

Bond Case Briefs

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ZONING & PLANNING - MINNESOTA

State v. Sanschagrín

Supreme Court of Minnesota - December 30, 2020 - N.W.2d - 2020 WL 7759466

Defendants, who owned undeveloped lot on lake, were charged with misdemeanor violations of city code arising from their installation of dock.

The District Court dismissed. State appealed. The Court of Appeals affirmed. State appealed.

The Supreme Court held that defendants' letter to city in response to notice of zoning violation was not a written request allowing automatic approval upon city's non-response.

Landowners' letter to city planning commission contesting a notice of zoning violation relating to dock installation on undeveloped lot on lake and asserting their interpretation of city zoning code as allowing the dock was not a written "request" under statute providing for automatic approval of a written request relating to zoning for a permit, license, or other governmental approval of an action upon an agency's failure to deny request within 60 days; letter was not made on an application form provided by city, and letter did not clearly identify a specific license, permit or "other governmental approval" sought.