

Codington County/City of Watertown
Joint Planning Commission/Joint Board of Adjustment Minutes
September 15, 2025

The Codington County/City of Watertown Joint Planning Commission/Board of Adjustment met on September 15, 2025, at the Codington County Extension Complex. Members of the Joint Planning Commission/Board of Adjustment participating were Brenda Hanten, Myron Johnson, Liam Culhane, and Luke Muller (Planner at First District Association of Local Governments/ Codington County Zoning Officer). Planning board member Rodney Klatt resided on the board in place of absent members Blake Dahle and Mark O'Neill.

Others present: Val Jaspers, Jim Butler, Val Butler, Scott Voelsch, Sheila Voelsch, Susi Schuchard, Randy Schuchard, Rodney Klatt, Mel Ries, and Becky Goens.

Chair Hanten brought the meeting of the Joint Board of Adjustment to order at 7:35 pm.

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

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

Motion by Johnson, second by Culhane, to approve a 25' front yard setback variance for James Butler in Lots 10-13 Green Acres Addition, Section 23-T117N-R53W, Codington County, SD. Muller read the Staff Report (attached). If approved, applicant shall provide a survey indicating the proposed structure will be located 25' or more south of the platted right-of-way on the north boundary of the property. No one was present to speak. Public hearing closed. 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 7:50 pm.

Respectfully Submitted,

Becky Goens

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

ITEM #1 VARIANCE

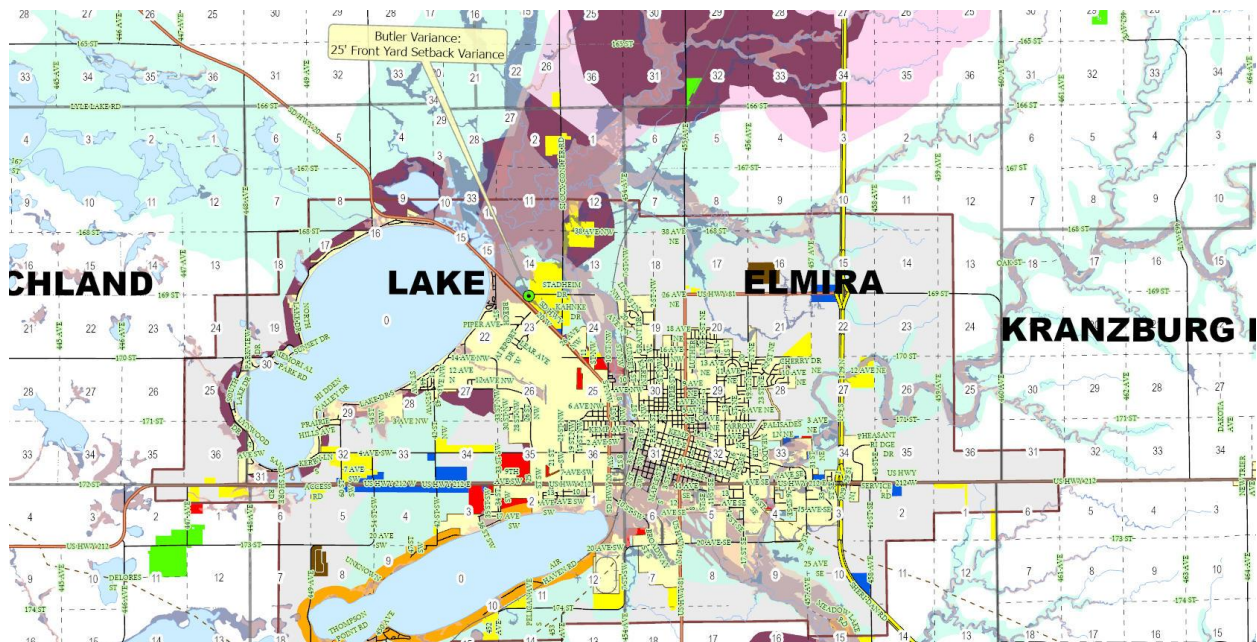
Applicant/Owner: Valerie and James Butler

Property Description: Lots 12 & 13 of Green Acres Addition in the Northwest Quarter of Section 23, Township 117 North, Range 53 West of the 5th Prime Meridian, Codington County, South Dakota. (Lake Township).

