

BOARD OF ADJUSTMENT
September 21, 2021

CALL TO ORDER

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

APPROVE AGENDA

Motion by Reider, second by Kiner to approve the agenda for the September 21, 2021, meeting. All members present voted aye. Motion carried.

APPROVE MINUTES

Motion by Claggett, second by Kiner, to approve the minutes of the August 17, 2021, meeting. All members present 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.

VARIANCES

The Planning Commission recommended granting 7-0.

Motion by Claggett, second by Kiner, after consideration of Section 1206 B Variances, to grant a variance in minimum lot size of +/- 17.149 acres, creating a lot size of +/- 7.851 acres, and a lot size of +/- 10 acres, creating a lot size of +/- 15 acres, where the minimum lot size is 25 acres in the Ag District, as requested by Mahlon Byler. This request is pursuant to Section 307(5) 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 Lot A of Jatou Tract 1 and Lot B of Jatou Tract 1 in the NW ¼ of the NW ¼ of Section 21, T 101 N, R 60 W, of the 5th P.M., Davison County, South Dakota.

Application received July 23, 2021

Daily Republic August 25, 2021

Posted August 23, 2021

Notified Applicant August 23, 2021

Notified Abutting Property Owners August 23, 2021

Consideration of 1206 B. Variances

Roll call vote:

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

The Planning Commission recommended granting 7-0.

Motion by Claggett, second by Reider, after consideration of Section 1206 B Variances, to grant a variance in minimum front yard setback to an existing residence of +/- 45' (ft), creating a setback of +/- 30' (ft), where the minimum is 75' (ft) in the Ag District, as requested by Ryan

Schoenenberger. This request is pursuant to Section 408(1) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot 18 of River Bluffs in the NW ¼ of Section 12, T 103 N, R 60 W, of the 5th P.M., Davison County, South Dakota.

Application received August 6, 2021
Daily Republic August 25, 2021
Posted August 23, 2021
Notified Applicant August 23, 2021
Notified Abutting Property Owners August 23, 2021
Consideration of 1206 B. Variances

Roll call vote:

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

The Planning Commission recommended granting 7-0.

Motion by Claggett, second by Kiner, after consideration of Section 1206 B Variances, to grant a variance:

1. in minimum lot size of +/- 21.317 acres, creating a lot size of +/- 3.683 acres, where the minimum lot size is 25 acres for a residence in the Ag District.
2. in minimum side yard setback of +/- 15', creating a setback of +/- 35' from the residence on the south side, where the minimum side yard setback is 50' in the Ag District.
3. in minimum side yard setback of +/- 35', creating a setback of +/- 15' from the shed on the south side, where the minimum side yard setback is 50' in the Ag District.
4. in minimum side yard setback of +/- 25', creating a setback of +/- 25' from the shed on the east side, where the minimum side yard setback is 50' in the Ag District.
5. In minimum side yard setback of +/- 35', creating a setback of +/- 15' from the grain bins on the east side, where the minimum side yard setback is 50' in the Ag District.

as requested by Tyson Bialas. This request is pursuant to Section 307(1) and 3:08 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as Lot A in Tract 1 of Ivan Bialas Addition in the NW ¼ of Section 35, T 102 N, R 62 W, of the 5th P.M., Davison County, South Dakota.

Application received August 18, 2021
Daily Republic August 25, 2021
Posted August 23, 2021
Notified Applicant August 23, 2021
Notified Abutting Property Owners August 23, 2021
Consideration of 1206 B. Variances

Roll call vote:

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

The Planning Commission recommended granting 7-0.

Motion by Reider, second by Claggett, after consideration of Section 1206 B Variances, to grant a variance in minimum front yard setback of +/- 42' (ft), creating a setback of +/- 33' (ft), where the minimum is 75' (ft) in the Ag District, as requested by Dean Baker. This request is

pursuant to Section 408(1) 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 EX RY of Section 19, T 103 N, R 62 W, of the 5th P.M., Davison County, South Dakota.

Application received August 18, 2021
Daily Republic August 25, 2021
Posted August 23, 2021
Notified Applicant August 23, 2021
Notified Abutting Property Owners August 23, 2021
Consideration of 1206 B. Variances

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

The Planning Commission recommended granting 7-0.

Motion by Claggett, second by Kiner, after consideration of Section 1206 B Variances, to grant a variance in minimum lot size of +/- 15.269 acres, resulting in a lot size of +/- 9.731 acres where the minimum lot size is 25 acres for a residence in the Ag District, as requested by Dalen Frank. This request is pursuant to Section 307(5) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as Lot 2A of Franks Addition in the East 974.4 Feet of the West 1772.4 Feet of the South 718.2 Feet in the S ½ of Section 14, T 103 N, R 62 W, of the 5th P.M., Davison County, South Dakota.

Application received August 13, 2021
Daily Republic August 25, 2021
Posted August 23, 2021
Notified Applicant August 23, 2021
Notified Abutting Property Owners August 23, 2021
Consideration of 1206 B. Variances

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

ADJOURN

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

ATTEST


Susan Kiepke, Auditor



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


Brenda Bode, Chairperson

