

7/21/2015

THE MINNEHAHA COUNTY COMMISSION CONVENE IN A JOINT SESSION WITH THE DELL RAPIDS CITY COUNCIL AT 9:00 A.M., July 21, 2015 pursuant to adjournment on July 21, 2015.

Commissioners present were: Barth, Bender, Beninga, Heiberger, and Kelly. Also present were Cynthia Jepsen, Commission Recorder and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

Dell Rapids City Aldermen present were: Burgraff, Crisp, Klockman, Miles, and Sterud.

Chairperson Heiberger called the meeting to order.

MOTION by Barth, seconded by Kelly, to approve the agenda. 5 ayes.  
The City of Dell Rapids concurred.

#### HEARING

David Heinold, Planner I, was present for the public hearing on an amendment to MC28-01 the 2001 Revised Joint Zoning Ordinance for Minnehaha County and the City of Dell Rapids by rezoning from the C Commercial District to the RR-1 Rural Residential District on the property legally described as Lot 1 of Overvaag Tract 2, SW ¼, Section 8-T104N-R49W, Minnehaha County, SD, and amend the official zoning map referred to in Article 2.03(A) to include the property in the RR-1 Rural Residential District. David Heinold gave a briefing on Rezoning #15-04 submitted by Daniel Witte who is requesting to rezone a less than two acre parcel a half mile west of Dell Rapids municipal limits to construct a single family residence. The subject property is surrounded by an existing RR-5 Rural Residential zoned subdivision area on the north, west, and south sides. The 1998 Minnehaha County Comprehensive Development Plan recognizes the area as a transition area that is characterized by a mix of land uses within municipal growth areas that are not projected to support long-term agricultural uses or farming activities. Staff conducted a site visit and determined that the proposed rezoning will be a positive shift in residential density near municipal limits, thus encouraging more residential development within one-half mile of Dell Rapids. Staff recommended approval of Rezoning #15-04. The Minnehaha County/Dell Rapids Planning Commission approved Rezoning #15-04 on June 22, 2015. Daniel Witte, 1303 Clark Avenue, Dell Rapids, spoke about his plans to build a family home on the site. Mr. Witte stated he has spoken with many of the surrounding neighbors and they expressed no opposition to the rezoning. Lee Bergraff, Dell Rapids, expressed concern that the rezoning may possibly trigger people in the surrounding area zoned RR-5 to want to subdivide their land. Scott Anderson, Planning & Zoning Director, stated consideration should be given that the applicant is diminishing the zoning district by taking it from commercial to residential which is a lesser use. Any further rezoning requests from RR-5 to RR-1 would prompt a public hearing, and that would be the appropriate time to approve or disapprove those requests. Mark Crisp, 101 E. 12<sup>th</sup> St., Dell Rapids, stated concern about more people in the area wanting to subdivide and concern over supplying water and sewer to the area should it be annexed into the city. Mr. Crisp stated he is not opposed to Mr. Witte building a house there, but questioned why he isn't rezoning his entire property so it would be more consistent with the surrounding properties. Mr. Witte stated he is only rezoning a portion of his property so he still has the ability for future development. MOTION by Beninga, seconded by Barth, to approve Rezoning #15-04. 5 ayes. The City of Dell Rapids made a motion to approve Rezoning #15-04 but failed to get a second. The City of Dell Rapids voted 4 ayes, 1 nay to deny Rezoning #15-04. MOTION by Kelly, seconded by Barth, to defer this item until August 25, 2015. 5 ayes.  
The City of Dell Rapids concurred.

MOTION by Barth, seconded by Bender, to adjourn. 5 ayes.  
The City concurred.

7/21/2015

APPROVED BY THE COMMISSION:

\_\_\_\_\_  
Chairperson

ATTEST:

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Deputy County Auditor