

**PLANNING COMMISSION/
BOARD OF ADJUSTMENT MEETING
CITY COMMISSION ROOM**

Tuesday, May 11, 2021

7:00am

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES: April 13, 2021 Planning Commission Minutes.

APPROVAL OF MINUTES: April 13, 2021 Board of Adjustment Minutes.

APPROVAL OF AGENDA:

APPEARANCES, ACKNOWLEDGEMENTS, CORRESPONDENCE: None

OLD BUSINESS (Planning Commission and Board of Adjustment): None.

NEW BUSINESS (Board of Adjustment):

1. Hearing on Appeal No. 653, Marvin Parkinson, for a conditional use permit that, if granted, will permit the applicant to move in a 16 foot by 24 foot detached garage onto his property
2. Decision on Appeal No. 653, Marvin Parkinson

NEW BUSINESS (Planning Commission): None

PUBLIC INPUT:

ADJOURNMENT:

Any person with a disability wishing to attend any board meeting who may require special arrangements may contact the Finance Office at 256-7500 and all attempts shall be made to accommodate those requests

PLANNING COMMISSION PROCEEDINGS
CITY OF MADISON
April 13, 2021

Chairman John Groce called the meeting to order at 7:00am.

The following members were present for roll call: Chairman John Groce, Commissioners Jim Iverson, Bob Maxwell, Donna Fawbush, Roger Olson, Michael Johnson and Jennifer Wolff. Also present were City Commission Liaison Mayor Marshall Dennert, and Administrative Official Chad Comes

Motion by Commissioner Maxwell to approve the March 23, 2021 Planning Commission minutes, second by Commissioner Wolff. Motion carried unanimously.

Motion by Commissioner Fawbush, second by Commissioner Olson to approve the April 13, 2021 agenda. Motion carried unanimously.

Motion by Commissioner Iverson, second by Commissioner Johnson to move into Board of Adjustment at 7:02 am. Motion carried unanimously.

Motion by Commissioner Iverson, second by Commissioner Olson to move out of Board of Adjustment and into Planning Commission at 7:45 am. Motion carried unanimously.

Final Plat Approval – Lot 1 of Tract A of the West Center Addition to the City of Madison, Lake County, South Dakota commenced. Brett Pierce was present representing the owner, West Center Baptist Church.

Chad Comes went through the Plat for the West Center Addition. The plat shows the Detention Pond and the Catherine Avenue ROW. Chad went through the letter of Assurance Agreement. He noted that the agreement states that the completion of Catherine Avenue would need to be done within 3 years. Commissioner Iverson asked if Tract A was Zoned R-90. Mr. Comes stated that it is R-20, and east of Catherine Avenue is R-60.

Motion by Commissioner Iverson, second by Commissioner Olson to approve the Final Plat of Lot 1 of Tract A of the West Center Addition to the City of Madison, Lake County, South Dakota. Motion carried unanimously.

There were no public input comments.

Motion by Commissioner Maxwell, second by Commissioner Wolff to adjourn. Motion carried unanimously.

The meeting adjourned at 7:59am.

Dan Whitlock
Planning Commission

**BOARD OF ADJUSTMENT PROCEEDINGS
CITY OF MADISON
April 13, 2021**

The Planning Commission motioned to move into Board of adjustment at 7:02 am.

The following members were present for roll call: Chairman John Groce, Board Members Jim Iverson, Donna Fawbush, Jennifer Wolff, Roger Olson, Michael Johnson, and Bob Maxwell. Also present were Administrative Official Chad Comes, Board of Adjustment Alternate Mayor Marshall Dennert.

This being the time and place set for the hearing on Conditional Use Appeal Request No. 650, Jeff Scoular on behalf of Jimsco Inc. The following people were in attendance in addition to the Board and the aforementioned individuals: Brett Pierce, Mike Goth, Chris Thompson, Ryan Hegg, Jeff Scoular, Lynette Weidenbach and City Engineering Technician Dan Whitlock.

Mr. Comes went through the contents of the agenda packet for Appeal No. 650. The home being moved meets all of the standards of a type 3 home. Mr. Scoular had sent some pictures of the home. The last appeal from Jimsco was approximately 1 year ago and was very similar to the one today.

