



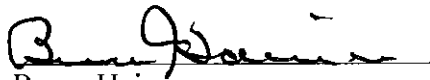
Davison County Planning & Zoning and Emergency Management
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PLANNING COMMISSION MINUTES
January 7, 2020

1. Deputy Administrator Jenniges called the meeting to order at 1:15 P.M.
2. Roll Call
 - Present: Bruce Haines, Steve Thiesse, Charles Storm, Dave Anderson
Brenda Bode, Lewis Bainbridge, Mark Jenniges.
 - Absent: Kim Weitala, Jeff Bathke
 - Guests:
3. Election of 2020 Planning Commission Officers.
 - Deputy Jenniges called for nominations of Chairperson. Brenda Bode nominated Bruce Haines, Lewis Bainbridge seconded the nomination. Steve Thiesse called to cease nominations and cast a unanimous vote, seconded by Charles Storm. Hearing no other nominations, Bruce Haines was unanimously voted as Chairperson.
 - Deputy Jenniges called for nominations of Vice Chairperson. Brenda Bode nominated Steve Thiesse, Lewis Bainbridge seconded the nomination. Steve Thiesse called to cease nominations and cast a unanimous vote, seconded by Charles Storm. Hearing no further nominations, Steve Thiesse was unanimously voted as Vice Chairperson.
4. Consider the proposed agenda.
 - Motion by Dave Anderson, seconded by Steve Thiesse, to approve the proposed agenda. All members voted aye, motion carried.
5. Declare conflicts of interest-none.
6. Consider the December 3, 2019 Minutes.
 - Motion by Brenda Bode, seconded by Lewis Bainbridge, to approve the December 3, 2019 proposed minutes. All members voted aye, motion carried.
7. Public input-none.
8. Considered a Tract 1 of Dikoff Subdivision in the North 1/2 of the Northeast 1/4 of Section 16, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Todd Dikoff.
 - Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was not present to answer questions. Todd's land is currently described by measurements and cannot obtain a building permit. He purchased the 25 acres by measurements when landowners were still "grandfathered" in, but since the zoning ordinance was amended in 2017 there is no "grandfather" clause for building permits anymore.
 - Motion by Brenda Bode, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye,
Weitala – absent, Anderson – aye, motion carried.
9. Additional Comments from the Group.

10. Set date and time for next meeting – Feb 4, 2020 @ 1:15 P.M.
11. At 1:48 P.M., a motion by Brenda Bode seconded by Lewis Bainbridge to adjourn the meeting. All members voted aye, motion carried.



Bruce Haines

Planning Commission Chairperson



Mark Jenniges

Deputy Director of Planning & Zoning



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PLANNING COMMISSION MINUTES

February 4, 2020

1. Chairperson Haines called the meeting to order at 1:15 P.M.
2. Roll Call
 - Present: Bruce Haines, Steve Thiesse, Charles Storm, Dave Anderson, Kim Weitala, Lewis Bainbridge, Mark Jenniges.
 - Absent: Brenda Bode, Jeff Bathke
 - Guests: Chris Moller and Troy Moller
3. Consider the proposed agenda.
 - Motion by Lewis Bainbridge, seconded by Steve Thiesse, to approve the proposed agenda. All members voted aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the January 7, 2020 Minutes.
 - Motion by Dave Anderson, seconded by Charles Storm, to approve the January 7, 2020 proposed minutes. All members voted aye, motion carried.
6. Public input for items not on the agenda-none.
7. That Moller Farms Partnership has appealed to the Davison County Planning Commission to recommend granting a variance in minimum setback for front yard setback +/-35', resulting in a setback of +/- 40' from the right of way where the minimum is 75' and north yard setback +/- 20', resulting in a setback of +/-30' from the property line where the minimum is 50' in the AG District.
 - This request is in pursuant to Section 308 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as S 1/2 of the NE 1/4 of Section 31, T 102N, R 62 W of the 5th P.M., Davison County, South Dakota.
 - Deputy Administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with no responses for or against.
 - The applicant was present to answer questions. Discussion included they are placing a new bin in line with the existing and in the corner of a field. This will be in line with the trees to the north. The ROW is 100' from when it was an oil road back in the day. Hwy Superintendent Weinberg does not have an issue with the setback and doesn't foresee the road ever going back to oil. The variance request for the north property line is to their land as well. They are both listed under the exact same owner, it is something the county will look at changing wording in a future ordinance amendment to allow without a variance.
 - Commissioner Anderson said this will sit further back than the north edge of the tree belt to the north and since there are no safety concerns with that there are none with this variance location.
 - After consideration of the 1106 B-Variations, a motion by Charles Storm, seconded by Steve Thiesse, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:

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

8. Additional Comments from the Group.

- Planning and Zoning has had a few meetings with District III and the City of Mitchell regarding the Comprehensive Plan. The goal is to have a draft available to the board at the next meeting and public hearings to start at the following meeting.
- Proposed Senate Bill 157 was briefly discussed. Planning and Zoning will continue to monitor.

9. Set date and time for next meeting – March 3, 2020 @ 1:15 P.M.

10. At 1:55 P.M., a motion by Kim Weitala seconded by Dave Anderson to adjourn the meeting. All members voted aye, motion carried.



Bruce Haines

Planning Commission Chairperson



Mark Jenniges

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PLANNING COMMISSION MINUTES

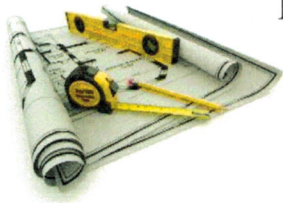
March 3, 2020

1. Chairperson Haines called the meeting to order at 1:15 P.M.
2. Roll Call
 - Present: Bruce Haines, Steve Thiesse (1:19), Dave Anderson, Brenda Bode, Kim Weitala, Lewis Bainbridge, Jeff Bathke, Mark Jenniges.
 - Absent: Charles Storm
 - Guests: Mr and Mrs Green
3. Consider the proposed agenda.
 - Motion by Brenda Bode, seconded by Lewis Bainbridge, to approve the proposed agenda. All members voted aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the February 4, 2020 Minutes.
 - Motion by Lewis Bainbridge, seconded by Dave Anderson, to approve the February 4, 2020 proposed minutes. All members voted aye, motion carried.
6. Public input for items not on the agenda-none.
7. That Daryl Green has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to operate a Federal Firearms Sales business in the Ag District.
 - This request is in pursuant to Section 305 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 20, T 102N, R 60 W of the 5th P.M., Davison County, South Dakota.
 - Administrator Bathke explained the application, required notifications, and the GIS view. Notices were sent to the neighbors and it was published in the paper. There were one response stating concerns for it becoming a shooting range.
 - The applicant was present to answer questions. Discussion included that Daryl's customers will order the firearms online and pick them up at his place after he has done the background checks.
 - Commissioner Bode asked about the process he has had to go through to be approved for the FFL. Daryl answered that he has had a background check done by the feds. He will have to pay his fee every year to continue the FFL.
 - Commissioner Weitala questioned how much shooting will be done out there to which Daryl answer he will not be selling ammo at his site. This will not become a testing range for customers. This is strictly a place to pick up firearms. He does some shooting around hunting season to site in his rifles.
 - Commissioner Anderson believed that this should fall under a home occupation and not a conditional use permit. Bathke stated that this is how they have done this in the past for other FFL applications.
 - Commissioner Haines inquired about the shipping of firearms and Daryl gave a description of the process. He will use UPS or any other shipping agency and must be shipped to another FFL dealer for a customer to pick up.

- After consideration of the 1106 A-Conditional Uses, a motion by Lewis Bainbridge, seconded by Steve Thiesse, to recommend approval of the Conditional Use Permit. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – nay, motion carried.
8. Considered a plat of Lot 18A in Tract L of Wild Oak Golf Club Addition in the SE ¼ of Section 20, T 102N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Ronald Peterson.
- Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was not present to answer questions. This plat is located within the ETJ so it is the City of Mitchells zoning jurisdiction. Ronald currently owns lot 18 and is platting a portion off from Wild Oak. He intends to annex 18A into the city and then build a residence on lots 18 and 18A.
 - Motion by Dave Anderson, seconded by Kim Weitala, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
9. Additional Comments from the Group.
- Planning and Zoning is still working with District III on the Comprehensive Plan.
 - Planning and Zoning is still following the progress of SB 157.
10. Set date and time for next meeting – April 7, 2020 @ 7:00 P.M.
11. At 2:09 P.M., a motion by Kim Weitala seconded by Dave Anderson to adjourn the meeting. All members voted aye, motion carried.


