



Land Services Office

Historic Courthouse
635 2nd Street SE
Milaca, MN 56353

Phone: (320) 983-8308
Fax: (320) 983-8388

AGENDA

MILLE LACS COUNTY PLANNING COMMISSION

March 9, 2026, 6:00 PM

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIENCE

III. APPROVAL OF THE MINUTES:

February 9, 2026, Planning Commission Meeting and Board of Adjustment Meeting

IV. OLD BUSINESS:

V. NEW BUSINESS:

Consideration of a Request by Spencer Sommerlot for a Variance to the Mille Lacs Lake OHWL setback distance.

Consideration of a Request by Stonehearth Remodeling for a Variance to the Mille Lacs Lake OHWL setback distance.

VI. OTHER BUSINESS:

VII. ADJOURNMENT.

[IGNORE_INDENT]

CALL MEETING TO ORDER

Chair John Weiers called the meeting to order at 6:00pm with the following members present: John Weiers, Chris Carlson, Deanna Soderberg, Amy Birnbaum, Loren Lueck, Steven Johnson, and Kendal Braun. Zoning staff present: Keenan Hayes, Jessca Sonsteby

PLEDGE OF ALLEGIENCE

Chair John Weiers led those present in the Pledge of Allegiance.

APPROVAL OF THE MINUTES:

JANUARY 12, 2026 MINUTES

Mr. Lueck makes a motion to approve the January 12, 2026, minutes as presented and seconded by Mr. Carlson.

Motion carried unanimously 7-0.

OLD BUSINESS:

None

NEW BUSINESS:

CONSIDERATION OF A REQUEST BY JEREMY LYBACK FOR A CONDITIONAL USE PERMIT FOR SURFACE WATER-ORIENTED COMMERCIAL USES

Mr. Hayes reads the staff report.

Written comments:

Andrea Roeschlein, 4581 413th St., Wahkon, MN 56386, submitted a written comment supporting the CUP for Mr. Lyback's property and noted that the request reflects the transition of ownership to the next generation of the Lyback family.

Thomas Wells, 41643 45th Ave, Wahkon, MN 56386, submitted a written comment fully supporting the granting of the CUP and the operation of the two homes as short-term rentals.

Sandy Nies, 5072 413th St, Wahkon, MN 56386, submitted written comments supporting the CUP for Mr. Lyback, but expressed concerns regarding neighboring short-term rental uses.

Susan Lyback, 40868 47th Ave, Wahkon, MN 56386, submitted written comments supporting the CUP for Mr. Lyback.

Public comment opens and closes at 6:12pm.

Mr. Lueck makes a motion to approve the request as submitted and seconded by Mr. Carlson.

Motions carries 7-0.

CONSIDERATION OF A REQUEST BY TROY DANNER FOR DEVELOPMENT ORDINANCE AMENDMENT

Mr. Hayes reads the staff report.

No written comment.

Public comment opens and closes at 6:17pm.

Mr. Carlson makes a motion to approve the request as submitted and seconded by Ms. Soderberg.

Motions carries 7-0.

CONSIDERATION OF A REQUEST BY DERRICK STROUSS FOR A CONDITIONAL USE PERMITMr. Hayes reads the staff report.

Mr. Strouss addresses the Board. Chair Weiers asks how long the odor would last and whether retail sales would be conducted on the property. Mr. Strouss states that the odor would occur during the flowering period, approximately 45–60 days prior to harvest, and confirmed that no retail sales would take place on the property.

Written comment:

[IGNORE_INDENT]

Al Anderson, 9981 90th Ave, Milaca, MN, submitted a written comment not supporting the request for cannabis cultivation.

Public comment opens at 6:27pm.

Patrick Kolb, 10102 105th Ave, Milaca, MN, stated that he has no objections to the CUP and no concerns regarding the odor, as he believes his horse will disguise the smell.

Curt Bekius, Township Supervisor, 11796 102nd Ave, Milaca, MN, stated that he is not in favor of the CUP. His concerns include the amount of water usage potentially discharging into the county ditch and causing flooding, increased traffic on the township road, and the possibility of retail sales occurring on the property despite not being permitted.

Dave Anderson, 9619 105th Ave., Milaca, MN, stated that he is not in favor of the CUP. His concerns include potential odor impacting his property and possible effects on his home's value.

Jake Meyer, 10214 105th Ave., Milaca, MN, stated that his only concern is that the plant is considered noxious in other states and questioned how the applicant would ensure the crop does not spread beyond the subject property.

Debra Peel, 10495 105th Ave., Milaca, MN, stated that she is not in favor of the CUP. Her concerns include odors affecting her asthma and potential impacts on her home's value.

Public comment closes at 6:33pm.

The Board discussed potential traffic impacts and whether traffic generated by the use would be minimal. Mr. Strouss stood at the podium to answer questions.

Matt Hayes, 8613 Maplewood Dr., Savage, MN, Mr. Strouss' business partner, joined him to respond to questions regarding the plant being classified as a noxious weed in other states. The applicant explained that all plants grown onsite would be female and would not produce seed, therefore preventing the crop from spreading beyond the property.

Matt Hayes stated that the plants would occupy approximately one-half (½) acre, with fencing installed around approximately one (1) acre in compliance with OCM application requirements. Mr. Johnson asked whether the fencing was required by OCM, and the applicant confirmed that it was.

Mr. Johnson also asked how the application process with OCM had progressed and whether product would be stored onsite for wholesale sales. The applicants stated that the process with OCM has gone smoothly with no issues to date, and confirmed that product would be stored onsite for wholesale distribution.

Ms. Birnbaum asked for clarification regarding the difference between male and female plant pollen. The applicant explained that pollen is produced only by male plants; therefore, female plants do not produce pollen.

Mr. Lueck asked how far the plants would be located from the road. Matt Hayes responded that the planting area would be approximately 500 feet from the road.

Mr. Carlson inquired about the processing procedures. The applicant stated that all processing would follow OCM guidelines, including compliance with applicable laws and potency requirements.

Mr. Johnson asked Mr. Hayes about the staff-recommended conditions, noting this was the first request of its kind and that additional applications may follow. Keenan Hayes stated that odor was identified as the primary concern and agreed to the use of the ASTM odor scale for enforcement purposes, noting that this method can be trained to current and future staff.

Mr. Johnson made a motion to approve the request with the zoning staff's submitted conditions. The motion was seconded by Mr. Lueck.

Motions carries 7-0.

CONSIDER MILLE LACS COUNTY DEVELOPMENT ORDINANCE AMENDMENT NO.: LSO

[IGNORE_INDENT]

2026-01

Mr. Hayes reads the staff report.

No written comment.

Public comment opens and closes at 6:44pm.

Mr. Johnson makes a motion to approve the request as submitted and seconded by Mr. Braun.

Motions carries 7-0.

OTHER BUSINESS:

None.

ADJOURNMENT.

Mr. Lueck makes a motion to adjourn the meeting at 6:47pm and is seconded by Mr. Carlson.

Motion carried unanimously 7-0.

Requested Meeting Date: March 9, 2026

(Planning Commission meets the 2nd Monday of each month)

Request(s):

Consideration of a Request by Spencer Sommerlot for a Variance to the Mille Lacs Lake OHWL setback distance.

Property Information:

Applicant Information:

Spencer Sommerlot
 12591 97th Ave
 Milaca, MN 56353

Property Address:

9275 Winona Way
 Onamia, MN 56359

Property Zoning:

S-2 General Development Shoreland Overlay

Owner Information:

Kristina Bystrom
 21271 Elk Lake Rd
 Elk River, MN 55330

Property PID:

17-400-0930

Description of Adjacent Uses:

Single Family Dwelling, Recreational

Analysis:

This parcel is part of the Izatys plat created in 1910. The lot is substandard in size, with a total area of 6,154 square feet.

The existing deck on the property is located approximately 41.1 feet from the Ordinary High Water Level (OHWL) of Mille Lacs Lake and 3 feet from the side yard property line.

The applicant is proposing to construct a new single-family dwelling that would be located 49.1 feet from the OHWL of Mille Lacs Lake and would meet all other required setbacks. In addition, the applicant is requesting a reduced setback from the OHWL from the required 75 feet to approximately 41.4 feet in order to construct a second-story deck. The proposed deck would extend 8 feet toward the lake and meet all other required setbacks.

