

**OFFICIAL MINUTES**  
**SUMMERSET PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING**  
**May 9th, 2023 @ 6:00 P.M.**

The meeting was called to order by Chairman Oldfield at 6:00 p.m.

**ROLL CALL:** Brody Oldfield, Dustin Hirsch, and Mike Martin present. Absent: Casey Kenrick and John Hough. Also present was the City Administrator.

**CALL FOR CHANGES:** Motion by Martin, second by Hirsch to approve the agenda of the meeting for May 9th, 2023. Motion carried.

**CONSENT CALENDAR:** Motion by Hirsch, second by Martin to approve the minutes of the regular meeting of April 25th, 2023. Motion carried.

**VARIANCE REQUEST – NEW LEAF LLC**

Motion by Martin, second by Hirsch to open discussion. Motion carried.

Matt Leon of New Leaf LLC gave an overview on the project and the request for a variance to eliminate putting in sidewalk and handicapped ramps. Leon explained that the sidewalks would go to nowhere and Heather Lane comes off Sturgis Road.

Michael Goosen came before the Board and stated that he has visited with Mr. Leon about survey markings, and they have worked out a deal regarding the same. Leon will be amending the plat before final review.

The Board reviewed the documents and discussed other variances that have been approved in similar situations.

Motion by Hirsch, second by Martin to close discussion. Motion carried.

Motion by Martin, second by Hirsch to recommend approval of the variances to the Board of Commissioners. Motion carried.

**ADJOURNMENT**

Motion by Hirsch, second by Martin to adjourn the meeting at 6:10 p.m. Motion carried.

\_\_\_\_\_  
Stephany Baumeister, Finance Officer

\_\_\_\_\_  
Brody Oldfield, Chairman

Published once \_\_\_\_\_ at a cost of \$ \_\_\_\_\_.



City of  
**SUMMERSET**

A GREAT PLACE TO CALL HOME

**SIGN PERMIT APPLICATION/SPECIFICATIONS**

Please submit a clear and legible drawing of the proposed sign to scale with description showing construction type and lighting, placement of sign and building dimensions if the sign is to be placed on a structure. Include sight plan showing the location and setbacks on the property where sign is to be located.

Applicant Name Freedom Advertising Date \_\_\_\_\_

Mailing Address Po Box 1001 Rapid City SD 57701

Email freedomsigns@outlook.com Phone (605) 299-2262

Sign Location \_\_\_\_\_

Landowner's Name Teufel Construction Phone (605) 787-5187

Landowner's Mailing Address Po Box 742 Blackhawk SD 57718

Contractor's Name Rosenbaum Signs Phone (605) 342-0481

Excise Tax License # \_\_\_\_\_

Contractor's Mailing Address 1450 Samco Rd Rapid City SD 57702

Electrician's Name TBD Phone \_\_\_\_\_

Electrician's Mailing Address \_\_\_\_\_

**SIGN SPECIFICATIONS:**

Sign Value \$ 25,000 estimate

- ☒ Permanent (IBC Table 100-A) ☐ Temporary (\$35)  
☐ Other (see fee schedule, page 2)

1. The Undersigned Hereby Applies to: ☒ Build ☐ Move  
☐ On-Premise Sign ☒ Off-Premise sign ☐ Other (see fee schedule, Appendix A)  
☒ Lighted ☐ Un-lighted  
☐ Single Face ☐ Double Face ☐ V Face  
☐ Wood ☒ Metal

2. Address of Location \_\_\_\_\_

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Located in: Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

3. Zoning: C ☐ HS ☐ R ☐ HI ☐ Other ☐

4. Acreage \_\_\_\_\_

5. Visible from:

City Street \_\_\_\_\_

State Road Interstate 90

County Road \_\_\_\_\_

6. DOT Permit Required? ☐ Yes ☒ No

Approved/Issued DOT Permit received \_\_\_\_\_ (Date)

7. Square Footage/Sign Face:

Side 1: 12 x 32 = 384 Direction West

Side 2: 12 x 32 = 384 Direction East

Total Square Footage = 768

**ALL ELECTRICAL WORK SHALL COMPLY WITH STATE CODES; ELECTRICAL INSPECTION IS REQUIRED BY THE STATE INSPECTOR. \* Commercial signs require a footings inspection only (605) 718-4940**

Sign Building Permit Fees for signs shall be regulated by the current building code tables (IBC Ordinance Table 100-A) as adopted by the City.

**ORD 2.30.110 PERMITS AND FEES**

1. Permits and fees for signs are as follows:

- a. New Sign Permit: per IBC Ordinance Table 100-A
- b. Temporary Sign Permit: \$35.00
- c. Off-Premise Sign Permit Renewal: \$100.00
- d. Annual Banner Sign Renewal: \$100.00

By my signature, I acknowledge that payment of the sign permit application fee does not constitute issuance of this sign permit. I further agree that construction covered by this permit application shall not be commenced until I have received a copy of this application form signed by the Zoning Administrator and stamped, "APPROVED."


*Notice: Placement of sign Poles constitutes start of construction*

DIRD.  
155.280

PERMIT IS VOID IF: Construction does not comply with specifications 1-7 set forth above and in accordance with the codes/ordinances of the City of Summerset and the State of South Dakota and if work is not commenced within 60 days or is not completed within 120 days of the date of issue.

SIGN LOCATION: Provide a site plan which indicates the exact site on the property on which the sign will be placed in relationship to lot lines and setback requirements.

SIGN CONFIGURATION: To-scale drawing of the proposed sign to include dimensions of all faces (height/length), design of complete sign, height from ground to bottom of sign, height from ground to top of sign. Please attach to application.

Landowner's Signature  Date 5/16/23

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_  
(requires owner authorization)

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Building Official

**FOR OFFICE USE ONLY**

Permit Fee Amt _____	Date Paid _____	Payment Type: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Credit Card
Issue Date _____	Permit Number _____	

32'

7 Rows of Stringers  
2 x 6 x 12 (12 panels)  
per side

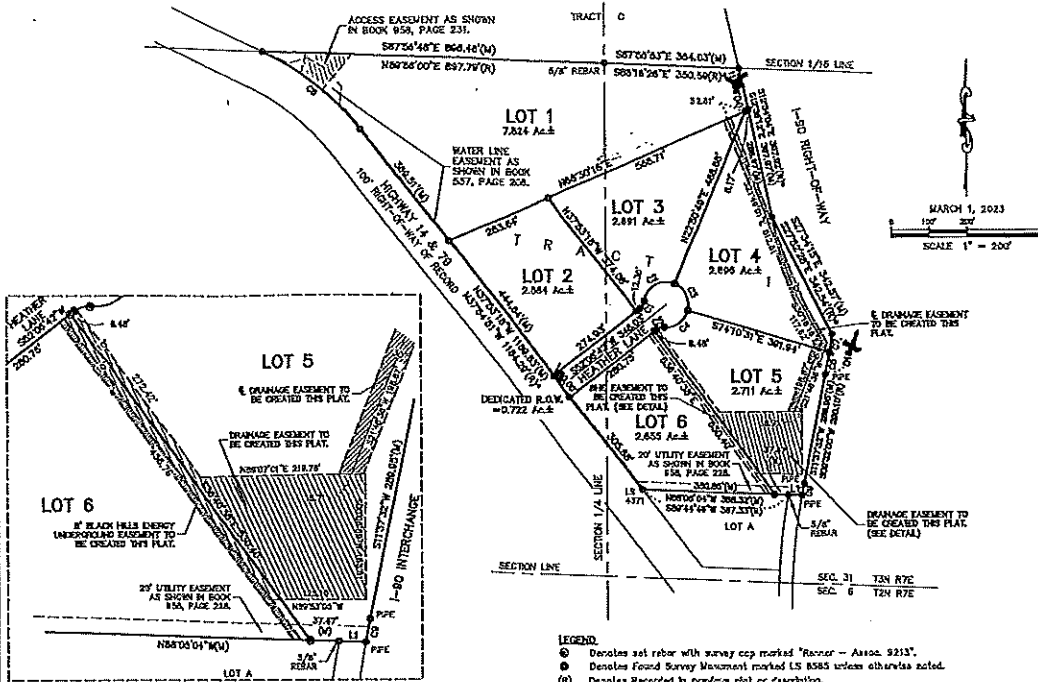
12'

