

**PLANNING COMMISSION/
BOARD OF ADJUSTMENT MEETING
CITY COMMISSION ROOM
Tuesday, October 3, 2023
7:00am**

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES: September 26, 2023, Planning Commission

APPROVAL OF AGENDA: October 3, 2023

APPEARANCES, ACKNOWLEDGEMENTS, CORRESPONDENCE: None.

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

NEW BUSINESS (Board of Adjustment):

1. Hearing on Appeal No. 698 – Randy Schaefer, for a conditional use application that, if granted, will permit the applicant to construct a contractor shops building consisting of 19 rental units in one approximately 578'x60' building. The property is legally described as Lot 8 in Block 8 of Lakeview Industrial Park Addition to the City of Madison, Lake County, South Dakota.
2. Decision on Appeal No. 698 – Randy Schaefer.

NEW BUSINESS (Planning Commission):

1. Plat Approval – Tract A of Lot 3 of Block 1 DSU Foundation Addition to the City of Madison, Lake County, South Dakota

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 26, 2023
7:00 am**

Chairman John Groce called the meeting to order at 7:01 am.

The following members were present for roll call: John Groce, Jim Iverson, Bob Maxwell, Jennifer Wolff, Roger Olson, Donna Fawbush, Michael Johnson and alternate Jacob DeBoer. Also present was Administrative Official Ryan Hegg and Roy Lindsay. Dan Whitlock, Jennifer Hasleton, Randy Schaefer, Randy Wiese, Ray Pierson, Lora Ersland, Linda Klosterman, Gary Zay, Craig Walker and Chad Van Den Hemel were also in attendance.

Motion by Commissioner Maxwell to approve the September 12, 2023, Planning Commission minutes, seconded by Commissioner Fawbush. Motion carried unanimously.

Motion by Commissioner Iverson to approve the September 12, 2023, Board of Adjustment minutes, seconded by Commissioner Wolff. Motion carried unanimously.

Motion by Commissioner Fawbush to approve the September 26, 2023, agenda. Seconded by Commissioner Maxwell. Motion carried unanimously.

This being the time and place set for the hearing on Rezone Appeal No. 697 by Trojan Village, requesting a change of Zoning that, if granted, will change the Zoning District from Agriculture (AG) to Duplex Residential (R-60); Multiple Family Residence (R-20); and Neighborhood Business District (NB). Ryan Hegg went through the contents of the agenda packet. This is a rezone of property that was recently identified by the most recent Comprehensive Land Use Plan as appropriate for residential use. The Engineering & Community Development office has received comments from adjacent landowners who have expressed both support and concern about approval. Linda Klosterman has concerns regarding her adjacent property and drainage. Randy Wiese shared his concerns regarding drainage from his property. Craig Walker asked regarding sidewalk in the rear of his property and the adjacent park. Lora Ersland asked regarding the (NB) corner if there would be bright signage. Discussion regarding drainage will be held at a future meeting.

Commissioner Iverson motioned to approve Appeal No. 697 Seconded by Commissioner Olson. Roll call vote taken. 7-0 in favor of appeal. Motion carried unanimously.

Public Input: None

Commissioner Maxwell motioned to adjourn the meeting. Seconded by Commissioner Olson. Meeting adjourned at 8:16 am.

CITY OF MADISON
CONDITIONAL USE APPLICATION

APPEAL NUMBER 098

APPLICANT (PRINT): Randy Schaefer, Managing Member PHONE: 605-480-5555

ADDRESS: 23472 451st Street, Madison SD, 57042

OWNER (PRINT): Madison Contractors Shop, LLC PHONE: 605-480-5555
IF DIFFERENT THAN APPLICANT

ADDRESS: 23472 451st Street, Madison SD, 57042

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE BOARD OF ADJUSTMENT OF THE CITY OF MADISON SOUTH DAKOTA, TO ISSUE A CONDITIONAL USE PERMIT FOR THE PROPERTY DESCRIBED AS:

LEGAL DESCRIPTION (Please print or type)

