

<p><u>Minnehaha County</u> <u>Planning Commission</u> <u>Regular Meeting Agenda</u></p>
<p><u>Monday, January 26, 2026</u> <u>Meeting starts at 7:00 p.m.</u></p>
<p><u>415 N. Dakota Ave. on the 3rd Floor</u> <u>in the Commission Meeting Room</u></p>

County Planning Commissioners

Bonnie Duffy
Becky Randall
Adam Mohrhauser
Cindy Heiberger
Mike Ralston
Ryan VanDerVliet
Joe Kippley

Planning Staff

Scott Anderson
Kevin Hoekman
Mason Steffen

Office of the State’s Attorney

Eric Bogue

MEETING NOTES:

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Minnehaha County Planning Office at 367-4204 or TDD 367-4220 by 10:00 am Friday preceding the meeting to make any necessary arrangements.

CONSENT AGENDA ITEMS:

Items on the consent agenda are perceived to be non-controversial and meet all of the requirements of the codes and regulations. The consent agenda will be acted on in one motion with no public hearing on the items, unless a member of the public, the Commission or staff requests the item be removed from the consent agenda. The Chair will read each item and ask if there are any objections from the audience. If so, please raise your hand and ask that the item be placed on the regular agenda. Any items remaining on the Consent Agenda will be approved by the Planning Commission, with the conditions recommended by staff.

REGULAR AGENDA ITEMS:

Members of the public should understand that Planning Commissioners may be unable to thoroughly review and consider materials delivered the day of the hearing. The order of business for the regular agenda shall be:

- A) Staff Presentation C) Public Comments* E) Public Testimony Closed
- B) Applicant Presentation D) Applicant Response F) Commission Discussion

INSTRUCTIONS FOR PUBLIC COMMENT:

- * Each member of the public will be limited to five minutes of public comment per item and will only be allowed to address the commission once per item, unless they are called upon to answer additional questions from the commissioners.

SPECIAL AGENDA ITEMS

ITEM 1. Election of Officers for 2026

Note: A planned recess will take place to convene as the Joint Minnehaha County & City of Sioux Falls Planning Commission. The regular planning commission will reconvene and continue to consider the following items.



PUBLIC INPUT ON NON-AGENDA ITEMS

Members of the public who wish to speak on an item not listed on the agenda will have five minutes per person to address the Planning Commission.

CONSENT AGENDA

ITEM 2. Approval of Minutes - November 24, 2025

ITEM 3. CONDITIONAL USE PERMIT #26-01 to transfer one (1) building eligibility from the ½ Vacant Section Line ROW Lying Adjacent & SE¼ SE¼ Section 19 to Tract 9 Bur Oak Hills Addition Section 20 all within T102N-R48W Brandon Township.

Petitioner: Jacob & Linda Heilman

Property Owner: Same

Location: Approximately 1 mile northeast of the I-90 & Veterans Parkway intersection

Staff Report: Kevin Hoekman

ITEM 4. CONDITIONAL USE PERMIT #26-03 to exceed 3,600 square feet of accessory building space (requesting 11,549 square feet) on the property legally described as the S990' W660' (Ex. Tract 1 Lauck's Addition) SW¼ Section 18 T103N-R49W Sverdrup Township.

Petitioner: Jonathon Bagby

Property Owner: Same

Location: 25292 472nd Avenue

Staff Report: Kevin Hoekman

ITEM 5. CONDITIONAL USE PERMIT #26-04 to exceed 3,600 square feet of accessory building space (requesting 5,335 square feet) on the property legally described as Tract 1 Wixon Tracts E½ SE¼ Section 2 T101N-R51W Wall Lake Township.

Petitioner: Laith Herrboldt

Property Owner: Todd Olson

Location: 46494 263rd Street

Staff Report: Mason Steffen

ITEM 6. CONDITIONAL USE PERMIT #26-05 to allow an Attached Accessory Dwelling Unit (ADU) on the property legally described as Tract 4 Stageberg's Addition SE¼ Section 11 T103N-R51W Grand Meadow Township.

Petitioner: Gary & Michelle Ferguson

Property Owner: Robert & Jennifer Taylor

Location: Located at the intersection of 252nd Street & 465th Avenue

Staff Report: Mason Steffen

REGULAR AGENDA

ITEM 7. REZONING #26-02 to rezone from the A-1 Agricultural District to the C Commercial District the property legally described as Lot 3 Milstead Addition NE¼ SE¼ Section 21 T101N-R51W Wall Lake Township.

Petitioner: Timothy Hoekman

Property Owner: Michael & Rhonda Milstead

Location: Located at the Intersection of County Highway 151 and Park Place

Staff Report: Scott Anderson

ITEM 8. REZONING #26-03 to rezone from the A-1 Agricultural District to the Ransom Planned Development District the property legally described as Tract B & Tract C Schreurs' Addition (Ex. H-1) S½ SE¼ Section 23 T103N-R49W Sverdrup Township.

Petitioner: Bruce Vollan

Property Owner: John Schreurs; Ransom LLC

Location: Approximately 1½ miles east of the 475th Avenue & 254th Street intersection

Staff Report: Scott Anderson

ITEM 9. Old Business

ITEM 10. New Business

ADJOURN.



**MINUTES OF THE
MINNEHAHA COUNTY PLANNING COMMISSION
November 24, 2025**

A meeting of the Planning Commission was held on November 24, 2025, at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

COUNTY PLANNING COMMISSION MEMBERS' PRESENT: Commissioners Bonnie Duffy, Mike Ralston, Adam Mohrhauser, Ryan VanDerVliet, and Cindy Heiberger.

STAFF PRESENT:

Scott Anderson, Kevin Hoekman and Mason Steffen – County Planning
Maggie Gillespie – State's Attorney Office

Bonnie Duffy chaired the meeting and called the Minnehaha County Planning Commission meeting to order at 7:00 p.m.

PUBLIC COMMENT

Commissioner Duffy opened the floor for public comment, and nobody moved to speak.

Consent Agenda

Commissioner Duffy read each item on the consent agenda, and no items were requested to be moved to the regular agenda.

A motion was made to **approve** the consent agenda consisting of Items 1, 2, & 3 by Commissioner Ralston and seconded by Commissioner VanDerVliet. The motion passed unanimously with 4 votes in favor of the motion and 0 votes against the motion.

ITEM 1. Approval of Minutes – October 27, 2025

As part of the consent agenda, a motion was made by Commissioner Ralston and seconded by Commissioner VanDerVliet to **approve** the meeting minutes from October 27, 2025. The motion passed unanimously with 4 votes in favor of the motion and 0 votes against the motion.



Consent Agenda

ITEM 2. CONDITIONAL USE PERMIT #25-68 to allow a Class One Major Home Occupation (Hair Salon) on the property legally described as Tract 1A Hanson’s Addition SW¼ Section 3 T102N-R48W Brandon Township.

Petitioner: Kacey Brown
Property Owner: Brandon Hanson
Location: 25662 481st Avenue
Staff Report: Kevin Hoekman

General Information:

Legal Description – Tract 1A Hanson’s Addition SW¼ Section 3 T102N-R48W
Brandon Township
Present Zoning – A-1 Agricultural
Existing Land Use – Residential Acreage
Parcel Size – 3.22 Acres

Staff Report: Kevin Hoekman

Staff Analysis:

The applicant is requesting to allow a hair salon on the described property. The proposed salon will be placed within a small detached accessory building north of the house. Since the proposed home occupation is located within an accessory building, it is considered a major home occupation and a conditional use permit is required.

The petitioner submitted a site plan, building plans, and some description of the business on the application and site plan. The accessory building is planned to be 24 feet wide by 30 feet long with an 8 feet leanto along the front 30 feet side of the accessory building. The description of the body notes that the salon will have a single chair for styling, and there will be four to five customers per day. The petitioner marks on the application that there will be only one resident employee of the home occupation.

Conditional Use Permit Criteria:

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

The proposed home occupation will take place within a separate detached accessory building. The accessory building will have one salon and one employee who lives on the property. The home occupation is located within an active agricultural area. The proposed salon is anticipated to have approximately five customers per day. This limited number of customers will not likely have a negative effect on nearby agricultural land uses. In addition the accessory building will be similar to other accessory buildings permitted within the agricultural zoning. The land use will generate more traffic along a gravel road, however traffic will be limited to 10 customers a day, and the applicant stated it will likely be flosser to 5 customers per day.



2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The proposed salon is within the agricultural production area. There are many agricultural fields and scattered acreage sites. Future development will likely be other residential acreage sites or agricultural land uses. The home occupation will not change how agriculture and future residential will develop in this area.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

The petitioner has already obtained a building permit and began construction of the accessory building. In addition, a septic permit was obtained to allowed water use within the building. The petitioner is responsible for extending any needed utilities to the accessory structure.

4) That the off-street parking and loading requirements are met.

The submitted site plan includes parking in front of the accessory building there is enough space to accommodate several parking spaces. No special delivery vehicles will be needed for the proposed home occupation.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

The proposed home occupation will take place entirely within the accessory building, and it will create minimal additional vehicle trips to and from the property. The proposed salon will not create odor, fumes, dust, noise, or vibration. Any lighting on the outside of the building should be directed downward to prevent the light from spilling onto neighboring properties and to prevent glair.

6) Health, safety, general welfare of the public and the Comprehensive Plan.

The proposed land use will not negatively affect the health and safety of the public. The petitioner is requesting a small home occupation that will provide a service to area residents. The proposed salon will meet requirements of the home occupation ordinance.

Recommendation: Staff recommends **approval** of Conditional Use Permit #25-68 with the following conditions:

- 1) That the property shall adhere to the submitted site plan.
- 2) That the conditional use permit shall allow for a full service hair salon with incidental sale of salon related merchandise.
- 3) That the occupation shall be conducted entirely within the accessory building, and it shall be operated by a member of the family residing in the dwelling.
- 4) That the occupation shall not generate more than 10 visits per day from clients or customers averaged over a period of seven (7) consecutive days.
- 5) That the occupation shall operate between the hours of 7 A.M. and 7 P. M. daily.
- 6) All signs shall meet the requirements of Article 16.00 of the 1990 Revised Zoning Ordinance for Minnehaha County. A sign permit shall be required for each sign.
- 7) That all outside lighting shall be fully cut-off and fully shielded with recessed lights that prohibit the spillage of light beyond the boundaries of the subject property.



- 8) The home occupation must follow all requirements of Article 12.03 of the 1990 Revised Zoning Ordinance for Minnehaha County.
- 9) No outside storage, display of goods or merchandise shall occur.
- 10) There shall be only limited and incidental sale of products conducted on the premises.
- 11) That the Planning & Zoning Department reserves the right to enter and inspect the Home Occupation at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance.

Action

As part of the consent agenda, a motion was made by Commissioner Ralston and seconded by Commissioner VanDerVliet to **approve** Conditional Use Permit #25-68 with the staff recommended conditions. The motion passed unanimously with 4 votes in favor of the motion and 0 votes against the motion.

Conditional Use Permit #25-68 – Approved



ITEM 3. CONDITIONAL USE PERMIT #25-69 to exceed 2,400 square feet of accessory building space (requesting 3,810 square feet) on the property legally described as Tract 37 of Lot 1A Peterson’s First Addition S½ NW¼ Section 3 T102N-R49W Mapleton Township.

Petitioner: Nick Mimmack
 Property Owner: Vadim Onishchuk
 Location: 25637 Sherdean Trail
 Staff Report: Mason Steffen

General Information:

Legal Description – Tract 37 of Lot 1A Peterson’s First Addition S½ NW¼ Section 3 T102N-R49W Mapleton Township
 Present Zoning – RR Rural Residential
 Existing Land Use – Residential Acreage
 Parcel Size – 1.31 Acres

Staff Report: Mason Steffen

Staff Analysis: The petitioner is requesting conditional use permit approval to allow 3,810 square feet of detached accessory building area. The petitioner obtained a building permit for a single-family dwelling on the property in October of this year. The documents submitted with that dwelling included plans to build the proposed accessory building in the northern portion of the property. Planning staff explained at the time of the dwelling permit that a conditional use permit would be required for any detached accessory building over 2,400 square feet on the property. The applicant then applied for this conditional use permit later that same week. The narrative explains that approximately two-thirds of the building will be fully finished, in order to provide additional space for personal vehicle storage and an indoor pickleball court. The remaining portion of the building will be heated but will largely be used as unfinished storage space.

On November 10, 2025, staff conducted a site visit of the subject property and surrounding area. The property is located within the Peterson’s Addition, which is the site of an old mobile home park that is being converted into individual parcels with single-family dwellings. This subdivision is also located directly north of the Cedar Ridge Planned Development, which was rezoned in 2016 and has twenty-five dwellings on approximately eighty acres of land. Almost all of the properties in these subdivisions are limited to 2,400 square feet of detached accessory building area without a conditional use permit. This request would be the first conditional use permit approved for a larger detached accessory building in either subdivision, which may lead to other property owners requesting similar sized buildings in the future. The rural nature of the surrounding area should be minimally impacted by the size and proposed personal use of the accessory building within the existing subdivision. Finally, the vacant property directly east of the building location is owned by the same property owner, and the proposed exterior design of the building will match the existing dwelling on the property.

