



AGENDA ITEM # 5a

REPORT

Prepared by: Krista Okerman

Date: February 26, 2025

Subject: "Failure to Act on Land Use Permits" - ordinance sections.

Report: The existing ordinance related to certain permits and land use actions for nullifying and voiding the permit are different. Example: A CUP, land use permit, subdivision/preliminary plat can be deemed null and void if not acted upon within 12 months and a variance is 6 months. Having all timeframes the same would be more consistent. That, coupled with the fact 6 months is a relatively short time when dealing with supply and demand issues. Attached please find the relative sections of the ordinances for your review and consideration.

Action Requested: Please review the following information and staff would like direction on how to proceed.

§ 150.283 CONDITIONAL USE PERMITS.

(I) Failure by the owner to act on a conditional use permit within 12 months, or failure to complete the work under a conditional use permit within two years, unless extended by the Planning Commission, shall void the permit. A second extension shall require a new public hearing. This provision shall apply to any conditional use permit outstanding at the time of the adoption of this chapter.

§ 150.285 Variances

(H) Failure by the owner to act within six months on a variance unless extended by the Board of Adjustment shall void the variance. A second extension shall require a new public hearing. This provision shall apply to any variance outstanding at the time of this chapter's adoption.

§ 150.286 Land Use Permits

(G) Unless extended by the Zoning Administrator, where a land use permit has been issued but no action has occurred within 12 months, the land use permit shall be null and void. Exterior work on the structure shall be complete in 24 months from the issuance of the land use 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.

150.287 Subdivisions

(8) Failure of the subdivider to act after an approval of preliminary plat or preliminary condominium plat within one year shall void the approval unless extended by the Planning Commission. A second extension shall require a new public hearing.

(5) Upon signature, the subdivider shall file all pertinent documents with the County Recorder. Failure to file a final plat or plan within two years shall void the approval unless extended by the Planning Commission.



CITY OF JENKINS
VARIANCE APPLICATION

PLEASE BE SPECIFIC OR APPLICATION MAY BE DEEMED INCOMPLETE

A. Applicant's Name: _____ Telephone
Home: _____
Work/Cell: _____

B. Address (Street, City, State, ZIP):

C. Property Owner's Name (If different from above): _____ Telephone
Home: _____
Work/Cell: _____

D. Location of Project:

E. PID/Legal Description:

F. Description of Proposed Project:

G. Specify the section of the ordinance from which a variance is sought:

H. Explain how you wish to vary from the applicable provisions of the ordinance:

I. 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?

City Code 150.285 (H) Failure by the owner to act within six months on a variance unless extended by the Board of Adjustment shall void the variance. A second extension shall require a new public hearing. This provision shall apply to any variance outstanding at the time of this chapter's adoption.

Yes () No () Why or why not?

2. In your opinion, is the variance consistent with the comprehensive plan?
Yes () No () Why or why not?

3. In your opinion, does the proposal put property to use in a reasonable manner?
Yes () No () Why or why not?

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?

J. Please attach a **complete** site plan, including but not limited to location of existing and proposed structures, driveways, parking areas and landscaping,

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: _____

FOR OFFICE USE ONLY

_____ Fees Paid (\$400) _____ Zoning compliance/outstanding fees _____ Date Received
_____ Site Plan received _____ Received from City by (initials)

City Code 150.285 (H) Failure by the owner to act within six months on a variance unless extended by the Board of Adjustment shall void the variance. A second extension shall require a new public hearing. This provision shall apply to any variance outstanding at the time of this chapter's adoption.



VARIANCE PROCEDURE AND INFORMATION

A variance is a way that cities may allow an exception to part of a zoning ordinance. It is a permitted departure from strict enforcement of the ordinance as applied to a particular piece of property. A variance is generally for a dimensional standard (such as setbacks or height limits). A variance allows the landowner to break a dimensional zoning rule that would otherwise apply.

Please note: Sometimes a landowner seeks a variance to allow a **use** of their property that is not permissible under the zoning ordinance. Such variances are often termed “use variances” as opposed to “area variances” from dimensional standards. *State law prohibits a city from permitting by variance any use that is not permitted under the ordinance for the zoning district where the property is located ([Minn. Stat. § 462.357, subd. 6](#)).*

Chapter 150.285

1. Variances shall not create a use not provided for in a zoning district.
2. Variances shall be issued to the property and are not transferable.
3. Variances shall be issued to the property for structures or other specified uses only after a public hearing and approval by the Board of Adjustment. All applications for a variance shall be submitted to the Zoning Administrator 30 days ahead of the hearing date, accompanied by a certificate of survey (unless waived by the Zoning Administrator) showing the details of the proposal and an accurate legal description, along with the appropriate fee. The fee or contract owner of the property shall sign the application. The Zoning Administrator shall notify all property owners within a minimum of 350 feet by regular mail and shall advertise the hearing once in the legal section of the official newspaper at least ten days ahead of the public hearing. The Zoning Administrator shall send the same notice ten days in advance of this hearing to the DNR if the proposed is in shoreland. At the applicant’s option, the applicant may request a sketch plan review with no action by the Planning Commission and with no fee by giving 14 days’ notice thereof to the Zoning Administrator, meeting time permitted.
4. The applicant shall complete the variance application approved by the City Council. The application shall contain submittal requirements, criteria for approval, procedure for consideration, and city contact information. The city shall not accept applications where the applicant has past due fees or charges due to the city until the account is made current.
5. Variances shall be decided within the required time frame with consideration for the following:

