

November 12, 2008

The Deuel County Zoning Board met on Wednesday, November 12, 2008 at the Deuel County Courthouse in Clear Lake. Present were Board members: Brandt, Jaeger, Kanengieter, Mack and VanLiere. Also present: Zoning Officer Mary Nosbush, Attorney John Knight and several members of the public.

Chairman Kanengieter called the meeting to order at 7:35 p.m.

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

A hearing was held on a request by Roger Rauen for a variance to construct an attached garage to existing house. The request is for a setback of 125' from the road right of way. Rauen was represented by contractor Lonnie Budahl.

2. Motion Mack, seconded by Brandt to approve a variance of setback at 125' from the road right of way for Roger Rauen to construct an attached garage to his existing house on property located at S995' W835' in the SW1/4 Section 12-115-48. All present voting yes and the motion carried.

Findings for the variance: buildings are on the east side of the road; garage will be attached to an existing house; only suitable location for attached garage; trees which are planted to the north and east will control snow in the future.

3. Motion VanLiere, seconded by Jaeger to approve the plat of MoDak Well Addition in the SW1/4 Section 6-116-50, Goodwin Township. All present voting yes and the motion carried.

The Board met with Enid Weiss regarding development of their property located at Block 1 Weiss Addition in the E1/2SE1/4 Section 3-115-49, located north of Lake Sutton. Zoning Officer is to contact DENR regarding whether or not this is a meandered lake. If it is, Weiss will need to apply for rezoning to build within 300 feet of the high water mark. Permission for an approach from SD DOT is also needed.

A hearing was held at the request of Steve Scott for a special exception to install landscaping on his property within 35' of the high water mark at Lake Cochrane. Steve described his project to the Board to include a patio and retaining wall curving from the shoreline to about 30 feet from the high water mark. They plan to add trees and shrubs.

4. Motion Brandt, seconded by Mack to allow Steve Scott a Special Exception Permit to install landscaping within 35' of the high water mark on his property located at Lots 48 and 49 Bostic Beach in Govt Lot 3 in the NW1/4 Section 4-114-47. All present voting yes and the motion carried. Stipulations include the use of straw wattles for erosion control, to notify zoning officer when commencing work next spring and to allow up to 4 weeks to complete the project.

Jay Grabow met with the Board to discuss his private park project at Lake Cochrane and also the progress of the golf course. He will put down crushed granite and straw bales on any exposed soil within 35 feet of the high water mark to stabilize the project for the winter. Water retaining ponds are being dug at the golf course. They have completed enough to retain 22 acre feet of water. The permit requires retaining up to 40 acre feet. Grabow said one pond is 15 feet deep. When full, it will supply enough water for 10-days of irrigation.

Grabow also described work on the Roger Monson cabin at Lake Cochrane. He said it is setback about 25 feet from the high water mark. He will replace a window with a bay window, reshape the roofline and repair basement walls. Because this is a nonconforming structure, the Board will require a variance to do the work.

5. Motion Brandt, seconded by VanLiere to approve the plat of Holden Ridge Addition in the N1/2NE1/4 Section 8-113-50, Grange Township. All present voting yes and the motion carried.
6. Motion Mack, seconded by Jaeger to approve the plat of Gasper Addition in the NE1/4 Section 31-114-50, Hidewood Township. All present voting yes and the motion carried.
7. Motion Mack, seconded by VanLiere to approve the plat of Lot 1 in Block 2 in Outlot 3, being a replat of part of Block 2 in Outlot 3, located in Govt. Lot 4 in Section 19-115-48 and Govt. Lot 6 in Section 24-115-49, Clear Lake Township. All present voting yes and the motion carried.

Zoning Officer reported deck built on Joyce Schrunk property at Lake Cochrane was extended 4 feet closer to the lake than initially permitted and would have required a variance prior to permitting. Schrunk will need to apply for an after-the-fact variance.

Zoning Officer reported meeting with Ron Gorder. Although not present, he presented a plan to the Board on moving evergreen trees which are in violation of the Zoning Ordinance. He will be required to apply for a variance.

The Board discussed a landscaping request from Neal Ruhd for pillars and trees. Pillars must be set more than 33 feet from center of township road. No trees are to be planted closer than 50 feet from the road right of way.

Zoning Officer reported sending a certified letter to Jann Nelson regarding evergreen trees planted too close to township road in Blom Township.

Letter of Assurances for CAFOs were discussed by Board and Zoning Officer. Ordinance requires a Letter of Assurances be prepared by the Zoning Officer and signed by her and the applicant of a CAFO. This requirement has not been completed by several CAFOs permitted in past years.

8. Motion Mack, seconded by Jaeger to adjourn at 10:27 p.m. All voting yes and the motion carried.

The next meeting of the Deuel County Zoning Board is scheduled for Monday, December 8 at 7:00 p.m. at the Courthouse.

Attest:

Mary E. Nosbush
Deuel County Zoning Officer

Dennis Kanengieter, Chairman
Planning & Zoning Commission