

MEETING (ENTITY): PLANNING COMMISSION REGULAR OR SPECIAL MEETING: Regular  
DATE: 4/14/20 TIME: 7PM LOCATION: COMMISSION CHAMBERS

STAFF ATTENDANCE: Atkinson, Vetter

ROLL FRENG HANSEN HEVLE KLIMISCH MICHAEL SCHULTZ WILLIAMS HEALY HARENS  
CALL:

APPROVAL OF MINUTES: MOTION BY: Klimisch SECOND BY: Harens

PLANNING: FRENG HANSEN HEVLE KLIMISCH MICHAEL SCHULTZ WILLIAMS HEALY HARENS  
Hansen and Michael Abstain

APPROVAL OF AGENDA: MOTION BY: Klimisch SECOND BY: Hansen

PLANNING: FRENG HANSEN HEVLE KLIMISCH MICHAEL SCHULTZ WILLIAMS HEALY HARENS  
No conflict of interest

AGENDA ITEM: **Recommendation of Proposed Amendments**

ADDRESS/LEGAL: \_\_\_\_\_

COMMENTS: Possible recommendation of proposed amendments to Zoning Ordinance 2020 pertaining to Definitions, Article 1 Jurisdiction, Article 2 Application of District Regulations, Article 6 Low Density Rural Residential District (R-1), Article 7 Moderate Density Rural Residential District (R-2), Article 8 High Density Rural Residential District (R-3), Article 10 Commercial District (C), Article 16 Nonconformance, Article 18 Planning Commission and Article 19 Board of Adjustment.

PUBLIC COMMENT: \_\_\_\_\_

MOTION: Motion to accept changes

APPROVAL: MOTION BY: Harens SECOND BY: Klimisch

PLANNING: FRENG HANSEN HEVLE KLIMISCH MICHAEL SCHULTZ WILLIAMS HEALY HARENS  
9-0

AGENDA ITEM: **Leasa Woodward - Variance**

ADDRESS/LEGAL: N300' of the S333' of W1066' exc the W861' thereof located in the SE4 NE4 Section 7 T93N R56W

COMMENTS: Applicant is requesting a Variance to increase the side wall height on an accessory structure from 12 feet to 14 feet, which is a variance of 2 feet in height.

PUBLIC COMMENT: \_\_\_\_\_

MOTION: Motion to approve the Woodward variance request for 14ft sidewall height

APPROVAL: MOTION BY: Healy SECOND BY: Hevle

PLANNING: FRENG HANSEN HEVLE KLIMISCH MICHAEL SCHULTZ WILLIAMS HEALY HARENS  
7-2 Motion carries  
Michael and Williams vote nay

AGENDA ITEM: **Douglas Zimmerer - Variance**  
ADDRESS/LEGAL: Lots 8 thru 13 Block 2 Sherwood Acres, Section 14 T93N R57W hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota.  
COMMENTS: Applicant is requesting a Variance to decrease the minimum lot size for a new plat in a Low Density Residential Zone from 5 acres to .89 acres (lot 15), .73 acres (lot 16), .71 acres (lot 17) and 1.11 acres (lot 18).  
  
PUBLIC COMMENT:  
MOTION: Move approval of the variance  
  
APPROVAL: MOTION BY: Klimisch SECOND BY: Freng  
PLANNING: FRENG  HANSEN  HEVLE KLIMISCH MICHAEL SCHULTZ WILLIAMS HEALY HARENS 9-0

AGENDA ITEM: **Douglas Zimmerer – Plat**  
ADDRESS/LEGAL: \_\_\_\_\_  
COMMENTS: A Replat of Lots 8, 9, 10, 11, 12 and 13, Block 2, Sherwood Acres, located in the S1/2 of the SW1/4 of Section 11 and the N1/2 of the NW1/4 of Section 14, T93N, R57W of the 5<sup>th</sup> P.M., Yankton County, South Dakota, hereinafter to be known as: Lots 15, 16, 17 and 18 Block 2, Sherwood Acres, located in the S1/2 of the SW1/4 of Section 11 and the N1/2 of the NW1/4 of Section 14, T93N, R57W of the 5<sup>th</sup> P.M., Yankton County, South Dakota  
  
PUBLIC COMMENT:  
MOTION: Motion to approve plat of 15, 16, 17, 18 Sherwood Acres  
  
APPROVAL: MOTION BY: Michael SECOND BY: Hevle  
PLANNING: FRENG  HANSEN  HEVLE KLIMISCH MICHAEL SCHULTZ WILLIAMS HEALY HARENS 9-0

AGENDA ITEM: **Mike Barkl – Conditional Use Permit**  
ADDRESS/LEGAL: W12 Rods N34 Rods Exc. Lts H1 & H3 NW4 NW4, Section 6 T95N R55W hereinafter referred to as Walshtown Township, County of Yankton, State of South Dakota.  
COMMENTS: Applicant is requesting a Conditional Use Permit for Retail Firework Sales in a Commercial District.  
  
