**Hamlin County Board of Adjustment**

Date: April 23, 2018

The Hamlin County Board of Adjustment met on April 23, 2018 at the Hamlin County 4-H Building at 310 Pheasant Ave. Hayti, SD. Board Members present were Larry Saathoff, Robbie Fedt, Scott Popham, John Pantzke, Richard Wiarda, Stuart Schubloom, and Leonard Kenmitz. Also present were Luke Muller and Thomas Nealon from First District in Watertown. A list of others attending the meeting is attached to the minutes and available in the Zoning Office.

Chairman Richard Wiarda called the Board of Adjustment Meeting to order at 7:00 P.M.

Motion by Kenmitz, Second by Pantzke to approve Agenda. Motion approved unanimously.

Motion by Fedt, Second by Popham to approve March 26, 2018 Board of Adjustment meeting minutes. Motion approved unanimously.

1. **Variance:** Page Koistinen. Legal Description: W ½ NW ¼ less Block 1 Jensen Addition Section 24, Township 114N, Range 53W (Hayti Township). Motion by Pantzke, Second by Fedt to approve the Variance request for a reduced setback for a shelterbelt. Nealon reviewed the staff report. Mr. Koistinen is seeking a variance to place five rows of trees fifty feet closer to the road than the required one hundred and fifty feet required setback. Mr. Koistinen spoke to his request, stating the trees directly east on his father’s property were granted a variance to the same distance in the past. He states he is seeking variance to allow greater distance for the placement of his future house on the property from a wetland area. Pantzke asks Mr. Koistinen to go over the distances of the trees and the proposed house in relation to the wetlands. No further proponent testimony was heard. Opponent testimony was heard from Sam Walder. Kenmitz and Fedt asked Mr. Koistinen if the required setback was met that he would be able to place the house on the property with adequate distance to the shelterbelt and wetlands. Mr. Koistinen stated the house could still be placed with adequate distances without a variance. Further, the Hayti Township Board of Supervisors placed a statement on record opposing the variance based upon road maintenance and snow removal concerns. Muller read the Findings of Fact. Wiarda called for a roll call vote. Motion to approve the variance request failed 0-7.
2. **Conditional Use and Variance:** Roe Farms LLC. Legal Description: SE ¼ Section 27-Township 115N-Range 54W (Oxford Township). Motion by Fedt, Second by Saathoff to approve the variance for a reduced CAFO Setback from a County Road. Nealon reviewed the staff report. Leland and Paul Roe intend to build a new confinement barn for their existing CAFO and are seeking a variance to place the confinement barn one hundred and fifty feet closer to the road than the required three hundred feet. Leland explains the layout of their current facility and the improvements that will come with a new setup. He states that the topographical conditions of the site location will require them to place the barn closer to the road to allow proper drainage on the property. Wiarda asks questions about manure storage and spreading. Leland stated they are using NRCS standards and engineering to design and operate the facility. Leland also stated he spoke with Hamlin County Highway Superintendent Bryan Pedersen about the setback and Bryan had no opposition to the site location in relation to the County Road. No further proponent or opponent testimony was heard. Muller read the Findings of Fact for the variance to the required setback and the Conditional Use permit for a Class B CAFO. Wiarda called for a roll call vote. Motion to approve the variance and conditional use passes 7-0.

Motion by Pantzke, Second by Kenmitz to adjourn the Board of Adjustment Meeting. Motion passes unanimously.

It is the policy of Hamlin County not to discriminate on the basis of color, national origin, sex, religion, age, or disability in employment or the provision of services.