

**AGENDA**  
**PENNINGTON COUNTY PLANNING COMMISSION**  
**September 28, 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 SEPTEMBER 14, 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 10-18:** Tom Bodensteiner. To review a golf driving range in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Unit 1 and Unit 2, Bodensteiner Farm Condominium, Section 21, T2N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 10-18 with ten (10) conditions.

4. **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.

Unit 1 and Unit 2, Bodensteiner Farm Condominium, Section 21, T2N, R8E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 12-10 with applicant's concurrence.

5. **CONDITIONAL USE PERMIT REVIEW / CU 13-16:** Larry Teuber. To review a Guest House in a Limited Agriculture District / Suburban Residential District in accordance with Sections 206, 318, and 510 of the Pennington County Zoning Ordinance.

Lot 2R2, Block 4, Spring Canyon Estates, Section 5, T1S, R7E, BHM, Pennington County, South Dakota.

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

To recommend to continue the review of Conditional Use Permit / CU 13-16 to the October 26, 2015, Planning Commission meeting.

6. **CONDITIONAL USE PERMIT REVIEW / CU 13-18:** Rochford Community Club; Anna Burleson – Agent. To allow a Community Center in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 4, Block 2 of Dakota Lode M.S. 2109, and Part of Lot 1 (26' x 60' in NE Corner), Block 3 of Dakota Lode M.S. 2109, Section 23, T2N, R3E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 13-18 with nine (9) conditions.

7. **CONDITIONAL USE PERMIT REVIEW / CU 13-20:** Gary Schauer; Jim Peterson – Agent. To review a Vacation Home Rental in a General Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

Part of Sherman Placer MS 821 and Lot A of Sherman Placer MS 821, Section 30, T1S, R5E, BHM, Pennington County, South Dakota.

To recommend to revoke Conditional Use Permit / CU 13-20 with the applicant's concurrence.

8. **CONDITIONAL USE PERMIT REVIEW / CU 13-21:** Aaron Olson. To allow for a Vacation Home Rental in a Suburban Residential District in accordance with Sections 208, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 8 of Tract A, Sunnyside Acres Subdivision, Section 25, T2N, R4E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 13-21 with eight (8) conditions.

9. **CONDITIONAL USE PERMIT / CU 15-27:** Carol Duncan. To bring into compliance an existing Bed and Breakfast to include special events and to allow the sale of wine and beer in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Unplatted PT of NW1/4 NE1/4 and 1/2 Vacant Road adjacent to Section 16, T1N, R6E, BHM, Pennington County, South Dakota.

To recommend to continue Conditional Use Permit / CU 15-27 to the October 12, 2015, Planning Commission meeting.

10. **SUBDIVISION REGULATIONS VARIANCE / SV 15-17:** Rodney Alexander; Renner & Associates – Agent. To waive platting requirements in order to create Lots 1 and 2 of Tin City Lode MS 2504 in accordance with Section 700.1 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.

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

To recommend approval of Subdivision Regulations Variance / SV 15-17 with three (3) conditions.

11. **REZONE / RZ 15-09 AND COMPREHENSIVE PLAN AMENDMENT CA / 15-09:** Rodney Alexander; Renner & Associates – Agent. To rezone 7.615 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 General Agriculture District to Low Density Residential District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds descriptions: Commencing at the northwesterly corner of the Tin City Lode, M.S. 2504, located in Section 22, T2S, R4E, BHM, common to a corner on the southerly boundary of Lot 1 of the NW1/4 of the NE1/4 of Section 22, T2S, R4E, BHM, and the point of beginning; Thence, first course: S 76°20'56" E, along the northerly boundary of said Tin City Lode, common to the southerly boundary of said Lot 1, a distance of 299.56 feet, to the northeasterly corner said Tin City Lode; Thence, second course: S 13°46'22" W, along the easterly boundary of said Tin City Lode, common to the southerly boundary of said Lot 1, a distance of 613.03'feet, to a corner on the southerly boundary of said Lot 1, common to a corner on the northerly boundary of Lot 2 of the W1/2 of the NE1/4 of Section 22, T2S, R4E, BHM; Thence, third course: S 13°39'24" W, along the easterly boundary of said Tin City Lode, common to the northerly boundary of said Lot 2, a distance of 392.89feet; Thence, fourth course: S 45°00'00" W, a distance of 122.46 feet; Thence, fifth course: S 90°00'00" W, a distance of 134.00 feet; Thence, sixth course: N 48°00'00" W, a distance of 120.00 feet, to a point on the westerly boundary of said Tin City Lode, common to a point on the northerly boundary of said Lot 2; Thence, seventh course: N 13°40'34" E, along the westerly boundary of said Tin City Lode, common to the northerly boundary of said Lot 2, a distance of 744.97 feet, to a corner on the northerly boundary of said Lot 2, common to a corner on the southerly boundary of said Lot 1; Thence, eighth course: N 13°49'06" E along the westerly boundary of said Tin City Lode, common to the southerly boundary

of said Lot 1, a distance of 340.17 feet, to the point of beginning. Said parcel contains 7.615 acres, more or less.

