



Davison County Planning & Zoning and Emergency Management  
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PLANNING COMMISSION MINUTES

March 4, 2014

1. Call to order at 1:15 by Chairman Haines.
2. Roll Call
  - Present: Haines, Staldman, Bode, Thiesse, Kiner, Weitala, Bathke, Wegner.
  - Absent: Storm
  - Guests: Brian Dodd, Jeff Hohn, Ben Payne
3. Approve the amended agenda
  - The amended agenda included moving the R&M plat to be covered last, switching the Hohn items around, so the variance was voted on first. We also added an item to discuss a farewell party for Tommy Greenway and all past Planning Commissioners. Motion by Bode, seconded by Thiesse to approve the amended agenda. All members voted aye, motion carried.
4. Approve the January 14, 2014 Minutes
  - Motion by Staldman, seconded by Kiner to approve the January 14, 2014 minutes. All members voted aye, motion carried.
5. Consider a Plat of BSD Tract 1-A in the SE 1/4 of Section 18, T 104 N, R 62 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of LeRoy & Lydella Dodd and Brian & Susan Dodd.
  - Administrator Wegner gave an explanation of the plat.
  - The applicant was present to answer questions. Applicant explained the house was moved from the original setting due to finding water when digging. Drainage was discussed and the setback from a nearby water source was discussed and found to be adequate. There was also discussion about the applicant obtaining a percolation test from a plumber, which is required by Section 617 (11) of the Davison County Zoning Ordinance.
  - Motion by Bode, seconded by Thiesse to recommend approval of the plat to the County Commissioners. All present members voted 6 aye, 0 nay, motion carried
6. That Jeff & Mary Hohn have appealed to the Davison County Planning Commission to recommend granting a Variance Permit in lot size of 10.79+/- acres to create a lot size of 14.21+/- acres. The minimum lot size is 25 acres in the Agricultural (AG) District. This request is pursuant to Section 513 (3) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as Hohn Tract 1 in Government Lot 4 of the NW 1/4 of Section 1, T 101N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Administrator Wegner gave an explanation of the application, required notifications, and the GIS view. There were no responses from those notified.
  - The applicant was present to answer questions. Discussion included the specifics of the land, why it was being parceled, who would be purchasing the land, etc. There was also discussion of requiring an agricultural covenant for the land.
  - After consideration of 1403- B Variance, motion by Bode, seconded by Staldman to recommend approval of the Variance to the Board of Adjustment; with an Agricultural

Covenant as the property is in the Agricultural (AG) District. All present members voted 6 aye, 0 nay, motion carried.

7. Consider a Plat of Hohn Tract 1 in Government Lot 4 of the NW 1/4 of Section 1, T 101 N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Jeff and Mary Hohn.
  - Administrator Wegner gave an explanation of the plat.
  - The applicant was present to answer questions. Considering the Commission just voted on the Variance, there was no further discussion.
  - Motion by Bode, seconded by Kiner to recommend approval of the plat to the County Commissioners. All present members voted 6 aye, 0 nay, motion carried
8. That Ben Payne has appealed to the Davison County Planning Commission to recommend granting a Variance Permit of 30 +/- feet for a front yard setback of 45 +/- feet from the right-of-way for an existing 14'x18' shed where the minimum lot setback requirement is 75 feet from all public right-of-ways. He has also appealed to recommend granting a variance of 11 +/- feet for a side yard setback of 39 +/- feet from the right-of-way where the minimum lot setback requirement is 50 feet from all other property lines. This request is pursuant to Section 505 and 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot 19 of Enemy Creek Estates, A Subdivision in the NE 1/4 and in the SE 1/4 of the NW 1/4 of Section 14, T 102N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Administrator Wegner gave an explanation of the application, required notifications, and the GIS view. There were no responses from those notified.
  - The applicant was present to answer questions. Discussion included what, if any, hardships were present and why the shed was not placed in the area approved with the building permit. Commissioners were concerned with what precedent might be set based on their vote. A lengthy discussion pursued with many questions asked to the applicant and with one another.
  - After consideration and productive discussion, Mr. Payne agreed to move his shed at the request of the Commission; said shed will be located where the zoning ordinance allows. Motion by Kiner, seconded by Thiesse to recommend tabling the Variance until January 1, 2015 at which time the Commission will look to see that Mr. Payne properly moved his shed.
  - The Planning & Zoning department will flag the setbacks for Mr. Payne when the ground thaws.
9. Consider a Plat of R & M Tract 1 in the SW 1/4 of Section 21, T 104 N, R 62 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Randall Morgan.
  - Administrator Wegner gave an explanation of the plat.
  - The applicant was not present to answer questions. Commission asked planning and zoning administrators if there was any reason not to approve from a planning and zoning standpoint, which there was not. Commissioner Bode gave a detailed discussion of the history of the land and owners. There were no further questions or discussion.
  - Motion by Kiner, seconded by Bode to recommend approval of the plat to the County Commissioners. All present members voted 5 aye, 0 nay, motion carried. Commissioner Weitala left the meeting prior to this vote.
10. Discussion was held regarding a party for past Commissioner Tommy Greenway, as well as all past Planning Commissioners. The board though it would be best to tie this into an open house ceremony for the opening of the new chambers in the North Offices.

11. Set date for next meeting.

- April 1, 2014 @ 7:00P.M.

12. Adjournment @ 2:55 P.M.

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Bruce Haines  
Planning Commission Chairman

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Jeff Bathke  
Planning & Zoning and Emergency Management Director