

Monday April 11, 2016

The Deuel County Zoning Board met on Monday April 11, 2016 at 6:30 P.M., in the Commissioners' room of the Courthouse in Clear Lake. Those present were members Dennis Kanengieter, Gary Jaeger, Jerry Durfee, Paul Brandt, and Mike Dahl. Also present were Attorney John Knight and Zoning Officer Jodi Theisen.

Chairman Dennis Kanengieter called the meeting to order. The minutes from the March 14, 2016 were discussed. Motion by Dahl, seconded by Brandt to approve the March 14, 2016 minutes. All voted in favor and motion carried.

Motion by Durfee, seconded by Brandt to approve the April 11, 2016 Agenda. All voted in favor and motion carried.

1. Scott Keogh applied for a Special Exception Permit. The request, if granted, would permit the applicant to use the following property: Lot 7 & 7A replat of Lot 10 Ingvalsons Sugar Sand Beach Addition in Gov Lot 6 & SE1/4NE1/4 Lake Cochrane of section 4-114-47 Norden Township to alter the shoreline within 35 feet from the high water mark in the Lake Park District by removing sand and replacing it with grass and building a retaining wall. Keogh stated that his son breaks out in a rash after being in the sand in front of his house at Lake Cochrane. So they would like to put a retaining wall approximately 18 feet from the high water mark the retaining wall would be about a foot about the sand and consist of 3 blocks with one below the sand. They would place a cloth on top of the sand and place dirt and top it with sod with a width approximately 65 feet. They would place pavers around the fire pit and would leave the rest of the area sand. The Keogh's would also like to replace the deck platform with new boards and will now change the foot print. Motion by Dahl, seconded by Brandt to grant a Special Exception to build a 1 foot retaining wall approximately 18 feet from the high water mark. Behind the retaining wall then place a cloth on top of the sand and place dirt and top it with sod with a width approximately 65 feet. And place pavers around the fire pit and would leave the rest of the area sand to use a silt fence during construction. All voted in favor and motion carried.
2. Dan & Susan Norgaard applied for a Special Exception and Variance permit request, if granted, would permit the applicant to use the following property: Lot 10 & 11 & E1/2 of Lot 12A replat of OutLot 34 Agnes Place in Gov Lot 8 & Lake Cochrane of section 5-114-47 Norden Township in the following manner to alter the shoreline within 35 feet from the high water mark in the Lake Park District by removing some trees and adding some rock to stabilize the shoreline and steps. To build an accessory structure on lot adjacent to lot with principle structure which is separated by public or private road which would be closer to the side lots than the ordinance allows in the Lake Park. Susan Norgaard told the board that they would like to build a 30' x 40' garage on their back lot. The back lot is 40' x 150' they would place the garage 30 feet from the edge of the road and place it in the middle of the lot so the side lots would be 5 feet on both sides. This garage would not have any living quarters just for storage. Motion by Dahl, seconded by Jaeger to grant a

Special Exception and Variance to allow a 30' x 40' garage that is 5 feet from the side property lines and 30 feet from the edge of the road on E1/2 Lot 12A (Replat of OL 34) Agnes Place in Gov Lot 8 in section 5-114-47, Lake Cochrane. All voted in favor and motion carried.

