

MINUTES

REGULAR SCHEDULED MEETING BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY APRIL 19, 2022 - 7:00 P.M.

BROWN COUNTY COURTHOUSE in the BASEMENT COMMUNITY ROOM

- I. **Call to Order:** The **Brown County Planning/Zoning Commission** meeting was called to order by Stan Beckler-Chairman.
- II. **Roll Call:** Members of the Brown County Planning/Zoning Commission present for roll call were David North-Vice Chairman, Darwin Bettmann, Dale Kurth, Patrick Keatts, James Meyers, County Commissioner Michael Gage, serving on this Board, Deputy States Attorney Ross Aldentaler and Stan Beckler- Chairman. Also present for the meeting was Planning Technician Chris Anderson and Director Scott Bader from the Planning/Zoning Office.
- III. **Meeting:** This meeting was conducted in the basement Community Room using recommended social distancing protocol for spacing chairs in the audience area, and Board Member table & chairs as much as possible based on number of agenda items and expected number of people.
- IV. **Minutes:** After discussion about previous months Minutes, North moved noting a name correction on the Minutes and Kurth seconded to approve the March 15, 2022, Minutes for Planning/Zoning Commission meeting. All members voted aye; the motion carried.
- V. **Old Business:**
 1. **Sign-up Sheet:** at door entrance on the table for anyone to speak on an Agenda Item.
 2. **Permits:** Anyone present that has submitted a Variance Request or Conditional Use Petition to the Zoning Board of Adjustment (BOA) is still required to get their required PERMITS from the Zoning Office before starting their project if their request gets approved.
- VI. **New Business: Planning/Zoning Commission as Zoning Board of Adjustment (BOA)**
 1. **Conditional Use Petition (CUP)** in a Highway Commercial District (HC) described as Proposed Lot 1, "Auditor's Subdivision", in the SE1/4 of Section 27-T123N-R64W of the 5th P.M., Brown County, South Dakota (2932 S Hwy 281, Aberdeen, SD 57401, Aberdeen Twp). Submitted by Aaron Bunke who was present for this item. Following discussion on FoF, Meyers moved, and Keatts seconded to ***approve the finding of facts*** as presented. Also following discussion Meyers moved, and Keatts seconded to ***approve the Conditional Use Petition (CUP)*** for Lot 1 to have (2) 32' x 175', (2) 32' x 105' and (1) 32' x 150' storage buildings in a Highway Commercial District (HC), all members voting aye, motion carried.

2. **Variance to Building Setbacks** in a Highway Commercial District (HC) described as Proposed Lot 1, “Auditor’s Subdivision”, in the SE1/4 of Section 27-T123N-R64W of the 5th P.M., Brown County, South Dakota (2932 S Hwy 281, Aberdeen, SD 57401, Aberdeen Twp). Submitted by Aaron Bunke who was present for this item. Following discussion on FoF, North moved, and Bettmann seconded to **approve the finding of facts** as presented. Also following discussion North moved and Bettman seconded to **approve the variance to building setbacks** on the east and south front to be 45’ rather than 100’ as required for five (5) storage buildings in a Highway Commercial District (HC), all members voting aye, motion carried.

3. **Variance to Building Setbacks** in a Highway Commercial District (HC) described as Lot B, “Weismantel’s First Subdivision of Lot 1”, Except the North 12’ thereof, of “Jenkins’ Subdivision” in the E1/2 of the SE1/4 of Section 18-T123N-R62W, of the 5th P.M., Brown County, South Dakota (39494 133rd Street, Bath, SD 57427, Bath Twp). Submitted by Dustin Guthmiller who was present for this item. Following discussion on FoF, Kurth moved, and Gage seconded to **approve the finding of facts** as presented. Also following discussion Kurth moved, and Gage seconded to **approve the variance to building setbacks** for the north rear setbacks to be 15’ rather than the 25’ as required for a 17’ x 50’ cooler addition in a Highway Commercial District (HC), all members voting aye, motion carried.

4. **Conditional Use Petition (CUP)** in a Heavy Industrial District (H-I) described as the N1/2 of the NW1/4 of Section 28-T124N-R63W, of the 5th P.M., Brown County, South Dakota (12810 390th Avenue, Aberdeen, SD 57401, Ordway Twp.). Submitted by Estelle Meyers. Vern Meyers was present for this item. Following discussion on FoF, Gage moved, and Kurth seconded to **approve the finding of facts** as presented. Also following discussion Gage moved, and Kurth seconded to **approve the conditional use petition (CUP)** for a mobile home in a Heavy Industrial District (H-I), all members voting aye (Meyers abstained), motion carried.

