

LAWRENCE COUNTY PLANNING & ZONING BOARD

MINUTES OF JANUARY 7, 2016

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, January 7, 2016 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present: Rick Tysdal, Tom Brady, Julie Stone, Daryl Johnson, Travis Schenk.

Absent: Craig Mickelson, Bill Coburn

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 2016 officers, being Chairman-Tysdal, Vice-Chairman-Coburn, Secretary-Mickelson. Motion Carried.

Board member Johnson was appointed as Secretary for this meeting in place of Mickelson who was absent.

Moved-Seconded (Schenk-Brady) to approve minutes of the December 3, 2015 meeting. Motion Carried.

Moved-Seconded (Schenk-Brady) to approve the agenda with the deletion of the discussion item J. regarding plats and Roads. Motion Carried.

Declaration of Conflicts of Interest: None

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 to re-do the lot line to follow the existing fence on Tract B-1. Vogt explained changes made to provide access.

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

PRELIMINARY & FINAL PLAT for Grandview Ranch

Cadillac Ranch Tract A, Section 1, T7N, R2E. Located off Widdoss-Helmer Road. This plat combines three parcels south of the Redwater River, none of which are 40 acres, into one tract as required for issuance of a building permit.

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 Preliminary plat. Motion Carried.

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

PRELIMINARY & FINAL PLAT for James Dittes

Tracts DC-1A1 & DC- 1A2 of Pee Dee Sub. located off Two Bit Road, to subdivide one lot into two.

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

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

PRELIMINARY & FINAL PLAT for Dawn Degen

Plat of Lot 1A1 and 1A2 of Lot 1A of Tract 1 of HES 501, located in the SW 1/4 of Sec 27 and the NW 1/4 of Sec 34, T3N, R1E. Along South Rapid Creek Rd. The request is to subdivide one 13.3 +- acre lot into two. A fire plan has been submitted and there are portions of the property that will need treatment. There was no legal access or easements shown on the plat.

Moved-Seconded (Brady-Stone) to continue discussion on this application until the February meeting. Motion Carried.

PRELIMINARY & FINAL PLAT for Stueffen/Schallenkamp

Lot 1A & 3A of Block B of Bowman S/D, Section 34, T5N, R3E. This plat combines 7 pre-existing lots into 2 lots.

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

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

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

INFORMATIONAL for Tommy Thompson

To allow property to be rezoned from HSC to I-1 in order to allow storage of equipment, impound yard vehicles and business. Located along the Whitewood Service Road and I-90. Tract T Section 22, T6N, R4E. No onsite inspection was scheduled, and a hearing will be held at the next meeting on Feb. 4, 2016.

RECOMMENDATION-VAR # 148 for Don Sargent

To allow a 1' and 5' variance to the 25' front setback to build an attached garage. Location North of Spearfish on Dovetail Court. Lot 10 of Brookview Acres, Section 28, T7N, R2E. Mr Sargent is asking for a variance to build a garage long enough to house his pickup. As part of this request it was determined that the previously issued Variance for the existing residence to have an 8' side setback would not apply to the garage, therefore the garage as submitted would also need a side setback variance of 2'.

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

INFORMATIONAL- ORD 1601 Guest Houses

To update zoning ordinance to allow guest houses with certain caveats in A-1, A-2, PF and RR zoning districts. The Board reviewed and discussed a first draft proposal of this ordinance amendment. It was decided to continue the informational meeting at the next P&Z meeting on Feb. 4, 2016.

Items from Planning & Zoning Board Members: None

Opportunity for Public Comment: None

The meeting was adjourned at 2:45 p.m.

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING BOARD
MINUTES OF FEBRUARY 4, 2016

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, February 4, 2016 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

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

Absent: None

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

Moved-Seconded (Brady-Schenk) to approve minutes of the January 7, 2016 meeting. Motion Carried.

Moved-Seconded (Schenk-Stone) to approve the agenda with clarification that Item E. should have read Tracts 1, 2 & 3; Item G. is an exempt plat and Julie Stone requested a discussion regarding platting of remainders under Item L. Items from Board Members Motion Carried.

Declaration of Conflicts of Interest: Brady abstained from Item C. Doug Shonley and Stone abstained from Item E. Homestake Mining Company Plat.

B. LAYOUT PLAN for David Winter

Vogt presented the layout plan for the old Mattson Ranch property along Boulder Canyon Highway. This project is approx 330 acres, half of which is currently undergoing the process to be annexed into the City of Deadwood for development, which will allow water & sewer to be brought out to this area of Boulder Canyon. The remaining 100 ish acres is being proposed to be developed into 27 lots in the County. This will allow an access point onto Sampson Street in Deadwood. The property is all zoned PF-Park Forest. ACTION REQUIRED: Discussion

C. PRELIMINARY & FINAL PLAT for Doug Shonley

Plat of Lots 68 & 69, Blk 1 of Boulder Canyon Subdivision. Located in Boulder Canyon near golf course. ACTION REQUIRED: Exempt Plat/Approval/Denial

This plat will split an existing unplatted remainder to be platted into 2 lots. Lot 68 will have the structures on it and Lot 69 will be free of any structures. It matches the original intent when the subdivision was approved in the early 70's.

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 Preliminary plat. Motion Carried.

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

D. PRELIMINARY & FINAL PLAT for Butte Electric and Shawn & Kelsie Darling

Plat of Lot 1 Revised and Lot 58 Revised of Spruce Mountain Estates #2. Located North of Whitewood/I-90 near Jackson Road and Frontier Loop ACTION REQUIRED: Exempt Plat/Approval/Denial

This plat is changing the lot for Butte Electric so the structure they want to place will fit better.

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

E. PRELIMINARY & FINAL PLAT for Homestake Mining Co

Stone abstained from discussion.

Plat of Tracts 1, 2 and 3 of Montana Placer M.S. 991 and 40' Public Access and Utility Easement. Located near Latchstring Inn in Spearfish Canyon. ACTION REQUIRED: Exempt Plat/Approval/Denial

This plat is to create 3 Tracts in order to allow the transfer of Tract 1 & 2 to SD Game Fish and Parks for future recreational purposes and then at a later date Tract 3 would be requested to be a final plat or to be combined into another tract.

Moved-Seconded (Coburn-Brady) to declare that 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-Coburn) to approve the Final plat. Motion Carried.

F. FINAL PLAT for Karen Dilts

Plat of Lot 30 of Country Club Estates off of Hannah Road. ACTION REQUIRED: Approval/Denial

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

G. PRELIMINARY & FINAL PLAT for Gary Salmen

Plat of Tracts 3 & 4 a sub of Sant Mary N 1 and Sant Mary No. 2 M.S. 1732 off of Aspen Creek Drive and Sheeptail Gulch Road . ACTION REQUIRED: Approval/Denial

This plat would be changing the North South lode line to be a east west lode line, it does not increase density, but there was much discussion on the access to this lot and a fire plan due to its location.

Moved-Seconded (Brady-Coburn) to deny the Preliminary and Final plats. Motion Carried.

H. PRELIMINARY & FINAL PLAT for Dawn Degen

Plat of Lot 1A1 and 1A2 of Lot 1A of Tract 1 of HES 501, located in the SW 1/4 of Sec 27 and the NW 1/4 of Sec 34, T3N, R1E. Along South Rapid Creek Rd. ACTION REQUIRED: Approval/Denial

The request is to subdivide one 13.3 +/- acre lot into two. A fire plan has been submitted and there are portions of the property that will need treatment. There was no legal access or easements shown on the plat at the January 7, 2016 meeting so the plat was continued to February. Since this time a letter from Rob Mattox was received stating that all that was left was bruning of some slash piles and work that would be completed at the time of the issuance of a building permit and the access was added to the plat as it was previously dedicated on a different plat.

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

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

I. PUBLIC HEARING COZ # 312 for Tommy Thompson

To allow property to be rezoned from HSC to I-1 in order to allow storage of equipment, impound yard vehicles and business. Located along the Whitewood Service Road and I-90. Tract T5 Section 22, T6N, R4E. ACTION REQUIRED: Approval/Denial

Colin Thompson was present and explained his plan was to park vehicles being towed/impounded as well as some trailers on the premise. He does have plans to put up a privacy fence. Coburn questions having junk cars on the premise. There was no public input and the hearing was closed.

Moved-Seconded (Brady-Stone) to recommend approval of COZ # 312 from HSC-Highway Service Commercial to I-1 General Industrial. Called to a vote. Aye-Brady, Mickelson, Stone, Schenk, Tysdal, Sleep; Nay-Coburn Motion Carried.

J. INFORMATIONAL- ORD 16-01 Guest Houses

To update zoning ordinance to allow guest houses with certain caveats in A-1, A-2, PF and RR zoning districts. ACTION REQUIRED: Discussion/Set Public Hearing

Discussion took place regarding changes to the proposed document. Vogt will make the changes and will present the edited document at the March 4 meeting as another informational item.

K. DISCUSSION ITEMS

Plats and roads. ACTION REQUIRED: Discussion

Randy Deibert, Loren Vrem and Frank Dicesare were all present to discuss the signature block for the Highway Authority on final plats. Alan Bonnema the Lawrence County Highway Superintendent is refusing to sign some plats due to the language on the plats. The surveyors requested the P & Z Board work on some changes to the language in our ordinance to help resolve this issue. Vogt will work with the surveyors, the DOT and Alan to come up with some draft language for the next meeting.

L. Items from Planning & Zoning Board Members:

Stone asked for clarification on when it is appropriate to plat remainders. The Board had a discussion that if a boundary plat has already been completed a re-plat of the remainder may not be necessary. If a Boundary plat does not exist then the remainder will need to be platted.

M. Opportunity for Public Comment: None

The meeting was adjourned at 3:24 p.m.

APPROVED: _____

Date: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Moved-Seconded (Brady-Stone) to recommend approval of COZ # 312 from HSC-Highway Service Commercial to I-1 General Industrial. Called to a vote. Aye-Brady, Mickelson, Stone, Schenk, Tysdal, Sleep; Nay-Coburn Motion Carried.

J. INFORMATIONAL- ORD 16-01 Guest Houses

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Discussion took place regarding changes to the proposed document. Vogt will make the changes and will present the edited document at the March 4 meeting as another informational item.

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M. Opportunity for Public Comment: None

The meeting was adjourned at 3:24 p.m.

APPROVED: _____

Date:

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

LAWRENCE COUNTY PLANNING & ZONING BOARD

MINUTES OF MARCH 3, 2016

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, March 3, 2016 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

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

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

Moved-Seconded (Mickelson-Stone) to approve minutes of the February 4, 2016 meeting.
Motion Carried.

Moved-Seconded (Mickelson-Stone) to approve the agenda with clarification that Item B. should be a preliminary plat only, no Final Plat will be presented. Motion Carried.

Declaration of Conflicts of Interest: None

FINAL PLAT for Gilded Mt LLC

Lots 27, 28A, 28B, 38 and Green Space Tracts 2-4 in Gilded Mountain located off of Hwy 85. Property is currently zoned SRD-Suburban Residential and the surrounding property is zoned PF and SRD. The proposed lots match the original preliminary plat and this will plat the remainder of the lots and open space. Water lines are installed and active. Sewer lines are installed and are connected to a joint drainfield system that is shared amongst numerous residences

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

PRELIMINARY & FINAL PLAT for 4 Bears in the Hills, LLC

Lots 22R of Blk 15 and Well Lot 1R of Apple Springs Tract, located in Section 11, T5N, R4E. Located off of Boulder Canyon. Lot line change. Property is currently zoned SRD-Suburban Residential and the surrounding property is zoned PF and SRD. The proposed lots are moving the center lot line in order to accommodate the building of a garage on Lot 22R. Water lines are installed and active. Sewer lines are installed and the sewer treatment plant is in operation.