The proposed impervious surface coverage is 28.2%, compared to the existing coverage of 35.1%. The applicant also requested an increase in the allowable impervious surface as part of this application. However, due to a posting error in the newspaper, that request was not properly noticed. Zoning staff have confirmed that the proposed deck must be included in the impervious surface calculation. If the deck were excluded, the proposed impervious surface coverage would be 25.5%.

There is an existing holding tank located near the road and a well located near the lake on the west side of the property. The holding tank has been inspected and confirmed to be compliant. At the time of building permit review, the holding tank will be evaluated to determine whether it is appropriately sized for the proposed single-family dwelling.

Property Rezone Analysis:

A. Is the proposed zoning district compatible with the surrounding uses/character of the area?

B. Will the proposed re-zone result in the creation of an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts?

- C. Will the proposed re-zone result in significant adverse impacts on the property values of surrounding lands?**
- D. Will the proposed re-zone result in detrimental impacts on the natural environment and its ecology, including but not limited to: water, air, noise, stormwater management, wildlife, vegetation and wetlands?**
- E. Will the proposed re-zone result in development that is adequately served by public facilities and services?**
- F. Is the proposed re-zoning consistent with the Mille Lacs County Comprehensive Plan?**
- G. Is the proposed use of the property Allowed, Conditional, or Not Allowed in the current zoning district as indicated in Table 501?**

Variance Criteria:

- A. The variance proposes the use of land in a reasonable manner: The applicant does propose the use of land reasonably.
- B. The plight of the landowner is due to circumstances unique to the property and not created by the landowner: This parcel was platted in 1910, with a total lot area of 6,154 square feet.
- C. The variance, if granted, will not alter the essential character of the neighborhood: The variance, if granted, would not alter the essential character of the area.
- D. Economic considerations alone shall not constitute difficulties: Economic considerations do not appear to be the main driver of this request.
- E. No variance shall be granted that would allow any use that is not allowed in the zoning district which the subject property is located. The current use of a single-family dwelling is allowed in this zoning district.

CUP Analysis:

0

Additional Information Attached:

Maps
Certificate of survey
Property photos
Izatys 1910 Plat
Application

Staff Recommendation:

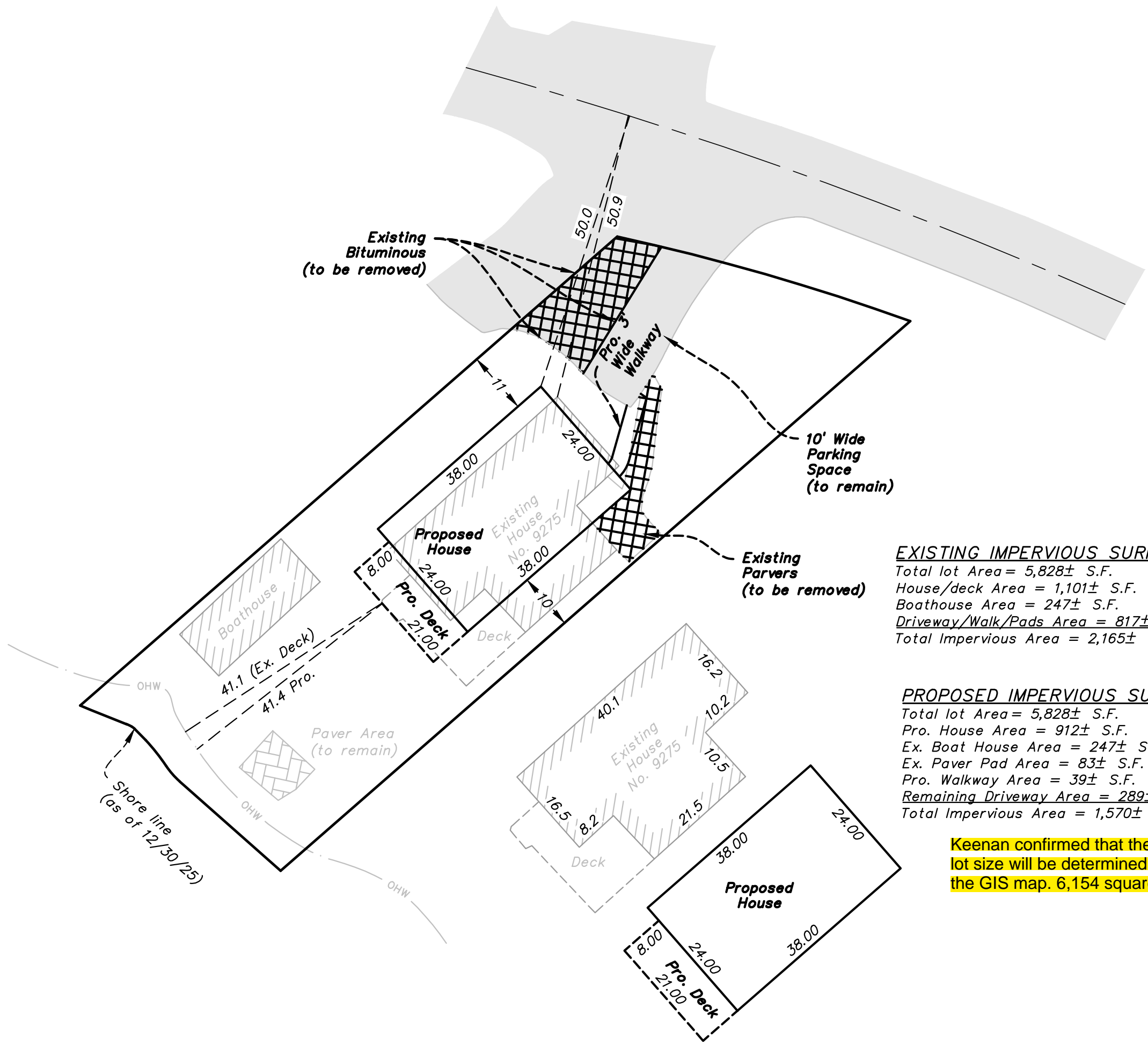
Staff recommends denial of the request to reduce the minimum setback of a structure to 41.1' from the ordinary high-water line of Mille Lacs Lake as this setback would result in a new dwelling closer to the lake than what currently exists on the property. Staff recommends instead approving a reduced setback of 49' to match the existing structure.



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Date: 3/3/2026

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.



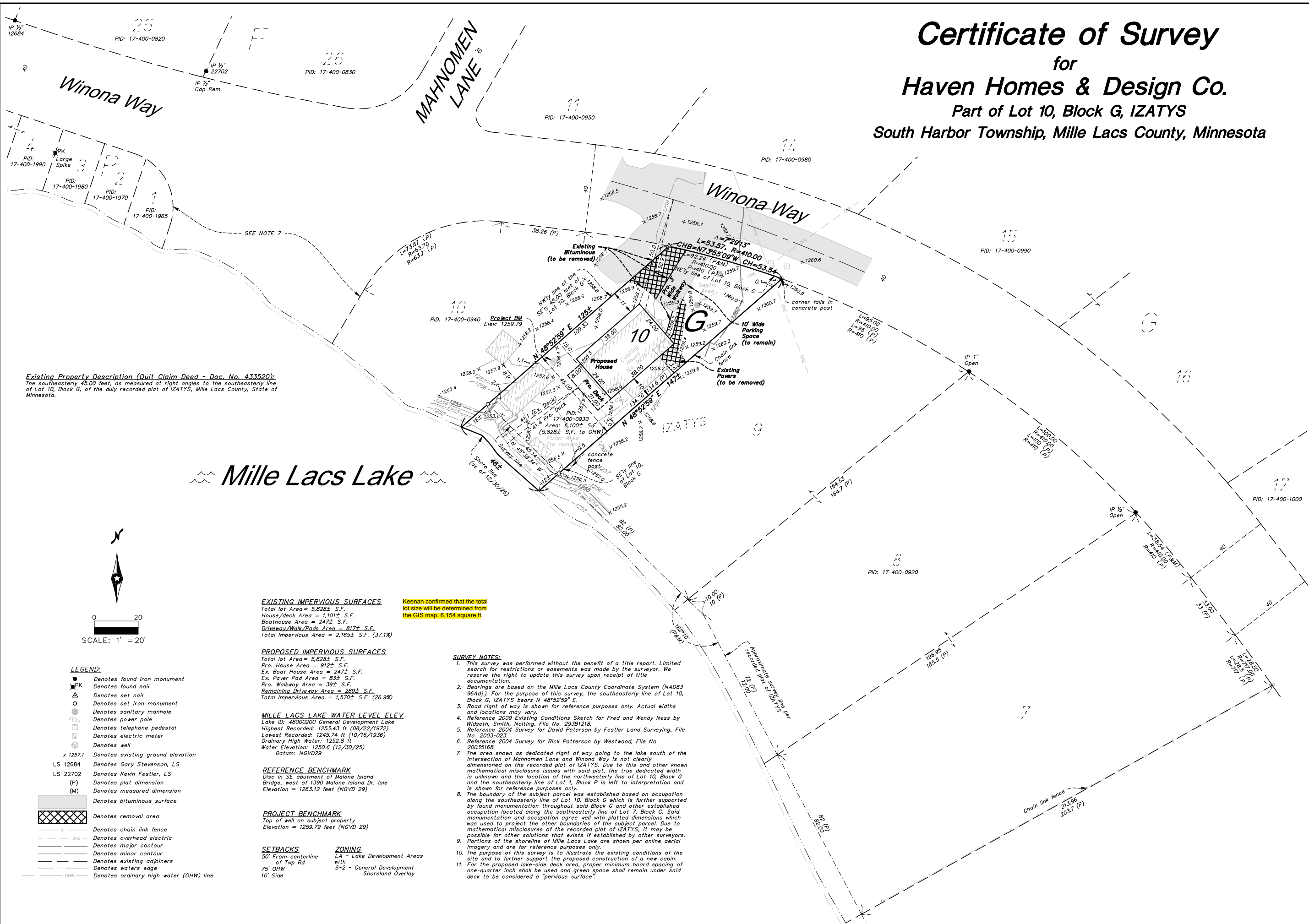
EXISTING IMPERVIOUS SURFACES
 Total lot Area = 5,828± S.F.
 House/deck Area = 1,101± S.F.
 Boathouse Area = 247± S.F.
 Driveway/Walk/Pads Area = 817± S.F.
 Total Impervious Area = 2,165± S.F. (37.1%)