Lot 8 in Block 8 of Lakeview Industrial Park Addition to the City of Madison, Lake County, SD

GENERAL AREA OR STREET ADDRESS: On John Deere Circle, East of Fox Promotions, South of Runnings

EXISTING LAND USE: Agriculture **EXISTING ZONING:** Light Manufacturing

SIZE OF PARCEL: (ACRES) SQFT 4.037 LOT DIMENSIONS: WIDTH see exhibits LENGTH see exhibits DEPTH see exhibits

SURROUNDING LAND USE
NORTH: Runnings & John Deere Businesses
SOUTH: Agriculture
EAST: John Deere
WEST: Fox Promotions Business

PLEASE DESCRIBE WHAT YOU PROPOSE TO DO AND WHY YOU ARE SEEKING A CONDITIONAL USE PERMIT (attach a separate letter of explanation if necessary)

We plan to construct a contractor shops building consisting of 19 rental units in one approximately 578' x 60' building. Contractor shops and yards are listed as a conditional use in the ML Light manufacturing zoning district under Sec. 17.11b of City Ordinance

I (we) further state that if this request is granted, I (we) will proceed with the actual construction in accordance with the plans herewith submitted within one year or additional time as extended from the effective date of the appeal.

SIGNATURE OF APPLICANT [Signature]

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

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

- 1. 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

THE BOARD OF ADJUSTMENT MAY REQUIRE THAT SUCH PLANS BE PREPARED BY A REGISTERED ENGINEER OR LAND SURVEYOR.

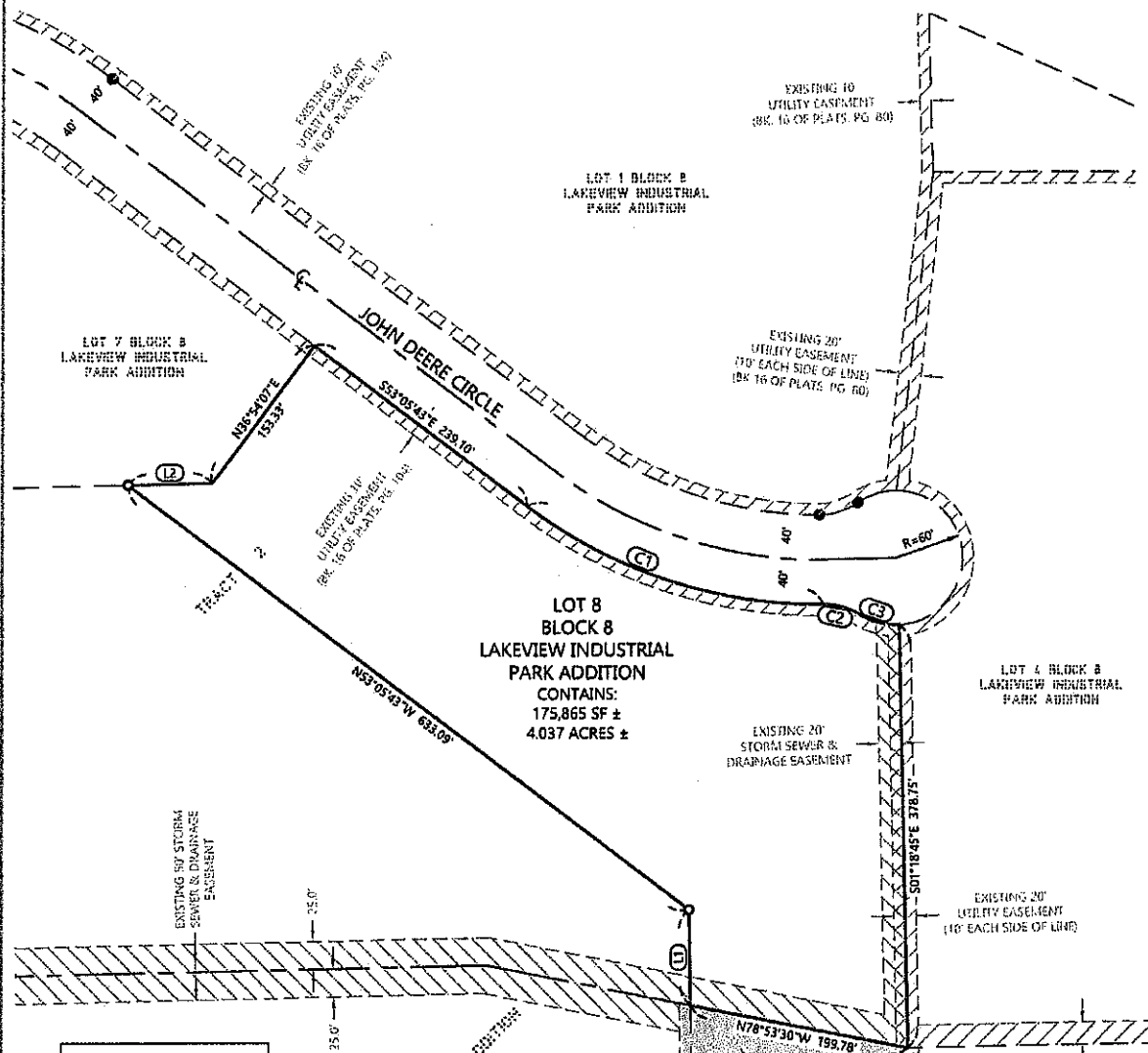
**PLEASE USE THE ATTACHED SKETCH INSTRUCTION SHEET FOR AN EXAMPLE.

