BOARD OF ADJUSTMENT
August 11, 2015

CALL TO ORDER

Chairman Claggett called the meeting of the Davison County Board of Adjustment to order at 9:17 a.m. All members of the Board were present. Also present was Planning & Zoning Administrator Bathke and Auditor Kiepke.

APPROVE MINUTES

Motion by Kiner, second by Weitala, to approve the minutes of the July 14, 2015 meeting. All members voted aye. Motion carried.

VARIANCE

The Planning Commission recommended granting 7-0.

Motion by Bode, second by Kiner, after consideration of Section 1507 C Variances, to grant a variance for a front yard setback of +/- 22′ (ft) to create a setback of +/- 53′ (ft), as requested by Barb and Bob Weber. This request is pursuant to Section 613 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Wilson Tract 2 in the NE ¼ of Section 25, T103 N, R 61 W, of the 5th P.M., Davison County, South Dakota.

Application received July 13, 2015
Daily Republic July 25 and August 1, 2015
Posted July 23, 2015
Notified Applicant July 20, 2015
Notified Abutting Property Owners July 20, 2015
Consideration of 1507 C. Variances

Roll call vote:
Reider – aye, Weitala – aye, Kiner – aye, Bode – aye, Claggett - aye. Motion carried.

The Planning Commission recommended granting 7-0 with condition of an ag covenant.

Motion by Reider, second by Weitala, after consideration of Section 1507 C Variances, to grant a variance in Lot size of +/- 21.94 acres to create a Lot size of +/- 3.06 acres, as requested by Roger and Lisa Riggs. This request is pursuant to Section 513 (4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as a Plat of Riggs Tract 1 in the S 825′ (ft) of the SW ¼ of the SW ¼ of Section 24, T102 N, R 60 W, of the 5th P.M., Davison County, South Dakota.

Application received July 13, 2015
Daily Republic July 25 and August 1, 2015
Posted July 23, 2015

Notified Applicant July 20, 2015
Notified Abutting Property Owners July 20, 2015
Consideration of 1507 C. Variances

Roll call vote:
Weitala – aye, Reider – aye, Kiner – aye, Bode – aye, Claggett - aye. Motion carried.

The Planning Commission recommended granting 5-2 with the condition of an ag covenant.

Motion by Weitala, second by Reider, after consideration of Section 1507 C Variances, to grant a variance in Lot size of +/- 18.31 acres to create a Lot size of +/- 6.69 acres, as requested by John and Jeanne Mehlhaff. This request is pursuant to Section 513 (3) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as Plat of Mehlhaff Addition in the NW ¼ of the SW ¼ of Section 22, T102 N, R 60 W, of the 5th P.M., Davison County, South Dakota.

Application received July 20, 2015
Daily Republic July 25 and August 1, 2015
Posted July 23, 2015
Notified Applicant July 20, 2015
Notified Abutting Property Owners July 20, 2015
Consideration of 1507 C. Variances

Roll call vote:
Kiner – aye, Weitala – aye, Reider – aye, Bode – aye, Claggett - aye. Motion carried.

The Planning Commission recommended granting 7-0.

Motion by Bode, second by Kiner, after consideration of Section 1507 C Variances, to grant a variance for a front yard setback of +/- 40′ (ft) to create a setback of +/- 35′ (ft) from the right of way to build two grain bins, as requested by Loren VanOvershelde. 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 the S ½ of the NE ¼ and Lots 1 & 2 in the NE ¼ Ex LJV Tracts 1 and 2 of Section 1, T104 N, R 61 W, of the 5th P.M., Davison County, South Dakota.

Application received July 13, 2015
Daily Republic July 25 and August 1, 2015
Posted July 23, 2015
Notified Applicant July 20, 2015
Notified Abutting Property Owners July 20, 2015
Consideration of 1507 C. Variances

Roll call vote:
Bode – aye, Weitala – aye, Kiner – aye, Reider – aye, Claggett - aye. Motion carried.

CONDITIONAL USE

The Planning Commission recommended granting 7-0 the temporary Conditional Use without any specified conditions.

Motion by Kiner, second by Weitala, after consideration of Section 1507 B Conditional Uses, to grant a temporary conditional use for a 197' (ft) meteorological tower, as requested by Juhl Energy. This request is pursuant to Section 607 (40) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the SE ¼ Ex Lots A & C of Charlenes 1st Addition in the S714' (ft) thereof in Section 9, T 103 N, R 61 W, of the 5th P.M., Davison County, South Dakota.

Application received July 20, 2015
Daily Republic July 25 and August 1, 2015
Posted July 23, 2015
Notified Applicant July 20, 2015
Notified Abutting Property Owners July 20, 2015
Consideration of 1507 B. Conditional Uses

Roll call vote:
Weitala – aye, Kiner - aye, Reider – aye, Bode – aye, Claggett - aye. Motion carried.

ADJOURN

At 9:38 a.m., motion by Weitala, second by Reider to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST

Susan Kiepke, Auditor

COUNTY AUDITOR SEAL DAVISON COUNTY, SOUTH DAKOTA

John Claggett, Chairman