

MINUTES
LINCOLN COUNTY PLANNING AND ZONING COMMISSION
February 17, 2009

6:00 PM Public Hearing, 7:00 pm Regular Meeting, Commission Room
Lincoln County Courthouse

The Lincoln County Planning and Zoning Commission met at 6:00 pm on Tuesday February 17, 2009 for a Public Hearing on the 2009 Revised Zoning Ordinance.

Public Hearing for 2009 Revised Zoning Ordinance 6:00 to 7:00 pm.

Members present for the Public Hearing were June Nusz, Chad Nelson, Darrel Sogn, Craig Andersen, Jason Melcher, Dick Portz and Chuck Molstad. Staff participants were, Paul Aslesen-Director Planning and Zoning, Jon Peters-GIS, Laurie Powell-Deputy. Toby Brown-SECOG

Member of the public present was A. J. Swanson. There were no others present.

The Public Meeting was closed at 6:20 pm. A motion was made by Andersen and seconded by Portz to recommend the 2009 Revised Zoning Ordinance to the Lincoln County Commissioners for approval. Motion was unanimous.

ROLL CALL

The regular meeting was brought to order at 7:00 pm by Chairwoman June Nusz with members Molstad, Sogn, Andersen, Melcher, Portz and Nelson reporting for duty at the Lincoln County Courthouse, Commissioners Room, 104 N Main Street, Canton, SD 57013.

APPROVAL OF AGENDA –A motion was made by Sogn to approve the agenda for February 17, 2009 with additions of the Election of Officers and the End of the Year Review for Planning and Zoning. The motion was seconded by Portz. Motion was unanimous.

ITEM 1. APPROVAL OF MINUTES – A motion was made by Andersen to approve the minutes of January 20, 2009. The motion was seconded by Melcher. Motion was unanimous.

ITEM 2. CONDITIONAL USE PERMIT #09-CUP-001 Home occupancy business – Internet Sales

Legal Description: Tract 8, Schriever's Addition NW1/4 NW1/4 Section 8, Township 99, Range 50

Location: 47109 Dorothy Place, Harrisburg, SD 57032

Petitioner/Owner: Zachariah Lenning

General Information

Present Zoning: Ag

Existing Land Use: Residential

Parcel Size: 1 Acre

Report By: Paul Aslesen

Staff Analysis:

Please reference Section 1107. Home Occupations.

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 effect should be felt.
2. **The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**
No negative effect is anticipated if all the requirements of section 1107 are followed.
3. **That utilities, access roads, drainage and/or other necessary facilities are provided.**
Not applicable.
4. **That the off-street parking and loading requirements are met.**
Petitioner needs to conduct his business within the requirements of section 1107.
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.**

Utilization as a Home Occupancy within the statues of Section 1107 should not create a nuisance.

Petitioner was not present. A motion was made by Molstad and seconded by Nelson to table the petition until March 16, 2009 with direction to staff to notify both the petitioner and owner of the property to be present for the March meeting. Motion was unanimous.

ITEM 3. CONDITIONAL USE PERMIT Review #05-CUP-075 Set Date/Time for Review hearing
Legal Description: Lot A Van Woudenbergs' Addition in the SE1/4 of Section 16, Township 98, Range 49 Lincoln County South Dakota
Location: 47862 Hwy 18
Petitioner/Owner: Tom Rutten

General Information

Present Zoning: "C" Commercial
Existing Land Use: Commercial
Parcel Size: 6.38 Ac

A motion was made by Andersen and seconded by Nelson to set Date/Time of March 16, 2009 at 7:15 for public hearing review. The motion was unanimous.

ITEM 4. CONDITIONAL USE PERMIT Review #07-CUP-015 Set Date/Time for Review hearing
Legal Description: Tract 1 of Huizenga Farms Addition in SW1/4 of Section 2, Township 99, Range 50 Lincoln County South Dakota
Location: 47426 274th Street, Harrisburg, SD 57032
Petitioner/Owner: Dale and Myra Zomer

General Information

Present Zoning: "A" Agriculture Public Use
Existing Land Use: Agriculture
Parcel Size: 22.69 Acres

A motion was made by Nelson and seconded by Sogn to set Date/Time of March 16, 2009 at 7:30 for public hearing review. The motion was unanimous.

ITEM 5. CONDITIONAL USE PERMIT Review #07-CUP-048 Set Date/Time for Review hearing

Legal Description: Tract 1 Superior Addition SE1/4 Section 18, Township 97, Range 50
Lincoln County South Dakota

Location: 28777 Superior Place, Beresford, South Dakota 57004

Petitioner/Owner: Claire Rauser

General Information

Present Zoning: "I" Industrial

Existing Land Use: Industrial

Parcel Size: 6 Ac on 63 Acre Parcel

A motion was made by Andersen and seconded by Molstad to set Date/Time of March 16, 2009 at 7:45 for public hearing review. The motion was unanimous.

ADDITIONAL ITEMS:

1. Review of Planning and Zoning By-Laws – A motion was made by Molstad and seconded by Anderson to accept the revised Planning and Zoning By-Laws. Motion was unanimous.
2. Election of officers – A motion was made by Portz to retain Chairperson June Nusz for a second term. The motion was seconded by Molstad. Motion was unanimous.

A motion was made by Portz to retain Vice Chairperson Craig Andersen for a second term. The motion was seconded by Sogn. The motion was unanimous.

3. End of the year review for Planning & Zoning was presented by Laurie Powell

A motion to adjourn was made by Portz and seconded by Nelson. Motion was unanimous.

Respectfully submitted by:
Laurie Powell
Deputy
Lincoln County Planning & Zoning