

MINUTES
PENNINGTON COUNTY PLANNING COMMISSION
April 8, 2019 @ 9:00 a.m.

County Commissioners' Meeting Room - Pennington County Administration Building

MEMBERS PRESENT: Travis Lassetter, Jim Coleman, Rich Marsh, Sonny Rivers, Sandra Runde and Ron Rossknecht.

STAFF PRESENT: PJ Conover, Cassie Bolstad, Brittney Molitor, Cody Sack, Jason Theunissen, Michael Hoffman (SAO) and Jeri Ervin.

ROLL CALL

1. APPROVAL OF THE MARCH 25, 2019, MINUTES
Moved by Marsh and seconded by Runde to approve the Minutes of the March 25, 2019, Planning Commission meeting. Vote: unanimous 6 to 0.

2. APPROVAL OF THE AGENDA
Moved by Runde and seconded by Rivers to approve the Agenda of the April 8, 2019, Planning Commission meeting, with the removal of Item #12. Vote: unanimous 6 to 0.

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 14-03:** Lonny Ryman. To review storage units located on the subject property in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Lot 1 of Tract A of Lot B in the NE1/4NW1/4, Section 17, T2N, R7E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 14-03 with the following ten (10) conditions:

1. **That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;**

2. That the owner be allowed to construct up to five (5) separate storage structures on the property. Minor changes may be allowed per the Planning Director, as long as they do not change the intent of the lot or use;
3. That all existing and proposed structures must meet the setback and height requirements of the subject property's current Zoning District or obtain an approved Setback Variance;
4. That the owner continues to ensure that all natural drainage ways are continually maintained and are not blocked;
5. That any work encompassing over one (1) acre will require the current owner to obtain an approved Storm Water Construction Permit from the South Dakota Department of Environment and Natural Resources;
6. That the address and a sign be continually posted indicating after hours contact information and the current owner's phone number, which must be clearly visible at the entrance of the lot;
7. That a Sign Permit be obtained for any on-premise or off-premise signs, which requires a site plan to be reviewed and approved by the planning director;
8. That any sign(s) conform to the requirements of Pennington County Zoning Ordinance §312;
9. That all lighting located on the outside of the storage units be continually directed towards the ground; and,
10. That this Conditional Use Permit be reviewed in three (3) years, on a complaint basis, or as deemed necessary by Pennington County Board of Commissioners or Planning Commission to verify that all Conditions of Approval are being met.

Vote: unanimous 6 to 0.

4. **CONDITIONAL USE PERMIT REVIEW / CU 16-01:** Daniel Elliott. To review living in an existing cabin while building a new single-family residence on the subject property and to also allow the existing cabin to remain on the property to be used as a Guest House once the single-family residence is complete in a General Agriculture District in accordance with Sections 205, 318, and 510 of the Pennington County Zoning Ordinance.

All, Rubesite Lode MS 1987, Section 22, T1N, R6E, BHM, Pennington County, South Dakota.

(Continued from the March 11, 2019, Planning Commission meeting.)

To end Conditional Use Permit / CU 16-01.

Vote: unanimous 6 to 0.

5. **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 approve of the extension of Conditional Use Permit / CU 17-09 with the following fifteen (15) conditions:

1. **That the maximum overnight occupancy, based on SD DENR approval, be limited to ten (10) people and the maximum daytime occupancy be limited to twenty (20) people, per Pennington County Zoning Ordinance (PCZO) §319(F)(13);**
2. **That if an addition is constructed and/or the on-site wastewater treatment system is upgraded in the future, this Conditional Use Permit be reviewed so that the maximum occupancy may be adjusted accordingly, which will require approval from SD DENR;**
3. **That all necessary permits are obtained prior to any additions to the structure or upgrades/alterations to the on-site wastewater treatment system;**
4. **That the applicants maintain current licenses with the South Dakota Department of Health (Vacation Home License) and the Department of Revenue (Sales Tax License) and that copies of these licenses be provided to the Planning Department, prior to operation of the Vacation Home Rental;**
5. **That the applicants maintain an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan be kept on file at the Planning Department;**
6. **That a minimum of four (4) off-street parking spaces be provided on-site, per PCZO §310(A)(9)(gg), with each measuring a minimum of 9-feet by 18-feet and surfaced with gravel, concrete, or asphalt and maintained in a dust free manner;**

7. That an interior informational sign continue to be posted in accordance with the requirements of PCZO §319(G), with 9-1-1 listed as contact for Fire Department and Sheriff's Department, during operation of the Vacation Home Rental. The interior informational sign must also contain a color map illustrating the Special Flood Hazard Area, as determined by FEMA;
8. That the lot address continue to be posted on the residence at all times and at the driveway so that it is clearly visible from both directions of travel on Melchert Place, in accordance with Pennington County's Ordinance #20;
9. That the applicants ensure the Vacation Home Rental is operated in accordance with the requirements of PCZO §319(F) (Performance Standards) at all times;
10. That if the person designated as the Local Contact is ever changed from Glenda Robertson, the interior informational sign be updated and the applicant re-notify the Planning Department and surrounding landowners within 500 feet via notices sent by First Class Mail;
11. That all applicable Federal, State, and local regulations be adhered to at all times, including South Dakota Administrative Rule 44:02:08, which regulates Vacation Home Rentals;
12. That an approved Floodplain Development Permit be obtained prior to any disturbance within the Special Flood Hazard Area on the subject property;
13. That an approved Sign Permit be obtained prior to the placement of any sign(s), per PCZO §312;
14. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director; and,
15. That this Conditional Use Permit be reviewed in three (3) years, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

Vote: unanimous 6 to 0.

