

BOARD OF ADJUSTMENT

May 12, 2026

CALL TO ORDER

Chairperson Reider called the Davison County Board of Adjustment meeting to order at 9:15 a.m. All board members, Planning and Zoning Acting Administrator Wegleitner, and Auditor Wingert, were present.

APPROVE AGENDA

Motion by Nebelsick, seconded by Claggett, to approve the proposed agenda for the May 12, 2026, meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Nebelsick, seconded by Blaalid, to approve the February 10, 2026, meeting minutes. 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 a 6-0-1.

Motion by Claggett, seconded by Kiner, after consideration of Section 12:06(b), to grant a variance requested by Jeffrey & Theresa Miiller of +/- 30', creating a setback of +/- 20' from the proposed house to the east property line, where the minimum rear yard setback is 50' in the Agricultural District. This request is pursuant to section 3:08(1)(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 Jeff's Addition in the S1/2 of the SW1/4 of Section 1, T 101 N, R 62 W of the 5th P.M., Davison County, South Dakota.

Application received: April 10, 2026

Daily Republic Published: April 25, 2026 & May 2, 2026

Posted Signs: April 24, 2026

Notified Applicant: April 24, 2026

Notified Abutting Property Owners: April 24, 2026

Consideration of 12:06(b) Variance

Roll call vote:

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

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

Motion by Nebelsick, seconded by Blaalid, after consideration of Section 12:06(b), to grant a variance requested by Steve & Cynthia Endres of +/- 20' from the proposed pole building to the east property line, where the minimum rear yard setback is 50' in the Agricultural District. This request is pursuant to section 3:08(1)(b) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lots 2 & 3 of Shadow Valley Acres Addition in the N1/2 of the N1/2 of the NW1/4 of Section 7, T 102 N, R 60, West of the 5th P.M., Davison County, South Dakota.

Application received: April 9, 2026

Daily Republic Published: April 25, 2026 & May 2, 2026

Posted Signs: April 24, 2026

Notified Applicant: April 24, 2026

Notified Abutting Property Owners: April 24, 2026

Consideration of 12:06(b) Variance

Roll call vote:

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

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

Motion by Blaalid, seconded by Nebelsick, after consideration of Section 12:06(b), to grant a variance requested by Lyle Lowrie of +/- 19.613 acres, creating a lot size of +/- 5.387 acres, where the minimum lot size is 25 acres for a residence in the Agricultural District. This request is pursuant to section 3:07(1) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is currently legally described as E1/2 of the NE1/2 of Section 9, T 101 N, R 60, West of the 5th P.M., Davison County, South Dakota. If approved, the new parcel will be legally described as Tract A of Lyle's Addition, in the E1/2 of the NE1/2 of Section 9, T 101 N, R 60, West of the 5th P.M., Davison County, South Dakota.

Application received: April 13, 2026

Daily Republic Published: April 25, 2026 & May 2, 2026

Posted Signs: April 24, 2026

Notified Applicant: April 24, 2026

Notified Abutting Property Owners: April 24, 2026

Consideration of 12:06(b) Variance

Roll call vote:

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

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

Motion by Nebelsick, seconded by Claggett, after consideration of Section 12:06(b), to grant a variance requested by Sean Gerstenecker of +/- 24 acres, creating Lot C-3 with a lot size of +/- 1 acre & +/- 24 acres, creating Lot C-4 with a lot size of +/- 1 acre, where the minimum lot size is 25 acres for a residence in the Agricultural Residential District. +/- 10', creating a setback of +/- 65' from the south property line to the house on Lot C-4, where the minimum front yard setback is 75' in the Agricultural Residential District. +/- 7.75', creating a lot width for Lot C-3 of +/- 142.25' & +/- 7.66', creating a lot width for Lot C-4 of +/- 142.34', where the minimum lot width is 150' in the Agricultural Residential District. This request is pursuant to sections 4:07 & 4:07(5) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is currently legally described as E.284.5' of Lot C in the SE1/4 of Section 3, T 102 N, R 60, West of the 5th P.M., Davison County, South Dakota. If approved, the new parcel will be legally described as Lots C-3 and C-4 in Lot C in the SE1/4 of the SE1/4 of Section 3, T 102 N, R 60, West of the 5th P.M., Davison County, South Dakota.

