

**Lincoln County Planning and Zoning
Minutes
March 17, 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, March 17, 2008 at the Lincoln County Extension Office 200 East 5th Street, Canton, SD 57004.

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

Item: **Agenda:** A motion to approve Agenda was made by Anderson, 2nd by Evanson. The motion passed unanimously.

a) **Minutes:** A motion to approve minutes was made by Molstad, 2nd by Andersen. The motion passed unanimously.

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

c) **Rezoning Petitions:**

1) **08-REZ-004** Petitioner is Wayne Davelaar to rezone from "A" Ag Public Use District to "I" Industrial District for a 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. Date/Time set for April 21, 2008 at 8:00 pm.

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 a 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. Date/Time set for April 21, 2008 at 8:30 pm.

d) **Rezoning Hearings:**

1) **08-REZ-002** Petitioner is Corey Andal to rezone from "A" Ag Public Use District to "C" Commercial District at a legal description of the S60' of N2570' of E60' Fogelman's 2nd Addition, E1/2 of NW1/4 of Section 31, Township 100, Range 50. General address of 47027-272nd Street, Tea SD 57064. A motion was made by Molstad and 2nd by Weeldreyer to approve the rezoning. Motion carried unanimously.

2) **08-REZ-003** Petitioner is Jay DeBoer to rezone from "A" Ag Public Use District to "C" Commercial District at a legal description of approximately 3.7 acres of the E1/2, NE1/4 except Rd and W330' of E1320' of N264' of Section 32, Township 100, Range 51. General address of 46599 272nd Street, Tea, SD. A motion was made by Weeldreyer and 2nd by Andersen to approve the rezoning. Motion carried unanimously.

e) **Conditional Use Permit Applications:**

1) **08-CUP-010** Petitioner is Jay DeBoer to provide storage facilities to the public at a legal description of Approximately 3.7 acres of the E1/2, NE1/4 except Rd and W330' of E1320' of N264' of Section 32, Township 100, Range 51. General address of 46599 272nd Street, Tea, SD. A motion was made by Weeldreyer to approve with stipulation, 2nd by Hoffman. Motion passed unanimously pending the outcome of the rezoning petition 08-REZ-003.

2) **08-CUP-011** Petitioner is Charles Zeeb to construct storage units for public rental at a legal description of Lot 7 of Tract 37 NW1/4 Schroeder's of Skyhaven Heights in Section 30, Township 100, Range 50. "C" Commercial District. General address is

27117 Grummand Ave, Tea, SD. A motion was by Hoffman and 2nd by Weeldreyer to approve. Motion carried unanimously.

- 3) **08-CUP-012** Petitioner is Stuart VanBockern to construct and operate a business for automotive repair and touch-up at a legal description of Lot 6 of Tallgrass Park, Section 32, Township 100, Range 50 1.64 acres. "C" Commercial District. General address of Highway 110 and Tallgrass Circle. A motion was made by Evanson and 2nd by Andersen to approve. Motion passed unanimously.
 - 4) **08-CUP-013** Petitioner is Leonard Decker to construct home occupancy, business/shop and storage of construction materials at a legal description of Lot 1A of Tract 1 Van Beek's Addition in the E1/2 of the NE1/4 Section 31, Township 97, Range 49. "A" Ag-Residential District. General address of 29017 477th Ave., Canton, SD 57013. A motion was made by Weeldreyer and 2nd by Evanson to table until April 21, 2008 at the request of the petitioner. Motion passed unanimously.
 - 5) **08-CUP-014** Petitioner is Charles Mehlhaf to operate a light manufacturing business-snow blowers (Teamco, Inc.) at a legal description of Lot 3-Blk 3 of Kerslake 2nd Addition, Section 24, Township 100, Range 51. "C" Commercial. General address of 27050 Katie Road, Tea, SD 57064. A motion was made by Molstad and 2nd by Andersen to approve. Motion passed unanimously.
 - 6) **08-CUP-015** Petitioner is Todd Stone for a manufacturing plant addition larger than 20,000 sq. ft. at Adams Thermal at a legal description of W1653' of SW1/4 lying S of Ry *ex TR "U1" & Lot B & TR 2 & 3, Section 15, Township 98, Range 49, 23.60 acres to construct a building addition. "I" Industrial District. General address of 47920 5th Street, Canton, SD 57013. A motion was made by Weeldreyer and 2nd by Andersen to approve. Motion passed unanimously.
 - 7) **08-CUP-016** Petitioner is Bernie Punt for Siouxland Energy & Livestock Cooperative for storage of ethanol railcars at a legal address of Hulshof's Add. 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. A motion was made by Evanson and 2nd by Weeldreyer to table this item until April 21, 2008 at the request of the petitioner. Motion passed unanimously.
- f.) **Conditional Use Revocation Petitions:** None
- g) **Conditional Use Revocation Hearing:**
- 1) **05-CUP-029** Petitioner is Zack Porter for Lot 6 Block 4 of Kerslake 2nd Addition in the Section 24, Township 100, Range 51. A motion was made by Evanson and 2nd by Weeldreyer to table this revocation until May 19, 2008 when fence should be in place based on letter from petitioner with quote for cost of fence and installation.
 - 2) **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. After discussion a motion by Molstad and 2nd by Evanson to follow original conditions that stated a fence was needed for outside storage and was given until December 1, 2008 to comply with stipulations of the CUP. Motion carried with Anderson opposed.
 - 3) **06-CUP-063** Petitioner is Carl V. Carlson for Lot 5 of Verhey Addition in the S1/2 of Gov't Lots 1 & 2 of Section 31, Township 100, Range 50. Matt Carlson presented for Carl Carlson. After discussion a motion by Weeldreyer and 2nd by Hoffman to follow original site plan indicating a fence. Petitioner was given until December 1, 2008 to put up fence. Motion carried with Anderson opposed.

Site Plan Review: Site plan review for Leonard Decker. A motion was made by Weeldreyer and 2nd by Evanson to table until April 21, 2008 at the request of the petitioner. Motion passed unanimously.

h) **Variance:** None

i) **Preliminary Plans:** None

j) **Plats:** A motion was made by Evanson, 2nd by Weeldreyer to approve plats 1 thru 3. Motion passed unanimously.

1. Smith's Second Addition in the SE 1/4 of Section 31, Township 100 N, Range 50
2. DeBoer's Addition NE1/4 Section 32, Township 100N, Range 51
3. Rhea Addition an addition in the NE1/4 of Section 28, Township 100N Range 50 (Tracts 3 and 4) Vacating Tracts 1 & 2 of Rhea Addition.

Additional Items:

- 1) Workshop for sub-division ordinance. Date/Time set for April 9, 2008 at 6:00 pm. Set Date/Time for hearing of this sub-division ordinance following workshop.

A motion by Molstad to adjourn and 2nd by Anderson. Motion carried unanimously.