

AGENDA

REGULAR SCHEDULED MEETINGS BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, MARCH 17, 2020 – 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 the Planning/Zoning Commission & Chairman Jerry Streckfuss.
- III. Minutes: **February 18, 2020**
- IV. Old Business:
- V. New Business: P&Z Commission as **Zoning Board of Adjustment (BOA)**
 1. **Variance to Lot Size** in Agricultural Preservation District (AG-P) described as Lot 1, “Neva and Frank Sieh Subdivision” in the W1/2SW1/4 of Section 12-T122N-R61W of the 5th P.M., Brown County, South Dakota (13760 & 13780 405th Ave).
 2. **Special Exception/Conditional Use** in Highway Commercial District (HC) described as Judy Outlot 1 in the NW1/4 of Section 22-T123N-R63W of the 5th P.M., Brown County, South Dakota (5110 Hwy 12 E).
 3. **Variance to Building Setbacks** in Agricultural Preservation District (AG-P) described as “K. Miller Addition” in the SW1/4 of Section 15-T122N-R64W of the 5th P.M., Brown County, South Dakota (38514 139th St)
 4. **Variance to Lot Size** in Agriculture Preservation District (AG-P) described as Lot 1, “JT Hanson Farm Addition” in the SE1/4 of Section 9-T126N-R62W of the 5th P.M., Brown County, South Dakota (11379 397th Ave).
 5. **Variance to Lot Size** in Agricultural Preservation District (AG-P) described as Lot 1, “JT Hanson Farms Second Addition” in the SE1/4 of Section 10-T126N-R62W of the 5th P.M., Brown County, South Dakota (11384 397th Ave).
 6. **Variance to Lot Size** in Agriculture Preservation District (AG-P) described as Lot 1, “DMVW First Addition” in the NW1/4 of Section 10-T123N-R63W of the 5th P.M., Brown County, South Dakota (2220 N 391st Ave).
 7. **Special Exception/Conditional Use** in Heavy Industrial District (H-I) described as Lot 1, “SDWG Bath-Grebner Terminal Addition” in the S1/2 of Section 14-T123N-R63W of the 5th P.M., Brown County, South Dakota (105 392nd Ave S).
- VI Other Business:
 - a. **Table 4.07** - Proposed chart for small acreages & animals/acre for review.
Completed as Zoning Board of Adjustment (BOA) & going to Planning Commission

REGULAR SCHEDULED MEETINGS 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 Agriculture District (M-AG) for a property described as: Lot 1 & 2 “C&L Habeck’s 1st Subdivision” in the SW¼ of Section 27-T124N-R63W of the 5th P.M., Brown County, South Dakota (12854 & 12862 391st Ave).
 - 11. **Petition to Re-Zone** from an Agricultural Preservation District (AG-P) to Heavy Industrial District (H-I) for a property described as Lot 2 “Luke’s Landing Addition” in the N1/2 of Section 13-T123N-R63W of the 5th P.M., Brown County, South Dakota (13245 394th Ave).
 - 12. **Petition to Re-zone** from an Agricultural Preservation District (AG-P) to Mini Agriculture District (M-AG) for a property described as “K. Miller Addition” in the SW1/4 of Section 15-T122N-R64W of the 5th P.M., Brown County, South Dakota (38514 139th Street).
 - 13. **Petition to Re-zone** from an Agricultural Preservation District (AG-P) to Mini Agriculture District (M-AG) for a property described as Lots 2 “JT Hanson Farm Addition” in the SE1/4 of Section 9-T126N-R62W of the 5th P.M., Brown County, South Dakota (39698 114th Street).
 - 14. **Petition to Re-zone** from an Agricultural Preservation District (AG-P) to Mini Agriculture District (M-AG) for a property described as Lot 2, “JT Hanson Farms Second Addition” in the SE1/4 of Section 10-T126N-R62W of the 5th P.M., Brown County, South Dakota (11396 397th Ave).
 - 15. **Petition to Re-zone** from an Agriculture Preservation District (AG-P) to Mini Agriculture District (M-AG) for a property described as “Lockwood’s Outlot 1” in the NE1/4 of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota and “Jones Outlot 1” in the NE1/4 of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota (37963 133rd Street and 37965 133rd Street).
 - 16. **Preliminary and Final Plat** for a property described as “Neva and Frank Sieh Subdivision” in the W1/2 SW1/4 of Section 12-T122N-R61W of the 5th P.M., Brown County, South Dakota (13760 & 13780 405th Ave).
 - 17. **Preliminary and Final Plat** for a property described as “Luke’s Landing Addition” in the N1/2 of Section 13-T123N-R63W of the 5th P.M., Brown County, South Dakota (13245 394th Ave).
 - 18. **Preliminary and Final Plat** for a property described as “K. Miller Addition” in the SW1/4 of Section 15-T122N-R64W of the 5th P.M., Brown County, South Dakota (38514 139th Street).

19. **Preliminary and Final Plat** for a property described as Lots 1 & 2 “JT Hanson Farm Addition” in the SE1/4 of Section 9-T126N-R62W of the 5th P.M., Brown County, South Dakota (11379 397th Ave & 39698 114th Street).
20. **Preliminary and Final Plat** for a property described as Lots 1 & 2 “JT Hanson Farms Second Addition” in the SE1/4 of Section 10-T126N-R62W of the 5th P.M., of the 5th P.M., Brown County, South Dakota (11384 397th Ave & 11396 397th Ave).
21. **Preliminary and Final Plat** for a property described as Lot 1 “BRS First Addition to Block 7, Prairiewood Village” in the NE1/4 of Section 33-T124N-R63W of the 5th P.M., Brown County, South Dakota (12928 Prairiewood Drive).
22. **Preliminary and Final Plat** for a property described as Lot 1, “DMVW First Addition” in the NW1/4 of Section 10-T123N-R63 of the 5th P.M., Brown County, South Dakota (2220 N 391st Ave).

III. Other Business:

IV. Motion to Adjourn:

MINUTES

BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, February 18, 2020 - 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, Darwin Bettmann, Vice Chair Stan Beckler, David North, Dale Kurth, Patrick Keatts and B.C. Commissioner Rachel Kippley. Also present at the meeting was Scott Bader - Planning & Zoning.

After discussion, Keatts moved and Kurth seconded to approve the minutes of the January 21, 2020 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. **Special Exception/Conditional Use** in Agricultural Preservation District (AG-P) described as Lot 1, "TR Land Management" in the SE1/4 of Section 4-T123N-R63W of the 5th P.M., Brown County, South Dakota (13055 391st Ave). Present for this item was Ross Currence and Todd Peterson. Following discussion, Beckler moved for approval of this conditional use, North seconded, all members voting aye, motion carried.
2. **Variance to Building Setbacks** in Highway Commercial District (HC) described as Lot 1, "REA 1st Subdivision" in the NW1/4 of Section 23-T123N-R63W of the 5th P.M., Brown County, South Dakota (711 392nd Ave S). Present for this item were Neil Bellikka and Andrew Hendrickson. Bob Rux raised concerns about drainage in the area. Following discussion, Beckler moved for approval of this variance, Bettmann seconded, all members voting aye, motion carried.

Other Business:

- a. Handed out Chapter 4.06 & 4.07 AG-P District and M-AG District proposed changes for small acreage animal unit/acre chart for review and comments at March 17, 2020 meeting. Comments were heard from Tom Hinz and Don Hinz
- b. Handed out Chapter 4.33 Rural Addressing proposed changes for future review and comments that will be at the March meeting.

*Completed as Zoning Board of Adjustment (BOA) and
Beginning as Planning Commission*

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

Old Business:

New Business: *Brown County Planning Commission*

10. **Petition to Re-Zone** from an Agricultural Preservation District (AG-P) to Highway Commercial District (HC) for a property described as: Lot 1 “TR Land Management Addition” in the SE¼ of Section 4-T123N-R63W of the 5th P.M., Brown County, South Dakota (13055 391st Ave). Submitted by Ross Currence. Following discussion, North moved to **recommend approval of this rezone to the Board of County Commissioners**, Kurth seconded, all members voting aye, motion carried.

11. **Preliminary and Final Plat** for a property described as Lot 1 “TR Land Management Addition” in the SE1/4 of Section 4-T123N-R63W of the 5th P.M., Brown County, South Dakota (13055 391st Ave). Submitted by Ross Currence. Following discussion, Beckler moved to **recommend approval of this plat to the Board of County Commissioners** seconded by Bettman, all members voting aye, motion carried.

12. Preliminary and Final Plat for a property described as Lots 1&2 “C&L Habeck’s 1st Subdivision” in the SW1/4 of Section 27-T124N-R63W of the 5th P.M., Brown County, South Dakota (12854 & 12862 391st Ave). Submitted by Clarence Habeck. Nathan Edwards questioned the address listed on the agenda which was a typo. Following discussion, Beckler moved to recommend approval of this plat to the Board of County Commissioners, North seconded, all members voting aye, motion carried.

13. Preliminary and Final Plat for property described as Lots 1 & 2 “Gossman Second Addition” in the SE1/4 of Section 15-T123N-R63W of the 5th P.M., Brown County, South Dakota (5485 HWY 12 E). Submitted by Stacy Gossman. Following discussion, Beckler moved to recommend approval of this plat to the Board of County Commissioners, seconded by Keatts, all members voting aye, motion carried.

Other Business:

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

Submitted by: Ron Keller - Planning & Zoning Department.

STAFF REPORT

March 17, 2020

Variance for Lot Size in AG-P District

ITEM # 01

GENERAL INFORMATION:

PETITIONER:	Neva and Frank Sieh Trust
REQUEST:	Variance to Lot Size in an AG-P District.
LEGAL DESCRIPTION:	Lot 1, "Neva and Frank Sieh Subdivision" in the W1/2 SW1/4 of Section 12-T122N-R61W of the 5 th P.M., Brown County, South Dakota
LOCATION:	13760 & 13780 405 th Ave
TOWNSHIP:	Bath Twp
EXISTING ZONING:	Agriculture Preservation District (AG-P)
SURROUNDING ZONING:	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Scott Bader

GENERAL COMMENT: The petitioner is requesting this Variance for platting a new 29.74± acre parcel for financial purposes.

GENERAL REVIEW: Parcel has existing approach access. This parcel is adjacent to another family farmland parcel and staff recommends a variance per 4.0605 to stay zoned as AG-P District.


BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: 02/20/20
RECEIPT # 326917
TOWNSHIP: West Hanson

FEES: \$100.00
PAID: (YES) NO (CHK) CASH
DATE: 2-24-20

OWNERS SIGNATURE: Ian de Hueck - Trustee
OWNERS ADDRESS: 2433 Noyes Street
OWNERS CITY, STATE, ZIP: Evanston, IL 60201-2507
OWNERS PHONE: _____

AGENTS SIGNATURE: Rory King (Attorney for Trust) 
AGENTS ADDRESS: 305 Sixth Ave SE PO Box 970
AGENTS CITY, STATE, ZIP: Aberdeen, SD 57401
AGENTS PHONE: 605-225-2232

REQUEST: Variance to Lot size for Lot 1 "Neva and Frank Sieh Subdivision" zoned AG-P to allow this lot to be smaller than 40 acres (29.735 acres) and stay zoned as AG-P using Chapter 4.065 "Farm Unit" as lot 2 is owned by the same person.

LEGAL DESCRIPTION: Neva & Frank Sieh Subdivision in the W1/2 SW1/4 of Section 12-T122N-R61W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied

By: _____ **Date:** _____

HEARING DATE: March 17, 2020 **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

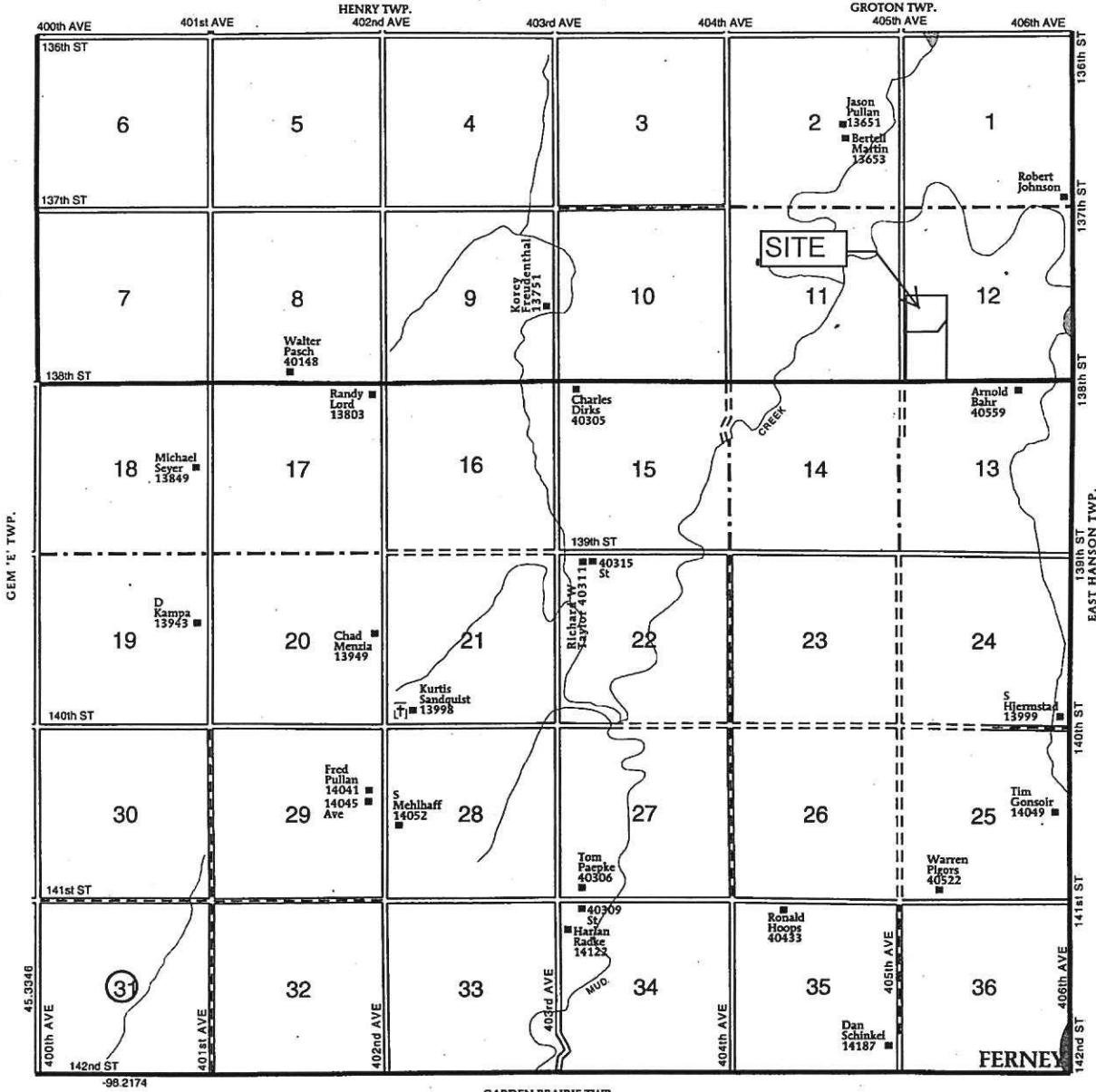
To Convert	Multiply by	Result
ounces	28.3495	grams
grams	.0353	ounces
pounds	.4536	kilograms
kilograms	2.2050	pounds

T-122-N

WEST HANSON DIRECTORY

R-61-W

(Residents - Owners or Renters)



NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Courthouse Annex, basement Community Meeting Room, on March 17, 2020 at 7:00 P.M. for the purpose of Variance to Lot Size in an Agricultural Preservation District (AG-P).

Petitioner / Owner: *Neva and Frank Sieh Trust*

Description of property: *Lot 1, "Neva and Frank Sieh Subdivision" in the W1/2 SW1/4 of Section 12-T122N-R61W of the 5th P.M., Brown County, South Dakota (13760 405th Ave).*

Reason: *Variance to Lot Size for Lot 1, "Neva and Frank Sieh Subdivision" zoned AG-P to allow this lot to be smaller than 40 acres (29.735 acres) and stay zoned as AG-P using Chapter 4.0605 "Farm Unit" as lot 2 is owned by the same person.*

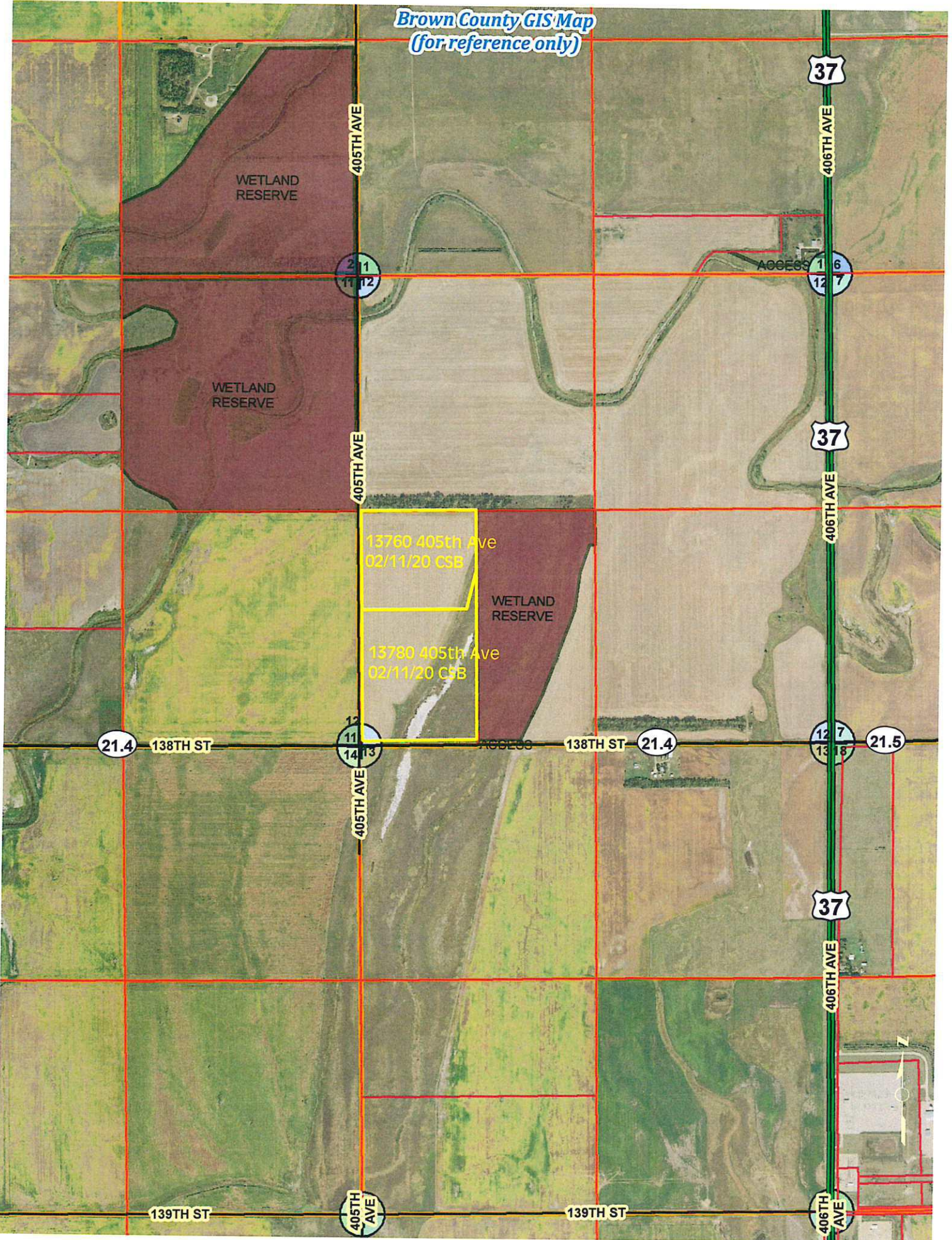
The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance petition.

Dated this 26th day February 2020

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

Published once at the total approximate cost of _____.

*Brown County GIS Map
(for reference only)*



*Brown County GIS Map
(for reference only)*

WETLAND
RESERVE

13760 405th Ave
02/11/20 CSB

13780 405th Ave
02/11/20 CSB

WETLAND
RESERVE

405TH AVE

138TH ST 21.4 12 13

138TH ST ACCESS 21.4

405TH AVE



STAFF REPORT
February 18, 2020

Spec Exc/Conditional Use for Business

ITEM # 02

GENERAL INFORMATION

PETITIONER	Ka-Boomer's Ent Inc.
REQUEST	Special Exception/Conditional Use for temporary fireworks stand for 2020 season
LEGAL DESCRIPTION	Judy Outlot 1 in the NW1/4 of Section 22-T123N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION	5110 Hwy 12 E
EXISTING ZONING	Highway Commercial District (HC)
SURROUNDING ZONING	
North:	Highway Commercial District (HC)
South:	Agriculture Preservation District (AG-P)
East:	Highway Commercial District (HC)
West:	Highway Commercial District (HC)
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this Conditional Use for a temporary fireworks stand within zoning jurisdiction of Brown County for the 2020 season.

REVIEW: Staff has reviewed this request and recommends approval.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR SPECIAL EXCEPTION / CONDITIONAL USE

DATE: 02/24/20
RECEIPT # 326921
TOWNSHIP: Bath Twp

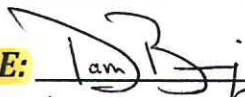
FEES: \$200.00
PAID: (YES) / NO (CHK) / CASH
DATE: 3/2/20

OWNERS SIGNATURE: Ka-Boomer's Ent., Inc (Dan Bunjer)
OWNERS ADDRESS: PO Box 86
OWNERS CITY, STATE, ZIP: Wahoo, NE 68066
OWNERS PHONE: 402-443-4593

AGENTS SIGNATURE: Jonathan Gollnick
AGENTS ADDRESS: _____
AGENTS CITY, STATE, ZIP: _____
AGENTS PHONE: 605-380-5280

REQUEST: Temporary fireworks stand within zoning jurisdiction of Brown County for the
2020 season.

LEGAL DESCRIPTION: Judy Outlot I in the NW1/4 of Section 22-T123N-R63W
of the 5th P.M., Brown County, South Dakota

SIGNATURE:  Dan Bunjer
Ka-Boomer's Ent., Inc.

Planning Commission Action: <u>Approved / Denied</u>	

By: _____	Date: _____
HEARING DATE: <u>March 17, 2020</u>	TIME: <u>7:00 pm</u>

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

NOTICE OF HEARING SPECIAL EXCEPTION/CONDITIONAL USE

Application has been made to Brown County Planning/Zoning Commission for a SPECIAL EXCEPTION/CONDITIONAL USE PETITION. A hearing will be held in the Courthouse Annex in the basement Community Meeting Room, on March 17, 2020 at 7:00 P.M.

Petitioner: Ka-Boomer's Ent., Inc.

Description of proposed property: Judy Outlot 1 in the NW1/4 of Section 22-T123N-R63W of the 5th P.M., Brown County, South Dakota (5110 HWY 12 E).

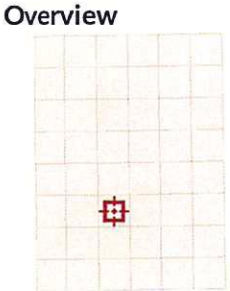
Reason: For the purpose of special exception/conditional use for a temporary fireworks stand within zoning jurisdiction of Brown County for the 2020 season.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed special exception/conditional use.

Dated this 4th day of March 2020.

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

Published once at the total approximate cost of _____.



- Legend**
- +— Railroad
 - Highways
 - Roads**
 - City Street
 - County System Ro.
 - No Local Administration
 - Township System Road
 - Legal Townships
 - Parcels
 - Cities and Towns

Parcel ID	26506	Class	n/a	Owner Address	FARM POWER MANUFACTURING INC
Sec/Twp/Rng	22-0-0	Acreage	n/a		5050 HIGHWAY 12 E
Property Address	5110 HWY 12 E				ABERDEEN SD 57401
	Bath				
District	196100				
Brief Tax Description	JUDY OL 2 NW 22-123-63 (SCHUMACHER OL)				
	(Note: Not to be used on legal documents)				

Date created: 2/24/2020
 Last Data Uploaded: 2/24/2020 7:39:55 AM

Developed by  **Schneider**
 GEOSPATIAL

STAFF REPORT

March 17, 2020

VARIANCE FOR BLDG SETBACKS IN AG-P

ITEM # 03

GENERAL INFORMATION

PETITIONER	Keith Miller
REQUEST	Variance for Building Setbacks
LEGAL DESCRIPTION	"K. Miller Addition" in the SW1/4 of Section 15-T122N-R64W of the 5th P.M., Brown County, South Dakota
LOCATION	38514 139 th St
EXISTING ZONING	Agriculture Preservation (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 a Variance for 50' setback from the South Lot line rather than 100' required in an existing (AG-P) and a proposed (M-AG) for a new 30' x 64' building. A special exception for a log business was approved by the Planning Commission on October 18, 2016.

REVIEW: After review Staff recommends approval.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: 02/24/20
RECEIPT # 326928
TOWNSHIP: Warner Twp

FEES: \$100.00
PAID: (YES)NO(CHK)CASH
DATE: 3/3/20

OWNERS SIGNATURE: Keith Miller
OWNERS ADDRESS: 38514 139th St
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE: 605-226-9998

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

REQUEST: Setback to be 50' from the South lot line rather than required 100' for a new 30' x 64' building in an Agriculture Preservation district (AG-P)

LEGAL DESCRIPTION: "K. Miller Addition" in the SW1/4 of Section 15-T122N-R64W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: March 17, 2020 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 March 17, 2020 at 7:00 P.M. for the purpose of Variance to Building Setbacks in an existing Agriculture Preservation District (AG-P) and a proposed Mini-Ag District (M-AG).

Petitioner / Owner: *Keith Miller*

Description of property: *"K. Miller Addition" in the SW1/4 of Section 15-T122N-R64W of the 5th P.M., Brown County, South Dakota (38514 139th St).*

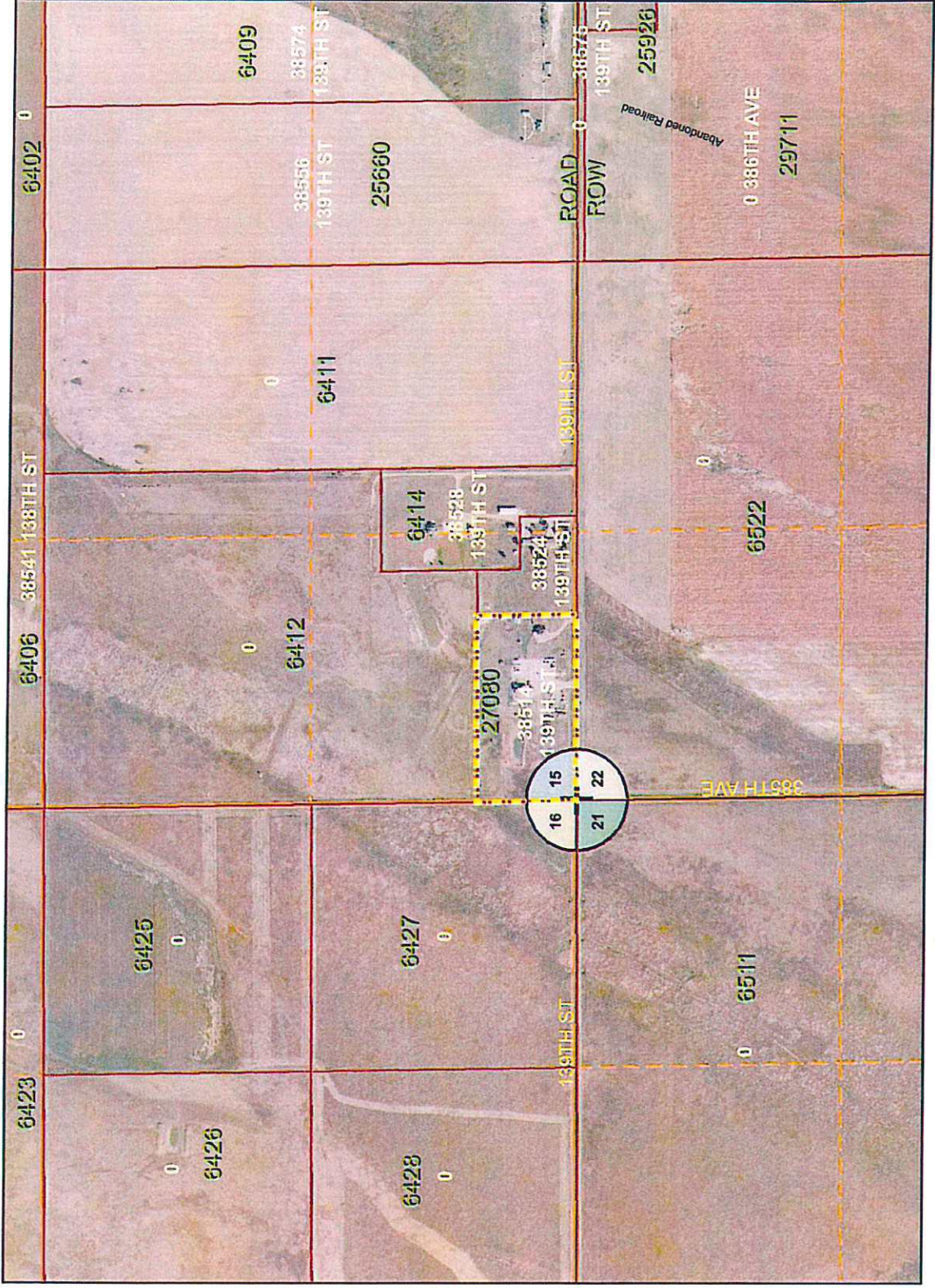
Reason: *Variance to minimum Building Setbacks in an existing Agriculture Preservation District (AG-P) and a proposed Mini-Ag (M-AG) to be 50' from the South Lot line rather than 100' required for a new 30' x 64' building.*

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

Dated this 4th day of March 2020

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

Published once at the total approximate cost of _____.



STAFF REPORT
March 17, 2020

VARIANCE TO LOT SIZE IN AG-P

ITEM # 04

GENERAL INFORMATION

PETITIONER	Jeff Hanson
REQUEST	Variance to Lot Size
LEGAL DESCRIPTION	Lot 1, "JT Hanson Farm Addition" in the SE1/4 of Section 9-T126N-R62W of the 5th P.M., Brown County, South Dakota
LOCATION	11379 397 th Ave
EXISTING ZONING	Agriculture Preservation (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Conservation District (CN)
East:	Conservation District (CN)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting a Variance to Lot Size for Lot 1, "JT Hanson Farm Addition" zoned (AG-P) to allow this lot to be smaller than 40 acres (35.94 acres) and stay zoned AG-P using Chapter 4.0605 "Farm Unit" as adjoining property is owned by the same person.

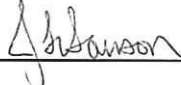
REVIEW: After review Staff recommends approval.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: 02/27/20
RECEIPT # 326925
TOWNSHIP: Brainard Twp

FEES: \$100.00
PAID: (YES)NO (CHK)CASH
DATE: 3-2-20

OWNERS SIGNATURE: Jeff Hanson 
OWNERS ADDRESS: 39698 114th St
OWNERS CITY, STATE, ZIP: Columbia, SD 57433
OWNERS PHONE: 605-885-7461

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

REQUEST: Variance to Lot Size to allow lot be smaller than 40 acres (35.94 acres) and stay zoned Agriculture Preservation District (AG-P)

LEGAL DESCRIPTION: Lot I, "JT Hanson Farm Addition" in the SE1/4 of Section 9-T126N-R62W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied

By: _____ Date: _____

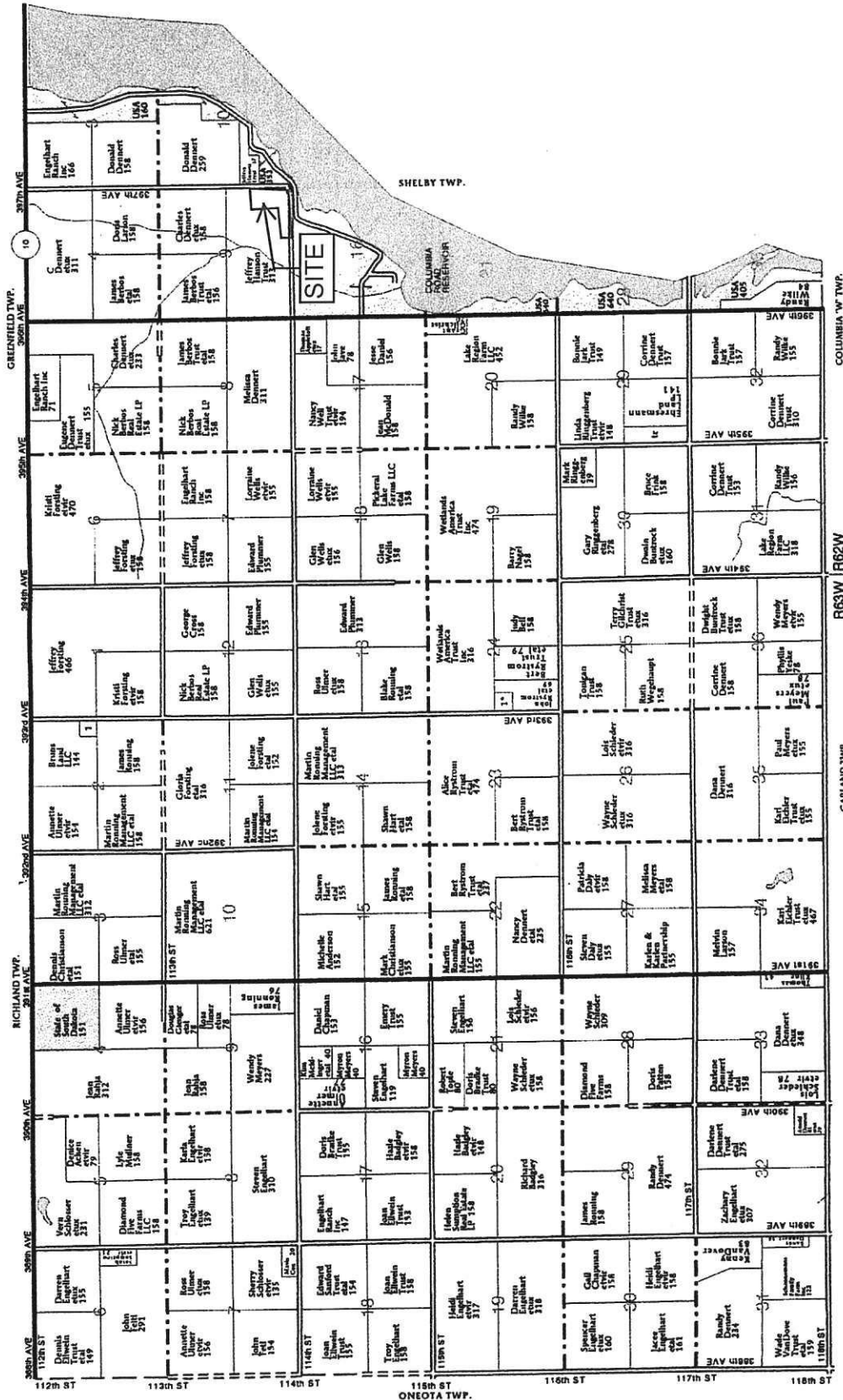
HEARING DATE: March 17, 2020 TIME: 7:00 pm

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

T-126-N

BRAINARD PLAT
(LANCEMONT)

R-62-63-W



BRAINARD TOWNSHIP
SECTION 2
1. Bruns, Diane 10
SECTION 24
1. Kettner, Alex et ux 10

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 March 17, 2020 at 7:00 P.M. for the purpose of Variance to Lot Size in an Agriculture Preservation District (AG-P).