Holes  
10' Deep  
36" Diameter

8'

10'

**PLAT OF**  
**LOTS 1-6 & DEDICATED HEATHER LANE RIGHT-OF-WAY, NEW LEAF SUBDIVISION**  
 (formerly Tract 1 of Richardson Subdivision less Lot H1, less Lot H2 & less Lot H3 of Tract 1 of Richardson Subdivision)  
 LOCATED IN SECTION 31, T3N, R7E, BHM,  
 CITY OF SUMMERSET, MEADE COUNTY, SOUTH DAKOTA



LINE	BEARING	DISTANCE
1/2	N89°11'52\"	35.57'
1/2	S89°44'48\"	35.57'

CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
CDW1	22.36	30.00	N49°21'02\"	22.03'
CDW2	108.51	55.00	N07°49'15\"	62.27'
CDW3	65.45	55.00	S35°59'01\"	74.17'
CDW4	81.73	55.00	S72°22'20\"	78.39'
CDW5	22.34	30.00	N73°39'19\"	22.03'
CDW6	68.13	1750.00	N89°07'07\"	68.13'
CDW7	67.78	1750.00	S01°32'02\"	67.78'
CDW8	331.69	724.00	N31°01'23\"	328.04'
CDW9	331.69	724.00	S11°41'17\"	312.24'
CDW10	311.72	1502.00	N07°03'53\"	311.72'
CDW11	311.72	1502.00	S11°41'17\"	311.72'
CDW12	107.81	1750.00	N09°07'49\"	107.81'
CDW13	107.81	1750.00	S09°07'49\"	107.81'

**CERTIFICATE OF OWNERSHIP**

I, the undersigned, do hereby certify that I am the owner of the tract of land shown and described herein, that said land is free from any encumbrance, that I did authorize and do hereby approve the survey and within plot of said land for the purposes indicated herein, I further certify that the development of this land shall conform to all existing applicable zoning, subdivision, wetland and sediment control regulations.

Any land shown on the within plat as dedicated to public right-of-way is hereby dedicated to public use and public utility use on each forever, but such dedication shall not be construed to be a donation of the fee of such land.

In witness whereof, I have set my hand and seal.

DWYER: NEW LEAF, LLC

BY: Matthew J. Leary, Member

ACKNOWLEDGMENT OF OWNERSHIP  
 State of South Dakota  
 County of Pennington S.S.

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public, personally appeared Matthew J. Leary, Member of NEW LEAF, LLC, known to me to be the person described in the foregoing instrument and acknowledged to me that he signed the same.

NOTARY PUBLIC:

My commission expires: \_\_\_\_\_

**CERTIFICATE OF PLANNING COMMISSION**

The City of Summerlet Planning and Zoning Commission certifies it has reviewed the field plat and hereby recommends approval to the City Commission of the City of Summerlet, South Dakota.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Planning Commission Member

**CERTIFICATE OF DIRECTOR OF EQUALIZATION**

I, Director of Equalization of Meade County, South Dakota, do hereby certify that I have on record in my office a copy of the within described plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Meade County Director of Equalization

**CERTIFICATE OF CITY FINANCE OFFICER**

I, Finance Officer of the City of Summerlet, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the City Commission of City of Summerlet, South Dakota, at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Finance Officer

**CERTIFICATE OF CITY FINANCE OFFICER**

I, Finance Officer of the City of Summerlet, South Dakota, do hereby certify that all special assessments which are due upon the within described lands are fully paid according to the records of my office.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Finance Officer

**LEGEND**

- ⊙ Denotes set rebar with survey cap marked "Rebar - Assoc. 5215".
- ⊙ Denotes Found Survey Monument marked LS 8585 unless otherwise noted.
- (R) Denotes Recorded in previous plat or description.
- (M) Denotes Measured in this survey.
- (R) Denotes Recorded in previous plat or description. Bearings are State Plane Coordinate System.

**NOTES**

Eight foot (8') utility and minor drainage easement is hereby granted on the basis of all lot lines, except where drainage easements exist. Removal or modification of any obstruction or impediment to such an easement shall be the financial responsibility of the lotowner.

Major drainage easements shall be kept free of all obstructions, including fences, and that the major drainage easement provides the Summerlet Public Works Department, or their designee(s) the rights of entry, construction, and maintenance in order to facilitate drainage through these easements.

**BASE OF BEARINGS**

SOUTH DAKOTA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83(2011). DISTANCES ARE GRID. SCALE FACTOR = 1.00002584 GRID TO GROUND CONVERGENCE ANGLE OF -02°10'10\"

GRID TO GEODETIC NORTH.

**FLOODPLAIN STATEMENT**

BASED ON THE FLOOD INSURANCE RATE MAP NUMBER 46083C1787F, EFFECTIVE DATE SEPTEMBER 18, 2011, INDICATES THE SUBJECT PROPERTY IS LISTED IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN.

DUE TO THE PRESENCE OF CYPRIN IN THE SUBDIVISION, A GEOTECHNICAL INVESTIGATION WILL NEED TO BE COMPLETED AT BUILDING LOCATIONS AND ALL FOUNDATIONS, UNLESS DETERMINED OTHERWISE, SHALL BE DESIGNED BY A LICENSED GEOTECHNICAL ENGINEER.



**CERTIFICATE OF SURVEYOR**

State of South Dakota  
 County of Pennington S.S.

I, Eric D. Howard, Registered Land Surveyor No. 9213 in the State of South Dakota, do hereby certify that at the request of the owner listed herein, I have surveyed the tract of land shown, and to the best of my knowledge and belief, the within plat is a representation of said survey. Easements or restrictions of miscellaneous record or private easements that are not known to me are not shown herein.

In witness whereof, I have hereunto set my hand and seal.

Eric D. Howard, Registered Land Surveyor Date

**RESOLUTION OF CITY COMMISSION**

Whereas there has been presented to the City Commission of the City of Summerlet, South Dakota, the within plat of the above described lands, and it appears to this Council of Commissioners that:

- a. The system of streets set forth therein conforms to the system of streets of the existing plat of the City;
- b. All provisions of the City subdivision regulations have been complied with;
- c. All taxes and special assessments upon the tract or subdivision have been fully paid;
- d. Each plat and survey thereof have been recorded according to law.

NOW THEREFORE, BE IT RESOLVED that said plat is hereby approved in all respects.

Dated at Summerlet, South Dakota this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Mayor Date

**APPROVAL BY HIGHWAY OR STREET AUTHORITY**

The location of the proposed access to the Highway or Street as shown herein is hereby approved. Any change in the location of the proposed access shall require additional approval.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Highway or Street Authority

Department of Transportation

**CERTIFICATE OF COUNTY TREASURER**

I, Treasurer of Meade County, South Dakota, do hereby certify that all taxes, which are due upon the within described lands are fully paid according to the records in my office.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

