

Hamlin County Board of Adjustment

Date transcribed: September 26, 2023

The Hamlin County Board of Adjustment met on September 25, 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: Zoning Officers Todd Kays and Jessica Tesch. Public/ Applicant or Applicant representative: Casey Witt, Dustin Kopman, Reed Mahlke, Daryle Rust, Kellin Kliensausar, Chuck Kuszhal, Clayton Nei, Peggy Nei, Mike Parker, Janet Henderschmidt, Alvin Henderschmidt, Randall Eisenbeisz, Dan Netzger, Aaron Fiedler, Scott Reichling, Aaron Van Holland, Matt Mathieson, Mark Stevenson, Shelley Nelson, Dennis Nelson, Greg Lewis, Shane Mack, Lonnie Roepke, Scott Kerkvliet and Fred Prah.

Chairman Wiarda called the Board of Adjustment meeting to order at 7:00 P.M. Jessica confirmed all board members present.

Public comment – No one from the public asked to participate in the agendaed open item.

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

Motion by Fedt, Second by Prouty to approve the Board of Adjustment Agenda. Motion passed unanimously.

Motion by Noem, Second by Pantzke to approve the August 28th, 2023 Board of Adjustment Minutes. Motion passed unanimously.

New Business:

Conditional Use Permit Request – Clayton and Peggy Nei. **Property Description:** S 443' OF N 555' OF E 420' OF SE4 of Section 26, Township 115 N, Range 51 W of the 5th Prime Meridian, Hamlin County, South Dakota (Hamlin Township). Motion by Pantzke, second by Fedt to approve the request to operate a Bed and Breakfast establishment. Zoning Officer presented Staff Report; Applicant spoke on behalf of the project with brief description of layout, parking and timing; Wiarda opened public hearing; No public testimony was heard; Wiarda closed public hearing; Board discussion occurred; Tesch read questions to establish findings of fact; Board Roll call vote on motion pass unanimously.

Conditional Use Permit Request – GCC/ James Czech. **Property Description:** NE 1/4, Section 2, Township 115 N, Range 52 W of the 5th Prime Meridian, Hamlin County, South Dakota (Castlewood Township). Zoning Officer presented Staff Report; Applicant spoke on behalf of the project with brief description of layout and timing, request was made to amend Staff report extending permit end date to 01/01/2025; Wiarda opened public hearing; No public testimony was heard; Wiarda closed public hearing; Board discussion occurred and amendment made to Staff Report to extend permit end date to 01/01/2025; Motion by Popham, second by Schubloom to approve as amended the request to operate locate a portable ready mix concrete plant which will be used to construct a CAFO, with a previously issued permit. Tesch read questions to establish findings of fact; Board Roll call vote on motion pass unanimously.

Conditional Use Permit Request – Shane Mack. **Property Description:** a portion of the E ½ SW ¼ & OL K less EXC of Section of Section 36, Township 115 N, Range 52 W of the 5th Prime Meridian, Hamlin County, South Dakota which upon platting shall be known as Smack Addition in Section 36-115-52 (Castlewood Township). Motion by Fedt, second by Schubloom to approve the request to operate a contractor shop and yard (landscaping business). Zoning Officer presented Staff Report; Applicant spoke

on behalf of the project with brief description of layout, agreements with neighbors on trees and appearance of the property; Wiarda opened public hearing; No public testimony was heard; Wiarda closed public hearing; Board discussion occurred, Wiarda asked to add a condition for trees to be replaced if removed or equivalent barrier; Tesch read questions to establish findings of fact; Board Roll call vote on motion pass unanimously.

Variance Request – Caliber LLC on behalf of Paul and Karen Koch. Property Description: Lot 13 Prairie Quay Addn located in Govt Lot 5 and portion of Govt lot 6 Section 30, Township 113, Range 52 W of the 5th Prime Meridian, Hamlin County, South Dakota (Norden Township). Motion by Noem, second by Prouty to approve a 2' variance to (northeast) Side Yard Setback. 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 regarding the intent to require the 8' setback in this case; Tesch read questions to establish findings of fact; Board Roll call vote on motion. Motion fails 0 yes, 7 no.

There were no items for the open or staff report.

With no further business, motion by Schubloom, Second by Pantzke to adjourn the Hamlin County Board of Adjustment meeting. Board voice vote on motion passed unanimously. Meeting adjourned at 8:15.

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.