



CITY COUNCIL MEETING AGENDA

MONDAY, APRIL 13TH, 2026 @ 6:00 PM

MAYOR:

ANDREW RUDLANG

CITY ATTORNEY:

JOE LANGEL

CITY CLERK-TREASURER:

CASSANDRA DELOUGHERTY

CITY COUNCIL:

JERIMEY FLATEGRAFF

(MAYOR PRO-TEM)

ROMAN SILTMAN

RYAN BARNETT

JORY CARLSON

CITY OF JENKINS
33861 COTTAGE AVENUE
JENKINS, MN 56474
(718) 568-4637

JOIN ZOOM MEETING [HTTPS://ZOOM.US/JOIN](https://zoom.us/join)
MEETING ID: 353 029 2895 PASSWORD: 56474
DIAL BY LOCATION: (312) 626-6799 (US CHICAGO)
WWW.CITYOFJENKINS.COM

NOTE: PRINTED MATERIALS RELATING TO AGENDA ITEMS ARE AVAILABLE FOR PUBLIC INSPECTION IN A THREE-RING BINDER BY COUNCIL CHAMBER ENTRANCE.

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. AGENDA ADDITIONS/DELETIONS
4. CONSENT AGENDA
 - A. AGENDA
 - B. MINUTES OF THE MARCH 9TH, 2026 MEETING
 - C. MARCH FINANCIAL RECONCILIATION
 - D. PREWRITTEN CHECK #'S 30462-30497 & EFT'S; **\$37,837.35**
 - E. PROPOSED CHECK #'S; 30498-30507; **\$11, 100.72** **TOTAL=\$48,938.07**
5. OPEN FORUM

THIS IS A TIME TO ADDRESS THE CITY COUNCIL REGARDING ITEMS THAT ARE NOT ON THE AGENDA. PLEASE WAIT FOR THE MAYOR TO ACKNOWLEDGE YOU. STATE YOUR NAME, ADDRESS AND TOPIC YOU WISH TO DISCUSS FOR THE RECORD. NO RESPONSE OR ACTION WILL BE IMMEDIATELY TAKEN TO CITIZEN REQUEST OTHER THAN TO REFER THE MATTER TO CITY STAFF FOR FURTHER RESEARCH AND A WRITTEN REPORT BACK TO THE CITY COUNCIL.
PLEASE NOTE THAT PUBLIC COMMENT MAY BE LIMITED TO 3 MINUTES PER PERSON.

6. NEW BUSINESS
7. UNFINISHED BUSINESS
 - A. SIDE YARD SETBACK VARIANCE REQUEST
 - i. RESOLUTION 26-04-334
 - B. CONDITIONAL USE PERMIT APPLICATION-VEHICLE DEALER LICENSE
 - i. RESOLUTION 26-04-335
 - C. PROPOSED ORDINANCE AMENDMENT O-26-49 LOWER-POTENCY HEMP EDIBLE RETAILER
 - i. ORD. AMNDMT O-26-49
 - D. 2026 VETERANS STREET IMPROVEMENT PROJECT
 - i. BRAUN INTERTEC GEO-TECH AND MATERIAL TESTING PROPOSALS
 - ii. CHOSEN VALLEY TESTING, INC. GEO-TECH AND MATERIAL TESTING PROPOSAL
 - iii. WIDSETH PROJECT PLANS-WIDSETH WILL PROVIDE TO CLERK FRIDAY, 4/10
 - iv. ADVERTISEMENTS FOR BID
 - E. AUDITING/ACCOUNTING SERVICES
 - i. CLA PROPOSAL
 - ii. ABDO PROPOSAL
 - F. ADMINISTRATIVE INTERNSHIP
 - G. EMERGENCY MANAGEMENT-WARNING SIREN
8. REPORTS OF OFFICERS, COMMITTEES, STAFF
 - A. MAYOR'S REPORT
 - B. CLERK'S REPORT
9. MISCELLANEOUS/COMMUNICATION
 - A. COMMUNITY BENEFIT GRANT APPLICATION
10. ADJOURNMENT

MARCH 9TH, 2026
JENKINS CITY COUNCIL
MEETING MINUTES

CALL TO ORDER – PLEDGE OF ALLEGIANCE

MAYOR ANDREW RUDLANG CALLED THE MEETING TO ORDER AT 6:00 PM.

ROLL CALL

PRESENT: MAYOR ANDREW RUDLANG, COUNCIL MEMBERS SILTMAN, AND BARNETT. COUNCIL MEMBERS FLATEGRAFF AND CARLSON WERE NOT PRESENT.

AGENDA ADDITIONS/DELETIONS

CLERK-TREASURER DELOUGHERTY NOTED SEVERAL AGENDA UPDATES INCLUDING CORRECTED ITEM 4B, ADDED PC PH MINUTES (ITEM 7A), ADDED LETTER OF SUPPORT (ITEM 7D), AND ADDED ADMIN REPORT (ITEM 9A). COUNCIL MEMBER SILTMAN REQUESTED ADDITION OF A COMMITTEE UPDATE, WHICH WAS PLACED UNDER ITEM 8C.

CONSENT AGENDA

THE CONSENT AGENDA WAS APPROVED WITH NOTED CORRECTIONS TO THE ADJOURNMENT TIME FROM THE PREVIOUS MEETING.

MOTION BY COUNCIL MEMBER SILTMAN TO APPROVE THE CONSENT AGENDA WITH THE ADDITIONS AND CORRECTION. SECOND BY COUNCIL MEMBER BARNETT. ALL IN FAVOR.

OPEN FORUM

JEFF HANSEN OF 2869 HALF MILE ROAD ADDRESSED THE COUNCIL REGARDING HIS VARIANCE APPLICATION, REQUESTING WAIVER OR REDUCTION OF THE \$500 APPLICATION FEE DUE TO CONSTRUCTION COSTS AND BUDGET CONSTRAINTS FOR HIS PROPOSED GARAGE PROJECT REQUIRING A 10-FOOT SIDE YARD SETBACK VARIANCE.

UNFINISHED BUSINESS

ORDINANCE AMENDMENT O-26-48 CITY-INITIATED REZONE & ZONING MAP AMENDMENT

CLERK-TREASURER DELOUGHERTY EXPLAINED THIS WAS HOUSEKEEPING TO CORRECT ZONING DESIGNATIONS FOR SIX PARCELS THAT HAD BEEN PREVIOUSLY APPROVED FOR REZONING BUT NEVER HAD THEIR ZONING MAPS UPDATED. THE UPDATES INCLUDE MOVING NEWLY PURCHASED CITY PROPERTY FROM RESIDENTIAL TO PUBLIC ZONING AND UPDATING THE ZONING MAP WITH MORE CONTRASTING COLORS.

MOTION BY COUNCIL MEMBER BARNETT TO APPROVE ORDINANCE NUMBER O-26-48. SECOND BY MAYOR SILTMAN. ALL IN FAVOR.

SINCE ONLY THREE COUNCIL MEMBERS WERE PRESENT AND SUMMARY PUBLICATION REQUIRES A 4/5 VOTE, COUNCIL CHOSE TO PUBLISH THE FULL ORDINANCE.

MOTION BY MAYOR RUDLANG TO PUBLISH THE ORDINANCE IN ITS ENTIRETY. SECOND BY COUNCIL MEMBER SILTMAN. ALL IN FAVOR.

2026 VETERANS STREET IMPROVEMENT PROJECT PROPOSAL QUESTIONS ANSWERED

DELOUGHERTY REPORTED THAT QUESTIONS SUBMITTED TO THE ENGINEERING FIRM HAD BEEN ANSWERED. THE \$265,000 ESTIMATE INCLUDES ALL SOFT COSTS AND ENGINEERING. A COUNTY COMMISSIONER SUGGESTED GETTING ADDITIONAL QUOTES FOR THE \$12,000 CORE SAMPLING PORTION, AS IT SEEMED HIGH. COUNCIL MEMBERS EXPRESSED DESIRE FOR MORE INFORMATION ABOUT DITCHING AND DRAINAGE IMPROVEMENTS BEFORE APPROVING THE PROPOSAL.

EMERGENCY WARNING SIREN UPDATE

DELOUGHERTY REPORTED OUTREACH TO JENKINS AND WILSON TOWNSHIPS REGARDING PARTNERSHIP OPPORTUNITIES FOR SIREN PLACEMENT. SHE RECEIVED MAPS SHOWING FOUR POTENTIAL LOCATIONS AND COVERAGE AREAS. ADDITIONALLY, CROW WING COUNTY EMERGENCY MANAGEMENT IS ORGANIZING A JOINT MAINTENANCE PROGRAM FOR THE COUNTY'S 52 SIRENS, WITH A MEETING SCHEDULED MARCH 30TH.

MOTION BY COUNCIL MEMBER BARNETT TO APPROVE DELOUGHERTY ATTENDING THE COUNTY MEETING ABOUT SIREN MAINTENANCE. SECOND BY COUNCIL MEMBER SILTMAN. ALL IN FAVOR.

PB TRAIL CONNECT LETTER OF SUPPORT

COUNCIL REVIEWED A DRAFTED LETTER SUPPORTING THE TRAIL CONNECTION PROJECT. A SPELLING ERROR IN "RESTAURANTS" WAS NOTED FOR CORRECTION.

MOTION BY COUNCIL MEMBER SILTMAN TO APPROVE THE LETTER OF SUPPORT. COUNCIL MEMBER BARNETT. ALL IN FAVOR.

THIRD-PARTY REIMBURSEMENT GRANT

DELOUGHERTY REPORTED APPLYING FOR THE SOURCEWELL THIRD-PARTY REIMBURSEMENT GRANT, THOUGH AUDITING SERVICES ARE NOT COVERED. SHE WILL MEET WITH AN ADVISORY CONSULTANT THURSDAY TO SCOPE THE PROJECT BEFORE REAPPLYING.

INTERN REIMBURSEMENT GRANT

SOURCEWELL APPROVED THE INTERN REIMBURSEMENT FUNDING AT \$15 PER HOUR. DELOUGHERTY WILL WORK WITH THE CITY ATTORNEY ON THE HIRING PROCESS AND ENSURE COMPLIANCE WITH ALL REQUIREMENTS.

REPORTS OF OFFICERS, COMMITTEES, STAFF

MAYOR'S REPORT

NO REPORT.

CLERK'S REPORT

DELOUGHERTY REQUESTED COUNCIL APPROVAL FOR 2026-2027 LIQUOR LICENSES PENDING AGE APPROVAL, AS CURRENT LICENSES EXPIRE MARCH 31ST AND NO REGULAR MEETING IS SCHEDULED BEFORE THEN.

MOTION BY MAYOR RUDLANG TO APPROVE THE 2026 LIQUOR LICENSES PENDING AG APPROVAL. SECOND BY COUNCIL MEMBER BARNETT. ALL IN FAVOR.

ADDITIONAL ITEMS REPORTED INCLUDED APPROVAL OF WEX FUEL CARDS FOR PUBLIC WORKS, GARAGE DOOR OPENER REPLACEMENT FUNDED THROUGH IMPACT GRANT ADJUSTMENTS, SUBMISSION OF AARP COMMUNITY CHALLENGE GRANT FOR VETERANS PARK ACCESSIBILITY IMPROVEMENTS, AND RECOMMENDATION TO APPLY FOR THE \$2000 SOURCEWELL BOOST FUNDS GRANT.

MOTION BY MAYOR RUDLANG TO APPLY FOR THE SOURCEWELL BOOST FUNDS FOR THE PURPOSE OF REPAIRING/REPLACING THE SIGN AT LILAC AND HIGHWAY 371. SECOND BY COUNCIL MEMBER BARNETT. ALL IN FAVOR.

