

Landscaping and Excavation

- ◆ Limited clearing of vegetation and trees in shoreland areas is allowed. Clearing to accommodate construction is allowed as necessary. As much vegetation should be left or restored to minimize runoff into the lake, which is a primary source of lake water pollution.
- ◆ Ice ridges are protected by State Law as a valuable resource to prevent runoff into the lake. Any cuts, removal or filling of material in the Shore Impact Zone must be authorized by a Site Permit obtained from the City.

Fertilizers, Herbicides and Pesticides

- ◆ When using any of the above, barriers of earth, vegetation or both should be in place to minimize runoff into public waters.
- ◆ The use of fertilizer containing phosphorus is prohibited within 50 feet of the Ordinary High Water Level of public waters.



Background

The City's Zoning Ordinances are not a building code. They designate Residential and Commercial Zones and address the type of uses allowed in each. They also address setbacks and locations of structures on a lot and the impervious coverage on a lot. They do not address the type of structure that may be built or anything regarding the interior of the structure.



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THE CITY OF
Battle Lake

Zoning and Land Use Regulations



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Land Usage Regulations

- The Battle Lake Zoning Code Land Usage Chapter is made up of 5 individual Ordinances:
 - Shoreland Management Regulations
 - Zoning Code
 - Storm Water Management
 - Well Head Protection
 - Subdivision Controls
- Each of these Ordinances contain specific rules applying to certain geographical areas. The City's Official Zoning Map delineates these areas.
- It is possible that a parcel of land may be located in overlapping zones. If so, the more restrictive of the rules that would apply to a given situation would apply.

General Requirements:

Site Permits Are Required

- No person shall erect, demolish, alter, move or replace any part of a structure within the City unless first obtaining a Site Permit which are issued at the Clerk's Office in the City Hall.
- The definition of a structure in the Zoning Code is: any building or appurtenance including decks, patios, fences and storage sheds.
- Only one dwelling unit is allowed on residential lots, unless authorized by provisions in the Ordinance that deals with multi-unit development having to

do with duplexes, triplexes, PUD's or guest houses.

- Site Permits are also required for grade and fill projects involving the movement, importing or exporting of over 10 cubic yards of material.

Sanitation Requirements

- All commercial uses requiring sanitation and all dwelling units shall be connected to the City's Water and Sewer System and comply with the regulations set forth in the Public Works Chapter of the City Code.
- If it is determined by the Public Works Director that water or sewer service are not reasonably available to the property, a well may be installed by a licensed well driller and an onsite sewer system that is permitted through the Otter Tail County Land and Resource Management Office may be installed.

Nonconformities

- Buildings and lots that existed before the Zoning Ordinances were enacted are "grandfathered in". These structures and lots may not conform to the current rules and thus are designated as "nonconforming".
- The Ordinances place limitations on the amount of expansion and replacement that is allowed for these structures and what may be built on nonconforming lots without a Variance from the City.



Shoreland Management Area

Bluff Requirements

- A bluff is defined as a slope rising at least 25 feet above the OHWL. The slope from the toe of the bluff to a point 25 feet or more above the OHWL averages 30% or greater.
- Bluff Zones are shown on the City's Official Zoning Map.
- Because bluffs are potentially unstable, no construction is allowed in the bluff impact area. Any construction must be at least 30 feet back from the top of the bluff.

Stairways, Lifts and Landings

- These are the preferred alternatives to major topographical alterations for access to the shore area.
- The maximum width of stairways is 4 feet and landings must not be more than 36 square feet in area.
- Stairs and landings may not have canopies or roofs.

Water Oriented Accessory Structure

- A small building, such as a boathouse, screen porch, sauna, fish house or detached deck, may be located closer to public waters than a normal structure providing a Site Permit is obtained.
- The lot and the proposed structure must meet the criteria set forth in the City's Shoreland Ordinance.
- The structure cannot be used for human habitation and have water or sewer connections.