Planning Advisory Commission
October 23, 2025
CUP-25-011

POPECOUNTY MINNESOTA

S:\3. BOA-PAC\2025\10. 23 October 2025\6. PAC - 5 Items\4.NB.2 09-0009-001 Zach CUP-25-011\3. Staff Report\PAC.V.B.2. Zach CUP-25-011 Staff Report.docx

STAFF REPORT

Applicant Information

Applicant: Ronald Zach

Application: Conditional Use Permit (CUP-25-011)

Zoning: Shoreland-General Development (S-GD)

Location: Part of Lot 4 of the Plat of the County Subdivision of Government Lot 2, Section 13, Township 125 (Glenwood), Range 38, Pope County, Minnesota.

Background

The applicant is proposing to modify condition 9 of previously issued Special Use Permit 81-5, so that the cabins located on the aforesaid property may be expanded to 850 square feet in a Shoreland-General Development (S-GD) zoning district. This parcel of land is located about one mile south of Glenwood on the east (non-riparian) side of South Lakeshore Drive. The parcel and its structures had historically been associated with the C&H Resort until 1981 when the resort owners petitioned for a change in use and to subdivide the resort property. The Board of County Commissioner approved of the subdivision and change in use subject to certain conditions, one of which was that the cabins were limited to 600 square feet in size. The four cabins sit on a parcel that is 65,930 square feet in area. The minimum lot size in this particular zoning district is 20,000 square feet. Today, the cabins are in private ownership. There are no permanent residents living in any of the structures. They all remain as seasonal use structures. However, the owners are seeking to enlarge the cabins to allow for enclosing the porch areas and creating three-season rooms. There has been no request associated with adding more bedroom space to the existing residential structures.

Applicable Statutes

Local Ordinance

- Pope County Land Use Controls Ordinance
  - Section 4.2 Shoreland-General Development District (S-GD)
    - Section 4.2.2. Conditional Uses

State Statute/Rule

- Minnesota Statute Chapter 394. Planning, Development, Zoning *(enabling legislation)*

Staff Comments

Based on the review of the application, Staff offers the following comments for consideration:

1. These cabins are last vestige of a resort that once operated on the shore of Lake Minnewaska. When viewed as standalone residential structures, the land use does not comply with Pope County's current shoreland standards. However, the Board did approve of the subdivision and use.
2. All other aspects of land use and development are compliant on this parcel. They have a compliant septic system, are not over on impervious coverage and each of the structures meet setback from the OHWL, the road and the neighboring property lines.

Staff Recommendation

Approve with Conditions

Staff does not object to amending the condition of the original Special Use Permit to allow for up to 850 square feet of structure limited to the conditions as follows:

1. No additional bedrooms.
2. Prior to any construction activities, the owner must secure the proper Land Use Permits from Pope County.

Staff Findings

The Staff offers the following findings for consideration:

1. **The project is in compliance with the setback and other provisions of this ordinance unless a variance has been granted:**

   Finding: The existing structures comply with the setback requirements and other provisions of the Pope County Land Use Controls Ordinance for such use.

2. **The use is not in conflict with the County Comprehensive Land Use Plan:**

   Finding: The current Comprehensive Plan includes goals that state a recognition of diverse and existing land uses throughout the county. It is noted that not all uses are compatible and that there should be consideration as to separation, siting, development requirements and operating standards. Based on the proposal, there will be no change in the current land use including complying with distances from sensitive environmental features, roadway and neighboring properties, the proposed use is not in conflict with the County Comprehensive Plan.

3. **That the use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish or impair neighborhood property values in the area and will not interfere with the best interest of the surrounding area or the community as a whole:**

   Finding: The use of shoreland recreational property for seasonal cabins is permissible based on the Pope County Land Use Controls Ordinance. The use will not likely diminish or impair the use and enjoyment of neighboring properties or interfere with the surrounding community as a whole.

4. **The use will not create an excessive burden on parks, schools, streets, water supply, public drainage systems and other public facilities and utilities which serve or are proposed to serve in the area:**

   Finding: This land use is not expected to have any negative impacts on public infrastructure.

