

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
April 22, 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 May 7, 2013, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE APRIL 8, 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. **CONDITIONAL USE PERMIT REVIEW / CU 11-15:** The Royal Company; Roger Johnson – Agent. To review an aircraft landing strip in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

The W1/2 of Section 33, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 11-15 with three (3) conditions.

4. **CONDITIONAL USE PERMIT REVIEW / CU 12-06:** Bituminous Paving. To review a portable asphalt batch plant to be set up in the Pete Lien & Son's gravel pit in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

GL1-4; PT of GL 5 East of Right-of-Way; and PT NE1/4NW1/4 East of Right-of-Way, Section 17, T1N, R14E, BHM, Pennington County, South Dakota.

To recommend to revoke Conditional Use Permit / CU 12-06 with the applicant's concurrence.

END OF CONSENT CALENDAR

5. MINOR PLAT / PL 13-07 AND SUBDIVISION REGULATIONS VARIANCE / SV 13-03: Lois McVey; Marv Matkins – Agent. To create Tract 3 of Kayter Subdivision of HES #636 in accordance with Sections 300.2 and 400.3 and to waive platting requirements in accordance with Section 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: A portion of HES #636 less Kayter Subdivision and less Swampy Lane Subdivision, Section 36, T1N, R3E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Tract 3 of Kayter Subdivision of HES #636, Section 36, T1N, R3E, BHM, Pennington County, South Dakota.

6. REZONE / RZ 13-03: Lois McVey; Marv Matkins – Agent. To rezone 14.47 acres from General Agriculture District to Limited Agriculture District in accordance with Sections 206 and 508 of the Pennington County Zoning Ordinance.

Located on a parcel of land being a portion of H.E.S. No. 636 located in N1/2 of SE1/4 of Section 36, T1N, R3E, BHM, Pennington County, South Dakota, said parcel of land is described as follows: Beginning of NE corner of said parcel identical to the E1/4 corner of said Section 36; thence S 0°08'35" W a distance of 759.50'; thence N 89°50'30" W a distance of 594.27'; thence N 0°05'02" E a distance of 562.79'; thence S 82°10'39" W a distance of 733.55'; thence N 0°23'41" E a distance of 297.06'; thence S 89°54'24" E a distance of 1320.02' to the Point of Beginning. Said parcel of land contains 14.470 acres more or less.

7. MINOR PLAT / PL 13-06 AND SUBDIVISION REGULATIONS VARIANCE / SV 13-02: Siders Sisters; Linda Smoot – Agent. To create Lot 3R of Lot A of Feldman Subdivision in accordance with Sections 300.2 and 400.3 and to waive platting requirements in accordance with Section 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 3 of Lot A of Feldman Subdivision and a portion of Parcel No. 4 located in the SW1/4 of NE1/4, all in Section 2, T2S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 3R of Lot A of Feldman Subdivision, Section 2, T2S, R5E, BHM, Pennington County, South Dakota.

8. REZONE / RZ 13-04: Siders Sisters; Linda Smoot – Agent. To rezone 0.834 of an acre from Limited Agriculture District to Low Density Residential District in accordance with Sections 207 and 508 of the Pennington County Zoning Ordinance.

Located on a parcel of land being a portion of Parcel No. 4 located in SW1/4 of NE1/4 of Section 2, T2S, R5E, BHM, Pennington County, South Dakota, said parcel of land is described as follows: Beginning at a point on the North line of said Parcel No. 4, the NW corner of said Parcel No. 4 bears S 88°48'45" W a distance of 231.01'; thence N 88°48'45" E a distance of 424.96'; thence S 0°29'06" E a distance of 156.95'; thence along the arc of a curve to the right whose angle is 13°35'32" and whose radius is

593.50' a distance of 140.80' to the PT of the curve; thence N 68°43'21" W a distance of 311.43' to the Point of Beginning. Said parcel of land contains 0.834 acre more or less.

9. REZONE / RZ 13-05 AND COMPREHENSIVE PAN AMENDMENT / CA 13-01: Jude Wildeman. To rezone 9.5 acres from General Agriculture District to Highway Service District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Highway Service District to allow for a commercial use of rental cabins in accordance with Sections 210 and 508 of the Pennington County Zoning Ordinance.

That Portion of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section 22, T1S, R6E, BHM, Pennington County, South Dakota, lying north and west of Lots H1 and H3, as shown on the plats filed in the Highway Plat Book 1, Page 113 and in Highway Plat Book 4, Page 194, Exception therefrom any highway rights-of-way.

10. 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.

(Continued from the March 25, 2013, Planning Commission meeting.)

11. 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.

(Continued from the March 25, 2013, Planning Commission meeting.)

12. CONDITIONAL USE PERMIT / CU 13-07: Jack Bradt. To allow for the operation of a dude ranch to include lodging and horse trail rides in a General Agriculture District in accordance with Sections 205-C and 510 of the Pennington County Zoning Ordinance.

The W1/2 of the NW1/4, Section 21, T2S, R6E, BHM, Pennington County, South Dakota.

13. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the April 8, 2013, Planning Commission meeting.

14. ITEMS FROM THE PUBLIC

15. ITEMS FROM THE STAFF

A. General Agriculture District and Limited Agriculture District Uses.

16. ITEMS FROM THE MEMBERSHIP

17. DISCUSSION ITEMS

18. 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.