

The regular meeting of the Lake County Planning Commission was called order at the hour of 08:09 AM in the County Commission Board Room.

ROLL CALL:

Alan Schaefer, Don Bickett, Dan Hansen and Official Mandi Anderson were all present, Aaron Johnson was present & appeared by Zoom Meeting. Roger Albertson and Jody Ackerman were absent but excused.

AGENDA/ADDITIONS:

None.

Motion by Alan Schaefer to approve the agenda. Second by Dan Hansen. M/C All were ayes.

REORGANIZATION:

Official Mandi Anderson asked for nominations for Chairman.

Alan Schaefer nominated Don Bickett. Mandi Anderson called for any additional nominations. There being no further nominations, motion by Alan Schaefer, second by Dan Hansen, for nominations to cease and a unanimous ballot be cast for Don Bickett as 2022 Chairman of the Lake County Board of Planning Commissioners. Motion carried.

Mandi Anderson turned the meeting over to Chairman Don Bickett.

Chair Don Bickett asked for nominations for Vice Chairman.

Dan Hansen nominated Alan Schaefer. Motion by Dan Hansen, second by Don Bickett, for nominations to cease and a unanimous ballot be cast for Alan Schaefer as 2022 Vice Chairman of the Lake County Board of Planning Commissioners. Motion carried.

MINUTES:

Motion by Dan Hansen to approve December 8th minutes sent to them by mail. Second by Aaron Johnson. M/C All were ayes.

OLD/UNFINISHED BUSINESS:

None.

NEW BUSINESS:

CONDITIONAL USE #22-01

Owner/Applicant: Shoenrock Properties LLC John & Melissa Dougan & Chris & Danielle Shoenrock

Property Description: Lot 17 (excluding the East 13" North 25') & All of Lot 18 Block 9 of Chester Village Original Plat,
Chester Township

Zoning Designation: "TD" – Town District (Chester)

Request: Requesting a bar & service business for casino/lottery machine use.

History/Issue(s):

1. The applicant is requesting to open a small video lottery casino business called "Snake Eyes" in an existing main street commercial building. They are proposing 10 or so video lottery machines and to serve beer to players.
 - a. Hoping to capture the residents of Chester, Lake Madison & Brant Lake by offering this casino business and to bring additional profits to the community.
 - b. The State of SD requires a malt beverage license to obtain a lottery license.
 - c. The video lottery machines are acquired and maintained through a vendor.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to proceed with any bar/tavern or service business when located within a Town District.
3. The proposed location seems to be adequate and is convenient for the public to find. No private off-street parking is provided or available for use but the proposed business is located on the corner of two public streets/avenues so it does have public access.
4. They will not be making any exterior additions to the existing structure. They have added a divider wall to the interior to separate this proposed use from the existing storage area. They wish to add a bar area and make other necessary changes/additions to the interior to update and create the casino space.

Opened the hearing to the public.

Dougans and Shoenrocks were present along with their attorney Brendan Reilly.

Chair Don Bickett called for public testimony. Two public members whom were opposed to the application spoke their concerns.

Five total public members present. Keli Anderson the manager of Heff's bar across the road fears this may cause unwanted competition and other businesses might struggle from this bar/casino. Scott Larson, adjacent structure owner, is concerned about mess, noise, parking, building codes and permits.

Chair Don Bickett asked the applicants if they would like to respond to the public comments. Melissa Dougan said that this has been in the works for a couple years now with the Shoenrocks. They had been playing around with ideas of what type of business would draw people to the community and they decided on the casino/bar use. They want nothing but to support the town and be a positive business. John Dougan gave testimony that they wanted a business that would provide extra revenue for their family, for the town and they are not interested in a restaurant or a full bar. They don't even plan on adding bar stool around the bar area. They wanted a business that was going to require little staff to operate.

Closed public hearing.

Action Item: Conditional Use – Bar/Tavern & Service Business

Motion by Aaron Johnson to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Dan Hansen. M/C All were ayes.

- A service business and bar/tavern use are allowable as a conditional use in the TD - Town District under certain conditions.
- There is already an existing bar/tavern with video lottery machines directly across the street in the same district so it would be generally compatible with adjacent properties and other property in the district.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance.
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-03

Owner/Applicant: Shoenrock Properties LLC John & Melissa Dougan & Chris & Danielle Shoenrock

Property Description: Lot 17 (excluding the East 13" North 25') & All of Lot 18 Block 9 of Chester Village Original Plat, Chester Township

Zoning Designation: "TD" – Town District (Chester)

Request: Service Business for a Tanning Salon

History/Issue(s):

1. The applicant is requesting to start a tanning salon business in an existing main street commercial building. Their establishment will provide tanning services along with the retail sale of any products or goods that the general public may use in association with the business.
 - a. It came to my attention that in the past there had already been a tanning salon located within this same building. I was unable to locate any past conditional use approvals for this location. It may have been existing at the time the Town of Chester dissolved and became unincorporated, unknown.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to proceed with any retail and service business when located within a Town District.
3. The proposed location seems to be adequate and is convenient for the public to find. No private off-street parking is provided or available for use but the proposed business is located on the corner of two public streets/avenues so it does have public access.
4. They will not be making any exterior additions to the existing structure. Minor cosmetic updates may be made to the interior.

Action Item: Conditional Use – Retail & Service Business

Motion by Dan Hansen to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Alan Schaefer. M/C All were ayes.

- A service business tanning salon is allowable as a conditional use in the TD - Town District under certain conditions.

- There are other businesses in the town that provide service and its retail to the general public so it would be generally compatible with adjacent properties and other property in the district.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance.
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-02

*Signed the waiver of personal appearance.

Owner/Applicant: Dan Stapleton Properties, LLC

Property Description: Lot 3A Christiansen Sunrise Acres 2nd Addition, SE ¼ of Section 26, Lakeview Township

Zoning Designation: "LP 1" –Lake Park-District 1 (Lake Madison)

Request: The applicant would like to build an attached garage with greater dimensions.

History/Issue(s):

1. The applicant is requesting to build a new home with an oversized attached garage.
 - a) Proposed garage/accessory dimensions requested are 44'x 68' (2,992 sq/ft)
 - b) Home to be built on the northern half of the lot so if he wishes to subdivide the lot into two in the future he may as long as it meets the subdivision and zoning ordinances at that point in time.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building with a taller sidewall height than 12' and greater than 1,200 sq/ft in the "LP 1" District.
3. He meets all setbacks on this lot.
 - a) He is adjacent to a private road easement (front yard) and ordinance regulates that they must have a front yard of no less than 10 feet from the road r-o-w easement.
 - b) Shall not be nearer than 9 feet to any side yard lot line.
 - c) Shall not be nearer than 25' to the rear yard.
 - d) The proposed structure meets the overall height requirement of no taller than 30'.

Action Item: Conditional Use – Oversized attached garage

Motion by Alan Schaefer to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Dan Hansen. M/C All were ayes.

- Oversized attached garages/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- There are other attached oversized garages around the lake so it would be generally compatible with adjacent properties and other property in the district.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

Ordinance Amendment #22-79

Rezoning #22-01

Owner/Applicant: Smith's Cove LLC Dan Lemme, Eric Johnson – Representatives Jesse Morris – DGR Engineering

Property Description: South ½ of Lot 1 & South ½ of Lot 2, excluding the West 100' of the North 584.5' & Lot 10 except Thompson Tract 1 thereof, in Section 6-105-51, Lake County SD.

Current Zoning Description: "A" Agricultural

Request: Petition to Rezone his property to both Lake Park District 1 & 3.

Facts & Finding(s):

1. The applicant has petitioned to rezone the property to allow for individuals to purchase residential lots and/or LP-1 District Conditional Use requests and also an area to allow for LP-3 commercial and/or private storage facilities.
2. Lake County Ordinance requires a landowner to go thru the petition process to rezone and ask the Planning Commission for a recommendation after reviewing the proposal.
3. The lot density and widths meet the Lake County requirements LP-1 & LP-3 District.
4. According to the Comprehensive Land Use Plan this land is in the Area of Development Opportunity which encourages development by utilizing the Lake Madison Sanitary Sewer District. This helps preserve the water quality in the lake's areas.
5. He has notified all adjoining landowners via certified mail of this proposed rezoning request and also the hearing dates/time as required in our Lake County Ordinance.
6. A sign for public notice was placed on the property with the hearing dates and times of the rezoning request.

Opened the hearing to the public.

Dan Lemme was present along with his engineer Jesse Morris.

Chair Don Bickett called for public testimony. Five total public members were present. All spoke about the same types of concerns and questions regarding lake traffic, road traffic, construction traffic, their proposed entrance, proposed campground use, buffer area with trees from other residential lots.

Chair Don Bickett asked the applicants if they would like to respond to the public comments. Dan Lemme stated that a lot of those types of concerns will be addressed during their preliminary plan development plan and that he would be willing and was planning on adding trees for buffer area between the uses and that adds to the appeal of the development. The traffic cannot be helped, this development is located next to public roads and they are for the use of anyone.

Closed public hearing.

Action Item: Rezoning – Ordinance Amendment Request

Motion by Dan Hansen to recommend **granting** the Rezoning request and Ordinance Amendment to the County Commissioners and adopt the facts and finding found in the staff report. Second by Aaron Johnson. M/C All were ayes.

PLATS

A Plat of Lot 2 of Reiff Addition in the SW ¼ of the SW ¼ of Section 27-106-51 of Wentworth Township was presented to the Planning Commission. This plat is located in the "A" District. Subdividing the existing farmstead away from the adjacent farmland. Meets Lake County Regulations and the taxes have been paid in full. Motion by Alan Schaefer to recommend the approval of this plat to the County Commission. Second by Dan Hansen. M/C All were ayes.

A Plat of Block 1, Deragisch Addition in the NE ¼ of Section 18-108-52 in Nunda Township was presented to the Planning Commission. This plat is located in the "A" District. Subdividing the existing farmstead away from the adjacent farmland. Meets Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Alan Schaefer. M/C All were ayes.

A Plat of Tract 2B of Lakes Community Addition in government lot 3, in the SW ¼ of Section 32-106-51 in Wentworth Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Resubdividing the existing golf course lot to add additional land in. Meets Lake County Regulations and the taxes have been paid in full. Motion by Dan Hansen to recommend the approval of this plat to the County Commission. Second by Aaron Johnson. M/C All were ayes.

A Plat Lot 32 in Block 8 of Lakes Community Addition in government lot 7, in Section 32-106-51, Wentworth Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Subdividing a lot for future single family residential development. The taxes have been paid in full. Motion by Alan Schaefer to recommend the approval of this plat to the County Commission. Second by Dan Hansen. M/C All were ayes.

CONTINUE REORGANIZATION:

2022 Meeting dates and times set for the second Wednesday of each month at 8am with the exception that there is not an Agenda to meet for. The 2022 Planning Meeting Calendar was provided in their packets.

Roger Albertson and Jody Ackerman were appointed planning commission members serving as alternates (1st & 2nd Alternate) on the BOA.

At the January 4th Lake County Commissioner's meeting Aaron Johnson was appointed back to our Planning board. He is a County Commissioner serving on our Planning Commissioner Board.

County Commissioners appointed Mark Ferber to fill the planning commissioner's position. We have a full board of 7 members again.

Subcommittee Members: Aaron Johnson, First District member, Shelli Gust & Mandi Anderson.

PUBLIC COMMENT:

None.

Motion by Alan Schafer to adjure the Planning Commission Meeting. Second by Dan Hansen. Chair Don Bickett adjourned the Planning Commission meeting at the hour of 10:04 AM.

The regular meeting of the Lake County Planning Commission was called order at the hour of 08:02 AM in the County Commission Board Room.

ROLL CALL:

Alan Schaefer, Don Bickett, Dan Hansen, Aaron Johnson, Roger Albertson, Jody Ackerman, Mark Ferber and Official Mandi Anderson were all present.

AGENDA/ADDITIONS:

None.

Motion by Aaron Johnson to approve the agenda. Second by Jody Ackerman. M/C All were ayes.

MINUTES:

Motion by Jody Ackerman to approve January 12th minutes sent to them by mail. Second by Aaron Johnson. M/C All were ayes.

OLD/UNFINISHED BUSINESS:

None.

NEW BUSINESS:

CONDITIONAL USE #22-04

*Applicant has waived their right of personal appearance

Owner/Applicant: Rick Odland, Highway 34 Storage, LLC

Property Description: Lots 24 to 26, excluding H-1 Plat, Voiture Subdivision Block 1 of Chautauqua Plat, located in the SW ¼ of Section 15, Lakeview Township

Parcel Number: 06445-00100-26010

Zoning Designation: "LP 3" – Lake Park-District 3 (Lake Madison)

Request: The applicant would like to build an oversized commercial storage facility with greater dimensions.