Bruce Haines
Planning Commission Chairperson


Mark Jenniges
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PLANNING COMMISSION MINUTES

April 7, 2020

1. Chairperson Haines called the meeting to order at 7:00 P.M.
2. Roll Call
 - Present: Bruce Haines, Steve Thiesse (telephonically), Charles Storm (telephonically), Dave Anderson (telephonically), Brenda Bode (telephonically), Kim Weitala (telephonically), Lewis Bainbridge (telephonically), Jeff Bathke (telephonically), Mark Jenniges.
 - Absent:
 - Guests: Dennis Leland, Matt Storm, Reggie Siegel (telephonically), Jake Hohn (telephonically), Ryan Thill (telephonically), Don Cuppy (telephonically), Tony & Penny Tilton (telephonically), Union Township Chair Chipp Gerlach (telephonically).
3. Consider the proposed agenda.
 - Motion by Dave Anderson, seconded by Lewis Bainbridge, to approve the proposed agenda. Roll call vote:
 - Haines – aye, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the March 3, 2020 Minutes.

Motion by Steve Thiesse, seconded by Dave Anderson, to approve the March 3, 2020 proposed minutes. Roll call vote:

Haines – aye, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– aye, motion carried.
6. Public input for items not on the agenda-none.
7. That Reggie Siegel & Colette Stadlman have 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 where the minimum is 75' in the AG Residential District.
 - This request is in 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 Lot 5 of River Bluffs Addition in the NW 1/4 of Section 12, T 103N, R 60 W of the 5th P.M., Davison County, South Dakota.
 - Deputy Administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with no responses for or against.
 - The applicant was present telephonically to answer questions. Discussion included that the applicant recently purchased the house and would like to convert the garage into a master bathroom and add a 3 stall garage onto the existing structure to be able to store all vehicles.
 - Dennis Leland wanted to know why when he built his shed that he had to meet the setbacks, why the 75' is the setback and what criteria allows for a variance?

Administrator Bathke read section 11:06B7 of the Davison County Zoning Ordinance which deals with the board allowing variances. Also, a hardship must be evident, and, in this case, they are building onto their existing residence. Mr. Leland build his sheds years ago and was not told of the process. Mr. Leland stated he had no issues with the variance request.

- Commissioner Storm wondered if there was another location for the garage, he felt the setback was to close. Mr. Siegel stated he has to many vehicles for the current garage and doesn't want them sitting outside. He will be removing the shrubs that are closer than the 15' and didn't understand why trees were allowed closer. Administrator Bathke stated trees are not considered permanent structures.
- Commissioner Haines wondered if it were possible to angle the proposed garage more to get more setback or if he went smaller with the garage if there would create more setback. Mr. Siegel stated he could get a 3-car garage at 45' and this would probably push it back to a 20' setback. Deputy Administrator state he would meet out at the site to look at options before Board of Adjustment.
- After consideration of the 1106 B-Variances, a motion by Brenda Bode, seconded by Kim Weitala, to recommend approval of the Variance Permit with a setback of +/- 55' resulting in a setback of +/-20' from the right of way to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye,
Weitala – aye, Anderson– nay, motion carried.

8. Considered a plat of Three H Tract A, A subdivision of the West 1/2 of the SW 1/4 of Section 16, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Jake Hohn.

- Deputy administrator Jenniges gave an explanation of the plat.
- The applicant was present telephonically to answer questions. Jake is purchasing the land from Tim Neugebauer. He has been renting it from him for many for pasture and is now purchasing the pasture.
- Commissioner Anderson wanted to know why it was being platted and if the county required that. Deputy Jenniges stated the county does not and cannot require land to be platted for selling purposes, but the county would recommend it so there are established boundaries. Also, this parcel is irregular shaped and would be difficult to describe by measurements. This is the cleanest way for the transaction, but the plat must be approved by the boards then.
- Motion by Lewis Bainbridge, seconded by Dave Anderson, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye,
Weitala – aye, Anderson – aye, motion carried.

9. That Ryan Thill has appealed to the Davison County Planning Commission to recommend granting the following variances:

1. Front yard setback +/- 54 feet, resulting in a setback of +/- 21 feet from the right of way where the minimum is 75' in the AG District.
2. Rear yard setback +/- 30 feet, resulting in a setback of +/- 20 feet from the rear property line where the minimum is 50' in the AG District.
3. Side yard setback +/- 31 feet, resulting in a setback of +/- 19 feet from the west property line where the minimum is 50' in the AG District.

- This request is in pursuant to Section 308 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot 1 in the NE 1/4 of Section 11, T 102N, R 62 W of the 5th P.M., Davison County, South Dakota.
 - Deputy Administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with three responses against. The three letters were emailed to the board ahead of the meeting.
 - The applicant was present telephonically to answer questions. Discussion included the applicant had a major fire in August of 2019 and would like to rebuild his house on the existing foundation. The existing house was built before the ordinance was in affect and this makes it a non-conforming structure. Due to the major damage incurred from the fire he would have to come into compliance with the zoning ordinance in order to rebuild, thus a variance is being requested. There is only 106' from the right of way to the rear property line and setbacks added together is 125'
 - Commissioner Haines asked when the house was purchased and if he had done any alterations to the exterior. Mr. Thill stated he bought the property about 5 years ago and has done nothing to the exterior. He has worked on cleaning up the property. Haines stated he drove by 3 other old schools that have been turned into houses and they were all on small lots to take less out of the farm ground and all have small setbacks because of it.
 - Commissioner Bode questioned the type of construction to be done to which Mr. Thill stated he will knock down everything to the foundation and then stick build on the same footprint.
 - Commissioner Weitala was unsure how the board could deny the variance request if the builds to the exact same size it was before.
 - Commissioner Storm questioned if the foundation was suitable to rebuild on and Mr. Thill stated it was actually poured thicker than most basements at the time and will be structurally sound.
 - Don Cuppy stated his opposition telephonically. He believes it should have to have the required setbacks. He had heard it was going to be a governor's house. Mr. Thill stated he had originally planned on bringing in a governor's house but decided to stick build instead. By stick building he is not changing what the footprint and setbacks were pre fire.
 - After consideration of the 1106 B-Variations, a motion by Dave Anderson, seconded by Charles Storm, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– aye, motion carried.
10. That Matt Storm has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to construct and operate 960 animal unit concentrated animal feeding operation in the Ag District.
- This request is in pursuant to Section 304(10) & 309 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The

property is legally described as the NW 1/4 of Section 33, T 102N, R 62 W of the 5th P.M., Davison County, South Dakota.

- Administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent to the neighbors and it was published in the paper. There were two letters from neighbors for the project, they were emailed to the board prior to the meeting. The Union Township chair called with some questions regarding the excise tax that would come back to the county and other general road questions for the application.
 - The applicant was present to answer questions. Discussion included the CAFO will be located on Matt's homestead. He currently operates a 500 head cattle operation but will stop with cattle and just have hogs. The cattle feed lots had 4' of water in them this past fall and he is ready to quit fighting the mud because of it. The truck traffic will be about the same when he switches from cattle to hogs.
 - Commissioner Anderson questioned the location of the barn and the setbacks to the right of way and waterways. Deputy Administrator Jenniges stated this location splits the two waterways equally. The waterway to the south is an unnamed intermittent stream and the waterway to the north is an unnamed permanent stream. Both eventually flow into Enemy Creek once it gets into Prosper Township. At some point down the creek/river it is considered a drinking source. Mr. Storm stated that the barn is between two sets of groves and allows air to flow into the curtain barn because of the location. He will be the closed at 810' and Tony and Penny Tilton are the next closest at 3,850'
 - Commissioner Haines asked about water supply to which Mr. Storm replied he will drill a well but have rural water as his backup.
 - Commissioner Bainbridge appreciated that as a young farmer he is continuing to grow.
 - Union Township Chair Chipp Gerlach asked telephonically if they will receive funds from this project to help with their roads? Commissioner Bode stated that as sitting on County Commission it has been their discussion and plan to give a portion of the funds back to the townships to help with roads. She was not able to give an exact amount or percent, but that is the plan. She applauded Mr. Storm for doing all the extra work to get funds back to the county from this project. Mr. Storm reported that the estimated return to Davison County from The South Dakota Department of Economic Development would be \$24,833.
 - Tony & Penny Tilton voiced their support of the barn telephonically.
 - After consideration of the 1106 A-Conditional Uses, a motion by Lewis Bainbridge, seconded by Steve Thiesse, to recommend approval of the Conditional Use Permit. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye,
Weitalla – aye, Anderson – aye, motion carried.
11. That Matt Storm has appealed to the Davison County Planning Commission to recommend granting a variance in minimum setback from right of way +/- 230', resulting in a setback of +/- 70' where the minimum is 300' and setback from lakes, rivers, streams classified as drinking water of +/-660' resulting in a setback of +/- 660' where the minimum is 1,320' in the AG District.

