

Hamlin County Board of Adjustment

Date: May 11th, 2020

The Hamlin County Board of Adjustment met on May 11th, 2020 over teleconference via Zoom. Board Members present were Larry Saathoff, Scott Popham, John Pantzke, Robbie Fedt, Stuart Schubloom, Leonard Kennitz, and Richard Wiarda. Also present was Zoning Officer Thomas Nealon, Todd Kays, Payton Schafers, and Luke Muller from First District in Watertown, Ken Miller, Mark Meier, Jeff Halme, Rick Adams, J. Lunde, Loren Beld, Becky Kjelden, Ken Hansen, Jonathon Kaski.

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

Motion by Fedt, Second by Schubloom to approve the May 11th Board of Adjustment Agenda. Motion passed unanimously.

Motion by Pantzke, Second by Popham to approve the February 24th Board of Adjustment Minutes. Motion passed unanimously.

1. Old Business: Conditional Use – Kenneth Hansen. Property Description: Sunset Park Estates, Lot 16 of Block 2 in Section 26, Township 113N, Range 52W of the 5th P.M., Hamlin County, South Dakota. Motion by Popham, second by Pantzke to approve the conditional use permit for an unattached garage with sidewalls greater than 10 ½ feet and dimensions greater than 36 feet by 42 feet. Zoning Officer presented Staff Report, Applicant spoke on behalf of the project – stated that there would be water but no sewer to the building, Wiarda opened public hearing; No public testimony occurred; Wiarda closed public hearing; Zoning Officer read findings of fact questions; Board discussion; Roll call vote; Motion passed unanimously
2. Conditional Use – Nancy Kangas. Property Description: Block 1 of Lake Poinsett Estates Addition in Section 36, Township 113N, Range 53W of the 5th P.M., Hamlin County South Dakota. Motion by Kennitz, second by Schubloom to approve the conditional use permit for a Type II manufactured home with the additional condition that the existing illegal manufactured home be moved off the property prior to the new one arriving. Zoning Officer presented Staff Report, Applicant spoke on behalf of the project, Wiarda opened public hearing; No public testimony occurred; Wiarda closed public hearing; Zoning Officer read findings of fact questions; Board discussion; Roll call vote; Motion passed unanimously.
3. Conditional Use – Verizon Wireless/Steven Davis. Property Description: Block 2 of Davis's Subdivision in NE ¼ of Section 23, Township 113N, Range 51W of the 5th P.M., Hamlin County, South Dakota. Motion by Schubloom, second by Popham to approve the conditional use permit for a station and 100-foot tall monopole tower. Zoning Officer presented Staff Report, Applicant spoke on behalf of the project, Wiarda opened public hearing; No public testimony occurred; Wiarda closed public hearing; Zoning Officer read findings of fact questions; Board discussion; Roll call vote; Motion passed unanimously
4. Conditional Use & Variance – Watertown Municipal Utilities/Brad Gisselbeck. Property Description: S 108.2' of N 141.2' of W 100' of E 1,683.61' of NE ¼ of Section 1, Township 115N, Range 53W of the 5th P.M., Hamlin County, South Dakota. Motion by Fedt, second by Kennitz to approve the

conditional use permit for a 20-foot by 25-foot building to house equipment for supplying natural gas to the City of Watertown. Zoning Officer presented Staff Report, Applicant spoke on behalf of the project, Wiarda opened public hearing on both the conditional use permit and variance requests; No public testimony occurred; Wiarda closed public hearing; Zoning Officer read findings of fact questions; Board discussion; Roll call vote; Motion passed unanimously. Motion by Popham, second by Kemnitz to approve 23' front yard setback variance. Zoning Officer read findings of fact questions; Board discussion; Roll call vote; Motion passed unanimously.

