



1040 Harley-Davidson Way  
Sturgis, SD 57785  
[www.sturgis-sd.gov](http://www.sturgis-sd.gov)

Phone: (605) 347-4422 ext. 212  
Fax: (605) 347-4861  
[labernathy@sturgisgov.com](mailto:labernathy@sturgisgov.com)

## Planning Commission Minutes

The City of Sturgis Planning Commission held a regular meeting on Tuesday, February 7, 2017 at 5:30pm in the front conference room at Sturgis City Hall, 1040 Harley-Davidson Way, Sturgis, SD.

### Present:

Commissioner John Gerberding  
Chairman Judy Hughes  
Commissioner Courtney Mack  
Commissioner San Monahan

Commissioner Mark Norstegaard  
Commissioner Suzanne Olson  
Commissioner Kyle Treloar

### Also present:

Dave Smith (Planning and  
Permitting Director)  
Laura Abernathy (Planning  
Coordinator)  
Mike Bachand (City Council)  
Tony Dargatz (City Council)  
Jason Anderson (City Council)  
Tiffany Fernandez  
Gina Anders  
John Perez  
Brooke Williamson  
Tammy Halverson

Melissa Caldwell  
Garrett Caldwell  
Katie O'Bryan  
Jake Terpening  
Kelsey Terpening  
Rachel Snow  
Josh Hilpert  
Cathy Lester  
Glen Lester  
Cody Peterka  
Sarah Peterka  
Steve Anders

Pat Baldwin  
Dale Sherman  
Vicki Sherman  
Dennis Tyson  
Kathy Tyson  
Shanon Vasknetz  
Joe Desjarlais, Jr.  
Paige Guy  
Stuart Johnson  
Dylan Siscoe  
Robert Roberts

Chairman Hughes called the meeting to order at 5:30pm. The minutes of the December 6, 2016 regular Planning and Zoning Commission meeting were approved by the commission.

### Agenda Item #1: Use on Review (Daycare) – Rachel Snow of 2349 Palisades Loop

Rachel Snow has requested a Use on Review for an in-home daycare that is currently operating at her residence of 2349 Palisades Loop. There were complaints reported for this property, including operating an in-home business against Palisades Subdivision covenants, and the concern of the number of children at the daycare and the amount of traffic in this neighborhood. Josh Hilpert, an attorney representing Snow, stated his client met all of the Title 18 criteria for applying for a Use On Review. Hilpert also stated that Snow's daycare currently meets all Department of Social Services regulations. Hilpert stated the homeowner's covenants for Palisades Subdivision was outside of the scope of the planning commission, and Uses on Review had been previously granted in this subdivision regardless of the covenants, including another daycare. Snow presented binders with information of her daycare to the commission. Several proponents and opponents of the daycare

were present, and delivered their testimonies to the commission. During the discussion, Commissioner Gerberding commented that commission should operate within the scope of City of Sturgis regulations, regardless of covenants that may exist in that neighborhood. Motion by Gerberding, seconded by Monahan to approve the request. All commissioners voted to approve recommendation to the city council. The item will be presented to the Common Council on Tuesday, February 21, 2017 at 6:30pm in the Commissioner's Room at the Erskine Building at 1400 Sherman Street, Sturgis, SD.

**Agenda Item #2: Variance – Iron Horse Saloon of 941 Lazelle St**

Scott Upton of Iron Horse Saloon has requested a setback variance for seven (7) temporary structures on the rear of their property at 941 Lazelle Street. The property is located in the special flood hazard area, and the Federal Emergency Management Agency (FEMA) only allows temporary structures to be placed in the special flood hazard for 180 days. The structures have been constructed to meet FEMA requirements, and are now considered permanent structures. The applicant has requested a setback variance to allow the structures to remain where they are currently placed. No representatives for Iron Horse Saloon were present. The commissioners discussed other options the applicant may do to be compliant, including permanently moving the structures to meet the ten (10) foot setback or remove the structures and reassemble when needed again. Olson made a motion to deny the request, seconded by Mack. All members voted to deny the application. The item will be presented to the Common Council on Tuesday, February 21, 2017 at 6:30pm in the Commissioner's Room at the Erskine Building at 1400 Sherman Street, Sturgis, SD. (City staff remanded this item back to Planning and Zoning for further review).

**Agenda Item #3: Variance – Tammy Halverson (Mountain View Care) of 1681 Joedy St**

Item was removed from the agenda due to a change in Title 18 application requirements for hard surfacing.

