

AGENDA

BROWN COUNTY PLANNING/ZONING COMMISSION REGULAR SCHEDULED MEETINGS

TUESDAY, MAY 21, 2024 – 7:00 PM
BROWN COUNTY COURTHOUSE ANNEX in the BASEMENT
(STAIRWAY AND ELEVATOR ACCESS TO BASEMENT)

- I. Call to Order: for Brown County Planning/Zoning Commission
- II. Roll Call: David North - Vice Chair, Dale Kurth, Patrick Keatts, James Meyers, Carrie Weisenburger, County Commissioner Mike Gage, Alternate Paul Johnson, and Stan Beckler-Chairman.
- III. Approval of May 21, 2024, Agenda: Motion: 1st _____ 2nd _____
- IV. Approval of April 16, 2024, Minutes: Motion: 1st _____ 2nd _____

ZONING BOARD OF ADJUSTMENT

- V. Old Business:
 1. **Sign-up sheet:** On the table by the door entrance, and you can clearly mark YES or NO if you want to speak to the Board on any Agenda Item.
 2. **Permits:** Anyone that has submitted a Variance Petition (VP) or a Conditional Use Petition (CUP) to the Zoning Board of Adjustment (BOA) is still required to get their required PERMITS from the Zoning Office before starting their project if their Petition gets approved. Penalties may be assessed per Ordinance when starting projects without proper permits in place.
- VI. New Business: *Brown County Planning/Zoning Commission as Zoning Board of Adjustment (BOA).*
 1. **Variance to Setbacks** in a Rural Urban District (RU) described as Proposed Lot 1, “Kevin and Jean Nelson First Addition to the City of Columbia” in the NE1/4 of Section 29-T125N-R62W of the 5th P.M., Brown County, South Dakota (4 4th Avenue NW, Columbia City)
 2. **Variance to Setbacks** in a Mini-Agriculture District (M-AG) described as Outlot 6, “Derian’s Outlots” in the NW1/4 of Section 27-T123N-R64W of the 5th P.M., together with the 33’ strip of vacated Derian Drive next South of Outlot 6 & extending easterly to the center line of “A” Street extended South, Brown County, South Dakota (1826 Derian Drive, Aberdeen Twp.)
 3. **Variance to Approach Separation** in a Mini-Agriculture District (M-AG) described as proposed Lot 2, “Doeden First Addition” in the SE1/4 of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota (13371 382nd Avenue, Mercier Twp.)
 4. **Variance to Setbacks** in a Lake Front Residential District (R-3) described as Lots 31-34. “Raetzman’s Richmond Lake Subdivision” in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota (126383 North Bridge Road, Ravinia Twp.)

5. **Variance to Setbacks** in a Highway Commercial District (HC) described as “Yeoman’s Outlot 2 and 3” and the South 700’ of 50’ immediately to the East of and abutting on said Outlots 2 and 3 which is designed as an Access Road in the NE1/4 of Section 27-T124N-R64W of the 5th P.M., Brown County, South Dakota (12849 386th Avenue, Lincoln Twp.)

VII. **Other Business:**

Completed as Zoning Board of Adjustment (BOA) & going to Planning Commission

AGENDA

BROWN COUNTY PLANNING/ZONING COMMISSION REGULAR SCHEDULED MEETINGS

TUESDAY, MAY 21, 2024 – 7:00 PM

BROWN COUNTY COURTHOUSE ANNEX in the BASEMENT
(STAIRWAY AND ELEVATOR ACCESS TO BASEMENT)

PLANNING COMMISSION

I. **Old Business:**

II. **New Business:** *Brown County Planning/Zoning Commission as Planning Commission.*

10. **Rezone Petition** for a property described as proposed Lot 1, “Beving Addition” in the W1/2 of the NE1/4 of Section 35-T123N-R65W of the 5th P.M., Brown County, South Dakota (37865 135th Street, Mercier Twp.) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG).
11. **Rezone Petition** for a property described as proposed Lot 2A, “Jackson and Karlen’s Third Subdivision” in the NW1/4 & the N1/2 of the SW1/4 of Section 33-T125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue, Columbia Twp.) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG).
12. **Preliminary & Final Plat** for financial purposes on a property described as “Kevin and Jean Nelson First Addition to the City of Columbia” in the NE1/4 of Section 29-T125N-R62W of the 5th P.M., Brown County, South Dakota (4 4th Avenue, Columbia City).
13. **Preliminary & Final Plat** for financial and conveyance purposes on a property described as “Beving Addition” in the NE1/4 of Section 35-T123N-R65W of the 5th P.M., Brown County, South Dakota (37865 135th Street, Mercier Twp.).
14. **Preliminary & Final Plat** for conveyance purposes on a property described as “Jackson and Karlen’s Third Subdivision” in the NW1/4 & the N1/2 of the SW1/4 of Section 33-T125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue, Columbia Twp.).

15. **Preliminary Plat** for conveyance purposes on a property described as “Howling Woods Subdivision” in the SW1/4 of Section 22-T123N-R64W of the 5th P.M., Brown County, South Dakota (1493 S 385th Avenue, Aberdeen Twp.).

16. **Preliminary & Final Plat** for conveyance purposes on a property described as “Doeden First Addition” in the SE1/4 of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota (13373 382nd Avenue, Mercier Twp.).

17. **Preliminary & Final Plat** for conveyance purposes on a property described as “Jones-Wright Addition” in the E1/2 of Section 7-T123N-R62W of the 5th P.M., Brown County, South Dakota (131st Street & 395th Avenue, Bath Twp.).

18. **Other Business:** Executive Session if requested.

19. **Motion to Adjourn:** 1st _____ 2nd _____

MINUTES

REGULAR SCHEDULED MEETING BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY April 16, 2024 - 7:00 P.M.

BROWN COUNTY COURTHOUSE ANNEX in the BASEMENT COMMUNITY ROOM

- I. **Call to Order:** *Brown County Planning/Zoning Commission* meeting was called to order by Stan Beckler Chairman.
- II. **Roll Call:** Members of the Brown County Planning/Zoning Commission present for roll call were Stan Beckler Chairman, David North Vice-Chairman, James Meyers, County Commissioner Michael Gage who serves on this Board (*per SDCL 11-2-2*), Carrie Weisenburger, Dale Kurth, Pat Keatts. Ross Aldentaler, Dep. States Atty., Scott Bader P&Z Director and Chris Anderson P&Z Specialist were also in attendance.
- III. **Agenda:** After discussion, Keatts moved and North seconded to approve this April 16, 2024, Planning/Zoning Commission Agenda. All members voted aye; motion carried.
- IV. **Minutes:** After discussion, Meyers moved and Weisenburger seconded to approve the February 20, 2024, Planning/Zoning Commission Minutes, all members voted aye; motion carried.
- V. **Old Business:**
 - 1) **Sign-up Sheet:** at door entrance on the table for anyone to speak on an Agenda Item.
 - 2) **Permits:** Anyone present that has submitted Zoning Board of Adjustment (BOA) items such as a Variance Petition (VP) or Conditional Use Petition (CUP) is still required to get their required PERMITS from the Zoning Office before starting their project if their request gets approved.
- VI. **New Business: Planning/Zoning Commission as Zoning Board of Adjustment (BOA)**
 - 1) **Variance to Setbacks** in a Mini-Agriculture District (M-AG) described as Lot 1, "Moen Subdivision in Lot 1, Evelo's Outlots" in the SE1/4 of Section 35-T123N-R64W of the 5th P.M., Brown County, South Dakota (3602 387th Avenue South, Aberdeen Twp.). Submitted by Jason Rudolph. Kanaly & Ken Krause were in attendance for this item. Following discussion on Findings of Facts (FoF), Gage moved, and North seconded to **approve the finding of facts (FoF)** as presented. Also following discussion, Gage moved, and North seconded to **approve a variance to setbacks** to have a 75' East Front Yard Setback rather than the 100' required in a Mini-Agriculture District (M-AG) for a moved-in house, all members voting aye, motion carried.
 - 2) **Variance to Approach Separation** in an Agriculture Preservation District (AG-P) described as The SE1/4 of Section 12-T124N-R65W, except the SE1/4 of the SE1/4 and except Highway R.O.W., of the 5th P.M., Brown County, South Dakota (37960 126th Street, Ravinia Twp.). Submitted by Greg & Nancy Odde. Greg Odde was in attendance for this item. Following discussion, Kurth moved, and North seconded to **approve the Finding of Facts (FoF) as presented**. Also following discussion, Kurth moved, and North seconded to **approve a Variance to Approach Separation** for a proposed new approach to be 360' from an existing approach rather than the 500' required by Brown County Ordinance in a Agriculture Preservation District (AG-P), all members voting aye, motion carried.

- 3) **Variance for 3 Residences** in an Agriculture preservation District (AG-P) described as The NE1/4 of Section 34-T127N-R65W of the 5th P.M., Brown County, South Dakota (37781 111th Street, Allison Twp.). Submitted by Josh Walworth. Josh Walworth was in attendance for this item. Following discussion, Gage moved, and Kurth seconded to ***approve the Finding of Facts (FoF) as presented.*** Also following discussion, Gage moved, and Kurth seconded to **approve a Variance for 3 Residences** in an Agriculture Preservation District (AG-P), all members voting aye, motion carried.
- 4) **Conditional Use Petition (CUP)** in an Agriculture Preservation District (AG-P) described as The NE1/4 of Section 34-T127N-R65W of the 5th P.M., Brown County, South Dakota (Approx. 40190 124th Street, Claremont Twp.). Submitted by Kevin & Kara Pharis. Brian Friedrichsen, Sr. Eng., Dakota Environmental, Kevin & Kara Pharis were in attendance for this item. Following discussion, Weisenburger moved, and Gage seconded to ***approve the Finding of Facts (FoF) as presented.*** Also following discussion, Weisenburger moved, and Gage seconded to **approve a Conditional Use Petition (CUP)** for a Concentrated Animal Feeding Operation (CAFO) in an Agriculture Preservation District (AG-P) with the correction of 270 days rather than 365 days for the manure holding pit, all members voting aye, motion carried.
- 5) **Conditional Use Petition (CUP)** in a Highway Commercial District (H-C) described as Yeoman's Outlot 2 and 3 and the South 700' of 50' immediately to the East of and abutting on said Outlots 2 and 3 which is designed as an Access Road in the NE1/4 of Section 27-T124N-R64W of the 5th P.M., Brown County, South Dakota (12849 386th Avenue, Lincoln Twp.). Submitted by Russ Beadle. There wasn't anyone in attendance for this item. Following discussion, Keatts moved, and North seconded to ***approve the Finding of Facts (FoF) as presented.*** Also following discussion, Keatts moved, and North seconded to **approve a Conditional Use Petition (CUP)** for a 50' x 168' storage building & a future second storage building in a Highway Commercial District (H-C), all members voting aye, motion carried.
- 6) **Conditional Use Petition (CUP)** in an Agriculture Preservation District (AG-P) described as the Unplatted portion of the SE1/4 of Section 24-T124N-R65W, except "Squire's First Addition" and except "Jerke's First Addition" of the 5th P.M., Brown County, South Dakota (Approx. 382018 N Shore Drive, Ravinia Twp.). Submitted by Rick Adams (KGI Wireless/Verizon). Rick Adams was in attendance for this item. Following discussion, Meyers moved, and Kurth seconded to ***approve the Finding of Facts (FoF) as presented.*** Also following discussion, Meyers moved, and Kurth seconded to **approve a Conditional Use Petition (CUP)** for a new, 170' tall cell phone tower in an Agriculture Preservation District (AG-P), all members voting aye, motion carried.
- 7) **Variance to Approach Separation** in an Agriculture Preservation District (AG-P) described as the Unplatted portion of the SE1/4 of Section 24-T124N-R65W, except "Squire's First Addition" and except "Jerke's First Addition" of the 5th P.M., Brown County, South Dakota (Approx. 382018 N Shore Drive, Ravinia Twp.). Submitted by Rick Adams (KGI Wireless/Verizon). Rick Adams was in attendance for this item. Following discussion, Kurth moved, and Meyers seconded to ***approve the Finding of Facts (FoF) as presented.*** Also following discussion, Kurth moved, and Meyers seconded to **approve a Variance to Approach Separation** for a proposed new approach to be 450' from an existing approach rather than the 500' required by Brown County Ordinance in an Agriculture Preservation District (AG-P), all members voting aye, motion.
- 8) **Conditional Use Petition (CUP)** in a Highway Commercial District (AG-P) described as Outlot 1, "Rich Brothers Outlots" in the NW1/4 of Section 23-T123N-R63W of the 5th P.M., Brown County, South Dakota (39231 133rd Street, Bath Twp.). Submitted by Mariah Bloom, General Council. Mariah Bloom & Chad Lyke were in attendance for this item. Following discussion, North moved,

and Weisenburger seconded to **approve the Finding of Facts (FoF) as presented**. Also following discussion, North moved, and Weisenburger seconded to **approve a Conditional Use Petition (CUP)** for a Change of Ownership of an existing Fireworks Business in a Highway Commercial District (H-C), all members voting aye, motion carried.

- 9) **Variance to Setbacks** in a Heavy Industrial District (H-I) described as “Mead’s Outlot D” in the E1/2 of Section 20-T123N-R64W of the 5th P.M., Brown County, South Dakota (38390 W Hwy 12, Aberdeen Twp.). Submitted by Jacob Ochsner. Jacob Ochsner was in attendance for this item. Following discussion on Findings of Facts (FoF), Gage moved, and Keatts seconded to **approve the finding of facts (FoF)** as presented. Also following discussion, Gage moved, and Keatts seconded to **approve a variance to setbacks** to have a 50’ East Front Yard Setback rather than the 100’ required in a Heavy Industrial District (H-I) for new office & shop buildings, all members voting aye, motion carried.

Completed as Zoning Board of Adjustment (BOA) Agenda & going to Planning Commission Agenda

MINUTES

REGULAR SCHEDULED MEETING

BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, April 16, 2024 - 7:00 P.M.

BROWN COUNTY COURTHOUSE ANNEX in the BASEMENT COMMUNITY ROOM

- I. **Old Business:** Discussion on Amendments to Brown County Ordinance Title 4 for Chapters 4.22 through Chapter 4.29 on Administrative Rules and Enforcement are still Tabled until further notice, by Ross Aldentaler, Deputy States Attorney.
- II. **New Business:** *Brown county Planning/Zoning Commission as Planning Commission*
- 10) **Rezone Petition** for a property described as Proposed Lot 1, “Graf First Addition” in the SW1/4 of Section 19-T127N-R60W of the 5th P.M., Brown County, South Dakota (10952 406th Avenue; North Detroit Twp) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG). Submitted by Pernell Graf. No one was in attendance for this item. Following discussion, North moved, Kurth seconded to **recommend approval of the Rezone Petition** to the Board of Brown County Commissioners, all members voting aye, motion carried.
- 11) **Rezone Petition** for a property described as Lot 1 & Lot 2, “Bendewald Farm Subdivision” in the SE1/4 of Section 12-T122N-R65W of the 5th P.M., Brown County, South Dakota (13761 & 13767 382nd Avenue; Highland Twp) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG). Submitted by Daniel & Michelle Smith. No one was in attendance for this item. Following discussion, Gage moved, Meyers seconded to **recommend approval of the Rezone Petition** to the Board of Brown County Commissioners, all members voting aye, motion carried.
- 12) **Rezone Petition** for a property described as Proposed Lot A & Lot B, “Leibel First Addition” in the NE1/4 of Section 11-T123N-R63W of the 5th P.M., Brown County, South Dakota (13115 393rd Avenue; Bath Twp) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture

District (M-AG). Submitted by Bill Kirschenmann. Kelly Leibel was in attendance for this item. Following discussion, Weisenburger moved, North seconded to **recommend approval of the Rezone Petition** to the Board of Brown County Commissioners, all members voting aye, motion carried.

- 13) **Preliminary & Final Plat** for conveyance purposes on a property described as “Rivett Family Third Addition” in the SW1/4 & NW1/4 of Section 9-T123N-R63W of the 5th P.M., Brown County, South Dakota (4407 8th Avenue NE, Aberdeen Twp.) Submitted by Adam Altman for owners Rivett Family Trust. Adam Altman was in attendance for this item. Following discussion, Gage moved, Keatts seconded to **recommend approval of the Preliminary & Final Plat** to the Board of Brown County Commissioners, all members voting aye, motion carried.
- 14) **Preliminary & Final Plat** for conveyance purposes on a property described as “Leibel First Addition” in the NE1/4 of Section 11-T123N-R63W of the 5th P.M., Brown County, South Dakota (13115 393rd Street, Bath Twp.) Submitted by Bill Kirschenmann. Kelly Leibel was in attendance for this item. Following discussion, Kurth moved, North seconded to **recommend approval of the Preliminary & Final Plat** to the Board of Brown County Commissioners, all members voting aye, motion carried.
- 15) **Preliminary & Final Plat** for conveyance purposes on a property described as “Graf First Addition” in the SW1/4 of Section 19-T127N-R60W of the 5th P.M., Brown County, South Dakota (10952 406th Avenue; North Detroit Twp.). Submitted by Pernell Graf. No one was in attendance for this item. Following discussion, North moved, Weisenburger seconded to **recommend approval of the Preliminary & Final Plat** to the Board of Brown County Commissioners, all members voting aye, motion carried.

III. **Other Business:** None

IV. **Adjourn:** There being no further business before the Planning/Zoning Commission, Keatts moved and Weisenburger seconded to adjourn the meeting, all members voting aye, motion carried.

Submitted by: Planning/Zoning Director Scott Bader.

STAFF REPORT

Meeting: May 21, 2024

BROWN COUNTY ZONING BOARD OF ADJUSTMENT (BOA)

VARIANCE TO BUILDING SETBACKS
Rural Urban District (RU)

ITEM #01

GENERAL INFORMATION:

OWNER:	Kevin & Jean Nelson
PETITIONER:	Kevin & Jean Nelson
REQUEST:	VARIANCE TO BUILDING SETBACKS IN A RURAL URBAN DISTRICT (RU)
LEGAL DESCRIPTION:	Proposed Lot 1, "Kevin and Jean Nelson First Addition to the City of Columbia" in the NE1/4 of Section 29-T125N-R62W of the 5 th P.M., Brown County, South Dakota
ADDRESS:	4 4 th Avenue NW
TOWNSHIP:	Columbia City
EXISTING ZONING:	Rural Urban District (RU)
SURROUNDING ZONING:	
North:	Rural Urban District (RU)
South:	Rural Urban District (RU)
West:	Rural Urban District (RU)
East:	Rural Urban District (RU)
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Ron Keller

GENERAL COMMENT: The petitioner is requesting a Variance to Building Setbacks in a Rural Urban District (RU) to have a 20'-0" South Front Yard Setback rather than the 25'-0" required and a 10'-0" North Rear Yard Setback rather than the 20'-0" required by Brown County Ordinance.

GENERAL REVIEW: Staff has reviewed this request.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: April 26, 2024
RECEIPT # 821946
TOWNSHIP: Columbia City

FEES: \$125.00
PAID: YES/NO CHK/CASH
DATE: May 1, 2024

OWNERS SIGNATURE: Kevin & Jean Nelson *K. Nelson Jean Nelson*
OWNERS ADDRESS: 4 4th Avenue NW
OWNERS CITY, STATE, ZIP: Columbia, SD 57433
OWNERS PHONE: (763) 234-7964

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

REQUEST: The Petitioner is requesting a Variance to Building Setbacks in a Rural Urban District (RU) to have a 20'-0" Front Yard Setback rather than the 25'-0" required and a 10'-0" Rear Setback rather than the 20'-0" setback required by Brown County Ordinance for a new garage addition.

LEGAL DESCRIPTION: Proposed Lot 1, "Kevin and Jean Nelson First Addition to the City of Columbia" in the NE1/4 of Section 29-T125N-R62W of the 5th P.M., Brown County, South Dakota (4 4th Avenue NW, Columbia City)

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: May 21, 2024 **TIME:** 7:00 pm

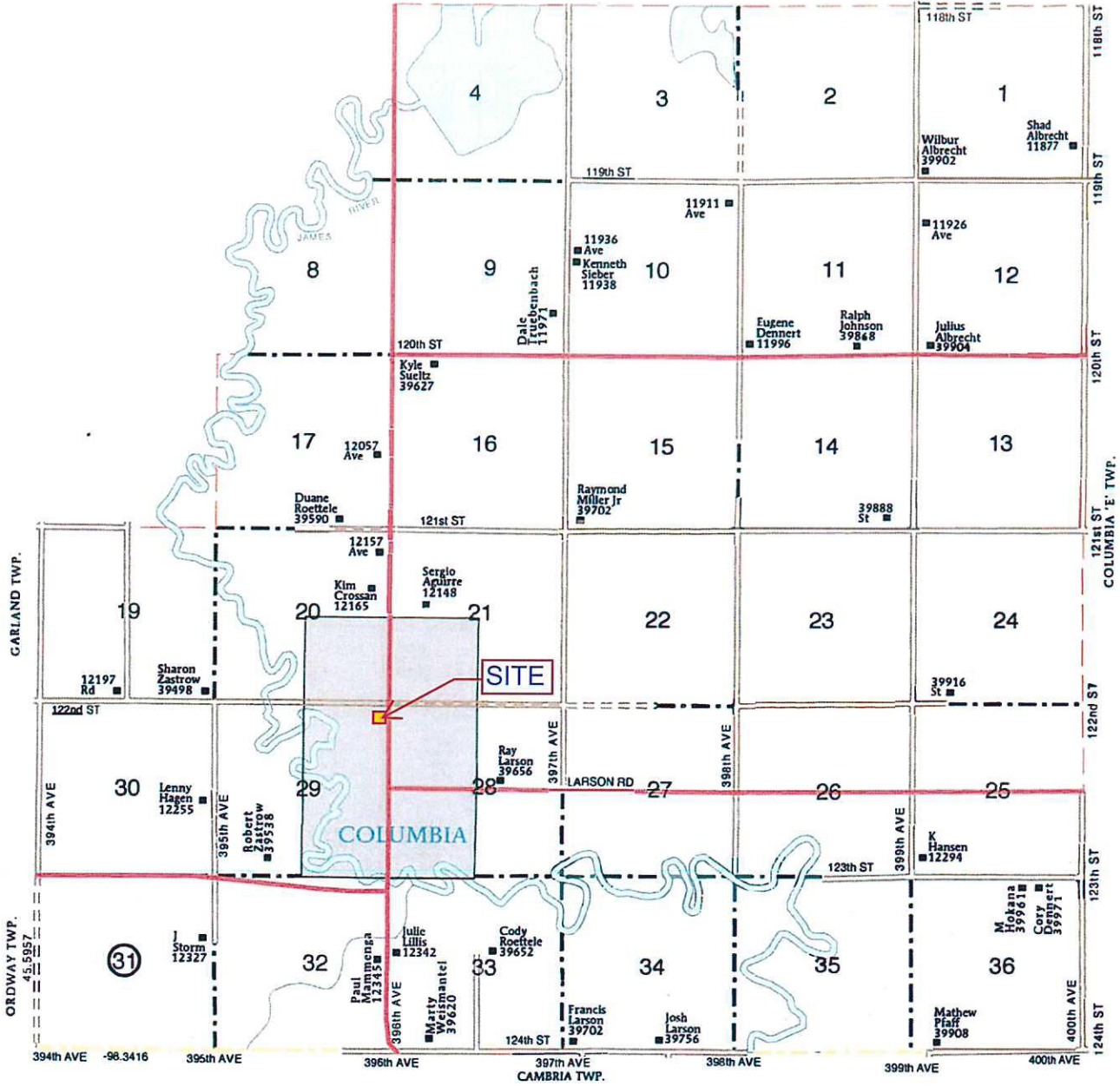
MEETING: located in the Basement Community Room of the Court House Annex

25 Market Street • Aberdeen, South Dakota 57401-4203

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

(Residents - Owners or Renters)

SHELBY TWP.



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Kevin & Jean Nelson

Description of property: Proposed Lot 1, "Kevin and Jean Nelson First Addition to the City of Columbia" in the NE1/4 of Section 29-T125N-R62W of the 5th P.M., Brown County, South Dakota (4 4th Avenue NW, Columbia City).

Reason: A Variance for Building Setbacks in a Rural Urban District (RU) to be 20'-0" from the Front Yard property line rather than 25'-0" required and 10'-0" from the Rear Yard property line rather than the 20'-0" required by Brown County Ordinance for a new garage addition.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 8th day of May, 2024

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

Published once at the total approximate cost of _____.

(Nelson)

VARIANCE FINDINGS WORKSHEET

Prong One

Whether granting the variance runs counter to the public interest?

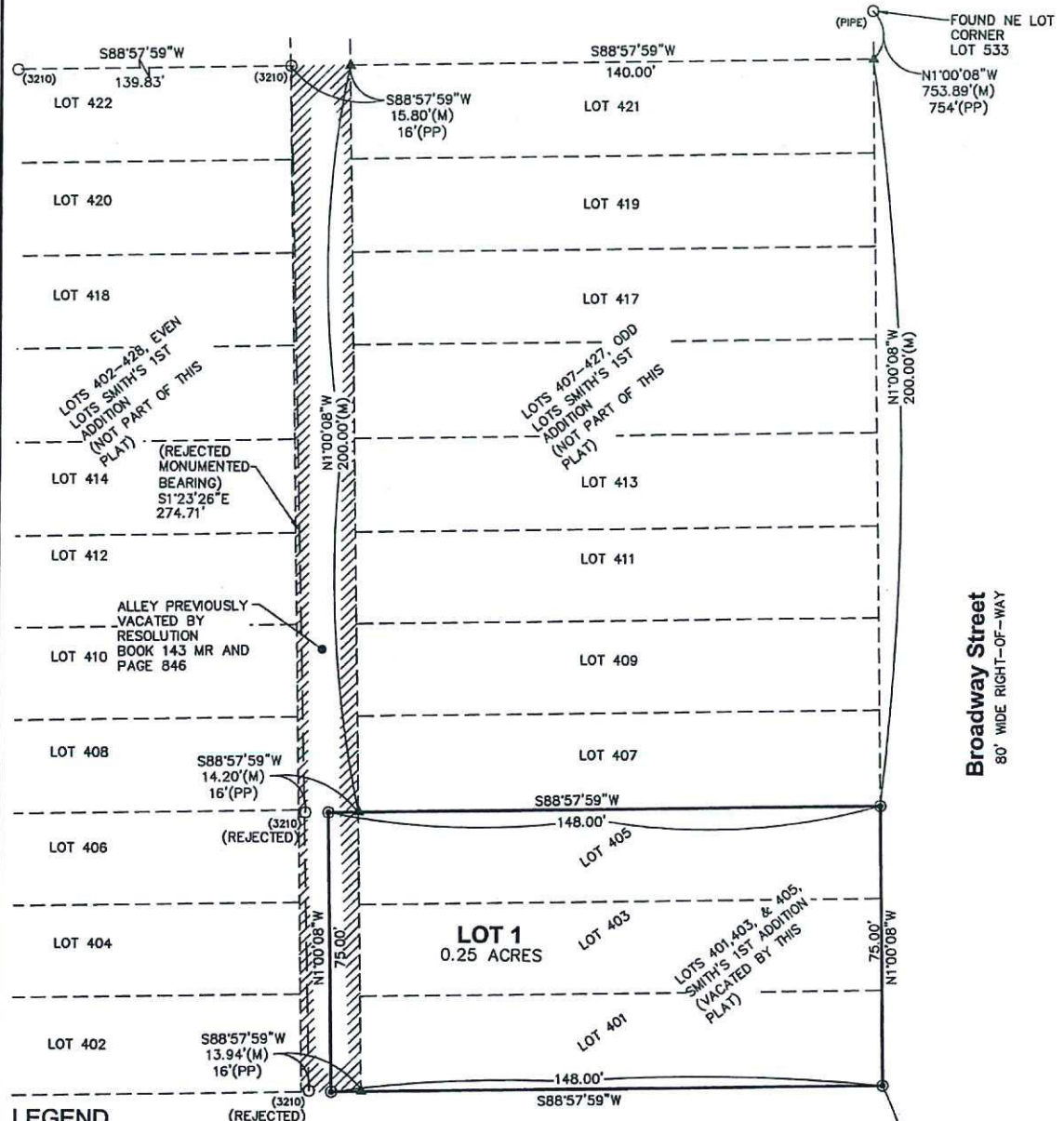
Consider the entire public— <i>not</i> just the neighbors	Findings		
1. Does it injure the neighborhood?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
2. Does it conform to the neighborhood?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
3. Does it conform to the general purpose of the zoning ordinances?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
4. Does it conform to the comprehensive plan currently in place?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
5. Does it harm the public safety, health, or general welfare of the community?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	

Prong Two

Whether special conditions exist to grant a variance?

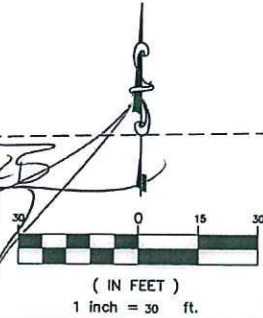
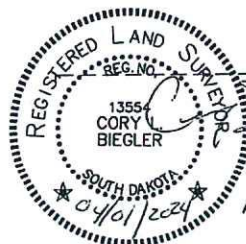
Physical conditions— <i>not</i> money or econ hardship	Findings		
1. Does a special condition—exceptional narrowness, topography, siting, or the like—exist on the property? *Explicitly state the condition on the property that is a special condition if one exists. *It must be a physical condition. *Exception: legal justification (for example, estoppel) is a special circumstance.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Smaller lot size makes meeting setbacks difficult.
a. <i>If</i> a special condition exists, does enforcing the ordinance create an unnecessary hardship? *That does not mean money, econ hardship, or allowing a use that's prohibited (<i>i.e.</i> , not otherwise excluded) in the zoning district.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
b. <i>If</i> a special circumstance exists, does granting the variance observe the ordinance's spirit while doing substantial justice.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	

PLAT OF KEVIN AND JEAN NELSON FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE NE 1/4 OF SECTION 29-T125N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA



- LEGEND**
- FOUND PROPERTY CORNER
 - ⊙ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED BIEGLER RLS 13554
 - SET 3" SPIKE W/ WASHER STAMPED BIEGLER RLS 13554
 - ▲ CALCULATED POSITION

BASIS OF BEARINGS
SD STATE PLANE NORTH ZONE
NAD 83 (2011) US SURVEY FEET
DISTANCES ARE GROUND



Helm & Associates
CIVIL ENGINEERS & LAND SURVEYORS
416 PRODUCTION STREET N.
P.O. Box 111
Aberdeen, S.D. 57401
Phone: 605.225.1212
Fax: 605.225.3189

DWG. 9476-LS BY: CLB SHEET 1 OF 3

**PLAT OF
KEVIN AND JEAN NELSON FIRST ADDITION
TO THE CITY OF COLUMBIA,
IN THE NE 1/4 OF SECTION 29-T125N-R62W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA**

OWNER'S CERTIFICATE

WE, KEVIN NELSON AND JEAN NELSON, HUSBAND AND WIFE, AS JOINT TENANTS WITH THE RIGHT OF SURVIVORSHIP AND NOT TENANTS IN COMMON, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF LOTS 401, 403, AND 405, BROADWAY STREET, SMITH'S 1ST ADDITION TO COLUMBIA, 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 HEREAFTER KNOWN AND DESCRIBED AS: KEVIN AND JEAN NELSON FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE NE 1/4 OF SECTION 29-T125N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND WE HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE FOREVER AS SUCH, THE STREETS AND ALLEYS, IF ANY, AS SHOWN AND MARKED ON SAID PLAT; AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

BY THIS PLAT, WE, KEVIN NELSON AND JEAN NELSON, HUSBAND AND WIFE, DO HEREBY VACATE LOTS 401, 403, AND 405, BROADWAY STREET, SMITH'S 1ST ADDITION TO COLUMBIA, BROWN COUNTY, SOUTH DAKOTA AS FILED FOR RECORD ON OCTOBER 2, 1882 AND DULY RECORDED AS PLAT NO. 37.

KEVIN NELSON
Signed this _____ day of _____, 20____

JEAN NELSON
Signed this _____ day of _____, 20____

ACKNOWLEDGMENT

STATE OF)
COUNTY OF)SS

ON THIS THE _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED KEVIN NELSON AND JEAN NELSON, HUSBAND AND WIFE KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.


IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I, CORY L. BIEGLER, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNER(S), I HAVE SURVEYED AND PLATTED "KEVIN AND JEAN NELSON FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE NE 1/4 OF SECTION 29-T125N-R62W 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. I FURTHER CERTIFY THAT THE WITHIN AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.
DATED THIS 1 DAY OF APRIL, 2024.


CORY L. BIEGLER RLS #13554

**PLAT OF
KEVIN AND JEAN NELSON FIRST ADDITION
TO THE CITY OF COLUMBIA,
IN THE NE 1/4 OF SECTION 29-T125N-R62W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA**

COUNTY PLANNING COMMISSION CERTIFICATION

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 _____, 20____.

"BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING KEVIN AND JEAN NELSON FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE NE 1/4 OF SECTION 29-T125N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-2-2, AND ANY AMENDMENTS THEREOF."

SECRETARY OF BROWN COUNTY PLANNING COMMISSION, SOUTH DAKOTA

APPROVAL BY COUNTY COMMISSION

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE BOARD OF COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA AT A MEETING HELD ON THE ____ DAY OF _____, 20____.

"BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING KEVIN AND JEAN NELSON FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE NE 1/4 OF SECTION 29-T125N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-3, AND ANY AMENDMENTS THEREOF."

COUNTY AUDITOR, BROWN COUNTY, SOUTH DAKOTA

HIGHWAY AUTHORITY CERTIFICATE-CITY OF COLUMBIA STREETS

THE LOCATION OF THE PROPOSED PROPERTY LINES ABUTTING THE COUNTY OR STATE HIGHWAY, OR THE COUNTY ROAD AS SHOWN HEREON, IS HEREBY APPROVED ANY CHANGE IN THE LOCATION OF THE EXISTING ACCESS OR ANY NEW ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

BY: _____
HIGHWAY AUTHORITY

TITLE: _____

DIRECTOR OF EQUALIZATION'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT ON THIS ____ DAY OF _____, 20____.

DIRECTOR OF EQUALIZATION, BROWN COUNTY, SOUTH DAKOTA

TREASURER'S CERTIFICATE

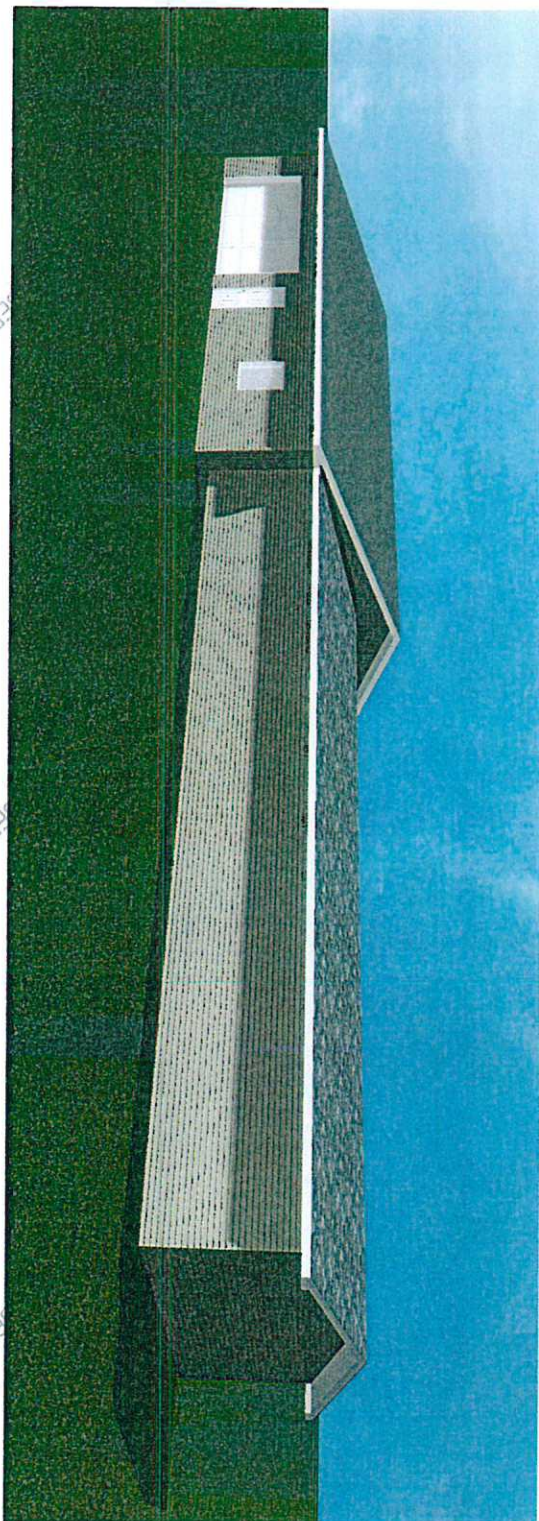
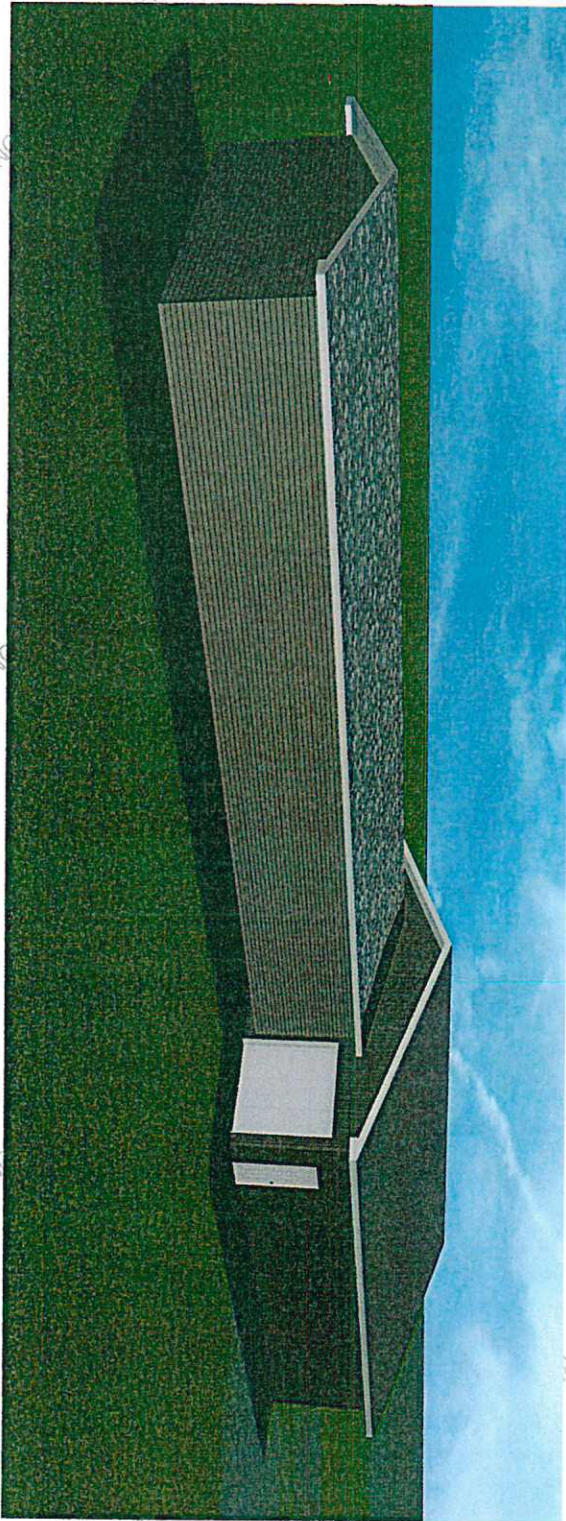
I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY OF THE LANDS INCLUDED IN THE ABOVE PLAT ARE SHOWN BY THE RECORDS OF MY OFFICE TO BE FULLY PAID. SIGNED THIS ____ DAY OF _____, 20____.

COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

REGISTER OF DEED'S CERTIFICATE

FILED FOR RECORD THIS ____ DAY OF _____, 20____ AT ____ O'CLOCK _____ AND DULY RECORDED IN HANGING PLATS NO. _____

REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA



These drawings have been prepared using information provided to us by the customer who is solely responsible for the accuracy of the information provided. These drawings are not a permit drawing prepared by an architect and may not meet applicable state and local building codes which vary widely. The customer should consult their architect before final building inspection or otherwise any changes in order to meet state and local building code requirements. Customer is responsible for obtaining local building permits for the required building permits. We assume no responsibility for claims or damages arising from any errors, omissions, deficiencies or defects of any drawings.

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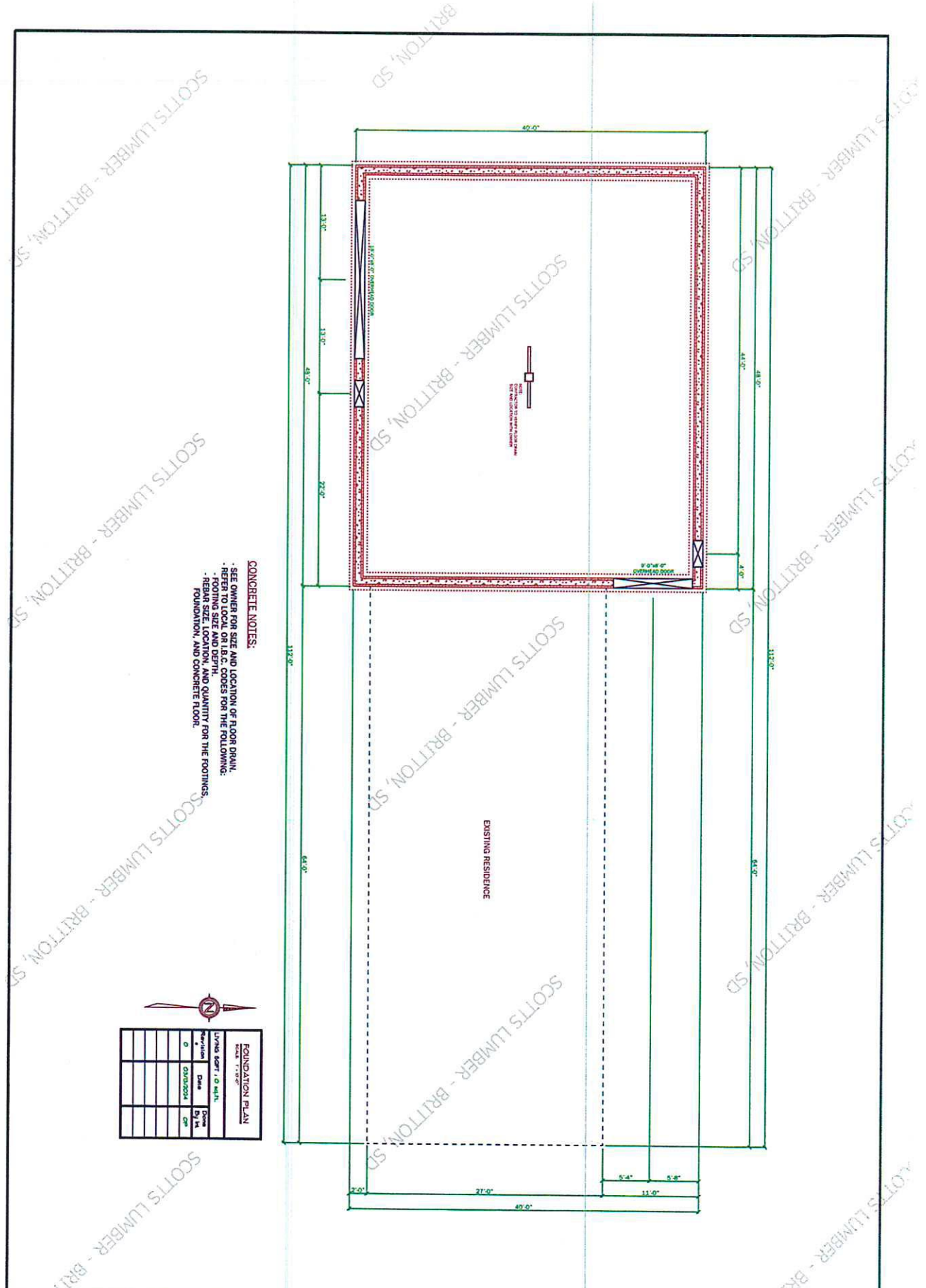


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FAX:
 (605) 448-5278
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DRAWN BY: orlin.punt@scottslumber.com
PLOT DATE: Wednesday, March 13, 2024
JOB: TW Const:Kevin Nelson Garage
SALESMAN: josh.kraft@scottslumber.com

PAGE:
 1



- CONCRETE NOTES:**
- SEE OWNER FOR SIZE AND LOCATION OF FLOOR DRAIN.
 - REFER TO LOCAL CODE OR IBC CODES FOR THE FOLLOWING:
 - REBAR SIZE, LOCATION, AND QUANTITY FOR THE FOOTINGS, FOUNDATION, AND CONCRETE FLOOR.


FOUNDATION PLAN
 10/13/2023

Revision	Date	Drawn By	Checked By
0	OUTDOOR	CM	

These drawings have been prepared using information provided to us by the customer and is solely responsible for the accuracy of the information provided. These drawings are not a permit drawing prepared by an architect and may not meet applicable state and local building codes which vary widely. The customer should consult their contractor and/or local building inspector to determine any changes to meet the state and local building code requirements. Customer is responsible for consulting local building officials for the required building permits. We assume no responsibility for claims or damages coming from any errors, omissions, misstatements or omissions of any drawings.

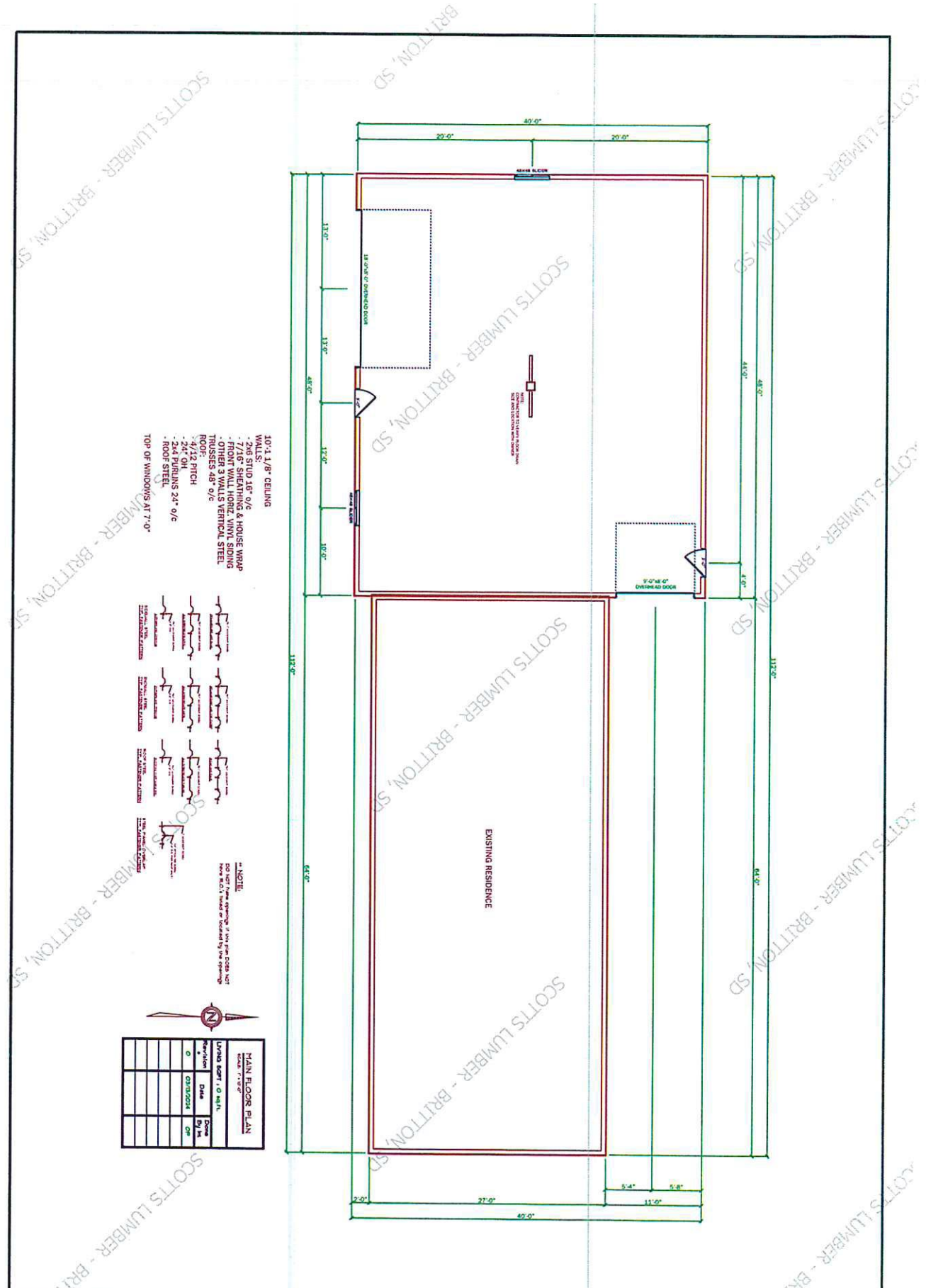
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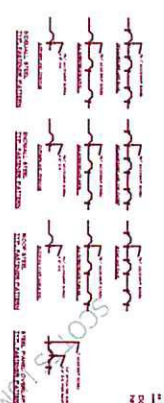
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DRAWN BY: orlin.punt@scottslumber.com
PLOT DATE: Wednesday, March 13, 2024
JOB: TW Const-Kevin Nelson Garage
SALESMAN: Josh.kraft@scottslumber.com



- 10'-1 1/8" CEILING
- WALLS - 1/2" GYPSUM BOARD
 - 7/16" SHEATHING & HOUSE WRAP
 - FRONT WALL HORIZ. VINYL SIDING
 - OTHER 3 WALLS VERTICAL STEEL
 - ROSSERS 48" o/c
 - 4/12 PITCH
 - 2x4 OH
 - 2x4 PURLINS 24" o/c
 - ROOF STEEL
 - TOP OF WINDOWS AT 7'-0"



NOTE:
DO NOT leave openings in any fire rated wall or ceiling unless approved by the Authority Having Jurisdiction (AHJ).

