

**MINUTES OF THE JOINT MEETING
MINNEHAHA COUNTY & DELL RAPIDS PLANNING COMMISSIONS
March 27, 2017**

A joint meeting of the County and City Planning Commissions was held on March 27, 2017 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Bonnie Duffy, Jeff Barth, Doug Ode, and Mike Ralston.

CITY PLANNING COMMISSION MEMBERS PRESENT: Roger Dearduff, Rod Pierson, Bob Lamberty, and Tom Schwebach.

STAFF PRESENT:

Scott Anderson, Kevin Hoekman, and David Heinold - County Planning
Justin Weiland – City of Dell Rapids Administration

The County Planning Commission Vice-Chair Bonnie Duffy presided over the meeting in the absence of Planning Commission Chair Mike Cypher. The meeting was called to order at 7:01 p.m. The City Planning Commission was chaired by Roger Dearduff.

CONSENT AGENDA

Commissioner Duffy read each item on the consent agenda and nobody objected to any item.

A motion was made for the County by Commissioner Barth and seconded by Commissioner Ode to **approve** the consent agenda. The motion passed unanimously. Same motion was made for the City by Commissioner Pierson and seconded by Commissioner Lamberty to **approve** the consent agenda. The motion passed unanimously.

ITEM 1. Approval of Minutes – November 28, 2016

As part of the consent agenda, a motion was made for the County by Commissioner Barth and seconded by Commissioner Ode to **approve** the minutes for the November 28, 2016 meeting. The motion passed unanimously. Same motion was made for the City by Commissioner Pierson and seconded by Commissioner Lamberty to **approve** the minutes for the November 28, 2016. The motion passed unanimously.

ITEM 2. CONDITIONAL USE PERMIT #17-11 to exceed 1,200 square feet of total accessory building area – requesting 1,296 sq. ft. on the property legally described as Overvaag Tract 4, SW1/4, Section 8-T104N-R49W.

Petitioner: Tim Ljunggren

Property Owner: same

Location: 47339 Golf View Dr.

Approximately 0.25 miles west of
Dell Rapids

Staff Report: Kevin Hoekman

This would allow 1,296 square feet of total accessory building area.

General Information:

Legal Description – Overvaag Tract 4, SW1/4, Section 8-T104N-R49W.

Present Zoning – RR5 – Rural Residential District

Existing Land Use – Residential Acreage

Parcel Size – 6 Acres

Staff Report: Kevin Hoekman

Staff Analysis:

The property is located approximately ¼ mile west of Dell Rapids on Golf View Drive. The site is located within residential zoned area. In subdivisions or residential developments which exceed four lots in number, accessory building area is limited to 1,200 square feet, unless approval for a larger size is obtained through the conditional use permit process.

The petitioner would like to construct a 30 foot by 40 foot accessory building with attached open porch. This proposed 1,200 square foot building would be built in addition to an existing to a small garden shed. The total size of the requested structures is 1,296 square feet of accessory building space.

The property is currently a large acreage including a single family dwelling and many mature trees. The proposed accessory building is shown on the site plan to be located northwest of the existing dwelling and garage. The property has one driveway access to the Golf View Drive which will be used for access to the proposed accessory building. The existing small garden shed is located in the southwest corner of the tree grove. In addition to the site plan, the petitioner submitted several perspective renderings of the building.

Conditional Use Permit Criteria:

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

The construction of the proposed accessory building should have little impact on surrounding properties. A 1,200 square foot building is typically permitted with a building permit except for the small garden shed. Other residential properties in the area have similar sized accessory buildings. The accessory structure shall not be used as a commercial operation at any time.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The accessory structure may only be used for residential purposes, no commercial or business activities are allowed. The size of the building is similar to surrounding properties and will not set a precedent for future buildings. It is not likely for the area to have further development until the city of Dell Rapids annexes more land to the west.

3) That utilities, access roads, drainage, and/or other necessary facilities are provided.

The petitioner will be responsible for attaining and extending utilities to the proposed accessory building, and the proposed accessory building will utilize the same driveway as the dwelling.

4) That the off-street parking and loading requirements are met.

No off-street parking will be needed as a result of personal activities in this accessory building. No commercial or business parking will be allowed at any time.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

No offensive nuisances shall be permitted at any time during use of the proposed accessory structure. The use of lighting should be directed downward on to the property in order to prevent light pollution off site.

6. Health, safety, general welfare of the public and the Comprehensive Plan.

The proposed accessory building should have little to no effect on the health, safety, and general welfare of the public as well as the Envision 2035 Comprehensive Plan. Other large accessory building totals are located on far and non-farm properties in the near area.

Recommendation:

Staff finds that the proposed accessory building is reasonable to the size of the existing structures, the size of the property, and the location on the property. Staff recommends **approval** of Conditional Use Permit #17-11 with the following conditions:

- 1.) The total accessory building square footage shall not exceed 1,300 square feet.
- 2.) A building permit is required prior to construction of the accessory building.
- 3.) That an inspection be made on the proposed addition to an accessory building to ensure that the total floor area of the addition does not exceed 1,200 square feet excluding the porch.
- 4.) That only personal residential storage shall be allowed in the building, and no commercial uses or commercial storage will be allowed at any time.
- 5.) That all outdoor lighting shall be of a full cutoff and fully-shielded design to prevent direct spillage of light beyond the property boundaries.
- 6.) That the Planning & Zoning Department reserves the right to enter and inspect the accessory building at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance.

ACTION

As part of the consent agenda, a motion was made for the County by Commissioner Barth and seconded by Commissioner Ode to **approve** Conditional Use Permit #17-11. The motion passed unanimously. Same motion was made for the City by Commissioner Pierson and seconded by Commissioner Lamberty to **approve** Conditional Use Permit #17-11. The motion passed unanimously.

Conditional Use Permit #17-11 – Approved

REGULAR AGENDA

Members of the public should understand that Planning Commissioners may be unable to thoroughly review and consider materials delivered the day of the hearing. The order of business for the regular agenda shall be:

- A) Staff Presentation C) Public Comments E) Public Testimony Closed
B) Applicant Presentation D) Applicant Response F) Commission Discussion

There are no items listed on the regular agenda.

Old Business

None.

New Business

There was discussion amongst the City of Dell Rapids Planning Commission about revising the total accessory building size limitation for permitted uses in subdivisions with more than 4 lots.

Adjourn

Commissioner Schwebach motioned to adjourn for the city, and Commissioner Pierson seconded the motion. The motion passed unanimously. The same motion was made for the County by Commissioner Barth and seconded by Commissioner Ode. The motion passed unanimously. The Meeting was adjourned at 7:05 pm.