



Davison County Planning & Zoning and Emergency Management
200 E. 4th Ave.
Mitchell, SD 57301-2631
Phone (605) 995-8615
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PLANNING COMMISSION MINUTES
January 3, 2017

1. Chairman Haines called the meeting to order at 1:17 P.M.
2. Roll Call
 - Present: Bruce Haines, Steve Thiesse, Brenda Bode, Charles Storm, Kim Weitala, Lewis Bainbridge, Jeff Bathke, Mark Jenniges.
 - Absent: Gary Stadlman
 - Guests: Teresa Wilson, Bob Weber, Darryl Gates, Brad Gates.
3. Election of 2016 Planning Commission Officers.
 - Administrator Bathke called for nominations of Chair. Brenda Bode nominated Bruce Haines, Charles Storm seconded the nomination. Lewis Bainbridge called to cease nominations and cast a unanimous vote, seconded by Steve Thiesse. Hearing no other nominations, Bruce Haines was unanimously voted as Chairman.
 - Chairman Bruce Haines called for nominations of Vice Chairman. Bruce Haines nominated Gary Stadlman, Kim Weitala seconded the nomination. Brenda Bode called to cease nominations and cast a unanimous vote, seconded by Steve Thiesse. Hearing no further nominations, Gary Stadlman was unanimously voted as Vice Chair.
4. Approve the agenda.
 - Motion by Brenda Bode, seconded by Lewis Bainbridge, to approve the amended agenda. All members voted aye, motion carried. The agenda was amended to show Teresa Wilson's Variance Request was for the front yard, not the side yard.
5. Approve the December 6, 2016 Minutes.
 - Motion by Charles Storm, seconded by Steve Thiesse, to approve the December 6, 2016 minutes. All members voted aye, motion carried.
6. That Teresa Wilson has appealed to the Davison County Planning Commission to recommend granting a variance in front yard setback +/- 10 feet, resulting in a setback of +/- 65 feet from the right of way. The minimum setback is 75 feet in the Agricultural Residential District.
 - This request is pursuant to Section 613 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Tract 1 of Wilson Tracts in the NE 1/4 of Section 25, T 103N, 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. No phone calls or letters for or against the variance were received. Teresa is adding onto her living room and a bedroom.
 - The applicant was present to answer questions. Discussion included that Haines commended the overall area of the land out there as a whole neighborhood for being cleaned up and looking very nice. Bob Weber was in the audience in favor of the variance. There are no sight or safety issues with the variance.

- 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 – absent, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
7. That Brad Gates has appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size of +/- 23.209 acres to create a lot size of +/- 1.791 acres. 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 Lots A-1C and A-1D of J.L. Oberembt's First Addition a Subdivision of Government Lot 4 of Section 3, T 102N, R 60 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 phone calls or letters received for or against this variance.
 - The applicant was present to answer questions. Discussion included that Brad Gates has already started to clean up some of the old rotted trees and old machinery off of the land. He plans to build or move in a house in the near future. There are utilities out there for him to tie into. For now he will share an approach with the land owner to the north, Bruce Haines. Eventually he will put in his own approach. Stadlman mentioned to Deputy Jenniges that he is concerned about more and more approaches being put onto main roads and being a possible safety issue, not necessarily this location but planned developments in the future and that is something the updated zoning ordinance hopes to take care of.
 - After consideration of 1403- B Variance, motion by Brenda Bode, seconded by Lewis Bainbridge, to recommend approval of the Variance with an Ag Covent to the Board of Adjustment. Roll call vote:
Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
8. Approve a Plat of Lots A-1C and A-1D of J.L. Oberembt's First Addition a Subdivision of Government Lot 4 of Section 3, T 102N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Brad Gates.
- Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This is within the 3mi of the city and they will hear it in the upcoming weeks. Discussion was had during the variance permit application.
 - Motion by Steve Thiesse, 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 – aye, Bode – aye, Weitala – aye, motion carried.
9. Questions and discussion on amending the Davison County Zoning Ordinance.
10. Additional Comments and Discussion from the Group included:
11. Set date and time for next meeting – February 7, 2017 @ 1:15 P.M.

12. Set date and time for Open Public Meeting for Zoning Ordinance Changes-February 7, 2017 @ 5:30 P.M. at Davison County 4H Grounds, 3200 West Havens, Mitchell, SD 57301.
13. Adjournment @ 2:40 P.M.



Bruce Haines
Planning Commission Chairman



Mark Jenniges
Deputy Director of Planning & Zoning



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PLANNING COMMISSION MINUTES
February 7, 2017

1. Chairman Haines called the meeting to order at 1:20 P.M.
2. Roll Call
 - Present: Bruce Haines, Gary Stadlman, Steve Thiesse, Charles Storm, Kim Weitala, Jeff Bathke, Mark Jenniges.
 - Absent: Brenda Bode, Lewis Bainbridge
 - Guests: Tony Tilton
3. Approve the agenda.
 - Motion by Charles Storm, seconded by Steve Thiesse, to approve the agenda. All members voted aye, motion carried.
4. Approve the January 3, 2017 Minutes.
 - Motion by Kim Weitala, seconded by Steve Thiesse, to approve the January 3, 2017 minutes. All members voted aye, motion carried.
5. That Tony Tilton has appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size of +/- 16.734 acres to create a lot size of +/- 8.266 acres. The minimum in the Ag District is 25 acres.
 - This request is pursuant to Section 515 (3) 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 Tilton Tract 2, a Subdivision of the W. 1/2 of the S.W. 1/4 of Section 33, T 102N, 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. Administrator Bathke received a phone call from Perry Titze against the variance.
 - The applicant was present to answer questions. Discussion included that Tony Tilton currently lives on this land and is doing this for financial reasons. He owns 80 acres and has a mortgage on the roughly 8 acres that were survey for his mortgage, this would separate the land from the farmstead. He is not intending to parcel off his land to sell. His kids are in college so maybe one day they will move out to the farm, but not anytime soon.
 - After consideration of 1403- B Variance, motion by Kim Weitala, 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 – nay,
Bainbridge – absent, Bode – absent, Weitala – aye, motion carried.
6. Approve a Plat of Tilton Tract 1 and Tilton Tract 2, a Subdivision of the W. 1/2 of the S.W. 1/4 of Section 33, T 102N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Tony Tilton.
 - Deputy Administrator Jenniges gave an explanation of the plat.

- The applicant was present to answer questions. By platting these 2 parcels Tony is bringing his land legal description into compliance with our zoning ordinance. Making it simpler for himself and the bank.
 - Motion by Steve Thiesse, seconded by Kim Weitala, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Stadlman – aye, Thiesse – aye, Storm – nay,
Bainbridge – absent, Bode – absent, Weitala – aye, motion carried.
7. Questions and discussion on amending the Davison County Zoning Ordinance.
 8. Additional Comments and Discussion from the Group included:
 9. Set date and time for next meeting – March 7, 2017 @ 1:15 P.M.
 10. Set date and time for Open Public Meeting for Zoning Ordinance Changes-March 8, 2017 @ 5:30 P.M. at Davison County 4H Grounds, 3200 West Havens, Mitchell, SD 57301.
 11. Adjournment @ 2:34 P.M.



Bruce Haines
Planning Commission Chairman



Mark Jenniges
Deputy Director of Planning & Zoning

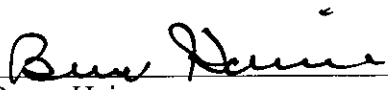



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PLANNING COMMISSION MINUTES
March 7, 2017

1. Chairman Haines called the meeting to order at 1:21 P.M.
2. Roll Call
 - Present: Bruce Haines, Gary Stadlman, Steve Thiesse, Brenda Bode, Lewis Bainbridge, Jeff Bathke, Mark Jenniges.
 - Absent: Charles Storm, Kim Weitala
 - Guests: Paul Rieland
3. Approve the agenda.
 - Motion by Gary Stadlman, seconded by Lewis Bainbridge, to approve the agenda. All members voted aye, motion carried.
4. Approve the February 7, 2017 Minutes.
 - Motion by Brenda Bode, seconded by Steve Thiesse, to approve the February 7, 2017 minutes. All members voted aye, motion carried.
5. Approve a Plat of Tract 1 of Ivan Bialas Addition in the N.W. 1/4 of Section 35, T 102N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Ivan Bialas.
 - Administrator Bathke gave an explanation of the plat.
 - The applicant was not present to answer questions.
 - Motion by Lewis Bainbridge, seconded by Brenda Bode, 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.
6. Approve a Plat of Lots 2, 3, 4, and 5 of B & R Acres in the N 1/2 of Section 13, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Bonnie McBrayer.
 - Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was not present to answer questions. Paul Rieland spoke on behalf of Bonnie McBrayer and her plans/reasons for platting the land.
 - Motion by Brenda Bode, seconded by Steve Thiesse, 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.
7. Questions and discussion on amending the Davison County Zoning Ordinance.
8. Additional Comments and Discussion from the Group included:
9. Set date and time for next meeting – April 4, 2017 @ 7:00 P.M.
10. Set date and time for Open Public Meeting for Zoning Ordinance Changes-March 8, 2017 @ 5:30 P.M. at Davison County 4H Grounds, 3200 West Havens, Mitchell, SD 57301.
11. Adjournment @ 2:16 P.M.