MAIN FLOOR PLAN

Revision	Date	Drawn By
0	03/13/24	ORL

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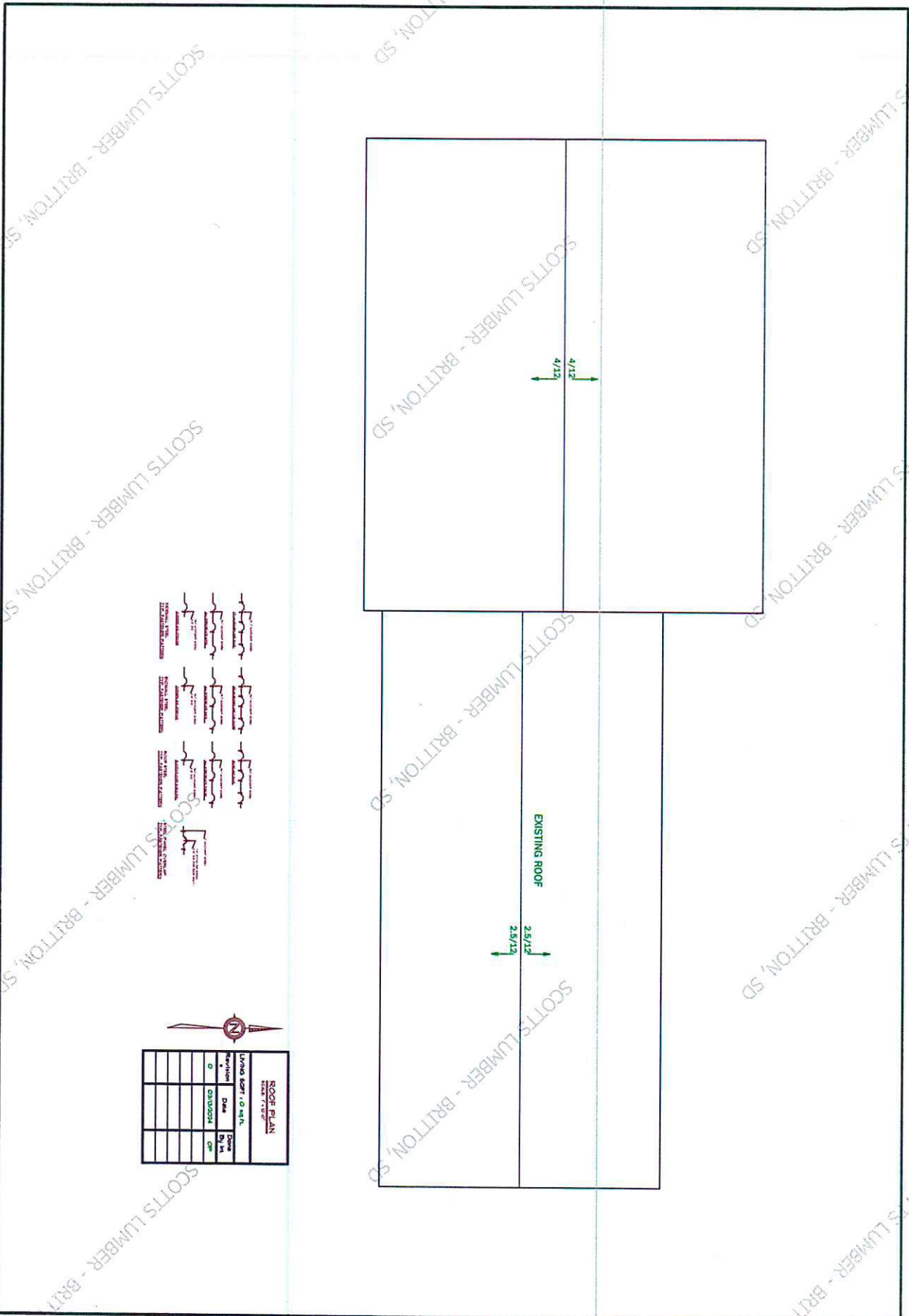
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DRAWN BY: orln.punt@scottslumber.com
PLOT DATE: Wednesday, March 13, 2024
JOB: TW Const-Kevin Nelson Garage
SALESMAN:
Josh.kraft@scottslumber.com

PAGE:
4



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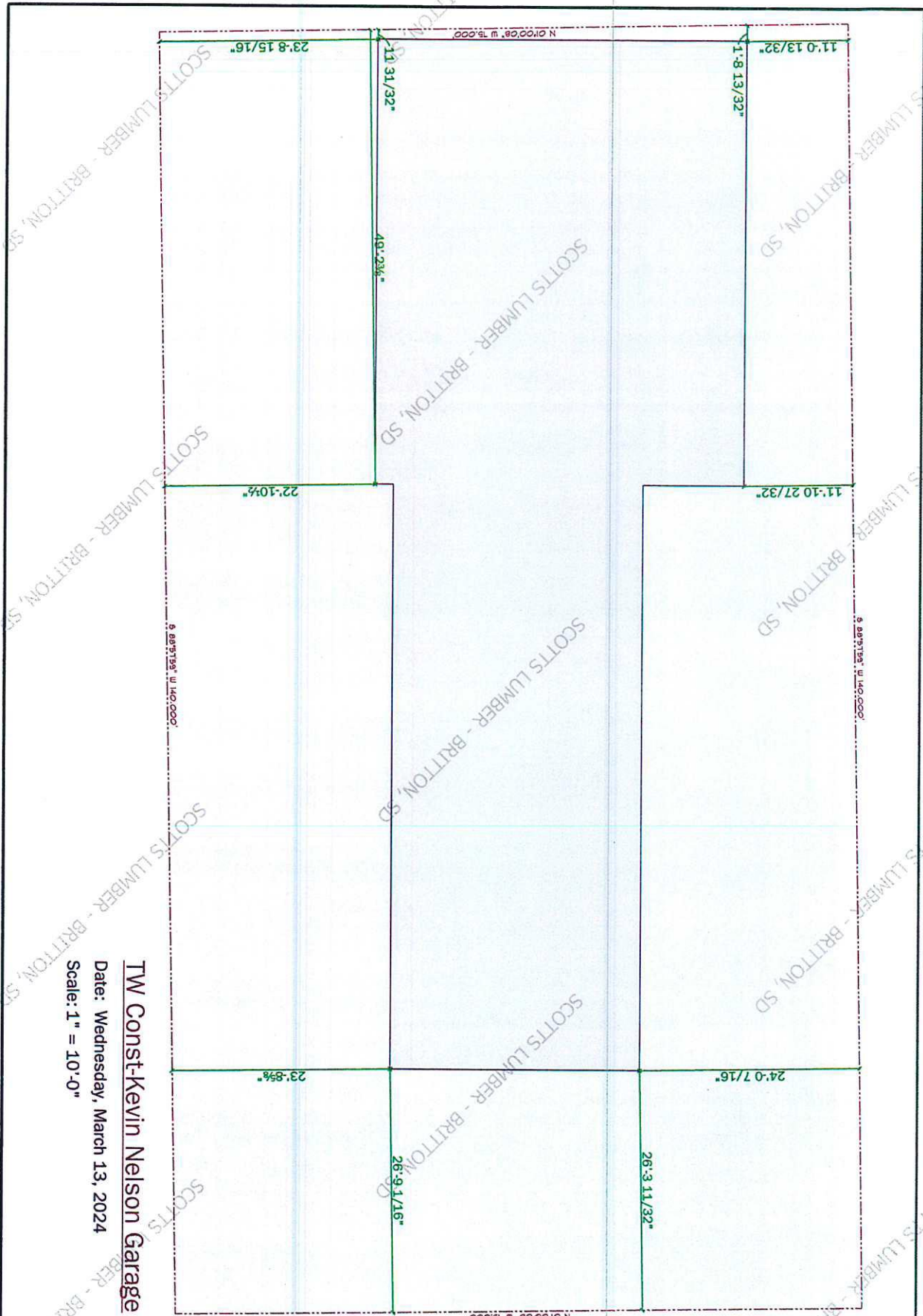
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www.ScottsLumber.com

DRAWN BY: orlin.punt@scottslumber.com
PLOT DATE: Wednesday, March 13, 2024
JOB: TW Const-Kevin Nelson Garage

SALESMAN: Josh.kraft@scottslumber.com

PAGE: 5



TW Const-Kevin Nelson Garage
 Date: Wednesday, March 13, 2024
 Scale: 1" = 10'-0"

These drawings have been prepared using information provided to us by the customer who is solely responsible for the accuracy of that information provided. These drawings are not a permit taking and local building codes which vary widely. The customer should consult their commercial architect and local building department or insurance agent for the most current building code requirements. Customer is responsible for consulting local building officials for the required building permits. We assume no responsibility for errors or omissions caused by any errors, omissions, deficiencies or defects of any drawings.

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DRAWN BY: orlin.punt@scottslumber.com
 PLOT DATE: Wednesday, March 13, 2024
 JOB: TW Const-Kevin Nelson Garage

SALESMAN:
 Josh.kraft@scottslumber.com



16

122ND ST

6TH AVE NE

20 21
29 28

N LAKE BLVD

N JAMES ST

N BROADWAY ST

396TH

5TH AVE NW

SITE

4TH AVE NE

4TH AVE NW

3RD AVE NW

16

Abandoned Railroad

N MICHIGAN ST

2ND AVE NW

N ESPLANADE ST

1ST AVE NW

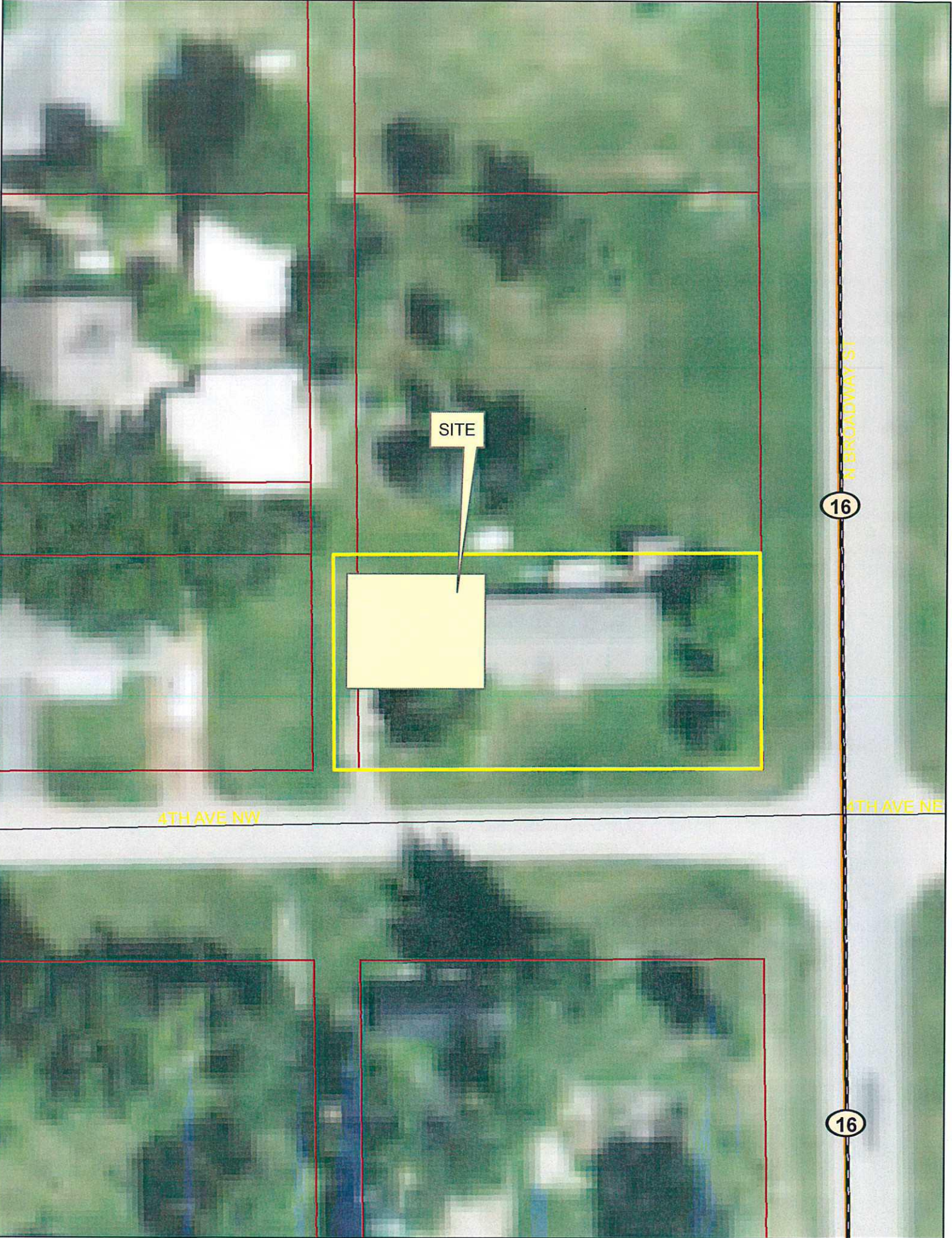
1ST AVE NE

N LAKE BLVD

N JAMES ST

N MAIN ST

Abandoned Railroad



SITE

N BROADWAY ST

16

4TH AVE NW

4TH AVE NE

16

Kevin & Jean Nelson
4 4th Avenue NW
Columbia SD 57433

Attn: Corey Mitchell
City of Columbia
PO Box 107
Columbia SD 57433

Steven & Caitlin Beckman
412 N James Street
Columbia SD 57433

Daniel Krage
617 5th Street S
Brookings SD 57006

Lisa Krage
30 3rd Avenue NW
Columbia SD 57433

Trevor Meints
24 4th Avenue WN
Columbia SD 57433

Leola Carlson
458 4th Avenue NE
Columbia SD 57433

Timothy & Cheryl Reed
39408 129th Street
Bath SD 57427

**AFFIDAVIT OF
PUBLICATION**

STATE OF SOUTH DAKOTA §

COUNTY OF BROWN §

Before me, the undersigned authority, on this day personally appeared Tina Kosel, who being by me duly sworn, deposes and says that she is the office manager of the Groton Independent; that said newspaper is a newspaper of general circulation in Groton, Brown County, South Dakota; and that this notice was published in said newspaper on the following date(s):

**Brown County
Nelson Variance
Published May 8, 2024 for \$14.10
Invoice No. 23282**

Tina Kosel

Newspaper Representative's Signature

Subscribed and sworn to before me this the

14th Day of May 2024

to certify which witness my hand and seal of office.

Paul I. Kosel

Notary Public in and for the State of South Dakota

(Seal)



Paul I. Kosel
Print or Type Name of Notary Public

My Commission Expires January 24, 2030
Bond Number: 107962682



NOTICE OF HEARING FOR TEMPORARY SPECIAL EVENT ALCOHOL LICENSE

Notice is hereby given according to SDCL 35-2, a Public Hearing on the following Temporary Special Event Alcohol License Application for Malt Beverage and Wine to be used by Aberdeen Area Chamber of Commerce will be held on May 21, 2024 in the Chambers of the Brown County Commissioners, in the Court-house Annex, Brown County, South Dakota, at which time any interested party is invited to register complaint on their approval may appear.

Aberdeen Area Chamber of Commerce, Aberdeen, SD for Business After Hours to be held at Budget Furniture, LT 1 Budget Furniture - Schumaker SD NW 22-123-63 (Old Schumaker) Brown County, SD. Temporary Special Event Alcohol License effective July 11, 2024.

ATTEST: Lynn Heupel, Brown County Auditor
Published May 8, 2024, at the total approximate cost of \$10.42 and may be viewed free of charge at www.sdpublish.com. 23280



City of Columbia Council Meeting - May 1, 2024

CALL MEETING TO ORDER - 7:00 p.m.

ROLL CALL - Cara Dennert, Corey Mitchell, Trevor Meints, Emily Eichler, Scott Meints
Community: Sydney Hanna
Corey Mitchell called the meeting to order. He called for a motion to approve the agenda. Trevor Meints made a motion to approve the posted agenda. Emily Eichler seconded the motion. All in favor - motion carried.

Corey Mitchell called for any conflict of interest on agenda items. There were no conflicts. Minutes were handed out from the April 3rd meeting. Emily Eichler made a motion to approve the minutes. Trevor Meints seconded the motion. All were in favor - motion carried.

Warrant Vouchers: JVT - fire prevention - 201.91; Web Water - fire prevention - 52.14; Northwestern Energy - electricity - 1807.89; GDI - publication - 238.46; Siegel, Barrett & Schuttz - legal fees 70.00; Jeremy Dosch - April wages - 419.99; Cara Dennert - April wages - 1235.25; Trevor Meints - April wages - 28.00; Runnings - shop supplies - 9.29; Menards - shop supplies - 100.66; BBB Connecting - road blading - 2150.00; GDI - publication - 44.98; Dacotah Bank - shop supplies - 413.91; Stockwell Engineers - 3750.00; SDPAA - Insurance - 9123.94
Cara mentioned that the DPAA bill was not yet received at the time of the agenda being posted. There was also another bill from Menards that changed the amount owed. Trevor Meints made a motion to approve the vouchers as corrected. Emily Eichler seconded the motion. All were in favor - motion carried.

COMMUNITY COMMENTS / CORRESPONDENCE:

UNFINISHED BUSINESS - Summer Rec will not be held this summer - Emily has asked numerous people, and no one is interested in being in charge/organizing. Some of the board members met with The Columbia Foundation regarding questions that they had about the security system cameras that the city applied for grant money to be used in the new parks.

Nuisances - After the community clean up day, there will be a list put together regarding ordinance violations.

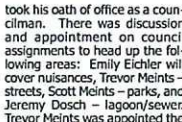
Streets - The rain has been doing a number on the roads. We need gravel, but they will probably start with the potholes. Scott is going to call the town to see what signage needs replacing.

Parks - Emily is still trying to find someone interested in running Summer Rec.

Lagoon/sewer - The sewer/discharge gate is still frozen shut.

Rubble Site - The city received the solid waste permit from DNAR.

NEW BUSINESS - Scott Meints



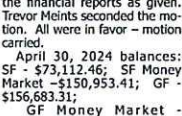
NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Susan Clark
Description of property: Outlot 6, "Derian's Outlots" in the NW1/4 of Section 27-T123N-R64W of the 5th P.M., together with the 33' strip of vacated Derian Drive next South of Outlot 6 & extending easterly to the center line of "A" Street extended South, Brown County, South Dakota (1826 Derian Drive, Aberdeen Twp.).
Reason: The petitioner is requesting a Variance to Building Setbacks in a Mini-Agriculture District (M-AG) to have a 6' West Rear Yard & 5' South Side Yard Setback rather than the 20' Setback required by Brown County Ordinance.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 8th day of May 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$14.41 and may be viewed free of charge at www.sdpublish.com. 23283



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Chad Lyke for owner Toby Doeden

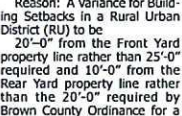
Description of property: Proposed Lot 2, "Doeden First Addition" in the SE1/4 of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota (13371 382nd Avenue, Mercier Twp.).

Reason: A Variance for Approach Separation in a Mini-Agriculture District (M-AG) to be 225'-0" from an existing approach rather than 500'-0" required in Brown County Zoning Ordinances.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 8th day of May 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$12.88 and may be viewed free of charge at www.sdpublish.com. 23284



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 Basement Community Room of the Brown County Courthouse Annex, on Tuesday May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Colin & Deb Gengerke

Description of property: Lots 31-34, "Ractman's Richmond Lake Subdivision" in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota (126383 North Bridge Road, Ravinia Twp.).
Reason: Requesting a Variance to Building Setbacks in a



NOTICE OF HEARING

A PETITION TO REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.
Petitioner: Julie Lillis

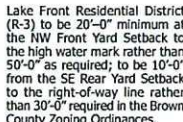
Description of property: Proposed Lot 2A, "Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-T125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue, Columbia Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers.

Verify the meeting dates with the Brown County Auditor.

Dated this 8th day of May 2024.
Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$14.41 and may be viewed free of charge at www.sdpublish.com. 23285



NOTICE OF HEARING

A PETITION TO REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.
Petitioner: Julie Lillis

Description of property: Proposed Lot 2A, "Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-T125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue, Columbia Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers.

Verify the meeting dates with the Brown County Auditor.

Dated this 8th day of May 2024.
Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$14.41 and may be viewed free of charge at www.sdpublish.com. 23286



NOTICE OF DEADLINE FOR VOTER REGISTRATION

Voter registration for the Primary Election to be held on Tuesday, June 4, 2024, will close on Monday, May 20, 2024 at 5:00 p.m. Failure to register by this date will cause forfeiture of voting rights for this election. If you are in doubt about whether you are registered, check the Voter Information Portal at www.sdos.gov or call the Brown County Auditor's Office at 605-626-7110.

Registration may be completed during regular business hours at the county auditor's office, municipal finance office, secretary of state's office, and those locations which provide driver's licenses, SNAP, TANF, WIC, military recruitment, and assistance to the disabled as provided by the Department of Human Services. You may contact the county auditor to request a mail-in registration form or access a mail-in registration form at www.sdos.gov.

Any voter who needs assistance, pursuant to the Americans with Disabilities Act, may contact the county auditor for information and special assistance in voter registration.

Lynn Heupel, County Auditor Brown County, SD
Published May 1 and 8, 2024, at the total approximate cost of \$23.18 and may be viewed free of charge at www.sdpublish.com. 23230



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Peru LLC-Russ Beadle

Description of property: Yeoman's Outlot 2 and 3 and the South 700' of 50' immediately to the East of and abutting on said Outlots 2 and 3 which is designed as an Access Road in the NE1/4 of Section 27-T124N-R64W of the 5th P.M., Brown County, South Dakota (12849 386th Avenue, Lincoln Twp.).

Reason: A Variance for Building Setbacks in a Highway Commercial District (HC) to be 10'-0" from the Side Yard property line rather than 25'-0" required by Brown County Ordinance for a new office addition.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 8th day of May, 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublish.com. 23288

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STAFF REPORT

Meeting: May 21, 2024

BROWN COUNTY ZONING BOARD OF ADJUSTMENT (BOA)

VARIANCE TO BUILDING SETBACKS

ITEM #02

Mini-Agriculture District (M-AG)

GENERAL INFORMATION:

OWNER:	Susan Clark
PETITIONER:	Susan Clark
REQUEST:	VARIANCE TO BUILDING SETBACKS IN A MINI AGRICULTURE DISTRICT (M-AG)
LEGAL DESCRIPTION:	Outlot 6, "Derian's Outlots" in the NW1/4 of Section 27-T123N-R64W of the 5 th P.M., together with the 33' strip of vacated Derian Drive next South of Outlot 6 & extending easterly to the center line of "A" Street extended South, Brown County, South Dakota
ADDRESS:	1826 Derian Drive
TOWNSHIP:	Aberdeen Twp
EXISTING ZONING:	Mini-Agriculture District (M-AG)
SURROUNDING ZONING:	
North:	Mini-Agriculture District (M-AG)
South:	Agriculture Preservation District (AG-P)
West:	Mini-Agriculture District (M-AG)
East:	Mini-Agriculture District (M-AG)
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Chris Anderson

GENERAL COMMENT: The petitioner is requesting a Variance to Building Setbacks in a Mini-Agriculture District (M-AG) to have a 6' West Rear Yard & 5' South Side Yard Setback rather than the 20' setback required by Brown County Ordinance.

GENERAL REVIEW: Staff has reviewed this request. Property was City Jurisdiction when shed was placed. Petitioner wants to use existing concrete and avoid placing a new 16' x 32' shed near the existing septic tank.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: April 5, 2024
RECEIPT # 821930
TOWNSHIP: Aberdeen Twp.

FEES: \$125.00
PAID: YES/NO CHK/CASH
DATE: April 12, 2024

OWNERS SIGNATURE: Susan Clark *Susan Clark*
OWNERS ADDRESS: 1826 Derian Drive *4/12/2024*
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE: (605) 216-1917

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

The Petitioner is requesting a Variance to Building Setbacks in a Mini-Agriculture District (M-AG) to have a 6' West Rear Yard & a 5' South Side Yard Setback

REQUEST: rather than the 20' setback required by Brown County Ordinance to use existing concrete and avoid placing a new 16' x 32' shed near the existing septic tank.

LEGAL DESCRIPTION: Outlot 6, "Derian's Outlots" in the NW1/4 of Section 27-T123N-R64W of the 5th P.M., together with the 33' strip of vacated Derian Drive next South of Outlot 6 & extending Easterly to the center line of "A" Street extended South, Brown County, South Dakota (1826 Derian Drive, Aberdeen Twp.)

Planning Commission Action: Approved / Denied

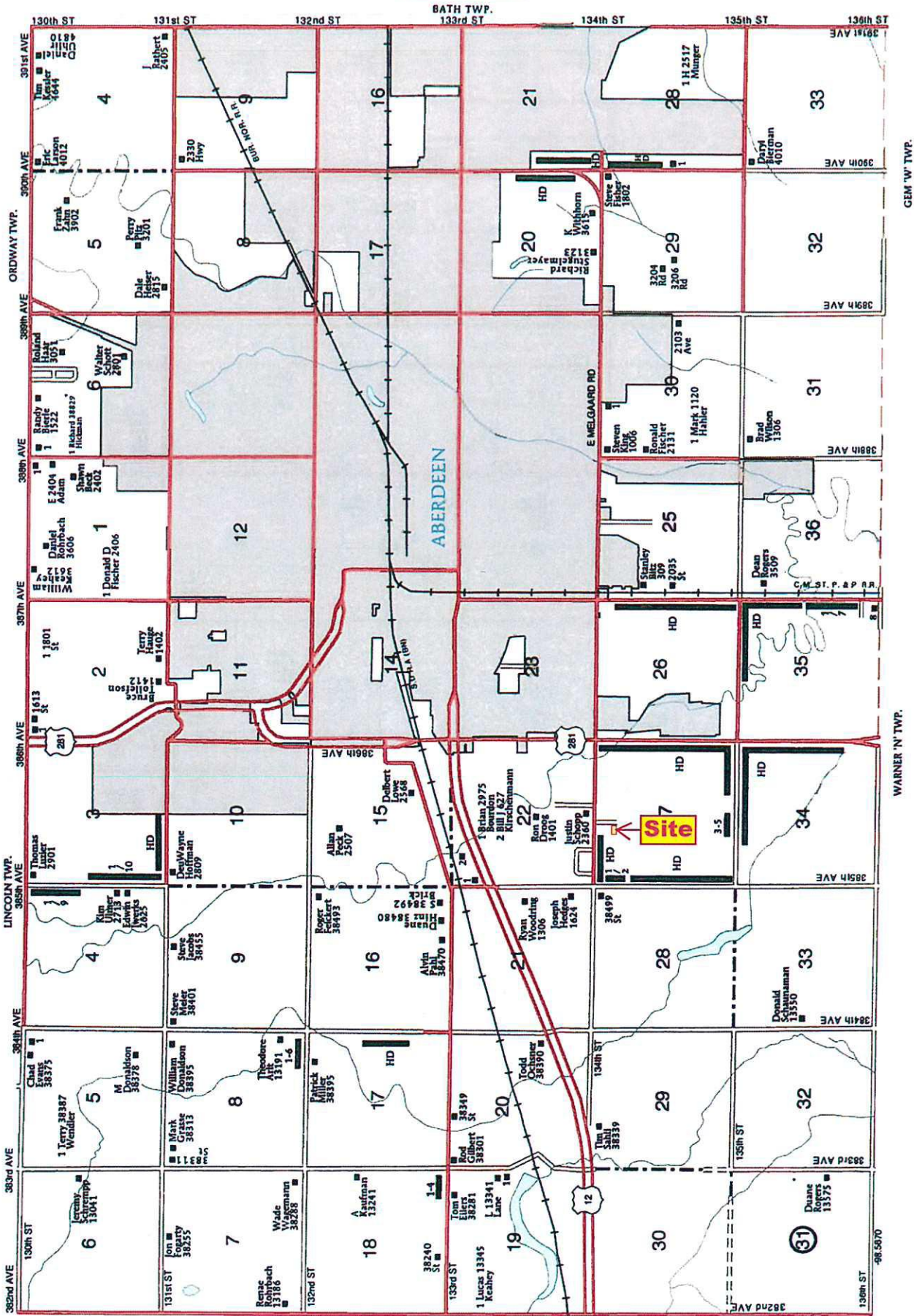
By: _____ Date: _____

HEARING DATE: May 21, 2024 **TIME:** 7:00pm

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



SEE PAGE 21 FOR
ADDITIONAL NAMES NOT
LISTED ON MAPS.

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MERCIER TWP.

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 Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Susan Clark

Description of property: Outlot 6, "Derian's Outlots" in the NW1/4 of Section 27-T123N-R64W of the 5th P.M., together with the 33' strip of vacated Derian Drive next South of Outlot 6 & extending easterly to the center line of "A" Street extended South, Brown County, South Dakota (1826 Derian Drive, Aberdeen Twp.).

Reason: The petitioner is requesting a Variance to Building Setbacks in a Mini-Agriculture District (M-AG) to have a 6' West Rear Yard & 5' South Side Yard Setback rather than the 20' Setback required by Brown County Ordinance.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 8th day of May 2024

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

Published once at the total approximate cost of _____.

(Clark)

VARIANCE FINDINGS WORKSHEET

Prong One

Whether granting the variance runs counter to the public interest?

Consider the entire public— <i>not</i> just the neighbors	Findings	
1. Does it injure the neighborhood?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
2. Does it conform to the neighborhood?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
3. Does it conform to the general purpose of the zoning ordinances?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
4. Does it conform to the comprehensive plan currently in place?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
5. Does it harm the public safety, health, or general welfare of the community?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Prong Two

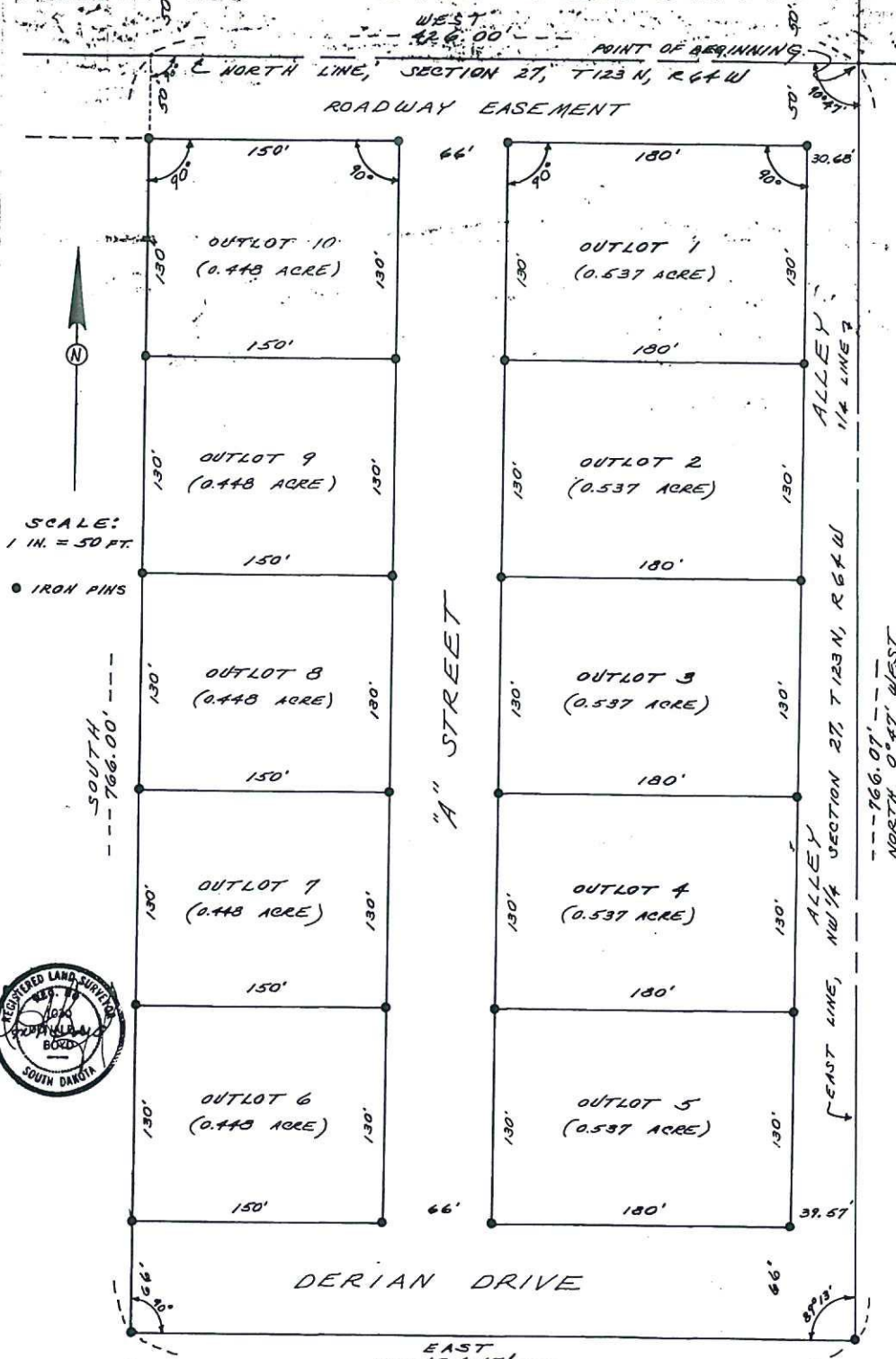
Whether special conditions exist to grant a variance?

Physical conditions— <i>not</i> money or econ hardship	Findings	
1. Does a special condition—exceptional narrowness, topography, siting, or the like—exist on the property? *Explicitly state the condition on the property that is a special condition if one exists. *It must be a physical condition. *Exception: legal justification (for example, estoppel) is a special circumstance.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> The petitioner would like to replace the existing shed with a 16' x 32' garage, using the current concrete slab while avoiding the septic tank. This property was in the City's jurisdiction when the original shed was placed.
a. If a special condition exists, does enforcing the ordinance create an unnecessary hardship? *That does not mean money, econ hardship, or allowing a use that's prohibited (<i>i.e.</i> , not otherwise excluded) in the zoning district.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
b. If a special circumstance exists, does granting the variance observe the ordinance's spirit while doing substantial justice.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

1111 11

DERIAN'S OUTLOTS 1 THRU 10 OF THE NW 1/4 OF TOWNSHIP 123 NORTH, RANGE 64 WEST, OF 5TH PRINCIPAL MERIDIAN, BROWN COUNTY, SOUTH DAKOTA

(7.588 ACRES, INCLUDING ROADWAYS)



OWNER'S CERTIFICATE We, JOHN P. and VIRGINIA R. DERIAN, HEREBY CERTIFY THAT WE ARE THE ABSOLUTE AND UNQUALIFIED OWNERS OF DERIAN'S OUTLOTS 1 THROUGH 10 OF THE NW 1/4 OF SECTION 27, TOWNSHIP 123 NORTH, RANGE 64 WEST OF 5TH PRINCIPAL MERIDIAN, BROWN COUNTY, SOUTH DAKOTA, INCLUDING ALL STREETS, ALLEYS AND ROADWAY EASEMENTS THERETO, DESCRIBED AS BEGINNING AT A POINT ON THE NORTH LINE OF SAID SECTION 27 AT WHICH THE EAST LINE OF SAID NW 1/4 INTERSECTS THE NORTH LINE OF SAID SECTION 27; THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 27 A DISTANCE OF 426.00 FEET; THENCE SOUTH A DISTANCE OF 766.00 FEET; THENCE EAST A DISTANCE OF 436.47 FEET; THENCE NORTH A DISTANCE OF 766.07 FEET TO THE POINT OF BEGINNING. WE FURTHER CERTIFY THAT SAID OUTLOTS ARE FREE FROM ANY INCUMBRANCE, AND THE WITHIN PLAT WAS MADE AT OUR REQUEST FOR THE PURPOSES INDICATED THEREIN, AND THE WITHIN PLAT SHALL HEREAFTER BE KNOWN AS "DERIAN'S OUTLOTS 1 THRU 10 OF THE NW 1/4 OF SECTION 27, TOWNSHIP 123 NORTH, RANGE 64 WEST OF 5TH PRINCIPAL MERIDIAN, BROWN COUNTY, SOUTH DAKOTA." WE HAVE CAUSED THE STREETS, ALLEY AND ROADWAY EASEMENT ON THE WITHIN PLAT TO BE PLATTED AND THE SAME ARE HEREBY DEDICATED TO THE PUBLIC FOR PUBLIC USE FOREVER. SAID AREA DESCRIBED WITHIN THIS PLAT CONTAINS 7.588 ACRES, INCLUDING STREETS, ALLEY AND ROADWAY EASEMENT.

DATE 1/25/11

JOHN P. DERIAN, OWNER

 VIRGINIA R. DERIAN, OWNER

ACKNOWLEDGEMENT STATE OF SOUTH DAKOTA }
COUNTY OF BROWN } SS ON THIS THE 25th DAY OF May, 1965, BEFORE ME,
A NOTARY PUBLIC, PERSONALLY APPEARED JOHN P. AND VIRGINIA R. DERIAN, KNOWN TO ME TO BE THE
PERSONS DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT, AND WHO ACKNOWLEDGED TO ME THAT
THEY EXECUTED THE SAME.
MY COMMISSION EXPIRES: 3-12-70 Jack A. Houlahan
NOTARY PUBLIC

SURVEYOR'S CERTIFICATE I, DON A. BOYD, REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA,
DO HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED DERIAN'S OUTLOTS 1 THRU 10 OF THE NW 1/4
OF SECTION 27, TOWNSHIP 123 NORTH, RANGE 64 WEST OF 5TH PRINCIPAL MERIDIAN, BROWN COUNTY,
SOUTH DAKOTA, AS SHOWN ON THE WITHIN PLAT, AT THE REQUEST OF THE OWNERS, AND SAID SURVEY
AND PLAT IS IN ALL RESPECTS TRUE AND CORRECT. I HAVE SET IN THE GROUND IRON PINS AT THE
POINTS INDICATED ON THE WITHIN PLAT.
DATE 8 MAY 1965 Don A. Boyd
DON A. BOYD, REG. LAND SURVEYOR, S.D. 1030

ACKNOWLEDGEMENT STATE OF SOUTH DAKOTA }
COUNTY OF BROWN } SS ON THIS THE 8th DAY OF May, 1965, BEFORE ME,
A NOTARY PUBLIC, PERSONALLY APPEARED DON A. BOYD, KNOWN TO ME TO BE THE PERSON DESCRIBED IN
AND WHO EXECUTED THE WITHIN INSTRUMENT, AND WHO ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.
MY COMMISSION EXPIRES: October 4, 1965 Ron Ruana
NOTARY PUBLIC

RESOLUTION BY THE CITY PLAN COMMISSION "BE IT RESOLVED BY THE CITY PLAN COMMISSION THAT
THE WITHIN PLAT IS HEREBY APPROVED IN THE MANNER PROVIDED BY CHAPTER 45.33, 1960 SUPPLEMENT SDC."
I, WINIFRED KRAFT, CITY AUDITOR, HEREBY CERTIFY THAT THE ABOVE RESOLUTION IS A CORRECT COPY
OF THE RESOLUTION DULY PASSED BY THE BOARD OF THE CITY PLAN COMMISSION OF ABERDEEN, SOUTH
DAKOTA, AT A MEETING OF THE BOARD HELD ON THE 19 DAY OF May, 1965.
Winifred Kraft
WINIFRED KRAFT, CITY AUDITOR
CITY OF ABERDEEN, SOUTH DAKOTA

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONER'S, BROWN COUNTY, SOUTH DAKOTA
ON MOTION MADE AND CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED: "BE IT RESOLVED BY THE
BOARD OF COUNTY COMMISSIONER'S OF BROWN COUNTY, SOUTH DAKOTA, IN REGULAR SESSION ASSEMBLED,
THAT THE PLAT OF DERIAN'S OUTLOTS 1 THRU 10 OF THE NW 1/4 OF SECTION 27, TOWNSHIP 123 NORTH,
RANGE 64 WEST OF 5TH PRINCIPAL MERIDIAN, BROWN COUNTY, SOUTH DAKOTA, BE APPROVED THIS 27
DAY OF May, 1965, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 45.28 SDC., AND ALL
AMENDMENTS THEREOF."
I, FRANCIS McNEARY, COUNTY AUDITOR OF BROWN COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE
FOREGOING IS A TRUE COPY OF THE RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONER'S OF
BROWN COUNTY, SOUTH DAKOTA. DATED THIS 25 DAY OF May, 1965.
Francis McNeary
FRANCIS McNEARY, COUNTY AUDITOR
BROWN COUNTY, SOUTH DAKOTA

I, BERNARD L. LARSON, TREASURER OF BROWN COUNTY, SOUTH DAKOTA, HEREBY CERTIFY THAT ALL
TAXES WHICH ARE LIENS UPON ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT, AS SHOWN BY THE
RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID. DATED AT ABERDEEN, SOUTH DAKOTA, THIS 25th
DAY OF May, 1965.
Bernard L. Larson
BERNARD L. LARSON, TREASURER
BROWN COUNTY, SOUTH DAKOTA

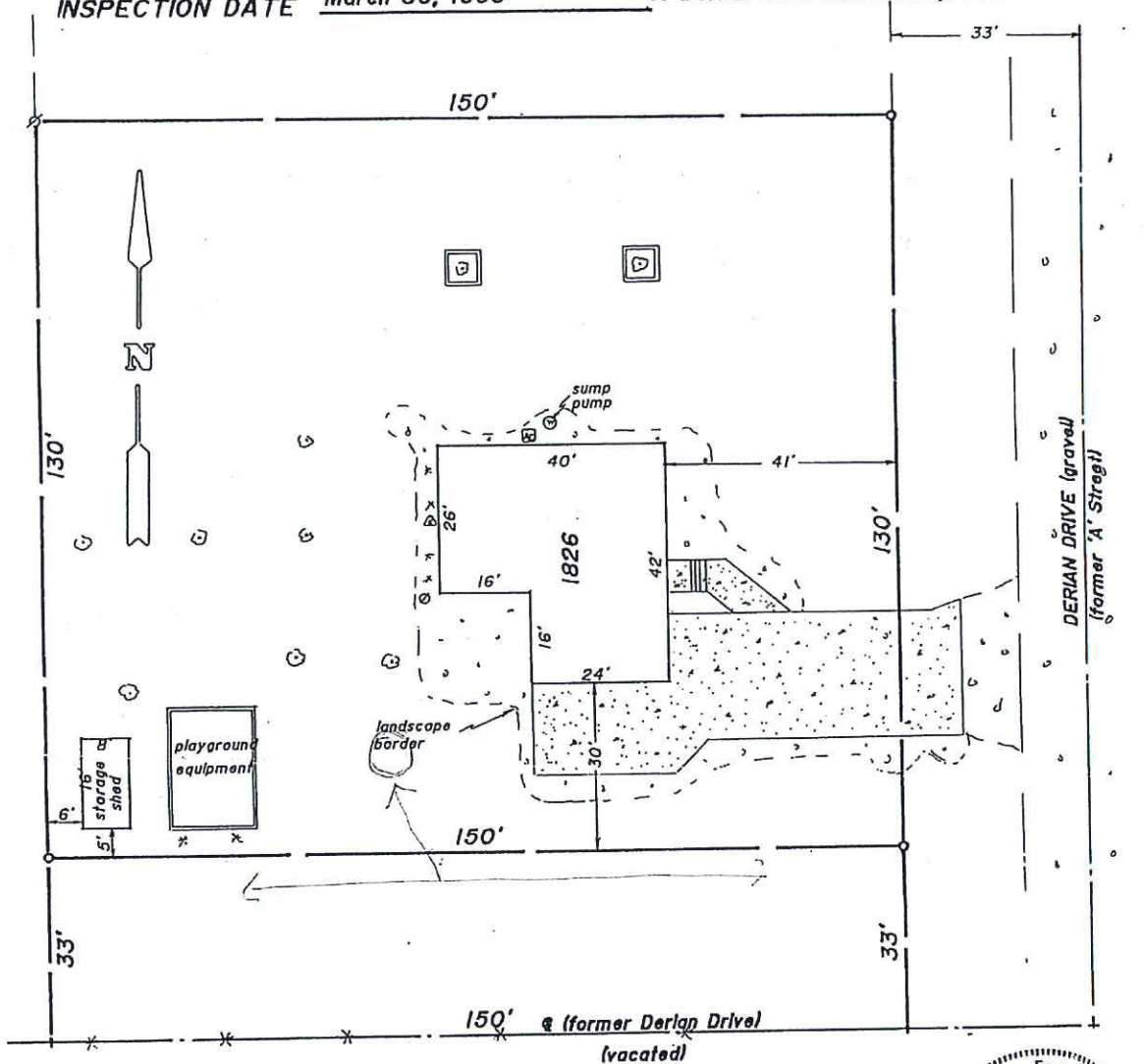
I, RUTH HUMPHRIES, DIRECTOR OF EQUALIZATION OF BROWN COUNTY, SOUTH DAKOTA, HEREBY CERTIFY
THAT I HAVE RECEIVED A COPY OF THIS PLAT THIS 25 DAY OF May, 1965.
Ruth Humphries
RUTH HUMPHRIES, DIRECTOR OF EQUALIZATION
BROWN COUNTY, SOUTH DAKOTA

FILED FOR RECORD THIS 25th DAY OF May, 1965, AT 3 O'CLOCK P.M.,
AND DULY RECORDED IN BOOK _____, PAGE _____, AND DESIGNATED PLAT _____
Allie K. Milstead
ALLIE MILSTEAD, REGISTER OF DEEDS
BROWN COUNTY, SOUTH DAKOTA

RESOLUTION BY THE CITY COMMISSION, ABERDEEN, SOUTH DAKOTA
"BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF ABERDEEN, SOUTH DAKOTA, THAT THE
PLAT SHOWING DERIAN'S OUTLOTS 1 THRU 10 OF THE NW 1/4 OF SECTION 27, TOWNSHIP 123 NORTH,
RANGE 64 WEST OF THE 5TH PRINCIPAL MERIDIAN, BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN
EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 45.2806,
CHAPTER 45.28 OF THE SOUTH DAKOTA CODE OF 1939, AND ALL AMENDMENTS THEREOF."
I, WINIFRED KRAFT, CITY AUDITOR, HEREBY CERTIFY THAT THE ABOVE RESOLUTION IS A CORRECT
COPY OF THE RESOLUTION DULY PASSED BY THE BOARD OF CITY COMMISSIONERS OF ABERDEEN, SOUTH
DAKOTA, AT A MEETING OF THE BOARD HELD ON THE 25 DAY OF May, 1965.
Winifred Kraft
WINIFRED KRAFT, CITY AUDITOR
CITY OF ABERDEEN, SOUTH DAKOTA

PROPERTY INSPECTION REPORT COPY

PROPERTY ADDRESS 1826 Derlan Drive, Brown County, South Dakota
LEGAL DESCRIPTION O.L. 6 of Plat of Derlan's Outlots 1-10, in NW1/4 Sec. 27-
 T123N-R64W, Brown County, South Dakota, together with 33' strip
 of Derlan Drive immediately south of O.L. 6.
INSPECTION DATE March 30, 1999



- Lot Corner Monuments Found
 - Concrete
 - ☒ Air Conditioner
 - △ Elec. Meter
 - ⊙, * Trees, Evergreens
- Scale-ft.

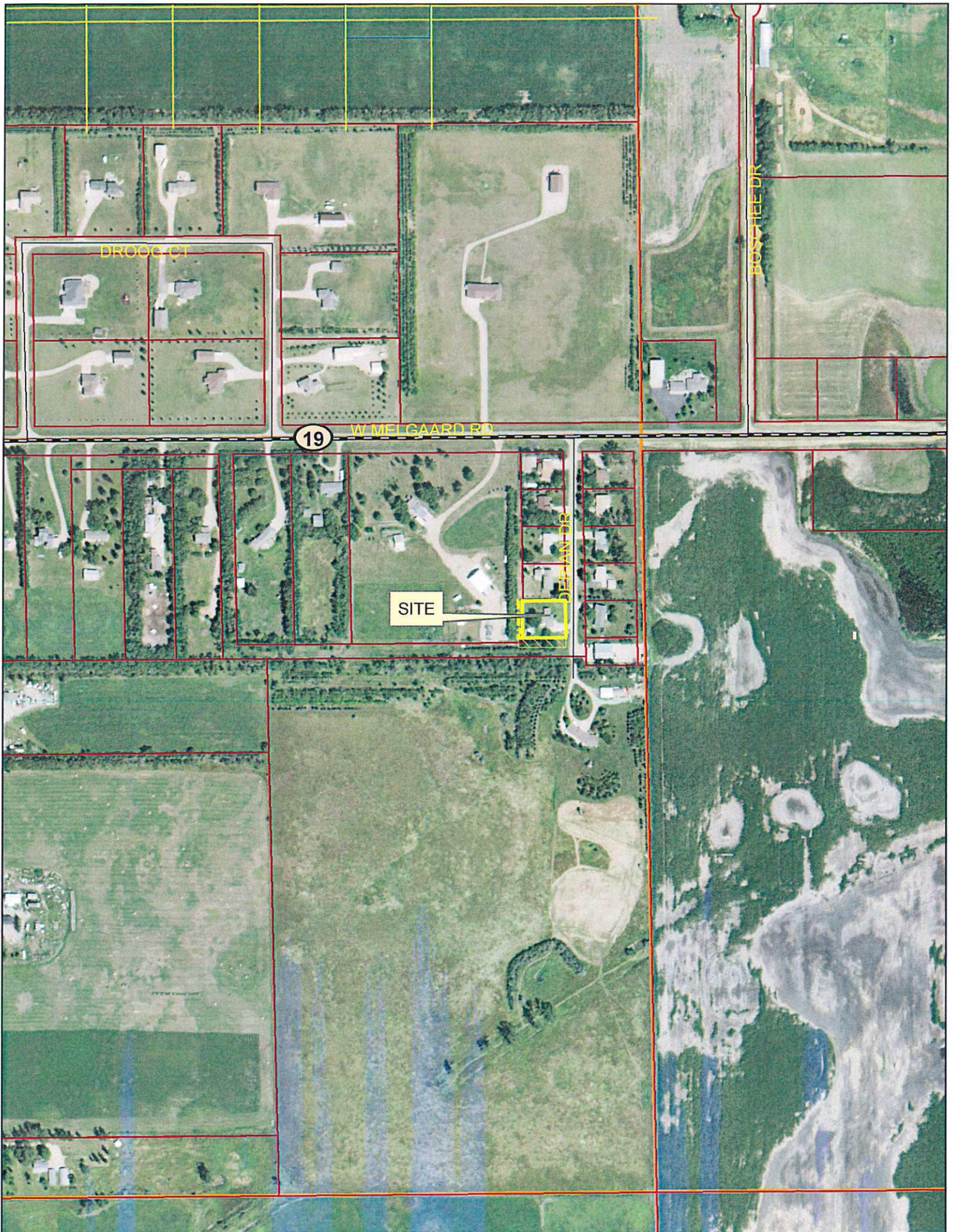


SURVEYOR'S CERTIFICATE

I, Francis E. Brink, a Licensed Professional Engineer and Land Surveyor, hereby certify that I have inspected the above legally described property, and the hereon contained report accurately represents the findings of the inspection and survey, and that there are no encroachments or improvements which affect the property, other than as shown hereon. This Inspection Report does not constitute a legal boundary survey of the record lot.

March 30, 1999
 Date

FRANCIS E. BRINK
 LICENSED ENGINEER AND LAND SURVEYOR
 SOUTH DAKOTA LICENSE NO. 1641



DROOG CT

BONSFIELD DR

19

W MELGAARD RD

SITE

DELAN DR



SITE

VACATED 33' R.O.W.

DERIAN DR

Susan Clark
1826 Derian Drive
Aberdeen SD 57401

Aberdeen Township
C/O James Kunkle
13229 384th Avenue
Aberdeen SD 57401

Dennis DeGroot
2503 W Melgaard Road
Aberdeen SD 57401

Marilyn Lehr
1820 Derian Drive
Aberdeen SD 57401

Marvin & Janice Siebrecht
1819 Derian Drive
Aberdeen SD 57401

Timothy & Jodi Weigel
1825 Derian Drive
Aberdeen SD 57401

Bruce Brown
1900 Derian Drive
Aberdeen SD 57401

**AFFIDAVIT OF
PUBLICATION**

STATE OF SOUTH DAKOTA §
COUNTY OF BROWN §

Before me, the undersigned authority, on this day personally appeared Tina Kosel, who being by me duly sworn, deposes and says that she is the office manager of the Groton Independent; that said newspaper is a newspaper of general circulation in Groton, Brown County, South Dakota; and that this notice was published in said newspaper on the following date(s):

**Brown County
Clark Variance
Published May 8, 2024 for \$14.41
Invoice No. 23283**

Tina Kosel

Newspaper Representative's Signature

Subscribed and sworn to before me this the

14th Day of May 2024

to certify which witness my hand and seal of office.

Paul I. Kosel

Notary Public in and for the State of South Dakota

(Seal)



Paul I. Kosel
Print or Type Name of Notary Public

My Commission Expires January 24, 2030
Bond Number: 107962682



NOTICE OF HEARING FOR TEMPORARY SPECIAL EVENT ALCOHOL LICENSE

Notice is hereby given according to SDCL 35-2, a Public Hearing on the following Temporary Special Event Alcohol License Application for Malt Beverage and Wine to be used by Aberdeen Area Chamber of Commerce will be held on May 21, 2024 in the Chambers of the Brown County Commissioners, in the Court-house Annex, Brown County, South Dakota, at which time any interested persons wishing to register complaint on their approval may appear.

Aberdeen Area Chamber of Commerce, Aberdeen, SD for Business After Hours to be held at Budget Furniture, LT 1 Budget Furniture - Schumaker SD NW 22-123-63 (Old Schumaker) Brown County, SD. Temporary Special Event Alcohol License effective July 11, 2024.

ATTEST: Lynn Heupel, Brown County Auditor

Published May 8, 2024, at the total approximate cost of \$10.42 and may be viewed free of charge at www.sdpublicnotices.com. 23280



City of Columbia Columbia City May 1 Meeting - May 1, 2024

CALL MEETING TO ORDER - 7:00 p.m.

ROLL CALL - Cara Dennert, Corey Mitchell, Trevor Meints, Emily Eichler, Scott Meints

Community: Sydney Hanna Corey Mitchell called the meeting to order. He called for a motion to approve the agenda. Trevor Meints made a motion to approve the posted agenda.

Emily Eichler seconded the motion. All in favor - motion carried. Corey Mitchell called for any conflict of interest on agenda items. There were no conflicts. Minutes were handed out from the April 3rd meeting. Emily Eichler made a motion to approve the minutes. Trevor Meints seconded the motion. All were in favor - motion carried.

Warrant Vouchers: JVT - fire prevention - 201.91; Web Water - fire prevention - 52.14; Northwestern Energy - electricity - 1807.89; GDI - publication - 238.46; Siegel, Barnett & Schutz - legal fees - 70.00; Jeremy Dosch - April wages - 419.99; Cara Dennert - April wages - 1235.25; Trevor Meints - April wages - 28.00; Runnings - shop supplies - 9.29; Menards - shop supplies - 100.66; B&B Contracting - road blading - 2150.00; GDI - publication - 44.98; Dacotah Bank - shop supplies - 13.91; Stockwell Engineers - 3750.00; SDPAA - insurance - 9123.94

Cara mentioned that the SDPAA bill was not yet received at the time of the agenda being posted. There was also another bill from Menards regarding the amount owed. Trevor Meints made a motion to approve the vouchers as corrected. Emily Eichler seconded the motion. All were in favor - motion carried.

COMMUNITY COMMENTS / CORRESPONDENCE:

UNFINISHED BUSINESS - Summer Rec will not be held this summer - Emily has asked numerous people, and no one is interested in being in charge/organizing. Some of the board members met with the Columbia Foundation regarding questions that they had about the security system cameras that the city applied for grant money to be used in the new parks.

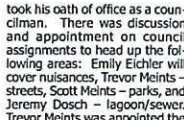
Nuisances - After the community clean up day, there will be a list put together regarding ordinance violations.

Streets - The rain has been doing a number on the roads. We need gravel, but they will probably start with the potholes. Scott is going to canvas the town to see what signage needs replacing.

Parks - Emily is still trying to find someone interested in running Summer Rec.

Lagoon/sewer - The sewer/discharge gate is still frozen shut. Rubble Site - The city received the solid waste permit from DWR.

NEW BUSINESS - Scott Meints



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 Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Susan Clark

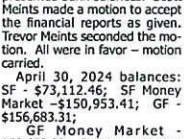
Description of property: Outlot 6, "Derlan's Outlots" in the NW1/4 of Section 27-T123N-R6W of the 5th P.M., together with the 33' strip of vacated Derlan Drive next South of Outlot 6 & extending easterly to the center line of "A" Street extended South, Brown County, South Dakota (1826 Derlan Drive, Aberdeen Twp.).

Reason: The petitioner is requesting a Variance to Building Setbacks in a Mini-Agriculture District (M-AG) to have a 6' West Rear Yard 8, 5' South Side Yard Setback rather than the 20' Setback required by Brown County Ordinance.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$14.41 and may be viewed free of charge at www.sdpublicnotices.com. 23283



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Chad Lyke for owner Toby Doeden

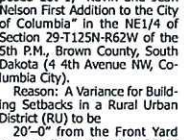
Description of property: Proposed Lot 2, "Doeden First Addition" in the SE1/4 of Section 24-T123N-R6SW of the 5th P.M., Brown County, South Dakota (13371 382nd Avenue, Mercer Twp.).

Reason: A Variance for Approach Separation in a Mini-Agriculture District (M-AG) to be 25'-0" from an existing approach rather than 50'-0" required in Brown County Zoning Ordinances.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$12.88 and may be viewed free of charge at www.sdpublicnotices.com. 23284



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Kevin & Jean Nelson

Description of property: Proposed Lot 1, "Kevin and Jean Nelson First Addition to the City of Columbia" in the NE1/4 of Section 29-T125N-R6W of the 5th P.M., Brown County, South Dakota (4 4th Avenue NW, Columbia City).

Reason: A Variance for Building Setbacks in a Rural Urban District (RU) to be 20'-0" from the Front Yard property line rather than 25'-0" required and 10'-0" from the Rear Yard property line rather than the 20'-0" required by Brown County Ordinance for a new garage addition.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May, 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$14.10 and may be viewed free of charge at www.sdpublicnotices.com. 23282



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 Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Peru LLC

Description of property: Yeoman's Outlot 2 and 3 and the South 700' of 50' immediately to the East of and abutting on said Outlots 2 and 3 which is designed as an Access Road in the NE1/4 of Section 27-T124N-R6W of the 5th P.M., Brown County, South Dakota (12849 386th Avenue, Lincoln Twp.).