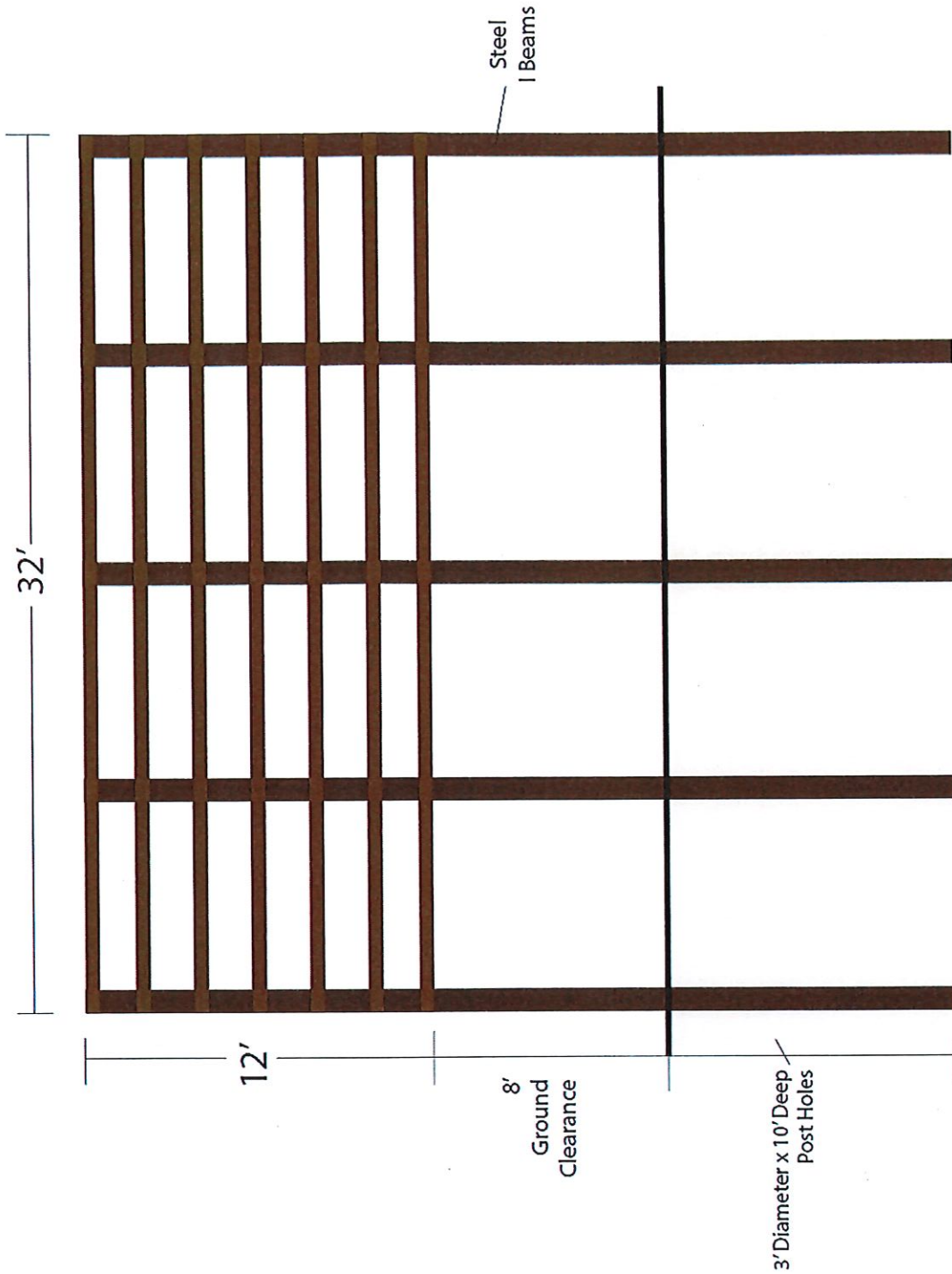
Meade County Treasurer

**CERTIFICATE OF REGISTER OF DEEDS**

State of South Dakota  
 County of Meade S.S.



# 12' x 32' Billboard Structure



(605) 342-0481  
 Fax: (605) 342-9474  
 1650 Samco Rd.  
 Rapid City, SD 57701

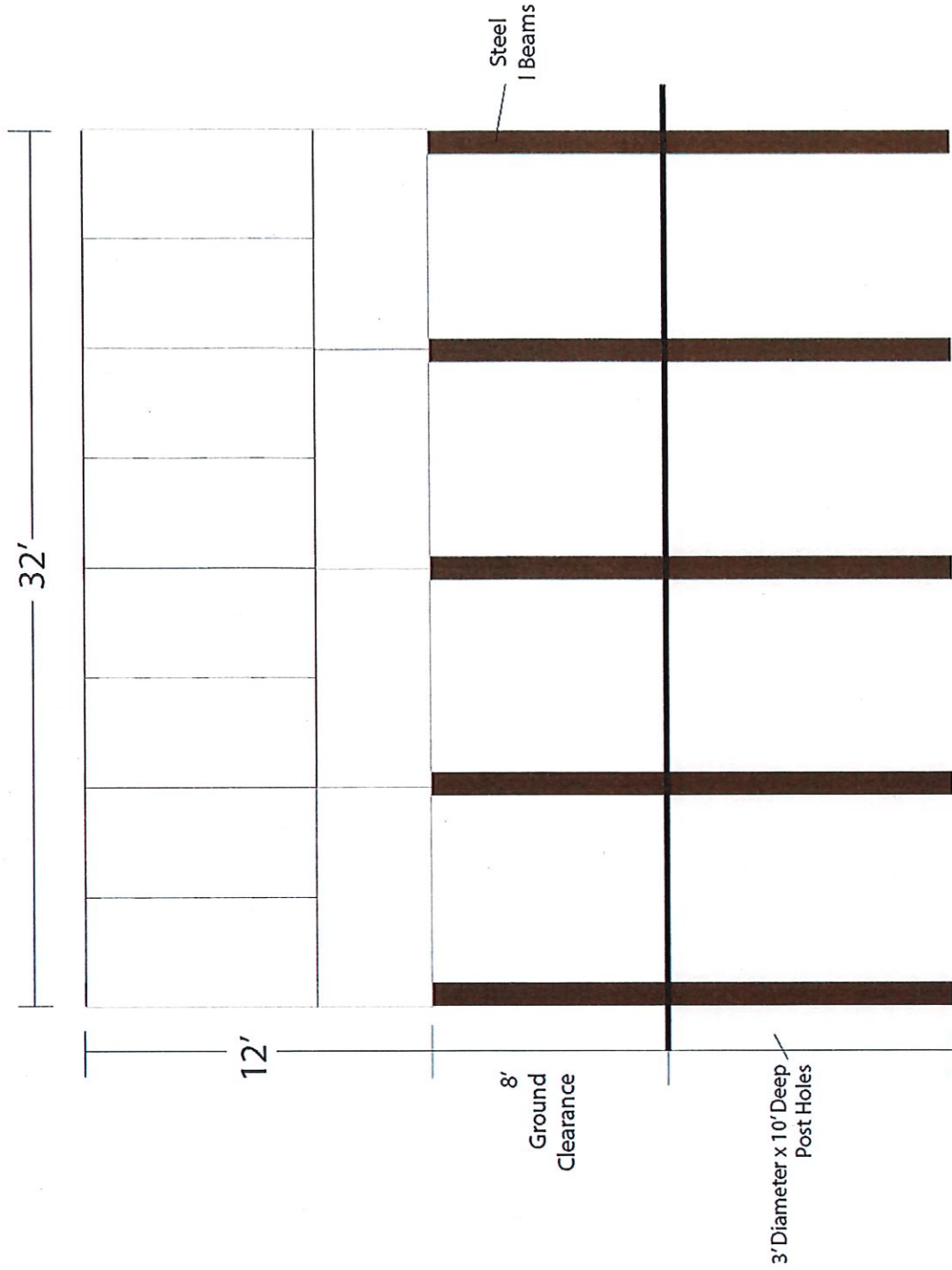
**ROSENBAUM'S  
 SIGNS**

**Customer:**  
 Freedom Advertising

**Drawn By:** Jonni  
**Date:** 6/8/2023

**Customer Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

# 12' x 32' Billboard Structure (Panels)



(605) 342-0481  
 Fax: (605) 342-9474  
 1650 Samco Rd.  
 Rapid City, SD 57701



Customer: Freedom Advertising  
 Drawn By: Jonni  
 Date: 6/8/2023

Customer Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## § 155.275 NEW SIGNS.

A sign permit shall be required for any new on-premises or off-premises sign installation, including temporary signs. At the time of installation, the new sign must conform to all requirements of this subchapter at the time of installation.

