



Board of Adjustment Agenda Item

Subject: Board consideration of a Conditional Use request for a Home Daycare at 405 4th Street NW in the R-1 Single Family Residential District

Meeting: Board of Adjustment - Oct 19 2023

From: Heath VonEye, Public Works Director

BACKGROUND INFORMATION:

Owner: Brandon J & Megan Wentz

Applicant: Megan Wentz

Property Addresses: 405 4th Street NW, Watertown, SD 57201

Legal Description: Lots 6-7 Block 8 Mellette & McIntyre Addition

Conditional Use Request: Home Daycare in the R-1 Single Family Residential District

Applicant seeks a Conditional Use for a Home Daycare in the R-1 Single Family Residential District pursuant to §21.1403(1) and contingent upon compliance with §21.0202 (2b7a-h). The owner/applicant resides in the home and seeks to establish an in-home daycare.

§21.1403(1) allows for "[daycare] homes caring for children, provided that such facilities shall provide not less than thirty five (35) square feet of interior floor area and fifty (50) square feet of outdoor recreation space for each child. In addition, such facilities shall supply adequate off-street parking or other suitable plan for the loading and unloading of children so as not to obstruct public streets or create other traffic or safety hazards. (Ord 12-17; Rev 06-15-12)." The interior space is 1,570 SF which exceeds the minimum requirement for the maximum of 12 children, which would require 420 SF. The exterior space is approximately 11,000 SF which exceeds the minimum requirement for the maximum of 12 children, which would require 600 SF.

Before any conditional use shall be issued, the Board shall make written findings certifying compliance with the specific rules governing individual conditional uses and the satisfactory provision and arrangement has been made concerning the following, where applicable:

- (a) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
- (b) Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district.
- (c) Refuse and service areas, with particular reference to the items in (a) and (b) above,

- (d) Utilities, with reference to locations, availability and compatibility.
 - (e) Screening and buffering with reference to type, dimensions and character.
 - (f) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic affect, and compatibility and harmony with properties in the district.
 - (g) Required yards and other open space.
 - (h) General compatibility with adjacent properties and other property in the district.
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SUGGESTED MOTION:

I move to approve the Conditional Use request for a Home Daycare at 405 4th Street NW in the R-1 Single Family Residential District.

STAFF REFERENCE(S):

Brandi Hanten, Jana Mills

ATTACHMENT(S):

[Application](#)

[Vicinity Map](#)

CU-23-12

Conditional Use Application

Status: Active

Submitted On: 9/19/2023

Primary Location

405 4TH ST NW
WATERTOWN, SD 57201

Owner

Brandon and Megan Wentz
405 4 ST NW WATERTOWN, SD 57201-

Applicant Information

Applicant is...

Owner

Main Contact Information

Responsible party for all correspondence throughout the project.

Main Contact Name

Megan Wentz

Main Contact Phone Number

218-329-0785

Main Contact Email

megan55355@gmail.com

Main Contact Address

405 4th St NW Watertown, SD 57201

Property Information

Address of Conditional Use Request*

405 4th St NW Watertown, SD 57201

Owner Name*

Megan Wentz

Legal Description *

LOTS 6-7 BLOCK 8 MELLETTE & MCINTYRE ADDITION

Property Zoning District

R-1 Single Family Residential District

Requested Conditional Use

21.1403(1) Day care homes caring for children, provided that such facilities shall provide not less than thirty five (35) square feet of interior floor area and fifty (50) square feet of outdoor recreation space for each child. In addition, such facilities shall supply adequate off-street parking or other suitable plan for the loading and unloading of children so as not to obstruct public streets or create other traffic or safety hazards. (Ord 12-17; Rev 06-15-12)

Please reference Title 21

(<https://www.watertownsd.us/DocumentCenter/View/2382/Ordinance-Book-for-Website?bidId=>) for applicable conditional uses in specific districts.

Describe how the use will be established on the property*

I plan to open a registered in home daycare. I will not be having any employees. There may be small increase to traffic during opening and closing hours (7:30am- 5:30pm). I do intend to stay a small daycare as I will be doing school run with my children.

How many parking spaces are provided on site for the proposed use?*

4

What is the square footage of the structure the use will encompass?

3,646sf Total with main level to where daycare will be held being 1,570sf

Justification for Request

Before any conditional use shall be issued, the Board shall make written findings certifying compliance with the specific rules governing individual conditional uses and the satisfactory provision and arrangement has been made concerning the following, where applicable:

Please answer the below items (a-h) on how they are addressed on the property or how the requested conditional use will be accommodated for if approved. If an item(s) will not be affected, insert "NA" in that field(s).

A. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*

Driveway entrance located on the south of the property where off-street parking is located adjacent to detached garage. There is also alley access off one of the side yards (west-end of property). Home is on 4th Ave NW with 4th Ave being a dead-end street to the west only one house down.

B. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district.*

There is off street parking located on the south-side of the lot adjacent to the detached garage and home. Home is located near a dead-end street with signage indicating the dead-end on the the corner of the lot (4th Ave and 4th St NW), therefore limiting noise and traffic.

C. Refuse and service areas, with particular reference to the items in (a) and (b) above*

Yes, city solid waste collection is existing.

D. Utilities, with reference to locations, availability and compatibility*

Utilities are existing.

E. Screening and buffering with reference to type, dimensions and character*

No screening on lot at this time in regards to fencing. Again, home is located near a dead-end street with signage indicating the dead-end located on the the corner of the lot (4th Ave and 4th St NW) limiting traffic and noise.

F. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic affect, and compatibility and harmony with properties in the district.* ⓘ

Lighting is existing. Any signage, if any, will be applied for and complied with Chapter 21.80 of City Ordinance.

G. Required yards and other open space.* ⓘ

The structure has existed prior to 1975 with unattached garage building permit issued in 2001, now being legal nonconforming. Home is on a corner lot therefore having two "front yards" and two "side yards" with open space existing.

H. General compatibility with adjacent properties and other property in the district* ⓘ

Yes, primary structure exists on an R1 lot adjacent to R1 lots on the north, east, and west with R3 lots located to the south.

You can also upload any site plans, images, sketches, etc. in the attachment section later in the application if that helps to better explain your request.

Sign Posting

Provided by the City, a sign must be posted by the applicant on the property requesting a conditional use at least five (5) days before the time of hearing, per City Ordinance Ch. 21. 0202 2.B.3.

City staff will send notification when the sign is ready to be picked up via OpenGov. Please check the application or the email address provided for notification.

I acknowledge that I will be required to post the sign stating the requested conditional use for the above referenced property.

✔ Megan Kristine Wentz
Sep 13, 2023

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

Megan Kristine Wentz
Sep 13, 2023

Date*

09/13/2023

