Davison County Planning & Zoning and Emergency Management
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PLANNING COMMISSION MINUTES
November 7, 2017

1. Chairman Haines called the meeting to order at 7:00 P.M.
2. Roll Call
   - Present: Bruce Haines, Gary Stadlman, Charles Storm, Steve Thiesse, Brenda Bode @ 7:04 P.M., Kim Weitala @ 7:04 P.M., Jeff Bathke, Mark Jenniges.
   - Absent: Lewis Bainbridge
   - Guests: Mr. and Mrs. Titze, Kandee Strand, Mrs. Stadlman, Mr. and Mrs. Petersen.
3. Consider the agenda.
   - Motion by Gary Stadlman, seconded by Steve Thiesse, to approve the agenda the amended agenda changing item 14 date to December 5. All members voted aye, motion carried.
4. Consider the October 3, 2017 Minutes.
   - Motion by Charles Storm, seconded by Steve Thiesse, to approve the October 3, 2017 minutes. All members voted aye, motion carried.
5. That Mustang Seeds/Cody Plamp has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to install an off-site sign in the Ag District.
   - This request is in pursuant to Section 304 (36) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot 1 of Rus First Addition in the SE 1/4 of Section 15, T 104 North, Range 61 West of the 5th P.M., Davison County, South Dakota.
   - Deputy Administrator Jenniges 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 that Cody is leasing a building 1/4 mile north.
   - Commissioner Bode liked the location of the sign, 247 as long as it stays out of the site triangle.
   - Commissioner Stadlman was curious if there was a maximum size allowance for such signs, to which 600 square feet is the maximum per the zoning ordinance.
   - After consideration of the 1106-A Conditional Uses, a motion by Gary Stadlman, seconded by Brenda Bode, to recommend approval of the Conditional Use Permit with a condition the sign not be bigger than 64 square feet to the Board of Adjustment. Roll call vote:
     Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye,
     Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
6. That Lowell Titze has appealed to the Davison County Planning Commission to recommend granting a variance for front yard setback +/- 5 feet, resulting in a setback of

+/- 70 feet from the right of way, where the front yard setback is 75 feet in the Agricultural Residential District.

- This request is pursuant to Section 408 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 Ex Lots A-B-C-D-M & Ex Lots K & L of W & L Addn & Ex N 80 Rods x W 20 Rods of Section 25, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota.
- Deputy Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. There was no response from those notified.
- The applicant was present to answer questions. Discussion included Lowell is adding onto the west side of his house. The addition is scheduled to only be a few feet into the 75 foot setback required but it was decided to play it safe and asked for a +/-5 foot variance. The location of his home is at the end of a dead-end road.
- Commissioner Bode felt this was a hassle for Lowell but rules are rules and appreciated Lowell following the correct process.
- After consideration of 1106-B Variance, motion by Steve Thiesse, seconded by Charles Storm, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:
  Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye,
  Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.

7. That Ron Halweg has appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size of +/- 14.335 acres to create a lot size of +/- 10.665 acres, where the minimum lot size requirement is 25 acres in the Agricultural District.
   - This request is pursuant to Section 307(1)(3) 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 Lots 1, 2 and 3 of Halweg's Addition in the SW 1/4 of Section 34, T 102N, R 61 W of the 5th P.M., Davison County, South Dakota.
   - Deputy Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. One phone call was received wondering what Ron was doing, after explanation he had no issue with the variance, he was more concerned with the other lots.
   - The applicant was not present to answer questions. Discussion included current members of the board remember this from previous years and were curious what happened. Planning and Zoning will do some digging to find out before the BoA meeting next week.
   - Commissioner Stadlman would like to see a full 25 acres and no variance since he is replatting all his land there.
   - Commissioner Haines thinks the creek creates a hardship for why Ron is going with the size of plat that he is which requires the variance.
   - After consideration of 1106-B Variance, motion by Brenda Bode, seconded by Charles Storm, to recommend approval of the Variance to the Board of Adjustment as presented. Roll call vote:
     Haines – aye, Stadlman – nay, Thiesse – aye, Storm – aye,

Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.

