

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

October 4, 2018

Present: Dahle, Dargatz-Johnson, Ford, Oletzke, & Culhane
Absent: Olson, Hanson, Stein, & Kays
Also Present: Jill Steiner, Ken Bucholz, Brandi Hanten, Mark Meier, Pete Boyle, & others

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

Culhane motioned to approve the Sept 20, 2018 minutes, Dargatz-Johnson seconded, motion carried unanimously.

Public Hearing: Conditional Use Request & Appeal No. 19253

Applicants seek approval for the enlargement of a nonconforming accessory structure to a Conditional Use located in the C-3 Community Commercial District pursuant to §21.1004(2a&b) & §21.2803(9), contingent upon compliance with §21.0202(2b7a-h) SRGICUs; and appeal the terms of §21.0302 prohibiting the enlargement of nonconformities:

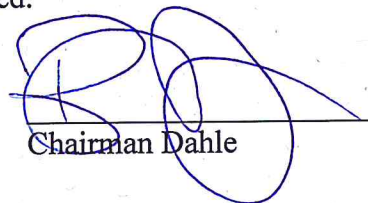
The Staff Report was orated. Currently, there exists:

- a nonconforming, circa 1952, 3,000 sq ft non-residential block building on a substandard 13,635 sq ft, C-3 zoned parcel, located @ 160 5th St NE; and
- a noncompliant, circa 1954, 3,900 sq ft four (4) unit apartment building on a substandard 10,302 sq ft, C-3 zoned parcel, located @ 505 B Ave.

Marvin & Cathy Stavig (present) now seek to enlarge the non-residential block building, by constructing a compliant 1,120 sq ft (20'x56') addition, first binding the above-mentioned buildings and parcels together with a Development Lot Agreement (DLA), thereby creating a compliant C-3 zoned parcel with an *accessory storage building to Apartments*: both Conditional Uses allowed in the C-3 zone if approved by the Board of Adjustment pursuant to §21.1004(2a&b) & §21.2803(9). Note: the apartment building was moved onto this parcel in 1988, but staff could not find site approval for the conditional use (fka special exception). Stavig does not plan to re-side the existing block structure. The partial Site Plan submitted does not show the apartment house, blvd, or parking details; refer to aerial photo / vicinity map.

Finding satisfactory provision and arrangement concerning *Specific Rules Governing Individual Conditional Uses* §21.0202(2)b(7a-h) for both Apartments and accessory structure/use, Ford motioned to approve contingent on relocating the commercial dumpster that sets against the front wall of the block building; Oletske seconded. There was discussion and amendments on whether to require Waiver of Right to Protest curb/gutter for future street improvements. Original motion carried unanimously.

Oletzke motioned to adjourn, Culhane seconded and motion passed.


Chairman Dahle