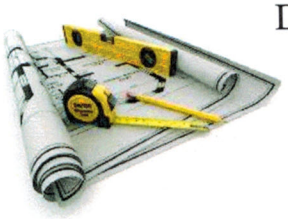
Davison County Planning & Zoning and Emergency Management
200 E. 4th Ave.
Mitchell, SD 57301-2631
Phone (605) 995-8615
Fax (605) 995-8642

PLANNING COMMISSION AGENDA
October 3, 2017

1. Call to order at 7:00 P.M. by Chairman Haines.
2. Roll Call.
3. Consider the October 3, 2017 Agenda.
4. Consider the September 5, 2017 Minutes.
5. That Dale and Donna Frank have appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size of +/- 13.225 acres to create a lot size of +/- 11.775 acres for lot 2 and a variance in minimum lot size of +/- 21.625 acres to create a lot size of +/- 3.377 acres for lot 3.
6. Consider A Plat of Lots 1, 2, 3, and 4 of Frank's Addition, in the East 974.4 feet of the West 1772.4 feet of the South 718.2 feet in the S 1/2 of Section 14, T 103 N, R 62 W of the 5th P.M. Davison County, South Dakota; requested by Dale and Donna Frank.
7. That Wilibrd Hohn has appealed to the Davison County Planning Commission to recommend granting a variance in lot size of +/- 15.29 acres to create a lot size of +/- 9.71 acres.
8. Consider A Plat of Lot 1 of WMH Addition in the SE 1/4 of Section 14, T 101 N, R 61 W of the 5th P.M. Davison County, South Dakota; requested by Wilibrd Hohn.
9. Additional Comments from the Group.
10. Set date and time for next meeting – November 7, 2017 @ 7:00 P.M.
11. Adjournment.

Mark Jenniges

Mark Jenniges
Deputy Director of Planning & Zoning



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PLANNING COMMISSION MINUTES
September 5, 2017

1. Vice Chairman Stadlman called the meeting to order at 7:00 P.M.
2. Roll Call
   - Present: Gary Stadlman, Steve Thiesse, Lewis Bainbridge, Brenda Bode, Jeff Bathke, Mark Jenniges.
   - Absent: Bruce Haines, Charles Storm, Kim Weitala.
   - Guests: Barb Schaffman, Craig and Betty Moller, Mike Rus.
3. Consider the agenda.
   - Motion by Lewis Bainbridge, seconded by Steve Thiesse, to approve the agenda. All members voted aye, motion carried.
4. Consider the August 15, 2017 Minutes.
   - Motion by Brenda Bode, seconded by Steve Thiesse, to approve the August 15, 2017 minutes. All members voted aye, motion carried.
5. That Jim & Barb Schlaffman have appealed to the Davison County Planning Commission to recommend granting a variance for:
   - Lot size of +/- 22 acres to create lot size of +/- 3 acres where the minimum is 25 acres in the Ag District.
   - Side yard setback on the west side of +/- 17' to create a side yard setback of 33' from proposed garage where the minimum setback is 50'in the Ag District.
   - Side yard setback on the west side of +/- 36' creating a setback of +/- 14' from the existing house on the parent parcel where the minimum setback is 50' in the Ag District.
   - Side yard setback on the north side of +/- 32' creating a setback of +/- 18' from the existing shed of the parent parcel where the minimum setback is 50' in the Ag District.
   - This request is pursuant to Section 307(4) and Section 308 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as A Plat of Lot 1 of JBS Addition in the SE 1/4 of Section 11, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota.
   - Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. A few phone calls were received just asking for clarification, no one was for or against.
   - The applicant was present to answer questions. Discussion included that the reason for the parcel lines where they are and the variance for side yard setback are because she didn't want any of the existing buildings to be taxed to her grandson. They plan on building a garage in the future and just wanted to get all the variances at one time.
   - Commissioner Bode wondered if an Ag Covenant was needed or if the updated zoning ordinance already required it, which it does, so no conditions of one needs to be made.

- After consideration of 1106-B Variance, motion by Lewis Bainbridge, seconded by Steve Thiesse, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:
  Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
  Bainbridge – aye, Bode – aye, Weitala – absent, motion carried.

6. Considered a Plat of Lot 1 of JBS Addition in the SE 1/4 of Section 11, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Jim & Barb Schlaffman.
   - Deputy Administrator Jenniges gave an explanation of the plat.
   - The applicant was present to answer questions. This is the plat for the variance discussed with item number 5 on the agenda.
   - Motion by Brenda Bode, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
     Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
     Bainbridge – aye, Bode – aye, Weitala – absent, motion carried.
7. That Craig Moller has appealed to the Davison County Planning Commission to recommend granting a variance in lot size of +/- 12.78 acres to create a lot size of +/- 12.28 acres, where the minimum lot size requirement is 25 acres in the Agricultural District.
   - This request is pursuant to Section 307(1)(5) 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 Plat of Lot 1 of CBM Addition in Government Lot 1 of the NE 1/4 of Section 6, T 101N, R 62 W of the 5th P.M., Davison County, South Dakota.
   - Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. A few phone calls were received just asking for clarification, no one was for or against.
   - The applicant was present to answer questions. Discussion included that Craig wanted to keep as much farm land as he could to continue farming so he just platted out the farmstead. He thought parceling out a full 25 acres would make it hard to sell especially for someone to get financing from a bank. The grain bins shown on GIS are no longer there so a variance is not required.
   - After consideration of 1106-B Variance, motion by Steve Thiesse, seconded by Brenda Bode, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:
     Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
     Bainbridge – aye, Bode – aye, Weitala – absent, motion carried.
8. Considered a Plat of Lot 1 of CBM Addition in Government Lot 1 of the NE 1/4 of Section 6, T 101N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Craig Moller.
   - Deputy Administrator Jenniges gave an explanation of the plat.
   - The applicant was present to answer questions. This is the plat for the variance discussed with item number 7 on the agenda.
   - Motion by Brenda Bode, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
     Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
     Bainbridge – aye, Bode – aye, Weitala – absent, motion carried.

