

MINUTES OF THE LINCOLN COUNTY PLANNING COMMISSION

May 21, 2018

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Tyler Klatt, Ron Albers, Darwin Sogn, Monty Derousseau, Gary Pashby, and Dave Gillespie

STAFF PRESENT: Toby Brown, Joan Doss - County Planning

PUBLIC PRESENT (sign in sheet): Jon Waltjer, Jeff Kuhlman, Jim Terveen, Michael Martin, Chad Driscoll, Pamela Gillespie, Ray & Bertha Hilmer, Clayton Haug, David & Sheryl Rice, Jennie Johnson, Tatyana Gladush, Greg & Blake Krueger, Dan Peterson

1. CALL TO ORDER AND ROLL CALL

The regular meeting was brought to order on May 21, 2018 at 7:00pm in the Commission Meeting Room of the Lincoln County Courthouse by Chairman Derousseau.

2. APPROVAL OF APRIL 16, 2018 MINUTES

Klatt motioned to approve the minutes from April 16, 2018, and was seconded by Pashby. The motion passed unanimously (6-0).

3. APPROVAL OF AGENDA

Albers motioned to approve the agenda, and was seconded by Sogn. The motion passed unanimously (6-0).

4. PUBLIC HEARINGS

- a. **CONDITIONAL USE PERMIT / 18-CUP-008:** Request for review and approval of a Conditional Use Permit proposing to exceed 1,500 sq. ft. of total accessory building area – requesting 2,400 sq. ft. new and 6,180 total sq. ft. The property is legally described as Tract 1 Huizenga Farms Addition except Lot A in the Southwest quarter (SW1/4) of Section 2, Township 99 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota.

Petitioner/Owner: Haug Steel/Dale and Myra Zomer Location: 47426 274th St – Harrisburg

Staff Analysis:

SITE DESCRIPTION AND PRESENT USE. The subject site is located in La Valley Township approximately a quarter of a mile east of the intersection of 474th Avenue (SD Highway 115) and 274th Street. The site is occupied by a single-family dwelling; two existing barns containing about 2,880 sq. ft. which will be kept; one existing detached garage containing about 900 sq. ft. which will be kept; and a 1,200 sq. ft. manufactured home. The manufactured home will be removed and will be the location for the proposed accessory building on the site. A conditional use permit, 07-CUP-015, was approved on April 16, 2007, which allowed a home occupation to be conducted within the manufactured home. The zoning code requires a conditional use permit for home occupations conducted outside of the dwelling on the property.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding area consists of low-density residential and agricultural uses. The corporate limits of Harrisburg are approximately a quarter of a mile to the east of the subject site.

PROJECT DESCRIPTION. The applicant has proposed to construct a 2,400 sq. ft. (40' W x 60' L x 16' H) accessory building for personal storage and the previously permitted home occupation on the property. The three existing accessory buildings, together with the proposed 2,400 sq. ft. accessory building, would exceed the 1,500 sq. ft. allowed. The zoning code requires a conditional use permit for the total area of accessory buildings to exceed 1,500 sq. ft. in a subdivision of more than four (4) lots in the A-1 district. According to the submitted site plan, the applicant has proposed no aesthetic improvements to the site such as landscaping/screening.

Staff Recommendation: Approve the application to allow the construction of a 2,400 sq. ft. oversized accessory building, subject to the following conditions:

1. In addition to three existing accessory structures totaling about 3,780 square feet, this permit allows the construction of a 40 foot by 60 foot (2,400 square foot) oversized accessory building, no more than 16 feet tall from adjacent grade to roof peak, in the general location as shown on the site plan attached hereto.
2. The new accessory building shall be used only for accessory uses permitted in the A-1 District. It shall not be used in conjunction with a business or commercial activity except those activities that are in compliance with the Home Occupation provisions of Article 12, Additional Use Regulations.
3. If outdoor lighting is attached to or placed around the new building, all light fixtures shall be a cut-off or shoebox design to prevent bulb glare. Light fixtures that produce light spillage onto adjacent property are prohibited.

4. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance.
5. A building permit must be obtained prior to commencing construction of the new 2,400 sq. ft. accessory building.
6. Plat shall be filed with the Register of Deeds prior to building permit approval.

Public Comment:

Toby Brown presented the staff report. Clayton Haug, the petitioner, noted the building would be used for his client's personal storage. When asked if the building is two-story, he noted the windows are simply high on the wall, and is only a single-story building.

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

Discussion & Action:

Klatt motioned to approve the application with the recommended conditions, and was seconded by Sogn. There was no discussion. The motion passed unanimously (6-0).

Conditional Use 18-CUP-008 – Approved

- b. **CONDITIONAL USE PERMIT / 18-CUP-011:** Request for review and approval of a Conditional Use Permit proposing to allow the operation of a contractor's shop and storage yard. The property is legally described as Tract 27 of the Southwest Industrial Park in the Northeast quarter (NE1/4) of the Southeast quarter (SE1/4) of Section 24, Township 100 North, Range 51 West of the 5th Principal Meridian, Lincoln County, South Dakota.

Applicant/Owner: Tatyana Gladush/Alex Properties

Location: 27058 Sunset Boulevard – Sioux Falls

Staff Analysis:

SITE DESCRIPTION AND PRESENT USE. The subject site is located in Delapre Township and is within the Southwest Industrial Park near the intersection of 271st Street and 470th Avenue. The property is currently occupied by a 16,128 sq. ft. building that is partitioned into eight units and utilized for warehousing, motor vehicle repair, auto body repair, motor vehicle sales and contractor's shops and storage yards. There is also a 1,820 sq. ft. building on the site utilized for warehousing/contractor's shop and storage yard. The motor vehicle repair, auto body repair and motor vehicles are authorized by previous conditional use permits.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The site is surrounded by a mixture of commercial/light industrial properties. The corporate limits of Tea are approximately ¾ of a mile to the southwest of the subject site.

PROJECT DESCRIPTION. The applicant is proposing to utilize the existing buildings on the property for contractor's shops and storage yards. No additional buildings or site improvements are being proposed at this time.

Staff Recommendation: **Approve** the application to allow the operation of contractor's shops and storage yards, subject to the following conditions:

1. The property shall be kept in a neat and orderly condition at all times.
2. Equipment, trailers and vehicles utilized for the contractor's shops may be parked outside on the property, provided they are screened from view from adjacent property and streets.
3. Exterior lighting is allowed only for security purposes. Any exterior lighting shall be directed downwards and shall not create any light glare or spillage onto adjacent property.
4. The owner of the subject property, and its tenants, shall ensure that employees park on the subject property.
5. The applicant shall not deposit any snow or improperly direct water onto neighboring properties so as to constitute a nuisance.
6. The Planning Department 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 approved permit conditions and the Lincoln County Zoning Ordinance.
7. If at any time the use ceases to exist, or changes ownership, the owner shall notify Lincoln County Planning and Zoning.

Public Comment:

Toby Brown presented the staff report, and noted staff became aware of this property through a compliance issue. Tatyana Gladush, the petitioner, noted this building is currently rented out to a variety of contractor's.

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

Discussion & Action:

Pashby motioned to approve the application with the recommended conditions, and was seconded by Albers. There was no discussion. The motion passed unanimously (6-0).

Conditional Use 18-CUP-011 – Approved

- c. **CONDITIONAL USE PERMIT / 18-CUP-012:** Request for review and approval of a Conditional Use Permit proposing to exceed 1,500 sq. ft. of total accessory building area – requesting 7,200 sq. ft. new and total. The property is legally described as Lots 14 and 15 of the Springdale Estates Addition in the North half (N1/2) of the Northwest quarter (NW1/4) of Section 26, Township 100 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota.

