

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

Thursday March 24, 2016

4:15 PM

Call to Order

Roll Call

1. Approval of March 10, 2016 Minutes
2. Applicant Charles Redlin dba Prairie CAR, LLC (#16570) seeks variance relief from the requirements of the City Zoning Ordinance, by appealing the terms of section 21.0302 as it applies to his property located @ 1404 9th Ave SW, to allow for the enlargement of an existing nonconforming commercial building located in the C-3 Highway Commercial District.
 - A. Public hearing
 - B. Board of Adjustment action
3. Applicant R&R Holdings, LLC (#12941) seeks approval of modifications to a Site Plan for a previously approved Conditional Use (fka Special Exception), to allow for the construction of a 5,376 sq ft (32'x168') building with twelve (12) *Storage Units* (fka Commercial Storage Facilities) in the C-3 Highway Commercial District @ 2301 N Hwy #20.
 - A. Public hearing
 - B. Board of Adjustment action

Old Business:

1. Applicant Ryan Wanner (#16547) seeks Conditional Use approval to operate an in-home transfer printing business out of a multi family dwelling unit located in the R-2A Single Family Attached Residential District @ 303 (aka 305) 1st Ave SW Apt #5.
 - A. Public hearing held: 3/10/2016. Tabled.
 - B. Board of Adjustment action

Motion to adjourn

FOUNDATION

Concrete Slab	
Concrete Block Walls	
Concrete Walls	
Wood Walls	

BASEMENT AREA

N	C	P	S	F
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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	2-3	X
Sidewalks/trl		X
ESC > 1 acre		Y N
DLA		
WORTP		

FLOOD HAZARD

Floodway	
1% (100 yr.)	
.2% (500 yr.)	(5210X)
Out	X
Req'd Elev.	
Proposed Elev.	
Elev. Cert Req'd	
Flood Proof/Non Sub	
DFIRM Date	

APPLICATION FOR BUILDING PERMIT

16570

Zone C-3 Date _____ Co. Rcd# 5994
 Proposed Construction Addition (clean room)
 Size 27' x 48.5' + 5' x 7' Sq. Ft. 1309.5" + 35" Height _____
 Address 1404 9th Ave SW Lot Area 117' x 296'
 Lot N396' W117' E150' of Gov't Lot 3 - Lot #1 + Lots #7-#8
 Block _____ Addition 1-116-53
 Estimated Value _____ Fee _____ BOA Fee Plans
 Details App. Approvals the terms of § 21.0302 which

prohibits the modification, alteration, or enlargement of man con. structures.

W

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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 Prairie CAR, LLC Address Charles Red Ln dba
 By _____
 Dated _____ Contractor _____

PERMIT APPROVAL

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

3/24/16
 Members of Board of Adjustment

Charles Redlin
Terry Redlin Art Center
1200 Mickelson Drive, Suite 314
Watertown, SD 57201

February 29, 2016

City of Watertown
Board of Adjustment
23 2nd Street NE
Watertown, SD 57201

To: Board of Adjustment

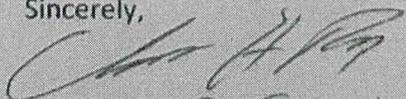
The ANZA Corporation plans to lease my property located at 1404 9th Ave SW (Legal Description: N396' W117' E150' Of Gov't Lot 3 Less Lot H1 & Lots H7 - H8 1-116-53) to house, NASCENT Technology Inc. The property is current zoned C3 Highway Commercial District with a conditional permit for Light Manufacturing. The current building is non-conforming as the set back from the property line on the west side of the building is only 10 feet. An expansion of a nonconforming building presents a conflict with current zoning regulation. I am requesting a variance that would allow expansion of a non conforming building.

NASCENT requires a clean room for part of its operation. A clean room requires side walls of a least 12 feet. This requirement presents the need for an existing building of to have side walls of at least 12 feet or the construction of a new space. Space to house Nascent has been searched throughout Watertown. The Watertown Development Corporation and local realtors have been used to identify property. This property is the only property currently available in Watertown that could fit these needs and could be made available to fit their schedule.

This clean room requires an addition to my property of approximately 1000 sq feet and would be attached to the rear of the building at 1404 9th Ave SW. The lot has sufficient space at the rear to build an addition that will allow construction in conformance with all set back requirements.

Nascent employs approximately 20 full time employees. They will operate during normal business hours with use limited to employees. Signage will be modest and occupy existing signage frames at the building. Operation of Nascent will not conflict or be detrimental with the neighborhood.

Sincerely,


CHARLES A REDLIN

US HWY 212 9TH AVENUE SOUTH

SITE PLAN

ADDRESS: 1404 9TH AVENUE SW WATERTOWN, SD 57201

LEGAL DESCRIPTION: THE NORTH 396' OF THE WEST 117' OF THE EAST 150' OF GOV'T LOT 3 LESS LOTS H1, H7 & H8, CITY LANDS, SEC. 1-T116N-R53W

100'

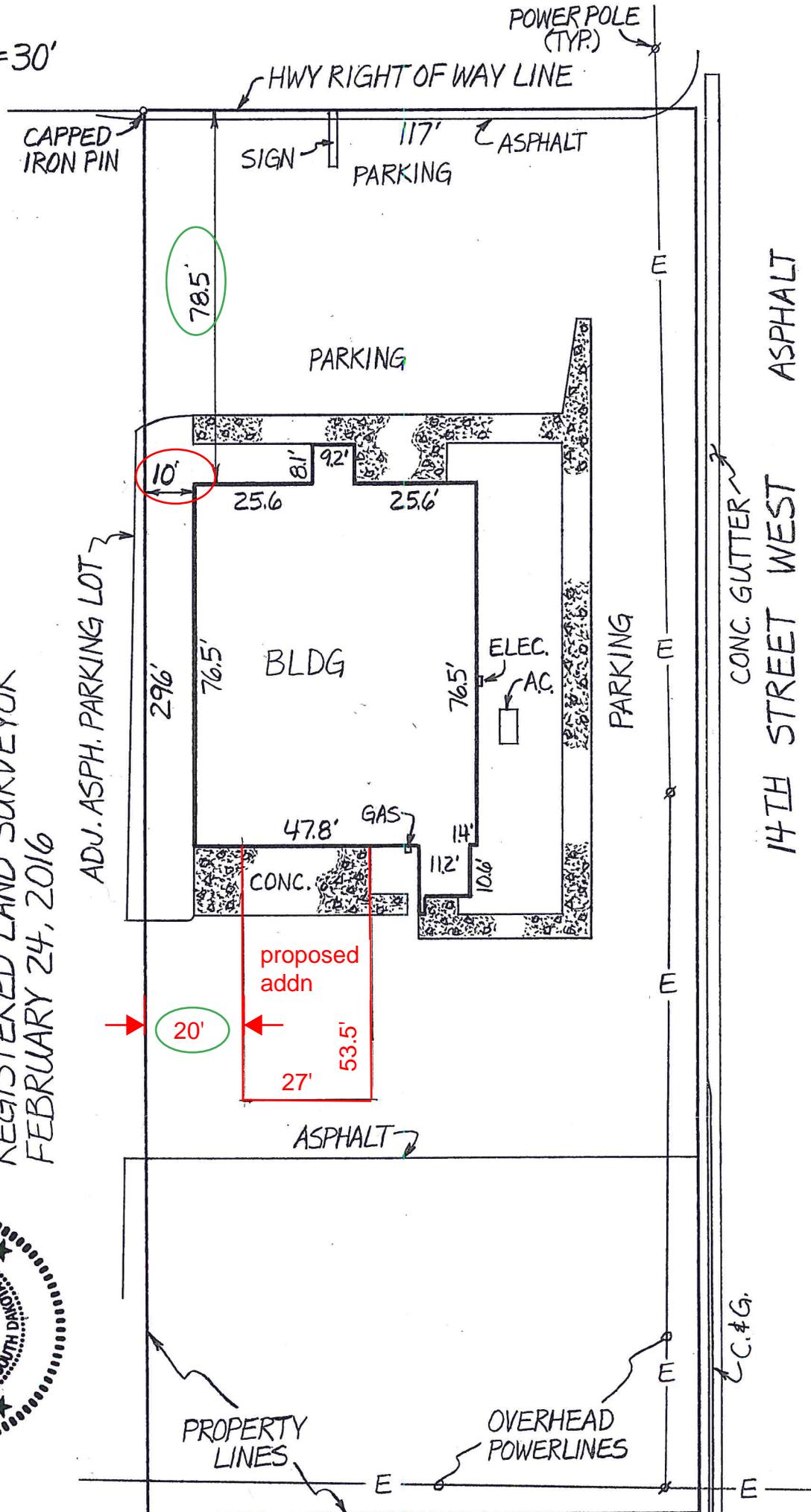
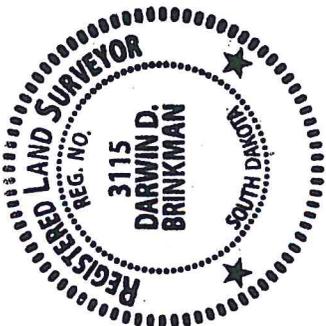
H LOTS

SCALE 1"=30'

