

AGENDA

REGULARLY SCHEDULED MEETING BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, MAY 21, 2019 – 7:00 PM
EAST SIDE of BSMNT COMMUNITY ROOM,
BROWN COUNTY COURTHOUSE ANNEX

- I. Call to Order: Planning/Zoning Commissioner Chairman Jerry Streckfuss
- II. Roll Call: Vice Chairman Stan Beckler, Darwin Bettmann, David North, Dale Kurth, Patrick Keatts, B.C. Commissioner Rachel Kippley serving on Planning/Zoning Commission, Jerry Streckfuss;
- III. Minutes: of April 16, 2019
- IV. Old Business:
- V. New Business: Planning/Zoning Commission as Zoning Board of Adjustment
 1. **Variance to Shelterbelt Setbacks** in an Agriculture Preservation District (AG-P) described as the NW1/4 of Section 30-T128N-R61W of the 5th P.M., Brown County, South Dakota (10428 400th Ave).
 2. **Variance to Lot Size** in an Agriculture Preservation District (AG-P) for a proposed property described as Lot 1, “Micah Christianson Addition” in the SW1/4 of Section 15-T126N-R63W of the 5th P.M., Brown County, South Dakota (11482 391st Ave).
 3. **Variance to Building Setbacks** in a Lake Front Residential District (R-3) described as Lot 1 “Lois Huffman 1st Subdivision” in the NE1/4 of Section 14-T124N-R65W of the 5th P.M., Brown County, South Dakota (126969 East Shore Dr).
 4. **Variance to Building Setbacks** in a Lake Front Residential District (R-3) described as Lot 21 “Lingor’s Richmond Lake Subdivision” in the NE1/4 of Section 22-T124N-R65W of the 5th P.M., Brown County, South Dakota (127329 West Bridge Rd).

Other Business:

Completed as Board of Adjustment and Beginning as Planning Commission

**REGULARLY SCHEDULED MEETING
BROWN COUNTY PLANNING/ZONING COMMISSION**

Beginning as Planning Commission

- I. Old Business:
- II. New Business: ***Planning Commission***
 - 10. **Petition to Re-Zone** from an Agricultural Preservation District (AG-P) to Mini Agricultural District (M-AG) for proposed property: Lot 2, “Bruns Hanson Addition” in the SW1/4 of Section 32-T127N-R62W of the 5th P.M., Brown County, South Dakota (39546 112th St).
 - 11. **Preliminary and Final Plat** for a property described as Lot 1, “Micah Christianson Addition” in the SW1/4 of Section 15-T126N-R63W of the 5th P.M., Brown County, South Dakota, (11482 391st Ave).
 - 12. **Preliminary and Final Plat** for a property described as Lots 1&2, “Bruns Hanson Addition” in the SW1/4 of Section 32-T127N-R62W of the 5th P.M., Brown County, South Dakota (39504 & 39546 112th St).
- III. Other Business:

MINUTES

BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, APRIL 16, 2019 - 7:00 P.M.

COMMUNITY ROOM, BROWN COUNTY COURTHOUSE

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

After discussion, Kippley moved and Beckler seconded to approve the minutes of the March 19, 2019 meeting. All members voted aye, the motion carried.

Chairman Streckfuss then continued with business as follows:

Old Business:

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

1. **Variance to Shelterbelt Setbacks in an Agriculture Preservation District (AG-P)** described as Outlot A “David North Outlot A” in the SE1/4 of Section 27-T127N-R62W of the 5th P.M., Brown County, South Dakota (11065 398th Ave). Submitted by Justin North. Bill Rickter and his daughter submitted comments that he is in favor of all of the tree rows shown on the letter that was sent out, except the one along the angled roadway. Present at meeting was Nancy North and David North. David North recused himself from this item because he is a Planning Commissioner and he is also at the meeting representing Greenfield Township as a supervisor. Following discussion, Kippley moved to *approve a variance for setbacks on shelterbelts with the added comments that #1. two Greenfield Township supervisors other than North, approve of the variance; #2. with the stipulation that the township may come back at a later date to request the trees be removed; #3.*

the property owner will be required to remove the trees at his own expense at any location the township requests that are closer than 150' #4. that the trees may be a minimum of 30' from property line/right-of-way line rather than the 150' required, seconded by Dale Kurth, North abstained from voting, all other members voting aye, motion carried.

2. **Variance to Building Setbacks** for a new home in a Rural Urban District (RU) for a property described as Lot 4, "Hanson's 1st Subdivision in Bath" in the NW1/4 of Section 17, T123N and R62W, of the 5th P.M., Brown County, South Dakota (420 Hanson Loop). Following discussion, Beckler moved to **approve a variance for building setbacks** to be 02' from the overhang fascia board to the south property line, North seconded, all members voting aye, motion carried.
3. **Variance to Lot Size** in an Agriculture Preservation District (AG-P) for a **proposed** property described as Lot 1, "L and L Vilhauer Addition" in the NE1/4 of Section 08-T122N-R65W of the 5th P.M., Brown County, South Dakota (13715 376th Ave). Following discussion, Beckler moved to **approve a variance to lot size on Lot 1 to be 6.64 acres±** rather than 40.0 acres required, Kurth seconded, all members voting aye, motion carried.

Other Business:

Completed as Zoning Board of Adjustment and Beginning as Planning Commission

**REGULARILY SCHEDULED MEETING
BROWN COUNTY PLANNING/ZONING COMMISSION**

Old Business:

- 10a. **Preliminary and Final Plat** for a property described as Lot 1, "Aberdeen Ground Water Addition" in the NE1/4 of Section 36-T125N-R64W of the 5th P.M., Brown County, South Dakota (38797 123rd St). Submitted by Clark Engineering for the City of Aberdeen. Following discussion, Beckler moved to **recommend approval of this corrected plat from March to the Board of County Commissioners,** Keatts seconded, all members voting aye, motion carried.

New Business: Brown County Planning / Zoning Commission

- 10. Petition to Re-Zone from an Agricultural Preservation District (AG-P) to Mini Agricultural District (M-AG) for properties: Lots 1&2, “Kirchgesler Second Subdivision” in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota (12618 & 12630 West Shore Dr). Submitted by Clark Engineering for Robert Kirchgesler and Kirchgesler family members. Present at the meeting for this item was a neighbor, Steve Gauer. Following discussion, Kippley moved to recommend approval of this rezone to the Board of County Commissioners, North seconded, all members voting aye, motion carried.**
- 11. Preliminary and Final Plat for a property described as Lot 1, “L and L Vilhauer Addition” in the NE1/4 of Section 08-T122N-R65W of the 5th P.M., Brown County, South Dakota, (13715 376th Ave). Submitted by Lance Vilhauer. Following discussion, Beckler moved to recommend approval of this plat to the Board of County Commissioners, including the variance to lot size which was previously approved, seconded by Bettmann, all members voting aye, motion carried.**

Other Business: Scott let the Planning Commission members know that he emailed out some maps of the 1-mile area and the Joint Jurisdictional Area for reference and he is also sending out a sample copy of the Table of Contents for the JJA, showing the different sections or chapters that will be worked on.

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

Submitted by: Scott Bader - Planning & Zoning Director.

STAFF REPORT

May 21, 2019

VARIANCE for SHELTERBELT SETBACKS

ITEM # 01

GENERAL INFORMATION

PETITIONER	Hecla Land Company (James Tracy)
REQUEST	Variance for Shelterbelt Setbacks
LEGAL DESCRIPTION	NW1/4 of Section 30-T128N-R61W of the 5th P.M., Brown County, South Dakota
LOCATION	10428 400 th Ave
EXISTING ZONING	Agricultural Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agricultural Preservation District (AG-P)
South:	Agricultural Preservation District (AG-P)
East:	Sand Lake Wildlife Refuge
West:	Agricultural Preservation District (AG-P)
PUBLIC UTILITIES	Unknown
REPORTED BY	Scott Bader

GENERAL COMMENT: Petitioner is requesting a 50' setback for parallel shelterbelts rather than 150' required and 50' for perpendicular shelterbelt rather than 100' required

REVIEW: The Liberty Supervisors have had trouble in the past getting owners to cleanup, trim, remove existing trees in or on the right-of-way. The Twp recommends no closer than 100' for a variance so there won't be problems in the future. The Hecla lagoon on the west side of road is built up pretty high which causes different wind patterns also for snow drifts. They maintain this road in winter.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: April 25, 2019
RECEIPT # 132081
TOWNSHIP: Liberty Twp

FEES: 25.00
PAID: YES / NO / CHK / CASH
DATE: 04/30/2019

OWNERS SIGNATURE: Hecla Land Company (Steve Tracy)

OWNERS ADDRESS: 1917 Brentwood Dr,

OWNERS CITY, STATE, ZIP: Mt Pleasant, MI 48858-9188

OWNERS PHONE: (605) 670-9159



AGENTS SIGNATURE: James Tracy

AGENTS ADDRESS: PO Box 360

AGENTS CITY, STATE, ZIP: Burley, WA 98322

AGENTS PHONE: 253-686-0250



REQUEST: Variance to Shelterbelt Setbacks in an Agricultural Preservation District (AG-P)

LEGAL DESCRIPTION: NW1/4 of Section 30-T128N-R61W except road
of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied

By: _____

Date: _____

HEARING DATE: MAY 21, 2019

TIME: 7:00 pm

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

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a Petition for a Variance on setbacks. A hearing will be held in the Courthouse Annex basement, Community Meeting Room, on May 21, 2019 at 7:00 P.M. for the purpose of a variance request for proposed shelterbelts with setbacks of 50' from the right-of-way rather than the 100' or 150' setback required for parallel and/or perpendicular shelterbelts in an Agricultural Preservation District (AG-P).

Petitioner & owner: James Tracy for Hecla Land Company

Description of property: NW1/4 of Section 30-T128N-R61W except road, of the 5th P.M., Brown County, South Dakota (10428 400th Ave).

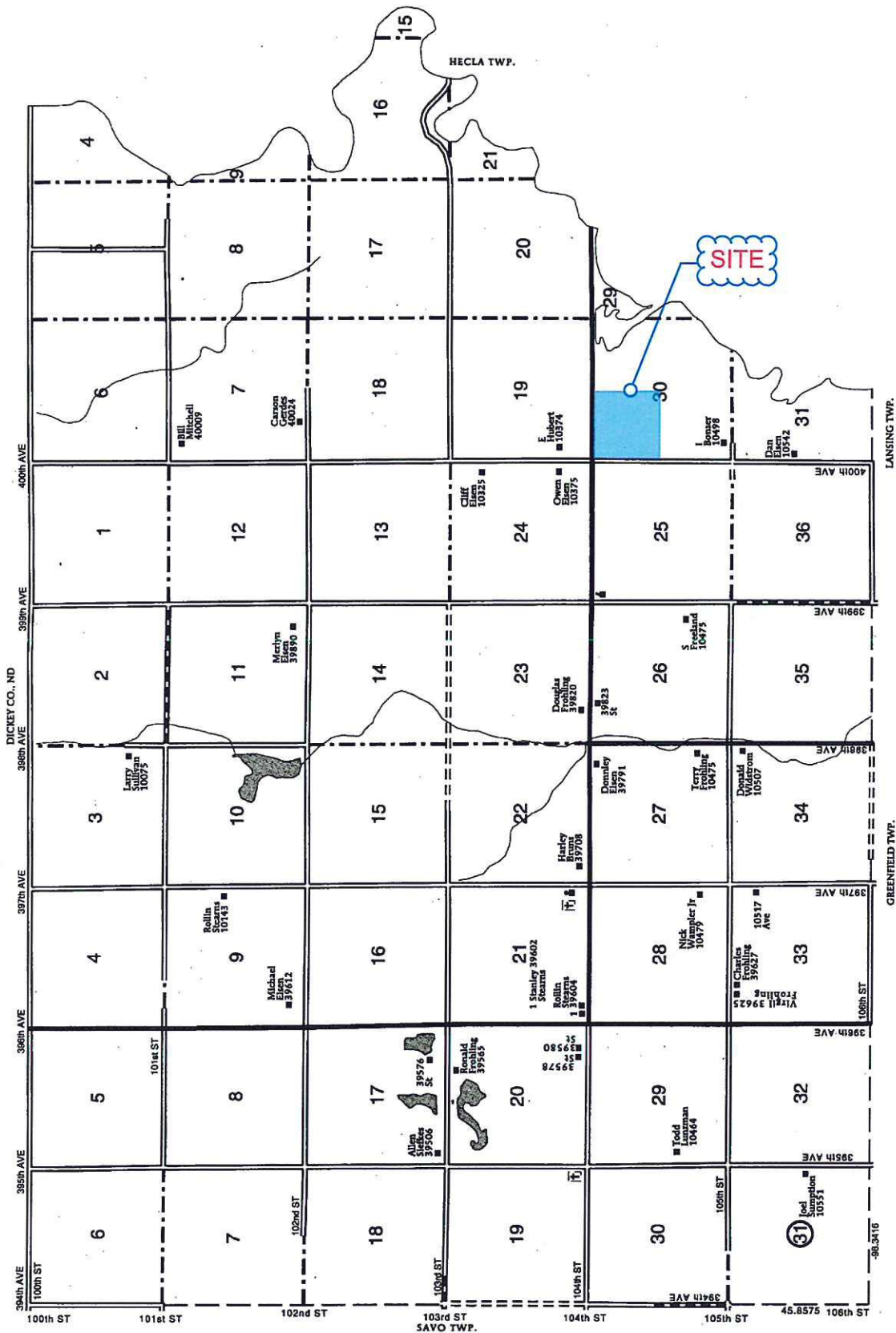
Reason: Existing trees are currently surrounding the old farmstead and wanted to improve on that and add some more trees on the west and south side.

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

Dated this 8th day of May 2019

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

Published once at the total approximate cost of _____.



(No. 669684)
(May 8, 2019 - 1T)

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a Petition for a Variance on setbacks. A hearing will be held in the Courthouse Annex basement, Community Meeting Room, on May 21, 2019 at 7:00 P.M. for the purpose of a variance request for proposed shelterbelts with setbacks of 50' from the right-of-way rather than the 100' or 150' setback required for parallel and/or perpendicular shelterbelts in an Agricultural Preservation District (AG-P).

Petitioner & owner: James Tracy for Hec-la Land Company

Description of property: NW1/4 of Section 30-T128N-R61W except road, of the 5th P.M., Brown County, South Dakota (10428 400th Ave).

Reason: Existing trees are currently surrounding the old farmstead and wanted to improve on that and add some more trees on the west and south side.

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

Dated this 8th day of May 2019

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

Published once at the total approximate cost of \$27.57.

-Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully if changes are needed, please contact us prior to deadline at (605) 229-5555 or email at customerservice@aberdeennews.com.

Date: 05/03/19

Account #: 201262

Company Name: Brown County Auditor-Legals

Contact: Maxine Taylor

Address: 25 Market St
Aberdeen

Telephone: (605) 626-7110

Fax:

Publications:

Aberdeen American News

AB Online

Ad ID: 669684

Start: 05/08/19

Stop: 05/08/19

Total Cost: \$27.57

of Lines: 46

Total Depth: 4.653

of Inserts:

Ad Class: 7700

Phone # (605) 229-5555

Email: customerservice@aberdeen-news.com

Nancy North

From: ABER - Legals <aan-legals@aberdeennews.com>
Sent: Friday, May 03, 2019 11:32 AM
To: Scott Bader
Subject: Re: Notice to Publish - Hecla Land Co
Attachments: Hecla Land.pdf

I have set this up to run on the 8th.

Thanks
Liz

From: Scott Bader <Scott.Bader@browncounty.sd.gov>
Sent: Friday, May 3, 2019 10:47 AM
To: ABER - Legals
Subject: Notice to Publish - Hecla Land Co

I would like to Publish this item once
Wed. May 8th, 2019

Thank you
Scott Bader, CFM
Brown County
Planning & Zoning Director
E-911 Addressing; Floodplain
25 Market Street, Aberdeen, SD 57401
Office: 605-626-7144; www.brown.sd.us

Welcome to Brown County | Brown County

www.brown.sd.us

LAST DAY "Voices of Conscience: Peace Witness in the Great War" Traveling Exhibit

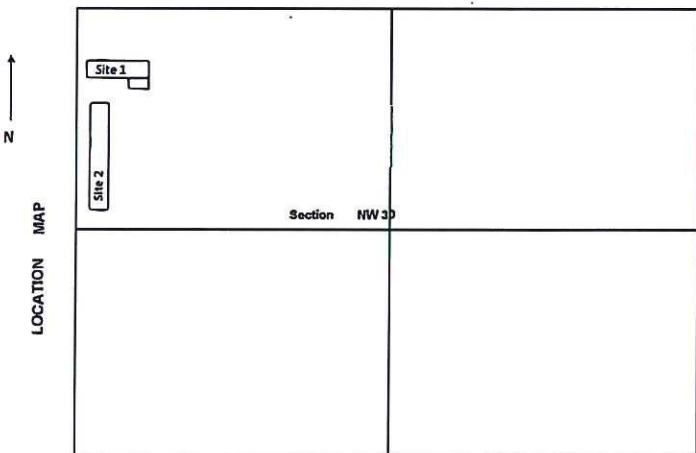
Scott.Bader@browncounty.sd.gov

Establishment

SD-CPA-6e

MLRA	55B	PLANTING INFORMATION -										PLANNED					APPLIED					Check if installed	Check if installed	Calculate
		Site No.	CTSG	Spacing (feet)	Row No.	Species from North or West	(Feet) Spacing in Row	Approx. Length of rows Feet	Rods	Approx. No. of Plants	Fabric (Rods)	Tree Tubes	Seeding Source	Width (feet)	Approximate In the Row	Length (Feet)	(Rods)	Fabric (Rods)	Tree Tubes	No. of Plants				
1	J	8	14	1	Eastern redcedar	8	600	36.4	75	Yes	No													
			14	2	Lilac	4	600	36.4	150	Yes	No													
			14	3	Amur Maple	8	600	36.4	75	Yes	No													
			14	4	Hackberry	10	600	36.4	60	Yes	Yes													
			14	5	Basswood (American linden)	12	600	36.4	50	Yes	No													
			14	6	Honeylocust	12	500	30.3	42	Yes	Yes													
			14	7	Bur oak	10	500	30.3	50	Yes	Yes													
			14	8	Black Hills spruce	10	500	30.3	50	Yes	No													
2	J	8	14	1	Eastern redcedar	8	1270	77.0	159	Yes	No													
			14	2	Nannyberry	6	1270	77.0	212	Yes	No													
			14	3	Siberian crabapple	8	1270	77.0	159	Yes	No													
			14	4	Apricot	10	1270	77.0	127	Yes	No													
			14	5	Chokecherry	6	1270	77.0	212	Yes	No													
			14	6	American plum PM	4	1270	77.0	318	Yes	No													
			14	7	Rocky Mountain juniper	8	1270	77.0	159	Yes	No													
			14	8	Rocky Mountain juniper	8	1270	77.0	159	Yes	No													
Totals						14,660	888.9	2,057	888.9	152														

Section NW 30 5.15 acres planned _____ acres applied
 Township 128N
 Range 61W
 Comments: Rows 1-5 in site 1 to be planted in the short N-S portion.



Producer Name Hecla Land Co. c/o Jim Tracy
 Address PO BOX 360, Burley, WA. 98322
 Site Address 10420 400th Ave, Hecla, SD 57446
 Phone Home _____ Work 253-858-0214 Cell 253-686-0250

Type of Planting Wildlife Planting Program GRANT
 Site Prep Dak Practice # 380

Applied _____ Date Completed: _____ Completed by: _____
 Windbreak _____
 Fabric _____

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

25 Market Street • Aberdeen, South Dakota 57401-4203

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

NOTIFICATION OF VARIANCE PETITION

Dear Petitioner/Owner: **Jim Tracy for Hecla Land Company**

P.O. Box 360, Burley, WA 98322 (Jim = 253-686-0250)

Your property described as: *the NW1/4 of Section 30-T128N-R61W except road, of the 5th P.M., Brown County, South Dakota (10428 400th Ave)* is on the Brown County Planning/Zoning Commission for a Petition for a Variance on setbacks in an Agricultural Preservation District (AG-P). The variance request is for proposed shelterbelts with setbacks of 50' rather than the 100' or 150' setback required for parallel and/or perpendicular shelterbelts in an AG-P District.