Conditional Use Permit Criteria:



1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

The proposed accessory building should have limited effect upon the use and enjoyment of the residential properties in the immediate vicinity. Property values in the area should not be negatively impacted due to the personal use of the proposed accessory building. The exterior design of the accessory building will generally fit with the existing structures within the subdivision.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The site of the accessory building is located in an area surrounded by other similar residential lots and agricultural land. There are many proposed lots within the Peterson's Addition that have yet to be platted and sold, and any development in the area is likely to be limited to this subdivision. The design of the building will generally match the design of the dwelling on the property, which will help limit the visual impact of the building on the surrounding properties. Therefore, there should be no anticipated impacts to the normal and orderly development and improvement of these surrounding vacant residential lots.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

The proposed building will utilize an existing access point off Jademan Court, which is separate from the access point off Sherdean Trail utilized by the dwelling. The property owner will be required to extend all other necessary utilities to the structure. The building location generally slopes to the north, and so the drainage will mostly drain towards Jademan Court.

4) That the off-street parking and loading requirements are met.

The proposed site of the accessory building is large enough to accommodate the off-street parking requirement. The proposed accessory building will also add additional parking and storage to the property.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

No commercial business or storage will be allowed in the accessory building at any time. Any public nuisance violations will be addressed upon the Planning Department receiving a complaint about the subject property. All new or replacement outdoor lighting will need to be directed downward onto the property. Lighting must be designed to be fully-shielded and fully-cutoff to prevent light pollution off site.

6) Health, safety, general welfare of the public and the Comprehensive Plan.

The health, safety, and general welfare of the public should not be negatively affected by the construction of the proposed accessory building. The proposed use will generally fit within the uses of other properties in the rural area and conforms to the goals of the Envision 2045 Comprehensive Plan.

Recommendation: Staff recommends **approval** of Conditional Use Permit #25-69 with the following conditions:



- 1) The building location shall adhere to the submitted site plan.
- 2) The total area of all accessory buildings may not exceed 3,810 square feet.
- 3) That the building shall be an accessory use to the continued use of the property as a residential lot.
- 4) That the building shall not to be used for commercial uses or as a residential dwelling at any time.
- 5) That any new or replacement outdoor lighting shall be of a full cutoff and fully-shielded design to prevent direct spillage of light beyond the property boundaries.
- 6) That a building permit is required prior to construction of the accessory building.
- 7) That the Planning & Zoning Department reserves the right to enter and inspect the accessory building at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance.

Action

As part of the consent agenda, a motion was made by Commissioner Ralston and seconded by Commissioner VanDerVliet to **approve** Conditional Use Permit #25-69 with the staff recommended conditions. The motion passed unanimously with 4 votes in favor of the motion and 0 votes against the motion.

Conditional Use Permit #25-69 - Approved



Old Business

None.

New Business

Fletcher Lacock, of city planning staff, presented an update on the 2050 Shape Sioux Falls Comprehensive Plan. The update included a detailed explanation of the public input process, key takeaways and themes, and draft chapter highlights. The planning commission, Mr. Lacock, and planning staff then discussed these highlights, as well as the development area and future land use maps.

Maggie Gillespie, Deputy States's Attorney, provided an annual review of open meeting laws under SDCL 1-25-13. The purpose is to review an explanation of the open meeting laws of the state published by the Attorney General under SDCL 1-11-1 and any other material pertaining to open laws of the state provided by the Attorney General. The Minnehaha County Planning Commission has now completed the review of the open meetings laws and has now complied with SDCL 1-25-13.

Adjourn

A motion was made to **adjourn** by Commissioner Heiberger and seconded by Commissioner Ralston. The motion was approved unanimously. The meeting was adjourned at 7:32 p.m.



ITEM 3. CONDITIONAL USE PERMIT #26-01 to transfer one (1) building eligibility from the ½ Vacant Section Line ROW Lying Adjacent & SE¼ SE¼ Section 19 to Tract 9 Bur Oak Hills Addition Section 20 all within T102N-R48W Brandon Township.

Petitioner: Jacob & Linda Heilman

Property Owner: Same

Location: Approximately 1 mile northeast of the I-90 & Veterans Parkway intersection

Staff Report: Kevin Hoekman

General Information:

Legal Description – Tract 9 Bur Oak Hills Addition Section 20 all within T102N-R48W Brandon Township

Present Zoning – A1 Agricultural

Existing Land Use – Farmland

Parcel Size – 17.55 Acres

Staff Report: Kevin Hoekman

Staff Analysis:

The applicant is requesting to transfer one building eligibility from a quarter quarter section of pasture land to a recently platted lot near an existing subdivision. The property owner owns all parcels involved. A transfer of a building eligibility requires a conditional use permit to be approved. The receiving parcel has already been platted for a building site. The applicant submitted the transfer questionnaire to support the transfer request.

In 1999, the applicant moved several building eligibilities to this area and platted a small development along the Bur Oak Place, a private road. This transfer will move one building eligibility to a recently platted lot along Bur Oak Place. It will be located adjacent to another remaining building eligibility on a recently platted lot. The building eligibility would not be developable without the transfer, because the sending parcel has no driveway access available.

Conditional Use Permit Criteria:

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

The land area around the requested transfer is a mix of agricultural pasture land, cropland, and residential acreages. The sending parcel is pasture land with many hills and valleys. The receiving parcel is located adjacent to a residential subdivision of acreage sites. The receiving parcel is better suited for residential development than the sending parcel. Bur Oak Place will have some more traffic from the additional residential dwelling site, but the increase will be minimal and limited to this building site and one other existing eligibility on site. Overall, the proposed dwelling will have little effect upon the use of existing properties in the area.

2) The effect upon the normal and orderly development and improvement of surrounding



vacant property for uses predominant in the area.

The land area around the requested transfer is a mix of agricultural pasture land, cropland, and a subdivision of residential acreages. The receiving parcel is on the edge of the residential subdivision that is also on the edge of the joint jurisdiction boundary with Sioux Falls. However, the parcel is outside of any plans for development within Sioux Falls within the current comprehensive plan. Agricultural land uses will remain for many years. A right-to-farm notice will be required before a house is permitted on the site.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

The developer of the lot will be required to extend required utilities to the site. The property will need an on-site wastewater septic system, and percolation testing must be completed before a building permit can be issued. A drainage plan is not required for development of one single family dwelling.

4) That the off-street parking and loading requirements are met.

Off street parking requirements will be met when a single family dwelling is constructed.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

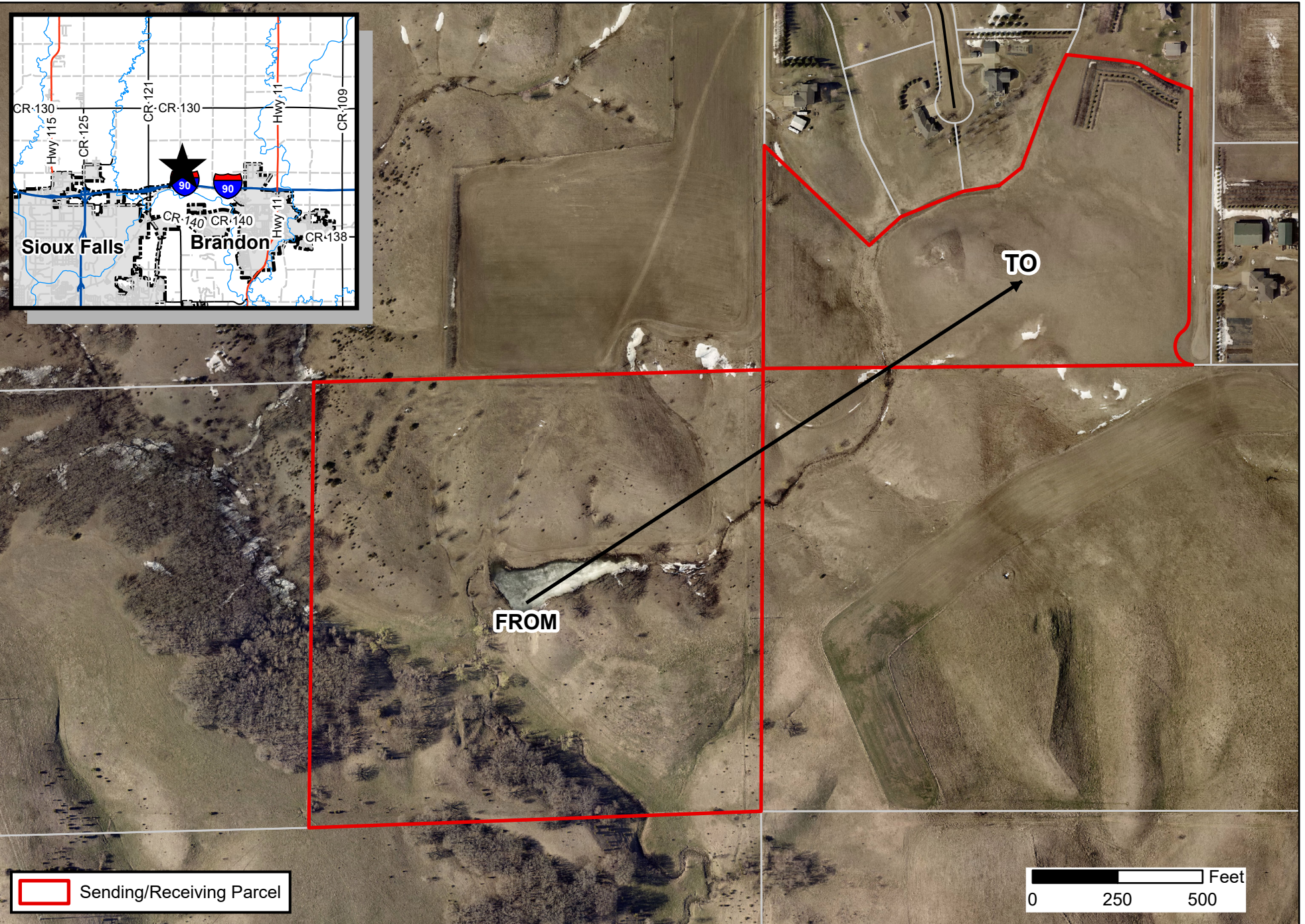
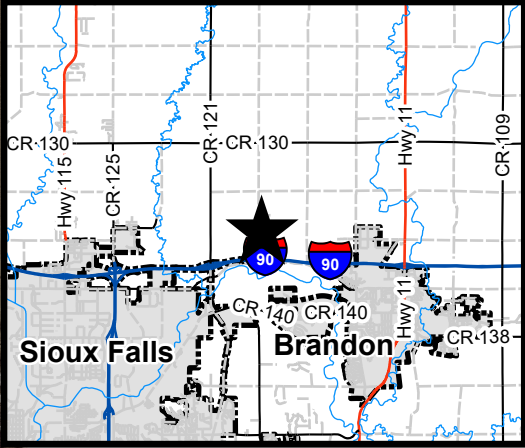
A single family residence does not typically create offensive odor, fumes, dust, noise, vibration, and lighting. The property will need to comply with the Public Nuisance Ordinance of Minnehaha County.


6) Health, safety, general welfare of the public and the Comprehensive Plan.

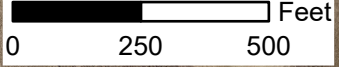
The proposed transfer will result in a single family dwelling being constructed within an area nearby other single family dwellings. The Comprehensive Plan encourages clustering building eligibilities to preserve agricultural productive land.

Recommendation: Staff recommends **approval** of Conditional Use Permit #26-01 with the following conditions:

- 1) A right-to-farm notice covenant shall be placed on the deed prior to the issuance of a building permit for a single-family dwelling.



 Sending/Receiving Parcel



Map Date:
December 24, 2025

Transfer Building Eligibility 26-01



DISCLAIMER : This drawing is not a legally recorded map or a survey and is not intended to be used as such. It is a compilation of information located in various City and County offices. The City of Sioux Falls and Minnehaha County are not responsible for any errors in the drawing.

Minnehaha County Planning & Zoning

**TRANSFER OF BUILDING ELIGIBILITY
APPLICATION QUESTIONNAIRE**

In reviewing an application for the transfer of a building eligibility, the Planning Commission considers the impact this action will have on established farming operations, the preservation of prime farm land, the potential number of driveways, and possible future transfer requests in the area.

To aid the Commission in their review, the following questionnaire must be completed and returned with the conditional use permit application.

Office Use only	
Petition #:	<u>25-67</u>
Date:	<u>9-26-25</u>
Name:	_____
From MPID:	_____
To MPID:	_____

List the reasons the new building site(s) is a better location for a dwelling than the current location.

