

## County Planning Commission/Board of Adjustment Minutes

August 23, 2023

The Codington County Planning Commission/Board of Adjustment met for their monthly meeting on August 23, 2023 at the Codington County Extension Complex. Members of the Planning Commission/ Board of Adjustment present were Rodney Klatt, Myron Johnson, Alex Kahnke, Mark O'Neill, Mel Ries, Calvin Mack, and Luke Muller (Planner at First District Association of Local Governments/Codington County Zoning Officer). Absent: Brenda Hanten.

Others present: Adam Gracia, Amber Mauricio, Terence Pellman, Matt Stern, Andi Gokhon, and Mark, Fransen.

Vice Chair Kahnke brought the meeting to order at 7:30 pm.

Motion by Ries, second by O'Neill, to approve the July 17, 2023 meeting minutes. Motion passed unanimously.

Motion by Johnson, second by Ries, to approve the agenda. Motion passed unanimously.

Motion by Johnson, second by Ries, to adjourn the Board of Adjustment and convene only as Codington County Planning Commission. Motion passed unanimously.

Motion by Klatt, second Johnson, to initiate Ordinance #82. Muller reviewed Staff Report (attached). Motion to initiate this Ordinance passed unanimously. Public hearing opened. No one was present to speak. Public hearing closed. O'Neill is concerned about outside storage accumulating on contractor shops/yards. Motion by O'Neill, second by Johnson, to amend the original motion to add letter "b" – Outdoor parking and storage is limited to vehicles, trailers, and other equipment used in the day-to-day operations of the business. Motion on amendment passed unanimously. Motion on the Ordinance, with the amendment, passed unanimously.

Motion by Johnson, second by Mack, to recommend approval to the Board of County Commissioners the Plat of Moffenbier Addition located in SE1/4, Section 28-T119N-R52W, Codington County, SD. Motion passed unanimously.

Motion by Klatt, second by O'Neill, to recommend approval to the Board of County Commissioners the Plat of Fransen Third Addition in SE1/4, Section 27-T118N-R51W, Codington County, SD. Motion passed unanimously.

Motion by Johnson, second by Ries, to recommend approval to the Board of County Commissioners the Plat of Zemlicka Second Addition in NW1/4, Section 11-T118N-R51W, Codington County, SD. Motion passed unanimously.

Muller has had conversations with the State of SD and the engineer with regard to TJ Farms. A request may be forthcoming for stockpiling of manure off site. They may also request a change to one of the conditions placed on their operation.

A request from Staff may also be coming to remove public utility from a conditional use to permitted use.

Motion to adjourn made by Johnson, second by O'Neill. Motion passed unanimously. Meeting adjourned at 7:58 pm.

Respectfully Submitted,

Becky Goens

**AUGUST 2023  
CODINGTON COUNTY  
PLANNING COMMISSION/BOARD OF ADJUSTMENT  
STAFF REPORT**

**WEDNESDAY – AUGUST 23, 2023 – 7:30 p.m.**

**CODINGTON COUNTY PLANNING COMMISSION**

**ITEM #1 ZONING AMENDMENT**

**Initiated by: Planning Commission**

**Property Description:** Waverly, Grover, Kampeska Village

**Action Items – Initiation of amendment by Planning Commission  
Recommendation of approval.**

**Summary:**

1. The Town District includes: Waverly, Grover, and Kampeska Village
2. Prior to the adoption of Ordinance #80, the TD included a use called: *“other uses which in its opinion are not detrimental to other uses. These may include manufacturing and processing uses.”*
  - a. Because this use is contrary to the legislative intent of the Board of Adjustment’s roles and process to establish uses for a given district, this use is being removed in all the districts in the county’s ordinance.
  - b. However, at the time of removal it was noted that when individuals propose a use not listed, the Board may need to be more diligent about considering addition of new uses in the TD District. No process was established.
  - c. Staff has prepared an ordinance and hearing for tonight’s meeting in the event the Planning Commission chooses to formally initiate the ordinance.
3. An individual seeks to operate a contractor’s office, shop, and yard within the Town District.
4. Contractor shops and yards are allowed in the Rauville District with additional restrictions to ensure that petroleum products do not leak into the shallow aquifer.
5. Waverly, Grover, and Kampeska Village are not situated over the shallow aquifer.

