



## PLANNING COMMISSION MINUTES

August 5, 2014

1. Call to order at 7:10 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: David Devries, Loren Gregerson, Ron Scheich, Jeff Larson, and Chuck Mauszycki.
3. Approve the agenda
  - Motion by Stadlman, seconded by Storm, to approve the agenda. All members voted aye, motion carried. Agenda was amended to add 10.a. as a discussion at the request of Planning Commission member Bode.
4. Approve the July 1, 2014 Minutes
  - Motion by Stadlman, seconded by Thiesse, to approve the July 1, 2014 minutes. All members voted aye, motion carried.
5. That Loren Gregerson has appealed to the Davison County Planning Commission to recommend granting a Variance Permit in front yard setback of 8 +/- feet to create a front yard setback of 67 +/- feet for an addition to 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 (1) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot A in the SW 1/4 of Section 23, T 104N, R 62 W of the 5<sup>th</sup> 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 what the overall plans were of the applicant and his intentions with the addition to the house.
  - After consideration of 1403- B Variance, motion by Bode, seconded by Weitala, to recommend approval of the Variance to the Board of Adjustment. All present members voted 7 aye, 0 nay, motion carried.
6. That LLG Enterprises has appealed to the Davison County Planning Commission to recommend granting one (1) additional lot as an amendment to the August 17, 2004 variance additional requirement that placed a maximum of 33 total lots in the Enemy Creek Estates development in the Agricultural District. This request is pursuant to the additional requirement that was placed on the August 17, 2004 variance in lot size permit amendment to the July 29, 2003 Permit. Upon platting, the property will be legally described as Lot 1 of Enemy Creek Estates, a Subdivision in the NE 1/4 of Section 14, T 102 N, R 60 W of the 5<sup>th</sup> 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 notified, Ryan Sheesley. He is concerned about water runoff from the property and would

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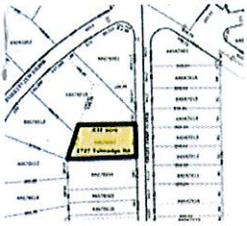


like to see the land built up and the water drained to the ditch. His other concern is the placement of the driveway and he would like to see it connect to the Loop and not 258th.

- The applicant was present to answer questions. Discussion included the drainage concern and the applicant assured that the water will drain to the ditch and the driveway will connect to Enemy Creek Loop. The total lot requirement was discussed as well as other items of the previous conditional use stipulations, which will be required for this lot; they include: percolation test and an agricultural covenant to be completed before any building occurs and plat is filed.
  - After consideration of 1403- B Variance, motion by Storm, seconded by Kiner, to recommend approval of the Variance to the Board of Adjustment. All present members voted 7 aye, 0 nay, motion carried.
7. Approve a Plat of Lot 1 of Enemy Creek Estates in the NE 1/4 of Section 14, T 102N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of LLG Enterprises.
- Deputy Administrator Wegner gave an explanation of the plat.
  - The applicant was present to answer questions. Due to the variance, there was minimal discussion about the plat.
  - Motion by Bode, seconded by Weitala, to recommend approval of the plat to the County Commissioners. All present members voted 7 aye, 0 nay, motion carried.
8. Approve a Plat of Lot 2A and 2B, Block 2 of B. and J. Devries First Addition in the NE 1/4 of Section 31, T 104N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of David Devries.
- Deputy Administrator Wegner gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion included the availability of rural water for the lot, which was found to be sufficient. Reason for platting of Lot 2B was also briefly discussed. Significance was placed on an agricultural covenant and its importance, however, the plat in question lies within the City of Mitchell's zoning regulations, therefore, the Planning Commission cannot place an agricultural covenant stipulation on the land.
  - Motion by Thiesse, seconded by Storm, to recommend approval of the plat to the County Commissioners. All present members voted 5 aye, 2 nay, motion carried.

Roll Call: Haines aye, Stadlman nay, Bode nay, Thiesse aye, Storm aye, Kiner aye, Weitala aye.

9. Approve a Plat of Lot 4 AND 5, block 8 of CJM Second Addition, and a portion of Livesay Lane and a Portion of Jamaicas Avenue, in the NW 1/4 of Section 32, T 104N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of CJM Consulting.
- Deputy Administrator Wegner gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion included the future of the development and projected growth, distance of (future) city sewer and water hookup from the proposed Lots, and discussion about septic tank usage in the area.



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- Motion by Weitala, seconded by Kiner, to recommend approval of the plat to the County Commissioners. All present members voted 7 aye, 0 nay, motion carried.
10. Set date for next meeting – September 2, 2014
  - 10.a. Discussion – Past Conditional Use (1989-1991)
    - Planning Commission member Bode stated that she has received calls concerning JD Concrete Products, located at 1417 E. Spruce St., Mitchell. The inquiry questions the concrete rubble dumping requirements that were part of the conditional use stipulations. The Planning and Zoning department will review the requirements of the conditional use and meet with JD Concrete.
  11. Adjournment @ 8:25 P.M.

  
Bruce Haines  
Planning Commission Chairman

  
Nathan Wegner  
Planning & Zoning and Emergency Management Deputy Director