

Monday August 11, 2025

The Deuel County Zoning Board met on Monday August 11, 2025 at 6:30 p.m., in the Commissioner's Room of the Courthouse in Clear Lake. Those present were members, Jay Grabow, Mike Lammers, Kevin DeBoer, Mike Dahl, States Attorney Craig Evenson, Zoning Officer Jodi Theisen and other members of the public.

Chairman Mike Dahl called the meeting to order.

The minutes from July 14, 2025 and August 5, 2025 were discussed. Motion by Grabow, seconded by DeBoer, to approve the July 14, 2025 meeting and August 5, 2025 minutes. All voted in favor and motion carried.

Dahl asked if the board, or any staff member, had anything to add to the agenda with none being offered.

Dahl reminded attendees that if any member of the public wishes to speak on matters not listed on the agenda, they will have the opportunity to do so at the end of the meeting. Each speaker will be limited to a maximum of five (5) minutes.

Theisen noted a correction to the staff report for the Steele Conditional Use Permit and variance request. She clarified that the date listed for the previously issued Special Exception Permit was incorrect. The report incorrectly stated February 22, 2026; the correct date is February 22, 2006.

Dahl asked for any seated board member if they think they need to recuse themselves from any discussion topics on the agenda, or from voting on an agenda item with no board member responding.

Motion by Grabow, seconded by DeBoer, to approve the August 11, 2025, Agenda. All voted in favor and motion carried.

Motion by Grabow, seconded by Lammers, to adjourn as the Deuel County Planning Commission and convene as the Deuel County Board of Adjustment. Motion passed unanimously.

ITEM ONE

Kaleb & Brenda Steele, applicants/owners, are requesting Conditional Use Permit to Section 1101.04.25 Agribusiness activities provided they meet the requirements of Section 1204. They would like to operate an agribusiness—specifically, seed storage and sales—out of an existing structure located on their property as follows: Lot 5, Mamer's 1st Addition, located in the West Half (W½) of Section 15, Township 114 North, Range 47 West, Norden Township, Deuel County, South Dakota

The applicants seek to relocate their seed business operations to this property following the discontinuation of a previous business site, formerly operated by Kaleb's brother and business partner, Justin Steele. That prior site, located in Section 21-114-47, was authorized under a Special Exception Permit issued February 22, 2006, but is no longer in use.

The proposed agribusiness operation would be housed in an existing structure on the property. A variance granted on August 11, 2014 previously allowed construction of a shed no closer than 40 feet from the section line road right-of-way. The applicants are currently working with Norden Township to vacate the section line right-of-way between Sections 15 and 16 (T114N, R47W). A Haul Road Agreement with Norden Township is required; the Norden Township is currently working with Todd Boyd to prepare one.

The proposed agribusiness must have access via a county or township-maintained road, with a Haul Road Agreement required for township roads. Outdoor lighting should be downward-directed and consistent with agricultural use. Signs must meet Board-approved size and illumination standards. Equipment and vehicle storage must comply with safety and nuisance rules. Agribusiness permits can only be transferred with Board approval.

The site is accessed via 187th Street, a township-maintained gravel road, and requires a Haul Road Agreement for continued use. Adequate off-street parking is available, with no parking anticipated in the right-of-way. Utilities include rural water and electric service; there is no sewer service. Lighting is minimal and appropriate for agricultural use, and signage will be updated but remain consistent in size and location. Buffering and screening will meet Agricultural District standards. A variance is needed for a proposed lean-to addition due to setback requirements.

The proposed use aligns with existing agricultural land use, with no adverse impacts identified. The applicants are cooperating with Norden Township on right-of-way and access issues. The operation complies with the intent and performance standards of the agribusiness ordinance and will be conditioned as necessary.

The board opened the meeting for public comments; there was no public comment.

Motion by Grabow, seconded by DeBoer to grant a Conditional Use Permit request by the applicants/owners, Kaleb & Brenda Steele, to allow seed storage and sales as an agribusiness activity on the subject property, Lot 5, Mamer's 1st Addition, located in the West Half (W½) of Section 15, Township 114 North, Range 47 West, Norden Township, Deuel County, South Dakota.

Contingent upon the following conditions:

1. Execution and filing of a Haul Road Agreement with Norden Township; a copy must be submitted to the Deuel County Zoning Office.
2. Compliance with all applicable variance requirements for structure setbacks, including any approvals related to the proposed lean-to addition.
3. Signage and lighting shall conform to the standards for the Agricultural District.
4. Ongoing compliance with all performance standards outlined in Section 1240.02 of the Zoning Ordinance.
5. If the section line right-of-way is not vacated, any development within that area must cease or receive further necessary approvals.
6. The permit for agribusiness activities—specifically seed storage and sales—may not be transferred unless otherwise authorized by the Board of Adjustment.

All voted in favor and motion carried. Please see Findings of Fact and Conclusions of Law on file with this application.

