

All Planning Commission Meetings are recorded.

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

**Tuesday December 11th, 2018 at 5:00 P.M.
Custer City Hall, 622 Crook Street, Custer, SD 57730**

Call to Order - Roll Call:

Approve Agenda: December 11th, 2018

Approve Minutes: November 13th, 2018

Declaration of Conflict of Interest:

New Business:

Minor Plat – A Plat of Schneller Tract Revised, and Omodt Tract

Minor Plat – A Plat of Calvird Tract of Block 89

Minor Plat – A Plat of Ozum Tract of Block 125

~~Old Business:~~

Discussion Items:

Rewrite of Custer City's Comprehensive Plan

Planning Administrator Updates:

Communications from The Public:

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.

DRAFT

MINUTES OF THE November 13th, 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; Scott Olson; Rick Hudson; Marc Moore - Alternate.

Members Absent: Larry Maciejewski; Fred Mills – Alternate.

Other Parties Present: Tim Hartmann–Planning Administrator; Mayor Herman.

Agenda: Commissioner Uhrich moved, with a second by Commissioner Hudson to approve the agenda with a correction to move the Minor Plat – A Plat of Lots 20R and 21R of Wittrock Sub #2 to the first new business item and also move Proposed French Creek Drive Street Closure – In conjunction with Harbach Park Master Plan to the second new business item. Remaining agenda items to continue as presented. Uhrichs motion unanimously Carried.

Minutes: Commissioner Harbach moved, with a second by Commissioner Hudson to approve the October 9th, 2018 minutes. Motion unanimously carried. Commissioner Hudson moved, with a second by Commissioner Olson to approve the October 23rd minutes. Motion unanimously carried.

Declaration of Conflict of Interest: None stated.

New Business:

Minor Plat – A Plat of Lots 20R and 21R of Wittrock Sub #2 Planning Administrator, Planning Commissioners and Mayor Herman discussed the minor plat. After the discussion, Commissioner Uhrich moved, with a second by Commissioner Hudson to recommend approval of the minor plat by the Council. Motion unanimously carried.

Proposed French Creek Drive Street Closure – In conjunction with Harbach Park Master Plan Planning Administrator, Planning Commissioners and Mayor Herman discussed the Harbach Park Conceptual Layout Plan, the section of proposed street closure, and access and ownership of the adjacent properties. After the discussion, Commissioner Uhrich moved, with a second by Commissioner Harbach to recommend approval of the minor plat by the Council. Motion unanimously carried

Minor Plat – A Plat of Lot 18R and Tract 7R of Deer Ridge Sub Planning Administrator, Planning Commissioners and Mayor Herman discussed the minor plat. After the discussion, Commissioner Uhrich moved, with a second by Commissioner Hudson to recommend approval of the minor plat by the Council. Motion unanimously carried.

Minor Plat – A Plat of Tract Raymond North and South Planning Administrator, Planning Commissioners and Mayor Herman discussed the minor plat. Discussion included but was not limited to the defined access location onto SD Hwy 89 and the location of the proposed lot line. After the discussion, Commissioner Harbach moved, with a second by Commissioner Uhrich to recommend approval of the minor plat by the Council. Motion unanimously carried.

Minor Plat – A Plat of Powell Tract and Lannoye Tract of Bavarian Hills Estates Planning Administrator, Planning Commissioners and Mayor Herman discussed the minor plat. Discussion included but was not limited to the water and waste water services provided on the properties. After the discussion, Commissioner Hudson moved, with a second by Commissioner Olson to recommend approval of the minor plat by the Council. Motion unanimously carried.

Old Business:

Discussion Items:

Revisions to the Extraterritorial Area Policy Planning Administrator provided the Commission a brief update concerning current staff research being conducted with the Extraterritorial topic.

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 Harbach to adjourn. Motion unanimously carried. The meeting adjourned at 5:56 pm.

