AGENDA

REGULAR SCHEDULED MEETINGS
BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, SEPTEMBER 17, 2019 – 7:00 PM
EAST SIDE of BSMNT COMMUNITY ROOM,
BROWN COUNTY COURTHOUSE ANNEX

I. Call to Order: Planning/Zoning Commissioner Chairman Jerry Streckfuss

II. Roll Call: Vice Chairman Stan Beckler, Darwin Bettmann, David North, Dale Kurth, Patrick Keatts, B.C. Commissioner Rachel Kippley serving on the Planning/Zoning Commission & Chairman Jerry Streckfuss;

III. Minutes: ***August 20, 2019***

IV. Old Business:

V. New Business: Zoning Commission as ***Zoning Board of Adjustment***

1. **Variance to Building Setbacks** in Agricultural Preservation District (AG-P) described as Lots 16, 17, 18 except west 60' of 18, all in the NW1/4 of Section 25-T124M-R65W of the 5th P.M., Brown County, South Dakota (379268 & 379290 South Shore Dr).
2. **Variance to Approach Seperation** in Agricultural Preservation District (AG-P) described as Lot 2, "Lilac Subdivision" in the SW1/4 of Section 31-T121N-R64W of the 5th P.M., Brown County, South Dakota (38234 148th St Mansfield, SD 57460).
3. **Variance to minimum Lot Size** in an Agriculture Preservation District (AG-P) for property described as Lot 1, "Paepke Farm Subdivision" in the SW1/4 of Section 27-T122N-R61W of the 5th P.M., Brown County, South Dakota (40306 141st St).
4. **Special Exception/Conditional Use** in a Lake Front Residential District (R-3) for a property described as Lot 18, Lutgen & Davis Richmond Lake Development in the NE1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota (379836 South Shore Dr).
5. **Variance to minimum Lot Size** in an Agriculture Preservation District (AG-P) for property described as Lot 1, "Travis and Danielle Olson Subdivision" in the SW1/4 of Section 10-T123N-R62W of the 5th P.M., Brown County, South Dakota (39712 132nd St).
6. **Special Exception/Conditional Use** in an Agriculture Preservation District (AG-P) for a property described as NW1/4 of Section 28-T127N-R63W of the 5th P.M., Brown County, South Dakota (39010 110th Street).

VI Other Business:

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

REGULARILY SCHEDULED MEETING
BROWN COUNTY PLANNING/ZONING COMMISSION

Beginning as Planning Commission

I. Old Business:

II. New Business: ***Planning Commission***

10. **Petition to Re-Zone** from an Agricultural Preservation District (AG-P) to Lake Front Residential District (R-3) for a property described as: Lots 16, 17, 18 except west 60' of 18, all in the NW1/4 of Section 25-T124M-R65W of the 5th P.M., Brown County, South Dakota (379268 & 379290 South Shore Dr).
11. **Petition to Re-Zone** from an Agricultural Preservation District (AG-P) to Lake Front Residential District (R-3) for a proposed property described as: Lots 1&2, "BNB Richmond Lake Subdivision" in the NW1/4 of Section 25-T124M-R65W of the 5th P.M., Brown County, South Dakota, 379224 & 379252 South Shore Dr; (this includes previous legal descriptions *Lot 19 and the west 60' of Lot 18, "Lutgen's South Shore Dr; Lot 2, "Bindenagel 2nd Subd of Richmond Lake Subd"; Lot 2, "Bindenagel 3rd Subd of Richmond Lake Subd"*; all in the NW1/4 of Section 25-T124M-R65W of the 5th P.M., Brown County, South Dakota).
12. **Preliminary and Final Plat** for a property described as "BNB Richmond Lake Subdivision" in the NW1/4 of Section 25-T124M-R65W of the 5th P.M., Brown County, South Dakota (379248 & 379252 South Shore Dr).
13. **Preliminary and Final Plat** for a property described as "Dobberpuhl Second Addition" in the NW1/4 of Section 15-T121M-R60W of the 5th P.M., Brown County, South Dakota (14420 & 14428 409th Ave).
14. **Preliminary and Final Plat** for a property described as Lot 1, "Paepke Farm Subdivision" in the SW1/4 of Section 27-T122N-R61W of the 5th P.M., Brown County, South Dakota (40306 141st St).
15. **Preliminary and Final Plat** for a property described as Lot 1, "Travis and Danielle Olson Subdivision" in the SW1/4 of Section 10-T123N-R62W of the 5th P.M., Brown County, South Dakota (39712 132nd St).
16. **Published Update of Comprehensive Plan** for Brown County, South Dakota.

III. Other Business:

MINUTES

BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, August 20, 2019 - 7:00 P.M.
COMMUNITY ROOM, BROWN COUNTY COURTHOUSE

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

After discussion, Beckler moved and Keatts seconded to approve the minutes of the July 16, 2019 meeting. All members voted aye, the motion carried.

Chairman Streckfuss then continued with business as follows:

Old Business:
New Business: Planning/Zoning Commission as Zoning ***Board of Adjustment***

1. **<u>Variance to Building Setbacks</u> in Mini Agricultural District (M-AG) described as Outlot 2, Sommers Addition in the SW1/4 of Section 26-T123M-R63W of the 5th P.M., Brown County, South Dakota (2721 392nd Ave). Submitted by Jodie Michaelsohn. Present for this item was Jodie and Becky Michaelsohn. Following discussion, Beckler moved to *<u>approve a variance to building setback</u>* to be 15' setback on the north side yard for a 50' x 86' pol building rather than the 25' required from property lines in a M-AG District, Bettmann seconded, all members voting aye, motion carried.**

2. ***<u>Variance to Building Setbacks</u>* in an Agriculture Preservation District (AG-P) for property described as North 250' of the West 230' in the NW1/4 of Section 29, T124N and R65W, of the 5th P.M., Brown County, South Dakota (38303 128th St). Submitted**

by East River Electric Power. Present for this item was Paul Letsche. Following discussion, Keatts moved to *approve variance to building setbacks* to be 80' from the north front yard rather than 200' and 140' from the west front yard rather than 200' required form the R.O.W. line on an existing substation site. Bettmann seconded, all members voting aye, motion carried.

3. ***Special Exception/Conditional Use* in an existing Agriculture Preservation District (AG-P) for a property described as North 250' of the West 230' in the NW1/4 of Section 29-T124N-R64W, of the 5th P.M., Brown County, South Dakota (38303 128th St). Submitted by East River Electric Power. Following discussion, Beckler moved to *approve a Conditional Use* for a small 30' high tower with their own attachments for transmitting sub-station, Kurth seconded, all members voting aye, motion carried.**

4. ***Special Exception/Conditional Use* in a Highway Industrial District (H-I) for property described as "Inman Irrigation Addition" in the SW1/4 of Section 14, T123N and R63W, of the 5th P.M., Brown County, South Dakota (533 392nd Ave South). Submitted by Russ Beadle for RBL (Russ Beadle Landscaping). Present for this item was Russ Beadle. Following discussion, Kippley moved to *approve Conditional Use* for a free standing granite sign and landscape business on leased portion of land. Keatts seconded, all members voting aye, motion carried.**

5. ***Special Exception/Conditional Use* in a Heavy Industrial District (H-I) for property described as Lot 4 "Sunrise Estates" in the NW1/4 of Section 9-T123N-R63W, of the 5th P.M., Brown County, South Dakota (2020 Br Co Hwy #19). Submitted by Todd Rosebrock. Present for this was Todd Rosebrock, Barb Rosebrock, Adam Altman, Robert Rux, Margo Rux, Stuart Barton, James Meyers, David Feickert, Jim Kunkle and Dawn Lechner. Following discussion, Beckler moved approve Conditional Use for open storage business and a sign with the stipulation that the weeds must be controlled. Kurth seconded, all members voting aye, motion carried.**

6. **<u>Variance to Minimum Lot Size</u> in an Agriculture Preservation District (AG-P) for property described as Lot 1, "Cully Conn Subdivision" in the NW1/4 of Section 05-T124N-R64W of the 5th P.M., Brown County, South Dakota (37545 124th St). Submitted by Doris Conn. Present for this item were Doris Conn and Cully Conn. Following discussion, Kurth moved to approve a <u>variance to lot size;</u> Lot 1 to be 17.87 ± acres rather than minimum 40.0 acres required, Bettman seconded, all members voting aye, motion carried.**

Other Business: none

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

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REGULARILY SCHEDULED MEETING
BROWN COUNTY PLANNING/ZONING COMMISSION

Old Business:
New Business: ***Brown County Planning Commission***

10. ***<u>Petition to Re-Zone</u>*** **from an Agricultural Preservation District (AG-P) to Mini Agricultural District (M-AG) for a property: Lot 4, Block 1, "Richmond Heights Subdivision" in the E1/2 of Section 32-T124N-R64W of the 5th P.M., Brown County, South Dakota (38377 Richmond Heights Drive). Submitted by Kurt Pigors. There was not anyone present for this item. Following discussion, Bettmann moved to *<u>recommend approval of this rezone to the Board of County Commissioners</u>*, Keatts seconded, all members voting aye, motion carried.**

11. ***<u>Petition to Re-Zone</u>*** **from an Agricultural Preservation District (AG-P) to Residential District (R-1) for property: 137' South of North 548' of East 318' NE1/4 of the SE1/4 of Section 20-T123N-R63W of the 5th P.M., Brown County, South Dakota (1424 S Melgaard Road). Submitted by John Grebner. Following discussion, Bettman moved to *<u>recommend approval of this rezone to the Board of County Commissioners</u>*, seconded by Keatts, all members voting aye, motion carried.**

12. ***Petition to Re-Zone*** **from an Agricultural Preservation District (AG-P) to Mini Agricultural District (M-AG) for property: Lots 1 "Klootwyk Addition" in the NE1/4 of Section 5-T123N-R62W of the 5th P.M., Brown County, South Dakota (39595 130th St). Submitted by Jason Klootwyk. Following discussion, Keatts moved to *recommend approval of this rezone to the Board of County Commissioners*, seconded by Bettmann, all members voting aye, motion carried.**

13. ***Preliminary and Final Plat*** **for property described as Lot 1, "Klootwyk Addition" in the NE1/4 of Section 05-T123N-R62W of the 5th P.M., Brown County, South Dakota (39595 130th St). Submitted by Jason Klootwyk. Following discussion, Keatts moved to *recommend approval of this plat to the Board of County Commissioners*, seconded by Bettmann, all members voting aye, motion carried.**

14. ***Preliminary and Final Plat*** **for property described as Lot 1, "Cully Conn Subdivision" in the NW1/4 of Section 05-T124N-R65W of the 5th P.M., Brown County, South Dakota (37545 124th Street). Submitted by Doris Conn. Following discussion, Beckler moved to *recommend approval of this plat to the Board of County Commissioners*, seconded by Beckler, all members voting aye, motion carried.**

15. ***Preliminary and Final Plat*** **for a property described as "Prairie Hill Farms Second Subdivision" in the SW1/4 of Section 11-T124N-R62W of the 5th P.M., Brown County, South Dakota (39805, 39814 & 39816 126th Street). Submitted by Prairie Hill Farms. 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.**

16. ***Discussion to Update Comprehensive Plan*** **for Brown County, South Dakota to meet the needs of Brown County in the future. The plan will be published for the September meeting.**

Other Business:

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

Submitted by: Nancy North - Planning & Zoning.

STAFF REPORT

September 17, 2019

VARIANCE FOR BLDG SETBACKS IN AG-P **ITEM #01**

GENERAL INFORMATION

PETITIONER	Roger Gray
REQUEST	**Variance for Building Setbacks**
LEGAL DESCRIPTION	Lots 16-18 except the west 60' of 18, all in the NW1/4 of Section 25-T124M-R65W of the 5th P.M., Brown County, South Dakota.
LOCATION	379268 & 379290 South Shore Dr
EXISTING ZONING	Agricultural Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agricultural Preservation District (AG2-P)
South:	Agricultural Preservation District (AG-P)
East:	Agricultural Preservation District (AG-P)
West:	Agricultural Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water; Central Sewer System
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting a Variance for side yard & front yard setbacks for building a new home.

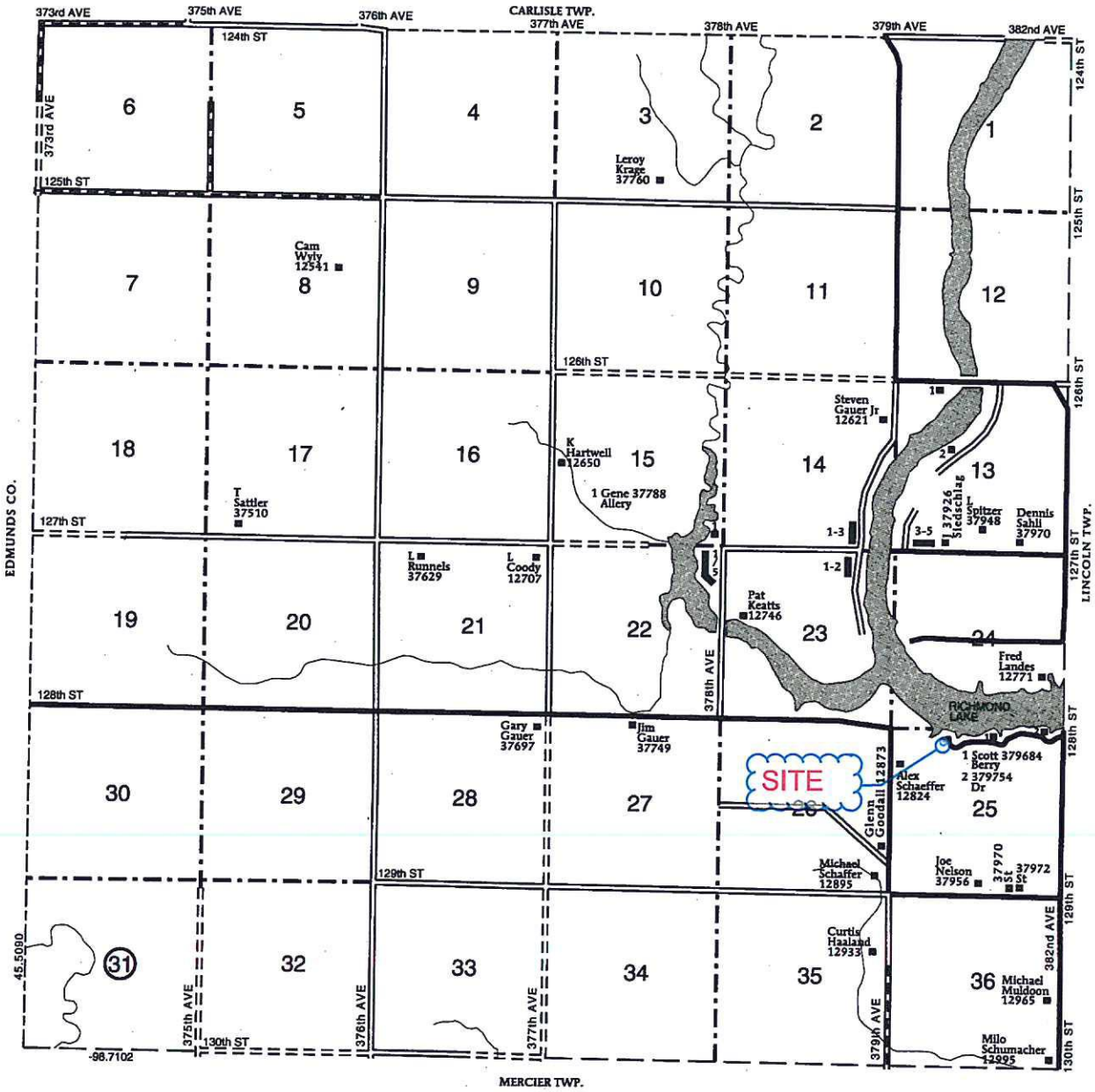
REVIEW: Staff has discussed with owners the existing non-compliant lots that are zoned AG-P (0.308 acres and 0.296 acres) and should be zoned R-3 lake front residential. Owner has submitted a Variance request for setbacks and has also submitted a petition to rezone to Lake Front Residential District (R-3). The setbacks requested will meet the future R-3 District minimum setback requirements.

T-124-N

RAVINIA DIRECTORY

(Residents - Owners or Renters)

R-65-W



RAVINIA TOWNSHIP

SECTION 13
1 Kirchgesler, Jim 37935
2 Bahr, Justin 126401
3 Schmitz, B 37902
4 Vitense, David 37908
5 Biegler, Jerry 37910

SECTION 14
1 Mishaw, Mark 126928
2 Lutz, Douglas 126966
3 126974

SECTION 22
1 Myhre, Gary 127093
2 Anderson, Jeremiah 127131
3 Millett, Craig 127151
4 Thayer, Dan 127257
5 Wahl, Lanny 127395

SECTION 23
1 Wolf, Frank 127148
2 Fischer, Brock 127216

NOTICE OF HEARING - VARIANCE

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 *September 17, 2019 at 7:00 P.M.* for the purpose of a Variance to Building Setbacks in an Agricultural Preservation District (AG-P).

Petitioner / Owner: Roger & Lora Gray

Description of property: Lots 16-18 except the west 60' of 18, all in the NW1/4 of Section 25-T124M-R65W of the 5th P.M., Brown County, South Dakota (379268 & 379290 South Shore Dr)

Reason: Variance to minimum Building Setbacks. This property is also petitioned to be rezoned from Agricultural Preservation District (AG-P) to Lake Front Residential District (R-3) with less restrictive setbacks for smaller lots.

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

Dated this 4th day of September 2019

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

Published once at the total approximate cost of _____.

BROWN COUNTY
PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: August 23, 2019
RECEIPT # 132201
TOWNSHIP: Ravinia Twp

FEES: 100.00
PAID: YES/NO CHK/CASH
DATE: 8/26/19

OWNERS SIGNATURE: Roger & Lora Gray
OWNERS ADDRESS: 1420 NE 18th Ave
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE:

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

REQUEST: Variance to Building Setbacks in an Agricultural Preservation District (AG-P) Rear Yard (east) to be 30' rather than 100' and Side Yards to be 07' rather than 20'.

LEGAL DESCRIPTION: Lots 16-18 except the west 60' of 18, "Lutgen's South Shore Addition" in the NW1/4 of Section 25-T124N-R65W, Brown County, South Dakota (379268 & 379290 South Shore Dr)

Planning Commission Action: Approved / Denied

By: ***Date:***

HEARING DATE: September 17, 2019 **TIME:** 7:00 pm

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

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


Brown County GIS
(for reference only)
SITE
ARQUETTE
DR
S SHORE DR
6D
N


Brown County GIS
(for reference only)
SITE
6D
S SHORE DR
N

STAFF REPORT

September 17, 2019

VARIANCE FOR APPROACH SEPARATION **ITEM # 02**

GENERAL INFORMATION

PETITIONER	Thomas Leonhardt
REQUEST	**Variance for Building Setbacks**
LEGAL DESCRIPTION	Lot 2, "Lilac Subdivision" in the SW1/4 of Section 31-T121N-R64W of the 5th P.M., Brown County, South Dakota.
LOCATION	38234 148th St Mansfield, SD 57460
EXISTING ZONING	Agricultural Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agricultural Preservation District (AG2-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 a Variance for approach separation distance in an AG-P District.

REVIEW: Owner has two current driveway approaches for two separate parcels. The approach that is requested to the east is for a future trailer house for family member if approved. Highway Department recommends denial with too many approaches in close proximity. The approach to the west will meet 500' separation, is on a different parcel and the highway department is good with the location.

BROWN COUNTY
PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: August 28, 20019
RECEIPT # 132204
TOWNSHIP: Warner Twp

FEES: 150.00
PAID: YES/NO CHK/CASH
DATE: 8-28-19

OWNERS SIGNATURE: Thomas Leonhardt Thomas O. Leonhardt
OWNERS ADDRESS: 38246 148th St
OWNERS CITY, STATE, ZIP: Mansfield, SD 57460
OWNERS PHONE: 605-887-7193 (cell) 887-3193 (home)

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

REQUEST: Variance for an approach less than 500'

LEGAL DESCRIPTION: Lot 2 Lilac Subdivision in SW1/4 of Section 31-T121N-R64W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied

By: ***Date:***

HEARING DATE: September 17, 2019 **TIME:** 7:00 pm

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

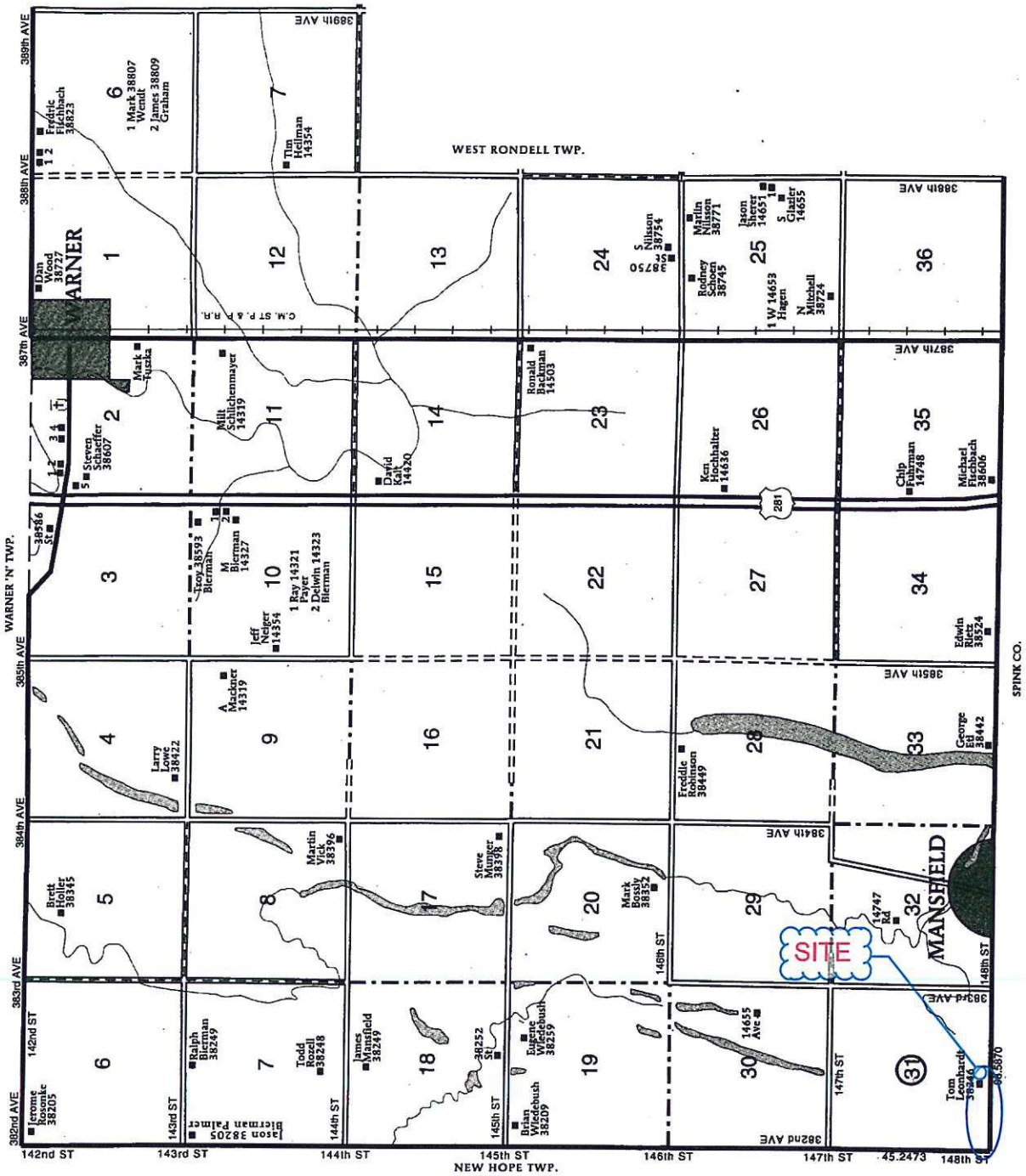
25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

T-121-N

WARNER 'S' DIRECTORY

(Residents - Owners or Renters)

R-63-64-W



WARNER 'S' TOWNSHIP

SECTION 2

1 Christenson, Doug 38614
2 Roberts, Dan 38616
3 Gascoigne, Steve 38626
4 Buechler, Jerold 38632
5 Green, Tom 38605

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 *September 17, 2019 at 7:00 P.M.* for the purpose of a Variance to Approach Separation in an Agricultural Preservation District (AG-P).

Petitioner / Owner: Thomas Leonhardt

Description of property: Lot 2, "Lilac Subdivision" in the SW1/4 of Section 31-T121N-R64W of the 5th P.M., Brown County, South Dakota 38234 148th St Mansfield, SD 57460.

Reason: Variance to have two (2) approaches 300' apart rather than the 500' minimum required in an AG-P District.

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

Dated this September 4th, 2019

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

Published once at the total approximate cost of _____.