Bruce Haines
Planning Commission Chairman


Mark Jenniges
Deputy Director of Planning & Zoning



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PLANNING COMMISSION MINUTES
April 4, 2017

1. Chairman Haines called the meeting to order at 7:02 P.M.
2. Roll Call
 - Present: Bruce Haines, Gary Stadlman, Steve Thiesse, Charles Storm, Kim Weitala, Brenda Bode, Jeff Bathke, Mark Jenniges.
 - Absent: Lewis Bainbridge
 - Guests: Doug Hansen, Holly Hansen, Ken Stach, Jerry Wadleigh, Rex A. Balcom, David Shelton (representing Roland H. Johnson), Arnold Deurmier, Darwin Kreth, Wonda Kobes, Becky Riggs, Gene & Denise Stehly, Matt Keyser, Jade Stehly, Jerry Scott, Glen Lowrie, Gregg Bult, Mavis Anderson, Mike Anderson, Don Young, Lila Stach, Cindy VanLacken, Murray Vanlacken, Chuck Mauszycki, Terry Nutter, Don McLeon, Jay A. Larson.
3. Approve the agenda.
 - Motion by Charles Storm, seconded by Kim Weitala, to approve the agenda. All members voted aye, motion carried.
4. Approve the March 7, 2017 Minutes.
 - Motion by Gary Stadlman, seconded by Steve Thiesse, to approve the March 7, 2017 minutes. All members voted aye, motion carried.
5. Approve the March 8, 2017 Minutes.
 - Motion by Kim Weitala, seconded by Gary Stadlman, to approve the March 8, 2017 minutes. All members voted aye, motion carried.
6. That Darwin Kreth has appealed to the Davison County Planning Commission to recommend granting a variance in front yard setback +/- 41 feet, resulting in a setback of +/- 34 feet from the right of way. The minimum setback is 75 feet in the Agricultural 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 SE 1/4 Ex H1 & R1 of Section 33, T 101N, 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. Some calls from the neighbors were received wondering what Mr. Kreth was doing, after explaining it over the phone no one had an issue with it. Mr. Kreth plans to move two small bins and tear one bin down so he can build a new 26,000 bushel bin. This will keep the new bin in line with his other bins.
 - The applicant was present to answer questions. Discussion included that there are no overhead powerlines on that side of the road. Bode believed it was a good location considering he has existing bins there already.

- After consideration of 1403-B Variance, motion by Charles Storm, 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.
7. That Amber Sinkie has appealed to the Davison County Planning Commission to recommend granting a variance for:
1. Lot size of +/- 22.17 acres to create lot size of +/- 2.83 acres for Lot 1.
 2. Lot size of +/- 22.17 acres to create lot size of +/- 2.83 acres for Lot 2.
 3. Side yard setback of +/- 10' to create a side yard setback of +/- 40' for Lot 1.
 4. Side yard setback of +/- 6' to create a side yard setback of +/- 44' for Lot 2.
- The minimum lot size in the Ag District is 25 acres.
 - The minimum side yard setback is 50' in the Ag District.
 - This request is pursuant to Section 513(3) and 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 A Plat of Lots 1, 2, and 3 of Sinkie First Addition in the North 60 Rods of the NW 1/4 of Section 21, T 104N, R 62 W of the 5th P.M., Davison County, South Dakota.
 - Administrator Bathke gave an explanation of the application, required notifications, and the GIS view. There were no phone calls or letters received for or against this variance.
 - The applicant was present to answer questions. Discussion included that she is doing this for bank financing of a future home, estate planning with her mother also living on the parcel, and platting it since it is currently described by measurements. Sinkie plans to tear down some older buildings on the parcel. Lot 3 is leased out for pasture. Stadlman stated he would like to see at least 10 acres for lots 1 and 2, just continue the lots to the south. Sinkie wasn't opposed by the suggestion but would have to replat and come in front of the board again for a variance in lot size since it would create a hardship when she went to build a new place and would have issues financing with the bank. The reason for the variance in setbacks is due to existing buildings. Sinkie has no intension of rebuilding on the same footprint when it comes time to build a new residence so the variances in setback may be resolved at that time.
 - After consideration of 1403- B Variance, motion by Brenda Bode, seconded by Kim Weitala, 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 – absent, Bode – aye, Weitala – aye, motion carried.
8. Approve a Plat of Lots 1, 2, and 3 of Sinkie First Addition in the North 60 Rods of the NW 1/4 of Section 21, T 104N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Amber Sinkie.
- Administrator Bathke gave an explanation of the plat.
 - The applicant was present to answer questions. Discussion was included with the variance for this plat.
 - Motion by Kim Weitala, seconded by Brenda Bode, to recommend approval of the plat to the County Commissioners. Roll call vote:

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

9. Approve a Plat of lots 4 and 9 of Park Acres First Addition in the NE 1/4 of Section 6, T 103N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of CJM Consulting Inc.

- Deputy Administrator Jenniges gave an explanation of the plat.
- The applicant was present to answer questions. This plat is located in the ETJ. It has gone in front of City Planning Commission and City Council and been approved. Chuck Mauszycki Jr. stated about half of the lots that they have in their master plan for this area have been sold. Stadlman appreciated that CJM Consulting is following their master plan for this location.
- Motion by Steve Thiesse, 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 – absent, Bode – aye, Weitala – aye, motion carried.

10. Proposed changes to the Davison County Zoning Ordinance.

- Administrator Bathke gave an explanation of the process so far and explained any changes to the original draft of the revised ordinance.
- Deputy Administrator Jenniges read the names from whom emails were received since the last meeting, all pertaining to WES, the names are as follows: Harvey Kelley, Denise Stehly, John O'Connell, Lance Koth, Harvey Kelley, Peter Licht, Jerry Scott, Gene Stehly, Glen Lowrie, Holly Hanson, Ken Stach, Doug Hanson, David Shelton, Travis Krumvieda, Terry & Mary Nutter, Jack & Jennifer Nutter, Jared & Alex Sorenson, Darwin Everson, Brad & Peg Greenway, and Lisa Leuning.
- The board discussed changing the Ag Use Covenant Section to include Industrial Development.
- The board discussed proposed section 3:11 and 9:09 Wind Energy Systems, specifically the following suggestions concerning the WES Sections:
 - i. #5-amend to include the FAA regulations.
 - ii. #6-amend to include “at a time when other ambient noise is not present”.
 - iii. #9-amend setback to a multiple of the tower height. Also, add “Structures built post-WES construction may be constructed inside the WES setbacks.”
 - iv. #10-amend to include “from the base of the tower”.
 - v. #13-add “Provide yearly proof of a surety bond in an amount approved by the County Commission for removal of the tower.
 - vi. #14-add “Provide yearly proof of liability insurance on the WES.
- Chairman Haines opened up the floor for public input. The following comments were heard:
 - i. Ted Christianson believes wind towers are a monstrosity that will lower land values and a 1000' setback shouldn't even be considered. He recommended removal of #9.
 - ii. Jerry Wadleigh thinks we need to look at past projects of how they were supposed to help that area but didn't. His examples were the Missouri River damn and the gambling tax, neither continued to benefit South