Petitioner / Owner: *Jeff Hanson*

Description of property: *Lot 1 "JT Hanson Farm Addition" in the SE1/4 of Section 9-T126N-R62W of the 5th P.M., Brown County, South Dakota (11379 397th Ave).*

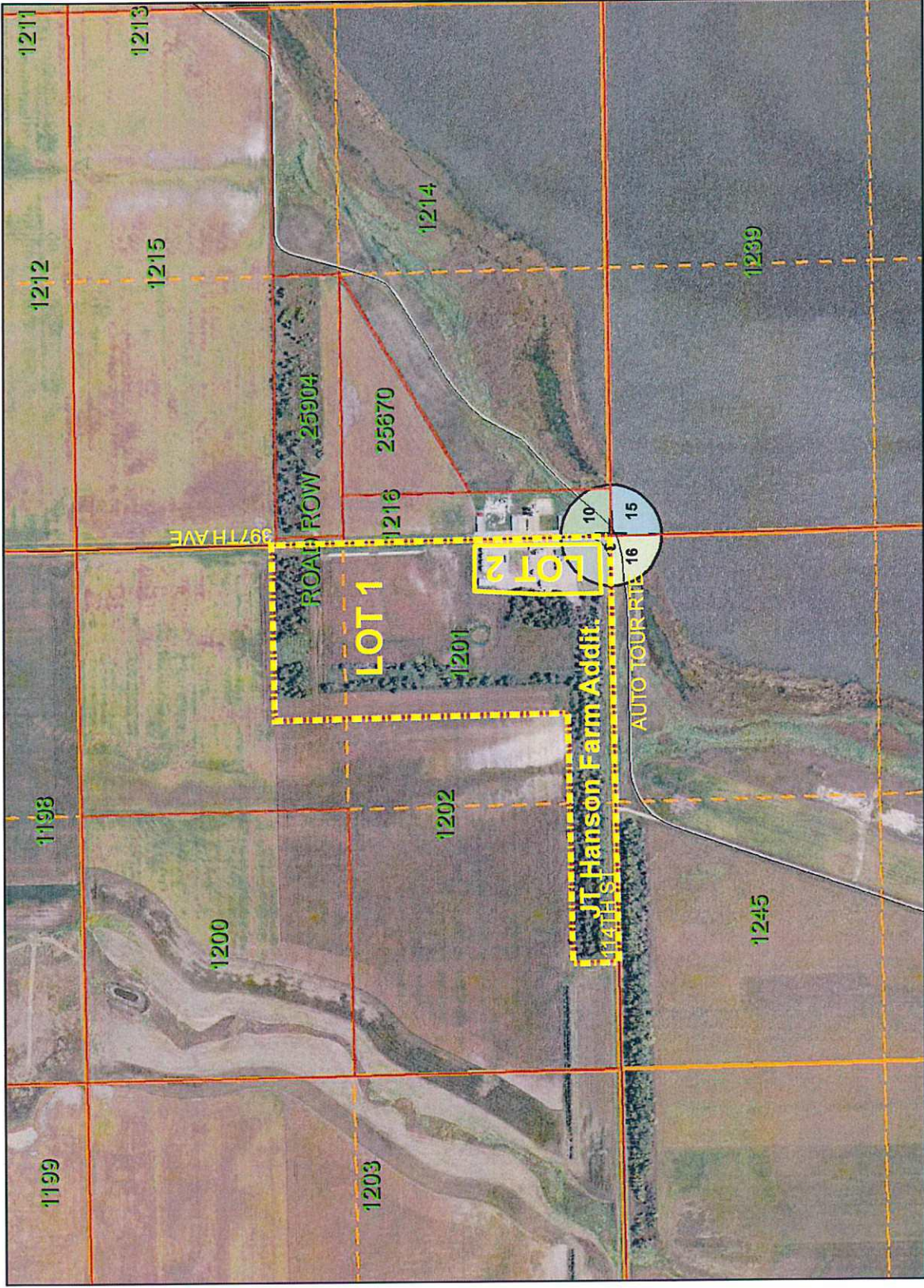
Reason: *Variance to Lot Size for Lot 1, "JT Hanson Farm Addition" zoned AG-P to allow this lot to be smaller than 40 acres (35.94 acres) and stay zoned as AG-P using Chapter 4.0605 "Farm Unit" as adjoining property is owned by same person..*

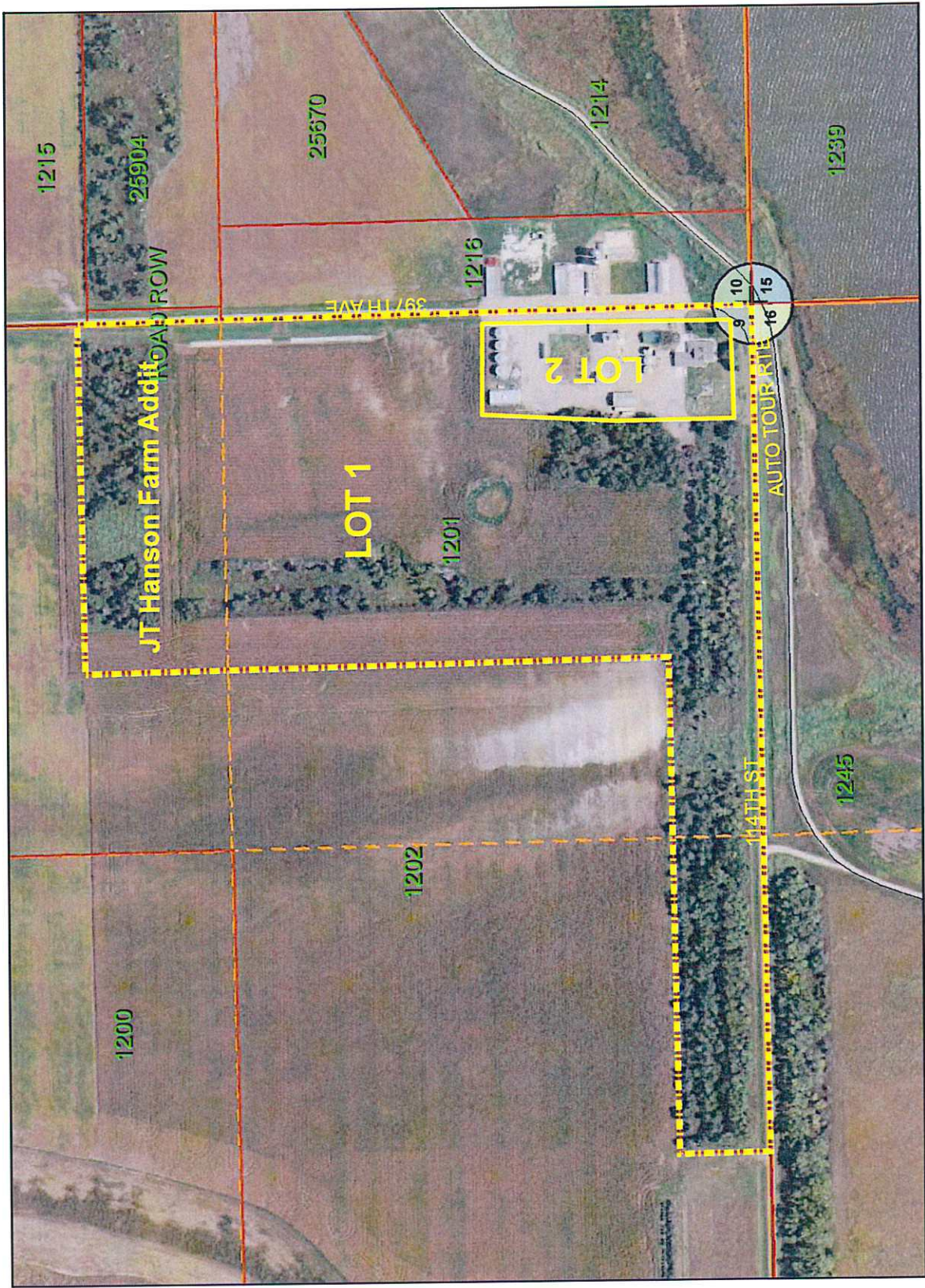
The public is invited to attend the hearing and to present comments and testimony regarding the proposed ordinance amendment.

Dated this 4th day March 2020

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

Published once at the total approximate cost of _____.





STAFF REPORT
March 17, 2020

VARIANCE TO LOT SIZE IN AG-P

ITEM # 05

GENERAL INFORMATION

PETITIONER	Jeff Hanson
REQUEST	Variance to Lot Size
LEGAL DESCRIPTION	Lot 1, "JT Hanson Farms Second Addition" in the SE1/4 of Section 10-T126N-R62W of the 5th P.M., Brown County, South Dakota
LOCATION	11384 397 th Ave
EXISTING ZONING	Agriculture Preservation (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Conservation District (CN)
East:	Conservation District (CN)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting a Variance to Lot Size for Lot 1, "JT Hanson Farms Second Addition" zoned (AG-P) to allow this lot to be smaller than 40 acres (3.51 acres) and stay zoned AG-P using Chapter 4.0605 "Farm Unit" as adjoining property is owned by the same person.


REVIEW: After review Staff recommends approval.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: 02/27/20
RECEIPT # 326927
TOWNSHIP: Brainard Twp

FEES: \$100.00
PAID: (YES) NO (CHK) CASH
DATE: 3/3/20

OWNERS SIGNATURE: Jeff Hanson 
OWNERS ADDRESS: 39698 114th St
OWNERS CITY, STATE, ZIP: Columbia, SD 57433
OWNERS PHONE: 605-885-7461

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

REQUEST: Variance to Lot Size to allow lot be smaller than 40 acres (3.5 acres) and stay zoned Agriculture Preservation District (AG-P)

LEGAL DESCRIPTION: Lot 1, "JT Hanson Farms Second Addition" in the SE1/4 of Section 10-T126N-R62W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied _____	

By: _____	Date: _____
HEARING DATE: <u>March 17, 2020</u>	TIME: <u>7:00 pm</u>

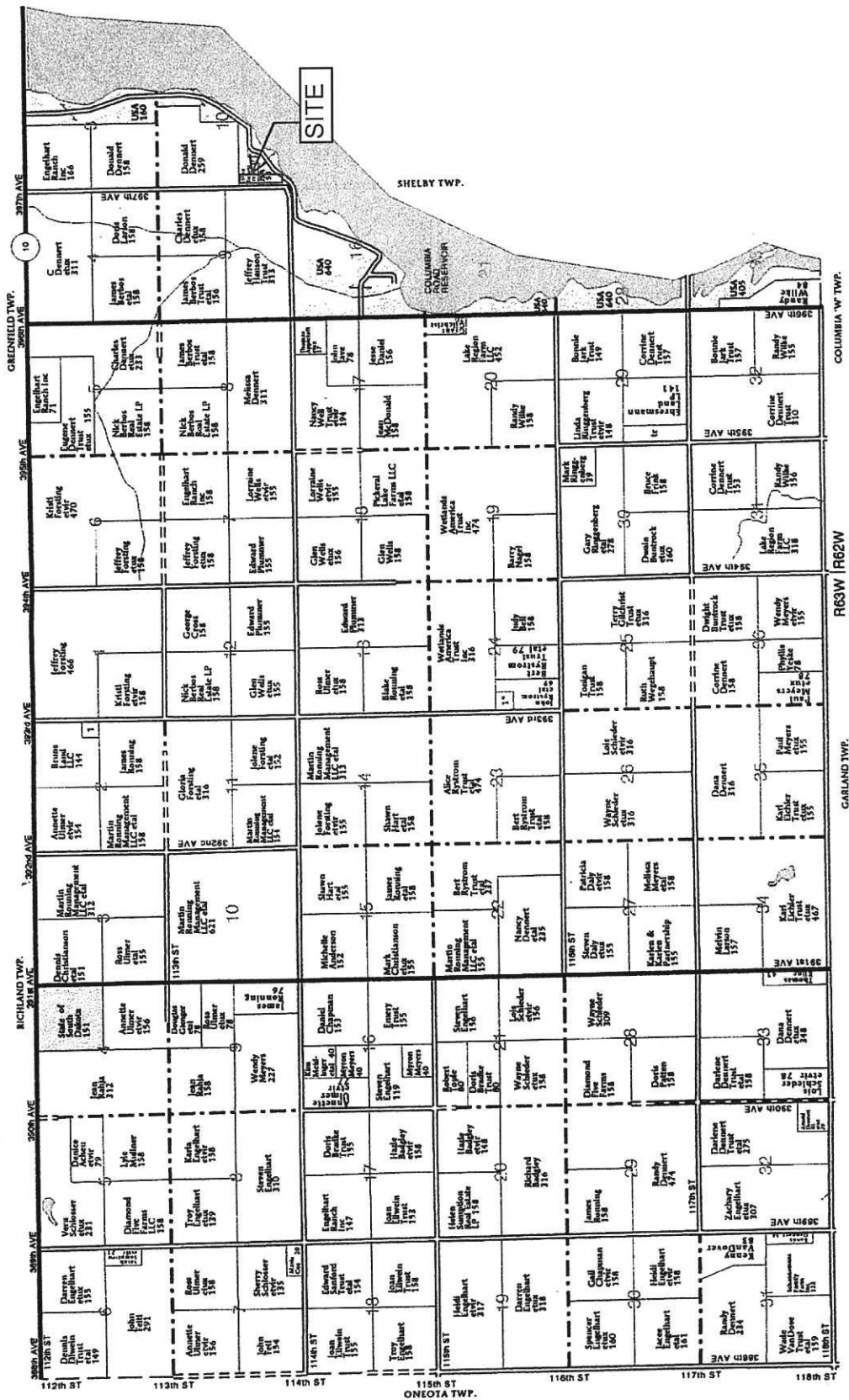
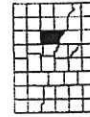
MEETING: located in the Basement Community Room of the Court House Annex
25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

T-126-N

BRAINARD PLAT

(Landowners)

R-62-63-W



BRAINARD TOWNSHIP
SECTION 24
 1. Bruns, Diane 10
SECTION 24
 1. Kettner, Alex etux 10

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 March 17, 2020 at 7:00 P.M. for the purpose of Variance to Lot Size in an Agriculture Preservation District (AG-P).

Petitioner / Owner: *Jeff Hanson*

Description of property: *Lot 1 "JT Hanson Farm Second Addition" in the SE1/4 of Section 10-T126N-R62W of the 5th P.M., Brown County, South Dakota (11384 397th Ave).*

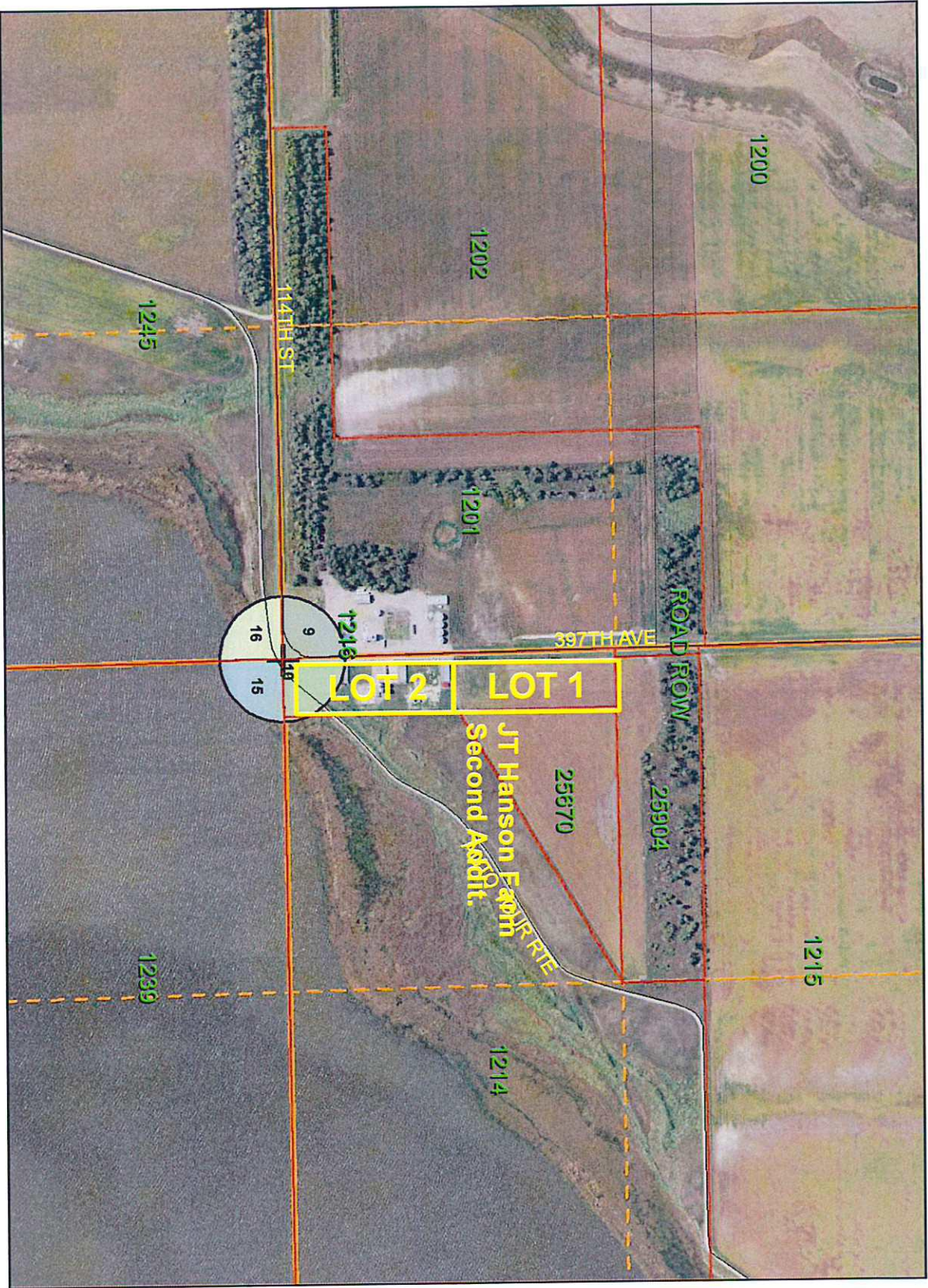
Reason: *Variance to Lot Size for Lot 1, "JT Hanson Farm Second Addition" zoned AG-P to allow this lot to be smaller than 40 acres (3.51 acres) and stay zoned as AG-P using Chapter 4.0605 "Farm Unit" as adjoining property is owned by same person..*

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

Dated this 4th day March 2020

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

Published once at the total approximate cost of _____.



LOT 2 LOT 1

JT Hanson Farm
Second Addit.

9
16
15
18

397TH AVE

ROAD ROW

114TH ST

R R RTE

1200

1202

1201

1215

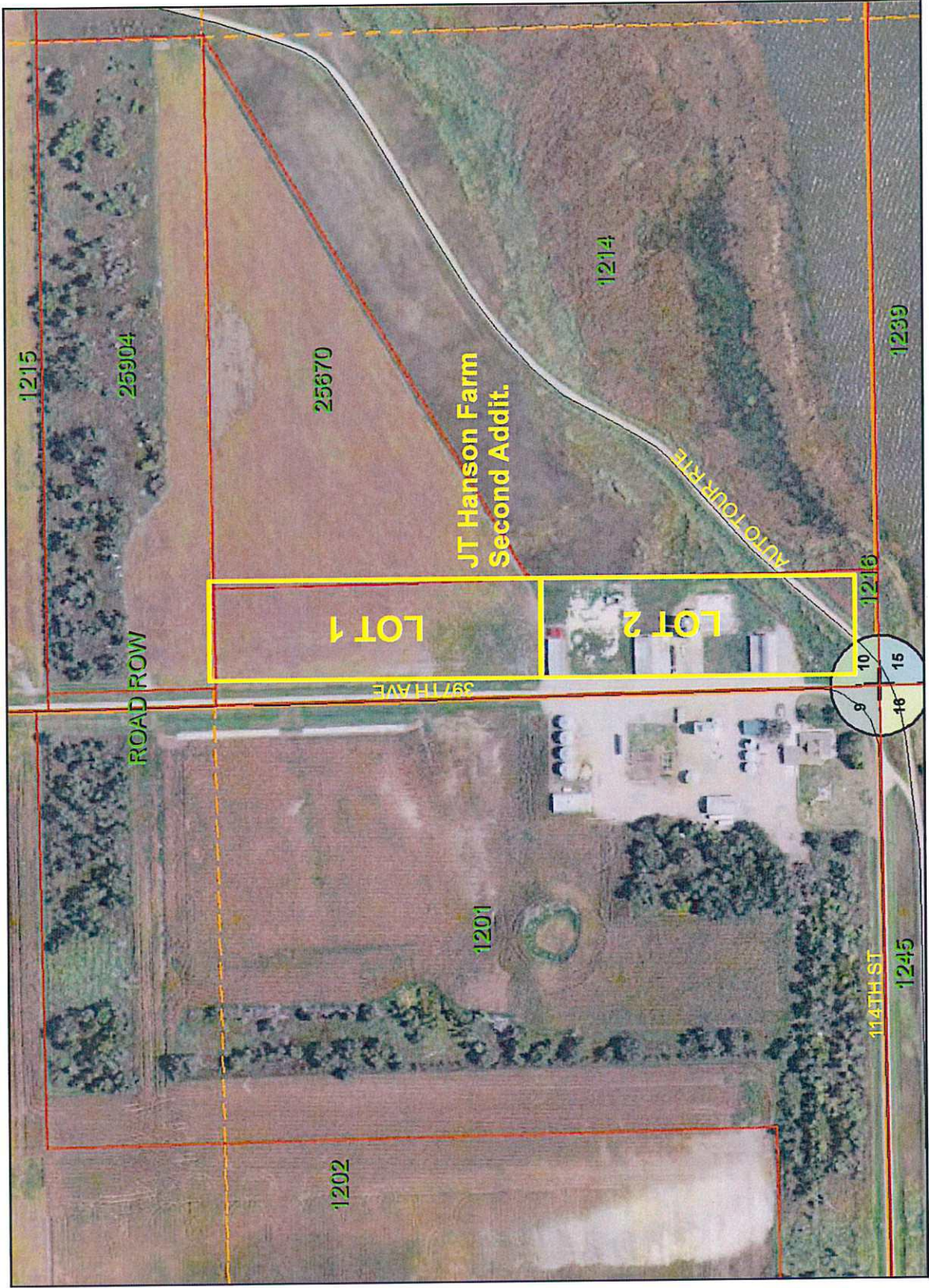
1214

1245

1239

25670

25904



1215

25904

25670

1214

1239

JT Hanson Farm
Second Addit.

AUTO TOUR RTE

ROAD ROW

LOT 1

LOT 2

397TH AVE

1216

8

10

15

16

1201

1202

114TH ST

1245

STAFF REPORT

March 17, 2020

VARIANCE TO LOT SIZE IN AG-P

ITEM # 06

GENERAL INFORMATION

PETITIONER	DMVW Railroad
REQUEST	Variance to Lot Size
LEGAL DESCRIPTION	Lot 1, "DMVW First Addition" in the NW1/4 of Section 10-T123N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION	2220 N 391st Ave
EXISTING ZONING	Agriculture Preservation (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Non-County Jurisdiction (NC)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting a Variance to Lot Size for Lot 1, "DMVW First Addition" zoned (AG-P) to allow this lot to be smaller than 40 acres (0.61± acres) and stay zoned AG-P for a side rail switch connection.

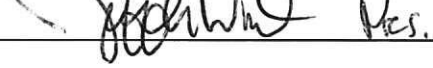
REVIEW: After review Staff recommends approval.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: 02/28/20
RECEIPT # 326931
TOWNSHIP: Bath Twp

FEES: \$100.00
PAID: (YES/NO) (CHK/CASH)
DATE: 3/4/20

OWNERS SIGNATURE: DMVW Railroad 
OWNERS ADDRESS: 3501 E Rosser Ave
OWNERS CITY, STATE, ZIP: Bismarck, ND 58501
OWNERS PHONE: 701-595-7117

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

REQUEST: Variance to Lot Size to allow lot be smaller than 40 acres (0.61 +/- acres) and stay zoned Agriculture Preservation District (AG-P)

LEGAL DESCRIPTION: Lot I, "DMVW First Addition" in the NW1/4 of Section 10-T123N-R63W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: March 17, 2020 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 March 17, 2020 at 7:00 P.M. for the purpose of Variance to Lot Size in an Agriculture Preservation District (AG-P).

Petitioner / Owner: *DMVW Railroad*

Description of property: *Lot 1 "DMVW First Addition" in the NW1/4 of Section 10-T123N-R63W of the 5th P.M., Brown County, South Dakota (2220 N 391st Ave).*

Reason: *Variance to Lot Size for Lot 1, "DMVW First Addition" zoned AG-P to allow this lot to be smaller than 40 acres (0.61 acres) and stay zoned as AG-P for a side rail switch connection.*

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

Dated this 4th day March 2020

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

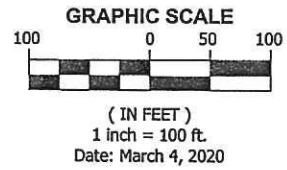
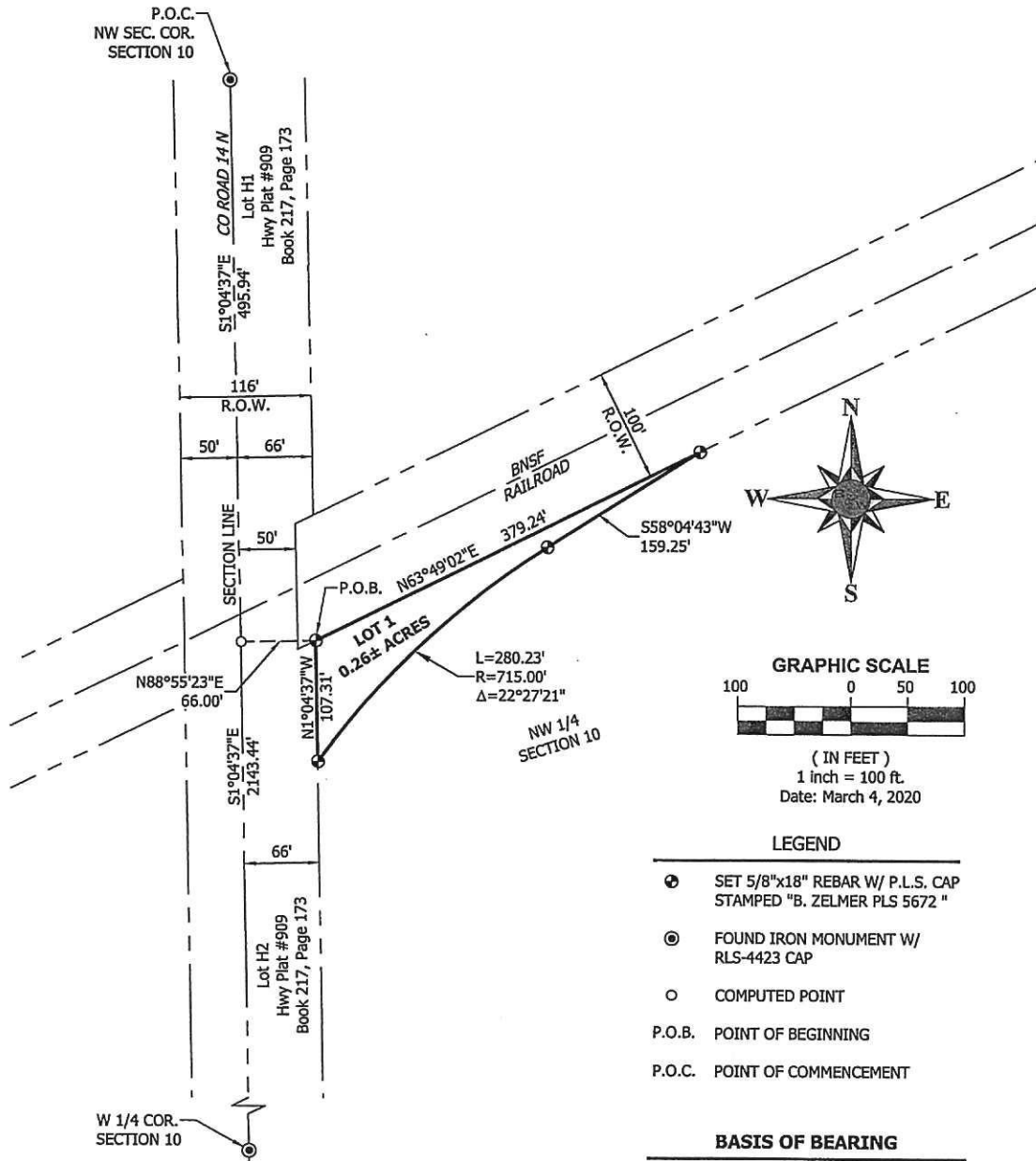
Published once at the total approximate cost of _____.

**PLAT OF LOT 1
DMVW FIRST ADDITION**
IN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 10,
TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA.

DESCRIPTION

All that certain real property situate in the Northwest Quarter (NW 1/4) of Section 10, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota described as follows:

Commencing at the Northwest Corner of said Section 10; thence S01°04'37"E, along the west line of said section, a distance of 495.94 feet; thence N88°55'23"E, perpendicular to the west line of said section, a distance of 66.00 feet to the Point of Beginning and an intersection point of the east right of way line of County Road 14 and the south right of way line of BNSF Railroad; thence N63°49'02"E, along said south right of way line, a distance of 379.24 feet; thence S58°04'43"W, a distance of 159.25 feet; thence southwesterly along the arc of a tangent curve to the left, having a radius of 715.00 feet and central angle of 22°27'21", an arc length of 280.23 feet to a point on the east right of way line of said County Road 14 N; thence N01°04'37"W, along said east right of way line, a distance of 107.31 feet to the Point of Beginning and containing 0.26 acres, more or less.



- LEGEND**
- ⊕ SET 5/8"x18" REBAR W/ P.L.S. CAP STAMPED "B. ZELMER PLS 5672 "
 - ⊙ FOUND IRON MONUMENT W/ RLS-4423 CAP
 - COMPUTED POINT
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT

BASIS OF BEARING

BEARINGS AND DISTANCES SHOWN HEREON ARE GRID BEARINGS AND DISTANCES BASED ON THE SOUTH DAKOTA STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH ZONE TO OBTAIN GROUND DISTANCES, MULTIPLY BY 1.0001149707

Bartlett & West
3456 E. Century Ave.
Bismarck, North Dakota 58503
701-258-1110
FAX 701-258-1111
www.bartwest.com

**PLAT OF LOT 1
DMVW FIRST ADDITION**
IN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 10,
TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA.

OWNER'S CERTIFICATE

Lamont Investments Limited Partnership, hereby certify I am the owner of all the land herein platted as Lot 1, DMVW First Addition, and that the plat and survey thereof was made at the request of DMVW for the purpose of establishing the platted subdivision. I also certify that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.

Jeff Lamont
Jeff Lamont, CEO

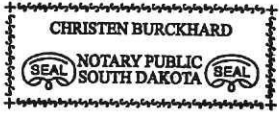
Signed this 5th day of March, 2020

Lamont Investments Limited Partnership

STATE OF SOUTH DAKOTA)
COUNTY OF BROWN) SS

On this 5th day of March, 2020, before me the undersigned officer, personally appeared Jeff Lamont, known to me to be the persons who are described in and who executed the foregoing owner's certificate and they acknowledge to me that they executed the same.

In witness whereof I hereunto set my hand and official seal.
My Commission Expires: December 17, 2025
Christen Burckhard
Notary Public



SURVEYOR'S CERTIFICATE

I, Bruce P. Zelmer, a Professional Land Surveyor in and for the State of South Dakota, do hereby certify that at the request of DMVW, and under their direction, did complete a survey of Lot 1, DMVW First Addition, being a portion of the Northwest Quarter (NW 1/4) of Section 10, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota. The platted subdivision has the numbered lots, locations, dimensions and designations as shown on the plat which is correct to the best of my knowledge and belief.

Dated this 4th day of MARCH, 2020.

Bruce P. Zelmer
Bruce P. Zelmer, PLS-5672



COUNTY PLANNING COMMISSION APPROVAL

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 _____, 2020.

Secretary of Planning Commission
Brown County, South Dakota

COUNTY 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 _____, 2020.

Auditor
Brown County, South Dakota

**PLAT OF LOT 1
DMVW FIRST ADDITION**
IN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 10,
TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA.

BROWN COUNTY HIGHWAY APPROVAL

"Access to *County Road 14* is approved. This access approval does not replace the need for an 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 _____, 2020.

Highway or Street Authority

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 _____, 2020.

County Treasurer
Brown County, South Dakota

"Be it resolved by the County Planning Commission of Brown County, South Dakota, that the plat showing LOT 1 OF DMVW FIRST ADDITION OF THE NW1/4 OF SECTION 10, TOWNSHIP 123 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.

DIRECTOR OF EQUALIZATION CERTIFICATE

I hereby certify that I have received a copy of this plat this _____ day of _____, 2020.

Director of Equalization
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

Filed for record this _____ day of _____, 2020, at _____ O'clock __M., and duly recorded as hanging Plat No. _____.

Register of Deeds
Brown County, South Dakota

PAGE 3 OF 3

Project #16063.030

Prepared By:

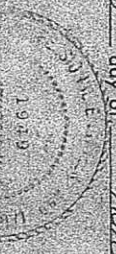
Bartlett & West

3456 E. Century Ave.
Bismarck, North Dakota 58503
701-258-1110
FAX 701-258-1111
www.bartwest.com

Drawing prepared CLARK ENVS CO
Drawn by CULF Date Jan 1975
Checked by M.A.S Date _____

SURVEYOR'S CERTIFICATE

I, Barry K. Lantz, Registered Land Surveyor, in and for the State of South Dakota, do hereby certify that, at the direction of the South Dakota State Highway Commission, I have surveyed the tract _____ of land as shown on the above plat and such tract _____ of land shall be hereafter known by the lot number designated above. The location and dimensions of the tract _____ are as shown on the plat in witness whereof, I have set my hand and seal this 10 day of March, A.D., 1975.



Barry K. Lantz
Registered Land Surveyor
Registration No. 1949

ACKNOWLEDGEMENT OF SURVEYOR

Being remembered that on this 10 day of March, 1975, before me, the undersigned, a Notary Public, within and for the County and State aforesaid, personally appeared _____ known to me to be the person who is described in and who executed the within and foregoing instrument and certificate and acknowledged to me that he executed the same.
My Commission Expires 21/1977

Barry K. Lantz
Notary Public
State of South Dakota County _____

OFFICE OF REGISTER OF DEEDS

State of South Dakota
County of Brown
Filed for record the 10 day of March, A.D., 1975, at 8:50 P.M., and recorded in Book of Plats _____ on Page _____ herein.
Register of Deeds _____ by William R. Lantz Deputy

Highway Use Deed

Glenn M. Lamont

Grantor, of

Walworth

County, State of South Dakota

for and consideration of One Dollar and other valuable considerations

(\$1.00)

DOLLARS

GRANTS, CONVEYS AND WARRANTS to

BROWN COUNTY

grantee of

Aberdeen, South Dakota

P. O., the following described

Brown

in the State of South Dakota:

Lot H-1 and H-2 in the NW 1/4 of Section 10, Township 123 North, Range 63 West of the 5th P.M., in Brown County, South Dakota, as shown by a plat made by Kenroy K. Janzen, Registered Land Surveyor, under date of March 10, 1975; said plat to be filed in the office of the Register of Deeds in Brown County, South Dakota.

Said Lot H-1 contains 0.61 acre, more or less.

Said Lot H-2 contains 3.16 acres, more or less.

EXEMPT FROM TRANSFER FEE

This Deed is given for highway purposes only, with full reversionary rights.

Dated this 19th day of May 1975

Glenn M. Lamont

State of S.D. Dak }
County of Walworth } ss.

On this 19th day of May in the year 1975
before me James Schwartze a Notary Public within and for
said County and State, personally appeared Glenn M. Lamont

known to me to be the person who is described in, and who executed the within instrument,
and acknowledged to me that he executed the same

James Schwartze
Notary Public.

My commission expires 4-2-79

330

Highway Use Deed

RECORDED
NUMERICAL
GRANTOR TO GRANTEE

STATE OF SOUTH DAKOTA, ss.

County of Beauregard

Filed for record this 13 day

of June, 1925

at 2:55 o'clock P.M., and re-

corded in Book 217 of

Deeds on Page 173

Beauregard K. H. Helle
Register of Deeds.

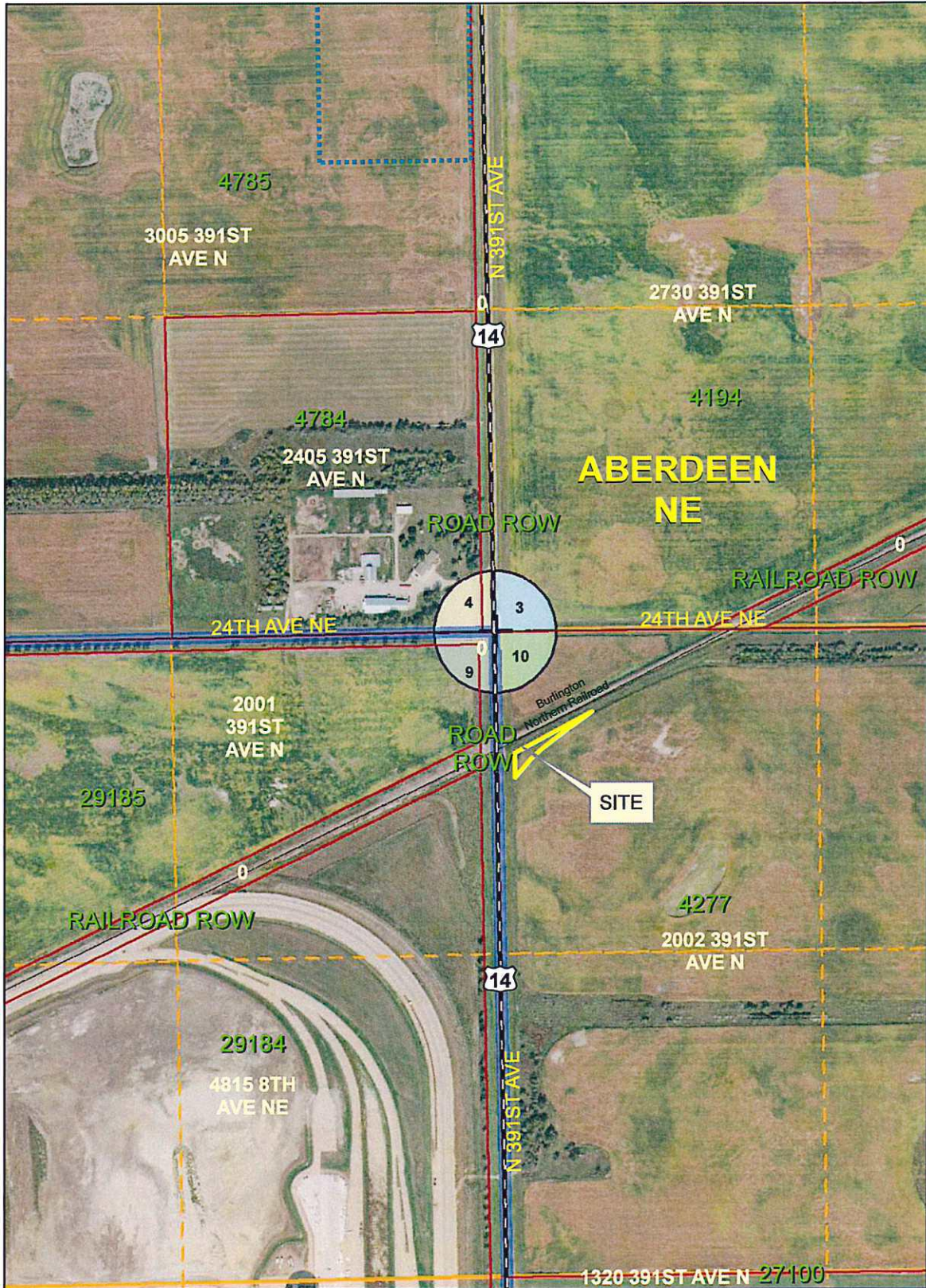
By Mapine A. Rowland
Deputy.

