

## PLANNING COMMISSION MINUTES

January 7, 2025

1. Deputy Administrator Wegleitner called the meeting to order at 1:15 P.M.
2. Election of 2025 Planning Commission Officers.
  - Deputy Administrator Wegleitner called for nominations for Chairperson. Motion by Lewis Bainbridge to nominate Bruce Haines, seconded by Dave Anderson. Dave Anderson called to cease nominations and cast a unanimous vote, seconded by Ray Gosmire. Hearing no other nominations, Bruce Haines was unanimously voted as Chairperson.
  - Deputy Administrator Wegleitner called for nominations for Vice Chairperson. Motion by Bruce Haines to nominate Steve Thiesse, seconded by Chris Nebelsick. Lewis Bainbridge called to cease nominations and cast a unanimous vote, seconded by Chris Nebelsick. Hearing no other nominations, Steve Thiesse was unanimously voted as Vice Chairperson.
  - Deputy Administrator Wegleitner turned the meeting over to the Chairperson.
3. Roll call-quorum is met, a simple majority vote is required for all items.
  - Present: Bruce Haines, Steve Thiesse, Lewis Bainbridge, Dave Anderson, Ray Gosmire, Chris Nebelsick, Jeff Bathke & Karen Wegleitner.
  - Absent: Mike Blaalid.
  - Guests: Troy Haag and Ken Johnson
4. Consider the proposed agenda.
  - Motion by Chris Nebelsick, seconded by Lewis Bainbridge, to approve the proposed agenda. All members voted aye, motion carried.
5. Declare conflicts of interest. None.
6. Consider the previous minutes. Motion by Steve Thiesse, seconded by Ray Gosmire, to approve the December 3, 2024 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 variance application requested by Ken Johnson of +/- 45', resulting in a front yard setback of +/- 30' for the proposed garage, where the minimum front yard setback is 75' in the Agricultural Residential District.

This request is located in Lot 18 of River Bluffs Addition in the NW1/4 of Section 12, 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 Variance application. The applicant was present to answer questions.

**Discussion:** The residence will be moved back to 30' to comply with the variance permit granted in 2021. Mr. Johnson would like to build a garage. He stated the garage may change from what is shown today, but it will be 30' from the front.

  - Motion by Chris Nebelsick, seconded by Dave Anderson, 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 – absent, Anderson – aye, motion carried.
9. Consider a Plat requested by Nick & Kim Lorang of Lot 3 of Lorang's Addition in the S1/2 of the SE1/4 of Section 22, T 103 N, R 62, West of the 5th P.M., Davison County, South Dakota.

This request is located in S1/2 of the SE1/4 of Section 22, T 103 N, R 62, 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:** Kim & Nick Lorang are platting Lot 3 to clean up the rest of the land described by measurements. No variance in lot size will be needed as no residence will be built on the lot.

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

10. Consider a Plat requested by Michael & Jean Haley of Lot 3 of Haley Addition in Government Lot 4 of the NW1/4 of Section 3, T 103 N, R 60, West of the 5<sup>th</sup> P.M., Davison County, South Dakota.

This request is located in Government of Lot 4 of the NW1/4 of Section 3, 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 not present to answer questions.

**Discussion:** Michael & Jean Haley are platting out Lot 3 for a family member. This lot is located within the ETJ and will go through the city as well. There is a 20' wide private access easement for ingress and egress to Lot 3 shown on the Plat.

- Motion by Ray Gosmire, 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, Blaaid – absent, Anderson – aye, motion carried.

11. Consider a variance application requested by Troy and Annie Haag of +/- 75', creating a setback of +/- 0' on the north property line & +/- 75', creating a setback of +/- 0' on the west property line, where the minimum setback is 75' for a shelterbelt in the Agricultural District.

This request is located in Haag Tract 1 in the SE1/4 of the SW1/4 and the SW1/4 of the SE1/4 of Section 28, T 101 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:** Troy Haag would like to clean up his existing shelterbelt. He is working with the Davison County Conservation District, and they suggested doing the cleanup in sections. Mr. Haag stated he spoke with the colony, the abutting neighbor, and they have no issues with the project. He stated the kind of trees presented today might change in the future based on the conditions presented when planting the next section of trees and the next section could be planted in 10 years. Mr. Haag will stay 75' from the front as shown in his plan.

The board stated they like to see shelterbelts cleaned up and as long as the colony is good with it, they are as well.

- Motion by Lewis Bainbridge, seconded by Steve Thiesse, to recommend approval of the Variance Permit with the removal of the active requirement referenced in

Section 12:06(B)(6) in the Davison County Zoning Ordinance to the Board of Adjustment.

**Roll call vote:**

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

12. Ordinance Update Discussion.

Concentrated Animal Feeding Operations (CAFO):

The board discussed if any changes were needed to the setbacks for concentrated animal feeding operations. After an explanation of previous CAFO locations and distances from residences from Administrator Bathke, the board will not recommend any distance changes to the Commission. The Planning & Zoning Office works with the applicant to find a suitable location prior to presenting to the Planning Commission.

Pipelines:

The board discussed if any setbacks were needed for pipelines. Administrator Bathke gave an explanation of the proposed Summit Pipepline, as well as the positive input from the Davison County landowners where the pipe will run and the concerns of one neighbor, who is approximately 1/2 mile from the proposed pipeline route. Discussion included if any restrictions were put on pipelines, they would be for all hazardous pipelines and not specific to CO2 pipelines. The board felt the negotiation should be between the company and landowners. Commission Member Bainbridge questioned damage to drain tile, which Administrator Bathke explained all tile would be repaired. The Commission decided to wait till after the Legislative Session to see if any regulations are made at the State level.

Wind Energy Systems:

The board discussed if any setbacks were needed for wind energy systems. Administrator Bathke gave an explanation of the ordinance drafted several years ago, which was not implemented by the County Commission. Therefore, Davison County does not have a wind energy section in the current ordinance. The draft was developed by the Planning & Zoning Department by reviewing several other ordinances, as well as input from a wind energy system installer. The board will revisit the ordinance in April, which will give Planning & Zoning time to review the existing ordinance for format and errors.

13. Additional Comments from the Group

- None

14. Set date and time for next meeting – February 4, 2025 @ 1:15 P.M.

15. At 2:30 P.M., a motion was made by Dave Anderson, seconded by Bruce Haines, 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