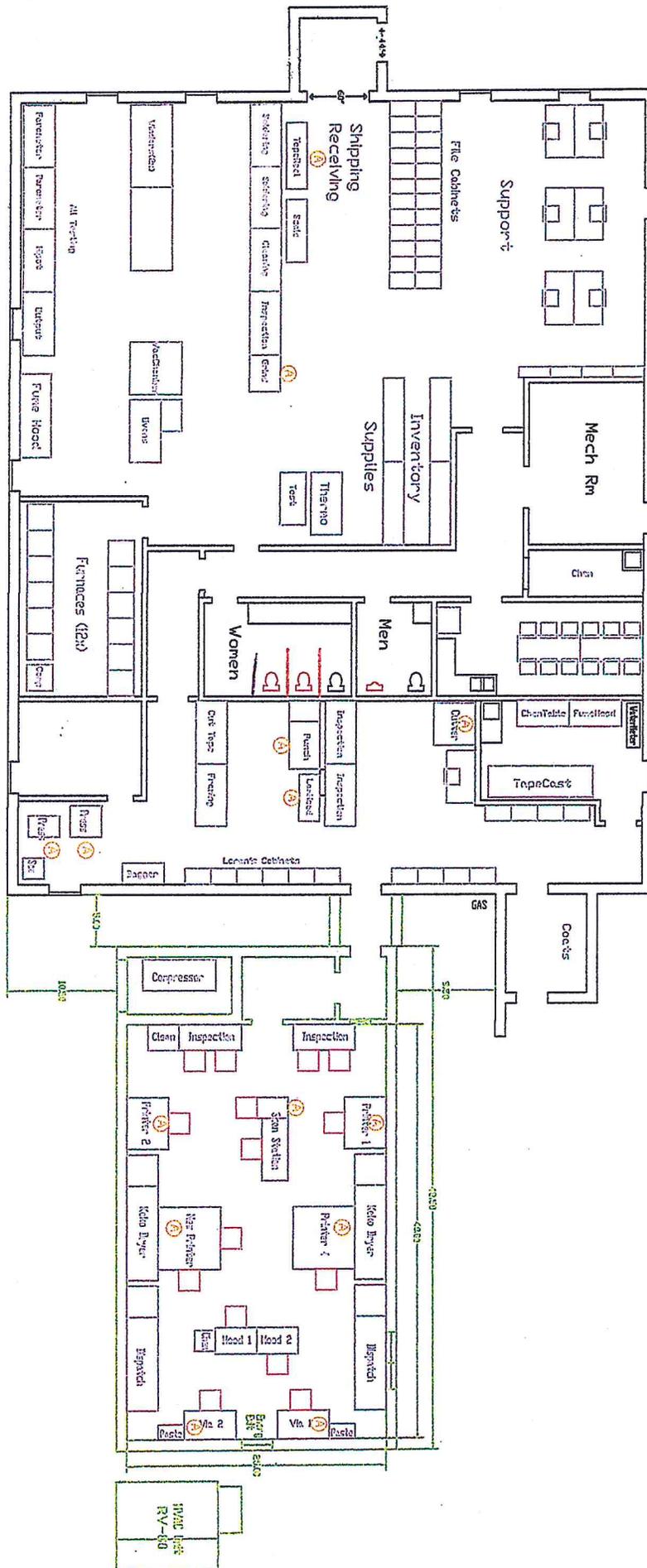
AMERICAN LEGION

SURVEYED & PREPARED BY:

Darwin D. Brinkman
REGISTERED LAND SURVEYOR
FEBRUARY 24, 2016



SITE PLAN



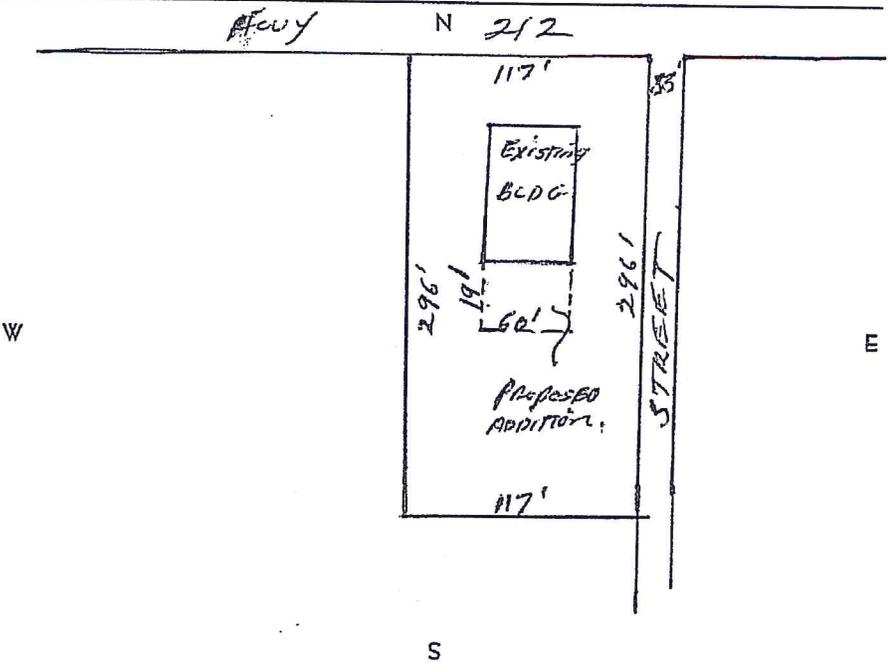
FLOOR PLAN

APPLICATION FOR BUILDING PERMIT N^o 438

GOOD FOR ONE YEAR ONLY

FOUNDATION				
Tile Walls				
Cement Block Walls				
Concrete Walls	X			
Brick Walls				
BASEMENT AREA				
(N) P F				
EXTERIOR WALLS				
Siding on Sheathing				
Single Siding				
Wood or Comp. Shingles				
Pole Building				
Stucco on Frame				
Stucco on Tile or C.B.				
Face Brick Veneer				
Face Brick on Tile or C.B.				
Common Brick Veneer				
Com. Brick on Tile or C.B.				
Asbestos Siding				
Aluminum Siding				
Steel Siding	X			
Wall Insulation	X			
Roof Insulation	X			
ROOF TYPE				
Hip (Gable) X				
Mansard Flat				
ROOFING				
Asphalt Shingle				
Wood Shingle				
Asbestos Shingle				
Slate				
Steel	X			
Pitch and Gravel				
FLOORS				
	B	1st	2nd	3rd
Cement		X		
Earth				
Pine				
Hardwood				
Plyscore				
INTERIOR FINISH				
	1st	2nd	3rd	
Pine				
Hardwood				
Plaster				
Sheet Rock 5/8" FIRE RATED				
Wall Board				
Painted				
Paneling				
Unfinished Int.				
HEATING				
Propane Units				
Steam or Vapor Units				
Hot Water				
Electric EXISTING				
Gas Furnace HEATING UNIT				
Oil Furnace				
Space Heater				
Air Conditioning				
Coal Stoker				
Gas Conversion				
No Heating System				
PLUMBING				
Bath Rooms				
St. Shower Bath Room				
Stall Shower Extra				
Toilet Rooms				
Water Closet Extra				
Lavatory Extra				
Septic Tank or Cess Pool				
Water Only				
No Plumbing				

Zone I-1 Date July 14, 1977
 Proposed Construction ADDITION TO H.S. E.S. BLDG.
 Size 19' x 60' Height _____ Lot Area _____
 House No. 400-9TH AVE. S.W. WEST HWY 212
 Description: Lot N 396' of sec 117 of E. 150' of lots see 1, 116, 53 Block _____ Addition _____
 Estimated Cost 11,400.⁰⁰ Fee 46.²⁵ Plans Filed _____
 Details not mentioned above: _____



NO PART OF STRUCTURE WILL BE NEARER THAN THE ESTABLISHED HOUSE LINE IN THE BLOCK. PROJECT MUST BE STARTED WITHIN ONE YEAR OR THIS PERMIT WILL EXPIRE.

IT IS HEREBY AGREED between the undersigned, as owner, his agent or servant, and the City of Watertown, 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 Inspector, 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, repairs, removal and safety of buildings and other structures and permanent building equipment.

Owner's Name Burton Co. Address _____
 Dated July 14, 1977. Approved by: _____
 Authorized by: Howard Leht
 Building Inspector _____
 Fire Chief _____ Members of Board of Adjustment _____

PERMIT APPROVAL

THIS PERMIT is issued with the understanding that the owner and contractor will conform to all ordinances governing such work. This permit is revokable for cause.
 Issued this 14th day of July, 1977 John D. Brueck
 City Engineer



Prairie CAR, LLC 1404 9th Ave SW



1464 9 AVE SW

14TH ST SW

912 14 ST SW

STAFF REPORT

Appeal #16570

Owner/Applicant: **Charles Redlin dba Prairie CAR, LLC**
 Property Address: **1404 9th Ave SW**
 Legal: **N396' W117' E150' Of Gov't Lot 3 less Lot H1 & Lots H7-H8, 1-116-53**

1. **Application was submitted** requesting to construct a compliant 1,444.5 sq ft addition onto an existing 4,636 sq ft nonconforming commercial building; said nonconforming structure sets:
 - **10'** from the side (west) property line, where a minimum **20'** is required.
 The addition is proposed to be constructed:
 - **20'** from the side (west) property line, where a minimum **20'** is required.
2. **Application was denied** based on the following ordinance regulations:
 - §21.0302: prohibits the alteration, modification &/or enlargement of nonconforming structures.
3. **Applicant appeals** the above (#2) requirements of the current Zoning Ordinance.

	<u>C-3 District Regulations:</u>	<u>Subject Parcel existing/proposed:</u>
Min Lot Area:	20,000 sq ft	34,632 sq ft
Min Lot Width:	100'	117'
Front / Side SBs	40' / 20'	N: 78.5' , S: 130' , E: 46.6' , W: 10'
Proposed Addn:	40' / 20'	N: NA, S: 87.5' , E:70' , W: 20'
Min Off-St Pkg (21.63):	17	compliant
Blvd Rqts (21.73):	15' grassed Blvd	N: compliant / E: 75% NONE
	2-3 blvd trees	NONE
Infr Rqts (Title 18)	4' sw/trl, c&g	NONE N: NONE / E: 25% c&g, 75% gutter only

HISTORY:

1976	no BP	??	general retail bldg
1977	BP#438	Berven Co	1140 sf addition to ASCS bldg
1994	BP#6454	Prairie Lakes Health Care System	remodeling for rehab center
1994	BP#6679	Prairie Lakes Health Care System	double wide for offices (gone)
2008	no BP	??	enclosed entry addition(s)

STAFF FINDS THAT:

(all public notice requirements have been met)

- This C-3 zoned Lot of Record is compliant in Area & Width requirements.
- The existing 4,636 sq ft structure is a nonconforming commercial building, setting **10'** from the side (west) property line, where a minimum **20'** is required.
- The proposed ~1,444.5 sq ft addition would be constructed in compliance with all current Height & Placement requirements.
- The parcel lacks standard Blvd & infrastructure requirements (Blvd grass/trees, sw/trl, c&g). This Board has the authority to require fulfillment of any/all Blvd/Infra requirements in conjunction with any structural improvements authorized by Building Permit.