PROPOSED IMPERVIOUS SURFACES
 Total lot Area = 5,828± S.F.
 Pro. House Area = 912± S.F.
 Ex. Boat House Area = 247± S.F.
 Ex. Paver Pad Area = 83± S.F.
 Pro. Walkway Area = 39± S.F.
 Remaining Driveway Area = 289± S.F.
 Total Impervious Area = 1,570± S.F. (26.9%)

Keenan confirmed that the total lot size will be determined from the GIS map. 6,154 square ft.

Certificate of Survey

for
Haven Homes & Design Co.
 Part of Lot 10, Block G, IZATYS
 South Harbor Township, Mille Lacs County, Minnesota



Existing Property Description (Quit Claim Deed - Doc. No. 433520):
 The southeasterly 45.00 feet, as measured at right angles to the southeasterly line of Lot 10, Block G, of the duly recorded plat of IZATYS, Mille Lacs County, State of Minnesota.

Mille Lacs Lake

EXISTING IMPERVIOUS SURFACES
 Total lot Area = 5,828± S.F.
 House/deck Area = 1,101± S.F.
 Boathouse Area = 247± S.F.
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MILLE LACS LAKE WATER LEVEL ELEV
 Lake ID: 48000200 General Development Lake
 Highest Recorded: 1253.43 ft (08/22/1972)
 Lowest Recorded: 1245.74 ft (10/16/1936)
 Ordinary High Water: 1252.8 ft
 Water Elevation: 1250.6 (12/30/25)
 Datum: NGVD29

REFERENCE BENCHMARK
 Disc in SE abutment of Malone Island Bridge, west of 1390 Malone Island Dr, Isle
 Elevation = 1263.12 feet (NGVD 29)

PROJECT BENCHMARK
 Top of well on subject property
 Elevation = 1259.79 feet (NGVD 29)

SETBACKS
 50' From centerline of Twp Rd.
 75' OHW
 10' Side

ZONING
 LA - Lake Development Areas with
 S-2 - General Development Shoreland Overlay

SURVEY NOTES:

- This survey was performed without the benefit of a title report. Limited search for restrictions or easements was made by the surveyor. We reserve the right to update this survey upon receipt of title documentation.
- Bearings are based on the Mille Lacs County Coordinate System (NAD83 96Adj). For the purpose of this survey, the southeasterly line of Lot 10, Block G, IZATYS bears N 48°52'59" E.
- Road right of way is shown for reference purposes only. Actual widths and locations may vary.
- Reference 2009 Existing Conditions Sketch for Fred and Wendy Ness by Widseth, Smith, Nolting, File No. 293B1218.
- Reference 2004 Survey for David Peterson by Festler Land Surveying, File No. 2003-023.
- Reference 2004 Survey for Rick Patterson by Westwood, File No. 2003168.
- The area shown as dedicated right of way going to the lake south of the intersection of Mahnommen Lane and Winona Way is not clearly dimensioned on the recorded plat of IZATYS. Due to this and other known mathematical misclosure issues with said plat, the true dedicated width is unknown and the location of the northwestern line of Lot 10, Block G and the southeasterly line of Lot 1, Block P is left to interpretation and is shown for reference purposes only.
- The boundary of the subject parcel was established based on occupation along the southeasterly line of Lot 10, Block G which is further supported by found monumentation throughout said Block G and other established occupation located along the southeasterly line of Lot 7, Block G. Said monumentation and occupation agree well with plotted dimensions which was used to project the other boundaries of the subject parcel. Due to mathematical misclosures of the recorded plat of IZATYS, it may be possible for other solutions that exist if established by other surveyors.
- Portions of the shoreline of Mille Lacs Lake are shown per online aerial imagery and are for reference purposes only.
- The purpose of this survey is to illustrate the existing conditions of the site and to further support the proposed construction of a new cabin.
- For the proposed lake-side deck area, proper minimum board spacing of one-quarter inch shall be used and green space shall remain under said deck to be considered a 'pervious surface'.

LEGEND:

- Denotes found iron monument
- ✕PK Denotes found nail
- ▲ Denotes set nail
- Denotes set iron monument
- Denotes sanitary manhole
- ⊕ Denotes power pole
- ⊕ Denotes telephone pedestal
- ⊕ Denotes electric meter
- ⊕ Denotes well
- x 1257.1 Denotes existing ground elevation
- LS 12684 Denotes Gary Stevenson, LS
- LS 22702 Denotes Kevin Festler, LS
- (P) Denotes plot dimension
- (M) Denotes measured dimension
- Denotes bituminous surface
- Denotes removal area
- x Denotes chain link fence
- DHE Denotes overhead electric
- Denotes major contour
- Denotes minor contour
- Denotes existing adjoiners
- Denotes waters edge
- DHW Denotes ordinary high water (OHW) line

REV. NO.	DATE	DESCRIPTION
1	2/12/26	Add pro. cabin & impervious info
2	2/13/26	Adjust per client comments
DATE: 12/30/25		
DESIGN BY: DJJ		
DRAWN BY: CK/DJJ		
CHECKED BY: DJJ		
DWG FILE: 25-0486COS		
FILE NO.: 25-0486.00		
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.		
Signed: <i>David J. Jurek</i>		Date: 1/19/26
David J. Jurek		Lic. No. 64154
BOGART, PEDERSON & ASSOCIATES, INC.		
LAND SURVEYING ENGINEERING MAPPING		
13076 FIRST STREET, BECKER, MN 55308-9322 TEL: 763-262-8822 FAX: 763-262-8844		
Haven Homes & Design Co. Pt. of L10, B G, IZATYS South Harbor Township Mille Lacs County, MN		
SHEET NO.		
1		