Mr Scoular spoke on the Conditional Use. He stated that the home being moved in would not look much different than a newly built manufactured home. Mr. Maxwell asked who would be moving the home in. Mr. Scoular indicated that a group out of Watertown, SD would be moving the home to its Madison location. Mr. Iverson asked what the useful life of a mobile home was. Mr. Scoular said that it varies based on many different factors. He indicated that they do yearly inspections on the homes to keep things as up to date as possible. Mr. Johnson asked about the skirting. The moved in home owner is going to try and re use the insulated skirting that is on the home in its current location. Mr. Scoular stated that he did not know if this would be possible or not because of the height that the mobile home sits off of the ground.

There were no additional opponents or proponents. Chairman Groce closed the public hearing and proceeded to the decision agenda item for appeal.

Mr. Comes pointed out that there was a typo on the Finding of Fact Sheet for Appeal No. 650 that he would make corrections on.

Motion by Ms. Fawbush , second by Mr. Johnson to approve Appeal No. 650.

Motion carried unanimously.

This being the time and place set for the hearing on Conditional Use Appeal Request No. 651, Norma Goth. The following people were in attendance in addition to the Board and the aforementioned individuals: Brett Pierce, Mike Goth, Chris Thompson, Ryan Hegg, Jeff Scoular, Lynette Weidenbach and City Engineering Technician Dan Whitlock.

Mr. Comes went through the contents of the Agenda Packet for Appeal No. 651. He touched on the Letter that was included, the site plan, landscape plan, steel siding color sheet, and the isometric drawings of the proposed storage unit. There will be east and west facing doors with the west facing doors being a larger door. He explained that the storage unit within a Hwy Business Zone is a Conditional Use. It is also within the Airport District and there will need to be an Avigation Easement supplied by the applicant/owner. Mr. Comes stated that the applicant is proposing not to use a dust free surface. It was pointed out that the applicant agreed to install a concrete approach. There will be trees planted on the south 10 feet of the property. Chad pointed out that the address on the Finding of Fact sheet should read 1720 NE 3rd Street. Mr. Johnson asked what the Avigation easement was.

Chris Thompson spoke on the storage unit. He stated that it will be a 50' x 196' unit that will sit near the west lot line. It will be constructed of the same materials and color of the existing storage unit. The applicant will plant trees along the highway side of the lot.

There were no additional opponents or proponents. Chairman Groce closed the public hearing and proceeded to the decision agenda item for appeal.

Motion by Mr. Maxwell, second by Mr. Olson to approve Appeal No. 651.

Motion carried unanimously.

This being the time and place set for the hearing on Conditional Use Appeal Request No. 652, Doug Sims on behalf of West Center Baptist Church. The following people were in attendance in addition to the Board and the aforementioned individuals: Brett Pierce, Mike Goth, Chris Thompson, Ryan Hegg, Jeff Scoular, Lynette Weidenbach and City Engineering Technician Dan Whitlock.

Mr. Comes went through the contents of the Agenda Packet for Appeal No. 651. He touched on the application form, the building plans for the church. He mentioned that the introduction to this was brought up in the last meeting on March 9, 2021. The church has agreed to put in a sewer holding tank along Catherine Avenue until the sewer is installed with the NW 9th Street project in 2022. They will be responsible for pumping out the tank until the new sewer is installed.

Brett Pierce spoke on behalf of the church. He stated that it has been a significant process to reach this point. He commended Mr. Comes for all of the help he has given them. Mr. Olson asked about the ground-breaking. Mr. Pierce indicated that it would hopefully be this spring. Mayor Dennert asked about the detention pond. It was indicated that it would be very similar to the one located in Williams Brothers Addition. It will be located on the south end of the lot. Mayor Dennert also asked about the sidewalk installation. It was brought up that the sidewalk would be installed as part of the project. There is currently no sidewalk on NW 9th Street. That will more than likely be installed with the NW 9th Street project in 2022. The church plans also show the sidewalk being installed along Catherine Avenue.

Lynette Weidenbach spoke. She is a resident of 1111 N Olive Avenue. She stated that she is happy to have the church as a neighbor. However, she is concerned with the building of N Catherine Avenue and the proximity of it and the existing waterway to her property. It was figured that the edge of N Catherine Avenue would be approximately 65' from her west property line. She was concerned about the safety of her children as they have play equipment in their back yard.

