

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

February 4, 2016

Present: Shriver, Stein, Stonebarger, Dahle, MaGuire, Hanson, Arnold & Albertsen
Absent: Johnson
Also Present: Ken Bucholz, Jill Steiner, Shane Waterman, Jeff Brink, Stanton Fox, Luke Muller, Mark Meier, Chip Premus, Tim Lalim, Darwin Brinkman, Ray Tesch, Rob Beynon, Councilmen Danforth, Roby, & Vilhauer & others

The Board of Adjustment convened at approximately 4:15 PM, in the Council Chambers, City Hall, 23 2nd Street NE; Pat Shriver, Chairman, presiding.

MaGuire motioned to approve the 1/7/2016 minutes, Dahle seconded, motion carried unanimously.

Public Hearing: Appeal No. 16522

Applicant Teresa Engels appeals the terms of Zoning Ordinance sections 21.0302; 21.1002; 21.6001; & 21.6002 to allow for the alteration of an existing nonconforming unattached garage in the R-1 Single Family Residential District

In 1995, Doug & Teresa Engels were issued Building Permit for a compliant 864 sq ft (24'x36') unattached garage, to be constructed 10' from the side (north) property line and 10' from the rear (east) property line, at 1300 N Maple. However, a noncompliant 936 sq ft (26'x36') garage was constructed over their rear (east) property line, and encroaching 3.5' into the public right-of-way (alley). Due to financing purposes, Engels comes now to this Board seeking variance relief to satisfy the underwriter.

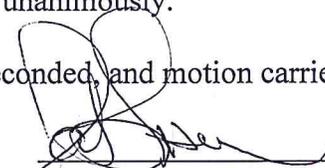
The staff report was orated. After Teresa Engels and Doug Engels questioned the need to alter the building at all, wanting instead for the Board to consider giving some sort of official permission to remain where it's at, Chairman Shriver explained that the Board of Adjustment has no authority to grant variances for encroachment onto public property. Stonebarger motioned to grant variance from the 9' rear setback requirement, approving a 3' setback from the rear (east) property line; Dahle seconded and motion carried unanimously.

Public Hearing: Appeal No. 16523

Applicants Michael & Jana Mills appeal the terms of Zoning Ordinance sections 21.0302; 21.1001; 21.6001; & 21.6002 to allow for the construction of a nonconforming addition onto a compliant attached garage in the R-1 Single Family Residential District

Application was submitted requesting to construct a 1,521 sq ft addition, 621 sq ft (11.5'x54') of which is nonconforming, onto an existing compliant 525.6 sq ft (21.9'x24') attached garage located at 444 12th Ave NW. Said addition is proposed to be constructed 13.5' from the front (west) property line, where a minimum 25' is required. The staff report was orated. Two (2) adjacent land owners (Draeger and Rousseau) were opposed to the request; Robert Rousseau appeared and stated that he felt it did not fit the aesthetics of the area, and that it would obstruct the view of traffic at the intersection of Crestview Drive and 12th Ave N. Mike Mills explained that he wanted more garage space to use as his personal workshop. MaGuire motioned to approve the footprint as proposed with the addition matching the height of the house; Stonebarger seconded and motion carried unanimously.

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



Pat Shriver, Chairman