

**MINUTES OF THE HUGHES COUNTY
PLANNING & ZONING COMMISSION
Hughes County Commission Room,
Hughes Co. Courthouse, Pierre, South Dakota
October 24, 2016, at 5:30 PM**

Members Present: Tom Rounds, (Chair), Brent Pries, Anissa Grambihler, Lee Axdahl, Bill Johnston and Les Stewart. Unable to attend: Roger Inman

Staff Present: Kevin Hipple.

Guests Present: Cindy Arch, Duane Winkler and Kent Bowers.

Chair Rounds called the meeting to order at 5:30 PM.

Approval of Agenda:

Grambihler moved to approve the Agenda for October 24, 2016, Planning and Zoning Commission meeting. Motion seconded by Johnston. Motion carried unanimously.

Approval of Minutes:

Axdahl moved to approve the Minutes of the July 25, 2016, Planning and Zoning Commission meeting. Motion seconded by Grambihler. Motion carried unanimously.

Informational copies of the minutes from the Joint Planning Commission meetings on 7/25/2016 and 9/26/2016 were also shared with the Commission.

New Business:

05:30 PM - Public Hearing to consider the proposed rezoning and plat of Tract 2 of Brandt Subdivision in the W1/2 of the NW1/4 in Section 9-110-78, adjoining Tract 1. The petitioner is Cindy Arch.

Hipple summarized the project. Cindy Arch is proposing to plat and sell an additional 20 acre parcel to Richard Brandt, the owner of Brandt Tract 1. The existing Brandt Tract 1 is zoned Ag B2. Arch proposes to rezone the additional 20 acres to Ag B2 as well, so both parcels will be zoned the same. Rezoning to Ag B2 would bring this 20 acre parcel into compliance with our ordinances. The rest of the surrounding property is zoned Ag B with Ag B2 zoning in the Royal Ridge Estates development. This lot connects with 296th Avenue so it does have legal access. This lot complies with the zoning requirements and appears compatible with other lots in the area.

Nobody from the public appeared to testify.

Grambihler moved to approve the Rezoning and Plat of Tract 2, Brandt Subdivision in W1/2 of the NW1/4 of Section 9, Township 110N, Range 78W. The motion was seconded by Pries. Motion was approved unanimously.

Consideration of a plat of Bowers Family Cemetery, a subdivision of Bowers Tract 1 and the SW 1/4, all of Section 25, Township 108N, Range 74W. The petitioner is Kent Bowers.

Hipple summarized the project. Kent Bowers is proposing to create and plat a private family cemetery on property adjoining the property which contains his residence. This property is zoned Ag A with a variance for a small parcel for Bowers Tract 1. A cemetery is a conditional use in Agricultural Zoning District A, so a conditional use permit will be required. The permit will be considered by the Hughes County Board of Adjustment at their meeting on October 25. This parcel will encompass a portion of Bowers Tract 1, owned by Kent Bowers, and a portion of the SW1/4 of Section 25-108-74, owned by Bowers Distillery. Bowers is the president of Bowers Distillery. Access to this parcel would be via a 25 foot wide access easement from an existing approach in the SW quarter.

Since a cemetery is a conditional use in Ag A, any action on this plat would have to be contingent upon approval of the Conditional Use Permit by the Board of Adjustment. The smallest parcel size allowed by Ag A zoning is 35 acres, so a variance will be required for this parcel, which is only 0.04 acres. That variance will be included in the Conditional Use Permit. All of the adjoining property is owned by either Kent Bowers or Bowers Distillery. The nearest property which is not owned by Bowers is over 1000 feet away and is owned by Arthur Gregg.

Rounds asked who would maintain the cemetery into the future. Hipple explained that this would be a separate parcel with private ownership and that the property owners would be responsible for maintenance. Hipple said that the CUP could require Bowers to establish a cemetery association to maintain the property, but that he was not sure that would be a better solution. The board also discussed access and parking for the cemetery parcel. Hipple explained that this plat includes a 25 foot wide access easement from the existing approach to the cemetery.

Grambihler moved to approve the Plat of Bowers Family Cemetery, a subdivision of Bowers Tract 1 and the SW 1/4, all of Section 25, Township 108N, Range 74W, contingent upon approval of the Conditional Use Permit and the variance for a small parcel. The motion was seconded by Stewart. Motion was approved unanimously.

Jay Peterson had asked prior to the meeting to be allowed to participate in the next agenda item by phone. The board agreed and Hipple called Peterson and put him on speakerphone with the board.

Consideration of a plat of Lot 3R, Venner's Peoria Heights Addition in the NW1/4 NE1/4 of Section 30, Township 112, Range 80. The petitioner is Mark Venner.

Hipple summarized the project. Mark Venner is proposing to replat Lot 3A, 3B and the N 300' of the E 400' of Lot 2 of Venner's Peoria Heights Addition from three parcels into one 9.64 acre lot. Lot 3R will continue to share an approach with the adjoining Lot 4. This action will satisfy the requirements of a covenant approved by the County Commission on July 18, 2016. This proposed parcel would address the access concerns for the currently unplatted lot in the northeast corner of Lot 2. There is an existing access easement for Lot 2, Lot 3 and Lot 4 which will also apply to this replat. That easement grants access as well as specifies that maintenance costs are a joint responsibility of the parties to the easement.

Axdahl moved to approve the Plat of Lot 3R, Venner's Peoria Heights Addition in the NW1/4 NE1/4 of Section 30, Township 112, Range 80. The motion seconded by Grambihler. Motion was approved unanimously.

Jay Peterson hung up and left the meeting.

Old Business: None

Summary of Previous & Future Projects:

A brief summary and discussion of the following project.

- The Plat of Williams Tract 1, a replat of Johnson Tract 1 and part of the NE 1/4 of the NW 1/4 of Section 23-112-79 by Shawn Williams was heard the first time at the County Commission meeting on May 16. At this point the Commission is waiting for Williams to resolve the property ownership issues before proceeding.
- Rezoning and Plat of Spencer Tract 1&2 was approved at the August 15 County Commission meeting.
- Plat of Bergeson Tract 1 & 2 was approved at the August 15 County Commission meeting.
- Rezoning and Plat of Lots A-R1 through A-R6 was approved at the August 15 County Commission meeting.

Next Meeting - The next meeting is scheduled for Monday, November 28, 2016.

Grambihler moved to adjourn. Motion seconded by Stewart. Motion approved unanimously.

Meeting Adjourned at 6:15 PM.

Minutes by Kevin Hipple