

**MINUTES
PENNINGTON COUNTY PLANNING COMMISSION
October 11, 2022 @ 9:00 a.m.**

County Commissioners' Meeting Room - Pennington County Administration Building

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

STAFF PRESENT: Brittney Molitor, Kelsey Rausch, Megan Talmage, Christine Phillip, Cody Sack, and Jason Theunissen.

ROLL CALL

1. APPROVAL OF THE SEPTEMBER 26, 2022, MINUTES

Moved by Rossknecht and seconded by Lewis to approve the Minutes of the September 26, 2022, Planning Commission meeting. Vote: unanimous 6 to 0.

2. APPROVAL OF THE AGENDA

Moved by McGregor and seconded by Kuehn to approve the Agenda of the October 11, 2022, Planning Commission meeting. Vote: unanimous 6 to 0.

Moved by Rossknecht and seconded by Lewis to approve the Consent Agenda of the October 11, 2022, Planning Commission meeting, with the removal of Items #4 and #5. 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.

3. **CONDITIONAL USE PERMIT REVIEW / CU 02-57:** North Haines Volunteer Fire Department. To review a fire station in an Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Lot 1, North Haines Subdivision, Section 18, T2N, R8E, BHM, Pennington County, South Dakota.

To approve the extension of Conditional Use Permit / CU 02-57 with the following six (6) conditions.

1. **That a minimum of ten (10) off-street parking spaces be provided. Each parking space shall measure at least nine (9) feet by eighteen (18) feet and the off-street parking spaces shall be maintained in a dust free manner;**

2. That all lighting located on the outside of the building be directed towards the ground;
3. That prior to any expansion to the fire station or addition of any buildings, the applicant be required to have the Conditional Use Permit reviewed with notification to surrounding property owners;
4. That personal vehicles not be stored, maintained or repaired on the property and that all non-fire related overnight stays be prohibited;
5. That all official vehicles will be stored inside the structure with the exception of training exercises, routine maintenance and cleaning; and,
6. That this Planned Unit Development be reviewed on a complaint basis, or as deemed necessary 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 17-15:** Jay and Luann Van Hunnik. To review a Bed and Breakfast in an Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Lot A of Panelized Placer Mining Claim in SE1/4NW1/4, Section 19, T2S, R7E, BHM, Pennington County, South Dakota.

To approve the extension of Conditional Use Permit / CU 17-15 with the following fifteen (15) conditions

1. That the maximum amount of overnight guests be 6, per the South Dakota Department of Environment and Natural Resources letter dated May 23, 2017 from Kent R. Woodmansey (SD DENR Engineering Manager);
2. That a minimum of six (6) off-street parking spaces continue to be provided and that each parking space shall not be less than 162 square feet, nor less than 9 feet by 18 feet; surfaced with gravel, concrete or asphalt and maintained in a dust free manner;
3. That the applicants and future landowners maintain current licenses with the South Dakota Department of Health (Lodging 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 applicants continue to provide copies of the Evacuation Plan 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 provided to the Planning Department upon request;
5. That the Bed and Breakfast continues to be conducted by members of the family residing on the premises and no more than one additional person;

6. That the applicants continue to comply with South Dakota Codified Law 34-18-9.4, which regulates Bed and Breakfast establishments and requires a guest list to be maintained;
7. That smoke detectors continue to be placed in each sleeping room with a minimum of at least one smoke detector per floor;
8. That a minimum of one, 2 A-BC dry chemical fire extinguisher continue to be accessible to all guests at all times on each floor of the structure.
9. That the physical address for the residence continues to be posted in each guest room;
10. 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;
11. That the applicants ensure the residential character of the property is maintained;
12. That all necessary permits are obtained prior to any additions to the structure or upgrades/alterations to the on-site wastewater treatment system;
13. That an approved Sign Permit be obtained prior to the placement of any sign(s), per Pennington County Zoning Ordinance Section 312;
14. That the address be properly posted on both the residence and at the approach so it is visible in both directions from Nellie Lane in accordance with Pennington County's Ordinance #20;
15. That this Conditional Use Permit be reviewed in 5 years, or 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 17-24:** Chace and Leslie Larsen. To review an internally illuminated sign within 1,500 feet of a residential zoning district/dwelling unit in an Agriculture District in accordance with Sections 205, 312, and 510 of the Pennington County Zoning Ordinance.

(Also in Section 28), Midway Fraction Lode MS 2014, Section 27, T1S, R5E, BHM, Pennington County, South Dakota.

