

LAWRENCE COUNTY PLANNING & ZONING COMMISSION

MINUTES OF January 9, 2014

REGULAR MEETING

Chairman Rick Tysdal called the regular meeting of the Lawrence County Planning & Zoning Commission to order on Thursday, January 9, 2014 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD, Lawrence County.

Present: Rick Tysdal, Tom Brady, Craig Mickelson, Bob Ewing, Bill Coburn, Julie Stone, and Travis Schenk.

Absent: None

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

Moved-Seconded (Brady-Mickelson) to approve minutes of the meeting, December 5, 2013. Motion Carried.

Moved-Seconded (Brady-Coburn) to approve the agenda with the following changes: Consideration of plat exemption for the final plat for Dennis Folven, and Consideration of only the Preliminary plat for Earl Bohlen. Motion Carried.

Declaration of Conflicts of Interest: Stone: Preliminary Plat for Earl Bohlen.

ELECTION OF OFFICERS: Moved-Seconded (Schenk-Ewing) to nominate and cast a unanimous vote for: Chair: Rick Tysdal; Vice Chair: Bill Coburn; and Secretary: Craig Mickelson. Motion Carried.

PRELIMINARY PLAT for Black Hills Development LLC

Preliminary Plat for Powder House Pass Phase 1 (Lots 1-9, Blk 1; Lots 1 & 2, Blk 2; Lots 1-16, Blk 3; Lots 1-5, Blk 4; Lots 1 & 2, Blk 5 of Wilderness Estates 2nd Addition) Section 7, 8, 17, 18, 19, 20 T4N, R3E and Section 24, T4N, R2E. Located West of off Hwy 85 near Deer Mt. This Preliminary Plat was approved on August 4, 2011, and has expired. Vogt explained there were a couple corrections made that had been found on the prior preliminary, related the waterline easements and other easements being in the wrong location.

Moved-Seconded (Ewing-Mickelson) to re-approve the Preliminary Plat with noted changes to the easements. Motion Carried.

FINAL PLAT for Kapsa Custom Homes & Smokey Mt Ranch LLC

Plat of Lot 3A of Smokey Mt. Ranch Subdivision in Section 28 & 33, T6N, R4E. Located on Crook City Road near Whitewood. Combining old ROW into existing lot.

Moved-Seconded (Mickelson-Brady) to approve the Final Plat. Motion Carried.

PRELIMINARY & FINAL PLAT for Dennis Folven & Joni Haeusseler

Plat of Lot J-2A of Tract J of Nemo placer, M.S. 1368, Section 27, T3N, R5E. Located off Box Elder Forks Rd and Old Sawmill Rd near Nemo. Combination of 2 lots.

Moved-Seconded (Brady-Stone) to declare that this plat meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Brady-Mickelson) to approve the Preliminary Plat. Motion Carried.

Moved-Seconded (Ewing-Stone) to approve the Final Plat. Motion Carried.

FINAL PLAT for Pillar Peak, LLC

Final plat for Lot 13 and Open Space Lots 1 & 2 of The Estates at pillar Peak, Section 20 & 21, T5N, R4E. Located off Hwy 85 Boulder Canyon. Platting one Lot and the open space areas.

Moved-Seconded (Brady-Stone) to approve the Final Plat. Motion Carried.

PRELIMINARY PLAT for Earl D. Bohlen Etal C/O Richmond Hill/Barrick Gold

Julie Stone abstained from board discussion and vote, as she represents HMCO. She was available to answer questions regarding the Bohlen/Richmond Hill/Barrick Gold plat below.

Preliminary plat for Tract 1 and 2 of M.S. 1829 all located in Section 22, 23, 26, 27, T5N, R2E. Located off Richmond Hill Road. Creating two tracts by combining several lodes, will allow transfer of one tract to present mining property. Discussion pertained to access and to whether a fire plan would be required. The Board did not think a fire plan would be necessary.

Moved-Seconded (Brady-Coburn) to approve the Preliminary Plat. Motion Carried.

LAYOUT PLAN for A.M. & Dianna Johnson

Layout plan for Lots A1 & A2 Section 31, T6N, R3E. Located off Maitland Rd near Eagle Ridge Sub. Frank DiCesare, representing Arleth & Assoc. explained the owners wish to divide this 10 acres in order to sell the present residence. Access and the need for a fire plan was discussed. The owners own the surrounding property, and they are also considering a different plan which would involve moving a lot line between the two properties. The Board did state that a fire plan would be needed as currently presented. It was also suggested they look into the HOA and Road District ramifications of this lot split.

LAYOUT PLAN and DP 14-01 for G. Allan & Linda Williamson

The Layout plan for Tract A-2 & Tract A-3 of Reebe Ranch Estates, and Development plan for storage units located on proposed Tract A-3, in Section 28, T7N, R1E. Located off I-90 at Exit 2 on Red Hill Rd. West of Spearfish. Zoning is GC-General Commercial. Vogt explained the plan to build storage units on proposed Tract A-3, leaving proposed Tract A-2 as residential use. Access for the proposed new lot Tract A3 has been approved by the County Highway Superintendent, the existing access to the A-2 would remain the same. The Board had no issues with the Layout plan.

Moved-Seconded (Brady-Ewing) to recommend approval to the County Commission of the Development plan. Motion Carried.

Items from Planning & Zoning Board Members and staff: Amber reviewed projects to be considered for 2014.

Opportunity for Public Comment: None

Adjourn: Motion by Mickelson to adjourn at 2:15 p.m.

APPROVED: _____

Date:

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

LAWRENCE COUNTY PLANNING & ZONING COMMISSION

MINUTES OF February 6, 2014

REGULAR MEETING

Chairman Rick Tysdal called the regular meeting of the Lawrence County Planning & Zoning Commission to order on Thursday, February 6, 2014 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD, Lawrence County.

Present: Rick Tysdal, Craig Mickelson, Bill Coburn, Julie Stone, Travis Schenk, and Richard Sleep.

Absent: Tom Brady.

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

Moved-Seconded (Coburn-Stone) to approve minutes of the meeting, January 9, 2014. Motion Carried.

Moved-Seconded Stone-Mickelson) to approve the agenda. Motion Carried.

Declaration of Conflicts of Interest: None

PRELIMINARY & FINAL PLAT for G. Allan & Linda Williamson

PRELIMINARY & FINAL PLAT for Tract A-2 & Tract A-3 of Reebe Ranch Estates. Section 28, T7N, R1E. Located off I-90 at Exit 2 on Red Hill Rd. West of Spearfish. Vogt reminded the Board of last months discussion regarding this proposal. She had contacted Rob Mattox to ask if a fire plan would be needed. He saw no need for such a plan and the Board agreed.

Moved-Seconded (Stone-Mickelson) to approve the Preliminary Plat. Motion Carried.

Moved-Seconded (Mickelson-Coburn) to approve the Final Plat. Motion Carried.