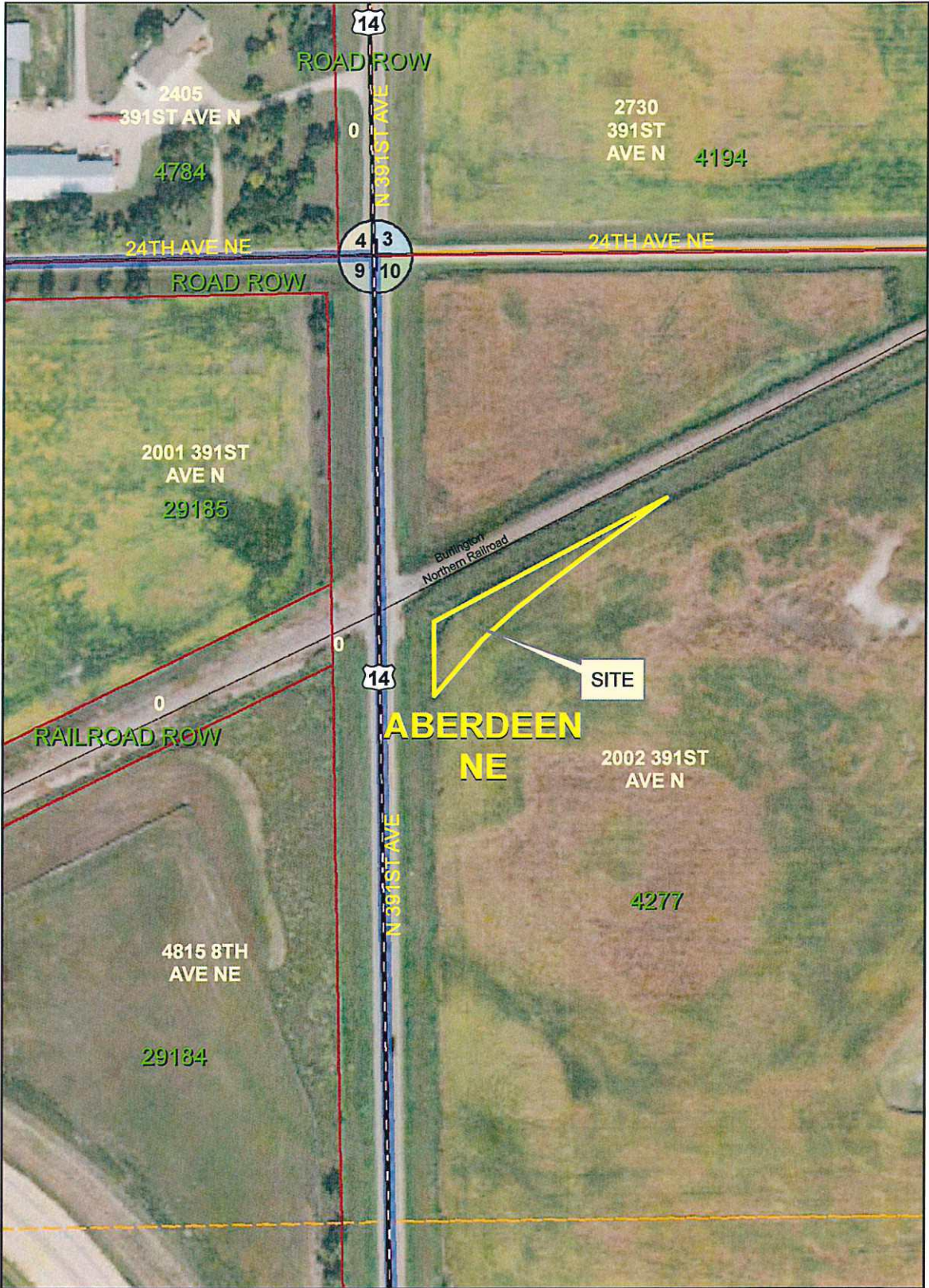
Fee 2

When recorded return to

Dept. of Transportation

BOOK 217 PAGE 174





STAFF REPORT
February 18, 2020

Spec Exc/Conditional Use for Business

ITEM # 07

GENERAL INFORMATION

PETITIONER	AGTEGRA
REQUEST	Special Exception/Conditional Use for possibly two (2) grain bins and leg.
LEGAL DESCRIPTION	Lot 1, "SDWG Bath-Grebner Terminal Addition" in the S1/2 of Section 14-T123N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION	105 392 nd Ave S
EXISTING ZONING	Heavy Industrial District (H-I)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
East:	Highway Commercial District (HC)
West:	Agriculture Preservation District (AG-P)
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this Conditional Use for proposed two (2) 135' diameter grain bins @ 125' high with a tie-in with leg/conveyor. Maximum heights for Buildings, Grain Bins, and components will not be higher than 190'.

REVIEW: Staff has reviewed this request and recommends approval.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR SPECIAL EXCEPTION / CONDITIONAL USE

DATE: February 28, 2020

FEES: \$200

RECEIPT # _____

PAID: YES/NO CHK/CASH

TOWNSHIP: Bath Twp

DATE: _____

OWNERS SIGNATURE: AGTEGRA

OWNERS ADDRESS: 908 Lamont Street South

OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401

OWNERS PHONE: _____

AGENTS SIGNATURE: Tracy Hutson 

AGENTS ADDRESS: 908 Lamont St South

AGENTS CITY, STATE, ZIP: Aberdeen, SD 57401

AGENTS PHONE: 605-252-0423

REQUEST: Special Exception/Conditional Use for possibly two (2) 135' dia Bins @ 125' high (___ bushels) with a tie-in with the leg/conveyor. Maximum heights for Buildings, Grain Bins and components will be not higher than 190'.

LEGAL DESCRIPTION: Lot 1, "SDWG Bath-Grebner Terminal Addition" in the S1/2 of Sec. 14-123-63

SIGNATURE: _____

Planning Commission Action: Approved / Denied _____

By: _____ Date: _____

HEARING DATE: March 17, 2020 TIME: 7:00 p.m.

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

Want a "free" extra book?

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

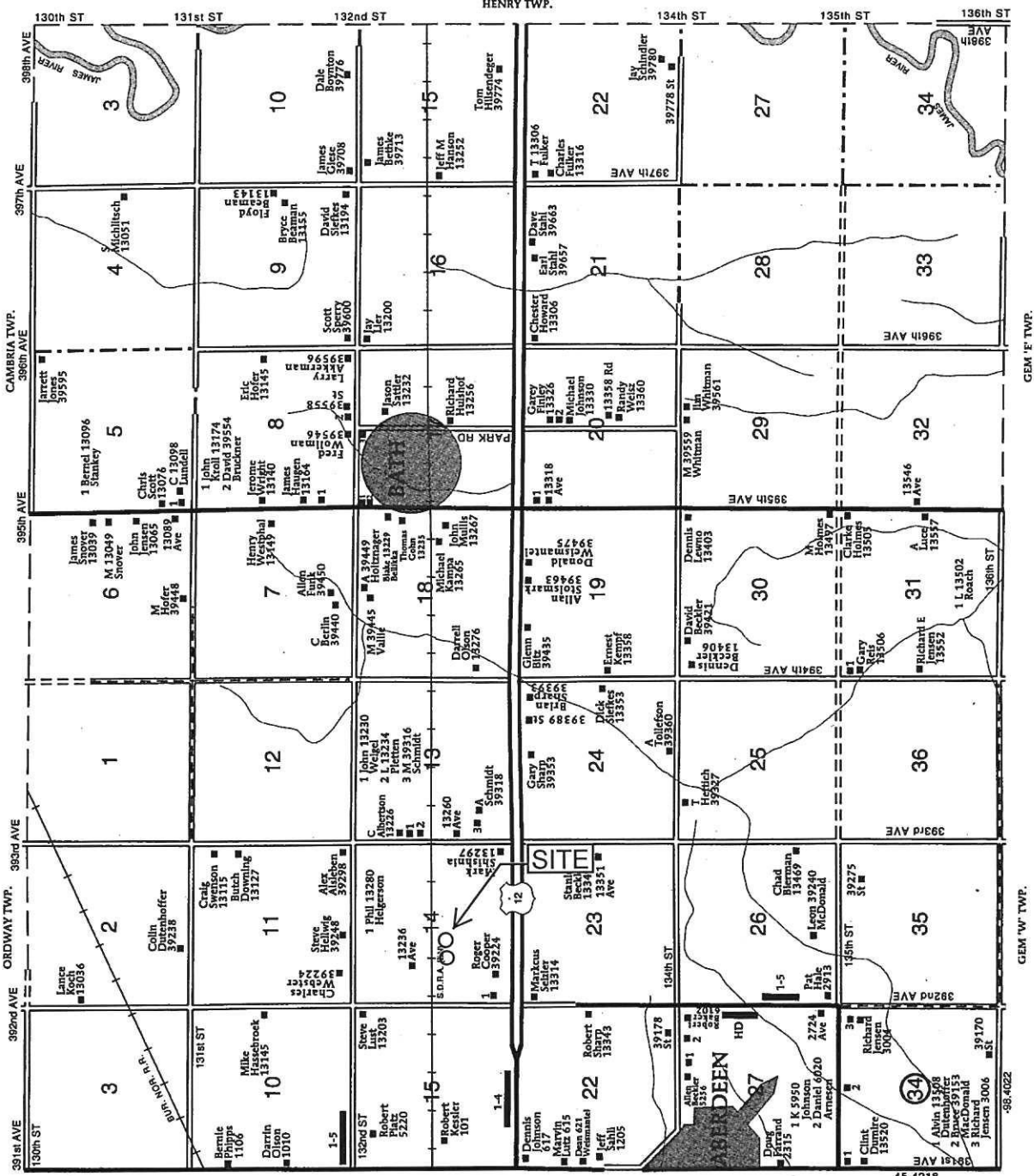
Contact our updating dept. at
800-685-7432-ext. 2605 or
 email: amanda.engebretson@farmandhomepublishers.com

T-123-N

BATH DIRECTORY

(Residents - Owners or Renters)

R-62-63-W

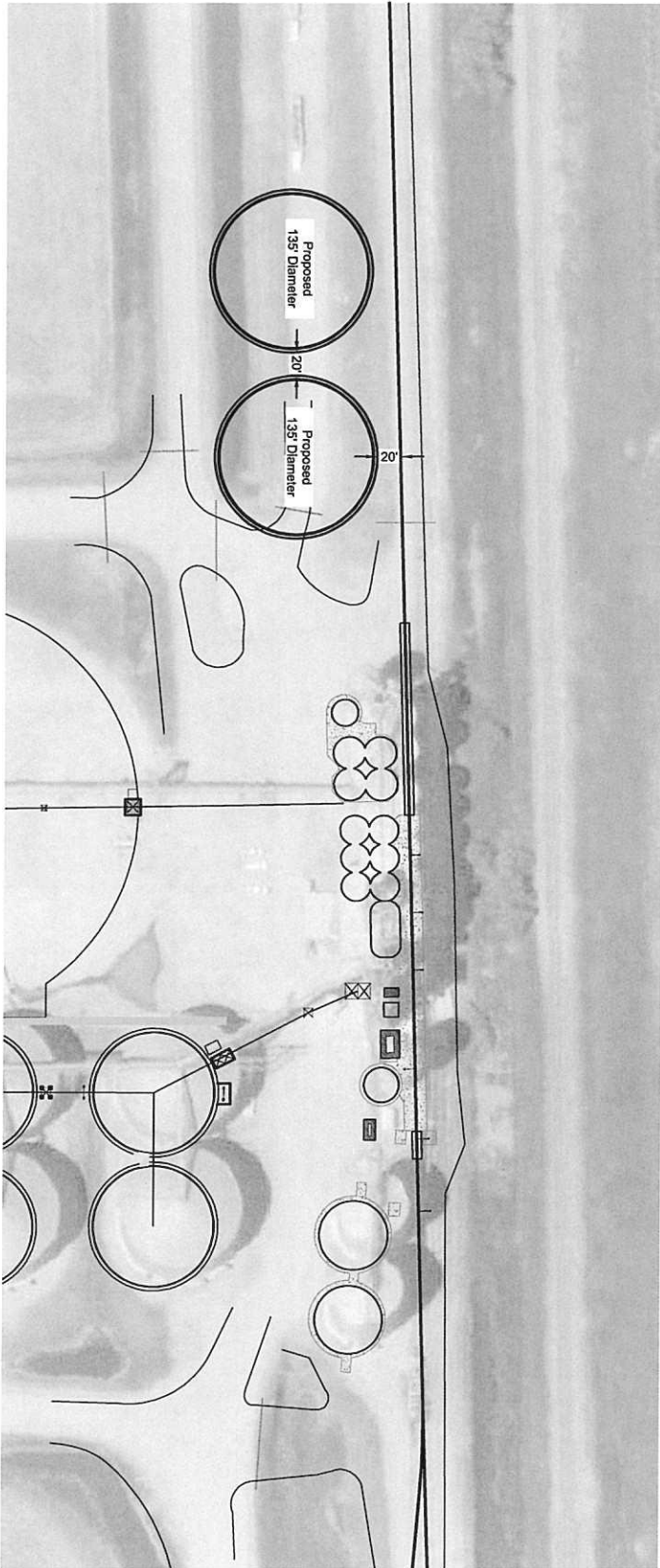


ABERDEEN TWP.

BATH TOWNSHIP

- SECTION 10W**
- 1 Beckler, Ron 5005
 - 2 Tennant, Cory 5025
 - 3 5091
 - 4 Gross, Del 5115
 - 5 Harzer, Steve 5219
- SECTION 15W**
- 1 Gossman, C 5405
 - 2 Eilers, Todd 5455
 - 3 Knudson, R 5485
 - 4 Gossman, S 5755
- SECTION 17**
- 1 Buechler, Jerry 13228
 - 2 Brinkman, Stanley 13230
- SECTION 20**
- 1 Westphal, Henry 13316
 - 2 Rohrbach, Kevin 13328
- SECTION 28**
- 1 Beilicke, Darryl 2111
 - 2 Kohhaas, Paul 2135
 - 3 Griesse, Doug 2215
 - 4 Rud, Robert 2317
 - 5 Matern, R 2519

Option 1



Aggregr - Grobber

CAD Filename:
Preliminary Design

CDI Project No.

Drawn By:
SMA

Checked By:
AEK

Scale:
1" = 100'

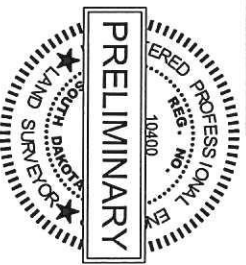
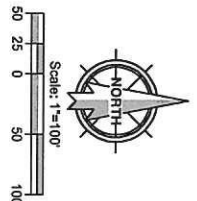
Date:
2/13/2020

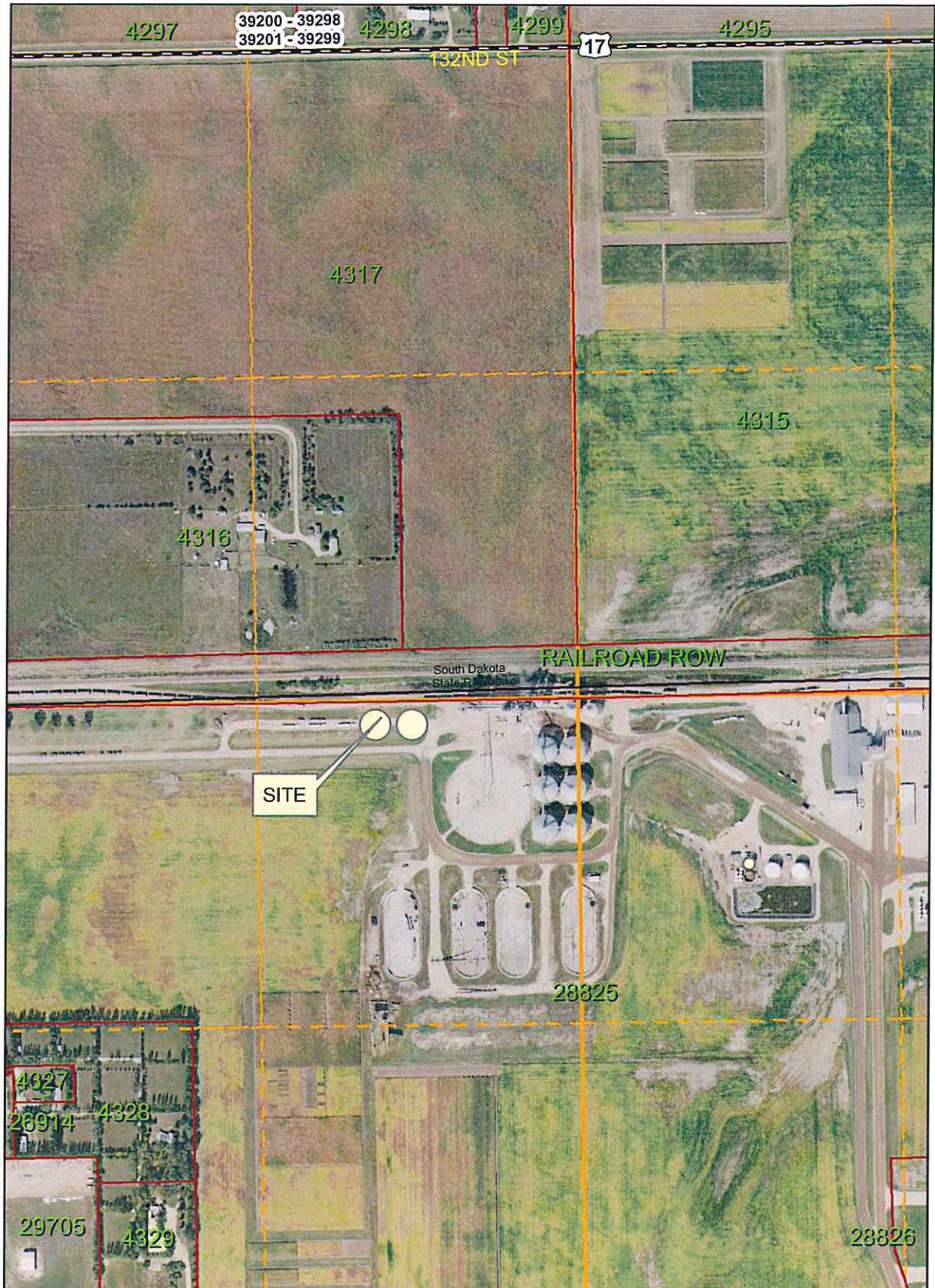


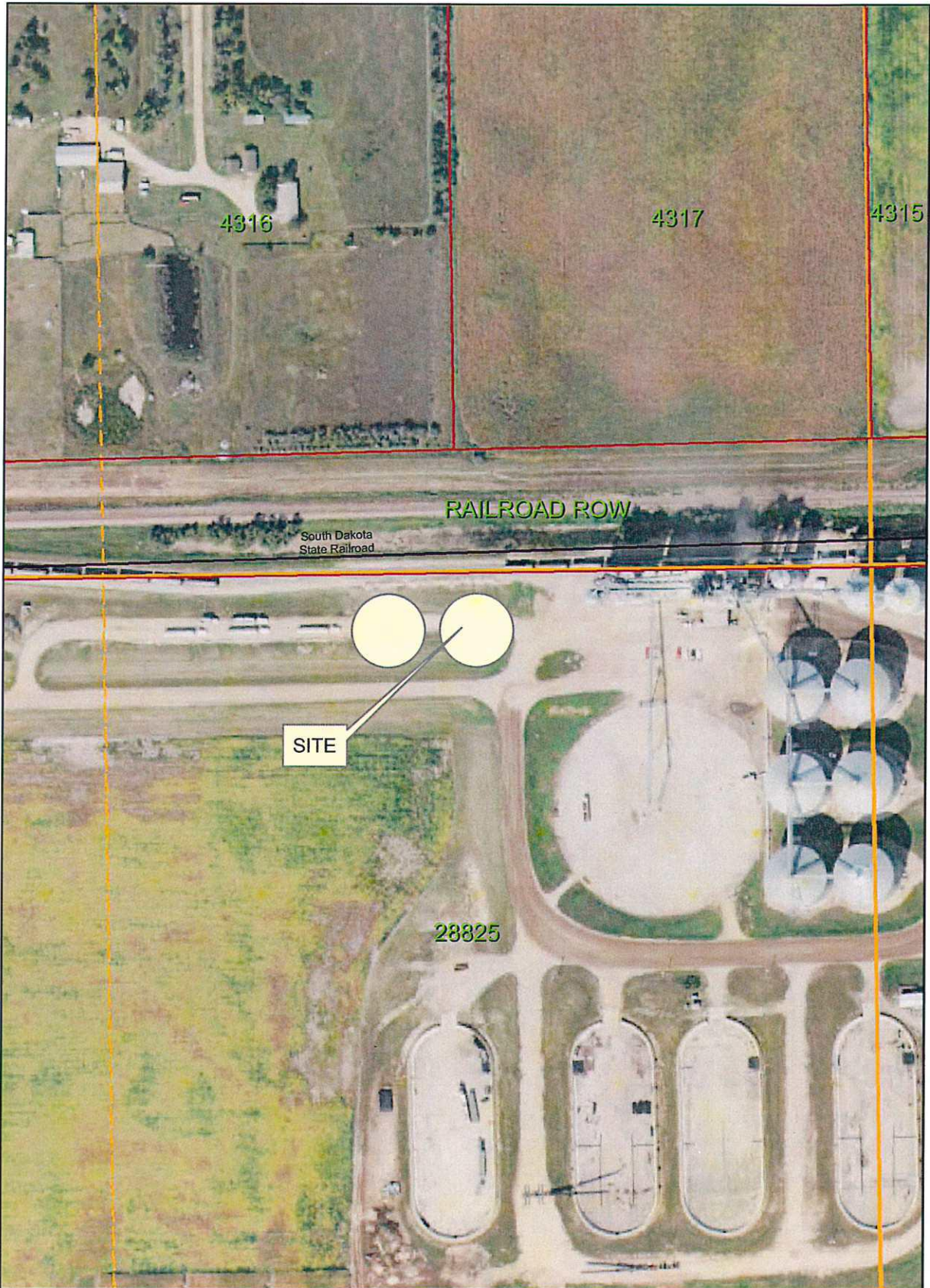
609 Main Ave S
Brookings SD
605-695-3200

Sheet No:

of No:







***CHART of
Animal Units (AU)
& Acreages***

***Animal Numbers
for small parcels***

	AGRICULTURAL ANIMAL TYPE	ANIMAL UNITS (AU) for CAFO references	1.5 acres (1 AU)	1.5 - 4 acres (2 AU)	4 - 6 acres (3 AU)	6 - 8 acres (4 AU)	8 - 10 acres (5 AU)	10 - 12 acres (6 AU)	12 - 14 acres (7 AU)	14 - 16 acres (8 AU)	Animal Units (AU) for small parcels	
1	DAIRY CATTLE											
	Dairy Mature	1.400	1	1	2	3	4	4	5	6		
	Dairy Heifer	0.700	1	3	4	6	7	9	10	11		
	Dairy Calf	0.300	3	6	10	13	17	20	23	27		
2	BEEF CATTLE											
	Beef Slaughter	1.000	1	2	3	4	5	6	7	8		
	Beef Feeder	0.700	1	3	4	6	7	9	10	11		
	Beef Cow/Calf	1.300	1	2	2	3	4	5	5	6		
	Beef Calf	0.300	3	6	9	12	15	18	21	24		
3	HORSES											
	All Horses & Mules	1.200	1	2	4	5	6	7	8	10		
4	SWINE											
	Swine (>300 lb)	0.400	2	4	6	8	10	12	14	16		
	Swine (55-300 lb)	0.300	3	6	9	12	15	18	21	24		
	Swine (<55 lb)	0.100	10	20	30	40	50	60	70	80		
5	SHEEP & GOAT											
	Domestic Sheep	0.100	10	20	30	40	50	60	70	80		
	Spanish Goat	0.160	6	12	12	12	18	18	18	18		
	Angora Goat	0.120	4	8	8	8	12	12	12	12		
6	CHICKEN											
	Laying Hen	0.033	30	60	90	100	100	100	100	100		
	Broiler	0.033	30	60	90	100	100	100	100	100		
	Chicken >5 lb	0.005	30	60	90	100	100	100	100	100		
	Chicken <5 lb	0.003	30	60	90	100	100	100	100	100		
7	TURKEY											
	Turkey >5 lb	0.018	30	30	90	100	100	100	100	100		
	Turkey <5 lb	0.005	30	30	90	100	100	100	100	100		
8	DUCKS & GEESE	0.010	30	30	90	100	100	100	100	100		
9	WILDLIFE											
	White-tail Deer	0.130	4	8	8	8	8	8	8	8		
	Mule Deer	0.180	4	8	8	8	8	8	8	8		
	Pronghorn Antelope	0.140	4	8	8	8	8	8	8	8		
	Elk	0.920	1	2	3	4	5	6	7	8		
10	<i>Animals shall not be part of a commercial operation or production when rural residential lots smaller than 40 acres*</i>											
	<i>Lots that are rural residential use, smaller than 40 acres but are non-compliant, they must be brought into compliance by rezone</i>											
	<i>Land must be platted as one lot and not totaling more than one contiguous lot when part of Table 4.07 for acreages & animal units</i>											
	<i>*If there is an existing lot smaller than 40 acres, still zoned Agricultural Preservation District (AG-P), owner has paperwork for parcel that had a variance to lot size approved per requirements in 4.0605, it does not need to be rezoned to M-AG for existing lot.</i>											
a	<i>Must have a minimum of 1.50 acres to qualify for the first 1 AU (allows for residence, out buildings, septic drainfield & tree rows)</i>											
b	<i>Allow 2 AU maximum for 1.50 ac to 4.0 ac; (calculated as net platted parcel acres & includes no right-of-way acres)</i>											
c	<i>Allow 3 AU for 4.0 ac to 6.0 ac; 4 AU for 6.0 ac to 8.0 ac; 5 AU for 8.0 ac to 10.0 ac; 6 AU for 10.0 ac to 12.0 ac</i>											
d	<i>Allow 7 AU for 12.0 ac to 14.0 ac; 8 AU for 14.0 ac to 16.0 ac; 9 AU for 16.0 ac to 18.0 ac; 10 AU for 18.0 ac to 20.0 ac</i>											
e	<i>Allow 11 AU for 20.0 ac to 22.0 ac; Allow 12 AU for 22.0 ac to 24.0 ac; Allow 13 AU for 24.0 ac to 26 ac</i>											
f	<i>Allow 14 AU for 26.0 ac to 28.0 ac; Allow 15 AU for 28.0 ac to 30.0 ac;</i>											
g	<i>Allow 20 AU to 29 AU for 30.0 ac to 39 ac (Class E). Anything more would be Class D and need to apply @ Zoning.</i>											

Class D			Class E				
LOW	HIGH	HOUSE	BUSINESS	LOW	HIGH	HOUSE	BUSINESS
30	299	0.250	0.250	Refer to Table 4.07			
PROPOSED ANIMAL UNITS (AU)		SETBACK DISTANCE IN MILES*		Table 4.07 lists several type of animals and the number of animals allowed per acre in small acreages.			

STAFF REPORT

March 17, 2020

REZONE PARCEL from an AG-P District

ITEM #10

GENERAL INFORMATION

PETITIONER	Clarence Habeck
REQUEST	Petition to Rezone property
LEGAL DESCRIPTION	Lots 1 & 2, "C&L Habeck's 1 st Subdivision" in the SW1/4 of Section 27-T124N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION	12854 & 12862 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 rezone from Agriculture Preservation District (AG-P) to Mini Agriculture District (M-AG) for conveyance.

REVIEW: Lot 1=10.26 acres & Lot 2= 11.32 acres. These parcels do not meet a minimum 40 acres and do not qualify for a "farm unit" reduction for AG-P District per Title 4, Chapter 4.0605. Rezoning to Mini Agriculture District (M-AG) brings these parcels into compliance for their current (rural residential) and intended uses (rural residential/agriculture).

NOTICE OF HEARING - REZONE

Application has been made to Brown County Planning/Zoning Commission for a REZONE PETITION. A hearing will be held in the Courthouse Annex in the basement Community Meeting Room, on March 17, 2020 at 7:00 P.M. for the purpose of Rezoning from Agricultural Preservation District (AG-P) to Mini-Agriculture District (M-AG).

Owner & Petitioner: Clarence Habeck

Description of property: Lots 1 & 2, C&L Habeck's 1st Subdivision" in the SW1/4 of Section 27-T124N-R63W of the 5th P.M., Brown County, South Dakota (12854 & 12862 391st Ave).

Reason: This property is petitioned to be rezoned from Agricultural Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring it into compliance for current and future use.

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

Dated this 26th day of February 2020

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

Published once at the total approximate cost of _____.



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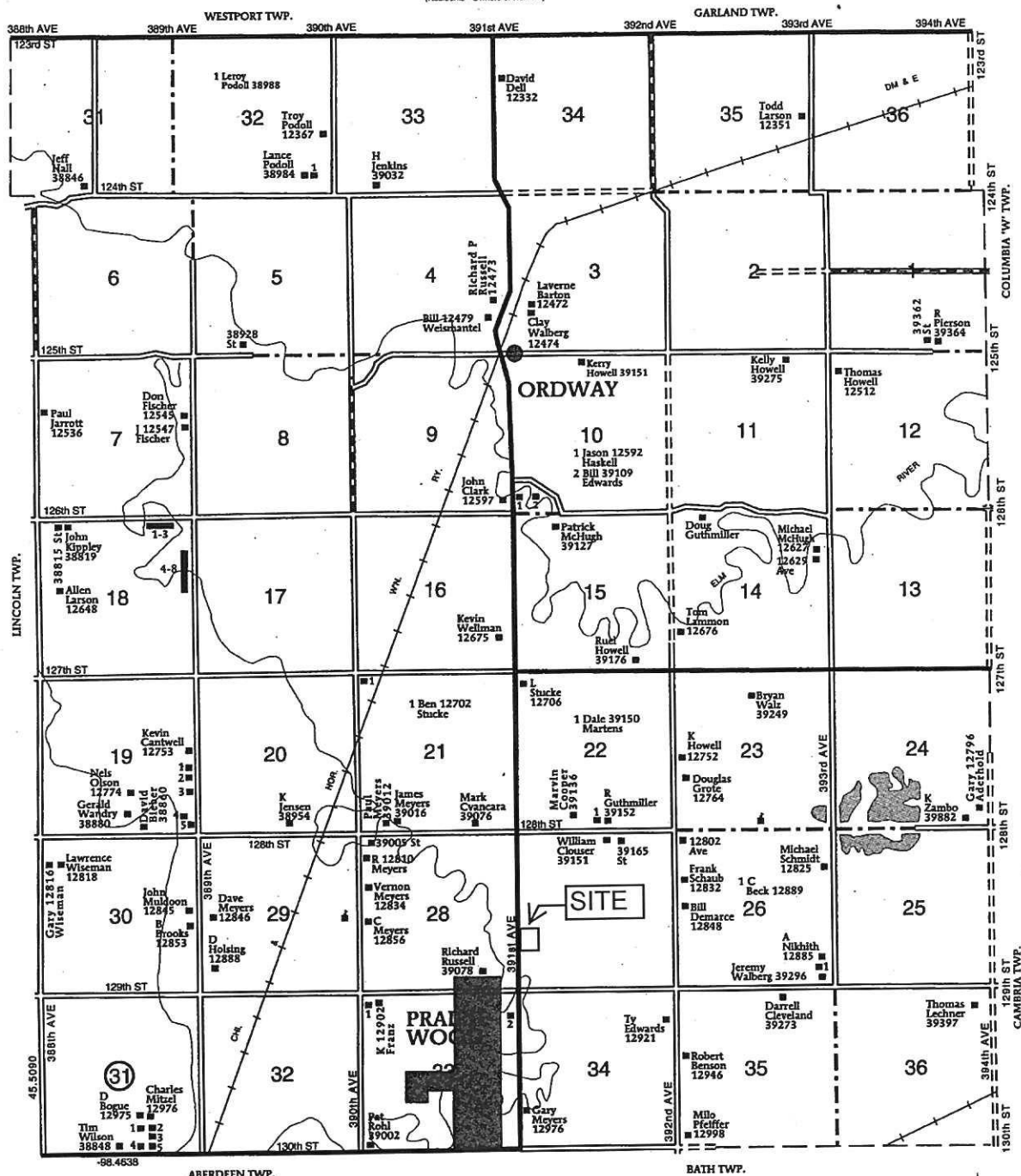
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T-124-125-N ORDWAY DIRECTORY R-63-W

(Residents - Owners or Renters)



- ORDWAY TOWNSHIP**
- SECTION 18**
- 1 Anderson, James 38873
 - 2 McCormick, D 38879
 - 3 Siefken, S 38883
 - 4 Blondo, Richard 12625
 - 5 Barke, Raymond 12631
 - 6 Ivey, Len 12641
 - 7 Winkler, Barry 12643
 - 8 Lambert, Larry 12649

- SECTION 19**
- 1 Feickert, Matthew 12761
 - 2 Barcler, John 12767
 - 3 Klinkel, Scott 12777
 - 4 Thorpe, Ray 12791
 - 5 Poor, Roger 12797
- SECTION 31S**
- 1 Lindsoeth, Mark 12981
 - 2 Erdmann, Kenneth 12982
 - 3 Quam, Everett 12990
 - 4 Drube, Kurt 12997

- SECTION 33S**
- 1 Wagner, E 12904
 - 2 Telgen, Wayne 12919

REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: 02/06/20
Receipt: 326910
Filing Fee: \$350
(non-refundable)

Brown County Commission Members:

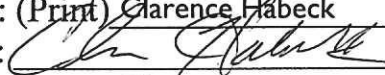
I/We the undersigned, do hereby petition the Brown County Commission of Brown County, South Dakota to rezone property as follows:

Legal Description:

Lots 1&2, C&L Habeck's 1st Subdivision in the SW1/4 of Section 27-T124N-R63W of the 5th P.M., Brown County, South Dakota

General Area Location or Street Address: 12854 & 12862 391st Ave
From the Agricultural Preservation District
To the Mini-Agricultural District

Purpose: For Conveyance
Size of Parcel: 11.32 Acres & 10.26 Acres
Existing Land Use: Agricultural Residential

Petitioner: (Print) Clarence Habeck
Signature: 
Date: _____ Phone: 605-380-3406
Address: 4653 8th Ave NE
Aberdeen, SD 57401
City State Zip

Owner: (Print) Clarence Habeck
Signature: _____
Date: _____ Phone: 605-380-3406
Address: 4653 8th Ave NE
Aberdeen, SD 57401
City State Zip

Additional Signatures may be submitted on a separate page.

**C & L HABECK'S 1st SUBDIVISION IN
SW1/4 SEC. 27-T124N-R63W of 5th P.M.
BROWN COUNTY, SOUTH DAKOTA**

S89°39'20"E

784.00'

requesting new
approach



LOT 1

AREAS

Lot 1..... 9.64 Acres
Highway.....0.62 Acres
TOTAL.....10.26 Acres

dedicated for highway

535.8'

535.8'

784.00'

S89°39'20"E

LOT 2

AREAS

Lot 2.....10.64 Acres
Highway.....0.68 Acres
TOTAL.....11.32 Acres

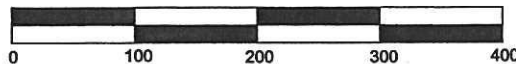


Francis E. Brink
2-1-2020

LEGEND

- ◊ Monuments Found-Iron Rods
- Monuments Set:
5/8" dia. rebar w/cap SD1641

Scale: 1"=100'



50.00'

existing
approach

784.00'

S89°39'20"E

BROWN COUNTY 14 (391st AVENUE) N00°00'00"E-Basis of Bearings-Assumed

2640.85'

dedicated for highway

591.00'

591.00'

N00°00'00"E

HIGHWAY AUTHORITY CERTIFICATE

The locations of approach access for lots 1 and 2 are approved

By: _____ Date _____

For Brown County Highway Department

Title _____



SURVEYOR'S CERTIFICATE

I, Francis E. Brink, Licensed Land Surveyor, do hereby certify that at the request of the Owners shown above, have surveyed and platted C & L HABECKS' 1ST SUBDIVISION IN SW1 /4 SEC. 27-T124N-63W of 5th P.M., BROWN COUNTY, SOUTH DAKOTA" as shown on the attached plat; have shown monuments found and set thereon, and to the best of my knowledge, said survey and plat are true and correct.

Signed this 1st day of February, 2020

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

COUNTY PLANNING COMMISSION CERTIFICATE

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 18th day of February, 2020

[Signature]
Secretary of County Planning Commission, Brown County, SD

"Be it resolved by the Brown County Planning Commission, Brown County, South Dakota, that the plat showing "C & L HABECK'S 1ST SUBDIVISION IN SW1/4 SEC. 27-T124N-63W of 5th P.M., BROWN COUNTY, SOUTH DAKOTA", having been examined, is hereby approved in accordance with the provisions of SDCLS of 1967, Chapter 11-6, and any amendments thereof.

COUNTY COMMISSION APPROVAL

I hereby certify that the following is a correct copy of the resolution duly passed by the County Commission of Brown County, South Dakota, at a meeting held on the 25th day of February, 2020.

[Signature]
County Auditor, Brown County, South Dakota

resolved by the County Commission of Brown County, South Dakota, that the plat showing "C & L HABECK'S 1ST SUBDIVISION IN SW1/4 SEC. 27-T124N-63W of 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 6 day of February, 2020.