6. **CONDITIONAL USE PERMIT REVIEW / CU 18-02:** Glenda Robertson. 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 3, Melchert Ranch Subdivision, Section 15, T1S, R3E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 18-02 with the following fourteen (14) conditions:

- 1. That the maximum overnight occupancy, based on SD DENR approval, be limited to four (4) people and the maximum daytime occupancy be limited to four (4) per SD DENR comments;**
- 2. That all necessary permits are obtained prior to any additions to the structure or upgrades/alterations to the on-site wastewater treatment system;**
- 3. That the applicant continually maintain current licenses with the South Dakota Department of Health (Vacation Home License) and the Department of Revenue (Sales Tax License) and that copies of these licenses be provided to the Planning Department upon request;**
- 4. That the applicant continually maintain an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan be kept on file at the Planning Department;**
- 5. That a minimum of two (2) off-street parking spaces continue to be provided on-site, per PCZO §310(A)(9)(gg), with each measuring a minimum of 9-feet by 18-feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;**
- 6. That an interior informational sign continue to be posted in accordance with the requirements of PCZO §319(G), with 9-1-1 listed as contact for Fire Department and Sheriff's Department, during operation of the Vacation Home Rental. The interior informational sign must also contain a color map illustrating the Special Flood Hazard Area, as determined by FEMA;**
- 7. That the lot address be posted for each unit on the multi-family residence at all times, in accordance with Pennington County' s Ordinance #20;**
- 8. That the applicant ensure the Vacation Home Rental is continually operated in accordance with the requirements of PCZO §319(F) (Performance Standards) at all times;**
- 9. That if the person designated as the Local Contact is ever changed, from Glenda Robertson, the interior informational sign be updated and the applicant re-notify the Planning Department and surrounding landowners within 500 feet via notices, provided by the Planning Department, sent by First Class Mail;**

10. That all applicable Federal, State, and local regulations be adhered to at all times, including South Dakota Administrative Rule 44:02:08, which regulates Vacation Home Rentals;
11. That an approved Sign Permit be obtained prior to the placement of any on premise sign(s);
12. That an approved Floodplain Development Permit be obtained prior to any disturbance within the boundaries of either the Floodway or Special Flood Hazard Area located on the subject property;
13. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director; and,
14. That this Conditional Use Permit be reviewed in three (3) years, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

Vote: unanimous 6 to 0.

7. **CONDITIONAL USE PERMIT REVIEW / CU 18-03:** Lisa Tutsch and Tracy Tabiaddon; Lonnie Tutsch - Agent. To review a shop building to be used as temporary living quarters while building a single-family residence on the subject property in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

SW1/4NE1/4NE1/4 of Section 18, T2N, R11E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 18-03 with the following eight (8) conditions:

1. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
2. That the address be clearly posted on the residence and at the driveway so that it is visible from both directions of Judson Lane, in accordance with Pennington County's Ordinance #20;
3. That the subject property not contain more than one (1) residential structure (i.e. single-family residence or living quarters);

4. That the minimum setback requirements of a Limited Agriculture District be continually maintained on the property or the appropriate Setback Variance(s) be obtained;
5. That once the single-family residence is constructed and habitable, the onsite wastewater treatment system is connected to the residence and disconnected from the temporary living quarters;
6. That the temporary living quarters is removed from the shop building once the single-family residence is habitable, and verified by the Planning Department;
7. That the subject property remains free of debris and junk vehicles; and,
8. That this Conditional Use Permit be reviewed on March 2020, on a complaint basis, or as directed by the Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

Vote: unanimous 6 to 0.

8. **CONDITIONAL USE PERMIT / CU 19-03:** Joseph and Teri Creager. To allow a storage shed/garage as a primary structure on the subject property in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 13, Block 1, Moon Meadow Estates, Section 34, T1N, R7E, BHM, Pennington County, South Dakota

To approve of Conditional Use Permit / CU 19-03 with the following eleven (11) conditions:

1. That an approved Building Permit be obtained for the proposed storage shed/garage prior to any construction, which requires a site plan to be reviewed and approved by the Planning Director;
2. That a Building Permit be obtained for any structures exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
3. That an approved Approach Permit be obtained from the County Highway Department prior to establishment of any approach off of Moon Meadows Drive to the subject property;
4. That an approved On-Site Wastewater Treatment System Construction Permit be obtained prior to the installation of any On-Site Wastewater Treatment System on the property;

5. That if any plumbing is to be installed in the accessory structure it be hooked into an approved means of wastewater disposal;
6. That the proposed storage shed/garage be used for personal use only and no commercial-type uses;
7. That all the natural drainage paths be maintained;
8. That the minimum setback requirements of a Suburban Residential District be maintained on the property or the appropriate Variance(s) be obtained;
9. That an address be assigned for the storage shed/garage and be posted both on the structure and at the end of the driveway off of Moon Meadows Drive, so it is visible from both directions of travel, in accordance with Pennington County's Ordinance #20;
10. That the applicant adhere to PCZO § 510(E)(1)(b) regarding the time limit on establishing the use allowed under this Conditional Use Permit; and,
11. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

Vote: unanimous 6 to 0.

9. **CONSTRUCTION PERMIT REVIEW / CP 17-05:** Anthony and Michele Griffith. To review bringing in fill to an area to level, gravel and allow for reclamation of the remaining area.

Balance of Lot 1 of NE1/4SW1/4; Lot 1 of SE1/4SW1/4; E1/2 of Lot A of SE1/4SW1/4; E1/2 of Lot A of NE1/4SW1/4 Adjacent to Lot 1, Section 29, T1N, R8E, BHM, Pennington County, South Dakota.