- Dakotans like they said it would. He believes WES should not be allowed in Davison County, should be in none populated areas. Jerry stated he did not want the proposed WES near him. He was informed there is no WES application currently pending near him, or anywhere in Davison County.
- iii. Ken Stach from Letcher is not opposed to WES. He believes it should be a 1 mile setback. The cost to decommission a tower is \$227,000 and there needs to be a decommissioning bond for each tower. Davison County's Ordinance is reverse logic.
 - iv. John Claggett stated Lincoln County is meeting the same night and they are discussing a 1 mile setback. Believes a reclamation bond of \$20,000, \$40,000 or the \$227,000 Ken Stach mentioned is needed.
 - v. Rex Balcom feels sorry for the board for taking so much heat. Believes WES are a scam and it is former President Obama's fault. Solar power is the answer but too expensive. He is in favor of a 1 mile setback and said land values diminish 10-30% if they are built closer. He believes a bond set at ½ the price of building cost for all neighbors to a WES.
 - vi. Doug Hanson thanked the board but he has a lot of concerns and feels WES are a train wreck. Liability will get lost in 30 years. He wondered if the county thought they were missing out on revenues and that's why the board wants WES. Believes the setback should be 1 mile and that it is too complicated to figure out tonight.
 - vii. Jerry Scott is not for or against WES. He believes the setback should be 1 mile from the property line and the developer should have to get waivers to be closer. Neighbors should give consent and get compensation. He believes the industry standards are not acceptable.
 - viii. Gene Stehly is an opponent of WES in Davison County. Overall, he believes there are too many cons compared to the pros. Davison County is too populated at 45.4 people per square mile and there are lots of acreages in the county and WES would devalue the properties. The new PUC formula does not give as much tax to the county or school, so taxes should not be a deciding factor. WES should not be considered an Ag entity. WES will affect aerial spraying and there are many health affects we don't all know. Residents of Davison County don't want WES and the setback should be 1 mile. There should be a decommissioning bond set in place. Mr. Stehly stated he spoke with the White Lake Superintendent and he wishes they did not have any towers, as they currently receive \$0 from the towers in their district.
 - ix. Peter Licht is from Aurora County and invited all board members to come visit his residence, which has a tower 2,200' away. He has lost sleep, the roads still aren't fixed, and has no nesting pairs of ducks like he used to before the towers were installed. He believes WES are loud and not all parts are made in the USA. WES will devalue property.
 - x. Glen Lowrie is not against WES but feels WES is an Industry, not Ag. Agrees with waivers for neighboring property owners.

- xi. Harvey Kelley used to think 5,000' was enough from the towers but not believes it should be 5,000' from the property line, and let neighbors sign waivers if they are okay with it being closer.
- xii. David Shelton, representing Rolland Johnson, a land owner in Davison County. Johnson's property was an original site for proposed WES but declined them. Mr. Shelton believes every landowner is a participating landowner. He referred the board to the AJ Swanson Email. He feels the rights of landowners are stripped away so the developers can make money. Mr. Shelton feels the Planning and Zoning Office was going to push this through.
- xiii. Ray Hanson stated he had an open mind about WES before coming to the meeting. Arizona has lots of WES and solar. He is for WES, just not in Davison County due to the population density in the rural areas.
- xiv. Wanda Kobes stated she owns property in Davison County. She feels bad for Administrator Bathke, thinks he is getting a bad reputation around town because of WES. She stated word at the coffee shop was "the Zoning guy was going to pass this". She does not feel WES will benefit anyone in the long term. She stated several people in other areas with WES have poor TV, cell, etc. due to the waves being messed up.
- xv. Dan Young thinks landscape has not been taken into account and that Davison County just doesn't want WES.
- Chairman Haines closed the floor for public input and the board gave thoughts.
 - i. Commissioner Bode would like to compile all the notes from everyone tonight and come back to the main topic of WES at the next meeting. She would like advice from the Davison County States Attorney on bonds. She is contemplating setbacks for WES of structures compared to property lines. She feels the verbiage could be changed in the WES section and also believes the Ag Covenant could be revised (this section has been revised to include Industrial Development).
 - ii. Commissioner Wietala agreed with Bode. She thought there was a lot of information given tonight, both fact and non-fact. She is open for comments, but would like them to be fact based.
 - iii. Vice Chairman Stadlman stated he could tell the audience does not want WES in Davison County. He feels the commission needs more time.
 - iv. Commissioner Storm feels there needs to be some more research but is hesitant about a 1 mile setback. He stated to the crowd that there is no application and the WES part of the ordinance isn't a done deal and there is still a process. He cautioned the board of setting a precedent on future development in Davison County.
 - v. Commissioner Thiesse is worried about making too stringent of conditions, which will affect any business wanting to operate in Davison County in the future.
 - vi. Chairman Haines thanked everyone for their input and knows Davison County is not the only county working on this, as Lincoln County is going through the same thing right now.

- After the public input and board discussion it was decided to table a recommendation to the Davison County Commission and to continue research and discussion on the proposed ordinance changes. The Planning & Zoning Office recommended the Board move forward with the Ordinance Revision, with the exception of Section 3:11 and 9:09 on WES; which can be discussed at a later time.

11. Set date and time for next meeting – May 2, 2017 @ 7:00 P.M.

12. Adjournment @ 10:14 P.M.



Bruce Haines
Planning Commission Chairman



Mark Jenniges
Deputy Director of Planning & Zoning

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PLANNING COMMISSION MINUTES
May 2, 2017

1. Chairman Haines called the meeting to order at 7:00 P.M.
2. Roll Call
 - Present: Bruce Haines, Gary Stadlman, Steve Thiesse, Charles Storm, Lewis Bainbridge, Kim Weitala, Brenda Bode, Jeff Bathke, Mark Jenniges.
 - Absent:
 - Guests: Wande Kobes, Jerry Wadleigh, Darlene Wadleigh, Ken Stach, Lila Stach, Dan & Dawn Weiss, Kim Lorang, Jerry Scott, Mike Anderson, Gerald Tilberg, Robert Novotny, Doug Hansen, Holly Hansen, Gene & Denise Stehly, Chuck Mauszycki, Jack Anderson, & Gregg Bult.
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 April 4, 2017 Minutes.
 - Motion by Steve Thiesse, seconded by Brenda Bode, to approve the April 4, 2017 minutes. All members voted aye, motion carried.
5. That Robert Novotny has appealed to the Davison County Planning Commission to recommend granting a variance for front yard setback +/- 62 feet, resulting in a setback of +/- 13 feet from the right of way and a side yard setback of +/- 3 feet, resulting in a setback of +/- 7 feet from the property line, where the front yard setback requirement is 75 feet and the side yard setback requirement is 10 feet in the Agricultural Residential District.
 - This request is pursuant to Section 613 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lots 1 & 2 of River Front Estates located in the SE 1/4 of Section 25, T 103N, R 60 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. Jenniges did receive a call from Jim River Ridge Farms LLP with concerns of not being able to get his combine down the Wagon RD and after explaining that Novotny is not coming any further east than his current garage, he had no problem with it. He thought the set back was going to be from the middle of the road, not from the property line. Matt Christopherson sent an email in full support of the variance.
 - The applicant was present to answer questions. Discussion included that the garage is on the edge of a hill and that it is also just out of the floodplain. The road it is on continues to a dead end at Matt Christopherson's residence.
 - After consideration of 1403-B Variance, motion by Gary Stadlman, seconded by Lewis Bainbridge, 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 – aye, Weitala – aye, motion carried.

6. That Dan Weiss has appealed to the Davison County Planning Commission to recommend granting a variance for front yard setback +/- 25 feet, resulting in a setback of +/- 50 feet from the right of way where the setback requirement is 75 feet in the Agricultural 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 the E385' of the S535' in the SE 1/4 of Section 19, T 103N, 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. There were no phone calls or emails for or against this request from the neighbors.
- The applicant was present to answer questions. Discussion included that the plan is to build a 38' x 80' shed. Dan has taken out some trees in this location already and it is a good spot on his land for it. The land slopes to the west so he doesn't have much flat land to build on without bringing in a bunch of fill. This doesn't create a hazard for traffic or snow accumulation.
- After consideration of 1403- B Variance, motion by Charles Storm, seconded by Kim Weitala, 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.

7. That Dan Stolp has appealed to the Davison County Planning Commission to recommend granting a variance in lot size of +/- 19.482 acres to create a lot size of +/- 5.518 acres, where the minimum lot size requirement is 25 acres in the Agricultural Residential District.