PARKS REPORT

COUNCIL MEMBER SILTMAN PRESENTED EASTER EGG HUNT PLANS, INCLUDING DONATION LETTERS FOR PRIZES AND THE EVENT FLYER. THE HUNT WILL BE HELD AT VETERANS PARK WITH OVER 2000 EGGS EXPECTED.

MOTION BY MAYOR RUDLANG TO APPROVE EVERYTHING FOR THE EASTER EGG HUNT AS PRESENTED. SECOND BY COUNCIL MEMBER BARNETT. ALL IN FAVOR.

SILTMAN ALSO REQUESTED APPROVAL FOR VOLUNTEER CLEANUP OF THE NEWLY PURCHASED PROPERTY, WITH APPROPRIATE LIABILITY WAIVERS.

MOTION BY MAYOR RUDLANG TO APPROVE THE VOLUNTEER CLEANUP AS DESCRIBED. SECOND BY COUNCIL MEMBER SILTMAN. ALL IN FAVOR.

MISCELLANEOUS/COMMUNICATION

ZONING ADMIN REPORT - LANDOWNER REQUEST TO WAIVE FEE

COUNCIL CONSIDERED HANSEN'S REQUEST TO WAIVE THE \$500 VARIANCE APPLICATION FEE. AFTER DISCUSSION ABOUT CONSISTENCY AND PRECEDENT, COUNCIL DECLINED THE REQUEST WHILE INDICATING OPENNESS TO REVIEWING FEE STRUCTURES IF PLANNING COMMISSION RECOMMENDS SETBACK CHANGES.

MOTION BY MAYOR RUDLANG TO DECLINE TO WAIVE THE FEE OR ALTER IT FOR YARD SETBACK APPLICATIONS. SECOND BY COUNCIL MEMBER BARNETT. ALL IN FAVOR.

COUNCIL ALSO ADDRESSED A REQUEST FROM PEQUOT AUTO CENTER REGARDING ZONING COMPLIANCE FOR OCCASIONAL VEHICLE SALES. ***COUNCIL DETERMINED A CONDITIONAL USE PERMIT WOULD BE REQUIRED FOR ANY DEALERSHIP ACTIVITIES BEYOND THE PRIMARY AUTO REPAIR BUSINESS.***

ADJOURNMENT

MOTION BY COUNCIL MEMBER BARNETT, SECONDED BY SILTMAN TO ADJOURN AT 7:31 PM. ALL IN FAVOR.

APPROVED THIS _____ DAY OF _____, 2026.

ANDREW J. RUDLANG, MAYOR

CASSANDRA M. DELOUGHERTY, CITY CLERK-TREASURER

March 2026

For the Period : 3/1/2026 To 3/31/2026

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>	<u>Less Deposits In Transit</u>	<u>Plus Outstanding Checks</u>	<u>Total Per Bank Statement</u>
General Fund	\$396,626.70	\$6,730.52	\$32,369.49	\$370,987.73	\$0.00	\$5,838.25	\$376,825.98
2023A Improvement Program Fund Account	\$147,669.66	\$455.39	\$0.00	\$148,125.05	\$0.00	\$0.00	\$148,125.05
Savings Account-Committed Funds	\$242,293.60	\$56.57	\$0.00	\$242,350.17	\$0.00	\$0.00	\$242,350.17
Total	\$786,589.96	✓\$7,242.48	✓\$32,369.49	✓\$761,462.95	\$0.00	✓\$5,838.25	\$767,301.20

Date

Fund Name: All Funds

Date Range: 03/01/2026 To 03/31/2026

<u>Date</u>	<u>Remitter</u>	<u>Receipt #</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-P</u>	<u>Total</u>	
03/03/2026	Roger Olmscheid	040019	Successful bidder for sealed bid of PW surplus equipment-'18 eXmark Lazer Z Zero-Turn Mower	(03/04/2026) -	N	MISCELLANEOUS REVENUES	100-36200-	\$ 3,601.00	
								<u>\$ ✓ 3,601.00</u>	
03/06/2026	Michael & Jennifer Schoonover	040020	Land Use Permit 26-849 and E911 Addressing Fee 72x40 shed	(03/06/2026) -	N	Building Permits (Excludes surcharge)	100-32210-	\$ 576.00	
							E-911 addressing/mailbox	100-32251-	\$ 100.00
								<u>\$ ✓ 676.00</u>	
03/10/2026	Jeff & Annette Hanson	040021	PID26220513 2869 Hald Mile Rd 10-foot side-yard setback variance application fee	(03/16/2026) -	N	Zoning and Subdivision Fees	100-34103-	\$ 500.00	
								<u>\$ ✓ 500.00</u>	
03/11/2026	Crow Wing County-State of MN	040022	finest	(03/11/2026) -	N	Court Fines	100-35101-	\$ 269.95	
								<u>\$ ✓ 269.95</u>	
03/16/2026	Chris O'Dell	040023	Driveway Access Permit and E911 Addressing Request PID 26270593 TBD 2nd Street	(03/16/2026) -	N	Building Permits (Excludes surcharge)	100-32210-	\$ 25.00	
							E-911 addressing/mailbox	100-32251-	\$ 100.00
								<u>\$ ✓ 125.00</u>	
03/17/2026	Mark Turner	040024	Conditional Use Permit Application Fee	(03/19/2026) -	N	Zoning and Subdivision Fees	100-34103-	\$ 500.00	
								<u>\$ ✓ 500.00</u>	
03/31/2026	First National Bank	040025	checking and savings acct interest	(03/31/2026) -	N	Interest Earning	100-36210-	\$ 16.41	
							Interest Earning	404-36210-	\$ 56.57
								<u>\$ ✓ 72.98</u>	

Fund Name: All Funds

Date Range: 03/01/2026 To 03/31/2026

<u>Date</u>	<u>Remitter</u>	<u>Receipt #</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-P</u>	<u>Total</u>
03/31/2026	PMA-4MP	040026	interest and dividends (GO \$455.39, Res. \$704.74, Gen \$337.42)	(03/31/2026) -	N	Interest Earning	100-36210-	\$ 704.74
						Interest Earning	100-36210-	\$ 337.42
						Interest Earning	301-36210-	\$ 455.39
Total for Selected Receipts							\$	1,497.55
							\$	7,242.48

Fund Name: All Funds

Date Range: 03/01/2026 To 03/31/2026

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
03/10/2026	Payroll Period Ending 03/07/2026	30462	2/22-3/07/2026 pay period, CC pay, health stipend	N	Council/Town Board	100-41110-106-	\$ 230.87
	Total For Check	30462					\$ ²¹ / ₁₅ 230.87
03/10/2026	Payroll Period Ending 03/07/2026	30463	2/22-3/07/2026 pay period, CC pay, health stipend	N	Council/Town Board	100-41110-106-	\$ 180.87
	Total For Check	30463					\$ ⁰¹ / ₁₅ 180.87
03/10/2026	Payroll Period Ending 03/07/2026	30464	2/22-3/07/2026 pay period, CC pay, health stipend	N	Clerk	100-41425-101-	\$ 2,118.87
	Total For Check	30464					\$ ✓ 2,118.87
03/10/2026	Payroll Period Ending 03/07/2026	30465	2/22-3/07/2026 pay period, CC pay, health stipend	N	Payroll Administration	100-41501-131-	\$ 520.78
	Total For Check	30465					\$ ✓ 520.78
03/10/2026	Payroll Period Ending 03/07/2026	30466	2/22-3/07/2026 pay period, CC pay, health stipend	N	Council/Town Board	100-41110-106-	\$ 230.87
	Total For Check	30466					\$ ⁰¹ / ₁₅ 230.87
03/10/2026	Payroll Period Ending 03/07/2026	30467	2/22-3/07/2026 pay period, CC pay, health stipend	N	Public Works/Maintenance	100-43102-103-	\$ 568.87
	Total For Check	30467					\$ ✓ 568.87
03/10/2026	Payroll Period Ending 03/07/2026	30468	2/22-3/07/2026 pay period, CC pay, health stipend	N	Payroll Administration	100-41501-131-	\$ 187.46
	Total For Check	30468					\$ ✓ 187.46
03/10/2026	Payroll Period Ending 03/07/2026	30469	2/22-3/07/2026 pay period, CC pay, health stipend	N	Council/Town Board	100-41110-106-	\$ 277.05
	Total For Check	30469					\$ ✓ 277.05
03/10/2026	Payroll Period Ending 03/07/2026	30470	2/22-3/07/2026 pay period, CC pay, health stipend	N	Council/Town Board	100-41110-106-	\$ 230.87
	Total For Check	30470					\$ ✓ 230.87
03/10/2026	City of Pequot Lakes	30471	Invoice No: 2556 March 2026 Police Contract	N	Council/Town Board	100-41110-404-	\$ 3,605.00
	Total For Check	30471					\$ ✓ 3,605.00

Fund Name: All Funds

Date Range: 03/01/2026 To 03/31/2026

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
03/10/2026	Sourcewell	30472	Planning & Zoning Services	N	Planning and Zoning	100-41910-311-	\$ 577.50
		Total For Check 30472					\$ 577.50
03/10/2026	AT & T Mobility	30473	Roger Cell Phone	N	Public Works/Maintenance	100-43102-321-	\$ 30.00
		Total For Check 30473					\$ 30.00
03/10/2026	Widseth Smith Nolting & Assoc., Inc	30474	Inv.243417 Pro#2026-10043 Coordination w/DNR on PB trail connect when MNDOT const commence	N	Planning and Zoning	100-41910-303-	\$ 85.00
		Total For Check 30474					\$ 85.00
03/10/2026	Pequot Lakes Sanitation	30475	Garbage service	N	General Government Buildings and Plant	100-41940-384-	\$ 62.90
		Total For Check 30475					\$ 62.90
03/10/2026	Pequot Lakes Fire District	30476	5/1/2026-4/30/2027 Fire Contract (\$10,755.48) & Fire Relief Contribution (\$1,471.83)	N	Fire Administration	100-42210-314-	\$ 12,227.31
		Total For Check 30476					\$ 12,227.31
03/10/2026	On Systems Inc.	30477	March Inv#12706 Managed services and web hosting	N	Clerk	100-41425-209-	\$ 285.46
		Total For Check 30477					\$ 285.46
03/10/2026	Internal Revenue Service	EFT25119520	February 2026 Q1 941 obligation	N	Payroll Administration	100-41501-122-	\$ 1,165.81
		EFT25119520				100-41501-135-	\$ 272.65
		EFT25119520				100-41501-170-	\$ 731.68
		Total For Check EFT25119520					\$ 2,170.14
03/22/2026	Thurlow Hardware	30478	paper towels	N	General Government Buildings and Plant	100-41940-215-	\$ 6.27
		Total For Check 30478					\$ 6.27
03/22/2026	Northland Fire Protection	30479	Fire Extinguisher service and recertification	N	General Government Buildings and Plant	100-41940-401-	\$ 127.00
		Total For Check 30479					\$ 127.00
03/22/2026	LMCIT C/O Berkley Risk Admin.	30480	6/1/26-6/1/27 Workers Comp Insurance Acct Number 40001407	N	Payroll Administration	100-41501-151-	\$ 984.00

