

**June 4,2026**

**Moody County**

**Board of Adjustment/ Moody County Commissioners**

**Planning & Zoning / Moody County Commissioners**

**Staff Report**

Thursday June 4, 2026 – 9:05

**Board of Adjustment**

**Conditional Use Permit# 2026-8**

**Applicant/Owner: Darren & Allison Hamilton**

**Property Description:** Hamilton Addition SE1/4 Section 9, Township 108 North, Range 48 West of the 5<sup>th</sup> P.M., Moody County, South Dakota. (Spring Creek Township)

**Action Items – Conditional Use Permit – Agribusiness Activities (Ch. 2.04.05 40 & 4.39)**

**Zoning Designation:** Agriculture

**Request:** The applicant seeks a conditional use permit for Agribusiness activities (distribution of seed & crop protection products).

**History:**

1. The Hamilton's purchased the above property in February of 2007.
2. The business has been active since 2008.
3. This parcel was platted on 5/5/26, which prompted a conditional use permit application.

**Ordinances regarding this request:**

1. Agribusiness activities are listed as a conditional use in the Agriculture District.
2. The Moody County Zoning Ordinance lists numerous requirements for Agribusiness activities (Ch. 4.39.02)
3. The business has access to a concrete street, South Dakota Highway 13.
4. Neither Spring Creek Township nor SD DOT has requested a road haul agreement.
5. Lighting on the site is located on the buildings, with the main warehouse being on each night.
6. There are signs attached to the buildings.

7. It is not anticipated that any processes associated with the business will be noticeable by noise, heat, glare, vibration, etc. on neighboring properties.
8. All vehicles outside will be operable.
9. Permits for an agribusiness activity may only be changed to another agribusiness activity if specifically authorized by the Board of Adjustment.
10. Permits for Agribusiness activities may be transferred, unless otherwise stated by the Board of Adjustment.
11. Staff Recommendation:  
*Conditional Use Permit – Agriculture Activities (Distribution of seed & crop protection products). Approve request - all requirements have been met.*

## **Planning & Zoning**

### **Plat**

**Applicant/Owner: Daniel VonEye, Sr. Revocable Trust & VonEye Family, LLLP**

**Property Description:** Plat of Lots 1 and 2 Von Eye Addition in the SE1/4 of Section 32, Township 108 North, Range 49 West of the 5<sup>th</sup> P.M., Moody County, South Dakota.

