



#### PLANNING COMMISSION MINUTES February 2, 2016

- 1. Call to order at 1:15 P.M. by Deputy Zoning Administrator Jenniges.
- 2. Roll Call
  - Present: Bruce Haines, Steve Thiesse, Charles Storm, Kim Weitala, Gary Stadlman, Lewis Bainbridge, Jeff Bathke, Mark Jenniges.
  - Absent: Brenda Bode.
  - Guests: Greg Robinson, Jerome MnNary, Dave Backlund.
- 3. Election of 2016 Planning Commission Officers.
  - Deputy Administrator Jenniges called for nominations of Chair. Gary Stadlman nominated Bruce Haines, Kim Weitala seconded the nomination. Hearing no other nominations, Bruce Haines was unanimously voted as Chairman.
  - Deputy Administrator Jenniges call for nominations of Vice Chairman. Charles Storm nominated Gary Stadlman, Bruce Haines seconded the nomination. Hearing no further nominations, Gary Stadlman was unanimously voted as Vice Chair.
- 4. Approve the agenda
  - Motion by Kim Weitala, seconded by Gary Stadlman, to approve the agenda. All members voted aye, motion carried.
- 5. Approve the December 1, 2015 Minutes
  - Motion by Charles Storm, seconded by Lewis Bainbridge, to approve the December 1, 2015 minutes. All members voted aye, motion carried.
- 6. Approve a Plat of Plat of Tracts K thru O, Tract B1 and Tract B2, Wild Oak Golf Club Addition in the Southeast 1/4 of Section 23, T 103N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Firesteel Links, LLC.
  - Administrator Jenniges gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion included that this is the top/new 9 at Wild Oak. Nothing had really changed, they were condensing and cleaning up existing plats. Make it easier to pay taxes in the future. Will save time for owner and county in the future.
  - Motion by Lewis Bainbridge, seconded by Charles Storm, to recommend approval of the plat to the County Commissioners. Roll call vote: Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – absent, Weitala – aye, motion carried
- Approve a Plat of Plat of Tracts A thru C and Lot 4A, Backlund Addition in the Northwest 1/4 and Southwest 1/4 of Section 24, T 103N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Firesteel Links, LLC.
  - Administrator Jenniges gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion included that this is the bottom/old 9 at Wild Oak. Nothing had really changed, they were condensing

and cleaning up existing plats. Make it easier to pay taxes in the future. Will save time for owner and county in the future..

- Motion by Gary Stadlman, seconded by Kim Weitala, to recommend approval of the plat to the County Commissioners. Roll call vote: Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – absent, Weitala – aye, motion carried
- 8. That Greg Robinson has appealed to the Davison County Planning Commission to recommend granting a variance:
  - 1. Front yard setback +/-5 feet, resulting in a setback of +/- 70 feet from the right o way, where the minimum front setback is 75 feet in the Agriculture District.
  - 2. Side yard setback +/- 15 feet, resulting in a setback of +/- 35 feet from the property line, where the minimum side setback is 50 feet in the Agriculture District.
  - 3. Rear yard setback +/- 15 feet, resulting in a setback of +/- 35 feet from the property line, where the minimum rear yard setback is 50 feet in the Agriculture District.
  - This request is pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting, the property will be legally described as South 18 RODS by East 12 RODS SE 1/4 of Section 23, T 104N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. Arbutus Hanson called to get a better undestanding of what the papers she received where about and after explanation of the zoning codes, she had no issues with Greg building the shed.
  - The applicant was present to answer questions. Discussion included the reason for the shed is storage for boat, camper, vehicles, and kids toys. The shed would be built just inside the rows of trees and no trees would need to be removed. There would be a drive and approach directly east of the shed. After consideration of 1403- B Variance, motion by Steve Thiesse, seconded by Kim Weitala, to recommend approval of the Variance to the Board of Adjustment. Roll call vote: Haines aye, Stadlman aye, Thiesse aye, Storm nay, Bainbridge aye, Bode absent, Weitala aye, motion carried.
- 9. That Jerome McNary has appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size of +/- 19.72 acres resulting in a lot size of +/- 5.28 acres.
  - This request is pursuant to Section 513 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting, the property will be legally described as Plat of Lot 1 of McNary Addition in the SE 1/4 of Section 21, T 102N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. There were no responses from those notified
  - The applicant was present to answer questions. Discussion included that McNary was applying for the variance incase a house was to be built by a future owner of the land. To his knowledge just a Morton Poll Barn was going to be built at this time for machinery storage. There is no kinship in the sale. Two-thirds of the property is in the flood plain, so options for what could be done for a building in

that area was discussed. Storm was opposed granting small acreages like this for future housing. After consideration of 1403- B Variance, motion by Charles Storm, seconded by Gary Stadlman, to recommend disapproval of the Variance to the Board. Roll call vote:

Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye,

Bainbridge – aye, Bode – absent, Weitala – aye, motion denied.

