

**PLANNING COMMISSION/
BOARD OF ADJUSTMENT MEETING
CITY COMMISSION ROOM
Tuesday, October 5, 2021
7:00am**

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES: September 14, 2021 Planning Commission Minutes.

APPROVAL OF MINUTES: September 14, 2021 Board of Adjustment Minutes.

APPROVAL OF AGENDA:

APPEARANCES, ACKNOWLEDGEMENTS, CORRESPONDENCE:

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

NEW BUSINESS (Board of Adjustment):

1. Hearing on Appeal No. 657, Lake Area Improvement Corporation, requesting a Conditional Use that, if granted, will permit a prospective buyer to operate a physical therapy clinic in a portion of a proposed building within the Highway Business (HB) District.
2. Decision on Appeal No. 657 Lake Area Improvement Corporation

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
September 14, 2021**

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

The following members were present for roll call: Chairman John Groce, Commissioner Jim Iverson, Bob Maxwell, Michael Johnson, Roger Olson and Jennifer Wolff. Also present were Administrative Officials Ryan Hegg & Dan Whitlock. Absent was City Commission Liaison Jeremiah Corbin

Motion by Commissioner Maxwell to approve the August 24, 2021 Planning Commission minutes, second by Commissioner Olson. Motion carried unanimously.

Motion by Commissioner Olson, second by Commissioner Wolff to approve the September 14, 2021 agenda. Motion carried unanimously.

Motion by Commissioner Olson, second by Commissioner Fawbush to move into Board of Adjustment at 7:03am. Motion carried unanimously.

Motion by Commissioner Maxwell, second by Commissioner Fawbush to move out of Board of Adjustment and into Planning Commission at 7:17am. Motion carried unanimously.

There were no public input comments.

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

The meeting adjourned at 7:19am.

Dan Whitlock
Planning Commission

**BOARD OF ADJUSTMENT PROCEEDINGS
CITY OF MADISON
September 14, 2021**

The Planning Commission motioned to move into Board of adjustment at 7:03 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 Officials Ryan Hegg, and Dan Whitlock

This being the time and place set for the hearing on Conditional Use Appeal Request No. 655, Scott Devaney on behalf of Tony Devaney. The following people were in attendance in addition to the Board and the aforementioned individuals: Scott Devaney and Bryan & Kelli Bender

Mr. Hegg went through the contents of the agenda packet for Appeal No. 655. Property is in R-20 Zone. With new structure lot coverage would be Approximately 18%. 80% lot coverage is allowed in R-20.

Scott Devaney spoke on the Conditional Use. He thought the garage was built back in the late 1980' and has a new roof. Mr. Iverson asked about the existing dog kennel. Mr. Devaney stated that the dog kennel will be removed, and a new slab will be poured for the new garage. The new garage will have the same side setback as the old garage (Approx. 10'). The garage will be resided to match the existing house that sits on the lot. Ms. Fawbush asked about the timeline for the project. All the neighbors are in favor and the project will be started on ASAP.

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. Iverson, second by Mr. Olson to approve Appeal No. 655.

Motion carried unanimously.

This being the time and place set for the hearing on Conditional Use Appeal Request No. 656, Bryan & Kelli Bender. The following people were in attendance in addition to the Board and the aforementioned individuals: Scott Devaney and Bryan & Kelli Bender

Mr. Hegg went through the contents of the Agenda Packet for Appeal No. 656. He stated that it was a covered porch for rain cover and decorative purposes. The existing property to the East has a similar overhang. Mr. Whitlock stated that the front setback on the property is 30'. The property sits in an R-90 Zone and the existing structure already encroaches into the 30' setback.

Kelli Bender spoke on the property. She stated that they are not doing any other work other than the overhang. Ms. Fawbush asked about timeline for the project. Ms. Bender stated that they would get going on the project as soon as they get the materials. Mr. Olson asked if they were doing the work themselves. Ms. Bender stated that they were doing the work themselves.

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. Maxwell to approve Appeal No. 656.

Motion carried unanimously.

Motion by Mr. Maxwell, second by Ms. Fawbush to move out of the Board of Adjustment at 7:17am

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, October 5th, 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 use permit.

Appeal No. 657 by Lake Area Improvement Corporation for a conditional use permit that, if granted, will permit a prospective buyer to operate a physical therapy clinic in a portion of a proposed building within the Highway Business (HB) district. The property is legally described as the newly platted Lot 7, Block 8, Lakeview Industrial Park 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, September 29, 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 \$ ____.

