

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
June 10, 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 June 18, 2013, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE MAY 28, 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 01-18:** Randy and June Guliuzza. To review a Bed and Breakfast as a home occupation in a Low Density Residential District in accordance with Section 207-C-1 of the Pennington County Zoning Ordinance.

Tract 2 of Shelter in the Hills Subdivision, Section 24, T1S, R6E, BHM, Pennington County, South Dakota.

To recommend to continue the review of Conditional Use Permit / CU 01-18 to the September 9, 2013, Planning Commission meeting.

4. **CONDITIONAL USE PERMIT REVIEW / CU 04-46:** A & B Ranch, Inc.; Brian Barber - Agent. To review a metal fabrication business as a home occupation in a General Agriculture District in accordance with Sections 204, 205-C-6, and 510 of the Pennington County Zoning Ordinance.

SW1/4 less ROW; S1/2SW1/4NW1/4 less ROW; SW1/4SE1/4NW1/4; SW1/4 SE1/4 SE1/4NW1/4; S1/2SE1/4SE1/4SE1/4NW1/4, Section 9, T2S, R9E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 04-46 with eleven (11) conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 10-14:** Joyce Olson. To review an accessory structure, garage, without a primary structure in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 7, Block 5, Green Valley Estates, Section 23, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 10-14 with seven (7).

6. **CONDITIONAL USE PERMIT REVIEW / CU 10-20:** Mike and Connie Ryan. To review an accessory structure, a pole barn, without a primary structure in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Balance of Lot 5 Revised, Braithwaite Subdivision, Section 31, T2N, R6E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 10-20 with six (6) conditions.

7. **REZONE / RZ 13-10:** U Lazy Two, LLC (Robert Schmitz); Fisk Land Surveying – Agent. To rezone 10.29 acres from General Agriculture District to Limited Agriculture District in accordance with Section 508 of the Pennington County Zoning Ordinance.

A portion of Lot 2 (Two) of U Lazy Two Ranch Estates located in the Northeast One-Quarter of the Northwest One-Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) and in the North One-Half of the Northeast One-Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Twenty Three (23) of Township Two North (T2N), Range Six East (R6E), of the Black Hills Meridian (BHM), Pennington County, South Dakota, more fully described as follows: Beginning at the southwest corner of said Lot 2 (Two) of U Lazy Two Ranch Estates located in the Northeast One-Quarter of the Northwest One-Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) and in the North One-Half of the Northeast One-Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Twenty Three (23) of Township Two North (T2N), Range Six East (R6E) of the Black Hills Meridian (BHM), Pennington County, South Dakota as shown on the plat recorded on December 10, 2008, and filed in Book 35 of Plats on Page 94, said corner being marked by a rebar with survey cap “RW Fisk 6565”; thence, northeasterly on the westerly line of said Lot 2 (Two) of U Lazy Two Ranch Estates Subdivision and on the easterly right-of-way line of Nemo Road, North 25 degrees 53 minutes 13 seconds East a distance of 9.37 feet more or less to a point of curvature, said point being marked by a rebar with survey cap “RW Fisk 6565”; thence, curving to the left and on the westerly line of said Lot 2 (Two) of U Lazy Two Ranch Estates Subdivision and on the easterly right-of-way line of Nemo Road, on a curve with a radius of 750.00 feet, and delta of 11 degrees 34 minutes 18 seconds, an arc length of 151.47 feet and a chord bearing of North 20 degrees 06 minutes 04 seconds East and chord distance of 151.22 feet more or less to a point marked by a rebar with survey cap “RW