- 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 Lot 1 of Stolp Addition in the West 1/2 of the NW 1/4 of Section 23, T 102N, R 60 W of the 5th P.M., Davison County, South Dakota.
- Administrator Bathke gave an explanation of the application, required notifications, and the GIS view. There were no phone calls or emails for or against this request from the neighbors.
- The applicant was present to answer questions. Discussion included that Dan plans to fix up the house for his daughter to live in. The house is located in a floodplain and he cannot acquire a building permit, but remodeling the existing house would not require one. FEMA is working on re-mapping the floodplain and could take 5 to 7 years for the process to be over. Some will come out and some will go in and FEMA currently has no base flood elevation for this area. Dan plans to leave the rest of the land for farm ground.
- 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 – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.

8. Considered a Plat of Lot 1 of Stolp Addition in the West 1/2 of the NW 1/4 of Section 23, T 102N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Dan Stolp.
 - Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions.
 - Commissioner Stadlman is concerned about future development of the rest of the parcel and would like to see a service road for such and thinks there needs to be a service road easement on this plat for possible future development.
 - Bathke stated he would check with SPN, DOT, and Davison County States Attorney for recommendations on the service road. Bathke stated the board could make a motion to the County Commission for a service road easement and that County Commission can make the final decision, but by making the motion it would not be tabled and would give enough time to get recommendations of those needed.
 - Motion by Gary Stadlman, seconded by Brenda Bode, to recommend approval of the plat to the County Commissioners with the a service road easement running north and south along Hwy 37. Roll call vote:
Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
9. Considered a Plat of Lot 1 of LGS Acres Addition in the North 1/2 of Section 27, T 102N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Ron Scheich.
 - Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. Ron stated the reason for doing this is they are in the process of dissolving Scheich Legacy. It is an odd shaped plat but this way Ron can keep the trees which is a great hunting spot.
 - Commissioner Bode was concerned about having enough access to the trees running north and south, to which Ron said he left enough room for maintenance.
 - Motion by Charles Storm, 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.
10. Considered a Plat of A Plat of Lot A of Leo's Legacy Addition in the NE 1/4 of Section 27, T 102N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Len Scheich.
 - Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. Again the reason for doing this is they are in the process of dissolving Scheich Legacy
 - 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.
11. That Kim Lorang has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit for storage units for rent in Lot A EX Thomas Tract 1 & Lot B, EX E275' of S233' & EX E200' Less S233' Thereof Sub of NE

1/4 & that portion of SE 1/4 lying N of RR ROW of Section 21, T 103 North, Range 62 West of the 5th P.M., Davison County, South Dakota.

- This request is pursuant to Section 507 (34) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
- Deputy Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. No phone calls or emails for or against on this request.
- The applicant was present to answer questions. Discussion included that Kim plans to develop the whole parcel into rental units and has a master plan of the area including access roads. He has taken into consideration where and how he will drain the parcel. There will be one building built at this time, with more in the future.
- After consideration of 1403-A Conditional Use motion by Lewis Bainbridge, seconded by Gary Stadlman, to recommend approval of the Conditional Use to the Board of Adjustment with the following condition(s): None. Roll call vote: Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitla – aye, motion carried.

12. That Kim Lorang has appealed to the Davison County Planning Commission to recommend granting a variance for front yard setback +/- 60 feet, resulting in a setback of +/- 15 feet from the right of way and a side yard setback of +/- 35 feet from the E275' of the S233' of Lot B, EX the E273' of the S170' & EX the E200' of the S233' less the S170' being a SUB of the NE 1/4 & that portion of the SE 1/4 lying N of the RR ROW of Section 21, T 103 North, Range 62 West of the 5th P.M., Davison County, South Dakota, resulting in a setback of +/- 15 feet from the property line, where the front yard setback requirement is 75 feet and the side yard setback requirement is 50 feet in the Agricultural 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 EX Thomas Tract 1 & Lot B, EX E275' of S233' & EX E200' Less S233' Thereof Sub of NE 1/4 & that portion of SE 1/4 lying N of RR ROW of Section 21, T 103N, 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 phone calls or emails for or against.
- The applicant was present to answer questions. Discussion included the reason Kim is requesting the variance is because he plans to build access roads on the property, with the first one being north of the proposed building. The existing setbacks do not allow for an apron on the north side of the building. He is requesting setbacks that allow maintenance around the building. He owns the parcel to the east but that is in the city limits so he can't join the two parcels unless he annexes or de-annexes one of the parcels.
- 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. Roll call vote: Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitla – aye, motion carried.

13. Considered the naming of Sara Avenue as requested by Maui Farms Inc.

- Deputy Administrator Jenniges gave an explanation road.
- The applicant was present to answer questions. The LEPC has not had an official meeting to vote on the name of the road, however all were contacted and if anyone had any issues or concerns with it they were to email back and no emails were received. This is a unique road name and does not appear anywhere else in the county. If further developed it would run south and be east of Sam Street or connect somehow to Sam Street (which would require a road name change). No overall master plan was presented for this area.
- Motion by Kim Weitala, seconded by Brenda Bode, to recommend approval of the road to the County Commissioners. Roll call vote:
Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.

14. Considered a Plat of A Plat of Lot 6-A of North Maui's First Addition and Sara Avenue, a Subdivision of Lot 4 in the East 1/2 of the West 1/2 of Section 31, T 104N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Maui Farms Inc.

- Deputy Administrator Jenniges gave an explanation of the plat.
- The applicant was present to answer questions. This plat is located within 3 miles of the city which requires this to be heard by both the county and city. This passed city council unanimously.
- Motion by Steve Thiesse, 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.

15. Considered changes to the Davison County Zoning Ordinance.

- Administrator Bathke gave an explanation of the process so far and explained any changes to the original draft of the revised ordinance.
- Motion by Lewis Bainbridge, seconded by Steve Thiesse, to recommend approval of the proposed Davison County Zoning Ordinance changes with the exception of Section 3:11 and Section 9:09 to the County Commissioners. Roll call vote:
Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
- Chairman Haines opened the floor up for discussion, starting with the board.
 - i. Bainbridge said the decision on WES needs to be on facts, not opinions. He does not want to rush into a decision and there is still a process in place if someone does apply for a CUP on WES.
 - ii. Bode sees a lot more information coming to light within the next 6 months from the state, and other states such as Iowa.
 - iii. Weitala agreed it needs to be facts and not feelings or emotions. Believes the board has received valuable input and would like to err on the side of caution at this time.
 - iv. Stadlman is still educating himself on WES and doesn't want to push a WES ordinance without having all the facts. He thinks whenever an application does come to the table it needs to be for a WES with the most advance technology there is at the time of the application.

- v. Haines believes these have been good meetings, everyone has been respectful of each other, good sharing of ideas and can tell people have done a lot of research. He thanked the community and encourages more emails and that the process of the WES research will continue.
- Chairman Haines opened the floor up for discussion from the public.
 - i. Jerry Wadleigh believes the proposed WES is too close to his farm. There is no reason for WES to be in Davison County, they should be in Wyoming where it is more open. He feels the board is just trying to delay the WES part of the ordinance so the residents loose interest and will not be there to oppose them anymore. The money needs to be shared.
 - ii. Ken Stach agreed facts are hard to find. He spent 60 hours a week looking for third party objective facts. Having a ½ mile or 1 mile setback would not exclude WES in Davison County, waivers could be signed that would offer compensation to neighbors.
 - iii. Doug Hansen thanked the board for their efforts and believes it is a complex subject and taking more time to get it right is a good decision. Encourages board members to visit with more people like Peter Licht and Travis Krumveity that have towers close to their properties. Davison County is a unique county that is small but densely populated. Short setbacks disrupt neighbor rights and their way of life. WES is not about revenues and he is glad the Commission has not seen this as a revenue stream.
 - iv. Rex Balcom has no fault with hog farms because no one else pays for them where as WES will not survive on its own. Prevailing Winds project said there would be lots of money, but the government took half off the top. WES are all about the money for someone.
 - v. Jack Anderson wondered how long the tower that was erected by Juhl Energy was going to be up or if he needed to go out there with a bomb to take it down.
 - vi. Gene Stehly commended the board for talking to first hand people that have experience with WES. Believes if the board is in need of more research just ask anyone of the people in the crowd that have spent a lot of hours researching the WES, any of them would be happy to help or give web sites to where they obtained the information. White Lake School got a net tax gain of zero from WES. A tower would generate \$1,000 for the county each year and that won't make a dent in the schools or county budget. There are other ways to obtain taxes in our county. The PUC is currently deliberating a complaint on Juhl Energy in which they are using Davison County Wind Project which was a denied project. They are trying to force Northwestern Energy to buy at a rate of \$60/MW whereas Northwestern Energy as a coop has a rate of \$24/MW. According to Mr. Stehly, Corey Juhl testified the Davison County project would be done by mid-2018.
 - vii. Jerry Scott has no fault with the Commission for wanting facts but he has a hard time believing the emails that he sends are being seen by the Commission (all emails received are uploaded to the County website).