To continue the review of Construction Permit / CP 17-05 to the July 8, 2019, Planning Commission meeting to verify that final stabilization has taken place.

Vote: unanimous 6 to 0.

10. **CONSTRUCTION PERMIT REVIEW / CP 18-04:** Stromer Properties, LLC; Brook Stromer – Agent. To review the construction of a parking area on the subject property.

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

To continue the review of Construction Permit / CP 18-04 to the April 22, 2019, Planning Commission meeting to allow staff time to contact the applicant.

Vote: unanimous 6 to 0.

11. **CONSTRUCTION PERMIT REVIEW / CP 18-05:** Under Canvas, Inc. (UC Glamping Partners, LLC); Jeremy Budge – Agent. To review graveling the 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 end Construction Permit / CP 18-05.

Vote: unanimous 6 to 0.

13. **CONSTRUCTION PERMIT REVIEW / CP 19-01:** Site Work Specialists. To review installation of public and private utilities to include water, sanitary sewer, storm sewer, common utility trench (power, communication, and gas). Also includes installation of concrete curb, gutter, and sidewalk; to also include asphalt pavement.

Tract F of NW1/4 less Murphy ft Subdivision less Murphy Ranch Estates Subdivision and less Right-of-Way, Section 14, T1N, R8E, BHM, Pennington County, South Dakota.

To approve of the extension of Construction Permit / CP 19-01 with the following thirteen (13) conditions:

1. **That erosion control measures are implemented *immediately* and maintained until the site has been revegetated in accordance with § 507(A)(5)(c) of the PCZO;**
2. **That the Conditions of the Approval of the South Dakota Department of Environment and Natural Resources General Permits for Storm Water Discharges Associated with Construction Activities be continually met;**
3. **That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction;**
4. **That the owner or designee must inspect the site at least once every 7 calendar days or every 14 calendar days and within 24 hours of the end of a storm event that exceeds 0.25 inches or snowmelt that generates runoff. A properly maintained rain gauge must be kept on the site. Inspection reports must be submitted to the Planning Director every month during construction;**

5. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
6. That all natural drainage ways and paths be continually maintained;
7. That sediment from the site is contained in such a manner that sediment does not reach or fill the drainage. If sediment is deposited in the drainage from the construction activity, the owner will be responsible for the removal of sediment from the drainage *immediately* after being notified or as discovered by the owner during weekly inspections;
8. That failure of the owner or designee to submit Inspection Reports, as required, shall result in the immediate issuance of a Stop Work Order and a review by the Planning Commission to determine if all Conditions of Approval are being met;
9. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;
10. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;
11. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c) of the PCZO;
12. That any more than one continuation caused by the applicants failure to meet Conditions of Approval will be fined \$100.00 per continuation in accordance with § 511(X) of the PCZO; and,
13. That this Construction Permit be reviewed in three (3) months, or on a complaint basis, or as directed by the Planning Commission and/or the Board of Commissioners to verify that all Conditions of Approval are being met.

Vote: unanimous 6 to 0.

END OF CONSENT AGENDA

12. CONSTRUCTION PERMIT REVIEW / CP 18-12: Brad Nible. To review the excavation and leveling of 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.

Mr. Brad Nible, applicant, appeared and asked to have Item #12 removed from the Consent Agenda for discussion.

Discussion followed.

Moved by Marsh and seconded by Rivers to continue the review of Construction Permit / CP 18-12 to the April 22, 2019, Planning Commission meeting with the following sixteen (16) conditions:

- 1. That erosion control measures are implemented *immediately* and maintained until the site has been revegetated in accordance with § 507(A)(5)(c) of the Pennington County Zoning Ordinance;**
- 2. That cut-and-fill slopes be designed and constructed to minimize erosion and design plans submitted to the Pennington County Planning Department for review within 30 days;**
- 3. That the owner or designee must inspect the site at least once every 7 calendar days or every 14 calendar days and within 24 hours of the end of a storm event that exceeds 0.25 inches or snowmelt that generates runoff. A properly maintained rain gauge must be kept on the site. Inspection reports must be submitted to the Planning Director every month during construction;**
- 4. That failure of the owner or designee to submit Inspection Reports, as required, shall result in the immediate issuance of a Stop Work Order and a review by the Planning Commission to determine if all Conditions of Approval are being met;**
- 5. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;**
- 6. That all natural drainage ways and paths be continually maintained;**
- 7. That an engineered plan to stabilize the hillside either by a retaining wall or by sloping the hillside is developed and the design plans submitted to the Pennington County Drainage Engineer for review within 30 days;**

8. That sediment from the site is contained in such a manner that sediment does not reach or fill the right-of-way (road ditch). If sediment is deposited in the right-of-way (road ditch) from the construction activity, the owner will be responsible for the removal of sediment from the right-of-way (road ditch) *immediately* after being notified or as discovered by the owner during weekly inspections;
9. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;
10. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
11. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;
12. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c) of the Pennington County Zoning Ordinance;
13. That the applicant pay the \$100 continuation fee prior to the stop work order being lifted;
14. That any continuation hereafter caused by the applicants failure to meet Conditions of Approval will be fined \$100.00 per continuation in accordance with § 511(X) of the Pennington Counting Zoning Ordinance;
15. That all Conditions of Approval are met and all fees paid for prior to the stop work order being lifted; and,
16. That this Construction Permit be reviewed at the April 22, 2019, Planning Commission meeting to verify that erosion controls have been implemented and progress is being made on engineered design plans.

All voting aye, the Motion carried 6 to 0.

14. CONDITIONAL USE PERMIT REVIEW / CU 14-28: BLG Investments, LLC; Brady Groves. To review the transfer of an existing Conditional Use Permit to allow an existing residence to continue to be used as a Vacation Home Rental in a General Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 1, Custer Trails Subdivision #1, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

(Continued from the March 25, 2019, Planning Commission meeting.)