Fund Name: All Funds

Date Range: 03/01/2026 To 03/31/2026

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
		Total For Check 30480					<u>\$ 0/S 984.00</u>
03/22/2026	MN Power	30481	Street Lights 2/5/26-3/5/26	N	Street Lighting	100-43160-381-	\$ 0/S 592.26
		Total For Check 30481					<u>\$ 0/S 592.26</u>
03/22/2026	Select Garage Door Co.	30482*	PW shop (2) Genie 4124H 12' Garage Door Openers-2025 Sourcewell Community Impact Funding	N	General Government Buildings and Plant	100-41940-223-903	\$ 2,264.00
		Total For Check 30482					<u>\$ 0/S 2,264.00</u>
03/22/2026	PERA	EFT00004152	2/22-3/07/26 pay period	N	Clerk	100-41425-115-	\$ 202.75
		EFT00004152			Payroll Administration	100-41501-121-	\$ 295.86
		EFT00004152			Public Works/Maintenance	100-43102-115-	\$ 53.66
		Total For Check EFT00004152					<u>\$ ✓ 552.27</u>
03/22/2026	State of IA	EFT2724444	CSE 2/22 - 3/07/26 pay period	N	Clerk	100-41425-175-	\$ 60.00
		Total For Check EFT2724444					<u>\$ ✓ 60.00</u>
03/24/2026	Payroll Period Ending 03/22/2026	030483	3/8-3/22/26 pay period	N	Clerk	100-41425-101-	\$ 2,125.55
		Total For Check 030483					<u>\$ ✓ 2,125.55</u>
03/24/2026	Payroll Period Ending 03/22/2026	30484	3/8-3/22/26 pay period	N	Public Works/Maintenance	100-43102-103-	\$ 0/S 542.77
		Total For Check 30484					<u>\$ S 542.77</u>
03/24/2026	Payroll Period Ending 03/22/2026	30485	3/8-3/22/26 pay period	N	Public Works/Maintenance	100-43102-103-	\$ 0/S 141.44
		Total For Check 30485					<u>\$ 0/S 141.44</u>
03/24/2026	Payroll Period Ending 03/22/2026	30486	3/8-3/22/26 pay period	N	Public Works/Maintenance	100-43102-103-	\$ 0/S 76.16
		Total For Check 30486					<u>\$ 0/S 76.16</u>
03/26/2026	Xcel Energy	EFT75340713	Natural gas service	N	General Government Buildings and Plant	100-41940-383-	\$ 343.45
		Total For Check EFT75340713					<u>\$ ✓ 343.45</u>
03/26/2026	PERA	EFT75340714	3/08-3/21/26 pay period	N	Clerk	100-41425-115-	\$ 203.49
		EFT75340714			Payroll Administration	100-41501-121-	\$ 293.98
		EFT75340714			Public Works/Maintenance	100-43102-115-	\$ 51.29
		Total For Check EFT75340714					<u>\$ ✓ 548.76</u>
03/26/2026	State of IA	EFT75340715	CSE 3/08 - 3/21/26 pay period	N	Clerk	100-41425-175-	\$ 60.00
		Total For Check EFT75340715					<u>\$ ✓ 60.00</u>

Fund Name: All Funds

Date Range: 03/01/2026 To 03/31/2026

Date Vendor
03/31/2026 MN Power

Check # Description
EFT907664-6: Street Lights (\$14.19) Building
and Grounds lights (\$341.55)
2/5/26-3/5/26

Void Account Name
N General Government Buildings and
Plant

F-A-O-P Total
100-41940-381- \$ 341.55

Total For Check EFT907664-6: Street Lighting 100-43160-381- \$ 14.19

Total For Selected Checks

\$ ✓ 355.74
\$ ✓ 32,369.49

For the month ending:

March 31, 2026

Bank account

Account #

Balance

First National Bank

Checking (NOW)	XXX769	171,061.73
Savings	XXXX989	107,592.00
4-year CD	XXXXX423	0.00

4 M Fund

<i>Bond</i>		
Money Market	XXX201	148,599.60
Money Market - Street Reserves	XXX101	110,089.45
CD #XXXX612-1 (Mat. 3/17/25)	XX102	229,958.42
		0.00
		0.00

TS #XXXX98-1 (Mat. 5/29/25)	XXX102	
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CD #XXXX270-1 (Mat. 5/28/25)	XXX102	
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4M Fund TOTAL 488,647.47

Assigned Operational (6 months)	252,423.94
Operational Reserve	0.00
Committed Funds	377,751.37
Debt Service	131,287.64
Fund Balance Total	761,462.95

O/S Checks O/S Deposits Ending Bal. Check # O/S check amt.

5,838.25		165,223.48	30442	\$230.87
		107,592.00	30446	\$230.87
0.00	0.00	0.00	30462	\$230.87
		0.00	60463	\$180.87
		148,599.60	30466	\$230.87
		110,089.45	30478	\$6.27
		229,958.42	30479	\$127.00
		0.00	30480	\$984.00
		0.00	30481	\$592.26
		0.00	30482	\$2,264.00
		0.00	30484	\$542.77
		0.00	30485	\$141.44
		0.00	30486	\$76.16
		Totals		
		Cash per CTAS		
		761,462.95		
		Difference		
		0.00		

Committed Funds Breakdown

Future Streets	345,031.90	(4M fund)
Parks and Rec	6,086.74	includes 4/25 donations
Gambling Proceeds	0.00	
Heavy Equipment	26,632.73	
TOTAL	377,751.37	

\$5,838.25

Committed Funds total balance to remain unchanged unless approved by City Council.

Fund Name: All Funds

Date Range: 03/09/2026 To 04/09/2026

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
03/10/2026	Payroll Period Ending 03/07/2026	30462	2/22-3/07/2026 pay period, CC pay, health stipend	N	Council/Town Board	100-41110-106-	\$ 230.87
Total For Check 30462							\$ 230.87
03/10/2026	Payroll Period Ending 03/07/2026	30463	2/22-3/07/2026 pay period, CC pay, health stipend	N	Council/Town Board	100-41110-106-	\$ 180.87
Total For Check 30463							\$ 180.87
03/10/2026	Payroll Period Ending 03/07/2026	30464	2/22-3/07/2026 pay period, CC pay, health stipend	N	Clerk	100-41425-101-	\$ 2,118.87
Total For Check 30464							\$ 2,118.87
03/10/2026	Payroll Period Ending 03/07/2026	30465	2/22-3/07/2026 pay period, CC pay, health stipend	N	Payroll Administration	100-41501-131-	\$ 520.78
Total For Check 30465							\$ 520.78
03/10/2026	Payroll Period Ending 03/07/2026	30466	2/22-3/07/2026 pay period, CC pay, health stipend	N	Council/Town Board	100-41110-106-	\$ 230.87
Total For Check 30466							\$ 230.87
03/10/2026	Payroll Period Ending 03/07/2026	30467	2/22-3/07/2026 pay period, CC pay, health stipend	N	Public Works/Maintenance	100-43102-103-	\$ 568.87
Total For Check 30467							\$ 568.87
03/10/2026	Payroll Period Ending 03/07/2026	30468	2/22-3/07/2026 pay period, CC pay, health stipend	N	Payroll Administration	100-41501-131-	\$ 187.46
Total For Check 30468							\$ 187.46
03/10/2026	Payroll Period Ending 03/07/2026	30469	2/22-3/07/2026 pay period, CC pay, health stipend	N	Council/Town Board	100-41110-106-	\$ 277.05
Total For Check 30469							\$ 277.05
03/10/2026	Payroll Period Ending 03/07/2026	30470	2/22-3/07/2026 pay period, CC pay, health stipend	N	Council/Town Board	100-41110-106-	\$ 230.87
Total For Check 30470							\$ 230.87
03/10/2026	City of Pequot Lakes	30471	Invoice No: 2556 March 2026 Police Contract	N	Council/Town Board	100-41110-404-	\$ 3,605.00
Total For Check 30471							\$ 3,605.00

Fund Name: All Funds

Date Range: 03/09/2026 To 04/09/2026

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
03/10/2026	Sourcewell	30472	Planning & Zoning Services	N	Planning and Zoning	100-41910-311-	\$ 577.50
		Total For Check 30472					\$ 577.50
03/10/2026	AT & T Mobility	30473	Roger Cell Phone	N	Public Works/Maintenance	100-43102-321-	\$ 30.00
		Total For Check 30473					\$ 30.00
03/10/2026	Widseth Smith Nolting & Assoc., Inc	30474	Inv.243417 Pro#2026-10043 Coordination w/DNR on PB trail connect when MNDOT const commence	N	Planning and Zoning	100-41910-303-	\$ 85.00
		Total For Check 30474					\$ 85.00
03/10/2026	Pequot Lakes Sanitation	30475	Garbage service	N	General Government Buildings and Plant	100-41940-384-	\$ 62.90
		Total For Check 30475					\$ 62.90
03/10/2026	Pequot Lakes Fire District	30476	5/1/2026-4/30/2027 Fire Contract (\$10,755.48) & Fire Relief Contribution (\$1,471.83)	N	Fire Administration	100-42210-314-	\$ 12,227.31
		Total For Check 30476					\$ 12,227.31
03/10/2026	On Systems Inc.	30477	March Inv#12706 Managed services and web hosting	N	Clerk	100-41425-209-	\$ 285.46
		Total For Check 30477					\$ 285.46
03/10/2026	Internal Revenue Service	EFT25119520	February 2026 Q1 941 obligation	N	Payroll Administration	100-41501-122-	\$ 1,165.81
		EFT25119520				100-41501-135-	\$ 272.65
		EFT25119520				100-41501-170-	\$ 731.68
		Total For Check EFT25119520					\$ 2,170.14
03/22/2026	Thurlow Hardware	30478	paper towels	N	General Government Buildings and Plant	100-41940-215-	\$ 6.27
		Total For Check 30478					\$ 6.27
03/22/2026	Northland Fire Protection	30479	Fire Extinguisher service and recertification	N	General Government Buildings and Plant	100-41940-401-	\$ 127.00
		Total For Check 30479					\$ 127.00
03/22/2026	LMCIT C/O Berkley Risk Admin.	30480	6/1/26-6/1/27 Workers Comp Insurance Acct Number 40001407	N	Payroll Administration	100-41501-151-	\$ 984.00

Fund Name: All Funds

Date Range: 03/09/2026 To 04/09/2026

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
		Total For Check	30480				\$ 984.00
03/22/2026	MN Power	30481	Street Lights 2/5/26-3/5/26	N	Street Lighting	100-43160-381-	\$ 592.26
		Total For Check	30481				\$ 592.26
03/22/2026	Select Garage Door Co.	30482*	PW shop (2) Genie 4124H 12' Garage Door Openers-2025 Sourcewell Community Impact Funding	N	General Government Buildings and Plant	100-41940-223-903	\$ 2,264.00
		Total For Check	30482				\$ 2,264.00
03/22/2026	PERA	EFT00004152	2/22-3/07/26 pay period	N	Clerk	100-41425-115-	\$ 202.75
		EFT00004152			Payroll Administration	100-41501-121-	\$ 295.86
		EFT00004152			Public Works/Maintenance	100-43102-115-	\$ 53.66
		Total For Check	EFT00004152				\$ 552.27
03/22/2026	State of IA	EFT2724444	CSE 2/22 - 3/07/26 pay period	N	Clerk	100-41425-175-	\$ 60.00
		Total For Check	EFT2724444				\$ 60.00
03/24/2026	Payroll Period Ending 03/22/2026	030483	3/8-3/22/26 pay period	N	Clerk	100-41425-101-	\$ 2,125.55
		Total For Check	030483				\$ 2,125.55
03/24/2026	Payroll Period Ending 03/22/2026	30484	3/8-3/22/26 pay period	N	Public Works/Maintenance	100-43102-103-	\$ 542.77
		Total For Check	30484				\$ 542.77
03/24/2026	Payroll Period Ending 03/22/2026	30485	3/8-3/22/26 pay period	N	Public Works/Maintenance	100-43102-103-	\$ 141.44
		Total For Check	30485				\$ 141.44
03/24/2026	Payroll Period Ending 03/22/2026	30486	3/8-3/22/26 pay period	N	Public Works/Maintenance	100-43102-103-	\$ 76.16
		Total For Check	30486				\$ 76.16
03/26/2026	Xcel Energy	EFT75340713	Natural gas service	N	General Government Buildings and Plant	100-41940-383-	\$ 343.45
		Total For Check	EFT75340713				\$ 343.45
03/26/2026	PERA	EFT75340714	3/08-3/21/26 pay period	N	Clerk	100-41425-115-	\$ 203.49
		EFT75340714			Payroll Administration	100-41501-121-	\$ 293.98
		EFT75340714			Public Works/Maintenance	100-43102-115-	\$ 51.29
		Total For Check	EFT75340714				\$ 548.76
03/26/2026	State of IA	EFT75340715	CSE 3/08 - 3/21/26 pay period	N	Clerk	100-41425-175-	\$ 60.00
		Total For Check	EFT75340715				\$ 60.00

