

**CITY OF CUSTER PLANNING AND ZONING COMMISSION
AGENDA**

**Tuesday September 25th, 2018 at 5:00 P.M.
Custer City Hall, 622 Crook Street, Custer, SD 57730**

Call to Order - Roll Call:

Approve Agenda: September 25, 2018

Approve Minutes: September 11, 2018

Declaration of Conflict of Interest:

New Business:

Minor Plat – Henderson Subdivision 3-mile

Old Business:

Discussion Items:

Rewrite of Custer City's Comprehensive Plan

Planning Administrator Updates:

Communications from The Public:

Adjournment:

DRAFT
MINUTES OF THE September 11th, 2018 MEETING OF THE OF THE CITY OF
CUSTER PLANNING COMMISSION

Roll Call: 5:00 pm

Members Present: Jerad Tennyson-Chairman; Joe Uhrich-Vice Chairman; Joe Harbach; Rick Hudson

Members Absent: Rick Hudson; John Dvorak; Scott Olson; Larry Maciejewski-Alternate; Tim Behlings-Alternate.

Other Parties Present: Tim Hartmann-Planning Administrator; Dixie Whittaker-Council Representative; Mayor Herman; Curt Walter – on behalf of AT&T.

Agenda: Commissioner Uhrich moved, with a second by Commissioner Hudson to approve. Motion unanimously Carried.

Minutes: Commissioner Harbach moved, with a second by Commissioner Uhrich the approve the August 28th, 2018 minutes and September 4th, 2018 – Special Meeting minutes. Motion unanimously carried.

Declaration of Conflict of Interest: None stated.

New Business:

AT&T Facility – Preliminary Location Proposals. Planning Administrator, Planning Commissioners, Mayor and Council Rep discussed the preliminary locations input from the Curt Walter. Discussion included but was not limited to co-location on an existing tower, the proposed structure and pros and cons of potential locations. No action taken.

Old Business:

Discussion Items:

Revisions to the Extraterritorial Area Policy. Planning Administrator and Planning Commission discussed the Extraterritorial Policy. Discussion included recap of the recent joint PC meeting, important items to incorporate into the policy, and plans to continue to address this topic as time allows.

Planning Administrator Updates

Planning Administrator and commission members gave various updates.

Communications from The Public

No communications from the public were heard.

Adjournment:

Being no further business before the Commission, Commissioner Uhrich moved, with a second by Commissioner Hudson to adjourn. Motion unanimously carried. The meeting adjourned at 6:32 pm.

Approved:

Attest:

Jerad Tennyson, 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: Minor Plat, Henderson Subdivision
Applicant: Tim Holland
Location: Approximately 2.8 miles S S/W of Custer. Fox Ridge Road
Legal Desc.: Henderson Subdivision - Plat of Tract Holland and Tract JK47 - See Plat for full legal
Fee Paid: \$450.00
Date Prepared: September 18, 2018
Planning Commission Meeting: September 25, 2018
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a subdivision plat that is not within the City of Custer but is subject to review by the City under the City's extraterritorial jurisdiction. The proposed plat will divide the existing Bennett Ranch Tract (46.46 acres) into two Tracts, Tract Holland (31.4 acres) and Tract JK47(15.0 Acres).

The area is in the county and therefore has no zoning.

COMPREHENSIVE PLAN

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

ROUTING SHEET RESPONSES

CC ROD – Various redline corrections.

CC Planning – Various redline corrections.

CC Highway – No concerns

USFS – No additional access will be provided. Current access is from a Public Road Easement, CEM102522, issued to the County of Custer. Require maintaining current access route (Fox Ridge Road).

SDDOT – No concerns.

ACCESS

Existing access to the area is provided from US Hwy 385, Carroll Creek Rd, and Fox Ridge Road.

Carroll Creek Road is a public road serving numerous properties between the Custer and Pringle area.

