

AGENDA

REGULARLY SCHEDULED MEETING BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, APRIL 16, 2019 – 7:00 PM
EAST SIDE of BSMNT COMMUNITY ROOM,
BROWN COUNTY COURTHOUSE ANNEX

- I. Call to Order: Planning/Zoning Commissioner Chairman Jerome Streckfuss
- II. Roll Call: Vice Chairman Stan Beckler, Darwin Bettmann, David North, Dale Kurth, Patrick Keatts, B.C. Commissioner Rachel Kippley serving on Planning/Zoning Commission, Jerome Streckfuss;
- III. Minutes: of **March 19, 2019**
- IV. Old Business:
- V. New Business: Planning/Zoning Commission as **Zoning Board of Adjustment**
 1. **Variance to Shelterbelt Setbacks** in an Agriculture Preservation District (AG-P) described as the South 785' of the East 673' in the SE1/4 of Section 30-T124N-R62W of the 5th P.M., Brown County, South Dakota (11065 398th Ave).
 2. **Variance to Building Setbacks** for a new home in an Agricultural Preservation District (AG-P) for a property described as the "Prunty Tract 1" in the S1/2 of Section 25, T123N and R60W, of the 5th P.M., Brown County, South Dakota (420 Hanson Loop).
 3. **Variance to Lot Size** in an Agriculture Preservation District (AG-P) for a proposed property described as Lot 1, "L and L Vilhauer Addition" in the NE1/4 of Section 08-T122N-R65W of the 5th P.M., Brown County, South Dakota (13715 376th Ave).

Other Business:

[Completed as Board of Adjustment and Beginning as Planning Commission](#)

Beginning as Planning Commission

I. Old Business: **Planning Commission**

- 10a. **Preliminary and Final Plat** for a property described as Lot 1, “Aberdeen Ground Water Addition” in the NE1/4 of Section 36-T125N-R64W of the 5th P.M., Brown County, South Dakota (38797 123rd St).

I.

II. New Business: **Planning Commission**

10. **Petition to Re-Zone** from an Agricultural Preservation District (AG-P) to Mini Agricultural District (M-AG) for properties: Lots 1&2, “Kirchgesler Second Subdivision” in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota (12618 & 12630 West Shore Dr).
11. **Preliminary and Final Plat** for a property described as Lot 1, “L and L Vilhauer Addition” in the NE1/4 of Section 08-T122N-R65W of the 5th P.M., Brown County, South Dakota, (13715 376th Ave).

III. Other Business:

MINUTES

BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, MARCH 19, 2019 - 7:00 P.M.

COMMUNITY ROOM, BROWN COUNTY COURTHOUSE

The Brown County Planning / Zoning Commission meeting was called to order by Brown County Planning Commission Vice Chairman Stan Beckler. Members of the Brown County Planning Commission present at roll call were, Darwin Bettmann, David North, Dale Kurth, Patrick Keatts and B.C. Commissioner Rachel Kippley serving on Planning/Zoning Commission. Absent was Chairman Jerry Streckfuss. Also present at the meeting was Scott Bader, Planning & Zoning.

After discussion, Kurth moved and Keatts seconded to approve the minutes of the February 19, 15, 2019 meeting. All members voted aye, the motion carried.

Vice Chairman Beckler then continued with business as follows:

Old Business:

New Business: Planning/Zoning Commission as Zoning Board of Adjustment (BOA)

1. Variance for setbacks for a Mini Agriculture District (M-AG) described as Lot 1, "JGE 2nd Addition" in the NE1/4 of Section 01-T123N-R65W of the 5th P.M., Brown County, South Dakota (37989 130th St). Submitted by Kyle Maple. Kyle Maple was not present at meeting. Present at meeting was Ravinia Township supervisor's Garrett Hartwell, Cam Wyly & Dan Thayer. Following discussion, Kippley moved to approve a variance for setbacks on a shelterbelt that may be 50' south of the north property line rather than the 150' required, w/stipulations that Ravinia Township or Mercier Township may require the trees to be removed at the owner's expense if there is any future development along 130th street that may have a negative affect by the trees, North seconded, all members voting aye, motion carried.
2. Discussion with land owner about accessory structures in an Agriculture Preservation District (AG-P) for a property

described as the SE1/4 of Section 4-T126N-R63W including “Ulmer Conservation Easement Tract 1”, of the 5th P.M., Brown County, South Dakota (39060 113th St). Submitted by Ross Ulmer. Discussion went forward with sizes of proposed buildings, types and location on lot. There were not any requests to the owner or Zoning Department by the Planning Commission for location or size of another accessory structure.

Other Business:

Completed as Zoning Board of Adjustment and Beginning as Planning Commission

Old Business:

New Business: Brown County Planning / Zoning Commission

10. **Preliminary and Final Plat** for a property described as Tract 1, “Weismantel’s Conservation Easement Tract” in the SW1/4 of Section 27-T126N-R62W of the 5th P.M., Brown County, South Dakota (39730 117th St). Submitted by Clark Engineering for Paul Weismantel. Following discussion, Bettmann moved to **recommend approval of this plat to the Board of County Commissioners**, Kurth seconded, all members voting aye, motion carried.
11. **Preliminary and Final Plat** for a property described as Lot 1, “Bellikka First Richmond Lake Subd” in the NE1/4SW1/4 of Section 23-T124N-R65W of the 5th P.M., Brown County, South Dakota (12763 Richmond Lane). Submitted by Neil Bellikka. Ravinia Township supervisor’s Cam Wyly, Garrett Hartwell and Dan Thayer were in attendance for this item. Following discussion, North moved to **recommend approval of this plat to the Board of County Commissioners**, w/stipulations that Bellikka be made aware that the maintenance of the road “is not” taken care of by the township, Kippley seconded, Bettmann-aye, Kurth-aye, Keatts abstained from voting, all members voting aye, motion carried.
12. **Preliminary and Final Plat** for a property described as Tract 1, “Breedlove’s Conservation Easement Tract” in the NW1/4 of Section 34-T126N-R62W of the 5th P.M., Brown County, South Dakota (39735 117th St). Submitted by Dawn Breedlove. Following discussion, Kurth moved to **recommend approval of this plat to the Board of County Commissioners**, Keatts seconded, all members voting aye, motion carried.
13. **Preliminary and Final Plat** for a property described as Lot 1, “Aberdeen Ground Water Addition” in the NE1/4 of Section 36-T125N-R64W of the 5th P.M., Brown County, South Dakota (38797 123rd St). Submitted by Robin Bobzien/City Engineer. Following discussion, Kurth moved to **table this plat and get more information from the surveyor on right-of-way lines**, North seconded, all members voting aye, motion carried.

14. **Preliminary and Final Plat** for a properties described as Lots 1&2, “Kirchgesler Second Subd” in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota (12618 & 12630 West Shore Dr). Submitted by Clark Engineering for Bob Kirchgasler. Following discussion, North moved to **recommend approval of this plat to the Board of County Commissioners,** w/stipulation that a rezone application be submitted for rezoning to M-AG. Kippley seconded, all members voting aye, motion carried.

Other Business: none

There being no further business before the Planning/Zoning Commission, Keatts moved and Kurth seconded to adjourn, all members voting aye, motion carried.

Submitted by: Scott Bader - Planning & Zoning.

STAFF REPORT

April 16, 2019

VARIANCE for SHELTERBELT SETBACKS

ITEM #01

GENERAL INFORMATION

PETITIONER	Justin North
REQUEST	Variance for Shelterbelt Setbacks
LEGAL DESCRIPTION	Outlot A "David North Outlot A" in the SE1/4 of Section 27-T127N-R62W of the 5th P.M., Brown County, South Dakota
LOCATION	11065 398 th Ave
EXISTING ZONING	Agricultural Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agricultural Preservation District (AG-P)
South:	Agricultural Preservation District (AG-P)
East:	Sand Lake Wildlife Refuge
West:	Agricultural Preservation District (AG-P)
PUBLIC UTILITIES	Web Water
REPORTED BY	Scott Bader

GENERAL COMMENT: Petitioner is requesting a 30' setback versus the required 150' for a parallel shelterbelt around Outlot A.

REVIEW: The Greenfield Supervisors would need to submit their recommendations for this variance.

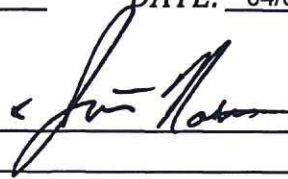
BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: April 4, 2019
RECEIPT # 132069
TOWNSHIP: Greenfield Twp

FEES: 25.00
PAID: YES/NO CHK/CASH
DATE: 04/04/2019

OWNERS SIGNATURE: Justin North
OWNERS ADDRESS: 11065 398th St
OWNERS CITY, STATE, ZIP: Hecla, SD 57446
OWNERS PHONE:



AGENTS SIGNATURE:
AGENTS ADDRESS:
AGENTS CITY, STATE, ZIP:
AGENTS PHONE:



REQUEST: Variance to Setbacks for Shelterbelts in an AG-P District

LEGAL DESCRIPTION: Outlot A of "David North Outlot A" SE1/4 in Sec. 27-127-62

Planning Commission Action: Approved / Denied

By: Date:

HEARING DATE: APRIL 16, 2019 TIME: 7:00

MEETING: located in the Basement Community Room of the Court House Annex
25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

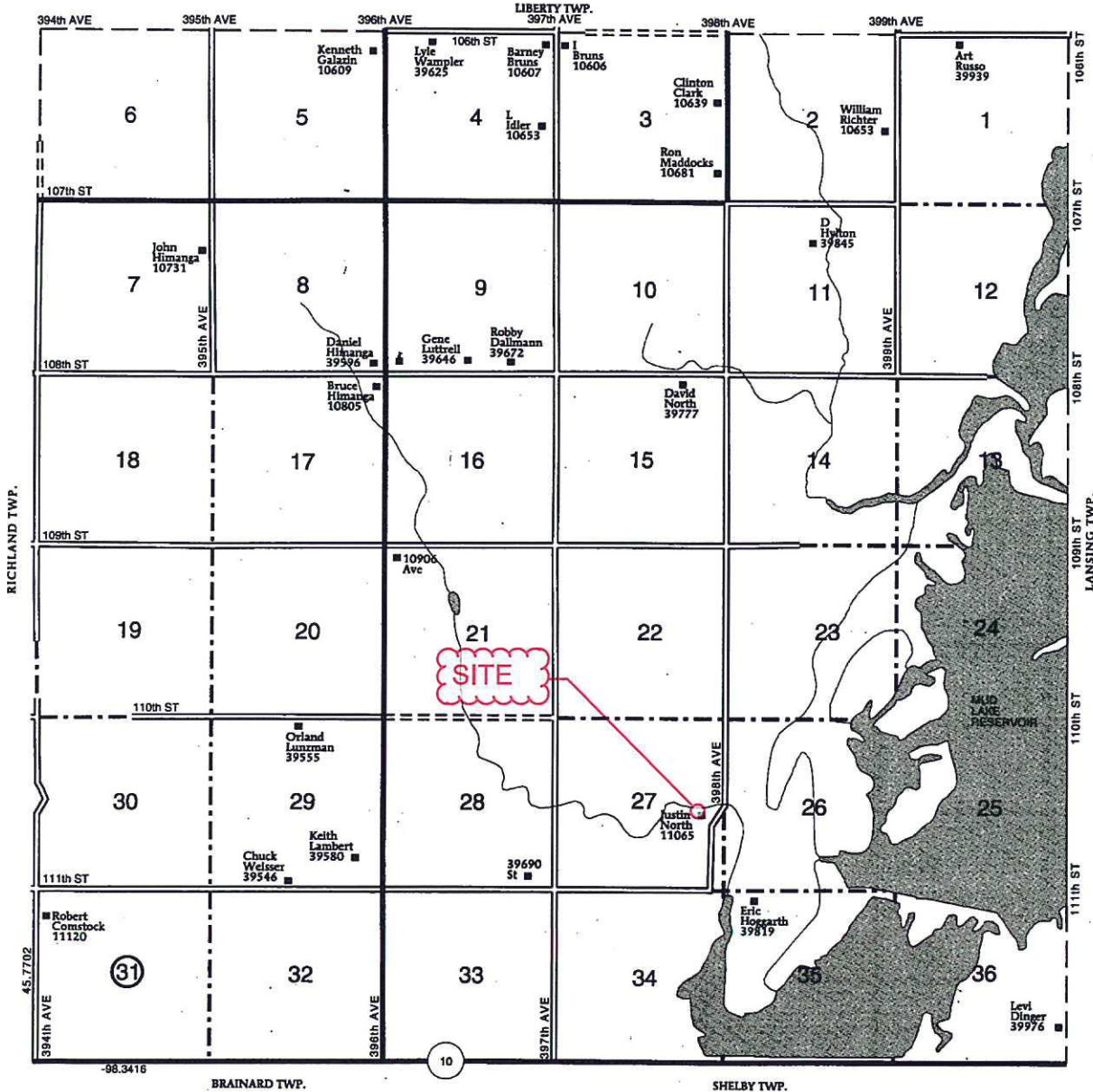
1 Tablespoon (T.) = 3 teaspoons (t) = 15ml/cc
1 ml/cc = 1/3t • 15ml/cc = 1T
34ml/cc = 1 fl. oz. • 240 ml/cc = 1C

T-127-N

GREENFIELD DIRECTORY

R-62-W

(Residents - Owners or Renters)



NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Courthouse Annex, basement Community Meeting Room, on April 16, 2019 at 7:00 P.M. for the purpose of Variance to Setback requirements for Shelterbelts in an Agricultural Preservation District (AG-P).

Petitioner & owner: *Justin North*

Description of property: *Outlot "A" of "David North Outlot A" in the SE1/4 of Section 27-T127N-R62W of the 5th P.M., Brown County, South Dakota (11065 398th Ave).*

Reason: *Shelterbelts would be closer to the Township Road than Ordinance requires.*

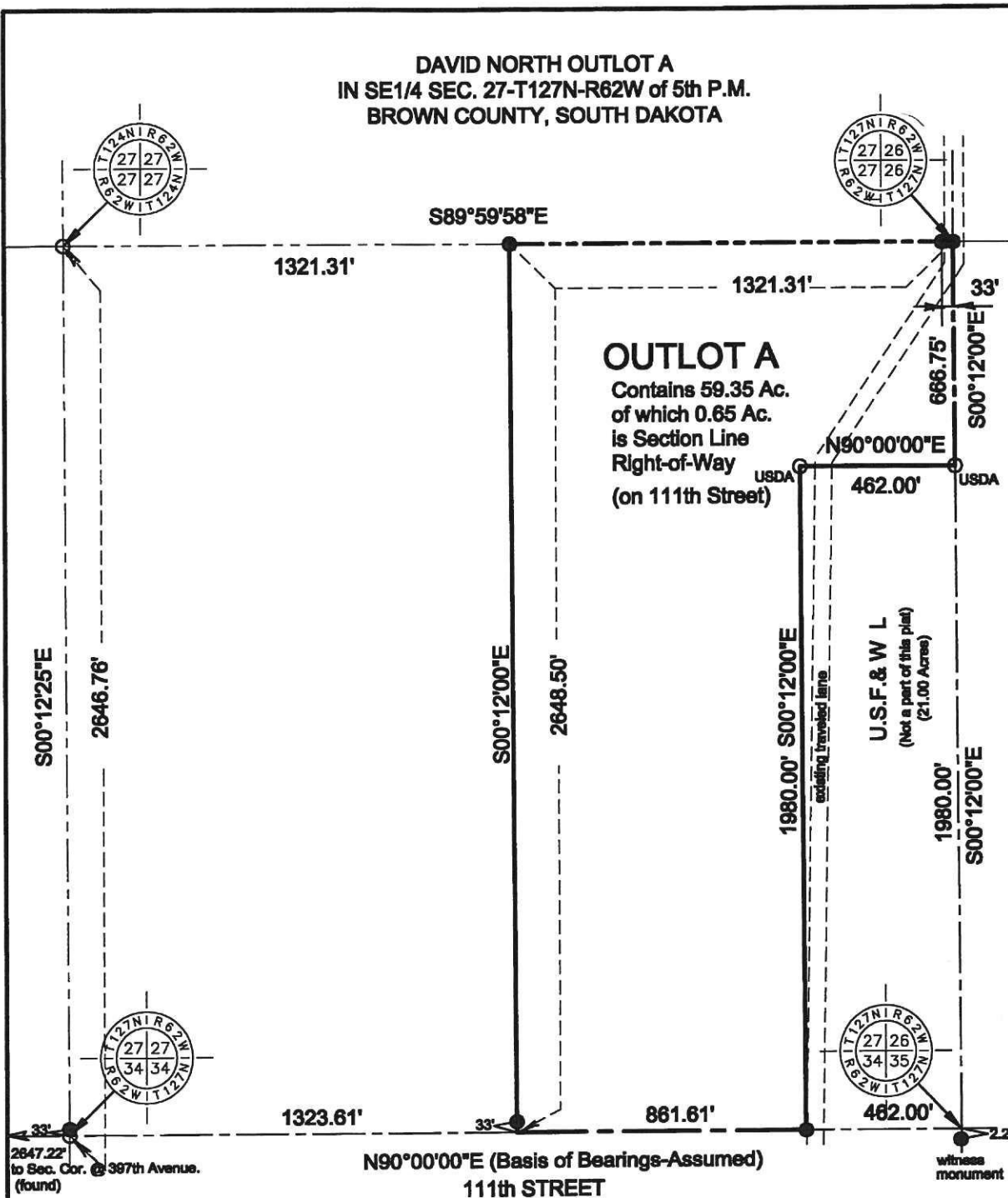
The public is invited to attend the hearing and to present comments and testimony regarding the proposed ordinance amendment.

Dated this 6th day of April 2019

Planning/Zoning Commission and
Scott Bader – P&Z Director
25 Market St., Suite #5
Aberdeen, SD 57401
Office: (605) 626-7144

Published once at the total approximate cost of _____.

DAVID NORTH OUTLOT A
 IN SE1/4 SEC. 27-T127N-R62W of 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA



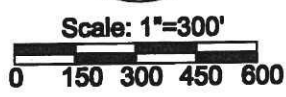
OUTLOT A
 Contains 59.35 Ac.
 of which 0.65 Ac.
 is Section Line
 Right-of-Way
 (on 111th Street)

U.S.F. & W.L.
 (Not a part of this plat)
 (21.00 Acres)

LEGEND

- Monuments Found:**
 ○ U.S. Govt. Monument
 ○ Iron Pipe

- Monuments Set:**
 ● 5/8"Ø rebar w/cap
 SD1641



Francis E. Brink
 4-17-2015

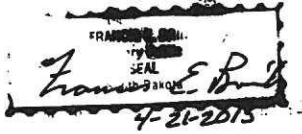
PREPARED BY:
 Francis E. Brink, P.E., L.S. SD1641
 616-4th Street North, Aberdeen, SD 57401
 Tel. (605) 225-9181

OWNER'S CERTIFICATE

I, David North, hereby certify that I am the owner of the Southeast Quarter of Section 27, Township 127 North, Range 62 West of the 5th P.M., EXCEPT the South 1980 feet of the East 462 feet of said Quarter, and I did authorize a survey and plat of the East half of said Southeast Quarter of Section 27 except the South 1980 feet of the East 462 feet thereof. The parcels so created shall hereafter be known as "DAVID NORTH OUTLOT A IN SE1/4 SEC. 27-T127N-R62W of the 5th P.M., BROWN COUNTY, SOUTH DAKOTA", as shown on the attached plat, and that development of this land shall conform to all existing applicable zoning, subdivision and sediment control regulations.