Fund Name: All Funds

Date Range: 03/09/2026 To 04/09/2026

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
03/31/2026	MN Power	EFT907664-6:	Street Lights (\$14.19) Building and Grounds lights (\$341.55) 2/5/26-3/5/26	N	General Government Buildings and Plant	100-41940-381-	\$ 341.55
		EFT907664-6:			Street Lighting	100-43160-381-	\$ 14.19
		Total For Check EFT907664-6:					\$ 355.74
04/07/2026	Cassandra M Delougherty	30487	MCFOA Conf. Nisswa MMUA, CWC Siren Mtg mileage + 3 meals	N	Clerk	100-41425-331-	\$ 379.21
		Total For Check 30487					\$ 379.21
04/07/2026	Payroll Period Ending 04/04/2026	30488	3/22-4/4/26 pay period, health stipend, CC pay	N	Council/Town Board	100-41110-106-	\$ 230.87
		Total For Check 30488					\$ 230.87
04/07/2026	Payroll Period Ending 04/04/2026	30489	3/22-4/4/26 pay period, health stipend, CC pay	N	Council/Town Board	100-41110-106-	\$ 180.87
		Total For Check 30489					\$ 180.87
04/07/2026	Payroll Period Ending 04/04/2026	30490	3/22-4/4/26 pay period, health stipend, CC pay	N	Clerk	100-41425-101-	\$ 2,158.96
		Total For Check 30490					\$ 2,158.96
04/07/2026	Payroll Period Ending 04/04/2026	30491	3/22-4/4/26 pay period, health stipend, CC pay	N	Payroll Administration	100-41501-131-	\$ 716.38
		Total For Check 30491					\$ 716.38
04/07/2026	Payroll Period Ending 04/04/2026	30492	3/22-4/4/26 pay period, health stipend, CC pay	N	Council/Town Board	100-41110-106-	\$ 230.87
		Total For Check 30492					\$ 230.87
04/07/2026	Payroll Period Ending 04/04/2026	30493	3/22-4/4/26 pay period, health stipend, CC pay	N	Payroll Administration	100-41501-131-	\$ 211.89
		Total For Check 30493					\$ 211.89
04/07/2026	Payroll Period Ending 04/04/2026	30494	3/22-4/4/26 pay period, health stipend, CC pay	N	Public Works/Maintenance	100-43102-103-	\$ 594.87
		Total For Check 30494					\$ 594.87
04/07/2026	Payroll Period Ending 04/04/2026	30495	3/22-4/4/26 pay period, health stipend, CC pay	N	Council/Town Board	100-41110-106-	\$ 277.05
		Total For Check 30495					\$ 277.05

Fund Name: All Funds

Date Range: 03/09/2026 To 04/09/2026

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
04/07/2026	Payroll Period Ending 04/04/2026	30496	3/22-4/4/26 pay period, health stipend, CC pay	N	Council/Town Board	100-41110-106-	\$ 230.87
		Total For Check	30496				\$ 230.87
04/07/2026	Payroll Period Ending 04/04/2026	30497	3/22-4/4/26 pay period, health stipend, CC pay	N	Public Works/Maintenance	100-43102-103-	\$ 256.02
		Total For Check	30497				\$ 256.02
Total For Selected Checks							\$ 37,837.35

Date Range : 3/9/2026 To 4/9/2026

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
04/01/2026	Crow Wing County Land Services	Property Taxes PID26340700 (\$171-1/2 payment) 26260535 (\$25) 26270634 (\$25) 26240588 (\$25)	2931	\$246.00	100-41120-433-	Legislative Committees and Special Bodies	30498 \$246.00
04/01/2026	Sourcewell	INV00005855 Planning & Zoning Services	2932	\$360.00	100-41910-311-	Planning and Zoning	30499 \$360.00
04/01/2026	TDS	Phone and internet	2933	\$181.10	100-41940-321-	General Government Buildings and Plant	30500 \$181.10
04/01/2026	Crow Wing Power	2/8/25 to 3/8/2026 electric service	2934	\$28.00	100-43160-381-	Street Lighting	30501 \$28.00
04/01/2026	Pequot Lakes Sanitation	Garbage service	2935	\$45.35	100-41940-384-	General Government Buildings and Plant	30502 \$45.35
04/01/2026	AT & T Mobility	Roger Cell Phone	2936	\$30.00	100-43102-321-	Public Works/Maintenance	30503 \$30.00
04/08/2026	Widseth Smith Nolting & Assoc., Inc	Inv.243909 Pro#2026-10527 Veterans Street Improvements pro eng. serv. thru 3/13/26	2938*	\$6,271.25	100-43101-303-	Highways and Streets	30504 \$6,271.25
04/08/2026	On Systems Inc.	April Inv#12790 Managed services and web hosting	2939	\$285.78	100-41425-209-	Clerk	30505 \$285.78
04/08/2026	City of Pequot Lakes	Invoice No: 2568 April 2026 Police Contract	2940	\$3,605.00	100-41110-404-	Council/Town Board	30506 \$3,605.00

Date Range : 3/9/2026 To 4/9/2026

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
04/08/2026	Thurlow Hardware	shop supplies (2 roach traps and armorall protectant)	2941	\$48.24			
					100-41940-215-	General Government Buildings and Plant	30507 \$48.24
Total For Selected Claims				\$11,100.72			\$11,100.72

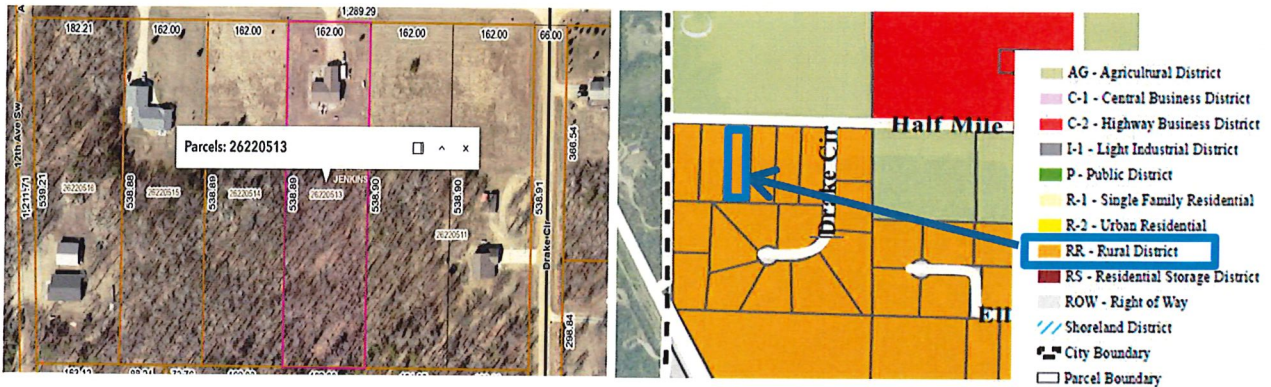
Date



REPORT TO CITY COUNCIL

PREPARED BY: CASSANDRA DELOUGHERTY
 DATE: APRIL 7TH, 2026
 SUBJECT: SIDE YARD SETBACK VARIANCE REQUEST-RESOLUTION 26-04-334

REPORT: THE PLANNING COMMISSION HELD A PUBLIC HEARING ON APRIL 7TH, 2026 SHORTLY AFTER THE HOUR OF 6PM AND HAS MADE A RECOMMENDATION TO APPROVE A 10-FOOT SIDE-YARD SETBACK VARIANCE FOR THE CONSTRUCTION OF A 40FT X 36FT DETACHED ACCESSORY STRUCTURE WITH A MAXIMUM SIDE WALL HEIGHT OF 14FT WHERE A 20-FOOT MINIMUM SETBACK IS REQUIRED BY ORDINANCE. THE PROPERTY IS LOCATED AT 2869 HALF MILE ROAD, PID 26220513 AND IS IN THE RURAL RESIDENTIAL (RR) ZONING DISTRICT.



BACKGROUND INFORMATION: THE SUBJECT PROPERTY IS 2-ACRES, OR 87,300FT² WITH A PRIMARY SINGLE-FAMILY DWELLING MEETING ALL SETBACKS. THE IMPERVIOUS SURFACE COVERAGE OF THE SUBJECT PROPERTY IS 5.08% WHERE 20% IS ALLOWED. APPLICANT IS REQUESTING A SIDE YARD SETBACK VARIANCE OF 10FT, STATING THAT A SUITABLE LOCATION FOR CONSTRUCTING AN ACCESSORY BUILDING ON THE SUBJECT PROPERTY IS LIMITED DUE TO THE DWELLING BEING CENTRALLY LOCATED ON THE PARCEL WITH THE SSTS DRAIN FIELD EXTENDING FROM THE DWELLING TO THE WEST PROPERTY LINE AND THE WELLHEAD LOCATION ON THE SOUTHEAST CORNER OF THE DWELLING.

APPLICANT HAS IDENTIFIED A DESIRE TO MAINTAIN A SAFE DISTANCE BETWEEN THE PROPOSED ACCESSORY BUILDING AND DWELLING IN AN EFFORT TO CONTAIN THE SPREAD OF FIRE, MITIGATING RISKS ASSOCIATED TO THE HEALTH & SAFETY OF NEIGHBORING RESIDENTS AND PROPERTIES.

PERTINENT ORDINANCE ARTICLES:

§ 150.027 RURAL DISTRICT (RR).

(A) *Purpose and Intent.* The (RR) Rural Residential District is intended to be semi-rural in character and to allow low density residential and compatible agricultural uses in shore land and non- shore land areas. Other compatible uses may be allowed under conditional use permits. Front yards shall be landscaped, and no off-street parking shall be permitted, except as would be characteristic and in harmony with the purposes of an RR District.



AGENDA ITEM #

(B) Lot, use, and density requirements.

	<i>Single Family Dwelling</i>	<i>Duplex</i>	<i>Triplex</i>	<i>Four Plex</i>
	<i>Single Family Dwelling</i>	<i>Duplex</i>	<i>Triplex</i>	<i>Four Plex</i>
Front/side yard minimum setback to right-of-way	30 feet	30 feet	30 feet	30 feet
Lot area minimum square foot	2 acres	3 acres	4 acres	5 acres
Lot width minimum foot	150 feet	225 feet	300 feet	375 feet
Maximum building height*	35 feet	35 feet	35 feet	35 feet
Maximum lot coverage	20%	20%	20%	20%
Minimum width of structures**	20 feet	20 feet	20 feet	20 feet
Rear yard minimum setback	30 feet	30 feet	30 feet	30 feet
Side yard minimum setback	20 feet	20 feet	20 feet	20 feet
Notes to table:				
* Church spires, belfries, domes which do not contain usable space, chimneys, and similar structures not intended for human occupancy, may be of a height which does not conflict with airport requirements.				
** Manufactured homes located in a manufactured home park are excluded.				