Approved:

Attest:

Jerad Tennyson, Chairman

Tim Hartmann, Planning Administrator

A PLAT OF SCHNELLER TRACT REVISED, AND OMODT TRACT (FORMERLY TRACT G OF M.S. NO. 2152 AND SCHNELLER TRACT) LOCATED IN THE N 1/2 SW 1/4 OF SECTION 25, T3S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

(15) Rev 174 91

NOTE: SEE BOOK 7 OF PLATS ON PAGE 71 FOR A PLAT OF TRACT G OF M.S. NO. 2152.

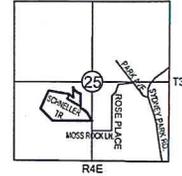
NOTE: SEE BOOK 12 OF PLATS ON PAGE 717 FOR A PLAT OF SCHNELLER TRACT.

NOTE: OMODT TRACT CONTAINS +/- 1.50 ACRES OF SCHNELLER TRACT

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.

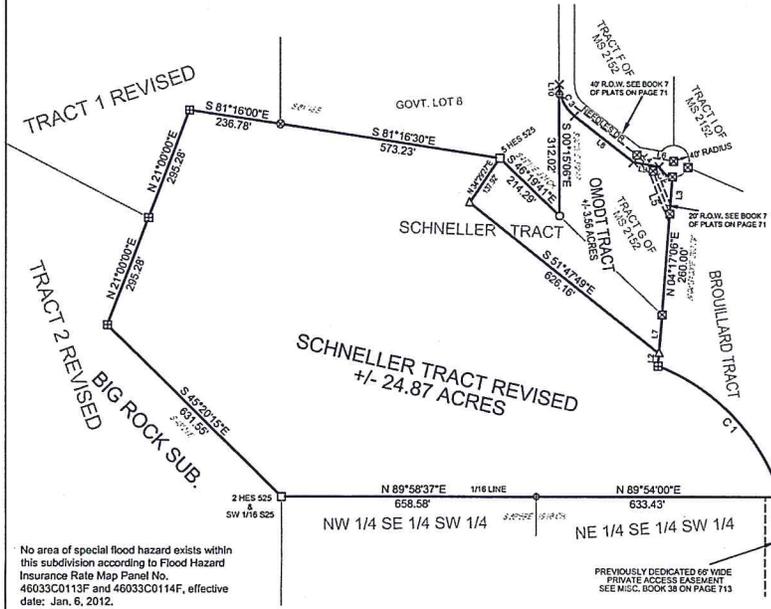
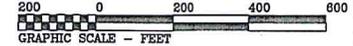
WATER PROTECTION STATEMENT
Pursuant to SDCL 11-3-8.1 and 11-3-8.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision 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.

VICINITY MAP
Not to Scale



- LEGEND**
- Found rebar w/aluminum cap marked *ANDERSEN ENG PLS 5906*
 - ▲ Set rebar w/aluminum cap marked *ANDERSEN ENG PLS 5906*
 - Found iron pipe
 - ⊗ Found rebar
 - ⊙ Found rebar w/aluminum cap marked *BUCKHORN PLS 4896*
 - ◆ Found rebar w/aluminum cap marked *BRYANT PLS 2196*
 - Found stone monument
 - Found iron rod
 - × angle point not monumented
 - ∠ Slant lettering denotes record calls

BASIS OF BEARING - GPS OBSERVATION
taken N 40°52'24"E 2096.032' from corner 1 of H.E.S. 525.
OPUS STATIC SOLUTION NAD83(2011)
LAT: 43°45'59.08470"
LONGS: -103°34'58.49773"



No area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 46033C0113F and 46033C0114F, effective date: Jan. 6, 2012.

