

County Planning Board of Adjustment Minutes

September 15, 2025

The Codington County Board of Adjustment met for their monthly meeting on September 15, 2025, at the Codington County Extension Complex. Members of the Board of Adjustment present were Brenda Hanten, Myron Johnson, Calvin Mack, Mel Ries, Rodney Klatt, Liam Culhane, and Luke Muller (Planner at First District Association of Local Governments/Codington County Zoning Officer). Absent: Mark O'Neill

Others present: Val Jaspers, Scott Voelsch, Sheila Voelsch, Susi Schuchard, Randy Schuchard, and Becky Goens.

Chair Hanten brought the meeting to order at 7:51 pm.

Motion by Klatt, second by Culhane, to postpone approval of the August 18, 2025 meeting minutes until the October meeting. Motion passed unanimously.

Randy and Susi Schuchard are present to address the board during the Open portion of the meeting. Motion by Culhane, second by Ries, to approve the agenda as published. Motion passed unanimously.

Motion by Johnson, second by Culhane, 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 Existing Farmstead Exemption request by Scott Voelsch for property in NE1/4 of NE1/4 of NW1/4, Section 27-T116N-R53W, Codington County, SD. Muller reviewed the Staff Report with regard to this Conditional Use Permit and the upcoming Variance application (attached). Public comments may include both requests. No one was present to speak on this issue. Public hearing closed. A letter from Pelican Township was submitted showing support of this request. Muller read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion by Johnson, second by Culhane, to reconvene jointly. Motion passed unanimously.

Susi Schuchard spoke during the open portion. She asked the Board to consider allowing second homes to be constructed on the same parcel. Her husband's health is failing, and her mother is aging. She is the only caretaker for both so would like the Board to consider addressing this matter at their October meeting. Per Staff, a request such as this would require an ordinance amendment. Staff was advised to provide potential options to the Board at a future meeting.

Muller updated the Board on an enforcement issue regarding a gravel pit permit issued in 2015 that expired in May, 2025. Along with the expiration of the permit, it was found there were several violations as well. Muller has had communications with the gravel pit personnel and has an appointment to review the property this week. Mining at this site has ceased.

Motion to adjourn made by Johnson, second by Culhane. Motion passed unanimously.
Meeting adjourned at 8:20 pm.

Respectfully Submitted,

Becky Goens

**SEPTEMBER 2025
CODINGTON COUNTY
PLANNING COMMISSION/BOARD OF ADJUSTMENT STAFF REPORT**

ITEM #1 CONDITIONAL USE PERMIT & VARIANCE

Applicant/Owner: Scott and Sheila Voelsch

Property Description: The Northeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 27, Township 116 North, Range 53 West of the 5th P.M., Codington County, South Dakota. (Pelican Township).

Lat/Long (Existing Approach): 44.832700°; - 97.179468°

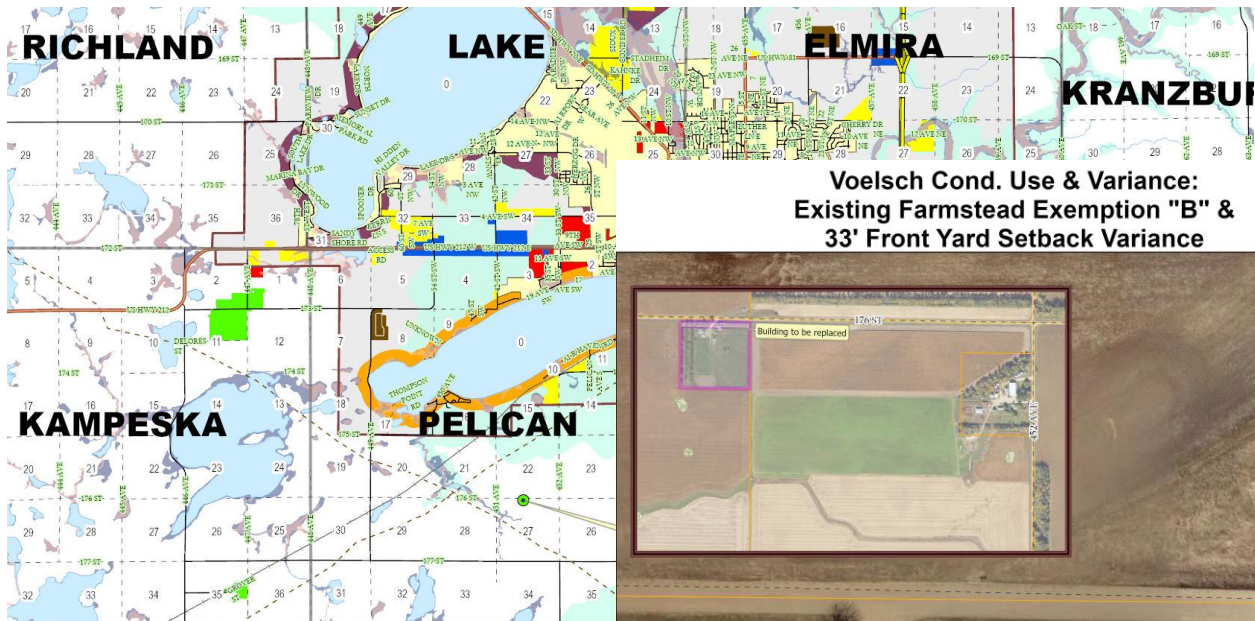
Action Items –

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

Variance – 33’ Front Yard Setback (3.04.03)

Zoning Designation: Agricultural

Request: The applicant seeks Existing Farmstead Exemption to retain building rights on a lot with less than 35-acres on the same legal description as an existing farmstead and to replace a shed destroyed by severe weather .



History/Issue(s):

1. The Voelsch's have lived on the above described property for over 18 years.
2. No construction on the property has warranted the need for building permit

since they moved in. (Changes have been non-structural.)

3. The property was a base for farming operations since prior to 1976.
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 exception to the 35 acre-minimum lot requirement if the lot is determined to be an existing farmstead.
6. The parcel contains an existing farmstead as defined by the Codington County Zoning Ordinance.
7. The property was sold separately from the farmland prior to 2004.
8. Policy has been to waive the requirement to replat existing farmsteads which were initially transferred prior to 2004.
9. The Voelsch's seek to replace a barn/shed which was destroyed by high winds that was located 32' from the 176th Street Right-of-way (Maintained by Pelican Township), with a similarly sized structure.
10. The Voelsch's provided a letter from Pelican Township noting no objection to the proposed replacement of the structure in the same location.

Ordinance/Land Use Plan: 33' Variance

1. The minimum required front yard setback is 65' from the right-of-way.
2. The Board has a history of approving variances for the replacement of structures less than 65' feet from the right-of-way where the road authority does not object to the location/replacement of the structure.
3. The variance will run the length of the property.

Staff Summary and 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.

Variance – 33' Front Yard Variance (build 32' South of 176th Street Right-of-way): The Board has the option to approve, deny, or postpone the request to replace an existing shed with a larger shed, in the same location as an existing shed. *Approval would be based upon:*

- The request is to replace an existing ag structure destroyed by natural causes.
- Pelican Township (Road Authority) does not object to the request.
- The unique size of the lot and configuration of structures on the lot which pre-date the ordinance.
- The Board would only consider approving other similar requests meeting the unique circumstances.