



Board of Adjustment Agenda Item

Subject: Board Consideration of a Variance Request to the Zoning Ordinance requirements from the 9' side yard setback requirement in the R-1 Single Family Detached Residential District for a 6.8' side yard setback to allow for Addition to the Attached Garage at 1215 8th Avenue NE

Meeting: Board of Adjustment - Nov 07 2024

From: Heath VonEye, Assistant City Manager/Public Works Director

BACKGROUND INFORMATION:

Owner: Raleigh Kettwig & Kelly Keszler

Property Address: 1215 8th Avenue NE, Watertown, SD 57201

Legal Description: Lot 5 Block 3 Kirsch Grand View Addition to the Municipality of Watertown, in the County of Codington, South Dakota

Variance Request:

The applicant, Raleigh Kettwig, appeals the terms of the Zoning Ordinance, seeking a variance from the 9' side yard setback requirements in the R-1 Single Family Detached Residential District for an addition to the attached garage pursuant to §21.1001. The structure was built in 1980. The existing attached two-stall garage is 24' was constructed at an angle on the lot and is 18.8' from the east property line on the southeast corner and is 23.5' from the northeast corner. The applicant's intension is to expand the attached garage 12' to the east, to allow for a third stall, leaving a 6.8' side yard setback on the southeast corner and 11.5' side yard setback on the northeast corner. The northeast corner will meet the side yard setback requirement, however, the southeast corner is the reason is variance is being requested as the side yard setback will be 6.8' which does not meet the 9' requirement. The side wall will be 10' 1 1/8", for an attached garage there is not a maximum side wall height. A structure can be up to 35' in height in the R-1 District, the overall structure height is proposed to be 14'9 7/16".

International Residential Code (IRC) allows structures to have minimum separation of 10' (5' for each adjoining property) without requiring a 1 hour fire wall on exterior walls.

The existing garage is 624 SF, the garage addition would be 456 SF for a total of 1050 SF. This is under the maximum allowable attached garage size of 2,352 SF. The lot is 93' in width and 146' in depth for a total of 13,415 SF which exceeds the minimum lot size required in the R-1 District of 9,000 SF. 12' is the standard garage stall width for cars, however and 14' is desirable for larger trucks and SUVs.

Chapter 21.0202.1. and 2. state:

In granting a variance, the Board shall ascertain that the following criteria are met:

1. Variances shall be granted only where special circumstances or conditions (such as exceptional narrowness, topography or siting), fully described in the finding of the Board, do not apply generally in the district;
2. Variances shall not be granted to allow a use otherwise excluded from the particular district in which requested;
3. For reasons fully set forth in the findings of the board, the aforesaid circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance; there must be a deprivation of beneficial use of land;
4. Any variance granted under the provisions of this section shall be the minimum adjustment necessary for the reasonable use of the land;
5. The granting of any variance is in harmony with the general purposes and intent of this title and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development.

Before the board shall have the authority to grant a variance, the person seeking the variance has the burden of showing:

1. That the granting of the building permit will not be contrary to the public interest;
2. That the literal enforcement of this title will result in unnecessary hardship;
3. That by granting the building permit contrary to the provisions of this title the spirit of this title will be observed;
4. That by granting the permit, substantial justice will be done.

FINANCIAL CONSIDERATIONS:

N/A

OVERSIGHT / PROJECT RESPONSIBILITY:

Brandi Hanten, Community Development Manager
Carla Heuer, Planner

STAFF RECOMMENDATION / SUGGESTED MOTION:

I move to approve a Variance Request to the Zoning Ordinance requirements from the 9' side yard setback requirement in the R-1 Single Family Detached Residential District for a 6.8' side yard setback to allow for Addition to the Attached Garage at 1215 8th Avenue NE

The Board of Adjustment shall make findings that the requirements of Section 21.0202(2)(c)(1) and (2), above have been met by the applicant for a variance.

ATTACHMENT(S):

[Vicinity Map](#)

[Application](#)

[Site Plan](#)

[Floor Plan](#)

[Front Elevation Exhibit](#)



Vicinity Map

0 20 40 80 Feet



C-24-20

Variance Application

Status: Active

Submitted On: 10/14/2024

Primary Location

1215 8TH AVE NE

WATERTOWN, SD 57201

Owner

RALEIGH KETTWIG & KELLY KESZLER

1215 8 AVE NE WATERTOWN, SD 57201-

Applicant

 Raleigh Kettwig

 605-881-6373

 raleighkettwig@gmail.com

 1215 8th Ave NE

Watertown, SD 57201

Applicant Information

Applicant is...

Owner

Main Contact Information

Responsible party for all correspondence throughout the project.

Main Contact Name	Main Contact Phone Number
Raleigh Kettwig	6058816373
Main Contact Email	Main Contact Address
raleighkettwig@gmail.com	1215 8th Ave NE

Variance Request Information

Describe the special conditions and circumstances which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district:*

We are planning to add on to our garage. We would want to add a 12 ft wide building

Do these special circumstances result from the actions of the applicant?*	Would granting the variances requested give the applicant any special privilege that is denied by this ordinance to other lands, structures or building in the same district?*
Yes	No

Unnecessary Hardship: A hardship that is substantial and of compelling force, not merely for reasons of convenience or profit must be identified by the Board when granting a variance. Unnecessary hardship is demonstrated when the land in question cannot yield a reasonable return without the variance, or the plight of the owner is due to unique circumstances and not to the general conditions in the neighborhood.

Describe the hardship that will result if variance is denied:*

Without the variance the new space would be pretty small

Acknowledgement

I, the undersigned, do hereby affirm the above statements are true and correct and agree to comply with the provisions of the ordinances of the City of Watertown and the approved plans and specifications accompanying this application.