- a. The applicant establishes that there are practical difficulties, as defined in this chapter, in complying with the official control;
 - b. The deviation from this chapter with any attached conditions will still be in harmony with the general purposes and intent of this chapter and the Comprehensive Plan; and
 - c. The variance will not create a land use not permitted in the zone.
6. The Board of Adjustment may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
 7. When costs to the city involved in processing and reviewing an application exceeds the original application fees, the applicant shall reimburse the city for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees, and other professional services the city may need to retain in reviewing permits.
 8. Failure by the owner to act within six months on a variance unless extended by the Board of Adjustment shall void the variance. A second extension shall require a new public hearing. This provision shall apply to any variance outstanding at the time of this chapter's adoption.
 9. Appeals from the action of the City Council shall be filed with the District Court within 30 days after Council action.
 10. The variance shall be filed with the County Recorder within 45 days.

CONSIDERATIONS: Practical difficulties is the legal standard the City must apply when considering variances. It is a three-factor test and all three factors of the test must be satisfied. The three factors are as follows:

1. **Reasonableness.** The first factor is that the property owner proposes to use the property in a reasonable manner. This factor means that the landowner would like to use the property in a particular reasonable way but cannot do so under the rules of the ordinance. **It does not mean that the land cannot be put to any reasonable use whatsoever without the variance.** For example, if the variance application is for a building too close to a lot line or does not meet the required setback, the focus of the first factor is whether the request to place a building there is reasonable.
2. **Uniqueness.** The second factor is that the landowner's problem is due to circumstances unique to the property not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands or trees.
3. **Essential character.** The third factor is that the variance, if granted, will not alter the essential character of the locality. Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area.



CONDITIONAL USE PERMIT PROCEDURE Chapter 152.283, Land Use and Subdivisions

A Conditional Use Permit (CUP) enables the Planning Commission to assign reasonable conditions surrounding a proposed use after consideration of the adjacent areas, their functions and potential issues that the proposed use may present. It is a land use the City permits in a zoning district **only** when the applicant meets certain criteria standards. Conditional Uses are listed in the Land Use Matrix (150.038). A Public Hearing review, recommendation by the Planning Commission and approval of the City Council is required.

Procedure:

1. All applications for a conditional use permit shall be submitted to the Zoning Administrator **30 days ahead of the hearing date**, accompanied by a certificate of survey (unless waived by the Zoning Administrator) showing the details of the proposal and an accurate legal description, along with the appropriate fee.
2. The fee or contract owner of the property shall sign the application.
3. The Zoning Administrator shall notify property owners within a minimum of 350 feet by regular mail and shall advertise the hearing once in the legal section of the official newspaper at least ten days ahead of the Public Hearing.
 - a. *At the applicant's option, the applicant may request a sketch plan review with no action by the Planning Commission and with no fee by giving 14 days' notice thereof to the Zoning Administrator, meeting time permitted.*
4. The applicant shall complete the conditional use permit application approved by the City Council. The application shall contain submittal requirements, criteria for approval, procedure for consideration, and city contact information. The city will not accept applications where the applicant has past due fees or charges due to the city until the account is made current.

Conditions: In permitting a new conditional use or alteration of an existing conditional use, the Planning Commission may impose, in addition to the standards and requirements expressly specified by this chapter, additional conditions that the Planning Commission considers necessary to protect the best interest of the surrounding area or the city as a whole. These conditions may include, but are not limited to, the following:

1. Increasing the required lot size or yard dimension;
2. Limiting the height, size, or location of buildings;

3. Controlling the location and number of vehicle access points;
4. Increasing the street width;
5. Increasing or decreasing the number of required off-street parking spaces;
6. Limiting the number, size, location, or lighting of signs;
7. Requiring berming, fencing screening, landscaping, or other facilities to protect adjacent or nearby property; and
8. Designating sites for open space.

Considerations: The Planning Commission shall decide the issue with consideration to the following:

1. The following must be met.
 - 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.
 - d. The use, with conditions, would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance, or prosperity of the city.
2. The following must be considered.
 - a. The conditional use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminish or impair values in the immediate vicinity.
 - b. The conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
 - c. The conditional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
 - d. The conditional use will have vehicular approaches to the property, which are so designed as not to create traffic congestion or an indifference with traffic on surrounding public thoroughfares.
 - e. Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use.
 - f. Adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so none of these will constitute a nuisance and to control lights and signs in such a manner that no disturbance to neighboring properties will result.
 - g. The conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historical feature of major significance.
 - h. The conditional use will promote the prevention and control of pollution of the ground and surface waters, including sedimentation and control of nutrients.
3. **When costs to the city involved in processing and reviewing an application exceeds the original application fees, the applicant shall reimburse the city for any additional costs. Such expenses may**

include, but are not limited to, payroll, mailing costs, consultant fees, and other professional services the city may need to retain in reviewing permits.