- Approve a Plat of Plat of Lot 1 of McNary Addition in the SE 1/4 of Section 21, T 102N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Jerome McNary.
  - Administrator Jenniges gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion for this was included with the variance.
  - Motion by Kim Weitala, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote: Haines – nay, Stadlman – nay, Thiesse – nay, Storm – nay, Bainbridge – nay, Bode – absent, Weitala – aye, motion denied.

11. Additional Comments and Discussion from the Group included:

- 12. Set date and time for next meeting March 1, 2016 @ 1:15 P.M.
- 13. Adjournment @ 3:09P.M.

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Bruce Haines Planning Commission Chairman

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Mark Jenniges Deputy Director of Planning & Zoning



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### PLANNING COMMISSION MINUTES March 1, 2016

- 1. Call to order at 1:15 P.M. by Chairman Haines.
- 2. Roll Call
  - Present: Bruce Haines, Steve Thiesse, Charles Storm, Kim Weitala, Gary Stadlman, Lewis Bainbridge,Brenda Bode Jeff Bathke, Mark Jenniges.
  - Absent:
  - Guests: Jim Thue, Devon Long
- 3. Approve the agenda
  - Motion by Kim Weitala, seconded by Steve Thiesse, to approve the agenda. All members voted aye, motion carried.
- 4. Approve the February 2, 2016 Minutes
  - Motion by Charles Storm, seconded by Lewis Bainbridge, to approve the February 2, 2016 minutes. All members voted aye, motion carried.
- 5. Approve a Plat of Plat of Lots 1 and 2 of L.M. Thue First Addition in the East 1/2 of the NE 1/4 of Section 30, T 103N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Jim Thue.
  - Administrator Jenniges gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion included that this is being done for estate planning. This is in the ETJ and the city has approved the plat already.
  - Motion by Steve Thiesse, seconded by Gary Stadlman, to recommend approval of the plat to the County Commissioners. Roll call vote: Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, motion carried
- 6. Approve a Plat of Plat of Lot 2 of D. & D. Long's First Addition, A subdivision of Irregular Tract No. 3 in the NE 1/4 of Section 23, T 103N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Devon Long.
  - Administrator Jenniges gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion included that this is in the ETJ and the city has approved the Plat. There is no plan at this time for future development of the remaining lot.
  - Motion by Brenda Bode, seconded by Charles Storm, to recommend approval of the plat to the County Commissioners. Roll call vote: Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, motion carried
- 7. Questions and discussion on amending the Davison County Zoning Ordinance.
  - Leave minimum acres required to plat for a residences in AG and AR the same for now.

- Set the limit for multifamily residence at 3 units per dwelling.
- Take out Wind Energy Systems all together in AR Districts
- Discussion on the possibility of rezoning some areas in the county as well as redoing the ETJ in the near future.
- All the changes being made right now are recommendations and the citizens will have public input. The commission finished Article 10, number 45 and will begin on Article 11, number 46 at the next meeting.
- 8. Additional Comments and Discussion from the Group included:
  - Bathke and Jenniges have a conflict for the May 3rd meeting, so it will be pushed back 1 week to May 10th at 7:00 P.M.

9. Set date and time for next meeting - April 5, 2016 @ 7:00 P.M.

10. Adjournment @ 3:42P.M.

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Bruce Haines Planning Commission Chairman

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Mark Jenniges Deputy Director of Planning & Zoning



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# PLANNING COMMISSION MINUTES April 5, 2016

- 1. Call to order at 7:05 P.M. by Chairman Haines.
- 2. Roll Call
  - Present: Bruce Haines, Steve Thiesse, Charles Storm, Kim Weitala, Gary Stadlman, Brenda Bode, Jeff Bathke, Mark Jenniges.
  - · Absent: Lewis Bainbridge.
  - · Guests: Paul Hetland
- 3. Approve the agenda
  - Motion by Steve Thiesse, seconded by Charles Storm, to approve the agenda. All
    members voted aye, motion carried.
- 4. Approve the March 1, 2016 Minutes
  - Motion by Gary Stadlman, seconded by Kim Weitala, to approve the March 1, 2016 minutes. All members voted aye, motion carried.
- That Paul Hetland has appealed to the Davison County Planning Commission to recommend granting a variance for front yard setback of +/-15 feet, resulting in a setback of +/- 60 feet from the right of way.
  - This request is pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the SE 1/4 of Blendon Township Section 3, T 104N, R 62 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. Lee Runestad called in after receiving the letter mailed out to him, just want to know what exactly the letter was about. Jenniges explained the local zoning and what Hetland wanted to do and Runestand has no concern with this variance.
  - The applicant was present to answer questions. Discussion included that the
    reason for the valance is so the new footings can be placed in new good ground.
    Mt. Vernon VFD used the old house for a training fire a few weeks ago. The
    original house was damaged from storms and not worth fixing anymore.
    Stadlman was concerned about the size of the septec tank if it was going to be
    used for a lodge and to make sure he discusses it with his plumber. After
    consideration of 1403- B Variance, motion by Kim Weitala, seconded by
    Steve Thiesse, to recommend approval of the Variance to the Board of
    Adjustment. Roll call vote:

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

- 6. Questions and discussion on amending the Davison County Zoning Ordinance.
  - Began on Article 11, number 48.