- This request is in pursuant to Section 309(3d)(3f) 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 Section 33, T 102N, R 62 W of the 5th P.M., Davison County, South Dakota.
 - Deputy Administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper. There were two letters received in support of the variance and they were emailed to the board prior to the meeting.
 - The applicant was present to answer questions. Discussion included was held during the conditional use requests.
 - Mr. Storm stated that by building the new barn and eliminating the current feed lots by getting rid of fences and planting grass it will help with flooding issues of the unnamed intermittent stream.
 - After consideration of the 1106 B-Variences, a motion by Dave Anderson, seconded by Charles Storm, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye,
Weitala – aye, Anderson– aye, motion carried.
12. Additional Comments from the Group.
13. Set date and time for next meeting – May 5, 2020 @ 7:00 P.M.
14. At 8:10 P.M., a motion by Kim Weitala seconded by Brenda Bode to adjourn the meeting. All members voted aye, motion carried.



Bruce Haines
Planning Commission Chairperson



Mark Jenniges
Deputy Director of Planning & Zoning



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PLANNING COMMISSION MINUTES

May 5, 2020

1. Chairperson Haines called the meeting to order at 7:00 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
 - Present: Bruce Haines, Steve Thiesse (telephonically), Charles Storm @ 7:20 P.M. (telephonically), Dave Anderson (telephonically), Brenda Bode (telephonically), Lewis Bainbridge (telephonically), Jeff Bathke (telephonically), Mark Jenniges.
 - Absent: Kim Weitala
 - Guests: John Jones, Justin Klumb, Shannon Larson, Jesse Helma, Billy Goldammer, Jarod & Courtney Deinert (telephonically), and Jim Jorgenson (telephonically).
3. Consider the proposed agenda.
 - Motion by Brenda Bode, seconded by Dave Anderson, to approve the proposed agenda. Roll call vote:
 - Haines – aye, Thiesse – aye, Storm –absent, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson– aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the April 7, 2020 Minutes.

Motion by Lewis Bainbridge, seconded by Dave Anderson, to approve the April 7, 2020 proposed minutes. Roll call vote:

Haines – aye, Thiesse – aye, Storm –absent, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson– aye, motion carried.
6. Public input for items not on the agenda-none.
7. That the Donald & Lois Martin have appealed to the Davison County Planning Commission to recommend granting a variance in minimum front yard setback from an existing shed of +/- 52' to create a front yard setback of +/- 23' from the right of way where the minimum is 75' in the AG District.
 - This request is in pursuant to Section 308 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as Plat of Lot 2 of Donald & Lois Addition in the SW 1/4 of Section 7, T 104N, R 60 W of the 5th P.M., Davison County, South Dakota.
 - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with no responses for or against.
 - The applicant was not present to answer questions. Discussion included that the applicant is replatting their land and has an existing non-conforming structure that was built in the 1970's. The shed is still in very good shape and they have no plan to tear down, hence the variance request.
 - After consideration of the 1106 B-Variences, a motion by Steve Thiesse, seconded by Dave Anderson, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:

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

8. Considered a plat of Lots 1, 2 and 3 of Donald & Lois Addition in the SW 1/4 of Section 7, T 104N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Donald & Lois Martin.
 - Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was not present to answer questions. The applicants are platting their quarter into three parcels. They are keeping the farmstead and pasture land as one, and the two others are farm ground. The house was previously platted, and now that parcel will be vacated by this plat. No variance is required because the plat with the residence on it is over the 25 acres. This plat is the reason for the variance on item number 7 of the agenda.
 - Motion by Brenda Bode, seconded by Dave Anderson, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye,
Weitala – absent, Anderson – aye, motion carried.
9. Considered a plat of Lot 1 of Schroder Addition in the NE 1/4 of Section 21, T 104N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Zach Schroder.
 - Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was not present to answer questions. The applicant is purchasing the land to eventually build a residence on. No variance will be needed as it is over the 25 acres. SD DOT has been contacted about the approach on SD Hwy 37. They will not allow another approach to be installed but may allow the existing to be widened.
 - Motion by Lewis Bainbridge, seconded by Dave Anderson, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye,
Weitala – absent, Anderson – aye, motion carried.
10. That Jarod & Courtney Deinert have appealed to the Davison County Planning Commission to recommend granting the following variances:
 1. Minimum for lot size of +/- 21.8 acres to resulting in a lot size of +/- 3.2 acres where the minimum is 25 acres in the AG District.
 2. Minimum front yard setback of +/- 35' for existing residence resulting in a front yard setback of +/- 40' setback from right of way where the minimum is 75' in the AG District.
 3. Minimum setback for 5 existing grain bins on parent parcel to new north property line of parent parcel of +/- 42' resulting in a setback of 8' setback where the minimum is 50' in the AG District.
 4. Minimum setback for existing 24' diameter grain bin on parent parcel to new west property line of parent parcel of +/- 25' resulting in a setback of +/- 25' setback where the minimum is 50' in the AG District.
 - This request is in pursuant to Section 307(4) and Section 308(1) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as Tract A, Located in Lot C of Deinert's First Addition in the NW 1/4 of Section 25, T 103N, R 62 W of the 5th P.M., Davison County, South Dakota. The parent parcel is legally described as Lot C of

Deinert's First Addition in the NW 1/4 of Section 25, Township 103 North, Range 62 West of the 5th P.M., Davison County, South Dakota.

- Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with no responses for or against.
- The applicant was present telephonically to answer questions. Discussion included the applicant is purchasing the land and house from their parents which are moving into town. The parents are keeping the farm. All the setback variances are for existing structures, no new structures are being built.
- Commissioner Anderson wanted to make sure there was no variance needed for the north side of the sheds on the parent property or south side of the house on the new parcel. Deputy Jenniges informed the board that there is about 102' between the house and the sheds and the new parcel line will split the two down the middle. Also, PZ will look into the distances between existing grain bins and include a variance if need so everything on the two parcels will be conforming.
- Commissioner Bode wanted to make sure there was access to the farmstead. PZ Deputy Jenniges reported that there is a 36' wide easement on the plat, which is item #11 on this agenda. Commissioner Bode wasn't worried about it now, but the board likes to look into the future and what issues could arise.
- After consideration of the 1106 B-Variances, a motion by Dave Anderson, seconded by Charles Storm, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.

11. Considered a plat of Tract A, Located in Lot C of Deinert's First Addition in the NW 1/4 of Section 25, T 103N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Jarod & Courtney Deinert.

- Deputy administrator Jenniges gave an explanation of the plat.
- The applicant was present telephonically to answer questions. This plat goes along with the variances from item number 10 of the agenda. There is an easement on the plat for access to the parent parcel.
- Motion by Steve Thiesse, seconded by Dave Anderson, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.

12. That Jones & Klumb Family Farm LLC have appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to construct and operate 960 animal unit concentrated animal feeding operation in the Ag District.

- This request is in pursuant to Section 304(10) & 309 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the NE 1/4 of Section 35, T 103N, R 62 W of the 5th P.M., Davison County, South Dakota.
- Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent to the neighbors and it was published in the paper with one response in favor of the CAFO, that letter was email to the board ahead of the meeting.

