

**PLANNING COMMISSION/
BOARD OF ADJUSTMENT MEETING
CITY COMMISSION ROOM
Tuesday, May 9, 2023
7:00am**

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES: April 11, 2023, Planning Commission Minutes.

APPROVAL OF MINUTES: April 11, 2023, Board of Adjustment Minutes.

APPROVAL OF AGENDA:

APPEARANCES, ACKNOWLEDGEMENTS, CORRESPONDENCE:

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

NEW BUSINESS (Board of Adjustment):

1. Hearing on Appeal No. 687 – by Todd & Heidi Jorgenson, for a variance application that, if granted, will permit the applicant to construct a storage unit at 307 SE 2nd Street with a 44 foot front setback, 3 foot side setback, and 2 foot rear setback in lieu of the required 50 foot front setback, 25 foot side setback, and 30 foot rear setback required for the Light Manufacturing District.
2. Decision on Appeal No. 687
3. Hearing on Appeal No. 688 – by Wayne Mader, for a conditional use application that, if granted, will permit the applicant to place a storage unit at 209 South Highland Avenue in a Highway Business District.
4. Decision on Appeal No. 688
5. Hearing on Appeal No. 689 – by Brittany Waldman, for a variance application that, if granted, will permit the applicant to construct a greenhouse at 45493 234th Street with polycarbonate materials. Polycarbonate materials are allowed in the existing AG District, but not in the existing Overlay District.
6. Decision on Appeal No. 689

NEW BUSINESS (Planning Commission): None

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
April 11, 2023
7:00 am**

Chairman John Groce called the meeting to order at 7:03 am.

The following members were present for roll call: Chairman John Groce, Jim Iverson, Bob Maxwell, Donna Fawbush, Jennifer Wolff, Michael Johnson and Alternate Jacob Deboer. Absent was Roger Olson. Also present were Administrative Officials Ryan Hegg, Dan Whitlock, Jameson Berreth and Mayor Roy Lindsay. Gary Zay, Jennifer Hasleton, John Tokheim, Brooke Rollag, Brittany Waldman, Tobin Morris and Chad Van Den Hemel were also in attendance.

Motion by Commissioner Wolff to approve the February 14th, 2023, Planning Commission minutes, seconded by Commissioner Johnson. Motion carried unanimously.

Motion by Commissioner Fawbush to approve the February 14th, 2023, Board of Adjustment minutes, seconded by Commissioner Iverson. Motion carried unanimously.

Motion by Commissioner Iverson to approve the April 11, 2023, agenda. Seconded by Commissioner Wolff. Motion carried unanimously.

Old Business: None

Motion by Commissioner Fawbush, seconded by Commissioner Deboer to move into Board of Adjustment at 7:06 am. Motion carried unanimously.

Motion by Commissioner Fawbush, seconded by Commissioner Wolff to move out of Board of Adjustment and into Planning Commission at 7:23 am. Motion carried unanimously.

New Business:

Discussion of the Tax Increment District Number Five- Tobin Morris with Colliers Securities describes the details of the Trojan Village development. Outlining the purpose and intended public improvements of the area. Brooke Rollag Director of LAIC states she appreciates the effort and risks taken by local developers to assist in the housing concerns.

Motion to approve recommendation of Tax Increment District Number Five Project Plan to Board of Commissioners made by Commissioner Iverson, Seconded by Commissioner Wolff.

This being the time and place set for the hearing on Rezone Appeal No. 686, Brittany Waldman, requesting a change of Zoning that, if granted, will change the Zoning District from R-90 to Agriculture District (AG). Ryan Hegg went through the contents of the agenda packet. This is a rezone of property recently annexed into City limits in March 2023. Automatically entered in as R-90, use of property is a Flower Shop that utilizes a greenhouse. Surrounding properties are Highway Business District and Agriculture District.

Motion to approve rezone made by Commissioner Wolff, seconded by Commissioner Johnson. Motion carried unanimously.

Final Plat Approval for property legally described as Tract B of Windsor Estates Second Addition to the City of Madison, Lake County, South Dakota. Motion to approve Plat made by Commissioner Iverson, Seconded by Commissioner Johnson.

