

## County Planning Board of Adjustment Minutes

November 17, 2025

The Codington County Board of Adjustment met for their monthly meeting on November 17, 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, Mark O'Neill, and Luke Muller (Planner at First District Association of Local Governments/Codington County Zoning Officer). Absent: Liam Culhane.

Others present: Amanda Pike, Patricia Pike, Mark Pike, Barry Brummund, Nancy Brummund, and Becky Goens.

Chair Hanten brought the meeting to order at 9:04 am.

Motion by Johnson, second by Mack, to approve the October 20, 2025 meeting minutes. Motion passed unanimously.

Motion by Klatt, second by Ries, to approve the agenda as published. 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.

Motion by Klatt, second by Ries, to approve the Conditional Use Permit request by Nila and Douglas Davis. They are requesting to retain building rights at the site of an existing farmstead on property located in SW1/4 less road, Section 33-T116N-R55W, Codington County, SD. To be known upon platting as Davis Addition in SW1/4, Section 33-T116N-R55W, Codington County, SD. Muller read the Staff Report (attached). Staff read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion by Johnson, second by Ries, to approve the Conditional Use Permit request by Nancy Brummund on property described as: 1) the NW1/4, less N560' of S1020' of W440' thereof, and less Lot H1 and Lot H2, Section 30-T117N-R51W; and 2) the S1020' of W440' thereof, less Lot H2, all in Section 30-T117N-R51W, Codington County, SD. Ms. Brummund is requesting to retain building rights at the site of an existing farmstead. Muller read the Staff Report (attached). Staff read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion by Johnson, Second by Ries, to approve the Conditional Use Permit request by Amanda and Casey Pike on property owned by Mark and Patricia Pike. Property is located in Riley Addition, Section 22-T117N-R55W, Codington County, SD. The Pike's are requesting to temporarily place a manufactured home at the site of an existing farmstead. If approved, the applicant/owner would be required to sign a Letter of Assurance agreeing to the following condition:

- The resident(s) of the second home are to be affiliated with the operation of the farm or

relatives of the farm owner. If it is found that the residents are not affiliated with the farm or relatives of the farm owner, the second home is to be removed within six months.

Muller read the Staff Report (attached). Muller read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion by O'Neill, second by Ries, to recommend approval to the Board of County Commissioners the Plat of Nancy and Barry Addition located in the NW1/4, Section 30-T117N-R51W, Codington County, SD. Motion passed unanimously.

Motion by O'Neill, second by Ries, to recommend approval to the Board of County Commissioners the Plat of Lot 1 and Lot 2 of Gebhart First Addition located in the NE1/4 and NW1/4 of Section 24-T117N-R53W, Codington County, SD. Motion passed unanimously.

Motion to adjourn made by Johnson, second by O'Neill. Motion passed unanimously. Meeting adjourned at 10:00 am.

