

Tuesday May 10, 2011

The Deuel County Zoning Board met on Tuesday May 10, 2011 at 6:30 P.M., at the 4-H Service Center Deuel County Fairgrounds in Clear Lake. Those present were members Dennis Kanengieter, Paul Brandt, Gary Jaeger, Jay Gislason, and Mike Dahl. Also present were Attorney John Knight and Zoning Officer Jodi Theisen.

- 1) Chariman Dennis Kanengieter called the meeting to order. The minutes from the April 11 2011 minutes were discussed. Motion by Brandt, seconded by Jaeger to approve the April 11, 2011 minutes. All voted in favor and motion carried.
- 2) Motion by Brandt, seconded by Jaeger to approve the May 10, 2011 agenda. All voted in favor and motion carried
- 3) Motion by Brandt, seconded by Jaeger to approve the plat of Monson Addition in Outlot 1 Deuel County Addition in Gov't Lot 1 in SE1/4 Section 32-115-47, Herrick Township in stipulation that the lots be hooked up to the Lake Cochrane Sanitary District or have a self contained septic system. All voted in favor and motion carried.
- 4) Motion by Gislason, seconded by Dahl to approve the plat of Block 1 Theisen Addition in SW1/4 32-117-47 Except Block 1 & 2 Woolery Addition and the N25' of the SE1/4 32-117-47, Antelope Valley Township. All voted in favor and motion carried.
- 5) Neal Kjenstad representing the Kjenstad Brothers applied for a Variance to construct a bin within 130 ft from the road right of way in NW1/4 28-114-48 Norden Township. Motion Brandt, seconded Jaeger to grant a variance to place a bin 130 feet from the road right of way. The findings for this variance includes that there are already trees located in the road right of way to west. Also there are bins that are at located to the north that are closer to the road right of way than 150 feet. The road that runs by the property is a township road and is maintained by the Kjenstad's. The existing building site has bins that are located to the east which prohibit them from going further east than the 130 ft so they all can be connected with the new dryer. All voted in favor and motion carried.
- 6) Jim Christianson applied for a Variance to build a new house with the 3 season room 30 feet from the high water mark in Lot C of Government Lot 7 4-113-47 Lake Cochrane, Norden Township. Christianson noted that he would like to place this new house room with three season room further back than what his exciting house is located right now. Brandt had questions about why Christianson couldn't move his new house and 3 season room further back than 30 feet from the high water mark. Christianson

stated that his neighboring houses are closer and than the 50 feet. If he moved his 3 season room further back it would obstruct view since he is removing his boat house that is located in the high water mark right now. Motion Dahl, seconded Gislason to grant a variance to place the new house 50 feet from the high water mark and to place the 3 season room within 38 from the high water mark. The findings for this variance include that there are already existing homes closer to the the high water mark and would like to keep the homes consistent with exciting home to eliminated the obstruction of view. . Kanengieter called for roll call vote Gislason-yes, Dahl-yes, Brandt-No, Kanengieter-Yes, and Jaeger-Yes and motion carried.

7) Jim Christianson applied for a Special Exception to remove a boat house, deck, tree, and to alter the shore line within 35 feet from the high water mark in Lot C of Government Lot 7 4-113-47 Lake Cochrane, Norden Township. Christianson noted that he would like remove the boat house and fill in and riprap along the shore line to make a more natural look. Christian stated that the current boat house is very old and need to remove because of the condition of the structure. He also stated under the current deck that his father built a cement retaining wall and that would be covered up with rock. Motion Brandt, seconded Dahl to grant a special exception to remove a boat house, deck, tree, and to alter the shore line within 35 feet from the high water mark. All voted in favor and motion carried.

8) Rodney & Tierney Viessman applied for a Special Exception to rent out the cabin and 2nd lot for a camper 2734 Edgewater Dr. The Zoning Board questioned should it be considered as a resort or a campground? Viessman stated that they were contacted by the families that rented the cabin and lot last year if they could rent cabin and lot again this year. Viessman stated that they purchased this lot to build on in the future after they sell their current home. The board questioned the sewage from the camper and where they are disposing it and is it being disposed into the Lake Cochrane Sanitary District. Theisen presented a letter written by Dennis & Donna Zinter about their concerns about the campground and resort. Viessman stated that are just renting the cabin and the lot for a camper. Motion by Brandt, second by Jaeger to approve the Viesman special exception to operate a resort or campground for the year of 2011 at the property address of 2734 Edgewater Dr. This special exception will allow 1 family to park 1 camper on the bare lot from May 15 to September 15 in a Lake Park Zoning District for year of 2011 only. Also, to allow the cabin to be rented out no less than one week at a time from May 15 to September 15 in a Lake Park Zoning District for 2011 only. Viessman's will need to apply for a special exception to operate a resort or campground next year. All voted in favor and motion carried.

9) Mark Gorder met with the board regarding his request to build a garage with loft and bathroom on Lot 11 Bostic Beach Addition in Gov Lot 5 NW1/4 4-114-47 Lake

Cochrane. Gorder stated that the loft will be used by family and friends of the family and that will not be rented out. Knight explained our zoning ordinance that a garage with a loft and bathroom could be considered a multiply family dwelling that needs a special exception in a lake park district. Brandt also stated that it could be rented out in the future and that is a concern for the board. The board determined because of the size of the loft being so minimal that it will not be considered a multiply family dwelling and would not need a special exception. Motion by Brandt, second by Jaeger that anyone that is applying for a garage with a loft, bathroom, and living quarters need to come before the board to determine if they need a special exception or not. All present voted in favor and the motion carried.

10) Mike Gorder applied for a Special Exception on NE1/4 11-113-50. Gorder is requesting a permit to expand the operation to a Class "C" CAFO with up to 999 animal units. Gorder is going to expand the current barn by 50 x 150 which includes a work facility. The board opened the meeting up to the public for comments. Merle Niemann, which is a neighbor, stated that they have no problem with the way the feedlot is operated. Gorder provided a Nutrient and Management Plan to the board to show the fields that are included. The plan included Fly, Oder, And Dust Control Guidelines for Animal Feeding Operations. Motion Jaeger, seconded by Brandt to grant Mike Gorder a special exception of the operation of a Class "C" CAFO with up to 999 animal units with the conditions they have sign the letter of assurance. Kanengieter called for roll call vote Gislason-yes, VanLiere-yes, Brandt-yes, Kanengieter-yes and Jaeger-yes and motion carried.

11) Alan & Barb Cochrane applied for Special Exception to convert a hog house into a bunk house with a bathroom on PT Gov Lots 8-9 less platted area & SE1/4SE1/4 & Gov lot 7 less platted area & less S-1 4-114-47 Norden Township. Cochrane's were unable to attend the meeting but called the office and stated that this bunk house will be for family and not to be rented out. The bunk house will have sleeping quarters that will not be heated or have an air conditioner. It would have the bare minimal necessities. Motion Dahl, seconded by Brandt grant Alan & Barb Cochrane a special exception to have accessory structure located on a lot adjacent to a lot with principle structure which is separated by a public or private road which presently is a hog house being converted into a bunk house. All present voted in favor and the motion carried.

Kanengieter called the meeting.

Jodi Theisen
Zoning Office

Dennis Kanengieter
Chairman, Zoning Board