5. Conditional Use & Variance – Northern Border Pipeline Company/Brad Gisselbeck. Property Description: NE ¼ of Section 1, Township 115N, Range 53W of the 5th P.M., Hamlin County, South Dakota. Motion by Pantzke, second by Fedt to approve the conditional use permit for two utility buildings. Zoning Officer presented Staff Report, Applicant spoke on behalf of the project, Wiarda opened public hearing on both the conditional use permit and variance requests; No public testimony occurred; Wiarda closed public hearing; Zoning Officer read findings of fact questions; Board discussion; Roll call vote; Motion passed unanimously. Motion by Popham, second by Schubloom to approve 6.8' side yard variance and 20.7' rear yard setback variance. Zoning Officer read findings of fact questions; Board discussion; Roll call vote; Motion passed unanimously.
6. New Business: Conditional Use – Dustin & Becky Kjelden. Property Description: Sunset Park Estates, Lot 19 of Block 2 in Section 26, Township 113N, Range 52W of the 5th P.M., Hamlin County, South Dakota. Motion by Fedt, second by Kemnitz to approve the conditional use permit for a 40' x 88' unattached garage with 16-foot sidewalls. Zoning Officer presented Staff Report, Applicant spoke on behalf of the project; Applicant stated their intent to put living quarters in the building; Applicant was told that they could have 2 of the following (bedroom, bathroom kitchen), but not all three. Wiarda opened public hearing; No public testimony occurred; Wiarda closed public hearing; Substitute motion by Fedt, second by Kemnitz, to approve 40' x 88' unattached garage with 12-foot sidewalls; Zoning Officer read findings of fact questions; Board discussion; Board Roll call vote; Motion passed unanimously.
7. Conditional Use & Variance(s): Dolph Creek Development LLC/Jeff Halme. Property Description: South 900 feet of the N 975 feet of W 900 of E 1915 feet of the NE ¼ except the S 435.6 feet of the N 510.06 feet of the W 300 feet of the E 1915 feet in Section 24, Township 113N, Range 54W of the 5th P.M., Hamlin County, South Dakota. Motion by Fedt, second by Kemnitz to approve the variance to mine within 1,000 feet of a residence. Zoning Officer presented Staff Report on all requests, Applicant spoke on behalf of the project; Wiarda opened public hearing on both the conditional use permit and variance requests; Zoning Officer referenced variance from residence sign off from Beld; and a letter from Lamar Koistenen objecting to the Contractor Shop and Yard; Zoning Officer also stated that the church had no objection as long as the proposed screening was implemented; No additional public testimony occurred; Wiarda closed public hearing; Zoning Officer read findings of fact questions; Board discussion; Roll call vote; Motion passed unanimously. Motion by Popham, second by Schubloom for variance to mine within 150' of the State Right of way. Zoning Officer read findings of fact questions; Board discussion; Roll call vote; Motion passed unanimously. Motion by Pantzke, second by Schubloom to approve conditional use permit for sand, gravel and quarry operation. Zoning Officer read findings of fact questions; Board discussion; Roll call vote; Motion passed

unanimously. Motion by Popham, second by Kemnitz to approve conditional use permit for contractor's shop and yard. Zoning Officer read findings of fact questions; Board discussion; Roll call vote; Motion passed unanimously.

8. Conditional Use & Variance: LL & Sons Excavating Inc/Donald Little. Property Description: SW ¼ of Section 25, Township 115N, Range 53W of the 5th P.M., Hamlin County, South Dakota. Motion by Fedt, second by Popham to approve the variance to mine within 1,000 feet of a residence. Zoning Officer presented Staff Report on all requests, Applicant spoke on behalf of the project; Wiarda opened public hearing on both the conditional use permit and variance requests; Zoning Officer referenced variance from residence sign off from Smith and letters from State Historic Preservation and SDDENR Mining License; Halme testified in favor of the applications; No additional public testimony occurred; Wiarda closed public hearing; Zoning Officer read findings of fact questions; Board discussion; Roll call vote; Motion passed unanimously. Motion by Pantzke, second by Fedt to approve conditional use permit for sand, gravel, and quarry. Zoning Officer read findings of fact questions; Board discussion; Roll call vote; Motion passed unanimously.
9. Open Board asked the Zoning Officer for an update on the retaining wall being constructed by John Hurley and other complaints regarding Hurley's properties. Staff also asked the Board whether they would be inclined to rezone or change the ordinance to allow butcher shops in the rural area of the county. Board did not support this concept.

With no further business, motion by Schumbloom, Second by Kemnitz 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.