

Codington County Planning Commission/Board of Adjustment Minutes

April 6, 2021

The Codington County Planning Commission/Board of Adjustment met for a special meeting on April 6, 2021 via teleconference. Members of the Planning Commission/Board of Adjustment present were: Myron Johnson, Brenda Hanten, Rodney Klatt, Mark O'Neill, Bob Fox, Alex Kahnke, and Luke Muller (Planner at First District Association of Local Governments/Codington County Zoning Officer).

Others present were Michael Rawlins, Lee Gabel, and Becky Goens.

Bob Fox brought the Board of Adjustment and Planning Commission meeting to order at 8:16 am.

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

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

Motion by Johnson, second by Klatt, to approve two variance requests by Michael Rawlins on property located in S1/2 of SW1/4 of Section 30-T117N-R55W. He is requesting an existing farmstead exemption and minimum lot width variance for purposes of creating a parcel less than 35 acres at the site of an existing farmstead. Muller reviewed Staff Report (attached). Chairman Fox read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion by Kahnke, second by Johnson, to recess the Board of Adjustment and convene only as the Planning Commission. Motion passed unanimously.

Motion by O'Neill, second by Klatt, to recommend approval to the Board of County Commissioners the Plat of Lot 1 of Rawlins Addition Located in the South Half of the Southwest Quarter of Section 30-T117N-R55W, Codington County, South Dakota. Motion passed unanimously.

Motion to adjourn by Hanten, second by O'Neill. Motion passed unanimously. Meeting adjourned at 8:31 am.

Respectfully Submitted,

Becky Goens, Secretary

**APRIL 2021 (SPECIAL MEETING)  
CODINGTON COUNTY BOARD OF ADJUSTMENT/PLANNING COMMISSION/  
BOARD OF COUNTY COMMISSIONERS STAFF REPORT**

**CODINGTON COUNTY BOARD OF ADJUSTMENT**

**ITEM #1 (2) VARIANCES**

**Owner/Applicant: Michael Rawlins**

**Property Description:** South Half of the Southwest Quarter of Section 30, Township 117 North, Range 55 West of the 5th Prime Meridian, Codington County, South Dakota. (Graceland 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 Rawlins' seek to construct a house on a 5-acre lot on the east "40" of this "80." (A house is located in the west "40.")
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. The parcel contains an existing farmstead as defined by the Codington County Zoning Ordinance.
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 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.

**CODINGTON COUNTY PLANNING COMMISSION/  
BOARD OF COUNTY COMMISSIONERS**

**ITEM #1 PLAT**

**Applicant/Owner: Michael Rawlins**

**Property Description:** Plat of Lot 1 of Rawlins Addition Located in the South Half of the Southwest Quarter of Section 30-T117N-R55W, Codington County, South Dakota. (Graceland 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.