Course	Bearing	Distance
L1	N 89°56'18" E	26.56'
L2	N 04°17'00" E	32.26'
L3	N 04°15'00" E	95.54'
L4	S 43°31'00" E	59.70'
L5	S 80°41'54" E	96.51'
L6	S 21°26'44" E	117.61'
L7	S 2°25'41" E	194.37'
L8	S 89°41'54" E	96.51'
L9	S 2°25'41" E	194.37'
L10	S 89°41'54" E	96.51'
L11	N 04°15'00" E	95.54'
L12	N 89°56'18" E	26.56'
L13	N 04°17'00" E	32.26'
L14	N 04°15'00" E	95.54'
L15	S 43°31'00" E	59.70'
L16	S 80°41'54" E	96.51'
L17	S 21°26'44" E	117.61'
L18	S 2°25'41" E	194.37'
L19	S 89°41'54" E	96.51'
L20	S 2°25'41" E	194.37'
L21	S 89°41'54" E	96.51'
L22	N 04°15'00" E	95.54'
L23	N 89°56'18" E	26.56'
L24	N 04°17'00" E	32.26'
L25	N 04°15'00" E	95.54'
L26	S 43°31'00" E	59.70'
L27	S 80°41'54" E	96.51'
L28	S 21°26'44" E	117.61'
L29	S 2°25'41" E	194.37'
L30	S 89°41'54" E	96.51'
L31	S 2°25'41" E	194.37'
L32	S 89°41'54" E	96.51'
L33	N 04°15'00" E	95.54'
L34	N 89°56'18" E	26.56'
L35	N 04°17'00" E	32.26'
L36	N 04°15'00" E	95.54'
L37	S 43°31'00" E	59.70'
L38	S 80°41'54" E	96.51'
L39	S 21°26'44" E	117.61'
L40	S 2°25'41" E	194.37'
L41	S 89°41'54" E	96.51'
L42	S 2°25'41" E	194.37'
L43	S 89°41'54" E	96.51'
L44	N 04°15'00" E	95.54'
L45	N 89°56'18" E	26.56'
L46	N 04°17'00" E	32.26'
L47	N 04°15'00" E	95.54'
L48	S 43°31'00" E	59.70'
L49	S 80°41'54" E	96.51'
L50	S 21°26'44" E	117.61'
L51	S 2°25'41" E	194.37'
L52	S 89°41'54" E	96.51'
L53	S 2°25'41" E	194.37'
L54	S 89°41'54" E	96.51'
L55	N 04°15'00" E	95.54'
L56	N 89°56'18" E	26.56'
L57	N 04°17'00" E	32.26'
L58	N 04°15'00" E	95.54'
L59	S 43°31'00" E	59.70'
L60	S 80°41'54" E	96.51'
L61	S 21°26'44" E	117.61'
L62	S 2°25'41" E	194.37'
L63	S 89°41'54" E	96.51'
L64	S 2°25'41" E	194.37'
L65	S 89°41'54" E	96.51'
L66	N 04°15'00" E	95.54'
L67	N 89°56'18" E	26.56'
L68	N 04°17'00" E	32.26'
L69	N 04°15'00" E	95.54'
L70	S 43°31'00" E	59.70'
L71	S 80°41'54" E	96.51'
L72	S 21°26'44" E	117.61'
L73	S 2°25'41" E	194.37'
L74	S 89°41'54" E	96.51'
L75	S 2°25'41" E	194.37'
L76	S 89°41'54" E	96.51'
L77	N 04°15'00" E	95.54'
L78	N 89°56'18" E	26.56'
L79	N 04°17'00" E	32.26'
L80	N 04°15'00" E	95.54'
L81	S 43°31'00" E	59.70'
L82	S 80°41'54" E	96.51'
L83	S 21°26'44" E	117.61'
L84	S 2°25'41" E	194.37'
L85	S 89°41'54" E	96.51'
L86	S 2°25'41" E	194.37'
L87	S 89°41'54" E	96.51'
L88	N 04°15'00" E	95.54'
L89	N 89°56'18" E	26.56'
L90	N 04°17'00" E	32.26'
L91	N 04°15'00" E	95.54'
L92	S 43°31'00" E	59.70'
L93	S 80°41'54" E	96.51'
L94	S 21°26'44" E	117.61'
L95	S 2°25'41" E	194.37'
L96	S 89°41'54" E	96.51'
L97	S 2°25'41" E	194.37'
L98	S 89°41'54" E	96.51'
L99	N 04°15'00" E	95.54'
L100	N 89°56'18" E	26.56'
L101	N 04°17'00" E	32.26'
L102	N 04°15'00" E	95.54'