Brown County Highway Department
Application for Permit to Construct Access Approach

The undersigned hereby makes application for permission to construct an access approach described as:
Section 31 Township 121 Range 64
County Highway: 27 Approximate location: COUNTY LINE (38246 148 ST)
2 CULVERTS & 2 APPROACHES
For the purpose of serving: EAST CULVERT NEEDS VARIANCE

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

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

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

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

THOMAS LEONHARDT
Print Name

$50.00 Fee (please attach copy of check)

38246 148TH ST
Address

Check # 1118 Date 8/28/19

MANSFIELD, SD 57460
City/State/Zip

Receipt # 1322024

605 887 7193 CELL
Phone/Cell Phone

Thomas D. Leonhardt
Applicants Signature

Date 8/28/19

Culvert Required: 18" Yes _____ No

PER DIRK Date 8/28/19
Brown County Highway Superintendent Signature

Remarks: _____

Date 8/28/19
Planning & Zoning Commission Signature

The approach permit is granted with the conditions stated in herein this 28th day of AUGUST, 2019

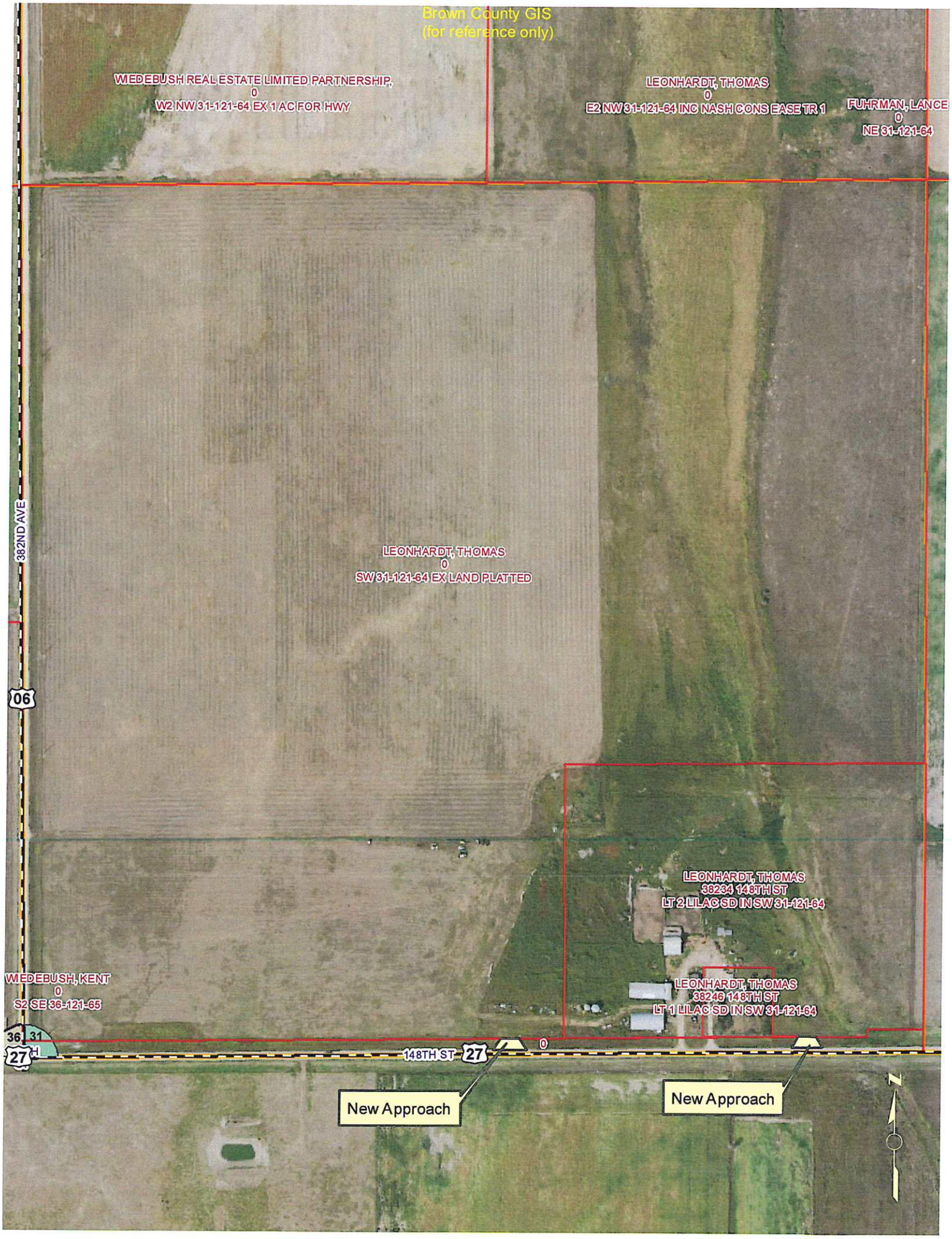
Section 4.2208 – Approach Permit

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

The Criteria for Approaches Shall:

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


Brown County GIS
(for reference only)
LEONHARDT, THOMAS
0
SW 31-121-64 EX LAND PLATTED
LEONHARDT, THOMAS
38234 148TH ST
LT 2 LILAC SD IN SW 31-121-64
LEONHARDT, THOMAS
38246 148TH ST
LT 1 LILAC SD IN SW 31-121-64
500'
0
90'
300'
148TH ST
27
New Approach
New Approach
N


Brown County GIS
(for reference only)
WIEDEBUSH REAL ESTATE LIMITED PARTNERSHIP,
0
W2 NW 31-121-64 EX 1 AC FOR HWY
LEONHARDT, THOMAS
0
E2 NW 31-121-64 INC NASH CONS EASE TR 1
FUHRMAN, LANCE
0
NE 31-121-64
382ND AVE
06
LEONHARDT, THOMAS
0
SW 31-121-64 EX LAND PLATTED
LEONHARDT, THOMAS
38234 148TH ST
LT 2 LILAC SD IN SW 31-121-64
WIEDEBUSH, KENT
0
S2 SE 36-121-65
LEONHARDT, THOMAS
38246 148TH ST
LT 1 LILAC SD IN SW 31-121-64
36
31
27
148TH ST
27
New Approach
New Approach
N

STAFF REPORT
September 17, 2019

Variance for Lot Size in AG-P District — ITEM # 03

GENERAL INFORMATION:

PETITIONER:	Thomas Paepke
REQUEST:	Variance to Lot Size in an AG-P District.
LEGAL DESCRIPTION:	Lot 1, "Paepke Farm Subdivision" in the SW1/4 of Section 27-T122N-R61W of the 5th P.M., Brown County, South Dakota
LOCATION:	40306 141st St
TOWNSHIP:	West Hanson 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 18.53 acre parcel for conveyance.

GENERAL REVIEW: Parcel has existing approach access. If the parcel is sold, it would need to be rezoned in the future. If they keep it for family, it can stay as is.

BROWN COUNTY
PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: 08-29-19
RECEIPT # 132206
TOWNSHIP: West Hanson

FEES: $200.00
PAID: YES/NO CHK/CASH
DATE: 8-29-19

OWNERS SIGNATURE: Thomas Paepke
OWNERS ADDRESS: 509 N 6th Street
OWNERS CITY, STATE, ZIP: Groton, SD 57445
OWNERS PHONE: 395-7134

AGENTS SIGNATURE: Jim Thorpe
AGENTS ADDRESS: 1002 S Lawson St
AGENTS CITY, STATE, ZIP: Aberdeen, SD 57401
AGENTS PHONE: 216-7776

REQUEST: Variance to Lot Size

LEGAL DESCRIPTION: SW1/4 of Section 27-T122N-R61W including Paepke Conservation Easement Tract 1 of the 5th P.M., of Brown County, South Dakota

Planning Commission Action: Approved / Denied

By: ***Date:***

HEARING DATE: September 17, 2019 **TIME:** 7:00 pm

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

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

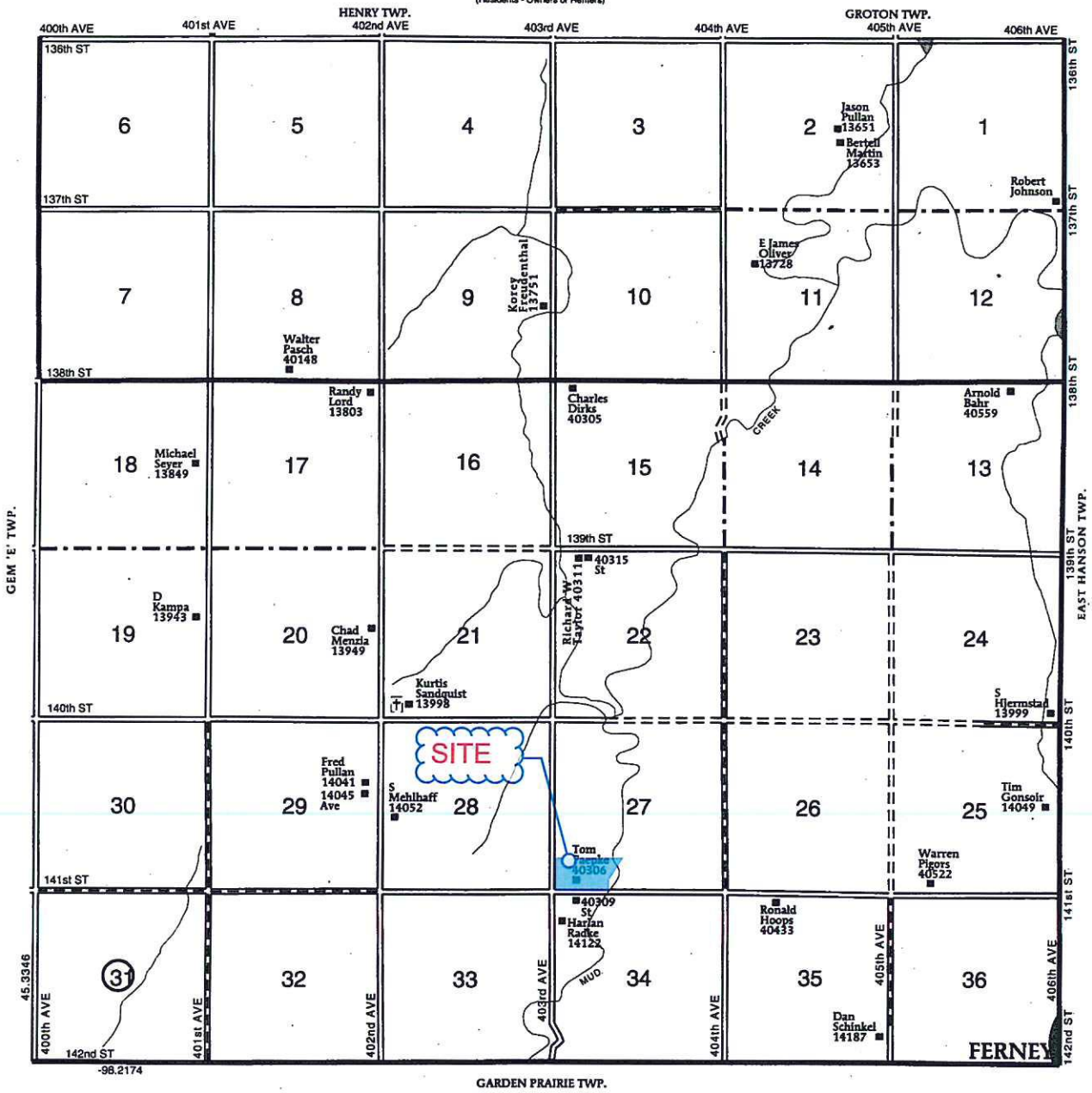
To Convert	Multiply by	Result
ounces	28.3495	grams
grams	.0353	ounces
pounds	.4536	kilograms
kilograms	2.2050	pounds

T-122-N

WEST HANSON DIRECTORY

(Residents - Owners or Renters)

R-61-W



A-7424

PLAT OF
PAEPKE FARM SUBDIVISION
IN THE SW 1/4 OF SECTION 27-T122N-R61W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

LEGEND

○ FOUND PROPERTY CORNER (RLS #4423)

◉ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED BACON RLS 4423

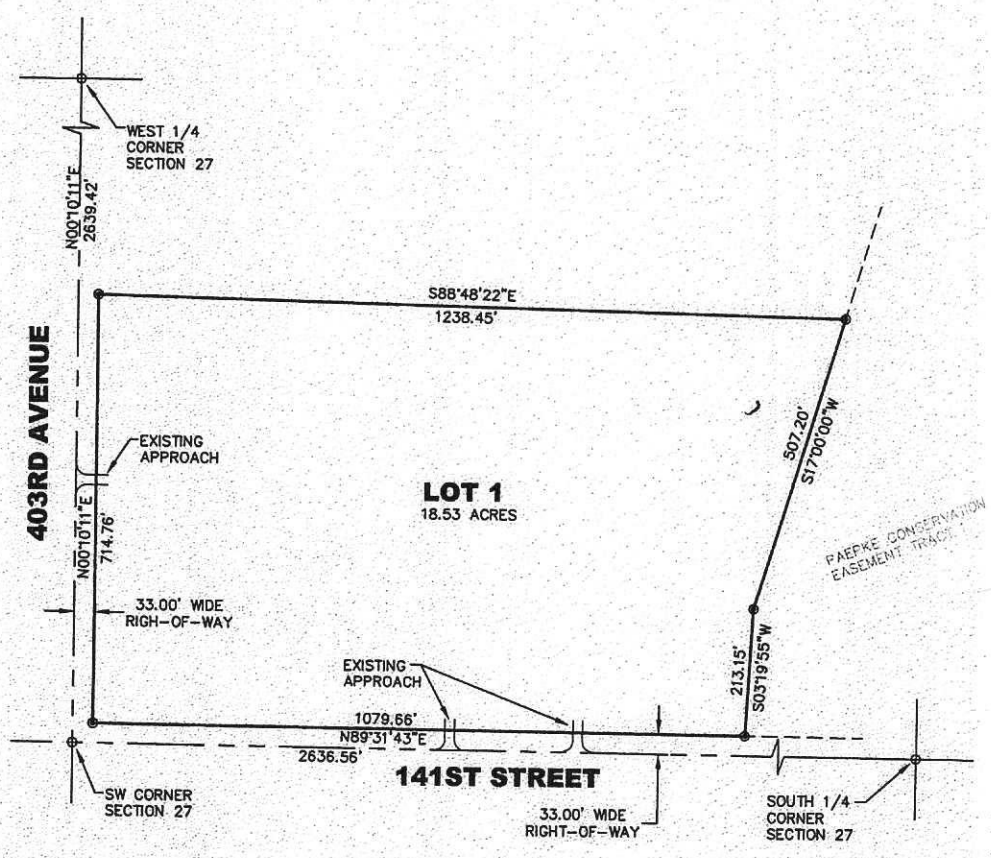
BASIS OF BEARINGS

TRUE MERIDIAN – GPS

200 0 100 200

(IN FEET)

1 inch = 200 ft.



REGISTERED LAND SURVEYOR REG. NO. 4423 RANDY D. BACON SOUTH DAKOTA

8-27-19

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. 7424-LS	BY: KMW	SHEET 1 OF 3

A-7424

PLAT OF
PAEPKE FARM SUBDIVISION
IN THE SW 1/4 OF SECTION 27-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 TOM AND BARBARA J. PAEPKE LIVING TRUST, AS OWNERS, AND UNDER THEIR DIRECTION FOR THE PURPOSES INDICATED THEREIN, I DID ON OR PRIOR TO AUGUST 21, 2019, SURVEY THOSE PARCELS OF LAND DESCRIBED AS FOLLOWS: PAEPKE FARM SUBDIVISION, IN THE SW 1/4 OF SECTION 27-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 27 DAY OF August, 2019.

RANDY D. BACON, REGISTERED LAND SURVEYOR #4423

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE ABSOLUTE AND UNQUALIFIED OWNERS OF ALL THE LAND INCLUDED IN THE WITHIN AND FOREGOING PLAT; THAT THE PLAT HAS BEEN MADE AT OUR REQUEST AND UNDER OUR DIRECTION FOR THE PURPOSES INDICATED THEREIN; WHICH SAID PROPERTY AS SO SURVEYED AND PLATTED SHALL HEREAFTER BE KNOWN AS; PAEPKE FARM SUBDIVISION, IN THE SW 1/4 OF SECTION 27-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 29 DAY OF August, 2019

TOM AND BARBARA PAEPKE, LIVING TRUST

TOM PAEPKE, TRUSTEE

BARBARA J. PAEPKE, TRUSTEE

ACKNOWLEDGEMENT

STATE OF South Dakota
COUNTY OF Brown)SS
ON THIS THE 29 DAY OF August, 2019, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED TOM PAEPKE AND BARBARA J. PAEPKE, KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

JAMES E. THORPE NOTARY Seal PUBLIC STATE OF SOUTH DAKOTA

NOTARY PUBLIC, South Dakota STATE

MY COMMISSION EXPIRES: February 10, 2021

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; PAEPKE FARM SUBDIVISION, IN THE SW 1/4 OF SECTION 27-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

A-7424

PLAT OF
PAEPKE FARM SUBDIVISION
IN THE SW 1/4 OF SECTION 27-T122N-R61W OF THE 5th P.M., BROWN COUNTY, 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; PAEPKE FARM SUBDIVISION, IN THE SW 1/4 OF SECTION 27-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

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

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 *August 30, 2019 at 7:00 P.M.* for the purpose of a Variance to Lot Size in an Agricultural Preservation District (AG-P).

Petitioner / Owner: *Thomas Paepke*

Description of property: Lot 1, "Paepke Farm Subdivision" in the *SW1/4 of Section 27-122N-R61W of the 5th P.M., Brown County, South Dakota (40306 141st Street).*

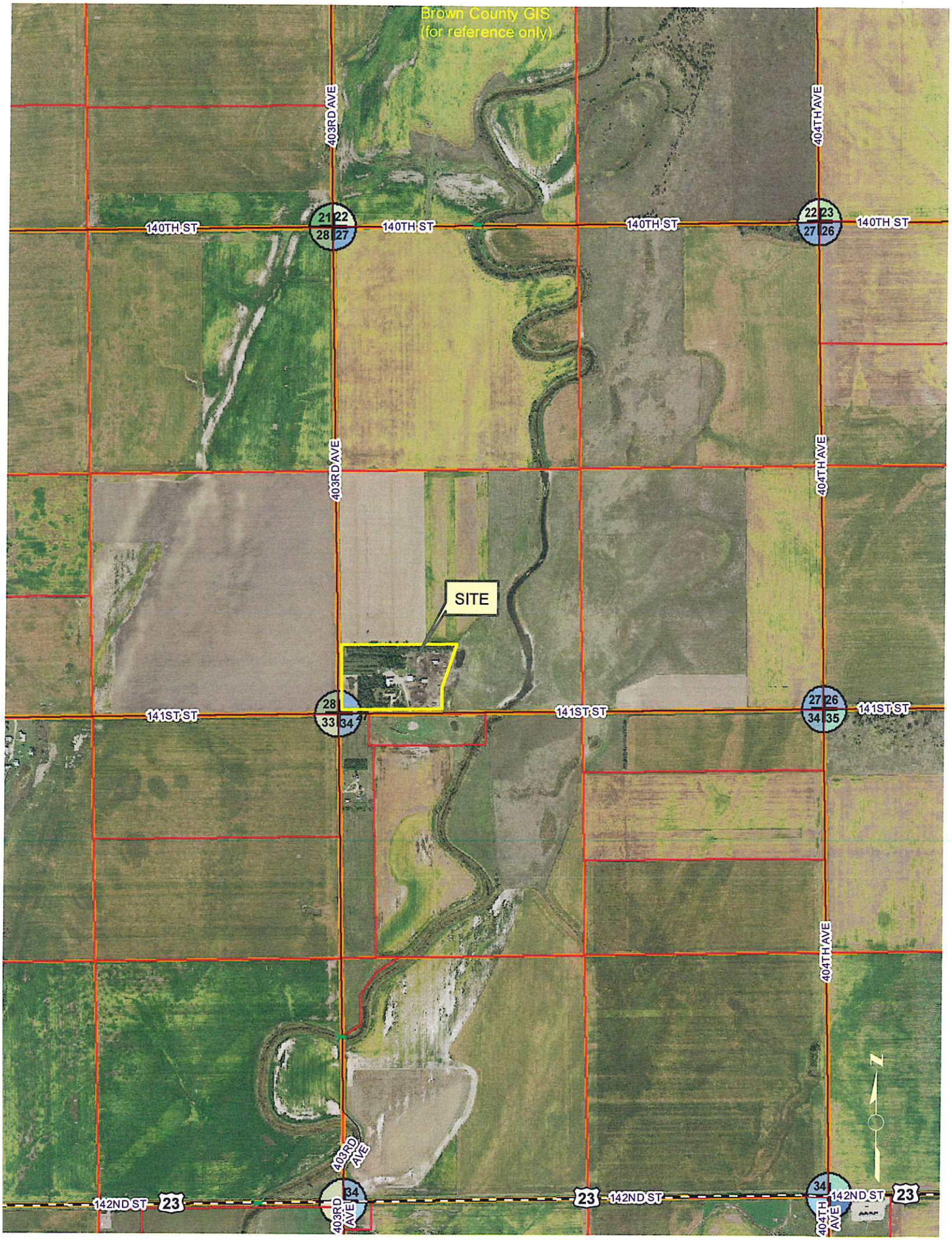
Reason: *a Variance to Lot Size to be smaller than 40 acres (18.53 acres) and stay zoned as AG-P District as allowed in Chapter 4.0605 in Br Co Ordinance.*

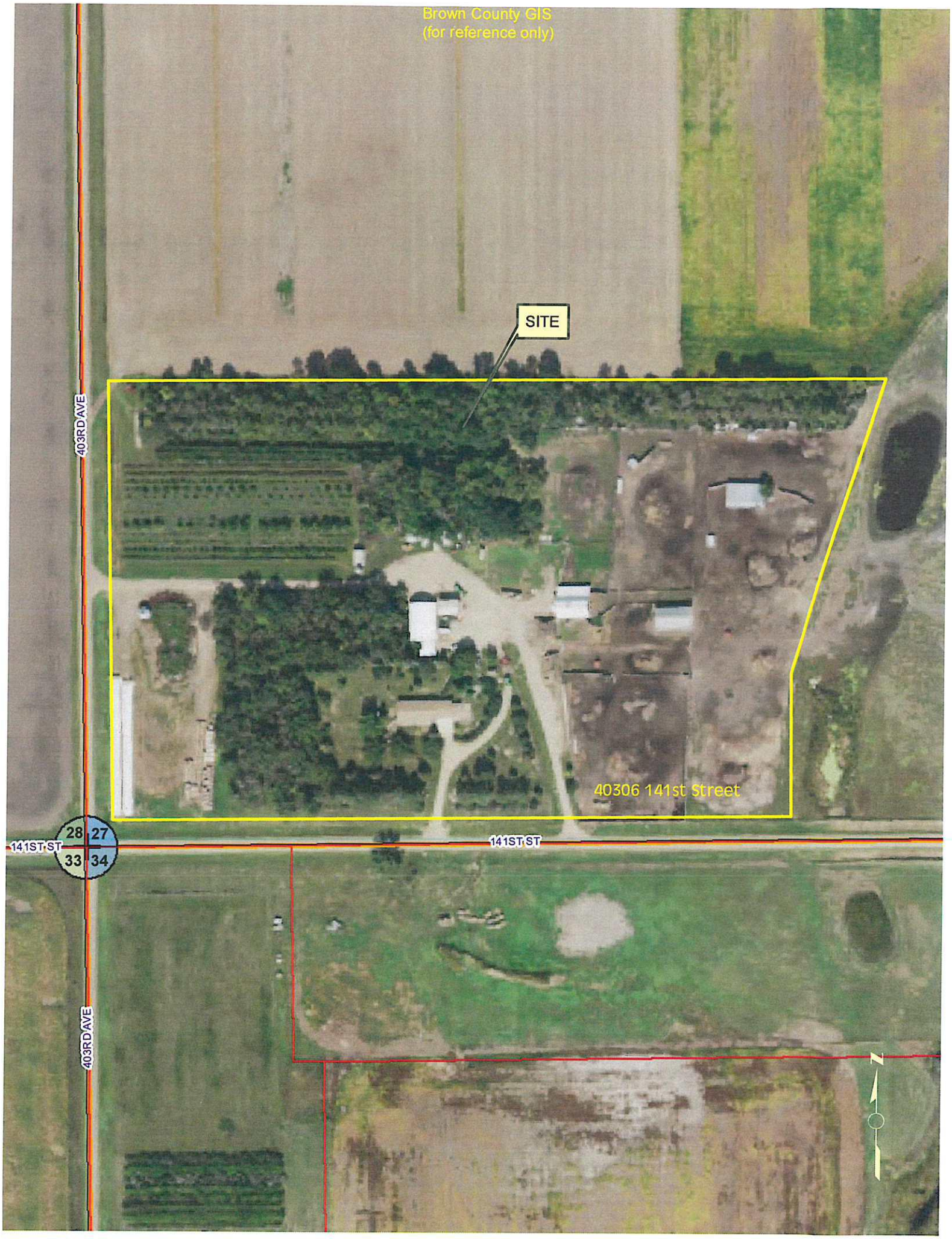
The public is invited to attend the hearing and to present comments and testimony regarding the proposed ordinance amendment.

Dated this 17 day of September 2019

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

Published once at the total approximate cost of _____.


Brown County GIS
(for reference only)
403RD AVE
404TH AVE
140TH ST
141ST ST
142ND ST
23
SITE
21
22
28
27
23
26
33
34
35
N


Brown County GIS
(for reference only)
SITE
403RD AVE
40306 141st Street
28
27
33
34
141ST ST
141ST ST
403RD AVE
N

STAFF REPORT
September 17, 2019

Spec Exc/Conditional Use for AIR B&B — ITEM # 04

GENERAL INFORMATION

PETITIONER: Carrie Weisenberger

REQUEST: Special Exception/Conditional Use for an AIR B&B in an R-3 District.

LEGAL DESCRIPTION: Lot 18, Lutgen & Davis Richmond Lake Development in the NE1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota

LOCATION: 379836 South Shore Dr

EXISTING ZONING: Lake Front Residential District (R-3)

SURROUNDING ZONING:

North:	Lake Front Residential District (R-3)
South:	Agriculture Preservation District (AG-P)
East:	Lake Front Residential District (R-3)
West:	Lake Front Residential District (R-3)

REPORTED BY: Scott Bader

GENERAL COMMENT: The petitioner is requesting this Conditional Use for a proposed AIR B&B which does not provide any meals, just a room for sleep.

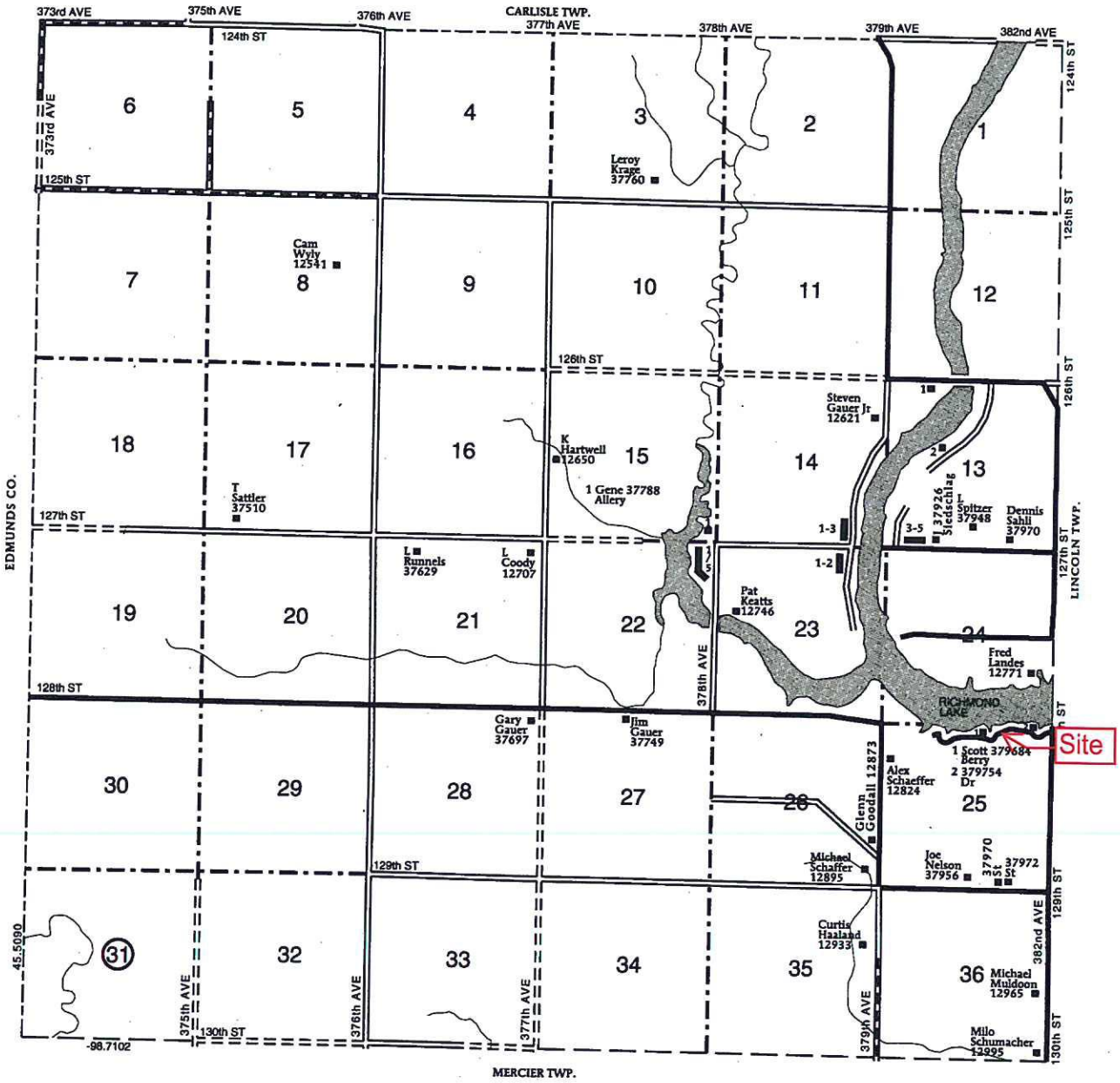
REVIEW: The Richmond Lake Association contacted the zoning office and said these are not allowed in the lake area. I told them I can't enforce their covenants and it is allowed in our ordinance by special exception/conditional use. The owner wants to apply for the CU.

T-124-N

RAVINIA DIRECTORY

(Residents - Owners or Renters)

R-65-W



RAVINIA TOWNSHIP

SECTION 13
1 Kirchgesler, Jim 37935
2 Bahr, Justin 126401
3 Schmitz, B 37902
4 Vitense, David 37908
5 Biegler, Jerry 37910

SECTION 14
1 Mishaw, Mark 126928
2 Lutz, Douglas 126966
3 126974

SECTION 22
1 Myhre, Gary 127093
2 Anderson, Jeremiah 127131
3 Millett, Craig 127151
4 Thayer, Dan 127257
5 Wahl, Lanny 127395

SECTION 23
1 Wolf, Frank 127148
2 Fischer, Brock 127216

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a *Petition for a Special Exception/Conditional Use*. A hearing will be held in the basement of the Courthouse Annex, east Community Meeting Room on *September 17, 2019 at 7:00 pm* for the purpose of an "AIR Bed and Breakfast".