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

To recommend approval of Rezone / RZ 15-09 and Comprehensive Plan Amendment / CA 15-09.

12. **MINOR PLAT / PL 15-22 AND SUBDIVISION REGULATIONS VARIANCE / SV 15-11:** Greg and Cynthia Andrew; Fisk Land Surveying – Agent. To create Lots 6A and 6B, Block 2 of Rolling Hills Estates and to waive platting requirements in accordance with Section 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 6, Block 2, Rolling Hills Estates, Section 10, T1N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 6A and 6B, Block 2, Rolling Hills Estates, Section 10, T1N, R6E, BHM, Pennington County, South Dakota.

To recommend approval of Subdivision Regulations Variance / SV 15-11 and approval of Minor Plat / PL 15-22 with nine (9) conditions.

## **END OF CONSENT CALENDAR**

- 13 **CONDITIONAL USE PERMIT / CU 15-25:** Rushmore Shadows, LLC; Gene Addink – Agent. To bring into compliance Rushmore Shadows Resort and 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.

(Continued from the September 14, 2015, Planning Commission meeting.)

14. **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.

(Continued from the September 14, 2015, Planning Commission meeting.)

15. CONDITIONAL USE PERMIT / CU 15-26: Richard or Tammy Burton. To allow an existing accessory structure (a garage) and a new accessory structure (a pole barn) prior to a principle structure on the subject property in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

NE1/4SW1/4NE1/4; S1/2SW1/4SW1/4NE1/4; SE1/4SW1/4NE1/4; N1/2N1/2NW1/4 SE1/4; Section 29, T2N, R6E, BHM, Pennington County, South Dakota.

16. 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.

(Continued from the September 14, 2015, Planning Commission meeting.)

17. MINOR PLAT / PL 15-23 AND SUBDIVISION REGULATIONS VARIANCE / SV 15-12: Michael and Diana Day; Fisk Land Surveying – Agent. To combine two lots to create Lot 10R of Deerfield Park Subdivision and to waive platting requirements in accordance with Section 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lots 10 and 11, Deerfield Park Subdivision, Section 2, T1S, R3E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 10R, Deerfield Park Subdivision, Section 2, T1S, R3E, BHM, Pennington County, South Dakota.

18. 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.

(Continued from the September 14, 2015, Planning Commission meeting.)

19. MINOR PLAT / PL 15-21: Voorhees Hospitality; Charles “Chuck” Voorhees. To combine lots in order to create Lot 1 of Whispering Winds Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: PT Palmer Gulch Placer #690 - Lot 3 Less Hwy RTY; Lot 4A Less Hwy RTY; Lot D of Lot 7 Less Hwy RTY; and Lot 4B Less Hwy RTY, all located in Palmer Gulch Placer MS 690, Section 27, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 of Whispering Winds Subdivision, Section 27, T1S, R5E, BHM, Pennington County, South Dakota.

20. MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 15-04: Voorhees Hospitality; Charles “Chuck” Voorhees. To amend the existing Planned Unit Development to add five new cabins, a new residence, a new garage, a low water bridge, and a central pavilion on the subject property in accordance with Section 213 of the Pennington County Zoning Ordinance.

PT Palmer Gulch Placer #690 - Lot 3 Less Hwy RTY; Lot 4A Less Hwy RTY; Lot D of Lot 7 Less Hwy RTY; and Lot 4B Less Hwy RTY, all located in Palmer Gulch Placer MS 690, Section 27, T1S, R5E, BHM, Pennington County, South Dakota.

21. CONSTRUCTION PERMIT / CP 15-01: Keystone Adventures, Inc. To level an area for a helipad and build a road on the subject property in accordance with Section 507 of the Pennington County Zoning Ordinance.

Unplatted Balance of GL 16 less Right-of-Way; Unplatted Balance of GL 21 less Right-of-Way; Section 31, T1S, R6E, BHM, Pennington County, South Dakota.

22. DISCUSSION OF DEFINITION OF TRANSFER (VH RENTAL COMMITTEE).

23. COUNTY BOARD REPORT

The Board of Commissioners will hear the September 14, 2015, Planning Commission’s recommendations at their October 6, 2015, meeting.

24. ITEMS FROM THE PUBLIC

25. ITEMS FROM THE STAFF

- A. P&Z New Employee Introductions.
- B. December Meetings (December 7, 2015, at 9 a.m. and December 21, 2015)
- C. VH Rental Committee HOA Information.
- D. Submittal Application Dates.

26. ITEMS FROM THE MEMBERSHIP

27. 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.**