

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
April 27, 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 May 5, 2015, at 10:30 a.m.

ROLL CALL

1. CORRECTION / APPROVAL OF THE MARCH 23, 2015, MINUTES.
2. APPROVAL OF THE APRIL 13, 2015, MINUTES
3. 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.

4. **CONDITIONAL USE PERMIT / CU 15-06:** Border States Paving. To allow for a temporary 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.

GL 1-4; PT OF GL 5 E OF RTY; PT NE1/4NW1/4 East of Right-of-Way, Section 17, T1N, R14E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 15-06 with twelve (12) conditions.

5. **CONDITIONAL USE PERMIT / CU 15-07:** Linda and Harlan Eisenbraun. To allow a single-wide mobile home to be used as a single-family residence in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

SW1/4NE1/4; NW1/4NW1/4; S1/2NW1/4; S1/2, Section 12, T4N, R15E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 15-07 with eight (8) conditions.

6. **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.

(Continued from the April 13, 2015, Planning Commission meeting.)

To recommend to continue Rezone / RZ 15-02 and Comprehensive Plan Amendment / CA 15-02 to the May 11, 2015, Planning Commission meeting.

7. **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.

(Continued from the April 13, 2015, Planning Commission meeting.)

To recommend to continue Rezone / RZ 15-03 and Comprehensive Plan Amendment / CA 15-03 to the May 11, 2015, Planning Commission meeting.

END OF CONSENT CALENDAR

8. **MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 15-01:** High Country Guest Ranch; John Majchrzak – Agent. 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 ATV rentals 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.

(Continued from the April 13, 2015, Planning Commission meeting.)

9. **MINOR PLAT / PL 15-06 AND SUBDIVISION REGULATIONS VARIANCE / SV 15-04:** JMF Properties; Jeff Howe – Agent. To create Lot 2A and Lot 2B of Lot 2 of Tramway Subdivision and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 2, Tramway Subdivision, Section 8, T2S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 2A and Lot 2B of Lot 2, Tramway Subdivision, Section 8, T2S, R6E, BHM, Pennington County, South Dakota.

10. REZONE / RZ 15-05 AND COMPREHENSIVE PLAN AMENDMENT CA / 15-05: Krebs Partnership / Donald Krebs. To rezone 0.65 acre from Suburban Residential 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 South 75 feet of Lot J of E1/2SE1/4, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.

11. VACATION OF EASEMENT / VE 15-01: Brandon and Lindsey Noble. To vacate a sixty (60) foot Forest Service Access Easement on Lot 67, Block 1 of Canyon Springs Preserve in accordance with the Pennington County Zoning Ordinance.

Lot 67, Block 1, Canyon Springs Preserve, Section 22, T2N, R6E, BHM, Pennington County, South Dakota.

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

12. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the April 13, 2015, Planning Commission meeting.

13. ITEMS FROM THE PUBLIC

14. ITEMS FROM THE STAFF

A. Appeal of Conditional Use Permit 15-04 - Stratobowl Vacation Homes, LLC; Ken and Cory Tomovick – Agent. This item will be heard at the May 11, 2015, Board of Commissioners' meeting.

15. ITEMS FROM THE MEMBERSHIP

16. 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.