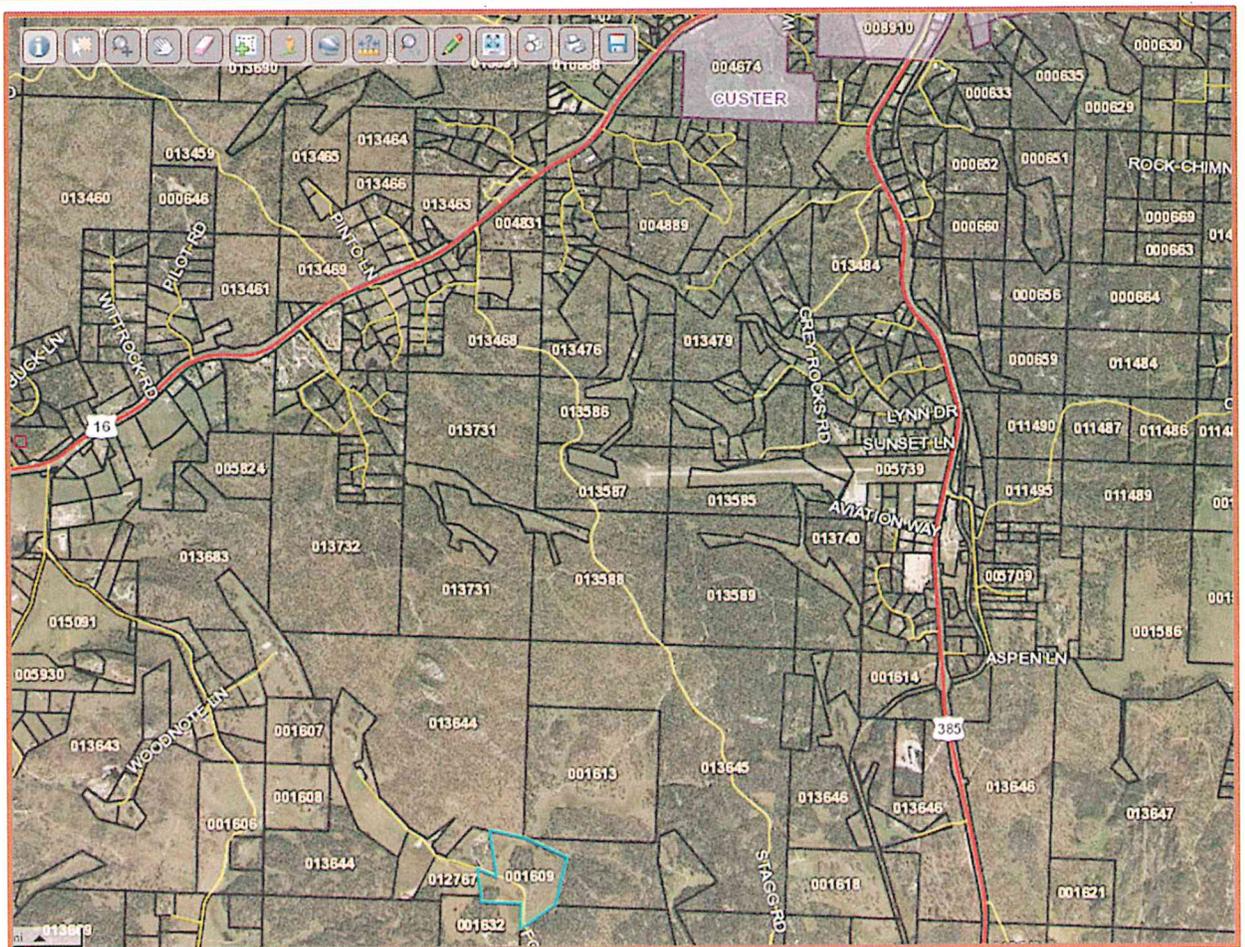
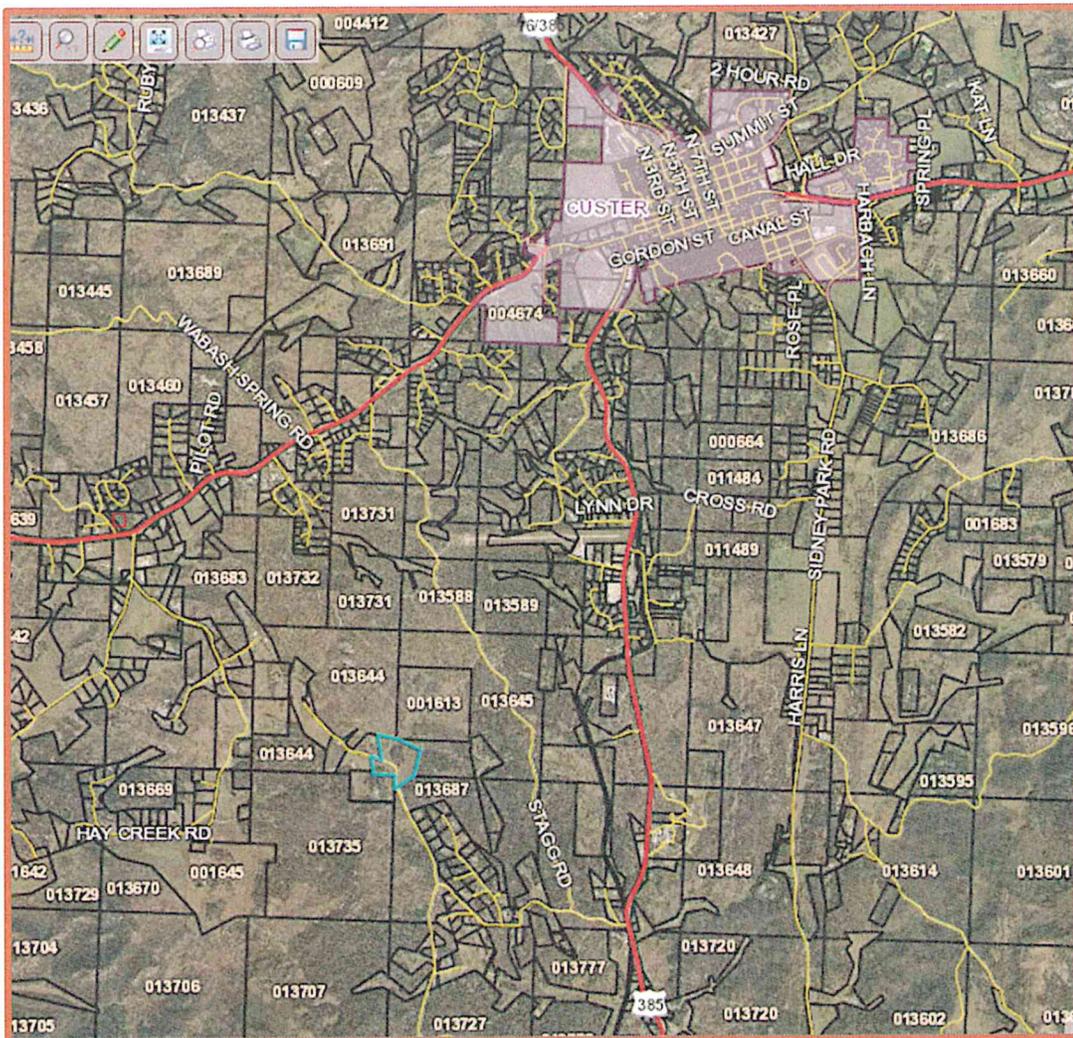
Fox Ridge road is a 66' Public Access and Utility Easement. Fox Ridge road currently crosses Bennet Ranch Tract. The two proposed tracts will share the 66' public access (33' on each) on the south end and the easement will then turn (to follow the location of the existing road) and be located within Tract Holland as it continues through the property.

