

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
September 22, 2014 @ 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 7, 2014, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE SEPTEMBER 8, 2014, 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 / CU 98-22:** Dakota Stone Company. To review a Construction / Mining Permit to continue surface mining in a General Agriculture District in accordance with Section 507 of the Pennington County Zoning Ordinance.

SE1/4NW1/4, Section 3, T2S, R3E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Construction Permit / CU 98-22 with four (4) conditions.

4. **MINOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / CU 13-03:** John and Barbara Majchrzak. To review the High Country Guest Ranch PUD 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.

To recommend approval of the extension of Minor Planned Unit Development Amendment / PUD 13-03 with twenty-six (26) conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 12-10:** Tom Bodensteiner. To review a portable sawmill to process bug-wood trees in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 1R, Beaird Subdivision, Section 21, T2N, R8E, BHM, Pennington County, South Dakota.

(Continued from the May 27, 2014, Planning Commission meeting.)

To recommend approval of the extension of Conditional Use Permit / CU 12-10 with fifteen (15) conditions.

6. **CONDITIONAL USE PERMIT REVIEW / CU 12-22:** Steve and Dorothy Wilkison. To review multiple RV sites on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

The NE1/4SW1/4 less DW Hansen Tract, less Tract Sires and less Right-of-Way, Section 33, T1N, R4E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 12-22 with fourteen (14) conditions.

7. **CONDITIONAL USE PERMIT REVIEW / CU 12-25:** Marvin and Lila Botz. To review an existing residence to be used as a temporary residence while constructing a new single-family residence in a General Agriculture District / Highway Service District in accordance with Sections 204-D, 205, and 510 of the Pennington County Zoning Ordinance.

Lots 3-4; E1/2SW1/4, SE1/4 less Right-of-Way, Section 30, T1S, R16E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 12-25 with seven (7) conditions.

8. **CONDITIONAL USE PERMIT / CU 14-25:** Jeff and Cheryl DeVeney. To allow for two storage units to be located on the subject property in a Highway Service Zoning District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Lot 2 of Lot D, Murray Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

(Continued from the September 8, 2014, Planning Commission meeting.)

To recommend to continue Conditional Use Permit / CU 14-25 to the October 27, 2014, Planning Commission meeting.

9. **MINOR PLAT / PL 14-21 AND SUBDIVISION REGULATIONS VARIANCE / SV 14-08:** Harney Mountain, LLC / Jim Scull. To create Lots 1, 2, and 3 of Harney Mountain Subdivision and to waive platting requirements in accordance with Section 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Government Lot 13 in Section 27, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1, 2, and 3 of Harney Mountain Subdivision in Section 27, T1S, R5E, BHM, Pennington County, South Dakota.

To recommend to continue Minor Plat / PL 14-21 and Subdivision Regulations Variance / SV 14-08 to the October 13, 2014, Planning Commission meeting.

10. **REZONE / RZ 14-09 AND COMPREHENSIVE PLAN AMENDMENT / CA 14-07:** Harney Mountain, LLC / Jim Scull. To rezone 36.94 acres from General Agriculture District to Limited Agriculture District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Public to Limited Agriculture District in accordance with Section 508 of the Pennington County Zoning Ordinance.

A Parcel of land to be rezoned from General Agriculture to Limited Agriculture, located in Government Lot 13 of Section 27, Township One South (T1S), Range Five East (R5E), Black Hills Meridian (BHM), Pennington County, South Dakota. The Point of Beginning of said parcel bears N00°04'50"W and a distance of 329.95 feet from the section corner common to Sections 27, 28, 33 and 34 of T1S, R5E, said section corner marked with a standard BLM Brass Cap, said Parcel is more particularly described as follows: THENCE FIRST COURSE: along the section line common to said Section 27 and Section 28 with a bearing of N00°04'50"W and a distance of 1,047.70 feet to an intersection with the southerly line of Ida Tin Lode M.S.663; THENCE SECOND COURSE: along said southerly line of M.S. 663 with a bearing of N48°06'40"E and a distance of 1,115.16 feet to corner number three of said M.S. 663 which is coincident with corner 13 of H.E.S. 135 marked with a scribed stone; THENCE THIRD COURSE: along the westerly line of said H.E.S. 135 with a bearing of S16°26'56"E and a distance of 555.18 feet to corner 12 of said H.E.S. 135, marked with a scribed stone; THENCE FOURTH COURSE: continuing along said westerly line of H.E.S. 135 with a bearing of S04°43'23"E and a distance of 805.22 feet to corner 11 of said H.E.S. 135, marked with a standard BLM brass cap; THENCE FIFTH COURSE: continuing along the westerly line of said H.E.S. 135 with a bearing of S00°29'38"W and a distance of 794.30 feet to corner 10 of said H.E.S. 135, marked with a rebar with a USFS aluminum cap, and coincident to an intersection with the section line common to said Section 27 and Section 34; THENCE SIXTH COURSE: along the section line common to said Section 27 and Section 34 with a bearing of N89°37'01"W and a distance of 393.19 feet; THENCE SEVENTH COURSE: along a line with a bearing of N03°02'27"W and a distance of 335.22 feet; THENCE EIGHTH COURSE: along a line with a bearing of S89°57'37"W and a distance of 634.40 feet and the Point of Beginning; Basis of Bearings established by GPS observation. Said Parcel of Land Contains 36.944 acres, more or less.

