

**OFFICIAL MINUTES
SUMMERSET PLANNING AND ZONING COMMISSION
REGULAR MEETING
DECEMBER 27, 2022 @ 6:00 P.M.**

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

ROLL CALL: Brody Oldfield, Dustin Hirsch, Casey Kenrick, John Hough, and Mike Martin present. Also present was the City Administrator, Talbot Wieczorek, Counsel and Lindsay Shagla, Engineer.

CALL FOR CHANGES: Motion by Kenrick, second by Martin to approve the agenda of the meeting for December 27th, 2022. Motion carried.

CONSENT CALENDAR: Motion by Kenrick, second by Hirsch to approve the minutes of the regular meeting of November 22nd, 2022. Motion carried.

RCS STORAGE – VARIANCE REQUEST

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

City Administrator Lisa Schieffer presented the variance along with the review of Engineer Lindsay Shagla requesting 28.7' instead of the 30' between storage unit aisles. The standard 30" is in between each aisle and 28.7' is on the end and not in between aisles. Engineering found no problem with the variance request.

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

Motion by Kenrick, second by Martin to recommend approval of the variance to the Board.

TAB INDUSTRIAL PARK – VARIANCE REQUESTS:

VARIANCE #1 TO ORDINANCE 115 (E) ANNEXATION

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

Jessica Larson, Attorney for the applicant, stated that the annexation would cause an undue hardship and there are no current plans in place to extend the City sewer, along with restrictions for use of the property. Instead, possibly an agreement could be reached in a Declaration of Future Voluntary Annexation and Restrictive Covenants to alleviate the concerns of the City.

Robert Embree, residing at 7680 Angus Lane, asked if commercial property were to go in that area that they would like to have a privacy fence put up between the commercial property and their residential property.

Tyson Waddell, residing at 7700 Angus Lane, asked what the City does get out of this regarding annexation.

Attorney Talbot Wieczorek cited the ordinances in which Summerset is operating under wherein annexation takes place if any portion of the subdivision adjacent to the City's municipal boundary. The term adjacent ignores any right of way or dedication that lies between the municipal boundary and the subdivision boundary. Wieczorek went on to discuss if the variance

meets the intent, just because someone does not want to be annexed. Discussion ensued on what other services besides sewer the City provides.

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

Motion by Kenrick, second by Martin, to deny the variance. Motion carried.

VARIANCE #2 TO SUMMERSET IDCM – CURB/GUTTER

VARIANCE #3 TO SUMMERSET IDCM – RIGHT OF WAY WIDTH

VARIANCE #4 TO ORDINANCE 115 – ONSITE WASTEWATER TREATMENT SYSTEM

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

Leah Berg, Aces Engineering, spoke to the remaining three variances. Berg stated that there does not need to be a curb and gutter system in that area. The open ditch drainage meets the needs. Said businesses will not generate pedestrian traffic. Berg stated that the right of way widths that are in the City of Summerset are at 66' and that utilities would fit into the same. Lastly, there is no sewer available from the City so an onsite wastewater treatment system would be put into place.

Lindsay Shagla, HDR Engineering, stated that there is currently curb and gutter in the Black Hawk area, and that sidewalk would probably not be needed as it is going to be more of an industrial type setting. As far as the width goes, most right of ways were developed before Summerset was incorporated but Shagla did not see a problem with the same along with the septic system.

Dianna Meeker, residing at 8405 Captain Soelzer expressed her concerns of not knowing what is going on and receiving a notification regarding the same. Meeker stated that they are established there and that they are not wanting to have any of these services in the future.

Talbot Wiecezorek, Counsel, had asked who maintains the end of Black Hawk Road and whether the road would be pushed through to Buckaroo Court or if a cul-de-sac would be put in. Additionally has there been access granted to have an entrance into Lot 4. Also, it would be wise if the City asked for setbacks in the area for future sidewalk if it were to be put in.

It was then discussed that there is a road district at the end of Black Hawk Road and that half is owned by them and the other half is in a different district. The discussion ensued about getting property access and who has jurisdiction.

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

Motion by Kenrick to recommend denying Variance #2 on the curb/gutter due to lack of information. Motion failed for lack of a second.

Motion by Martin, second by Hough, for no recommendation on Variance #2 Curb/Gutter to the Board for lack of information. Voting yes: Martin, Oldfield, Hirsch, and Hough. Voting no: Kenrick. Motion carried.

Motion by Kenrick, second by Hirsch to recommend approval of Variance #3 – Right of Way width. Motion carried.

Motion by Martin, second by Kenrick, to recommend approval of Variance #4 Onsite Wastewater Treatment System. Motion carried.

TAB INDUSTRIAL PARK – PRELIMINARY PLAT

Plat of Lots 1 through 8 and Dedicated Public Right of Way for Buckaroo Court all of Tab Industrial Park. All Located in SE1/4 of Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota.

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

Discussion was had regarding the requirements needed for the preliminary plat and how the variances tie in.

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

Motion by Hirsch, second by Martin, to recommend denying the preliminary plat to the Board based on the plat fails to comply with the requirements set out in the ordinances of the City of Summerset and more information is needed regarding the same. Motion carried.

ADJOURNMENT

Motion by Martin, second by Kenrick, to adjourn the meeting at 7:36 p.m. Motion carried.

Candace Sealey, Finance Officer

Brody Oldfield, Chairman

Published once 1/4/2023 at a cost of \$146.24.



January 18, 2023

Preliminary Plat Review

OF LOT 17D REVISED AND 17E REVISED OF RENDEZVOUS RANCH SUBDIVISION AND LOT 17-R2 OF TRUMAN
QUAAL SUBDIVISION

FORMERLY ALL OF LOT 17D, LOT 17E AND LOT 17-2R OF RENDEZVOUS RANCH
SUBDIVISION AND ALL OF LOT 17-R OF TRUMAN QUAAL SUBDIVISION

LOCATED IN THE West ½ of Section 30
TOWNSHIP 3 NORTH, RANGE 7 EAST OF THE BLACK HILLS MERIDIAN MEADE COUNTY, SOUTH DAKOTA

General Information:

Parcel Acreage 38.79 Acres
Location WEST 1/2 OF SECTION 30, T3N,R7E
Date of Application 11-18-2022
Surveyor's Project Number 2103129

Reviewed By: **Gary Anderson, LS, HDR Engineering, Inc.**

Purpose: Re-arrange lot boundaries.

Access and Utilities: Carol Court, Jesse Court, and Quaal Road. Owner indicated septic systems
will be used for wastewater and Rendezvous Water provides water to the lots.

Fire Protection: Piedmont Fire Department

Drainage: Area of minimal flood hazard

Final Plat Review:

Bearings and distances close on the plat.

Existing utilities (water, power, gas, electric, etc.) should be shown and labeled on the provided
topographic map.

Provide letters from utility companies to insure there are no utilities in the 8' interior lot line easements for
the lot lines that are being moved/removed.

Delete "Building Setback Note".

Edit Plat Note 2 to read "Building Restrictions per the most recently adopted International Building Code
and Building Setback Requirements per the City of Summerset Ordinances.

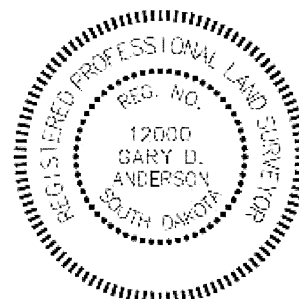
Edit "Quall Road" label to "Quaal Road".

All years on plat should be changed to 2023.

Gary Anderson, LS 12000

hdrinc.com

601 Metz Dr. Gillette WY. 82717





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) _____

LEGAL DESCRIPTION (Attach additional sheets as necessary)

EXISTING

17D, 17E & 17-ZR of Rendezvous Ranch Subdivision & Lot 17-R of Truman Quail Subdivision

PROPOSED

17D Revised and 17E Revised of Rendezvous Ranch & 17-RZ of Truman Quail Subdivision

LOCATION

W 1/2 of Section 30 - T3 North - Range 7 East

Size of Site - Acres

Square Footage

Proposed Zoning

DESCRIPTION OF REQUEST: Replat 17E & 17D & a portion of 17-ZR
into one Lot - 17D Revised

Utilities: Private / Public

Water

Sewer

Remainder of Area will be platted into (2) Lots

APPLICANT

Name MAURICE + CAROL COTTON

Phone 605-484-4838

Address 9877 FOOTHILLS DRIVE

E-mail CAROL.COTTON6712@gmail.com

City, State, Zip PIEDMONT, S.D. 57769

Signature Maurice Cotton 11-3-22

Date

PROJECT PLANNER - AGENT

Name Brosz Engineering

Phone 347-2722

Address _____

E-mail milkej@broszeng.com

City, State, Zip _____

Signature Milkej Brosz 11/11/22

Date

OWNER OF RECORD (If different from applicant)

Name Carol Cotton and Schlosser Investments LLC

Phone _____

Address (Above) - PO Box 433

E-mail _____

City, State, Zip Timber Lake SD 57656

Maurice Cotton 11-18-22

Property Owner Signature

Date

Property Owner Signature

Date

Signature

Date

Print Name: _____

Signature

Date

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: _____

Planning and Zoning Meeting Date: _____

Commission Meeting Date: _____

Date Paid: _____

Covenants filing fee? Yes ☐ No ☐

Payment Type: Cash ☐ Check ☐ Credit Card ☐

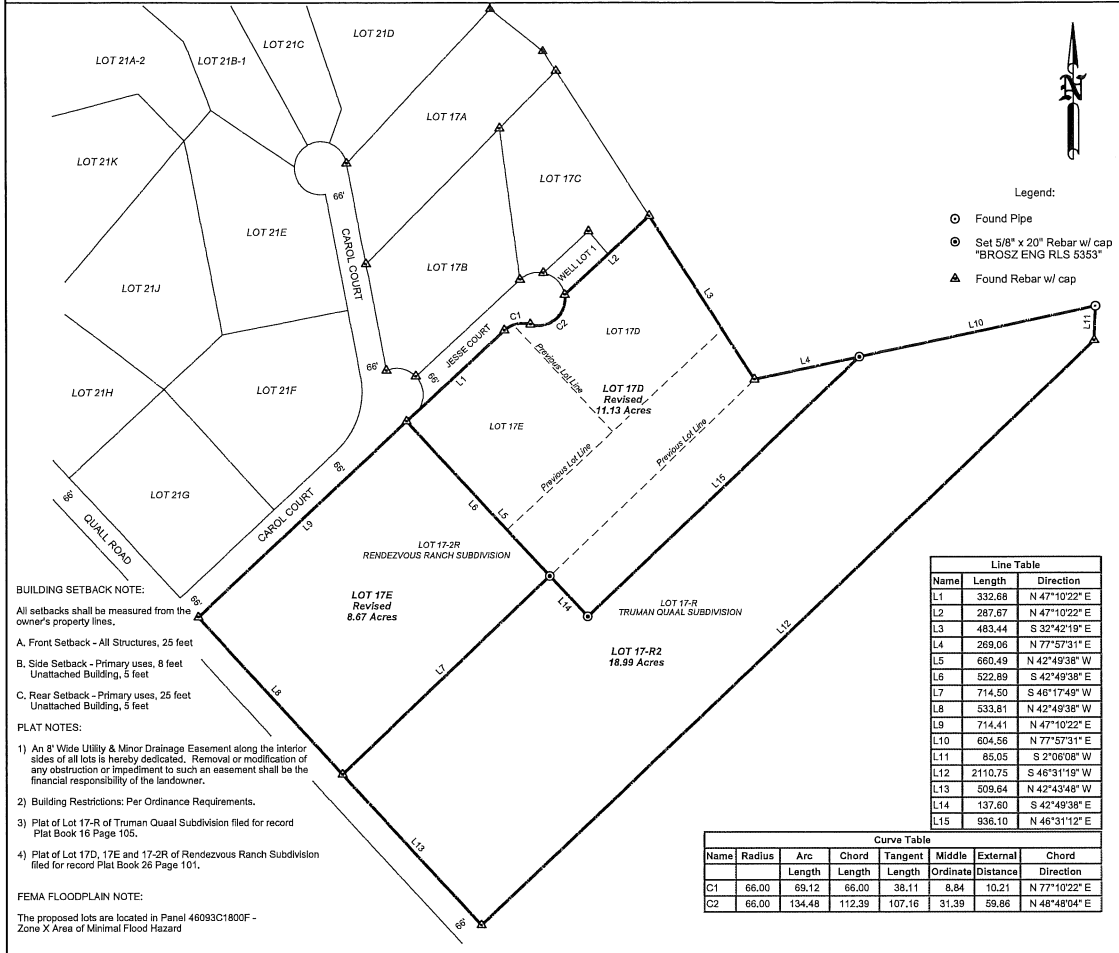
PRELIMINARY PLAT OF LOT 17D REVISED AND 17E REVISED OF RENDEZVOUS RANCH SUBDIVISION
AND LOT 17-R2 OF TRUMAN QUAAL SUBDIVISION

FORMERLY ALL OF LOT 17D, LOT 17E AND LOT 17-2R OF RENDEZVOUS RANCH SUBDIVISION
AND ALL OF LOT 17-R OF TRUMAN QUAAL SUBDIVISION

LOCATED IN THE WEST 1/2 OF SECTION 30
TOWNSHIP 3 NORTH, RANGE 7 EAST OF THE BLACK HILLS MERIDIAN

MEADE COUNTY, SOUTH DAKOTA

SCALE: 1 INCH = 200 FEET



BUILDING SETBACK NOTE:

All setbacks shall be measured from the owner's property lines.

- A. Front Setback - All Structures, 25 feet
B. Side Setback - Primary uses, 8 feet
Unattached Building, 5 feet
C. Rear Setback - Primary uses, 25 feet
Unattached Building, 5 feet

PLAT NOTES:

- 1) An 8' Wide Utility & Minor Drainage Easement along the interior sides of all lots is hereby dedicated. Removal or modification of any obstruction or impediment to such an easement shall be the financial responsibility of the landowner.
2) Building Restrictions: Per Ordinance Requirements.
3) Plat of Lot 17-R of Truman Quaal Subdivision filed for record Plat Book 16 Page 105.
4) Plat of Lot 17D, 17E and 17-2R of Rendezvous Ranch Subdivision filed for record Plat Book 26 Page 101.

FEMA FLOODPLAIN NOTE:

The proposed lots are located in Panel 46093C1800F - Zone X Area of Minimal Flood Hazard

Line Table		
Name	Length	Direction
L1	332.68	N 47°10'22" E
L2	287.67	N 47°10'22" E
L3	483.44	S 32°42'19" E
L4	269.06	N 77°57'31" E
L5	660.49	N 42°49'38" W
L6	522.89	S 42°49'38" E
L7	714.50	S 46°17'49" W
L8	533.81	N 42°49'38" W
L9	714.41	N 47°10'22" E
L10	604.56	N 77°57'31" E
L11	85.05	S 2°06'08" W
L12	2110.75	S 46°31'19" W
L13	509.64	N 42°43'48" W
L14	137.60	S 42°49'38" E
L15	936.10	N 46°31'12" E

Curve Table						
Name	Radius	Arc Length	Chord Length	Tangent Length	Middle Ordinate	External Distance
C1	66.00	69.12	66.00	38.11	8.84	10.21
C2	66.00	134.48	112.39	107.16	31.39	59.86

CERTIFICATE OF OWNERS

We, Carol Cotton and Schlosser Investments LLC, do hereby certify that we are the owners of the tract of land shown and described herein, that said land is free from any encumbrance, that we did authorize and do hereby approve the survey and within plat of said land for the purposes indicated herein. We 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.

OWNER:

Carol Cotton Stanley Schlosser

ACKNOWLEDGMENT OF OWNERSHIP

State of South Dakota County of Meade

On the ____ day of ____, 2022, before me, a Notary Public, personally appeared Carol Cotton and Stanley Schlosser, known to me to be the persons described in the foregoing instrument and acknowledged to me that they signed the same.

My Commission Expires: ____ Notary Public

CERTIFICATE OF SURVEYOR

I, Michael A. Jordan, Registered Land Surveyor No. 5353 in the State of South Dakota, on the basis of my knowledge, information and belief, do hereby certify that at the request of said Owner the survey represented by this plat is in all respects correct and was made under my supervision, on the ground, to the normal standard of care of Professional Land Surveyors practicing in the State of South Dakota. This survey does not constitute a title search to determine ownership or easements of record as performed by myself or by Brosz Engineering.

IN WITNESS WHEREOF, I have set my hand and seal this ____ day of ____, 2022.

Michael A. Jordan
Registered Land Surveyor No. 5353

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 ____, 2022.

Highway or Street Authority

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 ____, 2022.

Planning Commission Member

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.

Meade County Treasurer Date

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.

Meade County Director of Equalization 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:

- a. The system of streets set forth therein conforms to the system of streets of the existing plats 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, and
d. 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 ____, 2022.

Mayor Date

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 ____, 2022.

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 described lands are fully paid according to the records of my office.

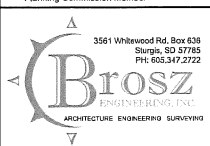
Finance Officer Date

OFFICE OF REGISTER OF DEEDS

State of South Dakota County of Meade

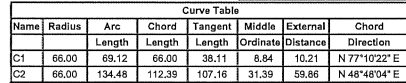
Filed for record this ____ day of ____, 2022,
at ____ o'clock ____ M. in Book ____ of Plats, Page ____.

Register of Deeds Fee: \$ ____

 3561 Whitewood Rd, Box 638
Sturgis, SD 57785
PH: 605.347.2722

Project: 2103129
Date: 010/07/2022
Sheet: 1 of 1
Prepared by: Michael A. Jordan
Brosz Engineering
3561 Whitewood Rd, Box 638
Sturgis, SD 57785

SCALE: 1 INCH = 200 FEET

Register of Deeds Fee: \$ _____

Rendezvous Ranch Lot 17D, Informational Boring

New Shop Building, Black Hawk, SD

January 10th, 2023

Authored By:
Charles Field

Reviewed By:
Ronald G. Lutz, P.E.



Introduction

As requested by Maurice Cotton, Aaron Swan & Associates (ASA) has completed an Informational Boring for a new shop building off Carol Court in Black Hawk, SD.

Drilling Results

On January 5th, 2023, ASA went to the lot off the north end of Carol Court and drilled one borehole down to 15 feet.

The soil found in the top 5 feet was a brown gravelly sand/clay. The soils from 5 to 10 feet below the surface was a sandy clay with small amounts of gravel. Below that, the soil became a more pure lean/fat clay with some traces of sand and gravel.

It is believed the top 10 feet of drilled ground were fill material, taken from the hillside to the east in order to level out the lot.

Conclusion

This page is purely for information about the single borehole ASA drilled off Carol Drive, in Black Hawk, SD on January 5th, 2023. No recommendations on how to move forward with construction are included with this report, implied or otherwise.

For any questions or concerns, contact Aaron Swan & Associates' Rapid City office at (605) 945-1315, extension 2.

DRILL HOLE LOG

BORING NO.: B1

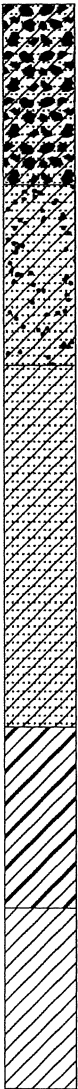
PROJECT: Rendezvous Ranch, New Shop
 COMPANY: Maurice Cotton
 LOCATION: -103.3277 , 44.1902
 DRILLER: Justin Meier

PROJECT NO.: 23G-100
 DATE: 1-5-23
 ELEVATION: 3735
 LOGGED BY: Charles Field

DEPTH TO WATER>

INITIAL: None 7 DAYS: NA

DEPTH TO CAVING> NA

ELEVATION/ DEPTH	SOIL SYMBOLS, SAMPLERS AND TEST DATA	USCS	Description	SPT		LAB TESTS			
				DEPTH	N	LL	PL	NM	DD
3735 — 0		SC/GC	Brown, mostly dry, gravelly sand w/ clay Fill Material from cut away hillside						
3732.5 — 2.5		CL/SC	Brown, slightly moist, gravelly sandy clay						
3730 — 5		CL/SC	Brown, slightly moist, sandy clay w/ some gravel						
3727.5 — 7.5		CL/SC	Brown, slightly moist, sandy clay w/ some gravel Through Fill at approx. 10 feet						
3725 — 10		CL/CH	Tan gray, moist, lean/fat clay w/ some sand						
3722.5 — 12.5		CL	Redish tan, moist, lean clay w/ some gravel						
3720 — 15			End of Boring at 15 feet						
3717.5 — 17.5									

This information pertains only to this boring and should not be interpreted as being indicative of the site.