INFORMATIONAL MEETING for COZ #305 Lyle Griess/Eugene Johnson

A COZ request from A-1 General Agriculture to GC-General Commercial, located off of Exit 2 on Red Hill Road, to create a 5 acre parcel of GC property. Lyle Griess explained their family plan to build a large shop to construct small mobile/portable homes. This being an informational session, no public input was allowed, however there was concern expressed by a majority of the Board members who did not favor approval of this application. No on-site inspection was scheduled, and a public hearing was scheduled for the next meeting on March 6th. The applicant has the option to pull his application before notification of the hearing and have the application fee returned.

RECOMMENDATION MEETING for VAR #139 Lee & Donna Schoenbeck

The Schoenbecks are requesting a 5' Variance to the 25' front setback (A 20 foot setback) to construct an attached garage on Lot 41, Blk 8 of Tract A of Lost Camp Valley Acreage in Section 2 & 11, T4N, R2E. (.37 acres). Located near Terry Peak. Leroy Stuen from Stuen Construction represented the Schoenbecks and explained the request.

Moved-Seconded (Mickelson-Schenk) to recommend denial as there is no special circumstances (hardship) on the property which would allow approval of this variance. Motion Carried.

DISCUSSION ITEMS

Discussion pertained to a new format and a few changes to the current Lawrence County Zoning Ordinance. Vogt explained her progress on reformatting and correcting typo's in the Zoning Ordinance. She referred to the plan of re-adopting the zoning ordinance every five years or so. She asked the Board to recommend any changes they may consider so all changes can be adopted at once. Access issues and Forest Service roads as access were discussed, however these items are addressed in the Sub-Division ordinance, not the Zoning ordinance.

Jayna Watson, Spearfish Planner, asked the Board to consider changes in the procedure for determining density for subdivision of lots. Present wording regarding minimum and average acreage for subdivision was discussed with Watson presenting an example of dwelling unites per gross acre. Vogt also stated she and Jayna also plan to work on revisions to the ETJ guidelines.

Items from Planning & Zoning Board Members and staff: None

Opportunity for Public Comment: None

Adjourn: Motion by Coburn to adjourn at 2:26 p.m.

APPROVED: _____

Date:

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

LAWRENCE COUNTY PLANNING & ZONING COMMISSION

MINUTES OF March 6, 2014

REGULAR MEETING

Chairman Rick Tysdal called the regular meeting of the Lawrence County Planning & Zoning Commission to order on Thursday, March 6, 2014 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD, Lawrence County.

Present: Rick Tysdal, Craig Mickelson, Julie Stone, Travis Schenk, Tom Brady.

Absent: Bill Coburn, Bob Ewing

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

Moved-Seconded (Brady-Mickelson) to approve minutes of the meeting, February 6, 2014.
Motion Carried.

Moved-Seconded (Mickelson-Schenk) to approve the agenda with the following change: The final plat mylar for Bohlen/Hoffman is not available so the Board will have only a paper copy of that plat to consider. Motion Carried.

Declaration of Conflicts of Interest: Julie Stone: Plats for Earl & Helen Bohlen and Sharlene Hoffman Living Trust.

FINAL PLAT for Frawley Ranches Inc

Final Plat of Lot 61 of Frawley Ranch East. Sections 7 & 18, T6N, R4E and Section 12, T6N, R4E. Located north of I-90 and NE of Whitewood. This plat is substantially the same as shown on the preliminary plat.

Moved-Seconded (Brady-Mickelson) to approve the Final Plat. Motion Carried.

FINAL PLAT for Two Bit LLC

Final Plat for Lot 23 of Golden Hills S/D, Sections 25 & 36, T5N, R3E, and Sections 30 & 31, T5N, R4E. Located off Two Bit Road/Noble Grand Loop in Boulder Canyon. This plat is substantially the same as shown on the preliminary plat. Vogt and the Board discussed access in this subdivision, both completed and planned.

Moved-Seconded (Brady-Stone) to approve this Final Plat with the stipulation that no future lots to the south of this lot will be considered for approval until Noble Grand Loop, shown on the preliminary plat, is completed. Motion Carried.

PRELIMINARY & FINAL PLAT for Earl & Helen Bohlen and Sharlene Hoffman Living Trust

Julie Stone represented this plat for Homestake Mining company and abstained from vote as a Board member.

Preliminary & Final plat for Tract 1 and 2 of M.S. 1829 all located in Section 22, 23, 26, 27, T5N, R2E. Located off Richmond Hill Road. Vogt explained the Final Plat mylar for Bohlen/Hoffman shown on the agenda as item D, has not been received from the owners so the applicant is asking for verbal approval with the stipulation that it would be signed by the Chairman and Secretary as soon as it

is available. She further stated a previous preliminary plat had been approved at a prior meeting. Some changes were found to be needed and have been made.

Moved-Seconded (Brady-Mickelson) to declare that this plat meets exemption criteria per Subdivision Ordinance, Chapter 4. Aye: 4, Abstain: Stone. Motion Carried.

Moved-Seconded (Mickelson-Brady) to approve the Preliminary Plat with the conditions that: 1. The owners sign and return the mylar prior to consideration by the County Commission, and 2. The document granting easement to Tract 2 be recorded with that document number entered on the final plat prior to it's recording. Aye: 4, Abstain: Stone. Motion Carried.

Moved-Seconded (Brady-Mickelson) to approve the Final Plat with the conditions that: 1. The owners sign and return the mylar prior to consideration by the County Commission, and 2. The document granting easement to Tract 2 be recorded with that document number entered on the final plat prior to it's recording. Aye: 4, Abstain: Stone. Motion Carried.

INFORMATIONAL MEETING for CUP #426 David Elsom

A CUP request to allow Dog Boarding and Daycare at property located along Tinton Road, at the current crematorium property: Vet Tract, Section 17, T6N, R2E. Vogt explained Elsom's request for a conditional use permit to allow dog boarding and dog daycare on the same acreage as the crematory. No on-site was needed and a public hearing is scheduled for the next meeting on April 3.

INFORMATIONAL MEETING for CUP #427 Blacktail Guest Ranch/Barbara Jean Atchison

A CUP to allow trailrides on private property owned by Jean Lee Bell, Tract B in Section 26, T3N, R3E, as well as surrounding USFA lands. Located along Hwy 385 on Rocky Johnson Road. Atchison explained her wish to acquire a conditional use permit for trailrides on the Bell property, while still maintaining her present CUP for her own property. No on-site inspection was needed and a public hearing is scheduled for the next meeting on April 3.

RECOMMENDATION MEETING for DV 14-02 Williamson/Griess

Development Plan for a manufacturing building for small homes located near Exit 2 on GC-General Commercial Property owned by Linda Williamson and will be sold to Lyle Griess. Mr Griess had applied for a change of zoning from A-1 to General Commercial, for property bordering the Williamson property which was discussed at the February 6th meeting. Since that time, Mr. Griess discussed with Linda Williamson, the possibility of purchasing a small acreage on their parcel to the north which is zoned General Commercial. While reviewing the request, the Board decided the use he is requesting would fall under the Conditional Use section of the General Commercial district and not the Allowed Use section. They agreed to consider this meeting as the "informational" meeting and scheduled a public hearing for a conditional use permit for the next meeting on April 3.

