

**MINUTES OF THE JOINT MEETING
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS
November 23, 2015**

A joint meeting of the County and City Planning Commissions was held on November 23, 2015 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Wayne Steinhauer, Becky Randall, Doug Ode, Bill Even, Bonnie Duffy, and Jeff Barth.

CITY PLANNING COMMISSION MEMBERS PRESENT: Ken Dunlap, Denny Pierson, Sharon Chontos, Nicholas Sershen, and Larry Luetke.

STAFF PRESENT:

Scott Anderson, Kevin Hoekman, and David Heinold - County Planning
Jeff Schmitt – City Planning

The County Planning Commission Chair Wayne Steinhauer presided over the meeting. The City Planning Commission was chaired by Ken Dunlap.

CONSENT AGENDA

A motion was made to **approve** the consent agenda for the City by Commissioner Sershen and seconded by Commissioner Pierson. The motion passed unanimously. Same motion was made for the County by Commissioner Even and seconded by Commissioner Randall. The motion passed unanimously.

ITEM 1. Approval of Minutes – September 28, 2015

A motion was made for the City by Commissioner Sershen and seconded by Commissioner Pierson to **approve** the meeting minutes for September 28, 2015. The motion passed unanimously. Same motion was made for the County by Commissioner Even and seconded by Commissioner Randall to **approve** the meeting minutes for September 28, 2015. The motion passed unanimously.

ITEM 2. CONDITIONAL USE PERMIT #15-66 to exceed 1,200 square feet of total accessory building area – requesting 2,700 sq. ft. on the property legally described as Tract 1 T & M Addition, SW1/4 SW1/4, Section 28-T101N-R48W.

Petitioner: Jeff Munce

Property Owner: same

Location: 9300 E. 41st St. Approximately 1 mile east of Sioux Falls

Staff Report:

This would allow 2,700 sq. ft. of total accessory building area.

General Information:

Legal Description – TRACT 1 T AND M ADDITION SW1/4 SW1/4 28 101 48
SPLIT ROCK TOWNSHIP

Present Zoning – A1 Agricultural

Existing Land Use – Residential

Parcel Size – 5.02 Acres

Staff Report: Kevin Hoekman

Staff Analysis:

The property is located approximately one mile east of Sioux Falls and east of the Pine Hills Addition along 41st Street. The site is located within a subdivision of more than four lots which requires a limit to 1,200 sq. ft. unless approval for a larger size is obtained through the conditional use permit process.

The petitioner would like to construct a 38 x 60 foot (2,280 sq. ft.) accessory building for personal storage and use. The proposed building will be in the side yard of a wide and deep property. The property already has several small accessory buildings including a play structure and a pump house. Combined the proposed accessory buildings and existing accessory buildings equal approximately 2,700 square feet.

Several other properties in the area have large accessory buildings. One agricultural property to the southwest has over 10,000 square feet of accessory building. A residential property two parcels to the east has an accessory building of 3,840 square feet. A neighboring property to the west was approved with a CUP in 2008 for 1,952 square feet of accessory building. In addition to neighboring accessory buildings, this property is 5 acres in size. The requested building will fit with the scale of the property.

The site plan indicates that the proposed accessory building would be placed in the side yard to the west of the residence. The location of the proposed accessory building is currently gravel surfaced for outdoor storage. The front yard is landscaped with many evergreen trees that will provide screening of the building from the right of way. Landscaping on the neighboring properties will provide screening to the west.

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. The greatest potential for conflict comes from the close proximity of the proposed accessory building and a neighboring dwelling. The existing line of trees will provide some screening from the land use; therefore, it would be best to ensure that the tree grove is maintained into the future.

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 proposed structure is compatible to the area that is composed primarily of large lot developments. Several of the similar-sized buildings in the area are located on nearby parcels. This area will face development pressure as the City of Sioux Falls expands towards the Big Sioux River. However, the current large lot development and hilly nature of the area will likely remain for the foreseeable future as the area is already heavily subdivided.

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

All needed infrastructure is in place, and the proposed accessory building will utilize the existing driveway.

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. The structure will provide indoor storage for several items that are currently stored outside.

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.

Recommendation:

Staff finds that the proposed building size conforms to the general sizes of other accessory buildings in the area. Staff recommends **approval** of Conditional Use Permit #15-66 with the following conditions:

- 1.) That the total accessory building square footage shall not exceed 2,700 square feet.
- 2.) That a building permit is required prior to construction of the accessory building.
- 3.) That the accessory building shall not exceed 35 feet in height and meet the setback requirements for the zoning district.

- 4.) That an inspection be made on the proposed new accessory building to ensure that the square feet of the floor area of the building does not exceed 2,280 square feet.
- 5.) That only personal residential storage shall be allowed in the building and no commercial uses or commercial storage will be allowed at any time.
- 6.) That all outdoor lighting shall be of a full cutoff and fully-shielded design to prevent direct spillage of light beyond the property boundaries.
- 7.) 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

A motion was made to **approve** Conditional Use Permit #15-66 for the City by Commissioner Sershen and seconded by Commissioner Pierson. The motion passed unanimously. Same motion was made for the County by Commissioner Even and seconded by Commissioner Randall. The motion passed unanimously.

Conditional Use Permit #15-66 – Approved

Old Business

None.

New Business

None.

Adjourn

A motion was made for the City by Commissioner Pierson and seconded by Commissioner Chontos to **adjourn**. The motion passed unanimously. Same motion was made for the County by Commissioner Ode and seconded by Commissioner Even to **adjourn**. The motion passed unanimously.