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

Members Present: Chair Joe Skala, James Weinzierl, Nancy Mancini, Mabel Tarlton, John Bathke, and Commissioner Rich Sve.

Members Absent: Jim Linscheid

Zoning Staff Present: Christine McCarthy (Environmental Services Director), Neva Maxwell (Environmental Services Specialist)

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

The first hearing, I-17-025, was an (initial) interim use application filed by Loren Johnston which if approved, would allow a vacation rental home on property described as Lots 20, 21, 22, & 23, Block 16, Townsite of Knife River in Section 31, Township 52, Range 11, zoned R-4/Residential, .30 acre, 10,000 ft2 minimum, Unorganized Territory #2.

Skala introduced the application. Christine McCarthy summarized the staff report and shared that there was one comment from three adjacent property owners in opposition to the application. McCarthy also explained that the Knife River Sanitary District (KRSD) has not submitted approval or comments for the application yet and they are scheduled to review it at the upcoming meeting in late December.

Mancini asked if there were rules for the house prepared. Johnston explained they have rented out a house in St. Louis County and plan to use similar rules. He also explained that this house in Knife River has had long term renters since 2002. Johnston also explained his mother lives at the house and has a lease to own agreement, so she plans to supplement her income with the short term rental activity.

Tarlton asked if anyone locally was going to care for the property. Johnston said he lives by the Talmadge River and can caretake.

Skala asked about the number of guests, Johnston said he plans to offer rental for 4-6 people, the house has two bedrooms and a loft.

JoAnne Johnston stated the rental activity would supplement her income and help bring more business to the Knife River businesses.

Motion by Mancini supported by Bathke recommending County Board approval for the (initial) interim use application for vacation rental with the following findings and conditions:

Findings:
1. A MN Department of Health license must be obtained and maintained.
2. Minimum vacation home rental requirements must be met (Section 6.16 of Lake County's Land Use Ordinance).
3. Safe access from Church Road and off-street parking exists.
4. The lot meets current stormwater standards.
5. Rental activities should have no impact on site conditions.
6. Utilities and infrastructure are established with a private well and sewer connected to the Knife River Larsmont Sanitary District.
7. Vacation rentals have not proven to be harmful use throughout the county. Normal rental activities should not diminish values or restrict nearby lot owner activities, the property has operated as a long-term rental in the past without complaints.

Conditions:
1. Maximum occupancy of six (6) guests.
2. Quiet hours from 10:00pm – 7:00am.
3. Recreational vehicles must be on a trailer/truck bed and cannot touch property grounds.
4. No fireworks.
5. No discharge of firearms on the property.
6. Bonfires must be in a designated pit and used in a safe manner.
7. Approval from the Knife River Larsmont Sanitary District for the short-term vacation home rental activity with the proposed maximum occupancy.

Motion passed by unanimous vote (PCR-17-038).
Motion by Sve supported by Weinzierl to approve the November 20, 2017 minutes with minor corrections. Motion passed by unanimous vote.

The second hearing, I-17-026 was an interim use application, filed by Tom Frericks which if approved, would allow up to five years renewal for a vacation rental home on the property described as That Part of Gov Lot 2 as Desc in Doc No A000171472 in Section 13, Township 54, Range 9, zoned RC/Resort-Commercial, 1.80 acres, two-acre minimum, Silver Creek Township.

Skala introduced the application. McCarthy summarized the staff report and stated no comments were received for this application.

Frericks introduced his application and stated over the last year they had the house rented for 82 nights and so far rental activity has been going well.

Sve commented on past history of the property with prior owners doing vacation rental and unhappy neighbors. He noted the importance that now there are no comments against the application and the owners have taken positive steps to lessen impacts to neighbors.

Mike Hoops, Town of Silver Creek, stated that the town board discussed this application and have no issues with it.

Motion by Mancini supported by Tarlton recommending County Board approval for the (5 year) renewal interim use application with the following findings and conditions:

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.
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.

Motion passed by unanimous vote (PCR-17-039).

The third hearing, I-17-027, was an interim use application filed by Brad and Karla Anderson which if approved, would allow up to five years renewal for a vacation rental home on the property described as That Part of Lot 1 as Desc in Bk 105 of Deeds Pg 772 in Section 6, Township 53, Range 9, zoned R-4/Residential, 2.60 acres, two-acre minimum, Silver Creek Township.

Skala introduced the application. McCarthy summarized the staff report and stated no comments were received for this application. Maxwell summarized the status of the recent septic repair and explained the recent repair work is now completed.

Brad explained their renewal application and over the last year had 27 renters with a 3 night minimum, so far they have had no issues.

Mike Hoops, Town of Silver Creek, stated that the town board discussed this application and have no issues with it.

McCarthy asked about the current garbage service, Brad confirmed that Jones cleaning is still taking care of the garbage and it is going well. General discussion took place regarding current rules in effect at the property.

Motion by Weinzierl supported by Bathke recommending County Board approval for the (5 year) renewal interim use application 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. The lot is heavily wooded with natural vegetation. Rental activities should have no impact to site conditions.
4. The lot fronts Lake Superior however normal rental and recreational activities will not impact water quality.
5. Utilities and infrastructure are in place and working.
6. Vegetation screens adjacent lots. Outdoor lighting is minimal.
7. Vacation rentals have not proven to be a harmful use throughout the county. This rental use will not likely diminish values or restrict other landowners enjoyment.
8. The proposed use is allowable under approved county guidelines and recreational use of rural property is a Lake County tradition.