Reason: A Variance for Building Setbacks in a Highway Commercial District (HC) to be 10'-0" from the Side Yard property line rather than 25'-0" required by Brown County Ordinance for a new office addition.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May, 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$13.80 and may be viewed free of charge at www.sdpublicnotices.com. 23286



NOTICE OF HEARING

A PETITION TO REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.

Petitioner: Morgan & Jackie Beving

Description of property: Proposed Lot 1, "Beving Addition" in the W1/2 of the NE1/4 of Section 35-T123N-R6SW of the 5th P.M., Brown County, South Dakota (37865 135th Street, Mercer Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.

Dated this 8th day of May 2024,

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublicnotices.com. 23288



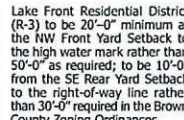
NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex, on Tuesday May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Collin & Deb Gengerke

Description of property: Lots 13-14, "Raetzman's Richmond Lake Subdivision" in the NW1/4 of Section 13-T124N-R6SW of the 5th P.M., Brown County, South Dakota (126383 North Bridge Road, Ravinia Twp.).

Reason: Requesting a Variance to Building Setbacks in a



NOTICE OF HEARING

A PETITION TO REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.

Petitioner: Julie Lillis

Description of property: Proposed Lot 2A, "Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-T125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue, Columbia Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.

Dated this 8th day of May 2024,

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublicnotices.com. 23288



NOTICE OF DEADLINE FOR VOTER REGISTRATION

Voter registration for the Primary Election to be held on Tuesday, June 4, 2024, will close on Monday, May 20, 2024 at 5:00 p.m. Failure to register by this date will cause forfeiture of voting rights for this election. If you are in doubt about whether you are registered, check the Voter Information Portal at www.sd-sos.gov or call the Brown County Auditor's Office at 605-626-7110.

Registration may be completed during regular business hours at the county auditor's office, municipal finance office, secretary of state's office, and those locations which provide driver's licenses, SNAP, TANF, WIC, military recruitment, and assistance to the disabled as provided by the Department of Human Services. You may contact the county auditor to request a mail-in registration form or access a mail-in registration form at www.sd-sos.gov.

Any voter who needs assistance, pursuant to the Americans with Disabilities Act, may contact the county auditor for information and special assistance in voter registration.

Lynn Heupel, County Auditor Brown County, SD

Published May 1 and 8, 2024, at the total approximate cost of \$23.18 and may be viewed free of charge at www.sdpublicnotices.com. 23230



NOTICE OF DEADLINE FOR VOTER REGISTRATION

Voter registration for the Primary Election to be held on Tuesday, June 4, 2024, will close on Monday, May 20, 2024 at 5:00 p.m. Failure to register by this date will cause forfeiture of voting rights for this election. If you are in doubt about whether you are registered, check the Voter Information Portal at www.sd-sos.gov or call the Brown County Auditor's Office at 605-626-7110.

Registration may be completed during regular business hours at the county auditor's office, municipal finance office, secretary of state's office, and those locations which provide driver's licenses, SNAP, TANF, WIC, military recruitment, and assistance to the disabled as provided by the Department of Human Services. You may contact the county auditor to request a mail-in registration form or access a mail-in registration form at www.sd-sos.gov.

Any voter who needs assistance, pursuant to the Americans with Disabilities Act, may contact the county auditor for information and special assistance in voter registration.

Lynn Heupel, County Auditor Brown County, SD

Published May 1 and 8, 2024, at the total approximate cost of \$23.18 and may be viewed free of charge at www.sdpublicnotices.com. 23230

A subscription to the Groton Independent makes a great gift! 605-397-7460

Living Heart Fitness Center. Bones need strong muscles for support. Not exercising weakens these supporting muscles. Weak muscles put more stress on joints. -Mayo Clinic

GIVE US A CALL TODAY! the Bat Guys Bat Removal. HARMLESS BAT REMOVAL. BAT-PROOF & CLEAN UP. FULL ATTIC RESTORATION. 10-YEAR WARRANTY. thebatguysbatremoval.com 605-736-0904

SPECIALIZING IN QUALITY POST FRAME BUILDINGS. Commercial Equestrian Hobby Shops Agricultural Garages And More! Eastern CO 719-822-3052 Nebraska & Iowa 402-426-5022 712-600-2410 Eastern Wisconsin 920-839-0960 Western Wisconsin 608-988-6338 Kansas & Missouri 816-858-7040 GINGERICH STRUCTURES www.GingerichStructures.com

Energize Conference Exploring Innovative Rural Communities. Hot Springs, SD May 22-23, 2024. Register Now! energize.southdakota.edu/events

STAFF REPORT

Meeting: May 21, 2024

BROWN COUNTY ZONING BOARD OF ADJUSTMENT (BOA)

VARIANCE TO APPROACH SEPARATION
(Mini-Agriculture District (M-AG))

ITEM #03

GENERAL INFORMATION:

OWNER:	Toby Doeden
PETITIONER:	Chad Lyke for owner Toby Doeden
REQUEST:	VARIANCE TO AN APPROACH SEPARATION IN A MINI-AGRICULTURE DISTRICT (M-AG)
LEGAL DESCRIPTION:	Proposed Lot 2, "Doeden First Addition" in the SE1/4 of Section 24-T123N-R65W of the 5 th P.M., Brown County, South Dakota
ADDRESS:	13375 382 nd Avenue
CITY/TOWNSHIP:	Mercier Twp.
EXISTING ZONING	Mini-Agriculture District (M-AG)
SURROUNDING ZONING:	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
West:	Light Industrial District (L-I)
East:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Ron Keller

GENERAL COMMENT: The petitioner is requesting a Variance to Approach Separation for a proposed new approach to be 225' and 320' from existing approaches rather than the 500' required by Brown County Ordinance.

GENERAL REVIEW: Staff has reviewed this request. Petitioner is requesting a new approach for access to a proposed platted Lot 2.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: April 26, 2024
RECEIPT # 821943
TOWNSHIP: Mercier Twp

FEE: \$125.00
PAID: YES/NO CHK/CASH
DATE: April 29, 2024

OWNERS NAME (print): Toby Doeden
OWNERS SIGNATURE: _____
OWNERS ADDRESS: 12966 Glenwood Lane
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE: _____
OWNERS EMAIL: _____

AGENTS NAME (print): Chad Lyke
AGENTS SIGNATURE: 
AGENTS ADDRESS: 1703 S McCoy Street
AGENTS CITY, STATE, ZIP: Aberdeen, SD 57401
AGENTS PHONE: 605-380-0688
AGENTS EMAIL: _____

REQUEST: A Variance to Approach Separation distance to be 225' rather than
the 500' required by Brown County Zoning Ordinance.

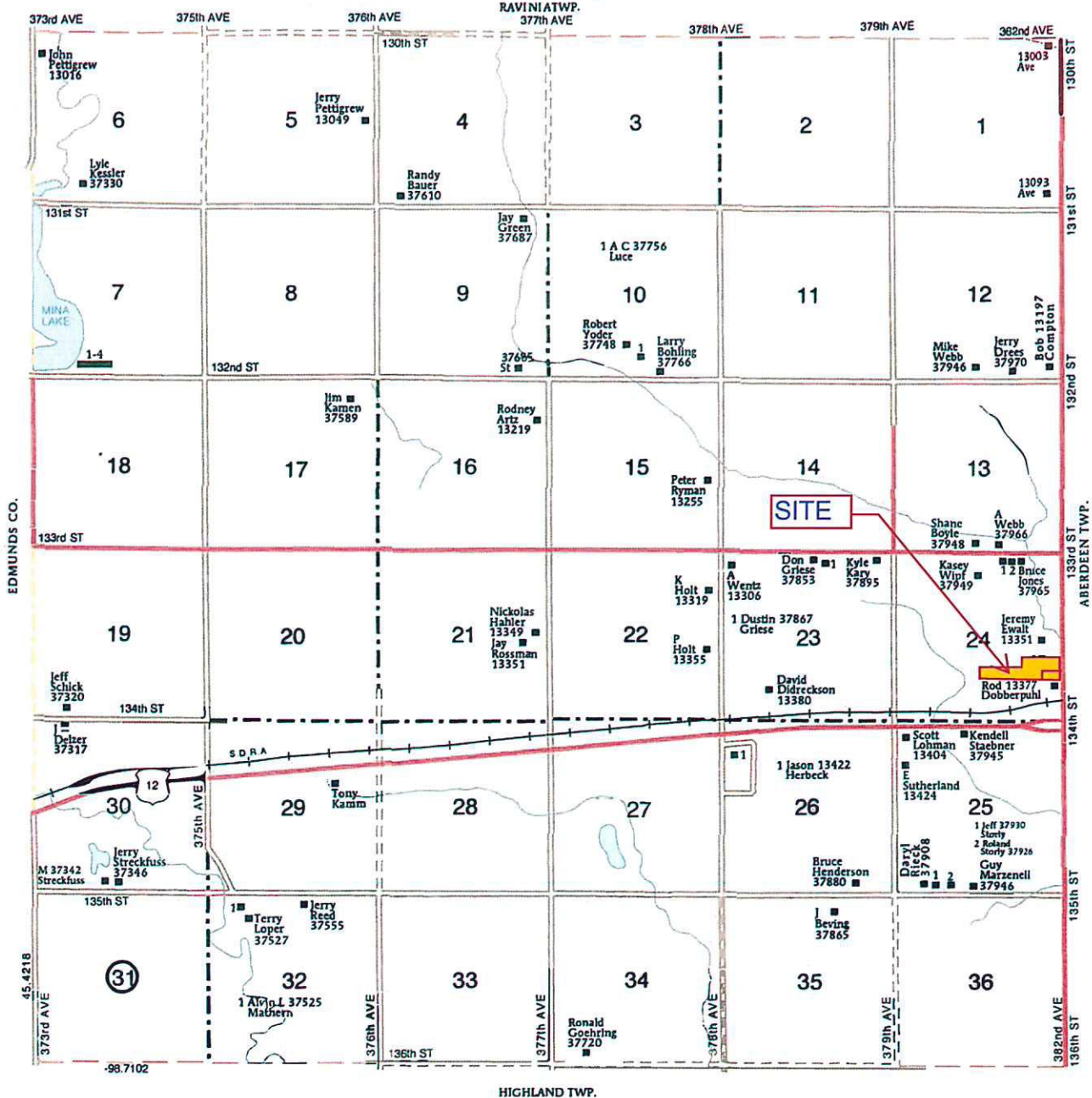
LEGAL DESCRIPTION: Proposed Lot 2, "Doeden First Addition" in the SE1/4 of
Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota
(13375^{1/2}382nd Avenue; Mercier Twp.)

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: May 21, 2024 TIME: 7:00 pm

(Residents - Owners or Renters)



MERCIER TOWNSHIP

SECTION 7

- 1 Bauer, Bryan 37302
- 2 Davis, I 37306
- 3 Salo, Roger 37310
- 4 Dykema, Wade 37320

SECTION 24

- 1 Hehn, Robert 37961
- 2 Jones, Jamie 37963
- 3 Zinter, Daniel 13365
- 4 Hammer, Leland 13371

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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Chad Lyke for owner Toby Doeden

Description of property: Proposed Lot 2, "Doeden First Addition" in the SE1/4 of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota (13373 382nd Avenue, Mercier Twp.).

Reason: A Variance for Approach Separation in a Mini-Agriculture District (M-AG) to be 225'-0" and 320' from existing approaches rather than the 500'-0" required in Brown County Zoning Ordinances.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 8th day of May 2024

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

Published once at the total approximate cost of _____.

(Doeden)
VARIANCE FINDINGS WORKSHEET

Prong One			
<i>Whether granting the variance runs counter to the public interest?</i>			
Consider the entire public— <i>not</i> just the neighbors	Findings		
1. Does it injure the neighborhood?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
2. Does it conform to the neighborhood?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
3. Does it conform to the general purpose of the zoning ordinances?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
4. Does it conform to the comprehensive plan currently in place?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
5. Does it harm the public safety, health, or general welfare of the community?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Prong Two			
<i>Whether special conditions exist to grant a variance?</i>			
Physical conditions— <i>not</i> money or econ hardship	Findings		
1. Does a special condition—exceptional narrowness, topography, siting, or the like—exist on the property? *Explicitly state the condition on the property that is a special condition if one exists. *It must be a physical condition. *Exception: legal justification (for example, estoppel) is a special circumstance.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
a. <i>If</i> a special condition exists, does enforcing the ordinance create an unnecessary hardship? *That does not mean money, econ hardship, or allowing a use that's prohibited (<i>i.e.</i> , not otherwise excluded) in the zoning district.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
b. <i>If</i> a special circumstance exists, does granting the variance observe the ordinance's spirit while doing substantial justice.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	

PLAT OF
DOEDEN FIRST ADDITION
IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, TOBY DOEDEN, DO HEREBY CERTIFY THAT I AM THE OWNER OF THE NORTH 333 FEET OF OUTLOT 3, LEVEY'S OUTLOTS IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AND THE EAST HALF OF THE SOUTH HALF OF OUTLOT 2, LEVEY'S OUTLOTS IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AND THAT I HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ATTACHED PLAT WHICH SHALL BE HEREAFTER KNOWN AND DESCRIBED AS; DOEDEN FIRST ADDITION IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

BY THIS PLAT, I DO HEREBY VACATE NORTH 333 FEET OF OUTLOT 3, LEVEY'S OUTLOTS IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AND THE EAST HALF OF THE SOUTH HALF OF OUTLOT 2, LEVEY'S OUTLOTS IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA AS FILED FOR RECORD ON APRIL 14, 1972 AND DULY RECORDED AS PLAT NO. 177, IN THE BROWN COUNTY REGISTER OF DEEDS OFFICE.


TOBY DOEDEN

Signed this 29 day of April, 2024

ACKNOWLEDGMENT

STATE OF)
COUNTY OF)SS

ON THIS THE 29th DAY OF April, 2024, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED TOBY DOEDEN KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: 03/03/2025



NOTARY PUBLIC



SURVEYOR'S CERTIFICATE

I, ROBERT K. KIESO, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNER, I HAVE SURVEYED AND PLATTED "DOEDEN FIRST ADDITION IN THE SE 1/4 OF SECTION 24-T123N-R65W 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. I FURTHER CERTIFY THAT THE WITHIN AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.

DATED THIS 26th DAY OF April, 2024.


ROBERT K. KIESO RLS #9214

PLAT OF
DOEDEN FIRST ADDITION
IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA

COUNTY PLANNING COMMISSION CERTIFICATION

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 _____, 20____.

"BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING DOEDEN FIRST ADDITION IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-2-2, AND ANY AMENDMENTS THEREOF."

SECRETARY OF BROWN COUNTY PLANNING COMMISSION, SOUTH DAKOTA

APPROVAL BY COUNTY

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE BOARD OF COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA AT A MEETING HELD ON THE ____ DAY OF _____, 20____.

"BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING DOEDEN FIRST ADDITION IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-3, AND ANY AMENDMENTS THEREOF."

COUNTY AUDITOR, BROWN COUNTY, SOUTH DAKOTA

HIGHWAY AUTHORITY CERTIFICATE

THE LOCATION OF THE PROPOSED PROPERTY LINES ABUTTING THE COUNTY OR STATE HIGHWAY, OR THE COUNTRY/TOWNSHIP ROAD AS SHOWN HEREON, IS HEREBY APPROVED ANY CHANGE IN THE LOCATION OF THE EXISTING ACCESS OR ANY NEW ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

BY: _____
HIGHWAY AUTHORITY

TITLE: _____

DIRECTOR OF EQUALIZATION'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT ON THIS ____ DAY OF _____, 20____.

DIRECTOR OF EQUALIZATION, BROWN COUNTY, SOUTH DAKOTA

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 ____ DAY OF _____, 20____.

COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

REGISTER OF DEED'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20__ AT ____ O'CLOCK _____, AND DULY RECORDED IN HANGING PLATS NO. _____

REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA

**Brown County Highway Department
Application for Permit to Construct Access Approach**

The undersigned hereby makes application for permission to construct an access approach described as: SE1/4

Section 24 Township 123 Range 65
County Highway: 06 Approximate location: 13373 382nd Avenue
Br. Co. Highway #6

For the purpose of serving: Access to Future Residence

The approach is to be constructed to a width of not less than 24' at the tops of the approach with a slope of 4:1 ratio. A 18" (inch) diameter by w/flared ends "(foot) in length culvert will be required if so designated by the Brown County Highway Department Superintendent: **A culvert will be required unless the approach is located on a hill (breakpoint).** Other requirements: _____

Special Note: All approach work must be completed within 1 year from date of application or a new application must be made.

If two (2) similar approaches are to be constructed, they must be a minimum of five hundred feet (**500'**) apart and standard ditch section maintained between approaches.

I, the undersigned, request permission to construct an access approach on public right-of-way at the above location subject to the rules and regulations set forth. It is understood that the construction of the approach be in a safe manner so as not to interfere with or endanger public travel and to perform all work in a workmanlike manner using materials acceptable to the Brown County Highway Department Superintendent and that the right-of-way will be cleaned and left in a condition equal to or better than the original condition. The construction and furnishing of the culvert needed, and any other materials needed will be done by the applicant and at his own expense and also the work is to be done under the supervision and to the satisfaction of the Brown County Highway Department Superintendent. Applicant accepts all responsibility of damages, expenses, claims, and all liabilities of work or existence of said approach. Applicants must notify the Brown County Highway Department Superintendent when the approach is finished, so it can be inspected.

Chad Lyke for Toby Doeden

Print Name

1703 S McCoy Street

Address

Aberdeen, SD 57401

City/State/Zip

605-380-0688 (Chad)

Phone/Cell Phone



Applicants Signature

\$50.00 Fee (please attach copy of check)

Check # 126858 Date 4/29/24

Receipt # 821944

Date 4/29/24

Culvert Required: X Yes _____ No _____

[Signature] Date 5-13-24
Brown County Highway Superintendent Signature

Remarks: NEW APPROACH IS 225' ± 320' FROM EX6 APPROACHES.

SINCE CODE ALLOWS FRONTAGE LESS THAN 500', THE PLACEMENT IS UNAVOIDABLE AND A SHARED APPROACH NOT PRACTICAL DUE TO TREES

_____ Date _____
Planning & Zoning Commission Signature

The approach permit is granted with the conditions stated in herein this _____ day of _____, 20__.

Section 4.2208 – Approach Permit

No approach shall be constructed upon any County Road or Highway without an approach permit issued by the Zoning Administrator. No approach permit shall be issued by the Zoning Administrator except in conformity with the below criteria, unless he/she received a written order from the Board of Adjustment in the form of a variance as provided by this Ordinance.

The Criteria for Approaches Shall:

- Have no two (2) approaches closer than five hundred (500') feet apart.
- Not to be located on the crest of a hill nor other location where sight visibility will be impaired.
- Have a slope of four (4) to one (1).
- Have a minimum driving width of twenty-four (24') feet.
- Require the final approval of the Brown County Highway Department Superintendent is a culvert is to be installed.



362ND AVE

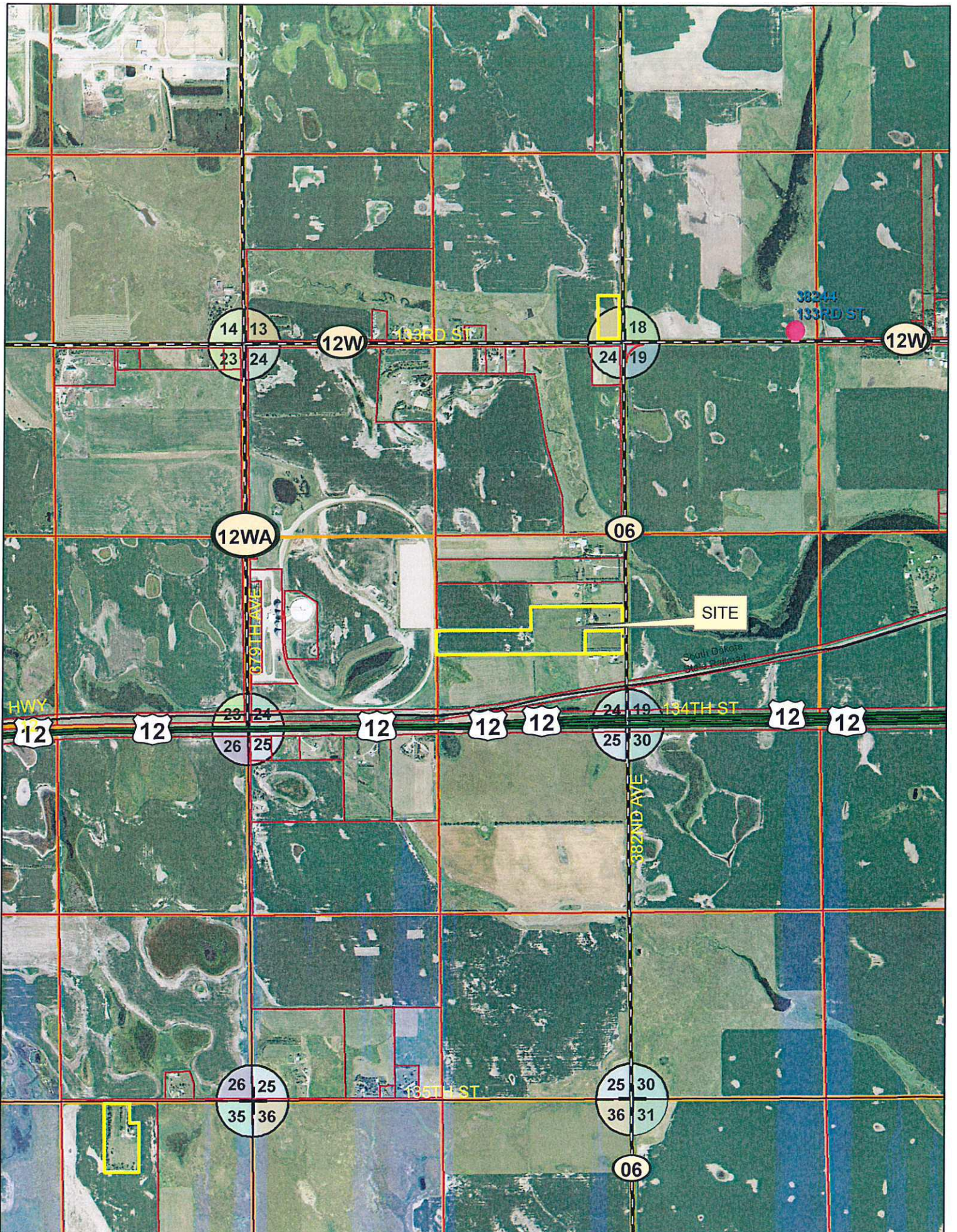
06

Proposed Approach

320'

225'

South Dakota State Railroad



38244
133RD ST

383RD ST

SITE

South Dakota
State Railroad

134TH ST

135TH ST

14 13
23 24

12W

18
24 19

12W

12WA

06

HWY
12

12

23 24
26 25

12

12

12

24 19
25 30

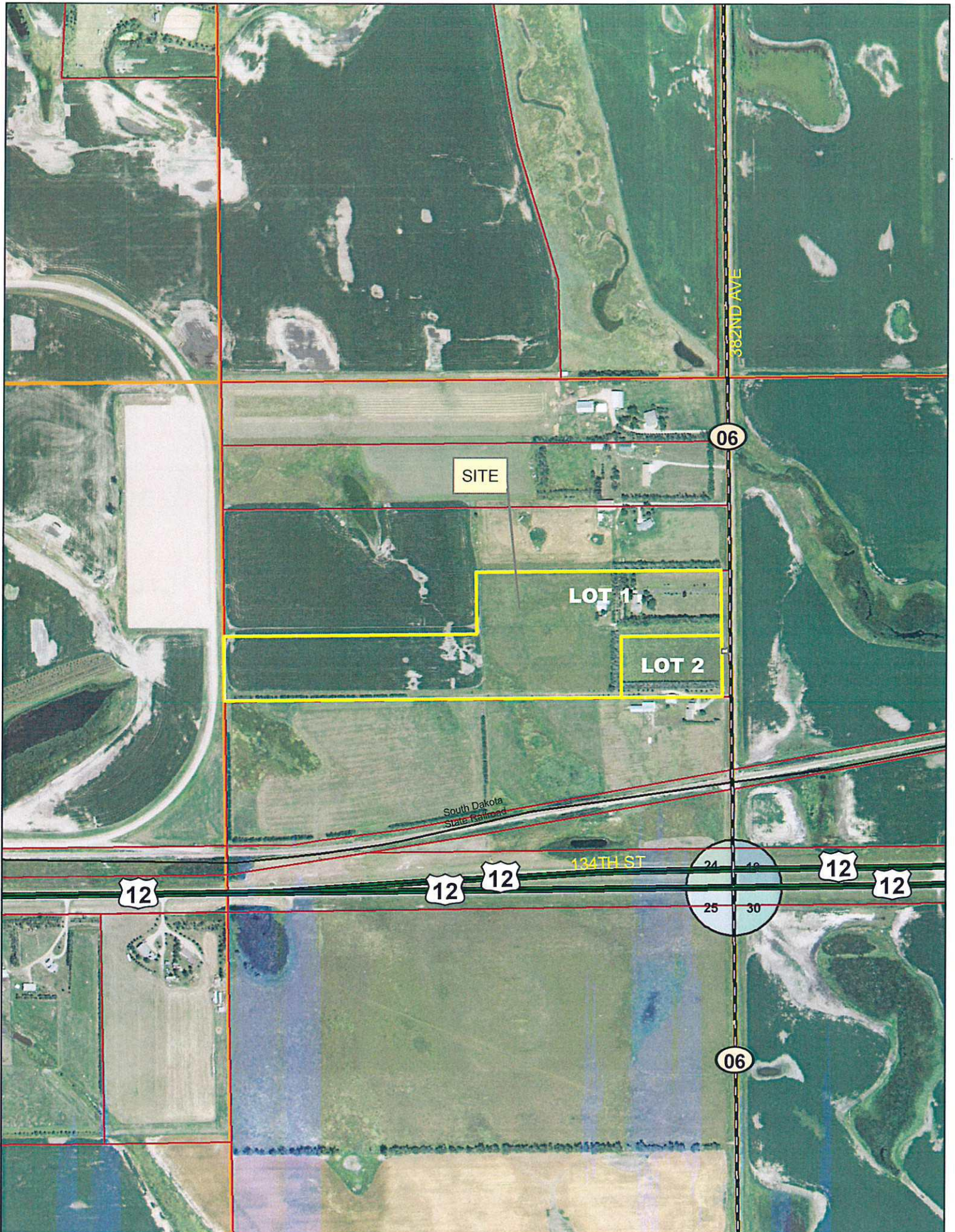
12

12

26 25
35 36

25 30
36 31

06



SITE

LOT 1

LOT 2

362ND AVE

06

South Dakota
State Railroad

134TH ST

12

12

12

12

12

06

24 19
25 30

Toby Doeden
12966 Glenwood Lane
Aberdeen SD 57401

Mercier Township
C/O Allen Luce
37756 132nd Street
Aberdeen SD 57401

Jeremy & Robyn Ewalt
13351 382nd Avenue
Aberdeen SD 57401

Dale & Pam Smid
PO Box 555
Aberdeen SD 57402-0555

Danny Zinter
13365 382^{ne} Avenue
Aberdeen SD 57401

Rodney & Sandra Dobberpuhl
13377 382nd Avenue
Aberdeen SD 57401

Ochsner Real Estate LP
13350 379th Avenue
Aberdeen SD 57401

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA §
COUNTY OF BROWN §

Before me, the undersigned authority, on this day personally appeared Tina Kosel, who being by me duly sworn, deposes and says that she is the office manager of the Groton Independent; that said newspaper is a newspaper of general circulation in Groton, Brown County, South Dakota; and that this notice was published in said newspaper on the following date(s):

**Brown County
Doeden Variance
Published May 8, 2024 for \$12.88
Invoice No. 23284**

Tina Kosel

Newspaper Representative's Signature

Subscribed and sworn to before me this the

14th Day of May 2024

to certify which witness my hand and seal of office.

Paul I. Kosel

Notary Public in and for the State of South Dakota

(Seal)



Paul I. Kosel
Print or Type Name of Notary Public

My Commission Expires January 24, 2030
Bond Number: 107962682



NOTICE OF HEARING FOR TEMPORARY SPECIAL EVENT ALCOHOL LICENSE

Notice is hereby given according to SDC 35-2, a Public Hearing on the following Temporary Special Event Alcohol License Application for Hall Beverage and Wine to be used by Aberdeen Area Chamber of Commerce will be held on May 21, 2024 in the Chambers of the Brown County Commissioners, in the Courthouse Annex, Brown County, South Dakota, at which time any interested persons wishing to register complaint on their approval may appear.

Aberdeen Area Chamber of Commerce, Aberdeen, SD for Business After Hours, held at Budget Furniture, LT 1 Budget Furniture - Schumaker SD NW 22-123-63 (Old Schumaker) Brown County, SD. Temporary Special Event Alcohol License effective July 11, 2024.

ATTEST: Lynn Heupel, Brown County Auditor
Published May 8, 2024, at the total approximate cost of \$10.42 and may be viewed free of charge at www.sdpublicnotices.com. 23280



City of Columbia Council Meeting - May 2, 2024
CALL MEETING TO ORDER - 7:00 p.m.

ROLL CALL - Cara Dennert, Corey Mitchell, Trevor Meints, Emily Eichler, Scott Meints

Corey Mitchell called the meeting to order. He called for a motion to approve the agenda. Trevor Meints made a motion to approve the posted agenda. Emily Eichler seconded the motion. All in favor - motion carried. Corey Mitchell called for any conflict of interest on agenda items. There were no conflicts. Minutes were handed out from the April 3rd meeting. Emily Eichler made a motion to approve the minutes. Trevor Meints seconded the motion. All were in favor - motion carried.

Warrant Vouchers: JVT - fire prevention - 201.91; Web Water - fire prevention - \$2.14; Northwestern Energy - electricity - 1807.89; GDI - publication - 238.46; Siegel, Barnett & Schutz - legal fees - 70.00; Jeremy Dosch - April wages - 419.99; Cara Dennert - April wages - 1235.25; Trevor Meints - April wages - 28.00; Runnings - shop supplies - 9.29; Menards - shop supplies - 100.66; B&B Contracting - road blading - 2150.00; GDI - publication - 44.98; Dacolah Bank - shop supplies - 413.91; Stockwell Engineering - SDCPA - insurance - 9123.94. Cara mentioned that the SDCPA bill was not yet received at the time of the agenda being posted. There was also another bill from Menards that changed the amount owed. Trevor Meints made a motion to approve the vouchers as corrected. Emily Eichler seconded the motion. All were in favor - motion carried.

COMMUNITY COMMENTS / CORRESPONDENCE:

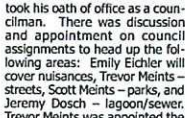
UNFINISHED BUSINESS - Summer Rec will not be held this summer - Emily has asked numerous people, and no one is interested in being in charge/organizing. Some of the board members met with the Columbia Foundation regarding questions that they had about the security system cameras that the city applied for grant money to be used in the new parks.

Nuisances - After the community clean up day, there will be a list put together regarding ordinance violations.

Streets - The rain has been doing a number on the roads. We need gravel, at the spots probably start with the potholes. Scott is going to canvas the town to see what signage needs replacing.

Parks - Emily is still trying to find someone interested in running Summer Rec.
Lagoon/sewer - The sewer/discharge gate is still frozen shut.
Rubble Site - The city received the solid waste permit from DNAR.

NEW BUSINESS - Scott Meints



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 Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Susan Clark
Description of property: Outlot 6, "Derian's Outlots" in the NW1/4 of Section 27-123N-R64W of the 5th P.M., together with the 33' strip of vacated Derian Drive next South of Outlot 6 & extending easterly to the center line of "A" Street extended South, Brown County, South Dakota (1826 Derian Drive, Aberdeen Twp.).
Reason: The petitioner is requesting a Variance to Building Setbacks in a Mini-Agriculture District (M-AG) to have a 6' West Rear Yard & 5' South Side Yard Setback rather than the 20' Setback required by Brown County Ordinance.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May 2024.
Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144 Published May 8, 2024, at the total approximate cost of \$14.41 and may be viewed free of charge at www.sdpublicnotices.com. 23283

FINANCIAL REPORT

-Cara presented bank balances. Scott Meints made a motion to accept the financial reports as given. Trevor Meints seconded the motion. All were in favor - motion carried.

April 30, 2024 balances: SF - \$73,112.46; SF Money Market - \$150,953.41; GF - \$156,683.31; GF Money Market - \$50,650.88; CD Money Market - \$32,322.97; FIT - \$51,507.08; Cash on hand - \$0

Mayor Corey Mitchell declared the meeting adjourned.

Next City Council Meeting - June 5, 2024, 7:00 P.M.
Submitted by Cara Dennert, Finance Officer

Published May 8, 2024, at the total approximate cost of \$46.08 and may be viewed free of charge at www.sdpublicnotices.com. 23281



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Kevin & Jean Nelson
Description of property: Proposed Lot 1, "Kevin and Jean Nelson First Addition to the City of Columbia" in the NE1/4 of Section 29-125N-R62W of the 5th P.M., Brown County, South Dakota (4 4th Avenue NW, Columbia City).
Reason: A Variance for Building Setbacks in a Rural Urban District (RU) to be 20'-0" from the Front Yard property line rather than 25'-0" required and 10'-0" from the Rear Yard property line rather than the 20'-0" required by Brown County Ordinance for a new garage addition.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May, 2024
Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144 Published May 8, 2024, at the total approximate cost of \$14.10 and may be viewed free of charge at www.sdpublicnotices.com. 23282

NOTICE OF HEARING

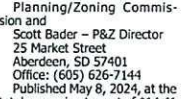
Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex, on Tuesday May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Collin & Deb Gengerke
Description of property: Lots 31-34, "Raetzman's Richmond Lake Subdivision" in the NW1/4 of Section 13-124N-R65W of the 5th P.M., Brown County, South Dakota (126383 North Bridge Road, Ravinia Twp.).
Reason: Requesting a Variance to Building Setbacks in a



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 Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Susan Clark
Description of property: Outlot 6, "Derian's Outlots" in the NW1/4 of Section 27-123N-R64W of the 5th P.M., together with the 33' strip of vacated Derian Drive next South of Outlot 6 & extending easterly to the center line of "A" Street extended South, Brown County, South Dakota (1826 Derian Drive, Aberdeen Twp.).
Reason: The petitioner is requesting a Variance to Building Setbacks in a Mini-Agriculture District (M-AG) to have a 6' West Rear Yard & 5' South Side Yard Setback rather than the 20' Setback required by Brown County Ordinance.

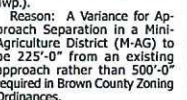
The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May 2024.
Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144 Published May 8, 2024, at the total approximate cost of \$14.41 and may be viewed free of charge at www.sdpublicnotices.com. 23283



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Chad Lyke for owner Toby Doeden
Proposed Lot 2, "Doeden First Addition" in the SE1/4 of Section 24-1123N-R65W of the 5th P.M., Brown County, South Dakota (13371 382nd Avenue, Mercier Twp.).
Reason: A Variance for Approach Separation in a Mini-Agriculture District (M-AG) to be 22'-0" from an existing approach rather than 50'-0" required in Brown County Zoning Ordinances.

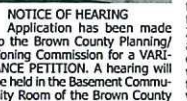
The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May 2024
Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144 Published May 8, 2024, at the total approximate cost of \$12.88 and may be viewed free of charge at www.sdpublicnotices.com. 23284



NOTICE OF HEARING

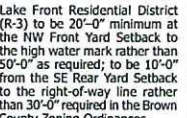
A PETITION to REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.
Petitioner: Morgan & Jackie Beving
Description of property: Proposed Lot 1, "Beving Addition" in the W1/2 of the NE1/4 of Section 35-123N-R65W of the 5th P.M., Brown County, South Dakota (37865 135th Street; Mercier Twp.).
Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition. At the conclusion of a hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.
Dated this 8th day of May 2024.
Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144 Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublicnotices.com. 23287



NOTICE OF HEARING

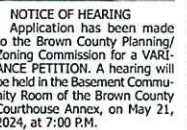
Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex, on Tuesday May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Collin & Deb Gengerke
Description of property: Lots 31-34, "Raetzman's Richmond Lake Subdivision" in the NW1/4 of Section 13-124N-R65W of the 5th P.M., Brown County, South Dakota (126383 North Bridge Road, Ravinia Twp.).
Reason: Requesting a Variance to Building Setbacks in a



NOTICE OF HEARING

A PETITION to REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.
Petitioner: Julie Lillis
Description of property: Proposed Lot 2A, "Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue; Columbia Twp.).
Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.
Dated this 8th day of May 2024.
Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144 Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublicnotices.com. 23288



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Peru LLC-Russ Beadle
Description of property: Yeoman's Outlot 2 and 3 and the South 70' of 50' immediately to the East of and abutting on said Outlots 2 and 3 which is designed as an Access Road in the NE1/4 of Section 27-124N-R64W of the 5th P.M., Brown County, South Dakota (12849 386th Avenue; Lincoln Twp.).
Reason: A Variance for Building Setbacks in a Highway Commercial District (HC) to be 10'-0" from the Side Yard property line rather than 25'-0" required by Brown County Ordinance for a new office addition.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May, 2024
Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144 Published May 8, 2024, at the total approximate cost of \$13.80 and may be viewed free of charge at www.sdpublicnotices.com. 23286



NOTICE OF HEARING

A PETITION to REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.
Petitioner: Morgan & Jackie Beving
Description of property: Proposed Lot 1, "Beving Addition" in the W1/2 of the NE1/4 of Section 35-123N-R65W of the 5th P.M., Brown County, South Dakota (37865 135th Street; Mercier Twp.).
Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

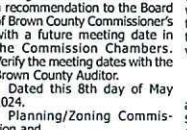
The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition. At the conclusion of a hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.
Dated this 8th day of May 2024.
Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144 Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublicnotices.com. 23287



NOTICE OF HEARING

A PETITION to REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.
Petitioner: Julie Lillis
Description of property: Proposed Lot 2A, "Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue; Columbia Twp.).
Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.
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Petitioner: Julie Lillis
Description of property: Proposed Lot 2A, "Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue; Columbia Twp.).
Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.
Dated this 8th day of May 2024.
Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144 Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublicnotices.com. 23288



NOTICE OF DEADLINE FOR VOTER REGISTRATION

Voter registration for the Primary Election to be held on Tuesday, June 4, 2024, will close on Monday, May 20, 2024 at 5:00 p.m. Failure to register by this date will cause forfeiture of voting rights for this election. If you are in doubt about whether you are registered, check the Voter Information Portal at www.sd-sos.gov or call the Brown County Auditor's Office at 605-626-7110.

Registration may be completed during regular business hours at the county auditor's office, municipal finance office, secretary of state's office, and those locations which provide driver's licenses, SNAP, TANF, WIC, military recruitment, and assistance to the disabled as provided by the Department of Human Services. You may contact the county auditor to request a mail-in registration form or access a mail-in registration form at www.sd-sos.gov.

Any voter who needs assistance, pursuant to the Americans with Disabilities Act, may contact the county auditor for information and special assistance in voter registration. Lynn Heupel, County Auditor Brown County, SD
Published May 1 and 8, 2024, at the total approximate cost of \$23.18 and may be viewed free of charge at www.sdpublicnotices.com. 23230

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STAFF REPORT

Meeting: May 21, 2024

BROWN COUNTY ZONING BOARD OF ADJUSTMENT (BOA)

VARIANCE TO BUILDING SETBACKS

ITEM #04

(Lake Front Residential District (R-3))

GENERAL INFORMATION:

OWNER:	Collin & Deborah Gengerke
PETITIONER:	Collin & Deborah Gengerke
REQUEST:	VARIANCE TO BUILDING SETBACKS IN A LAKE FRONT RESIDENTIAL DISTRICT (R-3)
LEGAL DESCRIPTION:	Lots 31-34, "Raetzman's Richmond Lake Subdivision" in the NW1/4 of Section 13- T124N-R65W of the 5 th P.M., Brown County, South Dakota
ADDRESS:	126383 North Bridge Road
CITY/TOWNSHIP:	Ravinia Twp
EXISTING ZONING:	Lake Front Residential District
SURROUNDING ZONING:	
Northwest:	Lake/Water (AG-P2)
Southwest:	Lake Front Residential District (R-3)
Northeast:	Lake Front Residential District (R-3)
Southeast:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Scott Bader

GENERAL COMMENT: The petitioner is requesting a Variance to Building Setbacks in a Lake Front Residential District (R-3) to have a SE Rear Yard Setback (roadside) of 10'-0" rather than the 30' required, and a Northwest Front Yard setback (water side) of 20'-0" rather than 50' from the high-water mark required by Brown County Ordinance for a new house, attached garage, deck & unattached garage.

GENERAL REVIEW: Staff has reviewed this request.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: APRIL 29, 2024
RECEIPT # 821951
TOWNSHIP: RAVINIA TWP

FEE: \$125.00
PAID: YES/NO CHK/CASH
DATE: May 3, 2024

OWNERS NAME (print): DEB GENGERKE
OWNERS SIGNATURE: *Debbie Gengerke*
OWNERS ADDRESS: P.O. BOX 721
OWNERS CITY, STATE, ZIP: GROTON, SD 57401
OWNERS PHONE: 605-397-7405
OWNERS EMAIL: _____

AGENTS NAME (print): _____
AGENTS SIGNATURE: _____
AGENTS ADDRESS: _____
AGENTS CITY, STATE, ZIP: _____
AGENTS PHONE: _____
AGENTS EMAIL: _____

REQUEST: Variance to Building Setbacks to be 10'-0" in the SE Rear Yard Setback rather than 30'-0" required; to be 20'-0" in the NW Front Yard Setback rather than 50'-0" required from the high water mark for both requests in the Brown County Ordinance.

LEGAL DESCRIPTION: Lots 31-34, "Raetzman's Richmond Lake Subdivision" in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota.

Planning Commission Action: Approved / Denied _____

By: _____ **Date:** _____

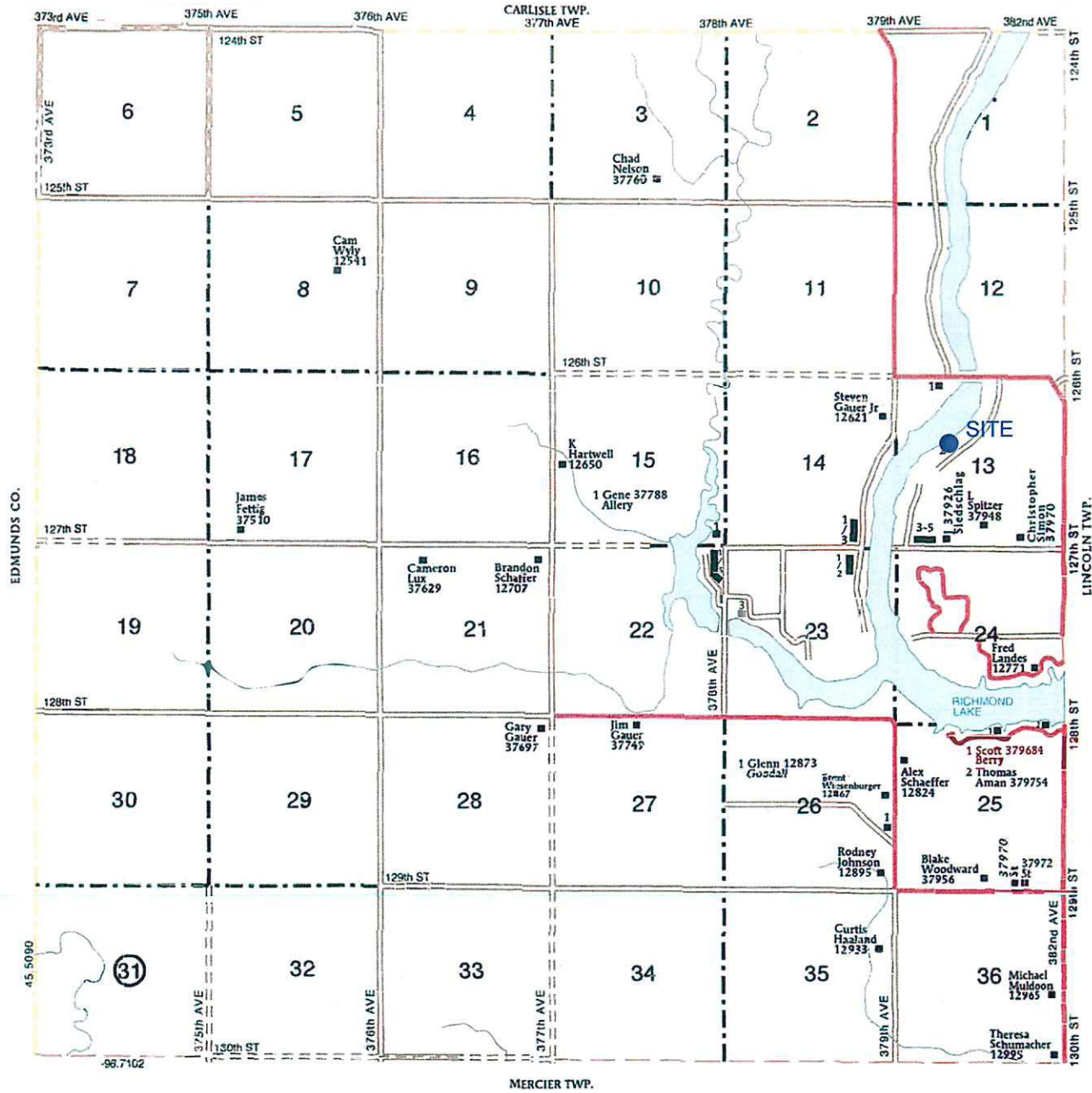
HEARING DATE: TUESDAY - MAY 21, 2024 **TIME:** 7:00 P.M.

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

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

Phone: 605-626-7144 • www.brown.sd.us • email: Scott.Bader@browncounty.sd.gov

(Residents - Owners or Renters)



RAVINIA TOWNSHIP

SECTION 13

- 1 Kirchgaster, Jim 37935
- 2 Bahr, Jualln 126401
- 3 Peterson, L 37902
- 4 Wiest, Brandon 37908
- 5 Goldade, Gerald 37910

SECTION 14

- 1 Mishaw, Mark 126928
- 2 Lutz, Douglas 126986
- 3 126974

SECTION 22

- 1 Myhra, Gary 127093
- 2 Huber, S 127131
- 3 Millett, Craig 127151
- 4 Theyer, Dan 127257
- 5 Wahl, Lanny 127395

SECTION 23

- 1 127148
- 2 127216
- 3 Koatts, Pat 12746

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 Basement Community Room of the Brown County Courthouse Annex, on Tuesday May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Colin & Deb Gengerke

Description of property: Lots 31-34, "Raetzman's Richmond Lake Subdivision" in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota (126383 North Bridge Rd, Ravinia Twp.).

Reason: Requesting a Variance to Building Setbacks in a Lake Front Residential District (R-3) to be 20'-0" minimum at the NW Front Yard Setback to the high water mark rather than 50'-0" as required; to be 10'-0" from the SE Rear Yard Setback to the right-of-way line rather than 30'-0" required in the Brown County Zoning Ordinances.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 8th day of May 2024

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

Published once at the total approximate cost of _____.

(Name)

VARIANCE FINDINGS WORKSHEET

Prong One

Whether granting the variance runs counter to the public interest?

Consider the entire public— <i>not</i> just the neighbors	Findings		
1. Does it injure the neighborhood?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
2. Does it conform to the neighborhood?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
3. Does it conform to the general purpose of the zoning ordinances?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Zoning Ordinance allows a Variance to Lot Size when approved by the Planning/Zoning Comm. per 4.0605.
4. Does it conform to the comprehensive plan currently in place?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
5. Does it harm the public safety, health, or general welfare of the community?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	

Prong Two

Whether special conditions exist to grant a variance?

