

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
May 8, 2023 @ 9:00 a.m.

County Commissioners' Meeting Room - Pennington County Administration Building

Recommendations of the Planning Commission, on certain items from this agenda, will be considered by the Board of Commissioners at their regular meeting on May 16, 2023, at 10:30 a.m. The Planning Commission utilizes Speaker Request Forms, which are available in the Commission Chambers during the meeting.

**If unable to attend the meeting, please submit your comments via e-mail to plz@pennco.org or by mail to the attention of the Pennington County Planning Department, 130 Kansas City St., Ste. 200, Rapid City, SD 57701, or, if appearing by teleconference, contact the Planning Department at 605-394-2186, twenty-four (24) hours prior to the scheduled meeting.

ROLL CALL

1. APPROVAL OF THE APRIL 24, 2023, 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, on certain items from this agenda, are recommendations to the Pennington County Board of Commissioners who will make the final decision.

3. **CONDITIONAL USE PERMIT REVIEW / CU 10-09:** Leonard Haberstroh; Jeff Haberstroh – Agent. To review a caretaker's residence in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

All HES #313, Section 1, T2S, R6E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 10-09 with conditions.

4. **CONDITIONAL USE PERMIT REVIEW / CU 12-15:** Kari Fruechte-O'Neill. To review a Vacation Home Rental in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

Lot 1, Block 3, Pactola Estates, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 12-15 with conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 12-27:** Mike Dressler. To review a Vacation Home Rental in a Suburban Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 4R (also in Section 13), Block 3, Alpine Acres Meadow, Section 14, T2N, R4E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 12-27 with conditions.

6. **CONDITIONAL USE PERMIT REVIEW / CU 16-23:** Harlan and Carol Hoffman. To review a Recreational Vehicle to be used as temporary living quarters during the summer months on the subject property in a Rural Residential District in accordance with the Pennington County Zoning Ordinance.

Tract 6, Slate Creek Subdivision, Section 36, T1N, R3E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 16-23 as it is no longer needed.

7. **CONDITIONAL USE PERMIT REVIEW / CU 16-44:** Alicen and Nicholas Dupont. To review a Vacation Home Rental in a Suburban Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 1R of Lots 7 and 8, Clear Creek Placer MS 1184, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 16-44 as the new owner has obtained a new Conditional Use Permit for a Vacation Home Rental.

8. **CONDITIONAL USE PERMIT REVIEW / CU 18-01:** Ron Weifenbach. To review seasonal retail sales of Class C fireworks in a Commercial District in accordance with the Pennington County Zoning Ordinance.

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

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

9. **CONDITIONAL USE PERMIT REVIEW / CU 19-04:** Michael and Soraya Pellan. To review a Vacation Home Rental in a Suburban Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 6 Revised, Block D, Edelweiss Mountain Development, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 19-04 with conditions.

10. **CONDITIONAL USE PERMIT REVIEW / CU 19-22**: Michael and Soraya Pellan. To review a Vacation Home Rental in a Suburban Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 24R, Block B, Edelweiss Mountain Development Subdivision, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 19-22 with conditions.

11. **CONDITIONAL USE PERMIT REVIEW / CU 21-18**: Lowell Kolb. To allow a temporary campground/assembly of people on the subject property during the month of July in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

SW1/4NE1/4 Less E200 feet of N947 feet of E1/2SW1/4NE1/4 and Less S373 feet of SE1/4SW1/4NE1/4, Section 32, T1S, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 21-18 with conditions.

12. **CONDITIONAL USE PERMIT REVIEW / CU 21-23**: Mark Erickson. To allow a Specialty Resort in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

Lot A of Lot 4, Section 18, T2S, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 21-23 with conditions.

13. **CONDITIONAL USE PERMIT REVIEW / CU 21-29**: James and Janice Beld. To review a Recreational Vehicle to be utilized as temporary living quarters on the subject property for less than 180 days per calendar year in a Ranchette Residential District in accordance with the Pennington County Zoning Ordinance.

SE1/4NE1/4, Section 18, T1S, R3E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 21-29 as it is no longer needed.

14. **CONDITIONAL USE PERMIT REVIEW / CU 21-57**: Kevin and DiAnn Killion. To review two primitive seasonal cabins to be used as bunkhouses on the subject property for no more than 180 days each calendar year in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

That Part of NE1/4SW1/4NE1/4 lying North of Rochford Road, Section 27, T2N, R3E, BHM, Pennington County, South Dakota.

(Continued from the April 24, 2023, Planning Commission meeting.)

To recommend approval of the extension of Conditional Use Permit / CU 21-57 with conditions.

15. **MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 20-03:** LakOrr, LLC; Phillip Lakner. To review a gunsmithing business as a home occupation on the subject property in a Planned Unit Development District in accordance with the Pennington County Zoning Ordinance.

Tract 2, Rushmore Ranch Estates Subdivision, Section 17, T2S, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Minor Planned Unit Development Amendment / PU 20-03 with conditions.

END OF CONSENT AGENDA

16. **CONDITIONAL USE PERMIT / CU 23-12:** Reece and Jaden Chambers. To allow a Vacation Home Rental on the subject property in a Suburban Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 3, Block 1, Alpine Acres Meadow, Section 13, T2N, R4E, BHM, Pennington County, South Dakota.

17. **CONDITIONAL USE PERMIT / CU 23-13:** Neil and Terry Foust. To live in the existing residence while building a single-family residence in a Rural Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 1R (also in Section 7), Block 3, Paha Sapa High Country Tract 2, Section 18, T2N, R6E, BHM, Pennington County, South Dakota.

18. **CONDITIONAL USE PERMIT / CU 23-14:** Bituminous Paving. To allow 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.

19. **PLANNED UNIT DEVELOPMENT OVERLAY / PU 23-04:** Limestone Creek Ranch, LLC; Thomas Stowers - Owner. To allow a Planned Unit Development Overlay for a Specialty Resort in accordance with the Pennington County Zoning Ordinance.

Lot 4 Revised, Oak Meadows Estates Subdivision, Section 23, T2S, R6E, BHM, Pennington County, South Dakota.

20. MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 23-05: ANCO Developments, LLC. To amend an existing Planned Unit Development to allow a Telecommunications Tower in accordance with the Pennington County Zoning Ordinance.

Lot 7, Walker Placer MS 551, Section 12, T2S, R4E, BHM, Pennington County, South Dakota.

21. ORDINANCE AMENDMENT / OA 23-01: Pennington County. To amend Section 319 Vacation Home Rental [to amend and supersede the existing Section 319 Vacation Home Rental] of the Pennington County Zoning Ordinance.

(Continued from the April 24, 2023, Planning Commission meeting.)

22. COUNTY BOARD REPORT
The Board of Commissioners concurred with the Planning Commission's recommendations from the April 24, 2023, Planning Commission meeting.

23. ITEMS FROM THE PUBLIC

24. ITEMS FROM THE STAFF

A. Building Permit Report.

25. ITEMS FROM THE MEMBERSHIP

26. 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.