

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

Thursday June 9, 2016

4:15 PM

Call to Order

Roll Call

1. Approval of May 5, 2016 Minutes
2. Applicant Marlin West for Midland Builders, Inc (#16771) seeks Conditional Use approval to allow for a three (3) family dwelling located @ 612 E Kemp (Apts A,B&C) in the R-2a Single Family Attached Residential District
 - A. Public hearing
 - B. Board of Adjustment action

Old Business:

Motion to adjourn

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/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	

APPLICATION FOR BUILDING PERMIT

16771

Zone R2A Date 6/1/16 Co. Rcd# 7101
 Proposed Construction Remodel SFD to (3)FD
 Size M: 948" B: 828" Up: 502" Sq. Ft. 2338 Height _____
 Address 612 E Kemp Lot Area 6600
 Lot W50' Lots 1-3
 Block 10 Addition East WTN
 Estimated Value _____ Fee _____ BOA Fee Plans
 Details CU for § 21.1804 + § 21.1403(2) for three family
Dwelling w/ Variance from N § 21.1001 + § 21.0302, etc...

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 Midland Bldrs., Inc. Address _____

By _____

Dated _____ Contractor _____

PERMIT APPROVAL

Authorized by:

Building Official

Fire Chief

City Engineer

6/9/16
Members of Board of Adjustment

I am here to ask the board
for a variance to call the
Building at 612 E Kemp a triplex.
It was listed as a triplex when
I bought it. The judge who appraised
it for the city said its been used
as a triplex since the Co's I would
like to sell it someday and
want everything to be clear and in
order.

Thank you

Marlin West
Midland Builders

881 2484

SITE PLAN

OWNER: MIDLAND BUILDERS INC. (MARLIN WEST 881-2484)
 ADDRESS: 612 EAST KEMP AVENUE WATERTOWN, SD 57201
 LEGAL DESCRIPTION: THE WEST 50' OF LOTS 1-3, BLOCK 10, EAST WATERTOWN ADDITION

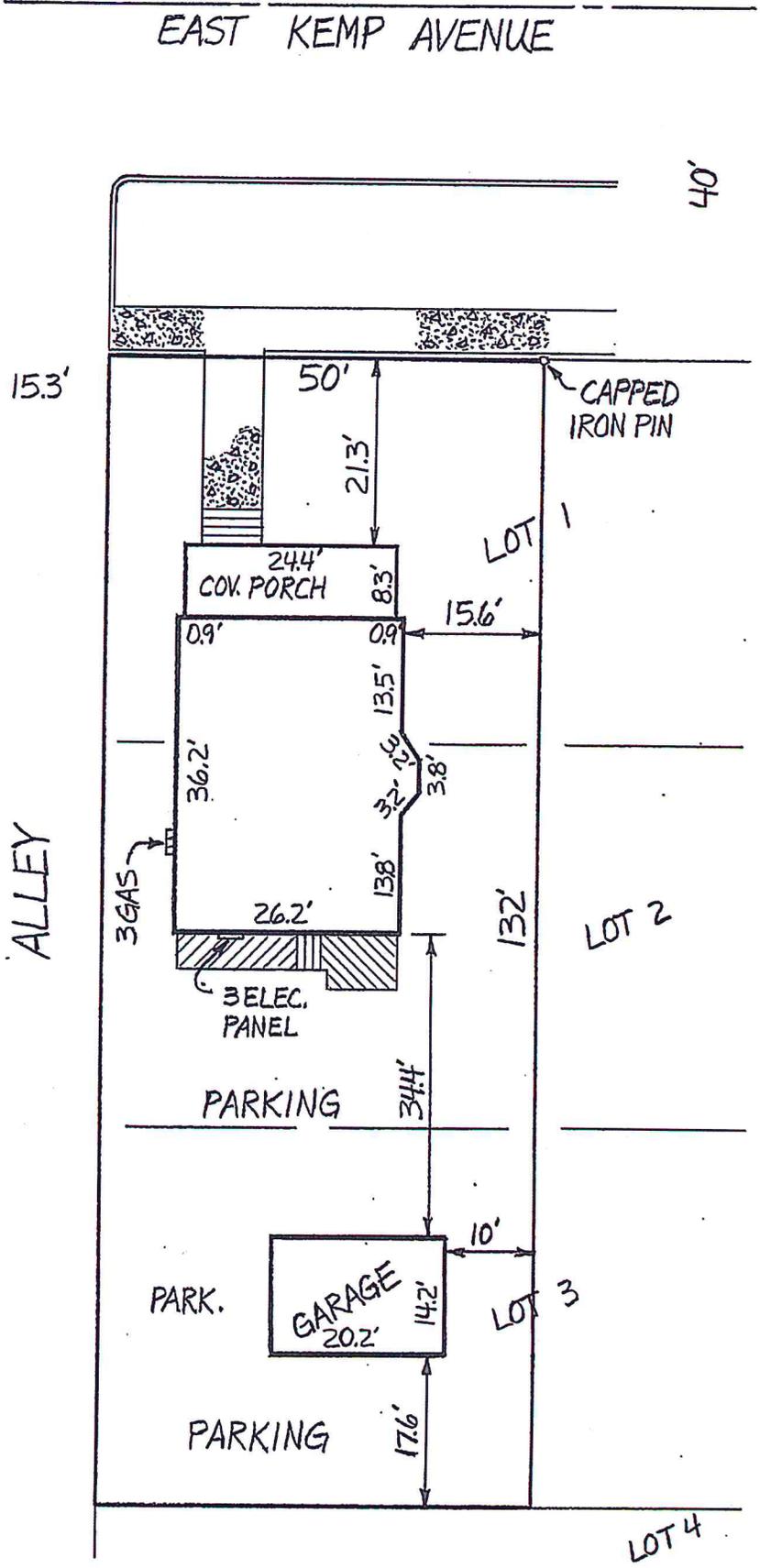
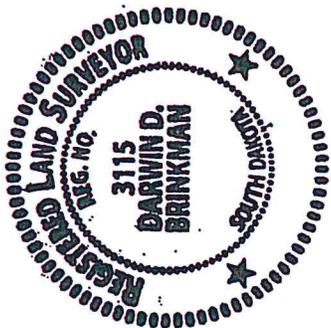
SCALE 1"=20'



