

BOARD OF ADJUSTMENT
May 11, 2021

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 were Planning and Zoning Acting Administrator Jenniges, and Deputy Auditor Matthews.

APPROVE AGENDA

Motion by Weitala, second by Kiner, to approve the agenda for the May 11, 2021 meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Weitala, second by Reider, to approve the amended minutes of the April 13, 2021 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 7-0.

Motion by Claggett, second by Kiner, after consideration of Section 1206 B., to approve a variance in minimum front yard setback of +/- 30' resulting in a setback of +/- 45' from the right of way for an existing residence where the minimum is 75' and minimum side yard setback of +/- 8' resulting in a setback of +/- 2' where the minimum is 10' in the Ag Residential District; as requested by Bob Weber. 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 1 in the NE 1/4 of Section 25, T 103 N, R 61 West of the 5th P.M., Davison County, South Dakota.

Application received March 29, 2021
Daily Republic May 1, 2021
Posted April 23, 2021
Notified Applicant April 23, 2021
Notified Abutting Property Owners April 23, 2021
Consideration of 1206 B. Variances

Roll call vote:

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

VARIANCE

Commissioner Reider declared a conflict of interest and recused himself from voting.

The Planning Commission recommended granting 7-0.

Motion by Claggett, second by Kiner, after consideration of Section 1206 B., to approve a variance in minimum side yard setback of +/- 6' resulting in a setback of +/- 4' from the property line where the minimum is 10' in the Ag Residential District; as requested by Dan & Mary Alexander. 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 the E 28.67' of Lot 0-1 of Titze Addition in the SW 1/4 of Section 24, T 103 N, R 61 W of the 5th P.M., Davison County, South Dakota.

Application received April 5, 2021

Daily Republic May 1, 2021

Posted April 23, 2021

Notified Applicant April 23, 2021

Notified Abutting Property Owners April 23, 2021

Consideration of 1206 B. Variances

Roll call vote:

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

VARIANCE

The Planning Commission recommended granting 6-1 with a minimum north side/rear yard setback of +/- 59' resulting in a setback of +/- 16' from the property line, a variance in east yard setback of +/- 59' resulting in a setback of +/- 16' from the property line and a variance in west side yard setback south of the existing east/west shelterbelt of +/-59' resulting in a setback of +/- 16'.

Motion by Kiner, second by Claggett, after consideration of Section 1206 B., to approve a variance in minimum north side/rear yard setback of +/- 59' resulting in a setback of +/- 16' from the property line, a variance in east yard setback of +/- 75' resulting in a setback of +/- 0' from the property line and a variance in west side yard setback south of the existing east/west shelterbelt of +/-59' resulting in a setback of +/- 16', where the minimum for a shelterbelt setback is 75' in the Ag District; as requested by Bryce Havlik, with same recommendations as the Planning Commission. This request is pursuant to Section 2:15 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The properties are legally

described as B Havlik Tract 1 in the SW 1/4 of Section 1, T 103 N, R 61 West of the 5th P.M., Davison County, South Dakota, Tract A of Stratton's Addition in the S940.5' of the SW 1/4 of Section 1, T 103 N, R 61 West of the 5th P.M., Davison County, South Dakota and S940.5' of the SW 1/4 Ex S537.5' of W433.1' & Ex B Havlik Tract 1 & Ex Tract A of Stratton's Addition in the S 940.5' in the SW 1/4 of Section 1, T 103 N, R 61 West of the 5th P.M., Davison County, South Dakota.

Application received April 12, 2021
Daily Republic May 1, 2021
Posted April 23, 2021
Notified Applicant April 23, 2021
Notified Abutting Property Owners April 23, 2021
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., to approve a variance in minimum lot size of +/- 17.399 acres resulting in a lot size of +/- 7.601 acres, lot size of +/- 17.399 acres resulting in a lot size of +/- 7.601 acres and lot size of +/- 15 acres resulting in a lot size of +/- 10 acres, where the minimum lot size is 25 acres in the Ag District; as requested by Jason & Arin Riggs. This request is pursuant to Section 307(4,5) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is currently legally described as the W 831' of the N 1,321' in the NW ¼ of the NW ¼ of Section 15, T 101 N, R 60 West of the 5th P.M., Davison County, South Dakota. The property will be legally described as a Plat of Tracts 1, 2, and 3 in the Jason & Arin Addition, in the NW 1/4 of the NW 1/4 of Section 15, T 101 N, R 60 West of the 5th P.M., Davison County, South Dakota.

Application received April 19, 2021
Daily Republic May 1, 2021
Posted April 23, 2021
Notified Applicant April 23, 2021
Notified Abutting Property Owners April 23, 2021
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. a motion by Reider, second by Weitala, to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST:

James Matthews, Deputy Auditor

Brenda Bode, Chairperson