Germany has 7,000 turbines and there is a lot of information not being told about them. Wind is still a variable, it's not always there. He believes there should be a real estate property agreement with neighbors.

- viii. David Shelton representing Rolland Johnson thanked the Commission. Mr. Johnson was originally offered the WES for Davison County and his job was to look at it from an economical and environmental stand point and it did not pass the test. He believes it will cost neighbors more by having a WES. He will make his findings available to everyone. He was recently in Chaska, MN and there was a Facebook Live video from Sheer Wind that can harvest energy at 2 mph and they have test sites all over the world.

- Hearing no more input from the public, Chairman Haines closed the floor and thanked them for their input and thoughts.

16. Set date and time or next meeting – June 6, 2017 @ 7:00 P.M.

17. Adjournment @ 9:09 P.M.



Bruce Haines
Planning Commission Chairman



Mark Jenniges
Deputy Director of Planning & Zoning

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PLANNING COMMISSION MINUTES
May 18, 2017

1. Chairman Haines called the meeting to order at 7:00 P.M.
2. Roll Call
 - Present: Bruce Haines, Steve Thiesse, Charles Storm, Kim Weitala, Brenda Bode, Jeff Bathke, Mark Jenniges.
 - Absent: Gary Stadlman, Lewis Bainbridge
 - Guests: Marty Rost, Tom Greenway, Peg Greenway, Doug & Holly Hansen, Chuck Eilts.
3. Consider the agenda.
 - Motion by Brenda Bode, seconded by Charles Storm, to approve the agenda. All members voted aye, motion carried.
4. Consider the May 2, 2017 Minutes.
 - Motion by Steve Thiesse, seconded by Kim Weitala, to approve the May 2, 2017 minutes. All members voted aye, motion carried.
5. That Blue Stem Family Farm, LLC has appealed to the Davison County Planning Commission to recommend granting a variance for:
 - A front yard setback +/- 25 feet, resulting in a setback of +/- 275 feet from the east right of way.
 - A side yard setback of +/- 25 feet, resulting in a setback of +/- 275 feet from the north property line.
 - A side yard setback of +/- 25 feet, resulting in a setback of +/- 275 feet from the west property line.
 - A side yard setback of +/- 50 feet, resulting in a setback of +/- 250 feet from the south property line.
 - The setback is 300 feet for a CAFO Agricultural District.
 - This request is pursuant to Section 517:3 (f) and (h) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Tract A Greenway Addition in the NE 1/4 of Section 6, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Administrator Bathke gave an explanation of the application, required notifications, and the GIS view. A letter was received in opposition from Darlene Wadleigh of the "Hog Confinement." The letter dealt with all water issues and about decreased value in land because of it.
 - The applicant was present to answer questions. Discussion included that there are 7 new structures that require a variance of the 30 total structures to be built. It is a million dollar project. They are installing new bio security filters/fans. The main purpose is to keep disease from coming into the facility. They will be moving the same cubic feet of air in and out as they currently do. Marty Rost gave a brief history of the facility. At the time of construction they were not using filter systems and now to modify after costs more than if they had done it during

original construction. One person is in charge of the maintenance of the filters. The big filters get replace every three years at a total cost of about \$750,000.

- Tom Greenway stated Davison County needs about 20 more of these facilities.
- Peg Greenway is a co-owner of the facility and believes this is a great addition and will greatly help prevent illness in the pigs.
- 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 – absent, Thiesse – aye, Storm – aye,
Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.

6. Considered a Plat of Tract 1 and Tract 2 of BSD Addition in the West half of the Southwest Quarter and in the Southeast Quarter of the Southeast Quarter of Section 27 and in the Southwest Quarter, the Northeast Quarter, and the Northwest Quarter of Section 34; all in Township 104 N, R 60 W of the 5th P.M. Davison County, South Dakota; requested by Robert Deboer.

- Deputy Administrator Jenniges gave an explanation of the plat.
- The applicant was not present to answer questions. This is in the ETJ and City Council has approved the plat already. Robert is selling the land to Doug & Holly Hansen and Chuck Eilts which were both present. Ingress/egress was is on the plat. There will have to be some easements with other landowners to reach certain parts of Tract 2 but that is a civil matter. Fences being off was also discussed but that too is a civil matter and both parties were advised to seek legal counsel for it.
- Motion by Charles Storm, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners with the a service road easement running north and south along Hwy 37. Roll call vote:
Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,
Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.

7. Considered A Plat of Lots 2A-1 and 2A-2, Block 2 of B. and J. DeVries First Addition in the NE 1/4 of Section 31, T 104 N, R 60 W of the 5th P.M. Davison County, South Dakota.; requested by David DeVries

- Deputy Administrator Jenniges gave an explanation of the plat.
- The applicant was not present to answer questions. This plat is in the ETJ and will go in front of the city at their next meeting. David is parceling off his house from the other land. There is an easement on the plat for ingress/egress for Edwin Sigmund's property.
- Motion by Brenda Bode, seconded by Kim Weitala, to recommend approval of the plat to the County Commissioners with the a service road easement running north and south along Hwy 37. Roll call vote:
Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,
Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.

8. Additional Comments from the Group.

9. Set date and time or next meeting – June 6, 2017 @ 7:00 P.M.

10. Adjournment @ 8:13 P.M.

Handwritten signature of Bruce Haines in cursive script.

Bruce Haines
Planning Commission Chairman

Handwritten signature of Mark Jenniges in cursive script.

Mark Jenniges
Deputy Director of Planning & Zoning



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PLANNING COMMISSION MINUTES
July 11, 2017


1. Vice Chairman Stadlman called the meeting to order at 7:00 P.M.
2. Roll Call
 - Present: Gary Stadlman, Steve Thiesse, Kim Weitala, Brenda Bode, Jeff Bathke, Mark Jenniges.
 - Absent: Bruce Haines, Charles Storm, Lewis Bainbridge
 - Guests: Cal Schoenfelder, Delmar Mueller, Lonnie Bollock, Mrs. Osen
3. Consider the agenda.
 - Motion by Brenda Bode, seconded by Steve Thiesse, to approve the agenda with item #5 including Bollock on the CUP. All members voted aye, motion carried.
4. Consider the May 18, 2017 Minutes.
 - Motion by Kim Weitala, seconded by Steve Thiesse, to approve the May 18, 2017 minutes. All members voted aye, motion carried.
5. That Schoenelder Construction/Bollock Family has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to allow extraction of sand, gravel, or minerals provided such uses meet requirements for conducting surface mining activities of SDCL 45-6B in the SW 1/4, North of the Right of Way of Section 24, T 103 North, Range 61 West of the 5th P.M., Davison County, South Dakota.
 - This request is pursuant to Section 607 (15) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. A neighbor had concerns of how big the whole was going to be or wanting to know more about the site plan. They were also concerned over the amount of dust going to be created by the mining and also the wear and tear on the road. Another neighbor called with concerns and after being told it would be north of the tracks they were okay with it.
 - The applicant was present to answer questions. Discussion included the process of applying for a permit through the state as well. Permits are good through the state for up to 30 years and have to be reclaimed within 3 years. They only plan to mine 3 or 4 acres with a result of a bigger pond for their grandchildren to fish in it someday. The amount mined out of there will depend on the economy and need for gravel and the class of gravel that is extracted. H&R Salvage also uses the road and to the south it is an oil road. Stadlman stated that this time of year no matter where you are driving on a gravel road, there will always be dust.
 - After consideration of 1403-A Conditional Use motion by Brenda Bode, seconded by Kim Weitala, to recommend approval of the Conditional Use to the Board of Adjustment with the following condition(s): None. Roll call vote: Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent, Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.

