survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the state of Minnesota.  
Dated this 6th day of May 2024.  
By:   
James A. Spink, Minnesota License No. 92525



**PRELIMINARY PLAT**  
Part of the NW1/4 SW1/4  
Sec. 26, T.137, R.28  
Crow Wing County, MN

**CLIENT:**  
Richard & Bethany Bean

|      |    |          |
|------|----|----------|
| DATE | BY | REVISION |
|      |    |          |
|      |    |          |
|      |    |          |



- LEGEND**
- DENOTES 1/2 INCH IRON PIPE SET AND MARKED WITH RLS 09185 CAP.
  - DENOTES FOUND SURVEY MONUMENT.
  - DENOTES FOUND CONCRETE MONUMENT.
  - ⊠ DENOTES TELEPHONE PEDESTAL.
  - ⊢ DENOTES UTILITY POLE.
  - ⊙ DENOTES WELL.
  - ⊕ DENOTES SEPTIC CLEANOUT.
  - ⊖ DENOTES DEDICATED WETLAND.
  - ⊗ DENOTES GRAVEL SURFACE.
  - ⊘ DENOTES BITUMINOUS SURFACE.
  - ⊙ DENOTES CONCRETE SURFACE.
  - DENOTES 2 FOOT CONTOURS (LIDAR).

**BEARING ORIENTATION:**  
North is based on the 1983 North American Datum (NAD 83). A true meridian of the State of Minnesota is shown on the map. The bearing of the line is based on the true meridian of the State of Minnesota.

4c

CITY OF JENKINS  
NOTICE OF PUBLIC HEARING  
MONDAY, JUNE 3<sup>RD</sup>, 2024 at 6:30 PM  
JENKINS CITY HALL  
33861 COTTAGE AVENUE, JENKINS, MN 56474

To Whom It May Concern:

A parcel under your ownership has been identified as being within the 350-foot notification area for variance application.

The following will be the subject of public hearing Monday, June 3<sup>rd</sup>, 2024 at 6:30 p.m., at the Jenkins City Hall.

**Hearing:** Conditional Use Permit Application for OM-AIM LLC, dba AmericInn, to install a roof-mounted Solar Energy System.

The subject property is described as:

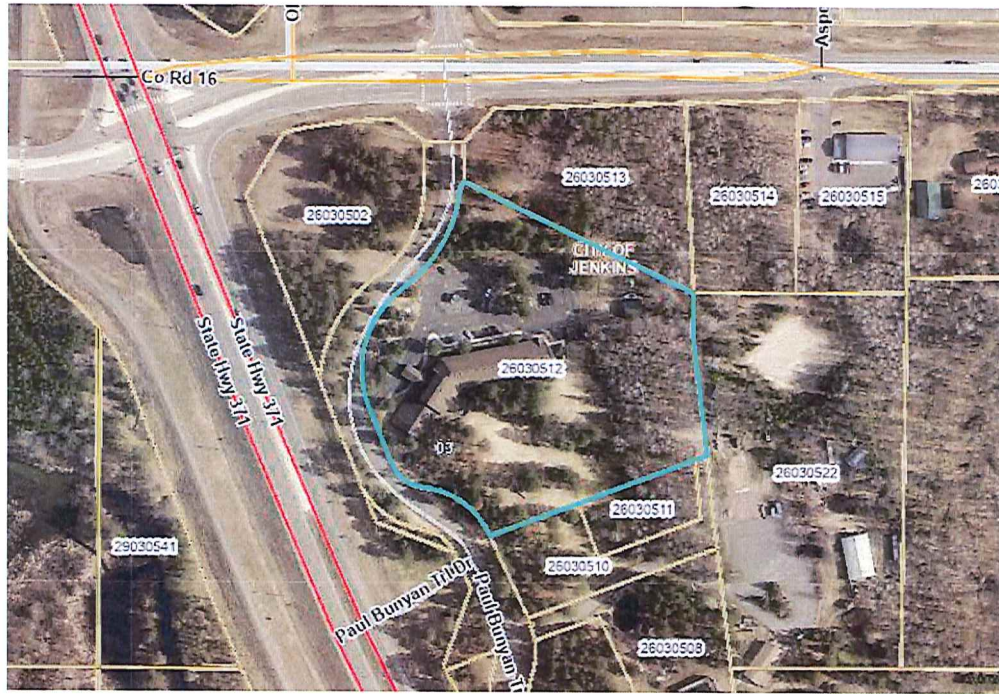
LOT 4 BLOCK 1, TOGETHER WITH AN EASEMENT OF RECORD.  
WHITEFISH CROSSING PLAT

A map identifying the subject properties is located on the reverse side of this notice.