To approve the extension of Conditional Use Permit / CU 17-24 with the following six (6) conditions:

1. That all lighting be continually 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 adjacent traveled roadways, 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;

2. That the sign continually conforms to all regulations in § 312 of the Pennington County Zoning Ordinance;
3. That the sign must continually meet a minimum of a five (5) foot setback from the front property lines and maintain proper setbacks from all side and rear property lines. Also, that no part of the sign or infrastructure used for the lighting be placed in, or hang-over a right-of-way.
4. That the sign be continually maintained so as to have an aesthetically pleasing appearance at all times and not appear dilapidated;
5. That the installation of any other sign(s) on the property may require a separate Sign Permit and a separate Conditional Use Permit; and,
6. That this Conditional Use Permit be reviewed on a complaint basis, or as deemed necessary by the Pennington County Planning Commission or County Board of Commissions to verify that all Conditionals of Approval are being met.

Vote: unanimous 6 to 0.

8. **CONDITIONAL USE PERMIT REVIEW / CU 18-13:** Randy Wirtzfeld. To review a 12 x 12 cabin to be occupied on a seasonal basis on the subject property, not to be occupied more than 180 days per calendar year, in an Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

All, Brule Lode MS 993, Section 36, T2N, R3E, BHM, Pennington County, South Dakota.

To continue the review of Conditional Use Permit / CU 18-13 to the October 24, 2022, Planning Commission meeting.

Vote: unanimous 6 to 0.

9. **CONDITIONAL USE PERMIT REVIEW / CU 20-20:** Larry and Dianne Mathews. To allow a multi-family dwelling in a Low Density Residential District in accordance with Sections 208, 303, and 510 of the Pennington County Zoning Ordinance.

Lot 2, Cedar Gulch Subdivision, Section 4, T1S, R9E, BHM, Pennington County, South Dakota.

(Continued from the September 26, 2022, Planning Commission meeting.)

To continue the review of Conditional Use Permit / CU 20-20 to the November 14, 2022, Planning Commission meeting with the applicant's concurrence.

Vote: unanimous 6 to 0.

10. **CONDITIONAL USE PERMIT REVIEW / CU 20-23:** Donald and Victoria Pyn. To review an accessory structure, storage shed, prior to a principal structure in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 3 (also in Section 20), Black Metal Lode MS 1986, Section 19, T1S, R5E, BHM, Pennington County, South Dakota.

To end Conditional Use Permit / CU 20-23 with the applicant's concurrence.

Vote: unanimous 6 to 0.

11. **MINOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 11-05:** Alan Farley. To review an accessory structure prior to a principal structure in the Spring Creek Acres Planned Unit Development in accordance with Section 213 of the Pennington County Zoning Ordinance.

Tract 43, Spring Creek Acres, Section 3, T2S, R8E, BHM, Pennington County, South Dakota.

To approve the extension of Minor Planned Unit Development Amendment / PU 11-05 with the following six (6) conditions:

1. **That if the accessory structure is to have plumbing installed in the future, an approved On-Site Wastewater Construction Permit be obtained prior to installation of an on-site wastewater treatment system in accordance with Section 204-J of the Pennington County Zoning Ordinance;**
2. **That a Building Permit be obtained prior to constructing living quarters in the accessory building or a single-family residence on the property, at which time this Minor PUD Amendment may be revoked;**
3. **That the accessory structure continue to be used for personal storage only and no commercial uses be allowed on the property;**
4. **That the property continue to remain free of debris and junk vehicles so as not to create a Nuisance on the property;**
5. **That the address of 24185 Alkan Lane continue to be posted in accordance with Ordinance #20 so that it is visible from both directions of travel along Alkan Lane; and,**
6. **That this Minor Planned Unit Development Amendment be reviewed 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.

12. **PLANNED UNIT DEVELOPMENT OVERLAY REVIEW / PU 21-03:** Yardley and Co., Inc.; Shelby Woodland. To review a seasonal event venue / specialty resort on the subject property in accordance with Sections 205, 213, and 508 of the Pennington County Zoning Ordinance.

SE1/4SW1/4, Section 21, T2N, R17E, BHM, Pennington County, South Dakota.

To end Planned Unit Development Overlay / PU 21-03 with the applicant's concurrence.

Vote: unanimous 6 to 0.