§ 150.285 VARIANCES.

- (A) VARIANCES SHALL NOT CREATE A USE NOT PROVIDED FOR IN A ZONING DISTRICT.
- (B) VARIANCES SHALL BE ISSUED TO THE PROPERTY AND ARE NOT TRANSFERABLE.
- (C) 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.
- (D) 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.
- (E) VARIANCES SHALL BE DECIDED WITHIN THE REQUIRED TIME FRAME WITH CONSIDERATION FOR THE FOLLOWING:
 - (1) THE APPLICANT ESTABLISHES THAT THERE ARE PRACTICAL DIFFICULTIES, AS DEFINED IN THIS CHAPTER, IN COMPLYING WITH THE OFFICIAL CONTROL;
 - (2) 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



AGENDA ITEM #

- (3) THE VARIANCE WILL NOT CREATE A LAND USE NOT PERMITTED IN THE ZONE.
- (F) 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.
- (G) 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.
- (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.
- (I) APPEALS FROM THE ACTION OF THE CITY COUNCIL SHALL BE FILED WITH THE DISTRICT COURT WITHIN 30 DAYS AFTER COUNCIL ACTION.
- (J) THE VARIANCE SHALL BE FILED WITH THE COUNTY RECORDER WITHIN 45 DAYS.

VARIANCE APPLICATION ACTION TIMELINE

- INITIAL PROPERTY OWNER'S VARIANCE INQUIRY:** FEBRUARY 9TH, 2026
- IN-OFFICE DISCUSSION WITH ZONING ADMINISTRATOR:** FEBRUARY 17TH, 2026
- PROPERTY OWNER REQUESTED SKETCH PLAN REVIEW BY PLANNING COMMISSION PER JENKINS CITY CODE OF ORDINANCES §150.285(C):** FEBRUARY 17TH, 2026
- APPLICATION SUBMITTED TO ZONING ADMINISTRATOR:** FEBRUARY 26TH, 2026
- APPLICANT REQUESTED APPLICATION FEE BE WAIVED:** FEBRUARY 26TH, 2026
(REQUEST TO BE BROUGHT BEFORE COUNCIL AT NEXT REGULAR MEETING-MARCH 9TH, 2026)
- APPLICATION REVIEWED BY ZONING ADMINISTRATOR:** FEBRUARY 26TH, 2026
- APPLICATION DEEMED COMPLETE BY ZONING ADMINISTRATOR*:** FEBRUARY 26TH, 2026
(*MINUS APPLICATION FEE-AWAITING MARCH 9TH, 2026 COUNCIL DECISION)
- PROPERTY OWNERS INFORMED APPLICATION DEEMED COMPLETE*:** FEBRUARY 26TH, 2026
(*MINUS APPLICATION FEE-AWAITING MARCH 9TH, 2026 COUNCIL DECISION)
- SKETCH PLAN REVIEW BY PLANNING COMMISSION PER REQUEST:** MARCH 2ND, 2026
- APP. FEE WAIVER REQUEST BROUGHT BEFORE CITY COUNCIL-DENIED:** MARCH 9TH, 2026
- NEIGHBORHOOD NOTICES MAILING DATE:** MARCH 23RD, 2026
- NEWSPAPER PUBLICATION DATE:** MARCH 25TH, 2026
- APPLICATION AND STAFF REPORT BROUGHT BEFORE THE PLANNING COMMISSION FOR PUBLIC HEARING AND PLANNING COMMISSION RECOMMENDATION TO CITY COUNCIL:**
APRIL 7TH, 2026 AFTER THE HOUR OF 6PM
- 60-DAY ACTION DEADLINE:** APRIL 26TH, 2026



AGENDA ITEM #

STAFF FINDINGS OF FACT

1. THE SUBJECT PROPERTY IS LOCATED AT 2869 HALF MILE ROAD, JENKINS MN 56474 (PIN 26220513).
2. THIS REQUEST IS FOR A 10-FOOT SIDE-YARD SETBACK VARIANCE TO CONSTRUCT A 40FT X 36FT DETACHED ACCESSORY STRUCTURE WITH A MAXIMUM SIDE WALL HEIGHT OF 14FT.
3. THE SUBJECT PROPERTY IS 2-ACRES OR 87,300FT², AND IT IS ZONED RURAL RESIDENTIAL (RR).
4. THE IMPERVIOUS SURFACE COVERAGE IS 5.08%. IMPERVIOUS COVERAGE OF 20% IS ALLOWED ON THIS PROPERTY.

5. IS THE VARIANCE REQUEST IN HARMONY WITH THE PURPOSES AND INTENT OF THE LAND USE ORDINANCE?
 - a. YES, ACCESSORY BUILDINGS/GARAGES ARE AN “ALLOWED USE” IN THE RURAL RESIDENTIAL DISTRICT ON PARCELS WITH A PRIMARY DWELLING. THE PROPOSED LOCATION OF THE BUILDING TO BE CONSTRUCTED (ALTHOUGH WITHIN THE 20’ SIDE YARD SETBACK REQUIREMENT) STILL PROVIDES AN ADEQUATE BUFFER BETWEEN IT AND THE ADJACENT PROPERTY.
 - b. No, _____

6. IS THE PROPERTY OWNER PROPOSING TO USE THE PROPERTY IN A REASONABLE MANNER NOT PERMITTED BY THE LAND USE ORDINANCE?
 - a. YES, THE PROPOSED USE OF THE PROPERTY IS FOR CONSTRUCTION OF AN ACCESSORY BUILDING, GARAGE, WHICH IS AN “ALLOWED” USE IN THE RURAL RESIDENTIAL DISTRICT. THE PROPERTY OWNER PROPOSES TO USE THE PROPERTY IN A REASONABLE MANNER.
 - b. No, _____

7. IS THE NEED FOR A VARIANCE DUE TO CIRCUMSTANCES UNIQUE TO THE PROPERTY AND NOT CREATED BY THE PROPERTY OWNER?
 - a. YES, THE ACCESSORY BUILDING (GARAGE) BUILDABLE LOCATION ON THE SUBJECT PROPERTY IS LIMITED DUE TO THE DWELLING BEING CENTRALLY LOCATED ON THE PARCEL WITH THE SSTS DRAIN FIELD EXTENDING FROM THE DWELLING TO THE WEST PROPERTY LINE AND THE WELLHEAD LOCATION ON THE SOUTHEAST CORNER OF THE DWELLING.
 - b. No, _____



AGENDA ITEM #

- 8. WILL THE ISSUANCE OF A VARIANCE MAINTAIN THE ESSENTIAL CHARACTER OF THE LOCALITY?
 - a. YES, THE PROPOSED SIZE, LOCATION, AND DESIGN OF THE ACCESSORY BUILDING IS CONSISTENT WITH OTHER PROPERTIES IN THE VICINITY OF THE SUBJECT PROPERTY.
 - b. No, _____

- 9. DOES THE NEED FOR A VARIANCE INVOLVE MORE THAN ECONOMIC CONSIDERATIONS?
 - a. YES, THE VARIANCE REQUEST HAS NOT BEEN MADE BASED ON ECONOMIC CONSIDERATIONS.
 - b. No, _____

CONDITIONS:

- 1) SUBMISSION OF LAND USE APPLICATION, ALL SUPPORTING DOCUMENTATION, AND FEES TO CONSTRUCT A 40FT X 36FT ACCESSORY STRUCTURE TO BE RECEIVED AND APPROVED BY THE CITY’S ZONING ADMINISTRATOR WITHIN 1 YEAR OF VARIANCE APPROVAL.
- 2) _____
- 3) _____

REQUESTED ACTION: THE APPLICANT HAS PROVIDED THEIR TESTIMONY REGARDING THE PRACTICAL DIFFICULTIES ENCOUNTERED WITH THE APPLICATION SUBMITTED TO THE CITY. THE PLANNING COMMISSION HELD A PUBLIC HEARING AND PROVIDED INPUT ON THE PROPOSED FINDINGS AND MADE RECOMMENDATION OF APPROVAL FOR THE VARIANCE APPLICATION TO THE CITY COUNCIL

PLEASE REVIEW THE ATTACHED RESOLUTION 26-04-334 CITING FINDINGS OF FACT, REASONS, AND, IF APPROPRIATE CONDITIONS FOR JEFF & ANNETTE HANSON’S VARIANCE APPLICATION OF SETBACKS AT 2869 HALF MILE ROAD JENKINS, MN 56474. THE CITY COUNCIL MAY APPROVE, DENY, OR TABLE THE VARIANCE REQUEST IF ADDITIONAL INFORMATION IS REQUIRED. PLEASE BE ADVISED THAT TABLING THIS REQUEST WILL RESULT IN A SPECIAL MEETING BEING SCHEDULED TO ENSURE THAT THE 60-DAY ACTION REQUIREMENT IS MET, CURRENTLY SET TO EXPIRE ON **APRIL 26TH, 2026**, OR AN EXTENSION MUST BE ISSUED.

7A1

RESOLUTION NO. 26-04-334

A RESOLUTION ADOPTING FINDINGS OF FACT AND REASONS FOR
JEFF & ANNETTE HANSON'S VARIANCE APPLICATION OF SETBACKS
AT 2869 HALF MILE ROAD, JENKINS, MN 56474

FACTS

1. JEFF & ANNETTE HANSON ARE THE OWNERS OF A PARCEL OF LAND LOCATED AT 2869 HALF MILE ROAD, JENKINS, MN 56474 (PIN 26220513); AND,
2. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS LOT 6, BLOCK 1, OAK SHADOWS; AND,
3. THIS REQUEST IS FOR A VARIANCE TO CONSTRUCT A 40' X 36' (1,440FT²) ACCESSORY STRUCTURE WITHIN THE SIDE YARD SETBACK REQUIREMENT OF THE RURAL RESIDENTIAL ZONING DISTRICT.
4. THE PROPERTY OWNER OBTAINED A SURVEY FOR THE PROPERTY IN SEPTEMBER 2024 TO APPLY FOR A NEW BUILDING; THEY THEN LEARNED OF THE SETBACK ENCROACHMENT FOR THIS EXISTING BUILDING.
5. THE SUBJECT PROPERTY IS 2-ACRES AND 87,300FT², AND IT IS ZONED RURAL RESIDENTIAL DISTRICT (RR).
6. THE IMPERVIOUS SURFACE COVERAGE IS CURRENTLY 5.08% WHEN 20% IS ALLOWED ON THIS PROPERTY.

APPLICABLE LAW

1. 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.

2. CITY ORDINANCE ALLOWS VARIANCES IF:
 - a. THE APPLICANT ESTABLISHES THAT THERE ARE PRACTICAL DIFFICULTIES, AS DEFINED IN CHAPTER 150.05 PRACTICAL DIFFICULTIES DEFINITION, IN COMPLYING WITH THE OFFICIAL CONTROL;
 - b. THE DEVIATION FROM CHAPTER 150.034(B) 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.
3. FOLLOWING A PUBLIC HEARING ON THE APPLICATION, THE JENKINS PLANNING COMMISSION HAS RECOMMENDED APPROVAL OF THE VARIANCE ON APRIL 7TH, 2026.
4. THE CITY COUNCIL OF THE CITY OF JENKINS REVIEWED THE REQUESTED VARIANCE AT ITS MEETING OF APRIL 13TH, 2026.

