



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

July 1, 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: Robert Ball, Babs Bowne, Bob Weber, Barb Weber, Larry Hostler, Angie Luczak, Frank Luczak, Tom Patzer, Bonny Kotrba, Jenny Kotrba, and Michelle Hoffman.
3. Approve the agenda
 - Motion by Stadlman, seconded by Thiesse, to approve the agenda. All members voted aye, motion carried.
4. Approve the June 3, 2014 Minutes
 - Motion by Stadlman, seconded by Bode, to approve the June 3, 2014 minutes. All members voted aye, motion carried.
5. Approve the June 5, 2014 Minutes
 - Motion by Thiesse, seconded by Bode, to approve the June 5, 2014 minutes. All members voted aye, motion carried.
6. That Suzanne Korzan has appealed to the Davison County Planning Commission to recommend granting a Variance Permit in lot size of 10 +/- acres to create a lot size of 15 +/- acres. The minimum lot size is 25 acres in the Agricultural (AG) District. This request is pursuant to Section 513 (4) 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 Lot C-2A, A Subdivision of Lot C-2 of Kotrba's Subdivision in the SE 1/4 of Section 15, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Administrator Wegner gave an explanation of the application, required notifications, and the GIS view. There was one response from a neighbor in approval of the lot size variance.
 - The applicant was not present to answer questions. Discussion included how many remaining acres would be left in the parent parcel, access to both parcels (current and proposed), the choice of 15 acres versus 25, and discussion of the creek that runs through the property and concerns of flooding and the creek size (3 dot blue line). The elevation towards the NE corner of the property is high enough that flooding would not be an issue.
 - After consideration of 1403- B Variance, motion by Storm, seconded by Thiesse, to recommend approval of the Variance to the Board of Adjustment with condition of an agricultural covenant. All present members voted 5 aye, 0 nay, motion carried.
7. Approve a Plat of Lot C-2A, A Subdivision of Lot C-2 of Kotrba's Subdivision in the SE 1/4 of Section 15, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Suzanne Korzan.



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- Deputy Administrator Wegner gave an explanation of the plat.
 - The applicant was not present to answer questions. Due to the variance, there was minimal discussion about the plat.
 - Motion by Stadlman, seconded by Bode to recommend approval of the plat to the County Commissioners. All present members voted 5 aye, 0 nay, motion carried.
8. That Bob & Barb Weber have appealed to the Davison County Planning Commission to recommend granting a Variance Permit in side yard setback of 8 +/- feet to create a side yard setback of 2 +/- feet. The minimum side yard setback is 10 feet in the Agricultural - Residential (AR) District. This request is pursuant to Section 613 (2c) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot L in the SW 1/4 of Section 24, T 103 N, R 61 W of the 5th 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 intention and need of the variance in side yard setback and the distance to the neighbor to the west to which the neighbor, present at the meeting, said she had no problem with the location of the future building.
 - After consideration of 1403- B Variance, motion by Thiesse, seconded by Storm, to recommend approval of the Variance to the Board of Adjustment. All present members voted 5 aye, 0 nay, motion carried.
9. That Lyle Kurtenbach has appealed to the Davison County Planning Commission to recommend granting a Variance Permit in lot size of 9 +/- acres to create a lot size of 16 +/- 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 L.J. Kurtenbach Tract 1 in the NE 1/4 of Section 32, T 101N, R 60 W of the 5th 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 a brief history of the land and why it has come in front of the Planning Commission. Because the parcel already exists by measurements, further discussion was minimal.
 - After consideration of 1403- B Variance, motion by Stadlman, seconded by Bode, to recommend approval of the Variance to the Board of Adjustment with condition of an agricultural covenant. All present members voted 5 aye, 0 nay, motion carried.
10. Approve a Plat of L.J. Kurtenbach Tract 1 in the NE 1/4 of Section 32, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Lyle Kurtenbach.
- Deputy Administrator Wegner gave an explanation of the plat.



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- The applicant was not present to answer questions. Due to the variance, there was minimal discussion about the plat.
 - Motion by Bode, seconded by Storm to recommend approval of the plat to the County Commissioners. All present members voted 5 aye, 0 nay, motion carried.
11. Approve a Plat of Lot 8-A of River Ridge Estates, A Subdivision of Previously Platted Lot 8 of River Ridge Estates in the SW 1/4 of the NE 1/4 of Section 13, T 103N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Thomas & Sherri Patzer.
- Deputy Administrator Wegner gave an explanation of the plat.
 - The applicant was present to answer questions. Discussion included what the intended purpose of the plat is and what it accomplishes, the access point for proposed Lot 8-A, and the neighboring parcels' ownership.
 - Motion by Storm, seconded by Bode to recommend approval of the plat to the County Commissioners. All present members voted 5 aye, 0 nay, motion carried.
12. Approve a Plat of F. Luczak Tract 1 in Gov't Lot 4, Gov't Lot 5 and the SE 1/4 of the NW 1/4, All in Section 6, T 104N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Frank & Angie Luczak.
- Deputy Administrator Wegner gave an explanation of the plat.
 - The applicant was present to answer questions. Discussion included the intended purpose of the plat and what exactly was being corrected. The creek that runs through the parcel was also discussed with main points focused on water flow and the applicant stated the last maintenance to the creek was well over 50 years ago. The proposed parcel currently exists by measurements.
 - Motion by Stadlman, seconded by Thiesse to recommend approval of the plat to the County Commissioners. All present members voted 5 aye, 0 nay, motion carried.
13. Approve a Plat of Lot C and Lot D of Oster's Addition, A replat of a portion of previously platted Lot B of Oster's Addition, and also a portion of the NE 1/4 of Section 19, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Ila Rumbolz.
- Deputy Administrator Wegner gave an explanation of the plat.
 - The applicant was not present to answer questions. Due to the fact that Rumbolz's plat was similar to Luczak in the fact that she is correcting parcel lines, discussion was minimal.
 - Motion by Bode, seconded by Storm to recommend approval of the plat to the County Commissioners. All present members voted 5 aye, 0 nay, motion carried.
14. Set date for next meeting.
- August 5, 2014 @ 7:00P.M.
14. a. Discussion: Special Meetings
- Discussion of special meetings took place in regards to the following:
 - i. Raising fee: The current special meeting rate of \$300 is regarded as being too low and the thought of the Planning Commission is to raise it to \$500. The fee cannot be raised until the first of the next year, January 2015.



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- ii. Notice: The Planning Commission agreed that a (5) five day notice should be in place between someone requesting the special meeting and the actual meeting being held in order to give the Planning and Zoning department adequate time to accommodate the request.
- iii. Special Meeting Initiation: The question was raised about what can constitute a special meeting; a plat that does not need a variance is really the only thing that would be viable to a special meeting. Variances and conditional uses need notice time (10 days) and that would put most people within a couple days of a regular scheduled meeting, hence ruling out the need for the special meeting.
- iv. Continued Discussion: Discussion about special meetings will be continued at a later date due to the fact that nothing can legally change prior to January 2015.

15. Adjournment @ 8:15P.M.

Bruce Haines
Planning Commission Chairman

Nathan Wegner
Planning & Zoning and Emergency Management Deputy Director