

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
March 25, 2013 @ 9:00 a.m.

County Commissioners' Meeting Room - Pennington County Courthouse

Recommendations of the Planning Commission on items from this agenda will be considered by the Board of Commissioners at their regular meeting on April 2, 2013, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE MARCH 11, 2013, MINUTES
2. APPROVAL OF THE AGENDA

CONSENT CALENDAR

The following items have been placed on the Consent Calendar for action to be taken on all items in accordance with staff's recommendation by a single vote. Any item may be removed from the Consent Calendar, by any Planning Commissioner, staff member, or audience member for separate consideration. The findings of this Planning Commission are recommendations to the Pennington County Board of Commissioners who will make the final decision.

3. **CONSTRUCTION PERMIT REVIEW / CP 08-06:** Pete Lien & Sons. To review the mining of 501 acres of limestone and disposal of clean concrete construction debris for reclamation in General Agriculture and Limited Agriculture Districts.

E1/2NE1/4, E1/2SE1/4, & NW1/4SE1/4, all of Section 19, T2N, R7E; W1/2NW1/4, E1/2NW1/4, E1/2SW1/4, NW1/4SW1/4, and Tract A of Kidner Subdivision, all of Section 20, T2N, R7E; all of BHM, Pennington County, South Dakota.

To recommend approval of the extension of Construction Permit / CP 08-06 with eleven (11) conditions.

4. **CONSTRUCTION PERMIT REVIEW / CP 08-07:** Pete Lien & Sons. To review the mining of 40 acres of limestone and disposal of clean concrete construction debris for reclamation in a General Agriculture District.

Government Lot 1, Section 19, T2N, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Construction Permit / CP 08-07 with eleven (11) conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 08-06:** Robert and Melody Riggins. To review a single-wide manufactured home as a temporary residence while constructing a stick-built home in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

SW1/4SE1/4 of Section 12, T1N, R9E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 08-06 with six (6) conditions.

6. **CONDITIONAL USE PERMIT REVIEW / CU 10-07:** Kim Smith/I-90 Cold Storage. To review a 198 foot wind generator tower in a Heavy Industrial District in accordance with Sections 212-C and 510 of the Pennington County Zoning Ordinance.

Lot 1 of Tract B in N1/2SE1/4 and the west 606.12 feet of Lot H-2 of Tract B, Section 27, T2N, R8E, BHM, Pennington County, South Dakota.

(Continued from the September 24, 2012, Planning Commission meeting.)

To recommend to revoke Conditional Use Permit / CU 10-07.

7. **CONDITIONAL USE PERMIT REVIEW / CU 11-07:** Rapid Valley Elementary; Conrad's Signs. To review a lighted, on-premise sign within 1,500 feet of a residential zoning district/dwelling unit in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Tract 1 of Lot W of (SE1/4NW1/4 & NE1/4SW1/4) (Easement), Williams Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 11-07 with six (6) conditions.

8. **REZONE / RZ 12-07 AND COMPREHENSIVE PLAN AMENDMENT / CA 12-05:** RMS Lode/Matt Keck. To rezone 5.13 acres from Limited Agriculture District to Highway Service District and to amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Highway Service District in accordance with Sections 210 and 508 of the Pennington County Zoning Ordinance.

EXISTING LEGAL: JR #2 Lode less Lot I, less Lot J and less Lot L of JR #2 and JR #5 Lodes and less Lot H2 of JR #2, #3 and #5 Lodes of JR #2 Lode MS 1864 and JR #3 Lode less Lots 1 and 2 of Lot E, less Lot H2 of JR #2, #3, and #5 Lode and less ROW, located in Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 2 of Stenson Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

(From the June 25, 2012, Planning Commission meeting.)

To recommend approval of Rezone / RZ 12-07 and approval of Comprehensive Plan Amendment / CA 12-05.

9. **REZONE / RZ 13-01:** Arlean Crow; Daniel Crow – Agent. To rezone 47.47 acres from Limited Agriculture District to General Agriculture District in accordance with Sections 205 and 508 of the Pennington County Zoning Ordinance.

Lot 8 Revised, Palmer Gulch Placer MS 690, Section 27, T1S, R5E, BHM, Pennington County, South Dakota.

To recommend approval of Rezone / RZ 13-01.

10. **REZONE / RZ 13-02:** Jarvis and Frances Olson; Fisk Land Surveying – Agent. To rezone 7.65 acres from Limited Agriculture District to Low Density Residential District in accordance with Sections 206, 207, and 508 of the Pennington County Zoning Ordinance.

