

Davison County Planning & Zoning and Emergency Management
200 E. 4th Ave.
Mitchell, SD 57301-2631
Phone (605) 995-8615
Fax (605) 995-8642



PLANNING COMMISSION MINUTES

January 5, 2021

1. PZ Acting Director Jenniges 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, Dave Anderson, Kim Weitala, Brenda Bode, Lewis Bainbridge, Mark Jenniges.
 - Absent:.
 - Guests: .
3. Election of 2020 Planning Commission Officers.
 - Acting director Jenniges called for nominations of Chairperson. Brenda Bode nominated Bruce Haines, Kim Weitala 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, Kim Weitala seconded the nomination. Charles Storm called to cease nominations and cast a unanimous vote, seconded by Dave Anderson. Hearing no further nominations, Steve Thiesse was unanimously voted as Vice Chairperson.
4. Consider the proposed agenda.
 - Motion by Steve Thiesse, 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.
5. Declare conflicts of interest-none.
6. Consider the proposed December 1, 2020 Minutes.

Motion by Dave Anderson, seconded by Brenda Bode, to approve the December 1, 2020 proposed minutes. Roll call vote:

Haines – aye, Thiesse – aye, Storm –aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– aye, motion carried.
7. Public input for items not on the agenda-none.
8. That Ray Trudeau has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to install an in-ground swimming pool in the Ag Res District.
 - This request is in pursuant to Section 404(40) 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 SW 1/4 of the NE 1/4 of the SE 1/4 of Section 3, T 102N, R 60 W of the 5th P.M., Davison County, South Dakota.
 - Acting director 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 the applicant intends to build a swimming pool in their yard and it will have a fence around it and a cover when not in use.
 - 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 – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
9. That James Miiller has appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size of +/- 14.97 acres to create a lot size of +/- 10.03 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 a Plat of Lot 1 of Twelve Mile Creek First Addition in the W 1/2 of the SE 1/4 of Section 16, T 101 N, R 61 W of the 5th P.M., Davison County, South Dakota. The property is currently described as W 1/2 of the SE 1/4 of Section 16, T 101N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Acting director 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 be selling the farmstead to his son.
 - Commissioner Bainbridge was glad to see young farmers taking over.
 - Commissioner Anderson noted it is a nice layout of the farmstead.
 - After consideration of the 1106 B-Variations, a motion by Lewis Bainbridge, 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. Considered a Plat of Lot 1 of Twelve Mile Creek First Addition in the W 1/2 of the SE 1/4 of Section 16, T 101N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of James Miiller.
- Acting administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This plat goes along with item #9 on the agenda. An Ag Covenant will be filed along with the plat.
 - Motion by Dave Anderson, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
11. Additional Comments from the Group-none.
12. Set date and time for next meeting – February 2, 2021 @ 1:15 P.M.
13. At 1:53 P.M., a motion by Steve Thiesse seconded by Kim Weitala to adjourn the meeting. All members voted aye, motion carried.

A handwritten signature in dark ink, appearing to read "Bruce Haines", written over a horizontal line.

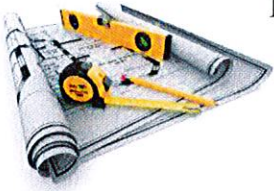
Bruce Haines

Planning Commission Chairperson

A handwritten signature in dark ink, appearing to read "Mark Jenniges", written in a cursive style.

Mark Jenniges

Acting Director of Planning & Zoning



Davison County Planning & Zoning and Emergency Management
200 E. 4th Ave.
Mitchell, SD 57301-2631
Phone (605) 995-8615
Fax (605) 995-8642



PLANNING COMMISSION MINUTES

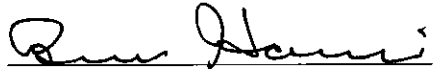
February 2, 2021

1. Chairman 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, Dave Anderson, Brenda Bode, Lewis Bainbridge, Mark Jenniges.
 - Absent: Kim Weitala.
 - Guests: .
3. Consider the amended agenda.
 - Motion by Charles Storm, seconded by Steve Thiesse, to approve the amended agenda adding item 8A. All members voted aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the proposed January 5, 2021 Minutes.

Motion by Dave Anderson, seconded by Lewis Bainbridge, to approve the January 5, 2021 proposed minutes. All members voted aye, motion carried.
6. Public input for items not on the agenda-none.
7. That Margaret & John Kotrba Trust has appealed to the Davison County Planning Commission to recommend granting a variance in minimum front yard setback to an existing residence of +/- 25' creating a setback of +/- 50', 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 will be legally described as a Plat of Lot G, Kotrba's Subdivision, in the SW 1/4 of Section 15, T 103 N, R 61 W of the 5th P.M., Davison County, South Dakota. The property is currently described as SW 1/4 of Section 15, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Acting director Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper. A few phone calls were received but after explanation of what the variance was for there were no negative responses.
 - The applicant was not present to answer questions. Discussion included the house is non-conforming because it was built to close to the right of way prior to Davison County having a zoning ordinance. The variance will clean that up and make it easier to sell in the future.
 - Commissioner Anderson stated that the property is a mess and needs to be cleaned up.
 - Randy Stiles representing the trust was present and agreed the property needs some attention and will talk to his clients to work on that. Mr. Stiles is willing to work with the county and try to get a timeline established on cleaning up the property. The property is getting divided into 4 parcels and Waco is receiving the farmstead. Mrs. Kotrba had been residing at the farmstead but has had some health issues as of late and been in the hospital.

- Highway Superintendent Weinberg talked to Waco about moving the vehicles and trash from the right of way for safety concerns to which he did immediately.
 - There are no conditions attached to the variance just on the record that Planning and Zoning will move forward with a nuisance violation if the property is not cleaned up and Mr. Stiles agreed with it and will do everything in his power to make it happen.
 - 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.
8. Considered a Plat of Lots D, E, F and G, Kotrba's Subdivision, in the SW 1/4 of Section 15, T 103N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Margaret & John Kotrba Trust.
- Acting administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This plat goes along with item #7 on the agenda. There is access to all parcels off either 403rd Ave or 253rd St, however any new approaches will have to be approved by the appropriate road authority. An Ag Covenant will be filed along with the plat.
 - 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 – absent, Anderson – aye, motion carried.
- 8A. Considered a Tract 1 of Mitchell Waterworks 1st Addition in the SW 1/4 of the SW 1/4 of Section 35, T 103N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of City of Mitchell.
- Acting administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. The City of Mitchell is looking to purchase the 10 acres and place a water holding tank on it. There is a water easement on the west side of the plat. This land falls in the ETJ so it is city zoning jurisdiction.
 - Terry Johnson and Neil Putnam from the city gave an overview of the future project of the land acquisition. There will be a 2.5-3 million gallon above ground water tank and a pump house on the site. They plan to surround the site with trees. There is currently a 24" BY water line on the west side of the property that this would tie into and give the city a bigger holding supply of water and increase pressure on the south side of the city. They have looked at other locations along the line and came to an agreement with Knox County Partnership (Mitchell Livestock) to purchase the land. City will hear this February 8th and 15th.
 - 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 – absent, Anderson – aye, motion carried.
9. Additional Comments from the Group-Brief discussion on HB 1050.
10. Set date and time for next meeting – March 2, 2021 @ 1:15 P.M.