5. **The structure and sites shall have an appearance that will not have an adverse effect on adjacent properties:**

   Finding: The owners do not intend to change the appearance of the individual structures other than to add or enclose decks. The site is expected to remain neat and orderly in appearance.

6. **The road on which the project is proposed is adequate to handle increased traffic during operation, and that the use will not cause traffic hazards or congestion:**

   Finding: There is no change in vehicle traffic as a result of amending the original Special Use Permit.

7. **Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare, odor, or general unsightliness:**

   Finding: There is no change in use being proposed so, there will be no impact on nearby businesses.

8. **That the establishment of the use will not impede the normal and orderly development and improvement of surrounding vacant property uses predominant to the area:**

   Finding: There are nearby and adjacent properties along the shoreline that are platted with intent for shoreland recreational development. The allowance for additional recreational space for each of these cabin structures will not impact surrounding land uses or development potentials.

9. **That adequate utilities, drainage and other necessary facilities have been or are being provided:**

   Finding: Any necessary utilities, drainage, septic systems or other facilities will be addressed prior to and as a condition of issuance of any land use permit.

10. **That adequate measures have been or will be taken to prevent or control rodents, insects, offensive odors, fumes, dust, noise, and vibration in order that none of these will constitute a nuisance, and that adequate measures have been or will be taken to prevent negative impacts on surface water, groundwater, and air quality, and that measures have been taken to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result:**

    Finding: The site is expected to remain neat and orderly in appearance. As such, the site should not have a negative impact on neighboring properties with noise, dust, appearance, and other nuisances or impacts.

REPORT APPENDIX

- **Routing Sheet** *(Comments, concerns and conditions)*
- **Public Notice**
- **Supplemental Information**
  - **Attachment 1:** *Conditional Use Permit Application (Ronald Zach, 12 September 2025)*
  - **Attachment 2:** *Site Plan (Bonnema Runke Stern Inc., 16 May 2024)*
  - **Attachment 3:** *Site Visit Photos (L&RM Staff, 13 October 2025)*

Routing Sheet

Comments, Concerns and Conditions

Agency	
MN DNR	No comment received.
County Department	
Assessor	*COMMENTS: if the cabins get larger will this result in them dividing the parcel into multi parcels or will it remain one large parcel with multi ownership?*
Attorney	No comment received.
Engineer	No comment received.
Recorder	No comment received.
WCA Officer	*COMMENTS: The National Wetlands Inventory does not show wetlands on this parcel, but there is a stream that flows through the property. Protection of the stream environment and prevention of erosion and sedimentation should be taken into account with any development activities. Otherwise, I have no objection from a WCA standpoint. As Ag Inspector, I would call for prompt revegetation of any disturbed ground, to prevent establishment of any noxious weeds.* *PROPOSED CONDITIONS: The usual conditions related to erosion control and stormwater management should be applied, but with special emphasis on protecting the stream and maintaining a vegetative buffer.*
Township	
Glenwood	No comment received.
Other Comments Received	
	No comment received.

Public Notice

POPE COUNTY LAND & RESOURCE MANAGEMENT
POPE COUNTY COURTHOUSE
130 E. MINNESOTA AVENUE, SUITE 113
GLENWOOD, MINNESOTA 56334
(320) 634-7791

POPE COUNTY PLANNING ADVISORY COMMISSION
NOTICE OF PUBLIC HEARING FOR
CONDITIONAL USE REQUEST

Notice is hereby given that a Public Hearing will take place in conjunction with the Planning Advisory Commission meeting to be held at 6:00 pm or shortly thereafter on Thursday, October 23rd, 2025 in the Pope County Courthouse to consider the following conditional use request.

Description of Request: Conditional Use hearing for an application by Ronald Zach (CUP-25-011,

Parcels#09-0009-001), if granted would allow applicant to modify Condition 9 of previously issued Special Use Permit 81-5, so that the cabins located on the aforesaid property may each be expanded to 850 square feet in a Shoreland-General Development (S-GD) zoning district.

