

LAWRENCE COUNTY PLANNING & ZONING BOARD
MINUTES OF: August 1, 2023, REGULAR MEETING

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Tuesday, August 1, 2023, at 1:30 P.M.

Present: Kelly Fuller, Rick Tysdal, Bob Ewing, Mike Whalen, Timm Comer, and Travis Schenk.

Absent: TJ Ewing

Moved-Seconded (Bob Ewing - Schenk) to approve the Regular Meeting Minutes for the July 6, 2023 meeting. Motion Carried.

Moved-Seconded (Bob Ewing - Schenk) to approve the Agenda. Motion Carried.

Conflicts: Items 4, 5, and 7 Timm Comer

Schenk - Bob Ewing motioned to approve Timm - Comer to remain in discussions today and found to have no conflicts in Items 4, 5, and 7.

Item 12 Kelly Fuller

PLATS:

PRELIMINARY PLAT ~ APPLICANT: Lance & Peggy Hubbard **LEGAL DESCRIPTION:** Plat of WBI Utility Tract located in N ½ of the NE ¼ Section 17, T6N, R4E. **VICINITY LOCATION:** Hwy 34
SUMMARY: Increasing the size of a utility tract **ZONING:** A-1 **PARCEL ID:** 22000-00604-171-20 and 22000-00604-171-25

Vogt stated this is an old metes & bounds lot that houses a MDU station. They are wanting to increase the footprint.

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

PRELIMINARY & FINAL PLAT ~ APPLICANT: Reynolds and Livingston LLC **LEGAL DESCRIPTION:** Lots 1A and 2A of Boyle Sub, Section 7, T2N, R5E. **VICINITY LOCATION:** Hwy 385
SUMMARY: Splitting existing lot - no fire plan needed **ZONING:** PF **PARCEL ID:** 05000-00205-073-10

Vogt stated they are doing a lot line adjustment so it would be an exempt plat. The majority of this plat is in Pennington County so it will need to go through both Counties (Lawrence/Pennington).

Moved-Seconded (Whalen - Schenk) motion to approve the Plat as Exempt. Motion Carried.

Moved-Seconded (Whalen - Comer) motion to approve the Preliminary Plat. Motion Carried.

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

FINAL PLAT ~ APPLICANT: Aberle Development Co **LEGAL DESCRIPTION:** Lot 18 A of Sugarloaf Village, Section 19, T4N, R3E and Section 24, T4N, R2E. (legal shortened) **VICINITY LOCATION:** Hwy 85 **SUMMARY:** final lot/matches prelim **ZONING:** PF **PARCEL ID:** 26470-01200-000-00

Vogt stated this is a final plat that matches the preliminary plat.

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

LAYOUT PLAN ~ APPLICANT: Mark & Cassandra Rantapaa and Cleo Listman **LEGAL DESCRIPTION:** Lots 1, 2, and 3 of Lot R-1 of HES 246, Section 20 and 21, T3N, R4E. (legal shortened)

VICINITY LOCATION: Hwy 385 **SUMMARY:** breaking up land for family members - no fire plan needed **ZONING:** PF **PARCEL ID:** 09000-00304-210-31

Vogt states this is one big tract to be broken into 3 pieces for family members.

Listman states Lot 1 access will be existing access to get to the house. Intention is to maintain Ag status. Schenk proposed to make the setbacks right on the existing sheds to meet the 25' setback per the ordinance.

Listman states it intends to tear down the dilapidated shed on Lot 2. Lot 1 has a cattle shed pole barn in good shape, no plans to remove.

Vogt requests them to move the lot lines to accommodate setback requirements. Alesha Limbo will check with Frank on the setbacks.

The Fire Plan has not yet been completed, but he would have it done.

LAYOUT PLAN ~ APPLICANT: Bruce Keller and Traci Rambo **LEGAL DESCRIPTION:** Proposed Lots 4, 5, 6B, N and G (legal shortened) **VICINITY LOCATION:** Nemo Road **SUMMARY:** moving lot lines - no fire plan needed **ZONING:** PF/SRD **PARCEL ID:** 26580-01365-010-60; 50; 40; 000-58; 35
Vogt states this is behind the Nemo Mercantile and is a lot line change. They would like to reconfigure the MS lodes. New easements will be created to allow access to all Lots.

Surveys will need to take into account current setback requirements on the structures.

Schenk proposes the future plan fits accordingly with the floodplain requirements.

Whalen questions the existing easement. Will go forward with the preliminary plat phase.