4. Conditional use permits may be transferable where requested by an applicant and approved by the Planning Commission.
5. Violations of the conditions of a conditional use permit shall automatically suspend the permit. A review of the violation shall be conducted by the Planning Commission. The Planning Commission shall determine conditions for reinstating the permit or revocation, if applicable.
6. Failure by the owner to act on a conditional use permit within 12 months, or failure to complete the work under a conditional use permit within two years, unless extended by the Planning Commission, shall void the permit. A second extension shall require a new public hearing. This provision shall apply to any conditional use permit outstanding at the time of the adoption of this chapter.
7. All uses that cease operation for a period of more than six consecutive months shall be deemed to be discontinued, and the use permit establishing said use shall become null and void. Reestablishment of said use shall only be permitted upon obtaining a new conditional use permit.
8. Appeals from the action of the city shall be filed with District Court within 30 days after City Council action.
9. The conditional use permit shall be filed with the County Recorder within 45 days. The applicant need not wait for filing to proceed.



REPORT

Prepared by: Krista Okerman
Date: February 26, 2025
Subject: Camping Ordinance

Report: Below please find information that was presented to the Planning Commission in June of 2021. No action and/or follow-up has been taken since then. Please review to determine if you would recommend the changes to the ordinance that were proposed at that time and/or any other changes.

REPORT: *Camping is the habitation of a temporary structure. Section VII Performance Standards 7.14 Camping 3 may need review. Most notably the allowable time a camping unit may occupy a parcel, the allowable zones (land use matrix). The matrix shows some zones as allowed/permitted (A/P). This may be more clearly interpreted by simply stating it is a permitted (P) use.*

	AG	RR	R1	R2	RS	P	C1	C2	II
Camping	A/P	A/P	A/P	A/P	E	E	A/P	E	E

Camping

- a. For a property with a principle structure, no individual camping unit may be placed for use longer than 14 days within any 60 days.
- b. For a property without a principle structure, a permit is needed for more than 14 days in any one calendar year, and requires installation of a permanent sewage treatment system. The maximum time an individual unit can be established is nine months (270 days) in any one calendar year.
- c. The fee schedule lists a fee for 90 days or 180 days.
- d. The Land Use Matrix lists camping in the Central Business District (C-1) as an allowed use with permit which does not meet the purpose and intent of the (C-1) zoning. It is an (E) excluded use in (C-2).

It has been brought to the Planning Commission and city staff's attention there are properties who allow camping on their property (R2 district) over the summer months. It is unknown if this is for family and friends or rental space to others. It is unknown if there is a sewage treatment system accessible for the units as there has not been a request for a camping permit in 14 years even though it is required by ordinance in the City code. To prevent confusion, I would recommend changing the matrix to state it is a permitted use (P) and remove allowed (A).

The nine (9) month maximum time limit may need to be reviewed. Allowing 9 months for a camping permit may open the door for year round habitation, which is only allowed during the construction of a permanent structure.

Proposed modification: *The maximum time an individual unit can be established is ~~nine~~ six (6) months (270 days) (180) in any one calendar year. Changing the matrix from A/P to P, and excluding camping in the C1 district.*

	<i>AG</i>	<i>RR</i>	<i>RI</i>	<i>R2</i>	<i>RS</i>	<i>P</i>	<i>C1</i>	<i>C2</i>	<i>II</i>
<i>Camping</i>	<i>A/P P</i>	<i>A/P P</i>	<i>A/P P</i>	<i>A/P P</i>	<i>E</i>	<i>E</i>	<i>A/P E</i>	<i>E</i>	<i>E</i>

Action Requested: Please review the following information and staff would like direction on how to proceed.

§ 150.112 CAMPING.**(A) General.**

(1) All recreational vehicles must be designed to operate on state roads without a special permit and must have a current license.

(2) No camping unit may be permanently placed or skirted.

(3) All camping units must be able to be moved readily.

(4) Camping units must meet dwelling setback requirements.

(5) 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 onsite.

(B) Properties with principal structures.

(1) There shall be a maximum of two units allowed at any one time.

(2) No individual camping unit may be placed for use longer than 14 days within any 60 days.

(3) One camping unit may be allowed in outside storage. That unit may be stored year round.

(C) Properties without principal structures.

(1) There shall be a maximum of two units allowed at any one time.

(2) Each individual camping unit is allowed for 14 days in any one calendar year without a permit.

(3) 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.

(4) One permit per parcel per calendar year is allowed.

(5) A permit for a camping unit requires installation of a permanent sewage treatment system.

(D) Properties where a principal structure is being constructed.

(1) Camping units are allowed in conjunction with a land use permit for construction of a principal structure.

(2) 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.

