Codington County

Joint Planning Commission/Joint Board of Adjustment Minutes

July 20, 2026

The Codington County Joint Planning Commission/Board of Adjustment met on July 20, 2026, at the Codington County Extension Complex. Members of the Joint Planning Commission/Board of Adjustment participating were: Brenda Hanten, Mel Ries, Myron Johnson, Calvin Mack, Rodney Klatt, and Luke Muller (Planner at First District Association of Local Governments/ Codington County Zoning Officer). Absent: Liam Culhane and Mark O'Neill.

County Commissioner Tyler McElhany resided on the Board in place of absent members.

Others present: Joe Snyder, Jason VerSteeg, Mitch Koehn, Laura Roehr, Andrew Rossow, Charles Rossow, Phillip Ronke, Casey Barrett, Jeff Schaack, Jack Henning, Roger Whittle, Tracy Popham, Devin Sinner, Jeff Popham, Mel Ries, Calvin Mack, Rodney Klatt, and Becky Goens.

Chair Hanten brought the meeting of the Joint Board of Adjustment to order at 7:51 pm.

Motion by Johnson, second by Ries, to approve the minutes of the June 15, 2026 meeting. Motion passed unanimously.

Motion by Klatt, second by McElhany, to approve the agenda as stated by Staff. Motion passed unanimously.

Motion by Johnson, second by Mack, to recess the Planning Commission and reside only as the Board of Adjustment. Motion passed unanimously.

Motion by Johnson, second by Ries, to approve of the request by TJ Farms, Inc. to amend a condition on a Conditional Use Permit placed on June 26, 2023. Property is described as the SE1/4 and the W1/2 of the SW1/4 of Section 9-T117N-R54W, Codington County, SD. Muller read Staff Report (attached). Joint Board of Adjustment previously voted in support of the amendment. Mitch Koehn, attorney for TJ Farms, spoke on behalf of the applicant's request. No one else spoke to this request. Public hearing closed. Motion passed unanimously.

Motion by Johnson, second by McElhany, to approve the Conditional Use Permit request by Joe Snyder on property owned by Eva Regnier and described as Regnier Addition in the SE1/4 of Section 35-T118N-R53W. Snyder is requesting to create a 5-acre parcel at the site of an existing farmstead. Muller read the Staff Report (attached). Approval would be subject to the applicant platting a lot of at least 5 acres in accordance with the Codington County Subdivision Ordinance within one year. Joe Snyder, real estate agent and applicant, spoke on behalf of this request indicating he has a prospective buyer. No one else spoke on this request. Public hearing

closed. Muller read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion by Johnson, second by Mack, to approve the Conditional Use Permit request by Andrew Rossow to create a 5-acre parcel at the site of an existing farmstead. Property is owned by Charles Rossow and located in the NE1/4 of Section 16-T119N-R54W, Codington County, SD. Muller read the Staff Report (attached). Approval would be subject to the applicant platting a lot of at least 5 acres in accordance with the Codington County Subdivision Ordinance within one year. Andrew Rossow indicated he and his wife would like to build a home and eventually take over the farm operations. No one was present to speak on this request. Public hearing closed. Muller read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion by Klatt, second by Ries, to approve the Conditional Use Permit request by Three Oaks Farm, LLC/Laura Roehr. Roehr is requesting to create a 5-acre parcel at the site of an existing farmstead in a portion of Section 35-T119N-R52W, Sisseton-Wahpeton Indian Reservation, Codington County, SD. Muller read the Staff Report (attached). Approval would be subject to the applicant platting a lot of at least 5 acres in accordance with the Codington County Subdivision Ordinance within one year. No one was present to speak on this request. Public hearing closed. Muller read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion by McElhany, second by Ries, to approve the Conditional Use Permit request by Casey and Natalie Barrett to retain building rights at the site of an existing farmstead. Property is located at W915’ E2050’ S740’ N2640’ in SW1/4, Section 29-T119-N-R52W, Codington County, SD. Muller read Staff Report (attached). No one was present to speak to this request. Public hearing closed. Muller read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion by Klatt, second by Ries, to approve the Conditional Use Permit request by Phillip Ronke to retain building rights on a 14.4-acre parcel at the site of an existing farmstead. Property is located at S1150’ of W545’ of SW1/4, Section 11-T116N-R54W, less road right-of-way, Codington County, SD. Muller read the Staff Report (attached). Ronke wants to have the ability to construct a building in the future. No one else was present to speak to this request. Public hearing closed. Muller read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion by Johnson, second by Mack, to approve the Conditional use Permit by Duininck, Inc. to operate a temporary portable asphalt mixing and related stockpiling. Property is owned by

Schleusner Dairy, Inc. and located in SE1/4 of SE1/4, Section 24-T117N-R52W, Codington County, SD. Muller read Staff Report (attached). If approved, staff recommends the following conditions be agreed to in a Letter of Assurance signed by the applicant(s):

1) Effective Date and Expiration Date:
    a. Signing of the Letter of Assurance; and
    b. Reclamation of all area within sixty-five (65) feet of the 170th Street right-of-way to original grade or a maximum slope of 3:1; and
    c. Submittal of Haul Road Agreement(s) with applicable road authorities.
    d. This permit shall expire on December 31, 2027; unless application is made to the Board of Adjustment for extension by up to one year prior to the expiration date.
2) General Requirements:
    a. This conditional use permit temporarily authorizes the use of this property for an asphalt batch plant.
    b. There will be no storage of junk, concrete batch plant, asphalt mixing, or storage of rubble, waste products or other construction/demolition materials on site.
    c. Any structures (permanent or temporary) located within the 100-year floodplain shall either have the lowest floor (including basement) elevated to or above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction.
3) Haul Road Agreements:
    a. Applicant shall provide a haul road agreement for the use of 170th Street for hauling materials prior to excavation of materials. If no agreement is required by Elmira Township, documentation of such decision is required.
    b. Grantor shall provide a haul road agreement with the applicable road authority for the use of any other roadways/highways (Streets or Avenues) prior to utilizing that roadway for hauling materials or bringing empty trucks to the site on that roadway.
4) Violation and Penalties:

a. Applicant is put on notice that failure to abide by the requirements of this letter of assurance will result in a hearing of the Board of Adjustment to consider revocation of the conditional use permit associated herewith.

Jason VerSteeg spoke on behalf of Duininck. No one else was present to speak to this request. Public hearing closed. Muller read the Findings of Fact. There were no questions or objections. Motion passed unanimously.

Motion by Johnson, second by Ries, to recess the Board of Adjustment and reconvene as the Planning Commission. Motion passed unanimously.

Motion by McElhany, second by Ries, to recommend approval to the Board of County Commissioners the plat of Andrew C. Rossow Addition in the NE1/4 of Section 16-T119N-R54W, Codington County, SD. Motion passed unanimously.