Theunissen and Conover reviewed the Staff Report indicating this is a review of a Conditional Use Permit to transfer an existing Conditional Use Permit to allow an existing residence to continue to be used as a Vacation Home Rental in a General Agriculture District.

Staff recommended approval of the transfer of Conditional Use Permit / CU 14-28 with the following ten (10) conditions:

1. That the Vacation Home Rental be allowed to have a maximum overnight occupancy of six (6) people;
2. That a minimum of two (2) off-street parking spaces continue to be provided and each parking space shall not be less than one hundred sixty two square feet, nor less than nine feet by eighteen feet, surfaced with gravel, concrete or asphalt and maintained in a dust free manner;
3. That the address continue to be properly posted on both the residence and at the approach so it be visible in both directions in accordance with Pennington County's Ordinance #20;
4. That the applicant continually complies with Administrative Rules of South Dakota (ARSD) 44:02:08, which regulates Vacation Homes;
5. That the applicant obtain and keep up-to-date all the necessary permits from the State pertaining to the use of the Vacation Home Rental;
6. That the applicant continually comply with the Performance Standards outlined in PCZO § 319(F), which regulates Vacation Home Rentals;
7. That the applicant adheres to the requirements set out by the US Forest Service by not having trails for motorized and non-motorized vehicles such as ATVs and horses;
8. That an interior informational sign continue to be posted in accordance with the requirements of PCZO § 319(G)., during operation of the residence as a VHR;
9. That if the person designated as the Local Contact is ever changed from BLG Investments, LLC (Brady Groves) or if their contact information is changed, that the interior information sign be updated and the applicant re-notify the Planning Department and surrounding landowners within 500 feet via notices sent by First Class Mail as stated by PCZO § 319(F)(5); and,

10. That this Conditional Use Permit be reviewed in one (1) year, per PCZO § 319(C)(5)(d), on a complaint basis, or as directed by the Pennington County Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

Discussion followed.

Moved by Runde and seconded by Coleman to approve of the transfer of Conditional Use Permit / CU 14-28 with the following ten (10) conditions:

- 1 That the Vacation Home Rental be allowed to have a maximum overnight occupancy of six (6) people;**
- 2. That a minimum of two (2) off-street parking spaces continue to be provided and each parking space shall not be less than one hundred sixty two square feet, nor less than nine feet by eighteen feet, surfaced with gravel, concrete or asphalt and maintained in a dust free manner;**
- 3. That the address continue to be properly posted on both the residence and at the approach so it be visible in both directions in accordance with Pennington County's Ordinance #20;**
- 4. That the applicant continually complies with Administrative Rules of South Dakota (ARSD) 44:02:08, which regulates Vacation Homes;**
- 5. That the applicant obtain and keep up-to-date all the necessary permits from the State pertaining to the use of the Vacation Home Rental;**
- 6. That the applicant continually comply with the Performance Standards outlined in PCZO § 319(F), which regulates Vacation Home Rentals;**
- 7. That the applicant adheres to the requirements set out by the US Forest Service by not having trails for motorized and non-motorized vehicles such as ATVs and horses;**
- 8. That an interior informational sign continue to be posted in accordance with the requirements of PCZO § 319(G)., during operation of the residence as a VHR;**
- 9. That if the person designated as the Local Contact is ever changed from BLG Investments, LLC (Brady Groves) or if their contact information is changed, that the interior information sign be updated and the applicant re-notify the Planning Department and surrounding landowners within 500 feet via notices sent by First Class Mail as stated by PCZO § 319(F)(5); and,**
- 10. That this Conditional Use Permit be reviewed in one (1) year, per PCZO § 319(C)(5)(d), on a complaint basis, or as directed by the Pennington County**

Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

All voting aye, the Motion carried 6 to 0.

15. LAYOUT PLAT / LPL 19-05: Julie Benson Wilber. To create Lots 1 and 2 of Thorstenson-Benson Ranch Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot A of NW1/4SE1/4, Lot A of SW1/4SE1/4, and Lot A of SE1/4SE1/4, Section 15, T2N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1 and 2 of Thorstenson-Benson Ranch Subdivision, Section 15, T2N, R6E, BHM, Pennington County, South Dakota.

Bolstad reviewed the Staff Report indicating the applicant has applied for a Layout Plat to create Lots 1 and 2 of Thorstenson-Benson Ranch Subdivision.

Staff recommended approval of Layout Plat / LPL 19-05 with the following eight (8) conditions:

1. That at the time of Minor Plat submittal, eight (8) foot Minor Drainage Easements to be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
2. That at the time of the Minor Plat submittal, percolation tests and soil profile hole information be submitted for the proposed lot for review and approval by the County Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
3. That at the time of the Minor Plat submittal, the proposed Plat be prepared by a Registered Land Surveyor;
4. That prior to the Plat being recorded with the Register of Deeds, the proposed Lot 1 and the remaining unplatted balance obtain a Lot Size Variance or be rezoned appropriately;
5. That prior to the Plat being recorded with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met. Subdivision Regulations shall be submitted per Section 700 of Pennington County Subdivision Regulations;
6. That the applicant ensures that all natural drainage ways are maintained and are not blocked;

7. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of § 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit; and,
8. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

Discussion followed.

