



Davison County Planning & Zoning and Emergency Management
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PLANNING COMMISSION MINUTES
January 8, 2019

1. Auditor Kiepke called the meeting to order at 1:15 P.M.
2. Roll Call
 - Present: Bruce Haines, Steve Thiesse, Charles Storm, Brenda Bode, Kim Weitala, Lewis Bainbridge, Jeff Bathke, Mark Jenniges, Auditor Kiepke.
 - Absent: One (1) vacancy currently open.
 - Guests: Sarah DeWald, Matt Hohn.
3. Election of 2018 Planning Commission Officers.
 - Auditor Kiepke called for nominations of Chair. Brenda Bode nominated Bruce Haines, Kim Weitala seconded the nomination. Steve Thiesse called to cease nominations and cast a unanimous vote, seconded by Lewis Bainbridge. Hearing no other nominations, Bruce Haines was unanimously voted as Chairman.
 - Auditor Kiepke called for nominations of Vice Chairman. Brenda Bode nominated Steve Thiesse, Kim Weitala seconded the nomination. Lewis Bainbridge called to cease nominations and cast a unanimous vote, seconded by Brenda Bode. Hearing no further nominations, Steve Thiesse was unanimously voted as Vice Chair.
4. Consider the proposed agenda.
 - Motion by Brenda Bode, seconded by Lewis Bainbridge, to approve the agenda. All members voted aye, motion carried.
5. Declare conflicts of interest-none.
6. Consider the December 4, 2018 Minutes.
 - Motion by Brenda Bode, seconded by Steve Thiesse, to approve the December 4, 2018 proposed minutes. All members voted aye, motion carried.
7. Public input-none.
8. Considered a Plat of Tract 1 of Nedved Addition, an addition in the Northeast Quarter of the Southeast Quarter of Section 8, T 102N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Jason Nedved.
 - Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was not present to answer questions. Jason was approved for a variance in lot size at the November 2018 meeting. He plans to put a house and garage on the hill within the plat. Setbacks are 10' to the north, south, and west. Rusty is aware of the plat and is okay with the driveway location.
 - Motion by Kim Weitala, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Vacant, Thiesse – aye, Storm – absent,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.

9. That Sarah DeWald has appealed to the Davison County Planning Commission to recommend granting a Variance Permit for minimum lot size of +/- 21.99 acres to create a lot size of +/- 3.01 acres, where the minimum is 25 acres in the Agricultural District.
- This request is in pursuant to Section 307 (4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as Tract 1 of Boyd Addition, an addition in the Northeast Quarter of the Southeast Quarter of Section 2, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. A neighbor stopped in to question what was going on and after discussion on the variance, they had no issues.
 - The applicant was present to answer questions. Discussion included she is buying the land from her brother.
 - Sarah explained the location of the where the house will go, keeping it about 500' off the road to the west on a hill. She has done a test for water and will pull the permit if this passes. She is currently talking with Ethan Lumber about her house and plans to build in the spring.
 - After consideration of the 1106 B-Variences, a motion by Brenda Bode, seconded by Lewis Bainbridge, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
Haines – aye, Vacant, Thiesse – aye, Storm –absent,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
10. Considered a Plat of Tract 1 of Boyd Addition, an addition in the Northeast Quarter of the Southeast Quarter of Section 2, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Sarah DeWald.
- Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This goes with #9 on the agenda.
 - Motion by Lewis Bainbridge, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Vacant, Thiesse – aye, Storm – absent,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
11. That Michael and Kathy Hanks have appealed to the Davison County Planning Commission to recommend granting a Variance Permit for minimum lot size to a prior non-conforming residential lot in order to allow an additional dwelling on such prior non-conforming residential lot in the Agricultural Residential District.
- This request is in pursuant to Section 407 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot H in the Southeast 1/4 of Section 23, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Administrator Bathke explained the application, required notifications, and the GIS view. Notices were sent out with no response for or against.
 - The applicant was not present to answer questions. Discussion included Michael and Kathy would like to put a 16' x 40' shed in their backyard for their son to live in. This would be a shed on skids like Menards sells. After discussion about this with the applicant Bathke inquired about the proper zoning ordinance to use from Deputy States Attorney Taylor. This did not fit any of the criteria in the

ordinance, 407(2) is the closest but his is not a farmstead as defined in the county ordinance and would not be an accessory building if someone were to live in it.

- The board felt the lack of information due to the applicant not being there was an issue. Main concerns are health and safety of someone living in a shed. If it's on skids will varmit live under the building, how will it be insulated and have ingress/egress and how would electric, sewer, and water be hooked up with there being no frost barrier?
- After consideration of the 1106 B-Variances, a motion by Brenda Bode, seconded by Steve Thiesse, to recommend disapproval of the Variance Permit to the Board of Adjustment. Roll call vote:

Haines – aye, Vacant, Thiesse – aye, Storm –absent,

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

12. That Matt Hohn has appealed to the Davison County Planning Commission to recommend granting a Variance Permit for minimum lot size of +/- 21.5 acres to create a lot size of +/- 3.5 acres, where the minimum is 25 acres in the Agricultural District.

- This request is in pursuant to Section 307 (1)(3)(5) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as S630' of W1728.59 off SW 1/4 of Section 1, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota.
- Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out and one voicemail was left but Jenniges was able to get a hold of the individual to find out their concerns.
- The applicant was present to answer questions. Discussion included that Matt would like to parcel off land around the house and future shed and put rest of the land back to the 1/2 of the section. Currently has 25 acres for house but it is described by measurements and a building permit cannot be obtained. Bank will not allow a mortgage with a 1/2 section of land. This will help with estate planning keeping farm ground and home separate. He will have the land platted and presented at the next meeting.
- After consideration of the 1106 B-Variances, a motion by Lewis Bainbridge, seconded by Steve Thiesse, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
Haines – aye, Vacant, Thiesse – aye, Storm –absent,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.

13. Additional Comments from the Group.

- Gary Stadlman's letter of resignation from the board was presented to the board.
- A letter from South Dakota Public Utilities Commission was read to the board regarding not using the the model that was on their website for setbacks for WES.

14. Set date and time for next meeting – February 5, 2019 @ 1:15 P.M.

15. At 2:36 P.M., a motion by Brenda Bode seconded by Kim Weitala to adjourn the meeting. All members voted aye, motion carried.

Bruce Haines
Planning Commission Chairman

Mark Jenniges

Mark Jenniges

Deputy Director of Planning & Zoning