

Meeting (Entity): Planning Commission Regular or Special Meeting: Regular
Date: 09/10/19 Time: 7:00 PM Location: Commission Chambers

STAFF ATTENDANCE: Atkinson

Roll Call: FRENG HANSEN HARPER KLIMISCH MICHAEL SCHULTZ
WILLIAMS HEALY WELCH

APPROVAL OF AGENDA: MOTION BY: Klimisch SECOND BY: Hansen

Motion to approve agenda as posted on door and website.

PLANNING: FRENG HANSEN HARPER KLIMISCH SCHULTZ HEALY WELCH

APPROVAL OF MINUTES: MOTION BY: Healy SECOND BY: Freng

PLANNING: FRENG HANSEN HARPER KLIMISCH SCHULTZ HEALY WELCH

No conflicts of interest.

AGENDA ITEM: Tim Binder

ADDRESS/LEGAL: 3300 W. 8th St., S200' W330' Parcel A NE4 NW4 Exc Lt H-2 S15 T93N R56W

COMMENTS: Conditional use permit – develop multi-family dwellings in the Second-story of a commercial building in a Lakeside Commercial district

PUBLIC COMMENT: Curtis Olivier spoke in support of this project.

MOTION: Move approval of the Tim Binder conditional use permit.

APPROVAL: MOTION BY: Healy SECOND BY: Freng

PLANNING: FRENG HANSEN HARPER KLIMISCH SCHULTZ HEALY WELCH
7-0 motion carried

AGENDA ITEM: Jim Den Herder

ADDRESS/LEGAL: 180 Oak Hills Dr., Lts 9 & 10 Blk 3 Oak Hills, S13 T93N, R57W

COMMENTS: Variance – Reduce minimum lot requirements from 1 acre (40,000 sq. ft.) to .49 acre (21,344 sq. ft.) and increase the accessory structure size 420 square feet

PUBLIC COMMENT: Curtis Olivier spoke in opposition to applicant's request.

John Blackburn, attorney for Curtis Olivier, spoke in opposition to applicant's request.

MOTION: Motion, in accordance with the wishes of the applicant, the variance from 1 acre to .49 acre is to be removed as unnecessary in accordance with Section 1603.

APPROVAL: MOTION BY: Harper SECOND BY: Hansen

PLANNING: FRENG HANSEN HARPER KLIMISCH SCHULTZ HEALY WELCH
Healy and Welch voting nay, motion carries

AGENDA ITEM: Jim Den Herder

ADDRESS/LEGAL: 180 Oak Hills Dr., Lts 9 & 10 Blk 3 Oak Hills, S13 T93N, R57W

COMMENTS: Variance – increase the accessory structure size 420 square feet
John Blackburn spoke in regards to variance requirements per Yankton County
Zoning Ordinances

MOTION: Move for continuance until next month to give the applicant and Mr. Olivier a
Chance to see if they can reach some sort of compromise on something that
would be appropriate for both parties and acceptable for both parties and put this
on the agenda again for next month, October 8, 2019.

APPROVAL: MOTION BY: Klimisch SECOND BY: Schultz
PLANNING: FRENG HANSEN HARPER KLIMISCH SCHULTZ HEALY WELCH
Hansen, Healy and Welch voting nay
4-3 Motion Carries

AGENDA ITEM: Joseph Bruening
ADDRESS/LEGAL: Lt10 Bk1 Timberland Park, S15 T93N R56W
COMMENTS: Variance – Reduce minimum lot requirements from 1 acre (40,000 sq. ft.) to
.29 acres (12, 632 sq. ft.) and reduction of front yard from 30 ft to 13 ft

MOTION: Motion to remove variance for lot size as unnecessary with the approval of the
applicant and cite Section 1603 as the reason

APPROVAL: MOTION BY: Harper SECOND BY: Hansen
PLANNING: FRENG HANSEN HARPER KLIMISCH SCHULTZ HEALY WELCH
Healy and Welch voting nay, 5-2 motion carries

AGENDA ITEM: Joseph Bruening
ADDRESS/LEGAL: Lt10 Bk1 Timberland Park, S15 T93N R56W
COMMENTS: Variance – reduction of front yard from 30 ft to 13 ft

MOTION: Motion to deny variance based on Article 1607 non-conforming structures should
not enlarged upon be expanded or extended

APPROVAL: MOTION BY: Hansen SECOND BY: Healy
PLANNING: FRENG HANSEN HARPER KLIMISCH SCHULTZ HEALY WELCH
7-0 Motion to Deny carries

AGENDA ITEM: Dale James
ADDRESS/LEGAL: Lt 20 Blk 2 Sunrise Add'n S10 T93N R55W
COMMENTS: Variance – Decrease minimum lot size from 2 acres to .69 acres and decrease
the front yard from 100 feet to 50 feet in a Commercial district

MOTION: Motion to remove variance with the okay of the applicant cite Section 1603 as the
reason why it is not needed

APPROVAL: MOTION BY: Harper SECOND BY: Hansen
PLANNING: FRENG HANSEN HARPER KLIMISCH SCHULTZ HEALY WELCH
5-2 Healy and Welch voting nay motion carries

AGENDA ITEM: Dale James
ADDRESS/LEGAL: TBA, Oak St., Lt 20 Blk 2 Sunrise Add'n S10 T93N R55W
COMMENTS: Variance - decrease the front yard from 100 feet to 50 feet in a Commercial district

MOTION: Move approval of the variance for the setback.
Findings of fact: Klimisch – similar to the property to the west. In a commercial district off of main highway and can't be utilized effectively and lot was created prior to zoning.

APPROVAL: MOTION BY: Healy SECOND BY: Freng
PLANNING: FRENG HANSEN HARPER KLIMISCH SCHULTZ HEALY WELCH
7-0 motion carries

AGENDA ITEM: Discussion on zoning ordinance changes
ADDRESS/LEGAL: N/A
COMMENTS: Class F 519: 2, 3, 4, 5, 7F, 8F (660' setback), 9, 10, 11, 12, 13
Class G No CUP
E=200-999 AU
F= 100-299 or 100-199
G=1-99
200 Animals max No CUP required, animals-all unlisted animals = 1 animal unit

MOTION:

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: FRENG HANSEN HARPER KLIMISCH SCHULTZ HEALY WELCH

PUBLIC COMMENT: James DeSaix – wants to present a change to Article 20 – Subdivision Ordinance. Will do so at a later date.

ADJOURN: MOTION: Freng SECOND: Hansen