### (A) *General provisions.*

(1) All signs shall be placed or erected in conformity with all applicable side and rear yard setback requirements for structures. The minimum front yard setback requirement for signs shall be five feet from any property line.

(2) No sign, including political signs, are allowed to be located in any public right-of-way or public or private access easement. All signs issued by the city for public notice of proposed land use changes are exempt from this requirement.

(3) There shall be a 250-foot separation between a new ground/pole on-premises sign and an existing ground/pole on-premises sign.

(4) All sign structures shall be painted and maintained in muted colors as to blend into the natural surroundings. Colors shall include, but not be limited to, brown, black, or tan. Wood sign structures may remain unpainted and be allowed to have a natural patina. At no time shall bright or neon colors be used for either wood or metal sign structures.

(5) No debris, including but not necessarily limited to, wood material, posts, metal, paper, plastic, cardboard, or other materials from the construction or maintenance of a sign shall be left at the location or vicinity of a sign. Any violation of this section is hereby declared a nuisance and subject to abatement.

(6) No sign shall be constructed which resembles any official marker erected by a governmental entity or which by reason of position, shape, or color would conflict with the proper functioning of any official traffic control device, sign, or marker.

(7) No sign shall exceed two sides. Signs shall have no more than one frontal face (front) and one back face (back) as viewed from one static position.

(8) Sign and sign structure design shall be reviewed and inspected by the Building Official for compliance with the following:

(a) Building Code, as adopted; and

(b) Electric Code, as adopted.

(B) *Off-premises sign requirements.* All off-premises signs shall require a conditional use permit and shall meet all the provisions of §§ 155.335 through 155.341. In addition, due consideration shall be given to the relationship between the sign(s) and the natural horizon/view shed in the area of the proposed sign location. In addition to the general provisions of this chapter, the following regulations shall apply to all off-premises signs.

(1) No off-premises sign shall be erected or placed closer than 500 feet from any residential district and/or dwelling unit.

(2) Off-premises signs shall be located no closer than 1,500 feet from all other off-premises signs.

(3) No illuminated sign shall be permitted within 1,500 feet of any dwelling unit or residential district without an approved conditional use permit. All illuminated signs shall be installed and



maintained in accordance with §§ 155.195 through 155.204 so as to minimize spillage of light outside of the sign face.

(4) Off-premises signs shall not exceed a height of 40 feet. Height shall be measured from grade level directly below the face of the sign to the highest part of the sign.

(5) The maximum display area of any off-premises sign located adjacent to a two or more-lane street or highway shall not exceed 250 square feet on each face. The maximum display area of any off-premises sign located on the interstate shall not exceed 400 square feet on each face.

(6) All off-premises signs shall be placed or erected in conformity with all applicable side and rear yard setback requirements for structures. The minimum front yard setback requirement for on-premises or off-premises signs shall be five feet from any property line.

(7) A vehicle or trailer of any form or type, whether licensed or not, or in working condition or not, intended to be used as or in conjunction with an on-premises or off-premises sign, shall not be located adjacent to any public right-of-way or on private or public property so as to be visible from the public right-of-way. Vehicles or trailers whose primary use is other than outdoor advertising shall be exempt from this section.

(C) *On-premises sign requirements.*

(1) *Number of signs per premises.* Notwithstanding anything else in this section, no more than two signs may be erected or maintained on any one premises at any one time, except that when a premises is located on a corner lot and has public entrances on two or more public ways, or that a building has both a front and rear public entrance, one additional sign may be erected and maintained. In calculating the total number of signs on a premises, both permanent and temporary signs shall be combined in the total. A multi-faced sign shall count as a single sign. Signs enumerated in § 155.274 shall not be counted in calculating the total.

(2) *Sign area.* Notwithstanding anything else in this section, the total sign area per premises, including both permanent and temporary signs, shall not exceed the following:

(a) *Wall, roof, canopy, and projecting signs.* The total square feet of all walls, roof, and/or projecting signs shall be a sign area of two square feet for each one linear foot of street frontage shall be allowed not to exceed 50 square feet. Every premises shall be allowed a minimum of 50 square feet of sign area. Allowable sign area is not transferable from one frontage to another. An additional 50 square feet of sign area shall be allowed for every 100 feet of street frontage over first 250 feet of street frontage. On corner lots, each frontage shall be considered unique and separate in calculation sign area. Multi-faced signs shall be computed as one sign if the signs are parallel and are part of the same sign structure.

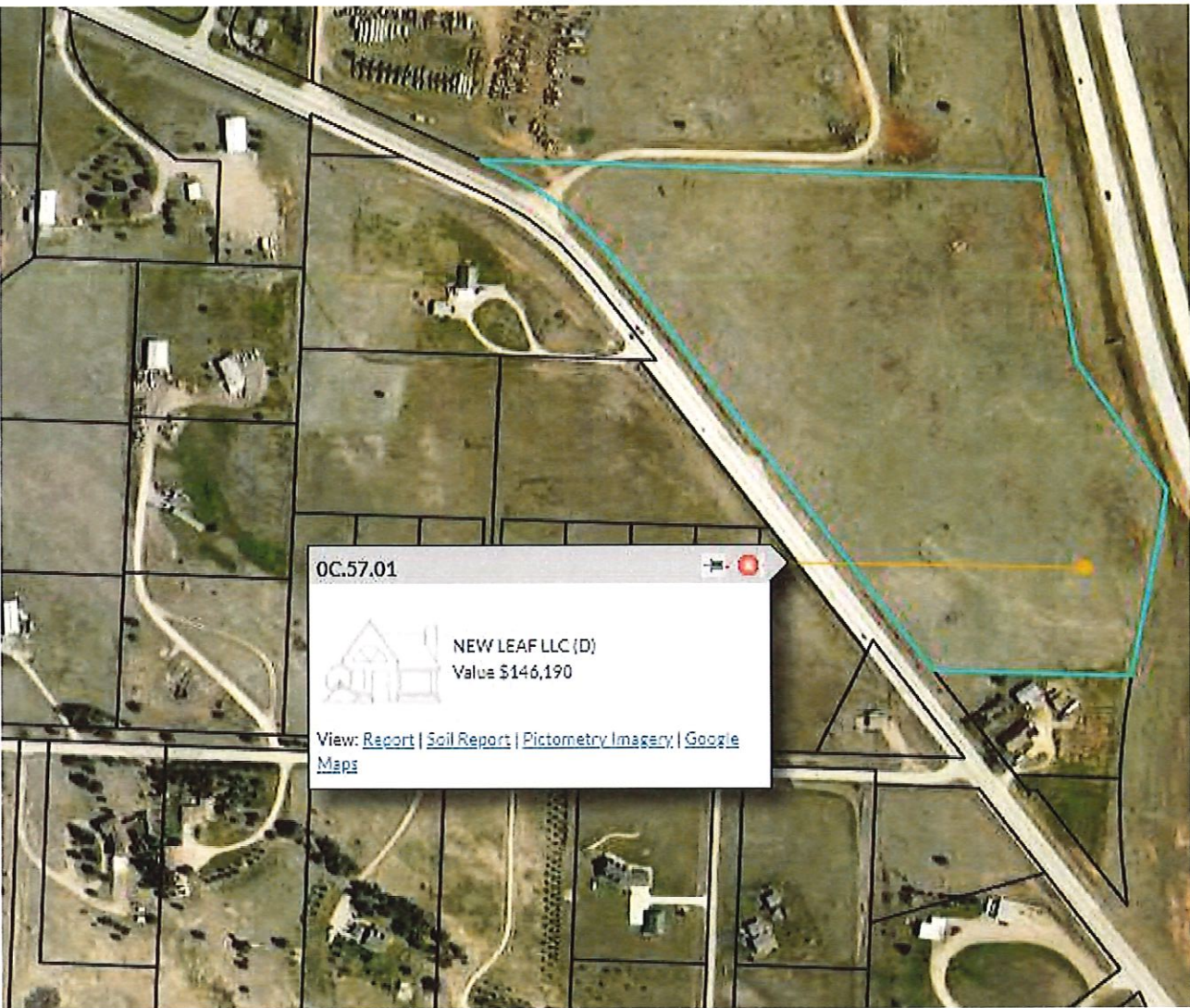
(b) *Ground/pole signs.* The total square feet of all ground/pole signs shall be a sign area of one square foot for each one linear foot of street frontage shall be allowed not to exceed 250 square feet. Every premises shall be allowed a minimum of 50 square feet of sign area. Allowable sign area is not transferable from one frontage to another. On corner lots, each frontage shall be considered unique and separate in calculation sign area. Multi-faced signs shall be computed as one sign if the signs are parallel and are part of the same sign structure.

