

**MINUTES OF THE  
LINCOLN COUNTY PLANNING COMMISSION  
May 2, 2016**

A special meeting of the Planning Commission was held on May 2, 2016 at 7:30 a.m. in the Commission Meeting Room of the Lincoln County Courthouse.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Monty Derausseau, Tyler Klatt, Ron Larson, Gary Pashby and Darwin Sogn.

STAFF PRESENT:

Toby Brown and Clarice Paulson - County Planning

The meeting was chaired by Monty Derausseau.

**1. CALL TO ORDER**

The special meeting of the Lincoln County Planning Commission was brought to order on May 2, 2016 at 7:30 a.m. by Chairman Monty Derausseau.

**2. APPROVAL OF AGENDA**

A motion was made by Pashby and seconded by Larson to approve the agenda. The motion passed unanimously.

- 3. CONDITIONAL USE PERMIT 16-CUP-019:** To exceed 1,500 sq. ft. of total accessory building area – requesting 2,016 sq. ft. on the property legally described as Lot 2 of Reining Addition in the W1/2 of the SE1/4 of Section 2, Township 99 North, Range 50 West.

**General Information:**

Petitioner: Rodney & Debra Hughes

Property Owner: Same

Location: 47458 274<sup>th</sup> Street

Present Zoning: A-1 Agricultural

Existing Land Use: Residential

Parcel Size: 7.51 Acres

This would allow 2,016 sq. ft. of total accessory building area.

**Staff Report:** Toby Brown

**Staff Analysis:**

Petitioner was granted 16-CUP-002 on January 19, 2016 which specified 1,728 sq. ft. of total accessory building area. Petitioner has since determined the need to increase the total accessory building area. The petitioner has submitted a new application for a Conditional Use Permit to exceed 1,500 square feet of total accessory building area. The petitioner is requesting this

conditional use permit for a 2,016 square foot accessory building. Accessory buildings can be found in the area that are considered large or of similar size.

A conditional use permit application is required by Section 12.06 (D) of the Lincoln County Zoning Ordinance which states:

In the A-1 and RC Districts, the total area of accessory buildings shall not exceed 1500 square feet when such buildings are located in a subdivision of more than four (4) lots unless a conditional use has been approved.

**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.**

Given the existence of other larger accessory buildings in the area, the construction of this structure should not impede on the enjoyment or use of the surrounding properties or affect property values. The proposed site for the structure meets all applicable setbacks and the placement of the structure should not negatively impact the neighboring properties.

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

The building can only be used as an accessory structure to the established residential use and no commercial or business activities are allowed. This use will not affect the adjacent residential uses or agricultural land in the area.

**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.**

There should be no uses in the building which would constitute these types of nuisances.

**Recommendation:** Staff found that the proposed building size conforms to the general sizes of other accessory buildings in the area. Staff recommends approval of conditional use permit #16-019 with the following conditions:

1. The total accessory building square footage shall not exceed 2,016 square feet.
2. The building shall be used only for the petitioner's personal residential use. No commercial or business uses or storage shall be allowed.
3. A building permit is required.

**Public Testimony**

Toby Brown of the County Planning Department presented the staff report.

The petitioner, Rodney Hughes, spoke on behalf of the application. Mr. Hughes noted that the new application would extend the building eight feet.

Commissioner Pashby asked the petitioner how tall the building would be and Mr. Hughes indicated fourteen feet.

**Action**

A motion was made by Commissioner Pashby and seconded by Commissioner Sogn to approve Conditional Use Permit #16-019 with recommended conditions. The motion passed unanimously.

**Conditional Use Permit #16-019 – Approved**

**4. OTHER BUSINESS**

None.

**5. ADJOURN**

A motion was made by Larson and seconded by Sogn to adjourn the meeting. The motion passed unanimously.