

All Planning Commission Meetings are recorded.

CITY OF CUSTER
PLANNING AND ZONING COMMISSION AGENDA
Tuesday March 10th, 2020 at 5:00 P.M.
Custer City Hall, 622 Crook Street, Custer, SD 57730

- 1. Call to Order - Roll Call:**
- 2. Approve Agenda:** March 10th, 2020
- 3. Approve Minutes:** February 25th, 2019
- 4. Declaration of Conflict of Interest:**
- 5. Public Hearings:**
 - a. Conditional Use Permit Request Short Term Rental – 147 N 3rd Street
- 6. Old Business**
 - a. —
- 7. New Business:**
 - a. —
- 8. Discussion Items:**
 - a. Rewrite of Custer City's Comprehensive Plan
 - b.
- 9. Public Comments** (3-minute max. per person, with total communication period to not exceed 15 minutes):
- 10. Planning Administrator Updates:**
- 11. Adjournment**

ADA Compliance: The City of Custer City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the Finance Office 24 hours prior to the meeting so that appropriate services are available.

DRAFT

MINUTES OF THE February 25th, 2020 MEETING OF THE OF THE CITY OF CUSTER PLANNING COMMISSION

Roll Call: 5:00 pm

Members Present: Jerad Tennyson-Chairman; Joe Uhrich-Vice Chairman; Kathy Johnson; Scott Olson; Rick Hudson; Marc Moore – Alternate.

Members Absent: Larry Maciejewski; Fred Mills – Alternate.

Other Parties Present: Tim Hartmann–Planning Administrator; Dixie Whittaker-Council Representative; Lysann Zeller-BHCoLG.

Agenda: Commissioner Moore moved, with a second by Commissioner Uhrich to approve the agenda. Motion unanimously carried.

Minutes: Commissioner Moore moved, with a second by Commissioner Olson to approve the February 11th, 2020 minutes. Motion unanimously carried.

Declaration of Conflict of Interest: None Stated.

Public Hearings:

- a.

Old Business:

- a.

New Business:

- a.

Discussion Items:

*Commissioner Hudson arrived at 5:45pm.

- a. Rewrite of Custer City’s Comprehensive Plan
Lysann with Black Hills Council was present and presented the draft version of the comp plan. Discussion was held. Lysann plans to return at the March 10th meeting following individual review for comment.

Public Comments:

No public comments were heard. .

Planning Administrator Updates

Planning Administrator and commission members gave various updates.

Adjournment:

Being no further business before the Commission, Commissioner Uhrich moved, with a second by Commissioner Hudson to adjourn. Motion unanimously carried. The meeting adjourned at 6:20 pm.

Approved:

Attest:

Jerad Tennyson - Chairman

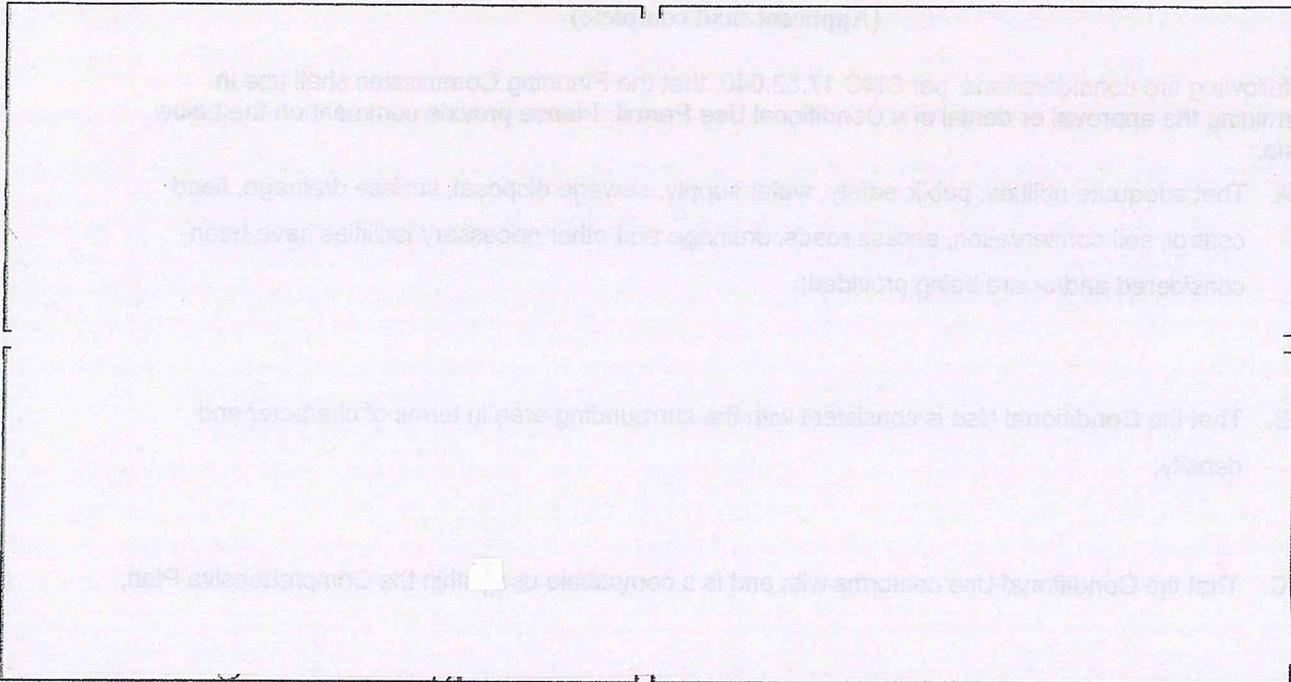
Tim Hartmann, Planning Administrator

622 Crook Street
Custer, SD 57730

Planning Department

Phone: (605) 673-4824
Fax: (605) 673-2411

Conditional Use Permit Application



Property Address 147 N. 3rd St., Custer, SD

Legal Description N. 90' of lots 7-8-9 Block 35+S35 of Vacated Hervey St + 15' of

Lot 7-8-9 Block 35+S35 Subdivision vac N/S alley, Custer City

Size 0.46 (acres) (square feet) Property Zoning District _____

Water Services Custer Sewer Services Custer

Describe Current Use 2nd Home

Describe Proposed Use (Include Site Plan) Vacation Rental

I hereby confirm that I have completed and possess all applicable South Dakota State licensing requirements.

[Signature]
Initial

I hereby confirm that the proposed use will maintain appropriate Commercial Liability Insurance.

[Signature]
Initial

Please include the Following Information as Required at least 20 days prior to the Planning Commission meeting.

- Site Plan and or Floor Plan as Needed – A Site Plan is mapped or drawn to scale information to show buildings, parking and new or existing features that implement the CUP.
- Certificate of appropriate commercial liability insurance.
- Written authorization from the property owner. (if applicant is not the property owner.)
- Conditional Use Permit Criteria narrative
- Conditional Use Permit Fee Payment

Owner/Applicant Signature: [Signature] Date: _____

Conditional Use Permit Criteria Narrative

622 Crook Street
Custer, SD 57730

Planning Department

Phone: (605) 673-4824

Fax: (605) 673-2411

Conditional Use Permit Application

Official Use Only

Date Filed 2/19/2020

Permit Fee 200⁰⁰

Permit/Receipt Number 47859

Parcel ID # _____

Planning Commission/Public Hearing Date _____

Received By Ky [initials]

Dear City of Custer Planning Department,

February 12, 2020

My name is Andrea C. Bortko and my spouse's name is Oatin H. Johnston. I work as a Registered Nurse at Rapid City Monument Health Emergency Department and Oatin is a handyman and sawyer at heart. Together we are proud owners of a property in the City of Custer on 147 N. 3rd St. We are applying for a Conditional Use Permit so that we may use our house as a vacation rental for part of the year; mostly the summer months. When the home is not rented we like to vacation up here ourselves.

The home has four bedrooms, three bathrooms and multiple living rooms as well as a one car attached garage and a 2 car detached garage. There is parking for at least 4 vehicles comfortably without taking up any space in the adjacent roads. Our proposed use would limit the number of people staying there to the maximum of twelve. There are no extra signs or lighting installed. The home would be used as a home away from home so that people can enjoy vacationing in the Custer area, ideal for families with children or multiple adults.