Lat/Long (Existing Approach): 44.933911°; - 97.157121°

Action Items –

Variance – 25' Front Yard Setback Variance (3.14.04.2)



Zoning Designation: RR – Rural Residential

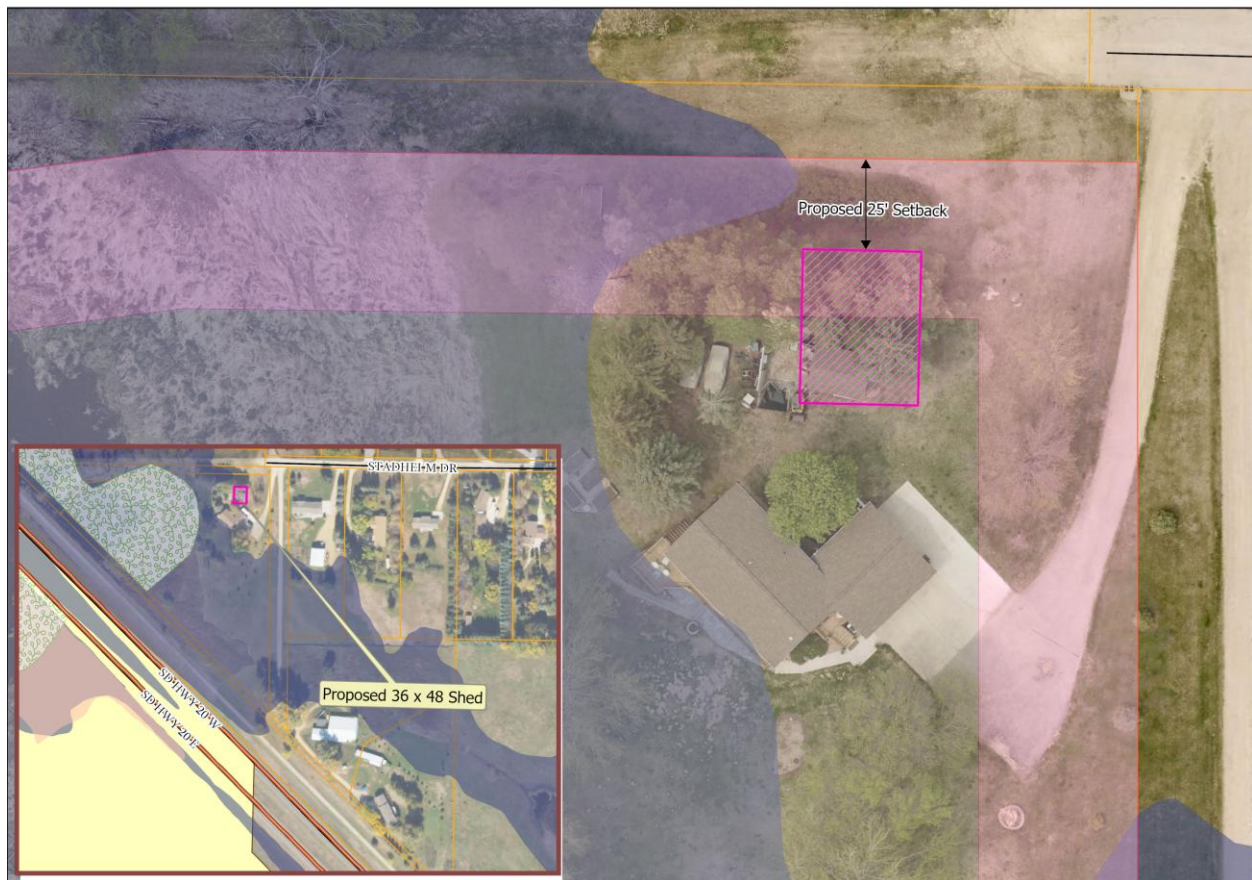
Request: The applicant requests to construct a shed 25' from an unmaintained, platted right-of-way.

