

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

February 8, 2018

Present: Dahle, Stein, Kays, Stonebarger, Culhane & Hanson
Absent: Olson, Ford & Dargatz-Johnson
Also Present: Jill Steiner, Ken Bucholz, Shane Waterman, Brandi Hanten, Matt Roby, Ray Tesch, Mark Meier, Chip Premus, & others

The Board of Adjustment convened at approximately 4:15 PM, in the Council Chambers, City Hall, 23rd Street NE; John Stonebarger, Chairman, presiding.

Kays motioned to approve the December 21, 2017 minutes, Dahle seconded, motion carried unanimously.

Public Hearing: Conditional Use Application No. 17841

Applicant seeks approval for a Home Occupation in the R-1 Single Family Residential District per §21.1403(5); contingent upon compliance with Zoning Ordinance Chapter 21.70 Home Occupations & Standards and SRGICUs including but not limited to §21.0202(2)b(7a-h):

Andrea Lindberg (present) seeks approval to operate a bakery business from her primary residence located @ 1020 Cherry Dr. She is currently utilizing ~619 sq ft (19%) of her owner occupied 3,285 sq ft single family dwelling to make and sell home-baked goods, as defined by state regulations; however, this is not a commercial kitchen, which would require state license. The staff report was orated. The property currently has a maximum of three (3) legal Off-Street Parking Spaces for both primary (SFD) and secondary (home occupation) uses. Lindberg has acknowledged understanding and compliance with all City Ordinance regulations for Home Occupations; no specific signage is proposed at this time. The property is currently noncompliant with the Landscape Ordinance minimum requirements, as there are no trees planted in the boulevard or front yard at this time. Finding that the application shows satisfactory provision and arrangement for the secondary use, Kays motioned to approve subject to fulfillment of the minimum tree requirement (installment of one (1) boulevard or front yard tree) within the year; Dahle seconded, and motion carried unanimously.

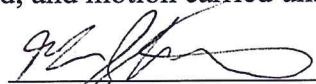
Public Hearing: Conditional Use Application No. 17842

Applicant seeks Alcoholic Beverage License eligibility for this property located in the C-3 Highway Commercial District pursuant to Zoning Ordinance §21.2803(3) Bar or Tavern; contingent upon compliance with §2.0102 Location, and SRGICUs including but not limited to §21.0202(2b7a-h):

Pat Shriver (present) seeks the ability to sell, serve, and allow alcoholic beverages to be consumed on this premises located @ 1505 - 1521 9th Ave SE (aka Shriver Square), in order for any part of the parcel to be eligible for Alcoholic Beverage License (which may include video lottery). Intent being: tenants leasing space in this building will apply to the City Council for on-sale &/or off-sale Alcoholic Beverage Licenses (ABLs), without having to return to this board (for as long as there is a valid active ABL, without lapse per §21.0202(2b8)).

The staff report was orated. ABL restriction §2.0101 Location does not apply to this site as it is zoned C-3. Although ABLs have been held for many years on this premises, City records revealed that this property has never been granted approval for Bar or Tavern use, by this board, as the first step in the ABL process. The property is currently noncompliant with the Landscape and Lighting Ordinance minimum requirements, as the dumpsters are not screened, and the parking lot is blacktopped to the curb where ~20 OSPs are defined/striped so the property lacks required Blvd (grass/trees) improvements. There was discussion on the forthcoming Hwy 212 improvements, at which time, City Eng Waterman confirmed, sidewalk will be installed by the SDDOT. Kays motioned to approve the entire property without fulfillment of boulevard/infrastructure (grass/trees/sw) requirements at this time; Dahle seconded, and motion carried.

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



John Stonebarger, Chairman