

BOARD OF ADJUSTMENT
April 14, 2020

CALL TO ORDER

Chairperson Bode called the meeting of the Davison County Board of Adjustment to order at 9:15 a.m., which was held telephonically. Members of the Board present were Bode, Weitala, Reider, Kiner, Claggett. Also present was Planning & Zoning Administrator Bathke, Deputy Jenniges and Auditor Kiepke.

APPROVE AGENDA

Motion by Weitala, second by Claggett to approve the agenda for the April 14, 2020 meeting. A roll call vote was taken as follows. Weitala – aye, Claggett – aye, Reider – aye, Kiner – aye, Bode – aye. Motion carried.

APPROVE MINUTES

Motion by Reider, second by Claggett, to approve the minutes of the March 10, 2020 meeting. A roll call vote was taken as follows. Reider – aye, Claggett – aye, Weitala – aye, Kiner – aye, Bode – aye. Motion carried.

PUBLIC INPUT

Chairperson Bode called for public input. She reminded the public that this was for items not on the agenda. Hearing none, the meeting continued.

VARIANCE

The Planning Commission recommended granting a front yard setback +/- 55' (ft) (applicant asked for +/- 60' (ft) resulting in a setback of +/- 20' (ft) (applicant asked for +/- 15' (ft)), where the minimum setback is 75' (ft) in the Ag Residential District with a vote of 6-1.

Motion by Weitala, second by Claggett, after consideration of Section 1206 B Variances, to grant a variance for front yard setback of +/- 55' (ft), resulting in a setback of +/- 20' (ft) from the right of way where the minimum is 75' (ft) in the Ag Residential District, as requested by Reggie Siegel and Collette Stadlman. This request is pursuant to Section 408 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot 5 of River Bluffs Addition in the NW ¼ of Section 12, T 103 N, R 60 W, of the 5th P.M., Davison County, South Dakota.

Application received March 4, 2020
Daily Republic April 3, 2020
Posted March 27, 2020
Notified Applicant March 23, 2020
Notified Abutting Property Owners March 23, 2020
Consideration of 1206 B. Variances

Roll call vote:

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

VARIANCE

The Planning Commission recommended granting 7-0.

Motion by Claggett, second by Kiner, after consideration of Section 1206 B Variances, to grant a variance for front yard setback of +/- 54' (ft), resulting in a setback of +/- 21' (ft) from the right of way where the minimum is 75' (ft); rear yard setback of +/- 30' (ft), resulting in a setback of +/- 20' (ft) from the property line, where the minimum is 50' (ft); west side yard setback of +/- 31' (ft), resulting in a setback of +/- 19' (ft) from the west property line, where the minimum is 50' (ft), all in the Ag District, as requested by Ryan Thill. This request is pursuant to Section 308 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot 1 in the NE ¼ of Section 11, T 102 N, R 60 W, of the 5th P.M., Davison County, South Dakota.

Application received March 17, 2020

Daily Republic April 3, 2020

Posted March 27, 2020

Notified Applicant March 23, 2020

Notified Abutting Property Owners March 23, 2020

Consideration of 1206 B. Variances

Roll call vote:

Reider – aye, Weitala – aye, Kiner – 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 1206 A Conditional Uses, to grant a Conditional Use Permit to operate a 960-animal unit concentrated animal feeding operation in the Ag District, as requested by Matt Storm. This request is pursuant to Section 304 (10) and Section 309 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 33, T 102 N, R 62 W, of the 5th P.M., Davison County, South Dakota.

Application received February 21, 2020

Daily Republic April 3, 2020

Posted March 27, 2020

Notified Applicant March 23, 2020

Notified Abutting Property Owners March 23, 2020

Consideration of 1206 A. Conditional Uses

Roll call vote:

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

VARIANCE

The Planning Commission recommended granting 7-0.

Motion by Kiner, second by Claggett, after consideration of Section 1206 B Variances, to grant a variance for minimum setback from a right of way of +/- 230' (ft), resulting in a setback of +/- 70' (ft) where the minimum is 300' (ft) and a setback from lakes, rivers and streams classified as drinking water of +/- 660' (ft) resulting in a setback of +/- 660' (ft) where the minimum is 1,320' (ft) in the Ag District, as requested by Matt Storm. This request is pursuant to Section 309 (3d)(3f) 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 33, T 102 N, R 62 W, of the 5th P.M., Davison County, South Dakota.

Application received February 21, 2020
Daily Republic April 3, 2020
Posted March 27, 2020
Notified Applicant March 23, 2020
Notified Abutting Property Owners March 23, 2020
Consideration of 1206 B. Variances


Roll call vote:

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


ADJOURN

At 9:50 a.m., motion by Weitala, second by Reider to adjourn Board of Adjustment. A roll call vote was taken as follows. Weitala – aye, Reider – aye, Kiner – aye, Claggett – aye, Bode – aye. Motion carried.

ATTEST



Susan Kiepke, Auditor



The seal is circular with a double-line border. The outer ring contains the text "DAVISON COUNTY AUDITOR" at the top and "DAVISON COUNTY, SOUTH DAKOTA" at the bottom, separated by two small stars. In the center of the seal, the word "SEAL" is written in a large, bold, serif font.



Brenda Bode, Chairperson