(3) *Sign height.* Ground/pole signs shall not exceed a height of 30 feet. Height shall be measured from grade level directly below the face of the sign to the highest part of the sign.

(4) *Projecting signs.* In addition to the other provisions of this chapter, the following regulations shall apply to all projecting signs.

(a) No projecting sign shall project more than seven feet beyond the property line in the direction of the street. No portion of any projecting sign shall be closer than three feet to the face of the street curb or curb line as measured by a horizontal line from the curb or curb line to a vertical line





0C.57.01



NEW LEAF LLC (D)  
Value \$146,190

View: [Report](#) | [Soil Report](#) | [Pictometry Imagery](#) | [Google Maps](#)





# COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Summerset

7055 Leisure Lane, Summerset, SD 57718

Phone: (605) 718-9858

Fax: (605) 718-9883

Web: www.summerset.us

## APPLICATION FOR DEVELOPMENT REVIEW

### REQUEST (please check all that apply)

- ☐ Annexation  
☐ Comprehensive Plan Amendment  
☐ Fence Height Exception  
☐ Planned Development (Overlay)  
☐ Designation  
☐ Initial Plan ☐ Final Plan  
☐ Major Amendment  
☐ Minimal Amendment

- ☐ Subdivision  
☐ Layout Plan  
☐ Preliminary Plat  
☐ Final Plat  
☐ Minor Plat  
☐ Rezoning  
☐ Road Name Change

- ☐ Conditional Use Permit  
☐ Major Amendment  
☐ Minimal Amendment  
☐ Vacation  
☐ Utility / Drainage Easement  
☐ R.O.W. / Section Line Highway  
☐ Access / Non-Access  
☐ Planting Screen Easement  
☒ OTHER (specify) Sign

### LEGAL DESCRIPTION (Attach additional sheets as necessary)

#### EXISTING

Tract 1 of Richardson Subdivision less Lot H1, less Lot H2, and less Lot H3, SW1/4 and SW1/4 of SE1/4 of Section 31, Township 3 North, Range 7 East, Black Hills Meridian, City of Summerset, Meade County SD.

#### PROPOSED

Plat of Lots 1-6 & Dedicated Heather Lane Right-of-Way, New Leaf Subdivision (formerly Tract 1 of Richardson Subdivision less Lot H1, less Lot H2 & less Lot H3 of Tract 1 of Richardson Subdivision) located in Section 31, Township 3 North, Range 7 East, Black Hills Meridian, City of Summerset, Meade County, SD

#### LOCATION

New Leaf LLC - address 711B/D

Size of Site-Acres

Square Footage

Proposed Zoning C1

DESCRIPTION OF REQUEST: Conditional use permit  
per ordinance 155.275 (B)

Utilities: Private / Public

Water n/a

Sewer n/a

### APPLICANT

Name Freedom Investments LLC Phone 605 359 7432  
Address PO Box 1471 E-mail freedomsigns@outlook.com  
City, State, Zip Rapid City SD 57499 Signature [Signature] Date 5/23/23

### PROJECT PLANNER - AGENT

Name \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ E-mail \_\_\_\_\_  
City, State, Zip \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

### OWNER OF RECORD (If different from applicant)

Name Matt Leora - New Leaf LLC Phone 605 787-5187  
Address PO Box 742 E-mail \_\_\_\_\_  
City, State, Zip Black Hawk SD 57718

Matt

Property Owner Signature \_\_\_\_\_ Date \_\_\_\_\_ Property Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_  
Print Name: \_\_\_\_\_ Print Name: \_\_\_\_\_  
Title\*: \_\_\_\_\_ Title\*: \_\_\_\_\_

\*required for Corporations, Partnerships, etc.

### FOR STAFF USE ONLY

ZONING
Current
North
South
East
West
Planner
File No.
Comp Plan
Received By:

- ☐ Sewer Utility  
☐ Fire Department  
☐ Public Works  
☐ Planning  
☐ Building Inspector  
☐ Engineering  
☐ City Code Enforcement  
☐ Police  
☐ City Attorney  
☐ BHP&L  
☐ Finance Officer  
☐ Register of Deeds  
☐ County - Planning  
☐ SD DOT  
☐ SD DENR  
☐ Auditor - Annexation  
☐ Drainage  
☐ Parks & Recreation

- ☐ Diamond D Water  
☐ Black Hills Water  
☐ Quaal Road District  
☐ Other: \_\_\_\_\_  
☐ Other: \_\_\_\_\_  
☐ Other: \_\_\_\_\_  
☐ Other: \_\_\_\_\_

Planning and Zoning Meeting Date: \_\_\_\_\_  
Commission Meeting Date: \_\_\_\_\_  
Date Paid: \_\_\_\_\_

Payment Type: Cash ☐ Check ☐ Credit Card ☐

## NOTICE OF PUBLIC HEARING

### NOTICE OF HEARING APPLICATION FOR CONDITIONAL USE PERMIT BEFORE THE CITY OF SUMMERSET PLANNING AND ZONING BOARD

Notice is hereby given that the following petitioner has applied to the City of Summerset Planning and Zoning Board under the provisions of the City of Summerset Zoning Ordinances as follows:

Applicant: Freedom Investments LLC

Address: T/B/D, Summerset SD (preliminary plat)

Existing: Tract 1 of Richardson Subdivision less Lot H1, less Lot H2, and less Lot H3, SW1/4 and SW1/4 of SE1/4 of Section 31, Township 3 North, Range 7 East, Black Hills Meridian, City of Summerset, Meade County SD.

Preliminary Plat: Plat of Lots 1-6 & Dedicated Heather Lane Right-of-Way, New Leaf Subdivision (formerly Tract 1 of Richardson Subdivision less Lot H1, less Lot H2 & less Lot H3 of Tract 1 of Richardson Subdivision) located in Section 31, Township 3 North, Range 7 East, Black Hills Meridian, City of Summerset, Meade County, SD

The applicant has requested a permitted conditional use for the following:

155.275 New Signs

(B) *Off-premises sign requirements.* All off-premises signs shall require a conditional use permit and shall meet all the provisions of §§ [155.335](#) through [155.341](#). In addition, due consideration shall be given to the relationship between the sign(s) and the natural horizon/view shed in the area of the proposed sign location.

Property is currently zoned C-1 General Commercial:

Notice is further given that said application will be heard and considered by the City of Summerset Planning and Zoning Commission at Summerset Municipal Building, 7055 Leisure Lane, Summerset, South Dakota at 6:00 p.m. on the 27th day of June 2023. At that time, any person, persons, or their attorney who are interested in the approval or rejection of said application may appear and be heard at said scheduled public hearing.

Dated this 23rd day of May 2023.

Lisa Schieffer  
Summerset City Administrator

Published once at the total approximate cost of \_\_\_\_\_.



