

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

June 7, 2018

Present: Olson, Dargatz-Johnson, Stein, Oletzke, Hanson, Ford & Kays
Absent: Dahle, & Culhane
Also Present: Ken Bucholz, Jill Steiner, Collin Paulsen, Brandi Hanten, Matt Roby, Pete Boyle,
Mark Meier, Chip Premus, Mayor Caron, & others

The Board of Adjustment convened at approximately 4:15 PM, in the Council Chambers, City Hall, 23 2nd Street NE; Mark Stein, presiding.

Kays motioned to approve the May 24, 2018 minutes, Hanson seconded, motion carried unanimously.

Public Hearing: Conditional Use Application No. 18077

Applicant seeks approval to operate a Day Care Home Occupation in the R-3 Multi-Family Residential District per §21.2003(1) & §21.1403(1&5); contingent upon compliance with Chapter 21.70 Home Occupations & Standards & SRGICUs including but not limited to §21.0202(2)b(7a-h):

Heather Janssen (present) seeks to operate a Home Day Care business out of her home located @ 308 3rd Ave NE. She proposes to utilize the leased 2,364 sq ft single family dwelling (SFD) as a Home Day Care facility for up to twelve (12) children, including her own. The staff report was orated. Janssen has acknowledged understanding and compliance with all City Ordinance regulations for Home Occupations, and is in the process of state Day Care registration. The property surpasses the minimum square footage of interior floor area and fenced outdoor recreation space required per §21.1403(1). The 45' property has an approximately 40' wide paved frontyard/driveway/boulevard, creating an undefined sidewalk, over which parking is prohibited. Due to the insufficient seventeen ft (17') front yard setback, there is only one (1) legal off-street parking space (OSPS) for both primary (SFD) and secondary (home occupation – Day Care) uses. The property was denied Day Care Home Occupation in 2007 for lack of off-street parking, parking over sidewalk, and backing onto a busy major collector street. The Board reiterated these concerns regarding the safe loading and unloading of children multiple times per day. Janssen offered verbal agreements with adjacent landowners for use of their driveway accesses and parking areas to accommodate OSPSs and a drive-through option w/out backing onto street. Kays motioned to postpone this hearing to the July 19th meeting to give the applicant opportunity to pursue written alternate access/parking arrangement, a conversation w/DOT re the Hwy 81 access point, &/or a walking path easement option on south side of the property for drop-offs on 3rd St East (south of 3rd Ave North). Ford seconded the motion, and motion carried unanimously.

Public Hearing: Conditional Use Application No. 18078

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

Bryan & Cassandra Varilek propose to utilize ~697 sq ft (20%) of their 3,476 sq ft single family dwelling (SFD), located @ 30 Sunrise Dr, to operate home-based service businesses (bicycle repair & nutrition consulting). The staff report was orated. Olson recused herself from the discussion/vote. Cassandra Varilek (present) has acknowledged understanding and compliance with all City Ordinance regulations for Home Occupations. The property has two (2) legal Off-Street Parking Spaces for both primary (SFD) and secondary (home occupations/businesses) uses. Three (3) neighbors (Syhre, Block, Ristvedt, & McElhany) opposed the application, being generally against any business uses in the quiet residential neighborhood. Kays had to leave the hearing. Oletzke motioned to approve the nutrition business, Ford seconded, 5 in favor/0 opposed, motion carried unanimously. Oletzke motioned to approve the bicycle repair business conditional to WRTP sidewalk, and compliant frontage tree; Dargatz-Johnson seconded, 4 in favor/Stein opposed, motion carried unanimously.

Hanson motioned to adjourn, Dargatz-Johnson seconded, and motion carried unanimously.



Mark Stein, Vice Chairman
Blake Dahle