

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
April 25, 2016 @ 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 3, 2016, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE APRIL 11, 2016, 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 06-17:** Carol A DeLeo and Gina DeLeo. To review a Recreational Resort in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description: That portion of Burlington Northern Railroad Company's (formerly Chicago, Burlington and Quincy Railroad Company's) 300.0 foot wide station ground property at Rochford City, South Dakota, located on the Custer to Deadwood Branch line right of way, now discontinued, being 150.0 feet wide on each side of said Branch line's Main Track centerline, as originally located and constructed upon, over and across the SW1/4 NE1/4 and the E1/2 SE1/4 NW1/4, Section 24, T2N, R3E of the Black Hills Meridian, City of Rochford, Pennington County, South Dakota described as follows, to wit: Beginning at a Point 150.0 feet Northerly from Station 2101 + 17.8 and at right angles from the centerline of the railroad, which point is South 38 Degrees 54 Minutes West a distance of 352.4 feet from Corner No. 8 of Mineral Claim Lot No. 676; thence running South 10 Degrees 41 Minutes West a distance of 300.0 feet; thence North 78 Degrees 19 Minutes West parallel with railroad a distance of 1300.0 feet; thence North 10 Degrees 41 Minutes East a distance of 250.0 feet, more or less, to the intersection of the line of said Mineral Claim Lot No. 676 between Corners No. 3 and 4 thereof; thence North 83 Degrees 10 Minutes East along said line a distance of 150.0 feet, more or less, to a point 150.0 feet Northerly and at right angles from the centerline of said railroad; thence South 79 Degrees 19 Minutes East a distance of 1140.0 feet, more or less, to the Point of Beginning (72.620 acres more or less). Excepting Therefrom: All that portion of said Railroad Company's 100.0 foot wide

Branch line right of way, being 50.0 feet wide on each side of said Main Track centerline; also, Excepting Therefrom: The County Road; also, Excepting Therefrom: 0.46 acres, more or less, being a part of the SW1/4 NE1/4 of Section 24, T2N, R3E of the Black Hills Meridian, Pennington County, South Dakota, as recorded in Book 158, Page 144 in the Register of Deeds office for Pennington County, South Dakota and also, Excepting Therefrom: Lot 1 of the Damfino 2 Subdivision and 66' Mudable Drive (A platted private drive) Being a portion of the Nebraska Placer, M.S, 676 located in the NE1/4 of Section 24, T2N, R3E, BHM, Pennington County, South Dakota, being 1.049 acres more or less, as shown in Plat Book 24 at Page 190 and recorded as Document #16992 in Book 50, Page 2436 in the Register of Deeds office for Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 06-17.

4. **CONDITIONAL USE PERMIT AMENDMENT REVIEW / CU 14-08:** Basin Electric Power Cooperative; Kevin Solie – Agent. To review an addition to an existing electrical substation in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

The S1/2SE1/4SW1/4; S1/2N1/2SE1/4SW1/4; SE1/4 SW1/4SW1/4 LESS W220ft; S1/2NE1/4 SW1/4SW1/4 LESS W220ft, Section 28, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend to continue the review of Conditional Use Permit Amendment / CU 14-08 to the May 23, 2016, Planning Commission meeting.

5. **CONDITIONAL USE PERMIT REVIEW / CU 14-09:** Jesse Rieb. To review an existing single-family residence to be used as a second ranchhand's residence in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

All Section less right-of-way; less PT NW1/4NE1/4 and PT N1/2NW1/4, Section 11, T1S, R8E, BHM, Pennington County, South Dakota.

(Continued from the April 11, 2016, Planning Commission meeting.)

To recommend approval of the extension of Conditional Use Permit / CU 14-09 with six (6) conditions.

6. **CONDITIONAL USE PERMIT REVIEW / CU 14-10:** MDC Coast 2 LLC; Conrad's Big C Signs – Agent. To review two illuminated, on-premise signs within 1,500 feet of a residential zoning district / dwelling unit in a General Commercial District in accordance with Sections 209 and 510 of the Pennington County Zoning Ordinance.

Lot C of Tract 1, Paul Subdivision, Section 15, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the April 11, 2016, Planning Commission meeting.)

To recommend to continue the review of Conditional Use Permit / CU 14-10 to the May 9, 2016, Planning Commission meeting.

7. **CONDITIONAL USE PERMIT REVIEW / CU 14-12:** Penelope Cox; Huling Revocable Trust – Owner. To review a single-wide mobile home as a permanent residence in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot F of Lot 1 of Lot L of E1/2SE1/4, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 14-12 with six (6) conditions.

8. **CONDITIONAL USE PERMIT REVIEW / CU 15-05:** Beach House, LLC / Troy Schmidt. To review a Vacation Home Rental in a Low Density Residential District in accordance with Sections 207, 319, and 510 of the Pennington County Zoning Ordinance.

Lot A-9 Revised, Palmer Gulch Estates, Section 34, T1S, R5E, BHM, Pennington County, South Dakota.

To recommend to continue the review of Conditional Use Permit / CU 15-05 to the May 9, 2016, Planning Commission meeting with the applicant's concurrence.

9. **CONDITIONAL USE PERMIT REVIEW / CU 15-06:** Border States Paving. To review 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 East of Right-of-Way; PT NE1/4NW1/4 East of Right-of-Way, Section 17, T1N, R14E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 15-06 with applicant's concurrence.

