

Lincoln County Planning and Zoning
November 19th, 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 November 19th, 2007 at the Lincoln County Extension Office, 200 East 5th Street, Canton, SD.

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

Item: **Agenda:** A motion to approve agenda was made by Portz, 2nd by Andersen. The motion passed unanimously.

- a) **Minutes:** A motion to approve minutes w/changes was made by Weeldreyer, 2nd by Nusz. The motion passed unanimously.
- b) **Zoning Initiatives/Hearings:** None
- c) **Rezoning Petitions:** None
- d) **Rezoning Hearings:**
 - 1) **07-REZ-007** Petitioner is Jim McCarty to rezone from "A" Ag Public Use District to "C" Commercial District to allow for existing dry storage facility and existing house at a legal description of Tract 1Anderson's Addition in the SE1/4 of the NE1/4 and the S600' of the E726' of the SE1/4 both of Section 35, Township 100, Range 50. A motion was made by Weeldreyer, 2nd by Nusz to recommend approval to the County Commissioners with the stipulation if the use is changed the parcel must get annexed into the City of Harrisburg. The motion passed with Portz opposed.
- e) **Conditional Use Permit Applications:**
 - 1) **07-CUP-058** Petitioner is Eric Juhl to operate a automotive service center at a legal description of the W95' of Lot 1 and the E1/2 of Lot 2 Block 1 Kerslake Addition in the W1/2 of SE1/4 of Section 24, Township 100, Range 51. "C" Commercial District. General address of 46960 271st Street, Tea, SD. A motion was made by Nusz, 2nd by Portz to approve with stipulations. The motion passed unanimously.
 - a) Must follow Zoning Ordinance for Signage.
 - b) Must follow Zoning Ordinance for Parking.
 - 2) **07-CUP-059** Petitioner is Marvin Tschetter to operate an auto body repair and sales shop at a legal description of Tract 4 of D&L Industrial Addition in the SW1/4 of Section 24, Township 100, Range 51. "C" Commercial District. General address of 46932 Austin Court, Tea, SD. A motion was made by June, 2nd by Weeldreyer to approve with stipulations. The motion passed unanimously.
 - a) Must follow Zoning Ordinance for Parking.
 - b) Must follow Zoning Ordinance for Signage.
 - c) No outside storage unless fenced.
 - 3) **07-CUP-060** Petitioner is Aleksey & Tatyana Gladush to operate a wood working business at a legal description of Tract 21 and 22 of Skyhaven Heights in the NW1/4 of Section 30, Township 100, Range 50. "C" Commercial District. General address of 27117 Skylane Drive, Tea, SD. A motion was made by Nusz, 2nd by Andersen to approve with stipulations. The motion passed unanimously.
 - a) Complete DENR & OSHA requirements.
 - b) 1 year review.
 - 4) **07-CUP-061** Petitioner is Jeff Goeman to transfer a building eligibility from the NW1/4 of the SE1/4 to the SW1/4 of the SE1/4 of Section 28, Township 100, Range 51. "A" Ag Public Use District. General address of 27711 SD Hwy 17, Lennox, SD. A motion was made by Nusz, 2nd by Portz to approve. The motion carried unanimously.