- Further discussion was had on the rest of the revisions to the zoning ordinance as well and some that were tabled at previous meetings.
- 7. Additional Comments and Discussion from the Group included:
  - none
- 8. Set date and time for next meeting May 10, 2016 @ 7:00 P.M.
- 9. Adjournment @ 8:55 P.M.

Bruce Haines Planning Commission Chairman

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Mark Jenniges Deputy Director of Planning & Zoning

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# PLANNING COMMISSION MINUTES May 10, 2016

- Call to order at 7:00 P.M. by Chairman Haines.
- Roll Call
  - Present: Bruce Haines, Steve Thiesse, Charles Storm, Gary Stadlman, Lewis Bainbridge, Mark Jenniges.
  - · Absent: Kim Weitala, Brenda Bode
  - · Guests: Robbie Miiller, Mark White, Joe Blindauer, Glen Lowrio
- · Approve the agenda
  - Motion by Charles Storm, seconded by Lewis Bainbridge, to approve the agenda. All members voted aye, motion carried.
- Approve the April 5, 2016 Minutes
  - Motion by Steve Thiesse, seconded by Gary Stadlman, to approve the April 5, 2016 minutes. All members voted aye, motion carried.
- That Doug Miiller has appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size of +/- 21.83 acres resulting in a lot size of +/- 3.17 acres.
  - This request is pursuant to Section 513 (4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting, the property will be legally described as Lot 1 of D. & D. First Addition in the SE 1/4 of Section 4, T 101N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. There were no responses from those notified
  - The applicant was present to answer questions. Discussion included the variance and plat is for his son to build a house on. There is rural water to the property already and they have talked with Gary StadIman about the septic system already.
  - After consideration of 1403- B Variance, motion by Charles Storm, seconded by Lewis Bainbridge, to recommend approval of the Variance with an Ag Covent to the Board. Roll call vote: Haines – aye, Stadlman – abstain, Thiesse – aye, Storm – aye,
    - Bainbridge aye, Bode absent, Weitala absent, motion carried.
- Approve a Plat of Lot 1 of D. & D. First Addition in the SE 1/4 of Section 4, T 101N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Doug Miiller.
  - Administrator Jenniges gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion for this was included with the variance.
  - Motion by Steve Thiesse, seconded by Lewis Bainbridge, to recommend approval
    of the plat to the County Commissioners. Roll call vote:
    Haines aye, Stadlman abstain, Thiesse aye, Storm aye,
    Bainbridge aye, Bode absent, Weitala absent, motion carried.

- That Joe & Cathy Blindauer have appealed to the Davison County Planning Commission to recommend granting a variance for front yard setback of +/-23 feet, resulting in a setback of +/- 52 feet from the right of way.
  - This request is pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the SW 1/4 of Perry TWP Section 21, T 104N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. There was no response from those notified.
  - The applicant was present to answer questions. Discussion included that the reason for the valance is for adding an addition onto the north side of the house. The house was built before the zoning ordinance and that's why it's closer than the 75' from the right of way. No trees will be cut down or utilities have to be moved. Parents own all the land to the north, south and west of their farm.
  - After consideration of 1403- B Variance, motion by Lewis Bainbridge, seconded by Charles Storm, to recommend approval of the Variance to the Board of Adjustment. Roll call vote: Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – absent, Weitala – absent, motion carried.
- That Billy Schnieder has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to build an in-ground swimming pool in the Agriculture District.
  - This request is in pursuant to Section 507 (36) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot 27 of Enemy creek Estates NE & NW (14) Section 14, Township 102 North, Range 60 West of the 5th P.M. Davison County, South Dakota.
  - Deputy Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. Donald Tilberg called inquiring if water was to be in the pool year round or how or where it would be drained to with all the chemicals in it.
  - The applicant was present to answer questions. Discussion included from Billy
    that Splash City from Sioux Falls is the contractor on the project. The 40,000
    gallon pool with be a salt water pool and will have to be drained down 1 ft in the
    fall every year and that will go into his septic tank. He is building a fence around
    the pool with a locking gate as well as installing a motorized cover with a lock as
    well. Jenniges explain that Billy is the first person to apply for CUP since Bathke
    has taken office. Haines explained the reason for needing the CUP for a pool is
    safety and understanding of the responsibility of owning a pool.
  - After consideration of the 1403-A Conditional Uses, a motion by Gary Stadlman, seconded by Steve Thiesse, to recommend approval of the plat to the Board of Adjustment. Roll call vote: Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – absent, Weitala – absent, motion carried.

