

**Lincoln County Planning and Zoning**  
**July 16th, 2007 Minutes**  
**7:00 p.m. at the Lincoln County Extension Office**

The Lincoln County Planning and Zoning Commission met at 7:00pm on Monday July 16, 2007 at the Lincoln County Extension Office, 200 East 5<sup>th</sup> Street, Canton, SD.

The meeting was brought to order by Chairman Molstad with members Evanson, Alternate Hoffman, Nusz, and Weeldreyer present for duty.

Item: **Agenda:** A motion was made by Evanson, 2<sup>nd</sup> by Weeldreyer to approve agenda with additions. The motion passed unanimously.

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

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

c) **Rezoning Petitions:**

1) **07-REZ-005** Petitioner is Eric Willadsen to rezone from "A" Ag Public Use District to "C" Commercial District at a legal description of Gov't Lots 1 & 2 of the NW1/4 of Section 19, Township 100, Range 50. General address of SE corner of 85<sup>th</sup> Street & Sundowner Avenue. A motion was made by Hoffman, 2<sup>nd</sup> by Nusz to set date/time for August 20<sup>th</sup>, 2007 at 7:30p.m. The motion passed unanimously.

d) **Rezoning Hearings:**

1) **07-REZ-004** Petitioner is Corey Andel for Lamar Outdoor Advertising to rezone from "A" Ag Public Use District to "C" Commercial District at a legal description of the N2510' of the E60' of Fogelmans 2<sup>nd</sup> Addition E1/2 of the NW1/4 of Section 31, Township 100, Range 50. General address of 47027 272<sup>nd</sup> Street, Tea, SD. After much discussion a motion was made by Evenson to deny and died for a lack of a 2<sup>nd</sup>. A motion was then made by Nusz, 2<sup>nd</sup> by Weeldreyer to recommend approval of rezoning to County Commissioners. The motion passed with Molstad braking the tie. Hoffman and Evanson voted nay to recommending approval.

e) **Conditional Use Permit Applications:**

1) **07-CUP-024** Petitioner is Jason Lohr to operate a tree service shop and warehouse at a legal description of Lot 9 of D & L Industrial Park in Section 24, Township 100, Range 51. "C" Commercial District. General address of 27070 Duke Avenue, Tea. Tabled until July meeting. A motion was made by Hoffman, 2<sup>nd</sup> by Nusz to take off the table. The motion passed unanimously. A motion was made by Nusz, 2<sup>nd</sup> by Weeldreyer to approve with stipulation that petitioner works with the City of Tea's regulations. The motion passed unanimously.

2) **07-CUP-021** Petitioner is Jim Van Beek for Pork Plus LLC. to construct and operate a 2200 head Class C Confinement at a legal description of the NE1/4 of Section 33, Township 97, Range 51. "A" Ag Public Use District. General address of the corner of 290<sup>th</sup> Street and 467<sup>th</sup> Avenue. Tabled until July meeting. A motion was made by Evanson, 2<sup>nd</sup> Weeldreyer to take off the table. The motion passed unanimously. Due to information coming to light a motion was made by Weeldreyer, 2<sup>nd</sup> by Hoffman to table until the August 20<sup>th</sup>, 2007 meeting. The motion passed unanimously.

3) **07-CUP-028** Petitioner is Jay Fossum to move a house to a legal description of the S547.2' of the E737' of the SE1/4 of Section 19, Township 98, Range 49. "A" Ag Public Use District. General address of 47692 283<sup>rd</sup> Street, Canton, SD. A motion was made by Nusz, 2<sup>nd</sup> by Hoffman to approve. The motion passed unanimously.

4) **07-CUP-029** Petitioner is Daniels Construction Inc representing Cattail Properties to operate a Construction Company at a legal description of Tract 3 of D&L Industrial

Addition in the SW1/4 of Section 24, Township 100, Range 51. "C" Commercial District. General address of 46926 Austin Street, Tea, SD. Due to lack of representation, a motion was made by Evanson, 2<sup>nd</sup> by Hoffman to table until the August meeting. The motion passed unanimously.

