

MINUTES

REGULAR SCHEDULED MEETING BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY June 17, 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, David North Vice-Chairman, James Meyers, County Commissioner Michael Gage (*who serves on this Board per SDCL 11-2-2*), Deputy State's Attorney Ross Aldentaler, Carrie Weisenburger, Dale Kurth, along with staff members, Ron Keller & Chris Anderson. Pat Keatts, & Paul Johnson (*Alternate P&Z Commissioner*) were absent.
- III. **Agenda:** After discussion, Meyers moved and Kurth seconded to approve the June 17, 2025, Planning/Zoning Commission Agenda as presented. All members voted aye; motion carried.
- IV. **Minutes:** After discussion, North moved and Meyers seconded to approve the May 20, 2025, Planning/Zoning Commission Minutes, all members voted aye; motion carried.

Old Business:

- 1) Sign-up Sheet: On the table by the door entrance, there is a Sign-up Sheet. Please print legibly and mark YES or NO if you want to speak to the Board on any Agenda Item.
- 2) Anyone that has submitted a Variance Petition (VP) or Conditional Use Petition (CUP) to the Zoning Board of Adjustment (BOA) is still required to get their required *PERMITS* from the Zoning Office before starting their project if their request gets approved. Penalties may be assessed per Ordinance when starting projects without proper permits in place.
- 3) **Preliminary & Final Plat:** for conveyance purposes on a property described as "Pigors Third Addition" in the SE1/4 of Section 27-T122N-R60W of the 5th P.M., Brown County, South Dakota (14053 410th Avenue; East Hanson Twp). Submitted by Chris Pigors. Chris Pigors was in attendance for this item. Following discussion, Gage moved, Kurth seconded to **recommend approval of the Preliminary & Final Plat** to the Board of Brown County Commissioners, all members voting aye, motion carried.

V. New Business: Planning/Zoning Commission as Zoning Board of Adjustment (BOA)

- 1) **Conditional Use Petition (CUP)** in a proposed Highway Commercial District (H-C) described as The 500' West of the East 70' of the North 658' in the NW1/4 of Section 11-T123N-R64W, except highway R.O.W. and except H-1, of the 5th P.M., Brown County, South Dakota (1421 24th Avenue NW; Aberdeen Twp.). Submitted by Dennis Volzke. Dennis, Marlys, Lauren, & Joseph Volzke were in attendance for this item. Joe & Angela Kokales, Mark Richter, Shelly Lound, Jerry Dougherty, Kristan Morris, spoke against, Chad Hauge & Sterling Jones spoke in favor of the Conditional Use Petition (CUP). Also present for this item were Dan & Sheri Larson, Bryon & Carol Hilgemann, Robin Bobzien, Mike Sommers, Nikki Hauge, Craig Scheuffele and Terry Hauge. Following discussion on Findings of

Facts (FoF), North moved, Kurth seconded to **approve the Finding of Facts (FoF)** as amended. Also following discussion, North moved, Kurth seconded to **Deny the Conditional Use Petition (CUP)** for open storage of dumpsters & heavy equipment, & to operate 1 business on the West end with a shop & storage on the East end of the existing building. Roll call vote: North – nay, Meyers – abstained, Gage – nay, Weisenburger – nay, Kurth – nay, motion carried to deny.