Physical conditions— <i>not</i> money or econ hardship	Findings		
1. Does a special condition—exceptional narrowness, topography, siting, or the like—exist on the property? *Explicitly state the condition on the property that is a special condition if one exists. *It must be a physical condition. *Exception: legal justification (for example, estoppel) is a special circumstance.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Zoning Ordinance allows a Variance to Lot Size when approved by the Planning/Zoning Comm. per 4.0605.
a. If a special condition exists, does enforcing the ordinance create an unnecessary hardship? *That does not mean money, econ hardship, or allowing a use that's prohibited (<i>i.e.</i> , not otherwise excluded) in the zoning district.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
b. If a special circumstance exists, does granting the variance observe the ordinance's spirit while doing substantial justice.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	

RICHMOND LAKE

12' HIGH WATER MARK

RIP RAP

50'

50'

50'

50'

RIP RAP

LOT

35

EXIST
DUSE

86.4

40'

55'

30'

35'

30'

10'

200'

GRAVEL AREA

126383

NORTH BRIDGE ROAD

ROAD SURFACE AREA

20'

26'

20'

LOT

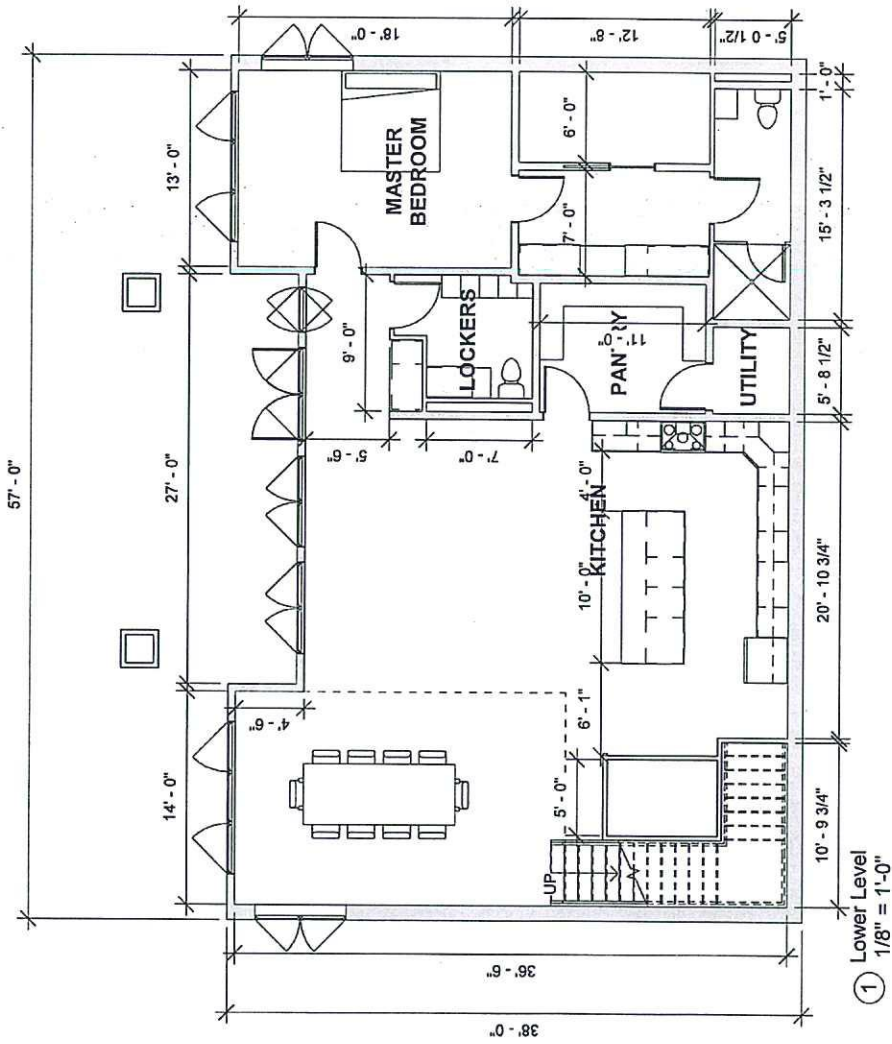
30

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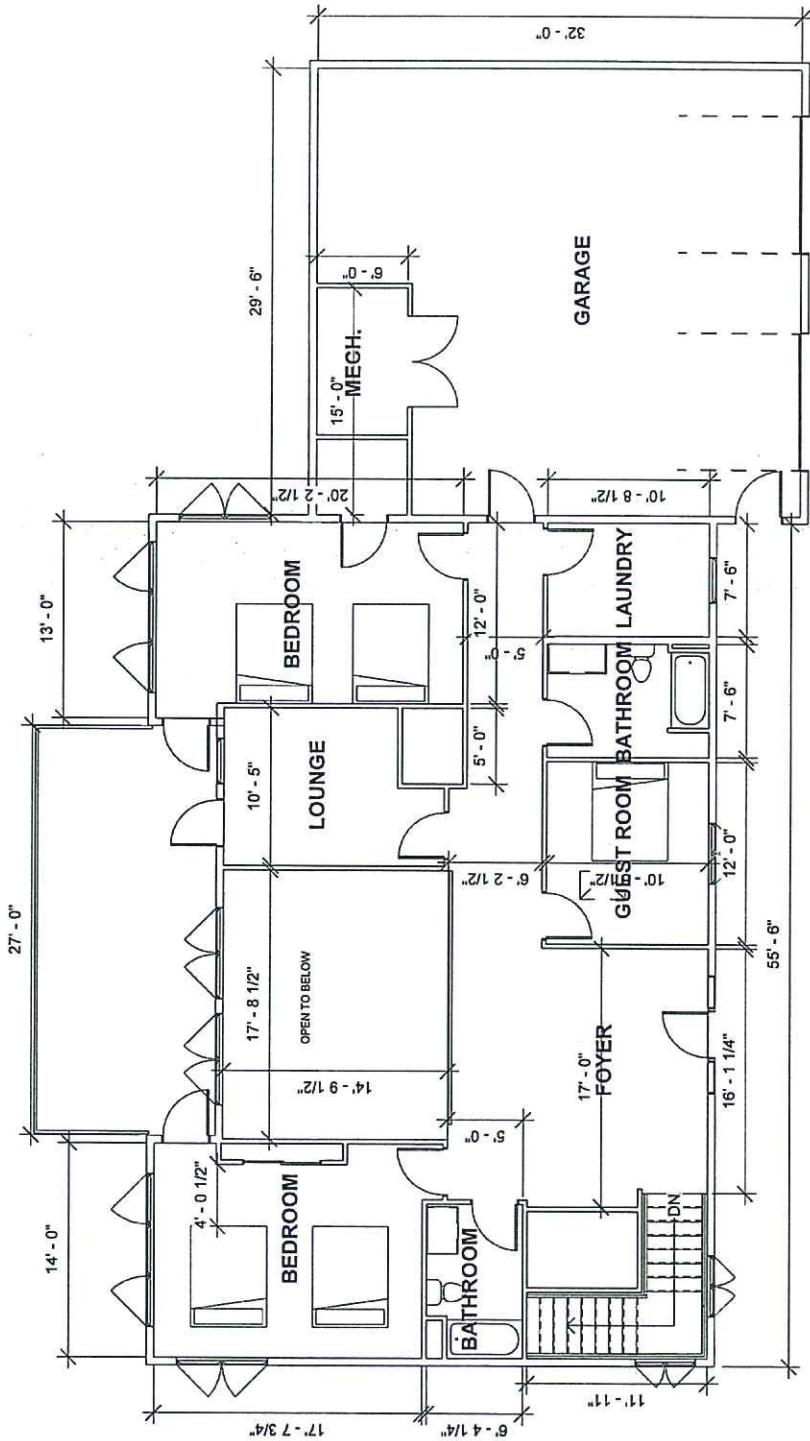
DRAWINGS ARE MEANT TO RELAY DESIGN INTENT ONLY AND ARE NOT MEANT TO BE USED FOR CONSTRUCTION. ALL DRAWINGS SHOULD BE REVIEWED BY A LICENSED CODE OFFICIAL TO ENSURE

GTZ
5/5/2024 1:43:46 PM

Gengerike Lake House
Lower Level Plan
A101



LOWER LEVEL = 1,750 SQ FT
UPPER LEVEL = 1,340 SQ FT
GARAGE = 944 SQ FT

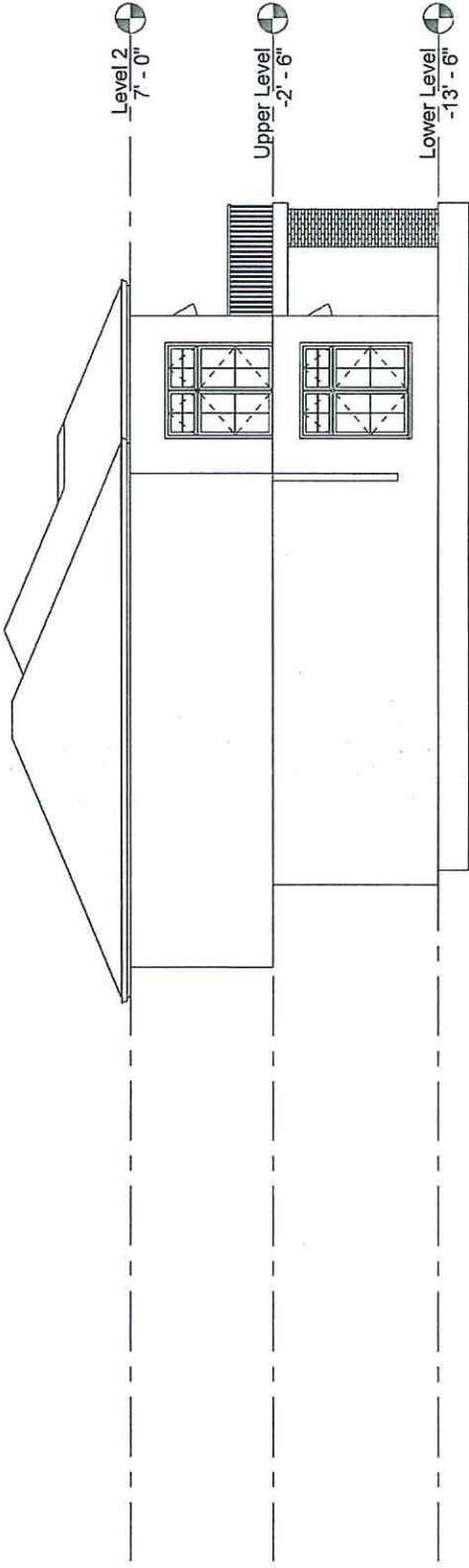


① Upper Level
1/8" = 1'-0"

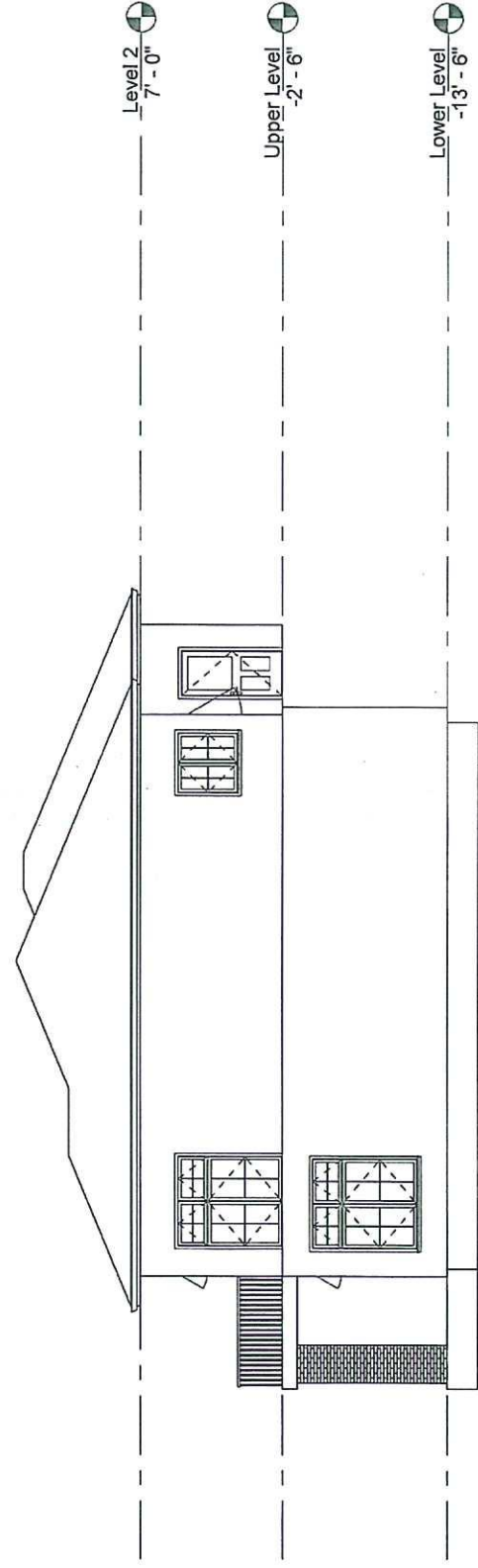
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5/5/2024 1:43:47 PM
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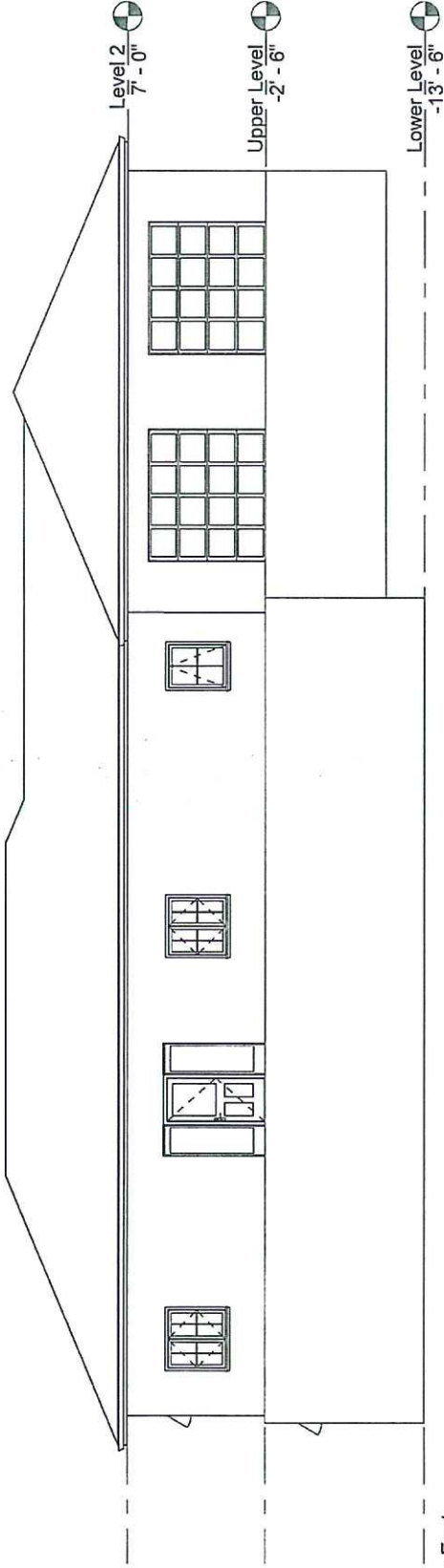
Gengerke Lake House
NS Elevations
A201



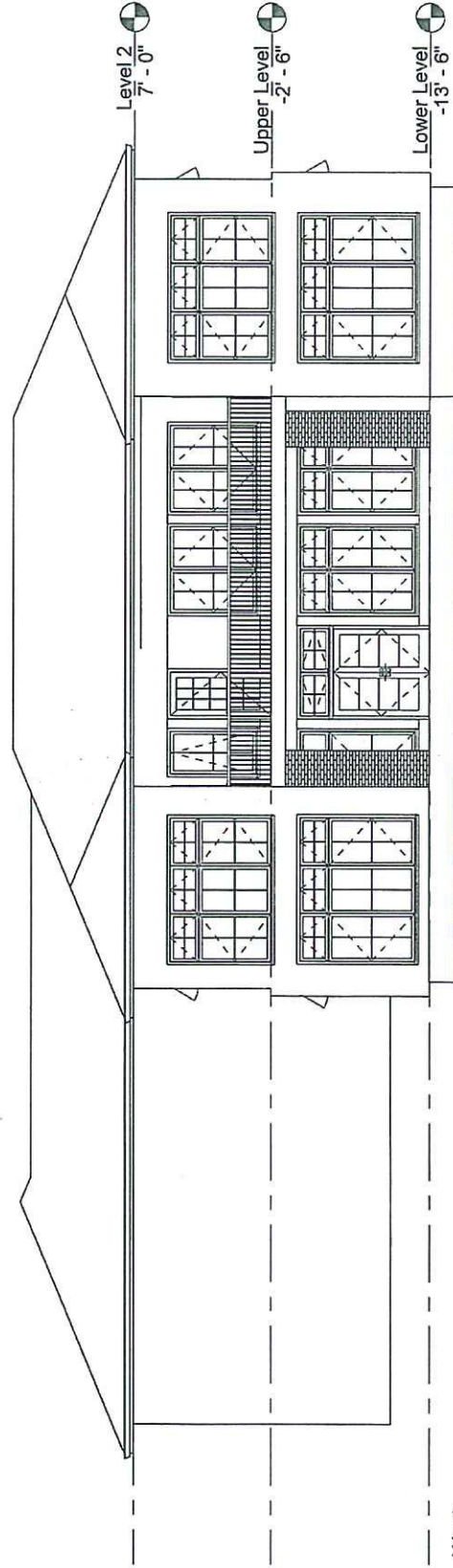
① North
1/8" = 1'-0"



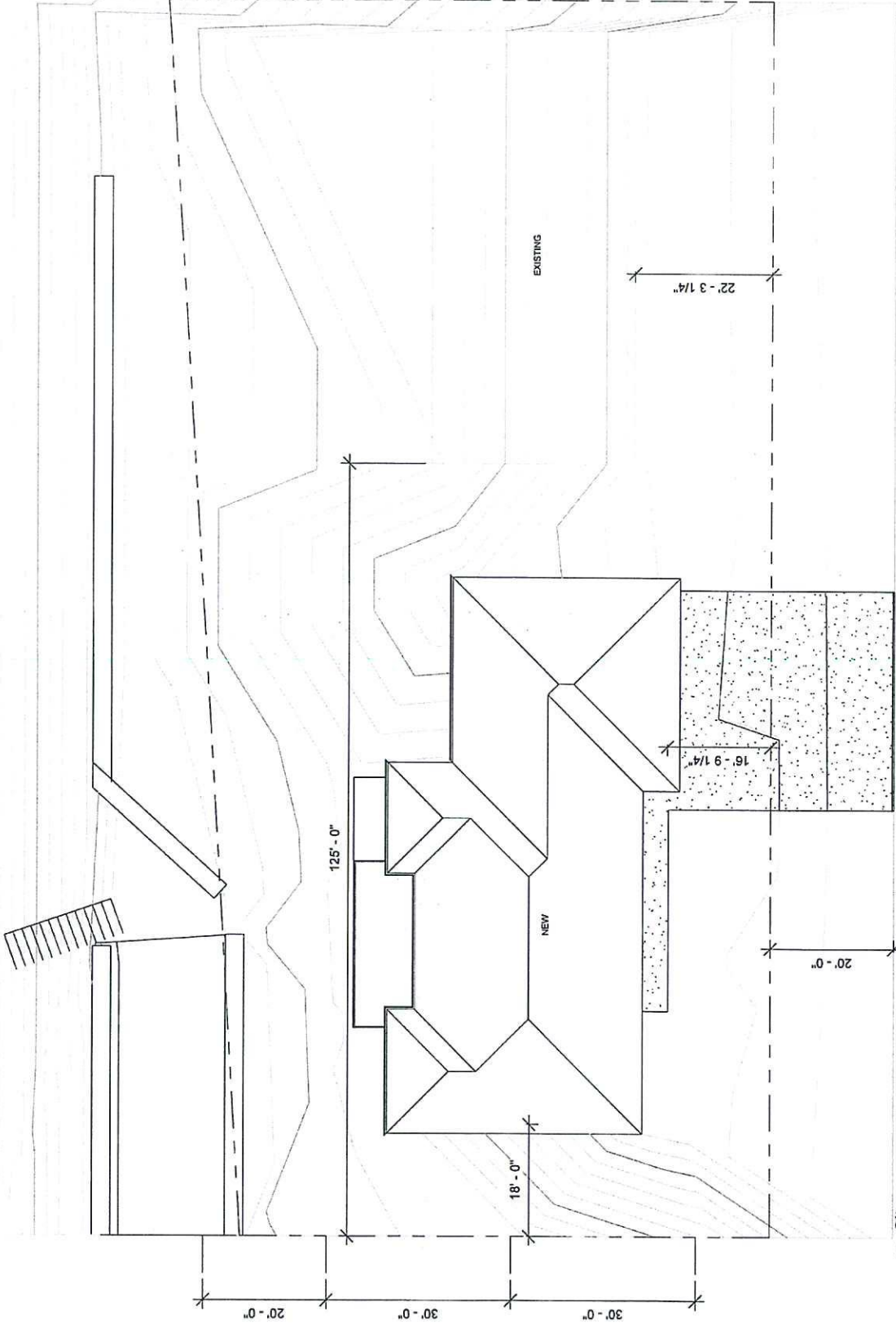
② South
1/8" = 1'-0"



① East
1/8" = 1'-0"



② West
1/8" = 1'-0"



① Site
1/16" = 1'-0"



SITE

N BRIDGE RD

6G



SITE

6G

N BRIDGE RD

Collin & Deborah Gengerke
1003 N 3rd Street
Groton SD 57445

Ravinia Township
C/O Steven Salwei
37832 Richmond Drive
Aberdeen SD 57401

Justin & Andrea Bahr 126401
North Bridge Road Aberdeen
SD 57401

Christopher & Melissa Larson
2405 Pheasant Run Blvd
Aberdeen SD 57401

Donnie & Sandy Quenzer
126351 North Bridge Road
Aberdeen SD 57401

Timothy & Stephy Hanigan
1316 Thomas Drive
Aberdeen SD 57401

Joseph Berbos
126741 East Shore Drive
Aberdeen SD 57401

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA §
COUNTY OF BROWN §

Before me, the undersigned authority, on this day personally appeared Tina Kosel, who being by me duly sworn, deposes and says that she is the office manager of the Groton Independent; that said newspaper is a newspaper of general circulation in Groton, Brown County, South Dakota; and that this notice was published in said newspaper on the following date(s):

**Brown County
Gengerke Variance
Published May 8, 2024 for \$14.41
Invoice No. 23285**

Tina Kosel

Newspaper Representative's Signature

Subscribed and sworn to before me this the

14th Day of May 2024

to certify which witness my hand and seal of office.

Paul I. Kosel

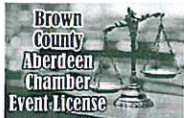
Notary Public in and for the State of South Dakota

(Seal)



Paul I. Kosel
Print or Type Name of Notary Public

My Commission Expires January 24, 2030
Bond Number: 107962682



NOTICE OF HEARING FOR TEMPORARY SPECIAL EVENT ALCOHOL LICENSE

Notice is hereby given according to SDCL 35-2, a Public Hearing on the following Temporary Special Event Alcohol License Application for Malt Beverage and Wine to be used by Aberdeen Area Chamber of Commerce will be held on May 21, 2024 in the Chambers of the Brown County Commissioners, in the Courthouse Annex, Brown County, South Dakota, at which time any interested persons wishing to register complaint on their approval may appear.

Aberdeen Area Chamber of Commerce, Aberdeen, SD, for Business After Hours to be held at Budget Furniture, LT 1 Budget Furniture - Schumaker SD NW 22-123-63 (Old Schumaker) Brown County, SD, Temporary Special Event Alcohol License effective July 11, 2024.

ATTEST: Lynn Heupel, Brown County Auditor

Published May 8, 2024, at the total approximate cost of \$10.42 and may be viewed free of charge at www.sdpublish.com. 23280



City of Columbia Council Meeting - May 1, 2024 CALL MEETING TO ORDER - 7:00 p.m.

ROLL CALL - Cara Dennert, Corey Mitchell, Trevor Meints, Emily Eichler, Scott Meints

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ROLL CALL - Cara Dennert, Corey Mitchell, Trevor Meints, Emily Eichler, Scott Meints

City of Columbia Council Meeting - May 1, 2024 CALL MEETING TO ORDER - 7:00 p.m.

took his oath of office as a councilman. There was discussion and appointment on council assignments to head up the following areas: Emily Eichler will cover nuisances, Trevor Meints - streets, Scott Meints - parks, and Jeremy Dosch - lagoon/sewer. Trevor Meints was appointed the President of the Council, replacing Cole Kampa. Sydney Hanna was present representing the Columbia Community Cares and the Improving Community Appearance Committees. She discussed the city web page found at columbia-sd.com. The groups are going to have a Clean Up Day May 18th. The committees have applied for 501C3 status. They are planning on putting a storage box in the park to hold sporting equipment. They also would like to purchase an AED for the baseball field. The committees are also looking to the future having a digital sign in town. They are planning a welcome sign for the north side of town. Finance Officer School is going to be held in Spearfish. Cara will not be attending. Emily was asked to relay some Columbia First information from the Social Committee. She asked about a couple street issues. They are planning on having a car show. Corey discussed how parking needs to be more contained to areas like the new firehall area, the Legion parking lot, and the area by Ategra. Last summer the streets were too crowded with parked cars - not good if there was an emergency. Corey presented some information regarding trading a John Deere mower that is not being used for an ATV that would be very useful in the new parks. It will be a Sourcewell contract - a state bid situation. It will be less than \$8,000 to trade. He will have more solid numbers in future meetings.

FINANCIAL REPORT - Cara presented bank balances. Scott Meints made a motion to accept the financial reports as given. Trevor Meints seconded the motion. All were in favor - motion carried.

April 30, 2024 balances: SF - \$73,112.46; SF Money Market - \$150,953.41; GF - \$156,683.31;

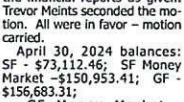
GF Money Market - \$50,650.88; CD Money Market - \$32,322.97; FIT - \$150,780.08; Cash on hand - \$0

Mayor Corey Mitchell declared the meeting adjourned.

Next City Council Meeting - June 5, 2024 7:00 p.m.

Submitted by Cara Dennert, Finance Officer

Published May 8, 2024, at the total approximate cost of \$46.08 and may be viewed free of charge at www.sdpublish.com. 23281



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Chad Lyke for owner Toby Doeden

Description of property: Proposed Lot 2, "Doeden First Addition" in the SE1/4 of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota (13371 382nd Avenue, Mercier Twp.).

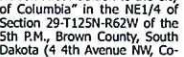
Reason: A Variance for Approach Separation in a Mini-Agriculture District (M-AG) to be 22'-0" from an existing approach rather than 50'-0" required in Brown County Zoning Ordinances.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 8th day of May 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$12.88 and may be viewed free of charge at www.sdpublish.com. 23284



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Kevin & Jean Nelson

Description of property: Proposed Lot 1, "Kevin and Jean Nelson First Addition to the City of Columbia" in the NE1/4 of Section 29-T125N-R62W of the 5th P.M., Brown County, South Dakota (4 4th Avenue NW, Columbia City).

Reason: A Variance for Building Setbacks in a Rural Urban District (RU) to be 20'-0" from the Front Yard property line rather than 25'-0" required and 10'-0" from the Rear Yard property line rather than the 20'-0" required by Brown County Ordinance for a new garage addition.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 8th day of May, 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$14.10 and may be viewed free of charge at www.sdpublish.com. 23282



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 Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Susan Clark

Description of property: Outlot 6, "Derian's Outlots" in the NW1/4 of Section 27-T123N-R64W of the 5th P.M., together with the 33' strip of vacated Derian Drive next South of Outlot 6 & extending easterly to the center line of "A" Street extended South, Brown County, South Dakota (1826 Derian Drive, Aberdeen Twp.).

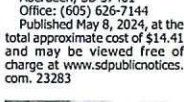
Reason: The petitioner is requesting a Variance to Building Setbacks in a Mini-Agriculture District (M-AG) to have a 6' West Rear Yard & 3' South Side Yard Setback rather than the 20' Setback required by Brown County Ordinance.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 8th day of May 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$14.41 and may be viewed free of charge at www.sdpublish.com. 23285



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Chad Lyke for owner Toby Doeden

Description of property: Proposed Lot 2, "Doeden First Addition" in the SE1/4 of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota (13371 382nd Avenue, Mercier Twp.).

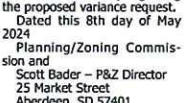
Reason: A Variance for Approach Separation in a Mini-Agriculture District (M-AG) to be 22'-0" from an existing approach rather than 50'-0" required in Brown County Zoning Ordinances.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 8th day of May 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$12.88 and may be viewed free of charge at www.sdpublish.com. 23284



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Kevin & Jean Nelson

Description of property: Proposed Lot 1, "Kevin and Jean Nelson First Addition to the City of Columbia" in the NE1/4 of Section 29-T125N-R62W of the 5th P.M., Brown County, South Dakota (4 4th Avenue NW, Columbia City).

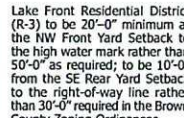
Reason: A Variance for Building Setbacks in a Rural Urban District (RU) to be 20'-0" from the Front Yard property line rather than 25'-0" required and 10'-0" from the Rear Yard property line rather than the 20'-0" required by Brown County Ordinance for a new garage addition.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 8th day of May, 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$14.10 and may be viewed free of charge at www.sdpublish.com. 23282



NOTICE OF HEARING

A PETITION to REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.

Petitioner: Julie Lillis

Description of property: Proposed Lot 2A, "Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-T125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue, Columbia Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition.

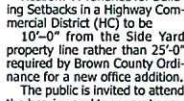
At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioners with a future meeting date in the Commission Chambers.

Verify the meeting dates with the Brown County Auditor.

Dated this 8th day of May 2024.

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublish.com. 23288



NOTICE OF HEARING

A PETITION to REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner: Morgan & Jackie Beving

Description of property: Proposed Lot 1, "Beving Addition" in the W1/2 of the NE1/4 of Section 35-T123N-R65W of the 5th P.M., Brown County, South Dakota (37865 135th Street; Mercer Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition.

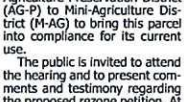
At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioners with a future meeting date in the Commission Chambers.

Verify the meeting dates with the Brown County Auditor.

Dated this 8th day of May 2024.

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublish.com. 23287



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 Basement Community Room of the Brown County Courthouse Annex, on Tuesday May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Collin & Deb Gengerke

Description of property: Lots 31-34, "Raetzman's Richmond Lake Subdivision" in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota (126383 North Bridge Road, Ravinia Twp.).

Reason: Requesting a Variance to Building Setbacks in a



NOTICE OF HEARING

A PETITION to REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.

Petitioner: Julie Lillis

Description of property: Proposed Lot 2A, "Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-T125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue, Columbia Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition.

At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioners with a future meeting date in the Commission Chambers.

Verify the meeting dates with the Brown County Auditor.

Dated this 8th day of May 2024.

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublish.com. 23288



NOTICE OF HEARING

A PETITION to REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner: Morgan & Jackie Beving

Description of property: Proposed Lot 1, "Beving Addition" in the W1/2 of the NE1/4 of Section 35-T123N-R65W of the 5th P.M., Brown County, South Dakota (37865 135th Street; Mercer Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition.

At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioners with a future meeting date in the Commission Chambers.

Verify the meeting dates with the Brown County Auditor.

Dated this 8th day of May 2024.

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublish.com. 23287



NOTICE OF DEADLINE FOR VOTER REGISTRATION

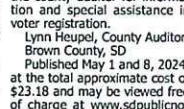
Voter registration for the Primary Election to be held on Tuesday, June 4, 2024, will close on Monday, May 20, 2024 at 5:00 p.m. Failure to register by this date will cause forfeiture of voting rights for this election. If you are in doubt about whether you are registered, check the Voter Information Portal at www.sd-sos.gov or call the Brown County Auditor's Office at 605-626-7110.

Registration may be completed during regular business hours at the county auditor's office, municipal finance office, secretary of state's office, and those locations which provide driver's licenses, SNAP, TANF, WIC, military recruitment, and assistance to the disabled as provided by the Department of Human Services. You may contact the county auditor to request a mail-in registration form or access a mail-in registration form at www.sd-sos.gov.

Any voter who needs assistance, pursuant to the Americans with Disabilities Act, may contact the county auditor for information and special assistance in voter registration.

Lynn Heupel, County Auditor Brown County, SD

Published May 1 and 8, 2024, at the total approximate cost of \$23.18 and may be viewed free of charge at www.sdpublish.com. 23230



Published May 1 and 8, 2024, at the total approximate cost of \$23.18 and may be viewed free of charge at www.sdpublish.com. 23230



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Living Heart Fitness Center. Bones need strong muscles for support. Not exercising weakens those supporting muscles. Weak muscles put more stress on joints. - Mayo Clinic. Call/Text Paul: 605-397-7460. Call/Txt Tina: 605-397-7385.

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South Dakota State University Extension Community Outreach. Energize Conference. Exploring Innovative Rural Communities. Hot Springs, SD May 22-23, 2024. Register Now! extension.sdstate.edu/events. Explore new ideas for your community.

STAFF REPORT

Meeting: May 21, 2024

BROWN COUNTY ZONING BOARD OF ADJUSTMENT (BOA)

VARIANCE TO BUILDING SETBACKS

ITEM #05

Highway Commercial District (HC)

GENERAL INFORMATION:

OWNER:	Peru LLC-Russ Beadle
PETITIONER:	Peru LLC-Russ Beadle
REQUEST:	VARIANCE TO BUILDING SETBACKS IN A HIGHWAY COMMERCIAL DISTRICT (HC)
LEGAL DESCRIPTION:	Yeoman's Outlot 2 and 3 and the South 700' of 50' immediately to the East of and abutting on said Outlots 2 and 3 which is designed as an Access Road in the NE1/4 of Section 27-T124N-R64W of the 5 th P.M., Brown County, South Dakota
ADDRESS:	12849 386 th Avenue
TOWNSHIP:	Lincoln Twp
EXISTING ZONING:	Highway Commercial District (HC)
SURROUNDING ZONING:	
North:	Agriculture Preservation District (AG-P)
South:	Mini-Agriculture District (M-AG)
West:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P) / Highway Commercial District (HC)
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Ron Keller

GENERAL COMMENT: The petitioner is requesting a Variance to Building Setbacks in a Highway Commercial District (HC) to have a 10'-0" South Side Yard Setback rather than the 25'-0" required by Brown County Ordinance for a new office addition. Property pins are exposed. There will also be a small addition on the north side of the existing building.

GENERAL REVIEW: Staff has reviewed this request.


BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: April 30, 2024
RECEIPT # 821950
TOWNSHIP: Lincoln Twp

FEES: \$125.00
PAID: YES/NO CHK/CASH
DATE: 5-1-2024

OWNERS SIGNATURE: Peru LLC-Russ Beadle
OWNERS ADDRESS: 115 S Shore Drive
OWNERS CITY, STATE, ZIP: Mina, SD 57451
OWNERS PHONE: (605) 380-9727


5-1-24

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

REQUEST: The Petitioner is requesting a Variance to Building Setbacks in a Highway Commercial District (HC) to have a 10'-0" Side Yard Setback rather than the 25'-0" required for a new 15' office addition.

LEGAL DESCRIPTION: Yeoman's Outlot 2 and 3 and the South 700' of 50' immediately to the East of and abutting on said Outlots 2 and 3 which is designed as an Access Road in the NE1/4 of Section 27-T124N-R64W of the 5th P.M., Brown County, South Dakota (12849 386th Avenue; Lincoln Twp.)

Planning Commission Action: Approved / Denied _____

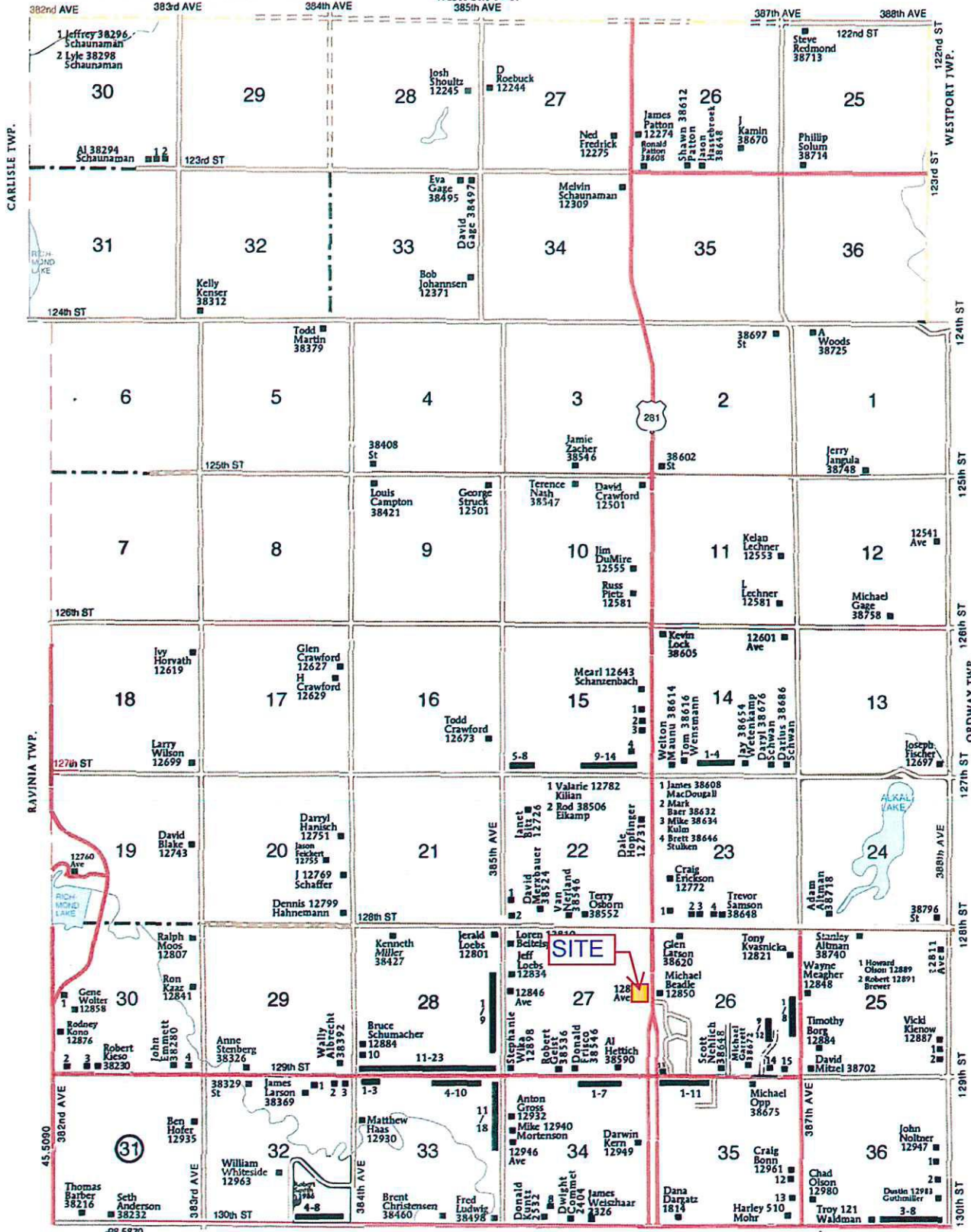
By: _____ Date: _____

HEARING DATE: May 21, 2024 **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

(Residents - Owners or Renters)

WESTPORT TWP.



-88.5870

ABERDEEN TWP.

LINCOLN TOWNSHIP

SECTION 14

- 1 Merriman, Rich 38620
- 2 Carlson, Perry 38630
- 3 Allbee, K 38632
- 4 Mount, Bill 38634

SECTION 15

- 1 Schaanaman, Mysty 12657
- 2 Berg, Tom 12663
- 3 Heath, Pat 12667
- 4 Kiesz, Marvin 12685
- 5 Sawatzky, Michael 38502

SECTION 26S

- 6 Carroll, Jared 38504
- 7 Frohling, Leslie 38512
- 8 Kamphus, Dustin 38518
- 9 Williams, Eugene 38552
- 10 Black, Casey 38556
- 11 Mitzel, Michael 38560
- 12 Malsam, Adam 38570
- 13 Nelson, Mark 38574
- 14 Madsen, Scott 38576
- 1 Welenkamp, Lloyd D 12847
- 2 Hedges, Kendall 38693

SECTION 28S

- 3 Labay, Richard 12851
- 4 Kolb, Myron 12855
- 5 Heldrich, Asher 12857
- 6 Wacholz, B 12861
- 7 Simonson, Lee 12869
- 8 Rychlik, Travis 12875
- 9 Keller, Mike 12862
- 10 Matthews, Joshua 12866
- 11 Vetch, David 12870
- 12 Call, Ty 12874
- 13 Johnson, Brandon 38608
- 14 Wahl, Eldon 38686

SECTION 28S

- 15 Kaan, Jason 38690
- 1 Dragesel, Jamie 12833
- 2 Adolf, Gregory 12839
- 3 Hoeltzner, Curtis 12843
- 4 Wilkie, Chad 12845
- 5 Carlson, Cartor 12853
- 6 Vining, Brad 12861
- 7 Aman, Dwight 12871
- 8 Kotzka, Dale 12881
- 9 Rau, Scott 12891
- 10 Bulsing, Bren 12888

SECTION 23S

- 11 Blitz, Marvin 38404
- 12 Gab, Dale 38406
- 13 Poor, Dustin 38412
- 14 Schauer, Shane 38414
- 15 Bellikka, Neil 38424
- 16 Royer, Toby 38434
- 17 Jakober, Glenn 38452
- 18 Buechler, Todd 38460
- 19 Siefken, Lon 38464
- 20 Habeck, F 38474
- 21 Kamm, Casey 38478
- 22 Waage, Adam 38484

SECTION 30S

- 1 Odde, Kirby 12852
 - 2 Schlagel, Gene 38206
 - 3 38228
 - 4 Mandel, Lonnie 38294
- SEE PAGE 21 FOR ADDITIONAL NAMES NOT LISTED ON MAPS.

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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Peru LLC-Russ Beadle

Description of property: Yeoman's Outlot 2 and 3 and the South 700' of 50' immediately to the East of and abutting on said Outlots 2 and 3 which is designed as an Access Road in the NE1/4 of Section 27-T124N-R64W of the 5th P.M., Brown County, South Dakota (12849 386th Avenue; Lincoln Twp.).

Reason: A Variance for Building Setbacks in a Highway Commercial District (HC) to be 10'-0" from the Side Yard property line rather than 25'-0" required by Brown County Ordinance for a new office addition.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 8th day of May, 2024

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

Published once at the total approximate cost of _____.

(Peru-Beadle)

VARIANCE FINDINGS WORKSHEET

Prong One

Whether granting the variance runs counter to the public interest?

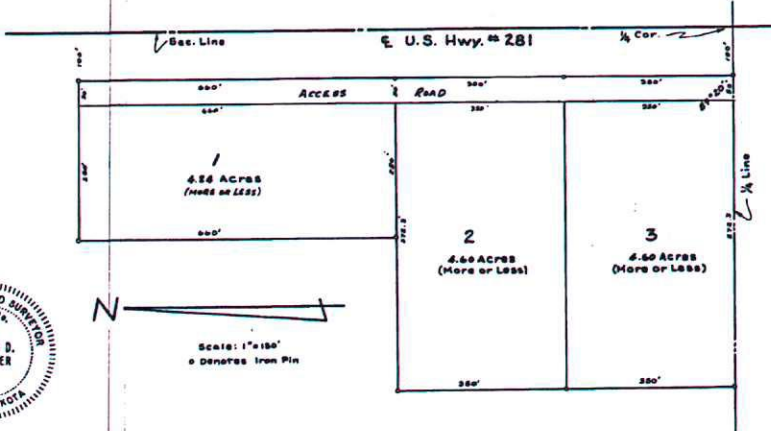
Consider the entire public— <i>not</i> just the neighbors	Findings	
1. Does it injure the neighborhood?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
2. Does it conform to the neighborhood?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
3. Does it conform to the general purpose of the zoning ordinances?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
4. Does it conform to the comprehensive plan currently in place?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
5. Does it harm the public safety, health, or general welfare of the community?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Prong Two

Whether special conditions exist to grant a variance?

Physical conditions— <i>not</i> money or econ hardship	Findings	
1. Does a special condition—exceptional narrowness, topography, siting, or the like—exist on the property? *Explicitly state the condition on the property that is a special condition if one exists. *It must be a physical condition. *Exception: legal justification (for example, estoppel) is a special circumstance.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> Addition is to an existing building which is physically hard to change.
a. <i>If</i> a special condition exists, does enforcing the ordinance create an unnecessary hardship? *That does not mean money, econ hardship, or allowing a use that's prohibited (<i>i.e.</i> , not otherwise excluded) in the zoning district.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
b. <i>If</i> a special circumstance exists, does granting the variance observe the ordinance's spirit while doing substantial justice.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Plat Showing:
YEOMAN'S OUTLOTS 1, 2, & 3 NE 1/4 OF SEC. 27-124-64
BROWN COUNTY, SOUTH DAKOTA



OWNER'S CERTIFICATE

I, Anton J. Yeoman, do hereby certify that I am the owner of the Northeast Quarter of Section 27, Township 124 North, Range 64 West of the Fifth P. M., in Brown County, South Dakota, and that I have caused a portion of the same to be surveyed and platted into lots as shown on this plat, which shall hereafter be known and described as "Yeoman's Outlots 1, 2 & 3 in the NE 1/4 of Sec. 27, T. 124 N., R. 64 W."

Signed this 15 day of May, 1972.

Anton J. Yeoman
Owner

State of South Dakota) as
County of Brown)

On this 15 day of May, 1972, before me, a Notary Public, personally appeared Anton J. Yeoman, known to me to be the person described in and who executed the within instrument, and who acknowledged to me that he executed the same.

My commission expires:

Frank Humphries
Notary Public, Brown County, South Dakota

SURVEYOR'S CERTIFICATE

I, William D. Stellner, Registered Land Surveyor, do hereby certify that, at the request of the owner, I have surveyed and platted "Yeoman's Outlots 1, 2 & 3 in the NE 1/4 of Sec. 27, T. 124 N., R. 64 W.," as shown on this plat, that I have set iron pins as indicated hereon, and that said survey and plat are true and correct.

Signed this 18th day of April, 1972.

William D. Stellner
Registered Land Surveyor #990

State of South Dakota) as
County of Brown)

On this 18th day of April, 1972, before me, a Notary Public, personally appeared William D. Stellner, known to me to be the person described in and who executed the within instrument, and who acknowledged to me that he executed the same.

My commission expires:

W. D. Stellner
Notary Public, Brown County, South Dakota

PLAT COMMISSION CERTIFICATE

I hereby certify that the following is a correct copy of the resolution duly passed by the City Plan Commission of Aberdeen, South Dakota at a meeting held on the 21 day of June, 1972.

Kenn Paulsen
City Auditor, Aberdeen, South Dakota

"It is resolved by the City Plan Commission of Aberdeen, South Dakota, that the plat showing "Yeoman's Outlots 1, 2 & 3 in the NE 1/4 of Sec. 27, T. 124 N., R. 64 W.," having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-6, and any amendments thereof."

APPROVAL BY CITY

I hereby certify that the following is a correct copy of the resolution duly passed by the Board of Commissioners of Aberdeen, South Dakota at a meeting held on the 27 day of June, 1972.

Thomas J. Linn
City Auditor, Aberdeen, South Dakota

"It is resolved by the Board of Commissioners of Aberdeen, South Dakota, that the plat showing "Yeoman's Outlots 1, 2 & 3 in the NE 1/4 of Sec. 27, T. 124 N., R. 64 W.," having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof."

APPROVAL BY COUNTY

I hereby certify that the following is a correct copy of the resolution duly passed by the Board of Commissioners of Brown County, South Dakota at a meeting held on the 29 day of June, 1972.

Frank Humphries
County Auditor, Brown County, South Dakota

"It is resolved by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Yeoman's Outlots 1, 2 & 3 in the NE 1/4 of Sec. 27, T. 124 N., R. 64 W.," 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 this plat are shown by the records of my office to be fully paid.

Signed this 30 day of June, 1972.

R. D. Larson
County Treasurer, Brown County, South Dakota

DIRECTOR OF EQUALIZATION'S CERTIFICATE

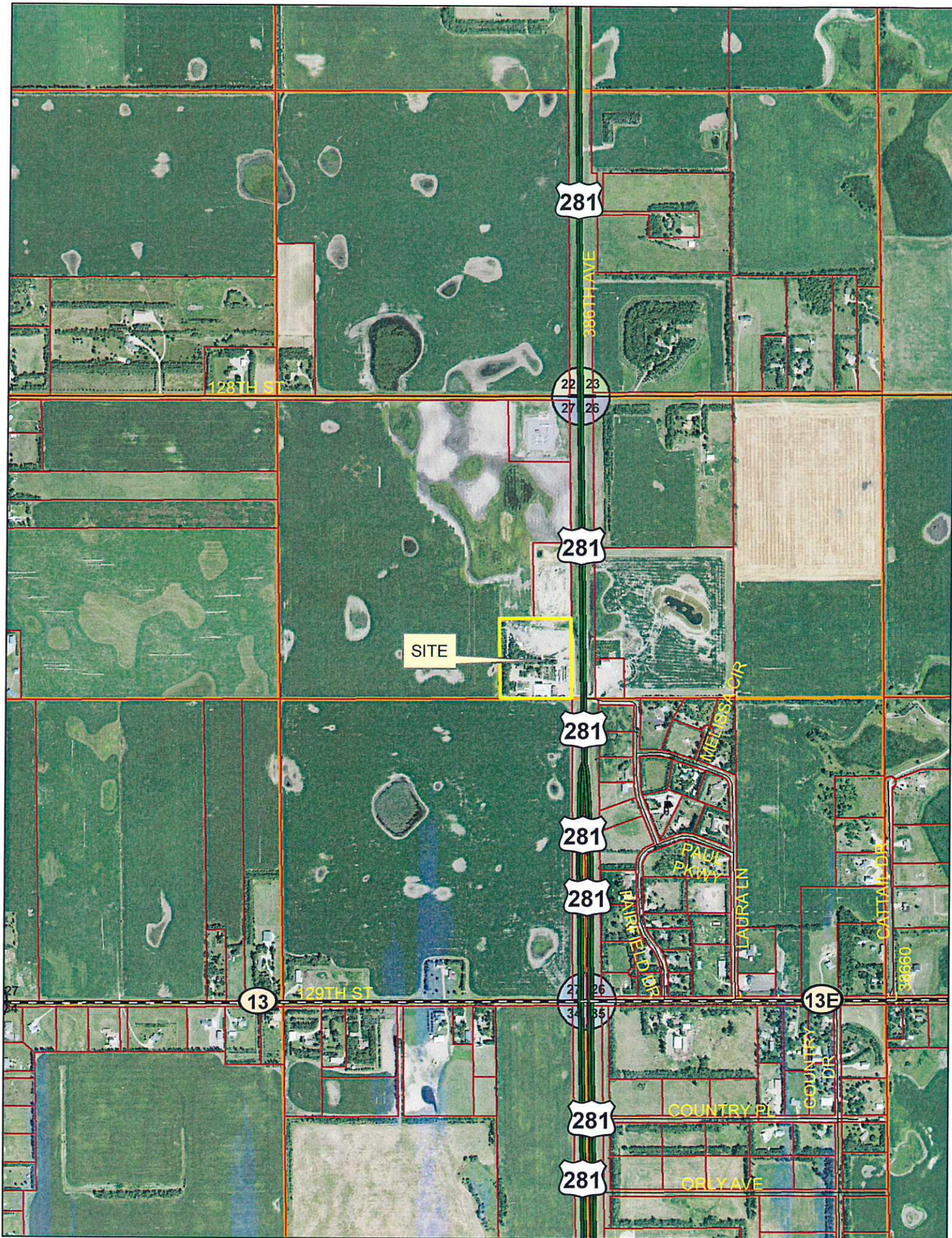
I hereby certify that I have received a copy of this plat this 30 day of June, 1972.

Harold Anderson
Director of Equalization, Brown County, S. D.

REGISTER OF DEEDS' CERTIFICATE

Filed for record this 30 day of June, 1972, at 4 o'clock P. M., and duly recorded in Book of Plats No. 2, in envelope 188 thereof.

Donald H. Kelly
Register of Deeds, Brown County, South Dakota



281

386TH AVE

128TH ST

281

SITE

281

281

281

MELISSA CIR

PAUL P KWAY

FAIRFIELD DR

LAURAL LN

CATALINA DR

13

429TH ST

281

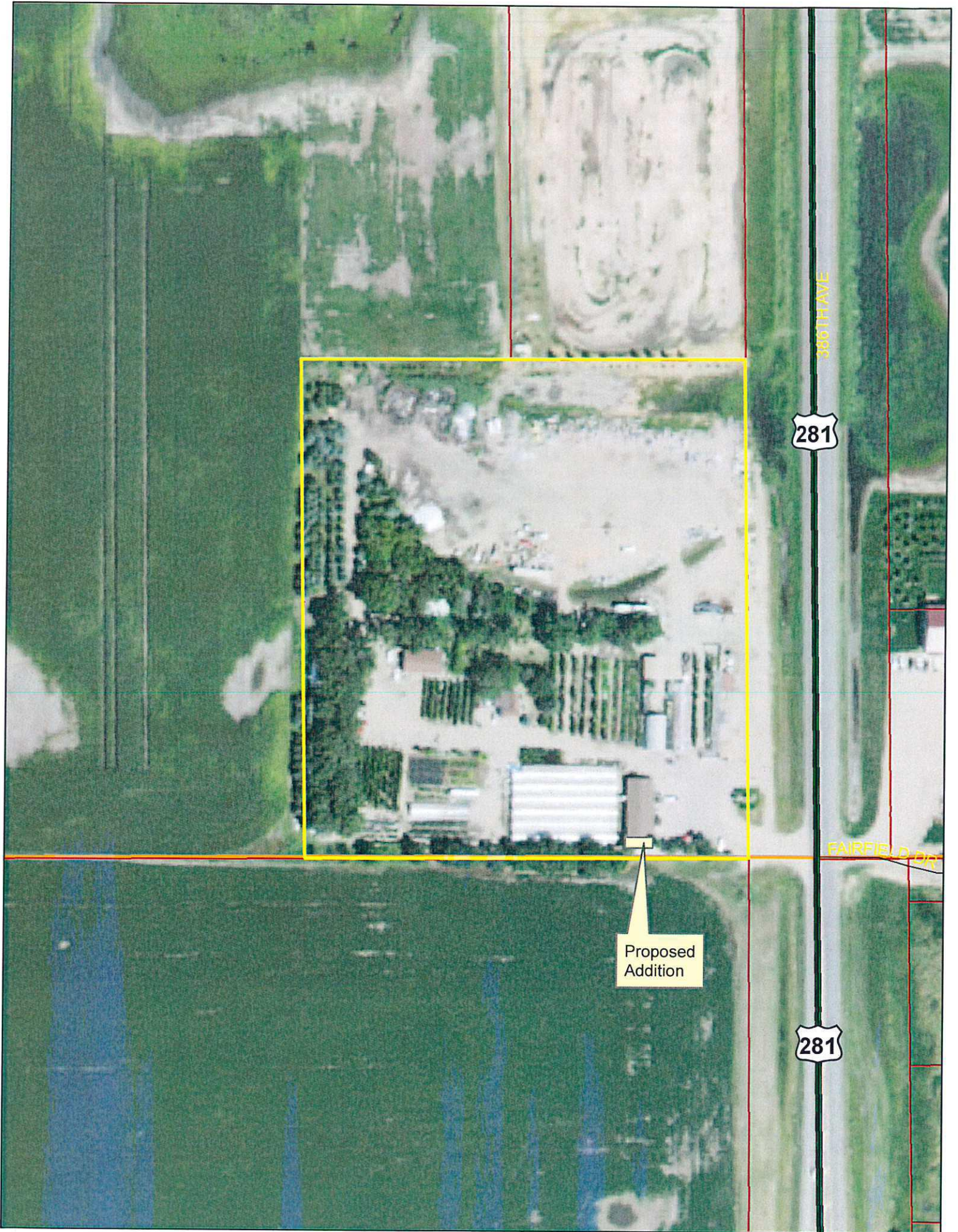
13E

COUNTRY PL

281

281

ORLY AVE



281

3816 TH AVE

FAIRFIELD DR

281

Proposed Addition

Peru LLC

115 S Shore Drive
Mina, SD 57451

Lincoln Township

Attn: Bruce Schumacher
12884 384th Avenue
Aberdeen, SD 57401

Leslie & Dixie Frohling

38512 127th Street
Aberdeen, SD 57401

Michael Beadle

12850 386th Avenue
Aberdeen, SD 57401

Lois Hettich

38590 129th Street
Aberdeen, SD 57401

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA §
COUNTY OF BROWN §

Before me, the undersigned authority, on this day personally appeared Tina Kosel, who being by me duly sworn, deposes and says that she is the office manager of the Groton Independent; that said newspaper is a newspaper of general circulation in Groton, Brown County, South Dakota; and that this notice was published in said newspaper on the following date(s):

Brown County
Beadle Variance
Published May 8, 2024 for \$13.80
Invoice No. 23286

Tina Kosel

Newspaper Representative's Signature

Subscribed and sworn to before me this the

14th Day of May 2024

to certify which witness my hand and seal of office.

Paul I. Kosel

Notary Public in and for the State of South Dakota

(Seal)



Paul I. Kosel
Print or Type Name of Notary Public

My Commission Expires January 24, 2030
Bond Number: 107962682



NOTICE OF HEARING FOR TEMPORARY SPECIAL EVENT ALCOHOL LICENSE

Notice is hereby given according to SDCL 35-2, a Public Hearing on the following Temporary Special Event Alcohol License Application for Malt Beverage and Wine to be used by Aberdeen Area Chamber of Commerce will be held on May 21, 2024 in the Chambers of the Brown County Commissioners, in the Courthouse Annex, Brown County, South Dakota, at which time any interested persons wishing to register complaint on their approval may appear.

Aberdeen Area Chamber of Commerce, Aberdeen, SD for Business After Hours to be held at Budget Furniture, LT 1 Budget Furniture - Schumaker SD NW 22-123-63 (Old Schumaker) Brown County, SD. Temporary Special Event Alcohol License effective July 11, 2024.

ATTEST: Lynn Heupel, Brown County Auditor
Published May 8, 2024, at the total approximate cost of \$10.42 and may be viewed free of charge at www.sdpublicnotices.com. 23280



City of Columbia Council Meeting - May 1, 2024

CALL MEETING TO ORDER - 7:00 p.m.

ROLL CALL - Cara Dennert, Corey Mitchell, Trevor Meints, Emily Eichler, Scott Meints

Community: Sydney Hanna
Corey Mitchell called the meeting to order. He called for a motion to approve the agenda. Trevor Meints made a motion to approve the posted agenda. Emily Eichler seconded the motion. All in favor - motion carried.

Corey Mitchell called for any conflict of interest on agenda items. There were no conflicts. Minutes were handed out from the April 3rd meeting. Emily Eichler made a motion to approve the minutes. Trevor Meints seconded the motion. All were in favor - motion carried.

Warrant Vouchers: JVT - fire prevention - 201.91; Web Water - fire prevention - 52.14; Northwestern Energy - electricity - 1807.89; GDI - publication - 238.46; Siegel, Barnett & Schutz - legal fees - 70.00; Jeremy Dosch - April wages - 419.99; Cara Dennert - April wages - 1235.25; Trevor Meints - April wages - 28.00; Runnels - shop supplies - 9.29; Menards - shop supplies - 100.66; B&B Contracting - road blading - 2150.00; GDI - publication - 44.98; Dacotah Bank - shop supplies - 413.91; Stockwell Engineers - 3750.00; SDPAA - insurance - 913.94

Cara mentioned that the SOPAA bill was not yet received at the time of the agenda being posted. There was also another bill from Menards that changed the amount owed. Trevor Meints made a motion to approve the vouchers as corrected. Emily Eichler seconded the motion. All were in favor - motion carried.

COMMUNITY COMMENTS / CORRESPONDENCE:

UNFINISHED BUSINESS - Summer Rec will not be held this summer - Emily has asked numerous people, and no one is interested in being in charge/organizing. Some of the board members met with the Columbia Foundation regarding questions that they had about the security system cameras that the city applied for grant money to be used in the new parks.

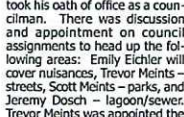
Nuisances - After the community clean up day, there will be a list put together regarding ordinance violations.

Streets - The rain has been doing a number on the roads. We need gravel, but they will probably start with the potholes. Scott is going to canvas the town to see what signage needs replacing.

Parks - Emily is still trying to find someone interested in running Summer Rec.

Lagoon/sewer - The sewer/discharge gate is still frozen shut. Rubble Site - The city received the solid waste permit from DNR.

NEW BUSINESS - Scott Meints



NOTICE OF HEARING

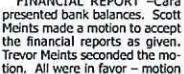
Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Susan Clark
Description of property: Outlot 6, "Derian's Outlots" in the NW1/4 of Section 27-T123N-R64W of the 5th P.M., together with the 33' strip of vacated Derian Drive next South of Outlot 6 & extending easterly to the center line of "A" Street extended South, Brown County, South Dakota (1826 Derian Drive, Aberdeen Twp.).