FINAL PLAT~ APPLICANT: Maitland Partners LLC **LEGAL DESCRIPTION:** Lot 110 of Tract N of Paradise Acres IV in Section 12, T5N, R2E and Section 18, 7, 8, T5N, R3E. **VICINITY LOCATION:** Maitland Road **SUMMARY:** New Lot **ZONING:** PF **PARCEL ID:** 26686-01678-000-00
Vogt stated this is a final plat that matches the preliminary.

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

PRELIMINARY PLAT ~ APPLICANT: BH Development **LEGAL DESCRIPTION:** Lots 28, 29 & 30, Blk 5 Dedicated Public ROW of Trailside Addition of Powder House Pass Section 17, T4N, R3E (legal shortened) **VICINITY LOCATION:** Hwy 14A **SUMMARY:** New Lots - 1st Final **ZONING:** PUD **PARCEL ID:** 26450-00200-000-70

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

REVISED PRELIMINARY PLAT ~ APPLICANT: BH Properties LLC **LEGAL DESCRIPTION:** Lots 11, 12 and 13, Blk 3; Lots 3,4,6,7,13,14 and 15, Blk 4; dedicated public ROW of Auburn Acres being a sub of a portion of Tract 2 of Powder House Pass located in the SE ¼ of Section 18, SW ¼ of Section 17 and the NE ¼ of Section 19, T4N, R3E. (legal shortened) **VICINITY LOCATION:** Hwy 14A **SUMMARY:** Revised lots/bonding is in place/fire plan is in process **ZONING:** PUD **PARCEL ID:** 26450-00200-000-00

Moved-Seconded (Whalen - Bob Ewing) motion to approve the Revised Preliminary Plat. Motion Carried.

PRELIMINARY & FINAL PLAT ~ APPLICANT: BH Development LLC and Powder House Pass **LEGAL DESCRIPTION:** Lots 2, 3 & 4, Blk 10 Dedicated Public ROW of Trailside Addition of Powder House Pass Section 18, T4N, R3E (legal shortened) **VICINITY LOCATION:** Hwy 14S **SUMMARY:** New Lots - fire plan received **ZONING:** PUD **PARCEL ID:** 26452-00403-010-00

Vogt states this is in Powder House Pass near the community building. They are looking at extending the lot lines to include the new shop building and existing pool. Small Lot 4 will have no residential building rights, slotted for a potential pickleball court. Platting a Lot in the new commercial Powder House Pass area. They are trying to set up the Lots for future plans.

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

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

PRELIMINARY PLAT ~ APPLICANT: Dennis and Dorothy Winsell **LEGAL DESCRIPTION:** Lots A, B, C, D, E, F and Green Space Tract W of Spring Run Estates Section 16, T4N, R4E (legal shortened) **VICINITY LOCATION:** Elk Creek Road **SUMMARY:** New Lots (original prelim for this sub approved 2019, but has since expired) **ZONING:** PF **PARCEL ID:** 26545-01265-000-00

Vogt states this was Plat was previously approved, then expired. The road is done, with road profiles previously approved. There has been no response from John Bey at this point for the roads. They have opted not to develop the back part. Emergency access ROW remains through the back field.

Moved-Seconded (Bob Ewing - Schenk) motion to approve the Preliminary Plat conditional to Highway Department approval. Motion Carried.

PRELIMINARY & FINAL PLAT ~ APPLICANT: Kelly and Bonnie Fuller and Dean & Teresa Hillberg **LEGAL DESCRIPTION:** Fuller Tract and Hillberg Tract being a sub of Lots A and B of COD No 1; COD No 2, No 3, No 4, M.S. 1276 located in the SE ¼ of Section 17 and SW ¼ of Section 16, T5N, R3E **VICINITY LOCATION:** Tetro Rock Road **SUMMARY:** Lot line change both neighbors purchased middle lot and are adding acreage to their original lots **ZONING:** PF **PARCEL ID:** 26540-01276-000-08; 16; 17

Fuller Recused Himself

Vogt states the neighbors bought the MS Lode between them, now the MS Lode is being replatted into both neighbors' existing acreages.

Moved-Seconded (Schenk - Bob Ewing) motion to approve the Plat as Exempt. Motion Carried.

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

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

ITEMS FROM PLANNING & ZONING BOARD MEMBERS:

Vogt updated subdivisions ordinance revisions will be coming forward. Hoping for October. DOT updates.

PUBLIC COMMENT: None.

SET DATE AND TIME FOR NEXT MEETING: Sept. 7, 2023 at 1:30 PM

ADJOURN: 2:05 p.m.

APPROVED: _____ Date: _____

Rick Tysdal, CHAIRMAN

ATTEST: _____ Date: _____

Kelly Fuller, SECRETARY