Ms. Wolff asked about the parking lot being part asphalt and part gravel. If the church would decide to go with the part asphalt and part gravel when building they would need to apply for a variance when they decided to pave the rest of the lot. Mr. Pierce stated that the gravel area is for overflow parking and they hope to be able to pave the entire parking lot when building.

There were no additional opponents or proponents. Chairman Groce closed the public hearing and proceeded to the decision agenda item for appeal.

Motion by Mr. Johnson , second by Mr. Iverson to approve Appeal No. 652. Motion carried unanimously.

Motion by Mr. Iverson, second by Mr. Olson to move out of the Board of Adjustment at 7:45am

Motion carried unanimously.

Dan Whitlock

Board of Adjustment

**CITY OF MADISON
NOTICE OF PUBLIC HEARING
PROPOSED CONDITIONAL USE PERMIT**

Notice is hereby given pursuant to SDCL 11-4-21 that a public hearing will be held before the Board of Adjustment on Tuesday, May 11th, 2021 at 7:00am, or as soon thereafter as the matter may be heard, in City Hall, Madison, South Dakota, in the Commission Room, to consider in full or in part the following proposed conditional uses:

Appeal No. 653 by Marvin Parkinson for a conditional use permit that, if granted, will permit the applicant to move in a 16 foot by 24 foot detached garage onto his property. The property is located at 1039 W. Center St. and is legally described as Lot 10 except E 10' Block 8, Henkins 2nd Addition to the City of Madison, Lake County, South Dakota.

Any person wishing to present testimony may appear at said hearing or may file written comments with the Finance Officer at 116 W Center Street, Madison, South Dakota, prior to said hearing. **All written comments desired to be included in the agenda packet must be filed no later than end of business on Wednesday, May 5, 2021.** Disabled individuals may contact the Finance Officer for information and/or special assistance. The request should be made 24 hours in advance of the hearing.

/s/Sonya Wilt
Finance Officer

Published once at the approximate cost of \$_____.

4/26/21
Receipt # 128024
10/29/2009

CITY OF MADISON
CONDITIONAL USE APPLICATION

APPEAL NUMBER 653

APPLICANT (PRINT): Marcia Parkinson PHONE: 605-660-0677

ADDRESS: 1039 W Center St. Madison S.D. 57042

OWNER (PRINT): _____ PHONE: _____
IF DIFFERENT THAN APPLICANT

ADDRESS: _____

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE BOARD OF ADJUSTMENT OF THE CITY OF MADISON SOUTH DAKOTA, TO ISSUE A CONDITIONAL USE PERMIT FOR THE PROPERTY DESCRIBED AS:

LEGAL DESCRIPTION (Please print or type)

Lot 10 EX E10' BLK 8 Heaters 2ND ADD #998M

GENERAL AREA OR STREET ADDRESS: 1039 W Center St. Madison S.D. 57042

EXISTING LAND USE: Single family Dw. 1045 EXISTING ZONING: _____

SIZE OF PARCEL: ACRES / SQFT 1.12 LOT DIMENSIONS: WIDTH 68 LENGTH 143 DEPTH _____

SURROUNDING LAND USE

NORTH: Park
SOUTH: Manufacturing
EAST: Residential
WEST: Residential / Commercial

PLEASE DESCRIBE WHAT YOU PROPOSE TO DO AND WHY YOU ARE SEEKING A CONDITIONAL USE PERMIT (attach a separate letter of explanation if necessary)

I would like to have a garage on the property and add a driveway into yard from alley. Paint and Roofing I later on doing

I (we) further state that if this request is granted, I (we) will proceed with the actual construction in accordance with the plans herewith submitted within one year or additional time as extended from the effective date of the appeal.