FOR OFFICIAL USE ONLY

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

Attachments: C.U.P. Exhibit
Plat of Property

**PLAT OF
LOT 8 IN BLOCK 8 OF LAKEVIEW INDUSTRIAL PARK ADDITION
TO THE CITY OF MADISON, LAKE COUNTY, SOUTH DAKOTA**



LINE TABLE		
Line #	Bearing	Distance
L1	N01°07'08"W	85.86'
L2	N88°41'14"E	75.44'

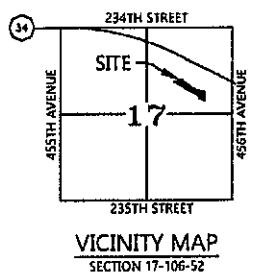
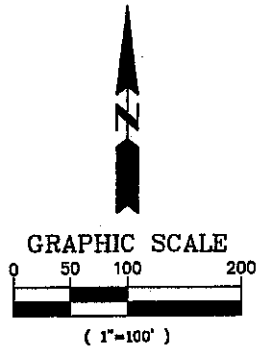
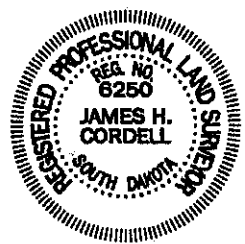
CURVE TABLE						
Curve #	Delta	Radius	Tangent	Length (L)	Length (C)	Chord Direction
C1	37°29'16"	440.00'	149.31'	287.88'	282.78'	S71°50'08"E
C2	32°51'42"	60.00'	17.69'	34.41'	33.94'	S74°08'55"E
C3	35°21'08"	60.00'	19.12'	37.02'	36.44'	S75°23'38"E

Notes:
The bearing system for this plat is based on the UTM Zone 14 North.

This plat was prepared without the benefit of a title commitment.

