

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
September 14, 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 October 6, 2015, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE AUGUST 24, 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 00-05:** Ralph and Kathleen Stieben. To review a seasonal cabin in a Limited Agriculture District in accordance with Section 206-C-19 of the Pennington County Zoning Ordinance.

Lot 1 of Tract 6 Less RTY of Clear Creek Tracts, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 00-05 with four (4) conditions.

4. **CONDITIONAL USE PERMIT REVIEW / CU 07-31:** Johanna and Eddie Bonds. To review a Bed and Breakfast as a home occupation in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 4 (also in Section 3, T2S, R5E) Turbo Subdivision, Section 34, T1S, R5E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 07-31 with seventeen (17) conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 07-34:** James and Susan Norskov. To review a Home Occupation (a greenhouse to grow plants and produce) in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 2A and 2B of Lot 2 of Lot H of E1/2SE1/4, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend to continue the review Conditional Use Permit / CU 07-34 to the September 28, 2015, Planning Commission meeting.

6. **CONDITIONAL USE PERMIT REVIEW / CU 07-46:** John E. Link Trust. To review a wind measurement tower, not to exceed 200 feet in height, in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

The NW1/4, Section 8, T3N, R16E, BHM, Pennington County, South Dakota.

To recommend to revoke Conditional Use Permit / CU 07-46 with the property owner's concurrence.

7. **CONDITIONAL USE PERMIT REVIEW / CU 08-39:** Patrick and Marlene Sheeley. To review an accessory structure prior to a primary structure in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 2, Koupal Estates Subdivision, Section 14, T1S, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 08-39 with nine (9) conditions.

8. **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 five (5) conditions.

9. **CONDITIONAL USE PERMIT REVIEW / CU 13-08:** Bill Whitney / Stanley Johnson Concrete; Larry and Lenora Ruland - Owners. To review a concrete batch plan and aggregate stock pile site in a General Agriculture District to work on the reconstruction project of I-90, east of Wall, in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

The SE1/4SW1/4; S1/2NE1/4SW1/4, Section 24, T1S, R16E, BHM, Pennington County, South Dakota.

To recommend to revoke Conditional Use Permit / CU 13-08 with the applicant's concurrence.

10. **CONDITIONAL USE PERMIT / CU 15-20:** Mitch Morris. To allow for Construction Equipment Sales on the subject property in a General Commercial District in accordance with Sections 209 and 510 of the Pennington County Zoning Ordinance.

Lot 1 of NW1/4SE1/4, Section 32, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend to continue Conditional Use Permit / CU 15-20 to the September 28, 2015, Planning Commission meeting.

11. **CONDITIONAL USE PERMIT / CU 15-22:** Peaceful Valley Hideaway, LLC (William and Valerie Landis); Arlyn Dyce – Agent. To allow for a Vacation Home Rental in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot C of Lot 2, New York Subdivision, Section 24, T2N, R5E, BHM, Pennington County, South Dakota.

To recommend to continue Conditional Use Permit / CU 15-22 to the March 14, 2016, Planning Commission meeting.

12. **CONDITIONAL USE PERMIT / CU 15-23:** Perry and Gretchen Strombeck. To allow for a caretaker's residence on the subject property in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 1, Strombeck Subdivision, Section 34, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 15-23 with eight (8) conditions.

13. **CONDITIONAL USE PERMIT / CU 15-24:** Founding Fathers, LLC / Don Perdue. To allow for a new bell tower sign to be 50 feet tall with the total height of the letters to be 35 feet tall in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Lot A of SW1/4SW1/4; Lot A1 of Lot H2 of SW1/4SW1/4; Section 3, T1S, R7E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 15-24 with ten (10) conditions.

14. **CONDITIONAL USE PERMIT / CU 15-21:** Dan and Tracey Laher. To allow an accessory structure (a pole barn) prior to a principle residence in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 5, Block 1, Jackson Subdivision, Section 9, T2N, R9E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 15-21 with nine (9) conditions.

15. **MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 15-03:** Merle and Nancy Greseth. To amend the existing Rushmore Ranch Estates Planned Unit Development to reduce the minimum required side yard setback on Tract 48 from 25 feet to 10 feet in order to construct a garage on the subject property in accordance with Section 213 of the Pennington County Zoning Ordinance.

Tract 48 (also in Section 17), Rushmore Ranch Estates, Section 20, T2S, R7E, BHM, Pennington County, South Dakota.

To recommend approval of Minor Planned Unit Development Amendment / PU 15-03 with fourteen (14) conditions.

16. **CONSTRUCTION PERMIT / CP 15-14:** Lazy P6 Land Co. Inc. / Orvill Davis. To continue work initiated under Construction Permit 13-05 and Construction Permit 14-02. The proposed project includes stockpiling of soil for future use, gravel west of Fifth Street, and to level a lot for temporary outdoor storage. This is in addition to the previous request (CP13-05) to install City water and sewer, maintain stock dam, create agriculture access areas, and expand future building platforms.

To recommend approval of Construction Permit / CP 15-14 with ten (10) conditions.

17. **CONDITIONAL USE PERMIT / CU 15-25:** Rushmore Shadows, LLC; Gene Addink – Agent. To allow for the addition of 45 RV sites to the subject property in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Tract A Less E350 feet of N900 feet and Tract 3A of Lot 3 of SW1/4SE1/4, located in Section 7, T1S, R7E, BHM, Pennington County, South Dakota.

To recommend to continue Conditional Use Permit / CU 15-25 to the September 28, 2015, Planning Commission meeting.

18. **CONSTRUCTION PERMIT / CP 15-16:** Rushmore Shadows, LLC; Gene Addink – Agent. To perform mass grading in order to install a sanitary sewer system and lift station, water main, storm sewer, aggregate base for 45 RV pads and asphalt surfacing.

Tract A Less E350 feet of N900 feet of Busted Five Development Subdivision and Tract 3A of Lot 3 of SW1/4SE1/4, Section 7, T1S, R7E, BHM, Pennington County, South Dakota.

To recommend to continue Construction Permit / CP 15-16 to the September 28, 2015, Planning Commission meeting.

19. **CONSTRUCTION PERMIT / CP 15-15:** Flack Trucking, Inc. To continue stockpiling soil, leveling the plowed fields, and removing soil from the property. The disturbed area is being returned to farm ground.

Balance of the W1/2SE1/4 less lot H7; SW1/4 less Lot H6 and less right-of-way, Section 23, T2N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of Construction Permit / CP 15-15 with twelve (12) conditions.

END OF CONSENT CALENDAR

20. **CONDITIONAL USE PERMIT REVIEW / CU 15-01:** Sheri Tonner. To review a single-wide mobile home to be used as a single-family residence while constructing a single-family residence in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

The E1/2SW1/4NE1/4; E1/2W1/2SW1/4NE1/4; W1/2W1/2SE1/4 NE1/4; S1/2SE1/4 NW1/4NE1/4; SE1/4SW1/4NW1/4NE1/4; SW1/4SW1/4NE1/4 NE1/4, Section 16, T1S, R7E, BHM, Pennington County, South Dakota.

(Continued from the August 24, 2015, Planning Commission meeting.)

21. LAYOUT PLAT / PL 15-20: JerrDonn, LLC; Gerald and Donna Grover. To create Lots 2A, 2B, 2C, and 2D of Stratom-Rim Estates in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 2, Strato-Rim Estates, Section 7, T1S, R7E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 2A, 2B, 2C, and 2D of Strato-Rim Estates, Section 7, T1S, R7E, BHM, Pennington County, South Dakota.

22. CONDITIONAL USE PERMIT / CU 15-18: Rapid Valley United Methodist Church; Doug Nix – Agent. To illuminate an existing on-premise sign within 1,500 feet of a residential zoning district/dwelling unit in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot A in NE1/4, Section 15, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the August 24, 2015, Planning Commission meeting.)

23. MINOR PLAT / PL 15-18 AND SUBDIVISION REGULATIONS VARIANCE / SV 15-09: Cleon and Adare Diers. To reconfigure lot lines to create Lot 1 Revised of Diers Subdivision and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 1; Diers Subdivision, Section 19, T2S, R7E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 Revised; Diers Subdivision, Section 19, T2S, R7E, BHM, Pennington County, South Dakota.

24. REZONE / RZ 15-11: Cleon and Adare Diers. To rezone 0.17 acre from General Agriculture District to Limited Agriculture District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Commencing from the southwest corner of Lot 1 of Diers Subdivision located in section 19, T2S, R7E, B.H.M. – Pennington County, South Dakota, thence S89°46'38"E a distance of 658.61. to the Point of Beginning, thence N89°49'17"E a distance of 173.64', thence through a right-hand non-tangent curve with a radius of 930.00', a length of 42.33', a chord bearing of S20°44'21"E and a chord length of 42.32', thence S89°06'04"W a distance of 188.76', thence N0°09'32"E a distance of 42.00' to the Point of Beginning. Said parcel containing 0.17 acres more or less.

25. MINOR PLAT / PL 15-19 AND SUBDIVISION REGULATIONS VARIANCE / SV 15-10: Elvira Gilles; Davis Engineering – Agent. To create Tract A of Gillies Addition and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: W1/2NW1/4SW1/4; W1/2E1/2NW1/4SW1/4; E100 feet of N200 feet of S365 feet OF NW1/4SW1/4; S1/2SE1/4SE1/4 NW1/4SW1/4; N200 feet of S365 feet of NE1/4SW1/4; N1/2SE1/4 LESS W1/2NW1/4 NW1/4SE1/4, LESS S1/2S1/2S1/2N1/2SE1/4, and Less HARRIS ADDN; SW1/4SW1/4 LESS S297 ft.

PROPOSED LEGAL: Tract A of Gillies Addition, Section 16, T1S, R7E, BHM, Pennington County, South Dakota.

26. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the August 28, 2015, Planning Commission meeting.

27. ITEMS FROM THE PUBLIC

28. ITEMS FROM THE STAFF

- A. Building Permit Report.
- B. VH Rental Committee.

29. ITEMS FROM THE MEMBERSHIP

30. 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.