Public Input: Questions and comments regarding Taco Johns and road conditions on NE 3rd near the airport.

Commissioner Maxwell motioned to adjourn. Second by Commissioner Johnson. Motion carried unanimously. Meeting adjourned at 8:28 am.

Dan Whitlock
Planning Commission

**BOARD OF ADJUSTMENT PROCEEDINGS
CITY OF MADISON
April 11, 2023**

The Planning Commission motioned to move into Board of adjustment at 7:06 am.

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

This being the time and place set for the hearing on Conditional Use Appeal Request No. 685 – by John Tokheim. The following people were in attendance in addition to the Board and the aforementioned individuals, Gary Zay, Jennifer Hasleton, John Tokheim, Brooke Rollag, Brittany Waldman, Tobin Morris, Chad Van Den Hemmel, Roy Lindsay and Jameson Berreth.

Mr. Hegg went through the contents of the packet for Appeal No. 685 – John Tokheim. The applicant is requesting a Conditional Use permit that would allow the applicant to construct a 60x40x16 addition to the current shop at 325 S Egan Avenue using a 33' front setback in lieu of the required 50' setback. The current building is using a 33' front setback. The new building would meet and align with current. Addition will allow for three new mechanic bays to work on vehicles.

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. 685. Roll call vote taken. Motion carried unanimously.

Motion by Ms. Fawbush, second by Ms. Wolff to move out of the Board of Adjustment at 7:23am.

Motion carried unanimously.

Dan Whitlock
Board of Adjustment

R 06026958

10/29/2009

CITY OF MADISON
VARIANCE APPLICATION

APPEAL NUMBER 687

APPLICANT (PRINT): Todd + Heidi Jorgenson PHONE: 605 480 1878

ADDRESS: 45054 233rd St. Madison SD 57042

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

ADDRESS: _____

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

LEGAL DESCRIPTION (Please print or type)

Lot 1 Blk 4 Gienapps Industrial Park 1st Add. #930m-5

GENERAL AREA OR STREET ADDRESS: 2nd St & Lee Ave

EXISTING LAND USE: Vacant EXISTING ZONING: Light Industrial

SIZE OF PARCEL: ACRES / SQFT _____ LOT DIMENSIONS: WIDTH _____ LENGTH 156' DEPTH 100'

SURROUNDING LAND USE

NORTH: Residential
SOUTH: Rail road
EAST: Commercial
WEST: Commercial Pole Building

PLEASE PROVIDE A BRIEF STATEMENT OF THE VARIANCE DESIRED AND PLEASE STATE THE HARDSHIP REQUIRING RELIEF. (Proof of hardship is on the applicant - Hardship examples are odd size or shape of the lot, unusual topography, etc. attach a letter of explanation to document requirements necessary to approve if necessary)

The Setbacks do not Allow use of the property. Want to
line up with the neighbors setbacks