David North
David North

4/21/15
Date of Signing



ACKNOWLEDGEMENT OF OWNER

STATE OF SOUTH DAKOTA)
COUNTY OF BROWN)

On this, the 21st day of April, 2015, before me, Francis E. Brink, a Notary Public, appeared David North, personally known to me or satisfactorily proven to me to be the individual named above, executed the above OWNER'S CERTIFICATE and acknowledged to me that he executed the same.

My Commission Expires: 2-12-2020

Francis E. Brink
Notary Public, State of South Dakota

SURVEYOR'S CERTIFICATE

I, Francis E. Brink, Licensed Land Surveyor, do hereby certify that at the request of the Owners shown above, have surveyed and platted "DAVID NORTH OUTLOT A IN SE1/4 SEC. 27-T127N-R62W of the 5th P.M., BROWN COUNTY, SOUTH DAKOTA" as shown on the attached plat; have shown monuments found and set thereon, and to the best of my knowledge, said survey and plat are true and correct.

Signed this 17th day of April, 2015

Francis E. Brink
South Dakota Licensed Land Surveyor No. SD1641

COUNTY PLANNING COMMISSION CERTIFICATE

I hereby certify the following is a correct copy of the resolution duly passed by the County Planning Commission of Brown County, South Dakota, at a meeting held on the 19th day of May, 2015.

H. Bull
Secretary of County Planning Commission, Brown County, SD

"Be it resolved by the Brown County Planning Commission, Brown County, South Dakota, that the plat showing "DAVID NORTH OUTLOT A IN SE1/4 SEC. 27-T127N-R62W of the 5th P.M., BROWN COUNTY, SOUTH DAKOTA", having been examined, is hereby approved in accordance with the provisions of SDCLS of 1967, Chapter 11-6, and any amendments thereof.

COUNTY COMMISSION APPROVAL

I hereby certify that the following is a correct copy of the resolution duly passed by the County Commission of Brown County, South Dakota, at a meeting held on the 26 day of May, 2015.

Cathy Sauer - Deputy
County Auditor, Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "DAVID NORTH OUTLOT A IN SE1/4 SEC. 27-T127N-R62W of the 5th P.M., BROWN COUNTY, SOUTH DAKOTA", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

TREASURER'S CERTIFICATE

I hereby certify that all taxes which are liens upon any of the lands included in the above plat are shown by the records of my office to be fully paid.

Signed this 7 day of May, 2015.

Naudette Ch. Deputy Treas.
County Treasurer, Brown County, South Dakota

DIRECTOR OF EQUALIZATION'S CERTIFICATION

I hereby certify that I have received a copy of this plat this 4 day of May, 2015.

Mary E. Whillie
Director of Equalization, Brown County, South Dakota



REGISTER OF DEEDS CERTIFICATION

Filed for record this 2nd day of June, 2015, at 3:05 clock P.M., and duly recorded in Book of

Plats No. 3182 INSTRUMENT NO. 2015002771
BOOK: 2 PLAT
PAGE: 3182

Pages: 2



Deanna Anne Deputy
Register of Deeds, Brown County, South Dakota

2015/06/02 03:35:00 PM

CAROL SHERMAN, REGISTER OF DEEDS
BROWN COUNTY, SOUTH DAKOTA

Recording Fee: \$ 60.00
Return To: FILED

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

NOTIFICATION OF VARIANCE PETITION

Dear Petitioner/Owner: *Justin North (11065 398th Ave, Hecla, SD 57446)*

Your property described as: ***Outlot "A" of "David North Outlot A" in the SE1/4 of Section 27-T127N-R62W of the 5th P.M., Brown County, South Dakota (11065 398th Ave)*** is on the Brown County Planning/Zoning Commission for a Variance Petition of Zoning in an Agricultural Preservation District (AG-P) to allow a variance of setbacks for shelterbelts.

You should appear at the Brown County Planning Commission Hearing which will be held on ***Tuesday, April 16, 2019 at 7:00 PM*** in the Court House Annex on the east side of the Community Room, downstairs of the Brown County Courthouse Annex, 25 Market Street, Aberdeen, SD 57401.

If you cannot attend these hearings, you may send your comments to:
Brown County Planning/Zoning Commission
Attn: Scott Bader
25 Market Street; Suite #5
Aberdeen, SD 57401

Or call (605) 626-7144 before the Hearing Dates shown in this notice.

Attached to this letter is a map showing the location of the property subject to these hearings.

Brown County Planning/Zoning Commission

Certificate

I do hereby certify that the information included herein is true and complete.

Petitioner:

Justin North

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • Web: brown.sd.us

NOTIFICATION OF VARIANCE PETITION

Dear **Greenfield Township**:

Gene Luttrell 39646 108th St, Hecla, SD 57446 (605-994-7773)

Alex Russo 39906 108th St, Hecla, SD 57446 (605-216-8424)

David North 39777 108th St Hecla, SD 57446 (605-994-7433)

I am writing to inform you that Justin North of **Outlot "A" of "David North Outlot A" in the SE1/4 of Section 27-T127N-R62W of the 5th P.M., Brown County, South Dakota (11065 398th Ave)** is on the Brown County Planning/Zoning Commission for a *Variance Petition of Zoning in an Agricultural Preservation District (AG-P) to allow shelterbelts to be closer to the road than Ordinance requires.*

Please discuss with your Township Board to let them know about this application and inform them that the Township may appear at the Planning/Zoning Commission Board meeting which will be held on **April 16, 2019 at 7:00 p.m.** in the east COMMUNITY ROOM, downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

If you cannot attend these hearings, you may send your comments to:

Br Co Planning/Zoning Commission
Attn: Scott Bader
25 Market Street; Suite #5
Aberdeen, SD 57401

You may call (605) 626-7144 or email Scott.Bader@browncounty.sd.gov before the Hearing Dates shown in this notice.

Brown County Planning Zoning Commission &

Petitioner: *Justin North*

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

25 Market Street, Suite 5 • Aberdeen, South Dakota 57401-4203

Phone: 605-626-7144 • FAX: 605-626-4010 • Web: Scott.Bader@browncounty.sd.gov

NOTIFICATION OF VARIANCE PETITION

Dear Property Owner, *Harvey Jewett (P.O. Box 1036, Aberdeen, SD 57401)*

Your property described as: *NE1/4 of Section 34-T127N-R62W except 47.18 acres of refuge*, of the 5th P.M., Brown County, South Dakota is neighboring to our property described as ***Outlot "A" of "David North Outlot A" in the SE1/4 of Section 27-T127N-R62W of the 5th P.M., Brown County, South Dakota (11065 398th Ave).***

I am writing to inform you that we are petitioning the Brown County Planning/Zoning Commission for a ***Variance Petition of Zoning in an Agricultural Preservation District (AG-P) to allow a variance of setbacks for shelterbelts.***

If this matter concerns you, you may appear at the Brown County Planning Commission Hearing which will be held on ***April 16, 2019 at 7:00 PM*** in the Community Room in the downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

If you cannot attend these hearings, you may send your comments to:
Brown County Planning and Zoning Commission
C/o Zoning Administrator
Brown County Courthouse
25 Market Street, Ste. 5
Aberdeen, SD 57401-4203

Or call (605) 626-7144 before the Hearing Dates shown in this notice.

Attached to this letter is a map showing the location of your property and the property subject to these hearings.

Brown County Planning and Zoning Commission

Certificate

We, the above mentioned owner do hereby certify that the information included herein is true and complete.

Petitioner *Justin North*

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

25 Market Street, Suite 5 • Aberdeen, South Dakota 57401-4203

Phone: 605-626-7144 • FAX: 605-626-4010 • Web: Scott.Bader@browncounty.sd.gov

NOTIFICATION OF VARIANCE PETITION

Dear Property Owner, *Darrin Hamilton (22615 480th Ave, Flandreau, SD 57028)*

Your property described as: *NE1/4 of Section 27-T127N-R62W*, of the 5th P.M., Brown County, South Dakota is neighboring to our property described as ***Outlot "A" of "David North Outlot A" in the SE1/4 of Section 27-T127N-R62W of the 5th P.M., Brown County, South Dakota (11065 398th Ave).***

I am writing to inform you that we are petitioning the Brown County Planning/Zoning Commission for a ***Variance Petition of Zoning in an Agricultural Preservation District (AG-P) to allow a variance of setbacks for shelterbelts.***

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Aberdeen, SD 57401-4203

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Brown County Planning and Zoning Commission

Certificate

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Petitioner *Justin North*

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

25 Market Street, Suite 5 • Aberdeen, South Dakota 57401-4203

Phone: 605-626-7144 • FAX: 605-626-4010 • Web: Scott.Bader@browncounty.sd.gov

NOTIFICATION OF VARIANCE PETITION

Dear Property Owner, *Sand Lake Refuge (39650 Sand Lake Dr, Columbia, SD 57433)*

Your property described as: SE1/4 & SW1/4 of Section 26-T127N-R62W, of the 5th P.M., Brown County, South Dakota is neighboring to our property described as ***Outlot "A" of "David North Outlot A" in the SE1/4 of Section 27-T127N-R62W of the 5th P.M., Brown County, South Dakota (11065 398th Ave).***

I am writing to inform you that we are petitioning the Brown County Planning/Zoning Commission for a *Variance Petition of Zoning in an Agricultural Preservation District (AG-P) to allow a variance of setbacks for shelterbelts.*

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C/o Zoning Administrator
Brown County Courthouse
25 Market Street, Ste. 5
Aberdeen, SD 57401-4203

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Brown County Planning and Zoning Commission

Certificate

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Petitioner *Justin North*

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

25 Market Street, Suite 5 • Aberdeen, South Dakota 57401-4203

Phone: 605-626-7144 • FAX: 605-626-4010 • Web: Scott.Bader@browncounty.sd.gov

NOTIFICATION OF VARIANCE PETITION

Dear Property Owner, *David North (39777 108th St, Hecla, SD 57446-5901)*

Your property described as: *SE1/4 of Section 27-T127N-R62W except land platted*, of the 5th P.M., Brown County, South Dakota is neighboring to our property described as ***Outlot "A" of "David North Outlot A" in the SE1/4 of Section 27-T127N-R62W of the 5th P.M., Brown County, South Dakota (11065 398th Ave).***

I am writing to inform you that we are petitioning the Brown County Planning/Zoning Commission for a ***Variance Petition of Zoning in an Agricultural Preservation District (AG-P) to allow a variance of setbacks for shelterbelts.***

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Aberdeen, SD 57401-4203

Or call (605) 626-7144 before the Hearing Dates shown in this notice.

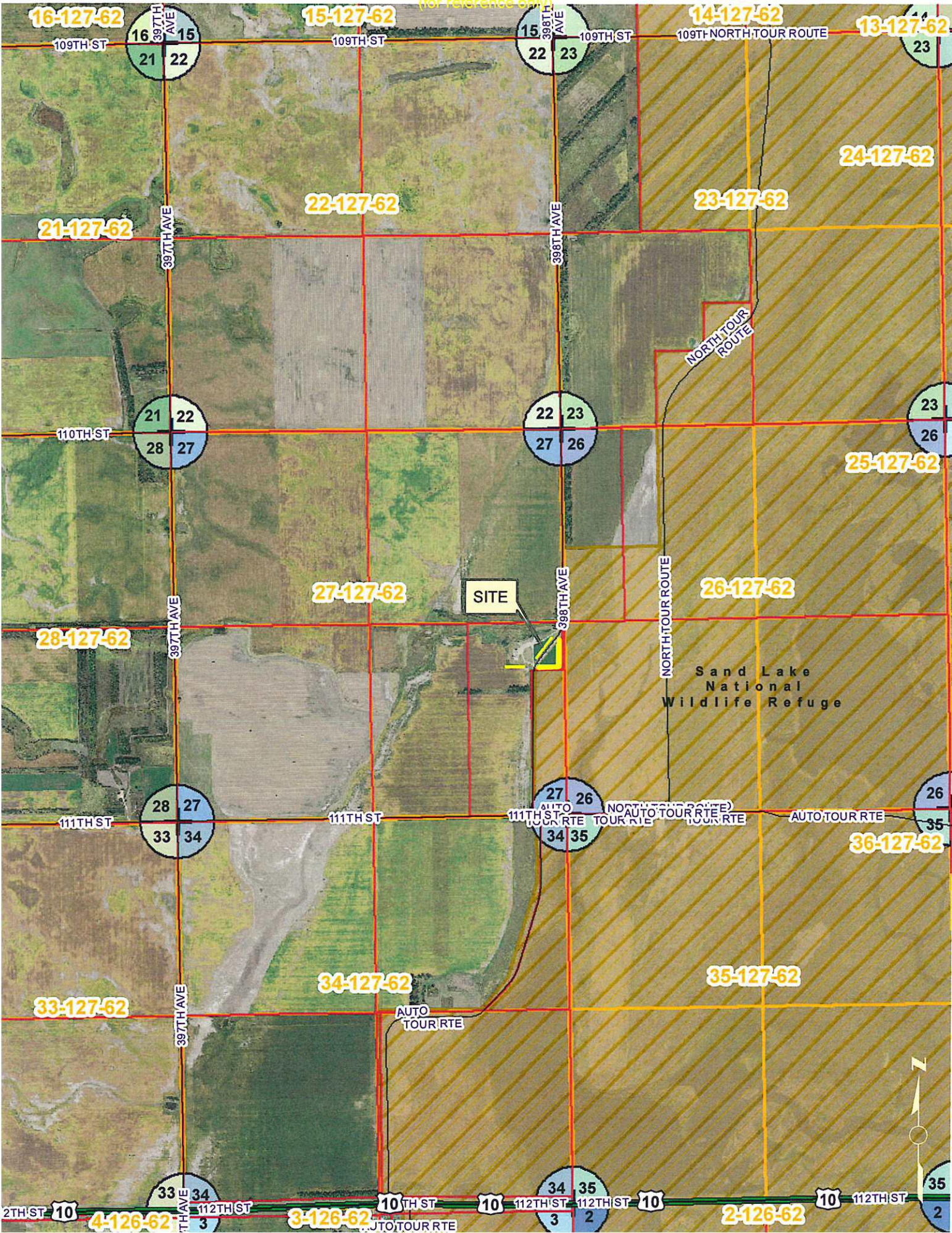
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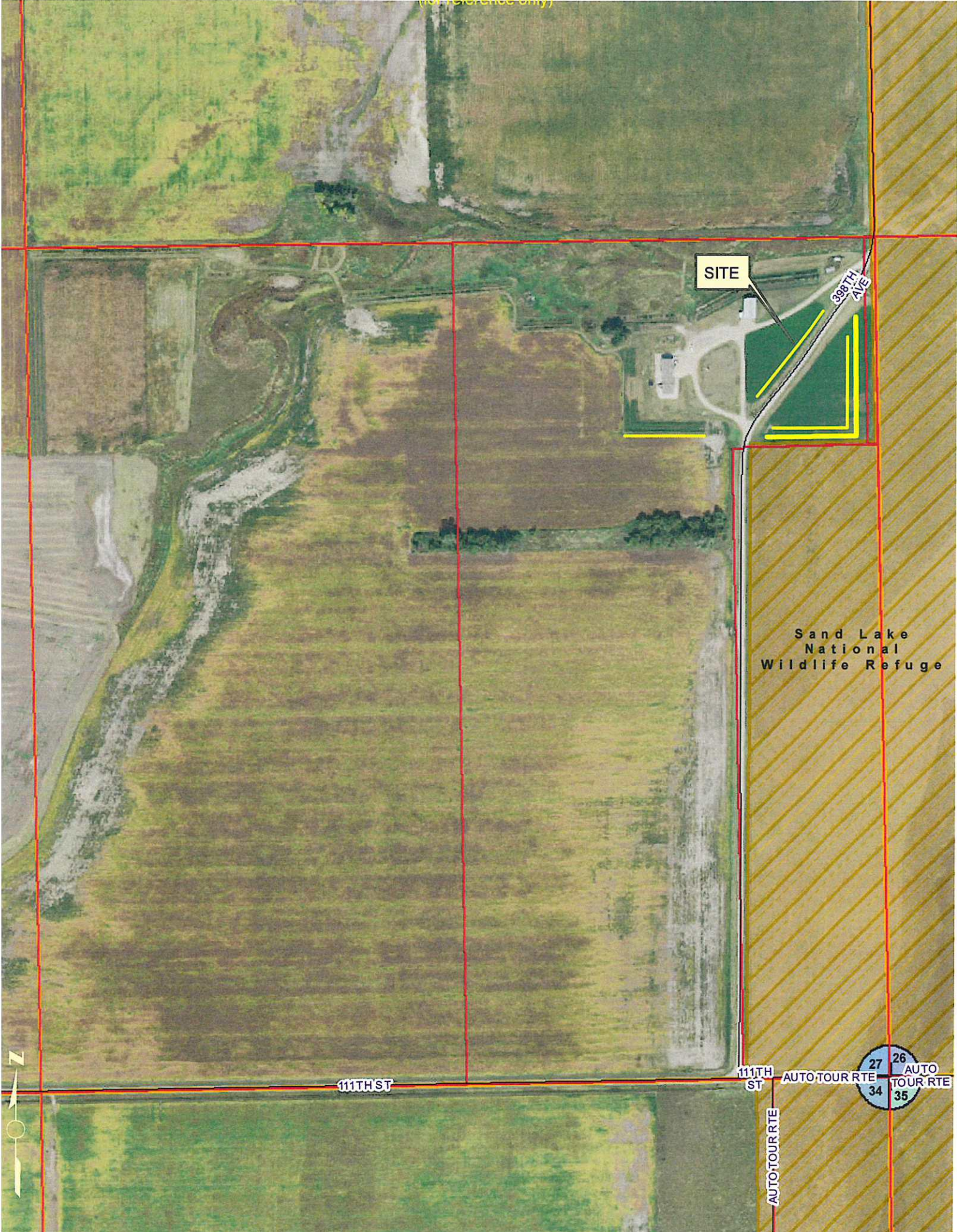
Brown County Planning and Zoning Commission

Certificate

We, the above mentioned owner do hereby certify that the information included herein is true and complete.

