

Lincoln County Planning and Zoning
March 19th, 2007 Minutes
7:00 p.m. at the Lincoln County Extension Office

The Lincoln County Planning and Zoning Commission met at 7:00p.m. on Monday March 19th, 2007 at the Lincoln County Extension Office, 200 East 5th Street, Canton, SD.

Meeting brought to order by Chairman Molstad with members McClung, Portz, Evanson, Andersen, Nusz and Weeldreyer present and reporting for duty.

Item: **Agenda:** Motion to approve agenda with (g) (2) being deleted by Andersen, 2nd by Evanson. The motion passed unanimously.

- a) **Minutes:** Motion to approve minutes by Portz, 2nd by Andersen. The motion passed unanimously.
- b) **Zoning Initiatives/Hearings: None**
- c) **Rezoning Petitions:**
 - 1) **07-REZ-002** Petitioner is Michael Poppens to rezone from "A" Ag Public Use District to "R" Rural Residential District at a legal description of the SW1/4 of Section 22 Township 99 Range 51. General address of intersection 467th Avenue and 277th Street. A motion was made by Portz, 2nd by Andersen to set Date/Time for hearing at 7:30p.m. on April 16th, 2007. The motion passed unanimously.
 - 2) **07-REZ-003** Petitioner is Wade Backman & Paul Johnson to rezone from "A" Ag Public Use District to "R" Rural Residential District for one additional building eligibility at a legal description of Tract 1 of Meiers Addition in the S1/2 of the SW1/4 of Section 27, Township 100, Range 49. General address of 27184 479th Avenue, Harrisburg, SD. A motion was made by Nusz, 2nd by Portz to set Date/Time for hearing at 8:00p.m. on April 16th, 2007. The motion passed unanimously.
- d) **Rezoning Hearings:**
 - 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. A motion was made by Andersen, 2nd by Portz to approve Amendment to Planned Development. The motion passed unanimously. A motion was made by Portz, 2nd by Nusz to approve Initial Development Plan with Amendments. The motion passed unanimously. A motion was made by Nusz, 2nd by Andersen to recommend approval of Planned Development District to County Commissioners. The motion passed with Evanson voting to deny.
- e) **Conditional Use Permit Applications:**
 - 1) **07-CUP-006** Petitioner is Dale Dachtler to construct and operate storage units at a legal description of Tract 5 of D & L Industrial Addition in the SW1/4 of Section 24, Township 100, Range 51. "C" Commercial District. General address of 46938 Austin Street, Tea, SD. A motion was made by Evanson, 2nd by Andersen to approve with stipulations. The motion passed unanimously.
 - a) Security Fence
 - b) Security Lights
 - c) Landscaping
- f) **Conditional Use Revocation Petitions:**
 - 1) **99-CUP-002** Steve M. Ballard (Home Occupancy Business) at a legal description of Lot 4 Block 2 of Highland Meadows of Hanson's Tract 2 in the NE1/4 of Section 24, Township 100, Range 50. A motion was made by Andersen, 2nd by Nusz to set a hearing date for April 16th, 2007 at 8:30p.m. The motion passed unanimously.

- 2) **04-CUP-074** John Rosenberg (Contractor Shop) at a legal description of Lot 6 Block 5 of Mueller's 2nd Addition in the SE1/4 of Section 19, Township 100, Range 50. A motion was made by Evanson, 2nd by Andersen to set a hearing date for April 16th, 2007 at 8:45p.m. The motion passed unanimously.

g) **Conditional Use Revocation Hearing:**

- 1) **04-CUP-099** Leonard Decker (Home Occupancy Business) at a legal description of lot 1A of tract 1 of Van Beek's addition in the E1/2NE1/4 of Section 31, Township 97, Range 49. Date/Time set for 8:00p.m. After a lot of discussion a motion was made by Weeldreyer, 2nd by Andersen to table until the April 16th, 2007 meeting. The motion passed unanimously.
- 2) **05-CUP-029** Zach Porter (Landscaping Shop) at a legal description of Lot 6 Blk 4 Kerslake 2nd Addition of Section 24, Township 100, Range 51. Date/Time set for 8:30p.m. Deleted.
- 3) **05-CUP-071** Randy Haberer (Auto Body Shop) at a legal description of Lot 2 of Verhey's Addition of Section 31, Township 100, Range 50. Date/Time set for 8:45p.m. A motion was made by Evanson, 2nd by Portz that by August 1st, 2007 every item addressed would be done. The motion passed unanimously.

h) **Site Plan Review: None**

i) **Variance:**

- 1) Variance recommendation request to the Subdivision Ordinance at a legal description of Lots 1 thru 6 in Tract 1 of Dejong Addition in the SW1/4 of the SW1/4 of Section 32, Township 100, Range 50.
 - a) 3 to 1 Slope
 - b) 1' to 6" ditch in some areas
 - c) Vary between 15in and 12in culvert size.
- 2) Variance recommendation request to the Subdivision Ordinance at a legal description of Willow View Acres Tracts 1 through 12 in the SE1/4 of the SW1/4 of Section 27, Township 100, Range 50. Variance recommendation to allow the utilization of appropriate approved engineer criteria/design standards rather than specific subdivision road standards as listed in Section 803 of the 95 Subdivision Ordinance was made by Evanson, 2nd by Weeldreyer. The motion passed unanimously.

j) **Preliminary Plans: None**

k) **Plats:** Motion by Andersen, 2nd by Portz to approve Plat 1, 3, 4, and 5. The motion passed unanimously.

- 1) Westra Tract 1 in the SW1/4 of the NW1/4 of Section 20, Township 96, Range 50.
- 2) Tract 1 of Beaver Creek Addition in the SE1/4 of Section 34, Township 99, Range 50. Motion was made by Portz, 2nd by Andersen to approve plat with conditions. The motion passed with Nusz voting to deny with concerns why landowner didn't come to Planning and Zoning Board.
 - 1) Must have easement or access agreement.
 - 2) Landowner must satisfy DOT.
- 3) Tract 4 & 5 of Rikansrud Addition in the NE1/4 of Section 20 Township 98, Range 49.
- 4) Tracts 1A, 2A, 3A, 3B, 10A, 11A, 12A, and 12B of Willow View Acres of Section 27, Township 100, Range 50.
- 5) Lots 1-7 of Tallgrass Park Addition in the SW1/4 of Section 32, Township 100, Range 50.

Additional Items:

Motion to adjourn by Andersen, 2nd by Evanson. The motion passed unanimously.