



City of Battle Lake  
108 East Main, PO Box 386  
Battle Lake, MN 56515

218-864-0424 (Phone/Fax)  
E-mail: [blcity@eot.com](mailto:blcity@eot.com)  
[www.ci.Battle-Lake.mn.us](http://www.ci.Battle-Lake.mn.us)

## NOTICE OF HEARING ON VARIANCE

Pursuant to City Code #150.102 of the City of Battle Lake, you are hereby notified of a public hearing on a request for a variance of the following nature:

West by Northwest, LLC has applied for a variance for property located at 734 Lake Shore Drive with the Parcel ID 63000500003009. The request is as follows: *Requesting a variance from building setback requirements to build an 1148 sq. ft. house/garage on lot. Structure will not be any closer to the lake set-back or street right-of-way than homes on adjoining lots using string line test. The request is to allow an 8 foot set-back from the right-of-way, rather than a 30 foot set-back and to also allow a 29.5 foot set-back form the Ordinary High Water Level rather than 60 feet. Property will be under 25% impervious surface. Structure roof design will direct all storm water away from lake.*

Details for the above application are available for inspection at the City Clerk's office at 108 Main Street East, Battle Lake, MN or on the City's web-site: [www.ci.Battle-Lake.mn.us](http://www.ci.Battle-Lake.mn.us)

The Battle Lake Planning Commission will review this application **Tuesday, November 7, 2017 at 7:00 p.m.** The Board of Zoning Adjustment will hold a Public Hearing on this request on **Tuesday, November 14, 2017.** *Both meetings are held at Battle Lake City Hall, 108 Main Street East, Battle Lake.*

Any objections to the granting of this variance may be made in person at the time of said Hearing, or by letter received by the Clerk-Treasurer of the City of Battle Lake, PO Box 386, Battle Lake, MN 56515-0386 on or before, **Tuesday, November 7, 2017.**

By order of the City Council  
Valerie J. Martin  
Clerk-Treasurer



**APPLICATION FOR VARIANCE**

City of Battle Lake  
108 East Main, PO Box 386  
Battle Lake, MN 56515  
Ph/Fax 218.864.0424 e-mail: blicity@eot.com

Application Fee: \$325

Receipt/Check # 1085

Date Received: 10/10/17

**APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT BOTH THE PLANNING COMMISSION MEETING AND THE VARIANCE HEARING.**

Property Owner: West by Northwest LLC Daytime Phone: 218-770-8373  
Address: 134 Lake Shore Drive PO Box 725 FF 56538  
City: Battle Lake State: MN Zip: 56515

PARCEL NUMBER: 63000500003009

LEGAL DESCRIPTION (A copy of your Deed may be requested to ensure adequate description for recording or if lengthy, please attach a copy):  
SUBLOT C OF GOVERNMENT LOT 1 OF SECTION 34, TOWNSHIP 133, RANGE 40 LYING BETWEEN COUNTY AID ROAD No. 33 AND LAKESHORE OF WEST BATTLE LAKE EXCEPT THE FOLLOWING 2 TRACTS:  
1 The South 95.15 feet of Sublot C of Government Lot One (1) of Section Thirty-four (34) Township 133 R40 Otter Tail County, MN lying easterly of the easterly right-of-way line of County Road #33  
2 The North 24.00 feet of Sublot C of Government Lot 1, Section 34, Township 133, Range 40, according to the plat recorded in Book K of Plats, Page 26, in the office of the Recorder, Otter Tail County, Minnesota, which lies easterly of the easterly right-of-way line County State Aid Highway No. 89. Subject to and together with prior restrictions, reservations and easements, if any.

Section: 34 Township 133 Range 40

**EXPLAIN YOUR REQUEST** This is the text that will be used for notification to property owners and for publication. Please be concise in your request. Use the space below or attach your request.

Requesting a variance from building setback requirements to build a 1148 sq. ft. house/garage on lot. Structure will not be any closer to lake setback or street right-of-way setback than homes on adjoining lots using string line test. Property will be under 25% impervious surface. Structure roof design will direct all storm water away from lake. setback from OTHER @ 29 1/2' w setback from ROW = 8 feet

Criteria for granting variances may only be in accordance with M.S Chapter 462, as it may be amended from time to time, as applicable. A variance to the provision of the zoning ordinance may be issued to provide relief to the landowner in those zones where the Chapter imposes.

A landowner must meet the following requirements in order to be granted a variance:

1. Reasonableness – the property owner wants to use the property in a reasonable way but cannot do so under the requirements of this ordinance.
2. Unique Circumstances – the difficulty is created by unique circumstances of the property.
3. Essential Character – if granted, the variance will not alter the essential character of the locality.

