

**LAWRENCE COUNTY PLANNING & ZONING BOARD**  
**MINUTES OF: AUG 4, 2022** **REGULAR MEETING**

The regular meeting of the Lawrence County Planning & Zoning Board was called to order by Chairman Rick Tysdal on Thursday, August 4, 2022, at 1:30 P.M. in the Commission Meeting Room, 90 Sherman St, Deadwood, SD.

Present: Kelly Fuller, Rick Tysdal, Bob Ewing, Mike Whalen & TJ Ewing

Absent: Bob Julie Stone & Travis Schenk

Chairman Tysdal welcomed and introduced TJ Ewing to the P&Z Board. He has been installed to finish the remainder of Amy Allen's term.

Moved-Seconded (Whalen-B Ewing) to approve the Regular Meeting Minutes for the July 7, 2022 meeting. Motion Carried.

Moved-Seconded (TJ Ewing-B Ewing) to approve the Agenda With Item B removed due to notices for the public hearing not being sent by the applicant. Motion Carried.

Conflicts: None.

All motions passed unanimously with all members present unless otherwise noted.

**PUBLIC HEARING: COZ 352 APPLICANT: Goldsmith Properties LLC LEGAL DESCRIPTION:** Tract I, being a portion of the Nemo Placer M.S. 1368 located in the NW ¼ of Section 27 and the NE ¼ of Section 28, T3N, R5E **VICINITY LOCATION:** Nemo **SUMMARY:** Change zoning to residential to subdivide **ZONING:** PF/SRD **ACREAGE:** 7.470 **PARCEL ID:** 26580-01368-000-88. Vogt shared that the applicants want to build another residence on their property. The change of zoning is to make the present multiple zoning into one zone to subdivide for the new residence. Whalen stated that he has talked with the neighbors in Nemo, and they seem to be OK with the change of zoning.

Proponents: None.

Opponents: None.

Moved-Seconded (Fuller-Whalen) motion to Approve COZ #352 per Lawrence County Zoning Ordinance Chapter 17. Motion Carried.

CC PH/1st Reading: August 16, 2022 @ 10:00 a.m.

**PUBLIC HEARING: COZ 353 APPLICANT: Riley Fremont LEGAL DESCRIPTION:** NE ¼ NW ¼ of Section 31, T7N, R2E **VICINITY LOCATION:** Spearfish West **SUMMARY:** Change zoning to allow subdivision **ZONING:** A-1 to A-2 **ACREAGE:** 40 +/- **PARCEL ID:** 24000-00702-312-20. This property is adjacent to other A-2 properties. It is in the Spearfish platting jurisdiction.

Proponents: None.

Opponents: None.

Moved-Seconded (Whalen-TJ Ewing) motion to Approve COZ # 353 per Lawrence County Zoning Ordinance Chapter 17. Motion Carried.

CC PH/1st Reading: August 16, 2022 @ 10:15 a.m.

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INFORMATIONAL MEETING: CUP 480 APPLICANT: Michael & Amy Rogers LEGAL DESCRIPTION: E ½ E ½ NE ¼ NE ¼ - SW ¼ NE ¼ NE ¼ NE ¼ - W ½ SE ¼ NE ¼ NE ¼ - SE ¼ SW ¼ NE ¼ NE ¼ all in Section 18, T5N, R4E VICINITY LOCATION: Boulder Canyon SUMMARY: Specialty Resort with treehouse cabins/ tent spots and bathroom/shower house facility ZONING: PF ACREAGE: 20+/- PARCEL ID: 18000-00504-181-00. The applicants live onsite and will start with only a couple of houses and will see how it goes before building the rest. Vogt shared concern about how the access will be handled with the neighbors.  
PZ PH: September 1, 2022, @ 1:30 p.m.

RECOMMENDATION MEETING: VAR 202 APPLICANT: Paul Mikkelsen LEGAL DESCRIPTION: Lot 8 of Lot 4 of Evans Sub of the SE ¼ NE ¼ in 4, T6N, R2E VICINITY LOCATION: Off of Evans lane in Lantern Estates SUMMARY: Requesting a 20' variance to the 25' front setback for a detached garage ZONING: SRD ACREAGE: .240 PARCEL ID: 20100-00602-045-34. The detached garage is 14X24. Vogt added that very few structures in lantern estates meet the 25' setback, and many variances have been approved there.