History/Issue(s):

1. Applicant is requesting to build a 40' x 91' x 16' oversized commercial storage building alongside of his already existing storage buildings. Proposed containing 3,640 sq/ft with a sidewall height of 16'.
 - a. Seven 13' x 40' storage units. Each unit to have a 14' tall steel overhead door.
2. Lake County Ordinance requires that a land owner go through the Conditional Use process to build oversized commercial storage facilities with taller than 14' sidewalls and greater than 4,000 sq/ft in the district as long as it is not detrimental to other uses and is in the general character with the "LP 3" District.
3. Ordinance regulates that they must have a front yard of no less than 20' from the road right-of-way or road easement, 10' rear setback and shall not be nearer than 2' to any side lot line. The maximum height of the structure may not exceed 30' tall. The structure meets all setbacks and overall height regulation.
4. Property was rezoned from Lake Park District -1 to Lake Park District-3 in 2018 (Ordinance Amendment #18-67). The second & third building required a Conditional Use permit, (CU #20-02 & CU 21-03) both of which were approved.

Action Item: Conditional Use – Oversized Commercial Storage Facilities

Motion by Jody Ackerman to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Roger Albertson. M/C All were ayes.

- Oversized private and commercial storage facilities are allowable as a conditional use in the "LP 3" District under certain conditions and it is the opinion of the board that granting this use would not be detrimental to other uses and is in the general character of the other uses in the district.
- There are other oversized private and commercial buildings in the area so it would be generally compatible with adjacent properties and other property in the district
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:

- Entrance and exit to property and proposed structures thereon;
- Off-street parking and loading areas;
- Utilities, refuse, and service areas;
- Signs;
- Required yards and other open space; and
- General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use will not adversely affect the public interest.

PRELIMINARY PLAT & DEVELOPMENT PLAN FOR SOUTHLAKE HOLDINGS, LLC

Property Owner: Jeff Heinemeyer of Southlake Holdings LLC

Applicant: Jeff Heinemeyer

Property Description: GVT LOT 2 EXC TRACT 1 & 2 KILLARNEY ROAD ADD & GVT LOTS 3, 4, 5 NORTH AND EAST OF HWY EXC DEEDED & PLATED all in Lakeview township.

Parcel Number: 06000-10652-36410

Zoning Designation: "LP 1" –Lake Park-District 1

Jeff appeared and presented his preliminary plan for Southlake Estates off of Lake Madison for future potential residential development. Discussion took place with the board and applicant regarding utilities, roads, drainage, elevations, existing trees and native grasses. A concept plan was brought to the county back in 2003 and was approved so this is a continuation of that plan to take it to the next step and begin development. Jeff has spoken to all the utility companies/entities, some neighbors, Nels from the highway dept about the new private road approaches and several others regarding this development. Some concerns were brought up about potential future drainage issues to the north, talk about adding a berm to the existing retention pond to help contain any extra runoff.

Discussion was opened up to the public. No public members were present to testify proponent, opponent or neutral.

Motion by Dan Hansen to recommend the approval of this preliminary plan to the County Commission. Second by Aaron Johnson. M/C All were ayes.

PLATS

A Plat of Tract 1 of Minnaert Addition in the NE ¼ of Section 23-105-52 of Franklin Township was presented to the Planning Commission. This plat is located in the "A" District. Subdividing the existing farmstead away from the adjacent farmland. Meets Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Alan Schaefer. M/C All were ayes.

A Plat Lots 18, 24 & 35 in Block 8 of Lakes Community Addition in the NE ¼ of the SE ¼ and government lot 7, in Section 32-106-51, Wentworth Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Subdividing lots for future single family residential development. The taxes have been paid in full. Motion by Alan Schaefer to recommend the approval of this plat to the County Commission. Second by Roger Albertson. M/C All were ayes.

FINAL DEVELOPMENT PLAN (Phase 1) FOR ZIMMERMANN LANDING

Property Owner: Scully Family Farm, LLP & Marcene E. Scully Trust

Applicant: Steve Van Buskirk – Van Buskirk Companies

Property Description: SW ¼ NW ¼ AND GOV LOTS 1 & 1 EXCEPT WICKLOW HILLS ADDITION SECTION 29, E ½ SW ¼ SECTION 29, LOT 1 EXCEPT THE SOUTH 200' THEROF ZIMMERMANN PARK, A SUBDIVISION OF GOV LOT 2 & GOV LOT 1 EXCEPT SCULLY'S 1ST ADDITION THEREOF, AND EXCEPT SCULLY'S 2ND ADDITION THEREOF, AND THE E ½ NW ¼ SECTION 32 ALL IN WENTWORTH TOWNSHIP, LAKE COUNTY SD.

Parcel Number: 02000-10651-29220 & 02000-10651-29225 & 02000-10651-32210 & 02280-10651-01010

Zoning Designation: "LP 1" –Lake Park-District 1 & "A" – Agricultural District

Steve Van Buskirk appeared on behalf of the development project. He ran through some of the minor alterations made from the preliminary plan that was approved in late 2021 to some drainage areas and spoke about what has all been completed on the property. Extensive grading and tree/shrub removal has been done for Phase 1 area. The existing private driveway from the county road running east/west is temporarily being used for the construction road. This road will be either blocked off or removed once construction is done to prevent the public from driving through but for now will stay open for the development construction phase. Discussion was opened up to the public. No public members were present to testify proponent, opponent or neutral.

Motion by Roger Albertson to recommend the approval of this preliminary plan to the County Commission. Second by Aaron Johnson. M/C All were ayes.

PUBLIC COMMENT:

None.

Motion by Alan Schafer to adjure the Planning Commission Meeting. Second by Dan Hansen. Chair Don Bickett adjourned the Planning Commission meeting at the hour of 9:08 AM.

The regular meeting of the Lake County Planning Commission was called order at the hour of 08:01 AM in the County Commission Board Room.

ROLL CALL:

Don Bickett, Dan Hansen, Aaron Johnson, Roger Albertson, Jody Ackerman, Mark Ferber and Official Mandi Anderson were all present. Alan Schaefer was absent but excused.

AGENDA/ADDITIONS:

None.

Motion by Aaron Johnson to approve the agenda. Second by Jody Ackerman. M/C All were ayes.

MINUTES:

Motion by Dan Hansen to approve February 9th minutes sent to them by mail. Second by Roger Albertson. M/C All were ayes.

OLD/UNFINISHED BUSINESS:

None.

NEW BUSINESS:

CONDITIONAL USE #22-05

*Applicant has waived their right to personal appearance.

Owner/Applicant: Paul & Marilyn Schultz along with contractor: Schwebach Construction, Larry Schwebach

Property Description: Lot 3 Block 6 of Lakes Community Addition in Gvt Lot 6 in the SE ¼ of Section 32-106-51, Wentworth Township

Parcel Number: 02004-00600-00010

Zoning Designation: "LP 1" –Lake Park-District 1 (Round Lake)

Request: The applicant would like to build an attached garage with greater dimensions.

History/Issue(s):

1. The applicant is requesting to build a new home with an oversized attached garage.
 - a) Proposed garage/accessory approximately 1,270 sq/ft.
 - b) Several other oversized attached garages in the immediate area.
 - c) The applicant states the they have approval from the developments homeowner's association for the oversized garage.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building with a taller sidewall height than 12' and greater than 1,200 sq/ft in the "LP 1" District.
3. He meets all setbacks on this lot.
 - a) He is adjacent to a private road easement (front yard) and ordinance regulates that they must have a front yard of no less than 10 feet from the road r-o-w easement.
 - b) Shall not be nearer than 9 feet to any side yard lot line.
 - c) Shall not be nearer than 25' to the rear yard.
 - d) The proposed structure meets the overall height requirement of no taller than 30'.

Action Item – Conditional Use - Oversized attached garage

Motion by Jody Ackerman to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Aaron Johnson. M/C All were ayes.

- Oversized attached garages/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- There are other attached oversized garages around the lake so it would be generally compatible with adjacent properties and other property in the district.
- The structure meets the required minimum setbacks of the lot.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;

- Off-street parking and loading areas;
- Utilities, refuse, and service areas;
- Screening and Buffering;
- Signs;
- Required yards and other open space; and
- General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-07

Owner/Applicant: Nordstrom Investment Co, LLC – Lance Nordstrom

Property Description: Lot 25 Nordstrom's Addition in the NW ¼ of Section 36-106-52

Parcel Number: 06030-00000-02510

Zoning Designation: "C/I" District

Request: The applicant would like to request a seasonal retail stand utilizing a permanent structure.

History/Issue(s):

1. The applicant is requesting to use an existing structure on his property to sell fireworks from June 27th through July 5th each year. In the past he had used this property to sell fireworks out of a temporary tent structure and now he is looking to use a more permanent location for the seasonal business. In the offseason this structure is used for business storage.
 - a) They have already obtained a state retail fireworks license.
 - b) All parking will be located on the off-street private business property.
 - c) They would request to add temporary banners out by the road that will not obstruct view and on the structure for advertisement.
2. Lake County Ordinance requires that a land owner go through the Conditional Use process to request a seasonal retail stand.
 - a) Article XI, Section 1102. CI District, Conditional Use #12. "Conditional Uses in the Ag District except residential dwellings". Article XI, Section 1101. Conditional Uses #23. "Seasonal retail stands – including produce and fireworks – utilizing a permanent structure".

Action Item: Conditional Use – Seasonal Retail Stand for fireworks

Motion by Aaron Johnson to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Roger Albertson. M/C All were ayes.

- Seasonal retail stands are allowable as a conditional use in the "C/I" District under certain conditions and it is the opinion of the board that granting this use would not be detrimental to other uses and is in the general character of the other uses in the district.
- No new structure shall be built or erected, only utilizing the existing structures located on the property and that structure meets the required setbacks of the district.
- There are other seasonal retail stands for firework sales in the immediate area.
- This use would be generally compatible with adjacent properties and other property in the district, the nearest residence is approximately 400 feet away.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance.
- The granting of the conditional use will not adversely affect the public interest.

CONDITIONAL USE #22-08

Owner/Applicant: Lance Nordstrom of Nordstrom Investment Co LLC along with Dan Stapleton

Property Description: NW1/4 NW1/4 Lying NE RR Row Including Govt Lot 1 Lying W. Of Lots 27 & 28 Evergreen Acres & N. Of Tract A & Excluding Avises Addition & Excluding Hemmer Additions & Excluding Nordstrom & Other Deeded & Platted Portions & Lot 3 & SW1/4 SW1/4 all in Sections 25 & 36 of 106-52, Lakeview Township

Parcel Number: 06000-10652-36210 & 06000-10652-25310

Zoning Designation: "LP 1" –Lake Park-District 1 (Lake Madison)

Request: The applicant would like to expand their current private campground to add additional sites.

History/Issue(s):

1. Jacobs Landing Campground currently has and is approved for approx. 56 full RV hook-ups with rural water, sanitary sewer and electricity. Requesting to add an additional 25-35 spots to a total of 81-91 full hook-up sites. There is great demand for additional sites at this current campground.
 - a. Existing campground was initially approved April of 2017, followed by an expansion permit approval in May of 2021. No additional conditions were added at that either time.
 - b. No bathroom or shower house structure requested at this time but there will be an additional picnic shelter in the common area much like the other in the existing campground.
 - c. A gravel road will be added to reach these sites off from the existing campground.
2. Lake County Ordinance requires a landowner to go thru the conditional use process when requesting a private campground when located in the LP -1 District.
3. Lake Madison Sanitary District have been contacted. They have no concerns about this expansion request. This campground is in compliance with state and local regulations.

Discussion with applicant about access to the lake from the public area on Walkers Point to the north. Campground open approximately April 1st to October 31st each year.

Action Item: Conditional Use – Private Campground Expansion

Motion by Dan Hansen to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Mark Ferber. M/C All were ayes.

- Private Parks and Campgrounds are allowable as a conditional use in the LP 1 – Lake Park District 1 under certain conditions.
- There are other private parks and campgrounds around the lake so it would be generally compatible with adjacent properties and other property in the district.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance.
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-06

Owner/Applicant: ZL, Inc. along with Van Buskirk Companies, Steve & Brian

Property Description: A portion of Gvt Lot 1 in the NW ¼ of Section 32 & a portion of Gvt Lot 2 in the SW ¼ of Section 29 & a portion of the East ½ of the SW ¼ of Section 29 all in 106-51, Wentworth Township

Parcel Number: 02000-10651-29220 & 02000-10651-29225 & 02000-10651-32210

Zoning Designation: "LP 1" –Lake Park-District 1 (Lake Madison)

Request: The applicant is requesting a private park and recreation area.