CONCLUSIONS OF LAW

1. IS THE VARIANCE REQUEST IN HARMONY WITH THE PURPOSES AND INTENT OF THE LAND USE ORDINANCE?
 - a. YES, ACCESSORY BUILDINGS/GARAGES ARE AN “ALLOWED USE” IN THE RURAL RESIDENTIAL DISTRICT ON PARCELS WITH A PRIMARY DWELLING. THE PROPOSED LOCATION OF THE BUILDING TO BE CONSTRUCTED (ALTHOUGH WITHIN THE 20’ SIDE YARD SETBACK REQUIREMENT) STILL PROVIDES AN ADEQUATE BUFFER BETWEEN IT AND THE ADJACENT PROPERTY.
2. IS THE PROPERTY OWNER PROPOSING TO USE THE PROPERTY IN A REASONABLE MANNER NOT PERMITTED BY THE LAND USE ORDINANCE?
 - a. YES, THE PROPOSED USE OF THE PROPERTY IS FOR CONSTRUCTION OF AN ACCESSORY BUILDING, GARAGE, WHICH IS AN “ALLOWED” USE IN THE RURAL RESIDENTIAL DISTRICT. THE PROPERTY OWNER PROPOSES TO USE THE PROPERTY IN A REASONABLE MANNER.
3. IS THE NEED FOR A VARIANCE DUE TO CIRCUMSTANCES UNIQUE TO THE PROPERTY AND NOT CREATED BY THE PROPERTY OWNER?
 - a. YES, THE ACCESSORY BUILDING (GARAGE) BUILDABLE LOCATION ON THE SUBJECT PROPERTY IS LIMITED DUE TO THE DWELLING BEING CENTRALLY-LOCATED ON THE PARCEL WITH THE SSTS DRAINFIELD EXTENDING FROM THE DWELLING TO THE WEST PROPERTY LINE AND THE WELLHEAD LOCATION ON THE SOUTHEAST CORNER OF THE DWELLING.
4. WILL THE ISSUANCE OF A VARIANCE MAINTAIN THE ESSENTIAL CHARACTER OF THE LOCALITY?
 - a. YES, THE PROPOSED SIZE, LOCATION, AND DESIGN OF THE ACCESSORY BUILDING IS CONSISTENT WITH OTHER PROPERTIES IN THE VICINITY OF THE SUBJECT PROPERTY.
5. DOES THE NEED FOR A VARIANCE INVOLVE MORE THAN ECONOMIC CONSIDERATIONS?

- a. YES, THE VARIANCE REQUEST HAS NOT BEEN MADE BASED ON ECONOMIC CONSIDERATIONS.

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

THE APPLICATION TO ISSUE A 10-FOOT VARIANCE ALLOWING JEFF & ANNETTE HANSON TO BUILD A 40'x36' ACCESSORY STRUCTURE SO AS TO DEVIATE FROM THE 20-FOOT SIDE-YARD MINIMUM SETBACK IS HEREBY GRANTED WITH THE FOLLOWING CONDITIONS.

- 1) SUBMISSION OF LAND USE APPLICATION, ALL SUPPORTING DOCUMENTATION, AND FEES TO CONSTRUCT A 40FT x 36FT ACCESSORY STRUCTURE TO BE RECEIVED AND APPROVED BY THE CITY'S ZONING ADMINISTRATOR WITHIN 1 YEAR OF VARIANCE APPROVAL.

PASSED BY THE CITY COUNCIL OF JENKINS, MINNESOTA THIS 13TH DAY OF APRIL, 2026.

ANDREW J. RUDLANG, MAYOR

ATTESTED:

CASSANDRA M. DELOUGHERTY
CITY CLERK-TREASURER
ZONING ADMINISTRATOR

THIS INSTRUMENT WAS DRAFTED BY:
CASSANDRA M. DELOUGHERTY
CITY CLERK-TREASURER
ZONING ADMINISTRATOR
CITY OF JENKINS
33861 COTTAGE AVENUE
JENKINS, MN 56474
218/568-4637

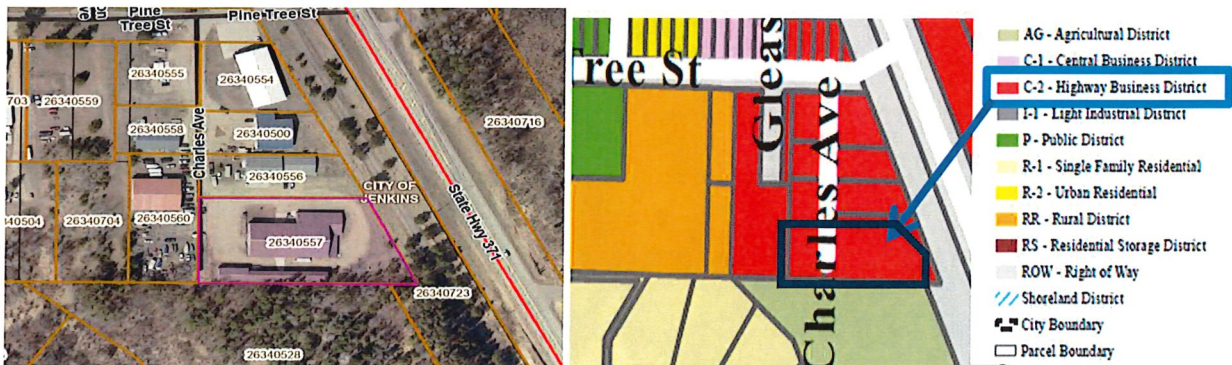


REPORT TO CITY COUNCIL

PREPARED BY: CASSANDRA DELOUGHERTY
DATE: APRIL 7TH, 2026
SUBJECT: CONDITIONAL USE PERMIT APPLICATION: RESOLUTION 26-04-335

REPORT: THE PLANNING COMMISSION HELD A PUBLIC HEARING ON APRIL 7TH, 2026 SHORTLY AFTER THE HOUR OF 6PM AND HAS MADE A RECOMMENDATION TO APPROVE CONDITIONAL USE PERMIT FOR A **VEHICLE DEALER LICENSE**, WHICH IS REQUIRED FOR THE PURCHASE AND RESALE OF ATVs/UTVs (INCLUDING ON- AND OFF-ROAD VEHICLES), DEFINED IN THE JENKINS CITY CODE OF ORDINANCES LAND USE MATRIX AS A COMMERCIAL USE (OTHER, NOT CLASSIFIED). ATV/UTV SALES WILL BE SECONDARY TO THE PRIMARY BUSINESS FUNCTION OF ATV/UTV PARTS & SERVICE, WHICH IS A PERMITTED USE IN THE HIGHWAY BUSINESS (C-2)

ZONING DISTRICT



BACKGROUND INFORMATION: THE SUBJECT PROPERTY IS 1.7-ACRE, OR 73,852FT² WITH A PRIMARY DWELLING MEETING ALL SETBACKS. THE IMPERVIOUS SURFACE COVERAGE CALCULATION INDICATES THAT THE MAXIMUM IMPERVIOUS COVERAGE ALLOWANCE OF 40% HAS BEEN REACHED ON THIS PROPERTY DUE TO SHARED DRIVEWAY ACCESS AND PARKING WITH NORTH- AND WEST-ABUTTING PROPERTIES.

PERTINENT ORDINANCE ARTICLES:

§ 150.033 HIGHWAY BUSINESS DISTRICT.

(A) PURPOSE AND INTENT. THIS DISTRICT IS INTENDED TO ACCOMMODATE PROFESSIONAL OFFICES AND LARGER SCALE BUSINESSES THAT PROVIDE GOODS AND SERVICES TO THE GENERAL PUBLIC. THE BUSINESSES IN THIS DISTRICT CAN BENEFIT FROM ACCESS AND VISIBILITY FROM THE TH 371 CORRIDOR. ADEQUATE VEHICLE PARKING AND ACCESS MUST BE PROVIDED ON THE PROPERTY. SITE PLANNING, DESIGN, LANDSCAPING, AND DESIGN STANDARDS ARE IMPORTANT TO PROJECT THE IMAGE AND CHARACTER OF AN ATTRACTIVE AND DISTINCTIVE CORRIDOR INTO THE CITY.



AGENDA ITEM #

(B) COMPATIBILITY. THE HIGHWAY BUSINESS ZONE SHOULD BE ESTABLISHED AS A TRANSITION ZONE BETWEEN THE CENTRAL BUSINESS DISTRICT OR THE LIGHT INDUSTRIAL ZONE AND THE SURROUNDING RESIDENTIAL ZONES. THE ZONE MAY NOT BE ESTABLISHED IN AN AREA WHERE IT IS COMPLETELY SURROUNDED BY RESIDENTIAL ZONES.

(C) LOT, USE, AND DENSITY REQUIREMENTS.

Front yard minimum	30 feet
Landscaping	Landscaping is required in the front and side yards at least 25 feet in width and on a minimum of 25% of the developed lot
Lot area minimum	One acre
Lot width minimum feet	100 feet
Maximum building height	45 feet
Maximum lot coverage (impervious surface)	40%
Rear yard minimum/alley	20 feet**
Side yard minimum	20 feet*
Notes to table:	
* Where a Commercial District property abuts a Residential District, there shall be a side yard setback of 30 feet	
** Where a Commercial District property abuts a Residential District, there shall be a rear yard setback of 30 feet	

(D) PERFORMANCE STANDARDS. THE FOLLOWING PERFORMANCE STANDARDS APPLY TO ALL DEVELOPMENT IN THIS ZONE.

(1) IMPERVIOUS COVERAGE. IMPERVIOUS COVERAGE MAY BE INCREASED BY UP TO 25%, NOT TO EXCEED 50% OF THE PROPERTY, THROUGH A CONDITIONAL USE PERMIT IF THE FOLLOWING IS PROVIDED AND APPROVED BY THE CITY:

(A) A STORMWATER RETENTION PLAN SHOWING CONTAINMENT OF THE TEN-YEAR, 24-HOUR STORM EVENT ON THE PARCEL; AND

(B) DIRECT RUNOFF OF STORMWATER TO ADJACENT PROPERTIES AND WETLANDS SHALL BE ELIMINATED THROUGH THE USE OF BERMS, INFILTRATION PONDS, SWALES, FILTRATION STRIPS, OR OTHER PERMANENT MEANS.

(2) COMPATIBILITY OF USE. USE SHALL BE COMPATIBLE WITH THE SURROUNDING NEIGHBORHOOD. USES SHALL NOT PRESENT NOISE, ODOR, LIGHT NUISANCES, OR ANY OTHER NUISANCES.

(3) PARKING. OFF-STREET PARKING SHALL BE PROVIDED AS PER § 150.108. ON-STREET PARKING MAY BE ALLOWED BY THE PLANNING COMMISSION. TO REDUCE THE VISUAL IMPACTS AND AMOUNT OF SURFACE PARKING, SHARED PARKING AND SURFACE PARKING SHALL BE LOCATED BEHIND OR TO THE SIDE OF A BUILDING. ADDITIONALLY, SUITABLE TREES AND SHRUBS SHALL BE PLANTED BETWEEN PARKING LOTS AND ALL ADJACENT SIDEWALKS, ROADS, LOTS, AND BUILDINGS.

(4) PEDESTRIAN AMENITIES. PROPOSED DEVELOPMENTS SHALL PROVIDE FOR SAFE AND COMFORTABLE SIDEWALKS, PATHS, AND RESTING AREAS FOR PEDESTRIANS. SIDEWALKS AND PATHS SHALL CONNECT THE DEVELOPMENT TO ADJACENT LAND USES AND PROVIDE CONNECTIONS THROUGH THE DEVELOPMENT TO THE PUBLIC STREET RIGHT-OF-WAY.

(5) FENCES. FENCES NOT EXCEEDING 96 INCHES IN HEIGHT MAY BE CONSTRUCTED. FENCING SHALL ONLY BE CONSTRUCTED CLOSER THAN TEN FEET FROM THE SURFACE OF A PUBLIC ROAD WITH THE PERMISSION OF THE PLANNING COMMISSION. MATERIALS SHALL CONSIST OF USUAL FENCING MATERIALS WITH POSTS AND FENCE OF METAL, WOOD, CONCRETE, BRICK, OR SMOOTH WIRE. BARBED OR ELECTRIFIED WIRE IS ALLOWED ONLY WITH THE PERMISSION OF THE PLANNING COMMISSION.