#4

ORIGINAL

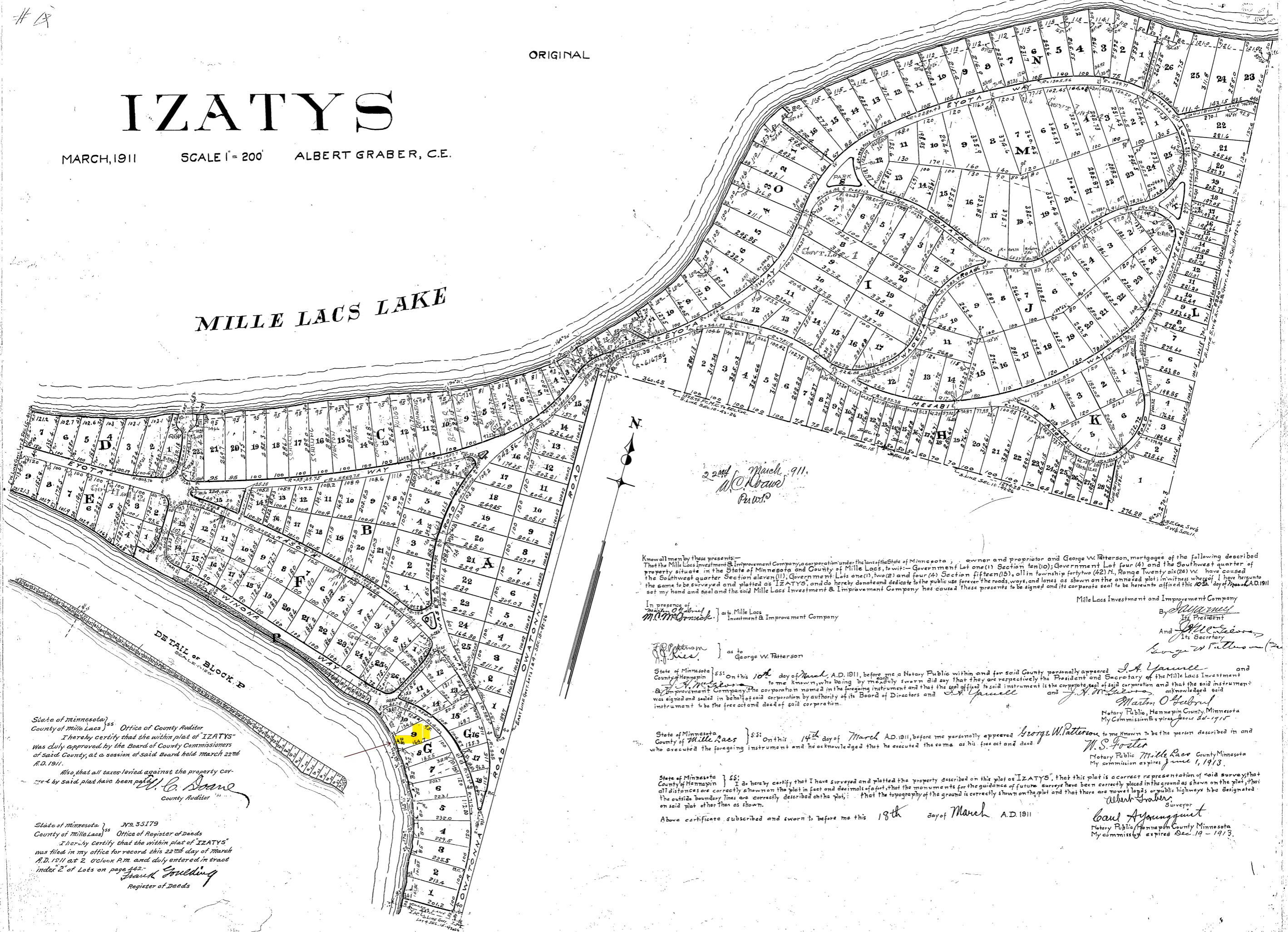
IZATYS

MARCH, 1911

SCALE 1" = 200'

ALBERT GRABER, C.E.

MILLE LACS LAKE



2nd March, 1911.
 W.C. Brown
 Pres't

Know all men by these presents:— That the Mille Lacs Investment & Improvement Company, a corporation under the laws of the State of Minnesota, owner and proprietor and George W. Patterson, mortgagee of the following described property situate in the State of Minnesota and County of Mille Lacs, to wit:— Government Lot one (1) Section ten (10); Government Lot four (4) and the Southwest quarter of the Southwest quarter Section eleven (11), Government Lots one (1), two (2) and four (4) Section fifteen (15), all in township forty-two (42) N., Range Twenty (20) W., have caused the same to be surveyed and plotted as 'IZATYS', and do hereby donate and dedicate to the public use forever the roads, ways, and lanes as shown on the annexed plat; witnesses whereof, I have hereunto set my hand and seal and the said Mille Lacs Investment & Improvement Company has caused these presents to be signed and its corporate seal to be hereunto affixed this 10th day of March, A.D. 1911.

In presence of
 M. O. Hebrant
 as to Mille Lacs Investment & Improvement Company

Mille Lacs Investment and Improvement Company
 By *W. C. Brown*
 its President
 And *George W. Patterson*
 its Secretary

George W. Patterson
 as to George W. Patterson

State of Minnesota } ss: On this 10th day of March, A.D. 1911, before me a Notary Public within and for said County personally appeared *J. A. Younell* and *George W. Patterson* to me known, who being by me duly sworn did say that they are respectively the President and Secretary of the Mille Lacs Investment & Improvement Company, the corporation named in the foregoing instrument and that the seal affixed to said instrument is the corporate seal of said corporation and that the said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and *J. A. Younell* and *George W. Patterson* acknowledged said instrument to be the free act and deed of said corporation.

Martin O. Hebrant
 Notary Public, Hennepin County, Minnesota
 My Commission Expires June 24, 1915

State of Minnesota } ss: On this 14th day of March, A.D. 1911, before me personally appeared *George W. Patterson* to me known to be the person described in and who executed the foregoing instrument and he acknowledged that he executed the same as his free act and deed.

W. S. Foster
 Notary Public, Mille Lacs County, Minnesota
 My commission expires June 1, 1913.

State of Minnesota } ss: I do hereby certify that I have surveyed and plotted the property described on this plat as 'IZATYS', that this plat is a correct representation of said survey, that all distances are correctly shown on the plat in feet and decimals of a foot, that the monuments for the guidance of future surveys have been correctly placed in the ground as shown on the plat, that the outside boundary lines are correctly described on the plat; that the topography of the ground is correctly shown on the plat and that there are no wet lands or public highways or designated on said plat other than as shown.

Albert Graber
 Surveyor

Above certificate subscribed and sworn to before me this 18th day of March, A.D. 1911.

Carl Augustus
 Notary Public, Hennepin County, Minnesota
 My commission expires Dec. 19, 1913.

State of Minnesota }
 County of Mille Lacs } ss: Office of County Auditor
 I hereby certify that the within plat of 'IZATYS' was duly approved by the Board of County Commissioners of said County, at a session of said Board held March 22nd A.D. 1911.

Also that all taxes levied against the property covered by said plat have been paid.
W. C. Brown
 County Auditor

State of Minnesota } No. 35179
 County of Mille Lacs } ss: Office of Register of Deeds
 I hereby certify that the within plat of 'IZATYS' was filed in my office for record this 22nd day of March, A.D. 1911 at 2 o'clock P.M. and duly entered in tract index 2 of Lots on page 442.
Frank Goulding
 Register of Deeds

Zoning Permits Variance Application UID # 20642
 App. Status: Pending Approval

Applicant Information

<p>Applicant:</p>	<p>Name: Spencer Sommerlot</p> <p>Phone: [REDACTED]</p> <p>Email Address: [REDACTED]</p> <p>Mailing Address: 12591 97th Ave Milaca MN 56353</p>
<p>Are you purchasing the property on a Contract for Deed?</p>	<p><u>No</u></p>
<p>Are you an agent acting on behalf of the landowner?</p>	<p><u>No</u></p>
<p>If 'Yes' landowner must sign here.:</p>	<p>NA</p>

Property Information

Property Address:	9275 Winona Way Onamia MN 56359
Parcel Number:	17-400-0930
Is the property located within 1,000 feet of a lake or 300 feet of a river?	<u>Yes</u>

Impervious Surface Calculations

Total Surface Area of Parcel:	5828 sq ft
Dwelling:	1101 sq ft
Garage:	0 sq ft
Shed:	247 sq ft
Driveway/Parking Area (Gravel or Paved):	817 sq ft
Sidewalk:	0 sq ft
Deck:	0 sq ft
Patio:	0 sq ft
Impervious Landscaping:	83 sq ft
Other:	0 sq ft
Other:	0 sq ft
Total Impervious Surface:	2248 sq ft
Proposed Impervious Surface Coverage Percentage:	27.4