9. Considered a Plat of Lots 1-H and 2-H, a Subdivision of Lot H of Brech's Subdivision in the W 1/2 of the SE 1/4 of Section 4, T 103N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Dan Brech.
    - Deputy Administrator Jenniges gave an explanation of the plat.
    - The applicant was not present to answer questions. This is in the ETJ. The city planning commission tabled the plat at their last meeting due to ownership issues. Deputy State's Attorney Taylor informed planning and zoning to move forward with the plat and that would be a civil matter that does not affect the plat.
    - Steve Thiesse questioned why the size of the south lot, doesn't seem like it is big enough to build anything on.
    - Motion by Brenda Bode, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
      Haines – absent, Stadlman – nay, Thiesse – nay, Storm – absent,
      Bainbridge – aye, Bode – aye, Weitala – absent, motion denied.
10. Considered a Plat of Lot 3 of Rus First Addition in the SE 1/4 of Section 15, T 104N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Mike Rus.
    - Deputy Administrator Jenniges gave an explanation of the plat.
    - The applicant was present to answer questions. Mike tried to buy the land when he first moved to the location. He currently has about 10 acres and this would give him around 25 acres. He already uses the land and now would like to purchase it for more pasture.
    - Motion by Brenda Bode, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
      Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
      Bainbridge – aye, Bode – aye, Weitala – absent, motion carried.
11. Considered a Plat of Lot 1 of JJJ Addition in Government Lots 1 and 2 and the East 1/2 of the NW 1/4, All in Section 18, T 104N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Bob Jarding of Mitchell Realty.
    - Deputy Administrator Jenniges gave an explanation of the plat.
    - The applicant was not present to answer questions. The surrounding land is being sold and the owners want to retain the farmstead. It is over 25 acres and no parcel line is within the 50' of setbacks so a variance is not required.
    - Motion by Lewis Bainbridge, seconded by Brenda Bode, to recommend approval of the plat to the County Commissioners. Roll call vote:
      Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
      Bainbridge – aye, Bode – aye, Weitala – absent, motion carried.
12. Additional Comments from the Group.
13. Set date and time or next meeting – October 3, 2017 @ 7:00 P.M.
14. Adjournment @ 8:12 P.M.

_____

Gary Stadlman
Planning Commission Vice Chairman

Mark Jenniges

Mark Jenniges
Deputy Director of Planning & Zoning

DAVISON COUNTY
VARIANCE APPLICATION

Applicant Name: Frank, Dale & Donna
Applicant Address: 40536 254th St Mitchell, SD 57301
Applicant Email: _____

Application date: 9-8-17
Application deadline: 9-18-17
Contact Phone: _____

Owner Name: Same
Owner Address: _____
Owner Contact Phone: _____

Parcel Number of parent parcel: 07000-10362-143-20
Legal Description of proposed parcel: A Plat of Lots 1, 2, 3, and 4 of Frank's Addition, in the East 974.4 feet of the West 1772.4 feet of the South 718.2 feet in the S 1/2 of Section 14, T 103 N, R 62 W of the 5th P.M. Davison County, South Dakota.

Reason for Variance: Recommend granting a variance in minimum lot size of +/- 13.225 acres to create a lot size of +/- 11.775 acres for lot 2 and a variance in minimum lot size of +/- 21.625 acres to create a lot size of +/- 3.377 acres for lot 3, where the minimum is 25 acres in the Agricultural District.

This request is pursuant to Section 307(4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended, which can be found at http://www.davisoncounty.org/wp-content/uploads/2014/03/Davison-County-Zoning-Ordinance.pdf.

Reason for Request to include hardships: Applicant is parceling the existing 16.461 acres of land that was described by measurments. Lot 2 is for their son that has the existing home and lot 3 is where they would like to build a new residence.

