

**CITY OF LAKE NORDEN**

**September 17, 2018**

Council met in special session at 5:30 PM, City Building, Mayor Aho presiding. Members present: Jason Aho, Janet Andrews, Brian Jacobsen, and John Layman. Absent: Cameron Larson, Dorene Lemme and Kim St. John

City employees present: Delores Kangas. Absent: Roy Hauschildt and Dan Koistinen.

Others present. Tony Aas, Kim Bevers, Roxie Bevers, Gordon Haug, Greg Kerkvliet and Brooke Reidburn.

Motion made by Andrews and seconded by Layman to approve the agenda, as presented. All voted aye.

Motion made by Layman and seconded by Jacobsen to convene into executive session per SDCL 1-25-2 Section 1. All voted aye. Time IN 5:30 PM.

Mayor Aho declared the Council out of executive session at 7:00 PM.

Mayor Aho declared the Council convene acting as a Planning and Zoning Commission and Zoning Board of Adjustments.

Kim Bevers, Roxie Bevers, Gordon Haug and Greg Kerkvliet appeared for in full or in part for the Public Hearing regarding the following Conditional Use/Variance Requests.

The Lake Norden Farmers Elevator submitted an application to the City of Lake Norden's Board of Adjustment for a conditional use permit. The request, if granted, would permit the applicant to use the following property: Block 1 of the Farmers Elevator Addition to the City of Lake Norden, Hamlin County, SD which physical address is 609 Harvest Street in the following manner: Construction of a grain bin which is 42 foot in diameter and approximately 60 feet tall.

Requested variance/conditional use:

1. A fifteen (15) foot variance from maximum height of all buildings and structures for the construction of a grain bin. The ordinance requires buildings and structures not to exceed a forty-five (45) foot height.
2. The applicant would not be required to landscape or place a fence/screening on the west property line.
3. Construction of 1 (one) grain bin within 20 (twenty-five) feet of rear yard property line. The ordinance requires that structures shall not be placed closer than 35 (thirty-five) feet from the property line when abutting a residential district. Therefore, the applicant is requesting a 15' (fifteen) variance from the rear yard setback.

Motion made by Jacobsen and seconded by Layman to approve the three above-mentioned variance requests. All voted aye.

Greg and Vicki Kerkvliet submitted an application to the City of Lake Norden's Board of Adjustment for a conditional use permit. The request, if

granted, would permit the applicant to use the following property: Block 1, Lot 14 Martha Olson's Second Addition to the City of Lake Norden, Hamlin County, SD which physical address is 412 1<sup>st</sup> Avenue North in the following manner: New construction to join the existing house to the existing garage.

Requested variance/conditional use:

1. The applicant is requesting a 3' (three foot) variance from side yard setback on the west side of the above-described property. The ordinance requires buildings and structures to be constructed not less than 7' (seven feet) from the property line.
2. The applicant is requesting a 5' 8" (five foot eight inch) variance from structures adjacent to an alley on the north side of the above-described property. The ordinance requires buildings and structures to be constructed not less than 15' (fifteen feet) from an alley.
3. The applicant is requesting a 17' 6" (seventeen foot six inch) variance from front yard setback on the east side of the above-described property. The ordinance requires buildings and structures located on a corner lot to be constructed not less than 25' (twenty five feet) from the property line on both street sides.
4. The applicant is requesting a 24.9 per cent variance from lot coverage at above-described property. The ordinance requires buildings and structures not to cover more than 30 per cent of the lot.

Motion made by Andrews and seconded by Layman to approve the four above-mentioned variance requests. All voted aye.

Northwestern Energy submitted a conditional use permit. The request, if granted, would permit the applicant to use the following property: ROW adjacent to 901 Park Street in the following manner: Installation of a wooden utility pole with advanced metering infrastructure up to 75 feet in height.

Requested variance/conditional use:

1. Installation of a wooden utility pole with advanced metering infrastructure up 75' (seventy five feet) in height. The applicant is requesting a 30' (thirty foot) variance from height regulation. The ordinance requires structures not to exceed 45' (forty five feet) in height.

Motion made by Jacobsen and seconded by Layman to approve the above-mentioned variance request, contingent upon the execution of a *Hold Harmless Agreement* between the City of Lake Norden and Northwestern Energy. All voted aye.

Motion made by Layman and seconded by Jacobsen to adjourn as a Planning and Zoning Commission and Zoning Board of Adjustments. All voted aye.

Mayor Aho declared the Council reconvenes.

Motion made by Andrews and seconded by Jacobsen to authorize the Finance Officer and the Mayor to sign a *Hold Harmless Agreement* with Northwestern Energy regarding the communication tower located in the north 200 feet of Park Street ROW adjacent to 901 Park Street. All voted aye.

Motion made by Jacobsen and seconded by Andrews to adjourn at 7:33 PM. All voted aye.

Jason Aho, Mayor

Delores Kangas, Finance Officer



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