

May 3, 2024

To: St. Louis County Board of Adjustment  
Planning and Zoning Department  
201 South 3<sup>rd</sup> Avenue West  
Virginia MN 55792  
Delivered via email to [lindhorstm@stlouiscountymn.gov](mailto:lindhorstm@stlouiscountymn.gov)

**Re: Brain Nelson Variance hearing, Parcel ID #350-0010-04196, Field Township.**

From: Dean Haupt, owner southern adjoining parcel, Parcel ID#350-0010-05900

Purpose: **I object to the rezoning request.**

I would like to apologize to the board for not being able to attend in person, I am currently traveling for my business.

**I have substantial concerns regarding the proposed rezoning for the following reasons:**

1. On 02/19/2024, Brian Nelson and I entered into an agreement for me to purchase the property that is subject to this rezoning request. On 04/17/2024, he cancelled our agreement. **I am currently pursuing litigation for Civil Fraud and Breach of Contract.**
2. Mr. Nelson has no interest in developing or building on the property. His sole purpose for the zoning is an attempt to boost the value of his property. **(See attachment 1).** Whoever is to purchase the property can apply for a new variance and explain what the intended building site will be used for.
3. During conversations, Mr. Nelson has said that the City of Cook had "illegally eminent domained his father's property." Mr. Nelson's excuse for attempting to cancel his sale with me was, " My dad got fucked over on that whole deal, that was a very sour deal for him." I have spoken with the City Administrator of Cook and the Cook Airport Director. His father had received approximately 2-3 times the value at the time of the Eminent Domain, as well as retaining the property in question. The family has been excessively enriched.

4. Approximately 3 years ago, I had gotten a building permit from the county and had to disclose what was being built. During the process, I had to abide by the setbacks. Those setbacks had included 100' from the river, 50' from neighboring properties, flood plane heights of 1308', 48' set back from the center line, the high water marks for the area and the 100 year high water mark. In addition to the setbacks, my building had to conform to airport zoning laws. **Mr. Nelson must come to this board with an explanation of what is to be built.** As previously stated, he has no intention of building, this is an attempt to increase his property's value. If you grant this variance and he sells, the next owner will have carte blanche to build whatever they wish.
5. In the past five years, there has been an untaxed camper/trailer placed on that property with no regard to setbacks or the permitting process. Additionally, there has been a driveway added intersecting the county road without permitting or approval.