Applicant/Owner: Scott Terveen/Scott and Stacy Terveen

Location: 27112 Cardinal Place – Harrisburg

Staff Analysis:

SITE DESCRIPTION AND PRESENT USE. The subject site is located in Springdale Township and is within the Springdale Estates residential subdivision near the intersection of South Dakota Highway 115 and 271st Street. The site is currently used for a single-family dwelling. The zoning code requires a conditional use permit for accessory structures exceeding 1,500 square feet within the RR Rural Residential zoning district.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding area consists of single-family dwellings and existing agricultural crop production. The corporate limits of Harrisburg are approximately ¾ of a mile to the south of the subject site.

PROJECT DESCRIPTION. The applicant has proposed to construct a 7,200 sq. ft. accessory building (60'W x 120'L x 20'H) to be used as a personal indoor basketball gymnasium. The site plan submitted with the application notes that there will be landscaping planted along the north, east and south side of the building in addition to landscaping along the frontage of Cardinal Street.

Staff Recommendation: **Approve** the application to allow construction of a 7,200 square foot accessory building, subject to the following conditions:

1. This permit allows for the construction of a 60'W x 120'L x 20'H (7,200 square foot) oversized accessory building, in the general location as shown on the site plan submitted with the application, and shall meet all required setbacks.
2. The total accessory building square footage shall not exceed 7,200 sq. ft. for any permitted structures.
3. A building permit from Lincoln County is required prior to construction of the proposed building.
4. The new accessory building shall not be used in conjunction with a business or commercial activity.
5. Landscaping shall be planted and maintained in accordance with the site plan submitted with the application.

Public Comment:

Toby Brown presented the staff report, noted the building would have 20-foot side walls. In addition he noted staff received a number of calls from neighbors concerned about the size of the building, and read aloud the email correspondence from Mark Veurink, and Katie and Bryan David. Jim Terveen, on behalf of the petitioner, noted the building would actually be Masonite siding and stone to match the house, and would not be used for any commercial business so that it would not increase traffic in the area.

Derousseau asked for public comment.

Bryan David noted he felt the building was too large since it would be more than 4 times as big as the ordinance allows without a conditional use permit. He also took issue with what happened to the building when the kids move out or when there are different owners. He questioned what kind of landscaping would be able to hide a building that tall.

Hearing no further comments, Derousseau closed the floor.

Discussion & Action:

Klatt motioned to table the application until next month, and was seconded by Pashby. There was no discussion. The motion passed unanimously (6-0).

Conditional Use 18-CUP-012 – Tabled

- d. **CONDITIONAL USE PERMIT / 18-CUP-013:** Request for review and approval of a Conditional Use Permit proposing to allow the operation of a contractor’s shop and storage yard. The property is legally described as Bumgardner Tract 4 in Lot 1 of the Northeast quarter (NE1/4) of the Northeast quarter (1/4) of Section 1, Township 99 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota.

Applicant/Owner: Jennie Johnson/BJ Property LLC Location: 47593 273rd Street – Harrisburg

Staff Analysis:

SITE DESCRIPTION AND PRESENT USE. The subject site is located in La Valley Township and is near the intersection of 273rd Street and 476th Avenue. The property is currently occupied by a 10,948 sq. ft. building that is utilized as a contractor’s shop and storage yard. There is also a 4,220 sq. ft. building on the site utilized as a warehouse/office.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The site is surrounded by a mixture of residential, institutional and agricultural properties. The corporate limits of Harrisburg are adjacent to the west and south of the subject site.

PROJECT DESCRIPTION. The applicant is proposing to utilize the existing 10,948 sq. ft. building on the property for a contractor’s shop and storage yard. No additional buildings are being proposed at this time.