5. **Conditional Use Petition (CUP)** in Heavy Industrial District (H-I) described as “Hedges’ Outlot 1” in the NE1/4 of Section 21-T123N-R64W of the 5th P.M., Brown County, South Dakota (38480 Hwy 12 W, Aberdeen, SD 57401, Aberdeen Twp.). Submitted by Jonathan Swenson who was present for this item. Following discussion on FoF, Keatts moved, and Meyers seconded to **approve the finding of facts** as presented. Also following discussion about easements, access to buildings, signage, Keatts moved, and Meyers seconded to **approve the conditional use petition** for a new 100’ x 120’ and a moved in 18’ x 36’ storage structure in a Heavy Industrial District (H-I), with the stipulation for property to be cleaned up, all members voting aye, motion carried.

6. **Variance to Approach Separation** in an Agriculture Preservation District (AG-P) described as The SW1/4 of Section 21-T127N-R60W of the 5th P.M., Brown County, South Dakota (SD Hwy 10 & 408th Avenue; North Detroit Twp). This item moved to the May 17, 2022 Planning/Zoning Commission meeting.

VII. Other Business: None

Completed as Zoning Board of Adjustment (BOA) & going to Planning Commission

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- I. **Old Business: Amendment Discussion to Brown County Ordinance Title 4** for Chapters 4.22 through Chapter 4.29 for Administrative Rules and Enforcement are Tabled to May 17, 2022, monthly meeting at the request of the States Attorney Office.

- II. **New Business: Planning Commission**
 10. **Rezone Parcel** from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) for a property described as “Boesl Addition” in the SE1/4 of the SE1/4 of Section 32-T122N-R63W of the 5th P.M., Brown County, South Dakota (38980 142nd Street, Warner, South Dakota 57479, Gem Twp.). Submitted by Jared Steger. Following discussion, Keatts moved, Kurth seconded to **recommend approval of the rezone** of this parcel to the Board of County Commissioners, all members voting aye, motion carried.

 11. **Rezone Parcel** from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) for a property described as Proposed Lot 1, “Bauer-Edwards First Addition” in the SW1/4 of Section 10-T123N-R65W of the 5th P.M., Brown County, South Dakota (37748 132nd St., Aberdeen, South Dakota 57401, Mercier Twp.). Submitted by Bryan and Stacy Bauer. Following discussion, North moved, Gage seconded to **recommend approval of the rezone** to the Board of County Commissioners, all members voting aye, motion carried.

 12. **Final Plat** for a property described as “Bauer-Edwards First Addition” in the SW1/4 of Section 10-T123N-R65W of the 5th P.M., Brown County, South Dakota (37748 132nd St., Aberdeen, South Dakota 57401, Mercier Twp.). Submitted by Bryan and Stacy Bauer. Following discussion Keatts moved, and North seconded to **recommend approval of this plat** to the Board of Brown County Commissioners, all members voting aye, motion carried.

 13. **Preliminary & Final Plat** for a property described as “Papa Subdivision” in Stratford, South Dakota, located in the SW1/4 of Section 4-T121N-R62W of the 5th P.M., Brown County, South Dakota (Stratford, SD, E Rondell Twp). Submitted by Brandon and Jessica Papa. Bettmann moved, Kurth seconded the motion to **recommend approval of this plat** to the Board of Brown County Commissioners, all members voting aye, motion carried.

 14. **Preliminary Plat** for a property described as “Prairie Point First Elm Lake Addition”, in the S1/2 of the SE1/4 of Section 8-T128N-R65W of the 5th P.M., Brown County, South Dakota (10191 376th Avenue, Palmyra Twp.). Submitted by Aaron Donut who was present for this item. After discussion about the septic system, North moved, Meyers seconded the motion to **recommend approval of this preliminary plat** to be brought before the Brown County Planning Commission next month for approval, all members voting aye, motion carried.

15. **Preliminary & Final Plat** for a property described as “Severson-Lefor First Addition” in the NE1/4 of Section 34-T123N-R64W of the 5th P.M., Brown County, South Dakota 57401 (1929 135th Street SW, Aberdeen, SD, Palmyra Twp.). Submitted by Jeff and Kimberly Severson. Bettmann moved, Kurth seconded the motion to **recommend approval of this plat** to the Board of Brown County Commissioners, all members voting aye, motion carried.

III. Other Business: none

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

Submitted by: Chris Anderson and Scott Bader - Planning & Zoning Department.