

BOARD OF ADJUSTMENT
May 13, 2014

CALL TO ORDER

Chairman Claggett called the meeting of the Davison County Board of Adjustment to order at 9:30 a.m. All members of the Board were present. Also present were Planning & Zoning Administrator Bathke, Deputy Wegner, and Auditor Kiepke.

APPROVE MINUTES

Motion by Weiss, second by Kiner, to approve the minutes of the April 8, 2014 meeting. All members voted aye. Motion carried.

VARIANCES

The Planning Commission recommended denying 5-0-2.

Motion by Reider, second by Weiss, after consideration of Section 1507 C Variances, to grant a variance of +/- 21.1 acres to create a lot size of +/- 3.9 acres, as requested by Aaron and Mandy Gerlach with condition of ag covenant and due to the fact that it would be considered a hardship if not granted. This request is pursuant to Section 513 (1) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The minimum 25 acres will not be met. Upon platting, the property will legally be described as A & M Tract 1 in the S ½ of the SW ¼ of Section 15, T 101 N, R 60 W of the 5th P.M., Rome Township, Davison County, South Dakota.

Application received April 16, 2014
Daily Republic May 2, 2014
Posted April 25, 2014
Notified Applicant April 23, 2014
Notified Abutting Property Owners April 23, 2014
Consideration of 1507 C. Variances

Roll call vote:

Reider – aye, Weitala – aye, Kiner – aye, Weiss – aye, Claggett - aye. Motion carried.

The Planning Commission recommended granting 5-0-2.

Motion by Reider, second by Weiss, after consideration of Section 1507 C Variances, to grant a variance of 10' (ft) to create a side yard setback of 40' (ft), as requested by Steven Endres. This request is pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lots 2 & 3, Shadow Valley AC NW of Section 7, T 102 N, R 60 W of the 5th P.M., Prosper Township, Davison County, South Dakota.

Application received April 09, 2014
Daily Republic May 2, 2014
Posted April 25, 2014
Notified Applicant April 23, 2014

Notified Abutting Property Owners April 23, 2014
Consideration of 1507 C. Variances

Roll call vote:

Weitala – aye, Reider – aye, Kiner – aye, Weiss – aye, Claggett - aye. Motion carried.

CONDITIONAL USE

The Planning Commission recommended granting 5-0-2.

Motion by Weiss, second by Kiner, after consideration of Section 1507 B Conditional Uses, to grant a conditional use permit for a 600 animal unit feeding operation, as requested by Rob Maeschen. This request is pursuant to Sections 507 (3) and 518 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the NW ¼ of Section 19, T 101 N, R 60 W of the 5th P.M., Rome Township, Davison County, South Dakota.

Application received April 21, 2014

Daily Republic May 2, 2014

Posted April 25, 2014

Notified Applicant April 23, 2014

Notified Abutting Property Owners April 23, 2014

Consideration of 1507 B. Conditional Uses

Roll call vote:

Weitala – aye, Kiner - aye, Reider – aye, Weiss – aye, Claggett - aye. Motion carried.

VARIANCE

The Planning Commission recommended denying 5-0-2.

Motion by Weiss, second by Kiner, after consideration of Section 1507 C Variances, to grant a variance of 50' (ft) to create a public road right of way setback of 250' (ft) and approve a variance of 260' (ft) to create property line setback of 40' (ft), as requested by Rob Maeschen. This request is pursuant to Sections 517 (3), 518 (3) f and 518 (3) h of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the NW ¼ of Section 19, T 101 N, R 60 W of the 5th P.M., Rome Township, Davison County, South Dakota.

Application received April 21, 2014

Daily Republic May 2, 2014

Posted April 25, 2014

Notified Applicant April 23, 2014

Notified Abutting Property Owners April 23, 2014

Consideration of 1507 C. Variances

Roll call vote:

Reider – aye, Weitala – aye, Weiss – aye, Kiner – aye, Claggett - aye. Motion carried.

CONDITIONAL USE

The Planning Commission recommended granting 5-0-2.

Motion by Weiss, second by Weitala, after consideration of Section 1507 B Conditional Uses, to grant a conditional use permit for an auto sales business, as requested by Larice Hamilton. This request is pursuant to Section 507 (6) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the E 5/8 in the S 1/2 of the SE 1/4, Ex Lot 12, H-1 & H-2 of Section 15, T 101 N, R 60 W of the 5th P.M., Rome Township, Davison County, South Dakota.

Application received April 17, 2014

Daily Republic May 2, 2014

Posted April 25, 2014

Notified Applicant April 23, 2014

Notified Abutting Property Owners April 23, 2014

Consideration of 1507 B. Conditional Uses

Roll call vote:

Weiss – aye, Kiner - aye, Reider – aye, Weitala – aye, Claggett - aye. Motion carried.

ADJOURN

At 10:00 a.m., motion by Weitala, second by Weiss to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST

Susan Kiepke, Auditor

John Claggett, Chairman