

**PLANNING COMMISSION/
BOARD OF ADJUSTMENT MEETING
CITY COMMISSION ROOM
Tuesday, September 26, 2023
7:00am**

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES: September 12, 2023, Planning Commission

APPROVAL OF MINUTES: September 12, 2023, Board of Adjustment

APPROVAL OF AGENDA:

APPEARANCES, ACKNOWLEDGEMENTS, CORRESPONDENCE:

OLD BUSINESS (Planning Commission and Board of Adjustment): None.

NEW BUSINESS (Board of Adjustment): None

NEW BUSINESS (Planning Commission):

1. Hearing on Appeal No. 697, Trojan Village, requesting a change of zoning that, if granted, will change the zoning from Agriculture (AG) to Duplex Residence, 6000 Square Foot District (R-60); Multiple Family, 2000 Square Foot District (R-20); and Neighborhood Business District (NB).
2. Decision on Appeal No. 697.

PUBLIC INPUT:

ADJOURNMENT:

Any person with a disability wishing to attend any board meeting who may require special arrangements may contact the Finance Office at 256-7500 and all attempts shall be made to accommodate those requests.

PLANNING COMMISSION PROCEEDINGS
CITY OF MADISON
September 12, 2023
7:00 am

Chairman John Groce called the meeting to order at 7:02 am. The following members were present for roll call: John Groce, Jim Iverson, Bob Maxwell, Jennifer Wolff, Roger Olson, Donna Fawbush and alternate Jacob DeBoer. Absent was Michael Johnson. Also present was Administrative Official Ryan Hegg and Roy Lindsay. Dan Whitlock, Jennifer Hasleton, Brooke Rollag and Chad Van Den Hemel were also in attendance.

Motion by Commissioner Maxwell to approve the August 8, 2023, Planning Commission minutes, seconded by Commissioner Wolff. Motion carried unanimously.

Motion by Commissioner Iverson to approve the September 12, 2023, agenda. Seconded by Commissioner Olson. Motion carried unanimously.

Motion by Commissioner Fawbush, seconded by Commissioner Iverson to move into Board of Adjustment at 7:04 am. Motion carried unanimously.

Motion by Commissioner Olson, seconded by Commissioner Fawbush to move out of Board of Adjustment and into Planning Commission at 7:21 am. Motion carried unanimously.

Plat Approval – Lot 8 Block 8 of Lakeview Industrial Park

Discussion regarding Plat of Lot 8 in Block 8 of Lakeview Industrial Park Addition. Motion to recommend to the City Commission made by Commissioner Iverson. Seconded by Commissioner Fawbush. Motion carried unanimously.

Plat Approval – Lot 9 Block 8 of Lakeview Industrial Park

Discussion regarding Plat of Lot 9 in Block 8 of Lakeview Industrial Park Addition. Motion to recommend to the City Commission made by Commissioner Maxwell. Seconded by Commissioner DeBoer. Motion carried unanimously.

Public Input: Question regarding Airbnb in city limits. Comments regarding rubbish along Highland Avenue at 1039 W Center Street. Safety and snow removal concerns at this location.

Commissioner Iverson motioned to adjourn the meeting. Seconded by Commissioner Olson. Meeting adjourned at 7:40 am.

**BOARD OF ADJUSTMENT PROCEEDINGS
CITY OF MADISON
September 12, 2023**

The Planning Commission motioned to move into Board of adjustment at 7:04 am.

The following members were present for roll call: Chairman John Groce, Board Members Jim Iverson, Donna Fawbush, Jennifer Wolff, Roger Olson, Bob Maxwell, and alternate Jacob Deboer. Also present were Administrative Officials Ryan Hegg and Dan Whitlock. Absent was Michael Johnson

This being the time and place set for the hearing on Variance Appeal Request No. 695 – by Heather Pulis. The following people were in attendance in addition to the Board and the aforementioned individuals, Gary Zay, Jennifer Hasleton, Brooke Rollag, Chad Van Den Hemel, Roy Lindsay.

