

Codington County/City of Watertown  
Joint Planning Commission/Joint Board of Adjustment Minutes  
May 19, 2025

The Codington County/City of Watertown Joint Planning Commission/Board of Adjustment met on February 18, 2025, at the Codington County Extension Complex. Members of the Joint Planning Commission/Board of Adjustment participating were: Brenda Hanten, Mark O'Neill, Myron Johnson, Liam Culhane, and Luke Muller (Planner at First District Association of Local Governments/ Codington County Zoning Officer). Absent: Blake Dahle

Others present: Rick Schulz, Wendy Schulz, Fay Wiesner, Neil Wiesner, Joyce Paulsen, Michael Paulsen, Travis Dobberpuhl, Stacey Dobberpuhl, Pam Cordell, Galen Cordell, Marlin German, Karen German, Mel Ries, Rodney Klatt, Calvin Mack, Woody Krog, and Becky Goens.

Chair Hanten brought the meeting of the Joint Board of Adjustment to order at 7:30 pm.

Motion by Johnson, second by Culhane, to approve the minutes of the February 18, 2024 meeting. Motion passed unanimously.

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

Motion by Culhane, second by Johnson, to approve the Conditional Use Permit request by Neil Wiesner to construct an addition to his existing detached shed with 16' sidewalls. Property is located in Lot J of the plat entitled Lots I, J, K of Porter White Outlot in Government Lots 5&6 in the SW1/4, Section 3-T116N-R53W, Codington County, SD. Muller reviewed Staff Report (attached). No one was present to speak on this issue. Public hearing closed. Muller read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion by Johnson, second by Culhane, to approve two variances by Stacey Dobberpuhl on behalf of Judy Cordell Estate. Dobberpuhl is requesting an Existing Farmstead Exemption variance and Minimum Lot Width variance for a 5-acre portion of the NE1/4 of Section 17-T117N-R52W, Codington County, SD to be known upon platting as Cordell Brothers Addition in NE1/4, Section 17-T117N-R52W, Codington County, SD. Muller read Staff Report (attached). No one was present to speak on this issue. Public hearing closed. Muller read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion by Johnson, second by Culhane, to approve a 1000' Minimum Lot Width variance request by Rick and Wendy Schulz. Schulz's would like to create two 35-acre lots, each less than 1,300' in width. Properties are located in E1/2 of NE1/4, Section 17-T116N-R52W, Codington County, SD. Muller reviewed Staff Report with regard to BOTH requests (attached). Public hearing for both requests was held. No one was present to speak on either request. Muller read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion by Culhane, second by Johnson, to approve a 300' Minimum Lot Width variance request by Rick and Wendy Schulz for a 35-acre parcel located in E1/2 of NE1/4, Section 17-T116N-

R52W, Codington County, SD. Public hearing was held at same time as the previous request. Muller read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion to adjourn made by Johnson, second by Culhane. Motion passed unanimously. Meeting adjourned at 8:00 pm.