History/Issue(s):

1. Applicant has received the approval for the next stages in their single-family development along the East side of Lake Madison and are starting to plat lots for sale. In addition to their development, they have proposed a private park and recreation area for the homeowners. They have put together a concept plan to include certain off-lake amenities such as:
 - a. Walking trails, beach area, playgrounds, restrooms, ball courts, outdoor gym area, frisbee golf, picnic areas, open green space and off-street parking.

- b. They are also working with SD-GF&P on communal/private dock slips.
2. Lake County Ordinance requires a landowner to go thru the conditional use process when requesting a private park and recreation area when located in the LP -1 District. This request is NOT to include a private campground or RV hookups.
3. This development is proposed to be a gated private community on private roads. They are working on creating an HOA and amenity sharing plans specifically for every property so that they can enjoy the recreational offering if they choose to.

Discussion about boat slips, speed limits, emergency access and swimming area. No campers (RV) are allowed to be used in the Lake Park residential districts unless a campground permit is obtained for a commercial campground. There will be no boat launch.

Discussion was opened up to the public for comments. Questions about and in support of a bike/walking path that would be accessible to the general public and traffic control concerns. Has there been a traffic study done?

Applicant responded with not traffic study and that there are private walking paths in the development but not public paths.

Action Item: Conditional Use – Private Park and Recreation Area

Motion by Aaron Johnson to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Roger Albertson. M/C All were ayes.

- Private Parks and Recreational areas are allowable as a conditional use in the LP 1 – Lake Park District 1 under certain conditions.
- There are other private parks and recreation areas around the lake so it would be generally compatible with adjacent properties and other property in the district.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance.
- The granting of the conditional use would not adversely affect the public interest.

PRELIMINARY PLAT & DEVELOPMENT PLAN FOR SMITH'S COVE

Owner/Applicant: Smith's Cove, LLC, Dan Lemme & Eric Johnson – Representatives. Along with Trent Bruce from DGR Engineering

Property Description: LOT 1 & LOT 2 Excluding the W100' N584.50' & LOT 10 Excluding Thompson Tract #1 in the NE ¼ of Section 6, Chester Township

Zoning Description: "LP-1 & LP-3" Lake Park District-1 & 3 (Long Lake)

Parcel Number: 01000-10551-06115

Eric, Trent & Dan appeared and presented the preliminary plan for Smith's Cove between Lake Madison and Long Lake for future potential single family residential development along with commercial and private storage lots along the east side of the development. Discussion took place with the board and applicant regarding utilities, entrance roads, pond feature and storage building area. The applicants have spoken to some neighbors & Nels from the highway dept about the new private road entrance on the NW side of this development.

Nels Nelson, highway superintendent, voiced his concerns about the proposed location of the entrance off of 238th Street. He recommends moving it farther to the east (approx. 230') but if the applicants can work with the existing entrance to the north (Smith Drive) and move that intersection farther East as well, then he would be in favor of the preliminary plan location they have proposed. Nels provided each commissioner with a photo describing his recommendations.

Discussion was opened up to the public. Several public members made comments in regards to the traffic concerns and the 238th Street private road entrance location. A few comments about recommending bike/walking paths either on public or private land to help filter some of the pedestrians. Neighbors to the South would like the applicants to consider trees to help screen the view of the storage area.

The applicants spoke in favor of some sort of bike/walking path, moving the Smith Trail entrance, adding a stop sign and also adding fire safety for a dry hydrant at the spring fed pond area on the north side of the development. They do meet the SD DOT and county subdivision regulations when it comes to private road entrances so they ask their plan gets approved as is today.

Motion by Mark Ferber to recommend the approval of this preliminary plan/plat to the County Commission and to adopt the facts and findings in the staff report. Second by Roger Albertson. M/C All were ayes.

PLATS

A Plat of Kearin Tract 1 in Outlot 1 in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 3-106-52, Lakeview Township was presented to the Planning Commission. This plat is located in the "A" District. Subdividing the existing farmstead lot to create an additional lot for future single-family residence. Meets Lake County Regulations and the taxes have been paid in full. Motion by Roger Albertson to recommend the approval of this plat to the County Commission. Second by Dan Hansen. M/C All were ayes.

A Plat Lots 1-12 & Tract 1 in Block 1; Lots 1-13 & Tract 1 in Block 2; Lots 1-13 & Tract 1 in Block 3; & Tract 1 of Zimmermann Landing Addition in Government Lot 2 & the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 29 & in Government Lot 1 & the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 32-106-51, Wentworth Township was presented to the Planning Commission. This plat is located in the "LP-1 & "A" District. Subdividing lots for future single family residential development, roads and private park area. The taxes have been paid in full. Motion by Jody Ackerman to recommend the approval of this plat to the County Commission. Second by Dan Hansen. M/C All were ayes.

PUBLIC COMMENT:

Elaine Garry, Vice President of the Lake Madison Development Association, would like the support from the county to add a bike/walking path to areas of the lake community. Says there are several public grants available.

Motion by Jody Ackerman to adjure the Planning Commission Meeting. Second by Dan Hansen. Chair Don Bickett adjourned the Planning Commission meeting at the hour of 10:19 AM.

The regular meeting of the Lake County Planning Commission was called order at the hour of 08:00 AM in the County Commission Board Room.

ROLL CALL:

Alan Schaefer, Don Bickett, Dan Hansen, Aaron Johnson, Roger Albertson, Jody Ackerman, Mark Ferber and Official Mandi Anderson were all present.

AGENDA/ADDITIONS:

None.

Motion by Aaron Johnson to approve the agenda. Second by Jody Ackerman. M/C All were ayes.

MINUTES:

Motion by Aaron Johnson to approve March 9th minutes sent to them by mail. Second by Dan Hansen. M/C All were ayes.

OLD/UNFINISHED BUSINESS:

None.

NEW BUSINESS:

VARIANCE #22-01

Owner/Applicant: Michael & Deann Heinemann

Property Description: Lots 12-13 & SE Diagonal ½ of Lot 14 Krumms Subdivision & the vacated road in the NE ¼ of Section 10-105-51 of Chester Township

Zoning Designation: "LP 1" – Lake Park District (Brant Lake)

Request: The applicant is requesting a Variance from the required rear yard (lake side) setbacks.

History/Issue(s):

1. The applicant is requesting to place a non-living storage shed and covered patio on the lake side adjacent to Brant Lake. Requesting a 10' x 16' single level shed on a concrete pad and a 12' x 16' covered concrete patio below it.
 - a. This area of the lake does have a significant slope to the lots on the lake side. The adjoining neighbor's view does not appear to be impacted due to this significant slope.
2. Where adjoining lots are developed with a setback greater than 25', Lake County Ordinance requires that all structures (except boathouses) in the Lake Park District-1 shall be the average of the setback of the adjoining lots on the rear (lake) side. They shall also be setback a minimum of 25' from the OHWM. If they cannot meet the setbacks, they shall go through the Variance process.
3. They are requesting an approx. 33' variance on the lakeside from the average of the developed lots. The average of the adjoining lots is 55'. They are requesting to build with a proposed setback of 22' from the OHWM with the covered patio.
 - a. They meet all other required (front, sides, height) setbacks.
4. Adjoining neighbors have been contacted and they raise no objections to the proposed project, their signatures were obtained in approval.

Motion by Dan Hansen to recommend approval of the applicant's variance permit to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Alan Schaefer. All were ayes.

The planning commission recommends the following preliminary findings:

- The proposed application is the minimum variance that will make possible the reasonable use of the land, building or structure.
- Granting the variance will be in harmony with the general purpose and intent of the Ordinance.
- The granting of the variance would not be injurious to the neighborhood or otherwise detrimental to the public welfare.
The shed and patio area are below the line of site from the neighbors and the shed meets the required 4' above OHWM.
- That there are extraordinary and exceptional situations and special conditions or circumstances that exist which are peculiar to the land, structure, or building involved. **The topography of this lot.**
- The granting of the variance request would not confer on the applicant special privilege denied to others in the "LP-1" District.
- Conditions particular to the property were not the result of the actions of the applicant and a literal enforcement of the ordinance would result in unnecessary and undue hardship.

- That the non-conforming USE of neighboring lands, structures or buildings in the same district, and no permitted or non-conforming USE of lands, structures, or buildings in other districts **was not** considered grounds for the issuance of this variance.
- The reasons set forth justify the **granting** of the variance.
- Adjoining neighbor and landowners have been notified as per Article V Section 505, Lake County Zoning Ordinance.

CONDITIONAL USE #22-09

*Applicant has waived their right to personal appearance.

Owner/Applicant: Vanheerde Properties, Dean Vanheerde

Property Description: Lot 17 Andie's Addition in Govt Lot 7 of Section 3-105-51 Chester Township

Parcel Number: 01401-10551-03417

Zoning Designation: "LP 1" –Lake Park-District 1 (Brant Lake)

Request: The applicant would like to build an attached garage with greater dimensions.

History/Issue(s):

1. The applicant is requesting to build a shed with living quarters inside with an oversized attached garage space.
 - a) Proposed garage/accessory approximately 1,292 sq/ft with 14' sidewalls.
 - b) Several other oversized attached garages in the immediate area.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building with a taller sidewall height than 12' and greater than 1,200 sq/ft in the "LP 1" District.
3. He meets all setbacks on this lot.
 - a) He is adjacent to a private road easement (front yard) and ordinance regulates that they must have a front yard of no less than 10 feet from the road r-o-w easement.
 - b) Shall not be nearer than 9 feet to any side yard lot line.
 - c) Shall not be nearer than 25' to the rear yard.
 - d) The proposed structure meets the overall height requirement of no taller than 30'.
4. A portion of the structure will be located within the FEMA designated Zone A floodplain but the structure foundation will meet the required minimum elevation and has had an elevation certificate issued to it.

Discussion took place between members about the "living area" within the structure.

Action Item: Conditional Use – Oversized attached garage

Motion by Alan Schaefer to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Aaron Johnson. Dan, Aaron, Roger, Don, Mark and Alan were ayes. Jody was nay. Motion approved.

- Oversized attached garages/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- There are other attached oversized garages around the lake so it would be generally compatible with adjacent properties and other property in the district.
- The structure meets the required minimum setbacks of the lot.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-10

*Applicant has waived their right to personal appearance.

Owner/Applicant: Shane Lien

Property Description: Tract A of Lidel's Addition in Government Lots 2 & 3 of Section 9-105-51 Chester Township

Parcel Number: 01007-10551-09115

Zoning Designation: "LP 1" –Lake Park-District 1 (Brant Lake)

Request: The applicant would like to build an accessory shed with greater dimensions.

History/Issue(s):

1. The applicant recently just purchased a single-family residential lot with a home and other accessory structures and would like to build an oversized shed for his own personal storage.
 - a) Proposed detached shed/accessory is a 40' x 60' with a 12' sidewall, 2,400 sq/ft.
 - b) This property is very large in density and can accommodate the oversized shed on the property.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building with a taller sidewall height than 12' and greater than 1,200 sq/ft in the "LP 1" District.
3. He meets all setbacks on this lot.
 - a) He is adjacent to a private road easement (front yard) and ordinance regulates that they must have a front yard of no less than 10 feet from the road r-o-w easement.
 - b) Shall not be nearer than 2 feet to any side yard lot line.
 - c) Shall not be nearer than 10' to the rear yard.
 - d) The proposed structure meets the overall height requirement of no taller than 30'.

Action Item – Conditional Use - Oversized accessory structure

Motion by Mark Ferber to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Roger Albertson. M/C All were ayes.

- Oversized detached sheds/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- There are other attached oversized detached accessory structures around the lake so it would be generally compatible with adjacent properties and other property in the district.
- The structure meets the required minimum setbacks of the lot.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-11

*Applicant has waived their right to personal appearance.

Owner/Applicant: Mike Brown

Property Description: Lot 4 Block 3 Woodland's 35th Addition in the SE ¼ of Section 22-106-52 Lakeview Township,

Parcel Number: 06035-00300-04010

Zoning Designation: "LP 1" –Lake Park-District 1 (Lake Madison)

Request: The applicant would like to build an attached garage with greater dimensions.

History/Issue(s):

1. The applicant is requesting to build a new home with an oversized attached garage.
 - a) Proposed attached garage/accessory approximately 1,396 sq/ft.
 - b) Several other oversized attached garages in the immediate area.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building with a taller sidewall height than 12' and greater than 1,200 sq/ft in the "LP 1" District.
3. He meets all setbacks on this lot.
 - a) He is adjacent to a private road easement (front yard) and ordinance regulates that they must have a front yard of no less than 10 feet from the road r-o-w easement.
 - b) Shall not be nearer than 9 feet to any side yard lot line.
 - c) Shall not be nearer than 25' to the rear yard.
 - d) The proposed structure meets the overall height requirement of no taller than 30'.