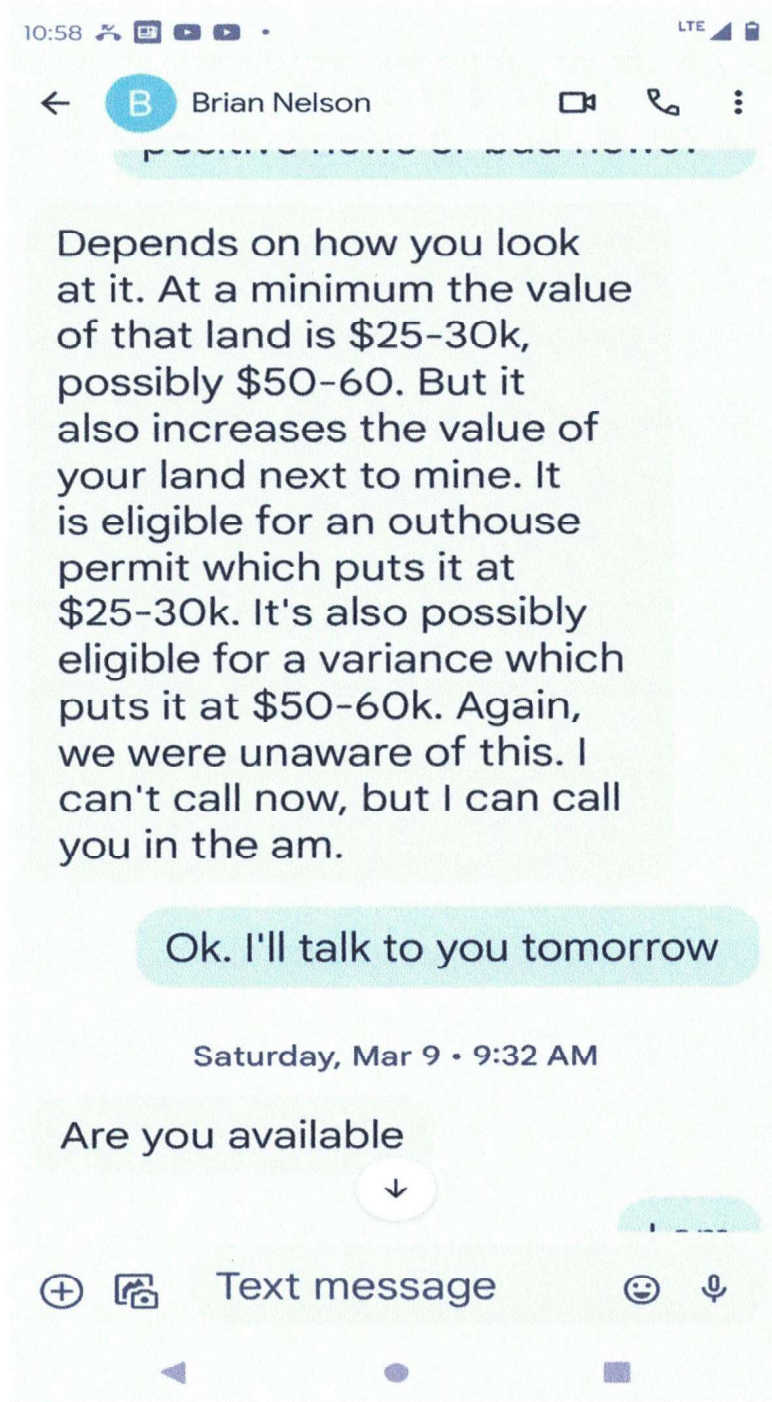
In summary, Mr. Nelson is using this variance as an excuse to rectify some past wrongdoing by the City of Cook. This is simply not the case; this is an attempt to line his pockets. If he wants a variance, he must present what is going to be built. Additionally, if you grant the variance, it must be granted to him alone, and if the property is sold, the new owner must apply for the variance.

A handwritten signature in dark ink, appearing to be 'D. Nelson', with a long horizontal flourish extending to the right.

Thank you for your time and consideration.

### Attachment 1

Text message between myself and Brian Nelson, dated 03/08/24



**From:** [Mark Lindhorst](#)  
**To:** [Michelle Claviter-Tveit](#); [Donald Rigney](#)  
**Subject:** FW: NELSON VARIANCE NEAR THE COOK AIRPORT  
**Date:** Tuesday, May 7, 2024 7:48:33 AM

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Please place in Nelson folder.

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**From:** City Admin <cityadmin@cookmn.us>  
**Sent:** Monday, May 6, 2024 3:53 PM  
**To:** Mark Lindhorst <LindhorstM@StLouisCountyMN.gov>  
**Cc:** Dep Clerk <depclerk@cookmn.us>; Airport <airport@cookmn.us>  
**Subject:** NELSON VARIANCE NEAR THE COOK AIRPORT

**WARNING:** External email. Please verify sender before opening attachments or clicking on links.

Mark,

Our office received the variance notification for a property near the Cook Airport. The Applicant is a Brian Nelson from Chisholm and the parcel code is 350-0010-04196.

I have communicated with S.E.H. (Melissa Underwood) who is our aviation engineer and she stated the following: I don't have any concerns with building on this property as long as they are not building structures that are more than 150 feet above the runway elevation. If there is going to be something that large, I think we should evaluate if that would impact the approach procedures to the primary runway.

I wanted to share these comments before your variance hearing. If you have any concerns, please contact our office at 218-666-2200 or reply to this email.

Hope things are well.

Theresa Martinson, MCMC  
Administrator-Clerk/Treasurer  
City of Cook  
127 South River Street  
P.O. Box 155  
Cook, MN 55723

Phone: 218-666-2200

Fax: 218-666-0004

Email: [cityadmin@cookmn.us](mailto:cityadmin@cookmn.us)



“The supreme quality of leadership is integrity.” –Dwight D. Eisenhower