

**AGENDA**  
**PENNINGTON COUNTY PLANNING COMMISSION**  
**May 14, 2018 @ 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 June 7, 2018, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE APRIL 23, 2018, MINUTES
2. APPROVAL OF AGENDA

**CONSENT AGENDA**

The following items have been placed on the Consent Agenda 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 Agenda, 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 91-07:** S.D. Annual Conf. of United Methodist. To review an organized group camp in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Oregon Lode MS 2049, Section 15, T1S, R6E, Alaska Lode MS 2049, Section 15, T1S, R6E, (also in Section 10); Arizona Lode MS 2049, Section 15, T1S, R6E, (also in Section 14); Dan Patch Lode MS 2049, Nevada Lode MS 2049, Section 14, T1S, R6E, (also in Section 15); Gold Dust Lode MS 2049, Section 14, T1S, R6E, (also in Section 15); Idaho Lode MS 2049, Section 15, T1S, R6E, (also in Section 14), all in BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 91-07 with three (3) conditions.

4. **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 Tract 6, Berger Subdivision, Section 14, T2N, R8E, BHM, Pennington County, South Dakota.

(Continued from the May 9, 2018, Planning Commission meeting.)

To recommend approval of the extension of Conditional Use Permit / CU 91-59 with five (5) conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 92-42:** Sunnyside Mobile Home Court. To review a mobile home park in a Suburban Residential District in accordance with Sections 208-C-2 and 510 of the Pennington County Zoning Ordinance.

Lot B of Lot 1 of Lot B less N600.236 feet in W1/2NE1/4; Lot A of Lot 1 of Lot B in W1/2NE1/4; Lot A of Lot 2 of Lot B less N600.236 feet in W1/2NE1/4; Tract 2 of Lot 2 of Lot B in SW1/4NE1/4; SE1/4NE1/4 including the private lane in the SE1/4NE1/4 and NE1/4SE1/4 less Lot A of SE1/4NE1/4 and NE1/4SE1/4 and Less L.

To recommend to continue the review of Conditional Use Permit / CU 92-42 to the June 25, 2018, Planning Commission.

6. **CONDITIONAL USE PERMIT REVIEW / CU 15-24:** Founding Fathers, LLC / Don Perdue. To review a bell tower sign to be 50 feet tall with the total height of the letters to be 35 feet tall in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Lot A of SW1/4SW1/4; Lot A1 of Lot H2 of SW1/4SW1/4; Section 3, T1S, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 15-24 with five (5) conditions.

7. **CONDITIONAL USE PERMIT REVIEW / CU 17-02:** Western Construction. To review 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.

To recommend to end Conditional Use Permit / CU 17-02 with the applicant's concurrence.

8. **CONDITIONAL USE PERMIT REVIEW / CU 17-09:** Wesley and Carrie Mentele. To review a Vacation Home Rental on the subject property in a Low Density Residential District in accordance with Sections 207, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 6, Melchert Ranch Subdivision, Section 15, T2N, R3E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 17-09 with sixteen (16) conditions.

9. **CONDITIONAL USE PERMIT REVIEW / CU 17-14:** David and Laura Jones. To review a Recreational Vehicle to be used as temporary living quarters while building 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 1, Forty Oaks Ranch Subdivision, Section 18, T2S, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 17-14 with nine (9) conditions.

10. **CONDITIONAL USE PERMIT REVIEW / CU 17-46:** Matt and Donna Bowen. To review living in an existing residence while building a new 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.

W1/2; S1/2SE1/4 Less Lot H1, Section 36, T2S, R13E, BHM, Pennington County, South Dakota.

(Continued from the February 26, 2018, Planning Commission meeting.)

To recommend approval of the extension of Conditional Use Permit / CU 17-46 with eleven (11) conditions.

11. **CONDITIONAL USE PERMIT REVIEW / CU 18-01:** Ron Weifenbach. To review for a temporary permit for retail sales of Class C fireworks in a General Commercial District in accordance with Sections 204-D, 209, and 510 of the Pennington County Zoning Ordinance.

All, Block 8, Harney Peak View Addition, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 18-01 with ten (10) conditions.