Located on a parcel of land located in the South One-Half of the Northeast One-Quarter of the Southeast One-Quarter ($S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$) of Section Thirty-Five (35) in Township One North (T1N), Range Three East (R3E) of the Black Hills Meridian (BHM), Pennington County, South Dakota, more fully described as follows: Beginning at the southwest corner of said South One-Half of the Northeast One Quarter of the Southeast One Quarter ($S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$) of Section Thirty-Five (35) in Township One North (T1N), Range Three East (R3E) of the Black Hills Meridian (BHM), Pennington County, South Dakota, said point being located on a 1/16th section line of said Section Thirty-Five (35) and being marked by a US Forest Service Monument; thence, northerly along the 1/16th section line of said Section Thirty-Five (35), North 00 degrees 09 minutes 00 seconds West, a distance of 260.00 feet more or less to a point marked by a rebar with survey cap RW FISK 6565; thence, South 89 degrees 51 minutes 02 seconds East a distance of 1,282.70 feet more or less to a point located on the westerly line of the section line right-of-way for said Section Thirty-Five (35), said right-of-way being known as Paradise Drive, and said point being marked by a rebar with survey cap RW FISK 6565; thence, southerly on the westerly line of said section line right-of-way and on the westerly line of Paradise Drive right-of-way, South 00 degrees 00 minutes 43 seconds East a distance of 260.00 feet more or less, said point being located on a 1/16th section line and coincident with the northeast corner of Tract 14 of Leisure Hills Estates, and said point being marked by a monument with survey cap LS 2196; thence, westerly on said 1/16th section line and on the north line of said Tract 14 of Leisure Hills Estates, North 89 degrees 53 minutes 45 seconds West a distance of 549.64 feet more or less to the northwest corner of said Tract 14 of Leisure Hills Estates, said point being coincident with the northeast corner of Tract 15 of Leisure Hills Estates and said point being marked by a monument with survey cap LS 2196; thence, continuing westerly on said 1/16th section line and on the north line of said Tract 15 of Leisure Hills Estates, North 89 degrees 43 minutes 18 seconds West a distance of 542.94 feet more or less to the northwest corner of Tract 15 of

Leisure Hills Estates, said point being coincident with the northeast corner of Tract 21 of Leisure Hills Estates and said point being marked by a monument with survey cap LS 2196; thence, continuing westerly on said 1/16th section line and on the north line of said Tract 21 of Leisure Hills Estates, South 89 degrees 54 minutes 44 seconds West 189.50 feet more or less to the point of beginning. Said tract of land contains 7.65 acres, more or less.

To recommend to continue Rezone / RZ 13-02 to the April 22, 2013, Planning Commission meeting.

END OF CONSENT CALENDAR

11. LAYOUT PLAT / PL 13-05: William Bennett; Renner & Associates - Agent. To create Tracts 3R, 5, and 6 of Summit Peak Estates Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Tract 3 of Summit Peak Estates Subdivision; Less Tract 2, 3, and 4 of Summit Peak Estates Subdivision and Less ROW (Also in Section 33) of Jolly No. 1 Lode MS 527; Less Tract 2 and 3 of Summit Peak Estates Subdivision and ROW (Also in Section 32) of Jolly No. 2 Lode MS 528; and Less Tract 1, 2, and 4 of Summit Peak Estates Subdivision and ROW (Also in Section 33) of Jolly No. 3 lode MS 529, located in NE1/4 of Section 32 and in the NW1/4 of Section 33, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Tracts 3R, 5, and 6 of Summit Peak Estates Subdivision, Sections 32 and 33, T1S, R5E, BHM, Pennington County, South Dakota.

12. CONDITIONAL USE PERMIT / CU 13-05: Eric and Heidi Henriksen. To allow for three residences on the subject property and to bring the property into compliance to obtain Building Permits in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Government Lots 1 and 2, SE1/4; SE1/4SW1/4, less Right-of-Way, Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

13. LAYOUT PLAT / PL 13-04 AND SUBDIVISION REGULATIONS VARIANCE / SV 13-01: Jarvis and Frances Olson; Fisk Land Surveying – Agent. To create Lots 1 and 2 of Olson Park Subdivision and to waive platting requirements in accordance with Section 400.1 and Section 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: S1/2NE1/4SE1/4, Section 35, T1N, R3E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1 and 2 of Olson Park Subdivision, Section 35, T1N, R3E, BHM, Pennington County, South Dakota.

14. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the March 11, 2013, Planning Commission meeting.

15. ITEMS FROM THE PUBLIC

16. ITEMS FROM THE STAFF

A. Discussion of Memo from the Planning Director of Items to be reviewed and/or addressed for 2013.

17. ITEMS FROM THE MEMBERSHIP

18. DISCUSSION ITEMS

19. ADJOURNMENT

ADA Compliance: Pennington County fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the Planning Department so that appropriate auxiliary aids and services are available.