Staff Recommendation: **Approve** the application to allow the operation of contractor’s shop and storage yard, subject to the following conditions:

1. The property shall be kept in a neat and orderly condition at all times.
2. Equipment, trailers and vehicles utilized for the contractor’s shop may be parked outside on the property, provided they are screened from view from adjacent property and streets.
3. Exterior lighting is allowed only for security purposes. Any exterior lighting shall be directed downwards and shall not create any light glare or spillage onto adjacent property.
4. The owner of the subject property, and its tenants, shall ensure that employees park on the subject property.
5. The applicant shall not deposit any snow or improperly direct water onto neighboring properties so as to constitute a nuisance.
6. The Planning Department 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 approved permit conditions and the Lincoln County Zoning Ordinance.
7. If at any time the use ceases to exist, or changes ownership, the owner shall notify Lincoln County Planning and Zoning.

Public Comment:

Toby Brown presented the staff report, and noted this property was rezoned last year, and now the conditional use permit is required to bring the property into compliance. Jennie Johnson, the petitioner, noted the concrete wall has been constructed around the parking area, and is a dyed concrete.

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

Discussion & Action:

Gillespie motioned to approve the application with the recommended conditions, and was seconded by Pashby. There was no discussion. The motion passed unanimously (6-0).

Conditional Use 18-CUP-013 – Approved

- e. **CONDITIONAL USE PERMIT / 18-CUP-014:** Request for review and approval of a Conditional Use Permit proposing to transfer one (1) building eligibility from the property legally described as Tract 1 of the Sandvig’s Addition in the South half (S1/2) of the Northeast quarter (NE1/4) in Section 34, Township 97 North, Range 49 West of the 5th Principal Meridian, Lincoln County, South Dakota to the property legally described as the Northeast quarter (NE1/4) of the Southeast quarter (SE1/4) in Section 34, Township 97 North, Range 49 West of the 5th Principal Meridian, Lincoln County, South Dakota.

Applicant/Owner: Bret Merkle/Pederson Ag LLC

Location: Approx. ½ mile south of the intersection of 290th St. and 480th Avenue – Hudson

Staff Analysis:

SITE DESCRIPTION AND PRESENT USE. The subject site is located in Highland Township approximately ½ mile south of the intersection of 290th St. and 480th Avenue. Both parcels are currently vacant. The zoning code requires a conditional use permit for transferring building eligibilities between contiguous parcels that have common ownership.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding area consists of agricultural crop production and few single-family dwellings. Newton Hills is approximately 3 miles to the northeast of the subject site.

PROJECT DESCRIPTION. The applicant has proposed to transfer a building eligibility in preparation for a transfer of ownership.

Staff Recommendation: **Approve** the application to allow the transfer of one (1) residential building eligibility, subject to the following conditions:

1. Any required platting shall be finalized prior to building permit approval.
2. A right-to-farm notice covenant shall be placed on the deed prior to the issuance of a building permit for a single-family dwelling.
3. The property described as the Northeast quarter (NE1/4) of the Southeast quarter (SE1/4) in Section 34, Township 97 North, Range 49 West of the 5th Principal Meridian, Lincoln County, South Dakota, will have two (2) building eligibilities.

Public Comment:

Toby Brown presented the staff report, and noted the petitioner contacted the office to notify of his absence tonight. He also noted that Bret did not have any development plans for the property in the near future.

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

Discussion & Action:

Albers motioned to approve the application with the recommended conditions, and was seconded by Klatt. There was no discussion. The motion passed 5-0-1 with Gillespie abstaining.

Conditional Use 18-CUP-014 – Approved

- f. **CONDITIONAL USE PERMIT / 18-CUP-015:** Request for review and approval of a Conditional Use Permit proposing to allow the operation of outside storage/warehousing. The property is legally described as Lot 11A of the Smith’s Second Addition in the Southeast quarter (SE1/4) of Section 31, Township 100 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota.
Applicant/Owner: Jeff Kuhlman/Richard Halstead Location: 47038 Smith Circle – Harrisburg

Staff Analysis:

SITE DESCRIPTION AND PRESENT USE. The subject site is located in Delapre Township in the Smith’s Second Addition Business Park and is near the intersection of 273rd Street and 471st Avenue. The property is currently vacant.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The site is surrounded by a mixture of commercial and agricultural/single-family dwelling properties. The corporate limits of Tea are approximately 1.5 miles to the west and the corporate limits of Harrisburg are approximately 3 miles to the east.