Moved by Marsh and seconded by Rivers to approve of Layout Plat / LPL 19-05 with the following eight (8) conditions:

- 1. That at the time of Minor Plat submittal, eight (8) foot Minor Drainage Easements to be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**
- 2. That at the time of the Minor Plat submittal, percolation tests and soil profile hole information be submitted for the proposed lot for review and approval by the County Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**
- 3. That at the time of the Minor Plat submittal, the proposed Plat be prepared by a Registered Land Surveyor;**
- 4. That prior to the Plat being recorded with the Register of Deeds, the proposed Lot 1 and the remaining unplatted balance obtain a Lot Size Variance or be rezoned appropriately;**
- 5. That prior to the Plat being recorded with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met. Subdivision Regulations shall be submitted per Section 700 of Pennington County Subdivision Regulations;**
- 6. That the applicant ensures that all natural drainage ways are maintained and are not blocked;**
- 7. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of § 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit; and,**
- 8. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.**

All voting aye, the Motion carried 6 to 0.

16. REZONE / RZ 19-02 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-02: Borglum Historical Center, Inc., Duane Pankratz; Ken Nash – Agent. To rezone 19.419 acres from General Agriculture District to Highway Service District, for proposed Lot 1, and to rezone 1.953 acres from General Agriculture District to Highway Service District, for proposed Lot 2, and to amend the Comprehensive Plan to change the Future Land Use from Low Density Residential District to Highway Service District in accordance with Sections 205, 207, 210, and 508 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description for proposed Lot 1: Commencing at the Section ¼ Corner common to Sections 13 and 14, T1S, R6E, BHM, common to the northeasterly corner of Lot 13 of Stratmeyer Addition, and common to the southwesterly corner of Lot 4 Revised of Stratmeyer Addition, and the point of beginning; Thence, first course: N 89°28'35" E, along the section ¼ line of said Section 13, common to the southerly boundary of said Lot 4 Revised, a distance of 788.89', to the southeasterly corner of said Lot 4 Revised, common to the southwesterly corner of Lot 9 of Stratmeyer Addition; Thence, second course: N 89°16'43" E, along the section ¼ line of said Section 13, common to the southerly boundary of said Lot 9, a distance of 150.29', to the southeasterly corner of said Lot 9, common to the southwesterly corner of Lot 5 of Stratmeyer Addition; Thence, third course: N 89°27'28" E, along the section ¼ line of said Section 13, common to the southerly boundary of said Lot 5, a distance of 378.55', to the southeasterly corner of said Lot 5, common to a point on the Section 1/16th Line, common to a point on the westerly boundary of Lot 1 of BTP Subdivision; Thence, fourth course: S 00°05'41" E, along the said Section 1/16th line, common to the westerly boundary of said Lot 1, a distance of 107.12, to the southwesterly corner of said Lot 1, common to a point on the northerly edge of US Highway 16 right-of-way; Thence, fifth course: S 40°55'54" W, along the northerly edge of said right-of-way, a distance of 176.94'; Thence, sixth course: N 49°04'06" W a distance of 57.00'; Thence, seventh course: S 40°55'54" W a distance of 252.61'; Thence, eighth course: S 47°32'31" W a distance of 471.73'; Thence, ninth course: S 58°43'08" W a distance of 359.10'; Thence, tenth course: S 62°31'10" W a distance of 383.76', to a point on the section line common to said Sections 13 and 14, common to a point on the easterly boundary of Tract A Revised of Hull Subdivision; Thence eleventh course: N 00°07'28" E, along the section line common to said Sections 13 and 14, common to the easterly boundary of said Tract A Revised, a distance of 402.40, to the northeasterly corner of said Tract A Revised; Thence twelfth course: N 00°01'51" W, along the section line common to said Sections 13 and 14, a distance of 150.60', to the southeasterly corner of said Lot 13; Thence thirteenth course: N 00°08'21" E, along the section line common to said Sections 13 and 14, common to the easterly boundary of said Lot 13, distance of 510.62', to the said point of beginning. Said Parcel contains 19.419 acres more or less, Section 13, T1S, R6E, BHM, Pennington County, South Dakota.

Located on the following metes and bounds description for proposed Lot 2: Commencing at the southwesterly corner of Tract A Revised of Hull Subdivision, common to a point on the section line common to Sections 13 and 14, T1S, R6E, BHM, and the point of beginning; Thence, first course: N 00°07'28" E, along easterly boundary of said Tract A Revised, common to said section line, a distance of 64.32'; Thence,

second course: N 62°31'10" E a distance of 383.76'; Thence, third course: N 58°43'08" E a distance of 359.10'; Thence, fourth course: N 47°32'31" E a distance of 471.73'; Thence, fifth course: N 40°55'54" E a distance of 252.61'; Thence, sixth course: S 49°04'06" E a distance of 57.00', to a point on the northerly edge of US Highway 16 right-of-way; Thence, seventh course: S 40°55'54" W, along the northerly edge of said right-of-way, a distance of 255.91'; Thence, eighth course: S 47°32'31" W, along the northerly edge of said right-of-way, a distance of 480.60'; Thence, ninth course: S 58°43'08" W, along the northerly edge of said right-of-way, a distance of 366.57'; Thence, tenth course: S 62°31'10" W, along the northerly edge of said right-of way, a distance of 415.46', to the said point of beginning. Said Parcel contains 1.953 acres more or less, Section 13, T1S, R6E, BHM, Pennington County, South Dakota.

Molitor reviewed the Staff Report indicating the applicant has to rezone 19.419 acres from General Agriculture District to Highway Service District, for proposed Lot 1, and to rezone 1.953 acres from General Agriculture District to Highway Service District, for proposed Lot 2, and to amend the Comprehensive Plan to change the Future Land Use from Low Density Residential District to Highway Service District.

Staff recommended approval of Rezone / RZ 19-02 and Comprehensive Plan Amendment / CA 19-02.

Discussion followed.

