

**Memorandum #10-130**

**To:** Doug Russell, City Manager  
**From:** Dave Mingo, AICP Community Development Director  
**Subject:** Planning Commission Action Number 10-29 / Resolution #10-25  
**Date:** July 19, 2010



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**CONDITIONAL USE REQUEST**

**ACTION NUMBER: 10-29**

**E.T.J. MEMBER ACTION REQUIRED:** No

**APPLICANT / OWNER:** Miranda Pieper, owner.

**ADDRESS / LOCATION:** 705 E. 19<sup>th</sup> Street.

**PROPERTY DESCRIPTION:** Lot 3, Block 3, Oak Park Addition to the City of Yankton, South Dakota.

**ZONING DISTRICT:** R-2 Single Family.

**PREVIOUS ACTION:** None

**COMMENTS:** The applicant is requesting a Conditional Use Permit for a home based daycare facility. The site meets all area and fencing requirements. We did receive one anonymous call saying that the current situation at the site is noisy. The caller said they would not actively oppose the daycare but was hoping that the Planning Commission could forward the comment to the applicant in hopes that the facility could be quieter.

The staff recommends approval of the request.

**HEARING SCHEDULE:**

- June 14, 2010: The Planning Commission established July 12, 2010 as the date for public hearing on the proposed request.
- July 12, 2010: Planning Commission conducts hearing and makes a recommendation to the City Commission.
- July 26, 2010: City Commission considers resolution and makes final decision.

**Planning Commission results:** The Planning Commission recommended approval of the proposed Conditional Use Permit.

**RESOLUTION #10-25**  
Conditional Use

WHEREAS, Miranda Pieper is the owner of Lot 3, Block 3, Oak Park Addition to the City of Yankton, South Dakota. Address, 705 E. 19<sup>th</sup> Street, and

WHEREAS, the above described property is zoned R-2 Single Family residential which allows conditional uses under the City of Yankton's Zoning Ordinance No. 711 as amended, and

WHEREAS, this conditional use request is necessary for the property to be used as a daycare facility and has been reviewed and recommended for approval by a vote of the City Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves a conditional use permit for a daycare facility in accordance with all applicable ordinances and regulations on the above described property.

Adopted:

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David D. Knoff, Mayor

ATTEST:

\_\_\_\_\_  
Al Viereck, Finance Officer

Pd 5-21-10

City of Yankton  
City Planning Commission  
Yankton, SD 57078

**Re: Conditional Use Permit**

Dear Commission Members:

This letter, pursuant to the City of Yankton's Zoning Ordinance, is an application hereby made for a Conditional Use Permit for the property herein described.

Description of Conditional Use Permit desired: Daycare provider

The address of the property is: 705 E 19th St

Lot Number: 3 Block Number: 3

Addition: Oak Park

Zoning District: R-2 Single Family Residential

Check One

of which I own, or  
 of which I rent / lease (application must include consent document from the owner).

I/We have included a set of drawings or site plan, to scale, showing all conditions as to lot dimensions, building dimensions (proposed and existing), proposed uses of buildings (proposed, existing and future), location of off street parking, dimensions and number of spaces, the location of landscaping and/or screening that is proposed, and any easements that might exist or are proposed if necessary.

I/We have included a receipt for Fifty dollars (\$50.00), from the City Finance Department for processing this request.

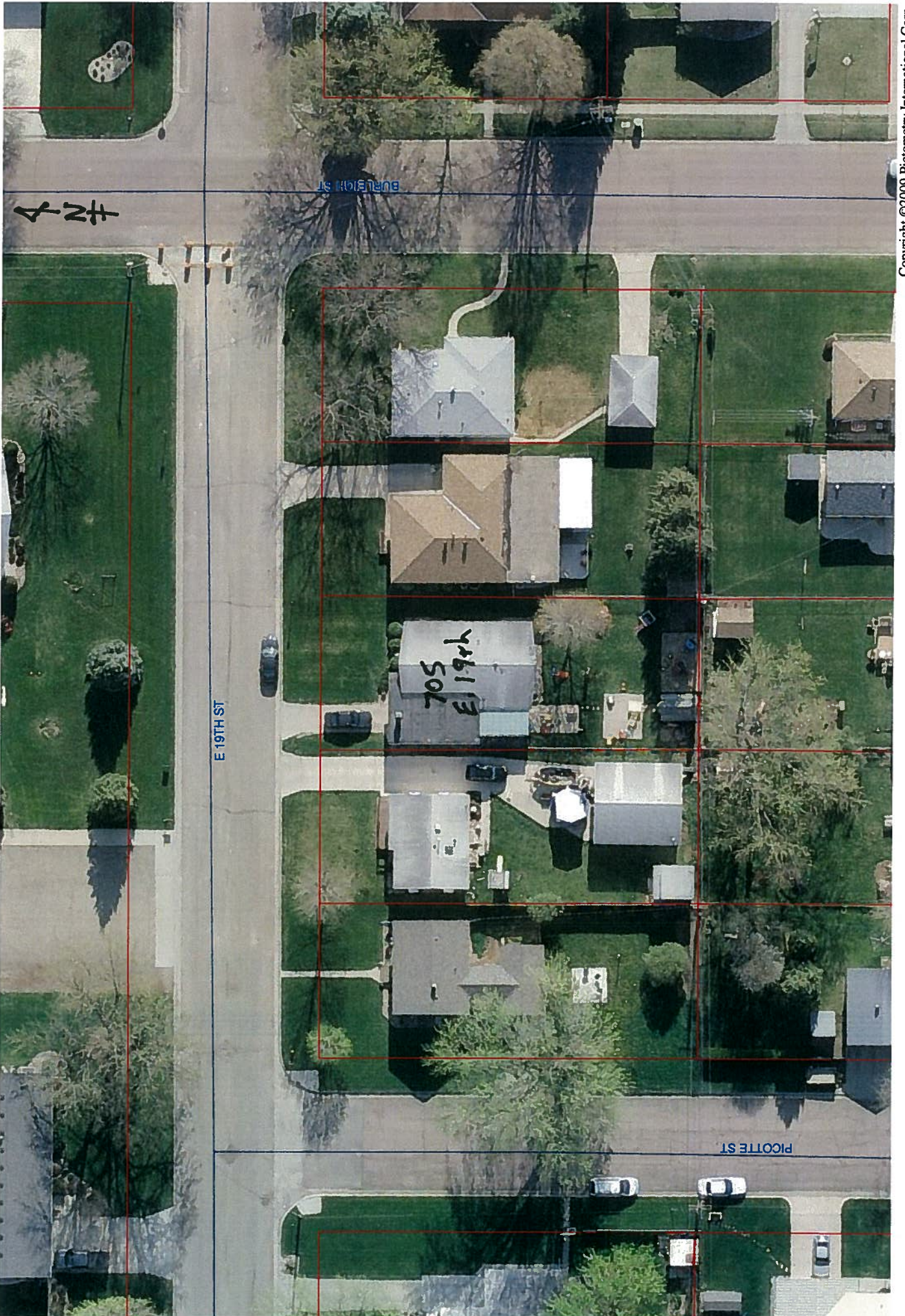
I hereby depose and say that all the above statements and statements contained in this application and related attachments are true.

