**Hamlin County Board of Adjustment**

Date: October 28th, 2019

The Hamlin County Board of Adjustment met on October 28th, 2019 at the Hamlin County 4-H Building in Hayti, SD. Board Members present were Larry Saathoff, Scott Popham, Len Kemnitz, Richard Wiarda, Robbie Fedt, Stuart Schubloom, John Pantzke and Doug Noem. Also present was Thomas Nealon from First District in Watertown and John Delzer, Hamlin County’s States Attorney. A list of others attending the meeting is attached to the minutes and available in the Hamlin County Zoning Office.

Chairman Wiarda called the Board of Adjustment meeting to order at 7:30 P.M.

Motion by Popham, Second by Saathoff to approve the October 28th Board of Adjustment Agenda. Motion passed unanimously.

Motion by Pantzke, Second by Schubloom to approve the September 23rd Board of Adjustment Minutes as amended. Motion passed unanimously.

Nealon stated that Claremont Colony had decided to withdraw their application from the previous month’s meeting and would not be heard at this month’s Board of Adjustment hearing.

1. Old Business: Conditional Use: Schubloom Construction/Doug & Marilyn Amen. Property Description: E 25’ of Lot 35 & All of Lot 36 & 37 Less E 25’ of Lot 37 in Section 20, Township 113N, Range 52W of the 5th P.M., Hamlin County, South Dakota. Schubloom and Kemnitz recused themselves from this agenda item. This item is a continuation from last month’s public hearing on the Amen’s CUP. Nealon reviewed the updated staff report. The Amen’s seek to construct a large garage on their front lot lake property for storage of vehicles and docks as well as personal use. Nealon presented photos of a site visit to the Amen’s property and the proposed site of the garage. Schubloom Construction provided stakes to mark the footprint of the building. After seeing the placement and subsequent consideration, Staff recommended the approval of the CUP on its original placement and would seek a motion to amend the conditions that were placed on the granting of the permit from the September meeting. Board discussed the issue, raising issues of what was missing from the previous meeting and how the new photos could offer a new explanation. Wiarda brought up concerns of sidewall height and placement. Wiarda allowed Walter Ree to speak about his views of the project, he offered positive remarks for the project and it’s relation to the surrounding area. Board continued discussion, Nealon read the findings of fact for the amendment process. Motion by Pantzke, Second by Kemnitz to make an amendment to the conditions placed on the granting of the Amen’s CUP to strike the two amendments regarding placement and sidewall height. Wiarda called a roll call vote. Motion to amend passed 5-1 with Popham voting no.
2. New Business: Conditional Use: Sioux Rural Water Systems: E 160’ of S 540’ of SE ¼ SW ¼ of Section 34, Township 115N, Range 52W of the 5th P.M., Hamlin County, South Dakota. Motion by Schubloom, Second by Fedt to approve the conditional use permit to construct an addition to the existing water treatment facility on site. Nealon reviewed the staff report. Sioux Rural Water has a water treatment facility southwest of Castlewood they are seeking to make upgrades and improvements to. To bring them into compliance in order to issue a building permit, they must obtain a conditional use permit to list the use as an essential public service. Heath Thompson, of Sioux Rural Water spoke about the project, that it will increase compliancy and capacity of water available for the service area around the plant. Wiarda opened the public hearing. No other proponent or opponent testimony was heard. Wiarda closed the public hearing. Board asked no further questions of the applicant. Nealon read the findings of fact. Wiarda called a roll call vote. Motion to approve the conditional use was approved 7-0.
3. Staff provided an update of zoning office matters, SD Planner’s Conference update, flooding at Lake Poinsett, update on First District CAFO Map project and Doug Noem spoke on recent changes other counties have made to their ordinances regarding setbacks.

With no further business, motion by Fedt, Second by Schubloom to adjourn the Hamlin County Board of Adjustment meeting. Motion passed 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.