- The applicant was present to answer questions. Discussion included the location of the barn to waterways and residence.
- John Jones spoke about his current barns and expanding with Justin Klumb. They will own the pigs and do all the chores and maintenance themselves. They grind feed at John's residence a mile down the road. Construction and animal haul routes will be on 399th Ave north to old highway 16. John spoke with neighbors inside and outside the one-mile notification zone that planning and zoning sent out notices to. John believes Helmas to the south are the only residences that have a partial issue with the barn. John stated he will do all he can to keep the smell down and is willing to plant trees on the north side of Helma's residence. With the direction of the winds though John believes there will not be a lot of smell. The smell is more when they are knifing in the manure and if it is smelling, he isn't doing something right and is losing money because the manure should be 6" to 8" in the ground.
- Commission Bode asked how long John has been involved with CAFO's and if he has ever had any complaints filed against his operations. John answer 22 years and never had any complaints. DENR will inspect and always seem to nit pick until they find something, but he has never been written up. Commissioner Bode was glad to hear they talked to their neighbors ahead of time. Commissioner Bode was also glad to hear about the trees being planted and brought up that Iowa has a landscape program she would like the county to look into for CAFOs.
- Commissioner Bainbridge was happy to see the next generation getting involved.
- Commissioner Haines opened the floor to public comment at 7:40.
- Jesse Helma has lived on an acreage about 1 mile south of the facility with his wife and 3 kids for about 6 years. They have put about \$50,000 into their homestead and believe the value will go down and no one will want to live there if they sell. He and his wife have allergies and the kids could in the future. He has worked on a farm for 5 years. He knows the knifing the manure into the ground is only 2 to 3 days and does not mind that. He is concerned 399th will get torn up and that is the road his family uses.
- Billy Goldammer has concerns with 399th being torn up as well. This is the road his family uses to get into town.
- Shannon Larson had concerns with 399th as well. Wonders how the county can fix the roads?
- Jim Jorgenson representing Mt. Vernon Township appeared telephonically and has concerns with 255th St which is a township road and it will be the feed road used from John's farmstead to the new facility. Jim is concerned how the township will be able to pay for the maintenance of the roads.
- Hearing no others wishing to comment, Commissioner Haines closed the portion of public comments at 7:49.
- John Jones stated he placed the barn where he did to have the least impact on neighbors and roads. He does not believe that Helmas will get as much smell with the location he picked due to the predominate winds in the area. He is willing to plant trees to help alleviate the possibility of smell at the Helma residence. They picked the location partly because it will be closer to some of their land that they will be applying the manure and hauling feed will be less

impactful on the roads then their tankers when it is time to spread the manure. Said living in the country dust and smell from roads, cattle, and swine is a way of country life. He currently has a lagoon for swine at his farmstead and said he will never go back to that again; these open curtain barns are the way to go.

- Deputy administrator Jenniges stated that Jones and Klumb Family Farm LLC has applied to the South Dakota Reinvestment Payment Program and with their anticipated costs to build the barn, the county would receive about \$21,000 dollars back. The county is still working out details on how to distribute some of this money to townships with the hope of them using it for the roads. Also, Deputy administrator Jenniges gave a brief summary Deputy States Attorney Taylors opinion on the use of roads in the county. Roads are considered government and they are there to be used by everyone.
 - After consideration of the 1106 A-Conditional Uses, a motion by Lewis Bainbridge, seconded by Dave Anderson, to recommend approval of the Conditional Use Permit. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.
13. Additional Comments from the Group.
 14. Set date and time for next meeting – June 2, 2020 @ 7:00 P.M.
 15. At 8:05 P.M., a motion by Brenda Bode seconded by Dave Anderson to adjourn the meeting. All members voted aye, motion carried.



Bruce Haines
Planning Commission Chairperson



Mark Jenniges
Deputy Director of Planning & Zoning



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PLANNING COMMISSION MINUTES

June 2, 2020

1. Commissioner Bode called the meeting to order at 7:00 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
 - Present: Steve Thiesse, Charles Storm, Dave Anderson, Brenda Bode, Lewis Bainbridge (telephonically), Jeff Bathke, Mark Jenniges.
 - Absent: Bruce Haines, Kim Weitala
 - Guests: Donny Howard.
3. Consider the proposed agenda.
 - Motion by Steve Thiesse, seconded by Charles Storm, to approve the proposed agenda. Roll call vote:
 - Haines – absent, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson– aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the May 5, 2020 Minutes.

Motion by Dave Anderson, seconded by Charles Storm, to approve the May 5, 2020 amended minutes. Roll call vote:

Haines – absent, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson– aye, motion carried.
6. Public input for items not on the agenda-none.
7. That Kardel Miiller has appealed to the Davison County Planning Commission to recommend granting the following variances:
 1. Minimum lot size of +/- 21.37 acres resulting in a lot size of +/- 3.63 acres, where the minimum is 25 acres in the Agricultural District.
 2. Minimum east side yard setback of +/- 17' for an existing residence on Lot 1 resulting in an east side yard setback of +/- 33' where the minimum is 50' in the Agricultural District
 3. Minimum rear yard setback of +/-10' for existing residence, garage, shed and 4 grain bins on Lot 1 resulting in a rear yard setback of +/-40' where the minimum is 50' in the Agricultural District.
 4. Minimum setback for an existing 30' diameter grain bin and 60' x 54' shed on Lot 2 to new north property line of +/- 35' resulting in a setback of +/- 15' where the minimum is 50' in the Agricultural District.
 5. Minimum east side yard setback for 2 existing north/south running sheds on Lot 2 to new east property line of +/- 15' resulting in a setback of +/- 35' where the minimum is 50' in the Agricultural District.
 - This request is in pursuant to Section 307(5) 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 Lots 1 and 2 of Kardel and Amanda's Addition in the North 120 Acres of the NE 1/4 of Section 25, T 101N, R 62 W of the 5th P.M., Davison County, South Dakota. The parent parcel is legally described as N 120 acres in the NE ¼ of Section 25, Township 101 North, Range 62 West of the 5th P.M., Davison County, South Dakota

- Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with one phone call just questioning what was happening, they had no issues with it.
 - The applicant was present to answer questions. Discussion included the applicant is purchasing the residence with his wife and the rest of the farmstead with his brother. His lending agency won't allow him to purchase the entire farmstead in one parcel. The farmstead is currently 18.41 acres, not the required 25 acres without purchasing extra farm ground or pasture which would create extra issues. All the setback variances are for existing structures with how the new parcels were laid out, no new structures are being built.
 - After consideration of the 1106 B-Variances, a motion by Dave Anderson, seconded by Steve Thiesse, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
Haines – absent, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.
8. Considered a Lots 1 and 2 of Kardel and Amanda's Addition in the North 120 Acres of the NE 1/4 of Section 25, T 101N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Kardel Miiller.
- Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This plat goes along with the variances from item number seven of the agenda. There is an easement on the plat.
 - An Ag Covenant will be required to be filed at the same time of the plat. Administrator Bathke gave a brief description of what Ag Covenant is and why the county requires one.
 - Motion by Dave Anderson, seconded by Charles Storm, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – absent, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.
9. That Steve Frank has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to operate a manufacturing/welding business in the Ag Res District.
- This request is in pursuant to Section 405 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 SE 1/4 of Section 23, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent to the neighbors and it was published in the paper with no responses for or against.
 - The applicant was present to answer questions. Discussion included most of Steve's work is done out of his truck. He does a lot of work for Khromers, Bob Ball and Toshiba. He currently stores his equipment in his garage. He will clean up the lot and feels it will look better than the previous owners. It's a good location being on the outside of town that farmers won't have to drive through

town with their combines/equipment if it is something that has to come to the shop instead of being repaired at the site.

- Commissioner Storm had a concern there will an accumulation of stuff as time goes on. Mr. Frank said he does not plan to have equipment or material stored outside, but if he does it will be on the north side of the building. He is thinking about installing a fence to help hide anything that does sit outside.
- After consideration of the 1106 A-Conditional Uses, a motion by Steve Thiesse, seconded by Dave Anderson, to recommend approval of the Conditional Use Permit. Roll call vote:
Haines – absent, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.

10. Considered a Plat of Lot 3-A of North Maui's First Addition, a Subdivision of Lot 1 in the West 1/2 of the NW 1/4, also described as Lot 1, Subdivision of Government Lot 1, All in Section 31, T 104N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Maui Farms Inc.

