**Hamlin County Board of Adjustment**

Date: March 26, 2018

The Hamlin County Board of Adjustment met on March 26, 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 Jay Baldwin. Also present were Todd Kays 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 2:45 p.m.

Nealon asked to amend the agenda and add a discussion on John Hurley and his Campground on Block 2 of LPE. Motion by Baldwin, Second by Fedt to approve the Agenda as amended. Motion passed unanimously.

Motion by Baldwin, Second by Pantzke to approve February 26th, 2018 Board of Adjustment Meeting Minutes. Motion passed unanimously.

1. **Variance:** Corey Bawdon. Legal Description: E 165’ of W 900’ of Govt Lot 1 in Section 15, Township 115N, R 53W in Oxford Township in the 5th P.M. of Hamlin County, South Dakota. Motion by Pantzke, Second by Popham to approve the variance request on the rear yard lake front setback. Nealon reviewed the staff report. Mr. Bawdon is seeking a variance to the rear yard lake front setback to construct an addition to his home. The addition would not be further encroaching upon the setback, but would be in line with the current structure. Mr. Bawdon spoke about his proposed construction. No other proponent or opponent testimony was heard. The Board confirmed with Mr. Bawdon the plans for his addition and had no further questions. Kays read the Findings of Fact. Chairman Wiarda calls for a roll call vote. Motion to approve the variance request passes 7-0.
2. **Conditional Use:** Daryl Beld. Legal Description: The W 360’ of E 2275’ of N 725’ of NE 1/4 of Section 24-T113N-R54W in Cleveland Township in the 5th P.M. of Hamlin County, South Dakota (Beld) AND The W 300’ of the E 1915’ of the N 435’ of the NE ¼ of Section 24-T113N-R54W in Cleveland Township in the 5th P.M. of Hamlin County, South Dakota (Dolph Creek Development). Nealon reviewed the staff report. Mr. Beld spoke about his proposed use of the permit (welding shop). No other proponent or opponent testimony was heard. The Board asked Mr. Beld about outside storage. He stated pending projects would be stored behind the accessory building which would house the welding shop. The Board placed a condition that if any formal complaints were filed with the Zoning Officer on the status of items stored behind the accessory building, Mr. Beld would need to come before the Board of Adjustment and discuss screening options. Motion by Pantzke, Second by Schubloom to approve the conditional use permit. Kays read the Findings of Fact. Chairman Wiarda called for a roll call vote. Motion to approve the conditional use permit with additional conditions passes 7-0.
3. **Conditional Use and Variance Request:** Jeff Halme. Legal Description: NW ¼ in Section 32, Township 113N, R54W in Cleveland Township in the 5th P.M. of Hamlin County, South Dakota. Nealon reviewed the Staff Report. Mr. Halme spoke to his request to permit his construction business and the variance which would waive the number of non-family individuals employed on site to a determination of the Board. He stated the rubble site was a mixture of concrete and asphalt from the Agropur site in Lake Norden. He also stated this gets crushed once or twice a year and hauled away. Mr. Halme explained his variance request, stating that he currently has 5 employees on site full time who work for the construction business, and stated that allowing up to 10 would be suitable. Mr. Halme also acknowledged he did not plan to stay in this location long term as they are looking for other sites to move to in the future. No other proponent or opponent testimony was heard. The Board agreed to allow 10 non-family individuals be employed on site. Motion by Pantzke, Second by Fedt to allow up to 10 non-family individuals to be employed on site. Motion passed unanimously. Motion by Pantzke, Second by Baldwin to approve the conditional use permit with the additional conditions. Kays read the Findings of Fact. Chairman Wiarda called for a roll call vote. Motion to approve the conditional use permit passes 7-0.
4. **Board Discussion:** John Hurley’s Campground on Block 2 of LPE Addition on Lake Poinsett. Staff gave an overview of the current situation concerning the campground. As stated in the August 12, 2013 minutes, no campers would be allowed on the property after January 1st, 2018. The Board instructed Staff to send Mr. Hurley a letter stating this condition placed upon him in 2013 and thus asked him to apply for a conditional use permit with the same conditions as required by recent campground applications. Pantzke cited concern over traffic and parking on Mr. Hurley’s property with many people crossing US HWY 81 during the summer and safety issues that can arise. Wiarda gave some background on Mr. Hurley’s recent ownership of the property, restoring it from the 2011 floods on Poinsett and the subsequent poor handling of past applications on the site by Hamlin County officials at the time. He also went on to say he would like to see more public parking on the property owned by Mr. Hurley on Block 2 and across the road to get cars out of the Right of Way.

With no further business on the agenda, Motion by Pantzke, Second by Saathoff 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.