

LAWRENCE COUNTY PLANNING & ZONING COMMISSION

MINUTES OF January 8, 2015

REGULAR MEETING

Vice-Chairman Bill Coburn called the regular meeting of the Lawrence County Planning & Zoning Commission to order on Thursday, January 8, 2015 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD, Lawrence County.

Present: Daryl Johnson, Travis Schenk, Julie Stone, Bill Coburn, Tom Brady

Absent: Rick Tysdal, Craig Mickelson

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

ELECTION OF OFFICERS: Moved-Seconded (Brady-Schenk) to nominate and cast a unanimous vote for the 2014 officers, being Chairman-Tysdal, Vice-Chairman-Coburn, Secretary-Mickelson. Motion Carried.

Daryl Johnson was appointed secretary for this meeting in place of Craig Mickelson.

Moved-Seconded (Brady-Stone) to approve minutes of the meeting, December 4, 2014. Motion Carried.

Moved-Seconded (Stone-Brady) to approve the agenda with the addition of the election of officers. Motion Carried.

Declaration of Conflicts of Interest: Daryl Johnson and Tom Brady regarding item G. a change of zoning request by Daryl Johnson.

B. 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. A plat for this tract had been previously presented and approved by this Board, however, the County Commission found that the surrounding property of this Tract should be platted also.

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

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

C. FINAL PLAT for Frawley Ranch East/Darryl Propp

Final Plat for Lot 57 of Frawley Ranch East located off Ridgefield Loop near St. Onge. This lot is substantially the same as shown on the preliminary plat.

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

D. LAYOUT PLAN for Mark Rizzi

Layout Plan to create 2 lots (Lot A 13.35 acres) and (Lot B 107 acres), the key to this subdivision is only an existing 25' access easement to the parcels. Mr. Rizzi explained he purchased this property from Homestake Mining Company, with the 25' access easement which had been obtained through the statutory isolated tract process. He would like to subdivide the property using that access. The Board discussed options, and agreed that no variance to the subdivision ordinance could be granted for that

narrow access. Also, subdivision could not be granted as there would be no legal secondary emergency egress.

E. PRELIMINARY AND FINAL PLAT for Dave Iverson

Preliminary and Final Plat for the Iverson Tract located within the Golden Hills Subdivision off Two Bit Road. This plat was submitted to vacate an easement that is no longer used on the Iverson property, and to extend a portion of the 66' public right-of-way in the Golden Hills Subdivision.

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

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

F. PRELIMINARY AND FINAL PLAT for Kurt Rantapaa

Preliminary and Final Plat for Lot 4A located off of Hwy 385. Combining three lots in order to fix issues with existing residences and making it so the County would not have to consider a variance on a newly built structure.

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

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

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

Daryl Johnson and Tom Brady excused themselves from discussion on the following item G. With Johnson's exclusion as a Board member, he then represented himself as the applicant.

G. INFORMATIONAL MEETING for COZ # 310 Daryl Johnson

A request to change the zoning from SRD to HSC. Johnson explained the location of this property being south of I90 Exit 8. The parcel is adjacent to Highway Service Commercial property which Johnson also owns, and across McGuigan Road from the industrial park in City of Spearfish limits. There was no onsite inspection needed and the Public Hearing is scheduled for February 5, 2015.

H. 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. The Board will continue to review the proposed changes and further discussion will be held at the next meeting.

I. Items from Planning & Zoning Board Members

Vogt asked the Boards opinion regarding posting of public notice, on applicant property, of public hearings. Presently, the property owner is required to post notice signs at the entrance to the property. She is considering this be done by the office with signs provided by the County. Discussion pertained to cost of the signs and deposit requirements. Also discussed was the requirement of notice to be sent to adjacent property owners by certified, return receipt mailing.

J. Opportunity for Public Comment: None

The meeting was adjourned at 3:07 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING BOARD

MINUTES OF February 5, 2015

REGULAR MEETING

Chairman Rick Tysdal called the regular meeting of the Lawrence County Planning & Zoning Board to order on Thursday, February 5, 2015 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD, Lawrence County.

Present: Rick Tysdal, Craig Mickelson, Daryl Johnson, Travis Schenk, Julie Stone, Tom Brady,
Absent: Bill Coburn

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

Moved-Seconded (Stone-Schenk) to approve minutes of the January 8, 2015 meeting. Motion Carried.

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

Declaration of Conflicts of Interest: Daryl Johnson and Tom Brady regarding item B, a change of zoning request by Daryl Johnson.

Daryl Johnson and Tom Brady abstained from discussion and vote. Brady left the room, and Johnson sat in the audience to represent his request.