SIGNATURE OF APPLICANT _____

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

NOTE: A SKETCH OF PROPOSED PROPERTY SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

1. NORTH DIRECTION
2. DIMENSIONS OF PROPOSED STRUCTURE
3. STREET NAMES
4. OTHER INFORMATION AS MAY BE REQUESTED
5. LOCATION OF PROPOSED STRUCTURE ON LOT
6. DIMENSIONS OF FRONT AND SIDE SET BACKS
7. LOCATION OF ADJACENT EXISTING BUILDINGS

THE BOARD OF ADJUSTMENT MAY REQUIRE THAT SUCH PLANS BE PREPARED BY A REGISTERED ENGINEER OR LAND SURVEYOR.

**PLEASE USE THE ATTACHED SKETCH INSTRUCTION SHEET FOR AN EXAMPLE.

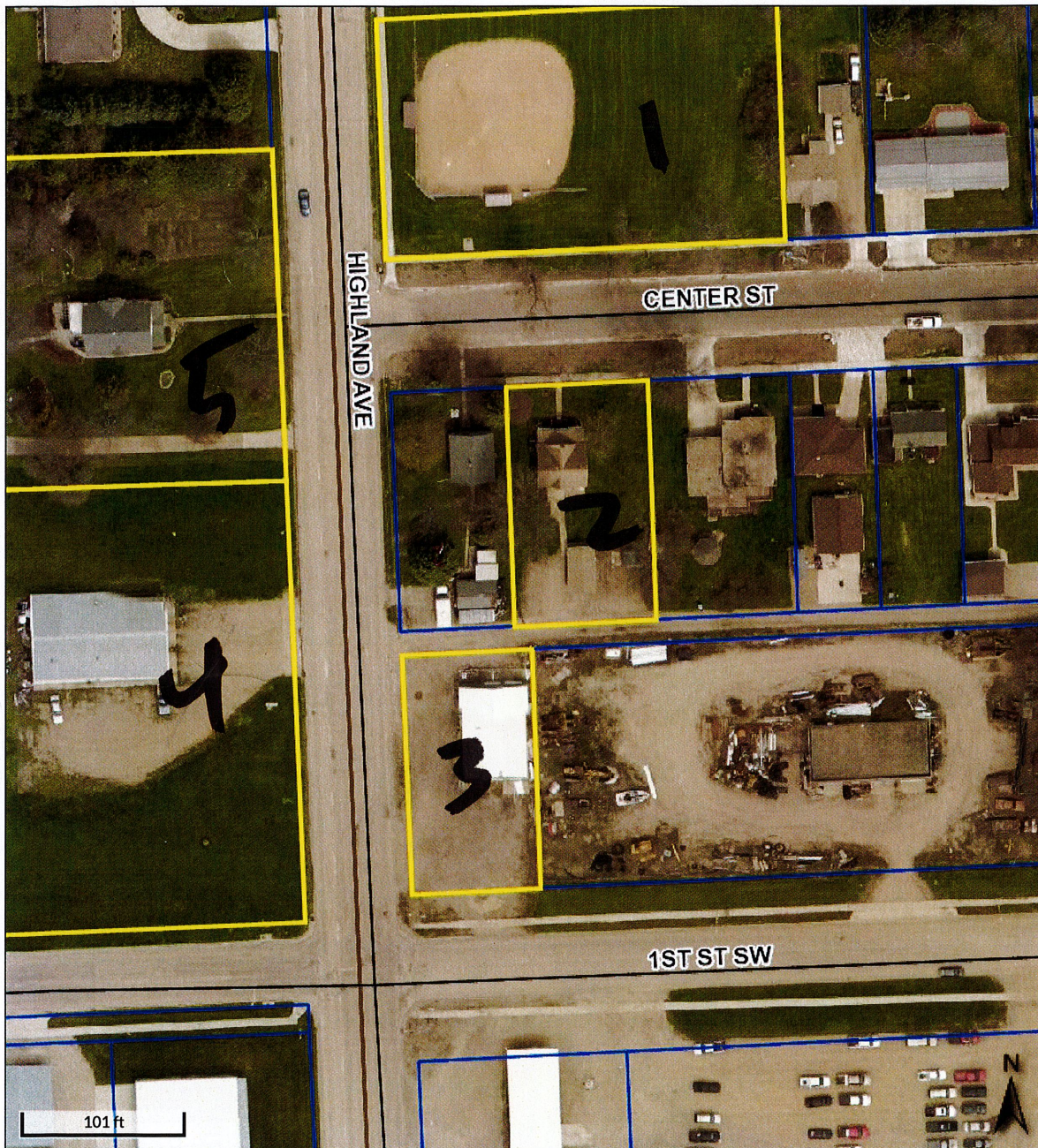
FOR OFFICIAL USE ONLY

DATE FILED WITH ADMINISTRATIVE OFFICIAL: _____
FEE PAID (NON-REFUNDABLE): _____ YES _____ NO
DATE OF HEARING: _____
ACTION BY BOARD OF ADJUSTMENT: _____

