



**JENKINS CITY COUNCIL
SPECIAL MEETING/WORKSHOP NOTICE**

**Monday, June 2, 2025
Jenkins City Hall
4:30 PM**

I, **Andrew Rudlang, Mayor**, hereby request a special meeting/workshop of the Jenkins City Council on **Monday, June 2, 2025 at 4:30 PM**, to be held at Jenkins City Hall, 33861 Cottage Avenue, Jenkins, MN 56474.

The purpose of the meeting is as follows:

- **Discuss, review and consider ratification of Variance/CUP/Land Use Permit for Ebnet Development, LLC.**

In accordance with State Statute, I hereby request the City Clerk/Treasurer to post this notice at least three days prior to the meeting date. I further request that the City Clerk/Treasurer notify each member of the Jenkins City Council of this special meeting, in writing, at least one day before the meeting.

Andrew J. Rudlang, Mayor
City of Jenkins

5/28/2025

Date

I HEREBY CERTIFY, that this notice has been posted at least three days before the above-called Special City Council meeting and that I have served this notice upon members of the City Council and any person who has made written request for personal notification of Special City Council meetings.

Krista A. Okerman, City Clerk-Treasurer

5/28/25

Date

JENKINS

Special City Council Meeting Report

REPORT TO CITY COUNCIL

Prepared by: Krista Okerman

Date: May 28, 2025

Subject: Ebnet Development LLC Variance/CUP and Land Use Permit

Report: The purpose of this report is to review and consider ratification of a variance and accompanying Conditional Use Permit (CUP) for Ebnet Development, LLC. This was discussed at the joint workshop and Council meetings but never acted on. As it currently stands, the City's variance timeframe for action is 6-months, while our CUP is 12-months. The variance and CUP are tied to each other. Applying for the CUP does not constitute action on the variance. However, Mr. Ebnet did perform some initial clearing and driveway work on the property shortly after approval of the variance and CUP in 2024.

I have attached the proposed amendment to the City's existing ordinance that the Planning Commission will be holding a Public Hearing on June 2, 2025, which aligns the timeframes to 12-months. I have also included the approving documents that were filed at Crow Wing County.

City Attorney Person will be in attendance for more guidance and clarification as was motioned and approved at the May 27, 2025 meeting.

Recommendation: Per City Attorney

Council Action Requested: Per City Attorney

Proposed amendment scheduled for Public Hearing
4/2/25

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 150.285 VARIANCES AND 150.287 SUBDIVISIONS OF THE
JENKINS ZONING ORDINANCE

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 required submittal/proposal documents and time frames.

Section 1. 150.285, titled "VARIANCES" Subsection (H) is amended to read:

(H) Failure by the owner to act within 12 months 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.

Section 2. 150.287, titled "SUBDIVISIONS" Subsections (B)1, (E)3, (F)1, (G)1, (G)4, (G)5 are amended to read:

(B) *Sketch plan review meeting with Planning Commission.* At the subdivider's option, a review of a sketch plan will be made by the Planning Commission prior to a public hearing. Discussion at this meeting shall be limited to procedure, chapter requirements, and timing.

(1) The subdivider shall submit one reproducible digital, one 11x17, and one 22x34 copy nine copies of the sketch plan 14 days prior to the normal Planning Commission meeting, and request a position on the formal agenda.

(E) *Metes and bounds subdivision approval, subdivisions less than ten acres in size or less than 500 feet in width.*

(3) The subdivider shall submit one reproducible digital, one 11x17, and one 22x34 copy nine copies of his or her proposal to the Zoning Administrator 30 days prior to the normal Planning Commission meeting and pay the corresponding fee.

(F) *Preliminary plat or preliminary condominium plat approval.* The preliminary plat or preliminary condominium plan approval constitutes formal approval of the concept and design of the subdivision. The Planning Commission review shall include a public hearing and may include a field review at their discretion. All reports of city staff, DNR, and road authorities shall be reviewed and included in the hearing record. Related variance requests, rezoning requests, and conditional use requests shall be heard concurrently with a subdivision request.

(1) The subdivider shall submit one reproducible digital, one 11x17, and one 22x34 copy nine copies of this proposed plat or condominium plat to the Zoning Administrator 30 days prior to the normal Planning Commission meeting, pay the required fees, and request a public hearing.

(G) *Final plat or final condominium plat approval.* Upon approval by the Planning Commission, the subdivider shall cause the final plat or final condominium plat, documents, and concurrent documents to be prepared and submitted to the Planning Commission for

**CITY OF JENKINS
RESOLUTION NO. 24-06-289**

**A RESOLUTION ADOPTING FINDINGS OF FACT AND REASONS FOR APPROVAL
FOR VARIANCE APPLICATION OF EBNET DEVELOPMENT LLC AT LOT 3,
BLOCK 1, PLEASANT ACRES.**

FACTS

1. Ebnet Development LLC is the owner of a parcel of land located at Lot 3, Block 1 Pleasant Acres, Jenkins, Minnesota, 56472.
2. The subject property is legally described as found on Exhibit A; and,
3. Ebnet Development LLC has applied to the City for a variance to the lot size requirement to build a duplex as described on Exhibit B
4. The proposal would vary from the required lot size of 3 acres Jenkins Ordinance §150.027 RURAL RESIDENTIAL DISTRICT (RR) in that the existing lot size is 2.33 acres creating a .7 acre deviation.
5. Following a public hearing on the application, the Jenkins Planning Commission has recommended approval of the variance on June 3, 2024.
6. The City Council of the City of Jenkins reviewed the requested variance at its Meeting of June 10, 2024.

