

**MINUTES  
PENNINGTON COUNTY PLANNING COMMISSION**

**January 22, 2024 @ 9:00 a.m.**

County Commissioners' Meeting Room - Pennington County Administration Building

MEMBERS PRESENT: Charlie Johnson, Karen McGregor, Mikal Lewis, Jim Coleman, Kevin Kuehn, and Ron Rossknecht

STAFF PRESENT: Brittney Molitor, Jason Theunissen, Megan Talmage, TJ Doreff, Kelsey Rausch, Cody Sack, Christine Phillip, Jeri Ervin, and Alexa Moeller (SAO).

ROLL CALL

1. APPROVAL OF THE JANUARY 8, 2024, MINUTES  
**Moved by McGregor and seconded by Coleman to approve the Minutes of the January 8, 2024, Planning Commission meeting. Vote: unanimous 6 to 0.**
  
2. APPROVAL OF THE AGENDA  
**Moved by Kuehn and seconded by McGregor to approve the Agenda of the January 22, 2024, Planning Commission meeting. Vote: unanimous 6 to 0.**
  
3. APPROVAL OF THE CONSENT AGENDA  
**Moved by Rossknecht and seconded by McGregor to approve the Consent Agenda of the January 22, 2024, Planning Commission meeting. 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, on certain items from this agenda, are recommendations to the Pennington County Board of Commissioners who will make the final decision.

4. **CONDITIONAL USE PERMIT REVIEW / CUR 12-30**: Ruby and Frank Matejak.  
To review a Vacation Home Rental in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

That Part of the SE1/4SE1/4 lying north and east of Slate Prairie Road, Section 26, T1N, R3E, BHM, Pennington County, South Dakota

**To approve of Conditional Use Permit Review / CUR 12-30 with the following sixteen (16) conditions:**

1. **That the maximum overnight occupancy, based on DANR's approval, be limited to six (6) people and the maximum daytime occupancy be limited to nine (9) people;**

2. That the applicant maintains 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 each year that the Vacation Home Rental is in use;
3. That a minimum of two (2) off-street parking spaces continue to be provided on-site, each measuring a minimum of nine (9) by eighteen (18) feet and maintained in a dust-free manner;
4. That an interior informational sign continues to be posted in accordance with the requirements of PCZO § 319-G, during operation of the residence as a Vacation Home Rental (VHR);
5. That the lot address (11688 Slate Prairie Road) continues to be posted on both the residence and at the approach so it is clearly visible in both directions, in accordance with Ordinance #20;
6. That the applicant ensures the VHR is operated in accordance with the requirements of Section 319-F (Performance Standards) at all times;
7. That the Section Line right-of-way encroachment issue appears to have been corrected, however, if it is ever determined that a Section Line encroachment issue still exists, it shall be corrected by the applicant at that time;
8. That each review of Conditional Use Permit / CU 12-30, be subject to PCZO §511(Q), which imposes a \$100 fee per review;
9. That if the person designated as the Local Contact is ever changed from Frank and Ruby Matejcik, 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);
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 sign(s), PCZO §312 (A)(a);
12. 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;
13. That the proper permits continue to be obtained prior to utilizing a fire pit on the property and all fire restrictions be followed at all times;

14. That the applicant shall provide the phone number and/or internet address to clients regarding the current day's fire condition, as pertaining to the use of the fire pit;
15. That the applicant continually maintains 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; and,
16. That this Conditional Use Permit be reviewed in three (3) years, 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.**

5. **CONDITIONAL USE PERMIT REVIEW / CUR 22-21:** Carl and Nancy Hellekson. To review an accessory structure, a garage, as a primary structure on the subject property in a Ranchette District in accordance with the Pennington County Zoning Ordinance.

Lot H, Mills Ranch Subdivision, Section 32, T1S, R5E, BHM, Pennington County, South Dakota.

**To approve of Conditional Use Permit Review / CUR 22-21 with the following seven (7) conditions:**

1. That the garage cannot be used for living quarters;
2. That an address be assigned for the single-family residence and properly posted in accordance with Pennington County Ordinance #20, so that it is visible from Mills Ranch Road;
3. That the minimum setback requirements for a Ranchette District be maintained on the property or the appropriate Variance(s) be obtained;
4. That the property remains free of junk and debris;
5. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored, which requires a site plan to be reviewed and approved by the Planning Director;
6. That the applicant adheres to Pennington County Zoning Ordinance § 510; and,
7. That this Conditional Use Permit be reviewed in July 2024, 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 / CUR 23-14**: Bituminous Paving. To review a temporary asphalt batch plant on the subject property in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

GL 1-4 Less Part of GL 1 North of RR ROW; SE1/4NW1/4; SE1/4SW1/4, Section 16, T2S, R12E, BHM, Pennington County, South Dakota.

