

## 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 AGENDA January 5, 2020

- 1. Call to order at 1:15 P.M. by PZ Acting Administrator Jenniges.
- 2. Roll Call.
- 3. Election of 2020 Planning Commission Officers & turn the meeting over to the Chairperson.
- 4. Consider the agenda.
- 5. Declare conflicts of interest.
- 6. Consider the December 1, 2020 Minutes.
- 7. Public input for items not on the agenda, no action will be taken.
- 8. That Ray Trudeau has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to install an in-ground swimming pool in the NE 1/4 of the SW 1/4 of the NE 1/4 of the SE 1/4 of Section 3, T 102 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
- 9. That James Miiller has appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size of +/- 14.97 acres to create a lot size of +/- 10.03 acres, where the minimum is 25 acres in the Agricultural District.
- 10. Additional Comments from the Group.
- 11. Set date and time for next meeting February 2, 2021 @ 1:15 P.M.
- 12. Adjournment.

Marks Jenniges

Mark Jenniges

Acting Administrator of Planning & Zoning

Davison County Planning & Zoning and Emergency Management

200 E. 4<sup>th</sup> Ave.

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#### PLANNING COMMISSION MINUTES

December 1, 2020

- 1. Chairperson Haines called the meeting to order at 1:15 P.M.
- 2. Roll Call-quorum is met, simple majority vote required for all items.
  - Present: Bruce Haines, Steve Thiesse, Charles Storm (telephonically),
     Dave Anderson, Kim Weitala, Brenda Bode, Lewis Bainbridge (telephonically),
     Mark Jenniges.
  - Absent:.
  - Guests: Robert Henglefelt (telephonically).
- 3. Consider the proposed agenda.
  - Motion by Brenda Bode, seconded by Dave Anderson, to approve the amended agenda. Roll call vote:
  - Haines aye, Thiesse aye, Storm –aye, Bainbridge aye, Bode aye, Weitala aye, Anderson– aye, motion carried.
- 4. Declare conflicts of interest-none.
- 5. Consider the proposed October 6, 2020 Minutes.

Motion by Dave Anderson, seconded by Steve Thiesse, to approve the October 6, 2020 proposed minutes. Roll call vote:

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

- 6. Public input for items not on the agenda-none.
- 7. That Ryan & Robert Henglefelt have appealed to the Davison County Planning Commission to recommend a variance in minimum front yard setback of +/- 25' for an addition onto an existing pole shed resulting in a setback of +/- 50' from the right of way where the minimum is 75', north side yard setback on an existing residence of +/-25' resulting in a setback of +/-25' where the minimum is 50', and north side yard setback for an existing shed of +/-40' resulting in a setback of +/- 10' where the minimum is 50' all 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 Lot 1 in the SW 1/4 of Section 25, T 101N, R 60 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 sent out to the neighbors and published in the paper with no responses.
  - The applicant was present to answer questions. Discussion included the applicant would like to build onto an existing shed that is currently non-conforming. The shed addition does not encroach on the site triangle to the south so there is no safety concern there. The variances for the other two buildings are to bring them into conformance with the zoning ordinance, there is no work being done to those. Lot 1 was platted in the 1970's before zoning and the structures were also built before the zoning ordinance went into effect.

- After consideration of the 1106 B-Variances, a motion by Steve Thiesse, seconded by Kim Weitala, 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 aye, Anderson– aye, motion carried.
- 8. Additional Comments from the Group-none.
- 9. Set date and time for next meeting January 5, 2021 @ 1:15 P.M.
- 10. At 1:23 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 Chairperson

