

Codington County Planning Commission/Board of Adjustment Minutes

October 19, 2020

The Codington County Planning Commission/Board of Adjustment met for their monthly meeting on October 19, 2020 via teleconference. Members of the Planning Commission/Board of Adjustment present were: Myron Johnson, Brenda Hanten, Mel Ries, Mark O'Neill, Rodney Klatt, Bob Fox, and Luke Muller (Planner at First District Association of Local Governments/Codington County Zoning Officer).

Others present were Jennifer Collins and Becky Goens.

Bob Fox brought the Board of Adjustment and Planning Commission meeting to order at 8:31 pm.

Motion by Hanten, second by Ries, to approve the September 21, 2020 meeting minutes. Motion passed unanimously.

Motion by Johnson to approve the agenda, second by Ries. Motion passed unanimously.

Motion by Klatt, second by Hanten, to recess as the Planning Commission and convene as Board of Adjustment. Motion passed unanimously.

Motion by Hanten, second by Johnson, approve two variance requests made by Jordan and Jennifer Collins. They are requesting variances for an Existing Farmstead Exemption and Minimum Lot width for property owned by William and Cheryl Lindner located in a portion of SE1/4 of Section 20-T117N-R51W to be known upon platting as Jordan and Jennifer Collins Addition in SE1/4, Section 20-T117N-R51W. Muller reviewed Staff Report (attached). Chairman Fox read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

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

Motion by Ries, second by Klatt, to recommend approval of the Plat of Jordan and Jennifer Collins Addition in SE1/4, Section 20-T117NR51W. Motion passed unanimously.

Motion by Klatt, second by Ries, to recommend approval of the plat of Lot 1 of Nuttbrock First Addition in NW1/4, Section 32-T117N-R51W. Motion passed unanimously.

Motion by Hanten, second by Ries, to reconvene jointly. Motion passed unanimously.

Motion to adjourn by Hanten, second by Ries. Motion passed unanimously. Meeting adjourned at 8:59 pm.

Respectfully Submitted,

Becky Goens, Secretary

**OCTOBER 2020  
CODINGTON COUNTY  
PLANNING COMMISSION/BOARD OF ADJUSTMENT STAFF REPORT**

**ITEM #1 (2) VARIANCES**

**Applicant: Jordan and Jennifer Collins / Owner: William and Cheryl Lindner**

**Property Description:** a portion of SE1/4 of Section 20-T117N-R51W to be known upon platting as Jordan and Jennifer Collins Addition in SE1/4, Section 20-T117N-R51W, Codington County, South Dakota. (Kranzburg (N) Township)

**Action Items – Variances – Existing farmstead exemption/minimum lot area (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 transfer existing farmstead building rights to a specified site.

**History/Issue(s):**

1. The Collins' seek to construct a house on the east side of this quarter section, owned by Jennifer's parents.
2. The property has been used as a base for farming operations and lived in since prior to October 1976.
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. The parcel contains an existing farmstead as defined by the Codington County Zoning Ordinance.
5. The existing farmstead does contain two residences. The owner's have been informed that as a result of transferring this building right to this property, future building permits for anything relating to either of those two houses will trigger the requirement to attach legal descriptions of at least 35 acres with both existing houses, or removal of one of the existing houses.
6. 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 October 26, 1976. If approved it should be done so on the condition that the applicant shall plat a lot of at least five (5) acres in accordance with the Codington County Subdivision Ordinance; and that a letter of assurance agreeing to transfer the farmstead development right to this lot is recorded with the plat.

**CODINGTON COUNTY PLANNING COMMISSION**

**ITEM #1 PLAT**

**Applicant: Jordan and Jennifer Collins / Owner: William and Cheryl Lindner**

**Property Description:** Plat of Jordan and Jennifer Collins Addition in SE1/4, Section 20-

T117N-R51W, Codington County, South Dakota. (Kranzburg (N) Township)

**Action Items – Plat approval.**

**Zoning Designation:** Agricultural

**Request:** Plat a minimum 5 acre-lot in accordance with the order of the Board of Adjustment. Staff recommends the requirement that the applicant/owner sign and record a letter of assurance specifying the farmstead exemption building right described earlier tonight is transferred to this property.

**ITEM #2 PLAT**

**Applicant:** Dayton Nuttbrock

**Owner:** Susan Brandsrud

**Property Description:** Plat of Lot 1 of Nuttbrock First Addition in NW1/4, Section 32-T117N-R51W, Codington County, South Dakota. (Kranzburg (N) Township)

**Action Items – Plat approval.**

**Zoning Designation:** Agricultural

**Request:** Plat a minimum 5 acre-lot in accordance with the order of the Board of Adjustment. Staff recommends the requirement that the applicant/owner sign and record a letter of assurance specifying the farmstead exemption building right described in their variance is transferred to this property.

**ISSUE #3 OPEN/ADMINISTRATIVE REPORT**

**ISSUE #4 EXECUTIVE SESSION (if Necessary)**