DISCUSSION ITEMS

Discussion of new format and a few changes to the current Lawrence County Zoning Ordinance 14-01 and Review Requirements of Applications and Considerations of the Board. Vogt explained that no language changes were included in this amendment, only formatting changes, cross references corrections and spelling corrections. A public hearing was scheduled for the next meeting on April 3.

Also discussed was the need to clarify what should or should not be considered when an application for a change of zoning is received. The Board asked Vogt to prepare a set of allowed considerations for approval or denial of requests.

Items from Planning & Zoning Board Members and staff: None

Opportunity for Public Comment: None

Adjourn: Motion by Brady to adjourn at 2:22 p.m.

APPROVED: _____

Date:

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

LAWRENCE COUNTY PLANNING & ZONING COMMISSION

MINUTES OF April 3, 2014

REGULAR MEETING

Chairman Rick Tysdal called the regular meeting of the Lawrence County Planning & Zoning Commission to order on Thursday, April 3, 2014 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD, Lawrence County.

Present: Rick Tysdal, Craig Mickelson, Julie Stone, Bill Coburn, Bob Ewing, Tom Brady.
Travis Schenk arrived at 1:36.

Absent: None

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

Moved-Seconded (Stone-Mickelson) to approve minutes of the meeting, March 6, 2014. 6 aye, Schenk absent during vote. Motion Carried.

Moved-Seconded (Brady-Mickelson) to approve the agenda. 6 aye, Schenk absent during vote. Motion Carried.

Declaration of Conflicts of Interest: None

FINAL PLAT for Powder House Pass

Final plat for Lot 1, Blk 5 of Wilderness Estates 2nd Addition located in Powder House Pass located along Hwy 85.

Moved-Seconded (Brady-Mickelson) to approve this Final Plat with the conditions and subject to approval, by the County Commission, of the Final Development Agreement and Bonding. 6 aye, Schenk absent during vote. Motion Carried.

FINAL PLAT for Powder House Pass

Final plat for Lot 14, Blk 3 of Wilderness Estates 2nd Addition located in Powder House Pass along Hwy 85.

Moved-Seconded (Brady-Stone) to approve this Final Plat with the conditions and subject to approval, by the County Commission, of the Final Development Agreement and Bonding. 6 aye, Schenk absent during vote. Motion Carried.

FINAL PLAT for Williamson & Griess

Final plat for Tracts A-4 and A-2R of Reebe Ranch Estates located in Section 28, T7N, R1E off of Exit 2 on Red Hill Road. This plat is requested to allow transfer of three acres of the General Commercial property to Lyle Griess for a conditional use permit request.

Moved-Seconded (Mickelson-Brady) to approve the Final Plat. Motion Carried. It was noted that access to this lot will be from the previously approved 40' access off Red Hill Road, and not from Reebe Ranch Street.

PUBLIC HEARING CUP #426 David Elsom

A CUP request to allow Dog Boarding and Daycare at property located along Tinton Road, at the current crematorium property NE 1/4 SE 1/4 SW 1/4 SE 1/4 Section 17, T6N, R2E. Vogt presented the staff report recommending approval of the request along with Dr. Elsom's proposal. There was no public input and the Public Hearing was closed.

Moved Seconded (Brady-Stone) to recommend approval of CUP 426, deleting conditions # 7 & #13, relating to the need for CPR trained personnel on site and a telephone being available for emergency use. Motion Carried.

PUBLIC HEARING for CUP #427 Blacktail Guest Ranch/Barbara Jean Atchison

A CUP to allow trailrides on private property owned by Jean Lee Bell, Tract B in Section 26, T3N, R3E, as well as surrounding USFS lands. Located along Hwy 385 on Rocky Johnson Road. Vogt explained that Atchison presently has an active CUP on her own property at a different location, for this same use. She wishes to get an additional CUP for the Bell property to be used at different times of the year. There was no public input and the Public Hearing was closed.

Moved-Seconded (Mickelson-Ewing) to recommend approval of CUP 427, deleting conditions #8 & #14 relating to water quality testing and a telephone being available for emergency use. Motion Carried.

PUBLIC HEARING for CUP #428 Linda Williamson/Lyle Griess

Request to operate a CUP for a manufacturing building for small park model homes located near Exit 2 on GC-General Commercial Property owned by Linda Williamson and will be sold to Lyle Griess. Vogt explained the request is to build a 70'x100' building where the Griess family will manufacture small "park homes". Access will be off the previously approved 40' access off Red Hill Road and not Reebe Ranch Street. There was no public input and the Public Hearing was closed.

Moved-Seconded (Coburn-Brady) to recommend approval of CUP 428, with changes in conditions #11 & #16 regarding access and the Development Plan. Motion Carried.

PUBLIC HEARING for ORD 14-01 Lawrence County Zoning Ordinance Update

Request of a re-adoption of the entire zoning book with minor changes to formatting, spelling and cross referencing--No Substantive Changes. There was no public input and the Public Hearing was closed.

Moved-Seconded (Ewing-Stone) to recommend approval of ORD 14-01. Motion Carried.

RECOMMENDATION MEETING for VAR #140 Jamie & Andy VanDeest

The VanDeests are requesting numerous setbacks from a 25' setback for the existing garage and residence on Lot 3, Estates at Pillar Peak in Section 20, T5N, R4E. (2.96 acres). Located off Boulder Canyon Highway. VanDeest admitted he had built a portion of the structure in the setback area because of problems with terrain. He had gotten a variance from the homeowners association, but failed to realize he needed approval from the County. Brady stated even though there appeared to be no harm caused by encroachment in relationship to adjoining lots, there was no basis for approval.

Moved-Seconded (Mickelson-Coburn) to recommend denial as there was no hardship basis to approve it and it was built knowingly in the setback. Motion Carried.

INFORMATIONAL MEETING for CUP #429 Custer Camp 1874 LLC/Margaret & Derito Bonicelli

A CUP to allow a pasta restaurant and bar named The Pasta Outpost along Vanocker Canyon Road. Mrs. Bonicelli explained her family's plan to create an outdoor pasta restaurant with preparation and some seating in a three sided building on their property. They plan to be open during the Sturgis Rally and possibly for special events such as weddings. The Board set no onsite inspection and a public hearing was set for May 1, 2014.

Items from Planning & Zoning Board Members and staff: None

Opportunity for Public Comment: None

Adjourn: Motion by Coburn to adjourn at 2:32 p.m.

APPROVED: _____

Date:

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

LAWRENCE COUNTY PLANNING & ZONING COMMISSION

MINUTES OF May 1, 2014

REGULAR MEETING

Chairman Rick Tysdal called the regular meeting of the Lawrence County Planning & Zoning Commission to order on Thursday, May 1, 2014 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD, Lawrence County.

Present: Rick Tysdal, Julie Stone, Bill Coburn and Tom Brady.

Absent: Craig Mickelson, Bob Ewing and Travis Schenk.

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

Moved-Seconded (Coburn-Brady) to approve minutes of the meeting, April 3, 2014. Motion Carried.

