

# MINUTES

## REGULAR SCHEDULED MEETING BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY APRIL 15, 2025 - 7:00 P.M.

BROWN COUNTY COURTHOUSE ANNEX in the BASEMENT COMMUNITY ROOM

- I. **Call to Order:** *Brown County Planning/Zoning Commission* meeting was called to order by Stan Beckler Chairman.
- II. **Roll Call:** Members of the Brown County Planning/Zoning Commission present for roll call were Stan Beckler Chairman, David North Vice-Chairman, Pat Keatts, James Meyers, Carrie Weisenburger, County Commissioner Michael Gage (*who serves on this Board per SDCL 11-2-2*), and Deputy State's Attorney Ross Aldentaler. Paul Johnson (*Alternate P&Z Commissioner*) was also in attendance along with staff members, Scott Bader & Chris Anderson. Dale Kurth was absent.
- III. **Agenda:** After discussion, Weisenburger moved and Keatts seconded to approve the April 15, 2025, Planning/Zoning Commission Agenda as presented. All members voted aye; motion carried.
- IV. **Minutes:** After discussion, Gage moved and Johnson seconded to approve the March 18, 2025, Planning/Zoning Commission Minutes, all members voted aye; motion carried.
- V. **Old Business:**
  - 1) **Sign-up Sheet:** at door entrance on the table for anyone to speak on an Agenda Item.
  - 2) **Permits:** Anyone present that has submitted Zoning Board of Adjustment (BOA) Agenda items such as a Variance Petition (VP) or Conditional Use Petition (CUP) that get approved, are still required to follow up with their PERMITS from the Zoning Office before starting their project.
- VI. **New Business:** *Planning/Zoning Commission as Zoning Board of Adjustment (BOA)*
  - 1) **Variance to Building Setbacks** in a Mini-Agriculture District (M-AG) described as Lot 27, Block 1, "Pleasant Valley Estates" in the SE1/4 of Section 30-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (12874 Pleasant Valley Drive E; Lincoln Twp.). Submitted by John Long. John & Danette Long were in attendance for this item. Following discussion on Findings of Facts (FoF), Gage moved, and North seconded to ***approve the Finding of Facts (FoF)*** as presented. Also following discussion, Gage moved, and North seconded to ***approve a Variance to Building Setbacks*** to have a 20' S Front Yard Setback rather than the 45' Setback required in a Mini-Agriculture District (M-AG) for a 16' x 12' storage shed, all members voting aye, motion carried.
  - 2) **Variance to Building Setbacks** in a Rural Urban District (R-U) described as Lots 5 - 10, Block 3, "Original Plat of Columbia" in the SE1/4 of Section 29-T125N-R62W of the 5<sup>th</sup> P.M., Brown County, South Dakota (107 Lake Blvd S; Columbia City). Submitted by Arlyn Johnson. Arlyn & Christine Johnson were in attendance for this item. Following discussion on Findings of Facts (FoF), Weisenburger moved, and Johnson seconded to ***approve the Finding of Facts (FoF)*** as presented. Also following discussion, Weisenburger moved, and Johnson seconded to ***approve the Variance***

to Building Setbacks in a Rural Urban District (R-U) for a 0' E Front Yard Setback rather than the 25' Setback required & a 0' N Side Yard Setback rather than the 7' Setback required by Brown County Ordinance 4.1106 to bring the existing house & shop building and new 30'x30' garage into compliance, all members voting aye, motion carried.

- 3) **Variance to Building Setbacks** in a Mini-Agriculture District (M-AG) described as "Ellingson's Outlot 1" in the SW1/4 of Section 33-T121N-R61W of the 5<sup>th</sup> P.M., Brown County, South Dakota (14788 402<sup>nd</sup> Ave; Garden Prairie Twp.). Submitted by Adam Monson. Adam Monson was in attendance for this item. Following discussion on Findings of Facts (FoF), Meyers moved, and Keatts seconded to ***approve the Finding of Facts (FoF)*** as presented. Also following discussion, Meyers moved, and Keatts seconded to ***approve the Variance to Setbacks*** in a future Mini-Agriculture District (M-AG) to have a 30' W Front Yard Setback rather than the 100' Setback required by Brown County Ordinance for a new 60' x 104' storage building, all members voting aye, motion carried.
- 4) **Variance to Building Setbacks** in a Highway Commercial District (HC) described as "U.P.C. First Addition" in the SW1/4 of Section 15-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (5225 E Highway 12, Bath Twp.). Submitted by Flashrock Enterprises, LLC. Joe & Candy Gross were in attendance for this item. Following discussion on Findings of Facts (FoF), Gage moved, and Weisenburger seconded to ***approve the Finding of Facts (FoF)*** as presented. Also following discussion, Gage moved, and Weisenburger seconded to ***approve the Variance to Setbacks*** in a Highway Commercial District (H-C) to have a 10' E Side Yard Setback rather than the 25' Setback required by Brown County Ordinance for a new storage building, all members voting aye, motion carried.