Petitioner *Justin North*





SITE

398TH AVE

Sand Lake
National
Wildlife Refuge

111TH ST

111TH ST

AUTO-TOUR RTE

AUTO-TOUR RTE 26
27
34
35



STAFF REPORT

April 16, 2019

VARIANCE FOR BLDG SETBACKS IN HC

ITEM #02

GENERAL INFORMATION

PETITIONER	Brian Hansen
REQUEST	Variance for Building Setbacks
LEGAL DESCRIPTION	Lot 4, "Hanson's 1 st Subd in Bath" in the NW1/4 of Section 17, T123N and R62W, of the 5th P.M., Brown County, South Dakota.
LOCATION	420 Hanson Loop
EXISTING ZONING	Rural Urban District (RU)
SURROUNDING ZONING	
North:	Rural Urban District (RU)
South:	Rural Urban District (RU)
East:	Rural Urban District (RU)
West:	Rural Urban District (RU)
PUBLIC UTILITIES	Web Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this Variance for Building Setbacks in a Rural Urban District (RU) allowing for: 02' setback on the south rear yard for a 24'x32' addition on the house rather than 20' required from property lines in RU District. This would be the outer most edge including overhangs.


The owner recently has been in contact with the neighbor to the south and he is in agreement with the addition. The Petitioner is also working with his neighbor to the south to try and purchase a piece of property from him, but was not in agreement at time of writing up the packets.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: April 5, 2019
RECEIPT # 132070
TOWNSHIP: Bath Town/Township

FEES: 25.00
PAID: YES/NO CHK/CASH
DATE: April 5, 2019

OWNERS SIGNATURE: Brian Hansen 
OWNERS ADDRESS: 420 Hanson Loop
OWNERS CITY, STATE, ZIP: Bath, SD 57427
OWNERS PHONE: 605-202-0531

AGENTS SIGNATURE: _____
AGENTS ADDRESS: _____
AGENTS CITY, STATE, ZIP: _____
AGENTS PHONE: _____

REQUEST: Variance to Building Setbacks in a Rural Urban District (RU)

LEGAL DESCRIPTION: Lot 4, "Hanson's 1st Subdivision in Bath" in the NW1/4 of Section 17-123-62

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: April 16, 2019 TIME: 7:00 p.m.

MEETING: located in the Basement Community Room of the Court House Annex

25 Market Street • Aberdeen, South Dakota 57401-4203

Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

Want a "free" extra book?

By reviewing township Directory maps for correct information before we publish the next issue, FHP will send you a free book of any county in any state printed by FHP for that year.

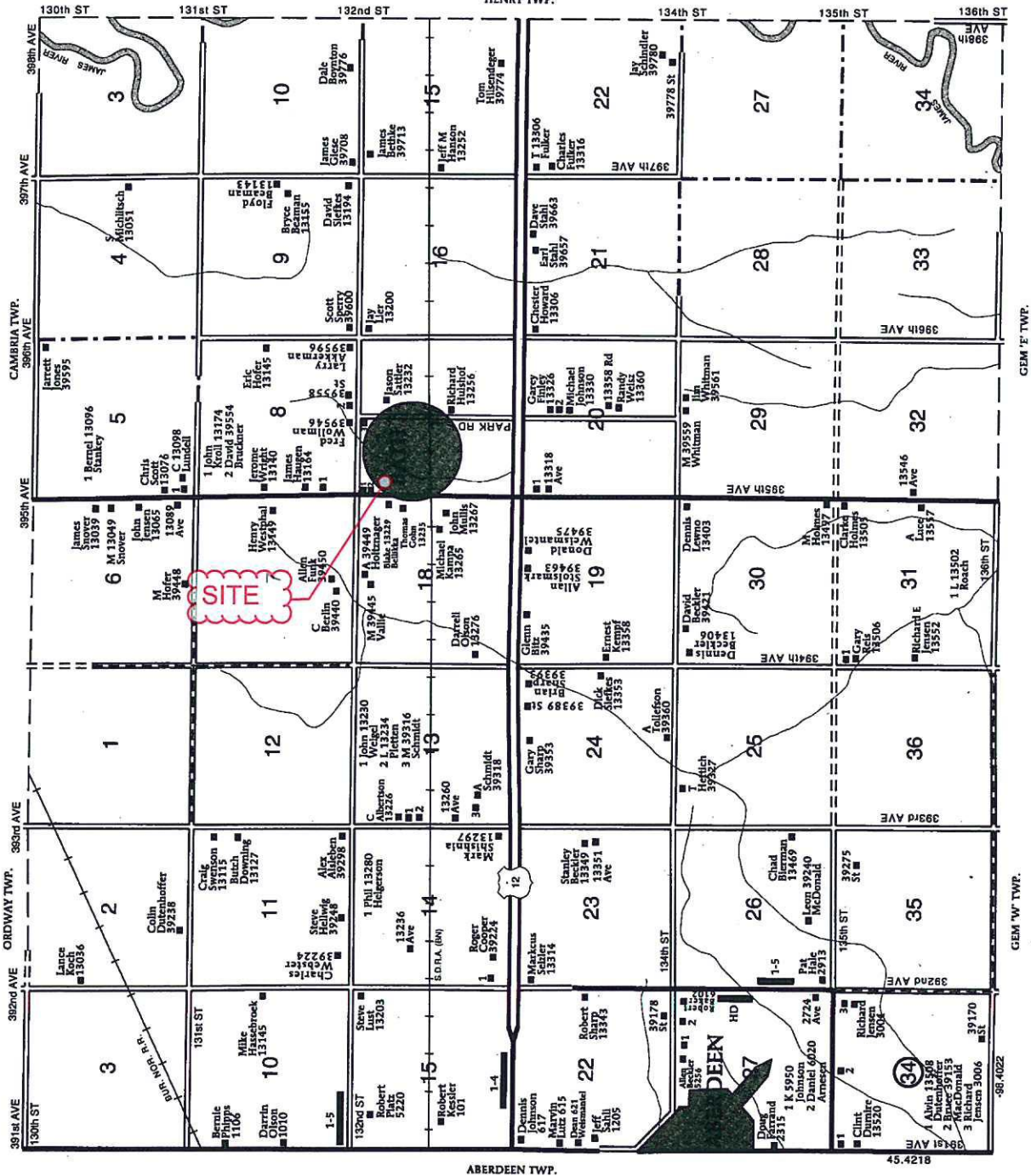
Contact our updating dept. at
800-685-7432-ext. 2605 or
 email: amanda.engebretson@farmandhomepublishers.com

T-123-N

BATH DIRECTORY

R-62-63-W

(Residents - Owners or Renters)



- BATH TOWNSHIP**
- SECTION 10W**
- 1 Beckler, Ron 5005
 - 2 Tennant, Cory 5025
 - 3 5091
 - 4 Gross, Del 5115
 - 5 Harper, Steve 5219
- SECTION 15W**
- 1 Gosman, C 5405
 - 2 Eilers, Todd 5455
 - 3 Knudson, R 5485
 - 4 Gosman, S 5755
- SECTION 17**
- 1 Buechler, Jerry 13228
 - 2 Brinkman, Stanley 13230
- SECTION 20**
- 1 Weesphal, Henry 13316
 - 2 Rohrbach, Kevin 13328
- SECTION 28**
- 1 Baillikka, Daryl 2111
 - 2 Kohlhaas, Paul 2135
 - 3 Griese, Doug 2215
 - 4 Rud, Robert 2317
 - 5 Mathern, R 2519

BROWN CO., SD

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Courthouse Annex, basement Community Meeting Room, on April 16, 2019 at 7:00 P.M. for the purpose of Variance to Building Setback requirements in a Rural Urban District (RU).

Petitioner & owner: *Brian Hanson*

Description of property: Lot 4, "Hanson's 1st Subdivision to Bath" in the NW1/4 of Section 17-T123N-R62W of the 5th P.M., Brown County, South Dakota (420 Hanson Loop).

Reason: *Building Setback would be closer to property line than ordinance requires.*

The public is invited to attend the hearing and to present comments and testimony regarding the proposed ordinance amendment.

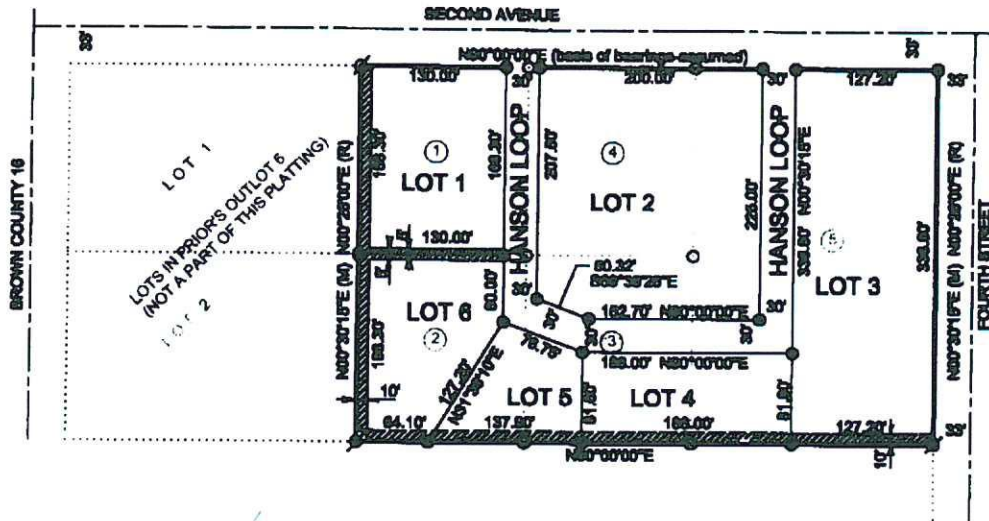
Dated this 6th day of April 2019

Planning/Zoning Commission and
Scott Bader – P&Z Director
25 Market St., Suite #5
Aberdeen, SD 57401
Office: (605) 626-7144

Published once at the total approximate cost of _____.

HANSON'S FIRST SUBDIVISION IN BATH, SOUTH DAKOTA

lots 1, 5 & 6
plat 2602



LEGEND

- ⊗ Monuments Found:
Iron Pipe w/LS Cap (Staliner)
5/8" dia. rebar w/cap SD1641
- ⊙ Monuments Set:
5/8" dia. rebar w/cap SD1641

① Former Lots in Hanson's Subdivision of Lot 3 of Lots 1, 2, & 3 of Prior's O.L. 6 in NW1/4 Sec. 17-T123N-R62W, Bath, Brown County, South Dakota

▨ Utility Easements



-AREAS-

Lot 1.....	0.603 Acres
Lot 2.....	1.025 Acres
Lot 3.....	0.882 Acres
Lot 4.....	0.350 Acres
Lot 5.....	0.340 Acres
Lot 6.....	0.420 Acres
Streets.....	0.460 Acres

TOTAL.....4.000 Acres



Francis E. Brink
12-20-2003

HANSON'S FIRST SUBDIVISION IN BATH, SOUTH DAKOTA

Sheet 2 of 2

OWNER'S CERTIFICATE

We, Carlen Hanson, aka Carlen D. Hanson, aka Carl Hanson, and Carrie A. Hanson, husband and wife, do hereby certify that we are the Owners of Lots 1-5, Hanson's Subdivision of Lot 3 of Lots 1, 2, and 3 of Prior's O.L. 6 in NW1/4 Sec. 17-T123N-R62W, Bath, Brown County, South Dakota, are vacating said plat and did authorize a survey and replat of said lots which shall hereafter be known as "HANSON'S FIRST SUBDIVISION IN BATH, SOUTH DAKOTA", as shown on the attached plat, and that development of this land shall conform to all existing applicable zoning, subdivision and sediment control regulations. Utility easements shown are dedicated for the perpetual use of all public and private utilities. Street right-of-way designated as Hanson Loop is dedicated to the public by this platting.

Signed this the 20th day of December, 2003

Carlen D. Hanson
Carlen D. Hanson

Carrie A. Hanson
Carrie A. Hanson

ACKNOWLEDGEMENT OF OWNERS

STATE OF SOUTH DAKOTA)
COUNTY OF BROWN)

On this, the 20th day of December, 2003, before me, Francis E. Brink, a Notary Public, appeared Carlen D. Hanson and Carrie A. Hanson, personally known to me or satisfactorily proven to me to be the individuals named above and signed the above OWNER'S CERTIFICATE for the purposes therein contained.

My Commission Expires: 2-07-2008
Francis E. Brink
Notary Public, State of South Dakota

SURVEYOR'S CERTIFICATE

I, Francis E. Brink, Licensed Land Surveyor, do hereby certify that at the request of the Owners shown above, have surveyed and platted "HANSON'S FIRST SUBDIVISION IN BATH, SOUTH DAKOTA" as shown on the attached plat; have shown monuments found and set as indicated thereon, and to the best of my knowledge, said survey and plat are true and correct.

Signed this 20th day of December, 2003
Francis E. Brink
South Dakota Licensed Land Surveyor No. SD1641

COUNTY PLANNING COMMISSION CERTIFICATE

I hereby certify the following is a correct copy of the resolution duly passed by the County Planning Commission of Brown County, South Dakota, at a meeting held on the 29th day of December, 2003.

Ernie J. Sobell
Secretary of County Planning Commission, Brown County, SD

"Be it resolved by the Brown County Planning Commission, Brown County, South Dakota, that the plat showing "HANSON'S FIRST SUBDIVISION IN BATH, SOUTH DAKOTA", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-6, and any amendments thereof.

COUNTY COMMISSION APPROVAL

I hereby certify that the following is a correct copy of the resolution duly passed by the County Commission of Brown County, South Dakota, at a meeting held on the 23 day of December, 2003.

Melanie Taylor
County Auditor, Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "HANSON'S FIRST SUBDIVISION IN BATH, SOUTH DAKOTA", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

TREASURER'S CERTIFICATE

I hereby certify that all taxes which are liens upon any of the lands included in the above plat are shown by the records of my office to be fully paid.

Signed this 29th day of December, 2003.
Josue Bonnard
County Treasurer, Brown County, South Dakota

DIRECTOR OF EQUALIZATION'S CERTIFICATION

I hereby certify that I have received a copy of this plat this 30 day of December, 2003.

Mary E. Worlie
Director of Equalization, Brown County, South Dakota

REGISTER OF DEED'S CERTIFICATION

Filed for record this 30th day of December, 2003, at 1:45 o'clock P.M., and duly recorded in Book of

Plats No. 1946H
Carol Sherman (Cordmann) CNDP
Register of Deeds, Brown County, South Dakota

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

25 Market Street • Aberdeen, South Dakota 57401-4203

Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

NOTIFICATION OF VARIANCE PETITION

Dear Petitioner/Owner: *Brian Hansen (420 Hanson Loop, Bath, SD 57427)*

Your property described as: Lot 4, "Hanson's 1st Subdivision in Bath" Brown County, South Dakota (420 Hanson Loop) is on the Brown County Planning/Zoning Commission for a Petition of Variance to Zoning in Rural Urban District (RU) to allow a variance to rear yard setbacks.

You should appear at the Brown County Planning Commission Hearing which will be held on *Tuesday, April 16, 2019 at 7:00 PM* in the Court House Annex on the east side of the Community Room, downstairs of the Brown County Courthouse Annex, 25 Market Street, Aberdeen, SD 57401.

If you cannot attend these hearings, you may send your comments to:
Brown County Planning/Zoning Commission
Attn: Scott Bader
25 Market Street; Suite #5
Aberdeen, SD 57401

Or call (605) 626-7144 before the Hearing Dates shown in this notice.

Attached to this letter is a map showing the location of the property subject to these hearings.

Brown County Planning/Zoning Commission

Certificate

I do hereby certify that the information included herein is true and complete.

Petitioner: *Brian Hansen*

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • Web: brown.sd.us

NOTIFICATION OF VARIANCE PETITION

Dear *Bath Township*:

Dave Bruckner 39554 132nd St, Bath, SD 57427 (605-380-3474)

Carl Hansen 39432 128th St, Bath, SD 57427 (715-7770)

Al Davis 12719 395th Ave, Bath, SD 57427 (605-290-4360)

I am writing to inform you that Brian Hansen of Lot 4, "Hanson's 1st Subdivision in Bath" Brown County, South Dakota (420 Hanson Loop) is on the Brown County Planning/Zoning Commission for a Petition for Variance in a Rural Urban District (RU) to allow a variance to rear yard building setbacks to allow an addition to the house to be closer to the south rear yard property line.

Please discuss with your Township Board to let them know about this application and inform them that the Township may appear at the Planning/Zoning Commission Board meeting which will be held on **April 16, 2019 at 7:00 p.m.** in the east COMMUNITY ROOM, downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

If you cannot attend these hearings, you may send your comments to:

Br Co Planning/Zoning Commission
Attn: Scott Bader
25 Market Street; Suite #5
Aberdeen, SD 57401

You may call (605) 626-7144 or email Scott.Bader@browncounty.sd.gov before the Hearing Dates shown in this notice.

Brown County Planning Zoning Commission &

Petitioner: *Brian Hansen*

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

25 Market Street, Suite 5 • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • Web: Scott.Bader@browncounty.sd.gov

NOTIFICATION OF VARIANCE PETITION

Dear Property Owner, *Jerald Holcomb (917 Railroad Ave, Bath, SD 57427)*

Your property described as: Lot 4 of "Prior's Outlot 6", in the NW1/4 of Section 17-123-62 in Brown County, South Dakota is neighboring to our property described as Lot 4, "Hanson's 1st Subdivision in Bath" Brown County, South Dakota (420 Hanson Loop).

We are writing to inform you that we are petitioning the Brown County Planning/Zoning Commission for a Petition for Variance in *Rural Urban District (RU)* to allow a variance to rear yard building setbacks.

If this matter concerns you, you may appear at the Brown County Planning Commission Hearing which will be held on *April 16, 2019 at 7:00 PM* in the Community Room in the downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

If you cannot attend these hearings, you may send your comments to:

Brown County Planning and Zoning Commission
C/o Zoning Administrator
Brown County Courthouse
25 Market Street, Ste. 5
Aberdeen, SD 57401-4203

Or call (605) 626-7144 before the Hearing Dates shown in this notice.

Attached to this letter is a map showing the location of your property and the property subject to these hearings.

Brown County Planning and Zoning Commission

Certificate

We, the above mentioned owner do hereby certify that the information included herein is true and complete.

Petitioner: *Brian Hansen*

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

25 Market Street, Suite 5 • Aberdeen, South Dakota 57401-4203

Phone: 605-626-7144 • FAX: 605-626-4010 • Web: Scott.Bader@browncounty.sd.gov

NOTIFICATION OF VARIANCE PETITION

Dear Property Owner, *Carrie Hanson (7983 Steamboat Rd, Summerset, SD 57769)*

Your property described as: Lot 3 of "Hanson's 1st Subdivision in Bath", in the NW1/4 of Section 17-123-62 in Brown County, South Dakota is neighboring to our property described as Lot 4, "Hanson's 1st Subdivision in Bath" Brown County, South Dakota (420 Hanson Loop).

We are writing to inform you that we are petitioning the Brown County Planning/Zoning Commission for a Petition for Variance in Rural Urban District (RU) to allow a variance to rear yard building setbacks.