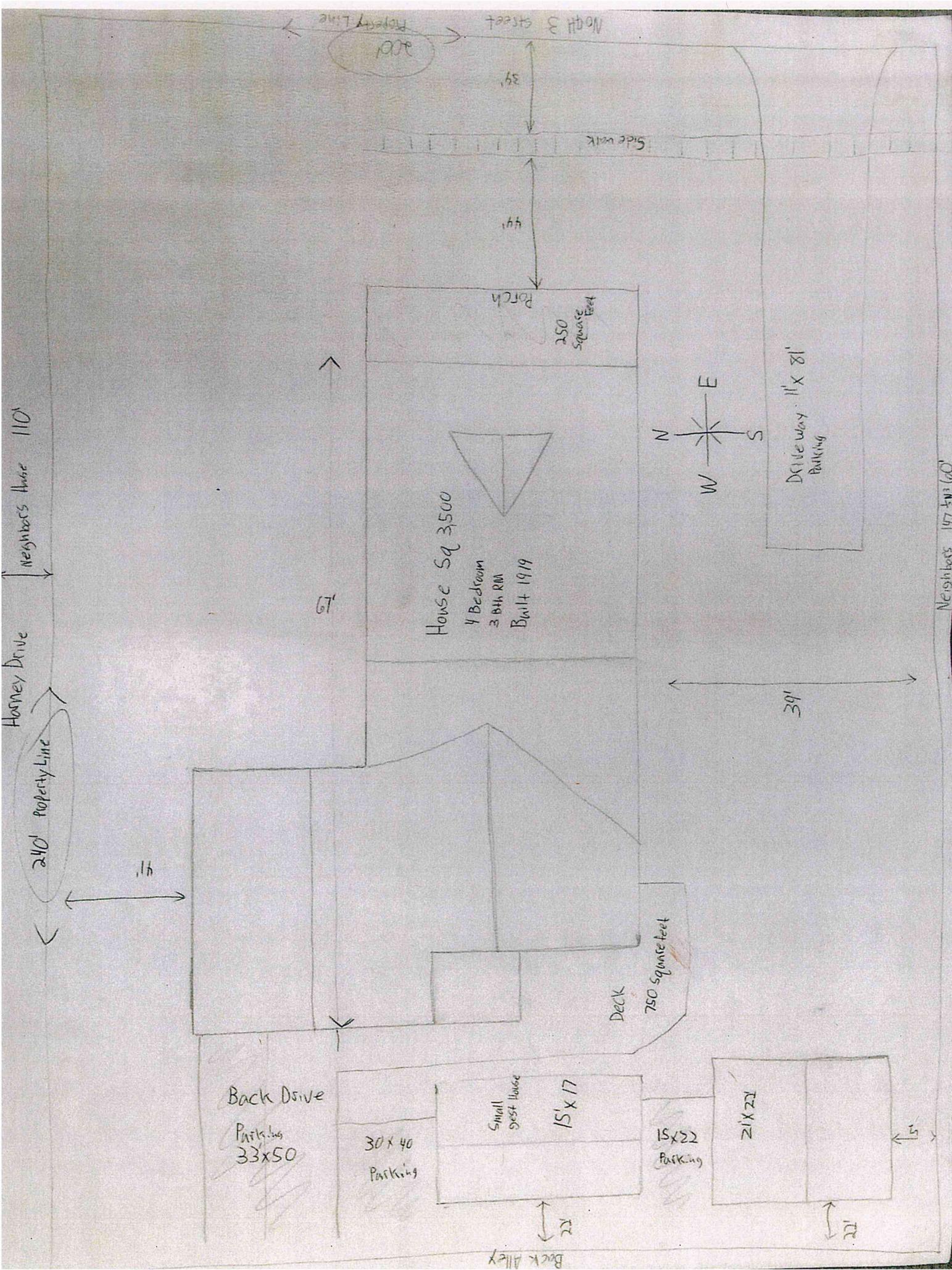
Attached you will find a certificate of commercial liability insurance and our South Dakota State Tax Licensing number. We love the Black Hills and The City of Custer and are very excited to share this with others while staying at our beautiful historic home. Thank you for your time and consideration in this matter.

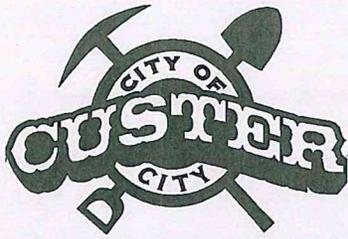
Sincerely,

The image shows two handwritten signatures in black ink. The top signature is for Andrea C. Bortko, written in a cursive style with a large, looped 'A'. The bottom signature is for Oatin H. Johnston, also in cursive, with a prominent 'O' and 'J'.

Andrea C Bortko

Oatin H. Johnston





Planning Department
622 Crook Street
Custer, SD. 57730
Phone: 673-4824 Fax: 673-2411
e-mail: timh@cityofcuster.com

Staff Report

Request: 147 N 3rd Street - Conditional Use Permit, Short Term Rental
Applicant: Oatin Johnston & Andrea Bortko
Fee Paid: \$200.00
Location: North 90' of Lots 7,8,9 Block 35 plus vacated Harney Street and Vacated N/S Alley
Date: March 5, 2020
Planning Commission Meeting: March 10, 2020
Prepared by Tim Hartmann, Planning Administrator

GENERAL

The City has received application for a Conditional Use Permit review of the above referenced property to consider a request to continue the existing use of a short-term rental. As specified in the application, the applicant utilizes the structure as a second home and staff believes as a short-term rental. The property owner desires to continue such use. Per Custer Municipal Code 17.12.050 short term rentals are a permitted conditional use.

SURROUNDING AREA

The immediate area surrounding 147 N 3rd Street composed of other residential uses, parks and recreation facilities, and an approved CUP for Governmental services and parks. Staff will note other approved short-term rental CUPs are nearby.

The adjacent properties to the North, East, and West are within the Residential Zone. The City swimming pool to the south is zoned parks. To staff's knowledge, all adjacent properties to the North and West currently exist as residential uses. The City swimming pool and property to the east currently exist as park and recreation grounds.

VEHICULAR ACCESS AND PARKING

Staff has viewed the property from an access and parking standpoint in correlation with the proposed use, size, and parking provided. The applicant has specified an attached one car garage and a detached two car garage is available for guests. There is an approach/driveway on the south side of the house that would support an additional 2 cars. Staff believes this site is capable of supporting parking for the four bed, three bath unit.

OTHER ORDINANCE CONCERNS

Staff conducted an in-office review and a windshield survey of the property on March 5, 2020. Staff is working with the property owner to address 2 minor code enforcement concerns.