

**BOARD OF ADJUSTMENT
December 14, 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 Claggett, Reider, Weitala, Bode. Absent Kiner. Also present were Planning & Zoning Administrator Bathke, Assistant Administrator Wegleitner and Auditor Kiepke.

APPROVE AGENDA

Motion by Claggett, second by Weitala to approve the agenda for the December 14, 2021, meeting. All members present voted aye. Motion carried.

APPROVE MINUTES

Motion by Claggett, second by Weitala, to approve the minutes of the November 9, 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.

VARIANCE

The Planning Commission recommended granting 4-2-1.

Motion by Reider, second by Claggett, after consideration of Section 1206 B Variances, to grant a variance in minimum rear yard setback of +/- 5' (ft) to create a setback from the west property line of +/- 5' (ft), where the minimum rear yard setback is 10' (ft) in the Ag Residential District and to grant a variance in minimum side yard setback of +/- 8' (ft) to create a setback from the north property line of +/- 2' (ft) where the minimum side yard setback is 10' (ft) in the Ag Residential District, as requested by Charles Sr. and Wanda Kobes. With the following conditions: No tree removal on the neighbor's property with the exception of the one on the lot line; a professional survey must be completed showing an easement for the driveway and clearly identifies the west and north property lines. This request is pursuant to Section 4:08(1)(B&C), 1106(B) & 1206(B) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot A-2 of the SE ¼ of Section 15, T 102 N, R 60 W, of the 5th P.M., Davison County, South Dakota.

Application received November 15, 2021
Daily Republic November 27 & December 4, 2021
Posted November 23, 2021
Notified Applicant November 22, 2021
Notified Abutting Property Owners November 22, 2021
Consideration of 1206 B. Variances

Roll call vote:

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

VARIANCE

The Planning Commission recommended granting 6-0-1.

Motion by Reider, second by Weitala, after consideration of Section 1206 B Variances, to grant a variance in minimum lot size of +/- 23 acres to create a lot size of +/- 2 acres, where the minimum lot size is 25 acres in the Ag District, as requested by Steve Gerlach on land being platted by Dale Kroupa. This request is pursuant to Section 3:07(5), 1106(B) & 1206(B) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot 18-2 in the W ½ of the SW ¼ ex Lot 1 of that portion of H2 lying within Section 22, T 103 N, R 62 W, of the 5th P.M., Davison County, South Dakota, less NWPS Mt. Vernon Sub. No. 2 to the Town of Mount Vernon.

Application received November 18, 2021
Daily Republic November 27 & December 4, 2021
Posted November 23, 2021
Notified Applicant November 22, 2021
Notified Abutting Property Owners November 22, 2021
Consideration of 1206 B. Variances

Roll call vote:

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

CONDITIONAL USE

The Planning Commission recommended granting 6-0-1.

Motion by Reider, second by Claggett, after consideration of Section 1206 A Conditional Uses, to grant a Conditional Use Permit to operate a federal firearms sales business in the Ag Residential District, as requested by Jason Nedved. This request is pursuant to Section 4:05, 1106(A) & 1206(A) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the S ½ of the N ½ of the NE ¼ of the SE ¼ ex Tract 1 Nedved Addition and the S ½ of the NE ¼ of the SE ¼ of Section 8, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota.

Application received November 19, 2021
Daily Republic November 27 & December 4, 2021
Posted November 23, 2021
Notified Applicant November 22, 2021
Notified Abutting Property Owners November 22, 2021
Consideration of 1206 A. Conditional Uses

Roll call vote:

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

ADJOURN

At 10:09 a.m., motion by Reider, second by Weitala to adjourn Board of Adjustment. All members present voted aye. Motion carried.

ATTEST



Susan Kiepke, Auditor





Brenda Bode, Chairperson