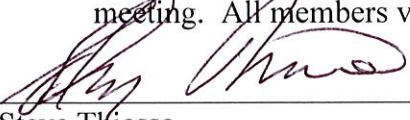
- Deputy administrator Jenniges gave an explanation of the plat.
- The applicant was present to answer questions. This plat is located in the ETJ. City of Mitchell has already passed the plat at city council. There is no water or sewer to the plat, but the owner is purchasing the property for more yard for his current residence. Maybe put a shed up in the future, this just gives him more space to the east of his current property.
- Motion by Charles Storm, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – absent, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.

11. Additional Comments from the Group.

- Planning and Zoning continues to work with District III on the Comprehensive Plan. They are working with the city to come up with new zoning jurisdiction for the ETJ and have the county take zoning back in that area. Discussion has been that the Comprehensive Plan may be on a hold for another year to get current census numbers. Adopting it now would have information that is 10 years old.
- Planning and Zoning will look into the few minor zoning ordinance recommended changes and moving forward with them before adopting the new Comprehensive Plan.

12. Set date and time for next meeting – July 7, 2020 @ 7:00 P.M.

13. At 7:42 P.M., a motion by Steve Thiesse seconded by Charles Storm to adjourn the meeting. All members voted aye, motion carried.


Steve Thiesse

Planning Commission Vice-Chairperson



Mark Jenniges
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PLANNING COMMISSION MINUTES

July 7, 2020

1. Chairperson Haines called the meeting to order at 7:00 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
 - Present: Bruce Haines, Steve Thiesse, Charles Storm, Dave Anderson, Brenda Bode, Lewis Bainbridge (telephonically), Jeff Bathke, Mark Jenniges.
 - Absent: Kim Weitala.
 - Guests: Pam Puetz and Barb Schlaffman.
3. Consider the proposed agenda.
 - Motion by Charles Storm, seconded by Steve Thiesse, to approve the proposed agenda. Roll call vote:
 - Haines – aye, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson– aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the June 2, 2020 Minutes.

Motion by Dave Anderson, seconded by Charles Storm, to approve the June 2, 2020 proposed minutes. Roll call vote:

Haines – aye, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson– aye, motion carried.
6. Public input for items not on the agenda-none.
7. That Palace MotoSports/Scott Studer has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to operate open sales business in the Ag District.
 - This request is in pursuant to Section 304(24) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as W 190' of the S 311.5' of the N 711.5' of the SW 1/4 of Section 2, T 102N, R 60 W of the 5th P.M., Davison County, South Dakota.
 - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent to the neighbors and it was published in the paper with no responses for or against.
 - The applicant was present to answer questions. Discussion included the history of the property owned by Scott Blacksten. The lot is described by measurements so no building permits are allowed to be issued and the lot is 115' deep so variances would need to be applied for as well.
 - Commissioner Bainbridge questioned if it would change the taxing on the land to which was answered it would not.
 - Commissioner Anderson questioned if he would be leaving everything out there every day or bringing it back to the shop. The applicant stated he plans to leave everything out there and is working with his insurance for a policy for it. The applicant lives near the location and will be driving by every morning and night to go to and from work.

- Commissioner Bode questioned if a sign would be able to be placed out there to which was answered that he could by following the on-site sign regulations in the ordinance.
 - After consideration of the 1106 A-Conditional Uses, a motion by Dave Anderson, seconded by Steve Thiesse, to recommend approval of the Conditional Use Permit. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.
8. That Renae & Terry Kleinsasser have appealed to the Davison County Planning Commission to recommend granting a variance in minimum side yard setback from an existing deck/residence/garage of +/- 20' to create a side yard setback of +/- 30' from the property line, where the minimum is 50' in the Agricultural District.
- This request is in pursuant to Section 308 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as Plat of Lot A of Kleinsasser Addition in the SE 1/4 of Section 21, T 102N, R 60 W of the 5th P.M., Davison County, South Dakota. It is currently described as W 509.15' of the S 2139' of the E 1043' of the SE ¼ of Section 21, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota.
 - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with one phone call just questioning what was happening, they had no issues with it.
 - The applicant was not present to answer questions. Discussion included the applicant would like to add onto the shed but their land is described by measurements so a building permit cannot be obtained. They are platting their 25 acres so they can obtain a building permit and the existing structures are non-conforming.
 - After consideration of the 1106 B-Variances, a motion by Brenda Bode, seconded by Charles Storm, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.
9. Considered a Plat of Lot A of Kleinsasser Addition in the SE 1/4 of Section 21, T 102N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Renae & Terry Kleinsasser.
- Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was not present to answer questions. This plat goes along with the variance from item number eight of the agenda. They are platting 25 acres so no variance is required for lot size.
 - Motion by Steve Thiesse, seconded by Dave Anderson, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.
10. That Ron Long has appealed to the Davison County Planning Commission to recommend granting a variance in minimum front yard setback of +/- 45 feet to rebuild a shed that

was destroyed in the June wind storm, resulting in a setback of +/- 30 feet from the right of way, where the minimum is 75' in the Agricultural District.

- This request is in pursuant to Section 308 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as NE 1/4 of Section 5, T 102N, R 62 W of the 5th P.M., Davison County, South Dakota.
 - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with no phone calls for or against.
 - The applicant was present to answer questions. Discussion included the applicant would like to rebuild his shed in the same location so he can reuse the existing concrete pad. The old shed was 60' x 80' and the new one will be 62' x 80'.
 - Commissioner Bode stated the grain bins to the south are closer than the shed. Doesn't believe it will create a hazard or restrict any views for the intersection that is to the north.
 - After consideration of the 1106 B-Variances, a motion by Charles Storm, seconded by Steve Thiesse, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.
11. Considered a Plat of Tract A of Gillam's Addition, in the NE 1/4 of the NW 1/4 of Section 24, T 102N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Bruce Gillam Jr..
- Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was not present to answer questions. The applicant is parceling off 25 acres to build a residence 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, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.
12. Considered a Plat of Lot 1 of T and J Addition, a Subdivision of Irregular Tract No. 2 in the SE 1/4 of Section 2, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Barb Schlaffman.
- Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. The applicant is parceling off the +/-20.27 to sell to her grandson so he can build a residence in the future. He isn't sure on his timeline for building and will require a variance when it is time per Section 307(4). A variance is only good for two years. The trees are an old gravel pit and currently are full of water.
 - Commissioner Bode asked about an approach to the land. There is one currently there and the plat has a dedicated easement for that.
 - An Ag Covenant will be filed with the plat per zoning ordinance.
 - Motion by Dave Anderson, seconded by Brenda Bode, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – absent, Anderson – aye, motion carried.

13. That Michael & Pam Puetz have appealed to the Davison County Planning Commission to recommend granting a variance in minimum for lot size of +/- 16 acres to create a lot size of +/- 9 acres, where the minimum is 25 acres in the Agricultural District.

- This request is in pursuant to Section 307(1) 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 of the SE 1/4 of Section 01, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota.
- Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with one phone call just questioning what was happening, they had no issues with it.
- The applicant was present to answer questions. Discussion included the applicant is trying to sell their 40 acres but cannot find anyone to buy all 40. They would like to parcel off the farmstead and keep the rest of the pastureland in the hopes of getting someone to purchase the farmstead. They have lived at the farm for 22 years and are planning to move to Wyoming. The left over 31 acres they will look to sell to a neighbor. They hope to sell the full 40 acres but want some more options.
- Commissioner Bode stated her concern of parceling off the farmstead and someone purchasing the remaining 31 acres and turning it into a development in the future.
- After consideration of the 1106 B-Variations, a motion by Steve Thiesse, seconded by Charles Storm, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye,
Weitala – absent, Anderson– aye, motion carried.

14. Additional Comments from the Group-None.

15. Set date and time for next meeting – August 4, 2020 @ 7:00 P.M.

16. At 8:13 P.M., a motion by Steve Thiesse seconded by Brenda Bode to adjourn the meeting. All members voted aye, motion carried.