[Signature]
County Treasurer, Brown County, South Dakota

DIRECTOR OF EQUALIZATION'S CERTIFICATION

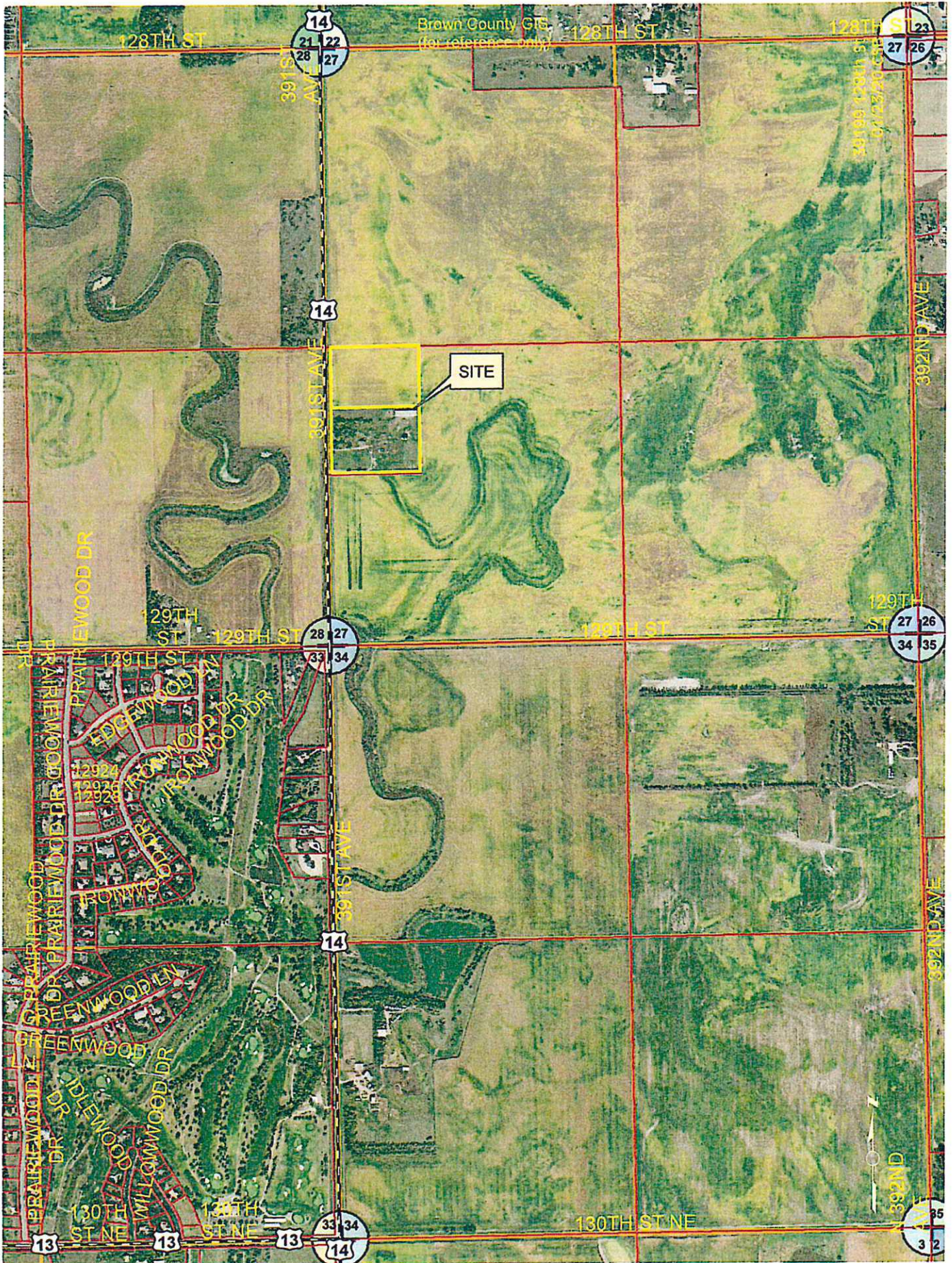
I hereby certify that I have received a copy of this plat this 5 day of February, 2020

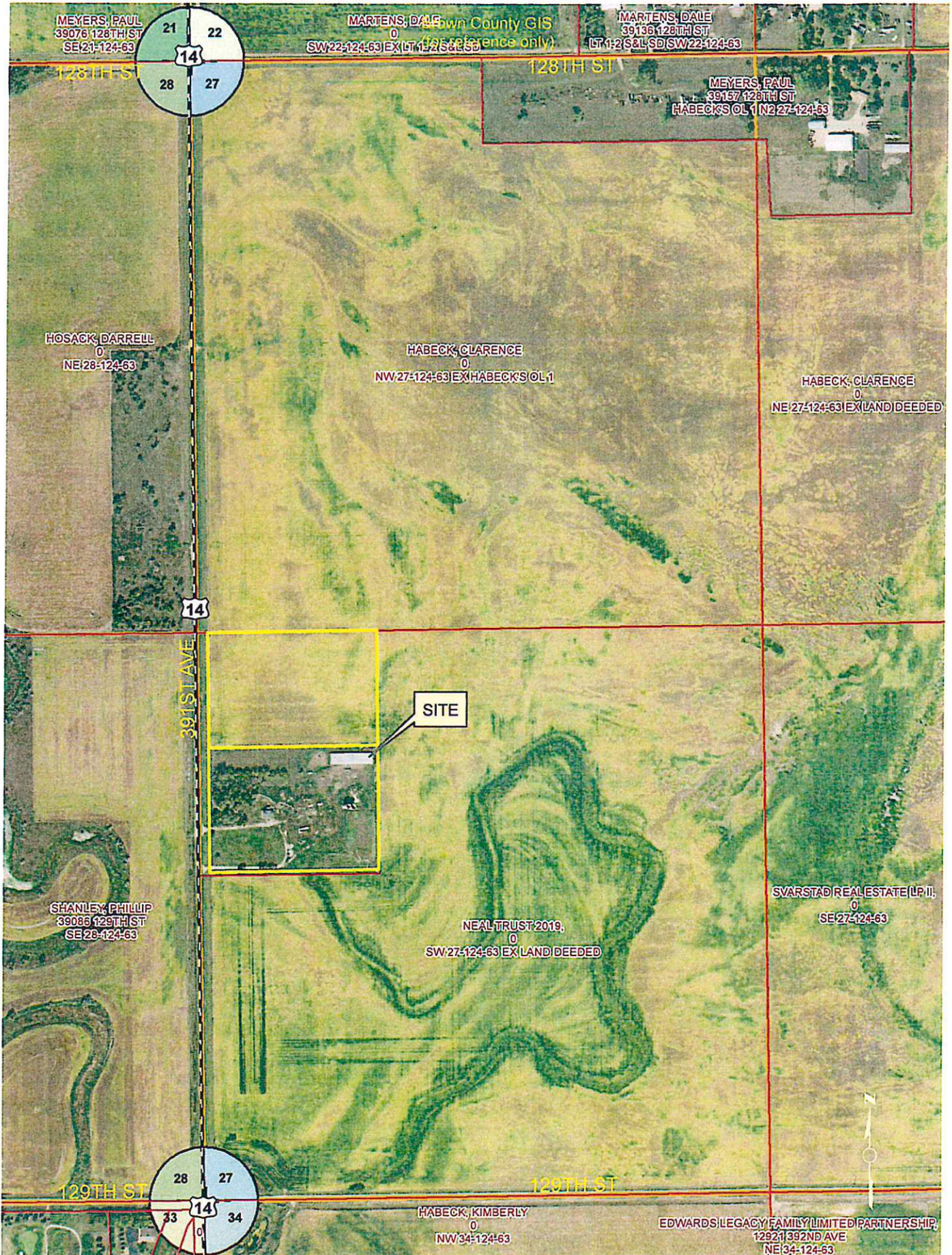
[Signature]
Director of Equalization, Brown County, South Dakota

REGISTER OF DEEDS CERTIFICATE

Filed for record this _____ day of _____, 2020 at _____ o'clock _____M and duly recorded in Book of Plat; No. _____

Register of Deeds, Brown County, South Dakota.





MEYERS, PAUL
39076 128TH ST
SE 21-124-63

MARTENS, DALE
0
SW 22-124-63 EX (LT 1 & 2 S & E SD)
Town County GIS
(for reference only)

MARTENS, DALE
39136 128TH ST
LT 1 & 2 S & E SD SW 22-124-63

MEYERS, PAUL
39157 128TH ST
HABECKS OL 1 N 2 27-124-63

HOSACK, DARRELL
0
NE 28-124-63

HABECK, CLARENCE
0
NW 27-124-63 EX HABECK'S OL 1

HABECK, CLARENCE
0
NE 27-124-63 EX LAND DEEDED

SITE

SHANLEY, PHILLIP
39086 129TH ST
SE 28-124-63

NEAL TRUST 2019,
0
SW 27-124-63 EX LAND DEEDED

SVARSTAD REAL ESTATE (LP II,
0
SE 27-124-63

HABECK, KIMBERLY
0
NW 34-124-63

EDWARDS LEGACY FAMILY LIMITED PARTNERSHIP,
12921 392ND AVE
NE 34-124-63

STAFF REPORT

March 17, 2020

REZONE PARCEL from an AG-P District

ITEM # 11

GENERAL INFORMATION

PETITIONER	Paul Meyers
REQUEST	Petition to Rezone property
LEGAL DESCRIPTION	Lot 2, "Luke's Landing Addition" in the N1/2 of Section 13-T123N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION	13245 394 th Ave
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this rezone to bring it into compliance for current and future use of the property.

REVIEW: Luke's Landing Addition = 22.55± acre. Rezoning to Heavy Industrial District (H-I) brings this parcel into compliance for their intended use (heavy industrial). Salvage yard shipping area.

NOTICE OF HEARING - REZONE

Application has been made to Brown County Planning/Zoning Commission for a REZONE PETITION. A hearing will be held in the Courthouse Annex in the basement Community Meeting Room, on March 17, 2020 at 7:00 P.M. for the purpose of Rezoning from Agricultural Preservation District (AG-P) to Heavy Industrial District (H-I).

Owner & Petitioner: Paul Meyers

Description of property: Lot 2, "Luke's Landing Addition" in the N1/2 of Section 13-T123N-R63W of the 5th P.M., Brown County, South Dakota (13245 394th Ave).

Reason: This property is petitioned to be rezoned from Agricultural Preservation District (AG-P) to Heavy Industrial District (H-I) to bring it into compliance for current and future use.

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

Dated this 26th day of February 2020

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

Published once at the total approximate cost of _____.

REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: 3/2/20
Receipt: 326923
Filing Fee: \$350
(non-refundable)

Brown County Commission Members:

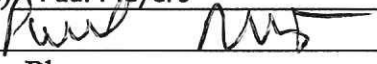
I/We the undersigned, do hereby petition the Brown County Commission of Brown County, South Dakota to rezone property as follows:


Legal Description:

Lot 2, "Luke's Landing Addition" in the N1/2 of Section 13-T123N-R63W of the 5th P.M.,
Brown County, South Dakota

General Area Location or Street Address: 13245 394th Ave
From the Agricultural Preservation District
To the Heavy Industrial District

Purpose: For existing and proposed use
Size of Parcel: 22.55 Acres
Existing Land Use: Industrial purposes

Petitioner: (Print) Paul Meyers
Signature: 
Date: _____ Phone: 605-380-9127
Address: 39012 128th Street
Aberdeen, SD 57401
City State Zip

Owner: (Print) Paul Meyers
Signature: 
Date: _____ Phone: 605-380-9127
Address: 39012 128th Street
Aberdeen, SD 57401
City State Zip

Additional Signatures may be submitted on a separate page.

**PLAT SHOWING
LUKE'S LANDING ADDITION**
IN THE N1/2 OF SECTION 13,
TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA

NW Corner Sec. 13-123-63
(Found Spike w/Washer LS 4792)
N = 602143.85
E = 2386203.66

NE Corner Sec. 13-123-63
(Found Rebar - Bent)
N = 602207.63
E = 2391488.26

N1°08'19"W 50.00'
N89°13'08"E 805.82'

Outlot 3,
Luke's Farm Outlots
(Not a Part of this Plat)

N1°05'24"W 50.00'
N89°23'55"E 2643.01'

N89°13'08"E 1836.68'

N89°23'55"E 2609.87'

N88°21'48"E 33.00'

N1°08'19"W 50.00'

N89°13'08"E 1836.64'

N89°23'55"E 2609.87'

N88°21'48"E 33.00'

S0°55'52"E 1852.93'

N1°08'19"W 2367.43'

N89°13'08"E 1836.64'

N89°23'55"E 2609.87'

N88°21'48"E 33.00'

S0°55'48"E 1902.34'

N88°21'48"E 772.83'

N88°21'48"W 2238.19'

S88°21'48"W 2200.00'

S0°55'39"E 440.00'

S0°55'48"E 291.01'

N88°21'48"E 772.83'

N88°21'48"W 2238.19'

S88°21'48"W 2200.00'

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N88°21'48"E 772.83'

N88°21'48"W 2238.19'

S88°21'48"W 2200.00'

S0°55'39"E 440.00'

S0°55'48"E 291.01'

N88°21'48"E 772.83'

N88°21'48"W 2238.19'

S88°21'48"W 2200.00'

S0°55'39"E 440.00'

S0°55'48"E 291.01'

PREPARED BY:

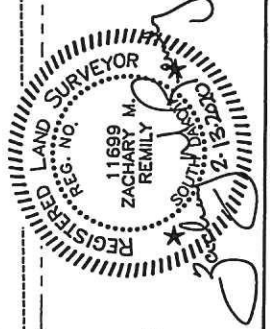
CLARK
ENGINEERING

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

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



PLAT SHOWING
LUKE'S LANDING ADDITION
 IN THE N1/2 OF SECTION 13,
 TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

We, Paul R. Meyers and Wendy S. Meyers, husband and wife, as tenants in common, do hereby certify that we are the owners of Outlot Two (2) of Luke's Farm Outlots in the North Half (N1/2) of Section Thirteen (13), Township One Hundred Twenty-Three (123) North, Range Sixty-Three (63) West of the 5th P.M., Brown County, South Dakota (Warranty Deed filed 5-2-2012 and duly recorded in Book 293 Deeds, Page 293), and that we have caused the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as "LUKE'S LANDING ADDITION IN THE N1/2 OF SECTION 13, TOWNSHIP 123 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.

By this plat, We, Paul R. Meyers and Wendy S. Meyers, husband and wife, as tenants in common, do hereby VACATE Outlot Two (2) of Luke's Farm Outlots in the North Half (N1/2) of Section Thirteen (13), Township One Hundred Twenty-Three (123) North, Range Sixty-Three (63) West of the 5th P.M., Brown County, South Dakota as filed for record on 4-4-2012 and duly recorded as Hanging Plat No. 2857.

Owner:

 Paul R. Meyers

Signed this _____ day of _____, 2020.

 Wendy S. Meyers

Signed this _____ day of _____, 2020.

COUNTY OF _____)
 STATE OF _____) SS

On this the _____ day of _____, 2020, before me, _____, the undersigned officer, personally appeared Paul R. Meyers and Wendy S. Meyers, husband and wife, as tenants in common, known to me or satisfactorily proven to be the person whose names Paul R. Meyers and Wendy S. Meyers, subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

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

My Commission Expires: _____

 Notary Public

SURVEYOR'S CERTIFICATE

I, Zachary M. Remily, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owners, I have surveyed and platted "LUKE'S LANDING ADDITION IN THE N1/2 OF SECTION 13, TOWNSHIP 123 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 13th day of FEBRUARY, 2020.



BROWN COUNTY HIGHWAY APPROVAL

"Access to 132nd STREET and 394th AVENUE is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."

Signed this _____ day of _____, 2020.

 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 _____, 2020.

 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 "LUKE'S LANDING ADDITION IN THE N1/2 OF SECTION 13, TOWNSHIP 123 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.

PREPARED BY:



Clark Engineering Corporation
 3314 Milwaukee Avenue NE, Suite 2
 Aberdeen, SD 57401
 Phone: (605) 225-3494

PLAT SHOWING
LUKE'S LANDING ADDITION
IN THE N1/2 OF SECTION 13,
TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

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 _____, 2020.

County Auditor
Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "LUKE'S LANDING ADDITION IN THE N1/2 OF SECTION 13, TOWNSHIP 123 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."

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 _____, 2020.

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 _____, 2020.

Director of Equalization
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

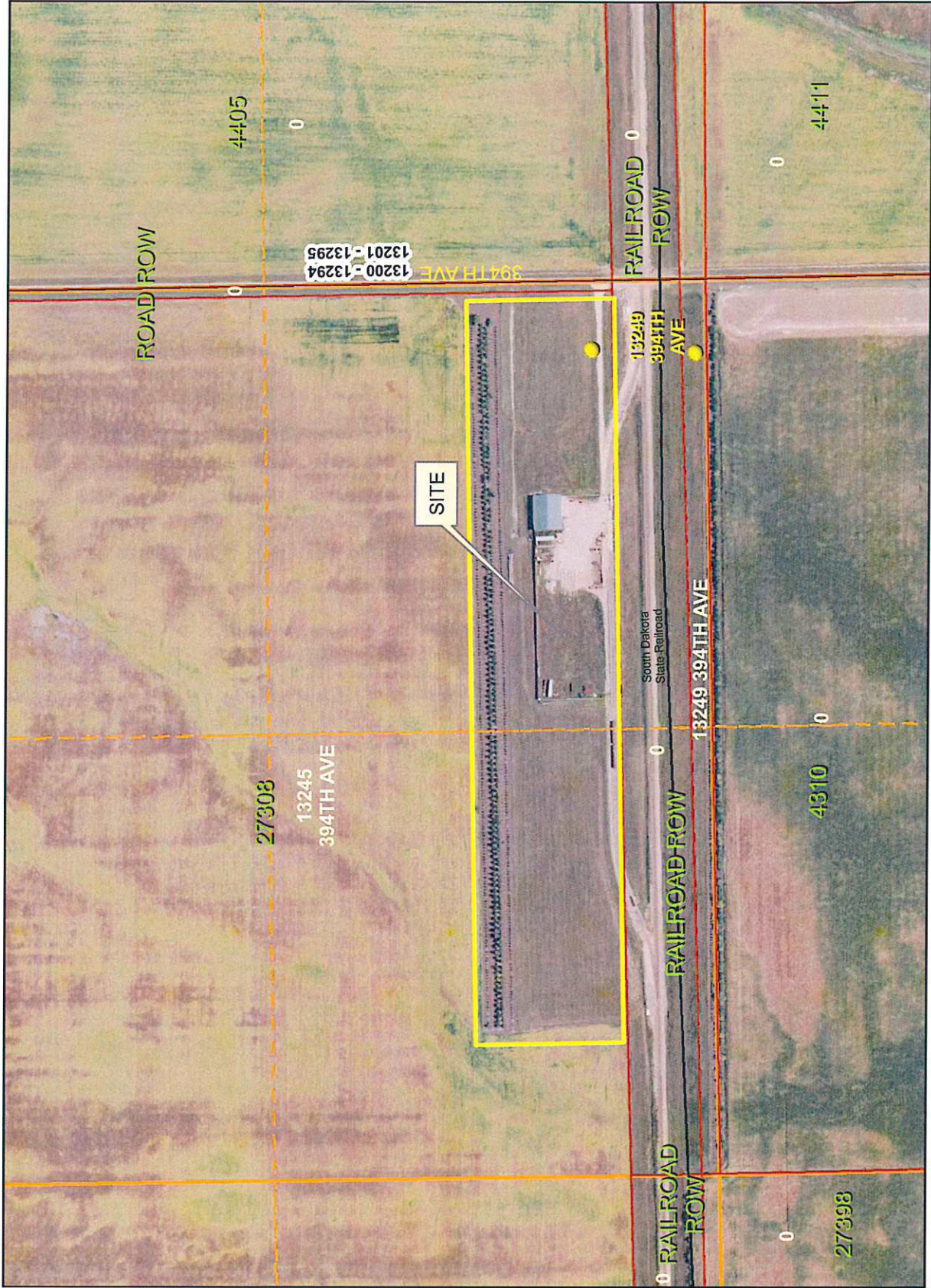
Filed for record this ____ day of _____, 2020, at ____ O'clock ____ M., and duly recorded as Hanging Plat No. _____.

Register of Deeds
Brown County, South Dakota

PREPARED BY:

CLARK

Clark Engineering Corporation
3314 Milwaukee Avenue NE, Suite 2
Aberdeen, SD 57401
Phone: (605) 225-3494



ROAD ROW

44105

0

13201 - 13295
13200 - 13294

394TH AVE

SITE

27308

13245
394TH AVE

RAILROAD ROW

44111

0

13249
394TH AVE

South Dakota
State Railroad

13249 394TH AVE

RAILROAD ROW

48110

0

RAILROAD ROW

27398

0

STAFF REPORT

March 17, 2020

REZONE PARCEL from an AG-P District

ITEM # 12

GENERAL INFORMATION

PETITIONER	Keith Miller
REQUEST	Petition to Rezone property
LEGAL DESCRIPTION	"K. Miller Addition" in the SW1/4 of Section 15-T122N-R64W of the 5th P.M., Brown County, South Dakota
LOCATION	38514 139 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 rezone to bring it into compliance for current and future use of the property.

REVIEW: K. Miller Addition = 10.50± acre. This parcel does not meet a minimum 40.0 acres and does not qualify for a "farm unit" reduction for AG-P District per Title 4, Chapter 4.0605. Rezoning to Mini Agriculture District (M-AG) brings this parcel into compliance for their current (rural residential) and intended uses (rural residential/agriculture).

NOTICE OF HEARING - REZONE

Application has been made to Brown County Planning/Zoning Commission for a REZONE PETITION. A hearing will be held in the Courthouse Annex in the basement Community Meeting Room, on March 17, 2020 at 7:00 P.M. for the purpose of Rezoning from Agricultural Preservation District (AG-P) to Mini-Ag District (M-AG).

Owner & Petitioner: Keith Miller

Description of property: "K. Miller Addition" in the SW1/4 of Section 15-T122N-R64W of the 5th P.M., Brown County, South Dakota (38514 139th St).

Reason: This property is petitioned to be rezoned from Agricultural Preservation District (AG-P) to Mini-Ag (M-AG) to bring it into compliance for current and future use.

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

Dated this 26th day of February 2020

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

Published once at the total approximate cost of _____.

REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: 3/3/20
Receipt: 326929
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:

"K. Miller Addition" in the SW1/4 of Section 15-T122N-R64W of the 5th P.M.,
Brown County, South Dakota

General Area Location or Street Address: 38514 139th St

From the Agriculture Preservation District

To the Mini Agriculture District

Purpose: To bring into compliance

Size of Parcel: 10.50 Acres

Existing Land Use: Logging business

Petitioner: (Print) Keith Miller

Signature: [Signature]

Date: _____ Phone: 605-226-9998

Address: 38514 139th St

Aberdeen, SD 57401

City State Zip

Owner: (Print) Keith Miller

Signature: [Signature]

Date: _____ Phone: 605-226-9998

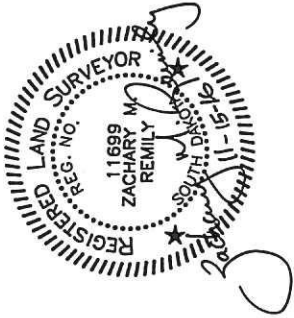
Address: 38514 139th St

Aberdeen, SD 57401

City State Zip

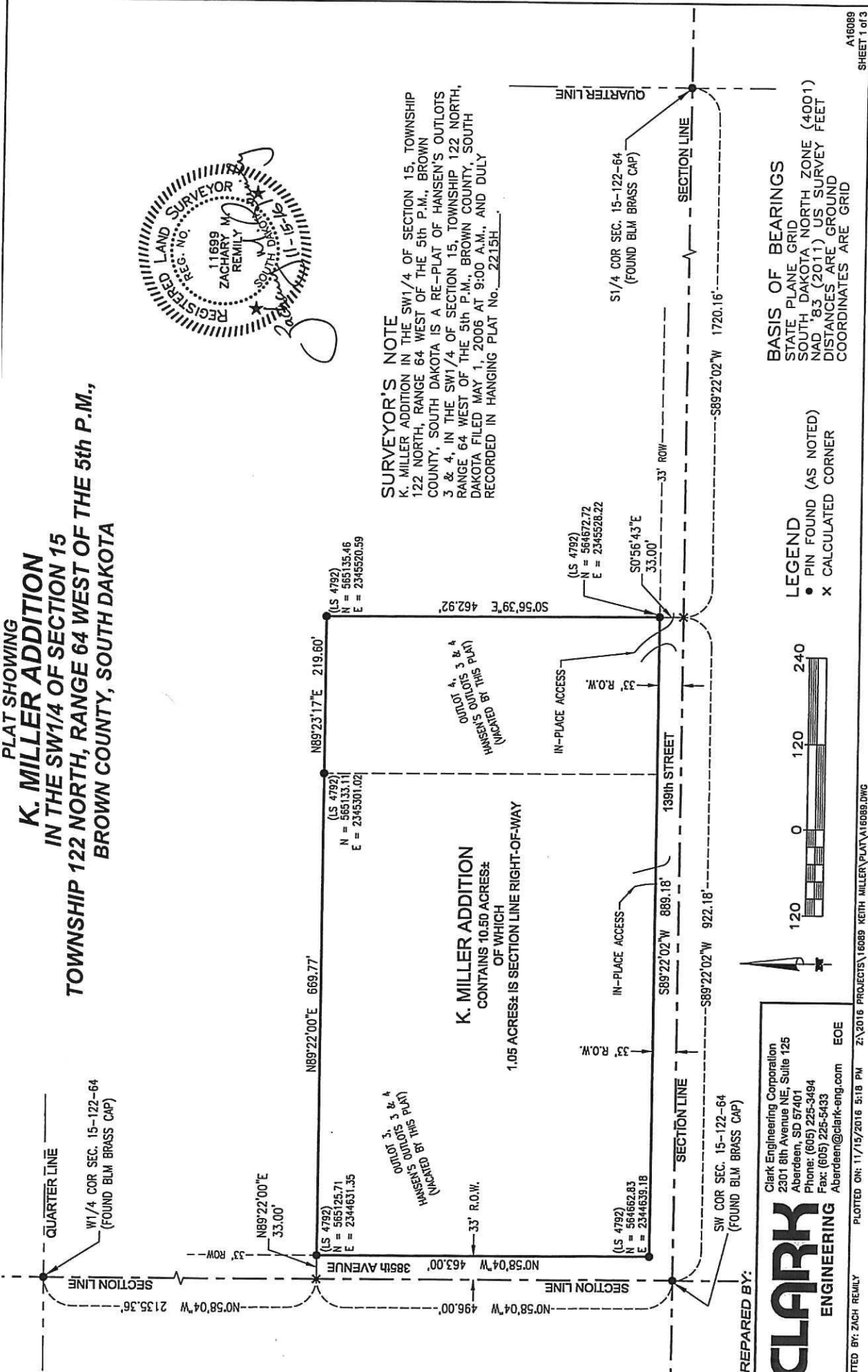
Additional Signatures may be submitted on a separate page.

**PLAT SHOWING
K. MILLER ADDITION
IN THE SW1/4 OF SECTION 15
TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA**



SURVEYOR'S NOTE
K. MILLER ADDITION IN THE SW1/4 OF SECTION 15, TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA IS A RE-PLAT OF HANSEN'S OUTLOTS 3 & 4, IN THE SW1/4 OF SECTION 15, TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA FILED MAY 1, 2006 AT 9:00 A.M., AND DULY RECORDED IN HANGING PLAT No. 2215H.

**K. MILLER ADDITION
CONTAINS 10.50 ACRES±
OF WHICH
1.05 ACRES± IS SECTION LINE RIGHT-OF-WAY**



CLARK ENGINEERING
Clark Engineering Corporation
2301 8th Avenue NE, Suite 125
Aberdeen, SD 57401
Phone: (605) 225-3494
Fax: (605) 225-5433
Aberdeen@clark-eng.com EOE

PREPARED BY:
LEGEND
● PIN FOUND (AS NOTED)
× 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

**PLAT SHOWING
K. MILLER ADDITION
IN THE SW1/4 OF SECTION 15
TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA**

OWNER'S CERTIFICATE

I, KEITH MILLER, A.K.A. KEITH A. MILLER, DO HEREBY CERTIFY THAT I AM THE OWNER OF OUTLOT 3 AND OUTLOT 4, HANSEN'S OUTLOTS 3 & 4 IN THE SW1/4 OF SECTION 15, TOWNSHIP 122 NORTH, RANGE 64 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 "K. MILLER ADDITION IN THE SW1/4 OF SECTION 15, TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA" AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

BY THIS PLAT, I, KEITH MILLER, A.K.A. KEITH A. MILLER, DO HEREBY VACATE OUTLOT 3 AND OUTLOT 4, HANSEN'S OUTLOTS 3 & 4 IN THE SW1/4 OF SECTION 15, TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M., BROWN COUNTY AS FILED FOR RECORD ON MAY 1, 2006 AT 9:00 A.M., AND DULY RECORDED AS HANGING PLAT No. 2215H

SIGNED THIS _____ DAY OF _____, 20____, OWNER:

KEITH MILLER, A.K.A KEITH A. MILLER

COUNTY OF _____)
STATE OF _____) SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED KEITH MILLER, A.K.A KEITH A. MILLER, 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, DO HEREBY CERTIFY THAT, AT THE REQUEST OF THE OWNERS, I HAVE SURVEYED AND PLATTED "K. MILLER ADDITION IN THE SW1/4 OF SECTION 15, TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA" AS SHOWN ON THE ATTACHED PLAT, THAT I HAVE FOUND AND/OR SET IRON PINS AS INDICATED THEREON, AND THAT SAID SURVEY AND PLAT ARE TRUE AND CORRECT.

SIGNED THIS 15th DAY OF NOVEMBER, 2016



HIGHWAY APPROVAL

THE LOCATION OF THE IN-PLACE ACCESS ROADS, IS HEREBY APPROVED. ANY CHANGE IN THE IN-PLACE ACCESS SHALL REQUIRE ADDITIONAL APPROVAL

SIGNED THIS _____ DAY OF _____, 20____, PRINT NAME AND TITLE

SIGNATURE

COUNTY PLANNING COMMISSION APPROVAL

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

SECRETARY OF COUNTY PLANNING COMMISSION
BROWN COUNTY, SOUTH DAKOTA

"BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING "K. MILLER ADDITION IN THE SW1/4 OF SECTION 15, TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA" HAVING BEEN EXAMINED IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL OF 1967, CHAPTER 11-6, AND ANY AMENDMENTS.

COUNTY COMMISSION APPROVAL

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

COUNTY AUDITOR
BROWN COUNTY, SOUTH DAKOTA

"BE IT RESOLVED BY THE COUNTY COMMISSION OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING "K. MILLER ADDITION IN THE SW1/4 OF SECTION 15, TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA" HAVING BEEN EXAMINED IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL OF 1967, CHAPTER 11-3, AND ANY AMENDMENTS THEREOF."

PREPARED BY:

CLARK
ENGINEERING

Clark Engineering Corporation
2301 8th Avenue NE, Suite 125
Aberdeen, SD 57401
Phone: (605) 225-3494
Fax: (605) 225-5433
Aberdeen@clark-eng.com EOE

**PLAT SHOWING
K. MILLER ADDITION
IN THE SW1/4 OF SECTION 15
TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA**

TREASURER'S CERTIFICATE
I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY OF THE LANDS INCLUDED IN THE ATTACHED PLAT ARE SHOWN BY THE RECORDS OF MY OFFICE TO BE FULLY PAID.

SIGNED THIS _____ DAY OF _____, 20____

COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

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

DIRECTOR OF EQUALIZATION, BROWN COUNTY, SOUTH DAKOTA

REGISTER OF DEEDS' CERTIFICATE
FILED FOR RECORD THIS _____ DAY OF _____, 20____, AT _____ O'CLOCK ____M., AND DULY RECORDED AS
HANGING PLAT No. _____.

REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA

PREPARED BY:

CLARK
ENGINEERING

Clark Engineering Corporation
2301 8th Avenue NE, Suite 125
Aberdeen, SD 57401
Phone: (605) 225-3494
Fax: (605) 225-5433
Aberdeen@clark-eng.com EOE

MINUTES

BROWN COUNTY PLANNING COMMISSION/
ZONING BOARD of ADJUSTMENT

TUESDAY, OCTOBER 18, 2016 - 7:00 P.M.

COMMUNITY ROOM, BROWN COUNTY COURTHOUSE

The Brown County Planning Commission/Zoning Board of Adjustment 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 Beckler, North, Kurth, Keatts, Kippley & Bettmann. Also present at the meeting was Scott Bader, Planning & Zoning Director.

After discussion, North moved and Bettmann seconded to approve the minutes of the September 20, 2016 meeting. All members voted aye, the motion carried.

Chairman Streckfuss then continued with business as follows:

Old Business: none

New Business:

- 1) Variance to Building Setbacks in an Agriculture Preservation District (AG-P) for a property described as in the SW1/4 of Section 03-T124N-R60W of the 5th P.M., Brown County, South Dakota (40926 125th St). Submitted by Bruce Sippel. Following discussion, Kurth moved and Kippley seconded to approve the variance to be a 50' front yard setback rather than the 100' required, all members voting aye, motion carried.

~~David North~~
~~Scott Bader~~
David North
Dale Kurth
Jerry Streckfuss
~~Scott Keatts~~

Rachel Kippley

2) Variance for Two (2) Residences on one parcel in an AG-P District (AG-P) for a property described as the Lot 1, "Sombke Subdivision" in the SW1/4 & SE1/4 of Section 08-T121N-R60W of the 5th P.M., Brown County, South Dakota (40746 144th Street). Submitted by Bryce Sombke. In attendance was Bryce Sombke. Following discussion that water would be adequate from WEB, Beckler moved and North seconded to approve the variance for two (2) residences on one lot, all members voting aye, motion carried.

3) Special Exception for an Agriculture Business in an Agriculture Preservation District (AG-P) for a property described as Outlot 3 of "Hansen's Outlots 3 & 4" in the SW1/4 of Section 15, T122N and R64W of the 5th P.M., Brown County, South Dakota (38514 139th Street). Submitted by Keith Miller. In attendance for this item were Keith Miller, Eric Hansen, Nancy Hansen, James Rieck and Mary Ann Rieck. Following discussion about: 1. very little noise will be heard on this site with a portable band saw mill; 2. there will not be any employees except the owner; 3. owner will not be using semi-trucks, he will be using a pickup with a goose-neck trailer for his equipment used; 4. the owner only averages one semi-truck delivery per month (or 12/year) for road and on-site truck traffic; 5. the owner stated that he does not pre-build log homes on this site, logs are shipped directly to the construction site and fabricated there; 6. log storage on this site will be on higher ground and set on top of two ground logs; 7. there is mainly log furniture that will be fabricated on this site. Kippley moved and North seconded to approve the special exception for a log business with the stipulation that outlots 3&4 be platted together into one lot, all members voting aye, motion carried.

4) Preliminary and Final Plat for a property described as "Blake Subdivision" in the NE1/4 of Section 19-T124N-R64W of the 5th P.M., Brown County, South Dakota (12743 383rd Ave). Submitted by David Blake. Following discussion, Bettmann moved and Beckler seconded to approve the plat, all members voting aye, motion carried.

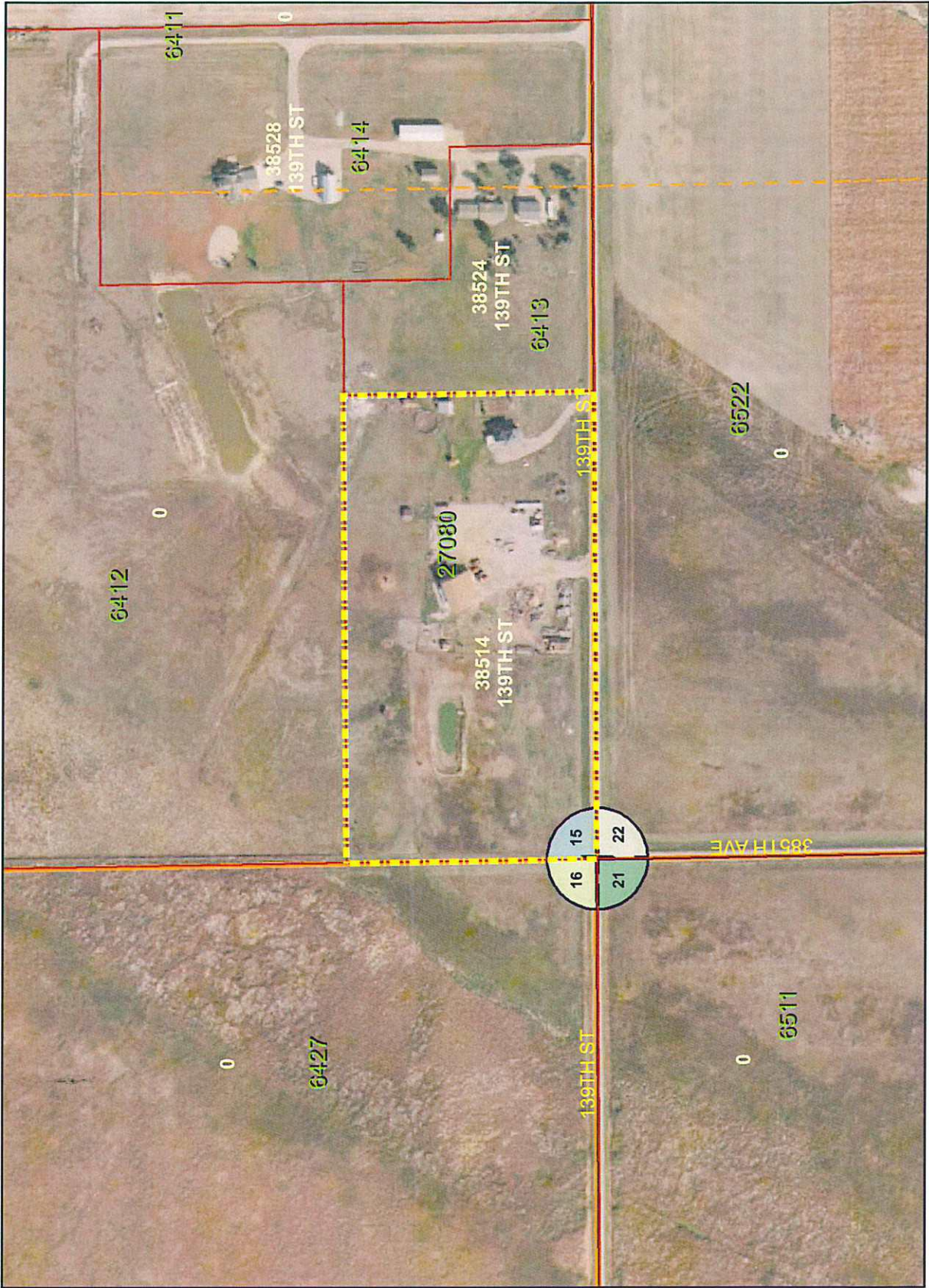
- 5) Variance to Lot Size in an Agriculture Preservation District (AG-P) for a property described as “Blake Subdivision” in the NE1/4 of Section 19-T124N-R64W of the 5th P.M., Brown County, South Dakota (12743 383rd Ave). Submitted by David Blake. Following discussion, Bettmann moved and North seconded to approve the variance on Lot 1 to allow a Lot Size of 2.18 \pm acres rather than the required 40.0 acres, all members voting aye, motion carried.

- 6) Preliminary and Final Plat for a property described as “Jack Walter’s North Outlots” in the SE1/4 of Section 27, T123N and R60W of the 5th P.M., Brown County, South Dakota (40970 U.S. Hwy #12 & 13479 410th Ave). Submitted by Brink Engineering. Following discussion, Beckler moved and Kurth seconded to approve the plat, all members voting aye, motion carried.

- 7) Variance to Lot Size in an Agriculture Preservation District (AG-P) for a property described as “Jack Walter’s North Outlots” in the SE1/4 of Section 27, T123N and R60W of the 5th P.M., Brown County, South Dakota (40970 U.S. Hwy #12 & 13479 410th Ave). Submitted by Brink Engineering. Following discussion, North moved and Keatts seconded to approve the variance on Outlot B to allow a Lot Size of 22.80 \pm acres rather than the required 40.0 acres, all members voting aye, motion carried.

There being no further business before the Planning Commission, Kippley moved and Keatts seconded to adjourn the meeting.

Submitted by: Scott Bader, Planning & Zoning Director.



STAFF REPORT

March 17, 2020

REZONE PARCEL from an AG-P District

ITEM # 13

GENERAL INFORMATION

PETITIONER	Jeff Hanson
REQUEST	Petition to Rezone property
LEGAL DESCRIPTION	Lot 2, "JT Hanson Farm Addition" in the SE1/4 of Section 9-T126N-R62W of the 5th P.M., Brown County, South Dakota
LOCATION	39698 114 th St
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Conservation District (CN)
East:	Conservation District (CN)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this rezone to bring it into compliance for current and future use of the property.

REVIEW: Lot 2, JT Hanson Farm Addition = 4.06± acre. This parcel does not meet a minimum 40.0 acres and does not qualify for a "farm unit" reduction for AG-P District per Title 4, Chapter 4.0605. Rezoning to Mini Agriculture District (M-AG) brings this parcel into compliance for their current (rural residential) and intended uses (rural residential/agriculture).

