

BOARD OF ADJUSTMENT
February 11, 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 Deputy Jenniges and Auditor Kiepke.

APPROVE AGENDA

Motion by Weitala, second by Kiner to approve the agenda for the February 11, 2020 meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Kiner, second by Claggett, to approve the minutes of the December 10, 2019 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 6-0-1.

Motion by Claggett, second by Reider, after consideration of Section 1206 B Variances, to grant a variance for front yard setback of +/- 35' (ft), resulting in a setback of +/- 40' (ft) from the right of way where the minimum is 75' (ft) and north yard setback of +/- 20' (ft), resulting in a setback of +/- 30' (ft), where minimum is 50' (ft) in the Ag District, as requested by Moller Farms Partnership. 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 S ½ of the NE ¼ of Section 31, T 102 N, R 62 W, of the 5th P.M., Davison County, South Dakota.

Application received January 9, 2020
Daily Republic January 31, 2020
Posted January 24, 2020
Notified Applicant January 22, 2020
Notified Abutting Property Owners January 22, 2020
Consideration of 1206 B. Variances

Roll call vote:

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

ADJOURN

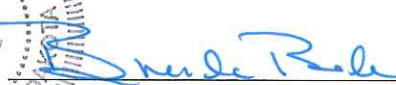
At 9:24 a.m., motion by Reider, second by Kiner to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST



Susan Kiepke, Auditor





Brenda Bode, Chairperson

BOARD OF ADJUSTMENT
March 10, 2020

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 Bode, Weitala, Reider, Claggett. Absent Kiner. Also present was Planning & Zoning Administrator Bathke, Deputy Jenniges and Auditor Kiepke.

APPROVE AGENDA

Motion by Claggett, second by Reider to approve the agenda for the March 10, 2020 meeting. All members present voted aye. Motion carried.

APPROVE MINUTES

Motion by Claggett, second by Weitala, to approve the minutes of the February 11, 2020 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

CONDITIONAL USE

The Planning Commission recommended granting 5-1-1.

Motion by Weitala, second by Reider, after consideration of Section 1206 A Conditional Uses, to approve a Conditional Use Permit to operate a Federal Firearms Sales business, as requested by Daryl Green. This request is pursuant to Section 305 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot A in the SW ¼ of Section 20, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota.

Application received February 10, 2020
Daily Republic February 28, 2020
Posted February 21, 2020
Notified Applicant February 18, 2020
Notified Abutting Property Owners February 18, 2020
Consideration of 1206 A. Conditional Uses

Roll call vote:

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

ADJOURN


At 9:20 a.m., motion by Weitala, second by Reider to adjourn Board of Adjustment. All members present voted aye. Motion carried.

ATTEST



Susan Kiepke, Auditor





Brenda Bode, Chairperson

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, Weitalla – aye, Kiner – aye, Claggett – aye, Bode - aye. Motion carried.

ADJOURN

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

ATTEST


Susan Kiepke, Auditor




Brenda Bode, Chairperson

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 5th 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 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 5th 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 5th 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 5th 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


Susan Kiepke, Auditor


Brenda Bode, Chairperson



BOARD OF ADJUSTMENT
June 9, 2020

CALL TO ORDER

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

APPROVE AGENDA

Motion by Claggett, second by Reider to approve the agenda for the June 9, 2020 meeting. All members present voted aye. Motion carried.

APPROVE MINUTES

Motion by Reider, second by Claggett, to approve the minutes of the May 12, 2020 meeting. All members present voted aye. Motion carried.

