

Monday February 11, 2019

The Deuel County Zoning Board met on Monday, February 11, 2019, at 6:30 p.m., in the Commissioner's Room of the Courthouse in Clear Lake. Those present were members Dennis Kanengieter, Steve Rhody, Paul Brandt, Kevin Deboer and Mike Dahl. Also present were Attorney John Knight and Zoning Officer Jodi Theisen.

Chairman Dennis Kanengieter called the meeting to order.

The minutes from the January 14, 2019 meeting were discussed. Motion by Brandt, seconded by Rhody, to approve the January 14, 2019 minutes. All voted in favor and motion carried.

Motion by Rhody, seconded by Dahl, to approve the February 11, 2019 Agenda. All voted in favor and motion carried.

Vicki Oswald applied for a Special Exception Permit. The request, if granted, would permit the applicant to use the following property: Outlots 10 & 11 Ash Point in Gov Lot 9, SW1/4 Lake Cochrane of Section 4-114-47, Norden Township, to operate a private campground in a Lake Park District. Oswald would like to renew their special exception for a private park exception so they can park their campers on the lots for the summer. Oswald couldn't attend the meeting because of the weather. Theisen stated that the lots are owned by Vicki Oswald and they have parked two campers there and would like to continue. They bring the campers in April and remove them in the fall. Theisen stated the Zoning Office has had no complaints from the neighbors. Motion by Dahl, seconded by DeBoer, to grant the Special Exception to permit a private campground for two campers on said lots, no commercial camping is allowed, and not to move closer to the road than what the existing camping site is located at. This special exception is good for two years and the applicant would need to reapply before May 1, 2021. All voted in favor of and the 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 doesn't create a safety hazard 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: Does not apply.
- c) Utilities, with reference to locations, availability, and compatibility: No extra utilities are required.
- d) Screening and buffering with reference to type, dimensions, and character: Applicant has sufficient screening on both sides of her property.

- 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: Does not apply.
- 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 and other properties in the Lake Park 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. Applicant takes their garbage home with them when they leave the property.

DeWayne Jurrens applied for a Variance Permit of Article XI Section 1101. The request, if granted, would permit the applicant to use the following property: Plat of Lot 1 Jurrens Addition in the NW1/4NW1/4 of Section 28-113-48 Scandinavia Township, Deuel County, South Dakota, to retain existing building and trees that are closer to the road right-of-way than what the ordinance allows in an AG Zoned District. Zoning Officer Theisen stated that the existing shed is approximately 105' from the road right-of-way and the ordinance set back is 150' for the minimum depth of the front yard. The existing trees are located right along the road right-of-way and the set back is 150' from the road right-of-way. Motion by Brandt, seconded by Dahl, to grant the Variance to retain the existing shed that is approximately 100' from the road right-of-way and the ordinance set back is 150', and to retain the existing trees that are up to the road right-of-way and not located in the right-of-way. This Variance doesn't apply to any new structures that are built on the property. All voted in favor and motion carried. The findings for this Variance are that platting this property will not cause any greater snow or safety concern.

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

Motion by Dahl, seconded by Rhody, to approve the Plat of Lot 1 Jurrens Addition in the NW1/4NW1/4 of Section 28-113-48 Scandinavia Township, Deuel County, South Dakota. All voted in favor and motion carried.

Motion by Dahl, seconded by Brandt, to approve the Plat of Ries Addition in SE1/4 of Section 19-17-50 Rome Township, Deuel County, South Dakota. All voted in favor and motion carried.

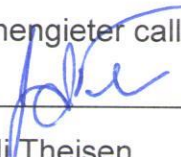
The Deuel County Planning Commission recessed and convened as the Deuel County Board of Adjustment.

Ren Preheim came and talked to the board about building a storage shed on some land that is owned by Corothers Brothers. They are thinking about selling the land and it is in

the Natural Resource District and there is no permitted use for structures. The land is located north of Preheim's property and he currently has a shed on the property that has a 100 year lease. The board stated that the property is currently zoned Natural Resources and structures are not permitted. They suggested rezoning to Lake Park and to plat the property between the county road and the lake that has the shed located on it, and apply for a variance for the area regulations.

Brett Rasmussen came and talked to the board about their Class C CAFO and would like to know the options if they decreased in animal units. Rasmussen stated that they applied for a Class C CAFO which has a lagoon. They have a state permit through DENR and that is coming up for renewal next year. They would like to amend their permit to not have a required state permit. The board suggested that they stay with the state permit because of the lagoon.

Kanengieter called the meeting.



Jodi Theisen
Zoning Officer



Dennis Kanengieter
Chairman, Zoning Board