I am the...*

Owner

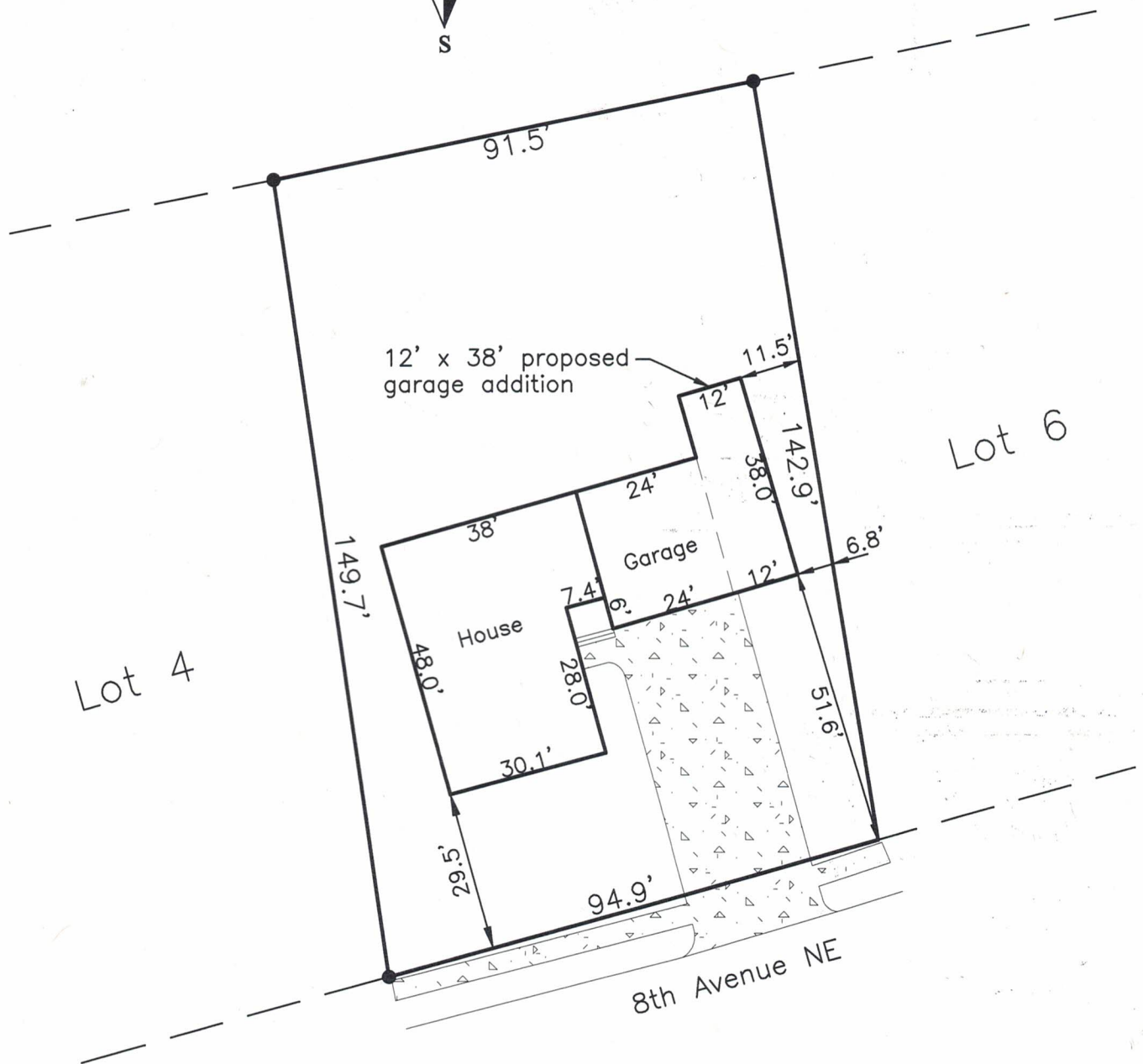
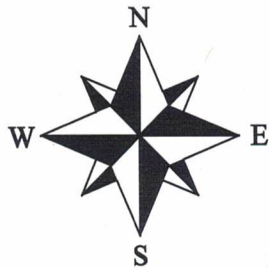
 Raleigh Kettwig
Oct 14, 2024

Date*

10/14/2024

Site Plan of
Lot 5, Block 2 of the plat entitled: Lots 8 thru 17
inclusive, Block 2; Lots 1 thru 6 inclusive, Block
3; Lots 1 and 20 of Block 7; Lots 1 and 16 of
Block 6; all in Kirsch's Grand View Addition to the
City of Watertown, Codington County, South Dakota.

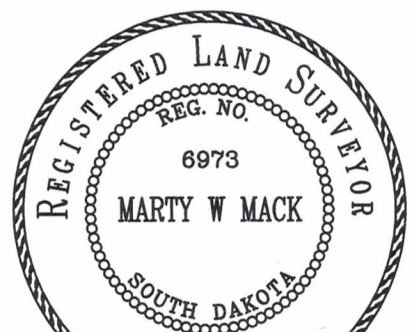
- Monument Recovered



MACK
Land Surveying LLC

Marty Mack
Registered Land Surveyor
Certified Federal Surveyor

Cell: (605) 880-3108 • Phone: (605) 878-2007
808 South Maple • Watertown, SD 57201
macklandsurveying@gmail.com



Marty W. Mack
Registered Land Surveyor



DATE	10/23/2024
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DRAWING NAME:
Raleigh Kettwig and Kelly
Keszler

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