Application received: April 3, 2026

Daily Republic Published: April 25, 2026 & May 2, 2026

Posted Signs: April 24, 2026

Notified Applicant: April 24, 2026

Notified Abutting Property Owners: April 24, 2026

Consideration of 12:06(b) Variance

Roll call vote:

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

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

Motion by Nebelsick, seconded by Kiner, after consideration of Section 12:06(b), to grant a variance requested by Nick Lorang of +/- 40', creating a setback of +/- 10' from the north property line to the shed & +/- 15', creating a setback of +/- 35' from the south property line to the pole building, where the minimum side yard setback is 50' in the Agricultural District. +/- 45', creating a setback of +/- 5' from the west property line to the tanks, where the minimum front yard setback is 75' in the Agricultural District. This request is pursuant to sections 3:08(1)(a) & 3:08(1)(c) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is currently legally described as W1/2 of the NW1/4 of Section 26, T 103 N, R 62, West of the 5th P.M., Davison County, South Dakota. If approved, the new parcel will be legally described as Lot 1 of Bins Addition, in the NW1/4 of the NW1/4 of Section 26, T 103 N, R 62, West of the 5th P.M., Davison County, South Dakota.

Application received: April 6, 2026
Daily Republic Published: April 25, 2026 & May 2, 2026
Posted Signs: April 24, 2026
Notified Applicant: April 24, 2026
Notified Abutting Property Owners: April 24, 2026
Consideration of 12:06(b) Variance

Roll call vote:

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

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

Motion by Nebelsick, seconded by Blaalid, after consideration of Section 12:06(b), to grant a variance requested by Nick Lorang of +/- 20.437 acres, creating Tract A with a lot size of +/- 4.563 acres, where the minimum lot size is 25 acres for a residence in the Agricultural District. +/- 40', creating a setback of +/- 10' from the proposed building to the east property line on Tract A & +/- 18', creating a setback of +/- 32' from the shop to the west property line on Tract B, where the minimum side yard setback is 50' in the Agricultural District. This request is pursuant to sections 3:07(1) & 3:08(1)(c) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is currently legally described as Lot 2 of Lorang's Addition, in the SE1/4 of the SE1/4 of Section 22, T 103 N, R 62, West of the 5th P.M., Davison County, South Dakota. If approved, the new parcel will be legally described as Tract A and Tract B in Lot 2 of Lorang's Addition, in the SE1/4 of the SE1/4 of Section 22, T 103 N, R 62, West of the 5th P.M., Davison County, South Dakota.

Application received: April 3, 2026
Daily Republic Published: April 25, 2026 & May 2, 2026
Posted Signs: April 24, 2026
Notified Applicant: April 24, 2026
Notified Abutting Property Owners: April 24, 2026
Consideration of 12:06(b) Variance

Roll call vote:

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

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

Motion by Blaalid, seconded by Nebelsick, after consideration of Section 12:06(b), to grant a variance requested by Spencer Neugebauer of +/- 19.81 acres, creating a lot size of +/- 5.19 acres, where the minimum lot size is 25 acres for a residence in the Agricultural District. This request is pursuant to section 3:07(1) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is currently legally described as NW1/4 including Government Lots 3 and 4 in Section 4, T 101 N, R 60, West of the 5th P.M., Davison

County, South Dakota. If approved, the new parcel will be legally described as Tract 1 of Spencer's Addition in Government Lots 3 and 4 of the NW1/4 of Section 4, T 101 N, R 60, West of the 5th P.M., Davison County, South Dakota.

