

HANSON COUNTY PLANNING COMMISSION
MINUTES OF PROCEEDINGS
February 24, 2021

The regular meeting of the Hanson County Planning Commission was held in the Courtroom at Hanson County Courthouse on February 24, 2021. Chairman Barnard called the meeting to order at 9:02am with the Pledge of Allegiance. Members Present: Matt Barnard, Wayne Waldner, Sharon Jarding, Jean Freeman, Bruce Kjetland, Richard Waldera and Tristan Bender. Also, Present: Christi Pierson Zoning Administrator, Jennifer Craig, Recording Secretary.

APPROVE MINUTES

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

APPROVE AGENDA

Motion by Bender, seconded by Waldner to approve the agenda. All members voted aye. Motion carried.

DISCLOSURE OF CONFLICT OF INTEREST

None at this time

PUBLIC COMMENT

No one present for open-forum

OLD BUSINESS

None at this time

NEW 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 Kjetland, seconded by Waldera. All members present voted aye. Motion carried.

9:10 am- Donald & Pamela Wenande Trust, owners, were present for the Hearing on a Variance to Ordinance #18; to allow the owner to describe a lot of less than 10 acres and a Variance to Article 5 Section 515 for the rear yard and side lot setbacks to be less than 50 feet in an Agricultural District NW4 (LESS TRACT 1 WENANDES ADDN) Section 26, Wayne Township, Hanson County, South Dakota.

Findings:

1. The requested variation is within the jurisdiction of the Board of Adjustment.
2. The facts are:
 - a. The house and outbuildings are to be sold.
 - b. Wenandes have platted out the area to be sold.
 - c. The new plat consists of a 2.82 acres parcel.
 - d. The buildings that are outside the setback on the southeast are to be removed when weather permits.

Motion: It was moved by Kjetland and seconded by Bender to grant a Variance to the 50 feet set back to the rear or east property line and allow a parcel less then 10 acres to be platted, in an AG District.

Votes for: 7 Votes against: 0 Motion Carried

9:15 am - Lowell Langstraat, owner was present for the Conditional Use Hearing; request for operation of a Towing business/ Salvage Yard in an agricultural district in WEBER TRACT 1 NE4, Section 13 Hanson Twp, Hanson County, South Dakota.

Findings:

1. The requested conditional use is within the jurisdiction of the Board of Adjustment.
2. The Facts are:
 - a. Langstraat currently owns a Towing business in Alexandria, SD, Outlaw Towing.

- b. This Conditional Use permit is separate from any other current Conditional Use permit.
 - c. Langstraat is the owner of the subject property.
3. The conditional use is in harmony with the general purpose and intent of the Hanson County Zoning Ordinance.
4. No precedent unfavorable to the area as a whole will be set.

Motion:

It was moved by Jarding and seconded by Kjetland to grant Lowell Langstraat request for a Conditional Use Permit for a Towing Business/Salvage Yard.

Be it further determined that the foregoing conditional use permit is expressly subject to and contingent upon the following conditions and provisions:

1. All State and Federal regulations followed.
2. State required fencing around the perimeter of all area of the property used as storage for salvage.
3. To maintain a professional appearance at all times.
4. No retail sales are to take place on subject property.
5. No more then 80 vehicles to be on the property at any one time that are procured via the towing business.
6. Tires to be stored for Agriculture use only.
7. Batteries to be stored per regulations of State and Federal Guidelines
8. All vehicles to have a barrier between the vehicle and the ground, as so no fluids will leak onto the ground.

Votes for: 7 Votes against: 0 Motion Carried

9:30 am - Gregory Patton, owner, represented by Shelby Holmberg; Conditional Use Hearing, request for operation of a Junkyard yard, deferred from January 27, 2021 Hearing, in an agricultural district in LOTS 9-10 NE4 SW4, LOT B1 TJ NELSONS 1ST ADDN, LOT 8A S2, all in Section 18, Hanson Twp, Hanson County, South Dakota:

Findings:

1. The requested conditional use is within the jurisdiction of the Board of Adjustment.
2. The Facts are:
 - a. Gregory Patton is the owner of the subject property.
 - b. The west portion of the subject property is in a floodway and floodplain.
 - c. The property consists of 14.55 acres total.
3. The conditional use is in harmony with the general purpose and intent of the Hanson County Zoning Ordinance.

Motion:

It was moved by Bender and seconded by Waldera that the Conditional Use be approved with the following conditions:

1. Attached to this permit is the map labeled "Exhibit A" to locate the following various zones.
2. Zone 1 will be cleared of all unnatural debris no later then April 23, 2021.
3. Zone 2 will be cleared of all unnatural debris no later then May 23, 2021.
4. Zone 3 will be cleared of all nonoperational vehicles, unlicensed trailers, and scrap metal no later then July 23, 2021.
5. Zone 3, remaining debris to be removed no later then August 23, 2021.
6. Zone 4 will be cleared of all nonoperational vehicles and hazardous and/or noxious materials no later than October 23, 2021.
7. November 24, 2021, or the next available date the Planning and Zoning Board is in session, Patton or Representative, will meet with the Zoning Board for a final cleanup plan of Zone 5.
8. The plan will include a timeline to remove all remaining nonoperational vehicles, hazardous and noxious material.
9. All above dates are contingent on any effects of a natural disaster, unprecedented weather event or family crisis. If one of the previous mentioned happens, the property owner or representative will communicate with the Zoning Administrator regarding any changes to the above timeline.
10. This Conditional Use permit is for a Junkyard in an Ag district
11. This permit terminates on February 24, 2023.

Roll call vote; Kjetland aye, Waldera aye, Freeman aye, Jarding aye, Waldner aye, Bender aye, Barnard aye. Motion carried.

PLANNING COMMISSION

The Chairman called to adjourn as Board of Adjustment and reconvene as Planning Commission at 10:13 am.

PLATS

TRACT 2 WENADES ADD

Donald & Pamela Wenande Trust have platted a tract from the NW4 of section 26, Wayne Township. Tract 2 contains 2.82 acres. This property will be for sale. A motion was made by Bender and seconded by Freeman to recommend approval of the plat to County Commissioners. All members voted aye. Motion carried.

R.E. DECKER TRACT 2

Robert and Fern Decker have platted 13.14 acres for sale. It is in section 31, Taylor Township. A motion was made by Waldner and seconded by Bender to recommend approval of the plat to County Commissioners. All members voted aye. Motion carried.

LOT B OF C HALLS 1ST ADDN

Courtney and Mary Hall have platted 35.16 acres. located in section 12, Hanson Township, Hanson county, South Dakota. A motion was made by Jarding and seconded by Freeman. All members voted aye. Motion carried.

WELFARE OF THE ORDER

Discussion on the process of the Zoning Ordinance update

EXECUTIVE SESSION

Not needed at this time

A motion to adjourn was made by Kjetland, seconded by Bender. All members present voted aye. Motion carried. The date for the next regularly scheduled meeting is Wednesday, March 24, 2021 at 9:00 am.

Matt Barnard Chairman
Hanson County Planning Commission
Christi Pierson, CAA
Zoning Administrator

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