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 Todd Jorgenson

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

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

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

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

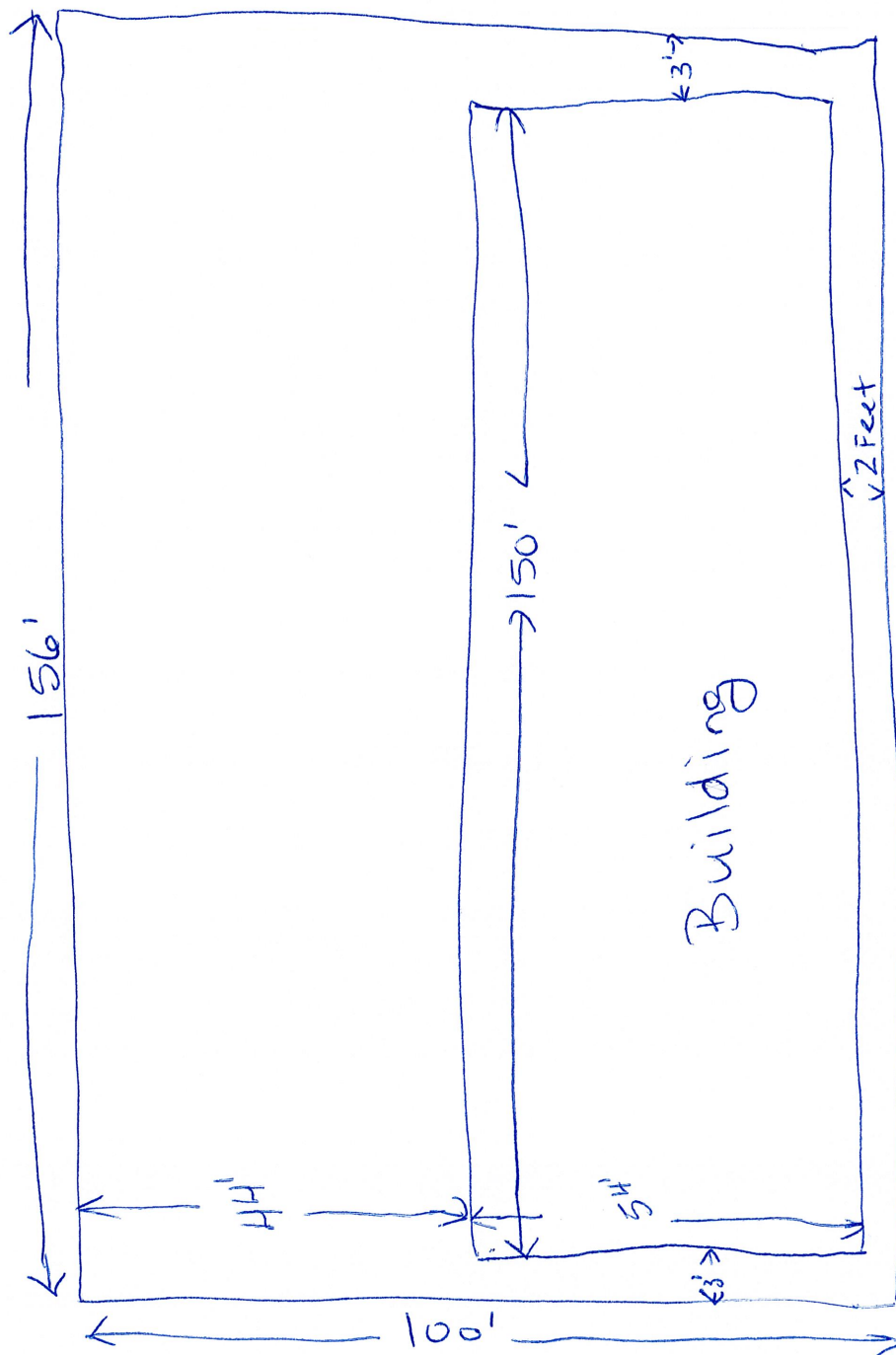
**PLEASE USE THE ATTACHED SKETCH INSTRUCTION SHEET FOR AN EXAMPLE.

FOR OFFICIAL USE ONLY

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

North

2nd Street



West

Rail Road

Proposed

South



R# 00027168

10/29/2009

CITY OF MADISON
CONDITIONAL USE APPLICATION

APPEAL NUMBER 688

APPLICANT (PRINT): WAYNE DEAN MADER PHONE: 605-360-8512

ADDRESS: 46716 MEADOWLARK LANE SIOUX FALLS S.D. 57042

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

ADDRESS: _____

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)

ALL LOT 2 EXC N1/2 S1/4 EXC S1/2 S1/4 EXC W1/2 S1/4 EXC N1/2 E1/4 LT 2 LYING ADJ TO
SOUTH SIDE OF LOT 1 MORRIS SUB EXC E1/4 W1/2 S1/4 EXC 1/2 S1/4 LOT 2 EXC W1/2 E1/4 N1/2 LT 2 LYING
ADJ TO SOUTH SIDE OF LT 1 ALL IN MORRIS SUB

GENERAL AREA OR STREET ADDRESS: 209 S HIGHLAND AVE MADISON S.D. 57042

EXISTING LAND USE: EMPTY LOT **EXISTING ZONING:** ZONED FOR AUTO REPAIR SHOP

SIZE OF PARCEL: ACRES / SQFT _____ **LOT DIMENSIONS:** WIDTH _____ LENGTH _____ DEPTH _____

SURROUNDING LAND USE

NORTH: MUSTANG SEED RENTING FROM BEV MADER
SOUTH: LARRY MADER MADISON ENGINEERING / REPAIR
EAST: JOHNSON EXCAVATION, PERSONA EMPTY LOT / DRIVE
WEST: TRACTOR SHOP / FARM STORAGE