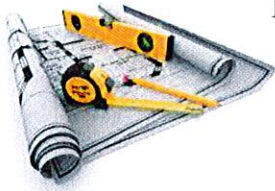
11. At 2:28 P.M., a motion by Brenda Bode seconded by Lewis Bainbridge to adjourn the meeting. All members voted aye, motion carried.

A handwritten signature in cursive script, appearing to read "Bruce Haines", written in black ink.

Bruce Haines
Planning Commission Chairperson

A handwritten signature in cursive script, appearing to read "Mark Jenniges", written in black ink.

Mark Jenniges
Acting Director of Planning & Zoning



Davison County Planning & Zoning and Emergency Management
200 E. 4th Ave.
Mitchell, SD 57301-2631
Phone (605) 995-8615
Fax (605) 995-8642



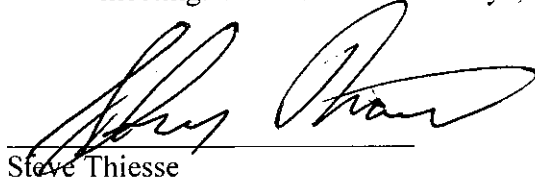
PLANNING COMMISSION MINUTES

March 2, 2021

1. Vice-Chairman Thiesse called the meeting to order at 1:15 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
 - Present:, Steve Thiesse, Dave Anderson, Brenda Bode, , Lewis Bainbridge & Mark Jenniges.
 - Absent: Bruce Haines & Kim Weitala.
 - Guests: Cameron & Amy Puepke and Gary Bussmus.
3. Consider the proposed agenda.
 - Motion by Charles Storm, seconded by Lewis Bainbridge, to approve the proposed agenda. All members voted aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the amended March 2, 2021 Minutes.

Motion by Dave Anderson, seconded by Brenda Bode, to approve the February 2, 2021 amended minutes. All members voted aye, motion carried.
6. Public input for items not on the agenda-none.
7. Considered a Plat of Tract 1 of Backash Addition in the SW 1/4 of the SW 1/4 of Section 24, T 103N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Douglas Backlund.
 - Acting administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This plat is located within the ETJ and is the City of Mitchells zoning jurisdiction. The city has approved the plat already. Backlund is selling the lot for someone to build a residence on. The access will be off Dean Dr.
 - Greg Tillberg is the buying the property and was present.
 - Commissioner Anderson explained the ETJ to Tillberg.
 - 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.
8. Considered a Plat of Tract 2 of Amy's Addition in the SW 1/4 of the SE 1/4 of Section 35, T 104N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Cameron & Amy Puepke.
 - Acting administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This plat is located within 3 miles of city limits and the city has approved the plat already. The applicant is purchasing the land to build a shed on for cattle. The applicant owns the abutting property with their residence.
 - Motion by Dave Anderson, seconded by Lewis Bainbridge, 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. Additional Comments from the Group-None.
10. Set date and time for next meeting – April 6, 2021 @ 7:00 P.M.
11. At 1:23 P.M., a motion by Lewis Bainbridge seconded by Dave Anderson to adjourn the meeting. All members voted aye, motion carried.



Steve Thiesse
Planning Commission Vice-Chairperson



Mark Jenniges
Acting Director of Planning & Zoning



Davison County Planning & Zoning and Emergency Management
200 E. 4th Ave.
Mitchell, SD 57301-2631
Phone (605) 995-8615
Fax (605) 995-8642



PLANNING COMMISSION MINUTES

April 6, 2021

1. Chairman Haines called the meeting to order at 7:00 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
 - Present: Bruce Haines, Steve Thiesse, Dave Anderson, Charles Storm, Brenda Bode, Kim Weitala, Lewis Bainbridge, Mark Jenniges.
 - Absent:
 - Guests: Lee Healy, Vonda Alexander, Dan & Leanne Bradwisch, Brian Kabat (Telephonically), and Mahlon Byler (Telephonically).
3. Consider the amended agenda.
 - Motion by Dave Anderson, seconded by Steve Thiesse, to approve the amended agenda. All members voted aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the proposed March 2, 2021 Minutes.

Motion by Lewis Bainbridge, seconded by Dave Anderson, to approve the March 2, 2021 proposed minutes. All members voted aye, motion carried.
6. Public input for items not on the agenda-none.
7. That James Winter d/b/a Common Cents Consignment has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to operate an Open Sales Area & Federal Firearms Sales in the Platted Town Site Residential District.
 - This request is in pursuant to Section 705 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lots 1 through 12, Block 8, Watkins Addition to the Town of Loomis, Davison County, South Dakota, including all of the vacated alleyway therein and including that part of vacated Lewis Street adjoining and abutting Lots 1 and 12 thereof; and Lots 5 through 8, Block 9, Watkins Addition to the Town of Loomis, Davison County, South Dakota, including that portion of the alleyway adjoining and abutting said lots and including that part of vacated Lewis Street adjoining and abutting Lots 6 and 7 thereof.
 - Acting director Jenniges explained the application, required notifications, and the GIS view. Notices were sent to the neighbors and it was published in the paper with a neighbor stopping in opposing the condition use request.
 - The applicant was present to answer questions.
 - Tami Winter explained the following from questions of the board. They use K-bid for their auction site. It was selected because they had bought items for it in the past and K-bid reached out to them to have a location in this area of South Dakota. They use K-bids software. They are currently selling their own property, nothing on consignment yet. The auction is set up for a certain number of days with one day during the auction as an inspection day for people to come look at the items. After the auction is over purchasers have a certain time to pay for the item and a certain time to pick up the items or they forfeit the item and it goes

back to the consigner. Most of the items are being shipped instead of people picking them up on-site. There will not be overflow of items around the site, items arrive just prior to an auction and are picked up/shipped or returned days after the auction is completed. Taxes are paid monthly to the Department of Revenue.