Petitioner & owner: *Jamie Weisenburger for Michael and Andrew Weisenburger*

Description of property: *Lot 18, "Lutgen & Davis Richmond Lake Development" in the NE1/4 of Section 25-T124N-R65W (379836 South Shore Dr).*

Reason: *Petition for a Conditional Use to have an "AIR Bed & Breakfast" at Richmond Lake South Shore Dr area.*

The public is invited to attend the hearing and to present comments and testimony regarding the proposed Special Exception/Conditional Use.

Dated this *17th day of September 2019*

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

Published once at the total approximate cost of _____.

BROWN COUNTY
PLANNING & ZONING COMMISSION

APPLICATION FOR SPECIAL EXCEPTION / CONDITIONAL USE

DATE: August 30, 2019 *FEES:* 200.00
RECEIPT # 132212 *PAID:* YES/NO CHK/CASH
TOWNSHIP: Ravinia Twp *DATE:* _____

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

AGENTS SIGNATURE: Carrie Weisenburger
AGENTS ADDRESS: 379820 South Shore Dr
AGENTS CITY, STATE, ZIP: Aberdeen, SD 57401
AGENTS PHONE: 605-290-3633 (cell); Jamie=605-216-5423 (cell)

REQUEST: Conditional Use for an AIR B&B in a Lake Front Residential District (R-3)

LEGAL DESCRIPTION: Lot 18, "Lutgen and Davis Richmond Lake Development" in the NE1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota

SIGNATURE: Carrie Weisenburger

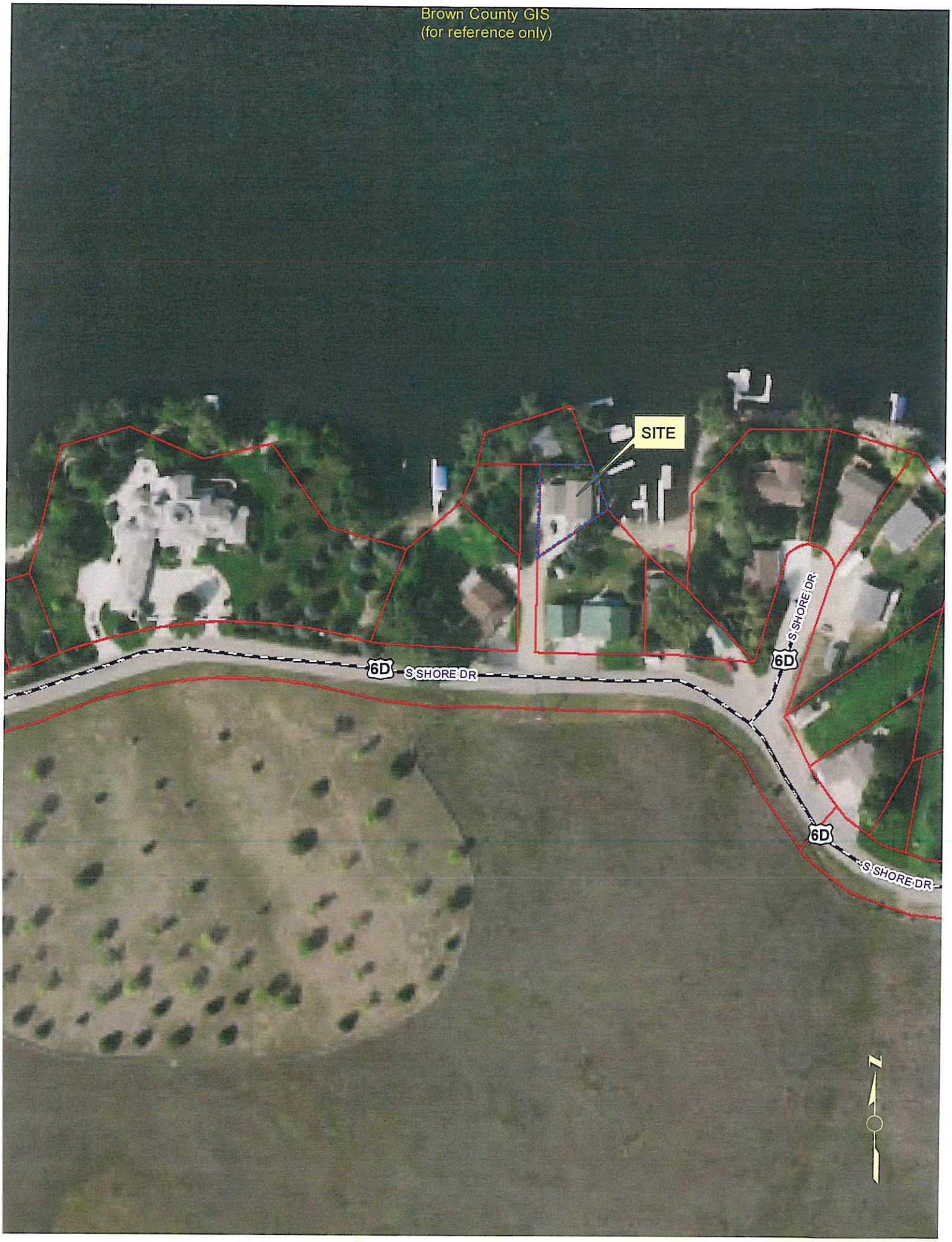
Planning Commission Action: Approved / Denied _____

By: _____ ***Date:*** _____

HEARING DATE: September 17, 2019 **TIME:** 7:00 p.m.

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

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


Brown County GIS
(for reference only)
SITE
6D
S SHORE DR
6D
S SHORE DR
6D
S SHORE DR
N


Brown County GIS
(for reference only)
SITE
S SHORE DR
6D
N

STAFF REPORT
September 17, 2019

Variance for Lot Size in AG-P District — ITEM # 05

GENERAL INFORMATION:

PETITIONER:	Travis Olson
REQUEST:	Variance to Lot Size in an AG-P District.
LEGAL DESCRIPTION:	Lot 1, "Travis and Danielle Olson Subdivision" in the SW1/4 of Section 10-T123N-R62W of the 5th P.M., Brown County, South Dakota
LOCATION:	39712 132nd St
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 2.75± acre parcel for conveyance within family.

GENERAL REVIEW: Parcel has existing approach access. This parcel will meet Chapter 4.0606 "farm unit" requirements and will not need to rezone to M-AG District.

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 *September 17, 2019 at 7:00 P.M.* for the purpose of a Variance to Lot Size in an Agricultural Preservation District (AG-P).

Petitioner / Owner: *Travis Olson / Bernice Olson*

Description of property: Travis and Dannielle Olson Subdivision in the SW1/4 of Section 10-T123N-R62W of the 5th P.M., Brown County, South Dakota of the 5th P.M., Brown County, South Dakota (39712 132nd St).

Reason: Variance to Lot Size in an Agricultural Preservation District (AG-P) for 2.75± acres rather than 40.0 acres per Chapter 4.0606.

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

Dated this 17th day September 2019.

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

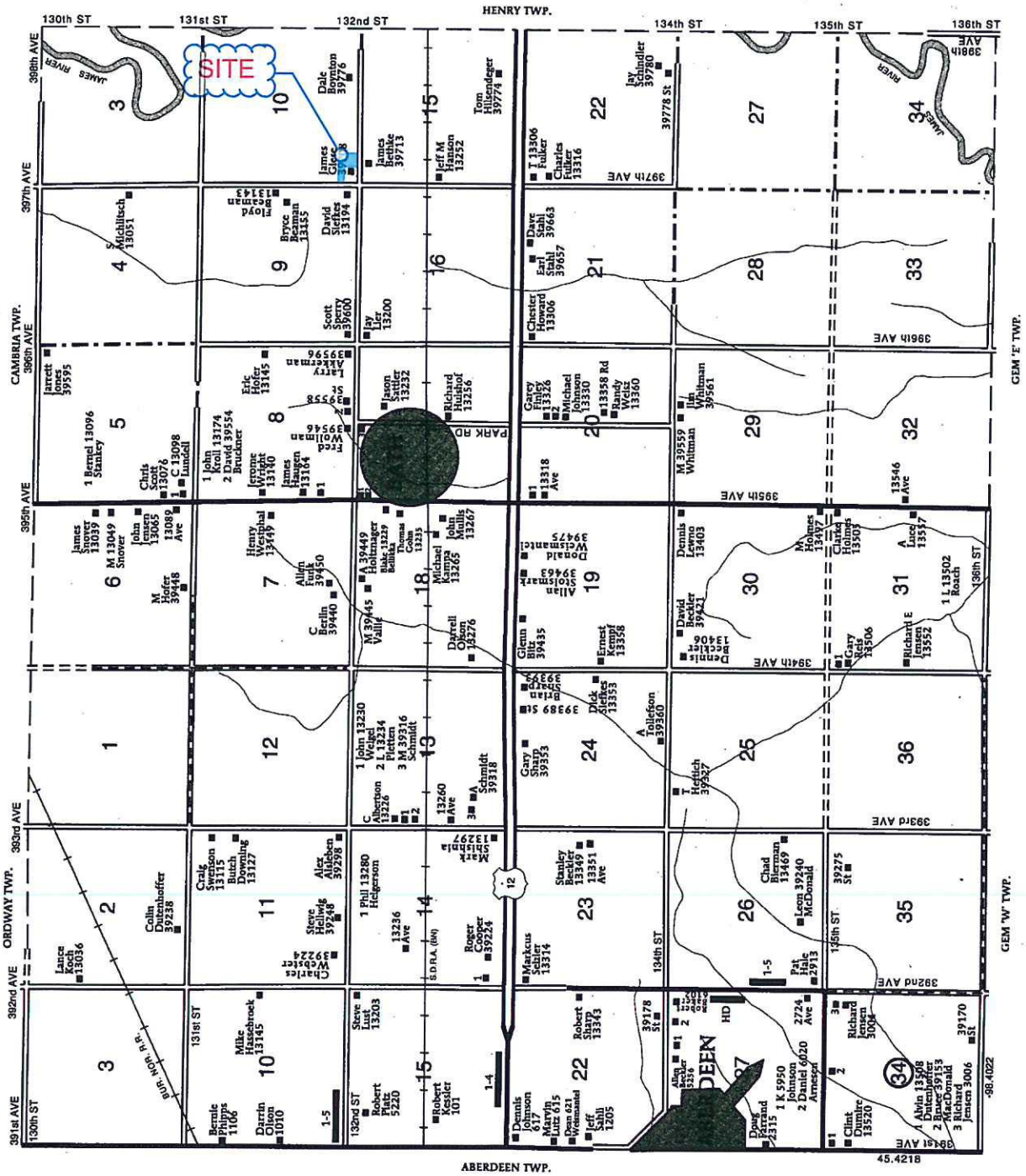
Published once at the total approximate cost of _____.

T-123-N

BATH DIRECTORY

(Residents - Owners or Renters)

R-62-63-W



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 Gossman, C 5405
2 Ellers, 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 Bellikka, Daryl 2111
2 Kohlhaas, Paul 2135
3 Griese, Doug 2215
4 Rud, Robert 2317
5 Mattern, R 2519

BROWN COUNTY
PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: September 3, 2019
RECEIPT # 132216
TOWNSHIP: Bath Twp

FEES: 100.00
PAID: YES/NO CHK/CASH
DATE: 9/5/19

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

AGENTS SIGNATURE: Travis Olson Travis OLSON
AGENTS ADDRESS: 12606 395th Ave
AGENTS CITY, STATE, ZIP: Bath SD 57427
AGENTS PHONE: 605-228-1302

REQUEST: Variance to Lot Size in an Agricultural Preservation District (AG-P) Parcel of 2.75 acres per Chapter 4.0606

LEGAL DESCRIPTION: Travis and Dannielle Olson Subdivision in the SW1/4 of Section 10-T123N-R62W of the 5th P.M., Brown County, South Dakota (39712 132nd St)

Planning Commission Action: Approved / Denied

By: ***Date:***

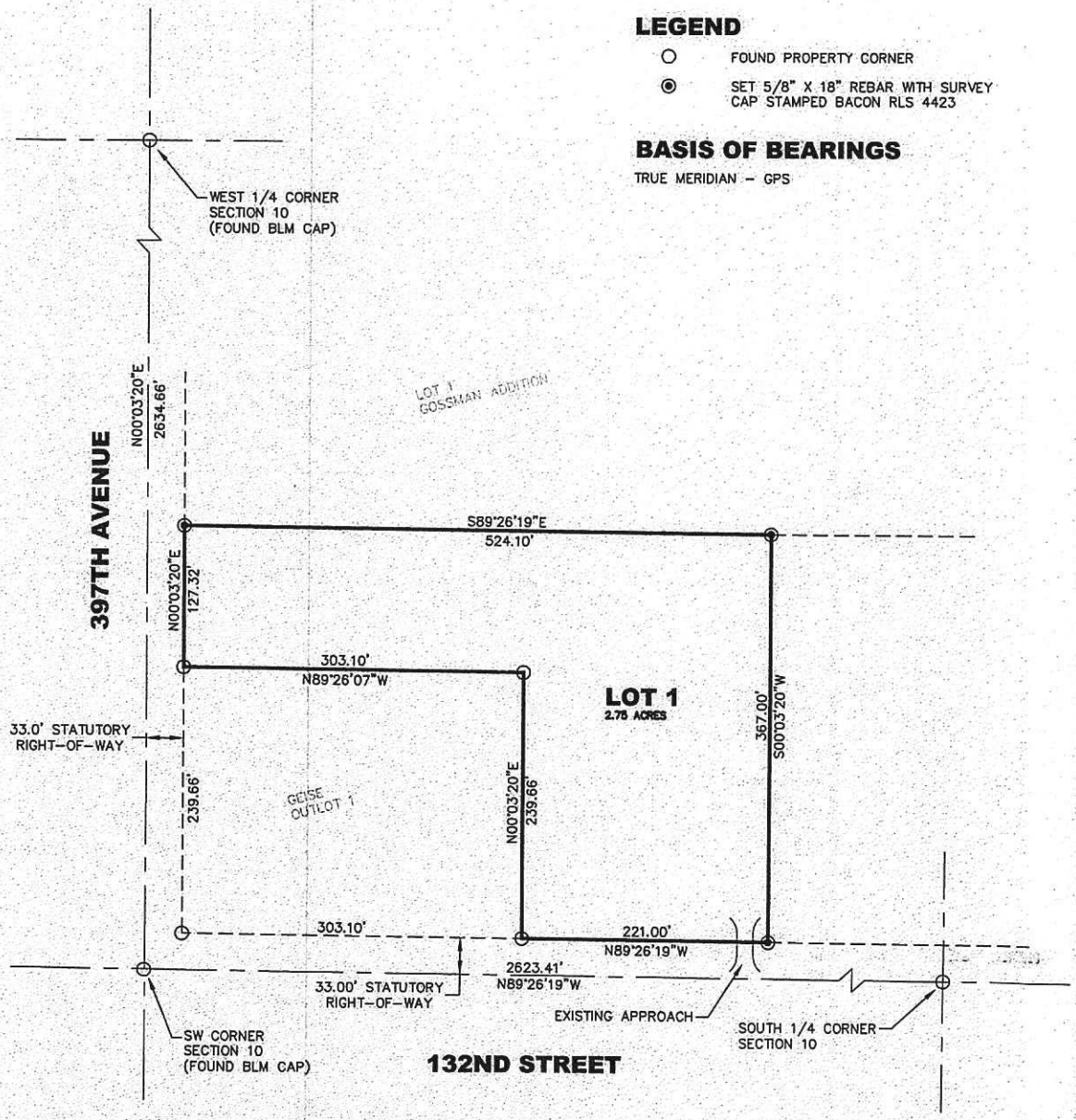
HEARING DATE: September 17, 2019 **TIME:** 7:00 pm

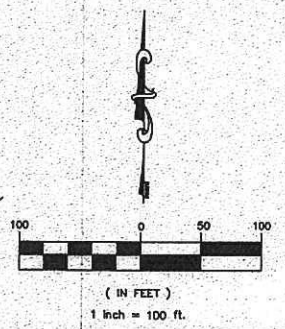
MEETING: located in the Basement Community Room of the Court House Annex

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

A-7416

PLAT OF
TRAVIS AND DANIELLE OLSON SUBDIVISION
IN THE SW 1/4 OF SECTION 10-T123N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA





REGISTERED LAND SURVEYOR
REG. NO.
4423
RANDY D. BACON
SOUTH DAKOTA
8-27-19

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. 7416-LS	BY: KMW	SHEET 1 OF 3

A-7416

PLAT OF
TRAVIS AND DANIELLE OLSON SUBDIVISION IN THE SW 1/4 OF SECTION 10-T123N-R62W OF THE 5th P.M., BROWN COUNTY, 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 TRAVIS AND DANIELLE OLSON SUBDIVISION IN THE SW 1/4 OF SECTION 10-T123N-R62W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-3, AND ANY AMENDMENTS THEREOF."

_____
COUNTY AUDITOR, BROWN COUNTY, SOUTH DAKOTA

HIGHWAY AUTHORITY CERTIFICATE

THE LOCATION OF THE PROPOSED PROPERTY LINES ABUTTING THE COUNTY OR STATE HIGHWAY, OR THE COUNTRY 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 3rd DAY OF Sept, 20 19.

_____
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 3 DAY OF Sept, 20 19.

Vanmeter, ch dep treas
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

DWG. 7416-LS	BY: KMW	SHEET 3 OF 3

A-7416

PLAT OF
TRAVIS AND DANIELLE OLSON SUBDIVISION
IN THE SW 1/4 OF SECTION 10-T123N-R62W 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 THE OLSON FAMILY TRUST AND BERNICE L. OLSON AS OWNERS, AND UNDER THEIR DIRECTION FOR THE PURPOSES INDICATED THEREIN, I DID ON OR PRIOR TO AUGUST 19, 2019, SURVEY THOSE PARCELS OF LAND DESCRIBED AS FOLLOWS: TRAVIS AND DANIELLE OLSON SUBDIVISION IN THE SW 1/4 OF SECTION 10-T123N-R62W 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 27 DAY OF August 2019

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

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE ABSOLUTE AND UNQUALIFIED OWNERS OF ALL THE LAND INCLUDED IN THE WITHIN AND FOREGOING PLAT; THAT THE PLAT HAS BEEN MADE AT OUR REQUEST AND UNDER OUR DIRECTION FOR THE PURPOSES INDICATED THEREIN; WHICH SAID PROPERTY AS SO SURVEYED AND PLATTED SHALL HEREAFTER BE KNOWN AS; TRAVIS AND DANIELLE OLSON SUBDIVISION IN THE SW 1/4 OF SECTION 10-T123N-R62W 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 3 DAY OF Sept 2019

OLSON FAMILY TRUST

Bernice L. Olson
BERNICE L. OLSON, TRUSTEE

Bernice L. Olson
BERNICE L. OLSON

ACKNOWLEDGEMENT

STATE OF South Dakota
COUNTY OF Brown)SS

ON THIS THE 3 DAY OF September, 2019, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED BERNICE L. OLSON KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

Sara Jurgens
NOTARY PUBLIC, South Dakota STATE

MY COMMISSION EXPIRES MY COMMISSION EXPIRES NOVEMBER 6, 2019

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 TRAVIS AND DANIELLE OLSON SUBDIVISION IN THE SW 1/4 OF SECTION 10-T123N-R62W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-2-2, AND ANY AMENDMENTS THEREOF."

_____
SECRETARY OF BROWN COUNTY PLANNING COMMISSION, SOUTH DAKOTA


Brown County GIS
(for reference only)
39646
31ST ST
131ST ST
397TH AVE
13111
397TH AVE
13136
396TH
AVE
13144
397TH
AVE
13143
397TH
AVE
13155
397TH
AVE
13153
397TH AVE
39778
132ND ST
13194
397TH
AVE
13186
396TH
AVE
39712
132ND ST
39708
132ND ST
39776
132ND ST
132ND ST
SITE
39705
132ND ST
South Dakota
State Railroad
13252
397TH
AVE
39752
133RD ST.
39770
133RD ST


Brown County GIS
(for reference only)
0
13194
397TH AVE
397TH AVE
39708
132ND ST
39712
132ND ST
13153
397TH
AVE
132ND ST
132ND ST
SITE
0
397TH AVE
39705
132ND ST
N

STAFF REPORT
September 17, 2019

Spec Exc/Conditional Use for CAFO **ITEM #** 06

GENERAL INFORMATION

PETITIONER: Mark Sumption for Sumption Farms

REQUEST: Special Exception/Conditional Use for an expansion of their existing CAFO.

LEGAL DESCRIPTION: NW1/4 of Section 28-T127N-R63W of the 5th P.M., Brown County, South Dakota

LOCATION: 39010 110th Street

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)

REPORTED BY: Scott Bader

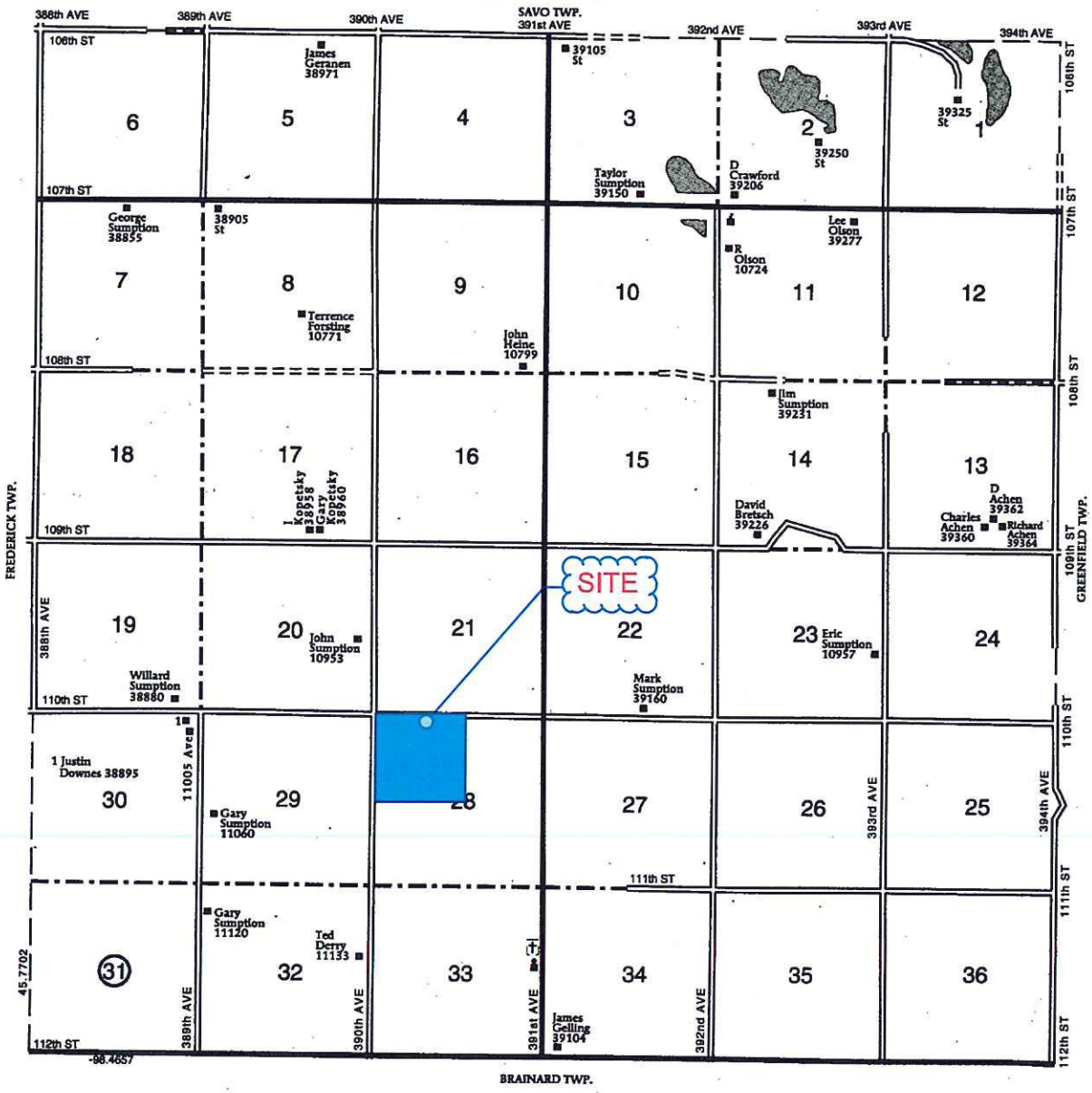
GENERAL COMMENT: The petitioner is requesting this Conditional Use for an expansion of their existing CAFO. The existing is approved for 800 beef cattle and the proposed expansion of is for 1,000 head beef cattle.

REVIEW: The existing is being combined with the expansion since they will be using the same fields for manure fertilizer. They also plan to expand another 1,000 in the long term, so we are looking at that setback requirement also. Since they own most of the surrounding land, they only need one (1) WAIVER signed for this expansion.

T-127-N

RICHLAND DIRECTORY
(Residents - Owners or Renters)

R-63-W



BROWN COUNTY
PLANNING & ZONING COMMISSION

APPLICATION FOR SPECIAL EXCEPTION / CONDITIONAL USE

DATE: September 3, 2019 *FEES:* 200.00
RECEIPT # _____ *PAID:* *YES/NO CHK/CASH*
TOWNSHIP: Richland Twp *DATE:* _____

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

AGENTS SIGNATURE: Mark Sumption for Diamond Five Inc
AGENTS ADDRESS: 10997 390th Ave
AGENTS CITY, STATE, ZIP: Frederick, SD 57441
AGENTS PHONE: 605-252-6579

REQUEST: Expansion of an existing Concentrated Animal Feeding Operation (CAFO) in an Agricultural Preservation District (AG-P).

LEGAL DESCRIPTION: NW1/4 of Section 28-T127N-R63W of the 5th P.M., Brown County, South Dakota (11010 390th Ave).