Legend

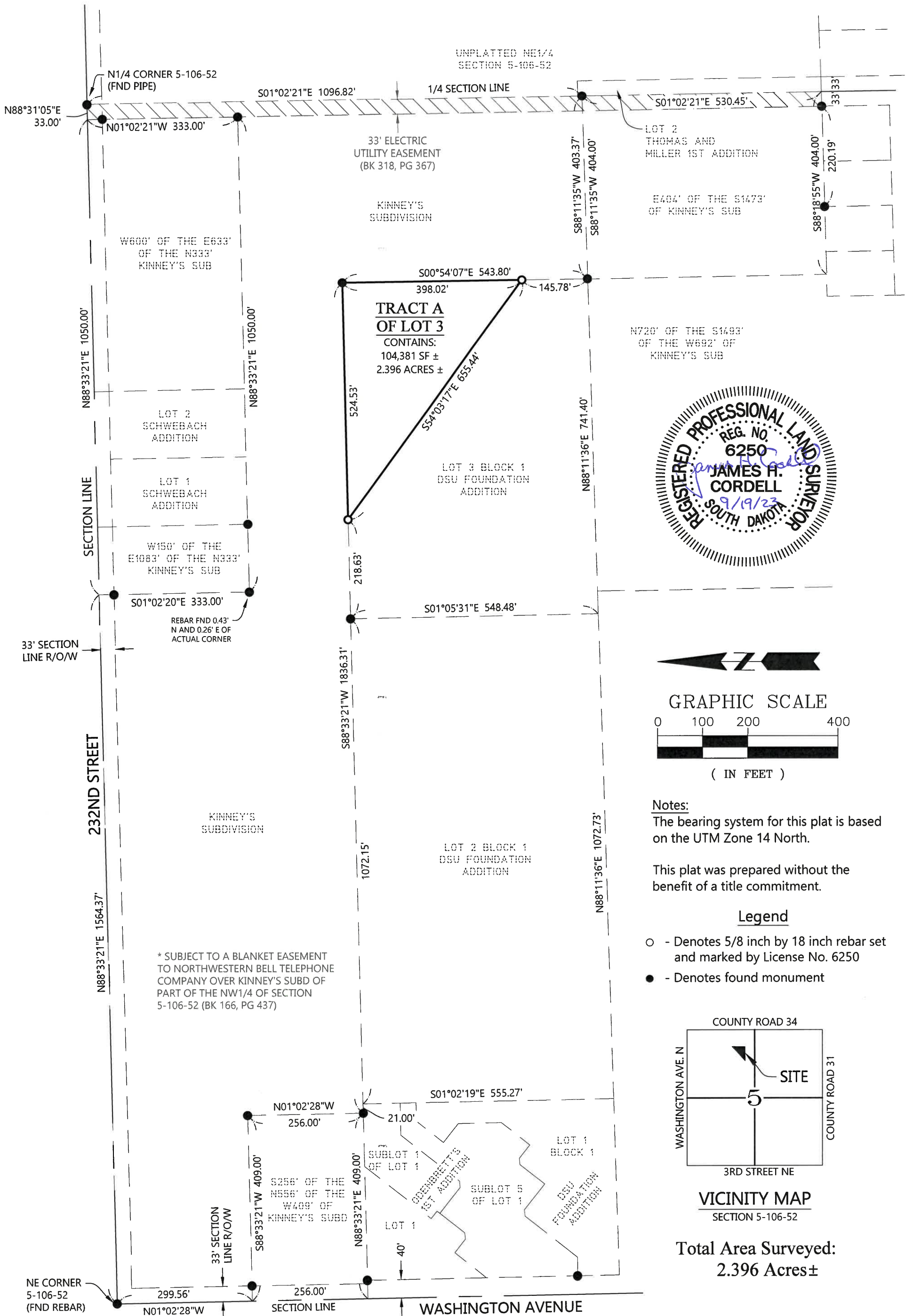
- - Denotes 5/8 inch by 18 inch rebar set and marked by License No. 6250
- - Denotes found monument



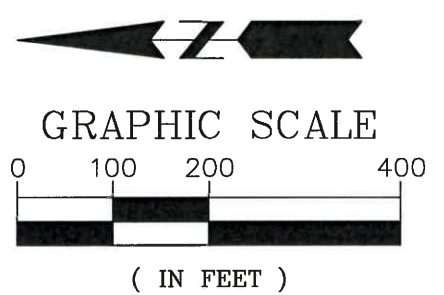
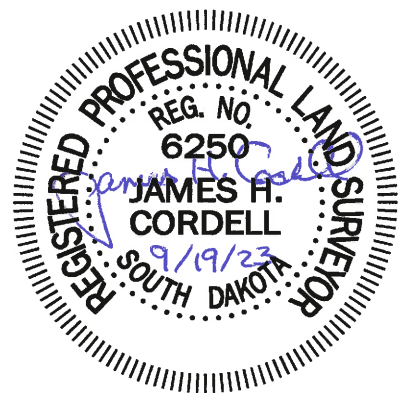
Total Area Surveyed:
4.037 Acres ±



