

All Planning Commission Meetings are recorded.

CITY OF CUSTER
PLANNING AND ZONING COMMISSION AGENDA
Tuesday September 15th, 2020 at 5:00 P.M.
Custer City Hall, 622 Crook Street, Custer, SD 57730

1. Call to Order - Roll Call:

2. Approve Agenda: September 15th, 2020

3. Approve Minutes: August 25th, 2020

4. Declaration of Conflict of Interest:

5. Public Hearings:

- a. Public Hearing - Custer City's 2020 Comprehensive Plan, Adoption
- b. Public Hearing - Conditional Use Permit Request, Short Term Rental, 107 S 11th Street
- c. Public Hearing - Setback Variance Request, 221 9th Street, Originally Lots 7,8,9 of Block 98

6. Old Business

a.

7. New Business:

- a. Minor Plat – A Plat of Tract Leboldus 1 & Tract Leboldus 2 of Sydney Park Residential Development Subdivision
- b. Minor Plat – A Plat of Nielsen Family Tract 1 & Nielsen Family Tract 2
- c. Minor Plat – A Plat of Ted Tract 1 & Ted Tract 2 of Ramsey Subdivision
- d. Minor Plat – A Plat of Lot 5R of Block 1, Bourassa Addition
- e. Minor Plat – A Plat of Johnson Tract of Block 98
- f. Proposed Annexation - Lot 3 of Lot 2 of Spring Subdivision

8. Discussion Items:

9. Public Comments (3-minute max. per person, with total communication period to not exceed 15 minutes):

10. Planning Administrator Updates:

11. Adjournment

Planning Commission Meeting 9/15/20
Tue, Sep 15, 2020 5:00 PM (MDT)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/992185413>

You can also dial in using your phone.

United States (Toll Free): [1 877 309 2073](tel:18773092073)

United States: [+1 \(646\) 749-3129](tel:+16467493129)

Access Code: 992-185-413

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.

DRAFT

MINUTES OF THE August 25th, 2020 MEETING OF THE OF THE CITY OF CUSTER PLANNING COMMISSION

Roll Call: 5:00 pm

Members Present: Joe Uhrich – Vice Chairman; Fred Mills; Kathy Johnson; Scott Olson; Marc Moore – Alternate. (All parties present by GoToMeeting)

Members Absent: Jerad Tennyson-Chairman; Rick Hudson; Larry Maciejewski -Alternate.

Other Parties Present: Tim Hartmann–Planning Administrator; Mayor Herman; Dixie Whittaker – Council Representative; Lysann Zeller-BHCoLG; public attendees. (All parties present by GoToMeeting)

Agenda: Commissioner Moore moved, with a second by Commissioner Mills to approve the agenda. Motion carried with Commissioners Uhrich, Mills, Johnson, Olson and Moore all voting yes.

Minutes: Commissioner Moore moved, with a second by Commissioner Johnson to approve the August 11th, 2020 minutes. Motion carried with Commissioners Mills, Johnson, Olson, Moore and Uhrich, all voting yes.

Declaration of Conflict of Interest: None Stated.

Public Hearings:

Old Business:

a.

New Business:

- a. Preliminary Plat – A Plat of Lots 1A, 1B, 1C and a Private Access and Utility Easement of Zelenka Sub Planning Administrator gave a summary and explanation of the plat. A discussion was held including but not limited to the access to the Lot 1C, sewer services available, and potential construction on the lot. After the discussion, Commissioner Mills moved, with a second by Commissioner Johnson to recommend approval of the Plat by the Council. Commissioner Mills motion carried with Commissioners Johnson, Olson, Moore, Uhrich and Mills all voting yes.

Discussion Items:

- a. Proposed Land Use and Acquisition – A portion of Tract Hospital Revised
Discussion was held concerning the proposal. Planning Commissioners plan to visit the site and re-visit this item at a future meeting.
- b. Rewrite of Custer City’s Comprehensive Plan
Lysann presented explained the changes that have been completed. Public notification will be completed for a public hearing at the Commissions September 15th, 2020 meeting.

Public Comments:

No public comments were heard by the Commission.

Planning Administrator Updates

Planning Administrator and commission members gave various updates and discussed scheduling.

Adjournment:

Being no further business before the Commission, Commissioner Mills moved, with a second by Commissioner Olson to adjourn. Motion unanimously carried. The meeting adjourned at 5:48pm.

Approved:

Attest:

Joe Uhrich – Vice Chairman

Tim Hartmann, Planning Administrator



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

Staff Report

Request: 107 S 11th Street - Conditional Use Permit, Short Term Rental
Applicant: GW Partners
Fee Paid: \$200.00
Location: S 11th Street, Just West of the Custer Bark Park
Date: September 2, 2020
Planning Commission Meeting: September 15, 2020
Prepared by Tim Hartmann, Planning Administrator

GENERAL

The City has received application for a Conditional Use Permit review of the above referenced property to consider a request to utilize one of the structures, the home on the North East edge, as a short-term rental. The property does also have some long-term rental units currently in use. Per Custer Municipal Code 17.12.050 short term rentals are a permitted conditional use. The multi units long term rentals are a legal non-conforming use per SDCL.

SURROUNDING AREA

The immediate area surrounding 107 S 11th Street of several land uses.

The adjacent properties to the South, and West are within the Residential Zone. To the North is Commercial property along the highway 16A corridor and the East is the City dog park.

VEHICULAR ACCESS AND PARKING

Staff has viewed the property from an access and parking standpoint in correlation with the proposed use, size, and parking provided. The home is a 3 bed, 1 bath 1500 sq. ft home. Staff sees no concerns with the parking provided as the property has a sizable parking lot available for the home and adjacent units. Staff feels this is adequate parking to support the proposed short-term rental and existing units.

OTHER ORDINANCE CONCERNS

Staff conducted an in-office review and a windshield survey of the property on September 1st. No ordinance violations were found.

LEGAL REVIEW

The terms of coverage are comparable to other similar approved CUPs.

RECOMMENDED ACTION BY PLANNING COMMISSION

All applicable public notification has been completed. Upon review of CUP review staff feels the criteria are satisfied. Staff supports approval of the Conditional Use Permit by the Planning Commission.





Property Description: Lot #7, the East Half of Lot #8 and the West 25' of 11th Street contiguous to Lot #7

#1: Residential Home – Approximately 1500 sf (3 Bedroom, 1 Bath, Built in 1930's) **PROPOSED VRBO**

#2: Detached Garage (2 Car)

#3: Long Term Rental Apartments (2) – Approximately 1000 sf each (3 Bedroom, 1 Bath each)

#4: Parking

* Distances are approximate.



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 1 day of September, 20 20.

Buck Woodward
Signed

Buck Woodward
Name Printed

STATE OF SOUTH DAKOTA

COUNTY OF Custer

Subscribed and sworn before me this the 1 day of September, 20 20.

Sydney M. Gramkow
Notary Signature

Sydney M. Gramkow
Notary Name Printed

June 7th 2024
Commission Expires

Tim Hartmann

From: [REDACTED]
Sent: Thursday, September 10, 2020 1:36 PM
To: Tim Hartmann; jerad@gwtc.net; joseph.uhrich@k12.sd.us; ski6687@yahoo.com; kathryn.jane.johnson@gmail.com; sdolson@goldenwest.net; rludson@gwtc.net; xhogboss@gmail.com; dixie@realestatecenters.com; carrieknows02@goldenwest.net
Subject: GW Partners, LLC Conditional Use Permit 107 S 11th Street

Mr. Hartmann,

With this email I am providing notification to the City of Custer that I have no objections to the granting of the Conditional Use Permit to GW Partners, LLC to pursue short-term rentals for their property located at 107 S 11th Street. They consulted personally with me prior to pursuing this permit & I believe the choice of a property manager will ensure compliance with their requirements for occupants of the property.