- 2) **Variance to Setbacks** in a proposed Mini-Agriculture District (M-AG) described as Lot 2B, “Lockheed Replat of Lot 2 of the 2nd subdivision of O’Dea’s Outlot 1” in the SW1/4 of Section 34-T122N-R64W of the 5th P.M., Brown County, South Dakota (38534 142nd Street, Warner Twp.). Submitted by Matthew Olsen. Matthew & Brittney Olsen were in attendance for this item. Following discussion on Findings of Facts (FoF), Kurth moved, Meyers seconded to **approve the Finding of Facts (FoF)** as presented. Also following discussion, Kurth moved, Meyers seconded to **approve a Variance to Setbacks** in a proposed Mini-Agriculture District (M-AG) to have a 45’-0” South Front Yard Setback for a new 40’ x 70’ shop/storage building. All members voting aye, motion carried.
- 3) **Conditional Use Petition (CUP)** in a Commercial District (C) described as Lot 4, “Todd Rosebrock First Subdivision” in the NW1/4 of Section 9-T123N-R63W of the 5th P.M., Brown County, South Dakota (4365 Paper Lane, Aberdeen Twp.). Submitted by Todd Rosebrock. Todd & Barb Rosebrock was in attendance for this item. Following discussion on Finding of Facts (FoF), Kurth moved, Meyers seconded to **approve the Finding of Facts (FoF)** as presented. Also following Discussion, Kurth moved, Meyers seconded to **approve a Conditional Use Petition (CUP)** to allow open storage of campers, trailers and some vehicles in a Commercial District (C). All members voting aye, motion carried.
- 4) **Conditional Use Petition (CUP)** in a Heavy Industrial District (H-I) described as Lot 1, “TAC First Addition” in the NW1/4 of the NW1/4 of Section 9-T123N-R63W of the 5th P.M., Brown County, South Dakota (1820 Brown County 19, Aberdeen Twp.). Submitted by Todd Rosebrock. Todd & Barb Rosebrock was in attendance for this item. Following discussion on Finding of Facts (FoF), Gage moved, Weisenburger seconded to **approve the Finding of Facts (FoF)** as presented. Also following Discussion, Gage moved, Weisenburger seconded to **approve a Conditional Use Petition (CUP)** to allow a free-standing 4’ x 8’ sign attached to two posts in a Heavy Industrial District (H-I) with the stipulation that the sign must be setback a minimum of 50’ from the property line. All members voting aye, motion carried.
- 5) **Conditional Use Petition (CUP)** in an agriculture Preservation District (AG-P) described as the SW1/4 of Section 3-T123N-R63W of the 5th P.M., Brown County, South Dakota (39150 107th Street, Richland Twp.). Submitted by Taylor Sumption. Taylor Sumption was in attendance for this item. Following discussion on Finding of Facts (FoF), North moved, Weisenburger seconded to **approve the Finding of Facts (FoF)** as presented. Also following Discussion, North moved, Weisenburger seconded to **approve a Conditional Use Petition (CUP)** for a ½ mile private, turf airstrip in an Agriculture Preservation District (AG-P). All members voting aye, motion carried.
- 6) **Variance to Approach Separation** in a Heavy Industrial District (H-I) described as Young’s Lot 1, “Hub City Livestock Second Add” in the E1/2 of Section 26-T123N-R64W of the 5th P.M., Brown County, South Dakota (2410 S 5th Street, Aberdeen Twp.). Submitted by Don Young. No one was in attendance for this item. Following discussion on Finding of Facts (FoF), Meyers moved, North seconded to **approve the Finding of Facts (FoF)** as presented. Also following Discussion, Meyers moved, North seconded to **approve a Variance to Approach Separation** for a proposed new approach to be approximately 175’ from the North and 194’ from the South existing approaches. All members voting aye, motion carried.