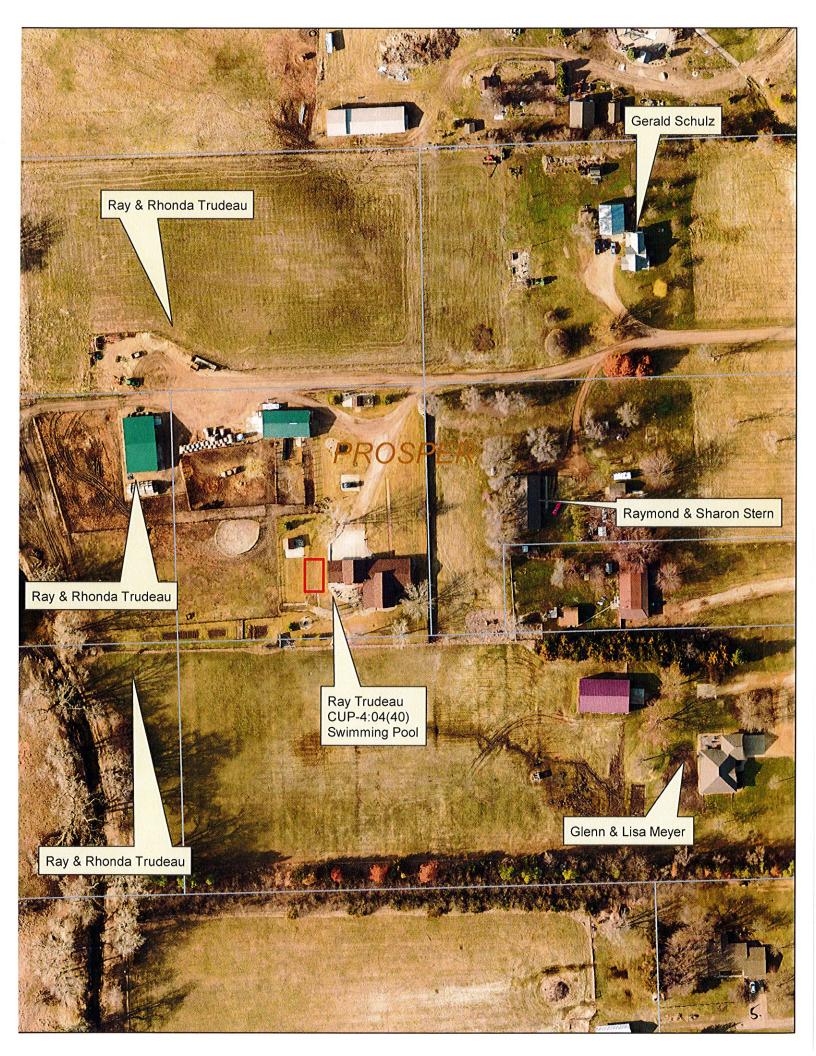
Marks Jenniges

Mark Jenniges

Deputy Director of Planning & Zoning

### DAVISON COUNTY CONDITIONAL USE APPLICATION

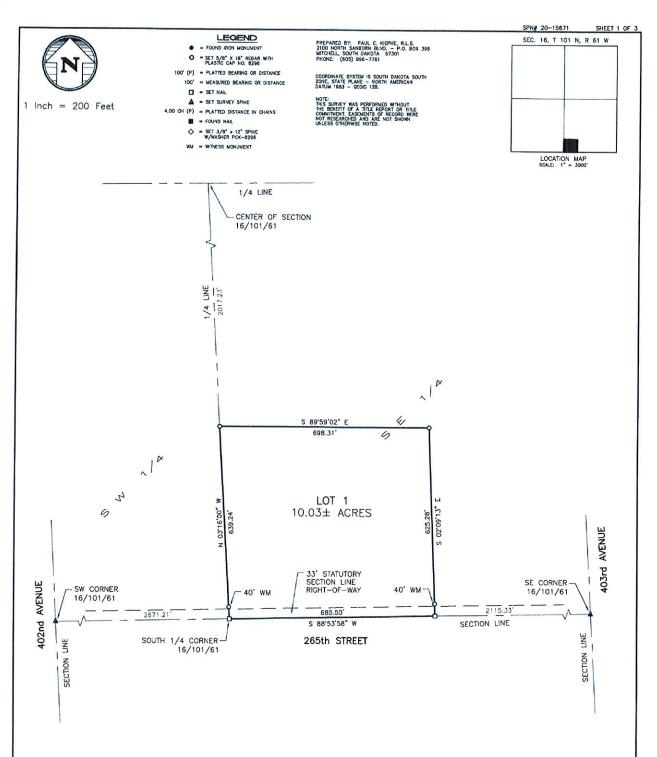
Applicant Name: Ray Trudeau	Application Date: <u>12-4-20</u> <b>Application Deadline:</b> <u>12-21-20</u>
Applicant Mailing Address: 40987 Jefferson Plac	
Applicant Email: rtrudeau@juffer.com	<b>Contact Phone:</b> <u>770-5170</u>
Owner Name: Same Owner Address: Owner Contact Phone:	
Parcel Number of Parent Parcel: <u>09000-10260-0</u> Legal Description of parcel: <u>NE 1/4 of the SW 1/4</u> 102 N, R 60 W of the 5 <sup>th</sup> P.M., Davison County, Sc	4 of the NE 1/4 of the SE 1/4 of Section 3, T
Zoning District: AR Reason for Conditional Use Request: To allow the pool. Section of Code Allowing Conditional Use: Section	•
Fee Collected for Condition Use (\$100): 12-8-20 Check #: 7746 Receipt #: 8137	
Planning Commission Hearing Date: 1-5-21 Board of Adjustment Hearing Date: 1-12-21	
FOR ANIMAL FEEDING OPERATIONS ONL Current Animal Units in Operation: N/A Proposed Expansion of Operation: N/A	Y:
Required Items:  Detailed site plan (GIS Photo of the propert Location and use of adjacent structures Application Fee	у)
Signatures of Applicant:	Date:



### DAVISON COUNTY VARIANCE APPLICATION

Applicant Name: Miller, James	Application date: 12-10-20
Applicant Address: 40235 263rd St, Ethan, SD 57334	Application deadline: <u>12-21-20</u>
Applicant Email:	<b>Contact Phone:</b> <u>770-6206</u>
Owner Name: Same	
Owner Address: Same	
Owner Contact Phone: Same	
Owner Contact I none. <u>Burne</u>	
Parcel Number of parent parcel: 11000-10161-164-00	
Legal Description of proposed parcel: Plat of Lot 1 of	
1/2 of the SE 1/4 of Section 16, T 101 N, R 61 W of the 5	
1/2 of the SE 1/4 of Section 16, 1 101 N, K of w of the S	on F.M., Davison County, South Dakota
Reason for Variance: Recommend granting a variance i	n lot size of 1/ 1/107 pares to greate a lot size
of +/- 10.03 acres, where the minimum is 25 acres in the	Agricultural District.
m	
This request is pursuant to Section 307(4) of the Davison	County Zoning Ordinance as adopted on
4/1/98 and as subsequently amended.	
Reason for Request to include hardships: Applicants is	
Section of Code Allowing Variance: 307(4), 1106 B, an	<u>nd 1206 B</u>
Fee Collected for Variance (\$100): <u>12-14-2020</u>	
Check #: <u>7788</u>	
Receipt #: 8178	
•	
Planning Commission Hearing Date: 1-5-21	
Board of Adjustment Hearing Date: 1-12-21	
<del></del>	
Required Items:	
Detailed site plan (GIS Photo of the property)	
Location and use of adjacent structures/land Agric	cultural Residential
Application Fee	cartarai, residentiai
N whiteauou i.ee	
Signatures of Amplicants	Data
Signatures of Applicant:	Date:





A PLAT OF LOT 1 OF TWELVE MILE CREEK FIRST ADDITION IN THE WEST 1/2 OF THE SE 1/4 OF SECTION 16, T 101 N, R 61 W OF THE 5th P.M., DAVISON COUNTY, SOUTH DAKOTA

#### SURVEYOR'S CERTIFICATE

I, Paul C. Kiepke, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of James Miiller, and under his direction for purposes indicated therein, I did on or prior to December 3, 2020, survey those parcels of land described as follows: LOT 1 OF TWELVE MILE CREEK FIRST ADDITION IN THE WEST 1/2 OF THE SE 1/4 OF SECTION 16, T 101 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.

In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct, and was done on the ground in accordance with the most recent South Dakota laws relating to rural boundary surveys.

Dated this 10th day of December, 2020.



Registered Land Surveyor #SD8296

Associates
Engineers, Planners and Surveyors
2100 North Sanborn Bivd. - P.O. Box 398 Mitchell, South Dakota 5730
Phone: (605) 996-7761 Fax: (605) 996-6015

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## A PLAT OF LOT 1 OF TWELVE MILE CREEK FIRST ADDITION IN THE WEST 1/2 OF THE SE 1/4 OF SECTION 16, T 101 N, R 61 W OF THE 5th P.M., DAVISON COUNTY, SOUTH DAKOTA