I understand that I have applied for a variance from the requirements of the Land Use Ordinances of the City of Battle Lake. I also understand that it is my responsibility to obtain any other permits that may be required.

Signature of Property Owner: By Fern Date: 10-10-2017

**STAFF REVIEW/REPORT FROM CITY ZONING OFFICER**

Report to come

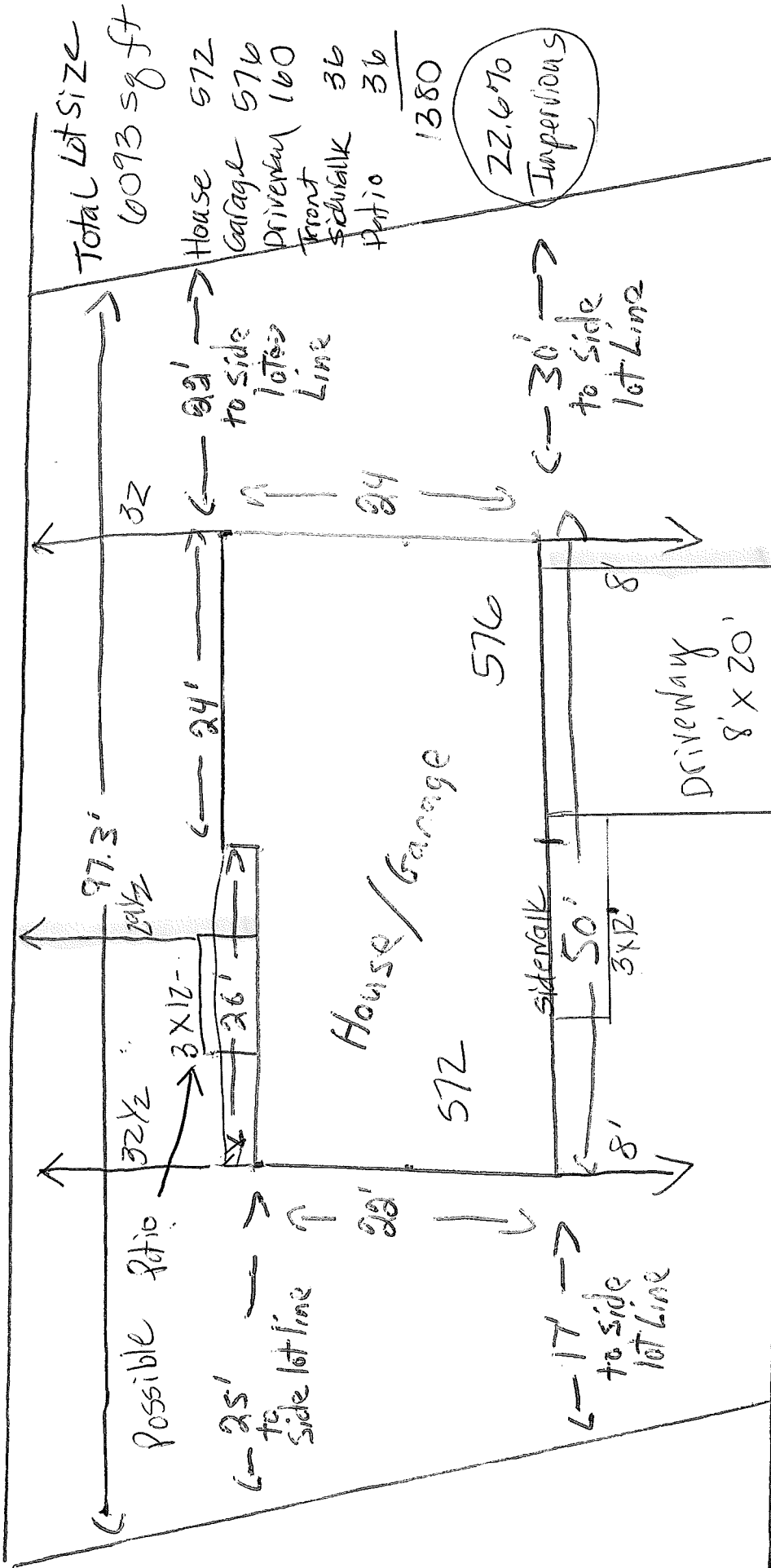
[Signature]  
City Zoning Officer

In order that your request may be fairly evaluated, please provide as much supplementary information as possible such as: maps, drawings, information about surrounding property, etc.

