

CUSTER COUNTY PLANNING COMMISSION MEETING MINUTES

Tuesday June 6th, 2023

Planning Commission members present:

Mark Hartman, Aaron Davis, Philip Abernathy, Eric Lewis, Roland Bauer, Aaron Hemingway

Planning Department Staff Present: Terri-Ann Kester, Laura Rosane

Guests Present: Mike Busskohl-Commissioner, Craig Hindle –Commissioner, Mike Linde-Commissioner, Tracy Kelly-State's Attorney, Juliann Gramkow, and Jesse Doyle

Chairman Roland Bauer called the meeting to order at 4:00 PM in the Basement Meeting room of the Custer County Courthouse.

Motion by Davis, seconded by Lewis, to approve the agenda. Unanimous vote of approval.

Motion by Davis, seconded by Lewis, to approve the minutes with of the Regular Meeting of May 2nd, 2023 as presented. Unanimous vote of approval.

Conflict of Interest Declaration: None

Permit Petition and Plat Review:

1. PRELIM/FINAL PLAT OF: GENES TRACT OF SUNDANCE RANCH SUBDIVISION PHASE ONE, LOCATED IN THE SE $\frac{1}{4}$ NW $\frac{1}{4}$, THE NE $\frac{1}{4}$ SE $\frac{1}{4}$, AND THE SE $\frac{1}{4}$ OF SECTION 18, T6S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Motion by Hemingway, seconded by Hartman, to recommend approval of this plat to the Custer County Commission without conditions. Unanimous vote of approval.

2. PRELIM/FINAL PLAT OF: TRACT HOLLAND 1A AND TRACT HOLLAND 1B OF HENDERSON SUBDIVISION, LOCATED IN THE SE $\frac{1}{4}$ OF SECTION 9, THE NE $\frac{1}{4}$ OF SECTION 16, AND THE NW $\frac{1}{4}$ OF SECTION 15, ALL IN T4S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Motion by Davis, seconded by Lewis, to recommend approval of this plat to the Custer County Commission without conditions. Unanimous vote of approval.

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3. **REQUEST: VARIANCE: BOX CANYON SUBD - LOT 41 IN SE4SE4 SEC 29 T2 R7, BHM, CUSTER COUNTY, SOUTH DAKOTA**

To Ordinance #2, Article IV (4), Section 1, 7, C.

The minimum distance between any structure and any property line other than a right-of-way shall be fifteen feet (15')

Motion by Hartman, seconded by Davis, to recommend approval of this variance of building a garage 4' from property line to the Custer County Commission without conditions. Unanimous vote of approval.

4. **REQUEST: VACATION OF ROW: Vacation of 66' Wide Public Access to Private Access: Dakota Sur Drive MTP Subdivision**

Motion by Hartman, seconded by Lewis, to table this vacation of ROW until applicant gets signatures of approval from all property owners in the subdivision. Unanimous vote of approval.

5. **PRELIM/FINAL PLAT OF: LOT 9A AND LOT 9B, BLOCK 8, CUSTER HIGHLANDS SUBDIVISION, LOCATED IN THE SE ¼ OF SECTION 14, T4S, R1E, BHM, CUSTER COUNTY, SOUTH DAKOTA**

Motion by Hemingway, seconded by Lewis, to recommend approval of this plat to the Custer County Commission without conditions. Unanimous vote of approval.

6. **SECTION LINE VACATION: SE ¼ Section 1, T4S, R4E, & Balance of HES #225 Section 1/12 T4S, R4E, and E 2/3, W ½ SW ¼, Section 1, T4S, R4E, and Tract A in SW ¼, SW ¼, Section 1, T4S, R4E, BHM, all located Custer County, South Dakota.**

Motion by Hartman, seconded by Hemingway, to table this section line vacation until we hear from the Forest Service on access for the land owners off of Aspen Lane. Unanimous vote of approval.

7. **SECTION LINE VACATION: HENDRIX TRACT IN SW ¼ SECTION 14 & SE ¼ SECTION 15, T4S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA.**

Motion by Lewis, seconded by Davis, to recommend approval of this section line vacation to the Custer County Commission without conditions. Unanimous vote of approval.

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8. HIGHWAY DEPARTMENT: New Occupancy Permits

Jesse Doyle, Highway Superintendent, wanted to inform the planning commission of the recent issues with the utility companies who pull a right of way occupancy with his office and do not leave the right of way the way they found it. Jesse has made attempts to contact them about the situations but have not got any responses. To keep them accountable, he would like to change the occupancy permits to a bond of \$5000 per permit.

9. HIGHWAY DEPARTMENT – Bolt Lane

This item was from the previous meeting and after Terri-Ann followed up with Tracy Kelly on the matter, Tracy said that the County can make the property owner upgrade their road to county spec up until their approach for 911 address purposes. Jesse did state he has photos and videos of Bolt Lane and it did have some remnants of gravel and appeared that at one time the road was built.

Motion by Davis, seconded by Lewis, to approve an address for the property owner with no upgrade to the road to the Custer County Commission without conditions.
Unanimous vote of approval.

Public Comment: None

Discussion: Shiloh Dr. – Shiloh Dr. was developed on a section line some time ago. There is a parcel off of Shiloh Dr. that has a house that was built very near or possibly on the section line which is creating an access issue to the parcel east of it. Discussion was had on other options for access. 1. Would be to get an easement from surrounding neighbors in order to drive around the existing house. 2. Would be to contact the State Game, Fish & Parks to discuss an option to access the property off of Old Sawmill Rd. across rails-to-trails.

Adjourn.

Motion by Hartman, and seconded by Lewis, to adjourn the meeting at 5:25 p.m.

Terri-Ann Kester
Planning Director

Attest
Laura Rosane