

Hamlin County Board of Adjustment

Date transcribed: August 3rd, 2023

The Hamlin County Board of Adjustment met on July 31st, 2023 at the Hamlin County 4-H Building in Hayti, SD. Board Members present were Richard Wiarda, Robbie Fedt, Martin Prouty, John Pantzke, Scott Popham, Doug Noem, and Stuart Schubloom. Also present was Zoning Officer Payton Carda, Dave McMahon, Triston Saris, Teresa Kottwitz, Chris Eisenbeis, Al and Paige Kruse, Fred Prahl, Rick and Janet Anderson, Patty Winter, Reed Mahlke, Chad Schlotterbeck, Pete Chikos, and John and Billy Jo Hurley.

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

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

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

Motion by Fedt, Second by Prouty to approve the July 31st Board of Adjustment Agenda. Board Voice vote on motion passed unanimously.

Motion by Schubloom, Second by Fedt to approve the June 26th Board of Adjustment Minutes. Board Voice vote on motion passed unanimously.

New Business: Conditional Use and Variance Request – David McMahon/Northern Natural Gas. Property Description:

- Tract 1 of Taschner's Addition in Northwest Quarter of Section 30, Township 114 North, Range 55 West of the 5th P.M., Hamlin County, South Dakota.
- Northwest Quarter less Tract 1 of Taschner's Addition of Section 30, Township 114 North, Range 55 West of the 5th P.M., Hamlin County, South Dakota.
- Southwest Quarter of Section 30, Township 114 North, Range 55 West of the 5th P.M., Hamlin County, South Dakota.
- North Half of the Northwest Quarter of Section 31, Township 114 North, Range 55 West of the 5th P.M., Hamlin County, South Dakota.
- Northeast Quarter of Section 31, Township 114 North, Range 55 West of the 5th P.M., Hamlin County, South Dakota.
- Southeast Quarter of Section 31, Township 114 North, Range 55 West of the 5th P.M., Hamlin County, South Dakota.
- East Half of Northeast Quarter of Section 6, Township 113 North, Range 55 West of the 5th P.M., Hamlin County, South Dakota.
- East Half of Southeast Quarter of Section 6, Township 113 North, Range 55 West of the 5th P.M., Hamlin County, South Dakota.
- North and South Half of Southwest Quarter of Section 5, Township 113 North, Range 55 West of the 5th P.M., Hamlin County, South Dakota.
- North and South Half of Northwest Quarter of Section 8, Township 113 North, Range 55 West of the 5th P.M., Hamlin County, South Dakota.
- West and East Half of Southwest Quarter of Section 8, Township 113 North, Range 55 West of the 5th P.M., Hamlin County, South Dakota.
- Northwest Quarter of Section 17, Township 113 North, Range 55 West of the 5th P.M., Hamlin County, South Dakota.

Motion by Noem, second by Schubloom to approve a conditional use to update, install, and operate Essential Public Utilities and Service Structures (natural gas pipelines and town border station); Zoning Officer presented Staff Report for both items; Applicant spoke on behalf of the project and provided a description of the construction process; Wiarda opened public hearing; No public testimony was heard; Wiarda closed public hearing; Board discussion occurred; Carda read questions to establish findings of fact; Board Roll call vote on motion passed unanimously. Motion by Pantzke, second by Prouty to approve a variance to the front yard setback for the Town Border Station; Wiarda opened public hearing; No public testimony was heard; Wiarda closed public hearing; Board discussion occurred; Carda read questions to establish findings of fact; Board Roll call vote on motion passed unanimously.

Conditional Use and Variance Request – Fred & Katherine Prah. Property Description: Lot 16 of Grape's Subdivision Located in Government Lot 1 of Section 21, Township 113 North, Range 52 West of the 5th P.M., Hamlin County, South Dakota. Motion by Pantzke, second by Noem to approve a conditional use to operate a commercial storage garage; Zoning Officer presented Staff Report for both items; Applicant spoke on behalf of the project; Wiarda opened public hearing; No public testimony was heard; Wiarda closed public hearing; Board discussion occurred over approach locations, parking space, and stormwater drainage. Board added two friendly amendments – New building must have eaves and gutters to direct stormwater drainage to the south and the applicant must receive approval from the Township prior to creating an access approach to W. Lake Drive; Carda read questions to establish findings of fact; Board Roll call vote on motion passed 6 yes, 1 no. Motion by Noem, second by Pantzke to approve a variance to the minimum lot area requirement; Wiarda opened public hearing; No public testimony was heard; Wiarda closed public hearing; Board discussion continued; Carda read questions to establish findings of fact; Board Roll call vote on motion passed 6 yes, 1 no.

Conditional Use – Bobbers LLC/VW Ent LLC. Property Description: Block 1 of Lemme Addition in Outlot 1 of Government Lot 7 in Section 36, Township 113 North, Range 53 West of the 5th P.M., Hamlin County, South Dakota; and Lots 9, 10, 11, and 12 of Nesson's Subdivision of Outlot 1 of Government Lot 7 and Lot A of Outlot 1 of Government Lot 6 in Section 36, Township 113 North, Range 53 West of the 5th P.M., Hamlin County, South Dakota. Motion by Fedt, second by Schubloom to approve a conditional use to hold nine outdoor concert events through the summer months at Bobbers bar; Zoning Officer presented Staff Report; Applicant spoke on behalf of the project; Wiarda opened public hearing; No public testimony was heard; Wiarda closed public hearing; Board discussion occurred over primarily over parking space and pedestrian safety. Board added two friendly amendments – Applicant must have security or parking attendants on site during music events to control traffic and the applicant must come before the Board again in one year with the number of events for 2024 and a plan for how safety will be addressed during the events; Carda read questions to establish findings of fact; Board Roll call vote on motion passed 6 yes, 1 no.

There were no items for the open or staff report.

With no further business, motion by Pantzke, 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.