Moved-Seconded (Brady-Stone) to appoint Coburn as acting secretary. Motion Carried.

Moved-Seconded (Brady-Stone) to approve the agenda. Motion Carried.

Declaration of Conflicts of Interest: None

B. FINAL PLAT for HES 125 LLC

Final plat for Lot 17, Blk 4 of Ironwood Estates located along Rochford Road and near Lead County Club. Vogt stated there are no substantial changes from the preliminary plat.

Moved-Seconded (Brady-Stone) to approve this Final Plat. Motion Carried.

C. PUBLIC HEARING for CUP #429 Custer Camp 1874 LLC/Margaret & Derito Bonicelli

A Conditional Use Permit to allow a pasta restaurant and bar named The Pasta Outpost or Pasta Corral along Vanocker Canyon Road. Mrs. Bonicelli explained her family's plan to create an outdoor pasta restaurant with preparation and some seating in a three sided building on their property. They plan to be open during the Sturgis Rally and possibly for special events such as weddings. There was no public input and the Public Hearing was closed.

Moved-Seconded (Brady-Coburn) to recommend approval of CUP 429, with attached conditions and the Development Plan. Motion Carried. Public hearing will be held in front of the County Commissioners on May 27, 2014 at 9:00 a.m.

D. INFORMATIONAL MEETING for COZ #306 for McGuigan Inc

A Change of Zoning for possible creation of large lots off of Westview Drive. Change from A-1 to A-2. Randy Deibert was present to explain the request. Bruce Outka questioned the section line running into the Westview Subdivision and across this proposed property. The Board set no on-site inspection and a public hearing was set for June 5, 2014.

E. INFORMATIONAL MEETING for COZ #307 for Kenneth Diers

A Change of Zoning from Suburban Residential to General Commercial for commercial use located in Nemo, SD. The Board set no on-site inspection and a public hearing was set for June 5, 2014.

F. DISCUSSION ITEM

Vogt discussed Phase 2 of the Pillar Peak Subdivision. In 2005 the entire preliminary plat was approved for a total of 64 lots, Phase 1 consisted of 20 lots, and Phase 2 was for 14 lots, but the proposal will delete 1 lot due to the reconfiguration of the roads. Vogt questioned road profiles on the 2nd phase of the project, as she could not find any in the folder. The plan met all the requirements of the Ordinance in place at the time.

Items from Planning & Zoning Board Members and staff: None

Opportunity for Public Comment: None

Adjourn: Motion by (Stone-Coburn) to adjourn at 2:06 p.m.

APPROVED: _____

Date: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

LAWRENCE COUNTY PLANNING & ZONING COMMISSION

MINUTES OF JUNE 5, 2014

REGULAR MEETING

Chairman Rick Tysdal called the regular meeting of the Lawrence County Planning & Zoning Commission to order on Thursday, June 5, 2014 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD, Lawrence County.

Present: Rick Tysdal, Julie Stone, Bill Coburn, Bob Ewing and Travis Schenk. Tom Brady arrived at 2:00 pm

Absent: Craig Mickelson.

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

Moved-Seconded (Stone-Ewing) to approve minutes of the meeting, May 1, 2014. Aye 5, Absent during vote, Brady. Motion Carried.

Moved-Seconded (Ewing-Stone) to appoint Schenk as acting secretary. Aye 5, Absent during vote, Brady. Motion Carried.

Moved-Seconded (Ewing-Stone) to approve the agenda with the deletion of the recommendation meeting for a variance. Aye 5, Absent during vote, Brady. Motion Carried.

Declaration of Conflicts of Interest: Tysdal on Gilded Mt final plat.

FINAL PLAT for Frawley Ranch East/Daryll Propp

Final plat for Lot 42 and Lot L of Frawley Ranch East located off Hwy 34 and I-90 and northwest of Whitewood. There was no significant change from the preliminary.

Moved-Seconded (Ewing-Stone) to approve the Final Plat. Aye 5, Absent during vote, Brady. Motion Carried.

FINAL PLAT for Smokey Mt Ranch Estates/Gregg Wolff

Final plat for Lot 10, 13 & 14 of Smokey Mountain Ranch located along Crook City Road. Vogt stated these three lots are the last to be final platted in this subdivision.

Moved-Seconded (Stone-Ewing) to approve the Final Plat. Aye 5, Absent during vote, Brady. Motion Carried.

PRELIMINARY & FINAL PLAT for Jeff Hale

Preliminary and Final Plat for Lot 6A & 9A-1 for a change in lot line in Eddy-Simons Subdivision in Boulder Canyon. Vogt explained this is a lot line adjustment to allow correct setback for the present residence.

Moved-Seconded (Stone-Ewing) to declare that this plat meets exemption criteria per Subdivision Ordinance, Chapter 4. Aye 4, Nay Coburn, Absent during vote, Brady. Motion Carried.

Moved-Seconded (Ewing-Schenk) to approve the Preliminary Plat. Aye 4, Nay Coburn, Absent during vote, Brady. Motion Carried.

Moved-Seconded (Ewing Stone) to approve the Final Plat. Aye 4, Nay Coburn, Absent during vote, Brady. Motion Carried.

FINAL PLAT for Marilyn Schwaner Bessken

Final Plat for Lot 1-A, Blk 6 of Galena Town Lots, combining 3 lots into 1. Vogt explained the owner has sold all the lots she owned except these three. She is retaining the three and will be moving a small historic building from the lots she sold, to this acreage. The Town lots are small, and Bessken wishes to re-plat into one lot.

Moved-Seconded (Stone-Ewing) to declare that this plat meets exemption criteria per Subdivision Ordinance, Chapter 4. Aye 5, Absent during vote, Brady. Motion Carried.

Moved-Seconded (Stone-Ewing) to approve the Final Plat. Aye 5, Absent during vote, Brady. Motion Carried.

PRELIMINARY & FINAL PLAT for Carlisle/Miller

Preliminary and Final plat for Tract 1-4, a replat of remainders and defining the HSC vs. SRD zoning districts along Boulder Canyon Road off of Mattson Lane. Vogt explained the location and accesses of this property.

Moved-Seconded (Stone-Ewing) to declare that this plat meets exemption criteria per Subdivision Ordinance, Chapter 4. Aye 4, Nay Coburn, Absent during vote, Brady. Motion Carried.

Moved-Seconded (Stone-Ewing) to approve the Preliminary plat. Aye 4, Nay Coburn, Absent during vote, Brady. Motion Carried.

Moved-Seconded (Ewing-Stone) to approve the Final plat. Aye 4, Nay Coburn, Absent during vote, Brady. Motion Carried.

FINAL PLAT for Two Bit Ranch Estates LLC/Steve Risdal

Final plat for Lot 25 of Two Bit Ranch Estates off of Two Bit Road. There was no significant change from the preliminary.

Moved-Seconded (Coburn-Schenk) to approve the Final Plat. Aye 5, Absent during vote, Brady. Motion Carried.

FINAL PLAT for Two Bit Ranch Estates LLC/Steve Risdal

Final plat for Lot 4 & 5 of Two Bit Ranch Estates off of Two Bit Road. There was no significant change from the preliminary.