**To end Conditional Use Permit Review / CUR 23-14 with the applicant's concurrence, as the operations of the asphalt batch plant have been ended and removed from the property.**

**Vote: unanimous 6 to 0.**

7. **MAJOR PLANNED UNIT DEVELOPMENT OVERLAY AMENDMENT REVIEW / PU 19-09**: Donna Hartshorn. To review an existing Planned Unit Development Overlay to allow for seasonal commercial recreation and amusement structures to include racetracks, miniature golf, paintball, arcade games, and to allow five (5) lighted, on-premise signs to be located within 1,500 feet of a residential district and/or dwelling unit in accordance with the Pennington County Zoning Ordinance.

Lot 4 of Tract E of Government Lot 2 of NW1/4SE1/4, NE1/4SW1/4 and SW1/4SE1/4; and NE1/4SE1/4 less Lot 1, Tract D of NW1/4SE1/4 less Lot 1, all located in Section 3, T1S, R7E, BHM, Pennington County, South Dakota.

(Continued from the December 11, 2023, Planning Commission meeting.)

**To recommend to continue Major Planned Unit Development Overlay Amendment Review / PUR 19-09 to the February 26, 2024, Planning Commission meeting, as the applicant is working on the Conditions of Approval.**

**Vote: unanimous 6 to 0.**

#### **END OF CONSENT AGENDA**

8. **ROAD NAMING**: Rockerville Goldtown, LLC. To name 450-feet of existing road in an approximate 40-foot-wide Private Access and Utility Easement providing access to properties located in Sections 13 and 14, T1S, R6E, BHM, Pennington County, South Dakota, to Grubstake Court.

Rausch reviewed the Staff Report indicating the applicant has applied to name a private Access and Utility Easement to Grubstake Court.

Staff recommended approval of the Road Naming of Grubstake Court.

Discussion followed.

**Moved by Rossknecht and seconded by Kuehn to approve the Road Naming of Grubstake Court.**

**All voting aye, the Motion carried 6 to 0.**

9. CONDITIONAL USE PERMIT / CU 21-03: Rod and Theresa Cassidy. To allow a multi-family residence on the subject property in a Rural Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 5, Block 3, Forest Homes Development, Section 6, T1N, R6E, BHM, Pennington County, South Dakota.

Rausch reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to allow a multi-family residence.

Staff recommended approval of Conditional Use Permit / CU 21-03 with the following seven (7) conditions:

1. That a Building Permit for the existing living quarters in the attached garage be obtained and the Penalty Fees paid;
2. That an address be assigned to the apartment in the garage and both the main address and secondary address be posted on the residence and so they can be seen from both directions of travel on Riverview Court in accordance with Pennington County Ordinance #20;
3. That a minimum of four (4) off-street parking spaces be provided on-site, each measuring a minimum of nine (9) feet by 18 feet, surfaced with gravel, concrete or asphalt, and maintained in a dust-free manner in accordance with Section 310 of the Pennington County Ordinance;
4. That the property be kept free of debris and junk vehicles;
5. That the minimum setback requirements of a Rural Residential District be continually maintained on the property;
6. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored, which requires a site plan to be reviewed and approved by the Planning Director; and,
7. That this Conditional Use Permit be reviewed in one (1) year, 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.

Discussion followed

**Moved by Rossknecht and seconded by Kuehn to approve of Conditional Use Permit / CU 21-03 with the following seven (7) conditions:**

- 1. That a Building Permit for the existing living quarters in the attached garage be obtained and the Penalty Fees paid;**
- 2. That an address be assigned to the apartment in the garage and both the main address and secondary address be posted on the residence and so they can be seen from both directions of travel on Riverview Court in accordance with Pennington County Ordinance #20;**
- 3. That a minimum of four (4) off-street parking spaces be provided on-site, each measuring a minimum of nine (9) feet by 18 feet, surfaced with gravel, concrete or asphalt, and maintained in a dust-free manner in accordance with Section 310 of the Pennington County Ordinance;**
- 4. That the property be kept free of debris and junk vehicles;**
- 5. That the minimum setback requirements of a Rural Residential District be continually maintained on the property;**
- 6. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored, which requires a site plan to be reviewed and approved by the Planning Director; and,**
- 7. That this Conditional Use Permit be reviewed in one (1) year, 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.**

**All voting aye, the Motion carried 6 to 0.**

10. CONDITIONAL USE PERMIT / CU 23-39: 605 Excavating Corp., Donovan Pallatto. To allow a shop building on the subject property to store commercial equipment in a Suburban Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 3A, Block 6, Ashland Subdivision No. 2, Section 15, T2N, R8E, BHM, Pennington County, South Dakota.

