



Davison County Planning & Zoning
200 E. 4th Ave.
Mitchell, SD 57301-2631
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PLANNING COMMISSION AGENDA
December 5, 2023

1. Call to order at 1:15 P.M. by Chairman Haines.
2. Roll Call.
3. Approve the agenda.
4. Declare conflicts of interest.
5. Approve the November 7, 2023, Minutes.
6. Public input for items not on the agenda, no action will be taken.
7. Consider a variance application requested by David & Brenda Rauscher of:
 1. +/- 55', creating a setback of +/- 20' from the proposed shed to the east property line, where the minimum front yard setback is 75' in the Agricultural Residential District.
8. Additional comments from the group.
9. Set date and time for next meeting – January 2, 2024 @ 1:15 P.M.
10. Adjournment.

Karen Wegleitner

Karen Wegleitner
Deputy Director of Planning & Zoning

PLANNING COMMISSION MINUTES

November 7, 2023

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, Ray Gosmire, Chris Nebelsick, & Karen Wegleitner.
 - Absent: Lewis Bainbridge, Mike Blaalid & Jeff Bathke.
 - Guests: Dustin & Brooke Brummett, Daniel Mueller, Dale Moke & Robert Lee.
3. Consider the amended agenda. Added agenda items # 10 & 11.
 - Motion by Chris Nebelsick, seconded by Dave Anderson, to approve the amended agenda. All members voted aye, motion carried.
4. Declare conflicts of interest. None.
5. Consider the previous minutes. Motion by Steve Thiesse, seconded by Dave Anderson, to approve the October 3, 2023 proposed minutes. All members voted aye, motion carried.
6. Public input for items not on the agenda. Hearing none, the meeting continued.
7. Consider an application to amend an existing Conditional Use Permit for vehicle sales & repair shop in the Agricultural Residential District; requested by Dustin Brummett. This request is located in Lots 9 & 10 of Collwell's Corner in the SW1/4 of Section 14, T 102 N, R 60, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the conditional use application. The applicant was present to answer questions.

Discussion: Dustin Brummett would like to amend his current Conditional Use Permit granted on September 27, 2005, to expand his business onto Lot 9 of Collwell's Corner to construct a body shop and amend the conditions. His current Conditional Use Permit is for Lot 10 of Collwell's Corner with 5 conditions, maximum of 2 employees other than family, maximum of 5 unlicensed vehicles outside, limit on cars for sale is 10, and not parked along Hwy 37, permit not transferable to any other operator, & rodent control. Dustin explained starting a body shop is vital with what he does now. He is very limited on space, and he is subletting work which is not cost effective. He is asking to remove the limit of employees he is allowed to have, the number of vehicles for sale from 10 to 20, and the condition that his permit is nontransferable. The current conditions limit the growth of his business, which has been around for 19 years. With the expansion he will not be offering tow services.

There were concerns from an abutting neighbor about what the property will look like in the future, selling their house with parts and cars sitting around, and if a buffer could be put in place. Another neighbor commented on how Dustin is doing a good job cleaning up his property, has no traffic issues and doesn't have a lot of cars for sale. Dustin explained there will be inside storage for vehicles waiting extended periods of time on parts or insurance approval. Vehicles being worked on will be moved inside at the end of the day. He has plans for the Conservation District to plant trees in the Spring of 2024 and has no issues with planting trees on the south property line of Lot 9 for a buffer as he would prefer trees over a fence.

The main concern the board discussed was how to make sure the property doesn't become a nuisance without disrupting Dustin's business. They asked if he was able to put the building back by 30' to help the view of his neighbor to the south. Dustin explained he picked the proposed location due to utilities already present and the garage would block the view more than if he would move the building.

There was a motion to amend the September 27, 2005 Conditional Use Permit to add Lot 9 of Colwells Corner and amend the following conditions **from** there may be a maximum of 2 employees other than family, there may be a maximum of 5 unlicensed vehicles outside, the limit on cars for sale is 10, and the vehicles for sale are not to be parked along Hwy 37, the permit is not transferable to any other operator, & there will be adequate rodent control **to** there may be a maximum of 5 unlicensed vehicles outside, The limit on cars for sale is 20 with no consignment & add buffer of trees to the south property line of Lot 9 of Colwells Corner.

- Motion by Chris Nebelsick, seconded by Steve Thiesse, to recommend approval of the Conditional Use Permit to the Board of Adjustment.