AGENDA ITEM

(6) SCREENING. ALL SITES SHALL BE HEAVILY LANDSCAPED TO PROVIDE 100% SCREENING TO ADJACENT RESIDENTIAL PARCELS AND OVER 50% SCREENING FROM THE ROAD OR ANY NON-RESIDENTIAL PARCEL. PERCENTAGES SHALL BE DETERMINED BY AMOUNT OF STRUCTURE THAT CAN BE SEEN DURING LEAF-ON CONDITIONS. A LANDSCAPING AND SCREENING PLAN MUST BE SUBMITTED AND APPROVED BY THE PLANNING COMMISSION WITH EACH CONDITIONAL USE PERMIT.

(7) LIGHTING. LIGHTING SHALL BE MINIMAL. LIGHTING SHALL BE DOWNWARD DIRECTIONAL AND SHALL BE COMPATIBLE WITH THE SURROUNDING DEVELOPMENT.

(8) FIRE LANES. FIRE LANES SHALL REMAIN UNOBSTRUCTED AT ALL TIMES.

§ 150.283 CONDITIONAL USE PERMITS.

(A) ANY USE LISTED AS A CONDITIONAL USE IN THIS CHAPTER SHALL BE PERMITTED ONLY UPON APPLICATION TO THE ZONING ADMINISTRATOR, PUBLIC HEARING REVIEW AND RECOMMENDATION OF THE PLANNING COMMISSION, AND APPROVAL AND ISSUANCE OF A CONDITIONAL USE PERMIT BY THE CITY COUNCIL.

(B) 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. 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.

(C) 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 SHALL NOT ACCEPT APPLICATIONS WHERE THE APPLICANT HAS PAST DUE FEES OR CHARGES DUE TO THE CITY UNTIL THE ACCOUNT IS MADE CURRENT.

(D) 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;



AGENDA ITEM

- (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.
- (E) THE PLANNING AND ZONING 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.



AGENDA ITEM

(H) THE CONDITIONAL USE WILL PROMOTE THE PREVENTION AND CONTROL OF POLLUTION OF THE GROUND AND SURFACE WATERS, INCLUDING SEDIMENTATION AND CONTROL OF NUTRIENTS.

(F) 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.

(G) CONDITIONAL USE PERMITS MAY BE TRANSFERABLE WHERE REQUESTED BY AN APPLICANT AND APPROVED BY THE PLANNING COMMISSION.

(H) 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.

(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.

(J) 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.

(K) APPEALS FROM THE ACTION OF THE CITY SHALL BE FILED WITH DISTRICT COURT WITHIN 30 DAYS AFTER CITY COUNCIL ACTION.

(L) THE CONDITIONAL USE PERMIT SHALL BE FILED WITH THE COUNTY RECORDER WITHIN 45 DAYS. THE APPLICANT NEED NOT WAIT FOR FILING TO PROCEED.

STAFF FINDINGS OF FACT

STAFF PROVIDES THE FOLLOWING FINDINGS OF FACT FOR CONSIDERATION:

1. THE SUBJECT PROPERTY IS LOCATED AT 33754 CHARLES AVENUE, JENKINS MN 56474 (PIN 26340557).
2. THIS REQUEST IS FOR A CONDITIONAL USE PERMIT FOR A DEALER LICENSE TO PURCHASE AND SELL NEW/USED ATV/UTVs AS AN ACCESSORY USE TO A PRIMARY ATV/UTV PARTS & SERVICE BUSINESS.
3. THE SUBJECT PROPERTY IS 1.70-ACRES OR 73,852FT², AND IT IS ZONED HIGHWAY BUSINESS (C-2)
4. THE PROPERTY IS NOT SERVICED BY MUNICIPAL WATER OR WASTEWATER SYSTEMS
5. USE(S) ARE NOT IDENTIFIED IN THE LAND USE MATRIX, HOWEVER COMMERCIAL USE (OTHER NOT CLASSIFIED) IS LISTED AS A CONDITIONAL USE IN THE C-2 DISTRICT
6. THE SURROUNDING LAND USES CONSIST OF COMMERCIAL PROPERTY, WITH THE SOUTH-ABUTTING PARCEL (AGRICULTURAL ZONING DISTRICT) BEING OWNED BY APPLICANT.



AGENDA ITEM

7. NOTIFICATION REQUIREMENTS FOR THE CUP APPLICATION WERE MET.
8. LANDSCAPING AND SCREENING WILL NEED TO BE ADDRESSED PER THE PERFORMANCE STANDARDS OF THE C-2 DISTRICT.
9. A SEPARATE SIGN APPLICATION WILL NEED TO BE SUBMITTED AND APPROVED PRIOR TO ANY SIGNAGE BEING INSTALLED.
10. OTHER FINDINGS AS IDENTIFIED BY PLANNING COMMISSION OR COUNCIL.

CONDITIONS FOR CONSIDERATION:

1. APPROVAL WOULD BE CONTINGENT ON SUBMITTED, APPROVED, AND INSTALLED LANDSCAPING PLAN PER THE IDENTIFIED PERFORMANCE STANDARDS IN THE ORDINANCE.
2. ALL REQUIRED LAND USE AND SIGN PERMITS WOULD NEED TO BE SUBMITTED AND APPROVED BY THE CITY.

REQUESTED ACTION: THE APPLICANT HAS PROVIDED THEIR TESTIMONY REGARDING THE CUP REQUEST. THE PLANNING COMMISSION HAS REVIEWED THE CUP REQUEST, STAFF FINDINGS AND RECOMMEND APPROVAL BASED ON THE INFORMATION PROVIDED FROM THIS REPORT. NO PUBLIC COMMENT WAS MADE DURING THE PUBLIC HEARING. PLEASE REVIEW THE ATTACHED RESOLUTION 26-04-335. THE CITY COUNCIL MAY APPROVE, DENY, OR TABLE THE REQUEST IF ADDITIONAL INFORMATION IS NEEDED. IF THE RECOMMENDATION IS FOR APPROVAL OR DENIAL, FINDINGS OF FACT SHOULD BE CITED. NOTE: A DECISION BY THE CITY COUNCIL ON THE CUP SHOULD BE MADE BY MAY 4TH, 2026. IF NEEDED, THE CITY COULD ENACT A 60-DAY EXTENSION PER MINNESOTA STATUTE SECTION 15.99 SUBDIVISION 3(F). THIS WOULD REQUIRE A WRITTEN NOTICE TO THE APPLICANT.

7B1

CITY OF JENKINS
RESOLUTION #25-04-335
APPROVING CONDITIONAL USE PERMIT FOR
ADVENTURE TIME VEHICLES LLC, MARK TURNER

WHEREAS MARK TURNER (“APPLICANT”) HAS SUBMITTED AN APPLICATION FOR A CONDITIONAL USE PERMIT FOR A **VEHICLE DEALER LICENSE**, REQUIRED BY THE STATE OF MN FOR THE PURCHASE AND RESALE OF ATVs/UTVs (INCLUDING ON- AND OFF-ROAD VEHICLES) IN THE “HIGHWAY BUSINESS (C-2)” ZONING DISTRICT WITHIN THE CITY OF JENKINS, MINNESOTA; AND

WHEREAS, THE PROPERTY IS LEGALLY DESCRIBED AS FOLLOWS:

The South 200.00 feet of the Northwest Quarter of the Northeast Quarter, Section 34, Township 137 North, Range 29 West, Crow Wing County, Minnesota, lying Westerly of the Westerly right of way line of the State of Minnesota Paul Bunyan Trail, and lying East of the Southerly extension of the East line of the West 162.12 feet of Block 9, Jenkins, Crow Wing County, Minnesota

Together with a 66 foot wide easement for ingress and egress purposes over and across that part of Block 9, Plat of Jenkins, and that part of the Northwest Quarter of Northeast Quarter, Section 34, Township 137, Range 29, the centerline of said easement described as follows: Commencing at the Northwest corner of said Block 9; thence South 89 degree 45 minutes 39 seconds East, assumed bearing, along the Northerly line thereof 162.12 feet to the point of beginning of the centerline to be herein described; thence South 00 degrees 05 minutes 42 seconds East 560.66 feet, more or less, to the South line of said Northwest Quarter of the Northeast Quarter, and said line there terminating

WHEREAS, THE PLANNING COMMISSION HAS CONSIDERED THE APPLICANT’S REQUEST AT A DULY NOTICED PUBLIC HEARING WHICH TOOK PLACE ON APRIL 7TH, 2026, 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 APRIL 13TH, 2026 MEETING.

NOW, 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 MARK TURNER, ADVENTURE TIME VEHICLES LLC, FOR A CONDITIONAL USE PERMIT, BASED UPON JENKINS

CITY CODE OF ORDINANCES § 150.283 **CONDITIONAL USE PERMITS**. 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 LOCATED AT 33754 CHARLES AVENUE, JENKINS MN 56474 (PIN 26340557).
2. THE SUBJECT PROPERTY IS 1.7 ACRES, OR 73,852FT², AND IS ZONED HIGHWAY BUSINESS (C-2).
3. PERMIT FOR A **VEHICLE DEALER LICENSE**, REQUIRED BY THE STATE OF MN FOR THE PURCHASE AND RESALE OF ATVs/UTVs (INCLUDING ON- AND OFF-ROAD VEHICLES),
4. THE PROPOSED USE IS NOT SPECIFICALLY DEFINED IN THE JENKINS CITY CODE OF ORDINANCES LAND USE MATRIX, THEREFORE SUCH USE IS LISTED AS A COMMERCIAL USE (OTHER, NOT CLASSIFIED),
5. ATV/UTV SALES WILL BE SECONDARY TO THE PRIMARY BUSINESS FUNCTION OF ATV/UTV PARTS & SERVICE, WHICH IS A PERMITTED USE IN THE HIGHWAY BUSINESS (C-2) ZONING DISTRICT
6. THE PROPERTY IS NOT SERVICED BY MUNICIPAL WATER OR WASTEWATER SYSTEMS
7. THE SURROUNDING LAND USES CONSIST OF COMMERCIAL PROPERTY, WITH THE SOUTH-ABUTTING PARCEL (AGRICULTURAL ZONING DISTRICT) BEING OWNED BY APPLICANT.
8. NOTIFICATION REQUIREMENTS FOR THE CUP APPLICATION WERE MET.
9. THE USE OR DEVELOPMENT IS AN APPROPRIATE CONDITIONAL USE IN THE LAND USE ZONE.
 - a. “COMMERCIAL USE, OTHER” IS ALLOWED WITH A CONDITIONAL USE PERMIT IN THE “HIGHWAY BUSINESS” ZONE.
10. THE USE OR DEVELOPMENT, WITH CONDITIONS, CONFORMS TO THE COMPREHENSIVE LAND USE PLAN.
 - a. THE FUTURE LAND USE MAP CONTAINED THE COMPREHENSIVE PLAN IDENTIFIES THE SUBJECT PROPERTY AS “HIGHWAY BUSINESS.” THE PROPOSED USE IS CONSISTENT WITH THE COMPREHENSIVE PLAN AS IT WILL MAINTAIN THE CHARACTER OF THE SUBJECT PROPERTY BY UTILIZING THE EXISTING BUSINESS SPACE.
11. THE USE WITH CONDITIONS IS COMPATIBLE WITH THE EXISTING NEIGHBORHOOD.
 - a. THE SURROUNDING LAND USES CONSIST OF COMMERCIAL PROPERTY, WITH THE SOUTH-ABUTTING PARCEL (AGRICULTURAL ZONING DISTRICT) BEING OWNED BY APPLICANT.
12. THE USE, WITH CONDITIONS, WILL NOT CREATE A PUBLIC NUISANCE OR BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, WELFARE, DECENCY, ORDER, COMFORT, CONVENIENCE, APPEARANCE OR PROSPERITY OF THE CITY.
13. 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.
14. THE CONDITIONAL USE WILL NOT IMPEDE THE NORMAL AND ORDERLY DEVELOPMENT AND IMPROVEMENT OF SURROUNDING PROPERTIES.
15. THE CONDITIONAL REQUIREMENTS AT PUBLIC COST FOR PUBLIC FACILITIES AND SERVICES AND WILL NOT BE DETRIMENTAL TO THE ECONOMIC WELFARE OF THE COMMUNITY.
 - a. THE PROPOSED USE WILL NOT GENERATE ADDITIONAL COSTS FOR PUBLIC SERVICES THAT WOULD BE DETRIMENTAL TO THE ECONOMIC WELFARE OF THE COMMUNITY.
16. ADEQUATE MEASURES HAVE BEEN TAKEN TO PROVIDE SUFFICIENT OFF-STREET PARKING

AND LOADING SPACE TO SERVE THE PROPOSED USE.

