

**AGENDA**  
**PENNINGTON COUNTY PLANNING COMMISSION**  
**December 17, 2018 @ 2:00 p.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 January 2, 2019, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE DECEMBER 3, 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 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.

(Continued from the September 24, 2018, Planning Commission meeting.)

To recommend to continue the review of Conditional Use Permit / CU 92-42 to the June 10, 2019, Planning Commission meeting.

4. CONDITIONAL USE PERMIT REVIEW / CU 15-25: Rushmore Shadows, LLC; Gene Addink – Agent. To review a Recreational Resort with the addition of 45 RV sites to the subject property in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Tract A Less E350 feet of N900 feet and Tract 3A of Lot 3 of SW1/4SE1/4, located in Section 7, T1S, R7E, BHM, Pennington County, South Dakota.

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

To recommend to continue the review of Conditional Use Permit / CU 15-25 to the February 11, 2019, Planning Commission meeting.

5. **CONDITIONAL USE PERMIT REVIEW / CU 16-20:** Perry and Vicky Van Newkirk. To review a pole barn constructed prior to a residential structure on the subject property in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 48 (includes 48A), Burns Placer 697, Section 14, T1S, R4E, BHM, Pennington County, South Dakota.

(Continued from the September 24, 2018, Planning Commission meeting.)

To recommend to continue the review of Conditional Use Permit / CU 16-20 to the February 25, 2019, Planning Commission meeting.

6. **CONDITIONAL USE PERMIT REVIEW / CU 17-22:** Pamela Phillips. To review a single-wide mobile to be used as a permanent, single-family residence on the subject property in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 49A of Lot D, Sweetbriar Heights Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the October 8, 2018, Planning Commission meeting.)

To recommend to continue the review of Conditional Use Permit / CU 17-22 to no later than the February 25, 2019, Planning Commission meeting.

7. **CONDITIONAL USE PERMIT REVIEW / CU 18-30:** Hayden Clark. To allow a single-wide mobile home to be used as 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.

NW1/4, S1/2 less ROW, Section 20, T2N, R17E, BHM, Pennington County, South Dakota.

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

To recommend to continue the review of Conditional Use Permit / CU 18-30 to no later than the April 22, 2019, Planning Commission meeting, per the applicant's request.

8. **CONDITIONAL USE PERMIT / CU 18-43:** Border States Paving; Jason Wettels – Agent. To allow for a temporary asphalt batch plant and contractor's storage area on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

NE1/4NE1/4 Less Lot H-1; N1/2NW1/4 Less Lot H-1, Section 12, T4S, R17E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 18-43 with fourteen (14) conditions.

9. **CONDITIONAL USE PERMIT / CU 18-44:** Edward McMahon. To allow for a Ranch Hand's residence on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

W1/2NE1/4 less Lot H1 and Lot H2; NW1/4; NE1/4SW1/4; S1/2SW1/4; NW1/4SE1/4 less Lot H1 and Lot H2, Section 17, T1S, R8E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 18-44 with ten (10) conditions.

10. **CONDITIONAL USE PERMIT / CU 18-45:** Lynn Schell; Renner Associates – Agent. To allow for a community cemetery in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

SE1/4 less 9.93 acres in Se1/4 and less Jones Ranch, Section 36, T1N, R9E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 18-45 with five (5) conditions.

11. **MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 17-40:** Kelly Development / Ryan Kelly. To review the existing Planned Unit Development in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lots 3-6, Block, 4, Sheridan Lake Highlands, Section 4, T1S, R6E, BHM, Pennington County, South Dakota.

To recommend to continue the review of Major Planned Unit Development Amendment Review / PU 17-40 to the January 14, 2019, Planning Commission meeting with two (2) conditions.

12. **MINOR PLAT / PL 18-43:** Robert Raue; Renner Associates – Agent. To create Lot 3 of Jones Ranch Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: SE1/4 less 9.93 acres in SE1/4 and less Jones Ranch Subdivision, Section 36, T1N, R9E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 3, Jones Ranch Subdivision, Section 36, T1N, R9E, BHM, Pennington County, South Dakota.

To recommend approval Minor Plat / PL 18-43 with seven (7) conditions.