Fisk 6565”; thence, North 90 degrees 00 minutes 00 seconds East a distance of 650.00 feet more or less to a point marked by a rebar with survey cap “RW Fisk 6565”; thence, North 26 degrees 33 minutes 54 seconds East a distance of 223.61 feet more or less to a point marked by a rebar with survey cap “RW Fisk 6565”; thence, North 65 degrees 37 minutes 59 seconds East a distance of 505.58 feet more or less to a point marked by a rebar with survey cap “RW Fisk 6565”; thence, South 83 degrees 38 minutes 54 seconds East a distance of 69.41 feet more or less to a point marked by a rebar with survey cap “RW Fisk 6565”; thence, South 26 degrees 05 minutes 26 seconds East a distance of 411.99 feet more or less to a point marked by a rebar with survey cap “RW Fisk 6565”; thence, South 13 degrees 51 minutes 07 seconds East a distance of 53.56 feet more or less to a point marked by a rebar with survey cap “RW Fisk 6565”; thence, South 16 degrees 45 minutes 15 seconds West a distance of 40.92 feet more or less to a point marked by a rebar with survey cap “RW Fisk 6565”; thence, South 00 degrees 00 minutes 00 seconds East a distance of 101.16 feet more or less to a point located on the south line of said Lot 2 (Two) of U Lazy Two Ranch Estates Subdivision, said point being marked by a rebar with survey cap “RW Fisk 6565”; thence, westerly on the south line of said Lot 2 (Two) of U Lazy Two Ranch Estates Subdivision, North 89 degrees 30 minutes 02 seconds West a distance of 1,222.73 feet more or less to a point marked by a rebar with survey cap “RW Fisk 6565”; thence, continuing westerly on the south line of said Lot 2 (Two) of U Lazy Two Ranch Estates Subdivision, North 89 degrees 56 minutes 00 seconds West a distance of 295.12 feet more or less to the point of beginning. Said tract of land contains 10.29 acres more or less.

To recommend approval of Rezone / RZ 13-10.

8. **CONDITIONAL USE PERMIT / CU 13-12:** Donald Johnson. To allow for a single-wide mobile home to be used as a single-family residence in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 42, Block 4, Green Valley Estates, Section 23, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 13-12 with seven (7) conditions.

9. **CONDITIONAL USE PERMIT / CU 13-10:** Bruce and Sandra Rampelberg. To allow for a Vacation Home Rental in a Limited Agriculture District in accordance with Sections 206, 319, and 510 of the Pennington County Zoning Ordinance.

The E1/2N1/2N1/2SE1/4NW1/4, Section 15, T1S, R7E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 13-10 with seven (7) conditions.

10. **COMPREHENSIVE PLAN AMENDMENT / CA 13-04:** Jarvis and Frances Olson; Fisk Land Surveying – Agent. To amend the Pennington County Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Low Density Residential District in accordance with Section 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 approval of Comprehensive Plan Amendment / CA 13-04.

END OF CONSENT CALENDAR

11. VACATION OF EASEMENT / VE 13-01: Jerry and Michele Sowards. To vacate a portion of the access easements located along the interior of Lots 13, 14, 17, and 18 of Tract A of Sunnyside Acres Subdivision in accordance with the Pennington County Zoning Ordinance.

Lots 13, 14, 17, and 18 of Tract A, Sunnyside Acres Subdivision, Section 25, T2N, R4E, and Section 30, T2N, R5E, BHM, Pennington County, South Dakota.

12. CONDITIONAL USE PERMIT / CU 13-11: Sugar Daddy's / Kerri Johnston. To allow for a RV site on the subject property to be utilized on a part-time basis (weekends) in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Lot A of SE1/4SW1/4, Section 7, T2N, R5E, BHM, Pennington County, South Dakota.

13. CONDITIONAL USE PERMIT REVIEW / CU 09-25: Steve Hobart. To review a ranch hand's residence in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

The W1/2W1/2SW1/4NE1/4, Section 16, T1S, R3E, BHM, Pennington County, South Dakota.

14. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the May 28, 2013, Planning Commission.

15. ITEMS FROM THE PUBLIC

16. ITEMS FROM THE STAFF

A. Building Permit Report.

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.