B. PUBLIC HEARING for COZ # 310 Daryl Johnson

A request to change the zoning from Suburban Residential (SRD) to Highway Service Commercial (HSC) for Tract B1B revised in the SE1/4SE1/4 of Section 32, T7N, R2E. The parcel is south on McGuigan Road off I90 Exit 8.

Vogt presented the staff report, explained the location and surrounding zoning. Terry Chronister, Kimberly Taylor and Josh Taylor voiced concern regarding lighting, signage, safety and the possibility of loss in value of their properties that abut the Johnson property. There was no other public input and the public hearing was closed. Tysdal explained that the Board's consideration for Zoning Change is to decide if the request is in an appropriate location. Vogt stated that Zoning districts have lists of allowed and conditional uses and any new or change of use in a commercially zoned property requires a development plan.

Moved-Seconded (Stone-Mickelson) to recommend approval of Change of Zoning request #310 for Daryl Johnson. Aye: 4, Abstain: Brady & Johnson. Motion Carried.

Brady and Johnson resumed their places at the table.

C. INFORMATIONAL MEETING ORD 14-04 Re-Adoption of Subdivision Ordinance and

Fire Plan Review Vogt reviewed the fire plan changes and other misc changes throughout the Subdivision ordinance. Vogt reviewed suggestions she had for changes to the Subdivision Ordinance and expressed concern with sections and wording that can be interpreted several ways. She asked the Board for continued input.

D. Items from Planning & Zoning Board Members: None

E. Opportunity for Public Comment: None

The meeting was adjourned at 3:31 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING BOARD

MINUTES OF March 5, 2015

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order on Thursday, March 5, 2015 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present: Craig Mickelson, Daryl Johnson, Travis Schenk, Julie Stone,

Absent: Rick Tysdal, Bill Coburn, Tom Brady.

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

Moved-Seconded (Stone-Mickelson) to appoint Daryl Johnson to Chair this meeting in place of Rick Tysdal. Motion Carried.

Moved-Seconded (Mickelson-Stone) to approve minutes of the February 5, 2015 meeting. Motion Carried.

Moved-Seconded (Schenk-Stone) to approve the March 5, 2015 agenda. Motion Carried.

Declaration of Conflicts of Interest: None

B. PRELIMINARY & FINAL PLAT for Joy & Christopher Paris

Paris Tract a subdivision of Hattie & Prussian Lodes of M.S. 1031 located in the N 1/2 of Section 6, T4N, R4E. Located between Two Bit Road and Last Chance Ridge Road. The M& B Description of this pre-existing lot is being platted. Vogt reviewed her staff report stating concern for the lack of legal access to the lot. Also in question is whether Last Chance Ridge Road was public right-of-way, and if not, should the County require an easement all the way to Gilt Edge Road prior to the plat being approved? The Board agreed additional information was needed before a decision could be made.

Moved-Seconded (Schenk-Mickelson) to continue consideration of the plat for Joy and Christopher Paris until the next meeting, being April 2, 2015. Motion Carried.

C. FINAL PLAT for BH Development

Lots 3, 6 and 8 of Block 1 of Wilderness Estates 2nd Addition. Located in Tract 2A of Powder House Pass. This plat is creating 3 new final lots within this subdivision. The lots are substantially the same as depicted on the Preliminary plat. Vogt presented a staff report and gave an update of progress on the Water Treatment and Booster Station, Water Tank, Water Trunkline, Sanitary Sewer and Waste Water Treatment Plant. She explained this plat matches the Prelim, this plat is not the first final, and a bond is in place to cover the costs of infrastructure.

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

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

Due to the fact that a number of the board members were not present, Vogt asked for the discussion to be continued until the next meeting.

E. INFORMATIONAL MEETING ORD 15-01 Remove Fees from the Ordinance and pass as a Resolution

Vogt reviewed proposed fee changes and suggested a change be made that fees be approved by the County Commission by Resolution, rather than listed in the Ordinance. This would streamline the procedure anytime fee changes were considered. Presently, an Ordinance amendment is needed for any fee changes. This will require a one time amendment to change wording in the ordinance. A Public Hearing will be held at the next meeting April 2, 2015.

D. Items from Planning & Zoning Board Members: The procedure for notifying surrounding land owners for public hearings was discussed. It was previously decided to have required signs provided by the County be an actual metal Notification sign, and those have been obtained. There will be a refundable deposit required when an applicant takes the signs to post their hearings.

There was also concern regarding confusion by some by what appeared to be duplicate notification. Currently, a certified, return-receipt letter is required to be mailed to surrounding land owners within 500 feet of the property being considered for both the Planning & Zoning and County Commission hearings. Legally, only one notice is required and discussion pertained to the required notification yet avoid confusion. The Board set a public hearing for these possible changes at the next meeting, April 2, 2015.