APPLICABLE LAW

7. Minnesota Statute Section 462.357, subd. 6 provides:
 - a. Variances shall only be permitted (a) when they are in harmony with the general purposes and intent of the ordinance and (b) when the variances are consistent with the comprehensive plan.

- b. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that (a) the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality.
8. City Ordinance allows variances considering 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.
 9. City Ordinance requires a minimum of 3 acres for a duplex.

CONCLUSIONS OF LAW

10. The requested variance is in harmony with the purposes and intent of the ordinance because the intent of the lot size requirement is to ensure sufficient space for residential structures and associated amenities while maintaining the character and density of the neighborhood.
11. The requested variance is consistent with the comprehensive plan because promoting a variety of housing and redevelopment of housing for a range of densities, types and price points is one of the Jenkins Comprehensive Plan's Guiding Principles.
12. The property owner does propose to use the property in a reasonable manner because the surrounding land uses include single-family homes, some of which are on lots of varying sizes.
13. There are unique circumstances to the property not created by the landowner because 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.
14. The variance will maintain the essential character of the locality because the minor reduction in lot size is not expected to adversely impact existing residential nature, density, or property values of the adjacent properties.
15. The minor reduction in lot size is not expected to adversely impact existing residential nature, density, or property values of the adjacent properties.

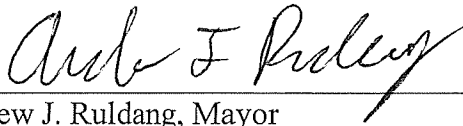
16. The hardship is not self-created, as the lot size is a pre-existing condition

17. The duplex will be constructed in compliance with all other zoning and building regulations, ensuring safety and aesthetic harmony.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JENKINS, MINNESOTA AS FOLLOWS:

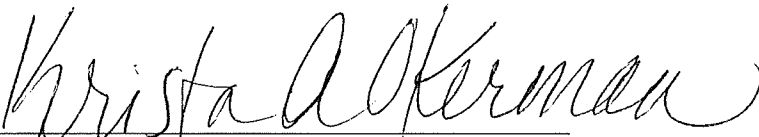
The application to issue a variance to allow Ebnet Development LLC deviation to build a duplex on 2.3 acres so as to deviate from the required 3 acres is hereby approved.

Passed by the City Council of Jenkins, Minnesota this 10th day of June, 2024.



Andrew J. Ruldang, Mayor

Attested:



Krista A. Okerman, City Clerk



**CITY OF JENKINS
RESOLUTION #24-06-290
APPROVING A CONDITIONAL USE PERMIT FOR
EBNET DEVELOPMENT LLC**

WHEREAS, Ebnet Development LLC (“Applicant”) has submitted an application for a Conditional Use Permit for a duplex to be constructed on Lot 3, Block 1, Pleasant Acres, located on Ellis Road in the City of Jenkins, Minnesota; and

WHEREAS, the property is legally described as follows:

Lot 3, Block 1 Pleasant Acres.

WHEREAS, the Planning Commission has considered the Applicant’s request at a duly noticed Public Hearing which took place on June 3, 2024, and has recommended approval to the City Council; and

WHEREAS, the City Council for the City of Jenkins considered the Planning Commission’s recommendations at its June 10, 2023 meeting;

NOW, THEREFOR, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF JENKINS, CROW WING COUNTY, MINNESOTA, that it does hereby approve the request of Ebnet Development LLC for a Conditional Use Permit, based upon the Jenkins, MN Code of Ordinances, Title XV Land Usage, Chapter 150.283 which provides the standards for granting a Conditional Use Permit. The City Council’s Findings related to the standards are as follows:

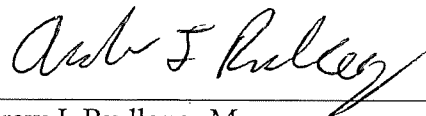
1. The subject property is a vacant 2.3-acre lot located on Ellis Rd, city of Jenkins.
2. Surrounding properties are predominantly single-family houses on large lots, consistent with the Rural Residential zoning.
3. The 2.3-acre lot is below the lot size requirement for a duplex in the Rural Residential 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.

FURTHER BE IT RESOLVED that the following conditions of approval of the Conditional Use Permit shall 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.
5. 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.
6. Adequate landscaping and screening will be provided to minimize visual impact on neighboring properties.
7. Must comply with all applicable zoning, building, and environmental regulations.
8. Maximum building height must be 35 feet.
9. The use and development must meet all state, local, and federal regulations.
10. A minimum 50' setback be maintained from the surrounding properties.
11. All fees are paid.

Adopted by the Jenkins City Council this 10th day of June, 2024.



Andrew J. Rudlang, Mayor

ATTESTED:



Krista A. Okerman, City Clerk-Treasurer