

Codington County/City of Watertown  
Joint Planning Commission/Joint Board of Adjustment Minutes

September 17, 2018

The Codington County/City of Watertown Joint Planning Commission/Board of Adjustment met for a special meeting on September 17, 2018 at the Codington County Extension Complex. Members of the Joint Planning Commission/Board of Adjustment present were: Mark Stein, Mark O'Neill, Blake Dahle, Brenda Hanten, Bob Fox, and Luke Muller (Planner at First District Association of Local Governments/ Codington County Zoning Officer).

Others present were Jeff DeVille, Jim Pieper, Shelly Pieper, Ed Raml, Anita Raml, Myron Johnson, Rodney Klatt, Mel Ries, and Becky Goens.

Bob Fox brought the meeting of the Joint Board of Adjustment to order at 7:30 pm.

Motion by Hanten, second by Dahle, to approve the minutes of the June 18, 2018 meeting. Motion passed unanimously.

Motion by O'Neill, second by Hanten, to remove item VII from the agenda. Motion by Hanten, second by Stein, to approve the agenda as amended.

Motion by Hanten, second by O'Neill, to approve the variance request by Jim and Shelly Pieper to construct and temporarily occupy an accessory use prior to constructing a primary use on the lot. Property is owned by Robert Owen and Catherine Shaffer Gjerdingen and is located in N218' E400' NE1/4 less Lot H-1, Section 19-T117N-R52W. Muller reviewed Staff Report. If approved, Applicant is required to sign a Letter of Assurance agreeing to the following conditions:

- a. Building permit is required prior to the commencement of construction activities.
- b. Applicant shall obtain building permit for a single family residence at the same time as permit for the shop.
- c. Living quarters are to be removed (if constructed in the shop) within one year of completion of the house.
- d. If the house is not completed/constructed prior to the expiration of the building permit Board of Adjustment will forward the matter with no further action to the Codington County State's Attorney for prosecution based upon failure to comply with conditions set forth by the Board of Adjustment. This may result in the removal of the accessory structure authorized by this variance.

Public hearing closed. Motion by Dahle to amend the motion by adding the condition that the applicant signs a Wavier of Protest to annexation and connection to City sewer and utilities when it becomes available at this location. Second by O'Neill. Motion on amendment passed unanimously. Motion on the variance request, with the amendment, passed unanimously.

Muller provided an update on questions coming into the office. Most recently, an individual that may be operating a recording studio within his home. Zoning Ordinance does allow a Home Occupation as a permitted use. If it were to occur in an accessory building, board action would be required.

Motion by Stein, second by Hanten, to adjourn. Motion passed unanimously. Meeting was adjourned at 7:50 pm.

Respectfully Submitted,

Becky Goens

**SEPTEMBER 2018  
CODINGTON COUNTY/CITY OF WATERTOWN  
JOINT JURISDICTION BOARD OF ADJUSTMENT STAFF REPORT**

**MONDAY – SEPTEMBER 17, 2018 – 7:30 p.m.**

**CODINGTON COUNTY/CITY OF WATERTOWN JOINT BOARD OF ADJUSTMENT**

**Applicant: Jim and Shelly Pieper**

**Owner:** Robert Owen and Catherine Shaffer Gjerdingen

**Property Description:** N218' E400' NE1/4 less Lot H-1, Section 19-T117N-R52W, Codington County, South Dakota. (Elmira Township)

**Action Items – Variances – Construct an accessory use prior to constructing a primary use on the lot (5.14.2)**

**Zoning Designation:** Agricultural

**Request:** The applicant requests to construct a shed with living quarters prior to construction of a house.

**History/Issue(s):**

1. The Pieper's seek to buy the lot for the purpose of building a house, but would like a shed and the ability to stay in it for up to 3 years before moving into a house on the lot.
2. The Zoning Ordinance requires all accessory structures to be located on the same lot as a primary structure – in this case – a single family residential structure.
3. In the past the Board has approved similar variances provided the applicant apply for a building permit for a house at the same time as the permit for the accessory structure; but the permit is valid for up to **2 years**.
4. Regarding staying in the shed: The Board has allowed the ability to live in a shed temporarily until construction of a house is completed. At which point living quarters are to be removed. (In some cases individuals live in a camper on the same lot.)
5. Staff Recommendation – ***Variance to allow accessory structure without a primary structure:*** Staff recommends approval of the request to allow the construction of an accessory structure before construction of a primary structure (house) on the above described property. Should the Board approve the request approval should be subject to the applicant signing a letter of assurance agreeing to the following conditions:
  - a. Building permit is required prior to the commencement of construction activities.
  - b. Applicant shall obtain building permit for a single family residence at the same time as permit for the shop.
  - c. Living quarters are to be removed (if constructed in the shop) within one year of completion of the house.
  - d. If the house is not completed/constructed prior to the expiration of the building permit Board of Adjustment will forward the matter with no further action to the Codington County State's Attorney for prosecution based upon failure to comply with conditions set forth by the Board of Adjustment. This may result in the removal of the accessory structure authorized by this variance