You should appear at the Brown County Planning Commission Hearing which will be held on **Tuesday, May 21, 2019 at 7:00 PM** in the Court House Annex on the east side of the Community Room, downstairs of the Brown County Courthouse Annex, 25 Market Street, Aberdeen, SD 57401.

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

Brown County Planning/Zoning Commission

Attn: Scott Bader

25 Market Street; Suite #5

Aberdeen, SD 57401

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

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

Brown County Planning/Zoning Commission

Certificate

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

Petitioner: _____


James Tracy for Hecla Land Company

~ OFFICE OF ~
BROWN COUNTY PLANNING & ZONING

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

NOTIFICATION OF VARIANCE PETITION

Dear *Liberty Township Supervisors*:

Owen Elsen 10375 400th Ave, Hecla, SD 57446 (605-994-7269)

Michael Elsen 39612 102nd St, Hecla, SD 57446 (605-380-8619)

Daniel Elsen 10542 400th Ave, Hecla, SD 57446 (605-994-7705)

I/We are writing to inform you that James Tracy of Hecla Land Company is on the Brown County Planning/Zoning Commission for a *Petition for Variance on setbacks* in an Agricultural Preservation District (AG-P). The variance request is for proposed shelterbelts with setbacks of 50' rather than the 100' or 150' setback required for parallel and/or perpendicular shelterbelts in an AG-P District.

Please discuss with your Township Board to let them know about this application and if they choose to, the Township may appear at the Planning/Zoning Commission Board meeting which will be held on *May 21, 2019 at 7:00 p.m.* in the east COMMUNITY ROOM, downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

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

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

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

Brown County Planning Zoning Commission &

Petitioner:


James Tracy for Hecla Land Company

NEIGHBORING PROPERTIES

Hecla Land Company
PO Box 360
Burley, WA 98322

Owen Elsen
RE: Liberty Township
10375 400th Ave
Hecla, SD 57446

Michael Elsen
RE: Liberty Township
39612 102nd St
Hecla, SD 57446

Daniel Elsen
RE: Liberty Township
10542 400th Ave
Hecla, SD 57446

United States of America
18 N C Ave
Sioux Falls, SD 57101

Hecla City
PO Box 188
Hecla, SD 57446

Irdene Bonzer
PO Box 498
Britton, SD 57430

Owen Elsen
10375 400th Ave
Hecla, SD 57446

Paula Maddocks
10681 398th Ave
Hecla, SD 57446

Richard Hubert Jr
PO Box 21
Hecla, SD 57446

Hecla Land Company
PO Box 360
Burley, WA 98322

Owen Elsen
RE: Liberty Township
10375 400th Ave
Hecla, SD 57446

Michael Elsen
RE: Liberty Township
39612 102nd St
Hecla, SD 57446

Daniel Elsen
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Hecla City
PO Box 188
Hecla, SD 57446

Irdene Bonzer
PO Box 498
Britton, SD 57430

Owen Elsen
10375 400th Ave
Hecla, SD 57446

Paula Maddocks
10681 398th Ave
Hecla, SD 57446

Richard Hubert Jr
PO Box 21
Hecla, SD 57446

Hecla Land Company
PO Box 360
Burley, WA 98322

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RE: Liberty Township
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Owen Elsen
10375 400th Ave
Hecla, SD 57446

Paula Maddocks
10681 398th Ave
Hecla, SD 57446

Richard Hubert Jr
PO Box 21
Hecla, SD 57446

Brown County GIS
(for reference only)

USFWS
GRASSLAND

FEDERALLY
OWNED LAND

FEDERALLY
OWNED LAND

FEDERALLY
OWNED LAND

FEDERALLY
OWNED LAND

BELT #1

BELT #2

BELT #3

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OWNED LAND

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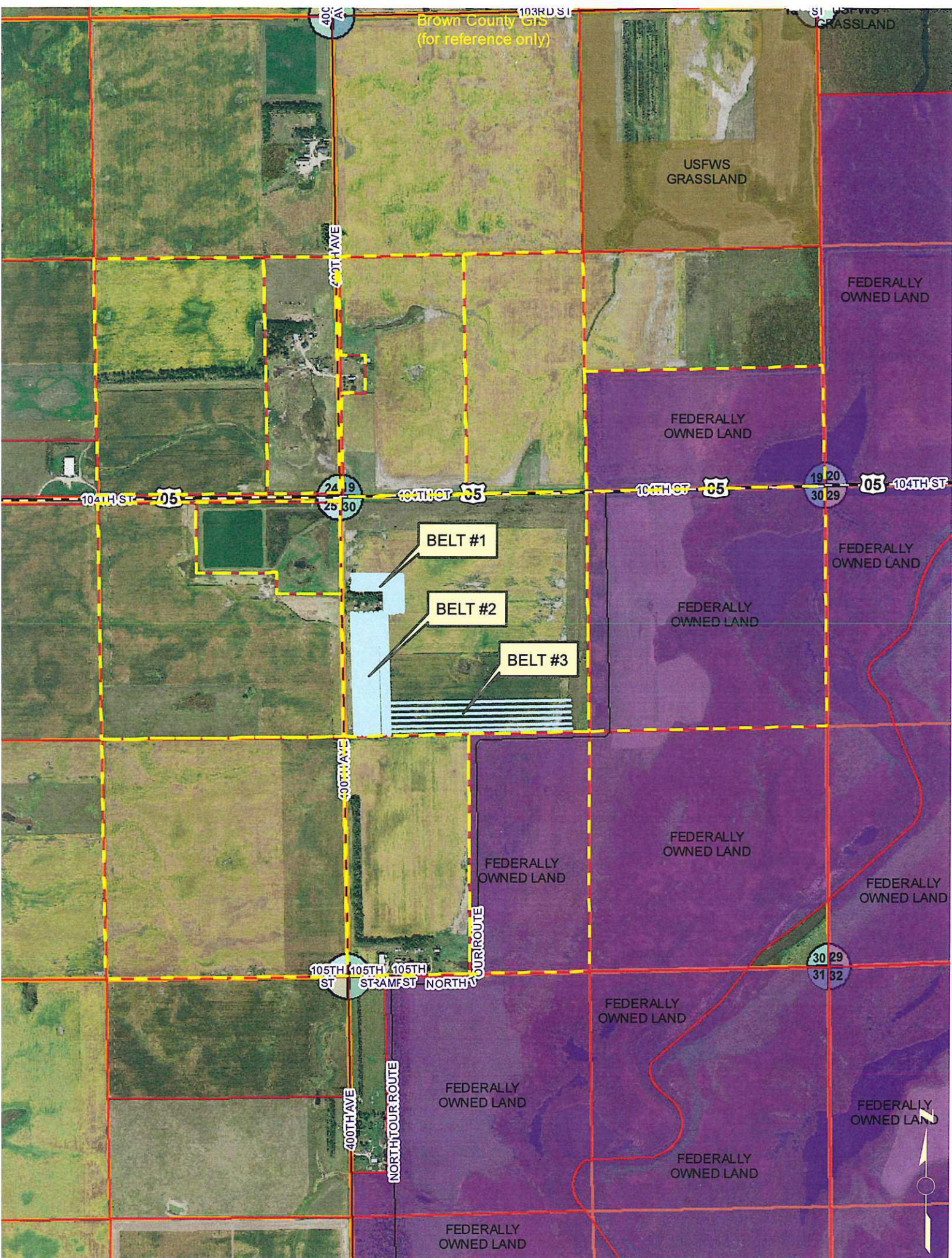
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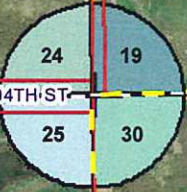
FEDERALLY
OWNED LAND



Brown County GIS
(for reference only)

400TH AVE

FEDERALLY OWNED LAND



05 104TH ST

104TH ST 05

104TH ST 05

BELT #1

BELT #2

BELT #3

FEDERALLY OWNED LAND

400TH AVE

NORTH TOUR ROUTE

Sand Lake
National
Wildlife Refuge

FEDERALLY OWNED LAND

FEDERALLY OWNED LAND



STAFF REPORT

May 21, 2019

Variance for Lot Size in an AG-P District

ITEM # 2

GENERAL INFORMATION

PETITIONER	Mark Christianson
REQUEST	Variance for Lot Size in an AG-P District.
LEGAL DESCRIPTION	Lot 1, "Micah Christianson Addition" in the SW1/4 of Section 15-T126N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION	11482 391 st Ave
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this variance to lot size for conveyance to a family member.

REVIEW: The petitioner requested a Variance to lot size for Lot 1 to be 6.64± acres rather than 40.0± acres required in an Agricultural Preservation District (AG-P). The plat will meet the "farm unit" definition for Lot 1. Family son is purchasing the parcel to put a home on.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: April 18, 2019
RECEIPT # 192075
TOWNSHIP: Brainard Twp

FEES: 25.00
PAID: YES / NO CHK/CASH
DATE: 4/18/19

Joleen Christianson IRR Family Legacy Trust
OWNERS SIGNATURE: Mark Christianson IRR Family Legacy Trust
OWNERS ADDRESS: 824 North 1st St
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE: 605-380-0885 (c)

AGENTS SIGNATURE: Mark W Christianson
AGENTS ADDRESS: _____
AGENTS CITY, STATE, ZIP: _____
AGENTS PHONE: _____

REQUEST: Variance to Lot Size in an Agricultural Preservation District (AG-P)
(Chapter 4.0605-1-1 Family Farm Unit)

LEGAL DESCRIPTION: Lot 1, "Micah Christianson Addition" in the SW1/4 of Sec.15-126-63
of the 5th P.M., Brown County, South Dakota (11482 391st Ave)

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: May 21, 2019 TIME: 7:00 pm

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

25 Market Street • Aberdeen, South Dakota 57401-4203

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

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a *VARIANCE PETITION*. A hearing will be held in the Courthouse Annex, basement Community Meeting Room, on May 21, 2019 at 7:00 P.M. for the purpose of a Variance to Lot Size in an Agricultural Preservation District (AG-P).

Petitioner & owner: *Mark Christianson IRR Family Legacy Trust*

Description of property: Lot 1, "Micah Christianson Addition" in the SW1/4 of Section 15-T126N-R63W of the 5th P.M., Brown County, South Dakota (11482 391st Ave).

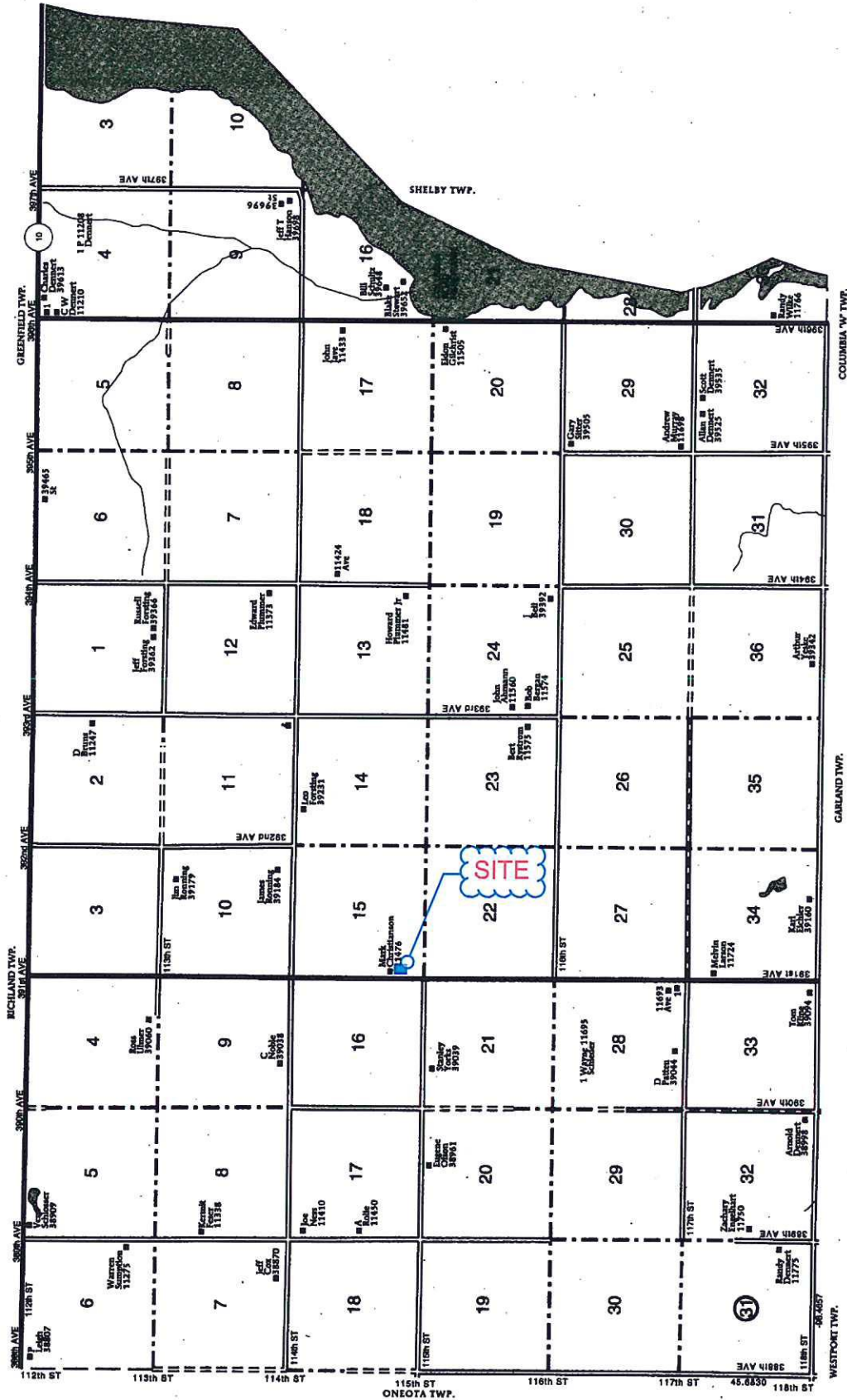
Reason: *Variance to Lot Size in an Agricultural Preservation District (AG-P) Ordinance Title 4: Chapter 4.0605-1-1 Family Farm Unit.*

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

Dated this 18th day of May 2019

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

Published once at the total approximate cost of _____.



(No. 669698)
(May 8, 2019 - 1T)

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Courthouse Annex, basement Community Meeting Room, on May 21, 2019 at 7:00 P.M., for the purpose of a Variance to Lot Size in an Agricultural Preservation District (AG-P).

Petitioner & owner: Mark Christianson
IRR Family Legacy Trust

Description of property: Lot 1, "Micah Christianson Addition" in the SW1/4 of Section 15-T126N-R63W of the 5th P.M., Brown County, South Dakota (11482 391st Ave).

Reason: Variance to Lot Size in an Agricultural Preservation District (AG-P) Ordinance Title 4: Chapter 4.0605-1-1 Family Farm Unit.

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

Dated this 18th day of May 2019

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

Published once at the total approximate cost of \$25.80.

-Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully if changes are needed, please contact us prior to deadline at (605) 229-5555 or email at customerservice@aberdeennews.com.

Date: 05/03/19

Account #: 201262

Company Name: Brown County Auditor-Legals

Contact: Maxine Taylor

Address: 25 Market St
Aberdeen

Telephone: (605) 626-7110
Fax:

Publications:

Aberdeen American News
AB Online

Ad ID: 669698

Start: 05/08/19

Stop: 05/08/19

Total Cost: \$25.80

of Lines: 43

Total Depth: 4.347

of Inserts:

Ad Class: 7700

Phone # (605) 229-5555

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~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

25 Market Street • Aberdeen, South Dakota 57401-4203

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

NOTIFICATION OF VARIANCE PETITION

Dear Petitioner/Owner: *Mark Christianson IRR Family Legacy Trust*
824 North 1st St, Aberdeen, SD 57401

You have submitted a plat to have a proposed legal description of: *Lot 1 "Micah Christianson Addition" (4.65 acres) in the SW1/4 of Section 15-T126N-R63W of the 5th P.M., Brown County, South Dakota (11482 391st Ave)* and it is also on the Brown County Planning/Zoning Commission for a Variance Petition in an Agricultural Preservation District (AG-P) to allow a Lot Size smaller than 40.0 acres and still stayed zoned as AG-P. The use meets Brown County Ordinance Title 4; Chapter 4.0605-1-1 "Family Farm Unit".

You should also appear at the Brown County Planning Commission Hearing which will be held on **Tuesday, May 21, 2019 at 7:00 PM** in the Court House Annex on the east side of the Community Room, downstairs of the Brown County Courthouse Annex, 25 Market Street, Aberdeen, SD 57401.

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

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

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

Brown County Planning/Zoning Commission

Certificate

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

Petitioner: *Mark W Christianson*
Mark Christianson

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

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

NOTIFICATION OF VARIANCE PETITION

Dear **Brainard Township**:

Scott Dennert 39535 117th St, Columbia, SD 57433 (605-396-7487)

Jeff Forsting 39362 113th St, Columbia, SD 57433 (605-885-7000)

Jeff Hanson 39698 114th St, Columbia, SD 57433 (605-885-7461)

I/We are writing to inform you that Mark Christianson has submitted a plat to have a proposed legal description of: **Lot 1 "Micah Christianson Addition" (4.65 acres) in the SW1/4 of Section 15-T126N-R63W of the 5th P.M., Brown County, South Dakota (11482 391st Ave)** and is on the Brown County Planning/Zoning Commission for a Variance Petition in a proposed Agricultural Preservation District (AG-P) to allow a Lot Size smaller than 40.0 acres and still stayed zoned as AG-P. The use meets Chapter 4.0605-1-1 "Family Farm Unit".

Please notify your Township Board to let them know about this application in your township to inform them that the Township may appear at the Planning/Zoning Commission Board meeting which will be held on **May 21, 2019 at 7:00 p.m.** in the east COMMUNITY ROOM, downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

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

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

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

Brown County Planning Zoning Commission &

Petitioner:


Mark Christianson

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

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

NOTIFICATION OF VARIANCE PETITION

Dear Property Owner,

Your property described as: _____ of the 5th P.M., Brown County, South Dakota is neighboring to our property described as the *SW1/4 of Section 15-T126N-R63W of the 5th P.M., Brown County, South Dakota (11476 391st Ave).*

We are writing to inform you that Mark Christianson has submitted a plat to have a proposed legal description of: *Lot 1 "Micah Christianson Addition" (4.65 acres) in the SW1/4 of Section 15-T126N-R63W of the 5th P.M., Brown County, South Dakota (11482 391st Ave)* and is also on the Brown County Planning/Zoning Commission for a Variance Petition in a proposed Agricultural Preservation District (AG-P) to allow a Lot Size smaller than 40.0 acres and still stayed zoned as AG-P. The use meets Chapter 4.0605-1-1 "Family Farm Unit".