Submittal Requirements

<p>Describe your desired variance. Example: Reduce minimum structure setback from the Ordinary High Water Line of Mille Lacs Lake from 75 to 40 feet.</p>	<ol style="list-style-type: none">1. Reduce minimum setback from the ordinary high water line of Mille Lacs lake from 75' to 41.4 per the survey.2. Increase the amount of impervious surface allowed from 25% to 26.9%.
<p>How it is reasonable:</p>	<ol style="list-style-type: none">1. The current cabin sits at the 48.8' and this would remain the same per the proposed plan.2. The previous impervious surface area was 37.1% and the homeowners are trying to reduce this as much as feasible bring it down to 27.1%
<p>How it is compatible with surrounding properties:</p>	<p>This brings it into compliance with side and rear setbacks and reduces the impervious surface area to be equal or better than the older properties in the area.</p>
<p>How it is necessary due to unique condition of property creating a legitimate need:</p>	<p>This property is a narrow lot with very little buildable space if the 75' setback from the lake is met along with the other side and rear setback requirements.</p>

Site Plan:	<div style="border: 1px dashed black; padding: 5px;"> <p>File 1: 25-0486.00_COS_PROPOSED_Rev1.pdf</p> <p>File 2: 25-0486.00_COS_PROPOSED_Rev2_1.pdf</p> <p>File 3: 25-0486.00_Pro_Changes_Rev2.pdf</p> <p>File 4: MLC_Authorized_Agent_Form.pdf</p> <p>File 5: Survey_-_Existing_25-0486.00_COS.pdf</p> </div>
Certificate of Septic Compliance:	<div style="border: 1px dashed black; padding: 5px;"> <p>File 1: Septic_Undocumented.pdf</p> </div>

Terms

Terms and Conditions

The information in this application and submitted materials are true and correct to the best of my knowledge.

I agree that all work will comply with all applicable federal and state regulations and the Mille Lacs County Development Ordinance. I also agree to allow Mille Lacs County staff to enter the property during normal business hours to conduct tests and inspections as may be needed to process the permit application.

Invoice #18611 (02/12/2026) Expected Payment Method: Forte Secure Web Pay - Credit Card

Charge	Cost	Quantity	Total
Application Fee added 02/12/2026 8:18 PM	\$600.00	x 1	\$600.00
Grand Total			
		Total	\$600.00
		Payment 02/12/2026	\$600.00
		Due	\$0.00

Approvals

Approval	Signature
-----------------	------------------

Applicant	Spencer Sommerlot - 02/12/2026 8:24 PM [REDACTED] [REDACTED]
#1 Sign-Off	Jessica Sonsteby - 02/18/2026 10:59 AM a4b7331cbf785164db30aa8460218b68 1e760d4993ad2dc34638c0a9b1d7b66c
#2 Final	

Print View

Requested Meeting Date: March 9, 2026

(Planning Commission meets the 2nd Monday of each month)

Request(s):

Consideration of a Request by Stonehearth Remodeling for a Variance to the Mille Lacs Lake OHWL setback distance.

Property Information:

Applicant Information:

Stonehearth Remodeling
 2618 Coon Rapids Blvd NW
 Coon Rapids, MN 55433

Property Address:

8000 Par 5 Dr
 Onamia, MN 56359

Property Zoning:

S-2 General Development Shoreland Overlay

Owner Information:

Thomas & Bonita Heilman
 1885 Neal Ave
 Delano, MN 55328

Property PID:

17-012-0201

Description of Adjacent Uses:

Single family dwelling, recreational, short-term rental

Analysis:

The existing single-family dwelling was constructed in 1990. The northeast corner of the home does not meet the required 75-foot setback from the Ordinary High Water Level (OHWL) of Mille Lacs Lake. The structure is therefore considered a legal nonconforming structure.

The applicant is requesting approval to expand the legal nonconforming structure. The proposed additions will meet all required setbacks and will not increase the degree of nonconformity. Additionally, the project will not increase impervious surface coverage.

The applicant proposes to construct a new entryway on the southwest side of the dwelling and to convert the existing patio on the northwest side of the home into a screened porch.

The front entry addition is proposed to address safety concerns during winter months. Currently, snow and ice accumulate at the existing front door, creating hazardous conditions. The addition is designed to reduce the amount of snow load deposited at the entry and includes new landscaping features intended to collect and manage rainwater and snowmelt.

From an interior standpoint, the proposed remodel is intended to improve accessibility. The new entry will be sized to accommodate individuals with mobility limitations, including those using wheelchairs or walkers. The project also includes reconfiguration of the main-level bathroom to improve accessibility, relocation of the laundry area to the upper level, and associated modifications to an upper-level bedroom.

The screened porch addition is proposed to allow the property owners to enjoy the outdoors during mayfly and mosquito seasons. The screened enclosure will also provide protection from wind coming off the lake, allowing for greater use of the outdoor space.

The property is connected to the Izatys sanitary sewer system; therefore, septic compliance is not required as part of this application.

Property Rezone Analysis:

- A. Is the proposed zoning district compatible with the surrounding uses/character of the area?**
- B. Will the proposed re-zone result in the creation of an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts?**
- C. Will the proposed re-zone result in significant adverse impacts on the property values of surrounding lands?**
- D. Will the proposed re-zone result in detrimental impacts on the natural environment and its ecology, including but not limited to: water, air, noise, stormwater management, wildlife, vegetation and wetlands?**
- E. Will the proposed re-zone result in development that is adequately served by public facilities and services?**
- F. Is the proposed re-zoning consistent with the Mille Lacs County Comprehensive Plan?**
- G. Is the proposed use of the property Allowed, Conditional, or Not Allowed in the current zoning district as indicated in Table 501?**

Variance Criteria:

- A. The variance proposes the use of land in a reasonable manner: The applicant does propose the use of land reasonably.
- B. The plight of the landowner is due to circumstances unique to the property and not created by the landowner: The home was constructed in 1990 before the current zoning ordinances.
- C. The variance, if granted, will not alter the essential character of the neighborhood: The variance, if granted, would not alter the essential character of the area.
- D. Economic considerations alone shall not constitute difficulties: Economic considerations do not appear to be the main driver of this request.
- E. No variance shall be granted that would allow any use that is not allowed in the zoning district which the subject property is located. The current use of a single-family dwelling is allowed in this zoning district.

CUP Analysis:

0

Additional Information Attached:

- Maps
- Property photos
- Cabin overlay
- Certificate of Survey
- Site Plan
- Application

Staff Recommendation:

To increase the size of a non-conforming structure. Staff recommends approval of the request to expand a legal non-conforming structure.



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Date: 3/3/2026

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.



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Date: 3/3/2026

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.













HEILMAN CABIN

8000 PAR 5 DRIVE, ONAMIA, MN 56359

CLIENT
TOM & BONITA HEILMAN
 1885 NEAL AVE
 DELAND, MN 55328
 1 612.245.6244
 e tom@heilmans.com

ARCHITECT
hw² DESIGN + ARCHITECTURE, LLC
 ANDREA HAMMEL WOLLAK
 9222 98TH ST N
 GRANT, MN 55042
 1 612.532.4147
 e AHWOLLAK@HW2DESIGN.COM

GENERAL CONTRACTOR
STONEHEARTH REMODELING
 MIKE OTTO
 2018 COON RAPIDS BLVD NW
 COON RAPIDS, MN 55443
 1 763.443.2932
 e MOTO@STONEHEARTHREMODELING.COM

STRUCTURAL ENGINEER
MATTSON MACDONALD YOUNG, ENG.
 MATT HOGGEN
 105 5TH AVE S, SUITE 100
 MINNEAPOLIS, MN 55401
 1 651.253.7967
 e MATH@MMYENG.COM



DRAWING INDEX		DT 11.20.20 - ISSUED FOR PERMIT	DT 12.20.20 - FOR CLIENT PAPER TURN	DT 01.20.21 - FOR PERMIT	DT 02.20.21 - VARIANCE APPLICATION
NUMBER	NAME				
01 - GENERAL					
G-000	COVER SHEET				
02 - CIVIL					
C-100	CERTIFIED SURVEY				
04 - ARCHITECTURE					
A-100	ARCHITECTURAL SITE PLAN				
AD-201	DEMOLITION PLAN - MAIN LEVEL				
AD-202	DEMOLITION PLAN - UPPER LEVEL				
A-200	FLOOR PLAN - FOOTINGS & FOUNDATION				
A-201	FLOOR PLAN - MAIN LEVEL				
A-202	FLOOR PLAN - UPPER LEVEL				
A-210	ENLARGED PLAN AND ELEVATIONS				
A-251	REFLECTED CEILING PLAN - MAIN LEVEL				
A-252	REFLECTED CEILING PLAN - UPPER LEVEL				
A-400	EXTERIOR ELEVATIONS				
A-401	EXTERIOR ELEVATIONS				
A-500	BUILDING SECTIONS				
A-501	BUILDING SECTIONS				
A-700	DETAILS				
A-701	DETAILS				
A-750	MILLWORK DETAILS				
A-751	MILLWORK DETAILS				
A-800	SCHEDULES & MOUNTING HEIGHTS				
A-820	FINISH SCHEDULES				
A-821	FINISH SCHEDULES				
06 - STRUCTURAL					
S-01	STRUCTURAL TITLE SHEET				
S-02	STRUCTURAL NOTES				
S-201	FOOTING AND FOUNDATION PLAN				
S-202	UPPER LEVEL FRAMING PLAN				
S-203	ROOF FRAMING PLAN				
S-300	FOUNDATION SECTIONS AND DETAILS				
S-400	FLOOR FRAMING SECTIONS AND DETAILS				
S-401	FLOOR/ROOF FRAMING SECTIONS AND DETAILS				