Reason: The petitioner is requesting a Variance to Building Setbacks in a Mini-Agriculture District (M-AG) to have a 6' West Rear Yard & 5' South Side Yard Setback rather than the 20' Setback required by Brown County Ordinance.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May 2024.

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$14.41 and may be viewed free of charge at www.sdpublicnotices.com. 23283



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Chad Lyke for owner Toby Doeden

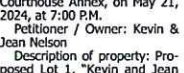
Description of property: Proposed Lot 2, "Doeden First Addition" in the SE1/4 of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota (13371 382nd Avenue, Mercier Twp.).

Reason: A Variance for Agricultural Separation in a Mini-Agriculture District (M-AG) to be 225'-0" from an existing approach rather than 500'-0" required in Brown County Zoning Ordinances.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May 2024.

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$12.88 and may be viewed free of charge at www.sdpublicnotices.com. 23284



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Kevin & Joan Nelson

Description of property: Proposed Lot 1, "Kevin and Joan Nelson First Addition to the City of Columbia" in the NE1/4 of Section 29-T125N-R62W of the 5th P.M., Brown County, South Dakota (4 4th Avenue NW, Columbia City).

Reason: A Variance for Building Setbacks in a Rural Urban District (RU) to be 20'-0" from the Front Yard property line rather than 25'-0" required and 10'-0" from the Rear Yard property line rather than the 20'-0" required by Brown County Ordinance for a new garage addition.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May, 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$14.10 and may be viewed free of charge at www.sdpublicnotices.com. 23282



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 Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Susan Clark

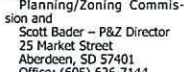
Description of property: Outlot 6, "Derian's Outlots" in the NW1/4 of Section 27-T123N-R64W of the 5th P.M., together with the 33' strip of vacated Derian Drive next South of Outlot 6 & extending easterly to the center line of "A" Street extended South, Brown County, South Dakota (1826 Derian Drive, Aberdeen Twp.).

Reason: The petitioner is requesting a Variance to Building Setbacks in a Mini-Agriculture District (M-AG) to have a 6' West Rear Yard & 5' South Side Yard Setback rather than the 20' Setback required by Brown County Ordinance.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May 2024.

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$14.41 and may be viewed free of charge at www.sdpublicnotices.com. 23283



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Peru LLC-Russ Beadle

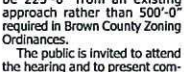
Description of property: Yeoman's Outlot 2 and 3 and the South 700' x 50' immediately to the East of and abutting on said Outlots 2 and 3 which is designed as an Access Road in the NE1/4 of Section 27-T124N-R64W of the 5th P.M., Brown County, South Dakota (12849 386th Avenue, Lincoln Twp.).

Reason: A Variance for Building Setbacks in a Highway Commercial District (HC) to be 10'-0" from the Side Yard property line rather than 25'-0" required by Brown County Ordinance for a new office addition.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May, 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$13.80 and may be viewed free of charge at www.sdpublicnotices.com. 23286



NOTICE OF HEARING

A PETITION to REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.
Petitioner: Morgan & Jackie Beving

Description of property: Proposed Lot 1, "Beving Addition" in the W1/2 of the NE1/4 of Section 35-T123N-R65W of the 5th P.M., Brown County, South Dakota (37865 135th Street; Mercier Twp.).

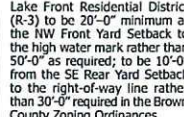
Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.

Dated this 8th day of May 2024.

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublicnotices.com. 23287



NOTICE OF HEARING

A PETITION to REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.
Petitioner: Julie Lillis

Description of property: Proposed Lot 2A, "Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-T125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue; Columbia Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.

Dated this 8th day of May 2024.

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublicnotices.com. 23288



NOTICE OF DEADLINE FOR VOTER REGISTRATION

Voter registration for the Primary Election to be held on Tuesday, June 4, 2024, will close on Monday, May 20, 2024 at 5:00 p.m. Failure to register by this date will cause forfeiture of voting rights for this election. If you are in doubt about whether you are registered, check the Voter Information Portal at www.sdos.gov or call the Brown County Auditor's Office at 605-626-7110.

Registration may be completed during regular business hours at the county auditor's office, municipal finance office, secretary of state's office, and those locations which provide driver's licenses, SNAP, TANF, WIC, military recruitment, and assistance to the disabled as provided by the Department of Human Services. You may contact the county auditor to request a mail-in registration form or access a mail-in registration form at www.sdos.gov.

Any voter who needs assistance, pursuant to the Americans with Disabilities Act, may contact the county auditor for information and special assistance in voter registration.

Lynn Heupel, County Auditor Brown County, SD
Published May 1 and 8, 2024, at the total approximate cost of \$23.18 and may be viewed free of charge at www.sdpublicnotices.com. 23230



NOTICE OF DEADLINE FOR VOTER REGISTRATION

Voter registration for the Primary Election to be held on Tuesday, June 4, 2024, will close on Monday, May 20, 2024 at 5:00 p.m. Failure to register by this date will cause forfeiture of voting rights for this election. If you are in doubt about whether you are registered, check the Voter Information Portal at www.sdos.gov or call the Brown County Auditor's Office at 605-626-7110.

Registration may be completed during regular business hours at the county auditor's office, municipal finance office, secretary of state's office, and those locations which provide driver's licenses, SNAP, TANF, WIC, military recruitment, and assistance to the disabled as provided by the Department of Human Services. You may contact the county auditor to request a mail-in registration form or access a mail-in registration form at www.sdos.gov.

Any voter who needs assistance, pursuant to the Americans with Disabilities Act, may contact the county auditor for information and special assistance in voter registration.

Lynn Heupel, County Auditor Brown County, SD
Published May 1 and 8, 2024, at the total approximate cost of \$23.18 and may be viewed free of charge at www.sdpublicnotices.com. 23230

A subscription to the Groton Independent makes a great gift! 605-397-7460

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Call/Text Tina: 605-397-7385
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Hot Springs, SD May 22-23, 2024
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Explore new ideas for your community!

STAFF REPORT

Meeting: May 21, 2024

BROWN COUNTY PLANNING COMMISSION

REZONE PARCEL FROM:

ITEM #10

Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG)

GENERAL INFORMATION:

OWNER:

Morgan & Jackie Beving

PETITIONER:

Morgan & Jackie Beving

REQUEST:

**Rezone Parcel from Agriculture
Preservation District (AG-P) to Mini-
Agriculture District (M-AG)**

LEGAL DESCRIPTION:

Proposed Lot 1, "Beving Addition" in the
W1/2 of the NE1/4 of Section 35-T123N-
R65W of the 5th P.M., Brown County, South
Dakota

ADDRESS:

37865 135th Street

CITY/TOWNSHIP:

Mercier Twp.

EXISTING ZONING

Agriculture Preservation District (AG-P)

SURROUNDING ZONING:

North:

Agriculture Preservation District (AG-P)

South:

Conservation District (CN)

West:

Agriculture Preservation District (AG-P)

East:

Conservation District (CN)

PUBLIC UTILITIES:

WEB Water

REPORTED BY:

Ron Keller

GENERAL COMMENT: The petitioner is requesting this Rezone to bring this parcel into compliance for its current use.

GENERAL REVIEW: Staff has reviewed this request.

NOTICE OF HEARING

A *PETITION to REZONE* has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner: Morgan & Jackie Beving

Description of property: Proposed Lot 1, "Beving Addition" in the W1/2 of the NE1/4 of Section 35-T123N-R65W of the 5th P.M., Brown County, South Dakota (37865 135th Street; Mercier Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

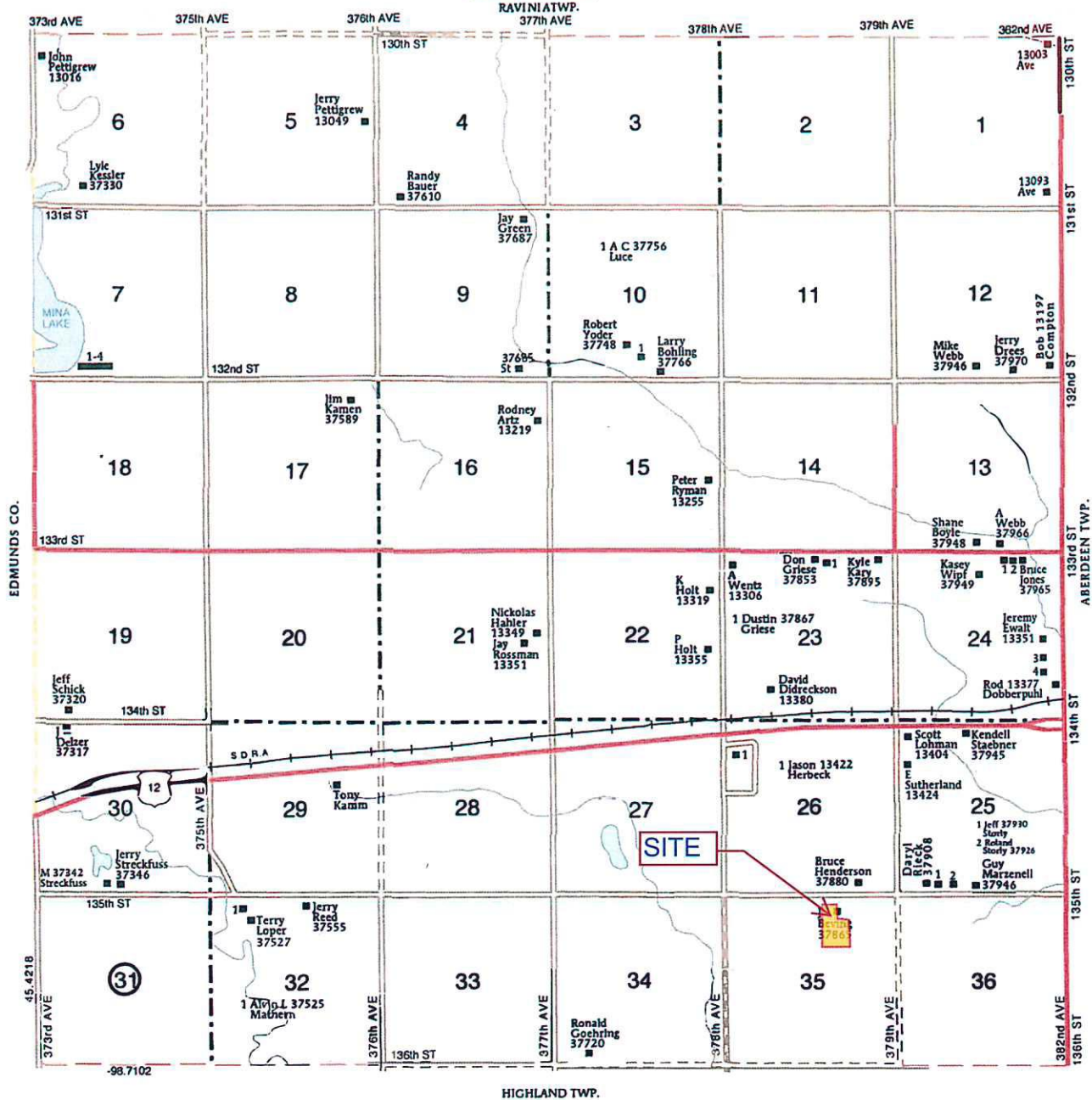
The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezone petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.

Dated this 8th day of May 2024.

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

Published once at the total approximate cost of _____.

(Residents - Owners or Renters)



MERCIER TOWNSHIP

SECTION 7

- 1 Bauer, Bryan 37302
- 2 Davis, I 37306
- 3 Salo, Roger 37310
- 4 Dykema, Wade 37320

SECTION 24

- 1 Hehn, Robert 37961
- 2 Jones, Jamie 37963
- 3 Zinter, Daniel 13365
- 4 Hammer, Leland 13371

REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: _____
Receipt: 821937
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:

Proposed Lot 1, "Beving Addition" in the W1/2 of the NE1/4 of Section 35-T123N-R65W of the 5th P.M., Brown County, South Dakota

General Area Location or Street Address: 37865 135th Street

From the Agriculture Preservation (AG-P) District
To the Mini-Agriculture (M-AG) District

Purpose: To Bring into Compliance
Size of Parcel: Lot 1 = +/- 9.98 acres
Existing Land Use: Mini-Agriculture

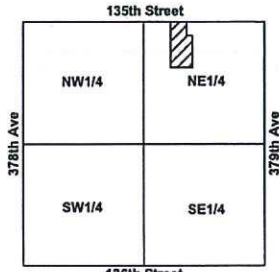
Petitioner: (Print) Morgan & Jackie Beving
Signature: _____
Date: 4/23/24 Phone: 605-380-5147
Address: PO Box 947
Aberdeen SD 57402-0947
City State Zip

Owner: (Print) Morgan & Jackie Beving
Signature: _____
Date: 4/23/24 Phone: 605-380-5147
Address: PO Box 947
Aberdeen SD 57402-0947
City State Zip

Additional Signatures may be submitted on a separate page.

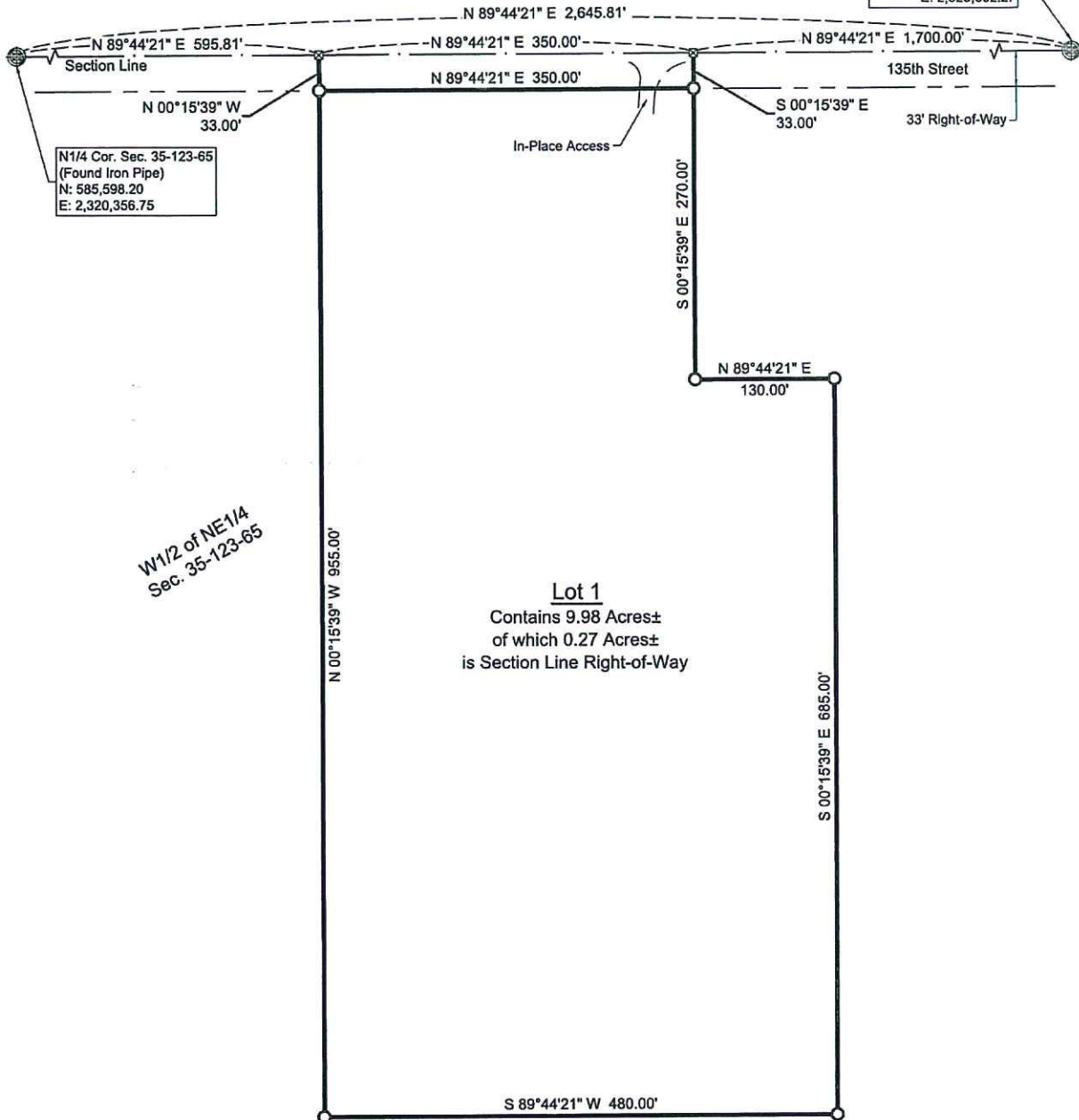
PLAT SHOWING
BEVING ADDITION

IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 35,
 TOWNSHIP 123 NORTH, RANGE 65 WEST OF THE 5th P.M.,
 BROWN COUNTY, SOUTH DAKOTA



AREA MAP N.T.S.
 SECTION 35, T123N, R65W
 BROWN CO.

NE Cor. Sec. 35-123-65
 (Found Iron Pipe)
 N: 585,610.25
 E: 2,323,002.27



N1/4 Cor. Sec. 35-123-65
 (Found Iron Pipe)
 N: 585,598.20
 E: 2,320,356.75

W1/2 of NE1/4
 Sec. 35-123-65

Lot 1
 Contains 9.98 Acres±
 of which 0.27 Acres±
 is Section Line Right-of-Way



- LEGEND**
- PIN FOUND (AS NOTED)
 - PIN SET w/CAP LS 15575
 - ☒ CALCULATED CORNER

BASIS OF BEARINGS
 State Plane Grid
 South Dakota North Zone (4001)
 NAD '83 (2011) US Survey Feet
 Distances are GROUND
 Coordinates are GRID

FLOODPLAIN
 Zone 'X'



3314 Milwaukee Avenue NE
 Suite 2
 Aberdeen, SD 57401

PH: 605.225.3494
 www.imegcorp.com

PLAT SHOWING
BEVING ADDITION

IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 35,
TOWNSHIP 123 NORTH, RANGE 65 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

We, Morgan Beving and Jackie Beving, husband and wife, do hereby certify that we are the owners of the West Half of the Northeast Quarter (W1/2NE1/4) of Section Thirty-Five (35), Township One Hundred Twenty-Three (123) North, Range Sixty-Five (65) West of the 5th P.M., Brown County, South Dakota and that we 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 "BEVING ADDITION IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 123 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.

Owner: Morgan Beving


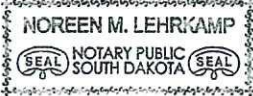
Signature

Signed this 19 day of April, 2024.

COUNTY OF Brown }
STATE OF SD } SS

On this the 19th day of April, 2024, before me, a notary public, the undersigned officer, personally appeared, Morgan Beving, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

My Commission Expires: 03/24/2026

Notary Public


Owner: Jackie Beving

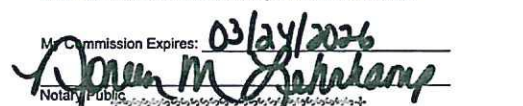

Signature

Signed this 19 day of April, 2024.

COUNTY OF Brown }
STATE OF SD } SS

On this the 19th day of April, 2024, before me, a notary public, the undersigned officer, personally appeared, Jackie Beving, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same for the purposes therein contained.

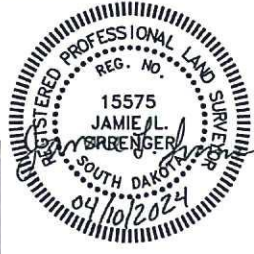
In witness whereof I hereunto set my hand and official seal.

My Commission Expires: 03/24/2026

Notary Public


SURVEYOR'S CERTIFICATE

I, Jamie L. Sprenger, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owners, I have surveyed and platted "BEVING ADDITION IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 123 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 10th day of APRIL, 2024.




3314 Milwaukee Avenue NE Ph: 605.225.3494
Suite 2 www.imegcorp.com
Aberdeen, SD 57401

HIGHWAY APPROVAL

The location of the in-place access roads, is hereby approved. Any change in the in-place access shall require addition approval.

Signed this _____ day of _____, 2024.

Print Name and Title _____

Signature _____

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 _____, 2024.

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 "BEVING ADDITION IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 123 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 _____, 2024.

County Auditor, Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "BEVING ADDITION IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 123 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 record of my office to be fully paid.

Signed this _____ day of _____, 2024.

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 _____, 2024.

Director of Equalization, Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

Filed for record this _____ day of _____, 2024, at

_____ O'clock _____ M., and duly recorded as Hanging Plat No. _____.

Register of Deeds, Brown County, South Dakota

April 23, 2024

Morgan Beving
37865 135th St
Aberdeen SD 57401

Morgan,

The Mercier Township Board met to consider your request to add an approach on 135th street approximately 135 feet to the west of the northwest corner of your residential property.

The Board met at that location on April 22 to inspect the location.

After discussion, the Board decided to grant your request to construct an approach there. The approach must have a culvert at least 12 inches in diameter. A 16 inch diameter would be preferred. Another requirement would be that there not be any damage or change to the roadbed. Any damage that occurs during the construction must be taken care of then. Also, after the project is completed, the Board must inspect and approve it.

If you have any questions, please contact the Board.

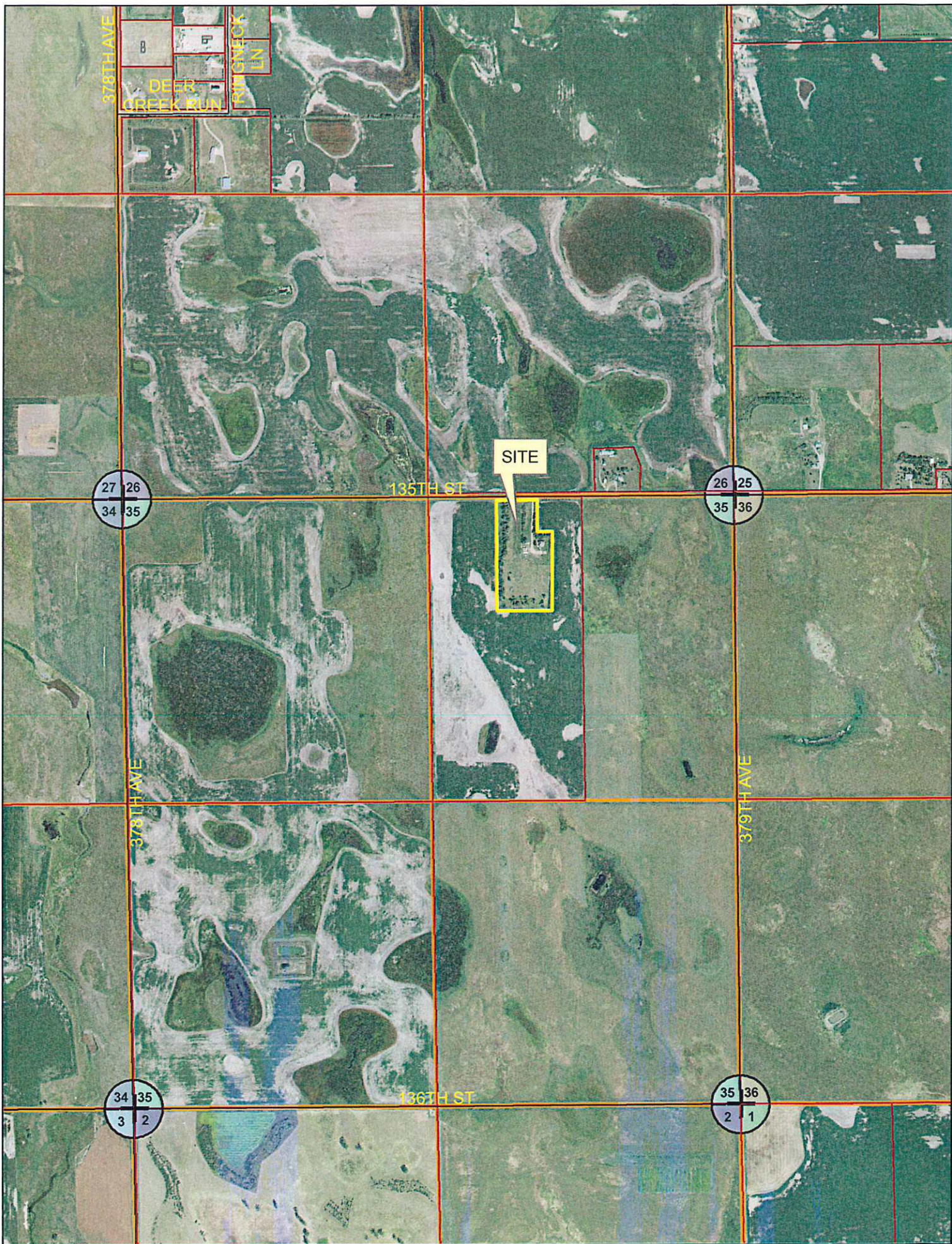
Sincerely,



Daryl Rieck,

Mercier Township Clerk

605-228-7858



378TH AVE

DEER CREEK RUN
FRINGECK LN

27 26
34 35

135TH ST

26 25
35 36

378TH AVE

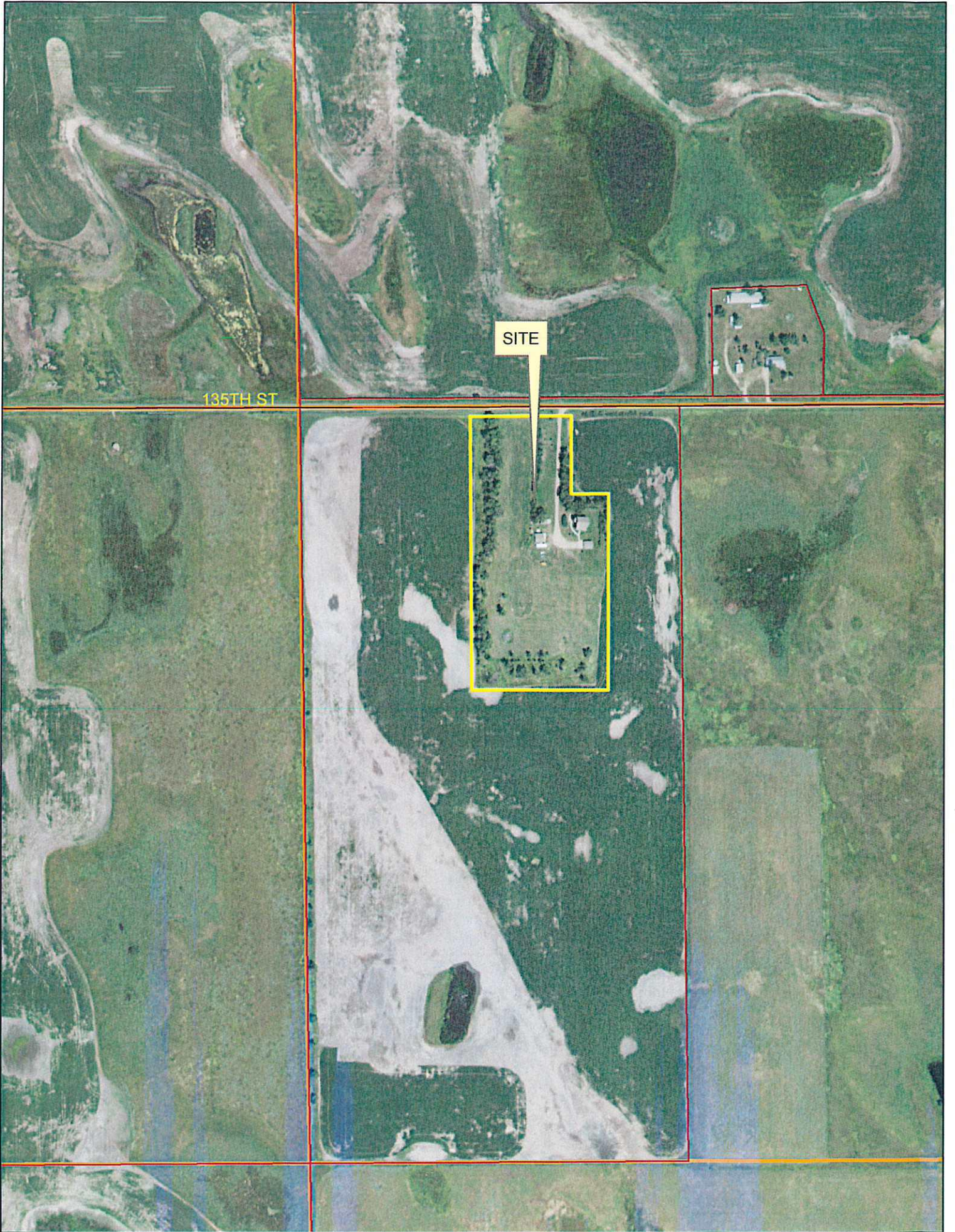
379TH AVE

34 35
3 2

136TH ST

35 36
2 1

SITE



SITE

135TH ST

Morgan & Jackie Beving
PO Box 947
Aberdeen, SD 57402-0947

Mercier Township
C/O Allen Luce
37756 132nd Street
Aberdeen SD 57401

Rivett Family Trust
PO Box 4850
Aberdeen SD 57402-4850

Bruce Henderson
37880 135th Street
Aberdeen SD 57401

Attn: Don Soderlund
Sand Lake Wildlife Refuge
39650 Sand Lake Drive
Columbia SD 57433

Timothy & Patricia Sieh
1346 W Arrowhead Rd #203
Duluth MN 55811

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA §
COUNTY OF BROWN §

Before me, the undersigned authority, on this day personally appeared Tina Kosel, who being by me duly sworn, deposes and says that she is the office manager of the Groton Independent; that said newspaper is a newspaper of general circulation in Groton, Brown County, South Dakota; and that this notice was published in said newspaper on the following date(s):

**Brown County
Beving Rezoning
Published May 8, 2024 for \$15.02
Invoice No. 23287**

Tina Kosel

Newspaper Representative's Signature

Subscribed and sworn to before me this the

14th Day of May 2024

to certify which witness my hand and seal of office.

Paul I. Kosel

Notary Public in and for the State of South Dakota

(Seal)



Paul I. Kosel
Print or Type Name of Notary Public

My Commission Expires January 24, 2030
Bond Number: 107962682



NOTICE OF HEARING FOR TEMPORARY SPECIAL EVENT ALCOHOL LICENSE

Notice is hereby given according to SDCL 35-2, a Public Hearing on the following Temporary Special Event Alcohol License Application for Malt Beverage and Wine to be used by Aberdeen Area Chamber of Commerce will be held on May 21, 2024 in the Chambers of the Brown County Commissioners, in the Court-house Annex, Brown County, South Dakota at 7:00 p.m. Any interested persons wishing to register complaint on their approval may appear.

Aberdeen Area Chamber of Commerce, Aberdeen, SD for Business After Hours to be held at Budget Furniture, 11 Budget Furniture - Schumaker SD NW 22-123-63 (Old Schumaker) Brown County, SD. Temporary Special Event Alcohol License effective July 11, 2024.

ATTEST: Lynn Heupel, Brown County Auditor

Published May 8, 2024, at the total approximate cost of \$10.42 and may be viewed free of charge at www.sdpublicnotices.com. 23280



City of Columbia Council Meeting - May 1, 2024

CALL MEETING TO ORDER - 7:00 p.m.

ROLL CALL - Cara Dennert, Corey Mitchell, Trevor Meints, Emily Eichler, Scott Meints

Community: Sydney Hanna
Corey Mitchell called the meeting to order. He called for a motion to approve the agenda. Trevor Meints made a motion to approve the posted agenda. Emily Eichler seconded the motion. All in favor - motion carried.

Warrant Vouchers: JVT - fire prevention - 201.91; Web Water - fire prevention - 52.14; Northwestern Energy - electricity - 180.89; GD - electricity - 238.46; Siegel, Barnett & Schutz - legal fees - 70.00; Jeremy Dosch - April wages - 419.99; Cara Dennert - April wages - 1235.25; Trevor Meints - April wages - 28.00; Runnings - shop supplies - 9.29; Menards - shop supplies - 100.66; B&B Contracting - road blading - 2150.00; GDI - publication - 44.98; Dacotah Bank - shop supplies - 413.91; Sixkwell Engineers - 3750.00; SDPAA - insurance - 913.94

Cara mentioned that the SDPAA bill was not yet received at the time of the agenda being posted. There was also another bill from Menards that changed the amount owed. Trevor Meints made a motion to approve the vouchers as corrected. Emily Eichler seconded the motion. All were in favor - motion carried.

COMMUNITY COMMENTS / CORRESPONDENCE

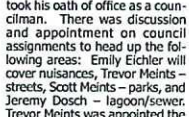
UNFINISHED BUSINESS - Summer Rec will not be held this summer - Emily has asked numerous people, and no one is interested in being in charge/organizing. Some of the board members met with the Columbia Foundation regarding questions that they had about the security system cameras that the city applied for grant money to be used in the new parks.

Nuisances - After the community clean up day, there will be a list put together regarding ordinance violations.

Streets - The rain has been doing a number on the roads. We need gravel, but they will probably start with the pot holes. Scott is going to canvas the town to see what signage needs replacing.

Parks - Emily is still trying to find someone interested in running Summer Rec.
Lagoon/sewer - The sewer/discharge gate is still frozen/shut.
Rubble Site - The city received the solid waste permit from DNAR.

NEW BUSINESS - Scott Meints



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 Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Susan Clark
Description of property: Outlot 6, "Derian's Outlots" in the NW1/4 of Section 27-T123N-R64W of the 5th P.M., together with the 33' strip of vacated Derian Drive next South of Outlot 6 & extending easterly to the center line of "A" Street extended South, Brown County, South Dakota (1826 Derian Drive, Aberdeen Twp.).
Reason: The petitioner is requesting a Variance to Building Setbacks in a Mini-Agriculture District (M-AG) to have a 6' West Rear Yard & 5' South Side Yard Setback rather than the 20' Setback required by Brown County Ordinance.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.
Dated this 8th day of May 2024.
Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$14.41 and may be viewed free of charge at www.sdpublicnotices.com. 23283

FINANCIAL REPORT - Cara Dennert

Scott Meints made a motion to accept the financial reports as given. Trevor Meints seconded the motion. All were in favor - motion carried.

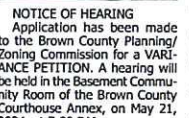
April 30, 2024 balances: SF - \$73,112.46; SF Money Market - \$150,953.41; GF - \$156,683.31;

GF Money Market - \$50,650.88; CD Money Market - \$32,322.97; FIT - \$51,5078.08; Cash on hand - \$0

Mayor Corey Mitchell declared the meeting adjourned.

Next City Council Meeting - June 5, 2024 7:00 p.m.

Submitted by Cara Dennert, Finance Officer
Published May 8, 2024, at the total approximate cost of \$46.08 and may be viewed free of charge at www.sdpublicnotices.com. 23281



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Kevin & Joan Nelson
Description of property: Proposed Lot 1, "Kevin and Joan Nelson First Addition to the City of Columbia" in the NE1/4 of Section 29-T125N-R62W of the 5th P.M., Brown County, South Dakota (4 4th Avenue NW, Columbia City).
Reason: A Variance for Building Setbacks in a Rural Urban District (RU) to be 20'-0" from the Front Yard property line rather than 25'-0" required and 10'-0" from the Rear Yard property line rather than the 20'-0" required by Brown County Ordinance for a new garage addition.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.
Dated this 8th day of May, 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$14.10 and may be viewed free of charge at www.sdpublicnotices.com. 23282



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 Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Chad Lyke for owner Toby Doeden
Description of property: Proposed Lot 2, "Doeden First Addition" in the SE1/4 of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota (13371 382nd Avenue, Mercier Twp.).
Reason: A Variance for Approach Separation in a Mini-Agriculture District (M-AG) to be 225'-0" from an existing approach rather than 500'-0" required in Brown County Zoning Ordinance.

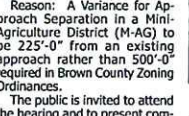
The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.
Dated this 8th day of May 2024

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Petitioner / Owner: Chad Lyke for owner Toby Doeden
Description of property: Proposed Lot 2, "Doeden First Addition" in the SE1/4 of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota (13371 382nd Avenue, Mercier Twp.).
Reason: A Variance for Building Setbacks in a Highway Commercial District (HC) to be 10'-0" from the Side Yard property line rather than 25'-0" required by Brown County Ordinance for a new office addition.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.
Dated this 8th day of May 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$13.80 and may be viewed free of charge at www.sdpublicnotices.com. 23286



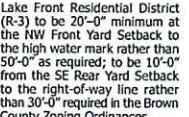
NOTICE OF HEARING

A PETITION TO REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.
Petitioner: Morgan & Jackie Beving
Description of property: Proposed Lot 1, "Beving Addition" in the W1/2 of the NE1/4 of Section 35-T123N-R65W of the 5th P.M., Brown County, South Dakota (37865 135th Street; Mercier Twp.).
Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezone petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.
Dated this 8th day of May 2024.

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublicnotices.com. 23287

Reason: Requesting a Variance to Building Setbacks in a

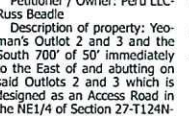


NOTICE OF HEARING

A PETITION TO REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.
Petitioner: Julie Lillis
Description of property: Proposed Lot 2A, "Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-T125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue; Columbia Twp.).
Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezone petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.
Dated this 8th day of May 2024.

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublicnotices.com. 23288



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.
Petitioner / Owner: Peru LLC-Russ Beading
Description of property: Yeoman's Outlot 2 and 3 and the South 700' of 50' immediately to the East of and abutting on said Outlots 2 and 3 which is designed as an Access Road in the NE1/4 of Section 27-T124N-R64W of the 5th P.M., Brown County, South Dakota (12849 386th Avenue; Lincoln Twp.).
Reason: A Variance for Building Setbacks in a Highway Commercial District (HC) to be 10'-0" from the Side Yard property line rather than 25'-0" required by Brown County Ordinance for a new office addition.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.
Dated this 8th day of May 2024

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$13.80 and may be viewed free of charge at www.sdpublicnotices.com. 23286



NOTICE OF HEARING

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Petitioner: Morgan & Jackie Beving
Description of property: Proposed Lot 1, "Beving Addition" in the W1/2 of the NE1/4 of Section 35-T123N-R65W of the 5th P.M., Brown County, South Dakota (37865 135th Street; Mercier Twp.).
Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezone petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.
Dated this 8th day of May 2024.

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublicnotices.com. 23287

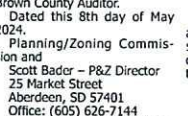


NOTICE OF HEARING

A PETITION TO REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.
Petitioner: Julie Lillis
Description of property: Proposed Lot 2A, "Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-T125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue; Columbia Twp.).
Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezone petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.
Dated this 8th day of May 2024.

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublicnotices.com. 23288



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Petitioner: Julie Lillis
Description of property: Proposed Lot 2A, "Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-T125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue; Columbia Twp.).
Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezone petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.
Dated this 8th day of May 2024.

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublicnotices.com. 23288



NOTICE OF DEADLINE FOR VOTER REGISTRATION

Voter registration for the Primary Election to be held on Tuesday, June 4, 2024, will close on Monday, May 20, 2024 at 5:00 p.m. Failure to register by this date will cause forfeiture of voting rights for this election. If you are in doubt about whether you are registered, check the Voter Information Portal at www.sdssos.gov or call the Brown County Auditor's Office at 605-626-7110.

Registration may be completed during regular business hours at the county auditor's office, municipal finance office, secretary of state's office, and those locations which provide driver's licenses, SNAP, TANF, WIC, military recruitment, and assistance to the disabled as provided by the Department of Human Services. You may contact the county auditor to request a mail-in registration form or access a mail-in registration form at www.sdssos.gov.

Any voter who needs assistance, pursuant to the Americans with Disabilities Act, may contact the county auditor for information and special assistance in voter registration.

Lynn Heupel, County Auditor Brown County, SD
Published May 1 and 8, 2024, at the total approximate cost of \$23.18 and may be viewed free of charge at www.sdpublicnotices.com. 23230

A subscription to the Groton Independent makes a great gift!
605-397-7460

STAFF REPORT

Meeting: May 21, 2024

BROWN COUNTY PLANNING COMMISSION

REZONE PARCEL FROM:

ITEM #11

Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG)

GENERAL INFORMATION:

OWNER:

Julie Lillis

PETITIONER:

Julie Lillis

REQUEST:

**Rezone Parcel from Agriculture
Preservation District (AG-P) to Mini-
Agriculture District (M-AG)**

LEGAL DESCRIPTION:

Proposed Lot 2A, "Jackson and Karlen's
Third Subdivision" in the NW1/4 & the N1/2
of the SW1/4 of Section 33-T125N-R62W of
the 5th P.M., Brown County, South Dakota

ADDRESS:

12342 396th Avenue

CITY/TOWNSHIP:

Columbia Twp.

EXISTING ZONING

Agriculture Preservation District (AG-P)

SURROUNDING ZONING:

North:

Rural Urban District (RU)

South:

Agriculture Preservation District (AG-P))

West:

Agriculture Preservation District (AG-P)

East:

Agriculture Preservation District (AG-P)

PUBLIC UTILITIES:

WEB Water

REPORTED BY:

Chris Anderson

GENERAL COMMENT: The petitioner is requesting this Rezone to bring this parcel into compliance for its current use.

GENERAL REVIEW: Staff has reviewed this request.

NOTICE OF HEARING

A PETITION to REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.

Petitioner: Julie Lillis

Description of property: Proposed Lot 2A, "Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-T125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue; Columbia Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezone petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.

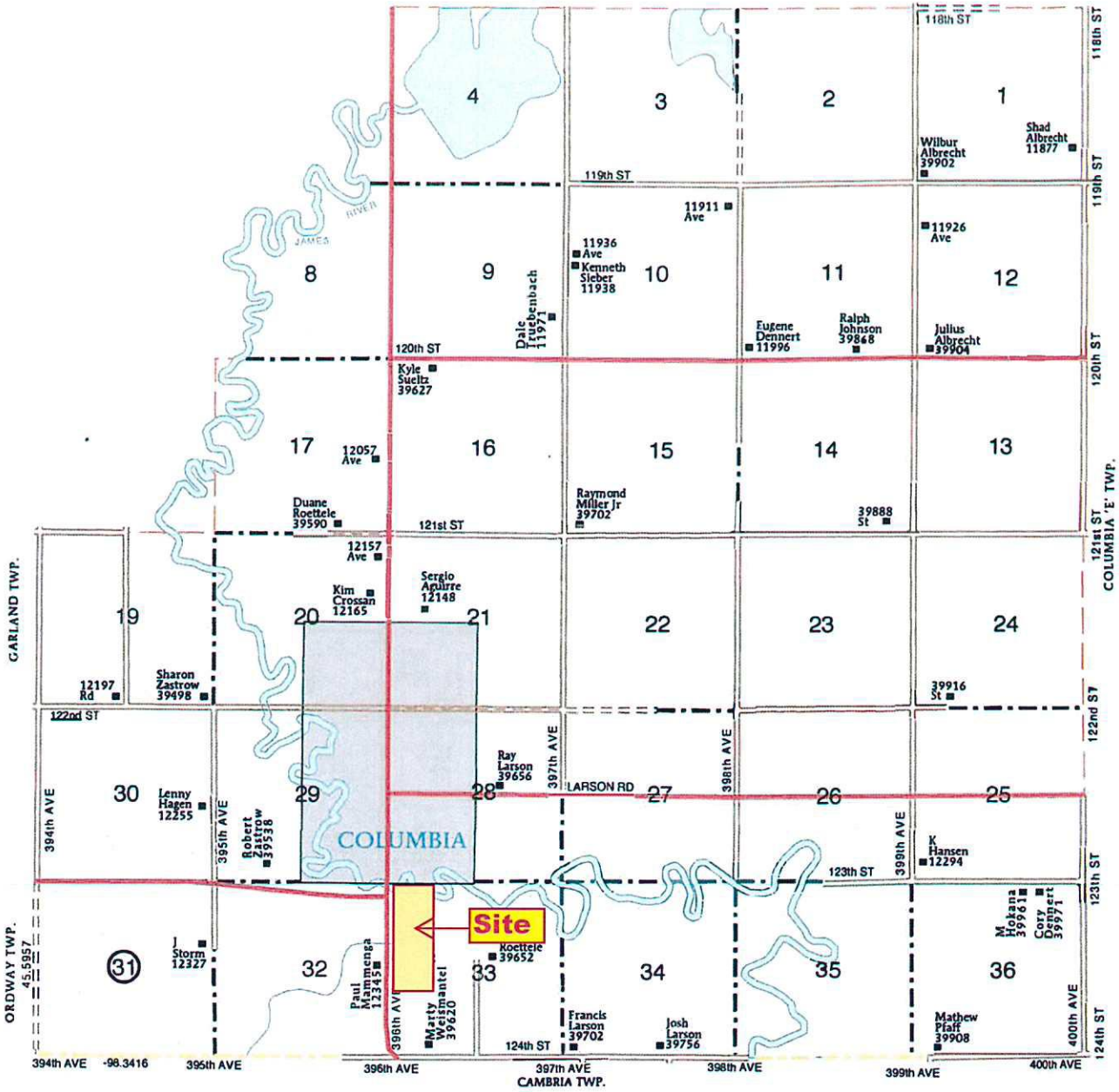
Dated this 8th day of May 2024.

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

Published once at the total approximate cost of _____.

(Residents - Owners or Renters)

SHELBY TWP.



REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____

Date: _____

Receipt _____

Filing Fee: \$ 350.00

(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 (Please print in black ink or type):

Proposed Lot 2A, "Jackson and Karlen's Third Subdivision" in the NW1/4
& the N1/2 of the SW1/4 of Section 33-T125N-R62W of the 5th P.M., Brown
County, South Dakota

General Area Location or Street Address: 12342 396th Avenue

From the Agriculture Preservation (AG-P) District

To the Mini-Agriculture (M-AG) District

Purpose: This Rezone is to bring this parcel into compliance for it's current use.

Size of Parcel: Lot 2A = 7.61 acres

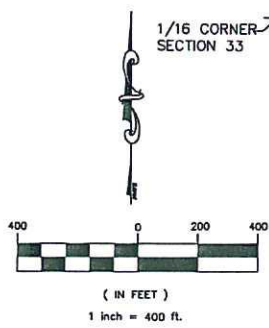
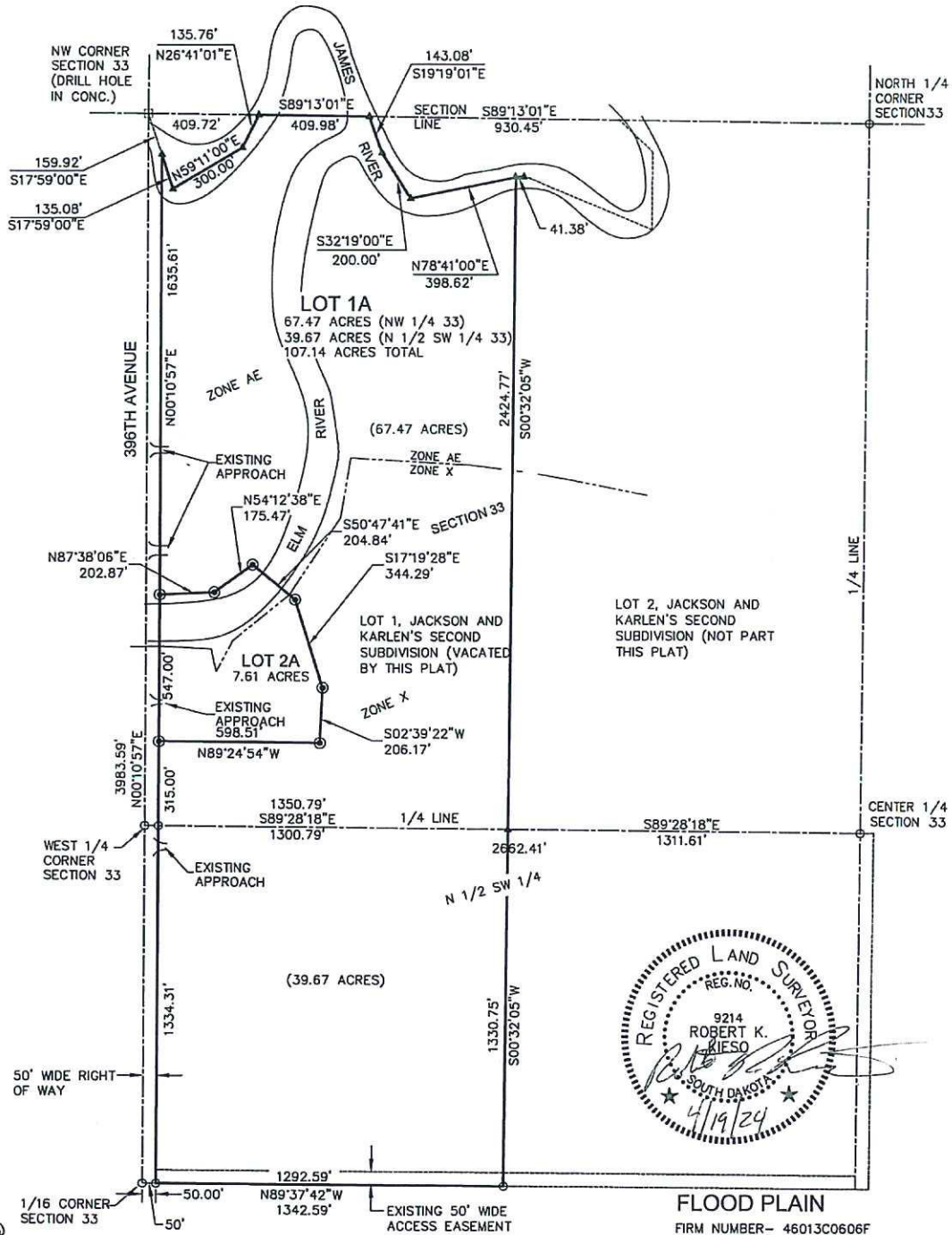
Existing Land Use: Mini-Agriculture

Owner (Print) Julie Lillis
Signature: *Julie Lillis*
Date: 5/1/24 Phone: 605-290-7590
Address: 12342 396th Avenue
Columbia SD 57401
City State Zip

Owner (Print) Julie Lillis
Signature: *Julie Lillis*
Date: 5/1/24 Phone: 605-290-7590
Address: 12342 396th Avenue
Columbia SD 57401
City State Zip

(Additional Signatures may be submitted on a separate page)

PLAT OF JACKSON AND KARLEN'S THIRD SUBDIVISION IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA



- LEGEND**
- ⊙ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED KIESO RLS 9214
 - FOUND PROPERTY CORNER
 - ▲ CALCULATED POSITION
 - 3/4" DRILL HOLE IN CONCRETE
 - PP PREVIOUSLY PLATTED DISTANCE
 - M MEASURED DISTANCE THIS SURVEY

FLOOD PLAIN
FIRM NUMBER- 46013C0606F
LOCATION OF FLOOD PLAIN LINES ARE AN APPROXIMATE AND SHOULD NOT BE USED FOR ANY FLOOD PLAIN INFORMATION

BASIS OF BEARINGS
TRUE MERIDIAN - GPS

Helms ASSOCIATES
CIVIL ENGINEERS & LAND SURVEYORS

221 Brown County Highway 19
120, Box 111
Aberdeen, S.D. 57401
Phone: 605.225.1212
Fax: 605.225.3189

PLAT OF
JACKSON AND KARLEN'S THIRD SUBDIVISION
IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W
OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, JULIE LILLIS, DO HEREBY CERTIFY THAT I AM THE OWNER OF LOT 1, JACKSON AND KARLEN'S SECOND SUBDIVISION IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AND THAT I HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ATTACHED PLAT WHICH SHALL BE HEREAFTER KNOWN AND DESCRIBED AS: JACKSON AND KARLEN'S THIRD SUBDIVISION IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

BY THIS PLAT, I DO HEREBY VACATE LOT 1, JACKSON AND KARLEN'S SECOND SUBDIVISION IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA AS FILED FOR RECORD ON AUGUST 28, 2018 AND DULY RECORDED AS PLAT NO. 3945, IN THE BROWN COUNTY REGISTER OF DEEDS OFFICE.

Julie Lillis
 JULIE LILLIS
 Signed this 22nd day of April, 2024

ACKNOWLEDGMENT

STATE OF South Dakota
 COUNTY OF Brown)SS

ON THIS THE 22ND DAY OF April, 2024, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED JULIE LILLIS KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: 11/2/2027
Ren Kee
 NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I, ROBERT K. KIESO, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNERS, I HAVE SURVEYED AND PLATTED "JACKSON AND KARLEN'S THIRD SUBDIVISION IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W 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. I FURTHER CERTIFY THAT THE WITHIN AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.
 DATED THIS 19TH DAY OF April, 2024

Robert K. Kieso
 ROBERT K. KIESO RLS #9214

PLAT OF JACKSON AND KARLEN'S THIRD SUBDIVISION IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

COUNTY PLANNING COMMISSION CERTIFICATION

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 _____, 20____.

"BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING JACKSON AND KARLEN'S THIRD SUBDIVISION IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-2-2, AND ANY AMENDMENTS THEREOF."

SECRETARY OF BROWN COUNTY PLANNING COMMISSION, SOUTH DAKOTA

APPROVAL BY COUNTY

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE BOARD OF COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA AT A MEETING HELD ON THE ____ DAY OF _____, 20____.

"BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING JACKSON AND KARLEN'S THIRD SUBDIVISION IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-3, AND ANY AMENDMENTS THEREOF."

COUNTY AUDITOR, BROWN COUNTY, SOUTH DAKOTA

HIGHWAY AUTHORITY CERTIFICATE

THE LOCATION OF THE PROPOSED PROPERTY LINES ABUTTING THE COUNTY OR STATE HIGHWAY, OR THE COUNTRY/TOWNSHIP ROAD AS SHOWN HEREON, IS HEREBY APPROVED ANY CHANGE IN THE LOCATION OF THE EXISTING ACCESS OR ANY NEW ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

BY: [Signature] 4-23-24
HIGHWAY AUTHORITY
TITLE: Supr. Brown Co. Hwy

DIRECTOR OF EQUALIZATION'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT ON THIS ____ DAY OF _____, 20____.