- Approve a Plat of Plat of Lot 3 of Park Acres First Addition in the NE 1/4 of Section 6, T 103N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of CJM Consulting.
  - Administrator Jenniges gave an explanation of the plat.
  - The applicant was not present to answer questions. Discussion included that this
    is in the ETJ and the city planning commission approved the plat yesterday, but
    still has to go through the city council.
  - Motion by Lewis Bainbridge, seconded by Charles Storm, to recommend approval of the plat to the County Commissioners. Roll call vote: Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – absent, Weitala – absent, motion carried
- Questions and discussion on amending the Davison County Zoning Ordinance.
  - Bathke is working on printing and mailing a hard copy to the board for them to read and make notes in to bring to the next meeting for discussion.
- Additional Comments and Discussion from the Group included:
- Set date and time for next meeting June 7, 2016 @ 7:00 P.M.
- Adjournment @ 7:59P.M.

Bruce Haines Planning Commission Chairman

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Mark Jenniges Deputy Director of Planning & Zoning

Davison County Planning & Zoning and Emergency Management 200 E, 4th Ave.



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## PLANNING COMMISSION MINUTES June 7, 2016

- Due to Chairman Haines and Vice Chairman Stadlman being absent, Board Member Brenda Bode called the meeting to order at 7:00 P.M.
- Roll Call
  - Present: Steve Thiesse, Lewis Bainbridge, Kim Weitala, Brenda Bode, Jeff Bathke, Mark Jenniges.
  - · Absent: Bruce Haines, Gary Stadlman, Charles Storm
  - Guests: Bob & Connie Bruske, Walter & Shirley Morrison, Patty Morrison, and Russ McCormick.
- · Approve the agenda
  - Motion by Lewis Bainbridge, seconded by Steve Thiesse, to approve the agenda with numbers 8 & 9 removed. All members voted aye, motion carried.
- Approve the May 10, 2016 Minutes
  - Motion by Steve Thiesse, seconded by Lewis Bainbridge, to approve the May 10, 2016 minutes. All members voted aye, motion carried.
- That Bob Bruske has appealed to the Davison County Planning Commission to recommend granting a variance of side yard setback of +/- 32 feet resulting in a setback of +/- 18 feet.
  - This request is pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot A in the NW 1/4 of Section 2, T 101N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. Luvern & Elain Negebauer called and are okay with Bob putting up the addition onto the shed.
  - The applicant was present to answer questions. Discussion included that he is building it for more space so his son can use it for welding and tinkering.
  - After consideration of 1403- B Variance, motion by Kim Weitala, seconded by Lewis Bainbridge, to recommend approval of the Variance to the Board. Roll call vote:

Haines - absent, Stadlman - absent, Thiesse - aye, Storm - absent, Bainbridge - aye, Bode - aye, Weitala - aye, motion carried.

- That Joe & Shannon Marshall have appealed to the Davison County Planning Commission to recommend granting a variance of minimum lot size of +/- 21.34 acres, resulting in a lot size of +/- 3.66 acres.
  - This request is pursuant to Section 513 (4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting, the property will be legally described as A Plat of Lot 1 of D.M. Sibson First Addition in the SW 1/4 o the SW 1/4 of Section 12, T 104N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.

- Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. There was a response from Delores Sibson to make sure Shannon was on the permit, since that's her granddaughter. Careen Larson called wondering if it would raise her taxes or what the plan was for Marshalls to build there. Clarretta Cunningham also called wondering what this would do to her taxes.
- The applicant was not present to answer questions. Discussion included Joe and Shannon currently live in Watertown and that's the reason they weren't at the meeting. Jenniges talked to Joe on the phone to get some extra information on the afternoon of the meeting. Shannon is starting a job next week in Mitchell and they want to move to Mitchell to be closer to family and help on the farm. Joe has installed septic systems before and plans to build as soon as it all gets approved. They will share a driveway with their grandma. Two older sheds will be torn down when they start to build their house. Patty Morrison voiced her opinion of being against the variance and her father Walter Morrison did as well. During the meeting it was explained this is grandchildren of Deloris, and after that the Morrisons were okay with it. They didn't realize it was family and they believe in family farming as well.
- After consideration of 1403- B Variance, motion by Lewis Bainbridge, seconded by Kim Weitala, to recommend approval of the Variance with an Ag Covent to the Board. Roll call vote: Haines – absent, Stadlman – absent, Thiesse – aye, Storm – absent,

Bainbridge - aye, Bode - aye, Weitala - aye, motion carried.

