

County Planning Board of Adjustment Minutes

March 13, 2024

The Codington County Board of Adjustment met for their monthly meeting on March 13, 2024, at the Codington County Extension Complex. Members of the Board of Adjustment present were Myron Johnson, Alex Kahnke, Brenda Hanten, Rodney Klatt, Mark O'Neill, and Luke Muller (Planner at First District Association of Local Governments/Codington County Zoning Officer). Absent: Calvin Mack

Others present: Mark Miller and Becky Goens.

Chair Hanten brought the meeting to order at 12:35 pm.

Motion by Johnson, second by Kahnke, to approve the February 20, 2024 meeting minutes. Motion passed unanimously.

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

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

Board member Mel Ries joined the Board at 12:40 pm.

Motion by Johnson, second by Klatt, to approve the Conditional Use Permit request by Mark Miller for an Existing Farmstead Exemption on property located in a portion of SW1/4 of Section 5-T116N-R52W to be known upon platting as MK Miller Addition in SW1/4, Section 5-T116N-R51W. Muller reviewed Staff Report (attached). No one was present to speak on this issue. Public hearing closed. Muller reviewed 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 Planning Commission. Motion passed unanimously.

Motion by Kahnke, second by Ries, to recommend approval to the Board of County Commissioners the Plat of MK Miller Addition the SW1/4, Section 5-T116N-R51W, Codington County, SD. Motion passed unanimously.

Motion by Klatt, second by Ries, to recommend approval to the Board of County Commissioners the Plat of Moe Addition in the SW1/4 of Section 17-T119N-R54W, Codington County, SD. Motion passed unanimously.

Motion to adjourn made by Johnson, second by Ries. Motion passed unanimously. Meeting adjourned at 1:12 pm.

Respectfully Submitted,

Becky Goens

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

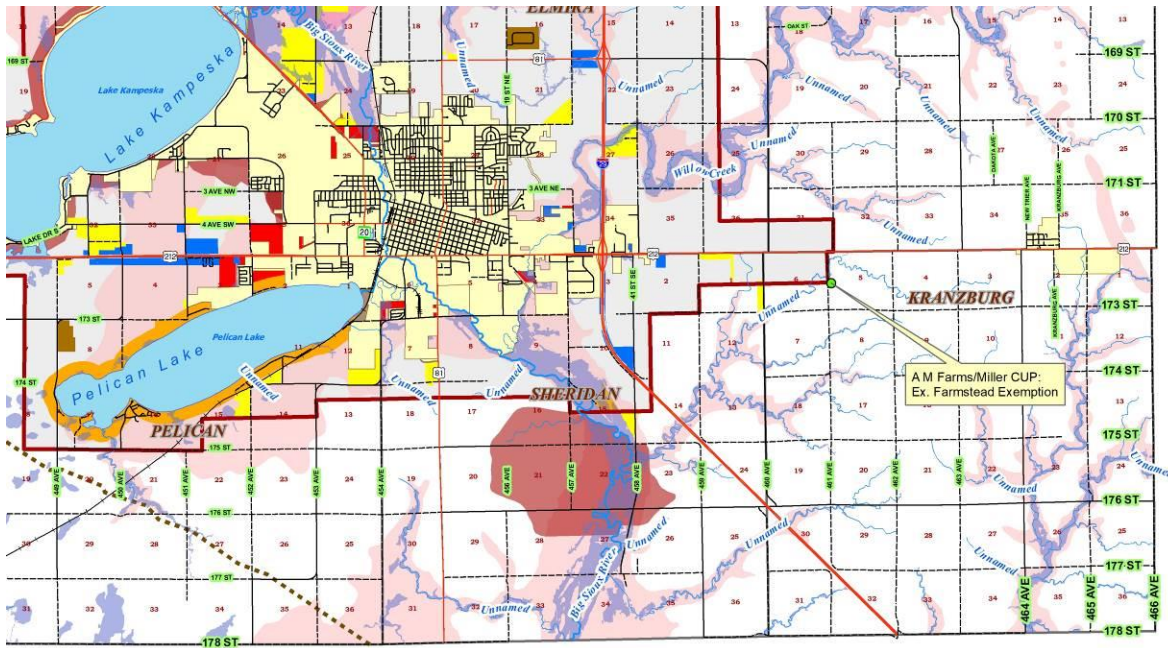
ITEM #1 CONDITIONAL USE PERMIT

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.

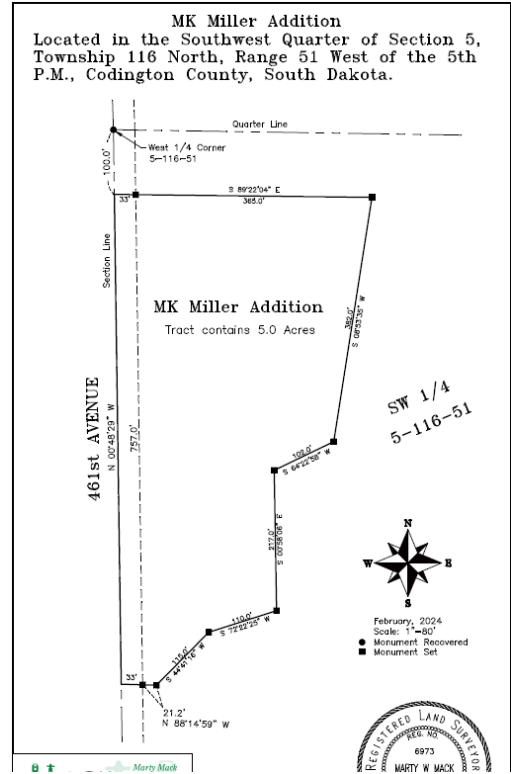
Action Items – Plat approval.

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

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.