- They are fixing up the garage and installed deadbolts on the doors and that is where the items will be stored. They plan to sell mostly smaller items, but some big items may be sold as well. They do not have a dealer's license but are looking into it. However, that license may cost more than it's worth to bring the property up the standard required to obtain the license. They are not using the house for the Conditional Use Permit. K-bid does not allow you to use a residence for a bid site or storage area of items. They purchased the property last year and plan on fixing it up. They do not want to tear down the house. They have installed motion sensor flood lights and cameras around the property. When they first bought it, some kids broke in and had a party in the house.
 - The Feds are coming on Wednesday to look at their set-up for the FFL and give them direction on the size and kind of safe required to store the firearms. No new firearms will be sold, only consignment firearms. Background checks will be done prior to the final sale of a firearm and they can also ship firearms to other FFL dealers for pick-ups.
 - They are in the process of getting some signs made to direct people to their location. They have some temporary signs up a few miles away directing people how to get to their location. PZ will work with them if a conditional use permit is required for those signs. The ordinance does not list on-site signs in this zoning area but in all other zoning jurisdictions on-site signs are permitted.
 - Vonda Alexander is against the CUP. Vonda lives down the street about a block away next to an abandon house. She feels Loomis is a homestead community, not for commercial businesses. She stated nothing has been cleaned up around the property in the year Winter's have owned the property and believe it should be tore down.
 - Becky Handerhan owns a property across the street that her dad resides at and has no issues with the CUP.
 - After consideration of the 1106 A-Conditional Uses, a motion by Dave Anderson, seconded by Charles Storm, to recommend approval of the Conditional Use Permit with the condition an on-site sign be permitted. Roll call vote: Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
8. That Dustin & Amanda Knutson have appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size for an existing residence of +/- 5.324 acres to create a lot size of +/- 19.676 acres, where the minimum is 25 acres in the Agricultural District.
- This request is in pursuant to Section 307(5) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as a Plat of Tract A of Knutson's Addition, in the NE 1/4 of Section 5, T 103 N, R 61 W of the 5th P.M., Davison County, South Dakota. The property is currently described as S999.5' of N1574.5' of E930' Ex W167' of

S434' of NE ¼ of Section 5, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota.

- Acting director 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 applied for a building permit but their land is described by measurements so a building permit could not be obtained so they had to plat their land. They are under the 25 acres required by zoning ordinance, so they are coming in compliance with the zoning ordinance by obtaining the variance for the existing residence.
 - After consideration of the 1106 B-Variances, a motion by Steve Thiesse, seconded by Brenda Bode, 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.
9. Considered a Plat of Tract A of Knutson's Addition, in the NE 1/4 of Section 5, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Dustin & Amanda Knutson.
- Acting administrator Jenniges gave an explanation of the plat.
 - The applicant was not present to answer questions. This plat goes along with item #8 on the agenda.
 - 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.
10. That Mahlon Byler has appealed to the Davison County Planning Commission to recommend granting a variance in minimum front yard setback of +/- 37' resulting in a setback of +/- 38' 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 currently described as Jatou Tract 1 in the NW 1/4 of the NW 1/4 of Section 21, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota.
 - Acting director Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with one response not against the variance but bringing up safety concerns with the truck traffic stopping on the road and backing into the parking lot.
 - The applicant was present telephonically to answer questions. Discussion included the applicant would like to add an addition onto his shop. He would have to bring in a lot of fill material to add onto the south side and expanding to the west puts him into floodplain. The addition would be behind the existing trees that are on the lot line. The addition would not interfere with the sight triangle of the intersection to the west.
 - The board discussed with Mr. Byler their concerns about truck traffic and finding an alternate solution instead of the trucks backing off 265th Ave. Mr. Byler stated

he was not opposed to widening his current driveway by taking out the tree on the west side of the driveway.

- Commissioner Bode stated the way to take care of the safety issue was to contact the Sheriff's Office and Highway Department. Conditions can not be put on a variance.
- After consideration of the 1106 B-Variances, a motion by Dave Anderson, seconded by Brenda Bode, to recommend approval of the Variance Permit to the Board of Adjustment. Roll call vote:
Haines – nay, Thiesse – nay, Storm – nay, Bainbridge – nay, Bode – aye,
Weitla – aye, Anderson – aye, motion denied.

11. Considered a Tract 1 of Carstensen Addition, an addition in the NE 1/4 of Section 2, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Rob Carstensen.

- Acting administrator Jenniges gave an explanation of the plat.
- The applicant was not present to answer questions. The applicant is purchasing the 25 acres to build a residence on. The approach will be about 750' from the south 1/4 line.
- Motion by Dave Anderson, seconded by Charles Storm, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye,
Weitla – aye, Anderson – aye, motion carried.

12. That Tillman Infrastructure LLC has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to construct a 333' communication tower facility in the Ag District.

- This request is in pursuant to Section 3:04(40) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as E 5/8 of the S 1/2 of the SE 1/4 EX Lot 15 and H-1 & H-2 of Section 15, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota.
- Acting director 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 but Brian Kabat a consultant for the project appeared telephonically. Discussion included the tower will be built on a leased site. The owner of the land is Larice Hamilton. The plans for construction were included in the packet. This will be an AT&T tower with FirstNet using the tower as well. FirstNet was awarded a communication contract with the state and this is one of many new towers going up around the state to provide better coverage and service for first responders. Planning and Zoning reached out to SD DOT for any concerns they might have and replied they had none. Since the tower is over 200', they will have to follow FAA regulations.
- Commissioner Bode questioned the deconstruction of the tower and who is responsible for that to which Mr. Kabat answer the tower will be taken down within 120 days once it is no longer operational. If it is not taken down within that timeframe it becomes the landowner's property. Parts from these towers can be reused and are considered valuable so Tillman Infrastructure LLC would not want that to happen and lose money.

- After consideration of the 1106 A-Conditional Uses, a motion by Steve Thiesse, seconded by Lewis Bainbridge, to recommend approval of the Conditional Use Permit Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
13. That Lee Healy has appealed to the Davison County Planning Commission to recommend granting a variance in west side yard setback of +/- 50' resulting in a setback of +/- 25' from the property line, variance in rear yard setback of +/- 59' resulting in a setback of +/- 16' from the property line and east side yard setback of +/- 37' resulting in a setback of +/- 38' from the property line, where the minimum for a shelterbelt setback is 75' in the Agricultural District.
- This request is in pursuant to Section 2:15 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is currently described as W362' of S395' in the SE 1/4 of Section 21, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Acting director Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with one response questioning what he was doing.
 - The applicant was present to answer questions. Discussion included the applicant tore out a dying shelterbelt a few years ago and would like to replant it. He is using the Conservation District to plant the trees. After applying for the variance, it was found that there is a 30' easement on the west side of the property for the powerlines so the variance would have to be 30' instead of the 25'. This does not change anything for notices as it would be more restrictive instead of less restrictive. The shelterbelts will start 75' from the south ROW.
 - Chairman Haines gave a history of why the ordinance has the setback of 75' from lot lines and it has to do with snow piling on fences and ruining them.
 - Mr. Healy stated there are no current fences around his property. Moving the north shelterbelt further south would put snow into his dog kennels and shed.
 - 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 – nay, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
14. Considered a Plat of BP Pork Addition, in the NW 1/4 of the NW 1/4 of Section 8, T 103 N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Brad & Peggy Greenway.
- Acting administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. The applicants land is described by measurements and they would like to build a grain bin on the location.
 - Motion by Charles Storm, 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 – aye, Anderson – aye, motion carried.
15. Additional Comments from the Group-

- Planning and Zoning has had a few calls about the 5 lots north of Mt. Vernon and the possibility to add approaches to them. The board discussed the plat that has easements off of two of the lots to access the other three lots. The minutes from when the plat was approved state the Highway Department has final say in the approaches. Highway Superintendent Weinberg has continued to deny more approaches due to safety concerns and the board agrees with that decision. Developments like this should have access roads which is essentially what the 2 easements are creating.
16. Set date and time for next meeting – May 4, 2021 @ 7:00 P.M.
 17. At 9:34 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
Acting Director of Planning & Zoning



