

CITY OF BATTLE LAKE PLANNING COMMISSION

The Battle Lake Planning Commission met Tuesday, August 6, 2019. Present were Commissioners Dawn Swisher, Bert Olson, Gene Kelm, Greg Maynard and Don Maslow. Absent were Chuck Reeve and Gary Dirckx. Also present were Val Martin, Clerk/Treasurer/Zoning Officer; Steve Seufert, Public Works Director; and Tim Hanson, contractor for property owner.

The meeting was called to order by Maslow. The Pledge of Allegiance was recited.

Kelm made a motion to approve the agenda. Maynard seconded. MCU

Kelm made a motion to approve the minutes. Olson seconded. MCU

VARIANCE REQUEST

Pursuant to City Code #150.102 of the City of Battle Lake, Eric and April Lokken are requesting a variance to amend a prior variance. The location of the property is Sand Bay Common Interest Community, Cabin 1. The request is as follows: The property owner held an existing variance that would allow them to add a second story to the cabin. Rather than adding the second story, they would like to replace with a new structure in the same location. The structure will not exceed 35' in height and there will be no change to the footprint. Replacing the structure will allow for updated plumbing, foundation and overall soundness of the building.

Tim Hanson, Contractor for the owner presented the application. The request sums up what their need for a variance is.

Staff Report:

1. The subject property is legally described as “Sand Bay CIC #71, Unit 1 and 1/14 interest in common elements.”
2. The applicant has asked for a variance to update a variance received in 2004 which is still valid but the applicant is requesting that he be allowed to completely rebuild the structure, rather than adding the 2nd story.
3. In discussing this application with Attorney Cline, he felt they should apply for a variance as it varies a little from the original variance.
4. The structure will stay within the same footprint and will not exceed 35 feet as required by the first variance.
5. Cabins 2 and 3 have completed their 2nd floor addition.

No members of the public were in attendance. Martin stated that she did not have any correspondence or comments prior to the meeting. She did have one person stop in and ask questions but the property owner had no issues after understanding what the project was.

Planning Commission Discussion:

1. Will the roof line be the same with no additional run-off? The contractor stated yes.
2. Contractor was asked if there are other plans for a deck. There is not, other than the plan that was presented a couple of years ago when the association received a variance.

Planning Commission Discussion and Findings of Fact:

1. **Is it reasonable?** The Planning Commission members agreed that it is reasonable considering that it is an amendment to a past variance and the size of the structure will not change.
2. **Unique Circumstances:** The property is unique as there is limited space to raise the structure and fix the foundation. Temporary beams would need to be extended and could cause damage to fences, trees and vegetation.

3. **Essential Character:** It will not alter the essential character - It will blend in with their current structure and others within the CIC.
4. **Is it in harmony with the general purpose of the zoning code?** Yes
5. **Is it consistent with the Comprehensive Plan?** Yes
6. **Will the request have an adverse impact on government services such as street usage, snow removal, stormwater runoff, emergency services, etc.?** It will not
7. **What portion of the variance request is based upon economic considerations? (economic considerations alone should not be a reason for granting a variance)** None
8. **Does the existing sewer treatment need upgrading?** No
9. **Are there conditions that should be imposed in granting the variance?** Yes

Kelm made a motion to recommend that the City Council approve the variance based on the Findings of Fact and to put the following condition on the variance: the gable end need to face the lake as it is now. Maynard seconded. MCU

Adjourn 7:30 p.m.

Valerie J. Martin, Zoning Officer/Secretary