

## Hamlin County Board of Adjustment

Date: June 22nd, 2020

The Hamlin County Board of Adjustment met on June 22nd, 2020 over teleconference via Zoom. Board Members present were Larry Saathoff, Scott Popham, Robbie Fedt, Stuart Schubloom, Leonard Kenmitz, and Richard Wiarda. Also present was Zoning Officer Payton Schafers, Todd Kays, and Luke Muller from First District in Watertown, Jim Noem, Justin Bunkers, John Hurley, Nancy Namken, John Delzer.

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

Wiarda invited citizens to schedule time on the agenda. No one from the public asked to participate.

Wiarda asked the Board if anyone needed to disclose Ex Parte communication or conflict of interest. No Board member responded.

Motion by Kenmitz, Second by Fedt to approve the June 22nd Board of Adjustment Agenda. Board Roll call vote on motion passed unanimously.

Motion by Fedt, Second by Schubloom to approve the May 11th Board of Adjustment Minutes. Board Roll call vote on motion passed unanimously.

New Business: Conditional Use – James Noem. Property Description: Lynmar Sub: Lot 7C, Block 2 Less N 60.9 feet; Mundt's Subd: Lots 9C & 10C; Mundt's Subd: Lots 11C & 12C; Mundt's Subd: Lot 1 & 1C in Section 904, T113N, R52W of the 5<sup>th</sup> P.M., Hamlin County, South Dakota. Motion by Fedt, second by Popham to approve the conditional use permit for a 40' x 40' unattached garage with 12-foot sidewalls on a backlot not adjacent to lakefront lot with a principal use. Zoning Officer presented Staff Report, Applicant spoke on behalf of the project; Wiarda opened public hearing; No public testimony occurred; Wiarda closed public hearing; Board discussion; Schafers read questions to establish findings of fact; Motion to amend by Popham, second by Schubloom to require the applicant to replat the lots identified in the application and combine with Paulson's Subd Block 2: Lot 3 & Lot 3A Norden Township for future transfer; Motion to amend passed unanimously; Board Roll call vote on motion as amended passed unanimously.

There was nothing for the open.

Staff report – New County Zoning Officer Payton Schafers introduced herself. Staff Luke Muller addressed the Board about previous ordinance issues and the need to potentially update the zoning ordinance regarding backlots, multiple uses in commercial structures, and living quarters in accessory buildings.

Wiarda asked for a motion to enter into executive session for the purpose to discuss potential legal action. Motion by Kemnitz, second by Fedt. Board Roll call vote on motion passed unanimously.

The Board reconvened after executive session. Motion by Fedt, second by Kemnitz to have staff contact licensed building inspector to inspect the Hurley Motorboat Beach Bar for compliance with International Building Code; Board discussion; Board Roll call vote on motion passed unanimously.

With no further business, motion by Schubloom, Second by Popham to adjourn the Hamlin County Board of Adjustment meeting. Board Roll call vote on 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.

DRAFT