HEILMAN CABIN
 8000 PAR 5 DRIVE, ONAMIA, MN 56359

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.
 NAME: ANDREA HAMMEL WOLLAK

SIGNATURE: *Andrea Hammel Wollak*
 DATE: 01.16.2021 LICENSE #48783

- ### GENERAL NOTES
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE APPLICABLE CODES AND REGULATIONS. APPLICABLE CODES INCLUDE:
 2020 MINNESOTA RESIDENTIAL CODE
 - CONTRACTOR SHALL VISIT THE PROJECT SITE AND APPRAISE HIMSELF OF EXISTING CONDITIONS AND SEQUENCES FOR INSTALLATION.
 - DO NOT SCALE DRAWINGS. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO COMMENCEMENT OF WORK, AND SHALL NOTIFY THE ARCHITECT IMMEDIATELY IF ANY CONFLICTS OR DISCREPANCIES OCCURRED.
 - MATERIALS AND NOTES COMMON TO SEVERAL DRAWINGS MAY BE NOTED ON ONLY ONE DRAWING. CONTRACTOR SHALL BE RESPONSIBLE FOR ENTIRE SET OF DOCUMENTS. REVIEW SPECIFICATIONS FOR INSTRUCTIONS NOT SHOWN ON DRAWINGS.
 - REFERENCES SHOWN ON DRAWINGS DO NOT NECESSARILY INDICATE ALL LIKE CONDITIONS AND DO NOT LIMIT APPLICATION OF DRAWING OR DETAILS WHERE SPECIFIC DIMENSION, DETAILS, OR DESIGN INTENT CANNOT BE DETERMINED. CONSULT THE ARCHITECT PRIOR TO PRECEDING WITH THE WORK.
 - CONTRACTOR SHALL MAINTAIN CLEAN AND PRESENTABLE WORK AND STORAGE AREAS, AND SHALL NOT ALLOW ANY MATERIALS AS A RESULT OF DEMOLITION OR CONSTRUCTION TO ACCUMULATE.
 - PRIOR TO COMMENCEMENT OF ANY OPERATIONS, EACH CONTRACTOR SHALL EXAMINE WORK PERFORMED BY OTHERS TO WHICH HIS OR HER WORK ADJOINS OR IS APPLIED, AND REPORT TO THE ARCHITECT ANY CONDITIONS PREVENTING SATISFACTORY ACCOMPLISHMENT OF THEIR WORK. STARTING WORK OF ANY OPERATION SHALL INDICATE ACCEPTANCE OF CONDITIONS.
 - UPON COMPLETION OF WORK, CONTRACTOR SHALL REMOVE ALL CONSTRUCTION DEBRIS. ALL AREAS AFFECTED BY THE PROJECT SHALL BE DELIVERED CLEAN, WHOLE AND FIT FOR IMMEDIATE OCCUPANCY.
 - ALL EXISTING CONDITIONS TO REMAIN SHALL HAVE PROTECTION APPLIED TO KEEP THE FINISH (FLOOR, WALLS, CEILINGS) FROM GETTING DAMAGED FROM CONSTRUCTION WORK.
 - ALL DIMENSIONS ARE FACE OF SHEATHING UNLESS NOTED OTHERWISE.
 - MAINTAIN DIMENSIONS NOTED AS "MINIMUM" OR "CLEAR".
 - PARTITIONS NOT DIMENSIONED ARE GENERALLY LOCATED BY ONE OF THE FOLLOWING CRITERIA:
 A. CENTERLINE - CENTER OF THE PARTITION ALIGNS WITH THE CENTER OF THE GRIDLINE OR OBJECT CENTERLINE (SUCH AS A COLUMN LINE OF WINDOW MULLION).
 B. ALIGN - LOCATE THE PARTITION FLUSH WITH THE FACE OF THE GYPSUM BOARD, OR OTHER SURFACE AS INDICATED.
 - DOOR OPENINGS ARE DIMENSIONED TO CENTERLINE OF OPENING. IF NOT DIMENSIONED, THE HINGE SIDE OF THE DOOR JAMBS SHALL BE SPACED 4" FROM THE FACE OF THE ADJACENT WALL.
 - IT IS THE DESIGN INTENT THAT ALL ITEMS SHOWN MOUNTED AT TYPICAL HEIGHTS BE ACCESSIBLE TO PERSON WITH DISABILITIES IN ACCORDANCE WITH THE LOCAL ACCESSIBILITY CODE.
 - THE PURPOSE OF THE MOUNTING HEIGHTS SHEET IS TO ILLUSTRATE THE TYPICAL HEIGHTS AND WHERE APPLICABLE, THE TYPICAL MINIMUM OR MAXIMUM CLEARANCES, AND/OR TYPICAL MOUNTING CONFIGURATIONS FOR A VARIETY OF BUILT / INSTALLED ITEMS. REFER TO THE PLANS, ELEVATIONS, SECTIONS, DETAILS, SCHEDULES, AND SPECIFICATIONS TO DETERMINE WHICH ITEMS AND CONFIGURATIONS APPLY TO THE SPECIFIC SCOPE OF THE WORK OF THIS PROJECT.

PROJECT INFORMATION

THE PROJECT CONSISTS OF 2 ADDITIONS TO AN EXISTING RESIDENCE. THE TWO STORY PORTION WILL CONTAIN AND UPDATED ENTRY AND A DEDICATED ROOM AS WELL AS AN ADDITIONAL BEDROOM UPSTAIRS. THE ONE STORY PORTION IS AN ENCLOSED THREE SEASON PORCH/GRILLING AREA.

THE EXISTING HOME WAS LAWFULLY ESTABLISHED AS LEGAL, NON-CONFORMING STRUCTURE DUE TO THE NORTHEAST CORNER OF THE EXISTING HOME SITTING OVER THE 75' OF ORDINARY HIGH-WATER LINE BY 1'-11". DUE TO THE EXISTING STRUCTURE BEING NON-CONFORMING, A VARIANCE APPLICATION AND APPROVAL FROM THE BOARD OF ADJUSTMENTS IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT. A VARIANCE IS REQUIRED TO BUILD TWO ADDITIONS ON THE EXISTING HOME WHICH COMPLY WITH THE STANDARD SETBACKS AND IMPERVIOUS SURFACE REQUIREMENTS.