7022 1670 0002 1763 1050

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Certified Mail Fee  
\$  
Extra Services & Fees (check box, add fee as appropriate)  
☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postmark  
Here

Postage  
\$  
Total Postage and Fees  
\$

Sent To  
Michael Gordon  
Street and Apt. No., or PO Box No.  
4010 Stuffs Rd  
City, State, ZIP+4®  
Black Hawk SD 57718

PS Form 3800, April 2015 PSN 7530-02-000-9037

See Reverse for Instructions

7022 1670 0002 1763 1029

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Certified Mail Fee  
\$  
Extra Services & Fees (check box, add fee as appropriate)  
☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postmark  
Here

Postage  
\$  
Total Postage and Fees  
\$

Sent To  
Steven Van Houten  
Street and Apt. No., or PO Box No.  
4010 Stuffs Rd  
City, State, ZIP+4®  
Summerset SD 57718

PS Form 3800, April 2015 PSN 7530-02-000-9037

See Reverse for Instructions

7022 1670 0002 1763 1036

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Certified Mail Fee  
\$  
Extra Services & Fees (check box, add fee as appropriate)  
☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postmark  
Here

Postage  
\$  
Total Postage and Fees  
\$

Sent To  
Leahy Filmon  
Street and Apt. No., or PO Box No.  
PO Box 502  
City, State, ZIP+4®  
Black Hawk SD 57718

PS Form 3800, April 2015 PSN 7530-02-000-9037

See Reverse for Instructions

7022 1670 0002 1763 1050

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Certified Mail Fee  
\$  
Extra Services & Fees (check box, add fee as appropriate)  
☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postmark  
Here

Postage  
\$  
Total Postage and Fees  
\$

Sent To  
Superior Custom Homes LLC  
Street and Apt. No., or PO Box No.  
11054 Red Cedar Rd  
City, State, ZIP+4®  
Siemont SD 57769

PS Form 3800, April 2015 PSN 7530-02-000-9037

See Reverse for Instructions

7022 1670 0002 1763 1012

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Certified Mail Fee  
\$  
Extra Services & Fees (check box, add fee as appropriate)  
☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postmark  
Here

Postage  
\$  
Total Postage and Fees  
\$

Sent To  
Norman Kluckhahl  
Street and Apt. No., or PO Box No.  
3720 Kellner Rd  
City, State, ZIP+4®  
Jackson TN 37439

PS Form 3800, April 2015 PSN 7530-02-000-9037

See Reverse for Instructions

7022 1670 0002 1763 1005

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Certified Mail Fee  
\$  
Extra Services & Fees (check box, add fee as appropriate)  
☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postmark  
Here

Postage  
\$  
Total Postage and Fees  
\$

Sent To  
Black Hawk Water Res. Dist.  
Street and Apt. No., or PO Box No.  
PO Box 440  
City, State, ZIP+4®  
Black Hawk SD 57718

PS Form 3800, April 2015 PSN 7530-02-000-9037

See Reverse for Instructions

763 1041

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Certified Mail Fee



RAPID CITY  
500 EAST BLVD  
RAPID CITY, SD 57701-9998  
(800)275-8777

05/30/2023

12:42 PM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		\$0.63
Black Hawk, SD 57718			
Weight: 0 lb 0.70 oz			
Estimated Delivery Date			
Thu 06/01/2023			
Certified Mail®			\$4.15
Tracking #:			
70221670000217631005			
Total			\$4.78
First-Class Mail® Letter	1		\$0.63
Dickinson, TX 77539			
Weight: 0 lb 0.70 oz			
Estimated Delivery Date			
Sat 06/03/2023			
Certified Mail®			\$4.15
Tracking #:			
70221670000217631012			
Total			\$4.78
First-Class Mail® Letter	1		\$0.63
Black Hawk, SD 57718			
Weight: 0 lb 0.70 oz			
Estimated Delivery Date			
Thu 06/01/2023			
Certified Mail®			\$4.15
Tracking #:			
70221670000217631029			
Total			\$4.78
First-Class Mail® Letter	1		\$0.63
Black Hawk, SD 57718			
Weight: 0 lb 0.70 oz			
Estimated Delivery Date			
Thu 06/01/2023			
Certified Mail®			\$4.15
Tracking #:			
70221670000217631036			
Total			\$4.78
First-Class Mail® Letter	1		\$0.63
Black Hawk, SD 57718			
Weight: 0 lb 0.70 oz			
Estimated Delivery Date			
Thu 06/01/2023			
Certified Mail®			\$4.15
Tracking #:			
70221670000217631043			
Total			\$4.78
First-Class Mail® Letter	1		\$0.63
Piedmont, SD 57769			
Weight: 0 lb 0.70 oz			
Estimated Delivery Date			
Thu 06/01/2023			
Certified Mail®			\$4.15
Tracking #:			
70221670000217631050			
Total			\$4.78
First-Class Mail® Letter	1		\$0.63
Black Hawk, SD 57718			
Weight: 0 lb 0.70 oz			



## **AUTHORIZING CONDITIONAL USES**

### **§ 155.335 GENERAL.**

(A) The city recognizes that diversity and the blending of compatible uses is essential to a healthy and dynamic community.

(B) Toward that end, the following procedure is established to properly integrate conditional uses with permitted uses in the district.

(C) The Planning and Zoning Board may authorize by conditional use permit the uses designated in this chapter when located in a zoning district allowing such use.

(D) The Planning and Zoning Board shall impose such conditions as are appropriate and necessary to ensure compliance with the Comprehensive Plan and protect the health, safety, and general welfare in the issuance of such conditional use permit.

(Ord. passed 2-3-2011, § 2.36.010)

### **§ 155.336 APPLICATION PROCEDURE.**

(A) A property owner or a designated representative may apply to the city for a conditional use, using forms available from the Zoning Administrator. If the request is by a designated representative, the designation shall be in writing, signed by the property owner, and filed with the application fees.

(B) (1) An applicant shall submit a preliminary development/redevelopment plan to the Planning and Zoning Board.

(2) The plan shall include, but not be limited to:

- (a) The location and legal description of the property;
- (b) Position, size, and use of all structures, improvements, and facilities to be constructed/reconstructed;
- (c) Location of all points of ingress and egress and internal traffic circulation pattern;
- (d) If applicable, landscape, lighting, and drainage plan;
- (e) Parking plan; and
- (f) Such other architectural and engineering data as may be required by the Planning and Zoning Board.

(C) The city shall set a date for public hearing on the request. Said date for the public hearing shall be a day when the Planning and Zoning Board is regularly scheduled to meet as determined by the rules, policies, and regulations as adopted or which may hereafter be adopted by the Planning and Zoning Board for holding public hearings on such requests, or the Planning and Zoning Board may designate a special meeting at which to hear a requested conditional use application. The Planning and Zoning Board shall act on all applications within 90 days of submission of the application, or the application shall automatically be approved; provided, however, that, the applicant may waive this requirement in writing and consent to the extension of the period.

(D) Notification of surrounding property owners, tenants, and interested parties shall be accomplished by the following.

(1) A sign noting the fact that a conditional use permit request is pending shall be posted on the site not less than ten calendar days before the public hearing before the Planning and Zoning Board. The sign shall be maintained on the site until the final action has taken action on the request or the

petition is withdrawn. Approved signs shall be secured from the city who shall require a reasonable deposit sufficient to cover the cost of replacement of the sign or signs and who shall determine the number and location of the sign or signs to be posted on the site addressed in the petition for conditional use permit.

(2) The petitioner shall submit postal receipts to demonstrate a good faith attempt to notify by certified letter with return receipt all property owners within 250 feet, inclusive of public right-of-way, of the site measured from the perimeter of the lot or lots which contain the buildings and area dedicated to the proposed use. The certified mailings shall include the date set for the hearing before the Planning and Zoning Board and contemplated uses, and shall be on a form provided by the city. The property owners listing shall be prepared by the city and based on the County Director of Equalization office records of ownership and addresses. Notices are to be sent by the applicant to all parties on the aforementioned list by certified mail with return receipt requested no less than ten calendar days prior to the public hearing on the request held by the Planning and Zoning Board.

(3) The Planning and Zoning Board shall hold its public hearing, having given ten days notice of the date, place, and time of the hearing in the city's designated legal newspaper.