Action Item – Conditional Use - Oversized attached garage

Motion by Aaron Johnson to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Alan Schaefer. M/C All were ayes.

- Oversized attached garages/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- There are other attached oversized garages around the lake so it would be generally compatible with adjacent properties and other property in the district.
- The structure meets the required minimum setbacks of the lot.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-12

*Applicant has waived their right to personal appearance.

Owner/Applicant: Roger & Brenda Roth

Property Description: Lot 2 Nold's 1st Addition in Government Lot 3, Section 36-106-52 Lakeview Township

Parcel Number: 06000-10652-36441

Zoning Designation: "LP 1" –Lake Park-District 1 (Lake Madison)

Request: The applicant would like to build an attached garage with greater dimensions.

History/Issue(s):

1. The applicant is requesting to build a new single family home with an oversized attached garage.
 - a) Proposed attached garage/accessory approximately 1,552 sq/ft with a 14' sidewall.
 - b) The sidewall height does conform to the design of the home.
 - c) Several other oversized attached garages in the immediate area.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building with a taller sidewall height than 12' and greater than 1,200 sq/ft in the "LP 1" District.
3. He meets all setbacks on this lot.
 - a) He is adjacent to a private road easement (front yard) and ordinance regulates that they must have a front yard of no less than 10 feet from the road r-o-w easement.
 - b) Shall not be nearer than 9 feet to any side yard lot line.
 - c) Shall not be nearer than 25' to the rear yard.
 - d) The proposed structure meets the overall height requirement of no taller than 30'.

Action Item – Conditional Use - Oversized attached garage

Motion by Aaron Johnson to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Dan Hansen. M/C All were ayes.

- Oversized attached garages/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- There are other attached oversized garages around the lake so it would be generally compatible with adjacent properties and other property in the district.
- The structure meets the required minimum setbacks of the lot.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;

- Screening and Buffering;
- Signs;
- Required yards and other open space; and
- General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-13

*Applicant has waived their right to personal appearance.

Owner/Applicant: Ryan Arpan & Amy Thrun

Property Description: Lot 8 in Block 1 of Peterson's 2nd Addition in Outlot 3 of Government Lot 2 of the NE ¼ of Section 23-106-52 Lakeview Township

Parcel Number: 06700-00200-08010

Zoning Designation: "LP 1" –Lake Park-District 1 (Lake Madison)

Request: The applicant would like to build an attached garage with greater dimensions.

History/Issue(s):

1. The applicant just recently purchased a lot and is requesting to build a new single-family home with an oversized attached garage.
 - a) Proposed attached garage/accessory approximately 1,493 sq/ft.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building with a taller sidewall height than 12' and greater than 1,200 sq/ft in the "LP 1" District.
3. He meets all setbacks on this lot.
 - a) He is adjacent to a private road easement (front yard) and ordinance regulates that they must have a front yard of no less than 10 feet from the road r-o-w easement.
 - b) Shall not be nearer than 9 feet to any side yard lot line.
 - c) Shall not be nearer than 25' to the rear yard.
 - d) The proposed structure meets the overall height requirement of no taller than 30'.

Action Item – Conditional Use - Oversized attached garage

Motion by Mark Ferber to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Roger Albertson. M/C All were ayes.

- Oversized attached garages/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- There are other attached oversized garages around the lake so it would be generally compatible with adjacent properties and other property in the district.
- The structure meets the required minimum setbacks of the lot.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

PRELIMINARY PLAT & DEVELOPMENT PLAN FOR SMITH'S COVE

Owner/Applicant: Smith's Cove, LLC, Dan Lemme & Eric Johnson – Representatives. Along with Jesse Morris from DGR Engineering

Property Description: LOT 1 & LOT 2 Excluding the W100' N584.50' & LOT 10 Excluding Thompson Tract #1 in the NE ¼ of Section 6, Chester Township

Zoning Description: "LP-1 & LP-3" Lake Park District-1 & 3 (Long Lake)

Parcel Number: 01000-10551-06115

Eric & Jesse appeared and presented a revising of the preliminary plan for Smith's Cove between Lake Madison and Long Lake. They platted out what was the "proposed campground area" on Long Lake into single family development lots. Added approx. an additional 30 residential lots.

Motion by Jody Ackerman to recommend the approval of this revised preliminary plan/plat to the County Commission. Second by Dan Hansen. M/C All were ayes.

PLATS:

A Plat of Tract 1 of Riedel Addition in the SW ¼ of Section 11-107-54 of Concord Township was presented to the Planning Commission. This plat is located in the "A" District. Re-subdividing the existing farmstead by adding in additional land and platting it away from the adjacent farmland. Meets Lake County Regulations and the taxes have been paid in full. Motion by Alan Schaefer to recommend the approval of this plat to the County Commission. Second by Aaron Johnson. M/C All were ayes.

A Plat of Lots 2A & 2B of Doerr's Addition in the SE ¼ of Section 2-106-53, Herman Township was presented to the Planning Commission. This plat is located in the "C/I" District. RE-Subdividing existing commercial lots. The taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Alan Schaefer. M/C All were ayes.

A Plat Lot 3 in Block 8 of Lakes Community Addition in the NE ¼ of Section 32-106-51, Wentworth Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Subdividing a lot for future single family residential development. The taxes have been paid in full. Motion by Alan Schaefer to recommend the approval of this plat to the County Commission. Second by Roger Albertson. M/C All were ayes.

A Plat Lots 20 & 21 in Block 8 of Lakes Community Addition in the NE ¼ of the SE ¼ of Section 32-106-51, Wentworth Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Subdividing lots for future single family residential development. The taxes have been paid in full. Motion by Roger Albertson to recommend the approval of this plat to the County Commission. Second by Mark Ferber. M/C All were ayes.

A Plat Tract 1A & Tract 3B of Lakes Community Addition in the government lot 3, 5, 6 & 7 and the NE ¼ of the SE ¼ and the NE ¼ all of Section 32-106-51, Wentworth Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Re-Subdividing the golf course lot. The taxes have been paid in full. Motion by Mark Ferber to recommend the approval of this plat to the County Commission. Second by Aaron Johnson. M/C All were ayes.

PUBLIC COMMENT:

None.

Motion by Alan Schafer to adjure the Planning Commission Meeting. Second by Roger Albertson. Chair Don Bickett adjourned the Planning Commission meeting at the hour of 9:34 AM.

The regular meeting of the Lake County Planning Commission was called order at the hour of 08:00 AM in the County Commission Board Room.

ROLL CALL:

Alan Schaefer, Aaron Johnson, Roger Albertson, Jody Ackerman, Mark Ferber and Official Mandi Anderson were all present. Don Bickett & Dan Hansen were absent by excused.

Vice- Chair Alan Schaefer conducted the meeting since Chairman Don Bickette was absent.

AGENDA/ADDITIONS:

None.

Motion by Aaron Johnson to approve the agenda. Second by Roger Albertson. M/C All were ayes.

MINUTES:

Motion by Jody Ackerman to approve April 13th minutes sent to them by mail. Second by Aaron Johnson. M/C All were ayes.

OLD/UNFINISHED BUSINESS:

None.

NEW BUSINESS:

CONDITIONAL USE #22-14

*Applicant has waived their right to personal appearance.

Owner/Applicant: Brian & Mary Johnson

Property Description: Lot 4 Nordstrom's Addition in Section 25-106-52, Lakeview Township

Parcel Number: 06030-00000-00410

Zoning Designation: "LP 1" –Lake Park-District 1 (Lake Madison)

Request: The applicant would like to build an attached garage with greater dimensions.

History/Issue(s):

1. The applicant is requesting to build a single-family home with an oversized attached garage/shop space.
 - a) Proposed garage/accessory approximately 120' x 48' (5,760 sq/ft) with 14' sidewalls. Living space 40' x 54'.
 - b) Several other oversized attached garages in the immediate area.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building with a taller sidewall height than 12' and greater than 1,200 sq/ft in the "LP 1" District.
3. He meets all setbacks on this lot.
 - a) He is adjacent to a private road easement (front yard) and ordinance regulates that they must have a front yard of no less than 10 feet from the road r-o-w easement.
 - b) Shall not be nearer than 9 feet to any side yard lot line.
 - c) Shall not be nearer than 25' to the rear yard.
 - d) The proposed structure meets the overall height requirement of no taller than 30'.
4. Applicant was approved for a Conditional Use permit (18-13) back in October of 2018 for a 100'x 48' attached accessory. He postponed his build and now after finding the right contractor decided on this design with the larger attached accessory.

Action Item – Conditional Use - Oversized attached garage

Motion by Mark Ferber to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Roger Albertson. M/C All were ayes.

- Oversized attached garages/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- There are other attached oversized garages around the lake so it would be generally compatible with adjacent properties and other property in the district.
- The structure meets the required minimum setbacks of the lot.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.

- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-15

Owner/Applicant: Pete and Jean Stemper

Property Description: Lot 1 Stemper's 2nd Addition in the W ½ of the NW ¼ of Section 16-106-52, Lakeview Township

Parcel Number: 06123-10652-16220

Zoning Designation: "A" –Agricultural District

Request: The applicant would like to expand their current auto body repair shop.

History/Issue(s):

1. The applicant is requesting to build a mechanical repair and calibration shop. Stemper Auto Body business is located to the south of this proposed location and this will be an expansion of the repair uses he current conducts.
 - a) Requesting to build this structure detached from the current business' structures on the southern property.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to allow for a repair shop for general vehicle and equipment.
3. General requirements for a Repair shop:
 - a) Must have a minimum of 5 acres.
 - b) No abandoned vehicles may be kept on the property;
 - c) No more than 5 vehicles shall be kept outdoors at any one-time pending repair and *shall be fully screened from the road and adjacent properties;*
 - d) All motor vehicle work shall be conducted within an enclosed structure;
 - e) Vehicle repair shall not include the dismantling or wrecking of any motor or the storage of wrecked vehicles;
 - f) All fluids must be stored, disposed or recycled according to state and federal guidelines;
 - g) *Repair shops may have a maximum of three employees;*
 - h) No repair shops will be allowed within 1,000' from the property line to the nearest residence;
 - i) No traffic shall be generated in greater volumes than normally expected in a residential neighborhood;
 - j) Any off-street parking shall be provided on the property and other than located in the required front yard;
 - k) Shall not create noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot.
4. To service this business expansion, the applicant will require to employ more than three employees.
5. Currently there isn't screening from the road or adjacent properties. The property's appearance is highly important and the grounds are well maintained. This business is located within an area with limited visibility from adjacent properties. Screening is not being requested but would be entertained if the board finds this requirement necessary.
6. Applicant meets all setbacks on this lot.
 - a) This lot is a corner lot and is adjacent to public township roads (front yard) and ordinance regulates that they must have a front yard of no less than 75' from the edge of the road r-o-w easement. Structures on all corner lots shall observe two front yards.
 - b) This proposed structure meets the vision clearance on corner lots and does not obstruct the clear view triangle.
 - c) Shall not be nearer than 30' feet to any side yard lot line.
 - d) Shall not be nearer than 50' to the rear yard.
 - e) The proposed structure meets the overall height requirement of no taller than 35'.
7. Lakeview township has been contacted and does not raise any concerns of this proposed conditional use request.

Action Item – Conditional Use - Repair Shop, general vehicle and equipment

Motion by Mark Ferber to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Jody Ackerman. M/C All were ayes.

- We recognize this particular repair shop will more than 3 employees to service this business expansion.

- No screening from the road and adjacent properties is being required at this time due to the location of this business in the "A" District. He keeps the grounds well maintained and the location within the area has limited visibility from adjacent properties.
- Repair shops are allowable as a conditional use in the A- Agricultural District under certain conditions.
- The structure meets the required minimum setbacks of the lot.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-16

*Applicant signed waiver of personal appearance.

Owner/Applicant: Lake Point Properties LLC, Micheal Verley

Property Description: Lot 5A Block 4 Lakes Community Addition in Gvt Lot 5 SW ¼ of Section 32, Wentworth Township

Parcel Number: 02004-00400-05010

Zoning Designation: "LP 1" –Lake Park-District 1 (Round Lake)

Request: The applicant would like to build multi family home.

History/Issue(s):

1. Applicant is requesting to build a fourplex dwelling on an existing lot he owns.
 - a. There are several other multi-family homes in this immediate area. This lot was subdivided in the past with the intentions for a future multi-family home request.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build multi-family dwellings when located in the Lake Park -1 District.
3. The lot meets the schedule of regulations for the minimum density and required square footage for this proposed fourplex home.
4. The proposed structure meets all the required setbacks for a multi-family usage.

Action Item – Conditional Use – Multi-family dwelling

Motion by Aaron Johnson to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Roger Albertson. M/C All were ayes.