NOTICE OF HEARING - REZONE

Application has been made to Brown County Planning/Zoning Commission for a REZONE PETITION. A hearing will be held in the Courthouse Annex in the basement Community Meeting Room, on March 17, 2020 at 7:00 P.M. for the purpose of Rezoning from Agricultural Preservation District (AG-P) to Mini-Ag District (M-AG).

Owner & Petitioner: Jeff Hanson

Description of property: Lot 2, "JT Hanson Farm Addition" in the SE1/4 of Section 9-T126N-R62W of the 5th P.M., Brown County, South Dakota (39698 114th St).

Reason: This property is petitioned to be rezoned from Agricultural Preservation District (AG-P) to Mini-Ag District (M-AG) to bring it into compliance for current and future use.

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

Dated this 26th day of February 2020

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

Published once at the total approximate cost of _____.

REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: 3/3/20
Receipt: 326924
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, "JT Hanson Farm Addition" in the SE1/4 of Section 9-T126N-R62W of the 5th P.M.,
Brown County, South Dakota

General Area Location or Street Address: 39698 114th St
From the Agriculture Preservation District
To the Mini Agriculture District

Purpose: To bring into compliance
Size of Parcel: 4.06 Acres
Existing Land Use: Rural residential/agriculture

Petitioner: (Print) Jeff Hanson
Signature: [Signature]
Date: _____ Phone: 605-885-7461
Address: 39698 114th St
Columbia, SD 57433
City State Zip

Owner: (Print) Jeff Hanson
Signature: [Signature]
Date: _____ Phone: 605-885-7461
Address: 39698 114th St
Columbia, SD 57433
City State Zip

Additional Signatures may be submitted on a separate page.

ASSESSOR'S OFFICE COPY

**PLAT SHOWING
JT HANSON FARM ADDITION**
IN THE SE 1/4 OF SECTION 9,
TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

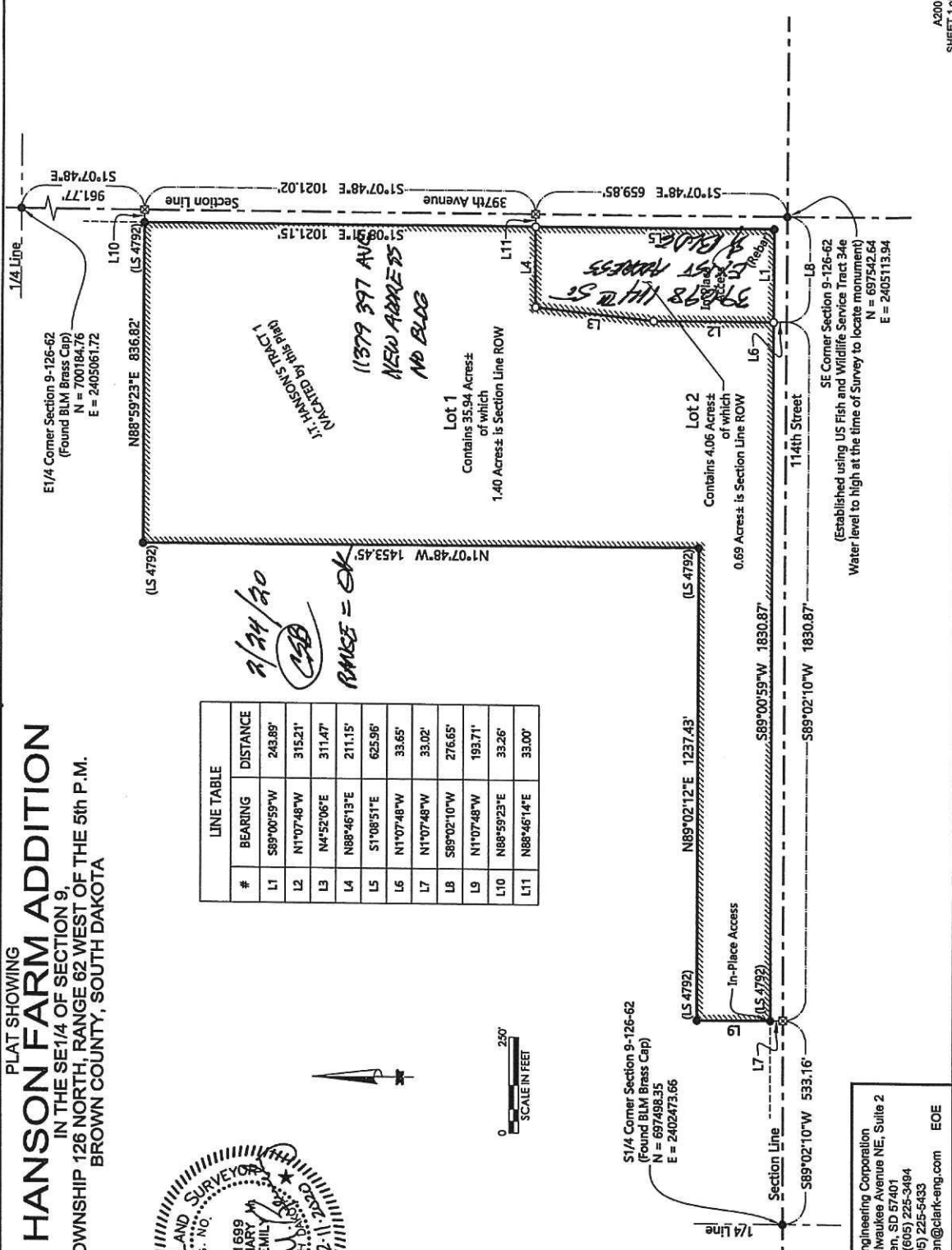


- LEGEND**
- PIN FOUND (AS NOTED)
 - PIN SET w/CAP LS 11699
 - ⊠ CALCULATED CORNER

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



LINE TABLE		
#	BEARING	DISTANCE
L1	S89°00'59"W	243.89'
L2	N1°07'48"W	315.21'
L3	N4°52'06"E	311.47'
L4	N88°46'13"E	211.15'
L5	S1°08'51"E	625.96'
L6	N1°07'48"W	33.65'
L7	N1°07'48"W	33.02'
L8	S89°02'10"W	276.65'
L9	N1°07'48"W	193.71'
L10	N88°59'23"E	33.26'
L11	N88°46'14"E	33.00'



PLAT SHOWING
JT HANSON FARM ADDITION
 IN THE SE1/4 OF SECTION 9,
 TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, Jeffrey T. Hanson, Trustee of the Jeffrey T. Hanson Revocable Trust Agreement Date March 10, 2004, do hereby certify that the trust is the owner of J.T. Hanson's Tract One (1) in the Southeast Quarter (SE1/4) of Section Nine (9), Township One Hundred Twenty-Six (126) North, Range Sixty-Two (62) West of the 5th P.M., Brown County, South Dakota (Warranty Deed filed 12-20-2004 and duly recorded in Book 282 Deeds, Page 39), and that I, as Trustee, have caused the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as "JT HANSON FARM ADDITION IN THE SE1/4 OF SECTION 9, TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" and that development of this land shall conform to all existing applicable zoning, subdivision and sediment control regulations.

By this plat, I, Jeffrey T. Hanson, Trustee of the Jeffrey T. Hanson Revocable Trust Agreement Date March 10, 2004, do hereby VACATE J.T. Hanson's Tract One (1) in the Southeast Quarter (SE1/4) of Section Nine (9), Township One Hundred Twenty-Six (126) North, Range Sixty-Two (62) West of the 5th P.M., Brown County, South Dakota as filed for record on October 13, 1999 at 10:30 A.M., and duly recorded in Book 18 of Plats, Page No. 1384E.

Owner: Jeffrey T. Hanson Revocable Trust Agreement Date March 10, 2004

 Jeffrey T. Hanson, Trustee

Signed this _____ day of _____, 2020.

COUNTY OF _____)
 STATE OF _____) SS

On this the _____ day of _____, 2020, before me, _____, the undersigned officer, personally appeared Jeffrey T. Hanson, Trustee of the Jeffrey T. Hanson Revocable Trust Agreement Date March 10, 2004, known to me or satisfactorily proven to be the person whose name Jeffrey T. Hanson, Trustee, subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

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

My Commission Expires: _____

 Notary Public

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 "JT HANSON FARM ADDITION IN THE SE1/4 OF SECTION 9, TOWNSHIP 126 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 11th day of February, 2020.



HIGHWAY APPROVAL

"Access to 114th STREET and 397th AVENUE is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."

Signed this _____ day of _____, 2020.

 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 _____, 2020.

 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 "JT HANSON FARM ADDITION IN THE SE1/4 OF SECTION 9, TOWNSHIP 126 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.

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
JT HANSON FARM ADDITION
IN THE SE1/4 OF SECTION 9,
TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

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 _____, 2020.

County Auditor
Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing **JT HANSON FARM ADDITION IN THE SE1/4 OF SECTION 9, TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA**" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof."

TREASURER'S CERTIFICATE

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

Signed this _____ day of _____, 2020.

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 _____, 2020.

Director of Equalization
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

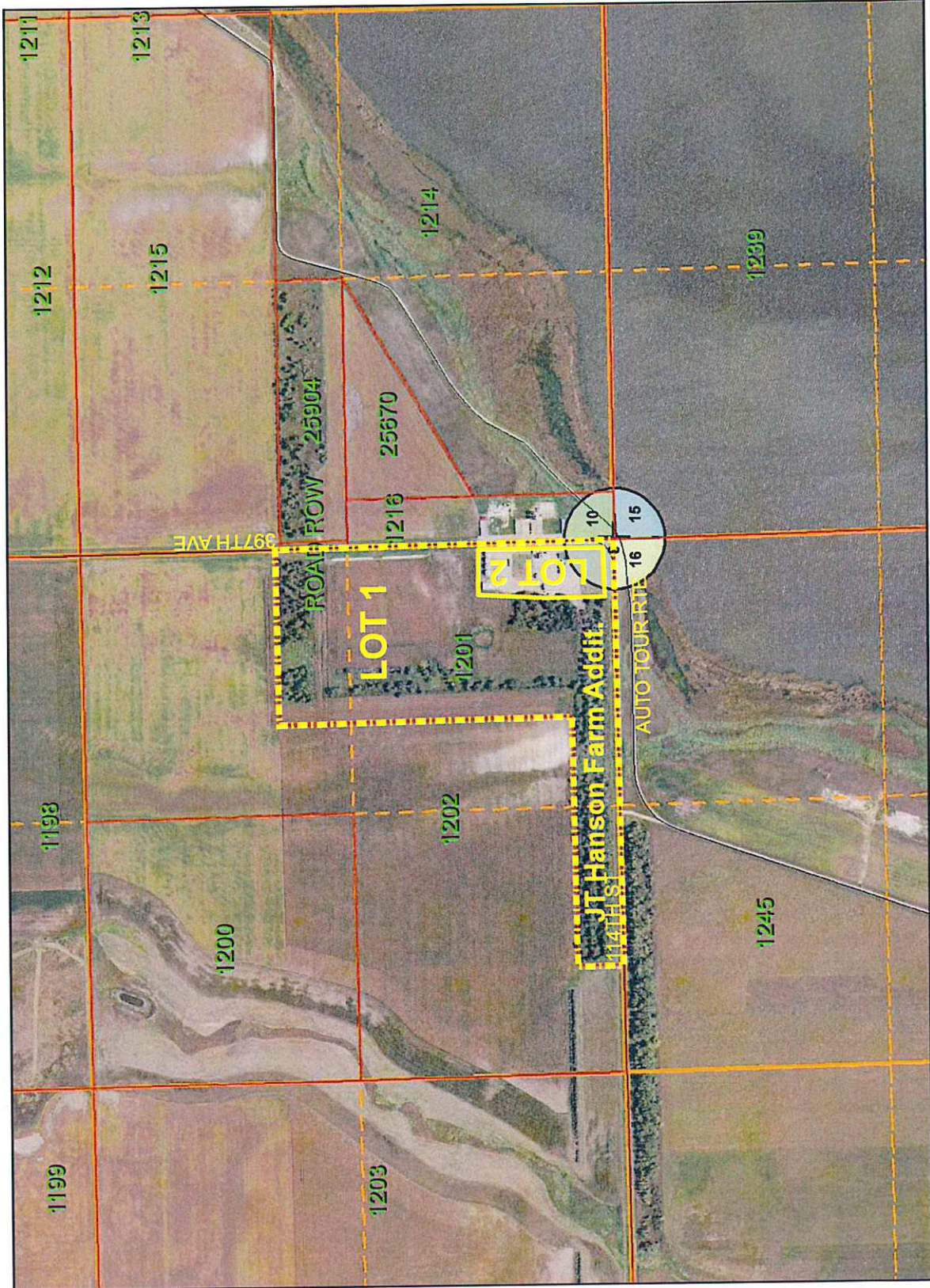
Filed for record this _____ day of _____, 2020, at _____ O'clock _____ M., and duly recorded as Hanging Plat No. _____.

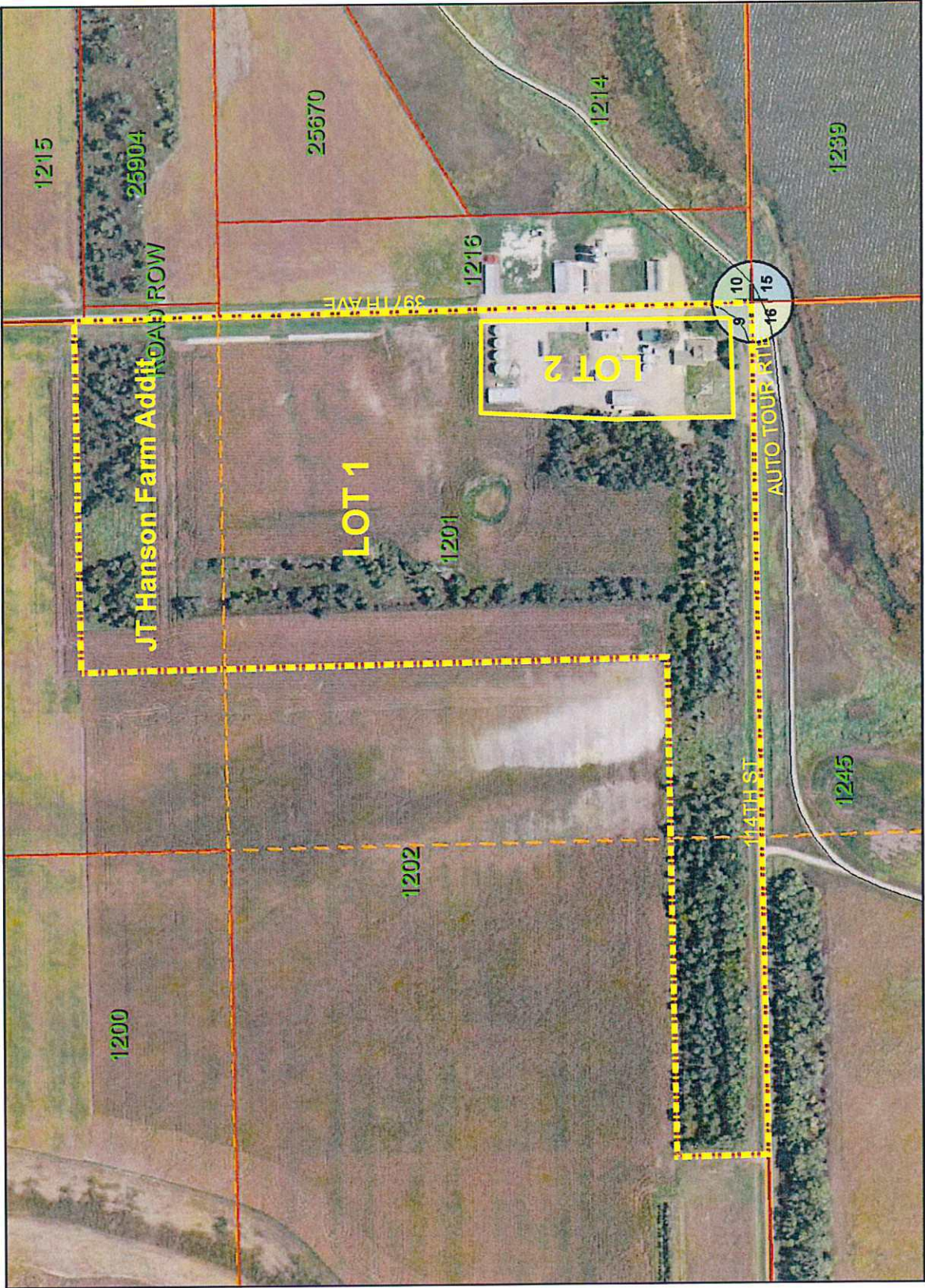
Register of Deeds
Brown County, South Dakota

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





STAFF REPORT

March 17, 2020

REZONE PARCEL from an AG-P District

ITEM # 14

GENERAL INFORMATION

PETITIONER	Jeff Hanson
REQUEST	Petition to Rezone property
LEGAL DESCRIPTION	Lot 2, "JT Hanson Farms Second Addition" in the SE1/4 of Section 10-T126N-R62W of the 5th P.M., Brown County, South Dakota
LOCATION	11396 397 th Ave
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Conservation District (CN)
East:	Conservation District (CN)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this rezone to bring it into compliance for current and future use of the property.

REVIEW: Lot 2, JT Hanson Farms Second Addition = 3.50± acre. This parcel does not meet a minimum 40.0 acres and does not qualify for a "farm unit" reduction for AG-P District per Title 4, Chapter 4.0605. Rezoning to Mini Agriculture District (M-AG) brings this parcel into compliance for their current (rural residential) and intended uses (rural residential/agriculture).

NOTICE OF HEARING - REZONE

Application has been made to Brown County Planning/Zoning Commission for a REZONE PETITION. A hearing will be held in the Courthouse Annex in the basement Community Meeting Room, on March 17, 2020 at 7:00 P.M. for the purpose of Rezoning from Agricultural Preservation District (AG-P) to Mini-Ag District (M-AG).

Owner & Petitioner: Jeff Hanson

Description of property: Lot 2, "JT Hanson Farms Second Addition" in the SE1/4 of Section 10-T126N-R62W of the 5th P.M., Brown County, South Dakota (11396 397th Ave).

Reason: This property is petitioned to be rezoned from Agricultural Preservation District (AG-P) to Mini-Ag District (M-AG) to bring it into compliance for current and future use.

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

Dated this 26th day of February 2020

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

Published once at the total approximate cost of _____.

REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: 3/3/20
Receipt: 326926
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, "JT Hanson Farms Second Addition" in the SE1/4 of Section 10-T126N-R62W
of the 5th P.M., Brown County, South Dakota

General Area Location or Street Address: 11396 397th Ave
From the Agriculture Preservation District
To the Mini Agriculture District

Purpose: To bring into compliance
Size of Parcel: 3.50 Acres
Existing Land Use: Rural residential/agriculture

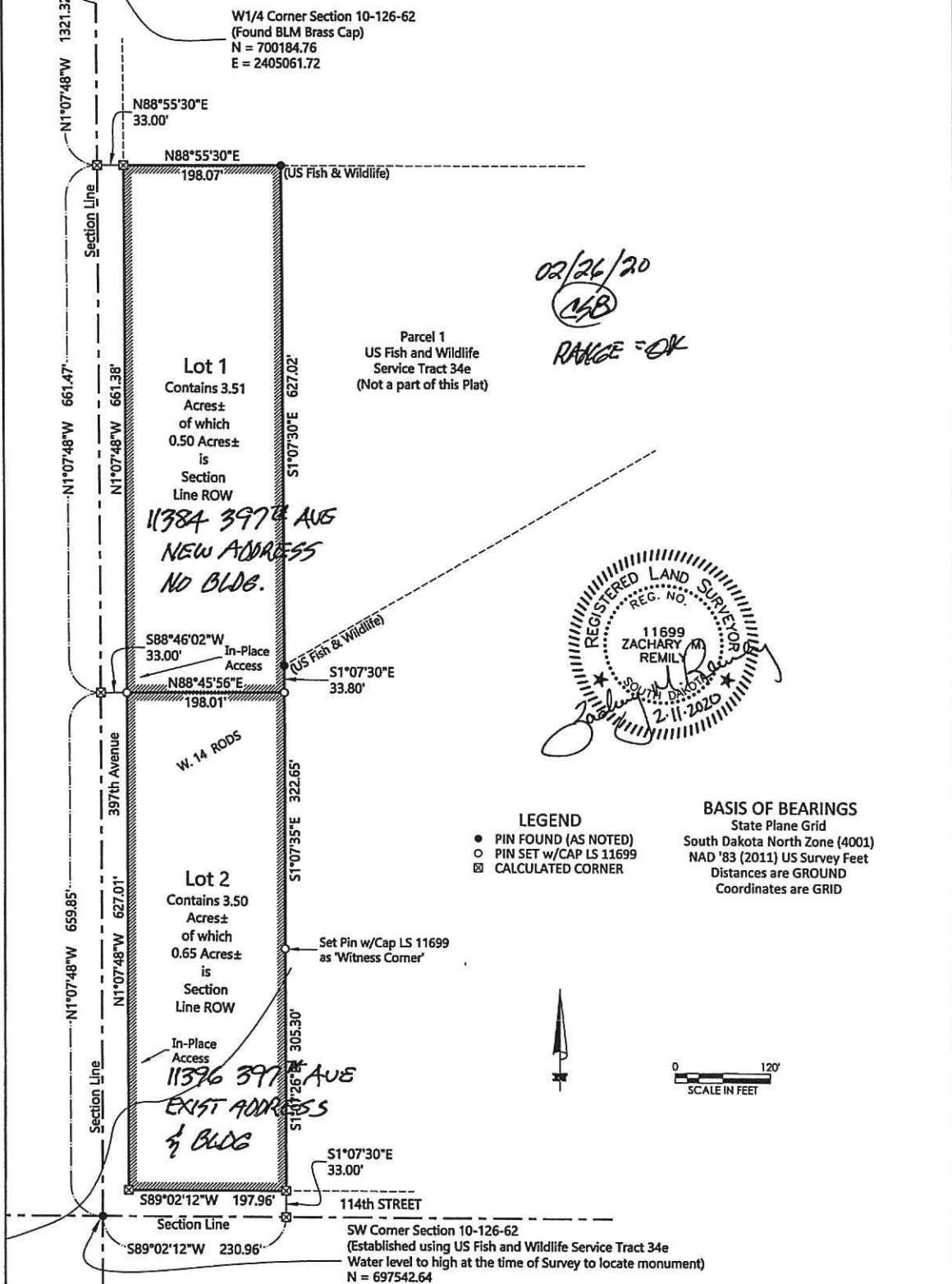
Petitioner: (Print) Jeff Hanson
Signature: [Signature]
Date: _____ Phone: 605-885-7461
Address: 39698 114th St
Columbia, SD 57433
City State Zip

Owner: (Print) Jeff Hanson
Signature: [Signature]
Date: _____ Phone: 605-885-7461
Address: 39698 114th St
Columbia, SD 57433
City State Zip

Additional Signatures may be submitted on a separate page.

JT HANSON FARMS SECOND ADDITION

IN THE SE 1/4 OF SECTION 10,
TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

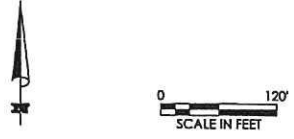


02/26/20
 (MSB)
 RANGE = OK



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



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
JT HANSON FARM SECOND ADDITION
 IN THE SW1/4 OF SECTION 10,
 TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, Jeffrey T. Hanson, Trustee of the Jeffrey T. Hanson Revocable Trust Agreement Date March 10, 2004, do hereby certify that the trust is the owner of the West Fourteen (W. 14) Rods of the Southwest Quarter (SW1/4) of Section Ten (10), Township One Hundred Twenty-Six (126) North, Range Sixty-Two (62) West of the 5th P.M., Brown County, South Dakota (Warranty Deed filed 12-20-2004 and duly recorded in Book 282 Deeds, Page 39), and that I, as Trustee, have caused the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as "JT HANSON FARM SECOND ADDITION IN THE SW1/4 OF SECTION 10, TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" and that development of this land shall conform to all existing applicable zoning, subdivision and sediment control regulations.

Owner: Jeffrey T. Hanson Revocable Trust Agreement Date March 10, 2004

 Jeffrey T. Hanson, Trustee

Signed this _____ day of _____, 2020.

COUNTY OF _____)
) SS
 STATE OF _____)

On this the _____ day of _____, 2020, before me, _____, the undersigned officer, personally appeared Jeffrey T. Hanson, Trustee of the Jeffrey T. Hanson Revocable Trust Agreement Date March 10, 2004, known to me or satisfactorily proven to be the person whose name Jeffrey T. Hanson, Trustee, subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

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

My Commission Expires: _____

 Notary Public

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 "JT HANSON FARM SECOND ADDITION IN THE SW1/4 OF SECTION 10, TOWNSHIP 126 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 11th day of February, 2020.



HIGHWAY APPROVAL

"Access to 114th STREET and 397th AVENUE is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."

Signed this _____ day of _____, 2020.

 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 _____, 2020.

 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 "JT HANSON FARM SECOND ADDITION IN THE SW1/4 OF SECTION 10, TOWNSHIP 126 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.

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
JT HANSON FARM SECOND ADDITION
IN THE SW1/4 OF SECTION 10,
TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

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 _____, 2020.

County Auditor
Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing **JT HANSON FARM SECOND ADDITION IN THE SW1/4 OF SECTION 10, TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA**" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof."

TREASURER'S CERTIFICATE

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

Signed this _____ day of _____, 2020.

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 _____, 2020.

Director of Equalization
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

Filed for record this _____ day of _____, 2020, 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



STAFF REPORT

March 17, 2020

REZONE PARCEL from an AG-P District

ITEM # 15

GENERAL INFORMATION

PETITIONER	A.) Jamie Jones & Steven Goetz B.) Bruce Jones & Sandy Jones
REQUEST	Petition to Rezone property
LEGAL DESCRIPTION	A.) "Lockwood's Outlot 1" in the NE1/4 of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota. B.) "Jones' Outlot 1" in the NE1/4 of Section 24-T123N-R65W of the 5 th P.M., Brown County, South Dakota.
LOCATION	A.) 37963 133 rd St B.) 37965 133 rd St
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this rezone to bring it into compliance for current and future use of the property.

REVIEW: A.) "Lockwood's Outlot 1" = 2.65± acres. B.) "Jones' Outlot 1" = 2.23 ± acres. These parcels do not meet a minimum 40.0 acres and do not qualify for a "farm unit" reduction for AG-P District per Title 4, Chapter 4.0605. Rezoning to Mini Agriculture District (M-AG) brings these parcels into compliance for their current (rural residential) and intended uses (rural residential/agriculture).

NOTICE OF HEARING

Application has been made to Brown County Planning/Zoning Commission for a REZONE PETITION. A hearing will be held in the Courthouse Annex in the basement Community Meeting Room, on March 17, 2010 at 7:00 p.m. for the purpose of Rezoning from Agricultural Preservation District (AG-P) to Mini Agriculture District (M-AG)

Owner & Petitioner: Jamie Jones and Steven Goetz
Description of property: "Lockwood's Outlot 1" in the NE1/4 of Section 24-T123N-R65W, Brown County, South Dakota.

Owner & Petitioner: Bruce Jones and Sandy Jones
Description of property: "Jones Outlot 1" in the NE1/4 of Section 24-T123N-R65W, Brown County, South Dakota

Reason: Rezone parcels to bring into compliance for existing uses of rural residential lots

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

Dated this 26th day of February 2020.

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

Published once at the total approximate cost of _____.

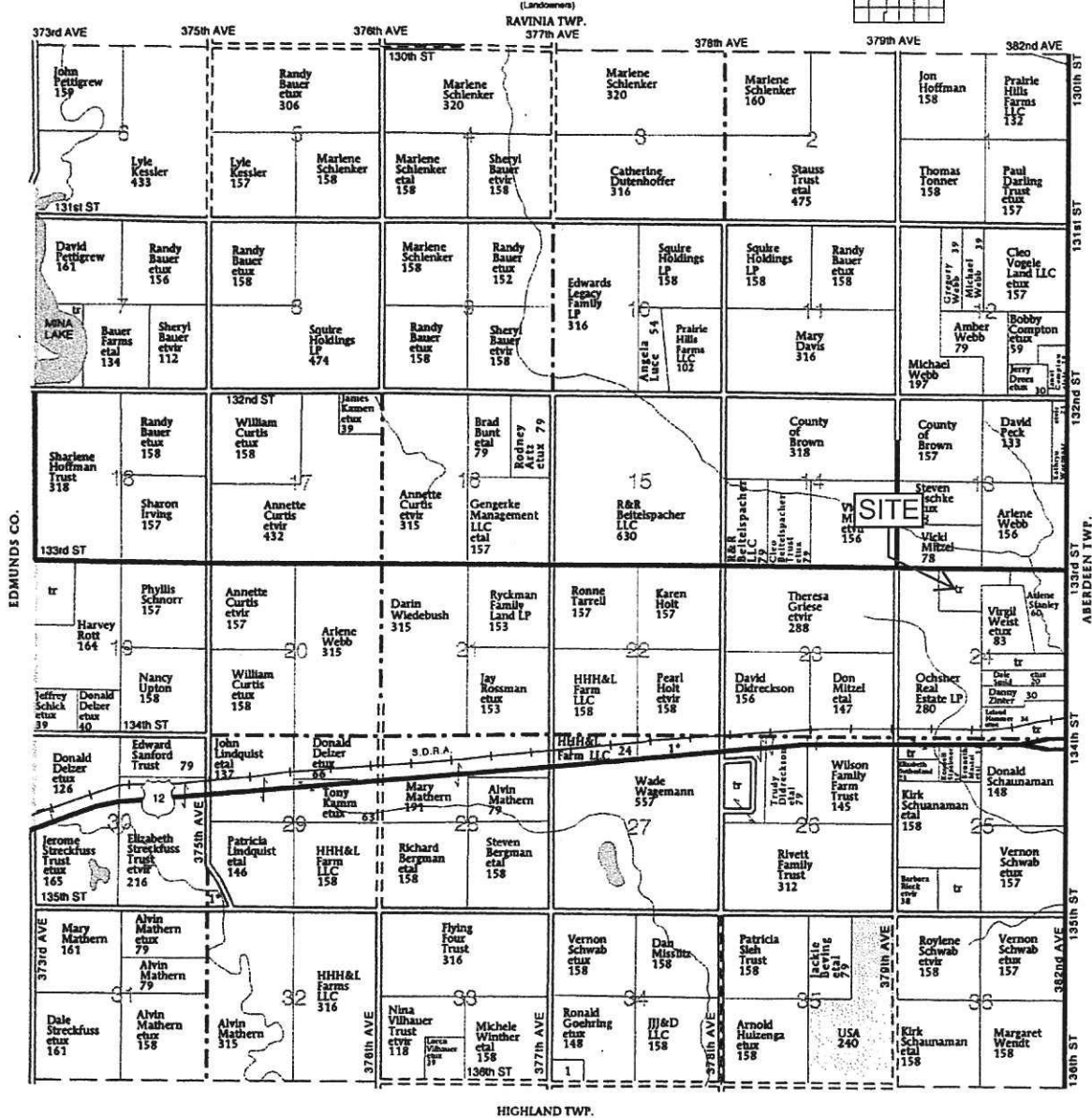
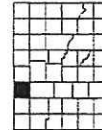


Who Wants Yesterday's News?
 Don't forget to bundle up your newspapers
 weekly for easy recycling!

T-123-N

MERCIER PLAT

R-65-W



MERCIER TOWNSHIP
 SECTION 27
 1. Holt, Pearl etvir 15
 SECTION 29
 1. Streckfuss Trust,
 Jerome etux 11
 SECTION 34
 1. Goehring Children
 Trust 10

REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: _____
Receipt: _____
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:

A) "Lockwood's Outlot 1" in the NE1/4 of Section 24-T123N- R65W of the 5th P.M., Brown County, South Dakota.

B) "Jones' Outlot 1" in the NE1/4 of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota.

General Area Location or Street Address:

A) 37963 133rd St

B) 37965 133rd St

From: Agriculture Preservation District (AG-P)

To: Mini Ag District (M-AG)

Purpose: *Rezone these two parcels to bring into compliance for current and future use.*

Size of Parcel:

A) 2.65 acres

B) 2.23 acres

Existing Land Uses: Hobby Farm

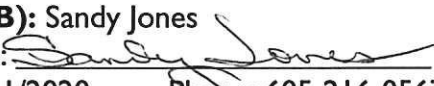
Owner A): Jamie Jones

Signature: 

Date: 2/21/2020 Phone: 605-216-5286

Address: 37963 133rd St
Aberdeen, SD 57401

Owner B): Sandy Jones

Signature: 

Date: 2/21/2020 Phone: 605-216-0567

Address: 37965 133rd St
Aberdeen, SD 57401

DRAWING NUMBER

DRAWING NUMBER

DRAWING NUMBER

7-654E

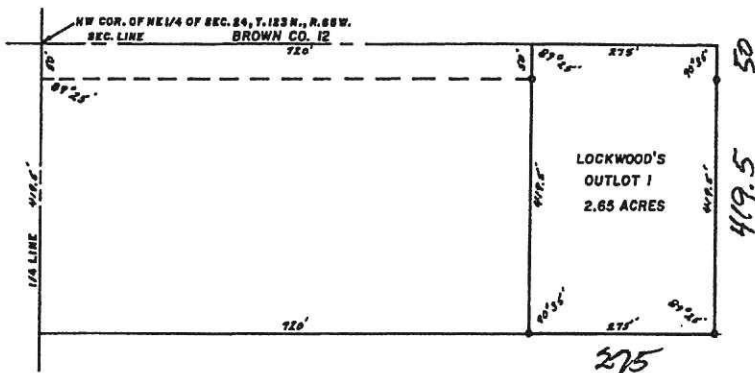
181

CG PRODUCTS • NEW HAVEN, CONNECTICUT
PLOTTER BY PART NUMBER 8202

CG PRODUCTS • NEW HAVEN, CONNECTICUT
PLOTTER BY PART NUMBER 8202

CG PRODUCTS • NEW HAVEN, CONNECTICUT
PLOTTER BY PART NUMBER 8202

PLAT SHOWING LOCKWOOD'S OUTLOT 1 IN THE NE 1/4 OF SEC. 24, T.123 N., R.65 W., BROWN COUNTY, SOUTH DAKOTA.



SCALE: 1"=100'
Ø-IRON PIPE



6-5-88

OWNER'S CERTIFICATE

We, Dorothy Heinrich, Jeanne Lockwood and Donna Martens, do hereby certify that we are the owners of the North 419.5 feet of the East 275 feet of the West 995 feet of the NE 1/4 of Sec. 24, T. 123 N., R. 65 W., Brown County, South Dakota, and that we have caused the same to be surveyed and platted as shown on the accompanying plat which shall hereafter be known and described as "Lockwood's Outlot 1 in the NE 1/4 of Sec. 24, T. 123 N., R. 65 W., Brown County, South Dakota," containing 2.65 acres, more or less. We do further certify that the development of the lands included in this plat shall conform to all existing applicable zoning, subdivision and sediment and erosion control regulations.

Signed this 7 day of June, 1988.

Dorothy Heinrich
Dorothy Heinrich

Signed this 7 day of June, 1988.

Jeanne Lockwood
Jeanne Lockwood

Signed this 7 day of June, 1988.

Donna Martens by Jeanne Lockwood
Donna Martens (by Jeanne Lockwood, Power of Attorney)

State of South Dakota)
County of Brown)

On this 7 day of June, 1988, before me, *Robert E. Miller*, the undersigned officer, personally appeared Dorothy Heinrich and Jeanne Lockwood, 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 official hand and seal. My commission expires: 3-24-94

Robert E. Miller
Notary Public, Brown County, South Dakota

SURVEYOR'S CERTIFICATE

I, Douglas J. Ochs, Registered Land Surveyor, do hereby certify that, at the request of the owners, I have surveyed and platted "Lockwood's Outlot 1 in the NE 1/4 of Sec. 24, T. 123 N., R. 65 W., Brown County, South Dakota," as shown on the accompanying plat and that I have set iron pipe as shown hereon and that said survey and plat are true and correct to the best of my knowledge and belief.

Signed this 5th day of June, 1988.

Douglas J. Ochs
Registered Land Surveyor 32110

State of South Dakota)
County of Brown)

On this 6th day of June, 1988, before me, Kenneth W. Schulz, the undersigned officer, personally appeared Douglas J. Ochs, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In witness whereof I hereunto set my official hand and seal. My commission expires:

Kenneth W. Schulz
KENNETH W. SCHULZ, Notary Public, Brown County, South Dakota
My commission expires Aug. 18, 1991

COUNTY PLAN COMMISSION CERTIFICATE

I hereby certify that the following is a correct copy of the resolution duly passed by the County Plan Commission of Brown County, South Dakota at a meeting held on the 14 day of June, 1988.

Dorothy M. Wood
Secretary, Brown County Plan Commission

"As it resolved by the County Plan Commission of Brown County, South Dakota, that the plat showing "Lockwood's Outlot 1 in the NE 1/4 of Sec. 24, T. 123 N., R. 65 W., Brown County, South Dakota," having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-2, and any amendments thereof."

APPROVAL BY COUNTY

I hereby certify that the following is a correct copy of the resolution duly passed by the Board of Commissioners of Brown County, South Dakota at a meeting held on the 9th day of June, 1988.

Burdette R. Roney
County Auditor, Brown County, South Dakota

"As it resolved by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Lockwood's Outlot 1 in the NE 1/4 of Sec. 24, T. 123 N., R. 65 W., 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 this plat are shown by the records of my office to be fully paid.

Signed this 7 day of June, 1988.

Charles Walden
County Treasurer, Brown County, South Dakota

DIRECTOR OF EQUALIZATION'S CERTIFICATE

I hereby certify that I have received a copy of this plat this 22nd day of June, 1988.

