

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

February 22, 2018

Present: Dahle, Dargatz-Johnson, Stein, Stonebarger, Culhane, Hanson & Olson
Absent: Kays, & Ford
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, 23 2nd Street NE; John Stonebarger, Chairman, presiding.

Dargatz-Johnson motioned to approve the February 8, 2018 minutes, Dahle seconded, motion carried unanimously.

Public Hearing: Conditional Use Application No. 17856

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):

RAW Properties, LLC seeks the ability to sell, serve, and allow alcoholic beverages to be consumed on this premises, located @ 621 5th St SE (aka the Drake Motor Inn), in order for the parcel to be eligible for a City Council approved Alcoholic Beverage License (which may include video lottery). Amy Kirchhevel and Wendy Hanson explained that RAW Properties, LLC recently purchased the “Drake Motor Inn and Zoom Zoom Room Bar and Grill”, which has been out of operation for more than one year. They will run the facility much the same as previous management: long & short term stay motel, banquet room, bar, restaurant, video lottery room and courtyard. The staff report was orated. Adjacent land owner, Laura Jean Benson, voiced traffic and parking issues she’s had in the past. The Board reviewed the property’s deficit of off-street parking spaces and required Boulevard (grass, trees) and Infrastructure (sidewalk, curb/gutter) improvements. There was some discussion on the installation of trees on the Blvd adjacent to Hwy #81. Hanson and Kierchhevel agreed to install parking stops to thwart parking and trespassing on adjacent land owned by Laura Jean Benson. Hanson motioned to approve the Use with the condition of screening the dumpsters; Dargatz-Johnson seconded, and motion carried unanimously.

Public Hearing: Appeal No. 17857

Pursuant to §21.0202(1c.) & §21.0202(2d.), applicants appeal the Building Official’s Order regarding unlawful modifications made to a Retail Establishment located in the R-2A Single Family Attached Residential District. Approval/reversal contingent upon compliance with §21.0202(2b7a-h), §21.0302, and any other ordinance regulations which may apply:

Jeff & Sandra Stadheim appeal the Building Official’s Order to remove structures constructed without permits, seeking board’s reversal of that decision along with approval of the unlawful modifications (roofed porch addition, *garage, & screen/fence) to the House of Dreams retail store located @ 308 & 312 5th St SE. The Staff Report was orated with a general history of how the property’s approved use as a *Retail Establishment* came to be, henceforth requiring all site modifications and expansions to be approved and permitted (prior to construction) by the Board of Adjustment. Two adjacent landowners responded to public notice with complaints against the property’s condition. Culhane, having no apprehension of giving an impartial vote on this matter, gave Stadheim the option to have him recuse himself due to previous interactions – Stadheim declined to have him recused. Stadheim explained that he had not realized that the 414 sq ft porch and front yard fence were not permitted in his last application to this board. There was discussion on the fence, and the northerly 5th St E driveway access. Finding no error in the Building Official’s Order, no motion was made to reverse or amend the Order. Order Stands.

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



John Stonebarger, Chairman

*(the garage was found to be a previously approved structure)