N/S E/W SECTION LINE VACATIONS

The section line rights of way that run north and south and east and west within the boundaries of Henderson Subdivision have been vacated per Amended Resolution 2016-8 recorded in Book 46 Misc. 195. (vacations noted on plat)

SUMMARY AND STAFF RECCOMENDATION

Redline items have been addressed by the surveyor. The existing Fox Ridge Road easement will serve the two proposed parcels. Staff has no additional concerns and supports a recommendation to the Council for approval of the Minor.



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Rec 9/18/18

HENDERSON SUBDIVISION

PLAT OF TRACTS HOLLAND AND JK47 OF HENDERSON SUBDIVISION
(FORMERLY BENNETT RANCH TRACT, CONTAINING ALL OF TRACT FOX MEADOWS #2 OF TRACT FOX MEADOWS AND TRACT BENNETT, AND PORTION OF TRACT FOX HILLS REVISED OF HENDERSON SUBDIVISION, ALL A PORTION OF H.E.S 198)
LOCATED IN SECTIONS 9, 10, AND 15, T4S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

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.

NOTE
FIRM PANEL 46033C 0400 F DATED JANUARY 06, 2012 INDICATES NO PRESENCE OF A FLOOD HAZARD AREA WITHIN THE SUBDIVISION AREA REPRESENTED ON THE PLAT.

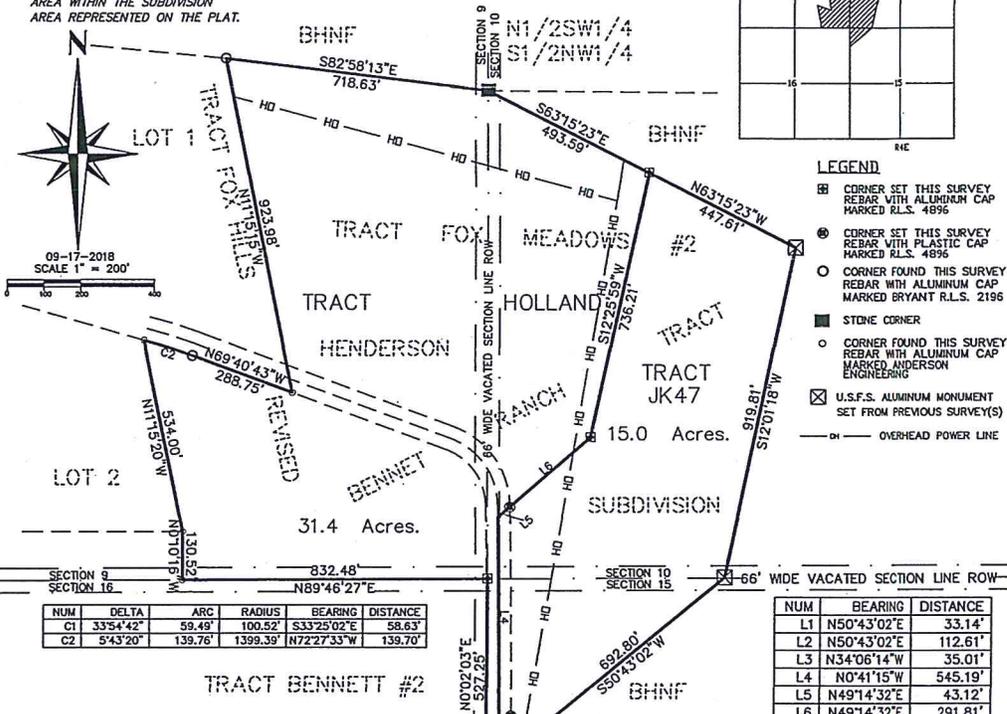
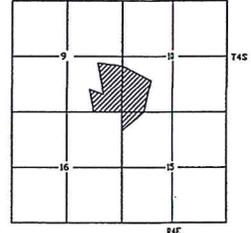
NOTE
FOX RIDGE ROAD IS 66' PUBLIC ACCESS AND UTILITY EASEMENT

NOTE
VACATION OF SECTION LINES ARE RECORDED IN BOOK 46 MISC PAGE 195.

NOTE
A 20' WIDE UTILITY EASEMENT SHALL EXIST CENTERED ON ALL SUBDIVISION LOT LINES NOT ADJACENT TO PUBLIC RIGHTS-OF-WAY OR UNPLATTED LAND AND ON THE INTERIOR SIDE OF LOT LINES THAT BORDER LAND THAT HAS NOT BEEN SUBDIVIDED, UNLESS OTHER SUITABLE UTILITY EASEMENTS HAVE BEEN SHOWN.