Motion to adjourn by McElhany, second by Mack. Motion passed unanimously. Meeting adjourned at 8:48 pm.

Respectfully submitted,

Becky Goens

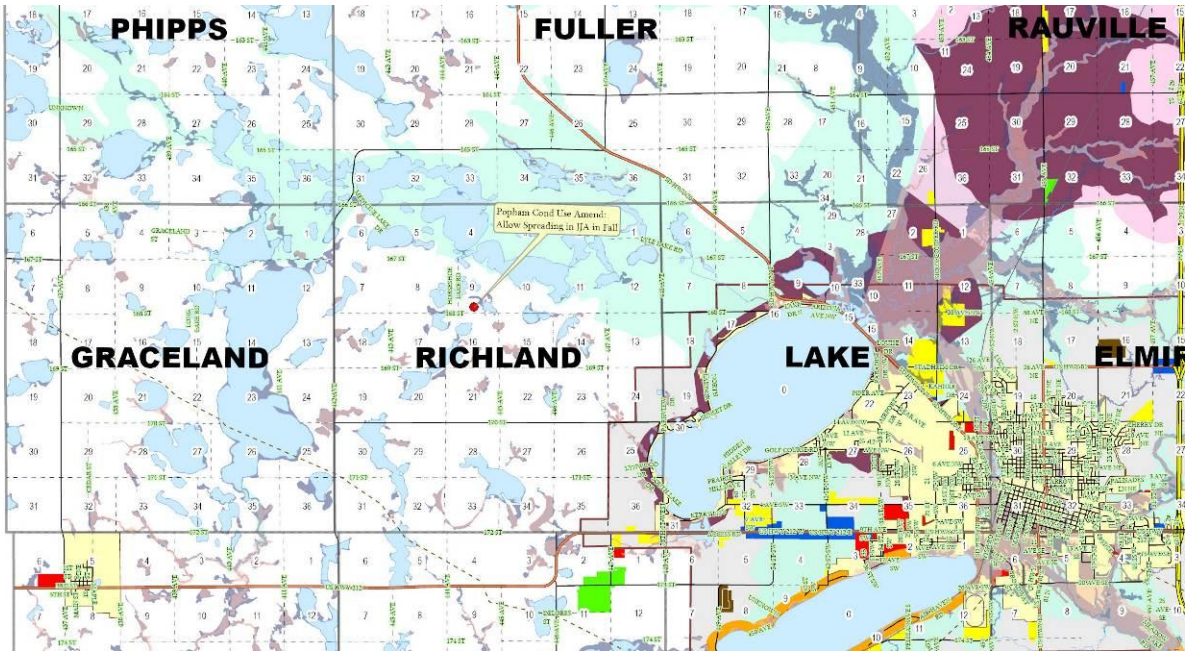
CODINGTON COUNTY
PLANNING COMMISSION/BOARD OF ADJUSTMENT STAFF REPORT

ITEM #1: Joint Board of Adjustment: Administrative Action: Recommendation regarding amending corrective action as condition of Conditional Use Permit

ITEM #1A: Codington County Board of Adjustment: Administrative Action: Amendment to allow manure application in Joint Jurisdiction Area once per year; in the fall.

Applicant/Owner: TJ Farms, LLC

Property Description: SE1/4 and the W1/2 of the SW1/4 of Section 9-T117N-R54W, Codington County, South Dakota. (Richland Township).



Action Item – Amend Conditional Use Permit – Class 1 CAFO (Beef/Open Lot) up to 10,000 head/animal units (September 20, 2020; Amended June 26, 2023) (Section 3.04.02.08) as follows:

- Grantor agrees that any manure spread within the Codington County/City of Watertown Joint Jurisdiction area shall be incorporated or injected within 48 hours of being applied to the field, with no ~~winter or fall~~ application **on snow or frozen ground; and not more than one application in consecutive (Fall/Spring or Spring/Fall) seasons.**

Zoning Designation: Agricultural District

Request: Applicant seeks to allow manure application in the joint jurisdiction area at any time of year, provided it is not on snow or frozen ground and does not occur in consecutive seasons.

Process/Duties of the Boards

- Because the condition applied to the permit by the Codington County Board of Adjustment was a corrective action ordered by the Joint City/County Board of Adjustment. It is recommended that the ***Joint City/County Board of Adjustment make recommendation prior to action by the County Board of Adjustment***.
- County Board of Adjustment acts on amendment to original permit.

Specifics of Request:

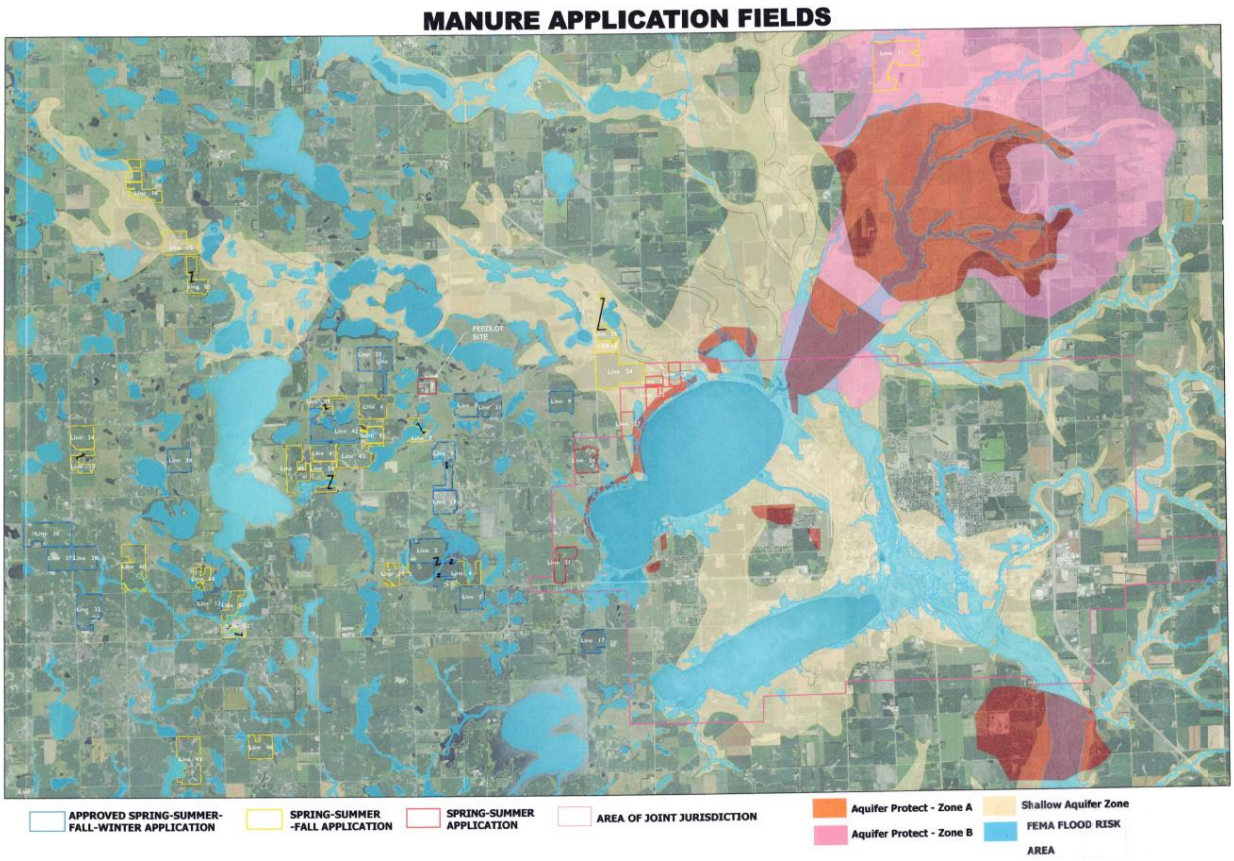
1. On September 20, 2020 TJ Farms, LLC was granted a conditional use permit to operate a 10,000 head/animal unit Concentrated Animal Feeding Operation.
2. On June 26, 2023 the Joint Board of Adjustment and County Board of Adjustment established corrective actions, and a timeline for compliance regarding 27 violations cited at the time. One of those corrective actions was:

   (Condition 2.f.) Grantor agrees that any manure spread within the Codington County/City of Watertown Joint Jurisdiction area shall be incorporated or injected within 48 hours of being applied to the field, with no winter or fall application

3. The condition was applied: to decrease the frequency of application in populated areas; because manure had already been spread in the Spring of 2023; and due to restrictions on spreading of fertilizer (other than manure) in the fall over Zone A – Aquifer Protection District. (One field is partially in that district.)
4. (Unrelated to this request – On October 16, 2023 the Board of Board of Adjustment allowed TJ Farms to re-stock the CAFO to the original permitted capacity after initially requiring heard size to decrease.)
5. Since the violations in 2023, the operation has experienced no violations.
6. Communication with the zoning office has greatly improved.
7. The only complaints have involved conditions of roads for haul routes, but have been resolved with the road authorities. (No such complaints have been received since 2024.)
8. In the Spring of 2026, the Codington County Highway Superintendent notified the Zoning Office that it was that office's preference that hauling of manure be allowed to occur (if he had to choose) in the Fall.
9. The most crucial components of manure application are: Adhering to nutrient management plan recommendations based on soil tests; incorporation ASAP; and not spreading over snow or frozen ground. (East Dakota Water Development)

Staff Summary

Regardless of the decision to allow spreading in the Joint Jurisdiction Area to be allowed in the Fall, TJ Farms still has a valid conditional use permit to operate. The action before the Board only affects the specific condition as applied by the Board of Adjustment in response to requested corrective action by the Joint Board of Adjustment. The request is made from the applicant with support from the County Highway Superintendent. It will remain of utmost importance to adhere to the nutrient management plan and soil testing requirements of the State of South Dakota.



Staff Recommendation

Allow manure application in Joint Area in fall – ***Class 1 CAFO (Beef/Open Lot) up to 10,000 head/animal units (3.04.02.08)***: The Board may postpone the request, deny the request or approve the request. Staff recommends approval of the request to allow more flexibility to manure spreading provided conditions already in place requiring compliance with the nutrient management plan are complied with.

- Grantor agrees that any manure spread within the Codington County/City of Watertown Joint Jurisdiction area shall be incorporated or injected within 48 hours of being applied to the field, with no ~~winter or fall~~ application **on snow or frozen ground; and not more than one application in consecutive (Fall/Spring or Spring/Fall) seasons.**

CODINGTON COUNTY BOARD OF ADJUSTMENT

ITEM #2 CONDITIONAL USE PERMIT

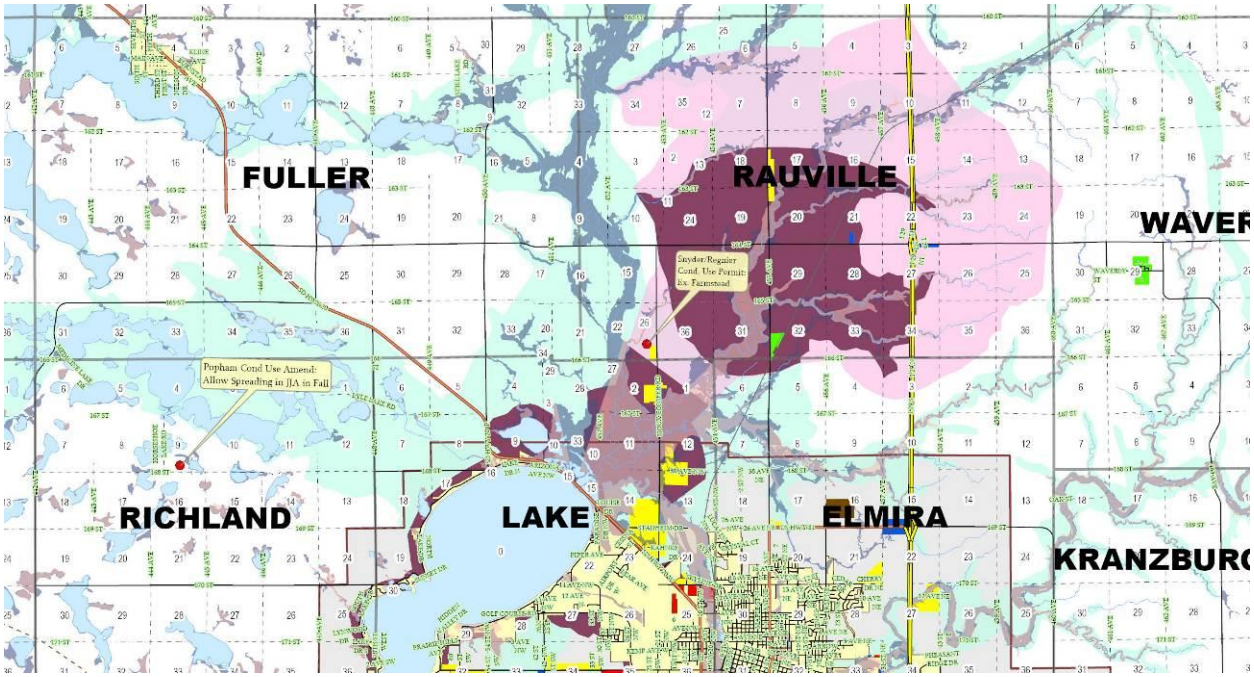
Applicant: Joe Snyder

Owner: Eva Regnier

Property Description: A portion of Regnier Addition Located in the Southeast Quarter of Section 35, Township 118 North, Range 53 West of the 5th P.M. (Rauville Township) Codington County, South Dakota.