All interested persons are invited to attend this hearing and be heard or send written comments to City Hall or via email at [krista.okerman@cityofjenkins.com](mailto:krista.okerman@cityofjenkins.com). A staff report will be made available at City Hall typically one week before the scheduled meeting.

Krista Okerman  
City Clerk-Treasurer

The subject property is located at 32912 Paul Bunyan Trail Drive. (PID 26030512)





ACCELERATED INVESTMENTS LLC  
3925 COUNTY ROAD 16  
PEQUOT LAKES MN 56472

EISNER ANDERSON, BETTY E REVOCABLE  
TRUST  
4045 COUNTY ROAD 16  
PEQUOT LAKES MN 56472

OM-AIM LLC  
1552 DEERWOOD DR  
SAINT PAUL MN 55122

PAYTON PROPERTIES LLC  
C/O SIMON STRICKER  
1306 GAIL LAKE RD  
PINE RIVER, MN 56474

QUEST LAND COMPANY LLC  
PO BOX 899  
PEQUOT LAKES MN 56472

## STAFF REPORT

---

**Application:** Conditional Use Permit to Install a Rooftop Solar Panel Array

**Applicants:** Planet Solarity LLC

**Property Address:** 32912 Paul Bunyan Trail Dr

---

### Background Information

The applicant proposes to install a solar panel array on the roof of the AmericInn hotel. The AmericInn hotel is located at 32912 Paul Bunyan Trail Dr. The property falls within the Highway Business Zoning District (C2). The solar array plans include a total of 144 modules in 4 separate areas of the southeast facing roof fields.

### Subject Property



**Notification Requirements:**

A notification of the hearing's date, time, and place shall be published in the municipality's official newspaper at least ten (10) days before the hearing. In addition, persons who own property situated wholly or partly within 350 feet of the subject property shall receive similar individual notifications by mail.

**Action:**

Notice was provided to the official newspaper that the City of Jenkins Planning Commission will meet on June 3, 2024, at 6:00 p.m. at Jenkins City Hall located at 33861 Cottage Avenue. to consider a conditional use permit outlined in this report. Additionally, properties within 350 feet of the subject property were notified via mail. Parcel ID data and taxpayer addresses were used to determine the mailing notification. Reasonable efforts were made to meet the requirements outlined in the notification requirements of the Zoning Ordinance.

**Highway Business District (C-2)**

Per the city code, Solar Energy Systems are allowed with a CUP in the Highway Business District. See **150.038 LAND USE MATRIX**

**Project Description**

The applicant proposes to install a 3999 sq. ft solar panel array covering approximately 20216.61 sq. ft of the roof area. The array will consist of 144 modules designed to maximize energy capture and efficiency. The panels will be mounted on a racking system and angled to optimize solar exposure.

**Zoning and Land Use Analysis**

The property is zoned Highway Business District, where solar panel installations are permitted as a conditional use. The proposed project is consistent with the zoning district's objective as listed in the land use matrix. The installation does not appear to interfere with adjacent land uses, including the highway.

**Environmental Impact Assessment**

The solar panel installation is expected to have positive environmental impacts by reducing the hotel's dependence on non-renewable energy sources and lowering its carbon footprint.

**Visual and Aesthetic Considerations**

The solar panel array will be installed flush with the rooftop, ensuring minimal visual disruption. Given the hotel's proximity to the highway, the panels will be largely out of sight from street-level views.

**Safety and Compliance**

The proposed installation will adhere to all relevant MN State building and electrical codes as listed in the 'General Notes' section of the site plan submitted by the applicant.

