**Hamlin County Board of Adjustment**

Date: September 24, 2018

The Hamlin County Board of Adjustment met on September 24th, 2018 at the Hamlin County 4-H Building in Hayti, SD. Board Members present were Larry Saathoff, Robbie Fedt, Scott Popham, Len Kemnitz, John Pantzke, Richard Wiarda, and Stuart Schubloom. Also present was 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 9:30 P.M.

Motion by Fedt, Second by Saathoff to approve the September 24th Board of Adjustment Agenda. Motion passed unanimously.

Motion by Popham, Second by Fedt to approve August 27th Board of Adjustment meeting minutes. Motion approved unanimously.

1. **Variance:** Gordon and Delores Kangas. Legal Description: E 573’ of N 551’ of NW ¼ of Section 20, Township 113N, Range 53W of the 5th P.M., Hamlin County, South Dakota. (Norden Township). Motion to approve the Variance application by Kenmitz, Second by Pantzke. Nealon reviewed the staff report. This is a continuation of last month’s hearing where the Board postponed a decision to let the City of Lake Norden hear an annexation proposal by Gordon Kangas. On the September 4th, 2018 Lake Norden City Council meeting, the council denied annexation of the property in discussion. The Kangas’ are seeking to place a house in a ¼ ¼ where they have no eligible building site. Wiarda opened the public hearing. Gordon Kangas spoke on his behalf as to the current and past situation with the property and their plans to place a house on the property described above. Proponent testimony was heard from Eric Kangas and Seiri Pekkala. No opponent testimony was heard. Staff reiterated the options available to the BOA in making this decision and stated that the issuance of the variance could place them in an uncertain legal position to disregard the density requirements of the Ag District and thus open the county to unfettered residential development. Wiarda closed the public hearing. Board further discussed options to settle the issue, coming up with none, they ended discussion. Nealon read the Findings of Fact. Wiarda called for a roll call vote. Motion to approve the variance request to place an additional house on a ¼ ¼ with no eligible building site was denied 0-7.
2. **Conditional Use:** Mike Hausman. Legal Description: Lot 18 Block 2 of Sunset Parks Estates Addition in Government Lot 1 in Section 26, Township 113N, Range 52W of the 5th P.M., Hamlin County, South Dakota (Estelline Township). Motion to approve the conditional use application for a unattached garage with sidewalls greater than 10 ½’ and dimensions greater than 36’ x 42’ by Fedt, Seconded by Saathoff. Nealon reviewed the staff report. Hausman is seeking to construct a garage on his backlot for storage purposes. Staff is recommending approval as it fits the neighborhood with many other oversized garages on backlots. Ken Hanson, on behalf of Hausman, spoke on the proposed plans. Wiarda opened the public hearing. No other proponent or opponent was heard. Wiarda closed the public hearing. Nealon read the Findings of Fact. Wiarda called a roll call vote. Motion to approve the conditional use was approved 7-0.

Motion to adjourn the Board of Adjustment meeting by Fedt, Second by Popham. Motion was approved 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.