If this matter concerns you, you may appear at the Brown County Planning Commission Hearing which will be held on *April 16, 2019 at 7:00 PM* in the Community Room in the downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

If you cannot attend these hearings, you may send your comments to:

Brown County Planning and Zoning Commission
C/o Zoning Administrator
Brown County Courthouse
25 Market Street, Ste. 5
Aberdeen, SD 57401-4203

Or call (605) 626-7144 before the Hearing Dates shown in this notice.

Attached to this letter is a map showing the location of your property and the property subject to these hearings.

Brown County Planning and Zoning Commission

Certificate

We, the above mentioned owner do hereby certify that the information included herein is true and complete.

Petitioner: *Brian Hansen*

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

25 Market Street, Suite 5 • Aberdeen, South Dakota 57401-4203

Phone: 605-626-7144 • FAX: 605-626-4010 • Web: Scott.Bader@browncounty.sd.gov

NOTIFICATION OF VARIANCE PETITION

Dear Property Owner, *Kapru Soe (424 Hanson Loop, Bath, SD 57427)*

Your property described as: *Lot 3 of "Hanson's 1st replat of Hanson's 1st Subdivision in Bath", in the NW1/4 of Section 17-123-62 in Brown County, South Dakota* is neighboring to our property described as *Lot 4, "Hanson's 1st Subdivision in Bath" Brown County, South Dakota (420 Hanson Loop)*.

We are writing to inform you that we are petitioning the Brown County Planning/Zoning Commission for a *Petition for Variance in Rural Urban District (RU) to allow a variance to rear yard building setbacks.*

If this matter concerns you, you may appear at the Brown County Planning Commission Hearing which will be held on *April 16, 2019 at 7:00 PM* in the Community Room in the downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

If you cannot attend these hearings, you may send your comments to:

Brown County Planning and Zoning Commission
C/o Zoning Administrator
Brown County Courthouse
25 Market Street, Ste. 5
Aberdeen, SD 57401-4203

Or call (605) 626-7144 before the Hearing Dates shown in this notice.

Attached to this letter is a map showing the location of your property and the property subject to these hearings.

Brown County Planning and Zoning Commission

Certificate

We, the above mentioned owner do hereby certify that the information included herein is true and complete.

Petitioner: *Brian Hansen*

Brown County GIS
(for reference only)



HANSON LOOP

SITE

WESTVIEW LN

4TH ST

1ST AVE

1ST AVE

5TH ST

4TH ST

RAILROAD AVE 16A

RAILROAD AVE 16A

RAILROAD AVE 16A

RAILROAD AVE 16A

RAILROAD AVE 16A

Unnamed Railroad

South Dakota
State Railroad



Brown County GIS
(for reference only)

2ND AVE

2ND AVE

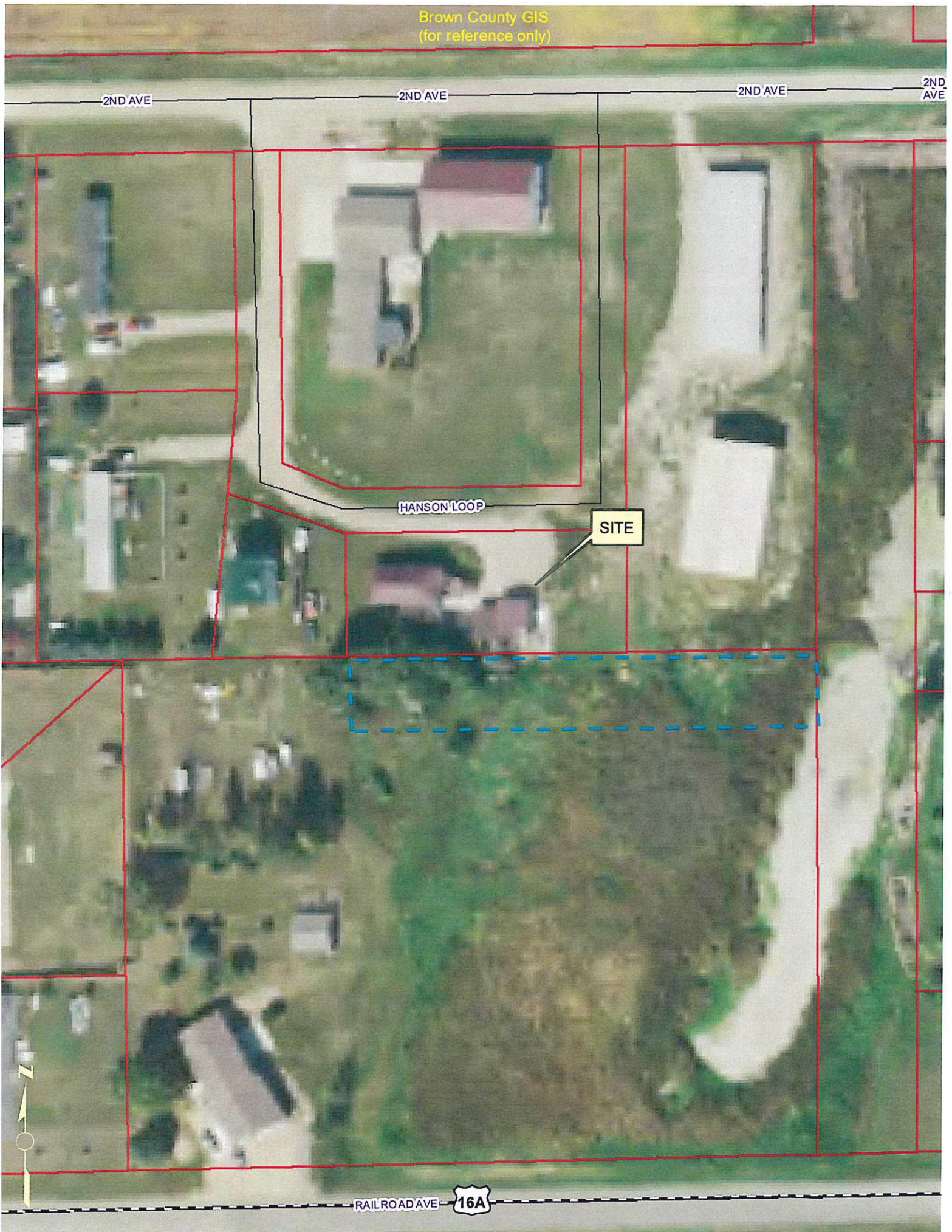
2ND AVE

2ND AVE

HANSON LOOP

SITE

RAILROAD AVE



STAFF REPORT

April 16, 2019

PRELIMINARY & FINAL PLAT

ITEM # 10a

GENERAL INFORMATION

PETITIONER	City of Aberdeen
REQUEST	Preliminary & Final Plat
LEGAL DESCRIPTION	Lot 1, "Aberdeen Ground Water Addition" in the NE1/4 of Section 36-T125N-R64W of the 5th P.M., Brown County, South Dakota
LOCATION	38797 123 rd St
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	Unknown
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this Preliminary and Final Plat to clean up legal and have monuments set.

REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges existing access.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME "Aberdeen Ground Water Addition"

QUARTER: NE SECTION: 36 TOWNSHIP: 125 RANGE: 64

LOTS 1, 2, 3 1 ~~TRACTS 1, 2, 3~~ ~~PARCELS 1, 2, 3~~ NOTHING SHOWN _____

OWNERS NAMES: City of Aberdeen

OWNERS NAMES: _____

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Clark Engineering (Zach)

TYPE: PRELIMINARY _____ FINAL _____ BOTH X

FEE: \$25.00 ACRES x \$1.00 9 TOTAL: \$ ~~34.00~~ DATE PAID: N/C to City / ____ / 20

RECEIVED BY PLANNING DEPARTMENT: 03 / 06 / 2019 BY: Scott

REASON FOR PLAT: DEVELOPMENT Clean up the legal description and set monuments _____ CONVEYANCE _____ FINANCIAL PURPOSES _____ BOTH _____

PLAT: ON 11 x 17 MYLAR _____ ON 11 x 17 PHOTO PAPER X

STREETS/ROADS NAMED PROPERLY X

EXISTING ACCESS SHOWN ON PLAT X ACCESS NEEDED _____

DIMENSION ALL LINEWORK FOR GIS DEPT. X BEARINGS & DISTANCES SHOWN TO "CLOSE" X

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE X

HIGHWAY SIGNATURE LINE SHOWN (STATE, COUNTY, TOWNSHIP) X

HIGHWAY SIGNATURE LINE SIGNED _____

TAXES PAID IN FULL FOR THE YEAR X TREASURER SIGNATURE LINE SIGNED _____
no taxes by the City

CONSIDERED BY COUNTY PLANNING COMMISSION:

RECOMMENDATION: _____ APPROVE _____ DENY X RE-SUBMIT ON
Tabled for page one to be re-done w/right-of-way

CONSIDERED BY COUNTY COMMISSION:


RECOMMENDATION: _____ APPROVE _____ DENY _____ RE-SUBMIT ON _____

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR PLAT APPROVAL

DATE: March 6, 2019
RECEIPT # none
TOWNSHIP: City of Aberdeen

FEES: not required
PAID: YES/NO CHK/CASH
DATE: 03/06/19

OWNERS SIGNATURE: City of Aberdeen; Robin Bobzein 
OWNERS ADDRESS: 123 S Lincoln St
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE: 605-626-7017

AGENTS SIGNATURE: _____
AGENTS ADDRESS: _____
AGENTS CITY, STATE, ZIP: _____
AGENTS PHONE: _____

REQUEST: Plat drainage parcel that the City has owned
(this lot had a metes and bounds description)

LEGAL DESCRIPTION: Lot 1 "Aberdeen Ground Water Addition" in the NE1/4 of
Section 36-T125N-R64 of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied Tabled at March meeting

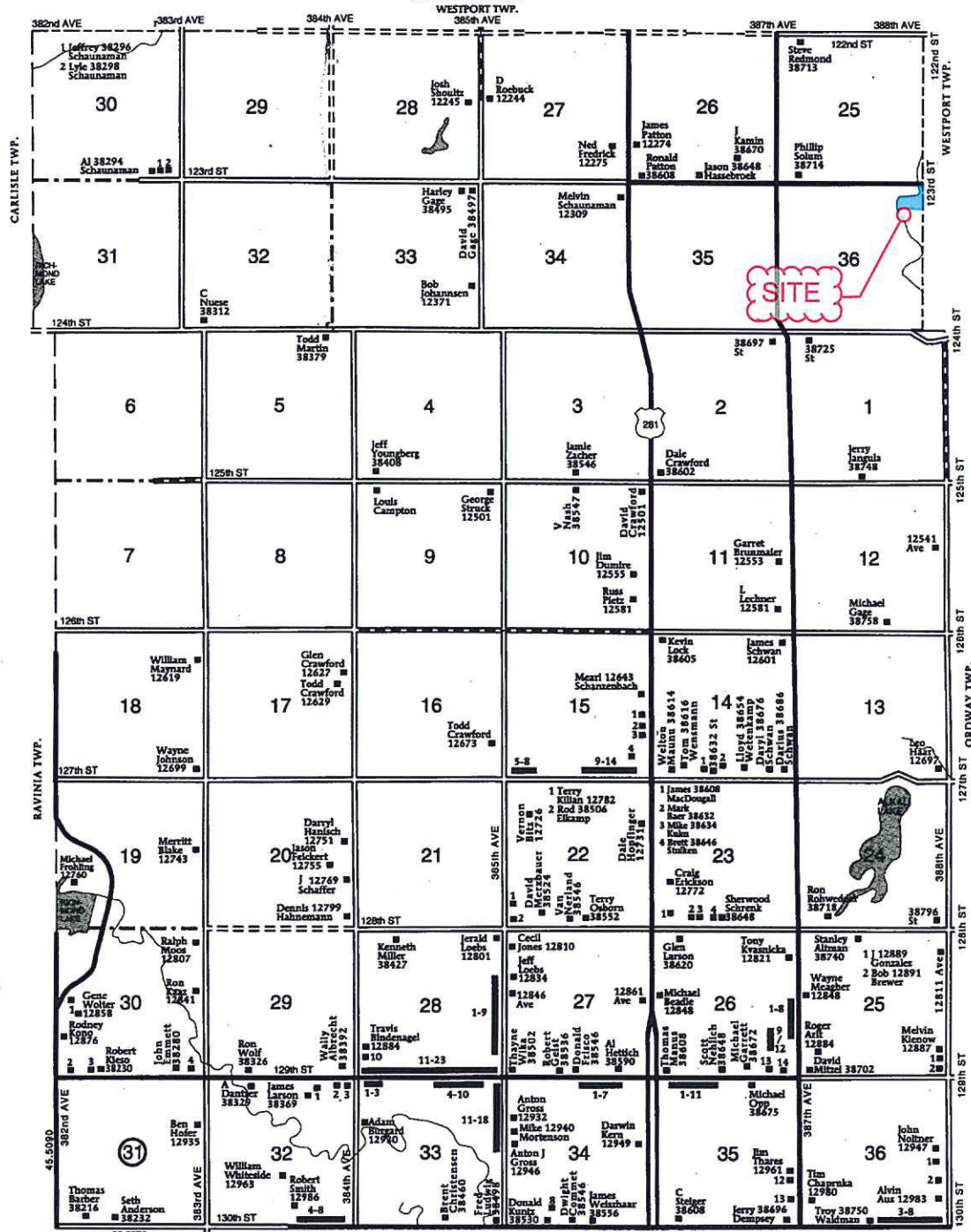
By: _____ Date: _____

HEARING DATE: March 19, 2019 / April 16, 2019 TIME: 7:00 p.m.

MEETING: located in the Basement Community Room of the Court House Annex

25 Market Street • Aberdeen, South Dakota 57401-4203

Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov



LINCOLN TOWNSHIP

SECTION 14

- 1 Adams, John 38630
- 2 Mount, Bill 38634

SECTION 15

- 1 Schaunaman, Chad 12657
- 2 Berg, Tom 12663
- 3 Heath, Pat 12667
- 4 Kiesz, Marvin 12685
- 5 Huetti, Roger 38502
- 6 Klapperich, Ed 38504
- 7 Frohling, Leslie 38512
- 8 Moore, Joe 38518
- 9 Williams, Eugene 38552
- 10 Black, Casey 38556
- 11 Mitzel, Michael 38560
- 12 Malsam, Adam 38574
- 13 Nelson, Mark 38574
- 14 Roso, R 38576

SECTION 26S

- 1 Wetenkamp, Lloyd D 12847
- 2 Hedges, Kendall 12849
- 3 Labay, Richard 12851
- 4 Kolb, Myron 12855
- 5 12857
- 6 Wacholz, B 12861
- 7 Simonson, Lee 12869
- 8 Rychlik, Jerald 12875
- 9 Keller, Mike 12862
- 10 Stein, Craig 12866
- 11 Hedge, Duane 12870
- 12 Call, Ty 12874
- 13 Wahi, Merie 38686
- 14 Punt, Lawayne 38690

SECTION 28S

- 1 Drageset, Jamie 12833
- 2 Adolf, Gregory 12839
- 3 Hoeltzner, Curtis 12843
- 4 Willkie, Chad 12845
- 5 Carlson, Cartor 12853

SECTION 30S

- 1 Podolf, M 12852
- 2 Schlagel, Gene 38206
- 3 38228
- 4 Mandel, Lonnie 38294

SECTION 32S

- 1 Lehr, Cary 38373
- 2 Otto, Randall 38393
- 3 Gosvener, Ken 12901
- 4 Martinmas, Roger 38364
- 5 Thorstenson, Casey 38370
- 6 Harms, Bruce 38374
- 7 Hartung, Mark 38386
- 8 Keller, Edward 38392

SECTION 33S

- 1 Waltman, Frank 38405
- 2 Malsam, Ervin 38409
- 3 Krueger, Gerald 38413
- 4 Burt, Roy 38453
- 5 Sutton, Duane 38459
- 6 Aman, Bonnell 38463
- 7 Hagman, Rick 38469
- 8 Allbie, M 38479

SECTION 34S

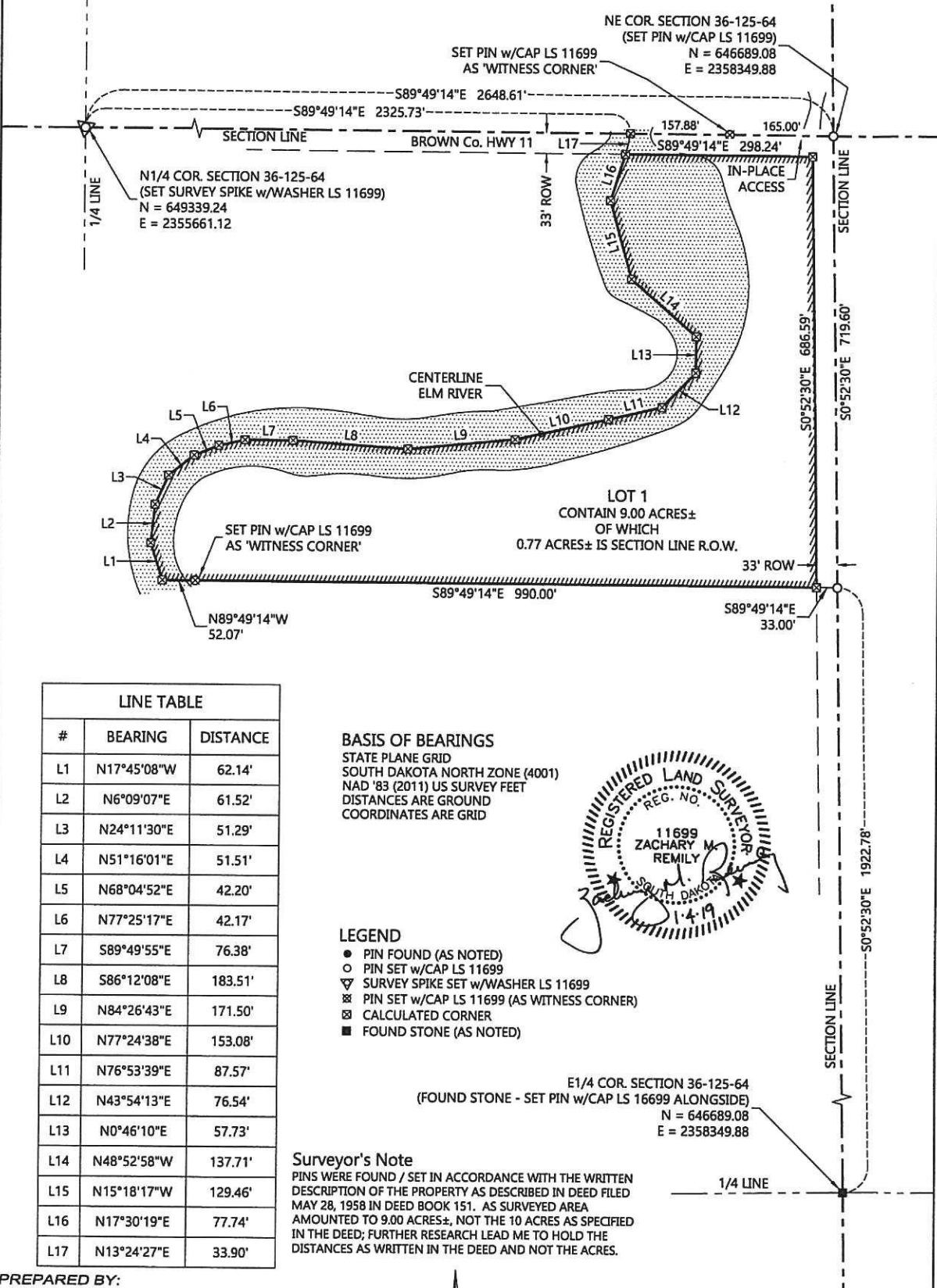
- 1 Hartung, John 38549
- 2 Shilman, Larry 38557
- 3 Tarell, Ron 38559
- 4 Odde, N 38563
- 5 Volzke, Randy 38587
- 6 Malsam, Melvin 38589
- 7 Igo, Loren 38591
- 8 Ritter, Loren 38534

SECTION 35S

- 1 Fordham, Donald 38621
- 2 Luitjens, Mark 38631
- 3 Hollan, Ray 38635
- 4 Hendrickson, J 38649
- 5 Anliker, Alvin 38655
- 6 Malsom, Bob 12909
- 7 Hanley, Tom 38630
- 8 Fix, Jeffrey 38637
- 9 Binder, Brandon 38643
- 10 Mercer, V 12911
- 11 Tchida, Mervin 12914
- 12 Thares, Clark 12969
- 13 Diede, James 12979
- 14 Dalsger, John 12953
- 15 Hinds, Bill 12971
- 16 Waldman, Clarence 38756
- 17 Waldman, Galen 38762
- 18 Pence, Bryan 38786
- 19 Cowan, Richard 38770
- 20 Lonning, Stuart 38782
- 21 Bock, Jeff 38792

PLAT SHOWING ABERDEEN GROUND WATER ADDITION

IN THE NE 1/4 OF SECTION 36,
TOWNSHIP 125 NORTH, RANGE 64 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA



N 1/4 COR. SECTION 36-125-64
(SET SURVEY SPIKE w/WASHER LS 11699)
N = 649339.24
E = 2355661.12

NE COR. SECTION 36-125-64
(SET PIN w/CAP LS 11699)
N = 646689.08
E = 2358349.88

SET PIN w/CAP LS 11699
AS 'WITNESS CORNER'

LOT 1
CONTAIN 9.00 ACRES±
OF WHICH
0.77 ACRES± IS SECTION LINE R.O.W.