See attached

Written Request, Site Plan, Floor Plan, Aerial Map, BP 438

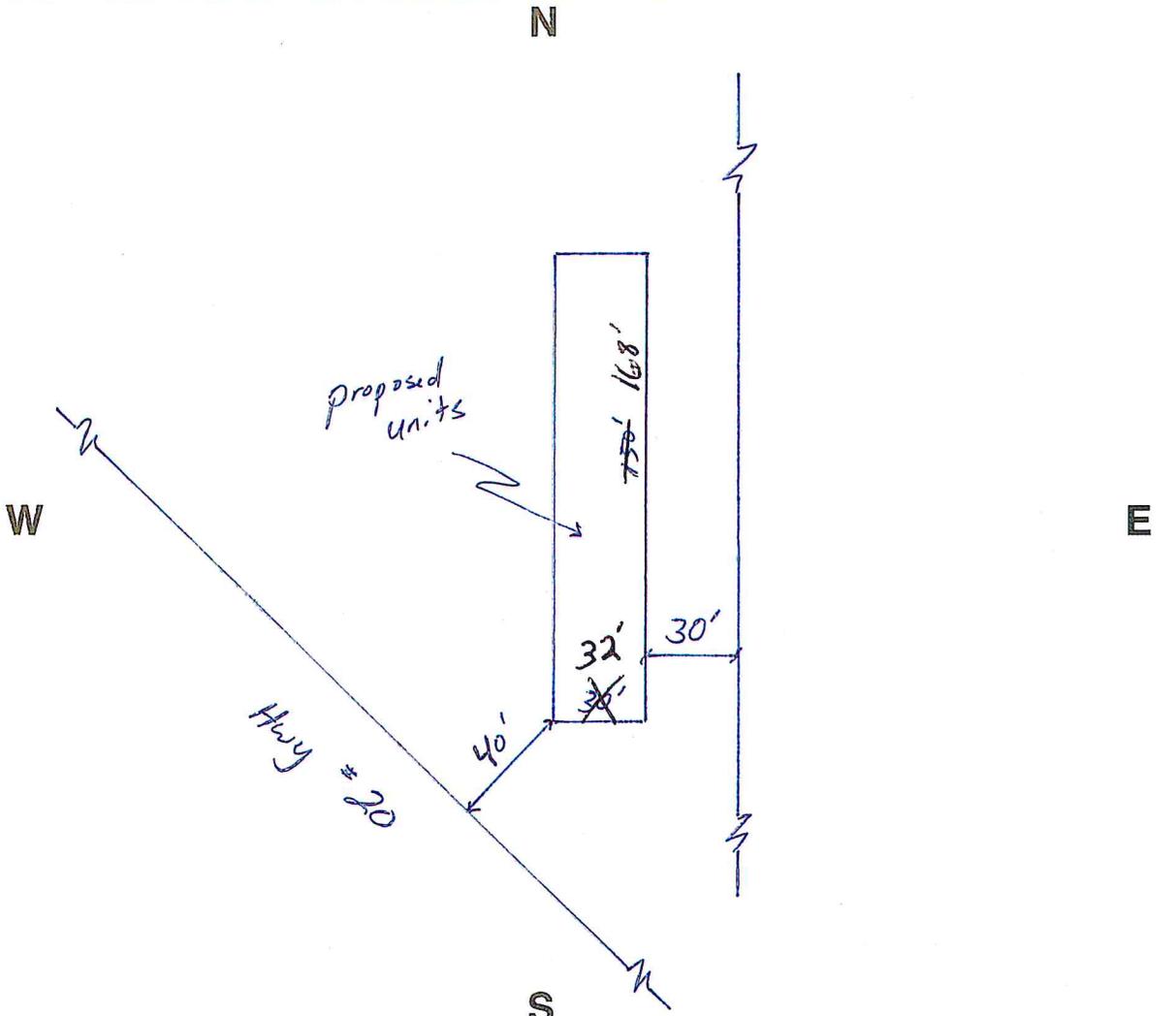
Mtg date: March 24, 2016

FOUNDATION			
Concrete Slab			
Concrete Block Walls			
Concrete Walls			
Wood Walls			
BASEMENT AREA			
N	C		
P	S		
F			
EXTERIOR WALLS			
Siding on Sheathing			
Steel Building			
Column Building			
Concrete Block Walls			
Hardboard/Cement Siding			
Vinyl Siding			
Steel Siding			
Wood 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			
Heat Pump			
Hot Water			
Electric			
Gas Furnace			
Goothermal			
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	
FLOOD HAZARD			
Floodway			
1% (100 yr.)			
.2% (500 yr.)			
Out			
Req'd Elev.			
Elev. Cert. Req'd			
Flood Proofed			
DFIRM Date			

APPLICATION FOR BUILDING PERMIT

12941

Zone C-3 Date 6/25/09, 2009
 Proposed Construction Commercial storage facilities
 Size ~~30'x150'~~ 32'x168' Sq. Ft. 4,500 ~~4,500~~ 5,376 Height 14' SWS
 Address ~~2355 N. Hwy 20~~ 2302 N. Hwy 20 Lot Area 2.67 acres ±
 Lot 2 2301 Block - Addition Strub's 2nd
 Estimated Cost _____ Fee 1000 BOA fee + 1000 BOA fee + 1000 BOA fee
 Details not mentioned above: Needs SE per § 21.1303(15) contingent upon meeting § 2302 (2)(1-8) rules for SEs; no variances requested.



→ 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, repairs, removal, and safety of buildings and other structures and permanent building equipment.

Owner R+R Holdings, LLC ~~Latka Stop 20, LLC~~
GAT, Inc. Address dba Four Seasons C-store
 By _____ PO Box 1600, WTN

Dated _____, 20____ Contractor 3/24/16 7/8/09 10/7/15

PERMIT APPROVAL

Authorized by: _____
 _____ Building Official
 _____ Fire Chief
 _____ City Engineer
 Members of Board of Adjustment

March 3, 2016

Mr. Ken Bucholz
Building Official
City of Watertown
23 Second Street NE
P.O. Box 910
Watertown, SD 57201

Dear Ken:

RE: Modification of storage shed to be built at 2301 N Highway 20

Enclosed is an updated drawing and a check for \$140.00. Per the drawing, we are changing the width of the building from 30 feet to 32 feet.

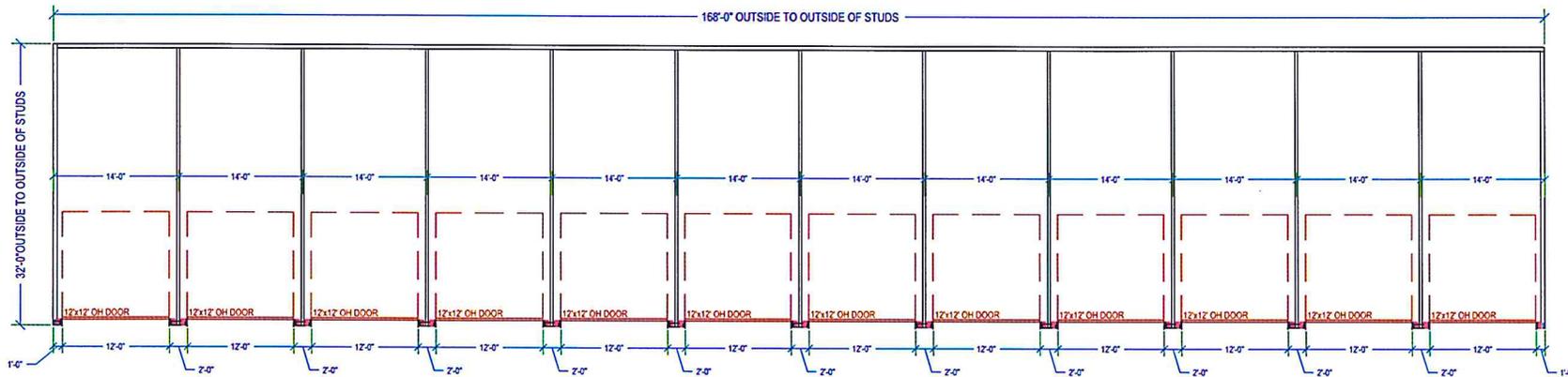
Please let me know if you have any questions.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Roby".

Donald L. Roby
57 Sunrise Drive
Watertown, SD 57201
605-753-5679 Home
605-753-5721 Fax
dlroby@iw.net



VERIFY ALL SERVICE DOOR AND WINDOW LOCATIONS WITH OWNER

- NOTES:
 1. (⊕) = BRACED PANELS
 2. COLUMNS ARE MEASURED FROM FACE OF COLUMNS TO CENTERLINE OF COLUMN (U.N.O.)