(Ord. passed 4-10-2017) Penalty, see § 150.999

CITY OF JENKINS
2023 FEE SCHEDULE

Address assignment and 911 sign installation	\$75.00
911 sign and post replacement.....	\$50.00
911 Sign Post Replacement	\$25.00
911 Sign Replacement	\$35.00

Administrative Fines.....See Attached Administrative Fine Fee Schedule

Miscellaneous Fees

City Hall rental Signed Key Policy Required.....	\$20.00/minimum
Local non-profit and government agencies.....	No Charge
Local charity group	Key Deposit (refundable) \$20
NSF Checks	\$40.00
Copies	
Black and White	\$0.25/page
Color	\$0.75/page
Color Photo	\$2.00 each
Administrative Staff Time	At current wage rate
Public Works Time	At current wage rate
Special City Council meeting	\$500.00
Special Planning Commission meeting	\$300.00

Cemetery Fees

Cemetery Lot	\$350.00
Additional burial right.....	\$100.00
Deed Transfer.....	\$25.00

Licenses & Permits

Malt Liquor On Sale	\$100.00
Intoxicating Off-sale	\$100.00
Intoxicating On-sale.....	\$500.00
Sunday permit	\$50.00
Brewery and Brewery Taproom.....	\$200.00

Temporary Vendor Permit	\$50.00/year or
.....	\$10.00 per occurrence
Flea Market	\$50.00 per year or
.....	\$10.00 per occurrence
Temporary Travel Trailer/Camping permit (after 2 weeks)	\$45.00 / 90 days or
.....	\$90.00 / 180 days
Fence Permit Fee.....	\$25.00
Special Event Permit Fee (Additional fees may apply)	\$25.00

Keeping of Chickens Permit\$25.00

Mail box Post\$100.00

Mailbox Post Installation\$25.00

Sign permits

Commercial.....\$100.00

Residential.....\$50.00

Commercial Concept Plan Review\$100.00

Residential Sign Plan Review\$50.00

Note: When costs associated with processing or reviewing an application exceeds the original application fee, the applicant shall reimburse the City for any reasonable and customary additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees and other professional services the City may need to hire in reviewing permits and/or applications. Any outstanding fees due to the City shall be paid before issuance of the permit and any construction of the project begins.

**Permit extension fee: 1/2 original permit fee

After the fact permits (Paid at the time Permit is Issued) Triple Original Fee

Planning and Zoning *includes recording fee with Crow Wing County

Conditional Use Permit (Commercial) *\$400.00

Conditional Use Permit (Residential) *\$300.00

Sketch Plan Review \$100.00 (credited to preliminary plat)

Preliminary Plat \$500.00 + \$2,500.00 security deposit

..... (Direct expenses taken from deposit)

Final Plat * \$275.00 + \$25.00/lot

Re-zone *\$300.00

Variance request *\$400.00

Easement/alley vacation (includes outside Attorney fees incurred by City)*\$750.00

Metes & Boundaries (less than 10 acre) *\$350.00

Metes & Boundaries (parcels resulting in greater than or equal to 10 acres)*\$125.00

PUD * \$550.00 + any consulting/outside fees incurred by City

Petition for Ordinance Amendment \$200.00

Land Use Fees

New Construction:

Residential:

Main Floor (basement not included in cost factor).....	\$0.20 sq ft
Additional Floors (included basement and attached garage).....	\$0.10 sq ft
Accessory Structure (additions & detached garage included) over 100 sq ft & without plumbing	\$0.15 sq ft
Accessory Structure (additions & detached garage included) over 100 sq ft & with plumbing ..	\$0.20 sq ft
Accessory Building (100 sq ft or less).....	\$25.00
Demolition permit.....	\$75.00

Commercial:

Main Floor (basement not included in cost factor).....	\$0.25 sq ft
Additional Floors (included basement and attached garage)	\$0.15 sq ft
Accessory Structure (additions & detached garage included) over 100 sq ft & without plumbing	\$0.20 sq ft
Accessory Structure (additions & detached garage included) over 100 sq ft & with plumbing ..	\$0.25 sq ft
Accessory Building (100 sq ft or less).....	\$25.00
Demolition permit.....	\$75.00

Agricultural Accessory Structures: \$100

Sewage Treatment Systems:

Residential (Includes review, approval of design, and inspection): \$200*

Re-inspection Fee: \$175*

Design review: \$25*

* Or current City appointed septic inspector's rate*

Administrative Fines

Offense	Statute/Code	Penalty
Abandoned or Inoperable Vehicles Violation	Zoning Ordinance	\$100
Animal Husbandry Violation	Zoning Ordinance	\$100
Construction Materials	Zoning Ordinance	\$100
Dog Ordinance – No/Expired Vaccinations	City Code	\$50
Dog Ordinance Violations – all other sections	City Code	\$75
Exterior Storage	Zoning Code	\$100
Fence Standards Violation	Zoning Code	\$100
Garbage-Refuse-Debris Violation	Zoning Ordinance	\$100
Lawn/Noxious Weeds Violation	Zoning Ordinance	\$100
Property Maintenance Violation	Zoning Ordinance	\$100
Public Nuisance	Zoning Ordinance	\$50
Building Standards Violation	Zoning Ordinance	\$250
Sign Standards Violation	Zoning Ordinance	\$100
Visual/Negative Impact Violation	Zoning Ordinance	\$100

City of Jenkins Land Use and Citizen Complaint Policy

Effective September 27, 2017, the following protocol shall be followed when handling land use complaints in the field.