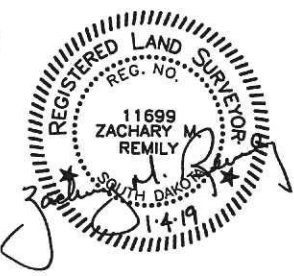
N 89°49'14"W
52.07'

E 1/4 COR. SECTION 36-125-64
(FOUND STONE - SET PIN w/CAP LS 16699 ALONGSIDE)
N = 646689.08
E = 2358349.88

LINE TABLE		
#	BEARING	DISTANCE
L1	N17°45'08"W	62.14'
L2	N6°09'07"E	61.52'
L3	N24°11'30"E	51.29'
L4	N51°16'01"E	51.51'
L5	N68°04'52"E	42.20'
L6	N77°25'17"E	42.17'
L7	S89°49'55"E	76.38'
L8	S86°12'08"E	183.51'
L9	N84°26'43"E	171.50'
L10	N77°24'38"E	153.08'
L11	N76°53'39"E	87.57'
L12	N43°54'13"E	76.54'
L13	N0°46'10"E	57.73'
L14	N48°52'58"W	137.71'
L15	N15°18'17"W	129.46'
L16	N17°30'19"E	77.74'
L17	N13°24'27"E	33.90'

BASIS OF BEARINGS
STATE PLANE GRID
SOUTH DAKOTA NORTH ZONE (4001)
NAD '83 (2011) US SURVEY FEET
DISTANCES ARE GROUND
COORDINATES ARE GRID

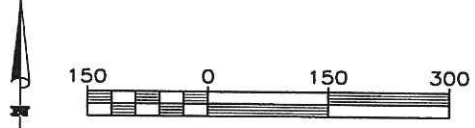
- LEGEND**
- PIN FOUND (AS NOTED)
 - PIN SET w/CAP LS 11699
 - ▽ SURVEY SPIKE SET w/WASHER LS 11699
 - ⊗ PIN SET w/CAP LS 11699 (AS WITNESS CORNER)
 - ⊠ CALCULATED CORNER
 - FOUND STONE (AS NOTED)



Surveyor's Note
PINS WERE FOUND / SET IN ACCORDANCE WITH THE WRITTEN DESCRIPTION OF THE PROPERTY AS DESCRIBED IN DEED FILED MAY 28, 1958 IN DEED BOOK 151. AS SURVEYED AREA AMOUNTED TO 9.00 ACRES±, NOT THE 10 ACRES AS SPECIFIED IN THE DEED; FURTHER RESEARCH LEAD ME TO HOLD THE DISTANCES AS WRITTEN IN THE DEED AND NOT THE ACRES.

PREPARED BY:

CLARK ENGINEERING
Clark Engineering Corporation
3314 Milwaukee Avenue NE, Suite 2
Aberdeen, SD 57401
Phone: (605) 225-3494
Fax: (605) 225-5433
Aberdeen@clark-eng.com EOE



PLAT SHOWING
ABERDEEN GROUND WATER ADDITION
 IN THE NE1/4 OF SECTION 36,
 TOWNSHIP 125 NORTH, RANGE 64 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

The City of Aberdeen, a municipal corporation, does hereby certify that it is the owner of The North ten acres of that part of the Northeast Quarter of the Northeast Quarter (NE1/4 of NE1/4) of Section 36, in Township 125 North, Range 64 West of the 5th P.M., lying east of the center of the Elm River, located upon said land, being the North 719.6 feet of that part of said land lying east of the center of the Elm River, in Brown County, South Dakota, and that it has caused the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as "ABERDEEN GROUND WATER ADDITION IN THE NE1/4 OF SECTION 36, TOWNSHIP 125 NORTH, RANGE 64 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" and that development of this land shall conform to all existing applicable zoning, subdivision and sediment control regulations.

Signed this 8th day of MARCH, 2019.

Owner: City of Aberdeen

ROBIN BOBZIEN CITY ENGINEER/PLD
 Print Name & Title

[Signature]
 Signature

COUNTY OF BROWN)
) SS
 STATE OF SOUTH DAKOTA)

On this 8th day of MARCH, 2019, before me, a notary public, the undersigned officer, personally appeared ROBIN BOBZIEN, who acknowledge himself/herself to be the PUBLIC WORKS DIR., of the City of Aberdeen, a municipal corporation, and that he/she as such CITY ENGINEER, being authorized to do so, executed the foregoing instrument for the proposed therein contained, by signing the name of the City of Aberdeen, a municipal corporation by himself/herself as AUTHORIZED EMPLOYEE.

My Commission Expires: OCT 05, 1922

[Signature]
 Notary Public

SURVEYOR'S CERTIFICATE

I, Zachary M. Remily, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owner, I have surveyed and platted "ABERDEEN GROUND WATER ADDITION IN THE NE1/4 OF SECTION 36, TOWNSHIP 125 NORTH, RANGE 64 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" as shown on the attached plat, that I have found and/or set iron pins as indicated thereon, and that said survey and plat are true and correct.

Signed this 4th day of JANUARY, 2019.



HIGHWAY APPROVAL

"Access to BROWN COUNTY HIGHWAY 11 is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."

Signed this 8th day of MARCH, 2018.

[Signature] Supt. Brown Co.
 Highway or Street Authority

COUNTY PLANNING COMMISSION APPROVAL

I hereby certify that the following is a correct copy of the resolution duly passed by the County Planning Commission of Brown County, South Dakota, at a meeting held on the 19th day of MARCH, 2019.

[Signature]
 Secretary of County Planning Commission
 Brown County, South Dakota

"Be it resolved by the County Planning Commission of Brown County, South Dakota, that the plat showing "ABERDEEN GROUND WATER ADDITION IN THE NE1/4 OF SECTION 36, TOWNSHIP 125 NORTH, RANGE 64 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-6, and any amendments.

COUNTY COMMISSION APPROVAL

I hereby certify that the following is a correct copy of the resolution duly passed by the County Commission of Brown County, South Dakota, at a meeting held on the _____ day of _____, 2019.

 County Auditor
 Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "ABERDEEN GROUND WATER ADDITION IN THE NE1/4 OF SECTION 36, TOWNSHIP 125 NORTH, RANGE 64 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof."

PREPARED BY:

CLARK
 ENGINEERING

Clark Engineering Corporation
 3314 Milwaukee Avenue NE, Suite 2
 Aberdeen, SD 57401
 Phone: (605) 225-3494
 Fax: (605) 225-5433
 Aberdeen@clark-eng.com EOE

PLAT SHOWING
ABERDEEN GROUND WATER ADDITION
IN THE NE1/4 OF SECTION 36,
TOWNSHIP 125 NORTH, RANGE 64 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

TREASURER'S CERTIFICATE

I hereby certify that all taxes which are liens upon any of the lands included in the attached plat are shown by the records of my office to be fully paid.

Signed this 7th day of March, 2019.

Cynthia J. Meyer, dep. treasurer
County Treasurer, Brown County, South Dakota

DIRECTOR OF EQUALIZATION CERTIFICATE

I hereby certify that I have received a copy of this plat this 7 day of March, 2019.

Betsy Desrosiers
Director of Equalization
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

Filed for record this _____ day of _____, 2019, at _____ O'clock ___ M., and duly recorded as Hanging Plat No. _____.

Register of Deeds, Brown County, South Dakota

PREPARED BY:

CLARK
ENGINEERING

Clark Engineering Corporation
3314 Milwaukee Avenue NE, Suite 2
Aberdeen, SD 57401
Phone: (605) 225-3494
Fax: (605) 225-5433
Aberdeen@clark-eng.com EOE

Brown County GIS
(for reference only)

25-125-64

30-125-63

123RD ST

11

123RD ST

11

123RD ST

11

25 30
31

SITE

TRINS
CONSTRUCTION
INC TRINS
CONSTRUCTION
GRAVEL PIT

31-125-63

UNNAMED FARM
SERVICE RD

36-125-64

124TH ST

1-124-64

36 31

UNNAMED FARM SERVICE RD
124TH ST

6-124-63

124TH ST

124TH 388TH AVE



Brown County GIS
(for reference only)

25-125-64

30-125-63

123RD ST 11

25 30
31

123RD ST 11

38797 123rd St
03/05/19 CSB

SITE

36-125-64

31-125-63



STAFF REPORT

April 16, 2019

PETITION TO REZONE

ITEM # 10

GENERAL INFORMATION

PETITIONER	Robert Kirchgesler
REQUEST	Petition to Rezone property
LEGAL DESCRIPTION:	Lots 1&2, "Kirchgesler Second Subd" in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota
TOWNSHIP	Ravinia Twp
LOCATION	12618 & 12630 West Shore Dr
EXISTING ZONING	Agricultural Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agricultural Preservation District (AG-P)
South:	Lake Front District (R-3)
East:	Richmond Lake (AG-P2)
West:	Agricultural Preservation District (AG-P)
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this Rezone from Agriculture Preservation District (AG-P) to Mini Agriculture District (M-AG) to bring parcel into compliance with its use. Parcels = 34.05± acres.

RECOMMENDATION: This parcel was "existing non-conforming" with only 34 acres instead of needing 40.0± acres to be agriculture zoned. Staff recommends approval of this rezone.

Your Ad Could Be Here

in the Next Plat and Directory Publication.

Contact Farm & Home Publishers 1-800-685-7432 • Fax 641-444-5150

E-Mail Info@farmandhomepublishers.com

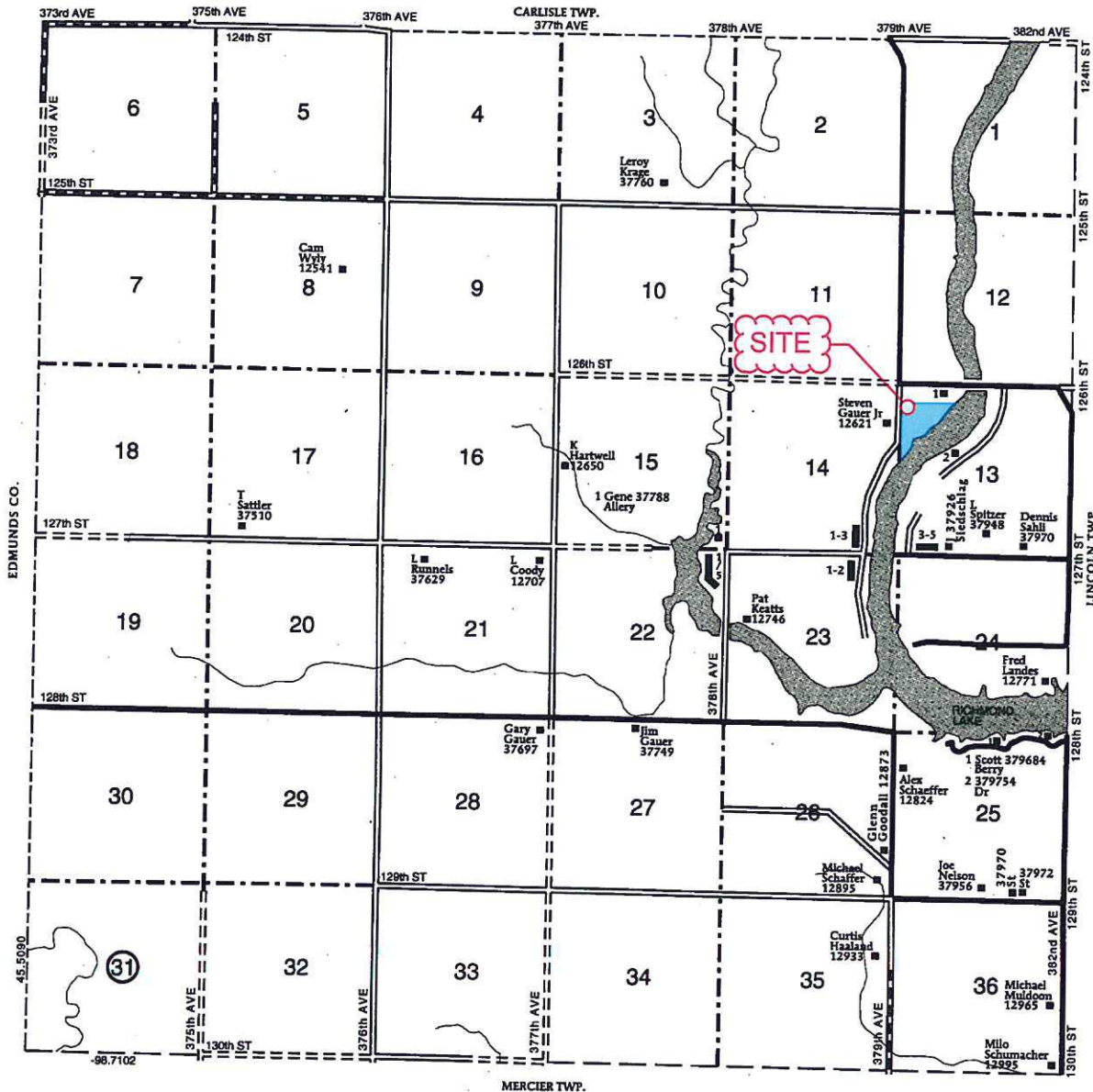
to get your business added to the next year's publication

T-124-N

RAVINIA DIRECTORY

R-65-W

(Residents - Owners or Renters)



RAVINIA TOWNSHIP

SECTION 13

- 1 Kirchgessler, Jim 37935
- 2 Behr, Justin 126401
- 3 Schmitz, B 37902
- 4 Vitense, David 37908
- 5 Biegler, Jerry 37910

SECTION 14

- 1 Mishaw, Mark 126928
- 2 Lutz, Douglas 126966
- 3 126974

SECTION 22

- 1 Myhre, Gary 127093
- 2 Anderson, Jeremiah 127131
- 3 Millett, Craig 127151
- 4 Thayer, Dan 127257
- 5 Wahl, Lanny 127395

SECTION 23

- 1 Wolf, Frank 127148
- 2 Fischer, Brock 127216

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a REZONE PETITION. A hearing will be held in the Courthouse Annex in the basement Community Meeting Room, on April 16, 2019 at 7:00 P.M. for the purpose of Rezoning from an Agricultural Preservation District (AG-P) to a Mini Agricultural District (M-AG)

Petitioner: *Robert Kirchgessler*

Owners: *Robert Kirchgessler, Karolyn Kirchgessler, Donald Kirchgessler, Joyce Kirchgessler, Erin Kirchgessler*

Description of property: *Lots 1&2, Kirchgessler Second Subdivision" in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota (12618 & 12630 West Shore Dr).*

Reason: To bring the "existing, non-conforming" lots into compliance with the proposed use of the property.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed ordinance amendment. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Brown County Commission with a future meeting date in the Brown County Commission Chambers. Verify date with the Brown County Auditor @ 605-626-7110.

Dated this 27th day of March 2019

Planning/Zoning Commission and
Scott Bader – P&Z Director
25 Market St., Suite #5
Aberdeen, SD 57401
Office: (605) 626-7144

Published once at the total approximate cost of _____.

REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: March 14, 2019
Receipt: 132063
Filing Fee: \$350
(non-refundable)

Brown County Commission Members:

I/We the undersigned, do hereby petition the Brown County Commission of Brown County, South Dakota to rezone property as follows:

Legal Description:

Lots 1&2, Kirchgesler Second Subdivision" in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota

General Area Location or Street:

Apprx 5.7 miles SW of Westport, SD 57481

Address: *12618 & 12630 West Shore Dr*

From the: *Agricultural Preservation District (AG-P)*

To the: *Mini Agricultural District (M-AG)*

Purpose: *To bring the "existing, non-conforming" lots into compliance for the future use of the property*

Size of Parcel: *Lot 1 = 25.54+ acres; Lot 2 = 8.51+*

Existing Land Use: *Pasture land for horses and cattle.*

Owner/Petitioner: Robert Kirchgesler

Signature: _____

Date: _____ **Phone:** 970-355-9190

Address: 4437 Viewpoint Crt

Fort Collins, CO 80526

City State Zip

Joyce Kirchgesler

Erin Kirchgesler

Donald Kirchgesler

Karolyn Kirchgesler

Scott Bader

From: karolyнк@comcast.net
Sent: Monday, April 01, 2019 7:08 PM
To: Scott Bader
Subject: FW: Rezone Petition.pdf
Attachments: Rezone Petition.pdf

Hi Scott –

Attached is my signed petition. Sorry for the delay. Please let me know if there is anything else you need from me. I do travel for work so if there are things that have a short turn-around, I sometimes am not able to get to them quickly – so the more lead time the better. Have you received signed forms from everyone at this point? I noticed the email you were using for my brother Don is not one that I think he checks regularly. If you haven't heard from him, you might want to try don1118@abe.midco.net

Karolyn Kirchesler

REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: March 14, 2019
Receipt: 132063
Filing Fee: \$350
(non-refundable)

Brown County Commission Members:

I/We the undersigned, do hereby petition the Brown County Commission of Brown County, South Dakota to rezone property as follows:

Legal Description:

Lots 1&2, Kirchgesler Second Subdivision" in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota

General Area Location or Street:

Apprx 5.7 miles SW of Westport, SD 57481

Address: *12618 & 12630 West Shore Dr*

From the: *Agricultural Preservation District (AG-P)*

To the: *Mini Agricultural District (M-AG)*

Purpose: *To bring the "existing, non-conforming" lots into compliance for the future use of the property*

Size of Parcel: *Lot 1 = 25.54+ acres; Lot 2 = 8.51+*

Existing Land Use: *Pasture land for horses and cattle.*

Donald Kirchgesler

Karolyn Kirchgesler

Joyce Kirchgesler

Erin Kirchgesler

Owner/Petitioner: Robert Kirchgesler
Signature: *Robert J. Kirchgesler*
Date: 03/21/2019 **Phone:** 970-555-9190
Address: 4437 Viewpoint Crt
Fort Collins, CO 80526
City State Zip

REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: March 14, 2019
Receipt: 132063
Filing Fee: \$350
(non-refundable)

Brown County Commission Members:

I/We the undersigned, do hereby petition the Brown County Commission of Brown County, South Dakota to rezone property as follows:

Legal Description:

Lots 1&2, Kirchgesler Second Subdivision" in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota

General Area Location or Street:

Apprx 5.7 miles SW of Westport, SD 57481

Address: *12618 & 12630 West Shore Dr*

From the: *Agricultural Preservation District (AG-P)*

To the: *Mini Agricultural District (M-AG)*

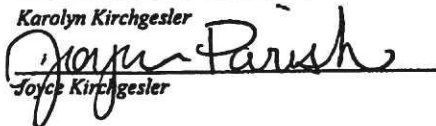
Purpose: *To bring the "existing, non-conforming" lots into compliance for the future use of the property*

Size of Parcel: *Lot 1 = 25.54+ acres; Lot 2 = 8.51+*

Existing Land Use: *Pasture land for horses and cattle.*

Donald Kirchgesler

Karolyn Kirchgesler


Joyce Kirchgesler

Erin Kirchgesler

Owner/Petitioner: Robert Kirchgesler

Signature: _____

Date: _____ **Phone:** 970-355-9190

Address: 4437 Viewpoint Crt

Fort Collins, CO 80526

City State Zip

REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: March 14, 2019
Receipt: 132063
Filing Fee: \$350
(non-refundable)

Brown County Commission Members:

I/We the undersigned, do hereby petition the Brown County Commission of Brown County, South Dakota to rezone property as follows:

Legal Description:

Lots 1&2, Kirchgesler Second Subdivision" in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota

General Area Location or Street:

Apprx 5.7 miles SW of Westport, SD 57481

Address: *12618 & 12630 West Shore Dr*

From the: *Agricultural Preservation District (AG-P)*

To the: *Mini Agricultural District (M-AG)*

Purpose: *To bring the "existing, non-conforming" lots into compliance for the future use of the property*

Size of Parcel: *Lot 1 = 25.54± acres; Lot 2 = 8.51±*

Existing Land Use: *Pasture land for horses and cattle.*

Owner/Pe

Signature:

Date: 03/2

Address: 4437 Viewpoint Crt

Donald Kirchgesler

Fort Collins, CO 80526

Karolyn Kirchgesler

City

State

Zip

Joyce Kirchgesler

Erin Kirchgesler

Erin Kirchgesler

REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: March 14, 2019
Receipt: 132063
Filing Fee: \$350
(non-refundable)

Brown County Commission Members:

I/We the undersigned, do hereby petition the Brown County Commission of Brown County, South Dakota to rezone property as follows:

Legal Description:

Lots 1&2, Kirchgesler Second Subdivision" in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota

General Area Location or Street:

Apprx 5.7 miles SW of Westport, SD 57481

Address: *12618 & 12630 West Shore Dr*

From the: *Agricultural Preservation District (AG-P)*

To the: *Mini Agricultural District (M-AG)*

Purpose: *To bring the "existing, non-conforming" lots into compliance for the future use of the property*

Size of Parcel: *Lot 1 = 25.54+ acres; Lot 2 = 8.51+*

Existing Land Use: *Pasture land for horses and cattle.*

Donald Kirchgesler

Donald Kirchgesler

Karolyn Kirchgesler

Joyce Kirchgesler

Erin Kirchgesler

Owner/Petitioner: Robert Kirchgesler

Signature: _____

Date: _____ Phone: 970-355-9190

Address: 4437 Viewpoint Crt

Fort Collins, CO 80526

City State Zip

Scott Bader

From: Karolyn Kirchgesler <karolynk@comcast.net>
Sent: Friday, March 22, 2019 3:12 PM
To: Scott Bader
Subject: Re: Richmond Lake land - Brown County, SD

Hi Scott -

I am traveling and won't be back until March 27.

Sent from my iPhone

On Mar 21, 2019, at 9:00 AM, Scott Bader <Scott.Bader@browncounty.sd.gov> wrote:

Good morning,

Bob has been great to give me all of your email addresses to expedite the rezoning process that is part of the platting requirements.

To expedite the process, **you will all need to sign the two documents in "PACK 1"** of the attachments including Bob and have them emailed back to me by Sunday.

For attachment **"PACK 2"**, I will just need **Bob** to sign these letters as the petitioner and have them emailed back to me by Sunday also. These letters will be delivered as certified mail to the neighboring properties next Wednesday announcing the rezoning of the properties which is required by State Statute if I get everything back on time. So if I could get everyone to sign the documents and email them back to me, it will save us a lot of time. If we miss this deadline for the April meeting to have everything published and mailed out per State Statutes, I will have to wait for the May 21st meeting.

RECAP:

Your **Richmond Lake property plat** is in progress with the one parcel being subdivided into two. Bob Kirchgesler, Clark Engineering and myself are working on the process here in Brown County along with all of your help as needed. I have brought the plat through the Planning Commission Tuesday at night meeting for the first stage with the "stipulation that it needs to be rezoned". It will then go through the Board of Brown County Commissioners next Tuesday March 26th, 2019. After going through their meeting and being approved, it will be signed by the County Auditor and come back to my office ready to be filed in the Register of Deeds office. At that time, I am required to have the rezoning at least in progress to be able to file the plat. **Bob has arranged with Clark Engineering for payment of the rezoning application (\$350), but we need your signatures as owners to have it move forward.**

If anyone has any questions, please feel free to put your questions in your return email with attachments or contact me by phone on Monday. I thank all of you for your help to expedite this process,

Scott Bader, CFM

Brown County

Planning & Zoning Director

E-911 Addressing; Floodplain

25 Market Street, Aberdeen, SD 57401

Office: 605-626-7144; www.brown.sd.us

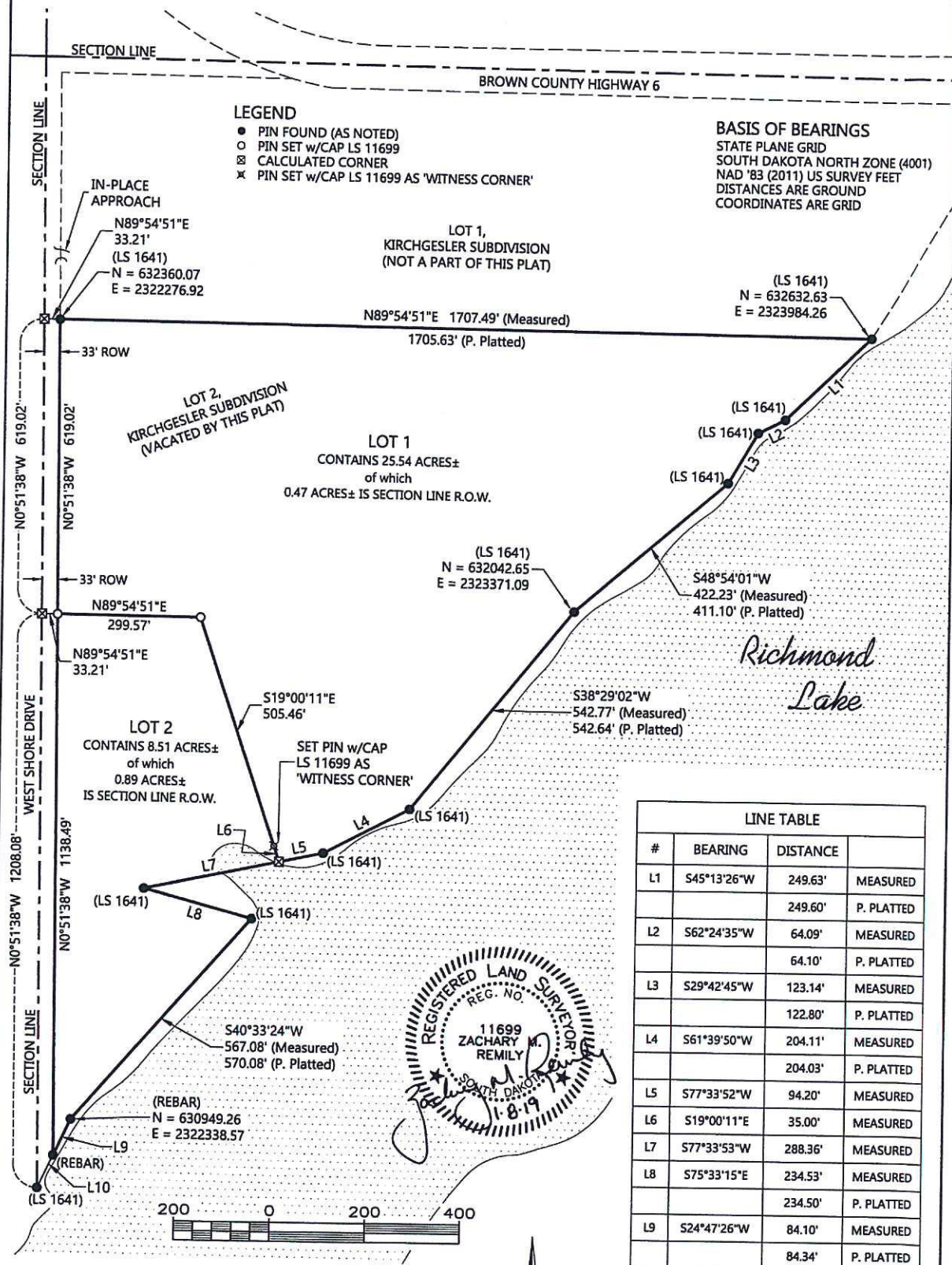
Scott.Bader@browncounty.sd.gov

<PACK 1.pdf>

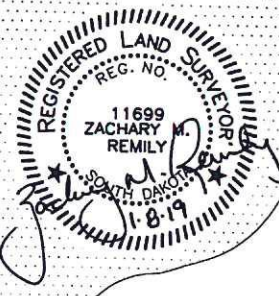
<PACK 2.pdf>

PLAT SHOWING KIRCHGESLER SECOND SUBDIVISION

IN THE NW1/4 OF SECTION 13,
TOWNSHIP 124 NORTH, RANGE 65 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA



LINE TABLE			
#	BEARING	DISTANCE	
L1	S45°13'26"W	249.63'	MEASURED
		249.60'	P. PLATTED
L2	S62°24'35"W	64.09'	MEASURED
		64.10'	P. PLATTED
L3	S29°42'45"W	123.14'	MEASURED
		122.80'	P. PLATTED
L4	S61°39'50"W	204.11'	MEASURED
		204.03'	P. PLATTED
L5	S77°33'52"W	94.20'	MEASURED
L6	S19°00'11"E	35.00'	MEASURED
L7	S77°33'53"W	288.36'	MEASURED
L8	S75°33'15"E	234.53'	MEASURED
		234.50'	P. PLATTED
L9	S24°47'26"W	84.10'	MEASURED
		84.34'	P. PLATTED
L10	S24°47'27"W	76.70'	MEASURED
		76.92'	P. PLATTED



PREPARED BY:

CLARK ENGINEERING

Clark Engineering Corporation
3314 Milwaukee Avenue NE, Suite 2
Aberdeen, SD 57401
Phone: (605) 225-3494
Fax: (605) 225-5433
Aberdeen@clark-eng.com EOE

PLAT SHOWING KIRCHGESLER SECOND SUBDIVISION

IN THE NW1/4 OF SECTION 13,
TOWNSHIP 124 NORTH, RANGE 65 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

We, Karolyn Kirchgesler, an undivided one-fourth interest in and to; Robert Kirchgesler, an undivided one-fourth interest in and to; Donald Kirchgesler, an undivided one-fourth interest in and to; Joyce Kirchgesler Parrish, an undivided one-eighth interest in and to; Erin Kirchgesler Goriesky, an undivided one-eighth interest in and to, do hereby certify that we are the owners of Lot 2, Kirchgesler Subdivision in the Northwest Quarter (NW1/4) of Section Thirteen (13), Township One Hundred Twenty-Four (124) North, Range Sixty-Five (65) West of the 5th P.M., Brown County, South Dakota, and that we have caused the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as "KIRCHGESLER SECOND SUBDIVISION IN THE NW1/4 OF SECTION 13, TOWNSHIP 124 NORTH, RANGE 65 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" and that development of this land shall conform to all existing applicable zoning, subdivision and sediment control regulations.

By this plat, We, Karolyn Kirchgesler, an undivided one-fourth interest in and to; Robert Kirchgesler, an undivided one-fourth interest in and to; Donald Kirchgesler, an undivided one-fourth interest in and to; Joyce Kirchgesler Parrish, an undivided one-eighth interest in and to; Erin Kirchgesler Goriesky, an undivided one-eighth interest in and to, do hereby VACATE Lot 2, Kirchgesler Subdivision in the Northwest Quarter (NW1/4) of Section Thirteen (13), Township One Hundred Twenty-Four (124) North, Range Sixty-Five (65) West of the 5th P.M., Brown County, South Dakota as filed for record on September 30, 2011 at 10:36 AM and Duly Recorded as Hanging Plat No. 2800.

Owners:

Karolyn Kirchgesler Signed this 8 Day of Feb, 2019
 Karolyn Kirchgesler, an undivided one-fourth interest

Robert Kirchgesler Signed this 30 Day of FEB, 2019
 Robert Kirchgesler, an undivided one-fourth interest

Donald Kirchgesler Signed this 6 Day of March, 2019
 Donald Kirchgesler, an undivided one-fourth interest

Joyce Parrish Signed this 2 Day of Feb, 2019
 Joyce Kirchgesler Parrish, an undivided one-eighth interest

Erin Kirchgesler Goriesky Signed this 2 Day of 13, 2019
 Erin Kirchgesler Goriesky, an undivided one-eighth interest

COUNTY OF Santa Clara)
 STATE OF California) SS

On this 8 day of February, 2019, before me, a notary public, the undersigned officer, personally appeared Karolyn Kirchgesler, an undivided one-fourth interest, known to me to be the person in and who executed the within instrument.

My Commission Expires: 4/25/20 See Attached
 Notary Public

COUNTY OF Laurel)
 STATE OF Colorado) SS

On this 20 day of February, 2019, before me, a notary public, the undersigned officer, personally appeared Robert Kirchgesler, an undivided one-fourth interest, known to me to be the person in and who executed the within instrument.

My Commission Expires: 4/01/2020 Christina Watson
 Notary Public

CHRISTINA M WATSON
 NOTARY PUBLIC
 STATE OF COLORADO
 NOTARY ID 20004036968
 MY COMMISSION EXPIRES APRIL 1, 2020

COUNTY OF South Dakota)
 STATE OF South Dakota) SS

On this 5th day of March, 2019, before me, a notary public, the undersigned officer, personally appeared Donald Kirchgesler, an undivided one-fourth interest, known to me to be the person in and who executed the within instrument.

My Commission Expires: Oct. 24, 2023 Karolina Khure
 Notary Public

COUNTY OF Bexar)
 STATE OF Texas) SS

On this 2nd day of February, 2019, before me, a notary public, the undersigned officer, personally appeared Joyce Kirchgesler Parrish, an undivided one-eighth interest, known to me to be the person in and who executed the within instrument.

My Commission Expires: 06-13-2022 Allen Wilbur
 Notary Public

ALLEN WILBUR
 Notary Public, State of Texas
 Comm. Expires 06-13-2022
 Notary ID 1207-0632

COUNTY OF Iron)
 STATE OF Michigan) SS

On this 13th day of February, 2019, before me, a notary public, the undersigned officer, personally appeared Erin Kirchgesler Goriesky, an undivided one-eighth interest, known to me to be the person in and who executed the within instrument.

My Commission Expires: 10/16/2020 Anne M. Miller
 Notary Public

PREPARED BY:

CLARK
 ENGINEERING

Clark Engineering Corporation
 3314 Milwaukee Avenue NE, Suite 2
 Aberdeen, SD 57401
 Phone: (605) 225-3494
 Fax: (605) 225-5433
 Aberdeen@clark-eng.com EOE

ANNE M. MILLER
 NOTARY
 PUBLIC
 IRON COUNTY, MICHIGAN
 18122
 SHEET 2 of 3

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Santa Clara)

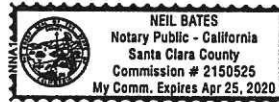
On February 8, 2019 before me, Neil Bates Notary Public
(insert name and title of the officer)

personally appeared Karolyn Kirchgesler
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Neil Bates* (Seal)



PLAT SHOWING
KIRCHGESLER SECOND SUBDIVISION
IN THE NW1/4 OF SECTION 13,
TOWNSHIP 124 NORTH, RANGE 65 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, Zachary M. Remily, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owners, I have surveyed and platted "KIRCHGESLER SECOND SUBDIVISION IN THE NW1/4 OF SECTION 13, TOWNSHIP 124 NORTH, RANGE 65 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" as shown on the attached plat, that I have found and/or set iron pins as indicated thereon, and that said survey and plat are true and correct.

Signed this 8th day of JANUARY, 2019.



HIGHWAY APPROVAL

"Access to WEST SHORE DRIVE is approved. There are no in-place approaches to this property. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09-01:02."

Signed this 7th day of MARCH, 2019.

[Signature]
Highway of Street Authority

COUNTY PLANNING COMMISSION APPROVAL

I hereby certify that the following is a correct copy of the resolution duly passed by the County Planning Commission of Brown County, South Dakota, at a meeting held on the _____ day of _____, 2019.

Secretary of County Planning Commission
Brown County, South Dakota

"Be it resolved by the County Planning Commission of Brown County, South Dakota, that the plat showing "KIRCHGESLER SECOND SUBDIVISION IN THE NW1/4 OF SECTION 13, TOWNSHIP 124 NORTH, RANGE 65 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-6, and any amendments.