Sincerely,

/s/ Marcia Eisenbraun
MARCIA EISENBRAUN
1047 Gordon Street Property Owner



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

Staff Report

Request: Setback Variance - Single Family Home Addition CMC 17.12.080
Applicant: Wade and Kathryn Johnson
Fee Paid: \$250.00
Location: 221 S 9th, Proposed Johnson Tract
Date: September 2, 2020
Planning Commission Meeting: September 15, 2020
Prepared by Tim Hartmann - Planning Administrator

GENERAL

The planning office has received a setback variance request for a proposed addition to the existing home. A home with a drive under garage currently exists on the property. The nearby church has recently been demoed.

The owners plan to construct an addition on the existing home. The existing home currently sits approximately 5.5' from the East property line. If the addition is constructed as planned and desired, the cantilevered deck would be the closest portion to the property line with about 3.5' of setback and the remainder of the addition being between 11.5' and 9.5' setback from the property line. Per CMC 17.12.080 a standard front setback is 25', therefore requiring a maximum setback variance of 21.5' for the entire addition as planned.

Planning Commission and Council will also be reviewing a non-subdivision plat in conjunction with this project. This plat will remove all interior lot lines.

If granted, the proposed addition would be subject to building permitting procedures.

VARIANCE

The variance request is to allow a variance from Custer Municipal Code 17.12.080. CMC requires a front yard setback of 25', 6' on sides, and 25' for the rear yard. If granted the main part of the structure would be setback 11.5' and 9.5' from the street right of way and the cantilevered covered porch would be setback 3.5' from the street right of way.

Staff reviewed this lot, potential building plans and topography of the parcel. Due to the location of the existing home, topography of the lot, existing and planned access and addressing of the parcel staff does feel the East side of the lot is the front. While considering those items and the location of the existing home staff feels a variance may be warranted.

PUBLIC HEARING

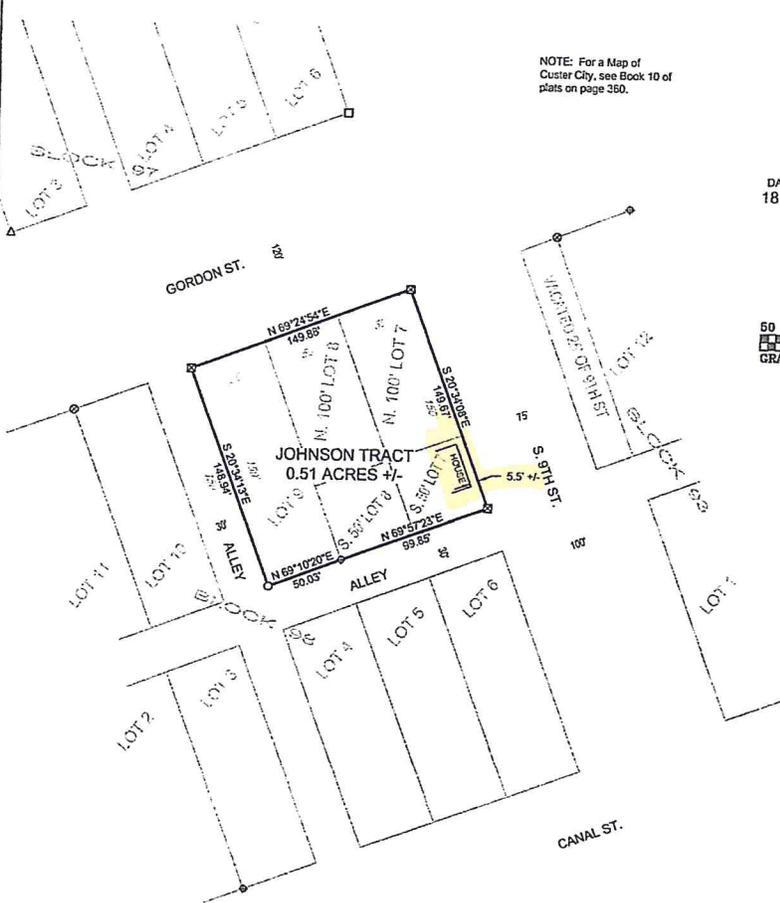
A Public Hearing will also be held at the October 5th, 2019 Board of Adjustment Meeting.

STAFF SUMMARY AND RECCOMENDATION

Staff feels the setback of the proposed addition is acceptable and that the property owner has presented a reasonable request due to the existing home, the topography of the parcel, and the frontage of the lot. Significant open space will still be maintained to the rear. Staff supports a recommendation to the Board of Adjustment for approval of a 22' the variance, which would allow for no portion of the structure to encroach closer than 3' from the East property line. All other setback requirements (sides and rear) would be applicable.

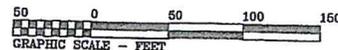
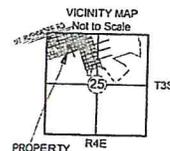
A PLAT OF JOHNSON TRACT OF BLOCK 98, CUSTER CITY, CUSTER COUNTY, SOUTH DAKOTA

FORMERLY THE N. 100' OF LOTS 7 & 8, THE S. 50' OF LOTS 7 & 8, AND LOT 9



NOTE: For a Map of Custer City, see Book 10 of plats on page 350.

DATE SURVEYED
18 Aug. 2020



LEGEND

- ☒ Set rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
- ⊗ Found rebar w/aluminum cap marked "BRYANT LS 2195"
- ☐ Found rebar w/aluminum cap marked "BUCKHORN RLS 4896"
- Found rebar
- △ Found axle
- ◆ Found pipe
- ☞ Stant lettering denotes record calls

BASIS OF BEARING - GPS OBSERVATION
taken S 86°34'36"W 2437.38' from the SW corner of Johnson Tract.
CPIUS STATIC SOLUTION NAD83(2011)
LAT: 43°45'52.02887"
LONG: -103°39'53.518"

No area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 46033C0400F, effective date: Jan. 6, 2012.

WATER PROTECTION STATEMENT

Pursuant to SDCL 11-3-8.1 and 11-3-8.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall in prosecution of such protections, conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same.

CERTIFICATE OF SURVEYOR

I, John D. McBride Registered Land Surveyor No. 5006 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.
IN WITNESS WHEREOF, I hereunto set my hand and official seal.
Dated this ___ day of ___, 2020.

John D. McBride SDRLS No. 5906

STATE OF _____ COUNTY OF _____

We, Charles W. Johnson (AKA Col. C. Wade Johnson) and Kathryn J. Johnson, do hereby certify that we are the owners of the within described lands and that the within plat was made at our direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
Dated this ___ day of ___, 2020.

Charles W. Johnson (AKA Col. C. Wade Johnson)

Kathryn J. Johnson

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF _____ COUNTY OF _____
On this ___ day of ___, 2020, before me, a Notary Public, personally appeared Charles W. Johnson (AKA Col. C. Wade Johnson) and Kathryn J. Johnson, known to me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public _____

My commission expires _____

CERTIFICATE OF COUNTY TREASURER

I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
Dated this ___ day of ___, 2020.

Custer County Treasurer

OFFICE OF THE REGISTER OF DEEDS

Filed for record this ___ day of ___, 2020, at ___ o'clock ___ M., and recorded in Book ___ of Plats on page ___.

Custer County Register of Deeds _____

CERTIFICATE OF HIGHWAY AUTHORITY

It appears that every lot has an acceptable approach location onto a public road and the location of the intersection(s) of the proposed subdivision road(s) with the existing public road(s) is hereby approved.

Highway Authority _____

Date: _____

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION

I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of the within plat.
Dated this ___ day of ___, 2020.

