

Codington County/City of Watertown
Joint Planning Commission/Joint Board of Adjustment Minutes
April 19, 2021

The Codington County/City of Watertown Joint Planning Commission/Board of Adjustment met on April 19, 2021 via teleconference. Members of the Joint Planning Commission/Board of Adjustment participating were: Liam Culhane, Mark O'Neill, Bob Fox, Brenda Hanten, Blake Dahle, and Luke Muller (Planner at First District Association of Local Governments/ Codington County Zoning Officer).

Others present were Myron Johnson, Alex Kahnke, Mel Ries, Rodney Klatt, Matt Jungers, Jeff DeVille, and Becky Goens.

Bob Fox brought the meeting of the Joint Board of Adjustment to order at 7:35 pm.

Motion by Hanten, second by Culhane to approve the minutes of the March 15, 2021 meeting. Motion passed unanimously.

Motion by Hanten, second by Culhane, to approve the agenda. Motion passed unanimously.

Motion by Hanten, second by Dahle, to approve the Conditional Use Permit request by Brett Person to operate an auto detailing business in Lot 25, Sunset Estates Addition, Section 32-T117N-R53W. Muller reviewed Staff Report (attached). Chairman Fox read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion to adjourn made by Hanten, second by Culhane. Motion passed unanimously. Meeting adjourned at 7:53 pm.

**APRIL 2021
CODINGTON COUNTY/CITY OF WATERTOWN
JOINT BOARD OF ADJUSTMENT STAFF REPORT**

CODINGTON COUNTY/CITY OF WATERTOWN JOINT BOARD OF ADJUSTMENT

ITEM #1 CONDITIONAL USE

Applicant/Owner: Brett Person

Property Description: Lot 25, Sunset Estates Addition, Section 32-T117N-R53W, Codington County, South Dakota. (Lake Township)

Latitude/Longitude: 44.893972° / - 97.211038°

Action Items –

- **Conditional Use – Extended Home Occupation (Auto Detailing) (3.13.03.09)**

Zoning Designation: Rural Residential;

Request: The applicant seeks Extended Home Occupation permit to operate an auto detailing business.

History/Issue(s):

History of site/Specifics of Request:

1. Mr. Person lives at the above property and intends to operate an auto detailing business.
 - a. No retail sales occur on site.
 - b. He intends to average four (4) vehicles to be detailed per week.
 - c. Detailing occurs inside a shop on site.
 - d. Not more than one (1) vehicle will be parked outside associated with the business. (Only finished vehicles)
 - e. Up to 2 extra vehicles entering and leaving the property per day than would be expected if the use were not allowed
2. The property has one access for the house and a shared access (west side of lot) for the back of the lot.
 - a. He can travel exclusively on his lot to get back to his shop.

Ordinance and Comprehensive Land Use Plan regarding this request:

1. Extended Home Occupations are a listed use in the rural residential district.
2. The Codington County Comprehensive Land Use Plan (adopted by the City of Watertown for the Joint Jurisdiction Area) lists numerous considerations for Extended Home Occupations on pages 51-52, most of which are addressed in the zoning ordinance, others relating to policies of the Board in granting similar permits.
3. According to the Codington County Comprehensive Land Use Plan (adopted by the City of Watertown for the Joint Jurisdiction Area), Conditional Uses may only be denied if specific criteria for denying the permit can be identified.
4. Mr. Person does not anticipate on having non-family employees with this business.
5. No on or off-premise signs are planned at this time and no additional structures.
6. No retail sales are expected with this use.
7. Only the occasional vehicle will be parked outdoors overnight, otherwise no outdoor storage will be associated with this use.
8. The vehicles to be detailed will be primarily personal vehicles operated by farms, businesses, and other individuals.

9. Parking will be similar to any other residential uses in the neighborhood.
10. As described above, it is anticipated that this use will result in 2 extra vehicles entering and leaving the property per day (4 additional vehicle trips/day.)
11. It is not anticipated that any processes associated with the business will be noticeable by noise heat, glare, vibration, etc. on neighboring properties.
12. Compatibility of Adjacent Uses:
 - a. Codington County Comprehensive Land Use Plan (adopted by the City of Watertown for the Joint Jurisdiction Area) explains General Compatibility with adjacent properties not as a justification for denial of a conditional use permit, but as justification for attaching conditions regulating the operation of a proposed use. Further ALL uses if listed as a conditional use are deemed compatible.

Staff Recommendation

Conditional Use Permit – **Extended Home Occupation (Auto Detailing)** may postpone the request, deny the request based upon the inability of; or approve the request subject to special conditions. If approved staff recommends the following conditions be agreed to in a letter of assurance signed by the applicant(s):

- 1) Individuals engaged in such occupation shall consist of family members residing on the premises and up to three (3) non-family employees.
- 2) Off-premise signage associated with the extended home occupation will be limited to South Dakota Department of Transportation (SDDOT) commercial, directional signs, also known as “Blue Signs”.
- 3) There shall be no change in the outside appearance of the buildings or premises, or other visible evidence of the conduct of such home occupation other than one on-premise sign. On-premise signage may be permitted by the Zoning Officer subject to the following:
 - a) A maximum of 16 square feet of sign area will be allowed.
 - b) Sign will be non-illuminated.
- 4) No traffic shall be generated by such extended home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need of parking generated by the conduct of such extended home occupation shall be provided off the street and other than in a required front yard.
- 5) No equipment or process shall be used in such extended home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
- 6) The Conditional Use permit for the extended home occupation is not-transferable. Subsequent owners/operators will be required obtain a separate conditional use permit in order to continue the use for which this permit is granted.
- 7) Any failure to comply with the terms of this agreement will be deemed a violation of the terms of this Conditional Use permit. Violations will be determined by the Codington County Zoning Officer. If violations are substantiated the Board of Adjustment may hold a hearing to consider revocation of this Conditional Use Permit.