

**AGENDA**  
**PENNINGTON COUNTY PLANNING COMMISSION**  
**April 13, 2015 @ 9:00 a.m.**

County Commissioners' Meeting Room - Pennington County Administration Building

Recommendations of the Planning Commission on items from this agenda will be considered by the Board of Commissioners at their regular meeting on April 21, 2015, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE MARCH 23, 2015, 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 14-03:** Home Quest, Inc.; Mike Harmon - Agent. To review storage units to be located on the subject property in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Lot 1 of Tract A of Lot B in the NE1/4NW1/4, Section 17, T2N, R7E, BHM, Pennington County, South Dakota.

(Continued from the March 23, 2015, Planning Commission meeting.)

To recommend approval of the extension of Conditional Use Permit / CU 14-03 with eight (8) conditions.

4. **CONDITIONAL USE PERMIT REVIEW / CU 14-05:** John and Lorraine Buhler – Black Pine Distillery. To review a home occupation to distill alcohol spirits located in an outbuilding on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Lot 8 of Lot A of SW1/4SW1/4, Section 20, T2N, R7E, BHM, Pennington County, South Dakota.

To recommend ending Conditional Use Permit / CU 14-05 with the applicants' concurrence.

5. **CONDITIONAL USE PERMIT REVIEW / CU 14-11:** Leonard Kjerstad. To review a family cemetery on the subject property in a General Agriculture District in accordance with Sections 205, 307, and 510 of the Pennington County Zoning Ordinance.

All, Section 11, T1N, R17E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 14-11 with three (3) conditions.

6. **CONDITIONAL USE PERMIT REVIEW / CU 13-03:** Philip and Colleen Hunter. To review accessory structures (wood shed and a greenhouse) without a principal structure in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 6 of Engberg Subdivision, Section 6, T2S, R6E, BHM, Pennington County, South Dakota.

(Continued from the February 23, 2015, Planning Commission meeting.)

To recommend ending Conditional Use Permit / CU 13-03 with the applicants' concurrence.

7. **ROAD NAME:** Osprey Trail. Jim Scull. To name a 66-foot-wide private access easement providing access to properties located in Section 27, T1S, R5E, BHM, Pennington County, South Dakota, to Osprey Trail.

To recommend approval of the Road Name of Osprey Trail.

8. **CONSTRUCTION PERMIT / CP 15-07:** Shane Schriener. To grade and stockpile dirt for a construction project located inside the City Limits of Hill City.

That PT of GL24 Lying S of HWY 16 Less Lots 3,4 and 5 of Mewonitoc Lode Sub, Less Lot 4 Bar Placer MS 824, Less Lot 1R, 4, 5 of Matkins Addn #6 and Less ROW, Section 30, T1S, R5E, BHM, Pennington County, South Dakota.

To recommend approval of Construction Permit / CP 15-07 with seven (7) conditions.

**END OF CONSENT CALENDAR**

9. CONSTRUCTION PERMIT (ROAD DISTRICT) / CP 15-08: Dan and Nancy Evangelisto (Summer Creek Road District). To install a culvert on the north end of Summer Creek Drive, improve portions of Siskin Loop and Carbon Loop and grade and maintain other existing roads within the District.

Custer Trails Subdivision, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

10. CONSTRUCTION PERMIT / CP 15-09: Dan and Nancy Evangelisto (Summer Creek Inn). To grade and level an area of a hillside in order to construct a building (Lots 10, 11, 12, 13 and 15); to stockpile material at another location (Lot 27) of the property; and to level and grade an area for an overflow parking lot (Lot 45).

Lots 10, 11, 12, 13 and 15; Lot 27; and Lot 45 of Custer Trails Subdivision, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

11. CONDITIONAL USE PERMIT REVIEW / CU 96-11: Donald and Norma Lynde. To review a double-wide manufactured home as a caretaker's residence in a General Agriculture District in accordance with Section 510 of the Pennington County Zoning Ordinance.

SE1/4NW1/4, except Lot A, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

(Continued from the February 23, 2015, Planning Commission meeting.)

12. MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 15-01: To amend the existing High Country Guest Ranch PUD to reduce the setback from 25 feet to 5 feet to allow for any future structure and to allow more atvs in accordance with Section 213-E-1 of the Pennington County Zoning Ordinance.

Lot 10, Lot 12, and Lot A in High Country Ranch Subdivision and Tract A Less Highway Country Ranch Subdivision and Less Right-of-Way, Ray Smith Placer MS 995, Section 15, T1S, R4E, BHM, Pennington County, South Dakota.

13. CONDITIONAL USE PERMIT / CU 15-04: Stratobowl Vacation Homes, LLC; Ken and Cory Tomovick – Agent. 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, Section 12, T1S, R6E, BHM, Pennington County, South Dakota.

14. CONDITIONAL USE PERMIT / CU 15-05: Beach House, LLC / Troy Schmidt. To allow for 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 A-9 Revised, Palmer Gulch Estates, Section 34, T1S, R5E, BHM, Pennington County, South Dakota.

15. REZONE / RZ 14-12 AND COMPREHENSIVE PLAN AMENDMENT / CA 14-09: Gordon and Carmen Abernathie. To rezone 3.5 acres from Low Density Residential District to Suburban Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use Map from Low Density Residential District to Suburban Residential District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Lot C of W-M Subdivision, Section 15, T2N, R6E, BHM, Pennington County, South Dakota.

