

Planning Conditions of Approval

Commission Meeting Date: December 6, 2022

ITEMS FROM PLANNING & ZONING

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

- a. VARIANCE / VA 22-23: Lesley Rutter. To allow more than 40 dwellings on a dead-end road system in accordance with Sections 204-F, 205, and 509 of the Pennington County Zoning Ordinance.

NE1/4SW1/4NW1/4; S1/2SE1/4NW1/4NW1/4; Section 32, T1S, R7E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Lasseter to approve the withdrawal of VA 22-23, with the applicant's concurrence. Vote: Unanimous.

- b. VARIANCE / VA 22-25: Argyle Properties, LLC; Anita Lee. To reduce the setback to the Section Line for an existing structure in accordance with Sections 204, 205 and 509 of the Pennington County Zoning Ordinance.

Lot 5, Baumgartner Subdivision, Section 25, T1S, R6E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by LaCroix to approve VA 22-25, with one (1) condition as there is a special condition that exists on the property that would create an unnecessary hardship.

1. That the applicant signs and Encroachment Agreement for the detached garage with Pennington County and records it at the Register of Deeds.

- c. SUBDIVISION REGULATIONS VARIANCE / SV 22-10: Joy Jojola and Traci Mescher. To waive the requirement to construct additional water storage for domestic use and fire protection on the subject property in accordance with Section 500.7 (Section 1300) of the Pennington County Subdivision Regulations.

Lot 3, Block 1, Mountain Meadows Subdivision; Section 17, T2S, R7E, BHM, Pennington County.

MOVED by Rossknecht and seconded by Hadcock to approve SV 22-10 with one (1) condition. Vote: Unanimous.

1. That Subdivision Regulations Variance / SV 22-10 only apply to Lot 3, Block 1 of Mountain Meadows Subdivision.

- d. SUBDIVISION REGULATIONS VARIANCE / SV 22-11: Brian Schroeder; Davis Engineering - Agent. To exceed more than 40 units on a dead-end road system in an Agriculture District in accordance with Sections 205 and 904 of the Pennington County Subdivision Regulations.

Lot 5 Revised Knotty Pine Subdivision; Section 33, T1S, R7E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by Lassetter to deny SV 22-11, as there are no special conditions on the property that would excuse literal enforcement of Pennington County Subdivision Regulation §904.

Substitute motion: MOVED by Hadcock and seconded by LaCroix to continue this item until the December 20, 2022, meeting. Vote: Unanimous.

CONTESTED HEARING(S)

- e. VACATION OF EASEMENT / VE 22-03: Bryon and Kristin Mobley. To vacate an Access and Utility Easement on the subject property in accordance with Sections 216 and 313 of the Pennington County Zoning Ordinance.

Lot 5, Block 4, Sheridan Lake Highlands, Section 2, T1S, R6E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Lassetter to approve VE 22-03 with one (1) condition. Vote: Unanimous with the following one (1) conditions be included:

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

- f. PUBLIC HEARING OF COMPREHENSIVE PLAN AMENDMENT / CA 22-22: Lesley Rutter. To amend the Comprehensive Plan to change the Future Land Use from Agriculture District to Ranchette District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance.

The South 330.23 feet of the NE1/4SW1/4NW1/4 and the North 30 feet of the SE1/4SW1/4NW1/4 of Section 32, T1S, R7E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by LaCroix to approve CA 22-22. Vote: Unanimous.

- g. PUBLIC HEARING OF REZONE / RZ 22-29: Lesley Rutter. To rezone 5.00 acres from Agriculture District to Ranchette District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance.

The South 330.23 feet of the NE1/4SW1/4NW1/4 and the North 30 feet of the SE1/4SW1/4NW1/4 of Section 32, T1S, R7E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Rossknecht to approve RZ 22-29. Vote: Unanimous.

- h. PUBLIC HEARING OF REZONE / RZ 22-30: Quintin Larson. To rezone 5.00 acres from Agriculture District to Ranchette District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance.

N1/2NE1/4NW1/4NW1/4, Section 32, T1S, R7E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Rossknecht to approve RZ 22-30. Vote: Unanimous

- j. PUBLIC HEARING OF COMPREHENSIVE PLAN AMENDMENT / CA 22-21: Argyle Properties, LLC; Anita Lee. To amend the Comprehensive Plan to change the Future Land Use from Ranchette District and Rural Residential District to Rural Residential District in accordance with Sections 206, 207, and 508 of the Pennington County Zoning Ordinance.

Lot 5, Baumgartner Subdivision, Section 25, T1S, R6E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Lasseter to continue this item until the December 20, 2022, meeting. Vote: Unanimous.

MOVED by LaCroix and seconded by Hadcock to reconsider item J. Vote: Unanimous.

MOVED by Hadcock and seconded by Lasseter to deny without prejudice CA 22-21. Vote: Unanimous.

- k. PUBLIC HEARING OF REZONE / RZ 22-28: Argyle Properties, LLC; Anita Lee. To rezone 13.55 acres from Agriculture District to Rural Residential District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance.

Lot 5, Baumgartner Subdivision, Section 25, T1S, R6E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Lasseter to deny without prejudice RZ 22-28. Vote: Unanimous.