Lat/Long: *44.976916°; - 97.150614°*

Action Items – Conditional Use Permit – Existing farmstead exemption "B" (3.04.02.44)



Zoning Designation: Agricultural



Request: The applicant seeks to retain building rights at the site of an Existing Farmstead.

History/Issue(s):

1. Mr. Snyder's client intends to purchase the property and split the house from the remaining 35 acres potentially as a home for a family member.
2. A home on this lot was utilized as a base of farming activities by the owner/operators prior to October 26, 1976.
3. The home on site has remained occupied.
4. Codington County's Zoning Ordinance does allow for exemption from the 35 acre-minimum lot requirement if the lot is determined to be an existing farmstead which contains at least five acres and thereby affording building rights.
5. Staff recommendation **(Conditional Use Permit)** –***Existing Farmstead Exemption*** - Approve request because 1) The lot does contain at least five acres which meets the terms of the Ordinance. 2) The Zoning Officer after review of anecdotal information, records and site-visit has determined that this parcel is under contiguous ownership of an existing farmstead/residential site prior to October 26, 1976. If approved it should be done so on the following conditions:
    a. that the applicant shall plat a lot of at least five (5) acres in accordance with the Codington County Subdivision Ordinance within one (1) year of this action.

ITEM #3 CONDITIONAL USE PERMIT

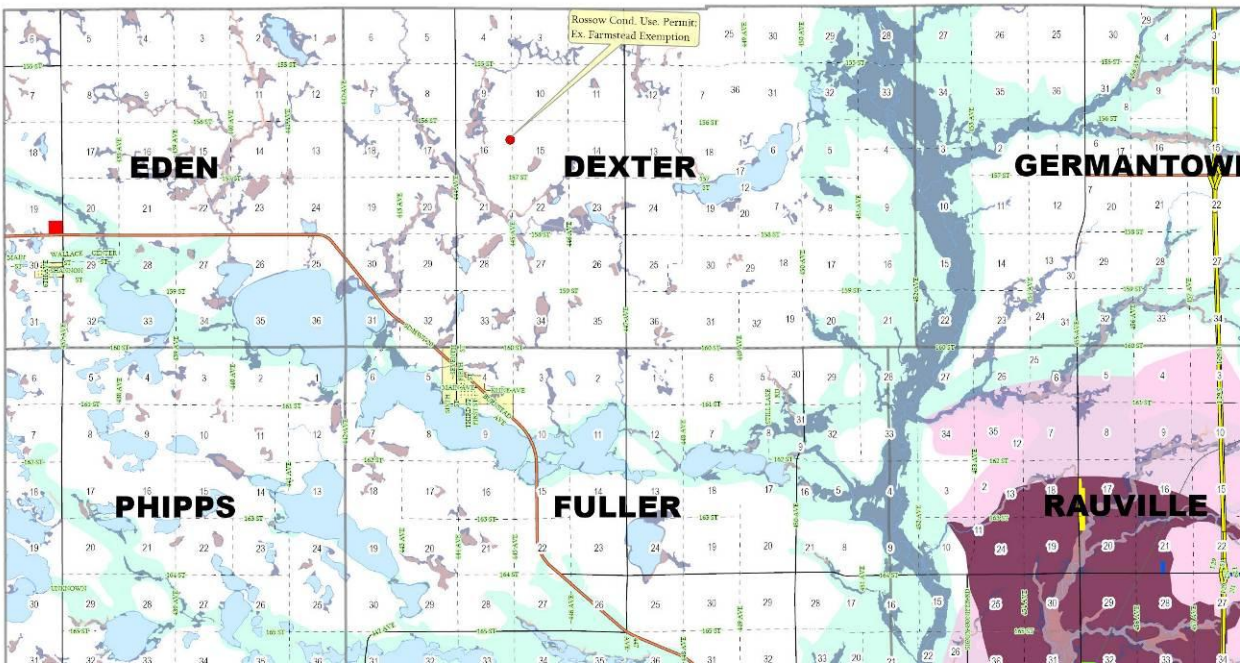
Applicant: Andrew Rossow

Owner: Charles Rossow

Property Description: A portion of the Northeast Quarter of Section 16, Township 119 North, Range 54 West of the 5th P.M. (Dexter Township) Codington County, South Dakota; to be known upon platting as Andrew C. Rossow Addition in the Northeast Quarter of Section 16, Township 119 North, Range 54 West of the 5th P.M. (Dexter Township) Codington County, South Dakota.

Lat/Long: *44.118969°; - 97.319611°*

Action Items – Conditional Use Permit – Existing farmstead exemption "B" (3.04.02.44)



Zoning Designation: Agricultural

Request: The applicant seeks to retain building rights at the site of an Existing Farmstead.

History/Issue(s):

1. Andrew's father owns, lives in, and farms the surrounding quarter section.
2. A home on this lot was utilized as a base of farming activities by the owner/operators prior to October 26, 1976.
3. The home on site has remained occupied.

Plat of Andrew C. Rossow Addition



4. Codington County's Zoning Ordinance does allow for exemption from the 35 acre-minimum lot requirement if the lot is determined to be an existing farmstead which contains at least five acres and thereby affording building rights.
5. Staff recommendation **(Conditional Use Permit)** –***Existing Farmstead Exemption*** - Approve request because 1) The lot does contain at least five acres which meets the terms of the Ordinance. 2) The Zoning Officer after review of anecdotal information, records and site-visit has determined that this parcel is under contiguous ownership of an existing farmstead/residential site prior to October 26, 1976. If approved it should be done so on the following conditions:
    b. that the applicant shall plat a lot of at least five (5) acres in accordance with the Codington County Subdivision Ordinance within one (1) year of this action.