This plat will move the lot line between Lot 22 and the existing Well lot to allow a residence and a garage to be built on Lot 22.

Moved-Seconded (Mickelson-Stone) motion to approve as an exempt plat, meeting criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Mickelson-Stone) motion to approve Preliminary plat. Motion Carried.

Moved-Seconded (Mickelson-Schenk) motion to approve Final plat. Motion Carried.

PRELIMINARY PLAT for BH Development LLC

Plat of Block A, Lots 1-6 and Common Area of Wilderness Estates 2nd Addition, located off of Hwy 85. Property is currently zoned PUD-Planned Unit Development and the surrounding property is zoned PF and PUD. The zoning was changed from PF to PUD in 2011. This property is owned by BH Development LLC and the development of Powder House Pass as well as the original Wilderness Estates. The proposed lots match the original master plan for some

townhouse/small lot sizes.. Water lines are installed and active. Sewer lines are installed, but are still being pumped into the holding tanks and then being pumped as needed until the treatment plant is installed. Creation of new lots.

Moved-Seconded (Stone-Mickelson) motion to approve Preliminary plat. Motion Carried.

FINAL PLAT for Pillar Peak LLC

Lot 22 & 26 of Pillar Peak Estates located off of Boulder Canyon Highway. Creation of 2 new lots. Property is currently zoned PF-Park Forest District and the surrounding property is also zoned PF. This property is a pre-existing subdivision and has already met the requirements of the subdivision ordinance. Currently, there are no structures on the property. The question had come up whether or not there was a secondary access out of this property and Bill Pearson stated you could go through on the trail past Lot 27.

Moved-Seconded (Coburn-Stone) motion to approve Final plat. Motion Carried.

BOUNDARY PLAT for David Winter

Plat of Tract A of Majestic Estates; Section 13, 23, 24, 25, T5N, R3E. Located off of Boulder Canyon Highway near Mattson Lane. Creation of a new subdivision. A portion of the property is currently zoned PF-Park Forest and is surrounded by the same zoning, as well as HSC-Highway Service Commercial. This proposal is to plat the entirety of the property into one large parcel, known as Tract A of Majestic Estates which will be 330.03 acres. This will combine all of the existing tracts as well as the underlying M.S. lodes into one large parcel.

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

INFORMATIONAL MEETING - CUP # 435 Small Scale Rock Quarry for Canyon Rock LLC

Located in the E1/2SE1/4NW1/4 and the W1/2SW1/4NE1/4 and the NE1/4NE1/4NE1/4SW1/4 and the N1/2NW1/4NW1/4SE1/4 of Section 34. T7N, R1E. Located West of Spearfish off of Homestake Road. The property is owned by Charles Edwards. He will not need to send out notification to anyone as he owns all of the property within 500' of the proposed location of the quarry. The 10 acre disturbance area meets the small quarry definition. Set Public Hearing for April 7, 2016.

INFORMATIONAL MEETING - CUP # 436 Small Scale Rock Quarry for Mt View Ranches LLC

Located in the E1/2SE1/4 & SW1/4SE1/4 of Section 36, T6N, R3E and N1/2NE1/4 of Section 1, T5N, R3E. Located off of Crook City Road. The location of this quarry is near the existing Hills Material Quarry off of Crook City Road. It will be approx. 149 acres for the CUP, but only 10 acres may be disturbed at a time in order to stay as a small- scale quarry. A site visit has been scheduled for April 7, 2016 at 11:30 a.m. right before the regularly scheduled P & Z meeting. We will meet at the corner of Crook City Road and Timberline Road. at 11:15 a.m. Leaving promptly for the site at 11:30 a.m. Set Public Hearing April 7, 2016.

INFORMATIONAL MEETING - CUP # 437 Trail Rides for Hilger/Boulion

Located on M.S. 1368 Tract H located off of Box Elder Forks Rd. This request is the same as last

years for this business but for a different site. CUP for former site at Nemo Guest Ranch to be cancelled upon actions taken for this CUP. Set Public Hearing April 7, 2016.

INFORMATIONAL MEETING - ORD 16-01 Guest Houses

To update zoning ordinance to allow guest houses with certain caveats in A-1, A-2, PF and RR zoning districts. Set Public Hearing April 7,2016.

INFORMATIONAL MEETING - ORD 16-02 Plat Highway Authority Language

To clarify language on the Highway Authority signature on final plats. Set Public Hearing April 7, 2016. Alleviates concerns of Highway Authority and responsibility of plat signer and right of way/easement responsibility.

Items from Planning & Zoning Board Members

Johnson discussed concerns about CUP # 436 from neighboring property owners.Vogt discussed arranging for April 7, 2016 Board meeting to be held at Deadwood City Hall.

Discussion of gold prospecting projects in the county.

Opportunity for Public Comment

None.

The meeting adjourned at 3:25 pm

APPROVED: _____

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

Date: _____

LAWRENCE COUNTY PLANNING & ZONING BOARD
MINUTES OF APRIL 7, 2016

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, April 7, 2016 at 1:30 p.m. in the Deadwood City Hall, 102 Sherman Street, Deadwood, SD.

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

Absent: None

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

Moved-Seconded (Mickelson-Stone) to approve minutes of the March 3, 2016 meeting. Motion Carried.

Moved-Seconded (Mickelson-Coburn) to approve the agenda with clarification that Item E. should be a preliminary plat only, no Final Plat will be presented. Motion Carried.

Declaration of Conflicts of Interest: Stone abstained from Item D. Homestake Mining Company/Sawpit Tract Plat and Item E. Homestake Mining Company/Dale Zoerb Plat.

PRELIMINARY & FINAL PLAT for 4 Bears in the Hills, LLC

Property is currently zoned SRD-Suburban Residential and the surrounding property is zoned PF and SRD. The proposed Tracts create the Back nine of the Boulder Canyon Country Club. These tracts will be transferred to the Country Club. Construction of the golf course is about 90% complete; no residences will be allowed on these tracts; after the trails for cart paths etc. have been finished there will be additional easements that will be attached to the tracts.

Moved-Seconded (Brady-Stone) motion to approve as an exempt plat, meeting criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Brady-Stone) motion to approve Preliminary plat. Motion Carried.

Moved-Seconded (Brady-Stone) motion to approve Final plat. Motion Carried.

PRELIMINARY & FINAL PLAT for Grandview Ranch LLC-Besslers

Property is currently zoned A-1-General Ag and the surrounding property is also zoned A-1. They recently platted the portions of the property which are in Lawrence County into Cadillac Ranch Tract A. Access to this parcel is over an existing private bridge which is accessed off of Widdoss-Helmer Road in Butte County. The access will go through the property which they own in Butte County and is where the Cadillac Bessler Ranch property is located. We have already issued a building permit on this property and as a part of their bank funding the bank has requested the home to be broken off onto a 10 acre parcel. This will create 2 lots - Lot 1 & Lot 2 of Cadillac Ranch Tract A in a A-1 Zoning District. Normally, we only allow 1 residence per 40 acres and do not allow the creation of a smaller tract. In the past we had allowed this with a building right affidavit, but Bruce Outka, Deputy State's Attorney had recommended we quit using this function due to the inability to keep track of this. When the Bessler's came to us to try and figure out a way to deal with this it was suggested at a previous meeting that we allow the bank to work with their attorney to come up with a solution. The solution is being presented along with this plat in the form of a deed restriction.

Moved-Seconded (Brady-Schenk) motion to approve exempt Plat, meeting criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Second (Stone-Schenk) motion to approve Preliminary Plat with condition to that document is recorded. Roll Call: Sleep-Nay, Schenk-Nay, Mickelson-Nay, Tysdal-Aye, Coburn-Nay, Stone-Aye, Brady-Nay) Motion Failed.

PRELIMINARY & FINAL PLAT for Homestake Mining Co

The property is 2 acres and is zoned PF-Park Forest, but there are commercial buildings located along this stretch of Cutting Mine Road. This property currently has an old foundation. The new owner will be required to get a Floodplain Development Permit and bring the property into compliance.

Moved-Seconded (Brady-Schenk) motion to approve as an exempt plat, meeting criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

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

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

PRELIMINARY PLAT for Homestake Mining Co/Dale Zoerb

The property is 2.489 acres and is zoned PF-Park Forest located in the middle of the Whitewood Creek Rd, which is a 100' Railroad Right-of-Way. This property was originally platted in 2001 and they are proposing a lot line change on the north end of the property to increase the size a bit. Any work on this property will require a Floodplain Development Permit and bring the property into compliance. There has been a lot of dirt brought into to fill this property as well as a massive retaining wall put in place already.

Moved-Seconded (Brady-Schenk) motion to approve as an exempt plat, meeting criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

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

FINAL PLAT for BH Development LLC

Property is currently zoned PUD-Planned Unit Development and the surrounding property is zoned PF and PUD. The zoning was changed from PF to PUD in 2011. This property is owned by BH Development LLC and the development of Powder House Pass as well as the original Wilderness Estates. The proposed lot 1, Blk 1 (1.351 acres) matches the preliminary plat. Water lines are installed and active. Sewer lines are installed, but are still being pumped into the holding tanks and then being pumped as needed until the treatment plant is installed.

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

PUBLIC HEARING - CUP # 437 Trail Rides for Hilger/Bouillon

Located on M.S. 1368 Tract H located of Box Elder Forks Rd. This request is the same as last years for this business but for a different site. CUP for former site at Nemo Guest Ranch to be cancelled upon actions taken for this CUP. Hilger stated that the business is moving due to a better facility. There was no public input and the hearing was closed.

Moved-Seconded (Schenk-Brady) to recommend approval of CUP 437 with attached conditions. Motion Carried.

PUBLIC HEARING - CUP # 435 Small Scale Rock Quarry for Canyon Rock LLC-Charles Edwards

Located in the E1/2SE1/4NW1/4 and the W1/2SW1/4NE1/4 and the NE1/4NE1/4NE1/4SW1/4 and the N1/2NW1/4NW1/4SE1/4 of Section 34. T7N, R1E. Located West of Spearfish off of Homestake Road. The property is owned by Charles Edwards. He will not need to send out notification to anyone as he owns all of the property within 500' of the proposed location of the quarry. The 10 acre disturbance area meets the small quarry definition.

Edwards stated that he has been mining the area for 13 years and would like to begin crushing waste rock. Brady asked if the highway superintendent will be evaluating the haul road; Vogt stated, yes. Brady inquired about how much rock would be worked? How long a production process this would be? Does Edwards plan to increase size later? Edwards was unsure of amounts and time frame. Stone asked if there was a state license already? Vogt stated, no.

There was no public input and the hearing was closed.

Moved-Seconded (Coburn-Schenk) motion to recommend approval of CUP 435 with conditions. Roll Call: Sleep-Aye, Schenk-Aye, Mickelson-Nay, Tysdal-Aye, Coburn-Aye, Stone-Nay, Brady-Nay Motion Carried.

PUBLIC HEARING - CUP # 436 Small Scale Rock Quarry for Mt View Ranches LLC

Located in the E1/2SE1/4 & SW1/4SE1/4 of Section 36, T6N, R3E and N1/2NE1/4 of Section 1, T5N, R3E. Located off of Crook City Road. The location of this quarry is near the existing Hills Material Quarry off of Crook City Road. It will be approx. 192 acres for the CUP, but only 10 acres may be disturbed at a time in order to stay as a small- scale quarry. A site visit was done April 7, 2016 at 11:00 a.m. right before the regularly scheduled P & Z meeting.