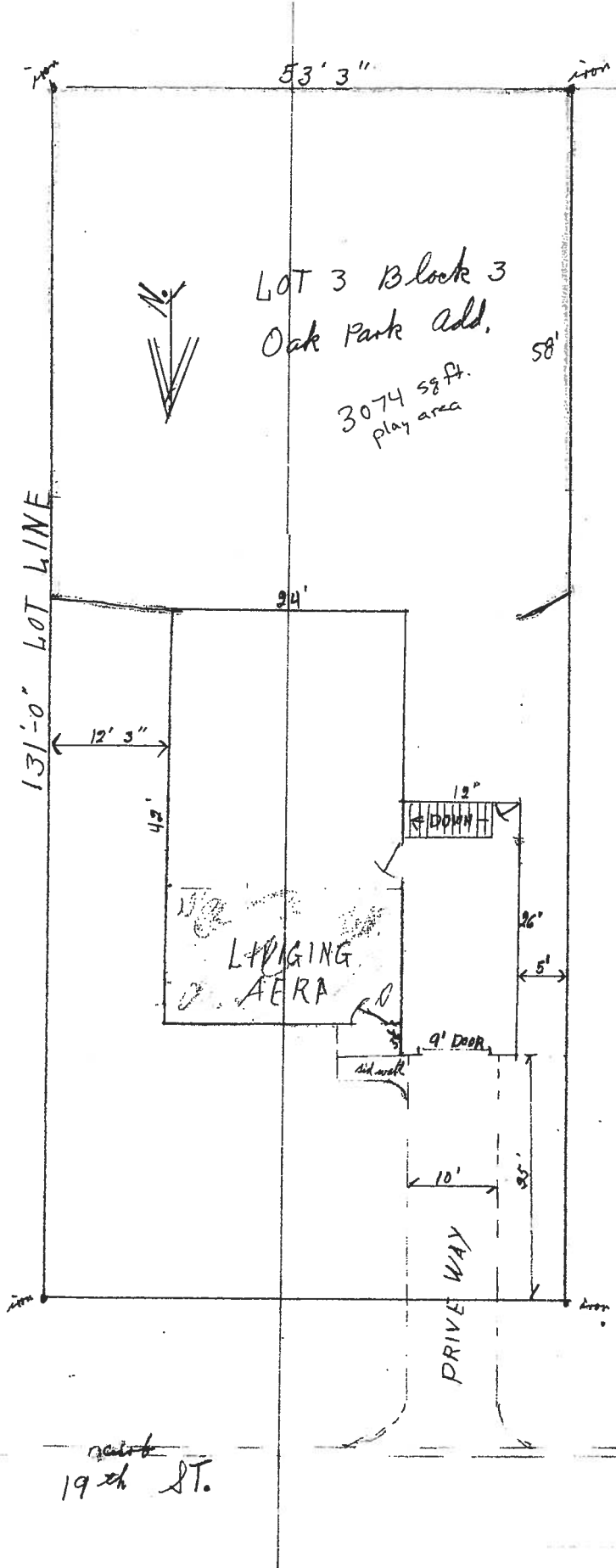
Thank you for your consideration,

Dated this 21 day of MAY, 20 10

Miranda Pieper / m+m Daycare Miranda Pieper  
printed / typed name and title if applicable signature

705 E 19th St  
Yankton, SD 57078  
address





LOT 3 Block 3  
Oak Park Add.

3074 sq ft.  
play area

131' 0" LOT LINE

53' 3"



94'

12' 3"

42'

LIVING AREA

12"  
DOWN

26'

5'

9' DOOR  
sidewalk

10'

95'

DRIVE WAY

19th ST.