SIGNATURE: _____

Planning Commission Action: Approved / Denied _____

By: _____ ***Date:*** _____

HEARING DATE: September 17, 2019 **TIME:** 7:00 pm

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

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

STOCKWELL

STOCKWELL ENGINEERS, INC.
201 WALNUT STREET
YANKTON, SD 57078
PH: 605.665.5092
FAX: 605.665.0123

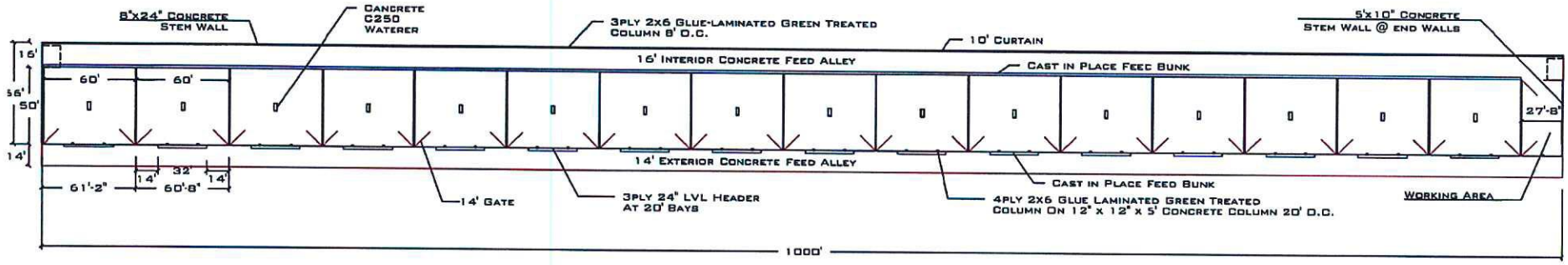
0 150 300

Sumption Farms Cattle Barn
NW 1/4, Section 28, T127N, R63W
Brown County, SD
SEI PROJECT #: P19289

MARK
252-6579

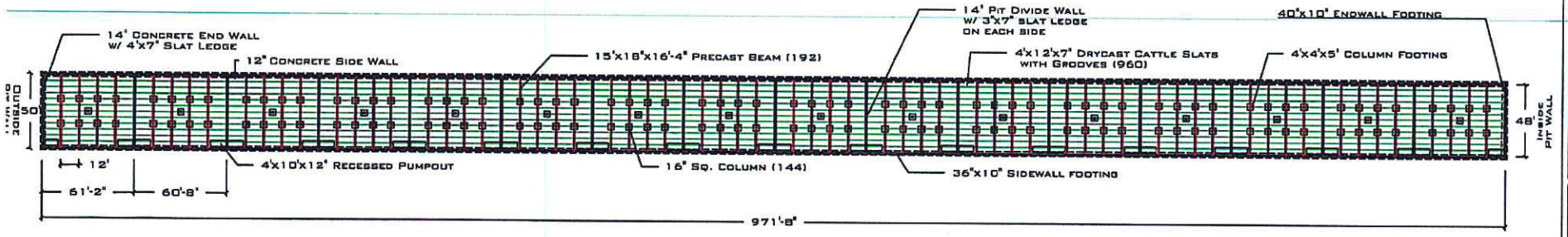
PLOT DATE 8/27/2019 4:23 PM

AERIAL



Floor Plan

NTS



12' Pit Plan

NTS

2000 HD
12' Deep Pit
66'x1000'x14'
Gable

SUMMIT

Apex Buildings

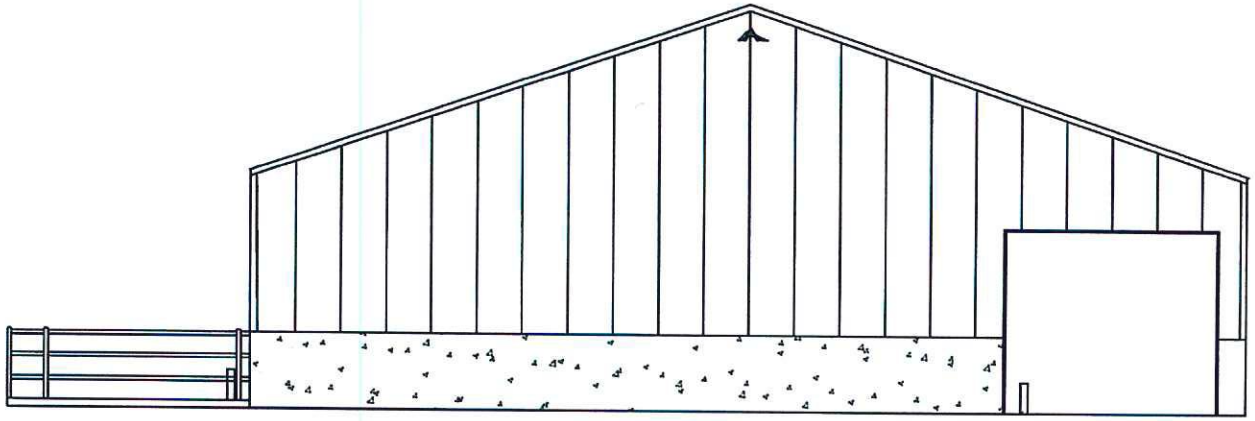
36581 SD Hwy 44
Platte SD, 57369
www.summitcontractingsd.com

APEX

Drawn By: Van Allen
180-5168

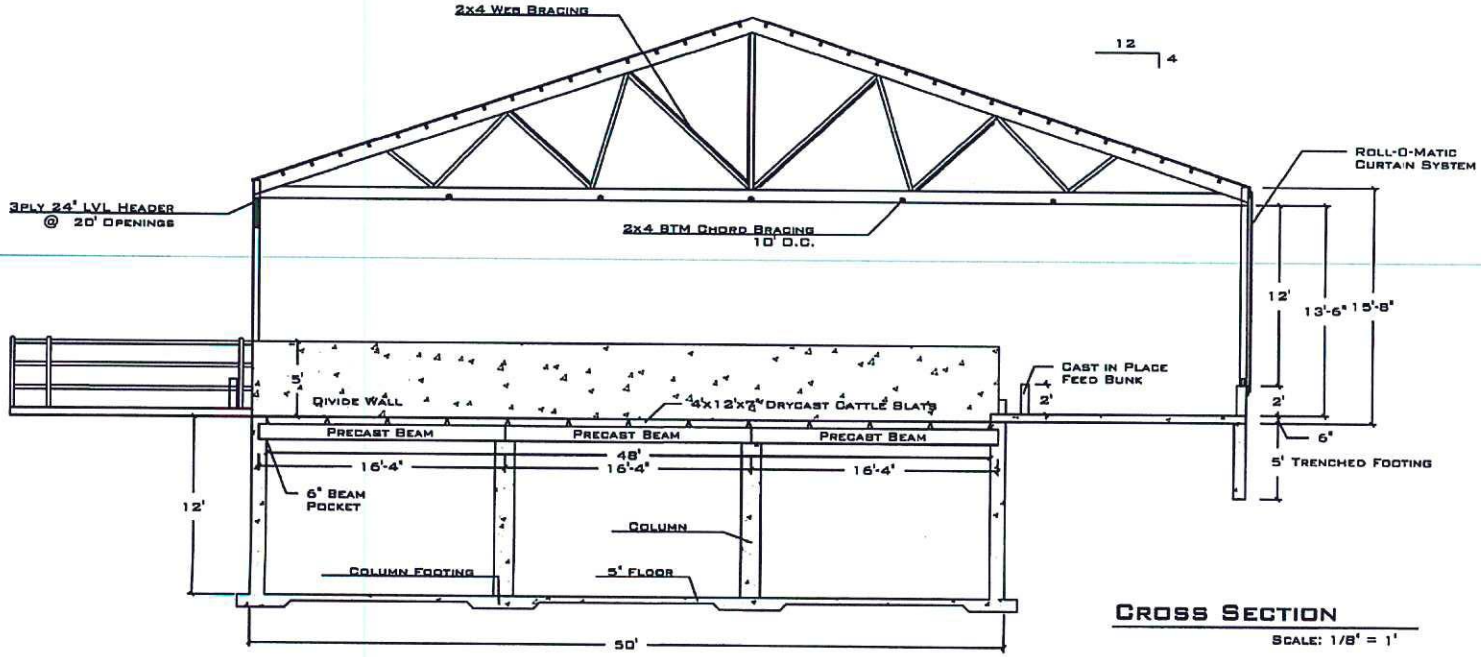
1

Scale: 3/16 :1



East End Wall Elevation

Scale: 1/8" = 1'



Cross Section

Scale: 1/8" = 1'

2000 HD
12' Deep Pit
66'x100'x14'
Gable

SUMMIT

Apex Buildings

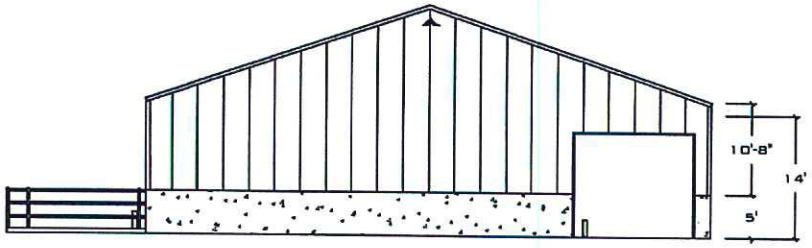
36581 SD Hwy 44
Platte SD, 57369
www.summitcontractingsd.com

APEX

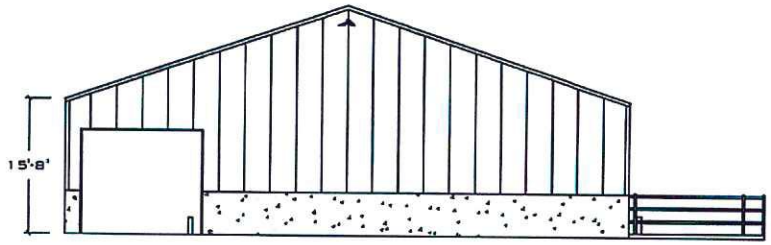
Drawn by: Van Allen
90-5168

2

Scale: 1/8" = 1'

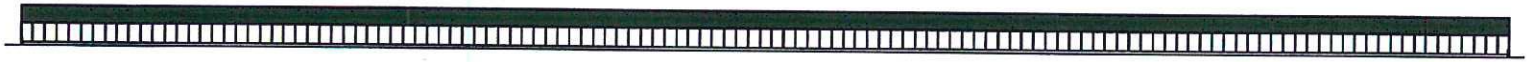


EAST END WALL ELEVATION



WEST END WALL ELEVATION

SOUTH SIDE WALL ELEVATION



NORTH SIDE WALL ELEVATION

ELEVATIONS

SCALE NTS

SUMMIT

APEX BUILDINGS

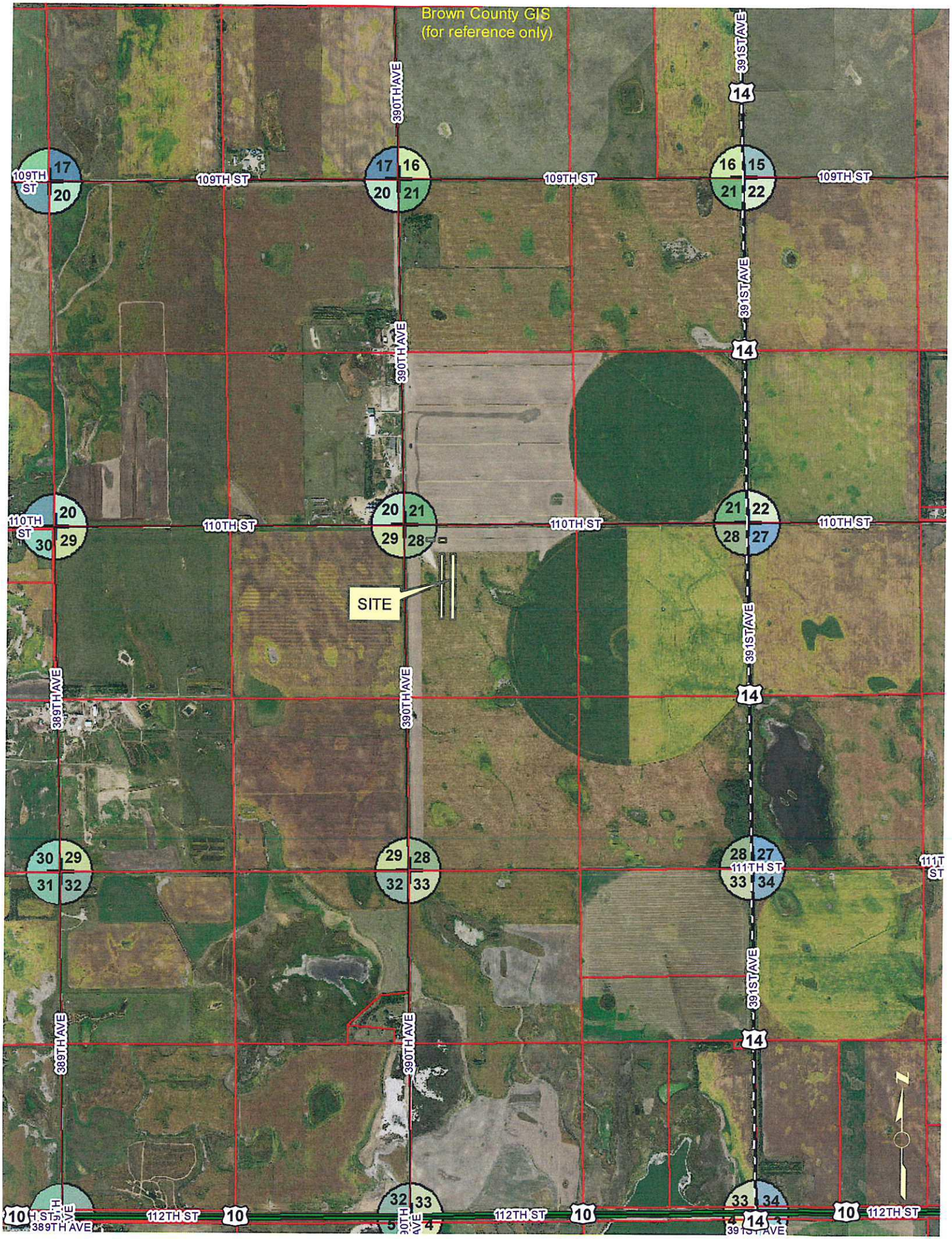
36581 SD Hwy 44
PLATTE SD, 57369
WWW.SUMMITCONTRACTINGSD.COM

APEX

DRAWN BY: JAN ALLEN
SD-5168

3

SCALE:


Brown County GIS
(for reference only)
109TH ST
110TH ST
111TH ST
112TH ST
389TH AVE
390TH AVE
391ST AVE
14
10
SITE
N


Brown County GIS
(for reference only)
390TH AVE
110TH ST
110TH ST
20
21
29
28
SITE
390TH AVE
N

STAFF REPORT

September 17, 2019

PETITION TO REZONE

ITEM # 10

GENERAL INFORMATION:

PETITIONER: Roger Gray

REQUEST: Petition to rezone property

LEGAL DESCRIPTION: Lots 16-18 except the west 60' of 18, all in the NW1/4 of Section 25-T124M-R65W of the 5th P.M., Brown County, South Dakota

TOWNSHIP: Ravinia Twp

LOCATION: 379268 & 379290 South Shore Dr

EXISTING ZONING: Agriculture Preservation District (AG-P)

SURROUNDING ZONING:

North:	Richmond Lake
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)

PUBLIC UTILITIES: WEB Water & Sanitary Sewer District

REPORTED BY: Scott Bader

GENERAL COMMENT: The petitioner is requesting this rezone for a Non-conforming lot to bring it into compliance.

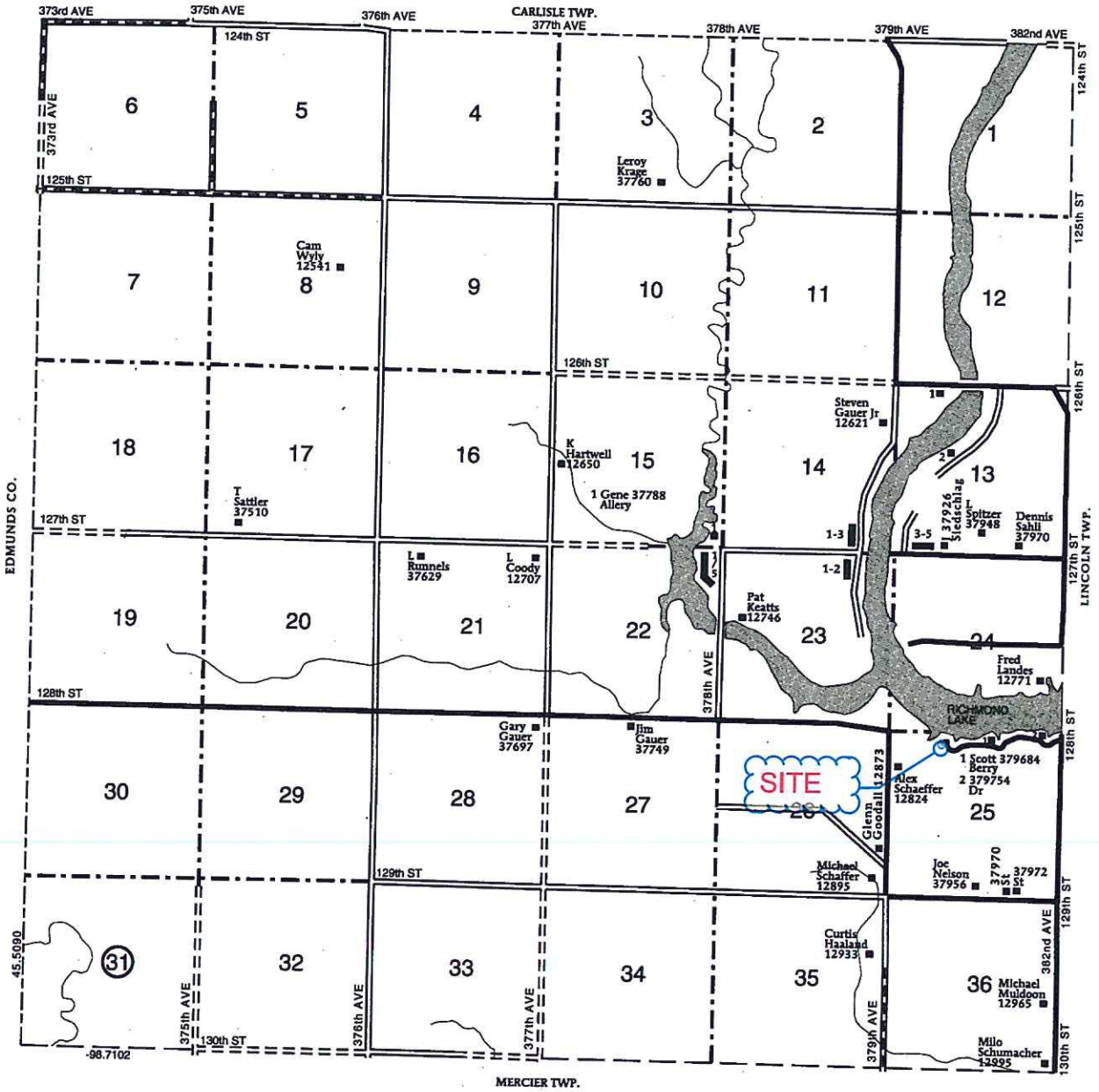
REVIEW: Parcels (0.308 acres and 0.296 acres) do not meet a minimum 40.0 acres for AG-P District and do not qualify for the "farm unit" reduction for AG-P District. Rezoning to Lake Front Residential District (R-3) brings this parcel into compliance for its current and intended use.

T-124-N

RAVINIA DIRECTORY

(Residents - Owners or Renters)

R-65-W



RAVINIA TOWNSHIP

SECTION 13
1 Kirchgesler, Jim 37935
2 Bahr, Justin 126401
3 Schmitz, B 37902
4 Vitense, David 37908
5 Biegler, Jerry 37910

SECTION 14
1 Mishaw, Mark 126928
2 Lutz, Douglas 126966
3 126974

SECTION 22
1 Myhre, Gary 127093
2 Anderson, Jeremiah 127131
3 Millett, Craig 127151
4 Thayer, Dan 127257
5 Wahl, Lanny 127395

SECTION 23
1 Wolf, Frank 127148
2 Fischer, Brock 127216

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 *September 17, 2019 at 7:00 P.M.* for the purpose of Rezoning from Agricultural Preservation District (AG-P) to Lake Front Residential District (R-3).

Owner & Petitioner: Roger & Lora Gray

Description of property: Lots 16-18 except the west 60' of 18, all in the NW1/4 of Section 25-T124M-R65W of the 5th P.M., Brown County, South Dakota (379268 & 379290 South Shore Dr).

Reason: This property is petitioned to be rezoned from Agricultural Preservation District (AG-P) to Lake Front Residential District (R-3) with less restrictive setbacks for smaller lots.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed ordinance amendment. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the 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 28th day of August 2019

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

Petition No: _____
Date: _____
Receipt: _____
Filing Fee: $350
(non-refundable)

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

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 16-18 except the west 60' of 18, all in the NW1/4 of Section 25-T124M-R65W of the 5th P.M., Brown County, South Dakota

General Area Location or Street Address: (379268 & 379290 South Shore Dr).
From: Agricultural Preservation District (AG-P)
To: Lake Front Residential District (R-3)

Purpose: This property is petitioned to be rezoned from Agricultural Preservation District (AG-P) to Lake Front Residential District (R-3) with less restrictive setbacks for smaller lots.

Size of Parcels: 0.308 acres and 0.296 acres
Existing Land Use: Lake Front Residential

Owner/Petitioner: Roger Gray
Signature: _____
Date: 8/23/19 Phone: 605-380-3838
Address: 1420 NE 18th Ave
Aberdeen, SD 57401


Brown County GIS
(for reference only)
SITE
ARQUETTE
DR
S SHORE DR
6D
N


Brown County GIS
(for reference only)
SITE
6D
S SHORE DR
N

STAFF REPORT

September 17, 2019

PETITION TO REZONE

ITEM # 11

GENERAL INFORMATION:

PETITIONER: Randy Bacon

REQUEST: Petition to rezone property

LEGAL DESCRIPTION: *Lots 1&2, "BNB Richmond Lake Subdivision" in the NW1/4 of Section 25-T124M-R65W of the 5th P.M., Brown County*, South Dakota

TOWNSHIP: Ravinia Twp

LOCATION: *379224 & 379252 South Shore Dr*

EXISTING ZONING: Agriculture Preservation District (AG-P)

SURROUNDING ZONING:

North:	Richmond Lake
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)

PUBLIC UTILITIES: WEB Water & Sanitary Sewer District

REPORTED BY: Scott Bader

GENERAL COMMENT: The petitioner is requesting this rezone for Non-conforming lots to bring it into compliance.

REVIEW: Parcels (Lot 1 = 11.98 acres and Lot 2 = 0.99 acres) do not meet a minimum 40.0 acres for AG-P District and do not qualify for the "farm unit" reduction for AG-P District. Rezoning to Lake Front Residential District (R-3) brings both parcels into compliance for its current and intended use.

ROW

ROW

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 *September 17, 2019 at 7:00 p.m.* for the purpose of Rezoning from Agriculture Preservation District (AG-P) to Lake Front Residential District (R-3).

Owner & Petitioner: Randy Bacon

Description of property: Lots 1&2, "BNB Richmond Lake Subdivision" in the NW1/4 of Section 25-T124M-R65W of the 5th P.M., Brown County, South Dakota

Reason: The petitioner is requesting this rezone to bring the new platted lots into compliance for their existing and intended uses.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed ordinance amendment. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the 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 28th day of August 2019

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

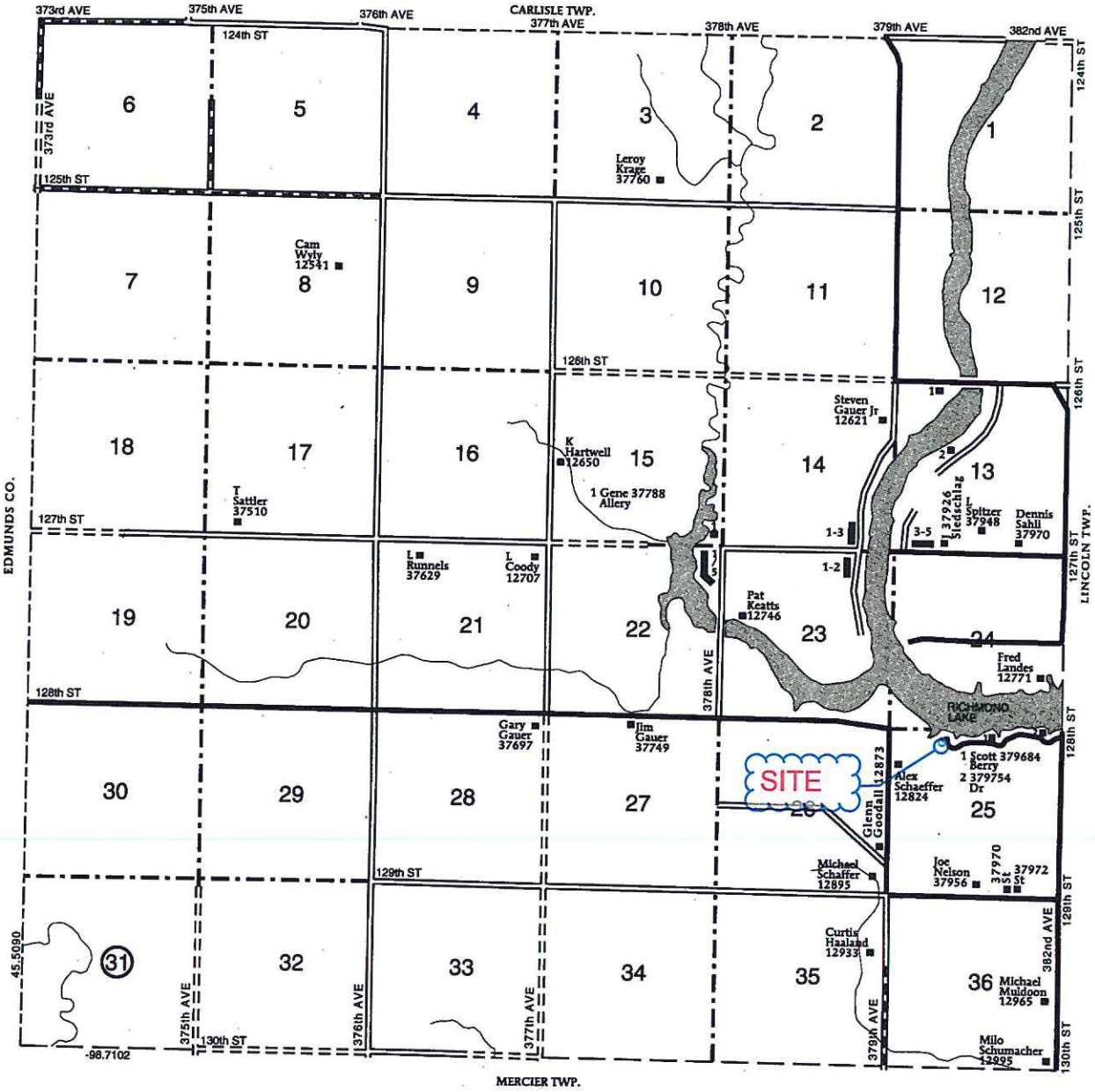
Published once at the total approximate cost of _____.

T-124-N

RAVINIA DIRECTORY

(Residents - Owners or Renters)

R-65-W



RAVINIA TOWNSHIP

SECTION 13
1 Kirchgesler, Jim 37935
2 Bahr, Justin 126401
3 Schmitz, B 37902
4 Vitense, David 37908
5 Biegler, Jerry 37910

SECTION 14
1 Mishaw, Mark 126928
2 Lutz, Douglas 126966
3 126974

SECTION 22
1 Myhre, Gary 127093
2 Anderson, Jeremiah 127131
3 Millett, Craig 127151
4 Thayer, Dan 127257
5 Wahl, Lanny 127395

SECTION 23
1 Wolf, Frank 127148
2 Fischer, Brock 127216

REZONE PETITION

Petition No: _____
Date: _____
Receipt: #132196
Filing Fee: $350
(non-refundable)

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

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, "BNB Richmond Lake Subdivision" in the NW1/4 of Section 25-T124M-R65W of the 5th P.M., Brown County, South Dakota

General Area Location or Street Address: 379224 & 379252 South Shore Dr
From: Agriculture Preservation District (AG-P)
To: Lake Front Residential District (R-3)

Purpose: Brings both parcels into compliance for its current and intended use.

