

PLANNING COMMISSION MINUTES  
November 2, 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, Charles Storm, Brenda Bode, Kim Weitala, Dave Anderson, Jeff Bathke, & Karen Wegleitner
  - Absent: Lewis Bainbridge.
  - Guests: Rick Kroll (Midco), Gary Schlaffman, Brandon Cazer, Ron & Cherie Scheich, & Mel Fischer.
3. Consider the amended agenda.
  - Motion by Brenda Bode, seconded by Steve Thiesse, to approve the amended agenda. All members voted aye, motion carried. The agenda was amended to remove the Johnson Plat, which was item 12, and add the Cazer plat, which is now item 12.
4. Declare conflicts of interest. Hearing none, the meeting continued..
5. Consider the previous minutes.
  - Motion by Steve Thiesse, seconded by Kim Weitala, to approve the September 7, 2021 proposed minutes. All members voted aye, motion carried
6. Public input for items not on the agenda. Hearing none, the meeting continued.
7. At the request of Austin Schoenfelder, dba Schoenfelder Portables, consider recommending approval of a Conditional Use Application for a Portable Toilet Business in the Agricultural District. This request is located in Tract 3 of Roeders Addition, previously platted Tract 1 & 2 (now vacated), all in the NE 1/4 of the NW 1/4 of Section 28, T 102N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Administrator Bathke gave an explanation of the Conditional Use Permit. The applicant was not present to answer questions. This Conditional Use Application is requested as Mr. Schoenfelder has recently purchased the property and would like to operate his portable toilet business at the same location.
  - Mr. Schoenfelder has purchased a pump truck and several portable toilets.
  - The discussion included the concerns of where the toilets will be cleaned, which is at the job site and not on the farmstead. Discussion also included where the sewage will be disposed, which is at the Mitchell Sewage Treatment plant.
  - Motion by Dave Anderson, seconded by Kim Weitala, to recommend approval of the Conditional Use to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – absent, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
8. At the request of Midco, on land owned by POET, consider recommending approval of a Conditional Use Application to construct a tower in the Agricultural District. This request is located in Tract 2 of the NE 1/4 of Section 24, T 104N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Administrator Bathke gave an explanation of the Conditional Use Permit. The applicant was present to answer questions. This Conditional Use Application is requested as Midco would like to construct a 150' monopole tower to provide high-speed internet to the area.
  - The discussion included the existing tower to the west of the proposed tower, the tower will be considered permanent, but can be removed if needed at the end of the lease. The life span of the tower is over 50 years. The tower is a single galvanized

pole with no guide wires. Midco will be required to follow FAA and FCC guidelines on lighting the tower, but towers under 200' are normally not required to have lights.

- Motion by Steve Thiesse, seconded by Dave Anderson, to recommend approval of the Conditional Use to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – absent, Bode – aye, Weitala – aye, Anderson – aye, motion carried.

9. At the request of Midco, on land owned by POET, consider recommending approval of a Variance of +/- 100', creating a setback of +/- 50' from the west property line, where the minimum side yard setback is the height of the 150' tower in the Agricultural District. This request is located in Tract 2 of the NE 1/4 of Section 24, T 104N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.

Administrator Bathke gave an explanation of the Variance Permit. The applicant was present to answer questions. This Variance Application is requested as Midco would like to construct a 150' monopole tower to provide high-speed internet to the area. To preserve farm ground, they would like to place the tower next to the trees. Discussion included if any additional antennas can be placed on the tower and leased, which Mr. Kroll informed the Commission that is a possibility.

- Motion by Charles Storm, seconded by Steve Thiesse, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – absent, Bode – aye, Weitala – aye, Anderson – aye, motion carried.

10. At the request of Melvin Fisher, consider recommending approval of a Conditional Use Application to operate a Rent-All-Shop and provide inside storage in the Agriculture Residential District. This request is located in Tract A, Spruce Acres of the SE 1/4 of Section 35, T 103N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.

- Administrator Bathke gave an explanation of the Conditional Use Permit. The applicant was present to answer questions. This Conditional Use Application is requested as Mr. Fisher has recently purchased the property and would like to operate a rent-all-shop, as well as provide inside storage rental at the same location.
- The discussion included what he would be renting, where/how would everything be stored, what would he be doing for security matters, what signage will be requested, and if the township road is good enough to haul equipment.
- Fisher explained during warmer months some will be displayed/stored outside for advertising purposes and in the winter months equipment will be stored inside. If needed he will build a fence and add a gate, but for now pick ups and drop offs will be during business hours and after hours by appointment. Mr. Fisher will work with Planning & Zoning on sign regulations and believes the township road is good enough to haul equipment.
- Discussion also included the importance of keeping the property clean and in an orderly fashion, if equipment will be stored outside. The motion to approve the Rent-All-Shop & Storage included to keep the property clean & in an orderly fashion.
- Motion by Steve Thiesse, seconded by Kim Weitala, to recommend approval of the Conditional Use to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – absent, Bode – aye, Weitala – aye, Anderson – aye, motion carried.

11. At the request of Victor Wiczorek, consider recommending approval of a Variance of +/- 20', resulting in a front yard setback of +/- 55', where the minimum setback is 75' in the

Agricultural District. This request is located in W 1/2 of the NW 1/4 of Section 29, T 101N, R 62 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.

- Administrator Bathke gave an explanation of the Variance Permit. The applicant was not present to answer questions. This Variance Application is requested as Mr. Wieczorek would like to build a new pole shed. Due to lower elevation to the south and preservation of agriculture land, he has requested a Variance.
  - The discussion included the size and location of the shed. The location is to reduce the cost of additional driveway.
  - Motion by Steve Thiesse, seconded by Charles Storm, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – absent, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
12. Considered a Plat of Lot 1-A, a subdivision of Lot 1 of Circle K Ranch Third Addition in Gov. Lot 4 in the NW1/4 of Section 6, T 103N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Stuart & Brenda Cazer.
- Administrator Bathke gave an explanation of the Plat. The applicant was present to answer questions. The applicants are splitting off 4.43 acres of their 9.13 acres for their son to build a new residence. This is in the ETJ, so all zoning and building permitting will be completed by the City of Mitchell. The plat was approved by the city on November 1, 2021. There was limited discussion on the plat.
  - 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 – absent, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
13. Additional Comments from the Group-
- None
14. Set date and time for next meeting – December 7, 2021 @ 1:15 P.M.
15. At 8:30 P.M., a motion was made by Kim Weitala seconded by Brenda Bode to adjourn the meeting. All members voted aye, motion carried.

---

Bruce Haines  
Planning Commission Chairperson

*Jeffrey Bathke, M.S.A.*

---

Jeff Bathke  
Director of Planning & Zoning