

Tuesday October 21, 2025

The Deuel County Zoning Board met on Tuesday, October 21, 2025, at 9:30 a.m., in the Commissioner's Room of the Courthouse in Clear Lake. Present were board members Jay Grabow, Mike Dahl, Dennis Kanengieter, Kevin DeBoer, Alternate Scott Fieber; States Attorney Craig Evenson; Zoning Officer Jodi Theisen; and members of the public.

Chairman Mike Dahl called the Deuel County Planning Commission meeting to order.

Motion by DeBoer, second by Kanengieter, to recess the Board of Adjustment and reconvene as Planning Commission. Motion passed unanimously.

Dahl asked if any board members or staff had items to add to the agenda. Theisen stated that a plat was received after the agenda had been mailed to the board members. However, the posted agenda did include the plat item.

Dahl stated if the public had any comments they would be limited to 5 minutes.

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 members indicated a need to recuse themselves.

Motion by DeBoer, seconded by Kanengieter, to approve the agenda. Motion passed unanimously.

A joint public hearing with the Deuel County Commissioners and the Deuel County Planning Commission was held regarding the request of petitioners/owners William & Julie Moe for a zoning change on a portion of Gov Lots 4-5-7-8 & 9, Less Exceptions, Section 7, Township 116N, Range 48W, Deuel County, South Dakota. Upon platting, the property will be known as Lots 1 & 2, Block 1 of Moe Addition, located in Gov Lot 4 of Section 7, Township 116N, Range 48W. The request is to rezone the property from "AG" Agricultural District to "LP" Lake Park District.

The request was previously withdrawn before the scheduled December 17, 2024 hearing but was resubmitted on September 12, 2025.

Theisen and Moe stated that Lot 2 is proposed for the construction of a 60' x 80' personal storage shed by Scott Stevens (SK Investment), who owns the adjacent property, Lot 10 in Lake Alice Shores (residence). Lot 1 is intended for future development, which would be subject to approval by the Board of Adjustment.

Theisen stated the Lake Alice Shores Association approved the proposed shed on August 31, 2025, with the conditions that no living quarters be permitted in the structure and that any future development on Lot 1 must receive prior approval from the Association. During that same meeting, access to the lots was also discussed and confirmed to be via Road Lots 1, 2, and 3, which are collectively owned by members of the Lake Alice Shores Association. As a member, Scott Stevens holds ownership rights to these road lots. Road access authorization was confirmed by Association President Amanda Sanow on the proposed plat.

Moe stated that he included additional conditions in the purchase agreement. Zoning Officer Theisen consulted by phone with Lake Alice Shores Association President Amanda Sanow, who agreed that these conditions could be incorporated into a Letter of Assurance to be filed with the Register of Deeds along with the plat, to ensure all aspects are addressed. The conditions include:

- Building Restrictions: Written approval from the Lake Alice Shores Association is required prior to any construction on Lots 1 or 2.

- Ownership Transfer Restrictions: Sales or transfers of Lots 1 or 2 must either occur simultaneously with the lakefront property (Lot 10, Lake Alice Shores) or be made only to existing owners of other lots within Lake Alice Shores.

These conditions helped clarify questions related to access and association oversight.

The property is located adjacent to the Lake Alice Lake Park District and is therefore eligible for LP (Lake Park) zoning under the county ordinance. Additionally, the property lies within Zone B of the Aquifer Protection Overlay District, requiring compliance with applicable performance standards related to septic systems and land use protections.

Although the request does not meet 7 of the 15 policies under the Development Stability Area portion of the Deuel County Comprehensive Plan, staff recommends approval due to the proposed limited development, compatibility with surrounding uses, and precedent of similar rezonings.

Approval is recommended contingent upon the applicant signing and filing a Letter of Assurance with the plat at the Deuel County Register of Deeds.

There was no public comment.

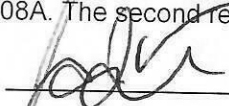
Deuel County Board Planning Commission member DeBoer made a motion, seconded by Kanengieter, to recommend to the Deuel County Board of Commissioners the rezoning of Lots 1 & 2, Block 1 of Moe Addition, Gov Lot 4, Section 7, Township 116N, Range 48W, Deuel County, South Dakota, from "AG" Agricultural District to "LP" Lake Park District, contingent upon the applicant signing and filing a Letter of Assurance with the plat at the Deuel County Register of Deeds. All voted in favor, and the motion carried.

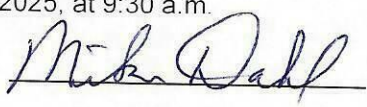
Motion by DeBoer, seconded by Kanengieter,, to recommend approval to the Board of County Commissioners the Lots 1 & 2, Block 1, Moe Addition, totaling approximately 0.9971 acres, contingent upon rezoning approval at the second hearing scheduled for November 4, 2025. All voted in favor and motion carried.

Motion by DeBoer, seconded by Grabow, to recommend approval to the Board of County Commissioners the Plat of Lunden Second Addition located in SW1/4 of Section Twenty-five (25), Township One Hundred Thirteen (113) North, Range Forty Nine (49) West of the 5th P.M., Deuel County, South Dakota. All voted in favor and motion carried.

Motion to adjourn by Kanengieter,, seconded by DeBoer. Motion passed unanimously.

Following adjournment, the Deuel County Commissioners held the First Reading of Ordinance B2022-01-08A. The second reading is scheduled for November 4, 2025, at 9:30 a.m.


Jodi Theisen
Deuel County Zoning Officer


Mike Dahl
Chairman, Zoning Board