

NOVEMBER 2021
CODINGTON COUNTY/CITY OF WATERTOWN
JOINT BOARD OF ADJUSTMENT
CODINGTON COUNTY
PLANNING COMMISSION/BOARD OF ADJUSTMENT
STAFF REPORT

MONDAY – NOVEMBER 15, 2021 – 9:00 a.m.

CODINGTON COUNTY/CITY OF WATERTOWN JOINT BOARD OF ADJUSTMENT

ITEM #1 CONDITIONAL USE

Owner/Applicant: John and Betty Gebhart

Property Description: a portion of NE1/4 lying West of the right-of-way of the Great Northern Railroad; and the E245' of N711.18' of the NW1/4 All in Section 24-T117N-R53 West of the 5th P.M., Codington County, to be known upon platting as Lot 1 Gebhart First Addition. (Lake 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 retain existing farmstead building rights at a specified site.

History/Issue(s):

1. The Gebhart's own a ~121 acre tract west of the railroad in the north half of the section, with two houses located near the northwest corner of the property.
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. A minimum five-acre lot could be created to include one of the two houses and still meet setbacks for both 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 (with only 1 house on the lot) in accordance with the Codington County Subdivision Ordinance.

CODINGTON COUNTY PLANNING COMMISSION

ITEM #1 PLAT

Applicant/Owner: John and Betty Gebhart

Property Description: Lot 1, Gebhart First Addition located in the Northeast Quarter and Northwest Quarter of Section 24, Township 117 North, Range 53 West of the 5th Prime Meridian, Codington County, SD (Lake 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. Provided Existing Farmstead Exemption was granted to this property.

ITEM #2 PLAT

Applicant/Owner: Peter Bauman

Property Description: Bauman Addition located in the Southeast Quarter of Section 32, Township 116 North, Range 52 West of the 5th Prime Meridian, Codington County, SD (Sheridan Township)

Action Items – Plat approval.

Zoning Designation: Agricultural

Request: Plat a 21 acre lot for transfer purposes only.

- The lot is irregularly shaped and requires platting for transfer purposes
- Access to the lot is provided across “Junso Addition” which is owned by the applicant.
 - The face of the plat notes that access to this lot is provided over Junso Addition.
- The applicant is aware that, as proposed, “Bauman Addition” would not unilaterally be entitled to residential building rights. Staff recommends requiring a letter of assurance to be recorded stating that fact as condition of approval.

ISSUE #2 Discussion Private Storage Business as Extended Home Occupation

- Staff will hand out and the Board will discuss a draft of an ordinance amendment to allow private storage business in existing ag structures as an extended home occupation.