- Multi-family homes are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- There are several multi-family homes in this same area of the lake.
- This lot meets the minimum requirements for a multi-family home four plex density.
- The proposed structure meets the required minimum setbacks of the lake park district for multi-family homes.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-17

*Applicant signed waiver of personal appearance.

Owner/Applicant: Lewis and Clark Regional Water System, Representative: Clinton Koehn

Property Description: Madison Reservoir Addition in the S ½ of the SW ¼ of Section 12-106-52, Lakeview Township

Parcel Number: 06079-10652-12320

Zoning Designation: "A" –Agricultural District

Request: The applicant would like to build an essential public utility service structure, elevated tank and related equipment.

History/Issue(s):

1. The applicant is interested in building an elevated rural water tank for public utilities on a parcel platted back in 2016.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build an elevated tank service structure.
3. The proposed structure meets the minimum requirements of the "A" district as far as setbacks and overall height.

Action Item – Conditional Use – Public Utility Service Station

Motion by Jody Ackerman to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Mark Ferber. M/C All were ayes.

- Elevated tanks and related equipment for public utility service stations are allowable as a conditional use in the "A" Agricultural District under certain conditions.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

FINAL PLAT & DEVELOPMENT PLAN FOR PHASE ONE SOUTHLAKE HOLDINGS, LLC

Property Owner: Jeff Heinemeyer of Southlake Holdings LLC

Applicant: Jeff Heinemeyer

Property Description: GVT LOT 2 EXC TRACT 1 & 2 KILLARNEY ROAD ADD & GVT LOTS 3, 4, 5 NORTH AND EAST OF HWY EXC DEEDED & PLATED all in Lakeview township.

Parcel Number: 06000-10652-36410

Zoning Designation: "LP 1" –Lake Park-District 1

Jeff appeared and presented his phase one plan for Southlake Estates off of Lake Madison for future potential residential development. Discussion took place with the board and applicant regarding drainage, existing trees and native grasses. Jeff elaborated on the existing drainage near lots 8-11. Has been speaking with the neighbor across the private road, Chuck Graff, about the drainage concerns.

Discussion was opened up to the public. Chuck Graff appeared and voiced his drainage concerns.

Motion by Aaron Johnson to recommend the approval of this final plan to the County Commission. Second by Roger Albertson. Roger, Aaron, Alan & Mark were ayes. Jody Ackerman was nay. Motion carried.

PRELIMINARY DEVELOPMENT PLAN/PLAT LEE'S ADDITION

Owner/Applicant: Albert Lee Yager, Representatives - Dan Lemme & Eric Johnson & Donna Yager

Property Description: Tract 2B & 3 B. Price Addition in the W /2 of Section 15-106-52, Lakeview Township

Zoning Description: "A" Agricultural District

Parcel Number: 06119-10652-15213 & 06119-10652-15212

Request: Preliminary Development Plan approval for single family residential use and other potential uses of the "A" District.

1. The applicant is requesting to develop The Gravel Pit for future single family residential AG use. They will be reclaiming the 2 phases of the gravel pit and having it released from the conditional use that was approved for these parcels in the past.
2. Both the lot density and widths meet the Lake County requirements for the "A" District.
 - a) Our current Lake County Zoning Ordinance for the "A" allows for only 4 single family dwellings per ¼ - ¼ section of land. This development meets that requirement.
 - b) According to our Comprehensive Land Use map this area allows for lot sizes of at least 5 acre or more excluding the road easements or road r-o-w for single family residences. This land is located over the Zone B Shallow Aquifer Protection Area.
 - c) These lots may have the future potential opportunity to be annexed into the Lake Madison Sanitation District and be placed on their sanitary sewer system.
3. There are two proposed accesses to this development all of which lay along our Lake County Highway 457th Ave.
 - a) Lake County Highway Department has inspected the proposed location and do not have any concerns. The other accesses will need to be removed once the land is in the final development stages.
4. The proposed use of the lands involved are consistent with future residential goals found in the Comprehensive Plan. Does not intrude upon or mix with intensive AG, industrial or commercial uses. Incorporates private streets and general utilities development plans.

No opposition or public comments.

Motion by Roger Albertson to recommend the approval of Lee's Addition preliminary plan/plat to the County Commission. Second by Mark Ferber. M/C All were ayes.

FINAL PLAT & DEVELOPMENT PLAN FOR SMITH'S COVE

Owner/Applicant: Smith's Cove, LLC, Dan Lemme & Eric Johnson – Representatives. Along with Jesse Morris from DGR Engineering
Property Description: LOT 1 & LOT 2 Excluding the W100' N584.50' & LOT 10 Excluding Thompson Tract #1 in the NE ¼ of Section 6, Chester Township

Zoning Description: "LP-1 & LP-3" Lake Park District-1 & 3 (Long Lake)

Parcel Number: 01000-10551-06115

Eric appeared for the final plan of the whole development but seeking approval for Phase One of the plan. Entrances and Exits were approved by the Highway Superintendent. No opposition or public comments.

Motion by Mark Ferber to recommend the approval of this revised preliminary plan/plat to the County Commission. Second by Aaron Johnson. M/C All were ayes.

9:00 A.M. (9:26 A.M.)

Ordinance Amendment #22-80

Rezoning #22-02

Owner/Applicant: Matt & Katie Jeratowski

Property Description: Lot 2B Doerr's Addition in the SE ¼ of Section 2-106-53, Herman Township, Lake County SD.

Current Zoning Description: "C/I" Commercial/Industrial District

Request: Petition to Rezone property to "A" District.

Facts & Finding(s):

1. The applicant has petitioned to rezone the property to allow for their new single-family home to be built on this west half of the business, contractor shop & yard, property.
 - a) Residential dwellings are prohibited within the C/I District.
2. Lake County Ordinance requires a landowner to go thru the petition process to rezone and ask the Planning Commission for a recommendation after reviewing the proposal.
3. The lot density and widths along with the contractor shop setbacks from the side yard all meet the Lake County requirements for both districts.
 - a) The lots have since been resubdivided to accommodate the required setbacks of the C/I District's structure.
4. According to the current Zoning Map, the surrounding properties are all zoned as "A" District. This request would not reflect a "spot zone". There are other immediate single-family residences adjacent to this property.
5. Applicant has notified all adjoining landowners via certified mail of this proposed rezoning request and also the hearing dates/time as required in our Lake County Ordinance.
6. A sign for public notice was placed on the property with the hearing dates and times of the rezoning request.

Discussion took place with the applicants. Entrance and Exit is already existing off the state highway. No opposition or public comments.

Motion by Roger Albertson to recommend the approval of this Ordinance Amendment and Rezoning to the County Commission and adopt the facts and findings found in the staff report. Second by Mark Ferber. M/C All were ayes

A Plat Lots 1 & 2 of Lewis Addition in the Government Lot 7 in Section 22-106-52, Lakeview Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Resubdividing existing single family lots with existing homes, adding additional land into Lot 2. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Jody Ackerman to recommend the approval of this plat to the County Commission. Second by Aaron Johnson. M/C All were ayes.

A Plat of Lots 1A & 1B Elverud Addition in the NE ¼ of Section 2-108-51, Summit Township was presented to the Planning Commission. This plat is located in the "A" District. RE-Subdividing an existing farmstead of the adjacent pasture land into two conforming lots. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Mark Ferber to recommend the approval of this plat to the County Commission. Second by Aaron Johnson. M/C All were ayes.

A Plat of Tract 1 of Maher Addition in the government lot 1 in Section 30-108-51, Summit Township was presented to the Planning Commission. This plat is located in the "A" District. Subdividing the existing farmstead away from the adjacent farmland. This plat meets the Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Roger Albertson. M/C All were ayes.

A Plat Lot 12 in Block 1 of Peterson's 2nd Addition in Outlot 3 of Government Lot 2 in the NE ¼ of Section 23-106-52, Lakeview Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Subdividing a lot for future single family residential development. This plat meets Lake County's Regulations and the taxes have been paid in full. Motion by Jody Ackerman to recommend the approval of this plat to the County Commission. Second by Aaron Johnson. M/C All were ayes.

PUBLIC COMMENT:

None.

Motion by Mark Ferber to adjure the Planning Commission Meeting. Second by Jody Ackerman. Vice-chair Alan Schaefer adjourned the Planning Commission meeting at the hour of 9:53 AM.

The regular meeting of the Lake County Planning Commission was called order at the hour of 08:00 AM in the County Commission Board Room.

ROLL CALL:

Don Bickett, Dan Hansen, Alan Schaefer, Aaron Johnson, Roger Albertson, Jody Ackerman, Mark Ferber and Official Mandi Anderson were all present.

AGENDA/ADDITIONS:

None.

Motion by Jody Ackerman to approve the agenda. Second by Alan Schaefer. M/C All were ayes.

MINUTES:

Motion by Roger Albertson to approve May 11th minutes sent to them by mail. Second by Aaron Johnson. M/C All were ayes.

OLD/UNFINISHED BUSINESS:

None.

NEW BUSINESS:

FINAL PHASE ONE DEVELOPMENT PLAN LEE'S ADDITION

Owner/Applicant: Albert Lee Yager, Representatives - Eric Johnson & Donna Yager

Property Description: Tract 2B Price Addition in the W 1/2 of Section 15-106-52, Lakeview Township

Zoning Description: "A" Agricultural District

Parcel Number: 06119-106552-15212

Request: To "The Gravel Pit" for future single family residential AG use. Phase one only at this time.

No opposition or public comments.

Motion by Alan Schaefer to recommend the approval of Lee's Addition preliminary plan/plat to the County Commission.

Second by Aaron Johnson. M/C All were ayes.

A Plat Lots 1-18 in Block 1; Lots 1, 2, and 12 in Block 2; Lots 1, 11, 12, and 19 in Block 3; Lots 1, 6, 7 and 12 in Block 4; Lots 1, and 6-12 in Block 5; and Lots 1-25 in Block 6 Smith's Cove Addition in the NE ¼ of Section 6-105-51, Chester Township was presented to the Planning Commission. This plat is located in the "LP-1" & "LP-3" District. Subdividing lots for single-family residential use and oversized storage facilities. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Mark Ferber. M/C All were ayes.

A Plat of Lots 5-11 in Block 3 of Southlake Estates Addition in Government Lots 3 & 5 in Section 36-106-52, Lakeview Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Subdividing lots for future single-family residential development. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Roger Albertson to recommend the approval of this plat to the County Commission. Second by Aaron Johnson. M/C All were ayes.

A Plat of Tract 1, 2 & 3 of Holida's Addition in the SW ¼ of Section 13-105-51, Chester Township was presented to the Planning Commission. This plat is located in the "A" District. Subdividing the existing farmstead away from the adjacent farmland. This plat meets the Lake County Regulations and the taxes have been paid in full. Motion by Jody Ackerman to recommend the approval of this plat to the County Commission. Second by Dan Hansen. M/C All were ayes.

A Plat Lot 11A in Block 8 of Lakes Community Addition in the NE ¼ of the SE ¼ and the NE ¼ of Section 32-106-51, Wentworth Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Subdividing a lot for future single family residential development. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Mark Ferber. M/C All were ayes.

A Plat Lot 4 in Block 6 of Lakes Community Addition in Government Lot 6 in the SE ¼ of Section 32-106-51, Wentworth Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Subdividing lots for future single family

residential development. This plat meets the Lake County Regulations and the taxes have been paid in full. Motion by Alan Schaefer to recommend the approval of this plat to the County Commission. Second by Dan Hansen. M/C All were ayes.

Planning Commissioner Resignation: Mark Ferber will be resigning early as he is moving out of state.

PUBLIC COMMENT:

None.

Motion by Jody Ackerman to adjure the Planning Commission Meeting. Second by Mark Ferber. Chair Don Bickett adjourned the Planning Commission meeting at the hour of 8:35 AM.

The regular meeting of the Lake County Planning Commission was called order at the hour of 08:02 AM in the County Commission Board Room.

ROLL CALL:

Don Bickett, Dan Hansen, Alan Schaefer, Aaron Johnson, Roger Albertson, Jody Ackerman and Official Mandi Anderson were all present.

AGENDA/ADDITIONS:

None.

Motion by Aaron Johnson to approve the agenda. Second by Alan Schaefer. M/C All were ayes.

MINUTES:

Motion by Roger Albertson to approve June 8th minutes sent to them by mail. Second by Jody Ackerman. M/C All were ayes.

OLD/UNFINISHED BUSINESS:

None.

NEW BUSINESS:

CONDITIONAL USE #22-19

*Applicant has waived their right of personal appearance

Owner/Applicant: TAPA Spokane LLC - Tom Andersen

Contractor: Northern Sky Builders, Inc – Will Heltzel

Property Description: Lots 10 & 11 of J. Heinemeyer's 5th Addition in Gov Lot 4 & 5 of Section 36-106-52, Lakeview Township

Parcel Number: 06011-00500-10010 & 06044-00500-11010

Zoning Designation: "LP 3" – Lake Park-District 3 (Lake Madison)

Request: The applicant would like to build an oversized commercial storage facility with greater dimensions.