Bruce Haines

Planning Commission Chairperson



Mark Jenniges

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PLANNING COMMISSION MINUTES

August 4, 2020

1. Chairperson Haines called the meeting to order at 7:00 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
 - Present: Bruce Haines, Steve Thiesse, Charles Storm, Dave Anderson, Kim Weitala, Brenda Bode, Lewis Bainbridge, Mark Jenniges.
 - Absent: Jeff Bathke.
 - Guests: Janet & Denny Everson.
3. Consider the amended agenda.
 - Motion by Kim Weitala, seconded by Dave Anderson, to approve the amended agenda. Roll call vote:
 - Haines – aye, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the July 7, 2020 Minutes.

Motion by Steve Thiesse, seconded by Brenda Bode, to approve the July 7, 2020 proposed minutes. Roll call vote:

Haines – aye, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– aye, motion carried.
6. Public input for items not on the agenda-none.
7. That Bryce & Lisa Havlik have appealed to the Davison County Planning Commission to recommend granting a variance in minimum for lot size of +/- 20 acres to create a lot size of +/- 5 acres, where the minimum is 25 acres in the Agricultural District.
 - This request is in pursuant to Section 307(4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as Plat of Tract A of Stratton's Addition in the South 940.50' of the SW 1/4 of Section 01, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota. It is currently described as S940.5 ' of the SW 1/4 Ex S537.5 of W433.1' & Except B Havlik Tract 1 of Section 1, T 103 N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with no responses.
 - The applicant was present to answer questions. Discussion included the applicant is parceling of the 5 acres for their son to build a house on.
 - After consideration of the 1106 B-Variations, a motion by Charles Storm, seconded by Steve Thiesse, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:

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

8. Considered a Plat of Tract A of Stratton's Addition in the South 940.50' of the SW 1/4 of Section 1, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Bryce & Lisa Havlik.
 - Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This plat goes along with the variance from item number seven of the agenda.
 - Commissioner Bode explained what an Ag Covenant is to the applicant and that it needs to be filed at the same time as the plat.
 - Motion by Brenda Bode, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
9. Considered a Plat of Lots 9A and 9B, A Subdivision of Lot 9 of Marsden's Addition in the South 1/2 of the NW 1/4 and the SW 1/4 of the NE 1/4 of Section 5, T 103N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Janet Everson.
 - Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This is located in the ETJ. The applicant is splitting their parcel into two. They are selling off Lot 9B and retaining Lot 9A. A new approach will be installed off of W Harmon Drive for 9A. This is located within the ETJ, city planning will hear it next week.
 - Motion by Lewis Bainbridge, seconded by Charles Storm, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
10. Considered a Plat of Lots 1-5, Kirkegaard Addition in the SE 1/4 of the SW 1/4 of the SE 1/4 of Section 3, T 103N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of EZ Green Acres LLC.
 - Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This is located within the ETJ. The City of Mitchell has already approved this plat.
 - Discussion on keeping Kirkegaard Place a private road was held and what the correct addresses will be for those lots. The intent of the applicant was to have a private road/driveway but by having it on the plat it could become public. County Planning and Zoning will look into for answers prior to County Commission the following week.
 - Motion by Dave Anderson, seconded by Brenda Bode, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
- 10A. Consider a Plat of Lot 1 of Debra Kaye's First Addition in the NE 1/4 of Section 9, T 101N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of David Nebelsick.
 - Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was not present to answer questions. David is parcelling the acres for his son to build a house on. It is over the 25 acres so no variance is required.

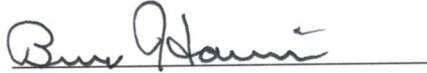
- Motion by Dave Anderson, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote: Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.

11. Additional Comments from the Group.

- Planning & Zoning presented a list of possible zoning ordinance changes, they will continue to work on them.

12. Set date and time for next meeting – September 1, 2020 @ 7:00 P.M.

13. At 8:05 P.M., a motion by Brenda Bode seconded by Kim Weitala to adjourn the meeting. All members voted aye, motion carried.



Bruce Haines

Planning Commission Chairperson



Mark Jenniges

Deputy Director of Planning & Zoning

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PLANNING COMMISSION MINUTES

September 1, 2020

1. Chairperson Haines called the meeting to order at 7:01 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
 - Present: Bruce Haines, Steve Thiesse, Kim Weitala, Brenda Bode, Lewis Bainbridge, Jeff Bathke, Mark Jenniges.
 - Absent: Charles Storm, Dave Anderson,
 - Guests: Tom & Jean Starr.
3. Consider the amended agenda.
 - Motion by Steve Thiesse, seconded by Steve Thiesse, to approve the amended agenda. Roll call vote:
 - Haines – aye, Thiesse – aye, Storm –absent, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– absent, motion carried.
4. Declare conflicts of interest-none.
5. Consider the August 4, 2020 Minutes.
 - Motion by Brenda Bode, seconded by Kim Weitala, to approve the August 4, 2020 proposed minutes. Roll call vote:
 - Haines – aye, Thiesse – aye, Storm –absent, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– absent, motion carried.
6. Public input for items not on the agenda-none.
7. That Brett Lowrie has appealed to the Davison County Planning Commission to recommend granting a variance in minimum for lot size of +/- 16.33 acres to create a lot size of +/- 8.67 acres, where the minimum is 25 acres in the Agricultural District.
 - This request is in pursuant to Section 307(4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as Plat of Lot 1 of Brett's Addition, in Gov. Lots 1 and 2 of the NW 1/4 of Section 19, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota. It is currently described as NW ¼ Ex Lot B of Section 19, T 103 N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with a few phone calls but no negative responses.
 - The applicant was present to answer questions. Discussion included the applicant is parceling of the land from his aunt to build a house on.
 - Commissioner Bode asked about access to the property to which the applicant answered there is an existing approach they will use. Also, Commissioner Bode question if they will be using rural water to which was answered it will be a well.
 - After consideration of the 1106 B-Variations, a motion by Steve Thiesse, seconded by Kim Weitala, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
 - Haines – aye, Thiesse – aye, Storm –absent, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– absent, motion carried.

8. Consider a Plat of Lot 1 of Brett's Addition, in Gov. Lots 1 and 2 of the NW 1/4 of Section 19, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Brett Lowrie.
 - Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This plat goes along with the variance from item number seven of the agenda.
 - Motion by Lewis Bainbridge, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – absent, motion carried.
9. Consider a Plat of Lot B of L.V. Frey's First Addition, in the E 1/2 of Section 19, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Brett Lowrie.
 - Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. They are keeping the trees to the south in their parcel just to clean it up, not for access to the railroad.
 - Motion by Kim Weitala, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – absent, motion carried.
10. That Tom and Jean Starr have appealed to the Davison County Planning Commission to recommend granting the following variances:
 1. Minimum lot size for an existing farmstead of +/- 20.99 acres to create a lot size of +/- 4.01 acres, where the minimum is 25 acres in the Agricultural District.
 2. Minimum east side yard setback to an existing building of +/- 22' resulting in a setback of +/-23' where the minimum is 50' in the Agricultural District.
 3. Minimum rear yard setback to an existing building of +/- 38' resulting in a setback of +/-12' where the minimum is 50' in the Agricultural District.
 - This request is in pursuant to Section 307(1) and 308 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as Plat of Lot 1 of Starr's Addition, in Gov. Lot 2 of the NE 1/4 of Section 2, T 103N, R 62 W of the 5th P.M., Davison County, South Dakota. It is currently described as NE 1/4 of Section 2, T 103 N, R 62 W of the 5th P.M., Davison County, South Dakota.
 - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with a few phone calls inquiring which location and what they were doing, no one had any issues with it.
 - The applicant was present to answer questions. Discussion included the applicant is parceling off the farmstead to sell. The boundaries were made to keep as much of the farm ground in production as possible. No new approaches will be needed, and any new structures built on the farmstead would require trees to be cut down or a future variance request.
 - After consideration of the 1106 B-Variations, a motion by Lewis Bainbridge, seconded by Steve Thiesse, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Storm –absent, Bainbridge – aye, Bode – aye,

Weitala – aye, Anderson– absent, motion carried.

11. Consider a Plat of Lot 1 of Starr's Addition, in Gov. Lot 2 of the NE 1/4 of Section 2, T 103N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Tom & Jean Starr.

- Deputy administrator Jenniges gave an explanation of the plat.
- The applicant was present to answer questions. This goes along with item #10 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 – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye,
Weitala – aye, Anderson – absent, motion carried.