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

WANT TO BUILD STORAGE UNITS ON THE EMPTY LOT
OF JACKS SERVICE! I WILL GET ESTIMATES
ON BUILDING ONCE CONDITIONAL USE APP IS OKED!
IF I CAN AGREE ON BIDS I WILL PROCEED WITH THE PROJECT!
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 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: _____

Petition for variance for addition to existing garage

I (name) at (address) am applying for a variance to add a (-) foot addition to my existing garage. The planned addition will be (-) feet away from the property line rather than the required 7.5 foot side setback.

Because I am seeking this variance from City of Madison zoning ordinance, I must notify adjacent property owners of our application. The date of the meeting will be xx xth, 20xx at 7:00 am. If you have comments on this matter you can attend the meeting to discuss.))

We the undersigned adjacent property owners in the matter of their submission of application for variance have spoken with the applicant and approve

Printed Name
Signature

Leolal Johanna

1132 S W
Street Address

3/21/23
Date

we have no objections to this project
Mark & Don Johnson 3/29/23

We the undersigned adjacent property owners in the matter of their submission of application for variance have spoken with the applicant and are acknowledging that we have been made aware.

*Larry WANTS SPACE ON SOUTH SMALLER
TO KEEP STUFF AWAY FROM FENCE SIMILAR
SPACING TO HIS FROM FENCE!*

360-8512

Wayne Mader

Petition for variance for addition to existing garage

I (name) at (address) am applying for a variance to add a (-) foot addition to my existing garage. The planned addition will be (-) feet away from the property line rather than the required 7.5 foot side setback.

Because I am seeking this variance from City of Madison zoning ordinance, I must notify adjacent property owners of our application. The date of the meeting will be xx^{xth}, 20xx at 7:00 am. If you have comments on this matter you can attend the meeting to discuss.)(

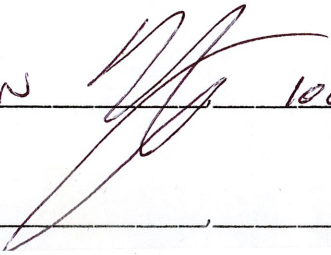
We the undersigned adjacent property owners in the matter of their submission of application for variance have spoken with the applicant and approve

