

Lincoln County Planning and Zoning
November 20th, 2006 Minutes
6:00 p.m. at the Lincoln County Extension Office

The Lincoln County Planning and Zoning Commission met at 6:00pm on Monday November 20, 2006 at the Lincoln County Extension Office, 200 East 5th Street, Canton, SD.

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

Item: Agenda: Motion to approve agenda by Andersen, 2nd by Nusz. All members voted to approve.

a) **Minutes:** Motion to approve minutes by Evanson, 2nd by Coplan. All members voted to approve.

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

c) **Rezoning Petitions:**

- 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. Motion to set date/time for December 18th, 2006 at 8:00pm by Coplan, 2nd by Hoffman. All members voted to approve.

d) **Rezoning Hearings: None**

e) **Conditional Use Permit Applications:**

- 1) **06-CUP-073** Petitioner is Leon L. Gerdes to move a home to a legal description of the N438' of the S708' of the E450' of the E 2 Rods (except S708') and the N 2 Rods of the N1/2 of the NW1/4 of Section 29, Township 99, Range 51. "A" Ag Public Use District. General address of 46549 277th Street, Lennox, SD. Based on the staff report, pictures and testimony from petitioner a motion was made by Coplan, 2nd by Portz to approve. The motion passed unanimously.
- 2) **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. Motion to table until the City of Harrisburg makes a decision on transfer by Nusz, 2nd by Hoffman. The motion passed unanimously. Huffman was not present but was notified.
- 3) **06-CUP-075** Petitioner is Long Lines Wireless to collocate on a existing tower owned by American Tower at a legal description of Cellular Tower on Ken Hoogestraat Farm in the SW1/4 of Section 19, Township 99, Range 50. "A" Ag Public Use District. General address of 27692 470th Avenue, Harrisburg, SD. Based on staff report and public testimony a motion was made by Hoffman, 2nd by Evanson to approve. The motion passed unanimously..
- 4) **06-CUP-076** Petitioner is Elroy Schmidt to move a shed to a legal description of Lot 4 Blk 2 of Smith's 2nd Addition of the SE1/4 of Section 31, Township 100, Range 50. "C" Commercial District. General address of 47023 Smith Circle, Harrisburg, SD. Based on staff report and public testimony a motion was made by Coplan, 2nd by Portz to approve with stipulation as stated. The motion passed unanimously.
 - a) Must remove old buildings by 1st of July 2007.
- 5) **06-CUP-077** Petitioner is Trailer Supply Company, Inc to operate a business for display of trailers and/or vehicles for sale at a legal description of TR 10 of the Southwest Industrial Park in the SE1/4 of Section 24, Township 100, Range 51. "C" Commercial District. General address of Corner of Thomas Ave and County Road 106. Based on the staff report and petitioner testimony a motion was made by Nusz, 2nd by Andersen to approve. The motion passed unanimously.

- 6) **06-CUP-078** Petitioner is Interstate Properties to construct storage units at a legal description of Lots 11, 12, and 13 all in Blk 1 of Smiths 2nd Addition in the SE1/4 of Section 31, Township 100, Range 50. "C" Commercial District. General address of Smith Circle, Harrisburg, SD. Based on staff report and petitioner testimony a motion was made by Hoffman, 2nd by Evanson to approve with stipulation as stated. The motion passed unanimously.

a) County Engineer must approve drainage plan.

- 7) **06-CUP-079** Petitioner is Melvin Vanden Top to move and erect a garage at a legal description of S1/2 of the SE1/4 except RD of Section 32, Township 99, Range 49. "A" Ag Public Use District. General address of 47778 279th Street, Canton, SD. Based on staff report and petitioner testimony a motion was made by Coplan, 2nd by Nusz to approve. The motion passed unanimously.

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

g) **Conditional Use Revocation Hearing:**

- 1) **05-CUP-042** Lot 5 Blk 4 Mueller's 2nd Addition of Section 19, Township 100, Range 50. Date/Time set for August 21, 2006 at 8:00 pm. Tabled until October 16th, 2006 to get area cleaned up, show receipts from landfill, build land back up with dirt, and show pictures of landscape improvements. Motion to not revoke Conditional Use Permit as long as Planning and Zoning receives receipts by 10:00 a.m. October 17, 2006 and pictures of landscape improvements by Friday October 20th, 2006 or Conditional Use Permit will be revoked by Nusz, 2nd by Andersen. All members voted to approve. Motion to take off table by Portz, 2nd by Andersen. All members voted to approve. Motion that work done to clean area up is satisfactory with review by July 1, 2007 by Nusz, 2nd by Portz. All members voted to approve. Motion passed unanimously.

h) **Site Plan Review: None**

i) **Variance:**

- 1) Petitioner is Andy Dedula requesting a variance to the Subdivision Ordinance pertaining to culverts at a legal description of Lot 10, Blk 1 of Akins Addition of Section 1, Township 99, Range 51. Motion by Evanson, 2nd by Portz to approve because culvert is determined to be right quality. Petitioner was advised that any future development must meet the Subdivision Ordinances. Motion passed unanimously.

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 Buildability with review by County Engineer if necessary. Petitioner requested to move to December. Motion to table until December by Evanson, 2nd by Portz. The motion passed unanimously.

k) **Final Plan:**

l) **Plats:**

- 1) Tract 3A of Roetzel Addition in the NE1/4 of the SE1/4 of Section 33, Township 99, Range 50. Motion to approve by Hoffman, 2nd by Coplan. All members voted to approve.
- 2) Tract 1 of Comford's Addition in the NW1/4 of Section 34, Township 99, Range 49. Need a stipulation that trustee information be recorded with ROD to verify ownership. Motion to approve with stipulation by Evanson, 2nd by Hoffman. All members voted to approve.
- 3) Lot 1, 2, and 3 of Bogue Tract 2 in the SE1/4 of the NE1/4 and the NE1/4 of the SE1/4 all in Section 17, Township 96, Range 49. Motion to approve by Coplan, 2nd by Hoffman. All members voted to approve.
- 4) Tract 4 of Hemmingson's Addition in the W1/2 of the SE1/4 of Section 16, Township 97, Range 50. Need to table until next month due to lack of all legal information. Motion to table by Portz, 2nd by Andersen. All members voted to approve.

- 5) 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. Need to table until next month due to Sioux Falls still reviewing plat. Motion to table by Coplan, 2nd by Portz. All members voted to approve.

m) **Additional Items:**

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