It was asked if the Board had any input on plat vacation. Historically there has not been no consideration or recommendation by this Board, and the procedure has been heard by the County Commission only.

E. Opportunity for Public Comment: None

The meeting was adjourned at 2:34 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING BOARD

MINUTES OF April 2, 2015

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order on Thursday, April 2, 2015 at 1:30 p.m. by Chairman Rick Tysdal in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present: Rick Tysdal, Craig Mickelson, Daryl Johnson, Julie Stone,
Absent: Bill Coburn, Tom Brady, Travis Schenk.

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

Moved-Seconded (Mickelson-Johnson) to approve minutes of the March 5, 2015 meeting.
Motion Carried.

Moved-Seconded (Mickelson-Stone) to approve the agenda with the following change. The plats for Joy & Christopher Paris (shown on the agenda as B.) be pulled until such time as the applicants initiate consideration. Motion Carried.

Declaration of Conflicts of Interest: None

FINAL PLAT for Fred Ening

Lot 1 and Tract A of Desperado Subdivision, Section 32, T6N, R4E. Located along Crook City Road on Desperado Lane. Platting two lots, each presently with metes and bounds descriptions, and moving a lot line between the two. Vogt explained the area and questioned the need for a fire plan at this time as the smaller lot is not heavily tree covered. The Board stated if the large tract was subdivided in the future, a fire mitigation plan would be required.

Moved-Seconded (Stone-Mickelson) 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.

FINAL PLAT for Whitewood Forest Acres (Gregg Wolff)

Lot 19, Blk 5 of Whitewood Forest Addition #2, Section 20, T6N, R4E. Located outside of the City of Whitewood. Platting a lot within the subdivision, meets the intent and size of the originally approved preliminary plat.

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

PUBLIC HEARING ORD 15-01

There was no public input and the hearing was closed.

Moved-Seconded (Stone-Mickelson) to recommend approval of proposed Ordinance amendment 15-01 as submitted. Motion Carried.

The following two Conditional Use Permits, #430 & #431, are requested by the same applicants, but in two different locations. Public hearings will be held at the May 7, 2015

meeting.

INFORMATIONAL MEETING CUP #430 Melissa Boullion & Tammy Hilger

To allow trail rides on property located on Parcel V, of H.E.S. 110 in Hay Springs Estates off Nemo Road on Hay Creek Lane, Section 33, T4N, R4E.

INFORMATIONAL MEETING CUP #431 Melissa Boullion & Tammy Hilger

To allow trail rides on property located on the Nemo Guest Ranch in Nemo SD.

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

A public hearing will be held at the May 7, 2015 meeting.

DISCUSSION ITEMS for Jeremy Smith & Trisha Jenkins

Jeremy Smith and Trisha Jenkins (Cycle Farms) discussed front setbacks from road right of ways and sidewalks for a produce stand along Lower Valley Road, which falls within the Ag Tourism Permit area. Smith explained their plan to move a produce stand to his property and showed the placement plan assuring no parking would be allowed on the road, but off their driveway on their land. The structure will be on skids and movable if necessary. The Ag Tourism ordinance did not spell out setbacks for these stands. The Board expressed their opinion that the proposed placement of the stand meets the intent of the ordinance.

Items from Planning & Zoning Board Members

Temporary Campgrounds; setbacks on sheds etc on small parcels in PF Zoning District:

Vogt reviewed new State regulations on campgrounds that have been implemented and also the impact of the large number of people expected for the Sturgis Rally this year.

She also discussed the setback regulations for sheds on small lots in Park Forest zoning.

Opportunity for Public Comment: None

The meeting was adjourned at 2:42 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING BOARD

MINUTES OF May 7, 2015

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order on Thursday, May 7, 2015 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present: Craig Mickelson, Daryl Johnson, Julie Stone, Travis Schenk.

Absent: Rick Tysdal, Bill Coburn, Tom Brady

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

Moved-Seconded (Schenk-Mickelson) to appoint Daryl Johnson as Chairman for the May 7, 2015 regular meeting.

Moved-Seconded (Mickelson-Stone) to approve minutes of the April 2, 2015 meeting. Motion Carried.

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

Declaration of Conflicts of Interest: None

LAYOUT PLAN for Richard Vanhorn

Creation of 2 lots in Oakbrook S/D, located off Crook City Road, off Oakbrook Road. Vogt explained the property is in an existing subdivision and Mr. Vanhorn wishes to divide the 12 acre +- property into two lots. She stated property meets acreage requirements for subdividing, but her concern is the road is not on the County system and is not maintained. Vogt explained the need for proof of legal access through the present lots to his property and also was questioning the need for a secondary access. Mr. Vanhorn was not present and the Board agreed that a 40' access easement and a fire mitigation plan would be required for subdivision.

