

Hanson County Planning Commission

Minutes of Proceedings

August 24, 2023

The regular meeting of the Hanson County Planning Commission was held at the Hanson County Courthouse on August 24, 2023. Chairman Kayser called the meeting to order at 9:00am with the Pledge of Allegiance. Members Present, Gary Schoenrock, Wayne Waldner, Jean Freeman, Curtis Fox, and Sharon Jarding. Absent Tristan Bender. Additionally, Christi Pierson, Zoning Administrator and Jennifer Craig, Recording Secretary. An additional attendee list is available at the Hanson County Zoning Office.

PUBLIC COMMENT

Bob Ball asked if a Building Permit is needed to take down a building. Zoning Administrator Pierson said that it is.

APPROVE MINUTES

Motion by Fox, seconded by Jarding to approve the minutes of the July 27, 2023, meeting. All members voted aye.

APPROVE AGENDA

Motion by Schoenrock, seconded by Freeman to approve the agenda with correction. All members voted aye. Motion carried.

DISCLOSURE OF CONFLICT OF INTEREST

None at this time

BOARD OF ADJUSTMENT

Motion to recess Planning Commission and convene as Board of Adjustment made at 9:03am by Waldner and seconded by Schoenrock. All members present voted aye. Motion carried.

Conditional Use request for operation of a Towing business in an agricultural district, WISE TRACT 2-A SUBDIV WISE TRACT 2 SW4, Section 29, Hanson Twp, Hanson County, South Dakota: JD Realty LLC, owner. Robert Ball applicant. John Fraser and Robert Ball were both present.

Findings:

1. John Fraser to rent space in the building located on property to Robert Ball.
2. John Fraser also owns JD Concrete located in Mitchell SD.
3. Robert Ball also owns H&R Salvage located in Mitchell, SD.
4. Subject property has a current Conditional Use Permit approved on April 29, 2015, for a semi truck repair business.

5. Current access to the property is via WISE TRACT 1 SW4 29-103-59, owned by Douglas Degen.

Conditions:

1. Comply with all Federal, State and Local laws and regulations.
2. This permit voids previous approved Conditional Use Permit.
3. JD Concrete to use this property for repairs and storage of their trucks only.
4. Robert Ball to use this property for a towing company for Hanson County vehicles only.
5. There will be no more than 20 vehicles from the towing company at any one time on the property.
6. All towed vehicles will be parked inside the building or neatly lined up on the south side of the property.
7. An 8' chain link fence will be built around the property.
8. No towed vehicles to be at the property longer than 60 days unless approved by the Sheriff of Hanson County
9. Lighting to comply with all dark sky provisions.
10. A sunset clause is in place for 8/24/2026.

Motion by Waldner and seconded by Fox to approve the Conditional Use as presented. Roll call vote taken. All voted aye. Motion carried.

Variance to lot setbacks for construction of a tree shelter belt in an agriculture district. The physical address is 26479 429th Ave. Emery, SD. Legally described as, E2 SE4 SE4 (LESS H1-H2), Section 14, Taylor Township, Hanson County, South Dakota: Sean Gerstenecker, Owner.

Findings:

1. The property currently has several dead trees and owner would like to replant shelterbelts.
2. The owner has contacted the Davison County Conservation department and they have made a plan for the types of trees to be planted.
3. Owner is in the process of cleaning up the debris from the previous owner.

Conditions:

1. Shelterbelt will be planted no closer than 50' from the east right of way, and north of the existing driveway.
2. Shelterbelt will be planted on the north property line setback all the way to the current parcel line.
3. Shelterbelt on the west side of the property line will follow the 50' setback.

Motion by Jarding and seconded by Freeman to approve Variance as presented. Roll call taken. All voted aye. Motion carried.

PLANNING COMMISSION

Motion to recess Board of Adjustment and convene as Planning Commission by Waldner and seconded by Schoenrock. All members voted aye. Motion carried.

PLATS

None at this time

OLD BUSINESS

Greg and Shelby Patton were present to discuss the property legal described as Lots 9-10 NE4 SW4 18-103-59. Chairman Kayser, Commissioner Kjetland and Zoning Administrator Pierson, visited the property on August 22, 2023, to review the progress of clean up per the Conditional Use permit 21-05 dated January 6, 2021. Upon review they discovered that all the sections are still out of compliance with the Zoning Ordinance. Greg Patton asked for 30 more days to have the Floodplain and Floodway areas completely cleaned out of all unnatural debris. A motion was made by Schoenrock and seconded by Waldner to allow Patton 30 days to clean all unnatural debris out of the Floodplain and Flood way. Patton is to come to the Zoning meeting on September 28, 2023, with an update on his progress and a timeline for future process. 3 members of the Zoning Board will also review the property on September 27, 2023. All members voted aye. Motion passed.

On August 16, 2023, John Wittstruck went before the court for a review of his nuisance property located at 25090 415th Ave. Mitchell. The court ordered requirements are met.

NEW BUSINESS

States Attorney Davies will be asking the County Commissioners at the next regular meeting for a resolution for Davies to serve papers to out of zoning compliance owners.

WELFARE OF THE ORDER

None at this time

EXECUTIVE SESSION

Not needed at this time

A motion to adjourn was made by Fox and seconded by Freeman. All members present voted aye. Motion carried. The date for the next special meeting is Thursday, August 31, 2023, at 9:00am.

Josh Kayser
Hanson County Planning Commission
Christi Pierson, CAA
Zoning Administrator

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