(Continued from the January 8, 2024, Planning Commission meeting.)

Talmage reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to allow a shop building on the subject property to store commercial equipment.

Staff recommended denial of Conditional Use Permit / CU 23-39, as the accessory structure would have a commercial use in a residential zoning district.

If the Planning Commission disagreed and approves the request, Staff recommended the following twelve (12) conditions be included:

1. That the shop only be used for storage, and no office space or sales is permitted on the premise;
2. That any commercial equipment be completely contained within the proposed shop building;
3. That any bulk chemicals, fuel, and liquid refuse stored on the site have secondary containment;
4. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which will require a site plan to be reviewed and approved by the Planning Director;
5. That the property remains free of junk and debris at all times;
6. That all natural drainage paths be continually maintained;
7. That dust control measures be implemented to reduce the amount of dust from trucks and equipment leaving and entering the storage yard;
8. That any lighting to be installed is maintained to minimize spillage of light outside of the area, so as not to create a nuisance. Lighting must be effectively shielded to prevent beams or rays from being directed towards any portion of the traveled ways and must not be of such intensity or brilliance as to cause glare or impair the vision of any motor vehicle drivers;
9. That the minimum number of required parking spaces shall be provided in accordance with Pennington County Zoning Ordinance (PCZO) § 310(A).
10. That an address be posted at the entrance to the storage yard in accordance with Ordinance #20;
11. That the Planning Director may allow additional uses, which are consistent with the uses approved in this permit. Significant changes in the use or impacts on adjacent lands shall require an amendment to this permit; and,
12. That this Conditional Use Permit be reviewed in one year, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to ensure compliance with the PCZO and Conditions of Approval.

Discussion followed.

**Moved by Rossknecht and seconded by Lewis to approve of Conditional Use Permit / CU 23-39 with the following twelve (12) conditions:**

1. That the shop only be used for storage, and no office space or sales is permitted on the premise;
2. That any commercial equipment be completely contained within the proposed shop building;
3. That any bulk chemicals, fuel, and liquid refuse stored on the site have secondary containment;
4. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which will require a site plan to be reviewed and approved by the Planning Director;
5. That the property remains free of junk and debris at all times;
6. That all natural drainage paths be continually maintained;
7. That dust control measures be implemented to reduce the amount of dust from trucks and equipment leaving and entering the storage yard;
8. That any lighting to be installed is maintained to minimize spillage of light outside of the area, so as not to create a nuisance. Lighting must be effectively shielded to prevent beams or rays from being directed towards any portion of the traveled ways and must not be of such intensity or brilliance as to cause glare or impair the vision of any motor vehicle drivers;
9. That the minimum number of required parking spaces shall be provided in accordance with Pennington County Zoning Ordinance (PCZO) § 310(A).
10. That an address be posted at the entrance to the storage yard in accordance with Ordinance #20;
11. That the Planning Director may allow additional uses, which are consistent with the uses approved in this permit. Significant changes in the use or impacts on adjacent lands shall require an amendment to this permit; and,
12. That this Conditional Use Permit be reviewed in one year, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to ensure compliance with the PCZO and Conditions of Approval.

**All voting aye, the Motion carried 6 to 0.**

11. CONDITIONAL USE PERMIT / CU 23-40: David and Helene Weldon. To live in an existing accessory structure while building a primary residence on the subject property in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

Less RTY, Star Lode Mining Claim MS 2148, Section 13, T2S, R6E, BHM, Pennington County, South Dakota.



Talmage reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to live in an existing accessory structure, while building a primary residence on the subject property.

Staff recommended approval of Conditional Use Permit / CU 23-40 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 is clearly posted on the shop with living quarters and future single-family residence and at the driveway in accordance with Pennington County's Ordinance #20;
3. That the subject property not contain more than 1 residential structure (i.e. single-family residence or living quarters) without an additional Conditional Use Permit;
4. That the Building Permit and On-site Wastewater Treatment System alterations for the proposed single-family residence be applied for within six months of approval;
5. That the minimum setback requirements of Agriculture District be continually maintained on the property or the appropriate Setback Variance(s) be obtained;
6. That the applicant obtain a Removal Permit for the kitchen in the shop or obtain a Conditional Use Permit for a Guest House once the single-family residence is habitable or the expiration of the Building Permit for the single-family residence, whichever comes first;
7. That the subject property remains free of debris and junk vehicles; and,
8. That this Conditional Use Permit be reviewed in six months, 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.

