

Hanson County Planning Commission

Minutes of Proceedings

August 29, 2024

The regular meeting of the Hanson County Planning Commission was held at the Hanson County Courthouse on August 29, 2024. Chairman Kayser called the meeting to order at 9:00am with the Pledge of Allegiance. Members Present Gary Schoenrock, Jean Freeman, John Bumgardner, Tristan Bender. Absent Wayne Waldner and Sharon Jarding. Additionally, Christi Pierson, Zoning Administrator and Jennifer Craig, Recording Secretary. A list of other attendees is available at the Hanson County Zoning Office.

PUBLIC COMMENT

None at this time

APPROVE MINUTES

Motion by Freeman, seconded by Bender to approve the meeting minutes of the July 25, 2024. All members voted aye.

APPROVE AGENDA

Motion by Schoenrock, seconded by Bumgardner to approve the agenda. All members voted aye.

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 9:02am by Bender and seconded by Freeman. All members present voted aye. Motion carried.

Variance was presented by Kyle Schulz to the east lot setback for the construction of a structure in an agriculture district. The physical address is 42146 248th St. Alexandria, SD. Legally described as, TRACT 1 IN LOT A MUILENBURGS 1ST ADDN., S2, Section 22, Fairview Township, Hanson County, South Dakota: SCHULZ, KYLE P, Owner.

Findings:

1. The requested variance is within the jurisdiction of the Board of Adjustment in Ordinance #18, section 1607.
2. The facts are:
 - a. Kyle P Schulz is the owner if the subject property.
 - b. The future structure to be built on the existing foundation from a previous structure.

- c. The existing foundation is approximately 15' from the current east property line.

Motion by Bender and seconded by Bumgardner to approve the requested variance of 15' setback from the east property line instead of the 50' required by zoning ordinance #18, to build a structure on existing foundation on property legally known as Tract 1 in Lot A Muilenburgs 1st Add. S2 22-104-58.

Votes for: 5 Votes against: 0 Motion carried.

Mike Fink, Esq. presented a Conditional Use permit for Werning, Albert D & Jean L, with for a gravel mining operation with aggregate sales in an agricultural district, legally known as W2 S&W JAMES RIVER & LOT1 SE4, 24-102-59, Hanson County. Werning, Albert D & Jean L, owners.

Findings:

1. The request is within the jurisdiction of this board under ordinance #53 Section 1234 of Ordinance #18.
2. The facts are:
 - a. Albert D. and Jean L. Werning are the owners of the subject land.
 - b. Material consistent with gravel has been found on the subject property.
 - c. A packet of conforming information in regard to ordinance #53 Section 1234 of Ordinance #18. was presented to the Board for review.
 - d. All property owners within 1 mile of the subject property were notified of the hearing by US postal mail on August 15, 2024.

Motion by Freeman and Seconded by Bender to approve the conditional use permit presented with the following conditions:

1. Documentation presented to the Hanson County board of adjustment on August 29, 2024 by Mike Fink Esq. and Albert Werning, owner, to be attached to this permit.
2. Gravel to be extracted as per the maps presented to the board.
3. Hydrology study to be waived.
4. Follow the state of South Dakota department of agriculture and natural resources reclamation guidelines and follow seed plan as presented.
5. Signed haul road agreement between Rosedale Township and Albert Werning to be followed (copy attached to this permit)
6. No storage outside the subject property boundary lines
7. Buffer area to be waived.
8. Hours of operation will be observed per ordinance #53 section 1234 of ordinance #18. Monday through Friday 7:00am to 6:00pm., Saturday 7:00am to 4:00pm. operations will not be conducted on federal holidays.
9. There will be no blasting.
10. Dust control agents shall be applied to gravel roads designated as haul routes and all driving surfaces within the extraction area.
11. Applicant shall have a copy of the surety bond that is submitted with the State of South Dakota filed with the Zoning Administrator.

12. Property to be secured by a closed gate during non-working hours.
13. Notice against trespassing shall be posted on entry gate and around premises before any gravel is to be extracted. Signs to remain in good order.
14. The perimeter of the property to be enclosed with barbed wire fencing.

Roll call vote taken: Bumgardner, aye. Schoenrock, aye. Freeman, aye. Bender, aye. Kayser, aye. Motion passed.

Motion to recess as Board of Adjustment and convene as Planning Commission made at 9:25am by Bumgardner and seconded by Bender. All members voted aye. Motion carried.

PLATS

A tract of 29.372 acres is to be platted as Tract A of Rockport's Addition in the N2 NE4 section 25 in Rosedale Township. Access by abutting land. Owner, Rockport Hutterian Brethren Inc. A motion was made by Schoenrock seconded by Bender to recommend approval of the plat to County Commissioners. All members voted aye. Motion carried.

12.571 acres are being platted out of 356.20 acres of land. The new plat is for Tract B of Rockport's Addition section 30 in Rosedale Township. Access by abutting land. Owner, Rockport Hutterian Brethren Inc. A motion was made by Bumgardner seconded by Freeman to recommend approval of the plat to County Commissioners. All members voted aye. Motion carried.

OLD BUSINESS

Progress of the clean-up happening at 41242 Old Mill Rd. was discussed. Owners have applied for a building permit to expand current outbuild for the use of storage to remove exterior debris and place it inside.

NEW BUSINESS

None at this time

WELFARE OF THE ORDER

States Attorney Davies would like to have a planning session to discuss and update current zoning ordinances.

EXECUTIVE SESSION

Not needed at this time

A motion to adjourn was made by Bender and seconded by Bumgardner. All members present voted aye. Motion carried. The date for the next regular meeting is Thursday, September 26, 2024, at 9:00am.

Joshua Kayser
Hanson County Planning Commission
Christi Pierson, CAA
Zoning Administrator
Published one time at the approximate cost of: _____