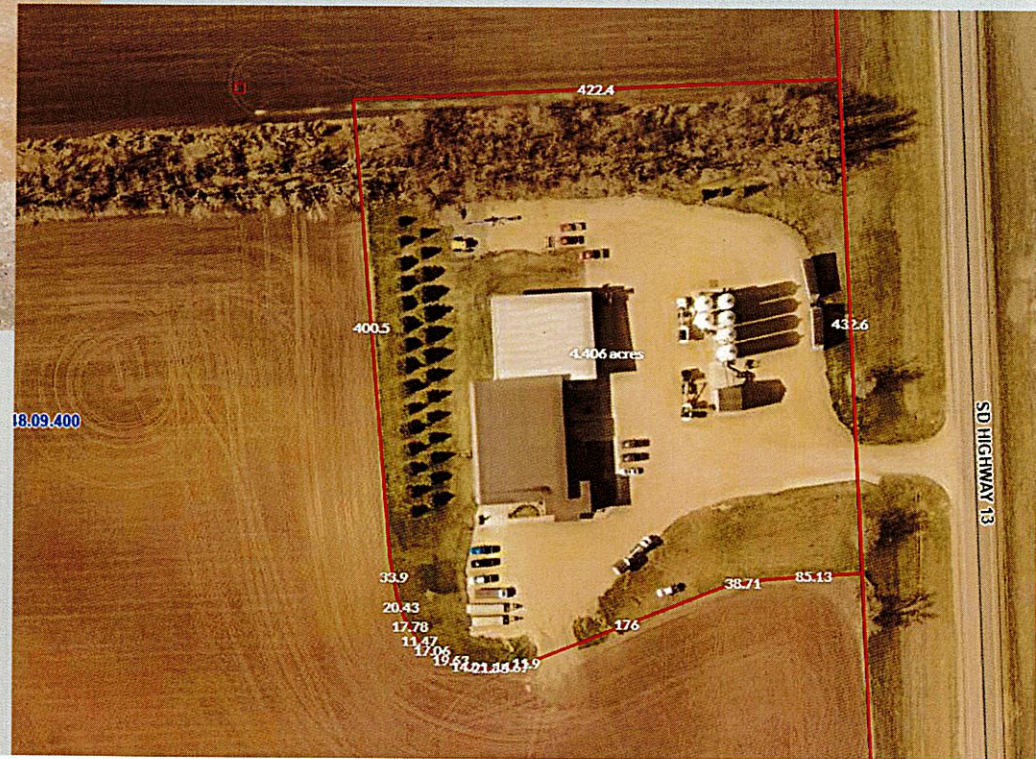
**Action Items – Plat approval.**

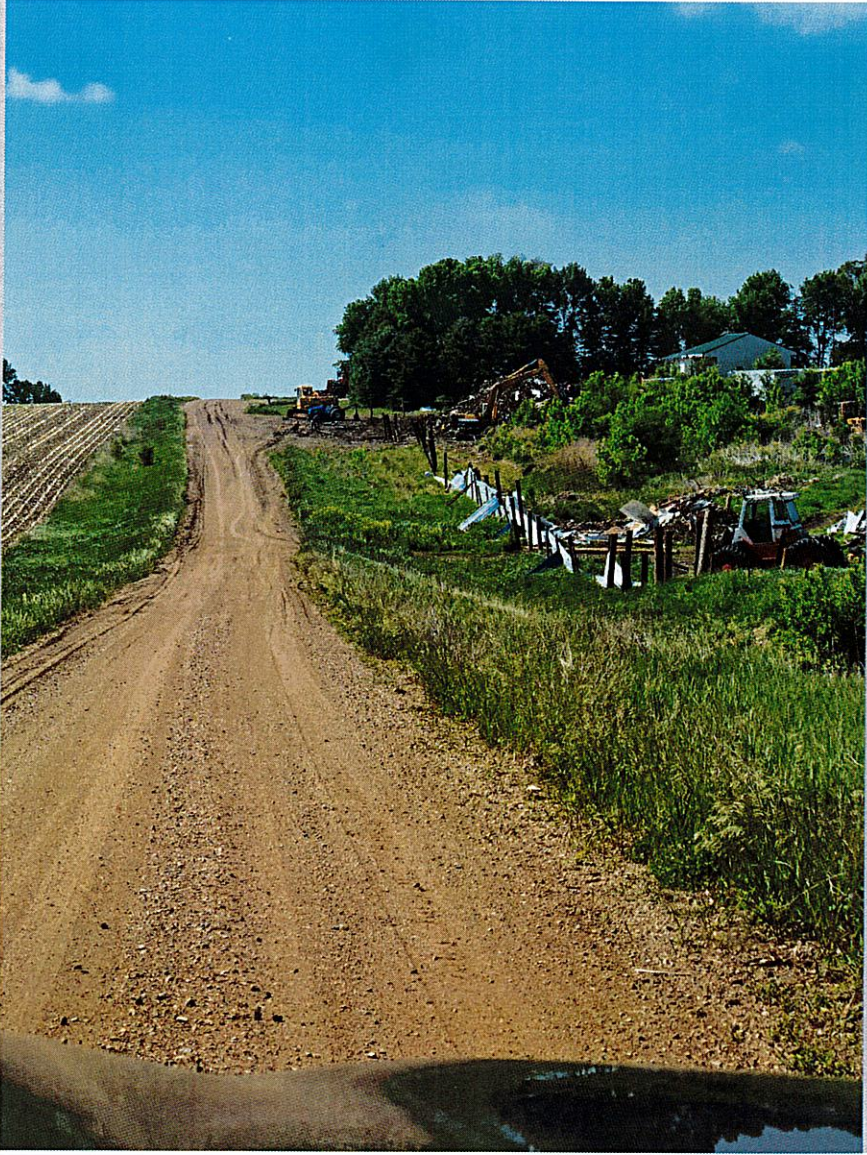
**Zoning Designation:** Agriculture

**Request:** Plat a minimum of 2 acre-lot in accordance with Section 2.04.06 Area Regulations in the Moody County Zoning Ordinance.

