

**Lake of the Woods County Board of Adjustment/Planning Commission Meeting
7:00 P.M. on May 7, 2025**

Ken Horntvedt opened the meeting at 7:00 pm with the following members present: Tim Nordlof, Tom Mio, Marshall Nelson, Ken Horntvedt, Nancy Dunnell. Wes Johnson and Dave Marhula were absent. Others present were Land and Water Planning Director Josh Stromlund.

Introductions of Board of Adjustments/Planning Commission members took place.

Approval of the Agenda: Marshall/ Nancy. All in favor.

Approval of Meeting Minutes: April 2, 2025 - Motion to approve – Mio/ Marshall. All in favor.

Conflict of Interest Disclosure: None.

Board of Adjustments – **Withdrawn**

- **Consideration of Variance Application #25-04V by Steve and Ann Dorwart:** Lot 13, Block 1, Sandy Shores in Section Twenty-one (21), Township One Hundred Sixty-three (163) North, Range Thirty-three (33) West (Prosper) – Parcel # 16.55.01.130. Applicant is requesting a variance from Section 508 of the Lake of the Woods County Zoning Ordinance to allow construction of a guest cottage on a lot that does not meet the duplex lot sizing requirements for the Lake of the Woods shoreland area. Lake of the Woods is a General Development Lake.

As per email sent by David Barry (Agent of Steven Dorwart) on May 6, 2025, application #25-04V was withdrawn.

With no Board of Adjustments business, The meeting moved forward to open Planning Commission meeting.

Planning Commission – **New Business**

- **Consideration of Zone Change #25-01ZC by Arnesen's Rocky Point, Inc.:** Lots 4 – 8, Block 4, Rocky Point Townsite and a .08-acre tract in Gov't Lot One (1), all in Section Eight (8), Township One Hundred Sixty-three (163) North, Range Thirty-four (34) West (Lakewood) – Parcel ID#'s 14.50.04.040, 14.50.04.060, and 14.50.04.070. Applicant is requesting a zone change from a Residential (R1) Zoning District to a Commercial-Recreation (CR) Zoning District for the purpose of allowing commercial activity on the property.

Ed Arnesen was in attendance to discuss the request and answer questions from the board. The board discussed the information in the application. The board then moved on to the findings of fact.

Name of Applicant: Arnesen's Rocky Point, Inc. Date: May 7, 2025

Location/Legal Description: Lots 4-8, Block 4, Rocky Point Townsite and a .08 acre tract in Gov't Lot 1 in Section 8, T. 163N, R. 34 W

Current Zoning Classification: Residential (R1) Proposed: Commercial-Recreation (CR)

Parcel Number(s): 14.50.04.040, 14.50.04.060, 14.50.04.070 Application Number: 25-01ZC

The Planning Commission shall consider all facts from all sources prior to submitting a recommendation to the County Board relating to a proposed zone change. Its judgment shall be based upon, but not limited to, the following factors as applicable.

1. Is the zone change consistent with the Lake of the Woods County Comprehensive Land Use Plan?

X Yes ___ No

Comments: Recreational development.

2. Are the existing surrounding land uses consistent with the proposed zoning classification?

☒ Yes ☐ No

Comments: Zoned commercial.

3. Will the zone change alter the characteristics of the neighborhood?

☐ Yes ☒ No

Comments: Remain the same.

4. Is there a potential for public health, safety or traffic generation impacts based on the proposed zone change and how will they be addressed?

☐ Yes ☒ No

Comments: Remain the same.

5. What additional public services would be necessitated and would existing utilities be sufficient to accommodate the proposal?

☐ Yes ☒ No

Comments: No additional services needed.

6. Will the zone change impede the normal or orderly development and improvement of surrounding property for uses permitted in the zoning district?

☐ Yes ☒ No

Comments: No change.

7. Has there been a change in the development in the general area of the property in questions?

☐ Yes ☒ No

Comments: No change.

8. Will the zone change have a negative effect on property values in the neighborhood?

☐ Yes ☒ No

Comments: Remain the same.

Conditions: _____

The Lake of the Woods County Planning Commission hereby recommends to the Lake of the Woods County Board of Commissioners adopt the above findings and DENY / **APPROVE** the application for a zone change be WITH / **WITHOUT** conditions.