(Continued from the March 9, 2015, Planning Commission meeting.)

16. REZONE / RZ 15-04 AND COMPREHENSIVE PLAN AMENDMENT / CA 15-04: Victor Fuhrmann. To rezone 0.69 acre from Highway Service District to General Commercial District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Highway Service District to General Commercial District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Lot 2 of Tract B, Gillespie Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

17. REZONE / RZ 15-02 AND COMPREHENSIVE PLAN AMENDMENT / CA 15-02: Mitch Morris. To rezone 151.36 acres from General Agriculture District and Light Industrial District to General Commercial District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Limited Agriculture District to General Commercial District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Being 151.36 acres of land located in the E1/2 of Section 32, Township 1 North, Range 8 East of the Black Hills Meridian, Pennington County, South Dakota, said 151.36 acres of land being more particularly described by metes and bounds as follows, all measurements are to be considered as being followed by the words "more or less"; BEGINNING at the southwest corner of Lot 1 of the SW1/4 SE1/4 of Section 32, Township 1 North, Range 8 East of the Black Hills Meridian, on the south line of Section 32 at the intersection of the east right-of-way line of South Dakota Highway 79; Thence, North 06°32'53" West, along the west line of said Lot 1 of the SW1/4 SE1/4 of Section 32 and east right-of-way line of SD Highway 79, a distance of 4310.98 feet to a point on the easterly line of Lot A of the NW1/4 NE1/4 of Section 32 as shown on plat recorded in Highway Plat Book 9, Page 93, in the office of the Pennington County Register of Deeds, in a curve from which the center of curvature bears North 48°17'34" West a distance of 103.00 feet; Thence, southwesterly, following the easterly line of said Lot A of the NW1/4 NE1/4 of Section 32, along a curve to the right having a radius of 103.00 feet, a central angle of 35°53', for an arc distance of 64.51 feet to a point of tangency; Thence, South 77°35'27" West,

continuing to follow the easterly line of said Lot A of the NW1/4 NE1/4 of Section 32, a distance of 4.12 feet to a point for corner on the east right-of-way line of SD Highway 79, in a curve from which the center of curvature bears South 73°13'38" West a distance of 3920 feet; Thence, northwesterly, along a curve to the left having a radius of 3920 feet, a central angle of 00°29'02", for an arc length of 33.11 feet to point for corner on the centerline of the alignment of said Lot A of the NW1/4 NE1/4 of Section 32; Thence, North 77°35'27" East, following the centerline of the alignment of said Lot A of the NW1/4 NE1/4 of Section 32, a distance of 6.78 feet to a point of curvature; Thence, northeasterly, continuing to follow the centerline of the alignment of said Lot A of the NW1/4 NE1/4 of Section 32, along a curve to the left having a radius of 70.00 feet, a central angle of 84°05'03", for an arc length of 102.73 feet to a point of tangency; Thence, North 06°29'36" West, continuing to follow the centerline of the alignment of said Lot A of the NW1/4 NE1/4 of Section 32, a distance of 606.16 feet to a point of curvature; Thence, northwesterly, continuing to follow the centerline of the alignment of said Lot A of the NW1/4 NE1/4 of Section 32, along a curve to the left having a radius of 1432.39 feet, a central angle of 05°45'52", for an arc length of 144.11 feet to point for corner on the west line of the E1/2 of Section 32; Thence, North 00°01'24" East, along the west line of the E1/2 of Section 32, a distance of 206.71 feet to the northwest corner of the E1/2 of Section 32; Thence, South 89°48'35" East, along the north line of the E1/2 of Section 32, a distance of 2656.84 feet to the northeast corner of Section 32; Thence, South 00°04'45" West, along the east line of Section 32, a distance of 500.00 feet to a point for corner; Thence, North 89°48'35" West, parallel to and 500 feet distant from the north line of the E1/2 of Section 32, a distance of 1514.54 feet to a point for corner; Thence, South 06°22'35" East, a distance of 4844.00 feet to a point for corner on the south line of the E1/2 of Section 32; Thence, North 89°36'35" West, along the south line of the E1/2 of Section 32, a distance of 1088.72 feet to the POINT OF BEGINNING and containing 151.36 acres, more or less, of land.

18. REZONE / RZ 15-03 AND COMPREHENSIVE PLAN AMENDMENT / CA 15-03: Mitch Morris. To rezone 424.42 acres from General Agriculture District to Suburban Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Limited Agriculture District to Suburban Residential District in accordance with Section 508 of the Pennington County Zoning Ordinance.

The SE1/4SW1/4; NE1/4SW1/4; NW1/4SW1/4; NW1/4SE1/4; SW1/4SW1/4, SW1/4SE1/4; SE1/4 SE1/4; NE1/4SE1/4; SE1/4NE1/4 in Section 33 and Lot 2 of the SW1/4NW1/4 and Lot 2 of the W1/2SW1/4 in Section 34, all located in T1N, R8E, BHM, Pennington County, South Dakota.

19. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the March 23, 2015, Planning Commission meeting.

20. ITEMS FROM THE PUBLIC

21. ITEMS FROM THE STAFF

- A. Building Permit Report.
- B. Vacation Home Rental Committee.

22. ITEMS FROM THE MEMBERSHIP

23. 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.**