Recommendation:

**Initiation:**

It appears that contractors’ offices, shops, and yards within the Town District can meet the intent of the Comprehensive Land Use Plan. It can be expected that redevelopment of existing elevator sites and former rail sidings will have varying levels of commercial/industrial development. Staff recommends initiation of this ordinance. **If the Board chooses not to initiate this ordinance**, there is no need for a motion recommending approval.

**Approval:**

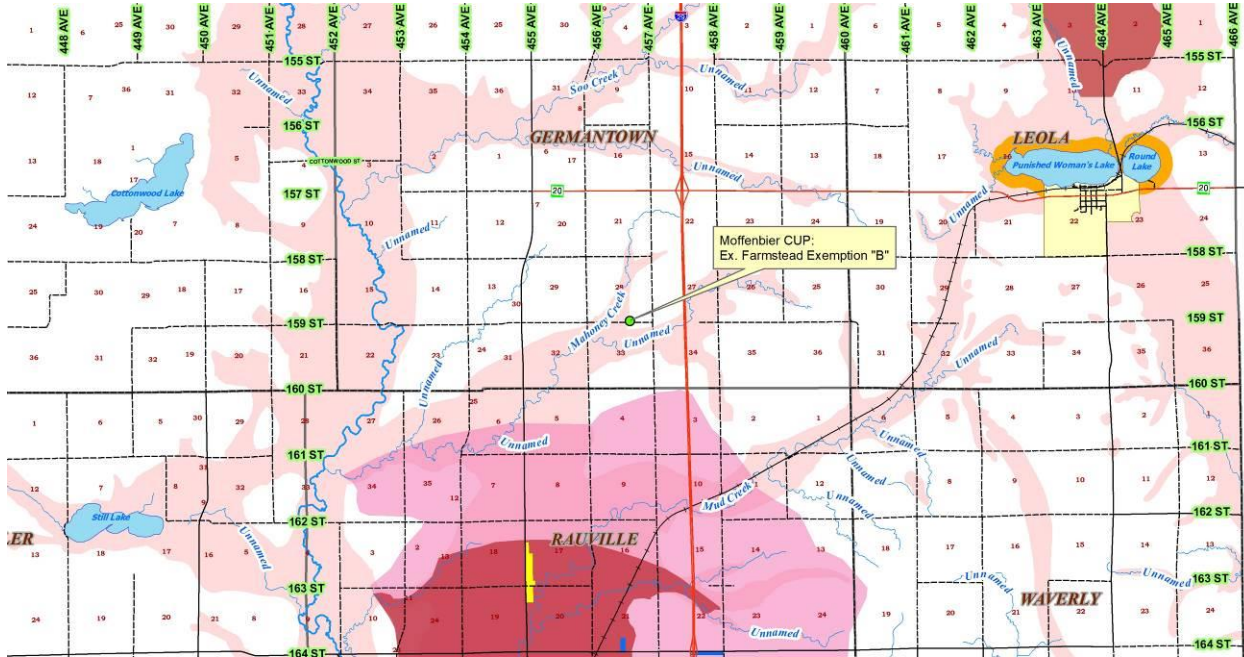
**Ordinance Amendment – Contractor shops and yards (TD – Town District [Conditional Use]):** The Board may postpone, deny, or recommend approval of the amendment to the ordinance with or without amendment from the draft. Should the Board deny the amendment, staff recommends a motion to reconsider the initiation from above.

**ITEM #2 PLAT**

**Applicant: Nick and Katherine Moffenbier**

**Owner: Kim Kazemba**

**Property Description:** Moffenbier Addition Located in the Southeast Quarter of Section 28 Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (Germantown Township).