Discussion followed.

**Moved by Lewis and seconded by Kuehn to approve of Conditional Use Permit / CU 23-40 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 is clearly posted on the shop with living quarters and future single-family residence and at the driveway in accordance with Pennington County's Ordinance #20;**

3. That the subject property not contain more than 1 residential structure (i.e. single-family residence or living quarters) without an additional Conditional Use Permit;
4. That the Building Permit and On-site Wastewater Treatment System alterations for the proposed single-family residence be applied for within six months of approval;
5. That the minimum setback requirements of Agriculture District be continually maintained on the property or the appropriate Setback Variance(s) be obtained;
6. That the applicant obtain a Removal Permit for the kitchen in the shop or obtain a Conditional Use Permit for a Guest House once the single-family residence is habitable or the expiration of the Building Permit for the single-family residence, whichever comes first;
7. That the subject property remains free of debris and junk vehicles; and,
8. That this Conditional Use Permit be reviewed in six months or on a complaint basis to verify that all Conditions of Approval are being met.

All voting aye, the Motion carried 6 to 0.

12. CONDITIONAL USE PERMIT / CU 24-01: Kevin and Renee Eggebraaten. To allow a Bed and Breakfast in a Suburban Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 15R Revised, Block 3, Moon Meadow Estates, Section 33, T1N, R7E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to allow a Bed and Breakfast on the subject property.

Sack recommended approval of Conditional Use Permit / CU 24-01 with the following seventeen (17) conditions:

1. That the maximum occupancy of the Bed and Breakfast be limited to two (2) people based on the structure having one (1) bedroom;
2. That all necessary permits are obtained prior to any additions and/or alterations to the residence or upgrades/alterations to the On-Site Wastewater Treatment System, which will require approval from SD DANR;
3. That if any addition is constructed on the residence, the On-Site Wastewater Treatment System is upgraded, and/or the applicants wants to increase the maximum occupancy in the future, this Conditional Use Permit be reviewed so that the maximum occupancy may be adjusted accordingly;

4. That the applicant shall provide the phone number and/or internet address to guests regarding the current day's fire condition, as pertaining to the use of the fire pit;
5. That within 30 days of approval, the applicant obtains licenses with the South Dakota Department of Health (Bed and Breakfast License) and the Department of Revenue (Sales Tax License) and that copies of these licenses be provided to the Planning Department upon request;
6. That the applicant maintains an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property and that a copy of said plan be kept on file at the Planning Department;
7. That a minimum of 2 off-street parking spaces be provided on-site, per PCZO § 310;
8. That if the applicant chooses to post an exterior sign, the sign shall meet the requirements of PCZO §§323(B)(3)(b) and 312;
9. That an interior sign shall be posted in the Bed and Breakfast for all guests, in accordance with the requirements of PCZO § 323(B)(3)(d);
10. That prior to operation, an address be assigned to the Bed and Breakfast;
11. That the addresses for the single-family residence and the Bed and Breakfast be posted on both structures at all times and at the driveway where it intersects Moon Meadows Drive, in accordance with Pennington County's Ordinance #20;
12. That the Bed and Breakfast continues to be classified as owner occupied with the Pennington County Department of Equalization;
13. That the applicant ensures the Bed and Breakfast is continually operated in accordance with the requirements of PCZO § 323 at all times;
14. That all applicable Federal, State, and local regulations be adhered to at all times, including but not limited to ARSD 44:20:06 and SDCL 34-18;
15. 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;
16. That prior to operation of the Bed and Breakfast, Conditional Use Permit / CU 23-37 be ended at the February 26, 2024, Planning Commission meeting; and,
17. That this Conditional Use Permit be reviewed in 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.

Discussion followed.

