

CITY OF MILBANK
PLANNING AND ZONING COMMISSION

April 3, 2023

The Milbank Planning and Zoning Commission met for a regular meeting on Monday, April 3, 2023, at 6:00 P.M. in the Milbank City Council Chambers. Present for the meeting were Commission members: Sharon Pinkert, Bob Frink, Jacob Ebsen, Hans Sacrison, Jason Sackreiter, Connie Larson, Dick Schmeichel. Present from staff, Brandy Blauert, John Forman. City Council Liaison, Craig Weinberg. City Attorney, Mark Reedstrom. Present from the public, Monte Robinson, Marilyn Robinson, Kevin Dunnihoo, Nicole Dunnihoo, Brendon Van Sambeek, Lynn Van Sambeek, Bernie Balling, Tina Balling, Sheila Myrum, Steven Nelson, Duane Tillman, Nick Frerichs, Brittnee Frerichs, Matt Wilson, Austin Hunt, Jan Scriver, Darci Ganske, Terry Ganske.

A motion was made by Sacrison and seconded by Ebsen to approve the minutes of the March 6, 2023, meeting. Motion carried 7-0.

No items were added to the agenda.

No declaration of intent by members of the public was declared.

Jason Sackreiter disclosed his conflict of interest with the JAG Development, LLC conditional use request.

Approval of the Agenda motion was made by Schmeichel seconded by Pinkert. Motion carried 7-0.

The commission acting as the Board of Adjustment:
Public testimony was taken regarding the conditional use requested by JAG Development, LLC that if granted, would permit a Twin-Home, Chapter 17.08.04. The property is identified as 1105 & 1107 Adams Drive, Hurley's Addition Lot 2 Block 13 (12,252.67 SF) city of Milbank, South Dakota, Zoned R1, Single Family

Residential District. After discussion a motion was made by Frink and seconded by Larson to approve the conditional use as requested. Roll call vote was taken. Ebsen – No, Frink – No, Larson – Yes, Pinkert, No, Sackreiter – Abstained, Sacrison – No, Schmeichel – Yes. Motion did not pass 2-4.

Public testimony was taken regarding the petition to rezone Hunt Addition Block 2 W 858.21' x 652.73' (East of Fair Street, North of Fairgrounds Addition) to the City of Milbank to R2 (General Residential District) from A (Agricultural District), Milbank, South Dakota.

A motion was made by Frink and seconded by Pinkert to recommend approval of a zoning change from Hunt Addition Block 2 W 858.21' x 652.73' (East of Fair Street, North of Fairgrounds Addition) to the City of Milbank to R2 (General Residential District) from A (Agricultural District), Milbank, South Dakota. Motion carried 7-0.

No items were discussed in the Open section of the agenda.

The following Chapter 17 changes were discussed. These Ordinance changes will be advertised. Public hearing, recommendations and first reading will be held in May 2023. Chapter 17 updates as follows:

- a. Chapter 17 updates
 - i. B-1 – page 27 Table 17.11.06.2 – change to the following setbacks: permitted uses, minimum rear yard adjacent to industrial, ag, or commercial districts from 10' to 40'; minimum rear yard adjacent to and shared with residential districts from 35' to 40'; minimum side yard adjacent to industrial, ag, or commercial districts from 40' to 10'; minimum side yard adjacent to and shared with residential districts from 40' to 35'.
 - ii. I-2 -page 42 Table 17.15.06.2 – change the following setbacks: permitted uses, minimum side yard adjacent to industrial, ag, or commercial districts from 50' to 35'. Storage yards for junk or salvage minimum side yard adjacent to and shared with residential districts from 35' to 50'.
 - iii. 17.24.7.a. Chart and Figure 17.24.7.A - page 88 – change to chart on page 3 “Accessory Structure Area Regulations.”

Accessory Structure Area Regulations

	Zoning District	Maximum Structure Height	Minimum Front Setback	Side Setback	Rear Setback	Secondary Front *	Maximum Lot Coverage	Notes
SFR	R-1	35'	25'	8'	20' **	12.5'	30%	Accessory buildings may not occupy more than 30% of the rear yard
	R-2	35'	25'	8'	20' **	12.5'	35%	Accessory buildings may not occupy more than 30% of the rear yard
	R-3	35'	25'	8'	20' **	12.5'	35%	Accessory buildings may not occupy more than 30% of the rear yard
SFR	A-1	35'	75'	30'	50'	37.5'	-	
	B-1	45'	30'	10'	40'	15'	50%	35' rear 40' side if shared with residential district
	B-2	50'	0'	0'	0'	0'	90%	30' rear and side if shared with residential district
	B-3	50'	50'	10'	30'	25'	75%	35' rear and side if shared with residential district
	I-1	50'	50'	10'	30'	25'	50%	35' rear and side if shared with residential district
	I-2	50'	75'	10'	50'	37.5'	50%	50' rear and side if shared with residential district

SFR = Single Family Residential Primary Use

* The required secondary front yard setback of a corner lot of record previous to 1968, may be reduced to not less than eight feet (8') or ten percent (10%) of the lot width in place of one of the required yards.

** Accessory Structure with parallel entrance to the building must maintain 8' setback from rear property line

- iv. Change Section 17.22.02 Conditional Uses to include the following:
“Any Conditional Use approved by the Planning Commission must conform to the minimum requirements of the zoning district in which the use is located and to minimum Conditional Use standards. Additionally, the Planning Commission can add other requirements that are appropriate. In all cases, the impact of the proposed use on adjacent properties will be a major consideration.”

The next regular meeting will be held on May 1, 2023 @ 6:00 p.m.

A motion was made by Ebsen and seconded by Frink to adjourn the meeting.

Brandy Blauert, Administrative Assistant

Planning & Zoning President, Jason Sackreiter

City Administrator, John Forman