- Priority List for Violations
 1. Imminent Public Health Threat-SSTS
 2. Dirt moving/wetland fill/shoreline alteration
 3. Permit issue
 4. Garbage
 5. Junk yards
 6. Other

- The following are options the Zoning Administrator will use when a complaint is filed:
 1. The Zoning Administrator will have complainant fill out complaint form.
 2. The Zoning Administrator will make a site visit and speak to landowner to determine if the complaint is valid.
 3. The Zoning Administrator will contact the complainant and advise accordingly.
 4. The Zoning Administrator may get voluntary compliance.
 5. The Zoning Administrator may issue a cease and desist.
 6. The Zoning Administrator may involve other staff to assist in the case.
 7. The Zoning Administrator may involve the Police Department to accompany a site visit with a potentially dangerous situation.

- When a citizen has a land use complaint, they shall file a signed complaint form in writing. This form will be provided by the City and may be requested at City Hall. The form can be dropped off, sent by US Mail, or by e-mail. **The complainants name is not considered public data and will not be publicly noted.**

- Once the complaint information has been obtained, complete the following list before forwarding to the Zoning Administrator.
 1. Create a file for the complaint. Include all information such as permit history, prior violations, photos, site visits and inspections.
 2. Create a map of the parcel showing all property lines and relation to other properties and intersecting roads.
 3. Forward file to Zoning Administrator.

- As the investigation begins, record clear and explicit notes that answer the following questions.
 1. Who committed the violation?
 2. What is the violation and pertinent section of the ordinance?
 3. When did the violation occur?

4. Where did the violation occur?
 5. How did the violation occur?
 6. Are there any prior violations?
 7. Is the violation related to a permit?
- Ensure that you have the right to be on the property and if so, make a site visit and complete a Site Visit Form.
 - Take photographs of the site, keep them with the file and sign/date the photos.
 - If an interview with the landowner takes place, take time to listen. Direct the interview away from excuses and blame. Bring solutions to the discussion and continue to work towards compliance. Ask the landowner to set a date for compliance. Direct the landowner to set a date of no more than 60 days.
 - Allow extensions when progress is made.
 - Record clear and explicit notes of all interviews with landowner including agreed date for compliance and what is needed to obtain compliance.
 - Record clear and explicit notes of all interviews regarding the refusal to bring the problem into compliance.
 - If the landowner refuses to bring the problem into compliance, contact the City Council and/or City Attorney to discuss other options.
 - If legal action is needed and once it is determined the case is set for trial, include the following items in the report. Use the attached report as a model to compose the report:
 1. Dates and times of your conversation.
 2. Who was present during the conversations (witnesses)?
 3. Where the conversations took place?
 4. What were the conversations about?
 5. What was the outcome of your conversations?
 - Did the landowner agree to ever bring the problem into compliance?
 - If the landowner agreed to bring the property into compliance; when and how?
 - Any other parts of the conversation and or observation that you believe to be important to the case.
 - All the communication with the City Attorney's Office regarding possible citations or legal matters shall be handled by the Clerk-Treasurer. Direct any such inquiries to the Clerk-Treasurer.
 - All closed cases, along with the complete file, will need to be brought to the Clerk-Treasurer for final approval.

Potential new complaint policy

Code Enforcement Details

Property maintenance and code enforcement activities promote vibrant, attractive, and desirable neighborhoods; help maintain property values and the significant investments made by City residents; eliminate blight, deter crime, and support effective housing maintenance standards.

Like most communities, the City of Jenkins uses a complaint-based code enforcement process.

The overriding goal of enforcement is compliance, not punishment. Residents are encouraged to take steps to comply with the ordinances on their own property before complaining against others and to discuss issues with their neighbors, when possible. The City's enforcement process steps in when this is not possible. No two enforcement issues are the same. In many instances, residents are simply unaware of the Code and correct the situation immediately. However, in other situations, a resolution of compliance can take more time.

When a violation is confirmed, appropriate action is taken. Due to staff and time constraints, and extraneous circumstances outside the City's control, it is sometimes necessary to prioritize complaints and violations. When this happens, complaints are prioritized as follows:

1. Immediate risk to public health and safety.
2. High risk to health and safety through potential environmental impacts.
3. Work begun or actions taken without necessary permits.
4. Aesthetic and nuisance violations.

All complaints made to the city must include the complainant's name and contact information.

Complaints submitted anonymously will not be considered valid. Limitations on filing a complaint related to non-safety code violations:

1. Complaint must be related to an identified residential code violation. All alleged commercial or non-residential code violations must be initiated by the City.
2. In order to file a complaint, the complainant must be one of the following:
 - a. An adjoining landowner listed in the Crow Wing County real property information records or a landowner in line of sight of the code violation from the landowner's property.
 - b. A tenant on an adjoining property upon which said tenant is a legal occupant or a tenant in line of sight of the code violation from the property upon which said tenant is a legal occupant.
 - c. Once a non-safety complaint is filed against a property pursuant to this section, subsequent complaints related to the same code violation will not be accepted for twelve (12) months from the date of the most recent accepted complaint.

These limitations do not apply to code violations that are public safety related. As required by Statute, the City shall keep the complainants name and contact information confidential, and it shall not be shared.

