

Monday February 10, 2025

The Deuel County Zoning Board met on Monday, February 10, 2025 at 6:30 p.m., in the Commissioner's Room of the Courthouse in Clear Lake. Those present were members Dennis Kanengieter, Jay Grabow, Mike Dahl, Mike Lammers, Kevin DeBoer, States Attorney Craig Evenson, Zoning Officer Jodi Theisen.

Chairman Dennis Kanengieter called the meeting to order.

Theisen stated the Deuel County Commissioners reappointed Michael Dahl and Dennis Kanengieter to the Planning and Zoning Board for another three-year term.

The minutes from December 9, 2024 and December 17, 2024 meetings were discussed. Motion by Dahl, seconded by DeBoer, to approve the minutes from the December 9, 2024 and December 17, 2024 meetings. All voted in favor and motion carried.

Kanengieter asked if the board, or any staff member, had anything to add to the agenda with none being offered.

Kanengieter asked the public if they would like to talk during the public comment session.

Kanengieter asked for any seated board member if they think they need to recuse themselves from any discussion topics on the agenda, or from voting on an agenda item with no board member responding.

Motion by Grabow, seconded by Lammers, to approve the February 10, 2025, Agenda. All voted in favor and motion carried.

Motion by Grabow, seconded by Dahl to adjourn as the Deuel County Planning Commission and convene as the Deuel County Board of Adjustment. Motion passed unanimously.

Motion by DeBoer, to nominate Dahl as 2025 Chairman for the Planning and Zoning Board, that nominations cease, an unanimous ballot be cast for Dahl. Grabow seconded the motion. Roll call vote; DeBoer-yes, Lammers-yes, Grabow-yes, Dahl-yes, Kanengieter-yes, and the motion carried.

Motion by Kanengieter, to nominate DeBoer as 2025 Vice Chairman for the Planning and Zoning Board, that nominations cease, an unanimous ballot be cast for DeBoer. Lammers seconded the motion. Roll call vote; DeBoer-yes, Lammers-yes, Grabow-yes, Dahl-yes, Kanengieter-yes, and the motion carried.

Motion by Grabow, seconded by Kanengieter, to move Steve Kerkvliet's item on the agenda ahead of the 2025 building permit fees, as he has been waiting to speak and it would be more efficient to address his item before he has to wait further. Motion passed unanimously.

ITEM ONE

Steve Kerkvliet attended the meeting to present his proposal for establishing a Modular and Mobile Home sales site near the Brandt exit along the interstate in Deuel County.

Kerkvliet provided details regarding his business venture, which involves the sales of modular and mobile homes. He plans to establish a site that will feature an office, shop area, and space to display 8 to 12 homes in the future. These homes may remain on-site for up to five years, depending on sales and availability. Kerkvliet emphasized that his business would be involved in the transportation and installation of these homes, which are constructed in Wayne, Nebraska, and Redwood Falls, MN. Due to this, the site will include a shop to store his equipment and conduct operations.

Kerkvliet expressed the importance of having his business located along the interstate for visibility, the space needed to display homes, and the traffic it would attract. He mentioned that he currently operates an office in Watertown, and although most sales are made through the internet, a physical site would significantly aid in sales. The proposed homes would be placed on semi-permanent foundations or skirting with heat and electricity, and would be landscaped to enhance their appearance.

Theisen shared that she informed Kerkvliet that businesses like this are typically located within city limits, and noted there are some commercial lots available north of Clear Lake. Theisen also mentioned that she had consulted with Val at the City of Clear Lake Zoning Office and Deb Adkins at the Clear Lake Area Development Corporation Office regarding the inquiry.

Theisen further explained that the proposed business is not currently listed as a conditional use in either the AG District or Commercial District, and therefore, an amendment to the zoning ordinance and issuance of a Conditional Use Permit would be necessary.

The Board inquired about the size of the proposed rezoning and questioned whether the business could operate on fewer acres. Kerkvliet responded that he would prefer to rezone the four additional lots to allow for potential future business development.

The Board also discussed the traffic patterns, specifically comparing traffic in town versus traffic along the interstate.

ITEM TWO

The Board discussed the proposed 2025 building permit fees, with additional conversation surrounding the rezoning process and the potential for joint meetings with the Deuel County Commissioners.

Theisen proposed that holding a joint meeting with the Deuel County Commissioners would streamline the rezoning process. This approach would allow for only one public notice to be published in the newspaper, instead of two, and would consolidate the two public hearings into one session. By having a joint meeting, it would ensure that all parties involved hear the same information at the same time, preventing potential discrepancies that might arise from separate meetings.

While acknowledging the additional costs involved in having the Planning Commission attend the Deuel County Commissioner meeting for the joint session, Theisen emphasized that it would ultimately be more efficient. The Board discussed this approach and agreed to move forward with the process for rezoning involving joint meetings with the Deuel County Commissioners.

The Board then reviewed the fee schedule and they had discussion on the fee for an appeal to the Board of Adjustment (BOA) Hearing.

Motion by Lammers, second by Grabow, to recommend the Deuel County Commissioners change the fee for an appeal to BOA-Hearing from \$500 to \$250, and to leave the current fees for the 2025 Building Permit Fees Schedule.

Amendment to Motion: After further discussion, Lammers amended his original motion.

Motion by Lammers, second by Grabow, to recommend to the Deuel County Commissioners change the fee for an appeal to BOA-Hearing from \$500 to \$900 (requiring a special meeting), and to leave the current fees for the 2025 Building Permit Fees Schedule unchanged.

Motion by Grabow, seconded by Kanengieter to adjourn as the Deuel County Board of Adjustment and convene as the Deuel County Planning Commission. Motion passed unanimously.

Chairman Dahl called the meeting to order.

The Deuel County Planning Commission Board will have a potential amendment to the zoning ordinance. We direct the Zoning Officer to propose an amendment language for our consideration. If the ordinance is amended, Kerkvliet would need to follow the formal process to apply for a Conditional Use Permit and Rezoning for his proposed business.

Motion by Grabow, second by Lammers, to recess the Planning Commission and reconvene as Board of Adjustment . Motion passed unanimously.

Dahl opened the meeting for public comment there was none.

Theisen informed the Board that the next regular meeting is scheduled for March 10, 2025.

Theisen also presented the Board with the Excel sheet of the 2024 Building/CUP/Variance permits. Theisen noted an increase in the number of new homes compared to 2023, as well as an increase in plats from 2023 to 2024, indicating growth in development.

Theisen presented an inquiry from a property owner at Lake Cochrane, who owns three lots: one with a house, another with a shed, and a third that is vacant. The property owner is interested in selling firewood on the vacant lot with the assistance of his grandson, estimating the sale of about 5-6 cords.

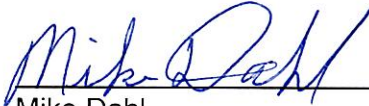
Theisen asked the Board whether they would allow the sale of firewood without a Conditional Use Permit (CUP) or if the Board would require the property owner to apply for a Home Occupation under the Conditional Use Permit section in the Lake Park District.

The Board discussed the inquiry and concluded that the best course of action would be for the property owner to submit a Conditional Use Permit application for the Home Occupation to allow the sale of firewood in the Lake Park District.

Motion by DeBoer, seconded by Kanengieter to adjourn the meeting at 8:45 p.m... All voted in favor and motion carried.



Jodi Theisen
Zoning Officer



Mike Dahl
Chairman, Zoning Board