

Tuesday August 2, 2022

The Deuel County Zoning Board met on Tuesday August 2, 2022 at 6:00 p.m., in the Commissioner's Room of the Courthouse in Clear Lake. Those present were board members Judith Homan, Kevin DeBoer, Paul Brandt, Mike Dahl and Dennis Kanengieter. Also, present was States Attorney Teree Nesvold, Zoning Officer Jodi Theisen, Gary Jaeger, Gary DeJong, Steve Rhody, Roger Kreutner, First District Association of Local Governments staff Todd Kays, Jay Grabow another person from the public.

Chairman Dennis Kanengieter called the meeting to order.

ITEM ONE

First District Association of Local Governments staff reviewed and discussed portions of an updated draft ordinance with members of the Deuel County Planning Commission Board and the Deuel County Commissioners in attendance. No final decisions were made.

Motion by Dahl, seconded by Brandt, to approve the August 2, 2022, Agenda. All voted in (Homan wasn't available for the vote) favor and motion carried.

ITEM TWO

There was discussion about Craig Evenson, attorney for Evan Grong, Aron Grong, and Tyler Grong, and about the Easement for Lot 27 except the westerly one-third (1/3) thereof and all of Lots 28 and 29 in Shady Beach Addition in Gov 7 of Section 4, Township 114 North, Range 47 West of the 5th P.M., Lake Cochrane, Norden Township, Deuel County, South Dakota. Theisen stated this property has existing garage and propane tank encroaching in the platted road right-of-way (County Road 516) which is located to the east of Lot 27 except the westerly one-third (1/3) thereof and all of Lots 28 and 29 in Shady Beach Addition. The actual platted road right-of-way has Grongs' garage and propane tank located in it which was built in 2004.

Theisen stated that she received a survey done on January 24, 2022 that stated the garage was encroaching the platted road right-of-way by 22'. Theisen also state the Zoning Office also had a survey that was done in 2004 that showed a structure was located in the platted road right-of-way.

Theisen stated that Evenson's clients are asking for this easement so they are able to sell their property at a time in the future and avoid undue delay. That the owners, their heirs, successors and assigns, shall have the right and authority to use, maintain and enjoy the garage and propane tanks located in the in platted public right of way adjacent to the above real property.

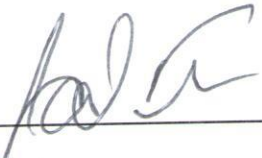
Motion by DeBoer, seconded by Brandt, to recommend the approve of the Easement for Lot 27 except the westerly one-third (1/3) thereof and all of Lots 28 and 29 in Shady Beach Addition in Gov 7 of Section 4, Township 114 North, Range 47 West of the 5th P.M., Lake Cochrane, Norden Township, Deuel County, South Dakota to the Deuel County Commissioners. All the members were present and voted in favor and motion carried

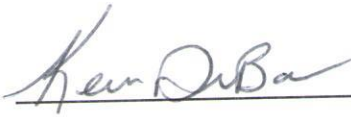
Theisen and the Board had discussion about the Lake Park Ordinance and a deck that was built without a variance and building permit. There was a Special Exceptions that was granted for retaining walls where the old boat house had been constructed and a 11' x 16' deck on 7-22-2002. Theisen contacted the property owner and they discussed the permit from 2002 and stated that the work started in 2002 and was completed in 2020. It took several years to plan and accomplish this project, Theisen stated that a Special Exception and good for 2 years for completion.

Motion by Dahl, seconded by Brandt to have the property owner to apply for a variance and a building permit for the new deck within 50' from the high-water-mark allow the Special Exceptions for private campgrounds that are to expire in May 2022, to reapply to the Zoning Office for a 1 year permit as the Lake Park Ordinance Section is currently being worked on by the board and no final decisions have been as to the requested permit. All voted in (Homan wasn't available for the vote) favor and motion carried.

The board had discussion about the upcoming meetings with the next regular meeting scheduled for Monday, August 22, 2022, and the next ordinance meeting in September to be determined.

Motion by DeBoer, seconded by Kanengieter to adjourn the meeting. All voted in favor and motion carried.



Jodi Theisen
Zoning Officer

Kevin DeBoer
Vice Chairman, Zoning Board