Mr. Hegg went through the contents of the packet for Appeal No. 695 – Heather Pulis. The applicant is requesting a Variance permit that would allow the applicant to place a camper on her property at 328 N Harth Avenue for temporary living. City Ordinance 17.35.01 states “No major recreational equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.” Board of Adjustments cannot approve. Concerns regarding current camper disturbing construction space. Water and sewer could not be connected to a camper causing sanitary concerns.

There were no additional opponents or proponents. Chairman Groce closed the public hearing and proceeded to the decision agenda item for appeal.

Motion by Mr. Maxwell, second by Mr. Deboer to approve Appeal No. 695. Vote 0-7 against. Motion failed with a vote 0 in favor and 7 against.

Motion by Mr. Olson, second by Ms. Fawbush to move out of the Board of Adjustment at 7:21am.

Motion carried unanimously.

Dan Whitlock
Board of Adjustment

CITY OF MADISON
PETITION FOR A CHANGE IN ZONING CLASSIFICATION

10/29/09

APPEAL NUMBER 1097

APPLICANT (PRINT): PANDY SCHAEFER DBA TROJAN VILLAGE PHONE: 605 256 2363

ADDRESS: 23472 451ST AVE MADISON SD 57042

OWNER (PRINT): _____ PHONE: _____
IF DIFFERENT THAN APPLICANT

ADDRESS: _____

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE CITY COMMISSION OF THE CITY OF MADISON, SOUTH DAKOTA, TO ISSUE A CHANGE IN ZONING CLASSIFICATION FOR THE PROPERTY DESCRIBED AS:

LEGAL DESCRIPTION (Please print or type)

SEE ATTACHED EXHIBIT A

GENERAL AREA OR STREET ADDRESS: EAST OF WASHINGTON AVE IMMEDIATELY SOUTH OF 232ND ST.


EXISTING LAND USE: AGRICULTURAL **EXISTING ZONING:** AG

SIZE OF PARCEL: ACRES 30.74 **LOT DIMENSIONS:** WIDTH 2,648 LENGTH 556 DEPTH 1,096

SURROUNDING LAND USE/ZONING
NORTH: AG AND R-60
SOUTH: R-60
EAST: AG
WEST: AG

PLEASE DESCRIBE WHAT YOU PROPOSE TO DO AND WHY YOU ARE SEEKING A CHANGE IN ZONING CLASSIFICATION INCLUDING DISCUSSION ON WHAT CHANGE OR CHANGING CONDITIONS MAKE THE PASSAGE OF THIS AMENDMENT NECESSARY (attach a separate sheet of paper if necessary)

REZONING FOR HOUSING SUBDIVISION DEVELOPMENT - CHANGING ZONING FROM AG TO ZONES DESIGNATED ON ATTACHED EXHIBIT A.

SIGNATURE OF APPLICANT 

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

NOTE: A SKETCH OF PROPOSED PROPERTY SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

- 3. NORTH DIRECTION
- 2. DIMENSIONS OF PROPOSED STRUCTURE
- 3. STREET NAMES
- 4. OTHER INFORMATION AS MAY BE REQUESTED
- 5. LOCATION OF PROPOSED STRUCTURE ON LOT
- 6. DIMENSIONS OF FRONT AND SIDE SET BACKS
- 7. LOCATION OF ADJACENT EXISTING BUILDINGS

FOR OFFICIAL USE ONLY

DATE FILED WITH ADMINISTRATIVE OFFICIAL: _____
FEE PAID (NON-REFUNDABLE): _____ YES _____ NO
DATE OF HEARING: _____
ACTION BY BOARD OF ADJUSTMENT: _____

