

Lincoln County Planning and Zoning
December 18th, 2006 Minutes
6:00 p.m. at the Lincoln County Extension Office

The Lincoln County Planning and Zoning Commission met at 6:00 p.m. on Monday December 18th, 2006 at the Lincoln County Extension Office, 200 East 5th Street, Canton, SD.

Meeting brought to order by Chairman Molstad with members Portz, Hoffman, Evanson, Andersen, Nusz and Coplan all present for duty.

Item: **Agenda:** Motion to approve agenda with additions by Hoffman, 2nd by Andersen. The motion passed unanimously.

a) **Minutes:** Motion to approve November 19th Minutes by Evanson, 2nd by Hoffman. The motion passed unanimously. Motion to approve December 5 Minutes by Andersen, 2nd by Nusz. The motion passed unanimously.

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

c) **Rezoning Petitions:**

1) **07-REZ-001** Petitioner is Mike Hoffman to rezone from "A" Ag Public Use District to "PD" Planned Development District at a legal description of Tracts 1 & 2 of Cinkle's Addition, an addition in the NE1/4 of Section 34, Township 100, Range 50. General address of 474th Avenue and 272nd Street, Harrisburg, SD. Date/Time set for January 16th, 2007 at 7:30p.m. Motioned by Evanson, 2nd by Andersen. The motion passed unanimously.

d) **Rezoning Hearings:**

1) **06-REZ-008** Petitioner is Southeastern Electric Cooperative, Inc to rezone from "A" Ag Public Use District to "I" Industrial District at a legal description of approximately 20 acres of the NE1/4 of Section 19, Township 99, Range 50. General address of the corner of Hwy 116 & exit #68 of I-29. Based on staff report and public input a motion was made by Hoffman, 2nd by Andersen to recommend approval to the County Commissioners. The motion passed unanimously.

e) **Conditional Use Permit Applications:**

1) **06-CUP-074** Petitioner is Greg Huffman to transfer (2) building eligibilities from the SW1/4 & the SE1/4 of the NW1/4 to the NE1/4 of the NW1/4 of Section 6, Township 99, Range 49. "A" Ag Public Use District. General address of 273rd Street and 476th Avenue, Harrisburg, SD. Tabled until the City of Harrisburg makes a decision on transfer. Motion to take off table by Andersen, 2nd by Portz. The motion passed unanimously. Based on staff report and minutes from City of Harrisburg meetings a motion was made by Hoffman, 2nd by Nusz to approve with 2 stipulations. The motion passed unanimously.

a) Must follow Subdivision Ordinance of Harrisburg.

b) Must abide by easements already approved.

2) **06-CUP-082** Petitioner is Timothy A Odland to operate sand and gravel extraction business at a legal description of the SE1/4 of Section 20, Township 98, Range 51. "A" Ag Public Use District. General address of 28253 466th Street, Lennox, SD. A motion was made by Nusz, 2nd by Andersen to approve with stipulations. The motion passed unanimously.

a) Must meet Ordinance Section 1105

b) Must meet State Permit Requirements

c) Time frame 4 years from start to finish.

3) **06-CUP-083** Petitioner is Todd Rahlf for Verizon Wireless to construct a cell phone tower at a legal description of Lots 1 & 2 of the NW1/4 except .18 RD and 12.39 acres cemetery

& Lot H-1 of Section 5, Township 98, Range 51. "A" Ag Public Use District. General address of 46531 SD Hwy 44, Lennox, SD. With a request from petitioner, a motion was made by Andersen, 2nd by Nusz to table until January 16th, 2007. The motion passed unanimously.

f) **Conditional Use Revocation Petitions: None**

g) **Conditional Use Revocation Hearing:**

h) **Site Plan Review: None**

i) **Variance:**

- 1) **06-VAR-008** Petitioner is Michael J. Albers requesting a variance to the set back requirements for 35' instead of 70' required by ordinance at a legal description of Tract 4 of Bensen Addition in the NW1/4 except .03 acres and Lot H-1 of Section 4, Township 99, Range 49. "A" Ag Public Use District. General address of 47817 273rd Street, Harrisburg, SD. Motion to move into a Board of Adjustment by Portz, 2nd by Nusz. The motion passed unanimously. Based on staff report and comments from the Highway Supervisor a motion was made by Nusz, 2nd by Hoffman to approve 50' instead of the 70' required. The motion passed unanimously. A motion was made by Andersen, 2nd Nusz to move out of Board of Adjustment. The motion passed unanimously.
- 2) Petitioner is Sayre Associates requesting a variance to the Subdivision Ordinance at a legal description of Springdale Estates in the N1/2 of the NW1/4 of Section 26, Township 100, Range 50. Doug Berkland from Sayre Associates representing. After much discussion with Doug Berkland, Staff and Board members a motion was made by Nusz, 2nd by Evanson to approve variance requests as listed.
 - a) 22' paved road surface
 - b) 4 to 1 side slope
 - c) 2.75' road ditch section
- 3) Petitioner is Sayre Associates requesting a variance to the Subdivision Ordinance at a legal description of Schriever's Addition of Section 8, Township 99, Range 50. Doug Berkland from Sayre Associates represented Calvin Schriever's development. A motion was made by Evanson, 2nd by Coplan to approve variance requests as listed.
 - a) 24' road surface
 - b) 4 to 1 side slope
 - c) 2 1/2 ' road ditch depth

j) **Preliminary Plans:**

- 1) Owner and developer is BHI Supply INC. for a development located at a legal description known as Willow View Acres Tracts 1 through 12 in the SE1/4 of the SW1/4 of Section 27 Township 100 Range 50. General address of 272nd Street and Mc Sneve Road which is located half way between Western Ave and Minnesota Ave. Developer's engineer to provide data on each lot as too Buildablity with review by County Engineer if necessary. Tabled until December. Motion to take off the table by Coplan, 2nd by Andersen. The motion passed unanimously. Based on staff report a motion was made by Andersen, 2nd by Evanson to approve preliminary plan. The motion passed unanimously.

k) **Final Plan: None.**

l) **Plats:**

- 1) Plat of Lots 3B and 4B in Block 5 of Mueller's 2nd Addition in the SE1/4 of Section 19, Township 100, Range 50. A motion was made to take off the table by Portz, 2nd by Andersen. The motion passed unanimously. A motion was made by Nusz, 2nd by Andersen to approve the plat. The motion passed unanimously.
- 2) Goeman Tract A in the NE1/4 of Section 19, Township 99, Range 50. A motion was made by Evanson, 2nd by Hoffman to approve. The motion passed unanimously.
- 3) Saugstad Tract 1 an addition in a part of the S1/2 of the NW1/4 and in Tract 1 of the N1/2 of the NW1/4 all in Section 20, Township 96, Range 49. A motion was made by Hoffman, 2nd by Nusz to approve with stipulation. The motion passed unanimously.

- a) Must be reviewed and approved by County Engineers by December 26th, 2006.
- 4) Lots A, B, & C in Edges Mitigation Addition in part of Tract 1 and 3 of Spielman's Addition in the E1/2 of the NE1/4 of Section 5, Township 99, Range 50. A motion was made by Evanson, 2nd by Coplan to approve with stipulation. The motion passed unanimously.

- a) Must be reviewed and approved by County Engineers.

Additional Items:

A motion was made by Andersen, 2nd by Portz to adjourn. The motion passed unanimously.