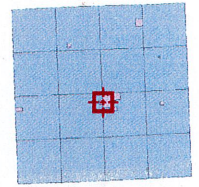
Petition For Moving In A Garage

I Marvin Parkinson would like to move a garage onto my property 1039 West Center Street. It will be placed on the west side of my property.

Signature	Printed Name	Address
4 Carol Beck	CAROL BECK	1290 TERRITORIAL RD
2 Eileen Hudson	Eileen Hudson	1031 W Center
3 DVA	DOUG Van Der Werff	120 S. Highland
1 Marshall Dennert	Marshall Dennert	116 W. Center
5 John A Bond	John Bond	103 N Highland



Overview



Legend

-  Parcels
-  Roads
-  Corporate Limits
-  Political Township

Date created: 4/21/2021
Last Data Uploaded: 4/21/2021 6:11:10 AM

Developed by  **Schneider**
GEOSPATIAL

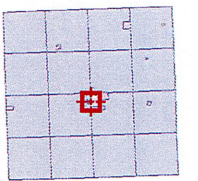




House 23' 6" from property line,
Property line is 20' from curb.



Overview



Legend

- Parcels
- Roads
- Corporate Limits
- Political Township

Garage
from the house
22' 1/2"

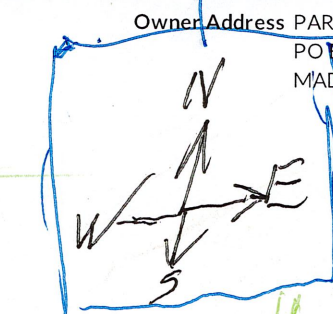
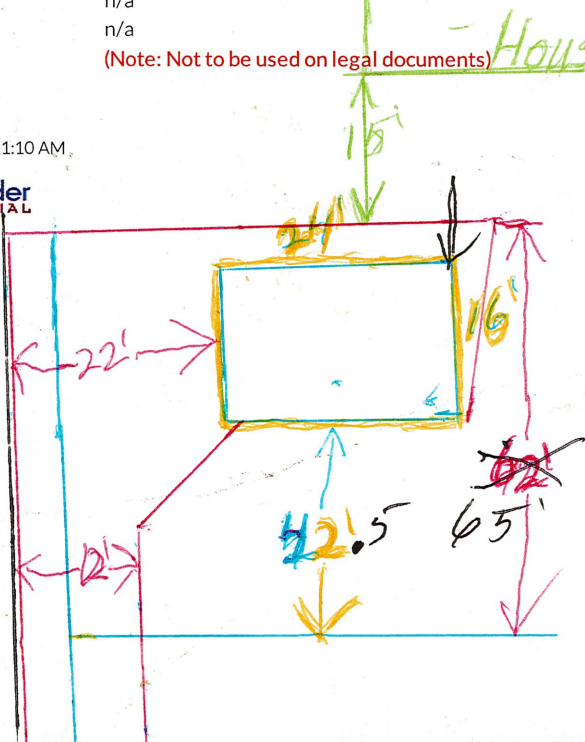
Parcel ID 211050080010020
Sec/Twp/Rng n/a
Property Address 1039 W CENTER ST
District n/a
Brief Tax Description n/a

Alternate ID n/a
Class D
Acreage n/a

Owner Address PARKINSON, MARVIN
PO BOX 179
MADISON, SD 570420000

Date created: 4/21/2021
Last Data Uploaded: 4/21/2021 6:11:10 AM

Developed by Schneider GEOSPATIAL



Green - House

Red - Garage

Blue - Property line

Black - Curb

Yellow @ Blue - Garage 24' x 16'
Set Back 18' from
Property line