



Davison County Planning & Zoning and Emergency Management  
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PLANNING COMMISSION MINUTES  
September 7, 2021

1. Chairman Haines called the meeting to order at 7:00 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
  - Present: Bruce Haines, Steve Thiesse, Brenda Bode, Lewis Bainbridge, Kim Weitala, Jeff Bathke, Dave Anderson, Charles Storm.
  - Absent: None.
  - Guests: Alex Schoenenberger, Aaron Baker, Erin Baker, Tyson Bialas, Dale & Donna Frank, Britt Bruner, and Roland Loudenburg.
3. Consider the amended agenda.
  - Motion by Steve Thiesse, seconded by Dave Anderson, to approve the amended agenda. All members voted aye, motion carried. The agenda was amended to add two additional plat applications, items 15 and 16.
4. Declare conflicts of interest-none.
5. Consider the proposed August 3, 2021, Minutes.

Motion by Steve Thiesse, seconded by Dave Anderson, to approve the August 3, 2021, proposed minutes. All members voted aye, motion carried.
6. Public input for items not on the agenda. Hearing none, the meeting continued.
7. Considered a recommendation of approval of a variance of:
  1. +/-17.149 acres, creating a lot size of 7.851 acres, where the minimum lot size is 25 acres for a residence in the Agricultural District and
  2. +/-10 acres, creating a lot size of 15 acres, where the minimum lot size is 25 acres for a residence in the Agricultural District. This request is in Jatton Tract 1 in the NW 1/4 of the NW 1/4 of Section 21, T 101N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Mahlon Byler.
  - Administrator Bathke gave an explanation of the plat.
  - The applicant was not present to answer questions. This variance request is due to Mr. Byler splitting his current 22.8 acres to build an additional residence on the south end. Discussion included access to the new residence, which will need to be approved by the township chairman.
  - Motion by Steve Thiesse, seconded by Kim Weitala, to recommend approval of the Variance 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. Considered a Plat of Lot A and Lot B of Jatton Tract 1 in the NW 1/4 of the NW 1/4 of Section 21, T 101N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Mahlon Byler.
  - Administrator Bathke gave an explanation of the plat.
  - The applicant was not present to answer questions. This plat goes with the variance just discussed and there was no further discussion.



- Motion by Dave Anderson, 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,  
Weitalla – aye, Anderson – aye, motion carried.
9. Considered a recommendation of approval of a variance of:  
+/- 45', resulting in a front yard setback of 30', where the minimum front yard setback is 75' in the Agricultural Residential District. This request is in Lot 18 of River Bluffs in the NW 1/4 of Section 12, T 103N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Ryan Schoenenberger for his son Alex.
- Administrator Bathke gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion included how the variance is due to the extreme elevation difference of the lot, where Mr. Schoenenberger intends to build a residence.
  - Motion by Lewis Bainbridge, seconded by Dave Anderson, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye,  
Weitalla – aye, Anderson – aye, motion carried.
10. Considered a recommendation of approval of a variance of:
1. lot size of +/- 21.317 acres, creating a lot size of +/- 3.683 Acres, where the minimum lot size is 25 acres for a residence in the Agricultural District.
  2. +/- 15', creating a setback of +/- 35' from the residence on the south side, where the minimum side yard setback is 50' in the Agricultural District.
  3. +/- 35', creating a setback of +/- 15' from the shed on the south side, where the minimum side yard setback is 50' in the Agricultural District.
  4. +/- 25', creating a setback of +/- 25' from the shed on the east side, where the minimum side yard setback is 50' in the Agricultural District.
  5. +/- 35', creating a setback of +/- 15' from the grain bins on the east side, where the minimum side yard setback is 50' in the Agricultural District. This request is in Tract 1 of Ivan Bialas Addition in the NW 1/4 of Section 35, T 102N, R 62 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Tyson Bialas.
- Administrator Bathke gave an explanation of the plat.
  - The applicant was present to answer questions. This variance is due to Mr. Bialas making several upgrades to the property, which will require a smaller parcel due to financing.
  - Motion by Charles Storm, seconded by Lewis Bainbridge, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye,  
Weitalla – aye, Anderson – aye, motion carried.
11. Considered a Plat of Lot A in Tract 1 of Ivan Bialas Addition in the NW 1/4 of Section 35, T 102N, R 62 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Tyson Bialas.
- Administrator Bathke gave an explanation of the plat.
  - The applicant was present to answer questions. This plat goes with the variance just discussed and there was no further discussion.
  - 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 – aye, Anderson – aye, motion carried.

