

Monday, August 9, 2021

The Deuel County Zoning Board met on Monday, August 9, 2021, at 6:30 p.m., in the Commissioner's Room of the Courthouse in Clear Lake. Those present were members Dennis Kanengieter, Judith Homan, Paul Brandt, Kevin DeBoer, Mike Dahl, Zoning Officer Jodi Theisen, and Sarah DeBoer.

Chairman Dennis Kanengieter called the meeting to order.

The minutes from the July 12, 2021 and July 15, 2021 meetings were discussed. Motion by Dahl, seconded by Brandt, to approve the July 12, 2021 and July 15, 2021 minutes. All voted in favor and motion carried.

Motion by Brandt, seconded by DeBoer, to approve the August 9, 2021, Agenda. All voted in favor and motion carried.

ITEM ONE

Darren & Jessica Houseman, applicants/owners, applied for Special Exception Permit Pursuant to 1103.4.5 – Shoreline Alterations. The request, if granted, would permit the applicant to use the following property: Lot 2 Replat of Lots 35-36-37 of Severson's Bay in Section 5-114-47, Lake Cochrane, Norden Township, Deuel County, South Dakota, to alter the shoreline within 35' from the high-water-mark by removing existing stairway and building a new stairway on their property.

Houseman's request a Special Exception to remove the hazardous stairway and replace with new stairway and landing. They would like to widen the existing on the top stairway from 3.5' to 4' wide with new posts. They would like to turn the landing in the middle sideways making it possible 6' x 8' to match up with the new final set of 4' steps down to the existing platform.

Motion by DeBoer seconded by Brandt, to grant the Special Exception to alter the shoreline within 35 feet from the high-water-mark by rebuilding the stairway and by building new stairway and landing with the requirement that mesh or landscape fabric is installed under the new stairway to prevent erosion and to follow the landscaping plan that was provided. All voted in favor and the motion carried. Please see Findings of Fact and Conclusions of Law on file with this application.

ITEM TWO

Darren & Jessica Houseman, applicants/owners, applied for Variance Permit Pursuant to 1103.5 – Area Regulations. The request, if granted, would permit the applicant to use the following property: Lot 2 Replat of Lots 35-36-37 of Severson's Bay in Section 5-114-47, Lake Cochrane, Norden Township, Deuel County, South Dakota, to remove existing stairway and building a new stairway within 50' from the high-water-mark on their property.

Houseman's request a Variance to remove the hazardous stairway and replace with new stairway and landing. They would like to widen the existing top stairway from 3.5' to 4' wide with new posts. They would like to turn the landing in the middle sideways making it 6' x 8' to match up with the new final set of 4' steps down to the existing platform.

The Board discussed the landing and the stairs and decide that they are not considered structures and wouldn't need a variance for these items.

Motion by Brandt seconded by DeBoer, to rebuild their stairway and building a new stairway and landing would not require a Variance permit. All voted in favor and the motion carried.

The Deuel County Board of Adjustment recessed and convened as the Deuel County Planning Commission.

ITEM THREE

Motion by Brandt, seconded by DeBoer, to approve the Plat of Plat of Cook's Point Third Addition in NE1/4SE1/4 of Section 4-T114N-R47W of the 5th P.M., Norden Township, Deuel County, South Dakota. All voted in favor and motion carried.

ITEM FOUR

Jon Gorder and Phil Kooima, represented Lynns Farms LLC presented the final plat of a subdivision called Dakota Bluffs Addition in Norden Township. The plat contains 33 lots, average 15,000 square feet each. All details involving streets, accesses, utilities, elevations, drainage were reviewed.

Jon Gorder and Phil Kooima stated they have been in contact with the Lake Cochrane Sanitary District and JSA Consulting Engineers, who are working on the sewer system for each lot. They have also contacted H-D Electric, Brookings Deuel Rural Water and ITC.

The Board discussed with Gorder and Kooima if they are doing covenants and they provided the board with the updated covenants.

Motion Dahl, seconded by DeBoer to approve the Plat of Lots 1-13, Block 1; Lots 1-14, Block 2; Lots 1-3, Block 3, and Lots 1-3, Block 4, Dakota Bluffs Addition in Gov Lot 1, Gov Lot 2, and N1/2 of Section 8-T114N-R47W of the 5th P.M., Norden Township, Deuel County, South Dakota. Kanengieter called for a roll call vote; DeBoer-yes, Brandt-yes, Homan-yes, Dahl-yes, and Kanengieter-yes and the motion carried. The final plat will be given to the Deuel County Commissioners for review at their August 17, 2021 meeting.

The Deuel County Planning Commission recessed and convened as the Deuel County Board of Adjustment.

Theisen and the Deuel County Board of Adjustment had discussion on a pending Zoning Ordinance for medical marijuana and cannabis dispensaries. The board discussed setbacks and permitting procedures and the notices of public hearings that will be published.

Theisen and the Deuel County Board of Adjustment had discussion on butcher shops and meat processing plants. The board discussed different zoning districts and where these businesses fall under. The board decided they would fall under the Commercial District in our current

The Commissioners continued the public hearing for questions on the rezoning classification. No public was present for comments or questions.

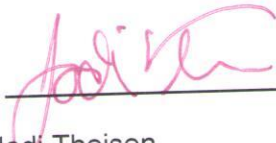
The Commissioners then held the first reading of Ordinance B2004-01-36A. The second reading will be held at the September 8th regular Commission meeting at 9:45 a.m.

Motion to adjourn by Brandt, second by DeBoer. Motion passed unanimously.

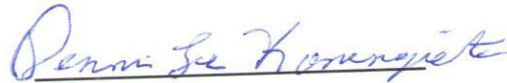
Executive Session per SDCL 1-25-2(3) for the Purpose of Consulting with Legal Counsel

2) Jaeger moved, seconded by Kreutner to move into executive session per SDCL 1-25-2(1) for the purpose of consulting with legal counsel. All voted yes and motion carried.

3) Jaeger moved, seconded by Kreutner to have Chairman DeJong declare the meeting out of executive session at 10:49 a.m. All voted yes and motion carried.



Jodi Theisen
Deuel County Zoning Officer



Dennis Kanengieter
Chairman, Zoning Board