12. **CONDITIONAL USE PERMIT REVIEW / CU 18-05:** Harry and Rosina Hilgemann; Bret Hilgemann – Agent. To review a caretaker’s residence on the subject property in a Suburban Residential District in accordance with Sections 204-D, 208, and 510 of the Pennington County Zoning Ordinance.

Parcel C less Lots H1 and H2 and less 40-foot-wide dedicated right-of-way, Section 17, T2N, R6E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 18-05 with twelve (12) conditions.

13. **CONDITIONAL USE PERMIT / CU 18-06:** Milbert and Lila Rohrbach. To replace an existing single-wide with a newer single-wide mobile home (#C), to allow for an existing single-wide mobile home to remain as storage space (#A), and to allow for the existing double-wide mobile home to remain as a rental unit on the subject property (#B) in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot W 165 feet of W1/2 of Lot 3 less N10 feet; Plateau Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 18-06 with ten (10) conditions.

14. **CONSTRUCTION PERMIT / CU 18-04:** Stromer Properties, LLC; Brook Stromer – Agent. To construct a parking area on the subject property.

Lot A2, Bar P-S Subdivision, Section 20, T1N, R9E, BHM, Pennington County, South Dakota.

To recommend approval of Construction Permit / CP 18-04 with seven (7) conditions.

15. **CONSTRUCTION PERMIT / CU 18-05:** Under Canvas, Inc. (UC Glamping Partners, LLC); Jeremy Budge – Agent. To gravel roadways, cart paths, and parking areas on the subject property.

GL 6; SE1/4NW1/4; N1/2SW1/4; Section 16, T2S, R6E, BHM, Pennington County, South Dakota.

To recommend approval of Construction Permit / CP 18-05 with eight (8) conditions.

16. **MINOR PLAT / PL 18-11:** Douglas Norberg; Buckhorn Surveying – Agent. To reconfigure lot lines to create Tract 1 and Tract 2 of Sonquest Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 5 Revised of GL 3 and Lot 1 of Lot C of GL 2, Section 6, T1N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Tract 1 and Tract 2 of Sonquest Subdivision, Section 6, T1N, R6E, BHM, Pennington County, South Dakota.

To recommend approval of Minor / PL 18-11 with ten (10) conditions.

**END OF CONSENT AGENDA**

17. MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 18-01: Deerfield Cabins, LLC; Deon Wynia. To amend the existing Planned Unit Development to allow the existing single-family residence on Lot 43 to be used as a Vacation Home Rental on the subject property in accordance with Sections 213 and 319 of the Pennington County Zoning Ordinance.

Lot 43, Burns Placer MS 697, Section 14, T1S, R4E, BHM, Pennington County, South Dakota.

(Continued from the April 23, 2018, Planning Commission meeting.)

18. MINOR PLAT / PL 18-10 AND SUBDIVISION REGULATIONS VARIANCE / SV 18-03: Kerri and Sabrina Johnston. To combine three lots in order to create Lot 1 of Johnston Subdivision and to waive platting requirements in accordance with § 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lots 20 and 21 of Lot 1 of SW1/4SW1/4 and Lot 22 of Lot 1 of SW1/4SW1/4, located in Section 14, T1N, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 of Johnston Subdivision, Section 14, T1N, R5E, BHM, Pennington County, South Dakota.

19. CONDITIONAL USE PERMIT REVIEW / CU 16-27: Gene and Carllen Van Der Wert; Collin Goodwin - Agent. To review a Vacation Home Rental on the subject property in a Low Density Residential District in accordance with Sections 207-C-18, 319, and 510 of the Pennington County Zoning Ordinance.

Lot K, Brechtel #1, Section 34, T1S, R5E, BHM, Pennington County, South Dakota.

(Continued from the March 26, 2018, Planning Commission meeting.)

20. CONDITIONAL USE PERMIT REVIEW / CU 17-10: Maurice and Sonja Crowley. To review a Vacation Home Rental on the subject property in a Suburban Residential District in accordance with Sections 208, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 5, Copper Oaks #2 Subdivision, Section 7, T1S, R7E, BHM, Pennington County, South Dakota.