Respectfully Submitted,

Becky Goens

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

**CODINGTON COUNTY BOARD OF ADJUSTMENT**

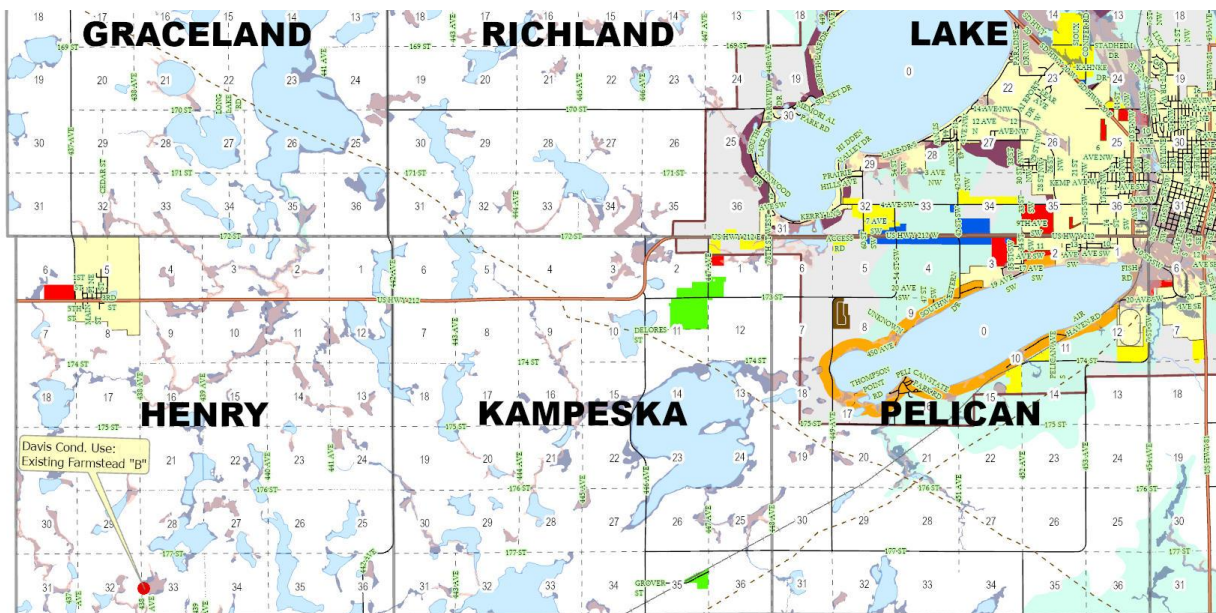
**ITEM #1 CONDITIONAL USE PERMIT**

**Applicant/Owner:** Joy Nelson on behalf of Nila and Douglas Davis

**Property Description:** A portion of the Southwest Quarter, less road, Section 33, Township 116 North, Range 55 West of the 5th Prime Meridian, Codington County, South Dakota. (Henry Township).

**Lat/Long (Proposed home):** 44.810666°; - 97.450846°

**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 Davis' propose to sell the proposed ~27 acre parcel.
2. A home on this lot was utilized as a base of farming activities by the owner/operators prior to October 26, 1976.
3. The home on site (now removed) was last occupied approximately 5 years ago.
4. 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.

**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.

Davis Conditional Use Permit  
Existing Farmstead Exemption "B"



## **ITEM #2 CONDITIONAL USE PERMIT**

**Applicant/Owners:** Nancy and Barry Brummund

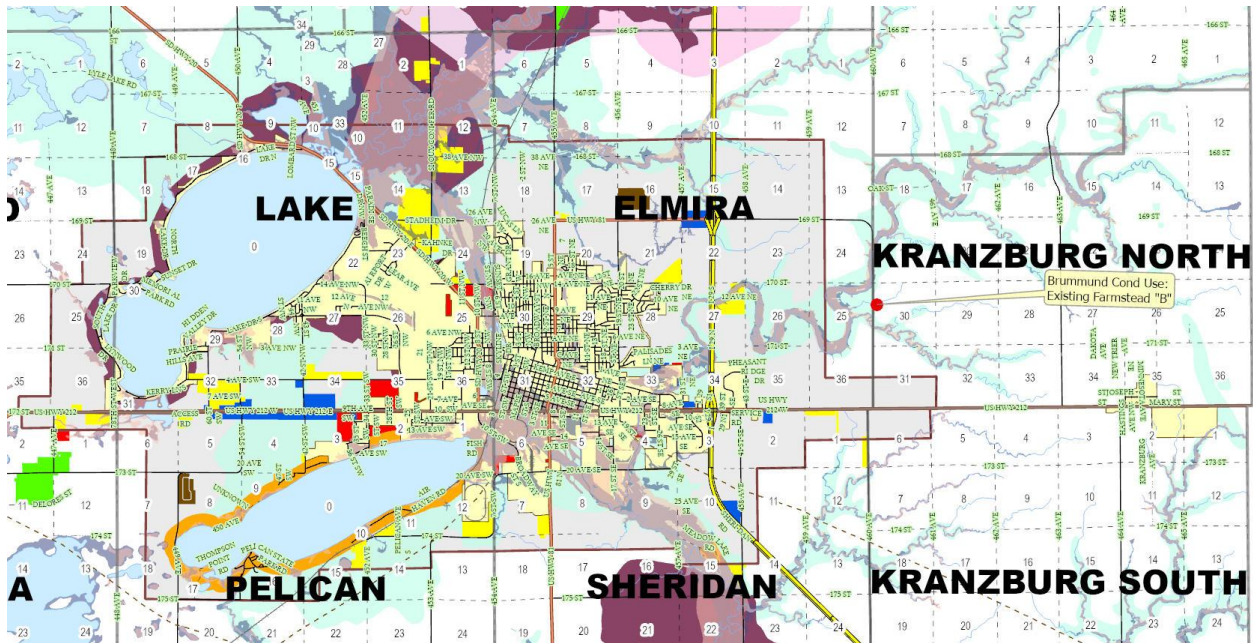
**Property Description:** Property is a minimum five (5) acre portion located in property described as:

- The Northwest Quarter, less the North 560 Feet of the South 1,020 Feet of the West 440 Feet thereof, and less Lot H1 & Lot H2, in Section 30-T117N-R51W, Codington County, South Dakota (Kranzburg (N) Township); and
- The South 1,020 Feet of the West 440 Feet thereof, Less Lot H2, of Section 30-T117N-R51W, Codington County, South Dakota (Kranzburg (N) Township).