Size of Parcel: Lot 1 = 11.98 acres and Lot 2 = 0.99 acres
Existing Land Use: Lake Front Residential District (R-3)

Petitioner: (Print) Randy D Bacon
Signature: Randy D Bacon
Date: 8/22/19 Phone: 605-380-2576
Address: 379252 South Shore Dr
Aberdeen, SD 57401

Owner: (Print) _____
Signature: _____
Date: _____ Phone: _____
Address: _____

A-7369

PLAT OF
BNB RICHMOND LAKE SUBDIVISION, IN THE NW 1/4 OF SECTION 25-T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

LEGEND

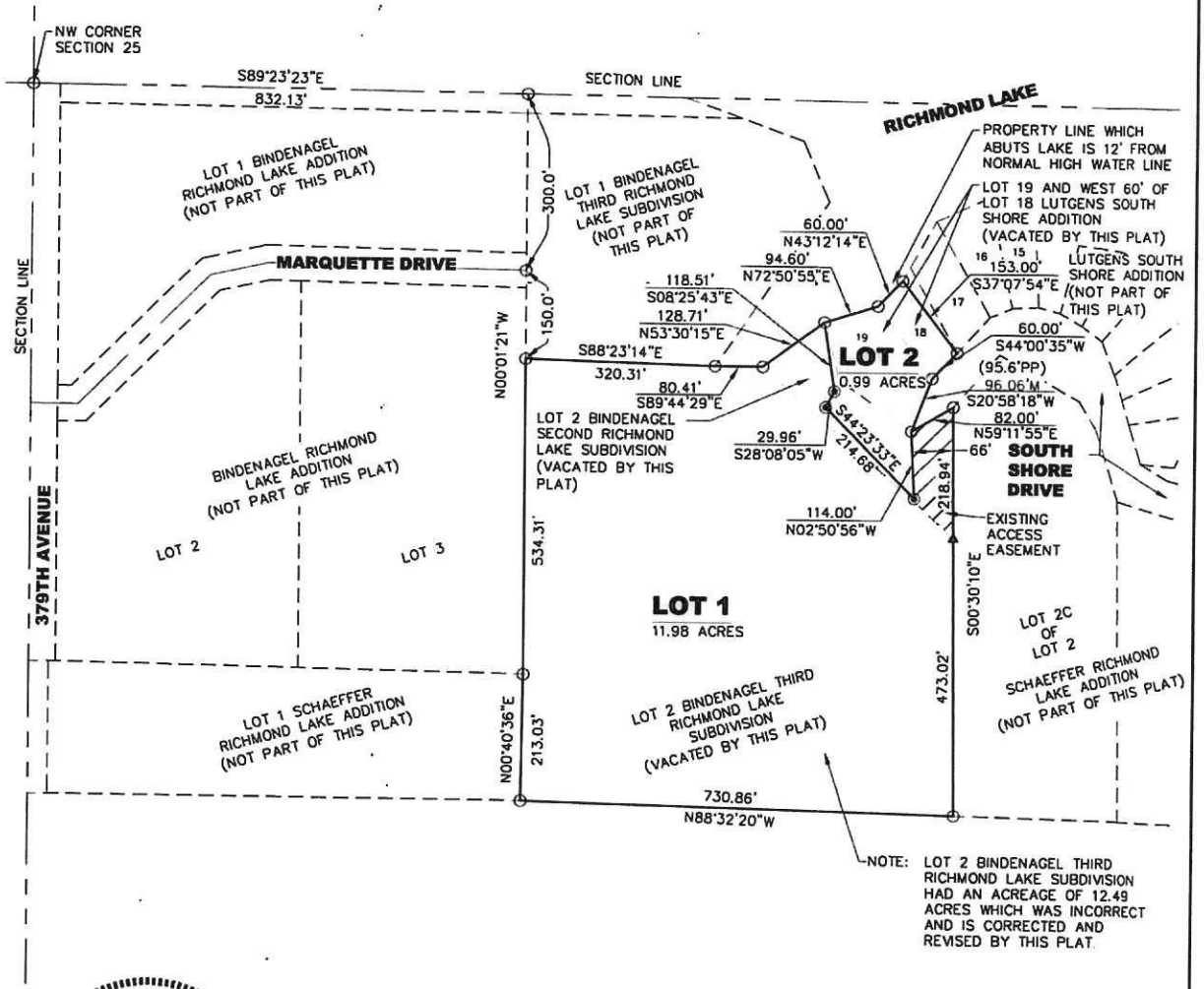
- ○ FOUND PROPERTY CORNER
- ◉ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED BACON RLS 4423
- M MEASURED THIS SURVEY
- ▲ CALCULATED POSITION
- PP PREVIOUSLY PLATTED DISTANCE

BASIS OF BEARINGS

TRUE MERIDIAN GPS

200 0 100 200

(IN FEET)
1 inch = 200 ft.



NOTE: LOT 2 BINDENAGEL THIRD RICHMOND LAKE SUBDIVISION HAD AN ACREAGE OF 12.49 ACRES WHICH WAS INCORRECT AND IS CORRECTED AND REVISED BY THIS PLAT.

REGISTERED LAND SURVEYOR
REG. NO. 4423
RANDY D. BACON
SOUTH DAKOTA

1-25-2019

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. 7369-LS	BY: TMO	SHEET 1 OF 3

A-7369

PLAT OF
BNB RICHMOND LAKE SUBDIVISION, IN THE NW 1/4 OF SECTION 25-T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, RANDY D. BACON, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF LYLE W. BIEGLER, MEGAN M. BIEGLER AND JACQUELYN NEUHARTH AND RANDY D. BACON AND MICHELLE BACON AS OWNERS, AND UNDER THEIR DIRECTION FOR THE PURPOSES INDICATED THEREIN, I DID ON OR PRIOR TO JULY 23, 2019, SURVEY THOSE PARCELS OF LAND DESCRIBED AS FOLLOWS: BNB RICHMOND LAKE SUBDIVISION, IN THE NW 1/4 OF SECTION 25-T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA.
I FURTHER CERTIFY THAT THE WITHIN AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.
DATED THIS 25 DAY OF July, 2019.

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

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE ABSOLUTE AND UNQUALIFIED OWNERS OF ALL THE LAND INCLUDED IN THE WITHIN AND FOREGOING PLAT; (LYLE W. BIEGLER AND MEGAN M. BIEGLER, OWNERS OF LOT 2 OF BINDENAGEL THIRD RICHMOND LAKE SUBDIVISION, AND LOT 2 OF BINDENAGEL SECOND RICHMOND LAKE SUBDIVISION) AND (JACQUELYN NEUHARTH, RANDY D. BACON, MICHELLE BACON OWNERS OF LOT 19 AND WEST 60 FEET LOT 18, LUTGENS SOUTH SHORE ADDITION), 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 BNB RICHMOND LAKE SUBDIVISION, IN THE NW 1/4 OF SECTION 25-T124N-R65W 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 2 DAY OF August, 2019.

Jacquelyn Neuhartth

LYLE W. BIEGLER	JACQUELYN NEUHARTH	RANDY D. BACON
MEGAN M. BIEGLER		MICHELLE BACON

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 BINDENAGEL THIRD RICHMOND LAKE SUBDIVISION, AS RECORDED AS PLAT NO. 3017, ON AUGUST 27, 2013, AND THE PLAT OF BINDENAGEL SECOND RICHMOND LAKE SUBDIVISION, AS RECORDED AS PLAT NO. 2939, ON NOVEMBER 28, 2012, AND THE PLAT OF LUTGEN'S SOUTH SHORE ADDITION, AS RECORDED AS PLAT NO. 455, ON JUNE 28, 1966 IN THE BROWN COUNTY, REGISTER OF DEEDS OFFICE.
THIS IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS 2 DAY OF August, 2019.

FORMERLY DESCRIBED AS:
LOT 2, BINDENAGEL THIRD RICHMOND LAKE SUBDIVISION, AND LOT 2, BINDENAGEL SECOND RICHMOND LAKE SUBDIVISION, AND LOT 19 AND WEST 60 FEET OF LOT 18, LUTGENS SOUTH SHORE ADDITION.

Jacquelyn Neuhartth

LYLE W. BIEGLER	JACQUELYN NEUHARTH	RANDY D. BACON
MEGAN M. BIEGLER		MICHELLE BACON

ACKNOWLEDGEMENT

STATE OF)
COUNTY OF)SS
ON THIS THE ____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED LYLE W. BIEGLER, AND MEGAN M. BIEGLER KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC, _____ STATE

MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT

STATE OF New Mexico)
COUNTY OF Union)SS
ON THIS THE 2nd DAY OF August, 2019, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED JAQUELYN NEUHARTH KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

Heather Poling

OFFICIAL SEAL
HEATHER POLING
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires 08-18-2022

NOTARY PUBLIC, New Mexico STATE

MY COMMISSION EXPIRES: 08-18-2022

A-7369

PLAT OF
BNB RICHMOND LAKE SUBDIVISION, IN THE NW 1/4 OF SECTION 25-T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

ACKNOWLEDGEMENT

STATE OF)

COUNTY OF)SS

ON THIS THE ____ DAY OF _____, 20___, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED RANDY D. BACON AND MICHELLE BACON KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

_____

NOTARY PUBLIC, _____ STATE

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 BNB RICHMOND LAKE SUBDIVISION, IN THE NW 1/4 OF SECTION 25-T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-2-2, AND ANY AMENDMENTS THEREOF."

_____

SECRETARY OF BROWN COUNTY PLANNING COMMISSION, SOUTH DAKOTA

APPROVAL BY COUNTY

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

"BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING BNB RICHMOND LAKE SUBDIVISION, IN THE NW 1/4 OF SECTION 25-T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-3, AND ANY AMENDMENTS THEREOF."

_____

COUNTY AUDITOR, BROWN COUNTY, SOUTH DAKOTA

HIGHWAY AUTHORITY CERTIFICATE

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

BY: _____

HIGHWAY AUTHORITY

TITLE: _____

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

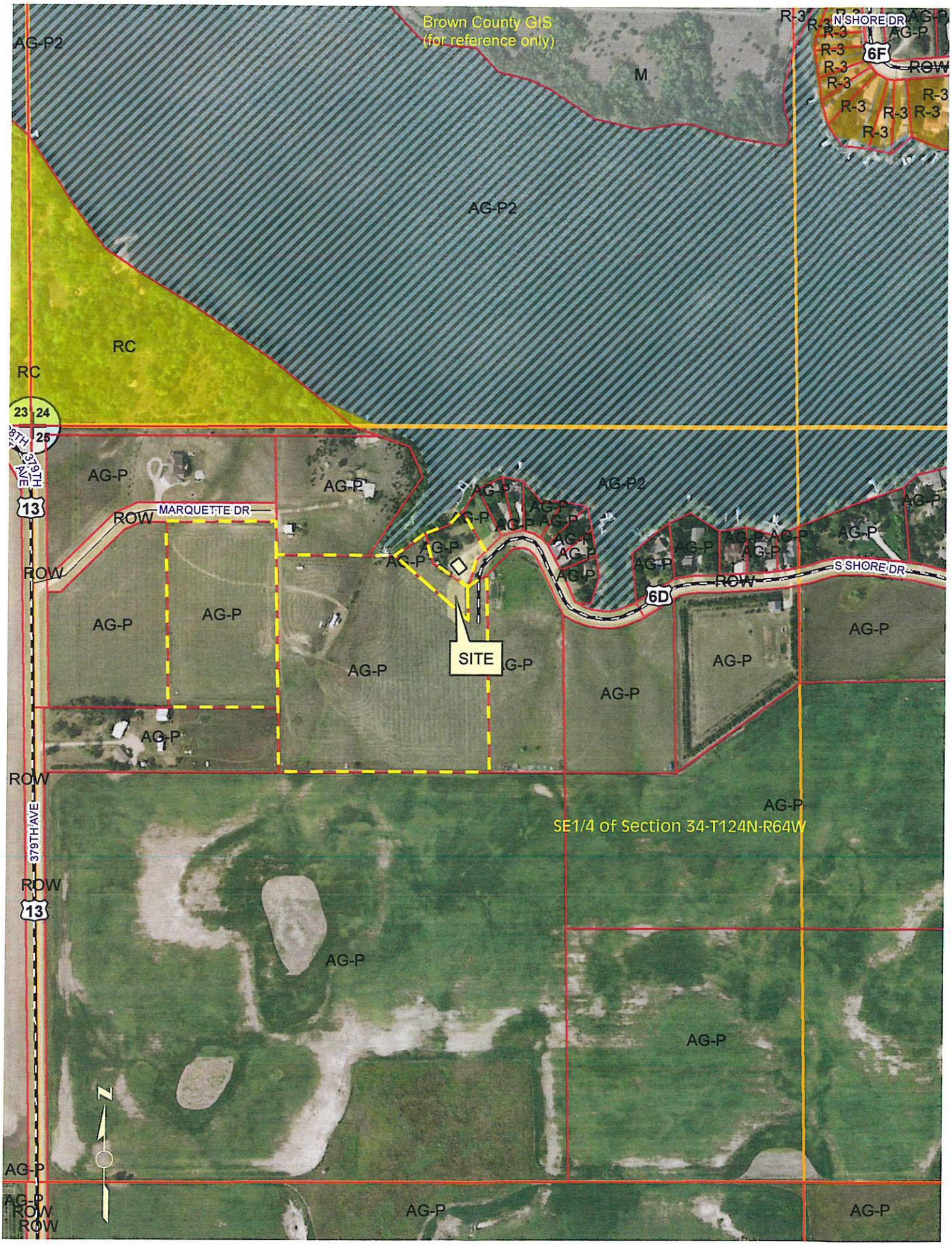
REGISTER OF DEED'S CERTIFICATE

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

_____

REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA

DWG. 7369-LS	BY: TMO	SHEET 3 OF 3


Brown County GIS
(for reference only)
AG-P2
M
R-3
N SHORE DR
6F
ROW
RC
23
24
25
379TH AVE
13
MARQUETTE DR
AG-P
SITE
S SHORE DR
6D
SE1/4 of Section 34-T124N-R64W
N


Brown County GIS
(for reference only)
RQUETTE
DR
SITE
37952 South Shore Dr
S SHORE DR
6D
379240 South Shore Dr

STAFF REPORT
September 17, 2019

PRELIMINARY & FINAL PLAT — ITEM # 12

GENERAL INFORMATION

PETITIONER	Randy Bacon
REQUEST	**Preliminary & Final Plat**
LEGAL DESCRIPTION	"BNB Richmond Lake Subdivision" in the NW1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota
TOWNSHIP	Ravinia Twp
LOCATION	379240 & 379252 South Shore Dr
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Richmond Lake
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water & Sanitary Sewer District
REPORTED BY	Scott Bader

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

REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges that they each have existing accesses. Lots 1&2 do not meet a minimum 40.0 acres for AG-P or qualify for "farm unit" deductions. Recommend approval of plat with the stipulation that they rezone both lots to Lake Front Residential District (R-3) and that the rezone is approved. The Petitioner has submitted an application already for a rezone Lots 1-2.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME "BNB Richmond Lake Subivision"

QUARTER: NW SECTION: 25 TOWNSHIP: 124 RANGE: 65

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

OWNERS NAMES: Randy D. and Michelle Bacon

OWNERS NAMES: Jacquelyn Neuharth

OWNERS NAMES: Lyle W. and Megan M. Biegler

ENGINEER OR SURVEYOR: Randy Bacon for Helms Engineering

TYPE: PRELIMINARY ____ FINAL ____ BOTH X

FEE: ~~$25.00~~ $100 ~~ACRES x $1.00~~ ____ TOTAL: $ 100.00 DATE PAID: 08 / 22 /20 19

RECEIVED BY PLANNING DEPARTMENT: 08 / 22 /20 19 BY: Scott Bader

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

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

STREETS/ROADS NAMED PROPERLY X

EXISTING ACCESS SHOWN ON PLAT X ACCESS NEEDED ____

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

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE X

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

HIGHWAY SIGNATURE LINE SIGNED X

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

CONSIDERED BY COUNTY PLANNING COMMISSION:

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

CONSIDERED BY COUNTY COMMISSION:

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

BROWN COUNTY
PLANNING & ZONING COMMISSION

APPLICATION FOR PLAT APPROVAL

DATE: August 22, 2019
RECEIPT # 132197
TOWNSHIP: Ravinia Twp

FEES: 100.00
PAID: YES/NO CHK/CASH
DATE: August 22, 2019

OWNERS SIGNATURE: Randy Bacon
OWNERS ADDRESS: 379306 South Shore Dr
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE: 605-380-2576

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

REQUEST: Preliminary and Final Plat
Lot 1 = 11.98 acres; Lot 2 = 0.99 Acres

LEGAL DESCRIPTION: "BNB Richmond Lake Subivision" in the NW1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota (379240 & 379252 South Shore Dr)

Planning Commission Action: Approved / Denied

By: ***Date:***

HEARING DATE: September 17, 2019 **TIME:** 7:00 p.m.

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

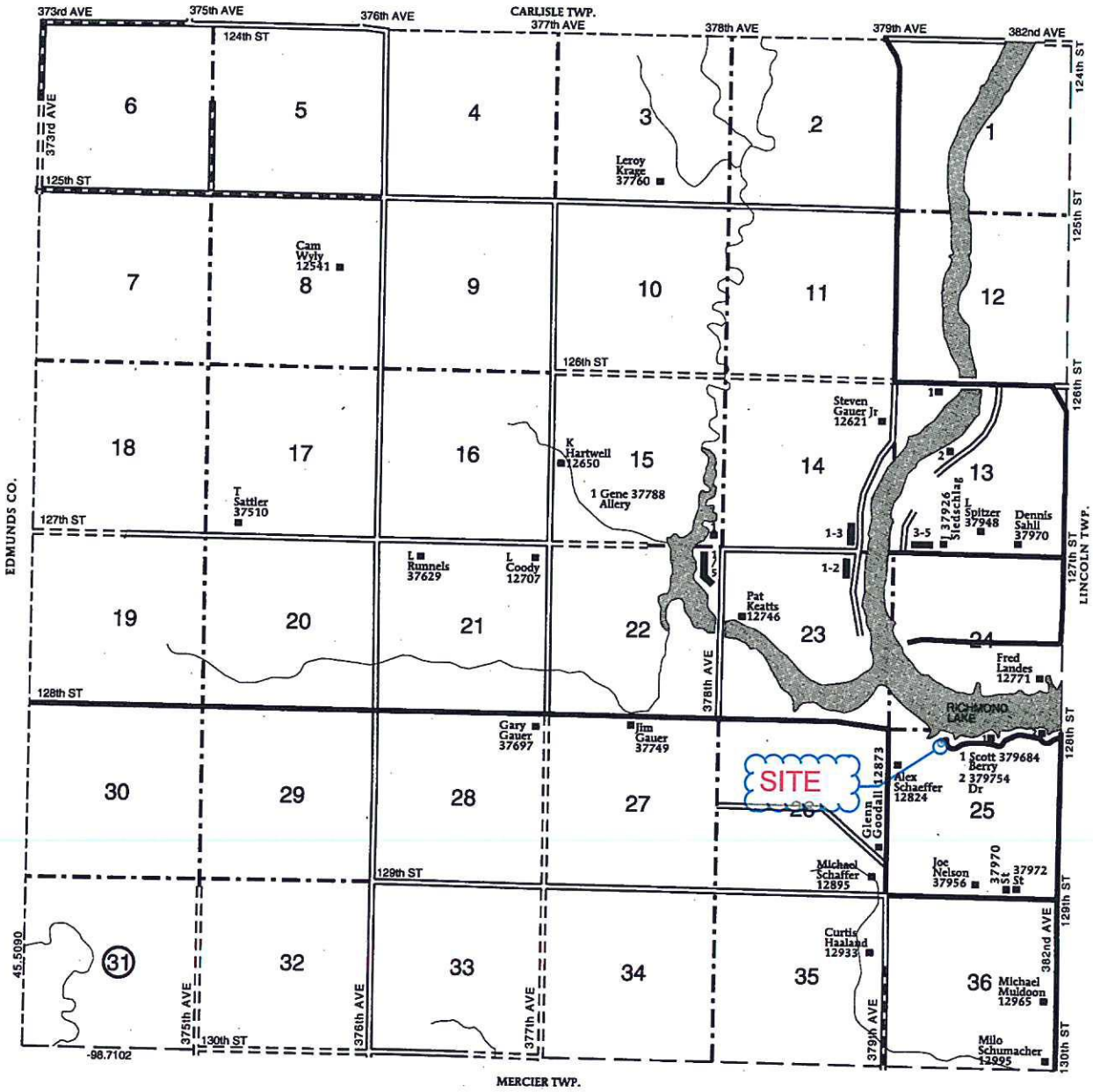
25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

T-124-N

RAVINIA DIRECTORY

(Residents - Owners or Renters)

R-65-W



RAVINIA TOWNSHIP

SECTION 13
1 Kirchgesler, Jim 37935
2 Bahr, Justin 126401
3 Schmitz, B 37902
4 Vitense, David 37908
5 Biegler, Jerry 37910

SECTION 14
1 Mishaw, Mark 126928
2 Lutz, Douglas 126966
3 126974

SECTION 22
1 Myhre, Gary 127093
2 Anderson, Jeremiah 127131
3 Millett, Craig 127151
4 Thayer, Dan 127257
5 Wahl, Lanny 127395

SECTION 23
1 Wolf, Frank 127148
2 Fischer, Brock 127216

A-7369

PLAT OF
BNB RICHMOND LAKE SUBDIVISION, IN THE NW 1/4 OF SECTION 25-T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

LEGEND

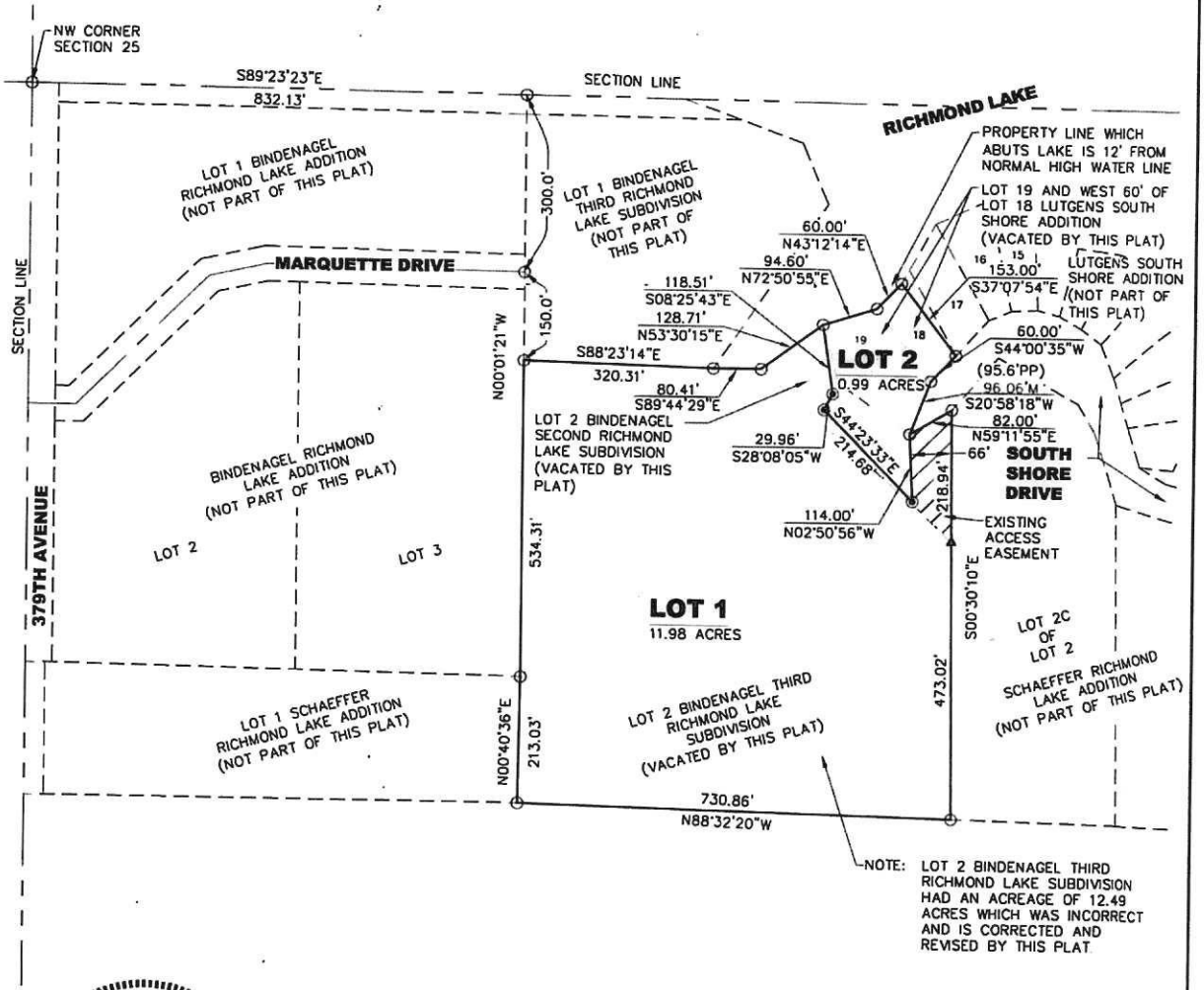
- ○ FOUND PROPERTY CORNER
- ◉ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED BACON RLS 4423
- M MEASURED THIS SURVEY
- ▲ CALCULATED POSITION
- PP PREVIOUSLY PLATTED DISTANCE

BASIS OF BEARINGS

TRUE MERIDIAN GPS

200 0 100 200

(IN FEET)
1 inch = 200 ft.



NOTE: LOT 2 BINDENAGEL THIRD RICHMOND LAKE SUBDIVISION HAD AN ACREAGE OF 12.49 ACRES WHICH WAS INCORRECT AND IS CORRECTED AND REVISED BY THIS PLAT.

REGISTERED LAND SURVEYOR
REG. NO.
4423
RANDY D. BACON
SOUTH DAKOTA

7-25-2019

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. 7369-LS	BY: TMO	SHEET 1 OF 3

A-7369

PLAT OF
BNB RICHMOND LAKE SUBDIVISION, IN THE NW 1/4 OF SECTION 25-T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, RANDY D. BACON, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF LYLE W. BIEGLER, MEGAN M. BIEGLER AND JACQUELYN NEUHARTH AND RANDY D. BACON AND MICHELLE BACON AS OWNERS, AND UNDER THEIR DIRECTION FOR THE PURPOSES INDICATED THEREIN, I DID ON OR PRIOR TO JULY 23, 2019, SURVEY THOSE PARCELS OF LAND DESCRIBED AS FOLLOWS: BNB RICHMOND LAKE SUBDIVISION, IN THE NW 1/4 OF SECTION 25-T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA.
I FURTHER CERTIFY THAT THE WITHIN AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.
DATED THIS 25 DAY OF July, 2019.

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

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE ABSOLUTE AND UNQUALIFIED OWNERS OF ALL THE LAND INCLUDED IN THE WITHIN AND FOREGOING PLAT; (LYLE W. BIEGLER AND MEGAN M. BIEGLER, OWNERS OF LOT 2 OF BINDENAGEL THIRD RICHMOND LAKE SUBDIVISION, AND LOT 2 OF BINDENAGEL SECOND RICHMOND LAKE SUBDIVISION) AND (JACQUELYN NEUHARTH, RANDY D. BACON, MICHELLE BACON OWNERS OF LOT 19 AND WEST 60 FEET LOT 18, LUTGENS SOUTH SHORE ADDITION), 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 BNB RICHMOND LAKE SUBDIVISION, IN THE NW 1/4 OF SECTION 25-T124N-R65W 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 2 DAY OF August, 2019.

Jacquelyn Neuharth

LYLE W. BIEGLER — JACQUELYN NEUHARTH — RANDY D. BACON

MEGAN M. BIEGLER — MICHELLE BACON

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 BINDENAGEL THIRD RICHMOND LAKE SUBDIVISION, AS RECORDED AS PLAT NO. 3017, ON AUGUST 27, 2013, AND THE PLAT OF BINDENAGEL SECOND RICHMOND LAKE SUBDIVISION, AS RECORDED AS PLAT NO. 2939, ON NOVEMBER 28, 2012, AND THE PLAT OF LUTGEN'S SOUTH SHORE ADDITION, AS RECORDED AS PLAT NO. 455, ON JUNE 28, 1966 IN THE BROWN COUNTY, REGISTER OF DEEDS OFFICE.
THIS IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS 2 DAY OF August, 2019.

FORMERLY DESCRIBED AS:
LOT 2, BINDENAGEL THIRD RICHMOND LAKE SUBDIVISION, AND LOT 2, BINDENAGEL SECOND RICHMOND LAKE SUBDIVISION, AND LOT 19 AND WEST 60 FEET OF LOT 18, LUTGENS SOUTH SHORE ADDITION.