Moved-Seconded (B Ewing-Whalen) motion to Approve VAR#202 per Lawrence County Zoning Ordinance Chapter 16. Motion Carried.  
CC PH: August 16, 2022, @ 10:30 am

LAYOUT PLAT ~ APPLICANT: Kissack Water & Oil Services Inc and Phillip & Kimberly Patterson LEGAL DESCRIPTION: Lots 1-15 of Kissack Tract and Lot 1-A being a sub. Of the SE ¼ NE ¼ NE ¼ SE ¼, and a portion of the S ½ SE ¼, and a replat of existing Lot 1, all located in Section 8, T6N, R4E. VICINITY LOCATION: Hwy 34 SUMMARY: Subdivision ZONING: A-2 PARCEL ID: 22000-00604-083-30; 22000-00604-083-31; 22000-00604-083-35. Engineer Al Schreier presented some ideas for the layout of roads and asked for insight about how to adjust the lots and infrastructure to make it more cost-effective for the developers. There was a discussion about road exceptions and meeting the ordinance. Vogt recommended bigger lots. The owners gave an update on the water infrastructure, saying that there will be a well near the road and a pump to tanks on the property.  
CC PH: August 16, 2022, @ 9:30 am

PRELIMINARY PLAT ~ APPLICANT: SJL Enterprises LLC LEGAL DESCRIPTION: Preliminary plat of Lots 176-186 of Block D of Deer Mt Village, formerly SJL Tract of Mystic Miner Subdivision located in the Mystic Miner Tract containing the Dolphin, Israel, Belt and Bryan Lodes of MS 1217 all located in SE ¼ of Section 13, T4N, R2E. VICINITY LOCATION: Deer Mt SUMMARY: New lots ZONING: PUD PARCEL ID: 26584-01356-000-80. Vogt voiced concern about the emergency access on Birch Drive. Erik Heikes, the developer's representative, said there would be a gate. He informed the Board that there is an agreement with the Deer Mtn Road District in the works, and they hope to have it before final plats are submitted. Vogt said the Highway Superintendent reviewed the roads and exceptions and approved them. There are guard rails in the road designs.

Moved-Seconded (B Ewing-Whalen) motion to Approve the Preliminary Plat Motion Carried.  
Moved-Seconded (B Ewing-Whalen) motion to Amend the motion with approval of the two exceptions in

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the road profiles. Motion Carried.

CORRECTIVE PRELIMINARY & FINAL PLAT ~ APPLICANT: Myron & Judy Rue and Lonni & Vicki Kracht LLC LEGAL DESCRIPTION: Lots 35A and 36A-1 of Block 1 of Boulder park Sub; all located in Section 15, T5N, R4E (legal shortened) VICINITY LOCATION: Boulder Canyon SUMMARY: Lot line revision ZONING: SRD PARCEL ID: 18600-00504-150-36 and 18600-00504-150-35 Exempt/Approval/Denial

Moved-Seconded (B Ewing-Whalen) motion to Approve the Corrective Plat as Exempt. Motion Carried.  
Moved-Seconded (Fuller-Whalen) motion to Approve the Corrective Preliminary Plat. Motion Carried.  
Moved-Seconded (Whalen-Fuller) motion to Approve the Corrective Final Plat. Motion Carried.

FINAL PLAT ~ APPLICANT: Frawley Ranches Inc LEGAL DESCRIPTION: Lot 16 of Frawley Ranch East, Section 7 & 18, T6N, R4E (legal shortened) VICINITY LOCATION: Acorn Ridge Rd SUMMARY: New lot/ matches preliminary plat ZONING: A-1 PARCEL ID: 22000-00604-071-10.

Moved-Seconded (B Ewing-Whalen) motion to Approve the Final Plat. Motion Carried.