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



**TRACT A
OF LOT 3**
CONTAINS:
104,381 SF ±
2.396 ACRES ±



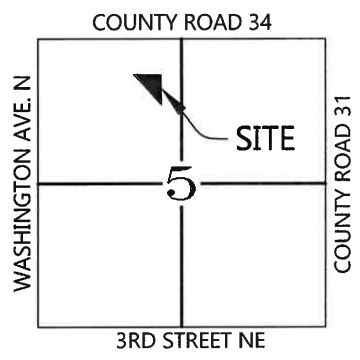
Notes:
The bearing system for this plat is based on the UTM Zone 14 North.

This plat was prepared without the benefit of a title commitment.

Legend

- - Denotes 5/8 inch by 18 inch rebar set and marked by License No. 6250
- - Denotes found monument

* SUBJECT TO A BLANKET EASEMENT TO NORTHWESTERN BELL TELEPHONE COMPANY OVER KINNEY'S SUBD OF PART OF THE NW1/4 OF SECTION 5-106-52 (BK 166, PG 437)



**Total Area Surveyed:
2.396 Acres ±**



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

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

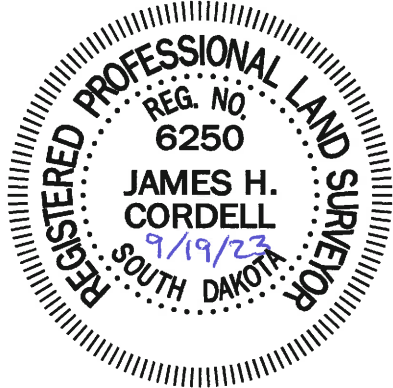
SURVEYOR'S CERTIFICATE

I, James H. Cordell, a Registered Land Surveyor of the State of South Dakota, do hereby certify that I did on or before November 29, 2022, survey and plat a part of Lot 3 of Block 1 DSU Foundation Addition to the City of Madison, Lake County, South Dakota, into a tract as shown. The same shall hereafter be known and described as **Tract A of Lot 3 of Block 1 DSU Foundation Addition to the City of Madison, Lake County, South Dakota.**

I further certify that to the best of my knowledge the plat correctly represents the same, is true and correct and that it was made under my direct supervision.

Dated this 19th day of SEPTEMBER, 2023.

James H. Cordell
SD Registered Land Surveyor No. 6250



OWNER'S CERTIFICATE OF COMPLIANCE

We, South Dakota Board of Regents, do hereby certify that we are the sole, absolute, and unqualified owner of all land included in the above plat and that said plat has been made at our request and in accordance with our instructions for the purpose of transfer, and that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations as well as all water pollution prevention control rules, codes and laws. This parcel of land is free from any encumbrances.

We hereby dedicate to the public for public use forever the streets, roads and alleys, parks and public grounds, if any, as shown on said plat if applicable, including all sewers, culverts, bridges, water distribution lines, sidewalks and other improvements on or under the streets, alleys, parks and public grounds whether such improvements are shown or not. We also hereby grant, if applicable, easements to run with the land for water, drainage, sewer, gas, electric, telephone or other public utility lines or services under, on, or over those strips of land designated hereon as easements.

We hereby waive any rights of protest to any applicable special assessment program which may be initiated for the purpose of installation of improvements required by the Subdivision Ordinance of the City of Madison.

On our behalf as the owners and also binding on behalf of future successors and assigns, we hereby waive any rights of protest to any special assessment program which may be initiated by the City for the purpose of installation of improvements required by the Subdivision Ordinance of the City of Madison.