PRELIMINARY
 NOT FOR CONSTRUCTION

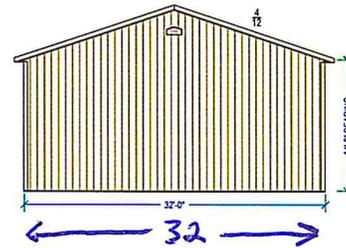
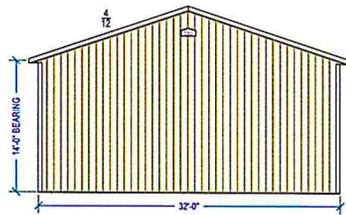
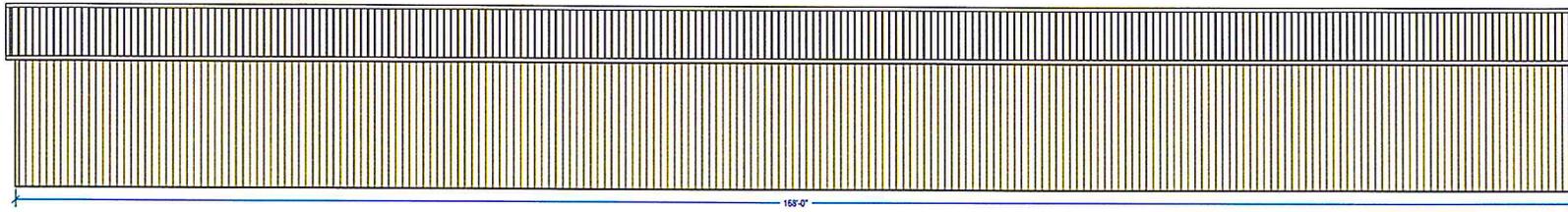
These drawings are the property of Reaves Building Systems. Any unauthorized use of the ideas and designs presented here is strictly prohibited

Don Roby 32x168x14
 Building Layout

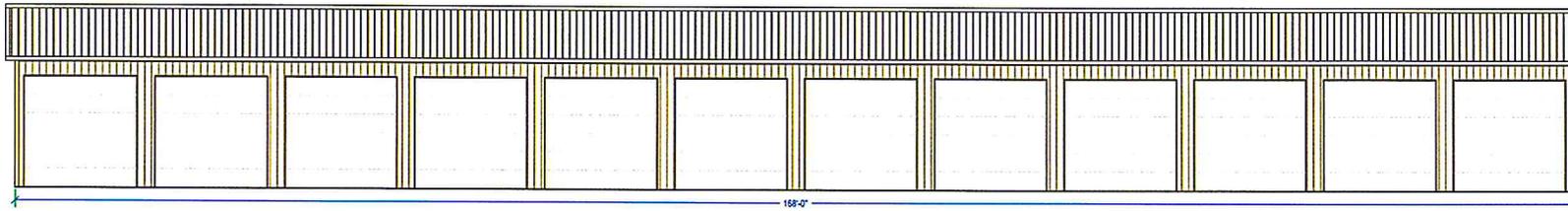


DRAWN BY:
 LANCE GARBERS
 PROJECT NUMBER:
 82072
 DATE:
 3/2/16
 JOB No.:

2
 OF
 2



6-14 →



* THIS SET OF PLANS ARE INTENDED TO BE USED BY CONTRACTORS WITH BUILDING CONSTRUCTION KNOWLEDGE.
 * REAVES BUILDINGS CAN NOT BE HELD RESPONSIBLE FOR THE MISUSE OR MISINTERPRETATION OF INFORMATION INCLUDED IN THESE DRAWINGS, OR USE OF THIS SET OF PLANS BY PEOPLE WITHOUT CONSTRUCTION KNOWLEDGE.
 * RESPONSIBILITY OF THIS SET OF PLANS IS LIMITED TO THE BUILDING DESIGN SHOWN ON THE DRAWINGS. BUILDING DESIGN IS BASED ON MEMBER, SIZE, AND LOCATION OF OPENINGS SHOWN ON THE DRAWINGS. NO RESPONSIBILITY IS ASSIGNED FOR ADDITIONAL OPENINGS NOT SHOWN OR CHANGES IN SIZE OR LOCATIONS OF OPENINGS.
 * ALL DOOR AND WINDOW OPENINGS SHOWN ON THIS SET OF PLANS ARE THE ACTUAL SIZE OF THE OPENINGS PROVIDED. IT IS THE GENERAL CONTRACTOR (IF APPLICABLE) OWNER'S RESPONSIBILITY TO VERIFY ALL LOCATIONS AND SIZES OF OPENINGS PRIOR TO CONSTRUCTION.
 * THE BUILDING IS DESIGNED USING THE ROOF AS A DIAPHRAGM TO TRANSFER SIDEWALL AND ROOF WIND LOADS TO THE END WALL SHEAR WALLS AS SHOWN. STEEL PANELS ARE AN INTEGRAL PART OF THE BUILDING STRUCTURE AND ANY FUTURE FIELD MODIFICATIONS MADE MAY BE DETRIMENTAL TO THE BUILDING'S STRUCTURAL PERFORMANCE.
 * THIS IS A STRUCTURAL FRAMING DRAWING AND IS TO BE USED FOR THAT PURPOSE ONLY. CODES REGARDING FIRE SAFETY, PERSONAL SAFETY & HAZARD ARE NOT ADDRESSED IN THIS DRAWING AND ARE THE RESPONSIBILITY OF THE OWNER.
 * THE ATTIC OF THIS STRUCTURE MUST BE PROPERLY VENTILATED. CONSULT AN HVAC ENGINEER FOR PROPER SIZING OF DAVE INLETS, RIDGE OPENINGS, END WALL COVERS, OR MECHANICAL SYSTEM. FAILURE TO PROPERLY VENTILATE THE ATTIC MAY CAUSE PARTITION TO SEPARATE AT ROOF CEILING, CONDENSATION ON ROOF MATERIALS, LARGER AIR CONDITONING LOAD, MOLD OR MILDW, CORROSION OF TRUSS PLATES, PREMATURE DEGRADATION OF STRUCTURAL BUILDING COMPONENTS.
 * THE CEILING SYSTEM PROVIDED HAS NOT BEEN DESIGNED FOR HUMAN TRAFFIC. CONTRACTORS, IT IS YOUR RESPONSIBILITY TO WARN OTHER TRADES.

* ACCORDING TO SECTION 117.4 OF THE 2008 INTERNATIONAL BUILDING CODE DRAFT STOPS ARE NORMALLY REQUIRED EVERY 3.00 SQUARE FEET. THIS STRUCTURE AS ORDERED AND SPECIFIED BY REAVES BUILDINGS AS ORDER OWNER DOES NOT MEET THIS SPECIFICATION. IT IS THE RESPONSIBILITY OF THE OWNER/GENERAL CONTRACTOR TO ENSURE THAT EITHER THE BUILDING MEETS THE EXCEPTIONS NOTED IN THIS SECTION OF THE CODE OR THEY PUT MAKE DRAFT STOPS IN THE STRUCTURE. THEY MUST FIRST ENSURE THE EXTRA WEIGHT DOES NOT EFFECT THE STRUCTURAL INTEGRITY OF THE BUILDING.
 * IF STEEL PACKAGE IS NOT TO BE USED IMMEDIATELY, STORE IN DRY AREA. MOISTURE FROM RAIN OR CONDENSATION TRAPPED BETWEEN SHEETS MAY CAUSE "WATER STAIN". IF MATERIAL MUST BE STORED OUTSIDE, PROTECT WITH CANVAS OR WATERPROOF PAPER. IF PLASTIC IS USED, DO NOT COVER AIR TIGHT. SHOULD PANELS BECOME WET, SEPARATE THEM BY PUTTING DYKES BETWEEN EACH SHEET AND EVALUATE ONE END IF OR STAND SHEETS ON END AGAINST WALL AND FAN THEM OUT TO ALLOW AIR CIRCULATION. AVOID STORING NEAR ALKALINE METALS SUCH AS FERTILIZERS, CEMENT, LIME, SALT, ETC. THESE INSTRUCTIONS APPLY TO ALUM. OR STEEL. WHETHER PAINTED OR UNPAINTED.
 * CAUTION: THE ENVIRONMENT IN WHICH THE ROOF STEEL IS BEING USED IS A CORROSIVE ENVIRONMENT. THERE IS NO WARRANTY ON EITHER THE PAINT SYSTEM OF THE ROOF STEEL DUE TO THIS CORROSIVE ENVIRONMENT. THE MATERIAL USED FOR THE ROOF STEEL IS A PRIME 28 GA. OR 26 GA. STEEL. GRADE 55.
 * IF THE ENVIRONMENT THE ENGINEERED WOOD TRUSSES ARE TO BE PLACED WITHIN THIS STRUCTURE HAS THE POTENTIAL TO BE HIGH MOISTURE AND CORROSIVE ATMOOSPHERE IT IS HIGHLY RECOMMENDED TO USE ADDITIONAL PROTECTION FOR THE TRUSS GUESTS' PLATES. PLEASE REFER TO SECTION 8.2.2 OF ANSI TP-188 FOR DETAILS OF ADDITIONAL PROTECTION. IN ADT ON THE STRUCTURAL WOOD MEMBERS SHOULD NOT BE SUBJECT TO AIR MOISTURE LEVELS SUCH THAT THE MOISTURE CONTENT OF THE WOOD MEMBERS EXCEEDS 18%.