Davison County Planning & Zoning and Emergency Management
200 E. 4th Ave.
Mitchell, SD 57301-2631
Phone (605) 995-8615
Fax (605) 995-8642



PLANNING COMMISSION MINUTES

May 4, 2021

1. Chairman Haines called the meeting to order at 7:00 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
 - Present: Bruce Haines, Steve Thiesse, Dave Anderson, Charles Storm, Brenda Bode, Kim Weitala, Lewis Bainbridge, Mark Jenniges.
 - Absent:
 - Guests: Bob & Barb Weber and Mary Weber.
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 amended April 6, 2021 Minutes.
 - Motion by Dave Anderson, seconded by Charles Storm, to approve the April 6, 2021 amended minutes. All members voted aye, motion carried.
6. Public input for items not on the agenda-none.
7. That Bob Weber has appealed to the Davison County Planning Commission to recommend granting a variance in minimum front yard setback of +/- 30' resulting in a setback of +/- 45' from the right of way for an existing residence where the minimum is 75' and minimum side yard setback of +/- 8' resulting in a setback of +/- 2' where the minimum is 10' in the Agricultural 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 1 in the NE 1/4 of Section 25, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Acting director 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 cut back the existing garage and build a new attached garage. The new attached garage will not be any further south than the existing unattached garage. The front yard setback is for the existing residence, nothing will be added onto the front of the house. The house and existing garage were built prior to the zoning ordinance.
 - 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 –aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– aye, motion carried.
8. That Dan & Mary Alexander have appealed to the Davison County Planning Commission to recommend granting a variance in minimum side yard setback of +/- 6' resulting in a

setback of +/- 4' from the property line where the minimum is 10' in the Agricultural 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 E 28.67' of Lot 0-1 of Titze Addition in the SW 1/4 of Section 24, T 103N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Acting director 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 another shed. They need room between the two sheds for drainage and to be able to get vehicles in and out of the garage doors. This building would be build across property lines but it is the same owner on the two properties. Also, according to Deputy State's Attorney Taylor since this legal is out of a platted lot a building permit can be issued with the way the legal reads with footages because there is an exact starting point of the pins from the lot line. They will bring fill in to raise the structure floor to prevent any water issues.
 - Commissioner Bode question what was towards the northeast corner of the proposed shed to which the applicant answered it's a junk pile or burn pile that is no longer there.
 - 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 – aye, Anderson– aye, motion carried.
9. That Bryce Havlik has appealed to the Davison County Planning Commission to recommend granting a variance in north side/rear yard setback of +/- 59' resulting in a setback of +/- 16' from the property line, a variance in east yard setback of +/- 75' resulting in a setback of +/- 0' from the property line and a variance in west side yard setback south of the existing east/west shelterbelt of +/-59' resulting in a setback of +/- 16', where the minimum for a shelterbelt setback is 75' in the Agricultural District.
- This request is in pursuant to Section 2:15 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The properties are legally described as B Havlik Tract 1 in the SW 1/4 of Section 1, T 103 N, R 61 West of the 5th P.M., Davison County, South Dakota, Tract A of Stratton's Addition in the S940.5' of the SW 1/4 of Section 1, T 103 N, R 61 West of the 5th P.M., Davison County, South Dakota and S940.5' of the SW 1/4 Ex S537.5' of W433.1' & Ex B Havlik Tract 1 & Ex Tract A of Stratton's Addition in the S 940.5' in the SW 1/4 of Section 1, T 103 N, R 61 West of the 5th P.M., Davison County, South Dakota.
 - Acting director Jenniges explained the application, required notifications, and the GIS view. Notices were sent out to the neighbors and published in the paper with a Brock Millan and Robert Young stopping in the office with concerns over the close setbacks. Brock has drain tile in the area and is concerned the roots will plug it.

- The applicant was present to answer questions. Discussion included the applicant was not requesting a 0' setback on the east side, that was mis communication, he was requesting the same as on the north side of +/- 59' resulting in a setback of +/- 16'. The applicant would like to restore a shelterbelt he tore out and create new ones along property lines.
 - Mr. Havlik stated this has been a two-year process and put the plan together with FSA and tore out the trees because he did not know the county had the 75' setback. He has installed the fence around his property and will take care of it. His neighbors don't have any cattle in the area, so fences are no concerns for them. Laurel Willows are the trees to be planted in the northeast corner of his property. He stepped it off to the bottom of the drainage draw and it was 30 yards, Laurel Willows roots grow about 50' and are not considered an invasive tree. He is planting all the shelterbelts for caving windbreaks close to his house and windbreaks in general for the rest of the property. He has all the dirt work done already and if the variances aren't approved, he wouldn't be able to move forward with the project.
 - Commissioner Bainbridge state it looks like a lot of thought and energy has gone into the plan and it is a nice improvement.
 - Commissioner Bode said it will be an awesome functioning shelterbelt and has a beautiful tree selection. She hoped Mr. Havlik has a long life to enjoy the oak trees.
 - Commissioner Storm said it was unfortunate FSA didn't tell him the proper setbacks but he can't agree to the small setbacks he is requesting. In Commissioner Storms opinion the best shelterbelt he has ever seen is 1 row of cedars.
 - After consideration of the 1106 B-Variances, a motion by Steve Thiesse, seconded by Lewis Bainbridge, to recommend approval of the Variance Permit to the Board of Adjustment with all the requested setbacks being +/- 59' resulting in a setback of +/-16'. Roll call vote:
Haines – aye, Thiesse – aye, Storm –nay, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson– aye, motion carried.
10. That Jason & Arin Riggs have appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size of +/- 17.399 acres resulting in a lot size of +/- 7.601 acres, lot size of +/- 17.399 acres resulting in a lot size of +/- 7.601 acres and lot size of +/- 15 acres resulting in a lot size of +/- 10 acres, where the minimum lot size is 25 acres in the Agricultural District.
- This request is in pursuant to Section 307(4,5) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is currently described as W 831' of the N 1,321' in the NW ¼ of the NW ¼ of Section 15, T 101 N, R 60 West of the 5th P.M., Davison County, South Dakota. The property will be legally described as a Plat of Tracts 1, 2, and 3 in the Jason & Arin Addition, in the NW 1/4 of the NW 1/4 of Section 15, T 101 N, R 60 West of the 5th P.M., Davison County, South Dakota
 - Acting director 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 could not obtain a building permit for a new home on the parent parcel due to their land being described by measurements. While platting their current land of 25 acres they decided to parcel off two lots for their children to build a house on. This variance would be for all 3 lots now.
 - Commissioner Bainbridge stated his grandfather used to live there. He questioned if the house was already there to which the applicant stated it is on site but sitting on blocks not on the foundation.
 - Commissioner Bode questioned the future driveways for the 2 north lots if they will be shared or not because family might get along now but don't always. The applicant replied that they do not intend to be shared and Tract 2 will be off of 264th St and Tract 1 could be off 264th or 409th Ave.
 - Planning & Zoning Jenniges noted the Commission had just lowered speed limits in this area and turned yield signs into stop signs due to the truck traffic created from the nearby gravel pits.
 - Commissioner Anderson questioned how this gets regulated that it stays within 3rd of Kin for the housing variance? PZ Jenniges answered that there is a check list within the office they follow to make sure the proper steps have been followed for these small parcels. If it does not get used by family and gets sold to someone else, they would have to apply for a variance in lot size and the commission could approve or deny it.
 - After consideration of the 1106 B-Variations, a motion by Lewis Bainbridge, seconded by Dave Anderson, 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.
11. Considered a Plat of Tracts 1, 2, and 3 in the Jason & Arin Addition, in the NW 1/4 of the NW 1/4 of Section 15, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Jason & Arin Riggs.
- Acting administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. This plat goes along with item #10 on the agenda. An Ag Covenant will be filed at the same time of the plat.
 - Motion by Dave Anderson, seconded by Charles Storm, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye,
Weitala – aye, Anderson – aye, motion carried.
12. Considered a Plat of Tract 2 of Roeder's Addition, in the NE ¼ of the NW ¼ of Section 28, T 102N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Dan Roeder.
- Acting administrator Jenniges gave an explanation of the plat.
 - The applicant was not present to answer questions. The applicant platted Tract 1 out a few years ago and received a variance to go along with it. He has found a buyer for the 3 acres and they would like to purchase another 6 acres. There is an easement on Lot 1 for ingress/egress if they were not the same owners down the road. Also, Mr. Roeder has the right of first refusal if Tract 2 were to be ever sold.

