

All Board of Adjustment Meetings are recorded.

CITY OF CUSTER CITY
BOARD OF ADJUSTMENT AGENDA
August 5th, 2019 - City Hall Council Chambers
Immediately following the meeting of the City Council
(City Council Meeting to begin at 5:30pm)

1. Call to Order - Roll Call:
2. Approve Agenda: August 5th, 2019
3. Approve Minutes: None
4. Declaration of Conflict of Interest:
5. Public Hearings:
 - a. Public Hearing – Setback Variance Request, 1203 Bluebell Lane, Lot 2 of Block 2 Woodland Estates
 - b.
6. ~~Old Business~~
 - a. ~~_____~~
7. ~~New Business:~~
 - a. ~~_____~~
8. ~~Discussion Items:~~
 - a.
9. Public Comments (3-minute max. per person, with total communication period to not exceed 15 minutes):
10. Adjournment

ADA Compliance: The City of Custer City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the Finance Office 24 hours prior to the meeting so that appropriate services are available.



Planning Department
622 Crook Street
Custer, SD. 57730
Phone: 673-4824 Fax: 673-2411
e-mail: timh@cityofcuster.com

Staff Report

Request: Carport Setback Variance *CMC 15.08.055*
Applicant: Derrick Reifenrath
Fee Paid: \$250.00
Location: Lot 2 of Block 2 - Woodland Estates, 1203 Bluebell Lane
Date: July 29, 2019
City Council Meeting: August 05, 2019
Prepared by Tim Hartmann, Planning Administrator

GENERAL

The planning office has received a request for a setback variance of a proposed manufactured steel carport. A single-family home with an attached garage and detached garden shed currently exist on the property. The owner has proposed an 18' x 10' carport to be placed from the south/east corner of the garage. The proposed carport would be placed 12.5' from the front property line and about 18' from the curb of Bluebell Lane. Per CMC 15.08.055 a standard front carport setback is 20', therefore requiring a variance of 7.5'. No concerns with the side setbacks exist.

Bluebell Lane is a 50' Right-of-Way.

VARIANCE

The variance request is to allow a variance from Custer Municipal Code 15.08.055. CMC requires a carport be setback 20' from the front property line. If granted the carport would be setback 12.5' from the Bluebell Lane ROW. The 0.30-acre property may be restricted from a building standpoint due the standard size lot having no alley access from the rear.

PUBLIC HEARING

A Public Hearing was also be held at the July 9, 2019 Planning Commission meeting.

PREVIOUS ACTION BY THE PLANNING COMMISSION

The Planning Commission reviewed the proposed variance at their July 9th, 2019 meeting. Discussion was held between the Commission with input from the applicant. Commissioner Uhrich moved to recommend approval of the variance. Uhrichs motion carried unanimously.

STAFF SUMMARY AND RECCOMENDATION

Staff feels a special circumstance may exist due to the standard size lot being restricted on access to the back yard. In consideration of this plus the carport being a movable type structure staff supports approval of the variance.

622 Crook Street
Custer, SD 57730

Planning Department

Phone: (605) 673-4824

Fax: (605) 673-2411

VARIANCE PERMIT APPLICATION

Applicant Information

Applicant Derrick Reifennath

Address 1203 Bluebell Ln
Custer SD 57730

City _____ State _____ Zip _____

Phone 605-252-5345

E-mail: dreifenn@gmail.com

(Owner of property if different than applicant)

Owner _____

Address _____

City _____ State _____ Zip _____

Phone _____

E-mail: (optional) _____

PROPERTY INFORMATION

Describe Current Use Owner Occupied home

Project Address 1203 Bluebell Ln

Lot 2 Block 2 Legal description Woodland Estates - Lot 2 Block 2 (Replat of block 2) 0.30 AC, Custer City

Size 0.30 (acres) (square feet) 736605700200200 Zoning District Residential Water City Sewer City

REGULATION EXCEPTION

Describe Regulation Exception Install 18' x 10' Manufactured Steel Carport 18' 5" from front road curb 12' 5" from front property line. Property line is 6' back from curb. There are no utilities in front of property. Carport will be 29' x 30' from side property lines.

