

Tuesday February 7, 2023

The Deuel County Zoning Board met on Tuesday February 7, 2023 at 10:00 a.m., in the Commissioner's Room of the Courthouse in Clear Lake. Those present were board members Jay Grabow, Paul Brandt, Mike Dahl and Dennis Kanengieter. Also, present was Zoning Officer Jodi Theisen.

Kanengieter called the Zoning Board meeting to order.

Brandt moved, seconded by Dahl to convene with the Commissioners for the purpose of holding a public hearing on the proposed Flood Plain Ordinance #B2022-1-03. All voted yes and motion carried.

A joint public hearing with the Deuel County Planning Commission was held for Ordinance #B2022-01-03 an Ordinance to amend Section 301, Districts to include "FP – Floodplain Protection District" [Article III: Establishment of Districts]; and establishing "Section 1107. FP Floodplain Protection District" and All Amendments Thereto, in Accordance with the Provision of Chapter 11-2, 1967 SDCL, and Amendments Thereof and for the Repeal of all Resolutions and Ordinances in Conflict Therewith.

Theisen stated that the Deuel County Planning Commission and the Deuel County Commissioners discussed and passed the #B2004-01-040B Ordinance on July 19, 2022 and the ordinance was adopted on August 2, 2022. When updating the Deuel County Zoning Ordinance #B2022-01 on November 15, 2022, the Floodplain portion was omitted. This is the public hearing to add the floodplain to the updated ordinance. Theisen stated that she has found some scrivener's errors and the Ordinance had two 1107.05 sections: 1107.0506 VARIANCE PROCEDURES & 1107.0607 PROVISIONS FOR FLOOD HAZARD.

Theisen stated that Brandt previously had questions about how drainage or placing drain tile will be affected by the new Floodplain Ordinance. He had concerns about section 1107.05 Permit Procedures and how that would affect needing a permit when draining in an affected area. Theisen stated if they place field-based tile wholly or partially in the Special Flood Hazard Areas on the FEMA Flood Insurance Rate Maps they will have to apply for floodplain permit. The Zoning Officer Theisen will document the site and grant a floodplain permit.

Zoning Board member Brandt motioned, seconded by Grabow to recommend to the Commissioners: with the corrected scriveners' errors for Ordinance #B2022-01-03 an Ordinance to amend Section 301, Districts to include "FP – Floodplain Protection District" [Article III: Establishment of Districts]; and establishing "Section 1107. FP Floodplain Protection District" and All Amendments Thereto, in Accordance with the Provision of Chapter 11-2, 1967 SDCL, and Amendments Thereof and for the Repeal of all Resolutions and Ordinances in Conflict Therewith. Kanengieter then called for a vote of the Zoning Board to recommend to county commission for adoption; Grabow-yes; Dahl-yes; Brandt-yes; Kanengatier-yes; motion carried.

Motion to adjourn by Brandt, second by Kanengieter. Motion passed unanimously.

The Commissioners then held the first reading of Ordinance #B2022-01-03 with the scrivener's errors **1107.0506 VARIANCE PROCEDURES & 1107.0607 PROVISIONS FOR FLOOD HAZARD** corrected an Ordinance to amend Section 301, Districts to include "FP – Floodplain Protection District" [Article III: Establishment of Districts]; and establishing "Section 1107. FP Floodplain Protection District" and All Amendments Thereto, in Accordance with the Provision of Chapter 11-2, 1967 SDCL, and Amendments Thereof and for the Repeal of all Resolutions and Ordinances in Conflict Therewith. The second reading will be held at the February 21st regular Commission meeting at 10:00 a.m.



Jodi Theisen
Zoning Officer



~~Dennis Kanengieter~~ Kevin DeBoer
Vice Chairman, Zoning Board