**Ordinances regarding this request:**

1. Lots 1 and 2 meet the minimum of 2 acres not including the public right-of-way.
2. Lots 1 and 2 meet the minimum depth of the front yard, being at least 100 feet from the road right-of-way.
3. All lots shall have a minimum width of 200 feet. The parcel on which a dwelling unit is located must have a minimum lot width of two hundred (200) feet along a road which was in use before the effective date of this ordinance. EXCEPTION: The minimum lot width may be reduced to fifty (50) feet if the building existed prior to August 1, 1998, and site is set back further than three hundred (300) feet from the road right-of-way. The dwelling units on both lots existed prior to August 1, 1998.
4. Lots 1 and 2 meet the minimum 25 feet of width and depth of the side and rear yards.
5. Staff Recommendation: Approve plat – Area Regulations (ch. 2.04.06) have been met.





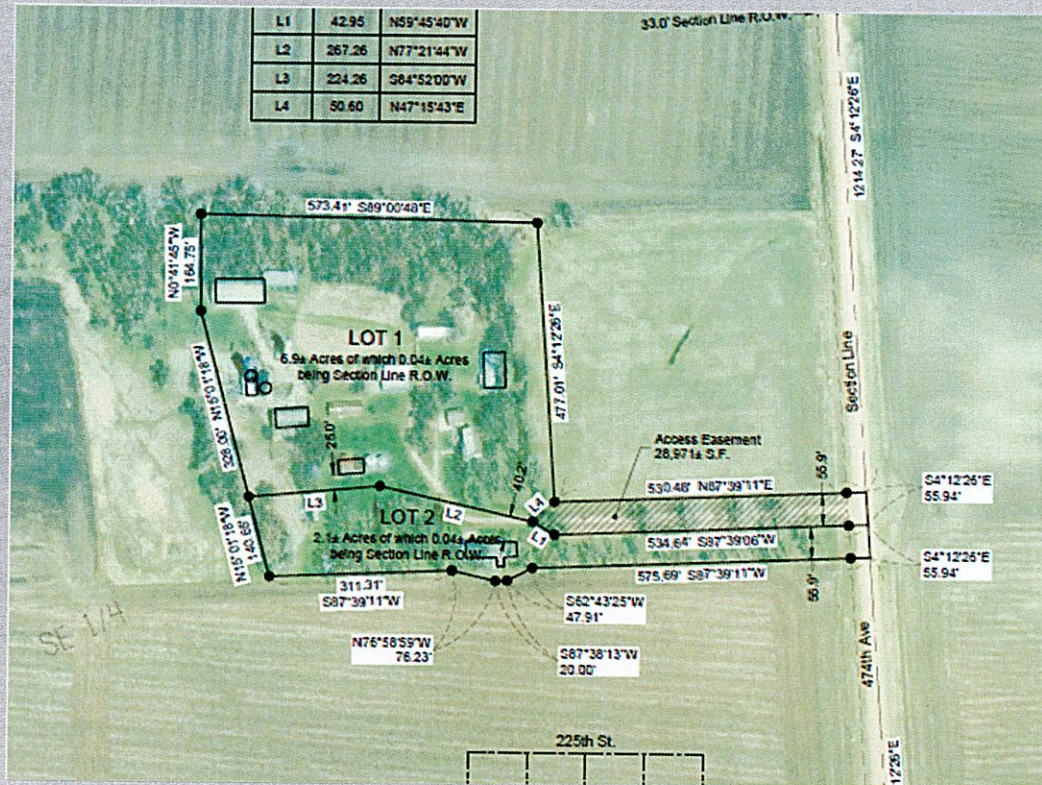
June 1, 2026





May 27, 2026





**CERTIFICATE OF COUNTY PLANNING DIRECTOR**

I, the Chair of the Moody County Planning Commission do hereby certify that this plat has been reviewed by me or my authorized agent and has been approved.

Approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
CHAIR, COUNTY PLANNING COMMISSION  
MOODY COUNTY, SOUTH DAKOTA

**COUNTY COMMISSION**

BE IT RESOLVED by the County Commission of Moody County, South Dakota, that the plat of "LOTS 1 AND 2, VON EYE ADDITION IN THE SE ¼ OF SECTION 32, TOWNSHIP 108 NORTH, RANGE 49 WEST OF THE 5<sup>TH</sup> P.M., MOODY COUNTY, SOUTH DAKOTA" be and the same is hereby approved.

I hereby certify that the above is a correct copy of the resolution duly passed by the County Commission, at a meeting held on the date adopted.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
COUNTY AUDITOR  
MOODY COUNTY, SOUTH DAKOTA

**CERTIFICATE OF HIGHWAY AUTHORITY**

I, \_\_\_\_\_, acting for \_\_\_\_\_, hereby approve access as shown on the attached plat to the abutting public highways subject to applicable laws, ordinances and permit requirements.