**Findings:**

Staff provides the following findings of fact for consideration:

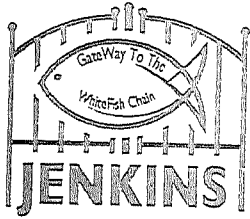
1. The subject property in which the solar panel is to be installed is zoned C-2 Commercial.
2. The applicant is proposing install solar panel array on the rooftop of the AmericanInn hotel building located at 32912 Paul Bunyan Trail Dr, in the city of Jenkins MN.
3. The use is identified in the land use matrix as a Conditional Use in the C2 district.  
However, the zoning ordinance does not provide for a performance standard for solar energy systems.
4. The proposed solar array plans include a total of 144 modules in 4 separate areas of the south and southeast facing roof fields.
5. The modules are approximately 90 inches by 45 inches in size into L feet brackets at the upper and lower portions of panels.
6. The unit weight of the solar array is 2.342.psf with the total area of the array covering approximately 20 percent of the roof area of the structure.
7. The applicant proposes to install a 3999 sq. ft solar panel array covering approximately 20216.61 sq. ft of the roof area.
8. As included in the site plan submitted, the applicant provided a review of the load capacity of the existing structure by a licensed engineer.
9. The subject property is abutting the highway 371.
10. Notification requirements for the CUP application were met.
11. Other findings as identified by Planning Commission or City Council

**Conditions for Considerations**

1. The project must meet all local, state, and federal building and electrical codes.
2. The installation must incorporate adequate safety features and be maintained regularly to ensure continued safe operation.
3. The panels should be installed in a manner that minimizes visual impact from surrounding properties and the highway.
4. Construction must adhere to city noise ordinances and aim to minimize disturbances to hotel guests and neighboring properties.

**Recommendation:**

Staff would like the Planning Commission to review the CUP request, review the staff findings and make a recommendation based on the information provided from this report and any public testimony during the public hearing. The following should be discussed in more detail to provide additional direction to the applicant: installation timeline, maintenance report, and impact of the installation on the building and surrounding properties/features.



33861 Cottage Avenue  
Jenkins, MN 56474  
Phone: (218) 568-4637  
www.cityofjenkins.com

Received by City: \_\_\_\_\_

Application Number: \_\_\_\_\_

Non-refundable Fee Paid: \_\_\_\_\_

Receipt #: \_\_\_\_\_

# Conditional Use Application

Name of Applicant Planet Solarity LLC  
Address 941 Hillwind Road NE  
City, State, Zip Fridley, MN 55432  
Phone 612-404-6673 Alternate Phone 306-351-1936

Physical Address / Location of Property 32912 Paul Bunyan Trail Dr, Jenkins MN 56472

Legal Description of Property The AmericInn is a Hotel in the City of Jenkins C-2 (Highway Business) Zoning District Lot 4 Block 1, Together With An Easement of Record.

Parcel ID Number 27035-26-0-3051-2 / 26030512 Zoning District Highway Business

Applicant is:

- Legal Owner of Property
- Contract Buyer
- Option Holder
- Agent
- Other Contractor

Title Holder of Property (if different than applicant):

Name Om-Aim Lic - Dakshia M Patel  
Address 1552 Deerwood Dr  
City, State, ZIP Saint Paul, MN 55122  
Phone 320-237-6220

State the nature of your request in detail. What are you proposing for your property?  
Installing a solar panel array on existing roof of the structure.

Solar array plans include a total of 144 modules in 4 separate areas of the south and southeast facing roof fields.

Signature of Owner, authorizing application *M P Patel*  
(By signing, the owner is certifying that he/she has read and understands the instructions accompanying this application.)

Signature of Applicant (if different than owner) *Abdilahi Botan*  
(By signing, the applicant is certifying that he/she has read and understands the instructions accompanying this application.)

\*By signing above, I acknowledge that I understand that I am responsible for all fees incurred by the City as a result of professional services provided by the City Engineer, City Attorney, and other contracted agencies in reviewing my application.\* Initial application fees: \$300 (Residential) \$400 (Commercial) due with completed application.