- Approve a Plat of A Plat of Lot 1 of D.M. Sibson First Addition in the SW 1/4 o the SW 1/4 of Section 12, T 104N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Joe & Shannon Marshall.
  - Administrator Jenniges gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion for this was included with the variance.
  - Motion by Kim Weitala, seconded by Lewis Bainbridge, to recommend approval
    of the plat to the County Commissioners. Roll call vote:
    Haines absent, Stadlman absent, Thiesse aye, Storm absent,

Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.

- Questions and discussion on amending the Davison County Zoning Ordinance.
- Additional Comments and Discussion from the Group included:
- Set date and time for next meeting July 5, 2016 @ 7:00 P.M.
- Adjournment @ 8:00P.M.

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Brenda Bode Planning Commission Board Member

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Mark Jenniges Deputy Director of Planning & Zoning





### PLANNING COMMISSION MINUTES July 5, 2016

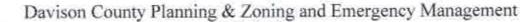
- Chairman Haines called the meeting to order at 7:02 P.M.
- Roll Call
  - Present: Bruce Haines, Gary Stadlman, Steve Thiesse, Lewis Bainbridge, Charles Storm, Kim Weitala, Brenda Bode, Jeff Bathke, Mark Jenniges.
  - Absent: None.
  - Guests: Kyle & Melisa Crago, Chuck Mausycki Sr.
- Amend the agenda
  - Motion by Lewis Bainbridge, seconded by Brenda Bode, to amend the agenda and take out item #7. All members voted aye, motion carried.
- Approve the amended agenda
  - Motion by Gary Stadlman, seconded by Steve Thiesse, to approve the amended agenda. All members voted aye, motion carried.
- Approve the June 7, 2016 Minutes
  - Motion by Kim Weitala, seconded by Brenda Bode, to approve the June 7, 2016 minutes. All members voted aye, motion carried.
- Approve a Plat of Lot 1 of Crago's Addition, in the W. 1/2 of the N.E. 1/4 of Section 29, T 103N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Kyle & Melisa Crago.
  - Administrator Jenniges gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion included that this is part of the ETJ and the City Planning Commission recommended granting approval to the City Council. Chris & Bill Nebelsick are responsible for relocating the wetland and intend on doing it on their property. The new land will be filled in over time and used for a parking lot or possibly a storage shed down the road.
  - Motion by Steve Thiesse, seconded by Charles Storm, to recommend approval of the plat to the County Commissioners. Roll call vote: Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
- Approve a Plat of lot 11 of Park Acres First Addition in the NE 1/4 of Section 6, T 103N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of CJM Consulting, INC.
  - Administrator Jenniges gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion included that this is is part of the ETJ and the City Planning Commission recommended granting approval to the City Council. Stadlman was concerned about safety for the approach and Chuck Mausycki Sr. stated the lot is higher than the road so there should be improved visibility of it.

- Motion by Kim Weitala, seconded by Gary Stadlman, to recommend approval of the plat to the County Commissioners. Roll call vote: Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
- Approve a Plat of Lot 1 of Denne's Addition, in the W. 1/2 of the N.E. 1/4 of Section 29, T 103N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Michael Denne.
  - Administrator Jenniges gave an explanation of the plat.
  - The applicant was not present to answer questions. Discussion included that this is located in the ETJ. City Planning Commission has not heard this yet.
  - Motion by Brenda Bode, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
     Haines aye, Stadlman aye, Thiesse aye, Storm aye,
     Bainbridge aye, Bode aye, Weitala aye, motion carried.
- Questions and discussion on amending the Davison County Zoning Ordinance.
- Additional Comments and Discussion from the Group included:
- Set date and time for next meeting August 2, 2016 @ 7:00 P.M.
- Adjournment @ 8:16 P.M.

Bruce Haines Planning Commission Chairman

Marts genneges

Mark Jenniges Deputy Director of Planning & Zoning





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## PLANNING COMMISSION MINUTES September 6, 2016

