

## PLANNING COMMISSION MINUTES

January 3, 2024

1. Auditor Kiepke called the meeting to order at 1:15 P.M.
2. Election of 2024 Planning Commission Officers.
  - Auditor Kiepke called for nominations of Chairperson. Lewis Bainbridge nominated Bruce Haines, Mike Blaalid second the nomination. Ray Gosmire called to cease nominations and cast a unanimous vote, seconded by Lewis Bainbridge. Hearing no other nominations, Bruce Haines was unanimously voted as Chairperson.
  - Auditor Kiepke called for nominations of Vice Chairperson. Chris Nebelsick nominated Steve Thiesse, Mike Blaalid second the nomination. Chris Nebelsick called to cease nominations and cast a unanimous vote, seconded by Ray Gosmire. Hearing no other nominations, Steve Thiesse was unanimously voted as Vice Chairperson.
  - Auditor Kiepke turned the meeting over to the Chairperson.
3. Roll call-quorum is met, simple majority vote required for all items.
  - Present: Bruce Haines, Steve Thiesse, Lewis Bainbridge, Ray Gosmire, Mike Blaalid, Chris Nebelsick, Jeff Bathke & Karen Wegleitner.
  - Absent: Dave Anderson.
  - Guests: Jason Nedved, Mark Herbst, Chris Wilson, Gary Kingsbury, Darold Roth, Gene Stehly, & Melisa Crago.
4. Consider the proposed agenda.
  - Motion by Chris Nebelsick, seconded by Ray Gosmire, to approve the proposed agenda. All members voted aye, motion carried.
5. Declare conflicts of interest. None.
6. Consider the previous minutes. Motion by Mike Blaalid, seconded by Chris Nebelsick, to approve the December 5, 2023 proposed minutes. All members voted aye, motion carried.
7. Public input for items not on the agenda. Hearing none, the meeting continued.
8. Consider a Conditional Use application for the expansion of an existing concentrated animal feeding operation from 960 animal units to 1,920 animal units in the Agricultural District; at the request of Ryan Storm.

This request is located in SE1/4 of Section 19, T 101 N, R 61, W of the 5<sup>th</sup> P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Conditional Use application. The applicant called in to answer questions.

**Discussion:** Ryan Storm would like to build two more barns on the proposed location to expand his existing CAFO and is in the process of obtaining a state permit. The dough out shown on Ryan's property has been filled in and the natural drainage way will be maintained and unaltered.

Mark Herbst, an abutting neighbor, addressed his concerns about building on proposed land instead of existing location, snow drifts on 401st Ave. and building next to a blue line creek. Ryan explained building on the new location instead of existing is for disease resistance and the placement of the barns is to conserve agricultural producing land as the land in the corner is not typically farmed. He believes snow drifts will not be an issue as the barns will be far enough back and they will take care of any snow. Ryan stated the

creek in question was not a concern from the office he spoke to, and the drainage will not be changed or effected.

The board was curious if the barns could be positioned north and south but due to air ventilation barns are usually placed east and west. Davison County Ordinance does not have setbacks for water classified as a blue line, but for drinking water supply and fisheries. The board would like DANR to determine the classification of the creek in question.

- Motion by Lewis Bainbridge, seconded by Chris Nebelsick, to recommend approval of the Conditional Use Permit to the Board of Adjustment subject to the determination of the classification of the creek in question by DANR.

**Roll call vote:**

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

9. Consider a Variance application for the expansion of an existing concentrated animal feeding operation requested by Ryan Storm of:

1. +/- 200', creating a side yard setback of +/- 100' from the proposed finishing barn on the north side, where the required setback is 300'.
2. +/- 200', creating a front yard setback of +/- 100' from the proposed finishing barn on the east side, where the required setback is 300'.

This request is located in SE1/4 of Section 19, T 101 N, R 61, W of the 5<sup>th</sup> P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Variance application. The applicant called in to answer questions.

**Discussion:** The proposed 100' setbacks are to preserve agricultural producing land. The board asked if 401st Ave. is a bus route, who maintains the road and is there a road agreement in place. Ryan believes 401st Ave. is not a bus route, the county takes care of 401st Ave., and there is no road agreement due to the size of the operation. The board asked if trees will be planted around the barns, but Ryan has no intentions of doing so to help with air flow. The idea for now is to plant grass and put it up for hay. Mark Herbst still has concerns of snow drifts. There is a shelterbelt a quarter mile to the north and to the northwest of the barns there are native grasses that will help stop some of the snow from drifting.

- 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 – aye, Nebelsick – aye, Blaallid – aye, Anderson – absent, motion carried.

10. Consider a Variance application requested by Gene & Craig Stehly of:

1. +/- 18 acres, creating a lot size of +/- 7 acres, where the minimum lot size is 25 acres for a residence in the Agricultural District.

This request is located in NW1/4 of Section 34, T 104 N, R 61, W of the 5<sup>th</sup> P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Variance application. The applicant was present to answer questions.

**Discussion:** Gene Stehly is platting out 7 acres for future development. The proposed 7 acres and surrounding land is owned by family.

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

**Roll call vote:**

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

11. Consider a Plat of Tract 1 of Gene's Addition in the NW1/4 of Section 34, T 104 N, R 61, West of the 5th P.M., Davison County, South Dakota; at the request of Gene & Craig Stehly.

This request is located in NW1/4 of Section 34, T 104 N, R 61, W of the 5<sup>th</sup> P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Plat proposal. The applicant was present to answer questions.

**Discussion:** The Plat will have access for an approach off 403rd Ave. Approval of the approach will need to come from the county. No comments or concerns on the Plat.

- Motion by Mike Blaalid, seconded by Ray Gosmire, to recommend approval of the Plat to the County Commissioners.

