**OFFICIAL PROCEEDINGS**
**BOARD OF ADJUSTMENT**
**CITY OF WATERTOWN, SD** **October 6, 2016**

Present: Shriver, Stonebarger, Stein, MaGuire, Arnold, & Hanson
Absent: Albertsen, Dahle, & Johnson
Also Present: Jill Steiner, Brandi Hanten, Chip Premus, Luke Muller, Ray Tesh, & 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.

Approval of Minutes were deferred to the next scheduled meeting.

**Public Hearing: Conditional Use Application No. 17024**
**Applicant seeks approval for a *Day Care Home Occupation* in the R-3 Multi-Family District per §21.2003(1) & §21.1403(1)&(5); contingent upon compliance with Chapter 21.70 *Home Occupations* and *SRGICU*s including but not limited to §21.0202(2)b(6a-h)**
Patricia Schwartz seeks to continue to operate a Home Day Care business out of a single family dwelling (SFD) located @ 8 18th St SW. She regularly utilizes the main level of the 2,528 sq ft SFD to care for up to12 children, including their own. The staff report was orated. The property surpasses the minimum square footage of interior floor area and outdoor recreation space required for up to 12 children; she plans to install a fence this year if approved. The property currently has an approximately 24' wide paved driveway/parking area, allowing for a maximum of two (2) legal Off-Street Parking Spaces (OSPSs) for both primary (SFD) and secondary (home occupation) uses. Schwartz has acknowledged understanding and compliance with all City Ordinance regulations for Home Occupations; she plans to be registered with the state. The WPD and WFD have no concerns with this application. Finding that the application shows satisfactory provision and arrangement for the secondary use, MaGuire motioned to approve; Stonebarger seconded, and motion carried unanimously.

**Public Hearing: Conditional Use Application No. 17025**
**Applicant seeks approval for a *Home Occupation* in the R-1 Single Family Residential District per §21.1403(5); contingent upon compliance with Chapter 21.70 *Home Occupations* and *SRGICU*s including but not limited to §21.0202(2)b(6a-h)**
Cal Venjohn seeks to operate a home-based handyman / blade sharpening shop business from this single family dwelling (SFD) property located @ 401 16th St NE. The staff report was orated. Venjohn proposes to utilize the SFD's 490 sq ft third garage stall for his business; he has acknowledged understanding and compliance with all City Ordinance regulations for Home Occupations. Shawn (Lohr) VenJohn currently utilizes 385 sq ft of this SFD for her board approved Hair Salon business; together, they will utilize 16% of the SFD for business purposes. No signage is proposed at this time. The property has sufficient area for (3) legal Off-Street Parking Spaces for both primary (SFD) and secondary (home occupations) uses. Finding that the application shows satisfactory provision and arrangement for this secondary use, Stein motioned to approve; Hanson seconded, and motion carried unanimously.

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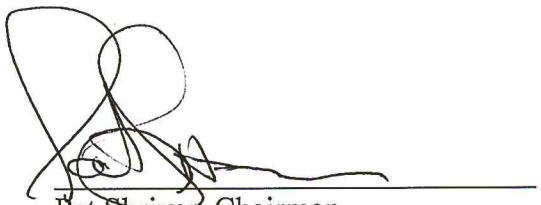
**Public Hearing: Conditional Use Request No. 17026**
**Applicant seeks approval for the sale, serving, & consumption of alcoholic beverages at this property located in the C-3 Highway Commercial, GT-1 Gateway Overlay, and A-1 Agricultural Districts; pursuant to Section 21.2803(3), and contingent upon compliance with SRGCICs including but not limited to §21.0202(2)b(6a-h)**

Prime Site Center, LLC seeks to the ability to sell, serve and allow alcoholic beverages to be consumed on their property located @ 1923, 1933 & 2013 Willow Creek Dr. If approved, tenants leasing space in these buildings will apply to the City Council for both on-sale and off-sale Alcoholic Beverage Licenses (ABLs). The alcoholic beverage license restriction of Ordinance Section 2.0101 *Location* does not apply to these buildings, as they are located in the C-3 Zone. The staff report was orated. Tyler Waldner reiterated their plans as outlined in his letter. Adjacent landowner Brian Brandriet voiced some concerns over possible future uses such as nightclubs. There was discussion on the fact that there is currently no mechanism that would allow this board to re-review the property for changes to the ABL(s) & the types of businesses that would hold them.

Stonebarger motioned to approve the (2) retail buildings addressed: 923, 1933, & 2013 Willow Creek Drive (not the entire property and not the carwash), conditional to a 6' privacy fence/screen along the north side of the property, refuse areas be screened by an opaque fence or wall, close monitoring of noise, and that any future change of hands or change of use will trigger re-review by this board. Arnold seconded, and motion carried unanimously.

***Chairman Shriver directed staff*** to research other municipalities for "usage" changes as discussed here.

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



Pat Shriver, Chairman