Director of Equalization of Custer County

RESOLUTION OF THE CITY COUNCIL

Whereas there has been presented to the City Council of Custer, South Dakota, the within plat of the above described lands, and it appearing to the Council that said plat conforms to the existing plats of said City, that the streets set forth therein conforms to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed according to law, now therefore,
BE IT RESOLVED, that said plat is hereby approved in all respects.
Dated at Custer, South Dakota this ___ day of ___, 2020.

Mayor _____

CERTIFICATE OF CITY FINANCE OFFICER

I, Finance Officer of the City of Custer, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the City Council of Custer, South Dakota at a meeting held on the ___ day of ___, 2020.

Custer City Finance Officer

Prepared by
ANDERSEN ENGINEERS
Land Surveying, Professional Engineering, & Environmental Sciences

Drawn by RW	Date 8/21/2020	P.O. Box 446 Eganmont, SD 57735 (605)-652-5500
Approved by DR	Date 8/24/2020	andersenengineers@gwtc.net
Scale 1"=50'	Sheet 1 of 1	File Name: L9_B98_CUSTER

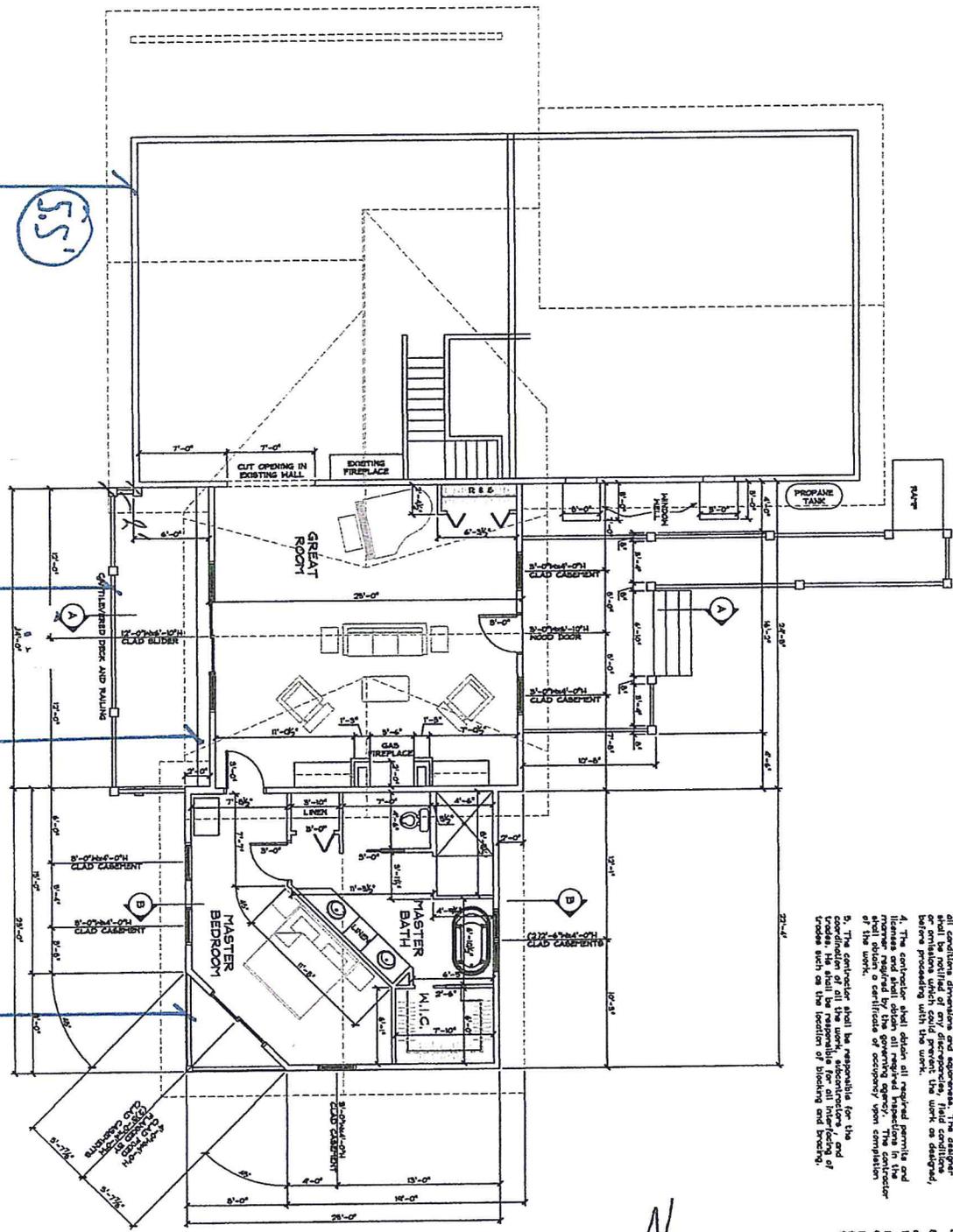
Existing home - 5.5' setback
with 9' eaves

Alley

DISCLAIMER
THE DESIGNER DOES NOT WARRANT THESE PLANS, THE GENERAL CONTRACTOR AND MUST BE RESPONSIBLE FOR SAME.

GENERAL NOTES

1. General requirements: comply with the 2003 IRC or latest edition adopted by the governmental jurisdiction, and all governmental codes, ordinances and regulations.
2. The contractor is solely responsible for construction means, methods, techniques, sequences, or procedures, and generally with the work, addresses and programs in accordance with the approved plans.
3. The contractor shall inspect the job site and verify all conditions dimensions and approvals. The contractor shall be notified of any discrepancies, field conditions or omissions by the governing agency. The contractor shall be responsible for all necessary permits and licenses required by the governing agency. The contractor shall be responsible for all necessary permits and licenses required by the governing agency. The contractor shall be responsible for all necessary permits and licenses required by the governing agency.
4. The contractor shall obtain all required permits and licenses required by the governing agency. The contractor shall be responsible for all necessary permits and licenses required by the governing agency.
5. The contractor shall be responsible for the coordination of all the work, subcontractors, and trades. He shall be responsible for all interfacing of trades such as the location of blocking and bracing.
6. All dimensions on the drawings shall be checked against the site conditions. The general contractor shall contact the general contractor for needed dimensions which are not necessarily shown. Dimensions are on the face of members or face of steel, unless stated otherwise.
7. The contractor shall clean, patch, repair, and finish per permit all holes, openings, and all adjacent areas damaged by the work.
8. Install fire blocking as per code.
9. All header walls to be 2nd or 3rd floor of 16" o.c. with 1/2" min. but each side unless noted otherwise.
10. Verify location of downspouts & gutters with owner and general contractor.
11. Provide blocking in all stud walls above bathroom walls for hanging mirrors. Also see item for blocking locations for toilet paper holders (T.P.) and towel bars (T.B.)



Property Line

5.5'
3.5'
11.5'
9.5'

C N/A PL

Gorda St

Robb Creek Builders
JOHNSON ADDITION
DATE: 07/20/20
MAIN LEVEL
FLOOR PLAN
SHEET 2



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 1 day of September, 20 20.

Signed

KATELYN J. JOHNSON

Name Printed

STATE OF SOUTH DAKOTA

COUNTY OF CUSTER

Subscribed and sworn before me this the 31st day of AUGUST, 20 20.

Marcel J O'Connell
Notary Signature

MARCEL J O'CONNELL
Notary Name Printed

APRIL 27, 2026
Commission Expires

B
9/1/20

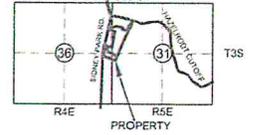
A PLAT OF TRACT LEBOLDUS 1 & TRACT LEBOLDUS 2 OF SIDNEY PARK RESIDENTIAL DEVELOPMENT SUBDIVISION, LOCATED IN SECTION 31, T3S, R5E, AND SECTION 36, T3S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA FORMERLY TRACT LEBOLDUS

NOTE: For a plat of Tract Leboldus see Book 11 of Plats on page 512.