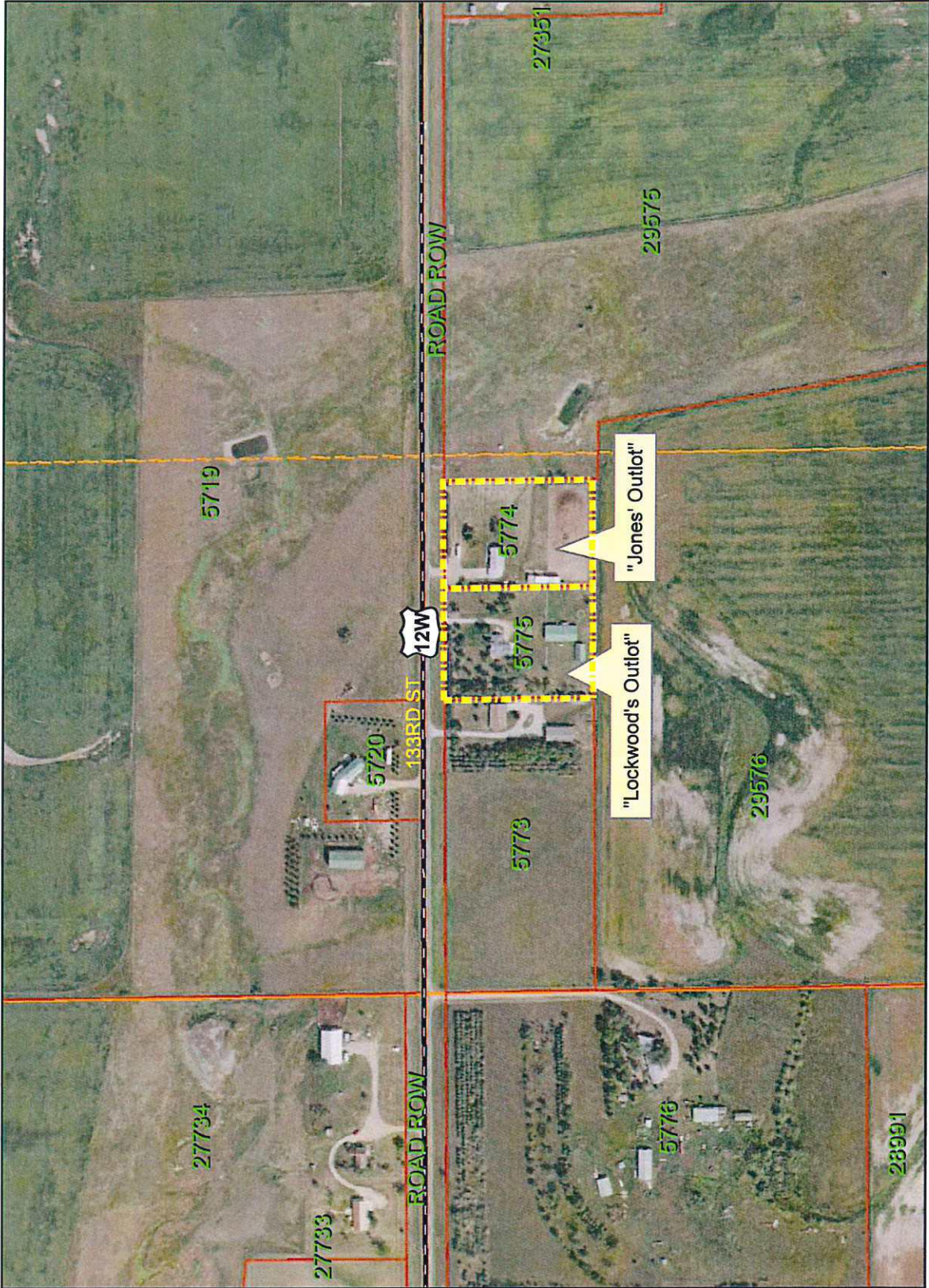
Dave Pellreux
Director of Equalization, Brown County, SD

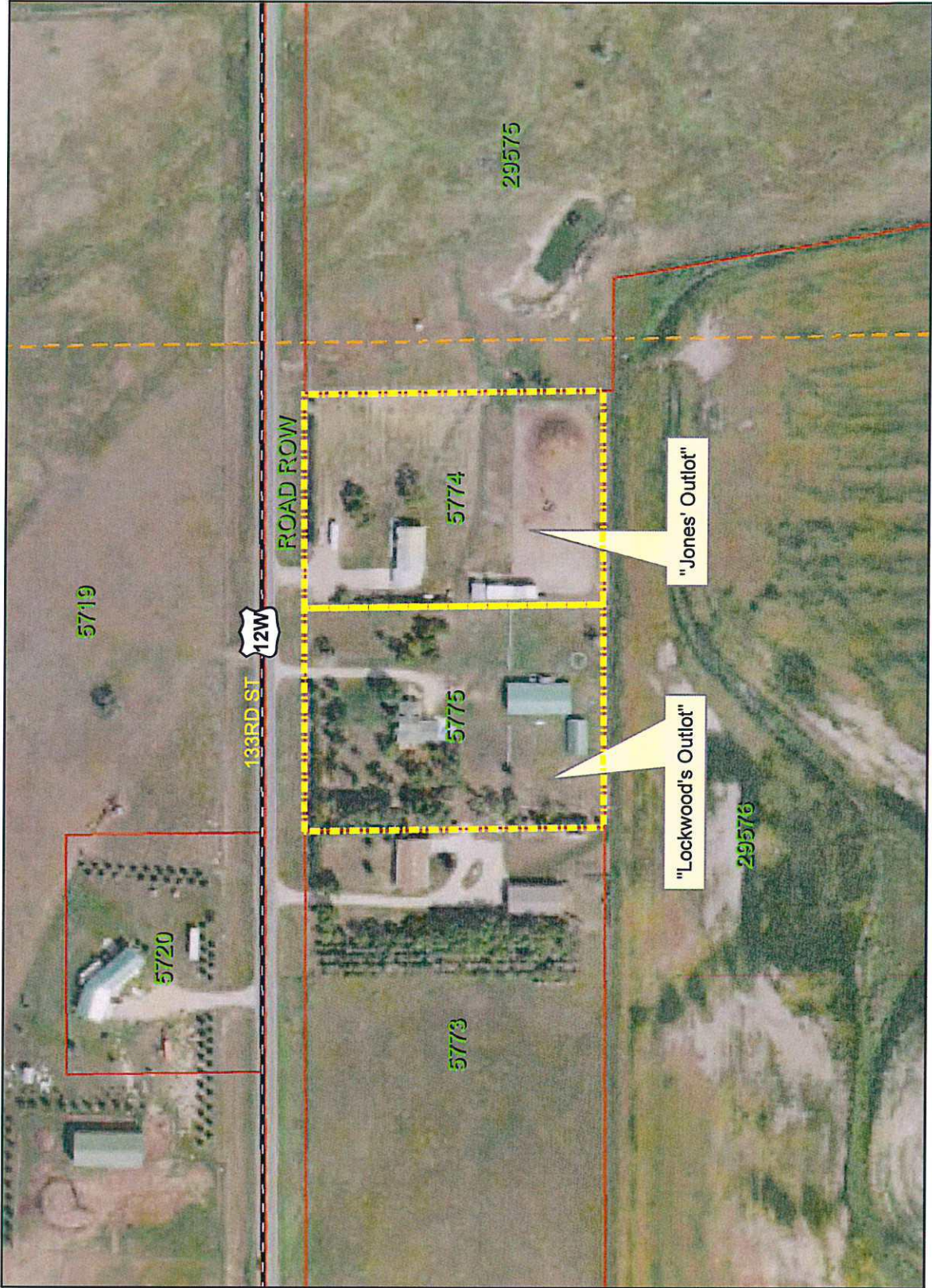
REGISTER OF DEEDS' CERTIFICATE

Filed for record this 8th day of July, 1988, at 11:30 o'clock P. M., and duly recorded in Book of Plats

No. 7, in envelope 654E therein.

Arne Steffen Christy
Register of Deeds, Brown County, South Dakota





5719

12W

133RD ST

ROAD ROW

5773

5775

5774

29575

"Lockwood's Outlot"

"Jones' Outlot"

5720

29576

STAFF REPORT
March 17, 2020

PRELIMINARY & FINAL PLAT

ITEM # 16

GENERAL INFORMATION

PETITIONER	Frank Sieh
REQUEST	Preliminary & Final Plat
LEGAL DESCRIPTION	“Neva and Frank Sieh Subdivision” in the W1/2 of the SW1/4 of Section 12-T122N-R61W of the 5th P.M., Brown County, South Dakota
LOCATION	13760 & 13780 405 th Ave
EXISTING ZONING	Agriculture 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)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

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

REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges the plat. Zoning Department recommends approval.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME "Neva and Frank Sieh Subdivision"

QUARTER: SW1/4 SECTION: 12 TOWNSHIP: 122 RANGE: 61

LOTS 1-2 TRACTS _____ PARCELS _____ OUTLOTS _____ OTHER _____

OWNERS NAMES: Frank and Neva Sieh Trust

OWNERS NAMES: Ian DeHueck - Trustee

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Randy Bacon

TYPE: PRELIMINARY _____ FINAL _____ BOTH X

FEE: \$100.00 TOTAL: \$100.00 DATE PAID: ____/____/20____

RECEIVED BY PLANNING DEPARTMENT: ____/____/20____ BY: Scott Bader

REASON FOR PLAT: DEVELOPMENT ____ CONVEYANCE ____ FINANCIAL PURPOSES ____ OTHER ____

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

STREETS/ROADS NAMED PROPERLY X NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT no

EXISTING ACCESS SHOWN ON PLAT no ACCESS NEEDED flat ditch

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 _____

TAXES PAID IN FULL FOR THE YEAR X TREASURER SIGNATURE LINE SIGNED _____
(2019 Taxes payable in 2020 must be paid up front for the whole year and not just one half)

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: February 12, 2020
RECEIPT # 326917
TOWNSHIP: West Hanson

FEES: \$100.00
PAID: (YES)/NO (CHK)CASH
DATE: 2-24-20

OWNERS SIGNATURE: Ian de Hueck - Trustee
OWNERS ADDRESS: 2433 Noyes Street
OWNERS CITY, STATE, ZIP: Evanston, IL 30201-2507
OWNERS PHONE: _____

AGENTS SIGNATURE: Rory King (Attorney for Trust) 
AGENTS ADDRESS: 305 Sixth Ave SE PO Box 970
AGENTS CITY, STATE, ZIP: Aberdeen, SD 57401
AGENTS PHONE: 605-225-2232

REQUEST: Preliminary and Final Plat

LEGAL DESCRIPTION: Lots 1-2, "Neva and Frank Sieh Subdivision" in the W1/2SW1/4 of Section 12-T122N-R61W of the 5th Principal Meridian (P.M.), Brown County, South Dakota

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: March 17, 2020 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

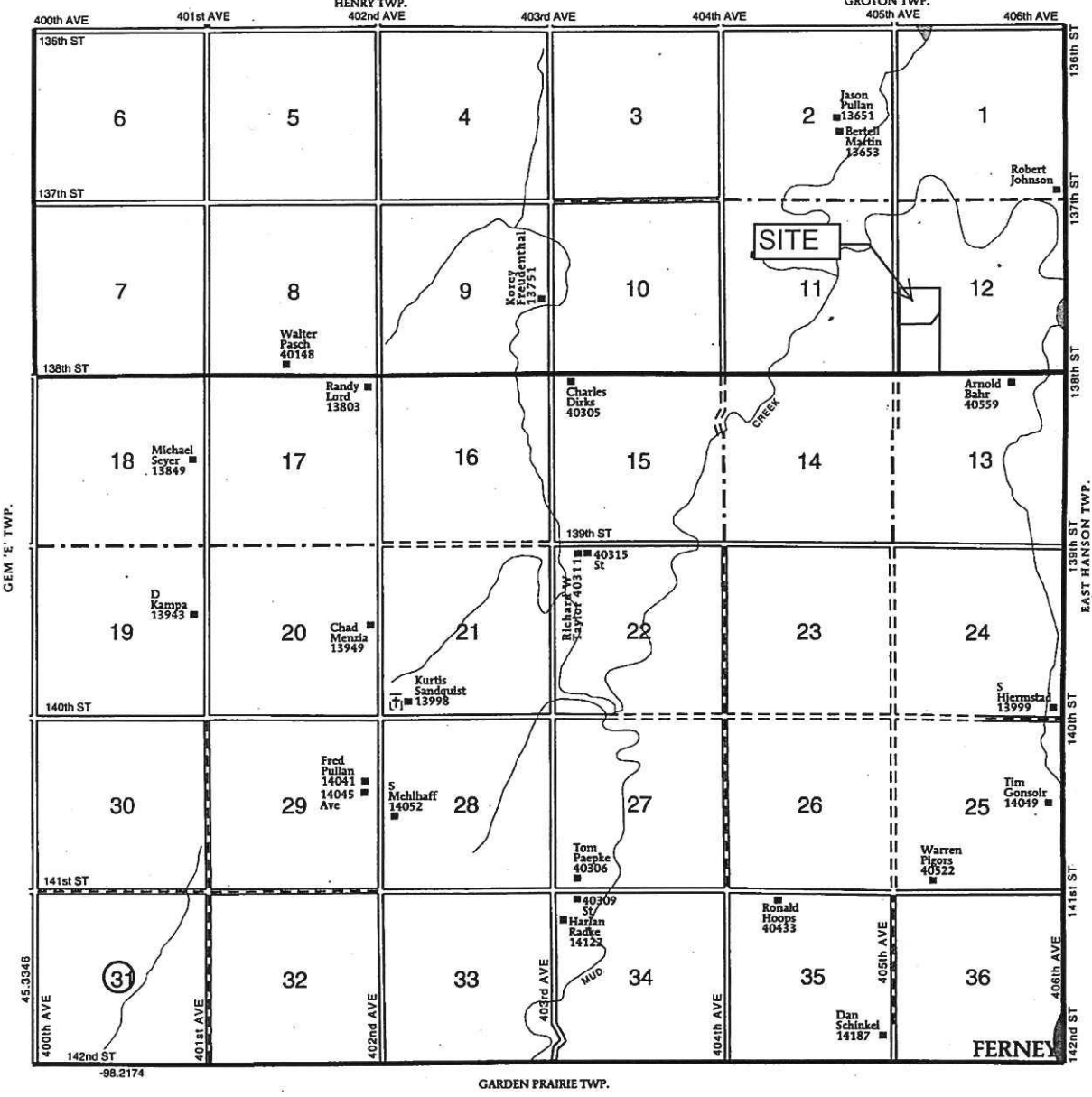
To Convert	Multiply by	Result
ounces	28.3495	grams
grams	.0353	ounces
pounds	.4536	kilograms
kilograms	2.2050	pounds

T-122-N

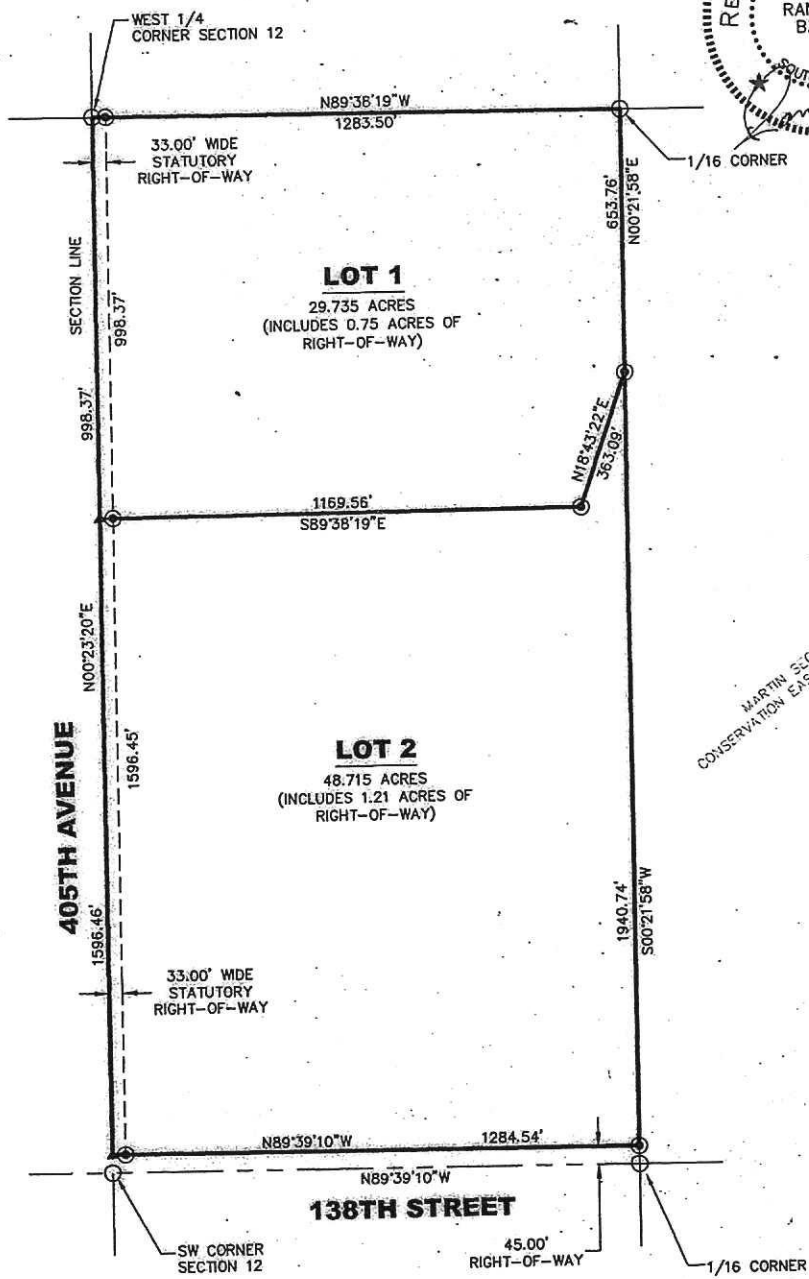
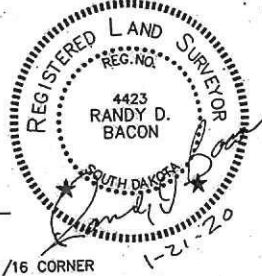
WEST HANSON DIRECTORY

R-61-W

(Residents - Owners or Renters)

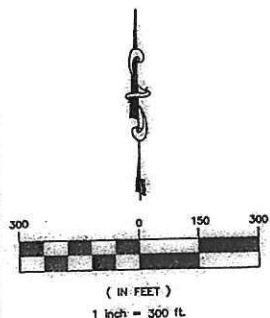


PLAT OF NEVA AND FRANK SIEH SUBDIVISION IN THE W 1/2 SW 1/4 OF SECTION 12-T122N-R61W OF THE 5th P.M. BROWN COUNTY, SOUTH DAKOTA



MARTIN SECOND
CONSERVATION EASEMENT REFERENCE 1

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



BASIS OF BEARINGS
TRUE MERIDIAN - GPS

Helms & Associates
CIVIL ENGINEERS & LAND SURVEYORS

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

DWG. 7546-LS BY:KMW SHEET 1 OF 3

PLAT OF
NEVA AND FRANK SIEH SUBDIVISION
IN THE W 1/2 SW 1/4 OF SECTION 12-T122N-R61W 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 NEVA AND FRANK L. SIEH TRUST, AS OWNER, AND UNDER THEIR DIRECTION FOR THE PURPOSES INDICATED THEREIN, I DID ON OR PRIOR TO DECEMBER 10, 2019, SURVEY THOSE PARCELS OF LAND DESCRIBED AS FOLLOWS: NEVA AND FRANK SIEH SUBDIVISION IN THE W 1/2 SW 1/4 OF SECTION 12-T122N-R61W 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 21 DAY OF January 2020

Randy D. Bacon
RANDY D. BACON, REGISTERED LAND SURVEYOR #4423

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE ABSOLUTE AND UNQUALIFIED OWNER 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 SHALL HEREAFTER BE KNOWN AS: NEVA AND FRANK SIEH SUBDIVISION IN THE W 1/2 SW 1/4 OF SECTION 12-T122N-R61W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA AS SHOWN BY THIS 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 7th DAY OF February 2021

PREVIOUSLY KNOWN AS THE:

W 1/2 SW 1/4 OF SECTION 12-T122N-R61W OF
THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA.

NEVA AND FRANK L. SIEH TRUST

IAN DE HUECK
BY: IAN DE HUECK, TRUSTEE

ACKNOWLEDGEMENT

STATE OF Illinois)
COUNTY OF Cook)SS

ON THIS THE 7 DAY OF February 2020, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED IAN DE HUECK, TRUSTEE OF THE NEVA AND FRANK L. SIEH TRUST, KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

Eduardo Gomez
Eduardo Gomez

NOTARY PUBLIC, Illinois STATE
OFFICIAL SEAL
EDUARDO GOMEZ
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 05/17/22
MY COMMISSION EXPIRES: _____

COUNTY PLANNING COMMISSION CERTIFICATION

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

"BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING, NEVA AND FRANK SIEH SUBDIVISION IN THE W 1/2 SW 1/4 OF SECTION 12-T122N-R61W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-2-2, AND ANY AMENDMENTS THEREOF."

SECRETARY OF BROWN COUNTY PLANNING COMMISSION, SOUTH DAKOTA

APPROVAL BY COUNTY

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

"BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING, NEVA AND FRANK SIEH SUBDIVISION IN THE W 1/2 SW 1/4 OF SECTION 12-T122N-R61W 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

**PLAT OF
NEVA AND FRANK SIEH SUBDIVISION
IN THE W 1/2 SW 1/4 OF SECTION 12-T122N-R61W OF THE 5th P.M.
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: _____

DIRECTOR OF EQUALIZATION'S CERTIFICATE

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

DIRECTOR OF EQUALIZATION, BROWN COUNTY, SOUTH DAKOTA

TREASURER'S CERTIFICATE

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

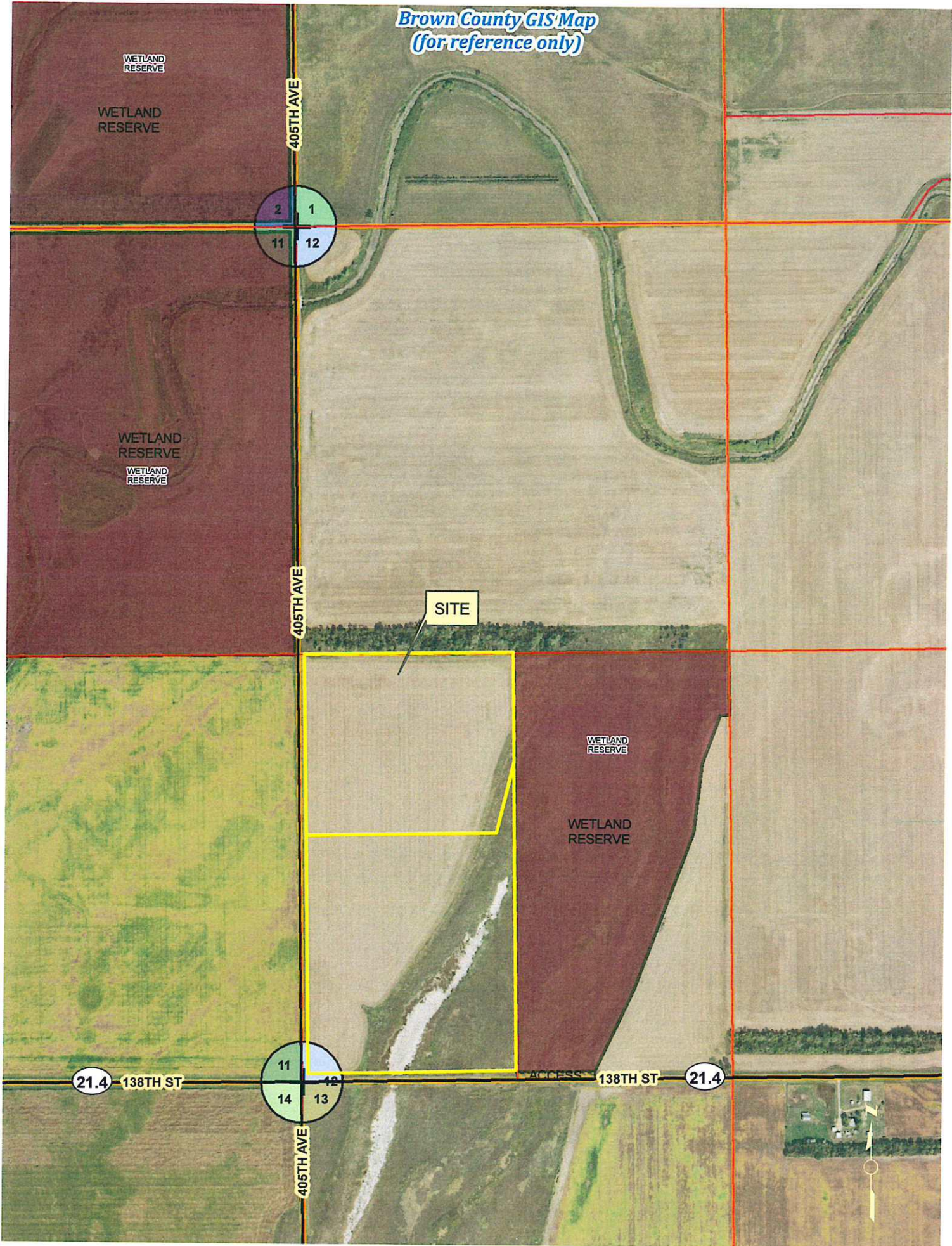
COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

REGISTER OF DEED'S CERTIFICATE

FILED FOR RECORD THIS ____ DAY OF _____, 20____ AT ____ O'CLOCK ____ AND DULY RECORDED AS
PLAT NO. _____

REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA

*Brown County GIS Map
(for reference only)*



*Brown County GIS Map
(for reference only)*

WETLAND
RESERVE

WETLAND
RESERVE



WETLAND
RESERVE
WETLAND
RESERVE

SITE

WETLAND
RESERVE

WETLAND
RESERVE

21.4



ACCESS

ACCESS

21.4



STAFF REPORT

March 17, 2020

PRELIMINARY & FINAL PLAT

ITEM # 17

GENERAL INFORMATION

PETITIONER	Paul Meyers
REQUEST	Preliminary & Final Plat
LEGAL DESCRIPTION	“Luke’s Landing Addition” in the N1/2 of Section 13-T123N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION	13245 394 th Ave
EXISTING ZONING	Agriculture Preservation (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation (AG-P)
South:	Agriculture Preservation (AG-P)
East:	Agriculture Preservation (AG-P)
West:	Agriculture Preservation (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this Preliminary and Final Plat for current and future use of the property.


REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges the plat. Zoning Department recommends approval.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR PLAT APPROVAL

DATE: 02/18/20
RECEIPT # 326922
TOWNSHIP: Bath Twp

FEES: \$100.00
PAID: (YES) / NO (CHK) CASH
DATE: 3/2/20

OWNERS SIGNATURE: Paul Meyers 
OWNERS ADDRESS: 39012 128th St
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE: 605-380-9127

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

REQUEST: Preliminary and Final Plat

LEGAL DESCRIPTION: Luke's Landing Addition in the N1/2 of Section 13-T123N-R63W
of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: March 17, 2020 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

Want a "free" extra book?

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

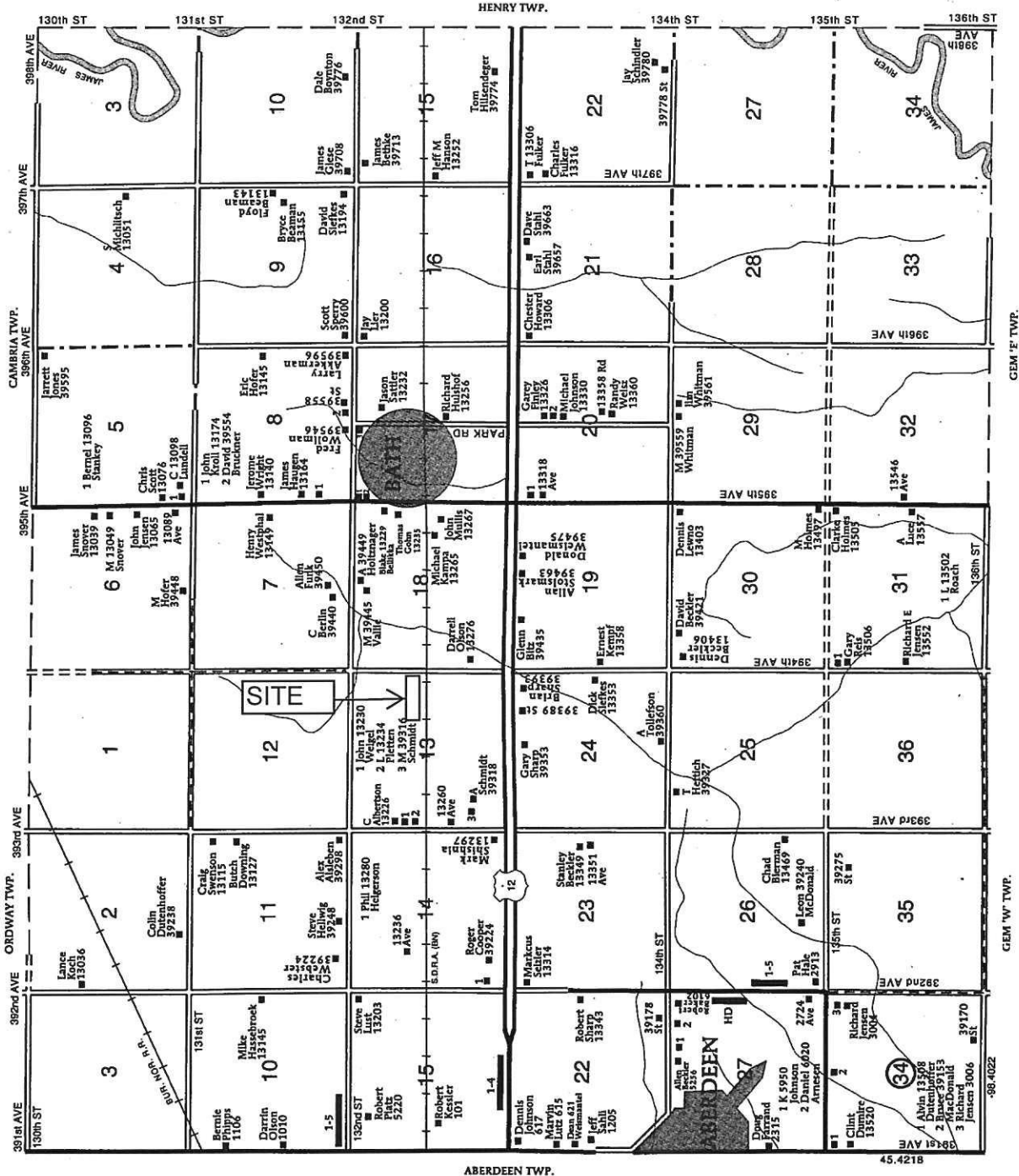
Contact our updating dept. at
800-685-7432-ext. 2605 or
 email: amanda.engebretson@farmandhomepublishers.com

T-123-N

BATH DIRECTORY

(Residents - Owners or Renters)

R-62-63-W



ABERDEEN TWP.

BATH TOWNSHIP

- SECTION 10W
 - 1 Beckler, Ron 5005
 - 2 Tennant, Cory 5025
 - 3 5091
 - 4 Gross, Del 5115
 - 5 Harper, Steve 5219
- SECTION 15W
 - 1 Gosman, C 5405
 - 2 Eilers, Todd 5485
 - 3 Knudson, R 5485
 - 4 Gosman, S 5755
- SECTION 17
 - 1 Buechler, Jerry 13228
 - 2 Brinkman, Stanley 13230
- SECTION 20
 - 1 Westphal, Henry 13316
 - 2 Ronroean, Kevin 13328
- SECTION 28
 - 1 Bellikka, Daryl 2111
 - 2 Kohlhass, Paul 2135
 - 3 Griess, Doug 2215
 - 4 Rud, Robert 2317
 - 5 Mattern, R 2519

BROWN CO., SD

PLAT SHOWING
LUKE'S LANDING ADDITION
 IN THE N1/2 OF SECTION 13,
 TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

We, Paul R. Meyers and Wendy S. Meyers, husband and wife, as tenants in common, do hereby certify that we are the owners of Outlot Two (2) of Luke's Farm Outlots in the North Half (N1/2) of Section Thirteen (13), Township One Hundred Twenty-Three (123) North, Range Sixty-Three (63) West of the 5th P.M., Brown County, South Dakota (Warranty Deed filed 5-2-2012 and duly recorded in Book 293 Deeds, Page 293), and that we have caused the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as "LUKE'S LANDING ADDITION IN THE N1/2 OF SECTION 13, TOWNSHIP 123 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.

By this plat, We, Paul R. Meyers and Wendy S. Meyers, husband and wife, as tenants in common, do hereby VACATE Outlot Two (2) of Luke's Farm Outlots in the North Half (N1/2) of Section Thirteen (13), Township One Hundred Twenty-Three (123) North, Range Sixty-Three (63) West of the 5th P.M., Brown County, South Dakota as filed for record on 4-4-2012 and duly recorded as Hanging Plat No. 2857.

Owner:

 Paul R. Meyers Signed this _____ day of _____, 2020.

 Wendy S. Meyers Signed this _____ day of _____, 2020.

COUNTY OF _____)
 STATE OF _____) SS

On this the _____ day of _____, 2020, before me, _____, the undersigned officer, personally appeared Paul R. Meyers and Wendy S. Meyers, husband and wife, as tenants in common, known to me or satisfactorily proven to be the person whose names Paul R. Meyers and Wendy S. Meyers, subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

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

My Commission Expires: _____

 Notary Public

SURVEYOR'S CERTIFICATE

I, Zachary M. Remily, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owners, I have surveyed and platted "LUKE'S LANDING ADDITION IN THE N1/2 OF SECTION 13, TOWNSHIP 123 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 13th day of FEBRUARY, 2020.



BROWN COUNTY HIGHWAY APPROVAL

"Access to 132nd STREET and 394th AVENUE is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."

Signed this _____ day of _____, 2020. _____
 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 _____, 2020.

 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 "LUKE'S LANDING ADDITION IN THE N1/2 OF SECTION 13, TOWNSHIP 123 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.

PREPARED BY:

CLARK
 ENGINEERING

Clark Engineering Corporation
 3314 Milwaukee Avenue NE, Suite 2
 Aberdeen, SD 57401
 Phone: (605) 225-3494
 Fax: (605) 225-5433

PLAT SHOWING
LUKE'S LANDING ADDITION
IN THE N1/2 OF SECTION 13,
TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

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 _____, 2020.

County Auditor
Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "LUKE'S LANDING ADDITION IN THE N1/2 OF SECTION 13, TOWNSHIP 123 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."

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 _____, 2020.

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 _____, 2020.

Director of Equalization
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

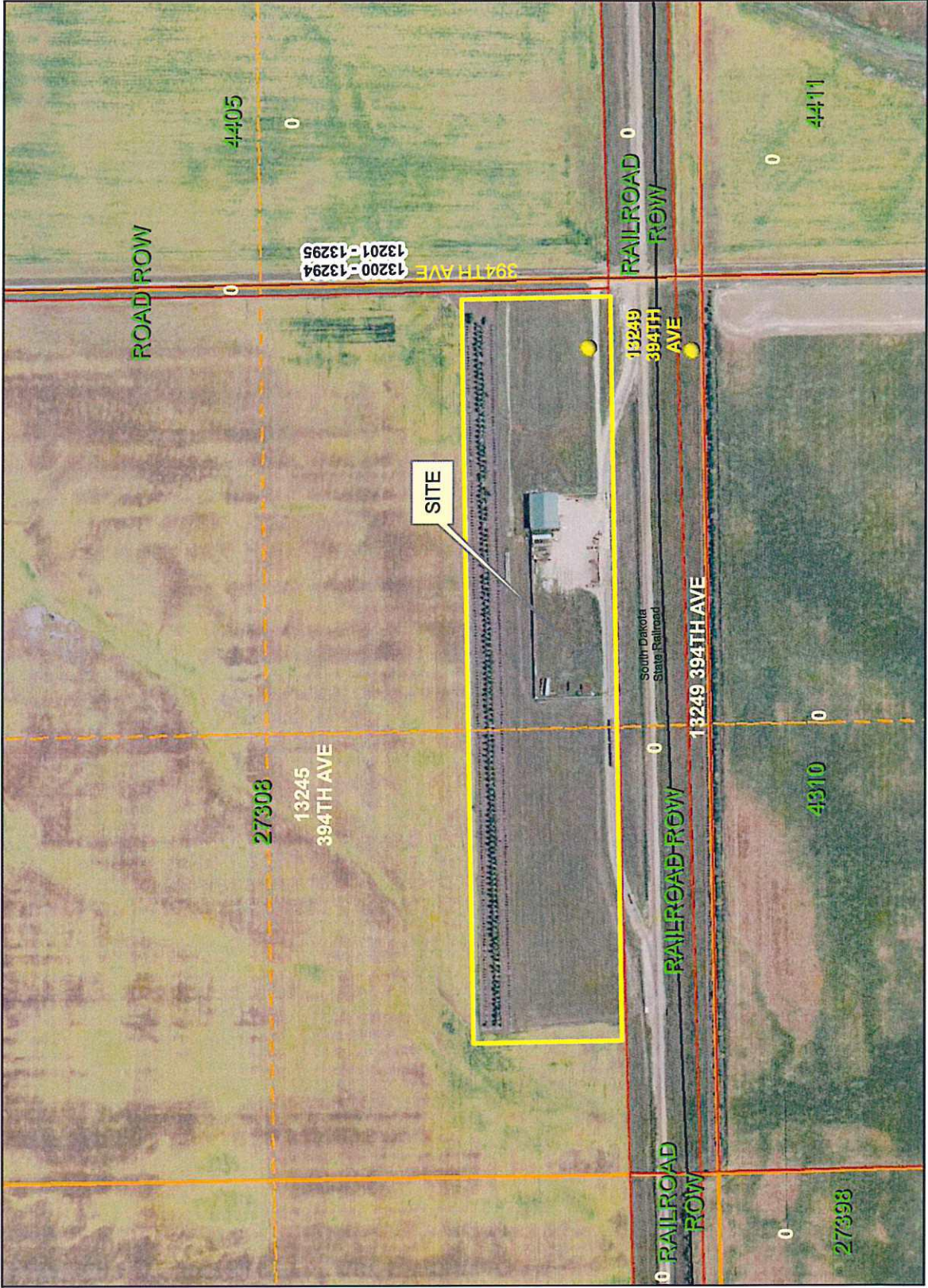
Filed for record this _____ day of _____, 2020, at _____ O'clock _____ M., and duly recorded as Hanging Plat No. _____.

