

**CITY OF BATTLE LAKE
PLANNING COMMISSION**

The Battle Lake Planning Commission met Tuesday, September 6, 2016 at 7:00 pm at City Hall. Present were Commissioners Gary Dirckx, Bev McAllister, Mike Adkins, Steve Seufert, Chuck Reeve, Dave Tomhave and Don Maslow. . Also present was City Zoning Officer & Secretary - Val Martin. Others present for the hearing were Curt Dilly of Morton Builders and John Christensen of Christensen Construction.

The meeting was called to order by Chairman Dirckx.

Maslow moved to approve the agenda. Seufert seconded. MCU

McAllister moved to approve the minutes. Maslow seconded. MCU

A hearing was opened for Elmer C. and Barbara L. Dahms. They are requesting a Conditional Use Permit for Grade and Fill. The request is to bring in approximately 1200 yards of gravel/fill for building a recreational storage shed. Their request includes a 2 foot base of gravel under shed floor with a decreasing slope under the building apron. In addition, an approximately 6-inch thick gravel lot parking area which covers 3,654 square feet of the lot plus a driveway into the property will be added. The shed will have eaves with a down spout on the east end draining to the road ditch. Lot will be sloped to drain to the east and to the road ditch.

Martin, Seufert and Christensen reviewed details of the project:

- The pad height allows them to divert to the north and east away from the natural slope.
- They plan to add a berm on the south end, forcing the water to a swale that will be installed on the south end.
- There will be no culvert under the driveway to keep the water on the property.
- There is currently water coming from the property to the west. This construction project will not alleviate this water path that ends up going to the southwest, onto the adjacent property but it may make less water go to that area.
- Impervious calculation is right at 35%, dependent on the size of the drive.
- The CUP calls for 1200 yards of fill, Christensen stated that 500 to 600 yard of black dirt will be removed and replaced with the new fill, making the net about 1200 yards of material.
- The well is already installed. The owner plans to put in a 1500 holding tank for a septic system. He will have to work with the County on those regulations.

Following discussion, the Commission formulated the following findings of fact: 1-no apparent burden on streets or utilities; -not incompatible with surrounding areas; in fact it is similar in nature to surrounding construction; 3-no adverse effect due to appearance; 4-intended use related to existing land use; 5-consistent with city land-use ordinances and comprehensive plan.

Tomhave made a motion to recommend the Battle Lake City Council approve the Conditional Use Permit with the following conditions:

1. Rain gutter and spouts must be installed and drain the east side.
2. Swale/holding area needs to be dug in on the south side to keep water on the property before it moves to the ditch.
3. The apron needs to be tipped north and east to move water to the east side.

Seufert seconded. MCU

The hearing for the changes to the zoning map and ordinances will be held on September 13th. The Planning Commission reviewed a letter from Fran Vohnoutka. He has property on Lake Shore Drive and is opposed to the change to the west side of his property that runs along Highway 78. He wants a portion of his lot to remain commercial and the portion along Lake Shore Drive to remain residential. After discussion, the Commission felt his request had no merit as most of the property in that area is marshy and may be considered wetland. Also, someone always has the option to request rezoning, should there be a business that could build on this property. It would also be a form of "spot zoning" which we are trying to avoid. Maslow made a motion to recommend to the council that they rezone the whole portion of Lake Shore Drive as intended. McAllister seconded. MCU

The Planning Commission reviewed the zoning map and ordinance changes and were in agreement that we should be presented to the council with no changes, other than the DNR's ruling that the Shoreland Management area remain at 1000 feet.

Seufert stated that MnDOT would like to review our sign ordinance prior to the zoning hearing. Martin will e-mail to the contact tomorrow.

Meeting was adjourned at 7:45 p.m.

Valerie J. Martin, Secretary
Battle Lake Planning Commission