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, Vice Chair John Bathke, James Weinzierl, Nancy Mancini, Mabel Tarlton, 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-18-001, was a renewal of an interim use application filed by Richard and Kristen Cawood which if approved, would allow a vacation rental home on property described as Lot 9, Stroms Park Plat, Less .83 Acres as Desc in Bk 115 of Deed Pg 541 (Part of Parcel 20 on MN DOT R/W Map 38-31 on File in the Office of the Lake County Recorder) in Section 22, Township 55, Range 8, zoned R-4/Residential, two-acre minimum, Beaver Bay Township.

Joe Skala introduced the application and McCarthy read the legal requirements. There was 1 comment from MN DOT stating they had no issues with the application.

Sve asked how often the applicant has been renting over the year, Mr. Cawood explained they have rented 195 days per year on average and there haven’t been any issues to date. Mr. Cawood explained they already have quiet hours at 9 PM.

Motion by Mancini supported by Tarlton to recommend County Board approval for the renewal of the interim use application for five (5) years with the following findings & conditions:

**Findings:**

1. Safe access from Pine Bay Loop 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 11/21/17 for 4 bedrooms.
5. Utilities and infrastructure are established and the septic system has passed a compliance inspection within the last three (3) years.
6. 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. Quiet Hours from 10 PM to 7 AM
2. No discharge of firearms or fireworks
3. All ATVs and Snowmobiles must be trailered while on the property.
4. All outdoor fires must be limited to use at a designated fire ring.
5. Occupancy limited to 8 guests maximum.
6. No rental of the guest cabin

Motion passed by unanimous vote (PCR-18-001).

Motion by Mancini supported by Sve to approve the December 18, 2017 minutes as submitted. Motion passed by unanimous vote.

The second hearing, I-18-002 was a renewal of an Interim Use Permit application, filed by John Swenson which if approved, would allow for the operation of a vacation rental on property described 3 Acres Out of Lot 6 as Desc in Doc No 169165 in Section 31, Township 64, Range 9, zoned RR/Residential-Recreational, one-acre minimum, Fall Lake Township.

Joe Skala introduced the application and McCarthy read the legal requirements. There were 2 comments received against the application. Maxwell summarized the comments against the application. The comments stated opposition to the application stating it was part of the Berwin Estates Plat, Maxwell clarified that this parcel was not part of that plat. There were complaints about people walking on the private road, Maxwell stated that Canadian Border Road is a public road. Additional concerns were unleashed pets, and a semi-trailer storage container. Maxwell stated she did not see a trailer on the property during the site
visit and has not yet done further investigation into the matter.

Mr. Swenson responded to concerns. He has guests keep dogs on leash the entire time while staying at the property. He also explained his business next door at the outfitter helps pay for the road maintenance. He said that the semitrailer is not on the rental property, but an adjacent property that belongs to him as well. It has been there for some time and he has not received complaints about this before now.

Sve asked about the condition of the boats. Swenson explained the boats are all personal boats and are fairly organized right now.

Sve asked about the septic inspection status. Maxwell explained a septic inspection will be needed as the last one on file was from 2012.

Mancini asked about Swenson’s businesses. Swenson explained he owned Ely Lodging (Agent for the IUP application) and Canadian Border Outfitters (the outfitter next door to the property). Swenson explained he had 11 rentals over the last summer and he lives there in the winter when he is around the area. He does not rent the house over the winter.

Christine McCarthy stated to Mr. Swenson that he would need a land use permit for the trailer. She did not think it needed to be a condition for the permit application.

Motion by Tarlton supported by Bathke to recommend County Board approval for the renewal of the interim use application for five (5) years with the following findings & conditions:

Findings:
1. Safe access from Canadian Border Road 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 proposed use is allowable under approved county guidelines.

Conditions:
1. Quiet Hours from 10 PM to 7 AM
2. No discharge of firearms or fireworks
3. All ATVs and Snowmobiles must be trailered while on the property.
4. All outdoor fires must be limited to use at a designated fire ring.
5. Occupancy limited to 4 guests maximum.
7. Pets must be leashed when off property.
Motion passed by unanimous vote (PCR-18-002).

The third hearing, I-18-003, was a renewal interim use application filed by Julie and Mitch Blomquist which if approved, would allow a vacation rental home on the property described as E 200ft of W 650ft of Govt Lot 3 Lying S of Centerline of US Hwy No 61 in Section 22, Township 53, Range 10, zoned R-4/Residential, two-acre minimum, Silver Creek Township

Joe Skala introduced the application and McCarthy read the legal requirements. There was no correspondence regarding the application. Maxwell added that the applicants have applied to address the issues with the septic tank.

Andrew Beavers represented the application on behalf of Cascade Vacation Rentals. Beavers explained the rental has been renting 75-80 nights per year on average and there haven’t been any issues to date. General conversation took place regarding the septic tank repairs. McCarthy explained it was not affecting the operations and the applicants are working towards addressing the issue.

Mike Hoops with the Town of Silver Creek stated they did not have any issues with the application.

Motion by Weinzierl supported by Bathke to recommend County Board approval for the renewal of the interim use application for five (5) years with the following findings & conditions:

Findings:
1. Safe access from Cliff Point Rd exists and there is appropriate parking space available.
2. Minimum vacation home rental requirements have been met with no complaints or issues.
3. The property is well vegetated and meets impervious requirements.
4. There have been no complaints on vacation rental home.

Conditions:
1. Quiet Hours from 10 PM to 7 AM
2. No discharge of firearms or fireworks
3. All ATVs and Snowmobiles must be trailered while on the property.
4. All outdoor fires must be limited to use at a designated fire ring.
5. Occupancy limited to 6 guests maximum.
6. Tank replacement should occur no later than July 1, 2018.

Motion passed by unanimous vote (PCR-18-003).

Motion by Bathke, supported by Sve nominating Joe Skala as 2018 Planning Commission Chair.
Motion by Sve, supported by Mancini nominating John Bathke as 2018 Planning Commission Vice-Chair.
Motion by Sve, supported by Bathke nominating Planning and Zoning as 2018 Planning Commission Secretary.
All Motions passed by unanimous vote.

The fourth hearing, I-18-004, was a renewal interim use application filed by Julie Pearce which if approved, would allow a vacation rental home on the property described as Lot 1, Block 1 – CIC No 29, The Village at Ninemile in Section 27, Township 59, Range 6, zoned R-R/Residential-Recreational, one-acre minimum, Unorganized Territory #2.

The applicant was not present, an attempt was made to reach her by phone.

The fifth hearing, C-18-001, was an (after the fact) conditional use hearing filed by Mitchell Thomas which if approved, would allow for two (2) wind turbines on the property described as Two Harbors, MN 55616. The property is legally described as: NE 1/4 of NE 1/4 of SE 1/4 & NW 1/4 of NE 1/4 of SE 1/4 Section 4, Township 53, Range 10, 20.00 acres, zoned R-1/Residential District, 10-acre minimum, Silver Creek Township.

The applicant was not present, an attempt was made to reach him by phone.

General discussion took place regarding the weather and possible extenuating circumstances.

Motion by Bathke supported by Weinzierl to table I-18-004 and C-18-001 hearings until the next meeting. Motion passed by unanimous vote.

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

Respectfully Submitted,
Christine McCarthy
Environmental Services Director