CITY OF MADISON
CONDITIONAL USE APPLICATION

10/29/2009

9-17-21
Receipt # 128996

APPEAL NUMBER 6587

APPLICANT (PRINT): Lake Area Improvement PHONE: 605 256-0797

ADDRESS: PO Box 32 Madison, SD 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)

Newly Platted: Lot 7, Block 8, Lakeview Industrial Park
addition to the City of Madison, Lake Co, SD

GENERAL AREA OR STREET ADDRESS: South of New Runnings Store

EXISTING LAND USE: farmland EXISTING ZONING: _____

SIZE OF PARCEL (ACRES) / SQFT 2.2 LOT DIMENSIONS: WIDTH _____ LENGTH _____ DEPTH _____

SURROUNDING LAND USE

NORTH: Highway Business - Runnings
SOUTH: farm land - light manufacturing
EAST: _____
WEST: Global Polymer - light manufacturing

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

Attached.

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 Xian Do, LAIC

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: _____



P.O. Box 32
315 South Egan Avenue
Madison, SD 57042

Lake Area Improvement Corporation
Office of Economic Development

(605) 256-0797
www.MadisonWorks.com

September 14, 2021

City of Madison Officials & Planning Commission:

The Lake Area Improvement Corp (LAIC) is requesting a conditional use permit of a 2.297± acre piece of ground in the Lakeview Industrial Park. This piece of property is directly to the south of Running's, across John Deere Circle and directly to the east of Global Polymer Industries, across Industry Ave. The request will be to take what is currently zoned as Highway Business (HB) and add the conditional use of

Sec. 17.113.04. Conditional Uses.: 19. Clinic.

The reason for the conditional use request is the LAIC is looking to sell the piece of ground to a prospect who would like to build a new building. This new building would be made up of tenants who will operate both a screen-printing business on one side of the building and a physical therapy clinic on the other. Currently, clinics are a restricted use within the light manufacturing designation. Both are businesses who currently operate in Madison and are looking for a growth opportunity.

I kindly ask the Planning Commission to consider this conditional use request for this parcel of land to allow for additional growth in Madison.

Respectfully,

Kari Blom
Administrative Assistant

LOT 7
BLOCK 8

INDUSTRIAL PARK

DEPENDENT TO
PUBLIC HIGHWAY
JURY OF PLATS 111 112

LAKEVIEW

CL

CL JOHN DEERE CIRCLE
(LOT 11)

S53°05'43"E 288.09'

LOT 7
BLOCK 8
CONTAINS:
100,044 SQ. FT.±
2.297 AC.±

INDUSTRY AVENUE S.

N01°39'49"W 318.24'

ADDITION

S36°54'07"W 153.33'

S88°41'14"W 300.00'

CURVE TABLE						
Curve #	Delta	Radius	Tangent	Length (L)	Length (C)	Chord Direction
C1	6°39'48"	460.00'	26.78'	53.50'	53.47'	N01°39'55"E
C2	29°25'27"	360.00'	94.53'	184.88'	182.85'	S67°48'22"E

TRACT 1
SEEN IN SECTION
SOURCE

CURVE TABLE						
Curve #	Delta	Radius	Tangent	Length (L)	Length (C)	Chord Direction
C1	6°39'48"	460.00'	26.78'	53.50'	53.47'	N01°39'55"E
C2	29°25'27"	360.00'	94.53'	184.88'	182.85'	S67°48'22"E



34

234TH STREET

WASHINGTON AVENUE

SITE

17

235TH STREET

455TH AVENUE

Sayre
Associates

218 S. Duluth Avenue • Sioux Falls, SD 57104
Phone: (605) 332-7211 • Fax: (605) 332-7222
Engineers • Surveyors

**CITY OF MADISON
SIGN PLACEMENT CERTIFICATE OF COMPLIANCE**

I, Kari Blom, do hereby certify that City
Print Name

approved signage related to Appeal Application No. _____ and/or rezoning of
property Lot 7, Block 8, Lakeview Ind. Park Add...
(insert legal description)

have been in place in accordance with all rules and laws prior to both the Planning
Commission and Board of Adjustment hearings. Said signs were placed and have
been maintained as required by ordinance.

Kari Blom
Signature

Sept 27, 2021
Date

7020 2450 0001 8170 9707

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MADISON SD 57042
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