- 5) **07-CUP-062** Petitioner is Jeff Goeman to construct a building over 10,000 square feet at a legal description of 34.12 acres in the NE1/4 including RR property of Section 29, Township 99, Range 51. "C" Commercial District. General address of 27711 SD Hwy 17, Lennox, SD. A motion was made by Andersen, 2nd by Portz to approve with stipulations. The motion passed unanimously.
 - a) Site plan before building permit is issued.
 - b) Must follow Zoning Ordinance for Signage.
 - c) Must have Security Lights.
 - 6) **07-CUP-063** Petitioner is Southeastern Electric Coop, Inc. to provide for outside storage and Public utility facility at a legal description of Goeman Tract A in the NE1/4 of Section 19, Township 99, Range 50. "I" Industrial District. General address of I29 Highway 116 Southeast corner. A motion was made by Weeldreyer, 2nd by Andersen to approve with one stipulation. The motion passed unanimously.
 - a) Must have Construction plan before building permit is issued.
 - 7) **07-CUP-064** Petitioner is Ryan Hofer for Taylor Companies to operate an auto dealership at a legal description of Lot 11 Block 2 of Hagedorn Industrial Park in the SE1/4 of Section 25, Township 100, Range 51. "C" Commercial District. General address of 46986 Monty Street, Tea, SD. A motion was made by Nusz, 2nd by Andersen to approve with stipulation. The motion passed unanimously.
 - a) Only 5 vehicles on Lot at one time.
 - 8) **07-CUP-065** Petitioner is Aleksey and Tatyana Gladush to operate a used and rebuildable vehicle and used parts business at a legal description of Tract 21 and 22 of Skyhaven Heights in the NW1/4 of Section 30, Township 100, Range 50. "C" Commercial District. General address of 27117 Skylane Drive, Tea, SD. A motion was made by Weeldreyer, 2nd by Portz to approve with a 1 year review. The motion passed unanimously.
 - 9) **07-CUP-066** Petitioner is Todd Dathe to operate vehicle and camper sales at a legal description of Lot 2 Blk 4 of Kerslake 2nd Addition in the S1/2 of Section 24, Township 100, Range 51. "C" Commercial District. General address of 27066 Kerslake Place, Tea, SD. A motion was made by Andersen, 2nd by Portz to approve. The motion passed unanimously.
- f) **Conditional Use Revocation Petitions:** None.
- g) **Conditional Use Revocation Hearing:** None.
- h) **Site Plan Review:**
- 1) Goeman Tract A in the NE1/4 of Section 19, Township 99, Range 50.
 - 2) E1/2 of Gov't Lots 1 & 2 of Section 4, Township 96, Range 49. A motion was made by Portz, 2nd by Weeldreyer to approve. The motion carried unanimously.
- i) **Variance:**
- 1) **07-VAR-006** Petitioner is Rick Bissell requesting a 1296 square foot building instead of 1200 square feet allowed by Ordinance at a legal description of Lot 2 of Tower Estates in the NW1/4 of Section 6, Township 99, Range 50. "R" Rural Residential District. General address of 47024 Teri Lane, Tea, SD. A motion was made to move into Board of Adjustment by Andersen, 2nd by Portz. The motion passed unanimously. A motion was made by Weeldreyer, 2nd by Andersen to approve variance. The motion passed unanimously.
 - 2) **07-VAR-007** Petitioner is Jeff Goeman requesting a 51' set back instead of the 70' required by Ordinance at a legal description of 34.12 acres of the NE1/4 including RR property of Section 29, Township 99, Range 51. "C" Commercial District. General address of 27711 SD Hwy 17, Lennox, SD. A motion was made by Andersen, 2nd by Portz to approve variance. The motion passed unanimously. A motion was made by Andersen, 2nd by Portz to move out of Board of Adjustment. The motion passed unanimously.
- j) **Preliminary Plans:**
- k) **Plats:** A motion was made by Portz, 2nd by Nusz to approve plats 1-7. The motion passed unanimously.
- 1) Tract 1, 2, 3, and 4 of Vandell's Addition in the SW1/4 of Section 9, Township 100, Range 51.

- 2) Tract 1, 2, and 3 of Stratmeyer's Addition in the SE1/4 of Section 28, Township 100, Range 51.
- 3) Lot A of Treiber's Tract in Lot 2 of the SW1/4 of Section 31, Township 96, Range 48.
- 4) Fredrickson's Tract Replat in the E1/2 of the SW1/4 of Section 10, Township 96, Range 48.
- 5) Tract A 85th & Western Wetland Easement of Kolb's Addition in the NW1/4 of Section 4, Township 99, Range 50.
- 6) Lots 1, 2, and 3 in the SW1/4 of Section 13, Township 96, Range 48.
- 7) Tract 1 of Schimkat Addition in the S1/2 of the SW1/4 of Section 35, Township 97, Range 48.

Additional Items:

- 1) Pre-enactment Evidence for Proposed Amendment to Zoning Ordinance Regarding Sexually Oriented Businesses.
- 2) G & K Supreme Auto Sales adding a use.

A motion was made by Andersen, 2nd by Weeldreyer to adjourn. The motion carried unanimously.