PRELIMINARY & FINAL PLAT ~ APPLICANT: Allyn & Linda Williamson LEGAL DESCRIPTION: Prelim and final plat of Lot A2R-1; A2R-2 of Reebe Ranch Estates in Section 28, T7N, R1E (legal shortened) VICINITY LOCATION: Red Hill Road SUMMARY: New lots ZONING: GC PARCEL ID: 23500-00701-280-02. The owner has changed the lot layout from the past submittal to two lots to meet the ordinance for the cul de sac.

Moved-Seconded (Whalen-Fuller) motion to Approve the Preliminary Plat Motion Carried.  
Moved-Seconded (Whalen-TJ Ewing) motion to Approve the Final Plat with a hold on recording until roads are completed. Motion Carried.

PRELIMINARY & FINAL PLAT ~ APPLICANT: Jo Etta Dickert; Paula Jones; Sulaine Pedersen; Donald Heltibridle; Dallas Heltibridle LEGAL DESCRIPTION: Plat of Tract of B1 and B2 of a sub of Tract B of Lehigh M.S. 1749 and Govt Lot 16 in Section 9, T4N, R4E VICINITY LOCATION: Galena SUMMARY: Lot line adjustment ZONING: PF PARCEL ID: 14000-00404-090-20 and 26720-01749-000-30

Moved-Seconded (TJ Ewing-Whalen) motion to Approve the Preliminary Plat. Motion Carried.  
Moved-Seconded (Whalen-Fuller) motion to Approve the Final Plat. Motion Carried.

AMENDED PRELIMINARY & FINAL PLAT ~ APPLICANT: DRD Enterprises LLC LEGAL DESCRIPTION: Lots 1 - 4, a sub of Emery No 4 Lode, M.S. 1856 and a dedicated Public Access and Utility Easement all located Section 1 and 12, T4N, R2E (legal shortened) VICINITY LOCATION: Adventure Estates/Terry Peak Summit SUMMARY: New lot layout ZONING: PF PARCEL ID: 26760-01856-000-00. Adventure Estates will be signing this plat for actress approval. Lot 4 still needs fire mitigation work, so it is not being final platted. Allan Scheier has amended the preliminary with road changes and easements.

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Moved-Seconded (B Ewing-Whalen) motion to Approve the Amended Preliminary Plat. Motion Carried.  
Moved-Seconded (B Ewing-Whalen) motion to Approve the Final Plat. Motion Carried.

FINAL PLAT ~ APPLICANT: BH Development LLC LEGAL DESCRIPTION: Lots 4, 5, 19 of Blk 3 in Southridge Estates of Powder House Pass Section 17, 18 of T4N, R3E (legal shortened) VICINITY LOCATION: Hwy 85 SUMMARY: New Lots ZONING: PUD PARCEL ID: 26450-00200-000-70. Vogt stated that she is receiving updates on infrastructure as final plats come in.

Moved-Seconded (Whalen-TJ Ewing) motion to Approve the Final Plat. Motion Carried.

PRELIMINARY PLAT ~ APPLICANT: BH Development LLC LEGAL DESCRIPTION: Lots 1-8 Blk 2; 1-14 Blk 3; 1-16 Blk 4; 1-10 and Common Area of Blk 5 and dedicated public ROW of Auburn Acres of Powder House Pass Section 17, 18, 19 of T4N, R3E (legal shortened) VICINITY LOCATION: Hwy 85 SUMMARY: New Lots ZONING: PUD PARCEL ID: 26450-00200-000-70. The roads need to be bonded for or built for this plat before finals are submitted.

Moved-Seconded (B Ewing-Whalen) motion to Approve the Preliminary Plat. Motion Carried. Stone Abstained.

Items from Planning & Zoning Board Members:

Tysdal asked for clarification on the County Commission's recent, stricter requirements for site plans submitted to P&Z. His concern was communication between the Commissioners and the P&Z Board. Bob Ewing said that the Commissioners would discuss it further at their meeting.

Vogt discussed the return to using Go-To-Meeting for public access to the P&Z meetings.

Public Comment: None.

Adjourn: 3:15 PM

APPROVED: \_\_\_\_\_ Date: \_\_\_\_\_  
Rick Tysdal, CHAIRMAN

ATTEST: \_\_\_\_\_ Date: \_\_\_\_\_  
Kelly Fuller, SECRETARY