

CITY OF BATTLE LAKE
PLANNING COMMISSION

The Battle Lake Planning Commission met Tuesday, June 5, 2018 at 7:00 p.m. Present were Commissioners Chuck Reeve, Dawn Swisher, Bert Olson, Gene Kelm, Bev McAllister and Don Maslow. Absent was Gary Dirckx. Also present were Val Martin, Clerk/Treasurer/Zoning Officer; Steve Seufert, Public Works Superintendent; and Ryan Christensen, applicant.

The meeting was called to order by Maslow.

Reeve moved to approve the agenda. McAllister seconded. MCU Kelm moved to approve the minutes. Olson seconded. MCU

The Planning Commission met to review a variance request from Ryan and Jessica Christensen.

Ryan and Jessica Christensen, 504 North Shore Drive, request a variance from the set-back requirements. They are asking to be able to build a garage with a 20' set-back from North Shore Drive instead of the 30' set-back. Our lot will hold water some years during spring melt and the 10' we are asking for would allow us to not disturb the lowest area of our lot. The right-of-way at our property is rather large so if we were granted the variance, the garage would still be over 60' from the edge of the street pavement. The garage would not look out of place because it would follow the building line of our house.

Presentation of Application:

Ryan was in attendance to discuss his request to build a 20 x 40 garage. He is requesting the variance so they can construct the building further south and to avoid the lowest part of his lot in order to maintain this area for stormwater retention. The right-of-way is really wide in this area and it would be in line with his house and would also sit further back from the pavement than other houses along that side of North Shore Drive. Impervious is not an issue as he owns a second/separate lot where the garage will be built.

Staff Report

In considering of their request, my opinion on the findings of fact:

- 1. Is it reasonable? My opinion is that it is reasonable. As you look at the staked out area, it is in line with the other properties due to the wider right-of-way in this area.*
- 2. Unique Circumstances? I feel the larger right-of-way does make it unique and also by providing the variance, the storm water will continue to move to the lowest part of their yard.*
- 3. Essential Character? In my opinion, this request would not alter the essential character of the locality.*
- 4. Is it in harmony with the general purpose of the ordinance? I believe the plan is in harmony with the general purpose of the shoreland management ordinance.*
- 5. Is it consistent with the Comprehensive Plan? I believe it is consistent with the Comprehensive Plan.*

Planning Commission members felt the project was a reasonable request. Olson stated that the intent of the 30 foot set-back was to accommodate parking. With the wide right-of-way, the parking is still available in front of the garage. As a neighbor, Olson is not opposed to the project.

Martin stated that she has received no correspondence or heard of any concerns from the public.

McAllister made a motion to recommend the council approve the variance based on the Findings of Fact. Reeve seconded. Olson abstained as he is a neighbor. Motion carried.

Martin reported that the Fabian (North by Northwest) variance appeal hearing happened a few weeks ago. They have 90 days to notify us of the results.

Adjourn – 7:25 p.m.

Valerie J. Martin, Zoning Officer/Secretary