Legal Description/Site Location: Part of Lot 4 of the Plat of the County Subdivision of Government Lot 2, Section 13, Township 125 (Glenwood), Range 38, Pope County, Minnesota.

Public participation will include an opportunity to:

1) submit written concerns and comment prior to the scheduled meeting. All such communications will be shared with the Planning Advisory Commission prior to or during the meeting;
2) submit concerns and comments via Pope County's Public Comment web map (https://popecounty.maps.arcgis.com/apps/webappviewer/index.html?id=22a203912a864a77b4cdabe672e35e3f)
3) review the staff prepared report via Pope County website;
4) observe and/or participate in the proceedings of the Planning Advisory Commission meeting.

Interested parties and citizens may contact the Land and Resource Management office for further information as to how to participate in the meeting. Thank you for your patience and consideration in this matter.

Dated: October 3, 2025
By: Jessica Hill, Zoning Administrator, Land & Resource Management

Supplemental Information

Supplemental Information Attachment 1:

Conditional Use Permit Application
(Ronald Zach, 12 September 2025)

CONDITIONAL/INTERIM USE PERMIT APPLICATION

POPE COUNTY MINNESOTA

RECEIVED SEP 12 2025 BY:

L&RM FORM 17

S:\0_ADMIN 1_Forms\Form 17_CUP-IUP Application\L&RM Form 17_CUP-IUP Application.docx

CONDITIONAL /INTERIM USE PERMIT APPLICATION

A conditional or interim use is permitted within a zoning district only when allowed by the County Board of Commissioners or their legally designated agent after public hearing provided certain conditions are met which eliminate or minimize the incompatibility with other permitted uses of the district. A Conditional Use or Interim Use permit may be denied if the use is deemed incompatible with other permitted uses of the district.

Prior to submission of this application, please discuss your request with the Land and Resource Management department.

CUP-25-011

Applicant Information

Applicant Names: Ronald Zach		
Phone Number: [redacted]	Email: [redacted]	Lake: [redacted]

Property Description

Property Address: 18810 south lakeshore drive	City: glenwood	State: mn	Zip: 55344
Township Name: Glenwood	Section: 13	Twp: 125	Range: 38
Parcel No.: 09-00009-001	Associated Parcel No.:		

Project Narrative

What is the conditional / interim use permit application for?	81-5 is the existing conditional use permit

Provide written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized:

When this land was divided there was a special use permit give - condition that each cabin did not exceed 600 sq feet each- we are asking to raise that sq number to 850 each
Not adding any bedrooms or bathroom
site meet all setback, hardcoverage and septic requirements.

Pope County Land & Resource Management
130 East Minnesota Ave | Glenwood, Minnesota 56334 |
Phone: (320) 634-7701 | Email: pub.lrm@popecountymn.gov
Website: https://www.popecountymn.gov/land-resource-management

APPLICATION REQUIREMENTS

The following application requirements must be provided:	Description
1. The applicant for a Conditional or Interim Use Permit shall file an application in the office of the Administrator and pay a fee according to the fee schedule resolution of County Board of Commissioners.	***Two separate checks (made out to Pope County) must be provided:*** 1. ***Application Fee = $500*** 2. ***Recording Fee = $46***
2. Written description of the proposed activities, including:	Amend existg conditions
a. Type of business or activity (including scope of operations);	NA
b. Proposed number of employees;	NA
c. Days and hours of operation;	NA
d. Equipment and vehicles to be used for the activity;	NA
e. Proposed floor plan of any structure or use indicated;	existg Cabins
f. Sanitary sewer and water plan with estimated use per day;	existg on site
g. Any maintenance to take place on-site, including how hazardous materials and solid waste will be stored and disposed of; and	NO
h. Proposed exterior lighting, signage and storage.	NO
3. Site plan (completed by a licensed land surveyor if applicable*) including, but not limited to: a. Property lines; b. Existing topography; c. Existing and proposed development (including roads, driveways, structures, septic components, wells, etc.); d. Distance from water body, road, property lines, septic components (tank and drainfield), well, neighboring feedlots, etc.; e. Finished grading and drainage plan; f. Existing and proposed screening; and g. Other requirements as deemed appropriate by the Administrator.	***Please <u>provide</u> on the <u>Site Plan page of this application</u> or <u>attach</u> to this application upon submittal.*** ***Please Note:** Applicants for Conditional Use Permit and Variance shall be required to submit a land surveyor's plot plan showing exact lot boundary and location of existing and proposed development as a part of application. Surveyor stakes shall be in place for site inspection of lot boundary and proposed development. Above policy shall be applicable for development on all lots of one acre or smaller. (ADOPTED 4 September 1985) (Land Use Controls Ordinance Section 11.6.2.H)*
4. Any additional information required by the Administrator.	None