Jacquelyn Neuharth

LYLE W. BIEGLER — JACQUELYN NEUHARTH — RANDY D. BACON

MEGAN M. BIEGLER — MICHELLE BACON

ACKNOWLEDGEMENT

STATE OF)
COUNTY OF)SS
ON THIS THE ____ DAY OF _____, 20___, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED LYLE W. BIEGLER, AND MEGAN M. BIEGLER KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC, _____ STATE

MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT

STATE OF New Mexico)
COUNTY OF Union)SS
ON THIS THE 2nd DAY OF August, 2019, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED JAQUELYN NEUHARTH KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

Heather Poling

NOTARY PUBLIC, New Mexico STATE

OFFICIAL SEAL
HEATHER POLING
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires 08-18-2022

MY COMMISSION EXPIRES: 08-18-2022

DWG. 7369-LS	BY: TMO	SHEET 2 OF 3

A-7369

PLAT OF
BNB RICHMOND LAKE SUBDIVISION, IN THE NW 1/4 OF SECTION 25-T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

ACKNOWLEDGEMENT

STATE OF)

COUNTY OF)SS

ON THIS THE ____ DAY OF _____, 20___, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED RANDY D. BACON AND MICHELLE BACON KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

_____

NOTARY PUBLIC, _____ STATE

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 BNB RICHMOND LAKE SUBDIVISION, IN THE NW 1/4 OF SECTION 25-T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-2-2, AND ANY AMENDMENTS THEREOF."

_____

SECRETARY OF BROWN COUNTY PLANNING COMMISSION, SOUTH DAKOTA

APPROVAL BY COUNTY

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

"BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING BNB RICHMOND LAKE SUBDIVISION, IN THE NW 1/4 OF SECTION 25-T124N-R65W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-3, AND ANY AMENDMENTS THEREOF."

_____

COUNTY AUDITOR, BROWN COUNTY, SOUTH DAKOTA

HIGHWAY AUTHORITY CERTIFICATE

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

BY: _____

HIGHWAY AUTHORITY

TITLE: _____

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

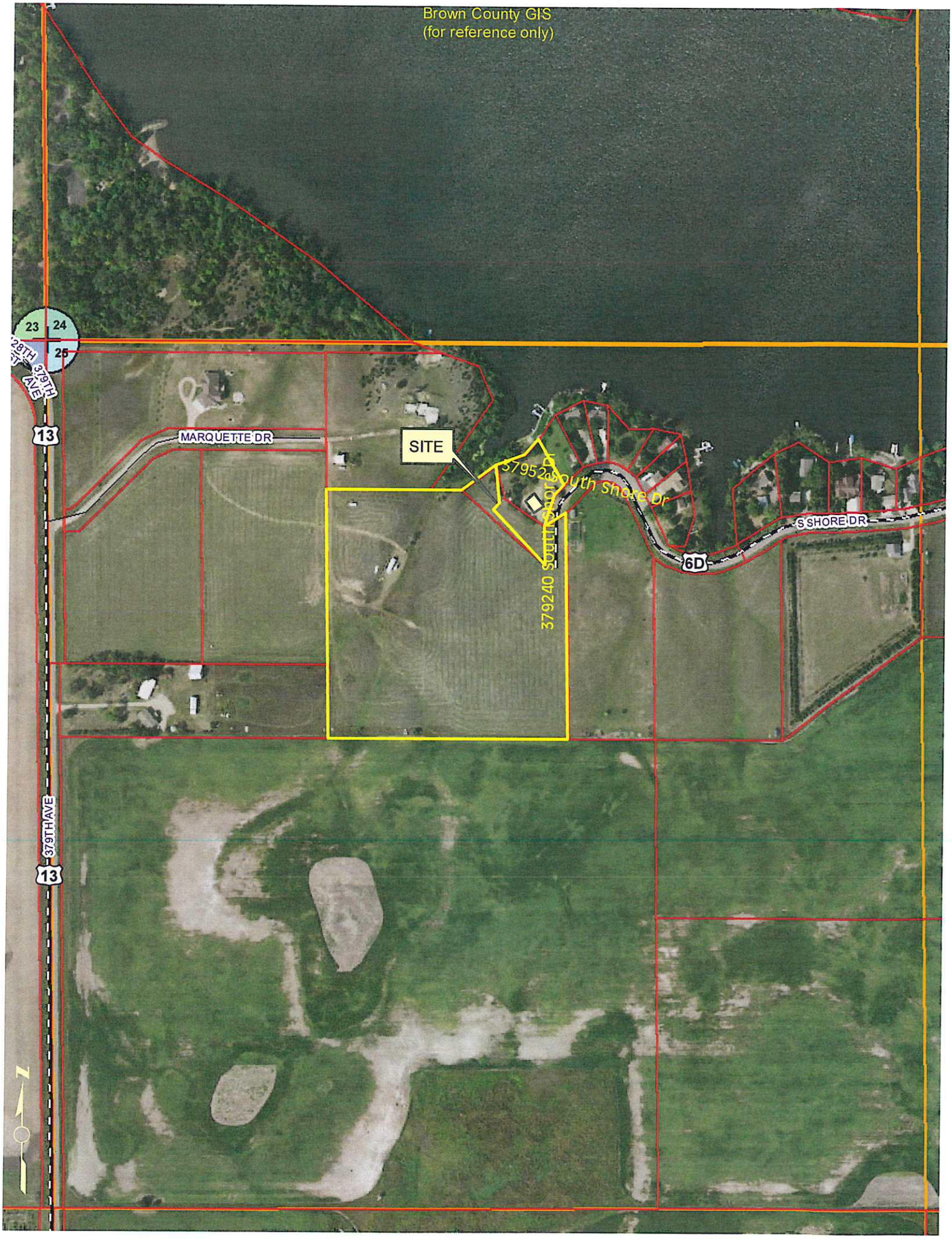
REGISTER OF DEED'S CERTIFICATE

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

_____

REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA

DWG. 7369-LS	BY: TMO	SHEET 3 OF 3


Brown County GIS
(for reference only)
23
24
25
28TH
379TH AVE
13
MARQUETTE DR
SITE
379520 South Shore Dr
379240 South Shore Dr
S SHORE DR
6D
379TH AVE
13
N


Brown County GIS
(for reference only)
ARQUETTE DR
SITE
37952 South Shore Dr
S SHORE DR
6D
379240 South Shore Dr
N

STAFF REPORT
September 17, 2019

PRELIMINARY & FINAL PLAT — ITEM # 13

GENERAL INFORMATION

PETITIONER	Ron Dobberpuhl
REQUEST	**Preliminary & Final Plat**
LEGAL DESCRIPTION	"Dobberpuhl Second Addition" in the NW1/4 of Section 15-T121N-R60W of the 5th P.M., Brown County, South Dakota
TOWNSHIP	Bates Twp
LOCATION	14420 & 14428 409th Ave
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

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

REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges that they each have existing accesses to the existing homes. Lot 1 exceeds a minimum 40.0 acres for AG-P and does not need to rezone or have a lot size variance.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME "Dobberpuhl Second Addition"

QUARTER: NW SECTION: 15 TOWNSHIP: 121 RANGE: 60

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

OWNERS NAMES: Ronald & Katherine Dobberpuhl

OWNERS NAMES: _____

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Zach Remily of Clark Engineering

TYPE: PRELIMINARY ____ FINAL ____ BOTH X

FEE: ~~$25.00~~ $100.00 ~~ACRES x $1.00~~ TOTAL: $ 100.00 DATE PAID: 8 / 22 /20 19

RECEIVED BY PLANNING DEPARTMENT: 8 / 22 /20 19 BY: Scott Bader

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

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

STREETS/ROADS NAMED PROPERLY X

EXISTING ACCESS SHOWN ON PLAT X ACCESS NEEDED ____

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

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE X

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

HIGHWAY SIGNATURE LINE SIGNED X

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

CONSIDERED BY COUNTY PLANNING COMMISSION:

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

CONSIDERED BY COUNTY COMMISSION:

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

BROWN COUNTY
PLANNING & ZONING COMMISSION

APPLICATION FOR PLAT APPROVAL

DATE: August 22, 2019
RECEIPT # 132193
TOWNSHIP: Bates Twp

FEES: 100.00
PAID: YES NO CHK CASH
DATE: 08/19/19

OWNERS SIGNATURE: Ron Dobberpuhl
OWNERS ADDRESS: 14428 409th Ave
OWNERS CITY, STATE, ZIP: Conde, SD 57434-7303
OWNERS PHONE: 605-395-7441

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

REQUEST: Preliminary and Final Plat in an AG-P District

LEGAL DESCRIPTION: "Dobberpuhl Second Addition" in the NW1/4 of Sec 15-T121N-R60W of the 5th P.M., Brown County, South Dakota (14420 & 14428 409th Ave)

Planning Commission Action: Approved / Denied

By: ***Date:***

HEARING DATE: September 17, 2019 **TIME:** 7:00 pm

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

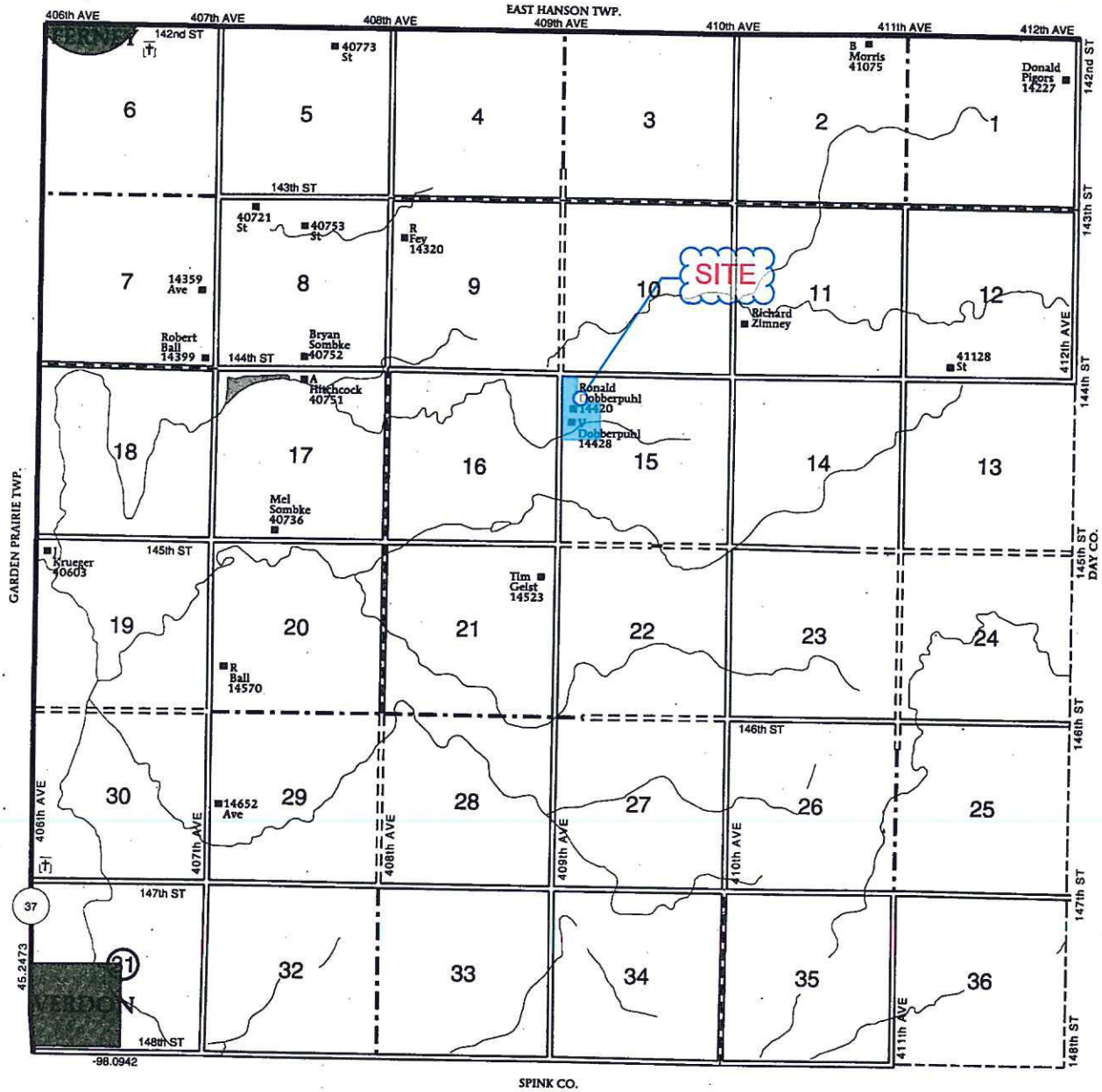
25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

T-121-N

BATES DIRECTORY

(Residents - Owners or Renters)

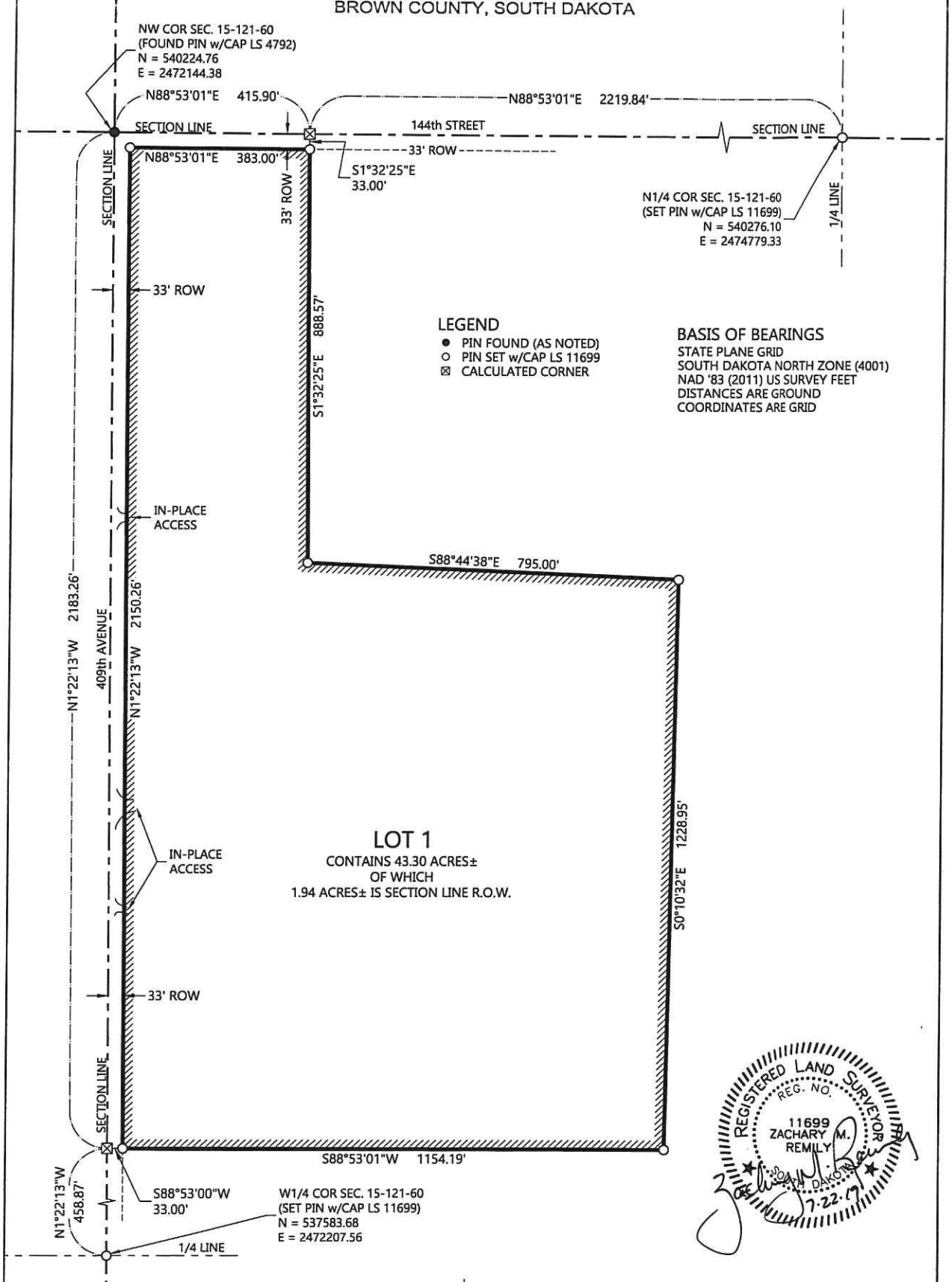
R-60-W



PLAT SHOWING

DOBBERPUHL SECOND ADDITION

IN THE NW1/4 OF SECTION 15,
TOWNSHIP 121 NORTH, RANGE 60 WEST OF THE 5th P.M.
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

200 0 200 400

A19078
SHEET 1 of 3

PLAT SHOWING

DOBBERPUHL SECOND ADDITION

IN THE NW1/4 OF SECTION 15,
TOWNSHIP 121 NORTH, RANGE 60 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

We, Ronald Dobberpuhl and Katherine Dobberpuhl, husband and wife, as joint tenants with right of survivorship and not as tenants in common, do hereby certify that we are the owners of the Northwest Quarter (NW1/4) of Section Fifteen (15), Township One Hundred Twenty-One (121) North, Range Sixty (60) West of the 5th P.M., Brown County, South Dakota (QUIT CLAIM DEED filed 1-23-2004 and duly recorded in Book 280, Page No. 426), and that we have caused a portion of the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as *"DOBBERPUHL SECOND ADDITION IN THE NW1/4 OF SECTION 15, TOWNSHIP 121 NORTH, RANGE 60 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.

Owners:

_____ Signed this _____ day of _____, 2019.
Ronald Dobberpuhl

_____ Signed this _____ day of _____, 2019.
Katherine Dobberpuhl

COUNTY OF _____)
) SS
STATE OF _____)

On this _____ day of _____, 2019, before me, a notary public, the undersigned officer, personally appeared Ronald Dobberpuhl and Katherine Dobberpuhl, husband and wife, as joint tenants with right of survivorship and not as tenants in common, known to me to be the persons in and who executed the within instrument.

My Commission Expires: _____

_____
Notary Public

SURVEYOR'S CERTIFICATE

I, Zachary M. Remily, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owners, I have surveyed and platted *"DOBBERPUHL SECOND ADDITION IN THE NW1/4 OF SECTION 15, TOWNSHIP 121 NORTH, RANGE 60 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 22nd day of July, 2019.

REGISTERED LAND SURVEYOR
REG. NO.
11699
ZACHARY M.
REMILY
SOUTH DAKOTA
7-22-19

HIGHWAY APPROVAL

"Access to *409th AVENUE* is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."

Signed this _____ day of _____, 2019.

_____
Highway or Street Authority

COUNTY PLANNING COMMISSION APPROVAL

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

_____
Secretary of County Planning Commission
Brown County, South Dakota

"Be it resolved by the County Planning Commission of Brown County, South Dakota, that the plat showing *"DOBBERPUHL SECOND ADDITION IN THE NW1/4 OF SECTION 15, TOWNSHIP 121 NORTH, RANGE 60 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA"* having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-6, and any amendments.

COUNTY COMMISSION APPROVAL

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

_____
County Auditor
Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing *"DOBBERPUHL SECOND ADDITION IN THE NW1/4 OF SECTION 15, TOWNSHIP 121 NORTH, RANGE 60 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA"* having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof."

PREPARED BY:

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

PLAT SHOWING

DOBBERPUHL SECOND ADDITION

IN THE NW1/4 OF SECTION 15,
TOWNSHIP 121 NORTH, RANGE 60 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

TREASURER'S CERTIFICATE

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

Signed this _____ day of _____, 2019.

_____
County Treasurer
Brown County, South Dakota

DIRECTOR OF EQUALIZATION CERTIFICATE

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

_____
Director of Equalization
Brown County, South Dakota

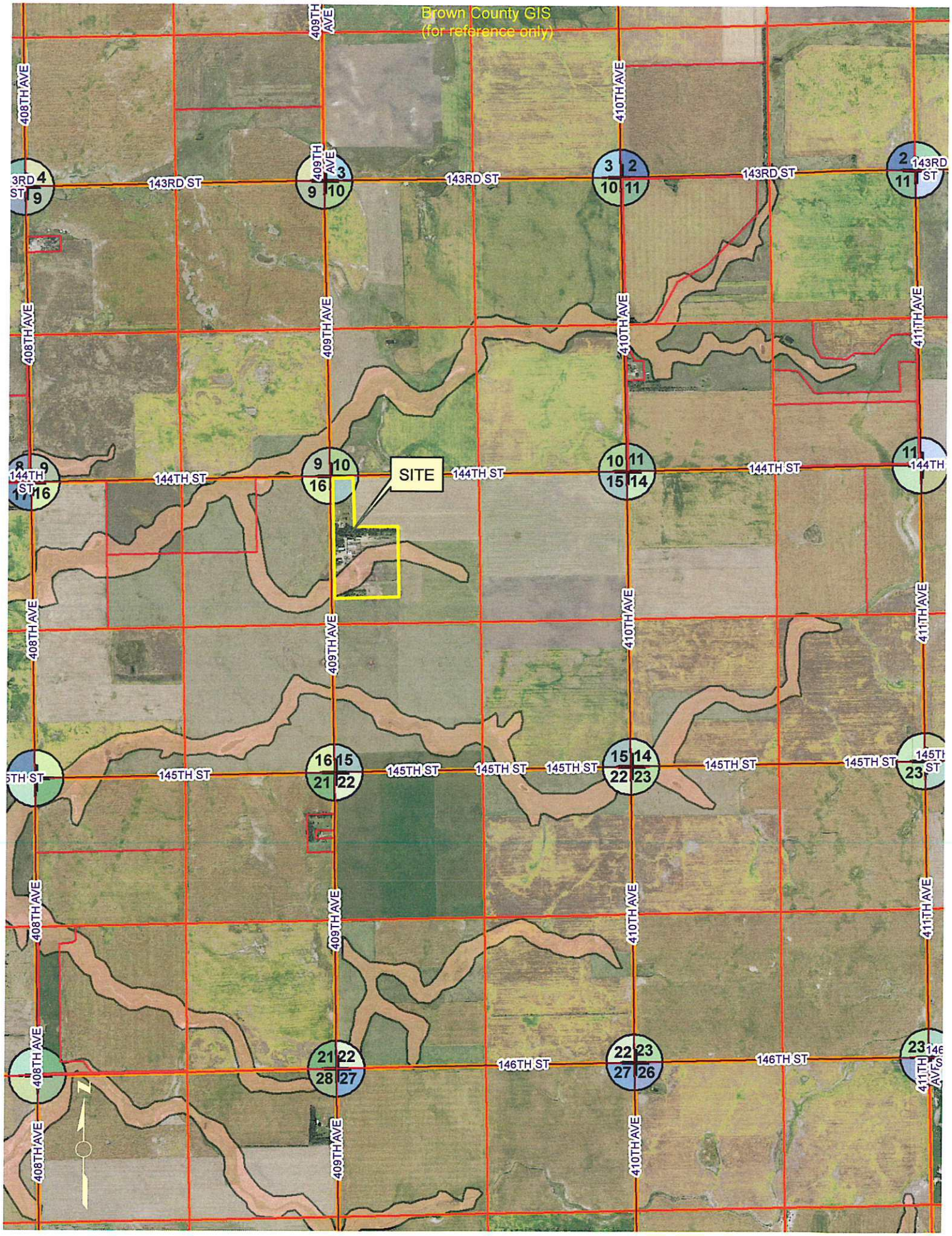
REGISTER OF DEEDS' CERTIFICATE

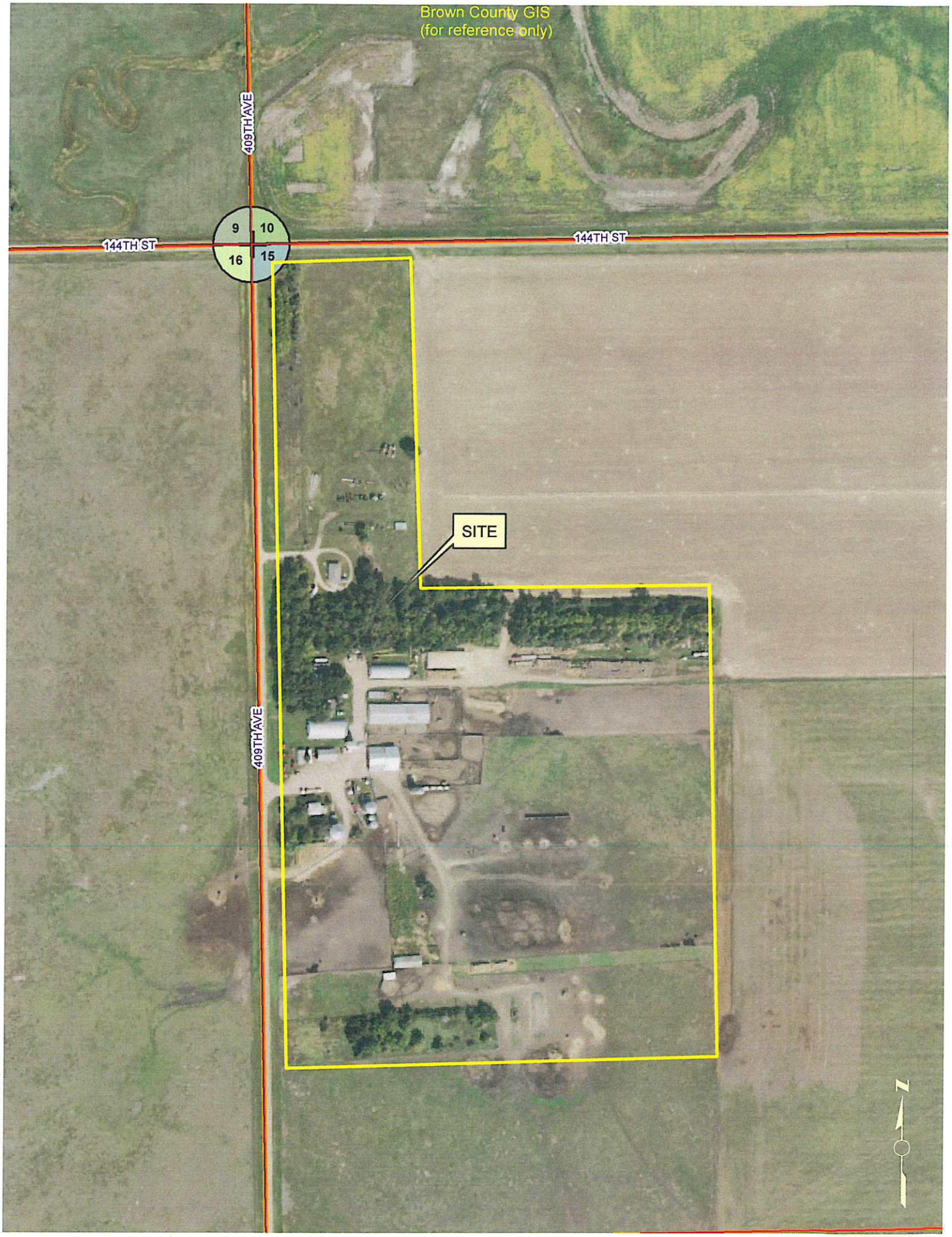
Filed for record this _____day of_____, 2019, at_____ O'clock ___M., and duly recorded as Hanging Plat No. _____.

_____
Register of Deeds
Brown County, South Dakota

PREPARED BY:

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


Brown County GIS
(for reference only)
SITE
143RD ST
144TH ST
145TH ST
146TH ST
408TH AVE
409TH AVE
410TH AVE
411TH AVE
N


Brown County GIS
(for reference only)
409TH AVE
144TH ST
144TH ST
9
10
16
15
SITE
409TH AVE
N

STAFF REPORT
September 17, 2019

PRELIMINARY & FINAL PLAT — ITEM # 14

GENERAL INFORMATION

PETITIONER	Thomas Paepke
REQUEST	**Preliminary & Final Plat**
LEGAL DESCRIPTION	Lot 1, "Paepke Farm Subdivision" in the SW1/4 of Section 27-T122N-R61W of the 5th P.M., Brown County, South Dakota
TOWNSHIP	West Hanson Twp
LOCATION	40306 141st St
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

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

REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges that they each have existing access. The Realtor that submitted this plat did not want to do an application for rezone to M-AG. Staff recommends that the plat be approved w/stipulation that the owner submit an application to rezone to M-AG since this lot is for sale for "other than family member".