Date: May 7, 2025

Ken Horntvedt
Chair, Planning Commission

Motion to approve as presented by Mio, seconded by Nelson. All in favor.

- **Consideration of Interim Use Permit #25-03IU by Von Hutchinson:** Lot 12, Block 2, River Oaks Plat in Section One (1), Township One Hundred Sixty-one (161) North, Range Thirty-two (32) West

(Wabanica) – Parcel ID#23.52.02.120. Applicant is requesting an Interim Use Permit as required by Section 1106 of the Lake of the Woods County Zoning Ordinance to operate a short-term vacation rental in a Residential Development Zoning District (R1).

Von Hutchinson was present to discuss the request and answer questions from the board. The board discussed the information in the application. The board then moved on to the findings of fact.

Name of Applicant: Von Hutchinson Application Number: 25-03IU Date: May 7, 2025

Location/Legal Description: Lot 12, Block 2, River Oaks Plat Parcel Number: 23.52.02.120

Project Proposal: Applicant is requesting an Interim Use Permit, as required by Sections 1106 of the Lake of the Woods County Zoning Ordinance, to operate a short-term vacation rental in a Residential Development Zoning District.

1) Is the project proposal consistent with the Lake of the Woods County Comprehensive Land Use Plan?
YES (X) NO () N/A ()

Why or why not? Growth Corridor

2) Is the project proposal consistent with maintaining public health, safety, and welfare? This includes the following items:

- Safe drinking water or other approved alternatives
- Smoke/carbon monoxide alarms
- Compliant septic system and sized accordingly
- Fire extinguisher(s)
- Emergency contact list of numbers
- Egress windows
- Evacuation plan and fire safety protocols

YES (X) NO () N/A ()

Why or why not? Per Application

3) Is the project proposal compatible with adjacent land uses?
YES (X) NO () N/A ()

Why or why not? Residential Area

4) Is the site in harmony with existing and proposed access to the property?
YES (X) NO () N/A ()

Why or why not? Oak Loop Dr NW

5) Will the project proposal increase traffic to and from the site? If so, has the applicant adequately demonstrated how the increased traffic is to be addressed?
YES () NO (X) N/A ()

Why or why not? No additional traffic

6) Has the applicant adequately addressed how parking is to be addressed on the property?
YES (X) NO () N/A ()

Why or why not? On-site

7) Is fencing and/or screening needed to buffer the project proposal from adjacent properties?
YES () NO () N/A (X)

Why or why not? _____

8) If signage is associated with the project proposal, has the applicant demonstrated the need for the number and size requested, and minimized the visual appearance as viewed from adjacent properties to the extent possible?
YES () NO () N/A (X)

Why or why not? No additional signage

9) What is the maximum number of occupants and is this reasonable for the project proposal's location?
YES (X) NO () N/A ()

Why or why not? 7 Per application

10) Are the proposed periods of use and operation reasonable in relation to the project proposal's location?
YES (X) NO () N/A ()

Why or why not? As per application

11) Are the quiet hours reasonable in relation to the project proposal's location? YES (X) NO () N/A ()
Why or why not? Per application 10PM-7AM

The specific conditions of approval are as follows (Check all that are applicable to this request):

- ☒ The interim use permit terminates five (5) years from the date of approval or upon sale or transfer of the property, whichever occurs first.
- ☒ The septic system is sized for the maximum occupancy identified in the application.
- ☒ The maximum occupancy is limited to the identified number in the application.
- ☒ The established quiet hours are as identified in the application.
- ☒ A valid Certificate of Compliance for the septic system is required.
- ☒ No on street parking is allowed.
- ☒ If applicable, applicant must meet the Minnesota Department of Health requirements.

Additional Conditions are as follows: Septic system and driveway must be completed prior to rental of the property.

The Lake of the Woods County Planning Commission hereby recommends to the Lake of the Woods County Board of Commissioners that this proposal be:

Approved as Presented () Approved with Conditions (X) Denied ()

May 7, 2025

Date

Ken Horntvedt

Chair, Planning Commission

This is in accordance with the Lake of the Woods County Zoning Ordinance

Motion made to approve with conditions by Marshall, seconded by Nordlof. All in favor.