PUBLIC INPUT

Vice-Chairperson Weitala 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 Claggett, second by Reider, after consideration of Section 1206 B Variances, to grant a variance for minimum lot size of +/- 21.37 acres, resulting in a lot size of +/- 3.63 acres where the minimum is 25 acres; east side yard setback of +/- 17' (ft) for an existing residence on Lot 1, resulting in an east side yard setback of +/- 33' (ft) where the minimum is 50' (ft); rear yard setback of +/- 10' (ft) for existing residence, garage, shed and 4 grain bins on Lot 1, resulting in a rear yard setback of +/- 40' (ft) where the minimum is 50' (ft); setback for existing 30' (ft) diameter grain bin and 60' (ft) x 54' (ft) shed on Lot 2 to new north property line of +/- 35' (ft) resulting in a setback of +/- 15' (ft) where the minimum is 50' (ft), ; east side yard setback for two existing north/south running sheds on Lot 2 to new east Property line of +/- 15' (ft) resulting in a setback of +/- 35' (ft) where the minimum is 50' (ft), all in the Ag District, as requested by Kardell Miiller. This request is pursuant to Section 307(5) and 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 Lots 1 and 2 of Kardel and Amanda's Addition in the North 120 Acres of the NE ¼ of Section 25, T 101 N, R 62 W, of the 5th P.M., Davison County, South Dakota.

Application received May 1, 2020
Daily Republic May 30, 2020
Posted May 22, 2020

Notified Applicant May 19, 2020
Notified Abutting Property Owners May 19, 2020
Consideration of 1206 B. Variances

Roll call vote:

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

CONDITIONAL USE

The Planning Commission recommended granting 5-0-2.

Motion by Claggett, second by Kiner, after consideration of Section 1206 A Conditional Uses, to grant a Conditional Use Permit to operate a manufacturing/welding business in the Ag Residential District, as requested by Steve Frank. This request is pursuant to Section 405 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot A in the SE ¼ of Section 23, T 103 N, R 61 W, of the 5th P.M., Davison County, South Dakota.

Application received May 14, 2020
Daily Republic May 30, 2020
Posted May 22, 2020
Notified Applicant May 19, 2020
Notified Abutting Property Owners May 19, 2020
Consideration of 1206 A. Conditional Uses


Roll call vote:

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

ADJOURN

At 9:25 a.m., motion by Reider, second by Claggett to adjourn Board of Adjustment. All members present voted aye. Motion carried.

ATTEST


Susan Kiepke, Auditor




Kim Weitala, Vice-Chairperson

BOARD OF ADJUSTMENT
July 14, 2020

CALL TO ORDER

Chairperson Bode called 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 Administrator Bathke, Planning and Zoning Deputy Jenniges, and Deputy Auditor Matthews.

APPROVE AGENDA

Motion by Reider, second by Kiner, to approve the agenda for the July 14, 2020 meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Reider, second by Claggett, to approve the minutes of the June 9, 2020 meeting. All members voted aye. Motion carried.

PUBLIC INPUT

Chairperson Bode called asked for any public input for any items not on the Agenda. Hearing none, public input was closed.

CONDITIONAL USE

The Planning Commission recommended approval 6-0-1 absent.

Motion by Reider, second by Weitala, after consideration of Section 1206 A., to approve a conditional use permit to operate an open sales business in the Agricultural District, as requested by Palace MotoSports/Scott Studer. This request is pursuant to Section 304(24) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as W 190' of the S 311.5' of the N 711.5' of the SW 1/4 of Section 2, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota.

Application received May 27, 2020

Daily Republic July 4, 2020

Posted June 25, 2020

Notified Applicant June 24, 2020

Notified Abutting Property Owners June 24, 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 6-0-1 absent.

Motion by Reider, second by Claggett, after consideration of Section 1206 B., to approve a variance for minimum side yard setback from an existing deck/residence/garage of +/- 20' to create a side yard setback of +/- 30' from the property line, where the minimum is 50' in the Agricultural District; as requested by Renae & Terry Kleinsasser. 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 A of Kleinsasser Addition in the SE 1/4 of Section 21, Township 102 North, Range 60 West of the 5th P.M., Davison County, South Dakota. The property is currently described W 509.15' of the S 2139' of the E 1043' of the SE 1/4 of Section 21, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota.