Pope County Land & Resource Management
130 East Minnesota Ave. | Glenwood, Minnesota 56334 |
Phone: (320) 634-7791 | Email: pub.lrm@popecountymn.gov
Website: https://www.popecountymn.gov/land-resource-management/

Supplemental Information Attachment 2:

Site Plan
(Bonnema Runke Stern Inc., 16 May 2024)

P.I 09-00094-001

This is a survey of part of:

Gov't Lot 2

Located in:

Section 13, T125N-R38W,
Pope County, Minnesota

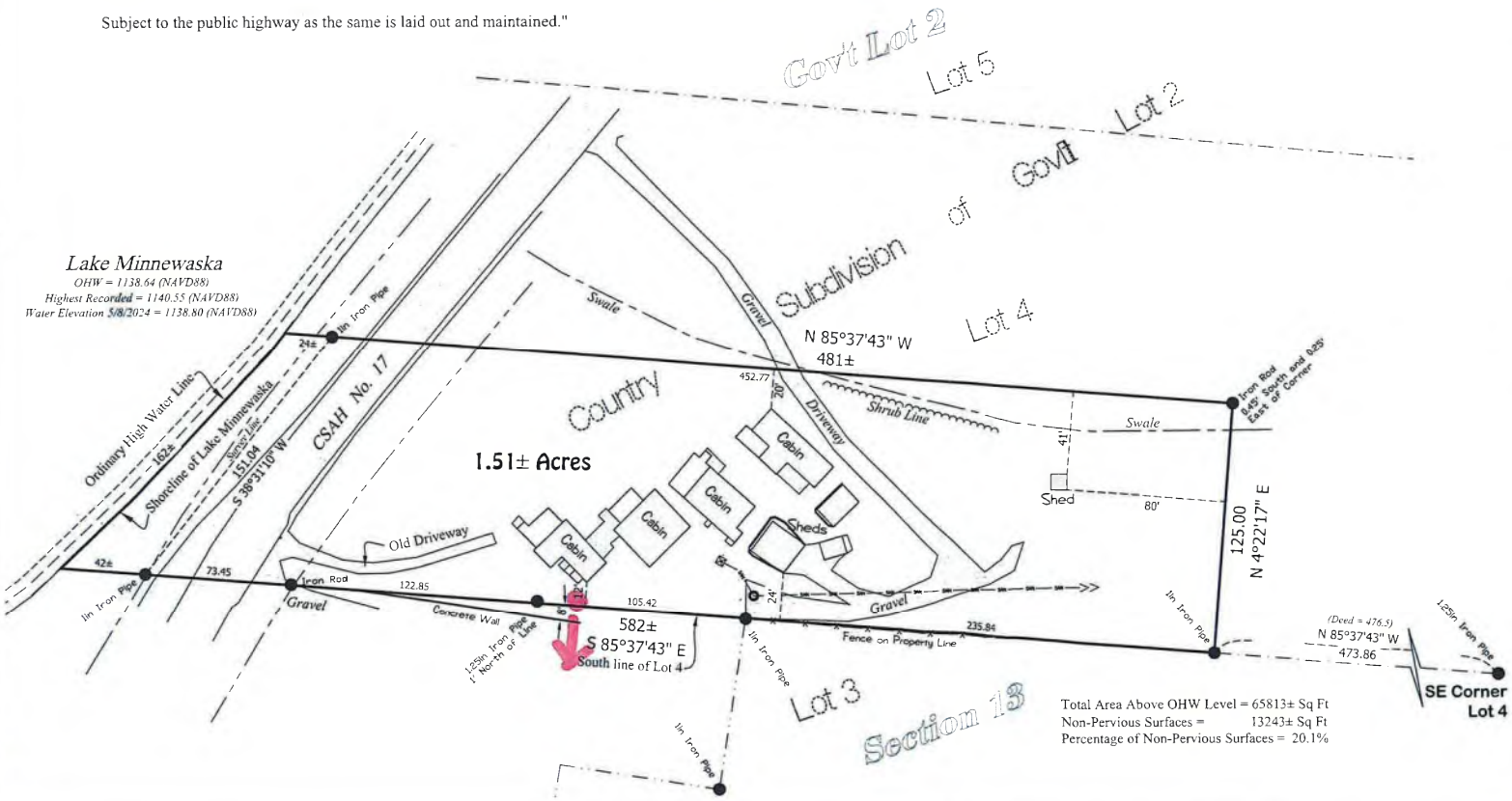
Land Description - 1.52± Acres (As found on Document No. 287135)