Better use of land.

How does the current location compare in terms of agricultural use (i.e. crop/pasture) and production capability to the land where the transfer is proposed?

Same.

How long have you owned the property? Have you informed your neighbors about the proposed eligibility transfer? *1996, 1999*

Will the transfer have a positive or negative impact on agricultural operations? Are there any concentrated animal feeding operations (feedlots) located within one mile of the building site? If yes, identify location and type.

No

Will shared driveways be used to reduce the number of road access points and has the appropriate government agency been contacted concerning access to the roadway? *Yes, ~~the~~ shared driveway*

Do you have other building eligibilities that could be transferred? If yes, how many and what are your plans for those eligibilities? *No*



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ITEM 4. CONDITIONAL USE PERMIT #26-03 to exceed 3,600 square feet of accessory building space (requesting 11,549 square feet) on the property legally described as the S990' W660' (Ex. Tract 1 Lauck's Addition) SW¼ Section 18 T103N-R49W Sverdrup Township.

Petitioner: Jonathon Bagby
Property Owner: Same
Location: 25292 472nd Avenue
Staff Report: Kevin Hoekman

General Information:

Legal Description – S990' W660' (Ex. Tract 1 Lauck's Addition) SW¼ Section 18 T103N-R49W Sverdrup Township
Present Zoning – A1 Agricultural
Existing Land Use – Residential Acreage
Parcel Size – 14.00 Acres

Staff Report: Kevin Hoekman

Staff Analysis:

The subject property is located within a subdivision of more than four lots. The applicant wants to construct a 59 feet wide by 136 feet long (8,024 square feet) accessory building. The proposed building will be in addition to an existing 47 feet wide by 75 feet long accessory building. The combined total accessory building area is 11,549 square feet. A conditional use permit is required when the total accessory building area exceeds 3,000 square feet in a subdivision of more than four parcels.

The applicant submitted a sketch site plan locating the proposed building on the south side of the lot and showing a side yard separation of 25 feet. The proposed building will meet setback requirements and be located in an area screened from the road; however, the building will be located within the direct site line of the neighboring property to the west.

Staff visited the property on January 6th, 2026. Jonathon Bagby was there to explain the plans for the building. The building will be placed approximately 25 feet from the west property line. No lights or garage doors are planned to be placed on the west side of the building towards the closest neighbor. The property owner also assured me at the site visit that he purchased a piece of land in Dell Rapids to operate his business, and this shed will be used for personal use only. No business activity will be allowed on the property.

Fill will be brought into the land to level out the building site. The property owner should be aware that structural footings cannot be placed on fill unless the fill is clean, compacted, and approved by an engineer throughout the entire construction process. Alternatively, footing holes can be dug deeper to reach the virgin soils.

Conditional Use Permit Criteria:



1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

The subject property is a large, 14 acres, parcel within a subdivision of smaller acreages. The property has many trees on it and the proposed building will be screened from view from most of the neighboring houses. The house affected most from the proposed building is directly west of the proposed building site. The property owner explained at the site visit that the only thing in the side yard will likely be a drainage swale for water. No garage door or lights will be placed on the west side of the proposed building.

The proposed building is planned for residential storage. The size of the building is more typical of an industrial land use, and it will be the largest accessory building within a half mile radius of the property. Across the street to the west is an accessory agricultural building approximately 6,700 square feet in size. Likewise, a 7,200 square feet agricultural accessory building is located approximately 2/3 of a mile to the east. In both cases, the large accessory building areas of the nearby properties are smaller than the area being requested for this CUP. In addition, both of the nearby accessory buildings were constructed for agricultural purposes. The application for an 8,024 square feet building will be the largest non-agricultural accessory building in the area. The Planning Commission may consider permitting a smaller building if it is determined that the size is incompatible with the neighborhood.

No commercial storage or activity is allowed within the shed to prevent conflicts between neighboring properties. This is a common condition for large accessory buildings. A condition to prevent commercial activity can be difficult to enforce, especially after the property is sold to another person who may be unaware of the process and conditions placed on the property.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The property is located within a subdivision that is fully developed and no building eligibilities remain available. It is not likely new development will take place for the foreseeable future. Replacement houses and new accessory buildings are the most likely future development. The proposed large accessory building may lead to similar large building requests, but it will not likely change the general pattern for the area.

The proposed building is planned for residential storage. A requirement to prevent commercial storage and activity will remain for any future property owner. The building can hold large equipment only used for property maintenance or other equipment and vehicles used for recreation and personal use.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

The site is already developed with a single family dwelling and one large detached accessory building. The applicant will be responsible to extend any utilities to the proposed building. Drainage generally flows to the southeast towards agricultural cropland. The property owner should be aware of drainage from the large building so that it will not impact the neighbors.

4) That the off-street parking and loading requirements are met.



The accessory building will not create any new parking or loading requirements. The large storage building should reduce the need for outdoor parking on the property.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

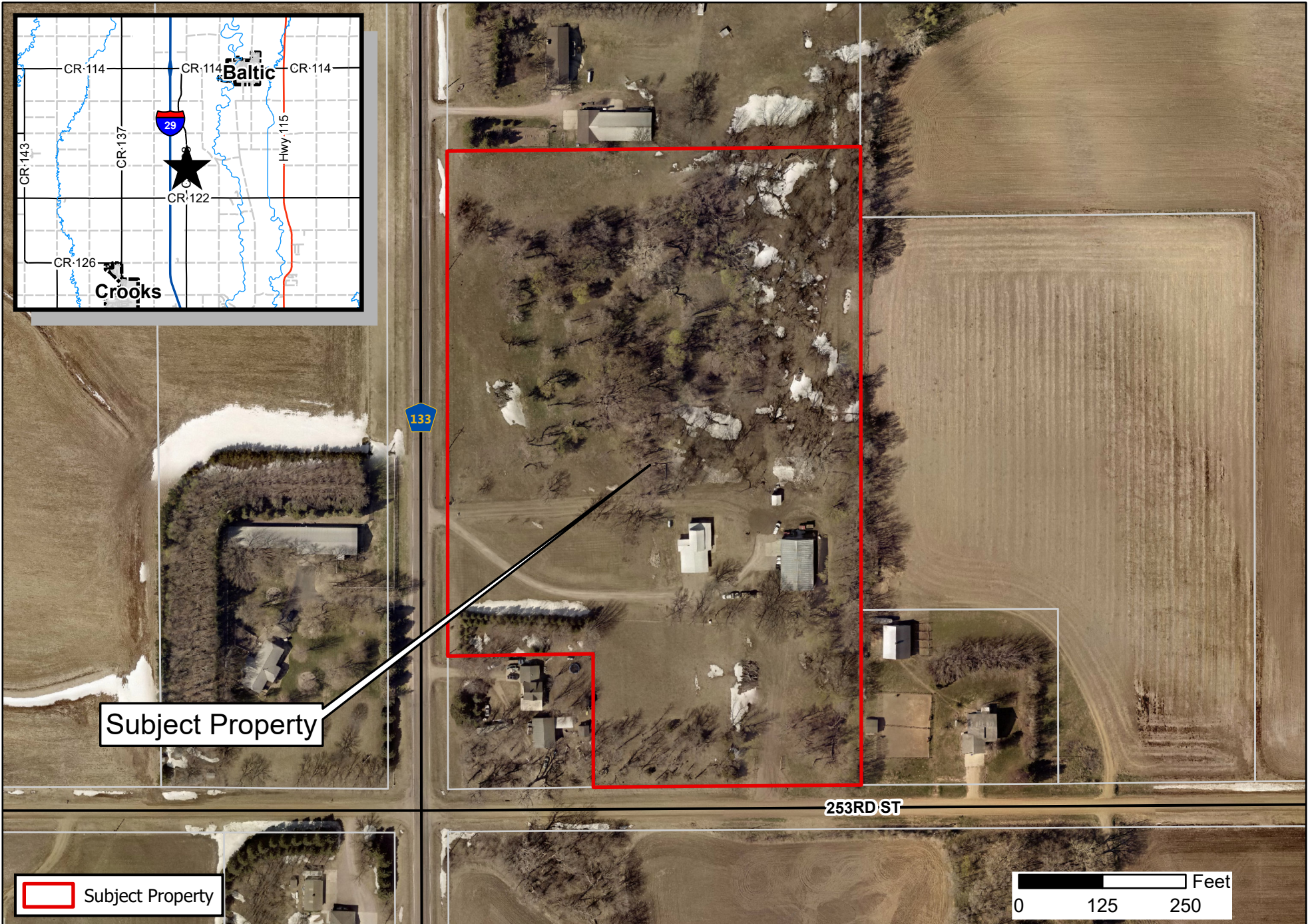
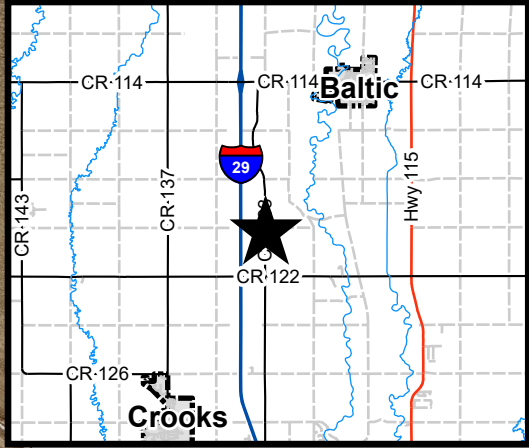
As a residential property, the site will need to comply with the Public Nuisance Ordinance. Any lighting outside of the building should be fully cutoff and directed downward to prevent glare and light spillage from neighboring properties.


6) Health, safety, general welfare of the public and the Comprehensive Plan.

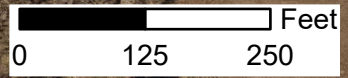
The Minnehaha County Planning and Zoning Department has a policy to require engineering on all commercial structures and all structures 60 feet wide or wider. The proposed building is a size more typical of commercial buildings and appears to be intentionally smaller than the policy requirement for engineering by only one foot. Although the size and width of the building does not require engineering, staff suggest that this size of building should be engineered to ensure the building is capable to withstand wind and snow loads appropriately for the current and future property owners.

Recommendation: Staff recommends **approval** of Conditional Use Permit #26-03 with the following conditions:

- 1) The building location shall adhere to the submitted site plan.
- 2) The total area of all accessory buildings may not exceed 11,549 square feet with the new accessory building not to exceed 8,024 square feet in area.
- 3) That the accessory buildings shall continue to be an accessory use to the continued use of the property as a residential lot.
- 4) The building shall not to be used for commercial uses or as a dwelling at any time.
- 5) That any new outdoor lighting shall be of a full cutoff and fully shielded design to prevent direct spillage of light beyond the property boundaries.
- 6) No garage door or lights shall be placed on the west outside wall of the accessory building.
- 7) That a building permit is required prior to construction of the accessory building.
- 8) Building plans for the accessory building shall be engineered and reviewed and approved by the Minnehaha County Building Inspector prior to issuance of a building permit.
- 9) That the Planning & Zoning Department reserves the right to enter and inspect the accessory building at any time, after proper notice of the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance.



 Subject Property



Map Date:
December 23, 2025

Conditional Use Permit 26-03



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Apple Maps





ITEM 5. CONDITIONAL USE PERMIT #26-04 to exceed 3,600 square feet of accessory building space (requesting 5,335 square feet) on the property legally described as Tract 1 Wixon Tracts E½ SE¼ Section 2 T101N-R51W Wall Lake Township.

Petitioner: Laith Herrboldt
Property Owner: Todd Olson
Location: 46494 263rd Street
Staff Report: Mason Steffen

General Information:

Legal Description – Tract 1 Wixon Tracts E½ SE¼ Section 2 T101N-R51W Wall Lake Township.
Present Zoning – A1 Agricultural
Existing Land Use – Residential Acreage
Parcel Size – 5.00 Acres

Staff Report: Mason Steffen

Staff Analysis: The subject property currently has two detached accessory buildings that total 3,460 square feet. The petitioner is requesting to build a 25’ x 75’ addition to the northern building on the property, which will make the total square footage 5,335 square feet. The addition will be located on the north side of this building and will be approximately fifty feet from the northern property line. Based on the total square footage for the entire structure, the structure is required to be built on a fully frost protected footing. This includes both the existing building and the proposed addition. Therefore, building plans will be required to be submitted to the Minnehaha County Building Inspector for review, prior to the issuance of a building permit, to ensure the building has the proper foundation.

On January 7, 2026, staff conducted a site visit to the property and surrounding area. The immediate area surrounding the property is mostly agricultural outside of this cluster of dwellings at the intersection of 263rd Street & 465th Avenue. All of the other properties in this cluster of dwellings have one or more detached accessory buildings. Therefore, this building will generally be compatible with the existing agricultural uses and large lot residential acreages in the area. Finally, the location of the building is screened from the nearest neighbors by existing shelter belts, and the addition to the building should minimally impact the surrounding properties.