Application received June 8, 2020

Daily Republic July 4, 2020

Posted June 25, 2020

Notified Applicant June 24, 2020

Notified Abutting Property Owners June 24, 2020

Consideration of 1206 B. Variances

Roll call vote:

Claggett-Aye, Kiner-Aye, Reider-Aye, Weitalla-Aye, Bode-Aye. Motion carried.

VARIANCE

The Planning Commission recommended granting 6-0-1 absent.

Motion by Weitalla, second by Reider, after consideration of Section 1206 B., to approve a variance for front yard setback of +/- 45 feet to rebuild a shed that was destroyed in the June wind storm, resulting in a setback of +/- 30 feet from the right of way, where the minimum is 75' in the Agricultural District; as requested by Ron Long. 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 the NE 1/4 of Section 5, Township 102 North, Range 62 West of the 5th P.M., Davison County, South Dakota.

Application received June 12, 2020

Daily Republic July 4, 2020

Posted June 25, 2020

Notified Applicant June 24, 2020

Notified Abutting Property Owners June 24, 2020

Consideration of 1206 B. Variances

Roll call vote:

Claggett-Aye, Kiner-Aye, Reider-Aye, Weitalla-Aye, Bode-Aye. Motion carried.

VARIANCE

The Planning Commission recommended granting 6-0-1 absent.

Motion by Kiner, second by Claggett, after consideration of Section 1206 B., to approve a variance for minimum lot size of +/- 16 acres to create a lot size of +/- 9 acres, where the minimum is 25 acres in the Agricultural District; as requested by Michael & Pam Puetz. This request is pursuant to Section 307(1) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is currently legally described as the SE 1/4 of the SE 1/4 of Section 01, T 103 N, R 61 W of the 5th P.M. Davison County, South Dakota.

Application received June 22, 2020
Daily Republic July 4, 2020
Posted June 25, 2020
Notified Applicant June 24, 2020
Notified Abutting Property Owners June 24, 2020
Consideration of 1206 B. Variances

Roll call vote:

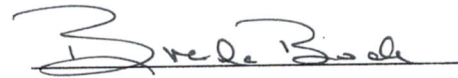
Claggett-Aye, Kiner-Aye, Reider-Aye, Weitalla-Aye, Bode-Aye. Motion Carried.

ADJOURN

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

ATTEST:


James Matthews, Deputy Auditor


Brenda Bode, Chairperson



BOARD OF ADJUSTMENT
August 11, 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 Weitala, second by Reider to approve the agenda for the August 11, 2020 meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Kiner, second by Reider, to approve the minutes of the July 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 7-0.

Motion by Claggett, second by Kiner, after consideration of Section 1206 B Variances, to grant a variance for minimum lot size of +/- 20 acres to create a lot size of +/- 5 acres, where the minimum is 25 acres in the Ag District, as requested by Bryce and Lisa Havlik. This request is pursuant to Section 307(4) 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 of Stratton's Addition in the South 940.5' of the SW ¼ of Section 1, T 103 N, R 61 W of the 5th P.M., Davison County, South Dakota. The property is currently described as the South 940.5' of the SW ¼ Ex South 537.5' of the West 433.1' Ex B Havlik Tract 1 of Section 1, T 103 N, R 61 W of the 5th P.M., Davison County, South Dakota.

Application received June 30, 2020

Daily Republic August 1, 2020

Posted July 24, 2020

Notified Applicant July 22, 2020

Notified Abutting Property Owners July 22, 2020

Consideration of 1206 B. Variances

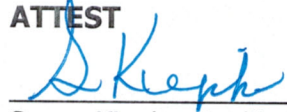
Roll call vote:

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


ADJOURN

At 9:18 a.m., motion by Reider, second by Weitala to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST



Susan Kiepke, Auditor



Brenda Bode, Chairperson

BOARD OF ADJUSTMENT
September 8, 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 were Planning and Zoning Administrator Bathke, Planning and Zoning Deputy Jenniges, and Deputy Auditor Mathews.

