

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
June 8, 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 June 16, 2015, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE MAY 26, 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 01-01:** Charles and Ursula Brackett. To review a mobile home park in a Suburban Residential District in accordance with Section 208-C-2 of the Pennington County Zoning Ordinance.

The West 250' of the North 662.9' of the NW1/4SE1/4, Section 17, T2N, R7E, BHM, Pennington County, South Dakota.

(Continued from the May 11, 2015, Planning Commission meeting.)

To recommend to continue the review of Conditional Use Permit / CU 01-01 to the June 22, 2015, Planning Commission meeting.

4. **CONDITIONAL USE PERMIT REVIEW / CU 02-36:** Homer Berger. To review a caretaker's residence in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot BR of Tract 1, H-O Subdivision, Section 28, T1N, R9E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 02-36 with four (4) conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 10-30:** Janell Gibson; David and Maria Eisenbraun – Owners. To review the operation of a dog and cat kennel/breeding facility in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

The S1/2NE1/4, E1/2SW1/4, SE1/4; Rainy Creek Cheyenne Township #19, Section 33, T4N, R16E, BHM, Pennington County, South Dakota.

To recommend to continue the review of Conditional Use Permit / CU 10-30 to the July 13, 2015, Planning Commission meeting.

6. **CONDITIONAL USE PERMIT REVIEW / CU 12-12:** Galen and Linda Livermont. To review a camper to be used as living quarters on a temporary basis on the subject property and to allow for accessory structures to be located on the property prior to a primary structure in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Part of the NW1/4NW1/4 north of the Highway and Railroad, Section 24, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend to revoke Conditional Use Permit / CU 12-12 with the applicants' concurrence.

7. **CONDITIONAL USE PERMIT REVIEW / CU 13-12:** Donald Johnson. To review 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 the extension of Conditional Use Permit / CU 13-12 with seven (7) conditions.

8. **CONDITIONAL USE PERMIT REVIEW / CU 13-13:** Ronald Simpson. To review an existing residence to be used as a temporary residence while constructing a new residence in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

All, Gold Safe Key Lode MS 1578, Section 18, T2S, R5E, BHM, Pennington County, South Dakota.

To recommend to revoke Conditional Use Permit / CU 13-13 with the applicant's concurrence.

9. **CONDITIONAL USE PERMIT REVIEW / CU 14-19:** Kristina Trautman. To review an accessory structure (shed/garage) prior to a primary structure in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Tract B of Lot 1 of NW1/4NW1/4, Section 19, T1S, R5E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 14-19 with ten (10) conditions.

END OF CONSENT CALENDAR

10. **CONDITIONAL USE PERMIT REVIEW / CU 14-16:** Justin and Cassandra Kistler. To allow a double-wide manufactured home to be used as a temporary residence while constructing a stick-built residence in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Tract 1, Valley View Estates, Section 7, T1N, R9E, BHM, Pennington County, South Dakota.

(Continued from the May 11, 2015, Planning Commission meeting.)

11. **MINOR PLAT / PL 15-13:** Rodney Alexander; Renner & Associates – Agent. To create Lots 1 and 2 of Tin City Lode MS 2504 in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: All, Tin City Lode MS 2504, Section 22, T2S, R4E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1 and 2, Tin City Lode MS 2504, Section 22, T2S, R4E, BHM, Pennington County, South Dakota.

12. **MINOR PLAT / PL 15-12 AND SUBDIVISION REGULATIONS VARIANCE / SV 15-06:** Rolland and Laura Willard; Davis Engineering – Agent. To create Lots 12R Revised and Lot 13 of Forest View Addition and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 12R and unplatted portion of SE1/4 of SE1/4 of Section 28 and the SW1/4 of SW1/4 of Section 27, all in T2N, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 12R Revised and Lot 13 of Forest View Subdivision, Sections 28 and 27, T2N, R5E, BHM, Pennington County, South Dakota.

(Continued from the May 26, 2015, Planning Commission meeting.)

13. REZONE / RZ 15-06 AND COMPREHENSIVE PLAN AMENDMENT CA / 15-06: Rolland and Laura Willard; Davis Engineering – Agent. To rezone 2.5 acres from General Agriculture District to Suburban Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Suburban Residential District in accordance with Section 508 of the Pennington County Zoning Ordinance.

(For a portion of Lot 12R Revised) Commencing at the SW corner of Lot 12R, in Forest View Subdivision, a 1" pipe, and the point of beginning. Thence, first course: S34°45'22"E, a distance of 283.89' to a 1" pipe, and the northwesterly corner of Lot 6, in said subdivision; Thence, second course: N49°22'41"E, along the northwesterly lot line of said Lot 6, a distance of 112. 16' to a 1" pipe, also being the northeasterly corner of said Lot 6 and the northwesterly corner of Lot 5 in said subdivision; Thence, third course: N48°01'31"E, along the northwesterly lot line of said Lot 5, a distance of 99.32' to a 12" diameter pine tree, also being the northeasterly corner of said lot 5; Thence, fourth course: N46°14'32"W, along a previously dedicated right-of-way for said subdivision, a distance of 203.08' to a 1" pipe, also being the southeast corner of said Lot 12R; Thence, fifth course: S75°00'00"W, along the southerly lot line of said Lot 12R, a distance of 180.27', to the point of beginning; Said Parcel contains 45,474 square feet or 1.044 acres more or less.

(For Lot 13) Commencing at a 1" pipe, also being the southeast corner of Lot 12R, in said Forest View Subdivision, which is the point of beginning. Thence, first course: N43°45'28"E, across a private road, a distance of 40.12', to a survey cap marked "Davis Eng. RLS 3095", which is the true point of beginning; Thence, second course: along a curve to the right, along said private road R.O.W., with a radius of 80.12", a delta angle of 100°43'31", a length of 140.85', a chord bearing of S8°07'29"W, and a chord distance of 123.40', to a survey cap marked "Davis Eng. RLS 3095"; Thence, third course: S70°09'26"E, a distance of 346.40' to a survey cap marked "Davis Eng. RLS 3095"; Thence, fourth course: S51°54'52"W along said private road R.O.W., a distance of 36.55', to a survey cap marked "Davis Eng. RLS 3095"; Thence, fifth course: S15°10'13"W, along said private road R.O.W., a distance of 155.72', to a survey cap marked "Davis Eng. RLS 3095"; Thence, sixth course: along a curve to the right, along said private road R.O.W., with a radius of 45.72', a delta angle of 125°19'08", a length of 95.10', a chord bearing of N74°27'50"E, and a chord distance of 78.86', to a survey cap marked "Davis Eng. RLS 3095"; Thence, seventh course: N46°14'32"W, along said private road R.O.W., a distance of 273.83', to the true point of beginning; Said Parcel contains 61,758 square feet or 1.42 acres more or less.

(Continued from the May 26, 2015, Planning Commission meeting.)

14. REZONE / RZ 15-07 AND COMPREHENSIVE PLAN AMENDMENT CA / 15-07: Croell Redi-Mix, Inc.; Joe Croell – Agent. To rezone 145 acres from General Agriculture District and Highway Service District to Heavy Industrial District and to amend the Comprehensive Plan to change the Future Land Use from Limited Agriculture District, Low Density Residential District, and Highway Service District to Heavy

Industrial District in accordance in accordance with Section 508 of the Pennington County Zoning Ordinance.

The N1/2NE1/4; NE1/4NW1/4 of Section 9 and the NW1/4NW1/4 west of S. Highway 16 Right-of-Way of Section 10, all located in T1S, R7E, BHM, Pennington County, South Dakota.

15. 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 May 26, 2015, Planning Commission meeting.)

16. DISCUSSION OF THE PENNINGTON COUNTY COMPREHENSIVE PLAN.

17. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the May 26, 2015, Planning Commission meeting. Also, Rezone 15-03 and Comprehensive Plan Amendment 15-03 (Mitch Morris) were denied.

The Board of Commissioners will also be advertising for an additional member and an alternate member for the VH Rental Committee.

18. ITEMS FROM THE PUBLIC

19. ITEMS FROM THE STAFF

- A. Building Permit Report.
- B. House Bill 1194- Hearing Signs.
- C. December 2015 Planning Commission meeting dates / time.

20. ITEMS FROM THE MEMBERSHIP

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.