

Tuesday October 12, 2010

The Deuel County Zoning Board met on Tuesday October 12, 2010 at 7:00 P.M., in the Commissioners' room of the Courthouse in Clear Lake. Those present were board members Dennis Kanengieter, Paul Brandt, Gary Jaeger, Jay Gislason, and Ray VanLiere. Also present was Attorney John Knight and Zoning Officer Jodi Theisen.

1) Chairman Dennis Kanengieter called the meeting to order. The 2010 minutes from the September 7<sup>th</sup> & the September 28, 2010 minutes were discussed. Motion by Brandt, seconded by Jaeger to approve the September 7<sup>th</sup> & the September 28, 2010 minutes. All voted in favor and motion carried

2) Motion by VanLiere, seconded by Gislason to approve the October 12, 2010 agenda. All voted in favor and motion carried

3) Randy Viessman applied for a special exception to repair their retaining wall on Lot 1 A and 1 B in Lot 1 of Outlot 3 in NE1/4SE1/4 section 4-114-47, Norden Township Lake Cochrane. Viessman stated that the high water this summer and spring cause his retaining wall to buckle. He has hired Dennis Fairchild to repair the wall with heavier blocks weighing about 73 lbs, to be placed at the base of the wall. The blocks will be placed the same distance from the high water mark. Motion by Brandt, seconded by Gislason to grant to a special exception to Randy Viessman for a special exception to repair their retaining wall and they must keep the exposed area covered with a mesh and bricks to help stop erosion until the project is completed on Lot 1 A and 1 B in Lot 1 of Outlot 3 in NE1/4SE1/4 section 4-114-47, Norden Township Lake Cochrane. The findings for the special exception are that the project requires the same landscaping plan with heavier blocks, the retaining wall will not be closer than the original wall, and they have the same elevation as before. All voted in favor and motion carried.

4) Michael Hope applied for a special exception to place an offsite sign on the W200' of the S300' in W1/2SW1/4 Section 22-115-47, Herrick Township. Hope stated that they would like to replace the old Gary Rodeo sign with a sign that would advertise the Rock Room Bar and Grill and the Buffalo Ridge Resort. The sign will be 10 x 10 in size. Brandt moved, seconded by VanLiere to grant a special exception to Buffalo Ridge Resort for a special exception to place an offsite sign on the W200' of the S300' in W1/2SW1/4 Section 22-115-47, Herrick Township. All voted in favor and motion carried.

4) Duane & Suzanne Thompson applied for a variance to plant trees within 15 ft. from the road right of way at N1/2 section 21-115-48, Herrick Township. Thompson stated that the reason that he is asking for the 135 ft variance is because he would like to place 6 trees north of the existing evergreen trees and one south of the existing

evergreen trees. They would like to plant the trees where some sheds had gone down this spring due to snow. The trees will be planted 18 ft apart from each other. Motion by VanLiere, seconded by Brandt to approve the 135 ft variance from the road right of way. The findings for this variance are existing grove to the north and west and to the south there are at least 30 year old evergreen trees plants on the road right of way and they do not cause a snow problem. The buildings that were removed didn't cause a snow problem and the trees will be planted in the same area as the buildings. All voted in favor and motion

Dennis Nosbush applied for a Variance to construction of a garage within the 20 ft of the edge of the road in Sec. 5-114-47 Lots 20-20A Agnes Place Lake Cochrane Norden Township, Deuel County, South Dakota. This garage would be moved in from Canby, MN. Nosbush stated that the reason that he is asking for the 20 ft variance is because he wanted to be able to access his existing garage and proposed garage, which he would like to put his bobcat in. This would allow him to back up onto the road and not dig up his yard. He also stated that he does not have a lot of room for parking and they would park vehicles to the west of the proposed site of the garage. Nosbush stated that he want to place the shed 20 ft back instead of 30 ft because he wanted to get access between this garage and the existing garage. Brandt stated that he was concerned about the 20 ft. because of vision safety issues with the curve in the road. Gislason stated that he was familiar with the area. On the west side of the lot, there is a steep incline and with bushes planted there. The plot sketch didn't have the depth dimensions on it, so the board didn't know how big the lot was. Motion by Brandt, seconded by VanLiere to table this request for a variance, asking that Nosbush provide a more detailed plot sketch. . A roll call vote was had: Van Liere – yes; Gislason – yes; Jaeger – yes; Brandt – yes; Motion carried.

5) Lewis Miller Wind LLC for a Special Exception Permit would permit the applicant to use the following property NE1/4SE1/4 section 13-114-48 Norden Township. To erect a meteorological tower on Rex Van Dyke's property in an AG zoned district. Lewis stated that the tower will be 197 ft, with a metal plate base and that it will have 3 guide wires. The tower will be 420 feet from the road right of way. Motion by VanLiere, seconded by Brandt to approve to erect a meteorological tower on Rex Van Dyke's property at NE1/4SE1/4 section 13-114-48 Norden Township

6) Motion by Jaeger, seconded by VanLiere to approve the plat of Lot 1 Wieber Farm Subdivision S1/2SW1/4 section 15-116-49, Altamont Township. All voted in favor and motion carried.

7) Travis Young came before the board to discuss the process of platting, rezoning, and moving in a mobile on some land around Lake Alice.

8) Motion VanLiere, seconded Jaeger to adjourn the meeting. All voted in favor and motion carried.

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Jodi Theisen  
Deuel County Zoning Office

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Dennis Kanengieter  
Chairman, Zoning Board