FINAL PLAT for Darryl Prop

Lot H, 21 and 27 in Frawley Ranch East located off of Acorn Ridge Road. The lots on this plat substantially match the preliminary plat.

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

FINAL PLAT for Gilded Mt Subdivision

Lot 4, 15, 16, 18 and 19 in Gilded Mt Subdivision located off of Hwy 85. The lots on this final plat substantially match the preliminary. Vogt asked Scot Munro about repairs to the community septic system. He explained one drainfield had been damaged by some equipment and was now repaired. He also stated there will be increased monitoring and pumping as needed.

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

PRELIMINARY & FINAL PLAT for Nonnast S/D #2 - Dave & Barb Hale

Lots 1, 2, 3 of Nonnast S/D #2 located off Crook City Road. Vogt explained the property is just outside of Whitewood city limits, near the Twin Parks Subdivision. Vogt further stated the present access is off Crook City Road, and no additional driveway will be allowed because of the

curve in the road. She pointed out the shared driveway, and statement on the final plat regarding no access.

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

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

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

FINAL PLAT for BH Development LLC

Lots 4, Blk 4 of Wilderness Estates #2 located off of Hwy 85. The lot on this plat substantially matches the preliminary plat.

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

PRELIMINARY PLAT for Tomahawk Country Club

Tract A of Tomahawk Country Club located off Hwy 385 to create a boundary of the golf course. The club was considering erecting a new building, and found that where they wanted it located did not meet setback requirements. The property is several legal parcels, some very small. It was decided to re-plat all the property into one tract.

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

PRELIMINARY PLAT for Ron & Nancy Island

Subdividing a 63+- parcel into lots 1-5 off of Elk Creek Road. Vogt explained the owners have this property for sale with an auction planned. The 63+- acres is bordered by the road, and Island asks approval for this preliminary plat in case they are not able to sell it as one large tract. A fire mitigation plan is being prepared. Access to each lot was discussed and Mr. Island, Vogt and Alan Bonnema have discussed shared access which would be shown on the final plat.

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

FINAL PLAT for Two Bit Ranch Estates LLC

Lot 8 of Two Bit Ranch Estates off of Two Bit Rd. The lot on this plat substantially matches the preliminary plat.

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

PUBLIC HEARING CUP #430 Melissa Boullion & Tammy Hilger

To allow trailrides on property located on Parcel V, of H.E.S. 110 in Hay Springs Estates off Nemo Road on Hay Creek Lane, Section 33, T4N, R4E. There was no public input and the hearing was closed.

Moved-Seconded (Stone-Mickelson) to recommend approval of CUP 430 with a change of wording in condition #15 regarding any change of property ownership. Motion Carried.

PUBLIC HEARING CUP #431 Melissa Boullion & Tammy Hilger

To allow trailrides on property located on the Nemo Guest Ranch in Nemo SD. There was no public input and the hearing was closed.

Moved-Seconded (Schenk-Mickelson) to recommend approval of CUP 431 with a change of wording in condition #15 regarding any change of property ownership. Motion Carried.

PUBLIC HEARING 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. There was no input from the public, and the hearing was closed. Vogt reviewed the proposed ordinance amendment 14-04. Discussion has been on-going for several months. A sub-committee had recommended changes to the fire mitigation regulations that have been incorporated into this amendment. Vogt stated there are no changes to the road regulations in this amendment.

Moved-Seconded (Mickelson-Stone) to recommend approval of Ordinance Amendment 14-04. Motion Carried.

RECOMMENDATION MEETING VAR # 144 for Chris Romano

Spearfish Canyon Lot #37, located north of HWY 14A, North of the Creek, and NE of Spearfish Canyon Lodge. Asking for a 17' VAR to the 25' side setback (8' setback) to locate a 12x16 shed on the property. Vogt explained the location of this property and the walk in only access.

Romano wants to build a shed but the lot is small and side setback can not be met. She showed pictures of where the shed would be placed. Romano explained the need for storage as he plans to rebuild the residence, and needs a place for storage during the remodel. Vogt explained no building permit is needed as the shed is under 200 square feet. When questioned as to why he needs a variance, if no building permit is required, she stated he would be building in violation (being setback regulations).

Moved-Seconded (Stone-Mickelson) to recommend approval of VAR #144 as this use is not detrimental to other property in the area, and there is a hardship because of terrain. Motion Carried.

RECOMMENDATION MEETING VAR # 145 for Gerry Bennett

20642 US HWY 14A, Lot 11 of HMCo/Forest Service Lots. Mr. Bennett is asking for an 18' VAR (7' setback) and a 17' VAR (8' setback) to the NE and SE 25' side setbacks to be allowed to finish the detached garage that was permitted under the old side setback regulation of 5 feet. The foundation and a portion of the walls are already in existence. SCOA will approve the garage to be finished, if he receives the variance. There is floodplain in the front part of the lot.