COUNTY COMMISSION APPROVAL

I hereby certify that the following is a correct copy of the resolution duly passed by the County Commission of Brown County, South Dakota, at a meeting held on the _____ day of _____, 2019.

County Auditor
Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "KIRCHGESLER SECOND SUBDIVISION IN THE NW1/4 OF SECTION 13, TOWNSHIP 124 NORTH, RANGE 65 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof."

TREASURER'S CERTIFICATE

I hereby certify that all taxes which are liens upon any of the lands included in the attached plat are shown by the records of my office to be fully paid.

Signed this 8th day of March, 2019.

[Signature]
County Treasurer
Brown County, South Dakota

DIRECTOR OF EQUALIZATION CERTIFICATE

I hereby certify that I have received a copy of this plat this _____ day of _____, 2019.

Director of Equalization
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

Filed for record this _____ day of _____, 2019, at _____ O'clock _____ M., and duly recorded in Cabinet No. _____, Page No. _____.

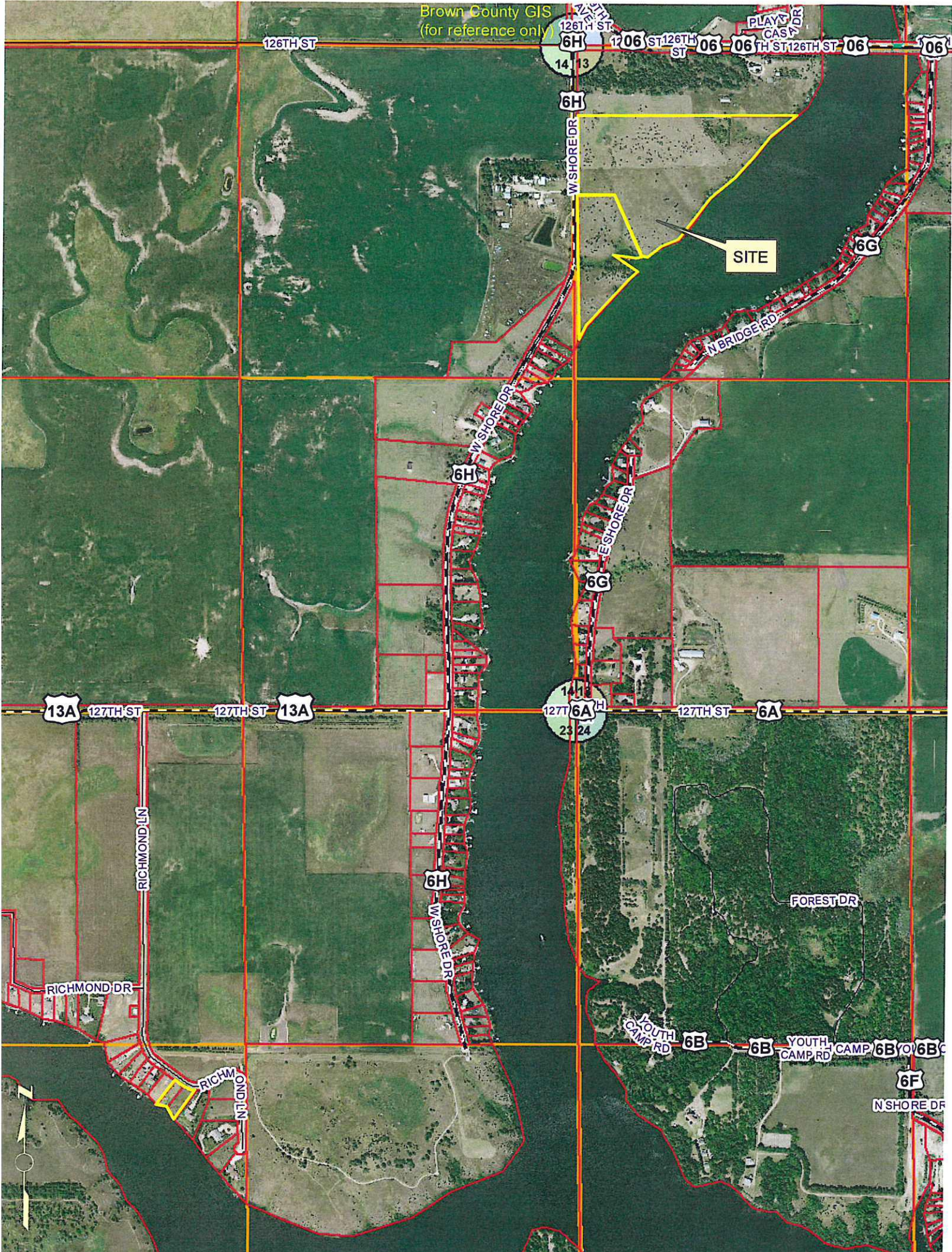
Register of Deeds
Brown County, South Dakota

PREPARED BY:

CLARK
ENGINEERING

Clark Engineering Corporation
3314 Milwaukee Avenue NE, Suite 2
Aberdeen, SD 57401
Phone: (605) 225-3494
Fax: (605) 225-5433
Aberdeen@clark-eng.com EOE

Brown County GIS
(for reference only)



SITE

126TH ST

6H

12706 ST

126TH ST

06

06

126TH ST

06

06

6H

W SHORE DR

SITE

6G

N BRIDGE DR

6H

W SHORE DR

6G

E SHORE DR

13A

127TH ST

127TH ST

13A

6A

127TH ST

6A

6H

W SHORE DR

FOREST DR

RICHMOND DR

RICHMOND LN

RICHMOND LN

YOUTH CAMP RD

6B

6B

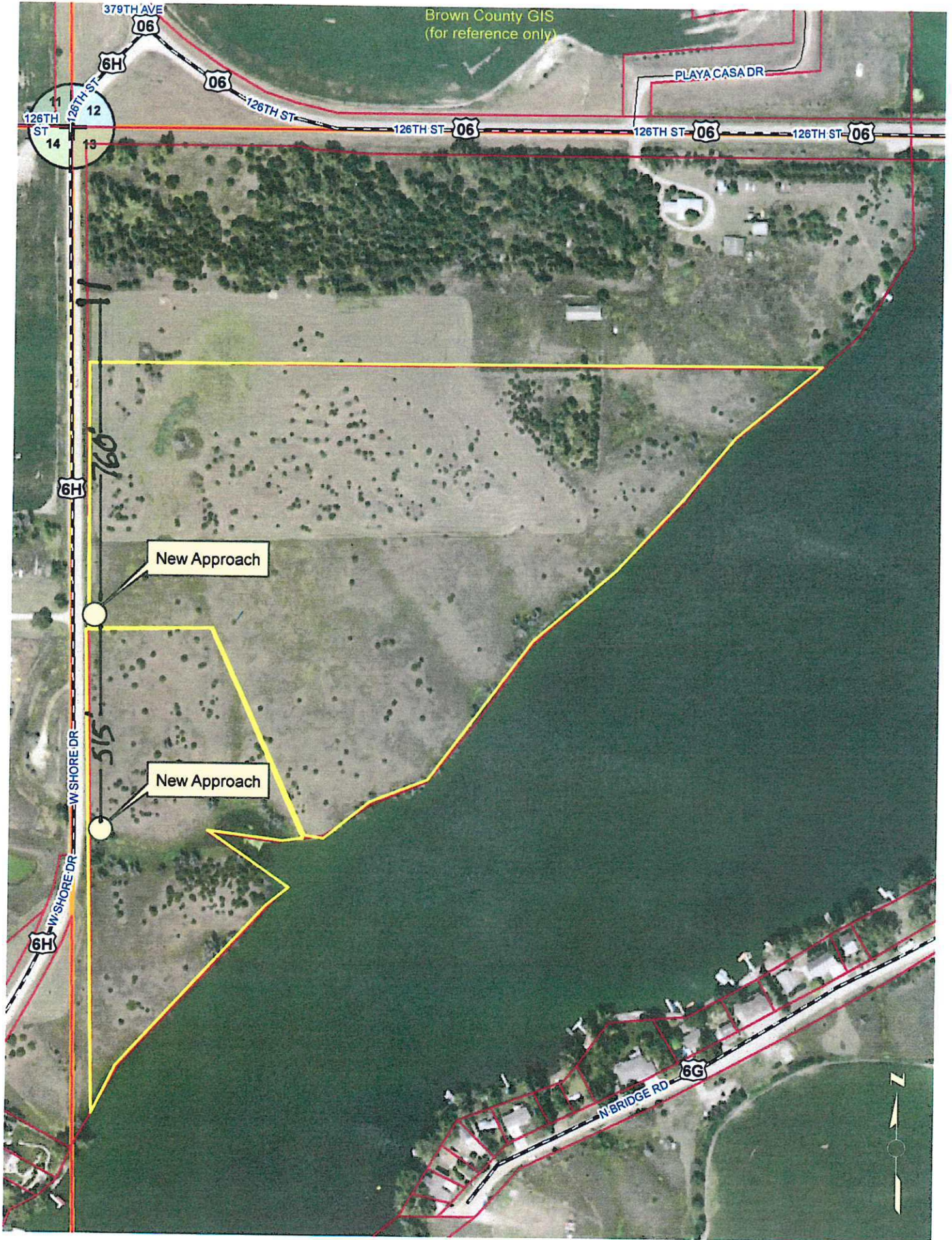
YOUTH CAMP RD

6B

6B

6F

N SHORE DR



STAFF REPORT

April 16, 2019

Variance for Lot Size in an AG-P District

ITEM # 03

GENERAL INFORMATION

PETITIONER	Lance Vilhauer
REQUEST	Variance for Lot Size in an AG-P District.
LEGAL DESCRIPTION	Lot 1, "L and L Vilhauer Addition" in the NE1/4 of Section 08-T122N-R65W of the 5th P.M., Brown County, South Dakota
LOCATION	13715 376 th Ave
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this variance for platting a parcel for family member.

REVIEW: If approved, the staff recommends: Parcel needs approach access. Lance spoke with Gaylen Anderson from Highland Twp. Parcel meets "Farm Unit" requirements to stay zoned AG-P if Variance is approved. Family son is purchasing the parcel


BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: April 02, 2019
RECEIPT # 132066
TOWNSHIP: Highland Twp

FEES: 25.00
PAID: YES NO CHK CASH
DATE: April 02, 2019

OWNERS SIGNATURE: Aaron Vilhauer
OWNERS ADDRESS: 13737 376th Ave
OWNERS CITY, STATE, ZIP: Mina, SD 57451-6217
OWNERS PHONE: _____

AGENTS SIGNATURE: Lance Vilhauer 
AGENTS ADDRESS: 1603 South 8th St
AGENTS CITY, STATE, ZIP: Aberdeen, SD 57401
AGENTS PHONE: 605-216-1114 (c)

REQUEST: Variance to Lot Size in an AG-P District

LEGAL DESCRIPTION: NE1/4 of Section 8-T122N-R65W

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: April 16, 2019 TIME: 7:00 pm

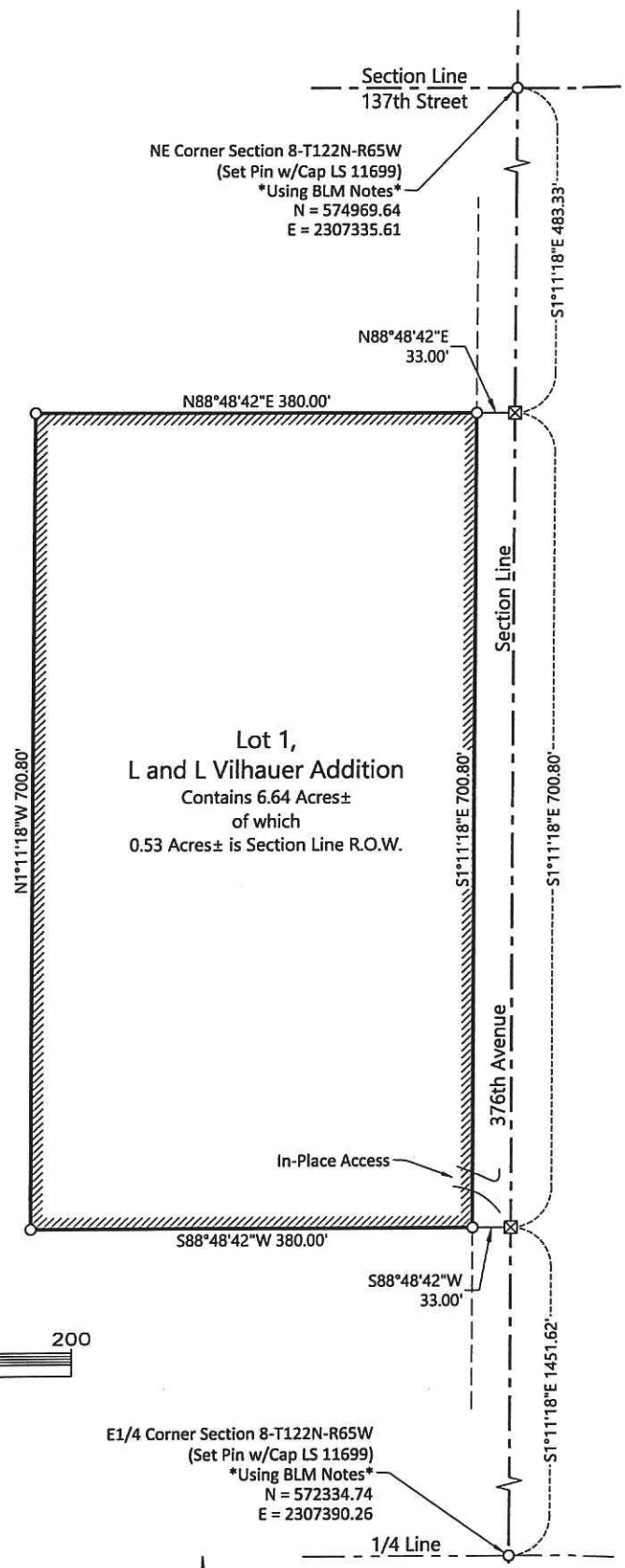
MEETING: located in the Basement Community Room of the Court House Annex
25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

PLAT SHOWING
L and L VILHAUER ADDITION
 IN THE NE1/4 OF SECTION 8,
 TOWNSHIP 122 NORTH, RANGE 65 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA



BASIS OF BEARINGS
 STATE PLANE GRID
 SOUTH DAKOTA NORTH ZONE (4001)
 NAD '83 (2011) US SURVEY FEET
 DISTANCES ARE GROUND
 COORDINATES ARE GRID

LEGEND
 ● PIN FOUND (AS NOTED)
 ○ PIN SET w/CAP LS 11699
 ☒ CALCULATED CORNER



PREPARED BY:
CLARK ENGINEERING
 Clark Engineering Corporation
 3314 Milwaukee Avenue NE, Suite 2
 Aberdeen, SD 57401
 Phone: (605) 225-3494
 Fax: (605) 225-5433
 Aberdeen@clark-eng.com EOE

PLAT SHOWING
L and L VILHAUER ADDITION
 IN THE NE1/4 OF SECTION 8,
 TOWNSHIP 122 NORTH, RANGE 65 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

We, Aaron Vilhauer and Nina Vilhauer, Trustees, under the Aaron & Nina Vilhauer Living Trust, dated June 7, 2012, do hereby certify that we (as Trustees) are the owners of the Northeast Quarter (NE1/4) of Section Eight (8), Township One Hundred Twenty-Two (122) North, Range Sixty-Five (65) West of the 5th P.M., Brown County, South Dakota [QUIT CLAIM DEED filed 6-12-2012 and duly recorded in Book 293 Deeds, Page 494], and that we (as Trustees) have caused a portion of the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as "L and L VILHAUER ADDITION IN THE NE1/4 OF SECTION 8, TOWNSHIP 122 NORTH, RANGE 65 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" and that development of this land shall conform to all existing applicable zoning, subdivision and sediment control regulations.

Signed this _____ day of _____, 2019.

Owner: Aaron & Nina Vilhauer Living Trust, dated June 7, 2012

 Aaron Vilhauer (Trustee)

 Nina Vilhauer (Trustee)

COUNTY OF _____)
) SS
 STATE OF _____)

On this _____ day of _____, 2019, before me, a notary public, the undersigned officer, personally appeared Aaron Vilhauer and Nina Vilhauer, Trustees, under the Aaron & Nina Vilhauer Living Trust, dated June 7, 2012, known to me to be the persons in and who executed the within instrument.

My Commission Expires: _____

 Notary Public

SURVEYOR'S CERTIFICATE

I, Zachary M. Remily, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owners, I have surveyed and platted "L and L VILHAUER ADDITION IN THE NE1/4 OF SECTION 8, TOWNSHIP 122 NORTH, RANGE 65 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" as shown on the attached plat, that I have found and/or set iron pins as indicated thereon, and that said survey and plat are true and correct.

Signed this 29th day of MARCH, 2019.



HIGHWAY APPROVAL

"Access to 376th AVENUE is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."

Signed this _____ day of _____, 2019.

 Highway or Street Authority

COUNTY PLANNING COMMISSION APPROVAL

I hereby certify that the following is a correct copy of the resolution duly passed by the County Planning Commission of Brown County, South Dakota, at a meeting held on the _____ day of _____, 2019.

 Secretary of County Planning Commission
 Brown County, South Dakota

"Be it resolved by the County Planning Commission of Brown County, South Dakota, that the plat showing "L and L VILHAUER ADDITION IN THE NE1/4 OF SECTION 8, TOWNSHIP 122 NORTH, RANGE 65 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-6, and any amendments.

COUNTY COMMISSION APPROVAL

I hereby certify that the following is a correct copy of the resolution duly passed by the County Commission of Brown County, South Dakota, at a meeting held on the _____ day of _____, 2019.

 County Auditor
 Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "L and L VILHAUER ADDITION IN THE NE1/4 OF SECTION 8, TOWNSHIP 122 NORTH, RANGE 65 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof."

PREPARED BY:



Clark Engineering Corporation
 3314 Milwaukee Avenue NE, Suite 2
 Aberdeen, SD 57401
 Phone: (605) 225-3494
 Fax: (605) 225-5433
 Aberdeen@clark-eng.com EOE

PLAT SHOWING
L and L VILHAUER ADDITION
IN THE NE1/4 OF SECTION 8,
TOWNSHIP 122 NORTH, RANGE 65 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

TREASURER'S CERTIFICATE

I hereby certify that all taxes which are liens upon any of the lands included in the attached plat are shown by the records of my office to be fully paid.

Signed this ____ day of _____, 2019.

County Treasurer
Brown County, South Dakota

DIRECTOR OF EQUALIZATION CERTIFICATE

I hereby certify that I have received a copy of this plat this ____ day of _____, 2019.

Director of Equalization
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

Filed for record this ____ day of _____, 2019, at ____ O'clock __M., and duly recorded in Cabinet

No. _____, Page No. _____.

