

MINUTES OF DELL RAPIDS PLANNING COMMISSION
Tuesday, March 25th, 2014 – 7:00 PM

The regular meeting of the Dell Rapids Planning Commission was held at City Council Chamber on Tuesday, March 25th, 2014 with the following members present: Chairman Roger Dearduff, Charlie Pleskac, Paul Zweifel, Bob Lamberty. Absent, Rod Pierson.

Chairman Roger Dearduff called the meeting to order at 7:00 p.m.

- I. Motion by Pleskac second by Lamberty to approve the February 25th, 2014, Planning Commission Minutes. Upon voice vote all members present voted aye. Motion carried.
- II. Visitors to Be Heard: No visitors were present to be heard.
- III. Public Hearing – Zoning Amendments Chapter 14, Additional Use Regulations; Chapter 20, Amendments and Change of Zone; Chapter 21, Conditional Use Permits. Planning Commission Chairman Dearduff opened a public hearing for discussion on amendment to three different sections of the revised zoning code.

Chapter 14, Additional Use Regulations is a proposed amendment that would create a conditional use application process to 1) construct an accessory structure, specifically detached garage, in the front yard of a residential property 2) to exceed 1,200 square feet. Motion by Zweifel Second by Pleskac to recommend approval of the proposed Chapter 14 Zoning Ordinance Amendment to the City Council. Upon Voice vote all members present voted Aye. Motion Carried.

Chapter 20, Amendments and Change of Zone is a proposed ordinance that adds a protest process to re-zone requests. The protest process mocks the current state statute that allows for property owners within 250 feet of a requested re-zone to gather petition signatures from 40 percent of those property owners. The petition must be submitted within 10 days of the Council's decision to re-zone. If a successful petition is submitted than the decision of the Council fails to go into effect unless there is a 2/3rds majority vote of the Council. Motion by Pleskac Second by Lamberty to recommend approval of the proposed Chapter 20, Amendments and Change of Zone to the City Council. Upon Voice vote members Dearduff, Lamberty, Pleskac voted Aye. Member Zweifel voted Naye. Motion Carried 3-1.

Chapter 21, Conditional Use Permits is a proposed ordinance amendment that adds a resident protest avenue to the Conditional Use process. The amendment would create a protest process for neighboring property owners within 250 feet to submit a petition reflecting 40% of those owners of interest. The protest would be an objection to the City Council's decision of a Conditional Use request. It is important to note that a Conditional Use only is heard by the City Council if an appeal is made within 10 days of the Planning Commission's decision. Upon Voice vote members Dearduff, Lamberty voted Aye. Members Zweifel, Pleskac voted Naye. Motion Failed 2-2.

IV. Plat of Pony Hills Second Addition: Motion by Zweifel Second by Pleskac to approve the Plat of Pony Hills Second Addition. Upon Voice Vote all members present voted Aye. Motion Carried.

V. Plat of Dell Rapids Elementary School Addition: Motion by Lamberty Second by Dearduff to approve Plat of Dell Rapids Elementary School Addition. Upon Voice Vote Dearduff Lamberty voted Aye. Plescak, Zweifel voted Naye. Motion Failed. Motion by Zweifel Second by Pleskac to approve Plat of Dell Rapids Elementary School Addition if the plat is amended to represent 1 lot as opposed to 2 lots. Upon Voice Vote all members present voted aye. Motion Carried.

Motion by Lamberty to adjourn. Seconded by Zweifel. Chairman Dearduff declared the meeting adjourned at 7:45 p.m.

Justin Weiland
Zoning Administrator

Roger Dearduff
Chairman

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