Moved-Seconded (Mickelson-Stone) to recommend approval of VAR #145, as it meets requirements. Motion Carried.

Items from Planning & Zoning Board Members: Vogt had reported that Board member Bill Coburn had discussed with her his absences from the meetings and his regret that he has been

unable to attend because of medical issues and work commitments. He offered to resign if the rest of the Board members were of the opinion that he should. The Board agreed he is a valuable member and do not want him to resign.

Opportunity for Public Comment: None

The meeting was adjourned at 3:03 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING BOARD
MINUTES OF JUNE 4, 2015

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order on Thursday, June 4, 2015 at 1:57 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present: Rick Tysdal, Richard Sleep, Julie Stone, Travis Schenk

Absent: Craig Mickelson, Tom Brady, Bill Coburn

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

Moved-Seconded (Schenk-Stone) to appoint Richard Sleep acting Secretary in place of Mickelson. Motion Carried.

Moved-Seconded (Schenk-Stone) to approve minutes of the May 7, 2015 meeting. Motion Carried.

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

Declaration of Conflicts of Interest: None

FINAL PLAT for Maitland Partners LLC

Lot 81 in Paradise Acres III located off of Maitland Road. This plat substantially matches the preliminary plat. Vogt pointed out the access is off Morningstar Road and not off Maitland Road, as requested in the original preliminary plat approval.

Moved-Seconded (Stone-Schenk) To approve the Final plat. Motion Carried.

PRELIMINARY & FINAL PLAT for BH Development LLC

Lots 13, 14A, 15,16 & 17 of Wilderness Estates located off of Hwy 85. This plat allows the parcels to be platted that were left over in Wilderness Estates Subdivision. Vogt explained the location and Lot 14 had been platted previously and this plat includes both that platted lot and un-platted portion. She also noted there is water & sewer to the lot lines, and the roads are paved.

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

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

PRELIMINARY & FINAL PLAT for Boulder Canyon Country Club

Golf Course Tract 1 & 2 of the Boulder Canyon Country Club located off of Hwy 85. Creates 2 tracts, one giving a boundary to the golf course and one for transferable purposes to Apple Springs in order to complete the additional 9 holes.

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

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

INFORMATIONAL MEETING CUP #432 for Jeff & Polly Garrett

To allow the construction of storage units and RV covered parking, along Hwy 85, Section 27 &

28 T7N, R2E. Randy Deibert explained the concept they are considering and the placement on the acreage. Vogt explained this property was included in the HWY 85 Corridor study for future commercial development. This storage unit/RV parking plan will provide a buffer between possible Commercial use and Residential use. A Public Hearing was set for the next Planning & Zoning meeting on July 2, 2015.

Items from Planning & Zoning Board Members: None

Opportunity for Public Comment: None

The meeting was adjourned at 2:41 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING BOARD
MINUTES OF JULY 2, 2015

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal, on Thursday, July 2, 2015 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present: Rick Tysdal, Julie Stone, Craig Mickelson, Tom Brady, Bill Coburn, Daryl Johnson

Absent: Travis Schenk

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

Moved-Seconded (Stone-Mickelson) to approve minutes of the June 4, 2015 meeting. Motion Carried.

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

Declaration of Conflicts of Interest: None

FINAL PLAT for Karin Dilts

Lot 6 in Country Club Estates located off of Rochford Road. Karen Dilts gave John Arleth Power of Attorney to sign the plat as owner. This substantially matches the preliminary plat.

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

FINAL PLAT for BH Development LLC

Lot 1, Blk 4 of Wilderness Estates #2 located off of Hwy 85. This substantially matches the preliminary plat.

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

D. PUBLIC HEARING for CUP #432 for Jeff & Polly Garrett

To allow the construction of storage units and RV covered parking, along Hwy 85 , Section 27 & 28 T7N, R2E.

Vogt explained this property is in the Hwy 85 corridor study, and this use is stated as a preferred buffer between the highway and future residential uses. She stated the conditions were created from discussion with the City of Spearfish.

Randy Deibert, representing the Garretts, explained the area requested for the CUP, is only the front part of the 44 acre parcel. There was no public input and the hearing was closed.

Moved-Seconded (Brady-Stone) to recommend approval of CUP 432 with the following conditions : the drawing provided as the proposed development plan that may be revised by the City of Spearfish for permits and access and that the CUP boundary shall be described as Lot G less the West 1726 feet, being a portion of Johnson Subdivision, located in the E ½ of the SE ¼ of Section 28, and the SW ¼ of Section 27, all in T7N, R2E. Motion Carried.