If this matter concerns you, you may appear at the Brown County Planning Commission Hearing which will be held on *May 21, 2019 at 7:00 PM* in the Community Room in the downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

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

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

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

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

Brown County Planning and Zoning Commission

Certificate

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


Petitioner: Mark Christianson

Mark Christianson
824 North 1st St
Aberdeen, SD 57401

Scott Dennert
Re: Brainard Twp
39535 117th St
Columbia, SD 57433

Jeff Forsting
Re: Brainard Twp
39362 113th St
Columbia, SD 57433

Jeff Hanson
Re: Brainard Twp
39698 114th St
Columbia, SD 57433

Daniel Chapman
P.O. Box 1026
Orofino, ID 83544-1026

Rhea Rowe
2300 Atlas Cir
Lincoln, NE 68521-1243

James Ronning
39184 114th St
Columbia, SD 57433-6406

Dennis Voeller
12936 Prairiewood Dr
Aberdeen, SD 57401

Steven Engelhart
11276 386th Ave
Frederick, SD 57441-6301

14

11482 391st Ave
4/18/19 CSB

SITE



STAFF REPORT

May 21, 2019

VARIANCE FOR BLDG SETBACKS IN RU

ITEM #03

GENERAL INFORMATION

PETITIONER	Joe Huffman
REQUEST	Variance for Building Setbacks
LEGAL DESCRIPTION	Lot 1, "Lois Huffman 1 st Subdivision" in the NE1/4 of Section 14, T124N and R65W, of the 5th P.M., Brown County, South Dakota.
LOCATION	126969 East Shore Dr
EXISTING ZONING	Lake Front Residential District (R-3)
SURROUNDING ZONING	
North:	Lake Front Residential District (R-3)
South:	Lake Front Residential District (R-3)
East:	Mini Agricultural District (M-AG)
West:	Lake Front Residential District (R-3)
PUBLIC UTILITIES	Web Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this Variance for Building Setbacks in a Lake Front Residential District (R-3) allowing for: 04' setback on the east rear yard for a 26'x32' attached garage addition to the house rather than 30' required from property lines in an R-3 District. This would be the outer most edge including overhangs.


GENERAL REVIEW: This is getting extremely close to the property line. Maybe the owner can make it a 28' garage instead of 32' which would leave 8' to property line rather than 4'.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: April 30, 2019
RECEIPT # 132082
TOWNSHIP: Ravina Twp

FEES: 25.00
PAID: YES/NO CHK/CASH
DATE: May 1, 2019

OWNERS SIGNATURE: Joe Huffman 
OWNERS ADDRESS: 126969 East Shore Dr
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE: 605-380-1996

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

REQUEST: Variance request to Building Setbacks is closer to property line than the minimum ordinance requirements

LEGAL DESCRIPTION: Lot 1 "Lois Huffman 1st Subdivision" NE1/4 Section 14-T124N-R65W

Planning Commission Action: Approved / Denied

By: _____ **Date:** _____

HEARING DATE: May 21, 2019 **TIME:** 7:00 p.m.

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

25 Market Street • Aberdeen, South Dakota 57401-4203

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

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Courthouse Annex, basement Community Meeting Room, on May 21, 2019 at 7:00 P.M. for the purpose of a Variance request to Building Setback requirements in a Lake Front Residential District (R3).

Petitioner & owner: *Joe Huffman & Jennifer Huffman*

Description of property: Lot 1 "Lois Huffman 1st Subdivision" in the NE¼ of Section 14-T124W-R65W of the 5th P.M., Brown County, South Dakota (126969 East Shore Dr).

Reason: *Building Setback requested is closer to property line than the minimum ordinance requirements.*

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

Dated this 8th day of May 2019

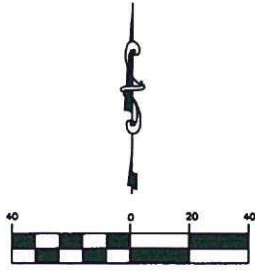
Planning/Zoning Commission and
Scott Bader – P&Z Director
25 Market St., Suite #5
Aberdeen, SD 57401
Office: (605) 626-7144

Published once at the total approximate cost of _____.

**PLAT OF
LOIS HUFFMAN FIRST SUBDIVISION
IN THE SW 1/4 OF SECTION 13 AND SE 1/4 SECTION 14
-T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA**

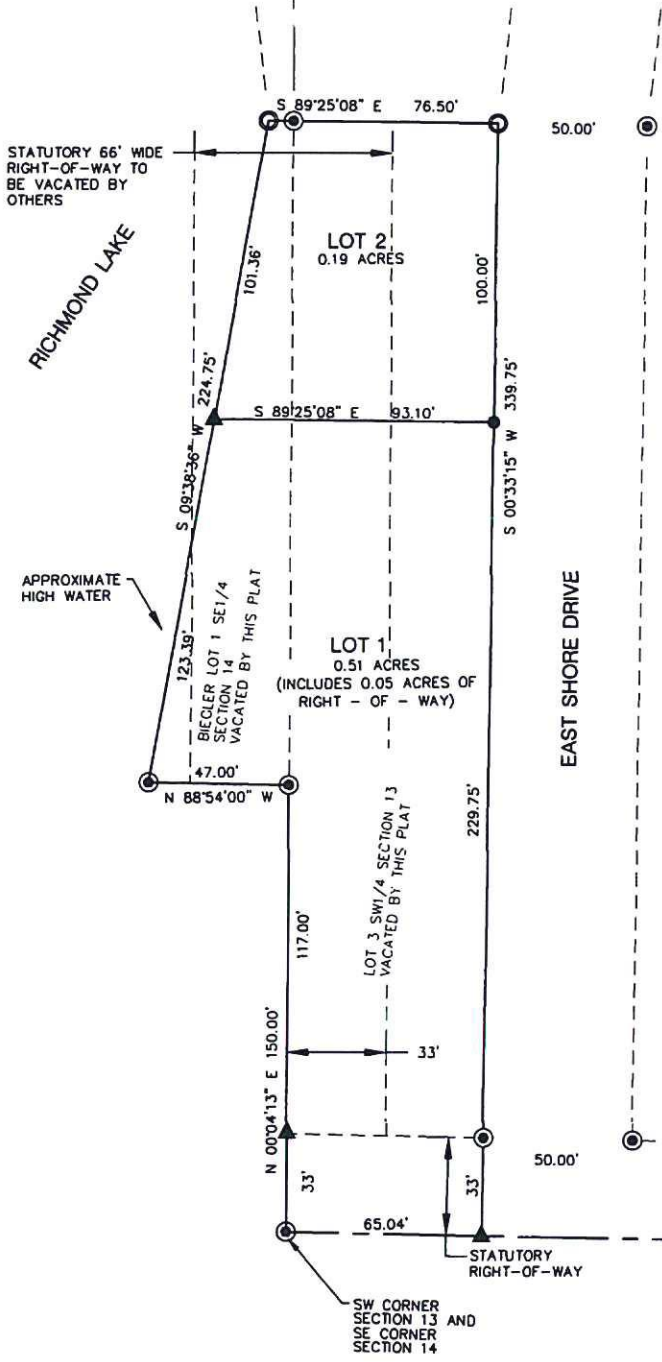
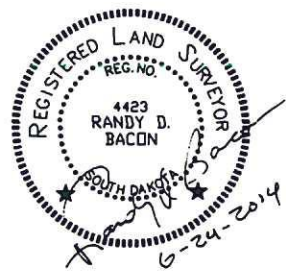
WEST 1/4 CORNER
SECTION 13 AND
EAST 1/4 CORNER
SECTION 14
(IN WATER)

LOT 21 BIEGLERS RICHMOND
LAKE SUBDIVISION NOT
AFFECTED BY THIS PLAT



- LEGEND**
- ⊙ FOUND 5/8" X 18" REBAR WITH SURVEY CAP STAMPED BACON RLS 4423
 - FOUND PROPERTY CORNER
 - SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED BACON RLS 4423
 - ▲ CALCULATED POSITION

BASIS OF BEARINGS
GPS OBSERVATION



INSTRUMENT NO. 201404481
BOOK: 2 PLAT
PAGE: 3110

Pages: 2

2014/08/27 12:41:04 PM

CAROL SHERMAN, REGISTER OF DEEDS
BROWN COUNTY, SOUTH DAKOTA

Recording Fee: \$ 60.00
Return To: FILED



127 TH STREET

S 88°54'00" E

Helms ASSOCIATES
CIVIL ENGINEERS & LAND SURVEYORS

221 Brown County
Highway 19
P.O. Box 111
Aberdeen, S.D. 57401
Phone: 605.226.1212
Fax: 605.226.1289


DWG. 0000-LS BY: CLB SHEET 1 OF 2

**PLAT OF
LOIS HUFFMAN FIRST SUBDIVISION
IN THE SW 1/4 OF SECTION 13 AND SE 1/4 SECTION 14
-T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA**

SURVEYOR'S CERTIFICATE




I, RANDY D. BACON, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF JOSEPH LEE HUFFMAN, JENNIFER FAYE HUFFMAN, AND LOIS FAYE HUFFMAN AS OWNERS, AND UNDER THEIR DIRECTION FOR THE PURPOSES INDICATED THEREIN, I DID ON OR PRIOR TO MAY 31, 2014, SURVEY THOSE PARCELS OF LAND DESCRIBED AS FOLLOWS: LOIS HUFFMAN FIRST SUBDIVISION IN THE SW 1/4 OF SECTION 13 AND SE 1/4 SECTION 14 -T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA.

I FURTHER CERTIFY THAT THE WITHIN AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.
DATED THIS 20 DAY OF JUNE, 2014.


RANDY D. BACON RLS #4423

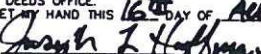


OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE ABSOLUTE AND UNQUALIFIED OWNERS OF ALL THE LAND INCLUDED IN THE WITHIN AND FOREGOING PLAT; THAT THE PLAT HAS BEEN MADE AT OUR REQUEST AND UNDER OUR DIRECTION FOR THE PURPOSES INDICATED THEREIN; WHICH SAID PROPERTY AS SO SURVEYED AND PLATTED (PREVIOUSLY DESCRIBED AS BIEGLER LOT 1 IN THE SE 1/4 OF SECTION 14 AND LOT 3 OF BIEGLER RICHMOND LAKE SECOND SUBDIVISION IN THE SW 1/4 OF SECTION 13 -T124N-R65W OF THE 5TH P.M. BROWN COUNTY, SOUTH DAKOTA) SHALL HEREAFTER BE KNOWN AS LOIS HUFFMAN FIRST SUBDIVISION IN THE SW 1/4 OF SECTION 13 AND SE 1/4 SECTION 14 -T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA AS SHOWN BY THIS PLAT, AS SHOWN AND MARKED ON SAID PLAT; AND THAT DEVELOPMENT OF THE LAND INCLUDED WITHIN THE BOUNDARIES OF SAID SUBDIVISION SHALL CONFORM TO ALL EXISTING APPLICABLE EASEMENTS, ZONING, SUBDIVISION, AND EROSION AND SEDIMENT CONTROL REGULATIONS.
IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS 16th DAY OF August 2014.


JOSEPH LEE HUFFMAN

JENNIFER FAYE HUFFMAN

LOIS FAYE HUFFMAN


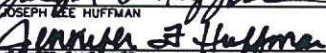
DECLARATION OF VACATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED HEREBY DECLARE TO VACATE THAT PORTION AS SHOWN AND MARKED ON THE FOREGOING PLAT AND OF THE PLAT OF LOT 3 OF BIEGLER RICHMOND LAKE SECOND SUBDIVISION IN THE SW 1/4 SECTION 14 -T124N-R65W OF THE 5TH P.M. BROWN COUNTY SOUTH DAKOTA, AS RECORDED IN BOOK 19, PAGE 1426-E, ON DECEMBER 30, 1999 IN THE BROWN COUNTY, REGISTER OF DEEDS OFFICE.
THIS IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS 16th DAY OF AUGUST 2014.


JOSEPH LEE HUFFMAN

JENNIFER FAYE HUFFMAN

LOIS FAYE HUFFMAN

DECLARATION OF VACATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED HEREBY DECLARE TO VACATE THAT PORTION AS SHOWN AND MARKED ON THE FOREGOING PLAT AND OF THE PLAT OF LOT 3 OF BIEGLER RICHMOND LAKE SECOND SUBDIVISION IN THE SW 1/4 SECTION 13 -T124N-R65W OF THE 5TH P.M. BROWN COUNTY SOUTH DAKOTA, AS RECORDED IN BOOK 19, PAGE 1403-E, ON NOVEMBER 17, 1999 IN THE BROWN COUNTY, REGISTER OF DEEDS OFFICE.
THIS IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS 16th DAY OF August 2014.


JOSEPH LEE HUFFMAN

JENNIFER FAYE HUFFMAN

LOIS FAYE HUFFMAN

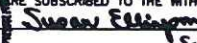
ACKNOWLEDGEMENT

STATE OF South Dakota

COUNTY OF Brown

ON THIS THE 16th DAY OF August 2014 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED JOSEPH LEE HUFFMAN, JENNIFER FAYE HUFFMAN, AND LOIS FAYE HUFFMAN 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.




SUSAN ELLINGTON
NOTARY PUBLIC, South Dakota STATE
MY COMMISSION EXPIRES: Aug. 5, 2016

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 19th DAY OF August 2014.

"BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING LOIS HUFFMAN FIRST SUBDIVISION IN THE SW 1/4 OF SECTION 13 AND SE 1/4 SECTION 14 -T124N-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 21st DAY OF August 2014.

"BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING LOIS HUFFMAN FIRST SUBDIVISION IN THE SW 1/4 OF SECTION 13 AND SE 1/4 SECTION 14 -T124N-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 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: Brown Co. Hwy Supt

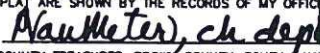
DIRECTOR OF EQUALIZATION'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS 16th DAY OF August 2014.


DIRECTOR OF EQUALIZATION, BROWN COUNTY, SOUTH DAKOTA

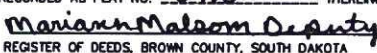
TREASURER'S CERTIFICATE

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 6th DAY OF Aug 2014.


COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

REGISTER OF DEEDS CERTIFICATE

FILED FOR RECORD THIS 26th DAY OF August 2014 AT 12:41 O'CLOCK P. AND DULY RECORDED AS PLAT NO. 3110 THEREIN.


REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA



Your Ad Could Be Here

in the Next Plat and Directory Publication.

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

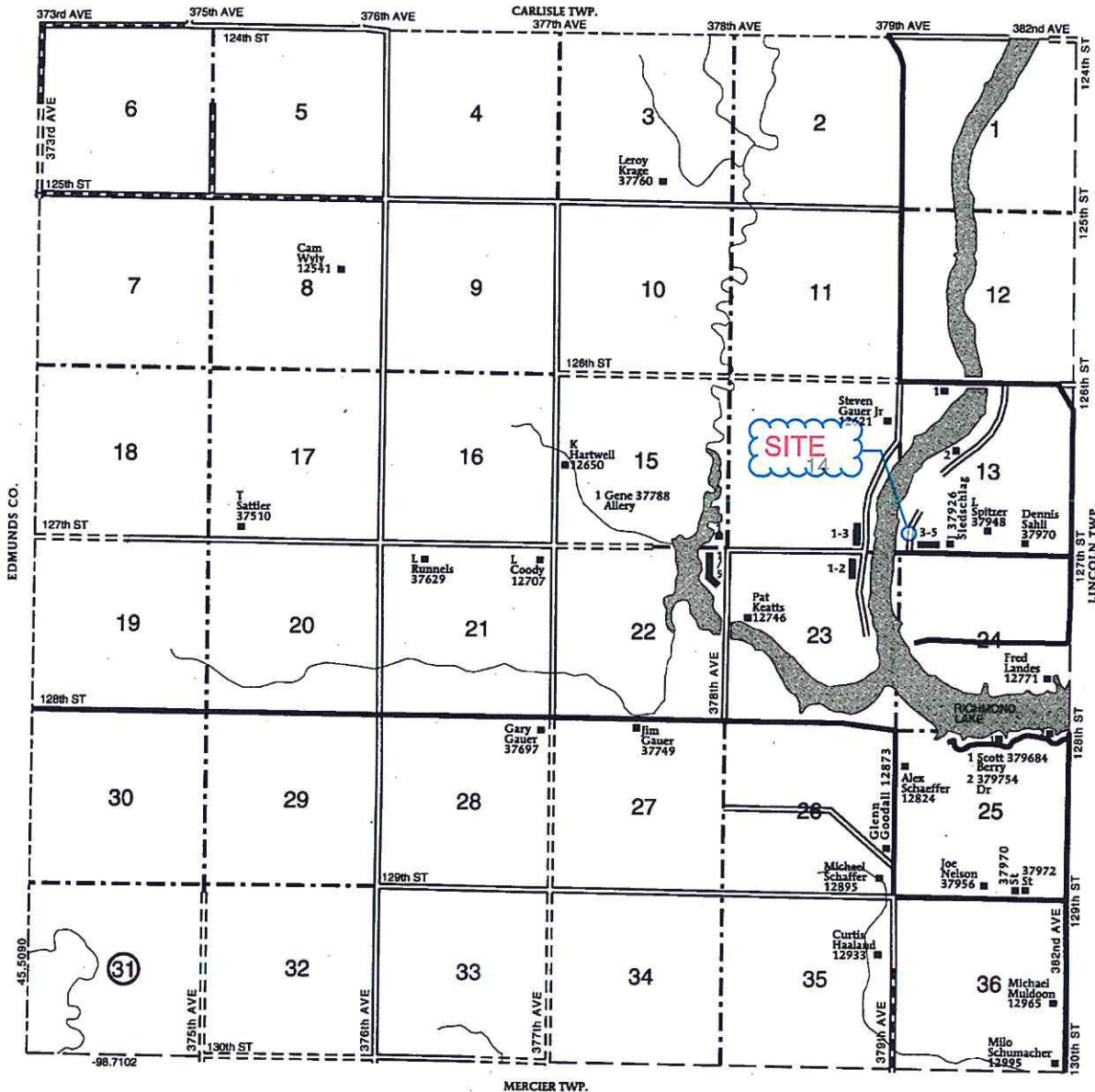
E-Mail Info@farmandhomepublishers.com
to get your business added to the next year's publication

T-124-N

RAVINIA DIRECTORY

R-65-W

(Residents - Owners or Planners)



