

Tuesday November 20, 2018

The Deuel County Zoning Board met on Tuesday November 20, 2018 at 10:30 a.m., in the Commissioner's Room of the Courthouse in Clear Lake. Those present were board members Paul Brandt, Steve Rhody, Kevin DeBoer, and Mike Dahl. Also present were Attorney John Knight and Zoning Officer Jodi Theisen

10:30 Combined Hearing to Rezone

A combined public hearing of the Deuel County Board of Adjustment and the County Commissioners was held upon the request of Elliot & McKenzie Lorenzen to rezone Lorenzen Addition located in the Southeast Quarter (SE1/4), Section Twenty One (21), Township 115 North, Range 47, West of the 5th P.M., (Herrick Twp.) in Deuel County, South Dakota. Containing 7 Acres to "CI" Commercial District from "AG" Agricultural District. Those present for the Zoning Board meeting were Paul Brandt, Steve Rhody, Kevin DeBoer, and Mike Dahl. Brandt called the County Board of Adjustment meeting to order. Concerns were heard on what kind of business it was going to be. The sight size is 7 acres and the use would be for a pole shed with office to operate a farm equipment business and to have a single family residence in a commercial district. After some additional discussion on the matter, Zoning Board member DeBoer moved, seconded by Dahl, to rezone the above described property from "AG" Agricultural to "CI" Commercial District. Upon a roll call vote all Zoning Board members voted yes and the motion carried. The Planning & Zoning Board then recommended to the Commissioners that the above described property be rezoned to "CI" Commercial District. Upon the recommendation of the Zoning Board, the Commissioners then held the first reading of Ordinance B2004-01-26A An Ordinance Entitled, An Ordinance to Amend Article III Section 302 Adopted by Ordinance B2004-01, July 6th, 2004, as amended, of the Zoning Ordinance of Deuel County. The second reading of the ordinance amendment will be held on Tues., December 4, 2018 at 10:00 a.m.

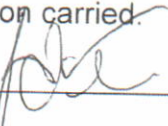
Elliot & McKenzie Lorenzen applied for a Special Exception Permit. The request, if granted, would permit the applicant to use the following property: Lorenzen Addition located in the Southeast Quarter (SE1/4), Section Twenty One (21), Township 115 North, Range 47, West of the 5th P.M., (Herrick Twp.) in Deuel County, South Dakota, to operate a farm equipment business and to have a single family residence in a Commercial District. Lorenzen's previously had a Special Exception to operate an extended home occupation to sell skid steer attachments and other farm equipment and they were limited to their lot size for the equipment to approximately 1.20 acres. Lorenzen's received a permit to construct an onsite sign for the business which must follow the State DOT Regulations in an Ag Zoned District. The Board determined that it

is empowered under the section of the ordinance described in the application to grant the special exception and that granting the special exception will not adversely affect the public interest. The Board then made written findings as required by Section 504, subparagraph 5(a-h), of the ordinance. Motion by Dahl, seconded by DeBoer, to grant the Special Exception to operate a farm equipment business and to have a single family residence in a Commercial District. All voted in favor and motion carried.

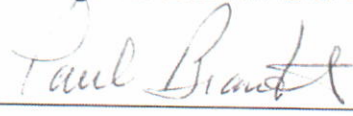
- a) Entrance to and exit from property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe: Applicant has two pre-existing accesses to the property and proposed structures and there is no issue with automotive and pedestrian safety and convenience, traffic flow and control or access in case of fire or catastrophe.
- b) Off-street parking and loading areas where required, with particular attention to the items in (a) above and the economic, noise, glare, odor or other effects of the special exception on adjoining properties and properties generally in the district: Applicant has sufficient off-street parking. Loading is not a concern. The special exception will have no or minimal economic, noise, glare, odor or other effects on the adjoining properties or properties generally in the district.
- c) Utilities, with reference to locations, availability, and compatibility: Applicant has adequate utilities.
- d) Screening and buffering with reference to type, dimensions, and character: Applicant has adequate screening and buffering and there are no residences nearby that would be affected.
- e) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district: Applicant has acquired an onsite sign permit for the business. The sign will not cause a glare or traffic issue and it will meet the State DOT Requirements.
- f) Required yards and other open spaces: Applicant has adequate yard and other open spaces.
- g) General compatibility with adjacent properties and other property: Applicant's proposed use is generally compatible with the adjacent properties. There are no other properties in the Commercial District.

h) Refuse and service areas, with particular reference to the items in (a) and (b) above:
There are no concerns regarding refuse or service areas. Does not apply.

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



Jodi Theisen
Deuel County Zoning Office



Paul Brandt
Vice Chairman, Zoning Board