History/Issue(s):

1. Applicant is requesting to build a 40' x 50' x 16' oversized private storage building.
 - a. Proposed containing 2,000 sq/ft with a sidewall height of 16'.
2. Lake County Ordinance requires that a land owner go through the Conditional Use process to build oversized commercial storage facilities with taller than 14' sidewalls and/or greater than 4,000 sq/ft in the district as long as it is not detrimental to other uses and is in the general character with the "LP 3" District.
3. Ordinance regulates that they must have a front yard of no less than 20' from the road right-of-way or road easement, 10' rear setback and shall not be nearer than 2' to any side lot line. The maximum height of the structure may not exceed 30' tall. The structure meets all setbacks and overall height regulation.

Action Item – Conditional Use – Oversized Commercial Storage Facilities

Motion by Alan Schaefer to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Aaron Johnson. M/C All were ayes.

- Oversized private and commercial storage facilities are allowable as a conditional use in the "LP 3" District under certain conditions and it is the opinion of the board that granting this use would not be detrimental to other uses and is in the general character of the other uses in the district.
- There are other oversized private and commercial buildings in the area so it would be generally compatible with adjacent properties and other property in the district
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Signs;
 - Required yards and other open space; and

- General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use will not adversely affect the public interest.

CONDITIONAL USE #22-20

*Applicant has waived their right of personal appearance

Owner/Applicant: TAPA Spokane LLC - Tom Andersen

Contractor: Northern Sky Builders, Inc – Will Heltzel

Property Description: Lots 7, 8 & 9 of J. Heinemeyer's 5th Addition in Gov Lot 4 & 5 of Section 36-106-52, Lakeview Township

Parcel Number: 06011-00500-07010 & 06044-00500-08010 & 06044-00500-09010

Zoning Designation: "LP 3" – Lake Park-District 3 (Lake Madison)

Request: The applicant would like to build an oversized commercial storage facility with greater dimensions.

History/Issue(s):

1. Applicant is requesting to build a 54' X 68' x 16' oversized private storage building.
 - b. Proposed containing 3,672 sq/ft with a sidewall height of 16'.
2. Lake County Ordinance requires that a land owner go through the Conditional Use process to build oversized commercial storage facilities with taller than 14' sidewalls and/or greater than 4,000 sq/ft in the district as long as it is not detrimental to other uses and is in the general character with the "LP 3" District.
3. Ordinance regulates that they must have a front yard of no less than 20' from the road right-of-way or road easement, 10' rear setback and shall not be nearer than 2' to any side lot line. The maximum height of the structure may not exceed 30' tall. The structure meets all setbacks and overall height regulation.

Action Item – Conditional Use – Oversized Commercial Storage Facilities

Motion by Aaron Johnson to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Roger Albertson. M/C All were ayes.

- Oversized private and commercial storage facilities are allowable as a conditional use in the "LP 3" District under certain conditions and it is the opinion of the board that granting this use would not be detrimental to other uses and is in the general character of the other uses in the district.
- There are other oversized private and commercial buildings in the area so it would be generally compatible with adjacent properties and other property in the district
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use will not adversely affect the public interest.

PRELIMINARY DEVELOPMENT PLAN/PLAT ST CLAIR ADDITION

Owner/Applicant: Edith St Clair Trust, Peggy Jensen – Representative IMEG Engineering – Shane Waterman

Property Description: Tract 1's in Government Lots 3, 4, & 5 in Section 5-105-51

Zoning Description: "LP-1" Lake Park District 1

Parcel Number: 01440-10551-10040 & 01440-10551-10010

Request: Preliminary Development Plan approval for single family residential use and other potential uses of the "LP-1 District and potential future rezoning request for additional LP-3 Storage area.

1. Both the lot density and widths meet the Lake County requirements for the "LP-1" District.
2. There are two proposed accesses to this development all of which lay along our Lake County Highway 464th Ave. One private road is already existing and is named South Shore Drive. And the other is to the North directly across from the existing driveway on the East side of the highway.
 - a) Lake County Highway Department has approved the new proposed location and did not have any concerns when we looked at plans last year.

3. The proposed use of the lands involved are consistent with future residential goals found in the Comprehensive Plan. Does not intrude upon or mix with intensive AG, industrial or commercial uses. Incorporates private streets and general utilities development plans.

Planning Board comments and concerns: Drainage, outlet from detention pond, snow removal and melt, road maintenance, new location of private road entrance, dead end roads in development, fencing around the detention pond and odor/weed/mosquito control.

Public comments and concerns: Spawn Circle landowners are concerned with additional drainage, flooding concerns, spring snow melt and run off, mobile homes allowed or not, additional storage facilities and their drainage and the potential of a culvert under S Shore Drive.

Motion by Aaron Johnson to recommend the approval of St Clair's Addition preliminary plan/plat to the County Commission with the added recommendation of additional details on drainage, flood mitigation, detention pond and outlet and consider adding turn arounds on the dead-end streets. Second by Dan Hansen. M/C All were ayes.

A Plat of Lot 7, 8 & 9 in Block 1 of Lee's Addition in the W 1/2 of Section 15-106-52, Lakeview Township was presented to the Planning Commission. This plat is located in the "A" District. Subdividing lots for future single-family development. This plat meets the Lake County Regulations and the taxes have been paid in full. Motion by Jody Ackerman to recommend the approval of this plat to the County Commission. Second by Dan Hansen. M/C All were ayes.

A Plat Lot 2B of Block 2A of Lakes Community Addition in government lot 6 in the S ½ of Section 32-106-51, Wentworth Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Re-subdividing a lot for future parking lot area for the motel. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Jody Ackerman to recommend the approval of this plat to the County Commission. Second by Alan Schaefer. M/C All were ayes.

PUBLIC COMMENT:

None.

Motion by Jody Ackerman to adjure the Planning Commission Meeting. Second by Dan Hansen. Chair Don Bickett adjourned the Planning Commission meeting at the hour of 9:32 AM.

The regular meeting of the Lake County Planning Commission was called order at the hour of 08:00 AM in the County Commission Board Room.

ROLL CALL:

Don Bickett, Dan Hansen, Alan Schaefer, Aaron Johnson, Jody Ackerman and Official Mandi Anderson were all present. Roger Albertson was excused.

AGENDA/ADDITIONS:

None.

Motion by Aaron Johnson to approve the agenda. Second by Alan Schaefer. M/C All were ayes.

MINUTES:

Motion by Alan Schaefer to approve July 13th minutes sent to them by mail. Second by Dan Hansen. M/C All were ayes.

OLD/UNFINISHED BUSINESS:

None.

NEW BUSINESS:

VARIANCE #22-02

Owner/Applicant: Marvin & Roseann Brinkman

Property Description: SW ¼ of Section 28-107-54, Concord Township

Parcel Number: 15000-10754-28310

Zoning Designation: "A" Agricultural District

Request: The applicant is requesting a Variance from the minimum required front yard setback.

History/Issue(s):

1. The applicant is requesting to build a personal storage shed on his existing farmstead to replace several smaller sheds and lean-to on the property after they were destroyed from the May 2022 storm.
2. The depth of the front yard shall not be less than 75' from the road right-of-way and in no case shall an accessory building be located or extended into the front yard. If they cannot meet the setbacks, they shall go through the Variance process.
3. They have two options and are requesting between an approx. 40-20' variance on the road side from the right-of-way. The setbacks being either a 35' or 55' setback from the right-of-way.
 - a. They meet all other required (sides, rear, height) setbacks.
4. Most of the adjoining neighbors have been contacted and they raise no objections to the proposed project, their signatures were obtained in approval. Two neighbors were mailed certified letters.
5. Motion by Aaron Johnson to recommend approval of the applicant's variance permit to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Dan Hansen. All were ayes.

The planning commission recommends the following preliminary findings:

- The proposed application is the minimum variance that will make possible the reasonable use of the land, building or structure.
- Granting the variance will be in harmony with the general purpose and intent of the Ordinance.
- The granting of the variance would not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- That there are extraordinary and exceptional situations and special conditions or circumstances that exist which are peculiar to the land, structure, or building involved. Low traffic density AG township road, Minimum request possible with existing conditions, low grade unsuitable soil on the rest of the property, existing drainage areas, already existing structures on the property that currently do not meet the setback and allows him to keep the current location of the existing water source.
- The granting of the variance request would not confer on the applicant special privilege denied to others in the "A" District.
- Conditions particular to the property were not the result of the actions of the applicant and a literal enforcement of the ordinance would result in unnecessary and undue hardship.
- That the non-conforming USE of neighboring lands, structures or buildings in the same district, and no permitted or non-conforming USE of lands, structures, or buildings in other districts was not considered grounds for the issuance of this variance.

- The reasons set forth justify the **granting** of the variance.
- Adjoining neighbor and landowners have been notified as per Article V Section 505, Lake County Zoning Ordinance.

No proponents or opponents present.

Discussion took place about the existing farmstead conditions, the low traffic density on this road, the low grade of land towards the north the east, utility locations and the existing location of some of the structures that are already within the required setback.

CONDITIONAL USE #22-21

Owner/Applicant: A.H. Meyer and Son's Inc. Representative: Melissa Shipley

Property Description: Lots 9-12 Block 5 Original Plat to the town of Winfred Section 7-106-54, Winfred Township

Zoning Designation: "TD" – Town District (Winfred)

Request: Requesting a service business for their beeswax rendering office space use.

History/Issue(s):

1. The applicant is requesting a temporary and permanent office space building for their small-town bee business.
 - a. The current office space was damaged/destroyed during the May 2022 storm.
 - b. A temporary office pod is being requested for immediate use until the permanent office space would be constructed to the east of this pod on the same lot.
 - c. The pod will then be removed once the permanent office space is completed.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to proceed with any service business when located within a Town District.
3. The front, side and rear yard setbacks shall be determined by the BOA after recommendation from the Planning Commission. Also, the off-street parking needs, utilities, type of business and need for screening.
 - a. The proposed setbacks for the temporary structure are for the temporary office pod to sit approx. 5' off the lot line on the west side.
 - b. The proposed setback for the permanent structure is requested at 15' from both the west and south lot lines on a corner lot.
 - c. The proposed location seems to be adequate and is convenient for the public to find. The lot is currently vacant but was once used for a business. The lot use is zoned for Manufacturing/Residential. Off-street parking will be provided or available for use but the proposed business is located on the corner of two public streets/avenues so it does have public access.

Action Item – Conditional Use – Temporary and Permanent Office Space for Service Business

Motion by Dan Hansen to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Alan Schaefer. M/C All were ayes.

- A service business for office space use is allowable as a conditional use in the TD - Town District under certain conditions.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance.
- The granting of the conditional use would not adversely affect the public interest.

No proponents or opponents present.

Discussion took place about the business and location of the current main street setbacks and uses and parking areas.

A Plat of Lot 18 Block 1 Peterson's 2nd Addition in Outlot 3 of Government Lot 2 NE ¼ of Section 23-106-52, Lakeview Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Subdividing Block 1 for a lot for future single family residential development. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Jody Ackerman. M/C All were ayes.

A Plat of Lot 1 Bourne Addition in Government Lot 3 NE ¼ of Section 36-106-52, Lakeview Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Re-subdividing a lot into 2 lots. This plat meets Lake County Regulations and

the taxes have been paid in full. Motion by Dan Hansen to recommend the approval of this plat to the County Commission. Second by Alan Schaefer. M/C All were ayes.

A Plat pf Lots 2C & 3A in Block 2A of Lakes Community Addition in government lot 6 in the S ½ of Section 32-106-51, Wentworth Township was presented to the Planning Commission. This plat is located in the “LP-1” District. Re-subdividing a lot and dividing it into the two adjacent neighboring lots. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Jody Ackerman. M/C All were ayes.

A Plat of Lot 1A of Henry Laun Addition in SE ¼ of Section 35-105-52, Franklin Township was presented to the Planning Commission. This plat is located in the “A” District. Adding additional land into the existing farmstead lot. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Jody Ackerman to recommend the approval of this plat to the County Commission. Second by Alan Schaefer. M/C All were ayes.

A Plat of Tract 1 of Terwilliger Addition in NE ¼ of Section 17-106-54, Winfred Township was presented to the Planning Commission. This plat is located in the “A” District. Subdividing the existing farmstead away from the adjacent farmland. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Dan Hansen. M/C All were ayes.

PUBLIC COMMENT:

None.

