

CALL TO ORDER

The regular meeting of the Lincoln County Planning Commission was brought to order by Chairman Jongeling at 6:30 p.m. on September 20, 2021.

ROLL CALL

Commissioners Wendi Hogan, Mark Johnson, Erik Scott (via phone), Michael Poppens, and Chairman Jerry Jongeling were present. Toby Brown and Jennifer Cleveland for County Planning were also present.

APPROVAL OF THE MEETING MINUTES

- 1) MOTION by Poppens and seconded by Johnson to approve the regular meeting minutes from August 16, 2021. Yeas: Hogan, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.

APPROVAL OF THE MEETING AGENDA

MOTION by Hogan and seconded Johnson to approve the Meeting Agenda. Yeas: Hogan, Johnson, Scott, Poppens, and Jongeling. Nays: None. Motion carried.

PUBLIC INPUT ON NON-AGENDA ITEMS

Chairman Jongeling opened the floor for public comment. Rhonda Sherman commented that she previously filed a complaint with the Planning Department regarding property owned by Double H Land Company LLC (Parcel ID: 100.50.31.J004) and she was looking for an update regarding her complaint. Chairman Jongeling stated that she could talk to staff after the meeting for an update.

OLD BUSINESS

None.

PUBLIC HEARINGS

- 1) Toby Brown presented a summary of the staff report. Scott Hoffman was present to discuss his application. Commissioner Johnson asked the applicant about the history of the parcel. Mr. Hoffman replied that they bought four lots and this was the last remaining lot. Chairman Jongeling opened the floor for public comment in favor of the application. No public comments were received in favor of the application. Chairman Jongeling opened the floor for public comment against the application. Drew Deneui, 27290 470th Avenue, stated that he felt the lot was too small and questioned why the Hoffman's didn't rezone the property when they owned his property. Kevin Wheeler, 47022 Teri Lane, stated he was against the application because it lacked a concept plan. Kerry Kloiber, 47002 Teri Lane, stated concerns about drainage. Ira Sherman, 47008 Teri Lane, stated he does not want a strip mall across the road; concerns that property values will drop; and feels it would be better to zone the property residential. Terry Mark, 47014 Teri Lane, stated his opposition to the application and stated that the recent SDDOT meeting does not carry any weight in terms of the zoning of the property. Randy Haberer, 47018 Teri Lane, stated his opposition to the application and that residential zoning would be a better fit. DJ Verhey stated he is purchasing property to the north and was speaking in support of Drew and Cathy Denui in their opposition to the application. Toby Brown read a letter submitted by Jerry and Robin Miller who were opposed to the rezone. Hearing no further comments, Chairman Jongeling closed the floor to public comment.
MOTION by Poppens and seconded by Johnson to recommend approval to the Board

of Commissioners. A roll call vote was called by Chairman Jongeling. Yeas: None. Nays: Hogan, Johnson, Scott, Poppens, Jongeling. Recommendation of approval failed.

- 2) Toby Brown presented a summary of the staff report. Eric Willadsen was present on behalf of Bart Roberts. Chairman Jongeling opened the floor for public comment in favor of the application. No public comments were received in favor of the application. Chairman Jongeling opened the floor for public comment against the application. Elroy Bruns, 27593 472nd Avenue, spoke against the application. He stated that there are drainage and flooding issues in the area. Hearing no further comments, Chairman Jongeling closed the floor.

MOTION by Johnson and seconded by Hogan to approve with recommended conditions:

1. The Conditional Use Permit applies only to the construction/use of 6,000 square feet of total accessory building area on the subject property. The Conditional Use Permit only applies to the subject property of 27612 472nd Avenue, being approximately 8 acres in size and legally described as Tract 5, Merkle Addition, N1/2 N1/2 NW1/4, Section 21-T99N-R50W.
2. The building shall be used only by the occupant(s) of the residence for personal storage and as otherwise regulated by the Zoning Ordinance.
3. There shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
4. Appropriate building permits shall be obtained. No additional accessory buildings shall be allowed, based on the total accessory building square footage permitted on the property, without the issuance of a new Conditional Use Permit.

A roll call vote was called by Chairman Jongeling. Yeas: Hogan, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.

- 3) Toby Brown presented a summary of the staff report. Steve Soldwisch was present on behalf of Wiley Real Estate. Commissioner Hogan asked if there was a need for filtering of fumes associated with the paint booth and collection of waste materials. Mr. Soldwisch commented that the materials would be water based and there should be no issues with smells and waste materials will be collected in a dumpster. Chairman Jongeling opened the floor for public comment in favor of the application. No public comments were received in favor of the application. Chairman Jongeling opened the floor for public comment against the application. No public comments were received against the application. Hearing no further comments, Chairman Jongeling closed the floor.

MOTION Poppens and seconded by Johnson to approve with recommended conditions:

1. The Conditional Use Permit applies only to the use/operation of light manufacturing on the subject property. The Conditional Use Permit only applies to the subject property of 27174 470th Avenue, being approximately 2.96 acres in size and legally described as Tract 5A (Ex. Lot H-1), Landmark Industrial Park Addition, SW1/4, Section 30-T100N-R50W.
2. The subject property shall not have unscreened outdoor storage. Any fencing installed shall be completely opaque.
3. There shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.

4. Appropriate building permits shall be obtained.

A roll call vote was called by Chairman Jongeling. Yeas: Hogan, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.

- 4) Toby Brown presented a summary of the staff report. Dennis (DJ) VerHey was present to discuss his application. Chairman Jongeling opened the floor for public comment in favor of the application. Drew Deneui, 27290 470th Avenue, spoke in support of the application. Chairman Jongeling opened the floor for public comment against the application. No public comments were received against the application. Hearing no further comments, Chairman Jongeling closed the floor.

MOTION by Hogan and seconded by Poppens to approve the application with recommended conditions:

1. The Conditional Use Permit applies only to the use/operation of a contractor's shop and storage yard on the subject property. The Conditional Use Permit only applies to the subject property of 27284 470th Avenue, being approximately 2.14 acres in size and legally described as Lot 3, Hoffman's Addition, SW1/4 SW1/4, Section 31-T100N-R50W.

2. The subject property shall not have unscreened outdoor storage. Any fencing installed shall be completely opaque.

3. There shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.

4. Appropriate building permits shall be obtained.

A roll call vote was called by Chairman Jongeling. Yeas: Hogan, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.

NEW BUSINESS

None.

ADJOURNMENT

MOTION by Johnson and seconded by Hogan to adjourn the meeting at 7:48 p.m. Yeas: Hogan, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.