

**OFFICIAL MINUTES
SUMMERSET PLANNING AND ZONING COMMISSION
REGULAR MEETING
7055 LEISURE LANE
NOVEMBER 9, 2021 @ 6:00 P.M.**

The meeting was called to order by Commissioner Oldfield at 6:01 p.m.

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

CALL FOR CHANGES: Motion by Martin, second by Hirsch to approve the agenda of the meeting for November 9th, 2021. Motion carried.

CONSENT CALENDAR: Motion by Martin, second by Hirsch to approve the minutes of the regular meeting of October 26th, 2021. Motion carried.

VOLUNTARY ANNEXATION – Richardson Plat Lot M Less Lot M-1, Lot N Revised, Lot A, Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County SD.

Mr. Bob Hatch was present to speak to the annexation petition submitted by himself. The question arose as to what the property would be zoned as in the future. It was explained that a hearing would be set and noticed for public hearing on the creation of the zoning district as it pertains to the property in question. At that time input would be sought.

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

PRELIMINARY PLAT – Plat of: Lot Tract A of Lot N Revised. Formerly part of Lot N Revised. Located in the NE1/4 of the SE ¼, Section 6, Township 2 North, Range 7 East, Black Hills Meridian, City of Summerset, Meade County, South Dakota.

Brittany Nemec was on hand to answer any questions that the Board may have regarding the preliminary plat and the intent for usage. HDR Engineer Lindsay Shagla spoke to the current existing zoning districts for the City of Summerset. The Board asked about future usage of the property and if more acreage was being sold off. Mr. Hatch stated that there had been offers to purchase more acreage and he envisioned in the future that along the Capt. Soelzer Road there would be commercial/industrial type businesses and the possibility of residential in other areas. Nemec stated to the Board that everything went through the Planning & Zoning Board regarding the layout plan for a proposed shop house and felt that it fits within the surrounding property. Nemec stated that they thought Meade County would be the approving Board when they bought the property and did not realize at the time that it abutted to Summerset and that if it was subdivided, they would be required to be annexed in and go under Summerset's zoning. The Board stated that at the time of the meeting on the layout plan, it was stated that there was no other future use/subdividing going on and therefore this changes the outlook on the same.

Motion by Martin, second by Hirsch, to deny approval of the preliminary plat. Motion carried.

ADJOURNMENT

Motion by Hirsch, second by Martin, to adjourn the meeting at 6:50 p.m. Motion carried.

Candace Sealey, Finance Officer

Brody Oldfield, Chairman

Published once November 12th, 2021 at a cost of \$59.98.



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 Lot 228 and Lot 1 of Block 5 of Sun Valley Estates, NE 1/4 SW 1/4 and NW 1/4 SE 1/4 of Section 14, T3N, R6E, BHM, City of Summerset, Meade County, South Dakota

PROPOSED Lot 228 Revised and Lot 1 of Block 5 of Sun Valley Estates

LOCATION Jasper Court

Size of Site-Acres 0.378 Square Footage 16,488 Proposed Zoning

DESCRIPTION OF REQUEST: To replat a portion of Lot 1 into Lot 228 (Lot Line Adjustment)

Utilities: Private / Public
Water
Sewer

APPLICANT

Name Brian and Megan Burgner Phone 951-303-4947 *
Address 14320 Jasper Court E-mail civicman-44@yahoo.com
City, State, Zip Summerset, SD 57718 Signature [Signature] 11/29/21
PROJECT PLANNER - AGENT Date

Name Baseline Surveying, Inc. Phone 605-490-1401
Address 2305 Junction Ave E-mail baseline@baseline-surveying.com
City, State, Zip Sturgis, SD 57785 Signature [Signature]
OWNER OF RECORD (If different from applicant) Date

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

Property Owner Signature [Signature] 11/29/21 Megan Burgner 11/29/21
Date Date

Signature Brian Burgner Date
Print Name: Megan Burgner Date
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 ☐



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MINOR PLAT

The filing fee for a Minor Plat application is \$250.00.

Resolution and plat recording fee of \$90.00 must also accompany Minor Plat Application. Actual review costs exceeding the minimum plat fees will be charged to the applicant prior to approval of the City Commission. Covenants being recorded with the plat will be charged a recording fee as per Meade County.