- Motion by Dave Anderson, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye,
Weitala – aye, Anderson – aye, motion carried.
13. Additional Comments from the Group-
- IM26 and what the county needs to prepare for before the deadline of July 1, 2021.
14. Set date and time for next meeting – June 1, 2021 @ 7:00 P.M.
15. At 8:43 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
Acting Director of Planning & Zoning

Davison County Planning & Zoning and Emergency Management
200 E. 4th Ave.
Mitchell, SD 57301-2631
Phone (605) 995-8615
Fax (605) 995-8642



PLANNING COMMISSION MINUTES

June 1, 2021

1. Chairman Haines called the meeting to order at 9:20 A.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
 - Present: Bruce Haines, Steve Thiesse, Dave Anderson, Brenda Bode, Kim Weitala, Mark Jenniges.
 - Absent: Charles Storm, Lewis Bainbridge.
 - Guests: .
3. Consider the proposed agenda.
 - Motion by Brenda Bode, seconded by Dave Anderson, to approve the proposed agenda. All members voted aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the proposed May 4, 2021 Minutes.

Motion by Dave Anderson, seconded by Steve Thiesse, to approve the May 4, 2021 proposed minutes. All members voted aye, motion carried.
6. Public input for items not on the agenda-none.
7. Considered changes to the Davison County Zoning Ordinance.
 - Acting Administrator Jenniges gave an explanation of the process for amending the ordinance and went over the potential changes.
 - Chairman Haines opened the floor for discussion among the board.
 - Chairman Haines opened the floor for discussion from the public.
 - Chairman Haines closed the floor for discussion from the public.
 - Motion by Dave Anderson, seconded by Steve Thiesse, to recommend approval of the proposed Davison County Zoning Ordinance Changes to the County Commission. Roll call vote:
Haines – aye, Thiesse – aye, Storm –absent, Bainbridge – absent, Bode – aye, Weitala – aye, Anderson– aye, motion carried.
8. Chairman Haines recessed the meeting till 7:00P.M.
9. Chairman Haines called the meeting back to order at 7:00 P.M.
10. Roll Call-quorum is met, simple majority vote required for all items.
 - Present: Bruce Haines, Steve Thiesse, Dave Anderson, Brenda Bode, Kim Weitala, Mark Jenniges.
 - Absent: Charles Storm, Lewis Bainbridge.
 - Guests: .
11. Public input for items not on the agenda-none.
12. That Mark Meier has appealed to the Davison County Planning Commission to recommend granting a variance for the following in the Ag District:

Lot 1-
Minimum lot size of +/- 19.74 acres resulting in a lot size of +/- 5.26 acres where the minimum is 25 acres.
Minimum setback from ROW for an existing residence of +/- 38' resulting in a setback of +/- 37' where the minimum is 75'

Minimum north side yard setback for an existing "L" shaped building of +/- 45' resulting in a setback of +/- 5' where the minimum is 50'.

Minimum east rear yard setback for an exiting building of +/- 35' resulting in a setback of +/- 15' where the minimum is 50'.

Lot 2-

Minimum south side yard setback from an existing dwelling unit of +/- 20' resulting in a setback of +/- 30' where the minimum is 50'.

Minimum west and south side yard setback from an existing pole shed of +/- 45' resulting in a setback of +/- 5' where the minimum is 50'.

Minimum north side yard setback for an existing grain bin of +/- 35' resulting in a setback of +/- 15' where the minimum is 50'.

- This request is in pursuant to Section 307(4) 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 Lot 1 and Lot 2 of Rosewood Barn Lodge Addition in the SW 1/4 of Section 27, T 104N, R 62 W of the 5th P.M., Davison County, South Dakota.
- Acting director 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 but his son was. Discussion included that the applicant is parceling off Lot 1 for his son to purchase the residence and Lot 2 was described by measurements, so he is platting it at the same time. All the variances in setbacks are from how the existing parcel got divided. There is no new construction.
- Commissioner Bode questioned if there was enough room between the new property lines and the buildings to which Patrick answered there is about 5' and enough room to do repairs on the buildings. There is access to the lodge from the north from Dale Kroupa's land. Also there will be separate water and utility hook-ups.
- 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 – aye, Thiesse – aye, Storm – absent, Bainbridge – absent, Bode – aye, Weitala – aye, Anderson – aye, motion carried.

13. Considered a Lot 1 and Lot 2 of Rosewood Barn Lodge Addition in the SW 1/4 of Section 27, T 104N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Mark Meier.

- Acting administrator Jenniges gave an explanation of the plat.
- The applicant was not present to answer questions but his son was. This plat goes along with item #12 on the agenda. The original parcel was described by measurements so when he was parceling off Lot 1 for his son, I convinced the applicant it would be wise to plat 2 at the same time. An Ag Covenant will be filed at the same time of the plat.
- Motion by Dave Anderson, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – absent, Bode – aye,

Weitala – aye, Anderson – aye, motion carried.