Section of Code Allowing Variance: 307(4), 1106 B, and 1206 B

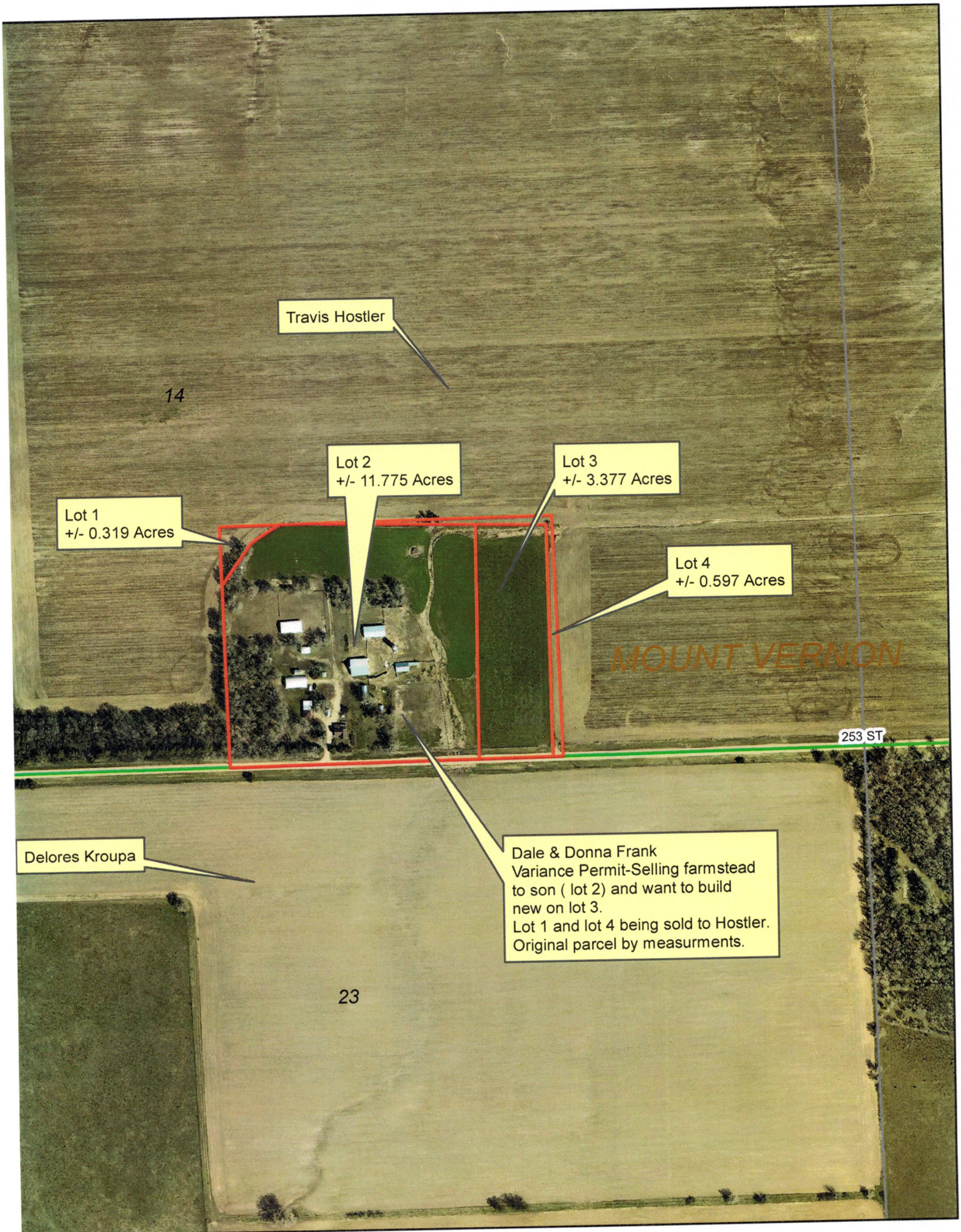
Fee Collected for Variance ($100): 9-8-17
Check #: 5350
Receipt #: 1977

Planning Commission Hearing Date: 10-3-17
Board of Adjustment Hearing Date: 10-10-17

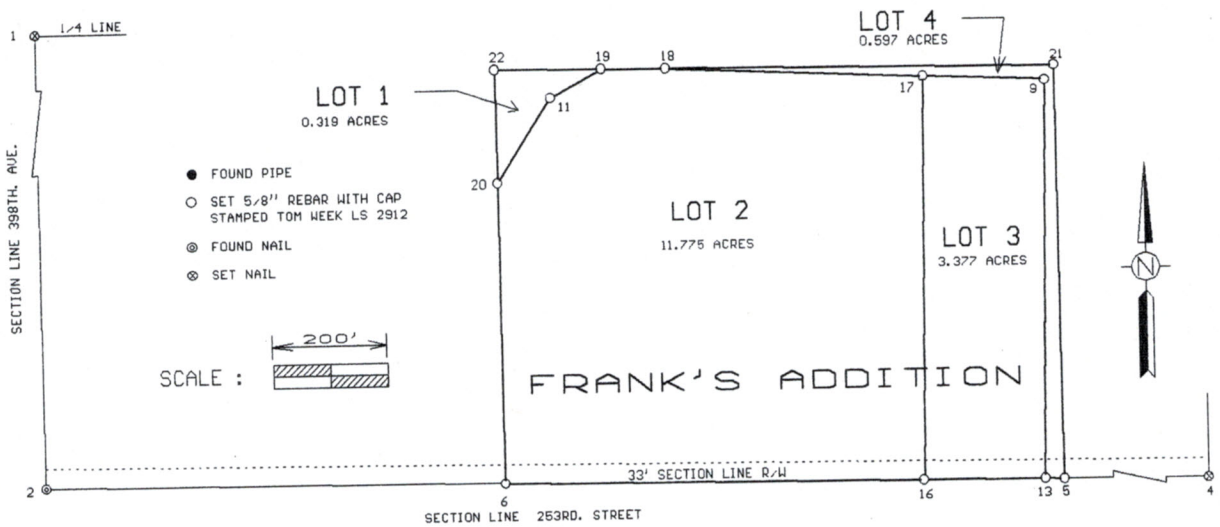
Required Items:

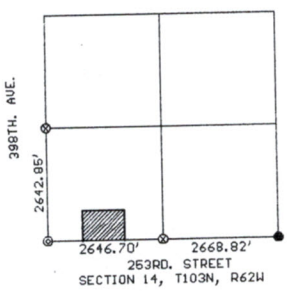
- ☒ Detailed site plan (GIS Photo of the property)
- ☒ Location and use of adjacent structures/land Agricultural, Residential.
- ☒ Application Fee

Signatures of Applicant: _____ **Date:** _____


Travis Hostler
14
Lot 2
+/- 11.775 Acres
Lot 3
+/- 3.377 Acres
Lot 1
+/- 0.319 Acres
Lot 4
+/- 0.597 Acres
MOUNT VERNON
253 ST
Delores Kroupa
Dale & Donna Frank
Variance Permit-Selling farmstead
to son (lot 2) and want to build
new on lot 3.
Lot 1 and lot 4 being sold to Hostler.
Original parcel by measurments.
23

PLAT OF LOTS 1, 2, 3, AND 4 OF FRANK'S ADDITION, IN THE EAST 974.4 FEET OF THE WEST 1772.4 FEET OF THE SOUTH 718.2 FEET IN THE S 1/2 OF SECTION 14, T103N, R62W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA.





LINE	DISTANCE	BEARING	LINE	DISTANCE	BEARING
LOT 1			20-22	195.69'	N 00-27-49 W
22-19	185.06'	S 89-31-50 E	19-11	101.40'	S 61-27-55 W
11-20	173.62'	S 32-55-54 W			
LOT 2			6-20	522.51'	N 00-27-49 W
20-11	173.62'	N 32-55-54 E	11-19	101.40'	N 61-27-55 E
19-18	111.95'	S 89-31-50 E	18-17	450.18'	S 87-21-12 E
17-16	701.01'	S 00-48-56 W	16-6	730.94'	N 89-31-50 W
LOT 3			16-17	701.01'	N 00-48-56 E
17-9	211.14'	S 87-21-12 E	9-13	692.98'	S 00-48-56 W
13-16	211.04'	N 89-31-50 W			
LOT 4			13-9	692.99'	N 00-48-56 E
9-18	661.32'	N 87-21-12 W	18-21	677.39'	S 89-31-50 E
21-5	718.20'	S 00-27-49 E	5-13	32.42'	N 89-31-50 W
OTHER LINES			1-2	2635.49'	S 00-27-49 E
2-6	798.00'	S 89-31-50 E	5-4	874.30'	S 89-31-50 E

SURVEYORS CERTIFICATE

I, THOMAS LYNN WEEK, REGISTERED LAND SURVEYOR IN YANKTON, SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNERS, MADE A SURVEY OF LOTS 1, 2, 3 AND 4 OF FRANK'S ADDITION, IN THE EAST 974.4 FEET OF THE WEST 1772.4 FEET OF THE SOUTH 718.20 FEET IN THE S 1/2 OF SECTION 14, T103N, R62W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA. SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 14TH. DAY OF SEPTEMBER, 2017.

THOMAS LYNN WEEK
REGISTERED LAND SURVEYOR
REG. NO. 2912

PREPARED BY: TOM WEEK
407 REGAL DRIVE
YANKTON, SOUTH DAKOTA 57078
605-665-8333

PLAT OF LOTS 1, 2, 3 AND 4 OF FRANK'S ADDITION, IN THE EAST 974.4 FEET OF THE WEST 1772.4 FEET OF THE SOUTH 718.20 FEET IN THE S 1/2 OF SECTION 14, T103N, R62W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA.

OWNER'S CERTIFICATE AND AGREEMENT OF PROTECTION OF WATER

WE, DALE G. FRANK AND DONNA FRANK, DO HEREBY CERTIFY THAT WE ARE THE ABSOLUTE AND UNQUALIFIED OWNERS OF THE ABOVE DESCRIBED REAL PROPERTY: LOTS 1, 2, 3 AND 4 OF FRANK'S ADDITION, IN THE EAST 974.4 FEET OF THE WEST 1772.4 FEET OF THE SOUTH 718.20 FEET IN THE S 1/2 OF SECTION 14, T103N, R62W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA. THAT THE ABOVE SURVEY AND PLAT WERE MADE AT OUR REQUEST AND UNDER OUR DIRECTION FOR THE PURPOSE OF LOCATING, MARKING AND PLATTING THE SAME, AND THAT SAID PROPERTY IS FREE FROM ALL ENCUMBRANCES. THE DEVELOPMENT OF THIS LAND INCLUDED IN THE BOUNDARIES OF FRANK'S ADDITION, SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS. THERE DOES EXIST HIGHWAY RIGHT OF WAY ALONG THE SOUTH SIDES OF LOTS 2, 3, AND 4. PURSUANT TO SDCL 11-3-8.1 AND 11-3-8.2 THE DEVELOPER OF THIS PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE RESPONSIBLE FOR PROTECTING ANY WATERS OF THE STATE LOCATED ADJACENT TO OR WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWAGE FROM SUCH ADDITION, AND SHALL IN PROSECUTION OF SUCH PROTECTION CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME. ADDITIONALLY THE DEVELOPER OF THIS PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE LIABLE FOR ANY POLLUTION THAT OCCURS FROM FAILURE TO EXECUTE SUCH PROTECTIONS OR FOLLOW SUCH REGULATIONS, EXCEPTION BEING THOSE LOTS IN SUBDIVISIONS THAT SHOW DOCUMENTATIONS THAT WASTE WATER DRAINAGE SHALL BE CONNECTED TO A MUNICIPAL SYSTEM.