**CONDITIONAL USE:** A land use or land development, as defined by the Ordinance, that is allowed, but would not be appropriate without restrictions or conditions as determined by the Planning Commission. The proposed use must meeting the following standards: (a) the use or development is an appropriate conditional use in the land use zone, (b) the use or development with conditions conforms to the comprehensive land use plan, (c) The use with conditions is compatible with the existing neighborhood, and (d) the use with conditions would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, or prosperity of residents in the City.

The following questions must be answered.

1. What changes are you proposing to make to this property?

Building: Only installing a solar panel array on existing roof of the structure.

Landscaping: \_\_\_\_\_

Parking/Signs: \_\_\_\_\_

2. Describe the impact on the use and enjoyment of other property in the immediate vicinity. If there is no impact, explain why.

Solar reduces carbon emissions and can reduce air pollutants released into the air.

This will result in enjoyment of other property in the immediate vicinity.

3. Describe the character of the area and the existing patterns and use of development in the area. How is the proposal consistent with those patterns and uses?

Located off Highway 371, AmericInn by Wyndham Pequot Lakes/Jenkins offers resort-like amenities in a welcoming setting.

The area has easy access to the popular Paul Bunyan Trail, as well as various snowmobile and ATV trails, shopping, restaurants, and golf courses, and just a short drive from Brainerd Lakes Regional Airport (BRD).

The proposed Solar system has a positive, indirect effect on this nature-friendly environment.

4. Describe the impact on the capacity of existing or planned community facilities (sewer, drainage, other). Explain if additional facilities will be required.

No impact.

5. Describe the impact on the character of the neighborhood in which the property is located.

No impact.

6. Describe the impact to the traffic on roads and highways in the vicinity, and the expected traffic generated by the proposed use. Is there adequate off-street parking available to accommodate the proposal?

No impact.

7. Discuss any environmental limitations of the area that would limit or constrain construction on this property.

No limitations.



8. Please include any other comments pertinent to this request.

None

### INSTRUCTIONS TO THE APPLICANT

Completed applications, with *all* submittal requirements, must be submitted to the Planning & Zoning Department no fewer than 25 days prior to the meeting date. In order for your application to be accepted as complete, and to have a public hearing scheduled, the following information **must** be submitted:

- X 1. This application must be completed, including responses to all parts of this application.
- X 2. The required fee must be paid. See fee schedule for details.
- X 3. Legal description of the site.
- x 4. Site plan, drawn to scale, showing parcel and existing structure dimensions, water features, and 10 foot contour lines (smaller contour lines may be required if deemed necessary by the Planning Department, Planning Commission, or City Council).
- X 5. The site plan should also show the location of all structures and their square footage.
- NA 6. Existing and proposed curb cuts, driveways, access roads, turn-arounds, parking including RV, boat and additional vehicle storage, off-street loading, and sidewalks. Size and type of surface should also be included.
- NA 7. Proposed landscaping and screening plans: garbage dumpsters, areas preserved in natural state including buffer areas, areas to be developed into lawn (grass), areas to be covered by woodchips or mulch, garden areas, shrubbery, types, size, age, and number of proposed trees and their locations, exterior lighting to be proposed including location and type, any other items deemed appropriate.
- NA 8. Square footage of all impervious coverage. Impervious coverage includes the horizontal area of all buildings, decks, roof overhangs, patios, walks, driveways, and any other parking areas and drives constructed of any material.
- NA 9. Proposed drainage plan.
- NA 10. Proposed and existing sanitary sewer and water supply plans with estimated usages on peak day.
- NA 11. Soils data showing capability for building and on-site sewage treatment.
- NA 12. Existing iron pipe boundary monuments marked with proof of survey.
- NA 13. Approximate location of any proposed signs (if applicable).
- NA 14. Outside storage proposal.
- X 15. Elevation plans for all existing and proposed structures.