**Moved by Lewis and seconded by Kuehn to approve of Conditional Use Permit / CU 24-01 with the following eighteen (18) conditions:**

- 1. That the maximum occupancy of the Bed and Breakfast be limited to two (2) people based on the structure having one (1) bedroom;**
- 2. That all necessary permits are obtained prior to any additions and/or alterations to the residence or upgrades/alterations to the On-Site Wastewater Treatment System, which will require approval from SD DANR;**
- 3. That if any addition is constructed on the residence, the On-Site Wastewater Treatment System is upgraded, and/or the applicants wants to increase the maximum occupancy in the future, this Conditional Use Permit be reviewed so that the maximum occupancy may be adjusted accordingly;**
- 4. That the proper permit be obtained prior to utilizing a fire pit on the property and all fire restrictions be followed at all times;**
- 5. That the applicant shall provide the phone number and/or internet address to guests regarding the current day's fire condition, as pertaining to the use of the fire pit;**
- 6. That within 30 days of approval, the applicant obtains licenses with the South Dakota Department of Health (Bed and Breakfast License) and the Department of Revenue (Sales Tax License) and that copies of these licenses be provided to the Planning Department upon request;**
- 7. That the applicant maintains an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property and that a copy of said plan be kept on file at the Planning Department;**
- 8. That a minimum of 2 off-street parking spaces be provided on-site, per PCZO § 310;**
- 9. That if the applicant chooses to post an exterior sign, the sign shall meet the requirements of PCZO §§323(B)(3)(b) and 312;**
- 10. That an interior sign shall be posted in the Bed and Breakfast for all guests, in accordance with the requirements of PCZO § 323(B)(3)(d);**
- 11. That prior to operation, an address be assigned to the Bed and Breakfast;**
- 12. That the addresses for the single-family residence and the Bed and Breakfast be posted on both structures at all times and at the driveway where it intersects Moon Meadows Drive, in accordance with Pennington County's Ordinance #20;**

13. That the Bed and Breakfast continues to be classified as owner occupied with the Pennington County Department of Equalization;
14. That the applicant ensures the Bed and Breakfast is continually operated in accordance with the requirements of PCZO § 323 at all times;
15. That all applicable Federal, State, and local regulations be adhered to at all times, including but not limited to ARSD 44:20:06 and SDCL 34-18;
16. 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;
17. That prior to operation of the Bed and Breakfast, Conditional Use Permit / CU 23-37 be ended at the February 26, 2024, Planning Commission meeting; and,
18. That this Conditional Use Permit be reviewed in 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.

All voting aye, the Motion carried 6 to 0.

Moved by Lewis and seconded by McGregor to wave rules to discuss similar Agenda Items #13 and #14 at the same time and to vote on each item separately. All voting aye, the Motion carried 6 to 0.

13. COMPREHENSIVE PLAN AMENDMENT / CA 23-14: Cody and Heather Mehlhaff. To amend Comprehensive Plan to change the Future Land Use from Low Density Residential District to Commercial District in accordance with the Pennington County Zoning Ordinance.

Lot A2 of SW1/4SW1/4 of Section 13, T1N, R8E, and PT NW1/4NW1/4 North of Highway and RR of Section 24, T1N, R8E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicant has applied for a Comprehensive Plan Amendment to change the Future Land Use from Low Density Residential District to Commercial District.

Staff recommended approval of Comprehensive Plan Amendment / CA 23-14.

Discussion followed.

Moved by McGregor and seconded by Kuehn to approve of Comprehensive Plan Amendment / CA 23-14.

All voting aye, the Motion carried 6 to 0.

14. REZONE / RZ 23-19: Cody and Heather Mehlhaff. To rezone from Suburban Residential District and Agriculture District to Commercial District in accordance with the Pennington County Zoning Ordinance.

Lot A2 of SW1/4SW1/4 of Section 13, T1N, R8E, and PT NW1/4NW1/4 North of Highway and RR of Section 24, T1N, R8E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicant has applied for a Rezone to rezone from Suburban Residential District and Agriculture District to Commercial District.

Staff recommended approval of Rezone / RZ 23-19.

Discussion followed.

**Moved by Rossknecht and seconded by McGregor to approve of Rezone / RZ 23-19.**

**All voting aye, the Motion carried 6 to 0.**

15. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the January 8, 2024, Planning Commission meeting.

16. ITEMS FROM THE PUBLIC

No motions or actions were taken at this time.

17. ITEMS FROM THE STAFF

A. January 31, 2024, Board of Commissioner's Meeting. Molitor stated the Planning Department will be presenting a workshop of items for discussion at this meeting.

18. ITEMS FROM THE MEMBERSHIP

There no items from the membership.

19. ADJOURNMENT

**Moved by Coleman and seconded by McGregor to adjourn.**

**All voting aye, the Motion carried 6 to 0.**

**The meeting adjourned at 10:10 a.m.**

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Charlie Johnson, Chairperson