

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
December 3, 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 December 18, 2018, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE NOVEMBER 26, 2018, MINUTES
2. APPROVAL OF THE 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 16-41:** Robert and Glenda Frank. 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 5, Harrington Subdivision, Section 19, T2S, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 16-41 with thirteen (13) conditions.

4. **CONDITIONAL USE PERMIT / CU 17-41:** Pluemjit Aaron (Little). To allow an existing structure (restaurant) to be used as a single-family residence on the subject property in a General Commercial District in accordance with Sections 209 and 510 of the Pennington County Zoning Ordinance.

Lot 1 of Lot J, Weaver Townsite, Section 8, T2N, R9E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 17-41 with eight (8) conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 17-42:** Kyle and Kristina Volmer. To live in a Recreational Vehicle while building a 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.

SE1/4 of GL4, Section 7, T1N, R13E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 17-42 with fourteen (14) conditions.

6. **CONDITIONAL USE PERMIT / CU 18-38:** Daniel Johnson, Highmark Properties, LLC. To allow the multi-family dwelling with separate units, Unit 1 and Unit 2, to be used as a Specialty Resort / Vacation Home Rental in a General Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

Lot A of Lot 1 less of Highway 385, Walker Placer MS 551, Section 12, T2S, R4E, BHM, Pennington County, South Dakota.

(Continued from the October 22, 2018, Planning Commission meeting.)

To recommend to continue Conditional Use Permit / CU 18-38 to no later than the March 25, 2019, Planning Commission meeting, with one (1) condition.

7. **CONSTRUCTION PERMIT REVIEW / CP 17-14:** Cody Schad. To review the construction of a road constructed outside of the Section Line Right-of-Way and to satisfy a Condition of Approval for CS16-02.

E1/2SW1/4NW1/4 LESS ROW; W1/2SW1/4 NW1/4 and Lot 28, Copper Oaks #1, all located in Section 8, T1S, R7E, BHM, Pennington County, South Dakota.

(Continued from the November 13, 2018, Planning Commission meeting.)

To recommend approval of the extension of Construction Permit / CP 17-14 with six (6) conditions.

8. **CONSTRUCTION PERMIT / CP 18-12:** Brad Nible. To excavate and level a hillside for a future residence in accordance with Sections 208 and 507 of the Pennington County Zoning Ordinance.

Lot 2A, Block 6, Harney Peak View Addition, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.

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

To recommend approval of the extension of Construction Permit / CP 18-12 with eleven (11) conditions.

9. **LAYOUT PLAT / PL 17-38:** Dorothy Johnson Estate; Great Western Bank - Personal Representative for Dorothy Johnson Estate. To create Lots A, B, C, and D of Johnson Estates Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Balance of Lot 1 of the NW1/4NW1/4, Section 9, T1N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots A, B, C, and D of Johnson Estates Subdivision, Section 9, T1N, R6E, BHM, Pennington County, South Dakota.

(Continued from the November 13, 2018, Planning Commission meeting.)

To recommend to continue Layout Plat / PL 17-38 to the January 14, 2019, Planning Commission meeting with one (1) condition.

10. **REZONE / RZ 17-10 AND COMPREHENSIVE PLAN AMENDMENT / CA 17-09:** Dorothy Johnson Estate; Great Western Bank - Personal Representative for Dorothy Johnson Estate. To rezone 21.39 acres from Limited Agriculture District to Suburban Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from PUD Sensitive to Suburban Residential District in accordance with Sections 206, 208, and 508 of the Pennington County Subdivision Regulations.

Balance of Lot 1 of NW1/4NW1/4, Section 9, T1N, R6E, BHM, Pennington County, South Dakota.

(Continued from the November 13, 2018, Planning Commission meeting.)

To recommend to continue Rezone / RZ 17-10 and Comprehensive Plan Amendment / CA 17-09 to the January 14, 2019, Planning Commission meeting with one (1) condition.