13. **MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 22-13:** Blue Wing Recreation Corporation. To amend the existing Planned Unit Development to reduce the setbacks from the access roads from 10 feet to 5 feet in the Planned Unit Development in accordance with Section 216 of the Pennington County Zoning Ordinance.

All Less the North 10 acres and less Tract 0129C of Malory Lode MS 1483 of Section 13, T1S, R5E; Less N10 Acres of Ajax #1 Lode MS 1483; Part of Ajax #3 Lode MS 1483; Part of Just MS 1483; Part of Hudson Lode MS 1483 of Section 18, T1S, R6E; Part of Just Lode MS 1483; Part of Ajax #3 Lode MS 1483; Part of Hudson Lode MS 1483; Tract 0129A; Boulder #3 Lode MS 1483 of Section 13, T1S, R5E; BHM, Pennington County, South Dakota.

(Continued from the September 26, 2022, Planning Commission meeting.)

To continue the review of Minor Planned Unit Development / PU 22-13 to the October 24, 2022, Planning Commission meeting to allow the request to be advertised.

Vote: unanimous 6 to 0.

END OF CONSENT AGENDA

4. **CONDITIONAL USE PERMIT REVIEW / CU 16-04:** Alex and Mikal Kulesza. To review a Vacation Home Rental in an Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

Lot B of Lot 1, Merchen Addition #2, Section 21, T2N, R6E, BHM, Pennington County, South Dakota.

Commissioner Rossknecht asked that this Item be removed from the Consent Agenda for discussion.

Staff recommended to end Conditional Use Permit / CU 16-04 with the previous owner's concurrence.

Discussion followed.

Moved by Rossknecht and seconded by McGregor to end Conditional Use Permit / CU 16-04 with the previous owner's concurrence.

All voting aye, the Motion carried 6 to 0.

5. CONDITIONAL USE PERMIT REVIEW / CU 16-34: Mary Bitz. To review a Recreational Vehicle to be used as temporary living quarters for no more than 180 days per calendar year on the subject property in a Rural Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 4, Harrington Subdivision, Section 19, T2S, R7E, BHM, Pennington County, South Dakota.

Commissioner Johnson asked that this Item be removed from the Consent Agenda for discussion.

Rausch stated this is a review of the applicant's Conditional Use permit to allow a Recreational Vehicle to be used as temporary living quarters for no more than 180 days in a calendar year.

Staff recommended approval of the extension of Conditional Use Permit / CU 16-34 with the following eight (8) conditions:

1. That the assigned address for the subject property be properly posted so it is visible from both directions of travel on Milo Lane in accordance with Pennington County's Ordinance #20;
2. That the minimum setback requirements for a Rural Residential District be continually maintained on the property;
3. That the subject property remains free of debris and junk vehicles;
4. 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;
5. That no additional living quarters be allowed to exist on the property;
6. That the Recreational Vehicle shall not be used as living quarters on the subject property for more than 180 days per calendar year;
7. That the applicant adheres to the Forest Service comments at all times; and,

8. That this Conditional Use Permit be reviewed in 1 year, on a complaint basis, or as deemed necessary by the Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

Discussion followed.

Moved by Johnson and seconded by Coleman to approve the extension of Conditional Use Permit / CU 16-34 with the following eight (8) conditions:

1. That the assigned address for the subject property be properly posted so it is visible from both directions of travel on Milo Lane in accordance with Pennington County's Ordinance #20;
2. That the minimum setback requirements for a Rural Residential District be continually maintained on the property;
3. That the subject property remains free of debris and junk vehicles;
4. 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;
5. That no additional living quarters be allowed to exist on the property;
6. That the Recreational Vehicle shall not be used as living quarters on the subject property for more than 180 days per calendar year;
7. That the applicant adheres to the Forest Service comments at all times; and,
8. That this Conditional Use Permit be reviewed in 1 year, on a complaint basis, or as deemed necessary 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.

14. ROAD NAMING: Nate and Alexis Sobolewski. To name an existing 66-foot-wide Section Line Right-of-Way providing access to properties located in Sections 20, 21, 28, 29, 32, and 33, T2S, R13E, BHM, Pennington County, South Dakota, to Sobos Road.

Rausch reviewed the Staff Report indicating the applicants have applied for a Road Naming to name a Section Line Right-of-Way to Sobos Road.

Staff recommended approval of the Road Naming of Sobos Road.

Discussion followed.

Moved by McGregor and seconded by Coleman to approve the Road Naming of Sobos Road.

All voting aye, the Motion carried 6 to 0.