RAVINIA TOWNSHIP

SECTION 13

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

SECTION 14

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

SECTION 22

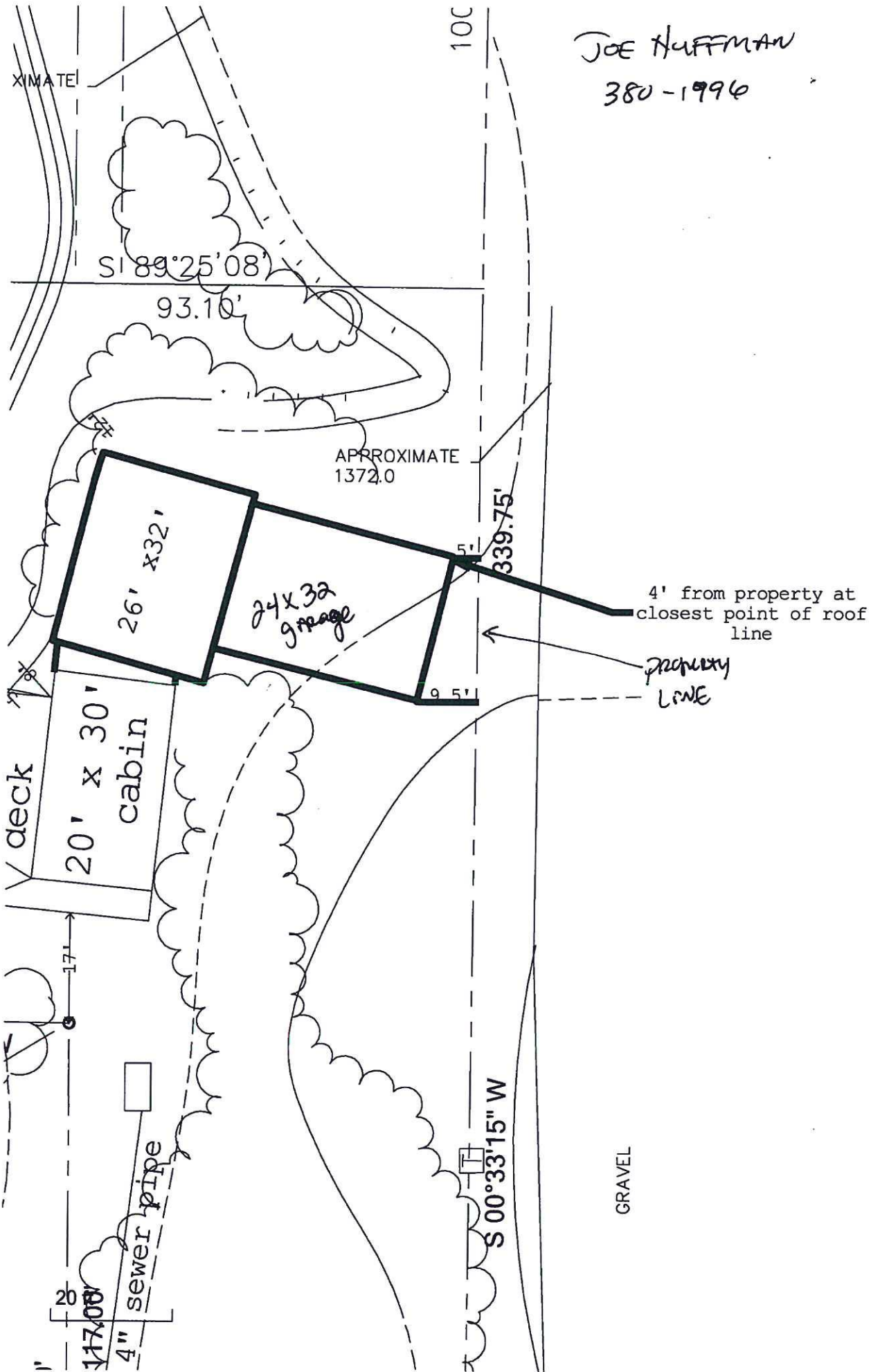
- 1 Myhre, Gary 127093
- 2 Anderson, Jeremiah 127131
- 3 Milliet, Craig 127151
- 4 Thayer, Dan 127257
- 5 Wahl, Lanny 127395

SECTION 23

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

JOE HUFFMAN

380-1996



~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

25 Market Street • Aberdeen, South Dakota 57401-4203

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

NOTIFICATION OF VARIANCE PETITION

Dear Petitioner/Owner: *Joe Hoffman & Jennifer Huffman*

Your property described as: *Lot 1 "Lois Hoffman 1st Subdivision" in the NE1/4 of Section 14-T124N-R65W of the 5th P.M., Brown County, South Dakota (126969 East Shore Dr)* is on the Brown County Planning/Zoning Commission for a *Variance Petition of Zoning in a Lake Front Residential District (R-3) to allow a variance to the rear yard setback.*

You should appear at the Brown County Planning Commission Hearing which will be held on ***Tuesday, May 21, 2019 at 7:00 PM*** in the Court House Annex on the east side of the Community Room, downstairs of the Brown County Courthouse Annex, 25 Market Street, Aberdeen, SD 57401.

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

Brown County Planning/Zoning Commission

Attn: Scott Bader

25 Market Street; Suite #5

Aberdeen, SD 57401

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

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

Brown County Planning/Zoning Commission

Certificate

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

Petitioner: _____
Joe Huffman

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

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

NOTIFICATION OF VARIANCE PETITION

Dear **Ravinia Township**:

Dan Thayer 127257 West Bridge Rd, Aberdeen, SD 57401 (605-380-3253)
Garrett Hartwell 12650 377th Ave, Aberdeen, SD 57401 (605-228-5358)
Cam Wyly 12541 376th Ave, Aberdeen, SD 57401 (605-290-3281)

I/We are writing to inform you that Joe Huffman, with a legal description of: **Lot 1 "Lois Huffman 1st Subdivision" in the NE1/4 of Section 14-T124N-R65W of the 5th P.M., Brown County, South Dakota (126969 East Shore Dr)** is on the Brown County Planning/Zoning Commission Agenda for a Variance Petition of Zoning. The Petition for Variance in a Lake Front Residential District (R3) is to allow a setback to rear yard building setbacks to allow a garage to be closer to the rear yard property line.

Please notify your Township Board to let them know about this application in your township to inform them that the Township may appear at the Planning/Zoning Commission Board meeting which will be held on **May 21, 2019 at 7:00 p.m.** in the east COMMUNITY ROOM, downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

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

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

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

Brown County Planning Zoning Commission &

Petitioner:

Joe Huffman

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

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

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

NOTIFICATION OF VARIANCE PETITION

Dear **Cathy Wahl**, representing **Richmond Lake Sanitary Sewer & Water District**,
127395 West Bridge Rd, Aberdeen, SD 57401 (605-229-4477)

Joe Huffman and Jennifer Huffman of *Lot 1 "Lois Huffman 1st Subdivision" in the NE1/4 of Section 14-T124N-R65W of the 5th P.M., Brown County, South Dakota (126969 East Shore Dr)* are applying for a *Variance to Building Setbacks for an attached garage.*

We are writing to inform you that we are petitioning the Brown County Planning/Zoning Commission for a Variance Petition of Zoning. The Petition for Variance to Building Setbacks in a Lake Front Residential District (R3) is to allow a setback of rear yard (from road right-of-way) to allow an attached garage to be closer to the rear yard property line than what the minimum ordinance setbacks requires.

If this matter concerns you, you may appear at the Brown County Planning Commission Hearing which will be held on **May 21, 2019 at 7:00 PM** in the east COMMUNITY ROOM, downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

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

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

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

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

Brown County Planning and Zoning Commission

Certificate

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

Petitioner _____

Joe Hoffman

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

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

NOTIFICATION OF VARIANCE PETITION

Dear Property Owner, **State of South Dakota**
306 East Capitol Ave, Pierre, SD 57501-2548

Your property described as: Portion in the east half of the NE1/4 of Section 23-T124N-R65W east side of Richmond Lake; NW1/4 of Section 24-T124N-R65W except lake, both of the 5th P.M., Brown County, South Dakota is neighboring our property described as *Lot 1 "Lois Huffman 1st Subdivision" in the NE1/4 of Section 14-T124N-R65W of the 5th P.M., Brown County, South Dakota (126969 East Shore Dr).*

We are writing to inform you that we are petitioning the Brown County Planning/Zoning Commission for a Variance Petition of Zoning. The Petition for Variance in a Lake Front Residential District (R3) is to allow a setback to rear yard building setbacks to allow a garage to be closer to the rear yard property line.

If this matter concerns you, you may appear at the Brown County Planning Commission Hearing which will be held on **May 21, 2019 at 7:00 PM** in the east COMMUNITY ROOM, downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

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

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

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

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

Brown County Planning and Zoning Commission

Certificate

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

Petitioner _____
Joe Hoffman

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

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

NOTIFICATION OF VARIANCE PETITION

Dear Property Owner, **Ron Meier** *NEIGHBORS*
1313 3rd Ave NE, Aberdeen, SD 57401

Your property described as: the South 150' on east side of Richmond Lake in the SE1/4 of Section 14-T124N-R65W of the 5th P.M., Brown County, South Dakota **is neighboring our property** described as *Lot 1 "Lois Huffman 1st Subdivision" in the NE1/4 of Section 14-T124N-R65W of the 5th P.M., Brown County, South Dakota (126969 East Shore Dr).*

We are writing to inform you that we are petitioning the Brown County Planning/Zoning Commission for a Variance Petition of Zoning. The Petition for Variance in a Lake Front Residential District (R3) is to allow a setback to rear yard building setbacks to allow a garage to be closer to the rear yard property line.

If this matter concerns you, you may appear at the Brown County Planning Commission Hearing which will be held on **May 21, 2019 at 7:00 PM** in the east COMMUNITY ROOM, downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

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

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

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

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

Brown County Planning and Zoning Commission

Certificate

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

Petitioner _____
Joe Hoffman

Joe Huffman
126969 East Shore Dr
Aberdeen, SD 57401

Joe Huffman
126969 East Shore Dr
Aberdeen, SD 57401

Joe Huffman
126969 East Shore Dr
Aberdeen, SD 57401

Dan Thayer
127257 West Bridge Rd
Aberdeen, SD 57401

Dan Thayer
127257 West Bridge Rd
Aberdeen, SD 57401

Dan Thayer
127257 West Bridge Rd
Aberdeen, SD 57401

Garrett Hartwell
12650 377th Ave
Aberdeen, SD 57401

Garrett Hartwell
12650 377th Ave
Aberdeen, SD 57401

Garrett Hartwell
12650 377th Ave
Aberdeen, SD 57401

Cam Wylly
12541 376th Ave
Aberdeen, SD 57401

Cam Wylly
12541 376th Ave
Aberdeen, SD 57401

Cam Wylly
12541 376th Ave
Aberdeen, SD 57401

Cathy Wahl
127395 West Bridge Rd
Aberdeen, SD 57401

Cathy Wahl
127395 West Bridge Rd
Aberdeen, SD 57401

Cathy Wahl
127395 West Bridge Rd
Aberdeen, SD 57401

State of South Dakota
306 East Capitol Ave
Pierre, SD 57501-2548

State of South Dakota
306 East Capitol Ave
Pierre, SD 57501-2548

State of South Dakota
306 East Capitol Ave
Pierre, SD 57501-2548

Brad Herther
126524 East Shore Dr
Aberdeen, SD 57401

Brad Herther
126524 East Shore Dr
Aberdeen, SD 57401

Brad Herther
126524 East Shore Dr
Aberdeen, SD 57401

Gavin Voss
126781 East Shore Dr
Aberdeen, SD 57401

Gavin Voss
126781 East Shore Dr
Aberdeen, SD 57401

Gavin Voss
126781 East Shore Dr
Aberdeen, SD 57401

Jerry Biegler
634 Willow Dr
Aberdeen, SD 57401

Jerry Biegler
634 Willow Dr
Aberdeen, SD 57401

Jerry Biegler
634 Willow Dr
Aberdeen, SD 57401

Joel Hardin
126933 East Shore Dr
Aberdeen, SD 57401

Joel Hardin
126933 East Shore Dr
Aberdeen, SD 57401

Joel Hardin
126933 East Shore Dr
Aberdeen, SD 57401

John Peterson
37902 127th St
Aberdeen, SD 57401

John Peterson
37902 127th St
Aberdeen, SD 57401

John Peterson
37902 127th St
Aberdeen, SD 57401

Kathy Reiss
37910 127th St
Aberdeen, SD 57401

Kathy Reiss
37910 127th St
Aberdeen, SD 57401

Kathy Reiss
37910 127th St
Aberdeen, SD 57401

Mathew Fonder
126934 East Shore Dr
Aberdeen, SD 57401

Mathew Fonder
126934 East Shore Dr
Aberdeen, SD 57401

Mathew Fonder
126934 East Shore Dr
Aberdeen, SD 57401

Brian Halverson
126998 East Shore
Aberdeen, SD 57401

Brian Halverson
126998 East Shore
Aberdeen, SD 57401

Brian Halverson
126998 East Shore
Aberdeen, SD 57401

Ron Meier
1313 3rd Ave NE
Aberdeen, SD 57401

Ron Meier
1313 3rd Ave NE
Aberdeen, SD 57401

Ron Meier
1313 3rd Ave NE
Aberdeen, SD 57401

Wayne Kraig
126895 East Shore Dr
Aberdeen, SD 57401

Wayne Kraig
126895 East Shore Dr
Aberdeen, SD 57401

Wayne Kraig
126895 East Shore Dr
Aberdeen, SD 57401

Brown County Planning & Zoning
Attn: Scott Bader
25 Market St; Suite #5
Aberdeen, SD 57401

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Aberdeen, SD 57401

Brown County Planning & Zoning
Attn: Scott Bader
25 Market St; Suite #5
Aberdeen, SD 57401

Brown County GIS
(for reference only)

E SHORE DR

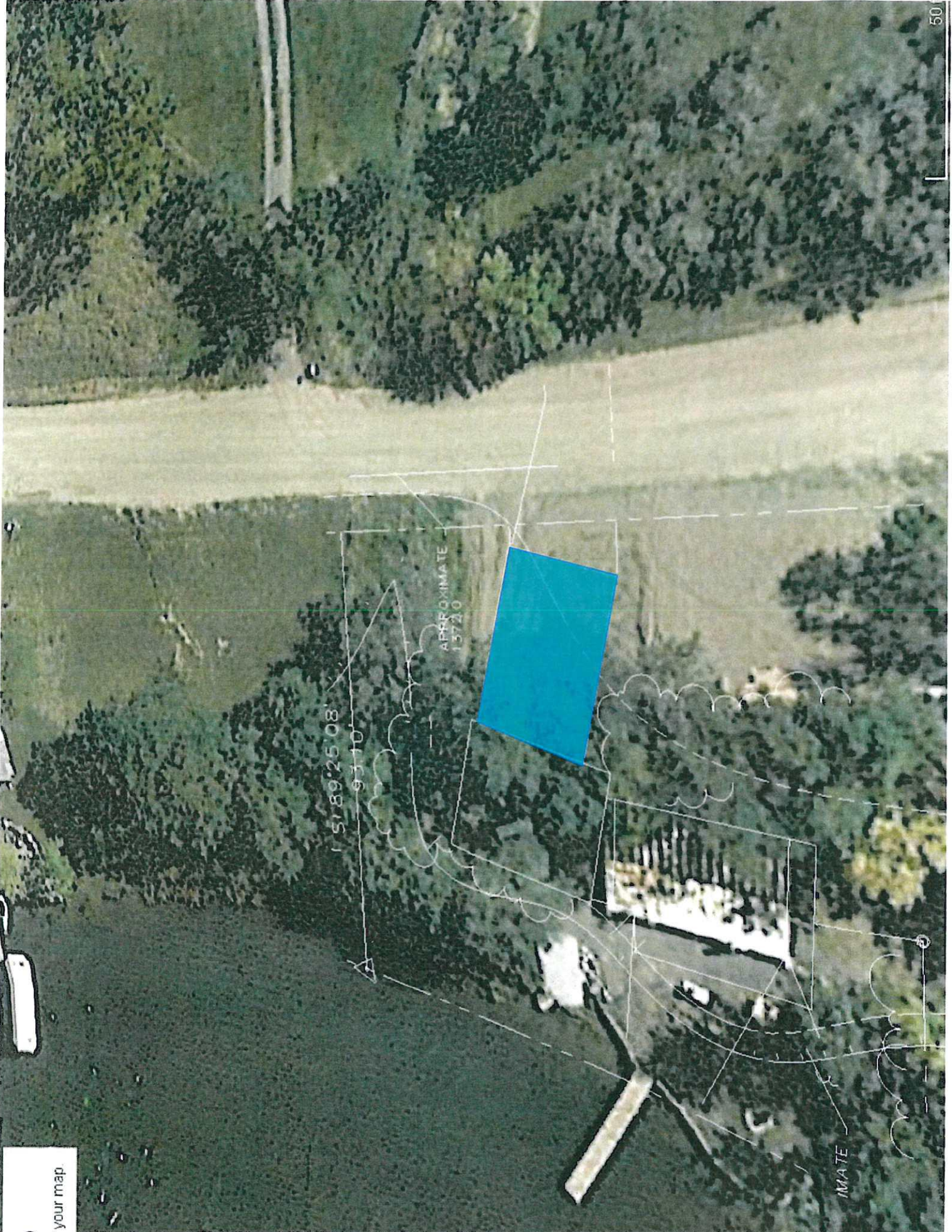
6G

SITE

14 13
127TH ST
6A 6A
23 24

127TH ST 6A





your map.

50

APPROXIMATE
1372.0

APPROXIMATE
931.0

APPROXIMATE

STAFF REPORT

May 21, 2019

VARIANCE FOR BLDG SETBACKS IN RU

ITEM #04

GENERAL INFORMATION

PETITIONER	Brandon Sigaty
REQUEST	Variance for Building Setbacks
LEGAL DESCRIPTION	Lot 21, "Lingor's Richmond Lake Subdivision" in the NE1/4 of Section 22, T124N and R65W, of the 5th P.M., Brown County, South Dakota.
LOCATION	127329 West Bridge Rd
EXISTING ZONING	Lake Front Residential District (R-3)
SURROUNDING ZONING	
North:	Lake Front Residential District (R-3)
South:	Lake Front Residential District (R-3)
East:	Agricultural Preservation District (AG-P)
West:	Richmond Lake (AG-P2)
PUBLIC UTILITIES	Web Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this Variance for Building Setbacks in a Lake Front Residential District (R-3) allowing for: 20' setback on the west front yard for an addition on the house and a deck, rather than 50' required from *high water mark*. This would be the outer most edge including overhangs on decks.


GENERAL REVIEW: The owner recently has been in contact with the neighbor to the south and he is in agreement with the addition since he is helping the owner build the addition. The owner has talked with neighbor to the north since he is also in agreement with the addition since it is his father-in-law.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: May 01st 2019
RECEIPT # 132086
TOWNSHIP: Ravinia Twp

FEES: 25.00
PAID: YES/NO CHK/CASH
DATE: 5/3/19

OWNERS SIGNATURE: Brandon Sigaty 
OWNERS ADDRESS: 127329 West Bridge Rd
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE: 605-380-0319

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

REQUEST: Variance to Building Setbacks in an R-3 District to allow 20' on the Front Yard rather than 50' from the high water mark (lake side)

LEGAL DESCRIPTION: Lot 21, "Lingor's Richmond Lake Subdivision" in the NE1/4 of Section 22-T124N-R65W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: May 21, 2019 **TIME:** 7:00 p.m.

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

25 Market Street • Aberdeen, South Dakota 57401-4203

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

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Courthouse Annex, basement Community Meeting Room, on May 21, 2019 at 7:00 P.M. for the purpose of a Variance to Building Setbacks in a Lake Front Residential District (R-3).

Petitioner & owner: *Brandon Sigaty*

Description of property: *Lot 21, "Lingor's Richmond Lake Subdivision" in the NE1/4 of Section 22-T124N-R65W of the 5th P.M., Brown County, South Dakota (127329 West Bridge Rd)*

Reason: *Variance to Front Yard setbacks to be closer than the Ordinance minimum setbacks in an R-3 District for an addition to house and a deck.*

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

Dated this 8th day of May 2019

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

Published once at the total approximate cost of _____.

Your Ad Could Be Here

in the Next Plat and Directory Publication.