APPROVE AGENDA

Motion by Weitala, second by Kiner, to approve the agenda for the September 8, 2020 meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Reider, second by Kiner, to approve the minutes of the August 11, 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 absent.

Motion by Claggett, second by Reider, after consideration of Section 1206 B., to approve a variance for minimum lot size of +/- 16.33 acres to create a lot size of +/- 8.67 acres, where the minimum is 25 acres in the Ag District; as requested by Brett Lowrie. This request is pursuant to Section 307(4) 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 1 of Brett's Addition, in Gov. Lots 1 and 2 of the NW 1/4 of Section 19, T 103 N, R 61 W of the 5th P.M., Davison County, South Dakota. The property is currently described NW 1/4 Ex Lot B of Section 19, T 103 N, R 61 W of the 5th P.M., Davison County, South Dakota.

Application received August 11, 2020
Daily Republic August 29, 2020
Posted August 21, 2020
Notified Applicant August 19, 2020
Notified Abutting Property Owners August 19, 2020
Consideration of 1206 B. Variances

Roll call vote:

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

VARIANCE

The Planning Commission recommended granting 5-0-2 absent.

Motion by Claggett, second by Kiner, after consideration of Section 1206 B., to approve a variance for the following: minimum lot size for an existing farmstead of +/- 20.99 acres to create a lot size of +/- 4.01 acres, where the minimum is 25 acres, minimum east side yard setback to an existing building of +/- 22' resulting in a setback of +/- 23' where the minimum is 50', minimum rear yard setback to an existing building of +/- 38' resulting in a setback of +/- 12' where the minimum is 50' minimum; all located within Agricultural District; as requested by Tom & Jean Starr. These requests are pursuant to Section 307(1) and Section 308 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting the property will be described as a Plat of Lot 1 of Starr's Addition, in Gov. Lot 2 of the NE 1/4 of Section 2, T 103 N, R 62 W of the 5th P.M., Davison County, South Dakota. The property is currently described as the NE 1/4 of Section 2, T 103 N, R 62 W of the 5th P.M., Davison County, South Dakota.

Application received August 13, 2020

Daily Republic August 29, 2020

Posted August 21, 2020

Notified Applicant August 19, 2020

Notified Abutting Property Owners August 19, 2020

Consideration of 1206 B. Variances

Roll call vote:

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

VARIANCE

The Planning Commission recommended granting 5-0-2 absent.

Motion by Claggett, second by Reider, after consideration of Section 1206 B., to approve a variance for minimum for lot size of +/- 19.64 acres to create a lot size of +/- 5.36 acres, where the minimum is 25 acres in the Ag District; as requested by David Nebelsick. This request is pursuant to Section 307(4) 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 Upon platting the property will be legally described as a Plat of Lot 1 of Debra Kaye's First Addition in the NE 1/4 of Section 9, T 101 N, R 62 W of the 5th P.M., Davison County, South Dakota. The property is currently described N 3/4 of the NE 1/4 of Section 9, T 101 N, R 62 W of the 5th P.M., Davison County, South Dakota.

Application received August 17, 2020
Daily Republic August 29, 2020
Posted August 21, 2020
Notified Applicant August 19, 2020
Notified Abutting Property Owners August 19, 2020
Consideration of 1206 B. Variances

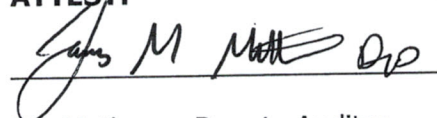
Roll call vote:

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

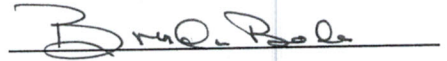
ADJOURN

At 9:25 a.m. a motion by Kiner, second by Claggett, to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST:


Jim Mathews, Deputy Auditor




Brenda Bode, Chairperson

BOARD OF ADJUSTMENT
September 22, 2020

CALL TO ORDER

Chairperson Bode called the meeting of the Davison County Board of Adjustment to order at 9:17 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 Reider to approve the agenda for the September 22, 2020 meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Claggett, second by Kiner, to approve the minutes of the September 8, 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.

