

LAWRENCE COUNTY PLANNING & ZONING BOARD
MINUTES OF SEPTEMBER 6, 2018
REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman, Rick Tysdal on Thursday, September 6, 2018, at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present: Kelly Fuller, Rick Tysdal, Daryl Johnson, Scott Gullickson, Tom Brady, and Travis Schenk.

Absent: Julie Stone.

All motions passed by unanimous vote of all members present unless otherwise noted.

Moved-Seconded (Schenk-Brady) to approve minutes of the August 2, 2018, meeting. Motion Carried.

Moved-Seconded (Johnson-Brady) to approve the Agenda. Motion Carried.

Declaration of Conflicts of Interest: None.

RECOMMENDATION MEETING - VAR # 167 for Elizabeth Smith

Located on Lot 12, Section 4, T5N, R2E. Located in Spearfish Canyon. The applicant is requesting a variance to build a new residence on property in Spearfish Canyon. The request is a 10' variance to the 25' rear setback due to topographical reasons. The structure may only need a 5' variance but the owners are asking for 10' in case they need more once construction is underway.

Moved-Seconded (Brady-Gullickson) to recommend approval of VAR # 167 for 10' variance based on staff recommendation and the eight factors as provided by the applicants and that it be approved consistent with the drawing by Extreme Drafting and explanations. Motion Carried.

Public Hearing with BOA Scheduled- September 18, 2018, 9:00 AM

RECOMMENDATION MEETING - VAR # 168 for Jim & Bonnie Dittes

Tract DC-2 of PeeDee S/D in Section 19, T5N, R4E. Located in Boulder Canyon on Two Bit Road. The applicant is requesting a variance to build a new residence on property along Two Bit Road while still keeping the existing refurbished old cabin on the lot to be used as a Guest House. The Variance is to the 45' setback between structures, they are requesting the distance between structures to be 350'.

Moved-Seconded (Brady-Fuller) to recommend approval of VAR # 168 for the variance between the structure setback because the Ordinance is not being violated on this 42- acre tract and does not create density or setback problems. Motion Carried.

Public Hearing with BOA Scheduled- September 18, 2018, 9:15 AM

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PRELIMINARY & FINAL PLAT for Marion L. Kamstra Trust (Leigh Kamstra)

Tracts 3A-1, 3A-2 and 3A-3; formerly Tract 3A of Lot B of M.S. 1330; all located in the SE ¼ of Section 29, the NE ¼ of Section 32 and the NW ¼ of Section 33, T4N, R4E. Located off Nemo Rd. Creating 2 small lots for transfer purposes only with no building rights in order to sell to the adjacent neighbors and keeping the largest lot in the tract new lots in an approved subdivision.

Moved-Seconded (Schenk-Gullickson) motion to approve Exempt Plat. Motion Carried.

Moved-Seconded (Brady-Johnson) motion to approve Preliminary Plat. Motion Carried

Moved-Seconded (Brady-Schenk) motion to approve the final plat subject to; prior to conveyance of the two small lots, that a covenant to be placed on those lots by the owner, to the benefit of Lawrence County, stating that there be no building on the lots until they are replatted. At such time the covenant would then expire. The covenant must be approved by Bruce Outka, County Attn. and recorded with the Register of Deeds. Motion Carried.

FINAL PLAT for Two Bit LLC/HARP LLC

Lot 12A of Golden Hills, being a subdivision of Tract A, formerly Lot 12 and 13, all located in Section 25 & 36, T5N, R3E (legal shortened). Located off Two Bit Road. Combination of two lots into one lot.

Moved-Seconded (Brady-Schenk) motion to approve Final Plat. Motion Carried.

PRELIMINARY AND FINAL PLAT for James & Tina Startz

Lots 1 & 2 a subdivision of Clare No. 4 Lode, M.S. 1135 located in the SW ¼ of Section 16, T4N, R4E. Located off of Hwy 385 on Chinese Court. Subdivision of a parcel into a 2 acre and an 8-acre parcel.

Moved-Seconded (Brady-Fuller) motion to approve Preliminary Plat. Motion Carried

Moved-Seconded (Brady-Fuller) motion to approve Final Plat. Motion Carried.

PRELIMINARY AND FINAL PLAT for Pillar Peak LLC

Lots 19A of the Estates at Pillar Peak, formerly Lots 19 and 20 of the Estates at Pillar Peak, a subdivision of Tract 1 of the Estates at Pillar Peak located in the NE ¼ and the N ½ SE ¼ of Section 20, the W ½ NW ¼ and the NW ¼ SW ¼ of Section 21, all in T5N, R4E. Located off of Highway 85/Boulder Canyon. Combination of 2 lots into 1 lot.

Moved-Seconded (Brady-Schenk) motion to approve Preliminary Plat. Motion Carried

Moved-Seconded (Brady-Schenk) motion to approve the final plat. Motion Carried.

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PRELIMINARY AND FINAL PLATS for Karen Simmons (Parks) & Fred Parks

Lot L Revised and Lot M Revised of Eddy-Simons Subdivision. Formerly Lot L, Lot M of a portion of Lot 9B of Eddy-Simons Sub. All located in Section 23, T5N, R4E (legal shortened). Located off of Boulder Creek Road.

Moved-Seconded (Brady-Schenk) motion to approve Exempt Plat. Motion Carried.

Moved-Seconded (Brady-Schenk) motion to approve Preliminary Plat. Motion Carried

Moved-Seconded (Brady-Schenk) motion to approve Final Plat. Motion Carried.

Items from Planning & Zoning Board Members

Amber Vogt, Planning and Zoning Director, updated the Board on the road district that is being formed for the RedHill road area. Marty Combs has spearheaded the project with Coeur-Wharf Mining Co. and things are moving along but will not be completed by October 1st, 2018. Wharf has opened a financial account to start the process and will be keeping up maintenance through the winter this year. Vogt praised the efforts of Combs and his diligence in working on this project and suggested that he ask the County Commission for an extension on the deadline of October 1st. This item was added to the September 18th Commission meeting. Brady commended Wharf for being a great neighbor and asset to the community.

Vogt also gave an update on the ORD 18-04 that was passed by County Commission and goes into effect September 29, 2018.

A task list was presented by Vogt for the winter months. She suggested that they get input from local professionals that deal with the County Ordinances to help update them and then the P&Z Board would review them. Items on the list are Subd. fire plans, FEMA review, campground and signage issues, CUP's and Zoning, and ideas for the Comprehensive Plan for 2019.

Opportunity for Public Comment

None.

The meeting adjourned at 2:20 PM.

APPROVED: _____ Date: _____

Rick Tysdal, CHAIR

ATTEST: _____ Date: _____

Kelly Fuller, SECRETARY

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