Previously approved as Section 1009 flammable liquid  
  
PUBLIC COMMENT:  
MOTION: Move approval of the CUP by Michael Barkl as 1009 as similar to Manufacturing, distribution, sale, or storage of flammable, combustible, or hazardous material  
  
APPROVAL: MOTION BY: Healy SECOND BY: Harens

PLANNING: FRENG  HANSEN  HEVLE KLIMISCH MICHAEL SCHULTZ WILLIAMS HEALY HARENS  
9-0

AGENDA ITEM: ***Calby Auch – Variance***

ADDRESS/LEGAL: Said property is legally described as Lot 7B Hackberry Addn, Section 1 T94N R56W hereinafter referred to as Utica North Township, County of Yankton, State of South Dakota.

COMMENTS: Applicant is requesting a Variance to decrease the minimum side yard requirement in an Agriculture District from 75 feet for a side yard to 26 feet, a variance of 49 feet.

PUBLIC

COMMENT:

MOTION: Move to grant the lot variance

APPROVAL: MOTION BY: Harens SECOND BY: Healy

PLANNING: FRENG  HANSEN  HEVLE KLIMISCH MICHAEL SCHULTZ WILLIAMS HEALY HARENS  
9-0

AGENDA ITEM: ***Daniel Wieman – Conditional Use Permit***

ADDRESS/LEGAL: Said property is legally described as NW4 Exc Lot 1 Oursland’s Addition excepting a parcel of land described as follows: Commencing in the SW4 NW4 of said Section 13 thence running North along the West line of said Section 13, 108 feet; thence running East parallel with the said Section 13 403 1/3 feet; thence running South parallel with the West line of said SW4 NW4 of said Section 13, 108 feet; thence running West along the South line of the SW4 NW4 of said Section 13, 403 1/3 feet to the place of beginning containing 1 acre, and further excepting a parcel of land deed to the Volin Cemetery Association, Section 13 T94N R54W hereinafter referred to as Volin Township, County of Yankton, State of South Dakota.

COMMENTS: Applicant is requesting a Conditional Use Permit for a Quarry in an Agricultural District.

PUBLIC

COMMENT:

Rod Nelson spoke in opposition

Cory Logan spoke in support

Louis Johnson spoke in support

MOTION:

Motion to approve this conditional use permit based on the following conditions: the Road Haul Agreement must be signed and approved by the Highway Superintendent, a haul route must be signed and approved by the Highway Superintendent, bridge inspections for these routes shall be completed prior to approval and at the applicant’s cost, a floodplain development permit if needed and stay 100 yards from neighboring property lines.

APPROVAL: MOTION BY: Klimisch SECOND BY: Michael

PLANNING: FRENG  HANSEN  HEVLE KLIMISCH MICHAEL SCHULTZ WILLIAMS HEALY HARENS  
9-0

AGENDA ITEM: ***Jamesville Colony – Plat***

ADDRESS/LEGAL:

COMMENTS: Plat of the Resurvey of Government Lot 2 Except for Lot H1, Government Lot 3 Except for Lot H1 and Lot H2, and Government Lot 4 and Government Lot 5, in Section 2, T95N, R56W of the 5<sup>th</sup> P.M., Yankton County, South Dakota

PUBLIC  
COMMENT:

MOTION: Motion to approve lots

APPROVAL: MOTION BY: Michael SECOND BY: Healy

PLANNING: FRENG HANSEN HEVLE KLIMISCH MICHAEL SCHULTZ WILLIAMS HEALY HARENS

AGENDA ITEM: ***White Crane Estates – Plat***

ADDRESS/LEGAL:

COMMENTS: Plat of Lots 46 and 58, Crestview Homes Subdivision in the NE4 of Section 21, T93N, R56W of the 5<sup>th</sup> P.M., Yankton County, South Dakota

PUBLIC  
COMMENT:

MOTION: Move approval

APPROVAL: MOTION BY: Klimisch SECOND BY: Harens

PLANNING: FRENG HANSEN HEVLE KLIMISCH MICHAEL SCHULTZ WILLIAMS HEALY HARENS

AGENDA ITEM: ***Dave Hertz***

ADDRESS/LEGAL:

COMMENTS: Discuss Rezone of Agriculture to Commercial

PUBLIC  
COMMENT:

AGENDA ITEM: ***Discussion on possible ordinance changes***

ADDRESS/LEGAL:

COMMENTS: Work session scheduled for April 23, 2020 at 7:00 PM

ADJOURN: MOTION BY: Michael SECOND BY: Healy

PLANNING: FRENG HANSEN HEVLE KLIMISCH MICHAEL SCHULTZ WILLIAMS HEALY HARENS