(Continued from the March 26, 2018, Planning Commission meeting.)

21. CONDITIONAL USE PERMIT REVIEW / CU 17-11: Gerard and Michele Mlinar; VACO Vacation Rentals, LLC - Agent. To review a Vacation Home Rental on the subject property in a Low Density Residential District in accordance with Sections 207, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 2A, Battle Creek Mountain Estates Subdivision, Section 17, T2S, R7E, BHM, Pennington County, South Dakota.

(Continued from the March 26, 2018, Planning Commission meeting.)

22. LAYOUT PLAT / PL 18-08: TDG Real Estate; Michael Gennaro – Agent. To create Tracts 1 and 2 of Hermosa Lode MS 1111 and Lots 1 and 2 of Glendale No. 3 Lode MS 1111 in accordance with § 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: All (also in Sec. 14) of Hermosa Lode MS 1111 and All (in Sec. 14) of Glendale #3 Lode MS 1111, all located in Section 23, T2S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Tracts 1 and 2 of Hermosa Lode MS 1111 and Lots 1 and 2 of Glendale No. 3 Lode MS 1111, all located in Section 23, T2S, R6E, BHM, Pennington County, South Dakota.

23. CONDITIONAL USE PERMIT / CU 18-07: Tim McTavish. To allow for five (5) illuminated, on-premise signs within 1,500 feet of a residential zoning district / dwelling unit in a Highway Service District in accordance with Sections 210, 312, and 510 of the Pennington County Zoning Ordinance.

Lot 3, The Forks at Remington Ranch, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

24. PRELIMINARY PLAT / PL 18-09 AND SUBDIVISION REGULATIONS VARIANCE / SV 18-02: Eric and Heidi Henriksen; Sperlich Consulting – Agent. To create Lots 1-10 of Bromegrass Subdivision and to waive platting requirements in accordance with Sections 400.2 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Gov't Lot 1 less .73 ac Platted into Hook J Subdivision; Gov't Lot 2; SE1/4; SE1/4SW1/4; less ROW; Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL Lots 1-10, Bromegrass Subdivision, Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

25. REZONE / RZ 18-02 AND COMPREHENSIVE PLAN AMENDMENT / CA 18-02: Eric and Heidi Henriksen; Sperlich Consulting – Agent. To rezone 15.052 acres and 3.385 acres from General Agriculture District to Low Density Residential District to amend the Pennington County Comprehensive Plan to change the Future Land Use from General Agriculture District to Low Density Residential District and Limited Agriculture District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance.

To rezone 47.671 acres from General Agriculture District to Limited Agriculture District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance.

LEGAL DESCRIPTION: To rezone 15.052 acres from General Agriculture District to Low Density Residential District on the following metes and bounds description more fully described as follows: Commencing at the Southeast Corner of Section 2, T1S, R9E, B.H.M., Pennington County; Thence, N89°56'29" W a distance of 33.09 feet; Thence,

N00°04'49" E, a distance of 1767.14 feet; Thence, N00°04'49" E a distance of 637.70 feet; Thence N00°04'49" E a distance of 148.14 feet, to the Point of Beginning; Thence, first course: N89°11'14" W, a distance of 162.53 feet; Thence, second course: S17°33'43" W, a distance of 143.19 feet; Thence, third course: N89°11'14" W, a distance of 264.87 feet; Thence, fourth course: S33°16'24" W, a distance of 295.03 feet; Thence, fifth course: S00°33'47" E, a distance of 260.42 feet; Thence, sixth course: S67°50'06" E, a distance of 87.94 feet; Thence, seventh course: S00°05'25" w, a distance of 252.17 feet; Thence, eighth course: N89°56'29" W, a distance of 525.64 feet; Thence, ninth course: S00°03'31" W, a distance of 518.77 feet; Thence, tenth course: N89°56'29" W, a distance of 588.00 feet; Thence, eleventh course: N33°06'41" W, a distance of 440.69 feet; Thence, twelfth course: N33°06'41" W, a distance of 43.68 feet; Thence, thirteenth course: along said curve of length 124.86 feet with a Chord Bearing of N24°16'04" W and a Chord Distance of 124.37 feet and a delta angle of 17°41'13" and a radius of 404.49 feet; Thence, fourteenth course: along said curve of length 109.53 feet with a Chord Bearing of N07°40'01" W and a Chord Distance of 109.19 feet and a delta angle of 15°30'53" and a radius of 404.49 feet; Thence, fifteenth course: N00°05'20" E, a distance of 469.66 feet; Thence, sixteenth course: N00°04'49" E, a distance of 83.59 feet to the point of Beginning Said Parcel contains 655,665 square feet or 15.052 acres more or less; and to amend the Pennington County Comprehensive Plan to change the Future Land Use from General Agriculture District to Low Density Residential District; Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