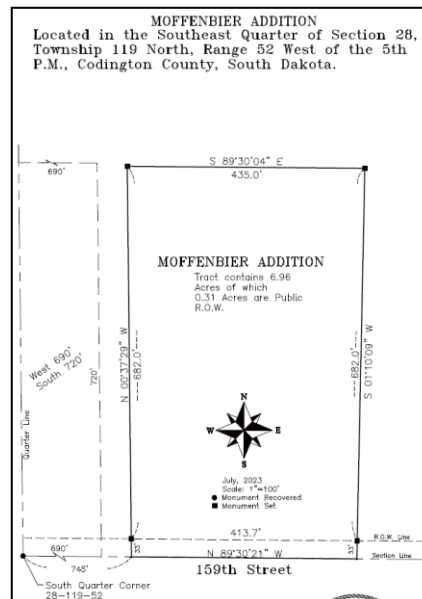
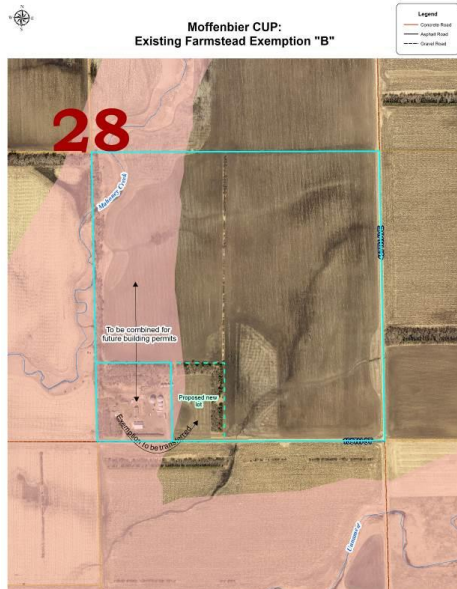


**Lat/Long (Existing Approach):** 45.078961°; - 97.073769°

**Action Items – Plat approval.**

**Zoning Designation: Ag District**

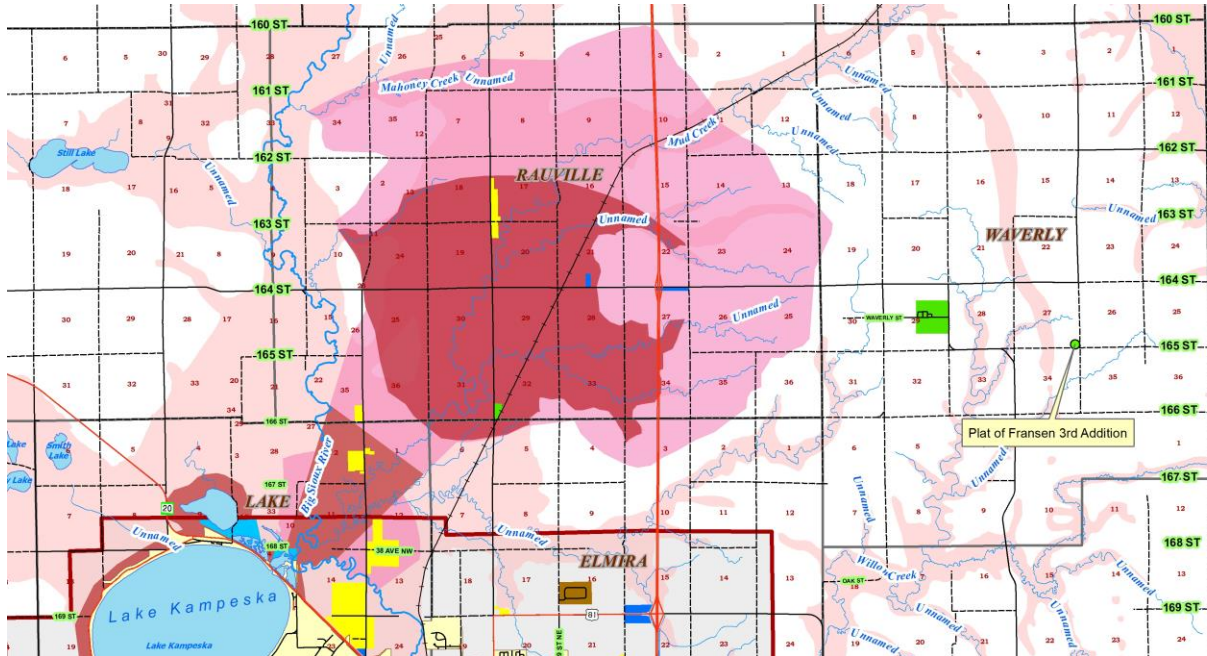
**Request:** Plat ~7 acre lot in accordance with existing farmstead exemption.