Moved-Seconded (Coburn-/Stone) to approve the Final Plat. Aye 5, Absent during vote, Brady. Motion Carried.

FINAL PLAT for Gilded Mt. Subdivision

Tysdal abstained from discussion and vote.

Final plat for Lot 25 of Gilded Mt Sub off of Hwy 85. There was no significant change from the preliminary.

Moved-Seconded (Stone-Ewing) to approve the Final Plat. Aye 4, Absent during vote, Brady, Abstain, Tysdal. Motion Carried.

PUBLIC HEARING for COZ #306 for McGuigan Inc

A Change of Zoning for possible creation of large lots off of Westview Drive. Change from A-1 General Ag to A-2 Residential Ag. Vogt reviewed her staff report citing The Comprehensive Plan and Old Belle

study, both identifying this area as a Spearfish growth area, with large lots. Access options were discussed. There was no public input and the public hearing was closed.

Moved-Seconded (Brady-Ewing) to recommend approval of this change of zoning based on its location and compliance with the Lawrence County Comprehensive Plan and Old Belle Road 2010 corridor study. Motion Carried.

PUBLIC HEARING for COZ #307 for Kenneth Diers

A Change of Zoning from SRD (Suburban Residential) to GC (General Commercial) for vendors, restaurant & bar located in Nemo, SD. Vogt explained the location of the property and the surrounding zoning of General Commercial, Highway Service Commercial, and Suburban Residential. Kenneth Diers explained their planned use of the property. Larry Kaiser presented a petition in opposition to the zoning request. Also speaking against the change were Jim Newton, Jan Kaberna, and Dominic Wolf. Some concerns stated were safety issues, increased road traffic, and business competition. Speaking in favor were Traci Rambo and Bruce Keller. The public hearing was closed. Board discussion pertained to whether General Commercial zoning was appropriate for this area. Vogt stated the only General Commercial zoned property was in St Onge and Nemo.

Moved-Seconded (Brady-Coburn) to recommend approval of this change of zoning based on its location and compliance with the Lawrence County Comprehensive Plan. Motion Carried.

INFORMATIONAL MEETING for COZ #308 for Guy Ferris

A Change of Zoning for possible creation of 5 lots off of Westview Drive. Change from A-1 (General Ag) to RR (Rural Residential). ACTION REQUIRED: Set Onsite/Set Public Hearing/Discussion. The Board set no on-site inspection and a public hearing will be held July 3rd.

DISCUSSION ITEM for Frawley Ranch East Open Space

Vogt explained the original PUD plan for the Frawley Ranch development, being a specified number of clustered lots allowing the rest of the acreage to be open space, complying with density allowed in A-1 zoning. Since that time, the City of Spearfish has annexed some of this land. The County regulations no longer apply with annexation, and additional lots have been developed in the area of the Golf Course.

Items from Planning & Zoning Board Members: None

Opportunity for Public Comment: None

Adjourn: Coburn moved to adjourn at 3:15 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING COMMISSION

MINUTES OF JULY 3, 2014

REGULAR MEETING

Chairman Rick Tysdal called the regular meeting of the Lawrence County Planning & Zoning Commission to order on Thursday, July 3, 2014 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD, Lawrence County.

Present: Rick Tysdal, Julie Stone, Bill Coburn, Craig Mickelson.

Absent: Tom Brady, Travis Schenk, Bob Ewing

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

Moved-Seconded (Mickelson- Stone) to approve minutes of the meeting, June 5, 2014. Motion Carried.

Moved-Seconded (Stone, Mickelson) to approve the agenda. Motion Carried.

Declaration of Conflicts of Interest: None

B. FINAL PLAT for Bob & Kathy Petik

Final Plat for Parcel C of Crook Meadows Addition, located off Crook City Road combining 3 lots into 1. There are no structures on this property so no preliminary plat was needed. The owner wishes to combine the three lots into one to for building and setback purposes.

Moved-Seconded (Mickelson-Stone) to declare that this plat meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Mickelson-Stone) to approve the Final Plat. Motion Carried.

C. FINAL PLAT for NH Industrial Park LLC

Final plat for Lot 4 of Northern Hills Industrial Park off of Hwy 34 near Whitewood. This lot is substantially the same as shown on the preliminary plat.

Moved-Seconded (Stone-Mickelson) to approve the Final Plat. Motion Carried.

D. FINAL PLAT for Two Bit Partners LLC

Final plat for Lots 8 & 10 of Golden Hills Sub located along Two Bit Road. This lot is substantially the same as shown on the preliminary plat.

Moved-Seconded (Mickelson-Stone) to approve the Final Plat. Motion Carried.

E. LAYOUT PLAN for Randall & Lynn Clark

Layout Plan for possible subdivision of lots or rearranging of lot lines. Discussion pertained to Fire Plan requirements, and if this plat could be considered an exempt plat. One lot of record is only 1.06 acres, with a metes and bounds description. They would plat this to do away with the metes and bounds description. Even though this platting of the entire acreage could be considered exempt from fireplan regulations, the Board agreed that there was need for fire mitigation on a some of the property. Further discussion pertained to being consistent with requirements. The Board agreed that they could not support a plat as proposed being exempt.

F. PUBLIC HEARING for COZ #308 for Guy Ferris

A Change of Zoning for possible creation of 5 lots off of Westview Drive. Change from A-1 General Ag to RR Rural Residential. Vogt explained that if approved, the platting would be through the City of Spearfish. She presented the Staff Report including input by the City of Spearfish. This property is adjacent to the McGuigan property which is also in the process of rezoning. Ferris introduced himself. Mike McGuigan voiced approval of this zoning change and stated the property isn't really good for anything else. There was no other public input and the Public Hearing was closed.

Moved-Seconded (Coburn-Stone) to recommend, to the County Commission, approval of COZ #308. Motion Carried.

Items from Planning & Zoning Board Members: Vogt asked for discussion regarding possible changes to fire plan regulations. She explained a recent incident having to do with property purchased by Greg Kennedy from Jo Dickert, whose final plat was approved, in 2011, with the condition a fire plan was prepared, but not completed. Kennedy inquired into the requirements to build a garage on the 18+- acre tract. When it was discovered a fire plan had never been completed, Rob Mattox made a site visit and determined Kennedy's proposed site would not be threatened by hazardous fuels. He noted location, and building materials, and stated that there would be fuels work required before future structures could be constructed depending on the location. Vogt explained this is only one example of inconsistencies to the ordinance. The Board decided to set aside time on the August 14th meeting to work on this part of the ordinance.

Opportunity for Public Comment: None

Adjourn: Mickelson moved to adjourn at 2:37 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING COMMISSION

MINUTES OF AUGUST 14, 2014

REGULAR MEETING

Vice Chairman Bill Coburn called the regular meeting of the Lawrence County Planning & Zoning Commission to order on Thursday, August 14, 2014 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD, Lawrence County.

Present: Julie Stone, Bill Coburn, Craig Mickelson, Travis Schenk

Absent: Tom Brady, Bob Ewing, Rick Tysdal

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

Moved-Seconded (Mickelson- Stone) to approve minutes of the meeting, July 3, 2014. Motion Carried.