TRUE NORTH

TRUE NORTH

SITE MAP

NO.	ISSUE	DATE
3	ISSUED FOR CONSTRUCTION	01.30.2020
2	75% CONSTRUCTION	01.21.2020
1	ISSUED FOR PERMIT	01.16.2020
NO.	ISSUE	DATE
JOB NUMBER	DATE	25.013.1030

COVER SHEET

G-000



CERTIFICATE OF SURVEY FOR TOM & BONITA HEILMAN

PART OF SECTION 12, TOWNSHIP 42, RANGE 26, MILLE LACS COUNTY, MINNESOTA

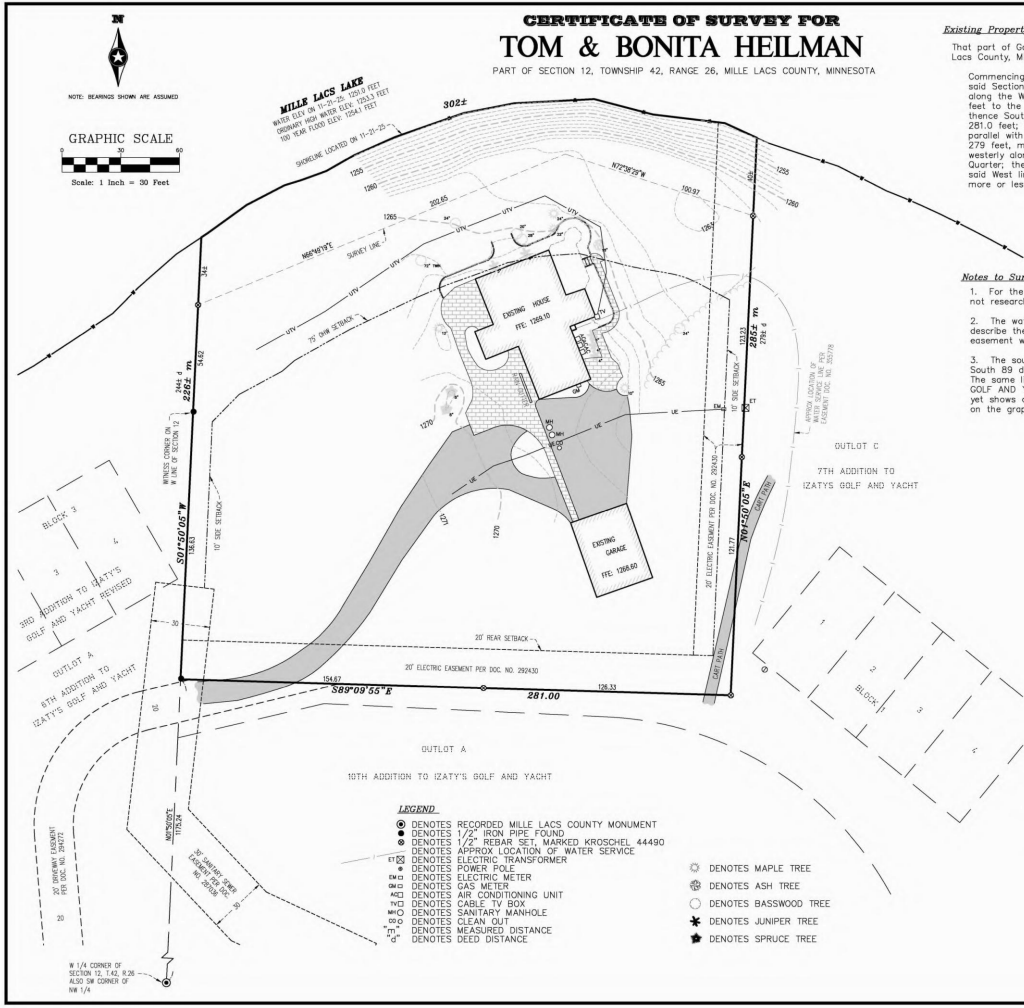
Existing Property Description (Doc. No. 428708)

That part of Government Lot 4, Section 12, Township 42, Range 26, Milles Lacs County, Minnesota described as follows:

Commencing at the Southwest corner of the Northwest Quarter of said Section 12; thence North 1 degree 50 minutes 05 seconds East along the West line of said Northwest Quarter, a distance of 1175.24 feet to the point of beginning of the land to be herein described; thence South 89 degrees 09 minutes 55 seconds East a distance of 281.0 feet; thence North 1 degree 50 minutes 05 seconds East, parallel with said West line of the Northwest Quarter, a distance of 279 feet, more or less, to the shoreline of Milles Lacs Lake; thence westerly along said shoreline to said West line of the Northwest Quarter; thence South 1 degree 50 minutes 05 seconds West, along said West line of the Northwest Quarter, a distance of 244 feet, more or less, to the point of beginning.

Notes to Survey:

1. For the purposes of this survey, existing easements of record were not researched.
2. The waterline easement recorded in Doc. No. 355778 does not describe the exact location of the easement, nor does it list an easement width. The approximate location of the waterline is shown.
3. The south line of the subject property has a recorded bearing of South 89 degrees 09 minutes 55 seconds East, per Doc. No. 428708. The same line shown on the recorded plat of 7TH ADDITION TO IZATYS GOLF AND YACHT lists the same bearing in the dedication of the plat, yet shows a bearing of South 88 degrees 09 minutes 55 second East on the graphic portion of the plat.



LEGEND

- ⊙ DENOTES RECORDED MILLE LACS COUNTY MONUMENT
- ⊙ DENOTES 1/2" IRON PIPE FOUND
- ⊙ DENOTES 1/2" REBAR SET, MARKED KROSCHSEL 44490
- ⊙ DENOTES APPROX LOCATION OF WATER SERVICE
- ⊙ DENOTES ELECTRIC TRANSFORMER
- ⊙ DENOTES POWER POLE
- ⊙ DENOTES ELECTRIC METER
- ⊙ DENOTES GAS METER
- ⊙ DENOTES AIR CONDITIONING UNIT
- ⊙ DENOTES CABLE TV BOX
- ⊙ DENOTES SANITARY MANHOLE
- ⊙ DENOTES CLEAN OUT
- ⊙ DENOTES MEASURED DISTANCE
- ⊙ DENOTES DEED DISTANCE
- ⊙ DENOTES MAPLE TREE
- ⊙ DENOTES ASH TREE
- ⊙ DENOTES BASSWOOD TREE
- ⊙ DENOTES JUNIPER TREE
- ⊙ DENOTES SPRUCE TREE

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.

Dated this 16th day of January, 2026.

By: Tyler J. Kroschel, Land Surveyor
Minnesota License No. 44490



Kroschel Land Surveyors, Inc.
1639 Main Street North, Suite 6, Pine City, MN 55963
Phone: 320-629-3267 tyler@kroschelsurvey.com



9232 68th St North
Columbia, MN 55002
612.532.4147

HEILMAN CABIN

8000 PAR 5 DRIVE, ONAMIA, MN 56359

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.
NAME: ANDREA HAMMILL WOLLACK

SIGNATURE:
DATE: 01.16.2026 LICENSE #44813

3	VARIANCE APPLICATION	02.02.2026
2	ISSUED FOR CONSTRUCTION	01.29.2026
1	ISSUED FOR PERMIT	01.16.2026
NO	ISSUE	DATE
JOB NUMBER		25.013.1030

CERTIFIED SURVEY



SITE PLAN NOTES

EXISTING SITE: 1.8 ACRES (78428 SF)
 25% OF PROPERTY ALLOWED TO BE IMPERVIOUS = 19,602 SF

LOCATION	EXISTING	NEW	DEMOLISHED
PAVERS - EXISTING - TO REMAIN	481 SF		
PAVERS - DEMOLISHED			1,901 SF
PAVERS/STAMPED CONCRETE - NEW		1,319 SF	
ASPHALT DRIVE - EXISTING	5,816 SF		
DECK - EXISTING - TO REMAIN	408 SF		
BUILDING - HOUSE - EXISTING	2,749 SF		568 SF
BUILDING - GARAGE - EXISTING	1,220 SF		
	10,674 SF	1,877 SF	1,901 SF
TOTAL PREVIOUS IMPERVIOUS	12,575 SF		
TOTAL NEW IMPERVIOUS		12,651 SF (16% IMPERVIOUS)	