Vogt gave a brief overview of the proposed location and definition of a small scale rock quarry and then asked the applicant, Erik Hoffman to present the details of the proposed operation.

Erik Hoffman (2460 Deadwood Ave, Rapid City SD) presented information about lowering the grade for the access road and the use of excess rock to build the road. He stated production should be about 50 - 100 tons per year and crushing should go on for about 3 months a year, with varying truck traffic throughout the year. On an average of a 1 truck per ½ hour. Tysdal opened comment up to the audience.

PROPOSERS: NONE

OPPOSERS: James Weaver (905 Country Club Dr, Spearfish SD), speaking as representative for his wife, Verla Carstensen-Weaver and brother-in-law and his wife, Dwayne & Esther Carstensen, owners of property north and west of proposed site. He presented historic details about the site, including past owners; wagon/stagecoach trails; historic characters with significance on the property. His concerns stated included: truck haul road; blasting; noise; deletion of the historic character and trails; well and water disturbances. Brady asked if the trails have been historically preserved prior? Weaver explained that the prior owners chose to protect them on the land was on sure if others in the area had done the same. Verla Weaver (905 Country Club Dr, Spearfish SD), commented that she has the same concerns as her husband. Les Auer (20361 Aure Road, Whitewood SD), Expressed concern about the size of the 192 acre location

and the environmental effects a rock quarry will have on future generations. Mark Auer (11818 Timber Ridge Ln, Whitewood SD), talked about air/ noise quality for Centennial Estates and stated concern about whether not the section line running between his land and the proposed site will be opened road connection. Del Zambon (11975 Aspen Way, Whitewood SD), is concerned with the following: Crook City Road having no shoulders, dust control and effects of dust on communities for years to come and a reminder that everyone will be long gone and this company will still be making gravel. Arlo Potter (11817 Timber Ridge Rd, Whitewood SD), discussed the environmental impact a gravel pit will have on the area along with heavy truck traffic and a decrease in property values. Mike Auer (11865 Crook City Rd, Whitewood SD), is concerned about effects of dust with his wife's breathing difficulty and in his home in general. Roger Easton (12029 Crook City Rd, Whitewood SD), expressed concern with heavy truck traffic and road safety. Bruce Bennett (317 Industrial Rd, Sturgis SD), is concerned with dust, possible water loss in wells, and wildlife. Colleen Bennett (317 Industrial Rd, Sturgis SD) voiced concern for groundwater, springs and possible damage to them. She specifically asked whether an environmental report and a reclamation report have been received? John Jambor, (645 10th St, Sturgis SD), presented the Rapid City Journal storey where the City of Rapid City denied the expansion of the Pete Lien Gravel Pit. Gary Coe (108 Fairview, Lead SD), spoke about consideration for decreases in property values and the impact of trucks on the Road. Cheryl Kirkpatrick (11985 Crook City Rd, Whitewood SD), stated that the zone is A-1 and PF, not zoned for heavy industry/ mining. Bob Petik (20488 Crook Meadows, Whitewood SD), expressed concern for building and property values. Charles Brown (11757 Timber Ridge Rd, Whitewood SD), objected to the CUP being approved and is concerned with property owner interests; Crook City road; the natural surrounding; existing wells and he questioned the definition of a small scale quarry and felt the definition was too broad to be considered small. He asked if there has been a socio-economic study done for the area? Kevin Farmer (11794 Crook City Rd, Whitewood SD), showed the board picture boards of the existing problems seen with the present rock quarry and the 32 homes affected by it now. He is worried that another would increase problems. Paul Sanchez (11985 Crook City Rd, Whitewood SD), brought up concern for the environment and stated that the road would be bad in 6-7 months time from truck traffic. Jody Brown (11757 Timber Ridge Ln, Whitewood SD), stated she is against CUP # 436. Carl Eisenbacher (11793 Timber Ridge Rd, Whitewood SD), said that he will be 500' from the blast site and is opposed to the CUP. Don Williamson (11801 Crook City Rd, Whitewood SD), is concerned for his 9 children and the air quality; his newly dug well; and the possible decrease in his property value. Dave Ciani (11904 Crook City Rd, Whitewood SD), of High Prairie Lodge, is concerned with the safety of his occupants who walk/bike/drive on the road; the aesthetics of Centennial Valley; pollution; property values and the migration of Bighorn Sheep in the area and disruption to other wildlife.

APPLICANT: Eric Hoffman was given an opportunity to respond and chose not to.

PROPONENTS: None

OPPONENTS: Tim Rath (20270 Frontier Loop, Whitewood SD), on behalf of his family, they oppose CUP #436. Douglas Hayes (282 Upper Valley Rd, Spearfish SD), is concerned with safety on the road and long term environmental effects. Kevin Farmer called for a show of hands as to all who disagreed with the proposed CUP and the majority of the room raised their hands..

The public hearing was Closed.

Brady questioned the applicant about a cultural resources survey or a survey from the State

Historical Society? Hoffman said that there is a survey in process. Brady wanted to know if the applicant would be ok with a restriction of the trucks having to go to Hwy 85 and not down Crook City Road? Hoffman stated that most of the trucks would be using Hwy 85 and that the restriction would be fine, except if there were to be a local delivery. Brady asked about a DOT survey, air quality permit and clarification on the 10 acre at a time condition? He also inquired about a stormwater/ erosion permit? Shenk asked if applicant was opposed to a restriction on haul trucks to only use Hwy 85. Hoffman responded that all permits have been or would be sought and the land would be reclaimed after and turned to pasture. Shenk asked about the dust problem. Hoffman spoke of plans to work below the ground surface, hoping that the dust gets caught mostly in the walls below the surface. Mickelson questioned regarding the drainage and reclamation plans. Hoffman answered with ideas for dams and water collection ponds and building up of as much vegetative area as possible, using the property top soils to make pasture land. Brady asked for clarification on the disturbance area, stating that the actual area minus the boundary conditions of 500' setback from property lines and the 500' setback from the disturbance line, will only be 50-60 acres max. Coburn thanked the residents for coming out to voice opinions and referred to the air quality issue and asked if the applicant will do more than the minimum required for this issue? Hoffman stated that there would be watering of the road and the quarry floor. Brady then asked about the source of water for the business? Hoffman referred to the spring that they are looking into developing along with holding ponds, or they will drill a well for water. Mickelson put forth the idea to pave the haul road and save water in that area. Coburn commented that for continuance of the CUP, there must be reclaimed land. Tysdal mentioned that after the site visit he was of the opinion that the property is a good spot for the quarry. He also thanked the public there their attendance and comments. Vogt referred to the earlier comment that the zoning for the area was not zoned for this industry. She then clarified that A-1 and PF are indeed zoned for rock quarry production. Coburn stated that rock and gravel need to be mined somewhere but with responsible use of resources. Sleep added that he sees the concerns that were presented and discussed at the meeting. Schenk reminded that CUPs have a complaint process. Coburn asked the applicant about pile heights and dust control. Hoffman agreed that it can be looked at. Mickelson voiced concern for truck noise and asked Hoffman if the trucks now are using or can use the camera assist to back up rather than the beeping alarm sound that is disturbing to the neighbors. Stone agreed that paving the haul road should be a condition of the CUP. Sleep added that the public roadway should be widened. Brady suggested the following additional conditions for CUP #436 as part of the proposed conditions:

1. The owner/operator shall comply with all applicable County, State, and Federal regulations regarding the operation of a gravel pit. (i.e. air; water; sedimentation; dust; etc)
2. Haul road agreement shall include a turning lane for traffic turning into and out of the property on Crook City Road.
3. Haul route shall be directed to Hwy 85 for trucks coming into or leaving the property, unless it is for local delivery.
4. The haul road from Crook City Road to disturbance area shall be asphalted.
5. There shall be an adequate water sources identified and developed to be used for dust control.
6. The google earth map included from the applicant showing the depiction of the boundaries of the CUP, the disturbed area and the 500' buffer area shall be adopted as part of this CUP and no disturbance shall take place within 500' of the proposed boundary.

7. A cultural resources survey shall be completed by the applicant; and if any issues are identified they need to fulfill the requirements prior to operation.

8. The disturbance area shall not exceed 10 acres at anytime, with an acre/acre reclamation process adopted.

Moved-Seconded (Stone-Schenk) to recommend approval of CUP 436 with the attached conditions. Roll Call: Sleep-Nay, Schenk-Aye, Mickelson-Aye, Tysdal-Nay, Coburn-Aye, Stone-Aye, Brady-Aye. Motion Carried .

PUBLIC HEARING - ORD 16-01 Guest Houses

To update zoning ordinance to allow guest houses with certain caveats in A-1, A-2, PF and RR zoning districts. Brady referred to the condition that guest house must be no more that 45' from existing residence to avoid splitting of property late.

No public input. Closed Public Hearing.

Moved-Seconded (Stone-Coburn) to recommend approval of Ord #16-01 Guest Houses, Motion Carried.

PUBLIC HEARING - ORD 16-02 Plat Highway Authority Language

To clarify language on the Highway Authority signature on final plats. Alleviates concerns of Highway Authority and responsibility of plat signer and right of way/easement responsibility. Vogt stated that both the DOT Attorney and the County Attorney are OK with the change of language. She reviewed the reason for the ordinance change is that the Highway Authority is not comfortable with signing in some situations. Brady agrees that it is a good idea to have clear language on final plats.

No public input. Closed Public Hearing.

Moved-Seconded (Brady-Coburn) to recommend approval of Ord #16-02 Plat Highway Authority Language. Motion Carried.

Items from Planning & Zoning Board Members

None.

Opportunity for Public Comment

None.

The meeting adjourned at 4:10 pm.

APPROVED: _____
Rick Tysdal, CHAIR

Date: _____

ATTEST: _____
Craig Mickelson, SECRETARY

LAWRENCE COUNTY PLANNING & ZONING BOARD

MINUTES OF MAY 5, 2016

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, May 5, 2016 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present: Daryl Johnson, Craig Mickelson, Rick Tysdal, and Julie Stone

Absent: Travis Schenk, Bill Coburn and Tom Brady

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

Moved-Seconded (Johnson-Stone) to approve minutes of the April 7, 2016 meeting. Motion Carried.

Moved-Seconded (Johnson-Stone) to approve the agenda with change that Item G. to be Tabled. Motion Carried.

Declaration of Conflicts of Interest: Stone abstained from Item I. Homestake Mining Company/Dale Zoerb Plat.

LAYOUT PLAN for Todd Merzenel

Layout Plan for M.S. 1031 Walter & Bavaria Lodes. Change lode line from running N & S to run E & W. Both lots would be allowed to have one residential building right. Johnson stated concern about future access issues, since there is no legal access at this time.

FINAL PLAT for James Newton

Plat of Lot HA of Blk 13 of the Pines at Benchmark S/D, all located in Section 11, T3N, R4E. Located Near Nemo, the property is currently zoned PF-Park Forest. Mr. Newton is platting a previously approved preliminary lot and making it a bit larger. This is a portion of a remainder of the Black Horse and Funston No 6 lodes.

Moved-Seconded (Mickelson-Stone) motion to approve as an Exempt plat. Motion Carried.

Moved-Seconded (Mickelson-Stone) motion to approve Final plat. Motion Carried.