- Chairman Haines called the meeting to order at 7:02 P.M.
- Roll Call
  - Present: Bruce Haines, Gary Stadlman, Steve Thiesse, Lewis Bainbridge, Brenda Bode, Jeff Bathke, Mark Jenniges.
  - · Absent: None: Charles Storm, Kim Weitala .
  - Guests: Jerry Constant, Pat Kiner, Jeannette & Arden Lemke, Nick Lemke, Tom Case, Larry L. Olson, Orville Steveson, Marge Mathers, Brian Mueller, Paul Stevenson, Jerry Bucholz.
- Approve the agenda.
  - Motion by Lewis Bainbridge, seconded by Steve Thiesse, to approve the agenda. All members voted aye, motion carried.
- Approve the July 5, 2016 Minutes.
  - Motion by Gary StadIman, seconded by Steve Thiesse, to approve the July 5, 2016 minutes. All members voted aye, motion carried.
- That Tom Case has appealed to the Davison County Planning Commission to recommend granting a variance in side yard setback of +/- 40 feet to create a side yard setback of +/-10 feet on the north property line and a rear yard setback of +/- 40 feet to create a rear yard setback of +/- 10 feet on the east property line. The minimum setback is 50 feet in the Agriculture District.
  - This request is pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as S 264' x W 247.5' of the SW 1/4 of Section 8, T 104N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. No phone calls or comments were received from neighbors.
  - The applicant was present to answer questions. Discussion included that he is
    requesting the variance in set-backs due to small lot size and also an underground
    water line going through his land and not allowing him to build in certain areas.
    It is unknown the size of the waterline or if there is an easement associated to it.
    Planning and Zoning will find out before BOA. Mr. Case is willing to turn his
    building 90 degrees if there is an easement there.
  - After consideration of 1403- B Variance, motion by Lewis Bainbridge, seconded by Brenda Bode, to recommend approval of the Variance to the Board of Adjustment with the understanding if there is an easement for the waterline he will have to change his footprint. Roll call vote: Haines – aye, Stadlman – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye, Weitala – absent, motion carried.

- That Brian Mueller has appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size of +/- 19.98 acres resulting in a lot size of +/- 5.02 acres. The minimum in the Ag District is 25 acres.
  - This request is pursuant to Section 513 (4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting, the property will be legally described as Plat of Tract A of Brian's Addition, in the SW 1/4 of the NW 1/4 of Section 3, T 101N, R 62 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Deputy Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. There were no responses from those notified.
  - The applicant was present to answer questions. Discussion included he will be living just down the road from the family farm. Bode expressed concern about future plans with it only being a 5 acre lot for farming, just to have discussions early with family about long term plans. Happy to see young farmers staying in the area and working for/with family.
  - After consideration of 1403- B Variance, motion by Gary Stadlman, seconded by Steve Thiesse, to recommend approval of the Variance with an Ag Covent to the Board of Adjustment. Roll call vote:

Haines - aye, Stadlman - aye, Thiesse - aye, Storm - absent,

Bainbridge - aye, Bode - aye, Weitala - absent, motion carried.

- Approve a Plat of Plat of Tract A of Brian's Addition, in the SW 1/4 of the NW 1/4 of Section 3, T 101N, R 62 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Brian Mueller.
  - · Deputy Administrator Jenniges gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion for this was included with the variance.
  - Motion by Brenda Bode, seconded by Lewis Bainbridge, to recommend approval
    of the plat to the County Commissioners. Roll call vote:
    Haines aye, Stadlman aye, Thiesse aye, Storm absent,
    Bainbridge aye, Bode aye, Weitala absent, motion carried.
- That Marge Mathers has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to install an off-site sign in the Ag District.
  - This request is in pursuant to Section 507 (24) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as IT 1, EX HI in the SE 1/4 of Section 16, T 103 N, R 62 W of the 5th P.M. Davison County, South Dakota.
  - Deputy Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. There were no responses from those notified.
  - The applicant was present to answer questions. Discussion included it will be a
    two sided sign with no lights on it. It is a busy intersection especially with the
    school. Marge is willing to work with Planning and Zoning when it comes time
    to set the sign and willing to go a little further west on her property or even up
    higher than originally thought of to increase safety at the intersection to the south.