DATED THIS____DAY OF_____,_____,

_____ DALE G. FRANK

_____ DONNA FRANK

STATE OF _____
COUNTY OF _____
ON THIS____DAY OF_____,_____, BEFORE ME THE UNDERSIGNED OFFICER, PERSONALLY APPEARED DALE G. FRANK AND DONNA FRANK, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND WHO ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES _____

_____ NOTARY PUBLIC

RESOLUTION OF COUNTY PLANNING COMMISSION

BE IT RESOLVED BY THE DAVISON COUNTY, SOUTH DAKOTA, PLANNING COMMISSION THAT THE ABOVE PLAT REPRESENTING LOTS 1, 2, 3 AND 4 OF FRANK'S ADDITION, IN THE EAST 974.4 FEET OF THE WEST 1772.4 FEET OF THE SOUTH 718.20 FEET IN THE S 1/2 OF SECTION 14, T103N, R62W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA, AND FINDS AS A FACT THAT SAID PLAT IS IN CONFORMITY AND DOES NOT CONFLICT WITH THE MASTER PLAN FOR DAVISON COUNTY, AND THE SAME IS HEREBY APPROVED AND ITS ADOPTION BY THE BOARD OF COMMISSIONERS OF DAVISON COUNTY, SOUTH DAKOTA IS RECOMMENDED.

THE FOREGOING RESOLUTION WAS PASSED BY THE COUNTY PLANNING COMMISSION OF DAVISON COUNTY, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE _____ DAY OF _____,_____.

_____ CHAIRMAN, PLANNING COMMISSION

RESOLUTION OF APPROVAL

WHEREAS, IT APPEARS THAT THE OWNERS THEREOF HAVE CAUSED A PLAT TO BE MADE OF THE FOLLOWING REAL PROPERTY: LOTS 1, 2, 3 AND 4 OF FRANK'S ADDITION, IN THE EAST 974.4 FEET OF THE WEST 1772.4 FEET OF THE SOUTH 718.20 FEET IN THE S 1/2 OF SECTION 14, T103N, R62W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA AND HAVE SUBMITTED SUCH PLAT TO THE COUNTY COMMISSION OF DAVISON COUNTY, SOUTH DAKOTA FOR APPROVAL. NOW THEREFORE BE IT RESOLVED, THAT SUCH PLAT HAS BEEN EXECUTED ACCORDING TO THE LAW AND SAME IS HEREBY APPROVED. THE COUNTY AUDITOR/DEPUTY AUDITOR IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THIS RESOLUTION AND CERTIFY THE SAME.

I, _____, COUNTY AUDITOR/DEPUTY AUDITOR OF DAVISON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF DAVISON COUNTY, SOUTH DAKOTA, ON THIS ____DAY OF_____, _____.

_____ COUNTY AUDITOR/DEPUTY AUDITOR

_____ CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

PLAT OF LOTS 1, 2, 3 AND 4 OF FRANK'S ADDITION, IN THE EAST 974.4 FEET OF THE WEST 1772.4 FEET OF THE SOUTH 718.20 FEET IN THE S 1/2 OF SECTION 14, T103N, R62W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA.

CERTIFICATE OF STREET AUTHORITY

THERE ARE APPROACHES TO LOTS 2, 3 AND 4. ANY CHANGE IN THE EXISTING ACCESS SHALL REQUIRE ADDITIONAL APPROVAL. DATED THIS_____DAY OF_____, 2017.

_____
TOWNSHIP/COUNTY HIGHWAY REPRESENTATIVE

TREASURER CERTIFICATE

THE UNDERSIGNED, COUNTY TREASURER/DEPUTY TREASURER OF DAVISON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE PLAT, AS SHOWN BY THE RECORDS OF THIS OFFICE, HAVE BEEN PAID. DATED THIS____ DAY OF_____,_____.

_____
TREASURER/DEPUTY TREASURER, DAVISON COUNTY, S.D.

DIRECTOR OF EQUALIZATION CERTIFICATE

THE UNDERSIGNED, COUNTY DIRECTOR OF EQUALIZATION/DEPUTY DIRECTOR OF EQUALIZATION OF DAVISON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT HE/SHE HAS RECEIVED A COPY OF THE FOREGOING PLAT. DATED THIS____DAY OF_____, _____.

_____
DIRECTOR OF EQUALIZATION/DEPUTY DIRECTOR OF EQUALIZATION, DAVISON COUNTY, S.D.

REGISTER OF DEEDS CERTIFICATE

THE UNDERSIGNED, REGISTER OF DEEDS/DEPUTY REGISTER OF DEEDS, DAVISON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT THE ORIGINAL PLAT WAS FILED FOR RECORD THIS____DAY OF_____, _____,_____O'CLOCK __. M., AND DULY RECORDED IN BOOK _____, PAGE _____.