PRELIMINARY & FINAL PLAT for Richard Olson/Frank Jamnik

Plat of Lot 1A and Tract 3A of the Summer Place Tracts, Section 12, T2N, R4E. Located near Hwy 385/North Rochford Rd. Property is currently zoned PF-Park Forest. Frank Jamnik would like to sell a small portion of the land to the neighbor Richard Olson.

Moved-Second (Stone-Mickelson) motion to approve Exempt Plat. Motion Carried.

Moved-Seconded (Mickelson-Stone) motion to approve Preliminary plat. Motion Carried.

Moved-Second (Stone-Johnson) motion to approve Final Plat. Motion Carried.

FINAL PLAT for Luella, LLC

Plat for Lot 31 of Estates at Pillar Peak Section 20 & 21, T5N, R4E, located along Boulder Canyon Road. Property is currently zoned PF-Park Forest District and the surrounding property is also zoned PF. This property is Phase 2 of the pre-existing subdivision and has already met the

requirements of the subdivision ordinance.

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

FINAL PLAT for Luella, LLC

Plat for Tract 1A, Lot A1 and Open Space Lot 3 of the Estates at Pillar Peak Section 20 & 21, T5, R4E. Located off of Boulder Canyon Rd. Property is currently zoned PF-Park Forest District and the surrounding property is also zoned PF. This property is a pre-existing subdivision and has already met the requirements of the subdivision ordinance. The portion of the land designated on the preliminary plat as Phase 3 is being sold as one large piece, which will include the Elk Tracts B & C; a portion is being added to existing Lot A; and a portion is being transferred to the HOA as Open Space.

Moved-Second (Stone-Mickelson) motion to approve Exempt Plat. Motion Carried.

Moved-Seconded (Stone-Mickelson) motion to approve Final plat. Motion Carried

FINAL PLAT for Whitewood Creek Ranches, LLC

Plat for Lot 1 & 2, being a subdivision of the NE 1/4 SW 1/4 of Section 11, T6N, R4E. Located off of Crackerjack Rd North of Whitewood. Property is currently zoned PF-Park Forest with a very small area on the property being zoned A-1-General Agriculture. The Ordinance states that if over 50% of the property is zoned a certain way than the entire property can be taken as such, so in this case the determination was made to use the PF Zoning regulation.

The property was 39.85 acres and is legally described as the SW ¼ of Section 11, T6N, R4E. Mr. Johnson is requested to be able to subdivide 5 acres of the property to be able to give to his grandson. The legal would then be changed to be Lot 1 and Lot 2, being a subdivision of the NE ¼ SW ¼ of Section 11, T6N, R4E. This preliminary plat was approved in November 2015, but the final was not presented due to fire plan work to be completed. Since this time the fire plan has been completed.

Moved-Second (Stone-Mickelson) motion to approve Final Plat. Motion Carried.

FINAL PLAT for Homestake Mining Co/Whitewood Creek Preservation Trust/Dale Zoerb

Plat for Tract BR Revised Section 13, T5N, R3E. The property is 2.489 acres and is zoned PF-Park Forest located in the middle of the Whitewood Creek Rd, which is a 100' Railroad Right-of-Way. This property was originally platted in 2001 and they are proposing a lot line change on the north end of the property to increase the size a bit. Any work on this property will require a Floodplain Development Permit and bring the property into compliance. There has been a lot of dirt brought into fill this property as well as a massive retaining wall put in place already.

Moved-Second (Mickelson-Johnson) motion to approve Final Plat. Motion Carried.

Items from Planning & Zoning Board Members

None.

Opportunity for Public Comment

None.

The meeting adjourned at 2:04 PM

APPROVED: _____
Rick Tysdal, CHAIR

Date: _____

ATTEST: _____
Craig Mickelson, SECRETARY

LAWRENCE COUNTY PLANNING & ZONING BOARD

MINUTES OF JUNE 2, 2016

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, June 2, 2016 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

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

Absent: Bill Coburn and Tom Brady

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

Moved-Seconded (Stone-Schenk) to approve minutes of the May 5, 2016 meeting. Motion Carried.

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

Declaration of Conflicts of Interest: None

LAYOUT PLAN for Larry Roth

Layout Plan for proposed Lots 1 & 2 portions of M.S. 1200 Springview Lode and M. S. 1209 Big Dipper No 1 & No 2 located in Section 13, T4N, R2E. Located off Hwy 14A near Sugarloaf. The purpose is to consolidate multiple MS's into two larger lots for sale. Discussion about adjoining lode; Violet 2, also owned by Roth is about 6/10ths of an acre. Tysdal recommended that this piece be added to the plat. Plat will be Exempt due to lot line revisions meeting criteria per Subdivision Ordinance, Chapter 4.

PRELIMINARY & FINAL PLAT for Toman/Tonner

Plat of Lot 2R & 3R, Blk 9 of the Pines at Benchmark S/D, a S/D of a portion of Lot 6, all located in Section 12, T3N, R4E. Moving the middle lot line. Located near Nemo, SD. Zoned PF.

Moved-Seconded (Mickelson-Stone) motion to approve as an Exempt plat. Motion Carried.

Moved-Second (Schenk-Mickelson) motion to approve Preliminary plat. Motion Carried.

Moved-Seconded (Mickelson-Schenk) motion to approve Final plat. Motion Carried.

RECOMMENDATION MEETING Variance #149 for Crystal Adams

Variance from side setback to add a detached garage. NE corner 4'.7" var to the 10' setback & SE corner 9'.7" var to the 10' setback. Located off of Nevada Gulch Road. Lot M1 of M.S. 1703.

Guest presenter, Deb Tridle is lot line neighbor to Adams; she does not dispute the Variance.

Adams explained that the topography of the land and placement of water tank on property causes the hardship circumstance to request a Variance. The Board commented on the fact that both parties are in agreement with the structure placement and recommended approval to send to the County Commission Board of Adjustment Public Hearing for June 21, 2016.

Moved-Seconded (Stone-Mickelson) motion to approve Recommendation to Public Hearing with County Board of Adjustment. Motion Carried.

INFORMATIONAL MEETING for CUP # 398-16 Wharf Resources

Change to Condition #34 re: Wharf Resources is requesting that maintenance on Perkins Rd (Richmond Hill Rd) and Redpath Creek Rd be discontinued due to the ending mining operations

in that area. Should a Road District be established, Wharf has offered to be a part of District with neighboring property owners. Public Hearing set July 7, 2016.

Items from Planning & Zoning Board Members

Mickelson mentioned he would like to see an extra sign posted to inform the public of the exact purpose of CUP#398-16, as a change to future maintenance of the mentioned roads.

Opportunity for Public Comment

None.

The meeting adjourned at 2:13 PM

APPROVED: _____

Date:

Rick Tysdal, CHAIR

ATTEST: _____

Craig Mickelson, SECRETARY

LAWRENCE COUNTY PLANNING & ZONING BOARD
MINUTES OF JULY 7, 2016

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, July 7, 2016 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present:, Rick Tysdal, Julie Stone, Daryl Johnson, Travis Schenk

Absent: Bill Coburn, Tom Brady, Craig Mickelson

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

Moved-Seconded (Schenk-Stone) to approve Daryl Johnson as acting secretary in absence of Craig Mickelson. Motion Carried

Moved-Seconded (Schenk-Stone) to approve minutes of the June 2, 2016 meeting. Motion Carried.

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

Declaration of Conflicts of Interest: Stone-Item M

PRELIMINARY & FINAL PLAT for Mountain View Ranches, LLC

Property is currently owned by Mountain View Ranches Inc and is located off of Hwy 85 and Crook City Road. The property is zoned A-1 General Agriculture. Of approx. 700+/- acres owned, 80+/- acres will be platted. There is a residence sitting on this 40 acre parcel, but they would like to add an additional home. Addition of a residence would make the property a non-compliant lot. The landowner decided to plat each 40 acres plus a Lot A lying east of Hwy 85 to make both new parcels over 40 acres. Lien Outlot 1 will be 46.59 acres and be the location of the new structure and Lien Outlot 2 is 43.65 acres and will keep the existing structure on it. They have included a drainfield easement area and the egress/ingress easement across Lien Outlot 1 to Lien Outlot 2. This plat makes each lot continue to meet the requirements of the A-1 zoning District, eliminating a non-compliant lot of 11.09 acres. A Fire Mitigation plan is not necessary due to plat being only movement of lot lines.

Moved-Seconded (Stone-Schenk) motion to approve as an Exempt plat. Motion Carried.

Moved-Second (Stone-Schenk) motion to approve Preliminary plat. Motion Carried.

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

PRELIMINARY & FINAL PLAT for Charles & Lisa Dodds/Isley Properties, LLC

Property is owned by Charles & Lisa Dodd Isley Properties, LLC and is 9.149 acres. They are combining Lot A & Lot J into Lot A revised while also fixing an easement issue between them and the neighbors. Loren Vrem explained the prior plat did not grant easement to all lots and this plat will do this.. The property is zoned PF-Park Forest and this plat will make the lot larger by combing to smaller lots.

Moved-Seconded (Stone-Schenk) motion to approve as an Exempt plat. Motion Carried.

Moved-Second (Stone-Schenk) motion to approve Preliminary plat. Motion Carried.

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

FINAL PLAT for BH Development LLC

Property is currently zoned PUD-Planned Unit Development and the surrounding property is zoned PF and PUD. The zoning was changed from PF to PUD in 2011. This property is owned by BH Development LLC and the development of Powder House Pass as well as the original Wilderness Estates. The proposed lots match the original master plan for some townhouse/small lot sizes. Water lines are installed and active. Sewer lines are installed, but are still being pumped into the holding tanks and then being pumped as needed until the treatment plant is installed. This plat includes 2.399 acres for Lot 2, Blk 3 and Lot 3, Blk 4 if Wilderness Estates 2nd Addition. There are no changes from the preliminary plat.

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

FINAL PLAT for HES 125 LLC

Property is owned by HES 125, LLC and located near the Lead Country Club and is zoned SRD-Suburban Residential District. The proposed plat matches the preliminary plat and is .598 acres. A fire plan has already been completed. Sewer and water is already completed.

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

PRELIMINARY & FINAL PLAT for Coletta Tree Farm Inc

Property is zoned PF-Park Forest and is approx. 14.64 acres on this plat. The landowner is Coletta Tree Farm Inc owns approx 85 acres in the general vicinity. This is M.S. 1867 the Tin Cup Lode in Section 9. T4N, R4E. This plat will divide the lode into 2 lots one being 7.911 acres and the other being 6.727 acres. Staff recommended denial of this plat due to lack of Fire plan submittal to the P&Z office. Loren Vrem stated that the Wildfire Mitigation Contractor is out of town fighting fires but will be sending the Fire Plan in as soon as he returns. Vogt mentioned that there are also road issues involving maintenance and access that are not agreed upon. She suggested that the county receive an overall plan submitted for the future of this area.

Moved-Second (Schenk-Stone) motion to table until August 4, 2016, P&Z Board Meeting. Motion Carried.

PRELIMINARY & FINAL PLAT for Larry Roth/Thomas Wintersteen

Property is owned by Larry Roth and Thomas Wintersteen, it is zoned PF-Park Forest and it is approx. 23.45 acres total acres, but it is re-doing lot lines on existing lodes for access to Highway. Springview Lode and a portion of Violet No 2 is being combined and the Big Dipper No 1 and No.2 is being combined with a portion of the Springview Lode. It is taking 3 Lodes and leaving 3 lots.

