

Minutes
LINCOLN COUNTY PLANNING AND ZONING COMMISSION
August 25, 2011

8:15 A.M. **Special Meeting**, Commission Room
Lincoln County Courthouse

ROLL CALL A special meeting of the Lincoln County Planning and Zoning Commission was brought to order on August 25, 2011 at 8:15 a.m. by Chairman Craig Andersen with members June Nusz, Darrel Sogn, Ron Albers and County Commissioner Dave Gillespie in attendance at the Lincoln County Courthouse, Commissioner's Meeting Room, 104 N Main, Canton, SD 57013.

Staff members present were Paul Aslesen-Director Planning and Zoning, Laurie Lundquist-Deputy Director

ITEM 1. APPROVAL OF AGENDA – A motion was made by Albers and seconded by Gillespie to approve the agenda for August 25, 2011.

ITEM 2. CONDITIONAL USE PERMIT 11-CUP-024. For the purpose of amending conditions of conditional use permit 04-CUP-099, specifically no new expansion of building –for storage only.

Legal Description: Lot 1A of Tract 1 of Van Beek's Addition in the E1/2 of NE1/4, Section 31, Township 97, Range 49, Lincoln County, South Dakota

Location: 29006- 477th Ave, Canton, SD 57013

Petitioner/Owner: DLC, Inc/ Leonard Decker

General Information

Present Zoning: Agriculture

Existing Land Use: Commercial

Parcel Size: 7.68 Acres

Report By: Paul Aslesen

Staff Analysis:

Current history indicates that a Conditional Use Application was considered by the Lincoln County Planning Commission on March 20, 09 for the purpose of revising the conditions /stipulations of Conditional Use Permit 04-CUP-099 which stipulated that "No new expansion of buildings" be allowed. Info copies are enclosed. The applicant appealed the decision of the Planning Board to the Lincoln County Commissioners with "Hearing" held on June 23, 2009. Commissioner's approved an addition with the stipulation that the addition would be used for storage only. Copy of Commission Minutes enclosed. The current agenda item 11-CUP-024 is a request by the applicant to amend this stipulation. Applicant wishes to use the addition for placement of needed machinery and storage which will enable the applicant's operation to function more efficiently and eliminate potential operational safety hazards.

- 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.**

No adverse effect has been detected during the time frame of 2009 through the present.

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

The building and use of single family dwellings is the dominate development in the area which is used primarily for the production of agricultural goods and products.

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

County roads are used to provide access to the applicants business. All other facilities are in place.

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

Parcel size is large enough to provide public and employee parking. Site structures and lay out have been designed and developed to accommodate the loading requirements of the business.

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 complaints have been received in relation to nuisance items generated by the business.

Recommendation:

Lincoln County Comprehensive Plan indicates that commercial and industrial uses intended to support the agricultural sector should be accommodated at appropriate rural locations. Access to the regional highway and rail systems, ample land area and compatibility with neighboring land uses should be considered. The applicant has a light manufacturing business which has evolved over the last couple of decades and now provides employment and job opportunities for numerous people. Neighbors have demonstrated a positive position toward the applicant through the years and have specifically mentioned the applicant's willingness to maintain the infrastructure and maintain the compatibility of the neighborhood. The structure is in place as per the approval of the Lincoln County Commissioner's, the use for the most part has been approved by the Lincoln County Commissioner's, and the proposed amendment is a result of the County Commissioner's vote on an appeal by the applicant. Your approval should not generate any more negative effects than what has already been experienced. Staff recommends approval.

Action: Following a presentation by the petitioner and questions by the Board a motion was made by Gillespie and seconded by Albers to approve Conditional Use permit 11-CUP-024. The motion was unanimous.

Adjourn: A motion was made by Nusz and seconded by Albers to adjourn the meeting. The motion was unanimous.

Respectfully submitted by:

Laurie Lundquist

Deputy Director

Lincoln County Planning & Zoning