DATE SURVEYED
4 June 2020

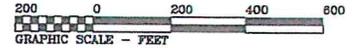
VICINITY MAP
Not to Scale



BASIS OF BEARING - GPS OBSERVATION
taken N 10°04'36" E 2063.13' from the SW corner of Tract Leboldus 2.
OPUS STATIC SOLUTION NAD83(2011)
LAT: 43°45'3.14341"
LONG: -103°34'42.35275"

LEGEND

- ▣ Set rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
- ▣ Set rebar w/plastic cap marked "ANDERSEN ENG PLS 5906"
- ⊙ Found rebar w/aluminum cap marked "BRYANT LS 4896"
- ⊙ Found rebar w/aluminum cap marked "BRYANT LS 2196"
- Found rebar
- Found standard BLM brass cap monument
- △ Found stone monument
- ⊙ Found iron rod
- × angle point not monumented
- Slant lettering denotes record calls



Course	Bearing	Distance
L1	S 12°54'54" W	50.11'
L2	S 60°27'02" W	127.69'
L3	N 30°02'01" E	88.70'
L4	N 76°37'23" W	220.35'
L5	S 55°53'24" E	20.55'
L6	N 00°02'46" W	48.39'
L7	S 20°08'03" E	166.38'
L8	S 82°57'02" E	94.11'
L9	S 11°58'43" W	25.00'
L10	S 11°58'43" W	25.00'
L11	S 07°12'28" W	25.00'

Curve	Radius	Tangent	Length	Delta	Degree	Chord	Chord Bear.
C1	98.46'	45.85'	85.49'	49°44'59"	58°11'32"	82.83'	S 45°00'34" E
C2	152.40'	93.05'	167.08'	62°48'59"	37°35'47"	158.84'	S 51°32'33" E

CERTIFICATE OF SURVEYOR
I, John D. McBride Registered Land Surveyor No. 5906 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.
IN WITNESS WHEREOF, I hereunto set my hand and official seal.
Dated this ___ day of ___, 2020.

John D. McBride SDRLS No. 5906

STATE OF _____ COUNTY OF _____
The Lawrence John Parquet 2002 Trust does hereby certify that it is the owner of the within described lands and that the within plat was made at its direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
Dated this ___ day of ___, 2020.

Lawrence John Parquet (TRUSTEE)

ACKNOWLEDGMENT OF OWNERSHIP
STATE OF _____ COUNTY OF _____
On this the ___ day of ___, 2020, before me, the undersigned officer, personally appeared Lawrence John Parquet, Trustee of The Lawrence John Parquet 2002 Trust, known to me or satisfactorily proven to be the person described in the foregoing instrument, and acknowledged that she executed the same in the capacity therein stated and for the purposes therein contained.
IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public

My commission expires _____

CERTIFICATE OF HIGHWAY AUTHORITY
It appears that every lot has an acceptable approach location onto a public road and the location of the intersection(s) of the proposed subdivision road(s) with the existing public road(s) is hereby approved.

Highway Authority

Date: _____

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION
I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of the within plat.
Dated this ___ day of ___, 2020.

Director of Equalization of Custer County

OFFICE OF THE REGISTER OF DEEDS
Filed for record this ___ day of ___, 2020, at ___ o'clock ___ M., and recorded in Book ___ of Plats on page _____

Custer County Register of Deeds

NOTE: 10 FEET EACH SIDE OF REAR AND SIDE LOT LINES ARE RESERVED FOR UTILITY EASEMENTS. IF THE LINE ABUTS LANDS NOT SUBDIVIDED UNDER THE PROVISIONS OF CUSTER COUNTY SUBDIVISION ORDINANCE #2, THE ENTIRE 20' WIDE EASEMENT WILL BE TAKEN FROM THE LOT.

WATER PROTECTION STATEMENT
Pursuant to SDCL 11-3-4.1 and 11-3-4.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall in prosecution of such protections, conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same.

CERTIFICATE OF COUNTY TREASURER
I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
Dated this ___ day of ___, 2020.

Custer County Treasurer

RESOLUTION OF THE CITY COUNCIL
Whereas there has been presented to the City Council of Custer, South Dakota, the within plat of the above described lands, and it appearing to the Council that said plat conforms to the existing plats of said City, that the streets set forth therein conform to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed according to law, now therefore, BE IT RESOLVED, that said plat is hereby approved in all respects.
Dated at Custer, South Dakota this ___ day of ___, 2020.

CERTIFICATE OF CITY FINANCE OFFICER
I, Finance Officer of the City of Custer, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the City Council of Custer, South Dakota at a meeting held on the ___ day of ___, 2020.

Custer City Finance Officer

Prepared by
ANDERSEN ENGINEERS
Land Surveyors, Professional Engineering, & Environmental Consultants

Drawn by RW	Date 8/7/2020	P.O. Box 446 Edgemont, SD 57735 (605) 662-5500
Approved by McB	Date 8/7/2020	andersonengineers@gwc.net
Scale 1"=200'	Sheet 1 of 1	File Name: TR_LEBOLDUS_SIDNEY_PARK



Planning Department

622 Crook Street

Custer, SD. 57730

Phone: 673-4824

Fax: 673-2411

e-mail: timh@cityofcuster.com

Staff Report

Request: Minor Plat, Tract Leboldus 1 & Tract Leboldus 2
Applicant: Lawrence Parquet
Location: Sydney Park Road, approximately 0.75 miles South of Custer City
Legal Desc.: Tract Leboldus 1 & Tract Leboldus 2 of Sidney Park Residential Development Subdivision - See plat for full legal.
Fee: \$450.00
Date Prepared: August 13, 2020
Planning Commission Meeting: September 15th, 2020
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a subdivision that is not within the corporate limits of the City of Custer but is within the City's extraterritorial jurisdiction. The proposed plat will divide the existing Tract Leboldus into two Tracts, Tract Leboldus 1(19.77 acres) and Leboldus 2(5.00acres). A Private well and septic system serve the existing home on the Proposed Tract Leboldus 1. Tract Leboldus 2 will remain of adequate size to support a well and septic. Staff did have an additional conversation with the applicant regarding the existing well and septic system. These are North and West of the existing home, and therefore judging by the existing road and proposed easement, approximately 150' north of the proposed lot line.

COMPREHENSIVE PLAN

The comprehensive plan identifies this area as countryside residential.

ROUTING SHEET RESPONSES

CCROD – Access Easement and acreage question

CC Highway – Access Easement discussion

CC Planning - Access Easement discussion

ACCESS

The primary access to both parcels is proposed from Sidney Park Road. Proposed Tract Leboldus 2 has access directly onto Sydney Park Road within its 481' of frontage. The proposed Tract Leboldus 1 will then have its primary access path down the existing driveway within a 50' Private Access and Utility Easement. Proposed Tract Leboldus 1 could potentially gain additional access via the H-1 Lot to Sidney Park Road or the 66' dedicated Public R.O.W through Lot 13 to the North.

REGULATORY FLOODPLAIN

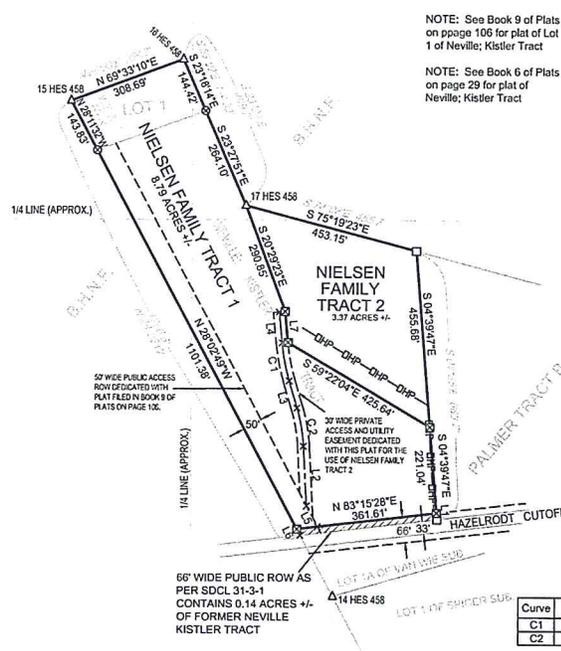
A portion of this property is affected by regulatory floodplain. The area of special flood hazard has been noted on the plat and any development within such SFHA would be subject to Custer County's Flood Ordinance.