Moved-Seconded (Stone-Schenk) motion to approve as an Exempt plat. Motion Carried.

Moved-Second (Stone-Schenk) motion to approve Preliminary plat. Motion Carried.

Moved-Seconded (Stone-Schenk) motion to approve Final plat with condition that county receives the 3rd mylar sheet with signatures. Motion Carried.

PRELIMINARY & FINAL PLAT for Karl & Nancy Schenk

Property is owned by Karl & Nancy Schenk and is located off of Nemo Rod on Penny Lane. The entire HES 417 is approx 46 acres and they are requesting 5 acres to be platted off of this leaving a remainder of the HES of 41.41 acres. Property is zoned PF-Park Forest. A fire plan is needed for this property and as of July 6, 2016 we have not received anything. Staff recommends denial due to lack of Fire Mitigation Plan. Vogt asked the Board if the plat should include the entire H.E.S? Frank Dicesare stated that the landowner does not wish to plat the whole area yet.

Moved-Second (Schenk-Stone) motion to move to continuance due to absence of Fire Mitigation Plan for August 4, 2016 P&Z Meeting. Motion Carried.

PRELIMINARY & FINAL PLAT for Black Diamond Properties

Property is owned by Black Diamond Properties and is zoned SRD-Suburban Residential District. This property was originally subdivided as a single family residential lot. The property owners submitted a building permit the layout of the proposed residence was much like a townhouse. The P&Z office did not issue the building permit. The owners decided to try and subdivide the lot in order to allow the structure they had proposed. Staff has some concern with the subdivision of this lot due to the increased sewage demand on the existing system as well as the increased water demand on the current system. The lot size of this lot has already had to be changed to increase the buildable area of the lot and now they are proposing to subdivide the lot in order to put in a townhouse instead of a single home. It is unknown whether the proposed structure will be allowed to hook into the existing septic drain field, therefore they may have to install a separate drain field. There has not been a design submitted yet. The original plan in this subdivision was to have a joint drainfield and septic tank, not to have individual fields.

Moved-Seconded (Schenk-Stone) motion to move to continuance for August 4th, 2016 P&Z Meeting to allow for septic issues to be addressed. Motion Carried.

PRELIMINARY & FINAL PLAT for Jane & William Hauck

Property is owned by Bill & Jane Hauck located off of Last Chance Ridge Trail near Terry Peak. It is currently zoned SRD-Suburban Residential and the purpose of this plat is to combine Lots 7 and 8, Blk 13 in order to build an addition.

Moved-Seconded (Stone-Schenk) motion to approve as an Exempt plat. Motion Carried.

Moved-Second (Stone-Schenk) motion to approve Preliminary plat. Motion Carried.

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

FINAL PLAT for Greenview LLC

Property is owned by Greenview Estates LLC is located near Wyoming and is currently zoned PF-Park Forest. The proposed plat matches the preliminary plat.

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

PRELIMINARY & FINAL PLAT for Deadwood Hills Estates, LLC

Property is owned by Deadwood Hills Estates. Total acreage is 20.14 acres. Property is zoned PF- Park Forest. Property was originally platted in 2005 and we have an approved Preliminary Plat which looks exactly like what is presently submitted. Since this time a road has been built across this property and a second cul-de sac, all currently being on other plats of record. The landowners are requesting a revised preliminary plat be approved with the updates and the final plat for all 4 lots be approved as submitted. This revised preliminary plat would be grandfathered under the regulations from 2005 and not be required to provide a fire plan, therefore it is being submitted as an exempt plat.

Moved-Seconded (Stone-Schenk) motion to approve as an Exempt plat. Motion Carried.

Moved-Second (Stone-Schenk) motion to approve Preliminary plat. Motion Carried.

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

PUBLIC HEARING for CUP # 398-16 Wharf Resources

Coeur Wharf is requesting to modify their current condition #34 as approved on June 14, 2011 by the Lawrence County Commissioners. Coeur Wharf is an active mine in Lawrence County since the mid 1980's. Change to Condition #34 re: Wharf Resources is requesting that maintenance on Perkins Rd (Richmond Hill Rd) be discontinued due to the ending mining operations in that area. Should a Road District be established, Wharf has offered to be a part of District with neighboring property owners.

Bruce Outka presented an email he received from Atty Greg Erlandson of Rapid City prior to the meeting today requesting a continuance. Also present was an emailed letter from Kurt Ratzlaff voicing concern of the proposed change.

PROPOSERS:

Ken Nelson, General Manager of Wharf Resources, presented the company's position in rights to reclaim the road after mining and advised about creating a road district for the future of the area. He also presented background on the present CUP and reasons for the application now and informed that the present road was built to standards and signed off on by the SD DOT.

OPPOSERS:

Allen Haid, 20976 Richmond Rd, Spoke of concerns about the steep grade and gravel that washes onto the road currently. He stated concerns of cost for the residents to maintain the road as is. Rich Nelson, 20595 Richmond Hill Rd, stated that the road that was there prior to Coeur-Wharf mining was a road that worked better for the residence compared to the one now. Marty Comes, 20975 Red Hill Rd, stated concerns about access. Nelson mentioned that the old road was a state road and that they did not need legal access then. Bruce Outka, County Atty, stated that the old road may have been vacated and now legal access belongs only to Wharf, but that Wharf cannot legally leave the residents landlocked. He recommended a road district be put in place, and that the Auditor's office can assist in the process.

PROPOSERS:

Matt Zeitlow, Environmental Mine Manager stated the reclamation schedule is per the SD Administrative Rule. Ken Nelson reminded that to lower grade on the road would also add miles to the road.

OPPONENTS:

Dick Maxwell, 20929 Red Hill Rd, expressed his concern with where maintenance of the road would end, being that he lives farther up the road than the other residents. Becky Nelson questioned the county's obligation to maintenance. Sandra Maxwell, proposed questions about access and becoming landlocked. Vogt responded that residents have lodes and not lots that they should check their plats of record for legal access information. Bruce Outka suggested to not close the public hearing and continue to the August 4th, 2016 P&Z meeting. Vogt clarified Wharfs intent of the application to plan for the future and informed of how road district services work.

Johnson voiced concern about the amount of residents in the area later and the future after wharf finishes mining operations. Schenk reminded that the residents cannot be left landlocked and that the State, County and the Federal Government will not be taking over the road. He also asked specifically about anyone present having concerns with the CUP as stated presently? Sandra Maxwell, Allen Haid and Marty Comes replied that they did have issue with Wharf stopping maintenance at anytime after the CUP would be issued.

Moved-Second (Schenk-Tysdal) motion to continuance of Public Hearing to August 4, 2016. Motion Carried.

Items from Planning & Zoning Board Members

None.

Opportunity for Public Comment

None.

The meeting adjourned at 3:15 PM

APPROVED: _____
Rick Tysdal, CHAIR

Date: _____

ATTEST: _____
Craig Mickelson, SECRETARY

LAWRENCE COUNTY PLANNING & ZONING BOARD
MINUTES OF AUGUST 4, 2016

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, August 4, 2016 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

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

Absent: Julie Stone

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

Moved-Seconded (Mickelson-Schenk) to approve minutes of the July 7, 2016 meeting. Motion Carried.

Moved-Seconded (Mickelson-Schenk) to approve the agenda with updates that Item I is also an Exempt plat and Items E and O have been removed. Motion Carried.

Declaration of Conflicts of Interest: Tysdal-Item B

LAYOUT PLAN for Clifford Johnson

Property located off of Crook Mtn Rd and Crook City Rd. Combining old Crook City lots into 3 parcels. To correct issues of two residences presently on one lot. In the process they would like to add a lot for one more residence. This will be an exempt plat once submitted.

PRELIMINARY & FINAL PLAT for Calvin & Kathleen Youel & John & Vicki Folkerts

Continuance from P&Z Meeting July 7, 2016. Lots 1 and Lot 2 of the Folkerts-Youel Subdivision. Located off of Rochford Road on Silver Creek Rd. This property is zoned Park Forest and is approximately 81.16 acres and they would like to keep the existing historical cabin on Lot 1 and build a new residence on Lot 2. Fire Plan has been submitted to P&Z. The applicant is asking for some leniency in the fire plan work as where the home will be placed there is nothing to complete.

Moved-Second (Mickelson- Brady) motion to approve Preliminary plat subject to Fire Plan. Motion Carried.

Moved-Seconded (Mickelson- Brady) motion to Deny Final plat. Motion Carried.

PRELIMINARY & FINAL PLAT for Black Diamond Properties

Continuance of July 7, 2016 P&Z meeting. Preliminary & Final plats for a subdivision of Lot 7 at the Terry Peak Chalets. Property is owned by Black Diamond Properties and is zoned SRD This property was originally subdivided as a single family residential lot. The property owners submitted a building permit, the layout of the proposed residence was much like a townhouse. The P&Z office did not issue the building permit. The owners decided to try and subdivide the lot in order to allow the structure they had proposed. Staff has some concern with the subdivision of this lot due to the increased sewage demand on the existing system as well as the increased water demand on the current system. The lot size of this lot has already had to be changed to increase the buildable area of the lot and now they are proposing to subdivide the lot in order to put in a townhouse instead of a single home Since last Meeting perc tests has been received. We also received a

letter from Tom Marsing, BH Chairlift in support of the installation of a separate drainfield and septic system.

Moved-Second (Brady-Coburn) motion to approve Preliminary plat. Motion Carried.

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

PRELIMINARY & FINAL PLAT for BH Development LLC

This plat includes 11.504 acres for Tract 2C of Wilderness Estates 2nd Addition. Located off of Hwy 85. This will be sold to a developer and will then have to be brought forward again with a new preliminary plat for the layout of this Tract. Property will remain a CID of Powder House Pass.

Moved-Second (Mickelson-Schenk) motion to approve Preliminary plat. Motion Carried.

Moved-Second (Mickelson-Schenk) motion to approve Final plat. Motion Carried.

FINAL PLAT for BH Development LLC

This plat includes 1.039 acres for Lot 2, Blk 3 of Wilderness Estates 2nd Addition. Located off of Hwy 85. Property is still bonded, insurance has been extended.

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

FINAL PLAT for Maitland Partners

Final plat for Lot 5 of Harley Estates, located off Maitland Rd. Harley Estates was approved back in 2006 for 13 lots with individual septic tanks and City of Deadwood water. It is all zoned PF. This is only the 2nd lot platted in Harley Estates and it meets the original preliminary plat.

Moved-Second (Brady-Coburn) Motion Carried.

PRELIMINARY & FINAL PLAT for Marion Kamstra Trust

Preliminary & Final plats Tract 3A & Tract 4 of M.S. 1330, located off of Nemo Rd. Property is zoned PF and is approx 32.59 acres. They are making 3 parcels into 2 parcels and re-platting the Erie and Legal Tender Lodes into Tract 4. Property does have access off of Nemo Road in 2 places. This is an exempt plat as it is decreasing density.

Moved-Seconded (Brady-Schenk) motion to approve as an Exempt plat. Motion Carried.

Moved-Second (Mickelson-Schenk) motion to approve Preliminary plat. Motion Carried.

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

PRELIMINARY & FINAL PLAT for Joseph & Elizabeth Vodicka

Preliminary & Final plats for Tract 4A & 5A. Located off of Fogelsong Rd and Jesse James Place along Hwy 34. Property is zoned A-1 general agriculture and is approx. 47.63 acres total. Tract 5A is being reduced from 12.00 acres to 3.17 acres and the remainder of this portion is being added to Tract 4 to make it 44.46 acres. This is an exempt plat because it is a lot line adjustment.