Moved by Marsh and seconded by Rivers to table Item #16 and to have Item #16 heard after Item #19.

All voting, the Motion carried 5 to 1. Commissioner Runde voted no.

17. LAYOUT PLAT / LPL 19-06: Lorin Lippert. To reconfigure lot lines to create Lot 10R and Lot 11 of Bromegrass Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 10 of Bromegrass Subdivision and SW1/4SE1/4; SE1/4SW1/4, all located in Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 10R and Lot 11 of Bromegrass Subdivision, Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

Bolstad reviewed the Staff Report indicating the applicant has applied for a Layout Plat to create Lot 10R and Lot 11 of Bromegrass Subdivision.

Staff recommended approval of Layout Plat / LPL 19-06 with the following twelve (12) conditions:

1. That prior to filing the Plat with the Register of Deeds, proposed Lot 10R obtain an approved Lot Size Variance or be Rezoned appropriately;

2. That at the time of Minor Plat submittal, the Ownership Certificates be corrected to show Antelope Creek Ranch, LLC; along with Connie and Gordon Howie, per Department of Equalization comments;
3. That at the time of Minor Plat submittal, twenty-five (25) foot Minor Drainage & Utility Easements be dedicated on the interior sides of all lot lines, per West River Electric comments;
4. That the applicant obtain an Approach Permit from the County Highway Department prior to installation of any approaches off of Antelope Creek Road;
5. That prior to constructing any access road to the proposed lots, the applicant obtain approval of a Road Construction within a Section Line Right-of-Way Permit from the Pennington County Board of Commissioners;
6. That prior to approval of a Building Permit on either of the proposed lots, the Section Line and Easements that provides access to the subject properties be named with a Road Name approved by 9-1-1 and the Pennington County Board of Commissioners, per comments from Emergency Services;
7. That at the time of the Minor Plat submittal, percolation tests and soil profile hole information be submitted for the proposed lots for review and approval by the County Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
8. That at the time of Minor Plat submittal, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met. Subdivision Regulations shall be submitted per Section 700 of Pennington County Subdivision Regulations;
9. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
10. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of § 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;
11. That an approved Floodplain Development Permit be obtained *prior* to any disturbance within the regulated Special Flood Hazard Area; and,
12. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

Discussion followed.

Moved by Rossknecht and seconded by Marsh to approve of Layout Plat / LPL 19-06 with the following twelve (12) conditions:

1. That prior to filing the Plat with the Register of Deeds, proposed Lot 10R obtain an approved Lot Size Variance or be Rezoned appropriately;
2. That at the time of Minor Plat submittal, the Ownership Certificates be corrected to show Antelope Creek Ranch, LLC; along with Connie and Gordon Howie, per Department of Equalization comments;
3. That at the time of Minor Plat submittal, twenty-five (25) foot Minor Drainage & Utility Easements be dedicated on the interior sides of all lot lines, per West River Electric comments;
4. That the applicant obtain an Approach Permit from the County Highway Department prior to installation of any approaches off of Antelope Creek Road;
5. That prior to constructing any access road to the proposed lots, the applicant obtain approval of a Road Construction within a Section Line Right-of-Way Permit from the Pennington County Board of Commissioners;
6. That prior to approval of a Building Permit on either of the proposed lots, the Section Line and Easements that provides access to the subject properties be named with a Road Name approved by 9-1-1 and the Pennington County Board of Commissioners, per comments from Emergency Services;
7. That at the time of the Minor Plat submittal, percolation tests and soil profile hole information be submitted for the proposed lots for review and approval by the County Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
8. That at the time of Minor Plat submittal, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met. Subdivision Regulations shall be submitted per Section 700 of Pennington County Subdivision Regulations;
9. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
10. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of § 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;

11. **That an approved Floodplain Development Permit be obtained *prior* to any disturbance within the regulated Special Flood Hazard Area; and,**
12. **That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.**

All voting aye, the Motion carried 6 to 0.

18. REZONE / RZ 19-03 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-03: Duane Anderson. To rezone 40 acres from General Agriculture District to Limited Agriculture District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from General Agriculture District to Limited Agriculture District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance.

S1/2S1/2NW1/4, Section 13, T2N, R10E, BHM, Pennington County, South Dakota.

Conover reviewed the Staff Report indicating the applicant has applied rezone 40 acres from General Agriculture District to Limited Agriculture District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from General Agriculture District to Limited Agriculture District.

Staff recommended approval of Rezone / RZ 19-03 and Comprehensive Plan Amendment / CA 19-03.

Discussion followed.

Moved by Runde and seconded by Rossknecht to approve of Rezone / RZ 19-03 and Comprehensive Plan Amendment / CA 19-03.

All voting aye, the Motion carried 6 to 0.

19. PLANNED UNIT DEVELOPMENT / PU 19-01: Brink Constructors, Inc.; BCI Properties, LLC; - Zane Brink – Agent. To rezone 38.48 acres from General Agriculture District to a Planned Unit Development to create an apprenticeship training facility for linemen of Brink Construction in accordance with Sections 205 and 213 of the Pennington County Zoning Ordinance.

SW1/4SE1/4 less ROW, Section 24, T2N, R9E, BHM, Pennington County, South Dakota.

Conover reviewed the Staff Report indicating the applicant has applied to rezone 38.48 acres from General Agriculture District to a Planned Unit Development, as an overlay district, to create an apprenticeship training facility for linemen of Brink Construction.