_____
REGISTER OF DEEDS/DEPUTY REGISTER OF DEEDS, DAVISON COUNTY, S.D.

DAVISON COUNTY
VARIANCE APPLICATION

Applicant Name: Hohn, Wilibrd
Application date: 9-18-17
Applicant Address: 416 East Highway 42, Ethan, SD 57334
Application deadline: 9-18-17
Applicant Email: _____
Contact Phone: 996-7761 (Paul R. @ SPN)

Owner Name: Same
Owner Address: _____
Owner Contact Phone: _____

Parcel Number of parent parcel: 11000-10161-144-00
Legal Description of proposed parcel: A Plat of Lot 1 of WMH Addition in the SE 1/4 of Section 14, T 101 N, R 61 W of the 5th P.M. Davison County, South Dakota.

Reason for Variance: Recommend granting a variance in minimum lot size of +/- 15.29 acres to create a lot size of +/- 9.71 acres ,where the minimum is 25 acres in the Agricultual District.

This request is pursuant to Section 307(4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended, which can be found at http://www.davisoncounty.org/wp-content/uploads/2014/03/Davison-County-Zoning-Ordinance.pdf.

Reason for Request to include hardships: Applicant would like to parcel off the farmstead for his son.

Section of Code Allowing Variance: 307(4), 1106 B, and 1206 B

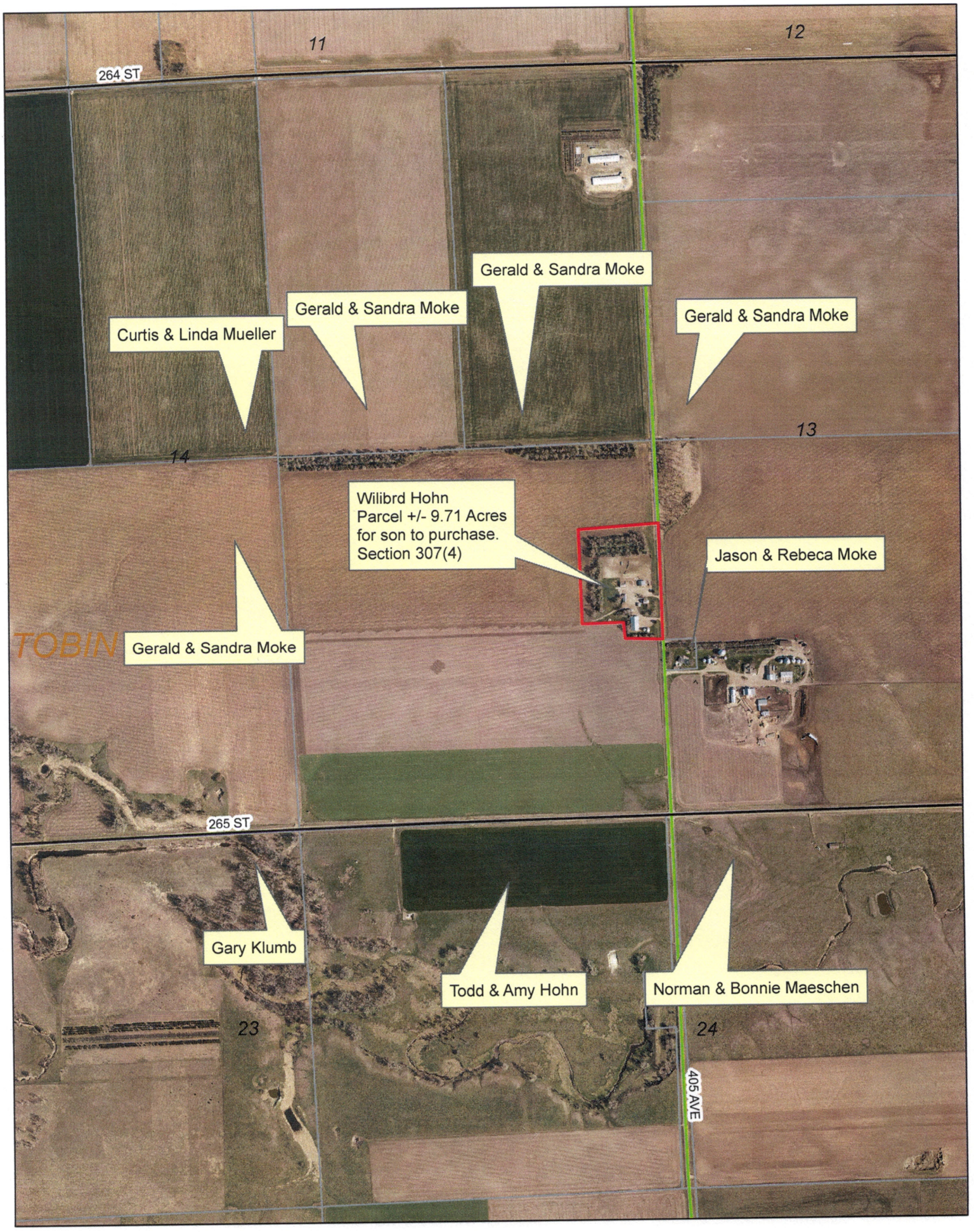
Fee Collected for Variance ($100): 9-18-17
Check #: 5024
Receipt #: 2031