NOTE
BENNETT RANCH TRACT OF HENDERSON SUBDIVISION IS RECORDED IN PLAT BOOK 12 PAGE 11.
HES 198 IS RECORDED AT BLM OFFICE IN BILLINGS, MONTANA TRACT FOX MEADOWS #2 OF HENDERSON SUBDIVISION IS RECORDED IN PLAT BOOK 12 PAGE 5.
TRACT FOX MEADOWS HILLS REVISED OF HENDERSON SUBDIVISION IS RECORDED IN PLAT BOOK 11 PAGE 12.
TRACT FOX MEADOWS OF HENDERSON SUBDIVISION IS RECORDED IN PLAT BOOK 10 PAGE 347.
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VICINITY MAP (AND SCALE)



- LEGEND**
- CORNER SET THIS SURVEY REBAR WITH ALUMINUM CAP MARKED R.L.S. 4896
 - CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED R.L.S. 4896
 - CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BRYANT R.L.S. 2196
 - STONE CORNER
 - CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED ANDERSON ENGINEERING
 - U.S.F.S. ALUMINUM MONUMENT SET FROM PREVIOUS SURVEY(S)
 - OVERHEAD POWER LINE

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	33°54'42"	59.49'	100.52'	S33°25'02"E	58.63'
C2	5°43'20"	139.76'	1399.39'	N72°27'33"W	139.70'

NUM	BEARING	DISTANCE
L1	N50°43'02"E	33.14'
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L4	N0°41'15"W	545.19'
L5	N49°14'32"E	43.12'
L6	N49°14'32"E	291.81'

STATE OF SOUTH DAKOTA
COUNTY OF CUSTER S.S.

I, WE _____ DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT WE DO AUTHORIZE AND DO HEREBY APPROVE THE SURVEY AND WITHIN PLAT OF SAID LAND. WE FURTHER CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND EASEMENT CONTROL REGULATIONS.

OWNERS:
ON THE _____ DAY OF _____ 20____ BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED _____

KNOWN BY ME TO BE THE PERSON(S) DESCRIBED IN THE FOREGOING CERTIFICATE AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES _____

CERTIFICATE OF COUNTY TREASURER
I, TREASURER OF CUSTER COUNTY, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE DUE UPON THE WITHIN DESCRIBED LANDS ARE FULLY PAID ACCORDING TO THE RECORDS OF MY OFFICE. DATED THIS _____ DAY OF _____ 20____

TREASURER: _____

STATEMENT OF SURVEYOR
FOR BUCKHORN SURVEYING INC
I, JACK H. KNUST, REGISTERED LAND SURVEYOR NO. 4896 OF THE STATE OF SOUTH DAKOTA, DO HEREBY STATE THAT BEING SO AUTHORIZED, THE SURVEY AND WITHIN PLAT OF THE LAND SHOWN AND DESCRIBED HEREON WERE MADE UNDER MY PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE WITHIN PLAT IS A REPRESENTATION OF SAID SURFACE IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL.

THIS _____ DAY OF _____ 20____
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CERTIFICATE OF HIGHWAY AUTHORITY:
IT APPEARS THAT EVERY LOT HAS AN ACCEPTABLE APPROACH LOCATION ONTO A PUBLIC ROAD AND THE LOCATION OF THE INTERSECTIONS OF ANY PROPOSED SUBDIVISION ROAD(S) OR PRIVATE ACCESS ROAD(S) WITH THE EXISTING PUBLIC ROAD IS HEREBY APPROVED

RESOLUTION OF GOVERNING BOARD
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CITY OF CUSTER S.S.
WHEREAS THERE HAS BEEN PRESENTED TO THE CITY OF CUSTER, SOUTH DAKOTA, THE WITHIN PLAT OF THE ABOVE DESCRIBED DESCRIBED LANDS AND IT APPEARING TO THE COUNCIL THAT:

- THE SYSTEM OF STREETS SET FORTH THEREON CONFORM TO THE SYSTEM OF STREETS OF THE EXISTING PLATS OF THE MUNICIPALITY.
- ALL PROVISIONS OF ANY THREE MILE LAMB SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH.
- ALL TAXES AND SPECIAL ASSESSMENTS UPON THE SUBDIVISION HAVE BEEN FULLY PAID, AND
- THE PLAT AND SURVEY THEREOF HAVE BEEN EXECUTED ACCORDING TO LAW, NOW THEREFORE, BE IT RESOLVED THAT SAID PLAT IS HEREBY APPROVED IN ALL RESPECTS.