Register of Deeds
Brown County, South Dakota

PREPARED BY:

CLARK

Clark Engineering Corporation
3314 Milwaukee Avenue NE, Suite 2
Aberdeen, SD 57401
Phone: (605) 225-3494
Fax: (605) 225-5433



STAFF REPORT
March 17, 2020

PRELIMINARY & FINAL PLAT

ITEM # 18

GENERAL INFORMATION

PETITIONER	Keith Miller
REQUEST	Preliminary & Final Plat
LEGAL DESCRIPTION	"K. Miller Addition" in the SW1/4 of Section 15-T122N-R64W of the 5th P.M., Brown County, South Dakota
LOCATION	38514 139 th St
EXISTING ZONING	Agriculture Preservation (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation (AG-P)
South:	Agriculture Preservation (AG-P)
East:	Agriculture Preservation (AG-P)
West:	Agriculture Preservation (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

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

REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges the plat. Zoning Department recommends approval.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME K. Miller Addition

QUARTER: SW SECTION: 15 TOWNSHIP: 122 RANGE: 63

LOTS _____ TRACTS _____ PARCELS _____ OUTLOTS _____ OTHER _____

OWNERS NAMES: Keith Miller

OWNERS NAMES: _____

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Clark Engineering

TYPE: PRELIMINARY _____ FINAL _____ BOTH X

FEE: \$100.00 TOTAL: \$ 100.00 DATE PAID: 03 / 03 /2020

RECEIVED BY PLANNING DEPARTMENT: 02 / 24 /2020 BY: Scott Bader

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

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

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

EXISTING ACCESS SHOWN ON PLAT X ACCESS NEEDED _____

DIMENSION ALL LINEWORK FOR GIS DEPT. _____ 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 _____

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

CONSIDERED BY COUNTY PLANNING COMMISSION:

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

CONSIDERED BY COUNTY COMMISSION:

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

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR PLAT APPROVAL

DATE: February 25, 2020

FEE: \$100.00

RECEIPT # 326928

PAID: YES/NO (CHK)CASH

TOWNSHIP: Warner

DATE: 3/3/20

OWNERS SIGNATURE: Keith Miller 

OWNERS ADDRESS: 38514 139th St

OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401

OWNERS PHONE: 605-226-9998

AGENTS SIGNATURE: _____

AGENTS ADDRESS: _____

AGENTS CITY, STATE, ZIP: _____

AGENTS PHONE: _____

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: "K. Miller Addition" in the SW1/4 of Section 15-T122N-R64W
of the 5th P.M., Brown County, South Dakota

Planning Commission Action: *Approved / Denied* _____

By: _____ Date: _____

HEARING DATE: March 17, 2020 TIME: 7:00 pm

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

25 Market Street • Aberdeen, South Dakota 57401-4203

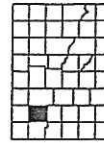
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

T-122-N

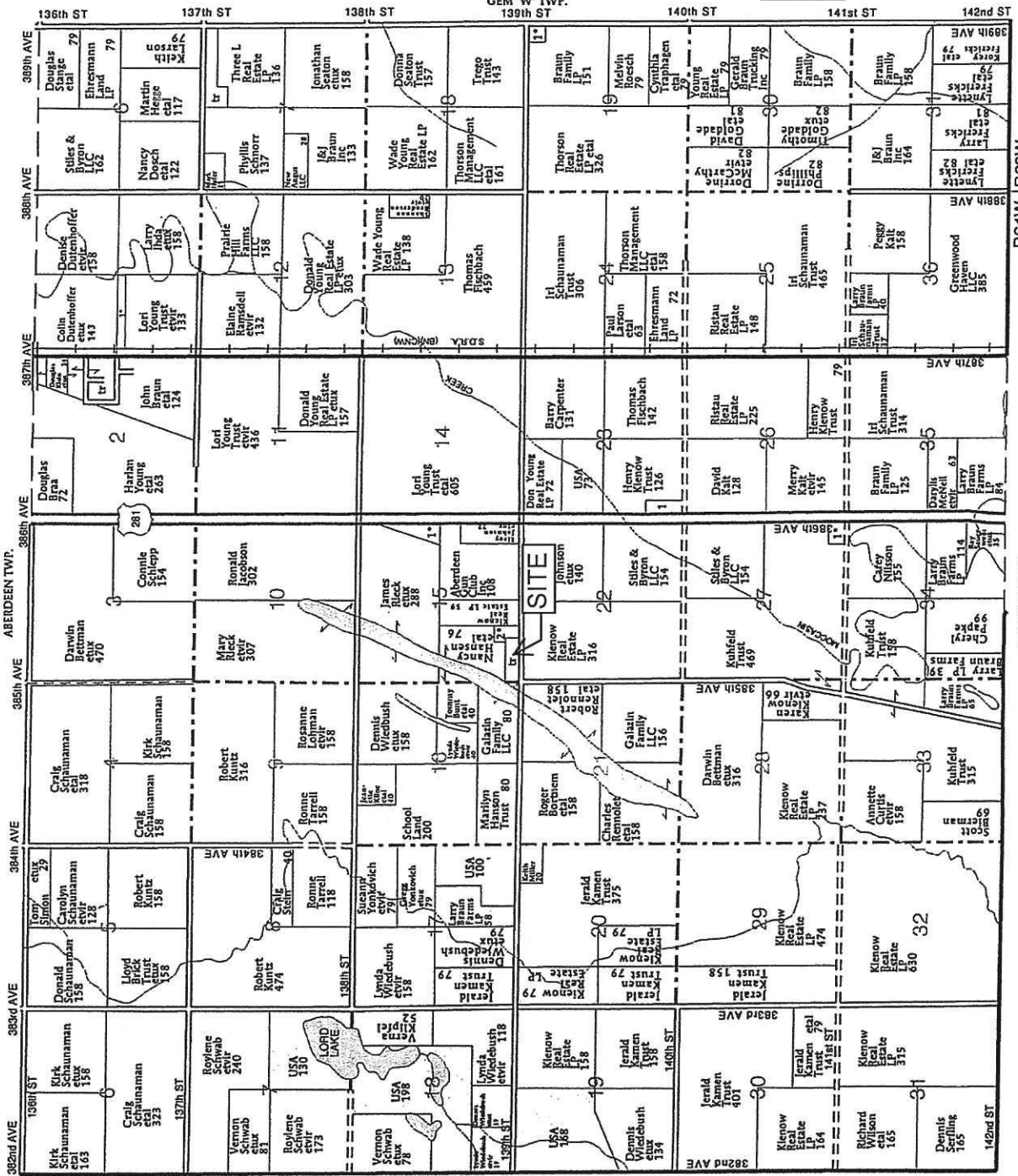
WARNER 'N' PLAT

(Landowners)

R-63-64-W



GEM 'W' TWP.
139th ST



R63W R63W WARNER 'S' TWP.

HIGHLAND TWP.

- WARNER 'N' TOWNSHIP**
- SECTION 1: Soltz, Timothy et ux 13
 - SECTION 15: Young, Harlan et al 11
 - SECTION 19E: Hansen, Eric et ux 7
 - SECTION 23: Bryant, Sharon et ux 7
 - SECTION 23: Kamen Equipment Inc 1, 13
 - SECTION 27: Leach, Michael et ux 11

**PLAT SHOWING
K. MILLER ADDITION
IN THE SW1/4 OF SECTION 15
TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA**

OWNER'S CERTIFICATE

I, KEITH MILLER, A.K.A. KEITH A. MILLER, DO HEREBY CERTIFY THAT I AM THE OWNER OF OUTLOT 3 AND OUTLOT 4, HANSEN'S OUTLOTS 3 & 4 IN THE SW1/4 OF SECTION 15, TOWNSHIP 122 NORTH, RANGE 64 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 "K. MILLER ADDITION IN THE SW1/4 OF SECTION 15, TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA" AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

BY THIS PLAT, I, KEITH MILLER, A.K.A. KEITH A. MILLER, DO HEREBY VACATE OUTLOT 3 AND OUTLOT 4, HANSEN'S OUTLOTS 3 & 4 IN THE SW1/4 OF SECTION 15, TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M., BROWN COUNTY AS FILED FOR RECORD ON MAY 1, 2006 AT 9:00 A.M., AND DULY RECORDED AS HANGING PLAT No. 2215H.

SIGNED THIS _____ DAY OF _____, 20____, OWNER:

KEITH MILLER, A.K.A. KEITH A. MILLER

COUNTY OF _____)
STATE OF _____) SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED KEITH MILLER, A.K.A. KEITH A. MILLER, 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, DO HEREBY CERTIFY THAT, AT THE REQUEST OF THE OWNERS, I HAVE SURVEYED AND PLATTED "K. MILLER ADDITION IN THE SW1/4 OF SECTION 15, TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA" AS SHOWN ON THE ATTACHED PLAT, THAT I HAVE FOUND AND/OR SET IRON PINS AS INDICATED THEREON, AND THAT SAID SURVEY AND PLAT ARE TRUE AND CORRECT.

SIGNED THIS 15th DAY OF NOVEMBER, 2016



HIGHWAY APPROVAL

THE LOCATION OF THE IN-PLACE ACCESS ROADS, IS HEREBY APPROVED. ANY CHANGE IN THE IN-PLACE ACCESS SHALL REQUIRE ADDITIONAL APPROVAL

SIGNED THIS _____ DAY OF _____, 20____, PRINT NAME AND TITLE

SIGNATURE

COUNTY PLANNING COMMISSION APPROVAL

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

SECRETARY OF COUNTY PLANNING COMMISSION
BROWN COUNTY, SOUTH DAKOTA

"BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING "K. MILLER ADDITION IN THE SW1/4 OF SECTION 15, TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA" HAVING BEEN EXAMINED IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL OF 1967, CHAPTER 11-6, AND ANY AMENDMENTS.

COUNTY COMMISSION APPROVAL

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

COUNTY AUDITOR
BROWN COUNTY, SOUTH DAKOTA

"BE IT RESOLVED BY THE COUNTY COMMISSION OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING "K. MILLER ADDITION IN THE SW1/4 OF SECTION 15, TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA" HAVING BEEN EXAMINED IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL OF 1967, CHAPTER 11-3, AND ANY AMENDMENTS THEREOF."

PREPARED BY:

	Clark Engineering Corporation 2301 8th Avenue NE, Suite 125 Aberdeen, SD 57401 Phone: (605) 225-3494 Fax: (605) 225-5433 Aberdeen@clark-eng.com EOE
	A16089 SHEET 2 of 3

**PLAT SHOWING
K. MILLER ADDITION
IN THE SW1/4 OF SECTION 15
TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA**

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY OF THE LANDS INCLUDED IN THE ATTACHED PLAT ARE SHOWN BY THE RECORDS OF MY OFFICE TO BE FULLY PAID.

SIGNED THIS _____ DAY OF _____, 20____.

COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

DIRECTOR OF EQUALIZATION CERTIFICATE

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

DIRECTOR OF EQUALIZATION, BROWN COUNTY, SOUTH DAKOTA

REGISTER OF DEEDS' CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20____, AT _____ O'CLOCK ____M., AND DULY RECORDED AS
HANGING PLAT No. _____

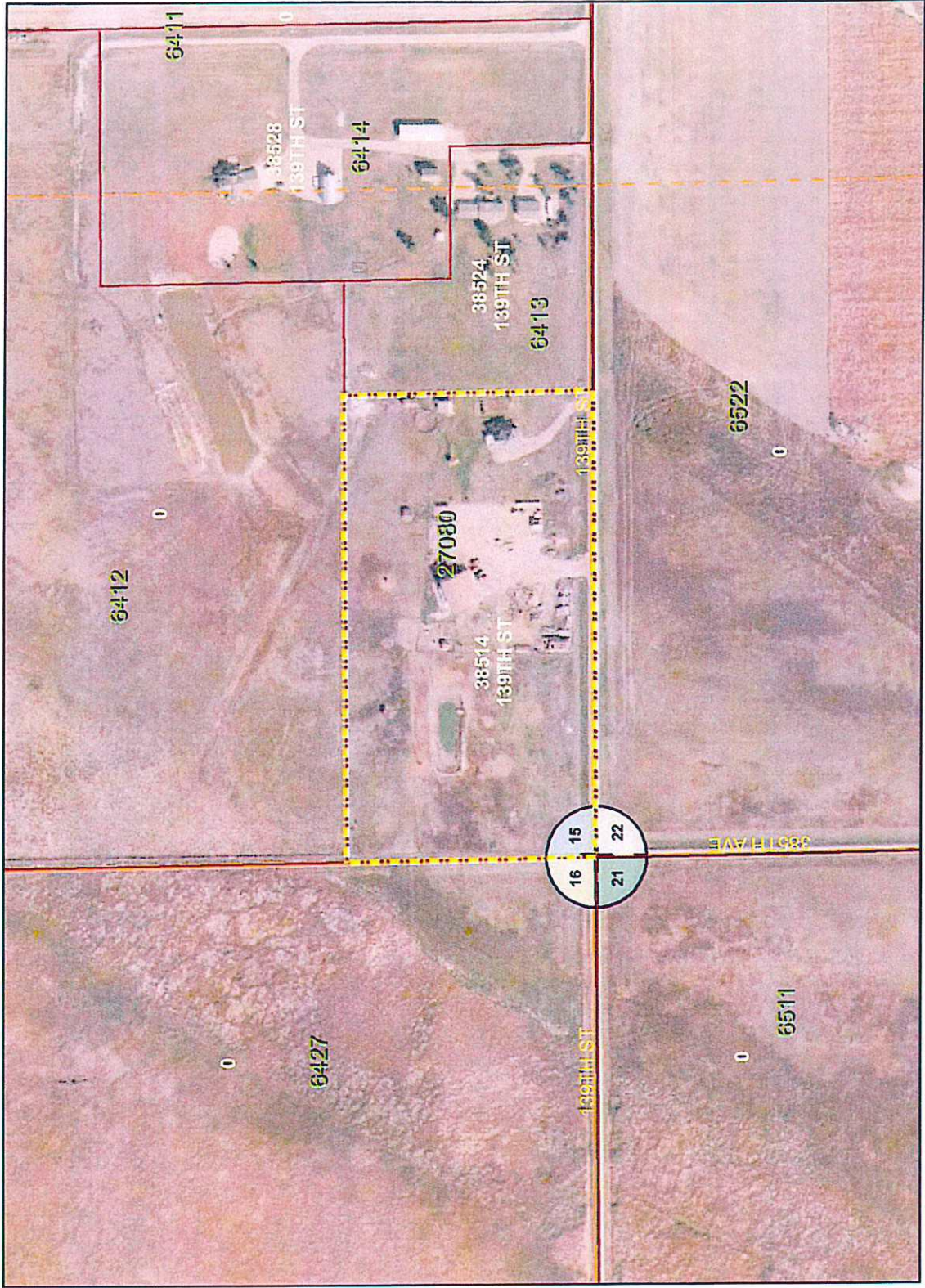
REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA

PREPARED BY:

CLARK
ENGINEERING

Clark Engineering Corporation
2301 8th Avenue NE, Suite 125
Aberdeen, SD 57401
Phone: (605) 225-3494
Fax: (605) 225-5433
Aberdeen@clark-eng.com EOE

A16089
SHEET 3 of 3



STAFF REPORT
March 17, 2020

PRELIMINARY & FINAL PLAT

ITEM # 19

GENERAL INFORMATION

PETITIONER	Jeff Hanson
REQUEST	Preliminary & Final Plat
LEGAL DESCRIPTION	Lots 1 & 2, "JT Hanson Farm Addition" in the SE1/4 of Section 9-T126N-R62W of the 5th P.M., Brown County, South Dakota
LOCATION	11379 397 th Ave (Lot 1) 39698 114 th St (Lot 2)
EXISTING ZONING	Agriculture Preservation (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation (AG-P)
South:	Conservation (CN)
East:	Conservation (CN)
West:	Agriculture Preservation (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

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

REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges the plat. A Variance to Lot Size has been filed for Lot 1 and a Rezone to Mini Agriculture has been filed for Lot 2. Zoning Department recommends approval.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME JT Hanson Farm Addition

QUARTER: SE SECTION: 9 TOWNSHIP: 126 RANGE: 62

LOTS 1 & 2 TRACTS _____ PARCELS _____ OUTLOTS _____ OTHER _____

OWNERS NAMES: Jeff Hanson

OWNERS NAMES: _____

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Zachary Remily (Clark Engineering)

TYPE: PRELIMINARY _____ FINAL _____ BOTH X

FEE: \$100.00 TOTAL: \$ 100.00 DATE PAID: 03 / 03 /2020

RECEIVED BY PLANNING DEPARTMENT: 03 / 03 /2020 BY: Scott Bader

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

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

STREETS/ROADS NAMED PROPERLY X NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT no

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 _____

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

HIGHWAY SIGNATURE LINE SIGNED _____

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

CONSIDERED BY COUNTY PLANNING COMMISSION:

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


CONSIDERED BY COUNTY COMMISSION:

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

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR PLAT APPROVAL

DATE: February 27, 2020 FEES: \$100.00
RECEIPT # 326925 PAID: (YES) NO (CHK) CASH
TOWNSHIP: Brainard DATE: 3/2/20

OWNERS SIGNATURE: Jeff Hanson 
OWNERS ADDRESS: 39698 114th St
OWNERS CITY, STATE, ZIP: Columbia, SD 57433
OWNERS PHONE: 605-885-7461

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

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: Lots 1 & 2, "JT Hanson Farm Addition in the SE 1/4 of Section 9-T126N-R62W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: March 17, 2020 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

ASSESSOR'S OFFICE COPY

**PLAT SHOWING
JT HANSON FARM ADDITION**
IN THE SE 1/4 OF SECTION 9,
TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA



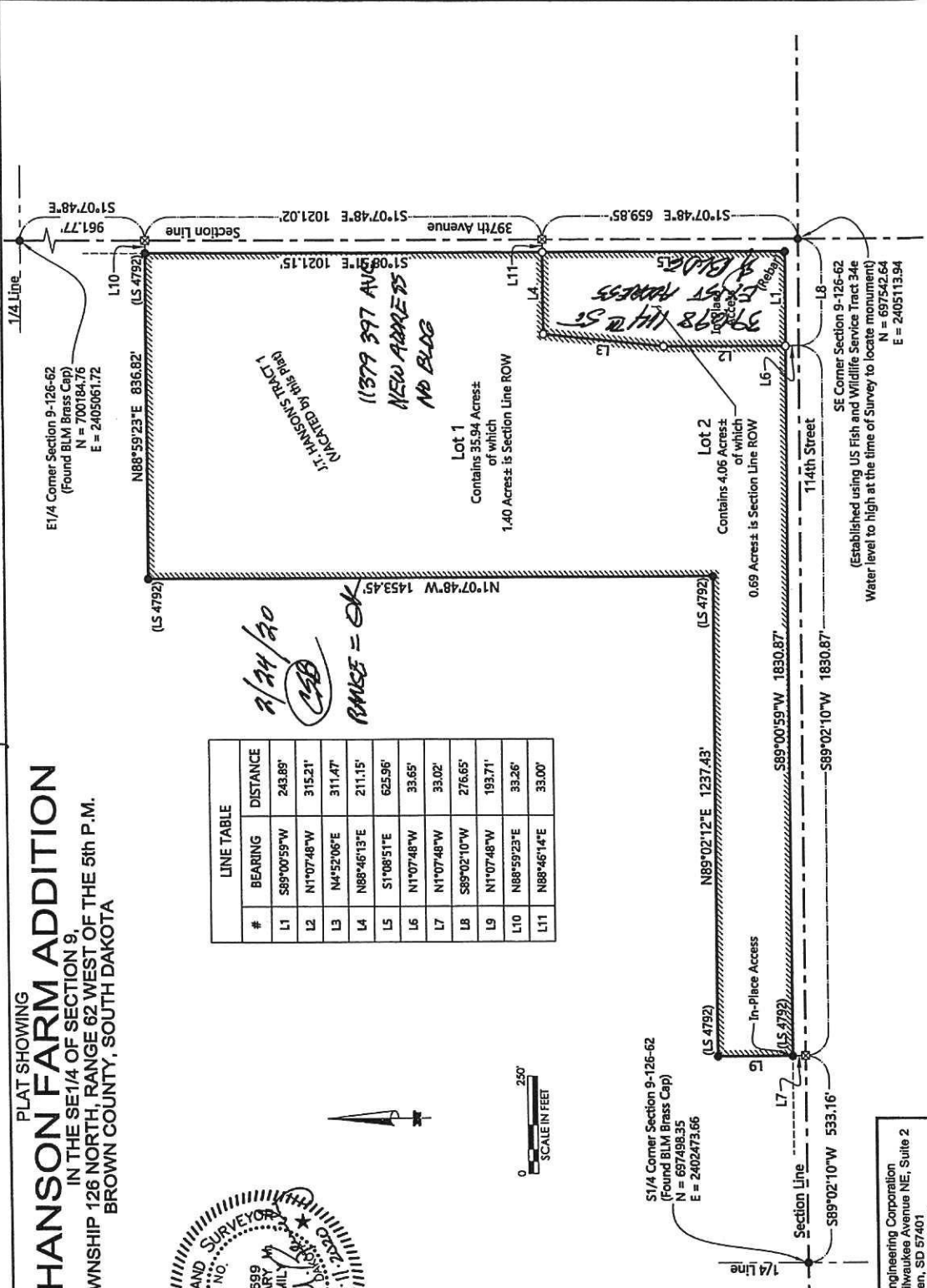
- LEGEND**
- PIN FOUND (AS NOTED)
 - PIN SET w/CAP LS 11699
 - ⊠ CALCULATED CORNER

BASIS OF BEARINGS
State Plane Grid
South Dakota North Zone (40001)
NAD '83 (2011) US Survey Feet
Distances are GROUND
Coordinates are GRID



LINE TABLE		
#	BEARING	DISTANCE
L1	S89°00'55"W	243.89'
L2	N1°07'48"W	315.21'
L3	N4°52'06"E	311.47'
L4	N88°46'13"E	211.15'
L5	S1°08'51"E	625.96'
L6	N1°07'48"W	33.65'
L7	N1°07'48"W	33.02'
L8	S89°02'10"W	276.65'
L9	N1°07'48"W	193.71'
L10	N88°59'23"E	33.26'
L11	N88°46'14"E	33.00'

2/24/20
CSB
RANGE = OK



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
JT HANSON FARM ADDITION
 IN THE SE1/4 OF SECTION 9,
 TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, Jeffrey T. Hanson, Trustee of the Jeffrey T. Hanson Revocable Trust Agreement Date March 10, 2004, do hereby certify that the trust is the owner of J.T. Hanson's Tract One (1) in the Southeast Quarter (SE1/4) of Section Nine (9), Township One Hundred Twenty-Six (126) North, Range Sixty-Two (62) West of the 5th P.M., Brown County, South Dakota (Warranty Deed filed 12-20-2004 and duly recorded in Book 282 Deeds, Page 39), and that I, as Trustee, have caused the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as "JT HANSON FARM ADDITION IN THE SE1/4 OF SECTION 9, TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" and that development of this land shall conform to all existing applicable zoning, subdivision and sediment control regulations.

By this plat, I, Jeffrey T. Hanson, Trustee of the Jeffrey T. Hanson Revocable Trust Agreement Date March 10, 2004, do hereby VACATE J.T. Hanson's Tract One (1) in the Southeast Quarter (SE1/4) of Section Nine (9), Township One Hundred Twenty-Six (126) North, Range Sixty-Two (62) West of the 5th P.M., Brown County, South Dakota as filed for record on October 13, 1999 at 10:30 A.M., and duly recorded in Book 18 of Plats, Page No. 1384E.

Owner: Jeffrey T. Hanson Revocable Trust Agreement Date March 10, 2004

Signed this _____ day of _____, 2020.

 Jeffrey T. Hanson, Trustee

COUNTY OF _____)
) SS
 STATE OF _____)

On this the _____ day of _____, 2020, before me, _____, the undersigned officer, personally appeared Jeffrey T. Hanson, Trustee of the Jeffrey T. Hanson Revocable Trust Agreement Date March 10, 2004, known to me or satisfactorily proven to be the person whose name Jeffrey T. Hanson, Trustee, subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

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

My Commission Expires: _____

 Notary Public

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 "JT HANSON FARM ADDITION IN THE SE1/4 OF SECTION 9, TOWNSHIP 126 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 11th day of FEBRUARY, 2020.



HIGHWAY APPROVAL

"Access to 114th STREET and 397th AVENUE is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."

Signed this _____ day of _____, 2020.

 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 _____, 2020.

 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 "JT HANSON FARM ADDITION IN THE SE1/4 OF SECTION 9, TOWNSHIP 126 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.

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
JT HANSON FARM ADDITION
IN THE SE1/4 OF SECTION 9,
TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

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 _____, 2020.

County Auditor
Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "JT HANSON FARM ADDITION IN THE SE1/4 OF SECTION 9, TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof."

TREASURER'S CERTIFICATE

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

Signed this _____ day of _____, 2020.

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 _____, 2020.

Director of Equalization
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

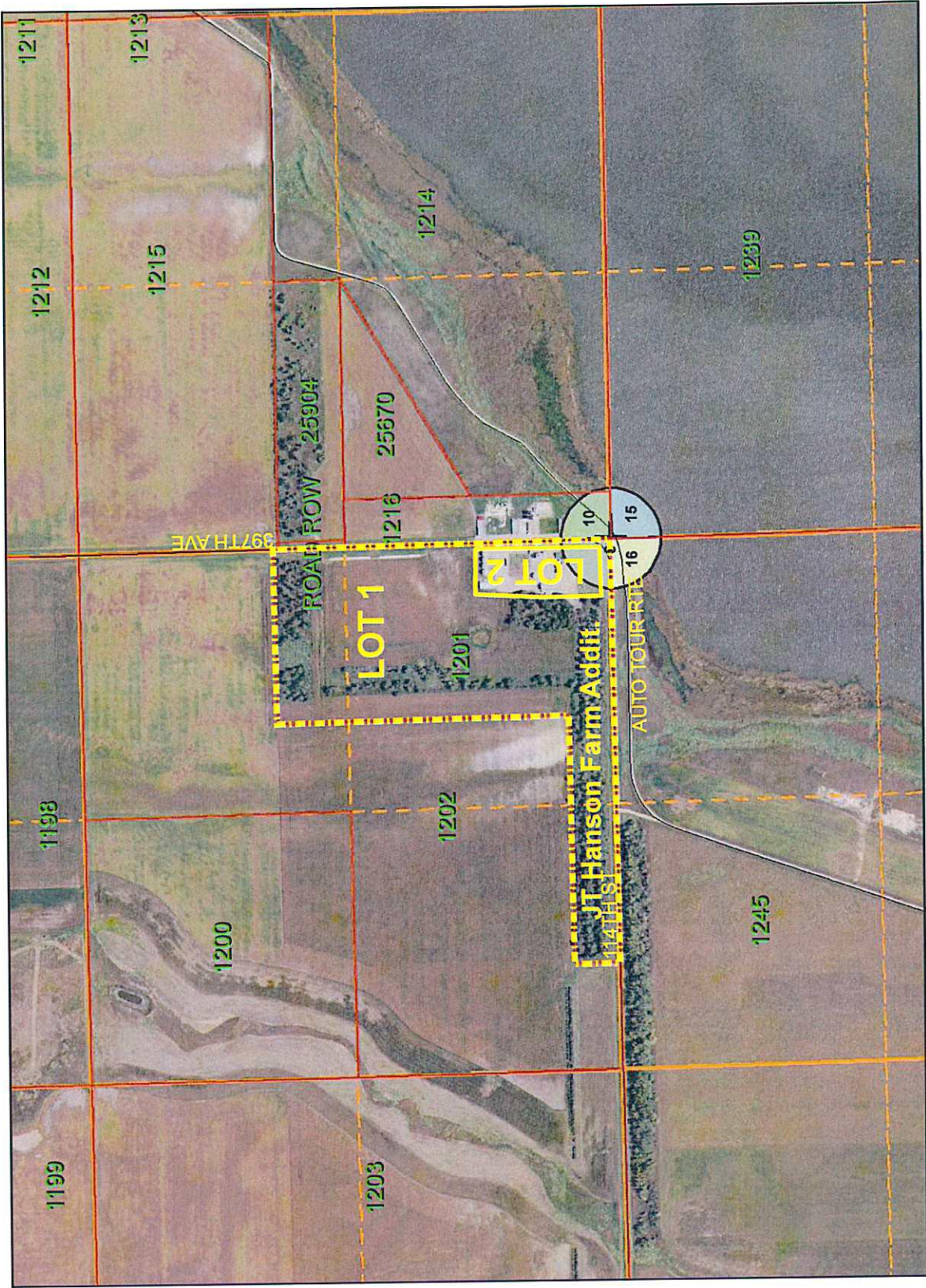
Filed for record this _____ day of _____, 2020, at _____ O'clock _____ M., and duly recorded as Hanging Plat No. _____.

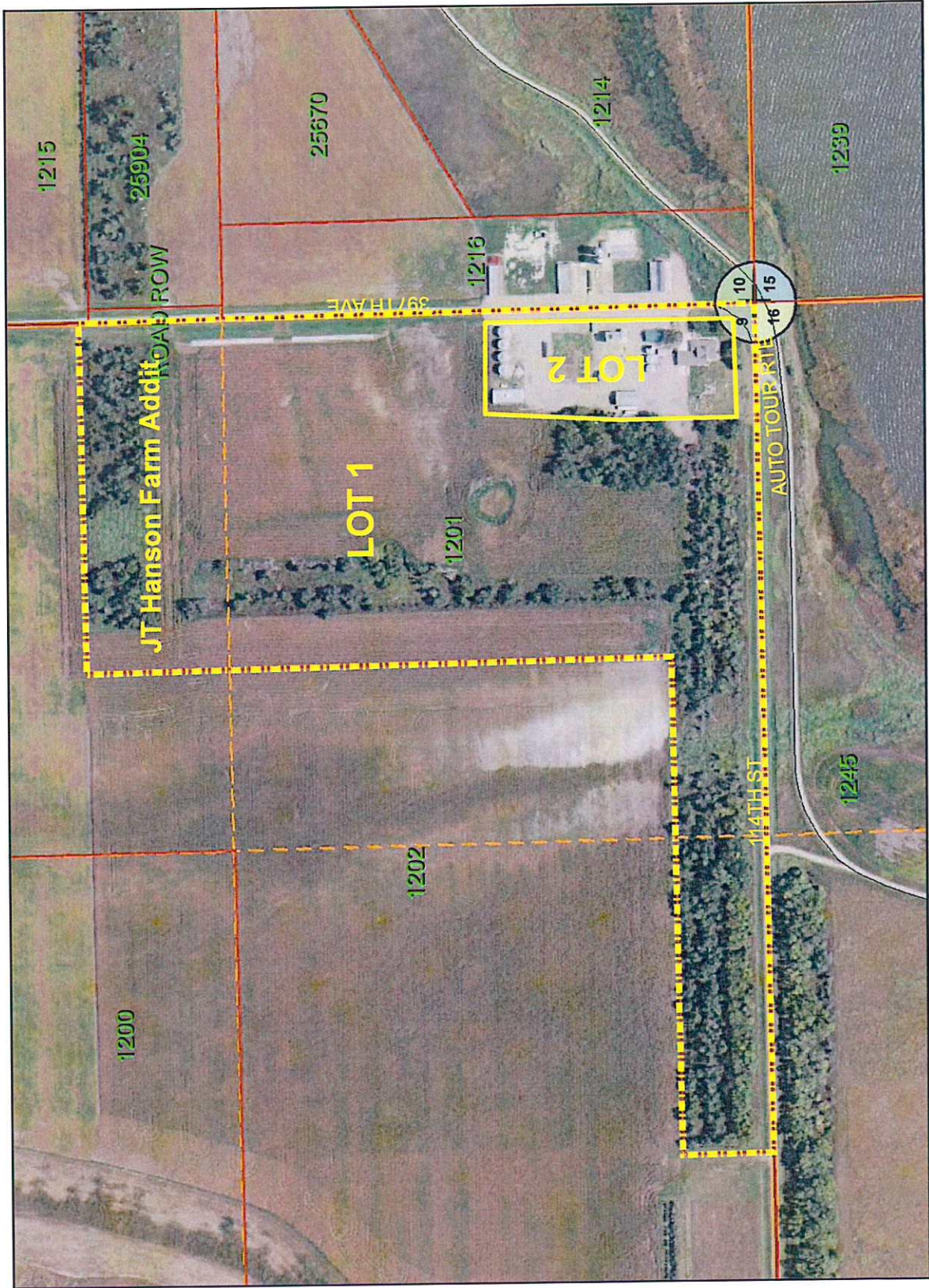
Register of Deeds
Brown County, South Dakota

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





STAFF REPORT
March 17, 2020

PRELIMINARY & FINAL PLAT

ITEM # 20

GENERAL INFORMATION

PETITIONER	Jeff Hanson
REQUEST	Preliminary & Final Plat
LEGAL DESCRIPTION	Lots 1 & 2, "JT Hanson Farms Second Addition" in the SE1/4 of Section 10-T126N-R62W of the 5th P.M., Brown County, South Dakota
LOCATION	11384 397 th Ave (Lot 1) 11396 397 th Ave (Lot 2)
EXISTING ZONING	Agriculture Preservation (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation (AG-P)
South:	Conservation (CN)
East:	Conservation (CN)
West:	Agriculture Preservation (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

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

REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges the plat. A Variance to Lot Size has been filed for Lot 1 and a Rezone to Mini Agriculture has been filed for Lot 2. Zoning Department recommends approval.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME JT Hanson Farms Second Addition

QUARTER: SE SECTION: 10 TOWNSHIP: 126 RANGE: 62

LOTS 1 & 2 TRACTS _____ PARCELS _____ OUTLOTS _____ OTHER _____

OWNERS NAMES: Jeff Hanson

OWNERS NAMES: _____

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Zachary Remily (Clark Engineering)

TYPE: PRELIMINARY _____ FINAL _____ BOTH X

FEE: \$100.00 TOTAL: \$ 100.00 DATE PAID: 03 / 03 /2020

RECEIVED BY PLANNING DEPARTMENT: 03 / 03 /2020 BY: Scott Bader

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

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

STREETS/ROADS NAMED PROPERLY X NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT no

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 _____

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

HIGHWAY SIGNATURE LINE SIGNED _____

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

CONSIDERED BY COUNTY PLANNING COMMISSION:

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

CONSIDERED BY COUNTY COMMISSION:


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

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR PLAT APPROVAL

DATE: February 27, 2020
RECEIPT # 326927
TOWNSHIP: Brainard

FEES: \$100.00
PAID: YES/NO CHK/CASH
DATE: 3/3/20

OWNERS SIGNATURE: Jeff Hanson 
OWNERS ADDRESS: 39698 114th St
OWNERS CITY, STATE, ZIP: Columbia, SD 57433
OWNERS PHONE: 605-885-7461

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

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: Lots 1 & 2, "JT Hanson Farms Second Addition" in the SE1/4 of Section 10-T126N-R62W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied _____

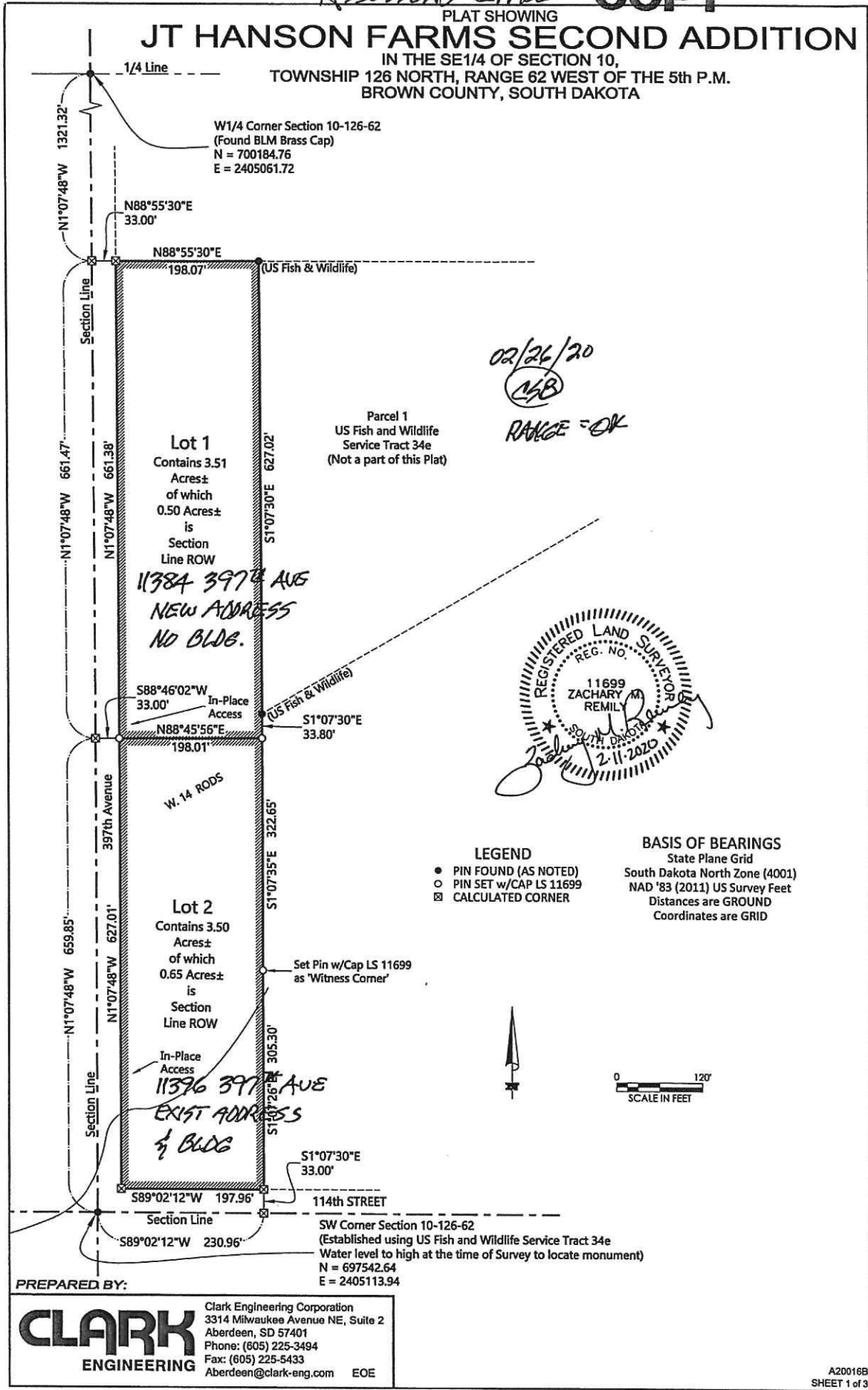
By: _____ Date: _____

HEARING DATE: March 17, 2020 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

JT HANSON FARMS SECOND ADDITION

PLAT SHOWING
 IN THE SE1/4 OF SECTION 10,
 TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA



W1/4 Corner Section 10-126-62
 (Found BLM Brass Cap)
 N = 700184.76
 E = 2405061.72

02/26/20
 (MB)
 RANGE = OK

Parcel 1
 US Fish and Wildlife
 Service Tract 34e
 (Not a part of this Plat)

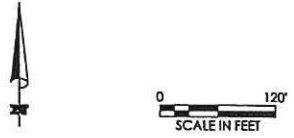
Lot 1
 Contains 3.51
 Acres±
 of which
 0.50 Acres±
 is
 Section
 Line ROW
 11384 397th AVE
 NEW ADDRESS
 NO BLDG.



