



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 MINUTES
July 11, 2017

1. Vice Chairman Stadlman called the meeting to order at 7:00 P.M.
2. Roll Call
 - Present: Gary Stadlman, Steve Thiesse, Kim Weitala, Brenda Bode, Jeff Bathke, Mark Jenniges.
 - Absent: Bruce Haines, Charles Storm, Lewis Bainbridge
 - Guests: Cal Schoenfelder, Delmar Mueller, Lonnie Bollock, Mrs. Osen
3. Consider the agenda.
 - Motion by Brenda Bode, seconded by Steve Thiesse, to approve the agenda with item #5 including Bollock on the CUP. All members voted aye, motion carried.
4. Consider the May 18, 2017 Minutes.
 - Motion by Kim Weitala, seconded by Steve Thiesse, to approve the May 18, 2017 minutes. All members voted aye, motion carried.
5. That Schoenelder Construction/Bollock Family has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to allow extraction of sand, gravel, or minerals provided such uses meet requirements for conducting surface mining activities of SDCL 45-6B in the SW 1/4, North of the Right of Way of Section 24, T 103 North, Range 61 West of the 5th P.M., Davison County, South Dakota.
 - This request is pursuant to Section 607 (15) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. A neighbor had concerns of how big the whole was going to be or wanting to know more about the site plan. They were also concerned over the amount of dust going to be created by the mining and also the wear and tear on the road. Another neighbor called with concerns and after being told it would be north of the tracks they were okay with it.
 - The applicant was present to answer questions. Discussion included the process of applying for a permit through the state as well. Permits are good through the state for up to 30 years and have to be reclaimed within 3 years. They only plan to mine 3 or 4 acres with a result of a bigger pond for their grandchildren to fish in it someday. The amount mined out of there will depend on the economy and need for gravel and the class of gravel that is extracted. H&R Salvage also uses the road and to the south it is an oil road. Stadlman stated that this time of year no matter where you are driving on a gravel road, there will always be dust.
 - After consideration of 1403-A Conditional Use motion by Brenda Bode, seconded by Kim Weitala, to recommend approval of the Conditional Use to the Board of Adjustment with the following condition(s): None. Roll call vote: Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent, Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.

6. Considered a Plat of Lot 8, Block 3 of CJM Second Addition in the NW 1/4 of Section 32, T 104N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of CJM Consulting Inc.
 - Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This plat is located in the ETJ. It has passed city council already. Half of the plat is in the county and half in the city, but all zoning jurisdiction is through the city. DOE is aware of the divided parcel and will keep it as two separate for taxing purposes. A building can not be constructed on the line.
 - Motion by Steve Thiesse, 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 – absent, Bode – aye, Weitala – aye, motion carried.
7. That Commercial Asphalt has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to allow extraction of sand, gravel, or minerals provided such uses meet requirements for conducting surface mining activities of SDCL 45-6B in the NE 1/4, EX Lot 1 of Bussmus Farms Addition of Section 34, T 104 North, Range 61 West of the 5th P.M., Davison County, South Dakota.
 - This request is pursuant to Section 507 (14) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. No comments for or against were received.
 - The applicant was not present to answer questions. Discussion included that Neil called with a family emergency and will be unable to make the meeting tonight but will be available by phone if needed. They plan to do gravel mining-crushing base course. This will be a bigger mine than the other one discussed earlier in the evening but the regulations are the same. Neil stated he will work with Rusty on any roads but this is a township road and maybe a roadship agreement should be provided with Badger Township. There is a bridge to the north of the entrance to the field approach that trucks will not be able to use as they will be overweight.
 - After consideration of 1403-A Conditional Use motion by Kim Weitala, seconded by Steve Thiesse, to recommend approval of the Conditional Use to the Board of Adjustment with the following condition(s): None. Roll call vote:
Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
8. That Kevin Allum has appealed to the Davison County Planning Commission to recommend granting a variance for side yard setback +/- 40 feet, resulting in a setback of +/- 10 feet from the property line, where the side yard setback is 50 feet in the Agricultural District.
 - This request is pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as N300' x W435.6' EX H-1 & S-1 in the NW 1/4 of Section 22, T 104 N, 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. No phone calls or letters were received for or against this variance.

- The applicant was not present to answer questions. Discussion included the hardship for the shed was to break the wind for his house to the east. There is a safety concern with 397th and 247th being busy roadways and not being able to see traffic. Having a shed close to the property line will also keep the snow from blowing through and end up piling in the ditch and onto the roadway creating another safety issue. If Kevin were to stay at the required setbacks it would move the shed into his driveway creating no driveway, however there is room on the east side of his property for the shed. Kevin is also aware his legal description is by measurements and once the zoning ordinance is adopted he will have to have his land platted before obtaining a building permit.
 - After consideration of 1403-B Variance, motion by Kim Weitala, seconded by Brenda Bode, to recommend disapproval of the Variance to the Board of Adjustment. Roll call vote:
Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent, Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
9. Considered the naming of Kibbee Court as requested by Quality Homes.
- Deputy Administrator Jenniges gave an explanation road.
 - The applicant was present to answer questions. Quality Homes has 12 lots they are going to sell. This was platted in the 1970's. LEPC will hear it at their meeting on 7-12-17. Called PD as well as ROD and there no other streets named this.
 - Motion by Kim Weitala, seconded by Brenda Bode, to recommend approval of the road to the County Commissioners. Roll call vote:
Haines – absent, Stadlman – nay, Thiesse – aye, Storm – absent, Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
10. Considered a Plat of Lot 1 of Osen Addition in the East 1/2 of Section 24, T 102N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Arlis Osen.
- Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. They have 25 acres as required by the zoning ordinance to not require a variance. The trees will stay with the farmstead.
 - Motion by Steve Thiesse, 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 – absent, Bode – aye, Weitala – aye, motion carried.
11. That Delmar Mueller has appealed to the Davison County Planning Commission to recommend granting a variance for side yard setback +/- 42 feet, resulting in a setback of +/- 8 feet from the property line, where the side yard setback is 50 feet in the Agricultural District.
- This request is pursuant to Section 515 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 of NW 1/4 Ex area beginning at a point 965' South of NW Corner Thence 200' East then 200' South then 200' West then 200' North to beginning & Ex E820' of N 804' of Section 09, 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. Nothing was heard for against from neighbors.
- The applicant was present to answer questions. Discussion included that Delmar has begun building his shed before getting a building permit but when he came in to get one it was discovered he needed a variance as well. He has gotten building permits on all of his past projects, just slipped his mind with this one. He is adding onto an existing building that was built in 2011 and that one should have required a variance at that time as well, but he did get a building permit for that. The addition is 800' from the road and his mother in law owns the land to the south were the variance is being requested.
- After consideration of 1403-B Variance, motion by Kim Weitala, 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 – absent, Bode – aye, Weitala – aye, motion carried.

12. Additional Comments from the Group.

13. Set date and time or next meeting – August 1, 2017 @ 7:00 P.M.

14. Adjournment @ 8:02 P.M.

Gary Stadlman
Planning Commission Vice Chairman



Mark Jenniges
Deputy Director of Planning & Zoning