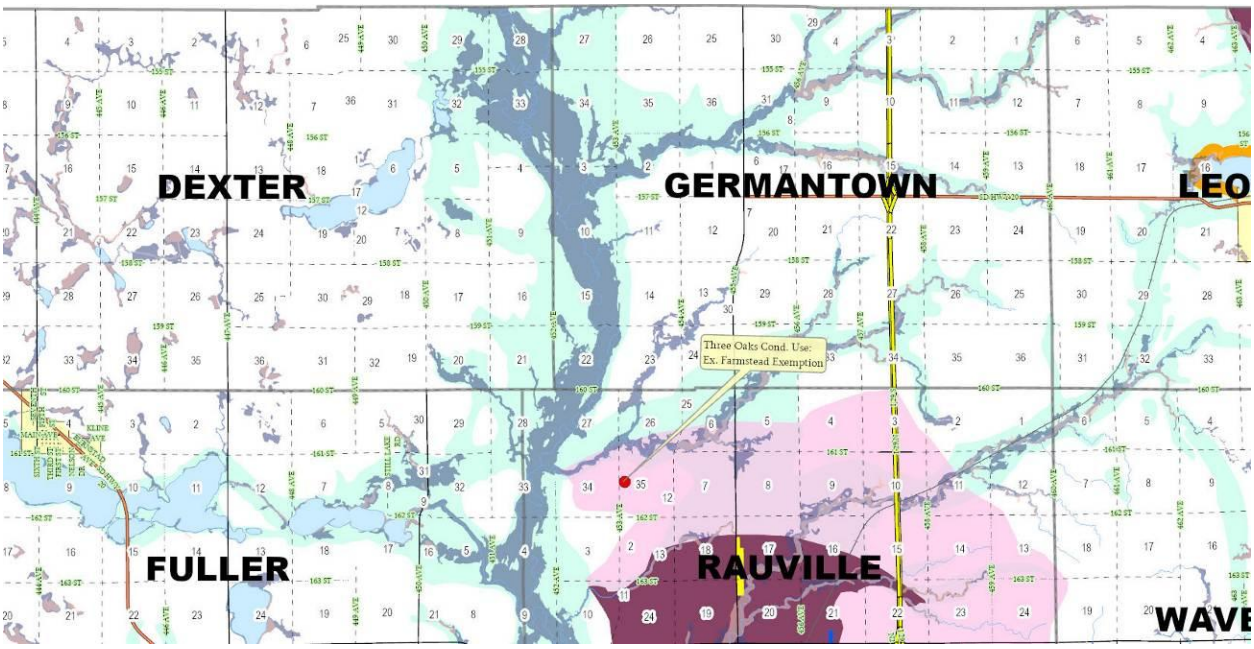
ITEM #4 CONDITIONAL USE PERMIT

Applicant/Owner: Three Oaks Farm, LLC/Laura Roehr

Property Description: A portion of the Northwest Quarter of Section 35, Township 119 North, Range 52 West of the 5th P.M. (Germantown Township) Sisseton-Wahpeton Indian Reservation, Codington County, South Dakota.

Lat/Long: *45.042952°; - 97.143946°*

Action Items – Conditional Use Permit – Existing farmstead exemption "B" (3.04.02.44)



Zoning Designation: Agricultural



Request: The applicant seeks to retain building rights at the site of an Existing Farmstead.

History/Issue(s):

1. The applicant intends to split the farmsite (with house) off from adjacent farmland to be purchased by family members.
2. A home on this lot was utilized as a base of farming activities by the owner/operators prior to October 26, 1976.
3. The home on site has remained occupied.
4. Codington County's Zoning Ordinance does allow for exemption from the 35 acre-minimum lot requirement if the lot is determined to be an existing farmstead which contains at least five acres and thereby affording building rights.
5. Staff recommendation **(Conditional Use Permit)** –***Existing Farmstead Exemption*** - Approve request because 1) The lot does contain at least five acres which meets the terms of the Ordinance. 2) The Zoning Officer after review of anecdotal information, records and site-visit has determined that this parcel is under contiguous ownership of an existing farmstead/residential site prior to October 26, 1976. If approved it should be done so on the following conditions:
    1. that the applicant shall plat a lot of at least five (5) acres in accordance with the Codington County Subdivision Ordinance within one (1) year of this action.

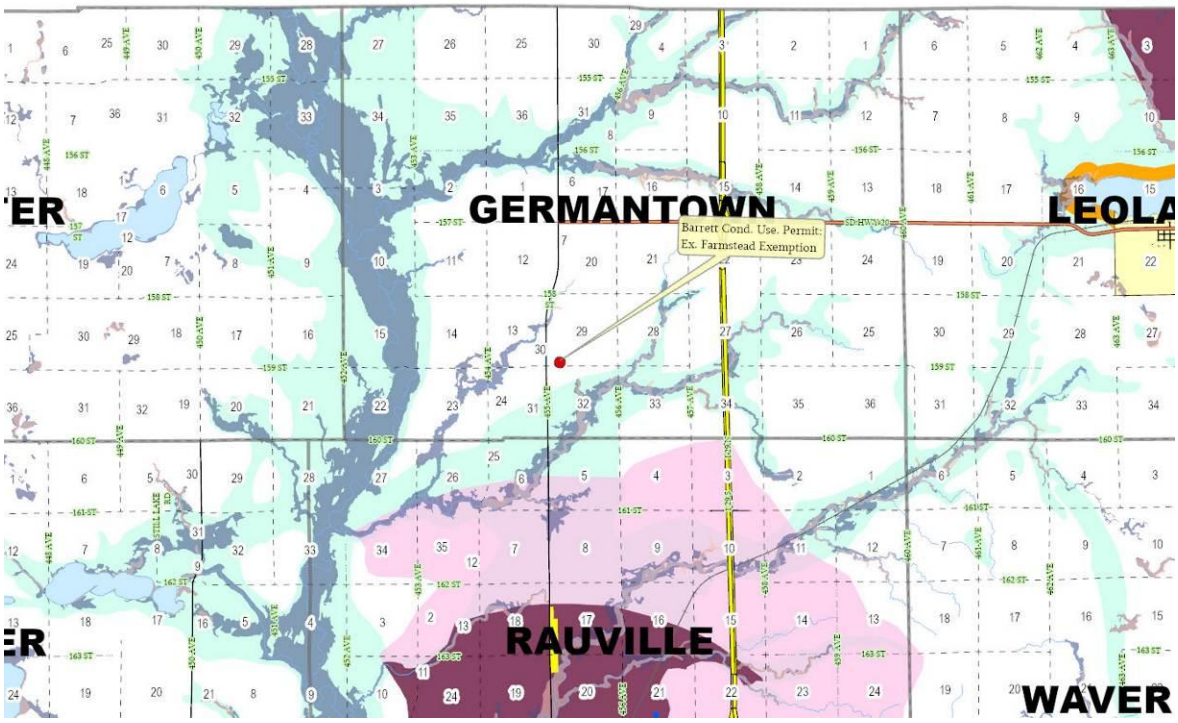
<u>ITEM #5 CONDITIONAL USE PERMIT:</u>

Applicant/Owner: Casey and Natalie Barrett

Property Description: The West 915 Feet of the East 2,050 Feet of the South 740 Feet of the North 2,640 Feet in the Southwest Quarter of Section 29, Township 119 North, Range 52 West of the 5th P.M. (Germantown Township), Codington County, South Dakota

Latitude/Longitude: *44.079048° / - 97.103049°*

Action Items – Conditional Use Permit – Existing farmstead exemption "B" (3.04.02.44)



Zoning Designation: Agricultural

Request: The applicant seeks to retain building rights at the site of an Existing Farmstead.

