

April 21, 2016

Public Hearing: Appeal No. 16642

Applicant appeals the terms of Zoning Ordinance Sections 21.0302, 21.1001, & Chapter 21.60 to allow for the construction of a nonconforming roofed deck (porch) onto a compliant Single Family Dwelling located in the R-1 Single Family Residential District

Gene & Kathy Bierscheid submitted application requesting to construct a nonconforming 420.5 sq ft (12'x33'+) roofed deck/porch with steps on each side, onto a Single Family Dwelling located @ 1312 S Lake Dr; said structure proposed to be constructed 16.4' from the front (northerly) property line, where a minimum 30' is required. The staff report was orated. Staff noted that there was a late correction to the Site Plan (proposed front setback: from 23.1' to 16.4'). Beirscheids were present. They have removed a noncompliant sunporch in conjunction with other improvements to the property (including raising the house for FEMA compliance), and want to construct this new structure in that vicinity. Shriver noted that the property is oddly shaped, and did not think that the structure would inhibit the "view" of the adjoining properties. The adjacent land owner to the east supports the request. Dahle motioned to approve; Stein seconded and motion carried unanimously.

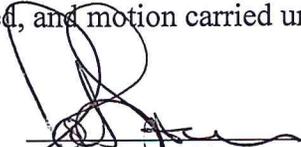
Public Hearing: Appeal No. 16604

Applicant appeals the terms of Zoning Ordinance Sections 21.0302, 21.1001, & Chapter 21.60 to allow for the construction of a nonconforming Single Family Dwelling with attached garage in the R-1 Single Family Residential District

Thomas & Helen Hoftiezer submitted application requesting to construct a nonconforming 3,980 sq ft Single Family Dwelling with attached garage on an 18,400 sq ft parcel located @ 3540 14th Ave NW; said structure proposed to be constructed 7' from the side (west) property line, where a minimum 9' is required. The staff report was orated. Hoftiezers were not present. Board members concurred that neither unique conditions peculiar to the land, nor unnecessary hardship were demonstrated. Stonebarger motioned to approve, Stein seconded, all opposed, motion failed.

Mayor Thorson informed the Board that there has been a fire in a single family dwelling for which this Board recently granted Conditional Use for Home Occupation – Dog Kennel. Several dogs were rescued, however some died, which raises concerns regarding the conditions (or lack of) attached to Conditional Uses, and the monitoring of them.

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



Pat Shriver, Chairman

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

April 21, 2016

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

Stonebarger motioned to approve the 4/7/2016 minutes, MaGuire seconded, motion carried unanimously.

Public Hearing: Conditional Use Application No. 16640

Applicant seeks approval to operate Contractor Shops and Storage Yards in the C-3 Highway Commercial District per §21.2803(13); contingent upon compliance with SRGICUs including but not limited to §21.0202(2)b(6a-h)

Mike Haight submitted application to construct a 5,760 sq ft (60'x96') commercial building @ 1534 13th Ave SE, proposed to be used as *Contractor Shops/Storage Yards*. The Staff report was orated. This proposed parcel was transferred as a legally described subdivision of a platted Block; it complies with C-3 zone area & width requirements, but lacks basic infrastructure for development. Haight will sign Waiver of Right-to-Protest Agreement for those requirements. Off-street parking and storage were briefly discussed. Haight was not present. Arnold motioned to approve; Stein seconded, and motion carried unanimously.

Public Hearing: Conditional Use Application No. 16641

Applicant seeks approval to operate Contractor Shops and Storage Yards in the C-3 Highway Commercial District per §21.2803(13); contingent upon compliance with SRGICUs including but not limited to §21.0202(2)b(6a-h)

Kelly, Domenik & Nicole Mahlen submitted application to construct a 6,540 sq ft (60'x109') commercial building @ 1639 12th Ave SE, proposed to be used as *Contractor Shops/Storage Yards*. The Staff report was orated. This proposed parcel was transferred as a legally described subdivision of a platted Lot; it complies with C-3 zone area & width requirements, but lacks basic infrastructure for development. Mahlens will sign Waiver of Right-to-Protest Agreement for those requirements. Kelly Mahlen was present. There was no discussion. Stein motioned to approve; Stonebarger seconded, and motion carried unanimously.