

BOARD OF ADJUSTMENT
May 14, 2024

CALL TO ORDER

Chairperson Reider called the meeting of the Davison County Board of Adjustment to order at 9:15 a.m. Members of the Board present were Claggett, Nebelsick, Blaalid, Reider. Absent Kiner. Also present were Planning & Zoning Director Bathke, Assistant Administrator Wegleitner and Auditor Kiepke.

APPROVE AGENDA

Motion by Nebelsick, second by Claggett to approve the agenda for the May 14, 2024, meeting. All members present voted aye. Motion carried.

APPROVE MINUTES

Motion by Blaalid, second by Nebelsick, to approve the minutes of the April 16, 2024, meeting. All members voted aye. Motion carried.

PUBLIC INPUT

Chairperson Reider called for public input. He reminded the public that this was for items not on the agenda. Hearing none, the meeting continued.

VARIANCES

The Planning Commission recommended granting 5-2.

Motion by Claggett, second by Nebelsick, after consideration of Section 1206 B Variances, to grant a variance to rebuild on an existing pad with an additional 2' for footings in the Ag District, as requested by Scott Blacksten. According to the current zoning Ordinance, the property does not meet the front yard (75') or rear yard (50') setbacks due to only being 108.29' wide. This request is pursuant to Section 308(1)(a), 308(1)(b), 1106(b) & 1206(b) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the W.190' of the S.311.5' of the N.711.5' of the SW ¼ of Section 2, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota.

Application received March 22, 2024
Daily Republic May 4, 2024
Posted April 26, 2024
Notified Applicant April 25, 2024
Notified Abutting Property Owners April 25, 2024
Consideration of 1206 B. Variances

Roll call vote:

Blaalid – aye, Nebelsick – aye, Claggett – aye, Reider – aye, Kiner – absent. Motion carried.

The Planning Commission recommended granting 7-0.

Motion by Claggett, second by Nebelsick, after consideration of Section 1206 B Variances, to grant a variance in front yard setback of +/- 40', creating a setback of +/- 35' from the house to the west property line, where the required front yard setback is 75', and a variance in rear yard setback of +/- 10' creating a rear yard setback of +/- 0' from the shed to the east property line, where the rear yard setback is 10', and a variance of +/- 21.909 acres, creating a lot size of +/- 5.096 acres, where the minimum lot size is 25 acres for a residence, all in the Ag Residential District as requested by Preston Skinner. This request is pursuant to Sections 4:07(4), 408(1)(a), 408(1)(b), 1106(b) & 1206(b) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot A of the SW ¼ of Section 14, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota.

Application received April 5, 2024

Daily Republic May 4, 2024

Posted April 26, 2024

Notified Applicant April 25, 2024

Notified Abutting Property Owners April 25, 2024

Consideration of 1206 B. Variances

Roll call vote:

Claggett – aye, Blaaid – aye, Nebelsick – aye, Reider – aye, Kiner – absent. Motion carried.

CONDITIONAL USES

The Planning Commission recommended granting 7-0.

Motion by Nebelsick, second by Blaaid, after consideration of Section 1206 A Conditional Uses, to grant a Conditional Use Permit to construct and operate a kennel of twelve or more domesticated animals in the Ag Residential District, as requested by Jordan Gerlach & Albert Juffer. This request is pursuant to Section 404(23), 1106(a) & 1206(a) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot 4 of Strand's Subdivision in the NE ¼ of Section 16, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota.

Application received April 15, 2024

Daily Republic May 4, 2024

Posted April 26, 2024

Notified Applicant April 25, 2024

Notified Abutting Property Owners April 25, 2024

Consideration of 1206 A. Conditional Uses

Roll call vote:

Nebelsick - aye, Claggett – aye, Blaaid – aye, Reider – aye, Kiner – absent. Motion carried.

The Planning Commission recommended granting 7-0.

Motion by Claggett, second by Nebelsick, after consideration of Section 1206 A Conditional Uses, to grant a Conditional Use Permit to construct four (4) wind energy towers in the Ag District, as requested by Brad & Peggy Greenway. This request is pursuant to Section 304(43),

1106(a) & 1206(a) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the NW ¼ of Section 8, T 103 N, R 61 W of the 5th P.M., Davison County, South Dakota, less BP Pork Addition in the NW ¼ of the NW ¼.

Application received April 19, 2024
Daily Republic May 4, 2024
Posted April 26, 2024
Notified Applicant April 25, 2024
Notified Abutting Property Owners April 25, 2024
Consideration of 1206 A. Conditional Uses

Roll call vote:
Blaalid - aye, Claggett – aye, Nebelsick – aye, Reider – aye, Kiner – absent. Motion carried.

VARIANCES

The Planning Commission recommended granting 7-0.

Motion by Blaalid, second by Nebelsick, after consideration of Section 1206 B Variances, to grant a variance in side yard setback of +/- 30', creating a setback of +/- 20' from the proposed wind towers to the west property line, where the required minimum side yard setback is 50' in the Ag District, as requested by Brad & Peggy Greenway. This request is pursuant to Section 308(1)(c), 1106(b) & 1206(b) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the NW ¼ of Section 8, T 103 N, R 61 W of the 5th P.M., Davison County, South Dakota, less BP Pork Addition in the NW ¼ of the NW ¼.

Application received April 19, 2024
Daily Republic May 4, 2024
Posted April 26, 2024
Notified Applicant April 25, 2024
Notified Abutting Property Owners April 25, 2024
Consideration of 1206 B. Variances

Roll call vote:
Claggett – aye, Blaalid – aye, Nebelsick – aye, Reider – aye, Kiner – absent. Motion carried.

The Planning Commission recommended granting 7-0.

Motion by Blaalid, second by Claggett, after consideration of Section 1206 B Variances, to grant a variance in in lot size of +/- 22.48 acres, creating a lot size of +/- 2.52 acres, a variance in lot size of +/- 22.29 acres, creating a lot size of +/- 2.71 acres and a variance in lot size of +/- 22.88 acres, creating a lot size of +/- 2.12 acres where the minimum lot size is 25 acres for a residence in the Ag Residential District, as requested by Ray Trudeau. This request is pursuant to Section 4:07(4), 1106(b) & 1206(b) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the E ½ of the SW ¼ of the SE ¼ of Section 3, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota.

Application received April 23, 2024
Daily Republic May 4, 2024
Posted April 26, 2024
Notified Applicant April 25, 2024
Notified Abutting Property Owners April 25, 2024
Consideration of 1206 B. Variances


Roll call vote:

Nebelsick – aye, Blaalid – aye, Claggett – aye, Reider – aye, Kiner – absent. Motion carried.

ADJOURN

At 9:37 a.m., motion by Nebelsick, second by Blaalid to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST



Susan Kiepke, Auditor



Randy Reider, Chairperson