DIRECTOR OF EQUALIZATION, BROWN COUNTY, SOUTH DAKOTA

TREASURER'S CERTIFICATE

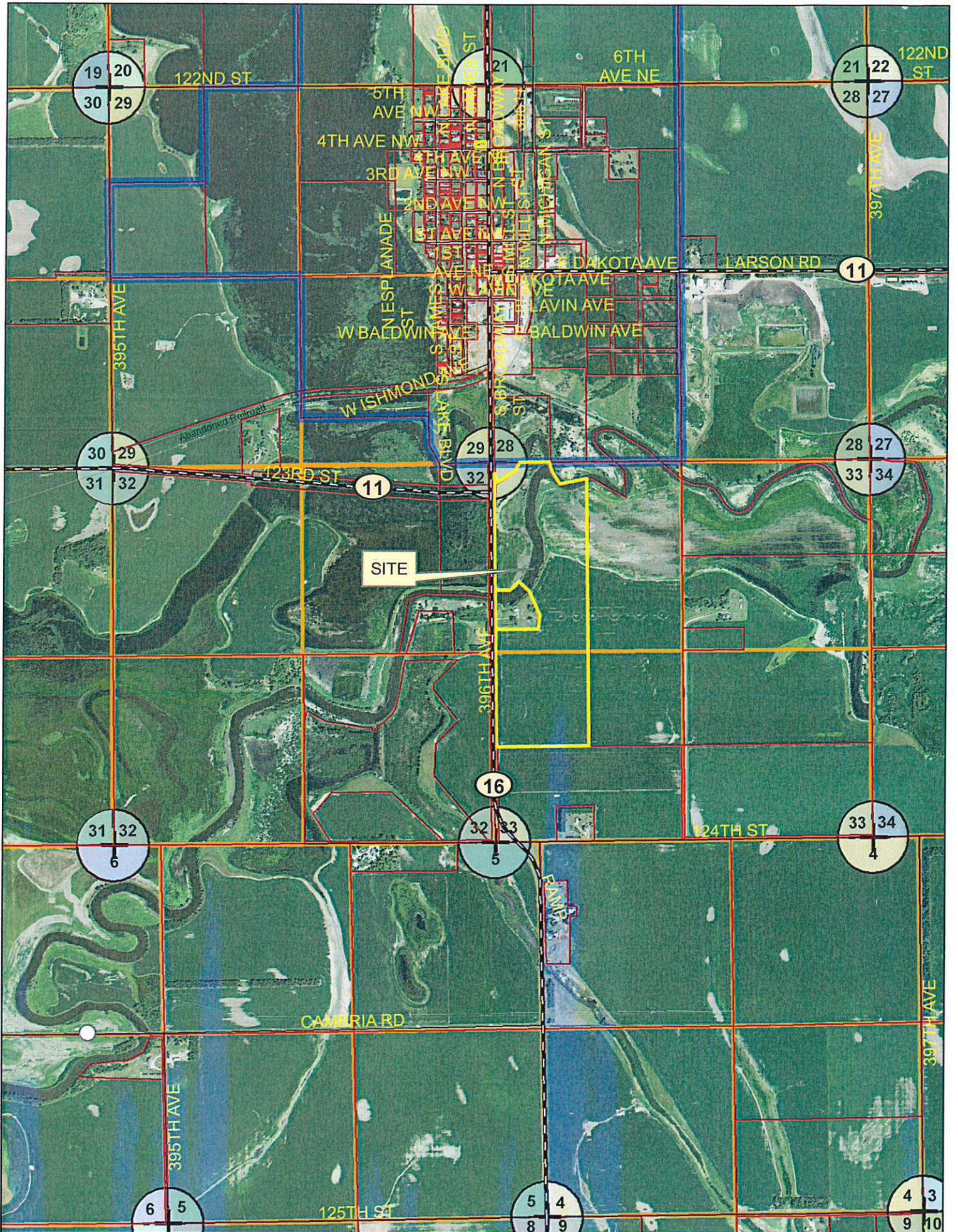
I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY OF THE LANDS INCLUDED IN THE ABOVE PLAT ARE SHOWN BY THE RECORDS OF MY OFFICE TO BE FULLY PAID. SIGNED THIS 22 DAY OF April, 2024.

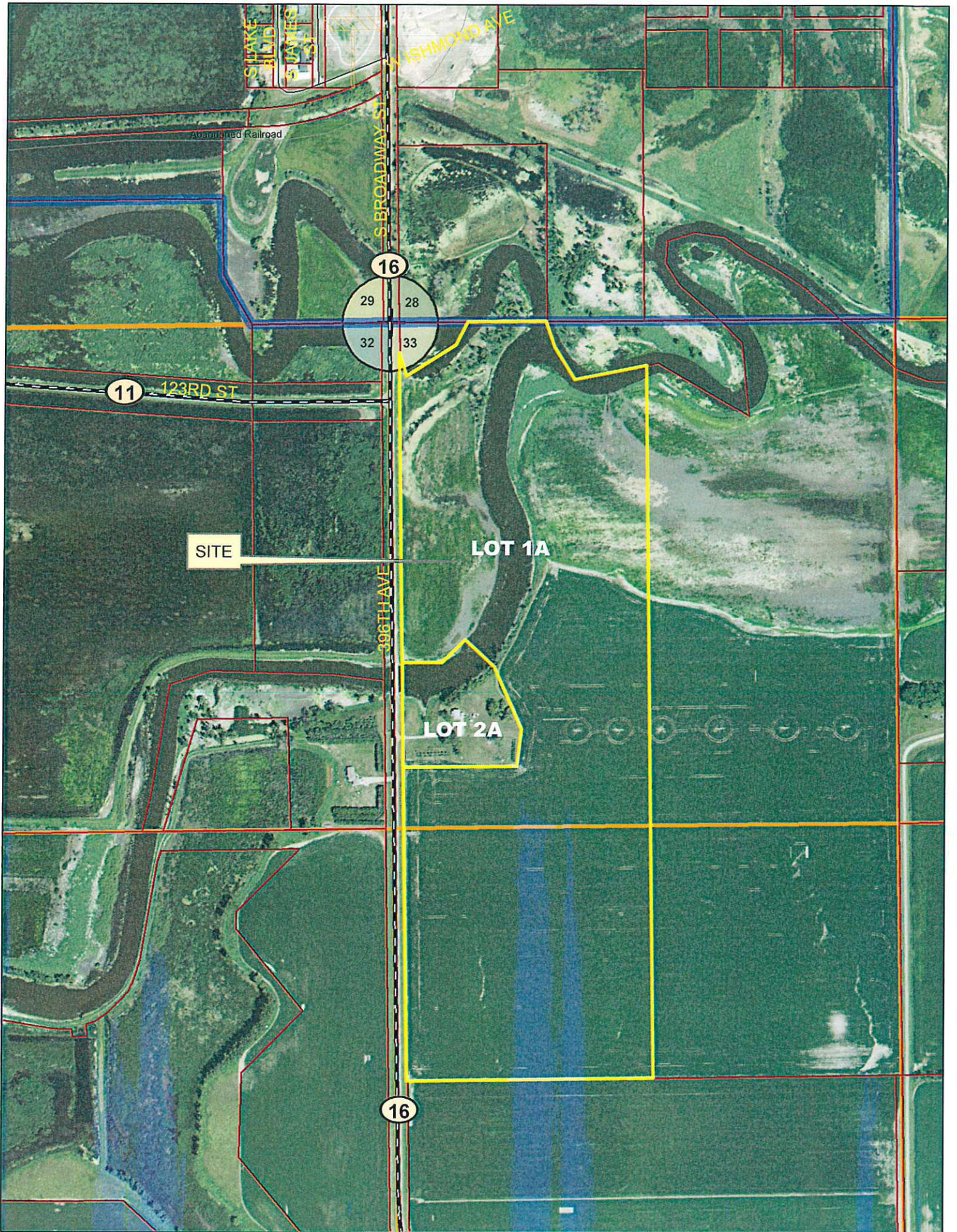
[Signature]
COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

REGISTER OF DEED'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20____ AT ____ O'CLOCK _____, AND DULY RECORDED IN HANGING PLATS NO. _____.

REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA





SHAKE BLVD
S JAMES ST

WISMOND AVE

Abandoned Railroad

S BROADWAY ST

16

29 28
32 33

11 123RD ST

SITE

LOT 1A

396TH AVE

LOT 2A

16

Julie Lillis
12342 396th Avenue
Columbia SD 57433

Columbia Township
C/O Nathan Miller
40295 119th Street
Houghton SD 57449

Larson Land LP
PO Box 17
Columbia SD 57433

Paul & Joy Mammenga
12345 396th Avenue
Columbia SD 57433

Attn: Corey Mitchell, Mayor
City of Columbia
PO Box 107
Columbia SD 57433

Leola Carlson
458 4th Avenue NE
Columbia SD 57433

Martin & Amy Weismantel
39620 124th Street
Columbia SD 57433

**AFFIDAVIT OF
PUBLICATION**

STATE OF SOUTH DAKOTA §
COUNTY OF BROWN §

Before me, the undersigned authority, on this day personally appeared Tina Kosel, who being by me duly sworn, deposes and says that she is the office manager of the Groton Independent; that said newspaper is a newspaper of general circulation in Groton, Brown County, South Dakota; and that this notice was published in said newspaper on the following date(s):

**Brown County
Lillis Rezoning
Published May 8, 2024 for \$15.02
Invoice No. 23288**

Tina Kosel

Newspaper Representative's Signature

Subscribed and sworn to before me this the

14th Day of May 2024

to certify which witness my hand and seal of office.

Paul I. Kosel

Notary Public in and for the State of South Dakota

(Seal)



Paul I. Kosel
Print or Type Name of Notary Public

My Commission Expires January 24, 2030
Bond Number: 107962682



NOTICE OF HEARING FOR TEMPORARY SPECIAL EVENT ALCOHOL LICENSE

Notice is hereby given according to SDCL 35-2, a Public Hearing on the following Temporary Special Event Alcohol License Application for Malt Beverage and Wine to be used by Aberdeen Area Chamber of Commerce will be held on May 21, 2024 in the Chambers of the Brown County Commissioners, in the County Courthouse Annex, Brown County, South Dakota, at which time any interested persons wishing to register complaint on their approval may appear.

Aberdeen Area Chamber of Commerce, Aberdeen, SD for Business After Hours to be held at Budget Furniture, LT 1 Budget Furniture - Schumaker SD NW 22-123-63 (Old Schumaker) Brown County, SD, Temporary Special Event Alcohol License effective July 11, 2024.

ATTEST: Lynn Heupel, Brown County Auditor
Published May 8, 2024, at the total approximate cost of \$10.42 and may be viewed free of charge at www.sdpublicnotices.com. 23280



City of Columbia Council Meeting - May 1, 2024
CALL MEETING TO ORDER - 7:00 p.m.

ROLL CALL - Cara Dennert, Corey Mitchell, Trevor Meints, Emily Eichler, Scott Meints
Community: Sydney Hanna
Corey Mitchell called the meeting to order. He called for a motion to approve the agenda. Trevor Meints made a motion to approve the posted agenda. Emily Eichler seconded the motion. All in favor - motion carried.

Corey Mitchell called for any conflict of interest on agenda items. There were no conflicts. Minutes were handed out from the April 3rd meeting. Emily Eichler made a motion to approve the minutes. Trevor Meints seconded the motion. All were in favor - motion carried.

Warrant Vouchers: JVT - fire prevention - 201.91; Web Water - fire prevention - 52.14; Northwestern Energy - electricity - 1807.89; GDI - publication - 238.46; Siegel, Barnett & Schutz - legal fees - 70.00; Jeremy Dosch - April wages - 419.99; Cara Dennert - April wages - 1235.25; Trevor Meints - April wages - 28.00; Runnings - shop supplies - 9.29; Menards - shop supplies - 100.66; B&B Contracting - road blading - 2150.00; GDI - publication - 44.98; Dacotah Bank - shop supplies - 43.91; Stockwell Engineers - 375.00; SDPAA - Insurance - 9123.94
Cara mentioned that the SDPAA bill was not yet received at the time of the agenda being posted. There was also another bill from Menards that changed the amount owed. Trevor Meints made a motion to approve the vouchers as corrected. Emily Eichler seconded the motion. All were in favor - motion carried.

COMMUNITY COMMENTS / CORRESPONDENCE:
UNFINISHED BUSINESS - Summer Rec will not be held this summer - Emily has asked numerous people, and no one is interested in being a charge/organizing. Some of the board members met with the Columbia Foundation regarding questions that they had about the security system cameras that the city applied for grant money to be used in the new park.

Nuisances - After the community clean up day, there will be a list put together regarding ordinance violations.
Streets - The rain has been doing a number on the roads. We need gravel, but they probably start with the potholes. Scott is going to canvas the town to see what signage needs replacing.
Parks - Emily is still trying to find someone interested in running Summer Rec.
Lagoon/sewer - The sewer/discharge gate is still frozen shut.
Rubble Site - The city received the solid waste permit from DNR.

NEW BUSINESS - Scott Meints took his oath of office as a councilman. There was discussion and appointment of council assignments to head up the following areas: Emily Eichler will cover nuisances, Trevor Meints - streets, Scott Meints - parks, and Jeremy Dosch - lagoon/sewer. Trevor Meints was appointed the President of the Council, replacing Cole Kampa. Sydney Hanna was present representing the Columbia Community Cares and the Improving Community Appearance Committees. She discussed the city web page found at columbia-sd.com. The groups are going to have a Clean Up Day May 18th. The committees have applied for 501C3 status. They are planning on putting a storage bin in the park to hold sporting equipment. They also would like to purchase an AED for the baseball field. The committees are also looking to the future having a digital sign in town. They are planning a welcome sign for the north side of town. The committees are also looking to the future having a digital sign in town. They are planning a welcome sign for the north side of town. The committees are also looking to the future having a digital sign in town.

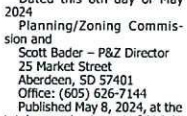


NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Susan Clark
Description of property: Outlot 6, "Derian's Outlots" in the NW1/4 of Section 27-123N-R64W of the 5th P.M., together with the 33' strip of vacated Derian Drive next South of Outlot 6 & extending easterly to the center line of "A" Street extended South, Brown County, South Dakota (1826 Derian Drive, Aberdeen Twp.).
Reason: The petitioner is requesting a Variance to Building Setbacks in a Mini-Agriculture District (M-AG) to have a 6' West Rear Yard & 5' South Side Yard Setback rather than the 20' Setback required by Brown County Ordinance.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May 2024
Planning/Zoning Commission and
Scott Bader - P&Z Director
25 Market Street
Aberdeen, SD 57401
Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$14.41 and may be viewed free of charge at www.sdpublicnotices.com. 23283

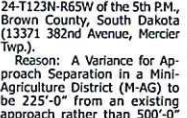


NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Chad Lyke for owner Toby Doeden
Description of property: Proposed Lot 2, "Doeden First Addition" in the SE1/4 of Section 24-1123N-R65W of the 5th P.M., Brown County, South Dakota (13371 382nd Avenue, Mercier Twp.).
Reason: A Variance for Approach Separation in a Mini-Agriculture District (M-AG) to be 22'-0" from an existing approach rather than 50'-0" required in Brown County Zoning Ordinances.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request. Dated this 8th day of May 2024
Planning/Zoning Commission and
Scott Bader - P&Z Director
25 Market Street
Aberdeen, SD 57401
Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$12.88 and may be viewed free of charge at www.sdpublicnotices.com. 23284



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

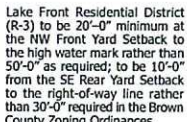
Petitioner / Owner: Kevin & Jean Nelson
Description of property: Proposed Lot 1, "Kevin and Jean Nelson First Addition to the City of Columbia" in the NE1/4 of Section 29-1125N-R62W of the 5th P.M., Brown County, South Dakota (4 4th Avenue NW, Columbia City).
Reason: A Variance for Building Setbacks in a Rural Urban District (RU) to be 20'-0" from the Front Yard property line rather than 25'-0" required and 10'-0" from the Rear Yard property line rather than the 20'-0" required by Brown County Ordinance for a new garage addition.



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 Basement Community Room of the Brown County Courthouse Annex, on Tuesday May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Collin & Deb Gengerke
Description of property: Lots 31-34, "Raetzman's Richmond Lake Subdivision" in the NW1/4 of Section 13-1124N-R65W of the 5th P.M., Brown County, South Dakota (126383 North Bridge Road, Ravinia Twp.).
Reason: Requesting a Variance to Building Setbacks in a



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 Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Peru LLC-Russ Beadle
Description of property: Yeoman's Outlot 2 and 3 and the South 700' of 50' immediately to the East of and abutting on said Outlots 2 and 3 which is designed as an Access Road in the NE1/4 of Section 27-124N-R64W of the 5th P.M., Brown County, South Dakota (12849 386th Avenue; Lincoln Twp.).
Reason: A Variance for Building Setbacks in a Highway Commercial District (HC) to be 10'-0" from the Side Yard property line rather than 25'-0" required by Brown County Ordinance for a new office addition.

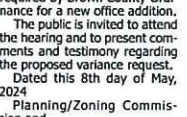


NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner / Owner: Morgan & Jackie Beving
Description of property: Proposed Lot 1, "Beving Addition" in the W1/2 of the NE1/4 of Section 35-1123N-R65W of the 5th P.M., Brown County, South Dakota (37865 135th Street; Mercier Twp.).
Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.
Dated this 8th day of May 2024.
Planning/Zoning Commission and
Scott Bader - P&Z Director
25 Market Street
Aberdeen, SD 57401
Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$13.80 and may be viewed free of charge at www.sdpublicnotices.com. 23286

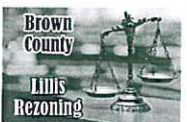


NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex, on May 21, 2024, at 7:00 P.M.

Petitioner: Morgan & Jackie Beving
Description of property: Proposed Lot 1, "Beving Addition" in the W1/2 of the NE1/4 of Section 35-1123N-R65W of the 5th P.M., Brown County, South Dakota (37865 135th Street; Mercier Twp.).
Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.
Dated this 8th day of May 2024.
Planning/Zoning Commission and
Scott Bader - P&Z Director
25 Market Street
Aberdeen, SD 57401
Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$15.02 and may be viewed free of charge at www.sdpublicnotices.com. 23287



NOTICE OF HEARING

A PETITION TO REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room of the Brown County Courthouse Annex on May 21, 2024, at 7:00 P.M.

Petitioner: Julie Illis
Description of property: Proposed Lot 2A, "Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-1125N-R62W of the 5th P.M., Brown County, South Dakota (12342 395th Avenue; Columbia Twp.).
Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezoning petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.
Dated this 8th day of May 2024.
Planning/Zoning Commission and
Scott Bader - P&Z Director
25 Market Street
Aberdeen, SD 57401
Office: (605) 626-7144
Published May 8, 2024, at the total approximate cost of \$23.18 and may be viewed free of charge at www.sdpublicnotices.com. 23288

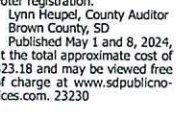


NOTICE OF DEADLINE FOR VOTER REGISTRATION

Voter registration for the Primary Election to be held on Monday, June 4, 2024, will close on Monday, May 20, 2024 at 5:00 p.m. Failure to register by this date will cause forfeiture of voting rights for this election. If you are in doubt about whether you are registered, check the Voter Information Portal at www.sd-sos.gov or call the Brown County Auditor's Office at 605-626-7110.

Registration may be completed during regular business hours at the county auditor's office, municipal finance office, secretary of state's office, and those locations which provide driver's licenses, SNAP, TANF, WIC, military recruitment, and assistance to the disabled as provided by the Department of Human Services. You may contact the county auditor to request a mail-in registration form or access a mail-in registration form at www.sd-sos.gov.

Any voter who needs assistance, pursuant to the Americans with Disabilities Act, may contact the county auditor for information and special assistance in voter registration.
Lynn Heupel, County Auditor
Brown County, SD
Published May 1 and 8, 2024, at the total approximate cost of \$23.18 and may be viewed free of charge at www.sdpublicnotices.com. 23230



Subscription to the Groton Independent makes a great gift!

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Call/Text Tina 605-397-7285
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Weak muscles put more stress on joints. May Clinic

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SOUTH DAKOTA STATE UNIVERSITY EXTENSION
Community Ministry
Energize Conference
Exploring Innovative Rural Communities
Hot Springs, SD
May 22-23, 2024
Register Now!
energizeconference.org/events
Explore new ideas for your community!

STAFF REPORT

Meeting: May 21, 2024

BROWN COUNTY PLANNING COMMISSION

PRELIMINARY & FINAL PLAT

ITEM #12

GENERAL INFORMATION:

OWNER:	Kevin & Jean Nelson
PETITIONER:	Kevin & Jean Nelson
REQUEST:	PRELIMINARY & FINAL PLAT
LEGAL DESCRIPTION:	"Kevin and Jean Nelson First Addition to the City of Columbia" in the NE1/4 of Section 29-T125N-R62W of the 5 th P.M., Brown County, South Dakota
ADDRESS:	04 4 th Avenue NW
CITY/TOWNSHIP:	Columbia City
EXISTING ZONING	Rural Urban District (RU)
SURROUNDING ZONING:	
North:	Rural Urban District (RU)
South:	Rural Urban District (RU)
West:	Rural Urban District (RU)
East:	Rural Urban District (RU)
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Ron Keller

GENERAL COMMENT: The petitioner is requesting this Preliminary & Final Plat for construction purposes.

GENERAL REVIEW: Staff has reviewed this plat.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME: Kevin and Jean Nelson First Addition

LEGAL SECTION: QUARTER: NE1/4 SECTION: 29 TOWNSHIP: 125 RANGE: 62

MANDATORY LOTS: 1 TRACTS _____ PARCELS _____ OUTLOTS _____ OTHER _____

SCHOOL DISTRICT: Groton Area

UTILITIES: WEB Water

OWNERS NAMES: Kevin & Jean Nelson

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Cory Biegler (Helms & Associates)

TYPE: PRELIMINARY _____ FINAL _____ BOTH X (both is allowed if there is not a new road needed)

PLAT FEE PER PLAT: \$150.00 DATE PAID: 05 / 01 / 2024

RECEIVED BY PLANNING DEPARTMENT: 04 / 08 / 20 24 BY: Ron Keller

REASON FOR PLAT: DEVELOPMENT _____ CONVEYANCE _____ FINANCIAL PURPOSES X OTHER _____

ORIGINAL PLAT DRAWN ON: 11 x 17 MYLAR X 11 x 17 PHOTO PAPER _____ OTHER _____

STREETS/ROADS NAMED PROPERLY: X NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT: _____

EXISTING ACCESS SHOWN ON PLAT: X ACCESS PERMISSION NEEDED BY: SD _____ BC _____ City TWP X

FULLY DIMENSIONED FROM SECTION CORNER: X OR QUARTER CORNER: X OR KNOWN MARKER: X

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE: X

HIGHWAY SIGNATURE LINE SHOWN: (State, County & Township) X SIGNATURE LINE SIGNED: X

TAXES PAID IN FULL: (on all lots involved) FOR THE YEAR X TREASURER SIGNATURE LINE SIGNED X

BOLD BOUNDARY DRAWN AROUND COMPLETE LOT: X PROPERTY PINS SHOWN ON ALL CORNERS: X

REGULAR BOUNDARY LINE DRAWN AROUND R-O-W X

AFTER PLANNING COMMISSION MEETING

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 26, 2024
RECEIPT # 821946
TOWNSHIP: Columbia City

FEE: \$150.00
PAID: YES/NO CHK/CASH
DATE: May 1, 2024

OWNERS NAME (print): Kevin & Jean Nelson
OWNERS SIGNATURE: Kevin Nelson Jean Nelson
OWNERS ADDRESS: 4 4th Avenue NW
OWNERS CITY, STATE, ZIP: Columbia, SD 57433
OWNERS PHONE: 763-234-7964
OWNERS EMAIL: _____

AGENTS NAME (print): _____
AGENTS SIGNATURE: _____
AGENTS ADDRESS: _____
AGENTS CITY, STATE, ZIP: _____
AGENTS PHONE: _____
AGENTS EMAIL: _____

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: "Kevin and Jean Nelson First Addition to the City of Columbia" in the NE1/4 of Section 29-T125N-R62W of the 5th P.M., Brown County, South Dakota (4 4th Avenue NW; Columbia City)

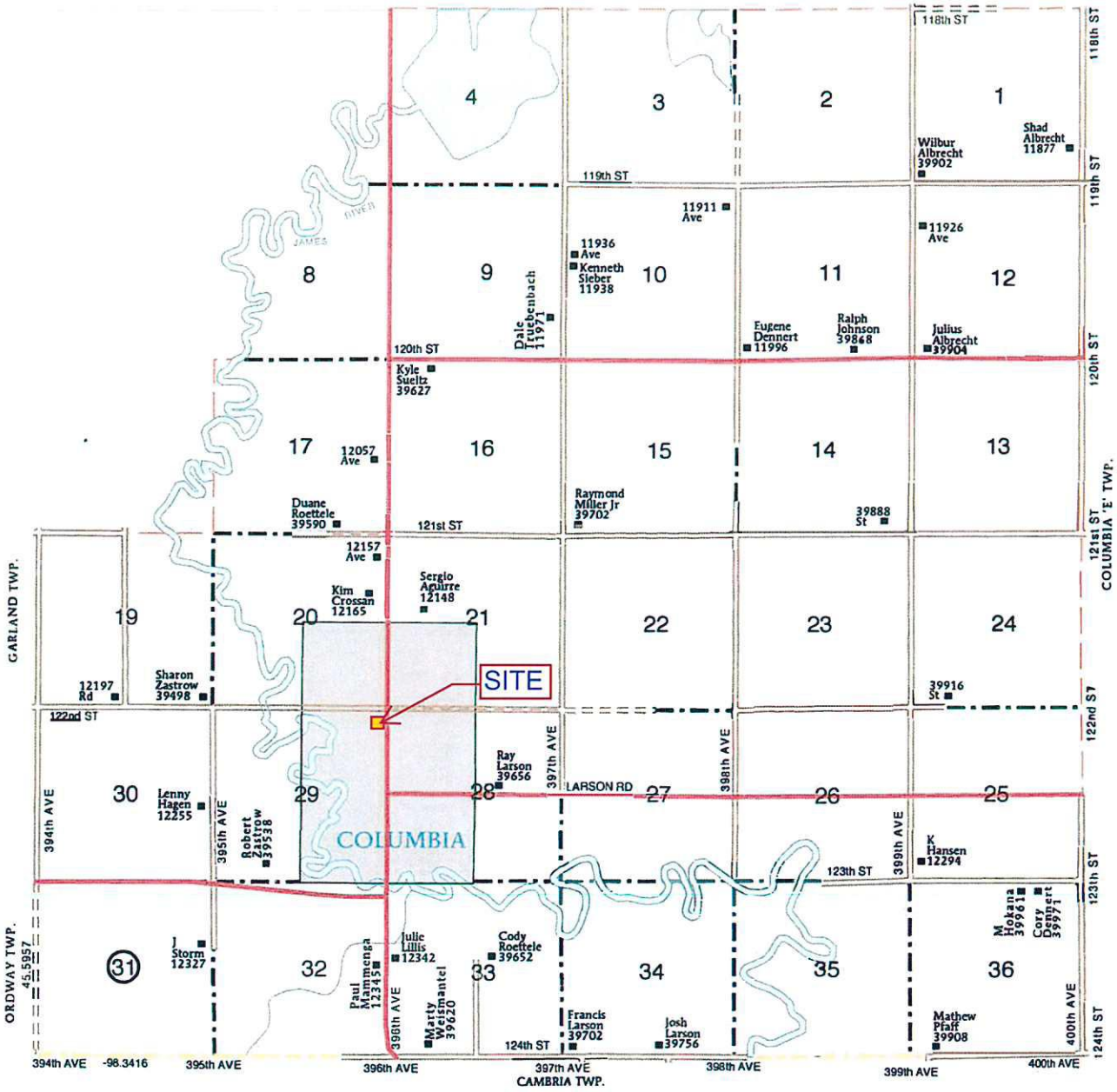
Planning Commission Action: Approved / Denied

By: _____ Date: _____

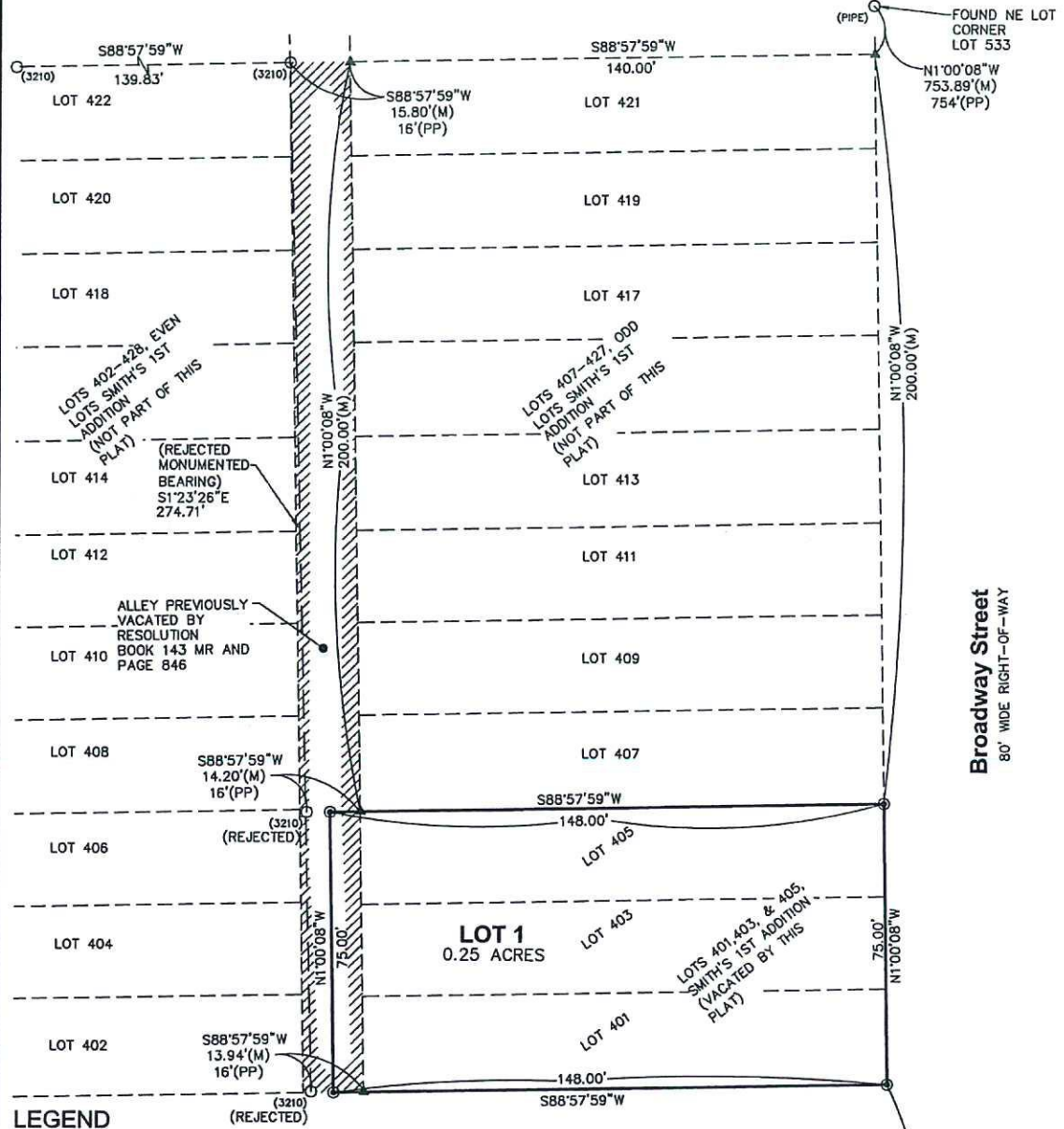
HEARING DATE: May 21, 2024 TIME: 7:00 pm

(Residents - Owners or Renters)

SHELBY TWP.

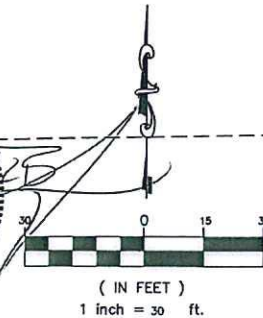
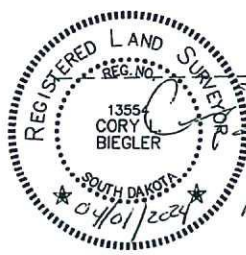


PLAT OF KEVIN AND JEAN NELSON FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE NE 1/4 OF SECTION 29-T125N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA



- LEGEND**
- FOUND PROPERTY CORNER
 - ⊙ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED BIEGLER RLS 13554
 - SET 3" SPIKE W/ WASHER STAMPED BIEGLER RLS 13554
 - ▲ CALCULATED POSITION

BASIS OF BEARINGS
SD STATE PLANE NORTH ZONE
NAD 83 (2011) US SURVEY FEET
DISTANCES ARE GROUND



Helms & Associates
CIVIL ENGINEERS & LAND SURVEYORS
416 PRODUCTION STREET N.
P.O. Box 111
Aberdeen, S.D. 57401
Phone: 605.225.1212
Fax: 605.225.3189

DWG. 9476-LS BY:CLB SHEET 1 OF 3

PLAT OF
KEVIN AND JEAN NELSON FIRST ADDITION
TO THE CITY OF COLUMBIA,
IN THE NE 1/4 OF SECTION 29-T125N-R62W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

WE, KEVIN NELSON AND JEAN NELSON, HUSBAND AND WIFE, AS JOINT TENANTS WITH THE RIGHT OF SURVIVORSHIP AND NOT TENANTS IN COMMON, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF LOTS 401, 403, AND 405, BROADWAY STREET, SMITH'S 1ST ADDITION TO COLUMBIA, 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 HEREAFTER KNOWN AND DESCRIBED AS; KEVIN AND JEAN NELSON FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE NE 1/4 OF SECTION 29-T125N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND WE HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE FOREVER AS SUCH, THE STREETS AND ALLEYS, IF ANY, AS SHOWN AND MARKED ON SAID PLAT; AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

BY THIS PLAT, WE, KEVIN NELSON AND JEAN NELSON, HUSBAND AND WIFE, DO HEREBY VACATE LOTS 401, 403, AND 405, BROADWAY STREET, SMITH'S 1ST ADDITION TO COLUMBIA, BROWN COUNTY, SOUTH DAKOTA AS FILED FOR RECORD ON OCTOBER 2, 1882 AND DULY RECORDED AS PLAT NO. 37.

KEVIN NELSON

Signed this _____ day of _____, 20__

JEAN NELSON

Signed this _____ day of _____, 20__

ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____)SS

ON THIS THE _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED KEVIN NELSON AND JEAN NELSON, HUSBAND AND WIFE KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.


MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I, CORY L. BIEGLER, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNER(S), I HAVE SURVEYED AND PLATTED "KEVIN AND JEAN NELSON FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE NE 1/4 OF SECTION 29-T125N-R62W 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. I FURTHER CERTIFY THAT THE WITHIN AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.

DATED THIS 1 DAY OF APRIL, 2024.



CORY L. BIEGLER

RLS #13554

**PLAT OF
KEVIN AND JEAN NELSON FIRST ADDITION
TO THE CITY OF COLUMBIA,
IN THE NE 1/4 OF SECTION 29-T125N-R62W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA**

COUNTY PLANNING COMMISSION CERTIFICATION

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 _____, 20____.

"BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING KEVIN AND JEAN NELSON FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE NE 1/4 OF SECTION 29-T125N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-2-2, AND ANY AMENDMENTS THEREOF."

SECRETARY OF BROWN COUNTY PLANNING COMMISSION, SOUTH DAKOTA

APPROVAL BY COUNTY COMMISSION

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE BOARD OF COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA AT A MEETING HELD ON THE ____ DAY OF _____, 20____.

"BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING KEVIN AND JEAN NELSON FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE NE 1/4 OF SECTION 29-T125N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-3, AND ANY AMENDMENTS THEREOF."

COUNTY AUDITOR, BROWN COUNTY, SOUTH DAKOTA

HIGHWAY AUTHORITY CERTIFICATE--CITY OF COLUMBIA STREETS

THE LOCATION OF THE PROPOSED PROPERTY LINES ABUTTING THE COUNTY OR STATE HIGHWAY, OR THE COUNTY ROAD AS SHOWN HEREON, IS HEREBY APPROVED ANY CHANGE IN THE LOCATION OF THE EXISTING ACCESS OR ANY NEW ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

BY: _____
HIGHWAY AUTHORITY

TITLE: _____

DIRECTOR OF EQUALIZATION'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT ON THIS ____ DAY OF _____, 20____.

DIRECTOR OF EQUALIZATION, BROWN COUNTY, SOUTH DAKOTA

TREASURER'S CERTIFICATE

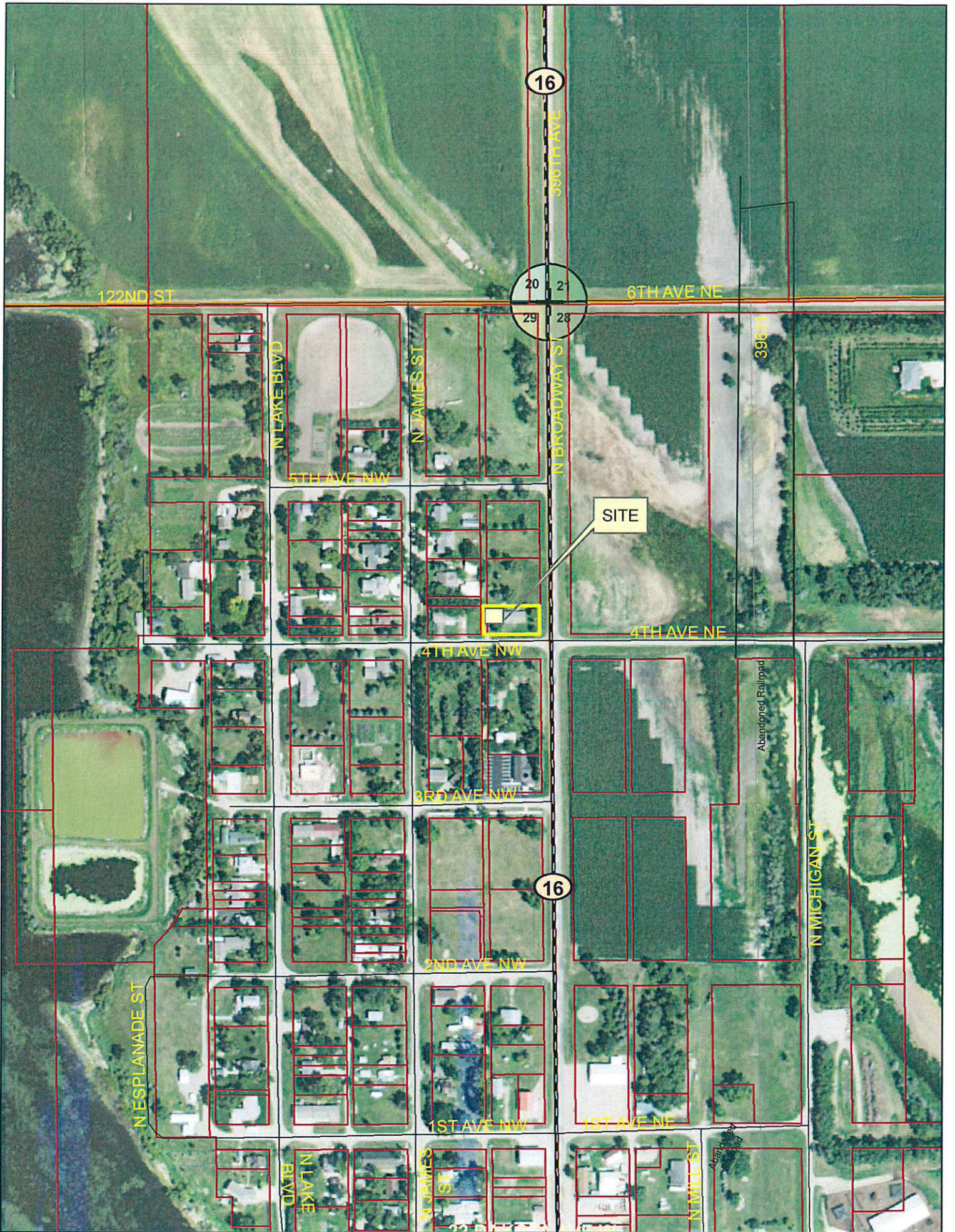
I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY OF THE LANDS INCLUDED IN THE ABOVE PLAT ARE SHOWN BY THE RECORDS OF MY OFFICE TO BE FULLY PAID. SIGNED THIS ____ DAY OF _____, 20____.

COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

REGISTER OF DEED'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20____ AT ____ O'CLOCK _____, AND DULY RECORDED IN HANGING PLATS NO. _____

REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA



16

122ND ST

20 21
29 28

6TH AVE NE

N LAKE BLVD

N JAMES ST

N BROADWAY ST

396TH

5TH AVE NW

SITE

4TH AVE NE

4TH AVE NW

3RD AVE NW

Abandoned Railroad

16

2ND AVE NW

N MICHIGAN ST

N ESPLANADE ST

1ST AVE NW

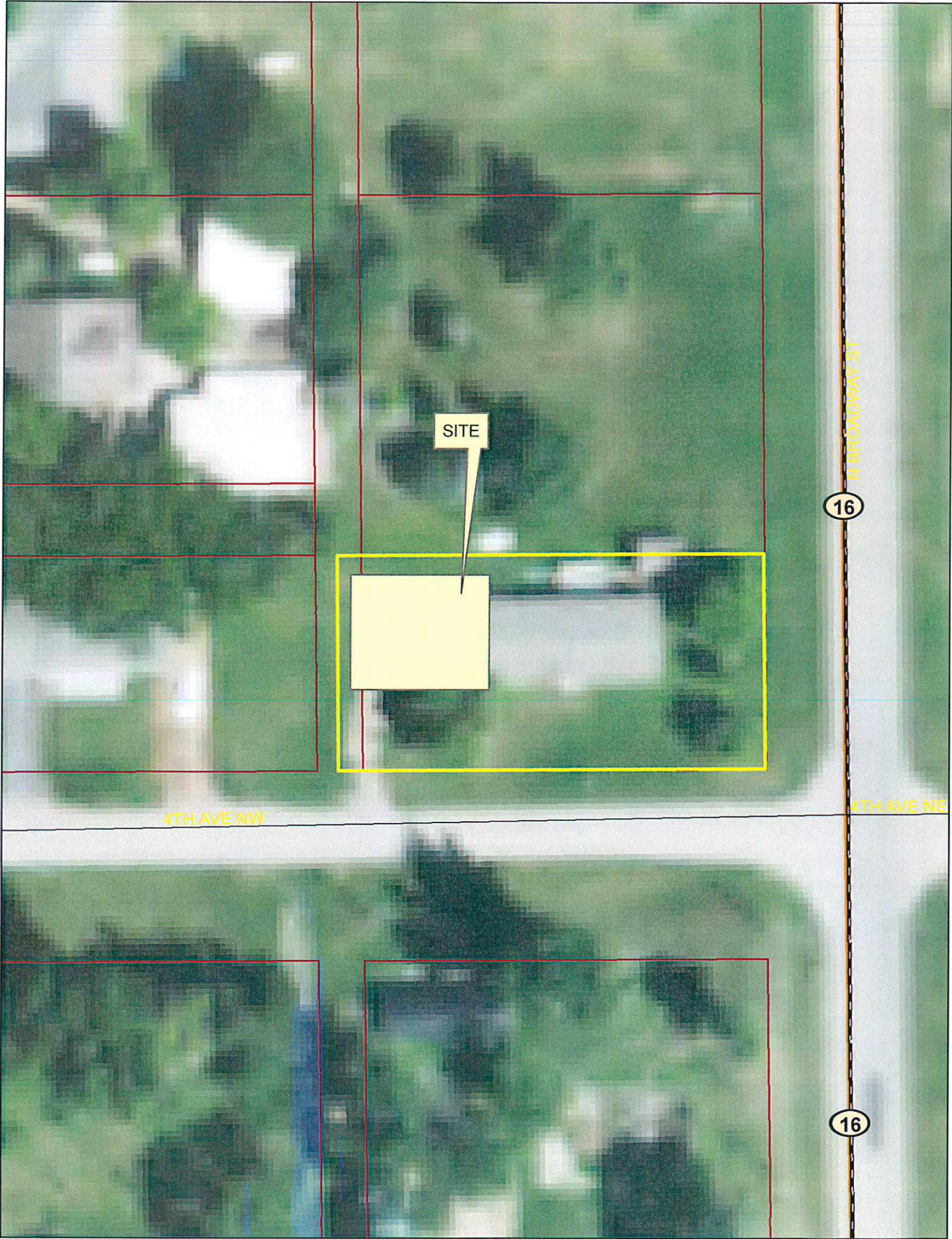
1ST AVE NE

N LAKE BLVD

N JAMES ST

N MILL ST

Abandoned Railroad



SITE

4TH AVE NW

4TH AVE NE

16

N BROADWAY ST

16

STAFF REPORT

Meeting: May 21, 2024

BROWN COUNTY PLANNING COMMISSION

PRELIMINARY & FINAL PLAT

ITEM #13

GENERAL INFORMATION:

OWNER:	Morgan & Jackie Beving
PETITIONER:	Morgan & Jackie Beving
REQUEST:	PRELIMINARY & FINAL PLAT
LEGAL DESCRIPTION:	"Beving Addition" in the W1/2 of the NE1/4 of Section 35-T123N-R65W of the 5 th P.M., Brown County, South Dakota
ADDRESS:	37865 135 th Street
CITY/TOWNSHIP:	Mercier Twp
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING:	
North:	Agriculture Preservation District (AG-P)
South:	Conservation District (CN)
West:	Agriculture Preservation District (AG-P)
East:	Conservation District (CN)
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Ron Keller

GENERAL COMMENT: The petitioner is requesting this Preliminary & Final Plat for financial and conveyance purposes.

GENERAL REVIEW: Staff has reviewed this plat.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME: Beving Addition

LEGAL SECTION: QUARTER: NE1/4 SECTION: 35 TOWNSHIP: 123 RANGE: 65

MANDATORY LOTS: 1 TRACTS _____ PARCELS _____ OUTLOTS _____ OTHER _____

SCHOOL DISTRICT: Aberdeen

UTILITIES: WEB Water

OWNERS NAMES: Morgan & Jackie Beving

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Jamie Sprenger, IMEG

TYPE: PRELIMINARY _____ FINAL _____ BOTH X (both is allowed if there is not a new road needed)

PLAT FEE PER PLAT: \$150.00 DATE PAID: 04 / 19 / 2024

RECEIVED BY PLANNING DEPARTMENT: 04 / 19 / 2024 BY: Ron Keller

REASON FOR PLAT: DEVELOPMENT _____ CONVEYANCE X FINANCIAL PURPOSES X OTHER _____

ORIGINAL PLAT DRAWN ON: 11 x 17 MYLAR X 11 x 17 PHOTO PAPER _____ OTHER _____

STREETS/ROADS NAMED PROPERLY: X NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT: _____

EXISTING ACCESS SHOWN ON PLAT: X ACCESS PERMISSION NEEDED BY: SD _____ BC _____ TWP X

FULLY DIMENSIONED FROM SECTION CORNER: X OR QUARTER CORNER: X OR KNOWN MARKER: X

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE: X

HIGHWAY SIGNATURE LINE SHOWN: (State, County & Township) X SIGNATURE LINE SIGNED: X

TAXES PAID IN FULL: (on all lots involved) FOR THE YEAR X TREASURER SIGNATURE LINE SIGNED X

BOLD BOUNDARY DRAWN AROUND COMPLETE LOT: X PROPERTY PINS SHOWN ON ALL CORNERS: X

REGULAR BOUNDARY LINE DRAWN AROUND R-O-W X

AFTER PLANNING COMMISSION MEETING

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 26, 2024
RECEIPT # 821937
TOWNSHIP: Mercier Twp

FEE: \$150.00
PAID: YES/NO CHK/CASH
DATE: April 23, 2024

OWNERS NAME (print): Morgan & Jackie Beving
OWNERS SIGNATURE: [Signature] 4/23/24
OWNERS ADDRESS: PO Box 947
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57402-0947
OWNERS PHONE: 605-380-5147
OWNERS EMAIL: _____

AGENTS NAME (print): _____
AGENTS SIGNATURE: _____
AGENTS ADDRESS: _____
AGENTS CITY, STATE, ZIP: _____
AGENTS PHONE: _____
AGENTS EMAIL: _____

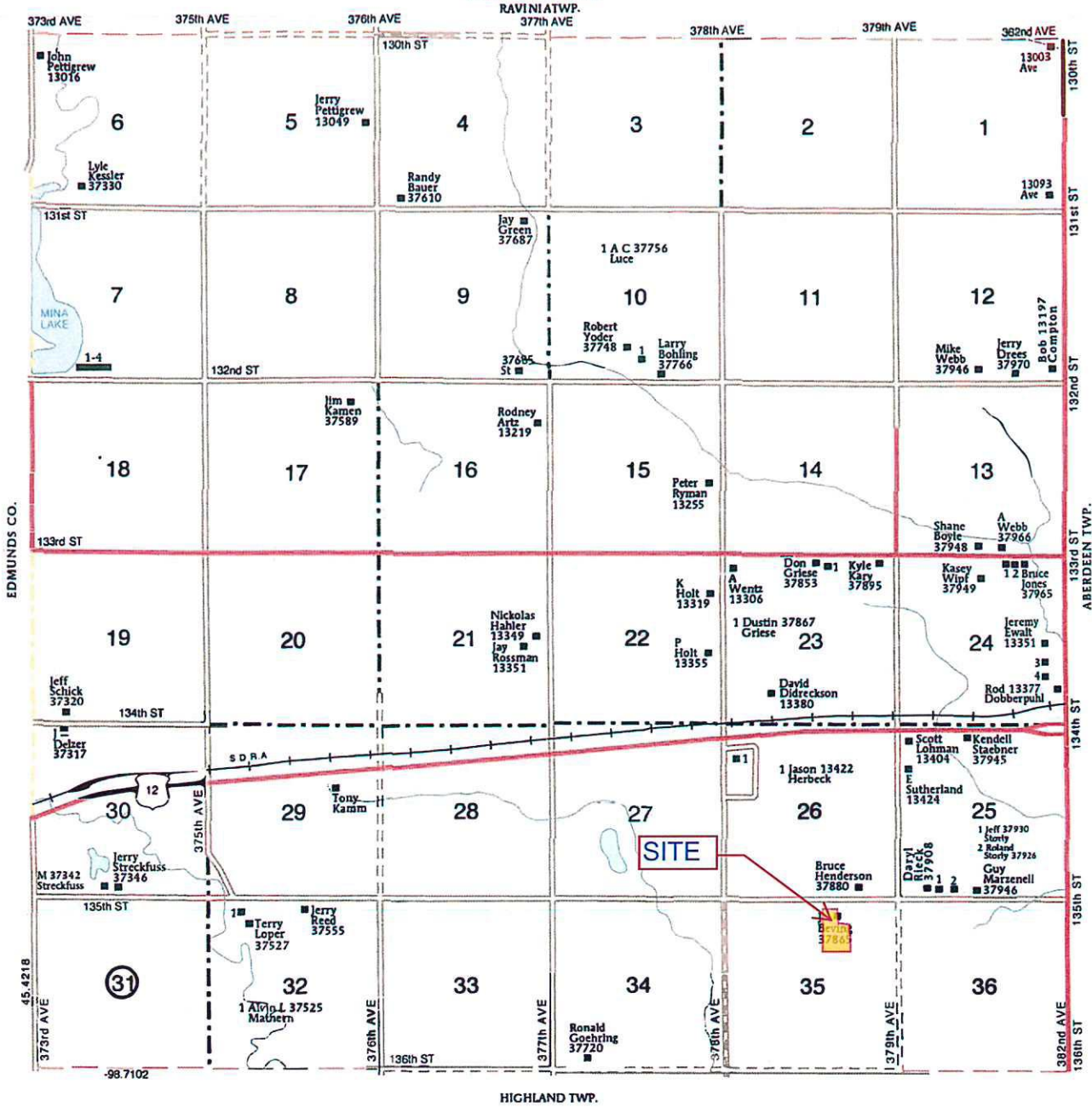
REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: "Beving Addition" in the W1/2 of the NE1/4 of Section
35-T123N-R65W of the 5th P.M., Brown County, South Dakota
(37865 135th Street; Mercier Twp.)