13. **MINOR PLAT / PL 18-44:** Jon and Barbara Wilson; Fisk Land Surveying – Agent. To create Lots 1 and 2 of Castle Creek Estates in accordance with Sections 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: All (AKA Tracts A and B of HES 520) And That Portion of E1/2 located between Tracts A and B of HES 520, HES 520, Section 35, T1N, R2E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 and Lot 2, Castle Creek Estates, Section 35, T1N, R2E, BHM, Pennington County, South Dakota.

To recommend approval Minor Plat / PL 18-44 with eight (8) conditions.

14. **MINOR PLAT / PL 18-47 AND SUBDIVISION REGULATIONS VARIANCE / SV 18-14:** Bret and Linda Hilgemann. To create Lots A and B of Nautilus Acres Subdivision #2 and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: 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.

PROPOSED LEGAL: Lot A and Lot B, Nautilus Acres Subdivision #2, Section 17, T2N, R6E, BHM, Pennington County, South Dakota.

To recommend to continue Subdivision Regulations Variance / SV 18-14 and Minor Plat / PL 18-47 to no later than the April 22, 2019, Planning Commission meeting.

15. **MINOR PLAT / PL 18-48 AND SUBDIVISION REGULATIONS VARIANCE / SV 18-13:** TDG Real Estate; Michael Gennaro – Agent. To create Hermosa Tract and Glendale Tract in accordance with § 400.3 and 700.1 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, Sections 14 and 23, T2S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Hermosa Tract and Glendale Tract of Hermosa Lode and Glendale No. 3 Lode of MS 1111, Sections 14 and 23, T2S, R6E, BHM, Pennington County, South Dakota.

To recommend approval of Subdivision Regulations Variance / SV 18-13 and approval of Minor Plat / PL 18-48 with twelve (12) conditions.

**END OF CONSENT AGENDA**

16. LAYOUT PLAT / PL 18-45: Edward Hix; Faith Lewis – Agent. To create Hix Tract in accordance with Sections 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: PT of HES #572 – Tracts A and B, HES #572, Section 1, T1S, R2E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Hix Tract, Section 1, T1S, R2E, BHM, Pennington County, South Dakota.

17. LAYOUT PLAT / PL 18-46 AND SUBDIVISION REGULATIONS VARIANCE / SV 18-12: Sam Fischer / Fischer Development; Fisk Land Surveying – Agent. To combine two lots to create Lot 1 of RTHV Subdivision and to waive platting requirements in accordance with Sections 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: All of Ridge Top Lodge MS 2072 and All of Highview Lode MS 2072, all located in Section 31, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 of RTHV Subdivision, Section 31, T1S, R6E, BHM, Pennington County, South Dakota.

18. 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.

(Continued from the December 3, 2018, Planning Commission meeting.)

19. REZONE / PL 18-07 AND COMPREHENSIVE PLAN AMENDMENT / CA 18-07: Paul and Carol Niemann. To rezone 16.70 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.

(Continued from the December 3, 2018, Planning Commission meeting.)

20. REZONE / RZ 18-09 AND COMPREHENSIVE PLAN AMENDMENT / CA 18-08:  
Pat Hall; Brian Hammerbeck – Agent. To rezone 69.62 acres from General Commercial District and General Agriculture District to General Commercial District and to rezone 560 acres from General Commercial District, General Agriculture District and Low Density Residential District to Heavy Industrial District and to amend the Comprehensive Plan to change the Future Land Use from General Commercial District, Limited Agriculture District, and Low Density Residential District to General Commercial District and Heavy Industrial District in accordance with Sections 205, 206, 207, 209, 212, and 508 of the Pennington County Zoning Ordinance.

Lot 1 of NW1/4NE1/4; E1/2 of Lot A of NW1/4NE1/4; E1/2 of Lot A of E1/2NW1/4; Lot 1 of SW1/4NE1/4; NE1/4NE1/4; SE1/4NE1/4; NE1/4SE1/4; SE1/4SE1/4; W1/2; NW1/4SE1/4; and SW1/4SE1/4, Sections 32 and 33, T1N, R8E, BHM, Pennington County, South Dakota.

21. COUNTY BOARD REPORT

The Board of Commissioners will hear the Planning Commission's recommendations from the December 3, 2018, Planning Commission meeting at their Tuesday, December 18<sup>th</sup> Board meeting.

22. ITEMS FROM THE PUBLIC

23. ITEMS FROM THE STAFF

- A. Update - Planner II and Ordinance Enforcement Officer.
- B. Comprehensive Plan – 01-28-19 PC Meeting.
- C. Staff Report Format / Content.

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.**