Application received: April 14, 2026

Daily Republic Published: April 25, 2026 & May 2, 2026

Posted Signs: April 24, 2026

Notified Applicant: April 24, 2026

Notified Abutting Property Owners: April 24, 2026

Consideration of 12:06(b) Variance

Roll call vote:

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

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

Motion by Claggett, seconded by Nebelsick, after consideration of Section 12:06(b), to grant a variance requested by Antonio & Penelyn Tilton of +/- 22 acres, creating a lot size of +/- 3 acres, where the minimum lot size is 25 acres for a residence in the Agricultural District. This request is pursuant to section 3:07(4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is currently legally described as Tilton Tract 1, a subdivision of the W1/2 of the SW1/4 of Section 33, T 102 N, R 62, West of the 5th P.M., Davison County, South Dakota. If approved, the new parcel will be legally described as Tilton Tract 3 in the W1/2 of the SW1/4 of Section 33, T 102 N, R 62, West of the 5th P.M., Davison County, South Dakota.

Application received: April 20, 2026

Daily Republic Published: April 25, 2026 & May 2, 2026

Posted Signs: April 24, 2026

Notified Applicant: April 24, 2026

Notified Abutting Property Owners: April 24, 2026

Consideration of 12:06(b) Variance

Roll call vote:

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

CONDITIONAL USE

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

Motion by Nebelsick, seconded by Kiner, after consideration of Section 12:06(a), to grant a conditional use requested by Jakob & Ryan Storm for an expansion of an existing concentrated animal feeding operation from 1,920 AU to 3,000 AU in the Agricultural District. This request is pursuant to sections 3:04(10) & 3:10 of the Davison County Zoning Ordinance as adopted on

4/1/98 and as subsequently amended. The properties are legally described as NW1/4 of Section 19, T 101 N, R 61, W of the 5th P.M., Davison County, South Dakota & SE1/4 of Section 19, T 101 N, R 61, W of the 5th P.M., Davison County, South Dakota, except E.1070' of S.423'.

Application received: March 26, 2026

Daily Republic Published: April 25, 2026 & May 2, 2026

Posted Signs: April 4, 2026

Notified Applicant: April 24, 2026

Notified Abutting Property Owners: April 24, 2026

Consideration of 12:06(b) Variance

Roll call vote:

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

VARIANCES

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

Motion by Nebelsick, seconded by Claggett, after consideration of Section 12:06(b), to grant a variance requested by Jakob Storm for expansion of an existing CAFO of +/- 200', creating a side yard setback of +/- 100' from the proposed finishing barn to the south property line & +/- 200', creating a front yard setback of +/- 100' from the proposed finishing barn to the west property line, where the required setback is 300' in the Agricultural District for a CAFO. This request is pursuant to section 3:10(3)(h) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as NW1/4 of Section 19, T 101 N, R 61, W of the 5th P.M., Davison County, South Dakota.

Application received: March 26, 2026

Daily Republic Published: April 25, 2026 & May 2, 2026

Posted Signs: April 24, 2026

Notified Applicant: April 24, 2026

Notified Abutting Property Owners: April 24, 2026

Consideration of 12:06(b) Variance

Roll call vote:

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

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

Motion by Nebelsick, seconded by Blaalid, after consideration of Section 12:06(b), to grant a variance requested by Ryan Storm for the expansion of an existing CAFO of +/- 200', creating a front yard setback of +/- 100' from the proposed nursery barn to the east property line, where the required setback is 300' in the Agricultural District for a CAFO. This request is pursuant to section 3:10(3)(h) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as

subsequently amended. The property is legally described as SE1/4 of Section 19, T 101 N, R 61, W of the 5th P.M., Davison County, South Dakota, except E.1070' of S.423'.

Application received: March 6, 2026

Daily Republic Published: April 25, 2026 & May 2, 2026

Posted Signs: April 24, 2026

Notified Applicant: April 24, 2026

Notified Abutting Property Owners: April 24, 2026

Consideration of 12:06(b) Variance

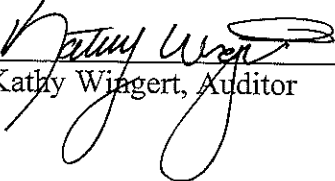
Roll call vote:

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


ADJOURN

At 9:36 AM, motion by Blaalid, seconded by Nebelsick, to adjourn the Board of Adjustment meeting. All members voted aye. Motion carried.

ATTEST:



Kathy Wingert, Auditor



Randy Reider, Chairperson