Conditional Use Permit Criteria:

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

There should not be any anticipated negative effects upon the use and enjoyment of the residential properties in the immediate vicinity. Property values in the area should also not be negatively impacted due to the personal use of the proposed accessory building. Finally, the building will be screened from the neighboring residences and should not have an impact on the surrounding area.



2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

This area is mostly dedicated to agricultural uses, and any residential development will be limited to the availability of building eligibilities. Approval of this request will generally be compatible with the existing agricultural uses surrounding the property and should not impact the normal and orderly development of the surrounding area.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

The petitioner will be required to extend any necessary utilities to the structure. The existing building is accessed by the same driveway as the dwelling on the property and no additional access will be needed for the proposed addition. The property generally slopes towards 464th Avenue to the east and the addition to the accessory building should not impact drainage in the area.

4) That the off-street parking and loading requirements are met.

The proposed site of the accessory building is large enough to accommodate the off-street parking requirement. The addition to the accessory building will also add parking and storage to the property.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

No commercial business or storage shall be allowed in the proposed accessory building at any time. The narrative states that the purpose for the addition is to store personal equipment such as tractors, trailers, UTV's, and other personal items. Any public nuisance violations will be addressed if the Planning Department receives a complaint about the subject property. All new outdoor lighting shall be directed downward onto the property. Lighting shall be designed to be fully shielded and fully-cutoff to prevent light pollution off site.

6) Health, safety, general welfare of the public and the Comprehensive Plan.

The health, safety, and general welfare of the public will not be negatively affected by the construction of the proposed addition to the accessory building. The proposed use will generally fit within the uses of other properties in the rural area and conforms to the goals of the Envision 2045 Comprehensive Plan.

Recommendation: Staff recommends **approval** of Conditional Use Permit #26-04 with the following conditions:

- 1) The building location shall adhere to the submitted site plan.
- 2) The total area of all accessory buildings may not exceed 5,335 square feet.
- 3) That the building shall be an accessory use to the continued use of the property as a residential lot.
- 4) That the building shall not to be used for commercial uses or as a residential dwelling at any time.
- 5) That any new or replacement outdoor lighting shall be of a full cutoff and fully-shielded design to prevent direct spillage of light beyond the property boundaries.



- 6) That a building permit is required prior to the commencement of any construction on the property.
- 7) That the entire accessory building must be located on a fully frost protected foundation. Building plans shall be submitted to the Minnehaha County Building Inspector for review, prior to the issuance of a building permit.
- 8) That the Planning & Zoning Department reserves the right to enter and inspect the accessory building at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance.



Subject Property

465TH AVE

140

Subject Property

0 50 100 Feet



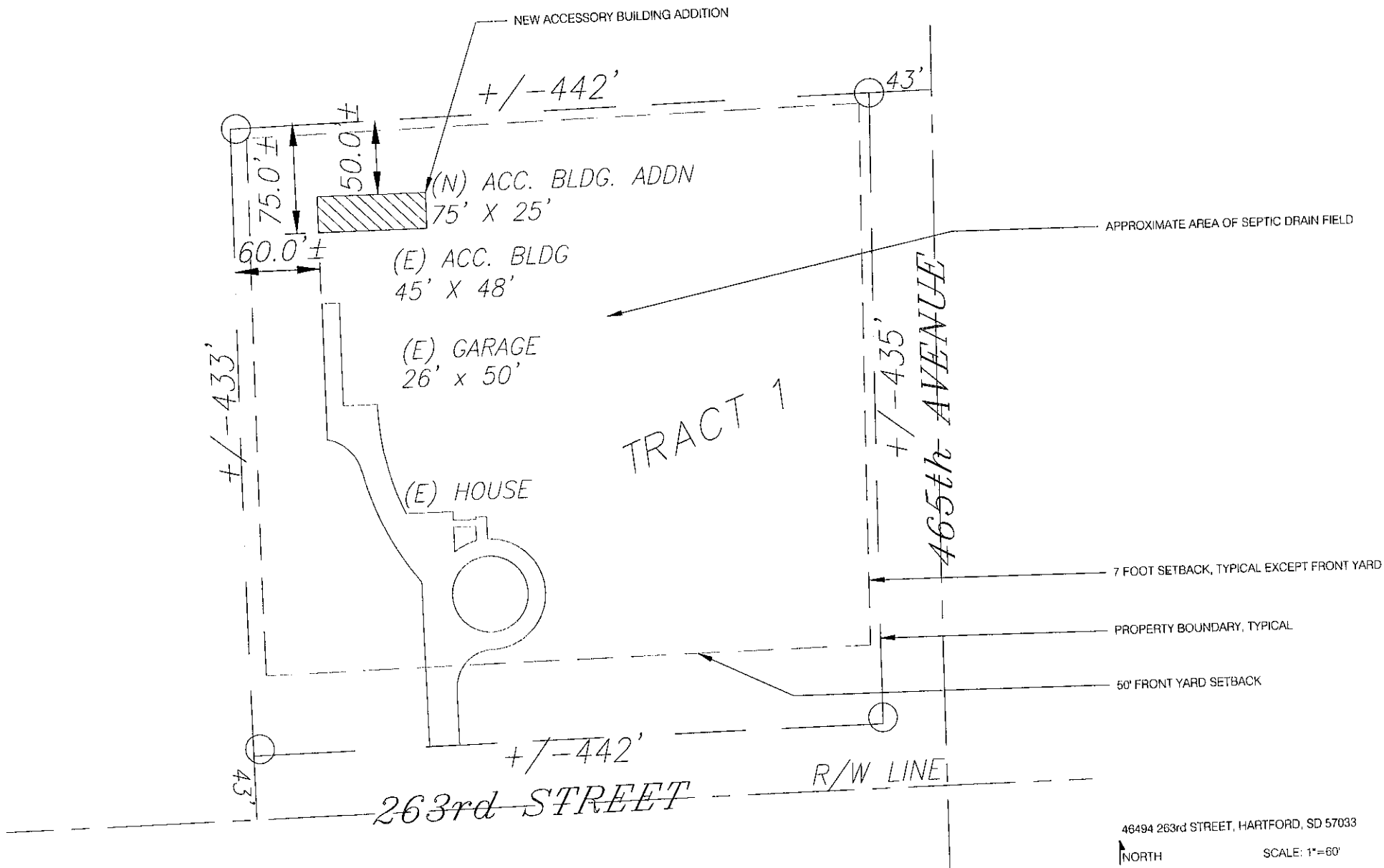
Map Date:
December 24, 2025

Conditional Use Permit 26-04



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Laith Herrboldt
820 E Amidon St
Sioux Falls, SD 57104

December 19, 2025

PROPOSED USE NARRATIVE FOR CONDITIONAL USE PERMIT

The following is a narrative of the proposed use for an addition to an accessory building at 46494 263rd St in Hartford, SD.

Existing Site

The site is +/-5.00 acres, gently sloping from west to east, with approximately 12 feet of fall from the northwest corner to the east boundary line of the property. The site contains an existing split-level residence with a two stall, attached garage; a detached, three stall garage; and one existing accessory building approximately 2,100 sf in size. The applicant is looking to add to the existing accessory building with a new addition.

New Addition

The new structure is to continue the one-story construction with a stick-framed wood building, clad in metal panels, 2,000 square feet in size.

Proposed Use

The structure will be constructed solely for personal use and will not be used for manufacturing or other commercial purposes. No signage will be installed. As the structure's primary use will be equipment storage, no additional parking is proposed.

The structure will be used primarily for equipment storage to house tractors for yard maintenance, flatbed and enclosed trailers, truck(s) for towing trailers, side-by-side UTV's, and other personal items. A bathroom will be constructed.

No bedrooms or other living areas are to be constructed in the existing accessory building or the new accessory building addition.

This completes the Proposed Use Narrative. Thank you for your consideration.



Sincerely,
Laith Herrboldt (on behalf of applicant)





ITEM 6. CONDITIONAL USE PERMIT #26-05 to allow an Attached Accessory Dwelling Unit (ADU) on the property legally described as Tract 4 Stageberg’s Addition SE¼ Section 11 T103N-R51W Grand Meadow Township.

Petitioner: Gary & Michelle Ferguson

Property Owner: Robert & Jennifer Taylor

Location: Located at the intersection of 252nd Street & 465th Avenue

Staff Report: Mason Steffen

General Information:

Legal Description – Tract 4 Stageberg’s Addition SE¼ Section 11 T103N-R51W Grand Meadow Township

Present Zoning – A1 Agricultural

Existing Land Use – Vacant Lot

Parcel Size – 5.26 Acres

Staff Report: Mason Steffen

Staff Analysis: The petitioner is requesting to build an accessory dwelling unit (ADU) that will be attached to their proposed new dwelling on the property. The finished square footage for the ADU will be approximately 700 square feet with a single stall attached garage. The finished square footage of the primary dwelling will be approximately 1,700 square feet with a two stall attached garage. The general requirements for an ADU are the following:

- 1) The ADU must be accessory to a primary dwelling, and the primary dwelling and ADU must be located together on one platted lot.
The finished floor area of the attached ADU will be less than 50% of the finished floor area of the primary dwelling. The primary dwelling and attached ADU are located entirely within the property boundaries of Tract 4 Stageberg’s Addition.
- 2) Only one ADU is allowed per parcel where zoning allows.
The subject property is entirely zoned A-1 Agricultural, which allows ADUs as a conditional use. No additional ADUs will be allowed on the property if this request is approved.
- 3) The ADU must be built on permanent frost protective footings.
The proposed ADU will be attached to the new primary dwelling on the property, and therefore, will be built on a fully frost protected footing.
- 4) The parcel must be able to handle additional wastewater potential for the ADU. Proof of capacity of wastewater compliance must be provided before approval of any conditional use permit.
An on-site wastewater system permit will be required prior to the building permit being issued for the primary dwelling and attached ADU. The system design information submitted during that permit application will be required to handle the wastewater flow from both the primary dwelling and attached ADU.



- 5) No additional access from a township, county, or state highway may be constructed for separate use of the ADU.
The primary dwelling and attached ADU will be required to utilize the same access point off 465th Avenue or 252nd Street. No additional access point will be allowed for separate use by the ADU at any time.
- 6) Two additional off-street parking spaces must be provided for the ADU.
The proposed ADU will have a separate attached garage that provides the necessary off-street parking. The subject property is also large enough to provide ample parking for both the primary dwelling and ADU.
- 7) If the ADU is located within a regulated floodplain, then the lowest floor of the ADU must be elevated at or above the base flood elevation.
No portion of the subject property is located within the regulated 100-year floodplain.
- 8) No ADU can be located within the regulated floodway.
No portion of the subject property is located within the regulated floodway.
- 9) The ADU must comply with all other county ordinances.
The ADU currently complies with all the relevant county ordinances including the public nuisance ordinance.

The ADU regulations require that the finished floor area of an attached ADU be less than 75% of the finished floor area of the primary dwelling. The finished floor area of the proposed ADU will be approximately 40% of the primary dwelling's finished floor area. The ADU is also required to meet the setbacks for a dwelling in the A-1 Agricultural zoning district, and the entire structure meets these required setbacks.

On January 7, 2026, staff conducted a site visit to the subject property and surrounding area. The property is part of a four lot subdivision a half mile east of Tri-Valley School. Other than the school, the main land uses in the surrounding area are agricultural and there are no concentrated animal feeding operations (CAFOs) within a mile of the property. Additionally, the total size of the primary dwelling and attached ADU is just over 3,500 square feet, which is comparable to many dwellings in the county. Finally, the property is located along a paved county highway, in close proximity to a school, so any increase in traffic to the property for the ADU will have minimal impact on the surrounding land uses.

Conditional Use Permit Criteria:

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

A right-to-farm notice covenant will be required prior to the issuance of the building permit for the primary dwelling and ADU in order to notify the owner of the realities of living in an agricultural area. There are no permitted concentrated animal feeding operations within a mile of



the proposed building site. The additional dwelling unit should not overly impact the neighboring agricultural land uses.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The Tri-Valley School District recently expanded onto a vacant property west of the subject property. The remaining vacant land in the area is almost exclusively used for agricultural land uses. Allowing an attached ADU on the subject property will be a limited increase in residential density in an area where this type of density is controlled by the availability of building eligibilities. This limited increase should minimally impact future development especially because any future ADU requests will require their own separate conditional use permits.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

The petitioner will be required to extend the necessary utilities to the primary dwelling and ADU. An on-site wastewater system permit must also be obtained prior to the issuance of the building permit for the primary residence and attached ADU. This on-site wastewater system will be required to be designed to handle the wastewater flow from both the primary dwelling and attached ADU. Finally, the addition of an attached ADU and primary dwelling on the property will not impact drainage in the area.

4) That the off-street parking and loading requirements are met.