Items from Planning & Zoning Board Members: None

Opportunity for Public Comment: Bob Weyrich with South Dakota Agricultural department, explained the opportunity for the County to be receive a County Sight Analysis project. He explained it would help designate appropriate areas for Ag development projects. The Board thanked Mr Weyrich but stated they believe the Zoning and Subdivision ordinances are adequate tools for Lawrence County to make these determinations.

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

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING BOARD
MINUTES OF AUGUST 13, 2015

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal, on Thursday, August 13, 2015 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present: Rick Tysdal, Craig Mickelson, Tom Brady, Daryl Johnson
Absent: Travis Schenk, Julie Stone, Bill Coburn,

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

Moved-Seconded (Johnson-Brady) to approve minutes of the July 2, 2015 meeting. Motion Carried.
Moved-Seconded (Johnson-Mickelson) to approve the agenda with the deletion of item shown as K. on the agenda, being a plat of Lot 12 Blk 3 of Wilderness Estates #2, pulled by the applicant. Motion Carried.

Declaration of Conflicts of Interest: Brady: Two plats for Frawley Ranch East.

RECOMMENDATION MEETING for VAR #146 Chris Romano

Lot 37 of Spearfish Canyon Lot located across creek from Latchstring Inn. 3 different variances under one application. SW corner of front of deck (9' variance to 25' setback); a deck off the existing walkway (11' variance to the 25' setback); and deck off of shed building already permitted (17' variance to the 25' side setback).

Moved-Seconded (Mickelson-Brady) to recommend approval of the requested three variances for decks as presented. Motion Carried.

LAYOUT PLAN for Roger Riley

Layout Plan for 13 lots along Higgins Gulch Road. Interpretation of an old plat being included in this proposal is needed. This plat is within the City of Spearfish platting jurisdiction, but the County regulations must apply. Vogt asked the Board for interpretation of statements shown on a previously platted portion of the property regarding the number of building rights. She was unsure what to recommend to Spearfish regarding this request.

Moved-Seconded (Brady-Mickelson) that the concept be approved since it is within the spirit and intent of the density limitation on the property provided there is the indication on the final plat document prohibiting the construction of any structure including a residence on the 13+- acres in question that is not included in proposed lot 7. Motion Carried.

FINAL PLAT for Boulder Canyon Homeowners Association

Tract A revised of Block 4 of Boulder Canyon Subdivision, located in Boulder Canyon. This fixes a previous mistake on a lot line between the open space tract and Lot 327.

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

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

PRELIMINARY & FINAL PLAT for Jeffery & Joanne Hohle & John & Joan Getz

Plat of Tracts 3A & 4A of Silver Creek Subdivision located in Section 12, T2N, R3E. This plat would be exempt from the fire plan due to the lot line change to allow the well to sit on the correct property.

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

Tom Brady abstained from discussion and vote on Frawley Ranch East plats being Lot 31, 59 & 60.

FINAL PLATS for Frawley Ranch Est (Daryl Propp)

Lot 31, 59 & 60 of Frawley Ranch East located off Acorn Ridge Road.

Moved-Seconded (Mickelson-Johnson) to approve Final Plats in Frawley Ranch East for Lot 31 and Lots 59 & 60. Aye - 3, Abstain - Brady. Motion Carried.

Tom Brady resumed and rejoined the meeting.

Layout Plan for Charles Brown & Mountain View Ranch

Tract A1, B1 and B2 of Section 1, T5N, R3E. Frank Dicesare, Arleth and Associates, explained the reason for this plat is to enable a land trade. The Board saw no problem with this plan to re-plat lot lines on three tracts to have the lot lines follow the existing road.

PRELIMINARY & FINAL PLAT for Kannenberg & Oedekoven

Kannenberg Tract, Keefe Tract and Tract F revised located along Boulder Canyon & Bauer Ave. Movement of Lot Lines

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

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

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

FINAL PLAT for Ron & Nancy Island

Lots 1-5 of HES 252, Section 15, T4N, R4E along Elk Creek Road. The preliminary plat had previously been approved with driveway easements added at the request of the County Commission.

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

FINAL PLATS for BH Development LLC

Lot 7, Blk 3, Lot 3 Blk 3 and Lots 8-11 Blk 3 of Wilderness Estates #2 located off of Hwy 85. Matches Preliminary plat.

Moved-Seconded (Brady-Mickelson) to approve three Final Plats of Wilderness Estates # 2, being Lot 7 Blk 3, Lot 3 Blk 3, and Lots 8-11 Blk 3. Motion Carried.

DISCUSSION Right of Ways

Discussion pertained to Forest Service and other Rights-of-Way related to access for issuing

building permits. Also County and Forest Service road maintenance and plowing.