Printed Name

Signature

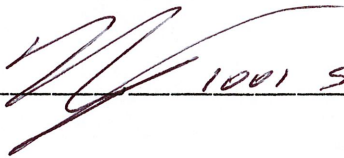
Street Address

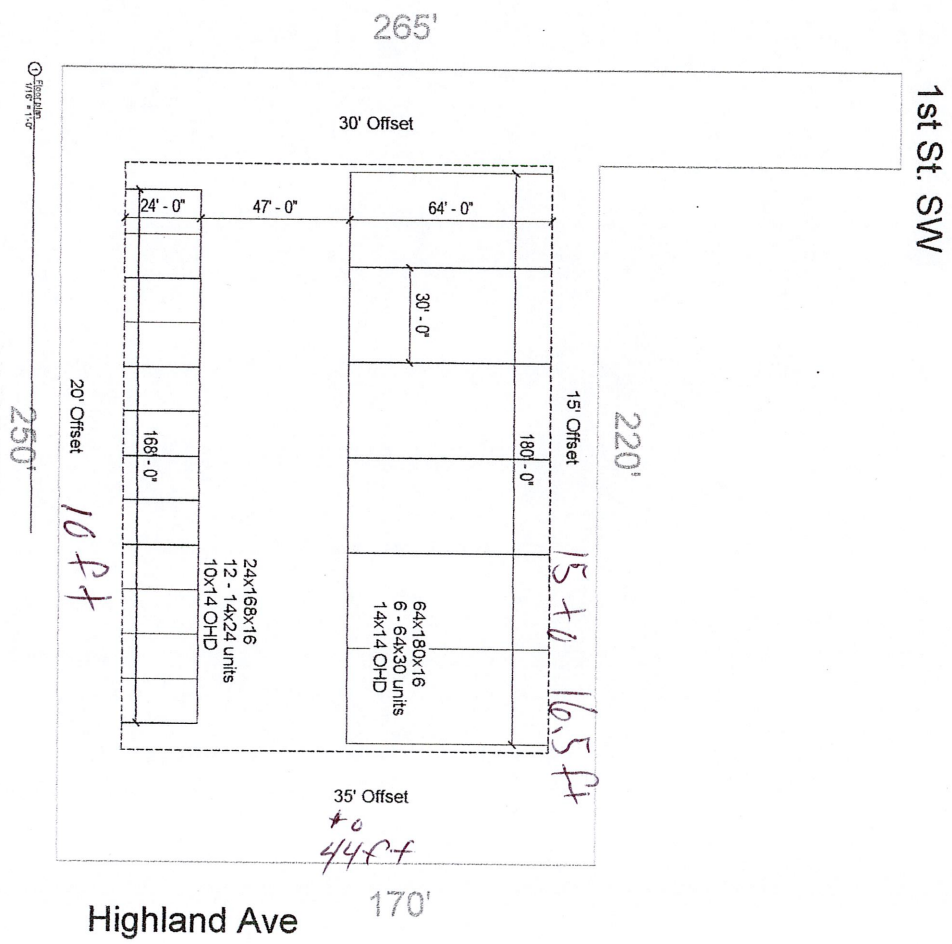
Date

N. GILBERTSON  1001 SW 1ST ST 3-31-23

I agree for the storage units
Ben Mader

We the undersigned adjacent property owners in the matter of their submission of application for variance have spoken with the applicant and are acknowledging that we have been made aware.

N. GILBERTSON  1001 SW 1ST ST 3-31-23



10/29/2009

CITY OF MADISON
VARIANCE APPLICATIONAPPEAL NUMBER 689APPLICANT (PRINT): Brittany Waldman PHONE: 605-270-9691ADDRESS: 45493 234th St., Madison, SD 57042OWNER (PRINT): _____ PHONE: _____
IF DIFFERENT THAN APPLICANT

ADDRESS: _____

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

LEGAL DESCRIPTION (Please print or type)West 208.71 feet of the East 80x29 feet of the South 208.71 feet of the North 325.71 feet of the Northeast Quarter (NE 1/4) of the section Eighteen (18), Township One Hundred Six (106) North, Range Four (4) West (S2), West of the 6th PM, Lake County, SDGENERAL AREA OR STREET ADDRESS: SE 10th Street / 234th StreetEXISTING LAND USE: BUSINESS 1A1 EXISTING ZONING: AGSIZE OF PARCEL: ACRES / SQFT 208.3 LOT DIMENSIONS: WIDTH 209.4' LENGTH 209.3' DEPTH 209.4'SURROUNDING LAND USENORTH: AG / Park
SOUTH: AG / Farm
EAST: AG / business
WEST: business

PLEASE PROVIDE A BRIEF STATEMENT OF THE VARIANCE DESIRED AND PLEASE STATE THE HARDSHIP REQUIRING RELIEF. (Proof of hardship is on the applicant - Hardship examples are odd size or shape of the lot, unusual topography, etc. attach a letter of explanation to document requirements necessary to approve if necessary)

Appendix B Zoning, Article 11 17.23 standards #5 Building Construction
Seeking a variance for the greenhouse to be constructed with the appropriate materials needed
the polycarbonate instead - AG district allows for such materials

