



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
June 4, 2019

1. Chairman Haines called the meeting to order at 7:00 P.M.
2. Roll Call
 - Present: Bruce Haines, Steve Thiesse, Charles Storm, Dave Anderson, Brenda Bode, Lewis Bainbridge, Jeff Bathke, Mark Jenniges.
 - Absent: Kim Weitala.
 - Guests: Glenn & Dani Olsen, Brad Hohn.
3. Consider the amended agenda.
 - Motion by Brenda Bode, seconded by Steve Thiesse, to approve the amended agenda showing the correct acres for item #7. All members voted aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the May 7, 2019 Minutes.
 - Motion by Dave Anderson, seconded by Charles Storm, to approve the May 7, 2019 proposed minutes. All members voted aye, motion carried.
6. Public input-none.
7. That Kathy Haider has appealed to the Davison County Planning Commission to recommend granting a Variance Permit for minimum lot size of +/-18.14 acres to create a lot size of +/- 6.86 acres, where the minimum is 25 acres in the Agricultural District and front yard setback of +/- 25' resulting in a setback of +/- 50' from the right of way where the minimum is 75' in the Agricultural District.
 - This request is in pursuant to Section 307 (4) & 308(1) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as A Plat of Lot 1 of DeWitt First Addition in the North 1/2 of the SW 1/4 of Section 15, 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 published in the paper and sent to neighbors with no responses for or against.
 - The applicant was present to answer questions. Discussion included Kathy is buying the house and outbuildings from her mother. Her father passed away in December. She intends to move to the site and build an addition of a master suite on the west side of the house. This addition will be no closer to the road than the shed to the north is. The right of way in this location has an additional 17' on each side of the road for future road, so it's a 100' instead of the typical 66' that is on most gravel roads. P/Z has talked with Rusty and he has no issues with it.
 - After consideration of the 1106 B-Variations, a motion by Lewis Bainbridge, seconded by Charles Storm, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:

Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.

8. Considered a A Plat of Lot 1 of DeWitt First Addition in the North 1/2 of the SW 1/4 of Section 15, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Kathy Haider.
 - Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This goes with item #7 on the agenda.
 - Motion by Dave Anderson, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.
9. Considered a A Plat of Tract A of Roskens Addition in Gov. Lot 4 of the NW 1/4 of Section 3, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Dusty Roskens.
 - Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. Dusty came in to get a building permit but his land was described by measurements so a building permit could not be issued. By platting his property he is coming into compliance with the zoning ordinance. An Ag Conv is not needed for this one as it is grandfathered in.
 - Motion by Brenda Bode, seconded by Dave Anderson, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.
10. Considered a Collin's Tract 1 in the Northwest Quarter of the Northwest Quarter of Section 17, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Glenn Olsen.
 - Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. The variance in lot size for this plat was approved at last month's meeting. Nothing has changed from that meeting. They will be installing their driveway on 252nd St. Rusty has been contacted about the proposed location and has no issues with it.
 - Motion by Brenda Bode, seconded by Charles Storm, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
11. Considered a Survey Plat of Bobcat Tract 1 in the Southwest Quarter of the Southeast Quarter of Section 30, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Tim Neugebauer.
 - Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. Tim was approved for a CAFO at this location during the March 2019 meeting. He received a variance on the west side of +/-250' resulting in a setback of +/-50'. The board put a condition that he stays 400' from the south ROW. This layout fits those setbacks. He is just doing the next step in the process. P/Z recommends people plat after they do their CUP so they will know what setbacks need to be met and not have to replat.

