

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

November 19, 2018

The Codington County/City of Watertown Joint Planning Commission/Board of Adjustment met on November 19, 2018 at the Codington County Extension Complex. Members of the Joint Planning Commission/Board of Adjustment present were: Mark Stein, Mark O'Neill, Brenda Hanten, Bob Fox, and Luke Muller (Planner at First District Association of Local Governments/ Codington County Zoning Officer).

Others present were Jeff DeVille, Brad Russell, Elaine Ries, Jannelle Olson, Doreen Hoium, Jeff DeVille, Ralph Miller, Douglas Cook, Shawna Constant, Karna Swenson, Charles Rossow, Myron Johnson, Mel Ries, Rodney Klatt, and Becky Goens.

Bob Fox brought the meeting of the Joint Board of Adjustment to order at 9:03 am.

Motion by O'Neill, second by Hanten, to approve the minutes of the October 15, 2018 meeting. Motion passed unanimously.

Motion by Hanten, second by Stein, to approve the agenda. Motion passed unanimously.

Motion by O'Neill, second by Hanten, to approve two variance requests made by Jannelle Olson for an Existing Farmstead Exemption and Minimum Lot Width. Property is owned by Jannelle Olson along with and behalf of Randall Birchall and Rebecca Hinton and is located in NW1/4 less RR ROW, Section 14T116N-R53W, to be known upon platting as The Birchall Place Addition in NW1/4. The applicant seeks to split the farmsite from the farmland. Property was used as a base for farming operations prior to 1976 and has remained lived in. Muller reviewed Staff Report (attached). The applicants are aware that the only residential building right is on the 10.76 acre site where the existing farm site is located. Lot 2 is 9.33 acres and will not have residential building rights and will have a deed restriction accordingly. If a future owner would like to construct on Lot 2, they must purchase additional acreage totaling 35 acres as required by ordinance. Motion passed unanimously.

Muller advised the board on some pending items. Doug Allbee obtained a building permit in September of 2016 for a home in the Northwoods Addition in which an extension was also issued in May of 2018. Another extension is required as the home is not complete and it must come before the Board of Adjustment for approval. This is a perpetual construct site and neighbors are beginning to complain.

A complaint was received in the Zoning Office regarding contractor/trailer parking on Leon Cordell's property on 19th Street Northeast. Current ordinance does not allow this use on this lot. Chairman Fox suggests the board consider an ordinance amendment that may allow for this type of use.

Motion by Hanten, second by Stein, to adjourn. Motion passed unanimously. Meeting was adjourned at 9:28 am.

Respectfully Submitted,

Becky Goens

**NOVEMBER 2018
CODINGTON COUNTY/CITY OF WATERTOWN
JOINT PLANNING COMMISSION/ JOINT BOARD OF ADJUSTMENT
STAFF REPORT**

ITEM #1 (2) VARIANCES

Applicant/Owner: Jannelle Olson along with and behalf of Randall Birchall and Rebecca Hinton

Property Description: NW1/4 less RR right-of-way, Section 14-T116N-R53W, Codington County, South Dakota, to be known upon platting as The Birchall Place Addition in NW1/4 of Section 14-T116N-R53W. (Pelican Township)

Action Items – Variances – Minimum lot size/Existing farmstead exemption (3.04.03.7.b), minimum lot width (3.04.03.2).

Zoning Designation: Agricultural

Request: The applicant seeks variances from the minimum lot width, minimum lot area (by virtue of existing farmstead exemption), to retain building rights on property with an existing farmstead.

History/Issue(s):

1. The applicant seeks to split the farm site from the farmland.
2. The property was used as a base for farming operations prior to 1976 and has remained lived in.
3. Codington County's Zoning Ordinance does allow for variance from the 35 acre-minimum lot requirement if the lot is determined to be an existing farmstead which contains at least five acres and thereby affording building rights.
4. Based upon site visit and review of department of equalization records it appears this site meets the definition of an existing farmstead.
5. Staff recommendation (**Variance**) –*Existing Farmstead Exemption and variance to Minimum Lot Width*- Approve request because 1) The lot does contain at least five acres which meets the terms of the Ordinance. 2) The Zoning Officer after review of anecdotal information, records and site-visit has determined that this parcel is under contiguous ownership of an existing farmstead/residential site prior to November 26, 1976. If approved it should be done so on the condition that the applicant plat a lot of at least five (5) acres in accordance with the Codington County Subdivision Ordinance.

ISSUE #2 OPEN/ADMINISTRATIVE REPORT

- **Albee permit update**
- **Cordell letter/correspondence**