

Hamlin County Board of Adjustment

Date transcribed: February 23rd, 2021

The Hamlin County Board of Adjustment met on February 22nd, 2021 at the Hamlin County 4-H Building in Hayti, SD and over teleconference via Zoom. Board Members present were Larry Saathoff, Scott Popham, Robbie Fedt, Stuart Schubloom, Leonard Kemnitz, John Pantzke, and Chairman Richard Wiarda. Also present was Zoning Officer Payton Carda, Todd Kays from First District in Watertown, Mark Ree, Mary Walkes, John Hurley, Stacy, Becky Kjelden, Krista & John Koopmans, Heath Thompson, Brian Friedrichsen, and Tim T.

Chairman Wiarda called the Board of Adjustment meeting to order at 2:30 P.M.

Public participation – No one from the public asked to participate in the agenda item.

Ex Parte communication or conflict of interest – No Board member responded.

Carda updated the Board that Mr. Neu with his application from the meeting and removed item 7a from the agenda. Motion by Fedt, Second by Saathoff to approve the amended February 23rd Board of Adjustment Agenda. Board Roll call vote on motion passed unanimously.

Motion by Saathoff, Second by Schubloom to approve the January 25th Board of Adjustment Minutes. Board Roll call vote on motion passed unanimously.

New Business: Conditional Use – Sioux Rural Water System Inc. Property Description: E160' of S540' of SE1/4 of SW1/4 of Section 34, T115N, R52W of the 5th P.M., Hamlin County, South Dakota. Motion by Fedt, second by Kemnitz to approve the conditional use permit for a water treatment plant (water pumping stations, elevated tanks, and similar essential public utilities and service structures). 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; Carda read questions to establish findings of fact; Board Roll call vote on motion passed unanimously.

Conditional Use – Sioux Rural Water System Inc. Property Description: S108' of the E125' of Section 10, T114N, R54W of the 5th P.M., Hamlin County, South Dakota. Motion by Saathoff, second by Fedt to approve the variances to the front yard, side yard, and rear yard setbacks for a generator. 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; Carda read questions to establish findings of fact; Board Roll call vote on motion passed unanimously; Motion by Popham, second by Saathoff to approve the conditional use permit for a generator (water pumping stations, elevated tanks, and similar essential public utilities and service structures); Carda read questions to establish the findings of fact; Board Roll call vote on motion passed unanimously.

Conditional Use – Columbia Ridge Dairy/BJ & C Enterprises LLC (John Koopmans). Property Description: S1/2 & S1/2 of the NE1/4 of Section 15, T115N, R51W of the 5th P.M., Hamlin County, South Dakota. Motion by Fedt, second by Pantzke to approve the variance to operate a Class A Concentrated Animal Feeding Operation (CAFO) within 2,640' of an established residence. Zoning Officer presented Staff Report; Applicant and Friedrichsen spoke on behalf of the project. Wiarda opened public hearing; Mary Walkes questioned how the CAFO will affect the value of her adjacent property; Friedrichsen stated based on past experience that land value usually follows market value regardless of proximity to CAFO's. Wiarda closed public hearing; Board discussion; Carda read questions to establish findings of fact; Board

Roll call vote on motion passed unanimously; Motion by Popham, second by Pantzke to approve the conditional use permit for a Class A Concentrated Animal Feeding Operation; Carda read questions to establish the findings of fact; Board Roll call vote on motion passed unanimously.

There was nothing for the open.

Carda presented a report discussing compliance for items on property owned by John Hurley. The Board discussed a timeline and requested to have inoperable vehicles, white goods, and the partial building removed from the property by August 1st, 2021.

With no further business, motion by Fedt, Second by Popham to adjourn the Hamlin County Board of Adjustment meeting. Board voice 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