14. That Perry Luna has appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size of +/- 20 acres resulting in a lot size of +/- 5 acres, where the minimum lot size 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 Lot 1 of Luna's Addition in the S 1/2 of the SE 1/4 of Section 9, T 102N, R 62 W of the 5th P.M., Davison County, South Dakota.
 - Acting director 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 the applicant is purchasing the land from his in-laws to build a residence on. Access will be from the south, not 397th Ave. He has talked to the township about maintaining the road to get to his driveway. There is a gully that he will have to cross with either a culvert or a bridge, but where he intends to build there is no floodplain.
 - After consideration of the 1106 B-Variations, a motion by Kim Weitala, 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 – absent, Bode – aye, Weitala – aye, Anderson– aye, motion carried.
15. Considered a Lot 1 of Luna's Addition in the S 1/2 of the SE 1/4 of Section 9, T 102N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Perry Luna.
 - Acting administrator Jenniges gave an explanation of the plat.
 - The applicant was not present to answer questions. This plat goes along with item #14 on the agenda. An Ag Covenant will be filed at the same time of the plat.
 - Motion by Steve Thiesse, seconded by Kim Weitala, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – absent, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
16. That Jason Brown has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to construct a manufactured home Rural Estates District.
 - This request is in pursuant to Section 504(13) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot 2 of W & J Edinger's 1st Addition in the SW 1/4 of Section 15, T 103 N, R 62 West of the 5th P.M., South Dakota.
 - Acting director 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 neighbor calling in with no issues about it.
 - The applicant was present to answer questions. Discussion included Jason has purchased the property and would like to construct a manufactured home on it with an attached garage. He has purchased the manufactured home already and it is waiting in Sioux Falls for him. He has contacted rural water and an electric company already regarding utilities. Ingress/egress will be through the easement

filed on the plat which is from the north, no new approaches will be approved for this development.

- Chair Haines asked if it still has a title on it to which the answer is yes and that is what makes it the manufactured home instead of a modular home. It gets tags and taxes just like a vehicle would.
 - 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 to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – absent, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
17. Considered a Tracts 1, 2, and 3 of JRJ Addition in the SE 1/4 of Section 32, T 103N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Marjean & James Lovrien.
- Acting administrator Jenniges gave an explanation of the plat.
 - The applicant was not present to answer questions but Ronnie Long was. They are doing some estate planning and breaking the parcel into 3 tracts. The sisters get the farm ground and Ronnie gets the pasture area.
 - Chairman Haines saluted the family for doing the estate planning now and planning ahead.
 - Motion by Steve Thiesse, seconded by Kim Weitala, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – absent, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
18. Considered a Plat of A & M Tract 2, in the SE 1/4 of the SW 1/4 of Section 15, T 101N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Aaron Gerlach.
- Acting administrator Jenniges gave an explanation of the plat.
 - The applicant was present to answer questions. The applicant is purchasing the land from Garvis's, the applicant owns A & M Tract 1 to the south of the proposed Tract 2. There is an easement on page 3 of the plat.
 - Chairman Haines gave a history of Tract 1 and applauded the Gerlach's for what they have done with the land.
 - Motion by Kim Weitala, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – absent, Bainbridge – absent, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
19. Additional Comments from the Group-None.
20. Set date and time for next meeting – July 6, 2021 @ 7:00 P.M.
21. At 8:18 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

Mark Jenniges

Acting Director of Planning & Zoning



Davison County Planning & Zoning and Emergency Management
200 E. 4th Ave.
Mitchell, SD 57301-2631
Phone (605) 995-8615
Fax (605) 995-8642



PLANNING COMMISSION MINUTES

July 6, 2021

1. Chairman Haines called the meeting to order at 7:00 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
 - Present: Bruce Haines, Steve Thiesse, Brenda Bode, Lewis Bainbridge, Kim Weitala, Jeff Bathke,
 - Absent: Dave Anderson, Charles Storm.
 - Guests: Pat Hohbach, Brett Hohbach, Travis Strand, and Chuck Mauszycki.
3. Consider the proposed agenda.
 - Motion by Steve Thiesse, seconded by Kim Weitala, to approve the proposed agenda. All members voted aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the proposed June 1, 2021 Minutes.
 - Motion by Brenda Bode, seconded by Steve Thiesse, to approve the June 1, 2021 proposed minutes. All members voted aye, motion carried.
6. Public input for items not on the agenda-none.
7. Considered a Lots 8 and 10 of Park Acres First Addition in the NE 1/4 of Section 6, T 103N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of CJM Consulting Inc.
 - Administrator Bathke gave an explanation of the plat.
 - The applicant was present to answer questions. This plat is located within the ETJ and was approved by the city on June 21, 2021. The applicant is selling the two lots to one of the current landowners to allow for more yard area.
 - 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.
8. Considered a Lots 3 and 4 of AJB Subdivision in the NE 1/4 of Section 12, T 103N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Aaron Baas.
 - Administrator Bathke gave an explanation of the plat.
 - The applicant was not present to answer questions. The applicant has previously platted Lot 1 & Lot 2. This plat is for Lot 3 and Lot 4. The applicant is retaining Lot 3 and selling Lot 4 to the neighbors. There is an easement pending approval in Hanson County to access Lot 4 along the south and west border of the Hanson County Parcels, which is included in the packet as a reference. This plat was also approved at the Mitchell City Council on July 6, 2021, due to being in the ETJ.
 - 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.

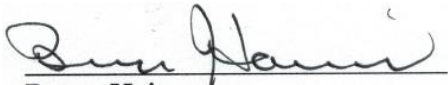
9. Considered a Plat of Lots B, C, D and E of Hohbach's Addition in the NE 1/4 of Section 31, T 103N, R 62 W of the 5th P.M., Davison County, South Dakota; at the request of Patricia Hohbach.
 - Administrator Bathke gave an explanation of the plat.
 - The applicant was present to answer questions. The applicant is platting the land for estate planning. Lot D will be sold in the future for a residence, but the parcel is over the 25 acre minimum. Access was discussed, which is sufficient for the current and future plans.
 - Motion by Brenda Bode, 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.
10. That Austin & Lyndsie Schoenfelder have appealed to the Davison County Planning Commission to recommend granting a variance in minimum lot size of +/- 16 acres resulting in a lot size of +/- 9 acres, where the minimum lot size 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 Tract 3 of Roeder's Addition, previously platted tract 1 & 2 (now vacated), all in the NE 1/4 of the NW 1/4 of Section 28, T 102N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Adiminstrator Bathke 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 the applicant is purchasing the land from a family member. Tract 1 was granted a variance in 2019. Tract 2 was approved in May of 2021. Due to financing, the applicant is requesting to vacate Tract 1 and Tract 2 and create a new Tract 3 of 9 acres. The Commission had no concerns with the plan. They did question the business currently being operated on the property, which will be checked by Planning & Zoning.
 - After consideration of the 1106 B-Variances, a motion by Lewis Bainbridge, seconded by Kim Weitala, to recommend approval of the Variance 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. Considered a plat of Tract 3 of Roeder's Addition, previously platted tract 1 & 2 (now vacated), all in the NE 1/4 of the NW 1/4 of Section 28, T 102N, R 61 W of the 5th P.M., Davison County, South Dakota; at the request of Austin & Lyndsie Schoenfelder.
 - Administrator Bathke gave an explanation of the plat.
 - The applicant was not present to answer questions. This plat is goes along with item #10 on the agenda. There were no additional comments.
 - 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. Additional Comments from the Group-

- This MVEDG will be presenting a planned development at a future meeting. They have requested input from the Planning Commission prior to the official application and proposed platting. MVDC Vice-President Travis Strand was available to answer questions. Discussion included having a plan for electrical, water, and septic systems. Also, the road is planned to be on the east side of the trees. The MVDC may request a second driveway on the north end to allow for better traffic flow of vehicles such as school buses, ambulance, fire trucks, etc. The plat will be required to have an Agriculture Covenant. The Planning Commission also recommended the MVDC create covenants for the lots and an HOA to fund repair and maintenance of the private driveway.

