

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
September 23, 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 October 1, 2013, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE SEPTEMBER 9, 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 91-59:** Melissa Ehrhardt. To review a single-wide mobile home as a single-family residence in a Suburban Residential District in accordance with Section 208-C-19 of the Pennington County Zoning Ordinance.

Tract C of Lot 6, Berger Subdivision, Section 14, T2N, R8E, BHM, Pennington County, South Dakota.

(Continued from the August 26, 2013, Planning Commission meeting.)

To recommend approval of the extension of Conditional Use Permit / CU 91-59 with three (3) conditions.

4. **CONDITIONAL USE PERMIT REVIEW / CU 05-30:** Melvin and Mary Leui; Debarah Leui – Agent. To review a second manufactured home on the property to be used as a caretaker's residence in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 3, Block 7, Ashland Subdivision #2, Section 15, T2N, R8E, Pennington County, South Dakota.

To recommend to continue the review of Conditional Use Permit / CU 05-30 to the November 25, 2013, Planning Commission meeting.

5. **CONDITIONAL USE PERMIT REVIEW / CU 12-26:** Mark and Mary Hansen. To review a Vacation Home Rental in a Suburban Residential District in accordance with Sections 208, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 28, Block E, Edelweiss Mountain Development, Section 20, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 12-26 with eleven (11) conditions.

6. **CONDITIONAL USE PERMIT REVIEW / CU 12-27:** Mike Dressler. To review a Vacation Home Rental in a Low Density Residential District in accordance with Sections 207, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 4R (also in Section 13), Block 3, Alpine Acres Meadow, Section 14, T2N, R4E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 12-27 with seven (7) conditions.

7. **CONDITIONAL USE PERMIT / CU 13-21:** Aaron Olson. To allow for a Vacation Home Rental in a Suburban Residential District in accordance with Sections 208, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 8 of Tract A, Sunnyside Acres Subdivision, Section 25, T2N, R4E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 13-21 with nine (9) conditions.

8. **MINOR PLAT / PL 13-19:** Robert Tschetter; Fisk Land Surveying – Agent. To create Lots 1R and 2R of Berry Development in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lots 1, 2, and 3, Berry Development, Section 15, T1N, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1R and 2R, Berry Development, Section 15, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend approval of Minor Plat / PL 13-19 with one (1) condition.

9. **REZONE / RZ 13-16 AND COMPREHENSIVE PLAN AMENDMENT / CA 13-10:** Alison Lewis; Fisk Land Surveying – Agent. To rezone 3.71 acres from Limited Agriculture District to Low Density Residential District and 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.

Lots 4, 5, 7, 8, 9, and 10, Engberg Subdivision, Section 6, T2S, R6E, BHM, Pennington County, South Dakota.

To recommended approval of Rezone / RZ 13-16 and Comprehensive Plan Amendment / CA 13-10.

END OF CONSENT CALENDAR

10. MINOR PLAT / PL 13-18 AND SUBDIVISION REGULATIONS VARIANCE / SV 13-10: Wade and Sharon Reynolds. To create Lots 1 and 2 of Reynolds Subdivision and to waive platting requirements in accordance with Sections 700.1 and 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: E1/2SW1/4 and W1/2SE1/4 lying south of Spring Creek Road, Section 5, T2S, R9E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1 and 2 of Reynolds Subdivision, Section 5, T2S, R9E, BHM, Pennington County, South Dakota.

11. MINOR PLAT / PL 13-17 AND SUBDIVISION REGULATIONS VARIANCE / SV 13-09: Arlin Stratmeyer. To create Lots 7 Revised, 8 Revised, and 9 of A & J Subdivision and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lots 7 and 8, A & J Subdivision, Section 14, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 7 Revised, 8 Revised, and 9 of A & J Subdivision, Section 14, T1S, R6E, BHM, Pennington County, South Dakota.

12. MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 13-04: First Interstate Bank / Mark Benson – Agent. To amend the Canyon Springs Preserve Planned Unit Development to reduce the pedestrian walking and bike paths within the development in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lots 1-87 and Common Areas 1-16, Canyon Springs Preserve, Sections 22, 23, and 26, T2N, R6E, BHM, Pennington County, South Dakota.

13. CONDITIONAL USE PERMIT / CU 13-19: Ken and Cory Tomovick. To allow for events of 20 people or less and to allow for a Vacation Home Rental in a General Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 1 of Bonanza Bar MC 970 and the Unplatted Part of Bonanza Bar MC 970 (also in Section 1), Section 12, T1S, R6E, BHM, Pennington County, South Dakota.

(Continued from the September 9, 2013, Planning Commission meeting.)

14. MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 13-03: John and Barbara Majchrzak. To amend the High Country Ranch Planned Unit Development to reduce the setback from 25 feet to zero (0) for a proposed chapel in accordance with Section 213-E-2 of the Pennington County Zoning Ordinance.