Lat/Long (Existing Approach): 44.913614°; - 97.004190°

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



**Zoning Designation:** Agricultural

**Request:** The applicant seeks to retain up to 3 building rights at the site of an Existing Farmstead.

**History/Issue(s):**

1. The southwest quarter of the northwest quarter contains two houses.
  - a. Existing farmstead exemption was granted to the Brummund's prior to constructing the second house in the southwest quarter of the northwest quarter.
2. The Brummund's seek to construct a residential addition on an existing shop in the same quarter-quarter as the other two houses.
  - a. The third residence would be on a 35-acre platted lot (Lot 1, Nancy and Barry Addition)
  - b. The third residence would use the building right for the northwest quarter of the northwest quarter since most of the lot is located in that quarter-quarter.
  - c. It should be noted that the Brummund's intend to construct living space with a poured, permanent foundation. Therefore the residence will not be considered a "Shop-style house." Therefore the type of residence is not a consideration of this request.
3. Lot 2 will retain the (minimum 5-acre) building right from the existing farmstead exemption, granted in 2008.
4. The existing farmstead in the southwest corner of the northwest quarter will retain the building right for the southwest quarter of the northwest quarter.

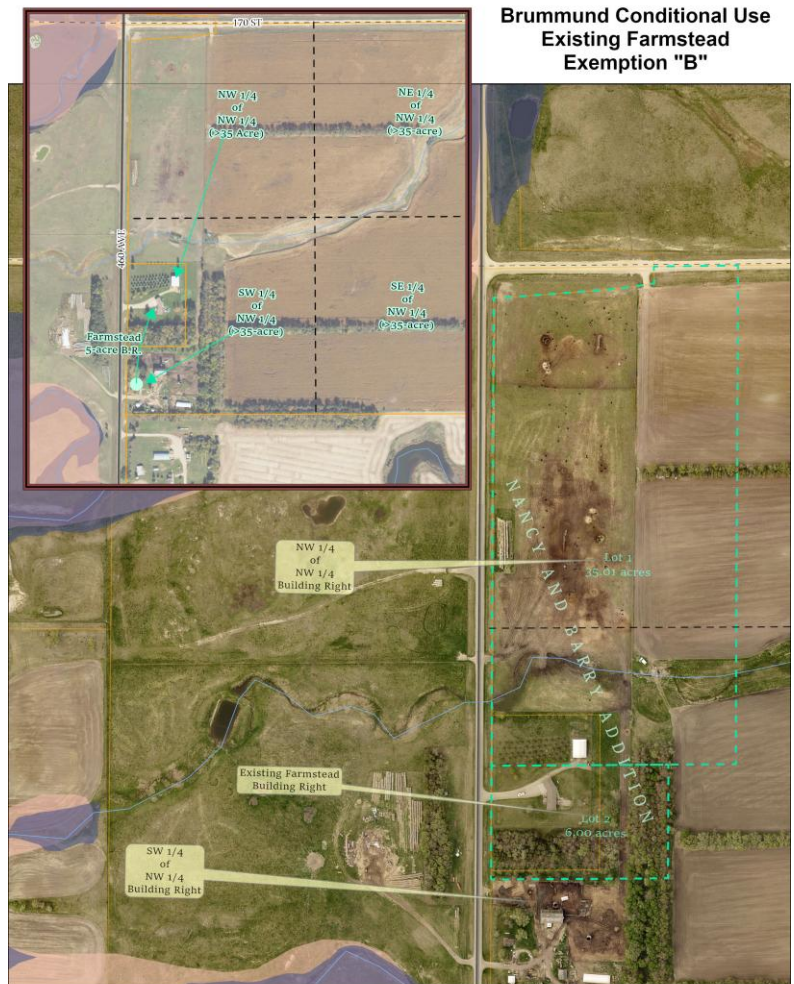
5. Codington County's Zoning Ordinance does allow for variance from the 35 acre-minimum lot requirement if the lot is determined to be an existing farmstead which contains at least five acres and thereby affording building rights.