PROJECT DESCRIPTION. The applicant is proposing to utilize the property for outside warehousing/storage of vehicles. The applicant has stated intentions to install fencing around the entire property for security and partial screening of the premises. No buildings are being proposed at this time.

Staff Recommendation: **Approve** the application to allow the operation of warehousing with outdoor storage, subject to the following conditions:

1. The property shall be maintained in a clean, orderly and safe manner.
2. The storage area shall be fenced and adequately screened from adjacent land uses.
3. The outdoor storage area is surfaced with crushed rock, crushed concrete, asphalt or concrete paving, or similar materials to control the surface dust.
4. Exterior lighting is allowed only for security purposes. Any exterior lighting shall be directed downwards and shall not create any light glare or spillage onto adjacent property.
5. The applicant shall not deposit any snow or improperly direct water onto neighboring properties so as to constitute a nuisance.

6. The Planning Department 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 approved permit conditions and the Lincoln County Zoning Ordinance.
7. If at any time the use ceases to exist, or changes ownership, the owner shall notify Lincoln County Planning and Zoning.

Public Comment:

Toby Brown presented the staff report, and noted discussion with the petitioner pertaining to drainage easements along the east and south property line that they would need to abide by while constructing the proposed fence. Jeff Kuhlman, the petitioner, that he would include slats in the chain-link fence throughout the property, and that if space allows he would have multiple aisles of vehicle storage.

Derausseau asked for public comment.

Sheryl Rice asked about required grading and drainage permits. She also added that the county hasn't addressed past complaints about filling in lots within that subdivision.

Greg Krueger seconded concerns about drainage in the area.

Dave Rice added that with moderate rainfall the road normally floods quickly.

Hearing no further comments, Derausseau closed the floor.

Discussion & Action:

Klatt motioned to approve the application with the recommended conditions. The motion failed for lack of a second. Gillespie noted that drainage has always been, and will be a continued problem in that area. Gillespie then motioned to deny the application, and was seconded by Albers. The motion passed unanimously (6-0).

Conditional Use 18-CUP-015 – Denied

- g. **CONDITIONAL USE PERMIT / 18-CUP-016:** Request for review and approval of a Conditional Use Permit proposing to exceed 1,500 sq. ft. of total accessory building area – requesting 2,160 sq. ft. new and 2,400 sq. ft. total. The property is legally described as Tract 4 of the Graves Addition in the Northwest quarter (NW1/4) of Section 29, Township 99 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota.

Applicant/Owner: Jon Waltjer/Jon and Shelly Waltjer Location: 47125 277th Street – Lennox

Staff Analysis:

SITE DESCRIPTION AND PRESENT USE. The subject site is located in LaValley Township and is approximately a quarter mile east of the intersection of 471st Avenue and 277th Street. The site currently has a single-family dwelling and a 240 square-foot garden shed structure. The zoning code requires a conditional use permit for accessory building space exceeding 1,500 square feet in a subdivision of four or more lots.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding area consists of residential and farmstead type uses. The corporate limits of Worthing are approximately 3 miles to the south of the subject site.

PROJECT DESCRIPTION. The applicant has proposed to construct a 2,160 square foot (48'W x 45'L x 14'H) accessory storage building. The site plan submitted with the application notes the petitioner plans on extending their gravel driveway to the new building. The building would be used for personal storage and a hobby workshop.