Roll call vote:

Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – absent, Nebelsick – aye, Bhaalid – absent, Anderson – aye, motion carried.

8. Consider a variance application requested by Daniel & Kara Mueller of:
 1. +/- 12', creating a setback of +/- 38' from the shed to the north property line, where the minimum side yard setback is ' in the Ag District.
 2. +/- 29', creating a setback of +/- 21' from the shed to the west property line, where the rear yard setback is 50' in the Ag District.

This request is located in SE1/4 of the SW1/4 & S1/2 of the SE1/4 & Lot B in the SE1/4, less Lot H-1 & Tract 1 of Danny's Addition of Section 4, T 101 N, R 62, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the variance application. The applicant was present to answer questions.

Discussion: Daniel & Kara Mueller decided to add more land and instead of replatting Tract 1, they platted out another Tract due to the financing on Tract 1. There are no landlock issues as an easement was added on Tract 1 to have access to Tract 2.

- Motion by Steve Thiesse, seconded by Ray Gosmire, to recommend approval of the Variance Permit to the Board of Adjustment.

Roll call vote:

Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – absent, Nebelsick – aye, Bhaalid – absent, Anderson – aye, motion carried.

9. Consider a Plat of Tract 2 of Danny's Addition in Lot B of the SE1/4 of Section 4, T 101 N, R 62, W of the 5th P.M., Davison County, South Dakota; at the request of Daniel & Kara Mueller.

This request is located in SE1/4 of the SW1/4 & S1/2 of the SE1/4 & Lot B in the SE1/4, less Lot H-1 & Tract 1 of Danny's Addition of Section 4, T 101 N, R 62, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the plat proposal. The applicant was present to answer questions.

Discussion: No concerns or comments on 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, Gosmire – aye, Bainbridge – absent, Nebelsick – aye, Blaalid – absent, Anderson – aye, motion carried.

10. Consider a Plat of Tract 1 of Stacy's Additon in the NE1/4 of Section 20, T 101 N, R 60, W of the 5th P.M., Davison County, South Dakota; at the request of Mark Endres. This request is located in E.835.40' of S.766.32' of N.1823.87' of NE1/4 of Section 20, T 101 N, R 60, W of the 5th P.M., Davison County, South Dakota. Deputy Adminstrator Wegleitner gave an explanation of the plat proposal. The applicant was not present to answer questions.

Discussion: Mark Endres would like to build a shed but needs to Plat out land before issuing a building permit due to parcel described by measurements.

- Motion by Chris Nebelsick, seconded by Dave Anderson, to recommend approval of the Plat to the County Commissioners.

Roll call vote:

Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – absent, Nebelsick – aye, Blaalid – absent, Anderson – aye, motion carried.

11. Consider a Plat of Lot A of Jerry's Additon in the NW1/4 of Section 29, T 103 N, R 60, W of the 5th P.M., Davison County, South Dakota; at the request of Jerry Claseman. This request is located in Lot 6 in the NW1/4 of Section 29, T 103 N, R 60, W of the 5th P.M., Davison County, South Dakota. Deputy Adminstrator Wegleitner gave an explanation of the plat proposal. The applicant was not present to answer questions.

Discussion: The applicant is platting out Lot A for his daughter. The proposed new parcel is in city jurisdiction and will follow their ordinance.

- Motion by Chris Nebelsick, seconded by Dave Anderson, to recommend approval of the Plat to the County Commissioners.

Roll call vote:

Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – absent, Nebelsick – aye, Blaalid – absent, Anderson – aye, motion carried.

12. Additional Comments from the Group

- None

13. Set date and time for next meeting – December 5, 2023 @ 1:15 P.M.

14. At 8:15 PM, a motion was made by Dave Anderson, seconded by Chris Nebelsick, to adjourn the meeting. All members voted aye, motion carried.

Bruce Haines
Planning Commission Chairperson

Karen Wegleitner

Karen Wegleitner
Deputy Director of Planning & Zoning



Dale & Ruth Thomas

+/- 55' creating a setback of +/- 20' from the proposed shed to the east property line

RIVER BLUFF RD

30'

David & Brenda Rauscher

12

David & Brenda Rauscher

RIVER BLUFF RD

411 AVE

N GALE RD

Dennis & Sheryl Leland

AMTOWER