

Monday March 12, 2018

The Deuel County Zoning Board met on Monday, March 12, 2018, at 6:30 P.M., in the Commissioners' room of the Courthouse in Clear Lake. Those present were members Dennis Kanengieter, Mike Dahl, Steve Rhody, Paul Brandt, and Kevin DeBoer. Also present were States Attorney John Knight and Zoning Officer Jodi Theisen.

Chairman Dennis Kanengieter called the meeting to order. The minutes from the February 12, 2018, were discussed.

Motion by Dahl, seconded by Rhody, to approve the February 12, 2018, minutes. All voted in favor and motion carried.

Motion by Rhody, seconded by DeBoer, to approve the March 12, 2018, Agenda. All voted in favor and motion carried.

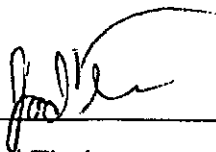
1. Nathan Engelstad applied for a Variance. The request, if granted, would permit the applicant to use the following property: Engelstad Farms Bins Site 2nd Addition in NW1/4 in Section 24-113-48, Scandinavia Township, to build a machine shed within 150' from the road right of way in an AG zoned district. Engelstad stated that he would like to build a 60' x 120' machine shed and 40' x 40' office 100' from the road right-of-way. Engelstad stated he sells seed and would like to sell seed from this property. He stated that he owns 5 ½ acres and the property has two existing bins on the site. Engelstad stated that he can't build 150 feet from the road right-of-way because the land slopes to the east and there is a slough. Since the building is only 60' wide they can't pull a semi into the shed from the side door. They would access the building from the east side so they could pull in straight. Engelstad stated that the concrete slab for the building is 1 foot higher than the existing highway. Engelstad stated that the shed would be 50 feet from the side lot line. The board stated that Englestad would have to apply to rezone the property to Commercial if he would like to sell seed from the machine shed. He will have to apply for a special exception for seed sales in the Commercial District and he will have to apply for a variance to build the shed within 100 feet from the side lot line and to have the existing bins within 100 feet from the side lot line.
2. Motion by DeBoer, seconded by Rhody, to grant the Variance to build a machine shed and office approximately 125' from the road right-of-way. All voted in favor and motion carried. The findings for this Variance are the building won't cause a safety or snow problem. There is a 100 foot road right-of-way and the building site is located on the east side of the road.
3. Anderson Trust applied for a Variance Permit. The request, if granted, would permit the applicant to use the following property: E1/2SE1/4 & Lot 4 (Block 1

Anderson Addition) in Section 9-113-47, Scandinavia Township, to plat a parcel with existing buildings and trees that are closer to the road right-of-way than the ordinance allows in an AG Zoned District. Dan Anderson stated that the Trust is selling the building site to him. The existing house is approximately 110' from the front yard. The existing bins are approximately 70' from the road right-of-way. Motion by Dahl, seconded by DeBoer, to grant the Variance to allow the existing house approximately 110' feet from the proposed property line, to allow the existing bins approximately 60' from the section road right-of-way, and to allow the existing grove of trees up to the road right-of-way. All voted in favor and motion carried. The findings for this Variance are the existing trees don't cause a safety issue. It is an existing building site located on a county road.

4. Motion by Rhody, seconded by Brandt, to approve the Block 1 Anderson Addition in Section 9-113-47, Scandinavia Township. All voted in favor and motion carried.
5. Jim & Stacy Wickre applied for a Variance Permit. The request, if granted, would permit the applicant to use the following property: Lot 1 Diamond W Addition in W1/2 (Lot A of Lot 1 Diamond W Addition) in Section 32-115-47, Herrick Township, to plat a parcel with existing buildings and trees that are closer to the road right-of-way than the ordinance allows in an AG Zoned District. Jim Wickre stated they are selling the pasture and the building site separate. The existing shed is approximately 143' from the road right-of-way. Motion by Dahl, seconded by DeBoer, to grant the Variance to allow the existing shed approximately 143' from the section road right-of-way, and to allow existing grove of trees up to the road right-of-way. All voted in favor and motion carried. The findings for this Variance are the existing trees won't cause a safety or snow problem. There is no traffic to the west. The building site is located on the south side of the road.
6. Motion by DeBoer, seconded by Brandt, to approve the Plat of Lot A of Lot 1 Diamond W Addition in Section 32-115-47, Herrick Township. All voted in favor and motion carried.
7. Toben Limited Partnership applied for a Variance permit. The request, if granted, would permit the applicant to use the following property: Block 1, Peterson Sub in SE1/4 in Section 26-117-49, Portland Township, to build a shed with living quarters within 150' from the road right of way in an AG zoned district. Jason Toben explained his dad Greg was sick and couldn't attend the meeting. Toben explained that they would like to build a shed with living quarters 67' feet from the road right-of-way. He stated that they have a cattle yard across the road and they might have a hired hand live here to take care of the cattle. The living quarters would be 40' wide and 60' in length, and the shed attached would be 40' wide and 60' in length, making the whole building 80' x 60'. Toben stated that

they can't go 150' back because of the existing tree grove. Motion by Deboer, seconded by Rhody, to grant the Variance to build a shed with living quarters that is 80' x 60' and approximately 67' from the road right-of-way. There is an existing building closer to road right-of-way. There is a large tree belt to the west and a cattle yard to the east. They do their own snow removal.

8. Elliot Lorenzen came and talked to the Board about selling farm equipment and skid steer attachments on his property located south of Gary. Lorenzen stated that he farms with his dad and he sells farm equipment and skid steer attachments for extra income. The board talked about an extended home occupation or having Lorenzen apply to rezone to commercial. The board stated to Lorenzen that selling equipment is not a permitted use in an AG Zoned District and he would have to apply to rezone and apply for a special exception to continue to sell equipment on his property.
9. Pat Toft came and talked to the Board about his house that was destroyed by a fire this fall. The house was approximately 34' from the road right-of-way. Toft stated that he has a wetland toward the back of his land and he has to stay away 10' from it per DENR. The board asked about a different location on the property. Toft stated that he would like to utilize his current septic tank and the all the utilities. If he moved the location of the house it would cost a lot of money. Toft would like to build a pole shed with living quarters. The living quarters would be 30' x 40' and the pole shed would be 60' x 90'. The board stated the old house that was destroyed was a nonconforming structure and to replace it you would have to apply for a variance to build within 150' from the road right-of-way. The board suggested to Toft to apply for a variance to build 46' from the road right-of-way.
10. Kanengieter called the meeting.



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Jodi Theisen  
Zoning Officer



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Dennis Kanengieter  
Chairman, Zoning Board