

The Deuel County Zoning Board met on Monday April 13, 2015 at 7:00 P.M., in the Commissioners' room of the Courthouse in Clear Lake. Those present were members Dennis Kanengieter, Gary Jaeger, Paul Brandt, and Mike Dahl. Also present were Attorney John Knight and Zoning Officer Jodi Theisen.

Chairman Dennis Kanengieter called the meeting to order. The minutes from the March 9, 2015 were discussed. Motion by Dahl, seconded by Brandt to approve the March 9, 2015 minutes. All voted in favor and motion carried.

Motion by Dahl, seconded by Brandt to approve the April 13, 2015 Agenda. All voted in favor and motion carried.

Charles & Jan Duchene applied for a Variance & Special Exception. The request, if granted, would permit the applicant to use the following property: Lots 32 & 33 Agnes Place, Lake Cochrane in 5-114-47 Norden Township. To replace old deck with a new deck within 35 feet from the high water mark in an LP zoned district. Jan Duchene stated that they would like to tear down the old wood deck and place two aluminum dock section in the same area. The lower section would be 4x10 and would be placed about 4 to 5 feet above the high water mark and would be removed in fall along with the dock and steps. This deck will have aluminum legs that would be placed in the water. They would like to place a second 4x10 section above the lower section for a sitting area. Motion by Dahl, seconded by Jaeger to grant a Variance on Lots 32 & 33 Agnes Place Lake Cochrane in 5-114-47 Norden Township. To remove the old deck and replace with removal decking located about 4 to 5 feet above the high water mark in a LP Zoned District. All voted in favor and motion carried.

Joe Blastick a representative of the Coteau Prairie Chapter of Pheasants Forever applied for a Variance. The request, if granted, would permit the applicant to use the following property: Lot 1 Ulven Add in Outlot 3 Ulvens Summer Resort in Gov Lots 2-3 Section 24-115-49 Clear Lake Township. To plant a shelterbelt of trees closer than 100 feet from the road right of way in an AG zoned district. Blastick stated that the chapter is trying to clean up the old trees and plant new vegetation for future generations to enjoy in the Ulven Park which is owned by the City of Clear Lake. Blastick stated that they would like plant cedars and other hardy trees around the perimeter of Lot 1 Ulven Addition to help with buffer of the surrounding ag land. They would like to plant the trees within 50 from the road right of way on the most south part of the plat and to go west along the plat and some along the west side to fill the bare areas. Blastick stated that Jamie Hintz which is on the city council and is the County Highway supervisor has been involved with this project and is very supportive and stated that the road between the City Park and Lot 1 Ulven that goes around Clear Lake is not opened in the winter months. Motion by Dahl, seconded by Brandt to grant a Variance on Lot 1 Ulven Add in Outlot 3 Ulvens Summer Resort in Gov Lots 2-3 Section 24-115-49 Clear Lake Township. To plant trees within 50 feet from the road right of way but no closer than the existing trees and to waive the \$100 tree planting variance. The findings for this variance are: 1) the road is not open in the winter time so it won't

cause any snow problem; 2) it is a natural resource area and part of its purpose is to maintain the natural environment and vegetation; 3) The road through the area has a reduced speed limit minimizing any safety issue. All voted in favor and motion carried

Paul & Marvin Hanson applied for a Variance. The request, if granted, would permit the applicant to use the following property: SE1/4 Section 27-117-48 Lowe Township. To build a cattle shed closer than 150 feet from the road right of way in an AG zoned district. Paul Hanson stated that he would like to building 75 feet from the 50 foot road right of way. Hanson stated that is will be a Morton pole shed for his cattle and he couldn't push it 150 feet from the road right of way because the land slopes and he would have to haul in fill and his water and electrical lines are located in that area. Motion by Brandt seconded by Jaeger to grant a Variance for the SE1/4 Section 27-117-48 Lowe Township. To build a cattle shed 75 feet from the road right of way in an AG zoned district. The findings for this variance are that the building site is surrounded by trees it is a 100 foot road right of way. It won't cause any snow problems and it is located from the drive way far enough that it will not cause a safety issue. The utilities are located on the west side which prevents the shed to be located the 150 foot from the road right of way. All voted in favor and motion carried

Jann Nelson applied for a Variance. The request, if granted, would permit the applicant to use the following property: N980' S1565' E765' SE1/4 Section 26-113-49 Blom Township. To move in a new home closer than 150 feet from the road right of way in an AG zoned district. Nelson stated that she would like to place the new home and deck were the old house is located now which is 125 feet from the road right of way. Nelson stated she would have to move trees to place the home 150 feet from the road right of way. Motion by Brandt seconded by Dahl to grant a Variance for the N980' S1565' E765' SE1/4 Section 26-113-49 Blom Township. To move in a new home that is 125 feet from the road right of way in an AG zoned district. The findings for this variance are that the building site is surrounded by trees there are trees located between the house and the road right of way now. The house won't cause any snow problems. All voted in favor and motion carried

Stuart Rhea applied for a Special Exception Permit. The request, if granted, would permit the applicant to use the following property Lot 2 Rhea Add in Gov Lot 7 in SE1/4 4-114-47, Lake Cochrane, in the following manner: To alter the shoreline within 35 feet of the high water mark. Rhea stated that he wanted to grade and place sand along the shoreline and plant grass where Shady Beach Supper Club was located. He would like to haul in sand and place it about 10 feet from the high water mark. And he would like to grade the area were they removed the supper club and but about 7 to 8 loads of black dirt and pack it down and seed it to grass. This area would be about 17 feet from the high water mark. Motion by Brandt seconded by Dahl to grant a Special Exception to use the following property Lot 2 Rhea Add in Gov Lot 7 in SE1/4 4-114-47, Lake Cochrane, in the following manner: To haul in about 1 load or 6 yards of sand and place it about 10 feet from the high water mark. To grade the area were they removed the supper club and to fill with about 7 to 8 loads of black dirt and pack it down and seed it to grass. This area

would be about 17 feet from the high water mark. To use a silt fence during construction to help prevent erosion and to follow the contour of the surrounding lots.

Michael Crinion came and talked to the board about the extension for the Class C CAFO Special Exception for Sherman Dairy that was granted April 14, 2014. He stated that they are in the process of submitting an application to the state and they have had other things that they were working on. Motion by Brandt, seconded by Jaeger to grant an extension for the special exception to Sherman Dairy for a Class "C" CAFO with up to 999 animal units with the conditions they apply and are granted a State Class "C" CAFO Permit for 1 year and if they have any changes to the original application that they would have to come and talk to the board. They have to cover the manure holding area, have no more than a total of 999 animal units on the forty acres of land and in the barn, and that they become good neighbors by helping controlling the odor. All voted in favor and motion carried.

Motion by Dahl, seconded by Brandt to approve Plat of Block 1B & 1C Bergjord's Addition in NE1/4SE1/4 Section 32-113-48 Scandinavia Township. All voted in favor and motion carried.

The board talked the formal complaint that was filed on 10-21-14 about the campers that are located at Lake Alice Shores and how they are in violation of the covenants. And how the board stated that they can park their camper there but they can't camp in them according to the Deuel County Ordinance. The board decided to write the property owners a letter and to have them come talk to the board.

Kanengieter called the meeting.

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Jodi Theisen  
Zoning Office

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Dennis Kanengieter  
Chairman, Zoning Board