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 allow extraction of sand, gravel, or minerals provided such uses meet requirements for conducting surface mining activities contained in SDCL 45-6B in the Ag District, as requested by Commercial Asphalt, with the conditions that dust is mitigated to the satisfaction of the Davison County Highway Superintendent and that if fees are paid to the state every year and the state is inspecting the site it is considered an active site and the 24 month rule per the zoning ordinance is not in effect. This request is pursuant to Section 3:04 (14) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the S 1/2 of the NW 1/4 & N 1/2 of the SW 1/4 of Section 3, T 101 N, R 60 W, of the 5th P.M., Davison County, South Dakota.

Application received August 27, 2020
Daily Republic September 5, 2020
Posted August 31, 2020
Notified Applicant August 31, 2020
Notified Abutting Property Owners August 31, 2020
Consideration of 1206 A. Conditional Uses

Roll call vote:
Weitla - aye, Kiner - aye, Claggett - aye, Reider - aye, Bode - aye. Motion carried.

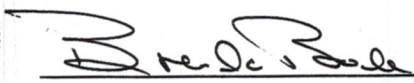
ADJOURN

At 9:40 a.m., motion by Reider, second by Kiner to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST


Susan Kiepke, Auditor




Brenda Bode, Chairperson

BOARD OF ADJUSTMENT
October 13, 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 Reider, second by Weitalla to approve the agenda for the October 13, 2020 meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Kiner, second by Claggett, to approve the minutes of the September 22, 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.

VARIANCES

The Planning Commission recommended granting 7-0.

Motion by Reider, second by Kiner, after consideration of Section 1206 B Variances, to grant a variance for minimum side yard setback of +/- 22' (ft) from an existing shed, resulting in a setback of +/- 28' (ft) from a property line, where the minimum is 50' (ft) in the Ag District, as requested by Robinson Housemoving, Inc. 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 a Plat of Lot 3 of L. Robinson's First Addition, a subdivision of the southerly 936' of the easterly 932.2' of the SE ¼ of Section 24, T 104 N, R 61 W, of the 5th P.M., Davison County, South Dakota.

Application received September 8, 2020
Daily Republic October 3, 2020
Posted September 24, 2020
Notified Applicant September 25, 2020
Notified Abutting Property Owners September 25, 2020
Consideration of 1206 B. Variances

Roll call vote:

Reider – aye, Weitalla – aye, Kiner – aye, Claggett – aye, Bode – aye. Motion carried.

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 front yard setback of +/- 55' (ft), resulting in a setback of +/- 20' (ft) from right of way, where the minimum is 75' (ft) in the Ag District, as requested by Chipp Gerlach. 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 a Plat of Lot A of W G Wieczorek's 1st Addition, a subdivision of the of the W 1/2 of Section 9, T 102 N, R 62 W, of the 5th P.M., Davison County, South Dakota.

Application received September 10, 2020
Daily Republic October 3, 2020
Posted September 24, 2020
Notified Applicant September 25, 2020
Notified Abutting Property Owners September 25, 2020
Consideration of 1206 B. Variances

Roll call vote:

Kiner – aye, Claggett – aye, Weitalla – aye, Reider – aye, Bode – aye. Motion carried.

CONDITIONAL USE

The Planning Commission recommended granting 7-0 with the conditions that dust is mitigated to the satisfaction of the Davison County Highway Superintendent and that if fees are paid to the state every year and the state is inspecting the site it is considered an active site and the 24 month rule per the zoning ordinance is not in effect.