Applicant Signature [Signature] Date 6/10/19

(Required) Owner's Signature [Signature] Date 6/10/19

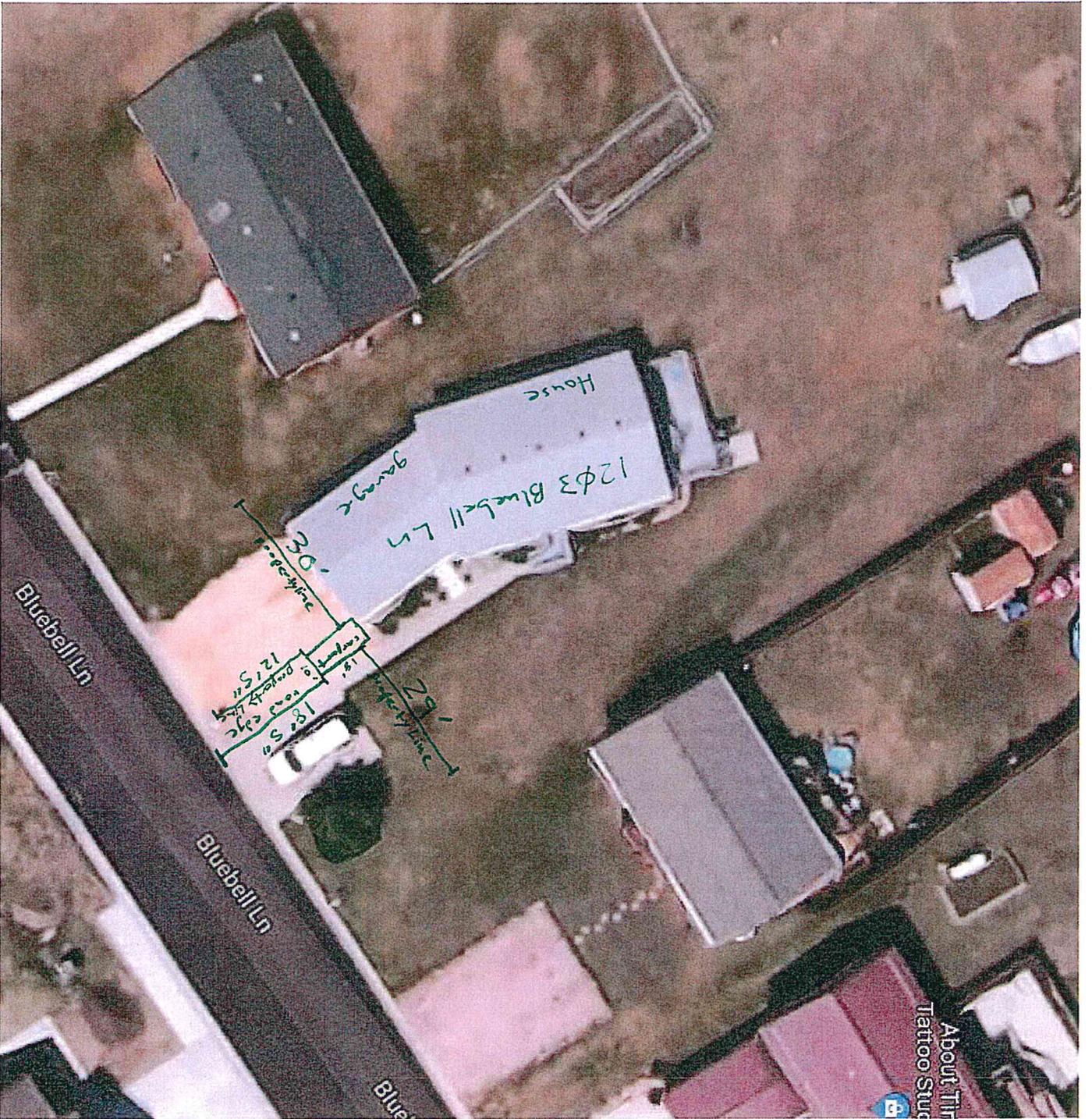
Office Use Only

Date Filed _____

Permit Fee \$250.00

Permit / Receipt number 46557

Received By Tntt/KC Date 6/10/19



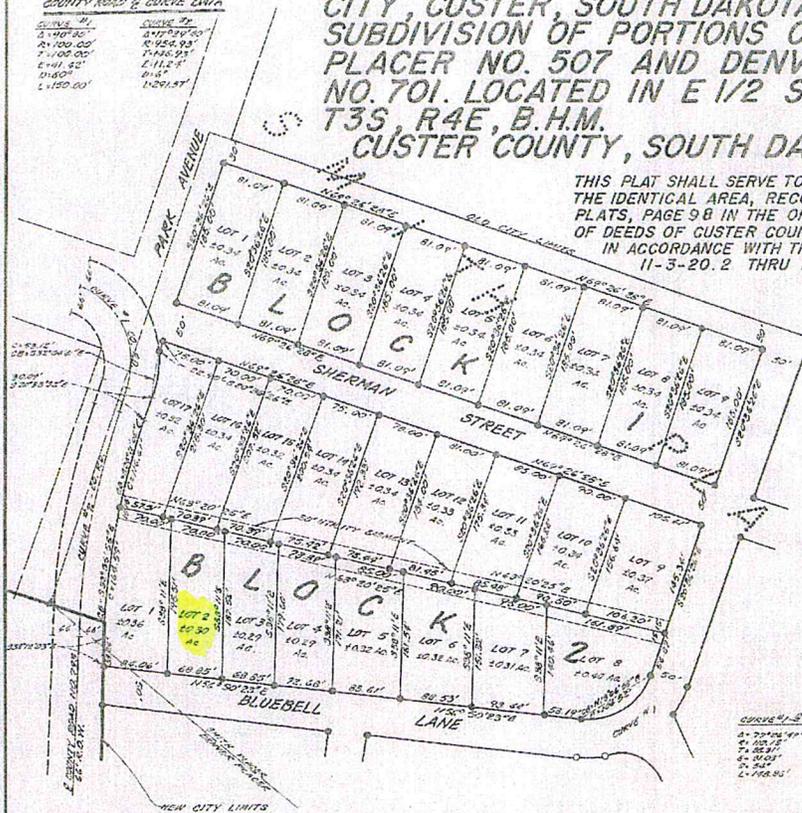
1203 Bluebell Ln
 Carpenter/Variance
 Location Site Plan
 June 10th 2019
Not To Scale

REPLAT OF BLOCK 2 AND PLAT OF
 BLOCK 1 (SAME AS PREVIOUSLY
 PLATTED) OF WOODLAND ESTATES
 ADDITION TO THE CITY OF CUSTER
 CITY, CUSTER, SOUTH DAKOTA. A
 SUBDIVISION OF PORTIONS OF SMITH
 PLACER NO. 507 AND DENVER PLACER
 NO. 701. LOCATED IN E 1/2 SECTION 25,
 T3S, R4E, B.H.M.
 CUSTER COUNTY, SOUTH DAKOTA

COUNTY ROAD & CURVE DATA

CURVE NO.	CHORD	ANGLE
1	1,100.00'	110.00°
2	1,100.00'	110.00°
3	1,100.00'	110.00°
4	1,100.00'	110.00°
5	1,100.00'	110.00°
6	1,100.00'	110.00°
7	1,100.00'	110.00°
8	1,100.00'	110.00°