12. Consider a Plat of Tract 1 of Wendelboe First Addition in the NE 1/4 of Section 15, T 102N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Josh & Tammy Renken.

- Deputy administrator Jenniges gave an explanation of the plat.
- The applicant was present to answer questions. The applicant came in to acquire a building permit but their land was described by measurements so no permit could be issued. They are platting their land to come in compliance with the ordinance.
- Motion by Steve Thiesse, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye,
Weitala – aye, Anderson – absent, motion carried.

13. That David Nebelsick has appealed to the Davison County Planning Commission to recommend granting a variance in minimum for lot size of +/- 19.64 acres to create a lot size of +/- 5.36 acres, where the minimum is 25 acres in the Agricultural District.

- This request is in pursuant to Section 307(4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as Plat of Lot 1 of Debra Kaye's First Addition in the NE 1/4 of Section 9, T 101N, R 62 W of the 5th P.M., Davison County, South Dakota. It is currently described as N 3/4 of the NE 1/4 of Section 9, T 101 N, R 62 W of the 5th P.M., Davison County, South Dakota.
- Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with no responses.
- The applicant was present to answer questions. Discussion included the applicant is parceling of the land for his son to build a house on. The bank would not allow the previous amount of acres to be mortgaged.
- After consideration of the 1106 B-Variances, a motion by Kim Weitala, seconded by Lewis Bainbridge, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Storm –absent, Bainbridge – aye, Bode – aye,
Weitala – aye, Anderson– absent, motion carried.

14. Consider a Plat of Lot 1 of Debra Kaye's First Addition in the NE 1/4 of Section 9, T 101 N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of David Nebelsick.

- Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This plat goes along with the variance from item #13 of the agenda. The previous plat approved last month has not been recorded so they can use the same name.
 - Motion by Brenda Bode, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – absent, motion carried.
15. Consider a Plat of Tracts 1, 2, and 3 of BarNone63 Addition in the SE 1/4 of Section 1, T 101N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of BarNone63 LLLP.
- Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. The applicant is selling tract 2 to Roskens which has been renting the pasture for a long time. The applicant is keeping tract 1 and 3 in farm ground. They own the adjoining land to the north of tract 1 and there is access off of 412th Ave for tract 3.
 - Motion by Lewis Bainbridge, seconded by Kim Weitala, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – absent, motion carried.
16. Additional Comments from the Group-None.
17. Set date and time for next meeting – September 11, 2020 @ 12:00 P.M.
18. At 7:58 P.M., a motion by Lewis Bainbridge seconded by Steve Thiesse to adjourn the meeting. All members voted aye, motion carried.



Bruce Haines
Planning Commission Chairperson



Mark Jenniges
Deputy Director of Planning & Zoning

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PLANNING COMMISSION MINUTES
September 11, 2020

1. Chairperson Haines called the meeting to order at 12:00 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
 - Present: Bruce Haines, Steve Thiesse, Dave Anderson(telephonically), Kim Weitala, Brenda Bode, Lewis Bainbridge, Jeff Bathke, Mark Jenniges.
 - Absent: Charles Storm.
 - Guests: .
3. Consider the amended agenda.
 - Motion by Brenda Bode, seconded by Steve Thiesse, to approve the amended agenda. Roll call vote:
 - Haines – aye, Thiesse – aye, Storm –absent, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the September 1, 2020 Minutes.

Motion by Kim Weitala, seconded by Lewis Bainbridge, to approve the September 1, 2020 proposed minutes. Roll call vote:

Haines – aye, Thiesse – aye, Storm –absent, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– aye, motion carried.
6. Public input for items not on the agenda-none.
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 Ag District.
 - This request is in pursuant to Section 304(14) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as S 1/2 of the NW 1/4 & N 1/2 of the SW 1/4 of Section 3, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota.
 - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent to the neighbors and it was published in the paper with no responses for or against.
 - The applicant was not present to answer questions. Discussion included that they would like to move to a new location, they thought they had a CUP for it already but did not acquire one in 2002. The state has already approved the new location.
 - Commissioner Bainbridge talked with Neil of Commercial Asphalt via phone before the meeting to see what their plan was. Bainbridge stated there are a lot of pits in that area.
 - Commissioner Bode stated she understood there can be a shortage of gravel already but could be some issues with transporting the gravel and wrecking the roads.
 - Commissioner Anderson stated that as long as the applicant continues to pay the state their fee every year he believes that makes it an active pit and the CUP on

the county side would not expire if no material was removed for a period of two years.

- After consideration of the 1106 A-Conditional Uses, a motion by Brenda Bode, seconded by Steve Thiesse, to recommend approval of the Conditional Use Permit. Roll call vote:

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

8. Considered a Plat of Lots 2A and 3, of L. Robinson's First Addition, a subdivision of the southerly 936' of the easterly 932.2' of the SE 1/4 of Section 24, T 104N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Robinson Housemoving Inc.

- Deputy administrator Jenniges gave an explanation of the plat.
- The applicant was not present to answer questions. They came in to acquire a building permit on what is now lot 3, but at the time it was described by measurements so a building permit could not be issued. During discussion Mike Robinson stated he wished to build a garage onto his existing house on Lot 2, but would need a variance to do so. So Lot 2 was replatted to Lot 2A so he won't require a variance for the garage addition. Lot 3 has an existing shed on it that will now require a variance due to moving the lot lines. They will take care of that house keeping item on the October 6 agenda. There is an easement on the plat for lot 2A and Lot 1 to use for their driveways
- Commissioner Bode stated she was happy to see the applicant looking ahead to the future projects and take care of everything at one time.
- Motion by Lewis Bainbridge, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.

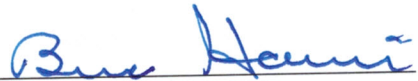
- 8A. Consider a Plat of DRJ's First Addition, in the NW 1/4 of Section 12, T 102N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Kevin Hagen.

- Deputy administrator Jenniges gave an explanation of the plat.
- The applicant was present to answer questions. He selling the 25 plus acres to his step daughter for her to build a house on it. It is over the required 25 acres so a variance is not required and that's why we put this item on the agenda. They have talked to Davison Rural Water and can acquire that. There is an approach on the south end of the proposed parcel that they will extend to the north to share the approach.
- Motion by Kim Weitala, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.

9. Additional Comments from the Group-none.

10. Set date and time for next meeting – October 6, 2020 @ 7:00 P.M.

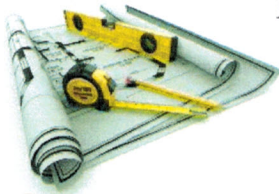
11. At 12:28 P.M., a motion by Kim Weitala seconded by Steve Thiesse to adjourn the meeting. All members voted aye, motion carried.



Bruce Haines
Planning Commission Chairperson



Mark Jenniges
Deputy Director of Planning & Zoning



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PLANNING COMMISSION MINUTES

October 6, 2020

1. Chairperson Haines called the meeting to order at 7:00 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
 - Present: Bruce Haines, Steve Thiesse, Charles Storm, Dave Anderson, Kim Weitala, Brenda Bode, Lewis Bainbridge, Jeff Bathke, Mark Jenniges.
 - Absent:.
 - Guests: Chet Edinger.
3. Consider the amended agenda.
 - Motion by Lewis Bainbridge, seconded by Dave Anderson, to approve the amended agenda. Roll call vote:
 - Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the amended September 11, 2020 Minutes.