6. The farmstead exemption specifies that the (less than five acre) "new" lot cannot result in more than two (2) residences in the same quarter-quarter section. The Board has authorized addition residences where a "building right" can be transferred from a contiguously owned (and within the same section) property.

7. Staff Summary: This request effectively is to amend the original farmstead exemption granted in 2008 by allowing a 3<sup>rd</sup> building right from the Northwest Quarter (which is also owned by Nancy Brummond) to be utilized in the same quarter-quarter as the existing farmstead. The Board has granted similar actions where the applicant owned sufficient property to transfer a building right from contiguous property. (Ries (2012) Fleming (2023), Voelsch (2024), Meseberg (2024))

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 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. Applicant plat the property in accordance with the plan presented in this application.
- b. Documentation is recorded indicating that the "Residential Building Right" associated with the Northwest Quarter of the Northwest Quarter is granted to "Lot 1."



### **ITEM #3 CONDITIONAL USE PERMIT**

**Applicant: Amanda and Casey Pike**

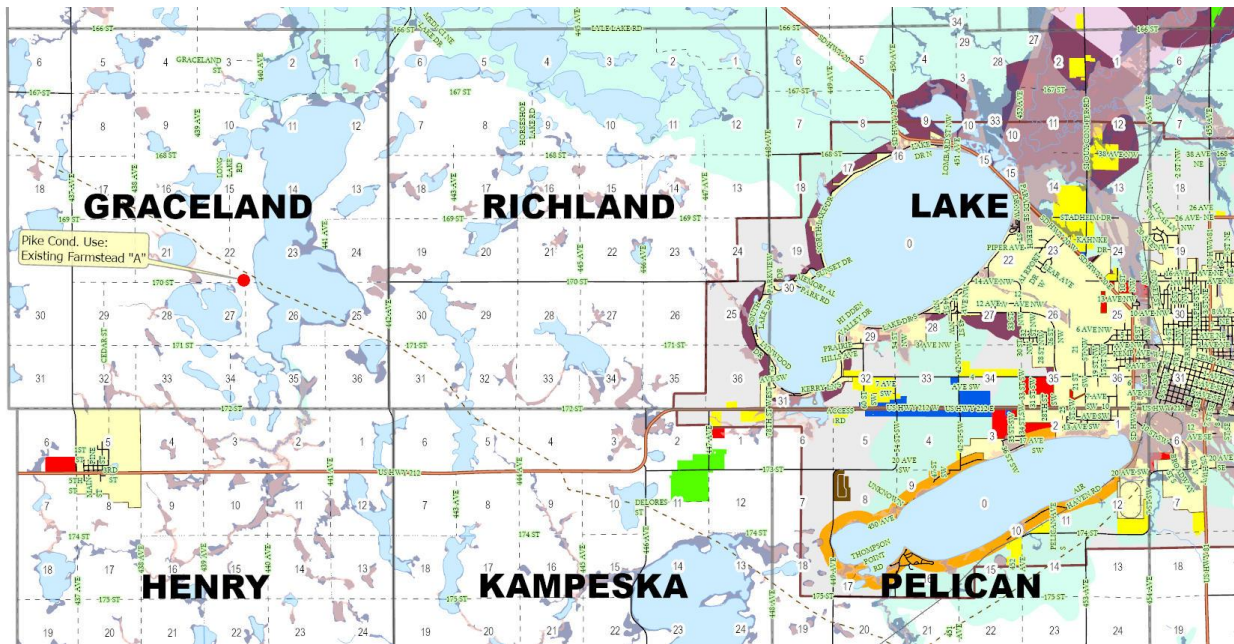
**Owner: Mark and Patricia Pike**

**Property Description:** Riley Addition in Section 22, Township 117 North, Range 55 West of the 5th Prime Meridian, Codington County, South Dakota. (Graceland Township).

**Lat/Long:** -97.418402°, 44.920127°

**Action Items – Conditional Use Permit – Existing Farmstead Exemption "A"**





### Zoning Designation: Agricultural

**Request:** The applicant seeks to allow a Type B Manufactured Home on the same lot as parents located on an existing farmstead.