BUILDING SIZE:	32x168
CEILING HEIGHT:	14
SERVICE DOOR:	N/A
WINDOW SIZE:	N/A
ROOF PITCH:	4/12
TRIM COLOR:	BURNISHED SLATE
ROOF COLOR:	BURNISHED SLATE
WAINSCOT COLOR:	N/A
WALL COLOR:	CLAY MIST

(COLORS SHOWN ON PLANS MAY VARY SLIGHTLY FROM COLORS RECEIVED)

**PRELIMINARY
NOT FOR CONSTRUCTION**

These drawings are the property of
Reaves Building Systems. Any
unauthorized use of the ideas and designs
presented here is strictly prohibited

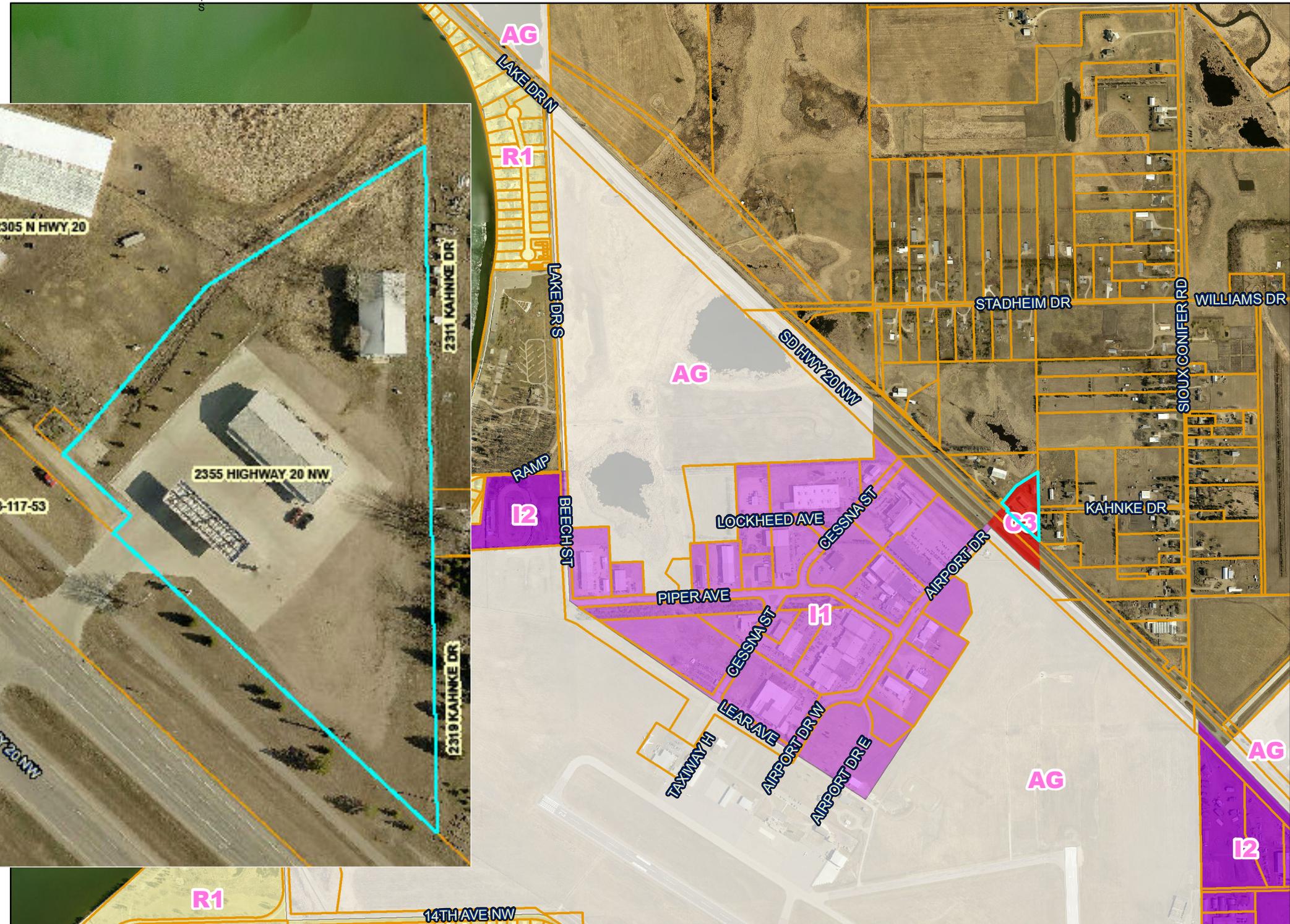
Don Roby 32x168x14 Building Elevations



DRAWN BY:
LANCE GARBERS
PROJECT NUMBER:
82072
DATE:
3/2/16
JOB No.:



R&R Holdings, LLC 2301 (& 2355) N Hwy 20



**OFFICIAL PROCEEDINGS
BOARD OF ADJUSTMENT
CITY OF WATERTOWN, SD**

October 7, 2015

The Board discussed: lifting the house provides the opportunity to adjust the position of the 26' wide structure to more comply with current Height & Placement Requirements, and constructing the decking (on the east side) at ground level relieves the structure of any setback issues; furthermore, the garage could be constructed deeper to compensate for a completely compliant 24' width instead of the proposed 28'. Stein motioned to reposition the house so as to be centered on the lot; no raised decking in the Required Side Yard (setback); and center the garage (26' wide max) leaving 5.5' on either side of driveway for grassed/treed Blvd; Arnold seconded and motion carried unanimously.

OLD BUSINESS:

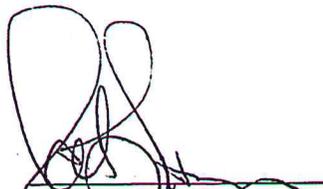
**Conditional Use (fka Special Exception) Application No. 12941
owner: R&R Holdings, LLC dba Lake Stop 20, LLC (former owner/applicant: GAT dba
Four Seasons Quick Stop) seeks final decision**

This Board held public hearing on 7/8/2009 to consider granting Special Exception for the construction of *commercial storage facilities @ 2355 Hwy 20 NW*, in the C-3 Highway Commercial District, per §21.1303(15); said decision was postponed pending an hydrology report. Don Roby (R&R Holdings, LLC dba Lake Stop 20, LLC) now returns to the BOA seeking final decision on permit #12941. A last minute revised Site Plan with elevations was distributed to the Board at the meeting, showing a longer / taller building than originally proposed (fewer units, but larger), and security lighting on both ends. Roby hand-delivered a Notice to Adjacent Landowner letter to each adjacent landowner as notification of this meeting. Stein motioned to approve; MaGuire seconded, and motion carried unanimously.

**Conditional Use Application No. 16155
Building Official seeks reconsideration of condition(s)**

This Board granted Conditional Use on 6/18/2015 to allow for the construction of a storage building @ 446 10th Ave NE, conditional to successful rezoning of the parcel from R-3 Multi-Family Residential to R-G Residential Garage District. Due to his absence at the original hearing, Building Official now seeks reconsideration of this condition required for permit #16155, as he feels it restricts the use of the property for better future development (e.g. multi-family housing). Arnold motioned to approve, Stein seconded, and motion carried unanimously.

Stein motioned to adjourn, Dahle seconded, and motion carried unanimously.


Pat Shriver, Chairman

FOUNDATION

Concrete Slab	
Concrete Block Walls	
Concrete Walls	
Wood Walls	

APPLICATION FOR BUILDING PERMIT

12941

Zone C-3 Date _____, 20__

Proposed Construction Commercial Storage facilities

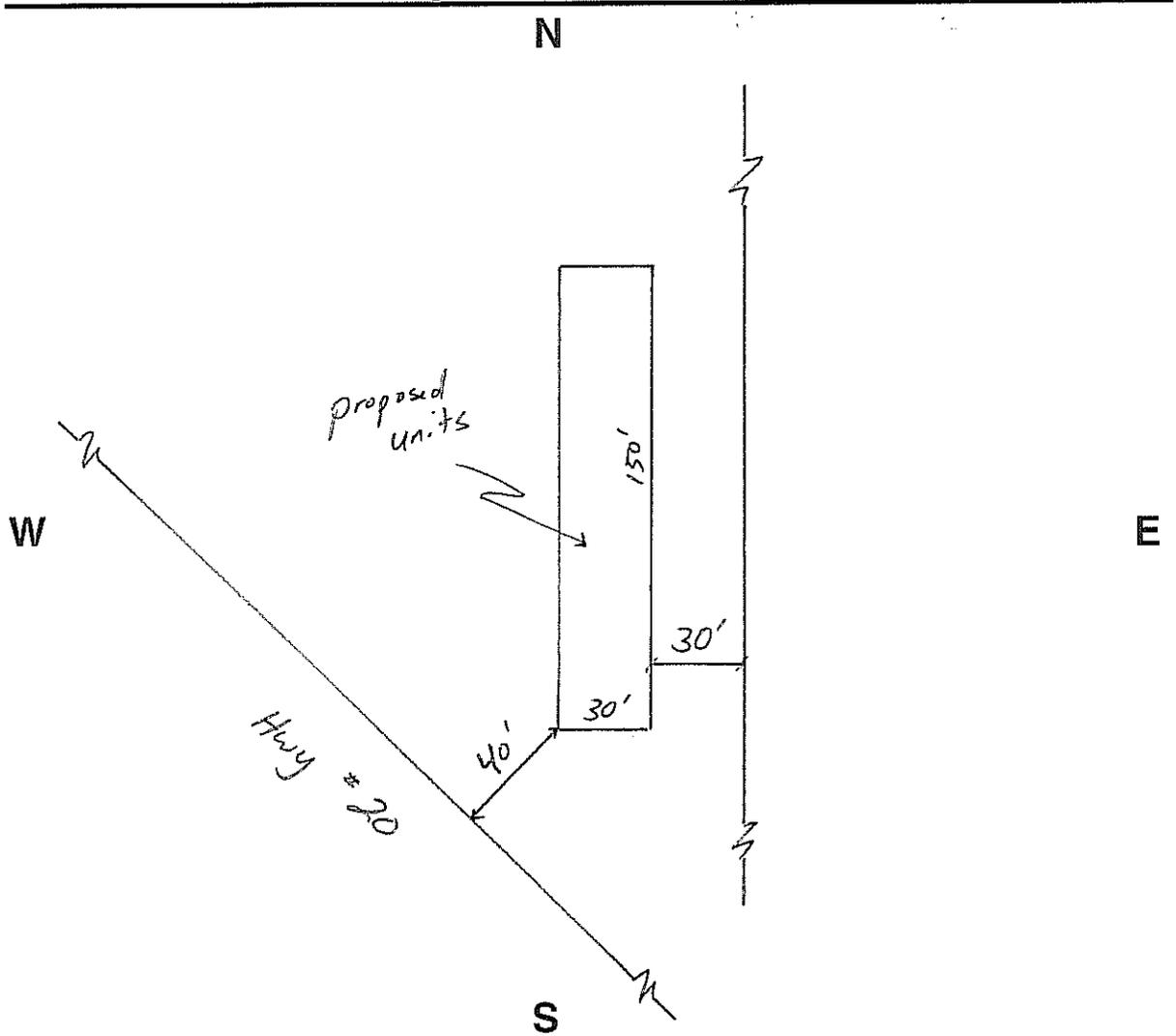
Size 30'x150' Sq. Ft. 4,500^{sq} Height _____

Address 2355 Hwy 20 NW Lot Area 2.67 acres ±

Lot 2 Block - Addition Strub's 2nd

Estimated Cost _____ Fee +100^{sq} BOA fee PL Plans Filed X

Details not mentioned above: Needs SE per § 21.1303 (15) contingent upon meeting § 2302 (2/1-8) rules for SEs; no variances requested.