11. **MINOR PLAT / PL 18-41:** Larry and Lenora Ruland. To create Tract 1 of Ruland Ranch Addition in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: SE1/4SW1/4; S1/2NE1/4 SW1/4 and W1/2SE1/4, Section 24, T1S, R16E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Tract 1 of Ruland Ranch Addition, Section 24, T1S, R16E, BHM, Pennington County, South Dakota.

To recommend approval of Minor Plat / PL 18-41 with eight (8) conditions.

12. **MINOR PLAT / PL 18-42 AND SUBDIVISION REGULATIONS VARIANCE / SV 18-11:** Gerald and Judith Schmidt. To combine two lots in order to Lot 1 of Schmidt Subdivision and a portion of dedicated ROW of Norris Peak Road and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Bertha Lode and Aurora Lode Patented Mining Claims (also in Section 19 and 20), Section 29, T2N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 of Schmidt Subdivision, Section 29, T2N, R6E, BHM, Pennington County, South Dakota.

To recommend approval of Subdivision Regulations Variance / SV 18-11 and approval of Minor Plat / PL 18-42 with seven (7) conditions.

13. **MINOR PLAT / PL 18-27 AND SUBDIVISION REGULATIONS VARIANCE / SV 18-08:** Paul and Carol Niemann. To combine two lots in order to create Niemann Trust Land Tract and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot O of SE1/4SE1/4; Lot A of SE1/4SE1/4, Section 15, T1N, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Niemann Trust Land Tract, Section 15, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend to continue Subdivision Regulations Variance / SV 18-08 and Minor Plat / PL 18-27 to the December 17, 2018, Planning Commission meeting.

14. **REZONE / PL 18-07 AND COMPREHENSIVE PLAN AMENDMENT / CA 18-07:** Paul and Carol Niemann. To rezone 17.4 acres from General Agriculture District to Limited Agriculture District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Limited Agriculture District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance.

Lot O of SE1/4SE1/4; Lot A of SE1/4SE1/4, Section 15, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend to continue Rezone / RZ 18-07 and Comprehensive Plan Amendment / CA 18-07 to the December 17, 2018, Planning Commission meeting.

END OF CONSENT AGENDA

15. LAYOUT PLAT / PL 18-40: Rhonda Champion. To create Lot 1 Revised of Tract B and Lot A Revised of Lot 1 of Tract B of HES 281 in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 1 of Tract B including Lot A of Lot 1 of Tract B, HES #281, Section 15, T2S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL Lot 1 Revised of Tract B and Lot A Revised of Lot 1 of Tract B of HES #281, Section 15, T2S, R6E, BHM, Pennington County, South Dakota.

16. LAYOUT PLAT / PL 18-39 AND SUBDIVISION REGULATIONS VARIANCE / SV 18-10: 7 Wonders / Jessica Hessler; Fisk Land Surveying – Agent. To combine three lots to create Lot 1 Revised of Block 1 of Forest Homes Development and to waive platting requirements in accordance with Sections 400.1 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lots 1 and 2 of Block 1 of Forest Homes Development and Tract No. 0046, Sections 5 and 6, T1N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 Revised of Block 1 of Forest Homes Development, Sections 5 and 6, T1N, R6E, BHM, Pennington County, South Dakota

17. REZONE / RZ 18-08 AND COMPREHENSIVE PLAN AMENDMENT / CA 18-07: 7 Wonders / Jessica Hessler; Fisk Land Surveying – Agent. To rezone 1.02 acres from Low Density Residential District and General Agriculture District to Suburban Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Low Density Residential District and PUD Sensitive to Suburban Residential District in accordance with Sections 205, 207, 208, and 508 of the Pennington County Zoning Ordinance.

Lots 1 and 2 of Block 1 of Forest Homes Development and Tract No. 0046, Sections 5 and 6, T1N, R6E, BHM, Pennington County, South Dakota.

18. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the November 26, 2018, Planning Commission meeting.

19. ITEMS FROM THE PUBLIC

20. ITEMS FROM THE STAFF

- A. Building Permit Report.
- B. December 17th PC Meeting
- C. Update - Planner II and Ordinance Enforcement Officer.
- D. Comprehensive Plan – 01-28-19 PC Meeting.

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.