**ITEM #3 PLAT**

**Applicant/Owner: Mark Fransen**

**Property Description:** Fransen Third Addition Located in the Southeast Quarter of Section 27 Township 118 North, Range 51 West of the 5th P.M., Codington County, South Dakota. (Waverly Township).



**Action Items – Plat approval.**

**Zoning Designation: Ag District**

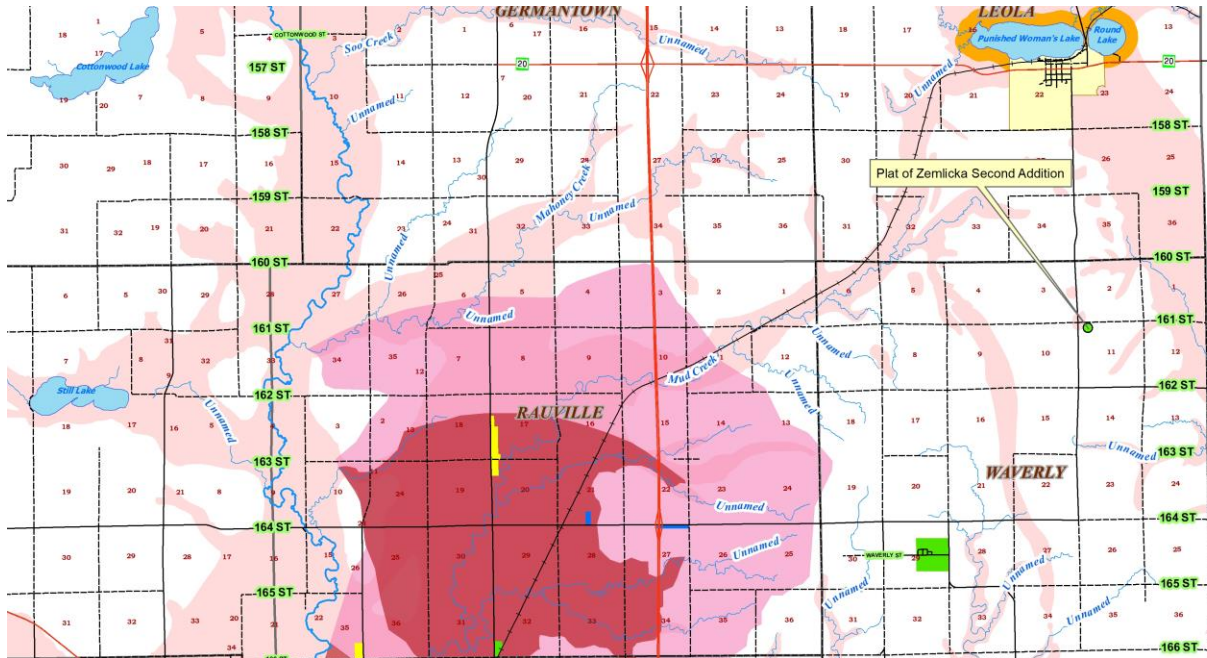
**Request:** Plat ~39 acre lot for transfer to Crowned Ridge Energy.



**ITEM #4 PLAT**

**Applicant/Owner: DEWEY L ZEMLICKA, RAYNELLE J MUELLER ETAL**

**Property Description:** Zemlicka Second Addition Located in the Northwest Quarter of Section 11 Township 118 North, Range 51 West of the 5th P.M., Codington County, South Dakota. (Waverly Township).



**Action Items – Plat approval.**

**Zoning Designation:** Ag District

**Request:** Plat ~37 acre lot for transfer to Crowned Ridge Energy.



Plat of Zemlicka Second Addition

Legend

- Concrete Road
- Asphalt Road
- Gravel Road