Motion by Claggett, second by Reider, after consideration of Section 1206 A Conditional Uses, to grant a Conditional Use Permit to allow extraction of sand, gravel, or minerals provided such uses meet requirements for conducting surface mining activities pursuant to SDCL 45-6B in the Ag District, as requested by Tom Freidel. The conditional use was granted with the conditions that dust is mitigated to the satisfaction of the Davison County Highway Superintendent and that if fees are paid to the state every year and the state is inspecting the site it is considered an active site and the 24 month rule per the zoning ordinance is not in effect. This request is pursuant to Section 3:04(14) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the NE 1/4 of the NE 1/4 and the NW 1/4 of NE 1/4 and the S 1/2 of the NE 1/4, all in Section 16, T 101 N, R 60 W, of the 5th P.M., Davison County, South Dakota.

Application received September 11, 2020
Daily Republic October 3, 2020
Posted September 24, 2020
Notified Applicant September 25, 2020
Notified Abutting Property Owners September 25, 2020
Consideration of 1206 A. Conditional Uses

Roll call vote:

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

VARIANCE

The Planning Commission recommended granting 7-0.

Motion by Reider, second by Claggett, after consideration of Section 1206 B Variances, to grant a variance for minimum front yard setback of +/- 25' (ft) for an existing residence, resulting in a setback of +/- 50' (ft) from the right of way, where the minimum is 75' (ft) and minimum lot size is +/- 19.62 acres for an existing farmstead resulting in +/- 5.38 acres where the minimum is 25 acres, all in the Ag District, as requested by Mark & Barb Meier. These requests are pursuant to Section 307(1) and 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 1 of BAM Addition in the SW ¼ of Section 21, T 104 N, R 62 W, of the 5th P.M., Davison County, South Dakota.

Application received September 21, 2020

Daily Republic October 3, 2020

Posted September 24, 2020

Notified Applicant September 25, 2020

Notified Abutting Property Owners September 25, 2020

Consideration of 1206 B. Variances

Roll call vote:

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

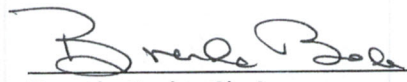
ADJOURN

At 9:35 a.m., motion by Reider, second by Weitala to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST



Susan Kiepke, Auditor



Brenda Bode, Chairperson

BOARD OF ADJUSTMENT
December 8, 2020

CALL TO ORDER

Chairperson Bode called the meeting of the Davison County Board of Adjustment to order at 9:20 A.M. All members of the board were present. Also present were Acting Planning and Zoning Administrator Jenniges and Deputy Auditor Matthews.

APPROVE AGENDA

Motion by Weitala, second by Kiner, to approve the agenda for the December 8, 2020 meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Weitala, second by Kiner, to approve the minutes of the October 13, 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 7-0.

Motion by Claggett, second by Kiner, after consideration of Section 1206 B., to grant a variance in minimum front yard setback of +/- 25' for an addition onto an existing pole shed resulting in a setback of +/- 50' from the right of way where the minimum is 75', north side yard setback on an existing residence of +/-25' resulting in a setback of +/-25' where the minimum is 50', and north side yard setback for an existing shed of +/-40' resulting in a setback of +/- 10' where the minimum is 50' all in the Ag District; as requested by Ryan & Robert Henglefeldt. 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 SW 1/4 of Section 25, T 101 N, R 60 W of the 5th P.M., Davison County, South Dakota.

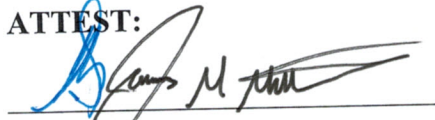
Application received November 4, 2020
Daily Republic November 28, 2020
Posted November 20, 2020
Notified Applicant November 18, 2020
Notified Abutting Property Owners November 18, 2020
Consideration of 1206 B. Variances

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


ADJOURN

At 9:25 a.m. a motion by Reider, second by Kiner, to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST:


James Matthews, Deputy Auditor




Brenda Bode, Chairperson