

Agenda
WATERTOWN BOARD OF ADJUSTMENT
City Council Chambers
23 2nd Street NE

Thursday February 18, 2016

4:15 PM

Call to Order

Roll Call

1. Approval of 2/4/2016 Minutes
2. Applicants Travis & Lisa Carrico (#16533) seek variance relief from the requirements of the Zoning Ordinance by appealing the terms of sections 21.0302; 21.1001; 21.6001; & 21.6002 to allow for the construction of a nonconforming garage addition onto a compliant single family dwelling located @ 308 9th St NE.
 - A. Public hearing
 - B. Board of Adjustment action

Old Business:

Motion to adjourn

FOUNDATION

| | |
|----------------------|--|
| Concrete Slab | |
| Concrete Block Walls | |
| Concrete Walls | |
| Wood Walls | |

APPLICATION FOR BUILDING PERMIT

16533

Zone R2A Date _____ Co. Rcd# 5532

Proposed Construction Garage addition

Size _____ Sq. Ft. 1,098 Height _____

Address 308 9th St NE Lot Area 10,240^{sq}

Lot 101 + 102

Block _____ Addition Belmont

Estimated Value _____ Fee _____ BOA Fee Plans

Details Appeals the terms of §21.0302 prohibiting the design

+ Creation of non-con structures N; §21.1001 H & P Regs. §21.6001 All Req'd yds (setbacks) shall be open unoccupied space; and §21.6002 No adjacent open space shall be used to satisfy any yard (setback) required for any other structure and No yard (setback) shall be reduced in dimension below the min. Req'd for that district.

W E

S

BUILDING PERMIT SHALL BE GOOD FOR ONE (1) YEAR FROM THE DATE OF ISSUANCE.
 PROJECTS WHICH ARE NOT COMPLETED WITHIN ONE YEAR MUST BE RENEWED.

IT IS HEREBY AGREED between the undersigned, as owner, his agent or servant, and the City of Watertown, that for and in consideration of the premises and the permit to construct, erect, alter or install and the occupancy of building as above described, to be issued and granted by the Building Official, that the work thereon will be done in accordance with the descriptions herein set forth in this statement, and as more fully described in the specifications and plans herewith filed; and it is further agreed to construct, erect, alter or install and occupy in strict compliance with the ordinances of the City of Watertown; and to obey any and all lawful orders of the City Engineer of the City of Watertown and all State Laws relating to the construction, alteration, repair, removal, and safety of buildings and other structures and permanent building equipment.

By City Ordinance, 5.0301(2) 2012 IBC Section 107 SUBMITTAL DOCUMENTS, is hereby further amended by adding the following: [A] 107.6 Applicant's Responsibility for Compliance. Neither examination and review of construction and/or construction documents by the Building Official, nor the issuance of a building permit by the Building Official, shall relieve the permit applicant of the responsibility and duty to comply with this code and any other applicable local, state and federal rules, regulations, and ordinances.

Owner Lisa & Travis Carrico Address SAA (owner occ'd)

By _____

Dated _____ Contractor 2/18/16

PERMIT APPROVAL Members of Board of Adjustment

Authorized by: _____
 _____ Building Official
 _____ Fire Chief
 _____ City Engineer

BASEMENT AREA

| | | | | |
|---|---|---|---|---|
| N | C | P | S | F |
|---|---|---|---|---|

EXTERIOR WALLS

| | |
|-------------------------|--|
| Siding on Sheathing | |
| Steel Building | |
| Column Building | |
| Concrete Block Walls | |
| Hardboard/Cement Siding | |
| Vinyl/Wood Siding | |
| Steel Siding | |
| Brick/Stone/Stucco | |
| Wall Insulation | |
| Roof Insulation | |
| Other | |

ROOF TYPE

| | | |
|---------|-------|--|
| Hip | Gable | |
| Mansard | Flat | |

ROOFING

| | |
|-----------------|--|
| Asphalt Shingle | |
| Membrane Roof | |
| Steel | |
| Other | |

FLOORS

| | B | 1st | 2nd |
|--------------|---|-----|-----|
| Concrete | | | |
| Gravel/Earth | | | |
| Plyscore | | | |

INTERIOR FINISH

| | B | 1st | 2nd |
|------------------|---|-----|-----|
| Sheet Rock | | | |
| Type X Sheetrock | | | |
| Other | | | |
| Unfinished | | | |

