

**MARCH 2024  
CODINGTON COUNTY  
PLANNING COMMISSION/BOARD OF ADJUSTMENT  
STAFF REPORT**

**TUESDAY – MARCH 12, 2024 – 12:30 p.m.**

**CODINGTON COUNTY BOARD OF ADJUSTMENT**

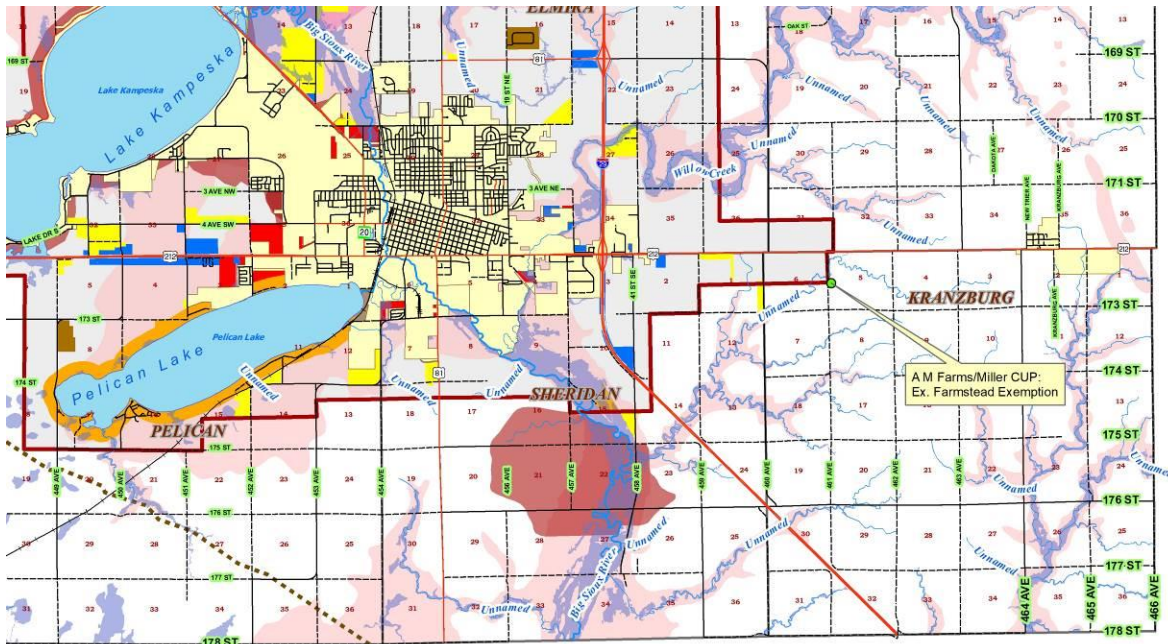
**ITEM #1 CONDITIONAL USE PERMIT**

**Applicant/Owner: A M Farms, Inc. by Mark Miller**

**Property Description:** A portion of the Southwest Quarter, Section 5 Township 116 North, Range 51 West of the 5th P.M., Codington County, South Dakota. (Kranzburg (S) Township), to be known upon platting as MK Miller Addition in the Southwest Quarter of Section 5, Township 116 North, Range 51 West of the 5th P.M., Codington County, South Dakota.

**Lat/Long (Existing Approach):** 44.883381°; - 96.985983°

**Action Items – Conditional Use Permit – Existing farmstead exemption “B” (3.04.02.44)**



**Zoning Designation:** Agricultural

**Request:** The applicant seeks Existing Farmstead Exemption to create a lot with less than 35-acres on the same legal description as an existing farmstead.

**History/Issue(s):**

1. Mr. Miller lives at the above described property.
2. He is part owner of A M Farms Inc. and seeks to be sole owner of his house site.
3. This house is located in the Northwest Quarter of the Southwest Quarter. His son's house is also located on land owned by A M Farms in the Southwest Quarter of the Southwest Quarter.
4. The property was a base for farming operations since prior to 1976 and is currently lived in.
5. 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.
6. The parcel contains an existing farmstead as defined by the Codington County Zoning Ordinance.
7. Staff recommendation **(Conditional Use Permit) –Existing Farmstead Exemption** - 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 following conditions:
  - a. that the applicant shall plat a lot of at least five (5) acres in accordance with the Codington County Subdivision Ordinance.



**Plat of MK Miller Addition**

**Legend**  
— Concrete Road  
— Asphalt Road  
— Gravel Road





**CODINGTON COUNTY PLANNING COMMISSION**

**ITEM #1 PLAT**

**Applicant/Owner: Mark Miller on behalf of A M Farms**

**Property Description:** MK Miller Addition in the Southwest Quarter of Section 5, Township 116 North, Range 51 West of the 5th P.M., Codington County, South Dakota.

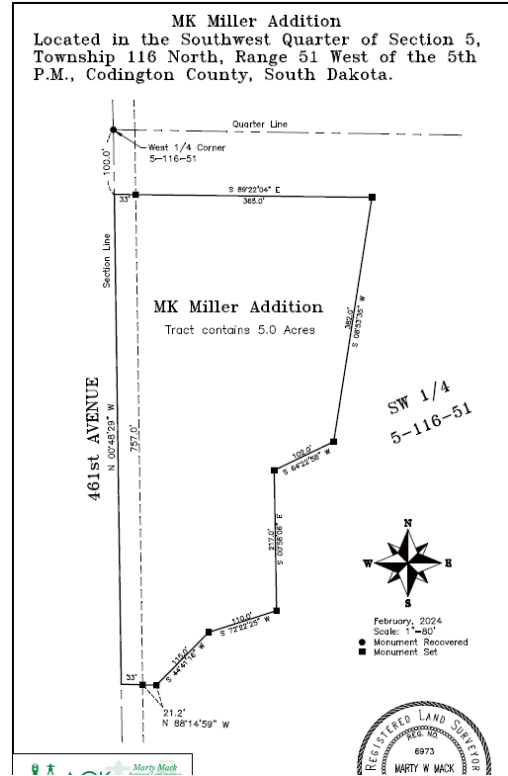
**Action Items – Plat approval.**

**Zoning Designation:** Ag District

**Request:** Plat a 14.8 acre lot east of Mahoney Creek

**Summary:**

1. Plat is a requirement of existing farmstead exemption.



**Plat of Moe Addition**

**Legend**

- Concrete Road
- Asphalt Road
- Gravel Road

**ITEM #2 PLAT**

**Applicant/Owner: Jason and Shawn Moe**

**Property Description:** Moe Addition in the Southwest Quarter of Section 17, Township 119 North, Range 54 West of the 5th P.M., Codington County, South Dakota.

**Action Items – Plat approval.**

**Zoning Designation:** Ag District

**Request:** Plat existing site into one (1) 5-acre lot and one (1) (min.) 35-acre lot.

**Summary:**

1. Plat is a requirement of existing farmstead exemption.