SURVEYED BY:

Darwin D. Brinkman
 REGISTERED LAND SURVEYOR

MAY 10, 2016





STAFF REPORT
Conditional Use Application #16771

Owner/Applicant: **Marlin West for Midland Builders**
 Property Address: **612 E Kemp Apts A, B & C**
 Legal: **W50' Lots 1-3, Blk 10, East Watertown Addition**

Conditional Use Request:

Applicant seeks Conditional Use approval per §21.1804 & §21.1603(2) to allow for **three (3) Dwelling Units** in a (2,338 sq ft) residential structure originally designed as a **Single Family Dwelling**, located on a **substandard 6,600 sq ft parcel** in the R-2a *Single Family Attached Residential District*; contingent upon compliance with:

- *Specific Rules Governing Individual Conditional Uses*, including but not limited to §21.0202(2b6a-h), and
- any other conditions the Board deems necessary.

<u>§21.1001</u>	<u>R2a District Regs (2 family+):</u>	<u>Subject Parcel:</u>
Minimum Lot Area:	10,000 sq ft	6,600 sq ft (50'x132')
Minimum Lot Width:	85'	50'
Min Density (sq ft/dwelling unit (DU):	2,500 sq ft x (3) DU = 7,500 sf	2,200 sf/DU
Blvd (§21.73):	15' grass blvd w/1 blvd tree	compliant
Infra Rqts (Titles 5, 18, & 21):	4' sidewalk/trail & c/g	compliant
Min Off-St Pkg (OSP) (§21.63):	1 OSPS/bedroom (6 BRms)	6*

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

HISTORY:

c. 1912		House & detached garage
c. 1950		unattached garage
2013	BP #15153 Frey	98 sf (7x14) porch (& repair steps)
2014	No BP (& no revisions to #15153)	192 sf Porch & (2) decks: 48 sf & 60 sf
2016	BP#16770 Midland Bldrs	Major Remodel

Definitions:

Multi-Family: a residential building designed for or occupied by three (3) or more families.
Dwelling Unit (d.u.): residential accommodation including complete kitchen facilities, permanently installed, which are arranged, designed, used or intended for use exclusively as living quarters for one family.

STAFF FINDS THAT:

(all public notice requirements have been met)

Three and four family dwellings are a listed Conditional Use in the R-2a *Single Family Attached Residential District* per §21.1804 & §21.1603(2) contingent on compliance with:

- minimum lot area per Dwelling Unit (DU), and other Ordinance regulations listed below ...

This request conflicts with §21.1001 and §21.0302:

3. Lot Size Requirements. Except as may be otherwise specifically provided in this ordinance:
 - a. No building, structure or part thereof shall hereafter be built, moved or remodeled, and no building, structure or land shall hereafter be used, occupied or arranged or designed for use or occupancy of a zoning lot which is smaller in area than the minimum lot area or minimum lot area per dwelling unit; narrower than the minimum lot; or shallower than the minimum lot depth required in the zoning district in which the building structure or land is located.
 - b. No existing building or structure shall hereafter be remodeled so as to conflict, or further conflict, with the lot area per dwelling unit requirements for the zoning district in which the structure is located.

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

- §21.0202(2)b(6a-h) Specific Rules Governing Individual Conditional Uses:**
 - ingress & egress; off-street parking; refuse, service, & utilities areas; screening & buffering; signage; exterior lighting; required yards & other open space; and general compatibility
- Chapter 21.63 Off-Street Parking Req'ts, and Engineering Design Standards:**
 - does not show: off-street parking spaces/isles layout. Sufficient area exists for six (6) 90° OSPSs.
- Chapter 21.65 Outside Storage and Display Requirements for Specific Uses:**
 - outside storage was not indicated in the application.
- Chapter 21.73 Landscape and Lighting Standards:**
- Titles 5, 18, 21 sidewalk/trail, curb & gutter:**

For approval, this Board must determine if the request meets Ordinance requirements per **Chapters 21.63, 21.65, & 21.73**, etc...and that satisfactory provision and arrangement has been made concerning **§21.0202(2)b(6a-h)**. If application is endorsed, the Board may consider conditions of approval such as screening of OSP area adjacent to adjoining residential properties, limiting outside storage, &/or any other conditions the Board deems necessary.

See attached

Written Request, Site Plan, Vicinity/Zoning Map

Mtg date: June 9, 2016

§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.

Midland Bldrs 612 E Kemp Apts A, B & C

