

Hanson County Planning Commission

Minutes of Proceedings

November 24, 2021

The regular meeting of the Hanson County Planning Commission was held at the Hanson County Courthouse on November 24, 2021. Chairman Kjetland called the meeting to order at 9:00am with the Pledge of Allegiance. Members Present: Chairman Bruce Kjetland, Jean Freeman, Sharon Jarding, Richard Waldera, Josh Kayser. Absent, Wayne Waldner and Tristan Bender. Also Present: Christi Pierson, Zoning Administrator and Jennifer Craig, Recording Secretary.

APPROVE MINUTES

Motion by Freeman, seconded by Jarding to approve the minutes of the October 27, 2021, regular meeting. All members voted aye.

APPROVE AGENDA

Motion by Waldera, seconded by Kayser to approve the agenda. All members voted aye. Motion carried.

DISCLOSURE OF CONFLICT OF INTEREST

Sharon Jarding

PUBLIC COMMENT

No one present for open forum

OLD BUSINESS

None at this time

BOARD OF ADJUSTMENT

Motion to recess Planning Commission and convene as Board of Adjustment made at 9:05 am by Waldner seconded by Freeman. All members present voted aye. Motion carried.

9:05am Variance to Ordinance #18 to allow the owner to describe a lot of less than 10 acres in an Agricultural District. Located at 42259 257th St. Alexandria, SD legally described as, W2 NW4 NW4 NW4 NE4 and E 231' W 396' N 330' Section 11, Wayne Township, Hanson County SD. Gary & Sharon Jarding, owners

The requested Variance is within the jurisdiction of the Board of Adjustment.

The facts are:

1. Gary & Sharon Jarding are the current owner of the property to be platted.
2. The plat is moving the current property boundaries, but not changing the overall acres.
3. The new plat consists of; lot 1 (2.00 acres) and lot 2 (1.00 acre).

Motion made by Kayser and seconded by Waldera to grant a Variance of less than 10 acres to be platted in an Ag district.

Votes for: 4 Votes against: 0 Jarding abstained from voting Motion Carried

9:10am Conditional Use Permit for a retail home business in an Ag district. Legally described as S2 (LESS LOT A MAHONEY 1ST ADDN) Section 17, Plano Township, Hanson County South Dakota, also known as 41358 247th St., Mitchell, SD. Ralph Mahoney Trust Etal, owner. Brooke Easton, applicant, and renter. Brooke Easton presented the business plans.

Conditions:

1. The Conditional Use permit is for a retail clothing and household goods sales business in an Ag district
2. Applicant will follow all Federal, State and Local laws
3. Retail sales are confined to the existing 2 car garage type building
4. The Conditional Use permit is not transferable to other renters or owners of the subject property.

Motion by Jarding and seconded by Freeman to approve the Conditional Use permit for a retail business in an Ag District, for the property legally described as S2 (LESS LOT A MAHONEY 1ST ADDN) Section 17, Plano Township, Hanson County South Dakota. Ralph Mahoney Trust Etal, owner. Brooke Easton, applicant, and renter.

Votes for: 5 Votes against: 0 Motion carried

9:20am Conditional Use request for operation of an automotive and body repair shop with a salvage yard, in an agricultural district, LOT A MAHONEY 1ST ADDN SE4, Section 17 Plano Twp, or 41356 247th St., Fulton SD. Hanson County, South Dakota: Randy & Kristi Kirkpatrick, owners. Randy Kirkpatrick was present.

Conditions:

1. All Federal, State and Local laws and regulations to be followed
2. This is a Conditional Use for a business to do mechanical repair and body work on vehicles
3. All automobiles to be repaired will be stored/parked behind a 6' or taller privacy fence. The fence is to begin on the west side of the furthest west garage used for automobile repair and body work. The fence will continue to the tree belt to the west. With the privacy fence and the tree belt on the west and north all vehicles will be encompassed, so as they are not visible from the road.
4. Maximum of 50 automobiles are to be on the property at one time
5. All hazardous fluids and/or waste are to be removed from the property to a facility that handles hazardous waste and fluids
6. All tires are to be removed at least one time per month as needed, to the appropriate facility
7. There is to be NO work on diesel vehicles
8. No vehicles are to be parked or stored on the east property line
9. The above owners will come back in front of the Hanson County Zoning Board November 2024 to be sure that all the above Conditions are being met

Motion by Waldera and seconded by Kayser to approve the Conditional Use permit operation of an automotive and body repair shop with a salvage yard, in an agricultural district, LOT A MAHONEY 1ST ADDN SE4, Section 17 Plano Twp, or 41356 247th St., Fulton SD. Hanson County, South Dakota: Randy & Kristi Kirkpatrick, owners.