3. Norgaard then discussed their plans along the shoreline. They would like to pull the rocks up that are in the water and place more rocks along the shoreline to help stabilize the shoreline. They would like to remove some of the trees and shrubs within the 35 feet from the high water mark and build a flat area with retaining walls. They would like to plant annuals and perennials plants with the 35 feet from the high water mark. Motion Brandt, seconded by Durfee to table the Special Exception to alter the shoreline within 35 feet from the high water mark until Norgaard has talked to their landscaper and has prepared a more detail plan that is has the elevations and how much dirt will be removed and how they are going to stabilize the hill and the shoreline.
4. Nick Siddens applied for a Special Exception permit request, if granted, would permit the applicant to use the following property: Lot 1 Siddens Sub in SE1/4SE1/4 section 4-113-47 Scandinavia, to have living quarters in a machine shed (shop) on a property that already has a single family residence in the AG District. Siddens stated that they would like to build a farm office and to have a bedroom, kitchen, and a bathroom in the loft area above the office. Siddens stated that they grow garlic and the have had seasonal workers and they have had them in campers. This living area would also help with company because the current house is very small. The farm is 40 acres and if necessary they could split out 3 acres for the shop with living quarters from the single family residence. Motion by Brandt, seconded by Jaeger to grant the Special Exception permit to have living quarters in a machine shed (shop) on a property that already has a single family residence in the AG District. All voted in favor and motion carried.
5. Chad Schiefelbein applied for a Variance on his dad Van's land the request, if granted, would permit the applicant to use the following property: Lot 1 Scheifelbein 2nd Addition in the E1/2 Section 27-115-50 Havana Township. To plant trees closer than 150 feet from the road right of way in an AG zoned district. Chad stated that the trees in his shelter belt are starting to die and thin out so that is why he would like to plant trees on his dads Van's land so he would have more protection. He stated that he would like to plant up to the road right-of-way but he would be ok planting 50 feet from the right-of-way. Chad stated that the current trees do not cause a snow or visual problem. Motion by Brandt, seconded by Dahl to grant a Variance to plant trees 50 feet from the road right of way in an AG zoned district. All voted in favor and motion carried.
6. Jack Streich came and talked to the board about his sons Jimmy's property that is zoned commercial. They would like build a garage & and convert some of the building into living quarters. The board asked Streich if anybody was living there now and about the vehicles that are parked on the property. Jack stated they are redoing bar of the bar area for living

and the rest of the bar area would be a show room or man cave. The some of the vehicles that are parked there people have left and they have for sale signs in the window the Streich's have nothing to do with those vehicles. They would also like to restore older vehicles and maybe sell them from that property they would do the work in the west building. They would like to build a attached garage between the old bar building which would be part living and the west building on the old concrete. The board suggested that they apply for a special exception for the attached garage, a special exception for the conversion of the old bar into living quarters, and a special exception to restore and sell vehicles from this property.

7. Jim Dailey came to talk to the board about a building permit he applied for back in 2008 for a house on Gov Lot 2 & 5 in section 1-115-49 Altamont Township. This property was rezoned from Natural Recourses to Ag District in 2008 the property already has a hunting lodge. The board told Dailey that he would have to reapply for the building permit because it was expired. He would have to be 50 feet from the high water mark and 150 feet from the road right-of-way.
8. Michael Crinion came and talked to the board about the extension for the Class C CAFO Special Exception for Sherman Dairy that was granted April 13, 2015. He stated that they are in the process of submitting an application to the state and they have had other things that they were working on. Crinion stated that they have purchased more land to the north from the colony so they would move this barn about 20 feet to the north. They are going to build the barn in phases the first phase they would builds 106' x 270' and they would have have manure holding area inside and the only thing outside would be the feeding land. Motion by Brandt, seconded by Durfee to grant an extension for the special exception to Sherman Dairy for a Class "C" CAFO with up to 999 animal units with the conditions they apply and are granted a State Class "C" CAFO Permit for 1 year and if they have any changes to the original application that they would have to come and talk to the board. They have to cover the manure holding area, have no more than a total of 999 animal units on the forty acres of land and in the barn, and that they become good neighbors by helping controlling the odor. All voted in favor and motion carried.
9. Tom Flicek came and talked to the board about splitting his dad's property at Lake Cochrane into two smaller lots. Right now the property is three 40 foot lots so the total lake frontage is 120 feet. They would like to split the property into two 60 foot lots. One lot would have the house and other lot would have the garage. The board stated her would have to apply for a variance because the two lots would be smaller than the ordinance allows. They would also have to apply for a variance for the garage being closer to the side lots than the ordinance allows. They would have to apply for a special exception for a garage being on a lot without a residence.
10. Motion by Dahl, seconded by Durfee to approve Plat of Squier Addition in SE1/4 Section 12-113-49 Blom Township. All voted in favor and motion carried.

11. Kanengieter called the meeting.



Jodi Theisen
Zoning Office



Dennis Kanengieter
Chairman, Zoning Board