### History/Issue(s):

1. Mark and Patricia live at the above described property ~22 acre lot.
2. Mark operates an Ag-oriented repair business (Granted Special Permitted Use in 2024.)
3. Mark and Patricia submitted a Schedule F (tax document) demonstrating some agricultural income with their application. (Not primary source of income.)
4. This legal description is considered a nonconforming lot of record, and was used as a base of farming operations prior to 1976.
5. The applicant intends to place a skirted double-wide (Type B) manufactured home on the same lot as his parents.
6. Codrington County Zoning Ordinance allows not more than one dwelling per  $\frac{1}{4}$   $\frac{1}{4}$  section; however exception may be made where a permit for an additional single-family farm dwelling is requested on an existing farmstead, provided:
  - a. The dwelling is located on the same legal description as the existing farmstead.
  - b. The maximum number of dwelling units within the existing farmstead will not exceed two (2).
  - c. The dwelling is occupied by employees or relatives of the farm owner.
  - d. The additional single-family farm dwelling shall be removed in the event the structure becomes a non-farm dwelling.
7. Please note this property consists of 20 acres but **there is no stipulation** specifying this form of farmstead exemption is required to be on a property of at least 35 acres
8. Staff Recommendation –**Conditional Use Permit – Existing Farmstead Exemption A:** The board may table the request, deny the request, or approve request because the Zoning Officer after review of records and site-visit has determined that this parcel was used as an existing farmstead/residential site prior to October 26, 1976 and the applicant meets the conditions of 3.04.02.43 (existing farmstead exemption); conditional upon the applicant signing a letter of assurance with the following conditions:

- The resident(s) of the second home are to be affiliated with the operation of the farm or relatives of the farm owner. If it is found that the residents are not affiliated with the farm or relatives of the farm owner the second home is to be removed within six months.

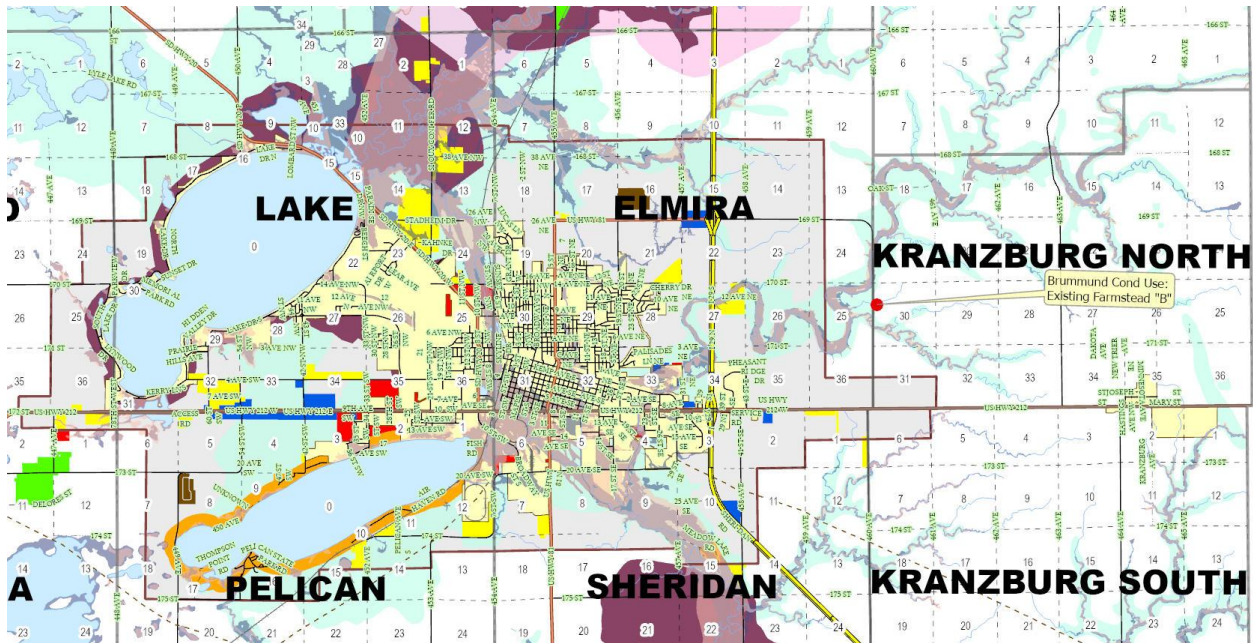
Pike Conditional Use Permit  
Existing Farmstead Exemption "A"