To recommend to continue Rezone / RZ 14-09 and Comprehensive Plan Amendment / CA 14-07 to the October 13, 2014, Planning Commission meeting.

11. **REZONE / RZ 14-10 AND COMPREHENSIVE PLAN AMENDMENT / CA 14-08:** Harney Mountain, LLC / Jim Scull. To rezone 4.906 acres from General Agriculture District and Limited Agriculture District to Low Density Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Public and Planned Unit Development Sensitive to Low Density Residential District in accordance with Section 508 of the Pennington County Zoning Ordinance.

A Parcel of land to be rezoned from General Agriculture to Low Density Residential, located in Government Lot 13 of Section 27, Township One South (T1S), Range Five East (R5E), Black Hills Meridian (BHM), Pennington County, South Dakota. The Point of Beginning of said parcel being common with the section corner common to Sections 27, 28, 33 and 34 of T1S, R5E, marked with a standard BLM Brass Cap, said Parcel is more particularly described as follows: THENCE FIRST COURSE: along the section line common to said Section 27 and Section 28 with a bearing of N00°04'50"W and a distance of 329.95 feet; THENCE SECOND COURSE: along line with a bearing of N89°57'37"E and a distance of 634.40 feet; THENCE THIRD COURSE: along a line with a bearing of S03°02'27"E and a distance of 335.22 feet to an intersection with the section line common to said Section 27 and Section 34; THENCE FOURTH COURSE: along said section line a bearing of N89°37'01"W and a distance of 651.73 feet to the Point of Beginning. Basis of Bearings established by GPS observation. Said Parcel of Land Contains 4.906 acres, more or less.

To recommend to continue Rezone / RZ 14-10 and Comprehensive Plan Amendment / CA 14-08 to the October 13, 2014, Planning Commission meeting.

12. **MINOR PLAT / PL 14-20 AND SUBDIVISION REGULATIONS VARIANCE / SV 14-07:** Celia Bradley; Jim Peterson – Agent. To create Lots A and B of Black Metal #5 Lode M.S. 1986 and to waive platting requirements in accordance with Sections 400.3 and 700.1 the Pennington County Subdivision Regulations.

EXISTING LEGAL: All Black Metal #5 Lode M.S. 1986 less Lot 1-10 (also in Section 19), Section 20, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots A and B of Black Metal #5 Lode M.S. 1986, Sections 19 and 20, T1S, R5E, BHM, Pennington County, South Dakota.

To recommend approval of Subdivision Regulations Variance / SV 14-07 and approval of Minor Plat / PL 14-20 with four (4) conditions.

13. **REZONE / RZ 14-08 AND COMPREHENSIVE PLAN AMENDMENT / CA 14-06:** Celia Bradley; Jim Peterson – Agent. To rezone 17.9 acres from General Agriculture District to Low Density Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from PUD Sensitive to Low Density Residential District in accordance with Section 508 of the Pennington County Zoning Ordinance.

To recommend approval of Rezone / RZ 14-08 and approval of Comprehensive Plan Amendment / CA 14-06.

END OF CONSENT CALENDAR

14. MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 14-04: Heidi Stymiest. To reduce the setback from 20 feet to 18.5 feet on Lot 319 to bring an existing carport into compliance in accordance with Section 213 of the Pennington County Zoning Ordinance.

Tract C of Lot B of NE1/4NW1/4 less Pengra Subdivision, Section 17, T2N, R7E, BHM, Pennington County, South Dakota.

15. ORDINANCE AMENDMENT / OA 14-04: Pennington County. To amend Section 319-C-5 and 319-C-6 (Vacation Home Rental) of the Zoning Ordinance.

16. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the September 8th Planning Commission meeting.

17. ITEMS FROM THE PUBLIC

18. ITEMS FROM THE STAFF

19. ITEMS FROM THE MEMBERSHIP

20. 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.