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 Brittany Waldman

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

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

- | | |
|--|--|
| 2. NORTH DIRECTION | 5. LOCATION OF PROPOSED STRUCTURE ON LOT |
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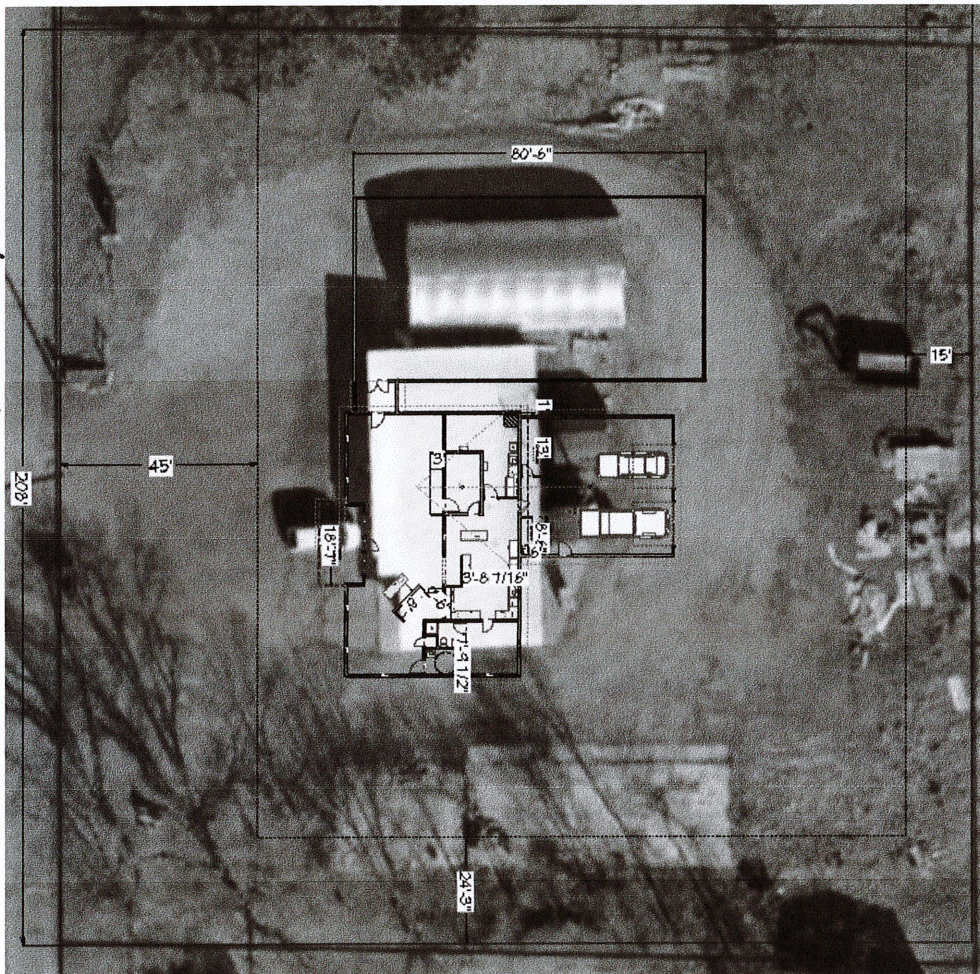
DATE FILED WITH ADMINISTRATIVE OFFICIAL: _____