5032 6th St North
 Oshtemo, MN 55952
 1612.532.4147

HEILMAN CABIN

8000 PAR 5 DRIVE, ONAMIA, MN
 56359

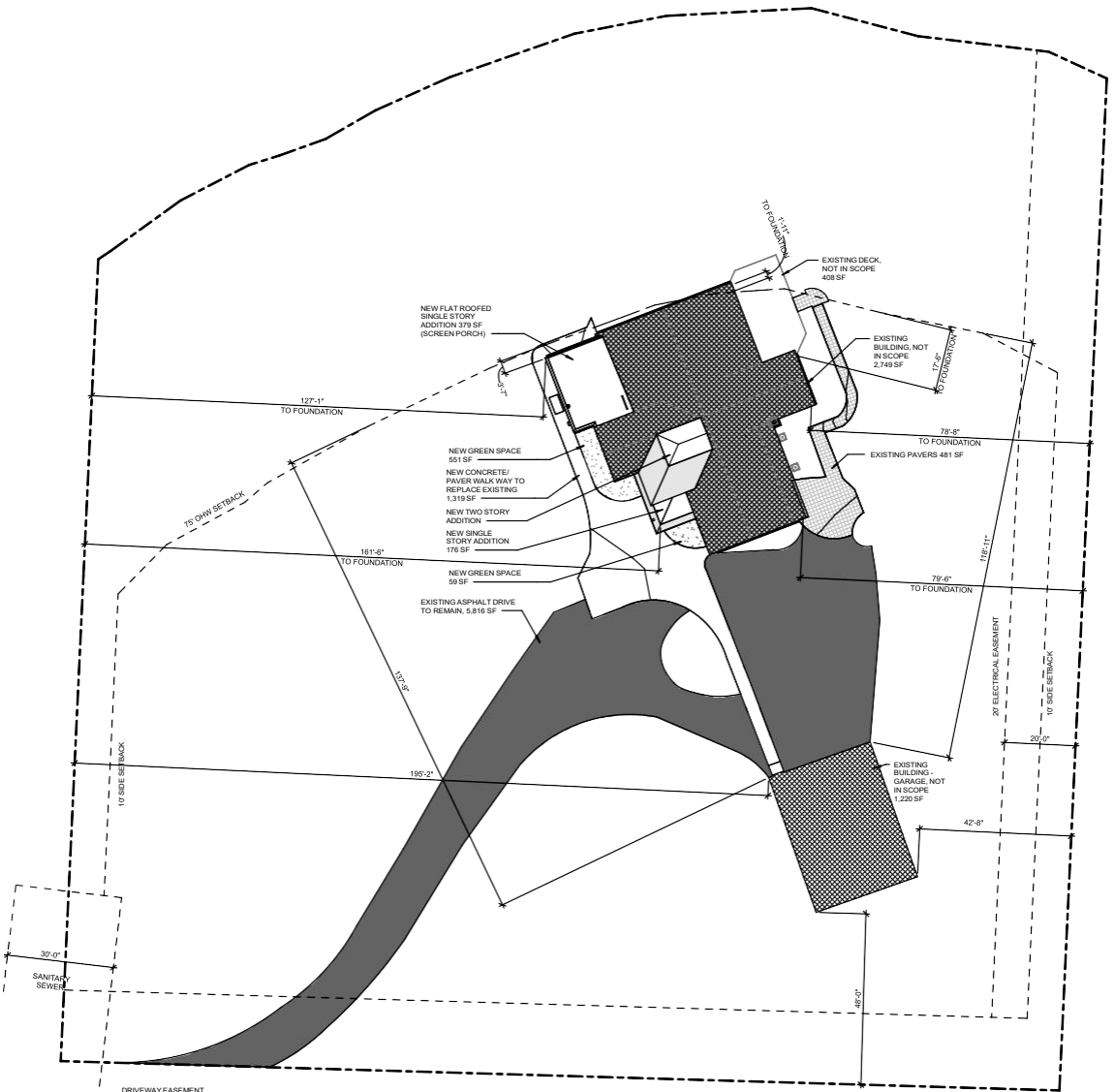
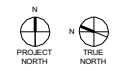
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 NAME: ANDREA HUMMEL WOLLAK

SIGNATURE: *Andrea Hummel Wollak*
 DATE: 01.16.2025 LICENSE #44783

4	VARIANCE APPLICATION	02.02.2025
3	ISSUED FOR CONSTRUCTION	01.30.2025
2	75% CIVIL PASTE PLAN	11.21.2024
1	ISSUED FOR PERMIT	01.16.2025
NO	ISSUE	DATE

JOB NUMBER 25.013.1030

ARCHITECTURAL SITE PLAN



DRIVEWAY EASEMENT. CENTERLINE OF ROAD WAS NOT DOCUMENTED BY SURVEYOR DUE TO PROPERTY NOT ADJACENT TO THE ROAD

A5 SITE PLAN
 1/16/25 1:07

Zoning Permits Variance Application UID # 20116
 App. Status: Pending Approval

Applicant Information

<p>Applicant:</p>	<p>Name: Stonehearth Remodeling</p> <p>Phone: [REDACTED]</p> <p>Email Address: [REDACTED]</p> <p>Mailing Address: 2618 Coon Rapids Blvd. NW Coon Rapids MN 55433</p>
<p>Are you purchasing the property on a Contract for Deed?</p>	<p><u>No</u></p>
<p>Are you an agent acting on behalf of the landowner?</p>	<p><u>Yes</u></p>
<p>If 'Yes' landowner must sign here.:</p>	<p>Bonita & Tom Heilman</p>

Property Information

Property Address:	8000 Par 5 Drive Onamia MN 56539
Parcel Number:	17-012-0201
Is the property located within 1,000 feet of a lake or 300 feet of a river?	<u>Yes</u>

Impervious Surface Calculations

Total Surface Area of Parcel:	78408 sq ft
Dwelling:	2749 sq ft
Garage:	1220 sq ft
Driveway/Parking Area (Gravel or Paved):	5816 sq ft
Sidewalk:	1319 sq ft
Deck:	408 sq ft
Impervious Landscaping:	481 sq ft
Other:	379 sq ft
If other, describe:	new screen porch
Other:	176 sq ft
If other, describe:	new addition
Total Impervious Surface:	12551 sq ft
Proposed Impervious Surface Coverage Percentage:	16

Submittal Requirements

<p>Describe your desired variance.</p> <p>Example: Reduce minimum structure setback from the Ordinary High Water Line of Mille Lacs Lake from 75 to 40 feet.</p>	<p>The existing home was lawfully established as legal non-conforming structure due to the northeast corner of the existing home sitting over the 75'-0" Ordinary High-Water Line by 1'-11". Due to the existing structure being non-conforming, a variance application and approval from the Board of Adjustments is required prior to issuance of a building permit. A variance is required to build two additions on the existing home which comply with the standard setbacks and impervious surface requirements.</p>
<p>How it is reasonable:</p>	<p>The new work for these two additions follows the zoning requirements. The project requires a variance due to the existing lawfully established as legal non-conforming structure.</p>
<p>How it is compatible with surrounding properties:</p>	<p>The two new additions do not change the existing structure in such a way that it no longer fits into the vernacular of the community.</p>
<p>How it is necessary due to unique condition of property creating a legitimate need:</p>	<p>Breaking down the additions:</p> <p>The front door entry addition is needed for safety during the winter, currently there is extreme ice and snow built up at the front door. The addition would reduce down how much of the snow load is dropped at the front door and includes new landscaping to collect rainwater and snow melt. From an interior point, the homeowners are looking at making the home more accessible for all people, which includes an entry location that is large enough to accommodate individuals that have mobility limitations, wheelchairs, walkers, etc. The rework of a main level accessible bathroom, moved the laundry to the upper level and triggered rework of an upper bedroom.</p> <p>The screen porch addition is a need for being able to enjoy the outdoors during the mayfly and mosquito seasons. The screens also will reduce the wind from the lake to allow for additional outside use of the property. The screen porch is going over the top of an existing patio, creating no change in impervious</p>

surface area.
 As mentioned above, both of these additions conform to the current zoning code and the request for the variance is due the existing lawfully established as legal non-conforming structure.

Site Plan:

File 1: [26_0202_-_HEILMAN_-_VARIANCE.pdf](#)

Certificate of
 Septic
 Compliance:

File 1: [Heilman___Septic_thru_Izatys.docx](#)

Terms

Terms and Conditions

The information in this application and submitted materials are true and correct to the best of my knowledge.
 I agree that all work will comply with all applicable federal and state regulations and the Mille Lacs County Development Ordinance. I also agree to allow Mille Lacs County staff to enter the property during normal business hours to conduct tests and inspections as may be needed to process the permit application.

Invoice #18049 (02/05/2026) Expected Payment Method: Forte Secure Web Pay - Credit Card

Charge	Cost	Quantity	Total
Application Fee added 02/05/2026 8:18 AM	\$600.00	x 1	\$600.00
Grand Total			
		Total	\$600.00
		Payment 02/05/2026	\$600.00
		Due	\$0.00

[Results \(Go to top\)](#)

Signature accepted

Sent default [approval level \[2\] request](#) notification to: jessica.sonstebymillelacs.mn.gov; Keenan.Hayes@Millelacs.MN.Gov

Approvals

Approval	Signature
Applicant	Jen Schwartz - 02/05/2026 9:47 AM [REDACTED] [REDACTED]
#1 Sign-Off	Jessica Sonsteby - 02/13/2026 12:03 PM 39e021e362c75e7b4ad6f9ec9acdb050 ab7af209f90b3342f7af1b82f6578e4b
#2 Final	

[Print View](#)