Planning Commission Action: <i>Approved / Denied</i> _____	

By: _____	Date: _____
HEARING DATE: <u>May 21, 2024</u>	TIME: <u>7:00 pm</u>

(Residents - Owners or Renters)



MERCIER TOWNSHIP

SECTION 7

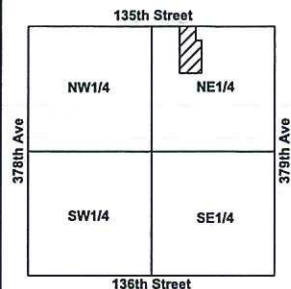
- 1 Bauer, Bryan 37302
- 2 Davis, I 37306
- 3 Salo, Roger 37310
- 4 Dykema, Wade 37320

SECTION 24

- 1 Hehn, Robert 37961
- 2 Jones, Jamie 37963
- 3 Zinter, Daniel 13365
- 4 Hammer, Leland 13371

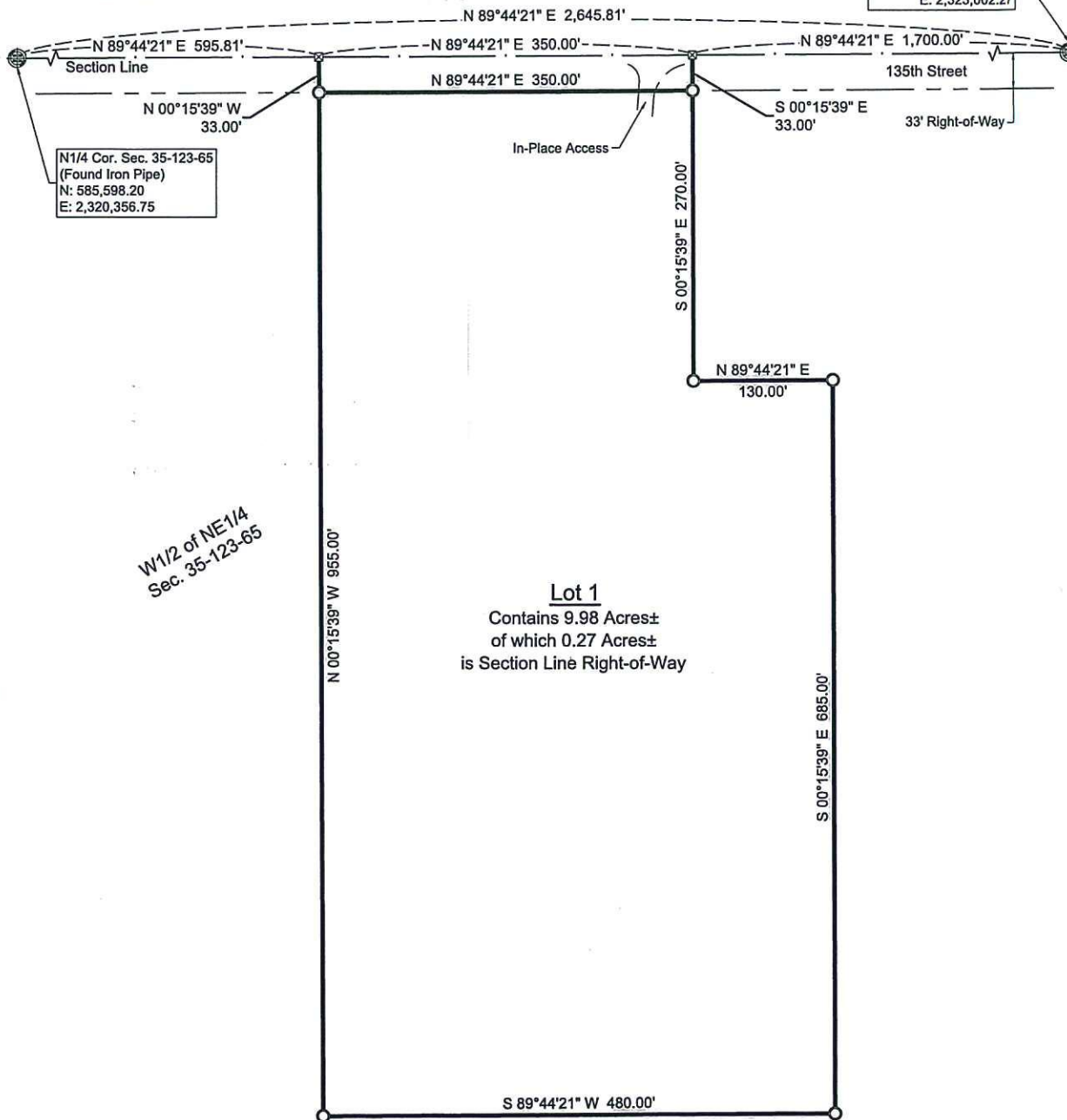
PLAT SHOWING BEVING ADDITION

IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 35,
TOWNSHIP 123 NORTH, RANGE 65 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA



AREA MAP N.T.S.
SECTION 35, T123N, R65W
BROWN CO.

NE Cor. Sec. 35-123-65
(Found Iron Pipe)
N: 585,610.25
E: 2,323,002.27



N1/4 Cor. Sec. 35-123-65
(Found Iron Pipe)
N: 585,598.20
E: 2,320,356.75

W1/2 of NE1/4
Sec. 35-123-65

Lot 1
Contains 9.98 Acres±
of which 0.27 Acres±
is Section Line Right-of-Way



- LEGEND**
- PIN FOUND (AS NOTED)
 - PIN SET w/CAP LS 15575
 - ☒ CALCULATED CORNER

BASIS OF BEARINGS
State Plane Grid
South Dakota North Zone (4001)
NAD '83 (2011) US Survey Feet
Distances are GROUND
Coordinates are GRID

FLOODPLAIN
Zone 'X'



3314 Milwaukee Avenue NE
Suite 2
Aberdeen, SD 57401
PH: 605.225.3494
www.imegcorp.com

**PLAT SHOWING
BEVING ADDITION**

**IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 35,
TOWNSHIP 123 NORTH, RANGE 65 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA**

OWNER'S CERTIFICATE

We, Morgan Beving and Jackie Beving, husband and wife, do hereby certify that we are the owners of the West Half of the Northeast Quarter (W1/2NE1/4) of Section Thirty-Five (35), Township One Hundred Twenty-Three (123) North, Range Sixty-Five (65) West of the 5th P.M., Brown County, South Dakota and that we 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 "BEVING ADDITION IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 123 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.

Owner: Morgan Beving

 Signature

Signed this 19 day of April, 2024.

COUNTY OF Brown)
) SS
 STATE OF SD)

On this the 19th day of April, 2024, before me, a notary public, the undersigned officer, personally appeared, Morgan Beving, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

My Commission Expires: 03/24/2026

 Notary Public



Owner: Jackie Beving

 Signature

Signed this 19 day of April, 2024.

COUNTY OF Brown)
) SS
 STATE OF SD)

On this the 19th day of April, 2024, before me, a notary public, the undersigned officer, personally appeared, Jackie Beving, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

My Commission Expires: 03/24/2026

 Notary Public



SURVEYOR'S CERTIFICATE

I, Jamie L. Sprenger, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owners, I have surveyed and platted "BEVING ADDITION IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 123 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 10th day of APRIL, 2024.



HIGHWAY APPROVAL

The location of the in-place access roads, is hereby approved. Any change in the in-place access shall require addition approval.

Signed this _____ day of _____, 2024.

 Print Name and Title

 Signature

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 _____, 2024.

 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 "BEVING ADDITION IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 123 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 _____, 2024.

 County Auditor, Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "BEVING ADDITION IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 123 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 record of my office to be fully paid.

Signed this _____ day of _____, 2024.

 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 _____, 2024.

 Director of Equalization, Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

Filed for record this _____ day of _____, 2024, at

_____ O'clock _____ M., and duly recorded as Hanging Plat No. _____

 Register of Deeds, Brown County, South Dakota



3314 Milwaukee Avenue NE
 Suite 2
 Aberdeen, SD 57401
 PH: 605.225.3494
 www.imegcorp.com

April 23, 2024

Morgan Beving
37865 135th St
Aberdeen SD 57401

Morgan,

The Mercier Township Board met to consider your request to add an approach on 135th street approximately 135 feet to the west of the northwest corner of your residential property.

The Board met at that location on April 22 to inspect the location.

After discussion, the Board decided to grant your request to construct an approach there. The approach must have a culvert at least 12 inches in diameter. A 16 inch diameter would be preferred. Another requirement would be that there not be any damage or change to the roadbed. Any damage that occurs during the construction must be taken care of then. Also, after the project is completed, the Board must inspect and approve it.

If you have any questions, please contact the Board.

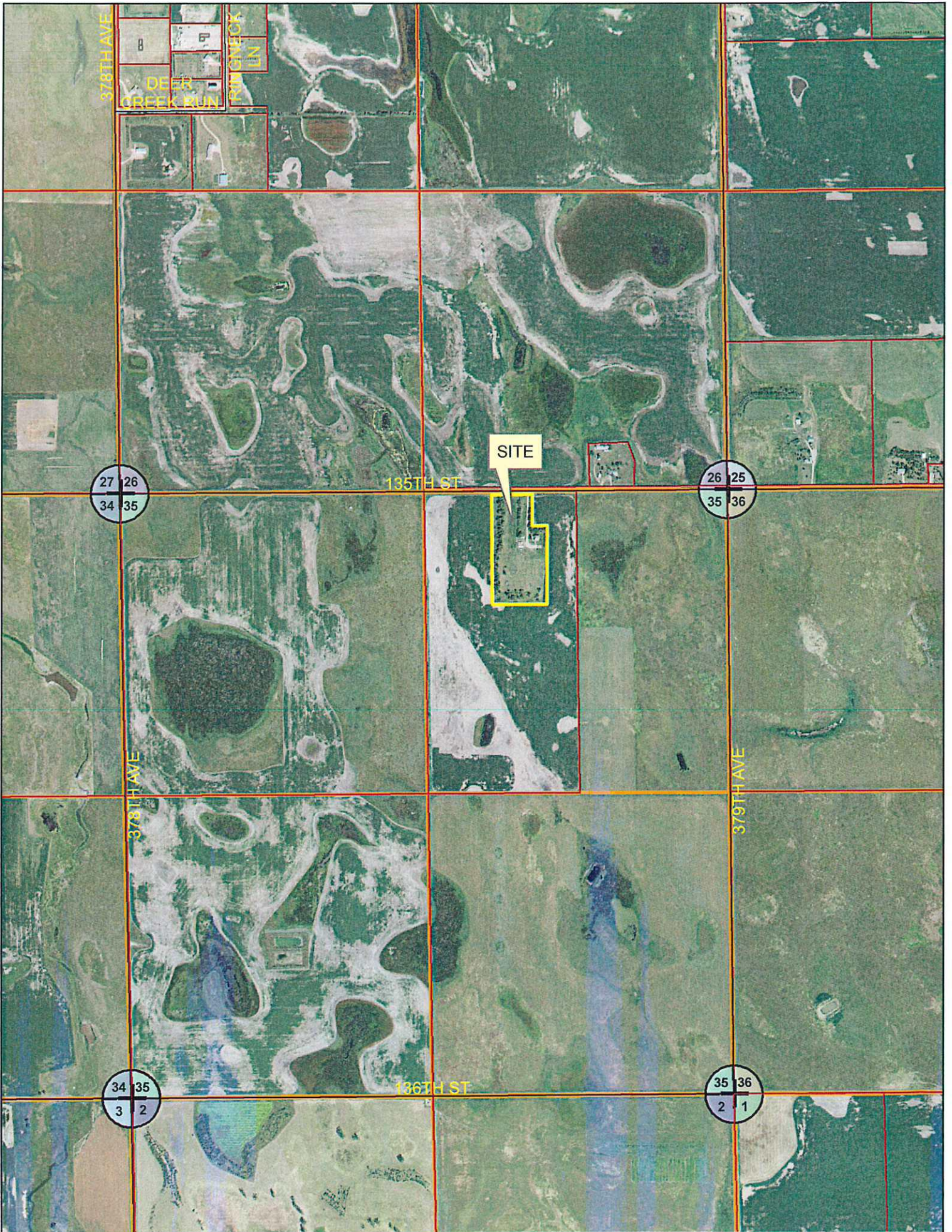
Sincerely,

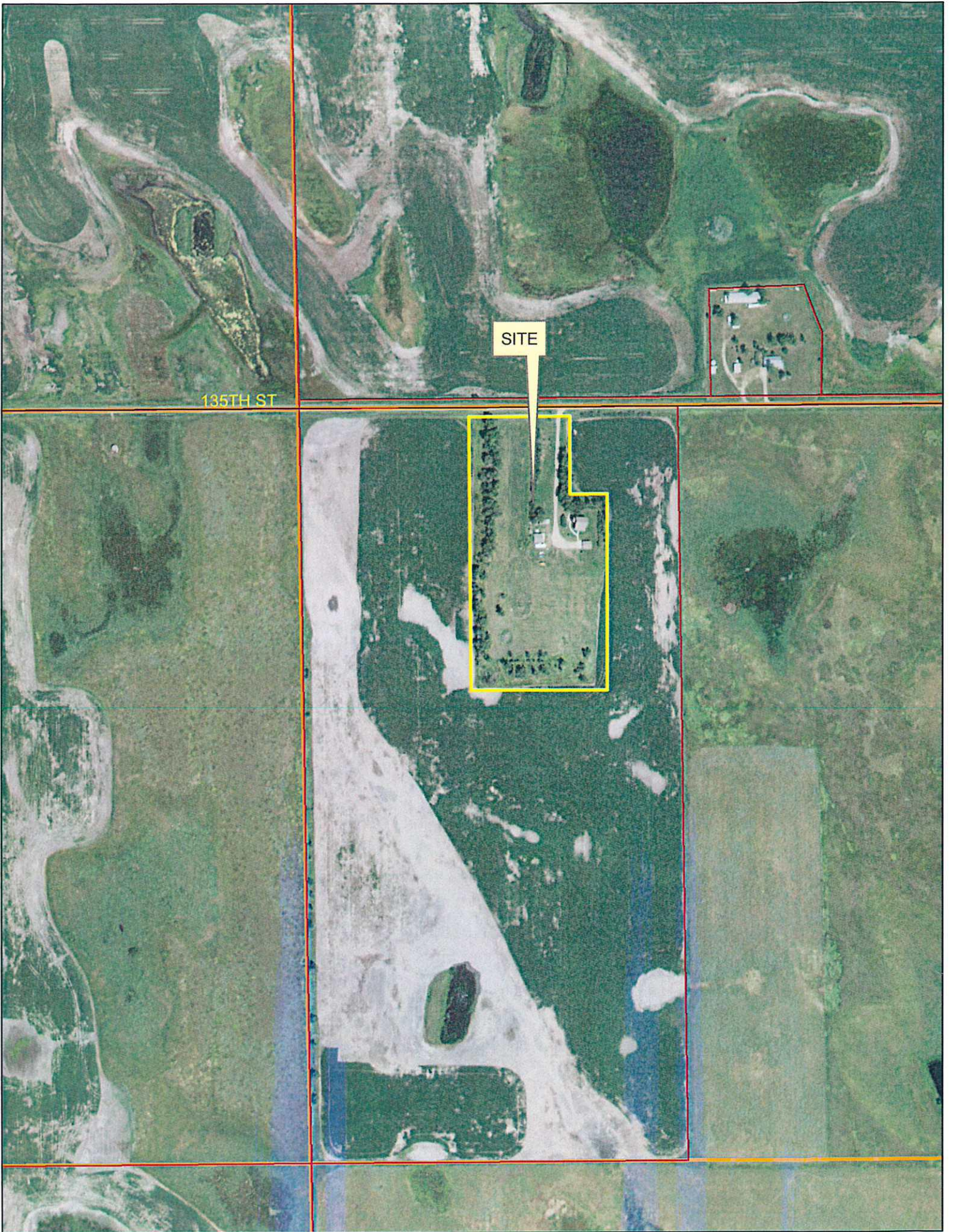


Daryl Rieck,

Mercier Township Clerk

605-228-7858





SITE

135TH ST

STAFF REPORT

Meeting: May 21, 2024

BROWN COUNTY PLANNING COMMISSION

PRELIMINARY & FINAL PLAT

ITEM #14

GENERAL INFORMATION:

OWNER:	Julie Lillis
PETITIONER:	Julie Lillis
REQUEST:	PRELIMINARY & FINAL PLAT
LEGAL DESCRIPTION:	"Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-T125N-R62W of the 5 th P.M., Brown County, South Dakota
ADDRESS:	12342 396 th Avenue
CITY/TOWNSHIP:	Columbia Twp
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING:	
North:	Rural Urban District (RU)
South:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Chris Anderson

GENERAL COMMENT: The petitioner is requesting this Preliminary & Final Plat for financial and conveyance purposes.

GENERAL REVIEW: Staff has reviewed this plat.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME: Jackson and Karlen's Third Subdivision
NW1/4
LEGAL SECTION: QUARTER: SW1/4 SECTION: 33 TOWNSHIP: 125 RANGE: 62
MANDATORY LOTS: 1A,2A TRACTS _____ PARCELS _____ OUTLOTS _____ OTHER _____
SCHOOL DISTRICT: Groton
UTILITIES: Web Water
OWNERS NAMES: Julie Lillis
OWNERS NAMES: _____
ENGINEER OR SURVEYOR: Robert Kieso (Helms & Associates)
TYPE: PRELIMINARY _____ FINAL _____ BOTH (both is allowed if there is not a new road needed)
PLAT FEE PER PLAT: \$150.00 DATE PAID: 05 / 01 / 2024
RECEIVED BY PLANNING DEPARTMENT: 04 / 22 / 2024 BY: Ron Keller
REASON FOR PLAT: DEVELOPMENT _____ CONVEYANCE FINANCIAL PURPOSES OTHER _____
ORIGINAL PLAT DRAWN ON: 11 x 17 MYLAR 11 x 17 PHOTO PAPER _____ OTHER _____
STREETS/ROADS NAMED PROPERLY: NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT: _____
EXISTING ACCESS SHOWN ON PLAT: ACCESS PERMISSION NEEDED BY: SD _____ BC TWP _____
FULLY DIMENSIONED FROM SECTION CORNER: OR QUARTER CORNER: _____ OR KNOWN MARKER: _____
PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE:
HIGHWAY SIGNATURE LINE SHOWN: (State, County & Township) SIGNATURE LINE SIGNED: _____
TAXES PAID IN FULL: (on all lots involved) FOR THE YEAR TREASURER SIGNATURE LINE SIGNED
BOLD BOUNDARY DRAWN AROUND COMPLETE LOT: PROPERTY PINS SHOWN ON ALL CORNERS:
REGULAR BOUNDARY LINE DRAWN AROUND R-O-W

AFTER PLANNING COMMISSION MEETING

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 24, 2024
RECEIPT # 821950
TOWNSHIP: Columbia Township

FEES: \$ 150.00
PAID: YES/NO CHK/CASH
DATE: 5/1/2024

OWNERS SIGNATURE: Julie Lillis 
OWNERS ADDRESS: 12342 396th Avenue
OWNERS CITY, STATE, ZIP: Columbia, SD 57433
OWNERS PHONE: 605-290-7590

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

REQUEST: Petitioner is requesting this Preliminary & Final Plat for financial and conveyance purposes.

LEGAL DESCRIPTION: "Jackson and Karlen's Third Subdivision" in the NW1/4 & the N1/2 of the SW1/4 of Section 33-T125N-R62W of the 5th P.M., Brown County, South Dakota (12342 396th Avenue;Columbia Twp.)

Planning Commission Action: Approved / Denied

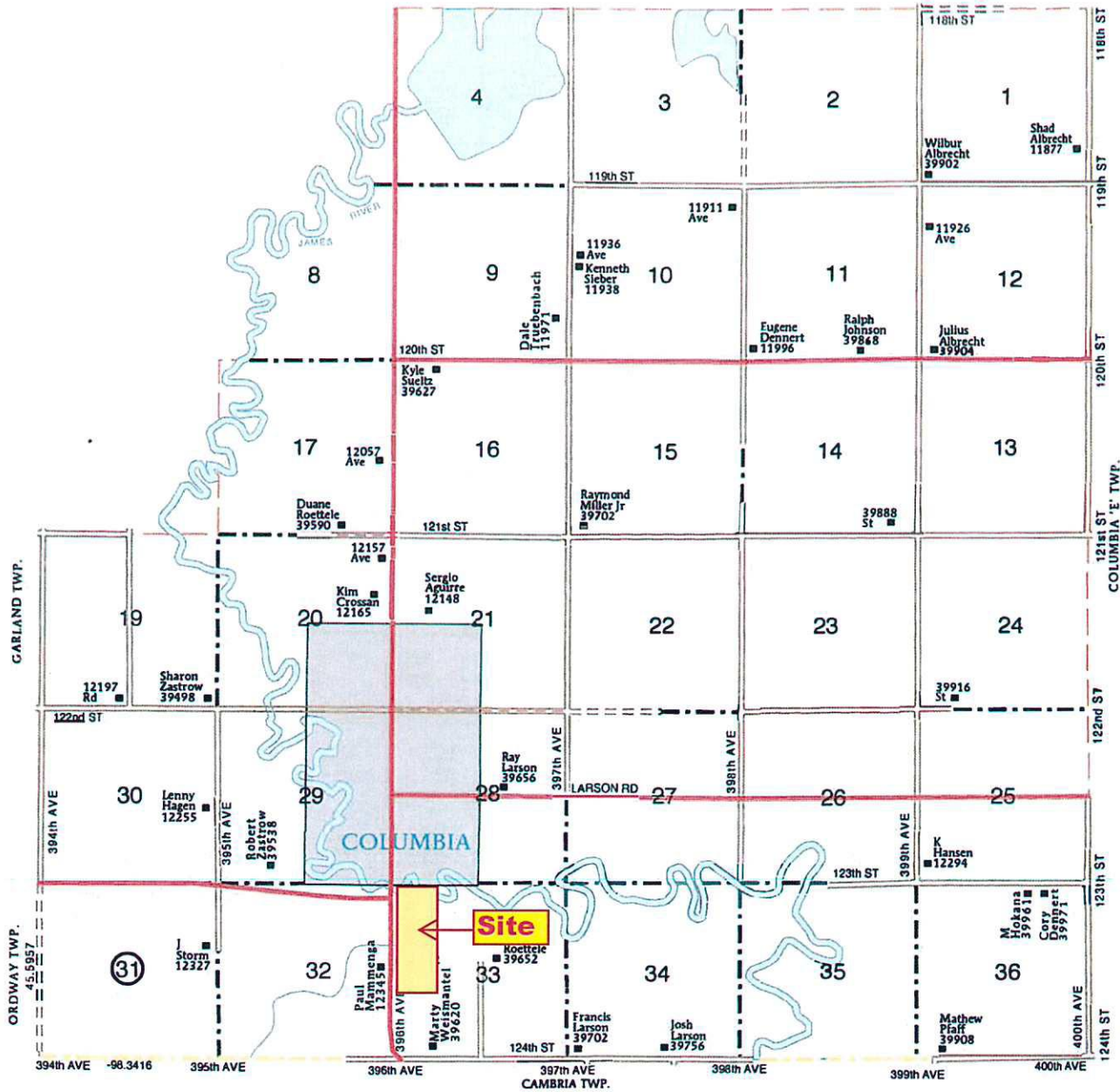
By: _____ Date: _____

HEARING DATE: May 21, 2024 **TIME:** 7:00 P.M.

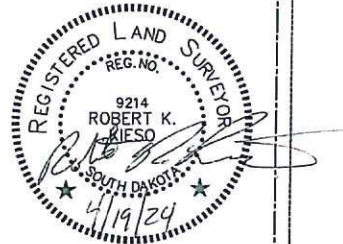
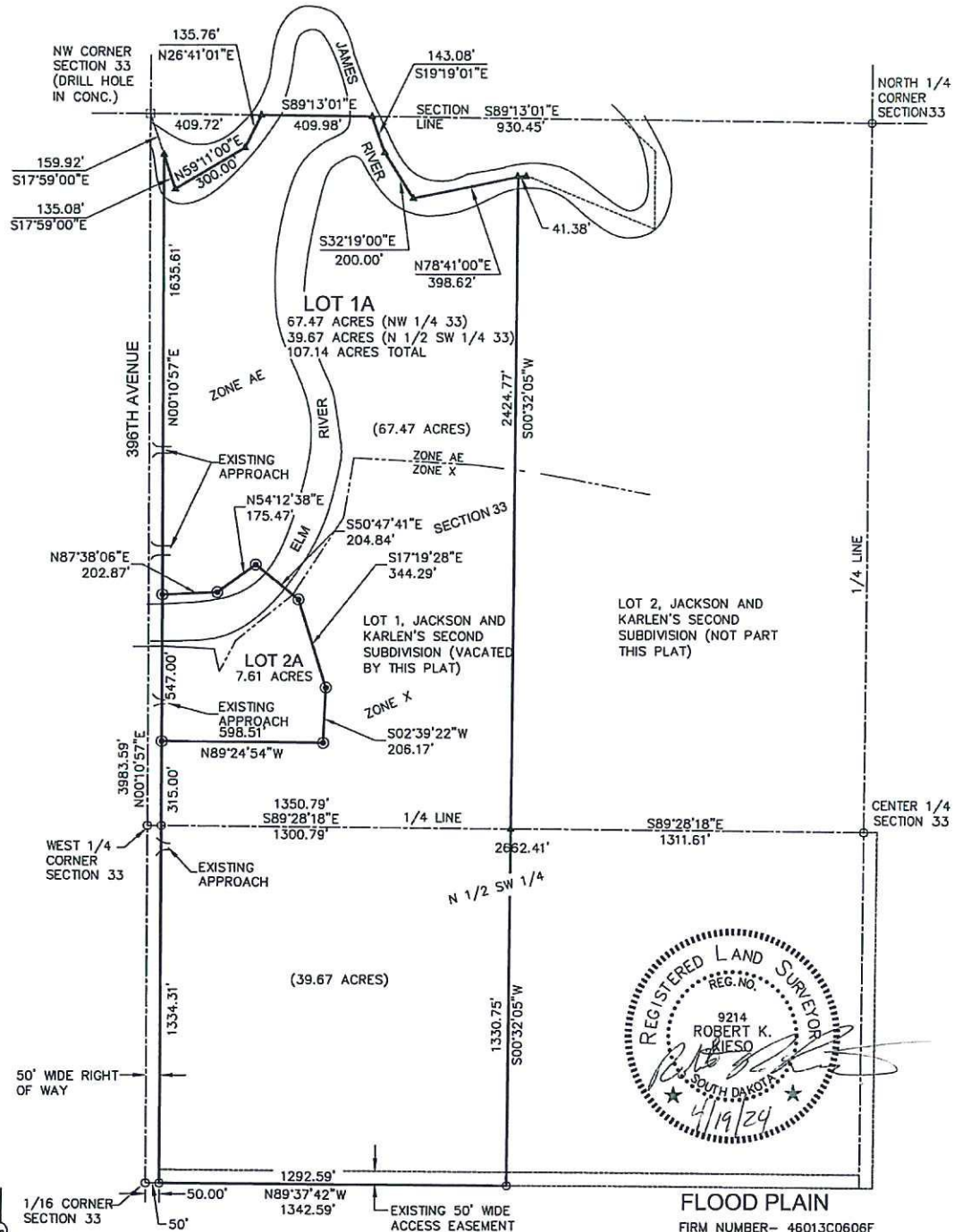
MEETING: located in the Basement Community Room of the Court House Annex
25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

(Residents - Owners or Renters)

SHELBY TWP.



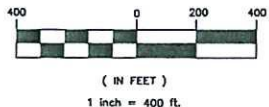
PLAT OF JACKSON AND KARLEN'S THIRD SUBDIVISION IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA



FLOOD PLAIN
FIRM NUMBER- 46013C0606F
LOCATION OF FLOOD PLAIN LINES ARE AN APPROXIMATE AND SHOULD NOT BE USED FOR ANY FLOOD PLAIN INFORMATION

BASIS OF BEARINGS
TRUE MERIDIAN - GPS

- LEGEND**
- ⊙ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED KIESO RLS 9214
 - FOUND PROPERTY CORNER
 - ▲ CALCULATED POSITION
 - 3/4" DRILL HOLE IN CONCRETE
 - PP PREVIOUSLY PLATTED DISTANCE
 - M MEASURED DISTANCE THIS SURVEY



Helms ASSOCIATES
CIVIL ENGINEERS & LAND SURVEYORS
221 Brown County Highway 19
P.O. Box 111
Aberdeen, S.D. 57401
Phone: 605.225.1212
Fax: 605.225.3189


DWG. 9585-LS BY: BKK SHEET 1 OF 3

PLAT OF
JACKSON AND KARLEN'S THIRD SUBDIVISION
IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W
OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, JULIE LILLIS, DO HEREBY CERTIFY THAT I AM THE OWNER OF LOT 1, JACKSON AND KARLEN'S SECOND SUBDIVISION IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AND THAT I HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ATTACHED PLAT WHICH SHALL BE HEREAFTER KNOWN AND DESCRIBED AS: JACKSON AND KARLEN'S THIRD SUBDIVISION IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

BY THIS PLAT, I DO HEREBY VACATE LOT 1, JACKSON AND KARLEN'S SECOND SUBDIVISION IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA AS FILED FOR RECORD ON AUGUST 28, 2018 AND DULY RECORDED AS PLAT NO. 3945, IN THE BROWN COUNTY REGISTER OF DEEDS OFFICE.



 JULIE LILLIS
 Signed this 22nd day of April, 2024

ACKNOWLEDGMENT

STATE OF ~~SOUTH DAKOTA~~
 COUNTY OF ~~BROWN~~)SS

ON THIS THE 22ND DAY OF APRIL, 2024, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED JULIE LILLIS KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.


IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: 11/2/2027

 NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I, ROBERT K. KIESO, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNERS, I HAVE SURVEYED AND PLATTED "JACKSON AND KARLEN'S THIRD SUBDIVISION IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W 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. I FURTHER CERTIFY THAT THE WITHIN AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.

DATED THIS 19TH DAY OF April, 2024.


 ROBERT K. KIESO RLS #9214

**PLAT OF
JACKSON AND KARLEN'S THIRD SUBDIVISION
IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W
OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA**

COUNTY PLANNING COMMISSION CERTIFICATION

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 _____, 20____.

"BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING JACKSON AND KARLEN'S THIRD SUBDIVISION IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-2-2, AND ANY AMENDMENTS THEREOF."

SECRETARY OF BROWN COUNTY PLANNING COMMISSION, SOUTH DAKOTA

APPROVAL BY COUNTY

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE BOARD OF COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA AT A MEETING HELD ON THE ____ DAY OF _____, 20____.

"BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING JACKSON AND KARLEN'S THIRD SUBDIVISION IN THE NW1/4 AND N1/2 SW1/4 OF SECTION 33-T125N-R62W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-3, AND ANY AMENDMENTS THEREOF."

COUNTY AUDITOR, BROWN COUNTY, SOUTH DAKOTA

HIGHWAY AUTHORITY CERTIFICATE

THE LOCATION OF THE PROPOSED PROPERTY LINES ABUTTING THE COUNTY OR STATE HIGHWAY, OR THE COUNTRY/TOWNSHIP ROAD AS SHOWN HEREON, IS HEREBY APPROVED ANY CHANGE IN THE LOCATION OF THE EXISTING ACCESS OR ANY NEW ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

BY: [Signature] 4-23-24
HIGHWAY AUTHORITY

TITLE: Supv. Brown Co. Hwy

DIRECTOR OF EQUALIZATION'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT ON THIS ____ DAY OF _____, 20____.

DIRECTOR OF EQUALIZATION, BROWN COUNTY, SOUTH DAKOTA

TREASURER'S CERTIFICATE

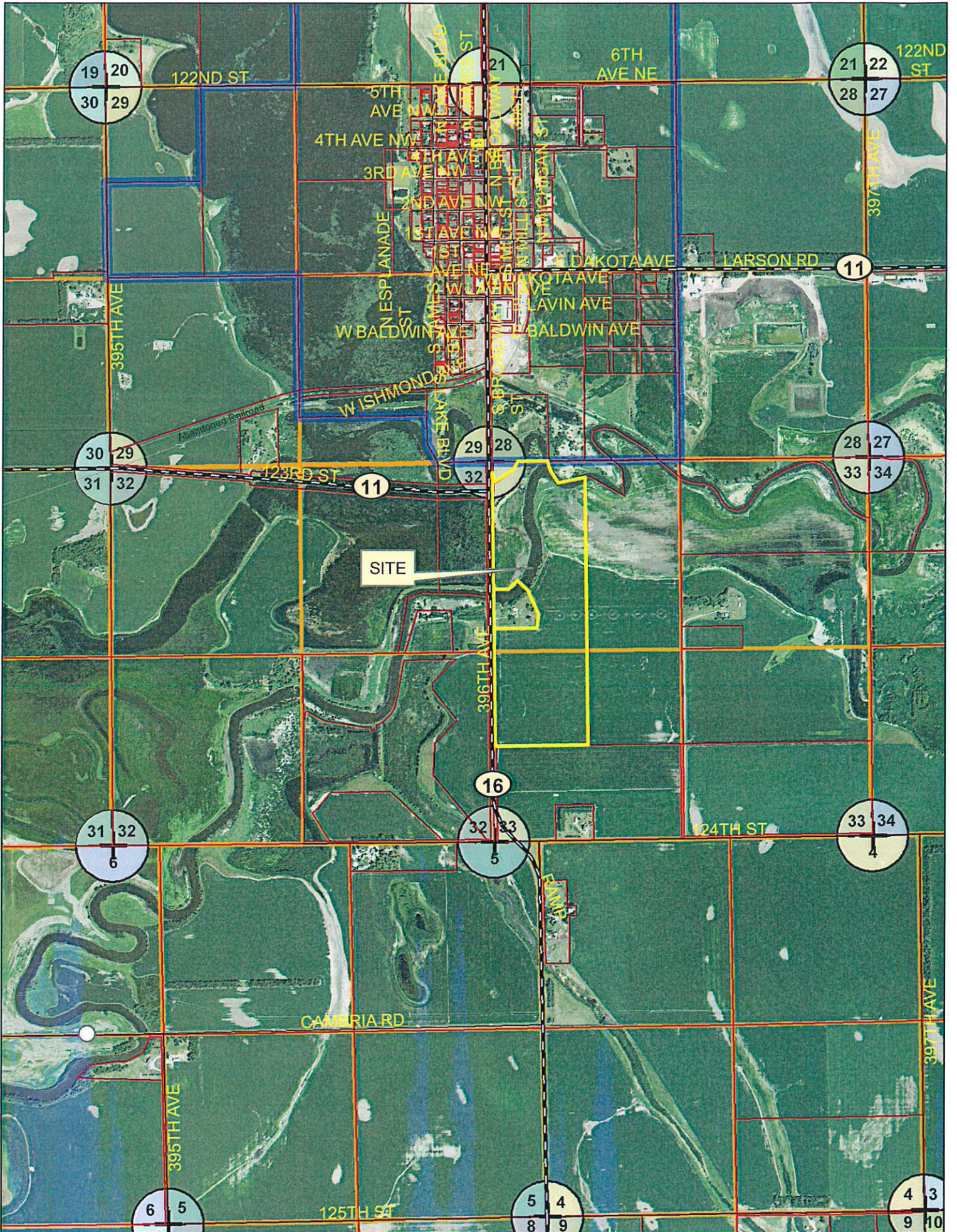
I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY OF THE LANDS INCLUDED IN THE ABOVE PLAT ARE SHOWN BY THE RECORDS OF MY OFFICE TO BE FULLY PAID. SIGNED THIS 22 DAY OF April, 2024.

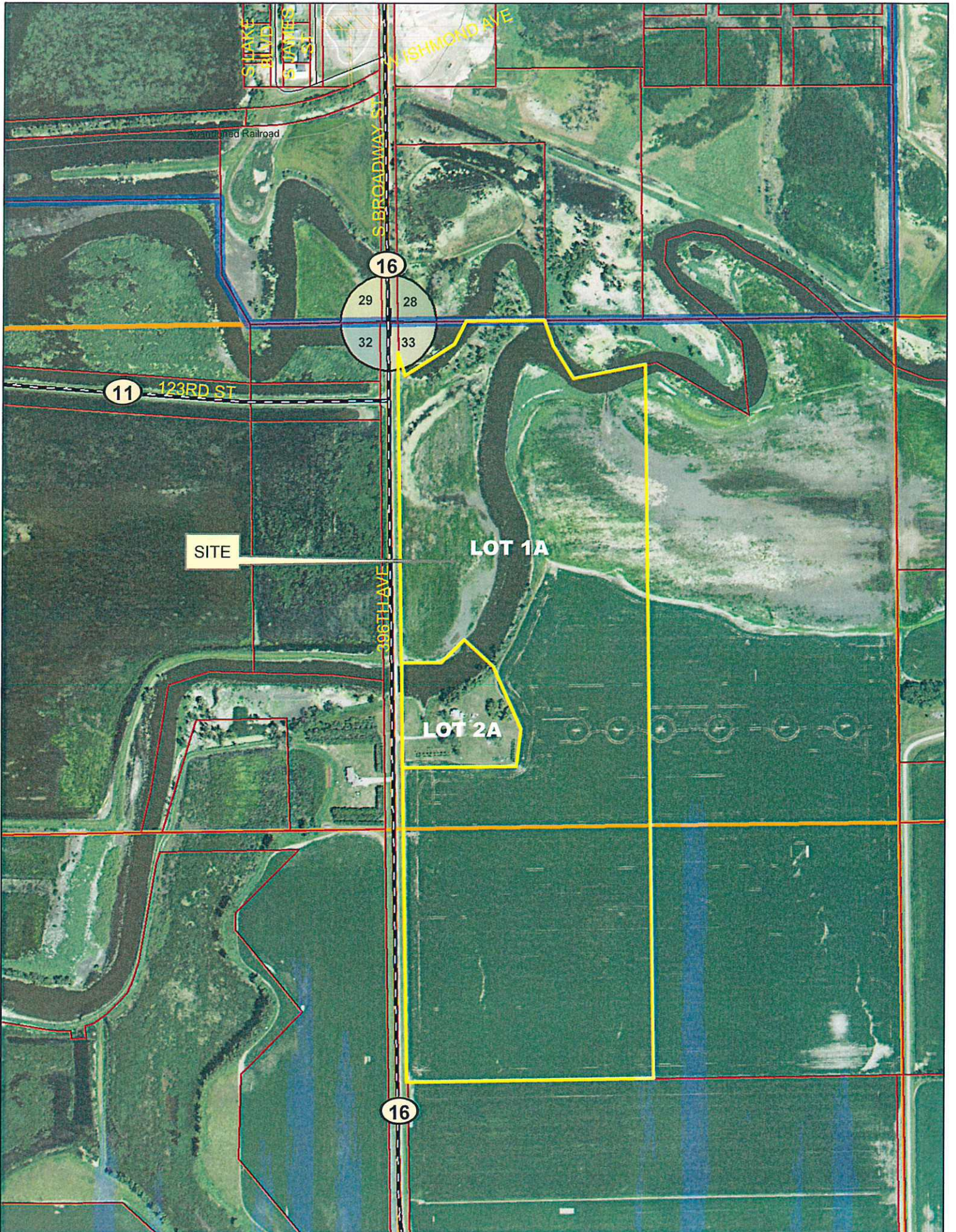
[Signature]
COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

REGISTER OF DEED'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20____ AT ____ O'CLOCK _____, AND DULY RECORDED IN HANGING PLATS NO. _____.

REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA





STAFF REPORT

Meeting: May 21, 2024

BROWN COUNTY PLANNING COMMISSION

PRELIMINARY PLAT

ITEM #15

GENERAL INFORMATION:

OWNER:	Troy & Rebecca Woehl
PETITIONER:	Troy & Rebecca Woehl
REQUEST:	PRELIMINARY PLAT
LEGAL DESCRIPTION:	"Howling Woods Subdivision" in the SW1/4 of Section 22-T123N-R64W of the 5 th P.M., Brown County, South Dakota
ADDRESS:	Approx. 1493 S 385 th Avenue
CITY/TOWNSHIP:	Aberdeen Twp
EXISTING ZONING	Mini-Agriculture District (M-AG)
SURROUNDING ZONING:	
North:	Mini-Agriculture District (M-AG)
South:	Mini-Agriculture District (M-AG)
West:	Agriculture Preservation District (AG-P)
East:	Mini-Agriculture District (M-AG)
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Chris Anderson

GENERAL COMMENT: The petitioner is requesting this Preliminary Plat for review which includes a new road named Howling Woods Lane. Title 5 Subdivision Ordinances Require Preliminary Plat review with a new dedicated road & road name.

GENERAL REVIEW: Staff has reviewed this preliminary plat.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME: Preliminary Plat - Howling Woods Subdivision

LEGAL SECTION: QUARTER: SW SECTION: 22 TOWNSHIP: 123 RANGE: 64

MANDATORY LOTS: 1-16 TRACTS _____ PARCELS _____ OUTLOTS _____ OTHER _____

SCHOOL DISTRICT: Aberdeen

UTILITIES: WEB water

OWNERS NAMES: Troy & Rebecca Woehl

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Zachary Remily, Assurance Land Surveying

TYPE: PRELIMINARY FINAL _____ BOTH _____ (both is allowed if there is not a new road needed)

PLAT FEE PER PLAT: \$ 25.00 DATE PAID: 5 / 01 / 2024

RECEIVED BY PLANNING DEPARTMENT: 5 / 01 / 2024 BY: Ron Keller

REASON FOR PLAT: DEVELOPMENT CONVEYANCE _____ FINANCIAL PURPOSES _____ OTHER _____

ORIGINAL PLAT DRAWN ON: 11 x 17 MYLAR 11 x 17 PHOTO PAPER _____ OTHER _____

STREETS/ROADS NAMED PROPERLY: NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT:

EXISTING ACCESS SHOWN ON PLAT: ACCESS PERMISSION NEEDED BY: SD _____ BC _____ TWP

FULLY DIMENSIONED FROM SECTION CORNER: OR QUARTER CORNER: _____ OR KNOWN MARKER: _____

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE:

HIGHWAY SIGNATURE LINE SHOWN: (State, County & Township) SIGNATURE LINE SIGNED: No

TAXES PAID IN FULL: (on all lots involved) FOR THE YEAR No TREASURER SIGNATURE LINE SIGNED No

BOLD BOUNDARY DRAWN AROUND COMPLETE LOT: PROPERTY PINS SHOWN ON ALL CORNERS:

REGULAR BOUNDARY LINE DRAWN AROUND R-O-W

AFTER PLANNING COMMISSION MEETING

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 PRELIMINARY PLAT APPROVAL

DATE: April 24, 2024
RECEIPT # 821945
TOWNSHIP: Aberdeen Township

FEES: \$ 25.00
PAID: YES/NO CHK/CASH
DATE: 5/1/2024

OWNERS SIGNATURE: Troy & Rebecca Woehl 
OWNERS ADDRESS: 1749 Droog Court
OWNERS CITY, STATE, ZIP: Aberdeen SD 57401
OWNERS PHONE: 605-380-4473

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

REQUEST: The petitioner is requesting this Preliminary Plat for review which includes a new road named Howling Woods Lane. Title 5 Subdivision Ordinances require Preliminary Plat review with a new dedicated road & road name.

LEGAL DESCRIPTION: "Howling Woods Subdivision" in the SW1/4 of Section 22-T123N-R64W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied _____

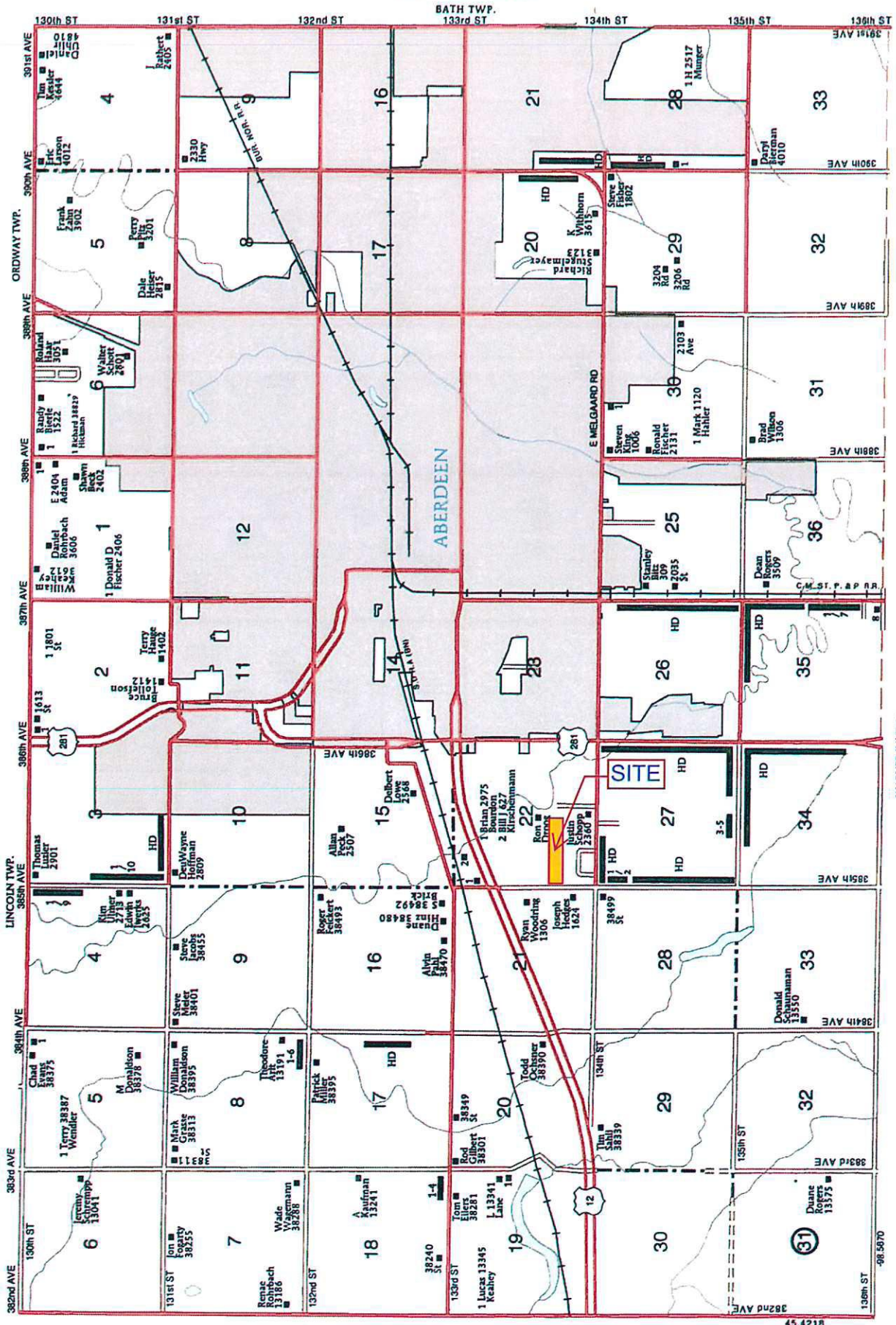
By: _____ Date: _____

HEARING DATE: May 21, 2024 **TIME:** 7:00pm

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



SEE PAGE 21 FOR
ADDITIONAL NAMES NOT
LISTED ON MAPS.

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PLAT SHOWING HOWLING WOODS SUBDIVISION

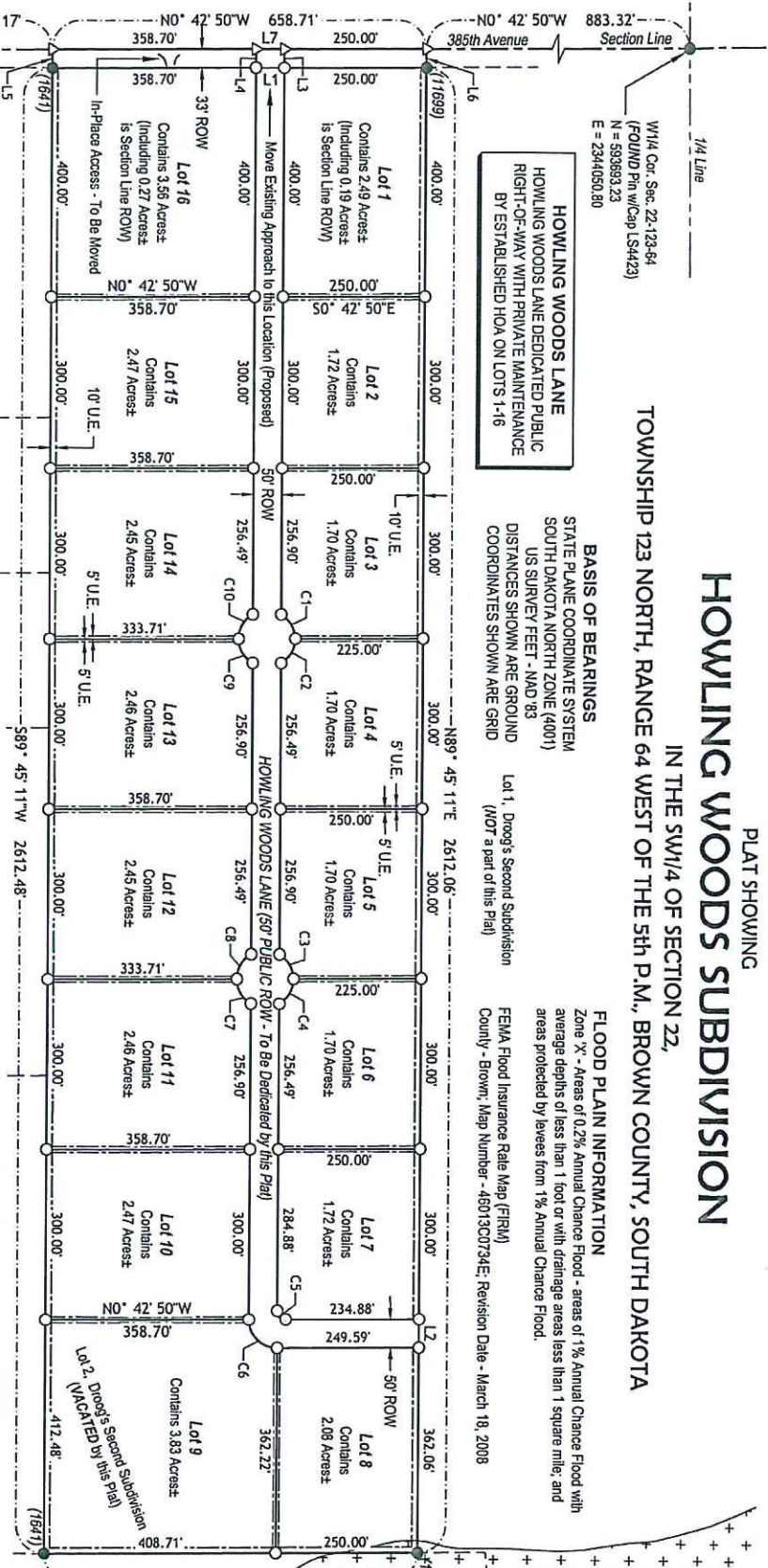
IN THE SW1/4 OF SECTION 22,
TOWNSHIP 123 NORTH, RANGE 64 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

HOWLING WOODS LANE
HOWLING WOODS LANE DEDICATED PUBLIC
RIGHT-OF-WAY WITH PRIVATE MAINTENANCE
BY ESTABLISHED HOA ON LOTS 1-16

BASIS OF BEARINGS
STATE PLANE COORDINATE SYSTEM
SOUTH DAKOTA NORTH ZONE (4001)
US SURVEY FEET - NAD 83
DISTANCES SHOWN ARE GROUND
COORDINATES SHOWN ARE GRID

Lot 1, Deog's Second Subdivision
(NOT a part of this Plat)

FLOOD PLAIN INFORMATION
Zone X - Areas of 0.2% Annual Chance Flood - areas of 1% Annual Chance Flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% Annual Chance Flood.
FEMA Flood Insurance Rate Map (FIRM)
County - Brown, Map Number - 4601300734E; Revision Date - March 18, 2008



LEGEND

- PIN FOUND (AS NOTED)
- PIN SET w/CAP LS 11899
- △ CALCULATED CORNER
- U.E. UTILITY EASEMENTS (TTP) - AS SHOWN
- (10' REAR - S SIDE)

DRAWING SCALE
0 200'
SCALE IN FEET



LINE TABLE		
#	BEARING	DISTANCE
L1	N0° 42' 50" W	50.00'
L2	N89° 45' 11" E	50.00'
L3	S89° 45' 11" W	33.00'
L4	N89° 45' 11" E	33.00'
L5	S89° 45' 11" W	33.00'
L6	N89° 45' 11" E	33.00'
L7	N0° 42' 50" W	50.00'

CURVE TABLE					
#	LENGTH	RADIUS	DELTA ANGLE	CH	CL
C1	51.95'	50.00'	59° 31' 59"	S59° 31' 10" W	48.65'
C2	52.77'	50.00'	60° 28' 01"	N60° 28' 50" W	50.35'
C3	51.95'	50.00'	59° 31' 59"	S59° 31' 10" W	48.65'
C4	52.77'	50.00'	60° 28' 01"	N60° 28' 50" W	50.35'
C5	23.85'	15.00'	90° 28' 01"	S44° 31' 10" W	21.30'
C6	78.54'	50.00'	89° 59' 35"	N44° 17' 03" E	70.27'
C7	51.95'	50.00'	59° 31' 59"	S59° 31' 10" E	48.65'
C8	52.35'	50.00'	60° 00' 00"	S60° 14' 49" E	50.00'
C9	51.95'	50.00'	59° 31' 59"	N59° 31' 10" E	48.65'
C10	52.77'	50.00'	60° 28' 01"	S60° 28' 50" E	50.35'

Assurance
LAND SURVEYING

Prepared By:
619 14th Avenue S, Faulkton, South Dakota 57438
Phone: 605-290-3090 / Email: zach@assurancesurveying.com
Project No. ALS24012B
Field Survey Date: 02-13-2024

PLAT SHOWING
HOWLING WOODS SUBDIVISION

IN THE SW1/4 OF SECTION 22,
TOWNSHIP 123 NORTH, RANGE 64 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

We, Troy Woehl and Rebecca Woehl, husband and wife, as joint tenants with right of survivorship and not as tenants in common, do hereby certify that we are the owners of Lot 2, Droog's Second Subdivision in the South Half (S1/2) of Section Twenty-Two (22), Township One Hundred Twenty-Three (123) North, Range Sixty-Four (64) 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:

**"HOWLING WOODS SUBDIVISION IN THE SW1/4 OF SECTION 22,
TOWNSHIP 123 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.

By this plat, we, Troy Woehl and Rebecca Woehl, husband and wife, as joint tenants with right of survivorship and not as tenants in common, do hereby VACATE Lot 2, Droog's Second Subdivision in the South Half (S1/2) of Section Twenty-Two (22), Township One Hundred Twenty-Three (123) North, Range Sixty-Four (64) West of the 5th P.M., Brown County, South Dakota as filed for record on March 28, 2024 at 8:51 A.M., and duly recorded as Hanging Plat No. 3966.

By this plat, we, Troy Woehl and Rebecca Woehl, husband and wife, as joint tenants with right of survivorship and not as tenants in common, do/does hereby DEDICATE to the public forever, *Howling Woods Lane*, as shown on the attached plat for street purposes.

By this plat, Troy Woehl and Rebecca Woehl, husband and wife, as joint tenants with right of survivorship and not as tenants in common, do hereby DEDICATE for perpetual use by all public utilities, the utility easements shown or referenced on the attached plat.

Owner: *Troy Woehl*

Owner: *Rebecca Woehl*

Signature _____

Signature _____

Signed this _____ day of _____, 20____.

Signed this _____ day of _____, 20____.

COUNTY OF _____)
STATE OF _____) SS

COUNTY OF _____)
STATE OF _____) SS

On this the _____ day of _____, 20____,
before me, _____, the undersigned officer,
personally appeared *Troy Woehl*, known to me or satisfactorily proven to
be the person who, subscribed to the within instrument and acknowledged
that they executed the same for the purposes therein contained.

On this the _____ day of _____, 20____,
before me, _____, the undersigned officer,
personally appeared *Rebecca Woehl*, known to me or satisfactorily proven
to be the person who, subscribed to the within instrument and
acknowledged that they executed the same for the purposes therein
contained.

In witness whereof I hereunto set my hand and official seal.

In witness whereof I hereunto set my hand and official seal.

My Commission Expires: _____

My Commission Expires: _____

Notary Public _____

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:

**"HOWLING WOODS SUBDIVISION IN THE SW1/4 OF SECTION 22,
TOWNSHIP 123 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.

ZACHARY M. REMILY, LS 11699

Signed this _____ day of _____, 20____.