13. Set date and time for next meeting – August 3, 2021 @ 7:00 P.M.

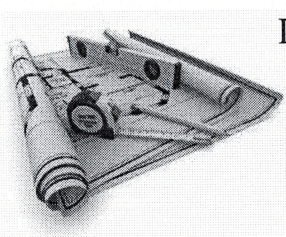
14. At 7:49 P.M., a motion by Lewis Bainbridge seconded by Steve Thiesse to adjourn the meeting. All members voted aye, motion carried.



Bruce Haines
Planning Commission Chairperson



Jeff Bathke
Director of Planning & Zoning



Davison County Planning & Zoning and Emergency Management
200 E. 4th Ave.
Mitchell, SD 57301-2631
Phone (605) 995-8615
Fax (605) 995-8642





PLANNING COMMISSION MINUTES

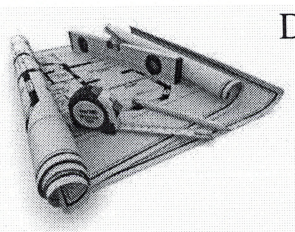
August 3, 2021

1. Chairman Haines called the meeting to order at 7:00 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
 - Present: Bruce Haines, Steve Thiesse, Brenda Bode, Lewis Bainbridge, Kim Weitala, Charles Storm, Dave Anderson, Jeff Bathke.
 - Absent: None.
 - Guests: None.
3. Consider the proposed agenda.
 - Motion by Brenda Bode, seconded by Kim Weitala, to approve the proposed agenda. All members voted aye, motion carried.
4. Declare conflicts of interest-none.
5. Consider the amended July 6, 2021 Minutes.

Motion by Dave Anderson, seconded by Steve Thiesse, to approve the July 6, 2021 amended minutes. Under Item #12, MVDC was changed to MVEDG. All members voted aye, motion carried.
6. Public input for items not on the agenda-none.
7. Considered a Plat of Lot 1, Land of Sand Addition in the West 1/2 of the NW 1/4 of Section 28, T 102N, R 60 W of the 5th P.M., Davison County, South Dakota; at the request of Glenn Riggs.
 - Administrator Bathke gave an explanation of the plat.
 - The applicant was not present to answer questions. The applicant is trading the parcel to Roger Riggs for a parcel near Ethan. If this will be used for a residence in the future, a variance in lot size application will need to be approved prior to issuing a building permit. At this time, there are no plans.
 - 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.
8. Additional Comments from the Group-
 - None
9. Set date and time for next meeting – September 7, 2021 @ 7:00 P.M.
10. At 7:42 PM, a motion by Charles Storm seconded by Lewis Bainbridge to adjourn the meeting. All members voted aye, motion carried.


Bruce Haines
Planning Commission Chairperson


Jeff Bathke
Director of Planning & Zoning



Davison County Planning & Zoning and Emergency Management
200 E. 4th Ave.
Mitchell, SD 57301-2631
Phone (605) 995-8615
Fax (605) 995-8642



PLANNING COMMISSION MINUTES
September 7, 2021

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

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

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

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

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

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

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

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

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

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

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

- Administrator Bathke gave an explanation of the plat.
- The applicant was not present to answer questions. However, his parents were, who will be receiving the land. This plat goes with the variance just discussed and there was no further discussion.
- Motion by Brenda Bode, seconded by Dave Anderson, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye,
Weitala – aye, Anderson – aye, motion carried.

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

- Administrator Bathke gave an explanation of the plat.

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



Bruce Haines
Planning Commission Chairperson



Jeff Bathke
Director of Planning & Zoning

PLANNING COMMISSION MINUTES
November 2, 2021

1. Chairman Haines called the meeting to order at 7:00 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
 - Present: Bruce Haines, Steve Thiesse, Charles Storm, Brenda Bode, Kim Weitala, Dave Anderson, Jeff Bathke, & Karen Wegleitner
 - Absent: Lewis Bainbridge.
 - Guests: Rick Kroll (Midco), Gary Schlaffman, Brandon Cazer, Ron & Cherie Scheich, & Mel Fischer.
3. Consider the amended agenda.
 - Motion by Brenda Bode, seconded by Steve Thiesse, to approve the amended agenda. All members voted aye, motion carried. The agenda was amended to remove the Johnson Plat, which was item 12, and add the Cazer plat, which is now item 12.
4. Declare conflicts of interest. Hearing none, the meeting continued..
5. Consider the previous minutes.
 - Motion by Steve Thiesse, seconded by Kim Weitala, to approve the September 7, 2021 proposed minutes. All members voted aye, motion carried
6. Public input for items not on the agenda. Hearing none, the meeting continued.
7. At the request of Austin Schoenfelder, dba Schoenfelder Portables, consider recommending approval of a Conditional Use Application for a Portable Toilet Business in the Agricultural District. This request is located in Tract 3 of Roeders Addition, previously platted Tract 1 & 2 (now vacated), all in the NE 1/4 of the NW 1/4 of Section 28, T 102N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Administrator Bathke gave an explanation of the Conditional Use Permit. The applicant was not present to answer questions. This Conditional Use Application is requested as Mr. Schoenfelder has recently purchased the property and would like to operate his portable toilet business at the same location.
 - Mr. Schoenfelder has purchased a pump truck and several portable toilets.
 - The discussion included the concerns of where the toilets will be cleaned, which is at the job site and not on the farmstead. Discussion also included where the sewage will be disposed, which is at the Mitchell Sewage Treatment plant.
 - Motion by Dave Anderson, seconded by Kim Weitala, to recommend approval of the Conditional Use to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Storm – aye, Bainbridge – absent, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
8. At the request of Midco, on land owned by POET, consider recommending approval of a Conditional Use Application to construct a tower in the Agricultural District. This request is located in Tract 2 of the NE 1/4 of Section 24, T 104N, R 61 W of the 5th P.M., Davison County, South Dakota.
 - Administrator Bathke gave an explanation of the Conditional Use Permit. The applicant was present to answer questions. This Conditional Use Application is requested as Midco would like to construct a 150' monopole tower to provide high-speed internet to the area.
 - The discussion included the existing tower to the west of the proposed tower, the tower will be considered permanent, but can be removed if needed at the end of the lease. The life span of the tower is over 50 years. The tower is a single galvanized