6. Considered a Plat of Lot 8, Block 3 of CJM Second Addition in the NW 1/4 of Section 32, T 104N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of CJM Consulting Inc.
 - Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This plat is located in the ETJ. It has passed city council already. Half of the plat is in the county and half in the city, but all zoning jurisdiction is through the city. DOE is aware of the divided parcel and will keep it as two separate for taxing purposes. A building can not be constructed on the line.
 - Motion by Steve Thiesse, seconded by Brenda Bode, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
7. That Commercial Asphalt has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to allow extraction of sand, gravel, or minerals provided such uses meet requirements for conducting surface mining activities of SDCL 45-6B in the NE 1/4, EX Lot 1 of Bussmus Farms Addition of Section 34, T 104 North, Range 61 West of the 5th P.M., Davison County, South Dakota.
 - This request is pursuant to Section 507 (14) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. No comments for or against were received.
 - The applicant was not present to answer questions. Discussion included that Neil called with a family emergency and will be unable to make the meeting tonight but will be available by phone if needed. They plan to do gravel mining-crushing base course. This will be a bigger mine than the other one discussed earlier in the evening but the regulations are the same. Neil stated he will work with Rusty on any roads but this is a township road and maybe a roadship agreement should be provided with Badger Township. There is a bridge to the north of the entrance to the field approach that trucks will not be able to use as they will be overweight.
 - After consideration of 1403-A Conditional Use motion by Kim Weitala, seconded by Steve Thiesse, to recommend approval of the Conditional Use to the Board of Adjustment with the following condition(s): None. Roll call vote:
Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
8. That Kevin Allum has appealed to the Davison County Planning Commission to recommend granting a variance for side yard setback +/- 40 feet, resulting in a setback of +/- 10 feet from the property line, where the side yard setback is 50 feet in the Agricultural 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 N300' x W435.6' EX H-1 & S-1 in the NW 1/4 of Section 22, T 104 N, R 62 W of the 5th P.M., Davison County, South Dakota.
 - Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. No phone calls or letters were received for or against this variance.

- The applicant was not present to answer questions. Discussion included the hardship for the shed was to break the wind for his house to the east. There is a safety concern with 397th and 247th being busy roadways and not being able to see traffic. Having a shed close to the property line will also keep the snow from blowing through and end up piling in the ditch and onto the roadway creating another safety issue. If Kevin were to stay at the required setbacks it would move the shed into his driveway creating no driveway, however there is room on the east side of his property for the shed. Kevin is also aware his legal description is by measurements and once the zoning ordinance is adopted he will have to have his land platted before obtaining a building permit.
 - After consideration of 1403-B Variance, motion by Kim Weitala, seconded by Brenda Bode, to recommend disapproval of the Variance to the Board of Adjustment. Roll call vote:
Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
9. Considered the naming of Kibbee Court as requested by Quality Homes.
- Deputy Administrator Jenniges gave an explanation road.
 - The applicant was present to answer questions. Quality Homes has 12 lots they are going to sell. This was platted in the 1970's. LEPC will hear it at their meeting on 7-12-17. Called PD as well as ROD and there no other streets named this.
 - Motion by Kim Weitala, seconded by Brenda Bode, to recommend approval of the road to the County Commissioners. Roll call vote:
Haines – absent, Stadlman – nay, Thiesse – aye, Storm – absent,
Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
10. Considered a Plat of Lot 1 of Osen Addition in the East 1/2 of Section 24, T 102N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Arlis Osen.
- Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. They have 25 acres as required by the zoning ordinance to not require a variance. The trees will stay with the farmstead.
 - Motion by Steve Thiesse, seconded by Brenda Bode, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
11. That Delmar Mueller has appealed to the Davison County Planning Commission to recommend granting a variance for side yard setback +/- 42 feet, resulting in a setback of +/- 8 feet from the property line, where the side yard setback is 50 feet in the Agricultural 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 NW 1/4 of NW 1/4 Ex area beginning at a point 965' South of NW Corner Thence 200' East then 200' South then 200' West then 200' North to beginning & Ex E820' of N 804' of Section 09, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota.

- Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. Nothing was heard for against from neighbors.
 - The applicant was present to answer questions. Discussion included that Delmar has begun building his shed before getting a building permit but when he came in to get one it was discovered he needed a variance as well. He has gotten building permits on all of his past projects, just slipped his mind with this one. He is adding onto an existing building that was built in 2011 and that one should have required a variance at that time as well, but he did get a building permit for that. The addition is 800' from the road and his mother in law owns the land to the south where the variance is being requested.
 - 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 – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
12. Additional Comments from the Group.
13. Set date and time of next meeting – August 1, 2017 @ 7:00 P.M.
14. Adjournment @ 8:02 P.M.


Gary Stadlman
Planning Commission Vice Chairman


Mark Jenniges
Deputy Director of Planning & Zoning

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PLANNING COMMISSION MINUTES
August 15, 2017

1. Chairman Haines called the meeting to order at 12:25 P.M.
2. Roll Call
 - Present: Bruce Haines, Steve Thiesse, Kim Weitala, Brenda Bode, Jeff Bathke, Mark Jenniges.
 - Absent: Gary Stadlman, Charles Storm, Lewis Bainbridge
 - Guests: _____
3. Consider the agenda.
 - Motion by Brenda Bode, seconded by Steve Thiesse, to approve the agenda. All members voted aye, motion carried.
4. Consider the July 11, 2017 Minutes.
 - Motion by Steve Thiesse, seconded by Kim Weitala, to approve the July 11, 2017 minutes. All members voted aye, motion carried.
5. Considered a Plat of Tract 1 of Jeremy's Addition in the N 1/2 of the NW 1/4 of Section 26, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Jeremy Wermers.
 - Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was not present to answer questions. Jeremy purchased the land with a warranty deed in June of 2017 and did not know it needed to be platted for a building permit, so he got it platted and thought he could build right away without any signatures on the plat. Jeremy is planning on having 2,400 head nursery swine less than 55 pounds which equates to 240 animal units, so a CAFO is not required and only the approval of his plat before being allowed to obtain the building permit. He was advised to get an easement from the neighbor to the south for access as it looks like the approach is does not split the 1/4 1/4 line perfectly.
 - Motion by Kim Weitala, seconded by Brenda Bode, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Stadlman – absent, Thiesse – aye, Storm – absent,
Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
6. Additional Comments from the Group.
7. Set date and time or next meeting – September 5, 2017 @ 7:00 P.M.
8. Adjournment @ 12:55 P.M.


Bruce Haines
Planning Commission Chairman

Mark Jenniges

Mark Jenniges
Deputy Director of Planning & Zoning



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PLANNING COMMISSION MINUTES
September 5, 2017

1. Vice Chairman Stadlman called the meeting to order at 7:00 P.M.
2. Roll Call
 - Present: Gary Stadlman, Steve Thiesse, Lewis Bainbridge, Brenda Bode, Jeff Bathke, Mark Jenniges.
 - Absent: Bruce Haines, Charles Storm, Kim Weitala.
 - Guests: Barb Schaffman, Craig and Betty Moller, Mike Rus.
3. Consider the agenda.
 - Motion by Lewis Bainbridge, seconded by Steve Thiesse, to approve the agenda. All members voted aye, motion carried.
4. Consider the August 15, 2017 Minutes.
 - Motion by Brenda Bode, seconded by Steve Thiesse, to approve the August 15, 2017 minutes. All members voted aye, motion carried.
5. That Jim & Barb Schlaffman have appealed to the Davison County Planning Commission to recommend granting a variance for:
 - Lot size of +/- 22 acres to create lot size of +/- 3 acres where the minimum is 25 acres in the Ag District.
 - Side yard setback on the west side of +/- 17' to create a side yard setback of 33' from proposed garage where the minimum setback is 50' in the Ag District.
 - Side yard setback on the west side of +/- 36' creating a setback of +/- 14' from the existing house on the parent parcel where the minimum setback is 50' in the Ag District.
 - Side yard setback on the north side of +/- 32' creating a setback of +/- 18' from the existing shed of the parent parcel where the minimum setback is 50' in the Ag District.
 - This request is pursuant to Section 307(4) and Section 308 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 JBS Addition in the SE 1/4 of Section 11, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota.
 - Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. A few phone calls were received just asking for clarification, no one was for or against.
 - The applicant was present to answer questions. Discussion included that the reason for the parcel lines where they are and the variance for side yard setback are because she didn't want any of the existing buildings to be taxed to her grandson. They plan on building a garage in the future and just wanted to get all the variances at one time.
 - Commissioner Bode wondered if an Ag Covenant was needed or if the updated zoning ordinance already required it, which it does, so no conditions of one needs to be made.