→ **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, repairs, removal, and safety of buildings and other structures and permanent building equipment.

Owner GAT, Inc. Address dba Four Seasons C-store

By _____ PO Box 1600, WTN

Dated _____, 20__ Contractor _____

PERMIT APPROVAL

Authorized by: _____ Members of Board of Adjustment

_____ Building Official

_____ Fire Chief

_____ City Engineer

7/8/09

BASEMENT AREA

N C P S F

EXTERIOR WALLS

Siding on Sheathing	
Steel Building	
Column Building	
Concrete Block Walls	
Hardboard/Cement Siding	
Vinyl Siding	
Steel Siding	
Wood 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	
Heat Pump	
Hot Water	
Electric	
Gas Furnace	
Geothermal	
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

FLOOD HAZARD

Floodway	
1% (100 yr.)	
.2% (500 yr.)	
Out	
Req'd Elev.	
Elev. Cert. Req'd	
Flood Proofed	
DFIRM Date	

June 15, 2009

HAND DELIVERED

Codington County Board of Adjustment
Watertown, SD 57201

Re: Application for Special Exception - Commercial Storage
GAT, Inc., d/b/a Four Seasons Convenience Store
Address: 2301 Hwy 20 NW, Watertown, SD 57201
Legal Description: Lot No. 2 of the Plat Entitled: "Strub's
Second Addition" in Section 23, Township 117, Range 53

To Whom It May Concern:

GAT, Inc., d/b/a Four Seasons Convenience Store, hereby makes application for a special exception for the purposes of constructing commercial storage units.

The proposed storage units would be constructed on the east side of the existing property, currently the site of Four Seasons Quick Stop Convenience Store. Ingress and egress to the storage units would be the same as ingress and egress to the existing convenience store. It is anticipated that the amount of traffic would increase only minimally from the amount of the existing traffic.

All storage would be enclosed. There will be no parking outside of the storage units and it will be impermissible to leave items or property outside of the storage units.

The storage units will be managed by the manager of the convenience store and all refuse containers are located behind the convenience store.

With regard to utilities, it will be necessary to have electricity for security lighting only. The individual units will not be heated nor will they have electrical outlets inside of the individual units.

It is not anticipated that any additional signs will be constructed. The proposed exterior lighting will be shoe box lighting to prevent any glare.

Thank you for your consideration.

Scott Reichling
General Manager

TJC/bae

Staff Report
APPLICATION FOR BUILDING PERMIT #12941

Applicant: **GAT, Inc** **Scott Reichling 868-0168**
Address: 2355 Hwy 20 NW
Legal: Lot 2, Strub's 2nd Addn, (23-117-53)
Purpose: commercial storage facilities

	C3 min Req's	Existing & Proposed	Meets Req's:
Area	20,000 sq ft	>80,000 sq ft	x
Width	100'	479.68'	x
Front	40'	S: 40'	x
Side	20'	E: 30'	x
Rear	30'	N: >40'	x

ADJACENT ZONING: N, W & E County, SW II & A1

SPECIAL EXCEPTION REQUESTED:

for commercial storage facilities in a C-3 zone per §21.1303(15) contingent upon meeting §21.2302(2f1-8) specific rules governing special exceptions including but not limited to: ingress/egress, parking & loading, service areas, utilities, screening, signage, setbacks, & general area compatibility.

STAFF REVIEW:

- Applicant requests review of S.E. site plan and approval to add a commercial storage facility
- On 9-16-05 BOA granted Special Exception for BP #10990 for Bar /Tavern/Casino & C-Store the applicant is now before the board to request Special Exception approval to construct a 30' x 150' commercial storage structure that meets all setback requirements, contingent upon being satisfied with the provisions of §21.2302(2f1-8).
- The proposed storage will have access to both sides there are 14 bays proposed to westly direction and 9 to the easterly side applicant has been advised paved surface is required for all access.
- Applicant advises shoe box style lighting will be used.
- The applicant has been requested to provide verification that the current retention pond is adaqatly sized to contain the additional drainge due to additional structure and surfacing and may require modification if it is not adaqate.

App/agent attending? yes/no

Public Notice: Watertown Public Opinion on 6/27/09
Adjacent Landowners Requiring Notification = 6
Sender's receipts: _____ Green cards: _____,

Community input:

6-30 I was contacted by Wurth Electronics Midcom wanting to know the scope of the project no additional comments were made.

**Staff Report for
Original 2009 BP**

**OFFICIAL PROCEEDINGS
BOARD OF ADJUSTMENT
CITY OF WATERTOWN, SD**

July 8, 2009

Present: Danforth, Pellish, Bassingthwaite, Wilkins, Givens, & Oletzke

Also Present: Ken Bucholz, Rick Schlechter, Jill Steiner, Stanton Fox, Dave Petersen, Sarah Caron, Todd Kays, Mark Meier, Anita Bohn, Nancy York, Cindy Herding, & others

The Board of Adjustment convened at approximately 12:15 PM, in the Council Chambers, City Hall, 23 2nd Street NE; Brian Pellish, Acting Chairman, presiding.

Motion to approve the 6/18/09 minutes by Bassingthwaite, seconded by Givens, motion carried unanimously.

Public Hearing: Application No. 12944 by Peggy Namken at 7 3rd Ave NE; requests special exception for extension of R-3 district regulations per §21.0505(8) contingent upon meeting §21.2302(2f1-8); and variances from §21.2001 &/or §21.2002 Height & Placement Regulations, §21.0302 prohibiting the creation of nonconforming structures, §21.2104 obligation to maintain required yards, §21.2106 off-street parking, and §21.2102 restrictions governing the allocation & disposition of required yards & open space

Applicant requests to extend the R3 zoning 50' south into a parcel with mixed zoning of R3/C3, in order to move in a used 16' x 24' single stall garage (residential accessory structure), and place it 6.67' from the east and 9' from the west lot lines. The old garage has been removed; the proposed garage would be accessed by a 10' recorded easement along the west side of the property. A 300' radius petition approving the used structure is on file. Danforth motioned to approve, Oletzke seconded and motion carried unanimously.

Public Hearing: Application No. 12941 by GAT, Inc at 2355 Hwy 20 NW; requests special exception for commercial storage facilities in a C-3 zone per §21.1303(15) contingent upon meeting §21.2302(2f1-8) specific rules governing special exceptions

Applicant requests site plan review and approval to construct a 30' x 150' commercial storage structure that meets all setback requirements. The proposed will have storage access on both sides, 14 bays to the west and 9 to the easterly side with paved surfacing required for all access, and shoe box style lighting will be used. Tim Cummings, part owner, spoke against being required to pave on the east side due to cost, preferring to use gravel; staff advised that there are better alternatives to gravel. Earl McBride & Mark Arnold, adjacent landowners, voiced issues with existing and further drainage problems from water that has been directed off of GAT property onto theirs, along with current lack of weed & rodent control, poor lawn maintenance, & lack of compliance with the original special exception requirements for the initial construction of the C-Store. Scott Engineering has advised that capacity of the retention pond needs to be increased. Danforth motioned to close the public meeting and defer decision pending an hydrology report; Givens seconded, and motion carried unanimously.

Public Hearing: Application No. 12942 by David Pester at 1716 W Kemp; requests variances from §21.2001 Height & Placement Regulations; §21.0302 prohibiting the creation & enlargement of nonconforming structures; §21.2104 No adjacent open space shall be used to satisfy any required yard (setback) for any other structure...; and §21.2102 restrictions governing the allocation & disposition of required yards & open space

Variance request was submitted for a 28'x30' addition to be constructed onto an existing 26'x28' attached garage, 7.7' from the side (west) lot line. BP #8241 was issued, without board approval, for the original single family dwelling with attached garage, allowing it to be built 7' from the west property line due to a 30' private utility easement running thru east side of the property. Danforth motioned to approve contingent on Waiver of Right to Protest curb/gutter and sidewalks & Development Lot Agreement; Oletzke seconded the motion and motion carried unanimously.

Public Hearing: Application No. 12943 by Doug Heaton at 710 Arrow Ave NE; requests variances from §21.50 Subdivision of Land; §21.0403 No conforming premises shall ever be changed back so as to be nonconforming; §21.2001 Height & Placement Regulations; §21.0302 Application & Scope of Regulations; and §21.2102 max one attached garage

Application was submitted for property subdivision to allow for the creation of a new single family dwelling property via construction of an addition onto an existing accessory structure (pole building);

**OFFICIAL PROCEEDINGS
BOARD OF ADJUSTMENT
CITY OF WATERTOWN, SD**

September 16, 2005

Present: Brandriet, Danforth, Pellish, Shriver, Wilson, Branhan

Also Present: Rick Schlechter, Ken Bucholz, Jill Steiner, Herb Blomquist, Stanton Fox, Shane Andresen, Geoff Heig, Todd Kays & others

The Board of Adjustment convened at approximately 12:15 PM, in the Council Chambers, City Hall, 23 2nd Street NE; Brian Pellish, Acting Chairman presiding.