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME Paepke Farm Subdivision

QUARTER: SW SECTION: 27 TOWNSHIP: 122 RANGE: 61

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

OWNERS NAMES: Thomas Paepke

OWNERS NAMES: _____

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Randy Bacon (Helms & Assoc)

TYPE: PRELIMINARY ____ FINAL ____ BOTH X

~~FEE: $25.00 _____ ACRES x $1.00 _____~~ TOTAL: $ 100.00 DATE PAID: 08 / 29 /2019

RECEIVED BY PLANNING DEPARTMENT: 08 / 29 /2019 BY: Scott Bader

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

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

STREETS/ROADS NAMED PROPERLY _____

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) _____

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: 08-29-19 *FEES:* $100.00
RECEIPT # 132206 *PAID:* YES/NO CHK/CASH
TOWNSHIP: West Hanson *DATE:* 08-29-19

OWNERS SIGNATURE: Thomas Paepke Thomas Paepke
OWNERS ADDRESS: 509 N 6th St
OWNERS CITY, STATE, ZIP: Groton, SD 57445
OWNERS PHONE: 395-7134

AGENTS SIGNATURE: Jim Thorpe Jim Thorpe
AGENTS ADDRESS: 1002 S Lawson St
AGENTS CITY, STATE, ZIP: Aberdeen, SD 57401
AGENTS PHONE: 605-216-7776

REQUEST: Preliminary and Final Plat

LEGAL DESCRIPTION: SW1/4 of Section 27-T122N-R61W including Paepke Conservation Easement Tract 1 in the 5th P.M., of Brown County, South Dakota

Planning Commission Action: Approved / Denied

By: ***Date:***

HEARING DATE: September 17, 2019 **TIME:** 7:00 pm

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

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

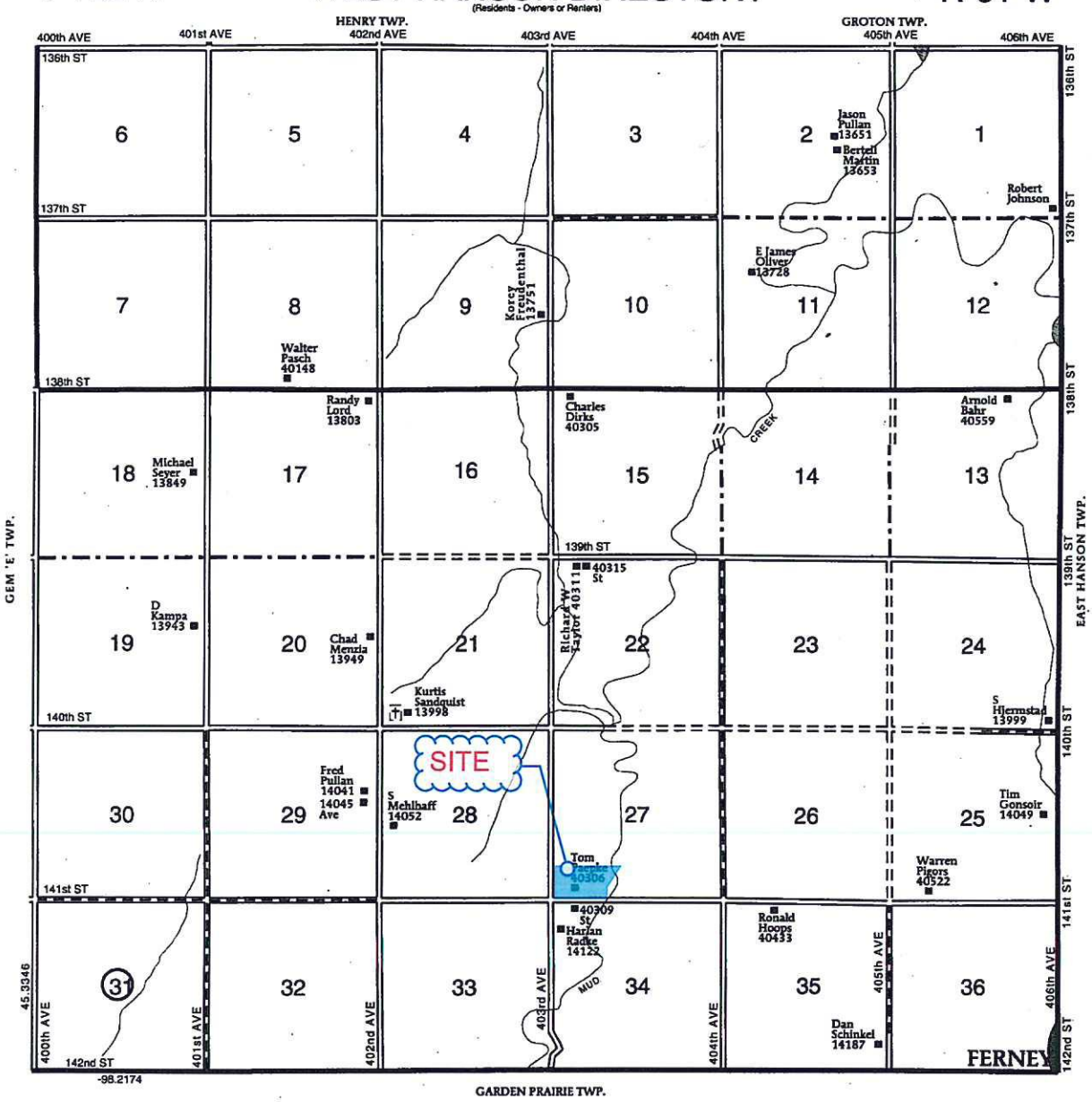
To Convert	Multiply by	Result
ounces	28.3495	grams
grams	.0353	ounces
pounds	.4536	kilograms
kilograms	2.2050	pounds

T-122-N

WEST HANSON DIRECTORY

(Residents - Owners or Renters)

R-61-W



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 *August 30, 2019 at 7:00 P.M.* for the purpose of a Variance to Lot Size in an Agricultural Preservation District (AG-P).

Petitioner / Owner: *Thomas Paepke*

Description of property: Lot 1, "Paepke Farm Subdivision" in the *SW1/4 of Section 27-122N-R61W of the 5th P.M., Brown County, South Dakota (40306 141st Street).*

Reason: *a Variance to Lot Size to be smaller than 40 acres (18.53 acres) and stay zoned as AG-P District as allowed in Chapter 4.0605 in Br Co Ordinance.*

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

Dated this 17 day of September 2019

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

Published once at the total approximate cost of _____.

A-7424

PLAT OF
PAEPKE FARM SUBDIVISION
IN THE SW 1/4 OF SECTION 27-T122N-R61W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

LEGEND

○ FOUND PROPERTY CORNER (RLS #4423)

◉ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED BACON RLS 4423

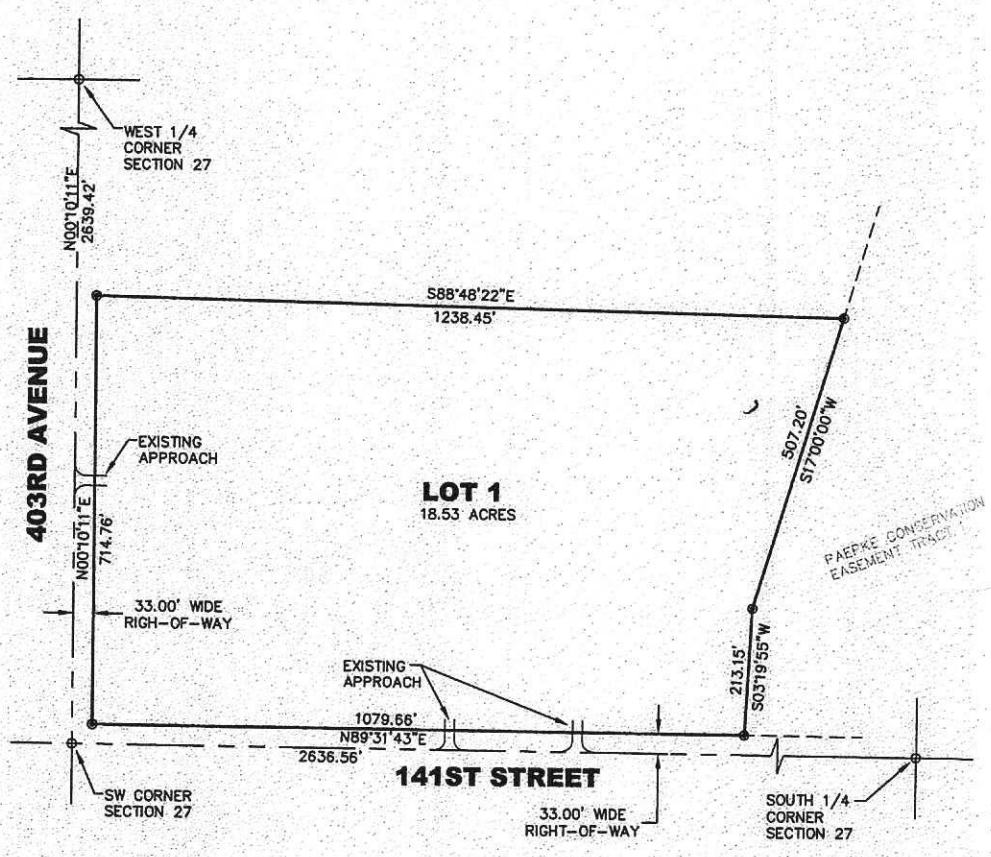
BASIS OF BEARINGS

TRUE MERIDIAN – GPS

200 0 100 200

(IN FEET)

1 inch = 200 ft.



REGISTERED LAND SURVEYOR REG. NO. 4423 RANDY D. BACON SOUTH DAKOTA

8-27-19

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. 7424-LS	BY: KMW	SHEET 1 OF 3

A-7424

PLAT OF
PAEPKE FARM SUBDIVISION
IN THE SW 1/4 OF SECTION 27-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 TOM AND BARBARA J. PAEPKE LIVING TRUST, AS OWNERS, AND UNDER THEIR DIRECTION FOR THE PURPOSES INDICATED THEREIN, I DID ON OR PRIOR TO AUGUST 21, 2019, SURVEY THOSE PARCELS OF LAND DESCRIBED AS FOLLOWS: PAEPKE FARM SUBDIVISION, IN THE SW 1/4 OF SECTION 27-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 27 DAY OF August, 2019.

RANDY D. BACON, REGISTERED LAND SURVEYOR #4423

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE ABSOLUTE AND UNQUALIFIED OWNERS OF ALL THE LAND INCLUDED IN THE WITHIN AND FOREGOING PLAT; THAT THE PLAT HAS BEEN MADE AT OUR REQUEST AND UNDER OUR DIRECTION FOR THE PURPOSES INDICATED THEREIN; WHICH SAID PROPERTY AS SO SURVEYED AND PLATTED SHALL HEREAFTER BE KNOWN AS; PAEPKE FARM SUBDIVISION, IN THE SW 1/4 OF SECTION 27-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 29 DAY OF August, 2019

TOM AND BARBARA PAEPKE, LIVING TRUST

TOM PAEPKE, TRUSTEE

BARBARA J. PAEPKE, TRUSTEE

ACKNOWLEDGEMENT

STATE OF South Dakota
COUNTY OF Brown)SS
ON THIS THE 29 DAY OF August, 2019, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED TOM PAEPKE AND BARBARA J. PAEPKE, KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

JAMES E. THORPE NOTARY Seal PUBLIC STATE OF SOUTH DAKOTA

NOTARY PUBLIC, South Dakota STATE

MY COMMISSION EXPIRES: February 10, 2021

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; PAEPKE FARM SUBDIVISION, IN THE SW 1/4 OF SECTION 27-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

A-7424

PLAT OF
PAEPKE FARM SUBDIVISION
IN THE SW 1/4 OF SECTION 27-T122N-R61W OF THE 5th P.M., BROWN COUNTY, 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; PAEPKE FARM SUBDIVISION, IN THE SW 1/4 OF SECTION 27-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

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

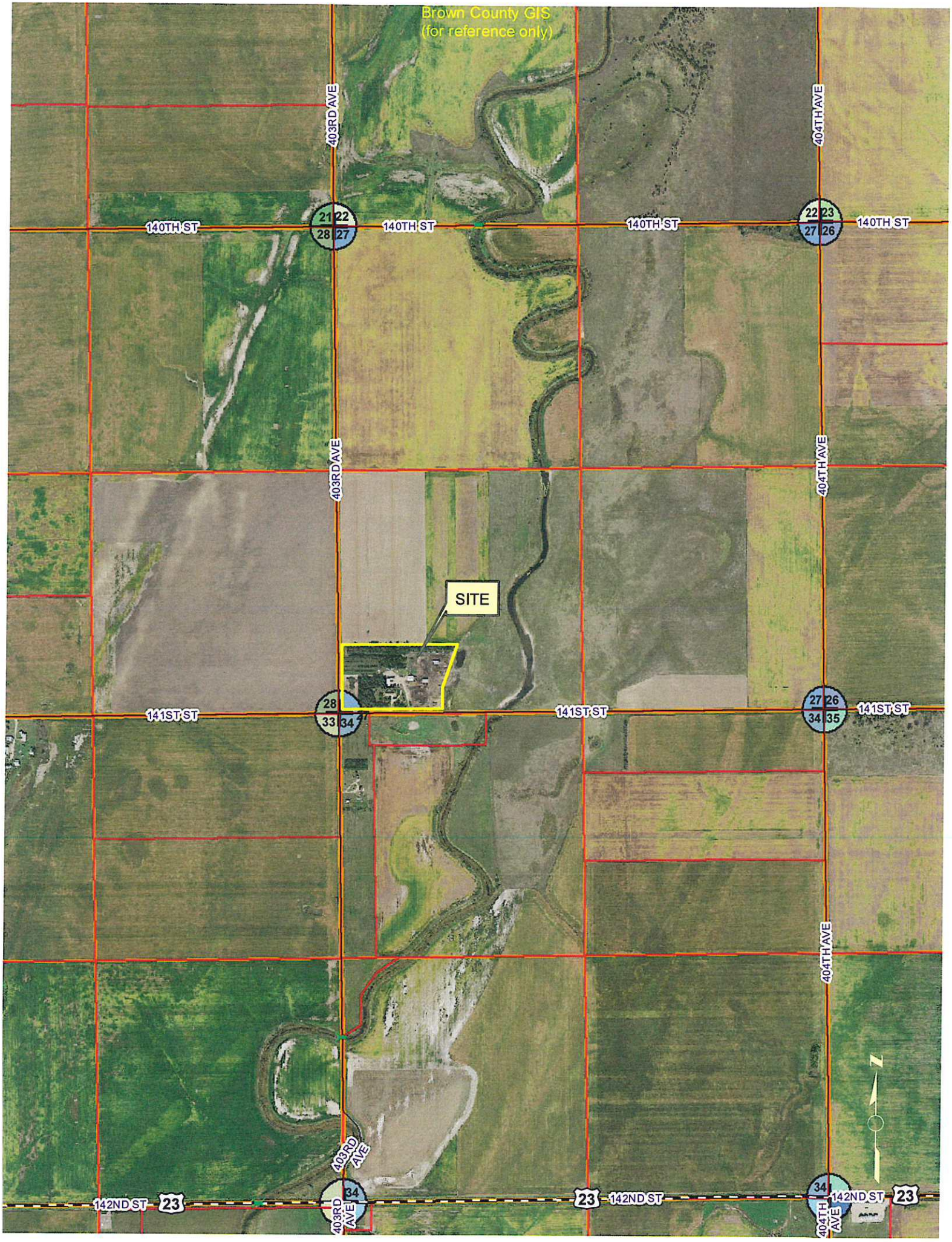
I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY OF THE LANDS INCLUDED IN THE ABOVE PLAT ARE SHOWN BY THE RECORDS OF MY OFFICE TO BE FULLY PAID. SIGNED THIS _____ DAY OF _____, 20_____.

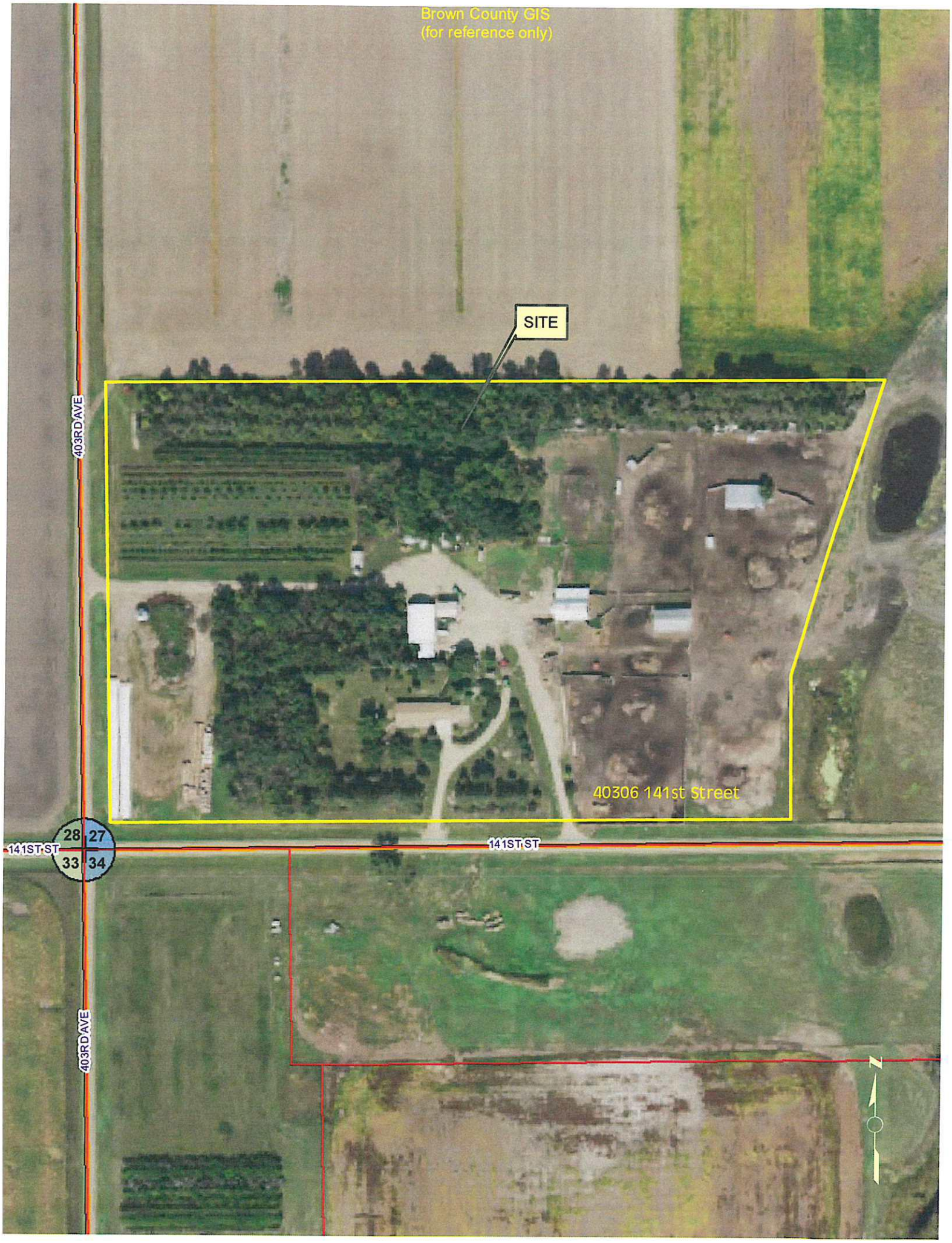
_____
COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

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
(for reference only)
403RD AVE
404TH AVE
140TH ST
141ST ST
142ND ST
23
SITE
21
22
28
27
23
26
33
34
35
N


Brown County GIS
(for reference only)
SITE
403RD AVE
40306 141st Street
28
27
33
34
141ST ST
141ST ST
403RD AVE
N

STAFF REPORT
September 17, 2019

PRELIMINARY & FINAL PLAT — ITEM # 15

GENERAL INFORMATION

PETITIONER	Travis Olson
REQUEST	**Preliminary & Final Plat**
LEGAL DESCRIPTION	Lot 1, "Travis and Danielle Olson Subdivision" in the SW1/4 of Section 10-T123N-R62W of the 5th P.M., Brown County, South Dakota
TOWNSHIP	Bath Twp
LOCATION	39712 132nd St
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

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

REVIEW: Parcel has existing approach access. This parcel will meet Chapter 4.0606 "farm unit" requirements and will not need to rezone to M-AG District, but will need this variance approved for the plat to be approved and go forward.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME Travis and Danielle Olson Subdivision

QUARTER: SW SECTION: 10 TOWNSHIP: 123 RANGE: 62

LOTS 1 ~~TRACTS~~ ~~PARCELS~~ ~~OUTLOTS~~ ~~OTHER~~

OWNERS NAMES: Bernice Olson

OWNERS NAMES: _____

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Helms and Assoc

TYPE: PRELIMINARY _____ FINAL _____ BOTH X

FEE: $100.00 TOTAL: $ 100.00 DATE PAID: 09 / 03 /20 19

RECEIVED BY PLANNING DEPARTMENT: 09 / 03 /20 19 BY: Scott Bader

REASON FOR PLAT: DEVELOPMENT ____ CONVEYANCE X 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 X

EXISTING ACCESS SHOWN ON PLAT X ACCESS NEEDED _____

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

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE X

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

HIGHWAY SIGNATURE LINE SIGNED _____

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

CONSIDERED BY COUNTY PLANNING COMMISSION:

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

CONSIDERED BY COUNTY COMMISSION:

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

BROWN COUNTY
PLANNING & ZONING COMMISSION

APPLICATION FOR PLAT APPROVAL

DATE: September 3, 2019 *FEES:* 100.00
RECEIPT # _____ *PAID:* *YES/NO CHK/CASH*
TOWNSHIP: Bath Twp *DATE:* _____

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

AGENTS SIGNATURE: Travis Olson
AGENTS ADDRESS: 12606 395th Ave
AGENTS CITY, STATE, ZIP: Bath SD 57427
AGENTS PHONE: 605-228-1302

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: Travis and Dannielle Olson Subdivision in the SW1/4 of Section 10-T123N-R62W of the 5th P.M., Brown County, South Dakota (39712 132nd St)

Planning Commission Action: Approved / Denied _____

By: _____ ***Date:*** _____

HEARING DATE: September 17, 2019 **TIME:** 7:00 pm

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

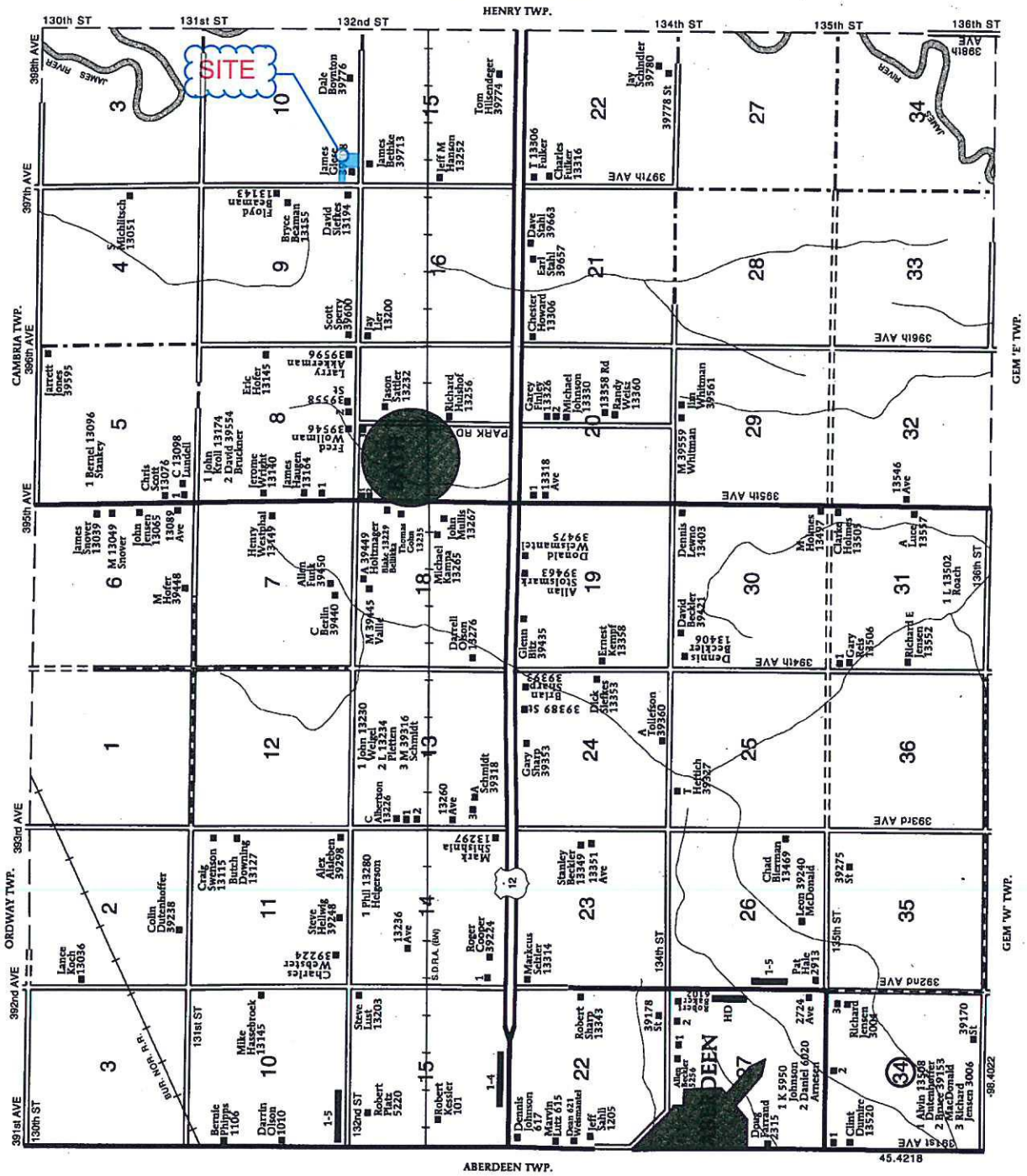
25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

T-123-N

BATH DIRECTORY

(Residents - Owners or Renters)

R-62-63-W



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 Gossman, C 5405
2 Ellers, Todd 5455
3 Knudson, R 5485
4 Gossman, S 5765

SECTION 17
1 Buechler, Jerry 13228
2 Brinkman, Stanley 13230

SECTION 20
1 Westphal, Henry 13316
2 Rohrbach, Kevin 13328

SECTION 28
1 Bellikka, Daryl 2111
2 Kohlhaas, Paul 2135
3 Griese, Doug 2215
4 Rud, Robert 2317
5 Mattern, R 2519

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 *September 17, 2019 at 7:00 P.M.* for the purpose of a Variance to Lot Size in an Agricultural Preservation District (AG-P).

Petitioner / Owner: *Travis Olson / Bernice Olson*

Description of property: Travis and Dannielle Olson Subdivision in the SW1/4 of Section 10-T123N-R62W of the 5th P.M., Brown County, South Dakota of the 5th P.M., Brown County, South Dakota (39712 132nd St).

Reason: Variance to Lot Size in an Agricultural Preservation District (AG-P) for 2.75± acres rather than 40.0 acres per Chapter 4.0606.

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

Dated this 17th day September 2019.

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

Published once at the total approximate cost of _____.