- After consideration of the 1403-A Conditional Uses, a motion by Steve Thiesse, seconded by Lewis Bainbridge, to recommend approval of the Conditional Use Permit to the Board of Adjustment. Roll call vote: Haines – aye, Stadlman – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye, Weitala – absent, motion carried.
- That Jeannette Lemke has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit for a dwelling unit in the Rural Commercial District.
  - This request is in pursuant to Section 1109 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as West 372' of the SW 1/4 EX Lot H-1 & the West 372' of Lot W & EX Lot 1 of Lemke Addn of Section 27, T 103 N, R 61 W of the 5th P.M. Davison County, South Dakota.
  - Deputy Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. Jerry Constant stopped by the office to discus the Conditional Use Permit, he is against it. Said he would be at the meeting to voice his concerns.
  - The applicant was present to answer questions. Discussion included the history of
    past meetings and events for this property. Dean Dorn put a living quarters in it
    when he first built the shop. The commission is there to focus and the current
    Conditional Use Permit application and not the past. There is nothing they can do
    about the civil issues between neighbors.
  - Jeannette Lemke didn't know they needed a Conditional Use Permit to have someone living there. They like having someone living there for security purposes of their property and business and also to keep the rodents away. Their son Nick lived in it back in 2009 and believe if he wasn't living there when a fire started the whole building would have been lost. Larry Olsen spoke on behalf of his father and he has no problem with it, likes the fact someone is living there for security reasons as well. Paul Stevenson is for someone living there, stated he has helped the current taenite fix flats and other automobile issues from interstate traffic. Agrees it's a good security measure for the Lemke's.
  - Lawyer Pat Kiner spoke on behalf of Jerry Constant that he is against the Conditional Use Permit. It doesn't qualify under the counties zoning ordinance and is hurting his business. Jerry Constant spoke for himself also listing the issues that he has had with the renter, which is considered civil and the zoning board has no authority over.
  - Thiesse understands a business owner is trying to safe guard their business. Bainbridge sees both sides of it. Bode knows the past as she sat on the previous boards that heard this, but this is different and the conflict between the landowners/taenite is not what the board is for.
  - After consideration of the 1403-A Conditional Uses, a motion by Steve Thiesse, seconded by Lewis Bainbridge, to recommend approval of the Conditional Use Permit to the Board of Adjustment. Roll call vote: Haines – aye, Stadlman – nay, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye, Weitala – absent, motion carried.
  - Questions and discussion on amending the Davison County Zoning Ordinance.

- · Additional Comments and Discussion from the Group included:
- Set date and time for next meeting October 4, 2016 @ 7:00 P.M.
- Adjournment @ 9:08 P.M.

Bruce Haines Planning Commission Chairman

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Mark Jenniges Deputy Director of Planning & Zoning





#### PLANNING COMMISSION MINUTES October 4, 2016

- Chairman Haines called the meeting to order at 7:00 P.M.
- · Roll Call
  - Present: Bruce Haines, Gary Stadlman, Steve Thiesse, Lewis Bainbridge, Brenda Bode, Charles Storm, Kim Weitala, Jeff Bathke, Mark Jenniges.
  - Absent: None:
  - Guests: Mr. & Mrs. Hanselman, Mr. & Mrs. Jorgenson
- Approve the agenda.
  - Motion by Lewis Bainbridge, seconded by Kim Weitala, to approve the agenda. All members voted aye, motion carried.
- Approve the September 6, 2016 Minutes.
  - Motion by Brenda Bode, seconded by Lewis Bainbridge, to approve the September 6, 2016 minutes. All members voted aye, motion carried.
- That Harvey Hanselman has appealed to the Davison County Planning Commission to recommend granting a variance in side yard setback +/- 45 feet, resulting in a setback of +/- 5 feet from the property line. The minimum setback is 50 feet in the Agriculture District.
  - This request is pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot A in the SW 1/4 of Section 2, T 101N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. Sandra Dewald responded via email saying lives on the south of Harvey's land and thinks 5' is to close and that's why we have zoning ordinances, but after informing her the that Harvey is planning on building on the north side or his property she had no issues with it.
  - The applicant was present to answer questions. Discussion included Harvey
    explaining it will be a 42' x 30' pole barn with 12' side walls and two garage
    doors. It will be used as a garage and storage. There are no utility easements
    where he plans to build and there is enough room between where he plans to build
    and the fence so he can still mow back there. It will line up with his existing
    shed.
  - After consideration of 1403- B Variance, motion by Steve Thiesse, seconded by Charles Storm, to recommend approval of the Variance to the Board of Adjustment with the understanding if there is an easement for the waterline he will have to change his footprint. Roll call vote: Haines – aye, Stadiman – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.

- That Steve Jorgenson has appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size of +/- 22.72 acres to create a lot size of +/- 2.28acres. The minimum in the Ag Res District is 25 acres.
  - This request is pursuant to Section 616 (4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting, the property will be legally described as A Plat of Lot D-1, A Subdivision of Lot D in the SE 1/4 of Section 3, T 102N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.
  - Deputy Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. Dale Weitala stopped by the office and is okay with the variance. He thinks it's a good idea and will help keep up the land there.
  - The applicant was present to answer questions. Discussion included Steve has
    talked to the bank and there will be no issue with flood insurance as long as his
    structure is out of the flood plain. He did a perc test and found no water 6' down,
    there is 2' of top soil and 4' of clay. He plans to build up so he can have a walk
    out basement. Rural water, gas and electrical are all easily accessible to this site.
    The board all appreciated Steve being proactive and finding all the answers before
    being asked and that it's a beautiful area to build a house.
  - After consideration of 1403- B Variance, motion by Gary Stadlman, seconded by Charles Storm, to recommend approval of the Variance with an Ag Covent to the Board of Adjustment. Roll call vote: Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
- Approve a Plat of A Plat of Lot D-1, A Subdivision of Lot D in 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 Steve Jorgenson.
  - Deputy Administrator Jenniges gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion for this was included with the variance and also that the Plat is within 3 miles of the city, so they had to hear it and it passed City Council on 10-3-16.
  - Motion by Lewis Bainbridge, seconded by Kim Weitala, to recommend approval
    of the plat to the County Commissioners. Roll call vote:
    Haines aye, Stadlman aye, Thiesse aye, Storm aye,
    Bainbridge aye, Bode aye, Weitala aye, motion carried.
- Questions and discussion on amending the Davison County Zoning Ordinance.
- Additional Comments and Discussion from the Group included:
- Set date and time for next meeting November 1, 2016 @ 7:00 P.M.
- Adjournment @ 8:16 P.M.