The City does actively enforce the City's tall grass ordinance, snow removal requirements from sidewalks, and sign provisions as it relates to right of way signs. City staff may also observe and respond to code violations during regular business hours.

For a Police Emergency, call 911

The City of Jenkins is dedicated to addressing the concerns of its citizens and making the City a great place to live. This form can be used to send us a compliment or help us identify a concern in your area and address it. Please fill this form out completely and submit it online, by e-mail to cityhall@cityofjenkins.com or in person at City Hall or the Police Department.

This information is required for City purposes only -- you will remain anonymous and your name will not be given out publicly

Contact Information

Name:*	<input type="text"/>			
Telephone:*	<input type="text"/>	E-mail:	<input type="text"/>	
Address:*	<input type="text"/>			
City:*	<input type="text" value="Becker"/>	State:*	<input type="text" value="MI"/> Zip Code:*	<input type="text" value="55308"/>

Please indicate the nature of your concern by checking the appropriate box(es) below:

Administration / Planning

- | | | | |
|--------------------------|-------------------------|--------------------------|-------------------------|
| <input type="checkbox"/> | Door-to-Door Solicitors | <input type="checkbox"/> | Illegal Home Occupation |
| <input type="checkbox"/> | Work without a Permit | | |

Environmental

- | | | | |
|--------------------------|--------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | Front Yard Parking | <input type="checkbox"/> | Improper Storage |
| <input type="checkbox"/> | Junk/Blight | <input type="checkbox"/> | Litter |
| <input type="checkbox"/> | Long Grass/Weeds | <input type="checkbox"/> | Overhanging Trees/Shrubs |

Parks

- | | | | |
|--------------------------|---------------------------|--------------------------|------------------------------|
| <input type="checkbox"/> | Bathroom-Needs Cleaning | <input type="checkbox"/> | Damaged/Vandalized Equipment |
| <input type="checkbox"/> | Equipment Needs Attention | | |

Public Works

- | | | | |
|--------------------------|------------------------------|--------------------------|--------------------------------|
| <input type="checkbox"/> | Pothole | <input type="checkbox"/> | Traffic/Road Sign |
| <input type="checkbox"/> | Damaged/Leaking Fire Hydrant | <input type="checkbox"/> | Damaged Curb |
| <input type="checkbox"/> | Street Light Out | <input type="checkbox"/> | Storm Sewer Leaking/Blockage |
| <input type="checkbox"/> | Damaged Sidewalk | <input type="checkbox"/> | Traffic Signals |
| <input type="checkbox"/> | Water Leaking on Roadway | <input type="checkbox"/> | Loose/Protruding Manhole Cover |
| <input type="checkbox"/> | Road Striping | <input type="checkbox"/> | Sewer Back-Up/Sewer Issue |

Snowplow
Complaint/Concern

Mailbox Damage

Blocked Drainage Channel

Police

Abandoned Vehicle

Alcohol or Drug Concern

Other

Compliment a Service

Other Concern (please describe
below)

Brief Description (or
other concern not
listed):*

Upload a Photo
(optional)

Convert to PDF?

(DOC, DOCX, XLS, XLSX, TXT)

Address/Location of
Concern:*

For Staff Use Only

Date:

Time:

Received by:

ICR #:

Date Completed:

Completed By:

HOME OCCUPATION. A use of commercial nature conducted by an occupant entirely within the dwelling or accessory buildings which use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the residential character thereof.

HOME OCCUPATION, TYPE I. A home occupation, the commercial nature of which involves providing a service to a limited number of people who are predominantly acquaintances. Generates less than ten auto trips per week. No employees beyond owner. No signage or other advertising done either on or offsite. Would include businesses that are similar in nature to tutoring or music lessons performed on an individual basis.

HOME OCCUPATION, TYPE II. A home occupation, the commercial nature of which involves providing a service to people or organizations that do not receive the service at the property from which is it being provided. Generates less than 25 auto trips per week, including deliveries and employees. No more than two employees, in addition to the owner, working onsite. No signage done either on or offsite. Would include businesses that are similar in nature to telephone sales, consulting, or web design.

HOME OCCUPATION, TYPE III. A home occupation, the commercial nature of which involves providing a service or product to people or organizations within the home. Generates less than 60 auto trips per week, including deliveries. No more than two employees, in addition to the owner working onsite. May include onsite signage. May include retail sales of items manufactured onsite. Would include businesses that are similar in nature to chiropractic service, artist studio, or craft shop.

HOME OCCUPATION, TYPE IV. A home occupation, the commercial nature of which involves providing a service or product to people or organizations off site. Generates less than 60 auto trips per week, including deliveries. All employees do the majority of their work offsite. May include onsite storage or warehousing of work related materials. Would include businesses that are similar in nature to lawn care services and offsite sandblasting services.

§ 150.237 HOME OCCUPATION.

(A) General. Each home occupation in the city shall require a permit. Home occupation permits are not transferable to a new owner/renter/occupant, thus the permit will not run with the property, nor be transferable to a different property.

(B) Standards.

(1) All business activities, including storage, shall be inside buildings or completely screened from adjacent properties.

