County Planning Board of Adjustment Minutes April 22, 2025

The Codington County Board of Adjustment met for their monthly meeting on April 22, 2025, at the Codington County Extension Complex. Members of the Board of Adjustment present were Brenda Hanten, Myron Johnson, Calvin Mack, Mark O'Neill, Mel Ries, Liam Culhane, and Luke Muller (Planner at First District Association of Local Governments/Codington County Zoning Officer).

Others present: Brad Bach

Chair Hanten brought the meeting to order at 7:33 pm.

Motion by Johnson, second by O'Neill, to approve the January 21, 2025 meeting minutes. Motion passed unanimously.

Motion by Culhane, second by Johnson, to approve the agenda as published. Motion passed unanimously.

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

Motion by Johnson, second by Culhane, to approve the Conditional Use Permit for Daniel and Rita Meseberg as read by Staff. Meseberg's are requesting to create/retain a 6.3 acre parcel at the site of an existing farmstead. Property is located in N240' S1290' E400', SE1/4, Section 25-T118N-R53W. Muller read Staff Report (attached). No one was present to speak on this issue. Public hearing closed. Muller read Findings of Fact. There were no questions or concerns. Motion passed unanimously.

Motion by Ries, second by Culhane, to approve the Conditional Use Permit request for Brad and Terri Bach as read by Staff. Bach's are requesting to create a 3.72 acre parcel at the site of an existing farmstead. Property is located at W200' of E620' of N810' of NW1/4, Section 32-T118N-R53W, Codington County. Muller read Staff Report (attached). No one was present to speak on this issue. Public hearing closed. Muller read Findings of Fact. There were no questions or concerns. Motion passed unanimously.

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

Staff reviewed the Home Occupation ordinance and potential use to be added for review next month. At the direction of the Board, Luke will draft an amendment. Luke also provided an update on the battery storage facility.

Motion to adjourn made by Culhane, second by O'Neill. Motion passed unanimously. Meeting adjourned at 8:12 pm.

Respectfully Submitted, Becky Goens

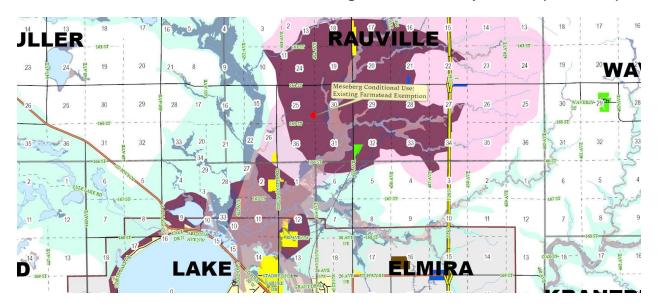
APRIL 2025 CODINGTON COUNTY PLANNING COMMISSION/BOARD OF ADJUSTMENT STAFF REPORT

ITEM #1 CONDITIONAL USE PERMIT

Applicant/Owner: Dan and Rita Meseberg

Property Description: The North 240 Feet of the South 1,290 Feet of the East 400 Feet of the Southeast Quarter of Section 25, Township 118 North, Range 53 West of the 5th P.M., Codington County, South Dakota (Rauville Township).

Action Items - Conditional Use Permit - Existing farmstead exemption "B" (3.04.02.44)



Zoning Designation: Agricultural; Zone A – Aquifer Protection District

Request: The applicant seeks to retain building rights at the site of an Existing Farmstead.

History/Issue(s):

- 1. The Meseberg's live at the above described property (the entire quarter, in two different legal descriptions.
- 2. The original farmhouse is still occupied and was used as a base of farming operations prior to 1976 and is currently lived in.
- 3. Codington County's Zoning Ordinance does allow for exemption 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. Mr. Meseberg proposes to add ~3 acres to the existing building site north of the farmstead to meet the farmstead exemption requirements.
- 5. The parcel contains an existing farmstead as defined by the Codington County Zoning Ordinance.

Meseberg Conditional Use Permit: Existing Farmstead Exemption





- 6. 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.
 - b. Applicant agree to record a letter of assurance with the Plat, agreeing that the new legal description receives the 5-acre (or more) building right; any other residence in the quarter section will require a 35 acre lot.

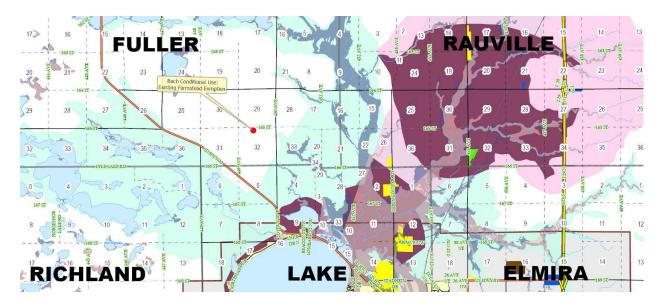
ITEM #2 CONDITIONAL USE PERMIT

Applicant/Owner: Brad and Terrie Bach

Property Description: The West 200 Feet of the East 620 Feet of the North 810 Feet of the Northwest Quarter in Section 32, Township 118 North, Range 53 West of the 5th P.M., Codington County, South Dakota. (Fuller Township).

Lat/Long (Existing Approach): 44.992169°; - 97.221218°

Action Items – Conditional Use Permit – Existing farmstead exemption "B" (3.04.02.44)



Zoning Designation: Agricultural

Request: The applicant seeks to retain building rights at the site of an Existing Farmstead.

History/Issue(s):

- 1. The Bach's live at the above described property.
- 2. The Bach's intend to construct a home addition.
- 3. The property was a base for farming operations since prior to 1976 and is currently lived in.
- 4. Codington County's Zoning Ordinance does allow for exception to the 35 acre-minimum lot requirement if the lot is determined to be an existing farmstead.
- 5. The parcel contains an existing farmstead as defined by the Codington County Zoning Ordinance.
- 6. The property was sold separately from the farmland in 1996.
- 7. Policy has been to waive the requirement to replat existing farmsteads which were initially transferred prior to 2004.
- 8. Staff recommendation (Conditional Use Permit) Existing Farmstead Exemption Approve request because the Zoning Officer after review of anecdotal information, records and site-visit has determined was used as an existing farmstead/residential site prior to October 26, 1976.