Public Hearing: Application No. 10989 by Julie Mielitz at 304 2nd Ave SE; Requests special exception for home occupation of a day care facility in an R-2 zone §21.0803(1), §21.0703(1)(5)

Eugene Mielitz represented his wife, Julie, in their request to operate a registered day care facility in their home, for 12 children. They have been operating at this location for 5.5 years; a recent application, to remodel their attached garage into additional living space for the day care, triggered the need for formal BOA approval of the home occupation. Topics such as parking & percentage of home used for the business were addressed. Motion by Danforth to approve the application as requested, seconded by Shriver; motion carried unanimously.

Public Hearing: Application No. 10984 by Lonnie & Pamela Davis at 107 11th St NE; Request variance from side yard setback requirements §21.2001

Application was submitted for building a 30'x 807' commercial storage facility 14' from the north lot line. Special exception use for commercial storage facilities was approved in October 2004 for the entire LP Addition, with the understanding that each subsequent building would need to come back to the Board for any variance requests. Phyllis Stromseth & Dave McElhany spoke in opposition to the variance citing drainage, traffic flow, & length of the building as issues. Lonnie Davis and his attorney, Tim Cummings, reasoned that the need for the variance was for maneuvering semi-tractor/trailers around the property. Herb Blomquist noted that semis can be backed into the property, as is the case with most other commercial properties. Motion by Brandriet to approve the application as requested, seconded by Shriver; Shriver in favor, 5 opposed, motion did not carry.

Public Hearing: Application No. 10990 by Pete Bludorn dba GAT, Inc at 2355 Hwy 20 NW; Requests special exception for Bar/Tavern (casino) in a C-3 zone §21.1303(3)

The applicant requests to operate a casino in the new convenience store under construction at 2355 Hwy 20 NW. Special exception for bar/tavern use was previously denied for this property on 7/7/2004. Staff confirms that there is adequate parking area, and suggests that the Board prohibit blinking lights. Mark Arnold & Earl McBride, adjacent landowners, opposed the use citing drainage, lighting, and bike trail safety as issues. Mr. Bludorn confirmed that there will be no flashing lights, and pine trees will be planted to screen residential neighbors. Danforth motioned to approve, Shriver seconded the motion, and motion carried unanimously.

Public Hearing: Application No. 10982 by Doug & Greg Hoftiezer at 180&184 4th St NE; Request variances from side & rear yard setback requirements §21.2001, Landscape and Lighting Standards §21.2114, and off street parking requirements §21.2106

Application was submitted for constructing a 4,116 sq ft commercial building 18'4" from the east (rear) and 10' from the north (side) lot lines, on a 20,250 sq ft lot. Anthony Grieshaber, Teresa Grieshaber, & Preston Hoss, adjacent landowners, spoke in opposition of this request, and contend that noise, lights, fire safety, traffic flow, garbage/vermin/odors, etc... will affect property values and result in a reduction in overall quality of life for the neighborhood. They also voiced concerns over building size, parking, greenway, & trees. Greg Hoftiezer explained that the plan is for Dagwood Subs restaurant (with a pick-up window) to occupy the south part of the building and the north end is to be office space. Staff confirmed that the site plan meets parking requirements. Hoftiezer stated that the reason for the size of the building, hence the variance request, is economics. Shriver motioned to approve, Danforth seconded the motion, all opposed, motion did not carry.

Danforth motioned to adjourn, Brandriet seconded the motion, motion carried.

Brian Pellish, Acting Chairman

APPLICATION FOR BUILDING PERMIT 10881

FOUNDATION

Concrete Slab	<input checked="" type="checkbox"/>
Concrete Block Walls	
Concrete Walls	
Wood Walls	

BASEMENT AREA

P F

EXTERIOR WALLS

Siding on Sheathing	<input checked="" type="checkbox"/>
Single Siding	
Double Wall	
Steel Building	
Column Building	<input checked="" type="checkbox"/>
Concrete Block	
Face Brick Veneer	<input checked="" type="checkbox"/>
Face Brick on C.B.	
Hardboard Siding	
Vinyl Siding	
Steel Siding	<input checked="" type="checkbox"/>
Wood Siding	
Wall Insulation	<input checked="" type="checkbox"/>
Roof Insulation	<input checked="" type="checkbox"/>

ROOF TYPE

Hip	Gable	<input checked="" type="checkbox"/>
Mansard	Flat	

ROOFING

Asphalt Shingle	
Wood Shingle	
Membrane Roof	
Concrete	
Steel	<input checked="" type="checkbox"/>
Pitch and Gravel	

FLOORS

	B	1st	2nd
Concrete	<input checked="" type="checkbox"/>		
Earth			
Gravel			
Plyscore			

INTERIOR FINISH

	B	1st	2nd
Wood			
Concrete Block			
Steel			
Sheet Rock		<input checked="" type="checkbox"/>	
Type X Sheetrock			
Painted			
Paneling			
Unfinished Int.			

HEATING

Solar	
Heat Pump	
Hot Water	
Electric	
Gas Furnace	<input checked="" type="checkbox"/>
Oil Furnace	
Geothermal	
Air Conditioning	<input checked="" type="checkbox"/>
Fireplace	
Wood Stove	
No Heating System	

PLUMBING

	B	1st	2nd
Rough In			
Bath Rooms		<input checked="" type="checkbox"/>	
Kitchen		<input checked="" type="checkbox"/>	
Laundry			
No Plumbing			

LANDSCAPING

Grass Blvd/Trees	<input checked="" type="checkbox"/>
------------------	-------------------------------------

Zone C-3 Date 6-28, 2005

Proposed Construction C-STORE

Size 42x100 Sq. Ft. 4200 Height _____

Address ~~5920 9th Ave SW~~ 2355 Highway 20 NW Lot Area _____

Lot 2 (25-117-53) Block _____ Addition Strub's 2nd

Estimated Cost \$750,000 Fee 1007⁵⁰ Plans Filed

Details not mentioned above: Per Shell - 1' Acc Site Work - 1' Improvements
Addition Building into Area Regional

SITE ATTACHED

W

E

ADA Compliance Req'd
Public Team Signage Req'd

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, repairs, removal, and safety of buildings and other structures and permanent building equipment.

Owner (David) GAT INC; Pete BLUEPORN Address 5920 9th Ave SW

By [Signature] 881-4236 WTN, S.D

Dated _____, 20____ Contractor Morton Building

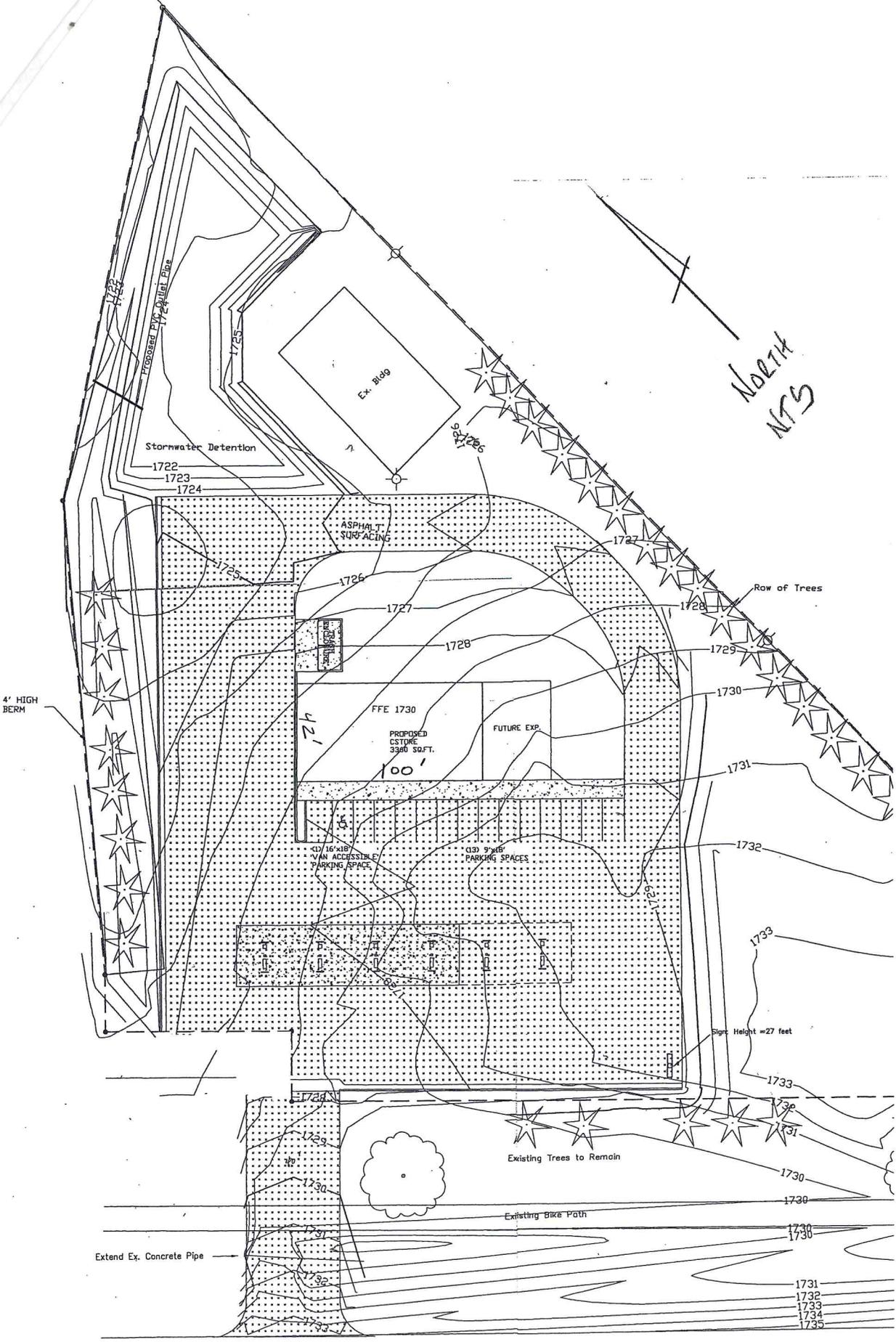
PERMIT APPROVAL

Authorized by:
[Signature] Building Official

Fire Chief

City Engineer

Members of Board of Adjustment
KOC -
SIW -
Purd - Redington
HUAC -
KECC -



NORTH
 NTS

4' HIGH BERM

Extend Ex. Concrete Pipe

1731
 1732
 1733
 1734
 1735

**OFFICIAL PROCEEDINGS
BOARD OF ADJUSTMENT
CITY OF WATERTOWN, SD**

July 7, 2004

The Board of Adjustment convened in special meeting at 12:15 PM in the Council Chambers, City Hall, 23 2nd Street NE. Bruce Buhler presiding. In attendance: Buhler, Brandriet, Pellish, Redlin, Roby, Shriver and Mahowald. Also in attendance were Rick Schlechter, City Attorney Stanton Fox, Dave Petersen, Herb Blomquist, Mike Rye, Alderman Larry Wilson and other City Officials.