## CODINGTON COUNTY PLANNING COMMISSION

### ITEM #1 PLAT



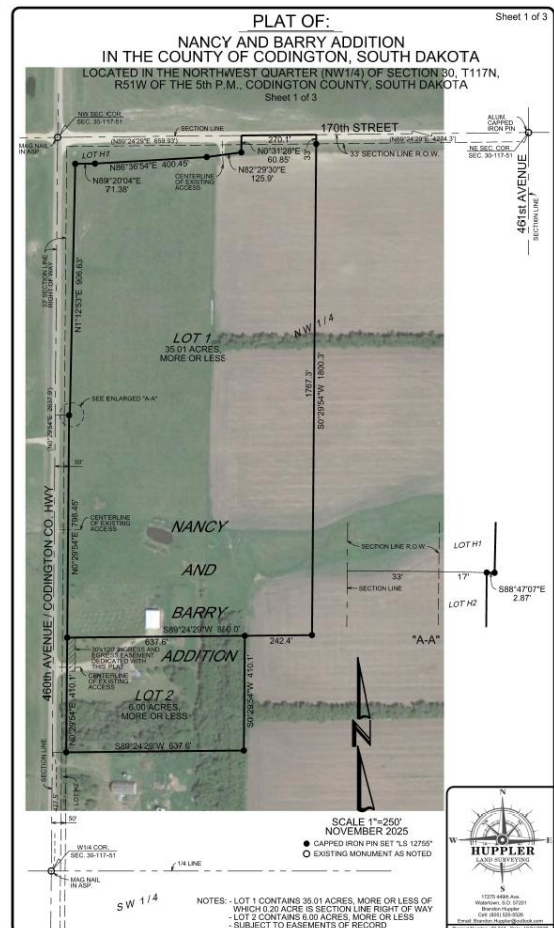
**Applicant/Owner: Nancy and Barry Brummund**

**Property Description:** Nancy and Barry Addition  
Located in the Northwest Quarter Section 30,  
Township 117 North, Range 51 West of the 5th  
P.M., Codington County, South Dakota (Kranzburg  
(N) Township)

**Action Items – Plat approval.**

**Zoning Designation: Industrial District**

**Request:** Plat 2 lots. One 6-acre lot to retain the  
farmstead exemption; and one 35-acre lot which will  
retain the building right for the NW1/4 of the NW1/4.  
Approval is conditioned upon Letter of Assurance  
being signed transferring the building right for  
NW1/4 of NW1/4 to Lot 1.