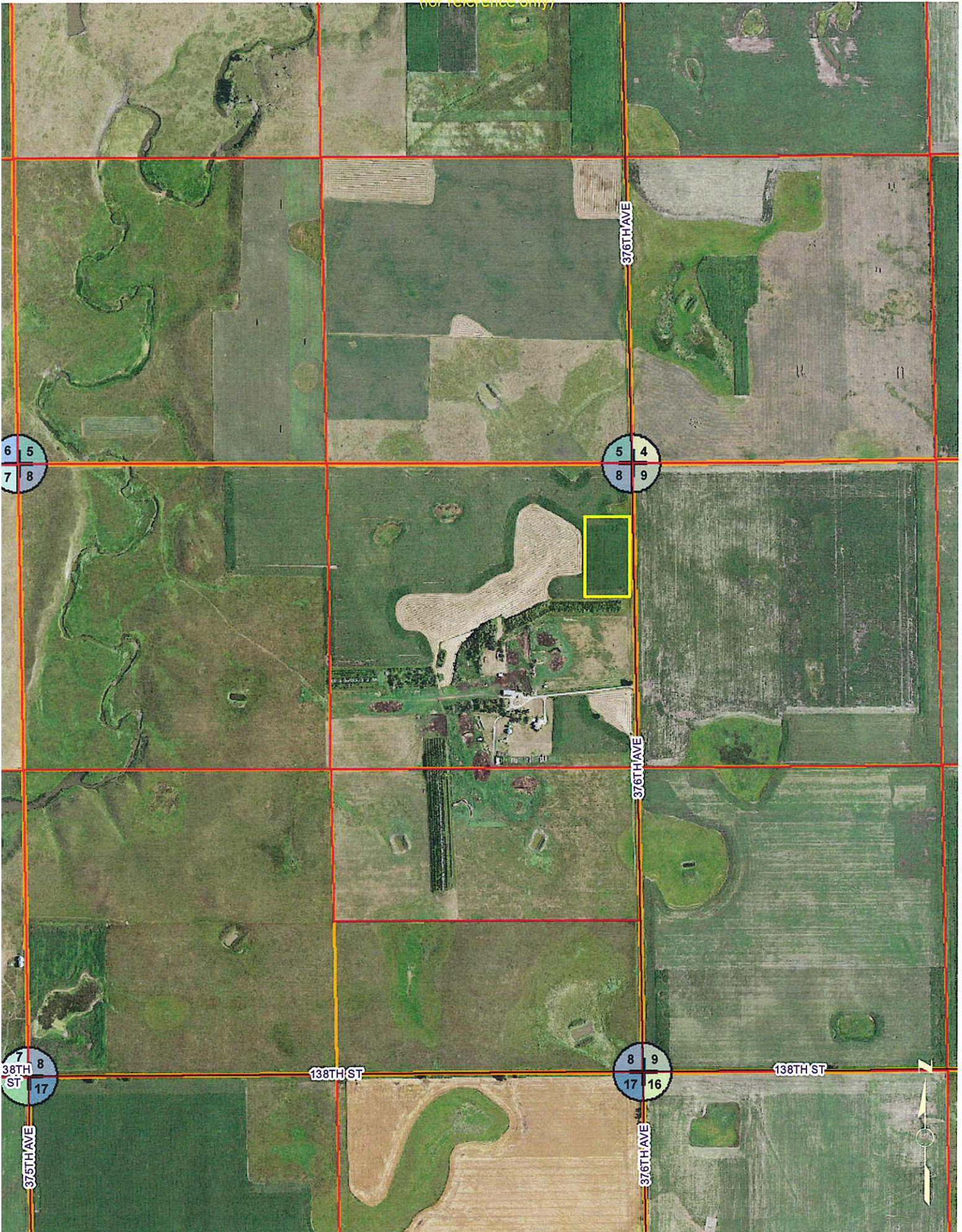
Register of Deeds
Brown County, South Dakota

PREPARED BY:

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Brown County GIS
(for reference only)



376TH AVE



13715 376th Ave
04/02/19 CSB

376TH AVE



STAFF REPORT

April 16, 2019

PRELIMINARY & FINAL PLAT

ITEM #11

GENERAL INFORMATION

PETITIONER	Lance Vilhauer
REQUEST	Preliminary & Final Plat
LEGAL DESCRIPTION	Lot 1, "L and L Vilhauer Addition" in the NE1/4 of Section 08-T122N-R65W of the 5th P.M., Brown County, South Dakota
LOCATION	13715 376 th Ave
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this Preliminary and Final Plat for conveyance by a family member.

REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges they need an access. Lance has talked with Highland Twp. and has an approach approved and the plat signed by the Township Supervisor. The plat will meet the "farm unit" definition for Lot 1. The petitioner is requesting this Variance for Lot 1 to be 6.64± acres rather than 40.0± acres required in an Agricultural Preservation District (AG-P).

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME L&L "Vilhauer Addition"

QUARTER: NE SECTION: 08 TOWNSHIP: 122 RANGE: 65

LOTS 1, 2, 3 1 ~~TRACTS 1, 2, 3~~ ~~PARCELS 1, 2, 3~~ ~~NOTHING SHOWN~~

OWNERS NAMES: Aaron Vilhauer

OWNERS NAMES: Nina Vilhauer

OWNERS NAMES: Lance Vilhauer (buyer)

ENGINEER OR SURVEYOR: Clark Engineering

TYPE: PRELIMINARY FINAL BOTH

FEE: \$25.00 ACRES x \$1.00 6.64 TOTAL: \$ 32.00 DATE PAID: 04 / 02 / 2019

RECEIVED BY PLANNING DEPARTMENT: 04 / 02 / 2019 BY: Scott

REASON FOR PLAT: DEVELOPMENT CONVEYANCE FINANCIAL PURPOSES BOTH

PLAT: ON 11 x 17 MYLAR ON 11 x 17 PHOTO PAPER

STREETS/ROADS NAMED PROPERLY

EXISTING ACCESS SHOWN ON PLAT ACCESS NEEDED

DIMENSION ALL LINEWORK FOR GIS DEPT. BEARINGS & DISTANCES SHOWN TO "CLOSE"

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE

HIGHWAY SIGNATURE LINE SHOWN (STATE, COUNTY, TOWNSHIP)

HIGHWAY SIGNATURE LINE SIGNED

TAXES PAID IN FULL FOR THE YEAR TREASURER SIGNATURE LINE SIGNED

CONSIDERED BY COUNTY PLANNING COMMISSION:

RECOMMENDATION: APPROVE DENY RE-SUBMIT ON

CONSIDERED BY COUNTY COMMISSION:

RECOMMENDATION: APPROVE DENY RE-SUBMIT ON


BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR PLAT APPROVAL

DATE: April 02, 2019
RECEIPT # 132066
TOWNSHIP: Highland Twp

FEES: 32.00
PAID: YES/NO CHK/CASH
DATE: April 02, 2019

OWNERS SIGNATURE: Aaron Vilhauer
OWNERS ADDRESS: 13737 376th Ave
OWNERS CITY, STATE, ZIP: Mina, SD 57451-6217
OWNERS PHONE: _____

AGENTS SIGNATURE: Lance Vilhauer 
AGENTS ADDRESS: 1603 South 8th St
AGENTS CITY, STATE, ZIP: Aberdeen, SD 57401
AGENTS PHONE: 605-216-1114 (c)

REQUEST: Variance to Lot Size in an AG-P District

LEGAL DESCRIPTION: NE1/4 of Section 8-T122N-R65W

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: April 16, 2019 TIME: 7:00 pm

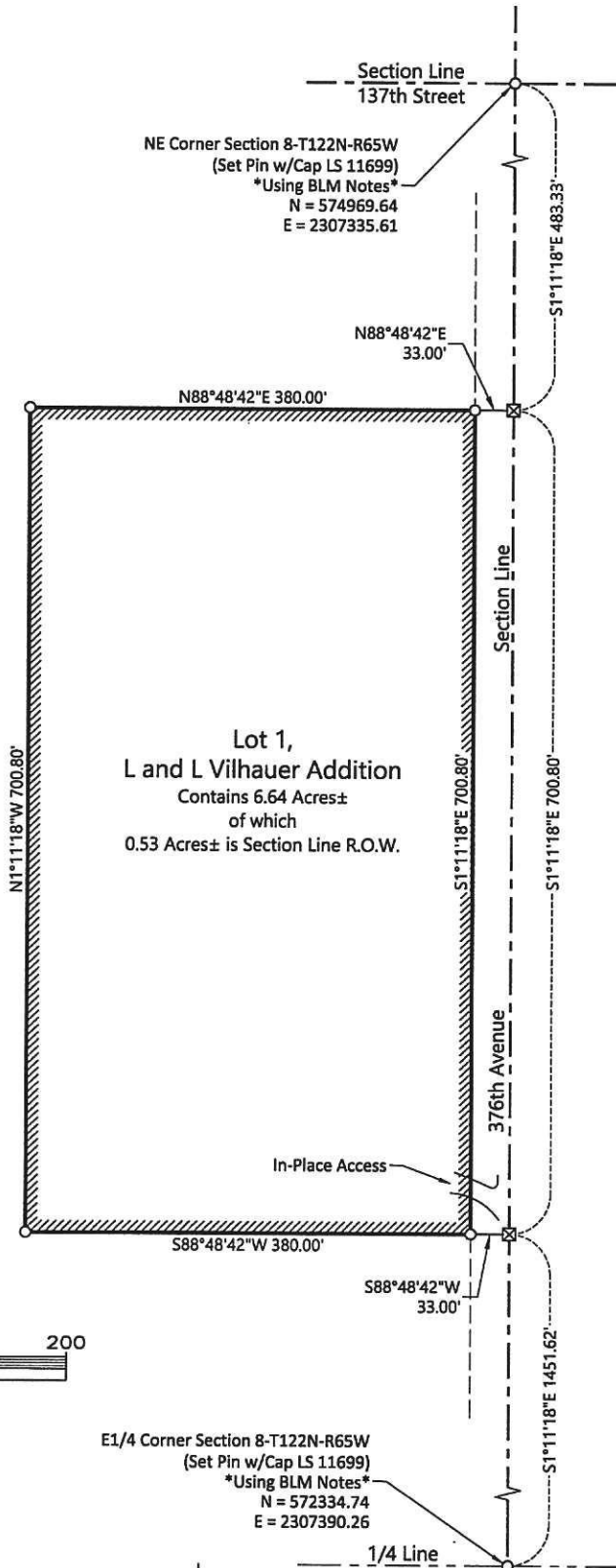
MEETING: located in the **Basement Community Room of the Court House Annex**
25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

PLAT SHOWING
L and L VILHAUER ADDITION
 IN THE NE1/4 OF SECTION 8,
 TOWNSHIP 122 NORTH, RANGE 65 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA



BASIS OF BEARINGS
 STATE PLANE GRID
 SOUTH DAKOTA NORTH ZONE (4001)
 NAD '83 (2011) US SURVEY FEET
 DISTANCES ARE GROUND
 COORDINATES ARE GRID

- LEGEND**
- PIN FOUND (AS NOTED)
 - PIN SET w/CAP LS 11699
 - ⊠ CALCULATED CORNER



PREPARED BY:

CLARK
 ENGINEERING

Clark Engineering Corporation
 3314 Milwaukee Avenue NE, Suite 2
 Aberdeen, SD 57401
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PLAT SHOWING
L and L VILHAUER ADDITION
 IN THE NE1/4 OF SECTION 8,
 TOWNSHIP 122 NORTH, RANGE 65 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

We, Aaron Vilhauer and Nina Vilhauer, Trustees, under the Aaron & Nina Vilhauer Living Trust, dated June 7, 2012, do hereby certify that we (as Trustees) are the owners of the Northeast Quarter (NE1/4) of Section Eight (8), Township One Hundred Twenty-Two (122) North, Range Sixty-Five (65) West of the 5th P.M., Brown County, South Dakota [QUIT CLAIM DEED filed 6-12-2012 and duly recorded in Book 293 Deeds, Page 494], and that we (as Trustees) have caused a portion of the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as "L and L VILHAUER ADDITION IN THE NE1/4 OF SECTION 8, TOWNSHIP 122 NORTH, RANGE 65 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" and that development of this land shall conform to all existing applicable zoning, subdivision and sediment control regulations.

Signed this 1st day of April, 2019.

Owner: Aaron & Nina Vilhauer Living Trust, dated June 7, 2012

Aaron Vilhauer
 Aaron Vilhauer (Trustee)
Nina Vilhauer
 Nina Vilhauer (Trustee)

COUNTY OF Brown)
) SS
 STATE OF South Dakota)

On this 1 day of April, 2019, before me, a notary public, the undersigned officer, personally appeared Aaron Vilhauer and Nina Vilhauer, Trustees, under the Aaron & Nina Vilhauer Living Trust, dated June 7, 2012, known to me to be the persons in and who executed the within instrument.

My Commission Expires: May 27 2023
Janet Herman
 Notary Public



SURVEYOR'S CERTIFICATE

I, Zachary M. Remily, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owners, I have surveyed and platted "L and L VILHAUER ADDITION IN THE NE1/4 OF SECTION 8, TOWNSHIP 122 NORTH, RANGE 65 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" as shown on the attached plat, that I have found and/or set iron pins as indicated thereon, and that said survey and plat are true and correct.

Signed this 29th day of MARCH, 2019.



HIGHWAY APPROVAL

"Access to 376th AVENUE is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."

Signed this 2nd day of April, 2019.

Daylon Amelsson
 Highway or Street Authority

COUNTY PLANNING COMMISSION APPROVAL

I hereby certify that the following is a correct copy of the resolution duly passed by the County Planning Commission of Brown County, South Dakota, at a meeting held on the _____ day of _____, 2019.

 Secretary of County Planning Commission
 Brown County, South Dakota

"Be it resolved by the County Planning Commission of Brown County, South Dakota, that the plat showing "L and L VILHAUER ADDITION IN THE NE1/4 OF SECTION 8, TOWNSHIP 122 NORTH, RANGE 65 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-6, and any amendments.

COUNTY COMMISSION APPROVAL

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 County Auditor
 Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "L and L VILHAUER ADDITION IN THE NE1/4 OF SECTION 8, TOWNSHIP 122 NORTH, RANGE 65 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof."

PREPARED BY:



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 Aberdeen, SD 57401
 Phone: (605) 225-3494
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PLAT SHOWING
L and L VILHAUER ADDITION
IN THE NE1/4 OF SECTION 8,
TOWNSHIP 122 NORTH, RANGE 65 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

TREASURER'S CERTIFICATE

I hereby certify that all taxes which are liens upon any of the lands included in the attached plat are shown by the records of my office to be fully paid.

Signed this 2nd day of April, 2019.

Brian Bonnell Co. Secy/Treas
County Treasurer
Brown County, South Dakota

DIRECTOR OF EQUALIZATION CERTIFICATE

I hereby certify that I have received a copy of this plat this 3 day of April, 2019.

Gregory Ruel
Director of Equalization
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

Filed for record this _____ day of _____, 2019, at _____ O'clock __ M., and duly recorded in Cabinet

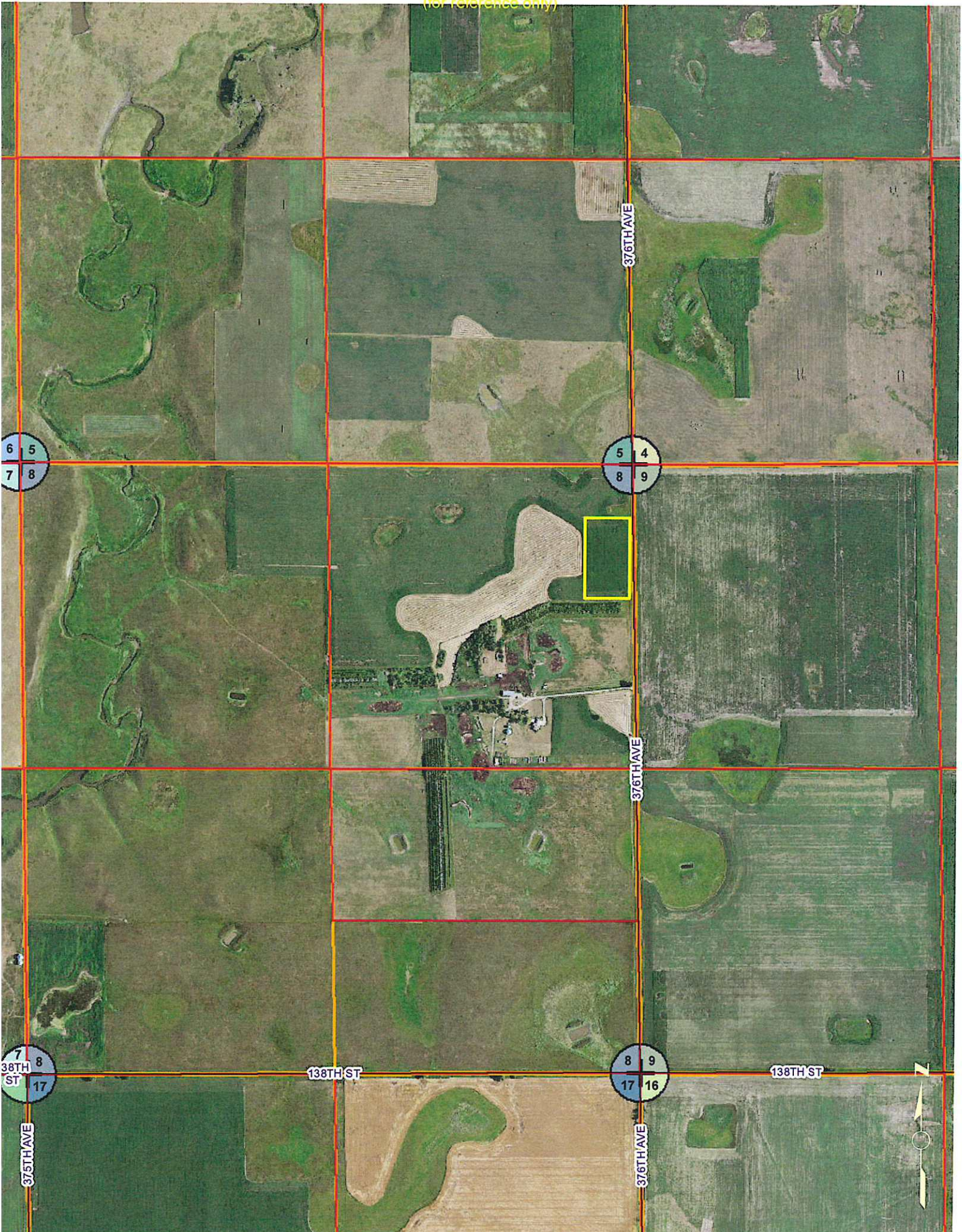
No. _____, Page No. _____.

Register of Deeds
Brown County, South Dakota

PREPARED BY:

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Phone: (605) 225-3494
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376TH AVE



13715 376th Ave
04/02/19 CSB

376TH AVE