15. MINOR PLAT / MPL 22-46: Jack and Marie Ziemer. To combine two lots to create Lot 8A, Block 3 of Pactola Estates in accordance with the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lots 8 and 10, Block 3, Pactola Estates Subdivision, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 8A, Block 3 of Pactola Estates Subdivision, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

Molitor reviewed the Staff Report indicating the applicants have applied for a Minor Plat to combine two lots to create one lot.

Staff recommended approval of Minor Plat / MPL 22-46 with the following six (6) conditions:

1. That prior to filing the mylar with the Register of Deeds, the Certifications on the Minor Plat be in accordance with § 400.3.1(n) of the Pennington County Subdivision Regulations;
2. That prior to filing the mylar with the Register of Deeds, the designated platted turnarounds meet the Subdivision Regulation dimensions or the proper Subdivision Regulation Variance be obtained waiving the requirement;
3. That prior to filing the mylar with the Register of Deeds, the easement be vacated and the portion of easement be transferred to the existing owner or the original owner needs to sign the plat;
4. That following platting of the proposed lot, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;
5. That the applicant ensures all natural drainage ways are maintained and are not blocked; and,
6. 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.

Discussion followed.

Moved by Kuehn and seconded by Rossknect to approve of Minor Plat / MPL 22-46 with the following six (6) conditions:

- 1. That prior to filing the mylar with the Register of Deeds, the Certifications on the Minor Plat be in accordance with § 400.3.1(n) of the Pennington County Subdivision Regulations;**

2. That prior to filing the mylar with the Register of Deeds, the designated platted turnarounds meet the Subdivision Regulation dimensions or the proper Subdivision Regulation Variance be obtained waiving the requirement;
3. That prior to filing the mylar with the Register of Deeds, the easement be vacated and the portion of easement be transferred to the existing owner or the original owner needs to sign the plat;
4. That following platting of the proposed lot, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;
5. That the applicant ensures all natural drainage ways are maintained and are not blocked; and,
6. 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.

All voting aye, the Motion carried 6 to 0.

16. REZONE / RZ 22-26: Glenn and Michelle Bintliff; KTM Design Solutions - Agent. To rezone 15.2 acres from Agriculture District to Ranchette District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance.

Lot S and Lot C of the E1/2SW1/4NE1/4; Parcel 4 of SW1/4NE1/4 Less Lot 3R of Lot A of Feldman Subdivision, Section 2, T2S, R5E, BHM, Pennington County, South Dakota

Theunissen reviewed the Staff Report indicating the applicants have applied for a Rezone to rezone from Agriculture District to Ranchette District.

Staff recommended approval of Rezone / RZ 22-26.

Discussion followed.

Moved by Rossknecht and seconded by McGregor to approve of Rezone / RZ 22-26.

All voting aye, the Motion carried 6 to 0.

17. MINOR PLAT / MPL 22-49: Kasey and Amanda Kurtz. To subdivide and create Lots 1 and 2 of That Part of Coulson Placer MS #746 Lying South of The Reserve at Remington Ranch Less Right-of-Way in accordance with the Pennington County Subdivision Regulations.

EXISTING LEGAL: That Part of Coulson Placer MS #746 Lying South of The Reserve at Remington Ranch Less Right-of-Way of Coulson Placer MS #746, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1 and 2 of That Part of Coulson Placer MS #746 Lying South of The Reserve at Remington Ranch Less Right-of-Way, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicants have applied for a Minor Plat to subdivide and create two lots.

Staff recommended approval of Minor Plat / MPL 22-49 with the following five (5) conditions:

- 1 That prior to the filing the mylar with the Register of Deeds, the applicant addresses the Register of Deeds comments;
2. That prior to the filing the mylar with the Register of Deeds, 8-foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines;
3. That prior to filing the mylar with the Register of Deeds, the Certifications on the Minor Plat be in accordance with § 1701 of the Pennington County Subdivision Regulations;
4. That at the time of Minor Plat submittal, the Certifications on the Minor Plat be in accordance with § 303 of the Pennington County Subdivision Regulations; and,
5. That at the time of Minor Plat submittal, the plat meets the requirements of Section 303 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met.

Discussion followed.