The primary dwelling and ADU will have separate attached garages that will meet the necessary two off-street parking spaces per dwelling. The subject property is also large enough to provide ample off-street parking for both dwellings.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

The development of the primary dwelling with an attached ADU will not create any odor, fumes, dust, noise, vibration, or lighting nuisances to the surrounding properties. The ADU and subject property will be required to adhere to the public nuisance ordinance for Minnehaha County.

6) Health, safety, general welfare of the public and the Comprehensive Plan.

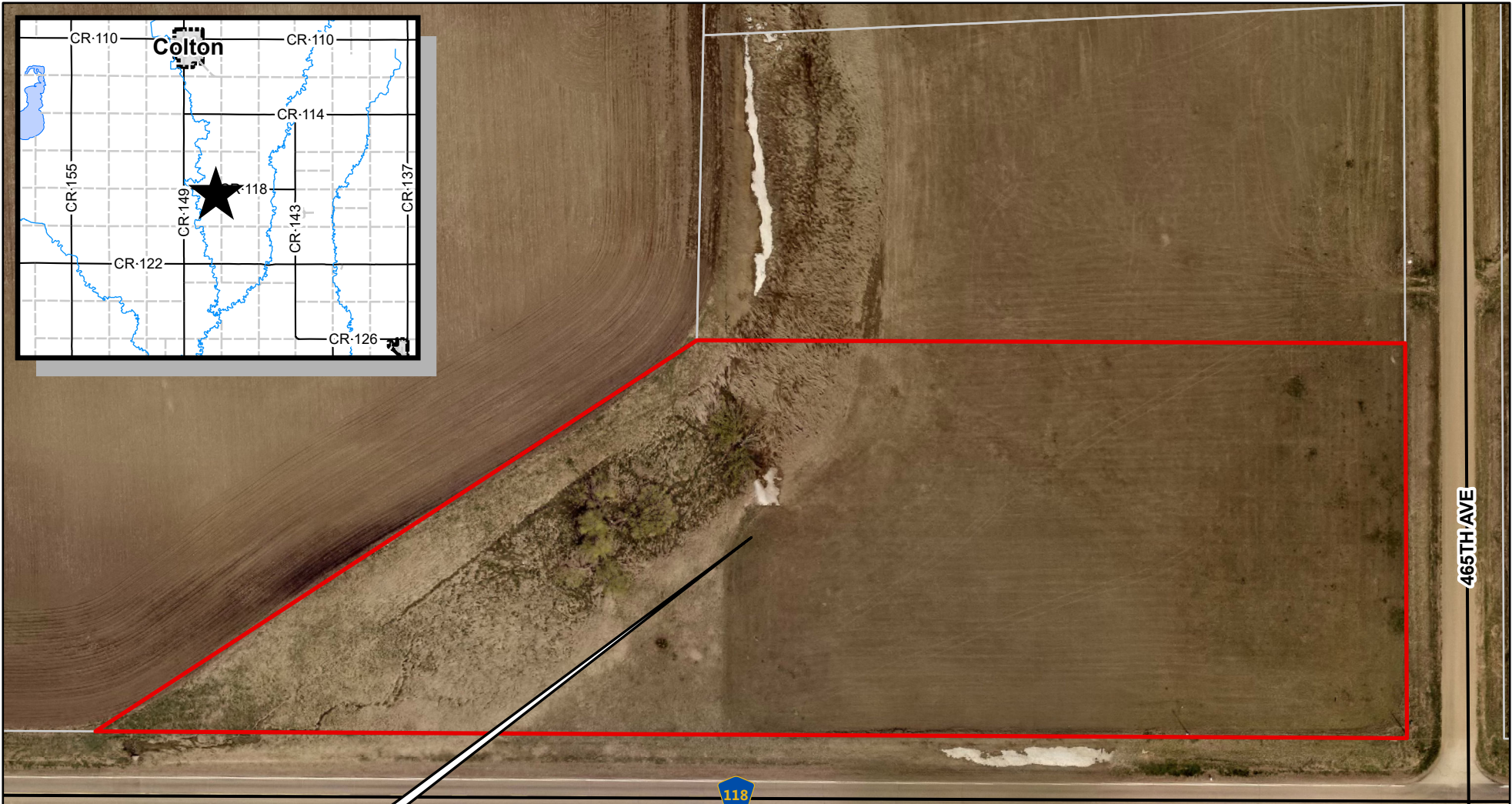
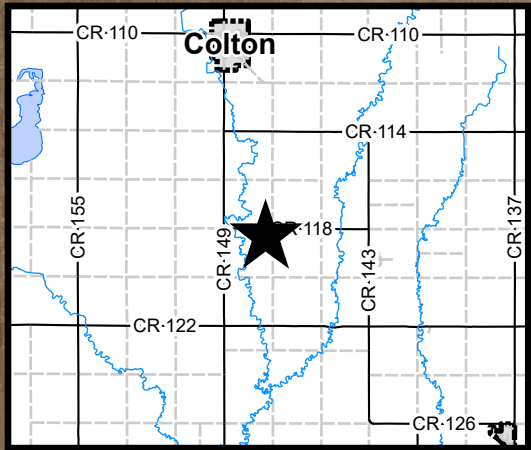
The proposed ADU will have no anticipated effects on the health, safety and general welfare of the public. Allowing this ADU to be attached to the proposed primary dwelling on a vacant lot will allow for additional residential density without converting farmland into non-agricultural uses, which follows the intent of the recently adopted ordinance amendments and Envision 2045 Comprehensive Plan.

Recommendation: Staff recommends **approval** of Conditional Use Permit #26-05 with the following conditions:


- 1) That no more than one ADU shall be allowed on the property.
- 2) That only one access point off the public right-of-way shall be allowed for use by both the primary dwelling and ADU.
- 3) That two additional off-street parking spaces shall be provided for the ADU.

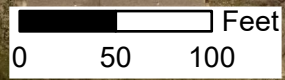


- 4) That any new outdoor lighting shall be of a full cutoff and fully shielded design to prevent direct spillage of light beyond the property boundaries.
- 5) That an on-site wastewater permit shall be obtained, prior to the issuance of a building permit for the ADU or primary dwelling. The on-site wastewater system shall be designed to handle the minimum daily wastewater flow from both the primary dwelling and ADU.
- 6) That a building permit shall be obtained for the primary dwelling and ADU, prior to any work beginning on the property.
- 7) That the Planning & Zoning Department reserves the right to enter and inspect the site at any time, after proper notice of the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance.



Subject Property

 Subject Property



Map Date:
December 24, 2025

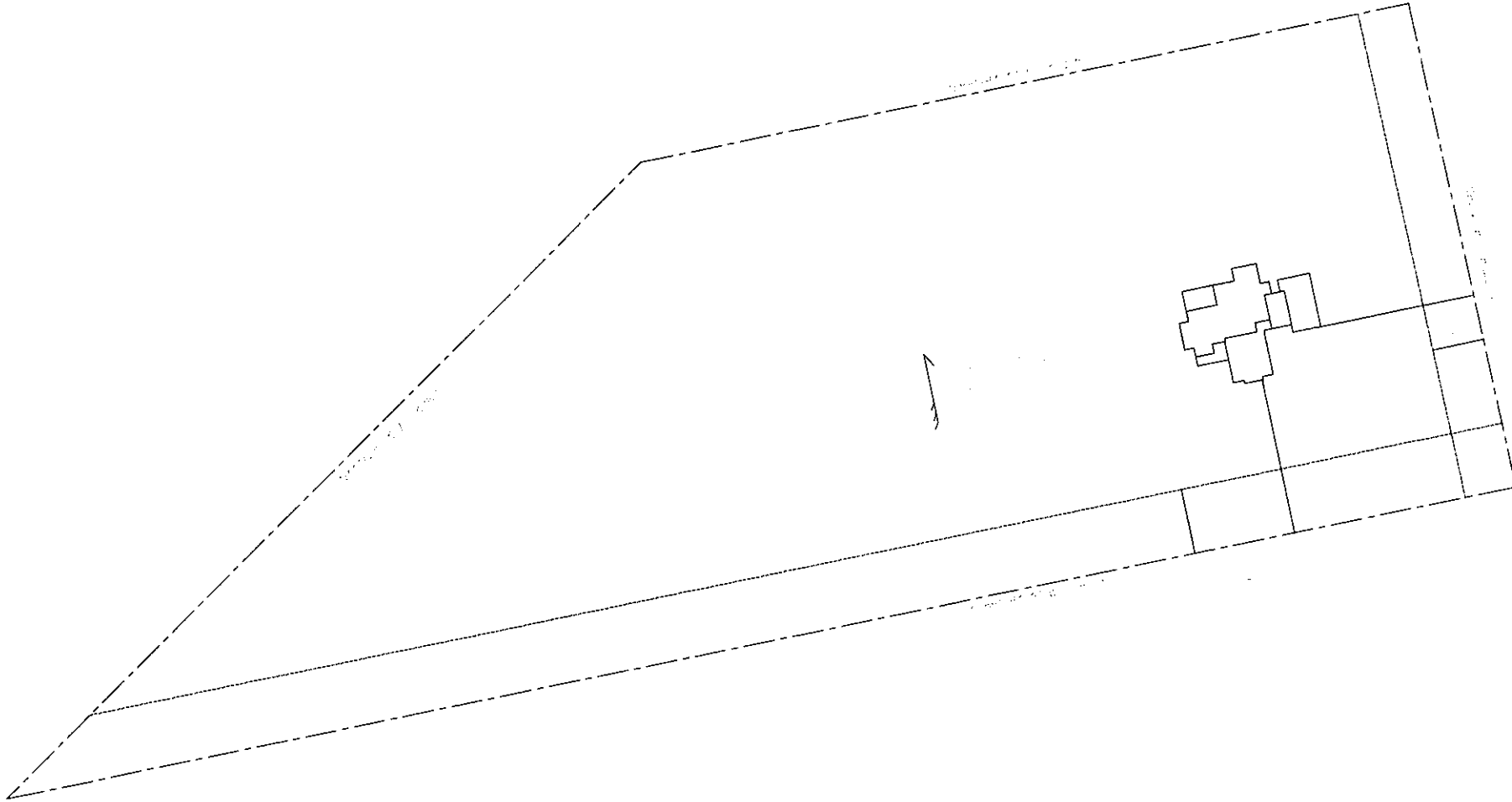
Conditional Use Permit 26-05



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PRELIMINARY PLAN
NOT FOR CONSTRUCTION

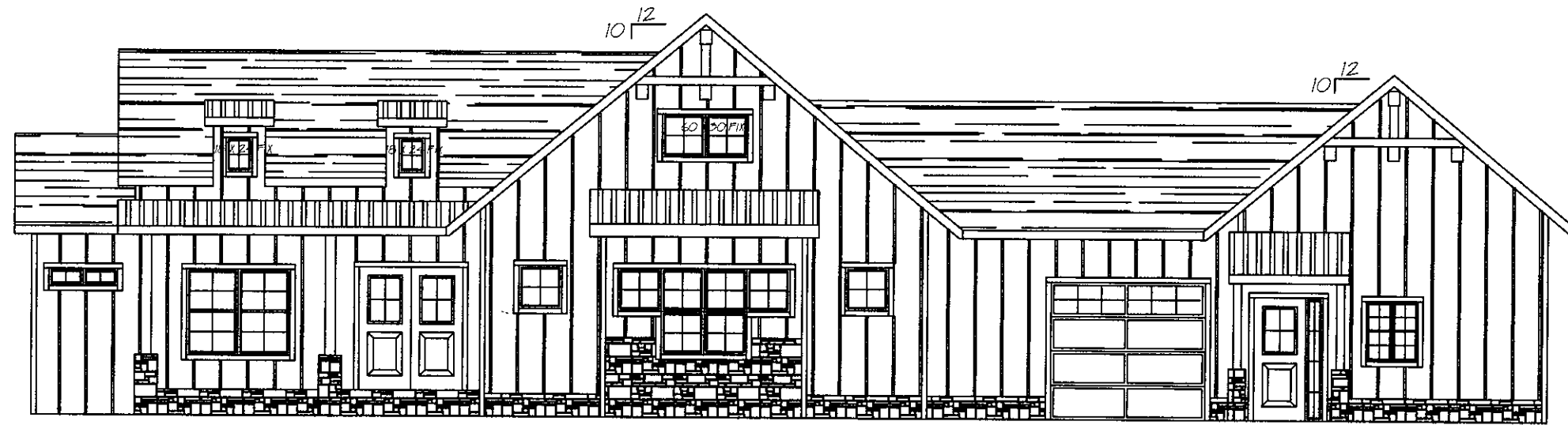


ARK BUILT CONST. & DESIGN
47175 289TH ST
BERESFORD, SD 57004
(605) 999-7269

START DATE: 11/5/25
DRAWN BY: N.K.
PLAN #: 25202

SCHMITT CONST.
FERGUSON BUILD

These general drawings are not produced by an Architect or Engineering Firm. Before construction customer should consult a contractor or other professional to determine if these drawings meet the structural requirements, or if existing conditions specific to the site. ARKD assumes no responsibility for claims or damages arising from errors, omissions, deficiencies or defects of the drawings.