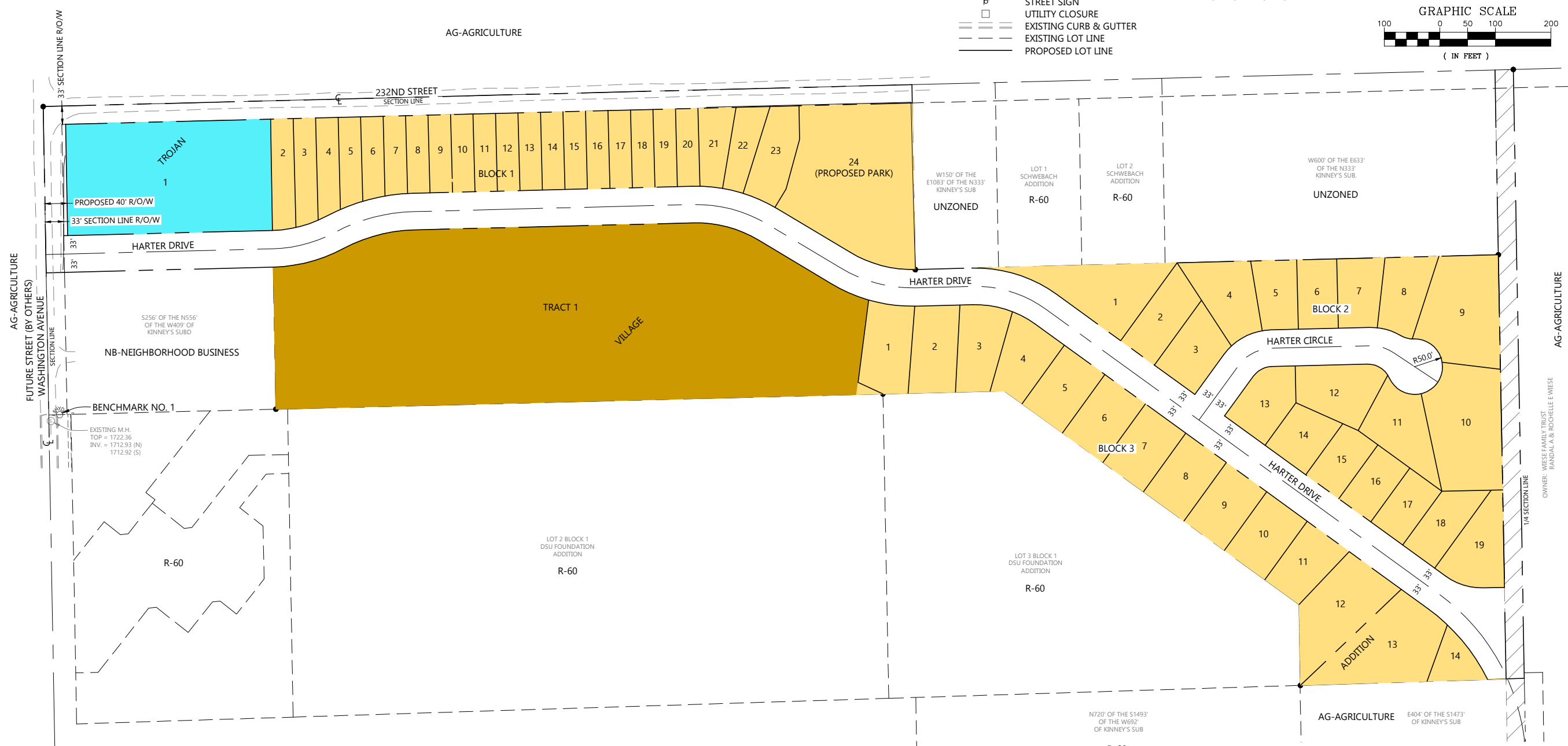
LEGEND

- PIN FOUND
- FIRE HYDRANT
- LIGHT POLE
- POWER BOX
- TELEPHONE BOX
- SIGN
- STREET SIGN
- UTILITY CLOSURE
- EXISTING CURB & GUTTER
- EXISTING LOT LINE
- PROPOSED LOT LINE