Motion passed by unanimous vote (PCR-17-040).

The fourth hearing, I-17-028, was an interim use application filed by North Shore Headlands House which if approved, would allow up to five years renewal for a vacation rental home on the property described as That Part of Lot 3 as Desc in Cert of Titles 43 Pg 31 in Section 1, Township 56, Range 7, zoned R-4/Residential, 1.50 acres, two-acre minimum, Beaver Bay Township.

Skala introduced the application. McCarthy summarized the staff report and stated no correspondence was received for the application.

James Hagen represented the application. He explained rental activity is going well. They have most rental activity over the weekends, about 25-30 weekends rented a year, with 2-3 night rental length on average.

General discussion took place regarding rental trends and the details of using online rental sites to coordinate guests booking.

McCarthy suggested the Planning Commission set a maximum occupancy to 10 guests, as earlier IUP approvals did not set guest maximum. Hagen stated he was in support of the condition.

Motion by Bathke supported by Weinzierl recommending County Board approval for the (5 year) renewal interim use application with the following findings and conditions:

Findings:
1. Minimum vacation home rental requirements must be met (Section 6.16 of Lake County’s Land Use Ordinance).
2. Safe access from Highway 61 and off-street parking exists.
3. Rules are posted and clear demarcation of the property lines exist.

4. Utilities and infrastructure are established and the septic system has passed a compliance inspection within the last three (3) years.
5. Vacation rentals have not proven to be harmful use throughout the county. Normal rental activities should not diminish values or restrict nearby lot owner activities.

Conditions:
1. Maximum occupancy of ten (10) guests.

Motion passed by unanimous vote, with Sve abstaining from voting (PCR-17-041).

The fifth hearing, I-17-029, was an interim use application filed by John Gregor which if approved, would allow up to five years renewal for a vacation rental home on the property described as 10 Acres out of Ely 708.69ft of SE 1/4 of NE 1/4 as Desc in Doc No A000163165 in Section 4, Township 53, Range 10, zoned R-1/Residential, 10-acre minimum, Silver Creek Township.

Skala introduced the application. Frank McQuade stated he was present to represent the application. Bathke recused himself from voting on the application. He stated he could help answer any questions about the application.

McCarthy summarized the staff report and stated no comments have been received for the application.

General discussion took place regarding the rental activity over the past year, no issues have occurred and no complaints have been received.

Mike Hoops, Town of Silver Creek, stated that the town board discussed this application and have no issues with it.

Motion by Tarlton supported by Mancini recommending County Board approval for the (5 year) renewal interim use application with the following findings and conditions:

Findings:
1. Minimum vacation home rental requirements must be met (Section 6.16 of Lake County’s Land Use Ordinance).
2. Safe access from Highway 3 and off-street parking exists.
3. The lot meets current stormwater
standards.
4. The lot is heavily wooded with natural vegetation. Rental activities should have no impact to site conditions.
5. There are no public water or wetland concerns on the property.
6. Utilities and infrastructure are established and the septic system has passed a compliance inspection within the last three (3) years.
7. Vacation rentals have not proven to be harmful use throughout the county. Normal rental activities should not diminish values or restrict nearby 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. A MN Department of Health license must be obtained and maintained.
2. Maximum occupancy of six (6) guests.
3. No fireworks.
4. No discharge of firearms on the property.

Motion passed by unanimous vote (PCR-17-042).

The sixth hearing, I-17-030, was an interim use application filed by Wanda Widen & Cynthia Foyt which if approved, would allow up to five years renewal for a vacation rental home on the property described as That Part of SE 1/4 of SW 1/4 W of RR Less W 5 Acres in Section 35, Township 53, Range 11, zoned R-2/Residential, 27.51 acres, five-acre minimum, Unorganized Territory #2.

Skala introduced the application. McCarthy summarized the staff report and stated no comments have been received for the application.

Mancini asked how rental activity was going. Widen and Foyt explained they have rented the house about 30 nights a year and manage the property themselves. They have many repeat guests and have their own rules to only have responsible renters.

General discussion took place regarding the rental activity over the past five years, no issues have occurred and no complaints have been received.

Skala asked if they have fires or ATVs, the owners stated they have an outdoor firepit. The applicants stated a snowmobile/ATV trail goes through the property and it does attract some renters for that.

McCarthy asked who the local contact was for emergencies, the applicants stated they have someone in Two Harbors on call.

Motion by Bathke supported by Sve recommending County Board approval for the (5 year) renewal interim use application with the following findings and conditions:

Findings:
1. Safe access from 7th Avenue exists and there is appropriate parking space available.
2. The property meets impervious requirements and is well vegetated.
3. There will be no impact to public waters or wetlands from the proposed activity.
4. The septic passed a compliant inspection on 11/15/17 for 3 bedrooms.
5. Vacation Rental activity has not proven to be harmful on neighboring properties if conditions are met.
6. Vacations Rentals are permitted through section 6.16 of the Lake County Land Use Ordinance.

Conditions:
1. A MN Department of Health license must be obtained and maintained.
2. Minimum vacation home rental requirements must be met. (Section 6.16 of Lake County’s Land Use Ordinance).
3. Quiet hours from 10:00pm – 7:00am.

Motion passed by unanimous vote (PCR-17-043).

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

Respectfully Submitted,
Christine McCarthy
Environmental Services Director