FEE PAID (NON-REFUNDABLE): _____ YES _____ NO

DATE OF HEARING: _____

ACTION BY BOARD OF ADJUSTMENT: _____

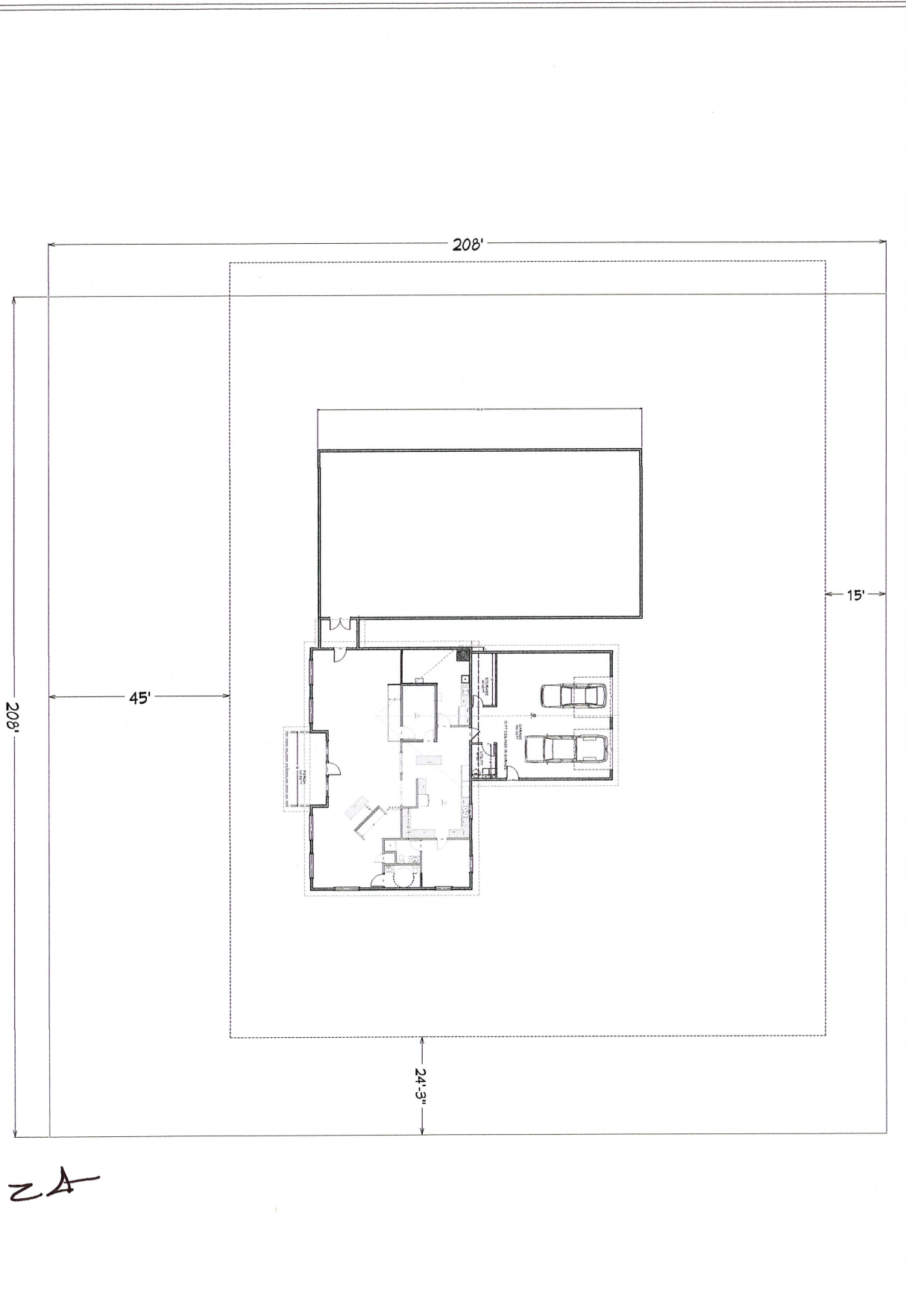
234th St. / SE 10th St



22

SHEET:	SCALE:	DATE: 3/13/2023	DRAWINGS PROVIDED BY: Homestead Do-it center	021723-01 FLOWER SHOP	REVISION TABLE				DRAWN BY: ASW
					NUMBER	DATE	REVISED BY	DESCRIPTION	

234th St / SE 10th St



2A

SHEET:	SCALE:	DATE:	DRAWINGS PROVIDED BY:	021723-01 FLOWER SHOP	REVISION TABLE				DRAWN BY: ASW
					NUMBER	DATE	REVISED BY	DESCRIPTION	
			Homestead Do it center						
		3/13/2023							

May 2, 2023

City of Madison South Dakota
Planning and Zoning Committee
City Commission

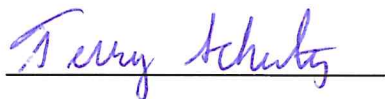
Pursuant to the notice of variance by Brittany Waldman to construct a greenhouse adjacent to our properties on South 10th Street in Madison South Dakota.

We are writing you this Letter of Support for the variance to proceed with the proposed construction project.

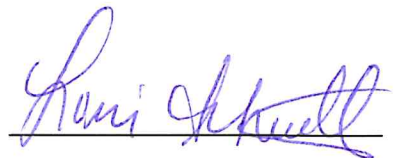
Representing Properties;

Schultz Family LLC & Terry & Lori Schultz

Signatures



Terry Schultz



Lori Schultz