

OFFICIAL MINUTES
SUMMERSET PLANNING AND ZONING COMMISSION
REGULAR MEETING
APRIL 25th, 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, John Hough, Casey Kenrick, and Mike Martin present. Also present was the City Administrator.

CALL FOR CHANGES: Motion by Martin, second by Hirsch to approve the agenda of the meeting for April 25th, 2023. Motion carried.

CONSENT CALENDAR: Motion by Martin, second by Kenrick to approve the minutes of the regular meeting of April 12th, 2023. Motion carried.

CONDITIONAL USE PERMIT – HUNT BROTHERS PIZZA

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

Phil Olsen along with Rick Wagner (via telephone) gave an overview on the warehouse that would be going in on Lot 1R in Summerset USA, and the four (4) state region that it would be a distributing to with the possibility of expansion in the future. Wagner is asking for a conditional use permit because the zoning currently is General Commercial, and a warehouse is defined under General Industrial.

The Board reviewed the documents and discussed other warehouses in the area.

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

Motion by Kenrick, second by Martin to recommend approval of the conditional use permit to the Board of Commissioners. Motion carried.

ADJOURNMENT

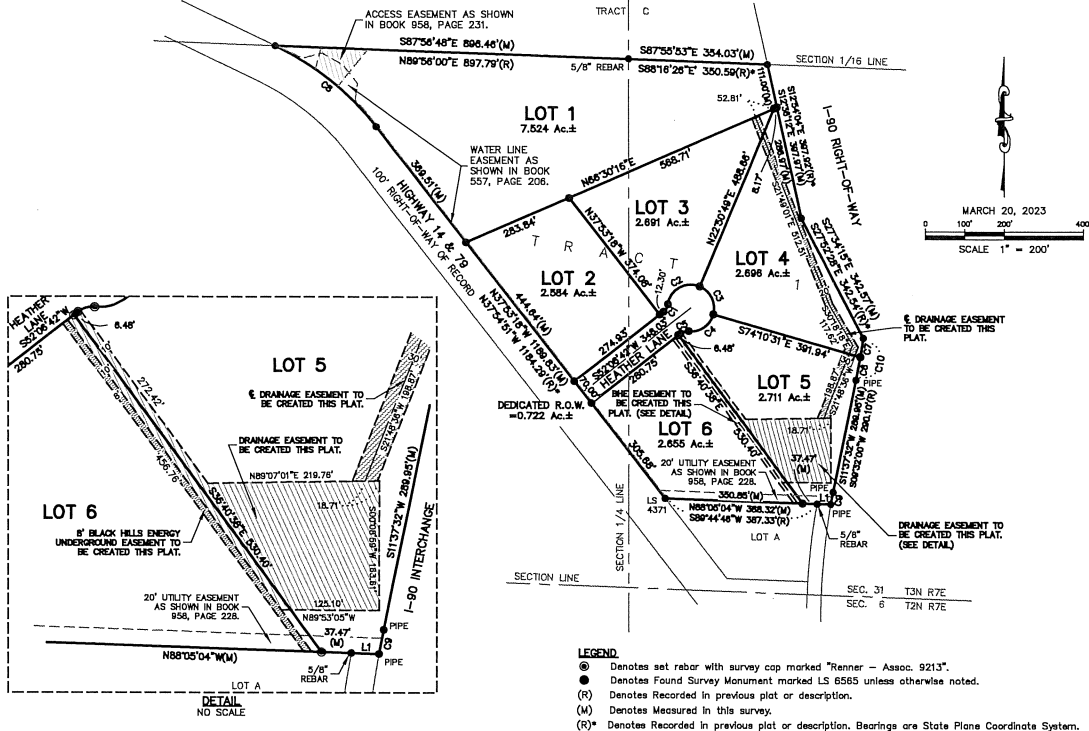
Motion by Martin, second by Kenrick to adjourn the meeting at 6:10 p.m. Motion carried.

Stephany Baumeister, Finance Officer

Brody Oldfield, Chairman

Published once _____ at a cost of \$ _____.

**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
L1(M)	N86°11'22"W	35.57'
L1(R)	S89°44'40"W	35.58'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1(M)	22.82'	30.00'	43°05'07"	N32°34'09"E	22.03'
C2(M)	106.91'	58.00'	103°49'15"	N60°58'12"E	92.87'
C3(M)	84.45'	58.00'	82°38'40"	S25°39'51"E	78.17'
C4(M)	61.73'	58.00'	78°22'20"	N55°39'59"E	75.38'
C5(M)	22.56'	30.00'	43°05'07"	N73°39'15"E	22.03'
C6(M)	60.13'	1760.00'	01°57'27"	S10°44'29"W	60.13'
C7(M)	47.78'	1760.00'	01°33'20"	S08°58'05"W	47.78'
C8(M)	331.98'	724.07'	28°16'10"	N51°51'23"W	329.08'
C9(M)	345.26'	724.07'			
C10(M)	31.25'	1582.50'	01°07'53"	S11°04'17"W	31.24'
C11(R)	331.98'	1582.50'	01°08'06"		
C12(M)	107.91'	1760.00'	03°30'47"	S09°57'49"W	102.89'
C13(R)	108.05'	1760.00'			

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 plat 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, erosion 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 as such 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.

OWNER: NEW LEAF, LLC.