FRONT ELEVATION
SCALE: 1/8" = 1'-0"



REAR ELEVATION
SCALE: 1/8" = 1'-0"

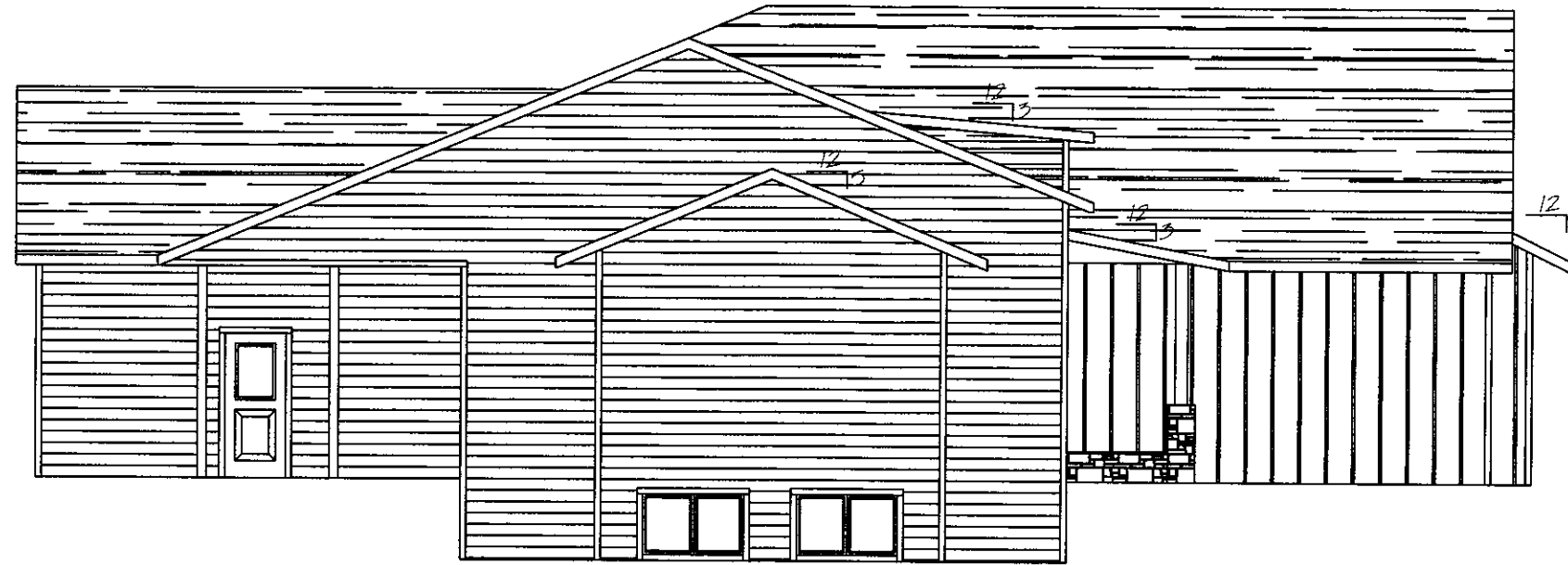
PRELIMINARY PLAN
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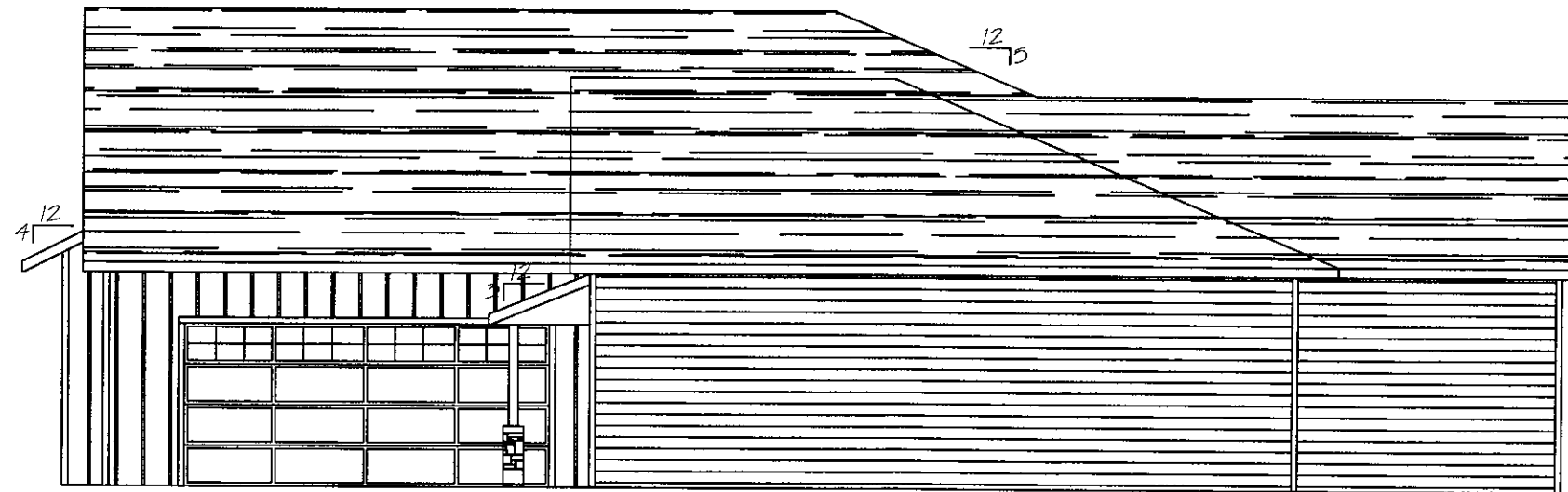
SCHMITT CONST.
FERGUSON BUILD

START DATE: 11/5/25
DRAWN BY: N.K.
PLAN #: 25202

ARK BUILT CONST. & DESIGN
47175 289TH ST
BERESFORD, SD 57004
(605) 999-7269



LEFT ELEVATION
SCALE: 1/8" = 1'-0"



RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

PRELIMINARY PLAN
NOT FOR CONSTRUCTION

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SCHMITT CONST.
FERGUSON BUILD

START DATE: 11/5/25

DRAWN BY: N.K.

PLAN #: 25202

ARK BUILT CONST. & DESIGN

47175 289TH ST
BERESFORD, SD 57004
(605) 999-7269



ITEM 7. REZONING #26-02 to rezone from the A-1 Agricultural District to the C Commercial District the property legally described as Lot 3 Milstead Addition NE¼ SE¼ Section 21 T101N-R51W Wall Lake Township.

Petitioner: Timothy Hoekman

Property Owner: Michael & Rhonda Milstead

Location: Located at the Intersection of County Highway 151 and Park Place

Staff Report: Scott Anderson

General Information:

Legal Description – Lot 3 Milstead Addition NE¼ SE¼ Section 21 T101N-R51W Wall Lake Township

Present Zoning – A-1 Agricultural

Existing Land Use – Vacant Lot

Parcel Size – 1.19 Acres

Staff Report: Scott Anderson

Staff Analysis: The applicant has submitted a rezoning request to rezone the above described 1.19-acre parcel from A-1 Agriculture to C Commercial District. On January 6, 2026, staff conducted a site visit to the subject property. The site is currently vacant. It is located along County Highway 151. The area to the west and north has many homes surrounding Wall Lake. The area to the east is primarily farmland and property directly to the south is the location of Wall Lake Park.

The Envision 2045 Plan indicates that the majority of commercial and industrial development should be focused towards municipalities, transition areas, interstate interchanges and major highway crossings. While this parcel is located on a county highway, it meets none of the ideal identified areas for commercial development to occur. This rezoning would represent a spot zoning in an area that is a mixture agricultural and residential in nature and set a precedent for future spot zoning requests. The proposed zoning is in opposition to the goals of the Comprehensive Plan and does not promote orderly growth.

The proposed rezoning is in conflict with the Envision 2045 Comprehensive Plan. The goals and actions of commercial/industrial section of the growth management chapter indicates that strip commercial development along transportation arteries, particularly those that serve as gateways to municipalities or attractions are to be avoided (Goal 4.9 – Action #3). This spot zoning request is along the gateway to Wall Lake. It is adjacent to Wall Lake Park. Action #4 indicates that commercial uses are to be located at interstate highway interchanges and high traffic intersections to support highway users. This proposed site is neither. The average daily traffic along this section of County Highway 151 is approximately 1,428 according to the 2024 traffic count by the County Highway Department.

The Envision 2045 Plan has identified rural service areas where commercial and industrial growth would be appropriate. Commercial development is to be focused to these rural transition areas and towards municipalities. One such rural service area is located at the intersection of SD Highway 42 and County Highway 151, which is approximately ½ mile to the north of the subject

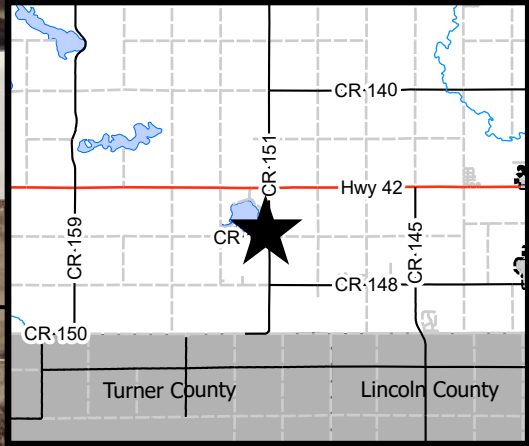


property. There is ample vacant property in this rural service area which could accommodate commercial and industrial growth.

The applicant has provided a narrative and justification for the proposed rezoning request. It is included for the Planning Commission's review. The reasons for the rezoning outline the small lots around the Wall Lake community and the need to store personal watercrafts and other water toys. Furthermore, the justification indicates that 60 years ago there was once a small commercial use on the site. The remnants of the foundation are still visible. The past commercial use occurred prior to any zoning being implemented by the County and ceased prior to the adoption of any zoning regulations.

Another consideration of the proposed rezoning request is the potential for setting a precedent. There are other vacant parcels along this stretch of county highway, which could also seek a zoning change. While there may be a demand for mini storage units for boats, watercrafts and campers, the location of these storage structures along a gateway to a scenic feature within the county and near intense residential development is an incompatible land use and could negatively impact property values.

Recommendation: Staff finds that the proposed rezoning does not conform to the goals and policies of the Envision 2045 Comprehensive Plan and recommends **denial** of Rezoning #26-02 to rezone the subject property from the A-1 Agricultural District to the C Commercial District.

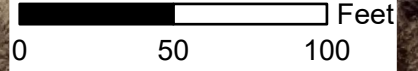


PARK PL

Subject Property

Subject Property

151



Map Date:
December 23, 2025

Rezoning 26-02



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Rezoning Application Narrative & Justification

Project Narrative

The subject property is located near Wall Lake, a popular recreational lake with a high year-round and seasonal population density. Many of the residential lots around Wall Lake are small, limiting the ability of homeowners to construct accessory buildings large enough to store items such as boats, personal watercraft (PWCs), trailers, and other large recreational “water toys.” In addition, much of the area lacks platted “back lots” that might otherwise accommodate these storage needs.

As a result, Wall Lake residents face ongoing challenges in finding convenient, secure indoor storage options. Many are forced to store seasonal recreational equipment off-site, improvising with distant rentals, garages already at capacity, or leaving equipment exposed to the elements. These limitations contribute to cluttered lots, challenges protecting valuable equipment, and general inconvenience for lake residents.

By contrast, several nearby recreational lakes — including Lake Madison and Brant Lake — have established indoor storage buildings or storage-condominium developments in close proximity to lake communities. These facilities are widely used and provide convenience, improve neighborhood aesthetics, and support recreational lifestyles in an orderly and well-regulated manner.

At present, Wall Lake has *no nearby indoor storage facility* serving this need, and there is *no commercially zoned land* available in the immediate area that would allow for such development. Rezoning the subject parcel will enable construction of indoor storage condominiums designed specifically for lake-oriented equipment such as boats, PWCs, trailers, and seasonal recreational items — providing a long-needed service to the Wall Lake community.

Historical accounts indicate that a drive-in restaurant operated at this location approximately 50–60 years ago. The current property owner purchased the parcel with the understanding that it had previously supported commercial activity, and that a return to commercial use would be reasonable. This context reinforces that the property is suitable for low-impact commercial development.

Justification With Respect to the Envision 2045 Comprehensive Plan

The proposed rezoning and development closely align with the Envision 2045 Comprehensive Plan (adopted February 2025), as follows:

1. Responsible Growth Near Existing Communities

Envision 2045 promotes directing commercial growth toward areas adjacent to established population centers. This project directly serves the existing Wall Lake community and avoids scattered or leapfrog development.

