

MINUTES
SULLY COUNTY PLANNING AND ZONING COMMISSION
August 19, 2026

CALL TO ORDER: The regular meeting of the Sully County Planning and Zoning Commission was brought to order on August 19, 2026, at 9:00 a.m. by Chairman Austin Gross, with members Evan Warner, Russell Ball, JR Richards, Connor McPeck and Andrew Utech in attendance at the Sully County Courthouse.

MINUTES: A motion was made by McPeck and seconded by Warner to approve the meeting minutes of July 15, 2026. The motion passed unanimously.

PUBLIC COMMENT: None

CONFLICT OF INTEREST: Andrew Utech recused himself from Action Item 2, as it involves his residential development.

PUBLIC HEARING:

A. 9:00 AM – RESIDENTIAL PLANNED UNIT DEVELOPMENT 2026-28-PUD

Legal Description: Talon's Reach Subdivision, Lots 1-8, in the W ½ SW ¼ of Section 35, Township 114 North, Range 80 West of the 5th P.M., Sully County, South Dakota.

Gross called the hearing to order at 9:02am and read hearing guidelines aloud. Doug Schlabach introduced **Residential Planned Unit Development 2026-28-PUD** Talon's Reach Subdivision, Lots 1-8, in the W ½ SW ¼ of Section 35, Township 114 North, Range 80 West of the 5th P.M., Sully County, South Dakota. Commission members reported no conflicts of interest or any ex-parte communications regarding the plan. The individual articles of the PUD Report were noted, and the staff report was presented by Administrator Paxton. Rausch made a motion to open public hearing, second by Ball, motion passed unanimously. Applicant Doug Schlabach of Talon's Reach Subdivision, elaborated on the proposed development plan. There was no opposition testimony. Warner made a motion to close the public hearing, second by Ball, motion passed unanimously. During Commission discussion, Richards pointed out that Section 7, in Exhibit A (Protective Covenants), it states, "Before any occupancy of home, a sewage disposal (septic) system must be installed to COUNTY specifications and approval of same must be obtained". He stated that the County does not govern this, that we require builders to follow STATE OF SOUTH DAKOTA Laws and Regulations. He also asked for clarification on how they would decide what animals would be allowed and how many, as referenced in Section 8 of the same Exhibit. Schlabach stated they would change the covenants to reflect State instead of County and that they didn't limit the number of smaller animals (other than stated exclusions), but they did decide to limit larger animals to one per 2.5 acres of owned land. The Commission determined that the proposed development and use plan adequately addressed lot size and purpose, dwelling types and purposes, re-subdivision of lots, utilities, and maintenance of roadways. The Commission also found that the plan was consistent with the intent and purpose of the Zoning Ordinance to promote public health, safety, morals, and general welfare, the value of buildings and the character of the property adjoining the area included in the plan would not be adversely affected, the average lot area per family contained in the site, exclusive of the area occupied by streets, would not be less than the lot area per family required for the district in which the development is located, and that the buildings would be used for residential purposes and customary accessory uses. A motion was made by Richards and seconded by Warner to recommend to the Sully County Board of Commissioners that **Residential Planned Unit Development 2026-28-PUD** be approved with one condition, that being to change the word "County" to "State of South Dakota" in Exhibit A (Protective Covenants) under Section 7. A roll call vote showed Gross, Warner, Ball, McPeck, and Richards voting Aye. The motion passed unanimously.

ACTION ITEMS:

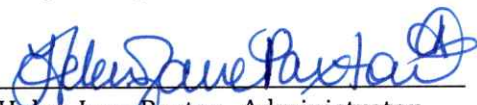
1. **Sanitary District Letter-** Board acknowledged they had all received and read the letter via email from Paxton.
2. **Codger's Castaway: Plan to halt development and submit major PUD amendment-** Utech stated that he would be filing a Major Amendment to this PUD at the next meeting and he would cease all further development under the current PUD. He shared that he made this decision based upon adverse actions by the Sanitary District, making it impossible to continue his current development plans. He is pursuing other ideas for the property.
3. **PLAT OF SHEPHERD TRACT 1, A SUBDIVISION OF THE SW ¼ SW ¼ OF SECTION 24, TOWNSHIP 113 NORTH, RANGE 77 WEST OF THE 5TH P.M., SULLY COUNTY, SOUTH DAKOTA.** was reviewed by the Commission. A motion was made by Richards and seconded by McPeck to recommend to the Sully County Board of Commissioners that the plat be approved.

OTHER BUSINESS:

- A. Next meeting: September 23, 2026, at 9am.

ADJOURNMENT: There being no further business, a motion was made by McPeck and seconded by Ball to adjourn the meeting at 9:50 am. The motion passed unanimously. Meeting adjourned.

Respectfully submitted,


Helen Jane Paxton, Administrator
Austin Gross, Chairman

Date Approved 9.23.26