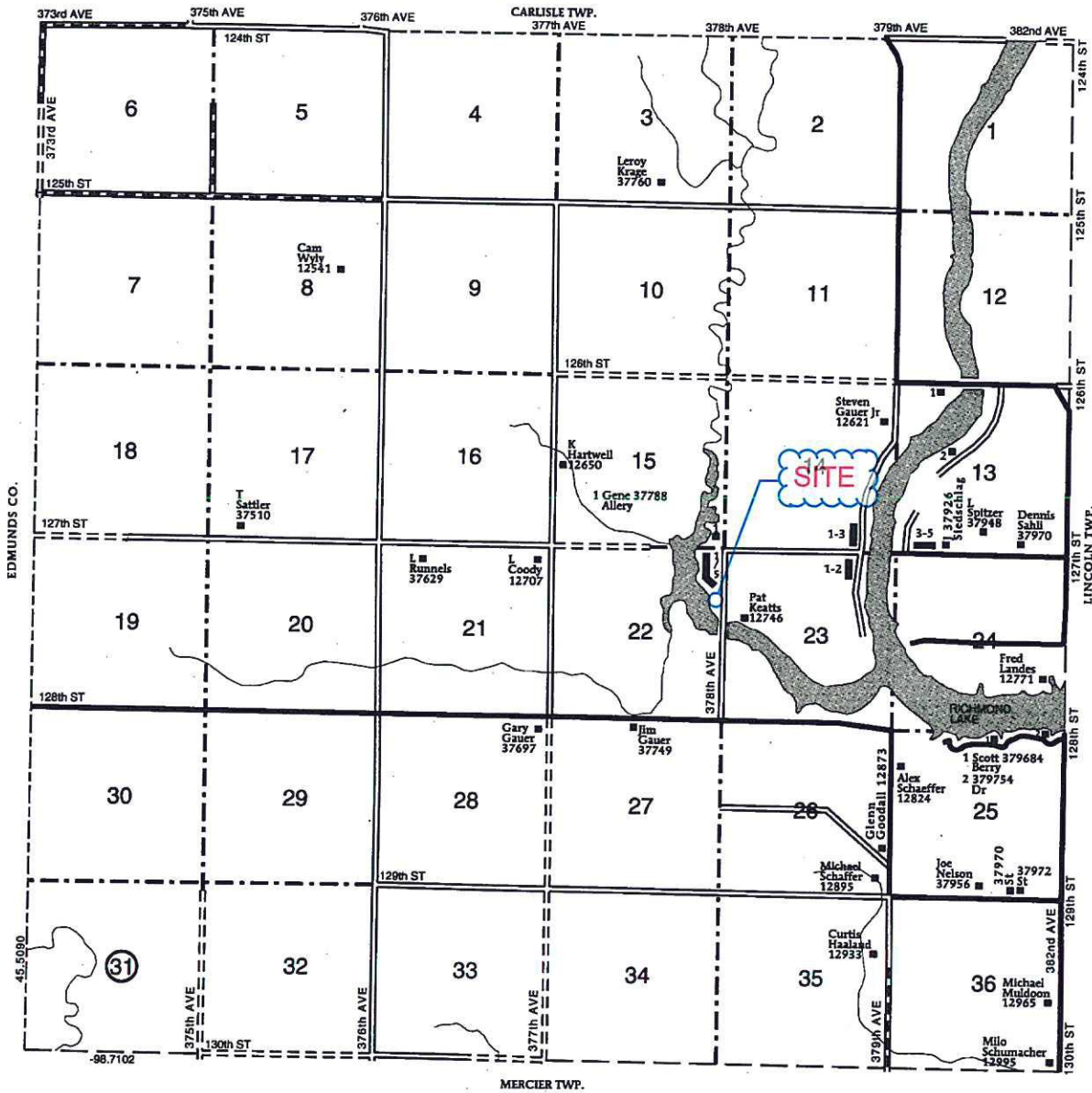
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to get your business added to the next year's publication

T-124-N

RAVINIA DIRECTORY

R-65-W



RAVINIA TOWNSHIP

SECTION 13

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

SECTION 14

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

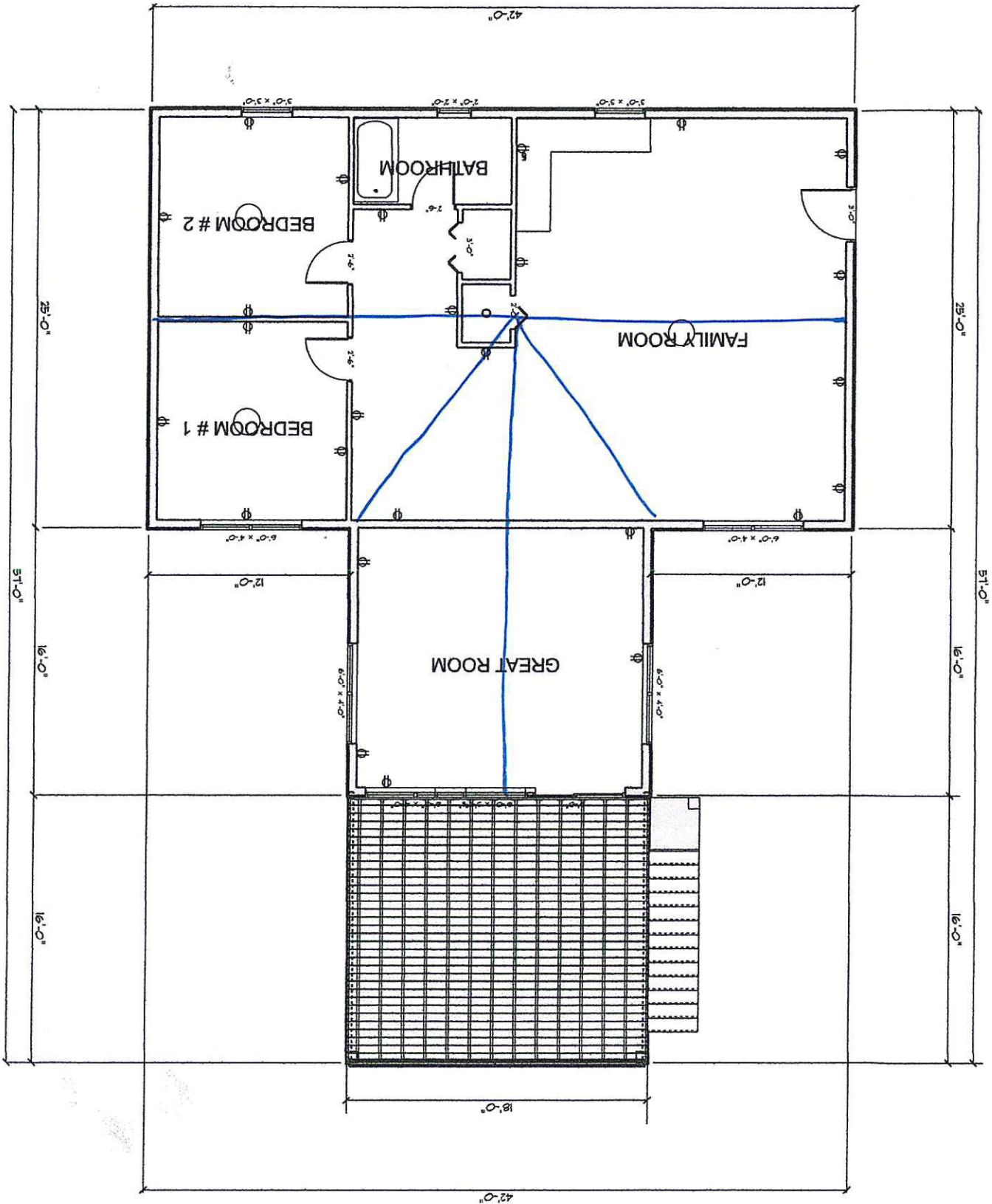
SECTION 22

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

SECTION 23

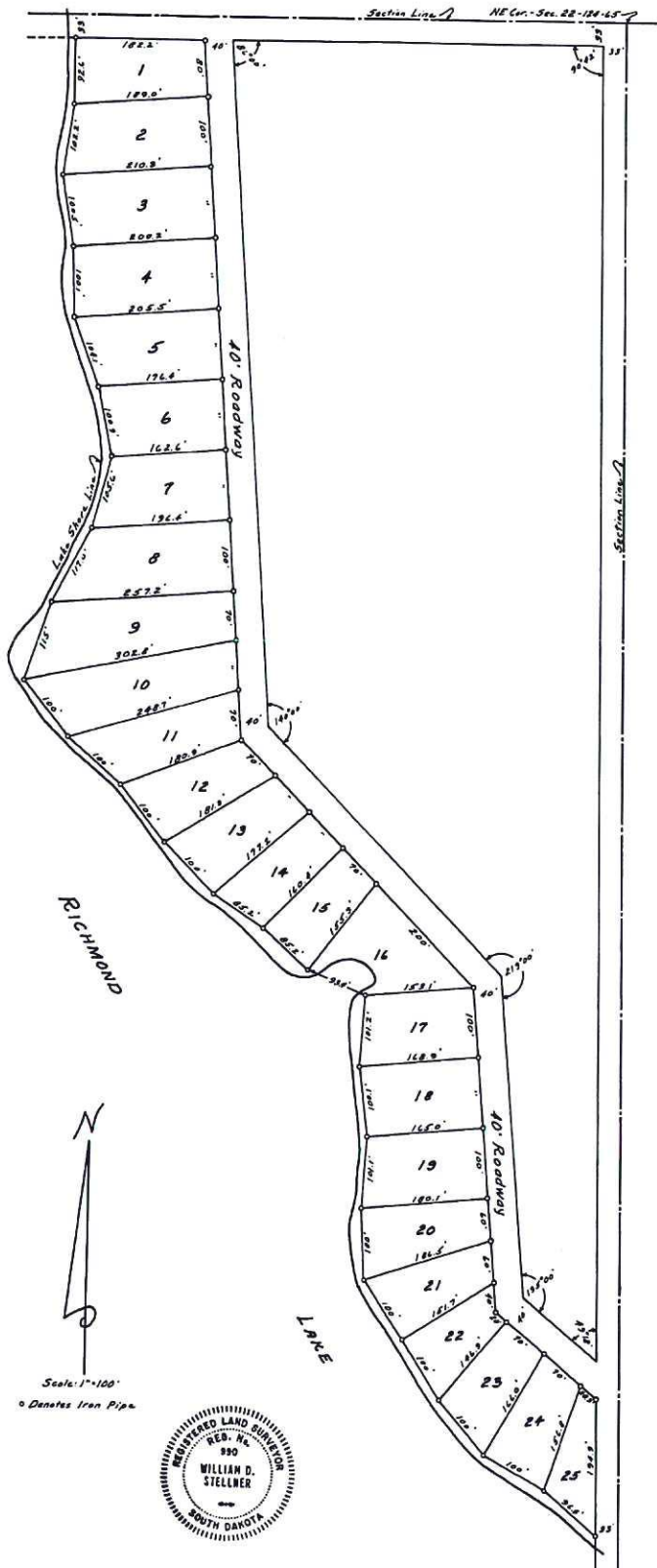
- 1 Wolf, Frank 127148
- 2 Fischer, Brock 127216

SIGATY



RICHMOND LAKE

Plat Showing
LINGOR'S RICHMOND LAKE SUBDIVISION IN
THE NE 1/4 OF SEC. 22, T. 124 N., R. 65 W., IN (Sec Book 271 page 293)
BROWN COUNTY, SOUTH DAKOTA



~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

25 Market Street • Aberdeen, South Dakota 57401-4203

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

NOTIFICATION OF VARIANCE PETITION

Dear Petitioner/Owner: **Brandon Sigaty**

127329 West Bridge Rd, Aberdeen, SD 57401 (605-380-0319)

Your property described as: *Lot 21, "Lingor's Richmond Lake Subdivision" in the NE1/4 of Section 22, T124N and R65W, of the 5th P.M., Brown County, South Dakota (127329 West Bridge Rd)* is on the Brown County Planning/Zoning Commission for a Petition for Variance in Zoning in a Lake Front Residential District (R-3) to allow a *variance to building setbacks in the front yard* for an addition to the house and a new deck.

You should appear at the Brown County Planning Commission Hearing which will be held on **Tuesday, May 21, 2019 at 7:00 PM** in the Court House Annex on the east side of the **Community Room**, downstairs of the Brown County Courthouse Annex, 25 Market Street, Aberdeen, SD 57401.

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

Br Co Planning/Zoning Commission

Attn: Scott Bader

25 Market Street; Suite #5

Aberdeen, SD 57401

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

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

Brown County Planning/Zoning Commission

Certificate

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

Petitioner: _____
Brandon Sigaty

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

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

NOTIFICATION OF VARIANCE PETITION

Dear *Ravina Township*:

Dan Thayer 127257 W Bridge Rd, Aberdeen, SD 57401 (605-380-325)

Garrett Hartwell 12650 377th Ave Aberdeen, SD 57401 (605-228-5358)

Cam Wyly 12541 376th Ave Aberdeen, SD 57401 (605-290-3281)

I/We are writing to inform you that Brandon Sigaty is proposed to have a legal description of: *Lot 21 "Lingor's Richmond Lake Subdivision" in the NE1/4 of Section 22-T124N-R65W of the 5th P.M., Brown County, South Dakota (127329 West Bridge Rd)* and is on the Brown County Planning/Zoning Commission for a Variance Petition of Zoning in a Lake Front Residential District (R-3) to allow a *variance to building setbacks in the front yard* for an addition to the house and a new deck.

Please notify all of your Township Board to let them know about this application in your township to inform them that the Township may appear at the Planning/Zoning Commission Board meeting which will be held on **May 21, 2019 at 7:00 p.m.** in the east **COMMUNITY ROOM**, downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

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

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

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

Brown County Planning Zoning Commission &

Petitioner/Owner:

Brandon Sigaty

~ OFFICE OF ~

BROWN COUNTY PLANNING & ZONING

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

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

NOTIFICATION OF VARIANCE PETITION

Dear Property Owner, *Shane Reich*
127375 West Bridge Rd

Your property described as: Lot 23 of “Lingor’s Richmond Lake Subdivision” in the NE1/4 of Section 22-T124N-R65W of the 5th P.M., Brown County, South Dakota is **neighboring to** our property described as *Lot 21 “Lingor’s Richmond Lake Subdivision” in the NE1/4 of Section 22-T124N-R65W of the 5th P.M., Brown County, South Dakota (127329 West Bridge Rd).*

We are writing to inform you that we are petitioning the Brown County Planning/Zoning Commission for a Variance Petition of Zoning in a Lake Front Residential District (R-3) to allow a *variance to building setbacks in the front yard* for an addition to the house and a new deck.

If this matter concerns you, you may appear at the Brown County Planning Commission Hearing which will be held on *May 21, 2019 at 7:00 PM* in the Community Room in the downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

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

Br Co Planning and Zoning Commission
Attn: Scott Bader
Brown County Courthouse
25 Market Street, Suite #5
Aberdeen, SD 57401-4203

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

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

Brown County Planning and Zoning Commission

Certificate

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

Petitioner/Owner: _____
Brandon Sigaty

Brandon Sigaty
127329 West Bridge Rd
Aberdeen, SD 57401

Brandon Sigaty
127329 West Bridge Rd
Aberdeen, SD 57401

Brandon Sigaty
127329 West Bridge Rd
Aberdeen, SD 57401

Dan Thayer
Re: Ravinia Twp
127257 West Brisge Rd
Aberdeen, SD 57401

Dan Thayer
Re: Ravinia Twp
127257 West Brisge Rd
Aberdeen, SD 57401

Dan Thayer
Re: Ravinia Twp
127257 West Brisge Rd
Aberdeen, SD 57401

Garrett Hartwell
Re: Ravinia Twp
12650 377th Ave
Aberdeen, SD 57401

Garrett Hartwell
Re: Ravinia Twp
12650 377th Ave
Aberdeen, SD 57401

Garrett Hartwell
Re: Ravinia Twp
12650 377th Ave
Aberdeen, SD 57401

Cam Wyly
Re: Ravinia Twp
12541 376th Ave
Aberdeen, SD 57401

Cam Wyly
Re: Ravinia Twp
12541 376th Ave
Aberdeen, SD 57401

Cam Wyly
Re: Ravinia Twp
12541 376th Ave
Aberdeen, SD 57401

Shane Reich
127375 West Bridge Rd
Aberdeen, SD 57401

Shane Reich
127375 West Bridge Rd
Aberdeen, SD 57401

Shane Reich
127375 West Bridge Rd
Aberdeen, SD 57401

Jared Little
127369 West Bridge Rd
Aberdeen, SD 57401

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Jared Little
127369 West Bridge Rd
Aberdeen, SD 57401

Cathy Wahl
127395 West Bridge Rd
Aberdeen, SD 57401

Cathy Wahl
127395 West Bridge Rd
Aberdeen, SD 57401

Cathy Wahl
127395 West Bridge Rd
Aberdeen, SD 57401

Patrick Keatts
37805 Richmond Dr
Aberdeen, SD 57401

Patrick Keatts
37805 Richmond Dr
Aberdeen, SD 57401

Patrick Keatts
37805 Richmond Dr
Aberdeen, SD 57401

Ronald Maddocks
127293 West Bridge Rd
Aberdeen, SD 57401

Ronald Maddocks
127293 West Bridge Rd
Aberdeen, SD 57401

Ronald Maddocks
127293 West Bridge Rd
Aberdeen, SD 57401

Troy Dinger
379625 North Shore Dr
Aberdeen, SD 57401

Troy Dinger
379625 North Shore Dr
Aberdeen, SD 57401

Troy Dinger
379625 North Shore Dr
Aberdeen, SD 57401

Brown County GIS
(for reference only)

127TH ST

15 14
22 23

13A

127TH ST

378TH AVE

13A

W BRIDGER DR

SITE

378TH AVE

13A

RICHMOND DR

378TH AVE

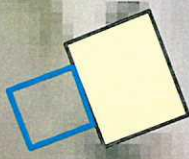
13A



Brown County GIS
(for reference only)

W BRIDGE RD

SITE



STAFF REPORT

May 21, 2019

PETITION TO REZONE

ITEM # 10

GENERAL INFORMATION

PETITIONER	Jeff Hanson
REQUEST	Petition to Rezone property
LEGAL DESCRIPTION:	Lot 2, "Bruns Hanson Addition" in the SW1/4 of Section 32-T127N-R62W of the 5th P.M., Brown County, South Dakota
TOWNSHIP	Greenfield Twp
LOCATION	39546 112 th St
EXISTING ZONING	Agricultural Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agricultural Preservation District (AG-P)
South:	Agricultural Preservation District (AG-P)
East:	Agricultural Preservation District (AG-P)
West:	Agricultural Preservation District (AG-P)
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this **Rezone for Lot 2** to go from Agriculture Preservation District (AG-P) to Mini Agriculture District (M-AG) to bring parcel into compliance with its use. Lot 2 = 5.57± acres.

RECOMMENDATION: Staff recommends approval of this rezone. There is currently an accessory structure, grain bins and no house on the newly platted property. The house was lost years ago in a tornado.

REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: 04/29/2019
Receipt: #132080
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:

Lot 2, "Bruns Hanson Addition" in the SW1/4 of Section 32-T127N-R62W
of the 5th P.M., Brown County, South Dakota

General Area Location or Street Address: 39546 112th St
From the _____ (AG-P) Agricultural Preservation **District**
To the _____ (M-AG) Mini Agriculture **District**

Purpose: to bring Zoning into compliance with future size and use of the property
Size of Parcel: apprx 5.57 acres
Existing Land Use: Agricultural Preservation District (AG-P)

Petitioner: (Print) Jeffrey T. Hanson
Signature: [Signature]
Date: 4/29/2019 Phone: (605) 885-7461
Address: 39698 114th St
Columbia SD 57433
City State Zip

Witness: (Print) Willis F. BRUNS
Signature: [Signature]
Date: 5-4-19 Phone: 605-994-7002
Address: 10606 397 Ave
Hecla S.D. 57446
City State Zip

Owner: (Print) Bernard R. Bruns
Signature: [Signature]
Date: 5-4-19 Phone: 605-994-2382
Address: 10607 397th Ave.
Hecla, SD 57446
City State Zip

Additional Signatures may be submitted on a separate page.

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a *PETITION to REZONE*. A hearing will be held in the Courthouse Annex in the basement Community Meeting Room, on May 21, 2019 at 7:00 P.M. for the purpose of Rezoning from *an Agricultural Preservation District (AG-P) to Mini Agriculture District (M-AG)*.

Owner & Petitioner: *Bernard Bruns & Willis Bruns (owners) Jeff Hanson (petitioner)*

Description of property: Lot 2, "Bruns Hanson Addition" in the SW1/4 of Section 32-T127N-R62W of the 5th P.M., Brown County, South Dakota (39546 112th St).

Reason: To bring Zoning into compliance with the future size and use of the property.

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

Dated this 1st day of May, 2019

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

Published once at the total approximate cost of _____.