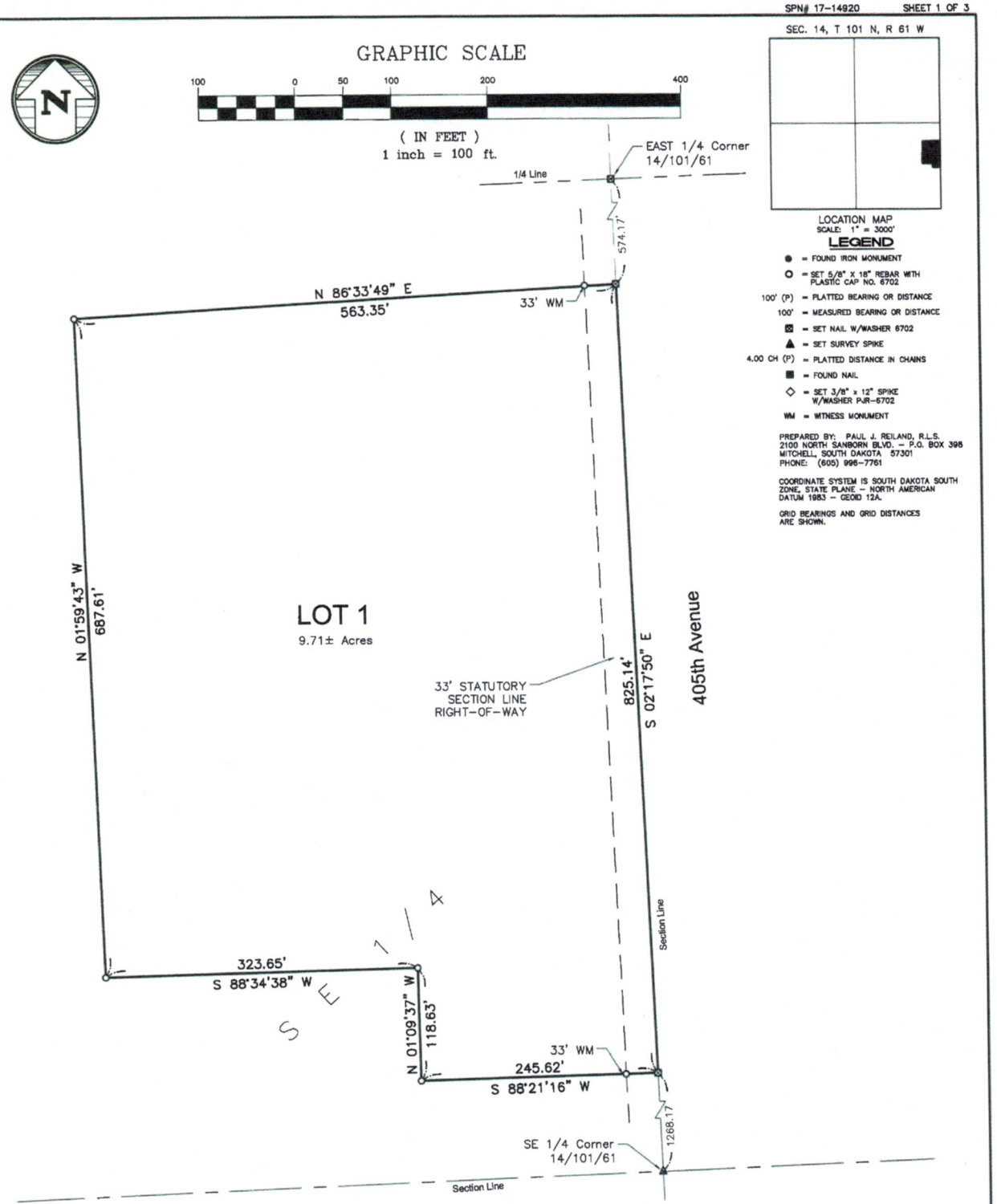
Planning Commission Hearing Date: 10-3-17
Board of Adjustment Hearing Date: 10-10-17

Required Items:

- ☒ Detailed site plan (GIS Photo of the property)
- ☒ Location and use of adjacent structures/land Agricultural, Residential.
- ☒ Application Fee

Signatures of Applicant: _____ **Date:** _____


11
12
264 ST
Curtis & Linda Mueller
Gerald & Sandra Moke
Gerald & Sandra Moke
Gerald & Sandra Moke
13
14
Wilibrd Hohn
Parcel +/- 9.71 Acres
for son to purchase.
Section 307(4)
Jason & Rebeca Moke
TOBIN
Gerald & Sandra Moke
265 ST
Gary Klumb
Todd & Amy Hohn
Norman & Bonnie Maeschen
23
24
405 AVE



A PLAT OF LOT 1 OF WMH ADDITION IN THE SE 1/4 OF SECTION 14, T 101 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.

SURVEYOR'S CERTIFICATE

I, Paul J. Reiland, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Wilibrd M. Hohn and Darlene M. Hohn, as owners, and under their direction for purposes indicated therein, I did on or prior to August 28, 2017, survey those parcels of land described as follows: LOT 1 OF WMH ADDITION IN THE SE 1/4 OF SECTION 14, T 101 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.