HEATING

| | |
|---------------------|--|
| Solar/Geothermal | |
| Heat Pump/Hot Water | |
| Electric | |
| Gas Furnace | |
| Air Conditioning | |
| Fireplace/Stove | |
| No Heating System | |

PLUMBING

| | B | 1st | 2nd |
|-------------|---|-----|-----|
| Rough In | | | |
| Bath Rooms | | | |
| Kitchen | | | |
| Laundry | | | |
| No Plumbing | | | |

SITE REQUIREMENTS

| | |
|------------------|-----|
| Grass Blvd/Trees | |
| Sidewalks | |
| ESC > 1 acre | Y N |
| DLA | |
| WORTP | |

FLOOD HAZARD

| | |
|---------------------|--|
| Floodway | |
| 1% (100 yr.) | |
| .2% (500 yr.) | |
| Out | |
| Req'd Elev. | |
| Proposed Elev. | |
| Elev. Cert Req'd | |
| Flood Proof/Non Sub | |
| DFIRM Date | |

TRAVIS & LISA CARRICO
308 Ninth Street NE
Watertown · South Dakota · 57201
605.753.6200 (Home)
702.241.5793 (Travis)
702.545.7842 (Lisa)

Watertown Board of Adjustment
c/o Jill Steiner, Bd. of Adjustment Staff
23 Second Street NE
2nd Floor
Watertown, SD 57201

Re: Variance Request for Property Located at 308 9th Street NE

Legal Description: Lots 101 and 102 of the Plat Entitled, "Belmont Addition to Watertown in the South-West Quarter of Section 29, Township 117, Range 52 West of the 5th P.M. Codington County, South Dakota.

To the Board of Adjustment:

We are requesting a variance to build a new 2 stall garage on the existing location of our current garage. The current garage is a 2 car garage to which we intend to replace with the same 2 stall garage but with an increase in the width from the current 20.2 to a standard 24. Our current standard vehicles cannot fit in the current garage space. These are not oversized vehicles.

North Side

The current set back requirements require the garage to sit at least 9 feet from the property line on the North Side. Our proposed drawings show that no variance is requested for the North Side because the North Side of the garage is set at 30.3 feet from the property line. However, please keep in mind that there is a drainage ditch on the North Side of the property which becomes important when considering the variance needed for the South Side of the garage.

South Side

The South Side of the garage is 12.9 feet from the property line. We cannot move the garage any further to the North because of the drainage ditch on the North Side of the building. Because the garage doors are on the South Side we are requesting a variance to keep the current setback of 12.9 feet rather than the 20 feet required for the "driveway".

East Side

The current garage is a two stall garage and sits as close as 4.2 feet from the East Side property line. The East Side of the property is actually the field where they play soccer and football behind the old Watertown Middle School (now Intermediate School). The "alley" on the East

Side is actually grass and is not a cleared alley and is only used by vehicles for Municipal Utilities. The setback requirement for the east side of the garage is 25 for an attached garage. As a result, we are requesting a variance for the East Side to remain at the current setback of at least 4.2 from the property line and 11.7 from the center of the "alley."

West Side

There is no need for a variance on the West Side of the garage space. The West Side setback requirement is the front of the house and is not affected by the garage.

Based upon the foregoing and the factors below, we are requesting a variance to build a 2 stall garage in its current location.

The land has unique circumstances in that it is surrounded by an alley on two sides and a drainage ditch on the northside. There is no space to rebuild the garage other than on its current location.

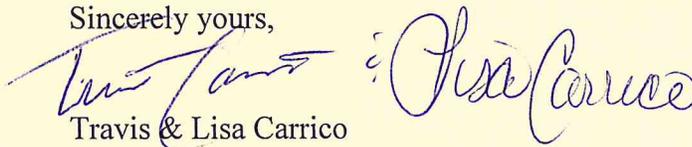
The use is a permitted use in that it is a standard garage to a single-family dwelling unit.

Any variance granted under the provisions of this section shall be the minimum adjustment necessary for the reasonable use of the land in that the garage will continue to be a 2 stall garage and will continue in its current position. The south and east walls will continue at a minimum 4.2 and 11.7 from the property line and will not encroach any further.

The granting of any variance will not be detrimental to the neighborhood, conflict with the general purposes and intent of the ordinance, or conflict with the Comp. Plan because the south wall and east wall will encroach no more than its current encroachment to which is abutted by the 2 alleys and the north and west walls are already within the approved setback regulations.