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

Lot 2
 Contains 3.50
 Acres±
 of which
 0.65 Acres±
 is
 Section
 Line ROW
 11396 397th AVE
 EXIST ADDRESS
 1/2 BLDG



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
JT HANSON FARM SECOND ADDITION
 IN THE SW1/4 OF SECTION 10,
 TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, Jeffrey T. Hanson, Trustee of the Jeffrey T. Hanson Revocable Trust Agreement Date March 10, 2004, do hereby certify that the trust is the owner of the West Fourteen (W. 14) Rods of the Southwest Quarter (SW1/4) of Section Ten (10), Township One Hundred Twenty-Six (126) North, Range Sixty-Two (62) West of the 5th P.M., Brown County, South Dakota (Warranty Deed filed 12-20-2004 and duly recorded in Book 282 Deeds, Page 39), and that I, as Trustee, have caused the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as "JT HANSON FARM SECOND ADDITION IN THE SW1/4 OF SECTION 10, TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" and that development of this land shall conform to all existing applicable zoning, subdivision and sediment control regulations.

Owner: Jeffrey T. Hanson Revocable Trust Agreement Date March 10, 2004

Jeffrey T. Hanson, Trustee _____ Signed this _____ day of _____, 2020.

COUNTY OF _____)
 STATE OF _____) SS

On this the _____ day of _____, 2020, before me, _____, the undersigned officer, personally appeared Jeffrey T. Hanson, Trustee of the Jeffrey T. Hanson Revocable Trust Agreement Date March 10, 2004, known to me or satisfactorily proven to be the person whose name Jeffrey T. Hanson, Trustee, subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

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

My Commission Expires: _____

 Notary Public

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 "JT HANSON FARM SECOND ADDITION IN THE SW1/4 OF SECTION 10, TOWNSHIP 126 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 11th day of February, 2020.



HIGHWAY APPROVAL

"Access to 114th STREET and 397th AVENUE is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."

Signed this _____ day of _____, 2020. _____
 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 _____, 2020.

 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 "JT HANSON FARM SECOND ADDITION IN THE SW1/4 OF SECTION 10, TOWNSHIP 126 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.

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
JT HANSON FARM SECOND ADDITION
IN THE SW1/4 OF SECTION 10,
TOWNSHIP 126 NORTH, RANGE 62 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

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 _____, 2020.

County Auditor
Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing *JT HANSON FARM SECOND ADDITION IN THE SW1/4 OF SECTION 10, TOWNSHIP 126 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 1987, Chapter 11-3, and any amendments thereof."

TREASURER'S CERTIFICATE

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

Signed this _____ day of _____, 2020.

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 _____, 2020.

Director of Equalization
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

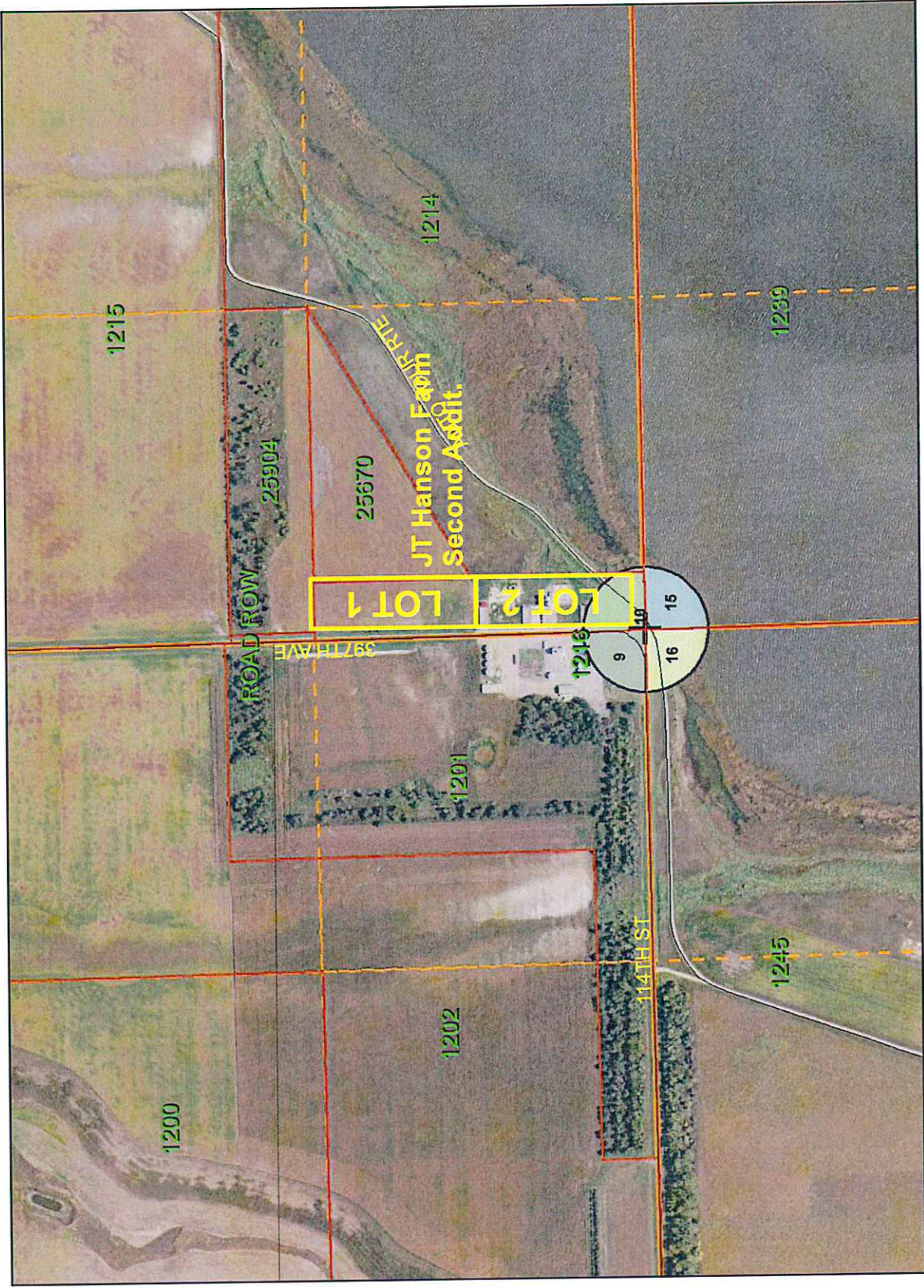
Filed for record this _____ day of _____, 2020, at _____ O'clock _____ M., and duly recorded as Hanging Plat No. _____.

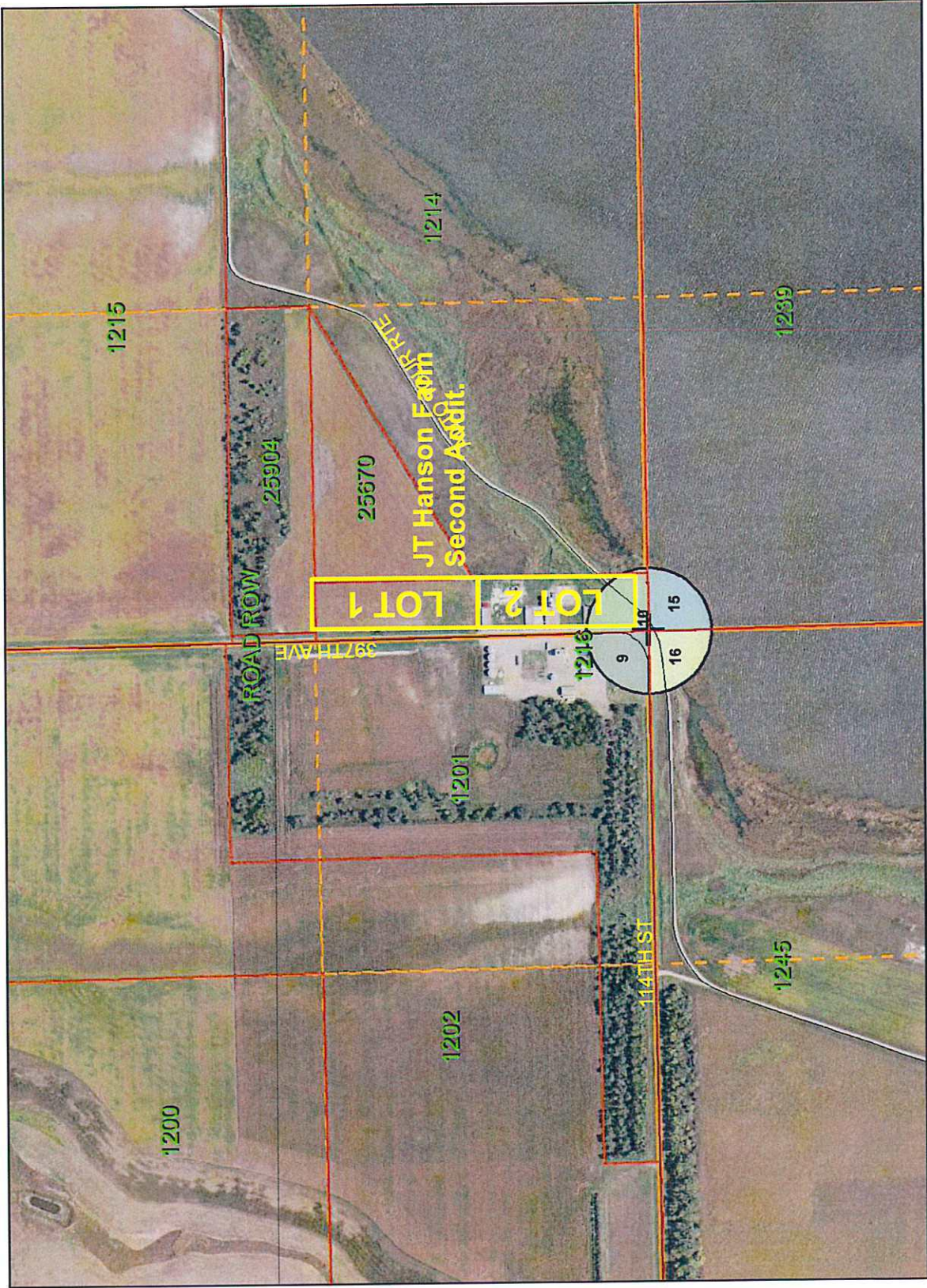
Register of Deeds
Brown County, South Dakota

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





STAFF REPORT
March 17, 2020

PRELIMINARY & FINAL PLAT

ITEM # 21

GENERAL INFORMATION

PETITIONER	Steve Stillman
REQUEST	Preliminary & Final Plat
LEGAL DESCRIPTION	Lot 1, "BRS First Addition to Block 7, Prairiewood Village" in the NE1/4 of Section 33-T124N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION	12928 Prairiewood Dr
EXISTING ZONING	Residential District (R-1)
SURROUNDING ZONING	
North:	Residential District (R-1)
South:	Residential District (R-1)
East:	Residential District (R-1)
West:	Residential District (R-1)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this Preliminary and Final Plat for combining properties for construction.


REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges the plat. Zoning Department recommends approval.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR PLAT APPROVAL

DATE: February 24, 2020
RECEIPT # 376918
TOWNSHIP: Prairiewood Village

FEES: 100.00
PAID: YES/NO CHK/CASH
DATE: 2/27/20

OWNERS SIGNATURE: BRS LLC 
OWNERS ADDRESS: 1915 15th Ave SE #6
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE: _____

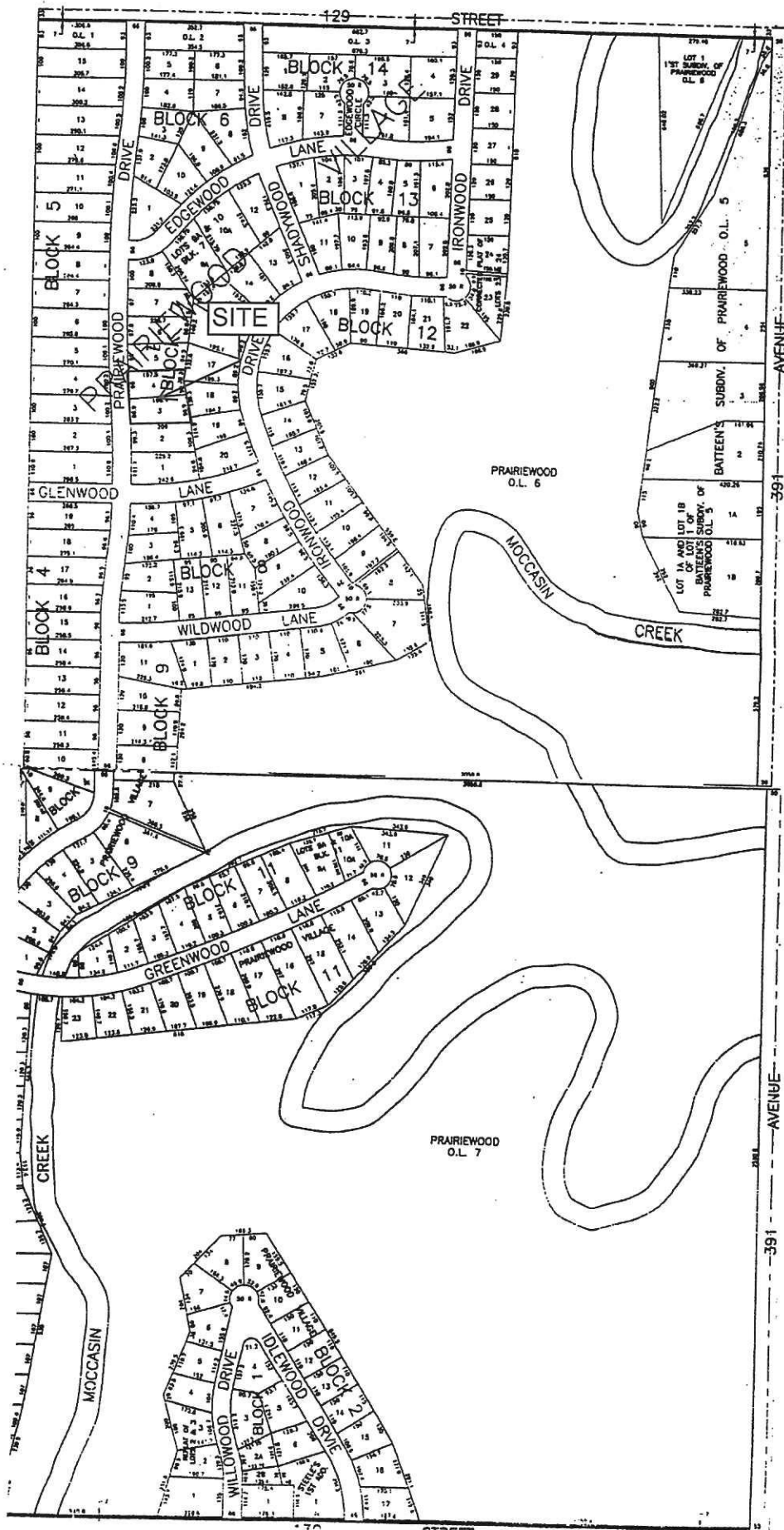
AGENTS SIGNATURE: Steve Stillman
AGENTS ADDRESS: _____
AGENTS CITY, STATE, ZIP: _____
AGENTS PHONE: 605-228-6630

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: Lot 1, "BRS First Addition to Block 7, Prairiewood Village" in the NE1/4 of Section 33-T124N-R63W of the 5th P.M., Brown County, South Dakota

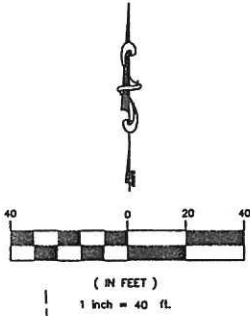
Planning Commission Action: <u>Approved / Denied</u>	

By: _____	Date: _____
HEARING DATE: <u>March 17, 2020</u>	TIME: <u>7:00 p.m.</u>

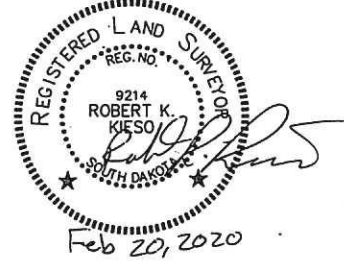


**PLAT OF
BRS FIRST ADDITION TO BLOCK 7, PRAIRIEWOOD VILLAGE
IN THE NE 1/4 OF SECTION 33-T124N-R63W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA**

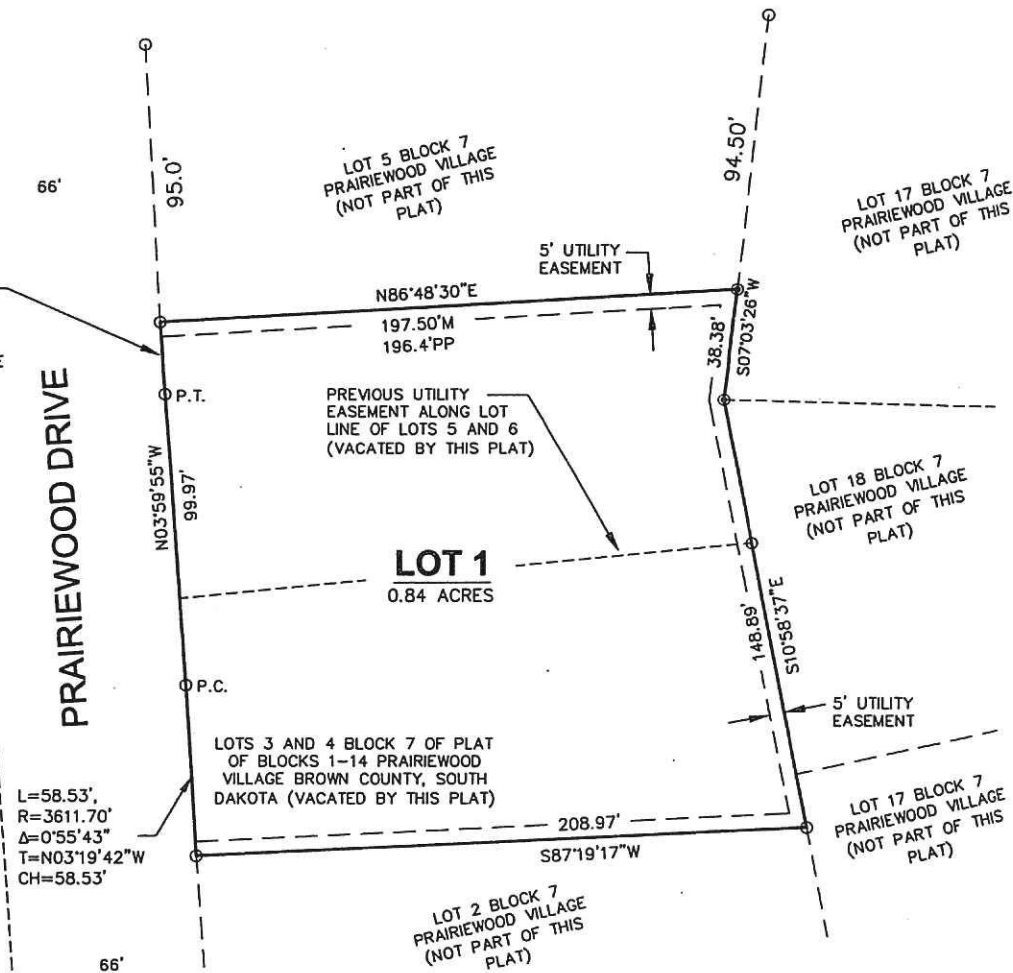
A-7568



- LEGEND**
- FOUND PROPERTY CORNER
 - ⊙ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED KIESO RLS 9214
 - ▲ CALCULATED POSITION
 - M MEASURED IN FIELD
 - PP PREVIOUSLY PLATTED
- BASIS OF BEARINGS**
GPS OBSERVATION



CURVE DATA
L= 24.94
R= 3546.10
Δ = 0°24'11"
T= S03°51'11"E
CH = 24.94



Helms
ASSOCIATES
CIVIL ENGINEERS & LAND SURVEYORS

221 Brown County
Highway 19
P.O. Box 111
Aberdeen, S.D. 57401
Phone: 605-225-1212
Fax: 605-225-3189

DWG. 7568-LS BY: KMW SHEET 1 OF 3

PLAT OF
BRS FIRST ADDITION TO BLOCK 7, PRAIRIEWOOD VILLAGE
IN THE NE 1/4 OF SECTION 33-T124N-R63W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, ROBERT K. KIESO, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF BRS LLC, A SOUTH DAKOTA LIMITED LIABILITY COMPANY AS OWNERS, AND UNDER THEIR DIRECTION FOR THE PURPOSES INDICATED THEREIN, I DID ON OR PRIOR TO FEBRUARY 17, 2020, SURVEY THOSE PARCELS OF LAND DESCRIBED AS FOLLOWS: BRS FIRST ADDITION TO BLOCK 7, PRAIRIEWOOD VILLAGE IN THE NE 1/4 OF SECTION 33-T124N-R63W 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 February 2020


ROBERT K. KIESO RLS #9214

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 SHALL HEREAFTER BE KNOWN AS: BRS FIRST ADDITION TO BLOCK 7, PRAIRIEWOOD VILLAGE IN THE NE 1/4 OF SECTION 33-T124N-R63W OF THE 5TH P.M. BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND WE HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE FOREVER AS SUCH, THE STREETS AND ALLEYS, IF ANY, AS SHOWN AND MARKED ON SAID PLAT; AND THAT DEVELOPMENT OF THE LAND INCLUDED WITHIN THE BOUNDARIES OF SAID ADDITION SHALL CONFORM TO ALL EXISTING APPLICABLE EASEMENTS, ZONING, SUBDIVISION, AND EROSION AND SEDIMENT CONTROL REGULATIONS.
IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND, DATED THIS ___ DAY OF _____, 20___

PREVIOUSLY DESCRIBED AS: LOTS 3 AND 4 BLOCK 7 OF PLAT OF BLOCKS 1-14 PRAIRIEWOOD VILLAGE AND OUTLOTS 1-4 PRAIRIEWOOD VILLAGE, IN SECTION 33-T124N R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA.

BRS LLC, A SOUTH DAKOTA LIMITED LIABILITY COMPANY

STEVE STILLMAN, PRESIDENT

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 BLOCKS, 1-14 PRAIRIEWOOD VILLAGE, AS RECORDED IN BOOK 2, PAGE 120, ON DEC 31, 1970 IN THE BROWN COUNTY, REGISTER OF DEEDS OFFICE.
THIS IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND, DATED THIS ___ DAY OF _____, 20___

BRS LLC, A SOUTH DAKOTA LIMITED LIABILITY COMPANY

STEVE STILLMAN, PRESIDENT

ACKNOWLEDGEMENT

STATE OF _____)
COUNTY OF _____)
ON THIS THE ___ DAY OF _____, 20___ BEFORE ME, _____ THE UNDERSIGNED OFFICER, PERSONALLY APPEARED STEVE STILLMAN OF BRS LLC, A SOUTH DAKOTA LIMITED LIABILITY COMPANY, AND THAT HE, AS SUCH AS PRESIDENT, BEING AUTHORIZED SO TO DO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED, BY SIGNING THE NAME OF THE LIMITED LIABILITY COMPANY BY HIMSELF AS PRESIDENT IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC, _____ STATE

MY COMMISSION EXPIRES: _____

**PLAT OF
BRS FIRST ADDITION TO BLOCK 7, PRAIRIEWOOD VILLAGE
IN THE NE 1/4 OF SECTION 33-T124N-R63W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA**

COUNTY PLANNING COMMISSION CERTIFICATION

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

"BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING BRS FIRST ADDITION TO BLOCK 7, PRAIRIEWOOD VILLAGE IN THE NE 1/4 OF SECTION 33-T124N-R63W OF THE 5TH P.M. BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-2-2, AND ANY AMENDMENTS THEREOF."

SECRETARY OF BROWN COUNTY PLANNING COMMISSION, SOUTH DAKOTA

APPROVAL BY COUNTY

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

"BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING BRS FIRST ADDITION TO BLOCK 7, PRAIRIEWOOD VILLAGE IN THE NE 1/4 OF SECTION 33-T124N-R63W 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

DIRECTOR OF EQUALIZATION'S CERTIFICATE

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

DIRECTOR OF EQUALIZATION, BROWN COUNTY, SOUTH DAKOTA

TREASURER'S CERTIFICATE

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

COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

REGISTER OF DEED'S CERTIFICATE

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

REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA





29176

23846

23845

25844

23869

23868

12926

12928

23865

23864

23877

23878

23879

23880

23881

STAFF REPORT
March 17, 2020

PRELIMINARY & FINAL PLAT

ITEM # 22

GENERAL INFORMATION

PETITIONER	DMVW Railroad
REQUEST	Preliminary & Final Plat
LEGAL DESCRIPTION	Lot 1, "DMVW First Addition" in the NW1/4 of Section 10-T123N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION	2220 N 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:	Non-County Jurisdiction (NC)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this Preliminary and Final Plat for combining properties for construction.

REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges the plat. Zoning Department recommends approval.

**BROWN COUNTY
PLANNING & ZONING COMMISSION**

APPLICATION FOR PLAT APPROVAL

DATE: 02/28/20 FEES: \$100.00
RECEIPT # 326931 PAID: (YES/NO) (CHK/CASH)
TOWNSHIP: Bath Twp DATE: 3/4/20

OWNERS SIGNATURE: DMVW Railroad *by Jeff A. Per.*
OWNERS ADDRESS: 3501 E Rosser Ave
OWNERS CITY, STATE, ZIP: Bismarck, ND 58501
OWNERS PHONE: 701-595-7117

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

REQUEST: Preliminary and Final Plat

LEGAL DESCRIPTION: Lot 1, "DMVW First Addition" in the NW1/4 of Section
10-T123N-R63W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: <u>Approved / Denied</u>	

By: _____	Date: _____
HEARING DATE: <u>March 17, 2020</u>	TIME: <u>7:00 pm</u>

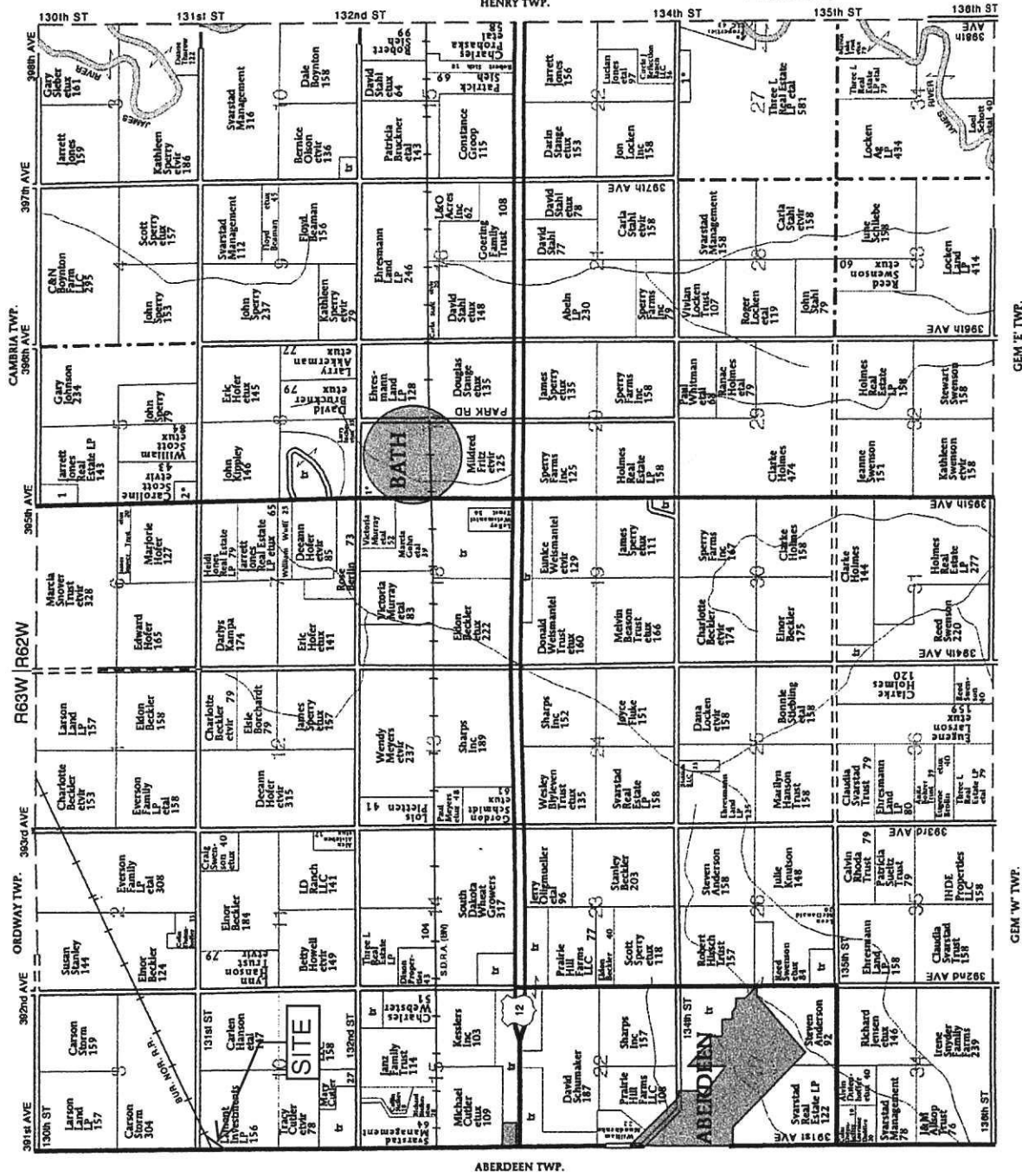
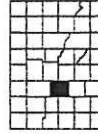
MEETING: located in the Basement Community Room of the Court House Annex
25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

T-123-N

BATH PLAT

(Landowners)

R-62-63-W



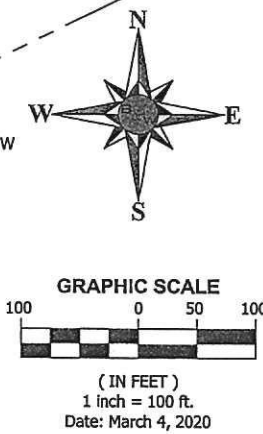
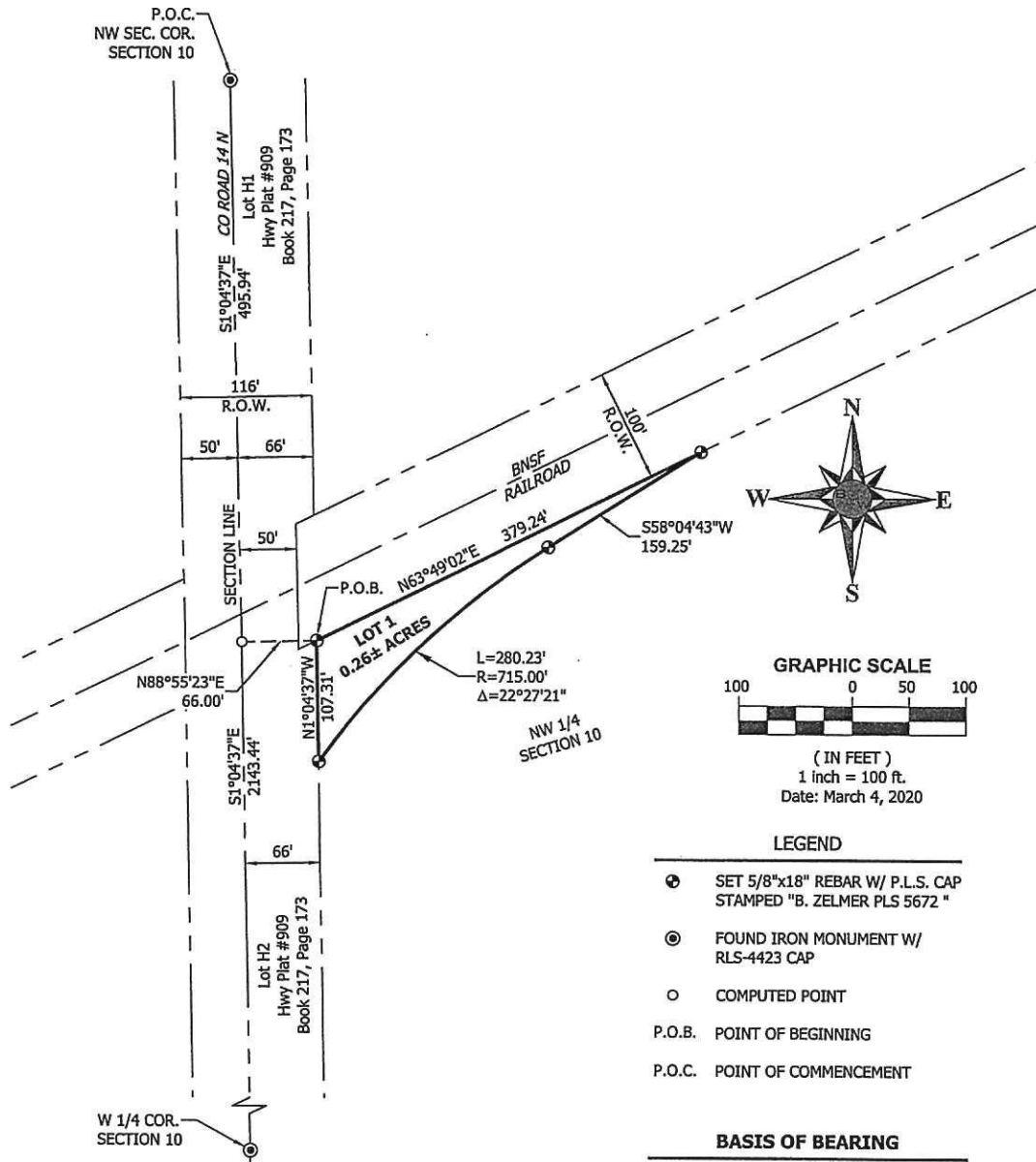
- BATH TOWNSHIP**
- SECTION 17**
1. Jones, Dennis 12
 2. Lundell, Caroline etvir 11
- SECTION 20**
1. Bruckner, Patricia etal 70
- SECTION 21E**
1. Schultz, Melissa etvir 11

**PLAT OF LOT 1
DMVW FIRST ADDITION**
IN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 10,
TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA.

DESCRIPTION

All that certain real property situate in the Northwest Quarter (NW 1/4) of Section 10, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota described as follows:

Commencing at the Northwest Corner of said Section 10; thence S01°04'37"E, along the west line of said section, a distance of 495.94 feet; thence N88°55'23"E, perpendicular to the west line of said section, a distance of 66.00 feet to the Point of Beginning and an intersection point of the east right of way line of County Road 14 and the south right of way line of BNSF Railroad; thence N63°49'02"E, along said south right of way line, a distance of 379.24 feet; thence S58°04'43"W, a distance of 159.25 feet; thence southwesterly along the arc of a tangent curve to the left, having a radius of 715.00 feet and a central angle of 22°27'21", an arc length of 280.23 feet to a point on the east right of way line of said County Road 14 N; thence N01°04'37"W, along said east right of way line, a distance of 107.31 feet to the Point of Beginning and containing 0.26 acres, more or less.



- LEGEND**
- ⊕ SET 5/8"x18" REBAR W/ P.L.S. CAP STAMPED "B. ZELMER PLS 5672 "
 - ⊙ FOUND IRON MONUMENT W/ RLS-4423 CAP
 - COMPUTED POINT
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT

BASIS OF BEARING

BEARINGS AND DISTANCES SHOWN HEREON ARE GRID BEARINGS AND DISTANCES BASED ON THE SOUTH DAKOTA STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH ZONE TO OBTAIN GROUND DISTANCES, MULTIPLY BY 1.0001149707

**PLAT OF LOT 1
DMVW FIRST ADDITION**
IN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 10,
TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA.

OWNER'S CERTIFICATE

Lamont Investments Limited Partnership, hereby certify I am the owner of all the land herein platted as Lot 1, DMVW First Addition, and that the plat and survey thereof was made at the request of DMVW for the purpose of establishing the platted subdivision. I also certify that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.

Jeff Lamont
Jeff Lamont, CEO

Signed this 5th day of March, 2020

Lamont Investments Limited Partnership

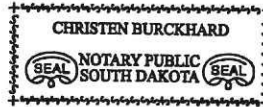
STATE OF SOUTH DAKOTA)
COUNTY OF BROWN) SS

On this 5th day of March, 2020, before me the undersigned officer, personally appeared Jeff Lamont, known to me to be the persons who are described in and who executed the foregoing owner's certificate and they acknowledge to me that they executed the same.

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

My Commission Expires: December 17, 2025

Christen Burckhard
Notary Public



SURVEYOR'S CERTIFICATE

I, Bruce P. Zelmer, a Professional Land Surveyor in and for the State of South Dakota, do hereby certify that at the request of DMVW, and under their direction, did complete a survey of Lot 1, DMVW First Addition, being a portion of the Northwest Quarter (NW 1/4) of Section 10, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota. The platted subdivision has the numbered lots, locations, dimensions and designations as shown on the plat which is correct to the best of my knowledge and belief.

Dated this 4th day of MARCH, 2020.

Bruce P. Zelmer
Bruce P. Zelmer, PLS-5672



COUNTY PLANNING COMMISSION APPROVAL

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 _____, 2020.

Secretary of Planning Commission
Brown County, South Dakota

COUNTY 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 _____, 2020.

Auditor
Brown County, South Dakota

**PLAT OF LOT 1
DMVW FIRST ADDITION
IN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 10,
TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA.**

BROWN COUNTY HIGHWAY APPROVAL

*Access to *County Road 14* is approved. This access approval does not replace the need for an 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 _____, 2020.

Highway or Street Authority

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 _____, 2020.

County Treasurer
Brown County, South Dakota

"Be it resolved by the County Planning Commission of Brown County, South Dakota, that the plat showing LOT 1 OF DMVW FIRST ADDITION OF THE NW1/4 OF SECTION 10, TOWNSHIP 123 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.

DIRECTOR OF EQUALIZATION CERTIFICATE

I hereby certify that I have received a copy of this plat this _____ day of _____, 2020.

Director of Equalization
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

Filed for record this _____ day of _____, 2020, at _____ O'clock __M., and duly recorded as hanging Plat No. _____.

Register of Deeds
Brown County, South Dakota

PAGE 3 OF 3
Project #16063.030

Prepared By:

Bartlett&West

3456 E. Century Ave.
Bismarck, North Dakota 58503
701-258-1110
FAX 701-258-1111
www.bartwest.com

