MINUTES

REGULAR SCHEDULED MEETING
BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY OCTOBER 20, 2026 - 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 Chairman Stan Beckler.

II. Roll Call: Members of the Brown County Planning/Zoning Commission present for roll call were Stan Beckler – Chairman, David North - Vice Chairman, James Meyers, Carrie Weisenburger, Paul Johnson, Joel Wiedebush, and Michael Gage (*County Commissioner who serves on this Board per SDCL 11-2-2)*. Also in attendance were Deputy State's Attorney Ross Aldentaler and planning/zoning office staff Scott Bader and Chris Anderson.

III. Agenda: After discussion, it was agreed to move Item #17 – Discussion, Clark Thares on Data Centers to Item #1. Gage moved and Weisenburger seconded to approve the October 20, 2026, Planning/Zoning Commission Agenda as presented. All members voted aye, motion carried.

IV. Minutes: After discussion, Gage moved and North seconded to approve last month's September 15, 2026, Planning/Zoning Commission Minutes. All members voted aye, motion carried.

V. Opportunity for Public Comment: Public comments will be limited to three (3) minutes or at the P&Z Commissions discretion. Presentations will be limited to five (5) minutes.

VI. 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 are on an Agenda Item or if you want to speak to the Planning/Zoning Commission about an Agenda Item that is listed.

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

1) **Discussion on Data Centers** with Clark Thares, speaker. No action was taken on this item.

2) **Variance to Setbacks** in a Lake Front Residential District (R-3) described as Lot 11, "Lutgen's West Addition" in the NE1/4 of Section 23-T124N-R65W of the 5th P.M., Brown County, South Dakota (127370 W Shore Drive; Ravinia Twp.). Submitted by Derek Hadrick. No one was in attendance for this item. Following discussion, Meyers moved, Johnson seconded to ***approve the Findings of Fact (FoF).*** Also following discussion, Meyers moved, Johnson seconded to ***approve a Variance to Setbacks*** to have 7'-0" west rear yard setback rather than the 30'-0" required & a 7'-0" north side yard setback required by Brown County Ordinance with the stipulation that water and sewer lines are located prior to construction. All members voted aye, motion carried.

3) **Conditional Use Petition (CUP)** in a Heavy Industrial District (H-I) described as "Lien Outlot A" in the SW1/4 of the SW1/4 of Section 14 & the SE1/4 of the SE1/4 of Section 15-T123N-R64W, except H-1, of the 5th P.M., Brown County, South Dakota (2204 W Hwy 12; Aberdeen Twp.). Submitted by Lien Restoration. No one was in attendance for this item. Following discussion, Johnson moved, North seconded to ***approve the Findings of Fact (FoF).*** Also following discussion, Johnson moved, North seconded to ***approve a Conditional Use Petition (CUP)*** to replace existing metal roofing on a shop/office building. All members voted aye, motion carried.

4) **Variance to Setbacks** in an Agriculture Preservation District (AG-P) described as Lot 5, "Replat of Borden's Subdivision" in the S1/2 of the SE1/4 of the SE1/4 of Section 3-T127N-R64W of the 5th P.M., Brown County, South Dakota (38590 107th Street; Frederick Twp.) Submitted by Darrel Napton. Darrel Napton and Jesse Holmes were in attendance for this item. Following discussion, Weisenburger moved, Johnson seconded to ***approve the Findings of Fact (FoF).*** Also following discussion, Weisenburger moved, Johnson seconded to ***approve a Variance to Setbacks*** to allow a 60'-0" south front yard setback rather than the 100'-0" required by Brown County Ordinance. All members voted aye, motion carried.

5) **Variance to Setbacks** in an Agriculture Preservation District (AG-P) described as Lot 1, "Hansen Addition" in the SW1/4 of Section 9-T122-R62W of the 5th P.M., Brown County, South Dakota (14354 396th Avenue; East Rondell Twp). Submitted by Beth Isaacson-Hoeft. Beth Isaacson-Hoeft was in attendance for this item. Following discussion, Gage moved, North seconded to ***approve the Findings of Fact (FoF).*** Also following discussion, Gage moved, North seconded to ***approve a Variance to Setbacks*** to allow a 15'-0" west front yard setback rather than the 100'-0" required by Brown County Ordinance with the stipulation that this property be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG). All members voted aye, motion carried.

6) **Variance to Setbacks** in a Mini-Agriculture District (M-AG) described as Lot 3, "Jody and Stacy Linsey Subdivision" in the NE1/4 of Section 9-T121N-R64W of the 5th P.M., Brown County, South Dakota, (807 135th Street SW; Aberdeen Twp.). Submitted by Curt Reuer. No one was in attendance for this item. Following discussion, Meyers moved, Gage seconded to ***approve the Findings of Fact (FoF).*** Also following discussion, Meyers moved, Gage seconded to ***approve a Variance to Setbacks*** to allow a north shelterbelt setback of 75'-0" rather than the 150'-0" required from the section line for 5 new rows of trees.