## ITEM #2 PLAT

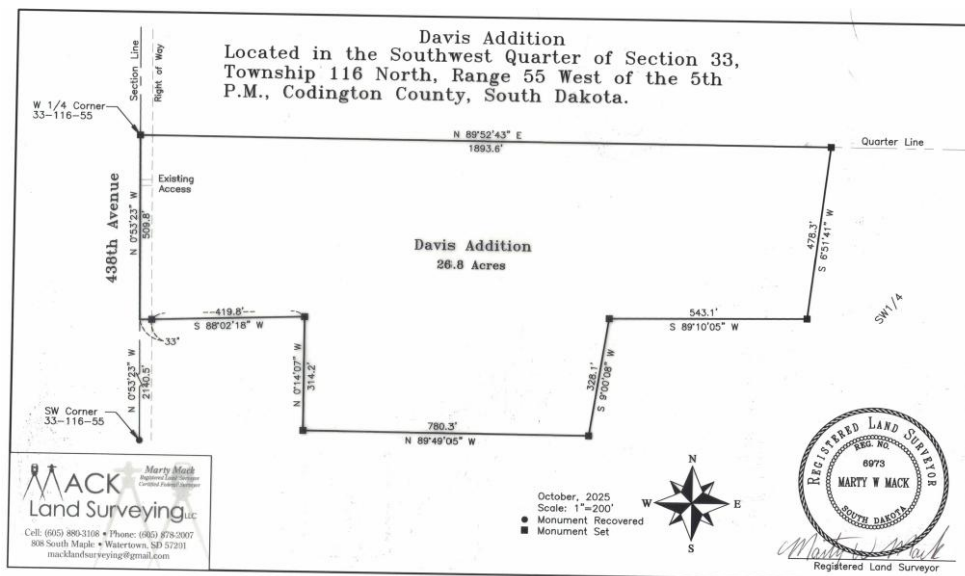
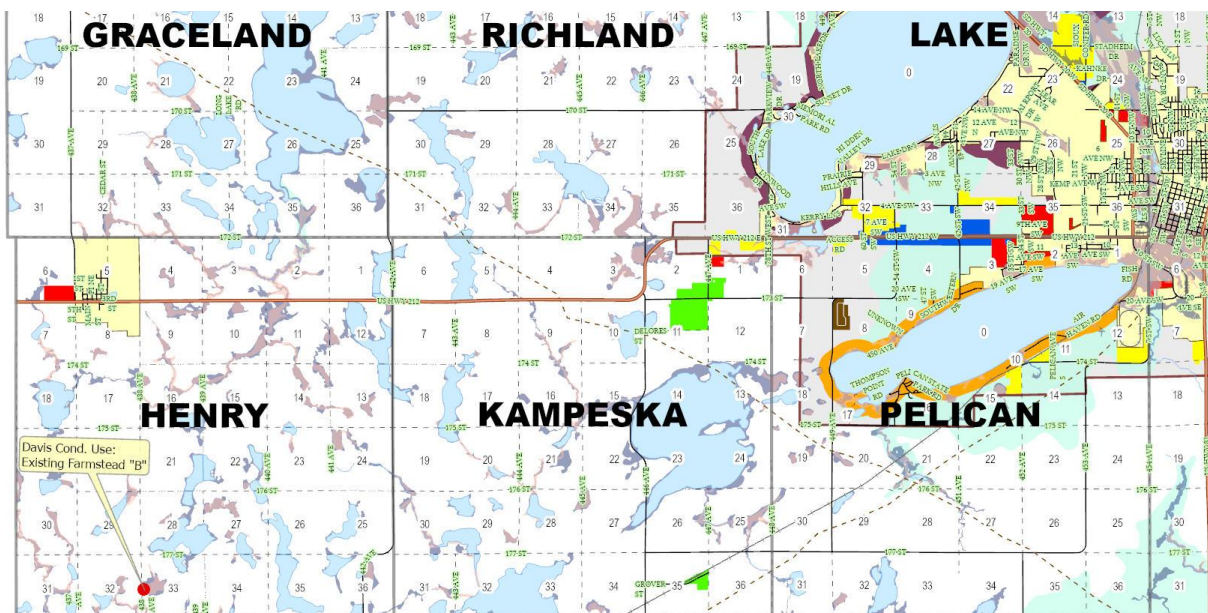
**Applicant/Owner:** Doug and Nila Davis

**Property Description:** Plat of Davis Addition in the Northwest Quarter of Section 33, Township 116, Range 55 West of the 5<sup>th</sup> Prime Meridian, Codington County, South Dakota (Henry Township)