Specifics of Property/Request:

1. The applicants (Butler's) own live at the above described ~5.4 acre property.
2. They intend to construct a 48' x 36' shed south of a row of lilacs on the property; which would replace a smaller shed previously on the property in that location.
3. The north boundary of the lot includes a platted (unmaintained) right-of-way:
 - a. The right-of-way continues from Stadheim Drive which overlaps the section line right-of-way up to this point.

- b. The right-of-way curves on the west/southwest end of this lot to allow for a “square” intersection with the railroad (no longer there) and Highway 20.
- c. [Practical standpoint] This right-of-way dead ends into a perennial wetland.
- 4. Butler’s propose to utilize the same access location for the shed. Doors would face the east, instead of the unimproved right-of-way.
- 5. None of the property is considered to be in the 100 year floodplain according to the effective floodplain maps; however, according to preliminary maps provided by FEMA (recommended to be used as “best available data” for decision making purposes where more restrictive) much of the property (in navy below) is within the 100-year floodplain.
- 6. Approximately 93.1% of the Butlers’ lot is covered by setbacks, wetlands, or preliminary floodplain, leaving approximately 16,200 square feet of the lot buildable.

Butler Variance
25' Front Yard Setback Variance



Ordinance/Land Use Plan: 25' Variance

1. The City of Watertown Comprehensive Land Use Plan shows Stadheim Drive as a "Major Collector" in its Major Street Plan, connecting with Highway 20 in the location of the perennial pothole on the west end of the property.
 - a. Access would be limited/prohibited on a Major Collector for a single residential lot.
2. Though connection of Stadheim Drive to SD HWY 20 is unlikely in the near future, it is not recommended to vacate that right-of-way should future conditions warrant connection.
3. The widest setback in any Residential District in the City of Watertown (presently) is 25' from a right-of-way.
4. The Zoning Ordinance requires a minimum front yard setback of 50' feet on lots such as this (right-of-way not maintained by the township).
5. The Joint Board has never had front yard setback variance request on an unmaintained right-of-way in the Rural Residential District.
6. The Joint Board recently granted a setback variance to allow reconstruction of a structure located less than the required setback from an unmaintained, platted right-of-way in the Lake Park District (Kjenstad) due to configuration of the lot, current structures, unlikelihood of vacation of right-of-way, and coverage of lot by setbacks and floodplain.
7. The Joint Board has a history of granting variance where greater than 65% of the lot is covered by setbacks and or natural features such as wetlands or floodplain. No such requests have been made in the Rural Residential District.
8. The County Board has a history of granting variance to setbacks on unimproved section lines where it is unlikely that such roads would be vacated, but maintenance is not expected to change on said right-of-way.

Staff Summary:

The platted right-of-way on the north edge of the property is indicated as over 66' wide in this location (not all on the Butler's side) and replaces the section line right-of-way established by statute with no defined entity to maintain it in this stretch. This is a truly unique request under the circumstances. Given the land use plan (for the city) anticipates connection to HWY 20 via this road, it should be assumed the road will eventually be constructed so the city's residential setbacks should be reserved from the existing right-of-way. Since the location of the right-of-way is assumed at this point, staff will be recommending a survey be completed prior to building permit issuance to ensure that the structure is greater than 25' south of the platted right-of-way.

Staff Recommendation:

Variance – 25' Front Yard Setback Variance to Stadheim Drive (Platted) right-of-way: The Board has the option to approve, deny, or postpone the request to replace an existing shed with a larger shed, one foot closer to the side property line. *Approval would be based upon:*

1. The unique size and shape of the lot.
2. The ordinance and topography creates a unique hardship on this property in that it renders over 93% of the lot unbuildable without the variance(s).
3. The Board has a history of granting variances to lots with a similar percentage of the lot covered by required setbacks and/or floodplain in other districts.
4. The Board would only consider approving other similar requests meeting the unique circumstances.
5. It is impractical to vacate Stadheim Drive in this location due to the planned connection with SD HWY 20 in the City of Watertown Major Street Plan, however no plans are in place for said connection in the foreseeable future.

6. In order to comply with the intent of the Rural Residential District and the Comprehensive Land Use Plan the following conditions shall be agreed to by the property owner:
 - The applicant shall provide a survey indicating that the proposed structure will be located twenty-five (25) or more feet south of the platted right-of-way on the north boundary of the property.