7) **Conditional Use Petition (CUP)** in a proposed Mini-Agriculture District (M-AG) described as Lots 1-7, "Replat of Borden's Subdivision" in the S1/2 of the SE1/4 of the SE1/4 of Section 3-T127N-R64W of the 5th P.M., Brown County, South Dakota (10695 386th Avenue; Frederick Twp.). Submitted by Darrel Napton. Darrel Napton and Jesse Holmes were in attendance for this item. Following discussion, Weisneburger moved, Johnson seconded to ***approve the Findings of Fact (FoF).*** Also following discussion, Weisneburger moved, Johnson seconded to ***approve a Conditional Use Petition (CUP)*** to continue selling fireworks in a proposed Mini-Agriculture District. All members voted aye, motion carried.

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

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TUESDAY, October 20, 2026 - 7:00 P.M.
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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.

II. **New Business:** *Brown County Planning/Zoning Commission as* ***Planning Commission.***

10) Rezone Petition for (Lot 1 = 31.51 acre & Lot 2 = 8.73 acre; Lot 1, Pence First = 5.45 acre) properties described as proposed Lots 1 & 2, "Pence Second Subdivision" in the S1/2 of the S1/2 of Section 9 & Lot 1, "Pence First Subdivision" in the SE1/4 of Section 9, all in T125N-R64W of the 5th P.M, Brown County, South Dakota (38444 & 38474 120th Street & 11995 385th Avenue; Westport Twp.) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG). Submitted by Michael Pence and Lance Burns. Mike Pence 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 voted aye, motion carried.

11) Rezone Petition for a (9.75 acre) property described as the 330' next South of the North 766' of the West 1320' & the S1/2 of vacated Derian Drive of the NW1/4 of Section 27-T123N-R64W of the 5th P.M, Brown County, South Dakota (1913 S 385th Avenue; Aberdeen Twp.) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG). Submitted by Curt Reuer. No one was in attendance for this item. Following discussion, Johnson moved, Meyers seconded to ***recommend approval of the Rezone Petition*** to the Board of Brown County Commissioners. All members voted aye, motion carried.

12) Rezone Petition for a (4.55 total acre) properties described as Lots 1-7, "Replat of Borden's Subdivision' in the S1/2 of the SE1/4 of the SE1/4 of Section 3-T127N-R64W of the 5th P.M, Brown County, South Dakota (10695 386th Avenue; Frederick Twp.) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG). Submitted by Darrel Napton. Darrel Napton and Jesse Holmes were in attendance for this item. Following discussion, Wiedebush moved, Weisenburger seconded to ***recommend approval of the Rezone Petition*** to the Board of Brown County Commissioners. All members voted aye, motion carried.

13) Preliminary & Final Plat for financial purposes described as "Waage First Addition" in NW1/4 of the SW1/4 of Section 23-T124N-R64W of the 5th P.M., Brown County, South Dakota (12760 386th Avenue; Lincoln Twp.). Submitted by Adam Waage. No one was in attendance for this item. Following discussion, Gage moved, Wiedebush seconded to ***recommend approval of the Rezone Petition*** to the Board of Brown County Commissioners. All members voted aye, motion carried.

14) Preliminary & Final Plat for financial purposes described as "Pond View First Addition" in NW1/4 of Section 9-T123N-R63W of the 5th P.M., Brown County, South Dakota (4270 & 4390 Paper Lane; Aberdeen Twp.). Submitted by Jeff Brockel. No one was in attendance for this item. Following discussion, Wiedebush moved, Gage seconded to ***recommend approval of the Rezone Petition*** to the Board of Brown County Commissioners. All members voted aye, motion carried.

15) Preliminary & Final Plat for conveyance purposes described as "Pence Second Subdivision" in the S1/2 of the S1/2 of Section 9-T125N-R64W of the 5th P.M., Brown County, South Dakota (38444 120th Street; Westport Twp.). Submitted by Michael Pence. Mike Pence was in attendance for this item. Following discussion, Meyers moved, Johnson seconded to ***recommend approval of the Rezone Petition*** to the Board of Brown County Commissioners. All members voted aye, motion carried.

16) Preliminary & Final Plat for conveyance purposes described as "A Plat of a Replat of Outlot A" in the SW1/4 of Section 15-T123N-R63W of the 5th P.M., Brown County, South Dakota (approx. 477 S 391st Avenue; Bath Twp.). Submitted by Michael Cutler. Mike Traxinger was in attendance for this item. Following discussion, Meyers moved, North seconded to ***recommend approval of the Rezone Petition*** to the Board of Brown County Commissioners. All members voted aye, motion carried.

17) Discussion - Clark Thares on Data Centers – This item was moved to Item #1 on the agenda. After a discussion on data centers, no action was taken.

18) Discussion – Fliehs Property – After discussion, the Planning Commission recommended that the property in question should be platted and the subsequent two parcels be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (AG-P).

III. **Other Business:**

IV. **Executive Session** (if requested per SDCL 1-25-2).

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

Minutes submitted by: Planning/Zoning Director Scott Bader