

BOARD OF ADJUSTMENT
April 16, 2024

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 Assistant Administrator Wegleitner and Auditor Kiepke.

APPROVE AGENDA

Motion by Kiner, second by Claggett to approve the agenda for the April 16, 2024, meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Claggett, second by Kiner, to approve the minutes of the March 12, 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.

CONDITIONAL USE

The Planning Commission recommended granting 5-0-1, with one abstention.

Motion by Claggett, second by Nebelsick, after consideration of Section 1206 A Conditional Uses, to grant a Conditional Use Permit to construct a wind energy tower in the Ag District, as requested by L & C Bainbridge Land LLC. This request is pursuant to Section 304(43), 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 Section 12, T 101 N, R 61 W of the 5th P.M., Davison County, South Dakota, less Lot A of Bainbridge Sub.

Application received March 11, 2024
Daily Republic March 30, 2024
Posted March 22, 2024
Notified Applicant March 20, 2024
Notified Abutting Property Owners March 20, 2024
Consideration of 1206 A. Conditional Uses

Roll call vote:
Claggett - aye, Nebelsick – aye, Blaaid – aye, Kiner – aye, Reider – aye. Motion carried.

VARIANCES

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 in rear yard setback of +/- 45', creating a setback of +/- 5' from the proposed building to the south property line, where the required rear yard setback is 50' in the Ag District, as requested by Derek Mueller. 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 Tract 1 of DJM Addition in the NW ¼ of the NW ¼ of Section 9, T 101 N, R 60 W of the 5th P.M., Davison County, South Dakota.

Application received March 11, 2024
Daily Republic March 30, 2024
Posted March 22, 2024
Notified Applicant March 20, 2024
Notified Abutting Property Owners March 20, 2024
Consideration of 1206 B. Variances

Roll call vote:
Nebelsick – aye, Claggett – aye, Blaalid – aye, Kiner – aye, Reider – aye. Motion carried.

The Planning Commission recommended granting 6-0-1.

Motion by Blaalid, second by Kiner, after consideration of Section 1206 B Variances, to grant a variance in rear yard setback of +/- 25', creating a setback of +/- 25' from the proposed house to the proposed north property line, where the required rear yard setback is 50' in the Ag District; a variance in lot size of +/- 13.01 acres, creating a lot size of +/- 11.99 acres and a variance in lot size of +/- 23.54 acres, creating a lot size of +/- 1.46 acres, where the minimum lot size is 25 acres for a residence in the Ag District, as requested by Doug & Joy Schley. This request is pursuant to Section 307(2), 307(5), 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 Lot A-1, Subdivision of Lot A in the SW ¼ of Section 26, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota, except H-2.

Application received March 13, 2024
Daily Republic March 30, 2024
Posted March 22, 2024
Notified Applicant March 20, 2024
Notified Abutting Property Owners March 20, 2024
Consideration of 1206 B. Variances

Roll call vote:
Blaalid – aye, Nebelsick – aye, Claggett – aye, Kiner – aye, Reider – aye. Motion carried.

ADJOURN

At 9:26 a.m., motion by Nebelsick, second by Blaalid to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST

S Kiepke

Susan Kiepke, Auditor



Randy Reider

Randy Reider, Chairperson