L103	S 43°31'00" E	59.70'
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L106	S 2°25'41" E	194.37'
L107	S 89°41'54" E	96.51'
L108	S 2°25'41" E	194.37'
L109	S 89°41'54" E	96.51'
L110	N 04°15'00" E	95.54'
L111	N 89°56'18" E	26.56'
L112	N 04°17'00" E	32.26'
L113	N 04°15'00" E	95.54'
L114	S 43°31'00" E	59.70'
L115	S 80°41'54" E	96.51'
L116	S 21°26'44" E	117.61'
L117	S 2°25'41" E	194.37'
L118	S 89°41'54" E	96.51'
L119	S 2°25'41" E	194.37'
L120	S 89°41'54" E	96.51'
L121	N 04°15'00" E	95.54'
L122	N 89°56'18" E	26.56'
L123	N 04°17'00" E	32.26'
L124	N 04°15'00" E	95.54'
L125	S 43°31'00" E	59.70'
L126	S 80°41'54" E	96.51'
L127	S 21°26'44" E	117.61'
L128	S 2°25'41" E	194.37'
L129	S 89°41'54" E	96.51'
L130	S 2°25'41" E	194.37'
L131	S 89°41'54" E	96.51'
L132	N 04°15'00" E	95.54'
L133	N 89°56'18" E	26.56'
L134	N 04°17'00" E	32.26'
L135	N 04°15'00" E	95.54'
L136	S 43°31'00" E	59.70'
L137	S 80°41'54" E	96.51'
L138	S 21°26'44" E	117.61'
L139	S 2°25'41" E	194.37'
L140	S 89°41'54" E	96.51'
L141	S 2°25'41" E	194.37'
L142	S 89°41'54" E	96.51'
L143	N 04°15'00" E	95.54'
L144	N 89°56'18" E	26.56'
L145	N 04°17'00" E	32.26'
L146	N 04°15'00" E	95.54'
L147	S 43°31'00" E	59.70'
L148	S 80°41'54" E	96.51'
L149	S 21°26'44" E	117.61'
L150	S 2°25'41" E	194.37'
L151	S 89°41'54" E	96.51'
L152	S 2°25'41" E	194.37'
L153	S 89°41'54" E	96.51'
L154	N 04°15'00" E	95.54'
L155	N 89°56'18" E	26.56'
L156	N 04°17'00" E	32.26'
L157	N 04°15'00" E	95.54'
L158	S 43°31'00" E	59.70'
L159	S 80°41'54" E	96.51'
L160	S 21°26'44" E	117.61'
L161	S 2°25'41" E	194.37'
L162	S 89°41'54" E	96.51'
L163	S 2°25'41" E	194.37'
L164	S 89°41'54" E	96.51'
L165	N 04°15'00" E	95.54'
L166	N 89°56'18" E	26.56'
L167	N 04°17'00" E	32.26'
L168	N 04°15'00" E	95.54'
L169	S 43°31'00" E	59.70'
L170	S 80°41'54" E	96.51'
L171	S 21°26'44" E	117.61'
L172	S 2°25'41" E	194.37'
L173	S 89°41'54" E	96.51'
L174	S 2°25'41" E	194.37'
L175	S 89°41'54" E	96.51'
L176	N 04°15'00" E	95.54'
L177	N 89°56'18" E	26.56'
L178	N 04°17'00" E	32.26'
L179	N 04°15'00" E	95.54'
L180	S 43°31'00" E	59.70'
L181	S 80°41'54" E	96.51'
L182	S 21°26'44" E	117.61'
L183	S 2°25'41" E	194.37'
L184	S 89°41'54" E	96.51'
L185	S 2°25'41" E	194.37'
L186	S 89°41'54" E	96.51'
L187	N 04°15'00" E	95.54'
L188	N 89°56'18" E	26.56'
L189	N 04°17'00" E	32.26'
L190	N 04°15'00" E	95.54'
L191	S 43°31'00" E	59.70'
L192	S 80°41'54" E	96.51'
L193	S 21°26'44" E	117.61'
L194	S 2°25'41" E	194.37'
L195	S 89°41'54" E	96.51'
L196	S 2°25'41" E	194.37'
L197	S 89°41'54" E	96.51'
L198	N 04°15'00" E	95.54'
L199	N 89°56'18" E	26.56'
L200	N 04°17'00" E	32.26'