(2) All activities shall be clearly incidental to the use of the property for residential purposes. Not more than 25% of the gross floor area of the residence or 50% of the gross floor area of a garage or storage building shall be used for commercial purposes.

(3) No home occupation shall be conducted between the hours of 10:00 p.m. and 7:00 a.m. unless said occupation is contained entirely within the principal building and will not require any on-street parking facilities.

(4) Not more than two non-residents may be employed on the premises by the home occupation.

(5) On the premises, retail sales will be allowed only of products manufactured on those premises unless specifically authorized by conditional use permit.

(6) No articles for sale shall be displayed so as to be visible from the street.

(7) All activities will be controlled to prevent nuisance problems of noise, vibration, smoke, dust, fumes, or litter.

(8) The home occupation shall not generate more than two customer vehicles at one time. Off-street parking shall be provided, but no more than two spaces.

(9) No mechanical or electrical equipment shall be used if the operation of such equipment interferes unreasonably with the desired quiet residential environment of the neighborhood or if the health and safety of the residents is endangered. No equipment shall be used in the home occupation which will create electrical interference to surrounding properties.

(10) A person having a home occupation shall provide proof of meeting the requirements of this division (B) upon request by the city.

(C) Yard sales/garage sales. Yard sales and garage sales do not require a home occupation permit so long as they do not exceed seven cumulative days in one calendar year.

(D) Private automobile sales. One automobile displayed for sale on a property shall not require a home occupation permit so long as not more than two automobiles are sold over 30 cumulative days per calendar year.

(Ord. passed 4-10-2017) Penalty, see § 150.999

Use	AG	RR	R-1	R-2	RS	P	C-1	C-2	I-1
Home occupation (see § 150.237)	C	C	C	C	E	E	E	E	E

ORDINANCE NO. O-25-39
CITY OF JENKINS
COUNTY OF CROW WING, STATE OF MINNESOTA

AN ORDINANCE AMENDING CHAPTER 150 LAND USE AND SUBDIVISIONS,
SUBSECTIONS 150.005 DEFINITIONS AND 150.038 LAND USE MATRIX OF THE
JENKINS ZONING ORDINANCE REGARDING DWELLING UNIT, ACCESSORY

The City Council of the City of Jenkins does ordain as follows:

Purpose and Intent: The purpose and intent of this ordinance is to amend the Jenkins Zoning Ordinance, Chapter 150. Land Use and Subdivisions related to the land use matrix.

Section 1. Section 150.005 titled “DEFINITIONS” is amended to read:

DWELLING UNIT, GUEST-QUARTERS ACCESSORY. A structure, not for sale or lease, used as a dwelling unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling on the lot, or in addition to the primary use in a commercial district. Any accessory structure with kitchen or bathroom facilities shall be considered a DWELLING UNIT, GUEST-QUARTERS ACCESSORY.

Section 2. Section 150.038, titled “LAND USE MATRIX” is amended to read:

	AG	RR	R1	R2	RS	P	C1	C2	I1
Dwelling, duplex	E	C	C	P	E	E	E	E	E
Dwelling Unit, guest-quarters Accessory	P	P	P	P	E	E	P	P	E
Dwelling, multi-family	E	C	E	C	E	E	C	E	E
Dwelling, single family	P	P	P	P	E	E	E	E	E

Land Use Table:

A = Allowed without a permit	AG = Agricultural
P = Permitted	RR = Rural Residential
CUP = Conditional Use	R-1 = Single Family Residential
I = Interim Use	R-1 = Urban Residential
E = Excluded	RS = Residential Storage
AC = Accessory Use	P = Public District
	C-1 = Central Business
	C-2 = Highway Business
	I-1 = Light Industrial

Section 3. Repeal: This ordinance shall repeal all ordinances inconsistent herewith.

Section 4. Effective Date: This ordinance amendment shall be in full force and effect from and after passage and publication according to state law.

Andrew Rudlang, Mayor

ATTEST:

Krista Okerman, City Clerk

**Summary Ordinance for Publication
ORDINANCE O-25-39**

**AN ORDINANCE AMENDING CHAPTER 150 LAND USE AND SUBDIVISIONS,
SUBSECTIONS 150.005 DEFINITIONS AND 150.038 LAND USE MATRIX OF THE
JENKINS ZONING ORDINANCE REGARDING DWELLING UNIT, ACCESSORY**

The City Council of the City of Jenkins, Minnesota has approved this summary publication of Ordinance #O-25-39 which amends and regulates commercial storage facilities while protecting the property rights of the citizens of the City of Jenkins.

THE FULL TEXT OF THIS ORDINANCE IS AVAILABLE DURING NORMAL OFFICE HOURS AT THE OFFICE OF THE CITY CLERK AND IS POSTED AT THE JENKINS CITY HALL.

Dated this ____ day of _____, 20__.

Krista A. Okerman
City Clerk-Treasurer
City of Jenkins

DRAFT

**ORDINANCE NO. O-25-40
CITY OF JENKINS
COUNTY OF CROW WING, STATE OF MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 150 LAND USE AND SUBDIVISIONS,
SUBSECTIONS 150.005 DEFINITIONS AND 150.038 LAND USE MATRIX OF THE
JENKINS ZONING ORDINANCE REGARDING "BARNDOMINIUMS/SHOUSES"**

The City Council of the City of Jenkins does ordain as follows:

Purpose and Intent: The purpose and intent of this ordinance is to amend the Jenkins Zoning Ordinance, Chapter 150. Land Use and Subdivisions related to the land use matrix.