ZONED NB (NEIGHBORHOOD BUSINESS DISTRICT)
 ZONED R-20 (GENERAL RESIDENCE)
 ZONED R-60 (DUPLEX RESIDENCE)

NOTE: LOTS 2 THRU 23 IN BLOCK 1 ARE PLANNED FOR DUPLEX UNITS

GRAPHIC SCALE
 100 0 50 100 200
 (IN FEET)



LEGAL DESCRIPTION: ALL THAT PART OF KINNEY'S SUBDIVISION OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 5, TOWNSHIP 106 NORTH, RANGE 52 WEST OF THE 5TH P.M., LAKE COUNTY, SOUTH DAKOTA, EXCEPT DEEDED AND PLATTED PORTIONS THEREOF AND EXCEPT THE EAST 404 FEET OF THE SOUTH 1473 FEET THEREOF, AND EXCEPT THE SOUTH 256 FEET OF THE NORTH 556 FEET OF THE WEST 409 FEET THEREOF, AND EXCEPT THE WEST 150 FEET OF THE EAST 1083 FEET OF THE NORTH 333' THEREOF, AND EXCEPT THE WEST 600 FEET OF THE EAST 633 FEET OF THE NORTH 333 FEET THEREOF, AND EXCEPT LOTS 1 AND 2 OF SCHEWBACH ADDITION, AND EXCEPT ODENBRETT'S FIRST ADDITION, AND EXCEPT LOTS 1, 2 AND 3 IN BLOCK 1 OF DSU FOUNDATION ADDITION, SUBJECT TO ANY RECORDED EASEMENTS AND ENCUMBRANCES CONTAINED THEREIN.

AND
 TRACT A OF LOT 3, BLOCK 1 DSU FOUNDATION ADDITION TO THE CITY OF MADISON, LAKE COUNTY, SOUTH DAKOTA.

BENCHMARK NO. 1:
 TOP NUT OF HYDRANT
 S. 556' ± OF THE INTERSECTION OF
 232ND ST. & WASHINGTON AVE.
 ELEV. = 1724.47 (88 DATUM)

BENCHMARK NOTE:
 THE ELEVATION BASIS OF THIS SURVEY IS BASED ON GPS OBSERVATION OF THE TRIMBLE VIRTUAL REFERENCE STATION (VRS) SYSTEM AND IS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).

TROJAN VILLAGE ADDITION
 TROJAN VILLAGE, LLC.
 SEC. 5 - T106N - R52W
 MADISON, LAKE COUNTY, SOUTH DAKOTA

PROJECT NO.: 23107
 SURVEYED BY: JHC
 CREATED BY: BJB
 APPROVED BY: JHC
 REVISION DATE:

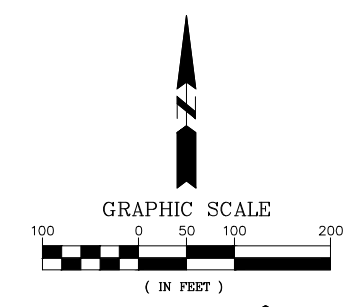
ZONING MAP
 EXHIBIT:
A

Sayre Associates
 216 S. Duluth Avenue • Sioux Falls, SD 57104
 Phone: (605) 332-7211 • Fax: (605) 332-7222