\_\_\_\_\_  
HIGHWAY AUTHORITY

**DIRECTOR OF EQUALIZATION**

I, the Director of Equalization of Moody County, South Dakota, do hereby certify that a copy of the above plat has been filed in my office.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
DIRECTOR OF EQUALIZATION  
MOODY COUNTY, SOUTH DAKOTA

**COUNTY TREASURER'S CERTIFICATE**

I, Treasurer of Moody County, South Dakota, hereby certify that all taxes which are liens upon any land included in the above (and the foregoing) plats, as shown by the records of my office, have been fully paid.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
TREASURER  
MOODY COUNTY, SOUTH DAKOTA

**REGISTER OF DEEDS**

STATE OF SOUTH DAKOTA )  
  ) SS  
COUNTY OF MOODY      )

Filed for record this \_\_\_\_\_ day of \_\_\_\_\_, 2026, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in Plat Document # \_\_\_\_\_, Envelope # \_\_\_\_\_.

\_\_\_\_\_  
REGISTER OF DEEDS  
MOODY COUNTY, SOUTH DAKOTA

Prepared By:



Civil Engineers & Land Surveyors  
Brookings, South Dakota  
Ph. 605-696-3200





**LETTER OF AGREEMENT**

First District Association  
of Local Governments  
POB 1207  
Watertown, SD 57201

Moody County  
101 E Pipestone Ave  
Flandreau, SD 57028

\_\_\_\_\_  
Referred to as District

\_\_\_\_\_  
Referred to as County

The COUNTY hereby enters into an agreement with the District

**I. THE DISTRICT**

- A. This agreement shall commence on or about September, 2026 and end on December 31, 2029.
- B. The District agrees to perform work activities as described in "First District Association of Local Governments Proposed Scope of Work for Moody County GIS Website Development and County Director of Equalization Parcel Update Needs."

**II. THE COUNTY**

- A. The COUNTY will make annual payments of eight thousand dollars (\$8,000) for work activities as identified in the "First District Association of Local Governments Proposed Scope of Work for Moody County GIS Website Development and County Director of Equalization Parcel Update Needs." Payments to be made on January 15, 2027, January 15, 2028, and January 15, 2029.
- B. Total agreement amount (not to exceed) twenty-four thousand dollars (\$24,000).



5/18//2026

\_\_\_\_\_  
District Signature      Date

\_\_\_\_\_  
County Signature      Date

**First District Association of Local Governments Proposed Scope of Work for  
Moody County GIS Website Development and Maintenance and  
County Director of Equalization Parcel Update Needs.**

**Task 1: Development and Hosting of GIS Website**

1. District Staff will meet with County to discuss which GIS datasets will be added to the GIS Website, and which datasets will be made available for public viewing. The County will also identify which datasets will be viewable to those with password-protected access to the GIS website.
2. District Staff will also discuss how the datasets will be displayed. Colors, shades, and annotation will be modified to reflect the County's needs. These display changes may be altered at the County's request at any time during the contract period.
3. District Staff will then develop the GIS website and provide the County with the access URL. The County will review the site and provide feedback. District Staff will then make any changes and finalize the GIS website.

**Task 2: Maintenance of GIS Website**

1. The County will periodically provide the District with GIS data updates for any information the District is not maintaining. District Staff will then make these updates to the GIS website.
2. District Staff will make monthly updates to the GIS website for any datasets the District is contracted to provide maintenance for.
3. District Staff will make updates to the GIS website's functionality in the form of new tools, data, and query functions as they are developed.
4. District Staff will also provide training and technical support.

**Task 3: Data Maintenance- Monthly Plat and Ownership Parcel Sets Update**

1. District Staff will receive all new parcel splits/transaction data from the County Director of Equalization on the fifteenth of the month.
2. District Staff will update the Plat and Parcel data sets.
3. District Staff will work with DOE staff to reconcile discrepancies in the datasets.
4. District Staff will join parcel data received from DOE with updated GIS data.
5. District Staff will provide DOE the updated parcel dataset.
6. District Staff will work with County CAMA/Assessment Software provider to ensure data is in the proper format for seamless data transfer and use.

**Task 4: Correcting Existing Parcel Topological GIS Errors**

1. District Staff will review existing topology (parcel gaps, overlaps and other geographic inconsistencies – estimated to be approximately 2,000 known errors). This Task will be completed over the life of this agreement.