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*Completed as Zoning Board of Adjustment (BOA) Agenda & going to Planning Commission Agenda*

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### BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, APRIL 15, 2025 - 7:00 P.M.

BROWN COUNTY COURTHOUSE ANNEX in the BASEMENT COMMUNITY ROOM

- I. **Old Business:** Discussion on Amendments to Brown County Ordinance Title 4 for Chapters 4.22 through Chapter 4.29 on Administrative Rules and Enforcement are still postponed until further notice, by Ross Aldentaler, Deputy States Attorney.
- I. **New Business:** *Brown County Planning/Zoning Commission as [Planning Commission](#).*
- 10) **Rezone Petition** for a property described as Lot 5, "Keatts Third Subdivision" in the NE1/4 of Section 22-T124N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota (127160 West Bridge Road; Ravinia Twp.) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG). Submitted by Timothy & Kelly Serr. No one was in attendance for this item.

Following discussion, North moved, Johnson seconded to **recommend approval of the Rezone Petition** to the Board of Brown County Commissioners. All members voting aye, motion carried.

**11) Rezone Petition** for a property described as “Ellingson’s Outlot 1” in the SW1/4 of Section 33-T121N-R61W of the 5<sup>th</sup> P.M., Brown County, South Dakota (14788 402nd Avenue; Garden Prairie Twp.) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG). Submitted by Adam Monson. There was no one present for this item. Following discussion, Gage moved, Weisenburger seconded to **recommend approval of the Rezone Petition** to the Board of Brown County Commissioners. All members voting aye, motion carried.

**12) Rezone Petition** for a property described as “Meyer’s Outlot 1 to Millers Richmond Lake Subdivision” in the SW1/4 of Section 19-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (382228 Spillway Drive; Lincoln Twp.) to be rezoned from Agriculture Preservation District (AG-P) to Lake Front Residential District (R-3). Submitted by Jeffrey & Tamara Sahli. There was not anyone present for this item. Following discussion, Meyers moved, Gage seconded to **recommend approval of the Rezone Petition** to the Board of Brown County Commissioners. All members voting aye, motion carried.

**13) Rezone Petition** for a property described as Lot 2, “Keatts Third Subdivision” in the NE1/4 of Section 22-T124N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota (127070 W Bridge Road; Ravinia Twp.) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG). Submitted by Shane Reich. There was not anyone present for this item. Following discussion, Gage moved, North seconded to **recommend approval of the Rezone Petition** to the Board of Brown County Commissioners. All members voting aye, motion carried.

**14) Rezone Petition** for a property described as Proposed Lots 1 thru 5, “Johnson Airport Subdivision” in the SW1/4 of Section 22-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (5010, 5025, 5030, 5120, & 5210 Anthony Lane; Bath Twp.) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG). Submitted by James Johnson. There was not anyone present for this item. Following discussion, North moved, Keatts seconded to **recommend approval of the Rezone Petition** to the Board of Brown County Commissioners with the stipulation that Planning & Zoning receive a letter from the Airport Board or Manager stating that they approve of this development. All members voting aye, motion carried.

**15) Preliminary & Final Plat** for conveyance purposes on a property described as “Johnson Airport Subdivision” in the SW1/4 of Section 22-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (5010, 5025, 5030, 5120, & 5210 Anthony Lane; Bath Twp.). Submitted by James Johnson. There was not anyone present for this item. Following discussion, Gage moved, Weisenburger seconded to **recommend approval of the Preliminary & Final Plat** to the Board of Brown County Commissioners. All members voting aye, motion carried.

**16) Ordinance Discussion – 4.36 Data Centers**

Following discussion, Johnson moved, Keatts seconded to **postpone approval of Ordinance 4.38 Data Centers** to the Board of Brown County Commissioners for further clarification, all members voting aye, motion carried.

**17) Ordinance Discussion – 4.38 Wind Energy**

Following discussion, Johnson moved, Keatts seconded to **postpone approval of Ordinance 4.36 Wind Energy** to the Board of Brown County Commissioners for further clarification, all members voting aye, motion carried.

**II. Other Business:** None.

**III. Motion to Adjourn:** There being no further business before the Planning/Zoning Commission, Keatts moved and Meyers seconded to adjourn the meeting, all members voting aye, motion carried.

Submitted by: Planning/Zoning Director Scott Bader.