Moved-Seconded (Schenk-Stone) to approve the agenda. Motion Carried.

Declaration of Conflicts of Interest: Julie Stone-Plats for Shirley Brend and Homestake Mining Co.

B. FINAL PLAT for Powder House Pass

Final Plat for Lot 5 Blk 4 of Wilderness Estates 2nd Addition (Powder House Pass)

Vogt explained the roads are complete as this portion of the property was in the original Wilderness Estates subdivision. She also stated that building permits have been issued for water and sewer treatment buildings. The County Commission required a bond for infrastructure. She asked that a condition of approval be: purchase agreements between seller and buyer include information that no building permits will be issued until water and sewer are operational. The Board did not think a condition was needed for plat approval.

Moved-Seconded (Stone-Mickelson) to approve the final plat. Motion Carried.

C. PRELIMINARY AND FINAL PLAT for Rob Mattox

Lots M1-A and M2-A formerly M1 & M2 of MS 1135, Claire #1 & #2. This property is off Elk Creek Road on Coyote Ridge Road. This plat moves the lot line between the two lots to meet setback of fall zone for the wind turbine currently on the property.

Moved-Seconded (Mickelson-Stone) to declare that this plat meets exemption criteria per the Subdivision Ordinance, chapter 4. Motion Carried.

Moved-Seconded (Stone-Schenk) to approve the Preliminary Plat. Motion Carried.

Moved-Seconded (Stone-Mickelson) to approve the Final Plat. Motion Carried.

D. PRELIMINARY AND FINAL PLAT for Randall Clark

Lots 1 & 2 of Clark Subdivision. The property is along Hanna Road. The plat is a lot line change. The design of the lots was explained to allow present structures on one lot, and include access while preserving current landscaping. Clark described the ongoing tree thinning.

Moved-Seconded (Stone-Mickelson) to declare that this plat meets exemption criteria per the Subdivision Ordinance, chapter 4. Motion Carried.

Moved-Seconded (Stone-Mickelson) to approve the Preliminary Plat. Motion Carried.

Moved-Seconded (Stone-Schenk) to approve the Final Plat. Motion Carried.

E. FINAL PLAT for Don Hander/Two Bit LLC

Lot 53 of Golden Hills Subdivision. This subdivision is off of Two Bit Road in Boulder Canyon. This lot substantially matches the preliminary plat.

Moved-Seconded (Schenk-Stone) to approve the Final Plat. Motion Carried.

F. PRELIMINARY & FINAL PLAT for Bill Pearson/Pillar Peak LLC

Preliminary Plat for Phase 2 of Estates at Pillar Peak, property is in Boulder Canyon, South of Hwy 14A. Vogt explained the need for a new preliminary plat. This phase had several substantial changes from the original preliminary plat. There is a change of location and grade of the road. An “as built” road profile will be submitted by Brad Ellis.

Moved-Seconded (Stone Mickelson) to approve the Preliminary Plat for Phase Two of the Estates at Pillar Peak. Motion Carried.

Final Plat for Lot 27 of The estates at Pillar Peak. The property is in Boulder Canyon, South of Hwy 14A on Big Piney Road.

Moved-Seconded (Mickelson-Stone) to approve the final plat with the condition that an “as built” roads profile be received within a week. Motion Carried.

G. PRELIMINARY AND FINAL PLAT for Charles Brown

Tract B1 & C. The acreage is off Crook City Road on Timber Ridge Lane. This plat moves an adjoining lot line.

Moved-Seconded (Stone-Mickelson) to declare that this plat meets exemption criteria per the Subdivision Ordinance, chapter 4. Motion Carried.

Moved-Seconded (Mickelson-Stone) to approve the Preliminary Plat. Motion Carried.

Moved-Seconded (Stone-Mickelson) to approve the Final Plat. Motion Carried.

Stone abstained from both discussion and vote on the following:

H. PRELIMINARY AND FINAL PLAT for Shirley Brend and Homestake Mining Co.

Lots 133A and HMC Lot 2A. The plat cuts a small portion from HMC lot 2 to add to the Brend property. This plat moves an adjoining lot line.

Moved-Seconded (Schenk-Mickelson) to declare that this plat meets exemption criteria per the Subdivision Ordinance, chapter 4. Aye 3, Abstain Stone. Motion Carried.

Moved-Seconded (Mickelson-Schenk) to approve the Preliminary Plat. Aye 3, Abstain Stone. Motion Carried.

Moved-Seconded (Mickelson-Schenk) to approve the Final Plat. Aye 3, Abstain Stone. Motion Carried.

I. FINAL PLAT for Steve Nothdurft

Tracts 2, 3, 4 & 5 of St. John Lodes etc, Section 1, T3N, R3E. Located off of Custer Peak Road. This is a plat that expired and they have finished the fire plan and would like re-approval so they can record the plat. There are no changes from the originally approved plat.

Moved-Seconded (Stone-Schenk) to approve the Final Plat. Motion Carried.

J. Recommendation Meeting for VAR #141 for Marv Waitman

A variance is requested for a zero setback from the road Right-of-Way for a detached garage on MS 1333 Lot 4 of Creek Run S/D, in Sec 18, T5N, R3E.

Vogt reviewed her staff report and recommendation of denial as there are alternative sights for the proposed building.

Moved-Seconded (Schenk Mickelson) to recommend denial of Variance request #141 as it does not meet requirements for granting a variance. Aye 2, Nay 2. The request will go to County Commission with “No Recommendation” as the vote was a tie. It was noted there were three members of this Board not in attendance.

K. Items from Planning & Zoning Board Members

Discussion on Fire Plans.

The need to update some wording and requirements of the Fire Plan portion of the Subdivision Ordinance was discussed. Coburn suggested a sub-committee be appointed, with the approval of the County Commission, to work through the process. Vogt also asked that consideration be given to changes in the section regarding secondary (emergency) access requirements for new subdivisions.

Opportunity for Public Comment: None

Adjourn: Stone moved to adjourn at 3:25 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING COMMISSION

MINUTES OF SEPTEMBER 4, 2014

REGULAR MEETING

Chairman Rick Tysdal called the regular meeting of the Lawrence County Planning & Zoning Commission to order on Thursday, September 4, 2014 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD, Lawrence County.

Present: Rick Tysdal, Julie Stone, Bill Coburn, Craig Mickelson, Tom Brady. Travis Schenk arrived at 1:36

Absent: Bob Ewing

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

Moved-Seconded (Coburn-Stone) to approve minutes of the meeting, August 14, 2014. Aye 5. Absent Schenk. Motion Carried.

Moved-Seconded (Mickelson-Stone) to approve the agenda. Aye 5. Absent Schenk. Motion Carried.

Declaration of Conflicts of Interest: None

B. FINAL PLAT for John Mattson/Mattson Inc

Final Plat for Lot 4 of Brighter Day Sub located off of Two Bit Road in Boulder Canyon.

Moved-Seconded (Brady-Stone) to approve the Final Plat. Aye 5. Absent Schenk. Motion Carried.

