

Monday August 10, 2015

The Deuel County Zoning Board met on Monday August 10, 2015 at 6:30 P.M., in the Commissioners' room of the Courthouse in Clear Lake. Those present were members Dennis Kanengieter, Gary Jaeger, Jerry Durfee, Paul Brandt, 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 July 13, 2015 meeting were discussed. Motion by Dahl, seconded by Durfee to approve the July 13, 2015 minutes. All voted in favor and motion carried.

Motion by Brandt, seconded by Durfee to approve the amended August 10, 2015 Agenda. All voted in favor and motion carried.

1. Darold Stangeland applied for a Variance. The request, if granted, would permit the applicant to use the following property: E466.69' N466.69' in NE1/4SE1/4 section 14-114-48 Norden Township. Would like to plant trees closer than 150 feet from the road right of way in an Ag zoned district. Stangeland stated that the trees are within an older established tree belt 20 feet from the road right of way, which is 50 feet. He didn't know that he need a tree planting permit he just wanted to make the old belt fuller. Motion by Brandt, seconded by Dahl to grant a Variance to allow Stangeland to plant a couple of rows of trees approximately 50 feet from the road right of way on the north side of the driveway if he removes the trees that are within the 50 feet from the road right of way. Also to allow him to plant 3 rows of trees 94 feet from the road right of way and about 6 feet from the south property line with written permission from the property owner on the E466.69' N466.69' in NE1/4SE1/4 section 14-114-48 Norden Township. The findings for this variance are that some of the trees are within an established grove of trees. These trees will not cause a snow or a visual problem. All voted in favor and motion carried.
2. David Ness applied for a Special Exception Permit. The request, if granted, would permit the applicant to use the following property: S340' W100' E1/2SE1/4 section 16-117-47, Antelope Valley Township. Erect a sign for fireworks in an AG District. Ness stated that he would like to erect a 12' x 32' billboard sign for his fireworks stand. Tthis sign would only be up during the fireworks selling time period which is about five or so weeks. This sign would have no lights. It would be located outside of the road right of way. Ness has spoken with the South Dakota DOT and will follow all their sign requirements. Motion Jaeger, seconded by Durfee to grant a Special Exception to erect a sign for fireworks in an AG District that is located outside of the road right of way on the S340' W100' E1/2SE1/4 Section 16-117-47, Antelope Valley Township. All voted in favor and motion carried.
3. Donna Hartfiel applied for a Special Exception. The request, if granted, would permit the applicant to use the following property: Lot 47 Less E10' & Lot 48 Thokola Beach in Gov Lot 2 in SE1/4 section 8-114-47 Norden Township, Lake Cochrane to replace roof and alter the existing storage shed that is closer than 10 feet from the property line in a Lake Park District. Hartfiel stated the storage shed has a hip roof and her family members are tall so they would like to straighten the sides and build a shed roof. They would reside and shingle the shed to

match the new house. The shed has been on the property for more than 11 eleven years. The board asked how close the storage shed was from the side property line. Lyle Tobin the neighbors stated about 8 inches. The board stated that this storage shed is a nonconforming structure because it is too close to the side property line. Tobin stated that if Hartfiel would increase the height of the storage shed it would obstruct their view of the lake from their house. The board suggested to Hartfiel if she would like to alter the height than the shed would have to be moved away from the property line to meet the setbacks or she could move the shed toward the road to prevent the view being obstructed. Hartfiel decide that she will just shingle and reside the shed and not to alter the height. Motion Durfee, seconded by Brandt to deny the Special Exception to alter the nonconforming shed that is closer than 10 feet from the property line in a Lake Park District on Lot 47 Less E10' & Lot 48 Thokola Beach in Gov Lot 2 in SE1/4 section 8-114-47 Norden Township, Lake Cochrane All voted in favor and motion carried.

