

LAWRENCE COUNTY PLANNING & ZONING BOARD
MINUTES OF JUNE 3, 2021 **REGULAR MEETING**

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, June 3, 2021, at 1:30 P.M. in the County Commission Meeting Room, 90 Sherman Street, Deadwood, SD.

Present: Kelly Fuller, Rick Tysdal, Amy Allen and Bob Ewing and Julie Stone.
Absent: Mike Whalen and Travis Schenk.

Moved-Seconded (Stone-Ewing) to approve the Regular Meeting minutes for May 6, 2021 meeting. Motion Carried.

Moved-Seconded (Stone-Allen) to approve the Agenda. Motion Carried.

Conflicts: Stone- Item H.

LAYOUT PLAN - Jimmy & Stephanie Jordan

Alpha Lode M.S. 1741 in Section 34 all located in TN, R3E VICINITY LOCATION: Brownsville/Pahkamaa Road SUMMARY: Create 4 lots from 1 lode ZONING: PF ACREAGE: 20.475 acres PARCEL ID: 26680-01741-000-76. The board discussed access to the proposed lots. Vogt shared a letter from the Forest Service regarding a portion of the road to the lots. It was decided to make sure that the property owners have a letter of access before any final plats are approved.

FINAL PLAT - Frawley Ranches Inc

Lot 24 of Frawley Ranch East, all located Section 7 and 18, T6N, R3E (legal shortened) VICINITY LOCATION: Ridgefield Loop SUMMARY: New lots-matches preliminary ZONING: A-1 ACREAGE: Lot 24 (2.626 acres) PARCEL ID: 22650-00604-000-02.

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

PRELIMINARY & FINAL PLAT - Joseph & Elizabeth Vodicka

Tracts 6A and 6B of the S 1/2 NE 1/4, N 1/2 SE 1/4, SE 1/4 NW 1/4 and NE 1/4 SW 1/4 of Section 9, T7N, R3E. (legal shortened) VICINITY LOCATION: St. Onge SUMMARY: New Lot ZONING:A-1 ACREAGE: Tracts 6A (5.09 acres) and 6B (75.18 acres) PARCEL ID: 28400-00703-092-60.

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

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

PRELIMINARY & FINAL PLAT - Teresa Horsley

Tracts D1, D2 and D3 of Crook Mt. Estates #1 in Section 3, T5N, R4E. (legal shortened) VICINITY LOCATION: Crook City SUMMARY: New Lot ZONING:PF ACREAGE: Tracts D1 (5.09 acres) D2 (6.541 acres) D3 (3.408 acres) PARCEL ID:

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18030-00504-031-40. The property owner would like to sell some land but has concerns about the cost of completing the fire plan. The Board gave her options for handling the costs of completing the work.

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

Moved-Seconded (Stone-Fuller) motion to deny the Final Plat until fire plan is completed. Motion Carried.

FINAL PLAT - Greenview LLC

Lot 19 of Greenview Estates, being a subdivision of the Greenview Estates Tract, being the remainder of HES 500 and part of Lot 1 of Tract A of HES 500 all located in the NE 1/4, SE 1/4 and NW 1/4 of Section 14, T3N, R1E VICINITY LOCATION: Hwy 85 SUMMARY: Matches preliminary plat ZONING: PF ACREAGE: Lot 19 (2.77 acres) PARCEL ID: 06200-00301-000-00.

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

FINAL PLAT - HES 125 LLC

Lots 1, 8, 9 & 10, Blk 1 of Ironwood Estates in Section 30 and 31, T4N, R3E. (Legal shortened) VICINITY LOCATION: Hanna Rd SUMMARY: New lots-matches preliminary ZONING: SRD ACREAGE: 1 (.401 acres), 8 (.360 acres) 9 (.424 acres) and 10 (.434 acres) PARCEL ID: 13000-00403-310-10.

Moved-Seconded (Stone-Allen) motion to continue the Final Plat. Motion Carried.

BOUNDARY/FINAL PLAT - BH Development & BH Properties, LLC

Tract A of Dancing Sky 2nd Addition of Powder House Pass Section 17 & 18, T4N, R3E (legal shortened) VICINITY LOCATION: Hwy 85 SUMMARY: Creation of boundary of new 2nd addition ZONING: PUD PARCEL ID: 26450-00200-000-20. The property owners plan to sell portions to a commercial developer which is part of the plan and the PUD Zoning.

Moved-Seconded (Ewing-Allen) motion to approve the Boundary/Final Plat. Motion Carried.

PUBLIC HEARING - COZ # 343 APPLICANT: Don Hander

LEGAL DESCRIPTION: A portion of the NE 1/4 NE 1/4 Section 21, T6N, R4E. VICINITY LOCATION: Hwy 34 SUMMARY: The applicant is requesting a COZ from A-1 to C/LI in order to bring land into compliance with lot size and building a storage garage ZONING: A-1 ACREAGE: 14.19 acres PARCEL ID:22000-00604-211-20. Vogt told the Board that the current lot is

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noncompliant and needs to be platted within a different zoning to build on.

Proponents: Donald Hander, PO Box 663, Lead, is the property owner and said that he wants to build a shop and store equipment on the lot.

Opponents: ReAnn Crane, 20255 Superior Pl, Whitewood, would like to see the lot fenced to keep her livestock off the property because they graze there.

Proponents: Hander said that the SD DOT has approved the access to the lot.

Opponents: None.

Moved-Seconded (Allen-Ewing) motion to Approve the COZ #343 because it fits with the character of the surrounding lots per Lawrence County Zoning Ordinance Chapter 17. Motion Carried.

