



Davison County Planning & Zoning and Emergency Management  
200 E. 4<sup>th</sup> Ave.  
Mitchell, SD 57301-2631  
Phone (605) 995-8615  
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## PLANNING COMMISSION MINUTES

May 6, 2014

1. Call to order at 7:00 P.M. by Chairman Haines.
2. Roll Call
  - Present: Bruce Haines, Gary Stadlman, Brenda Bode, Steve Thiesse, Charles Storm, Jeff Bathke, Nathan Wegner.
  - Absent: Denny Kiner, Kim Weitala.
  - Guests: Larice Hamilton, Aaron Gerlach, Mandy Gerlach, and Rob Maeschen.
3. Approve the agenda
  - Motion by Bode, seconded by Storm, to approve the agenda. All members voted aye, motion carried.
4. Approve the April 1, 2014 Minutes
  - Motion by Stadlman, seconded by Thiesse, to approve the April 1, 2014 minutes. All members voted aye, motion carried.
5. That Aaron and Mandy Gerlach have appealed to the Davison County Planning Commission to recommend granting a Variance Permit in lot size of 21.1 +/- acres to create a lot size of 3.9 +/- acres. The minimum lot size is 25 acres in the Agricultural (AG) District. This request is pursuant to Section 513 (1) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting, the property will be legally described as A & M Tract 1 in the S 1/2 of the SW 1/4 of Section 15, T 101N, 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 any intentions of buying more land in the future to which the applicants said no because they do not have the monetary means to do so, nor does the land owner wish to sell. Board Member Bode mentioned the difference in taxes for farm land versus an existing farmstead and the applicants were advised to ask the Assessor's office for further clarification. Adjacent structures and use of land was also discussed and it was mentioned the land could be used for farming in the future.
  - After consideration of 1403- B Variance, motion by Bode, seconded by Thiesse, to recommend disapproval of the Variance to the Board of Adjustment. All present members voted 5 aye, 0 nay, motion denied.
6. Approve a Plat of A & M Tract 1 in the S 1/2 of the SW 1/4 of Section 15, T 101 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Aaron and Mandy Gerlach.
  - The plat for Aaron and Mandy Gerlach was tabled until the variance is heard by the Board of Adjustment.
7. That Steven Endres has appealed to the Davison County Planning Commission to recommend granting a Variance Permit of 10 feet for a side yard setback of 40 feet. The minimum side yard setback is 50 feet in the Agricultural (AG) District. This request is



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pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot 2 & 3, Shadow Valley AC NW of Section 7, 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 not present to answer questions. Discussion included how large the proposed addition is and if the driveway leading in to the residence is a shared driveway as it looks as though it crosses the parcel line. It was mentioned that GIS can be off by a little but if it is in fact a shared driveway the applicants should look at having a written easement produced, if one currently does not. Board Member Stadlman voiced that he would like the addition to the east to go no further than what is being proposed; no concrete patio similar to what is currently on the existing house.
  - After consideration of 1403- B Variance, motion by Storm, seconded by Stadlman, to recommend approval of the Variance to the Board of Adjustment. All present members voted 5aye, 0 nay, motion carried.
8. That Rob Maeschen has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to operate a 600 animal unit feeding operation in the Agricultural (AG) District. This request is pursuant to Section 507 (3) and Section 518 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the NW 1/4 of Section 19, T 101N, 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 the current road conditions which in fact are adequate to support the applicant's operations. The applicant gave a detailed explanation of his intentions and plans to which there was no more discussion.
  - After consideration of 1403- A Conditional Uses, motion by Stadlman, seconded by Storm, to recommend approval of the Conditional Use to the Board of Adjustment. All present members voted 5aye, 0 nay, motion carried.
9. That Rob Maeschen has appealed to the Davison County Planning Commission to recommend granting a Variance Permit of 50 feet for a public road right of way setback of 250 feet and a variance of 260 feet for a south property line setback of 40 feet. The minimum right of way and property line setbacks are each 300 feet in the Agricultural (AG) District. This request is pursuant to Sections 518 (3)f, and 518 (3)h of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as NW 1/4 of Section 19, T 101N, 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.



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- The applicant was present to answer questions. Discussion included what the need was for variance setbacks by the applicant to which the applicant said he didn't want to take up any more farm land than what was necessary. Since discussion took place for the conditional use, there was no further comments.
  - After consideration of 1403- B Variance, motion by Stadlman, seconded by Thiesse, to recommend approval of the Variance to the Board of Adjustment. All present members voted 5aye, 0 nay, motion carried.
10. That Larice Hamilton has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to operate an auto sales business in the Agricultural (AG) District. This request is pursuant to Section 507 (6) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the E 5/8 in the S 1/2 of the SE 1/4 EX Lot 12, H-1, & H-2 of Section 15, T 101N, 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 how many cars are for sale at one time and how many cars, on average, are sold per year. The applicant stated that he normally has 10-12 vehicles outside at one time and sells around 20 vehicles per year. Appearance is expected to stay the same and the applicant sells cars, pick-ups, flat bed trailers, and the occasional tractor. The concern about visibility and where the cars are placed was also discussed. The applicant reassured the Board that where the cars are currently located follows his guidelines for his State Dealers License and that they are plenty far from the road.
  - After consideration of 1403- A Conditional Uses, motion by Thiesse, seconded by Stadlman, to recommend approval of the Conditional Use to the Board of Adjustment. All present members voted 5aye, 0 nay, motion carried.
11. Set date for next meeting.
- June 3, 2014 @ 7:00P.M.
12. Adjournment @ 8:15P.M.

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Bruce Haines  
Planning Commission Chairman

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Nathan Wegner  
Planning & Zoning and Emergency Management Deputy Director