Moved by Lewis and seconded by McGregor to approve of Minor Plat / MPL 22-49 with the following five (5) conditions:

- 1 That prior to the filing the mylar with the Register of Deeds, the applicant addresses the Register of Deeds comments;**
- 2. That prior to the filing the mylar with the Register of Deeds, 8-foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines;**
- 3. That prior to filing the mylar with the Register of Deeds, the Certifications on the Minor Plat be in accordance with § 1701 of the Pennington County Subdivision Regulations;**

4. **That at the time of Minor Plat submittal, the Certifications on the Minor Plat be in accordance with § 303 of the Pennington County Subdivision Regulations; and,**
5. **That at the time of Minor Plat submittal, the plat meets the requirements of Section 303 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met.**

All voting aye, the Motion carried 6 to 0.

18. MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 22-11: Kristin Bennett / Haven Homes, LLC. To amend an existing Planned Unit Development to allow a Vacation Home Rental on the subject property in accordance with Section 216 of the Pennington County Zoning Ordinance.

Lot 2, Merchen Addition No. 2, Section 21, T2N, R6E, BHM, Pennington County, South Dakota.

(Continued from the September 12, 2022, Planning Commission meeting.)

Sack stated this item was continued from the September 12, 2022, Planning Commission meeting.

Staff recommended to continue Minor Planned Unit Development Amendment / PU 22-11 to the October 24, 2022, Planning Commission meeting, but is now recommending to continue Minor Planned Unit Development Amendment / PU 22-11 to the November 14, 2022, Planning Commission meeting, per the request of the applicant.

Discussion followed.

Moved by Lewis and seconded by McGregor to continue Minor Planned Unit Development Amendment / PU 22-11 to the November 14, 2022, Planning Commission meeting, per the request of the applicant.

All voting aye, the Motion carried 6 to 0.

Moved by Lewis and seconded by Kuehn to wave rules to discuss directly related and similar Agenda Items #19 and #20 at the same time. All voting aye, the Motion carried 6 to 0.

19. COMPREHENSIVE PLAN AMENDMENT / CA 22-19: Free Range Rentals, LLC; Davis Engineering - Agent. To amend the Comprehensive Plan to change the Future Land Use from Ranchette District and Rural Residential District to Low Density Residential District in accordance with Sections 206, 207, 208, and 508 of the Pennington County Zoning Ordinance.

Tract A of Willison B White HES No. 2440 and That PT of the W1/2NE1/4 lying E of Tract A of Willison B White Homestead, HES #2440 and W of Gold Mountain Subdivision, Section 14, T1S, R4E, BHM, Pennington County, South Dakota.

(Continued from the September 26, 2022, Planning Commission meeting.)

Sack stated this item was continued from the September 26, 2022, Planning Commission meeting to address concerns of the Planning Commission.

Staff recommended approval of Comprehensive Plan Amendment / CA 22-19, but is now recommending to deny without prejudice.

Discussion followed.

Moved by Rossknecht and seconded by Kuehn to deny without prejudice Comprehensive Plan Amendment / CA 22-19.

All voting aye, the Motion carried 6 to 0.

20. REZONE / RZ 22-25: Free Range Rentals, LLC; Davis Engineering - Agent. To rezone 7.2 acres from Agriculture District to Low Density Residential District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance.

Tract A of Willison B White HES No. 2440 and That PT of the W1/2NE1/4 lying E of Tract A of Willison B White Homestead, HES #2440 and W of Gold Mountain Subdivision, Section 14, T1S, R4E, BHM, Pennington County, South Dakota.

(Continued from the September 26, 2022, Planning Commission meeting.)

Sack stated this item was continued from the September 26, 2022, Planning Commission meeting to address concerns of the Planning Commission.

Staff recommended approval of Rezone / RZ 22-25, but is now recommending to deny without prejudice.

Discussion followed.

Moved by Coleman and seconded by McGregor to deny without prejudice Rezone / RZ 22-25.

All voting aye, the Motion carried 6 to 0.

21. COUNTY BOARD REPORT
The Board of Commissioners concurred with the Planning Commission's recommendations from their September 26th meeting.

22. ITEMS FROM THE PUBLIC

No motions or actions were taken at this time.

23. ITEMS FROM THE STAFF

A. Building Permit Report. Molitor reviewed the September 2022 Building Permit Report.

24. ITEMS FROM THE MEMBERSHIP

Chairman Johnson spoke of the Vacation Home Rental Committee and Hard Rock Mining Ordinance.

25. ADJOURNMENT

Moved by McGregor and seconded by Rossknecht to adjourn.

All voting aye, the Motion carried 6 to 0.

The meeting adjourned at 10:20 a.m.

Charlie Johnson, Chairperson