

MINUTES
LINCOLN COUNTY PLANNING AND ZONING COMMISSION
May 18, 2009

6:00 pm Workshop
7:00 pm Regular Meeting, Commission Room
Lincoln County Courthouse

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

Staff member present was Paul Aslesen-Director Planning and Zoning,

Absent were Dick Portz, Chuck Molstad, and Chad Nelson

APPROVAL OF AGENDA – A motion was made by Andersen and seconded by Melcher to approve the May 18, 2009 agenda. The motion was unanimous.

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

A motion was made by Andersen and seconded by Sogn to approve the minutes of the May 1, 2009 Special meeting. The motion was unanimous.

ITEM 2. CONDITIONAL USE PERMIT #09-CUP-011 Purpose of this petition is to construct a warehouse over 10,000 square feet.

Legal Description: Tract 1 of BHI Addition in the NW1/4 Section 35, Township 100, Range 50, Lincoln County, South Dakota

Location: 27240 SD Hwy 115

Petitioner/Owner: Charles W. Robertson/BHI Investments

General Information

Present Zoning: "C" Commercial

Existing Land Use: Commercial

Parcel Size: 3 Acres

Report By: Paul Aslesen

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.**
Property values, permitted uses should not be negatively impacted. Petitioned structure is over the permitted size and requires a Conditional Use to be built in a "C" District. Additional size should not have a negative effect as the commercially zoned parcel is owned by the petitioner.

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

The predominant use in the area is controlled by the petitioner. Any negative effect caused by the building of the petitioned structure should only impact the orderly development and improvement of the petitioner owned parcel.

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

Appropriate measures in accordance with Lincoln County Ordinances will be required prior to a building permit being approved. Specifically, Flood Plain determinations will be made; needed drainage plans submitted, septic plans and site plans.

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

Area of current and projected use is adequate to handle off-street parking and loading 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.

No nuisance from this structure is anticipated.

Recommendation:

Staff recommends approval with the following suggested stipulations:

- 1. Petitioner has to supply engineered approved plans for the structure prior to the issuing of a building permit.*
- 2. Items listed in item 3 and 4.*

Action: A motion was made by Andersen and seconded by Melcher to approve the petition with stipulations listed above. Four members voting in favor. Motion passed.

ITEM 3 PLATS:

- A. Lot 2B of Ruckelshausen's 5th Addition in Government Lot 3 of Section 11, Township 100, Range 51 Lincoln County, South Dakota
- B. Tr 1 of Plucker's Addition in the NW1/4 of Section 20, Township 99, Range 51 Lincoln County, South Dakota

A motion was made by Sogn and seconded by Andersen to approve the plats. Motion was unanimous.

A motion was made by Andersen to set a hearing date for Building Permit Fees. The date was set for June 15, 2009 from 6:00 pm to 7:00 pm. The motion was seconded by Melcher. Motion was unanimous

A motion was made to adjourn the meeting by Evanson and seconded by Sogn. Motion was unanimous.

ADDITIONAL ITEMS:

1. A workshop was held from 6:00 to 7:00 pm to discuss Lincoln County Building Permit fees.

Respectfully submitted by:

Laurie Powell

Deputy Director

Lincoln County Planning & Zoning