

November 12, 2019

The Deuel County Zoning Board met on Tuesday, November 12, 2019, at 6:30 p.m., in the Commissioner's Room of the Courthouse in Clear Lake. Those present were members J Dennis Kanengieter, Steve Rhody, Kevin DeBoer, Mike Dahl, and Paul Brandt. Also present was States Attorney John Knight.

Chairman Dennis Kanengieter called the meeting to order.

Motion by Dahl, seconded by DeBoer, to approve the November 12, 2019 Agenda. All voted in favor and motion carried.

The minutes from the October 15, 2019, meeting were discussed. Motion by Dahl, seconded by Brandt, to approve the October 15, 2019 minutes. All voted in favor of and motion carried.

ITEM ONE

Wesley Buyert applied for a Variance of Section 1101.04.02 Front Yard. The request, if granted, would permit the applicant to use the following property: Lot 1 Krause Addition in W1/2 of Section 28-T116N-R50W, Goodwin Township, Deuel County, South Dakota, to move in a storage shed with less than 150' of front yard in an Agriculture Zoned District. Jodi Theisen, Deuel County Zoning Officer, stated that Buyert moved in a shed without a building permit and it is approximately 125' from the road right-of-way. The shed is located east of the existing house which is closer than 150' from the road right-of-way. Buyert stated that the shed is rent to own and didn't know he needed a building permit. Motion by DeBoer, seconded by Rhody, to grant the Variance to move in a 12' x 24' storage shed no closer than 120' from the road right-of-way. The findings for this Variance are there are trees and building closer to the right-of-way and it will not cause any greater snow or safety concern. The road has an extra wide road right-of-way which is 50' instead of 33'. Paul Brandt abstained from the voting. All voted in favor of and the motion carried.

ITEM TWO

Roger Kruse applied for a Variance Permit of Section 1208 Shelterbelt and 1101.04.02 Front Yard. The request, if granted, would permit the applicant to use the following property: SW1/4 (Kruse Addition) in Section 16-T117N-R47W, Antelope Township, Deuel County, South Dakota, to plat a parcel of land, to retain existing buildings that are closer to the road right-of-way and shelterbelts that are closer to the road right-of-way and the adjoining property lines than what the ordinance allows in an Agriculture Zoned District. Theisen stated that the existing shelterbelt is approximately up to and in the road right-of-way. The existing shelterbelt is up to and approximately 20' from the adjoining property line to the south and the property owner, which is Roger Kruse. The existing storage shed is approximately 110', the shed is approximately 132', the existing deck is approximately 61', and the house is approximately 75' from the road right-of-way. The board had some concerns about some of the trees being in the road right-of-way. Cheryl Kruse, representing Roger Kruse, asked questions about the line of site and the concerns the board had about the existing trees. Motion by DeBoer, seconded by Rhody, to table the Variance to retain the existing storage shed, existing shed, and existing

house and deck, that the closest building is approximately 61' from the road right-of-way and to retain the existing shelterbelts that are approximately up to the road right-of-way and approximately 20' from property line, and up to the property line, until the board can go to the site and do a visual inspection of the trees. All voted in favor and motion carried.

The Deuel County Board of Adjustment recessed and convened as the Deuel County Planning Commission.

ITEM THREE

Motion by Rhody, seconded by Brandt, to table the Plat of Kruse Addition in Section 16-T117N-R47W, Antelope Township, Deuel County until the board can do a visual inspection of the trees in the road right-of-way. All voted in favor and motion carried.

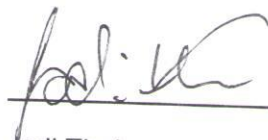
The Deuel County Planning Commission recessed and convened as the Deuel County Board of Adjustment.

ITEM SEVEN

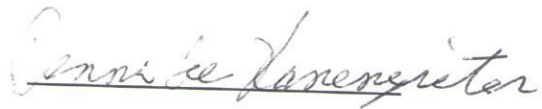
Brad Tille would like to talk to the board about purchasing Lot 1 of Replat of Lots 35,36 and 37 Severson Bay, which is owned by Tom Flicek that was platted 2018 with a 60' lake frontage. He asked about the setbacks for the lot and what the board would need for shoreline alterations.

ITEM EIGHT

Zoning Officer, Jodi Theisen, reported to the board that she received a complaint on 10/24/19 about Kevin Tesch's automotive business. Zoning Officer inspected the site and noticed that there were more than 15 vehicles on the site. Kevin was called and asked to reduce the number of vehicles to the permitted limit of 15. On 11-12-19 Tesch called the Zoning Office and stated that he removed 12 vehicles, plus he was going to remove 3 vehicles during the day. Tesch stated on the phone he had approximately 20 and is working to get rid of more.



Jodi Theisen
Zoning Officer



Dennis Kanengieter
Chairman, Zoning Board