November 10, 2026 BOARD OF ADJUSTMENT/ PLANNING COMMISSION DEUEL COUNTY
STAFF REPORT

Tuesday – November 10, 2026 – 6:30 p.m.

DEUEL COUNTY BOARD OF ADJUSTMENT / PLANNING COMMISSION

ITEM #1 – PLAT

Applicants/Owners: Aaron & Stephanie Kozlowski

Property Description: Lots 1C and 2C of Rymerson Farm Second Addition, located in the East Half (E½) of Section 22, Township 113 North, Range 49 West, Blom Township, Deuel County, South Dakota.
Zoning Designation: AG – Agricultural District

Request: The applicants propose to plat Lots 1C and 2C of Rymerson Farm Second Addition. Lot 1C will consist of approximately 9.21 acres, and Lot 2C will consist of approximately 3.00 acres. The plat also vacates the previously recorded Plat of Lot 1B of Rymerson Farm Second Addition and establishes revised lot boundaries for the existing residential property. The plat is being completed at the owner's request for financing and banking purposes. According to the surveyor, the proposed property line for Lot 2C will be approximately 28 feet from the existing garage and approximately 40 feet from the existing house.

Staff Recommendation: Staff recommends approval of the Plat of Lots 1C and 2C of Rymerson Farm Second Addition as submitted. Upon approval by the Planning Commission, the plat will be forwarded to the Deuel County Board of Commissioners for final consideration.

ITEM #2 – PLAT
Applicant/Owner: Van Schiefelbein

Property Description: Lot 9A, Gantvoort Addition (formerly Lot 9, Gantvoort Addition), located in the NE¼ of Section 27, Township 115 North, Range 49 West, Clear Lake Township, Deuel County, South Dakota.
Zoning Designation: AG – Agricultural District

Request: The applicant proposes to plat Lot 9A, Gantvoort Addition. The purpose of the plat is to incorporate the vacated private roadway into the parcel and align the property boundaries with the existing residential use.

Staff Recommendation: Staff recommends approval of the Plat of Lot 9A, Gantvoort Addition as submitted. Upon approval by the Planning Commission, the plat will be forwarded to the Deuel County Board of Commissioners for final consideration.

ITEM #3 – DISCUSSION

South Dakota Codified Law 49-41B-22 and Proposed Essential Services Ordinance Amendment

Background: Mary Nosbush submitted a proposed amendment to the Deuel County Zoning Ordinance regarding Essential Services and electrical transmission facilities. The proposal generally incorporates language contained in SDCL 49-41B-22 concerning an applicant's burden of proof during state permitting proceedings before the South Dakota Public Utilities Commission (PUC).

Legal Counsel Review: County legal counsel reviewed the proposed amendment and generally advised against adopting SDCL 49-41B-22 verbatim into the Deuel County Zoning Ordinance. Counsel stated that the statute was developed for proceedings before the South Dakota Public Utilities Commission (PUC) and may not be appropriate for direct incorporation into county zoning regulations. Both attorneys also expressed concerns regarding potential overlap between county zoning authority and state permitting authority.

Staff Recommendation: Discussion only. No action required unless directed by the Board.

Public Copy - Do Not Take