Staff recommended approval of Planned Unit Development / PUD 19-01 with the following seventeen (17) conditions:

1. That the purpose of this Planned Unit Development be: to allow for uses and regulations as outlined in Pennington County Zoning Ordinance (PCZO) § 205, with the addition of an Apprentice Lineman Training Facility to include: conference center, buildings for storage and classrooms, training apparatus, and equipment storage;
2. The maximum allowable height for any training apparatus shall be sixty-five (65) feet and shall be thirty-five (35) feet for all other structures;
3. That this Planned Unit Development be considered an overlay whereby the provisions of the underlying General Agriculture District apply and, if the property is no longer utilized in accordance with this Planned Unit Development, the zoning reverts back to General Agriculture District;
4. That all parking spaces be a minimum of 9 feet by 18 feet and the parking lot shall be maintained in a dust-free manner, in accordance with Section 310 of the Pennington County Zoning Ordinance;
5. That the hours of operation be Monday – Friday from 7am – 5pm and occasional weekends as needed;
6. That if lighting is to be installed, all lighting be installed and maintained so as to minimize spillage of light outside of the sign face so as not to create a nuisance and the sign must be effectively shielded to prevent beams or rays from being directed toward any portion of the traveled ways, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with any driver’s operation of a motor vehicle;
7. That the applicant obtain all necessary permits from other governing bodies for the operation, including, but not limited to business licenses, operational permits and inspections;
8. That a portable fire extinguisher with a minimum 2 A-BC rating shall be placed in each structure so it is accessible at all times and the fire extinguisher shall be inspected and tagged annually;
9. That the physical address for any residences and any future addresses that are assigned, be posted in accordance with Pennington County Ordinance #20
10. That prior to the installation of any on-site wastewater system or alteration to the existing on-site wastewater system the landowner shall meet with the appropriate County Staff and meet all local and state requirements;

11. That prior to the placement of any signs, the applicant must adhere to Section 312 of the Pennington County Zoning Ordinance;
12. That the applicant ensure the residential and agricultural character of the property is maintained;
13. That prior to operation, the application obtain any additional permits from the County (if applicable), including, but not limited to Construction Permit(s) and Building Permit(s);
14. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
15. That the Planning Director may allow additional development or construction, which is consistent with the existing development on this property. Significant changes in the use or impacts on adjacent land, uses as determined by the Planning Director, shall require an amendment to this Planned Unit Development;
16. That the operation be conducted by employees or designees of Brink Construction Inc.;
17. That Planned Unit Development / PUD 19-01, be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

Discussion followed.

Moved by Rossknecht and seconded by Marsh to approve of Planned Unit Development / PUD 19-01 with the following seventeen (17) conditions:

- 1. That the purpose of this Planned Unit Development be: to allow for uses and regulations as outlined in Pennington County Zoning Ordinance (PCZO) § 205, with the addition of an Apprentice Lineman Training Facility to include: conference center, buildings for storage and classrooms, training apparatus, and equipment storage;**
- 2. The maximum allowable height for any training apparatus shall be sixty-five (65) feet and shall be thirty-five (35) feet for all other structures;**
- 3. That this Planned Unit Development be considered an overlay whereby the provisions of the underlying General Agriculture District apply and, if the property is no longer utilized in accordance with this Planned Unit Development, the zoning reverts back to General Agriculture District;**

4. That all parking spaces be a minimum of 9 feet by 18 feet and the parking lot shall be maintained in a dust-free manner, in accordance with Section 310 of the Pennington County Zoning Ordinance;
5. That the hours of operation be Monday – Friday from 7am – 5pm and occasional weekends as needed;
6. That if lighting is to be installed, all lighting be installed and maintained so as to minimize spillage of light outside of the sign face so as not to create a nuisance and the sign must be effectively shielded to prevent beams or rays from being directed toward any portion of the traveled ways, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with any driver's operation of a motor vehicle;
7. That the applicant obtain all necessary permits from other governing bodies for the operation, including, but not limited to business licenses, operational permits and inspections;
8. That a portable fire extinguisher with a minimum 2 A-BC rating shall be placed in each structure so it is accessible at all times and the fire extinguisher shall be inspected and tagged annually;
9. That the physical address for any residences and any future addresses that are assigned, be posted in accordance with Pennington County Ordinance #20
10. That prior to the installation of any on-site wastewater system or alteration to the existing on-site wastewater system the landowner shall meet with the appropriate County Staff and meet all local and state requirements;
11. That prior to the placement of any signs, the applicant must adhere to Section 312 of the Pennington County Zoning Ordinance;
12. That the applicant ensure the residential and agricultural character of the property is maintained;
13. That prior to operation, the application obtain any additional permits from the County (if applicable), including, but not limited to Construction Permit(s) and Building Permit(s);
14. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;

15. That the Planning Director may allow additional development or construction, which is consistent with the existing development on this property. Significant changes in the use or impacts on adjacent land, uses as determined by the Planning Director, shall require an amendment to this Planned Unit Development;
16. That the operation be conducted by employees or designees of Brink Construction Inc.;
17. That Planned Unit Development / PUD 19-01, be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

All voting aye, the Motion carried 6 to 0.

Moved by Coleman and seconded by Marsh to recess. All voting aye, the Motion carried 6 to 0.

Moved by Marsh and seconded by Coleman to reconvene. All voting, the Motion carried 4 to 0. Commission Runde had not returned to the meeting at this time for this Motion, and Commissioner Rossknecht left the meeting.

Moved by Marsh and seconded by Rivers to untable Item #16. All voting aye, the Motion carried 5 to 0.