- After consideration of 1106-B Variance, motion by Lewis Bainbridge, seconded by Steve Thiesse, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:
Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
Bainbridge – aye, Bode – aye, Weitala – absent, motion carried.
6. Considered a Plat of Lot 1 of JBS Addition in the SE 1/4 of Section 11, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Jim & Barb Schlaffman.
- Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This is the plat for the variance discussed with item number 5 on the agenda.
 - Motion by Brenda Bode, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
Bainbridge – aye, Bode – aye, Weitala – absent, motion carried.
7. That Craig Moller has appealed to the Davison County Planning Commission to recommend granting a variance in lot size of +/- 12.78 acres to create a lot size of +/- 12.28 acres, where the minimum lot size requirement is 25 acres in the Agricultural District.
- This request is pursuant to Section 307(1)(5) 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 CBM Addition in Government Lot 1 of the NE 1/4 of Section 6, T 101N, R 62 W of the 5th P.M., Davison County, South Dakota.
 - Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. A few phone calls were received just asking for clarification, no one was for or against.
 - The applicant was present to answer questions. Discussion included that Craig wanted to keep as much farm land as he could to continue farming so he just platted out the farmstead. He thought parceling out a full 25 acres would make it hard to sell especially for someone to get financing from a bank. The grain bins shown on GIS are no longer there so a variance is not required.
 - After consideration of 1106-B Variance, motion by Steve Thiesse, seconded by Brenda Bode, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:
Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
Bainbridge – aye, Bode – aye, Weitala – absent, motion carried.
8. Considered a Plat of Lot 1 of CBM Addition in Government Lot 1 of the NE 1/4 of Section 6, T 101N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Craig Moller.
- Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This is the plat for the variance discussed with item number 7 on the agenda.
 - Motion by Brenda Bode, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
Bainbridge – aye, Bode – aye, Weitala – absent, motion carried.

9. Considered a Plat of Lots 1-H and 2-H, a Subdivision of Lot H of Brech's Subdivision in the W 1/2 of the SE 1/4 of Section 4, T 103N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Dan Brech.

- Deputy Administrator Jenniges gave an explanation of the plat.
- The applicant was not present to answer questions. This is in the ETJ. The city planning commission tabled the plat at their last meeting due to ownership issues. Deputy State's Attorney Taylor informed planning and zoning to move forward with the plat and that would be a civil matter that does not affect the plat.
- Steve Thiesse questioned why the size of the south lot, doesn't seem like it is big enough to build anything on.
- Motion by Brenda Bode, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – absent, Stadlman – nay, Thiesse – nay, Storm – absent,
Bainbridge – aye, Bode – aye, Weitala – absent, motion denied.

10. Considered a Plat of Lot 3 of Rus First Addition in the SE 1/4 of Section 15, T 104N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Mike Rus.

- Deputy Administrator Jenniges gave an explanation of the plat.
- The applicant was present to answer questions. Mike tried to buy the land when he first moved to the location. He currently has about 10 acres and this would give him around 25 acres. He already uses the land and now would like to purchase it for more pasture.
- Motion by Brenda Bode, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
Bainbridge – aye, Bode – aye, Weitala – absent, motion carried.

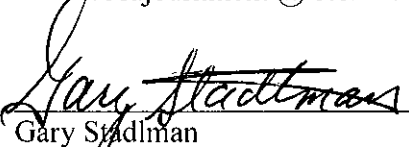
11. Considered a Plat of Lot 1 of JJJ Addition in Government Lots 1 and 2 and the East 1/2 of the NW 1/4, All in Section 18, T 104N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Bob Jarding of Mitchell Realty.

- Deputy Administrator Jenniges gave an explanation of the plat.
- The applicant was not present to answer questions. The surrounding land is being sold and the owners want to retain the farmstead. It is over 25 acres and no parcel line is within the 50' of setbacks so a variance is not required.
- Motion by Lewis Bainbridge, seconded by Brenda Bode, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – absent, Stadlman – aye, Thiesse – aye, Storm – absent,
Bainbridge – aye, Bode – aye, Weitala – absent, motion carried.

12. Additional Comments from the Group.

13. Set date and time of next meeting – October 3, 2017 @ 7:00 P.M.

14. Adjournment @ 8:12 P.M.



Gary Stadlman

Planning Commission Vice Chairman

Mark Jenniges

Mark Jenniges
Deputy Director of Planning & Zoning



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PLANNING COMMISSION MINUTES
October 3, 2017

1. Vice Chair Haines called the meeting to order at 7:00 P.M.
2. Roll Call
 - Present: Bruce Haines, Charles Storm, Steve Thiesse, Lewis Bainbridge, Brenda Bode, Kim Weitala, Jeff Bathke, Mark Jenniges.
 - Absent: Gary Stadlman
 - Guests: Paul Reiland, Dale & Dona Frank
3. Consider the agenda.
 - Motion by Kim Weitala, seconded by Brenda Bode, to approve the agenda. All members voted aye, motion carried.
4. Consider the September 5, 2017 Minutes.
 - Motion by Brenda Bode, seconded by Steve Thiesse, to approve the September 5, 2017 minutes. All members voted aye, motion carried.
5. That Dale and Dona Frank have appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size of +/- 13.225 acres to create a lot size of +/- 11.775 acres for lot 2 and a variance in minimum lot size of +/- 21.623 acres to create a lot size of +/- 3.377 acres for lot 3, where the minimum lot size requirement is 25 acres in the Agricultural District.
 - This request is pursuant to Section 307(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 Lots 1, 2, 3, and 4 of Frank's 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 5th P.M., Davison County, South Dakota.
 - Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. No phone calls or emails were received for or against the variance.
 - The applicant was present to answer questions. Discussion included that the existing farmstead would be sold to their son which is lot 2 and on lot 3 is where Dale and Dona would like to build a new residence. They have extended the existing approach on the southeast corner of lot 3 for access. The layout planned for a house and garage on lot 3 fits within the zoning ordinance setbacks as well as not being built in a floodplain.
 - Commissioner Bode stated she had received calls wondering since there are 4 lots if it was going to become a housing district to which the answer is no. Only lot 2 and lot 3 will have a residence, lot 1 and 4 are going to be sold to the neighbor. Lot 3 will also be eligible to build any structures that fit within the zoning ordinance for the Ag District.

- After consideration of 1106-B Variance, motion by Brenda Bode, seconded by Lewis Bainbridge, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:
Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
6. Considered a Plat of Lots 1, 2, 3, and 4 of Frank's 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 5th P.M., Davison County, South Dakota; at the request of Dale and Dona Frank.
- Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This is the plat for the variance discussed with item number 5 on the agenda. The original parcel is described by measurements and would not allow for a building permit. Lot 2 is the existing farmstead and lot 3 is where Dale & Dona would like to build a new residence. This is a perfect example of why land should be platted instead of sold by measurements. The Frank's thought their land followed the fence line, which it does not, that's what is creating the odd/small lots 1 and 4. Lot 1 and lot 4 are to be sold to the neighbor which has been farming the land already since that's where they thought the parcel line was. This plat is cleaning up an estate and making it right with the neighbor.
 - Motion by Lewis Bainbridge, seconded by Charles Storm, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
7. That Wilibrd Hohn has appealed to the Davison County Planning Commission to recommend granting a variance in lot size of +/- 15.29 acres to create a lot size of +/- 9.71 acres, where the minimum lot size requirement is 25 acres in the Agricultural District.
- This request is pursuant to Section 307(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 WMH Addition in the SE 1/4 of Section 14, T 101N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view. No phone calls or emails were received for or against the variance.
 - The applicant was not present to answer questions, however Paul Reiland of SPN was there to represent them. Discussion included that the farmstead will be sold to his son. Mr. Hohn will retain possession of the farmland around the house. Mr. Hohn has 11 children and parceling off the house now and selling it will help in the future estate planning. The size and shape of the new parcel are due to not wanting to take any farm ground away from the parent parcel.
 - No variances in setbacks are needed to any of the existing buildings.
 - After consideration of 1106-B Variance, motion by Steve Thiesse, seconded by Charles Storm, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:
Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,

- Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
8. Considered a Plat of Lot 1 of WMH Addition in the SE 1/4 of Section 14, T 101N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Wilibrd Hohn.
- Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This is the plat for the variance discussed with item number 7 on the agenda.
 - Motion by Brenda Bode, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
9. Additional Comments from the Group.
10. Set date and time or next meeting – November 7, 2017 @ 7:00 P.M.
11. Adjournment @ 7:45 P.M.



