

MINUTES OF THE LINCOLN COUNTY PLANNING COMMISSION

April 15, 2019

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Tyler Klatt, Joel Arends, Jerry Jongling, Monty Derousseau, Gary Pashby, and Stacey Clay Namminga

STAFF PRESENT: Toby Brown and Joan Doss - County Planning

PUBLIC PRESENT (sign in sheet): Paul Wood, Eileen Wood, Tony Ventura, and David Tuntland

1. CALL TO ORDER AND ROLL CALL

The regular meeting was brought to order on April 15, 2019 at 7:00pm in the Commission Meeting Room of the Lincoln County Courthouse by Chairman Derousseau.

2. APPROVAL OF MARCH 18, 2019 MINUTES

Pashby motioned to approve the minutes and was seconded by Klatt. The motion passed unanimously (6-0).

3. APPROVAL OF AGENDA

Pashby motioned to approve the agenda and was seconded by Namminga. The motion passed unanimously (6-0).

4. PUBLIC HEARINGS

- a. CONDITIONAL USE PERMIT / USE-0016-2019: Request for review and approval of a Conditional Use Permit to allow replacement of a nonconforming manufactured home. The property is legally described as Tract 1 Van Ningen's Addition in the West half (W1/2) of the Northwest quarter (NW1/4) of Section 2, Township 98 North, Range 51 West of the 5th Principal Meridian, Lincoln County, South Dakota.

Applicant/Owner: Paul and Melinda Wood

Location: 27922 468th Ave – Lennox

Staff Presentation:

Toby presented a summary of the staff report. He noted that the property is approximately 10 acres in size, and previously had a nonconforming mobile home which was removed prior to the property transfer in June of 2018. According to the site plan submitted with the application, the replacement mobile home would be in the same spot as the previous mobile home. Toby also noted that pursuant to Section 12.05(D) of the 2009 Revised Zoning Ordinance, a nonconforming mobile home can be replaced by conditional use. He concluded that the Conditional Use Approval Criteria would be satisfied. He then listed the conditions that should be considered if the application is approved as follows:

- 1. This approval is for the project described per Conditional Use Permit (USE-0016-2019) to allow the replacement of a nonconforming mobile home, except as modified with the conditions below.
- 2. Subject to staff approval, the replacement mobile home must be placed in substantial conformance with the site plan received with the application on March 5, 2019.
- 3. The permittee will be required to obtain the necessary building permit(s), and the appropriate septic permit, if necessary, for the replacement mobile home.
- 4. The replacement mobile home site shall not be subdivided from the parent parcel.
- 5. The Planning Department or designated official(s) reserves the right to enter and inspect the property at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions, all applicable regulations of the Lincoln County Zoning Ordinance and any other County, City, State and Federal Codes, ordinances, resolutions and laws that may apply.

Public Comment:

Paul Wood, the applicant, noted that the mobile home would be used for his parents. Pashby asked about the two addresses on the property. Paul noted that the previous owner had a similar setup where the owner's son had lived in the mobile home, which had its own mailbox. Pashby also asked when the mobile home was removed, and Paul responded that it was around November or December of 2017. Arends asked where the home would be coming from, and Paul said it would be bought from Centennial Homes.

Derousseau asked for public comment, and hearing none he closed the floor.

Discussion & Action:

Arends motioned to approve the application with the recommended conditions and was seconded by Jongling. Pashby noted he felt it was unclear if the ordinance exception would pertain to subsequent owners. The motion passed unanimously (6-0).

USE-0016-2019 – Approved

5. OTHER MATTERS TO BE REVIEWED BY THE PLANNING COMMISSION - None

6. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA

- a. Correspondence received. – None
- b. Comments from Planning Commission members. – Jerry Jongeling, the new commission member representing the 4th District was introduced to the rest of the commission.
- c. Comments from the audience – None

7. REPORT OF LINCOLN COUNTY BOARD OF COMMISSIONERS' REPRESENTATION –

Arends noted that the County Commission has recently been sitting as the Board of Equalization and that there seem to be fewer appeals than last year. Additionally, the county is working on trying to make the appeal process easier to understand.

8. NEW BUSINESS

- a. Setting public hearing dates. Toby outlined a list of permits that staff has identified as permits that should be reviewed by the Planning Commission for compliance. Permits 11-CUP-031, 12-CUP-011, and 15-TEMP-001 through 15-TEMP-005 will be reviewed at public hearings at the next Planning Commission meeting.
- b. Planning Commission Bylaws review. Toby outlined the proposed changes to the bylaws, and noted that Planning Commission would discuss adopting the changes at next month's meeting.
- c. Other new business. None.

9. ADJOURNMENT

Pashby motioned to adjourn at 7:30pm and was seconded by Namminga. Motion passed unanimously (6-0).

Respectfully submitted,
Joan Doss
Planner