

The regular meeting of the Lake County Planning Commission was called to order at the hour of 08:00 AM in the County Commission Board Room.

ROLL CALL:

Craig Johannsen, Dale Thompson, Alan Schaefer, Don Bickett, Doug Jerlow, Aaron Johnson, Gene Anderson and Official Mandi Anderson were all present.

AGENDA/ADDITIONS:

None.

Motion by Craig Johannsen to approve the agenda. Second by Doug Jerlow. M/C All were ayes.

MINUTES/CORRECTIONS:

Motion by Dale Thompson to approve June 13th minutes sent to them by mail. Second by Alan Schaefer. M/C All were ayes.

PUBLIC COMMENT:

Discussed new public comment guidelines for SDCL 1-25-1.

OLD/UNFINISHED BUSINESS:

None

NEW BUSINESS:

VARIANCE 18-07

Owner/Applicant: Deanna & Gary Junso, Contractor – Nathan Goehring (Dream Builders Inc.)

Property Description: Lot 27 Hilde's Addition Section 23-106-52, Lakeview Township

Zoning Description: "LP 1"- Lake Park District 1- Lake Madison

Request: The applicant is seeking a Variance from the minimum side yard setbacks.

History/Issue(s):

1. The applicant is interested in rebuilding a portion of the main floor, building a side patio and an upper level addition onto the existing single-family dwelling.
 - a) Completely destroy a portion of the existing and rebuild the main level and add an upper level addition to include a bathroom and 2 spare bedrooms and also a sitting/viewing area.
 - b) Add an attached enclosed screened in porch which would be located on the south side of the property on the front of the remodeled portion of the existing home.
2. They are requesting a 7' side yard variance. Ordinance requires a 9' side yard setback.
 - a) The existing structure currently sits right on the shared side yard lot line with the overhang on the neighbor's property to the South.
 - b) The proposed new structure would sit 2'4" off the side yard.
 - c) The south side overhang with a new gutter system will capture rain water and would improve the current drainage. The overhang would now be located totally on their property.
 - d) They would meet all other setbacks (front, rear, height, averaging and 4' above OHWM.)
3. We acknowledge that this lot was platted prior to Lake County Zoning regulations and is considered nonconforming due to the square footage only being approximately 8,120 sq. /ft. (58' width x 140' depth) and the width only being 58'. It is a lot of record.
 - a) Minimum lot size requirement for LP-1 district is 9,600 sq. /ft.
 - b) Minimum lot width requirement for LP-1 district is 75 feet.
4. Lake County Ordinance requires that a landowner go through the variance process if they cannot meet the setbacks.
5. Adjoining neighbor to the North, Homeowners Association and township have been contacted. They have raised no objections to the variance request and their signatures were obtained in approval. The adjoining neighbors to the South objected to the request and so they were notified via Certified Mail of the meeting dates and times and also were updated with the blueprints, site plan, and the proposed exterior photos.

6. Staff recommendation – Variance – **Minimum Side Yard Setbacks**

The Planning Commission has the option to table, recommend granting of the Variance to the Board of Adjustment, or recommend denial of the Variance to the Board of Adjustment.

If the Planning Commission recommends granting of the Variance to the BOA, it could use the following findings:

- The unique size of this lot.
- Single family dwelling additions are compatible with adjacent properties and other properties in LP-1; the variance would not be injurious to the neighborhood or detrimental to the public welfare
- The one adjoining landowner, homeowner's association and the township do not object to the Variance request
- The Variance is the minimum Variance that will make possible the reasonable use of the land
- The reasons set forth justify the granting of the Variance
- The granting of the variance request would not confer on the applicant special privilege denied to others in the LP-1 district.
- Granting the variance would not substantially impair the intent and purpose of the zoning ordinance
- There are special conditions or circumstances that exist which are peculiar to the land, structure, or building involved, and which are applicable to other land, structures, or buildings in the same district.

If the Planning Commission recommends denial of the Variance to the BOA, it could use the following finding:

NONE

Discussion from the board about the fence that will be constructed between the properties after the completion of this proposed project. Fence will follow the current ordinance guidelines.

Action Item: Variance – Minimum Side Yard Setback

Motion by Dale Thompson to recommend approval of the applicant's variance permit to the Board of Adjustment and adopt the findings outlined in the staff report. Second by Craig Johannsen. M/C All were ayes.

A Plat of Lot 10 in Block 8 of Lakes Community Addition in the NE ¼ of Section 32-106-51 in Wentworth Township was presented to the Planning Commission. This plat is located in the "LP-1" District. They are subdividing Block 8 for single family residential development. Meets Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Gene Anderson. M/C All were ayes.

Motion by Gene Anderson to adjure the Planning Commission Meeting. Second by Doug Jerlow. Chair Don Bickett adjourned the meeting at the hour of 8:27 AM.