<u>Permit #</u>	<u>Date</u>	<u>Owner</u>	<u>Parcel #</u>	<u>Description</u>	<u>Cost</u>	<u>Contractor</u>
2026-01	1-14-2026	Jeff Buller	105.49.26.460	64'x42' Shop	\$215,000	Morton Buildings
2026-02	1-23-2026	Ben Waxdahl	106.48.22.200	60'x100' Shed	\$75,000	Self
2026-03	2-12-2026	Mike Lacey	105.48.07.370	30'x40' Shop	\$28,000	Self
2026-04	2-12-2026	Scherff Farms	105.48.10.200	48'x48' Grain Bin	\$165,000	Hadley Steel Inc.
2026-05	2-17-2026	Nathan Williams	105.50.17.475	48'x36' Shed	\$30,000	Self
2026-06	2-25-2026	Tim Huss	105.49.22.100	64'x40' Storage Shed	\$100,000	Self
2026-07	2-25-2026	Justin Huss	105.49.15.100	140'x60' Shed	\$300,000	Self
2026-08	3-2-2026	David LeBrun	105.49.30.205	48'x33' Grain Bin	\$116,000	Witte Industries
2026-09	3-5-2026	Clayton Rentschler	106.48.04.355	64'x56' Pole Shed	\$80,000	Self
2026-10	3-20-2026	Dakota Layers	108.48.15.300	180'x60' Roof & Walls over water reservoir	\$150,000	Self
2026-11	3-20-2026	Shaw Loiseau	107.48.17.400	20'x56' Shed addition	\$30,000	Pulscher Brothers
2026-12	3-23-2026	Randy Nielsen	108.50.14.110	60'x46' New Home	\$450,000	Pulscher Brothers
2026-13	3-23-2026	Dakota Layers	108.48.15.300	342'x157' Manure Storage Building	\$2,260,000	WS Construction
2026-14	3-25-2026	Travis Jensen	105.48.31.200	24'x20' Shed	\$1,100	Self

<u>Permit #</u>	<u>Date</u>	<u>Owner</u>	<u>Parcel #</u>	<u>Description</u>	<u>Cost</u>	<u>Contractor</u>
2026-15	3-27-2026	Kim Amdahl	107.48.29.420	20'x28' Garage	\$80,000	Dawson Blum
2026-16	3-30-2026	Lisa George	108.49.04.100	76'x32' New Home	\$425,000	Iseman Homes
2026-17	4-13-2026	David Johanson	107.49.24.355	2 Grain bins – 48' & 36'	\$195,000	Witte Industries
2026-18	4-13-2026	Holist Sutton	107.48.29.300	32'x16' Lean-to	\$8,000	Brenton Yost
2026-19	4-14-2026	Jim Clark	106.50.01.200	24'x29' Home Addition	\$150,000	Self
2026-20	4-16-2026	ADT Land LLC	107.48.21.200	48'x60' Grain bin	\$145,000	Self
2026-21	4-17-2026	Cody Anderson	108.47.20.300	32'x24' Garage	\$2,000	Self
2026-22	4-20-2026	Michael Ustanko	106.49.07.175	12'x12' Garage Addition	\$3,000	Self
2026-23	4-21-2026	Travis Jensen	105.48.31.200	40'x64' Garage	\$80,000	Self
2026-24	4-21-2026	Dusty LeBrun	106.50.03.475	50'x80' Pole Shed	\$100,000	Randy Wilson
2026-25	4-23-2026	Paul Michel	105.49.30.400	72'x50' Pole Shed	\$85,000	Heinemann Construction
2026-26	4-29-2026	Dakota Layers	107.48.26.100	30'x25' Lean-to	\$40,000	Self
2026-27	5-4-2026	Pam Kepford	107.50.28.100	New Home	\$150,000	Self
2026-28	5-19-2026	Eugene Johnson	107.49.12.300	36'x36' Attached Garage	\$98,000	Dawson Blum

<u>Permit #</u>	<u>Date</u>	<u>Owner</u>	<u>Parcel #</u>	<u>Description</u>	<u>Cost</u>	<u>Contractor</u>
2026-29	5-20-2026	Charley Zwart	107.50.29.100	48'x50' Grain Bin	\$123,087	Witte Industries
2026-30	5-20-2026	Chris lott	108.47.27.350	24'x36' Storage Shed	\$11,000	Self
2026-31	5-20-2026	Jason Heinemann	107.48.17.100	40'x24' Storage Shed	\$25,000	Self
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