Motion by Aaron Johnson to adjure the Planning Commission Meeting. Second by Jody Ackerman. Chair Don Bickett adjourned the Planning Commission meeting at the hour of 9:12 AM.

The regular meeting of the Lake County Planning Commission was called order at the hour of 08:00 AM in the County Commission Board Room.

ROLL CALL:

Don Bickett, Dan Hansen, Alan Schaefer, Aaron Johnson, Jody Ackerman, Roger Albertson and Official Mandi Anderson were all present.

AGENDA/ADDITIONS:

None.

Motion by Aaron Johnson to approve the agenda. Second by Roger Albertson. M/C All were ayes.

MINUTES:

Motion by Alan Schaefer to approve August 10th minutes sent to them by mail. Second by Jody Ackerman. M/C All were ayes.

OLD/UNFINISHED BUSINESS:

None.

NEW BUSINESS:

CONDITIONAL USE #22-22

*Applicant has waived their right to personal appearance.

Owner/Applicant: Steve & Lisa Jervik

Property Description: Lot B Lakeview Drive Third Addition, NE ¼ of Section 23-106-52, Lakeview Township,

Parcel Number: 06285-10652-03010

Zoning Designation: "LP 1" –Lake Park-District 1 (Lake Madison)

Request: The applicant would like to build an attached garage with greater dimensions.

History/Issue(s):

1. The applicant is requesting to build a new home with an oversized attached garage.
 - a) Proposed attached garage/accessory approximately 1,640 sq/ft.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building with a taller sidewall height than 12' and greater than 1,200 sq/ft in the "LP 1" District.
3. He meets all setbacks on this lot.
 - a) He is adjacent to a private road easement (front yard) and ordinance regulates that they must have a front yard of no less than 10 feet from the road r-o-w easement.
 - b) Shall not be nearer than 9 feet to any side yard lot line.
 - c) Shall not be nearer than 25' to the rear yard.
 - d) The proposed structure meets the overall height requirement of no taller than 30'.

Action Item – Conditional Use – Oversized attached garage

Motion by Aaron Johnson to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Dan Hansen. M/C All were ayes.

- Oversized attached garages/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- There are other attached oversized garages around the lake so it would be generally compatible with adjacent properties and other property in the district.
- The structure meets the required minimum setbacks of the lot.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;

- Screening and Buffering;
- Signs;
- Required yards and other open space; and
- General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-23

*Applicant has waived their right to personal appearance.

Owner/Applicant: Todd & Denise Bothwell

Property Description: Lot 2 B & P Acres Addition in the NE ¼ of Section 5-105-51, Chester Township

Parcel Number: 01014-01101-00027

Zoning Designation: “LP 1” –Lake Park-District 1 (Round Lake)

Request: The applicant would like to build an attached garage with greater dimensions.

History/Issue(s):

1. The applicant is requesting to build a new home with an oversized attached garage.
 - a) Proposed attached garage/accessory approximately 2,000 sq/ft.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building with a taller sidewall height than 12’ and greater than 1,200 sq/ft in the “LP 1” District.
3. He meets all setbacks on this lot.
 - a) He is adjacent to a private road easement (front yard) and ordinance regulates that they must have a front yard of no less than 10 feet from the road r-o-w easement.
 - b) Shall not be nearer than 9 feet to any side yard lot line.
 - c) Shall not be nearer than 25’ to the rear yard.
 - d) The proposed structure meets the overall height requirement of no taller than 30’.

Action Item – Conditional Use – Oversized attached garage

Motion by Alan Schaefer to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Roger Albertson. M/C All were ayes.

- Oversized attached garages/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- There are other attached oversized garages around the lake so it would be generally compatible with adjacent properties and other property in the district.
- The structure meets the required minimum setbacks of the lot.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-24

*Applicant has waived their right to personal appearance.

Owner/Applicant: Kyle & Cassaundra Brunick

Property Description: Lot 9 Christiansen’s Sunrise Acres 2nd Addition, SE ¼ of Section 26-106-52, Lakeview Township

Parcel Number: 06055-00200-09010

Zoning Designation: “LP 1” –Lake Park-District 1 (Lake Madison)

Request: The applicant would like to build an unattached garage with greater dimensions.

History/Issue(s):

1. The applicant is requesting to build an oversized unattached garage.
 - a) Proposed unattached garage/accessory approximately 36’x36’x10’, 1,296 sq/ft.

2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building with a taller sidewall height than 12' and greater than 1,200 sq/ft in the "LP 1" District.
3. He meets all setbacks on this lot.
 - a) He is adjacent to a private road easement (front yard) and ordinance regulates that they must have a front yard of no less than 10 feet from the road r-o-w easement.
 - b) Shall not be nearer than 9 feet to any side yard lot line.
 - c) Shall not be nearer than 10' to the rear yard.
 - d) The proposed structure meets the overall height requirement of no taller than 30'.

Action Item – Conditional Use – Oversized unattached garage

Motion by Dan Hansen to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Aaron Johnson. M/C All were ayes.

- Oversized unattached garages/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- There are other unattached oversized garages around the lake so it would be generally compatible with adjacent properties and other property in the district.
- The structure meets the required minimum setbacks of the lot.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-25

Owner/Applicant: Tom & Arla Baumberger along with Dakota Environmental and son Justin Baumberger

Property Description: NW ¼ of Section 18-106-51, Wentworth Township

Parcel Number: 02000-10651-18210

Zoning Designation: "A" Agricultural District

Request: The applicant would like to request a conditional use for a Class C CAFO, for both nursery and finishing swine.

History/Issue(s):

1. They are requesting to expand their current Class E operation for swine to a Class C. The existing barns were destroyed by the May 2022 storm and housed up to 500 nursery swine and 1,000 finishing swine. Which is a total of 450 animal units.
2. Proposing a new facility consisting of up to 1,100 head of nursery swine and a facility consisting of up to 2,200 head of finishing swine.
 - a. Lake County Ordinance allows for a Class C to range from 500-999 animal units.
3. Lake County Ordinance requires a landowner to go thru the conditional use process in the agricultural district.
4. Their proposed CAFO is in conformance with Lake County Zoning Ordinance for a Class C.
 - a. There is no concern for the proposed barn to be a potential pollution hazard due to its location. The proposed structure would meet all required minimum setback and separation distances. This barn is not located in a shallow aquifer, designated wellhead protection area or the 100-year floodplain. No drainage will contribute directly into a creek, stream or lake;
 - b. The barn will be located at least 150' off the township road r-o-w and a site plan has been provided;
 - c. Soil reports have been provided;
 - d. They planning to using the existing private well as their source of water supply.
5. This operation is located off of the Wentworth township road and they have been contacted. I have not heard any objections to the conditional use request and did receive an email from the township supervisor.

Action Item – Conditional Use – Class C CAFO

Motion by Roger Albertson to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Dan Hansen. M/C All were ayes.

- CAFO's are allowable as a CU in the Agricultural District under certain conditions and this request would not be injurious to the neighborhood or detrimental to the public welfare.
- The granting of the conditional use would not adversely affect the public interest.
- There are other existing CAFO operations in the area so it would be generally compatible with adjacent properties and other property in the district.
- They have provided all the required information for a Class C CAFO permit.
- Township have not objected to the Conditional Use request.
- Meets all the Lake County required minimum setback and separation distances.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance

PLATS:

A Plat of Lots 1 & 2 Wingen's Addition in the NE ¼ of Section 22-106-52, Lakeview Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Re-subdividing lots into the two conforming lots and adding in the vacated private road. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Alan Schaefer. M/C All were ayes.

A Plat of Lots 1, 2, 3, 4, 5 & 6 in Tract 3 Colton Park Siding South Addition in Section 31-106-51, Wentworth Township was presented to the Planning Commission. This plat is located in the "LP-3" District. Subdividing this lot for future oversized commercial and/or private storage facilities. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Alan Schaefer. M/C All were ayes.

A Plat of Tracts 1 & 2 of Kriens Addition in SW ¼ of Section 13-105-51, Chester Township was presented to the Planning Commission. This plat is located in the "A" District. Subdividing the existing farmstead away from the adjacent pasture area. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Jody Ackerman to recommend the approval of this plat to the County Commission. Second by Dan Hansen. M/C All were ayes.

PUBLIC COMMENT:

None.

Motion by Aaron Johnson to adjure the Planning Commission Meeting. Second by Jody Ackerman. Chair Don Bickett adjourned the Planning Commission meeting at the hour of 8:50 AM.

The regular meeting of the Lake County Planning Commission was called order at the hour of 08:00 AM in the County Commission Board Room.

ROLL CALL:

Don Bickett, Dan Hansen, Alan Schaefer, Aaron Johnson, Roger Albertson and Official Mandi Anderson were all present. Jody Ackerman was absent but excused.

AGENDA/ADDITIONS:

None.

Motion by Aaron Johnson to approve the agenda. Second by Alan Schaefer. M/C All were ayes.

MINUTES:

Motion by Roger Albertson to approve August 10th minutes sent to them by mail. Second by Aaron Johnson. M/C All were ayes.

OLD/UNFINISHED BUSINESS:

None.

NEW BUSINESS:

PLATS:

A Plat of Lot 1 Janssen's Addition in the SW ¼ of Section 11-105-53, Orland Township was presented to the Planning Commission. This plat is located in the "A" District. Subdividing the existing farmstead away from the adjacent farmland. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Alan Schaefer. M/C All were ayes.

A Plat of Lot 1 Chester School Addition in the E ½ NE ¼ of Section 15-105-51, Chester Township was presented to the Planning Commission. This plat is located in the "A" District. Subdividing a lot for future potential school yard expansion. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Alan Schaefer to recommend the approval of this plat to the County Commission. Second by Aaron Johnson. M/C All were ayes.

PUBLIC COMMENT:

None.

Motion by Alan Schaefer to adjure the Planning Commission Meeting. Second by Aaron Johnson. Chair Don Bickett adjourned the Planning Commission meeting at the hour of 8:08 AM

The regular meeting of the Lake County Planning Commission was called order at the hour of 08:00 AM in the County Commission Board Room.

ROLL CALL:

Don Bickett, Dan Hansen, Alan Schaefer, Aaron Johnson, Jody Ackerman, Roger Albertson and Official Mandi Anderson were all present.

AGENDA/ADDITIONS:

None.

Motion by Jody Ackerman to approve the agenda. Second by Roger Albertson. M/C All were ayes.

MINUTES:

Motion by Dan Hansen to approve October 12th minutes sent to them by mail. Second by Alan Schaefer. M/C All were ayes.

OLD/UNFINISHED BUSINESS:

None.

NEW BUSINESS:

CONDITIONAL USE #22-26

*Applicant has waived their right of personal appearance

Owner/Applicant: Gary Fikse

Property Description: Lot 3 Tract 3 of Colton Park Siding South Addition in Section 31-106-51, Wentworth Township

Parcel Number: 02681-10651-03010

Zoning Designation: "LP 3" – Lake Park-District 3 (Lake Madison)

Request: The applicant would like to build an oversized commercial storage facility with greater dimensions.

History/Issue(s):

1. Applicant is requesting to build a 40' x 120' x 16' oversized commercial storage building. Proposed containing 4,800 sq/ft with a sidewall height of 16'.
 - a. South side entrance only
2. Lake County Ordinance requires that a land owner go through the Conditional Use process to build oversized commercial storage facilities with taller than 14' sidewalls and greater than 4,000 sq/ft in the district as long as it is not detrimental to other uses and is in the general character with the "LP 3" District.
3. Ordinance regulates that they must have a front yard of no less than 20' from the road right-of-way or road easement, 10' rear setback and shall not be nearer than 2' to any side lot line. The maximum height of the structure may not exceed 30' tall. The structure meets all setbacks and overall height regulation.
4. Property was rezoned from Lake Park District -1 to Lake Park District-3 in 2021 (Ordinance Amendment #21-74).

Action Item – Conditional Use – Oversized Commercial Storage Facilities

Motion by Aaron Johnson to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Dan Hansen. M/C All were ayes.

- Oversized private and commercial storage facilities are allowable as a conditional use in the "LP 3" District under certain conditions and it is the opinion of the board that granting this use would not be detrimental to other uses and is in the general character of the other uses in the district.
- There are other oversized private and commercial buildings in the area so it would be generally compatible with adjacent properties and other property in the district
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;

- Signs;
- Required yards and other open space; and
- General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use will not adversely affect the public interest.

PLATS:

A Plat Lots 2A & 2B of Scully's First Addition in government lot 1 of the NW ¼ of Section 32-106-51, Wentworth Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Resubdividing the existing single family home lot into two lots. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Jody Ackerman to recommend the approval of this plat to the County Commission. Second by Roger Albertson. M/C All were ayes.