"All that part of Lot Four (4) of the Plat of County Subdivision of Government Lot Two (2), Section Thirteen (13), Township One Hundred Twenty-Five (125), Range Thirty-eight (38) as the same is of record in the office of the Pope County Recorder:

Beginning at the Southwest corner of said Lot Four (4) said point being on the lakeshore of Lake Minnewaska; Thence North 90 degrees 00 minutes East along the South line of said Lot Four (4) 563.6 feet, more or less to a point which is 476.5 feet West of the East line of said Lot Four (4); Thence North 00 degrees 00 minutes 125.00 feet; Thence North 90 degrees 00 minutes West 466.22 feet to the lakeshore of Lake Minnewaska; Thence in a Southwesterly direction along the said lakeshore to the point of beginning;

Subject to the public highway as the same is laid out and maintained."

Note:
The cleanout and lift station were the only visible indicators of the septic system location. All other routes are sketched in to be approximate. No evidence of the drain field location was found during the course of our field work.



Total Area Above OHW Level = 65813± Sq Ft
Non-Pervious Surfaces = 13243± Sq Ft
Percentage of Non-Pervious Surfaces = 20.1%

North

This drawing prepared by:

Bonnema Runke Stern Inc.
Professional Land Surveyors
4566 Hwy 71 NE - Suite 1
Willmar, MN 56201
Office (320) 231-2844 Fax (320) 231-2827

Requested by: **Ron Zach**
9643 Crestwood Terrace
Eden Prairie, MN

0 60 120
Scale in feet

LEGEND

- Found Iron Monument from former survey
- Bonnema Runke Stern Placed Capped Iron Monument
- Approximate Right of Way Line
- Ordinary High Water Mark
- Approximate Septic System Route
- Lift Station
- Sewer Cleanout
- Gravel
- Bituminous
- Patio Block
- Building Deck

All Documents referred to on this survey can be found in the office of the County Recorder

Bonnema Runke Stern Inc. is not giving a title opinion or abstract of this parcel. We suggest that you contact your attorney or a title insurance company for that purpose. Easements or neighboring deed conflicts may exist which affect this parcel and are not shown on this survey.

The distances shown from improvements to the property lines are shown for references purposes only and are NOT intended for determining the property line location. Property corner monuments shall always be used when establishing the property line.

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. THE FIELD WORK WAS COMPLETED ON MAY 8, 2024.

Joshua M. Stern

Date May 16, 2024 License No. 46169

Survey Requested By: Ron Zach

© BONNEMA RUNKE STERN INC. 2023

13-125-38

Supplemental Information Attachment 3:

Site Visit Photos
(L&RM Staff, 13 October 2025)