

December 8, 2008

The Deuel County Planning and Zoning Commission met on Monday, December 8, 2008 in the Deuel County Courthouse. Present: Kanengieter, Jaeger and VanLiere. Also present: Zoning Officer Mary Nosbush and Attorney John Knight. Absent: Brandt and Mack. Chairman Kanengieter called the meeting to order at 7:00 p.m.

1. Motion Jaeger seconded by VanLiere to approve the plat of Lots 72A and 74C Thokola Beach, in former Lots 72, 73 and 74B Thokola Beach, in Govt. Lots 1 and 2 and NE1/4NW1/4 Section 8-114-47. All present voting yes and the motion carried.
Brandt and Mack now entered the meeting.
2. Motion VanLiere seconded by Jaeger to approve the plat of Block 3 Quail Addition, a replat of Block 2 Quail Addition and in the SE1/4 Section 12-113-49. All present voting yes and the motion carried.
3. Motion Mack seconded by Brandt to approve the plat of Wiesner Addition in the SW1/4 Section 16-113-49. All present voting yes and the motion carried.
4. Motion VanLiere seconded by Mack to approve the minutes of the November 12, 2008 meeting as presented. All present voting yes and the motion carried.

A hearing was conducted on the variance request of Roger Monson for property located at Lot 32 Bostic Beach in Govt. Lot 3 in the NW1/4 Section 4-114-47 at Lake Cochrane. Contractor Jay Grabow represented him. He is requesting a variance of setback to 18 feet from the high water mark to replace an existing deck in the same dimensions, along with 3 foot high retaining walls under the deck and also the replacement of basement walls of cabin. Present cabin is 30 feet from high water mark. No one appeared in objection to the project.

5. Motion Brandt seconded by Mack to allow Monson a variance to replace existing deck, and to replace and repair retaining walls and basement walls, all of same dimensions as existing structure on above described property. All present voting yes and the motion carried.

Grabow is to notify the Zoning Officer when work begins next spring and to allow 30 days to complete the repair work on the foundation and retaining walls. He is to install a silt screen between the lake and the deck during work on the basement walls and retaining walls.

Findings to allow the variance include: necessity of safety to repair rotted material; the deck will not encroach any closer to the lake than existing structure; does not present line of sight problems due to neighboring cabins having decks with similar setbacks.

A hearing was conducted on the variance request of Lloyd Schrunk for property located at Lots 1, 1A, 2, 2A Severson Bay Addition in Govt. Lot 5 in NE1/4 Section 5-114-47 at Lake Cochrane to replace existing roof over patio and a deck. The project was permitted in July without a variance. Because the new deck is at a setback of 46 feet from the high water mark, a variance is required. Schrunk showed photographs of the old structure, noting that the roof overhang was consistent with the setback of the newly built deck. No one appeared in objection to the project.

6. Motion Mack seconded by Brandt to allow Schrunk a variance for the new deck which replaced a roof and deck structure, with the same setback of 46 feet from the high water mark, on the above described property. All present voting yes and the motion carried.

Findings for the variance are that the structure goes no closer to the lake than the old roof line; the deck is elevated off the ground 8 feet; it creates no obstacle for view of the lake due to existing evergreens to the west and a township road and state park to the east.

A hearing was conducted for David Driessen, requesting a variance of setback to 15 feet on a private road for a garage on property located at Lots 21, 22, 23 Agnes Place Addition in Govt. Lot 8 in Section 5-114-47 at Lake Cochrane. The garage will not be set on a permanent foundation. Snow accumulation issues were discussed because the structure will sit on the north side of the road. No one appeared in objection to the proposal.

7. Motion Brandt seconded by Mack to approve a variance of setback to not less than 15 feet from the right of way line (fence line) on a private drive to Driessen on the above described property. All present voting yes and the motion carried.

Findings to allow the variance: this is the only level spot on the lot due to a significant drop off toward the bank of the lake; septic tank is located between the lake and desired location for garage; location is along a private drive where land owners provide their own snow removal.

Zoning Officer presented a list of meandered lakes in Deuel County which was obtained from the SD Department of Environment and Natural Resources.

Zoning Officer explained that beginning in January 2009, Agricultural Easements required for all new homes built in Deuel County will be filed with the Register of Deeds with a \$10 fee, as per the Zoning Ordinance requirements.

Motion Mack seconded by Jaeger to adjourn at 8:40 p.m. All present voting yes and the motion carried.

Attest:

Mary E. Nosbush
Deuel County Zoning Officer

Dennis Kanengieter, Chairman
Planning and Zoning Commission