The Lake County Planning Commission sat in session at 6:00 p.m. on this date and conducted hearings and other business.

Members present: Chair: Joe Skala, Blaine Fenstad, James Weinzierl, Nancy Mancini, Mabel Tarlton, John Bathke and Commissioner Derrick Goutermont.

Members absent: Commissioner Rich Sve and Jim Linscheid

Zoning staff present: Christine McCarthy (Environmental Services Director) and Neva Widner (Planning and Zoning Technician).

Joe Skala called the meeting to order at 6:00 P.M.

The first item of business C-17-002 was a conditional use application, filed by Bryce and Judy Gregerson which if approved, would allow a lodging bed and breakfast inn on property described as that part of SW ¼ of NW ¼ lying S & E of Hwy 61 as desc in bk 45 of titles pg 88 in Section 23, Township 54, Range 9, total of 8.3 acres, zoned RC/Resort Commercial, 2-acre minimum, Silver Creek Township.

Joe Skala introduced the application and the legal requirements were read by zoning staff. There was no correspondence received for this hearing.

Bryce Gregerson explained that this application was to correct their permit to reflect their current establishment. The Gregerson’s purchased the property with lodging operations in 1995 from the Gowdys and in 2005 they proposed converting the lodging to a liquor store. In 2005 they applied for a conditional use permit as part of the process to explore getting a liquor license. The applicants explained they did not understand they were getting a conditional use permit; they thought they were just asking questions. The liquor establishment on the 2005 conditional use permit was never established and the applicants continued managing the property as a bed and breakfast. The applicants also explained they have gotten a health department license every year they have been running the bed and breakfast.

General discussion followed regarding the background of the bed and breakfast facility and the history of the property’s ownership.

Skala asked if anyone in the audience had any questions. Mike Hoops asked how the property was operated by Dana Kollars prior to 1993. The applicants were not familiar with the history of the property prior to 1993.

Motion by Mancini supported by Bathke approving the conditional use application with the following findings and conditions:

Findings:
1. Safe access including a turning lane exists from Hwy 61 and onsite parking is in place.
2. The lot meets current stormwater standards.
3. The lot is wooded with natural vegetation and has gentle slopes.
4. The business is not situated on Lake Superior and all infrastructure is in place.
5. The business has been operating at this site for decades with no known problems.
6. There are no specific environmental concerns associated with this activity.
7. Planning and Zoning has never received complaints regarding this business.
8. The proposed use is allowable under approved county guidelines.
9. The onsite sewage treatment system needs a compliance inspection.

Conditions:
1. The septic system must be inspected by June 1st.

Motion by Fenstad, supported by Mancini to request the County Board return the applicant’s after the fact fee waived on the basis that they never implemented the activities of their 2005 conditional use permit and they have kept their Health Department license current and paid those fees the entire lodging operation.

Motion by Fenstad, supported by Mancini to request the County Board return the applicant’s
after fact fee of $400. Motion passed by unanimous vote.

Motion by Bathke supported by Fenstad to approve the January 23, 2017 minutes with minor corrections. Motion passed by unanimous vote.

The second item of business I-17-004 was an (initial) interim use application, filed by Tom and Bozena Frericks which if approved, would allow a vacation rental home on property described as that part of Gov. Lot 2 as desc. in Doc. No. A000171472, Section 13, Township 54, Range 9, 1.80 acres, Silver Creek Tsp.

The applicants explained their proposal to allow short term rentals similar to the interim use permit obtained by the prior owner, David Crosser.

General discussion took place regarding the septic system and the need to have a new inspection on the tank and treatment area.

General discussion followed regarding past issues with a neighbor and light issues. The applicants explained the lighting issue was resolved and their neighbor does not have any issue.

Mancini inquired if the applicants lived in the house, Bozena explained their main home is in Silver Bay.

Motion by Bathke supported by Mancini recommending one-year County Board approval with the following findings and conditions:

Findings:
1. Safe access from HWY 61 exists and onsite parking is in place.
2. The lot meets current stormwater standards.
3. Rental activities should have no impact to site conditions.
4. There is no evidence of impacts to Lake Superior and there are no wetlands at this location.
5. Utilities and infrastructure are established accept for the outstanding issue with the septic system.
6. Vegetative screening is limited at this location. The house is located along a noisy road corridor.
7. Vacation rentals have not proven to be a harmful use throughout the county. Normal rental activities should not diminish values or restrict other lot owner activities.

8. The proposed use is allowable under approved county guidelines and recreational use of rural property is a Lake County tradition.

Conditions:
1. Inspect system prior to June 1, 2017 and upgrade if necessary.
2. A Health Department license must be obtained.

Motion passed by unanimous vote. (PCR-17-005)

Motion by Weinzierl, supported by Bathke to adopt the amended Planning Commission Bylaws. Motion passed by unanimous vote.

Motion by Fenstad, supported by Mancini nominating Joe Skala as 2017 Planning Commission Chair. Motion passed by unanimous vote.

Motion by Fenstad, supported by Mancini nominating John Bathke as 2017 Planning Commission Vice-Chair. Motion passed by unanimous vote.

Motion by Fenstad, supported by Mancini nominating James Linscheid as 2017 Planning Commission Board of Adjustment representative. Motion passed by unanimous vote.

Motion by Fenstad, supported by Mancini nominating Planning and Zoning as 2017 Planning Commission Secretary. Motion passed by unanimous vote.

General discussion took place regarding proposed revisions in the Land Use and Septic Ordinances. Five topics have been identified by the Planning and Zoning Department as priorities for correction or revision as follows:
- Section 24.02- a correction of language in the Planning Commission Powers
- Section 25.05- a correction of language in the Criteria for Decisions section
- Section 6.16- a revision in the Vacation Rental Home requirements.
- Section 26.07- a correction of language in the conditional use section for Hotel/motel/resort/campground definitions
- Section 2.05 of the Septic Ordinance to remove type III language from septic ordinance.
Planning Commission members were generally in favor to open discussion of these proposed changes and will hold a work session to explore potential revisions and public hearing(s).

Motion by Fenstad supported by Weinzierl to adjourn the meeting. Motion passed by unanimous vote.

Respectfully Submitted,
Christine McCarthy
Environmental Services Director