History/Issue(s):

1. The Barrett's recently purchased this property with the farmhouse which was originally built in 1895 (per DOE).
2. The property was most recently owned by Schnackenberg's.
3. The property was used as a base for farming operations and has remained lived in since prior to October 1976.
4. The Joint Zoning Ordinance does allow for variance from the 35 acre-minimum lot requirement if the lot is determined to be an existing farmstead which contains at least five acres and thereby affording building rights.
5. The property has been owned in this legal description since the 1980s.
6. The parcel contains an existing farmstead as defined by the Codington County Zoning Ordinance.
7. Policy has been to waive the requirement to replat existing farmsteads which were initially transferred prior to 2004.

Barrett Conditional Use Permit:
Existing Farmstead Exemption



Staff recommendation: (Conditional Use Permit) –***Existing Farmstead Exemption -*** Approve request because 1) The lot does contain at least five acres which meets the terms of the Ordinance. 2) The Zoning Officer after review of anecdotal information, records and site-visit has determined that this parcel is under contiguous ownership of an existing farmstead/residential site prior to October 26, 1976.

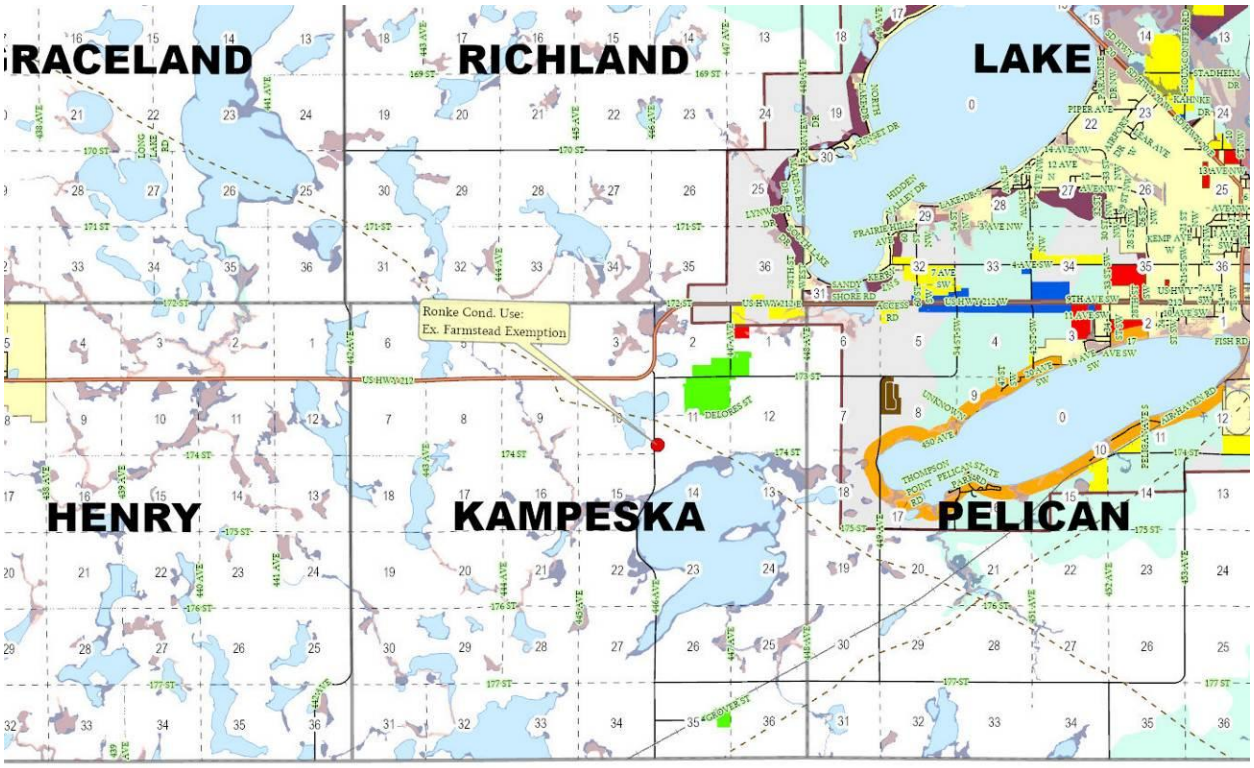
ITEM #6 CONDITIONAL USE PERMIT:

Applicant/Owner: Phillip Ronke

Property Description: The South 1,150 Feet of the West 545 Feet of the Southwest Quarter of Section 11, Township 116 North, Range 54 West of the 5th P.M. (Kampeska Township), Codington County, South Dakota

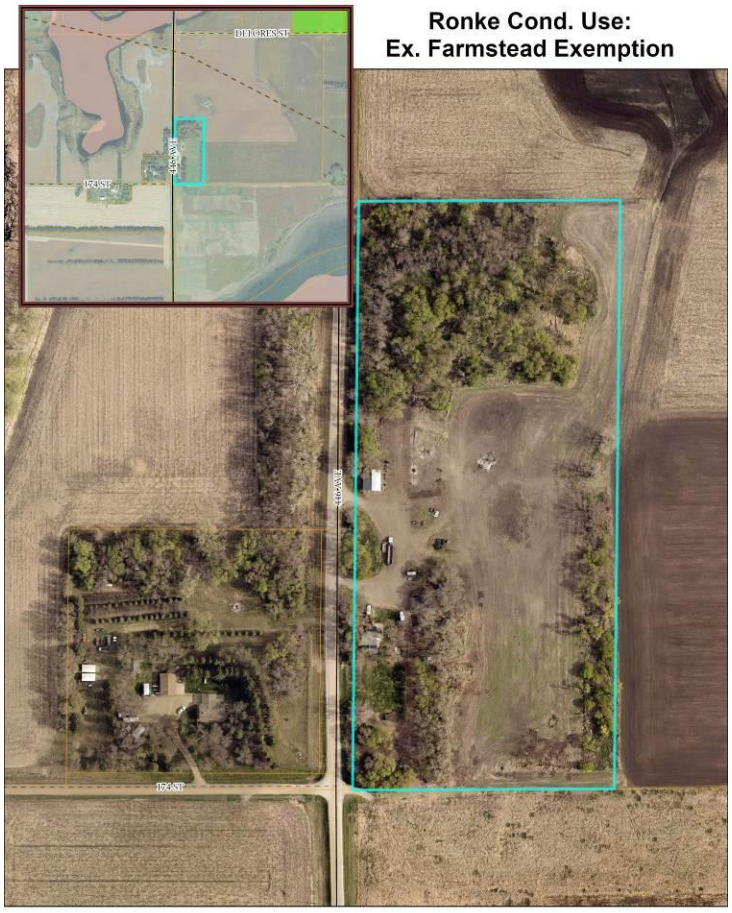
Latitude/Longitude: *44.863178° / - 97.288916°*

Action Items – Conditional Use Permit – Existing farmstead exemption "B" (3.04.02.44)



Zoning Designation: Agricultural

Request: The applicant seeks to retain building rights at the site of an Existing Farmstead.