Moved-Seconded (Mickelson-Brady) motion to approve as an Exempt plat. Motion Carried.

Moved-Second (Mickelson-Coburn) motion to approve Preliminary plat. Motion Carried.

Moved-Seconded (Coburn-Mickelson) motion to approve Final plat. Motion Carried.

FINAL PLAT for Mattson Inc

Final plat for Common Lots 1, 2, & 3 of Shirttail Gulch Subdivision, located off of Boulder Canyon Rd. The property in question is zoned PF and is a total of 7.32 acres (Common Lot 1 6.39; Common Lot 2 .53 and Common lot 3 .40 acres) The common lots are as dedicated in the original preliminary plat and will be transferred to the Homeowners Association at some time. None of these lots have any residential building rights attached to them. It does complete platting of Shirttail Gulch Subdivision.

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

CORRECTIVE PLAT for Jon & Barb Mattson & Mattson Inc

Corrective Plat for Tract B-1 of Brighter Day Sub, located off of Two Bit Rd. The property is zoned PF and is approximately 46.56 acres. This plat is fixing an issue that the original plat had with a property line being in the wrong place.

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

FINAL PLAT for Karen Dilts

Final plat for Lot 7 of Country Club Estates, located off of Rochford Rd near Lead Country Club. Property is zoned SRD-Suburban Residential and Lot 7 is 1.63 acres. The plat matches the original preliminary plat.

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

FINAL PLAT for Pillar Peak & Luella LLC

Final plat Lot 21 of the Estates at Pillar Peak ,located off of Boulder Canyon Rd. Property is currently zoned PF-Park. This property is a pre-existing subdivision and has already met the requirements of the subdivision ordinance. Plat matches the preliminary plat.

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

PUBLIC HEARING for CUP # 398-16 Wharf Resources

Continuance of P&Z Public Hearing from July 7, 2016. Coeur Wharf is requesting to modify their current condition #34 as approved on June 14, 2011 by the Lawrence County Commissioners. Change to Condition #34 re: Wharf Resources is requesting that maintenance on Perkins Rd (Richmond Hill Rd) be discontinued due to the ending mining operations in that area. Should a Road District be established, Wharf has offered to be a part of District with neighboring property owners.

PROPOSERS: Ken Larsen, Mine General Manager gave update that they have contacted landowners about setting up a road district, nothing is set up yet.

OPPOSERS: Greg Erlandson, legal representative of some of the landowners on Richmond Hill, stated that his clients object to the CUP. He also requested, on their behalf to table until reclamation is underway. As well as addressing Ordinance 1.6 of Chapter 20 and tabling until a

partial impact study could be done to see how road is being used. Erlandson requested that the Board hear from some of the other area residents that did not attend the July 7th P&Z public hearing. .

PROPOSERS: Larson stated that Wharf does not plan to reclaim the road due to resident access and that mining will end in about 5-7 years. Todd Duex, General Manager of Richmond Hill Mine water treatment plant, encourages a road district.

OPPOSERS: Several of those present requested more time to discuss and plan a road district.

Amber Vogt reminded that some of the residents have purchased Lodes without legal access and that the area is not a Subdivision. Brady, Mickelson and Johnson stated that the road will not become a county road and the residents need to be proactive about the issue.

Moved-Second (Brady-Mickelson) motion to Table Public Hearing until September 7, 2017 and place on Agenda for Discussion before that time. Motion Carried.

DISCUSSION of Initiated Measure

Discuss the Initiated Measure proposing changes to the Zoning Ordinance relating to allowed zoning designations for gravel pits submitted by Save Centennial Valley. July 12, 2016 the County Commission, voted not to carry measure forward and has requested that the P&Z Board review and recommend on Items in Ordinance. Vogt is to give recommendations to the County Commission August 23, 2016.

Charles Brown, petitioner of the Initiated Measure provided a position paper to the Board and Staff defining proposed changes to the measure and discussed the ideas present within.

Vogt stated concerns about the restrictions to all extractive industries of proposed changes to Chapter 3 of the Zoning Ordinance and the broader implications of a change of zoning to Industrial zoning. She stated that the an Ordinance review will be put on the P&Z Board agenda in the fall and in Jan. or Feb. 2017 to review, per regular procedure.

Charles Brown clarified that the intention of the measure was not to include all extractive industries.

Bruce Outka referenced the coming election on August 30, 2016: Voting yes would be for the CUP. Voting no would be against the CUP. This CUP for Mt View LLC was approved by the County Commission June 9, 2016.

Items from Planning & Zoning Board Members

None.

Opportunity for Public Comment

None.

The meeting adjourned at 3:20 PM

APPROVED: _____
Rick Tysdal, CHAIR

Date: _____

ATTEST: _____
Craig Mickelson, SECRETARY

LAWRENCE COUNTY PLANNING & ZONING BOARD

MINUTES OF SEPTEMBER 1, 2016

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, September 1, 2016 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present:, Rick Tysdal, Craig Mickelson, Daryl Johnson, Bill Coburn and Travis Schenk.

Absent: Julie Stone and Tom Brady

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

Moved-Seconded (Schenk-Mickelson) to approve minutes of the August 4, 2016 meeting.
Motion Carried.

Moved-Seconded (Schenk-Mickelson) to approve the agenda with updates that Item I is a Preliminary Plat only. Motion Carried.

Declaration of Conflicts of Interest: None

PRELIMINARY & FINAL PLAT for Todd & Sally Kenner

Preliminary & final plats of Tract K of Black Forest Ranchettes No. 2, located off of Yellow Creek along One Horse Road. This property is zoned Park Forest and is approximately 5.59 acres. They are combining Lot 2 & 3 of Black Forest Ranchettes No. 2 and Govt Lot 6 of MS 1764 into 1 lot. This plat would be considered an exempt plat as they are actually decreasing density not increasing it. There is access to the property along One Horse Road and along Magpie Road. There is a 50' access easement off the back of the property as well. The existing structure sits across the property line of Lot 2 & 3 and this re-plat will allow the residence to not sit on a property line as well as meet a 25' setback on all sides of the property.

Moved-Seconded (Schenk-Mickelson) motion to approve as an Exempt plat. Motion Carried.

Moved-Second (Mickelson-Schenk) motion to approve Preliminary plat. Motion Carried.

Moved-Seconded (Mickelson-Schenk) motion to move to approve Final plat. Motion Carried.

PRELIMINARY & FINAL PLAT for Edward Hinker & Zack Westberg

Preliminary & final plats of Lot 12 A Revised and Lot 12 B Revised of Block 4 of Whitewood Forest Addition #2, located outside of Whitewood. This property is zoned SRD-Suburban Residential District. They are moving a lot line between lot 12A and 12B of Whitewood Forest Addition #2. These lots already have water, sewer and all roads are complete. This would be an exempt plat as it is moving a middle lot line not increasing or decreasing overall density. Fire Plan and Road District are already in place.

Moved-Seconded (Mickelson-Schenk) motion to approve as an Exempt plat. Motion Carried.

Moved-Second (Schenk-Coburn) motion to approve Preliminary plat. Motion Carried.

Moved-Seconded (Mickelson-Schenk) motion to move to approve Final plat. Motion Carried.

PRELIMINARY & FINAL PLAT for Vincent & Connie Pfeifle

Preliminary & final plats of Pfeifle Tract 1 and 2, located along Dalton Lake Rd in Vanocker Canyon. This property is zoned Park Forest and is approximately 13.41 acres. The request is to split the existing cabin located on the South of the property and the west side of Dalton Lake Road onto a 3.41 acre lot and the land located on the North side of Dalton Lake into a 10 acre parcel. A fire plan has been received for this property. There is floodplain on both lots of the property as well.

Moved-Second (Mickelson-Schenk) motion to approve Preliminary plat. Motion Carried.

Moved-Seconded (Coburn-Mickelson) motion to approve Final plat. Motion Carried.

PRELIMINARY & FINAL PLAT for Terry & Paula Schank

Preliminary & final plats of Tract 1A-A & Tract 8A fo Nemo placer, located along Nemo Rd. This property is zoned SRD-Suburban Residential and is approximately 2.799 acres. The property uses an individual septic system and water source. They are taking 3 lots and combining them into 2 lots with a house on each lot.

Moved-Seconded (Schenk-Mickelson) motion to approve as an Exempt plat. Motion Carried.

Moved-Second (Schenk-Mickelson) motion to approve Preliminary plat. Motion Carried.

Moved-Seconded (Schenk-Coburn) motion to move to approve Final plat. Motion Carried.

PRELIMINARY & FINAL PLAT for Calvin & Kathleen Youel & John & Vicki Folkerts

Preliminary & Final plat for new tracts of land to have existing residence on one lot; create a new lot to allow building another residence. Lots 1 and Lot 2 of Folkerts-Youel Subdivision. This property is zoned Park Forest and is approximately 81.16 acres and they would like to keep the existing historical cabin on Lot 1 and build a new residence on Lot 2. The Silver Creek Road is a private access easement. We did receive a fire plan for this property and Unit F has been completed which is the closest to the residences; Unit B is where both homes will be sitting and Unit C & G will be done within a year. The applicant is asking for some leniency in the fire plan work as where the home will be placed (Unit B) there is nothing to complete. After the last meeting it was stated that the work in Unit G needed to be completed which is a 100' tree line along the access road. We have received a letter from Rob Mattox that the area where the new home will sit does not need any work and that they have completed the work in Unit G which is the 100' buffer area that was discussed at the previous meeting. Preliminary Plat has already been approved by the P&Z Board on August 4, 2016.

Moved-Seconded (Mickelson-Coburn) motion to move to approve Final plat. Motion Carried.

PRELIMINARY & FINAL PLAT for Karl & Nancy Schenk

Preliminary & Final plats for a 5 acre lot to be broken off of the total HES 417. Property is owned by Karl & Nancy Schenk and is located off of Nemo Road on Penny Lane. The entire HES 417 is approx 46 acres and they are requesting 5 acres to be platted off of this leaving a remainder of the HES of 41.41 acres. Property is zoned PF-Park Forest. A fire plan is being created on this property by Rob Mattox. We have received the plan, but

there is a question on whether or not the entire acreage needs to be treated or just the 5 acres that they are selling.

Moved-Second (Coburn-Mickelson) motion to approve Preliminary plat. Motion Carried.

Moved-Seconded (Mickelson-Coburn) motion to move to approve Final plat. Motion Carried.

FINAL PLAT for Karen Dilts

Final plat for Lot 8, 17 & 20 of Country Club Estates. Property is zoned SRD-Suburban Residential and Lot 8 (1.67 ac), 17 (1.22 ac) & 20 (1.31 ac). The Country Club Estates has public water system and individual septic tanks and all roads are complete. The plat matches the original preliminary plat.

Moved-Seconded (Coburn-Schenk) motion to move to approve Final plat. Motion Carried.

FINAL PLAT for Joseph & Elizabeth Vodicka

Final plats for Tract 4A & 5A, located off of Fogelsong Rd and Jesse James Place along Hwy 34. The property is zoned A-1 general agriculture and is approx. 47.63 acres total. Tract 5A is being reduced from 12.00 acres to 3.17 acres and the remainder of this portion is being added to Tract 4 to make it 44.46 acres. This is an exempt plat because it is a lot line adjustment. Lawrence County Commission meeting August 23, 2016, the Preliminary Plat was denied due to inaccuracy of the plat. It is re-submitted today with corrections. The prior vote on the Final Plat still stands. Approved. August 4, 2016.

