

**\*Minutes\***  
**Lincoln County Planning and Zoning**  
**April 21, 2008**  
**7:00 p.m. at the Lincoln County Extension Office**

The Lincoln County Planning and Zoning Commission met at 7:00 pm on Monday, April 21, 2008 at the Lincoln County Extension Office 200 East 5<sup>th</sup> Street, Canton, SD 57004.

Meeting brought to order by Chairwoman Nusz with members Weeldreyer, Molstad, Andersen and Evanson reporting for duty.

Item 1: **Agenda:** A motion to approve Agenda was made by Molstad, 2<sup>nd</sup> by Andersen. The motion passed unanimously.

Item 2: **Minutes:** A motion to approve minutes was made by Andersen, 2<sup>nd</sup> by Weeldreyer. The motion passed unanimously.

a) **Zoning Initiatives/Hearings:** None

b) **Rezoning Petitions:** None

c) **Rezoning Hearings:**

1) **08-REZ-004** Petitioner is Wayne Davelaar to rezone from "A" Ag Public Use District to "I" Industrial District for an ethanol loading area onto rail cars at a legal description of approximately 13.40 acres lying directly west of the Railroad Right-of-way in the S1/2, SW1/4 of Section 24, Township 96, Range 48. General address of 1 mile south of Hudson, SD on Hudson Ave. A motion was made by Weeldreyer and 2<sup>nd</sup> by Molstad to approve the rezoning. Motion carried unanimously.

2) **08-REZ-005** Petitioner is Doug Winterfeld for CLA-Don farm to rezone from "A" Ag Public Use District to "I" Industrial District for an ethanol loading area onto at a legal description of approximately 5.02 acres lying directly west of the Railroad Right-of-Way and Hudson Ave in N1/2, SW1/2 of Section 24, Township 96, Range 48. General address of ¾ mile south of Hudson, SD on Hudson Ave. A motion was made by Molstad and 2<sup>nd</sup> by Andersen to approve the rezoning. Motion carried unanimously.

d) **Conditional Use Permit Applications:**

1) **08-CUP-013** Petitioner is Leonard Decker to construct home occupancy, business/shop and storage of construction materials at a legal description of TR 1 Van Beek's Addition NE1/4 of Section 31, Township 97, Range 49. "A" Ag-Residential District. General address of 29017 477<sup>th</sup> Ave., Canton, SD 57013. Planning and Zoning received a letter dated April 15, 2008 from the petitioner to defer to a later date. A motion by Evanson and 2<sup>nd</sup> by Molstad to defer to a later date. Motion carried unanimously.

2) **08-CUP-016** Petitioner is Bernie Punt for Siouxland Energy & Livestock Cooperative for storage of ethanol railcars at a legal address of Hulshof's Addition in the E1/2 of Section 24, Township 96, Range 48. "I" Industrial District. General address south of Hudson 1/4-1/2 mile, east of Hudson Ave. Item was tabled until April 21, 2008 at the request of the petitioner. Item was taken off the table at this time. A motion by Molstad and 2<sup>nd</sup> by Weeldreyer to approve with the following stipulations.

- a. Lighting
- b. Security fence

- c. Method of operation
- d. Road agreement w/both partners-SELC & Township
- e. Flood plain
- f. DNR storage tank regulations met
- g. Hazmat response & materials on site

Motion passed with Evanson opposed.

- 3) **08-CUP-017** Petitioner is Reed Olson to construct a contractors shop at a legal description of Lot 9 Block 5 Kerslake 2<sup>nd</sup> Addition S1/2 of Section 24, Township 100, Range 51. 1.7 Acres “C” Commercial District. General address of 27057 Katie Road, Tea, SD 57064. A motion by Molstad and 2<sup>nd</sup> by Weeldreyer to approve with the stipulation that Planning & Zoning receive a letter from the road district concerning membership.
- 4) **08-CUP-018** Petitioner is Bernie Punt for Siouxland Energy & Livestock Cooperative for the purpose of constructing an Ethanol loading site at a legal description of Tract 1 & Tract 2 of SELC Addition in the SW1/4 of Section 24, Township 96 N, Range 48 W of 5<sup>th</sup> PM. 18.42 Acres “A” Agriculture District. General address of ½ mile south of Hudson on Hudson Ave. A motion by Molstad and 2<sup>nd</sup> by Weeldreyer to approve with the following stipulations. Motion passed with Evanson opposed.
  - a. Lighting
  - b. Security fence
  - c. Method of operation
  - d. Road agreement w/both partners-SELC & Township
  - e. Flood plain
  - f. DNR storage tank regulations met
  - g. Hazmat response & materials on site
- 5) **08-CUP-019** Petitioner is Pete Hoogendoorn for Hoogendoorn Construction to construct a commercial storage building over 10,000 square feet at a legal description of E1/2 of NE1/4 County Auditors Addition. “C” Commercial District. General address of 47895 US Hwy 18, Canton, SD 57013. A motion by Weeldreyer and 2<sup>nd</sup> by Evanson to approve. Motion passed unanimously.
- 6) **08-CUP-020** Petitioner is Darby Parsons for Midwest Landscape Supply, Inc. for the purpose of providing a seasonal landscape supply yard, for retail sales and wholesale trade at a legal description of Smith’s 2<sup>nd</sup> Add SE1/4 Lot 5- Blk 1 and Smith’s 2<sup>nd</sup> Add SE1/4 Lots 6 & 7 Blk 1, Section 31, Township 100, Range 50. 3.57 Acres. “I” Industrial District. General address of 47055 – 47059 Smith Circle, Harrisburg, SD 57032. A motion by Andersen and 2<sup>nd</sup> by Weeldreyer to approve with the following stipulation:
  - a. porta-potty

