

# **MINUTES**

## **BROWN COUNTY PLANNING COMMISSION/ ZONING BOARD of ADJUSTMENT**

**TUESDAY, OCTOBER 16, 2018 - 7:00 P.M.  
COMMUNITY ROOM, BROWN COUNTY COURTHOUSE**

The Brown County Planning / Zoning Commission meeting was called to order by Brown County Planning Commission Chairman, Jerry Streckfuss. Members of the Brown County Planning Commission present at roll call were Vice Chairman Stan Beckler, Darwin Bettmann, David North, Dale Kurth, Patrick Keatts and B.C. Commissioner Rachel Kippley serving on Planning/Zoning Commission. Also present at the meeting was Scott Bader, Planning & Zoning Director.

After discussion, North moved and Keatts seconded to approve the minutes of the September 18, 2018 meeting. All members voted aye, the motion carried.

Chairman Streckfuss then continued with business as follows:

**Old Business: None**

**New Business:**

- 1) **Variance to Building Setbacks in an Agriculture Preservation District (AG-P) described as the SE1/4 of Section 16-T126N-R63W, of the 5th P.M., Brown County, South Dakota (apprx. 11475 391<sup>st</sup> Ave). Submitted by Dennis Voeller. In attendance for this item were Eugene Emery and Ethan Emery. Dennis Voeller was in Virginia, but called in on Eugene Emery's cell phone for his comments. Following discussion that: 1. All construction was stopped by the Zoning Department, 2. A letter was sent out for non-compliance, 3. All concrete was poured without a Permit issued 4. Concrete does not meet minimum setbacks for his buildings, 5. Hopper Bins were moved to this site also without a permit, North made a motion to deny the variance request on both building setbacks, Beckler seconded, all members voting aye, motion carried.**

- 2) **Special Exception for Salvage Yard** currently in an Agriculture Preservation District (AG-P) for a property described as “Snyders OL A&B” in the SW1/4 of Section 31-T125N-R60W of the 5th P.M., Brown County, South Dakota (40626 124<sup>th</sup> St). Submitted by Zachary Mehlhoff. In attendance for this item was Zach Mehlhoff. Following discussion that Claremont Township (supervisors: Travis Swisher, Brad Hanson, Larry Cutler) unanimously and one neighbor did not support having a salvage yard in the township, Kurth moved and North seconded to *deny a special exception/conditional use* for a salvage yard with the stipulation that they would be required to rezone to Heavy Industrial (H-I), all members voting aye, motion carried.
- 3) **Variance to Lot Size** in an Agriculture Preservation District (AG-P) for a **proposed** property described as **Lot 2** “Larson-Johnson Addition” in the SW1/4 of Section 26-T125N-R62W of the 5th P.M., Brown County, South Dakota (12290 398<sup>th</sup> Ave). Submitted by Josh Larson. Following discussion, Beckler moved and Keatts seconded to *approve the variance to lot size* for Lot 2 to be 6.94± acres rather than 40.0± acres minimum required in an Agricultural Preservation District (AG-P), Lot 1 which is 3.83± acres is being rezoned to M-AG, all members voting aye, motion carried.
- 4) **Petition to Re-Zone** from an Agriculture Preservation District (AG-P) to a Mini-Ag District (M-AG) for **proposed** properties described as Lots 1&2 of “JGE Second Addition” in the NE1/4 of Section 01-T123N-R65W of the 5th P.M., Brown County, SD (37989 130<sup>th</sup> St & 13001 382<sup>nd</sup> Ave). Submitted by Joe Gross. Following discussion, North moved and Kurth seconded to *approve the rezone* for Lot 1 (6.79± acres) & Lot 2 (2.27± acres), all members voting aye, motion carried.
- 5) **Preliminary and Final Plat** for a property described as Lots 1&2 of “Larson-Johnson Addition” in the SW1/4 of Section 26-T125N-R62W of the 5th P.M., Brown County, South Dakota (12284 & 12290 398<sup>th</sup> Ave). Submitted by Josh Larson. Following discussion, Beckler moved and Bettmann seconded to *approve the plat*, all members voting aye, motion carried.
- 6) **Preliminary and Final Plat** for a property described as “JGE Second Addition” in the NE1/4 of Section 01-T123N-R65W of the 5th P.M., Brown County, South Dakota (37989 130<sup>th</sup> St & 13001 382<sup>nd</sup> St). Submitted by Joe Gross. Following discussion, Kurth moved and

Keatts seconded to approve the plat, all members voting aye, motion carried.

- 7) Preliminary and Final Plat for a property described as “Raap First Subdivision” in the SW1/4SE1/4 and SE1/4SW1/4 of Section 25-T123N-R60W of the 5th P.M., Brown County, South Dakota (41150 & 41154 135<sup>th</sup> St). Submitted by Denise Raap. Following discussion, Kurth moved and Bettmann seconded to approve the plat, all members voting aye, motion carried.

**Other Business:** Jeff Wolff and Tanya Torguson were in the audience during the whole meeting, but did not offer any comments.

There being no further business before the Planning Commission / Zoning Commission, Beckler moved and North seconded to adjourn. All members voting aye, motion carried.

**Submitted by: Scott Bader, P&Z Director.**