Dated this 27 day of September, 2023

Owner: State of South Dakota

By: Kristi Noem
Kristi Noem, Governor

Attest By: Brock Greenfield
Brock Greenfield, Commissioner of School and Public Lands

STATE OF SOUTH DAKOTA)

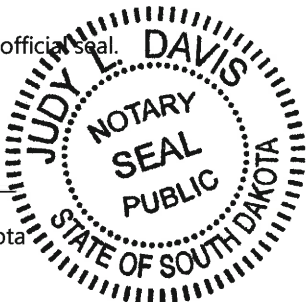
COUNTY OF Hughes §

On this 27 day of September, 2023, before me, the undersigned officer, personally appeared Kristi Noem, who acknowledged herself to be the Governor of the State of South Dakota, and that she as such Governor being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the State by herself as Governor.

In witness thereof, I have hereunto set my hand and official seal.

My commission expires: 07/23/2027

Judy L. Davis
Notary Public, Hughes County, South Dakota



STATE OF SOUTH DAKOTA)

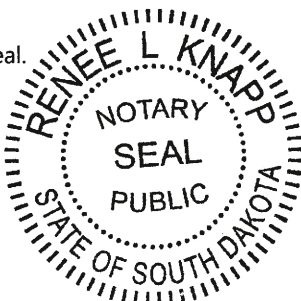
COUNTY OF Hughes §

On this 27 day of September, 2023, before me, the undersigned officer, personally appeared Brock Greenfield, who acknowledged himself to be the Commissioner of School and Public Lands, and that he as such Commissioner of School and Public Lands being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the commission by himself as Commissioner of School and Public Lands.

In witness thereof, I have hereunto set my hand and official seal.

My commission expires: 11-05-2025

Renée L. Knapp
Notary Public, Hughes County, South Dakota



CITY ENGINEER'S CERTIFICATE

I, _____, City Engineer of the City of Madison, do hereby certify that this plat has been reviewed by me or my authorized agent and that this plat is recommended for approval by the City Commission.

Signed on this ____ day of _____, 20____.

City Engineer, Madison, South Dakota

PLANNING COMMISSION CERTIFICATE

Approval of the plat of Tract A of Lot 3 of Block 1 DSU Foundation Addition to the City of Madison, Lake County, South Dakota, is hereby granted by the City Planning Commission on this ____ day of _____, 20____.

Chair, City Planning Commission

CITY COMMISSION APPROVAL

Resolution Number _____

Be it resolved by the City Commission of the City of Madison, that the plat of Tract A of Lot 3 of Block 1 DSU Foundation Addition to the City of Madison, Lake County, South Dakota, is hereby approved and that the City Finance Officer of the City of Madison is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Adopted this ____ day of _____, 20____.

Mayor, City of Madison

Attest: _____
City Finance Officer

CITY FINANCE OFFICER'S CERTIFICATE

I, _____, the duly appointed, qualified and acting City Finance Officer of the City of Madison, South Dakota hereby certify that I have compared the copy of the foregoing Resolution No. _____ with the original as contained in the minutes of the said board of City Commissioners for the meeting of said board held on the ____ day of _____, 20____, and that the foregoing is a true and correct copy of said resolution and that the same has not been altered, modified, or amended, on this ____ day of _____, 20____.

City Finance Officer, Madison, South Dakota

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Lake County, South Dakota, do hereby certify that all taxes which are liens upon any land included in the above (and the foregoing) plats, as shown by the record of my office, have been fully paid.

Dated this ____ day of _____, 20____.

Treasurer, Lake County, South Dakota

DIRECTOR OF EQUALIZATION

I, Director of Equalization of Lake County, South Dakota, do hereby certify that a copy of the above plat has been filed at my office.

Director of Equalization, Lake County, South Dakota

REGISTER OF DEEDS

Filed for record this ____ day of _____, 20____, at ____ o'clock, ____m., and recorded in Book ____ of Plats on Page ____.

Register of Deeds, Lake County, South Dakota