Thank you for your time and consideration.

Sincerely yours,

Handwritten signatures of Travis and Lisa Carrico in blue ink. The signature on the left is 'Travis Carrico' and the signature on the right is 'Lisa Carrico'. There is a small blue mark between the two signatures.

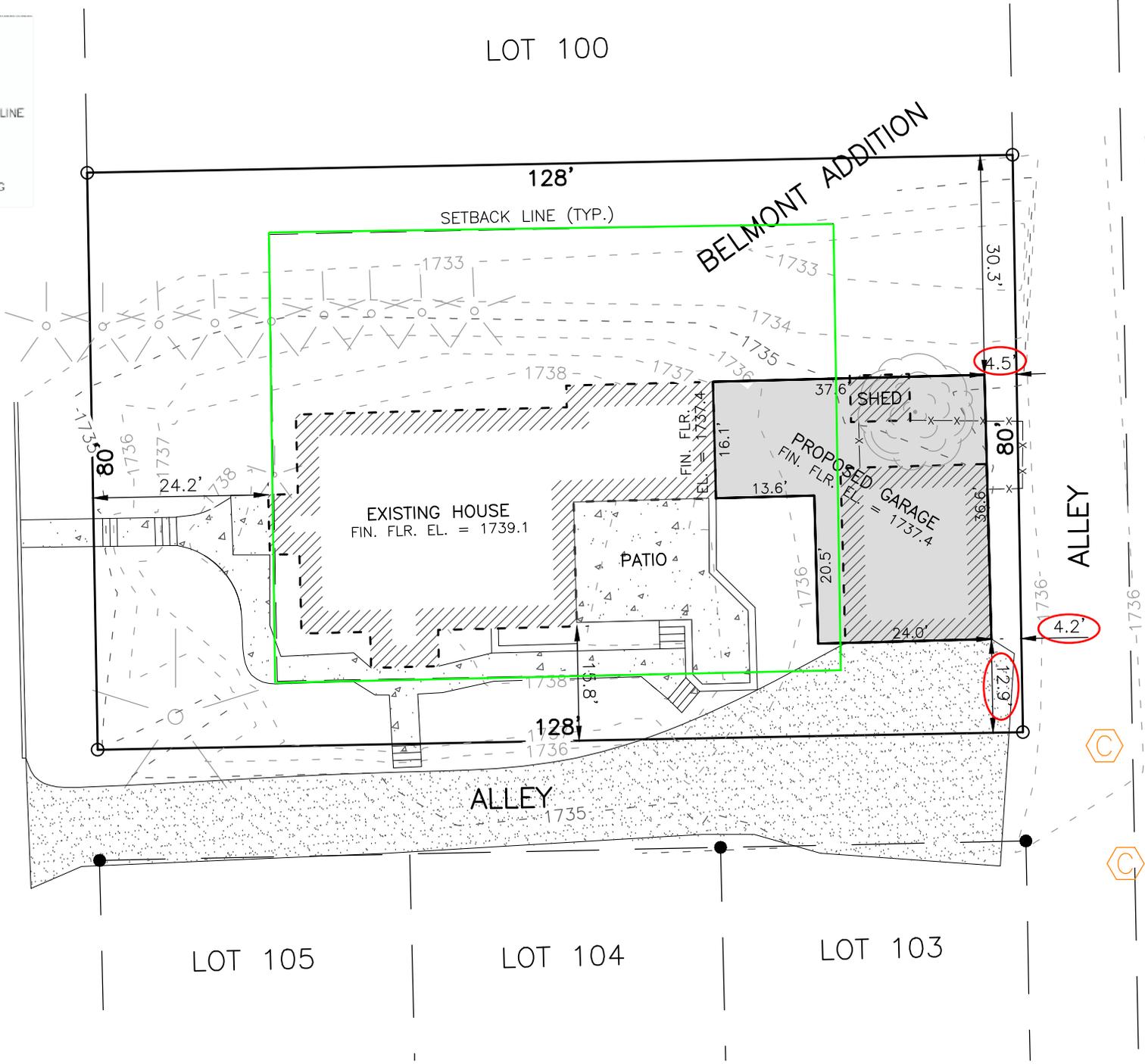
Travis & Lisa Carrico

Enclosure: Plans of Current and Proposed Location.

| LEGEND | |
|--------|-----------------------|
| | PROPERTY LINE |
| | EASEMENT LINES |
| | LOT LINES |
| | SETBACK LINE |
| | EXISTING CONTOUR LINE |
| | FOUND MONUMENT |
| | CALCULATED CORNER |
| | GRAVEL SURFACING |
| | CONCRETE SURFACING |

9TH STREET N.E.