Motion passed unanimously.
- 7) **08-CUP-021** Petitioner is Babe Stack for the purpose of building a contractors shop and office. Lot 9 Blk 3 Hagedorn Industrial Park Addition in the SE1/4 of Section 25, Township 100, Range 51. Parcel size is 159’ x 251’. “I” Industrial District. General address of 46957 Mindy Street, Tea, SD 57064. A motion by Molstad and 2<sup>nd</sup> by Andersen to approve. Motion passed unanimously.
- 8) **08-CUP-022** Petitioner is Tim Kappenman for the purpose of transferring a building eligibility at a legal description of the E376’ of the N580’ of the W1/2 of NE1/4 of Section 6, Township 96, Range 51. 5 Acres. “A” Agriculture District. General address of 291<sup>st</sup> Street between 464<sup>th</sup> & 465<sup>th</sup> Avenue, Centerville, SD 57014. A motion by Andersen and 2<sup>nd</sup> by Molstad to approve with one stipulation. Motion passed unanimously.
  - a. Flood plain/septic approved prior to building permit being issued

- 9) **08-CUP-023** Petitioner is Steve Frislie for the purpose of transportation services at a legal description of VanWoudenberg's Addition, Lot B \*Ex Lot H-1 & H-4 & TR1 Lot B. 4.12 acres. "C" Commercial District. General address of 47872 West Hwy 18, Canton, SD 57013. A motion by Evanson and 2<sup>nd</sup> by Molstad to approve with stipulation. Motion passed unanimously.
- a. Trailers have current license
  - b. No offensive smells-livestock trailers
- 10) **08-CUP-024** Petitioner is Corey Andal for the purpose of erecting a billboard at a legal description of S60' of the N2570' of E60' Fogelman's 2<sup>nd</sup> Addition in the E1/2 of the NW1/4, Section 31, Township 100, Range 50. "A" Agriculture District. General address of 47027 272<sup>nd</sup> Street, Tea, SD 57064. A motion by Weeldreyer and 2<sup>nd</sup> by Evanson to approve with stipulations. Motion carried unanimously.
- a. CUP will be effective when rezoning request is effective
  - b. Requires a building permit
- f) **Conditional Use Petition Reviews:**
- 1) **05-CUP-074** Petitioner is Kris Huwe for Lot 7 of Verhey Addition in the S1/2 of Gov't Lots 1 & 2 of Section 31, Township 100, Range 50. Date/time for review is set for May 19, 2008 at **7:15 pm.**
  - 2) **07-CUP-065** Petitioner is Aleksey Gladush for NW1/4, TR 21, NW1/4, TR 22 Skyhaven Heights of Section 20, Township 100, Range 50. Date/time for review is set for May 19, 2008 at **7:30 pm.**
- g) **Conditional Use Petition Hearing:**
- h) **Site Plan Review:**
- i) **Variance:** None
- j) **Preliminary Plans:** None
- k) **Plats:** A motion was made by Anderson and 2<sup>nd</sup> by Molstad to approve plats 1 thru 5. Motion passed unanimously.
1. Tract A of Hostetler's Addition, in the Northeast 1/4 of the NW1/4 of Section 31, Township 100, Range 51
  2. SELC Addition in the SW1/4 of Section 24, Township 96, Range 48
  3. Tract 1A & Tract 3, Six Hayes Addition in Government Lot 6 and the SE1/4 of the SW1/4 of Section 7, Township 100, Range 49
  4. Tract A Rosgaard Addition NW1/4 of NW1/4 of Section 22, Township 97, Range 48
  5. Tract A of Government Lot 1 an addition in the NW1/4 of Section 2, Township 98, Range 49

**Additional Items:**

- 1) Public Hearing for "Developer's TIF"-Adams Thermal Systems pertaining to road infrastructure for Adams Thermal Systems. A motion by Molstad and 2<sup>nd</sup> by Andersen to approve. Motion passed unanimously.
- 2) Date/Time for public hearing on the 2008 revised Subdivision Ordinance is **May 19, 2008 from 6:00 to 7:00 pm.**

**\*\* Support documentation on file.**

**Respectively submitted by:**  
**Laurie Powell**  
**Deputy**  
**Lincoln County Planning & Zoning**