2. Supporting Recreational Lifestyles and Amenities

Wall Lake is recognized as a major recreational asset. The plan encourages complementary uses that enhance recreational life when properly designed. Providing secure indoor storage for boats, PWCs, trailers, and water-related equipment directly supports the lake's recreational function and reduces clutter on small residential lots.

3. Meeting Demonstrated Local Needs With Compatible Uses

The shortage of indoor storage near Wall Lake is well-documented among residents. Unlike other lake communities in the region, Wall Lake lacks nearby indoor storage facilities. This rezoning allows a low-traffic, low-noise, fully enclosed use that is compatible with adjacent rural-residential land while meeting a genuine community need.

4. Efficient Use of Land and Minimization of Public Burdens

Indoor storage condominiums make highly efficient use of the land while requiring limited additional public utilities, minimal services, and no increase in residential density. This aligns with the plan's goal of encouraging uses that meet community needs without increasing infrastructure demands.

5. Maintaining Rural Character Through Thoughtful Site Design

The project is designed to minimize visual impact through enclosed buildings, subdued exterior finishes, dark-sky-compliant lighting, and no outdoor storage. This supports the plan's emphasis on preserving rural and scenic qualities of the county's lake areas.

6. Enhancing Neighborhood Aesthetics and Property Values

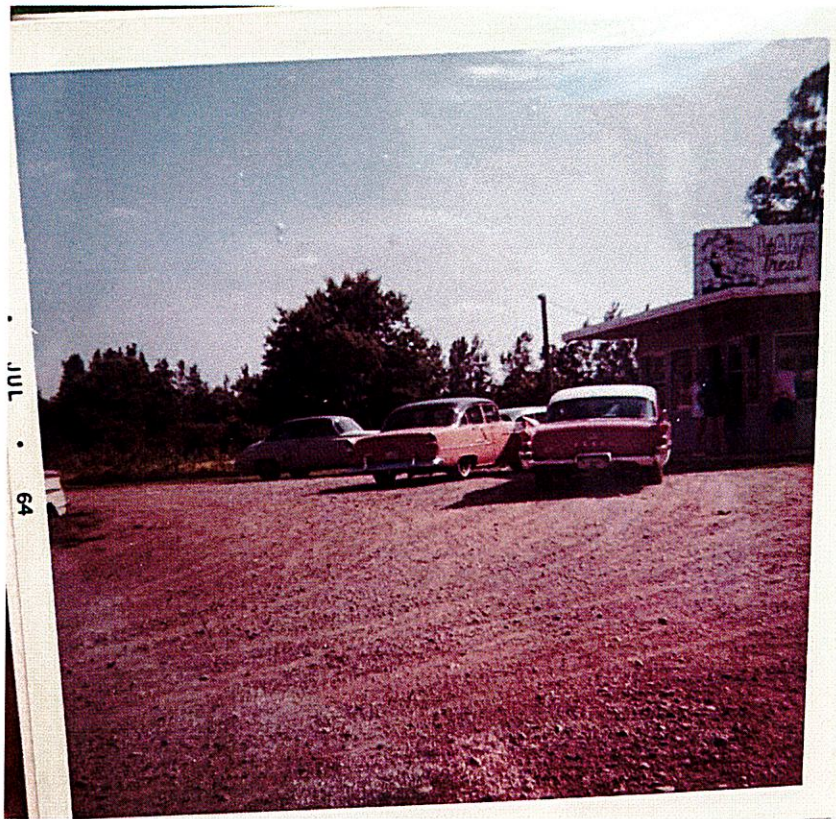
By providing a proper location to store large recreational equipment, the development will help reduce clutter on small lots, allow residents to better maintain their properties, and support long-term neighborhood appearance and property value stability.

Conclusion

The proposed rezoning will allow development of indoor storage condominiums that fulfill a clear and pressing need within the Wall Lake community. The project is low-impact,

compatible with surrounding land uses, supportive of recreational living, and consistent with the guiding principles and strategic goals of the Envision 2045 Comprehensive Plan.

Given the property's historic use, the demonstrated storage shortage at Wall Lake, and the alignment with county planning objectives, approval of this rezoning request is both reasonable and beneficial to the community.



July 1964 photo of the "Lake Treat" drive in on the proposed location



ITEM 8. REZONING #26-03 to rezone from the A-1 Agricultural District to the Ransom Planned Development District the property legally described as Tract B & Tract C Schreurs' Addition (Ex. H-1) S½ SE¼ Section 23 T103N-R49W Sverdrup Township.

Petitioner: Bruce Vollan
 Property Owner: John Schreurs; Ransom LLC
 Location: Approximately 1½ miles east of the 475th Avenue & 254th Street intersection
 Staff Report: Scott Anderson

General Information:

Legal Description – Tract B & Tract C Schreurs' Addition (Ex. H-1) S½ SE¼ Section 23 T103N-R49W Sverdrup Township
 Present Zoning – A-1 Agricultural
 Existing Land Use – Residential Acreage
 Parcel Size – 21.75 Acres

Staff Report: Scott Anderson

Staff Analysis: The applicant is proposing to rezone approximately a 30.52 acre parcel from A-1 Agricultural to a Planned Development District. A planned development is intended to create a zoning district that is unique and can provide flexibility from conventional zoning regulations. A Planned Development allows for increased public review of the projects and allows the County to implement specific elements that are useful and needed for that development. The petitioner has proposed a plan that consists of two (2) sub-areas, a commercial, long term residential subarea that will transition into a commercial area. The primary use of the commercial subarea will be for the storage and distribution of petroleum and propane, offices and maintenance of petroleum fleet vehicles.

On January 8, 2026, staff conducted a site visit to review the accuracy of the rezoning application submittal documents. The proposed planned development is located along County Highway 122, approximately 1 ½ miles east of the intersection with SD Highway 115. Vollan Oil currently has an extensive footprint of buildings and uses at this intersection. Subarea B bounded on three sides by several rows of an existing shelterbelt consisting of a variety of trees. Subarea A appears to have no trees or any type of screening. The surrounding area consists of a mix of land uses such as agricultural land, and a few residential acreages. There are approximately 15-20 residential sites located within ½ mile of the subject property. The closest residences are located 435 feet to the west and a 1,000 feet to the east

There are two (2) existing structures located within Subarea A. Each building is approximately 55 feet by 100 feet in size. Each building was constructed as a residential accessory building and were not reviewed as commercial buildings when constructed. All commercial buildings built in Minnehaha County require the following plans to be submitted to the Minnehaha County Chief Building Inspector prior to obtaining a building permit:

1. Prior to approval of the Final Development Plan, a detailed set of architectural, structural,



mechanical and electrical design plans, all having been stamped and sealed by the respective licensed professionals shall be submitted to the County Building Inspector for review and approval.

2. Comply with all requirements stated in Conditional Use Permit and Minnehaha County ordinance.

3. On site wastewater approval – All commercial wastewater systems are to be approved by the SD DANR. The applicant has not indicated how wastewater will be accommodated for the two existing structures. There are employees on site and using the building. Employee bathrooms are required. Prior to approval of the final development plan, a Septic system or Holding tank permit will need to be obtained with approval from State DANR.

Approach & Access - Currently there are two approaches into the proposed planned development. One approach is paved and provides access to the existing residence. The other approach is on the east side of Subarea A and consists of gravel and crushed asphalt. During the site inspection, staff noted that the approach into Subarea A was muddy and debris was being tracked out onto County Highway 122. Staff recommends that the first 150' of driveway into Subarea A north of County Highway 122 be either paved or asphalt. A paving requirement is similar to the requirements made of other similar uses accessing off a County Highway. The hard surfacing shall be required to be installed by October 1, 2026.

The County Highway was provided with the plans for the Ransom Planned Development and had the following comments: The traffic count for this section of County Highway 122 is approximately 720 ADT (average daily trips). A turning lane may be required upon submittal and review of the final development plan based on the projected traffic generated by this use.

There are also two existing buildings on Subarea B. One is a single-family residence, and the other is an accessory structure. These buildings will continue to have a residential use for a period not to exceed 9 years. Once ownership changes, to be purchased by the applicant (Vollan Oil), the uses will be the same as the uses identified in Subarea A. The existing approach into Subarea B is currently hard surfaced.

Recommendation: Staff finds the proposed rezoning from the A1 Agriculture District to the PD Ransom Planned Development District to the goals and policies of the Envision 2045 Comprehensive Plan and recommends **approval** of Rezoning #26-03 to rezone the subject property from the A-1 Agricultural District to the Ransom Planned Development District.

RANSOM PLANNED DEVELOPMENT DISTRICT. The regulations set forth herein or elsewhere in these regulations are the district regulations of the H Planned Development District.

INTENT. This district is intended to provide for a wide variety of commercial uses generally located at major intersections and along major roads. This district will include general commercial uses requiring large land areas, extensive retail operations, outdoor display, and limited residential use, which will be phased out within 9 years.



(A.) SUBAREA A (Tract B Schreurs' Addition)

- (1) **PERMISSIVE USES.** A building or premises shall be permitted to be used for the following purposes in Subarea A of the Ransom Planned Development:
 - (A) Office.
 - (B) Agriculturally related operations involving the handling, storage and shipping of farm products.
 - (C) Uses which store or handle a regulated substance.
 - (D) Facilities for the storage and distribution of anhydrous ammonia.
 - (E) Nursery or greenhouse.
 - (F) Garden center.
 - (G) Produce Stand exceeding 400 square feet in area.
 - (H) Farmers market.
 - (I) Indoor recreational facility.
 - (J) Light manufacturing.
 - (K) Tank farm; petroleum and/or propane products terminal.
 - (L) Equipment sales, display, service and rental.
 - (M) Motor vehicle sales, display, service and rental.
 - (N) Autobody shop.
 - (O) Public utility facility.
 - (P) Electrical substation.
 - (Q) Antenna support structure.

- (2) **CONDITIONAL USES.** A building or premises may be used for the following purposes in Subarea A of the Ransom Planned Development if a conditional use for such use has been obtained in conformance with the requirements of Article 19.00:
 - (A) General manufacturing.
 - (B) Airport/heliport.
 - (C) Distillation of products.
 - (D) Uses, other than those already contemplated as Permissive Uses, listed as Conditional Uses in the C – Commercial District and the I- Light Industrial District.

- (3) **ACCESSORY USES.** Accessory uses and buildings permitted in the Ransom Planned Development are those accessory buildings and uses customarily incident to any permitted use allowed in a C – Commercial District.

- (4) **PARKING REGULATIONS.** Parking within Subarea A of Ransom Planned Development shall be regulated in conformance with the provisions of Article 15.00.

- (5) **SIGN REGULATIONS.** Signs within Subarea A of Ransom Planned Development shall be regulated in conformance with the provisions of Article 16.00.

- (6) **DENSITY, AREA, YARD AND HEIGHT REGULATIONS.** The density, area, yard, and height requirements in Subarea A of the Ransom Planned Development District shall be the same as allowed in a C – Commercial District.



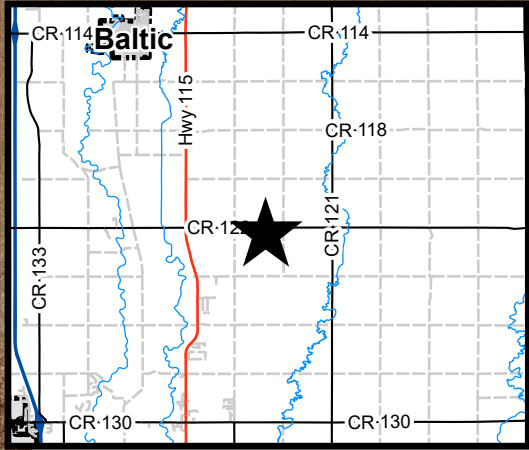
- (7) FINAL DEVELOPMENT PLAN. A Final Development Plan shall be submitted for approval by August 15, 2026. Prior to any additional new construction in the Ransom Planned Development District, a Final Development Plan shall be presented to the Planning Commissions for their approval.

(B.) SUBAREA B (Tract C Schreurs' Addition)

(1) REGULATIONS OF SUBAREA B

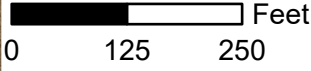
(A) Until such time as the current owner of Subarea B of the Ransom Planned Development transfers ownership of Subarea B of the Ransom Planned Development to an unrelated third party, a building or premises shall be permitted to be used for the following purposes: permissive uses, permitted special uses, and conditional uses of the A-1 Agricultural District. All other regulations, including but not limited to density, area, yard and height regulations, parking, and signage shall be as permitted or allowed with the A-1 Agricultural District.

(B) Effective 30 days following a record change in ownership of Subarea B of the Ransom Planned Development, or if no change in ownership has taken place, effective January 1, 2035, the buildings, uses, and regulations of Subarea B of the Ransom Planned Development shall be the same as those listed above for Subarea A of the Ransom Planned Development. Upon the same date, no residential use of Subarea B of the Ransom Planned Development shall be permitted.