By: Matthew J. Leon, Member

ACKNOWLEDGEMENT 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. Leon, 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 SummerSet Planning and Zoning Commission certifies it has reviewed the final plat and hereby recommends approval to the City Commission of the City of SummerSet, 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 SummerSet, 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 SummerSet, South Dakota, at a meeting held on the _____ day of _____, 20____.

Finance Officer Date

CERTIFICATE OF CITY FINANCE OFFICER

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

Dated this _____ day of _____, 20____.

Finance Officer

NOTES:

Eight foot (8') utility and minor drainage easement is hereby granted on the interior 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 landowner.

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

DUE TO THE PRESENCE OF GYPSUM 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.

BASES OF BEARINGS

SOUTH DAKOTA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83(2011). DISTANCES ARE GRID; SCALE FACTOR = 1.00005588 GRID TO GROUND CONVERGENCE ANGLE OF -02'21"01" GRID TO GEODETIC NORTH.

FLOODPLAIN STATEMENT

BASED ON THE FLOOD INSURANCE RATE MAP NUMBER 46093C1787F, EFFECTIVE DATE SEPTEMBER 16, 2011, INDICATES THE SUBJECT PROPERTY IS LISTED IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN.

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 owners listed hereon, 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 hereon.

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 SummerSet, South Dakota, the within plat of the above described lands, and it appears to this Council of Commissioners that:

- the system of streets set forth therein conforms to the system of streets of the existing plats of the City,
- all provisions of the City subdivision regulations have been complied with,
- all taxes and special assessments upon the tract or subdivision have been fully paid, and
- such plat and survey thereof have been executed according to law.

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

Dated at SummerSet, 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 liens 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.



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) _____

RECEIVED BY: APR 18 2023

LEGAL DESCRIPTION (Attach additional sheets as necessary)

EXISTING TRACT 1 of Richardson Sub. less lot H1, less lot H2 & less lot H3

SW 1/4 AND SW 1/4 OF SE 1/4 of SECTION 31, T3N, R7E BHM MEADE CO. SD

PROPOSED HEATHER LANE, SUMMERSSET SD.

LOCATION

Size of Site-Acres <u>20+/-</u>	Square Footage	Proposed Zoning
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DESCRIPTION OF REQUEST: <u>ELIMINATE SIDEWALK & HC RAMP</u>	Utilities: Private / Public
	Water
	Sewer

HARDSHIP: INCREASE DEVELOPMENT FEES BURDENSOME TO COMPLETION LEAD SIDEWALK UNNECESSARY EXPENSE THAT WOULD LEAD NOWHERE

APPLICANT

Name NEW LEAF LLC Phone 605-787-5187
 Address 7875 Black Hawk Road P.O. Box 742 E-mail MJLEON67@hotmail.com
 City, State, Zip Black Hawk, SD. 57718

PROJECT PLANNER - AGENT

Name RENNER AND ASSOC Phone 605-721-7310
 Address 3231 TEEVINOT DR. E-mail IAN@FENNEPASSOC.COM
 City, State, Zip Rapid City SD. 57703

OWNER OF RECORD (If different from applicant)

Name _____ Phone _____
 Address _____ E-mail _____
 City, State, Zip _____

Matthew J. Leon 4/18/23
 Property Owner Signature Date Property Owner Signature Date

Signature Date Signature Date
 Print Name: MATTHEW J. LEON
 Title*: MEMBER

*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

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: NEW LEAF 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:

Variance request for sidewalk and handicapped ramps.

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 9th day of May 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 19th day of April, 2023.

City of Summerset

Published once 4/25/2023, at an approximate cost of \$52.56.

Customer Ad Proof

132-60017480 SUMMERSET FINANCE OFFICE

Order Nbr 56357

Publication	Rapid City Journal		
Contact	SUMMERSET FINANCE OFFICE	PO Number	Lisa Schieffer
Address 1	7055 LEISURE LANE	Rate	Open
Address 2		Order Price	52.56
City St Zip	SUMMERSET SD 57718	Amount Paid	0.00
Phone	6057189858	Amount Due	52.56
Fax	6051789883		
Section	Legal	Start/End Dates	04/25/2023 - 04/25/2023
SubSection		Insertions	1
Category	0072 Public Notices	Size	57
Ad Key	56357-1	Salesperson(s)	Legals 90
Keywords	Notice of Public Hearing of APPLICATION FOR	Taken By	Shawn Killinger
Notes			

Ad Proof

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Dated this 19th day of April, 2023.
City of Summerset

(Published April 25, 2023, at the total approximate cost of \$52.56 and may be viewed free of charge at www.sdpublicnotices.com)
Legal No: 56357

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Total Postage and Fees	\$4.78	

Sent To **Michael Goosen**
 Street and Apt. No., or PO Box No. **9010 Sturgis Rd.**
 City, State, ZIP+4® **Black Hawk, SD 57718**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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 Street and Apt. No., or PO Box No. **PO Box 742**
 City, State, ZIP+4® **Black Hawk, SD 57718**

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Sent To **Cary Ellingson**
 Street and Apt. No., or PO Box No. **PO Box 503**
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 Street and Apt. No., or PO Box No. **16564 Red Cedar Rd**
 City, State, ZIP+4® **Piedmont SD 57769**

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 Street and Apt. No., or PO Box No. **3726 Kellner Rd.**
 City, State, ZIP+4® **Dickinson TX 77539**

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 Street and Apt. No., or PO Box No. **PO Box 476**
 City, State, ZIP+4® **Black Hawk, SD 57718**

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Postage	\$ 0.63
Total Postage and Fees	\$ 4.78

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