C. PRELIMINARY AND FINAL PLAT for Mike Albee

Plats for Lot 13-B of Two Bit Springs Sub located off of Two Bit Road in Boulder Canyon. This plat combines two lots into one.

Moved-Seconded (Brady-Stone) to declare that this plat meets exemption criteria per Subdivision Ordinance, Chapter 4, and approve the Preliminary Plat. Aye 5. Absent Schenk. Motion Carried.

Moved-Seconded (Brady-Stone) to approve the Final Plat. Aye 5. Absent Schenk. Motion Carried.

D. RECOMMENDATION MEETING for VAR #143 Rob & Lorelle Fenton

A variance is requested for a 9' variance to the 25' front setback from the road Right-of-Way for bay window addition on Lot 2, Blk 4 of Lost Camp Valley, located on Terry Peak. Vogt explained the residence, built years ago, does not presently meet front setback. She concluded there were no special circumstances, as described in the Ordinance, that would allow for this variance.

Moved-Seconded (Brady-Coburn) to recommend denial of this Variance request. Motion Carried.

K. Items from Planning & Zoning Board Members

Discussion on Fire Plans. Vogt reported the County Commission approved forming a committee to review fire mitigation plan requirements. Commissioners Bob Ewing and Daryl Johnson were appointed to serve on this committee. Bill Coburn and Travis Schenk will serve from the P&Z Board.

Also discussed was the concern regarding the closure of Forest Service roads that have been used or designated as emergency routes for subdivisions. FRTA easements were discussed.

Opportunity for Public Comment: None

The meeting was adjourned at 2:05 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING COMMISSION

MINUTES OF OCTOBER 9, 2014

REGULAR MEETING

Chairman Rick Tysdal called the regular meeting of the Lawrence County Planning & Zoning Commission to order on Thursday, October 9, 2014 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD, Lawrence County.

Present: Rick Tysdal, Craig Mickelson, Tom Brady, Bob Ewing, Travis Schenk.

Absent: Julie Stone, Bill Coburn.

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

Moved-Seconded (Brady-Schenk) to approve minutes of the meeting, September 4. Motion Carried.

Moved-Seconded (Mickelson-Ewing) to approve the revised agenda, with plats shown as B. for Carl Crowley and Cammi Jo Geffre, and C. for Maitland Partners, being pulled until next month's meeting. Motion Carried.

Declaration of Conflicts of Interest: None

D. PRELIMINARY & FINAL PLAT for Aberle/Chandler Dev.

Preliminary Plat for Sugarloaf Village and a Final Plat for Lots 29A and 30A of Sugarloaf Village located off of Hwy 14. The prior preliminary plats approved in 2009 had been prepared by an engineer, with the final plats now being prepared by a Surveying company, and some corrections were needed.

Moved-Seconded (Brady-Mickelson) to approve the Preliminary Plat. Motion Carried.

Moved-Seconded (Brady-Ewing) to approve the Final Plat. Motion Carried.

E. FINAL PLAT for Daryl Propp

Final Plat for Lot 45A & 46 of Frawley Ranch East located off of Ridgefield Loop. This plat revises the existing lot lines and plats a new lot.

Moved-Seconded (Mickelson-Brady) to approve the Final Plat. Motion Carried.

F. RECOMMENDATION MEETING for TUP 14-04 Flandreau Santee Sioux Tribe

A request to allow a Native American Bearing Witness Retreat on property described as HES 44 in Section 13, T3N, R1E located along Hwy 85. Vogt explained the request for the Temporary Use Permit and the fact that she was not comfortable issuing it without input from this Board and the County Commission.

Moved-Seconded (Brady-Mickelson) to recommend approval of this permit with the appropriate conditions, restrictions and limitations. Motion Carried.

G. INFORMATIONAL MEETING for ORD 14-02 IRC Snow Load Table & Requirements

A request to add specific elevations to the existing snow load requirements.

A public hearing will be held at the next meeting on November 6, 2014.

H. INFORMATIONAL MEETING for ORD 14-03 Addition of Cemeteries to A-1 General Agriculture District

A request to add cemeteries as an allowed use in the A-1 General Agriculture District.

Moved-Seconded (Brady-Ewing) to allow this action to be an administrative change. Motion Carried.

A public hearing will be held at the next meeting on November 6, 2014.

I. Items from Planning & Zoning Board Members

Forest Service road closures were discussed and the Board asked that the Highway Superintendent be at the next meeting to explain his views on FRTA easements.

Vogt asked for input regarding Setback requirements for building permits and the possibility of requiring site plan surveys prior to permit issuance.

J. Opportunity for Public Comment: None

The meeting was adjourned at 2:25 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING COMMISSION

MINUTES OF November 6, 2014

REGULAR MEETING

Chairman Rick Tysdal called the regular meeting of the Lawrence County Planning & Zoning Commission to order on Thursday, November 6, 2014 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD, Lawrence County.

Present: Rick Tysdal, Travis Schenk, Julie Stone, Bill Coburn, and Daryl Johnson (representing the County Commission.)

Absent: Craig Mickelson, Tom Brady.

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

Moved-Seconded (Schenk-Stone) to approve minutes of the meeting, October 9. Motion Carried.

Moved-Seconded (Johnson-Stone) to approve the revised agenda, with plats shown as B. for Carl Crowley and Cammi Jo Geffre, being pulled until next month's meeting. Motion Carried.

Declaration of Conflicts of Interest: Tysdal for item G being COZ #309 for Jessica Meza. With the Boards approval, he will continue to conduct the meeting, but refrain from discussion and vote.

C. FINAL PLAT for Maitland Partners

Final Plat for Lot 57R of Paradise Acres II located off of Maitland Road. This plat revises the existing lot.

Moved-Seconded (Schenk-Coburn) to approve the Final Plat. Motion Carried.

D. LAYOUT PLAT for Aspens at Allikat Corner LLC/Allison Hall

Layout Plat for lots 1-4 of Diamond Estates, Section 13 & 14, T3N, R4E. Located off Benchmark Rd off of Nemo Rd. Randy Deibert represented the owner and explained the plan to plat two lodes totalling approximately 40 acres, into four lots. She has contracted to have a fire mitigation plan prepared for her entire acreage of 56 acres +/- . She has also improved the road. The Board had no objection to the plan.

E. PUBLIC HEARING for ORD 14-02 IRC Snow Load Table & Requirements

A hearing was held on a request to add specific elevations to the existing snow load requirements. There was no public input and the hearing was closed.

Moved-Seconded (Stone-Schenk) to recommend approval of this ordinance amendment. Motion Carried.

F. PUBLIC HEARING for ORD 14-03 Addition of Cemeteries to A-1 General Agriculture District

A hearing was held on a request to add cemeteries as an allowed use in the A-1 General Agriculture District. Randy Deibert suggested the wording simply state Cemeteries and not designate what type of cemetery. The Board agreed to this wording. The hearing was closed.

Moved-Seconded (Coburn-Stone) to recommend approval of this ordinance amendment. Motion Carried..