Respectfully Submitted,

Becky Goens

**MAY 2025**  
**CODINGTON COUNTY/CITY OF WATERTOWN**  
**JOINT BOARD OF ADJUSTMENT STAFF REPORT**

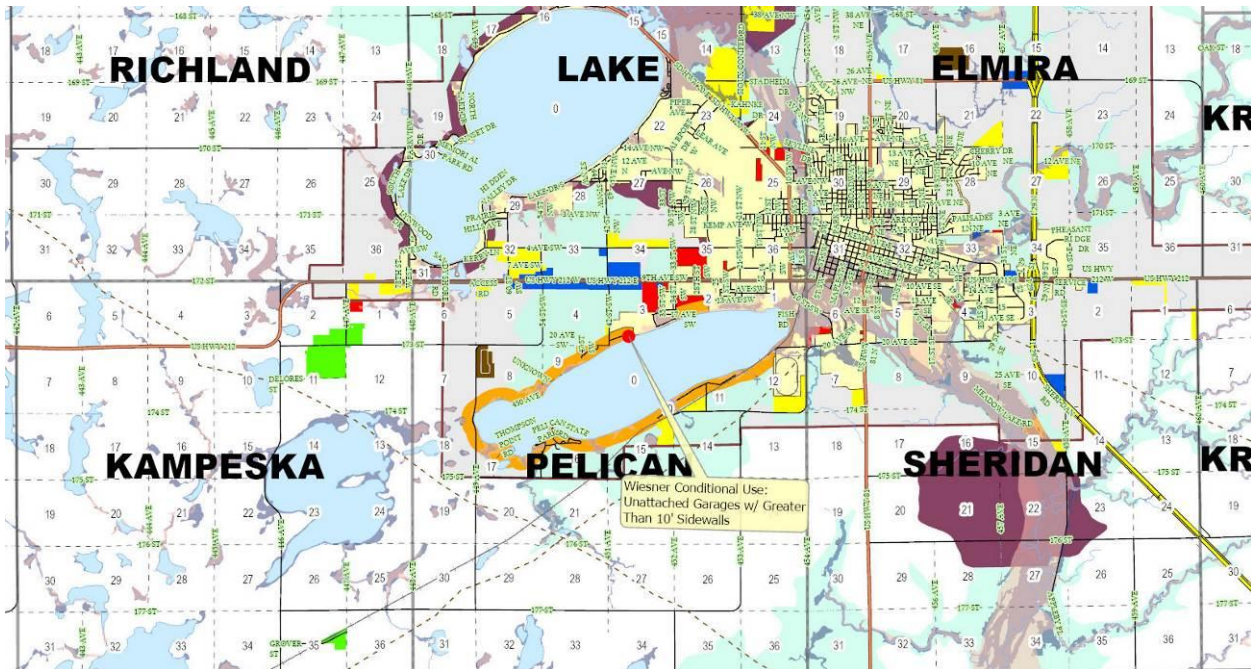
**ITEM #1 CONDITIONAL USE PERMIT**

**Applicant/Owner:** Neil Wiesner

**Property Description:** Lot J of the Plat entitled Lots I, J, K of Porter White Outlot in Government Lots 5&6 in the SW1/2, Section 3-T116N-R53W, Codington County, South Dakota. (Pelican Township).

**Lat/Long (Existing Approach):** 44.878599°; - 97.181769°

**Action Items – Conditional Use Permit – Detached Garage with sidewalls greater than 10' in height (3.07.03.5)**



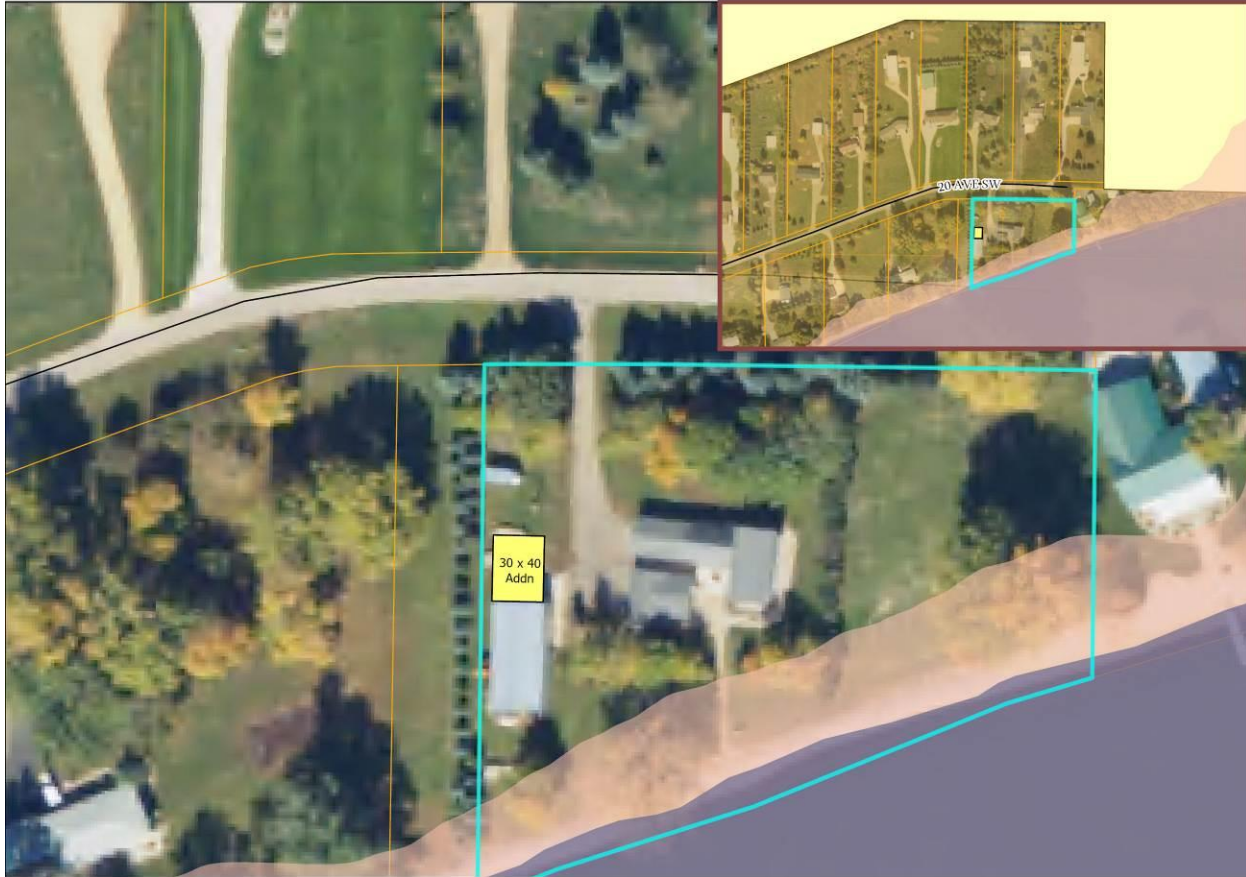
**Zoning Designation:** LP – Lake Park

**Request:** The applicant seeks to build a detached garage with greater than 16' sidewalls.

Specifics of Property/Request:

1. The applicant (Wiesner's) own and live at the above described property with slightly over two acres
2. The applicant seeks to construct a 30 x 40 addition to a detached shed with 16' sidewalls.
  - a. The detached shed will not exceed maximum size requirements.
3. The current shed meets setback requirements.
4. Trees are located between the proposed shed and the road/neighbors.
5. Property slopes downward, to a point that the grade at the proposed structure is roughly 6' lower than the edge of the road.

Wiesner Conditional Use Permit:  
Greater than 10' Sidewalls



Ordinance/Land Use Plan:

1. Both land use plans are silent with reference to garages/sheds with greater than 10' sidewalls.
2. There are no specific requirements listed in the ordinance for detached garages with greater than 10' sidewalls.
3. The applicant will not make any changes to parking, access, lighting, garbage, sanitary sewer/septic, nor provisions of utilities as a result of this application.
4. The Board granted a similar conditional use permit to the neighbor (to the west) to allow for a shed with 16' sidewalls in April 2024 (Fannin) subject to certain conditions recommended below by staff.
5. At the time of this report, staff has not heard from Pelican Township, however prior to last application a member of the Pelican Township Board contacted the zoning office to note that they have no objection to the proposal but asked that we request construction vehicles to enter the property from the west (20<sup>th</sup> Avenue SW rather than from HWY 212 on 42<sup>nd</sup> St SW.)

Staff Summary and Recommendation:

• **Conditional Use – Accessory structure with greater than 10' sidewalks:** Should the Board approve the request, approval should be subject to the applicant signing a letter of assurance agreeing to the following conditions (the conditions in italics below are carried forward from the variance above.

1. The proposed structure shall not be used for dwelling purposes.
2. A conditional use permit shall be required prior to the operation of any business in the proposed structure.
3. Maximum sidewalk height shall be limited to sixteen (16) feet.

## **ITEM #2 (2) VARIANCES:**

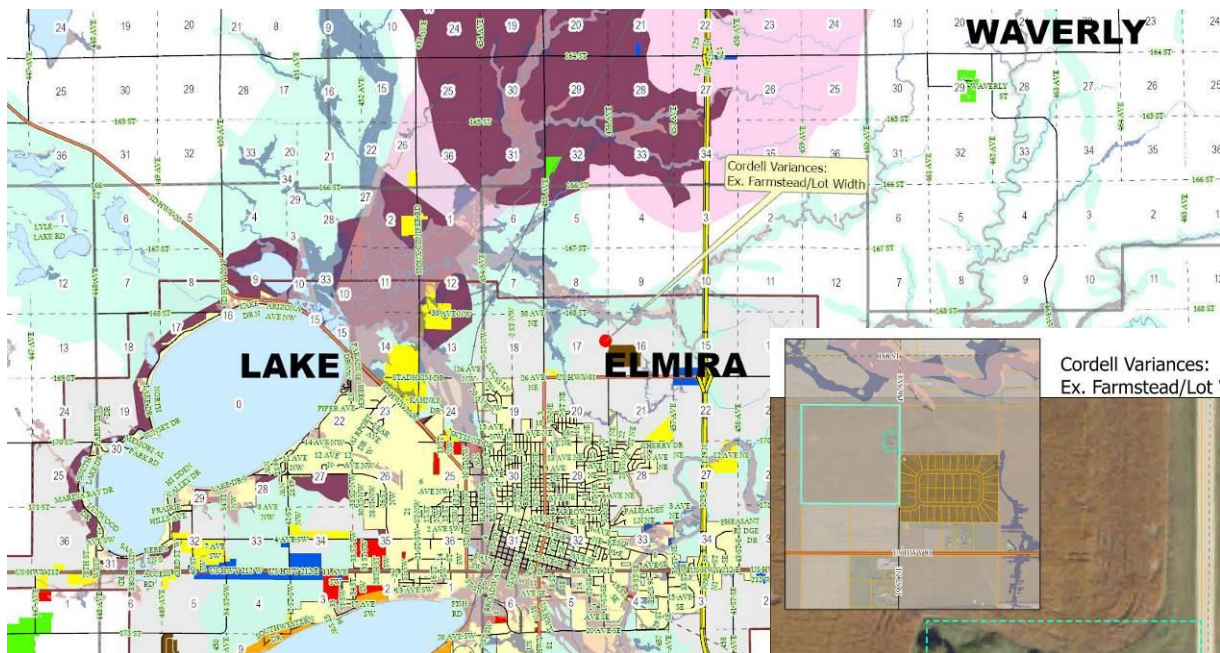
**Applicant/Owner: Stacey Dobberpuhl on behalf of Judy Cordell Estate**

