

**AGENDA**  
**PENNINGTON COUNTY PLANNING COMMISSION**  
**FEBRUARY 13, 2017 @ 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 February 21, 2017, at 10:30 a.m.

ROLL CALL

1. CONDITIONAL USE PERMIT REVIEW / CU 15-20: Mitch Morris. To review 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.

(From the January 23, 2017, Planning Commission meeting.)

2. APPROVAL OF THE JANUARY 23, 2017, MINUTES
3. 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.

4. CONDITIONAL USE PERMIT REVIEW / CU 00-65: Joyce Metz; Cathy Little Bull - Agent. To review a caretaker's residence in a Limited Agriculture District in accordance with Sections 206-C and 510 of the Pennington County Zoning Ordinance.

Lot 3 of Tract A less Right-of-Way, Metz Addition, Section 10, T2S, R6E, BHM, Pennington County, South Dakota.

(Continued from the January 23, 2017, Planning Commission meeting.)

To recommend approval of the extension of Conditional Use Permit / CU 00-65 with six (6) conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 12-15:** Kari Fruechte. To review a Vacation Home Rental in a Limited Agriculture District in accordance with Sections 206, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 1, Block 3, Pactola Estates, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 12-15 with fourteen (14) conditions.

6. **CONDITIONAL USE PERMIT REVIEW / CU 14-35:** Brad Nible. To review a multiple-family dwelling in a Suburban Residential District, to rent out the home/basement, in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 19, Block 1, Harney Peak View Addition, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the January 23, 2017, Planning Commission meeting.)

To recommend approval of the extension of Conditional Use Permit / CU 14-35 with six (6) conditions.

7. **CONDITIONAL USE PERMIT AMENDMENT / CU 15-01:** Sheri Tonner. To allow for an existing single-wide mobile home to be used as a permanent single-family residence on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

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.

To recommend approval of Conditional Use Permit Amendment / CU 15-01 with ten (10) conditions.

8. **CONSTRUCTION PERMIT REVIEW / CP 15-16:** Rushmore Shadows, LLC; Gene Addink – Agent. To review the Construction Permit 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 end Construction Permit / CP 15-16.

9. **CONSTRUCTION PERMIT / CP 17-03:** Mitch Morris. To grade the site to use it as a storage area for stockpiling soil.

E1/2E1/2; Lot 1 of NW1/4NE1/4; Lot 1 of SW1/4NE1/4; Lot 1 of SW1/4SE1/4; E1/2 of Lot A of NW1/4NE1/4; E1/2 of Lot A of E1/2NW1/4 of Section 32, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of Construction Permit / CP 17-03 with seven (7) conditions.

10. **CONSTRUCTION PERMIT / CP 16-13:** Talley Construction, Inc. / John Talley. To remove material from an existing pond.

Lot 11R, Wheel Inn #3, Section 2, T1S, R5E, BHM, Pennington County, South Dakota

(Continued from the January 9, 2017, Planning Commission meeting.)

To recommend to continue Construction Permit / CP 16-13 to the March 13, 2017, Planning Commission meeting.

#### **END OF CONSENT CALENDAR**

11. **CONDITIONAL USE PERMIT / CU 17-02:** Western Construction, Inc. To allow for a temporary portable asphalt batch plant and stockpile site on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

NE1/4; E1/2NW1/4; GL1 Less Lot A and Less ROW; E1/2SW1/4; SE1/4; GL3 LESS LOT 5; GL4 Less Lot 5, Less Lots 1, 2, 3 and Less ROW, Section 18, T1N, R9E, BHM, Pennington County, South Dakota.

12. **CONDITIONAL USE PERMIT / CU 17-03:** McDaniel Trust; Susan McDaniel. To allow 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 39, Oak Meadows Estates, Section 23, T2S, R6E, BHM, Pennington County, South Dakota.

13. CONDITIONAL USE PERMIT / CU 17-01: Albert and Sarah Sutton. To allow a Recreation Resort Area on the subject property to include six seasonal cabin rentals and the existing single-family residence to be used as the manager's residence in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Tract A, Circle B Ranch Subdivision, Section 28, T2N, R5E, BHM, Pennington County, South Dakota.

14. CONDITIONAL USE PERMIT / CU 16-36: Enola Gorham; Patrick Smith – Agent. To allow two (2) duplex units 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 January 9, 2017, Planning Commission meeting.)

15. REZONE / RZ 17-01 AND COMPREHENSIVE PLAN AMENDMENT / CA 17-01: Jimmy and Alice Dehaai. To rezone 3.49 acres from Suburban Residential District to Highway Service District and to amend the Comprehensive Plan to change the Future Land Use from Suburban Residential District to Highway Service District in accordance with Sections 208, 210, and 508 of the Pennington County Zoning Ordinance.

Lot H, Murray Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

16. REZONE / RZ 17-02 AND COMPREHENSIVE PLAN AMENDMENT / CA 17-02: Laura Pankratz; Ken Nash – Agent. To rezone 38.35 acres from General Agriculture District to Highway Service District and to amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Highway Service District in accordance with Sections 205, 210, and 508 of the Pennington County Zoning Ordinance.

On the following metes and bounds description: Beginning at a point N89°31'E 242.04' of the SE corner of Section 22, T1S, R6E, BHM, Pennington County South Dakota, Thence N45°57' 50"E a distance of 504.95'; Thence N42°59' 10"W a distance of 322.16'; Thence N56°50'E a distance of 77.13'; Thence N68°11'E a distance of 288.42'; Thence on an arc to the right whose radius is 2141.83'; N77°10'35"E a chord distance of 666.02'; Thence S80°01'30"E a distance of 287.59'; Thence N89°35'E a distance of 333.93'; Thence S67°03'40"E a distance of 701.65'; Thence S0°01'10"E a distance of 542.78'; Thence S89°30'55"W a distance of 2388.70' to the point of beginning. Said parcel of land containing 38.35 acres more or less, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

17. ORDINANCE AMENDMENT / OA 16-02: Pennington County. To amend Section 103 “Definitions”; Section 205 “General Agriculture District”; Section 206 “Limited Agriculture District”; Section 207 “Low Density Residential District”; Section 208 “Suburban Residential District”; Section 209 “General Commercial District”; Section 210 “Highway Service District”; Section 211 “Light Industrial District”; Section 212 “Heavy Industrial District”; Section 213 “Planned Unit Development District”; Section 317 “Wind Energy Systems” and Section 511 “Fees” of the Pennington County Zoning Ordinance.

(Continued from the January 23, 2017, Planning Commission meeting.)

18. ORDINANCE AMENDMENT / OA 16-04: Ernest Getty; Tina Mullaly – Agent. To amend Section 204-J-2 “Operating Permit”; Section 204-J-3-P “Service Providers/Liquid Waste Pumpers/Requirements”; Section 204-J-3-Q-v “Following the completion of the final evaluation by Pennington County, the system will then be registered with the County and an Operating Permit issued”; and Section 204-J-4 “Exemption for Operating Permit of the Pennington County Zoning Ordinance.

19. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission’s recommendations from the January 23, 2017, Planning Commission meeting.

20. ITEMS FROM THE PUBLIC

21. ITEMS FROM THE STAFF

- A. Building Permit Report.
- B. Comprehensive Plan Update.
- C. House Bill 1075.

22. ITEMS FROM THE MEMBERSHIP

23. 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.**