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 ___, 2018.

John D. McBride SDRLS No. 5906

STATE OF _____ COUNTY OF _____
We, John L. Schneller and Gayle E. Kocer, 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 ___, 2018.

John L. Schneller
Gayle E. Kocer

ACKNOWLEDGMENT OF OWNERSHIP
STATE OF _____ COUNTY OF _____
On this ___ day of ___, 2018, before me, a Notary Public, personally appeared John L. Schneller and Gayle E. Kocer, 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 _____
We, Joseph Omodt and Wanda Omodt, 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 ___, 2018.

Joseph Omodt
Wanda Omodt

ACKNOWLEDGMENT OF OWNERSHIP
STATE OF _____ COUNTY OF _____
On this ___ day of ___, 2018, before me, a Notary Public, personally appeared Joseph Omodt and Wanda Omodt, 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 _____

OFFICE OF THE REGISTER OF DEEDS
Filed for record this ___ day of ___, 2018, 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 ___, 2018.

Director of Equalization of Custer County _____

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 ___, 2018.

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 ___, 2018.

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 ___, 2018.

Custer City Finance Officer _____

ANDERSEN ENGINEERS
Land Surveyors, Professional Engineering, & Environmental Consultants

Drawn by DR	Date 11/14/2018	P.O. Box 446 Edgemont, SD 57735 (605)-662-5500 andersenengineers@gwinc.net
Approved by McB	Date 11/14/2018	
Scale 1"=200'	Sheet 1 of 2	File Name: HES_525_2018_OMODT



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

Staff Report

Request: Minor Plat, Plat of Schneller Tract Revised and Omodt Tract
Applicant: John Schneller
Legal Desc.: A Plat of Schneller Tract Revised and Omodt Tract - See Plat for full legal
Fee Paid: \$125.00
Date Prepared: November 16, 2018
Planning Commission Meeting: December 11, 2018
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a lot line adjustment 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 shift a lot line creating the proposed Omodt Tract (3.56 acres) and Schneller Tract Revised (24.87 acres). Both parcels currently have dwellings on them and are connected to private water and septic systems.

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

COMPREHENSIVE PLAN

The plat is within the area projected as Suburban Residential on the Comprehensive Plan. The Comprehensive Plan recommends a density of 0.33 to 5 dwelling units per acre for Suburban Residential.

ROUTING SHEET RESPONSES

CC ROD – No additional concerns.
SDDOT – No comments.

ACCESS

All access to the proposed parcels is planned to remain as currently established. Access to each parcel is as follows.

Proposed Schneller Tract Revised
Park Avenue to Rose Place, Rose Place to Moss Rock Lane, Moss Rock Lane to Tooth Acres Trail,
Tooth Acres Trail to proposed Schneller Tract

Proposed Omodt Tract
S 10th Street to Needles Drive, Needles Drive to proposed Omodt Tract.

RECENT PLAT REVIEW IN THE AREA

City Staff, Planning Commission, and Council recently reviewed a lot line adjustment plat in this area and involving the proposed Schneller Tract Revised. Such plat shifted nearby lot lines involving the neighboring Brouillard Tract, Tract 1 Revised, Tract 2 Revised, and Schneller Tract. City Council approved such plat at their June 18th, 2018 meeting.

