

CITY OF FORT PIERRE PLANNING & ZONING
Regular Meeting Minutes
Stanley County Commission Room
Wednesday, November 15, 2023, 6:00 PM

The Fort Pierre Planning and Zoning (P&Z) Commission meeting was called to order at 6:00 PM by Chair Keller. Commission Members present were Keller, Sanchez, Kvislen, Durick and Tople. Members absent Deis. City Staff present was Hahn. Public present: John Duffy, Pat Duffy and Steve Van Mullem.

Approval of Agenda

Durick moved to approve the agenda and Kvislen second the motion. Motion passed on a Unanimous Voice Vote.

Conflict of Interest Declarations: None

Approval of Minutes

August 16, 2023, Minutes: Kvislen moved to approve the minutes with corrections, Tople second the motion. Motion passed on a Unanimous Voice Vote.

Public Notices: Hahn stated the public notices included in the packet were published in the Capitol Journal and sent to the adjacent landowners listed.

Old Business: No Old Business to discuss.

New Business:

Plat of Lots 44A & 44B, Marion's Acres Addition

Chair Keller entered into the minutes the following: For consideration of a Plat of Lots 44A and 44B a replat of Lot 44, Marion's Acres Addition, City of Fort Pierre for the purpose of splitting a single large lot into two residential lots. A.G.E., Petitioner.

Hahn explained the petitioner is requesting this single larger lot be split into two residential lots. Hahn stated the original lot was large for a possible multifamily lot, however, the demand is for more single-family lots. Hahn further stated that splitting the lots the residential lots are larger than the minimum lot size required by the zoning district and would be excellent single-family lots.

Durick moved to approve the Plat as provided and Sanchez seconded the motion. Motion passed on a Unanimous Voice Vote.

Plat of Lots B-1 & C-1, Waldron Addition.

Chair Keller entered into the minutes the following: For consideration of a Plat of Lots B-1 & C-1, a replat of Lots B & C Waldron Addition, City of Fort Pierre, Stanley co., South Dakota, for the purpose of creating six (6) condo storage units on Lot BR. R&W Construction LLC, Petitioner.

Hahn explained this plat is for increasing the size of the original Lot B for a 6-unit condo storage building on the new Lot B-1. Lot C-1 is still planned to be used for material storage for R&W Construction. Access for Lot B-1 is the common access approach shared by Lot A, Lot B-1 and Lot C-1. Hahn stated that the lots are acceptable and recommends approval.

Sanchez moved to approve the Plat as provided and Kvislen seconded the motion. Motion passed on a Unanimous Voice Vote.

Conditional Use Permit – Commercial/Residential

Chair Keller entered into the minutes the following: For consideration of a Conditional Use Permit for Mixed Use, Commercial & Residential, 18 E 2nd Ave., West Part of Lots 2-4 Block 29, Original Plat, City of Fort Pierre, for the purpose of using the space for commercial or Residential or a combination. John Duffy, Petitioner.

Hahn explained that the Duffy's are in the process of demolishing the interior of the building and would like to reconstruct as either an office or apartment or apartment in half and office in other half or a Live/Work Unit. John Duffy inquired about adding the option of a Vacation Home to the Conditional Use Permit. Hahn explained the vacation home process is complicated and

includes many special requirements and annual inspection and licensing. After further discussion John Duffy withdrew the request for the vacation home option.

Hahn provided in the meeting packet a draft of the conditional use permit for this location. John Duffy questioned the need for off-street parking spaces since 2nd Ave. has many spaces available. It was explained that the required parking spaces just need to be available and not necessarily used daily. The required spaces since 2nd Ave is an emergency snow route and no on-street parking is permitted during the snow removal process. John Duffy understood the explanation and was then satisfied with the required spaces.

Sanchez moved to approve the Conditional Use permit as provided and Tople seconded the motion. Motion passed on a Unanimous Voice Vote.

Ordinance Change

Chair Keller entered into the minutes the following: For consideration of an ordinance change to Recodified Ordinance 159.046(D) Discontinuing Nonconforming Use. The change requires the discontinuing the nonconforming use upon change in ownership. City of Fort Pierre, Petitioner.

Hahn explained the purpose of the ordinance change was to eventually bring an end to the continuation of a legal non-conforming use of a building or land. A legal non-conforming use is established when an ordinance is changed making the current use illegal in that location. As currently written the non-conforming use can continue if the legal non-conforming use is not stopped for more than 6 months. Therefore, the use can continue for many years beyond the change in ordinance. Hahn provided a few examples that exist. Commissioners inquired about any public comment received from the examples provided or the public. Hahn stated that no comments were received. Hahn further explained that the standard notices were sent to the paper and no specific notices sent to businesses.

After further discussion, Sanchez made the motion to table the ordinance change to receive more public comment on this change, Durick seconded the motion. Motion passed on a Unanimous Voice Vote.

Public Comment

No public comment received.

Further Business

Commission was notified Jhett Schuetzle resigned from the position of Assistant Director of Public Works

Adjournment

Chair Keller adjourned the meeting.

Jaci Keller, Chair

Rick Hahn, Respectfully Submitted