CC PH June 22, 2021 @ 9:15 a.m.

PUBLIC HEARING - CUP # 464 APPLICANT: Zachary & Sara Carter

LEGAL DESCRIPTION: Tract CP2, being a part of the SE 1/4 , all in Section 26,

T6N, R3E. VICINITY LOCATION: Hwy 85/Corner of Crook City Rd **SUMMARY:**

The applicant is requesting a CUP for storage units on the corner of Crook City Rd/Hwy 85 **ZONING:** A-1 **ACREAGE:** 30 acres **PARCEL**

ID:21000-00603-233-10. Vogt share the comments she received from the City of Spearfish about having a site visit by the Fire District to make sure driveways are suitable for fire services.

Proponents: Zac Carter, property owner said that the first phase of building will be for RV storage.

Opponents: None.

Proponents: None.

Opponents: None.

Moved-Seconded (Ewing-Fuller) motion to Approve the CUP #464 per Lawrence County Zoning Ordinance Chapter 19. Motion Carried.

CC PH June 22, 2021 @ 9:30 a.m.

PUBLIC HEARING - CUP #465 APPLICANT: McGuigan Farm Experience LLC/McGuigan Inc/Curtis McGuigan

LEGAL DESCRIPTION: SW 1/4 NE 1/4; SW 1/4; S 1/2 NW 1/4 and pt of W 1/2 SE 1/4 (ex Lot 1 Dairy Lane Addition; E 1/2 NE 1/4 - E 1/2 SE 1/4 (ex Lot 1 Dairy Lane Addition; Dairy Lane Addition Lot 1 in the W 1/2 SE 1/4 of Section 29, T7N, R2E.

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VICINITY LOCATION: North of Spearfish SUMMARY: The applicant is requesting a CUP to operate farm tours and education ZONING: A-1 ACREAGE: 560 acres PARCEL ID: 24000-00702-294-44; 24000-00702-304-00; 24000-00702-291-75; 24030-00702-010-00. THis property is in the joint jurisdiction with the City of Spearfish. TUP # 21-02 has been issued for 2021 summer events.

Proponents: Curtis McGuigan, 2350 Dairy Lane, shared that hours of operation will be before 9 am due to feeding of animals.

Opponents: None.

Proponents: None.

Opponents: None.

The Board discussed

Moved-Seconded (Ewing-Stone) motion to Approve the CUP #465 per Lawrence County Zoning Ordinance Chapter 19. Motion Carried.

CC PH June 22, 2021 @ 9:45 a.m.

INFORMATIONAL MEETING - COZ # 344 APPLICANT: Richard Kruthoff
LEGAL DESCRIPTION: Govt Lot 4 ex pt Lot h-4 (.78), Lot H-5 (1.75), Tract A (5.20), Lot B of Lot 4 (5.14), Lot CH-2 (1.39) & ROW (.69) TN of Lot 4 (5.14), ot CH-2 (1.39 and ROW in Section 6 & 31, T7N, R2E (legal description shortened)
VICINITY LOCATION: Corner of Homestake Road & HillsvieW Rd SUMMARY: The applicant is requesting a COZ from A-1 to PF in order to create a possible subdivision of 3 lots ZONING: A-1 ACREAGE: 24.98 acres PARCEL ID:24000-00702-314-10. The applicant was present. Vogt shared the information submitted with the application.

PZ PH July 1, 2021 @ 1:30 p.m.

CONCEPT PLAN - Land Use Sketch for Deer Mountain Club
Amendment to original Mystic Miner PUD Zoning District - ZONING: PUD. Eirik Heikes was present to present an updated plan to the Board. They have made changes to the density in different areas on the mountain and are looking at commercial/mixed use at the base for a ski village.

Moved-Seconded (Stone-Fuller) motion to support the Concept Plan subject to change per Lawrence County Zoning Ordinance Chapter 6. Motion Carried.

INFORMATIONAL MEETING - COZ # 345 APPLICANT: Keating Resources

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LEGAL DESCRIPTION: Hanify No 6 and Hanify No 7 Lodes in M.S. 1204; Foster Fraction, Gamba Fraction, Addie, Eva, Lavisia Lodes in M.S. 1221, all located in Section 13 , T4N, R2E (legal description shortened) **VICINITY LOCATION:** Deer Mt and Terry Peak Summit **SUMMARY:** The applicant is requesting a COZ from PF to PUDin order to additional lots **ZONING:** PF **ACREAGE:** 50.61 acres **PARCEL ID:**26460-01204-000-00. Randy Deibert presented the plan for the area Keating Resources are requesting for the change of zoning. Deibert said the area not in the request may become part of the water system that is in place. There are now two water systems on the mountain.
PZ PH July 1, 2021 @ 1:30 p.m.

DISCUSSION ITEMS:

Proposed Medical Cannabis Ordinances-Vogt gave an update on the pending ordinance. There was a joint meeting on May 25, 2021 with the Lawrence County Commissioners and the Planning & Zoning Board for the 1st reading. The 2nd reading will be June 8th 2021. If approved it would take effect June 30th.

Fire Protection Updates- Vogt shared the new website for Fire Protection updates and links now available on the Lawrence County online-
<https://lawrence.sd.us/402/Lawrence-County-Wild-Land-Fire-Information>

Items from Planning & Zoning Board Members:

None.

Public Comment:

None.

Adjourn: 3:05 PM

APPROVED: _____ **Date:** _____
Rick Tysdal, Acting CHAIRMAN

ATTEST:

Kelly Fuller, SECRETARY **Date:** _____