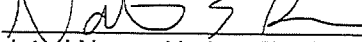
PRIEVE ENGINEERING LLC  
FORENSIC STRUCTURAL CIVIL

March 18, 2024

Nathan Prieve PE  
[nathan@prieve-engineering.com](mailto:nathan@prieve-engineering.com)  
612-203-2745  
File Number 240313

NA'EL MIGDADI  
PLANET SOLARITY  
941 HILLWIND ROAD NE  
FRIDLEY, MN 55432

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the state of Minnesota.

Signature:   
Typed or Printed Name: Nathan E Prieve  
Date: 3-18-24 License Number: 46203

Na'el,

Per your request, our office reviewed solar array plans, and photographs as relates to a review of the existing roof structure at 32912 Paul Bunyan Trail Drive, Jenkins, MN for load capacity of a proposed solar panel array on the roof of the structure. Documentation reviewed as relates to the analysis includes the following:

- Planet Solarity Solar Array Plans dated September 18, 2023,,
- Photographs in attic of structure by others,
- ASCE 7-16 "Minimum Design Loads and Associated Criteria for Buildings and Other Structures,"
- 2020 Minnesota Building Code.

Photographs in the attic depict metal plate connected wood frame trusses throughout the roof system of the structure consistent with the roof as viewed from exterior photographs. The subject structure is a gable roof style structure with the main ridge line oriented in the east/west direction with the southwest portion of the structure angled with the ridge line oriented northeast to southwest. The roof system consists of OSB sheathing and fiberglass composition asphalt shingles. Trusses are set at 2 foot spacing with 2x4 top chords and a roof pitch of 6:12. Design ground snow loading for the area includes a 60 psf snow load which results in a design roof load of 42 psf. Typical design dead loads for wood trusses as appear at the subject structure include a top chord dead load of at least 10 psf with a bottom chord (ceiling) dead load of a minimum of 5 psf.

Solar array plans include a total of 144 modules in 4 separate areas of the south and southeast facing roof fields. Modules are approximately 90 inches by 45 inches in size set into "L feet" brackets at the upper and lower portions of panels. Brackets are anchored into truss framing with 5/16 inch lag screws with a minimum embedment of 2.5 inches into truss framing. The actual unit weight of the solar array is 2.342 psf with the total area of the array covering approximately 20 percent of the roof area of the structure.

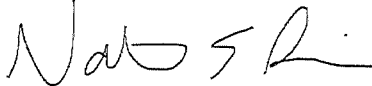
ASCE 7-16 was reviewed as relates to solar arrays on roofs such as at the subject structure. Perimeter panels in the arrays are subject to highest design window loading, particularly along rakes and the upper ridge. Uplift loading was determined as per ASCE 7 with values of uplift well under load capacity of 5/16 inch lag screws utilized for attachment of panels to trusses. Overall loading at edges and interior panels was found to be within allowable uplift capacity for standard wood trusses.

**CONCLUSIONS AND OPINIONS:**

It is our opinion that the existing roof structure and wood frame trusses in the structure are sufficient to carry additional dead load and design uplift load for the proposed solar arrays to be installed on the roof of the structure. Trusses in our opinion typically include a minimum design dead load for top chords of 10 psf. The existing roof system in our opinion, including sheathing and asphalt shingles, weighs approximately 5.5 psf with an additional allowable dead load of 4.5 psf on the roof of the structure. The proposed solar arrays are calculated to include a dead load of 2.342 psf on the structure which in our opinion is well within the design dead load limits for standard metal plate wood connected trusses. Further, the solar arrays only cover 20 percent of the total roof area, with overall uniform dead load on the full roof well below design limits. The structure in our opinion is sound for installation of the solar array with no modifications to or additional framing required in the roof system.

We anticipate this correspondence meets your needs.

Respectfully,



Nathan Prieve P.E.  
Prieve Engineering LLC  
[nathan@prieve-engineering.com](mailto:nathan@prieve-engineering.com)



## PLANNING AND ZONING ADMINISTRATOR'S REPORT

1. **Permits:** The following permits have been issued since the last meeting:
  - a. James & Laura Tucker, 34651 Brown Blvd, Land Use Permit for home, pole shed, and septic.
  
2. **Code Enforcement:** Staff has sent the following correspondence for potential violations: **NONE**