Items from Planning & Zoning Board Members None

Opportunity for Public Comment None

The meeting was adjourned at 2:50 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING BOARD
MINUTES OF OCTOBER 1, 2015

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Vice-Chairman Bill Coburn, on Thursday, October 1, 2015 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present: Craig Mickelson, Daryl Johnson, Travis Schenk, Julie Stone, Bill Coburn. Tom Brady arrived at 1:33.

Absent: Rick Tysdal

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

Moved-Seconded (Stone-Mickelson) to approve minutes of the August 13, 2015 meeting. (there was no meeting held in September.) 5 - Aye, Brady absent. Motion Carried.

Moved-Seconded (Johnson-Mickelson) to approve the agenda. 5 - Aye, Brady absent. Motion Carried.

Declaration of Conflicts of Interest: Brady: Gilded Mt Plat.

PRELIMINARY & FINAL PLAT for Joy & Christopher Paris - Paris Tract

A subdivision of Hattie & Prussian Lodes of M.S. 1031 located in the N1/2 of Section 6, T4N, R4E. Located between Two Bit Road and Last Chance Ridge Road. The M&B Description of this pre-existing lot is being platted. These plats were presented at the March 5, 2015 meeting. At that time there were questions regarding access and a motion was made to continue consideration. The access issues have not all been resolved and no access documents have been recorded.

Moved-Seconded (Mickelson-Schenk) to table consideration of these plats until access documents are recorded. Motion Carried.

FINAL PLAT for HES 125 LLC

Plat of Lot 6, Blk 1 of Ironwood Estates. Located near Lead Country Club in Sections 25 & 36, T4N, R2E and Sections 30 & 31, T4N, R3E. This plat is creating a new lot and matches previously approved preliminary plat.

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

Brady abstained from discussion and vote on these Gilded Mt Plats.

PRELIMINARY & FINAL PLAT for Gilded Mt Subdivision

Preliminary plat of the entire subdivision-updating all the lot lines and changes from original preliminary plat in Gilded Mt Subdivision located off of Hwy 85. Final plat of Lots 1, 2A, 2B, 3, 20, 22, 26 of Gilded Mt Sub, located off Hwy 85. Vogt explained she asked for an updated preliminary plat including all the changes that occurred from the original preliminary plat to the present. Vogt stated the original PUD contemplated 22 acres of open space in the subdivision and to date there is approximately 18 acres of open space, Vogt wants the Board and Developer to be aware that there will be no decrease in any more open space if additional lot line changes

are requested.

Moved-Seconded (Mickelson-Stone) to approve the Revised Preliminary Plat. 5 Aye, Brady Abstained. Motion Carried.

Moved-Seconded (Stone-Johnson) to approve the Final Plat. 5 Aye, Brady Abstained. Motion Carried.

PRELIMINARY & FINAL PLAT for Clint & Randi Krambeck

Preliminary & Final plat of C & R Tract, being a portion of the SE ¼ SW ¼ of Section 10, T7N, R1E. This plat is being allowed in the A-1 zoning due to the remainder of the 40 acres being in the Red Water River and in the adjacent County.

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

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

FINAL PLAT for Pillar Peak LLC

Final plat for Lot 34 of the Estates at Pillar Peak of Section 20 & 21, T5N, R4E. This plat matches the already approved preliminary plat.

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

FINAL PLAT for Two Bit Ranch LLC

Final plat for Lot 20 of the Two Bit Ranch Estates of Section 30, T5N, R4E. This plat matches the already approved preliminary plat.

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

RECOMMENDATION MEETING for VAR #147 Guy Simons

5' variance to the 10' side setback for an addition to an attached garage.

Moved-Seconded (Brady-Mickelson) to recommend denial of this request as there is no allowance in the Ordinance for this Variance. Motion Carried.

INFORMATIONAL MEETING CUP #433 Rick & Jennifer Todd

To allow an existing garage on their property to be used as a commercial business named Hide n Soul Leatherworks. No on-site inspection was scheduled and a hearing was set for the next Planning & Zoning meeting November 5, 2015.

Items from Planning & Zoning Board Members; None

Opportunity for Public Comment: None

The meeting was adjourned at 2:19 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING BOARD
MINUTES OF NOVEMBER 5, 2015

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, November 5, 2015 at 1:37 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present: Rick Tysdal, Craig Mickelson, Bill Coburn, Tom Brady.

Absent: Julie Stone, Daryl Johnson, Travis Schenk,

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

Moved-Seconded (Mickelson-Brady) to approve minutes of the October 1, 2015 meeting. Motion Carried.