(E) The Planning and Zoning Board may impose such conditions regarding the location, character, or other features of the proposed use or buildings as it may deem advisable in the furtherance of the general purposes of this chapter. The Planning and Zoning Board shall make its decision, fully setting forth its findings and conditions, if any, for approval. Any decision to grant a conditional use shall be based upon and accompanied by a statement regarding:

- (1) The objectives of the Comprehensive Plan;
- (2) The purpose of this chapter and its relevant zoning districts when making a decision to approve or disapprove a conditional use permit; and
- (3) The following conditional use standards:
  - (a) The location, character, and natural features of the property;
  - (b) The location, character, and design of adjacent buildings;
  - (c) Proposed fencing, screening, and landscaping;
  - (d) Proposed vegetation, topography, and natural drainage;
  - (e) Proposed pedestrian and vehicular access, circulation, and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons;
  - (f) Existing traffic and traffic to be generated by the proposed use;
  - (g) Proposed signs and lighting;
  - (h) The availability of public utilities and services;
  - (i) The objectives of the adopted Comprehensive Plan and the purpose of the ordinance codified herein;
  - (j) The overall density, yard height, and other requirements of the zone in which it is located;
  - (k) The effects of noise, odor, smoke, dust, air, and water pollution and the degree of control through the use of clarifiers, screening, setbacks, and orientation; and
  - (l) The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses.

(Ord. passed 2-3-2011, § 2.36.020)



## **§ 155.337 APPEALS.**

(A) (1) The decision rendered by the Planning and Zoning Board on a conditional use permit may be appealed to the Board of Commissioners. Any person or party has the right to appeal the decision of the Planning and Zoning Board regarding any conditional use permit.

(2) Appeals must be made in writing and filed with the city by close of business on the fifth working day from the Planning Commission's decision. When an official appeal has been filed, the Board of Commissioners shall conduct a public hearing to act on all applications which have been appealed to them for public hearing as provided in this section.

(B) Upon the filing of any appeal of the Planning Commission's decision of a conditional use permit with the Planning Department, the applicant shall pay to the city an administration fee of \$100.

(C) Upon the filing of any appeal of a Planning and Zoning Board decision of a conditional use permit, the city shall set a date for public hearing on the request. Said date for the public hearing shall within 30 days of the appeal and shall be a day when the Board of Commissioners is regularly scheduled to meet.

(D) The city shall mail a notification of the appeal to all land owners as identified in the original mailing as required in § 155.336(D)(2). Notices are to be sent by the city to all parties on the aforementioned list by first class mail no less than ten calendar days prior to the public hearing on the request held by the Board of Commissioners.

(E) (1) The Board of Commissioners shall review the decisions and recommendations of the Planning and Zoning Board of all applications coming before the Board of Commissioners as provided in this chapter.

(2) The Board of Commissioners, in making its determination of such applications, may make changes in accordance with or in rejection or modification of the recommendation of the Planning and Zoning Board. Any modification to the Planning and Zoning Board decision shall be in compliance to the conditional use permit criteria stated in § 155.336(E) inclusively.

(Ord. passed 2-3-2011, § 2.36.030)

## **§ 155.338 GOVERNING BODY PERCENTAGE OF VOTE REQUIRED FOR APPROVAL OF CONDITIONAL USE PERMIT.**

Whenever a vote of the Planning and Zoning Board as set forth in this chapter is necessary for the approval of a conditional use permit, such approval shall be obtained by receiving the affirmative vote of not less than a majority (51%) of the Planning and Zoning Board members in attendance and voting. Whenever a vote of the Board of Commissioners is required under this chapter pursuant to an appeal of a conditional use permit matter, any decision approving the conditional use permit application on appeal, with modifications or otherwise, shall be obtained by receiving the affirmative vote of a majority (51%) of the Board of Commissioners in attendance and voting.

(Ord. passed 2-3-2011, § 2.36.31; Ord. 2.01C, passed 6-4-2015)

## **§ 155.339 AMENDMENTS.**

(A) Approved plans shall not be changed, modified, or altered without authorization from the Planning and Zoning Board giving final approval, and all work shall be completed and enforced in accordance with the approved plans. The conditions of approval of a conditional use permit may be amended.

(B) Amendments are considered major or minimal and are addressed in the following manner.



(1) Major amendments shall be processed in the same manner as required for a separate conditional use permit. A major amendment is required when:

(a) A change to specific stipulations addressed in the initial approval or a subsequent amendment;

(b) The structure and/or occupied site is substantially enlarged. A structure is considered to be substantially enlarged when the gross square footage increases by 20% or 2,000 square feet, whichever is less. The land or site which supports the use is considered to be substantially enlarged when the gross square footage of the occupied site increases by 10% or 10,000 square feet, whichever is less; and

(c) The Zoning Administrator determines that the proposed change is major and requires public hearing review.

(2) (a) Minimal amendments must be reviewed and approved by the Zoning Administrator. A minimal amendment involves a change to the site plan affecting any or all of the following: parking, circulation, landscaping, and lot coverage by buildings or building setbacks.

(b) The Director shall determine that the proposed modification to the site will not have a significant adverse impact on neighboring properties, the street network, or the appearance of the property in approving a minimal amendment.

(c) The Director shall consider the criteria outlined in § 155.336(E) inclusively to determine if the proposed modifications still meet the requirements of a conditional use permit.

(d) The Zoning Administrator shall file a memorandum explaining the changes with the original conditional use permit file or major amendment file.

(Ord. passed 2-3-2011, § 2.36.040)

#### **§ 155.340 EXPIRATION AND RENOVATIONS.**

(A) A conditional use permit approved shall expire if the primary use proposed under the conditional use permit has not been undertaken and completed according to the terms and conditions of the conditional use permit within two years of the approval of the conditional use permit. A conditional use permit is considered approved upon the effective date of the Planning and Zoning Board or Board of Commissioners' action, resolution, or ordinance relating thereto.

(B) A conditional use permit approved shall expire one year after the use discontinues on the premises.

(C) The use is changed to another permitted use in the underlying district.

(D) Upon written request to the Director and prior to the conditional use permit expiration date, the Director shall place the extension request on the next regular scheduled Planning Commission meeting. The Planning and Zoning Board may extend the period of the conditional use permit where it is warranted in light of the relevant circumstances, including, but not limited to the size and phasing of the development, economic cycles, and market conditions. The Planning and Zoning Board may grant one two-year extension to the original conditional use permit or major amendment. If a longer extension is requested, the extension shall be processed as a major amendment and shall follow all procedures required in § 155.339(B)(1).

(E) (1) A conditional use permit may be revoked only for cause consisting of failure to maintain the standards required for the conditional use permit.

(2) A notice of intent to revoke a conditional use permit shall be given in writing 30 days prior to actual revocation and shall specify the area or areas of continued failure to meet requirements and maintain conditions the city may have imposed.

(3) If, during that period, proof of compliance is made by the holder of the conditional use permit, the conditional use permit shall be continued in force.

(4) If a hearing has been requested following receipt of notice of intent to revoke, the Planning and Zoning Board shall hold a public hearing on the matter and make a final determination on the revocation.

(Ord. passed 2-3-2011, § 2.36.050)

**§ 155.341 DENIAL OF REQUEST.**

In the event the request for a conditional use permit is denied by the Planning and Zoning Board or the Board of Commissioners, re-application shall not be permitted for a period of one year, unless the Zoning Administrator determines that the request has substantially changed.

