



GRANT COUNTY SOUTH DAKOTA
PLANNING AND ZONING OFFICE
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Minutes from the Grant County Planning Commission August 14th, 2023

Planning Commission members present: Mark Leddy, John Seffrood, Mike Mach, Tom Pillatzki, James Berg and Richard Hansen.

Alternate(s) present: Don Weber, Jeff McCulloch seated for Nancy Johnson.

Planning Commission board members absent: Nancy Johnson

Others present: Joe Whitlock via Zoom (Stockwell Engineers, INC.), Todd Kays via zoom (First District), and Steve Berkner (Grant County Planning Commission officer.)

Meeting Date: Monday, August 14th, 2023

Meeting Time: 4 P.M. In-person in the Community Room in the basement of the Courthouse.

1. Chairman Leddy calls the Planning Commission meeting to order at 4:36 with McCulloch sitting in for Johnson who was absent.
2. Leddy asks if there are any items to be added to the agenda with no one responding.
3. Leddy asks if there are any citizens who wish to be heard where no one responded.
4. Leddy asks for a motion to accept the agenda as presented with Hansen making that motion and Berg making the second. Motion passes unanimously, 7-0.
5. Leddy calls for a motion to accept the Planning Commission minutes from July 10th, 2023. Motion made by McCulloch to accept the minutes as presented with a second by Pillatzki. Motion passes unanimously, 7-0.
6. Leddy asks for a motion to approve a .23-acre Plat for the Sunrise Hutterian Colony. Pillatzki makes a first with Mach making a second.

Kays explains that the cemetery plat approval was a coordinated action with the cemetery CUP that was just passed and that the size, layout and paths of ingress and egress met all State and County Requirements.

With little meaningful discussion Leddy calls for the voice vote which passed unanimously, 7-0.

7. Kays made a brief update to the County Commissioners' timeline on considering the Planning Commission's recommended Zoning Ordinance administrative changes where the County Commission held a public hearing and voted in favor of the first reading of those changes.

Kays said that a group of citizens had attended that County Commissioner's public hearing and said that they were very concerned with the part of the ordinance amendment that read that only a simple voting majority of a legal quorum present at a Board of Adjustment meeting, which is made up of 7 members but only needs 4 members present to have a quorum, could pass a Conditional Use Permit (CUP) changing it from the old ordinance which required a minimum of 5 "yes" votes needed to pass a CUP.

Kays explained that the change to the zoning ordinance meant that to pass a CUP you needed only a simple majority of "Yes" votes, or as little as 3 "yes" votes if only 4 members were present.

Kays said that the ordinance change that the citizen's group was concerned about had actually been in practice at Grant County Board of Adjustment meetings for nearly 3 years starting in 2020 when a State Law went into effect stating only a simple majority was needed to pass any county Board of Adjustment CUP and that it was just now during a review of the county's zoning ordinance that it was being changed to that required language.

Kays concluded that all that ordinance change was doing was bringing the county's zoning ordinance in line with State Law and even if it was pulled from the ordinance changes being considered the Board of Adjustment would still follow State Law.

8. With no more items on the agenda the next meeting was set for 4:00, September 11th. Leddy asked for a motion to adjourn with McCulloch making that motion. Seffrood made the second. Voice vote carries 7-0.

Meeting ends at 4:47

Steve Berkner
Planning and Zoning Administrator
Grant County