

**MINUTES OF THE JOINT MEETING  
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS  
August 26, 2013**

A joint meeting of the County and City Planning Commissions was held on August 26, 2013 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

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

CITY PLANNING COMMISSION MEMBERS PRESENT: Jessie Schmidt, Andi Anderson, Larry Luetke, Diane de Koeyer and Denny Pierson.

**STAFF PRESENT:**

Scott Anderson, Pat Herman, and Travis Halm - 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 Jessie Schmidt.

**CONSENT AGENDA**

A motion was made for the City by Anderson and seconded by Luetke to **approve** the consent agenda. The motion passed unanimously. Same motion for the County by Randall and seconded by Duffy. The motion passed unanimously.

**ITEM 1. Approval of Minutes – June 24, 2013**

A motion was made for the City by Pierson and seconded by Anderson to **approve** the meeting minutes from June 24, 2013. The motion passed unanimously. Same motion for the County by Barth and seconded by Duffy. The motion passed unanimously.

**ITEM 2. CONDITIONAL USE PERMIT #13-044 to transfer one residential building eligibility.**

Petitioner: Linda Dunham  
Property Owner: Marcia Burke  
Location: ¼ mile north of Sioux Falls

**General Information**

Present Zoning – A-1 Agricultural  
Existing Land Use - Agricultural/Residential  
Parcel Size – 37.83 Acres

**Staff Report:** Travis Halm

**Staff Analysis**

The petitioner is applying to transfer a building eligibility from the N ½ NE ¼ to Tract 1A Burk Addn E ½ , all in Section 26-102-49, to allow for the development of a residential lot. The location of the eligibility is currently situated in an area with no existing road network and the applicant wants to transfer the eligibility in order to have road access. The proposed building site would be located east of Interstate 229/476<sup>th</sup> Ave and located north of Interstate 90.

On August 1, 2013, staff conducted a site visit and found that the transfer of the building eligibility will: A) be clustered near other homes; B) be accessible to road/highway access. The property will be accessed by a ¼ mile long driveway that is currently used by two other residences.

**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.**

A right-to-farm notice covenant should be required to notify potential buyers to the realities of locating in an agricultural area.

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

The transfer of the building eligibility does not increase the number of dwelling units allowed in this section.

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

Rural water is available in the area and a waste water system will be utilized. The applicant indicated that the proposed building site will use an existing driveway that extends from 476<sup>th</sup> Street at the end of Interstate 229.

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

Off-street parking requirements will be provided for once a single-family residence is constructed on the subject property.

**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.**

The proposed conditional use will not cause odor, fumes, dust, noise, vibrations or lighting in any amounts that would constitute a nuisance.

\*The petitioner has submitted a plat that has been approved by the City of Sioux Falls and Minnehaha County. The plat has been filed with the Register of Deeds.

**Recommendation**

Staff found this conditional use permit request to be consistent with density zoning and recommended approval of Conditional Use Permit #13-044 with the following condition:

A right-to-farm notice covenant shall be placed on the deed prior to the issuance of a building permit.

**Action**

A motion was made for the City by Anderson and seconded by Luetke to **approve** of Conditional Use Permit #13-044. The motion passed unanimously. Same motion was made for the County by Randall and seconded by Duffy to **approve** Conditional Use Permit #13-044. The motion passed unanimously.

**Conditional Use Permit #13-044 - Approved**