ITEM TWO

Kaleb & Brenda Steele, applicants/owners, are requesting a variance Section 1101.05 Area Regulations to build lean-to addition to an existing structure at a distance of less than 65 feet from the section line right-of-way. This section line right-of-way is currently in the process of being vacated. Once vacated, the lean-to addition will be located less than 25 feet from the side property line, which also requires a variance. Property is located on Lot 5, Mamer's 1st Addition, located in the West Half (W½) of Section 15, Township 114 North, Range 47 West, Norden Township, Deuel County, South Dakota

Applicants are requesting a Variance requesting a variance to construct a 24' x 104' lean-to addition on the west side of an existing structure. The proposed addition would encroach on required setbacks under two conditions: 1. Front yard variance – The addition would be located less than the required 65 feet from the existing section line right-of-way. 2. Side yard variance – Upon vacation of the section line right-of-way by Norden Township, the addition would be approximately 16 feet from the resulting side property line—less than the required 25-foot side yard setback.

The applicants explained that the west side of the existing structure is the only feasible location for the lean-to addition due to overhead doors located on the east side, which are needed for equipment access. The intent is to consolidate their agribusiness operations at this location. A related seed sales business, previously operated under a Special Exception Permit dated February 22, 2006, has ceased operation.

On August 11, 2014, the applicants received a prior variance allowing a structure no closer than 40 feet from the section line right-of-way on the same property. They are currently working with Norden Township to vacate the section line right-of-way between Sections 15 and 16 of 114-47. The Norden Township meeting to consider the vacation is scheduled for August 19, 2025, per the public notice published in the Clear Lake Courier.

Theisen stated that Norden Township is in the process of vacating the section line between sections 15 & 16 of 114-47. Their meeting will be held on August 19, 2025 according to the public notice in the Clear Lake Courier.

The board opened the meeting for public comments; there was no public comment.

Motion by Grabow, seconded by Lammers, to approve a variance for a 24' x 104' lean-to addition, allowing a reduced setback of 16 feet from the property line. Approval is contingent upon the following conditions:

1. Vacation of the section line right-of-way by Norden Township, and
2. Recording of the vacation with the Register of Deeds prior to construction, and
3. A letter of support or no objection from the adjoining property owner regarding the variance request.

All voted in favor and motion carried. Please see Findings of Fact and Conclusions of Law on file with this application.

Motion by Grabow, second by Dahl, to recess the Board of Adjustment and reconvene as Planning Commission. All voted in favor and motion carried.

ITEM THREE

Motion by DeBoer, seconded by Grabow, to recommend approval to the Board of County Commissioners the Plat of O.J. Second Addition in the SE1/4 of Section 10, Township 115 North, Range 49 West of the 5th P.M., Deuel County, South Dakota. All voted in favor and motion carried.

Motion by Lammers, second by Grabow, to recess Planning Commission and reconvene as Board of Adjustment. All voted in favor and motion carried.

Zoning Officer Theisen informed the board that the next regular meeting is scheduled for September 8, 2025. Theisen also provided an update on a variance granted on November 14, 2024, for the construction of a new house. A condition of the variance required the submission of an updated site plan showing structure distances and building blueprints. As of this meeting, the zoning office has not received the required documents. Theisen recommended sending a reminder letter to the property owner, noting that the variance will expire on November 4, 2025, if no work has commenced. The board advised Theisen to proceed with sending the letter.

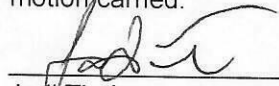
Zoning Officer Theisen reported receiving an inquiry from Steve Maas regarding the placement of a sign for his business, Pleasant Valley. The proposed sign would be mounted on an old wagon chassis, allowing it to be moved as needed. In researching the property, Theisen located public notices and meeting minutes referencing a Special Exception Permit (SEP) hearing from the 1980s but was unable to confirm the exact date the SEP was granted. She also found building permits for lodging-related construction and remodeling. The board concluded that no additional Conditional Use Permits are required, as the original business approval remains in effect. A building permit is not necessary due to the sign's mobility. The board emphasized, however, that the sign must not be placed within the road right-of-way.

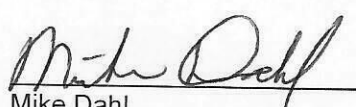
Zoning Officer Theisen reported receiving a partial application and payment for a Special Permitted Use Permit involving two campers on a lot pending sale. The current owners stated the property is set to close on September 9, 2025, and the campers will be removed after the sale. Theisen recommended not processing the application. After discussion, the board directed her to retain the payment check until the sale is finalized and the campers are removed, at which point the check will be returned.

Board member Grabow informed the board that he had been hired to fill in a partial area of a slough behind garages on the east side of Lake Cochrane, contingent upon the property owners obtaining the appropriate permit from the U.S. Army Corps of Engineers. He also stated he will discuss with the Deuel County Commissioners the possibility of amending Section 1215, Wind Energy System (WES) Requirements, specifically concerning wind turbine placement. Additionally, Grabow noted that data centers will be discussed at the State legislative session in January.

Zoning Officer Theisen reported that John Knight has not requested to be placed on the board's agenda.

Motion by Grabow, seconded by Lammers to adjourn the meeting at 7:43 p.m... All voted in favor and motion carried.


Jody Theisen
Zoning Officer


Mike Dahl
Chairman, Zoning Board