Subject Property

 Subject Property



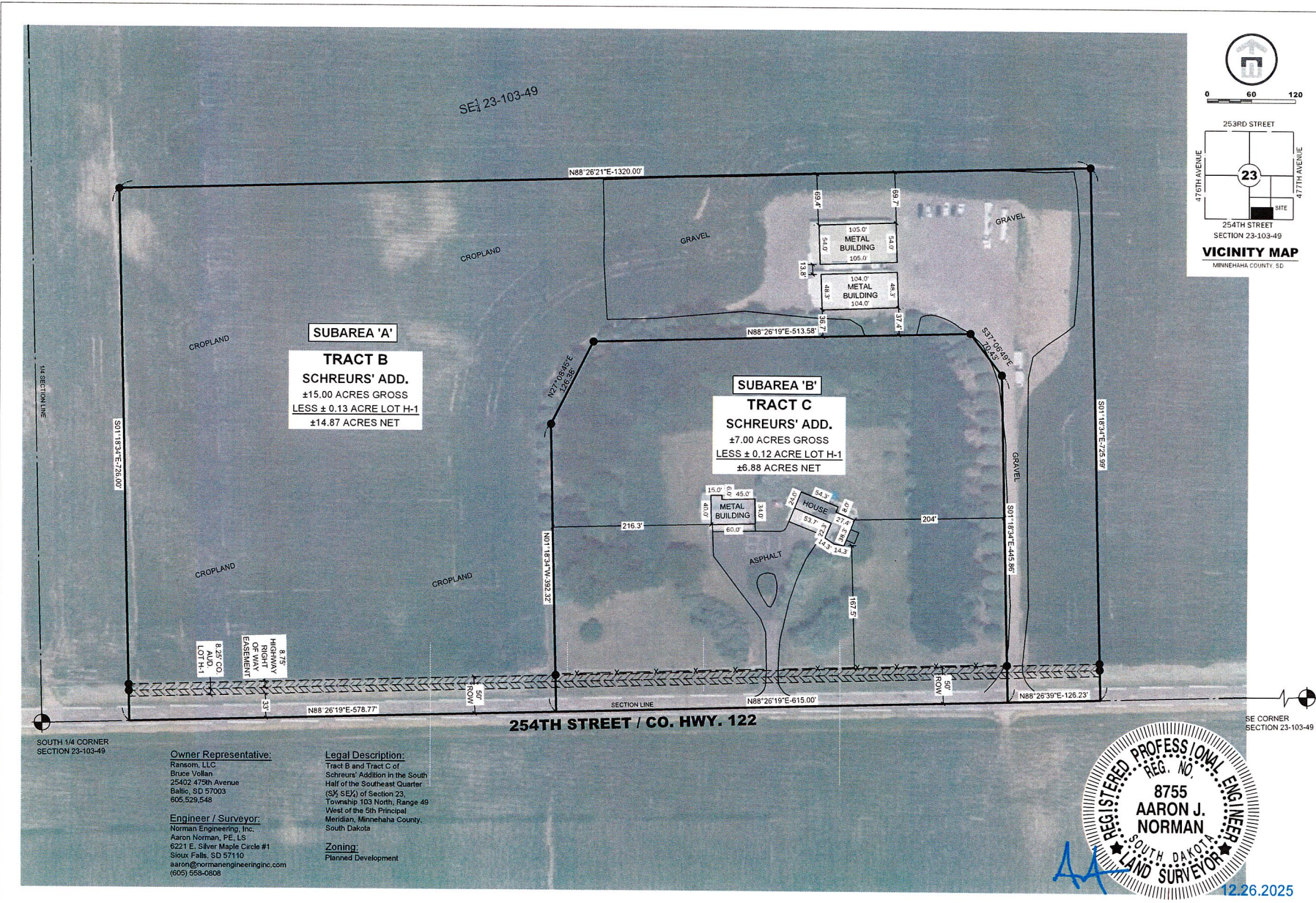
Map Date:
December 23, 2025

Rezoning 26-03



DISCLAIMER: This drawing is not a legally recorded map or a survey and is not intended to be used as such. It is a compilation of information located in various City and County offices. The City of Sioux Falls and Minnehaha County are not responsible for any errors in the drawing.

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SUBAREA 'A'
TRACT B
 SCHREURS' ADD.
 ±15.00 ACRES GROSS
 LESS ± 0.13 ACRE LOT H-1
 ±14.87 ACRES NET

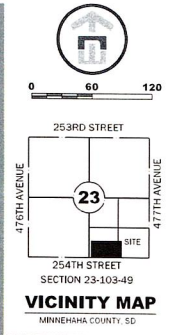
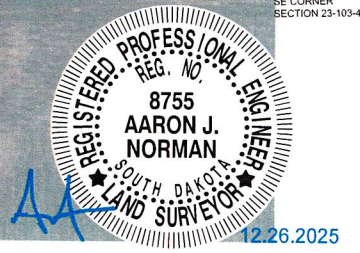
SUBAREA 'B'
TRACT C
 SCHREURS' ADD.
 ±7.00 ACRES GROSS
 LESS ± 0.12 ACRE LOT H-1
 ±6.88 ACRES NET

Owner Representative:
 Ransom, LLC
 Bruce Volland
 25402 475th Avenue
 Baltic, SD 57003
 605.529.548

Engineer / Surveyor:
 Norman Engineering, Inc.
 Aaron Norman, PE, LS
 6221 E. Silver Maple Circle #1
 Sioux Falls, SD 57110
 aaron@normanengineeringinc.com
 (605) 558-0808

Legal Description:
 Tract B and Tract C of
 Schreurs' Addition in the South
 Half of the Southeast Quarter
 (S½ SE¼) of Section 23,
 Township 103 North, Range 49
 West of the 5th Principal
 Meridian, Minnehaha County,
 South Dakota

Zoning:
 Planned Development



Ransom Planned Development
47670 254th Street
 Minnehaha County, South Dakota

Initial Development Plan

Revisions:

NES Project #:	24.02.088
Plot Date:	2024.12.26
Designed By:	AJN
Drawn By:	JRK
Checked By:	AJN

NORMAN
 ENGINEERING + SURVEYING

SHEET
1

Boyce

LAW FIRM LLP

pwtschetter@boycelaw.com
Direct Dial: 605-731-0205

December 26, 2025

Via Hand Delivery and Email

Scott Anderson
Minnehaha County Planning and Zoning
415 N. Dakota Avenue
Sioux Falls, SD 57104

Re: Rezoning Application – Ransom Planned Development
for Tracts B and C of Schreurs' Addition
Our File No. 17639.000

Mr. Anderson:

Enclosed please find the Planned Development – Rezoning Application Form submitted on behalf of my client, Bruce Vollan. Mr. Vollan seeks to rezone Tracts B and C of Schreurs' Addition, comprised of approximately 21.75 acres in Section 23 of Sverdrup Township, from A-1 Agricultural to a Planned Development, in which a combination of agricultural, commercial, and a select number of light industrial uses are permitted, as outlined in the proposed regulations of the Ransom Planned Development.

Bruce Vollan, through his real estate development entity, Ransom, LLC, purchased Tract B of Schreurs' Addition via a contract for deed in January 2025. In the months that followed, Mr. Vollan, without the assistance of counsel, undertook efforts to rezone Tract B from A-1 Agricultural to C- Commercial. Tract B, when considering the excluded H-1 Lot, is less than 15 acres. The County raised concerns that simply rezoning Tract B, without addressing Tract C, would have created the risk of a future owner of the residence within Tract C being unhappy about being surrounded by commercially-zoned property. Further, the County expressed concerns about “spot zoning” of a such a sized tract.

In an effort to address concerns raised, Vollan, through Ransom, LLC, has reached an agreement with the owner of Tract C of Schreurs' Addition for Ransom's future purchase of Tract C (Subarea B of the proposed Ransom Planned Development). Under the proposed Ransom Planned Development, Tract C would be permitted to remain a residence and continue to be regulated as though within the A-1 Agricultural District. Later, and in no instance after December 31, 2035, Tract C will no longer be allowed to be used for a residence and will take on the same regulations as are being proposed for Tract B (Subarea A of the proposed Ransom Planned Development).

Allowing commercial development along 254th Street (County 122) is particularly appropriate as the County has emphasized the importance of rural service areas in the County's Envision 2045

Future Land Use Plan (see pages 87-95). County Hwy 122 is a unique corridor running north of Sioux Falls, parallel to I-90 and connecting County Hwy 115 and Hwy 121. Approval of the Ransom Planned Development will enable Vollan Oil, featured at page 89, to move non-customer facing business activities away from the intersection of 254th Street (County 122) and 475th Avenue (County 115). This will both allow for the potential for future customer-related business offerings and reduce traffic risks by reducing the non-customer traffic that is pulling in and out of the Vollan Oil site. This will enable the growth of the development corridor identified in the County's Envision 2045 Future Land Use Plan. Further, approval of the Ransom Planned Development will satisfy Goals 8.1, 8.3, 8.4, 8.5, and 8.7, among others.

Based upon the foregoing, and on behalf of my client, we request the County approve the proposed Ransom Planned Development District. We appreciate the County's engagement on this request and look forward to working together to address questions or resolve concerns.

Thank you.

Sincerely,

BOYCE LAW FIRM, L.L.P.



Paul W. Tschetter

PWT/akm

Enclosures:

- (A) Application for Ransom Planned Development District;
- (B) Checks - \$450, non-refundable application fee (\$350, plus \$50 for each of two (2) proposed subareas); and \$50 sign deposit;
- (C) Initial Development

cc: Bruce Vollan, Manager, Ransom, LLC (*via email*)
John Schreurs (*via email*)

Planned Development District as follows:

RANSOM PLANNED DEVELOPMENT DISTRICT. The regulations set forth herein or elsewhere in these regulations are the district regulations in the Ransom Planned Development District:

(A.) SUBAREA A (Tract B Schreurs' Addition)

- (1) PERMISSIVE USES. A building or premises shall be permitted to be used for the following purposes in Subarea A of the Ransom Planned Development:
 - (A) Office.
 - (B) Agriculturally related operations involving the handling, storage and shipping of farm products.
 - (C) Uses which store or handle a regulated substance.
 - (D) Facilities for the storage and distribution of anhydrous ammonia.
 - (E) Nursery or greenhouse.
 - (F) Garden center.
 - (G) Produce Stand exceeding 400 square feet in area.
 - (H) Farmers market.
 - (I) Indoor recreational facility.
 - (J) Light manufacturing.
 - (K) Tank farm; petroleum products terminal.
 - (L) Equipment sales, display, service and rental.
 - (M) Motor vehicle sales, display, service and rental.
 - (N) Autobody shop.
 - (O) Public utility facility.
 - (P) Electrical substation.
 - (Q) Antenna support structure.

- (2) CONDITIONAL USES. A building or premises may be used for the following purposes in Subarea A of the Ransom Planned Development if a conditional use for such use has been obtained in conformance with the requirements of Article 19.00:
 - (A) General manufacturing.
 - (B) Airport/heliport.
 - (C) Distillation of products.
 - (D) Uses, other than those already contemplated as Permissive Uses, listed as Conditional Uses in the C – Commercial District and the I- Light Industrial District.

- (3) ACCESSORY USES. Accessory uses and buildings permitted in the Ransom Planned Development are those accessory buildings and uses customarily incident to any permitted use allowed in a C – Commercial District.

- (4) PARKING REGULATIONS. Parking within Subarea A of Ransom Planned Development shall be regulated in conformance with the provisions of Article 15.00.

- (5) SIGN REGULATIONS. Signs within Subarea A of Ransom Planned Development shall

be regulated in conformance with the provisions of Article 16.00.

- (6) DENSITY, AREA, YARD AND HEIGHT REGULATIONS. The density, area, yard, and height requirements in Subarea A of the Ransom Planned Development District shall be the same as allowed in a C – Commercial District.
- (7) FINAL DEVELOP PLAN. Prior to the construction of the first new residence in the Ransom Planned Development District, a Final Development Plan shall be presented to the Planning Commissions for their approval.

(B.) SUBAREA B (Tract C Schreurs' Addition)

(1) REGULATIONS OF SUBAREA B

- (A) Until such time as the current owner of Subarea B of the Ransom Planned Development transfers ownership of Subarea B of the Ransom Planned Development to an unrelated third party, a building or premises shall be permitted to be used for the following purposes: permissive uses, permitted special uses, and conditional uses of the A-1 Agricultural District. All other regulations, including but not limited to density, area, yard and height regulations, parking, and signage shall be as permitted or allowed with the A-1 Agricultural District.
- (B) Effective 30 days following a record change in ownership of Subarea B of the Ransom Planned Development, or if no change in ownership has taken place, effective January 1, 2035, the buildings, uses, and regulations of Subarea B of the Ransom Planned Development shall be the same as those listed above for Subarea A of the Ransom Planned Development. Upon the same date, no residential use of Subarea B of the Ransom Planned Development shall be permitted.