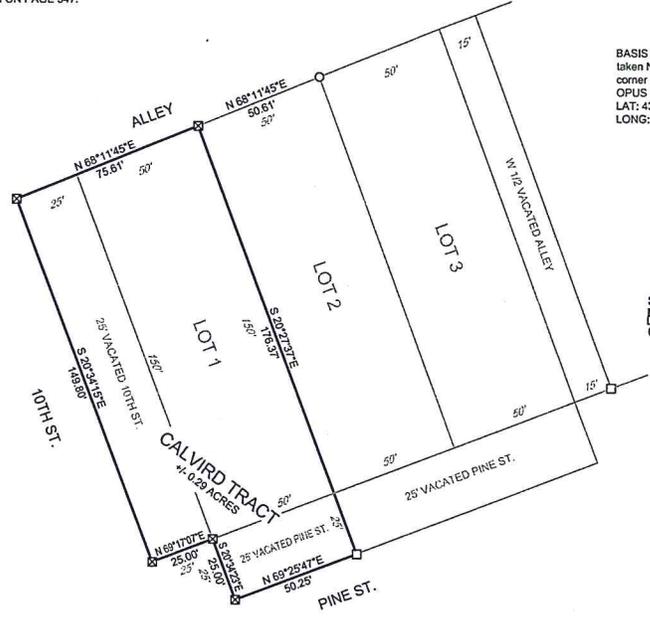
STAFF RECOMMENDATIONS

The proposed plat is presented as a non-subdivision. Access and water and sanitary facilities are planned to remain as currently established with the existing parcels. Staff supports a recommendation to Council for approval of the minor plat.

A PLAT OF
**CALVIRD TRACT OF BLOCK 89, CUSTER CITY, CUSTER COUNTY,
 SOUTH DAKOTA**
 (FORMERLY LOT 1, BLOCK 89 THE N 25' OF PINE STREET AND THE E
 25' OF 10TH ST. CONTIGUOUS TO LOT 1)

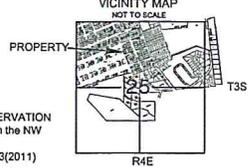
NOTE: See Book 10 of
 Plats on Page 360 for a
 Map of Custer City.

NOTE: FOR THE
 RESOLUTION VACATING
 PORTIONS OF 10TH ST.
 AND PINE ST. SEE MISC.
 BOOK 34M ON PAGE 547.



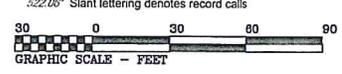
DATE SURVEYED
 7 Nov. 2018

BASIS OF BEARING - GPS OBSERVATION
 taken N 88°40'23"W 3215.73' from the NW
 corner of Calvird Tract
 OPUS STATIO SOLUTION NAD83(2011)
 LAT: 43°45'52.02887"
 LONG: -103°36'09.50318"



LEGEND

- Set rebar w/aluminum cap marked
 "ANDERSEN ENG PLS 5906"
- Found rebar w/aluminum cap marked
 "BRYANT PLS 2196"
- Found iron pipe



No area of special flood hazard exists within this
 subdivision according to Flood Hazard Insurance Rate Map
 Panel No. 46033CD114F, effective date: Jan. 6, 2012.
 The placement of fill, any new construction, substantial
 improvements, or another development within the 100-year
 flood plain as designated by the County's Flood Insurance
 Rate Maps and Flood Boundary and Floodway Maps, shall
 be in conformity with Custer City's Flood Ordinance.

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 ___, 2018.

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.
 Date: _____
 Highway Authority _____

STATE OF _____, COUNTY OF _____
 I, Ronni Calvird, 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 ___, 2018.

Ronni Calvird

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 ___, 2018.
 Director of Equalization of Custer County _____

ACKNOWLEDGMENT OF OWNERSHIP
 STATE OF _____, COUNTY OF _____
 On this ___ day of ___, 2018, before me, a Notary Public, personally appeared Ronni Calvird, 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 _____

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 ___, 2018.

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 ___, 2018.
 Custer City Finance Officer _____

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 ___, 2018.

