

Memorandum #10-132

To: Doug Russell, City Manager
From: Dave Mingo, AICP Community Development Director
Subject: Planning Commission Action Number 10-31 / Resolution #10-27
Date: July 19, 2010



CONDITIONAL USE REQUEST

ACTION NUMBER: 10-31

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: Bonnie Brandt, applicant.

ADDRESS / LOCATION: 915 Burleigh Street.

PROPERTY DESCRIPTION: Lot 11, Block 63, Lower Yankton Addition to the City of Yankton, South Dakota.

ZONING DISTRICT: R-4 Multiple Family.

PREVIOUS ACTION: None

COMMENTS: The applicant is requesting a Conditional Use Permit for a daycare facility at the site. The applicant is a rental tenant on the property. As such they are required to have the property owner's consent to make a request of this nature. The attached note from Phyllis Thornton fulfills that requirement.

There is one small (ten foot) section of the fence missing near the driveway. The owner has assured staff that the complete fence will be installed within days. The side-yard fence does extend east along the property line so the gap does not allow access to the neighbor's property. Staff has not been contacted subsequent to notice publication and sending the required mailing to adjacent property owners.

The staff recommends approval of the request. If approved, staff will not release the permit to the applicant until such time that the fencing gap is filled.

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 #10-27

Conditional Use

WHEREAS, Bonnie Brandt is the applicant occupying Lot 11, Block 63, Lower Yankton Addition to the City of Yankton, South Dakota. Address, 915 Burleigh Street, and

WHEREAS, the above described property is zoned R-4 Multiple 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:

David D. Knoff, Mayor

ATTEST:

Al Viereck, Finance Officer

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 facility in
a residential district

The address of the property is: 915 Burleigh

Lot Number: 11 Block Number: 63
Addition: Lower Yankton
Zoning District: R-4 Multiple Family

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.

Fence within 30 days.

Thank you for your consideration,

Dated this 10th day of May, 2010

Bonnie Brandt
printed / typed name and title if applicable

Bonita Brandt
signature

915 Burleigh St
Yankton, SD 57078
address

5-10-10

To City of Yonkton, Mr. Dave Mengo:

I Phyllis A Thornton, give my permission
for Bonnie Brandt at 915 Burleigh, to
Operate day care.

Phyllis A Thornton 5-10-10

124

E 10TH ST

BURLIGH ST

915 Burligh

