

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
October 12, 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 20, 2015, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE SEPTEMBER 28, 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 91-59:** Melissa Ehrhardt. To review a single-wide mobile home as a single-family residence in a Suburban Residential District in accordance with Section 208-C-19 of the Pennington County Zoning Ordinance.

Tract C of Lot 6, Berger Subdivision, Section 14, T2N, R8E, BHM, Pennington County, South Dakota.

To recommend to continue the review Conditional Use Permit / CU 91-59 to the November 9, 2015, Planning Commission meeting.

4. **CONDITIONAL USE PERMIT REVIEW / CU 92-54:** Gerhard and Elizabeth Heck. To review a single-wide mobile home to be used as a single-family 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 B-3 of Lot B of Lot 1, Section 19, T1N, R9E, BHM, Pennington County, South Dakota.

To recommend to continue the review of Conditional Use Permit / CU 92-54 to the November 9, 2015, Planning Commission meeting.

5. **CONDITIONAL USE PERMIT REVIEW / CU 08-45:** Elaine Andersen; Stephanie Andersen – Agent. To review a single-wide mobile home to be used as a temporary residence while constructing a single-family residence in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot C, Tract Olson Parcel #3, Section 11, T1S, R3E, BHM, Pennington County, South Dakota.

(Continued from the August 10, 2015, Planning Commission meeting.)

To recommend to continue the review of Conditional Use Permit / CU 08-45 to the November 23, 2015, Planning Commission meeting.

6. **CONDITIONAL USE PERMIT REVIEW / CU 14-27:** Wayne and Phyllis Krell. To review a single-wide manufactured home to be used as a permanent residence in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 6A of Lot 6 in Block 4, Eastern Acres Subdivision, Section 11, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 14-27 with six (6) conditions.

7. **CONDITIONAL USE PERMIT REVIEW / CU 14-29:** Isaac Malsom. To review the use of an existing private air strip to be used for the applicant's personal aircraft in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

The NW1/4NE1/4 less ROW, Section 30, T2N, R10E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 14-29 with seven (7) conditions.

8. **CONDITIONAL USE PERMIT / CU 15-28:** Michael or Erika Radtke; Kathleen Kaul – Owner. To allow for a single-wide mobile home to be used as a ranch hand's residence on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Pt of S1/2SE1/4 lying South of Highway less right-of-way and less Tract A, Wiese Addition, Section 35, T1N, R9E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 15-28 with eight (8) conditions.

9. **CONDITIONAL USE PERMIT / CU 15-29:** Jim or Mary Scull. To allow for the cabin located on the subject property to be used as a ranch hand's residence in a General Agriculture District in accordance with Sections 205 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 approval of Conditional Use Permit / CU 15-29 with ten (10) conditions.

10. **CONDITIONAL USE PERMIT REVIEW / CU 14-28:** Don Behrens. 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.

Lot 1, Custer Trails Subdivision, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend to continue Conditional Use Permit / CU 14-28 to the October 26, 2015, Planning Commission meeting.

END OF CONSENT CALENDAR

11. **VACATION OF EASEMENT / VE 15-04:** Monte and Nicole Albert. To vacate and relocate an existing septic system drainfield easement in accordance with the Pennington County Zoning Ordinance.

Lots 1 and 2, Loveland Canyon Estates, Section 16, T2N, R6E, BHM, Pennington County, South Dakota.

12. **CONDITIONAL USE PERMIT / CU 15-27:** Carol or Kenn 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.

Lot 1 and 1/2 vacated road less Lot A, Hisega Subdivision, and Unplatted PT of NW1/4 NE1/4 and 1/2 Vacant Road adjacent to Section 16, T1N, R6E, BHM, Pennington County, South Dakota.

13. **MINOR PLAT / PL 15-24 AND SUBDIVISION REGULATIONS VARIANCE / SV 15-13:** Chelsea "Chuck" and Donna Ferguson. To combine two lots to create Lot 3 of Rushmore Cave Subdivision and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: A portion of the Balance of Gov't Lot 4 less Right-of-Way and Tract A of Lot 4 and Lot B of Lot 4, Section 18, T2S, R7E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 3, Rushmore Cave Subdivision, Section 18, T2S, R7E, BHM, Pennington County, South Dakota.

14. REZONE / RZ 15-12 AND COMPREHENSIVE PLAN AMENDMENT CA / 15-11: Chelsea "Chuck" and Donna Ferguson. To rezone 0.914 acre from General Agriculture District to Highway Service District and to amend the Comprehensive Plan to change the Future Land Use from Limited Agriculture District to Highway Service District in accordance in accordance with Section 508 of the Pennington County Zoning Ordinance.

Commencing from the southeast corner of Tract G of Guyette Placer M.S.1489 located in SW1/4SW1/4 of Section 18, T2S, R7E, B.H.M. Pennington County, South Dakota. Thence around a right hand curve along the south right-of-way line of Highway 40 with a length of 48.27', a radius of 879.93', a chord bearing of S42°51'20"E and a chord distance of 48.26' to the Point of Beginning and northeast corner of proposed Lot 3 of Rushmore Cave Subdivision. Thence continuing around the same right-hand curve with a length of 131.33', a radius of 879.93', a chord bearing of S37°00'41"E and a chord length of 131.21' to a point on the line between a portion of Govt. Lot 4 and Lot B of Govt. Lot 4 thence N78°43'55"W a distance of 39.24' to the northern corner between Lot B and Tract A of Govt. Lot 4, thence N85°35'07"W along the northern boundary of Tract A a distance of 211.90' to a the northwest corner of Tract A, thence S8°11'00"W along the western boundary of Tract A a distance of 417.20' to a point, thence S4°18'07"E a distance of 200.00' to a point, thence S12°37'03"E a distance of 57.47' to a point, thence N85°17'00"W a distance of 78.20' to the south west corner of Proposed Lot 3 of Rushmore Cave Subdivision, thence N5°50'00"E a distance of 668.30' to a point coinciding with the northwest corner of proposed Lot 3 of Rushmore Cave Subdivision, thence N69°51'11"E a distance of 226.47' to the Point of Beginning. Said Parcel containing 0.914 acres more or less

15. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the September 14th and September 28th Planning Commission meetings with the exception of Minor Plat / PL 15-19 and Subdivision Regulations Variance / SV 15-10 (Elvira Gilles; Davis Engineering – Agent). The Board removed the below condition from the Conditions of Approval:

1. That prior to filing the Plat with the Register of Deeds, percolation and profile hole information be submitted to the Water Protection Coordinator and/or Environmental Planner for review and approval.

16. ITEMS FROM THE PUBLIC

17. ITEMS FROM THE STAFF

A. Building Permit Report.

18. ITEMS FROM THE MEMBERSHIP

19. 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.