SUMMARY AND STAFF RECOMMENDATION

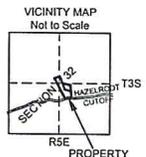
Staff supports a recommendation of approval to the Council.



A PLAT OF
NIELSEN FAMILY TRACT 1 & NIELSEN FAMILY TRACT 2, LOCATED IN SECTION 32, T3S, R5E, BHM, CUSTER COUNTY, SOUTH DAKOTA
 FORMERLY NEVILLE; KISTLER TRACT (LESS LOT 1 OF NEVILLE; KISTLER TRACT) AND LOT 1 OF NEVILLE; KISTLER TRACT



NOTE: See Book 9 of Plats on page 106 for plat of Lot 1 of Neville; Kistler Tract
 NOTE: See Book 6 of Plats on page 29 for plat of Neville; Kistler Tract

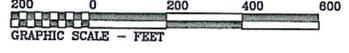


DATE SURVEYED
 6 Aug. 2020

LEGEND

- ☒ Set rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
- ⊙ Found rebar w/aluminum cap marked "BRYANT LS 2196"
- Found aluminum cap marked "PROPERTY CORNER"
- △ Found stone monument
- × Angle point not monumented
- Slant lettering denotes record calls
- DHP — Overhead Power Line

BASIS OF BEARING - GPS OBSERVATION
 taken S 60°50'11"E 335.65' from the NW corner of Nielsen Family Tract 1.
 OPUS STATIC SOLUTION NAD83(2011)
 LAT: 43°44'45.18146"
 LONG: -103°32'55.20980"



Course	Bearing	Distance
L1	S 04°39'47" E	16.51'
L2	N 03°15'14" W	153.50'
L3	N 16°24'00" W	72.60'
L4	S 05°16'46" E	80.00'
L5	N 28°02'49" W	78.23'
L6	S 28°02'49" E	17.71'
L7	S 05°16'46" E	80.00'

Curve	Radius	Tangent	Length	Delta	Degree	Chord	Chord Bear.
C1	513.61'	50.00'	99.69'	11°07'14"	11°09'20"	99.53'	S 10°50'23" E
C2	433.93'	50.00'	99.56'	13°08'46"	13°12'14"	99.34'	S 09°49'37" E

CERTIFICATE OF SURVEYOR

I, John D. McBride Registered Land Surveyor No. 5906 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.
 IN WITNESS WHEREOF, I hereunto set my hand and official seal.
 Dated this ___ day of ___, 2020.

John D. McBride SDRLS No. 5906

STATE OF SOUTH DAKOTA, COUNTY OF FALL RIVER

Wildwood, LLC, does hereby certify that it is the owner of the within described lands and that the within plat was made at its direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
 Dated this ___ day of ___, 2020.

Connie Tye, member, Wildwood, LLC.

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF SOUTH DAKOTA, COUNTY OF FALL RIVER
 On this the ___ day of ___, 20___, before me, the undersigned officer, personally appeared Connie Tye, who acknowledged herself to be a member of Wildwood, LLC, a corporation, and that she, as such member, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by herself as a member.
 IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public _____ My commission expires _____

STATE OF _____, COUNTY OF _____

We, Anthony G. Tye & Connie R. Tye, do hereby certify that we are the owners of the within described lands and that the within plat was made at our direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
 Dated this ___ day of ___, 2020.

Anthony G. Tye

Connie R. Tye

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF SOUTH DAKOTA, COUNTY OF FALL RIVER
 On this the ___ day of ___, 20___, before me, a Notary Public, personally appeared Anthony G. Tye & Connie R. Tye, known to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.
 IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public _____ My commission expires _____

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION

I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of the within plat.
 Dated this ___ day of ___, 2020.

Director of Equalization of Custer County

OFFICE OF THE REGISTER OF DEEDS

Filed for record this ___ day of ___, 2020, at ___ o'clock ___ M., and recorded in Book ___ of Plats on page _____.
 Custer County Register of Deeds

NOTE: 10 FEET EACH SIDE OF REAR AND SIDE LOT LINES ARE RESERVED FOR UTILITY EASEMENTS. IF THE LINE ABUTS LANDS NOT SUBDIVIDED UNDER THE PROVISIONS OF CUSTER COUNTY SUBDIVISION ORDINANCE #2, THE ENTIRE 20' WIDE EASEMENT WILL BE TAKEN FROM THE LOT.

No area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 46033C0425F, effective date: Jan. 6, 2012.

WATER PROTECTION STATEMENT

Pursuant to SDCL 11-3-8.1 and 11-3-8.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall in prosecution of such protections, conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same.

CERTIFICATE OF HIGHWAY AUTHORITY

It appears that every lot has an acceptable approach location onto a public road and the location of the intersection(s) of the proposed subdivision road(s) with the existing public road(s) is hereby approved.
 Highway Authority _____ Date: _____

CERTIFICATE OF COUNTY TREASURER

I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
 Dated this ___ day of ___, 2020.

Custer County Treasurer

RESOLUTION OF THE CITY COUNCIL

Whereas there has been presented to the City Council of Custer, South Dakota, the within plat of the above described lands, and it appearing to the Council that said plat conforms to the existing plats of said City, that the streets set forth therein conforms to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, and that said plat and the survey thereon have been executed according to law, now therefore,
BE IT RESOLVED, that said plat is hereby approved in all respects.
 Dated at Custer, South Dakota this ___ day of ___, 2020.

Mayor _____

CERTIFICATE OF CITY FINANCE OFFICER

I, Finance Officer of the City of Custer, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the City Council of Custer, South Dakota at a meeting held on the ___ day of ___, 2020.

Custer City Finance Officer

Prepared by
ANDERSEN ENGINEERS
Land Surveyors, Professional Engineering, & Environmental Consultants

Drawn by RW	Date 8/11/2020	P.O. Box 446 Edgemont, SD 57735
Approved by MCB	Date 8/11/2020	(605)-662-5500 andersenengineers@gwcc.net
Scale 1"=200'	Sheet 1 of 1	File Name: HES_458



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

Staff Report

Request: Minor Plat, Nielsen Family Tract 1 & Nielsen Family Tract 2
Applicant: Anthony & Connie Tye and Wildwood, LLC
Location: Hazelrodt Cutoff, approximately 1.5 miles SE of Custer City
Legal Desc.: Nielsen Family Tract 1 & Nielsen Family Tract 2 - See plat for full legal.
Parcel #s: 005391 & 005392
Fee: \$150.00
Date Prepared: August 24, 2020
Planning Commission Meeting: September 15, 2020
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a lot line adjustment that is not within the corporate limits of the City of Custer but is within the City's extraterritorial jurisdiction. The proposed lot line adjustment will vacate the lot line of what currently creates Lot 1 and will create the proposed Nielsen Family Tract 1 and Nielsen Family Tract 2. Private wells and septic systems serve the parcels.

WELLS AND SEPTICS

This property has 2 wells and 2 septic systems currently established. One of the septic systems serves multiple cabins. Staff visited the property on September 1st to research the location of existing wells and septic's in relationship to the new property lines around proposed Nielsen Family Tract 2. The South lot line of such tract was shifted further south from the original submittal to assure proper setback from an existing septic and drain field for the cabins.

