

**MINUTES OF THE JOINT MEETING
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS
September 24, 2012**

A joint meeting of the County and City Planning Commissions was held on September 24, 2012 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Susie O'Hara, Mike Cypher, Bonnie Duffy, Mark Rogen, Wayne Steinhauer and Becky Randall.

CITY PLANNING COMMISSION MEMBERS PRESENT: Meredith Larson, Steve Gaspar, Andi Anderson and Diane de Koeyer.

STAFF PRESENT:

Scott Anderson, Pat Herman, Ryan Streff and Dustin Powers - County Planning
Steve Randall – City Planning

The County Planning Commission Chair Susie O'Hara presided over the meeting. The City Planning Commission was Chaired by Meredith Larson.

ITEM 1. Approval of Minutes – August 27, 2012

A motion was made for the City by Gaspar and seconded by De Koeyer to **approve** the meeting minutes from August 27, 2012. The motion passed unanimously. Same motion for the County by Randall and seconded by Cypher. The motion passed unanimously.

ITEM 2. Conditional Use Permit #12-51 to exceed 1200 square feet of accessory building area – 4948 requested.

Petitioner: Butch Wilson

Property Owner: GBW, Inc.

Location: Eastside of Sioux Falls on 26th Street

General Information

Present Zoning – RR Rural Residential

Existing Land Use - Residential

Parcel Size – 1.01 Acres

Staff Report: Dustin Powers

Staff Analysis

This subject property is located in Section 19 of Split Rock Township, approximately ¼ mile east of Sioux Falls. This subject property consists of two lots amounting to 2.01 acres in size and is located in the RR Rural Residential Zoning District. The property is located in a residential subdivision on the north side of E. 26th Street.

The petitioner has applied for a conditional use permit to exceed 1,200 sq. ft. of accessory building area at 1512 S. Gray Goose Circle. The property owner is requesting this conditional use permit to construct a 3220 square foot addition to the existing 1728 square foot accessory storage building, for a total of 4948 square feet of accessory building area. This would be the only accessory building on the property. A conditional use permit application is required by Section 15.07 (d) of the Joint Minnehaha County and Sioux Falls Zoning Ordinance which

states: *In all Residential Districts, the total area of accessory buildings shall not exceed 1200 square feet unless a conditional use has been approved.*

Larger accessory buildings areas can be found within the general vicinity and range in size from 936 square feet to 2208 square feet. (See attached accessory building area map)

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.

There are no larger accessory building areas in this residential development. The Planning Commission has consistently denied larger accessory building sizes to help maintain the residential character of subdivisions and to prevent reuse of large buildings as commercial businesses.

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

The building will only be used for the owner's personal storage, residential related items, and no commercial or business activities or storage will be allowed. The proposed site for the structure meets all applicable setbacks and the placement of the structure will not impact the neighboring properties. Approval of the larger requested building size would set a precedent for this neighborhood.

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

No infrastructure improvements are required at this time.

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

The property has sufficient parking for all residential activities.

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.

There should be no uses in the building which should constitute these types of nuisances.

Recommendation

Staff finds that the existing building is being used for commercial storage and the proposed accessory building size exceeds the established standard for the neighborhood and recommended denial of Conditional Use Permit #12-51.

Public Testimony

Butch Wilson, 1512 S. Gray Goose Circle, stated that there is a driveway with a 40 foot right of way that is separate from the 26th Street right of way. He would have built it bigger before if he knew that he would be limited on size as it is now.

Commission Cypher stated that 2208 square feet is the maximum size for the area therefore will recommend denial based on that size. Commissioner Steinhauer asked if the applicant would accept approval of 2208. Butch Wilson stated that the extra 480 square feet would not be worth the cost of building it.

Action

A motion was made for the City by Gaspar and seconded by De Koeyer to **deny** Conditional Use

Permit #12-51. The motion passed unanimously. Same motion for the County by Cypher and seconded by Duffy. The motion passed unanimously.

Old Business

No Items.

New Business

No Items.

Adjourn

A motion was made for the City by De Koeyer and seconded by Gaspar to **adjourn** the Joint Sioux Falls/Minnehaha County Planning Commission meeting. The motion passed unanimously. Same motion for the County by Cypher and seconded by Randall. The motion passed unanimously.