- 5) **07-CUP-030** Petitioner is Daniels Construction for Triple R. Paving to operate a Concrete Contractors shop at a legal description of Lot 7A of Block 5 of Kerslake 2<sup>nd</sup> Addition in the S1/2 of Section 24, Township 100, Range 51. "C" Commercial District. General address of 27069 Katie Road, Tea, SD. Due to lack of representation, a motion was made by Evanson, 2<sup>nd</sup> by Weeldreyer to table until the August meeting. The motion passed unanimously.
- 6) **07-CUP-031** Petitioner is Leonard Decker to move a modular home to a legal description of the N716.7' of the W627.30' of Gov't Lot 2 in the NW1/4 of Section 30, Township 97, Range 49. "A" Ag Public Use District. General address of 28908 476<sup>th</sup> Avenue, Canton, SD. A motion was made by Nusz, 2<sup>nd</sup> by Evanson to approve. The motion passed unanimously.
- 7) **07-CUP-032** Petitioner is CHS/Eastern Farmers Coop to move a 30,000 gallon Propane tank from 417 E 4<sup>th</sup> Street Lennox, SD to a legal description of Lots 1 & 2 of the SW1/4 except 1.46 acres State & H-2 of Section 6, Township 98, Range 50. "A" Ag Public Use District. General address of 47014 SD Hwy 44, Worthing, SD. Due to lack of representation, a motion was made by Evanson, 2<sup>nd</sup> by Hoffman to table until the August meeting. The motion passed unanimously.
- 8) **07-CUP-033** Petitioner is CHS/Eastern Farmers Coop to move an 11,800 gallon and a 12,000 gallon Propane tank from Canton, SD to a legal description of Lots 1 & 2 of the SW1/4 except 1.46 acres State & H-2 of Section 6, Township 98, Range 50. "A" Ag Public Use District. General address of 47014 SD Hwy 44, Worthing, SD. Due to lack of representation, a motion was made by Evanson, 2<sup>nd</sup> by Hoffman to table until the August meeting. The motion passed unanimously.
- 9) **07-CUP-034** Petitioner is Kevin & Sonja Grave to operate a Rodeo, Stable and related social events business at a legal description of Lot 1 & 4 of Oltmanns Subdivision in the NE1/4 NW1/4 of Section 23, Township 99, Range 51. "A" Ag Public Use District. General address of 46835 276<sup>th</sup> Street, Lennox, SD. A motion was made by Hoffman, 2<sup>nd</sup> by Weeldreyer to approve. The motion passed unanimously.
- 10) **07-CUP-035** Petitioner is Dennis Klinghagen to operate an events center at a legal description of Lot 4 Block 3 Lavalley Business Park in the NW1/4 of Section 5, Township 99, Range 50. "C" Commercial District. General address of 27313 Lavalley Place, Harrisburg, SD. A motion was made by Weeldreyer, 2<sup>nd</sup> by Nusz to approve. The motion passed unanimously.
- 11) **07-CUP-036** Petitioner is Mike Brown for B-Green Inc to operate a landscaping business at a legal description of Tract 10 of D & L Industrial Addition of the SW1/4 of Section 24, Township 100, Range 51. "C" Commercial District. General address of 46919 Cody Trail, Tea, SD. Due to lack of representation a motion was made by Weeldreyer, 2<sup>nd</sup> by Hoffman to table until the August meeting. The motion passed unanimously.
- 12) **07-CUP-037** Petitioner is Donnie Coffee to operate a Building contractor & Superior contractor business at a legal description of Tract 10 of D & L Industrial Addition of the SW1/4 of Section 24, Township 100, Range 51. "C" Commercial District. General address of 46919 Cody Trail, Tea, SD. Due to lack of representation, a motion was made by Hoffman, 2<sup>nd</sup> by Nusz to table until the August meeting. The motion passed unanimously.
- 13) **07-CUP-038** Petitioner is Todd Irvine to move a cabinetry shop from 27124 470<sup>th</sup> Avenue, Tea to a legal description of Lot 2 Block 5 Kerslake 2<sup>nd</sup> Addition of Section 24, Township 100, Range 51. "C" Commercial District. General address of 27091 Katie Road, Tea, SD. A motion was made by Hoffman, 2<sup>nd</sup> by Evanson to approve

with a stipulation that the petitioner works with City of Tea's regulations. The motion passed unanimously.

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

g) **Conditional Use Revocation Hearing: None**

h) **Site Plan Review: None**

i) **Variance: None**

j) **Preliminary Plans: None**

k) **Plats:** A motion was made by Nusz, 2<sup>nd</sup> by Weeldreyer to approve Plats 1, 2, 3, 6, and 7. The motion passed unanimously.

- 1) Diamond Fields Wetland Easement of Kolb's Addition in the NW1/4 of Section 4, Township 99, Range 50.
- 2) Tract A, East 26<sup>th</sup> Street Improvement of Tract 1 of Kolb's Addition in the NW1/4 of Section 4, Township 99 Range 50.
- 3) Tract 1 Skie Family LLP Addition in the SW1/4 of Section 14, Township 98, Range 51
- 4) Tract 1A and 1B of Meier's Addition in the S1/2 of the SW1/4 of Section 27, Township 100, Range 49.

A motion was made by Hoffman, 2<sup>nd</sup> by Nusz to approve Plats 4 and 8 with the stipulation that Clark Engineering approve updated plat. The motion passed unanimously.

- 5) Lots 1, 2, and 3 of Southtown Addition in Gov't Lots 1 & 2 in the NW1/4 of Section 7, Township 98, Range 50. A motion was made by Evanson, 2<sup>nd</sup> by Hoffman to approve with the stipulation that Clark Engineering approve updated plat. The motion carried unanimously.
- 6) Tract 4 of Timm's Addition in the SE1/4 of the SE1/4 of Section 19, Township 99, Range 49.
- 7) Fredrickson's Tract in the E1/2 of the SW1/4 of Section 10, Township 96, Range 48.
- 8) Tract 7 Mettler's Addition in the NE1/4 of Section 23, Township 97, Range 49.
- 9) Willow View Acres in the SE1/4 of the SW1/4 of Section 27, Township 100, Range 50.

A motion was made by Evanson, 2<sup>nd</sup> by Nusz to approve. The motion carried unanimously.

#### **Additional Items:**

- 1) Revocation Petition for 04-065 and 04-100. Date/Time set for August 20<sup>th</sup>, 2007 at 8:00p.m. A motion was made by Nusz, 2<sup>nd</sup> by Weeldreyer to approve date/time. The motion passed unanimously.
- 2) Tiff District Hearing. Date/Time set for August 20<sup>th</sup>, 2007 at 7:20p.m. A motion was made by Weeldreyer, 2<sup>nd</sup> by Nusz to approve date/time. The motion passed unanimously.
- 3) Variance for Southtown Addition. A motion was made by Weeldreyer, 2<sup>nd</sup> by Hoffman to approve variance for the three items listed below and deny request for gravel surfacing on side streets. The motion passed unanimously.
  - a) 4 to 1 side slope
  - b) 1' ditch depth
  - c) 3 to 1 back slope

Motion to adjourn by Nusz, 2<sup>nd</sup> by Hoffman. The motion passed unanimously.