COMPREHENSIVE PLAN

The comprehensive plan identifies this area as countryside residential.

ROUTING SHEET RESPONSES

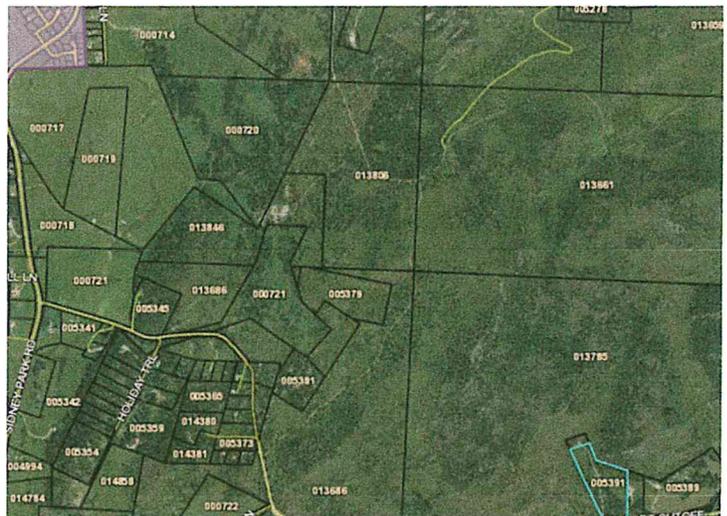
SDDOT – No comments

ACCESS

Access to the property is gained from Hazelrodt Cutoff. The existing access point to Hazelrodt Cutoff will remain. A 30' wide private easement will serve the proposed Nielsen Family Tract 2 parcel. Both proposed lots then have access directly to Hazelrodt Cutoff. No note has been placed on the plat to vacate the 50' Public Access on the West side of Proposed Nielsen Family Tract 1.

SUMMARY AND STAFF RECOMMENDATION

Staff supports a recommendation of approval to the Council.



9/9/20

A PLAT OF TED TRACT 1 & TED TRACT 2 OF RAMSEY SUBDIVISION, LOCATED IN NW1/4 SECTION 2, T4S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA FORMERLY TRACT 2 OF LOT A OF TRACT RAMSEY OF H.E.S. 177 AND LOT 3 OF LOT A OF TRACT RAMSEY OF H.E.S. 177

NOTE: For a plat of Lot 3 of Ramsey Subdivision see Book 12 of Plats on page 625.

NOTE: For a plat of Tract 2 of Ramsey Subdivision see Book 12 of Plats on page 702.

NOTE: FOR A RESOLUTION VACATING THE SOUTH 31' OF SUNSET LANE SEE BOOK 1 RES ON PAGE 12.

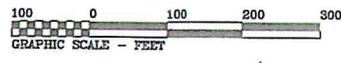
NOTE: TED TRACT 1 CONTAINS 0.50 ACRES +/- OF FORMER TRACT 2



LEGEND

- Set rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
- Found rebar w/aluminum cap marked "ANDERSEN PLS 2842"
- Found rebar w/aluminum cap marked "BUCKHORN RLS 4896"
- Slant lettering denotes record calls

BASIS OF BEARING - GPS OBSERVATION
 taken N 72°45'45"E 963.81' from the SE corner of TED TRACT 1.
 OPUS Rapid Static Solution NAD83(2011)
 LAT: 43°44'05.94641"
 LONG: -103°36'45.83546"



CERTIFICATE OF SURVEYOR

I, John D. McBride Registered Land Surveyor No. 5906 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.
 IN WITNESS WHEREOF, I hereunto set my hand and official seal.
 Dated this ___ day of ___, 2020.

John D. McBride SDRLS No. 5906

STATE OF _____ COUNTY OF _____
 We, Mark Hartman & Cheri Hartman, do hereby certify that we are the owners of the within described lands and that the within plat was made at our direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
 Dated this ___ day of ___, 2020.

Mark Hartman Cheri Hartman

ACKNOWLEDGMENT OF OWNERSHIP
 STATE OF _____ COUNTY OF _____
 On this ___ day of ___, 2020, before me, a Notary Public, personally appeared Mark Hartman & Cheri Hartman, known to me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.
 IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public My commission expires

STATE OF _____ COUNTY OF _____
 I, William J. Hartman, do hereby certify that I am the owner of the within described lands and that the within plat was made at my direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
 Dated this ___ day of ___, 2020.

William J. Hartman

ACKNOWLEDGMENT OF OWNERSHIP
 STATE OF _____ COUNTY OF _____
 On this ___ day of ___, 2020, before me, a Notary Public, personally appeared William J. Hartman, known to me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.
 IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public My commission expires

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION
 I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of the within plat.
 Dated this ___ day of ___, 2020.

Director of Equalization of Custer County

OFFICE OF THE REGISTER OF DEEDS
 Filed for record this ___ day of ___, 2020, at ___ o'clock ___ M, and recorded in Book ___ of Plats on page ___.

Custer County Register of Deeds

NOTE: 10 FEET EACH SIDE OF REAR AND SIDE LOT LINES ARE RESERVED FOR UTILITY EASEMENTS, IF THE LINE ABUTS LANDS NOT SUBDIVIDED UNDER THE PROVISIONS OF CUSTER COUNTY SUBDIVISION ORDINANCE #2, THE ENTIRE 20' WIDE EASEMENT WILL BE TAKEN FROM THE LOT.

No area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 46033C0425F, effective date: Jan. 6, 2012.

WATER PROTECTION STATEMENT

Pursuant to SDCL 11-3-8.1 and 11-3-8.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall in prosecution of such protections, conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same.

CERTIFICATE OF HIGHWAY AUTHORITY

It appears that every lot has an acceptable approach location onto a public road and the location of the intersection(s) of the proposed subdivision road(s) with the existing public road(s) is hereby approved.

Highway Authority

Date:

CERTIFICATE OF COUNTY TREASURER

I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
 Dated this ___ day of ___, 2020.

Custer County Treasurer

RESOLUTION OF THE CITY COUNCIL

Whereas there has been presented to the City Council of Custer, South Dakota, the within plat of the above described lands, and it appearing to the Council that said plat conforms to the existing plats of said City, that the streets set forth therein conforms to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed according to law, now therefore, BE IT RESOLVED, that said plat is hereby approved in all respects.
 Dated at Custer, South Dakota this ___ day of ___, 2020.

Mayor

CERTIFICATE OF CITY FINANCE OFFICER

I, Finance Officer of the City of Custer, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the City Council of Custer, South Dakota at a meeting held on the ___ day of ___, 2020.

Custer City Finance Officer

Prepared by
ANDERSEN ENGINEERS
Land Surveyors, Professional Engineering, & Environmental Consultants

Drawn by RW	Date 7/29/2020	P.O. Box 446 Edgemont, SD 57735 (605)-662-5500
Approved by McB	Date 8/12/2020	andersenengineers@gwtc.net
Scale 1"=100'	Sheet 1 of 1	File Name: L2_RAMSEY



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

Staff Report

Request: Minor Plat, Ted Tract 1 & Ted Tract 2 of Ramsey Subdivision
Applicant: Ted Hartman
Location: Adjacent to Sunset Lane near the Custer County airport
Legal Desc.: Ted Tract 1 and Ted Tract 2 of Ramsey Subdivision - See plat for full legal
Parcels #s: 013793 & 015147
Fee: \$150.00
Date Prepared: August 17th, 2020
Planning Commission Meeting: September 15th, 2020
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a non-subdivision that is not within the corporate limits of the City of Custer but is within the City's extraterritorial jurisdiction. The plat is performing a lot line adjustment between the existing Tract 2 and Lot 3 creating the proposed Ted Tract 1(2.77 acres) and Ted Tract 2(1.51 acres).

