



Davison County Planning & Zoning and Emergency Management  
200 E. 4<sup>th</sup> Ave.  
Mitchell, SD 57301-2631  
Phone (605) 995-8615  
Fax (605) 995-8642



PLANNING COMMISSION MINUTES

June 3, 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, Denny Kiner, Kim Weitala, Jeff Bathke, Nathan Wegner.
  - Absent: None.
  - Guests: Aaron Gerlach, Mandy Gerlach, Ted Christianson, and Lynda Nordstrom.
3. Approve the agenda
  - Motion by Bode, seconded by Weitala, to approve the agenda. All members voted aye, motion carried.
4. Approve the May 6, 2014 Minutes
  - Motion by Stadlman, seconded by Storm, to approve the May 6, 2014 minutes. All members voted aye, motion carried.
5. That Quality Homes has appealed to the Davison County Planning Commission to recommend granting a Variance Permit in front yard setback of 22 +/- feet to create a front yard setback of 53 +/- feet. The minimum front yard setback is 75 feet in the Agricultural - Residential (AR) District. This request is pursuant to Section 613 (2a) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lots 3 & 4 of W S Martins 1st Addn. A Sub. of Govt. Lot 1 in the NE 1/4 W S Martins 1st Addn.-NE of Section 5, T 102N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Deputy Administrator Wegner gave an explanation of the application, required notifications, and the GIS view. There was one response from a neighboring land owner in disapproval; a picture and letter were provided that Deputy Administrator Wegner read aloud for the Planning Commission.
  - The applicant was not present to answer questions. Discussion included the miscommunication between the planning and zoning department and Quality Homes and the specifics on where the communication fell through. The driveway for the new home was discussed and found to be within guidelines. Commission member Bode stated that all three entities involved should know the requirements and feels this should not have happened. Furthermore, to safeguard future projects, County officials should think about double checking a builder's site layout before digging occurs in order to make sure setbacks and other requirements are followed correctly. Neighboring homes' setbacks were looked at, discussed, and compared to Bonnie Orr's home. The confusion and misunderstanding of the ordinance the way it is written currently for how setbacks are measured and where from was discussed in great length and detail. Last, a discussion about the condition of a shelter belt along Bonnie Orr's property was discussed.
  - After consideration of 1403-B Variance, motion by Weitala, seconded by Thiesse, to recommend approval of the Variance to the Board of Adjustment with the



Davison County Planning & Zoning and Emergency Management  
200 E. 4<sup>th</sup> Ave.  
Mitchell, SD 57301-2631  
Phone (605) 995-8615  
Fax (605) 995-8642



condition that one (1) row of conifers be planted along the south side of the home, starting 75' from the right-of-way of 408<sup>th</sup> Ave. and that three (3) rows of conifers be planted directly west of the first row and run the length of the neighbor's shelter belt to the south. All rows of conifers are to be established by June 1, 2015 and maintained at an 80% growth rate thereafter. All present members voted:

Haines Aye, Stadlman Aye, Storm Aye, Bode Aye, Thiesse Aye, Weitala Aye, Kiner Abstained. Motion carried.

6. Approve a Plat of A & M Tract 1 in the S 1/2 of the SW1/4 of Section 15, T 101N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Aaron & Mandy Gerlach.
  - Deputy Administrator Wegner gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion included a detailed reasoning for the Board of Adjustment's decision to pass the variance tied to the plat and what exactly a hardship is. The difference between a subdivision vs. an individual parcel being platted in the agricultural district was also discussed. Commission member Kiner voiced concern about the failure to approve such developments keeps small communities from growing...and who are we to do that? Last, was discussion with the applicant and the basis for 'first option to purchase' which gives the applicant the option of purchasing more land in the future to meet the 25 acre minimum.
  - Motion by Storm, seconded by Weitala, to recommend approval of the plat to the County Commissioners. All present members voted 7 aye, 0 nay, motion carried.
7. Set date for next meeting.
  - July 1, 2014 @ 7:00P.M.
8. Adjournment @ 8:40P.M.

---

Bruce Haines  
Planning Commission Chairman

---

Nathan Wegner  
Planning & Zoning and Emergency Management Deputy Director