THIS _____ DAY OF _____ 20____

CLERK OF THE CITY OF CUSTER:
I, FINANCE OFFICER OF THE CITY OF CUSTER, DO HEREBY CERTIFY THAT AT AN OFFICIAL MEETING HELD ON _____ DAY OF _____ 20____ THE CITY COUNCIL, BY RESOLUTION DO APPROVE THE PLAT AS SHOWN HEREON.

CITY FINANCE OFFICER: _____

CERTIFICATE OF DIRECTOR OF EQUALIZATION
I, DIRECTOR OF EQUALIZATION OF CUSTER COUNTY DO HEREBY CERTIFY THAT I HAVE ON RECORD A COPY OF THE WITHIN DESCRIBED PLAT. DATED THIS _____ DAY OF _____ 20____

DIRECTOR OF EQUALIZATION: _____

CERTIFICATE OF REGISTER OF DEEDS
FILED FOR RECORD THIS _____ DAY OF _____ 20____ AT _____ O'CLOCK _____ M.
AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____

REGISTER OF DEEDS, CUSTER COUNTY: _____

3
 Dec 9/18/18

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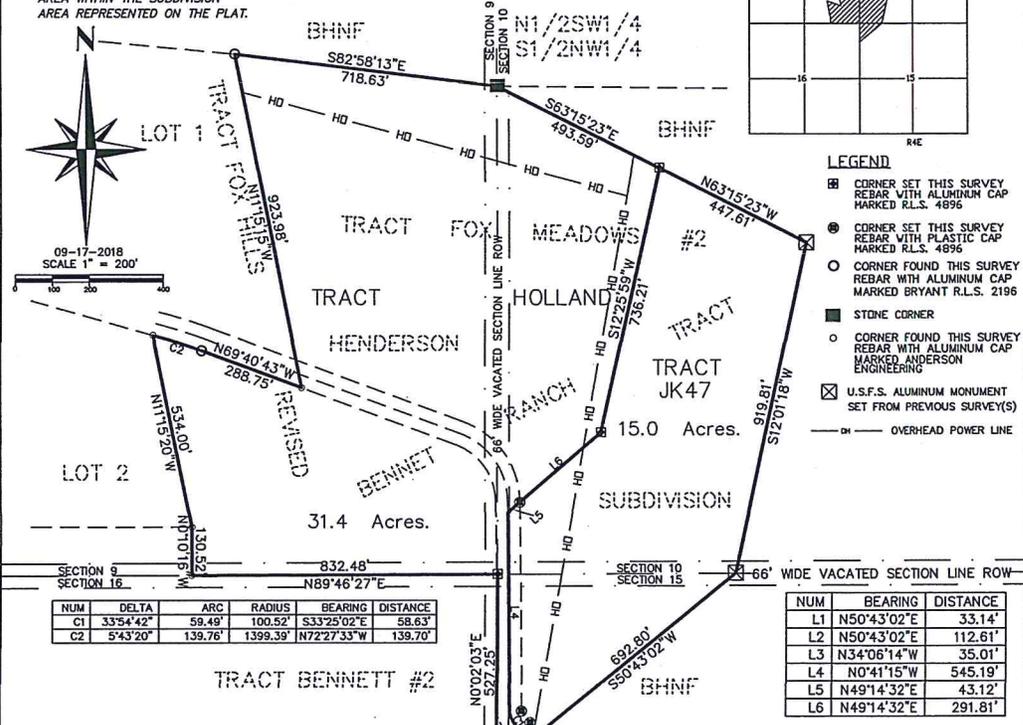
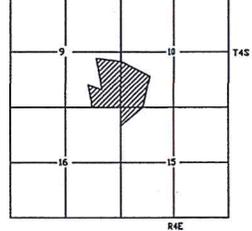
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CERTIFICATE OF REGISTER OF DEEDS
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