COMPREHENSIVE PLAN

The comprehensive plan identifies this area as countryside residential.

ACCESS

Access to the subdivision is gained via Sunset Lane which is accessed directly from US Highway 385. Sunset Lane provides access per the 35' Public Access Utility Easement. Previous plats noted Sunset Lane as a 66' Public Access and Utility Easement. Upon presentation and review of previous action by Custer County and Custer City, the southern 31' of Easement was previously vacated. Such vacation is officially filed in Book 1 of resolutions page 12.

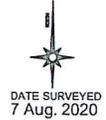
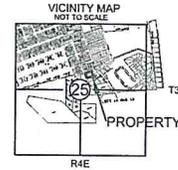
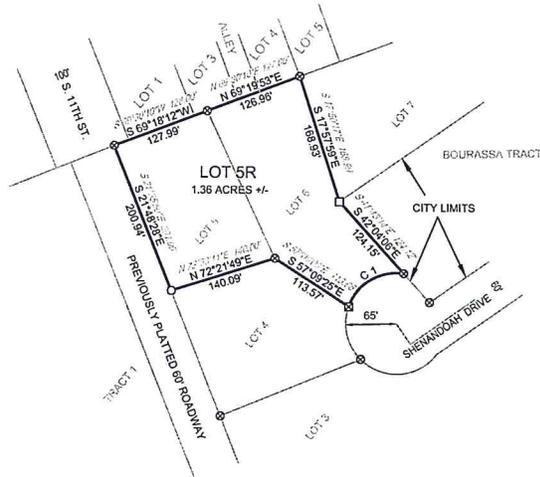
SUMMARY AND STAFF RECOMMENDATION

No additional density is to be served by the previously accepted 35' Public Access and Utility Easement and no issues appear to exist with an existing well and septic system on the proposed Ted Tract 1. Staff supports a recommendation of approval to the Council.

A PLAT OF
**LOT 5R OF BLOCK I, BOURASSA ADDITION, LOCATED IN GOVT.
 LOT 1 OF SECTION 25, T3S, R4E, BHM, CITY OF CUSTER, CUSTER
 COUNTY, SOUTH DAKOTA**
 FORMERLY LOT 5 & LOT 6

NOTE: See Book 11 of
Plats on Page 733 for plat
of Bourassa Addition.

NOTE: THE UTILITY EASEMENT
CENTERED ON THE LOT LINE BETWEEN
OLD LOTS 5 AND 6 IS VACATED WITH
THIS PLAT.

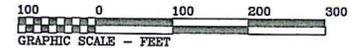


BASIS OF BEARING - GPS OBSERVATION
 taken S 41°56'16"E 44.97' from the SE corner of
 LOT 5R.
 OPUS STATIC SOLUTION NAD83(2011)
 LAT: 43°45'41.23332"
 LONG: -103°35'9.04074"

LEGEND

- Found rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
 - Found rebar w/aluminum cap marked "PROPERTY CORNER"
 - Found rebar
 - Found rebar w/aluminum cap marked "BRYANT LS 2196"
- Slant lettering denotes record calls

Curve	Radius	Tangent	Length	Delta	Degree	Chord	Chord Bear.
C1	65.00'	53.16'	89.12'	78°33'38"	88°08'50"	82.30'	S 58°34'56"W
C1	65.00'	53.16'	89.12'	78°33'38"	88°08'50"	82.30'	S 58°34'56"W



NOTE: 10 FEET EACH SIDE OF REAR AND SIDE LOT LINES ARE RESERVED FOR UTILITY EASEMENTS. IF BOTH SIDES OF THE LOT LINES ARE NOT CONTROLLED BY THIS PLAT THE ENTIRE 20' WIDE EASEMENT WILL BE TAKEN FROM THE LOT.

No area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 46033CD400F, effective date: Jan. 6, 2012.

WATER PROTECTION STATEMENT

Pursuant to SDCL 11-3-8.1 and 11-3-8.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall in prosecution of such protections, conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same.

CERTIFICATE OF SURVEYOR

I, John D. McBride Registered Land Surveyor No. 5906 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.
 IN WITNESS WHEREOF, I hereunto set my hand and official seal.
 Dated this ___ day of ____, 2020.

John D. McBride SDRLS No. 5906

CERTIFICATE OF HIGHWAY AUTHORITY

It appears that every lot has an acceptable approach location onto a public road and the location of the intersection(s) of the proposed subdivision road(s) with the existing public road(s) is hereby approved.

Highway Authority _____ Date: _____

STATE OF _____, COUNTY OF _____

We, Samuel G. Smolnisky, AKA Sam Smolnisky, and Nora Smolnisky, AKA Nora Olson, do hereby certify that we are the owners of the within described lands and that the within plat was made at our direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
 Dated this ___ day of ____, 2020.

Samuel G. Smolnisky (AKA Sam Smolnisky)

Nora Smolnisky (AKA Nora Olson)

Director of Equalization of Custer County

RESOLUTION OF THE CITY COUNCIL

Whereas there has been presented to the City Council of Custer, South Dakota, the within plat of the above described lands, and it appearing to the Council that said plat conforms to the existing plats of said City, that the streets set forth therein conforms to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed according to law, now therefore,
BE IT RESOLVED, that said plat is hereby approved in all respects.
 Dated at Custer, South Dakota this ___ day of ____, 2020.

Mayor

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF _____, COUNTY OF _____
 On this ___ day of ____, 2020, before me, a Notary Public, personally appeared Samuel G. Smolnisky, AKA Sam Smolnisky, and Nora Smolnisky, AKA Nora Olson, known to me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.
 IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

My commission expires _____

CERTIFICATE OF COUNTY TREASURER

I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
 Dated this ___ day of ____, 2020.

Custer County Treasurer

CERTIFICATE OF CITY FINANCE OFFICER

I, Finance Officer of the City of Custer, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the City Council of Custer, South Dakota at a meeting held on the ___ day of ____, 2020.

Custer City Finance Officer

OFFICE OF THE REGISTER OF DEEDS

Filed for record this ___ day of ____, 2020, at ___ o'clock ___ M, and recorded in Book ___ of Plats on page ___.

Custer County Register of Deeds

Prepared by
ANDERSEN ENGINEERS
Land Surveyors, Professional Engineering, & Environmental Consultants

Drawn by RW	Date 8/13/2020	P.O. Box 446 Edgemont, SD 57735
Approved by McB	Date 8/13/2020	(605)-662-5500 andersenengineers@gwic.net
Scale 1"=100'	Sheet 1 of 1	File Name: L5_BOURASSA_ADD



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

Staff Report

Request: Minor Plat, Lot 5R of Block 1, Bourassa Addition
Applicant: Samuel Smolnisky
Location: Shenandoah Drive, off Park Ave road.
Legal Desc.: Lot 5R of Block 1, Bourassa Addition - See Plat for full legal
Parcel #s (Currently): 010864 & 010865
Fee Paid: \$150.00
Date Prepared: August 25, 2020
Planning Commission Meeting: September 15, 2020
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a non-subdivision plat intended to incorporate two existing lots into one and eliminate an interior lot line. This incorporation will allow the interior lot line to be eliminated and therefore not be considered in setbacks for any new construction and will allow for accessory structures to be constructed on the large single lot.

This property is within Custer City and is zoned Residential. The proposed plat does have City water and sewer services available.

Access to the proposed parcel is primarily provided from South 11th Street on the North of the parcel, and additionally could be accessed from Shenandoah Drive from the South.

