



GRANT COUNTY SOUTH DAKOTA
PLANNING AND ZONING OFFICE

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Minutes for the meeting of Grant County Planning and Zoning/Board of Adjustment.

Members present: Tom Adler Tom Pillatzki Nancy Johnson Richard Hansen Bob Spartz Mark Leddy Mike Mach

Alternates present: Don Weber Jeff McCulloch

Members absent:

Others present: Doug Stengel Luke Muller of First District Todd Kays of First District Jim Devaal Bill Street

Agenda for the meeting of Grant County Planning and Zoning/Board of Adjustment.

Meeting Date: **February 12, 2018** **Meeting Time: 4:00 P.M.** **Court House Basement**

1. Call Meeting of the Board of Adjustment to Order by Johnson at 4:05 P.M.

Johnson introduced Todd Kays and Luke Muller with the First District Association of Local Governments. Kays and Muller will be assisting the Board with parliamentary issues and Staff review.

2. Items to be added under matters for Board Discussion by the Board or Staff

Kays informed the Board for the need to amend the agenda to place Stengel Seeds and Grain conditional action item before the variance request.

3. Invitation for citizens to schedule time on the Board of Adjustment Agenda for an item not listed. (5 minutes maximum time under Agenda Item #12)

Johnson invited citizens to schedule time on the Board of Adjustment agenda to address the Board. No one from the public requested to schedule time.

4. Approval of Agenda Motion by Hansen, second by Leddy to approve Agenda as amended, motion approved unanimously.

5. Resolution adopting By-laws of Grant County Board of Adjustment

Muller summarized the Board of Adjustment By-Laws, reading through the main sections of the document, specifically upon the Standard Findings of Fact for all conditional use permits and variance requests. Motion by Pillatzki, second by Mach to adopt By-Laws as read. Motion carried unanimously.

6. Disclosure of Conflicts/Ex Parte Communication

Muller and Kays discussed ex parte communication and disclosures of conflicts of interest. Ex parte communication includes a discussion a board member would have based on an agenda item that only they would have due to their standing on the board. Conflict of interest covers any sort of benefit a board member or board member's family directly benefits from the approval of an agenda item. Board members were asked if there were any ex parte contacts or conflicts of interest associated with any Board Agenda Item. No Board members expressed a conflict of ex parte communication.

7. Stengel Seed and Grain - Conditional use permit and variance requests on the following legally described property: SW1/4, Section 25-T121N-R48W of the 5th P.M., Grant County, South Dakota. The applicant requests a conditional use permit which would allow for the seed and grain business to operate as an extended home occupation and/or agribusiness in the event the existing homes were separated from the business. The applicant further requested a variance which would allow for the construction of an addition to an existing building associated with their business which would encroach the required front yard setback. Motion by Mach, Second by Spartz to approve the conditional use permit as requested. Kays reviewed the staff report (attached).

Doug Stengel, representing Stengel Seeds and Grain, addressed the Board regarding the need for a conditional use permit and variance.

Johnson opened the public hearing for both the conditional use permit(s) and variance request. There were no comments from the public. Johnson closed the public hearing.

After Board discussion motion by Hansen, Seconded by Pillatzki to amend main motion to allow for up to 14 non-family employees. After Board discussion, all members voted. Motion to amend carried unanimously. Motion by Mach, Seconded by Pillatzki to amend main motion to allow for three 32 square foot signs on 147th Street and one 32 square foot sign to be located adjacent to SD Hwy 15 and up to 80 cumulative square feet of wall signage. Signs may be allowed closer than the required setback but shall not cause a vision obstruction regarding ingress and egress onto the property. Allow for up to 14 non-family employees. Muller read the findings of fact for the conditional use permit(s) request. After Board discussion, all members voted. Motion to amend carried unanimously. All members voted on Original motion to approve as amended. Motion carried unanimously. Motion by Leddy, second by Adler to approve variance request allowing a single structure to be constructed 47' from 147th Street right-of-way. Muller read the findings of fact. All members voted. Motion carried unanimously

- **Variance** request, VAR12052017, to Section 1101.04.2 Area Regulations. Front Yard. The applicant is requesting a variance from the minimum front yard setback requirement.
 - **Conditional Use Permit**, CUP01232018A&B, pursuant to Section 1101.03.18 Home Extended Business and Section 1101.03.25 Agribusiness activities. The applicant is requesting to continue operation of the existing seed and grain business.
8. Open- nothing to report
 9. Matters for Board Discussion/Staff Report
 10. Next meetings:
 - a. Regular meeting: Monday- March 12, 2018 at 4 PM
 11. Executive Session (no need)
 12. Adjourn as the Grant County Planning & Zoning Board Motion by Mach with a second by Pillatzki and was approved unanimously.

Krista Atyeo-Gortmaker
Planning and Zoning Officer
Grant County