(Ord. passed 2-3-2011, § 2.36.060)





# COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Summerset

12150 Siouxland Dr., Summerset, SD 57718

Phone: (605) 718-9858

Fax: (605) 718-9883

Web: www.summerset.us

## APPLICATION FOR DEVELOPMENT REVIEW

### REQUEST (please check all that apply)

- ☐ Annexation
- ☐ Comprehensive Plan Amendment
- ☐ Fence Height Exception
- ☐ Planned Development (Overlay)
  - ☐ Designation
  - ☐ Initial Plan ☐ Final Plan
  - ☐ Major Amendment
  - ☐ Minimal Amendment

- ☐ Subdivision
  - ☐ Layout Plan
  - ☐ Preliminary Plat
  - ☐ Final Plat
  - ☐ Minor Plat
- ☒ Variance
- ☐ Rezoning
- ☐ Road Name Change

- ☐ Conditional Use Permit
  - ☐ Major Amendment
  - ☐ Minimal Amendment
- ☐ Vacation
  - ☐ Utility / Drainage Easement
  - ☐ R.O.W. / Section Line Highway
  - ☐ Access / Non-Access
  - ☐ Planting Screen Easement
- ☒ OTHER (specify) Sign

### LEGAL DESCRIPTION (Attach additional sheets as necessary)

#### EXISTING

Tract 1 of Richardson Subdivision less Lot H1, less Lot H2, and less Lot H3, SW1/4 and SW1/4 of SE1/4 of Section 31, Township 3 North, Range 7 East, Black Hills Meridian, City of Summerset, Meade County SD.

#### PROPOSED

Plat of Lots 1-6 & Dedicated Heather Lane Right-of-Way, New Leaf Subdivision (formerly Tract 1 of Richardson Subdivision less Lot H1, less Lot H2 & less Lot H3 of Tract 1 of Richardson Subdivision) located in Section 31, Township 3 North, Range 7 East, Black Hills Meridian, City of Summerset, Meade County, SD

#### LOCATION

New Leaf LLC - address T113P

Size of Site-Acres

Square Footage

Proposed Zoning C1

DESCRIPTION OF REQUEST: Placement of 2 signs w/in 15' of St

Utilities: Private / Public

Water n/a

Sewer n/a

#### HARDSHIP:

### APPLICANT

Name Freedom Investments LLC Gutterboyer

Phone 605 359 7032

Address PO Box 1001

E-mail FreedomSigns@outlook.com

City, State, Zip rapid city SD 57409

### PROJECT PLANNER - AGENT

Name

Phone

Address

E-mail

City, State, Zip

### OWNER OF RECORD (If different from applicant)

Name Matt Leon - New Leaf LLC

Phone 605 787 5187

Address PO Box 742

E-mail

City, State, Zip Black Hills SD 57718

Matt

Property Owner Signature

Date

Property Owner Signature

Date

Signature

Date

Signature

Date

Print Name:

Print Name:

Title\*:

Title\*:

\*required for Corporations, Partnerships, etc.

### FOR STAFF USE ONLY

ZONING
Current
North
South
East
West
Planner
File No.
Comp Plan
Received By:

- ☐ Sewer Utility
- ☐ Fire Department
- ☐ Public Works
- ☐ Planning
- ☐ Building Inspector
- ☐ Engineering
- ☐ City Code Enforcement
- ☐ Police
- ☐ City Attorney

- ☐ BHP&L
- ☐ Finance Officer
- ☐ Register of Deeds
- ☐ County - Planning
- ☐ SD DOT
- ☐ SD DENR
- ☐ Auditor - Annexation
- ☐ Drainage
- ☐ Parks & Recreation

- ☐ Diamond D Water
- ☐ Black Hills Water
- ☐ Other: \_\_\_\_\_
- ☐ Other: \_\_\_\_\_
- ☐ Other: \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

Board of Adjustments Meeting Date: \_\_\_\_\_

Date Paid: \_\_\_\_\_

Sign Deposit Received: \_\_\_\_\_ Amount: \_\_\_\_\_ Sign returned: \_\_\_\_\_

Payment Type: Cash ☐ Credit ☐ Check ☐

06/2015

U.S. Postal Service  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$  
Extra Services & Fees (check box, add fee as appropriate)  
☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postage \$  
Total Postage and Fees \$

Sent To  
Michael Gordon  
Street and Apt. No., or PO Box No.  
9010 Sturgis Rd  
City, State, ZIP+4®  
Black Hawk SD 57118

PS Form 3800, April 2013 Edition PSN 7530-01-000-9001 See Reverse for Instructions

U.S. Postal Service  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$  
Extra Services & Fees (check box, add fee as appropriate)  
☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postage \$  
Total Postage and Fees \$

Sent To  
Superior Custom Homes LLC  
Street and Apt. No., or PO Box No.  
16941 Red Cedar Rd  
City, State, ZIP+4®  
Bedford SD 57109

PS Form 3800, April 2013 Edition PSN 7530-01-000-9001 See Reverse for Instructions

U.S. Postal Service  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$  
Extra Services & Fees (check box, add fee as appropriate)  
☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postage \$  
Total Postage and Fees \$

Sent To  
Steven Van Houten  
Street and Apt. No., or PO Box No.  
4100 Sturgis Rd  
City, State, ZIP+4®  
Summerset SD 57118

PS Form 3800, April 2013 Edition PSN 7530-01-000-9001 See Reverse for Instructions

U.S. Postal Service  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$  
Extra Services & Fees (check box, add fee as appropriate)  
☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postage \$  
Total Postage and Fees \$

Sent To  
Norman Hukabahl  
Street and Apt. No., or PO Box No.  
3720 Kellner Rd  
City, State, ZIP+4®  
Dickinson TX 74639

PS Form 3800, April 2013 Edition PSN 7530-01-000-9001 See Reverse for Instructions

U.S. Postal Service  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$  
Extra Services & Fees (check box, add fee as appropriate)  
☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postage \$  
Total Postage and Fees \$

Sent To  
Lafy Fillmon  
Street and Apt. No., or PO Box No.  
PO Box 502  
City, State, ZIP+4®  
Black Hawk SD 57118

PS Form 3800, April 2013 Edition PSN 7530-01-000-9001 See Reverse for Instructions

U.S. Postal Service  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$  
Extra Services & Fees (check box, add fee as appropriate)  
☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postage \$  
Total Postage and Fees \$

Sent To  
Black Hawk Winter Wear Dist  
Street and Apt. No., or PO Box No.  
PO Box 410  
City, State, ZIP+4®  
Black Hawk SD 57118

PS Form 3800, April 2013 Edition PSN 7530-01-000-9001 See Reverse for Instructions

U.S. Postal Service  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$

## NOTICE OF PUBLIC HEARING

### NOTICE OF HEARING APPLICATION FOR VARIANCE BEFORE THE CITY OF SUMMERSET BOARD OF ADJUSTMENTS

Notice is hereby given that the following petitioner has applied to the City of Summerset Board of Adjustments under the provisions of the City of Summerset Zoning Ordinance as follows:

**Applicant:** FREEDOM INVESTMENTS LLC

**Legal Description:**

Existing: Tract 1 of Richardson Subdivision less Lot H1, less Lot H2, and less Lot H3, SW1/4 and SW1/4 of SE1/4 of Section 31, Township 3 North, Range 7 East, Black Hills Meridian, City of Summerset, Meade County SD.

Preliminary Plat: Plat of Lots 1-6 & Dedicated Heather Lane Right-of-Way, New Leaf Subdivision (formerly Tract 1 of Richardson Subdivision less Lot H1, less Lot H2 & less Lot H3 of Tract 1 of Richardson Subdivision) located in Section 31, Township 3 North, Range 7 East, Black Hills Meridian, City of Summerset, Meade County, SD

**Variance:**

Request for two off-premises signs less than 1,500 feet apart. Non-illuminated

155.275 New Signs

(B) Off-premises signs

(2) Off-premises signs shall be located no closer than 1,500 feet from all other off-premises signs.

Notice is further given that said applications will be heard and considered by the City of Summerset Planning & Zoning Board at Summerset City Hall, 7055 Leisure Lane, Summerset, SD 57718 at 6:00 p.m. on the 27th day of June 2023. At that time, any person, persons, or their attorney who are interested in the approval or rejection of said application may appear and be heard at said scheduled public hearing.

Dated this 23<sup>rd</sup> day of May, 2023.

City of Summerset

Published once \_\_\_\_\_, at an approximate cost of \$\_\_\_\_\_.



