

September 11, 2023 BOARD OF ADJUSTMENT/ PLANNING COMMISSION
DEUEL COUNTY
STAFF REPORT

Tuesday – November 21, 2023 – 9:45 a.m.

DEUEL COUNTY BOARD OF ADJUSTMENT

ITEM #1 VARIANCE

Applicants/Owners: Cody & Baily Mack

Property Description: Ash Grove Addition in SE1/4 Less E85' S137' & Less W20' E105' S48 of Section 20-115-49 Clear Lake Township, Deuel County, South Dakota

Action Items – Variance – (Section 1236.01.4 Variance Maximum Age of Type B Manufacture Home)

Zoning Designation: AG – Agricultural

Request: Applicant requesting a Variance to place a Type B Manufacture Home, greater than 15-years old on the property above

Specifics of Request:

1. Cody & Baily Mack purchased this property end of July 2021.
2. There was a double wide house on this legal previously and it was removed.
3. The proposed manufactured home is a 1999 model that is 16' x 80', a single wide which is a type B MH, which is 24 years old. Which will be placed in a manner that meets all required setbacks (approx. 113' from the ROW and more than 25' from the side and rear yard).

Ordinance and Comprehensive Land Use Plan regarding this request:

1. "Type B Manufactured Homes...." Are listed as a permitted use in the Agricultural District.
2. Type B Manufactured Homes are required to be less than 15 years old at the time of placement on the property; unless a variance issued by the board.
3. In order to issue the variance, the applicant shall obtain the written consent of sixty-six (66) percent of property owners owning property immediately adjacent (excluding streets and alleys) to the proposed building site and the consent of fifty (50) percent of the property owners within two hundred (200) feet (excluding streets and alleys) of said proposed location has been received. Which this complies with section 1205 Moved In Buildings for the written consent.
 - a. The applicant has submitted signature/approval of 2 of the 2 adjoining landowners at the time of this report.
 - b. Adjoining landowners include:
 - i. Darla Jané Rost Dorn
 - ii. Eugene Hamann Living Trust

Staff Summary & Recommendation

Variance – Minimum Age of of Type A Manufactured Home: The application may be approved, postponed or denied. Staff recommends approval of the variance on the the grounds that the condition for approving a variance to the maximum age of the manufactured home have been met by the applicant.

DEUEL COUNTY BOARD PLANNING COMMISSION

ITEM #2 UPDATING THE DEUEL COUNTY ZONING ORDINANCE

Ordinance # B2022-01-05 an Ordinance to amend that Article XI, "Zoning Districts," Section 1103 "LP" Lake Park, Section 1103.06. Minimum Lot Area and Yard Regulations, Article XI, "Zoning Districts," Section 1103 "LP" Lake Park, Section 1103.04. Special Permitted Uses, Article XI, "Zoning Districts" Section 1101. "A" Agricultural District, Section 1101.03. Special Permitted Uses and Article XII, "GENERAL REGULATIONS" Section 1208 Shelterbelt Setback

Action Item – Recommendation of Ordinance #B2022-01-05, an ordinance establishing zoning regulations for Deuel County, South Dakota, and providing for the administration, enforcement, and amendment thereof, in accordance with the provisions of chapters 11-2, 1967 SDCL, and amendments thereof, and for the repeal of all resolutions and ordinances in conflict herewith to the Deuel County Commissioners.