**Agenda Item #4: Use on Review – Tammy Halverson (Mountain View Care) of 1681 Joedy St**

Tammy Halverson of Mountain View Care has applied for a Use on Review to operate an adult care facility out of a residential home at 1681 Joedy Street. Halverson previously operated the business out of 811 Main Street, and decided to purchase the property for the purpose of running the facility out of this location. She said there are currently three (3) residents out of a maximum capacity for six (6) residents. Two caregivers are on the property. Halverson stated that it is state-regulated but self-monitored for inspections. The facility is not allowed to take in any handicapped residents. The commission discussed potential issues for access, since the property is located on a hill that is not hard surfaced. The hard surfacing of the driveway could be overlooked until the city improves the right-of-way leading to the property. Several commissioners stated that the owner should consider installing a hard surfaced driveway for safety and access issues. Potential traffic issues were also questioned by the commission. Halverson stated the residents will not drive, and there should not be any increase in traffic to that area. Cody and Sarah Peterka were present to state their concerns, including the steep incline of the unimproved driveway and potential issues with the activity he has perceived to be happening in that neighborhood. Staff commented that they will check with emergency responders to

see if there could be potential issues for access. Motion by Mack, seconded by Treloar to approve the application, with Gerberding, Hughes, Mack, Norstegaard and Treloar voting yes, with Monahan and Olson voting no. The item will be presented to the Common Council on Tuesday, February 21, 2017 at 6:30pm in the Commissioner's Room at the Erskine Building at 1400 Sherman Street, Sturgis, SD.

**Agenda Items #5 and #6: Final Plat and Variance – Dale Sherman of 2018 Hill St and 2030 Hill St**

Shanon Vasknetz of Baseline Surveying presented a plat application to re-plat sections of Lots 7-9 into Lot 4 of Block B of Ash's Extension in the City of Sturgis, creating Lot 9-Revised and Lot 4-Revised. The re-plat would create the need for a variance for the Front Yard Setback to 23.35' and a Rear Yard Setback to 5.90' for Lots 4-6 at 2018 Hill St, as well as a variance for the Rear Yard Setback to 12.00' for the Revised Lots 7-9 at 2030 Hill St. Dale and Vicki Sherman were present to answer questions about the need to re-plat and how the garage in the rear was being remodeled. Motion by Gerberding, seconded by Mack to approve the plat and variance application, with Gerberding, Hughes, Mack, Norstegaard and Treloar voting yes, and Monahan and Olson voting no. The plat and variance applications will be presented to the Common Council on Tuesday, February 21, 2017 at 6:30pm in the Commissioner's Room at the Erskine Building at 1400 Sherman Street, Sturgis, SD.

**Agenda Item #7: Variance – Gary Pat Baldwin of 1805 Hill St**

Gary Pat Baldwin of 1805 Hill Street has submitted a variance request to allow RV camping on a non owner-occupied property within a Mobile Home 1 zone. Current ordinance (Title 18.05.18.04) will allow for temporary camping on a single-family residential parcel for up to 15 days per year on owner-occupied property. City staff did not recommend approval of the request since the property is not owner-occupied. Baldwin was present to answer questions. The property had four (4) total mobile homes, but Baldwin had removed three of them to help improve the look of the neighborhood. To recoup costs from loss of income, he would like a variance to allow for temporary RV camping. Baldwin owns other parcels on that street, but no others are adjacent to the property. After discussion, Olson made a motion to approve the application, with Hughes seconding the motion. Gerberding, Mack, Monahan, and Treloar voted to deny the application with Hughes, Norstegaard and Olson voting yes. The item will be presented to the Common Council on Tuesday, February 21, 2017 at 6:30pm in the Commissioner's Room at the Erskine Building at 1400 Sherman Street, Sturgis, SD.

**Agenda Item #8: Variance – Stuart Johnson (Sturgis Chiropractic) of 824 1<sup>st</sup> St**

Stuart Johnson of Sturgis Chiropractic has applied for a front and rear setback to accommodate for a front and rear addition to the existing building. Johnson was present to answer questions for the commission and building plans were presented. Motion by Gerberding, seconded by Olson to approve the application with all members unanimously voting yes. The item will be presented to the Common Council on Tuesday, February 21, 2017 at 6:30pm in the Commissioner's Room at the Erskine Building at 1400 Sherman Street, Sturgis, SD.

**Agenda Item #9: Use on Review Renewal – Mark Norstegaard of 3341 Whitewood Service Rd**

Mark Norstegaard of 3341 Whitewood Service Road currently has a Use on Review to allow for living space in an industrial park zone for 1000 square feet or less. The existing use is a commercial construction shop. Motion by Mack, seconded by Gerberding to approve the Use on Review for another year. Gerberding, Hughes, Mack, Monahan, Olson and Treloar voted yes, with Norstegaard abstaining.

**Agenda Item #10: Discussion of proposed Hobby Beekeeping Ordinance**

Joe Desjarlais, Jr. and Robert Roberts, President of the WannaBee Club of Rapid City, were present to discuss draft changes to a proposed Hobby Beekeeping ordinance. Desjarlais educated the commission about hobby beekeeping and passed out copies of suggested changes. They went over the proposed changes and let the commission know that they have been working with the city attorney to make sure the suggested changes are added to the proposed ordinance. No action was needed by the commission. The ordinance will be reviewed by the Common Council on Tuesday, February 21, 2017 at 6:30pm in the Commissioner’s Room at the Erskine Building at 1400 Sherman Street, Sturgis, SD.

The next regular Planning Commission meeting is scheduled for Tuesday, March 7 at 5:30pm in the front conference room at City Hall.

No other matters came before the Planning and Zoning Commission. Meeting was adjourned by Chairman Hughes at 8:07pm.

Respectfully submitted,

Laura Abernathy

*Minutes approved on March 7, 2017*