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

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

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

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

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

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

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

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

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

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



Bruce Haines
Planning Commission Chairperson



Jeff Bathke
Director of Planning & Zoning

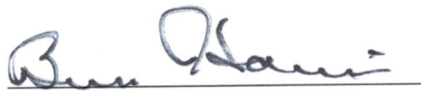
PLANNING COMMISSION MINUTES


December 7, 2021

1. Chairman 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, Lewis Bainbridge, Charles Storm, Brenda Bode, Kim Weitala, Dave Anderson, Jeff Bathke, & Karen Wegleitner
 - Absent: Steve Thiesse.
 - Guests: Charlie & Wanda Kobes, Bob & Kayleen Lee, Steve Gerlach, Dale Kroupa, Rich Mueller, Brian Eliason, Matt Buenzow, & Jason Nedved.
3. Consider the amended agenda.
 - Motion by Charles Storm, seconded by Dave Anderson, to approve the amended agenda. All members voted aye, motion carried. The agenda was amended to add the two Brtna plats.
4. Declare conflicts of interest. Hearing none, the meeting continued..
5. Consider the previous minutes.
 - Motion by Dave Anderson, seconded by Kim Weitala, to approve the November 2, 2021 proposed minutes. All members voted aye, motion carried
6. Public input for items not on the agenda. Hearing none, the meeting continued.
7. Consider a Plat of Lot C of Earl's Subdivision in the NW1/4 of Section 27, T 103 N, R 62 West of the 5th P.M., Davison County, South Dakota; at the request of Dale Kroupa. This request is located in NW1/4 of Section 27, T 103N, R 62 W of the 5th P.M., Davison County, South Dakota.
 - Administrator Bathke gave an explanation of the Plat Proposal. The applicant was present to answer questions. The applicant is platting land to be sold to the abutting property owner who lives in the residence nearby. There were no issues, and minimal concerns or comments.
 - Motion by Charles Storm, seconded by Lewis Bainbridge, to recommend approval of the Plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – absent, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
8. Consider a variance of +/- 8.5', creating a setback of 1.5' from the west property line, where the minimum rear yard setback is 10' in the Agricultural Residential District & +/- 8', creating a setback of 2' from the north property line, where the minimum side yard setback is 10' in the Agricultural Residential District; at the request of Charles Sr. & Wanda Kobes. This request is located in Lot A-2 of the SE1/4 of Section 15, T 102N, R 60 W of the 5th P.M., Davison County, South Dakota.
 - Administrator Bathke gave an explanation of the Variance Application. The applicant was present to answer questions. Discussion included verification of the setbacks to ensure they were 1.5' from the west & 2' from the north property lines. Kobes' were informed the measurements are from the outside of the gutters/downspouts. Kobes' discussed building a bigger garage provides more storage for equipment, cars, & a workspace for projects and would eliminate the need for renting a storage shed. Kobes' were asked about building in the front, but they would like to preserve the front yard.
 - Bob & Kayleen Lee (abutting neighbors) were also present to address concerns. The Lees are concerned about the gargae going over the property line and would like a

- Motion by Dave Anderson, seconded by Charles Storm, to recommend approval of the Plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – absent, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
12. Considered a Plat of Lot 4A, of Circle K Ranch First Addition, a subdivision of an un-platted portion of the SE1/4 of Section 6 and all of previously platted Lot 4, of Circle K Ranch First Addition in the SE1/4 of Section 6, all in T 103 N, R 60 West of the 5th P.M., Davison County, South Dakota; at the request of Circle K Ranch, Inc. This request is located in SE1/4 of Section 6 and all of previously platted Lot 4, of Circle K Ranch First Addition in the SE1/4 of Section 6, all in T 103N, R 60 W of the 5th P.M., Davison County, South Dakota.
- Administrator Bathke gave an explanation of the Plat Proposal. The applicant was present to answer questions. Discussion included the property is a shelterbelt and will be sold to the abutting property owner.
 - Motion by Dave Anderson, seconded by Brenda Bode, to recommend approval of the Plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – absent, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
13. Considered a Plat of Lot 4A, Block 2 of Circle K Ranch Second Addition, a subdivision of an un-platted portion of the SE1/4 of Section 6 and all of previously platted Lot 4, Block 2 of Circle K Ranch Second Addition in the SE1/4 of Section 6, all in T 103 N, R 60 West of the 5th P.M., Davison County, South Dakota; at the request of Circle K Ranch, Inc. This request is located in SE1/4 of Section 6 and all of previously platted Lot 4, Block 2 of Circle K Ranch Second Addition in the SE1/4 of Section 6, all in T 103 N, R 60 West of the 5th P.M., Davison County, South Dakota.
- Administrator Bathke gave an explanation of the Plat Proposal. The applicant was present to answer questions. Discussion included the property is a shelterbelt and will be sold to the abutting property owner.
 - Motion by Kim Weitala, seconded by Brenda Bode, to recommend approval of the Plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – absent, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
14. Consider a Conditional Use Application to operate a Federal Firearms Sales in the Agriculture Residential District; at the request of Jason Nedved, on land owned by Steve & Nancy Nedved. This request is located in S1/2 of the NE1/4 of the SE1/4 ex Tract 1 Nedved Addition & S1/2 of the NE1/4 of the SE1/4 of Section 8, T 102 N, R 60 West of the 5th P.M., Davison County, South Dakota.
- Administrator Bathke gave an explanation of the Conditional Use Application. The applicant was present to answer questions. Discussion included if this met the criteria for a home occupation. Motioned by Anderson and died for lack of second, due to the possibility of noise from gunfire, it does not. The operation will be inspected by the ATF to get the FFL. He will not have an excessive inventory. His operation will be more ordering of specific weapons. The property has several security cameras.
 - Motion by Brenda Bode, seconded by Charles Storm, to recommend approval of the Conditional Use to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – absent, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.

15. Considered a Plat of Lot 1 of Brtna's 1st Addition, in the SE1/4 of Section 11, T 104 N, R 61 West of the 5th P.M., Davison County, South Dakota; at the request of Joe Brtna. This request is located in the SE1/4 of Section 11, T 104 N, R 61 West of the 5th P.M., Davison County, South Dakota.
- Administrator Bathke gave an explanation of the Plat Proposal. The applicant was not present to answer questions. Discussion included Mr. Brtna has requested a building permit, and the property is currently described by measurements.
 - Motion by Lewis Bainbridge, seconded by Dave Anderson, to recommend approval of the Plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – absent, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
16. Considered a Plat of Lot 1 of Janice's 1st Addition, in the SW1/4 of the NW1/4 of Section 15, T 104 N, R 61 West of the 5th P.M., Davison County, South Dakota; at the request of Joe Brtna. This request is located in the SW1/4 of the NW1/4 of Section 15, T 104 N, R 61 West of the 5th P.M., Davison County, South Dakota.
- Administrator Bathke gave an explanation of the Plat Proposal. The applicant was not present to answer questions. Discussion included Mr. Brtna is platting the property due to it currently being described by measurements.
 - Motion by Brenda Bode, seconded by Dave Anderson, to recommend approval of the Plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – absent, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, Anderson – aye, motion carried.
17. Additional Comments from the Group
- None
18. Set date and time for next meeting – January 4, 2022 @ 1:15 P.M.
19. At 2:30 P.M., a motion was made by Kim Weitala seconded by Dave Anderson to adjourn the meeting. All members voted aye, motion carried.


Bruce Haines
Planning Commission Chairperson


Jeff Bathke
Director of Planning & Zoning