

Planning Conditions of Approval

Commission Meeting Date: October 18, 2022

ITEMS FROM PLANNING & ZONING

BOARD OF ADJUSTMENT: (Requires a super majority vote (4 affirmative))

- a. VARIANCE / VA 22-20: Brent and Denise Tjeerdsma; Jared Ahlstrom - Agent. To reduce the setbacks to the property line in an Agriculture District in accordance with Sections 205 and 509 of the Pennington County Zoning Ordinance.

All Less Lot A and Less ROW, Little Tiger Lode No. 1 MS 1251, Section 13, T1S, R4E, BHM, Pennington County, South Dakota.

Staff recommended approval of Variance / VA 22-20 with the following two (2) conditions:

1. That at the time of Building Permit application, the applicant submits a survey stamped by a registered South Dakota surveyor which confirms the proposed structure will meet the reduced setbacks; and,
2. That at the time of Building Permit application, a fire-wise review be completed on the property.

MOVED by Rossknecht to deny VA 22-20. The motion died from the lack of a second.

MOVED by Hadcock and seconded by Lasseter to approve VA 22-20 with two (2) conditions. Vote: The motion failed 3-2 on a roll call vote: Hadcock – yes, Rossknecht – no, Drewes – no, LaCroix – yes, Lasseter – yes.

CONSENT AGENDA ITEMS:

MOVED by Lasseter and seconded by Hadcock to approve the Planning and Zoning consent agenda. Vote: Unanimous.

- b. 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 th 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.

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.

CONTESTED HEARING(S)

- f. VACATION OF EASEMENT / VE 22-02: Jack and Marie Ziemer. To vacate a 40-foot-wide access easement on the subject property in accordance with the Pennington County Zoning Ordinance.

Lot 10, Bock 3, Pactola Estates, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Lasseter to approve VE 22-02 with one (1) condition.
Vote: Unanimous.

1. That all necessary resolutions and exhibits vacating the easement be recorded by the applicant at the Register of Deed's Office prior to filing the mylar at Register of Deeds.