Tysdal refrained from discussion and vote but was approved to continue conducting the meeting for the following.

G. INFORMATIONAL MEETING for COZ # 309 Jessica Meza

A request to change the zoning from A-1 to SRD. Parcel 2 Revised, a replat of Parcel 1 and Parcel 2, A Subdivision of the N1/2SE1/4 of Section 32, T7N, R2E. Located off of Old Belle Road and Westview Road. Approx. 10.70 acres. Randy Deibert reviewed the proposal. A replat of this property was approved by the City of Spearfish as it is in the City platting jurisdiction. A hearing will be held at the next meeting on December 4, 2014.

H. Items from Planning & Zoning Board Members

Vogt reviewed the progress from the meetings of the Fire Mitigation Committee.

Alan Bonnema, Highway Superintendent, discussed his views regarding FRTA easements. The Board is concerned with previously approved subdivisions that planned Forest Service roads for emergency access.

I. Opportunity for Public Comment: None

The meeting was adjourned at 2:35 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING COMMISSION
MINUTES OF December 4, 2014

REGULAR MEETING

Chairman Rick Tysdal called the regular meeting of the Lawrence County Planning & Zoning Commission to order on Thursday, December 4, 2014 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD, Lawrence County.

Present: Rick Tysdal, Travis Schenk, Julie Stone, Craig Mickelson, Bill Coburn, Tom Brady, Richard Sleep

Absent: None

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

Moved-Seconded (Coburn-Mickelson) to approve minutes of the meeting, November 6. Motion Carried.

Moved-Seconded (Mickelson-Schenk) to approve the agenda. Motion Carried.

Declaration of Conflicts of Interest: Tysdal for item I being COZ #309 for Jessica Meza. With the Boards approval, he will continue to conduct the meeting, but refrain from discussion and vote. Brady for item E, the Plat for Marc Gorans/O'Neill Cottage LLC.

B. Forest Service Roads Discussion

Discussion on Forest Service Roads with Dave Plummer, USFS, North Zone Engineer. The Board had asked for information regarding the status of forest service road closures and the concern that some FS roads have been designated by developers as emergency egress for some subdivisions. Plummer explained the duties of the Forest Service and requirements they must follow. He explained the history and regulations of roads on Federally owned land. He explained the Forest Roads Trail Act (FRTA) and how FRTA easements can be granted.

C. PRELIMINARY & FINAL PLAT for Carl Crowley & Cammi Jo Geffre

Preliminary & Final Plats for Tracts C1 & C2 located on St. Onge Road near St. Onge. To move lot lines on larger tracts due to floodplain and location of existing homes. Vogt explained this plat is dividing an approximate 80+- acre A-1 parcel horizontally, still leaving two 40 +- acre tracts. This action brings the two present residences into compliance as each will be on separate 40 +- acre parcels of land.

Moved-Seconded (Brady-Coburn) to declare that this plat meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Brady-Coburn) to approve the Preliminary Plat. Motion Carried.

Moved-Seconded (Brady-Stone) to approve the Final Plat. Motion Carried.

D. FINAL PLAT for Carl Crowley & Cammi Jo Geffre/WBI Utility

Final Plat for WBI Utility Tract located on St. Onge Road near St. Onge. To create a utility lot for gas services.

Moved-Seconded (Brady-Stone) to declare that this plat meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Brady-Stone) to approve the Final Plat. Motion Carried.

Brady abstained from discussion and vote on the following plats for Marc Gorans/O'Neill Cottage.

E. PRELIMINARY & FINAL PLAT for Marc Gorans/O'Neill Cottage LLC

Preliminary & Final Plat for lots Lots 28A & 29A of Shirtail Gulch Sub, Section 13, T5N, R3E. Located off of Boulder Canyon Rd. Vogt explained this lot line adjustment for setback compliance purposes.

Moved-Seconded (Mickelson-Stone) to approve the preliminary plat. Aye: 6, Abstain: Brady. Motion Carried.

Moved-Seconded (Stone-Coburn) to approve the Final plat. Aye: 6, Abstain: Brady. Motion Carried.

F. PRELIMINARY & FINAL PLAT for William Pearson, Wayne & Marlene Slothouber and D & M Transfer LLC

Preliminary & Final Plat for Lots 3A and 4A of Estates at Pillar Peak, Section 20 & 21, T5N, R4E. Located off of Boulder Canyon Rd. This plat moves lot lines in order to correct setback issues, and increase the width of emergency egress. The Final plat has not been returned from obtaining the signatures of the owners.

Moved-Seconded (Brady-Mickelson) to approve the Preliminary plat. Motion Carried.

Moved-Seconded (Brady-Coburn) to approve the Final plat and sign when received. Motion Carried.

G. FINAL PLAT for Alvin Stadel

Final Plat for Lot 1 Revised in Blk 8 of Apple Springs Sub, Section 14, T5N, R4E. Located off of Boulder Canyon Rd. This plat combines two previously platted lots into one lot.

Moved-Seconded (Brady-Mickelson) to approve the Final plat. Motion Carried.

H. PRELIMINARY PLAT for Aspens at Allikat Corner LLC/Allison Hall

Preliminary for lots 1-4 of Diamond Estates, Section 13 & 14, T3N, R4E. Located off of Benchmark Rd off of Nemo Rd. Randy Deibert explained the subdivision of two lodes totaling approximately 40+- acres. Hall has contracted for a fire plan to be completed on her entire acreage of 55+- acres. The access is a 40' private easement connecting to a forest service road at the southern boundary.

Moved-Seconded (Brady-Stone) to approve the Preliminary Plat. Aye: 6 Nay: Sleep. Motion Carried.

Tysdal abstained from discussion and vote on the following COZ #309, but, with the Boards consent, continued to chair the meeting.

I. PUBLIC HEARING for COZ # 309 Jessica Meza

A request to change the zoning from A-1 to SRD. Parcel 2 Revised a replat of parcel 1 and parcel 2, being portions of parcel 1 & 2 a subdivision of the N1/2SE1/4 of Section 32, T7N, R2E. Located off of Old Belle Road and Westview Road. Approx. 11.13 acres. There was no public input and the Public Hearing was closed.

Moved-Seconded (Brady-Mickelson) to recommend approval of Change of Zoning #309. Aye: 6, Abstain: Tysdal. Motion Carried.

J. INFORMATIONAL MEETING ORD 14-04 Re-Adoption of Subdivision Ordinance and Fire Plan Review

A review of the fire plan changes and other misc changes throughout the Subdivision ordinance. Vogt reviewed the proposed changes in the Fire Plan regulations that were suggested by the Committee. She also explained her work on updates to the Subdivision Ordinance which are mainly formatting changes

and corrections. She asked the Board to review the documents and bring back all suggestions for discussion.

Items from Planning & Zoning Board Members.

Vogt notified the Board that Lawrence County, City of Spearfish and Black Hills Council of Local Government would be hosting a Floodplain Seminar at The Lodge January 27 & 28, 2015.

Opportunity for Public Comment: None

The meeting was adjourned at 3:50 p.m.

APPROVED: _____

Date: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY