

ORDINANCE 48

ORDINANCE 48, AN ORDINANCE AMENDING KINGSBURY COUNTY ORDINANCE #45, AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR KINGSBURY COUNTY SOUTH DAKOTA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 11-2 1967 SDCL, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL IN CONFLICTS HEREWITH

BE IT ORDAINED by the Kingsbury County Board of County Commissioners that Article II “Definitions” be amended to read as follows:

High Water Mark. The elevation established by the South Dakota Water Management Board pursuant to SDCL 43-17. In those instances where the South Dakota Water Management Board has not established a high water mark the Board of Adjustment may consider the elevation line of permanent terrestrial vegetation to be used as the estimated high water mark (elevation) solely for the purpose of the administration of this ordinance. **Regarding Lake Thompson the High Water Mark is the elevation of 1,694 NGVD 1929.** When fill is required to meet this elevation, the fill shall be required to stabilize before construction is begun.

BE IT ORDAINED by the Kingsbury County Board of County Commissioners that Section 4.04.3 Area Regulations Table 4.04.03 paragraph 4 be amended to read as follows:

Section 4.04.03. Area Regulations

Table 4.04.03

	Minimum Lot Area (Sq. Ft)	Minimum Lot Width (1)	Minimum Lot Depth	Minimum Side Yard	Minimum Front Yard (2)	Minimum Rear Yard (Lake Front) (3)	Maximum Height
Single Family Dwelling	20,000	50'	150'	9'	50'	75'	30'
Multiple Family Dwelling	40,000	100'	200'	10'	50'	75'	45'

(4) For lakes or ponds: No structure except boathouses, piers and docks shall be placed at an elevation such that the lowest floor, including basement, is less than five (5) feet above the highest known water level. **Exception: No structure at Lake Thompson, except boathouses, piers and docks, shall be placed at an elevation such that the lowest floor, including basement, is less than an elevation of 1,695' NGVD 1929.**

(Bolded Underlined language is new language)