Bruce Haines Planning Commission Chairman

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Mark Jenniges Deputy Director of Planning & Zoning





### PLANNING COMMISSION MINUTES November 1, 2016

- Chairman Haines called the meeting to order at 7:04 P.M.
- Roll Call
  - Present: Bruce Haines, Steve Thiesse, Brenda Bode, Charles Storm, Kim Weitala , Mark Jenniges.
  - Absent: None: Gary Stadlman, Lewis Bainbridge, Jeff Bathke
  - Guests: Mr. & Mrs. Gates
- Approve the agenda.
  - Motion by Brenda Bode, seconded by Kim Weitala, to approve the agenda. All members voted aye, motion carried.
- Approve the October 4, 2016 Minutes.
  - Motion by Steve Thiesse, seconded by Charles Storm, to approve the October 4, 2016 minutes. All members voted aye, motion carried. .
- Approve a Plat of A Plat of Lots A-1B and A-2B of J. L. Oberembt's First Addition, A subdivision of Government Lot 4 and the SW 1/4 of the NW 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 Darrell Gates.
  - Deputy Administrator Jenniges gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion included that the plat withis within 3 miles of the city. The reason they are replatting is so Darrell can keep the well with his property (Lot A-2B) as they sell the parents north lot (Lot A-1). Haines brought up that the families have lived there for many years and done a nice job keeping up the land.
  - Motion by Kim Weitala, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote: Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye, Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
- Approve a Plat of A Plat of Lots 1 and 2 OF Rus First Addition in the SE 1/4 of Section 15, T 104N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Mike Rus.
  - Deputy Administrator Jenniges gave an explanation of the plat.
  - The applicant was not present to answer questions. Discussion included that Mike is platting his property so he will be in accordance with the zoning ordinance and be able to acquire a building permit to construct a shed, currently his lot descriptions are by measurements.
  - Motion by Charles Storm, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote: Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
- Questions and discussion on amending the Davison County Zoning Ordinance.
- Additional Comments and Discussion from the Group included:

- Set date and time for next meeting December 6, 2016 @ 1:15 P.M.
- Adjournment @ 8:05 P.M.

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Bruce Haines Planning Commission Chairman

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Mark Jenniges Deputy Director of Planning & Zoning



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### PLANNING COMMISSION MINUTES December 6, 2016

- 1. Chairman Haines called the meeting to order at 1:18 P.M.
- 2. Roll Call
  - Present: Bruce Haines, Steve Thiesse, Brenda Bode, Charles Storm, Kim Weitala , Jeff Bathke, Mark Jenniges.
  - Absent: None: Gary Stadlman, Lewis Bainbridge
  - Guests: Kyle Wermers
- 3. Approve the agenda.
  - Motion by Kim Weitala, seconded by Charles Storm, to approve the agenda. All members voted aye, motion carried.
- 4. Approve the November 1, 2016 Minutes.
  - Motion by Charles Storm, seconded by Brenda Bode, to approve the November 1, 2016 minutes. All members voted aye, motion carried.
- 5. Approve a Plat of A Plat of Wermers' Tract A in the South 1197 Feet of the S.W. 1/4 of Section 20, T 103N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Kyle Wermers.
  - Deputy Administrator Jenniges gave an explanation of the plat.
  - The applicant was present to answer questions. Discussion included that Kyle is platting his property so he will be in accordance with the zoning ordinance and will be able to be issued a building permit and build a house on the property. He plans on using the existing approach.
  - Motion by Brenda Bode, seconded by Kim Weitala, to recommend approval of the plat to the County Commissioners. Roll call vote: Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye, Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
- 6. Questions and discussion on amending the Davison County Zoning Ordinance.
- 7. Additional Comments and Discussion from the Group included:
- 8. Set date and time for next meeting January 3, 2017 @ 1:15 P.M.
- 9. Adjournment @ 3:01 P.M.

Bruce Haines Planning Commission Chairman

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Mark Jenniges Deputy Director of Planning & Zoning