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- 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 the 500' west of the east 700' of the north 658' in the NW1/4 of Section 11-T123N-R64W, except H-1 and except Lot C, Block 12, "Wylie Park Estates 5th Addition" in the N1/2 of Section 11-T123N-R64W of the 5th P.M., Brown County, South Dakota (1421 24th Avenue NW / 1920 N Hwy 281; Aberdeen Twp.) to be rezoned from Residential District (R-1) to Highway Commercial District (H-C). Submitted by Dennis Volzke. Dennis, Marlys, Lauren, & Joseph Volzke were in attendance for this item. Joe & Angela Kokales, Mark Richter, Shelly Lound, Jerry Dougherty, Kristan Morris, , Terry Hauge, Sterling Jones, Dan & Sheri Larson, Bryon & Carol Hilgemann, Robin Bobzien, Mike Sommers, Chad & Nikki Hauge were present for this item. Following discussion, Meyers moved, North seconded to **Postpone the Rezone Petition** to the July 15, 2025, P&Z Board meeting. All members voting aye, motion carried.
 - 11) Rezone Petition** for a property described as Proposed Lots 1 & 2, "Weismantel Farm First Addition" in the E1/2 of the NE1/4 of Section 33-T126N-R62W of the 5th P.M., Brown County, South Dakota (11747 397th Avenue; Shelby Twp.) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG). Submitted by Dawn Weismantel. No one was present for this item. Following discussion, Gage moved, Kurth 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 Proposed Lot 1, "Maier's First Addition" in the SW1/4 of Section 17-T126N-R63W of the 5th P.M., Brown County, South Dakota (11450 389th Avenue; Brainard Twp.) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG). Submitted by Earl Maier. No one was present for this item. Following discussion, Meyers moved, Weisenburger 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 Lots 2A & 2B, "Lockheed Replat of Lot 2 of 2nd Subdivision of O'Dea's Outlot 1" in the SW1/4 of Section 34-T126N-R62W of the 5th P.M., Brown County, South Dakota (38518 & 38534 142nd Street; Warner Twp.) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG). Submitted by Matthew Olsen. Matthew & Brittney Olsen were present for this item. Following discussion, North moved, Weisenburger seconded to **recommend approval of the Rezone Petition** to the Board of Brown County Commissioners. All members voting aye, motion carried.

- 15) **Preliminary & Final Plat** for conveyance purposes on a property described as “Weismantel Farm First Addition” in the E1/2 of the NE1/4 of Section 33-T126N-R62W of the 5th P.M., Brown County, South Dakota (11747 397th Avenue; Warner Twp). Submitted by Dawn Weismantel. No one was in attendance for this item. Following discussion, Kurth moved, Meyers seconded to ***recommend approval of the Preliminary & Final Plat*** to the Board of Brown County Commissioners, all members voting aye, motion carried.
- 16) **Preliminary & Final Plat** for conveyance purposes on a property described as “Mina Lake Northeast Addition” in the S1/2 of Section 7-T123N-R65W of the 5th P.M., Brown County, South Dakota (37360 132nd Street; Mercier Twp). Submitted by Mina Northeast Addition. No one was in attendance for this item. Following discussion, Gage moved, North seconded to ***recommend approval of the Preliminary & Final Plat*** to the Board of Brown County Commissioners, all members voting aye, motion carried.
- 17) **Preliminary & Final Plat** for conveyance purposes on a property described as “Maier’s First Addition” in the SW1/4 of Section 17-T126N-R63W of the 5th P.M., Brown County, South Dakota (11450 389th Avenue; Barnard Twp). Submitted by Earl Maier. No one was in attendance for this item. Following discussion, Meyers moved, Gage seconded to ***recommend approval of the Preliminary & Final Plat*** to the Board of Brown County Commissioners, all members voting aye, motion carried.
- 18) **Preliminary & Final Plat** for conveyance purposes on a property described as “TC Wright Addition” in the NW1/4 of Section 20-T123N-R62W of the 5th P.M., Brown County, South Dakota (39505 133rd Street; Bath Twp.). Submitted by Todd & Connie Wright. No one was in attendance for this item. Following discussion, North moved, Kurth seconded to ***recommend approval of the Preliminary & Final Plat*** to the Board of Brown County Commissioners, all members voting aye, motion carried.
- 19) **Preliminary & Final Plat** for financial purposes on a property described as “CWE Addition” in the N1/2 of Section 29-T123N-R60 of the 5th P.M., Brown County, South Dakota (134th Street & 407th Avenue; Groton Twp). Submitted by CWE Properties, LLC. No one was in attendance for this item. Following discussion, Kurth moved, North seconded to ***recommend approval of the Preliminary & Final Plat*** to the Board of Brown County Commissioners, all members voting aye, motion carried.

II. Other Business: None

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

Submitted by: Planning/Zoning Director Scott Bader