

The Deuel County Zoning Board met at 6:30 p.m. on Wednesday September 28, 2022, at the Deuel County 4-H Service Center. Board members present included Dennis Kanengeiter, Mike Dahl, Kevin DeBoer, Judith Homan and Paul Brandt. Also present was Zoning Officer Jodi Theisen, States Attorney Teree Nesvold and First District Executive Director Todd Kays.

Kanengeiter called the meeting to order.

First agenda item was a variance from Joqchum Adringa and Wildrose Dairy to build an accessory building, a machine shed, with less than 150' from the front yard on property described as Gov Lot 1 & SE1/4NE1/4 of Section 2-113-49, Blom Township, Deuel County, South Dakota. There was no public comment. Board members questioned the need for the variance but noted that with the proposed amendments to zoning ordinance this request would not be necessary in a few months. Motion by DeBoer seconded by Dahl to build an accessory building no closer than 120' from the road right-of-way. Motion passed unanimously.

Second agenda item was a briefing from States Attorney Nesvold regarding an upcoming replat of property currently described as part of 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. No action was taken.

Third agenda item was a joint public hearing on Ordinance #B2022-01, An ordinance amending Ordinance B2004-01, an ordinance establishing zoning regulations for Deuel County, South Dakota, and providing for the administration, enforcement, and amendment thereof, in accordance with the provisions of chapters 11-2, 1967 SDCL, and amendments thereof, and for the repeal of all resolutions and ordinances in conflict herewith.

Kanengeiter stated for the record that Deuel County Planning Commission and Deuel County Board of Commissioners are meeting jointly and that Todd Kays from the First District would be providing parliamentary and staff support to both the Planning Commission and the Board of County Commissioners.

County Commission Chair Homan called the Deuel County Board of County Commissioners to order.

Kanengeiter asked for a motion and a 2<sup>nd</sup> to recommend approval of Ordinance #B2022-01 to the Board of County Commissioners. Motion by Deboer, Seconded by Kanengeiter

Homan asked for a motion and a 2<sup>nd</sup> approve Ordinance #B2022-01 Motion by Rhody, Seconded by Jaeger

Kanengeiter and Homan each opened the public hearing for their respective boards.

Kanengeiter chaired the public hearing and began by asking Kays to provide an overview of the proposed ordinance. Kays stated that the Planning Commission had been working on the comprehensive review of the zoning ordinance since December of 2020. He provided a general review of various sections of the proposed changes and laid out the procedures related to adoption of the new regulations.

Kays read names of those in attendance that signed in and wished to testify. 17 individuals provided public comment. All of those that testified reiterated a common theme that the residents of Lake Cochrane did not want a private campground. Other comment related to a scrivener's error in the definition of a conditional use; and the need for more transparency related to notification of Board of Adjustment meetings and decisions. The need for cannabis cultivation facilities.

Kanengieter and Homan each closed the public hearing for their respective boards.

Discussion on the public testimony was held by both boards.

The Planning Commission recognized the scrivener's error in the definition of Conditional Use.

Motion by Brandt Seconded by Dahl to amend the original motion to remove private campgrounds from the Lake Park District at Lake Cochrane. Brandt, Dahl, Homan voted yes; Kanengieter and DeBoer voted no. Motion approved 3-2.

Motion by DeBoer Seconded by Dahl to reaffirm that the county will follow state law 10 day public hearing notice for Board of Adjustment Conditional Use Permits and Variances "county will not send letters to adjoining property owners". Kanengieter, Dahl, DeBoer, Homan and Paul vote Yea. Motion as amended is approved.

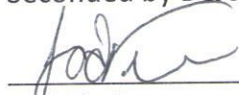
Kanengieter asks Kays to restate the motion as amended. Kays states the motion is to recommend approval of Ordinance B2022-01 with the amendment removing Private Campgrounds from the list of Conditional Uses in the Lake Park District around Lake Cochrane. Kanengieter, Dahl, DeBoer, Homan and Paul vote Yea. Motion as amended is approved.

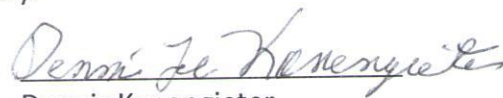
Kanengieter calls for motion to adjourn the Planning Commission. Motion by Brandt Seconded by DeBoer. Motion approved unanimously.

County Commission holds first reading of ordinance #B2022-01 by title. Homan asks Kays to conduct reading as amended.

Homan asks for motion to set date for public hearing on the proposed amendment and 2<sup>nd</sup> reading to be November 15, 2022 at 10 a.m. Motion by Kreutner, seconded by DeJong. Motion approved unanimously.

Homan calls for motion to adjourn the Board of County Commissioners. Motion by Jaeger, Seconded by DeJong. Motion approved unanimously.

  
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Jodi Theisen  
Deuel County Zoning Officer

  
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Dennis Kanengieter  
Chairman, Zoning Board