LEGAL DESCRIPTION: To rezone 3.385 acres from General Agriculture District to Low Density Residential District on the following metes and bounds description more fully described as follows: Commencing at the Southeast Corner of Section 2, T1S, R9E, B.H.M., Pennington County; Thence, N89°56'29" W a distance of 33.09 feet; Thence, N00°04'49" E, a distance of 1767.14 feet, to the Point of Beginning; Thence, first course: S89°54'41" E, a distance of 295.34 feet; Thence, second course: S00°05'19" W, a distance of 250.00 feet; Thence, third course: S31°58'23" W, a distance of 294.39 feet; Thence, fourth course: S00°05'19" W, a distance of 137.72 feet; Thence, fifth course: N89°54'41" W, a distance of 139.74 feet; Thence, sixth course: N00°04'49" E, a distance of 637.70 feet to the point of Beginning Said Parcel contains 147,451 square feet or 3.385 acres more or less; and to amend the Pennington County Comprehensive Plan to change the Future Land Use from General Agriculture District to Low Density Residential District Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

LEGAL DESCRIPTION: To rezone 47.671 acres from General Agriculture District to Limited Agriculture District on the following metes and bounds description more fully described as follows: Commencing at the Northwest Corner of Gov't Lot 2, T1S, R9E, B.H.M., Pennington County, to the Point of Beginning; Thence, first course: N89°56'29" W, a distance of 1681.12 feet; Thence, second course: S00°03'31" W, a distance of 518.17 feet; Thence, third course: N89°56'29" W, a distance of 525.64 feet; Thence, fourth course: S00°05'25" W, a distance of 252.17 feet; Thence, fifth course: S81°19'12" E, a distance of 269.72 feet; Thence, sixth course: N55°06'52" E, a distance of 263.04 feet; Thence, seventh course: N00°00'00" E, a distance of 240 feet; Thence, eighth course: N26°33'09" E, a distance of 363.10 feet; Thence, ninth course: S74°32'32" E, a distance of 127.63 feet; Thence, tenth course: S34°48'11" E, a distance of 160.00 feet; Thence, eleventh course: S00°00'00" W, a distance of 189.12 feet; Thence, twelfth course: N89°43'20" W, a distance of 1348.01 feet; Thence, thirteenth course: S00°03'53"

W, a distance of 1086.69 feet to the point of Beginning; Said Parcel contains 2,076,549 square feet or 47.671 acres more or less; and to amend the Pennington County Comprehensive Plan to change the Future Land Use from General Agriculture District to Limited Agriculture District; Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

26. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the April 23, 2018, Planning Commission meeting. Planned Unit Development 16-03 (Dan & Nancy Evangelisto) was continued to the May 15, 2018, Board of Commissioner's meeting; and Ordinance Amendment / OA 18-04 (Ernest Getty / Tina Mulally) was continued to the May 15, 2018, Board of Commissioner's meeting.

27. ITEMS FROM THE PUBLIC

28. ITEMS FROM THE STAFF

- A. Building Permit Report.
- B. Planning Commission Interviews (May 25<sup>th</sup>).
- C. Planning Commission Meeting (May 29<sup>th</sup>).
- D. Special Planning Commission Meeting (June 4<sup>th</sup> – Comprehensive Plan only.)

29. ITEMS FROM THE MEMBERSHIP

30. 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.**