Motion by Steve Thiesse, seconded by Charles Storm, to approve the September 11, 2020 amended minutes. Roll call vote:

Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
6. Public input for items not on the agenda-none.
7. That Robinson Housemoving Inc has appealed to the Davison County Planning Commission to recommend granting a variance for side yard setback of +/- 22' from an existing shed resulting in a +/-28' setback from a property line where the minimum is 50' in the Ag District.
 - This request is in pursuant to Section 308 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Plat of Lot 3 of L. Robinson's First Addition, a subdivision of the southerly 936' of the easterly 932.2' of the SE 1/4 of Section 24, T 104N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with no responses.
 - The applicant was not present to answer questions. Discussion included the applicant platted their land last month and the new boundaries have created the need for the variance on the property for the existing sheds. Both sheds are the same distance from the property lines so they can be done under the same variance.
 - After consideration of the 1106 B-Variations, a motion by Dave Anderson, seconded by Steve Thiesse, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:

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

8. Considered a Plat of Lift Station Tract 1, a subdivision of Irregular Tract No. 3 in the SW 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 not present to answer questions. The applicant is parceling off the land for the city to put a new lift station on. This is within 1 mile of the city, so they have zoning jurisdiction over it. City planning commission has recommended approval and council will hear it in two weeks.
 - Motion by Charles Storm, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
9. That Chipp Gerlach has appealed to the Davison County Planning Commission to recommend granting a variance for front yard setback of +/- 55' resulting in a setback of +/- 20' from the right of way, where the minimum is 75' in the Agricultural District.
 - This request is in pursuant to Section 308 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Plat of Lot A of W G Wieczorek's 1st Addition, a subdivision of the W 1/2 of Section 9, T 102N, R 62 W of the 5th P.M., Davison County, South Dakota.
 - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with no responses.
 - The applicant was not present to answer questions. Discussion included the applicant would like to build a shed where the trees were that blew down in a summer storm that were there to help protect his cattle. To move the shed south would create a hardship of moving in to much fill and going further east he would have to move fences and there would be no solid ground to build on in the cattle yard. The applicant will go as far east as possible with the shed. A photo of the area where the trees were was presented at the meeting which is now just bare ground.
 - After consideration of the 1106 B-Variations, a motion by Charles Storm, seconded by Lewis Bainbridge, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
10. Considered a Plat of Lot 2 of Lemke Addition, a subdivision of the west 372' of the SW 1/4, Except Lot H-1; and the west 372' of Lot W, all in the SW 1/4 of Section 27, T 103 N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Arden & Jeannette Lemke.
 - Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was not present to answer questions. The applicant is auctioning off a piece of land so and it was previously described by measurements. They were told it had to be platted to obtain title insurance on the property. County Planning and Zoning is not the one requiring this, as they can not stop someone from selling land.

- Motion by Charles Storm, seconded by Dave Anderson, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
11. That Tom Freidel 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 Ag District.
- This request is in pursuant to Section 304(14) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as NE 1/4 of the NE 1/4 and the NW 1/4 of NE 1/4 and the S 1/2 of the NE 1/4 all of Section 16, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota.
 - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent to the neighbors and it was published in the paper with one phone call inquiring what was going on and a letter was received stating some concerns of dust control and road conditions. The letter was emailed out to the board prior to the meeting. At last month's BOA meeting the board put the following two conditions on the mining CUP, that dust is mitigated to the satisfaction of the Davison County Highway Superintendent and that if fees are paid to the state every year and the state is inspecting the site it is considered an active site and the 24 month rule per the zoning ordinance is not in effect. Also, discussion of more truck traffic in the area that lowering speed limits and changing yield signs to stop signs might be done in the future with a resolution by County Commission. The Highway Superintendent and Sheriff were present at the meeting and were in favor of those changes.
 - The applicant was present to answer questions. Discussion included the state has already approved the location. The permit is a rolling permit of 5 acres at a time till 2052. The applicant will hold the bond himself and will strip and reclaim the land himself as well.
 - Commissioner Anderson asked how much dust there is while mining to which the applicant stated there isn't a lot because there is still moisture in the ground to help keep it down. The dust is mainly while transporting the product.
 - Commissioner Haines asked how deep the existing hole is to which the applicant answered about 20' but has water in it now and that was dug 40 years ago. That hole is on a knoll and that's why it's deeper than most. The test drills have shown gravel down to about 10' for most of the land.
 - After consideration of the 1106 A-Conditional Uses, a motion by Kim Weitala, seconded by Steve Thiesse, to recommend approval of the Conditional Use Permit with the conditions that dust is mitigated to the satisfaction of the Davison County Highway Superintendent and that if fees are paid to the state every year and the state is inspecting the site it is considered an active site and the 24 month rule per the zoning ordinance is not in effect. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.

12. That Mark & Barbara Meier have appealed to the Davison County Planning Commission to recommend granting a variance in minimum front yard setback of +/- 25' for an existing residence resulting in a setback of +/- 50' from the right of way, where the minimum is 75' and minimum lot size +/- 19.62 acres for an existing farmstead resulting in +/-5.38 acres where the minimum is 25 acres, all in the Agricultural District
- This request is in pursuant to Section 307(1) and 308 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as Plat of Lot 1 of BAM Addition in the SW 1/4 of Section 21, T 104N, R 62 W of the 5th P.M., Davison County, South Dakota.
 - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with no responses.
 - The applicant was present to answer questions. Discussion included the applicants current farmstead was described by measurements, so they platted it with the existing house being non-conforming for front yard setback. They increased the existing farmstead +/- .19 acres to avoid other variances for the existing sheds while they did some estate planning of the surrounding land and property lines. They were originally going to plat the left side and the right side for only 2 parcels but after discussion with Planning and Zoning they decided to do 3 due to banks not wanting to have a mortgage on more than 6 acres.
 - After consideration of the 1106 B-Variances, a motion by Dave Anderson, seconded by Charles Storm, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– aye, motion carried.
13. Considered a Plat of Lots 1, 2 & 3 of BAM Addition in the SW 1/4 of Section 21, T 104 N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Mark & Barbara Meier.
- Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This plat goes along with item #12 on the agenda. They were originally looking to put Lot 1 and Lot 2 as one parcel but after discussion of in the future someone trying to purchase that much land for a mortgage it was decided to do them separately. They can still be sold to one person, just the mortgage is only on the 5.38 acres. So, this is really estate planning.
 - Motion by Steve Thiesse, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
14. Considered a Tract P, Wild Oak Golf Club Addition, a subdivision of irregular tracts No. 3A and No. 4 in the NW 1/4 of Section 23, T 103N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Roland & Noreen Young.
- Deputy administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This plat is located within the 1 mile of city limits so zoning will be through the city. City Planning has

recommended approval of the plat. At this time there has been no mention of developing the land it is simply being platted for conveying purposes.

- Motion by Steve Thiesse, seconded by Charles Storm, to recommend approval of the plat to the County Commissioners. Roll call vote:

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

15. Additional Comments from the Group-none.

16. Set date and time for next meeting – November 3, 2020 @ 7:00 P.M.

17. At 8:02 P.M., a motion by Lewis Bainbridge seconded by Kim Weitala to adjourn the meeting. All members voted aye, motion carried.



Bruce Haines

Planning Commission Chairperson



Mark Jenniges

Deputy Director of Planning & Zoning

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PLANNING COMMISSION MINUTES
December 1, 2020

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

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

Haines – aye, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– aye, motion carried.
6. Public input for items not on the agenda-none.
7. 7. That Ryan & Robert Henglefeldt have appealed to the Davison County Planning Commission to recommend a variance in minimum front yard setback of +/- 25' for an addition onto an existing pole shed resulting in a setback of +/- 50' from the right of way where the minimum is 75', north side yard setback on an existing residence of +/-25' resulting in a setback of +/-25' where the minimum is 50', and north side yard setback for an existing shed of +/-40' resulting in a setback of +/- 10' where the minimum is 50' all in the Agricultural District.
 - This request is in pursuant to Section 308 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot 1 in the SW 1/4 of Section 25, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota.
 - Deputy administrator Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with no responses.
 - The applicant was present to answer questions. Discussion included the applicant would like to build onto an existing shed that is currently non-conforming. The shed addition does not encroach on the site triangle to the south so there is no safety concern there. The variances for the other two buildings are to bring them into conformance with the zoning ordinance, there is no work being done to those. Lot 1 was platted in the 1970's before zoning and the structures were also built before the zoning ordinance went into effect.

- After consideration of the 1106 B-Variations, a motion by Steve Thiesse, seconded by Kim Weitala, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– aye, motion carried.
8. Additional Comments from the Group-none.
 9. Set date and time for next meeting – January 5, 2021 @ 1:15 P.M.
 10. At 1:23 P.M., a motion by Brenda Bode seconded by Kim Weitala to adjourn the meeting. All members voted aye, motion carried.



Bruce Haines
Planning Commission Chairperson



Mark Jenniges
Deputy Director of Planning & Zoning