

**CITY OF FORT PIERRE  
BOARD OF ADJUSTMENTS AND APPEALS  
MAY 22, 2019  
WEDNESDAY**

Seiler called the Board of Adjustments and Appeals meeting to order at 5:30 p.m. The Board members present were Sharkey, Leafgreen, Seiler and Louder. The City officials present were Hahn and Gloe. Jaci Keller, Scott Holley, Brandi Holley, Misty Burton, Bryon Biwer, Tara Huebner, Sarah Smith, Cody Smith, Tammy Tolton and Karmin Strohfus. were present.

**ELECTION OF OFFICERS**

Leafgreen made a motion and Sharkey seconded to nominate Seiler as chair no other nominations were received. The election of Seiler as chair was unanimous. Sharkey made a motion and Louder seconded to nominate Leafgreen as vice chair no other nomination were received. The election of Leafgreen as vice chair was unanimous.

**APPROVAL OF AGENDA**

Leafgreen made a motion and Sharkey seconded to approve the agenda. Motion passed on Voice Vote.

**APPROVAL OF MINUTES (June 27, 2018)**

Louder made a motion and Sharkey seconded to approve the June 27, 2018 minutes. Motion passed on Voice Vote.

**A VARIANCE TO PLACE A 6-FOOT PRIVACY FENCE ENCLOSING THE NORTH HALF OF LOT 16, CHATEAU SUBDIVISION BLOCK 7; CITY OF FORT PIERRE LOCATED AT 1003 LAFRAMBOISE DRIVE.**

To consider a request for a variance to place a 6-foot privacy fence enclosing the north half of Lot 16. The legal description for the property is LOT 16, BLK CHATEAU SUBDIVISION; CITY OF FORT PIERRE. Tammy Tolton, Petitioner.

Tammy Tolton informed the committee that she would like to extend a 6-foot fence along the west property line of Lot 16 extending to the front property line extending back to the east on property line until it will tie back into the west side of the garage. Tammy told the committee that she would like to use a heavier duty wooden fence to ensure the fence won't break and allow more room for her 2 boys with special needs to play outside. Seiler then informed the committee that there are letters in the packet in support of allowing the variance from various people. Seiler then opened the floor to people that were opposed to the request.

Brandi Holley informed the committee that he husband Scott Holley has been maintaining Lot 16 since 1985. Brandi explained that when Scott's mother asked for a variance to build within 3 feet of the east property line that the City ensured her that nothing would ever be built on that lot. Brandi Holley also expressed concern with the fence being placed on the property line as that would only allow 3 feet from her house to the fence making it more difficult to access the back

yard for mowing and moving snow. Scott Holley expressed his biggest concern would be flooding from the back yard if the fence was put up causing more water to be pushed onto his property. Cody and Sarah Smith expressed concern with flooding as well as access for fire protection and utility easement access. Jaci Keller expressed concern with the overall appearance of a fence going all the way to the front property line and suggested that she not be allowed to build on front property line.

The committee determined the variance necessary for safety of Tammy's 2 boys with special autistic needs staying safe in the yard. Louder made a motion and Sharkey seconded to allow the variance as long as Tammy doesn't go any further than the north end of her garage with the 6 foot fence running parallel with the street. Another condition placed on the motion was for Tammy to work with the Public Works Director to ensure that fence doesn't impede with the drainage coming through the lot. Along with the understanding that the variance gets recorded with the register of deeds office. Motion passed on unanimous voice vote.

**NO FURTHER BUSINESS**

**ADJOURN – 6:38 PM**

Leafgreen motioned and Sharkey seconded to adjourn the meeting with no further business. Motion passed on Voice Vote.

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Randy Seiler, Chairman  
Doug Day (Acting Chairman)

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Rick Hahn, Respectfully Submitted