



Davison County Planning & Zoning and Emergency Management
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PLANNING COMMISSION MINUTES
May 5, 2015

1. Call to order at 7:01 P.M. by Chairman Haines.
2. Roll Call
 - Present: Bruce Haines, Steve Thiesse, Lewis Bainbridge, Charles Storm, Brenda Bode, Kim Weitala, Jeff Bathke, Nathan Wegner.
 - Absent: Gary Stadlman.
 - Guests: Dave Sibson, James Taylor-Deputy State's Attorney, Russ McCormick, Marcus Traxler, and Chuck Mauszycki Jr.
3. Approve the agenda
 - Motion by Brenda Bode, seconded by Kim Weitala, to approve the agenda. All members voted aye, motion carried.
4. Approve the April 7, 2015 Minutes
 - Motion by Brenda Bode, seconded by Lewis Bainbridge, to approve the April 7, 2015 minutes. All members voted aye, motion carried.
5. That David Sibson has appealed to the Davison County Planning Commission to recommend granting a Variance Permit in front yard setback of 5 +/- feet to create a front yard setback of 70 +/- feet for replacement of a nonconforming structure. The minimum front yard setback is 75 feet in the Agricultural (AG) District. This request is pursuant to Section 515 and 1807 (2) 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 13, T 104N, R 60 W of the 5th P.M., Davison County, South Dakota.
 - Deputy 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 placement of the current structure and the fact that it was built prior to the variance hearings, issuance of a building permit, and against the guidance of Planning and Zoning and the Deputy State's Attorney. The applicant explained what construction has been completed thus far and his reasoning for doing so; the applicant stressed the importance of the structure to the family. There was discussion and clarification of the events that unfolded prior to the Planning Commission hearing. It was last stated that having the applicant move or add to the concrete pad would be creating more of a hardship than currently exists.
 - After consideration of 1403- B Variance, motion by Steve Thiesse, seconded by Charles Storm, to recommend approval of the variance to the Board of Adjustment based on a hardship of otherwise making the applicant add 5' of concrete to the existing pad. Roll call vote:
Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
6. Approve a Plat of Lot 12 of Park Acres First Addition in the NE 1/4 of Section 6, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of CJM Consulting Inc.

- Deputy Administrator Wegner gave an explanation of the plat and the outcome from the City of Mitchell's meetings; Planning & Zoning on April 27, 2015 and Council on May 4, 2015.
 - The applicant was present to answer questions. Discussion was brief as a previous plat in the same area was heard by the Planning Commission at the April 2015 meeting. It was noted that the same purchaser of lot 2 last month is also purchasing this proposed lot.
 - Motion by Kim Weitala, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
7. Discussion and review of possible amendments to the Davison County Zoning Ordinance.
- Administrator Bathke discussed possible changes to the zoning ordinance after he reviews new laws that were recently approved this past legislation session and previous years since the Ordinance was last amended; group discussion followed with further review at future meetings.
8. Additional Comments and Discussion from the Group included:
- Group review and discussion of nuisance properties that continue to be watched and dealt with by the Planning and Zoning Department.
9. Set date and time for next meeting – June 2, 2015 @ 7:00 P.M.
10. Adjournment @ 8:16 P.M.


Bruce Haines
Planning Commission Chairman


Nathan Wegner
Planning & Zoning and Emergency Management Deputy Director