

**MINUTES OF THE JOINT MEETING OF
LINCOLN COUNTY & SIOUX FALLS PLANNING COMMISSIONS
March 14, 2018**

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Tyler Klatt, Ron Larson, Darwin Sogn, and Stacey Clay Namminga

CITY PLANNING COMMISSION MEMBERS PRESENT: Sean Ervin, Sharon Chontos, Katherine Fiegen, Steve Gaspar, and Andi Anderson

STAFF PRESENT: Toby Brown & Joan Doss - County Planning
Jeff Schmitt & Jason Bieber - City Planning

PUBLIC PRESENT (sign-in sheet): Henry and Margaret Mueller

A motion was made by Sogn and seconded by Larson to elect Tyler Klatt as the chairman pro-tem. The motion passed unanimously.

The County Planning Commission was chaired by Tyler Klatt who presided over the meeting. The City Planning Commission was chaired by Sean Ervin.

1. CALL TO ORDER

A joint meeting of the County and City Planning Commissions was held on March 14, 2018 at 7:00 p.m. in the Commission Meeting Room of the Lincoln County Courthouse. County Planning Commissioner Klatt called the meeting to order at 7:00 p.m.

2. APPROVAL OF FEBRUARY 14, 2018 MINUTES

A motion was made for the County by Larson, and seconded by Sogn, to approve the meeting minutes for February 14, 2018. The motion passed unanimously. Same motion was made for the City by Garpar and seconded by Anderson. The motion passed unanimously.

3. APPROVAL OF AGENDA

A motion was made by the County by Sogn and seconded by Namminga to approve the meeting agenda. The motion passed unanimously. Same motion was made for the City by Anderson and seconded by Fiegen. The motion passed unanimously.

4. CONDITIONAL USE PERMIT 18-JJCUP-003: Request for review and approval of a Conditional Use Permit proposing to exceed 1,200 square feet of total accessory building area – requesting 1,840 square feet. The property is legally described as Lot 8A of Mueller’s 4th Addition in the Southeast quarter (SE1/4) of Section 19, Township 100 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota. The property is zoned “A-1” Agricultural District.

Petitioner/Owner: Henry Mueller Location: 27053 S. Tallgrass Avenue – Sioux Falls

Staff Analysis: Toby Brown

The subject property is just over one acre in size (1.22 acres). The property is improved with a single-family dwelling that was built in 1988. The property is zoned “A-1” Agricultural. The petitioner is proposing to construct a 40’ x 46’ (1,840 square feet) accessory building for personal storage.

1. The proposed use is consistent with the intent and purpose of the A-1, Agricultural District.
2. The parcel on which the accessory building is to be located is of sufficient size such that the building will not crowd open space on the lot and the proposed building will meet all required minimum building setbacks.
3. The accessory building will not be so large as to have an adverse effect on the architectural character or reasonable use of the surrounding property.
4. The accessory use building meets the intent and requirements of the applicable zoning regulations, pursuant to the conditions attached to the Conditional Use Permit.

Section 19.07 of the Joint Zoning Regulations for Lincoln County and the City of Sioux Falls provides review criteria for conditional use permits. The following is a transcript of the applicant’s responses to the standards.

- A. The impact of the proposed use on adjacent properties shall be a major consideration. The proposed use should be generally compatible with adjacent properties and other properties in the district.**

Applicant's Response: Yes.

B. Measures shall be taken to ensure that the proposed use does not alter the general character of the area or neighborhood.

Applicant's Response: Yes.

C. The effects of noise, odor, traffic, air and water pollution, and other negative factors shall be eliminated or controlled through the use of screening, setbacks, and orientation.

Applicant's Response: Yes

D. The proposed use shall not adversely affect the public.

Staff's Response: The proposed accessory use building should not affect the use, enjoyment or value of neighboring parcels. The protection of the public's health, safety and general welfare have been addressed through the required standards for this type of conditional use and in the conditions recommended.

Recommendation: Staff recommends that the Planning Commissions approve the proposed Conditional Use Permit, subject to the following recommended Conditions of Approval and any modifications that result from the Planning Commissions' deliberations.

1. The property must be developed and maintained in substantial conformance with the site plan dated January 23, 2018.
2. The total accessory building square footage shall not exceed 1,840 square foot.
3. The accessory building may not be used for commercial purposes.
4. The accessory building cannot be converted into living space.
5. Any exterior lighting shall be directed downwards and shall not create any light glare or spillage onto adjacent property.
6. Grading and drainage is subject to the comment of the Sioux Falls City Engineer.
7. The county and/or city may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.

Public Comment and Discussion:

Toby Brown presented the staff report. Ervin asked for clarification on condition #2. Toby proposed adding the wording "for permitted structures" at the end of the sentence.

Henry Mueller, the petitioner, noted that the building would be used for a general personal storage since his woodworking hobby takes up the garage.

Commissioner Klatt asked for public comment, and seeing none he closed the floor to the public.

Action:

A motion was made for the County by Sogn to approve the Conditional Use Permit #18-003 with the recommended conditions as amended, and was seconded by Namminga. The motion passed unanimously. The same motion was made for the City by Anderson, and was seconded by Fiegen. The motion passed unanimously.

Conditional Use Permit #18-003 – Approved

5. OTHER BUSINESS

Review of the Joint Planning Bylaws and meeting procedures. Jeff Schmitt gave an overview of the bylaws and gave each member a summary of meeting procedures. He asked the commission members to review the bylaws and to bring any questions and recommendations to staff prior to the next meeting.

6. ADJOURNMENT

A motion was made for the County by Sogn, and was seconded by Larson to adjourn at 7:30pm. The motion passed unanimously. Same motion was made for the City by Gaspar, and was seconded by Fiegen. The motion passed unanimously.

Respectfully submitted,

Joan Doss

County Planner