Public hearing: Application No. 10360 by Louise Lenz located at 14 21st Street SW for Lots 120-124 of Way's Addition which needs a variance for front yard setback. Motion was made by Pellish, seconded by Roby, to open the public hearing. All voted unanimously. Motion carried. Rick Schlechter spoke on the Ordinance No. 21.2001(1) for a front yard setback. Mrs. Lenz was in attendance. Mrs. Lenz wants to add a front porch onto the existing house which will encroach into the required front yard setback of 25 feet by 7 feet. Diane Ristvedt, neighbor, spoke in favor of this variance. Motion was made by Roby, seconded by Shriver, to close the public hearing. All voted unanimously. Motion carried. Motion was made by Roby, seconded by Redlin, to approve Application No. 10360 by Louise Lenz for the variance for a front yard setback. All voted unanimously. Motion carried.

Public hearing: Application No. 10361 by John & Jackie Anderson located at 754 North Lake Drive for Lots 7 and N1/2 of Lot 6 Belk's West Shore which needs a variance from the ordinance prohibiting the use of accessory structure for residential dwelling purposes. Motion was made by Redlin, seconded by Brandriet, to open the public hearing. All voted unanimously. Motion carried. Rick Schlechter, Planning and Zoning Official, spoke on Mr. Anderson's application. Mr. Anderson wants to build a 30 x 36 foot accessory structure that will serve the combined use of a single stall garage and a space that will include a kitchen, living room, bathroom, and game room for entertainment purposes only. Motion was made by Roby, seconded by Brandriet, to close the public hearing. All voted unanimously. Motion carried. Motion was made by Roby, seconded by Mahowald, to approve Application No. 10361 by John & Jackie Anderson for a variance prohibiting the use of accessory structure for residential dwelling purposes. Voting in favor of the motion were Roby, Shriver, Mahowald & Brandriet. Voting against the motion were Pellish, Buhler and Redlin. Motion denied.

Public hearing: GAT, Inc., located at Lot 2, Strub's 2nd Addition in Section 23-117-53 for a special exception in a C-3 Highway Commercial zone and storage of potential groundwater contaminants in Zone B of aquifer protection overlay district. Motion was made by Redlin, seconded by Pellish, to open the public hearing. All voted unanimously. Motion carried. Rick Schlechter spoke on this piece of parcel which is located on Highway 20 across from the Airport driveway entrance. There is 2.6 acres of land which is triangular shaped which is annexed into the City. This structure will be 80 x 42 or 35,000 square feet with 17 spaces required and 19 spaces available.

Much discussion centered on groundwater quality, DENR's requirements and standards for underground storage tank installation, and the need for contingency plans in the event of a spill by a fuel transport or convenience store customer. Mark Arnold, Earl McBride, Lowell Barrett and Larry Redlin spoke in opposition to this special exception with regard to potential adverse affects to property values, potential impacts to the ground water supply for their private wells, increased traffic and noise, the presence of liquor and casino at the site, and pedestrian safety relative to the bikepath. Mr. Milo Olson from O'Day Equipment spoke on the underground fuel tanks and their safety. A DENR permit for the installation of the underground fuel storage tanks has not yet been acquired. Bert Magstadt of the Municipal Utilities advised the Board on the proximity of the proposed underground fuel storage to the water supply for the City. Mr. Magstadt indicated that the Municipal Utilities could not support underground fuel storage tanks being located that near to such a critical public resource. Hours of operation will be 24 hours, 7 days a week. Motion was made by Roby, seconded by Brandriet, to close the public hearing. All voted unanimously. Motion carried. Motion was made Mahowald, seconded by Roby, to approve the special exception for bar/tavern in C-3 Highway Commercial zone. Voting in favor of the motion were Roby, Shriver, Buhler, Mahowald. Voting no were Pellish, Redlin and Brandriet. Motion denied. Motion was made by Pellish, seconded by Brandriet, to deny the request for storage of potential groundwater contaminants of Zone B of Aquifer Protection District. Voting in favor of the motion were Roby, Shriver, Pellish, Shriver, Redlin and Brandriet. Voting no were Mahowald. Motion denied was approved.

Motion was made by Roby, seconded by Mahowald, to adjourn. All voted unanimously. Motion carried.

Bruce Buhler, Chairman

Deb Ruhr

STAFF REPORT
Conditional Use Application #12941

Owner/Applicant: **R&R Holdings, LLC**
Property Address: **2301 N Hwy 20**
Legal: **Lot 2, Strub's 2nd Addition**

Conditional Use Request:

Applicant seeks approval of modifications to a Site Plan for a previously approved Conditional Use; contingent upon compliance with:

- *Specific Rules Governing Conditional Uses* including but not limited to §21.0202(2b6a-h);
- *Definition*; and
- Any other conditions the Board of Adjustment deems necessary.

	<u>C-3 District Regulations:</u>	<u>Subject Parcel:</u>
Min Lot Area:	20,000 sq ft	2.67 Acres
Min Lot Width:	100'	479.68'
Front/side/rear SBs:	40'/20'/30'	40'/ 30'/>40'
Bldg Rqts (21.73):	15' grass w/9-10 trees	will comply
Infr Rqts (Title 18):	sw/trl, c&g	trail exists / rural rd
Off-street pkg (OSP) (21.63):	12 OSPS	compliant

HISTORY:

10394	2004	GAT, Inc	Special Exception (SE) for Bar/Tavern	BOA denied	7/7/04
10881	2005	GAT, Inc	convenience Store		
10990	2006	GAT, Inc	SE for Bar/Tavern/Casino	BOA approved	9/16/05
12941	2009	GAT, Inc	commercial Storage facilities	BOA Tabled*	7/8/09
	2015	R&R Holdings, LLC	" (aka Storage Units)	BOA approved	10/7/15

*pending satisfactory hydrology study

STAFF FINDS THAT:

(all public notice requirements have been met)

R&R Holdings, LLC seeks approval of modifications to a Site Plan for a previously approved Conditional Use (fka Special Exception), to allow for the construction of a **5,376 sq ft** (32'x168') building with twelve (12) *Storage Units*; where previously this Board approved a **4,500 sq ft** (30'x150') *Commercial Storage Facility*.

Storage Units is a listed Conditional Use in the C-3 Highway Commercial District per §21.2803(12).

Definition: Storage Units:

➤ a building(s) for the storage of commercial or private goods and materials in individual units within a common structure, **without water or sewer utilities**.

Applicant submitted the attached Site Plan which reflects (or does not reflect) the following additional requirements of the Ordinance:

§21.0202(2)b(6a-h) Specific Rules Governing Individual Conditional Uses:

➤ See Site Plan for: ingress/egress, OSP/loading, refuse & service areas, utilities, screening/buffering, signage, exterior lighting, etc...

Chapter 21.63 Off-Street Parking and Loading Req'ts per Engineering Design Standards:

➤ See Site Plan: Sufficient area exists.

Chapter 21.65 Outside Storage and Display Requirements for Specific Uses:

➤ See Site Plan: outside storage was not indicated in the revised Request.

Chapter 21.73 Landscape and Lighting Standards:

➤ See Site Plan.

Chapter 21.80 Signs and Outdoor Advertising:

➤ See Site Plan. Signage was not addressed. Any new must comply with Chapter 21.80.

SEE ALSO: ORIGINAL 2009 STAFF REPORT & Mtg Minutes (attached)

- This Board has the authority to require fulfillment of any/all Blvd/Infra requirements in conjunction with any structural improvements authorized by Building Permit. The parcel lacks standard Blvd & infrastructure requirements (Blvd trees, c&g), but currently abuts a state highway built to rural road standards (no c/g).
- This Board must determine if satisfactory provision and arrangement has been made concerning Section **21.0202(2)b(6a-h)**, and Chapters 21.63, 21.65, 21.73, & 21.80; If application is endorsed, the Board may consider conditions of approval such as fulfillment of any/all lacking Blvd/Infra requirements, limiting outside storage/parking, lighting, etc..., &/or any other conditions the Board deems necessary.

See attached

Revised Written Request, elevation view/Floor Plan, BOA mins,
Vicinity/Zoning Map, Site Plan (see face of BP#12941)

Mtg date: 3/24/16

§21.0202(2)b:

- (6) Before any conditional use shall be issued**, the Board shall make written findings certifying compliance with the specific rules governing individual conditional uses and the satisfactory provision and arrangement has been made concerning the following, where applicable:
- (a) Ingress and egress** to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - (b) Off-street parking and loading** areas where required, with particular attention to the items in (*the written request*) and the economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district.
 - (c) Refuse and service areas**, with particular reference to the items in (a) and (b) above.
 - (d) Utilities**, with reference to locations, availability and compatibility.
 - (e) Screening and buffering** with reference to type, dimensions and character.
 - (f) Signs**, if any, **and proposed exterior lighting** with reference to glare, traffic safety, economic affect, and compatibility and harmony with properties in the district.
 - (g) Required yards** and other open space.
 - (h) General compatibility** with adjacent properties and other property in the district.