8. Considered a Plat of A Plat of Lots 1, 2 and 3 of Halweg's Addition in the SW 1/4 of Section 34, T 102N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Ron Halweg.
    - 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. Safety of ingress and egress was brought up and Rusty will have to watch to make sure approaches are put in legally.
    - Motion by Kim Weitala, seconded by Brenda Bode, to recommend approval of the plat to the County Commissioners. Roll call vote:
      Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye,
      Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
9. That Kandee Strand has appealed to the Davison County Planning Commission to recommend granting a variance in lot size of +/- 13.61 acres to create a lot size of +/- 11.69 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 KKS Addition in the NW 1/4 of Section 12, T 104N, R 61 W of the 5th P.M., Davison County, South Dakota.
    - Deputy Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. A neighbor called and stopped in questioning what Kandee was doing, after showing them the GIS view they had no issue with it as it wasn't affecting them at all.
    - The applicant was present to answer questions. Discussion included that Kandee has been renting out the farmstead. She has had issues with renters in the past and she resides in Arizona for extended times.She would like to sell the farmstead and keep the tillable land around it.
    - Commissioner Bode believes they have done a nice job cleaning up the property over the years. She also believes, and Ag Covenant is important to this acreage because she doesn't feel it will be a farmer that buys this land but needs to understand that they live in the country where cattle and pigs are raised and crops are grown.
    - Commissioner Stadlman would like to see it 25 acres.
    - After consideration of 1106-B Variance, motion by Brenda Bode, seconded by Kim Weitala, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:
      Haines – aye, Stadlman – nay, Thiesse – aye, Storm – aye,
      Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
10. Considered a Plat of A Plat of Lot 1 of KKS Addition in the NW 1/4 of Section 12, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Kandee Strand.
    - 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 9 on the agenda.
- Motion by Steve Thiesse, seconded by Kim Weitala, to recommend approval of the plat to the County Commissioners. Roll call vote:
  Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye,
  Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.

11. That Schoenfeld Estate has appealed to the Davison County Planning Commission to recommend granting a variance in lot size of +/- 4.22 acres to create a lot size of +/- 20.78 acres, where the minimum lot size requirement 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. Upon platting, the property will be legally described as A Plat of Lot 1 of Joe's Addition in Government Lot 1 and the SE 1/4 of the NE 1/4 of Section 4, T 103N, R 62 W of the 5th P.M., Davison County, South Dakota.
    - Deputy Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. No phone calls or emails were received for or against the variance.
    - The applicant was present to answer questions. Discussion included that Mike Schoenfelder owned the land and passed away, his will states the farmland can be sold between the children, but the farmstead is just to go Joe, his son. Mike had set the boundaries in his will before he passed and that's how they came up with the roughly 22 acres. So, they are parceling off the farmstead and will deal with the tillable land at a later date to which kids or grandkids of Mike are the only ones allowed to purchase it. The hope is Joe will continue to farm and possibly by the tillable land.
    - Commissioner Bode questioned how the taxing would work on this property, which would be a more appropriate question for DOE, but P/Z doesn't think there would be an issue with it. She also thinks an Ag Covenant is appropriate for even tho Joe plans on farming, it's more about the future.
    - After consideration of 1106-B Variance, motion by Brenda Bode, seconded by Kim Weitala, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:
      Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye,
      Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
12. Considered a Plat of A Plat of Lot 1 of Joe's Addition in Government Lot 1 and the SE 1/4 of the NE 1/4 of Section 4, T 103N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Schoenfelder Estate.
    - 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 11 on the agenda.
    - Motion by Gary Stadlman, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
      Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye,
      Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
13. Additional Comments from the Group.

14. Set date and time or next meeting – December 5, 2017 @ 1:15 P.M.
15. Adjournment @ 8:19 P.M.

Bruce Haines
Planning Commission Chairman

Mark Jenniges
Deputy Director of Planning & Zoning