ROUTING SHEET RESPONSES

SDDOT – No Comments

COMPREHENSIVE PLAN

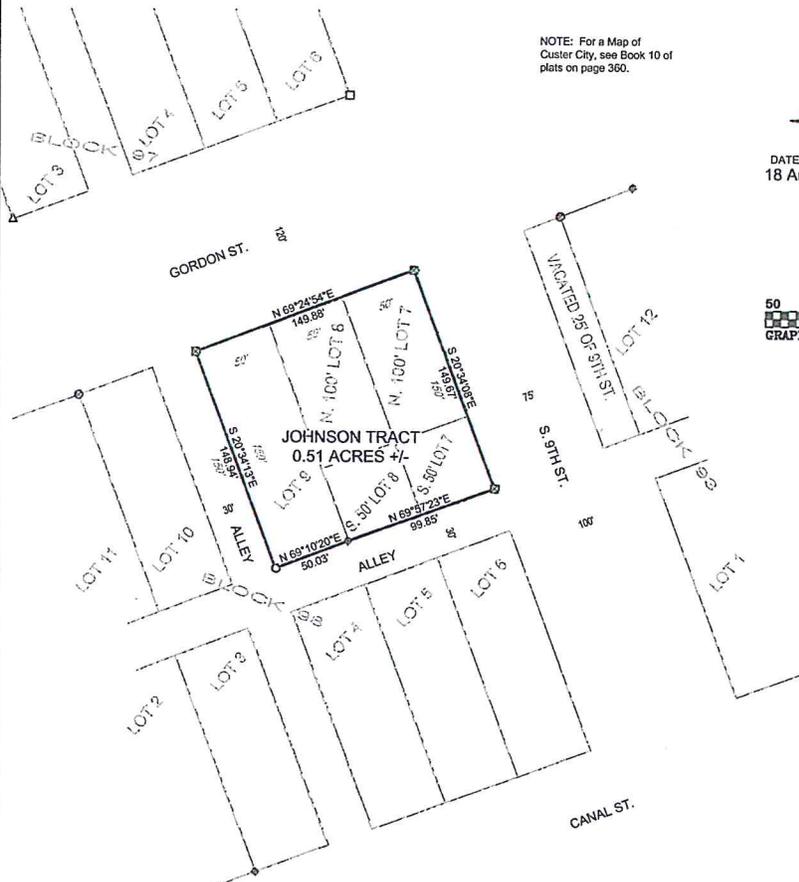
The land use section of the Comprehensive Plan identifies this area as Suburban Residential.

STAFF RECCOMENDATION

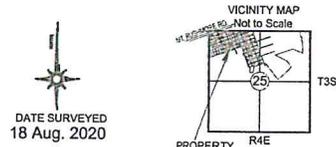
Staff supports a recommendation of approval to the Council for approval of this minor plat.

A PLAT OF JOHNSON TRACT OF BLOCK 98, CUSTER CITY, CUSTER COUNTY, SOUTH DAKOTA

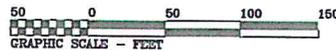
FORMERLY THE N. 100' OF LOTS 7 & 8, THE S. 50' OF LOTS 7 & 8, AND LOT 9



NOTE: For a Map of Custer City, see Book 10 of plats on page 360.



DATE SURVEYED
18 Aug. 2020



LEGEND

- ☒ Set rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
- ⊙ Found rebar w/aluminum cap marked "BRYANT LS 2196"
- ☐ Found rebar w/aluminum cap marked "BUCKHORN RLS 4896"
- Found rebar
- △ Found axle
- ◆ Found pipe
- Slant lettering denotes record calls

BASIS OF BEARING - GPS OBSERVATION
taken S 86°34'36"W 2437.38' from the SW corner of Johnson Tract.
OPUS STATIC SOLUTION NAD83(2011)
LAT: 43°45'52.02697"
LONG: -103°36'9.5318"

No area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 46033C0400F, effective date: Jan. 6, 2012.

WATER PROTECTION STATEMENT
Pursuant to SDCL 11-3-8.1 and 11-3-8.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall in prosecution of such protections, conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same.

CERTIFICATE OF SURVEYOR

I, John D. McBride Registered Land Surveyor No. 5906 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.
IN WITNESS WHEREOF, I hereunto set my hand and official seal.
Dated this ___ day of ___, 2020.

John D. McBride SDRLS No. 5906

CERTIFICATE OF HIGHWAY AUTHORITY

It appears that every lot has an acceptable approach location onto a public road and the location of the intersection(s) of the proposed subdivision road(s) with the existing public road(s) is hereby approved.

Highway Authority _____ Date: _____

STATE OF _____ COUNTY OF _____

We, Charles W. Johnson (AKA Col. C. Wade Johnson) and Kathryn J. Johnson, do hereby certify that we are the owners of the within described lands and that the within plat was made at our direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
Dated this ___ day of ___, 2020.

Charles W. Johnson (AKA Col. C. Wade Johnson)

Kathryn J. Johnson

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF _____ COUNTY OF _____
On this ___ day of ___, 2020, before me, a Notary Public, personally appeared Charles W. Johnson (AKA Col. C. Wade Johnson) and Kathryn J. Johnson, known to me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public _____
My commission expires _____

CERTIFICATE OF COUNTY TREASURER

I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
Dated this ___ day of ___, 2020.

Custer County Treasurer

OFFICE OF THE REGISTER OF DEEDS

Filed for record this ___ day of ___, 2020, at ___ o'clock ___ M., and recorded in Book ___ of Plats on page ___.

Custer County Register of Deeds _____

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION

I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of the within plat.

Dated this ___ day of ___, 2020.

Director of Equalization of Custer County

RESOLUTION OF THE CITY COUNCIL

Whereas there has been presented to the City Council of Custer, South Dakota, the within plat of the above described lands, and it appearing to the Council that said plat conforms to the existing plats of said City, that the streets set forth therein conforms to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been paid, and that said plat and the survey thereof have been executed according to law, now therefore,
BE IT RESOLVED, that said plat is hereby approved in all respects.
Dated at Custer, South Dakota this ___ day of ___, 2020.

Mayor _____

CERTIFICATE OF CITY FINANCE OFFICER

I, Finance Officer of the City of Custer, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the City Council of Custer, South Dakota at a meeting held on the ___ day of ___, 2020.

Custer City Finance Officer

Prepared by ANDERSEN ENGINEERS <i>Land Surveyors, Professional Engineering, & Environmental Consultants</i>		
Drawn by RW	Date 8/21/2020	P.O. Box 446 Edgemont, SD 57735
Approved by DR	Date 8/24/2020	(605)662-5500 andersenengineers@gwcc.net
Scale 1"=50'	Sheet 1 of 1	File Name: L9_698_CUSTER



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

Staff Report

Request: Minor Plat, Johnson Tract of Block 89
Applicant: Wade and Kathryn Johnson
Location: Block 89, At the Intersection of S 9th St and Gordon
Legal Desc.: A Plat of Johnson Tract of Block 89 - See Plat for full legal
Parcel #(Currently): 008583, 008584 & 008582
Fee Paid: \$150.00
Date Prepared: August 28, 2020
Planning Commission Meeting: September 15, 2020
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a non-subdivision plat intended to incorporate three existing lots into one and eliminate interior lot lines. The incorporation will allow the interior lot lines to be eliminated and therefore not be considered in setbacks for any new construction. This plat ties to a requested plan for single family home addition construction on the lot and the corresponding setback variance with such construction.

This property is within Custer City and is zoned Residential. The proposed Johnson Tract does have City water and sewer services available.

Primary access to the existing home and the planned improvements to the existing home will remain from S 9th Street. The proposed parcel does also have frontage to alleys and Gordon Street.

ROUTING SHEET RESPONSES

SDDOT – No comments

COMPREHENSIVE PLAN

The land use section of the Comprehensive Plan identifies this area as Suburban Commercial.

RESIDENTIAL LOT SIZE

Within a Residential Zone, the minimum lot size shall be seven thousand five hundred (7500) square feet. CMC 17.12.080

STAFF RECCOMENDATION

Staff supports a recommendation to the City Council for approval of the Minor Plat.