

Lincoln County Planning and Zoning
September 18th, 2006 Minutes
6:00 p.m. at the Lincoln County Extension Office

The Lincoln County Planning and Zoning Commission met at 6:00p.m. on Monday September 18th, 2006 at the Lincoln County Extension Office, 200 East 5th Street, Canton, SD.

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

Item: **Agenda:** Starting at 6:00 pm until 7:00 pm work session for Ordinance review. Motion to approve agenda by Nusz, 2nd by Portz. All members voted to approve.

- a) **Minutes:** Motion to approve minutes by Coplan, 2nd by Hoffman. All members voted to approve.
- b) **Zoning Initiatives/Hearings: None**
- c) **Rezoning Petitions:**
 - 1) **06-REZ-007** Petitioner is Gladys V. Swanson to rezone from "A" Ag Public Use District to "I" Industrial District to develop for industrial uses at a legal description of the NE1/4 except Lot H-1 of Section 18, Township 98, Range 50. General address of 281st and 471st Avenue, Worthing, SD. Motion to set date/time for October 16th, 2006 at 7:30 by Hoffman, 2nd by Andersen. All members voted to approve.
- d) **Rezoning Hearings:**
 - 1) **06-REZ-006** Petitioner is Brad Meyer to rezone from "A" Ag Public Use District to "C" Commercial District to develop for commercial lots at a legal description of the SW1/4 of the SW1/4 of Section 32, Township 100, Range 50. General address of Northeast corner of 471st Avenue/Tallgrass Avenue and 273rd Street/Co. Hwy 110. Motion to recommend approval of rezoning by Coplan, 2nd by Portz. All members voted to approve.
- e) **Conditional Use Permit Applications:**
 - 1) **06-CUP-057** Petitioner is Douglas Putnam to operate an auto sales/car lot at a legal description of Tract 2A of Income Addition of the NW1/4 of Section 25, Township 100, Range 51. "C" Commercial District. General address of 26923 271st Street, Tea, SD. Motion to approve with stipulations by Hoffman, 2nd by Nusz. All members voted to approve.
 - a) No spare parts lying outside.
 - b) Some landscaping.
 - 2) **06-CUP-058** Petitioner is Douglas Putnam to move a structure to a legal description of Tract 2A of Income Addition of the NW1/4 of Section 25, Township 100, Range 51. "C" Commercial District. General address of 26923 271st Street, Tea, SD. Motion to approve by Coplan, 2nd by Portz. All members voted to approve.
 - 3) **06-CUP-059** Petitioner is Bret Merkle to transfer two (2) building eligibilities from the SW1/4 of Section 4, Township 99, Range 50 to the E1/2 of the NE1/4 except Hanson Lot A of Section 8, Township 99, Range 50. "A" Ag Public Use District. General address of 47236 274th Street, Harrisburg, SD. Motion to approve by Hoffman, 2nd by Portz. All members voted to approve.
 - 4) **06-CUP-060** Petitioner is Sam Deyager, Jr. to haul from Iowa dry cattle manure and apply at a legal description of the SW1/4 of Section 34, Township 98, Range 49. "A" Ag Public Use District. General address of Hwy 134 and Hwy 11, Canton, SD. Motion to approve with stipulations by Andersen, 2nd by Coplan. All members voted to approve.
 - a) State permits must be on file with Planning and Zoning.
 - b) No hauling or application of nutrient on Sundays.

- c) All loads must be covered.
- d) Haul routes and time frames of hauling must be on file with Planning and Zoning.
- e) Planning and Zoning must be notified prior to transport into Lincoln County.
- 5) **06-CUP-061** Petitioner is Tom Souvignier to move a 40 x 25 ' wood Quonset building to a vacant farmstead to use as cattle shelter or storage shed at a legal description of the SE1/4 of Section 29, Township 98, Range 49. "A" Ag Public Use District. General address of 478th Avenue & 284th Street, Canton, SD. Motion to approve by Coplan, 2nd by Andersen. All members voted to approve.
- 6) **06-CUP-062** Petitioner is Gregory Nelson to display for sale ATV's, Scooters, Dirt Bikes & Cycles at a legal description of Moirs Tract 3 & 3A & Lot H-1 of Moirs Tracts 3 & 4 of the E1/2 of the SE1/4 of the SE1/4 of Section 27, Township 100, Range 50. "C" Commercial District. General address of 27197 SD Hwy 115, Harrisburg, SD. Deleted from Agenda by Owner.
- 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. Postponed revocation until September 18th, 2006 at 8:00p.m. to do site check and clarify stipulations. Motion to table 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 by Andersen, 2nd by Portz. Members voted to approve with Coplan voting nay. Motion carried.
- h) **Site Plan Review: None**
- i) **Variance:**
 - 1) **06-VAR-006** Petitioner is Roy Poppenga requesting a variance for 32' setback rather than the required 70' from Right of Way and a 10' set back from abutting property rather than 20' required, both at a legal description of the E489.5' of the W1215.3' of the N395' of Burma's Tract 1 of the NW1/4 of Section 33, Township 99, Range 51. "A" Ag Public Use District. General address of 46621 278th Street, Lennox, SD. Motion to move to a Board of Adjustment by Portz, 2nd by Andersen. All members voted to approve. Motion to approve variance by Hoffman, 2nd by Portz. All members voted to approve. Motion to move out of Board of Adjustment by Hoffman, 2nd by Portz. All members voted to approve.
- 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. Tabled until September 18th, 2006 meeting. Motion to take off the table by Coplan, 2nd by Nusz. All members voted to approve. Motion to put checklist and Base Flood Elevation into Willow View Covenants by Coplan, 2nd by Hoffman. Motion to table until after Revocation Hearing by Coplan, 2nd by Andersen. All members voted to approve. Motion to take off the table by Nusz, 2nd by Portz. All members voted to approve. Motion by Coplan to rescind motion for checklist and Base flood elevation in covenants, 2nd by Hoffman. All members voted to approve. Motion to have Developer's engineer provide data on each lot as too Buildability with review by County Engineer if necessary by Hoffman, 2nd by Portz. Members voted to approve with Hoffman voting nay. Motion passed.
- k) **Final Plan:**
 - 1) **Plats:** Motion to approve Plats 2-4 by Coplan, 2nd by Nusz.
 - 1) Tract 1 of Dejong Addition in the SW1/4 of Section 1, Township 99, Range 51. Motion to approve with stipulation by Andersen, 2nd by Nusz. All members voted to approve.
 - a) Mistakes must be corrected.
 - 2) Ambur Tract 1 an addition in the NE1/4 of the NE1/4 of Section 13, Township 97, Range 51.

- 3) Lot 5 & 6 of Erickson Addition in the E829.23' of the S1/2 of Government Lot 1 in the SW1/4 of Section 18, Township 100, Range 50.
- 4) Tract 2A of Leubecher's Addition in the SW1/4 of Section 8, Township 100, Range 49.

m) **Additional Items:**