



Davison County Planning & Zoning and Emergency Management  
200 E. 4<sup>th</sup> Ave.  
Mitchell, SD 57301-2631  
Phone (605) 995-8615  
Fax (605) 995-8642



PLANNING COMMISSION MINUTES  
May 7, 2019

1. Chairman Haines called the meeting to order at 7:00 P.M.
2. Roll Call
  - Present: Bruce Haines, Charles Storm, Dave Anderson, Brenda Bode, Lewis Bainbridge, Jeff Bathke, Mark Jenniges.
  - Absent: Steve Thiesse, Kim Weitala.
  - Guests: Ryan Storm, Glenn & Dani Olsen, Auditor Susan Kiepke.
3. Consider the amended agenda to include 3A-Oath of Office.
  - Motion by Brenda Bode, seconded by Lewis Bainbridge, to approve the amended agenda. All members voted aye, motion carried.
- 3A. Oath of Office to new member-Dave Anderson.
4. Declare conflicts of interest-Storm recused himself from item #8 and #10 on the agenda.
5. Consider the April 2, 2019 Minutes.
  - Motion by Charles Storm, seconded by Brenda Bode, to approve the April 2, 2019 proposed minutes. All members voted aye, motion carried.
6. Public input-none.
7. Considered a Plat of Lots 1 and 2 of GRS Addition in the S 1/2 of the N 1/2 of the N 1/2 of the SE 1/4 of Section 3, T 102N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Gerald Schulz.
  - Deputy administrator Jenniges gave an explanation of the plat.
  - The applicant was not present to answer questions. This falls within the 3-mile of Mitchell so the city will hear it as well, but jurisdiction stays with the county. This was an acceptable legal before and he could have sold it by measurements, but it was already one of the longest legal descriptions in the county, so he is platting it. Gerald is splitting his land and selling lot 2 to a neighbor for pasture land. There is ingress/egress already. SD DOT has seen the plat and have no issues with it since they are not adding another approach. Most of the pasture land is in the floodplain and the buyer knows this. This does not require a variance in lot size because it was already under the 25 acres and had a dwelling unit on it prior to when the Davison County Zoning Ordinance was adopted so it is grandfathered in.
  - Motion by Charles Storm, seconded by Dave Anderson, to recommend approval of the plat to the County Commissioners. Roll call vote:  
Haines – aye, Thiesse – absent, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.
8. That Ryan Storm has appealed to the Davison County Planning Commission to recommend granting a Variance Permit for north front yard setback of +/- 40 feet to create a north front yard setback of +/- 35 feet where the minimum is 75 feet in the Agricultural District

- This request is in pursuant to Section 308 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as E1070' of the N1220' of the NE 1/4 of Section 30, T 101N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Deputy Administrator Jenniges explained the application, required notifications, and the GIS view. A couple people stopped by just asking what was going on, but after explanation they had no issue with it
  - The applicant was present to answer questions. Discussion included that Ryan had a previous shed of 50' x 120' that collapsed during the spring snow storm and was +/- 60' from the north right of way. He would like to rebuild the shed and make it 10 feet wider which would push it further north into the 75' required for a setback. The 35' setback would be even with the grain bin and grainery but will more than likely end up +/- 50 feet from the right of way unless he decides to build even bigger than the new 60' x 120' shed.
  - After consideration of the 1106 B-Variances, a motion by Lewis Bainbridge, seconded by Brenda Bode, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – absent, Storm –abstain, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson– aye, motion carried.
9. That Glenn Olsen has appealed to the Davison County Planning Commission to recommend granting a Variance Permit for minimum lot size of +/- 21.9 acres to create a lot size of +/- 3.1 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 is legally described as NW 1/4 of Section 17, T 103N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were published in the paper and sent to neighbors with no responses for or against.
  - The applicant was present to answer questions. Discussion included that he is buying the land from his in-laws. They were approved for a 21.5-acre variance to create a 3.5-acre lot in the NE corner of this property last month but are moving it due to seeing where water has been sitting in that location during this years flood. Glenn said he plans to let the other variance expire and build in this location. There is rural water out there already for them and they will build on the east side of the trees. There is enough room to comply with all the setbacks.
  - Commission Bode is happy this worked out for them and they were able to see the issue before they built. She questioned where the driveway was going to be located to which was answered it will be off 252<sup>nd</sup> St. It will be pushed as far east as possible and Rusty has been talked to about it and is okay with it.
  - After consideration of the 1106 B-Variances, a motion by Dave Anderson, seconded by Lewis Bainbridge, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – absent, Storm –aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson– aye, motion carried.

10. Considered a Plat Tract A of Storm's Addition, in the NE 1/4 of the NE 1/4 of Section 30, T 101N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Ryan Storm.
- Deputy administrator Jenniges gave an explanation of the plat.
  - The applicant was present to answer questions. This goes along with item #8 on the agenda. Ryan's land is currently described by measurements so a building permit would not be able to be issued, so by platting his land he is complying with the zoning ordinance and can now receive a building permit. This is 30 acres so a variance in lot size is not required.
  - Motion by Brenda Bode, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:  
Haines – aye, Thiesse – absent, Storm - abstain, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.
11. Additional Comments from the Group.
- Dave Anderson gave a brief background of himself. He moved to Mt. Vernon nine years ago. He is on the Mt. Vernon City Council and is part of the Mt. Vernon Economic Development Group.
  - Comprehensive Plan was brought up about how to keep moving forward on this project. Eric Ambrosion of District III has sent an email to P/Z which will be forwarded out to the board about how he would like to run meetings in Mt. Vernon and Ethan. A timeline for the entire project will be outlined and brought to the next meeting.
  - Director Bathke has been working with Mt. Vernon City Council to include Mt. Vernon in the Davison County Zoning Ordinance. They have been working out details of how to do this and where they will fit into the ordinance. Deputy States Attorney Taylor has been consulted on this as well. This and a few clerical changes will be done before the Comprehensive plan is done. Hearings will be set up just like was done in 2017. Also brought up was that there has been public input requesting to increase setbacks to a ½ mile setback from none participating residences for CAFO's during County Commission meetings. This and WES as well as other topics will be discussed during the Comprehensive Plan and the changes needed in the zoning ordinance from that.
  - Director Bathke also brought up the Extra Territorial Jurisdiction. This area is currently zoned by the City of Mitchell, but this might be a good time for the county to take it back. There is a lot of gray area between the city and the county that goes along with the ETJ. This will take quite a bit of work as the city currently has many different zones within the ETJ. There will be more conversations with the City of Mitchell and P/Z regarding this.
12. Set date and time for next meeting – June 4, 2019 @ 7:00 P.M.
13. At 8:27 P.M., a motion by Lewis Bainbridge seconded by Brenda Bode to adjourn the meeting. All members voted aye, motion carried.

---

Bruce Haines  
Planning Commission Chairman

*Mark Jenniges*

Mark Jenniges  
Deputy Director of Planning & Zoning