

**LE SUEUR COUNTY PLANNING COMMISSION**  
**February 13, 2023**

**TO: LE SUEUR COUNTY BOARD OF COMMISSIONERS**  
**FROM: LE SUEUR COUNTY PLANNING COMMISSION**  
**SUBJECT: “REQUEST FOR ACTION”**

The Planning Commission recommends your action on the following item:

**ITEM #1: TRACY NELSON, MONTGOMERY, MN (APPLICANT/OWNER):**  
Request that the County grant an Interim Use Permit to allow the applicant to use their property for Short-Term Private Lodging Rental in a Recreational Residential “RR” Shoreland District, Lake Pepin, a Natural Environment “NE” lake. The subject property is described as Lot 9 of Benson’s Subdivision, Section 28, Lanesburgh Township.

**Based on the information submitted by the applicant, as required by the Le Sueur County Zoning Ordinance, the Planning Commission developed the attached findings for this request:**

Therefore, the Planning Commission recommends **DENIAL** of the application as written.

ACTION: ITEM #1: \_\_\_\_\_

DATE: \_\_\_\_\_

COUNTY ADMINISTRATOR SIGNATURE: \_\_\_\_\_

## ITEM # 1 FINDINGS OF FACT

### **TRACY NELSON, MONTGOMERY, MN (APPLICANT/OWNER):**

Request that the County grant an Interim Use Permit to allow the applicant to use their property for Short-Term Private Lodging Rental in a Recreational Residential “RR” Shoreland District of Lake Pepin, a Natural Environment “NE” lake. The subject property is described as Lot 9 of Benson’s Subdivision, located in Section 28 of Lanesburgh Township.

**WHEREAS**, the Le Sueur County Planning Commission held a public hearing on February 13, 2023 in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

**WHEREAS**, the Le Sueur County Planning Commission, acting as an advisory board to the Le Sueur County Board of Commissioners recommends **DENIAL** of the request due to the following findings:

1. *The interim use would not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity. (0-4 in opposition)*
  - ***Based on the description from the neighbors, related to previous rentals, this use appears to be injurious to the use and enjoyment of the neighbors.***
2. *The establishment of the interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. (4-0 in support)*
3. *Adequate utilities, access roads, drainage and other facilities have been or are being provided. (4-0 in support)*
4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to service the proposed use. (4-0 in support)*
5. *Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. (0-4 in opposition)*
  - ***This is specific to noise and other negative impacts to the neighborhood.***
6. *The interim use is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance. (3-1 in support)*
  - ***(Chairperson Doheny in dissent) This use does not appear to be consistent with the goals and policies of the County. It is more of an amended version.***
7. *The interim use is consistent with the Comprehensive Land Use Plan. (3-1 in support)*
  - ***(Chairperson Doheny in dissent) This use does not appear to be consistent with the goals and policies of the County. It is more of an amended version***

**WHEREAS**, On February 28, 2023, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners **APPROVED/DENIED** the Interim Use Permit application as requested by **TRACY NELSON**.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, the following Findings of Fact were adopted at the February 28, 2023 Le Sueur County Board of Commissioners meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

1. *The interim use would be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
2. *The establishment of the interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
3. *Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to service the proposed use.*

5. *Adequate measures have not been taken to prevent and noise, trespassing, and concerns, so that none of these constitute a nuisance, and in such a manner that no disturbance to neighboring properties will result.*
6. *The Interim Use is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
7. *The Interim Use is consistent with the Comprehensive Land Use Plan.*

**BE IT FURTHER RESOLVED**, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, Interim Use Permit #2023004, a request to allow the applicant to use their property for Short-Term Private Lodging Rental in a Recreational Residential “RR” Shoreland District of Lake Pepin, is APPROVED / DENIED.

ATTEST:

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Danny O’Keefe, Chairman, Le Sueur County Board of Commissioners

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Joseph Martin, County Administrator

DATE: \_\_\_\_\_