Custer County Treasurer _____

OFFICE OF THE REGISTER OF DEEDS
 Filed for record this ___ day of ___, 2018, 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 DR	Date 11/15/2018	P.O. Box 446 Edgemont, SD 57735
Approved by McB	Date 11/15/2018	(605)-662-5500 andersenengineers@gwic.net
Scale 1"=30'	Sheet 1 of 1	File Name: L1_B89_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, Calvird Tract of Block 89
Applicant: Ronni Calvird
Location: Intersection of 10th Street and Pine Street
Legal Desc.: A Plat of Calvird Tract of Block 89 - See Plat for full legal
Fee Paid: \$125.00
Date Prepared: December 5, 2018
Planning Commission Meeting: December 11, 2018
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a non-subdivision plat intended to incorporate adjacent street vacations into the total lot area of the existing Lot 1 Block 89. This incorporation will allow the vacations to be used in setbacks and open the building envelope for a proposed new home. Proposed Calvird Tract will contain all of Lot 1, 25' x 150' of vacated 10th Street and 25' x 50' of vacated Pine Street.

This property is within Custer City and is zoned Residential. The property is currently connected to City water and sewer services.

RESOLUTION DATED AUGUST 20TH, 1990

Resolution dated August 20th, 1990 and on file with the Custer County Register of Deeds formally vacated the North 25' of Pine Street located contiguous to lots 1,2,3,4,5 and 6 of Block 89 and the East 25' of 10th Street located contiguous to Lot 1 of Block 89. Such vacations are subject to existent future easements and rights of way for private and public utilities. This resolution has been noted on the plat.

COMPREHENSIVE PLAN

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

ROUTING SHEET RESPONSES

CC ROD – Minor redline changes

SDDOT – No comments

SUMMARY AND STAFF RECCOMENDATION

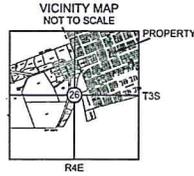
Staff supports a recommendation to Council for approval of the minor Plat.

A PLAT OF
OZUM TRACT OF BLOCK 125, CUSTER CITY, CUSTER COUNTY, SOUTH DAKOTA
 (FORMERLY THE S 75' OF LOT 1, ALL OF LOTS 2 AND 3 AND THE WEST 1/2 OF
 VACATED N/S ALLEY LYING BETWEEN LOTS 3 AND 4, AND THE VACATED N 9' OF
 WASHINGTON STREET CONTIGUOUS TO LOTS 1, 2, 3, AND THE W 1/2 OF VACATED
 N/S ALLEY LYING BETWEEN LOTS 3 AND 4)

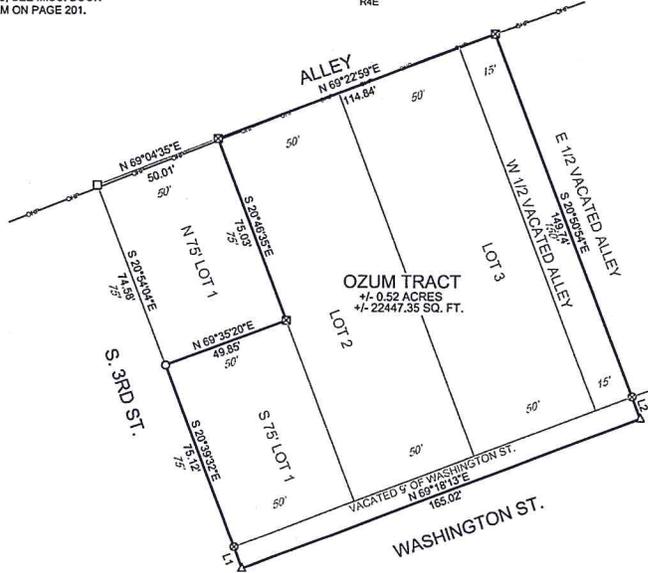
NOTE: See Book 10 of
 Plats on Page 360 for a
 Map of Custer City.

NOTE: FOR THE
 RESOLUTION VACATING
 A PORTION OF
 WASHINGTON AVE. SEE
 MISC. BOOK 46M ON
 PAGE 769.