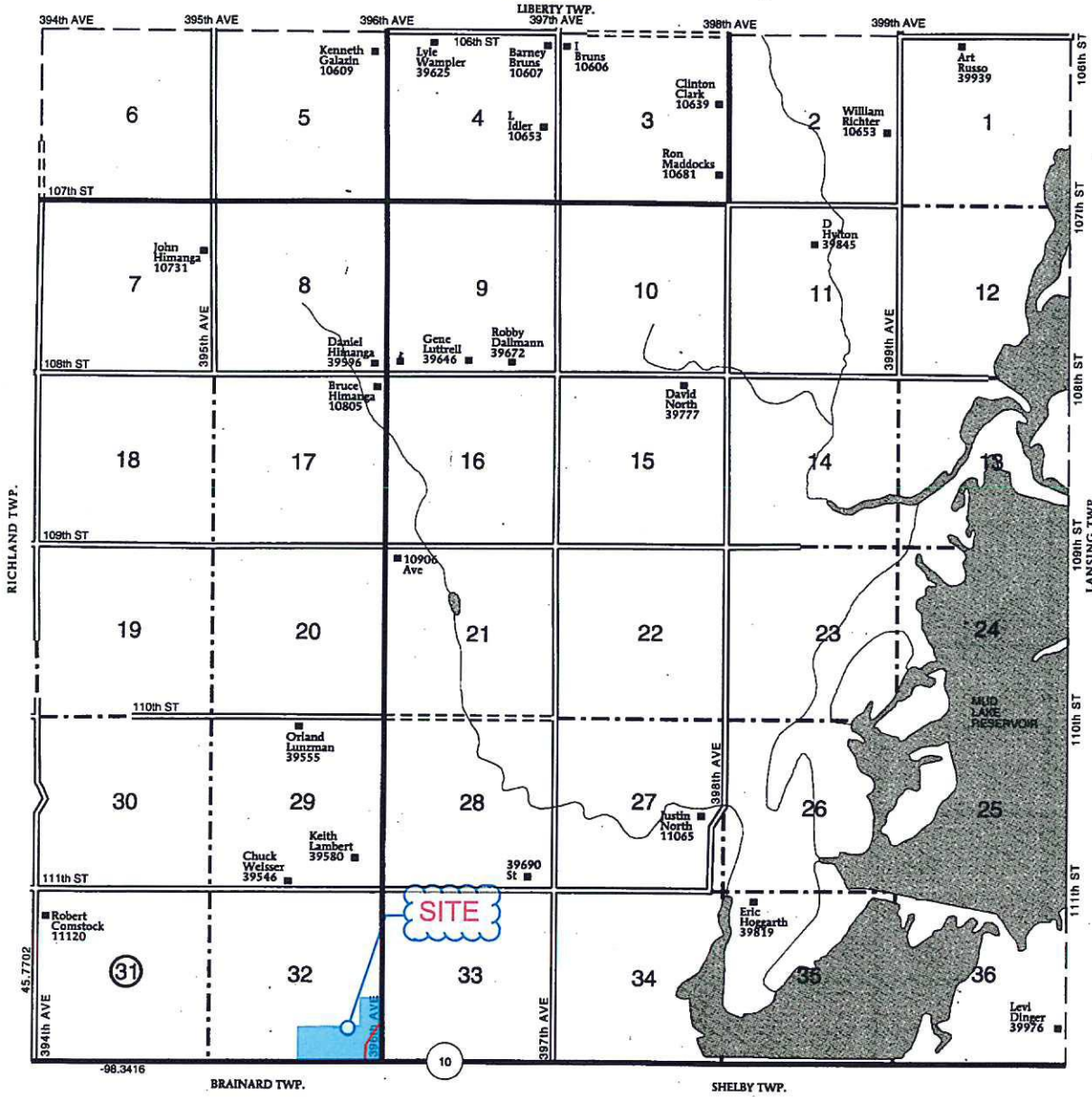
1 Tablespoon (T.) = 3 teaspoons (t) = 15ml/cc
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201262	666834	I	5.139		Jessica Feser

PUBLICATION	PUB DATE	AMOUNT	
Aberdeen American News	05/01/19	\$30.48	
AB Online	05/01/19	\$0.00	

Net Amout \$30.48
Shipping
Pull tax rate %
Amount Due \$30.48

Terms of Payment: Net 30



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AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA }

§

COUNTY OF BROWN;

Mary Vance being duly sworn, on his/her oath says: That the AMERICAN NEWS is a daily newspaper of general circulation, printed and published in Aberdeen, Brown County, South Dakota, by the Aberdeen News Company, a corporation, and has been such a newspaper during the times hereinafter mentioned; That affiant is an employee and principal clerk of said publisher and has personal knowledge of all facts stated in this affidavit; That the advertisement headed:

Legal # 666834
Notice of Hearing

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement thereof, once each

Day for 1 successive Day.
The first publication being made on the 1st day of May, 2019.
The second publication being made on the _____ day of _____, 2019.
The third publication being made on the _____ day of _____, 2019.
The fourth publication being made on the _____ day of _____, 2019.
The fifth publication being made on the _____ day of _____, 2019.
The sixth publication being made on the _____ day of _____, 2019;

That said newspaper is a legal newspaper published five days or more each week; with a bona fide circulation of more than two hundred copies daily; published in the English language within the said county of Brown for more than one year prior to the first publication of said notice; and printed in whole in an office maintained at the place of publication of said newspaper; That the whole amount of the fee paid for the publication of the annexed notice is \$ 30.48, which insures solely to the benefit of said publisher; That no agreement or understanding for a division thereof had been made with any other person; and That no part thereof has been agreed to be paid to any person whomsoever.

Mary Vance
Subscribed and sworn to before me this 1st day of May, 2019.

Daily Circulation 10000

Lori M. Salfrank Notary Public, Brown County, SD.
My commission expires March 20, 2025



(No. 666834)
(May 1st, 2019 -1T)

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a PETITION to REZONE. A hearing will be held in the Courthouse Annex in the basement Community Meeting Room, on May 21, 2019 at 7:00 P.M. for the purpose of Rezoning from an Agricultural Preservation District (AG-P) to Mini Agriculture District (M-AG).

Owner & Petitioner: Bernard Bruns & Willis Bruns (owners) Jeff Hanson (petitioner)

Description of property: Lot 2, "Bruns Hanson Addition" in the SW1/4 of Section 32-T12N-R62W of the 5th P.M., Brown County, South Dakota (39546 112th St).

Reason: To bring Zoning into compliance with the future size and use of the property.

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

Dated this 21st day of May, 2019

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

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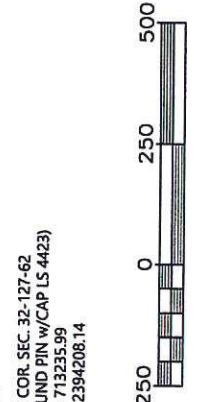
BRUNS HANSON ADDITION

IN THE SW1/4 OF SECTION 32,
TOWNSHIP 127 NORTH, RANGE 62 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA



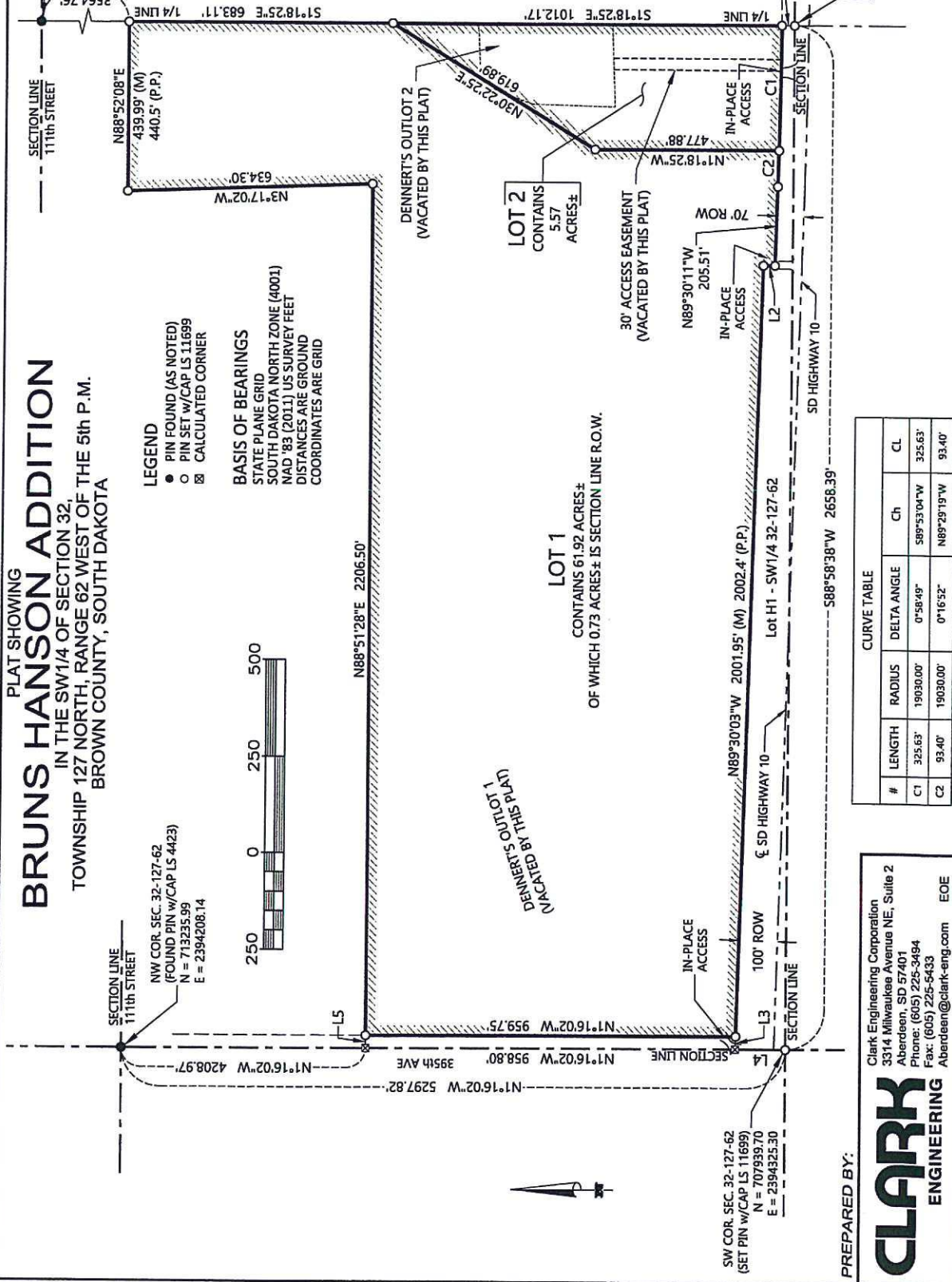
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 SOUTH DAKOTA NORTH ZONE (4001)
 NAD '83 (2011) US SURVEY FEET
 DISTANCES ARE GROUND
 COORDINATES ARE GRID



SURVEYOR'S NOTE
 THIS PLAT IS A RE-PLAT OF DENNERT'S
 OUTLOT 1 & 2, IN THE SW1/4 OF
 SECTION 32-1127N-R62W OF THE 5th
 P.M., BROWN COUNTY, SD AS FILED FOR
 RECORDED 4-25-1980 AND DULY
 RECORDED IN BOOK OF PLATS No. 5, IN
 ENVELOPE 461-E.

#	BEARING	DISTANCE
L1	S1°18'25"E	32.88'
L2	N1°17'12"W	30.00'
L3	N89°30'03"W	33.02'
L4	N1°16'02"W	130.05'
L5	S88°51'28"W	33.00'



#	LENGTH	RADIUS	DELTA ANGLE	Ch	CL
C1	325.63'	19030.00'	0°56'49"	589°53'04"W	325.63'
C2	93.40'	19030.00'	0°16'52"	N89°29'19"W	93.40'

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



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Jeff Hanson
39698 114th St
Columbia, SD 57433

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PLANNING & ZONING

Aberdeen, South Dakota 57401-4203
626-4010 • email: Scott.Bader@browncounty.sd.gov

OF REZONING APPLICATION

Willis Bruns (Owner): 10606 397th Ave, Hecla, SD 57446
Bernard Bruns (Owner): 10607 397th Ave, Hecla, SD 57446 / 39693 106th St, Hecla, SD 57446

You have petitioned to file an application to Brown County Planning/Zoning Commission and the Brown County Board of County Commissioners for rezoning this property from Agricultural Preservation District (AG-P) to Mini Agriculture District (M-AG) described as: **Lot 2, "Bruns Hanson Addition" in the SW1/4 of Section 32-T127N-R62W of the 5th P.M., Brown County, South Dakota (39546 112th St).**

You may appear at the Brown County Planning Commission Hearing which will be held on **Tuesday, May 21, 2019 at 7:00 PM** in the Court House Annex on the east side of the **Community Room**, downstairs of the Brown County Courthouse Annex, 25 Market Street, Aberdeen, SD 57401.

An additional Public Hearing concerning this subject will be held by the Brown County Board of County Commissioners at a later date in the Brown County Commission Chambers in the Brown County Courthouse Annex. Call the Auditor at 605-626-7110 for more information on dates if needed.

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

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Columbia, SD 57433

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 J. Hanson Agent Addressee

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5/10/19

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REZONING APPLICATION

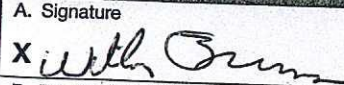
Jeff Hanson (Petitioner):
Willis Bruns (Owner): 10606 397th Ave, Hecla, SD 57446
Bernard Bruns (Owner): 10607 397th Ave, Hecla, SD 57446 / 39693 106th St, Hecla, SD 57446

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9590 9402 2498 6306 4425 54 Article Number (Transfer from service label) 7016 3010 0000 5278 8220	3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery

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OF REZONING APPLICATION

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Willis Bruns (Owner): 10606 397th Ave, Hecla, SD 57446
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<p>9590 9402 2498 6306 4425 61</p> <p>Article Number (Transfer from service label) 7016 3010 0000 5278 8213</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>

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3977 108th St
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OF REZONING APPLICATION

la, SD 57446 (605-994-7433)
 ccla, SD 57446 (605-994-7773)

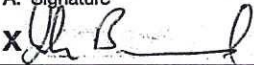
Alex Russo 39906 108th St, Hecla, SD 57446 (605-216-8424)

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<p>9590 9402 2498 6306 4426 08</p> <p>Article Number (Transfer from service label) 7016 3010 0000 5278 8176</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>

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Alex Russo
 Re: Greenfield Twp
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OF REZONING APPLICATION

a, SD 57446 (605-994-7433)
 Gene Laurel 57040 100th St, Hecla, SD 57446 (605-994-7773)
 Alex Russo 39906 108th St, Hecla, SD 57446 (605-216-8424)

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 Re: Greenfield Twp
 39906 108th St
 Hecla, SD 57446



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OF REZONING APPLICATION

SD 57446 (605-994-7433)
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Engelhart Ranch Inc
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OF REZONING APPLICATION

Inc.
 57426-0007


Your property described as Government Lots 2 & 3 in the N1/2 of Section 5-T126N-R62W of the 5th P.M., Brown County, South Dakota is adjacent to our property described as Lot 2, "Bruns Hanson Addition" in the SW1/4 of Section 32-T127N-R62W of the 5th P.M., Brown County, South Dakota (39546 112th St).

I/We are writing to inform you that we are petitioning the Brown County Planning Commission and the Brown County Board of County Commissioners for a change in Zoning from an *Agricultural Preservation District (AG-P)* to a *Mini Agriculture District (M-AG)* on the newly platted parcel that is now less than 40.0 acres.

If this matter concerns you, you may appear at the Brown County Planning Commission Hearing which will be held on **May 21, 2019 at 7:00 p.m.** in the Community Room in the downstairs of the Brown County Courthouse, 25 Market Street, Aberdeen, SD 57401.

An additional Public Hearing concerning this subject will be held by the Brown County Board of County Commissioners at a later date and time in the Brown County Commission Chambers in the Brown County Courthouse Annex.

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

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: <p style="text-align: center;">Engelhart Ranch Inc P.O. Box 7 Barnard, SD 57426-0007</p>	A. Signature <input checked="" type="checkbox"/> <i>Troy Engelhart</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee B. Received by (Printed Name) <input checked="" type="checkbox"/> <i>Troy Engelhart</i> C. Date of Delivery D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below: _____
 9590 9402 2498 6306 4425 47 Article Number (Transfer from service label) 7016 3010 0000 5278 8237	3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery

property and the property
 Planning and Zoning

Jeff Hanson
39698 114th St
Columbia, SD 57433

Jeff Hanson
39698 114th St
Columbia, SD 57433

Jeff Hanson
39698 114th St
Columbia, SD 57433

Willis Bruns
10606 397th Ave
Hecla, SD 57446

Willis Bruns
10606 397th Ave
Hecla, SD 57446

Willis Bruns
10606 397th Ave
Hecla, SD 57446

Bernard Bruns
10607 397th Ave
Hecla, SD 57446

Bernard Bruns
10607 397th Ave
Hecla, SD 57446

Bernard Bruns
10607 397th Ave
Hecla, SD 57446

David North
Re: Greenfield Twp
3977 108th St
Hecla, SD 57446

David North
Re: Greenfield Twp
3977 108th St
Hecla, SD 57446

David North
Re: Greenfield Twp
3977 108th St
Hecla, SD 57446

Gene Luttrell
Re: Greenfield Twp
39646 108th St
Hecla, SD 57446

Gene Luttrell
Re: Greenfield Twp
39646 108th St
Hecla, SD 57446

Gene Luttrell
Re: Greenfield Twp
39646 108th St
Hecla, SD 57446

Alex Russo
Re: Greenfield Twp
39906 108th St
Hecla, SD 57446

Alex Russo
Re: Greenfield Twp
39906 108th St
Hecla, SD 57446

Alex Russo
Re: Greenfield Twp
39906 108th St
Hecla, SD 57446

Engelhart Ranch Inc
P.O. Box 7
Barnard, SD 57426-0007

Engelhart Ranch Inc
P.O. Box 7
Barnard, SD 57426-0007

Engelhart Ranch Inc
P.O. Box 7
Barnard, SD 57426-0007

Charles Dennert
39613 112th St
Frederick, SD 57441-5901

Charles Dennert
39613 112th St
Frederick, SD 57441-5901

Charles Dennert
39613 112th St
Frederick, SD 57441-5901

Dennis Howell
3117 West Spruce Leigh Ln
Sioux Falls, SD 57105-0138

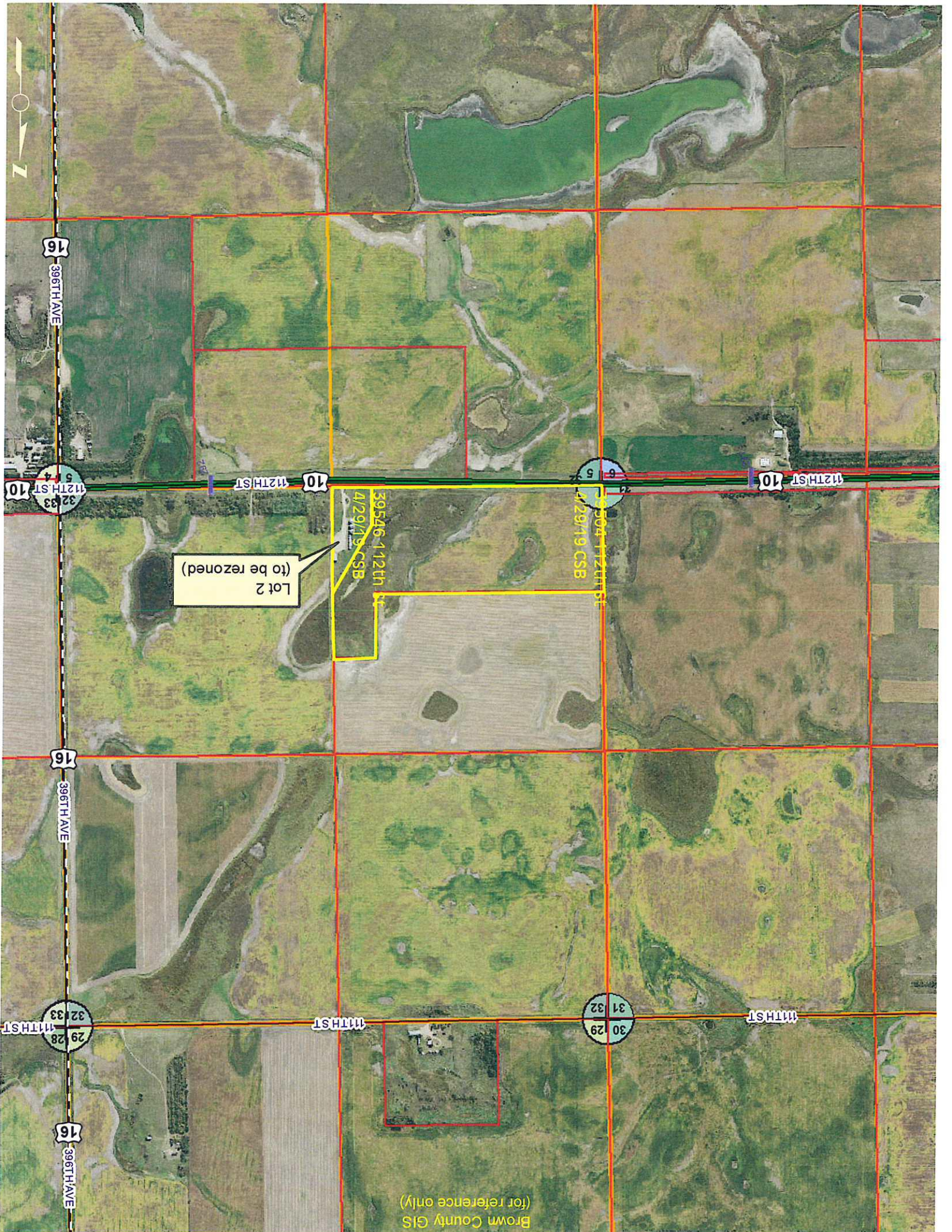
Dennis Howell
3117 West Spruce Leigh Ln
Sioux Falls, SD 57105-0138