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

Declaration of Conflicts of Interest: None

PRELIMINARY & FINAL PLAT for Whitewood Creek Ranches LLC

Lots 1 & 2, being a sub of the NE 1/4 SW 1/4 of Section 11, T6N, R4E. Located off Whitewood Valley Road on Crackerjack Road. This plat is to allow 5 acres to be given to a grandson, the remainder of the lot had to be platted as well. A fire mitigation plan has been prepared. A building permit can be issued on the entire acreage, and when the fire plan is completed on the 5 acres, a final plat can be approved.

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

FINAL PLAT for BH Development LLC

Lot 9, Blk 1 of Wilderness Estates #2 located off of Hwy 85. Matches Preliminary plat.

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

PUBLIC HEARING CUP #433 Rick & Jennifer Todd

To allow an existing garage on their property to be used as a commercial business named Hide n Soul Leatherworks. Vogt explained the applicant was issued a temporary use permit for the Sturgis Rally in August 2015. They wish to have a permanent sign for the business that will be inside a present structure. Jennifer Todd asked for clarification on advertising signs & banners.

There was no public input and the hearing was closed.

Moved-Seconded (Mickelson-Brady) to recommend approval of CUP #433 with the conditions proposed. Motion Carried.

INFORMATIONAL MEETING COZ # 311 Kathy Wika and Courtney Huse-Wika

To allow these existing non-conforming lots to be brought into compliance with a re-zone. This will allow an addition to be made without asking for a variance. Located at the base of Spearfish Canyon.

No on-site inspection was scheduled, and a hearing is scheduled for the December 3, 2015

meeting.

INFORMATIONAL MEETING CUP # 434 Triple H Hills/Michael Herrick

To allow a CUP for operation of a ATV and Snowmobile Rental. Located off of Hwy 385. Section 1, T3N, R3E.

No on-site inspection was scheduled, and a hearing is scheduled for the December 3, 2015 meeting.

Items from Planning & Zoning Board Members: Vogt talked to the Board about additional residences on property that presently has a residence. It is becoming difficult for her staff to make judgement calls on requests for overflow quarters or “mother-in-law” apartments separate from a residence. She will gather information and prepare suggested ordinance changes at the next meeting.

Opportunity for Public Comment: None

The meeting was adjourned at 2:23 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING BOARD
MINUTES OF DECEMBER 3, 2015

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, December 3, 2015 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present: Rick Tysdal, Craig Mickelson, Tom Brady, Julie Stone, Daryl Johnson, Travis Schenk.
Absent: Bill Coburn

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

Moved-Seconded (Brady-Mickelson) to approve minutes of the November 5, 2015 meeting. Motion Carried.

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

Declaration of Conflicts of Interest: None

PRELIMINARY & FINAL PLAT for 4 Bears in the Hills LLC

Utility Lot 1 of Apple Springs Tract located in SW 1/4 of NE 1/4 of Section 14, T5N, R4E. Off Boulder Canyon Highway. Allow the platting of the sewer treatment area. Vogt stated there will be easements recorded at the same time the plat is recorded.

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

Moved-Seconded (Brady-Stone) to approve the Final Plat with the provision that the signed, recordable easements are received and recorded with the plat. Motion Carried.

FINAL PLAT for Mattson Inc

Lots 8A and Tract B-1 of Brighter Day Sub # 2, Section 25, 36 of T5N, R3E and Section 30, T5N, R4E. This plat is to allow a portion to be added to the original Lot 8 to be sold and the to re-do the lot line to follow the existing fence on Tract B-1. Vogt explained this plat is enlarging lot 8 into lot 8A and re-platting Tract B into B1, because a small portion of original lot 8 is replatted into original Tract B. Discussion centered on the only access to Tract B1 shown on the plat is the section line. Alternative access was discussed.

Moved-Seconded (Brady-Mickelson) to deny the Final Plat until platted access to B1 is shown, other than the section line. Motion Carried.

PUBLIC HEARING COZ # 311 Kathy Wika and Courtney Huse-Wika

A public hearing was held on COZ #311. The intent of this change is to allow these existing non-conforming lots to be brought into compliance with a re-zone. This will allow an addition to be built without asking for a variance. Located at the base of Spearfish Canyon. The property is in the City of Spearfish's platting and building permit jurisdiction. A plat has already been recorded moving a lot line to allow building a garage and not having to apply for a variance. There was no public input and the hearing was closed.

Moved-Seconded (Brady-Stone) to recommend approval of COZ 311. Motion Carried.

PUBLIC HEARING- CUP # 434 Triple H Hills/Michael Herrick

A public hearing was held on CUP #434. This request is to allow operation of a ATV and Snowmobile Rental, at the Mystic Hills Hideaway located off of Hwy 385. There was no public input and the hearing was closed.

Moved-Seconded (Brady-Mickelson) to recommend approval of CUP #434. Motion Carried.

Items from Planning & Zoning Board Members: None

Opportunity for Public Comment: None

The meeting was adjourned at 2:12 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____