

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
November 28, 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 December 6, 2016, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE NOVEMBER 14, 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 98-35:** Kenneth-Rae Company, LLC. To review a single-wide manufactured home as a single-family residence on the subject property located in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

S1/2 of that PT of GL5 lying E of Hwy 40 that excludes the S440 ft, the N388.85 ft, and the E450 ft thereof, Section 19, T2S, R7E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 98-35.

4. **CONDITIONAL USE PERMIT REVIEW / CU 12-30:** Ruby and Frank Matejcik. 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.

That Part of the SE1/4SE1/4 lying north and east of Slate Prairie Road, Section 26, T1N, R3E, BHM, Pennington County, South Dakota

(Continued from the November 14, 2016, Planning Commission meeting.)

To recommend approval of the extension of Conditional Use Permit / CU 12-30 with eight (8) conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 14-31:** Walter and Barbara Digmann. To review an existing residence to be used as a temporary residence while building a single-family residence in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot B, Gold King Lode MS 2064, Section 28, T1S, R6E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 14-31.

6. **CONDITIONAL USE PERMIT REVIEW / CU 15-30:** Peaceful Valley Hideaway, LLC (William and Valerie Landis); Arlyn Dyce - Agent. To review an existing residence to be used as a multi-family dwelling 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 approval of the extension of Conditional Use Permit / CU 15-30 with six (6) conditions.

7. **CONDITIONAL USE PERMIT REVIEW / CU 15-31:** Kelly and Lana Jensen. To review living in an existing residence while building a new single-family residence in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot N Revised (Formerly Lot N and Lot 1 of H), Section 8, T1N, R6E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 15-31 with six (6) conditions.

8. **CONDITIONAL USE PERMIT REVIEW / CU 15-34:** Robert and Sheila MacLachlan. To review a family cemetery on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

MacLachlan Family Cemetery located in GL 4, Section 5, T2S, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 15-34 with four (4) conditions.

9. **CONDITIONAL USE PERMIT / CU 16-36:** Enola Gorham; Patrick Smith – Agent. To allow a multi-family dwelling on the subject property in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 7 less Lot H1, Stekl Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the October 24, 2016, Planning Commission meeting.)

To recommend to continue Conditional Use Permit / CU 16-36 to the December 5, 2016, Planning Commission meeting.

10. **CONDITIONAL USE PERMIT / CU 16-38:** Tom and Terri Haggerty. To allow a townhome on the subject property in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot E3-E6; Lot F1-F6; Lot G1 Except That Portion of Said Lot Lying East of Co Rd; Lot G2-G5; Lot H5, Warren Lamb Subdivision, Section 18, T1N, R7E, BHM, Pennington County, South Dakota.

To recommend to continue Conditional Use Permit / CU 16-38 to the December 19, 2016, Planning Commission meeting.

11. **CONDITIONAL USE PERMIT / CU 16-39:** Troxel Properties, LLC; Pam Troxel – Agent. To allow for 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 B of NW1/4NE1/4 and 1/2 Vac Rd Adj to said Lot, Section 16, T1N, R6E, BHM, Pennington County, South Dakota

To recommend approval of Conditional Use Permit / CU 16-39 with sixteen (16) conditions.

12. **PLANNED UNIT DEVELOPMENT REVIEW / PU 05-09:** Richard Sterkel. To review an existing Planned Unit Development in accordance with Sections 213 and 508 of the Pennington County Zoning Ordinance.

Lots 1, 2, and 3 of Morrison Subdivision, Section 14, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend to continue the review of Planned Unit Development / PU 05-09 to the December 5, 2016, Planning Commission meeting.

END OF CONSENT CALENDAR

13. LAYOUT PLAT / PL 16-27: Three Forks Development Co.; Bob Brandt – Agent. To combine Lot 14, Lot 15, and Lot 16 to create Lot 14R of The Forks at Remmington Ranch in accordance with Sections 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 14, Lot 15, and Lot 16 of The Forks at Remmington Ranch, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 14R of The Forks at Remmington Ranch, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

14. LAYOUT PLAT / PL 16-26: Pat and Stacey Brown; Davis Engineering – Agent. To reconfigure lot lines in order to create Tract A Revised, Tract B Revised, Tract C Revised, and Lot 13 Revised of J.S. Johnson Subdivision in accordance with Sections 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Tract A, Tract B, Tract C, and Lot 13 of J.S. Johnson Subdivision, Section 6, T1N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Tract A Revised, Tract B Revised, and Tract C Revised, and Lot 13 Revised of J.S. Johnson Subdivision, Section 6, T1N, R6E, BHM, Pennington County, South Dakota.

15. LAYOUT PLAT / PL 16-28: Black Hills Raptor Center; Davis Engineering – Agent. To create Tract A of Black Hills Raptor Center Addition in accordance with Sections 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: PT NW1/4SE1/4 Less RTY, Section 35, T1N, R9E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Tract A of Black Hills Raptor Addition, Section 35, T1N, R9E, BHM, Pennington County, South Dakota.

16. VACATION OF PLAT / VP 16-02: John and Lorene Baum. To vacate notes on the plat of Lot 10, Block 4, Paha Sapa High Country Tract 2 Subdivision, Section 18, T2N, R6E.

Lot 10, Block 4, Paha Sapa High Country Tract 2 Subdivision, Section 18, T2N, R6E, BHM, Pennington County, South Dakota.

17. MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 16-06: Tina Collins. To amend the existing Trailwood Planned Unit Development to allow for a home occupation, an in-home licensed massage therapy business, on the subject property in accordance with Sections 213 of the Pennington County Zoning Ordinance.

Lot 5, Block 1, Trailwood Village Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

18. COUNTY BOARD REPORT

The Board of Commissioners will hear the November 14th Planning Commission's recommendations at their December 6, 2016, Board meeting, and,

1. SECOND READING OF PLANNED UNIT DEVELOPMENT / PU 16-03: Dan and Nancy Evangelisto.

The First Reading was approved by the Board of Commissioners on November 1, 2016. The Seconding Reading will be heard at the December 6, 2016, Board of Commissioner's meeting.

2. SECOND READING OF ORDINANCE AMENDMENT / OA 16-01: Pennington County. To amend Section 103 - Definitions; Section 208 - Suburban Residential District; and Section 319 - Vacation Home Rental Ordinance of the Pennington County Zoning Ordinance.

The First Reading was approved by the Board of Commissioners on November 1, 2016. The Second Reading was heard by the Board of Commissioners on November 15, 2016, with recommended changes and the Second Reading was also continued to the December 6, 2016, Board of Commissioner's meeting.

3. APPEAL OF CONDITIONAL USE PERMIT / CU 16-16: Carey or Deborah Kassube. To allow a commercial storage rental and painting business in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

The Board of Commissioner's upheld the Planning Commission's decision to deny without prejudice Conditional Use Permit / CU 16-16, and also allowed the applicant a year within which to work with renters and rental contracts.

19. ITEMS FROM THE PUBLIC

20. ITEMS FROM THE STAFF

- A. Comprehensive Plan.

21. ITEMS FROM THE MEMBERSHIP

22. 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.