

**MINUTES**  
**SULLY COUNTY BOARD OF ADJUSTMENTS**  
**May 21, 2025**

**CALL TO ORDER:** The meeting of the Sully County Board of Adjustments was brought to order on May 21, 2025, at 9:05 a.m. by Chair Austin Gross, with members Conner McPeck, Russ Ball, and JR Richards in attendance at the Sully County Courthouse. Others present at the meeting were JJ Schall, Vic Utech, Jessie & Nicole Jorgensen, and Merlin Voorhees.

Chair Austin Gross introduced the application and read the Conflict-of-Interest guidelines. Gross asked if any members needed to disclose a conflict. There was no response from the Board members. Vic Utech voiced concern that Russ Ball should be excused due to previous comments made and direct conflict by being noted as a landowner that hired an outside attorney to send the County Commission a letter in opposition to the Codger's Caddy Club PUD. Administrator Paxton shared SDCL 6-1-17 provided by County Legal Counsel, Zach Peterson. After information was shared, Russ Ball chose to self-recuse from the action item at hand.

Administrator Paxton presented the staff report and Gross opened the public hearing. Jessie Jorgensen gave applicant testimony, sharing he applied for the variance at the direction of the County Commission after it was discovered he was mistakenly approved for an approach in an area that was restricted from allowing them due to a PUD in place. Proponent Vic Utech gave testimony in support of allowing this variance. He cited a DOT traffic study, and one completed by his own engineer prior to when development began. He shared there has been no evidence presented showing adverse effects of this approach being in place. Letters of opposition from Neal Konda and Rick Heupel were presented to the Board.

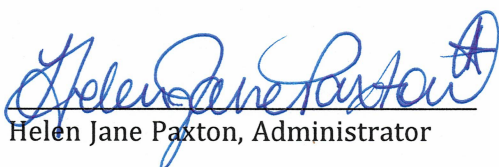
Gross closed the public hearing. Discussion was held regarding the oversight made by the County in previous approval of this approach and removal by the Highway Department not being a cost-effective option. A motion to go into Executive Session was made by Richards to address legal matters. Second by McPeck. SDCL 1-25-2 (3). Motion to come out of Executive Session by McPeck, second by Gross. SDCL 1-25-2 (3).


**ACTION ITEMS:**

1. **Application 2025-17-V of Jessie Jorgensen requesting a variance of Residential Planned Unit Development for Codger's Castaway Subdivision 2023-21-PUD to allow the newly constructed approach, previously approved by the Sully County Highway Superintendent, to remain in place on the property located at Lot 10, Block A, Codger's Castaway Subdivision of Cow Creek Tract 2 in the SW of Section 34, Township 113 North, Range 80 West of the 5<sup>th</sup> P.M., Sully County, South Dakota.** A motion was made by Richards and seconded by Gross to approve Variance Request. A roll call vote was held. Gross-Aye; Richards-Aye; McPeck-Aye. Motion passed.

**ADJOURNMENT:** There being no further business, a motion was made by Richards and seconded by Gross to adjourn the meeting. The motion passed unanimously.

Respectfully submitted,

  
Helen Jane Paxton, Administrator

  
Austin Gross, Chair  
Date Approved 6-18-2025