

**BOARD OF ADJUSTMENT**  
**May 12, 2020**

**CALL TO ORDER**

Chairperson Bode called the meeting of the Davison County Board of Adjustment to order at 9:15 a.m. All members of the Board were present. Also present was Planning & Zoning Administrator Bathke, Deputy Jenniges and Auditor Kiepke.

**APPROVE AGENDA**

Motion by Claggett, second by Kiner to approve the agenda for the May 12, 2020 meeting. All members voted aye. Motion carried.

**APPROVE MINUTES**

Motion by Claggett, second by Weitala, to approve the minutes of the April 14, 2020 meeting. All members voted 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 5-0-2.

Motion by Reider, second by Kiner, after consideration of Section 1206 B Variances, to grant a variance for front yard setback of +/- 52' (ft) from an existing shed, resulting in a setback of +/- 23' (ft) from the right of way where the minimum is 75' (ft) in the Ag District, as requested by Donald and Lois Martin. This request is pursuant to Section 308 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting the property will be legally described as a Plat of Lot 2 of Donald & Lois Addition in the SW ¼ of Section 7, T 104 N, R 60 W, of the 5<sup>th</sup> P.M., Davison County, South Dakota.

Application received March 26, 2020  
Daily Republic May 2, 2020  
Posted April 24, 2020  
Notified Applicant April 21, 2020  
Notified Abutting Property Owners April 21, 2020  
Consideration of 1206 B. Variances

Roll call vote:

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

**VARIANCE**

The Planning Commission recommended granting 5-0-2.

Motion by Reider, second by Claggett, after consideration of Section 1206 B Variances, to grant a variance for minimum lot size of +/- 21.8 acres, resulting in a lot size of +/- 3.2 acres where the minimum is 25 acres; front yard setback of +/- 35' (ft) for an existing residence, resulting in a front yard setback of +/- 40' (ft) where the minimum is 75' (ft); setback for 5 existing grain bins on the parent parcel to the new north property line of parent parcel of +/- 42' (ft), resulting in a setback of +/- 8' (ft) where the minimum is 50' (ft); setback for existing 24' (ft) diameter grain bin on parent parcel to the new west property line of parent parcel of +/- 25' (ft) resulting in a setback of +/- 25' (ft) where the minimum is 50' (ft), all in the Ag District, as requested by Jarod & Courtney Deinert. This request is pursuant to Section 307 (4) and Section 308 (1) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting the property will be legally described as a Plat of Tract A, located in Lot C of Deinert's First Addition in the NW ¼ of Section 25, T 103 N, R 62 W, of the 5<sup>th</sup> P.M., Davison County, South Dakota. The property is currently described as Lot C of Deinert's First Addition in the NW ¼ of Section 25, T 103 N, R 62 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.

Application received April 15, 2020  
Daily Republic May 2, 2020  
Posted April 24, 2020  
Notified Applicant April 21, 2020  
Notified Abutting Property Owners April 21, 2020  
Consideration of 1206 B. Variances

Roll call vote:

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

### **CONDITIONAL USE**

The Planning Commission recommended granting 6-0-1.

Motion by Kiner, second by Claggett, 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 Jones & Klumb Family Farm LLC, with the condition that Jones & Klumb Family LLC and Jesse Helma enter into a signed agreement regarding tree planting before a building permit is issued. 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 NE ¼ of Section 35, T 103 N, R 62 W, of the 5<sup>th</sup> P.M., Davison County, South Dakota.

Application received April 17, 2020  
Daily Republic May 2, 2020  
Posted April 24, 2020  
Notified Applicant April 21, 2020  
Notified Abutting Property Owners April 21, 2020  
Consideration of 1206 A. Conditional Uses

Roll call vote:

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

**ADJOURN**

At 9:55 a.m., motion by Reider, second by Claggett to adjourn Board of Adjustment. All members voted aye. Motion carried.

**ATTEST**

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Susan Kiepke, Auditor

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Brenda Bode, Chairperson