

**SPECIAL MEETING  
DE SMET COMMON COUNCIL  
October 23, 2019**

The De Smet City Council met in special session on October 23, 2019 at 5:10 PM with the following present: Council members Bret Jensen, Alex Botkin, Lowell Hansen, George Cavanaugh, Norm Whitaker, Jay Slater, Mayor Gary Wolkow, and FO Tracey Larson. Also present was City Attorney Todd Wilkinson. Absent: none

The Mayor called the meeting to order at 5:10 PM.

**SECOND READING FOR RE-ZONING:** Motion was made by Cavanaugh, seconded by Botkin, to approve the second reading of Ordinance No. VII-26, an ordinance to amend Article I, Chapter 1.03 as adopted by Ordinance No. VII-8 on February 15, 2000, as the Zoning Ordinance of the City of De Smet, to change the zoning classification of property legally described as: E 60' of Outlot 11 of the County Auditor's Plat of Outlots to De Smet, and vacated Street right away lying between Outlot 11 and Lot 5, Block 3 of Ely's Addition, all in the City of De Smet, Kingsbury Co., South Dakota, be amended from Commercial Industrial (C-2) to Combined Residential (R-3), all voting aye, motion carried.

**ZONING:** Motion was made by Botkin, seconded by Cavanaugh, that the Council to be convened as the Board of Adjustment, all voting aye, motion carried. The Board of Adjustment was called to order by Mayor Wolkow.

This being the date and time public noticed for the hearing on Variance Application #81 submitted by Jack Taylor, contractor Preston Collier met with the board to discuss the variance application. Taylor has requested a variance to allow the construction of a residential structure and garage less than 30 feet from the front (South) property line and less than 25 feet from the rear (North) property line on the following legally described property: W57' of S115' of OL 26 & E40' of S115' of vacated Poinsett Street adjoining OL 26 in S2NW 27-111-56, Hoyers Sub Div. City Aud. Plat, City of De Smet, and addressed as 206 Front Street NW, De Smet, South Dakota.

Notice of the hearing was properly given by certified mail and by publication of the publication of the Notice of Hearing in conformity with Section 3.04.05 of the City Zoning Ordinance. No one from the public appeared in opposition of the proposed variance application.

Upon conclusion of the hearing and the Board having considered the application and evidence presented, recommends its approval based upon the findings as follows:

1. That property legally described as: W57' of S115' of OL 26 & E40' of S115' of vacated Poinsett Street adjoining OL 26 in

S2NW 27-111-56, Hoyers Sub Div. City Aud. Plat, De Smet, Kingsbury County, South Dakota, is located within the city limits of the City of De Smet and the Board of Adjustment has jurisdiction over the application.

2. That the property is currently zoned "R-2 General Residential".
3. That adjacent properties are zoned "R-2 General Residential" and "A - Agricultural".
4. That the Area Regulations of the "R-2" zoning require a front yard set-back of 30 feet from the property line and a rear yard set-back of 25 feet from the property line.
5. That the proposed residential structure would be constructed 21 feet from the front (South) property line and the unattached garage would be constructed five (5) feet from the rear (North) property line.
6. That the applicant has filed the required application for the variance permit and the notice of hearing was properly given.
7. That the proposed residential structure would be built the same distance from the front (South) property line as other current adjacent residential structures.
8. That none of the adjoining property owners presented any objections to the variance.
9. That granting of the proposed variance would not increase any safety exposure to the adjacent property owners.
10. That the Board of Adjustment take into consideration each application on its own accord.
11. That ordinances have been approved and adopted to protect the De Smet residents and properties within the city limits.
12. That the reasons set forth in the application justify approving a variance.

Based upon these findings and the new residential structure will be built in line with a current residential structure, a motion was made by Jensen, seconded by Slater, to recommend approval of the variance application #81 as submitted to Jack Taylor for a residential structure and unattached garage, all voting aye, motion carried.

Motion was made by Cavanaugh, seconded by Jensen, to reconvene as the City Council, all voting aye, motion carried.

**VARIANCE/BUILDING PERMIT APPLICATIONS:** Motion was made by Jensen, seconded by Slater, to approve Variance #81, submitted by Jack Taylor for a residential house and unattached garage, all voting aye, motion carried. Motion was made by Jensen, seconded by Slater, to approve the building permit applications submitted by Jack Taylor - house & garage, all voting aye, motion carried. Motion was made by Jensen, seconded by Cavanaugh, to approve the building permit application submitted by Sodak Construction - 8-

Plex apartment complex to be issued after the required re-zoning publishing, all voting aye, motion carried.

**PERSONNEL:** Motion was made by Cavanaugh, seconded by Botkin, to accept the resignation from Zane Curry, Event Center Custodian & Maintenance and to advertise that position, all voting aye, motion carried.

**De Smet Armory Termination Agreement:** Motion was made by Slater, seconded by Whitaker, to approve the Mayor signing the agreement to terminate the participation of the State of South Dakota regarding the De Smet Armory, all voting aye, motion carried.

**DE SMET TASK FORCE MASTER PLAN:** The De Smet Task Force has hired an architect/engineering company (ISG) to look at De Smet and survey people about advancements they would like to see in De Smet. ISG looked at the downtown area, signage, parks, walking pathways, and outdoor aquatic center. Four representatives from ISG presented an initial plan for future renovations on Main Streets, development of trails and pathways, signage from each direction coming into town, signage in town to find area attractions, and an outdoor pool. ISG will be doing a presentation to the public later in the evening for additional public input and comments.

**ADJOURN:** There being no further business the meeting was adjourned on motion by Cavanaugh.

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Gary Wolkow, Mayor

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Tracey Larson, Finance Officer

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