

May 12, 2008

The Deuel County Zoning Board met on Monday, May 12, 2008 at 6:00 p.m. in the Commissioners' Room of the Deuel County Courthouse. Present were Board members: Brandt, Jaeger, Kanengieter, Mack and VanLiere. Also present: Deuel County Commissioners who were meeting concurrently, Highway Supt. Jamie Hintz, Attorney John Knight, Zoning Officer Mary Nosbush and several members of the public. Chairman Kanengieter called the meeting to order at 6:00 p.m.

Ted Weissman and Jason Utton, representing Florida Power and Light (FPL), spent about one hour explaining plans the company has for a large wind farm to be built in Deuel, Codington and Grant Counties. The entire project is expected to generate 400 megawatts of electricity. It will require two substations and feeder lines to carry the power east. They are requesting some changes in the County Zoning Ordinance to give them more flexibility in siting of wind turbines. This mainly involves the minimum setbacks from property lines. They also intend to request one Special Exception Permit for the entire perimeter of the project, rather than a Special Exception Permit for each parcel of land. A building permit would still be required for each turbine.

FPL will be responsible to present in writing the changes they would like to see in the ordinance. Upon receipt of these proposals, the Zoning Board will discuss them at their next meeting. Upon full consideration, the Board will make appropriate recommendations to the County Commissioners.

Other topics covered included: FPL Group as a regulated utility and its for-profit entity which builds wind farms; the Highmore, SD wind farm; North Dakota wind farms, all built and operated by FPL; various other permitting requirements; SD Public Utilities Commission permitting; landowner agreements; environmental issues affecting migratory birds; haul road agreements with County and Townships; noise issues and decommissioning of wind farms.

At this time the Deuel County Commissioners adjourned. The Zoning Board then took up the balance of their hearings and appointments.

A hearing was conducted at the request of Chad Fuller for a Special Exception Permit to allow him to expand his commercial storage business at Lake Cochrane.

1. Motion Mack, seconded by Jaeger to grant a Special Exception Permit to Chad Fuller to expand his storage business with a 40'x40' addition on property described as: Outlot X and Outlot 3 east of the Roadway described as Lot H-7, less Lot A in Outlot 3, but including vacated road between Outlot 3 and X approximately 68.2 feet wide and approximately 339 feet long, all located in NE1/4SE1/4 Section 4-114-47 All present voting yes and the motion carried. Findings for the permit include: no line of sight problems, minimum setbacks are met; adequate road access exists.

A hearing was conducted at the request of Mike Duenwald for a Special Exception Permit to allow him to operate an extended home occupation of automotive body work and welding repair in an ag district.

2. Motion Mack, seconded by VanLiere to approve a Special Exception Permit for an extended home occupation of automotive body work and welding repair in an ag district to Mike Duenwald on property described as: Lot 1 Mantel Oak

Addition in the S1/2SE1/4 of Section 2-115-50, with the following stipulations: to abide by the signed written agreement with adjoining land owner including cleanliness, no junk vehicles and appropriate signage to route customers to business location. All present voting yes and the motion carried. Applicant had previously secured permission from Havana Township Board for road use.

A hearing was conducted on the final adoption of the Grabow 2nd Addition Subdivision Plat at the request of Jay Grabow, developer.

3. Motion VanLiere, seconded by Mack to give final adoption to Grabow 2nd Addition Subdivision Plat. All present voting yes and the motion passed.

Discussion was held on the Grabow Addition Subdivision adopted in 2007, regarding the 50 foot road right of way width along Edgewater Drive. Zoning Ordinance requires a minimum 66 foot road width. Grabow agreed to attach an addendum to his covenants preventing the planting of trees within 16 feet of the road right of way on lots 3-18 of Grabow Addition.

The Board agreed verbally to allow a building permit for Erwin Jillson to construct a home addition on N15' Lots 68 & Lot 69 and S1/2 Lot 70 Thokola Beach Addition in Govt. Lot 2 in the NE1/4NW1/4 Section 8-114-47.

Merl Hamak discussed with the Board his proposal to amend the Zoning Ordinance to allow another special exception in the Lake Park District for a secondary residential structure with bathroom. No action was taken.

Motion Mack, seconded by Brandt to approve the minutes of the April 14, 2008 meeting. All present voting yes and the motion carried.

Motion VanLiere, seconded by Mack to approve the minutes of the April 18, 2008 meeting. All present voting yes and the motion carried.

Barb Adolph met with the Board concerning her request to move a 1991 Type A modular home onto a lot at Lake Cochrane. She will need to apply for a variance.

Motion Mack, seconded by Brandt to grant Lyle Skorseth a filling and grading permit for property located at: Outlot 3 less Plats and Tract 2 of Outlot Y in SE1/4 Section 4-114-47, pending his agreement to meet the minimum slope specs of 4:1 on the county road side of the filling which is allowed up to the road right of way. All present voting yes and the motion carried.

No action was taken on an appeal by Charles Staudenmaier to update plumbing in a garage on his property at Lake Cochrane.

Discussed Public Access signs at Lake Cochrane between the locations of the Viessman and Shay residences. One sign has been put up by Norden Township. Two were required by the Board in April 2007. Zoning Officer to contact Township and also County Highway Department.

Motion VanLiere, seconded by Jaeger to approve the Plat of Block 1 Hawley Addition in SE1/4 Section 29-113-50, Grange Township. All present voting yes and the motion carried.

Motion Brandt, seconded by VanLiere to approve the Plat of Block 1 Knutson Addition in SE1/4 Sec. 10-113-49, Blom Township. All present voting yes and the motion carried.

Motion Jaeger, seconded by VanLiere to approve the Plat of Block 2 Moe First Addition in E115 Rods SE1/4 Sec. 14-116-49, Altamont Township. All present voting yes and the motion carried.

Motion Brandt, seconded by Jaeger to approve the Plat of Block 3 Stohr Addition in NE1/4 Sec. 26-115-50, Havana Township. All present voting yes and the motion carried.

Motion Brandt seconded by VanLiere to approve the Plat of Block 1 Stroschein Addition in S1/2NW1/4 & N1/2SW1/4 Sec. 3-114-49, Brandt Township, pending proof of ownership. All present voting yes and the motion carried.

Jaeger moved to adjourn at 11:30 p.m., VanLiere seconded. All voting yes and the motion carried.

Attest:

Mary E. Nosbush
Deuel County Zoning Officer

Dennis Kanengieter, Chairman
Planning & Zoning Commission