- Motion by Charles Storm, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye,
Weitala – absent, Anderson – aye, motion carried.
12. That Klumb Family Limited Partnership, Shannon G. Klumb Revocable Living Trust Agreement, Jennifer M. Klumb Revocable Living Trust Agreement, and Michelle L. Klumb Revocable Living Trust Agreement have appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit for a concentrated animal feed operation in the Ag District.
- This request is in pursuant to Section 304 (10) and Section 310 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The properties are legally described as SW1/4 EX Lot A & EX E530' of the SW1/4 of the SW1/4 & EX W792.94' of the S750' of the SW 1/4 of the SW 1/4 of Section 10, T 101 N, R 61 W of the 5th P.M., Davison County, South Dakota; W792.94' of the S750' of the SW1/4 of the SW1/4 of Section 10, T 101 N, R 61 W of the 5th P.M., Davison County, South Dakota; the E530' of the SW1/4 of the SW1/4 of Section 10, T 101 N, R 61 W of the 5th P.M., Davison County, South Dakota; and the NE 1/4 of Section 15, T 101 N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Deputy Administrator Jenniges explained the application, required notifications, and the GIS view. Letters were mailed out to the neighbors and it was published in the paper. There was no response for or against.
 - The applicant was present to answer questions. Discussion included this would be to operate a 5,370-animal unit concentrated animal feeding operation in the Agriculture (AG) District. This conditional use application is to add 720 head of cattle to the existing bovine and porcine operation, with an additional 720 head of cattle to be added in the future. If approved, the operation will include 2,400 animal units of cattle (2,400 head), 2,640 animal units of finish swine (6,600 head), and 330 animal units of nursery swine (3,300 head). Klumb Family Limited Partnership has some cattle in the pastures then and sends them off to Minnesota and the cost just doesn't add up so they would like to finish them out themselves. Administrator Bathke read the definition of a CAFO and with Klumbs using the same fields, workers, equipment and location they are classified as one CAFO. They are a state permitted CAFO.
 - Shannon stated the new cattle barns with be A-frame construction with curtains on the north side of the building. The side walls are 18' or 20' to allow their tractors to enter into them. The location allows them to access their silage pit to the north and not have to drive on any county roads for doing chores.
 - A neighbor had a concern about if the Klumb's have enough land for all the extra manure. Shannon said he has engineers currently working on that. The state makes them test their pits and their land before and manure can be applied. He might be transporting 6 miles away. If they do not have enough land they will look to sell to neighbors around the area, but then they will be added to their NMP before they will be allowed to apply it.
 - Commissioner Bode questioned what "future" barn meant and when they would have to have the second barn started. Davison County Zoning Ordinance gives

two years and then that portion of the permit would expire. They want to make sure the first barn works and saves money before beginning a second barn but believe they will know within the first two years.

- Chairman Haines questioned if they can use pig and cow manure on the same fields and what works better. Shannon answered that because pits and soils are tested before they can apply to a field that both could be applied to the same field, just a different ratio depending on if it's pig or cattle manure. He is interested to see which will produce better on the same field.
- Motion by Steve Thiesse, seconded by Dave Anderson, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.

13. That Klumb Family Limited Partnership have appealed to the Davison County Planning Commission to recommend granting a variance in setback from the east right of way of +/- 205 feet resulting in a setback of +/- 95 feet from a CAFO where the required setback is 300' in the Ag District.

- This request is pursuant to Section 3:10(3)f of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as SW 1/4 EX Lot A & EX E530' of the SW1/4 of the SW1/4 & EX W792.94' of the S750' of the SW 1/4 of the SW 1/4 of Section 10, T 101N, R 61 W of the 5th P.M., Davison County, South Dakota.
- Deputy Administrator Bathke explained the application, required notifications, and the GIS view. Letters were sent out to the neighbors and it was published in the paper with no comments for or against.
- The applicant was present to answer questions. Discussion included that moving it to this location keeps more yard space and farm ground and also keeps it in line with the existing buildings to the north.
- Motion by Lewis Bainbridge, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.

14. Additional Comments from the Group.

- Administrator Bathke announced that the flyover for Pictometry has been completed. The new version is available online already but will be installed into GIS in the office later in the week. He will create accounts for all board members and email out logins/passwords/directions.

15. Set date and time for next meeting – July 2, 2019 @ 7:00 P.M.

16. At 8:15 P.M., a motion by Dave Anderson 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