LOT 100



LOT 105

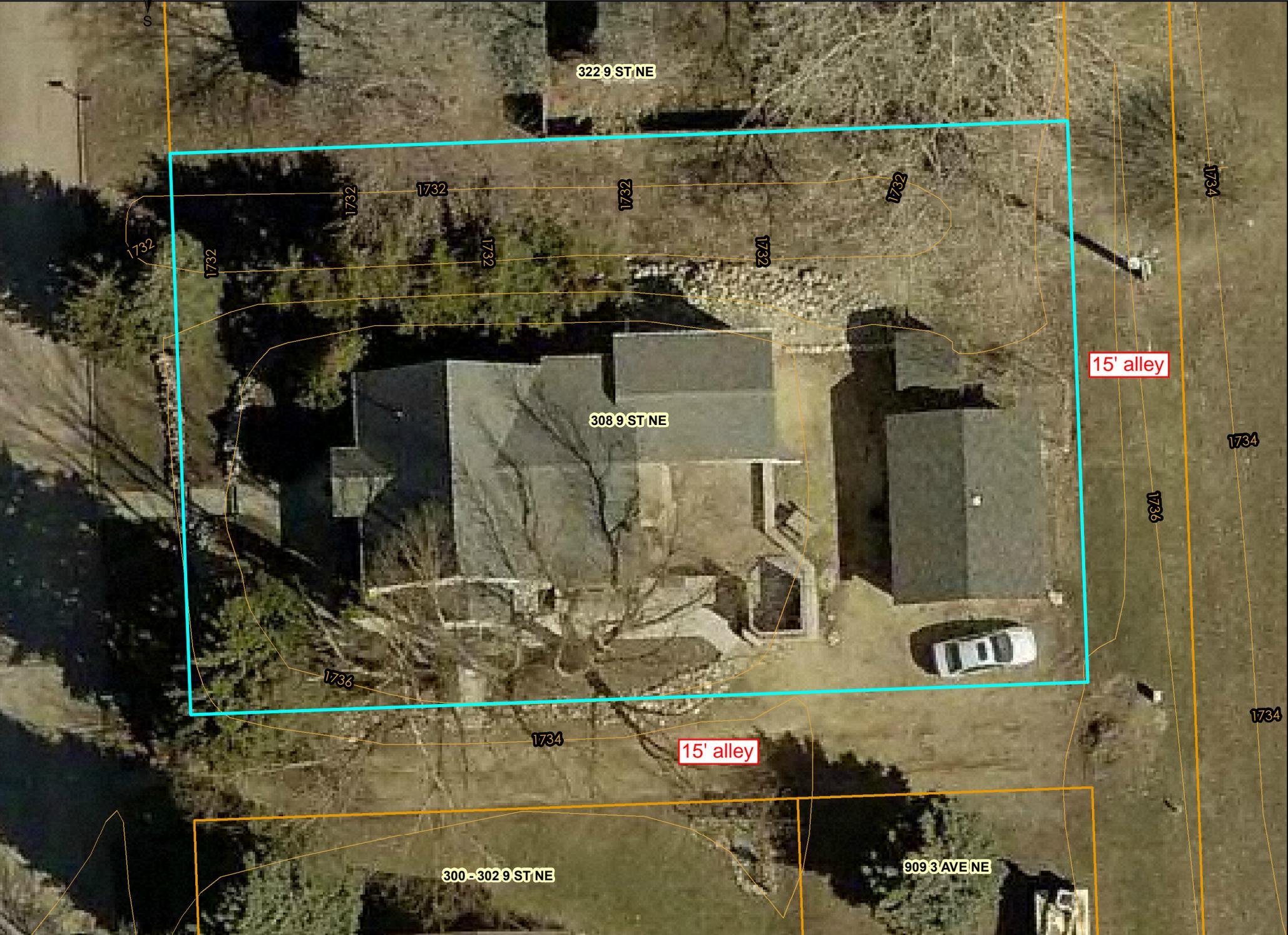
LOT 104

LOT 103

SITE PLAN



Carrico 308 9th St NE



322 9 ST NE

308 9 ST NE

300-302 9 ST NE

909 3 AVE NE

1732

1732

1732

1732

1732

1732

1732

1732

1734

1734

1736

1734

1736

1734

15' alley

15' alley

STAFF REPORT

Appeal Application #16533

Owner/Applicant: **Travis & Lisa Carrico**
 Property Address: **308 9th St NE**
 Legal: **Lots 101 & 102, Belmont Addition**

