

**BOARD OF ADJUSTMENT**  
**May 9, 2017**

**CALL TO ORDER**

Chairperson Bode 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 were Planning & Zoning Administrator Bathke, Deputy Jenniges and Deputy Auditor Stoebner.

**APPROVE MINUTES**

Motion by Kiner, second by Weitala, to approve the minutes of the April 11, 2017 meeting. All members voted aye. Motion carried.

**VARIANCES**

The Planning Commission recommended granting 7-0.

Motion by Kiner, second by Claggett, after consideration of Section 1507 C Variances, to grant a variance for front yard setback of +/- 62' (ft) resulting in a setback of +/- 13' (ft) from the right of way and a side yard setback of +/- 3' (ft), resulting in a setback of +/- 7' (ft) from the property line, where the front yard setback requirement is 75' (ft) and the side yard setback requirement is 10' (ft) in the AG Residential District, as requested by Robert Novotny. 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 Lots 1 & 2 of River Front Estates located in the SE ¼ of Section 25, T 103 N, R 60 W, of the 5<sup>th</sup> P.M., Davison County, South Dakota.

Application received March 23, 2017  
Daily Republic April 28, 2017  
Posted April 21, 2017  
Notified Applicant April 18, 2017  
Notified Abutting Property Owners April 18, 2017  
Consideration of 1507 C. Variances

Roll call vote:

Reider – aye, Weitala – aye, Kiner – aye, Claggett – aye, Bode – aye. Motion carried.

The Planning Commission recommended granting 7-0.

Motion by Claggett, second by Reider, after consideration of Section 1507 C Variances, to grant a variance for front yard setback of +/- 25' (ft) resulting in a setback of +/- 50' (ft) from the right of way, where the front yard setback requirement is 75' (ft) in the AG District, as requested by Dan Weiss. 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 E385' of the S535' in the SE ¼ of Section 19, T 103 N, R 61 W, of the 5<sup>th</sup> P.M., Davison County, South Dakota.

Application received April 5, 2017  
Daily Republic April 28, 2017  
Posted April 21, 2017  
Notified Applicant April 18, 2017  
Notified Abutting Property Owners April 18, 2017  
Consideration of 1507 C. Variances

Roll call vote:

Weitala – aye, Reider – aye, Kiner – aye, Claggett – aye, Bode – aye. Motion carried.

The Planning Commission recommended granting 7-0.

Motion by Kiner, second by Claggett, after consideration of Section 1507 C Variances, to grant a variance in minimum lot size of +/- 19.482 acres to create a lot size of +/- 5.518 acres, where the minimum lot size requirement is 25 acres in the AG Residential District, as requested by Dan Stolp. This request is pursuant to Section 616(4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as Lot 1 of Stolp Addition in the W ½ of the NW ¼ of Section 23, T 102 N, R 60 W, of the 5<sup>th</sup> P.M., Davison County, South Dakota.

Application received April 17, 2017  
Daily Republic April 28, 2017  
Posted April 21, 2017  
Notified Applicant April 18, 2017  
Notified Abutting Property Owners April 18, 2017  
Consideration of 1507 C. Variances

Roll call vote:

Kiner – aye, Weitala – aye, Reider – aye, Claggett – aye, Bode – aye. Motion carried.

### **CONDITIONAL USE**

The Planning Commission recommended granting 7-0.

Motion by Claggett, second by Kiner, after consideration of Section 1507 C Conditional Uses, to grant a conditional use permit to build storage units for rent, as requested by Kim Lorang. This request is pursuant to Section 507(34) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot A EX Thomas Tract 1 & Lot B EX E275' of S233' & EX E200' Less S233' thereof Sub of NE ¼ & that portion of SE ¼ lying N of RR ROW of Section 21, T 103 N, R 62 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.

Application received April 17, 2017  
Daily Republic April 28, 2017  
Posted April 21, 2017  
Notified Applicant April 18, 2017  
Notified Abutting Property Owners April 18, 2017  
Consideration of 1507 C. Variances

Roll call vote:

Claggett – aye, Weitala – aye, Kiner – aye, Reider – aye, Claggett – aye, Bode – aye. Motion carried.

## **VARIANCE**

The Planning Commission recommended granting 7-0.

Motion by Kiner, second by Weitala, after consideration of Section 1507 C Variances, to grant a variance for front yard setback of +/- 60' (ft) resulting in a setback of +/- 15' (ft) from the right of way and a side yard setback of +/- 35' (ft) from the E275' of the S233' of Lot B, EX the E273' of the S170' & EX the E200' of the S233' less the S170' being a Sub of the NE ¼ & that portion of the SE ¼ lying N of the RR ROW of Section 21, T 103 N, R 62 W of the 5<sup>th</sup> P.M., Davison County, South Dakota, resulting in a setback of +/- 15' (ft) from the property line, where the front yard setback requirement is 75' (ft) and the side yard setback requirement is 50' (ft) in the AG District, as requested by Kim Lorang. 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 Lot A EX Thomas Tract 1 & Lot B, EX E275' of S233' & EX E200' less S233' thereof Sub of NE ¼ & that portion of SE ¼ lying N of RR ROW of Section 21, T 103 N, R 62 W, of the 5<sup>th</sup> P.M., Davison County, South Dakota.

Application received April 17, 2017

Daily Republic April 28, 2017

Posted April 21, 2017

Notified Applicant April 18, 2017

Notified Abutting Property Owners April 18, 2017

Consideration of 1507 C. Variances

Roll call vote:

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

## **ADJOURN**

At 9:30 a.m., motion by Weitala, second by Kiner to adjourn Board of Adjustment. All members voted aye. Motion carried.

## **ATTEST**

---

Susan Kiepke, Auditor

---

Brenda Bode, Chairperson