Staff Recommendation: **Approve** the application to allow construction of a 2,160 square foot accessory building, subject to the following conditions:

1. This permit allows for the construction of a 48'W x 45'L x 14'H (2,160 square foot) oversized accessory building, in the general location as shown on the site plan submitted with the application.
2. The total accessory building square footage shall not exceed 2,400 sq. ft. for any permitted structures.
3. A building permit from Lincoln County is required prior to construction of the proposed building.
4. The new accessory building shall not be used in conjunction with a business or commercial activity.

Public Comment:

Toby Brown presented the staff report. Jon Waltjer, the petitioner, noted he would use the building for additional personal storage since the current garden shed is too small.

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

Discussion & Action:

Pashby motioned to approve the application with the recommended conditions, and was seconded by Sogn. There was no discussion. The motion passed 5-0-1, with Gillespie absent from the vote.

Conditional Use 18-CUP-016 – Approved

- h. **CONDITIONAL USE PERMIT / 18-CUP-017:** Request for review and approval of a Conditional Use Permit proposing to allow the operation of outside storage/warehousing. The property is legally described as Lot 1 of Tract 8 of Southtown Addition in Government Lots 1 and 2 in the Northwest quarter (NW1/4) of Section 7, Township 98 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota.

Applicant/Owner: SHURA Trucking LLC/AO Land and Holdings LLC

Location: 28021 Boondocks Avenue – Worthing

Staff Analysis:

SITE DESCRIPTION AND PRESENT USE. The subject site is located in Lynn Township in the Southtown Addition Addition Business Park and is near the intersection of 280th Street and 470th Avenue. The property is currently vacant/materials being removed by current owner.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The site is surrounded by commercial properties. The corporate limits of Worthing are approximately 1 mile to the west.

PROJECT DESCRIPTION. The applicant is proposing to utilize the property for outside warehousing/storage of motor vehicles. The property has fencing around the entire premises. No buildings are being proposed at this time.

Staff Recommendation: **Approve** the application to allow the operation of warehousing with outdoor storage, subject to the following conditions:

1. The property shall be maintained in a clean, orderly and safe manner.
2. The storage area shall be fenced and adequately screened from adjacent land uses.
3. The outdoor storage area is surfaced with crushed rock, crushed concrete, asphalt or concrete paving or similar materials to control the surface dust.
4. Exterior lighting is allowed only for security purposes. Any exterior lighting shall be directed downwards and shall not create any light glare or spillage onto adjacent property.
5. The applicant shall not deposit any snow or improperly direct water onto neighboring properties so as to constitute a nuisance.
6. The Planning Department 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 approved permit conditions and the Lincoln County Zoning Ordinance.
7. If at any time the use ceases to exist, or changes ownership, the owner shall notify Lincoln County Planning and Zoning.

Public Comment:

Toby Brown presented the staff report, and noted the current access to the property, from the south, would be moved to the northeast corner of the lot. Michael Martin, on behalf of the petitioner, noted the petitioner would continue the current use of storage operable vehicles, and may in the future build a storage building, but does not have any plans right now.

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

Discussion & Action:

Sogn motioned to approve the application with the recommended conditions, and was seconded by Klatt. There was no discussion. The motion passed unanimously (6-0).

Conditional Use 18-CUP-017 – Approved

- i. **CONDITIONAL USE PERMIT / 18-CUP-018:** Request for review and approval of a Conditional Use Permit proposing to allow the construction and operation of a contractor’s shop and storage yard. The property is legally described as Lot 4B in Block 5 of the Kerslake 2nd Addition in the South half (S1/2) of Section 24, Township 100 North, Range 51 West of the 5th Principal Meridian, Lincoln County, South Dakota.

Applicant/Owner: Chad Javers/Lundin Properties LLC Location: 27085 Katie Road – Tea

Staff Analysis:

SITE DESCRIPTION AND PRESENT USE. The subject site is located in Delapre Township and is approximately 700 feet north of the intersection of Katie Road and 271st Street. The property is in the process of being platted into Kerslake 2nd Addition, Lot 4 of Block 5, into Kerslake 2nd Addition Lot 4A and Lot 4B of Block 5. The proposal will be on the new lot, 4B, which is a vacant southern portion of the current property. The zoning code requires a conditional use permit for contractor's shops and storage yards within the C Commercial zoning district.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding area consists of commercial type uses. These lots are generally used for warehousing and other commercial type storage. The corporate limits of Tea are approximately a quarter of a mile to the southwest of the subject site.