10. **CONDITIONAL USE PERMIT REVIEW / CU 15-07:** Linda and Harlan Eisenbraun. To review 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 to end Conditional Use Permit / CU 15-07 with the applicant's concurrence.

11. **CONDITIONAL USE PERMIT / CU 16-03:** Jennifer and Jason Wright. To allow a Recreational Vehicle to be lived in part-time on the subject property in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 2, Bies Subdivision, Section 11, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the April 11, 2016, Planning Commission meeting.)

To recommend approval of the withdrawal of Conditional Use Permit / CU 16-03 with the applicant's concurrence.

12. **CONDITIONAL USE PERMIT / CU 16-06:** South Canyon Country Estates Homeowner's Association; Davis Engineer – Agent. To bring into compliance the recreation area on the subject property in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot A, Block 7, South Canyon Country Estates, Section 26, T2N, R6E, BHM, Pennington County, South Dakota.

To recommend approval of the withdrawal of Conditional Use Permit / CU 16-06 with the applicant's concurrence.

13. **CONDITIONAL USE PERMIT / CU 16-07:** Donald Karras. To allow an existing accessory structure, a pole barn, to remain on the subject property prior to a principle structure in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot AR of Lot 2 Revised, Block 2, Thovson Subdivision, Section 19, T2S, R7E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 16-07 with seven (7) conditions.

14. **CONDITIONAL USE PERMIT AMENDMENT / CU 89-36:** Clyde and Dianne Graumann. To amend the existing Conditional Use Permit to allow a roofing business as a home occupation in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 5, Carlin Subdivision, Section 11, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend to continue Conditional Use Permit Amendment / CU 89-36 to the May 9, 2016, Planning Commission meeting with the applicant's concurrence.

END OF CONSENT CALENDAR

15. CONSTRUCTION PERMIT REVIEW (ROAD DISTRICT) / CP 15-08: Dan and Nancy Evangelisto (Summer Creek Road District). To install a culvert and water line on the north end of Summer Creek Drive, improve portions of Siskin Loop and Carbon Loop and grade and maintain other existing roads within the District.

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

16. CONSTRUCTION PERMIT REVIEW (SUMMER CREEK INN)/ CP 15-09: Dan and Nancy Evangelisto (Summer Creek Inn). To grade and level an area of a hillside (Lots 10, 11, 12, 13 and 15) in order to construct a building (Lots 10 and 12); to stockpile material at other locations (Lot 27) between (Lots 34 and 35) of the property; and to level and grade an area for an overflow parking lot (Lot 45).

Lots 10, 11, 12, 13 and 15; Lot 27, Lots 34 and 35, and Lot 45 of Custer Trails Subdivision, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

17. CONDITIONAL USE PERMIT REVIEW / CU 07-11: Bernard Ness; Ronnie Ness – Agent. To review an auto repair business in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

All Section less Right-of-Way, Section 1, T1N, R9E, BHM, Pennington County, South Dakota.

(Continued from the April 11, 2016, Planning Commission meeting.)

18. CONDITIONAL USE PERMIT / CU 16-04: Alex and Mikal Kulesza. To allow for a Vacation Home Rental on the subject property in a Limited Agriculture District in accordance with Sections 206, 319, and 510 of the Pennington County Zoning Ordinance.

Lot B of Lot 1, Merchen Addition #2, Section 21, T2N, R6E, BHM, Pennington County, South Dakota.

(Continued from the April 11, 2016, Planning Commission meeting.)

19. CONDITIONAL USE PERMIT / CU 16-05: Spring Creek Hideaway, LLC / Brent and Pam Veurink. To allow for a Vacation Home Rental in a General Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 4, Peterson Subdivision MS 622, Section 11, T2S, R4E, BHM, Pennington County, South Dakota.

20. PLANNED UNIT DEVELOPMENT / PU 16-01: Donna and Lyle Hartshorn. To rezone 55.26 acres from Limited Agriculture District and General Agriculture District to a Planned Unit Development to allow for a Resort Development to include uses such as weddings, receptions, parties, picnics, small gatherings, a farmer's market, a pumpkin patch, wagon rides, and to include an indoor riding area and to stable horses on-site in the future, on the subject properties, in accordance with Section 213 of the Pennington County Zoning Ordinance.

NE1/4SE1/4, Tract D of NW1/4SE1/4 less Lot 1, Section 3, T1S, R7E, BHM, Pennington County, South Dakota.

21. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the April 11, 2016, Planning Commission meeting.

1. The Second Reading of Rezone 16-03 and Comprehensive Plan Amendment 16-02 (Mitch Morris) was continued to the May 3rd Board of Commissioner's meeting.
2. The Appeal of Conditional Use Permit / CU 15-39 (Bellwether Limited Partnership; Janice and Roger Knutsen – Agent). The Board of Commissioners overruled the Planning Commission's decision to approve this item.
3. The Appeal of Telecommunications Facility Permit / TU 16-01 (Cellular Inc. / Network Corp. d/b/a Verizon Wireless; Brian Kabat-Buell Consulting – Agent). The Board of Commissioners overruled the Planning Commission's decision to approve this item.

22. ITEMS FROM THE PUBLIC

23. ITEMS FROM THE STAFF

24. ITEMS FROM THE MEMBERSHIP

25. 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.