Moved-Second (Schenk-Mickelson) motion to approve Preliminary plat. Motion Carried.

PRELIMINARY PLAT for Union Resorts LLC

Preliminary plat of Lots 1-3, Blk 4 of Mystic Miner Subdivision. It is located off of Deer Mt Road near Resort. This property is zoned PUD-Planned Unit Development and is a total of 528.43 acres. The property has an approved Master Plan and the preliminary plat presented matches the first phase of the plan. The lots have water & sewer already installed and the road to this first area has been completed. The entire property has an approved fire plan and the work has been completed. There were a total of 531 units approved under the PUD; we have currently approved 11 units total in the PUD; there are 14 preliminary approved units; this plat approves 3 units, which leaves 503 units still remaining.

Moved-Second (Coburn-Mickelson) motion to approve Preliminary plat. Motion Carried.

PRELIMINARY & FINAL PLAT for Sherri & Taylor Herrick

Preliminary & Final plats for Lots 1A-3A, located off of Hwy 14A. This property is partially zoned Park Forest and Suburban Residential District. Lot 1A (4.422 ac) and 2A (1.499 ac). They are moving the lot line between two of the parcels in order to the existing shop building sit on Lot 2A. This would be an exempt plat because there is no increase or decrease in density.

Moved-Second (Schenk-Coburn) motion to continuance to allow for a fix of the setback issue. Motion Denied.

Moved-Seconded (Mickelson-Johnson) motion to approve as an Exempt plat. Motion Carried.
Moved-Second (Mickelson-Schenk) motion to approve Preliminary plat. Motion Carried.
Moved-Seconded (Coburn-Mickelson) motion to approve Final plat. Motion Carried.

RECOMMENDATION MEETING - VAR # 150 for VanOsdol

Tract L of Brandon Subdivision, located along Higgins Gulch Road. The property is 39.81 acres and is zoned PF-Park Forest District. All surrounding properties are also zoned PF. Applicant, Andrew VanOsdol is requesting a variance to the 45’ setback between structures or an interpretation that the 45’ setback can be from the existing shop to the new house not the older cabin. They are able to meet the requirements of the new Guest House Ordinance all except the 45’ setback between structures and the tie in to the existing septic system. The building permit for this property would be issued by the City of Spearfish.

Discussion:

There was discussion between Amber Vogt, P&Z Director and Board Members about the Guest House Ordinance 16-01. Vogt explained, in some circumstances there is conflict with the Ordinance and the property owners having to share septic systems already installed. Bruce Outka, County Attorney stated that this request for Variance is due to topographical issues on the property for the new Residence. The home builder, Brad Lalonde claimed that the distance for setbacks is not attainable due to topography and from his perspective other options are not practical. Coburn and Tysdal commented that they would like to delay this variance and address the new Ordinance sooner than the six month mandate from the County Commission because of the conflicts with septic and setbacks.

Moved-Seconded (Schenk-Coburn) motion to deny Variance as Recommendation to Public Hearing with County Board of Adjustment. Motion Carried : aye-Schenk, aye-Tysdal, aye-Coburn, nay:Mickelson and abstention:Johnson.

Items from Planning & Zoning Board Members

Vogt relayed the message from Rob Mattox to have a discussion with the board about Fire Plans etc.It will be put on the agenda for the October 6, 2016 P&Z meeting.

Opportunity for Public Comment

Charles Brown and Mr and Mrs Leslie Auer brought forward complaint issues about Centennial Rock Quarry and were advised by Vogt to present the P&Z office with information in writing.

The meeting adjourned at 2:39 PM

APPROVED: _____
Rick Tysdal, CHAIR

Date: _____

ATTEST: _____

Craig Mickelson, SECRETARY

LAWRENCE COUNTY PLANNING & ZONING BOARD

MINUTES OF OCTOBER 6, 2016

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, October 6, 2016 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

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

Absent: Craig Mickelson

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

Moved-Seconded (Brady-Schenk) to nominate Bill Coburn as temporary secretary in the absence of Craig Mickelson. Motion Carried.

Moved-Seconded (Coburn-Schenk) to approve minutes of the September 1, 2016 meeting. Motion Carried.

Moved-Seconded (Coburn-Brady) to approve the agenda with updates that Item L has been removed. Motion Carried.

Declaration of Conflicts of Interest: Tydal: Item E, Brady: Item D and Stone: Item J.

INFORMATIONAL MEETING-CUP # 438 for Ron & Debbie Waldner

Request to build and operate a light manufacturing business on the same property as their residence. Lot 2 of Tract A of SE 1/4 NE1/4 of Stolen Kiss Ranch. Located along Crook City Road. There is no signage request and parking requirements are met. There will be no new approaches on to Crook City Rd. The building itself will be built to reflect surrounding aesthetics and no scrap metal will be stock piled.

Public Hearing Set: with Planning and Zoning for November 3, 2016.

INFORMATIONAL MEETING-COZ # 313 for Diane & Leo Orme

Request to change the zoning from A-1 General Agriculture to RR Rural Residential in order to subdivide the lot and split it between the two landowners. Lot 2B of the SW 1/4 NW 1/4. Located along Lookout Mountain Rd. Board recommended that Orme include all of his adjoining parcels in his request so as to eliminate the need to do it later. Mr. Orme agreed. Paperwork will be changed to reflect all Orme parcels in that area.

Public Hearing Set: With Planning and Zoning for November 3, 2016.

PRELIMINARY & FINAL PLAT for Doug Shonley

Lot 68 Revised; Lot 70, Blk 1 and Block 2 of Boulder Park Subdivision Section 15, T5N, R4E. Located off of Boulder Canyon. Moving lot lines. Shonley plans to build a new home on Lot 70.

Moved-Seconded (Stone-Schenk) motion to approve as an Exempt plat. Motion Carried.

Moved-Second (Stone-Johnson) motion to approve Preliminary plat. Motion Carried.

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

FINAL PLAT for Union Resorts LLC

Lots 1-6, Block 2 & Lot 1, Blk 4 of the Mystic Miner Subdivision. Section 11, 13, 14, 24 T4N, R2E and Section 18 T4N, R3E. Located off of Deer Mt Road. Matches first phase of Preliminary Plat.

Moved-Seconded (Brady-Stone) motion to approve Final plat. Motion Carried.

PRELIMINARY & FINAL PLAT for Clifford Johnson Family Living Trust

Lots A, B, C, Blk 7 Town of Crook City Section 33, T6N, R4E. Located off of Crook City Road. This Plat will take several old lots and make them three compliant lots as well as getting the 2 residences to sit on their own lots.

Moved-Seconded (Brady-Stone) motion to approve as an Exempt plat. Motion Carried.

Moved-Second (Schenk-Stone) motion to approve Preliminary plat. Motion Carried.

Moved-Seconded (Brady-Stone) motion to move to approve Final plat. Motion Carried.

FINAL PLAT for Two Bit LLC

Lots 7, 55, 56 & 57 of Golden Hills Subdivision in Section 25 & 36, T5N, R3E. Located off of Two Bit Road. Matches Preliminary Plat.

Moved-Seconded (Brady-Stone) motion to move to approve Final plat. Motion Carried.

PRELIMINARY & FINAL PLAT for Kinship Mt Ministries

Tracts 1A & 1B of Kinship Mt Estates. Section 15 & 16 T3N, R4E. Located off of Hwy 385 & Paha Sapa Rd. Fire Plan was received but only for Tract 1B. David Winter contractor for Kinship Mtn. Ministries explained that they have removed trees according to fire plan. Coburn expressed concern for access issues in in case of emergency. Brady stated that the camp has turned into a development with no plan. Staff recommends approval of Preliminary only.

Moved-Seconded (Brady-Coburn) motion to deny Preliminary plat. Motion Carried.

FINAL PLAT for Homestake Mining Co & SDGF & P

Tract 1A of the Montana Placer M.S. 991 in Section 31, T5N, R2E & Section 6, T4N, R2E. Located off of Spearfish Canyon/Hwy 14A. This plats all of the Montana Placer M.S. 991.

Moved-Seconded (Brady-Coburn) motion to approve as an Exempt plat. Motion Carried.

Moved-Seconded (Brady-Coburn) motion to approve Final plat. Motion Carried.

FINAL PLAT for Aspens at Allikat Corner LLC

Lots 1-4 of Diamond Estates Section 13 & 14, T3N, R4E. Located off of Nemo Rd/Benchmark Rd. Plat follows original Preliminary plat.

Moved-Second (Brady-Stone) motion to approve Final plat. Motion Carried.

DISCUSSION on ORD 16-03 Extractive Industry

Amber Vogt asked for more clarification as to what the Board would like to see as examples of other extractive industry ordinances. The Centennial Valley Association submitted a document that shows some of their ideas for the ordinance. This was passed out to the Board. Charles Brown member of the Association stated he was prepared to discuss the ideas. Vogt also informed that the Attorney for Mountain View Ranches, Bart Banks sent a list of ideas as well. The Board decided to go through the ordinance at the next informational meeting.

Items from Planning & Zoning Board Members

Amber Vogt informed the Board that after Ordinance 16-03 is completed that there can be no new ordinances changes until the new year. This is due a change in digital document handling in the Planning and Zoning Department for 2017.

Opportunity for Public Comment

None.

The meeting adjourned at 2:58 PM

APPROVED: _____
Rick Tysdal, CHAIR

Date: _____

ATTEST: _____
Craig Mickelson, SECRETARY

LAWRENCE COUNTY PLANNING & ZONING BOARD
MINUTES OF NOVEMBER 3, 2016

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, November 3, 2016 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present: Craig Mickelson, Rick Tysdal, Bill Coburn, Daryl Johnson, Tom, Brady, and Travis Schenk

Absent: Julie Stone

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

Moved-Seconded (Brady-Coburn) to approve minutes of the October 6, 2016 meeting. Motion Carried.

Moved-Seconded (Mickelson-Coburn) to approve the agenda with updates that Item C has been removed. Motion Carried.

Declaration of Conflicts of Interest: None

PUBLIC HEARING-CUP # 438 for Ron & Debbie Waldner

Request to build a 3500 sq ft pole building and operate a light manufacturing business on the same property as their residence. Lot 2 of Tract A of SE 1/4 NE1/4 of Stolen Kiss Ranch. Located along Crook City Road. The business is Snowflake Metalworks building customized interior and exterior railings. The building itself will be built to reflect surrounding aesthetics and no scrap metal will be stock piled outside. The property is currently zoned PF Park Forest and is approx 14.69 acres. Amber Vogt referenced two emails send by property neighbors Kemnitz and Gutnecht. Petitioner presented details on property and business stating a timeframe for building would be short and aesthetics will match surroundings. He detailed expected traffic flow and will use the new building to move existing stockpile indoors. Darrell Kemnitz, 11995 Crook City Rd, voiced concerns of operation noise and disturbance of natural surroundings. Gary and Sandy Coe, 12001 Crook City Rd, and Leslie Aure, 20361 Auer Rd, affirmed support for the operation and the Waldners as neighbors.

Moved-Seconded (Brady-Mickelson) motion to move to Public Hearing, with 18 conditions and for petitioner to substantially comply with site plan, building plan, and to provide SD excise tax number. Motion Carried.

Public Hearing Set: with Planning and Zoning Board for November 22, 2016.

