

BOARD OF ADJUSTMENT
June 13, 2023

CALL TO ORDER

Chairperson Reider 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 & Zoning Administrator Bathke, Assistant Administrator Wegleitner and Auditor Kiepke.

APPROVE AGENDA

Motion by Nebelsick, second by Blaalid to approve the proposed agenda for the June 13, 2023, meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Claggett, second by Kiner, to approve the minutes of the May 9, 2023, meeting. All members voted aye. Motion carried.

PUBLIC INPUT

Chairperson Reider called for public input. He reminded the public that this was for items not on the agenda. Hearing none, the meeting continued.

VARIANCES

The Planning Commission recommended granting 6-0-1.

Motion by Claggett, second by Nebelsick, after consideration of Section 1206 B Variances, to grant a variance in minimum side yard setback of +/- 17', creating a setback of +/- 33' from the house on the west property line and +/- 15', creating a setback of +/- 35' from the shed on the west property line, where the minimum side yard setback is 50' in the Ag District, as requested by Brad McNary. This request is pursuant to Section 308(1)(b), 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 the N.621' of the W.350' of the N ½ of the NE ¼ of Section 21, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota.

Application received May 8, 2023

Daily Republic June 3, 2023

Posted May 25, 2023

Notified Applicant May 23, 2023

Notified Abutting Property Owners May 23, 2023

Consideration of 1206 B. Variances

Roll call vote:

Claggett – aye, Nebelsick – aye, Blaalid – aye, Kiner – aye, Reider – aye. Motion carried.

The Planning Commission recommended granting 6-0-1.

Motion by Nebelsick, second by Blaalid, after consideration of Section 1206 B Variances, to grant a variance of +/- 20', creating a setback of +/- 55' from the proposed shelterbelt on the west property line, where the minimum setback is 75' for a shelterbelt in the Ag District, as requested by Judy Miiller. This request is pursuant to Section 215, 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 the NE ¼ of Section 28, T 102 N, R 61 W of the 5th P.M., Davison County, South Dakota.

Application received May 10, 2023

Daily Republic June 3, 2023

Posted May 25, 2023

Notified Applicant May 23, 2023

Notified Abutting Property Owners May 23, 2023

Consideration of 1206 B. Variances

Roll call vote:

Blaalid – aye, Nebelsick – aye, Kiner – aye, Claggett – aye, Reider – aye. Motion carried.

CONDITIONAL USES

The Planning Commission recommended granting 6-0-1.

Motion by Claggett, second by Kiner, 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 of SDCL 45-6B with the removal of the active requirement referenced in Section 1206(a)(3) in the Ag District, as requested by Lewis Bainbridge. This request is pursuant to Section 304(14), 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 SE ¼ of the NE ¼ and the NE ¼ of the SE ¼, Section 3, T 101 N, R 60 W of the 5th P.M., Davison County, South Dakota and the SW ¼ of the NE ¼ and the NW ¼ of the SE ¼, Section 3, T 101 N, R 60, W of the 5th P.M., Davison County, South Dakota.

Application received May 10, 2023

Daily Republic June 3, 2023

Posted May 25, 2023

Notified Applicant May 23, 2023

Notified Abutting Property Owners May 23, 2023

Consideration of 1206 A. Conditional Uses

Roll call vote:

Kiner - aye, Claggett – aye, Nebelsick – aye, Blaalid – aye, Reider – aye. Motion carried.

The Planning Commission recommended granting 6-0-1.

Motion by Nebelsick, 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 of SDCL 45-6B with the removal of the active requirement referenced in Section 1206(a)(3) in the Ag District, as requested by Lewis Bainbridge. This request is pursuant to Section 304(14), 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 W 1/2, Section 19, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota, except Lots A & B of L. Sullivan's First Addition, and Lot H-1 in the NW 1/4.

Application received May 10, 2023
Daily Republic June 3, 2023
Posted May 25, 2023
Notified Applicant May 23, 2023
Notified Abutting Property Owners May 23, 2023
Consideration of 1206 A. Conditional Uses

Roll call vote:

Nebelsick - aye, Claggett - aye, Blaalid - aye, Kiner - aye, Reider - aye. Motion carried.

ADJOURN

At 9:22 a.m., motion by Nebelsick, second by Blaalid to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST


Susan Kiepke, Auditor





Randy Reider, Chairperson