9	1,100.00'	110.00°
10	1,100.00'	110.00°
11	1,100.00'	110.00°
12	1,100.00'	110.00°
13	1,100.00'	110.00°
14	1,100.00'	110.00°
15	1,100.00'	110.00°
16	1,100.00'	110.00°
17	1,100.00'	110.00°
18	1,100.00'	110.00°
19	1,100.00'	110.00°
20	1,100.00'	110.00°
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98	1,100.00'	110.00°
99	1,100.00'	110.00°
100	1,100.00'	110.00°

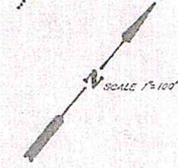
THIS PLAT SHALL SERVE TO VACATE THE PLAT FOR
 THE IDENTICAL AREA, RECORDED AT BOOK 9 OF
 PLATS, PAGE 98 IN THE OFFICE OF THE REGISTER
 OF DEEDS OF CUSTER COUNTY, SOUTH DAKOTA
 IN ACCORDANCE WITH THE PROVISIONS OF S.D.C.L.
 11-3-20.2 THRU 11-3-20.4



PREPARED BY
 BRYANT SURVEYING
 CUSTER, SOUTH DAKOTA
 JULY, 1980

LEGEND:
 • INDICATES INTERSECTION OF
 LINES SURVEYED WITH
 RECORD AND OLD PLAT
 BEARING A.C.S. 2195'
 ○ INDICATES BEARING AND
 DIST. IN THIS PLAT
 ▲ INDICATES BEARING AND
 DIST.

CURVE NO. 2
 1. 110.00'
 2. 110.00'
 3. 110.00'
 4. 110.00'
 5. 110.00'



STATE OF SOUTH DAKOTA
 COUNTY OF CUSTER ss.
 I, the undersigned, Leonard J. Wood & Donald Wood

do hereby certify that we are the owners of the tract of land shown and
 described herein, that the survey was done at our request for the purpose
 indicated herein, and that we do hereby sever the survey and within plat
 of said land.

In witness whereof, we have hereunto set our hand and seal.

Witness:
 Leonard J. Wood
 Donald Wood

On the 15th day of Sept. 1980, before me, a Notary Public,
 personally appeared Leonard J. Wood &
 Donald Wood

known to me to be the persons described in the foregoing instrument and
 acknowledged to me that they signed the same.

Notary Public: Donald A. Bergeson
 My commission expires: Sept 18, 1981

CERTIFICATE OF CITY FINANCE OFFICER
 I, Finance Officer of Custer City, do hereby certify that all taxes which
 are liens upon the within described lands are fully paid according to the
 records of my office.
 Dated this ___ day of ___, 19__.
 Finance Officer: _____

CERTIFICATE OF COUNTY TREASURER
 I, Treasurer of Custer County, do hereby certify that all taxes which
 are liens upon the within described lands are fully paid according to the
 records of my office.
 Dated this 18 day of September, 1980.
 County Treasurer: Alberto Schneider, Deputy

CERTIFICATE OF DIRECTOR OF EQUALIZATION
 I, Director of Equalization of Custer County, do hereby certify that I
 have on record in my office a copy of the within described plat.
 Dated this 18 day of September, 1980.
 Director of Equalization: _____

STATEMENT
 SUBMITTED FOR USE OF SAME
 PROPERTY TO BE USED FOR
 APPLICABLE LEGAL PURPOSES

BASED FOR BEARING
 RECORDS BEARING OF
 CUSTER COUNTY PLAT
 BOOK 9 PLAT 107

CERTIFICATE OF SURVEYOR
 I, Frank A. Bryant, Registered Land Surveyor No. 2195 of the State
 of South Dakota, do hereby certify that being so authorized, I made
 the survey and within plat of the land shown and described herein, and
 that the same is, in all things, true and correct.

Registered Land Surveyor: Frank A. Bryant

On the 15 day of September, 1980, before me, a Notary
 Public, personally appeared Frank A. Bryant, known to me to
 be the person described in the foregoing instrument and acknowledged
 to me that he signed the same.

Notary Public: Eric L. Bryant
 My commission expires: October 11, 1985

RESOLUTION BY GOVERNING BOARD
 STATE OF SOUTH DAKOTA
 COUNTY OF CUSTER
 CITY OF CUSTER CITY s.s.

I, Finance Officer of Custer City, do hereby certify that an official
 meeting held on the 2 day of September, 1980,
 the Custer City Council by RESOLUTION did approve the plat as shown
 hereon.
 Finance Officer: _____

STATE OF SOUTH DAKOTA, COUNTY OF CUSTER s.s. A-5646
 Filed this 8 day of October, 1980, at 11:30 o'clock A.M.
 Book 9 of Plats, Page 107
 Register of Deeds: Thomas W. Wright



Affidavit of Certification for Neighboring Property Owner Notification

I hereby state that to the best of my knowledge all property owners within 250 feet, exclusive of rights of way and any properties under the same ownership, of my property have been notified by Certified Mail or Hand Delivered at least 10 days prior to the upcoming public hearing.

Dated this the 28 day of June, 20 19.

[Handwritten Signature]

Signed

Derrick Reiffenrath

Name Printed

STATE OF SOUTH DAKOTA

COUNTY OF Custer

Subscribed and sworn before me this the 28 day of June, 20 19.

[Handwritten Signature]
Notary Signature

Sydney M. Gramkow
Notary Name Printed

June 7th 2024
Commission Expires