History/Issue(s):

1. The Ronke's purchased this property in 2022 from the Starks and operate a short term rental out of it.
2. The farmhouse on site was constructed in 1918 (per DOE).
3. The short-term rental is not a consideration of this request. As long as it is operated in accordance with the definition of a Single-Family Dwelling (3 or less unrelated individuals at a time, the duration of lease is not relevant.
4. The property was used as a base for farming operations and has remained lived in since prior to October 1976.
5. The Joint Zoning Ordinance does allow for variance from the 35 acre-minimum lot requirement if the lot is determined to be an existing farmstead which contains at least five acres and thereby affording building rights.
6. The parcel contains an existing farmstead as defined by the Codington County Zoning Ordinance.
7. Policy has been to waive the requirement to replat existing farmsteads which were initially transferred prior to 2004.

Staff recommendation: (Conditional Use Permit) –***Existing Farmstead Exemption -*** Approve request because 1) The lot does contain at least five acres which meets the terms of the Ordinance. 2) The Zoning Officer after review of anecdotal information, records and site-visit has determined that this parcel is under contiguous ownership of an existing farmstead/residential site prior to October 26, 1976.

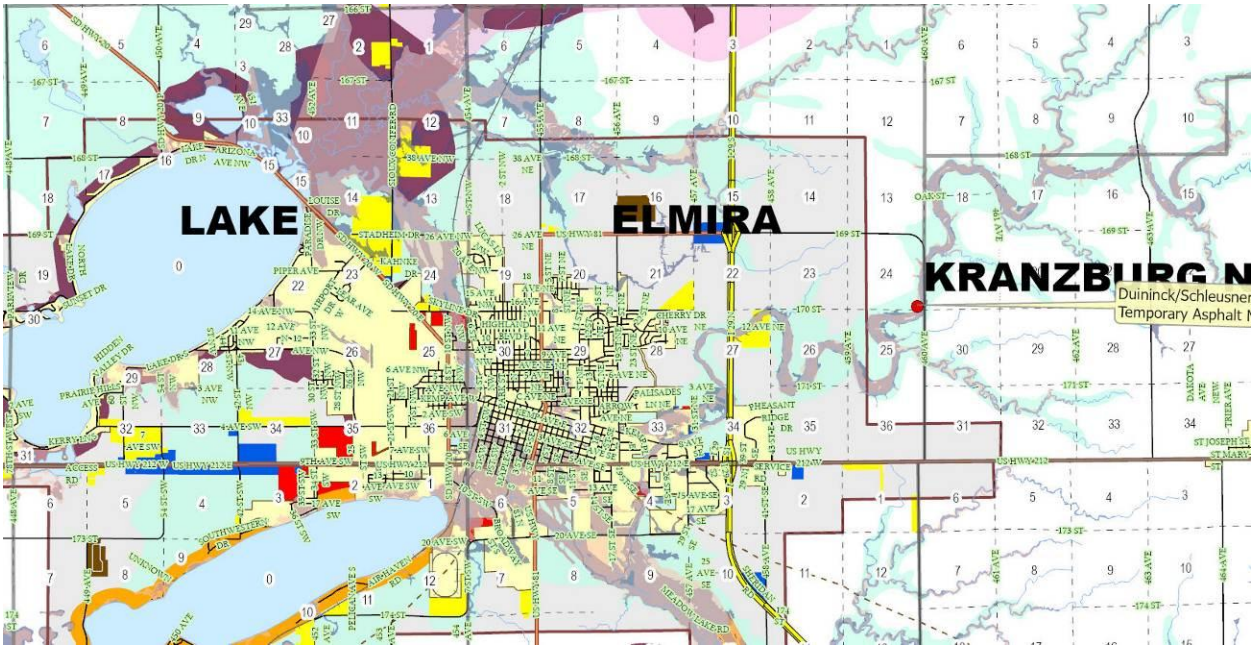
ITEM #7 CONDITIONAL USE

Applicant: Duininck, Inc.

Owner: Schleusner Dairy Inc.

Property Description: SE1/4 of SE1/4 of Section 24-T117N-R52 West of the 5th P.M., Codington County, South Dakota (Elmira Township).

Latitude/Longitude: 44.919018° / -97.009309°



Action Items – Conditional Use Permit – Temporary Asphalt Batch plant and related stockpiling.

Zoning Designation: Agricultural; Zone C – Shallow Aquifer Protection District

Request: Duinincks seeks to operate a temporary Asphalt Batch Plant in combination with a county road project.

History/Issue(s):

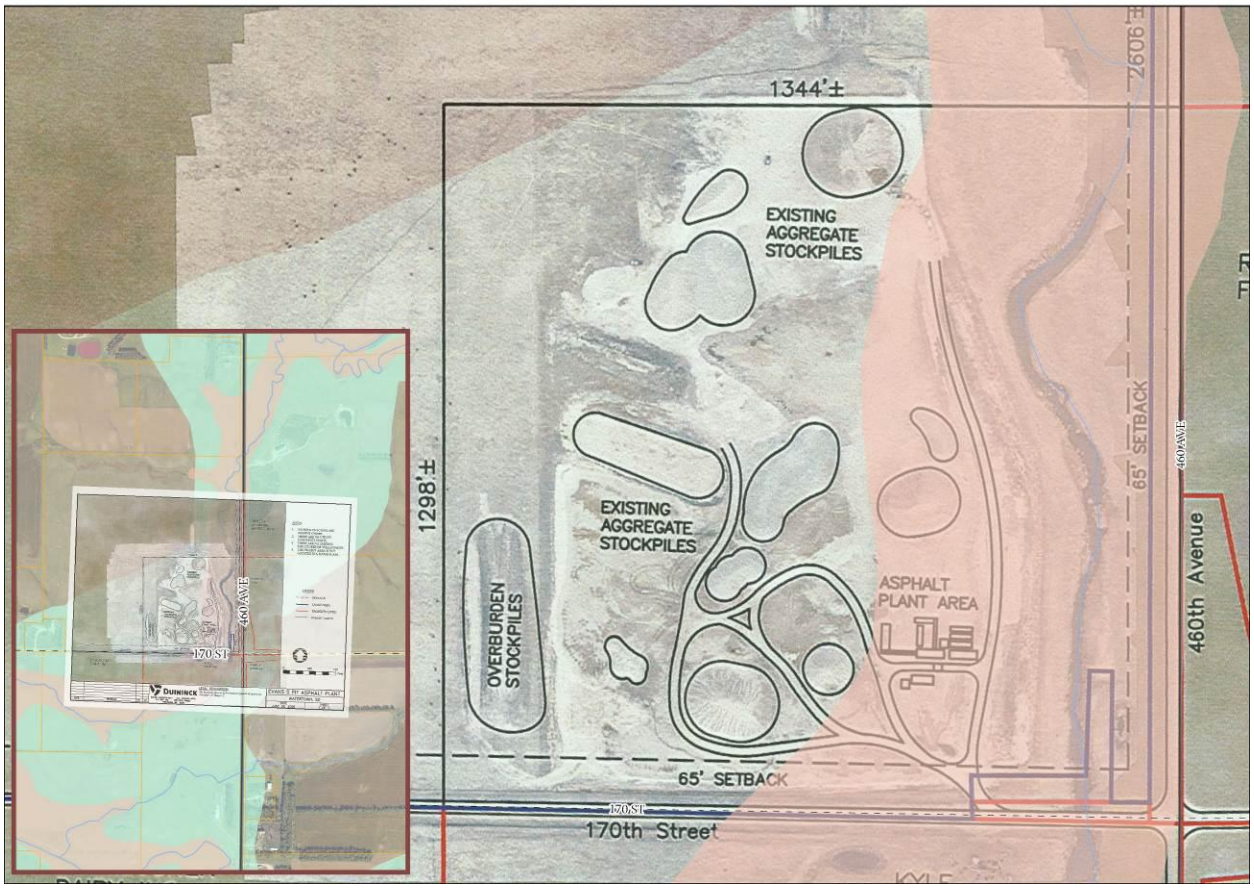
History:

1. On March 17, 2023, Roy Brownlee / Brownlee Construction was granted a conditional use permit to operate a Gravel Pit and Rock Crusher with several conditions.
2. A haul road agreement was executed and filed with this office for that pit (condition of permit) in July of 2023.

Specifics of Request:

1. The applicant requests to operate an Asphalt Batch Plant on the above described property
2. All related structures are presently planned to be located 65' from the right-of-way.
3. The site plan indicates the structures (plant and related structures) are to be located within the floodplain.
4. The legal descriptions of houses are not within 1,000' of the legal description proposed here.
    a. Schleusner's own more land surrounding this site
5. The project for which this plant is necessary is expected to be completed by the end of Summer 2027.
6. The property accesses a gravel township road (170th Street). Truck traffic will travel east approximately 1/8 mile to 460th Avenue where the work will take place.
    a. This does require traffic to travel across a bridge on 170th Street.
    b. Elmira Township Clerk notified this office that they are in contact with Duininck regarding the existing haul road agreement.

Duininck/Schleusner Cond. Use Permit
Temporary Asphalt Batch Plant



Ordinance and Comprehensive Land Use Plan regarding this request:

1. The Comprehensive Land Use Plan lists considerations for Gravel Pits and batch plants on page 63.
2. No new structures, monitoring wells, or shelterbelts are proposed.
3. Elmira Township has a haul road agreement for 170th Street, and is in contact with Duininck about making them a party to this haul road agreement.
4. The applicant proposes to place the structures greater than 65' from the right-of-way.
5. No specifics have been given about the hours of operation of the batch plant. It is anticipated that it will run from dawn until dusk.
6. All structures shown on the application are proposed within the 100 year floodplain. Despite being temporary, these structures are required by the county (as required by FEMA) to obtain an elevation certificate attesting that the lowest floor of the structure and all electrical components are constructed at or above Base Flood Elevation. Base Flood Elevation has not been established by FEMA for this waterway. Therefore the applicant would be required to conduct a flood study to determine the Base Flood Elevation, and then determine that the structures and electrical components are above Base Flood Elevation. It is recommended that the structures be placed in locations that are not in the 100-year floodplain.
7. This legal description is greater than 1,000 feet from the nearest residence.
8. This permit request at the same location as a previously permitted gravel pit, requires a review of compliance with conditions of that permit:

a. No junk is being stored on site.
b. There has been no need to request a copy of the mining license from the State of South Dakota
c. No mining materials have been extended outside the above legal description.
d. Based upon Aerial photography, approximately 19 acres are presently mined without being reclaimed.
e. The nearest mining to the waterway on the east side of the lot appears to be 110' away from the edge of the river.
f. A haul road agreement is on file for this site.
g. Based upon aerial photography and the application materials (and site visit) it appears mining has occurred 30 feet from the right of way, where 65 feet is required.

9. This application is not to allow a concrete batch plant, asphalt mixing, or storage of rubble, waste products or other construction/demolition materials.

Staff Summary and Recommendation:

The application for a temporary Asphalt Batch Plant meets the requirements of the Zoning Ordinance for a Conditional Use Permit. The location of the proposed structures either needs to move or significant engineering study needs to take place. However, the mining which has occurred within 65' of the right-of-way is a clear violation of the Gravel Pit Permit issued on site in March of 2023. No activity or hauling (including excavated materials) from this site should occur until that area is reclaimed to a 3:1 slope.

Conditional Use Permit – ***Temporary Asphalt Batch Plant…*** The Board may postpone the request, deny the request or approve the request. If approved staff recommends the following conditions be agreed to in a letter of assurance signed by the applicant(s):

2) Effective Date and Expiration Date:
   e. Signing of the Letter of Assurance; and
   f. Reclamation of all area within sixty-five (65) feet of the 170th Street right-of-way to original grade or a maximum slope of 3:1; and
   g. Submittal of Haul Road Agreement(s) with applicable road authorities.
   h. This permit shall expire on December 31, 2027; unless application is made to the Board of Adjustment for extension by up to one year prior to the expiration date.

5) General Requirements:
   a. This conditional use permit temporarily authorizes the use of this property for an asphalt batch plant.
   b. There will be no storage of junk, concrete batch plant, asphalt mixing, or storage of rubble, waste products or other construction/demolition materials on site.
   c. Any structures (permanent or temporary) located within the 100-year floodplain shall either have the lowest floor (including basement) elevated to or above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction.

6) Haul Road Agreements:
   c. Applicant shall provide a haul road agreement for the use of 170th Street for hauling materials prior to excavation of materials. If no agreement is required by Elmira Township, documentation of such decision is required.
   d. Grantor shall provide a haul road agreement with the applicable road authority for the use of any other roadways/highways (Streets or Avenues) prior to utilizing that roadway for hauling materials or bringing empty trucks to the site on that roadway.

7) Violation and Penalties:

   b. Applicant is put on notice that failure to abide by the requirements of this letter of assurance will result in a hearing of the Board of Adjustment to consider revocation of the conditional use permit associated herewith.

CODINGTON COUNTY PLANNING COMMISSION

ITEM #1 PLAT

Applicant/Owner: Charles Rossow

Property Description: Andrew C. Rossow Addition in the Northeast Quarter of Section 16, Township 119 North, Range 54 West of the 5th P.M. (Dexter Township) Codington County, South Dakota

Action Items – Plat approval.

Zoning Designation: Ag District

Request: Plat a 6.67 parcel at the site of an existing farmstead.