RECOMMENDATION MEETING-VAR #151 for Robert and Jennifer Murray

Applicant is requesting a 6' variance to the 25' rear setback in order to build an attached garage to an existing residence. Lot M2R of the Goetz Subdivision NW 1/4 NW 1/4 of Section 25, T6N, R2E. Located on Christensen Drive. The original home was built on the property with the septic system on the neighboring landowners and it does not include a garage. The proposed landing and staircase on the back of the garage will be outside of the 25' setback. DENR has already given a 5' Variance for the garage and its distance from the septic tank. The county variance is needed for the structural integrity of the building.

Moved-Seconded (Brady-Mickelson) motion to move to Public Hearing, with conditions of Ordinance Ch. 16. The Board finding a Variance a reasonable necessity to facilitate the use of the property. Due to the topography of the north side of the property, along with the structural component of the existing structure. Motion Carried.

Public Hearing Set: With Board of Adjustment for November 10, 2016.

PRELIMINARY & FINAL PLAT for Jerry Hood

Preliminary & Final plats for Lots RH and FS of Section 27, T3N, R5E. Located off of Nemo Rd. This property is currently zoned SRD-Suburban Residential District. This is a lot line change between Mr. Hood's property and the neighboring land owned by the Nemo Fire Department. This will allow direct access to Nemo Rd to Mr. Hood's property without having to cross the fire dept property and will also allow a buildable location for Mr. Hood's proposed garage without having to issue a variance.

Moved-Seconded (Brady-Schenk) motion to approve as an Exempt plat. Motion Carried.

Moved-Second (Brady-Mickelson) motion to approve Preliminary plat. Motion Carried.

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

FINAL PLAT for Two Bit LLC

Final plats for Lots 9 & 49 of Golden Hills Subdivision in Section 25 & 36, T5N, R3E. Located off of Two Bit Road. This property is currently zoned PF-Park Forest District. The proposed lots of 9 & 49 match the originally approved preliminary plat.

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

FINAL PLAT for Maitland Partners

Final plat for Lot 6 of Harley Estates, Sections 19 & 20, T5N, R3E. Located off of Maitland Rd. Harley Estates was approved back in 2006 for 13 lots with individual septic tanks and City of Deadwood water. It is all zoned PF. This is only the 2nd lot platted in Harley Estates and it meets the original preliminary plat. The lot is 2.297 acres.

Moved-Seconded (Mickelson-Coburn) motion to move to approve Final plat. Motion Carried.

INFORMATIONAL MEETING - ORD 16-03 Extractive Industry

Vogt presented Staff suggestions; Bart Banks email; as well as the Save Centennial Valley Association suggestions. Discussion ensued regarding the definitions; types of extractive industry; addition to the Park Forest District; deletion of wording; formatting of some sections; discussion on the type of maps that should be submitted for site plans as part of the application; and change in wording from disturbance area to permit area. Kevin Farmer, 11749 Crook City Rd, talked about the concern with current disturbance area limits and the issue of the industry being able to move around a larger area and increase actual disturbed area. Leslie Auer, 20361 Auer Rd, suggested a CUP for every 10 acres disturbed. John Krispin, Regional Manager of Simon Contractors, Hills Materials Co., suggested aerial maps with Coburn adding that topographic lines as the most efficient image to provide. Farmer asked if a Socio-Economic

Impact Study would be required of Small Extractive Industry CUPs. Johnson stated that the County Commission would make that requirement if they see necessary. Karl Eisenbacher, 11793 Timber Ridge Ln, had questions about the 500' Boundary and CUP notifications. There was also talk of signage during CUP processings. Vogt advised that South Dakota state law governs many signage/notice regulations. Brady stated that the County has the option to have stricter regulations than the State. Vogt will be editing the working document as well as researching for more discussion at the December 1, 2016 Planning and Zoning Meeting.

Items from Planning & Zoning Board Members

Vogt reminded and invited the Board Members to the Western Planner Conference to be held in Western SD in late summer of 2017. The conferences will take place in Spearfish and the Lawrence County Planning and Zoning is involved with hosting along with the SDPA.

Opportunity for Public Comment

None.

The meeting adjourned at 4:28 PM

APPROVED: _____
Rick Tysdal, CHAIR

Date: _____

ATTEST: _____
Craig Mickelson, SECRETARY

LAWRENCE COUNTY PLANNING & ZONING BOARD

MINUTES OF DECEMBER 1, 2016

REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, December 1, 2016 at 1:30 p.m. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present: Craig Mickelson, Rick Tysdal, Daryl Johnson, Tom Brady, Julie Stone and Travis Schenk

Absent: Bill Coburn

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

Moved-Seconded (Stone-Brady) to approve minutes of the November 3, 2016 meeting. Motion Carried.

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

Declaration of Conflicts of Interest: None

FINAL PLAT for Two Bit LLC

Final plats for Lots 2 & 3 of Golden Hills Subdivision in Section 25 & 36, T5N, R3E. Located off of Two Bit Road. Final plat matches the Preliminary.

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

FINAL PLAT for Karen Dilts

Final plat for Lot 1 of Country Club Estates, Section 36, T4N, R2E and Section 31, T4N, R3E. Property is zoned SRD-Suburban Residential and Lot 1 (1.71 ac). The Country Club Estates has public water system and individual septic tanks and all roads are complete. The plat matches the original preliminary plat.

Moved-Seconded (Stone-Brady) motion to approve Final plat. Motion Carried.

FINAL PLAT for Tomahawk Country Club

Final Plat of Tomahawk Tract located off Hwy 385 to create a boundary of the golf course. Final Plat matches Preliminary. Property in question as well as all surrounding is currently zoned PF-Park Forest. The property is owned by Tomahawk Lake Country Club. Upon inquiry about a building permit it was found that the parcels owned had structures that crossed property lines and did not meet setbacks. It was decided to combine all the smaller lots and the larger one into a Boundary plat for the golf course. This would take care of existing and future structures meeting setbacks and not crossing boundary lines. The fire plan for this property would need to be exempted by the Commission if you deem appropriate, due to the open space nature and the floodplain of the golf course. The preliminary plat for this property was submitted and approved on May 7, 2015.

Moved-Second (Brady-Stone) motion to exempt plat from fire plan because it is a joined-er by lot of lots. Motion Carried.

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

PUBLIC HEARING-COZ # 313 for Diane & Leo Orme

Request to change the zoning from A-1 General Agriculture to RR Rural Residential in order to subdivide the lot and split it between the two landowners. Lot 2B of the SW 1/4 NW 1/4 Section 1, T6N, R2E. Located along Lookout Mountain Rd. Applicant is combining all properties owned and requesting to change zone to RR zoning and match part of the surrounding lots.

Proponents: The Leo Orme stated that he is requesting a change of zoning in order to allow Diane to sell off 20 acres and for him to retain 20 acres for pasture.

Opponents: Bruce Byrum 1540 Kerwin Lane owns property to the east of Ormes north piece. He stated that A-1 is the zoning that the property was originally purchased in and he is opposed to the change of zoning.

Proponents: Orem mentioned that the RR zoning is starting to surround the A-1 area

Opponents: Amber Vogt read a letter of opposition from Dr Michael Richey. Stating that there was the purchase agreement between Orme and himself that gives him the right of first refusal on sales of adjacent land, Lot 2B adjacent to Lot 1 Southern Border Richey states that the zoning should remain A-1 so as to be sold to be used as a General Ag District.

Discussion: Tysdal related that the change of zoning would clean up the area that has many pre-existing lots that do not meet the A-1 Zoning due to subdividing.

Moved-Seconded (Brady-Stone) motion to move to Public Hearing. Mickelson:Nay, Tysdal:Aye, Johnson: Nay, Brady:Aye, Stone:Aye, Schenk:Aye. Motion Carried.

Public Hearing Set: With County Commission for December 27, 2016.

RECOMMENDATION MEETING - VAR # 152 Karen Murphy & Gary Phillips

They are requesting a 21' variance to the 25' rear setback. The setback is actually from a Section line ROW. Property is located off of Benchmark Rd near Nemo on Lot 1, Blk 2 of The Pines at Benchmark Subdivision in Section 12, T3N, R4E. The section line runs along the back of the property. To build a variance to the section line setback not the property line.

Moved-Seconded (Brady-Stone) motion to move approve that because of the topography of the property and practical use of it, the variance would facilitate use and it still does not impinge upon the section line that would otherwise be vacated. Motion Carried.

Moved-Seconded (Brady-Stone) motion to amend main motion, moving to approve in that variance is going to be a 37' setback to a section line and due to topography and practical use of the property that it meets the variance ordinance Chapter 16. Motion Carried.

Public Hearing Set: With Board of Adjustment for December 13, 2016.

RECOMMENDATION MEETING - VAR # 153 John & Dee Geving

They are requesting a 19' variance to the 25' rear setback. They would like to move the existing pole building to the location of an old trailer house that has been removed. Legally described as Lot A of M.S. 1365 Eagle Fraction Load, Section 29, T4N, R4E. Located along Nemo Rd. This

property is in the floodplain with buildings or portions of buildings within the floodplain and would not meet FEMA regulations at present. Staff recommends approval because it cleans up the property by removing two old trailers and brings structures into compliance with floodplain regulation. John Geving explained that with traffic to the Forest Service Land adjacent to the property, the stream that runs along the property and the long and narrow shape of the land that a variance would help in use of the property. Dee stated that they have had a floodplain study done and need the variance to build a new house but would like to live in the trailer during construction. Vogt stated that they may need to do another variance on the new structure for a rear setback because of the 25' setback requirement.

Moved-Seconded (Brady-Stone) motion to move to approve as presented. Motion Carried.

Public Hearing Set: With Board of Adjustment for December 13, 2016.

INFORMATIONAL MEETING-COZ # 314 for Wilderness Trails LLC/ Kenny Price

Request to change the zoning from A-1 General Agriculture to A-2 Residential Agriculture in order to subdivide the lot into 2- 30 acre parcels . Tract 3 of the Sunset Subdivision in Section 1, T6N, R2E. Located along Lookout Mountain Rd. There was no representation from applicant. Vogt recommended to not move to public hearing at this time.

Moved-Seconded (Mickelson-Stone) motion to table until Mr. Price is able to attend a meeting. Motion Carried.

INFORMATIONAL MEETING - ORD 16-03 Extractive Industry

Vogt presented a letter from Charles Brown Resident of Centennial Valley, and email from Bart Banks Attorney for Mountain View LLC and a letter from contractor Pete Lien & Sons. She commented on the Banks email and his suggestion for a change of CUP process for the County. The Brown letter declared dissatisfaction with the present definition of a small scale quarry. Discussion took place on definitions, and mining permits. Les Auer, 20361 Auer Rd, referring to CUP 426, spoke about the large ROW/ Road area as being a part of the CUP disturbed area. Arlo Potter, 11817 Timber Ridge Rd, brought up the Save Centennial Valley position on the importance of a Socio/Economic Impact Study. Vogt clarified the difference between a permitted area and a disturbed area and discussion followed. Danielle Wiebers, Manager of Environmental and Safety Affairs, Pete Lien & Sons, Inc. discussed the effects of limiting permitted land options on businesses and their decisions to keep a small environmental footprint. There was discussion on the difference of notification area and buffer zone waiver area. Vogt provided a map for visual aid of the difference. She requested that for the next meeting the Board look at the definition and the socio/economic study option.

Items from Planning & Zoning Board Members

None.

Opportunity for Public Comment

None.

The meeting adjourned at 3:45 PM

APPROVED: _____
Rick Tysdal, CHAIR

Date: _____

ATTEST: _____
Craig Mickelson, SECRETARY