Dennis Howell
3117 West Spruce Leigh Ln
Sioux Falls, SD 57105-0138

Eugene Dennert
11996 398th Ave
Columbia, SD 57433-7115

Eugene Dennert
11996 398th Ave
Columbia, SD 57433-7115

Eugene Dennert
11996 398th Ave
Columbia, SD 57433-7115



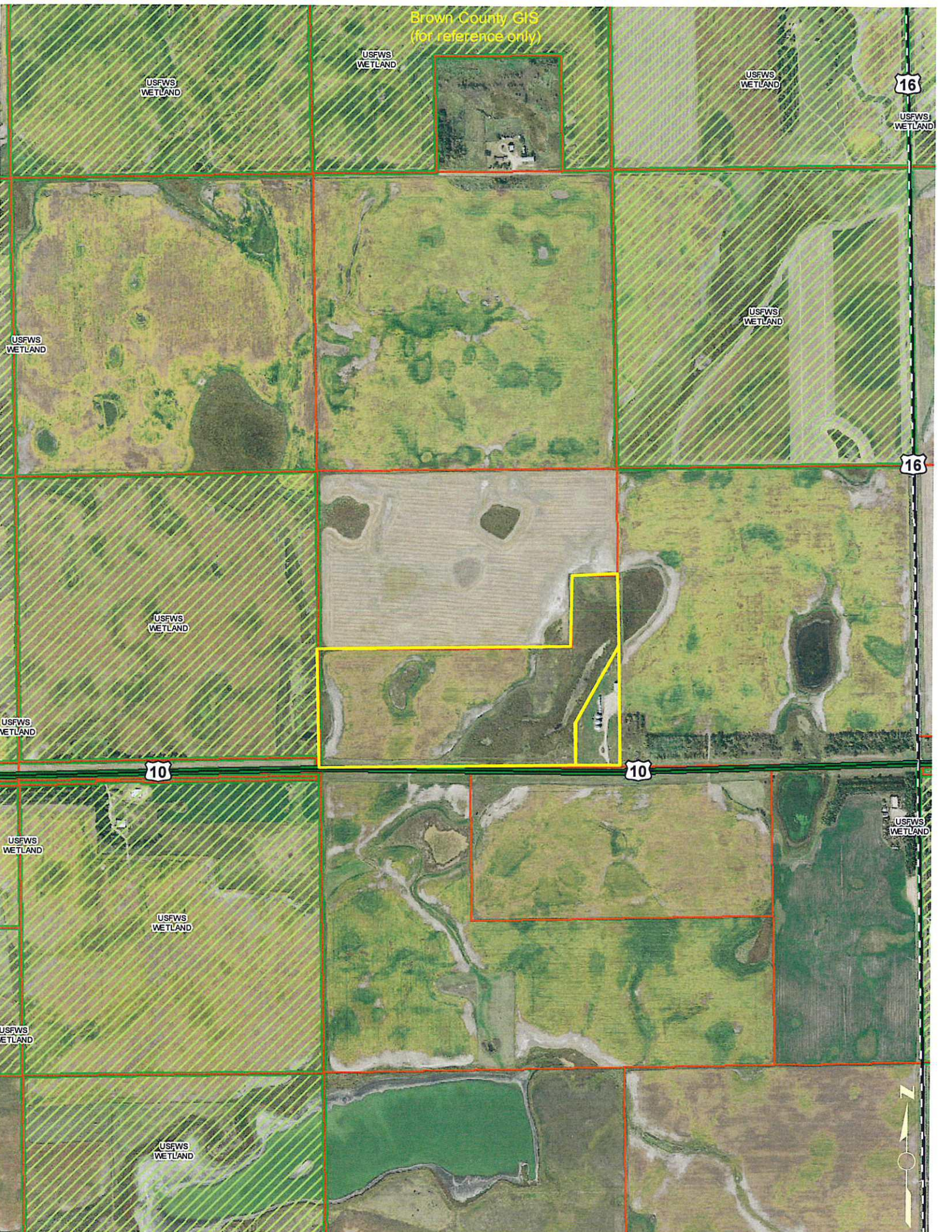
Lot 2
(to be rezoned)

39546 112th St
4/29/19 CSB

39504 112th St
4/29/19 CSB

Brown County GIS
(for reference only)

Brown County GIS
(for reference only)



10

10

16

16

USFWS WETLAND

USFWS WETLAND

USFWS WETLAND

USFWS WETLAND

USFWS WETLAND

USFWS WETLAND

USFWS WETLAND

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USFWS WETLAND

USFWS WETLAND



STAFF REPORT

May 21, 2019

PRELIMINARY & FINAL PLAT

ITEM # 11

GENERAL INFORMATION

PETITIONER	Mark Christianson
REQUEST	Preliminary & Final Plat
LEGAL DESCRIPTION	Lot 1, "Micah Christianson Addition" in the SW1/4 of Section 15-T126N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION	11482 391 st Ave
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

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

REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges that they have existing access. The plat will meet the "farm unit" definition for Lot 1. The petitioner requested a Variance to lot size for Lot 1 to be 6.64± acres rather than 40.0± acres required in an Agricultural Preservation District (AG-P).

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME Micah Christianson Addition

QUARTER: SW SECTION: 15 TOWNSHIP: 126 RANGE: 63

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

OWNERS NAMES: Mark Christianson IRR Family Legacy Trust

OWNERS NAMES: Joleen Christianson IRR Family Legacy Trust

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Zach Remily of Clark Engineering

TYPE: PRELIMINARY _____ FINAL _____ BOTH X

FEE: \$25.00 ACRES x \$1.00 5 TOTAL: \$ 30.00 DATE PAID: 4/18/2019

RECEIVED BY PLANNING DEPARTMENT: 4/18/2019 BY: SCOTT

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

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


STREETS/ROADS NAMED PROPERLY X


EXISTING ACCESS SHOWN ON PLAT X ACCESS NEEDED _____

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

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE X

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

HIGHWAY SIGNATURE LINE SIGNED 

TAXES PAID IN FULL FOR THE YEAR X TREASURER SIGNATURE LINE SIGNED 

CONSIDERED BY COUNTY PLANNING COMMISSION:

RECOMMENDATION: X APPROVE _____ DENY _____ RE-SUBMIT ON Scott Bader

CONSIDERED BY COUNTY COMMISSION:

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

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR PLAT APPROVAL

DATE: April 18, 2019
RECEIPT # 132075
TOWNSHIP: Brainard Twp

FEES: 25.00 + 5.00 / 30.00
PAID: YES/NO CHK/CASH
DATE: 4/18/19

Joleen Christianson IRR Family Legacy Trust
OWNERS SIGNATURE: Mark Christianson IRR Family Legacy Trust
OWNERS ADDRESS: 824 North 1st St
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE: 605-380-0885 (c)

AGENTS SIGNATURE: Mark W Christianson
AGENTS ADDRESS: _____
AGENTS CITY, STATE, ZIP: _____
AGENTS PHONE: _____

REQUEST: Preliminary and Final Plat

LEGAL DESCRIPTION: Lot 1, "Micah Christianson Addition" in the SW1/4 of Sec.15-126-63 of the 5th P.M., Brown County, South Dakota (11482 391st Ave)

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: May 21, 2019 TIME: 7:00 pm

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

INSTRUMENT NO. 201801113
BOOK: 302 DEED
PAGE: 259
TRANSFER FEE: Exempt 18
2018/03/06 10:08:57 AM

Pages: 1



This Instrument Prepared By:
Bobbi L. Thury
Legacy Law Firm, P.C.
7404 S. Bitterroot Place,
Sioux Falls, SD 57108
(605) 275-5665

CAROL SHERMAN, REGISTER OF DEEDS
BROWN COUNTY, SOUTH DAKOTA

Recording Fee: \$ 30.00
Return To: LEGACY LAW FIRM

WARRANTY DEED

Mark W. Christianson and Joleen R. Christianson, husband and wife, Grantors, of Brown County, State of South Dakota, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, GRANT, CONVEY, AND WARRANT to **Christian L. Christianson, Trustee of the Mark and Joleen Christianson Irrevocable Family Legacy Trust**, Grantee, of 824 North 1st Street, Aberdeen, South Dakota 57401, the following described real estate in the County of Brown in the State of South Dakota:

The Southwest Quarter of Section 15, Township 126 North, Range 63 West of the Fifth P.M., except that portion deeded for highway purposes, Brown County, South Dakota.

Transfer Tax – Exempt pursuant to SDCL 43-4-22(18)

Dated this day, February 23, 2018.

Mark W. Christianson

Mark W. Christianson

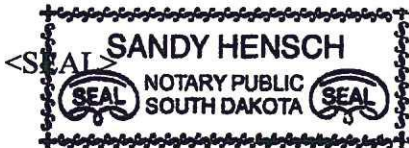
Joleen R. Christianson

Joleen R. Christianson

STATE OF SOUTH DAKOTA)
 : SS
COUNTY OF LINCOLN)

On this day, February 23, 2018, before me, the undersigned officer, personally appeared Mark W. Christianson and Joleen R. Christianson, husband and wife, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

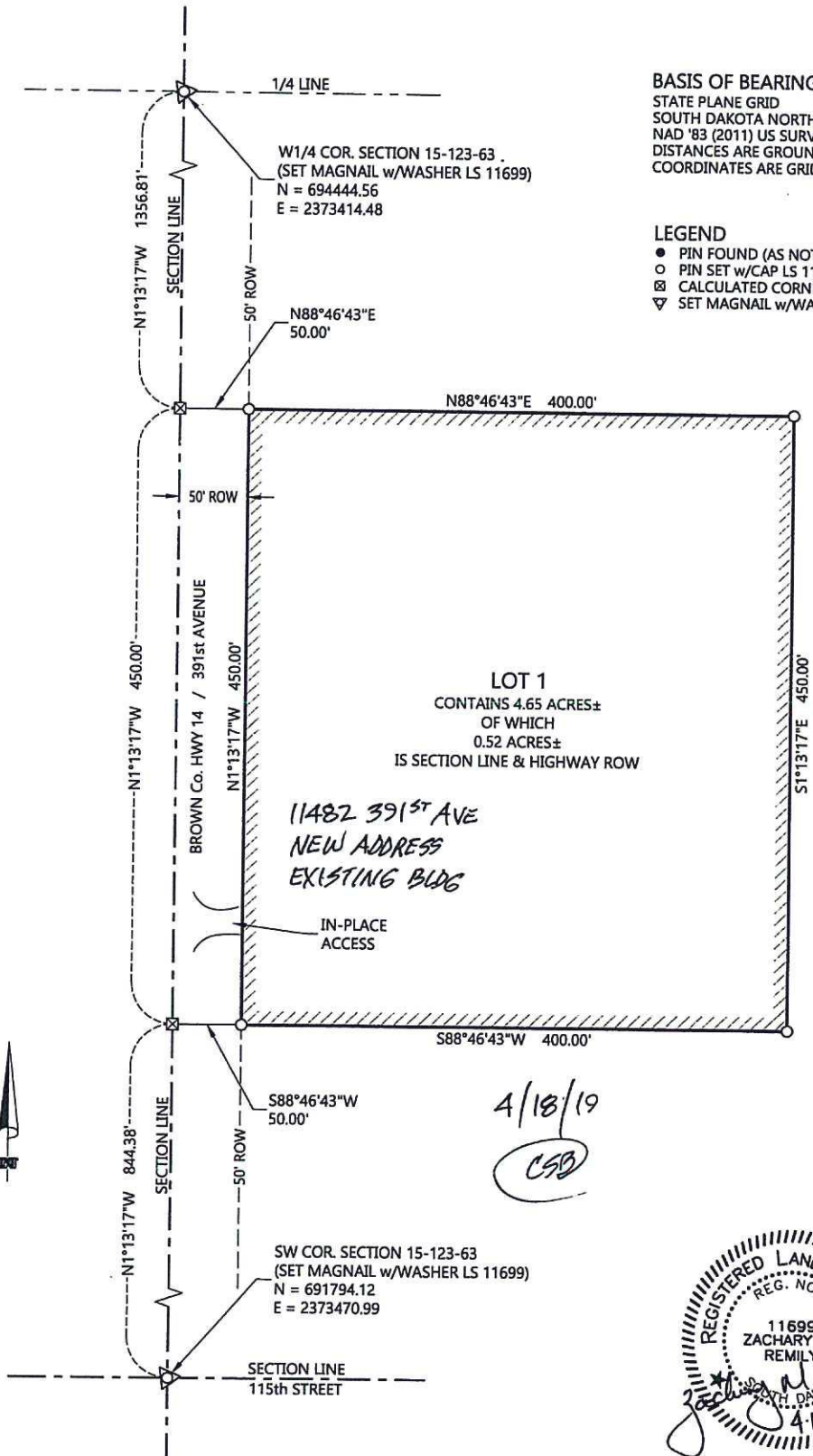
IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Sandy Hensch

Notary Public * South Dakota
My Commission Expires: 04/21/2020

PLAT SHOWING
MICAH CHRISTIANSON ADDITION
 IN THE SW1/4 OF SECTION 15,
 TOWNSHIP 126 NORTH, RANGE 63 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA



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

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

LOT 1
 CONTAINS 4.65 ACRES±
 OF WHICH
 0.52 ACRES±
 IS SECTION LINE & HIGHWAY ROW

11482 391ST AVE
 NEW ADDRESS
 EXISTING BLDG

IN-PLACE
 ACCESS

4/18/19
 CSB



PREPARED BY:

CLARK
 ENGINEERING

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



PLAT SHOWING
MICAH CHRISTIANSON ADDITION
 IN THE SW1/4 OF SECTION 15,
 TOWNSHIP 126 NORTH, RANGE 63 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, Christian L. Christianson, Trustee of the Mark and Joleen Christianson Irrevocable Family Legacy Trust, do hereby certify that the Trust is the owner of The Southwest Quarter (SW1/4) of Section Fifteen (15), Township One Hundred Twenty-Six (126) North, Range Sixty-Three (63) West of the 5th P.M., Brown County, South Dakota (WARRANTY DEED filed 3-6-2018, and duly recorded in Book 302 Deeds, Page No. 259), and that I 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 "MICAH CHRISTIANSON ADDITION IN THE SW1/4 OF SECTION 15, TOWNSHIP 126 NORTH, RANGE 63 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" and that development of this land shall conform to all existing applicable zoning, subdivision and sediment control regulations.

Signed this _____ day of _____, 2019.

Owner: Christian L. Christianson, Trustee
 Mark and Joleen Christianson Irrevocable Family Legacy Trust

 Signature

COUNTY OF _____ }
 STATE OF _____ } SS

On this _____ day of _____, 2019, before me, a notary public, the undersigned officer, personally appeared Christian L. Christianson, Trustee of the Mark and Joleen Christianson Irrevocable Family Legacy Trust, known to me to be the person in and who executed the within instrument.

My Commission Expires: _____

 Notary Public

SURVEYOR'S CERTIFICATE

I, Zachary M. Remily, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owner, I have surveyed and platted "MICAH CHRISTIANSON ADDITION IN THE SW1/4 OF SECTION 15, TOWNSHIP 126 NORTH, RANGE 63 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 17th day of APRIL, 2019.



HIGHWAY APPROVAL

"Access to BROWN COUNTY HIGHWAY 14 is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."

Signed this _____ day of _____, 2019.

 Highway or Street Authority

COUNTY PLANNING COMMISSION APPROVAL

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

 Secretary of County Planning Commission
 Brown County, South Dakota

"Be it resolved by the County Planning Commission of Brown County, South Dakota, that the plat showing "MICAH CHRISTIANSON ADDITION IN THE SW1/4 OF SECTION 15, TOWNSHIP 126 NORTH, RANGE 63 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-6, and any amendments.

COUNTY COMMISSION APPROVAL

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

 County Auditor
 Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "MICAH CHRISTIANSON ADDITION IN THE SW1/4 OF SECTION 15, TOWNSHIP 126 NORTH, RANGE 63 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof."

PREPARED BY:



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

PLAT SHOWING
MICAH CHRISTIANSON ADDITION

IN THE SW1/4 OF SECTION 15,
TOWNSHIP 126 NORTH, RANGE 63 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

TREASURER'S CERTIFICATE

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

Signed this ____ day of _____, 2019.

