Chicken committee to settle squabble

County forming board to address complaints, regulate activity

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Since January, Pennington County's Planning Department has received almost 100 complaints concerning people keeping chickens on their property. That's an issue.

The real problem, though, lies in the fact that if there are less than 100 chickens, the county lacks a clear way to regulate the activity.

County staff and commissioners hope the formation of a committee will help solve both quandaries.

"What we're looking to do is create better guidance in our zoning ordinance," county planning department director P.J. Conover said at a recent Board of Commissioners meeting on his hopes for the committee. "We have a lot of people in the county who like to have chickens, but we also have people in the county that don't want chickens around their property. We're trying to find a balance."

Currently, county ordinances stipulate that a large animal - bovine, equine, five sheep or 100 chickens - must be kept on at least half an acre of land, contained by fencing adequate to prevent infringing on adjacent property, and must not run within 50 feet of adjoining residences. Only property that is zoned general agricultural and limited agricultural is exempt from the rule.

But for Conover and the planning department, the ordinance offers little in mediating the recent onslaught of complaints.

"Our office is receiving an inordinate amount of complaints..."
But he waited nearly two weeks before he made his move, approaching the children when they were alone. After seeing Doering, Mogck told Deanna and Trevor in the house, and when Doering entered, asking where his children were, Mogck told him they weren’t there.

“His eyes, there was this sinister look to them,” Mogck said. “He caught me and he held on and no matter how much I struggled, I couldn’t get free.”

Doering knew it was a lie and put her in a headlock until she became faint and admitted the children were there.

Doering then began talking calmly to the children, making sure they stayed in the house for more than three hours.

Around 5:45 p.m., Mogck’s grandmother, Marlow Mogck, called, saying she would be home in 15 minutes to take the children to bowling league.

The venue quickly became engulfed in flames.

An officer pulled Mogck from the wreckage and laid her on an embankment where she watched the car burn and the reality that she was the only one to make it out alive set in.

“I didn’t need anybody to tell me they were gone – I knew,” a tearful Mogck said. “I could see my sister burning and I lost it from there. It’s so hard being an older sibling and then realizing I couldn’t save them.”

The events a decade ago shaped much of Mogck’s life, from her free spirit rendering her unwilling to stay in one place long, to her desire to pursue a degree in criminal justice, specializing in forensics.

“Throughout the past 10 years, I’ve asked myself if I’m any further than I was 10 years ago, and in some aspects, I am,” Mogck said. “But sometimes I’m still struggling with that feeling of going from a protector of them to feeling lost.”

Chickens

From AI

from neighbors because of chickens, because of noise, because of smell, because of the droppings,” Conover said on Sept. 21. Days earlier, he told commissioners in a memo that “all of the complaints have involved properties with less than twenty chickens.”

Assistant state’s attorney Jay Alderman said that though there is no county regulation prohibiting property owners from keeping animals not defined as “large,” because exceptions are made only for agriculturally zoned land, land zoned differently is effectively prohibited.

“If you had 99 chickens or you had 1 chicken, you still have to be able to have chickens in that zoned district,” Alderman said to commissioners when explaining the current ordinance. “It’s not a permitted use, but you have to decide if it’s a conditional use. If you have 99 chickens, they don’t have to be on a half-acre and they don’t have to meet the minimum fencing requirement. But they might if they fall under a conditional use where you can put conditions on them.”

With the complaints piling up, something has to give. Conover said that recently, an area woman was granted a conditional use permit allowing her to maintain around 10 chickens on her property. Using that process on a case-by-case basis is an option, but only a chance for citizens. The application fees are close to $400, and the amount of time preparing documents and notifying neighbors of the application and public hearings proves prohibitive.

But while Conover and his office wait for the committee to form and present their draft ordinance, he said that if a complaint is issued from neighbors, a conditional use permit remains the only avenue for property owners to seek exception.

As for the committee, Alderman said the likely result from their meetings would be either to amend the current zoning or to require animal ordnances to clearly permit small animals and less than 100 chickens or to only allow it by granting a conditional use permit to applicants.

Pennington County residents interested in serving on the committee can submit their name, contact information and statement of interest to the Pennington County Board of Commissioners at 130 Kansas City St., Suite 100, Rapid City, S.D., 57701 by 4 p.m. on Nov. 29. For more information, contact the county planning department at 394-2186.

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THANKSGIVING BUFFET

Thurs., Nov. 23rd
Serving 11:00AM - 8:00PM

Full Turkey dinner buffet with all the trimmings and desserts.