#### OWNER'S CERTIFICATE, DEDICATION AND AGREEMENT OF PROTECTION OF WATER

KNOW ALL MEN BY THESE PRESENTS that James Miiller, the undersigned, hereby certifies that he is the absolute and unqualified owner of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in THE WEST 1/2 OF THE SE 1/4 OF SECTION 16, T 101 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at my request and under my direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOT 1 OF TWELVE MILE CREEK FIRST ADDITION IN THE WEST 1/2 OF THE SE 1/4 OF SECTION 16, T 101 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and I hereby dedicate to the public, for public use forever as such, the streets and alleys, if any, as shown and marked on said plat; and that development of the land included within the boundaries of said Lot 1 shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations; further that there now exists 265th Street. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same. Additionally, the developer of the property described within this plat shall be liable for any pollution that occurs from failure to execute such protections or follow such regulations, exception being those lots in subdivisions that show documentation that wastewater drainage shall be connected to a municipal system.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_

	James Miiller
STATE OF SOUTH DAKOTA)	
)SS COUNTY OF DAVISON)	
On this, the day of, 202, before officer, personally appeared James Miller, known to me or satisfactorily acknowledged to me that he executed the same for the purposes therein	proven to be the person whose name is subscribed to the within instrument
IN WITNESS WHEREOF, I hereunto set my hand and official se	eal.
	Notary Public, South Dakota My Commission Expires:
RESOLUTION OF COU	NTY PLANNING COMMISSION
South Dakota, heretofore filed in the office of the County Auditor of Davison the South Dakota, heretofore filed in the office of the County Auditor of Davison the South Dakota; and WHEREAS, the County Planning Commission, in regular meeting conformity and does not conflict with the Master Plan for the County of ENOW THEREFORE, be it resolved by the County Planning Committee CREEK FIRST ADDITION IN THE WEST 1/2 OF THE SE 1/4 OF SOUTH DAKOTA, prepared by Paul C. Kiepke, a Land Surveyor, be and of the County of Davison, South Dakota, is hereby recommended.	on assembled had duly considered said plot and finds as a fact that said plot is
	Chairperson/Vice-Chairperson of Davison County Planning Commission
Be it resolved by the Board of County Commissioners of Davisor FIRST ADDITION IN THE WEST 1/2 OF THE SE 1/4 OF SECTION 16	OF COUNTY COMMISSIONERS  In County, South Dakota, that the plat of LOT 1 OF TWELVE MILE CREEK IT 101 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, proved and the County Auditor is hereby authorized and directed to endorse on  Chairperson/Vice-Chairperson, Board of County Commissioners of Davison County







Engineers, Planners and Surveyors
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

# A PLAT OF LOT 1 OF TWELVE MILE CREEK FIRST ADDITION IN THE WEST 1/2 OF THE SE 1/4 OF SECTION 16, T 101 N, R 61 W OF THE 5th P.M., DAVISON COUNTY, SOUTH DAKOTA

#### **AUDITOR'S CERTIFICATE**

I,, do hereby certify County, South Dakota, and that the above resolution was adopted by the Boa meeting held on, 202, approving the above name	that I am the duly elected, qualified, and acting County Auditor of Davison and of County Commissioners of Davison County, South Dakota, at a regularied plat.
	Auditor/Deputy Auditor, Davison County
CERTIFICATE OF HIG	SHWAY AUTHORITY
The location of the existing approach is hereby approved. Any change	e in the location of the existing approach shall require additional approval.
By: Title Highway Authority	e: Date:
CERTIFICATE OF CO	
I,	hereby certify that I am the duly elected, qualified, and acting Treasurer of , if not paid, be liens upon any of the land included in the within and
	Treasurer/Deputy Treasurer, Davison County
DIRECTOR OF E	QUALIZATION
I,, Di a copy of the plat of LOT 1 OF TWELVE MILE CREEK FIRST ADDITION IN 1 THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, has been received by	rector of Equalization of Davison County, South Dakota, hereby certify that THE WEST 1/2 OF THE SE 1/4 OF SECTION 16, T 101 N, R 61 W OF me and is filed in my office.
	Director of Equalization/Deputy Director of Equalization
REGISTER (	OF DEEDS
STATE OF SOUTH DAKOTA) )SS COUNTY OF DAVISON)	
FILED for record this day of, 202, a	at of Plats on
Page therein and recorded on Microfilm Number	
Register of Deeds, Davison County	Deputy
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