12. Considered a recommendation of approval of a variance of:

28', resulting in a front yard setback of 47', where the minimum front yard setback is 75' in the Agricultural District. This request is in NE 1/4 EX RY of Section 19, T 103N, R 62 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Dean Baker.

- Administrator Bathke gave an explanation of the plat.
- The applicant was present to answer questions. This variance is requested to allow Mr. Baker's son to build a new residence on the property. Discussion included an additional front yard setback to allow for a front deck and overhang. The request was changed to a variance of 42', resulting in a front yard setback of 33'.
- Motion by Dave Anderson, seconded by Lewis Bainbridge, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye,  
Weitala – aye, Anderson – aye, motion carried.

13. Considered a recommendation of approval of a variance of:

+/-15.269 acres, resulting in a lots size of +/-9.731 acres where the minimum lot size is 25 acres for a residence in the Agricultural District. This request is in Lot 2 of Franks Addition in the East 974.4 Feet of the West 1772.4 Feet of the South 718.2 Feet in the S 1/2 of Section 14, T 103N, R 62 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Dalen Frank.

- Administrator Bathke gave an explanation of the plat.  
The applicant was not present to answer questions. However, his parents were, who will be receiving the land. This variance is due to Mr. Frank creating Lot 2A, which after sold will lower the acres of his property. Due to inability to access, applicant would like to plat out the creek, which will then be transferred to the same ownership as Lot 3 (parents). Discussion included the creek, lack of access and future ownership.
- Motion by Steve Thiesse, seconded by Kim Weitala, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye,  
Weitala – aye, Anderson – aye, motion carried.

14. Considered a Lot 2A of Franks Addition in the East 974.4 Feet of the West 1772.4 Feet of the South 718.2 Feet in the S 1/2 of Section 14, T 103N, R 62 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Dalen Frank.

- Administrator Bathke gave an explanation of the plat.
- The applicant was not present to answer questions. However, his parents were, who will be receiving the land. This plat goes with the variance just discussed and there was no further discussion.
- 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 – aye, Anderson – aye, motion carried.

15. Considered a Plat of Lot 3 of Mirky's Addition, in the S 1/2 of the SE 1/4 of Section 11, T 102N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Britt Bruner, Gregory Bruner, and Janice Johnson.

- Administrator Bathke gave an explanation of the plat.



- The applicant was present to answer questions. This plat is to add additional land to the previous plat, which the residence is currently being built. No variance is needed, as this will be additional yard space. The applicant was commended for a great job on installation of the driveway and culverts to allow water to flow. There was no further discussion.
  - Motion by Dave Anderson, 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.
16. Considered a Plat of Lots 1&2 of Loudenburg Addition, in the W 1/2 of the SW 1/4 of Section 29, T 102N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of the Delbert & Lucille Loudenburg Living Revocable Trust.
- Administrator Bathke gave an explanation of the plat.
  - The applicant was present to answer questions. (Roland Loudenburg) The applicants are selling the farmstead and surrounding 30.776 acres of land to one owner, and the remaining farm ground to be sold separately.
  - 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 – aye, Anderson – aye, motion carried.
17. Additional Comments from the Group-
- None
18. Set date and time for next meeting – October 5, 2021 @ 7:00 P.M.
19. At 8:40 P.M., a motion by Dave Anderson seconded by Lewis Bainbridge to adjourn the meeting. All members voted aye, motion carried.



Bruce Haines  
Planning Commission Chairperson



Jeff Bathke  
Director of Planning & Zoning