A Plat of Tract 2, Tract 3, Tract 4 of Scully's Addition in government lot 1 & the S ½ of the NW ¼ & the E ½ of the SW ¼ of Section 29 & the E ½ of the NW ¼ of Section 32 all in Wentworth Township was presented to the Planning Commission. This plat is located in both the "LP-1" & "A" Districts. Subdividing AG land for land transfer. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Alan Schaefer to recommend the approval of this plat to the County Commission. Second by Aaron Johnson. M/C All were ayes.

A Plat Lot 1 of One Son's Addition in the N ½ of the SW ¼ of Section 2-105-52, Franklin Township was presented to the Planning Commission. This plat is located in the "A" District. Resubdividing the existing single family home lot to add additional land in and structure. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Dan Hansen to recommend the approval of this plat to the County Commission. Second by Aaron Johnson. M/C All were ayes.

PUBLIC COMMENT:

None.

Chair Don Bickett adjourned the Planning Commission meeting at the hour of 8:22 AM.

REGULAR
December 14, 2022

PLANNING
08:00 AM

The regular meeting of the Lake County Planning Commission was called order at the hour of 08:00 AM in the County Commission Board Room.

ROLL CALL:

Dan Hansen, Alan Schaefer, Aaron Johnson, Jody Ackerman, Roger Albertson and Official Mandi Anderson were all present. Don Bickett was absent.

Vice Chair Alan Schaefer will take the Chair's place today.

AGENDA/ADDITIONS:

None.

Motion by Jody Ackerman to approve the agenda. Second by Aaron Johnson. M/C All were ayes.

MINUTES:

Motion by Aaron Johnson to approve November 9th minutes sent to them by mail. Second by Dan Hansen. M/C All were ayes.

OLD/UNFINISHED BUSINESS:

None.

PUBLIC COMMENT:

Phillip Wohlers appeared today to bring up concerns about the Summit Pipeline AG impacts and safety concerns. He wishes the Planning Commission would take a look at further educating themselves with Summit's pipeline proposal.

Commissioner Aaron Johnson commented and would like to see a discussion take place at the next hearing in January.

Shelli Gust highly suggested the Planning Commission have the State's Attorney, Wendy, give her legal opinion at the January Planning meeting first before scheduling a public meeting for input and education purposes.

Vice Chair Alan Schaefer asked to have Wendy come to the January meeting to give her legal opinion.

NEW BUSINESS:

Pursuant to due call and notice thereof, a meeting of the Planning Commission of Lake County, South Dakota, was duly held at Lake County Courthouse on the 14th day of December, 2022 at 8 o'clock a.m.

The following members were present: Dan Hansen, Alan Schaefer, Aaron Johnson, Jody Ackerman, Roger Albertson

The following were absent: Don Bickett

Shelli Gust and Toby Morris in attendance to talk about the TID #6.

The matter of approving and recommending Tax Incremental District Six plan, Lake County was presented to the Planning Commission. After discussion of the same, and after public comment on the proposed tax incremental district, member Roger Albertson moved that the following resolution be passed:

RESOLUTION APPROVING AND RECOMMENDING OF TAX INCREMENTAL DISTRICT PLAN NUMBER SIX,
LAKE COUNTY

WHEREAS, the Planning Commission of Lake County, South Dakota, received an application to create a Tax Incremental District and thereafter prepared a Notice of Hearing held on December 14, 2022 advising interested parties that they were being given a reasonable opportunity to express their views on the proposed creation of a Tax Incremental District on real property consisting of the following parcels:

District Legal Description:

The real property to be located within the Tax Increment District is within the boundaries of Lake County and described as follows:

- Lots One (1), Two (2), Three (3), and Four (4) in Madison Industrial Park in Madison, Lake County, South Dakota
- W262.2' of N334.4' Lot 9 Auditor's Fourths Addition to Madison, Lake County, South Dakota
- The North Three Hundred Thirty Four and .40 (N 334.4') Feet of the East Half (E ½) of Lot Ten (10) of County Auditor's Fourth Addition to Madison, Lake County, South Dakota
- The North Three Hundred Thirty Four and .40 (N 334.4') Feet of the West Half (W ½) of Lot Ten (10) of County Auditor's Fourth Addition to Madison, Lake County, South Dakota
- The North Two Hundred Twenty Two Feet (N 222') EXCEPT the West Two Hundred Fifty Six Feet (W 256') thereof, of Moffit's Outlot #1, Madison, Lake County, South Dakota, according to the Recorded Plat thereof; and
- Lot One (1) of the LAIC First Addition of Madison, South Dakota (A Subdivision of Part of Lot One (1) of County Auditor's 4th Addition)
- Highway 34 truck bypass at the junction of NW 2nd Street, South to 234th Street, East to the Junction of 10th Street SE and Washington Ave South

All Located in the City of Madison, Lake County, South Dakota including within and adjacent rights-of-ways.

WHEREAS, such Notice was published in the official newspapers in City of Madison and Lake County not less than ten (10) nor more than thirty (30) days from the date of the hearing which was held December 14, 2022.

WHEREAS, a copy of the Notice was sent prior to publication by first-class mail to the Chief Executive Officers of the following taxing entities:

Lake County Commission

City of Madison

East Dakota Water District

Madison Central School District

WHEREAS, a hearing was held on December 14, 2022, as provided in such Notice, and all interested parties were allowed a reasonable opportunity to be heard on the proposed Tax Incremental District Six plan;

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of Lake County, South Dakota:

1. Authority and Declaration of Necessity. Pursuant to SDCL §§ 11-9-4 and 11-9-13, the Planning Commission hereby declares the necessity for the approval of Tax Incremental District Number Six plan, City of Madison, Lake County (hereinafter sometimes referred to as the "District"), pursuant to SDCL Chapter 11-9, and finds that the improvement of the area within the District is likely to enhance significantly the value of substantially all of the other real property in the District and is necessary for economic development within Lake County and the City of Madison.
2. Findings. The Planning Commission finds that there is statutory authority to refer said district to the Lake County Commission for their consideration and that all notice requirements have been met and all findings required by statute are hereby made.
 - A. The proposed improvements will create new jobs and diversify the overall economic base of Lake County through commercial and housing opportunities.
 - B. The South Dakota Department of Revenue has reviewed the TIF Plan and classified the Tax Increment District Six of Lake County to be Industrial.
 - C. Not less than twenty-five percent, by area, of the real property within the district is a blighted area as defined under SDCL 11-9-11.
 - D. At least fifty percent of the real property within the district will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources development

E. The improvement of the area is likely to significantly enhance the value of substantially all other real property in the district;

3. Boundaries of District. The Planning Commission has determined the boundaries of the district are determined to be as follows:

- Lots one (1), Two (2), Three (3), and Four (4) in Madison Industrial Park in Madison, Lake County, South Dakota
- The North Three Hundred Thirty Four and .40 (N 334.4') Feet of Lot Nine (9) of County Auditor's Fourths Addition to Madison, Lake County, South Dakota
- The North Three Hundred Thirty Four and .40 (N 334.4') Feet of the East Half (E ½) of Lot Ten (10) of County Auditor's Fourth Addition to Madison, Lake County, South Dakota
- The North Three Hundred Thirty Four and .40 (N 334.4') Feet of the West Half (W ½) of Lot Ten (10) of County Auditor's Fourth Addition to Madison, Lake County, South Dakota
- The North Two Hundred Twenty Two Feet (N 222') EXCEPT the West Two Hundred Fifty Six Feet (W 256') thereof, of Moffit's Outlot #1, Madison, Lake County, South Dakota, according to the Recorded Plat thereof; and
- Lot One (1) of the LAIC First Addition of Madison, South Dakota (A Subdivision of Part of Lot One (1) of County Auditor's 4th Addition)
- Highway 34 truck bypass at the junction of NW 2nd Street, South to 234th Street, East to the Junction of 10th Street SE and Washington Ave South

All Located in the City of Madison, Lake County, South Dakota including within and adjacent rights-of-ways.

4. Adoption of Tax Increment Plan. The Planning Commission of Lake County has reviewed the project plan and does hereby adopt the Tax Increment Plan Number Six and submits it to the County Commission for consideration.

5. Recommendation of District. The Planning Commission hereby recommends to the County Commission that Tax Incremental District Number Six, Lake County, be created and hereby submits its recommendation to the County Commission for consideration.

Motion by Roger Albertson, Second by Aaron Johnson for recommendation. M/C All were ayes.

Conditional Use #22-28

Owner/Applicant: Camridge Hutterian Brethren, Inc – Gary Hofer Along with Dakota Environmental

Property Description: NE ¼ of Section 13-108-51, Summit Township

Parcel Number: 04000-10851-13110

Zoning Description: "A" Agricultural

Request: Requesting a conditional use permit to expand their existing CAFO to a Class A.

History/Issue(s):

1. The applicant currently operates a cattle feed lot located in the SE ¼ of Section 12 of Summit township. They are requesting to increase the number of head up to a Class A, 4,500 head between the existing located in Section 12 and the new location in Section 13.
 - a. Lake County Ordinance considers a Class A CAFO containing 4,500 head of feeder or slaughter cattle to be equal to 4,500 animal units. One (1) to One (1) equivalent. Class A CAFO refers to any 2,000 animal unit or more operation.
2. Lake County Ordinance requires a landowner to go thru the conditional use process in the agricultural district when expanding to a Class A CAFO.

3. There are existing open lots, sediment basins and a storage pond on the site. They had been running the operation a few years ago without approval from the county or state. DANR inspected and shut down the operation due to no permitting and approval. They are coming in now to request to restart these feed lots.
4. The existing CAFO is in conformance with Lake County Zoning Ordinance for a Class A.
 - a. The open lot is located at least 50' off the township road r-o-w and a site plan has been provided; The township road to the east has been vacated in the past and no longer requires a setback from the right-of-way.
 - b. There are no concerns regarding the lots or ponds to be a potential pollution hazard. The lots, ponds and basins meet all required minimum setback and separation distances. This lot is not located in a shallow aquifer, designated wellhead protection area or the 100-year floodplain. No drainage will contribute directly into a creek, stream or lake;
 - c. Soil reports have been provided;
 - d. A nutrient management plan has been developed and they will maintain and follow it to the SD Dept. of Environment and natural resources' standards;
 - e. They will follow their manure management plan and the county manure application setbacks will be followed to minimize air and water quality impacts;
 - f. They currently have a well on site that will supply their water.
5. By expanding to this new location, it causes the existing feedlot location to the north to fall within the required setback for a Private well other than the operators. Located within the packet provided by Dakota Environmental you will find the acknowledgment and approval to waive the setback separation distance from the landowner to the north that the existing location now affects.
6. This operation is located off of a Summit Township Road and the road authority has been notified. Enclosed in the packet is an email from the road authority.

Action Item – Conditional Use – Expand existing CAFO to Class A

Motion by Dan Hansen to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Roger Albertson. M/C All were ayes.

- CAFO's are allowable as a CU in the Agricultural District under certain conditions and this request would not be injurious to the neighborhood or detrimental to the public welfare.
- There are other existing CAFO operations in the area so it would be generally compatible with adjacent properties and other property in the district.
- The CAFO is not out of the ordinary being located in the AG District.
- They have provided all the required information for a Class C CAFO permit.
- Summit township road authority has not objected to the Conditional Use request.
- Meets all the Lake County required minimum setback and separation distances.
- If approved, the conditional use shall continue compliance with all of the requirements and conditions herein and compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

PLATS:

A Plat of Lot 1 Sodak's First Addition in the SW ¼ SW ¼ of 25-106-52 and the NW ¼ NW ¼ of Section 36-106-52, Lakeview Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Resubdividing the existing lot to include the access easement. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Jody Ackerman. M/C All were ayes.

A Plat of Tract 1A Thompson Addition in S ½ of the SW ¼ in Section 1-105-54 of Clarino Township was presented to the Planning Commission. This plat is located in both the “A” Districts. Resubdividing land to correct several mistakes on previous plat from 2016. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Roger Albertson. M/C All were ayes.

A Plat Lots 50A & 51B in Block 8 of Lakes Community Addition in government lot 2 in section 5-105-51 of Chester Township was presented to the Planning Commission. This plat is located in the “LP-1” District. Resubdividing the existing single family home lot and adjacent half lot into two conforming LP-1 lots. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Jody Ackerman to recommend the approval of this plat to the County Commission. Second by Dan Hansen. M/C All were ayes.

A Plat of Tract 1 of Shelly and Gary Pitts Addition in the NE ¼ of Section 24-107-54 Township was presented to the Planning Commission. This plat is located in the “A” District. Subdividing the home from the adjacent farmland. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Dan Hansen to recommend the approval of this plat to the County Commission. Second by Roger Albertson. M/C All were ayes.

Vice Chair Alan Schaefer adjourned the Planning Commission meeting at the hour of 9:40am.