

Planning Conditions of Approval
Commission Meeting Date: December 5, 2023

ITEMS FROM PLANNING & ZONING

BOARD OF ADJUSTMENT:

- a. VARIANCE / VA 23-16: Pactola Heights, LLC. To allow a .04 acre lot in a Residential District in accordance with the Pennington County Zoning Ordinance.

MOVED by Rossknecht and seconded by Drewes to approve of Variance / VA 23-16 with the following one (1) condition:

1. That the lot maintain setbacks of the current Zoning District.

UNCONTESTED HEARING:

- c. PRELIMINARY PLAN / PPL 23-24: Marjorie Helgeson; Davis Engineer - Agent. To reconfigure lot lines in order to create Tract A Revised and Tract B Revised of Alma Subdivision in accordance with the Pennington County Subdivision Regulations.

MOVED by Rossknecht and seconded by Drewes to approve of Preliminary Plan / PPL 23-24 with the following seven (7) conditions:

1. That at the time of Final Plat submittal, the certificates be in accordance with Sections 1701 and 1703;
2. That at the time of Final Plat submittal, the plat meets the requirements of Sections 601 and 602 of the Pennington County Subdivision Regulations.
3. That prior to Final Plat submittal, all properties obtain valid Operating Licenses.
4. That the applicant ensures all natural drainage ways are maintained and not blocked;
5. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
6. That prior to Final Plat submittal, the existing access easement providing access to proposed Tract A Revised is noted correctly on the plat and the surveyed boundary pin marker located in the upper northwest Section 1/4 line for proposed Tract A Revised is noted correctly on the plat; and,
7. That approval of this Preliminary Plat does not constitute approval of any further applications to be submitted for the above-described property.

- f. MARIJUANA BUSINESS LICENSE / ML 22-01: M & M Medical Solutions; Timothy McMahon. To allow the reapplication of a previously approved Marijuana Business License in a Heavy Industrial District in accordance with the Pennington County Zoning Ordinance.

MOVED by Hadcock and seconded by Rossknecht to approve of Marijuana Business License / ML 22-01 with the following three (3) conditions:

1. That the Conditional Approval of the County Marijuana Business License be valid for one year;
2. That if, after one year, the licensee has not obtained a State License and received final approval of the County License, the Conditional Approval will end; and,
3. That this Marijuana Business License be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.