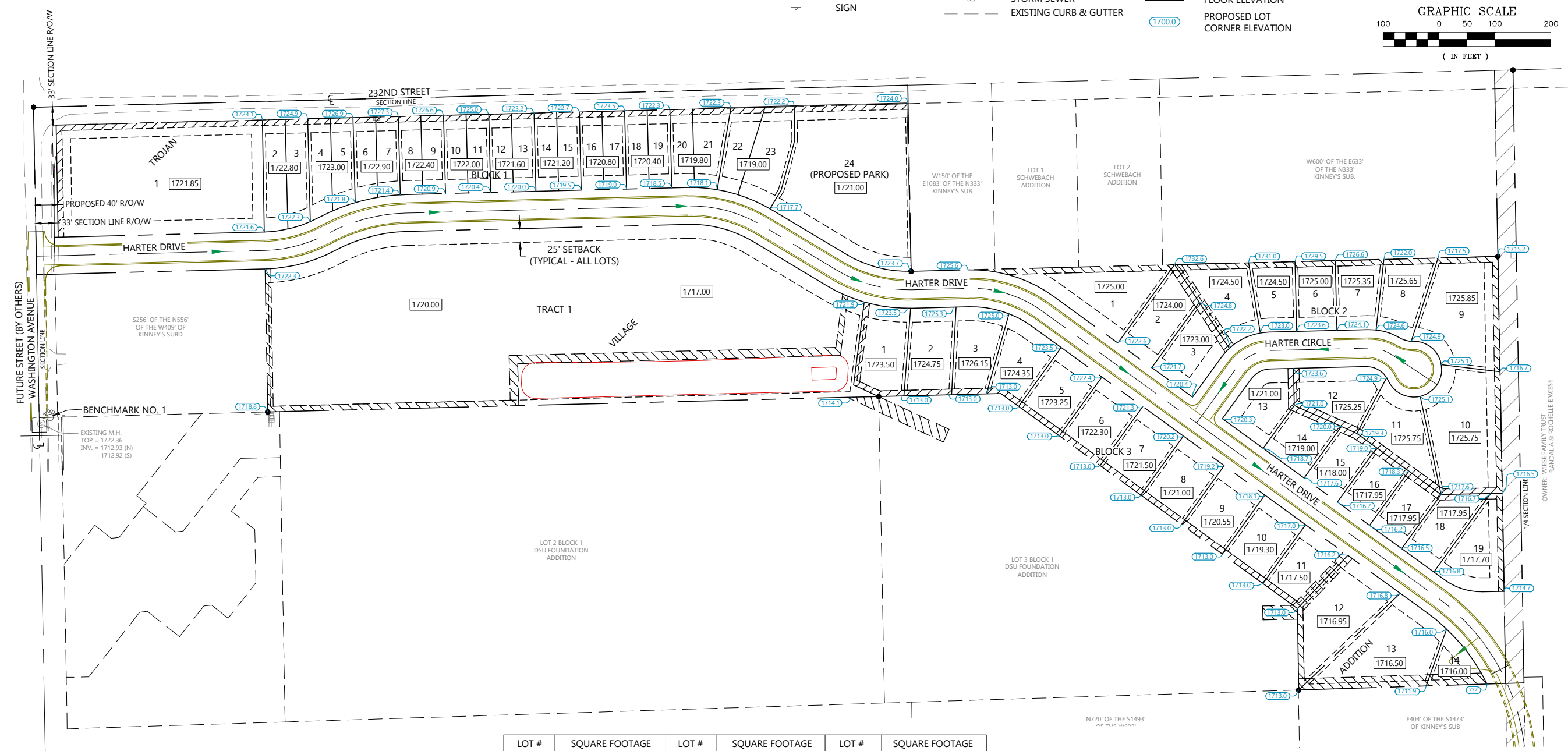
Engineering Solutions

PROJECT NO.:	23107
SURVEYED BY:	JHC
CREATED BY:	BJB
APPROVED BY:	JHC
REVISION DATE:	

