

Codington County/City of Watertown
Joint Planning Commission/Joint Board of Adjustment Minutes
November 15, 2021

The Codington County/City of Watertown Joint Planning Commission/Board of Adjustment met on November 15, 2021 via teleconference and at the Codington County Extension Complex. Members of the Joint Planning Commission/Board of Adjustment participating were: Mark O'Neill, Bob Fox, Brenda Hanten, Blake Dahle, Liam Culhane, and Luke Muller (Planner at First District Association of Local Governments/ Codington County Zoning Officer).

Others present were Myron Johnson, Alex Kahnke, Mel Ries, and Becky Goens.

Chairman Fox brought the meeting of the Joint Board of Adjustment to order at 9:10 am.

Motion by O'Neill, second by Hanten, to approve the minutes of the September 20, 2021 meeting. Motion passed unanimously.

Motion by Hanten, second by O'Neill, to approve the agenda. Motion passed unanimously.

Motion by Hanten, second by O'Neill, to approve an existing farmstead exemption and minimum lot width variance for John and Betty Gebhart on property located in a portion of NE1/4 lying West of the ROW of the Great Northern Railroad; and the E245' of N711.18' of the NW1/4 all in Section 24-T117N-R53W, Codington County, SD, to be known upon platting as Lot 1 Gebhart First Addition. There is no plan to remove the second house at this time. Motion passed unanimously based on findings recommended by Staff in the Report.

Motion to adjourn made by Hanten, second by O'Neill. Motion passed unanimously. Meeting adjourned at 9:20 am.

Respectfully Submitted,

Becky Goens

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

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.