Votes for: 5 Votes against: 0 Motion carried

9:47am Owner, Greg Patton was present for his Conditional Use Permit progress update, as well as review of the comprehensive plan for the final cleanup of zone 5, with a timeline, as referenced in the permit dated February 24, 2021, bullet point 7 & 8. Concerning property located at 41249 Old Mill Rd. Mitchell, SD. Legally described as Lot b1 TJ Nelsons 1st Addn; Lot 8A S2: and Lots 9-10 NE4SW4, all in 18-103-59. Owner Gregory J. Patton.

Findings:

1. On November 23, 2021, Zoning Board members Kjetland and Kayser along with Administrator Pierson visited the subject property to review and document the current progress of clean up per Patton's Conditional Use permit dated February 24, 2021.
2. Upon review all zones have not been completed per the Condition Use permit granted February 24, 2021
3. Progress was noted, zones have been organized to better remove debris
4. To document the condition at time of inspection photographs were taken

Conditions:

1. Per a court order, States Attorney Davies to give a report to Judge Giles December 8, 2021, as to the progress of subject thus far as noted by the Hanson County Zoning Board
2. Zones one, two, and three will be completely void of all unnatural debris not later than January 25, 2022.
3. On January 25, 2022, Mr. Patton will allow the Hanson County Zoning Board members and Zoning Administrator to review and document the subject property for the progress of these Conditions.
4. On January 26, 2022, or the next available date the Planning and Zoning Board is in session, Greg Patton or representative will meet with the Board to present and review a comprehensive plan for the final cleanup of Zones four and five
5. These conditions are an extension to the Conditions already permitted on February 24, 2021 by the Hanson County Planning and Zoning Board.

Motion by Kayser and seconded by Freeman to approve the Conditional Use permit extension for legally property described as Lot b1 TJ Nelsons 1st Addn; Lot 8A S2: and Lots 9-10 NE4SW4, all in 18-103-59. Owner Gregory J. Patton. Roll call vote was taken: Kayser aye, Freeman aye, Kjetland aye, Waldera aye, Jarding aye, motion carried.

PLANNING COMMISSION

The Chairman called to adjourn as Board of Adjustment and reconvene as Planning Commission at 10:17am.

PLATS

Tract 1 Plucker Addn. 35-102-57

Harley Plucker, Trustee for the Plucker Family Trust platted 10.00 acres in the SW4 of Section 35, Taylor Township, Hanson County, SD. Lot is an existing farmstead, to be sold. Motion by Waldera and seconded by Jarding to recommend approval of the plat to the County Commissioners. All members voted aye. Motion carried.

Lots 1 & 2 J.F. 1st Addn. 34-103-58

Jeremy and Kristi Riggs are platting 2 parcels in a previously approved rural residential re-zone of LOT A S2 SW4 Section 34, Jasper Township Hanson County, SD. Lot 1 consist of 5.60 acres. Lot 2 consist of 4.90 acres. Both lots will be sold. Motion by Freeman and seconded by Jarding to recommend approval of the plat to the County Commissioners. All members voted aye. Motion carried.

Lots 1 & 2 GJ & SJ Addn. 11-102-58

Gary and Sharon Jarding are platting 2 parcels of land that had linear descriptions. Lot 1 will now consist of 2.00 acres. Lot 2 will consist of 1.00 acre. Both parcels are in Section 11, Wayne Township, Hanson County SD. Motion by Kayser and seconded by Kjetland to recommend approval of the plat to the County Commissioners. Jarding abstained, Remaining members voted aye. Motion carried.

NEW BUSINESS

Reviewed 2022 Planning and Zoning Calendar. Board members Waldner and Freeman will be up for re-appointment in 2022.

WELFARE OF THE ORDER

Nothing at this time

EXECUTIVE SESSION

Not needed at this time

A motion to adjourn was made by Kayser, seconded by Waldera. All members present voted aye. Motion carried. The date for the next regularly scheduled meeting is Wednesday, December 22, 2021, at 9:00 am.

Bruce Kjetland
Hanson County Planning Commission
Christi Pierson, CAA
Zoning Administrator

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