County Treasurer,
Brown County, South Dakota

DIRECTOR OF EQUALIZATION CERTIFICATE

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

Director of Equalization
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

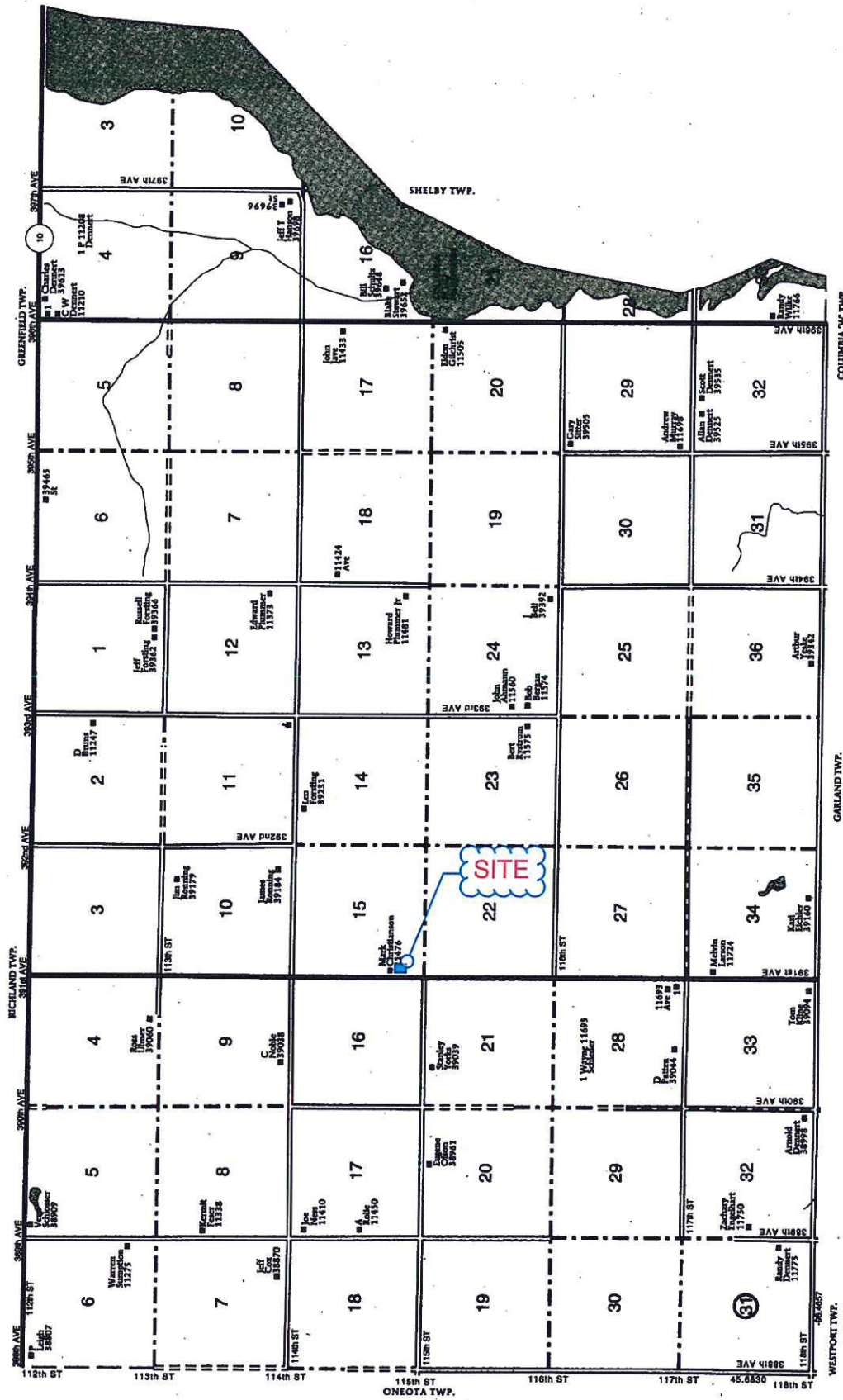
Filed for record this ____ day of _____, 2019, at ____ O'clock ____ M., and duly recorded as Hanging Plat No. _____.

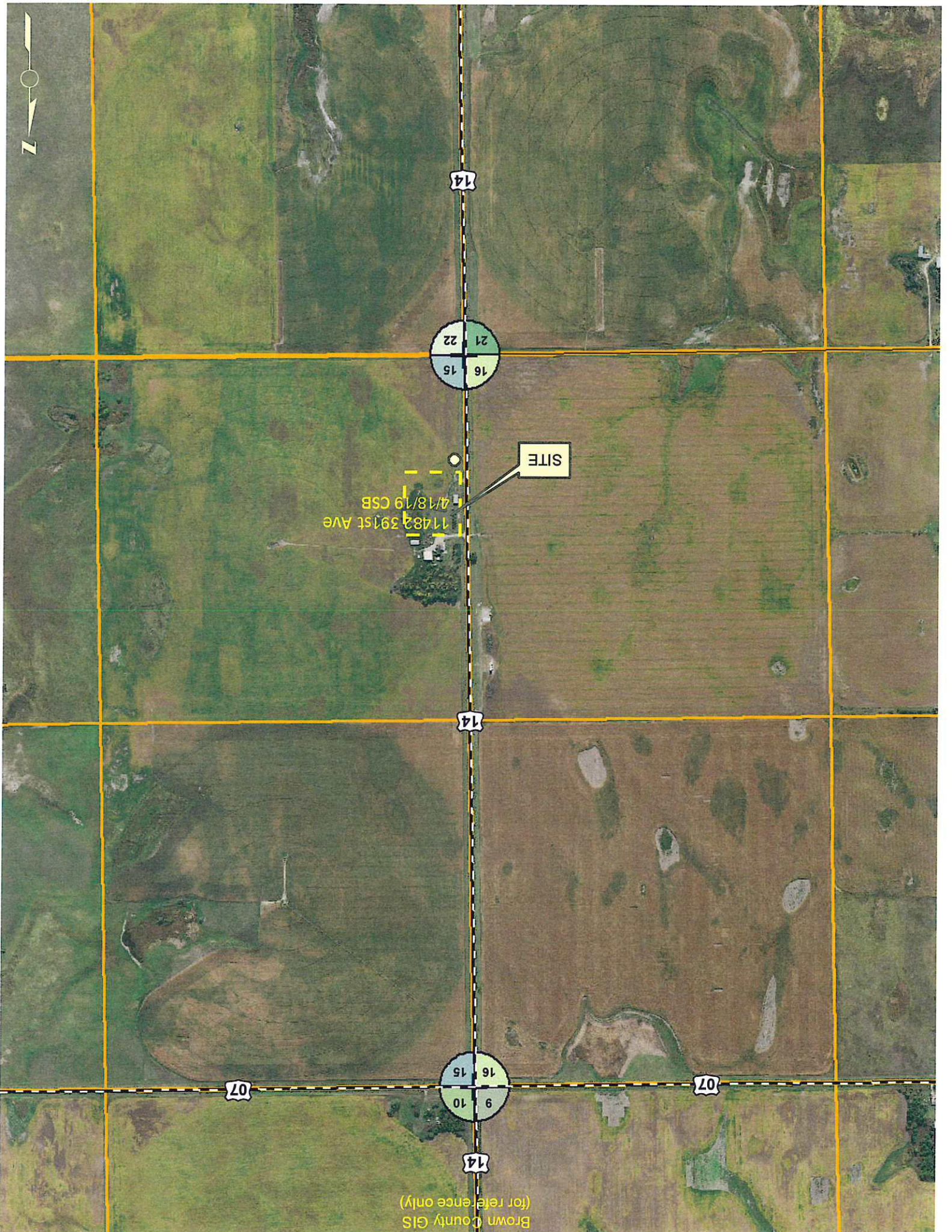
Register of Deeds,
Brown County, South Dakota

PREPARED BY:

CLARK
ENGINEERING

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





14

21	22
16	15

SITE

11482 391st Ave
118/19 CSB

14

16	15
9	10

07

07

14

Brown County GIS
(for reference only)



SITE

11482 391st Ave
4/18/19 CSB

14

Brown County GIS
(for reference only)



STAFF REPORT

May 21, 2019

PRELIMINARY & FINAL PLAT

ITEM # 12

GENERAL INFORMATION

PETITIONER	Jeff Hanson
REQUEST	Preliminary & Final Plat
LEGAL DESCRIPTION	Lots 1&2, "Bruns Hanson Addition" in the SW1/4 of Section 32-T127N-R62W of the 5th P.M., Brown County, South Dakota
LOCATION	39504 & 39546 112 th St
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

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

REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges that they have existing accesses. Lot 1 meets a minimum 40.0 acres for AG-P. Lot 2 does not meet a required minimum of 40.0 acres or the "farm unit" definition. Recommend approval of plat with the stipulation that they rezone Lot 2 to Mini Agriculture District (M-AG). Petitioner has submitted a rezone application already.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME "Bruns Hanson Addition"

QUARTER: SW SECTION: 32 TOWNSHIP: 127 RANGE: 62

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

OWNERS NAMES: Bruns Farms

OWNERS NAMES: Willis F. Bruns

OWNERS NAMES: Bernard R. Bruns

ENGINEER OR SURVEYOR: Zach Remily - Clark Engineering Corp

TYPE: PRELIMINARY _____ FINAL _____ BOTH X

FEE: \$25.00 ACRES x \$1.00 68.00 TOTAL: \$ 93.00 DATE PAID: 04 / 29 /20 19

RECEIVED BY PLANNING DEPARTMENT: 04 / 29 /20 19 BY: Scott Bader

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

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

STREETS/ROADS NAMED PROPERLY X

EXISTING ACCESS SHOWN ON PLAT X ACCESS NEEDED _____

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

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE X

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

HIGHWAY SIGNATURE LINE SIGNED X (SD DOT)

TAXES PAID IN FULL FOR THE YEAR X TREASURER SIGNATURE LINE SIGNED X

CONSIDERED BY COUNTY PLANNING COMMISSION:

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

CONSIDERED BY COUNTY COMMISSION:

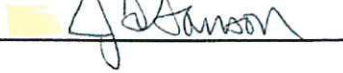
RECOMMENDATION: _____ APPROVE _____ DENY _____ RE-SUBMIT ON _____

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR PLAT APPROVAL

DATE: April 30, 2019
RECEIPT # 132079
TOWNSHIP: Greenfield

FEES: \$93.00
PAID: YES NO CHK CASH
DATE: 04/29/2019

OWNERS SIGNATURE: Jeff Hanson 
OWNERS ADDRESS: 39698 114th St
OWNERS CITY, STATE, ZIP: Columbia, SD 57433
OWNERS PHONE: (605) 885-7461 jthansonfarm@nrc-tv.com

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

REQUEST: Variance to lot size in M-AG

LEGAL DESCRIPTION: Lot 2 Bruns Hanson Addition in the SW1/4 of Section 32-T127N-R62W
of the 5th P.M. Brown County, South Dakota

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: April 30, 2019 TIME: 7:00 p.m.

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

BRUNS HANSON ADDITION

IN THE SW 1/4 OF SECTION 32,
TOWNSHIP 127 NORTH, RANGE 62 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA

PLAT SHOWING

N 1/4 COR. SEC. 32-127-62
(FOUND PIN w/CAP LS 4423)
N = 713278.47
E = 2396862.42



LEGEND

- PIN FOUND (AS NOTED)
- PIN SET w/CAP LS 11699
- ⊠ 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



NW COR. SEC. 32-127-62
(FOUND PIN w/CAP LS 4423)
N = 713235.99
E = 2394208.14

SURVEYOR'S NOTE
THIS PLAT IS A RE-PLAT OF DENNERT'S
OUTLOT 1 & 2, IN THE SW 1/4 OF
SECTION 32-T127N-R62W OF THE 5th
P.M., BROWN COUNTY, SD AS FILED FOR
RECORD 4-25-1980 AND DULY
RECORDED IN BOOK OF PLATS No. 5, IN
ENVELOPE 461-E.

#	BEARING	DISTANCE
L1	S1°18'25"E	32.88'
L2	N1°17'12"W	30.00'
L3	N89°30'03"W	33.02'
L4	N1°16'02"W	130.05'
L5	S88°51'28"W	33.00'

DENNERT'S OUTLOT 2
(VACATED BY THIS PLAT)

LOT 2
CONTAINS
5.57
ACRES±

30' ACCESS EASEMENT
(VACATED BY THIS PLAT)

IN-PLACE
ACCESS
L2

LOT 1

CONTAINS 61.92 ACRES±
OF WHICH 0.73 ACRES± IS SECTION LINE R.O.W.

SW COR. SEC. 32-127-62
(SET PIN w/CAP LS 11699)
N = 707939.70
E = 2394325.30

PREPARED BY:

CLARK
ENGINEERING

Clark Engineering Corporation
3314 Milwaukee Avenue NE, Suite 2
Aberdeen, SD 57401
Phone: (605) 225-5494
Fax: (605) 225-5433
Aberdeen@clark-eng.com EOE

CURVE TABLE

#	LENGTH	RADIUS	DELTA ANGLE	Ch	CL
C1	325.63'	19030.00'	0°58'49"	589°53'04"W	325.63'
C2	93.40'	19030.00'	0°16'52"	N89°29'19"W	93.40'

PLAT SHOWING
BRUNS HANSON ADDITION
 IN THE SW1/4 OF SECTION 32,
 TOWNSHIP 127 NORTH, RANGE 62 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

Bruns Farms, a Partnership, does hereby certify that it is the owner of Dennert's Outlot 1 & 2, in the SW1/4 of Section Thirty-Two (32), Township One Hundred Twenty-Seven (127) 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 "BRUNS HANSON ADDITION IN THE SW1/4 OF SECTION 32, TOWNSHIP 127 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, Bruns Farms, a Partnership, does hereby VACATE Dennert's Outlot 1 & 2 (along with the 30' Access Easement shown on Dennert's Outlot 1), in the SW1/4 of Section Thirty-Two (32), Township One Hundred Twenty-Seven (127) North, Range Sixty-Two (62) West of the 5th P.M., Brown County, South Dakota as filed for record on April 25, 1980 at 2:15 PM, and duly recorded in Book of Plats No. 5, in envelope 461-E therein.

Partner: Willis F. Bruns
 Print Name

Willis F. Bruns
 Signature

Signed this 18 Day of April, 2019

Partner: Bernard R. Bruns
 Print Name

Bernard R. Bruns
 Signature

Signed this 18 Day of April, 2019

COUNTY OF Brown)
 STATE OF So. DAK) SS

On this 18th day of April, 2019, before me, a notary public, the undersigned officer, personally appeared Willis F. Bruns (Partner) of Bruns Farms, a Partnership, known to me to be the person in and who executed the within instrument.

My Commission Expires: 10-31-2021
Mary Freudenthal
 Notary Public



COUNTY OF Brown)
 STATE OF So. DAK) SS

On this 18th day of April, 2019, before me, a notary public, the undersigned officer, personally appeared _____ (Partner) of Bruns Farms, a Partnership, known to me to be the person in and who executed the within instrument.

My Commission Expires: 10-31-2021
Mary Freudenthal
 Notary Public



SURVEYOR'S CERTIFICATE

I, Zachary M. Remily, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owner, I have surveyed and platted "BRUNS HANSON ADDITION IN THE SW1/4 OF SECTION 32, TOWNSHIP 127 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.

Signed this 17 day of April, 2019.



HIGHWAY APPROVAL

Existing Access to SD Highway 10 is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."

Signed this 23rd day of April, 2019.

Robert J. Ward
 Highway or Street Authority

PREPARED BY:

CLARK
ENGINEERING

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

PLAT SHOWING
BRUNS HANSON ADDITION
IN THE SW1/4 OF SECTION 32,
TOWNSHIP 127 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, at a meeting held on the _____ day of _____, 2019.

Secretary of County Planning Commission
Brown County, South Dakota

"Be it resolved by the County Planning Commission of Brown County, South Dakota, that the plat showing "BRUNS HANSON ADDITION IN THE SW1/4 OF SECTION 32, TOWNSHIP 127 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, at a meeting held on the _____ day of _____, 2019.

County Auditor
Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "BRUNS HANSON ADDITION IN THE SW1/4 OF SECTION 32, TOWNSHIP 127 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 29 day of April, 2019.

Naughteter, de deputy treas
County Treasurer,
Brown County, South Dakota

DIRECTOR OF EQUALIZATION CERTIFICATE

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

Director of Equalization
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

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

Register of Deeds,
Brown County, South Dakota

PREPARED BY:

CLARK
ENGINEERING

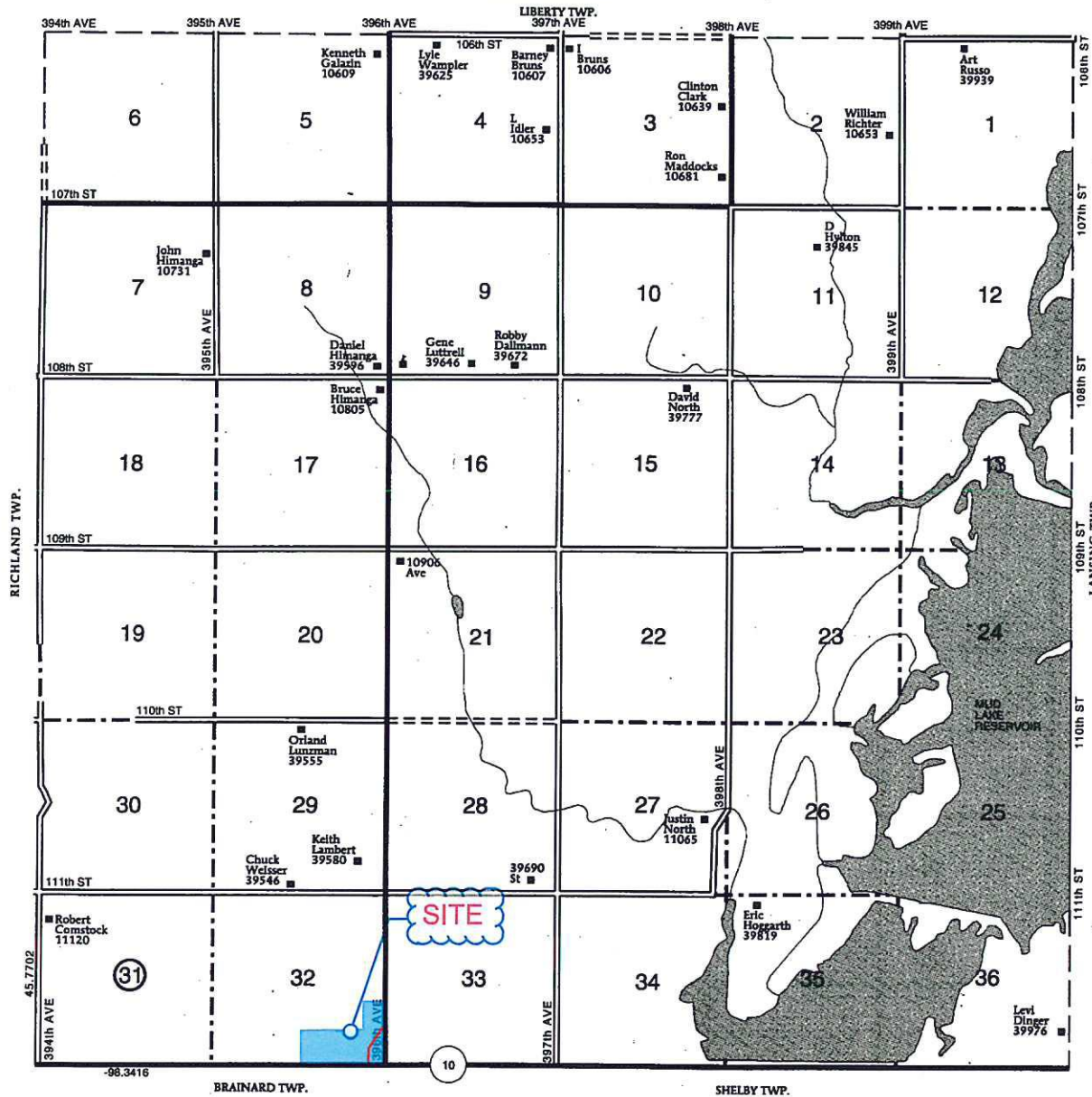
Clark Engineering Corporation
3314 Milwaukee Avenue NE, Suite 2
Aberdeen, SD 57401
Phone: (605) 225-3494
Fax: (605) 225-5433
Aberdeen@clark-eng.com EOE

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

T-127-N

GREENFIELD DIRECTORY
(Residents - Owners or Renters)

R-62-W



Brown County GIS
(for reference only)

USFWS
WETLAND

USFWS
WETLAND

USFWS
WETLAND

16

USFWS
WETLAND

USFWS
WETLAND

USFWS
WETLAND

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Brown County GIS
(for reference only)



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