

**MINUTES**  
**LINCOLN COUNTY PLANNING AND ZONING COMMISSION**

**July 19, 2010**

6:00 pm workshop

7:00 pm Regular Meeting, Commission Room

Lincoln County Courthouse

**ROLL CALL** The regular meeting of the Lincoln County Planning and Zoning Commission was brought to order on July 19, 2010 at 7:00 pm by Chairwomen June Nusz with members Chad Nelson, Ron Larson, Darrel Sogn, Craig Andersen, Dick Portz and County Commissioner Jason Melcher were 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 Powell-Deputy Director, Jon Peters-GIS

**ITEM 1. APPROVAL OF AGENDA**

A motion was made by Larson and seconded by Andersen to approve the agenda of July 19, 2010 with the addition of two plats. The motion carried.

**ITEM 2. APPROVAL OF MINUTES**

A motion was made by Larson and seconded by Andersen to approve the minutes of June 21, 2010 with a correction to Item 8 to include the motion and stipulations.

The motion carried.

**ITEM 3. CONDITIONAL USE PERMIT – 10-CUP-024 For the purpose of constructing a building over 20,000 square feet for manufacture and fabrication of steel.**

**Legal Description:** Lot 4 of Tract 1 of Superior Addition, SE1/4 of Section 18, Township 97, Range 50, Lincoln County SD

**Location:** 28778 Superior Place, Beresford, SD

**Petitioner/Owner:** George Hofer

**General Information**

**Present Zoning:** Commercial

**Existing Land Use:** Commercial/Light Industrial

**Parcel Size:** 11.25 Acres

**Report By:**

Please reference page 19, item 7.04 Conditional Uses and specifically item A. Light Manufacturing.

**Staff Analysis:**

- 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 location of this subdivision creates a very positive effect on other uses and the enjoyment of other property users. The petitioned use will occupy a site that is in close proximity to an established light manufacturing business and is surrounded by agriculture land. This developmental area has the potential for more growth and same type businesses. Property values should have an opportunity to increase with the addition of this use and the utilization of landscaping.*

**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. Property has similar business already located.*

*Staff has not received any negative responses to this application. Surrounding area is retained in agriculture production.*

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

*An approved subdivision plan is on file with the Lincoln County Planning and Zoning department.*

*The listed items, utilities, access roads, drainage requirements are being complied with or will be complied with.*

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

*Lincoln County has identified parking and loading requirements in Article 15 starting on page 81. Site plan identifies the area for the above requirements.*

**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.**

*Some odor, fumes, dust, noise, vibration may be generated as a result of the light manufacturing activity but should not be enough to cause a nuisance. Appropriate lighting is required to ensure that any traffic generated on abutting roads is not adversely affected.*

**Recommendation:**

*Staff recommends approval of the applied for use with the parking and loading requirements and the utilization of appropriate lighting. Site plan should be followed in regard to the utilization of trees and grass areas and the placement of roads and culverts.*

**Action:**

A motion was made by Andersen to approve the petition with stipulations. The motion was seconded by Sogn. Stipulations are as listed:

1. Follow site plan
2. Signage will be within ordinance.

The motion was unanimous.

**ITEM 4 . CONDITIONAL USE PERMIT #10-CUP-022 Review (30 Day) For the purpose of using the existing facility as a Railroad Terminal for a loading and unloading facility and/or storage of off-loaded equipment for non-agronomy activity.**

**Legal Description:** Govt Lot 1 NW1/4 and Govt lots 1 & 2 of SW1/4 \*Ex Lot H-1 and H-2 in Section 6, Township 98, Range 50

**Location:** Intersection of I-29 (exit 64) and State Hwy #44 NW corner by RR tracks

**Petitioner/Owner:** Tony Van Overschelde /CHS Inc

**General Information**

**Present Zoning:** Commercial

**Existing Land Use:** Commercial

**Parcel Size:** 175.18 Acres

**Action:** Tony Van Overschelde was present for the review. He stated that Eastern Farmers was using a dust control substance on the township road and presented an alternate route for a road on Eastern Farmers property. This would eliminate the use of the township road for contract purposes.

Following discussion a motion was made by Andersen and seconded by Nelson to approve the petition with additional stipulations added to Phase 2.

Those stipulations are:

1. Timeline extended for present contract (approximately November 1, 2010)
2. An alternate road will have to be established before any additional contracts can be issued.
3. P & Z staff will issue a letter to Eastern Farmers stating the need for the alternate road.
4. An engineered site plan for the road is required

The motion was unanimous.

## **ITEM 5. PLATS**

- A. Timm's Addition in the E1/2 of the SE1/4 of Section 19, Township 99, Range 49, Lincoln County, South Dakota
- B. Tract 1 Poppens Addition in the Southeast quarter (SE1/4) of Section 19, Township 100, Range 51, Lincoln County, South Dakota

A motion to approve the plats was made by Portz and seconded by Andersen. Motion carried.

### **ADDITIONAL ITEMS:**

1. Workshop 6:00 pm on August 16, 2010 concerning temporary housing eligibilities
2. Joint City of Sioux Falls and Lincoln County elected officials public hearing on the Zenobi Planned Development. Public hearing 2<sup>nd</sup> reading will be at the Lincoln County Courthouse, Commissioner's Room, August 23, 2010 at 7:00 pm

The motion to adjourn was made by Larson and seconded by Portz. The motion was unanimous.

**Respectfully submitted by:**

**Laurie Powell**

**Deputy Director**

**Lincoln County Planning & Zoning**