Bruce Haines
Planning Commission Chairman



Mark Jenniges
Deputy Director of Planning & Zoning

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PLANNING COMMISSION MINUTES
November 7, 2017

1. Chairman Haines called the meeting to order at 7:00 P.M.
2. Roll Call
 - Present: Bruce Haines, Gary Stadlman, Charles Storm, Steve Thiesse, Brenda Bode @ 7:04 P.M., Kim Weitala @ 7:04 P.M., Jeff Bathke, Mark Jenniges.
 - Absent: Lewis Bainbridge
 - Guests: Mr. and Mrs. Titze, Kandee Strand, Mrs. Stadlman, Mr. and Mrs. Petersen.
3. Consider the agenda.
 - Motion by Gary Stadlman, seconded by Steve Thiesse, to approve the agenda the amended agenda changing item 14 date to December 5. All members voted aye, motion carried.
4. Consider the October 3, 2017 Minutes.
 - Motion by Charles Storm, seconded by Steve Thiesse, to approve the October 3, 2017 minutes. All members voted aye, motion carried.
5. That Mustang Seeds/Cody Plamp 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 304 (36) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot 1 of Rus First Addition in the SE 1/4 of Section 15, T 104 North, Range 61 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. There were no responses from those notified.
 - The applicant was not present to answer questions. Discussion included that Cody is leasing a building 1/4 mile north.
 - Commissioner Bode liked the location of the sign, 247 as long as it stays out of the site triangle.
 - Commissioner Stadlman was curious if there was a maximum size allowance for such signs, to which 600 square feet is the maximum per the zoning ordinance.
 - After consideration of the 1106-A Conditional Uses, a motion by Gary Stadlman, seconded by Brenda Bode, to recommend approval of the Conditional Use Permit with a condition the sign not be bigger than 64 square feet 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. That Lowell Titze has appealed to the Davison County Planning Commission to recommend granting a variance for front yard setback +/- 5 feet, resulting in a setback of

+/- 70 feet from the right of way, where the front yard setback is 75 feet in the Agricultural Residential District.

- This request is pursuant to Section 408 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as NW 1/4 Ex Lots A-B-C-D-M & Ex Lots K & L of W & L Addn & Ex N 80 Rods x W 20 Rods of Section 25, T 103N, 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. There was no response from those notified.
 - The applicant was present to answer questions. Discussion included Lowell is adding onto the west side of his house. The addition is scheduled to only be a few feet into the 75 foot setback required but it was decided to play it safe and asked for a +/-5 foot variance. The location of his home is at the end of a dead-end road.
 - Commissioner Bode felt this was a hassle for Lowell but rules are rules and appreciated Lowell following the correct process.
 - After consideration of 1106-B Variance, motion by Steve Thiesse, 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 – absent, Bode – aye, Weitala – aye, motion carried.
7. That Ron Halweg has appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size of +/- 14.335 acres to create a lot size of +/- 10.665 acres, where the minimum lot size requirement is 25 acres in the Agricultural District.
- This request is pursuant to Section 307(1)(3) 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 Lots 1, 2 and 3 of Halweg's Addition in the SW 1/4 of Section 34, T 102N, 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. One phone call was received wondering what Ron was doing, after explanation he had no issue with the variance, he was more concerned with the other lots.
 - The applicant was not present to answer questions. Discussion included current members of the board remember this from previous years and were curious what happened. Planning and Zoning will do some digging to find out before the BoA meeting next week.
 - Commissioner Stadlman would like to see a full 25 acres and no variance since he is replatting all his land there.
 - Commissioner Haines thinks the creek creates a hardship for why Ron is going with the size of plat that he is which requires the variance.
 - After consideration of 1106-B Variance, motion by Brenda Bode, seconded by Charles Storm, to recommend approval of the Variance to the Board of Adjustment as presented. Roll call vote:
Haines – aye, Stadlman – nay, Thiesse – aye, Storm – aye,

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

8. Considered a Plat of A Plat of Lots 1, 2 and 3 of Halweg's Addition in the SW 1/4 of Section 34, T 102N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Ron Halweg.
 - Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This is the plat for the variance discussed with item number 7 on the agenda. Safety of ingress and egress was brought up and Rusty will have to watch to make sure approaches are put in legally.
 - Motion by Kim Weitala, seconded by Brenda Bode, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Stadlman – aye, Thiesse – aye, Storm – aye,
Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
9. That Kandee Strand has appealed to the Davison County Planning Commission to recommend granting a variance in lot size of +/- 13.61 acres to create a lot size of +/- 11.69 acres, where the minimum lot size requirement is 25 acres in the Agricultural District.
 - This request is pursuant to Section 307(1)(5) 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 KKS Addition in the NW 1/4 of Section 12, T 104N, 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. A neighbor called and stopped in questioning what Kandee was doing, after showing them the GIS view they had no issue with it as it wasn't affecting them at all.
 - The applicant was present to answer questions. Discussion included that Kandee has been renting out the farmstead. She has had issues with renters in the past and she resides in Arizona for extended times. She would like to sell the farmstead and keep the tillable land around it.
 - Commissioner Bode believes they have done a nice job cleaning up the property over the years. She also believes, and Ag Covenant is important to this acreage because she doesn't feel it will be a farmer that buys this land but needs to understand that they live in the country where cattle and pigs are raised and crops are grown.
 - Commissioner Stadlman would like to see it 25 acres.
 - After consideration of 1106-B Variance, motion by Brenda Bode, seconded by Kim Weitala, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:
Haines – aye, Stadlman – nay, Thiesse – aye, Storm – aye,
Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
10. Considered a Plat of A Plat of Lot 1 of KKS Addition in the NW 1/4 of Section 12, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Kandee Strand.
 - Deputy Administrator Jenniges gave an explanation of the plat.

- The applicant was present to answer questions. This is the plat for the variance discussed with item number 9 on the agenda.
 - Motion by Steve Thiesse, 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 – absent, Bode – aye, Weitala – aye, motion carried.
11. That Schoenfeld Estate has appealed to the Davison County Planning Commission to recommend granting a variance in lot size of +/- 4.22 acres to create a lot size of +/- 20.78 acres, where the minimum lot size requirement is 25 acres in the Agricultural District.
- This request is pursuant to Section 307(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 Joe's Addition in Government Lot 1 and the SE 1/4 of the NE 1/4 of Section 4, T 103N, 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. No phone calls or emails were received for or against the variance.
 - The applicant was present to answer questions. Discussion included that Mike Schoenfelder owned the land and passed away, his will states the farmland can be sold between the children, but the farmstead is just to go Joe, his son. Mike had set the boundaries in his will before he passed and that's how they came up with the roughly 22 acres. So, they are parceling off the farmstead and will deal with the tillable land at a later date to which kids or grandkids of Mike are the only ones allowed to purchase it. The hope is Joe will continue to farm and possibly by the tillable land.
 - Commissioner Bode questioned how the taxing would work on this property, which would be a more appropriate question for DOE, but P/Z doesn't think there would be an issue with it. She also thinks an Ag Covenant is appropriate for even tho Joe plans on farming, it's more about the future.
 - After consideration of 1106-B Variance, motion by Brenda Bode, 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 – aye,
Bainbridge – absent, Bode – aye, Weitala – aye, motion carried.
12. Considered a Plat of A Plat of Lot 1 of Joe's Addition in Government Lot 1 and the SE 1/4 of the NE 1/4 of Section 4, T 103N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Schoenfelder Estate.
- Deputy Administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This is the plat for the variance discussed with item number 11 on the agenda.
 - Motion by Gary Stadlman, 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 – absent, Bode – aye, Weitala – aye, motion carried.
13. Additional Comments from the Group.

14. Set date and time or next meeting – December 5, 2017 @ 1:15 P.M.
15. Adjournment @ 8:19 P.M.



Bruce Haines
Planning Commission Chairman



Mark Jenniges
Deputy Director of Planning & Zoning