FINISHED FLOOR & LOT CORNER ELEVATIONS PLAN
EXHIBIT:
B



- LEGEND**
- 1400--- EXISTING CONTOUR
 - EXISTING LOT LINE
 - PROPOSED CURB & GUTTER
 - 1400--- PROPOSED CONTOUR
 - PROPOSED LOT LINE
 - 1700.00 PROPOSED MINIMUM FINISHED FLOOR ELEVATION
 - 1700.0 PROPOSED LOT CORNER ELEVATION
- PIN FOUND
 - FIRE HYDRANT
 - LIGHT POLE
 - POWER BOX
 - TELEPHONE BOX
 - EXISTING MANHOLE
 - EXISTING STORM M.H.
 - SIGN
- STREET SIGN
 - UTILITY CLOSURE
 - WATER SHUTOFF
 - W — WATER VALVE
 - W — WATER LINE
 - S — SANITARY SEWER
 - SS — STORM SEWER
 - — EXISTING CURB & GUTTER



LOT #	SQUARE FOOTAGE	LOT #	SQUARE FOOTAGE	LOT #	SQUARE FOOTAGE
LOT 1	73,957	LOT 1	20,364	TRACT 1	309,163
LOT 2	8,252	LOT 2	11,909	LOT 1	13,499
LOT 3	7,734	LOT 3	11,465	LOT 2	13,050
LOT 4	7,078	LOT 4	13,661	LOT 3	13,037
LOT 5	6,414	LOT 5	9,263	LOT 4	11,732
LOT 6	5,971	LOT 6	9,000	LOT 5	11,703
LOT 7	5,731	LOT 7	9,831	LOT 6	11,703
LOT 8	5,670	LOT 8	11,246	LOT 7	11,702
LOT 9	5,670	LOT 9	25,405	LOT 8	11,702
LOT 10	5,670	LOT 10	27,869	LOT 9	11,701
LOT 11	5,670	LOT 11	14,461	LOT 10	11,701
LOT 12	5,670	LOT 12	13,928	LOT 11	11,009
LOT 13	5,670	LOT 13	11,205	LOT 12	20,983
LOT 14	5,670	LOT 14	9,442	LOT 13	24,549
LOT 15	5,670	LOT 15	8,739	LOT 14	5,934
LOT 16	5,670	LOT 16	8,520		
LOT 17	5,670	LOT 17	8,520		
LOT 18	5,670	LOT 18	10,420		
LOT 19	5,670	LOT 19	13,688		
LOT 20	5,672				
LOT 21	7,819				
LOT 22	7,549				
LOT 23	11,641				
LOT 24	57,547				

Note:
 Finish floor elevations shown are recommended minimum elevations. The Contractor shall verify depths of sanitary sewer services prior to establishing final finish floor elevations.

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September 20, 2023

To Whom it May Concern;

This letter is to address my concerns with the new development- Trojan Village Addition.

I own land that is adjacent to the development along the west and south of the extension of Division Ave.

These are some of my concerns:

- According to Grading Plan map 9 – they have raised their land up from the 1711 to 1713 in the far north east corner. Mine is remaining at the 1711. How is that not changing the natural flow? When water would hold up during a bad rain it could sit on their newly bought land that was 1711 and mine, now all will be sitting on my land, (and I will add that the water would not sit in my land long enough to cause any crop damage before the start of this development). Is this not changing the natural flow of the water? They are no longer allowing water to collect on their lower level. Will either the city of the development have to compensate me for the damage to my property, that clearly shows in the plans could/and more than likely will happen? As an example of the water coming off of the development and onto mine are the pictures we have of the clay that drained from the north down onto our property, it would not have done that if the elevation was not raised.
- Also, will the road have to be built up even higher? And if so, what will the height be?
- The plans show installing a swale – How deep and wide will that be? And, who will be responsible for maintaining it at that depth and width?
- The lift station will also be raised – what will that elevation be, and what is the drainage plan for that?
- Do you have a map showing the completed project? Showing the details of the road, swale and lift station?
- Why is it not possible to have the drainage go to the west along our east and west land that borders each other, where the swale will be located? At one time it was stated that the surveyor would look into that, I am just wondering why that is not an option any longer?
I thought possibly some drain tile and pipes could help move that water to the west and prevent flooding in my northeast corner?

Thank you for your time and attention to my concerns.