Notes:

Use string line test for placement of structure Lake Side and Road Right of Way

West Battle Lake

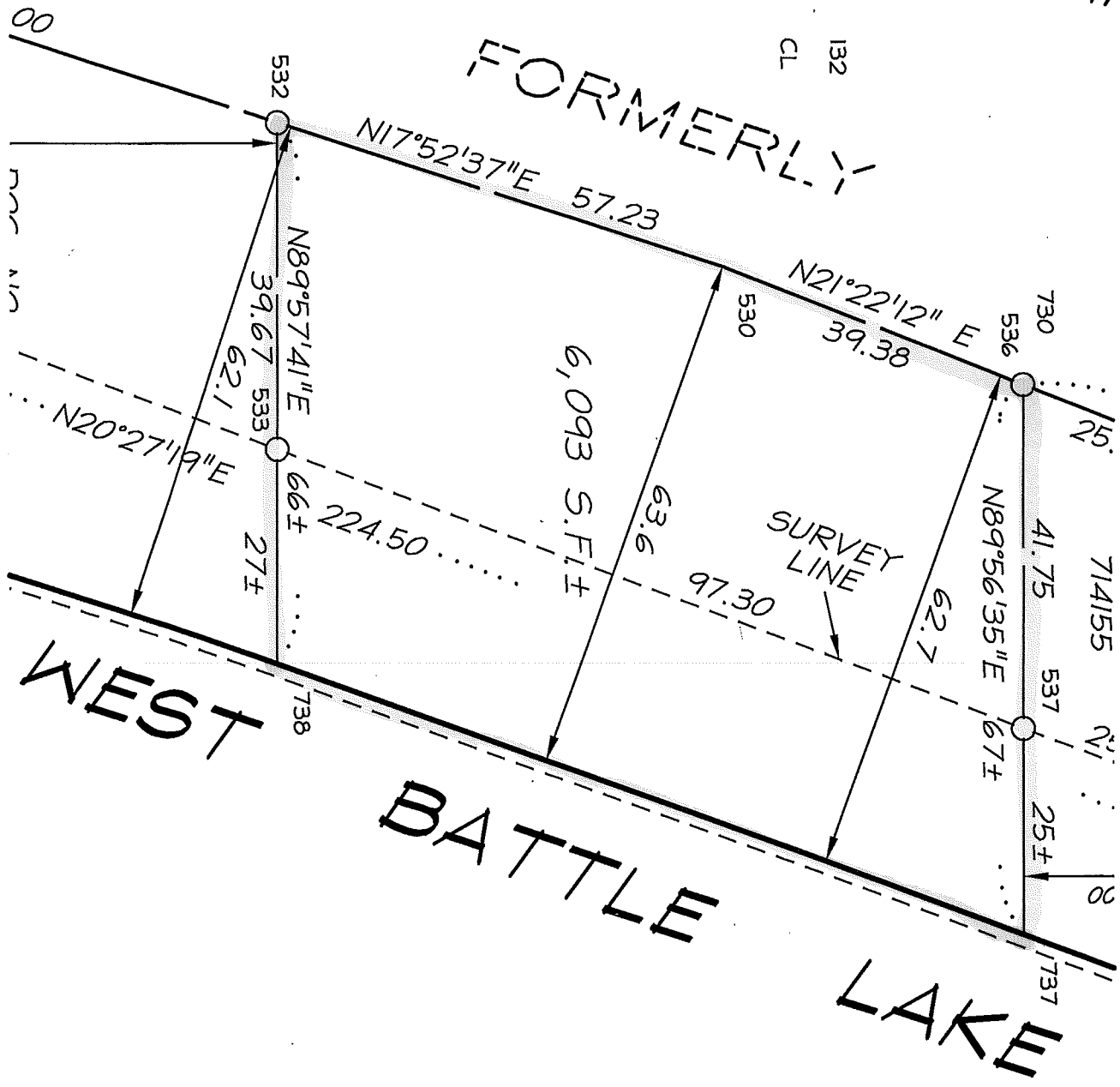


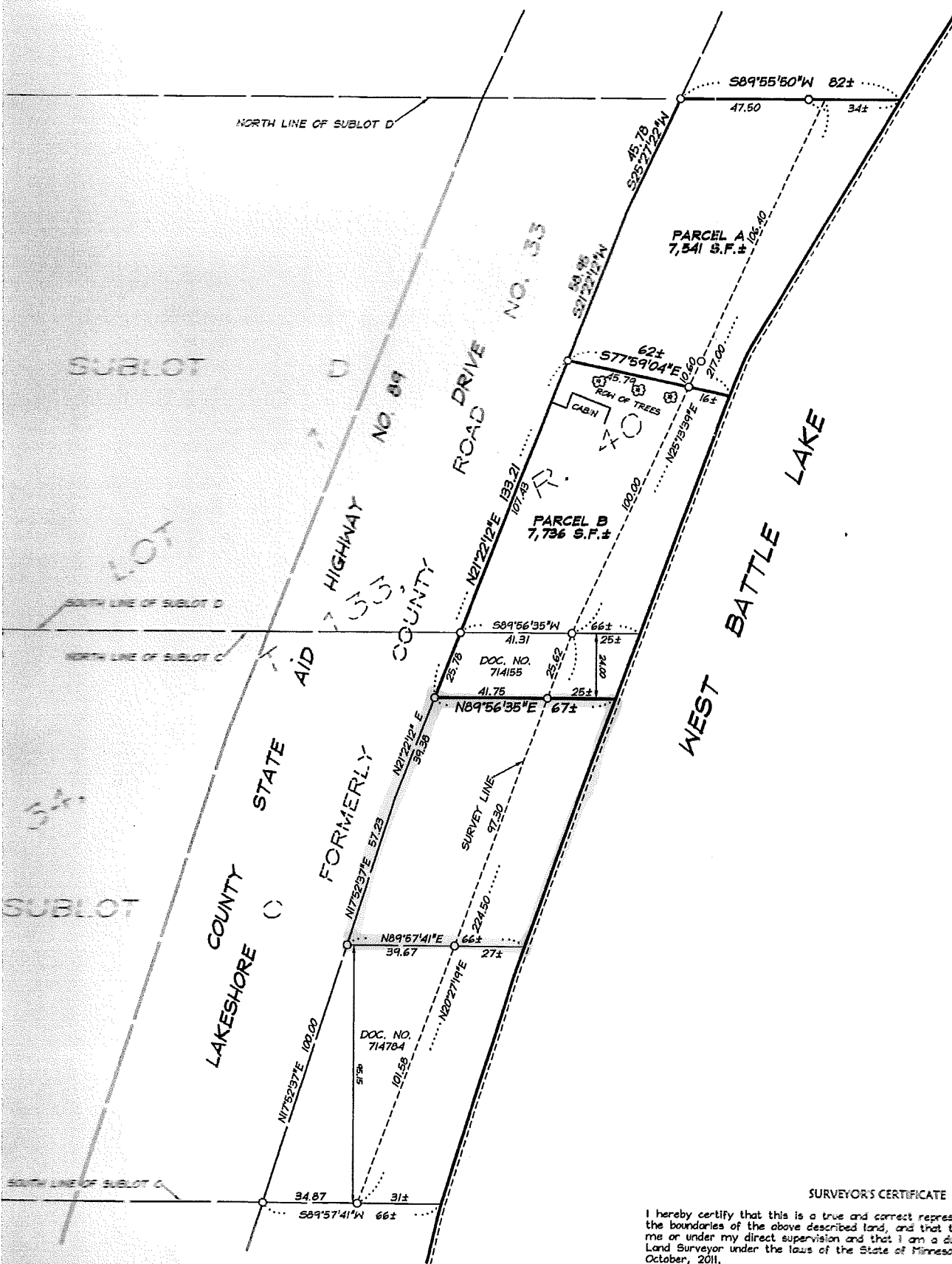
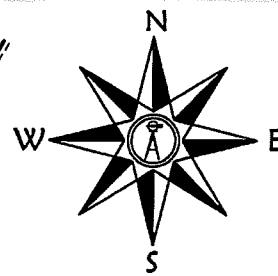
Lakeshore Dr.

A

132  
CL

FORMERLY





All that part of Sublot Township 133, Range 1 of Plats, Page 26, On easterly of the eastern Highway No. 89 and by line.

Commencing at the D and said easterly No. 89; thence on a minutes 12 seconds County State Aid Hi the point of beginnin South 77 degrees 5 feet more or less t there terminating.

Containing 7,541 square

All that part of Sublot Township 133, Range 1 of Plats, Page 26, On easterly of the eastern Highway No. 89 and by line.

Commencing at the D and said easterly No. 89; thence on a minutes 12 seconds County State Aid Hi the point of beginnin South 77 degrees 5 feet more or less t there terminating.

The North 24.00 feet Township 133, Range 1 of Plats, Page 26, On easterly of the eastern Highway No. 89.

Containing 7,736 squan

**SURVEYOR'S CERTIFICATE**

I hereby certify that this is a true and correct representation of a survey of the boundaries of the above described land, and that this survey was prepared by me or under my direct supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Minnesota. Dated this 26th day of October, 2011.

*David A. Anderson*  
 David A. Anderson  
 Professional Land Surveyor  
 Minnesota License No. 13620

**AND SURVEYING, INC.**

SURVEYORS & LAND DEVELOPMENT CONSULTANTS  
 1605 FALLS AVE 56537 (218) 739-5268 FAX (218) 739-5461  
 (800) 300-9276