- **Consideration of Interim Use Permit #25-04IU by Colin and Lisa MacRae:** Lot 7, Block 2, Lake of the Woods Estates in Section Seventeen (17), Township One Hundred Sixty-two (162) North, Range Thirty-two (32) West (Wheeler) – Parcel ID#19.54.02.070. Applicant is requesting an Interim Use Permit as required by Section 1106 of the Lake of the Woods County Zoning Ordinance to operate a short-term vacation rental in a Residential Development Zoning District (R1).

Colin and Lisa were present to discuss the request and answer questions from the board. The board discussed the information in the application. The board then moved on to the findings of fact.

Name of Applicant: Colin and Lisa MacRae Application Number: 25-04IU Date: May 7, 2025

Location/Legal Description: Lot 7, Block 2, Lake of the Woods Estates Parcel Number: 19.54.02.070

Project Proposal: Applicant is requesting an Interim Use Permit, as required by Sections 1106 of the Lake of the Woods County Zoning Ordinance, to operate a short-term vacation rental in a Residential Development Zoning District.

12) Is the project proposal consistent with the Lake of the Woods County Comprehensive Land Use Plan?

YES (X) NO () N/A ()

Why or why not? Recreational

13) Is the project proposal consistent with maintaining public health, safety, and welfare? This includes the following items:

- Safe drinking water or other approved alternatives
- Smoke/carbon monoxide alarms
- Compliant septic system and sized accordingly
- Fire extinguisher(s)
- Emergency contact list of numbers
- Egress windows
- Evacuation plan and fire safety protocols

YES (X) NO () N/A ()

Why or why not? Per application

14) Is the project proposal compatible with adjacent land uses?

YES (X) NO () N/A ()

Why or why not? Rural residential

15) Is the site in harmony with existing and proposed access to the property?

YES (X) NO () N/A ()

Why or why not? Coronado Dr

16) Will the project proposal increase traffic to and from the site? If so, has the applicant adequately demonstrated how the increased traffic is to be addressed?

YES () NO (X) N/A ()

Why or why not? No change

17) Has the applicant adequately addressed how parking is to be addressed on the property?

YES (X) NO () N/A ()

Why or why not? Onsite, per application

18) Is fencing and/or screening needed to buffer the project proposal from adjacent properties?

YES () NO () N/A (X)

Why or why not? None

19) If signage is associated with the project proposal, has the applicant demonstrated the need for the number and size requested, and minimized the visual appearance as viewed from adjacent properties to the extent possible?

YES () NO () N/A (X)

Why or why not? No signage

20) What is the maximum number of occupants and is this reasonable for the project proposal's location?

YES (X) NO () N/A ()

Why or why not? 4 Per septic sizing

21) Are the proposed periods of use and operation reasonable in relation to the project proposal's location?

YES (X) NO () N/A ()

Why or why not? Per application

22) Are the quiet hours reasonable in relation to the project proposal's location?

YES (X) NO () N/A ()

Why or why not? Per application

The specific conditions of approval are as follows (Check all that are applicable to this request):

- ☒ The interim use permit terminates five (5) years from the date of approval or upon sale or transfer of the property, whichever occurs first.
- ☒ The septic system is sized for the maximum occupancy identified in the application.
- ☒ The maximum occupancy is limited to the identified number in the application.
- ☒ The established quiet hours are as identified in the application.
- ☒ A valid Certificate of Compliance for the septic system is required.
- ☒ No on street parking is allowed.
- ☒ If applicable, applicant must meet the Minnesota Department of Health requirements.

Additional Conditions are as follows: _____

The Lake of the Woods County Planning Commission hereby recommends to the Lake of the Woods County Board of Commissioners that this proposal be:

Approved as Presented () Approved with Conditions (X) Denied ()

May 7, 2025

Date

Ken Horntvedt

Chair, Planning Commission

This is in accordance with the Lake of the Woods County Zoning Ordinance

Motion made to approve with conditions by Marshall, seconded by Dunnell. All in favor.

With no further business before the Planning Commission, Marshall made a motion to adjourn, seconded by Nordlof. All in favor. Meeting adjourned at 7:57 PM.