PLAT SHOWING

HOWLING WOODS SUBDIVISION

IN THE SW1/4 OF SECTION 22,
TOWNSHIP 123 NORTH, RANGE 64 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

HIGHWAY APPROVAL

"Proposed Access to 385th STREET 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."

Print Name & Title

Signature

Signed this _____ day of _____, 20____.

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.

Meeting held on the _____ day of _____, 20____.

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:

**"HOWLING WOODS SUBDIVISION IN THE SW1/4 OF SECTION 22,
TOWNSHIP 123 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.

Meeting held on the _____ day of _____, 20____.

County Auditor
Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing:

**"HOWLING WOODS SUBDIVISION IN THE SW1/4 OF SECTION 22,
TOWNSHIP 123 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."

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 _____, 20____.

County Treasurer
Brown County, South Dakota

DIRECTOR OF EQUALIZATION CERTIFICATE

I hereby certify that I have received a copy of this plat.

Dated this _____ day of _____, 20____.

Director of Equalization
Brown County, South Dakota

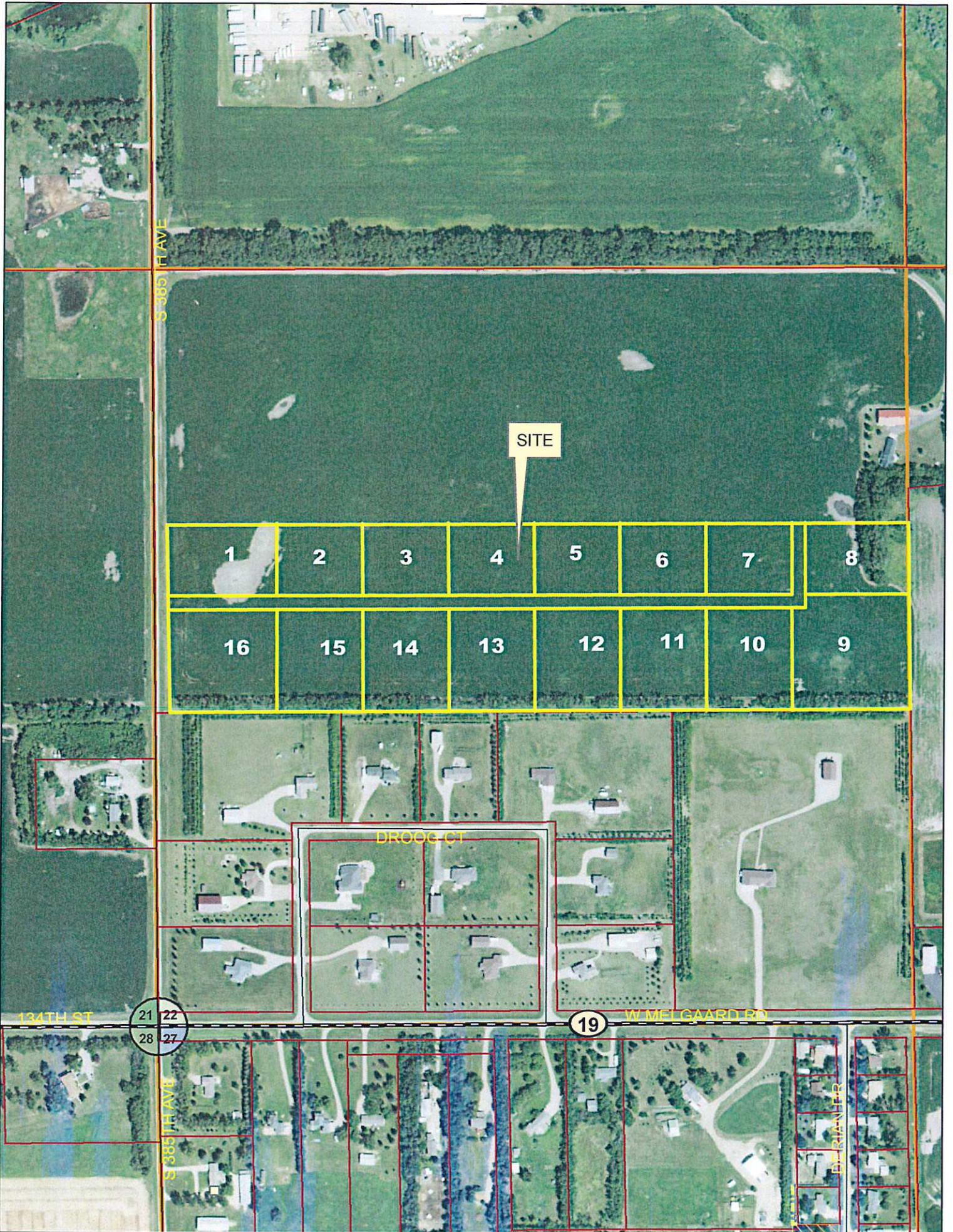
REGISTER OF DEEDS' CERTIFICATE

Filed for record this _____ day of _____, 20____.

at _____ O'clock ____ M., and duly recorded as Hanging

Plat No. _____.

Register of Deeds
Brown County, South Dakota



S 385TH AVE

SITE

1

2

3

4

5

6

7

8

16

15

14

13

12

11

10

9

DROOG CT

134TH ST

21 22
28 27

19

W MEL GAARD RN

S 385TH AVE

DURAN LN

STAFF REPORT

Meeting: May 21, 2024

BROWN COUNTY PLANNING COMMISSION

PRELIMINARY & FINAL PLAT

ITEM #16

GENERAL INFORMATION:

OWNER:	Toby Doeden
PETITIONER:	Chad Lyke for owner Toby Doeden
REQUEST:	PRELIMINARY & FINAL PLAT
LEGAL DESCRIPTION:	"Doeden First Addition" in the SE1/4 of Section 24-T123N-R65W of the 5 th P.M., Brown County, South Dakota
ADDRESS:	13371 & 13375 382 nd Avenue
CITY/TOWNSHIP:	Mercier Twp
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING:	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
West:	Light Industrial District (L-I)
East:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Ron Keller

GENERAL COMMENT: The petitioner is requesting this Preliminary & Final Plat for family & conveyance purposes.

GENERAL REVIEW: Staff has reviewed this plat.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME: Doeden First Addition

LEGAL SECTION: QUARTER: SE 1/4 SECTION: 24 TOWNSHIP: 123 RANGE: 65

MANDATORY LOTS: 1, 2 TRACTS _____ PARCELS _____ OUTLOTS _____ OTHER _____

SCHOOL DISTRICT: Aberdeen

UTILITIES: Web water

OWNERS NAMES: Toby Doeden

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Robert Kieso, Helms & Associates

TYPE: PRELIMINARY _____ FINAL _____ BOTH X (both is allowed if there is not a new road needed)

PLAT FEE PER PLAT: \$150.00 DATE PAID: 4 / 29 / 2024

RECEIVED BY PLANNING DEPARTMENT: 4 / 29 / 2024 BY: Ron Keller

REASON FOR PLAT: DEVELOPMENT _____ CONVEYANCE X FINANCIAL PURPOSES _____ OTHER _____

ORIGINAL PLAT DRAWN ON: 11 x 17 MYLAR X 11 x 17 PHOTO PAPER _____ OTHER _____

STREETS/ROADS NAMED PROPERLY: X NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT: N/A

EXISTING ACCESS SHOWN ON PLAT: X ACCESS PERMISSION NEEDED BY: SD _____ BC X TWP _____

FULLY DIMENSIONED FROM SECTION CORNER: X OR QUARTER CORNER: X OR KNOWN MARKER: _____

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE: X

HIGHWAY SIGNATURE LINE SHOWN: (State, County & Township) X SIGNATURE LINE SIGNED: X

TAXES PAID IN FULL: (on all lots involved) FOR THE YEAR X TREASURER SIGNATURE LINE SIGNED X

BOLD BOUNDARY DRAWN AROUND COMPLETE LOT: X PROPERTY PINS SHOWN ON ALL CORNERS: X

REGULAR BOUNDARY LINE DRAWN AROUND R-O-W X

AFTER PLANNING COMMISSION MEETING

CONSIDERED BY COUNTY PLANNING COMMISSION:

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

CONSIDERED BY COUNTY COMMISSION:

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

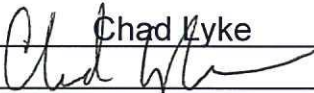
BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR PLAT APPROVAL

DATE: April 26, 2024
RECEIPT # 821943
TOWNSHIP: Mercier Twp

FEE: \$150.00
PAID: YES/NO CHK/CASH
DATE: 4/29/24

OWNERS NAME (print): Toby Doeden
OWNERS SIGNATURE: _____
OWNERS ADDRESS: 12966 Glenwood Lane
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE: _____
OWNERS EMAIL: _____

AGENTS NAME (print): Chad Lyke
AGENTS SIGNATURE: 
AGENTS ADDRESS: 1703 S McCoy Street
AGENTS CITY, STATE, ZIP: Aberdeen, SD 57401
AGENTS PHONE: 605-380-0688
AGENTS EMAIL: _____

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: "Doeden First Addition" in the SE1/4 of Section 24-
T123N-R65W of the 5th P.M., Brown County, South Dakota
(13375 382nd Avenue; Mercier Twp.)

Planning Commission Action: Approved / Denied

By: _____ Date: _____

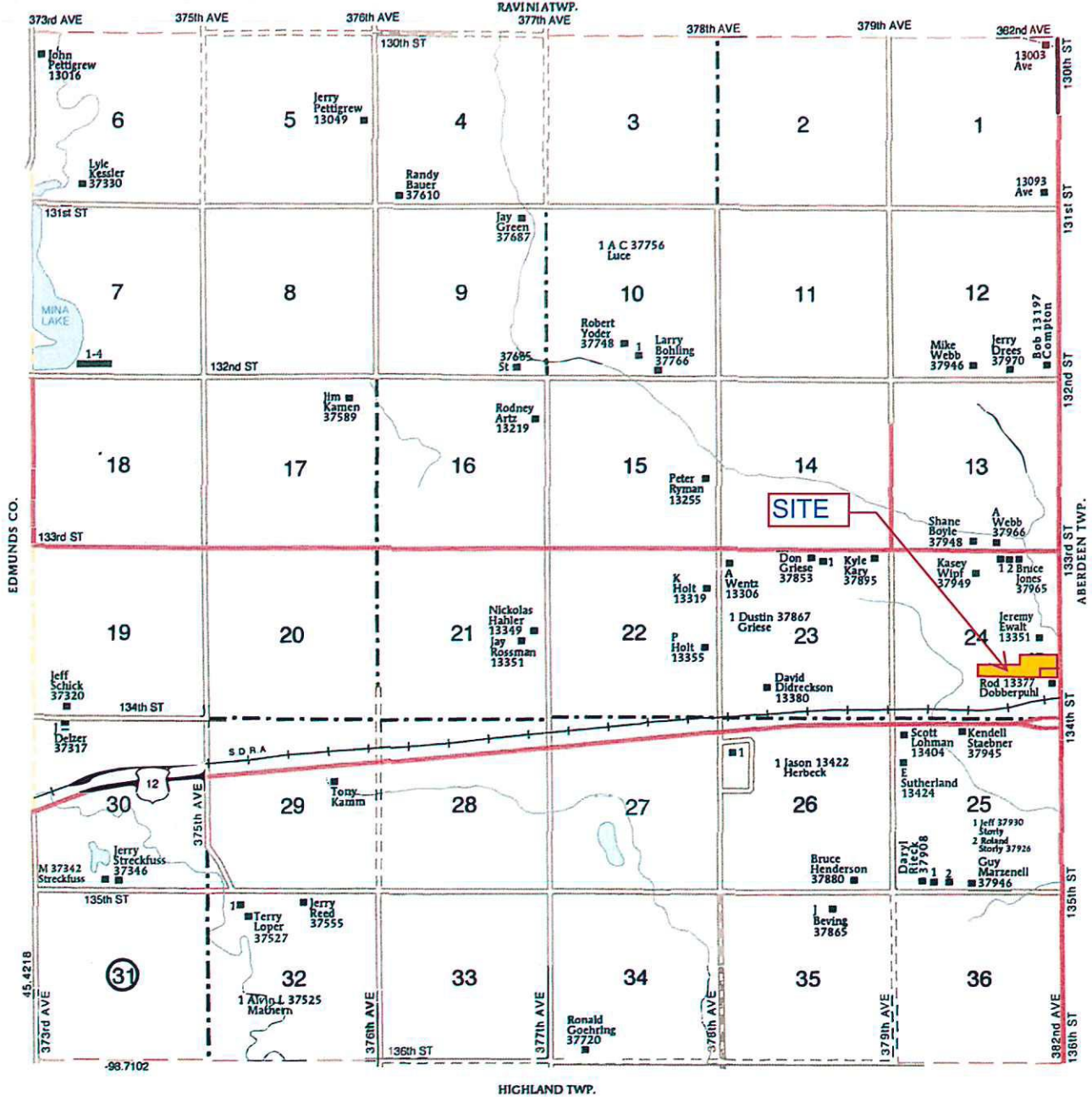
HEARING DATE: May 21, 2024 TIME: 7:00 pm

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

25 Market Street • Aberdeen, South Dakota 57401-4203

Phone: 605-626-7144 • www.brown.sd.us • email: Scott.Bader@browncounty.sd.gov

(Residents - Owners or Renters)



HIGHLAND TWP.

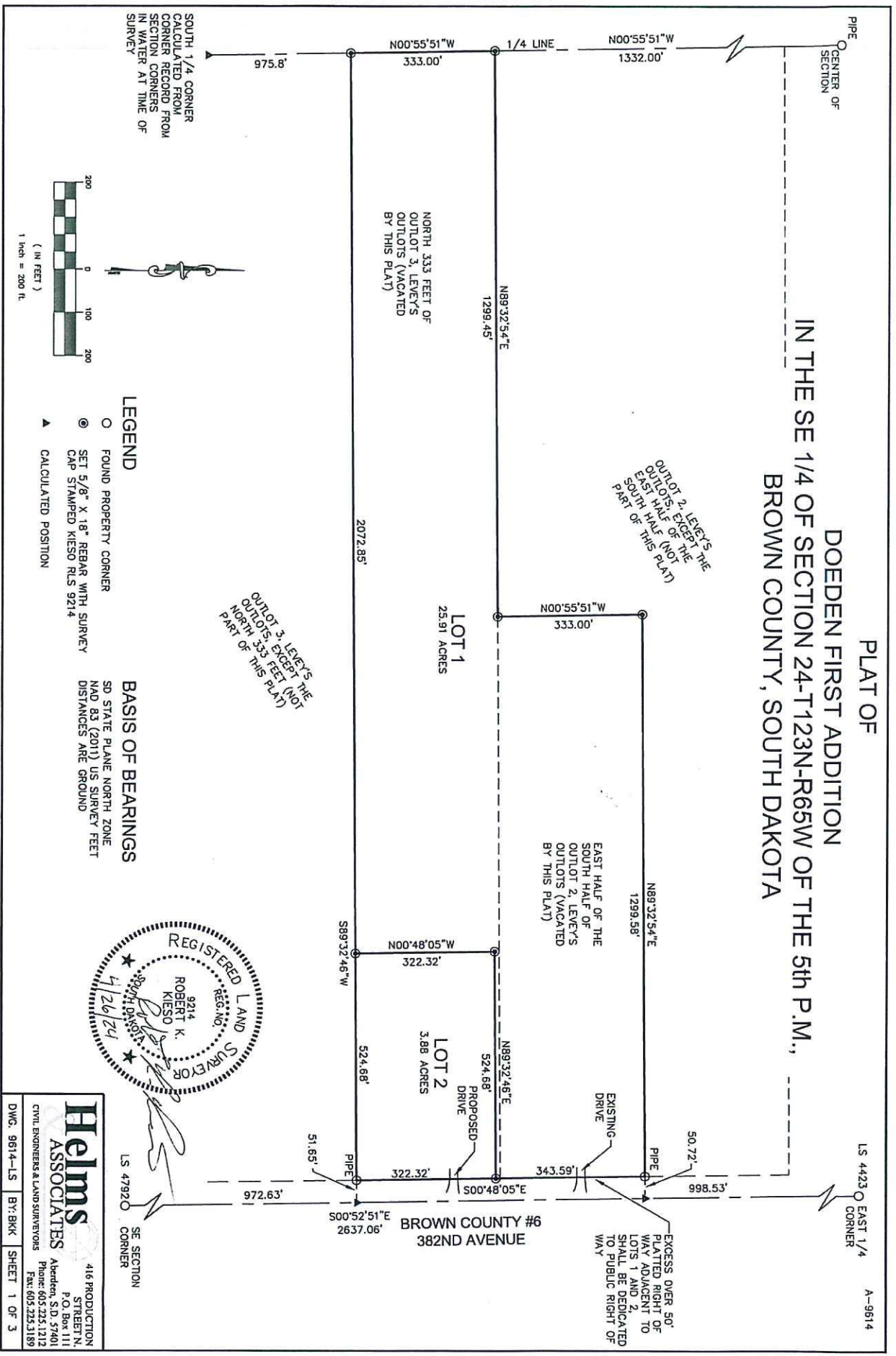
MERCIER TOWNSHIP
SECTION 7

- 1 Bauer, Bryan 37302
- 2 Davis, I 37306
- 3 Salo, Roger 37310
- 4 Dykema, Wade 37320

SECTION 24

- 1 Hehn, Robert 37961
- 2 Jones, Jamie 37963
- 3 Zinter, Daniel 13365
- 4 Hammer, Leland 13371

**PLAT OF
DOEDEN FIRST ADDITION
IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA**



OUTLOT 2, LEVEY'S OUTLOT'S, EXCEPT THE EAST HALF OF THE SOUTH HALF OF THIS PLAT)

OUTLOT 3, LEVEY'S OUTLOT'S, EXCEPT THE NORTH 333 FEET (NOT PART OF THIS PLAT)

OUTLOT 3, LEVEY'S OUTLOT'S, EXCEPT THE SOUTH HALF OF THE SOUTH HALF OF THIS PLAT)

EAST HALF OF THE SOUTH HALF OF OUTLOT 2, LEVEY'S OUTLOTS (VACATED BY THIS PLAT)

EXCESS OVER 50' PLATTED RIGHT OF WAY ADJACENT TO LOTS 1 AND 2 SHALL BE DEDICATED TO PUBLIC RIGHT OF WAY

SOUTH 1/4 CORNER CALCULATED FROM CORNER RECORDS SECTION CORNERS IN WATER AT TIME OF SURVEY

NORTH 333 FEET OF OUTLOT 3, LEVEY'S OUTLOTS (VACATED BY THIS PLAT)

OUTLOT 2, LEVEY'S OUTLOT'S, EXCEPT THE EAST HALF OF THE SOUTH HALF OF THIS PLAT)

EAST HALF OF THE SOUTH HALF OF OUTLOT 2, LEVEY'S OUTLOTS (VACATED BY THIS PLAT)

OUTLOT 3, LEVEY'S OUTLOT'S, EXCEPT THE NORTH 333 FEET (NOT PART OF THIS PLAT)

EXCESS OVER 50' PLATTED RIGHT OF WAY ADJACENT TO LOTS 1 AND 2 SHALL BE DEDICATED TO PUBLIC RIGHT OF WAY

PLAT OF
DOEDEN FIRST ADDITION
IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, TOBY DOEDEN, DO HEREBY CERTIFY THAT I AM THE OWNER OF THE NORTH 333 FEET OF OUTLOT 3, LEVEY'S OUTLOTS IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AND THE EAST HALF OF THE SOUTH HALF OF OUTLOT 2, LEVEY'S OUTLOTS IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AND THAT I HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ATTACHED PLAT WHICH SHALL BE HEREAFTER KNOWN AND DESCRIBED AS; DOEDEN FIRST ADDITION IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

BY THIS PLAT, I DO HEREBY VACATE NORTH 333 FEET OF OUTLOT 3, LEVEY'S OUTLOTS IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AND THE EAST HALF OF THE SOUTH HALF OF OUTLOT 2, LEVEY'S OUTLOTS IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA AS FILED FOR RECORD ON APRIL 14, 1972 AND DULY RECORDED AS PLAT NO. 177, IN THE BROWN COUNTY REGISTER OF DEEDS OFFICE.


TOBY DOEDEN

Signed this 29 day of April, 2024

ACKNOWLEDGMENT

STATE OF)
COUNTY OF)SS

ON THIS THE 29th DAY OF April, 2024, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED TOBY DOEDEN KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.


MY COMMISSION EXPIRES: 03/03/2025
Maile C. B.
NOTARY PUBLIC



SURVEYOR'S CERTIFICATE

I, ROBERT K. KIESO, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNER, I HAVE SURVEYED AND PLATTED "DOEDEN FIRST ADDITION IN THE SE 1/4 OF SECTION 24-T123N-R65W 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. I FURTHER CERTIFY THAT THE WITHIN AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.

DATED THIS 26th DAY OF April, 2024.


ROBERT K. KIESO RLS #9214

PLAT OF
DOEDEN FIRST ADDITION
IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA

COUNTY PLANNING COMMISSION CERTIFICATION

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 _____, 20____.

"BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING DOEDEN FIRST ADDITION IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-2-2, AND ANY AMENDMENTS THEREOF."

SECRETARY OF BROWN COUNTY PLANNING COMMISSION, SOUTH DAKOTA

APPROVAL BY COUNTY

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE BOARD OF COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA AT A MEETING HELD ON THE ____ DAY OF _____, 20____.

"BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING DOEDEN FIRST ADDITION IN THE SE 1/4 OF SECTION 24-T123N-R65W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-3, AND ANY AMENDMENTS THEREOF."

COUNTY AUDITOR, BROWN COUNTY, SOUTH DAKOTA

HIGHWAY AUTHORITY CERTIFICATE

THE LOCATION OF THE PROPOSED PROPERTY LINES ABUTTING THE COUNTY OR STATE HIGHWAY, OR THE COUNTRY/TOWNSHIP ROAD AS SHOWN HEREON, IS HEREBY APPROVED ANY CHANGE IN THE LOCATION OF THE EXISTING ACCESS OR ANY NEW ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

BY: _____
HIGHWAY AUTHORITY

TITLE: _____

DIRECTOR OF EQUALIZATION'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT ON THIS ____ DAY OF _____, 20____.

DIRECTOR OF EQUALIZATION, BROWN COUNTY, SOUTH DAKOTA

TREASURER'S CERTIFICATE

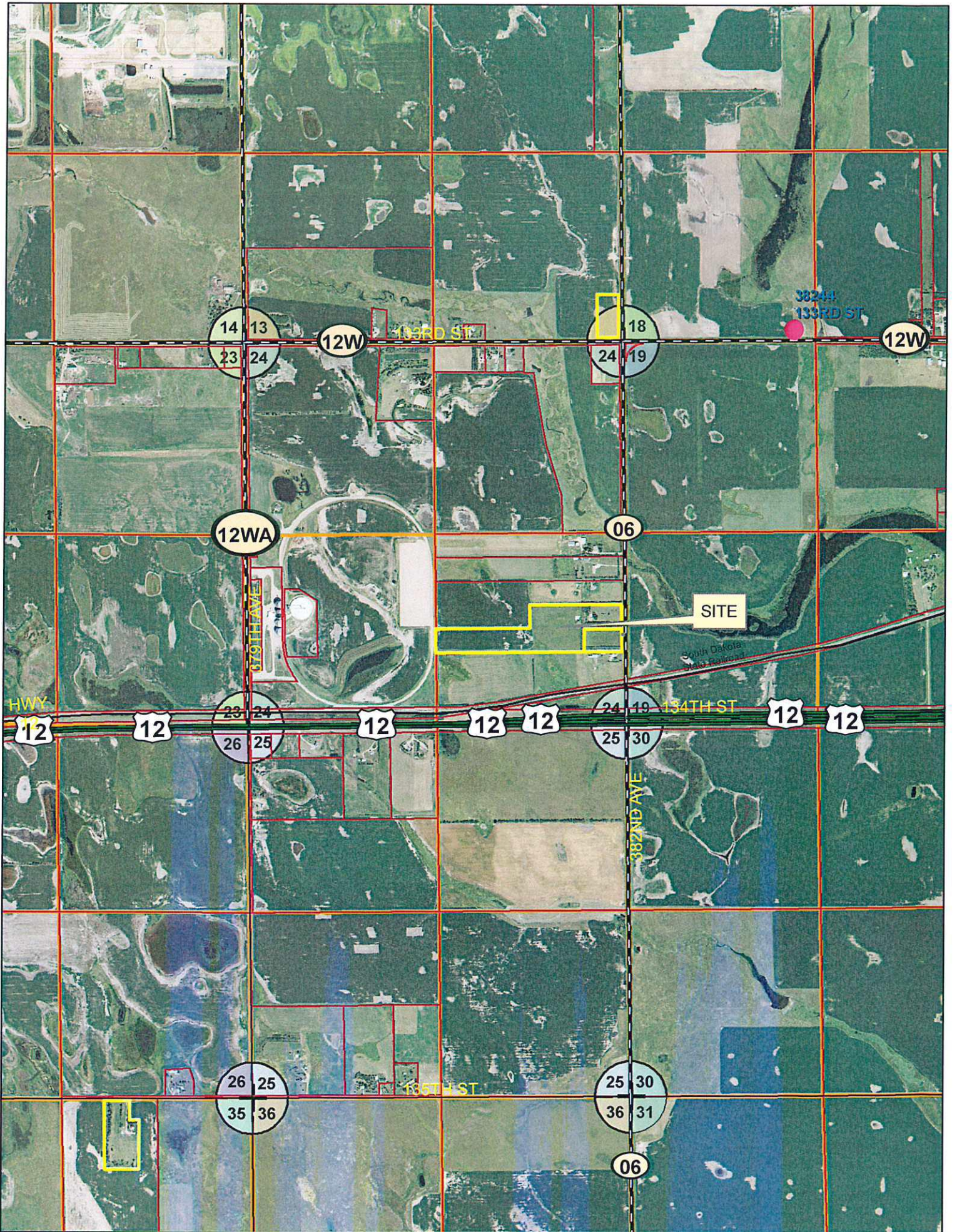
I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY OF THE LANDS INCLUDED IN THE ABOVE PLAT ARE SHOWN BY THE RECORDS OF MY OFFICE TO BE FULLY PAID. SIGNED THIS ____ DAY OF _____, 20____.

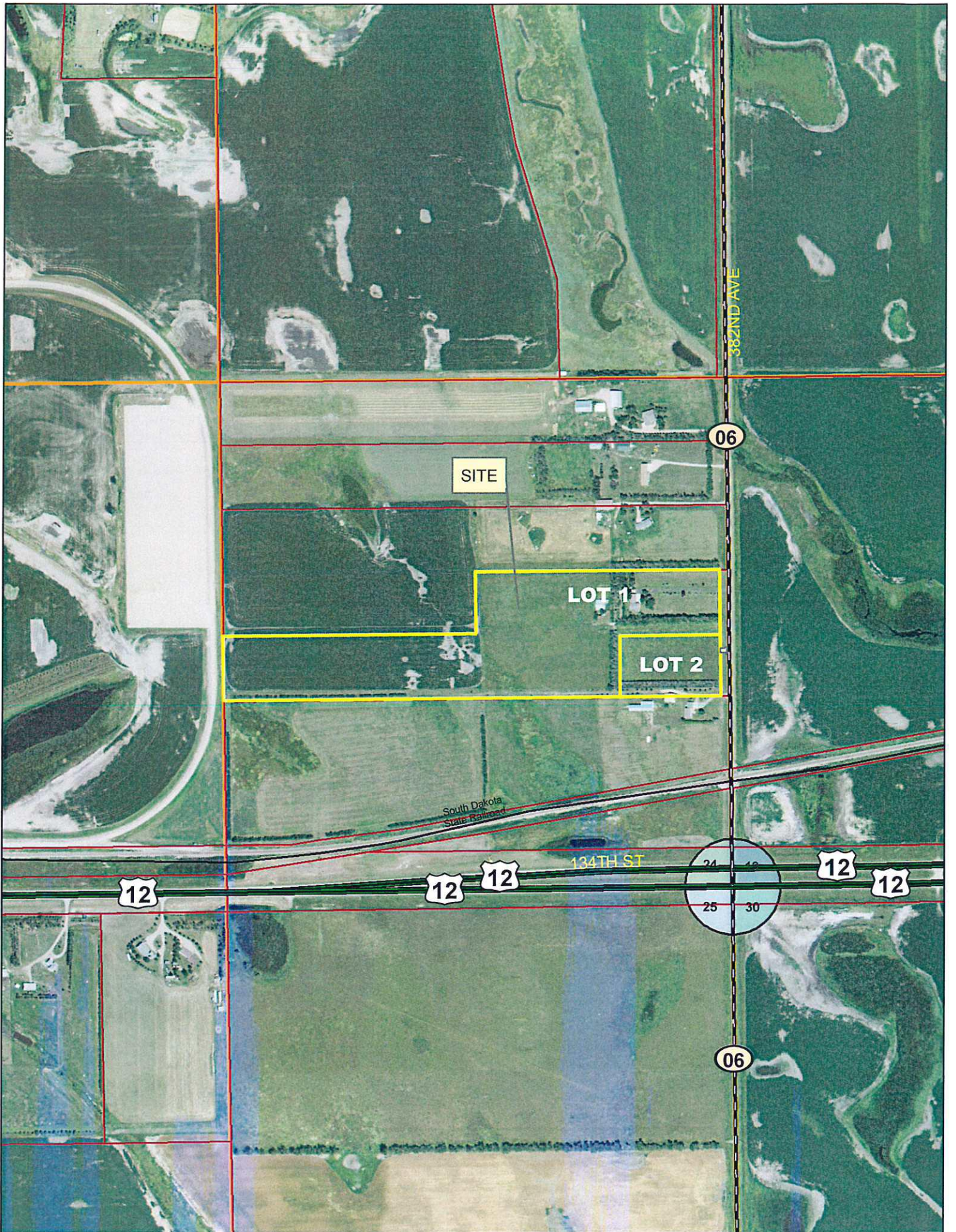
COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

REGISTER OF DEED'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20____ AT ____ O'CLOCK _____, AND DULY RECORDED IN HANGING PLATS NO. _____

REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA





382ND AVE

SITE

LOT 1

LOT 2

South Dakota
State Railroad

134TH ST

12

12

12

12

12

24 26
25 30

06

06

STAFF REPORT

Meeting: May 21, 2024

BROWN COUNTY PLANNING COMMISSION

PRELIMINARY & FINAL PLAT

ITEM #17

GENERAL INFORMATION:

OWNER:	Todd & Connie Wright / Dennis Jones / William Wulff
PETITIONER:	Todd & Connie Wright
REQUEST:	PRELIMINARY & FINAL PLAT
LEGAL DESCRIPTION:	"Jones-Wright Addition" in the E1/2 of Section 7-T123N-R62W of the 5 th P.M., Brown County, South Dakota
ADDRESS:	13121 & 13159 395 th Avenue
CITY/TOWNSHIP:	Bath Twp
EXISTING ZONING	Agriculture Preservation District (AG-P) / Mini-Agriculture District (M-AG)
SURROUNDING ZONING:	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P) / Heavy Industrial District (H-I)
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Ron Keller

GENERAL COMMENT: The petitioner is requesting this Preliminary & Final Plat for financial and conveyance purposes.

GENERAL REVIEW: Staff has reviewed this plat and recommends a stipulation that all of Lot 2 of "Jones-Wright Addition" along with Lot 1 & Lot 2, "Wright Third Subdivision" be rezoned to Mini-Agriculture (M-AG). Also to have all of Lot 1, "Jones-Wright Addition" be rezoned to Agriculture Preservation (AG-P).

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME: Jones-Wright Addition

LEGAL SECTION: QUARTER: E1/2 SECTION: 7 TOWNSHIP: 123 RANGE: 62

MANDATORY LOTS: 1,2 TRACTS _____ PARCELS _____ OUTLOTS _____ OTHER _____

SCHOOL DISTRICT: Aberdeen

UTILITIES: WEB Water

OWNERS NAMES: Todd & Connie Wright Dennis Jones

OWNERS NAMES: William Wulff

ENGINEER OR SURVEYOR: Zachary Remily (Assurance Land Surveying)

TYPE: PRELIMINARY _____ FINAL _____ BOTH (both is allowed if there is not a new road needed)

PLAT FEE PER PLAT: \$150.00 DATE PAID: 05 / 06 / 2024

RECEIVED BY PLANNING DEPARTMENT: 05 / 06 / 20 24 BY: Ron Keller

REASON FOR PLAT: DEVELOPMENT _____ CONVEYANCE FINANCIAL PURPOSES _____ OTHER _____

ORIGINAL PLAT DRAWN ON: 11 x 17 MYLAR 11 x 17 PHOTO PAPER _____ OTHER _____

STREETS/ROADS NAMED PROPERLY: NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT: _____

EXISTING ACCESS SHOWN ON PLAT: ACCESS PERMISSION NEEDED BY: SD _____ BC _____ TWP _____

FULLY DIMENSIONED FROM SECTION CORNER: OR QUARTER CORNER: OR KNOWN MARKER:

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE:

HIGHWAY SIGNATURE LINE SHOWN: (State, County & Township) SIGNATURE LINE SIGNED:

TAXES PAID IN FULL: (on all lots involved) FOR THE YEAR TREASURER SIGNATURE LINE SIGNED

BOLD BOUNDARY DRAWN AROUND COMPLETE LOT: PROPERTY PINS SHOWN ON ALL CORNERS:

REGULAR BOUNDARY LINE DRAWN AROUND R-O-W

AFTER PLANNING COMMISSION MEETING

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 26, 2024
RECEIPT # 821952
TOWNSHIP: Bath Twp

FEE: \$150.00
PAID: YES/NO CHK/CASH
DATE: 5/6/2024

OWNERS NAME (print): William Wulff Dennis Jones
OWNERS SIGNATURE: _____
OWNERS ADDRESS: PO Box 968 12954 396th Avenue
OWNERS CITY, STATE, ZIP: Eastsound, WA 98245 Bath, SD 57427
OWNERS PHONE: (360) 376-6011
OWNERS EMAIL: whwulff@gmail.com

AGENTS NAME (print): Todd & Jean Wright ZACH PETERSON (RICHARDSON)
AGENTS SIGNATURE: _____ Zach Peterson LAW
AGENTS ADDRESS: 13149 395th Avenue PO Box 1030
AGENTS CITY, STATE, ZIP: Bath, SD 57427 ABERDEEN, SD 57402-1030
AGENTS PHONE: 605- 605 225-6310
AGENTS EMAIL: _____

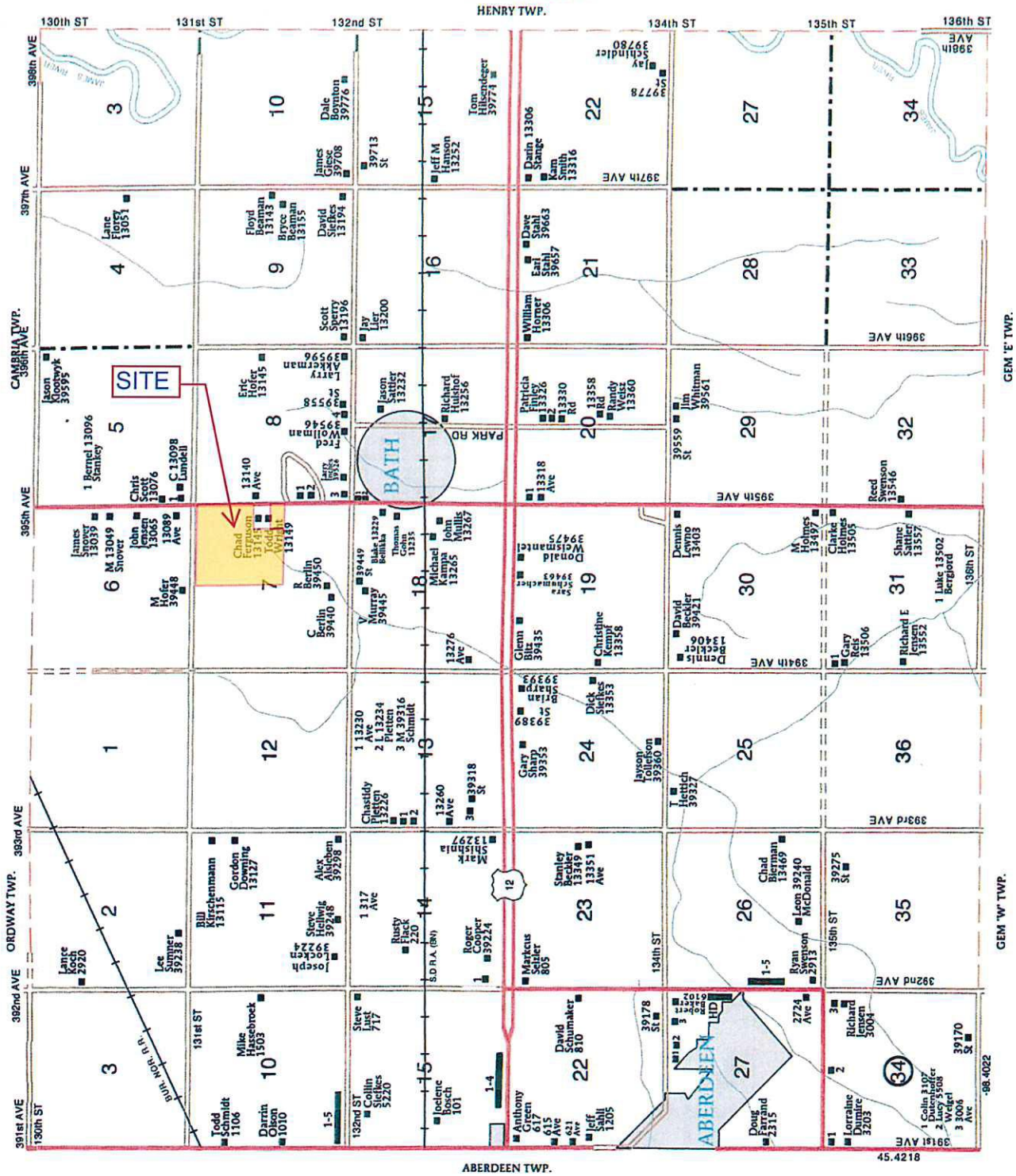
REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: "Jones-Wright Addition" in the E1/2 of Section 7-
T123N-R62W of the 5th P.M., Brown County, South Dakota
(131st Street & 395th Avenue; Bath Twp.)

Planning Commission Action: <u>Approved / Denied</u>	

By: _____	Date: _____
HEARING DATE: <u>May 21, 2024</u>	TIME: <u>7:00 pm</u>

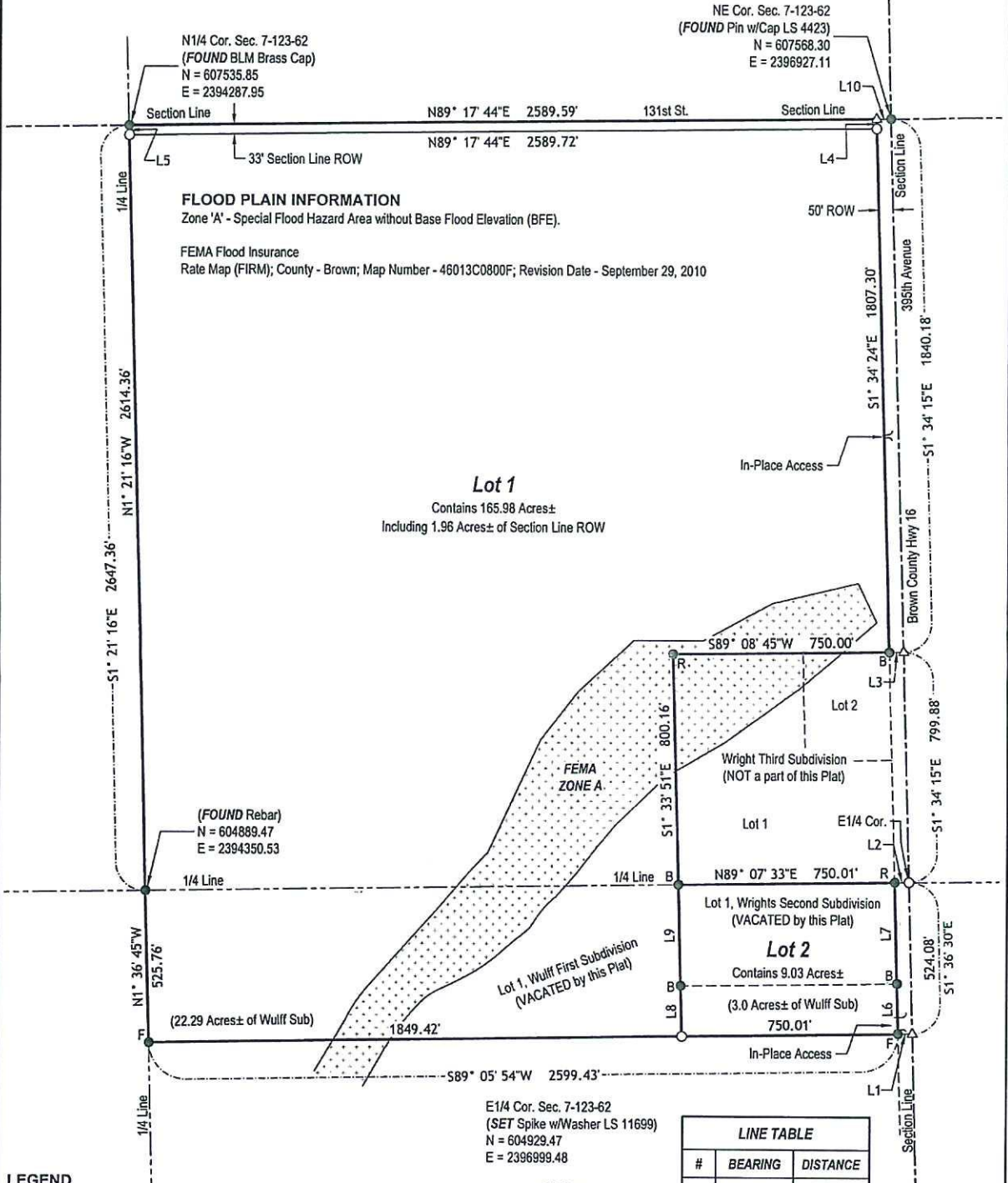
MEETING: located in the Basement Community Room of the Court House Annex
25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • www.brown.sd.us • email: Scott.Bader@browncounty.sd.gov



- BATH TOWNSHIP**
- SECTION 8**
- 1 Haugen, James 13164
 - 2 Krohl, John 13174
 - 3 Monson, Steve 39510
 - 4 Bruckner, David 39554
- SECTION 10W**
- 1 Bormemann, Kylie 5005
 - 2 Dewey, Justin 5025
 - 3 5091
 - 4 Gross, Del 5115
 - 5 Mathern, A 5219
- SECTION 15W**
- 1 5405
 - 2 Eilers, Todd 5485
 - 3 Ellingson, Melynn 5485
 - 4 Gossman, S 5755
- SECTION 17**
- 1 Buechler, Jerry 13228
 - 2 Wolf, Justyn 13230
- SECTION 20**
- 1 Westphal, Henry 13316
 - 2 Ronroach, Kevin 13328
- SECTION 28**
- 1 Bellikka, Daryl 2111
 - 2 Kohlihaas, Paul 2135
 - 3 Griese, Doug 2215
 - 4 Bjorklund, Richard 2317
 - 5 Paulson, David 2519
- SECTION 27W**
- 1 Caton, Caleb 5256
 - 2 Johnson, K 5950

PLAT SHOWING JONES-WRIGHT ADDITION

IN THE E1/2 OF SECTION 7, TOWNSHIP 123 NORTH, RANGE 62 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA



- LEGEND**
- B ● PIN FOUND (LS 4423)
 - F ● PIN FOUND (LS 1641)
 - R ● PIN FOUND (Rebar)
 - O ○ PIN SET w/CAP LS 11699
 - Δ CALCULATED CORNER

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



LINE TABLE		
#	BEARING	DISTANCE
L1	S89°05'54"W	50.00'
L2	N89°07'32"E	50.00'
L3	N89°08'45"E	49.92'
L4	S1°34'16"E	33.00'
L5	N1°21'16"W	33.00'
L6	S1°37'41"E	174.15'
L7	S1°35'55"E	349.95'
L8	S1°36'32"E	174.46'
L9	S1°36'32"E	350.00'
L10	N89°17'44"E	50.01'



619 14th Avenue S, Faulkton, South Dakota 57438
Phone: 605-290-3090 / Email: zach@assurancelandsurveying.com
Project No. ALS23143 Field Survey Date: 04-19-2024



PLAT SHOWING

JONES-WRIGHT ADDITION

IN THE E1/2 OF SECTION 7, TOWNSHIP 123 NORTH, RANGE 62 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, William Wulff, Trustee of the Revocable Trust of William H Wulff, dated November 14, 2008, do hereby certify that the Revocable Trust is the owner of Lot 1, Wulff First Subdivision in the Southeast Quarter (SE1/4) of Section Seven (7), Township One Hundred Twenty-Three (123) North, Range Sixty-Two (62) West of the 5th P.M., Brown County, South Dakota, and that I, as Trustee, have caused the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as:

**"JONES-WRIGHT ADDITION IN THE E1/2 OF SECTION 7,
TOWNSHIP 123 NORTH, RANGE 62 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, I, William Wulff, Trustee of the Revocable Trust of William H Wulff, dated November 14, 2008, do hereby VACATE Lot 1, Wulff First Subdivision in the Southeast Quarter (SE1/4) of Section Seven (7), Township One Hundred Twenty-Three (123) North, Range Sixty-Two (62) West of the 5th P.M., Brown County, South Dakota as filed for record on April 7, 2006 at 1:46 P.M., and duly recorded as Hanging Plat No. 2207H.

Owner: **Revocable Trust of William H Wulff, dated November 14, 2008**

_____ Signed this _____ day of _____, 20____.
William Wulff, Trustee

COUNTY OF _____)
STATE OF _____) SS

On this the _____ day of _____, 20____, before me, _____, the undersigned officer, personally appeared *William Wulff*, Trustee of the Revocable Trust of William H Wulff, dated November 14, 2008, known to me or satisfactorily proven to be the person who, subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

My Commission Expires: _____
Notary Public

OWNER'S CERTIFICATE

I, Dennis O. Jones, do hereby certify that I am the owner of the Northeast Quarter (NE1/4), excluding Lot 1, Wrights Subdivision (since Vacated and now Lots 1 and 2, Wrights Third Subdivision) of Section Seven (7), Township One Hundred Twenty-Three (123) North, Range Sixty-Two (62) West of the 5th P.M., Brown County, South Dakota, and that I have caused the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as:

**"JONES-WRIGHT ADDITION IN THE E1/2 OF SECTION 7,
TOWNSHIP 123 NORTH, RANGE 62 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.

Owner: **Dennis O. Jones**

_____ Signed this _____ day of _____, 20____.
Signature

COUNTY OF _____)
STATE OF _____) SS

On this the _____ day of _____, 20____, before me, _____, the undersigned officer, personally appeared *Dennis O. Jones*, known to me or satisfactorily proven to be the person who, subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

My Commission Expires: _____
Notary Public



PLAT SHOWING
JONES-WRIGHT ADDITION

IN THE E1/2 OF SECTION 7, TOWNSHIP 123 NORTH, RANGE 62 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

The TC Wright Trust, does hereby certify that it is the owner of Lot 1, Wrights Second Subdivision in the Southeast Quarter (SE1/4) of Section Seven (7), Township One Hundred Twenty-Three (123) North, Range Sixty-Two (62) West of the 5th P.M., 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:

**"JONES-WRIGHT ADDITION IN THE E1/2 OF SECTION 7,
TOWNSHIP 123 NORTH, RANGE 62 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, the TC Wright Trust, does hereby VACATE Lot 1, Wrights Second Subdivision in the Southeast Quarter (SE1/4) of Section Seven (7), Township One Hundred Twenty-Three (123) North, Range Sixty-Two (62) West of the 5th P.M., Brown County, South Dakota, as filed for record on August 5, 2004 at 9:45 A.M., and duly recorded as Hanging Plat No. 2008H.

Owner: *TC Wright Trust*

Owner: *TC Wright Trust*

Todd R. Wright, Trustee

Connie S. Wright, Trustee

Signed this _____ day of _____, 20____.

Signed this _____ day of _____, 20____.

COUNTY OF _____)
STATE OF _____) SS

COUNTY OF _____)
STATE OF _____) SS

On this the _____ day of _____, 20____,
before me, _____, the undersigned officer,
personally appeared *Todd R. Wright*, Trustee, known to me or
satisfactorily proven to be the person who, subscribed to the within
instrument and acknowledged that they executed the same for the
purposes therein contained.

On this the _____ day of _____, 20____,
before me, _____, the undersigned officer,
personally appeared *Connie S. Wright*, Trustee, known to me or
satisfactorily proven to be the person who, subscribed to the within
instrument and acknowledged that they executed the same for the
purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

In witness whereof I hereunto set my hand and official seal.

My Commission Expires: _____

My Commission Expires: _____

Notary Public

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:

**"JONES-WRIGHT ADDITION IN THE E1/2 OF SECTION 7,
TOWNSHIP 123 NORTH, RANGE 62 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.

ZACHARY M. REMILY, LS 11699

Signed this _____ day of _____, 20____.

BROWN COUNTY HIGHWAY APPROVAL

"Existing Access to **BROWN COUNTY HIGHWAY 16** 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."

Dirk Rogers, Highway Superintendent

Signed this _____ day of _____, 20____.

PLAT SHOWING

JONES-WRIGHT ADDITION

IN THE E1/2 OF SECTION 7, TOWNSHIP 123 NORTH, RANGE 62 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA

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.

Meeting held on the _____ day of _____, 20_____.

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:

**"JONES-WRIGHT ADDITION IN THE E1/2 OF SECTION 7,
TOWNSHIP 123 NORTH, RANGE 62 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.

Meeting held on the _____ day of _____, 20_____.

County Auditor
Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing:

**"JONES-WRIGHT ADDITION IN THE E1/2 OF SECTION 7,
TOWNSHIP 123 NORTH, RANGE 62 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 _____ day of _____, 20_____.

County Treasurer
Brown County, South Dakota

DIRECTOR OF EQUALIZATION CERTIFICATE

I hereby certify that I have received a copy of this plat.

Dated this _____ day of _____, 20_____.

Director of Equalization
Brown County, South Dakota

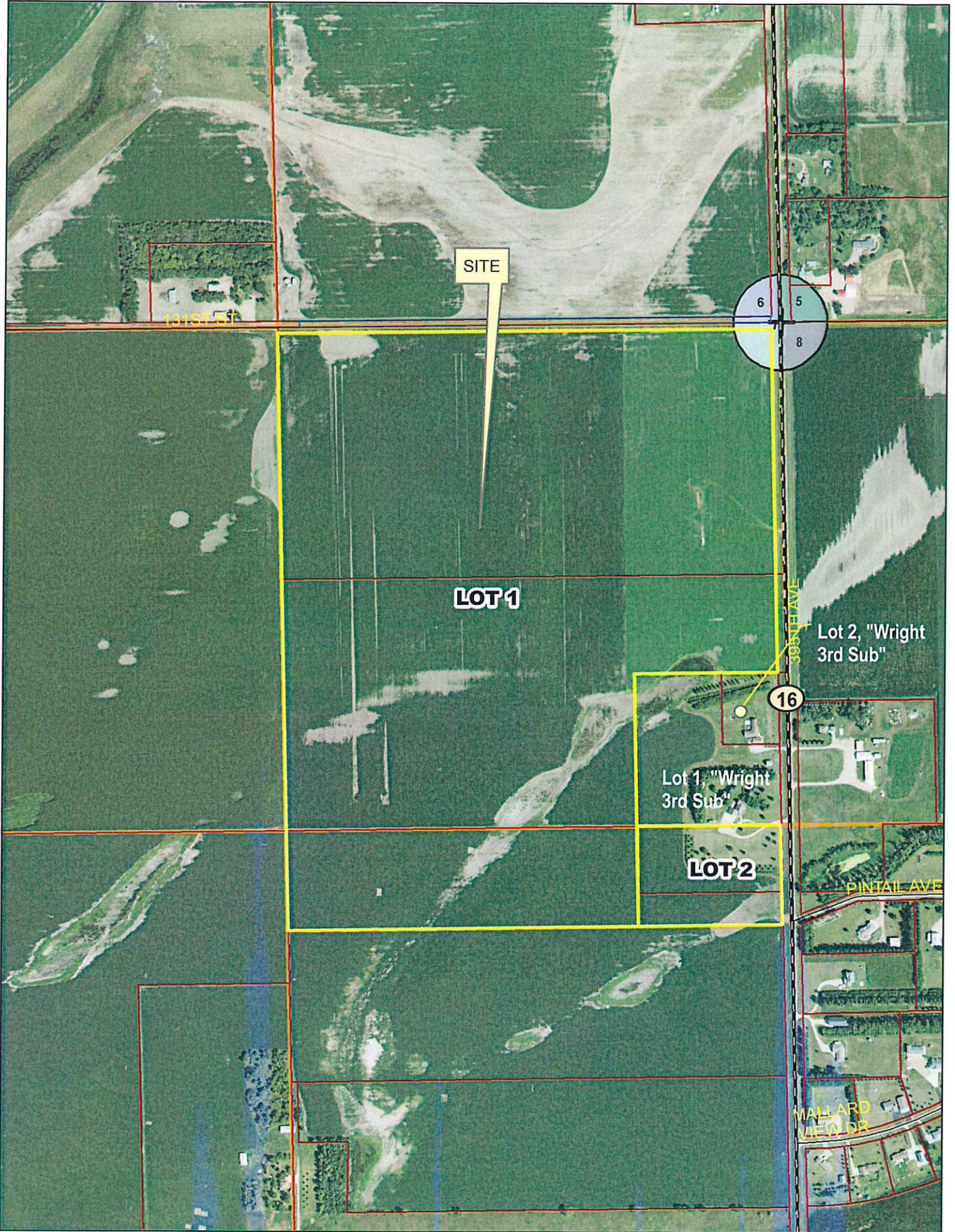
REGISTER OF DEEDS' CERTIFICATE

Filed for record this _____ day of _____, 20_____.

at _____ O'clock ____ M., and duly recorded as Hanging

Plat No. _____.

Register of Deeds
Brown County, South Dakota



SITE

LOT 1

LOT 2

Lot 1, "Wright 3rd Sub"

Lot 2, "Wright 3rd Sub"

131ST ST

395TH AVE

PINTAIL AVE

MALLARD VIEW DR



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