**Roll call vote:**

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

12. Consider a Plat of Tract 1A of Nedved Addition in the NE1/4 of the SE1/4 of Section 8, T 102 N, R 60 W of the 5th P.M. Davison County, South Dakota; at the request of Jason & Aaryona Nedved.

This request is located in Tract 1 of Nedved Addition in the NE1/4 of the SE1/4 of Section 8, T 102 N, R 60, W of the 5<sup>th</sup> P.M., Davison County, South Dakota.

Deputy Administrator Wegleitner gave an explanation of the Plat proposal. The applicant was present to answer questions.

**Discussion:** Jason Nedved is replating his land to build a new shed. The proposed location will be built over a property line and to comply with our Ordinance, he is replating to add land and to vacate the problem property line.

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

**Roll call vote:**

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

13. Consider a Conditional Use application to construct and operate an indoor shooting range in the Agricultural Residential District; at the request of Firesteel Sportsman Club.

This request is located in SW1/4 of Section 19, T 103 N, R 60, W of the 5<sup>th</sup> 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:** Firesteel Sportsman Club would like to build a new indoor shooting range for rifles on land owned by Davison County. Gary Kingsbury was present to represent Firesteel Sportsman Club and is part of the Davison Shooting Club which is located near the proposed new shooting range. Gary explained they are looking at about a 350' building going east and west and about 50' wide with anywhere from 4 to 8 lanes. They haven't looked at any designs as they are concentrating on different backstops. He is unsure if the new building will be attached to the Davison Shooting Club, but any design they are looking at will go to commission for approval. The only thing stopping them from attaching the building is the septic tank on the southwest side of the Davison Shooting Club. They are looking at building a tin building. The board was curious if any

grants are available, and Gary said there are some available they are looking into. The board questioned if the rodeo grounds to the north are utilized and if anyone uses the entrance that cuts between the trees. Gary believes the rodeo grounds are still in use, but he hasn't seen anyone use the entrance since the Davison Shooting Club was build 30 years ago. The board asked if Firesteel Sportsman Club will meet with the 4-H Board with building location plans as they have plans as well and need to make sure everything lines up. The proposed application is being approved for a shooting range on the stated legal description and the proposed location on the land can be moved somewhere else on the stated legal description if needed. The board has concerns of bullets leaving the building as accidents do happen, but Gary stated they will have buffers inside the range.

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

**Roll call vote:**

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

14. Consider a Conditional Use application to allow an off-site sign; at the request of Mitchell Quarry.

This request is located in SW1/4 of Section 2, T 102 N, R 60, W of the 5<sup>th</sup> P.M., Davison County, South Dakota. Deputy Adminstrator Wegleitner gave an explanation of the Conditional Use application . The applicant was present to answer questions.

**Discussion:** Mitchell Quarry would like to put up an advertisement and directional sign on land owned by Marilyn Strand. The proposed sign would be around 7' x 21' with 2 to 3 posts and the height is unknown. They would like the sign to sit in the fence line going east and west with the sign facing north and west. Their goal is to be able to see the sign from Hwy 37 as they are unable to get space on Hwy 37. The board asked if the sign would be lighted. Mitchell Quarry stated the sign will be, but they don't know if they will ever use them due to hours of operation are during the daylight and their main goal is to attract truck drivers. Their sign will be slightly advertisement and to attract drivers who are already on their way. The board has concerns of the sign being seen with the incoming shelterbelts and grain bins from the soybean plant. We don't have a height requirement, but only a square footage requirement of 600 square feet.

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

**Roll call vote:**

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

15. Consider a Variance application requested by Mitchell Quarry of:

1. +/- 75', creating a setback of +/- 0' from the proposed sign to the south property line, where the minimum front yard setback is 75' in the Agricultural District.

This request is located in SW1/4 of Section 2, T 102 N, R 60, W of the 5<sup>th</sup> P.M., Davison County, South Dakota. Deputy Adminstrator Wegleitner gave an explanation of the Variance application . The applicant was present to answer questions.

**Discussion:** Mitchell Quarry and Strands would like to put their sign right in the fence line. DOT requires any sign off a state HWY to be 660' from the middle of the HWY and county requires any sign to be 75' from fence line. DOT contacted our office after

Mitchell Quarry submitted their application stating they will require an additional 10' of the R-O-W to the north for the incoming turning lane for the Soybean Plant. They sent me a preliminary plan showing the proposed sign will be in the way of the construction of the turning lane. Currently, the R-O-W is 33' and the additional 10' will make it 43'. The plan is only preliminary, and DOT could require more than 10'.

- Motion by Mike Blaalid, seconded by Chris Nebelsick, to recommend approval of the Variance Permit to the Board of Adjustment.

**Roll call vote:**

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

16. Consider a Plat of Lots 13 thru 21 and Meadows Court of Iverson's Addition, located in Lot B of the SE1/4 of Section 33, T 103 N, R 60, West of the 5th P.M., Davison County, South Dakota; at the request of Kyle & Melisa Crago.

This request is located in Lot B of the SE1/4 of Section 33, T 103 N, R 60, W of the 5<sup>th</sup> P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Plat proposal. The applicant was present to answer questions.

**Discussion:** Kyle & Melisa Crago are platting the rest of Lot B for their kids to build on and have no plans to sell the remaining lots. They have options for access to water.

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

**Roll call vote:**

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

17. Additional Comments from the Group

- None

18. Set date and time for next meeting – February 6, 2024 @ 1:15 P.M.

19. At 2:47 PM, a motion was made by Lewis Bainbridge, seconded by Ray Gosmire, to adjourn the meeting. All members voted aye, motion carried.

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Bruce Haines  
Planning Commission Chairperson

*Karen Wegleitner*

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Karen Wegleitner  
Deputy Director of Planning & Zoning