NOTE: FOR THE
 RESOLUTION VACATING
 THE ALLEY BETWEEN
 LOTS 3 AND 4, BLOCK
 125, SEE MISC. BOOK
 31M ON PAGE 201.



DATE SURVEYED
 12 April 2018



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 "BRYANT LS 2196"
- Found rebar w/aluminum cap marked "ANDERSEN ENG. PLS 5906"
- Found rebar w/aluminum cap
- SLANT LETTERING DENOTES RECORD CALLS
- Overhead powerline

BASIS OF BEARING - GPS OBSERVATION
 taken on the SW corner of Ozum Tract.
 OPUS STATIC SOLUTION NAD83(2011)
 LAT: 43°45'52.02887"
 LONG: -103°36'09.50318"

Course	Bearing	Distance
L1	S 20°41'47" E	9.00'
L2	S 20°41'47" E	9.00'

An area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 46033CD113F, effective date: Jan. 6, 2012. The placement of fill, any new construction, substantial improvements, or another development within the 100-year flood plain as designated by the County's Flood Insurance Rate Maps and Flood Boundary and Floodway Maps, shall be in conformity with Custer City's Flood Ordinance.

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 ___, 2018.

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.

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 ___, 2018.

Director of Equalization of Custer County

STATE OF _____, COUNTY OF _____
 OZUM, LLC., does hereby certify that it is the owners 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 ___, 2018.

Julie Oswald (President)

ACKNOWLEDGMENT OF OWNERSHIP

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

Notary Public

My commission expires _____

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 ___, 2018.

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 ___, 2018.

Custer City Finance Officer

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 ___, 2018.

Custer County Treasurer

OFFICE OF THE REGISTER OF DEEDS

Filed for record this ___ day of ___, 2018, 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 DR	Date 12/7/2018	P.O. Box 446 Edgemont, SD 57735 (605)-662-5500
Approved by McB	Date 12/7/2018	anderseneengineers@gwtc.net
Scale 1"=30'	Sheet 1 of 1	File Name: B125_CUSTER_PLAT



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

Staff Report

Request: Minor Plat, Ozum Tract of Block 125
Applicant: Ozum, LLC
Location: Intersection of 3rd Street and Washington Street, S/W $\frac{1}{4}$ of Block 125
Legal Desc.: A Plat of Ozum Tract of Block 125 - See Plat for full legal
Fee Paid: \$125.00
Date Prepared: December 6, 2018
Planning Commission Meeting: December 11, 2018
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a non-subdivision intended to incorporate adjacent street vacations into the total lot area of the existing south 75' of Lot 1, and all of Lots 2 & 3 of Block 125. This incorporation will allow the vacations to be used in setbacks and open the building envelope for proposed development.

This property is within Custer City and is zoned Highway Commercial. The parcel on the proposed Ozum Tract is in the process of connecting the existing structure to municipal services.

Access to the S/W quarter of Block 125 includes a direct store frontage to Washington St to the south, access to the adjacent Third Street to the West, and access to the adjacent E/W alley to the North.

VACATION RESOLUTIONS

Resolution #06-04-2018A and on file with the Custer County Register of Deeds formally vacated the North 9' of Washington Street contiguous to lots 1,2,3 and the west 15' of the previously vacated North/South. A resolution dated May 16th, 1983 formally vacated the North/South alley contiguous to Lots 3 & 4. These resolutions have been noted on the plat.

ROUTING SHEET RESPONSES

SDDOT – No comments.

COMPREHENSIVE PLAN

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

REGULATORY FLOODPLAIN

A portion of the proposed Ozum Tract is within regulatory floodplain. The presence of the flood hazard has been noted on the plat. All work and/or development within the floodplain will be governed by Custer Municipal Code Chapter 15.16, Flood Damage Prevention and FEMA standards.

SUMMARY AND STAFF RECCOMENDATION

This plat is presented as a non-subdivision plat intended to incorporate adjacent street vacations within the existing lots. Staff supports a recommendation to Council for approval of the minor plat.