**Action Items – Plat approval.**

**Zoning Designation:** Ag District

**Request:** Plat a 26.8 acre lot at site of existing farmstead.

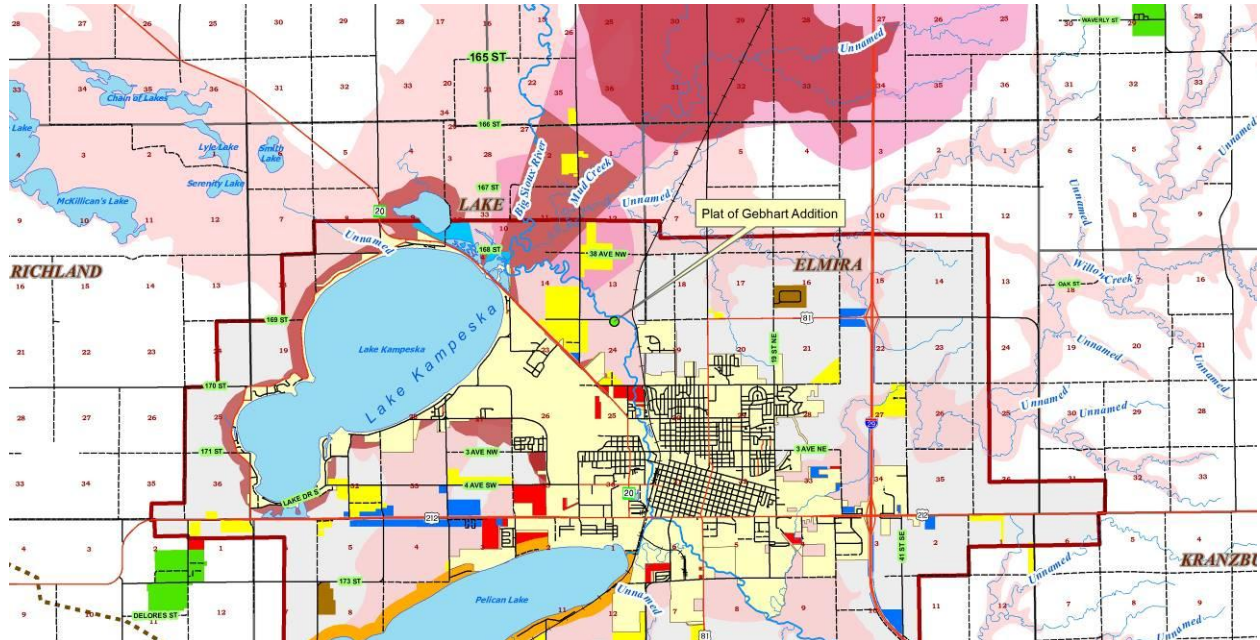




**ITEM #3 PLAT**

**Applicant/Owner: JOHN D & BETTY MARLENE GEBHART LIVING TRUST**

**Property Description:** Plat of Lot 1 and Lot 2 of Gebhart First Addition Located in the Northeast Quarter and the Northwest Quarter of Section 24, Township 117 North, Range 53 West of the 5th P.M, Codington County, South Dakota (Lake Township).



### Action Items – Plat approval.

**Zoning Designation:** Agricultural

**Request:** Plat a minimum 5 acre-lot in accordance with the order of the Board of Adjustment. Existing Farmstead Exemption was granted to the is property last December. The plat does bisect a building. No future building permits may be issued for the replacement or addition onto that building.





**PLOT OF  
LOT 1 AND LOT 2 OF GEBHART FIRST ADDITION LOCATED IN THE NORTHEAST QUARTER AND THE  
NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 117 NORTH, RANGE 53 WEST OF THE 5TH P.M.,  
IN THE COUNTY OF CODINGTON, SOUTH DAKOTA.**

November 6, 2025  
Scale: 1"=200'

○ Calculated Corner  
■ ½"x18" Rebar w/ Plastic Cap  
Stamped #11310 Set

NOTE: Bearings are based on UTM Zone 14 North Coordinate System.  
Ground distances shown.

CENTERLINE OF 20' WIDE IMPRESS AND EGRESS EASEMENT GRANTED BY THIS PLAT FOR THE BENEFIT OF THE LOTS INCLUDED HEREIN. SAID EASEMENT IS INTENDED TO FOLLOW THE CENTERLINE OF THE EXISTING GRAVEL DRIVEWAY.

(NE)BAR N. QUARTER CORNER

QUARTER LINE S1/4

NEL CENTER OF SECTION

SECTION LINE RIGHT-OF-WAY (TYP.)

SECTION LINE

GULCH ROAD RAILROAD

RAILROAD

WILLIAMS DRIVE

LOT 1  
5.11± ACRES

LOT 2  
35.02± ACRES

17.0' WIDE ARTERIAL ROAD EASEMENT - ADJACENT AND CONTIGUOUS TO THE SECTION LINE FLOW. SAID EASEMENT SHALL BE DEDEDICATED TO THE CITY OF WATERLOO, SD FOR USE AS PUBLIC ROAD RIGHT OF WAY SPUR AVENUE. NO STRUCTURAL IMPROVEMENTS SHALL BE PERMITTED WITHIN SAID EASEMENT.

ENDORSEMENT EASEMENT AROUND EXISTING 24'X24' SHED ON PROPERTY LINE. RESPONSIBILITY FOR REMAINS OF STRUCTURE SHALL BE SHOWN BY THE OWNERS OF RECORD OF LOTS 1 AND 2 OF THIS PLAT. SAID STRUCTURE MAY NOT BE REPLACED IN ITS CURRENT LOCATION.

100.0' WIDE ARTERIAL ROAD EASEMENT CENTERED ALONG QUARTER LINE TO BE ABANDONED BY THIS PLAT.

86.0' WIDE IMPRESS AND EGRESS EASEMENT GRANTED BY THIS PLAT FOR THE BENEFIT OF THE REMAINING PORTION OF THE NEL LYING WEST OF THE RAILROAD RIGHT OF WAY FOR THE GREAT NORTHERN RAILWAY COMPANY.

NOTE: Portions of this plot are located within the FEMA designated Special Flood Hazard Area (SFHA). Map and Panel Number 46029C0317D effective January 16, 2009.

Prepared By  
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