

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

March 10, 2016

Present: Shriver, Stein, Stonebarger, Dahle, MaGuire, Hanson, & Albertsen
Absent: Johnson & Arnold
Also Present: Ken Bucholz, Jill Steiner, Shane Waterman, Lisa Carrico, Luke Muller, Mark Meier, Ray Tesch, Chip Premus, Mayor Thorson & 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.

Dahle motioned to approve the 2/18/2016 minutes, Stonebarger seconded, motion carried unanimously.

Public Hearing: Conditional Use Application No. 16547

Applicant seeks approval for a Home Occupation in the R-2A Single Family Attached Residential District per §21.1804, §21.1603(1) & §21.1403(5); contingent upon compliance with Chapter 21.70 Home Occupation Standards and SRGICUs including but not limited to §21.0202(2)b(6a-h)

Ryan Wanner submitted application to operate a transfer-printing on clothing (e.g.:T-shirts) business from his apartment located @ 303 1st Ave SW (aka 305 1st Ave SW) Apt #5. The staff report was orated. Wanner has acknowledged understanding and compliance with all ordinance regulations for Home Occupations. He proposes to utilize part of his leased apartment (less than 25% of the d.u.'s ~743 sq ft living area) for business use, using a tabletop heat press, PC & printer to transfer his designs. Shriver voiced concerns over home occupations in multifamily dwelling facilities. Fire Marshall Chip Premus (FD) voiced concerns regarding mixing this kind of use / equipment into a multifamily dwelling situation. Employment Specialist Colleen Winge, explained that Wanner has access to constant assistance from her and others as this "apartment house" is a 24 hour care facility. Staff was unaware that this six (6) dwelling unit structure is operated as a supervised living facility. Due to this discovery, Stonebarger motioned to table pending further information, Dahle seconded, and motion carried unanimously.

Public Hearing: Conditional Use Application No. 16548

Applicant seeks approval for Light Manufacturing in the C-3 Highway Commercial District per §21.2803(14); contingent upon compliance with §21.2801 PURPOSE of the C-3 zone, and SRGICUs including but not limited to §21.0202(2)b(6a-h)

ANZA, Inc (dba NASCENTechnology) seeks approval to allow for the manufacturing of small technological products (wire-wound and co-fired ceramic transformers) on a commercial property located @ 1404 9th Ave SW. The staff report was orated. Building Official Ken Bucholz confirmed that there is adequate off-street parking, even with the construction of a proposed future addition. Jim Hill, representative for ANZA, Inc, explained that normal daily operations are limited to employees only, there is no coming & going of customers. Maguire motioned to approve, Dahle seconded and motion carried unanimously.

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OLD BUSINESS:

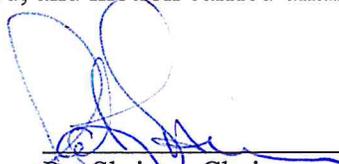
Public hearing for Appeal No. 15997 was held on 4/8/2015:

Applicant appeals the terms of Zoning Ordinance sections 21.0302; 21.1001; 21.1002; 21.6001; & 21.6002; to allow for the construction of a nonconforming garage in the R-2a Single Family Attached Residential District

Josh Soucy submitted application requesting to construct a nonconforming 660 sq ft (22'x30') garage on his rental property at 1201 E Kemp; said structure proposed to be constructed 1.5' from the front (west) property line where a minimum 25' is required, and 1.5' from the side (east) property line where a minimum 6' is required. Additionally, the west 1.5' setback is proposed where 20' is the minimum parking length needed in front of garage doors, so as to avoid encroaching over/into public Right-of-Ways including pedestrian walkways. Motion was made to table the Application, and Soucy was directed to pursue Vacation of the Right-of-Way.

MaGuire motioned to take No. 15997 off the table, Stonebarger seconded, and motion carried unanimously. Soucy was not successful in petitioning the adjacent landowners for vacation of the Right of Way. Stonebarger motioned to approve Application #15997, Albertsen seconded, motion carried unanimously.

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



Pat Shriver, Chairman