In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct.

Dated this _____ day of _____, 2017.

REGISTERED PROFESSIONAL LAND SURVEYOR
REG. NO. 6702
PAUL J. REILAND
SOUTH DAKOTA

Registered Land Surveyor #SD6702

SPN & Associates
Engineers, Planners and Surveyors
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

A PLAT OF LOT 1 OF WMH ADDITION IN THE SE 1/4 OF SECTION 14, T 101 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.

OWNER'S CERTIFICATE, DEDICATION AND AGREEMENT OF PROTECTION OF WATER

KNOW ALL MEN BY THESE PRESENTS that we, the undersigned, hereby certify that we are the absolute and unqualified owners of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in THE SE 1/4 OF SECTION 14, T 101 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at our request and under our direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOT 1 OF WMH ADDITION IN THE SE 1/4 OF SECTION 14, T 101 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and we hereby dedicate to the public, for public use forever as such, the streets and alleys, if any, as shown and marked on said plat; and that development of the land included within the boundaries of said Lot 1 shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations; further that there now exists 405th Avenue. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same. Additionally the developer of the property described within this plat shall be liable for any pollution that occurs from failure to execute such protections or follow such regulations, exception being those lots in subdivisions that show documentation that wastewater drainage shall be connected to a municipal system.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2017.

_____ Wilibrd M. Hohn

_____ Darlene M. Hohn

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2017, before me, _____, the undersigned officer, personally appeared Wilibrd M. Hohn and Darlene M. Hohn, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

_____
Notary Public, South Dakota
My Commission Expires:_____

RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, the plat of LOT 1 OF WMH ADDITION IN THE SE 1/4 OF SECTION 14, T 101 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, duly licensed Land Surveyor in and for the State of South Dakota, heretofore filed in the office of the County Auditor of Davison County, South Dakota, has been submitted to the County Planning Commission of the said County of Davison, South Dakota; and

WHEREAS, the County Planning Commission, in regular meeting assembled, had duly considered said plat and finds as a fact that said plat is in conformity and does not conflict with the Master Plan for the County of Davison, South Dakota, heretofore adopted by this Commission;

NOW THEREFORE, be it resolved by the County Planning Commission of Davison County, South Dakota, that the plat of LOT 1 OF WMH ADDITION IN THE SE 1/4 OF SECTION 14, T 101 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, a Land Surveyor, be and the same is hereby approved and its adoption by the Board of Commissioners of the County of Davison, South Dakota, is hereby recommended.

The undersigned does hereby certify that the foregoing resolution was passed by the County Planning Commission of Davison County, South Dakota, at a meeting thereof held on the _____ day of _____, 2017.

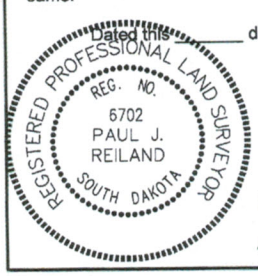
_____
Chairperson/Vice Chairperson of the
Davison County Planning Commission

RESOLUTION BY BOARD OF COUNTY COMMISSIONERS

Be it resolved by the Board of County Commissioners of Davison County, South Dakota, that the plat of LOT 1 OF WMH ADDITION IN THE SE 1/4 OF SECTION 14, T 101 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, which has been submitted for examination pursuant to law, is hereby approved and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

Dated this _____ day of _____, 2017.

_____
Chairperson/Vice-Chairperson, Board of County Commissioners, Davison County



SPN & Associates
Engineers, Planners and Surveyors
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

A PLAT OF LOT 1 OF WMH ADDITION IN THE SE 1/4 OF SECTION 14, T 101 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.

AUDITOR'S CERTIFICATE

The undersigned does hereby certify that the above resolution was adopted by the Board of County Commissioners of Davison County, South Dakota, at a regular meeting held on _____, 2017, approving the above named plat.

_____
Auditor/Deputy Auditor of Davison County

CERTIFICATE OF HIGHWAY AUTHORITY

The location(s) of the existing approach(es) is/are hereby approved. Any change in the location(s) of the existing approach(es) shall require additional approval.

By:_____ Title:_____ Date:_____
Highway Authority

CERTIFICATE OF COUNTY TREASURER

The undersigned does hereby certify that all taxes which would, if not paid, be liens upon any of the land included in the within and foregoing plat, as shown by the records of my office, have been fully paid.

_____ _____
Treasurer/Deputy Treasurer, Davison County Date

DIRECTOR OF EQUALIZATION

The undersigned does hereby certify that a copy of the plat of LOT 1 OF WMH ADDITION IN THE SE 1/4 OF SECTION 14, T 101 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, has been received by me and is filed in my office.

_____ _____
Director of Equalization/Deputy Director of Equalization, Davison County Date

REGISTER OF DEEDS

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

FILED for record this _____ day of _____, 2017, at _____, and recorded in Book _____ of Plats on Page _____ therein and recorded on Microfilm Number _____.

_____ By_____
Register of Deeds, Davison County Deputy

REGISTERED PROFESSIONAL LAND SURVEYOR
REG. NO.
6702
PAUL J.
REILAND
SOUTH DAKOTA

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