**Property Description:** A 5-acre portion of the Northeast Quarter of Section 17, Township 117 North, Range 52 West of the 5th P.M., Codington County, South Dakota (Elmira Township); to be known upon platting as Cordell Brothers Addition in the Northeast Quarter of Section 17, Township 117 North, Range 52 West of the 5th P.M., Codington County, South Dakota

**Latitude/Longitude:** 44.941838° / - 97.086451°

### **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 building rights at the site of an existing farmstead.

**History/Issue(s):**

1. The Cordell's have owned this property for generations.
2. The house was built in 1928.
3. The property was used as a base for farming operations and has remained lived in since prior to October 1976.
4. The Joint 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.
5. The parcel contains an existing farmstead as defined by the Codington County Zoning Ordinance.

**Staff recommendation: (Variances)–**

**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 following conditions:

- a. that the applicant shall plat a lot of at least five (5) acres in accordance with the Codington County Subdivision Ordinance.

**ITEM #3 (2) VARIANCES:**

**Applicant/Owner: Rick and Wendy Schulz**

**Property Description:** The East Half of the Northeast Quarter of Section 17, Township 116 North, Range 52 West of the 5th P.M., Codington County, South Dakota (Sheridan Township)

**Latitude/Longitude:** 44.861932° / - 97.093393°

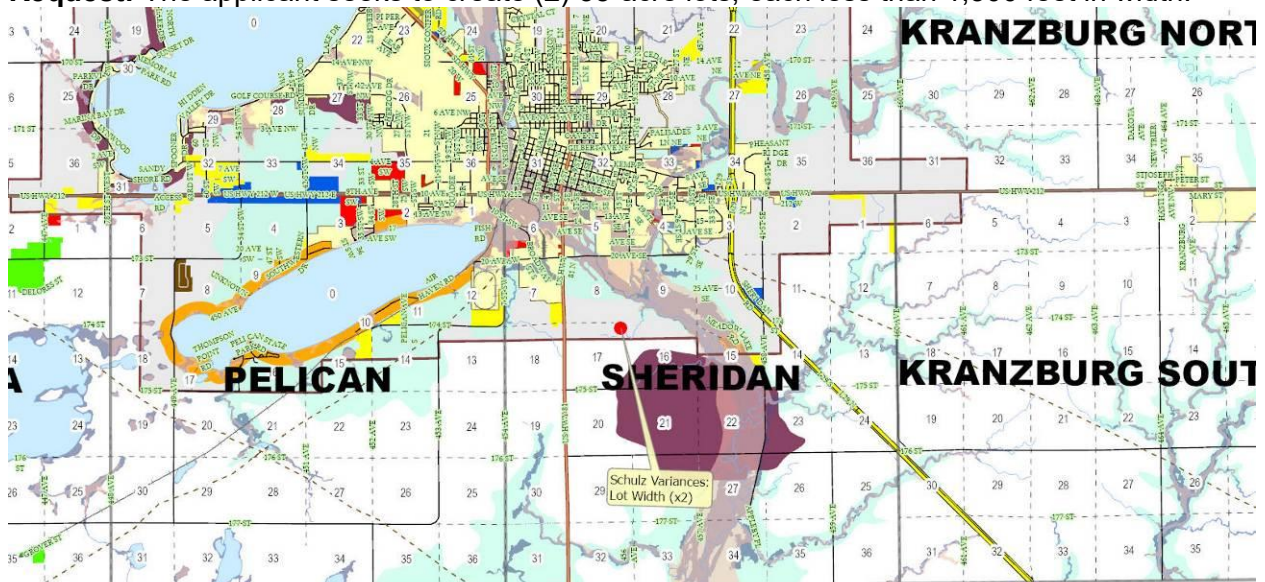
**Action Items –**

**Variances –**

- **Minimum lot width (x2) (3.04.03.2)**

**Zoning Designation:** Agricultural

**Request:** The applicant seeks to create (2) 35-acre lots, each less than 1,300 feet in width.



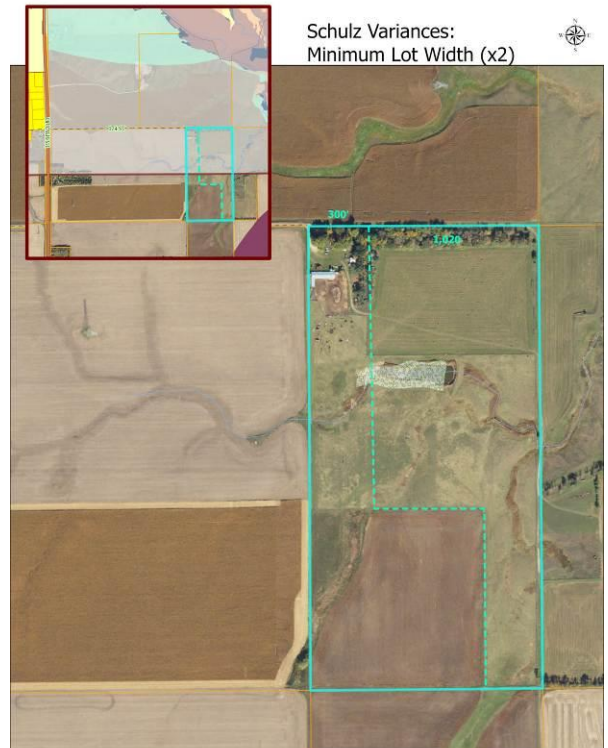
**History/Issue(s):**

**Specifics of Request:**

1. The Schulz's own the current 80-acre parcel.
2. They seek to create two lots, each with 35-acres and access to 174<sup>th</sup> Street (Sheridan Township).
3. One house is already located in the northwest corner of this "80." The intent is to build a second house roughly 500' east of the existing house to minimize any expansion of 174<sup>th</sup> Street.
  - a. 174<sup>th</sup> Street is not maintained beyond the current driveway in the northwest corner of this property. Applicant does not expect the township to change its maintenance of 174<sup>th</sup> Street if application is approved.
4. Applicant agrees to transfer building right from the SE1/4 of the NE1/4 to one of these lots.

Ordinance and Land Use Plan in reference to the variance:

1. The Zoning ordinance requires each lot to have a minimum width of 1,300 ft.
  - a. An exception in the zoning ordinance allows for the decrease of lot width for a lot that still contains at least 35 acres and consent of the road authority.
  - b. The applicant and zoning officer have contacted the Township regarding this request. As of the date of this report, the zoning office has not received communication (no objection, nor recommendation).
  - c. Historically the Board of Adjustment has granted variance to the lot width where letter "a" above is met and subject to the applicant signing a letter of assurance agreeing to assign the development rights of each quarter-quarter section to each specific lot. Thus ensuring the development density intended with the 35-acre rule is met.



2. It should be noted that it is the determination of the zoning officer that this property would qualify for an existing farmstead exemption. The applicants do not seek to create a five (or more) acre lot at this time, merely to limit the distance necessary to travel on the minimum maintenance portion of the township road for access to a 35+ acre parcel.

Staff Summary:

Though there is one question (should we allow a 70-acre parcel to be split lengthwise) it results in the need for two motions authorizing the creation of each respective lot.

Staff recommendation

**(1,000' Variance & 300' Variance) –Lot width** - If approved the Board may do so based upon:

- The Board has a history of granting similar variances with similar circumstances; and
- The proposal will not exceed the maximum number of residences allowed on the property owned by the applicant.
- The proposal will meet the intent of the comprehensive land use plan if the following conditions are met:
  - Applicants agree to plat the entire legal description into two lots; and
  - Applicants agree to record agreement guaranteeing that building right from each quarter-quarter section be assigned to each respective lot.