4. Deanna & John Eide applied for a Variance. The request, if granted, would permit the applicant to use the following property: E1/2SW1/4 & W1/2SE1/4 section 26-115-49 Clear Lake Township to build a shed closer than 150 feet from the road right of way in an Ag zoned district. Eide stated the ground slopes so they needed to place the shed closer to the road right of way. Motion by Brandt, seconded by Dahl to grant a Variance to build a 14' x 18' storage shed 112 feet from the road right of way on the E1/2SW1/4 & W1/2SE1/4 section 26-115-49 Clear Lake Township. All voted in favor and motion carried. The finding for this variance are that the shed will not cause a snow or visual problem. There are trees located between the shed and the road. The slope of the land prevented them building 150 feet from the road right of way.
5. Greg & Eric Lanners applied for a Variance. The request, if granted, would permit the applicant to use the following property: NW1/4 Less Block 1 & Lot 2 M Lanners First Addition & Less N412' W395' section 15-115-50 Havana Township to build an 18D x 25H hopper bin closer than 25 feet from adjoining property line Ag zoned district. Lanners stated they would like to place the hopper about 5 feet from the property line because it is in line with the the existing bins. The adjoining land is owned by his brother that is involved in the farming operation. Motion by Jaeger, seconded by Brandt to grant a Variance to build an 18D x 25H hopper bin approximately 5 feet from the adjoining property line located in the NW1/4 Less Block 1 & Lot 2 M Lanners First Addition & Less N412' W395' section 15-115-50 Havana Township. All voted in favor and motion carried. The findings for this variance are the adjoining land is owned by a brother that is part of the existing common farming operation.
6. Steve Rhody applied for a Variance. The request, if granted, would permit the applicant to use the following property: Block 1 Rhody Addition in SE1/4 section 20-113-49 Blom Township to build a 6 foot addition to the existing house closer than 150 feet from the road right of way in an Ag zoned district. Motion by Brandt, seconded by Durfee to grant a Variance to build a 6' x 20' addition on to the existing house that is approximately 100 feet from the road right of way located in Block 1 Rhody Addition in SE1/4 section 20-113-49 Blom Township. All voted in favor and motion carried. The findings for this variance are that there are trees located between the addition and the road right of way. It will not cause a snow or a visual problem.
7. Garrett & Michelle Hennings applied for a Variance. The request, if granted, would permit the applicant to use the following property: E1/2 Less Hennings Addition section 11-117-48 Lowe

Township to build a 32' x 48' garage closer than 25 feet from adjoining property line and closer than 150 feet from the road right of way in an Ag zoned district. Garrett's father Larry was present at the meeting who owns this land thru a life estate. Larry stated that he is ok with the garage being approximately 9 feet from the property line. Motion by Jaeger, seconded by Dahl to grant a Variance to build a 32' x 48' garage approximately 9 feet from the property line and 100 feet from the road right of way on the E1/2 Less Hennings Addition section 11-117-48 Lowe Township. All voted in favor and motion carried. The findings for this variance are the garage will be even with the home that is on the Hennings Addition that adjoins the E1/2. There are trees that are located between the proposed garage and the road right of way. The garage will be located on the south side of the road witch will not cause a snow problem. The garage will be located on an existing farm site and Garrett is the owner of both properties.

8. Andy Schmitt came and talked to the board about building a basement and capping it before he build a house on Lots 18 & S1/2 17 Lake Alice Shores in SW1/4 in 7-116-48 Altamont Township. Schmitt applied for a building permit in 2014 and that permit has expired. The board granted a new building permit and to allow Schmitt to build and cap a basement first then build the house later.
9. Motion by Dahl, seconded by Brandt to approve the Plat of Tract 1 Mitteness' Addition in SE1/4 section 28-113-47 Scandinavia Township. All voted in favor and motion carried.
10. Greg Lunden came to the zoning board meeting to discuss building a monoslope feeding barn were he currently is feeding out calves now. The board suggested that Lunden apply for a special exception for a Class C CAFO for this location at the next zoning board meeting which is September 8, 2015.
11. Stuart Rhea came to the zoning board meeting to discuss with the board some options for his lot on Lake Cochrane where Shady Beach was located. Rhea stated they would like to sell this lot but they are having a hard time with the square footage and noticed that smaller lots are selling quicker than larger lots. The board suggested that he could apply for a variance to make the lots smaller.

Kanengieter called the meeting.

Jodi Theisen
Zoning Office

Dennis Kanengieter
Chairman, Zoning Board