PROJECT DESCRIPTION. The applicant has proposed to construct a 15,000 sq. ft. (50' x 250'), 5-unit, contractor's shops and storage yards. The site plan submitted with the application notes that there will be three trees planted along the street frontage of Lot 4B and four trees planted along the street frontage of lot 4A.

Staff Recommendation: Approve the application to allow construction and operation of a 15,000 sq. ft., 5-unit, contractor's shops and storage yards, subject to the following conditions:

1. A building permit from Lincoln County is required prior to construction of the proposed building. Additionally, engineered building plans are required prior to building permit approval.
2. The property shall generally adhere to the site plan, as approved by the City of Tea.
3. No unscreened outdoor storage is permitted and the property shall be kept in a neat and orderly condition at all times.
4. The applicant shall not deposit any snow or improperly direct water onto neighboring properties so as to constitute a nuisance.
5. If at any time a tenant wishes to conduct a use other than a contractor's shop, the owner and tenant will be need to apply for a separate Conditional Use Permit if required.
6. The Planning Department 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 approved permit conditions and the Lincoln County Zoning Ordinance.
7. If at any time the use ceases to exist, or changes ownership, the owner shall notify Lincoln County Planning and Zoning.

Public Comment:

Toby Brown presented the staff report, and noted the applicant would not have any outdoor storage on the property. Chad Driscoll, on behalf of the petitioner, noted this building would be similar to the rest of the buildings in the area.

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

Discussion & Action:

Klatt motioned to approve the application with the recommended conditions, and was seconded by Gillespie. There was no discussion. The motion passed unanimously (6-0).

Conditional Use 18-CUP-018 – Approved

5. OTHER MATTERS TO BE REVIEWED BY THE PLANNING COMMISISON

- a. PROPOSED AMENDMENTS TO 2011 REVISED SUBDIVISION ORDINANCE OF LINCOLN COUNTY: Article 8, Minimum Road Improvements and Design Standards, and Article 9, Grading and Drainage.

Staff Comments: Toby gave an overview of the proposal, and reminded everyone that last month the public hearing was held, but action was tabled so that staff could work with our engineer on wordsmithing.

Discussion & Action: Pashby recommended that the changes are reviewed by the state's attorney and that in section 803 the word "geotechnical engineering report" be changed to "professional engineering report". Klatt motioned to recommend approval of the ordinance changes, and was seconded by Sogn. The motion passed unanimously (6-0).

6. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA

- a. Correspondence received. Joan passed out correspondence received since last meeting.
- b. Comments from Planning Commission members. Pashby noted we should amend our notification procedures. The commission directed staff to research other counties and present options next month.

- c. Comments from the audience. Tony Ventura noted he thinks meeting signs should be posted at intersections for more visibility.

7. REPORT OF LINCOLN COUNTY BOARD OF COMMISSIONERS' REPRESENTATION - none

8. NEW BUSINESS

- a. Setting public hearing dates – Toby asked to set the public hearing date for an ordinance amendment to add Neighborhood Utility Facility to the Recreation/Conservation section of the Zoning Ordinance. Consensus was to add it to the June 18th meeting.
- b. Review 2005 – 2025 Lincoln County Comprehensive Plan – Toby asked for volunteers to form a committee to begin review of the Comprehensive Plan. Derausseau, Albers, and Pashby volunteered.

9. ADJOURNMENT

Gillespie motioned to adjourn at 9:35pm, and was seconded by Albers. Motion passed unanimously (6-0).

Respectfully submitted,
Joan Doss
Planner