1. **Application was submitted** requesting to construct a **nonconforming 1,098 sq ft garage addition onto a compliant single family dwelling**; said addition proposed to be constructed:
 - **4.2'** from the rear (east) property line, where a minimum **25'** is required; and
 - **12.9'** from the side (south) property line, where a minimum **20'** is required.
2. **Application was denied** based on the following ordinance regulations:
 - §21.0302 prohibiting the design and creation of nonconforming structures;
 - §21.1001 Height & Placement Regulations;
 - §21.6001 All required yards (setbacks) shall be open, unoccupied space, extending from the natural ground level to the sky with no obstructions...; and
 - §21.6002 **No (adjacent) open space shall be used to satisfy any yard (setback) required for any other structure, ... no yard (setback) shall be reduced in dimension below the minimum requirements set for the district in which such yard or lot is located.**
3. **Applicant appeals** the above (#2) requirements of the current Zoning Ordinance.

| | R2a min Req's | Existing / Proposed | Meets Req's: |
|-------------|--|----------------------------------|---------------------|
| Area | 6,000 sq ft | 10,240 sq ft | X |
| Width | 50' | 80' | X |
| Front | 25' | W: NA | - / - |
| Side | 9' | N: 43' / 30.3' | X / X |
| Side | Entered: parallel: 9' / perpendicular: 20' | S: 12.9' / 12.9' | NO / NO |
| Rear | Structure: primary: 25' / accessory: 9' | E: 4.2' / 4.2' | NO / NO |
| Bldv Rqts | 15' grass blvd / 1-2 blvd trees | grass & 0 deciduous trees | no |
| Infr Rqts | sw/trl, c&g | no sidewalk | no |
| Off-St Pkg* | 2/sfd | 3 / 3 | X / X |

* To be counted, a "legal" Off-Street Parking Space must allow the exit of a vehicle without moving another vehicle, and each must meet minimum OSPS standards for size, location, etc...

HISTORY:

| | | | |
|------|--------|-----------------------|----------------------------------|
| 2009 | #12936 | Lisa (Losano) Carrico | house addn |
| 2007 | #11903 | Lisa (Losano) Carrico | entry addn & stairway |
| 1993 | #6249 | M. Ward | move in used c 1940 house |
| 1988 | #4230 | N. Sather | 26x26 garage (removed for house) |
| 1953 | no BP | | 20x24 double garage |

STAFF FINDS THAT:

(all public notice requirements have been met)

- Currently, this 10,240 sq ft parcel, located in the R-2a Single Family Attached Residential District, consists of a compliant single family dwelling, utility shed, and a nonconforming unattached 480 sq ft (20'x24') double garage which sets 4.2' from the rear (east) property line. The garage would be demolished to make room for the proposed addition.
- The legal buildable area on this parcel is 4,836 sq ft, of which 1,542 sq ft (32%) is occupied by the existing primary structure. There is sufficient buildable area on this parcel to construct attached &/or unattached structures without variances, and compliant with §21.1002(3a):
A garage permitted prior to July 11, 2008 which is entered perpendicular to an alley shall not be located closer than nine (9) feet to the alley line. A garage permitted after July 11, 2008 which is entered perpendicular to an alley shall not be located closer than twenty (20) feet to the alley line. A garage which is entered parallel to an alley shall not be located closer the nine (9) feet to the alley line.
- If it stands to reason that the alley is not used by the public enough to warrant the required 20' parking area on the south side of the proposed garage (in front of the overhead doors), then this Board may consider if petitioning vacation of the alley(s) is a better option, as several other properties in this area (Belmont Addn) have done: (see attached info)
- This parcel lacks standard Blvd & Infrastructure requirements (Blvd trees & sidewalk); if application is endorsed, this board may consider fulfillment of any/all of those requirements in conjunction with any structural improvements authorized by Building Permit.

See attached

Written Request, Site Plan, aerial maps, alley vacations, pics

Mtg date: Feb 18, 2016