Section 1. Section 150.005 titled "DEFINITIONS" is amended to read:

BARNDOMINIUM: Dwellings, usually built using a post frame method of construction, with attached shops or storage areas with 50% or more of the square footage of the structure as a storage area and living space of no less than 400ft², or 25% of the total square footage of the structure, whichever is greater. This structure is also known as a shouse.

SHOUSE: See BARNDOMINIUM

Section 2. Section 150.038, titled "LAND USE MATRIX" is amended to read:

	AG	RR	R1	R2	RS	P	C1	C2	I1
Barndominium/Shouse	P	P	P	E	E	E	E	E	E

Land Use Table:

A = Allowed without a permit	AG = Agricultural
P = Permitted	RR = Rural Residential
CUP = Conditional Use	R-1 = Single Family Residential
I = Interim Use	R-1 = Urban Residential
E = Excluded	RS = Residential Storage
AC = Accessory Use	P = Public District
	C-1 = Central Business
	C-2 = Highway Business
	I-1 = Light Industrial

Section 3. Repeal: This ordinance shall repeal all ordinances inconsistent herewith.

Section 4. Effective Date: This ordinance amendment shall be in full force and effect from and after passage and publication according to state law.

Andrew Rudlang, Mayor

ATTEST:

Krista Okerman, City Clerk

Summary Ordinance for Publication
ORDINANCE O-25-40

**AN ORDINANCE AMENDING CHAPTER 150 LAND USE AND SUBDIVISIONS,
SUBSECTIONS 150.005 DEFINITIONS AND 150.038 LAND USE MATRIX OF THE
JENKINS ZONING ORDINANCE REGARDING “BARNDOMINIUMS/SHOUSES”**

The City Council of the City of Jenkins, Minnesota has approved this summary publication of Ordinance #O-25-40 which amends and regulates commercial storage facilities while protecting the property rights of the citizens of the City of Jenkins.

**THE FULL TEXT OF THIS ORDINANCE IS AVAILABLE DURING NORMAL
OFFICE HOURS AT THE OFFICE OF THE CITY CLERK AND IS POSTED AT THE
JENKINS CITY HALL.**

Dated this ____ day of _____, 20__.

Krista A. Okerman
City Clerk-Treasurer
City of Jenkins

DRAFT

5J

**ORDINANCE NO. O-25-41
CITY OF JENKINS
COUNTY OF CROW WING, STATE OF MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 150 LAND USE AND SUBDIVISIONS,
SUBSECTION 150.038 LAND USE MATRIX OF THE JENKINS ZONING ORDINANCE
REGARDING COMMERCIAL STORAGE STRUCTURES**

The City Council of the City of Jenkins does ordain as follows:

Purpose and Intent: The purpose and intent of this ordinance is to amend the Jenkins Zoning Ordinance, Chapter 150. Land Use and Subdivisions related to the land use matrix.

Section 1. Section 150.038, titled "LAND USE MATRIX" is amended to read:

	AG	RR	R1	R2	RS	P	C1	C2	I1
Storage Buildings, Commercial	AC CUP	E	E	E	E	E	AC CUP	AC CUP	AC CUP
Self-Storage Facility (mini-storage)	AC CUP	E	E	E	E	E	AC CUP	AC CUP	CUP

Land Use Table:

A = Allowed without a permit	AG = Agricultural
P = Permitted	RR = Rural Residential
CUP = Conditional Use	R-1 = Single Family Residential
I = Interim Use	R-1 = Urban Residential
E = Excluded	RS = Residential Storage
AC = Accessory Use	P = Public District
	C-1 = Central Business
	C-2 = Highway Business
	I-1 = Light Industrial

Section 2. Repeal: This ordinance shall repeal all ordinances inconsistent herewith.

Section 3. Effective Date: This ordinance amendment shall be in full force and effect from and after passage and publication according to state law.

Andrew Rudlang, Mayor

ATTEST:

Krista Okerman, City Clerk

**Summary Ordinance for Publication
ORDINANCE O-25-41**

**AN ORDINANCE AMENDING CHAPTER 150 LAND USE AND SUBDIVISIONS,
SUBSECTION 150.038 LAND USE MATRIX OF THE JENKINS ZONING ORDINANCE
REGARDING COMMERCIAL STORAGE STRUCTURES**

The City Council of the City of Jenkins, Minnesota has approved this summary publication of Ordinance #O-25-41 which amends and regulates commercial storage facilities while protecting the property rights of the citizens of the City of Jenkins.

**THE FULL TEXT OF THIS ORDINANCE IS AVAILABLE DURING NORMAL
OFFICE HOURS AT THE OFFICE OF THE CITY CLERK AND IS POSTED AT THE
JENKINS CITY HALL.**

Dated this ____ day of _____, 20__.

Krista A. Okerman
City Clerk-Treasurer
City of Jenkins

DRAFT