Tract A less High Country Ranch Subdivision and less Right-of-Way of Ray, Smith Placer MS 995, Section 15, T1S, R4E, BHM, Pennington County, South Dakota.

15. REZONE / RZ 13-17 AND COMPREHENSIVE PLAN AMENDMENT / CA 13-11: Rapid City DSDP VIII, LLC; Austin Rogers – Agent; (Landowner – Jerry and Donna Olson). To rezone 1.5 acres from Limited Agriculture District to General Commercial District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Suburban Residential District to General Commercial District in accordance with Section 508 of the Pennington County Zoning Ordinance.

The following describes a parcel of real property being a portion of Tract 1, less Utility Lot 1, less Lot B, less Lot WR of the NE1/4NE1/4, less Lots H1, H2, H3, H4 and less ROW of Longview Road, all in Paul Subdivision, Section 15, Township 1 North, Range 8 East of the Black Hills Meridian, Pennington County, South Dakota, being more particularly described as follows: COMMENCING at the Southeast corner of Lot H-4 of Tract 1 of Paul Subdivision recorded in Book 11 of Highway Plats at Page 173, said corner marked by a 5/8” rebar capped “LS 3712”; THENCE; along the southerly boundary line of said Lot H-4, also being the southerly Right-of-Way line of Longview Road, South 87°54’00” East, 242.58 feet to a found 5/8” rebar capped “LS 3712” marking the Southwest corner of said Lot H-4; THENCE; leaving said southerly boundary line along the westerly boundary line of said LOT H-4, South 02°06’47” West, 11.22 feet to a point on the southerly Right-of-Way of Longview Road; THENCE; leaving said westerly boundary line, along said southerly Right-of-Way line, also being the Southerly boundary line of Lot H1 as shown on the official plat thereof on file in the Pennington County Register of Deeds office in Book 11 of Plats at Page 67, North 87°53’13” West, 112.49 feet to a set 5/8” rebar capped “ CETEC LS 4725” marking the beginning of a curve to the left; THENCE; along said curve to the left 90.79 feet to a set 5/8” rebar capped “LS 4215” marking the Northwest corner of said Lot C, said curve having a central angle of 37°03’34”, a radius of 460.00 feet, and being subtended by a chord which bears South 86°36’37” West, a distance of 90.64 feet to the POINT OF BEGINNING; THENCE; leaving said southerly Right-of-Way line, along the northerly

boundary line of said Lot C, South 49°16'36" East, 168.91 feet to a set 5/8" rebar capped "LS 4725" marking the Northeast corner of said Lot C; THENCE; leaving said northerly boundary line, along the easterly boundary line of said Lot C, South 40°43'03" West, a distance of 271.80 feet to a set 5/8" rebar capped "LS 4725" marking the Southeast corner of said Lot C, said point also being on the northerly Right-of-Way line of SD Highway 44; THENCE; leaving said easterly boundary line, along the southerly boundary line of said Lot C, also being the northerly Right-of-Way line of said SD Highway 44, North 49°15'59" West, a distance of 277.06 feet to a set 5/8" rebar marking the southwest corner of said Lot C, said corner also marks the intersection of the Right-of-Way lines for said Longview Road and said SD Highway 44; THENCE; leaving said southerly boundary line, and said northerly Right-of-Way line, along the southeasterly Right-of-Way of said Longview Road, also being the westerly boundary line of lot C, 297.53 feet along the arc of a curve to the right, said curve having a central angle of 37°03'34", a radius of 460.00 feet and being subtended by a chord which bears North 62°25'35" East, a distance of 292.37 feet to the POINT OF BEGINNING; The above-described parcel of real property contains 65,282.32 Sq. Ft., 1.498 Acres, more or less and is SUBJECT TO a 15 foot wide Right-of-Way Easement granted to the Rapid Valley Irrigation Ditch Company being centered on the centerline of the Murphy Ditch, said Easement is recorded in Book 15 at Page 8318 of Miscellaneous Record, Pennington County Recorders Office; Also SUBJECT TO an Access and Culvert Maintenance Easement granted to the Rapid Valley Irrigation Ditch Company for the maintenance of a 48 inch pipe and the aforementioned Murphy Ditch, said Easement is recorded in Book 16 at Page 5460 of Miscellaneous Records, Pennington County Recorders Office; Also SUBJECT TO all easement and reservations of record.

16. COUNTY BOARD REPORT

The Board of Commissioners will not hear the recommendations from the September 9, 2013, Planning Commission meeting until Friday, September 20th.

17. ITEMS FROM THE PUBLIC

18. ITEMS FROM THE STAFF

19. ITEMS FROM THE MEMBERSHIP

20. DISCUSSION ITEMS

21. 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.