A-7416

PLAT OF
TRAVIS AND DANIELLE OLSON SUBDIVISION
IN THE SW 1/4 OF SECTION 10-T123N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

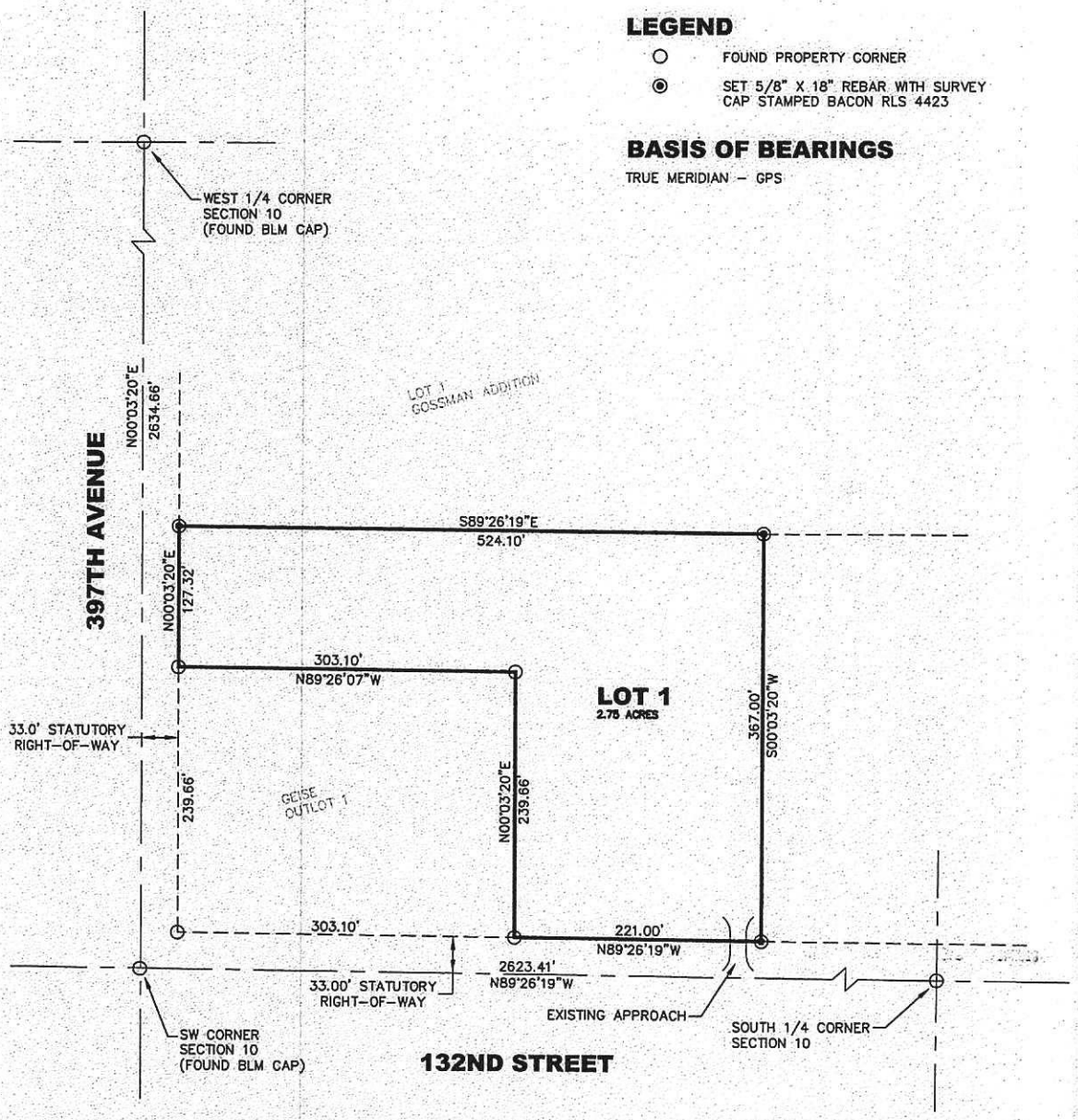
LEGEND

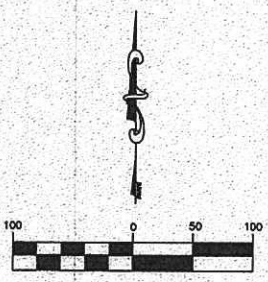
○ FOUND PROPERTY CORNER

◉ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED BACON RLS 4423

BASIS OF BEARINGS

TRUE MERIDIAN – GPS





REGISTERED LAND SURVEYOR
REG. NO.
4423
RANDY D.
BACON
SOUTH DAKOTA
8-27-19

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. 7416-LS	BY: KMW	SHEET 1 OF 3

A-7416

PLAT OF
TRAVIS AND DANIELLE OLSON SUBDIVISION
IN THE SW 1/4 OF SECTION 10-T123N-R62W OF THE 5th P.M., BROWN COUNTY, 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 TRAVIS AND DANIELLE OLSON SUBDIVISION IN THE SW 1/4 OF SECTION 10-T123N-R62W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-3, AND ANY AMENDMENTS THEREOF."

_____
COUNTY AUDITOR, BROWN COUNTY, SOUTH DAKOTA

HIGHWAY AUTHORITY CERTIFICATE

THE LOCATION OF THE PROPOSED PROPERTY LINES ABUTTING THE COUNTY OR STATE HIGHWAY, OR THE COUNTRY 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 3rd DAY OF Sept, 20 19

_____
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 3 DAY OF Sept, 20 19

PVanMeter, ch dep treas
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

DWG. 7416-LS	BY: KMW	SHEET 3 OF 3

A-7416

PLAT OF
TRAVIS AND DANIELLE OLSON SUBDIVISION IN THE SW 1/4 OF SECTION 10-T123N-R62W 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 THE OLSON FAMILY TRUST AND BERNICE L. OLSON AS OWNERS, AND UNDER THEIR DIRECTION FOR THE PURPOSES INDICATED THEREIN, I DID ON OR PRIOR TO AUGUST 19, 2019, SURVEY THOSE PARCELS OF LAND DESCRIBED AS FOLLOWS: TRAVIS AND DANIELLE OLSON SUBDIVISION IN THE SW 1/4 OF SECTION 10-T123N-R62W 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 27 DAY OF August, 2019.

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

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE ABSOLUTE AND UNQUALIFIED OWNERS OF ALL THE LAND INCLUDED IN THE WITHIN AND FOREGOING PLAT; THAT THE PLAT HAS BEEN MADE AT OUR REQUEST AND UNDER OUR DIRECTION FOR THE PURPOSES INDICATED THEREIN; WHICH SAID PROPERTY AS SO SURVEYED AND PLATTED SHALL HEREAFTER BE KNOWN AS; TRAVIS AND DANIELLE OLSON SUBDIVISION IN THE SW 1/4 OF SECTION 10-T123N-R62W 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 3 DAY OF Sept, 2019

OLSON FAMILY TRUST

Bernice L Olson
BERNICE L. OLSON, TRUSTEE

Bernice L Olson
BERNICE L. OLSON

ACKNOWLEDGEMENT

STATE OF South Dakota
COUNTY OF Brown)SS

ON THIS THE 3 DAY OF September, 2019, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED BERNICE L. OLSON KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

Sara Jurisher
NOTARY PUBLIC, South Dakota STATE

MY COMMISSION EXPIRES MY COMMISSION EXPIRES NOVEMBER 6, 2019

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 TRAVIS AND DANIELLE OLSON SUBDIVISION IN THE SW 1/4 OF SECTION 10-T123N-R62W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-2-2, AND ANY AMENDMENTS THEREOF."

_____
SECRETARY OF BROWN COUNTY PLANNING COMMISSION, SOUTH DAKOTA


Brown County GIS
(for reference only)
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31ST ST
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397TH AVE
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396TH
AVE
13143
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13144
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AVE
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397TH
AVE
13153
397TH AVE
13194
397TH
AVE
39712
132ND ST
39708
132ND ST
13186
396TH
AVE
132ND ST
SITE
39778
132ND ST
39776
132ND ST
39705
132ND ST
South Dakota
State Railroad
13252
397TH
AVE
39752
133RD ST.
39770
133RD ST


Brown County GIS
(for reference only)
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397TH AVE
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STAFF REPORT
September 17, 2019

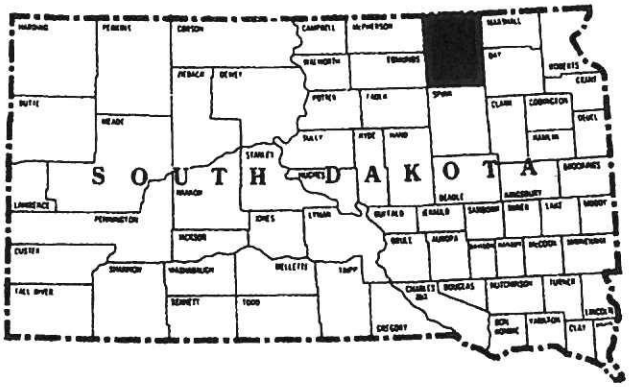
COMPREHENSIVE PLAN **ITEM # 16**

GENERAL INFORMATION

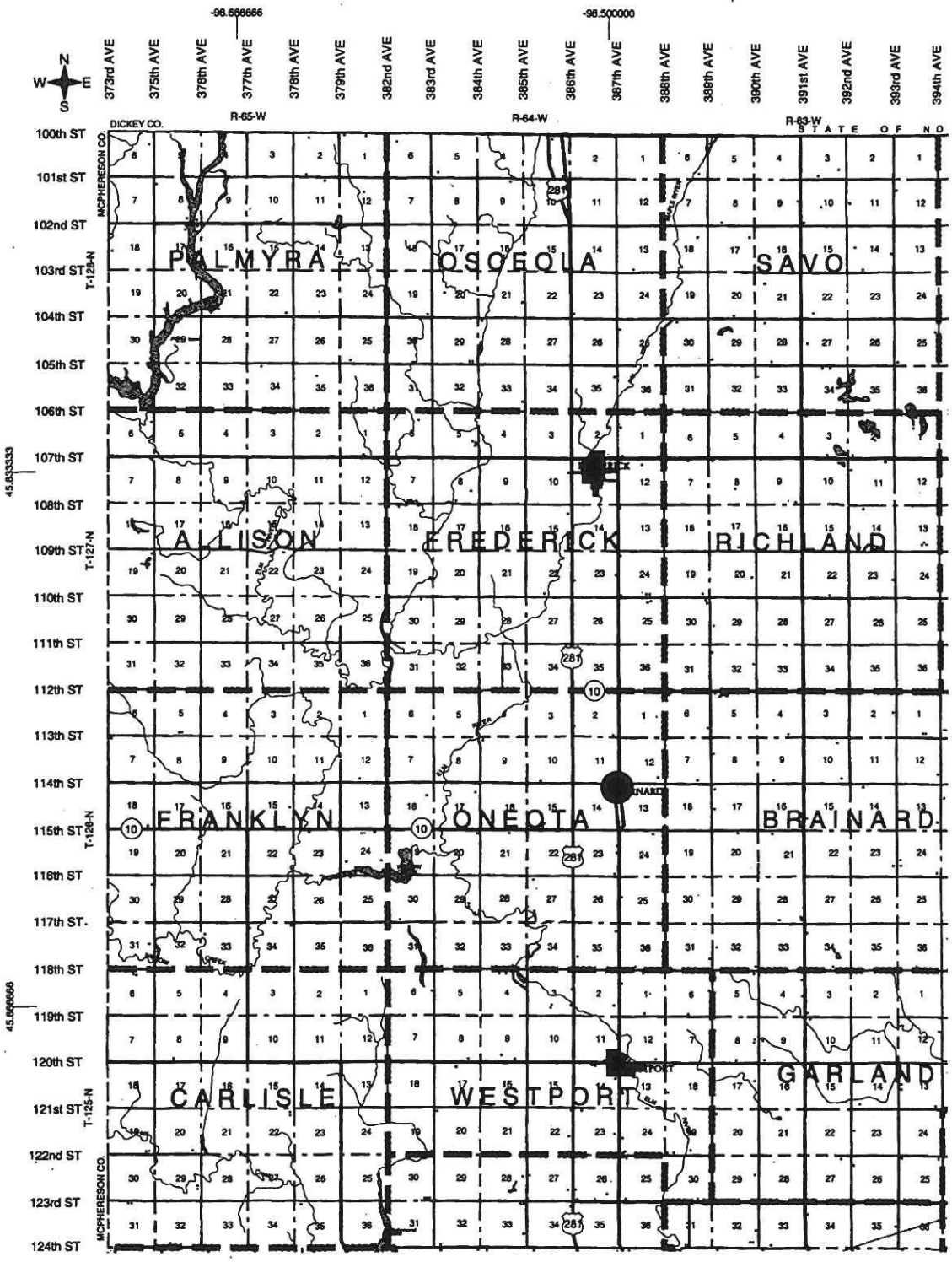
PETITIONER	Brown County Planning/Zoning
REQUEST	**Update Comp Plan**
EXISTING PLAN	Comp Plan last Updated in 1988
SURROUNDING ZONING North: South: East: West:	
REPORTED BY	Scott Bader

GENERAL COMMENT: This is a proposed update of the Comprehensive Plan that is open for discussion and review to the public and the Planning/Zoning Commission.

REVIEW: Staff has updated this Comprehensive Plan to bring the plan current with information and regulations that meet the needs of Brown County in the future.



R-65-W	R-64-W	R-63-W	R-62-W	R-61-W	R-60-W
Palmyra Pages 94-95	Osceola Pages 92-93	Savo Pages 108-109	Liberty Pages 78-79	Hecla Pages 66-67	Portage Pages 96-97
Allison Pages 26-27	Frederick Pages 52-53	Richland Pages 104-105	Greenfield Pages 62-63	Lansing Pages 76-77	North Detroit Pages 86-87
Franklyn Pages 50-51	Oneota Pages 88-89	Brainard Pages 32-33		Shelby Pages 110-111	South Detroit Pages 112-113
Carlisle Pages 36-37	Westport Pages 120-121	Garland Pages 56-57	Columbia 'W' Pages 44-45	Columbia 'E' Pages 42-43	Claremont 'E' Pages 38-39
				Claremont 'W' Pages 40-41	
Ravinia Pages 102-103	Lincoln Pages 80-81	Ordway Pages 90-91 Prairiewood Village 98-99	Cambria Pages 34-35	Putney Pages 100-101	Riverside Pages 106-107
Mercier Pages 82-83	Aberdeen Pages 24-25	Bath Pages 30-31	Henry Pages 68-69	Groton Pages 64-65	
Highland Pages 70-71	Warner 'N' Pages 114-115	Gem 'W' Pages 60-61	Gem 'E' Pages 58-59	West Hanson Pages 118-119	East Hanson Pages 46-47
New Hope Pages 84-85	Warner 'S' Pages 116-117	West Rondell Pages 122-123	East Rondell Pages 48-49	Garden Prairie Pages 54-55	Bates Pages 28-29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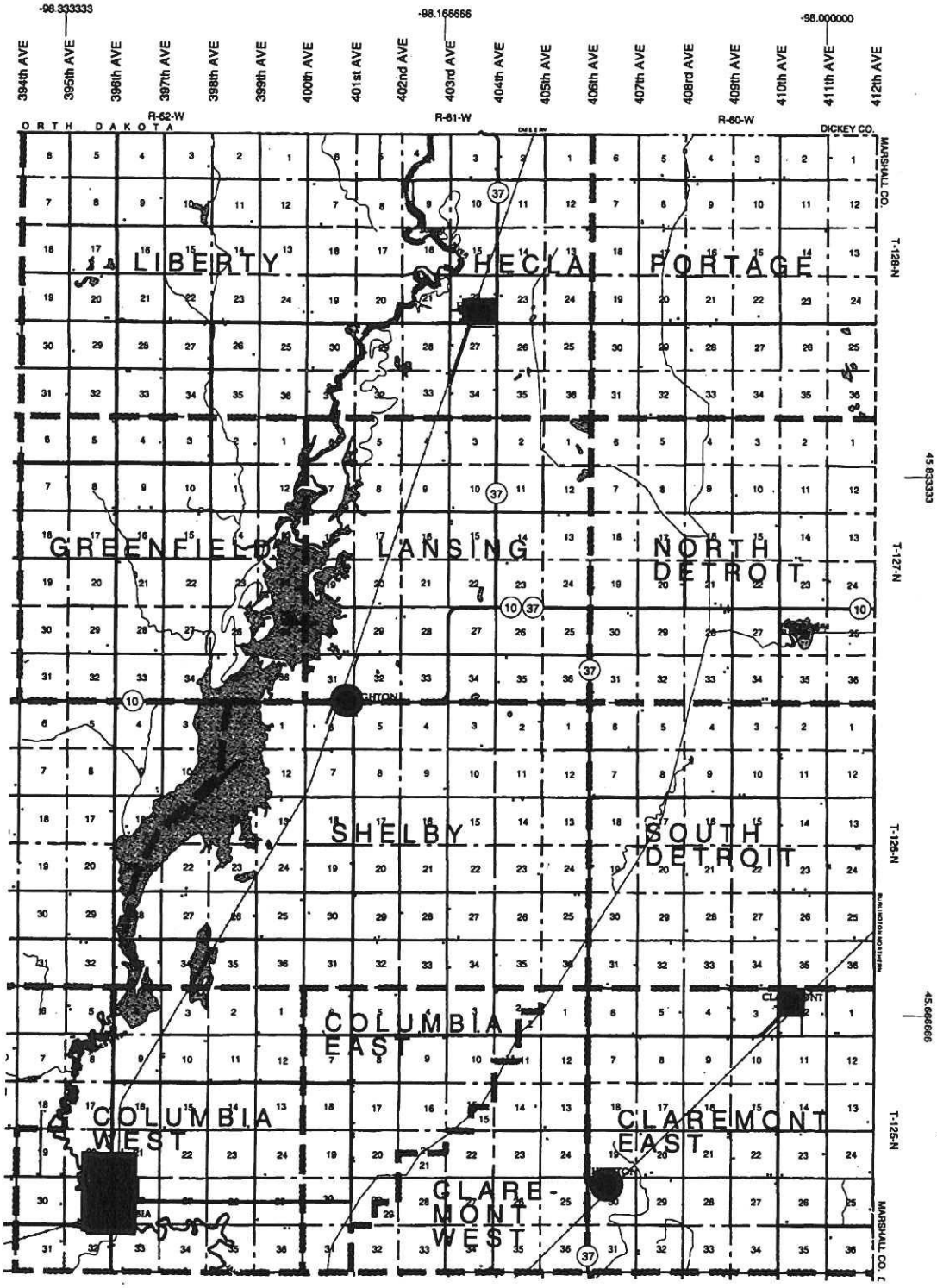
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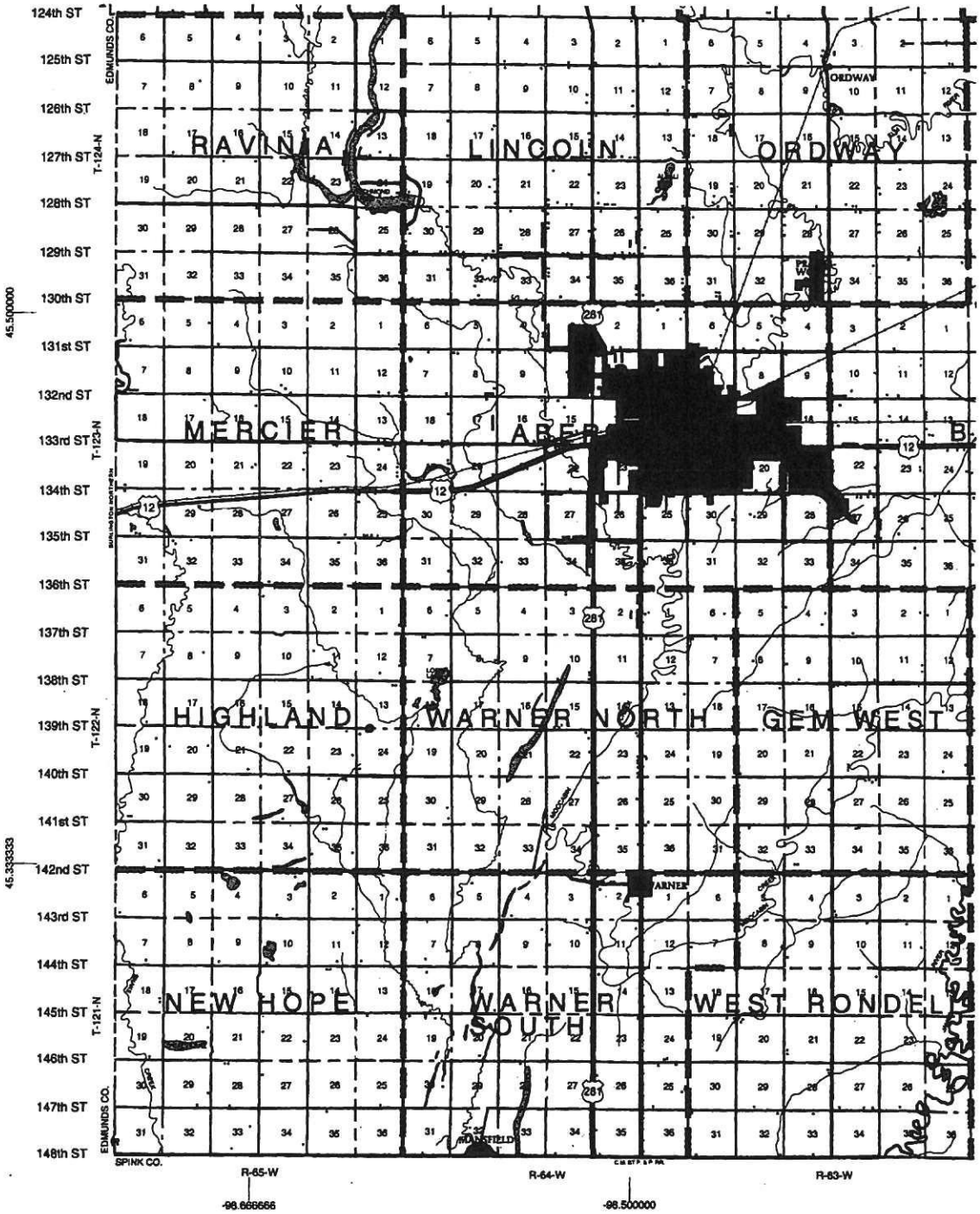
PORTAGE
GREENFIELD
LANSING
NORTH DETROIT
SHELBY
SOUTH DETROIT
COLUMBIA EAST
COLUMBIA WEST
CLAREMONT EAST
CLARE-MONT WEST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LINCOLN
ORDWAY
MERCIER
HIGHLAND
WARNER NORTH
GEM WEST
NEW HOPE
WARNER SOUTH
WEST RONDELL
ORDWAY
WARNER
MANSFIELD
SPINK CO.
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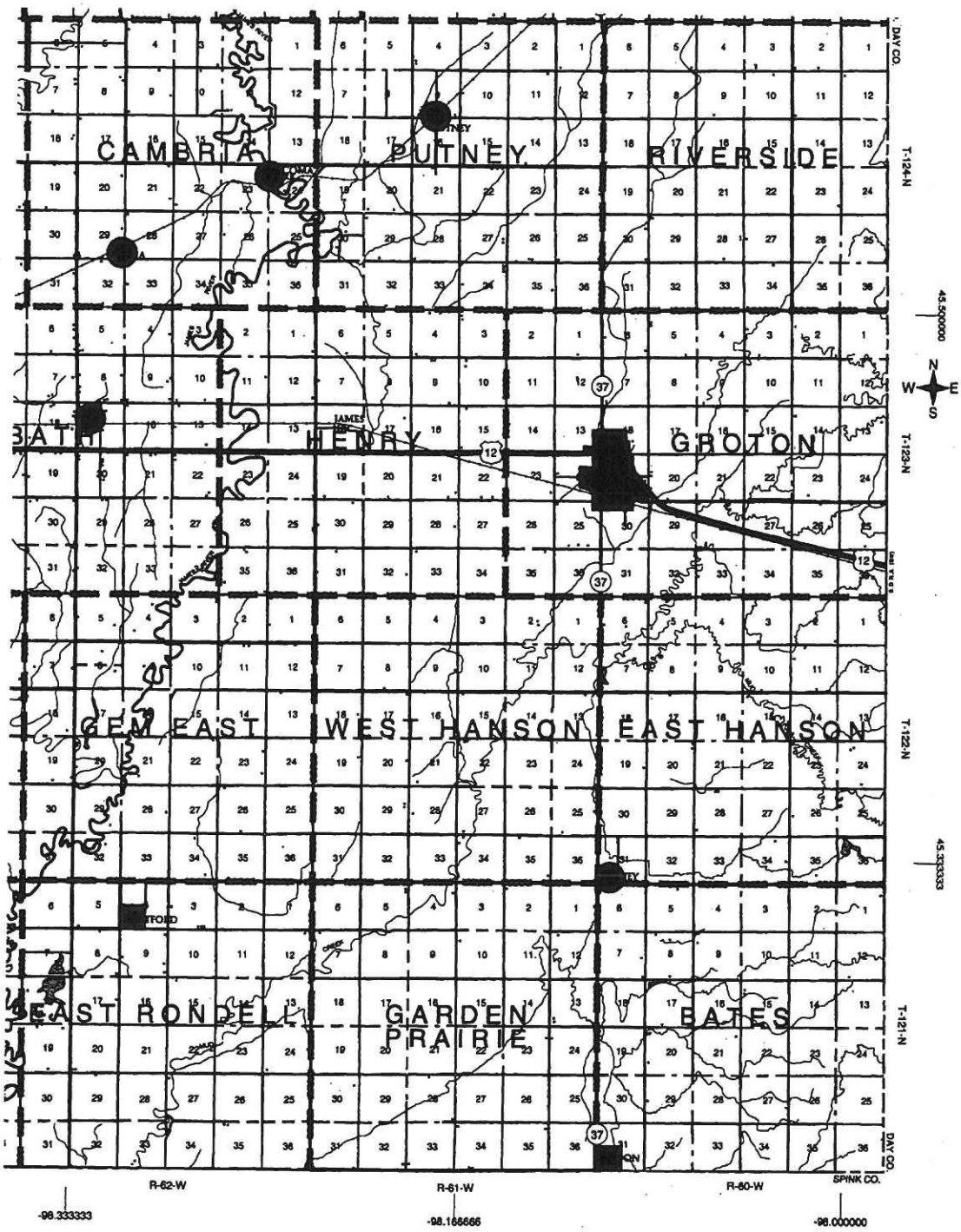
CAMBRIA
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NOTICE OF HEARING – COMP PLAN

Application has been made to the Brown County Planning/Zoning Commission for a *Proposed Adoption process for a COMPREHENSIVE PLAN update*. A hearing will be held in the Community Meeting Room in the basement of the Courthouse Annex, on *September 17, 2019 at 7:00 P.M.* to receive public input of a proposed adoption of the Comprehensive Plan.

Reason: *Brown County has realized many changes over the years and has decided to update their current Comprehensive Plan with the "2020 Comprehensive Plan".*

At the Public Hearing, all persons will be given a full, fair, and complete hearing and are encouraged to attend and make their views known. Those not able to attend are invited and encouraged to send written comments to Brown County Planning and Zoning Director, Scott Bader, at 25 Market St. Aberdeen, SD 5740.

Copies of the proposed Comprehensive Plan are also available for public review during normal business hours at the Brown County Courthouse and available for review through the County website at www.brown.sd.us

Dated this 4th day of September 2019

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 _____.

NOTICE OF PUBLIC HEARING
BROWN COUNTY PLANNING COMMISSION TO HOLD PUBLIC HEARING REGARDING ADOPTION OF A COMPREHENSIVE PLAN FOR THE COUNTY OF BROWN

Notice is hereby given that the Brown County Planning Commission will hold a public hearing, to receive public input concerning the County's proposed adoption of a new Comprehensive Plan. The hearing will be held at the Brown County Courthouse at 7:00 pm on Tuesday the 17th day of September, 2019.

Copies of the proposed Comprehensive Plan are available for public review during normal business hours at the Brown County Courthouse Auditor and available for review through the County website at www.brown.sd.us At the Public Hearing, all persons will be given a full, fair, and complete hearing and are encouraged to attend and make their views known.

Those not able to attend are invited and encouraged to send written comments to Brown County Planning/Zoning Director, Scott Bader, at 25 Market Street Aberdeen, SD 57401.

_____

Cathy McNickle, County Auditor

Notice of Hearing	September 11 and 18, 2019
Passed First Reading	September 24, 2019
Passed Second Reading	October 1, 2019
Adopted	October 1, 2019
Published	October 9, 2019
Effective Date	October 29, 2019