

## PLANNING COMMISSION MINUTES

March 5, 2024

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, Lewis Bainbridge, Dave Anderson, Ray Gosmire, Mike Blaalid, Chris Nebelsick, Jeff Bathke & Karen Wegleitner.
  - Absent: None.
  - Guests: Lance Olsen and Henry Bartscher.
3. Consider the proposed agenda.
  - Motion by Chris Nebelsick, seconded by Mike Blaalid, to approve the proposed agenda. All members voted aye, motion carried.
4. Declare conflicts of interest. None.
5. Consider the previous minutes. Motion by Dave Anderson, seconded by Steve Thiesse, to approve the February 6, 2024 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 variance application requested by Focus Land & Cattle LLC of:
  1. +/- 30', creating a setback of +/- 45' from the house to the north property line, where the front yard setback is 75' in the Agricultural Residential District.
  2. +/- 15.267 acres, creating a lot size of +/- 9.733 acres, where the minimum lot size is 25 acres for a residence in the Agricultural Residential District.

This request is located in N1/2 of the NE1/4 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 variance application. The applicant was not present to answer questions.

**Discussion:** Applicant bought the property with plans to Plat and sell the farmstead. The board discussed why have a 25 acres requirement if we allow under the required amount and how the required acres came about. This application falls under Section 4:07(1), which allows the acres to be a minimum of 3 acres due to the site being a farmstead. The board questioned why we are asking for setback variances if this is an existing farmstead, and it is due to the existing property lines being changed and creating a new parcel.

- Motion by Chris Nebelsick, 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 – nay, motion carried.

8. Consider a Plat of Tract 1 of Tupper's Addition in the NE1/4 of the NE1/4 of Section 8, T 102 N, R 60, West of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Focus Land & Cattle LLC.

This request is located in N1/2 of the NE1/4 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 not present to answer questions.

**Discussion:** The only concern was if the fence was in the right-of-way on 408<sup>th</sup> Ave., since it is a 100' right-of-way instead of 66' and the fence is on the applicant's property.

- 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 – aye, motion carried.

9. Consider a variance application requested by Lance & Larry Olsen of:
1. +/- 16.97 acres, creating a lot size of +/- 8.03 acres, where the minimum lot size is 25 acres for a residence in the Agricultural District.

This request is located in NE1/4 of Section 4, T 102 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:** Lance Olsen explained the house was built in 2002 and is their dad's current residence. They plan on selling the house in the future. The applicant farms the remaining ground surrounding the residence. He would like to keep the south access to the field for ease of access.

- Motion by Steve Thiesse, seconded by Chris Nebelsick, 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 – nay, motion carried.

10. Consider a Plat of Olsen Tract 1, a Subdivision of the NE1/4 of Section 4, T 102 N, R 61, West of the 5<sup>th</sup> P.M., Davison County, South Dakota; at the request of Lance & Larry Olsen. This request is located in NE1/4 of Section 4, T 102 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:** No concerns or comments on Plat.

- 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 – aye, motion carried.

11. Consider a variance application requested by Henry & Lesley Bartscher of:
1. +/- 20', creating a setback of +/- 30' from the proposed house to the north property line, where the side yard setback is 50' in the Agricultural District.
  2. +/- 25', creating a setback of +/- 50' from the proposed house to the east property line, where the front yard setback is 75' in the Agricultural District.
  3. +/- 24 acres, creating a lot size of +/- 1 acre, where the minimum lot size is 25 acres for a residence in the Agricultural District.
  4. +/- 4.556 acres, creating a lot size of +/- 20.444 acres, where the minimum lot size is 25 acres for a residence in the Agricultural District.

This request is located in S.56 Rods of the SE1/4 of the SE1/4 of Section 19, 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 variance application. The applicant was present to answer questions.

**Discussion:** Henry Bartscher had to Plat his land due to being described by measurements and decided to create a 1-acre lot for his son to place a house on. Achieving a 3-acre parcel was difficult due to the shape of his property, wanting to keep his shelterbelt and access to the other side of his property. The access off 260th street is too wet to use.

The board would like to see the house moved back to the 75' setback instead of the proposed 50' to the east property line. They are okay with the proposed 30' setback on the north side but would be difficult to add trees due to the distance between house and property line.

Henry explained the placement of the house is due to the waterway just west of the proposed house. Angling the house and garage will help maintain the 75' to the east and not mess with the waterway. Henry will have to determine if he will need a rear setback from the west due

to pushing the house back. He will measure and let us know before the Board of Adjustment meeting next Tuesday.

Henry explained there is a rural water line that goes through his property and the driveway will start from the southeast corner and curve up to the garage. He is unaware of any easements for the rural water line.

- Motion by Ray Gosmire, seconded by Steve Thiesse, to recommend approval of the Variance Permit with the recommendation to remove the variance of +/- 25', creating a setback of +/- 50' from the proposed house to the east property line, where the front yard setback is 75' in the Agricultural District to the Board of Adjustment.

**Roll call vote:**

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

12. Consider a Plat of Tract 1 and Tract 2 of Hank's Addition in the SE1/4 of the SE1/4 of Section 19, T 102 N, R 60, West of the 5th P.M., Davison County, South Dakota; at the request of Henry & Lesley Bartscher.

This request is located in S.56 Rods of the SE1/4 of the SE1/4 of Section 19, 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:** No concerns or comments on Plat.

- Motion by Chris Nebelsick, seconded by Lewis Bainbridge, 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 – aye, motion carried.

13. Additional Comments from the Group

- None

14. Set date and time for next meeting – April 2, 2024 @ 7:00 P.M.

15. At 2:37, a motion was made by Steve Thiesse, seconded by Mike Blaalid, to adjourn the meeting. All members voted aye, motion carried.



Bruce Haines  
Planning Commission Chairperson

*Karen Wegleitner*

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Karen Wegleitner  
Deputy Director of Planning & Zoning