16. REZONE / RZ 19-02 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-02: Borglum Historical Center, Inc., Duane Pankratz; Ken Nash – Agent. To rezone 19.419 acres from General Agriculture District to Highway Service District, for proposed Lot 1, and to rezone 1.953 acres from General Agriculture District to Highway Service District, for proposed Lot 2, and to amend the Comprehensive Plan to change the Future Land Use from Low Density Residential District to General Commercial District in accordance with Sections 205, 207, 210, and 508 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description for proposed Lot 1: Commencing at the Section ¼ Corner common to Sections 13 and 14, T1S, R6E, BHM, common to the northeasterly corner of Lot 13 of Stratmeyer Addition, and common to the southwesterly corner of Lot 4 Revised of Stratmeyer Addition, and the point of beginning; Thence, first course: N 89°28'35" E, along the section ¼ line of said Section 13, common to the southerly boundary of said Lot 4 Revised, a distance of 788.89', to the southeasterly corner of said Lot 4 Revised, common to the southwesterly corner of Lot 9 of Stratmeyer Addition; Thence, second course: N 89°16'43" E, along the section ¼ line of said Section 13, common to the southerly boundary of said Lot 9, a distance of 150.29', to the southeasterly corner of said Lot 9, common to the southwesterly corner of Lot 5 of Stratmeyer Addition; Thence, third course: N 89°27'28" E, along the section ¼ line of said Section 13, common to the southerly boundary of said Lot 5, a distance of

378.55', to the southeasterly corner of said Lot 5, common to a point on the Section 1/16th Line, common to a point on the westerly boundary of Lot 1 of BTP Subdivision; Thence, fourth course: S 00°05'41" E, along the said Section 1/16th line, common to the westerly boundary of said Lot 1, a distance of 107.12, to the southwesterly corner of said Lot 1, common to a point on the northerly edge of US Highway 16 right-of-way; Thence, fifth course: S 40°55'54" W, along the northerly edge of said right-of-way, a distance of 176.94'; Thence, sixth course: N 49°04'06" W a distance of 57.00'; Thence, seventh course: S 40°55'54" W a distance of 252.61'; Thence, eighth course: S 47°32'31" W a distance of 471.73'; Thence, ninth course: S 58°43'08" W a distance of 359.10'; Thence, tenth course: S 62°31'10" W a distance of 383.76', to a point on the section line common to said Sections 13 and 14, common to a point on the easterly boundary of Tract A Revised of Hull Subdivision; Thence eleventh course: N 00°07'28" E, along the section line common to said Sections 13 and 14, common to the easterly boundary of said Tract A Revised, a distance of 402.40, to the northeasterly corner of said Tract A Revised; Thence twelfth course: N 00°01'51" W, along the section line common to said Sections 13 and 14, a distance of 150.60', to the southeasterly corner of said Lot 13; Thence thirteenth course: N 00°08'21" E, along the section line common to said Sections 13 and 14, common to the easterly boundary of said Lot 13, distance of 510.62', to the said point of beginning. Said Parcel contains 19.419 acres more or less, Section 13, T1S, R6E, BHM, Pennington County, South Dakota.

Located on the following metes and bounds description for proposed Lot 2: Commencing at the southwesterly corner of Tract A Revised of Hull Subdivision, common to a point on the section line common to Sections 13 and 14, T1S, R6E, BHM, and the point of beginning; Thence, first course: N 00°07'28" E, along easterly boundary of said Tract A Revised, common to said section line, a distance of 64.32'; Thence, second course: N 62°31'10" E a distance of 383.76'; Thence, third course: N 58°43'08" E a distance of 359.10'; Thence, fourth course: N 47°32'31" E a distance of 471.73'; Thence, fifth course: N 40°55'54" E a distance of 252.61'; Thence, sixth course: S 49°04'06" E a distance of 57.00', to a point on the northerly edge of US Highway 16 right-of-way; Thence, seventh course: S 40°55'54" W, along the northerly edge of said right-of-way, a distance of 255.91'; Thence, eighth course: S 47°32'31" W, along the northerly edge of said right-of-way, a distance of 480.60'; Thence, ninth course: S 58°43'08" W, along the northerly edge of said right-of-way, a distance of 366.57'; Thence, tenth course: S 62°31'10" W, along the northerly edge of said right-of-way, a distance of 415.46', to the said point of beginning. Said Parcel contains 1.953 acres more or less, Section 13, T1S, R6E, BHM, Pennington County, South Dakota.

Discussion continued.

Moved by Coleman to continue Rezone / RZ 19-02 and Comprehensive Plan Amendment / CA 19-02 to the April 22, 2019, Planning Commission Meeting.

Substitute Motion: Moved by Runde to deny Rezone / RZ 19-02 and Comprehensive Plan Amendment / CA 19-02. Motion died for lack of a second.

Moved Coleman and seconded by Marsh to continue Rezone / RZ 19-02 and Comprehensive Plan Amendment / CA 19-02 to the April 22, 2019, Planning Commission Meeting.

All voting, the Motion carried 4 to 1. Commissioner Runde voted no.

20. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the March 25, 2019, Planning Commission meeting.

21. ITEMS FROM THE PUBLIC

No motions or actions were taken at this time.

22. ITEMS FROM THE STAFF

- A Building Permit Report. Conover reviewed the Building Permit Report for March 2019.
- B. 2019 Western SD Hydrology Conference. Conover spoke of the upcoming 2019 Western SD Hydrology Conference, which is scheduled for April 11th at the Rushmore Plaza Civic Center.
- C. 2019 SD DOT Erosion & Sediment Control & Storm Water Management Training. Conover spoke of the upcoming training class to be held April 17th and 18th in Rapid City.

23. ITEMS FROM THE MEMBERSHIP

Commissioner Lasseter will not be at the April 22nd meeting.

24. ADJOURNMENT

Moved by Coleman and seconded by Marsh to adjourn.

All voting aye, the Motion carried 5 to 0.

The meeting adjourned at 11:40 a.m.

Travis Lasseter, Chairperson