



GRANT COUNTY SOUTH DAKOTA  
PLANNING AND ZONING OFFICE  
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## Minutes from the meeting of Grant County Board of Adjustments June 13th, 2022

**Planning Commission members present:** Nancy Johnson, John Seffrood, Mike Mach, Tom Pillatzki, Richard Hansen, and Jim Berg.

Alternate(s) present: Don Weber, Jeff McCulloch

**Planning Commission board member absent:** Mark Leddy.

**Others present:** Stephanie Pauli, Jason VerSteeg (Duininck, Inc.), Todd Kays (First District by Zoom), and Steve Berkner (Grant County Planning Commission Administrator.)

**Meeting Date:** Monday June 13th, 2022

**Meeting Time: 4 P.M.** In-person in basement of the Courthouse.

1. Vice-chairwoman Nancy Johnson calls the Board of Adjustment meeting to order at 4:00 with a quorum of six of seven regular board members and two alternates present.
2. Johnson asks if the board or any staff member had anything to add to the agenda with none being added.
3. Johnson makes an invitation for anyone present wanting to address the Board of Adjustments with an item not on the agenda with no one the public responding.

Planning and Zoning Administrator Berkner stated that now that the updated County's Comprehensive Plane was finished he was asked by the County Commissioners to have the Planning Commission begin discussion on some possible needed changes to the County's Zoning Ordinance and asked for a few minutes at the end of the meeting to bring up those requests for future consideration.

4. Johnson asks for a motion to accept the agenda as presented. Mach makes a first to accept the agenda with Pillatzki making the second. Motion passes unanimously 6-0.
5. Johnson asks for a motion to except the Board of Adjustment minutes from May 2nd, 2022. Motion made by Berg with a second made by Hansen. Motion passes unanimously 6-0.

6. Johnson asks if there are any Conflicts / Ex Parte Communication with any seated board member. No member responds.
7. Johnson asks for a motion for the board to consider Pauli Variance VAR05042022. Johnson recognized a first by Pillatzki and a second by Berg.

Johnson asks Kays to present the staff report on the Pauli variance application.

Kays reports that Pauli Variance VAR05042022 was asking to move in a garage 15' from the east side-yard property line instead of the ordinance required 50'.

Kays stated that the Paulis had recently built a new home on an existing 5-acre farmstead where due to their using existing accessory buildings, drive-way, and existing water and sewer connections when they built their new home they felt that the most logical and economical place to build a garage was to locate it at the end of an existing driveway that faced east and required a variance of 35'.

Kays' presentation also showed that there was topographical drop off in elevation that would require additional gravel for fill if the building was to be located to the north without the need for a variance and that together with the Pauli's effort to re-use existing infrastructure and existing established shelterbelts from the original farmstead that the Pauli's were asking for those items to be considered as a hardship to pass the variance request.

After Kays finished his staff report Johnson opened the public hearing asking Pauli if she had anything to add where Pauli emphasized that since purchasing the property they have tried to reuse as much of the existing infrastructure as economically possible which has brought them to the variance hearing.

Johnson asked for any additional public comments three different times where none was offered.

Berkner asked to be recognized where he wanted to draw attention to the ariel pictometry included in Kay's report which showed a significant amount of bare ground to the northwest where the garage could be placed without a variance but he thought it was important to mention that that imagery did not show that new shelterbelt trees had been recently planted in those areas making that surface not available to build on without removing those newly planted trees.

With no more comments Johnson closed the public hearing and opened discussion for the board.

Seffrood was interested in knowing if there were any known negative comments from the adjacent neighbors where Berkner offered a signed document that showed that all the landowners immediately adjacent to the Pauli property had given their approval for the building to be moved in and placed at the setback requested.

With no more discussion from the board Johnson asked Kays to read the "Finding of Facts." After the reading Johnson called for the vote which passed 6-0.

8. Johnson asks for a motion for the board to consider Duininck CUP05052022. Johnson recognized a first by Mach and a second by Hansen for that consideration.

Johnson asks Kays to make a staff report presentation on the Duininck CUP application.

Kays reports that Duininck was seeking a CUP to set up a temporary asphalt plant within an Agriculture district in an already permitted gravel pit area operated by GCC in Big Stone Township. He added that the Conditional Use Permit, if granted, would be good for one year and that the applicant had provided copies of the required paperwork. Kays report included site maps, NRCS soil type maps and general operation notes of the proposed temporary plant.

At the conclusion of Kays staff report Johnson asks VerSteege, who was representing Duininck, if he had anything to add where he said that the temporary asphalt plant would be providing asphalt to area paving projects in South Dakota and Minnesota and that they expected to be done by early Fall, possibly late August or early September, if things worked out.

With no more comments from VerSteege, Johnson opened the public hearing asking three times for any public comments where no one responded. Johnson then closed the public hearing.

Johnson asked for any board comments where none were given and then asked Kays to read the "Finding of Facts" which he did.

Johnson called for the vote where the motion passed unanimously to grant CUP 05052022 6-0.

9. Johnson then asked Berkner for an update on the request from the Grant County Commissioners where he said that specifically the Planning Commission was being asked to review the county's shelterbelt ordinance, and to better define setbacks for both landscaping trees and both agriculture and landscape fencing.

Berkner said there was also a request for the Planning Commission to look at reviewing minimum buildable lot sizes for future platted lots in the county to be better in line with the newly approved Grant County Comprehensive Plan, which sought to eliminate so many setback variance requests.

After a brief discussion concerning the request Kays said he would work with Berkner to help define those shelterbelt and fencing definitions and setbacks and to start looking into minimum buildable lots sizes for lots platted after the possible passage of that potential ordinance change.

10. With no more business to consider Hanson asks for a motion to adjourn the Grant County Board of Adjustments.

Board member Seffrood made the motion to adjourn, Berg made the second.

Before calling for the vote the next regular Board of Adjustment meeting was set for a special 10 a.m. meeting for Monday June 27<sup>th</sup>, to consider a CUP request for a seasonal retail firework stand. Johnson than called for the vote to adjourn which carries unanimously 6-0.

Board of Adjustment meeting ends at 4:33.

Steve Berkner  
Planning and Zoning Administrator  
Grant County