- a. ALL PARKING AND LOADING AREAS ARE LOCATED ON-SITE WITH MINIMAL IMPACT TO ABUTTING BUSINESSES.
17. 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.
18. THE CONDITIONAL USE WILL NOT RESULT IN THE DESTRUCTION, LOSS OR DAMAGE OF A NATURAL, SCENIC OR HISTORICAL FEATURE OF MAJOR SIGNIFICANCE.
- a. THERE ARE NO KNOWN NATURAL, SCENIC OR HISTORICAL FEATURES OF MAJOR SIGNIFICANCE LOCATED ON THE SUBJECT PROPERTY.

FURTHER BE IT RESOLVED THAT THE FOLLOWING CONDITIONS OF APPROVAL OF THE CONDITIONAL USE PERMIT SHALL BE MET:

1. APPROVAL IS CONTINGENT ON SUBMITTED, APPROVED, AND INSTALLED LANDSCAPING PLAN PER THE IDENTIFIED PERFORMANCE STANDARDS IN THE ORDINANCE.
2. ALL REQUIRED LAND USE AND SIGN PERMITS WOULD NEED TO BE SUBMITTED AND APPROVED BY THE CITY.
3. COMPLIANCE WITH ALL APPLICABLE REGULATIONS INCLUDING STATE HEALTH CODE, STATE BUILDING OR OTHER APPLICABLE STATE AGENCIES RELATED TO THE VEHICLE DEALER LICENSE AND SALE OF ON- AND OFF-ROAD VEHICLES.
4. ALL PARKING SHALL BE ONSITE. THERE SHALL BE NO PARKING IN THE PUBLIC RIGHT-OF-WAY.

ADOPTED BY THE JENKINS CITY COUNCIL THIS 13TH DAY OF APRIL, 2026.

ANDREW J. RUDLANG, MAYOR

ATTESTED:

CASSANDRA M. DELOUGHERTY, CITY CLERK-TREASURER
ZONING ADMINISTRATOR

THIS INSTRUMENT WAS DRAFTED BY:
CASSANDRA M. DELOUGHERTY
CITY CLERK-TREASURER
ZONING ADMINISTRATOR
CITY OF JENKINS
33861 COTTAGE AVENUE
JENKINS, MN 56474
218/568-4637



REPORT TO CITY COUNCIL

PREPARED BY: CASSANDRA DELOUGHERTY
DATE: APRIL 1ST, 2026
SUBJECT: PROPOSED ORDINANCE AMENDMENT O-26-49 AMENDING CITY CODE CHAPTER §150.038 LAND USE MATRIX

REPORT: ON FEBRUARY 17TH, 2026, THE MINNESOTA OFFICE OF CANNABIS MANAGEMENT (OCM) NOTIFIED THE CITY THAT A LOWER-POTENCY HEMP EDIBLE RETAILER (LPHE RETAILER) LICENSE WAS ISSUED WITHIN JENKINS CITY LIMITS. UNDER MINNESOTA STATUTES §342.22: LPHE RETAILERS MUST OBTAIN LOCAL RETAIL REGISTRATION FROM THE MUNICIPALITY (UNLESS DELIVERY-ONLY). MUNICIPALITIES MAY NOT LIMIT THE NUMBER OF LPHE RETAIL REGISTRATIONS. LPHE RETAILERS ARE LEGALLY DISTINCT FROM CANNABIS RETAIL BUSINESSES.

CURRENT CITY CODE CHAPTER 113 - CANNABIS REGULATIONS DEFINES AND REGULATES LOWER-POTENCY HEMP EDIBLE RETAILERS. SEPARATELY DEFINES CANNABIS RETAIL BUSINESSES AND STATUTORY DEFINITION OF CANNABIS RETAIL BUSINESSES EXCLUDES LPHE RETAILERS. CHAPTER §150.038 - LAND USE MATRIX DOES NOT CONTAIN A SPECIFIC LINE ITEM FOR LOWER-POTENCY HEMP EDIBLE RETAILERS. BECAUSE LPHE RETAILERS ARE EXCLUDED FROM THE STATUTORY DEFINITION OF CANNABIS RETAIL BUSINESSES, THEY ARE NOT CLEARLY COVERED UNDER THE EXISTING "CANNABIS RETAIL" LAND USE CATEGORY IN §150.038. WITHOUT A SPECIFIC LISTING IN THE LAND USE MATRIX ZONING AUTHORITY MAY BE UNCLEAR.

THIS AMENDMENT WOULD ENSURE CONSISTENCY WITH MINNESOTA STATUTES CHAPTER 342, ALIGN ZONING WITH CHAPTER 113 DEFINITIONS, PROVIDE LEGAL CLARITY AND DEFENSIBILITY, AND ESTABLISH CLEAR ADMINISTRATIVE STANDARDS FOR LOCAL RETAIL REGISTRATION FOR LPHE RETAILERS. TO MAINTAIN CONSISTENCY, THE ZONING DESIGNATION SHOULD MIRROR COUNCIL'S INTENT AND ALIGN WITH EXISTING CANNABIS-RELATED RETAIL CLASSIFICATIONS.

REMINDER-PER THE OCM- INITIAL RETAIL REGISTRATION FEE SHALL NOT EXCEED \$500 OR HALF OF THE AMOUNT OF AN INITIAL STATE LICENSE FEE UNDER MINN. STAT. §342.11, WHICHEVER IS LESS.

ANY RENEWAL RETAIL REGISTRATION FEE IMPOSED BY THE CITY SHALL BE CHARGED AT THE TIME OF THE SECOND RENEWAL AND EACH SUBSEQUENT RENEWAL THEREAFTER. A RENEWAL RETAIL REGISTRATION FEE SHALL NOT EXCEED \$1,000 OR HALF THE AMOUNT OF A RENEWAL STATE LICENSE FEE UNDER MINN. STAT. §342.11, WHICHEVER IS LESS.

PER MN STATUTE §342.11(13) FEES FOR A LOWER-POTENCY HEMP EDIBLE RETAILER ARE AS FOLLOWS:

- (I) AN APPLICATION FEE OF \$250 OR, IF THE LOWER-POTENCY HEMP RETAILER OPERATES MORE THAN ONE RETAIL LOCATION, \$250 PER RETAIL LOCATION;
- (II) AN INITIAL LICENSE FEE OF \$250 OR, IF THE LOWER-POTENCY HEMP RETAILER OPERATES MORE THAN ONE RETAIL LOCATION, \$250 PER



AGENDA ITEM #

RETAIL LOCATION; AND (III) A RENEWAL LICENSE FEE OF \$250 OR, IF THE LOWER-POTENCY HEMP RETAILER OPERATES MORE THAN ONE RETAIL LOCATION, \$250 PER RETAIL LOCATION.

AT THE FEBRUARY 24TH, 2026 CITY COUNCIL MEETING, THE CITY COUNCIL AUTHORIZED STAFF TO PREPARE AND SUBMIT NOTICE FOR A PUBLIC HEARING TO TAKE PLACE AT THE APRIL 7TH, 2026 PLANNING COMMISSION MEETING TO CONSIDER A RECOMMENDATION OF AMENDING CITY CODE CHAPTER §150.038 - LAND USE MATRIX TO ADD: "LOWER-POTENCY HEMP EDIBLE RETAILER" AS A SEPARATE LAND USE CLASSIFICATION AND AMEND THE FEE SCHEDULE TO ALIGN WITH THE REQUIREMENTS OF MINN. STAT. §342.11.

PUBLIC HEARING TOOK PLACE AND THE PLANNING COMMISSION IS RECOMMENDING APPROVAL OF ORDINANCE AMENDMENT O-26-49.

ACTION REQUESTED: PLEASE REVIEW THE ATTACHED ORDINANCE AMENDMENT O-26-49 IDENTIFYING LOWER-POTENCY HEMP EDIBLE RETAILERS AND DISCUSS. APPROVE, DENY, OR TABLE THE AMENDMENT. IF TABLING, PLEASE PROVIDE FURTHER STAFF DIRECTION.

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ORDINANCE NO. O-26-49
CITY OF JENKINS
 CROW WING COUNTY, STATE OF MINNESOTA
AN ORDINANCE AMENDING TITLE XV, "LAND USAGE,"
CHAPTER 150, "LAND USE AND SUBDIVISIONS,"
SUBSECTION 150.038 "LAND USE MATRIX"
OF THE JENKINS CITY CODE OF ORDINANCES

THE CITY COUNCIL OF THE CITY OF JENKINS DOES ORDAIN THAT:

SECTION 1. THE JENKINS CITY CODE OF ORDINANCES, **TITLE XV** –LAND USAGE, **CHAPTER 150** – LAND USE AND SUBDIVISIONS, **SECTION 150.038** LAND USE MATRIX IS HEREBY AMENDED TO INSERT ALPHABETICALLY INTO THE EXISTING TABLE THE FOLLOWING USE:

USE	AG	RR	R-1	R-2	RS	P	C-1	C-2	I-1
LOWER-POTENCY HEMP EDIBLE RETAILER	E	E	E	E	E	E	P	P	E

NOTES TO TABLE:

A - ALLOWED WITHOUT A PERMIT P - PERMIT REQUIRED C - CONDITIONAL USE
 I - INTERIM E - EXCLUDED AC - ACCESSORY USE

SECTION 2. THE CITY OF JENKINS FEE SCHEDULE IN EFFECT AS OF THE DATE HEREOF AND ADOPTED BY ORDINANCE BE AMENDED TO INCLUDE LOW-POTENCY HEMP EDIBLE RETAIL REGISTRATION AND RENEWAL FEES, ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE AS EXHIBIT A.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT FOLLOWING ITS PASSAGE AND PUBLICATION.

PASSED BY THE CITY COUNCIL OF THE CITY OF JENKINS, MINNESOTA, THIS ____ DAY OF _____, 20__.

 ANDREW J. RUDLANG, MAYOR

ATTESTED:

 CASSANDRA M. DELOUGHERTY, CITY CLERK-TREASURER
 ZONING ADMINISTRATOR

ORDINANCE NO. O-26-49
CITY OF JENKINS
CROW WING COUNTY, STATE OF MINNESOTA
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EXHIBIT A

FEES

LOW-POTENCY HEMP EDIBLE RETAILER INITIAL REGISTRATION FEE\$125.00

LOW-POTENCY HEMP EDIBLE RETAILER RENEWAL FEE\$125.00