

# *City of Milbank*

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CITY OF MILBANK  
PLANNING & ZONING COMMISSION  
September 14, 2009

The Milbank Planning and Zoning Commission met for a regular meeting on Monday, September 14, 2009 at 5:30 PM in the City Council Chambers. Present for the meeting were Pat Raffety, Dick Schmeichel, Dennis Mears, Scott Niedert, Angela Lambrechts, Gerald Fields and Laurie Hoeke. Also present Matt Wellnitz, Sam Widhaum, Brenda Nies, Mike Nies, Joel Foster, Craig Ash and Jason Kettwig.

The meeting was called to order and roll call taken by Chairman Raffety.

A motion was made by Niedert and seconded by Lambrechts to approve the minutes of August 3, 2009 meeting. Motion carried 7-0.

Raffety stated that they would act as a board of adjustment for a variance request by Matthew Wellnitz that if granted would permit the construction of an accessory structure that is 36ft by 36ft which is over the allowable detached garage size. The property is known as 208 N Main St, Original Townsite, Block 57, S 25 ft of Lot 5 and Lot 6, zoned R-2, General Residential District. Raffety asked what the allowable size for a detached structure was, Kettwig stated that it was 30 ft by 36 ft. He also asked which way the garage would be entered from and Wellnitz stated that it would be entered from the south along the east to west alley. Widhaum expressed concerns that the floor drain seemed to be plumbed to open end outside the garage, Wellnitz stated that right now the floor drain is only a clean out and will not be used. Widhaum also expressed concerns over noise that has come from the property and if this would add to the problem. Raffety stated that this board could not address the noise complaint however, if the noise became a problem that law enforcement should be called to correct the situation. Schmeichel made a motion to approve the variance. Second was made by Niedert. Motion was approved 7-0.

Raffety stated that the board would act as a board of adjustment to consider the variance request of Mike and Brenda Nies that if granted would permit the construction of a sign in a residential district that would exceed the two square feet in area. The property is known as 811 E 4<sup>th</sup> Ave, S 136 ft of Lot 10 and the S 60 ft of Lot 11, Block 10, Bartlett's 1<sup>st</sup> Addition, zoned R-2, General Residential District. Nies were asked what size sign they were looking at installing, Nies stated that they were looking at a 3ft by 5ft sign that would be mounted on small posts and it would stay off the highway.

Raffety asked if there was a specific reason that they wanted the sign, Nies stated that they thought it would increase the amount of drop off business. Hoeke asked if they were licensed through the state because she send parents to the court house for the list of state licensed daycares when they are looking for a place. Nies stated that they were not licensed. Raffety made a motion to deny the permit. The motion was seconded by Mears. Motion carried 7-0.

Raffety stated that there would be a public hearing held to hear testimony and evidence of the attending public concerning proposed amendments, extensions, or additions to Chapter 17, Planning and Zoning. These amendments, extensions and additions related to the management of the floodplain in Milbank and are required by the Federal Emergency Management Agency prior to the adoption of an updated Flood Insurance Study and Flood Insurance Rate Map. Kettwig explained the ordinance was one that he had worked on with FEMA and the 1<sup>st</sup> District and it met all the requirements that FEMA had placed on the city. Fields made a motion to recommend approval of the ordinance. That motion was seconded by Mears. Motion carried 7-0.

A motion was made by Niedert, seconded by Lambrechts to adjourn at 6:12. Motion carried 7-0. Next meeting is October 5, 2009.

Jason Kettwig  
City Administrator