Information and submission requirements follow:

1. The purpose of a Minor Plat is to allow, without being subject to the requirements of a Preliminary Plat Review: consolidation of up to three (3) previously platted parcels of land; the adjustment of common lot line between up to three (3) previously platted parcels of land; or the resubdivision of a previously platted parcel into three (3) or fewer lots.
2. No lot created by a Minor Plat shall be included in another subdivision plat for a period of two (2) years from the Register of Deeds filing date of the Minor Plat.
3. Minor Plats shall not be allowed if extension of community water, city sanitary sewer, drainage facilities, or public streets would be required if the Minor Plat is approved.
4. Applicant shall submit a complete Minor Plat application (below) including non-refundable fee more than **three (3) weeks** before a regular meeting of the Planning Commission and shall submit copies as follows:
 - ___(1) Copies of Minor Plat Application and Minor Plat, prepared by a registered land surveyor, (on fifteen by twenty-six inch (15" x 26") paper)
 - ___(1) Electronic copy of Minor Plat(submitted by disk, e-mail or other approved electronic media)
 - ___(1) Copy of Minor Plat on 8 1/2" x 11 paper

Minor Plat shall include the following:

- ___ Plat title, centered at the top of the page, consisting of the proposed name of the subdivision and a description of the land being subdivided. This should include former description if applicable.
- ___ A scaled map of the proposed subdivision showing the location, dimension and area of the subdivision, lot(s), street(s) and dedicated boundaries. Include subdivisions, lots, and streets of adjoining subdivisions.
- ___ A north arrow, scale, creation date, preparer name, and address legend.
- ___ The location, width, and purpose of all easements and reserve strips.
- ___ The location and dimension of lands to be dedicated or reserved for streets, parks, open space, and other public use.
- ___ The lot and (if needed) block number that clearly identifies each parcel of land.
- ___ A floodplain note addressing if any FEMA-defined Flood Hazard Area is present in the subdivision.
- ___ A note (if there are any major drainage easements shown on the plat) stating that "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."
- ___ A note stating "An eight foot (8') utility easement is hereby granted on the interior of all lot lines. Removal or modification of any obstruction or impediment to such an easement shall be the financial responsibility of the landowner."
- ___ All certifications and signature lines that are required on the Final Plat (see Subdivision Ordinance 115, Section 4, Paragraph D, for required certifications and signatures).

City of Summerset Ordinance #115 Subdivision Regulations can be found online at:

http://www.summerset.us/City_Ordinances.html

The City of Summerset has adopted the current Rapid City Infrastructure Design Criteria Manual, the Rapid City Stormwater Quality Manual and the Standards and Specifications for Public Works Construction for Rapid City.



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MINOR PLAT

Minor Plat Procedures:

1. The Minor Plat Application shall be submitted **three (3) weeks (inclusive)** before a regularly scheduled meeting of the Planning and Zoning Commission. Upon receipt of a complete application and fee the Planning Department will inform the subdivider of the date, time and location of the Planning Commission meeting.
2. The Planning and Zoning Commission shall review the Minor Plat Application and make a recommendation to the City Commission within thirty (30) days of the receipt of a completed Minor Plat Application. **The subdivider shall not submit a mylar original of the Minor Plat to the Planning Department until after the Planning Commission has made its recommendation to the City Commission. The mylar should have all the signatures required in Article 3, Section 3, Paragraph J, when submitted to the City Commission for review.**
3. The City Commission at its next regular meeting after the Planning Commission makes its recommendation and after receipt by the Planning Department of the signed original mylar(s), shall review the Minor Plat Application and the Planning Commission's recommendation and act upon said recommendation. If the Minor Plat is approved by the City Commission, the Planning Department shall, within fifteen (15) days of said approval, submit the signed mylar original(s) of the Minor Plat to the office of the Register of Deeds to be recorded. No building or other applicable permit shall be issued within the newly-platted subdivision until the Register of Deeds has recorded the mylar original(s) of the approved Minor Plat.

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Meade County, South Dakota, do hereby certify that all taxes which are hereon due and payable are shown by the records of my office, on file.

Dated this _____ day of _____, 20____.

Meade County Treasurer

CERTIFICATE OF CITY FINANCE OFFICER

I, Finance Officer of the City of Sumner, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears in the records of the City of Sumner, 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 Sumner, do hereby certify that all special assessments which are hereon due and payable are shown by the records of my office, on file.

Dated this _____ day of _____, 20____.

Finance Officer

CERTIFICATE OF PLANNING COMMISSION

The City of Sumner, Planning and Zoning Commission certifies it is the official record of the City of Sumner, South Dakota.

Dated this _____ day of _____, 20____.

Planning Commission Member

RESOLUTION OF CITY COMMISSION

Whereas there has been presented to the City Commission of the City of Sumner, South Dakota the within Plat of the above described lands, and it appears to the Commission that:

- The system of streets set forth therein conforms to the system of streets of the City of Sumner, South Dakota.
- All provisions of the City Subdivision Regulations have been complied with, and
- 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.

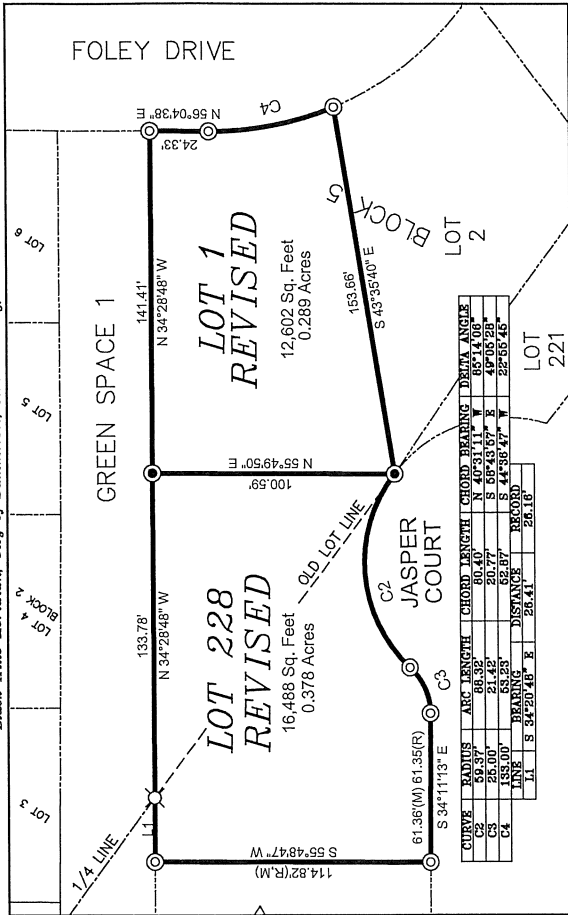
Dated at Sumner, South Dakota

this _____ day of _____, 20____.

Mayer

PREPARED BY: BASELINE SURVEYING, INC.,
2305 JUNCTION AVENUE, STURGIS, SD. 57785

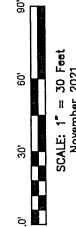
Preliminary Plat of
Lot 1 Revised of Block 5 and Lot 228 Revised of Sun Valley Estates
Located in the NE1/4 of Section 14, Township 3 North, Range 6 East,
Black Hills Meridian, Meade County, South Dakota.



LEGEND

- Found or Set 5/8" Rebar with Cap
- Found Rebar Unless Otherwise Noted
- Found it with Cap marked "Base 3300"
- Indicates dimensions previously recorded.
- Indicates measured this survey.

0.687 ACRES ± TOTAL PLATTED AREA



SURVEYOR'S NOTES

- 1) Utility & other facilities easements for each foot hereby granted on the interior side of all lot lines or easements to such on easement shall be the financial responsibility of landowners.
- 2) Plat of Record as Reference: Plat Book 25 Page 150-152
- 3) Building Restrictions per the most recently adopted International Building Code and Building Subcode Requirements per Meade County Ordinance.
- 4) Basis of Bearings Using Geodetic North Determined from Global Positioning System (GPS).
- 5) Plat FEA Mapping FIRM Panel 450335 17165 designated in an Area of Minimal Flood Hazard, Zone X, Effective Date 9/16/2011.

DRAINAGE NOTES

All major drainage easements shown hereon shall be kept free of all obstructions including, but not limited to, buildings, walls, fences, etc. The easement holder shall be responsible for the construction, operation, maintenance, repair and replacement of any drainage structure as it deems necessary to facilitate drainage from any source.

OFFICE OF REGISTER OF DEEDS

Meade County Register of Deeds

PHONE: 605-490-1401 EMAIL: BASELINE@STURGISURVEYING.COM JOB NUMBER: 21-308



IN WITNESS WHEREOF
I hereunto set my hand and seal
this _____ day of _____, 20____.

SHANNON E. VASNETZ
Registered Land Surveyor No. 7719

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

APPROVAL BY HIGHWAY OR STREET AUTHORITY

The location of the proposed access to the Highway or Street as shown hereon 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

Preliminary Plat Of
Lot 1 Revised of Block 5 and Lot 228 Revised of Sun Valley Estates
Formerly Lot 1 of Block 5 and Lot 228 of Sun Valley Estates.
Located in the NE1/4SW1/4 and NW1/4SE1/4 of Section 14, Township 3 North, Range 6 East,
Black Hills Meridian, City of Summerset, Meade County, South Dakota.

OWNER'S CERTIFICATE

We, Brian D. and Megan Burger, do hereby certify that we are the owners of the land shown and described herein, and that we further certify that the development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations. Dedicated right-of-way as shown herein is dedicated to public use.

IN WITNESS WHEREOF
I, hereunto set my hand this ____ day of _____, 20____.

Brian D. Burger, Owner
Megan Burger, Owner

ACKNOWLEDGEMENT OF OWNERS

STATE OF SOUTH DAKOTA }
COUNTY OF _____ } SS

On this ____ day of _____, 20____, before me, the undersigned officer, personally appeared Brian D. and Megan Burger, Designated as Owner, known to me to be the persons who executed the foregoing Owner's Certificate and acknowledged to me that they executed the same for purposes therein contained.

IN WITNESS WHEREOF, I hereby set my hand and official seal.

Notary Public _____ My commission expires: _____

SURVEYOR'S CERTIFICATE

I, Sharon E. Vaskietz, 2305 Junction Avenue, Sturgis, SD, being a Registered Land Surveyor in the State of South Dakota, have surveyed and plotted the property shown and described herein. I have marked upon the ground the boundaries in the manner shown, and that the Easements or Restrictions of Miscellaneous Record or Private Agreements that are not known to me are not shown herein.



IN WITNESS WHEREOF
I hereunto set my hand and seal
this ____ day of _____, 20____.

Sharon E. Vaskietz
Registered Land Surveyor No. 7719

OWNER'S CERTIFICATE

We, Gingras Family United Partnership, do hereby certify that we are the owners of the land shown and described herein, and that we further certify that the development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations. Dedicated right-of-way as shown herein is dedicated to public use.

IN WITNESS WHEREOF
I, hereunto set my hand this ____ day of _____, 20____.

Gingras Family United Partnership, Owner
Julius E. Gingras, Managing Member

ACKNOWLEDGEMENT OF OWNERS

STATE OF SOUTH DAKOTA }
COUNTY OF _____ } SS

On this ____ day of _____, 20____, before me, the undersigned officer, personally appeared Julius E. Gingras, Described as Managing Member of Gingras Family United Partnership, who executed the foregoing Owner's Certificate and acknowledged to me that they executed the same for purposes therein contained.

IN WITNESS WHEREOF, I hereby set my hand and official seal.

Notary Public _____ My commission expires: _____



Dec. 9, 2021

Preliminary Plat Review

Lot 1 Revised of Block 5 and Lot 228 of Sun Valley Estates

Formerly Lot 1 of Block 5 and Lot 228 of Sun Valley Estates.

*Located in the NE1/4SW1/4 and NW1/4SE1/4 of Section 14 Township 3 North, Range 6 East,
Black Hills Meridian, City of Summerset, Meade County South Dakota.*

General Information:

Parcel Acreage approx. .667 acres

Location 14320 Jasper Court, City of Summerset.

Date of Application 11-29-2021

Surveyor's Project No. 21-308

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

Purpose: Lot Line Adjustment

Access and Utilities: Same as before

Fire Protection: Same as before

Drainage: Same as before

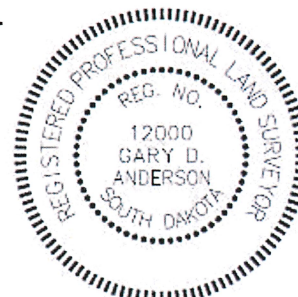
Final Plat Review:

Bearings and Distance do not close by 2.5 feet

Building restrictions and setbacks should be based on most recent City of Summerset rather than Meade Co.

Are "Surveyor's Certificates" on both sheets necessary; possibly remove one.

Gary Anderson, LS 12000





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) _____

LEGAL DESCRIPTION (Attach additional sheets as necessary)

EXISTING

A portion of Tract 3 of the S 1/2 of Section 25, and a portion of Lot B of the E1/2 of the NW1/4 of Section 25, and a portion of the Patriot Drive Right-of-Way, T3N, T3N, R6E, BHM, Summerset, Meade County, South Dakota

PROPOSED

Lot 4 of Block 5 Summerset USA. Located in the NE1/4 of the SW1/4, and the SE1/4 of the NW1/4, and in the NW1/4 of the SE1/4, Section 25, T3N, R6E, BHM Summerset, Meade County, South Dakota

LOCATION

SE of the intersection of Independence Loop and SD HWY 79 (Sturgis Road)

Size of Site—Acres

6.451 acres

Square Footage

281005.6 sqft

Proposed Zoning

Multi-family / Residential

DESCRIPTION OF REQUEST:

Acceptance of the variance to not build sidewalks along Democracy Lane (both sides), and Sturgis Road (both sides)

Utilities: Private / ☒ Public

Water Black Hawk Water

Sewer COSS

HARDSHIP:

See attached documentation

APPLICANT

Name RDR Investments LLLP

Phone (605) 342-3787

Address 1314 Fountain Plaza Dr

E-mail rc@rcsconst.com

City, State, Zip Rapid City, SD 57702

PROJECT PLANNER - AGENT

Name Longbranch Civil Engineering

Phone (605) 721-4040

Address 821 Columbus St. Suite 1

E-mail info@longbrancheng.com

City, State, Zip Rapid City, SD 57701

OWNER OF RECORD (If different from applicant)

Name

Phone

Address

E-mail

City, State, Zip

Joshua Scull
Property Owner Signature

Date

11/16/21

Property Owner Signature

Date

Signature

Date

Print Name: *Joshua Scull*

Title*: *Manager*

*required for Corporations, Partnerships, etc.

Signature

Date

Print Name:

Title*:

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



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VARIANCE PROCEDURES

The Filing Fee for a Variance Request is \$300.00

Information and actions required:

Petitioner:

1. **Petitioner shall file application** for a variance, in writing, on a form furnished by the city with associated fee and sign deposit.
2. **Application shall include:**
 - Legal description of land on which variance is being requested and local street address (if available).
 - Name and address of each owner of the property.
 - Name, address and phone number of applicant(s).
 - Zoning district class upon application.
 - Specific standard, regulation or decision being appealed.
 - Specific remedy being requested.
 - Drawings, plans, and other documentation being requested by Board.
3. **Notification of surrounding property owners:**
 - A sign noting the request shall be posted by applicant on the site not less than ten (10) days before the public hearing.
 - Sign shall be secured from the city and deposit of \$75 shall be collected to cover cost of replacement. Location and number of signs to be determined by city.
 - Petitioner shall submit postal receipts to city to demonstrate good faith attempt to notify by certified letter with return receipt all property owners within two hundred fifty feet (250).
 - Certified mailing notice shall include date, place and time of public hearing and variance requested.
 - Mailing list prepared by City of Summerset - notices to be sent by applicant no less than ten (10) days prior to the public hearing.
4. **Petitioner has the burden of showing:**
 - that granting variance will not be contrary to public interest.
 - that literal enforcement of title will result in unnecessary hardship.
 - that by granting the variance contrary to the provisions of this title the spirit of the

title will be observed.

-that by granting the variance, substantial justice will be done.

Procedure:

1. Upon filing of complete application city shall set date of public hearing on date when Board of Adjustments is regularly scheduled to meet and allows for necessary noticing requirements.
2. Legal notice of public hearing shall be placed in general circulation paper by City of Summerset Finance Officer.
3. Zoning Board of Adjustments shall consider and decide upon application within 30 days of public hearing.
4. Decision of Board shall be accompanied by a written finding of fact based on testimony and other evidence, specifying the reason for granting or denying the variation.
5. Any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustments, or any taxpayer, department, board, or bureau of the city, may petition a court of record within 30 days after the filing of the board's decision, as provided by SDCL 11-4-25

November 15, 2021

To whom it concerns,

Subject: Sidewalk variances along Democracy Lane (both sides), and Sturgis Road (both sides)

Sturgis Road:

- Currently there is no stormwater infrastructure on Sturgis Road and a drainage ditch is used to transport storm water runoff. If a sidewalk would be built in the right of way, the capacity of the drainage ditch would be decreased. This would require the acquisition of additional right of way to keep storm water capacities the same.
- Lots directly adjacent to this lot do not have sidewalk along Sturgis Road. The west side of Sturgis Road also does not have sidewalk. Therefore, the sidewalk in this location of Sturgis Road would not connect to other existing sidewalk at the property limits.

Democracy Lane:

- This project does not include the construction of Democracy Lane. To build the sidewalk, the centerline elevation of a paved road is necessary to ensure the sidewalk elevation is above the road for proper drainage.



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 #2 as follows:

RDR Investments LLLP, applicant for a Variance for Lot 4 of Block 5 Summerset USA. Located in the NE1/4 of the SW1/4, and the SE1/4 of the NW1/4, and in the NW1/4 of the SE1/4. Section 25, Township 3 North, Range 6 East, Black Hills Meridian, City of Summerset, Meade County, SD.

Applicant has requested sidewalk variances along Democracy Lane (both sides) and Sturgis Road (both sides).

Notice is further given that said application will be heard and considered by the City of Summerset Board of Adjustments at Summerset City Hall, 7055 Leisure Lane, Summerset, SD 57718 at 6:00 p.m. on the 14th day of December 2021. 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 November 16th, 2021.

City of Summerset

Published once _____, 2021, at an approximate cost of \$_____.

COMMUNITY PLANNING & DEVELOPMENT SERVICES

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APPLICATION FOR DEVELOPMENT REVIEW

REQUEST (please check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Annexation | <input checked="" type="checkbox"/> Subdivision |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Layout Plan |
| <input type="checkbox"/> Fence Height Exception | <input checked="" type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Planned Development (Overlay) | <input type="checkbox"/> Final Plat |
| <input type="checkbox"/> Designation | <input type="checkbox"/> Minor Plat |
| <input type="checkbox"/> Initial Plan <input type="checkbox"/> Final Plan | |
| <input type="checkbox"/> Major Amendment | <input checked="" type="checkbox"/> Rezoning |
| <input type="checkbox"/> Minimal Amendment | <input type="checkbox"/> 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 Tract 2 of Richardson Subdivision, Except Lot H1 and Except Tract Well Located in the SE1/4 SW1/4 of Section 31, T3N, R7E, BHM, City of Summerset, Meade County		
PROPOSED Lots 1-10 of Summerset Meadows		
LOCATION Intersection of Sturgis and Anderson Road		
Size of Site-Acres	Square Footage	Proposed Zoning
21.577	939,894	
DESCRIPTION OF REQUEST: To plat 10 residential lots within Tract 2 of Richardson Subdivision		Utilities: Private / Public
		Water Blackhawk
		Sewer

APPLICANT

Name Superior Custom Homes LLC / Justin Rudland Phone 605-484-7631
Address 16564 Red Cedar Road E-mail justin.superiorcustomhomes@gmail.com
City, State, Zip Piedmont, SD 57769 Signature _____ Date *

PROJECT PLANNER - AGENT

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

OWNER OF RECORD (If different from applicant)

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

* [Signature] 11-11-21
Property Owner Signature Date

[Signature] 11-11-21
Signature Date

Print Name: Justin Rudland
Title*: Owner

*required for Corporations, Partnerships, etc.

FOR STAFF USE ONLY

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

- | | |
|--|---|
| <input type="checkbox"/> Sewer Utility | <input type="checkbox"/> BHP&L |
| <input type="checkbox"/> Fire Department | <input type="checkbox"/> Finance Officer |
| <input type="checkbox"/> Public Works | <input type="checkbox"/> Register of Deeds |
| <input type="checkbox"/> Planning | <input type="checkbox"/> County - Planning |
| <input type="checkbox"/> Building Inspector | <input type="checkbox"/> SD DOT |
| <input type="checkbox"/> Engineering | <input type="checkbox"/> SD DENR |
| <input type="checkbox"/> City Code Enforcement | <input type="checkbox"/> Auditor - Annexation |
| <input type="checkbox"/> Police | <input type="checkbox"/> Drainage |
| <input type="checkbox"/> City Attorney | <input type="checkbox"/> Parks & Recreation |

- | |
|--|
| <input type="checkbox"/> Diamond D Water |
| <input type="checkbox"/> Black Hills Water |
| <input type="checkbox"/> Quaal Road District |
| <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ |

Planning and Zoning Meeting Date: _____
Commission Meeting Date: _____
Date Paid: _____

Payment Type: Cash ☐ Check ☐ Credit Card ☐

§ 155.357 REZONING REQUESTS.

An application for a rezoning shall be filed with the Zoning Administrator. Rezoning requests may be initiated by either the property owner or a designated representative or by an appropriate governmental agency. If by a designated representative, the designation shall be in writing, signed by the property owner, and filed with the application.

(A) *Appearance.* The applicant shall appear before the Planning and Zoning Board to present the application, at which time the Planning and Zoning Board may initiate a study of the request. If in the opinion of the Planning and Zoning Board a study is not required, a public hearing shall be set.

(B) *Notification procedure.* The applicant shall notify by certified letter, at least ten days in advance of the public hearing, the owners of equity of all property in the city limits within 250 feet, inclusive of streets and alleys, from any part of the property subject to the rezoning, of the date, place, and time of the public hearing. Such notification shall fully set forth a description of the development plan for the property, if any, in the event the rezoning request is approved.

(C) *Hearing by the Planning and Zoning Board.* The Planning and Zoning Board shall publish legal notice not less than ten days prior to the public hearing. At the close of the public hearing, the Planning and Zoning Board shall forward its recommendation to the Board of Commissioners.

(D) *Hearing by Board of Commissioners.* The Board of Commissioners shall publish legal notice not less than ten days prior to the public hearing. After taking into account all pertinent information and the recommendation of the Planning and Zoning Board, the Board of Commissioners shall make a final determination within 30 days of the date of the hearing.

(Ord. passed 2-3-2011, § 2.38.030)

300⁰⁰ fee
75⁰⁰ deposit
sign

**CITY OF SUMMERSET
NOTICE OF PUBLIC HEARING
LAND/ZONING DESIGNATION**

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 Ordinance **§155.357** - Rezoning as follows:

Current Zoning – PD/Planned Development

Preliminary Plat of Lots 1-10 of Summerset Meadows, located in the SE1/4SW1/4 of Section 31, Township 3 North, Range 7 East, Black Hills Meridian, City of Summerset, Meade County, SD.

Applicant: Justin Rudland

Rezoning request: R1/Residential

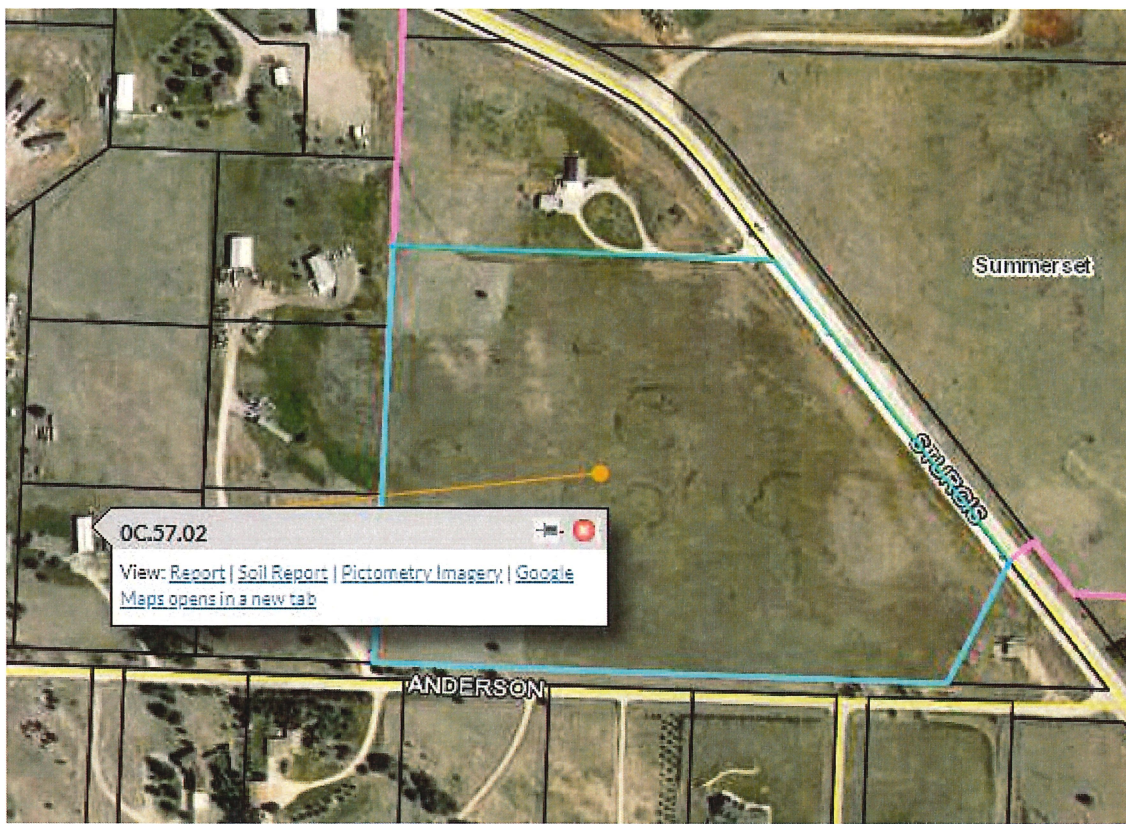
Notice is further given that said application will be heard and considered by the City of Summerset Planning and Zoning Commission at Summerset City Hall, 7055 Leisure Lane, Summerset, South Dakota at 6:00 p.m. on the 14th day of December 2021. At that time, any person, persons, or their attorney who are interested in the approval or rejection of said application may appear and be heard at said scheduled public hearing.

Dated this 18th day of November 2021.

Lisa Schieffer
Summerset City Administrator

Published once December 1, 2021 at the cost of \$23.99.

06.57.02





Nov. 18, 2021

Plat Review

Lots 1-10 of Summerset Meadows.

Formerly Tract 2 of Richardson Subdivision Except Lot H1 and Tract Well

Located in the SE1/4 of the SW1/4 of Section 31, T.3N., R.7E., Black Hills Meridian, City of Summerset, Meade County, South Dakota

General Information:

Parcel Acreage 21.577

Location SE1/4SW1/4 Section 31 T.3N., R.7E., Black Hills Meridian City of Summerset

Date of Application November 11, 2021

Surveyor Project Number 21-144

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

Purpose: Create 10 lot subdivision

Access and Utilities: Access off Sturgis Road and Anderson Road, sewer will be septic

Fire Protection: Black Hawk Volunteer Fire Department

Drainage: Minimal Flood Hazard

Final Plat Review:

Bearings and Distance close and area is correct.

Need approval from Meade County and SDDOT for driveway locations.

Need to indicate the location of the existing water main and service line locations.

Gary Anderson, LS 12000

