

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

**Tuesday April 10, 2018 at 5:00 P.M.  
Custer City Hall, 622 Crook Street, Custer, SD 57730**

**Call to Order - Roll Call:**

**Approve Agenda:** April 10, 2018

**Approve Minutes:** March 27, 2018

**Declaration of Conflict of Interest:**

**New Business:**

Minor Plat – Block 131 Subdivision

Minor Plat – Plat of Lot 7R & 8R of Block 6

**Old Business:**

Final Plat – Stone Hill Subdivision

**Discussion Items:**

**Planning Administrator Updates:**

**Communications from The Public:**

**Adjournment:**

**DRAFT**  
**MINUTES OF THE March 27<sup>th</sup>, 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; Jerry Stites; Rick Hudson – 3 Mile Representative.

**Members Absent:** John Dvorak; Tim Behlings – Alternate.

**Other Parties Present:** Tim Hartmann–Planning Administrator.

**Agenda:** Commissioner Uhrich moved, to approve the March 27<sup>th</sup> agenda with a recommendation to move the single Old Business item ahead of the single New Business item. Motion seconded by Commissioner Stites, Motion unanimously Carried.

**Minutes:** Commissioner Stites moved, with a second by Commissioner Uhrich, to approve the March 13<sup>th</sup>, 2018 minutes. Motion unanimously carried.

**Declaration of Conflict of Interest:** Jared Tennyson stated he has a conflict of interest with the Final Plat-Stone Hill Subdivision.

**Old Business:**

**Proposed Residential District Zoning Ordinance** – Planning Administrator Hartmann reviewed the changes completed in conjunction with the March 13<sup>th</sup> Planning Commission meeting. Planning Commission members discussed the proposed ordinance with the majority of the discussion being held concerning the minimum dwelling size. After the discussion, Commissioner Stites moved, with a second by Commissioner Uhrich to recommend approval as presented of the proposed residential district zoning ordinance by City Council. Motion unanimously carried

**New Business:**

**Final Plat – Stone Hill Subdivision.** Item tabled due to lack of voting quorum.

**Discussion Items:**

**Planning Administrator Updates**

Planning Administrator and commission members gave various updates.

**Communications from The Public**

No public comments were heard.

**Adjournment:**

Being no further business before the Commission, Commissioner Stites moved, with a second by Commissioner Uhrich to adjourn. Motion unanimously carried. The meeting adjourned at 5:55 pm.

Approved:

\_\_\_\_\_  
Jerad Tennyson, Chairman

Attest:

\_\_\_\_\_  
Tim Hartmann, Planning Administrator

4/18/12

# BLOCK 131 SUBDIVISION

## PLAT OF TRACT 1 (FORMERLY LOTS 7 AND 8 OF BLOCK 131) ALL IN BLOCK 131 LOCATED IN CUSTER CITY, CUSTER COUNTY, SOUTH DAKOTA

### WATER PROTECTION STATEMENT

PURSUANT TO SDCL 11-3-B.1 AND 11-3-B.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

PINE STREET IS A 120' DEDICATED PUBLIC RIGHT-OF-WAY. FIRST STREET IS A VARYING WIDTH DEDICATED PUBLIC ROAD.

### NOTE

BLOCK 131 IS RECORDED ON CITY MAP

### NOTE

FIRM PANEL 46033C0113F DATED JANUARY 6, 2012 THERE IS NO FLOOD HAZARD AREA WITHIN THE SUBDIVISION AREA PRESENTED ON THIS PLAT.

### NOTE

A 6' 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.

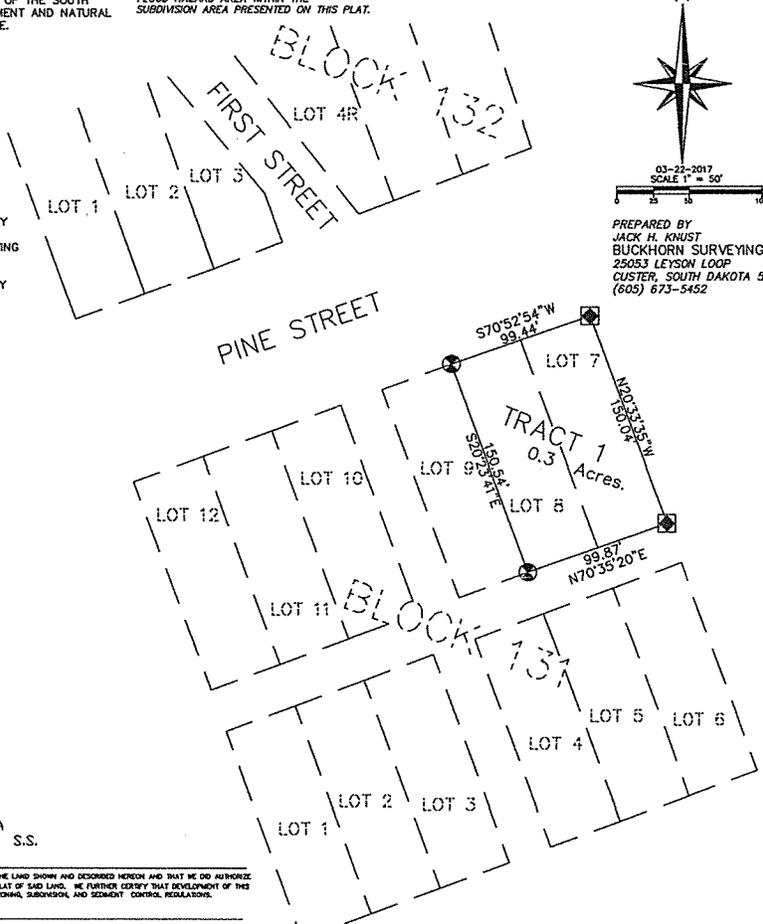
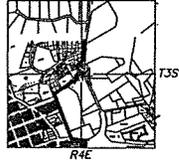


PREPARED BY  
JACK H. KNUST  
BUCKHORN SURVEYING INC  
25053 LEYSON LOOP  
CUSTER, SOUTH DAKOTA 57730  
(605) 673-5452

### LEGEND

- ☒ CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
- ☒ CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BRYANT RLS 2196

VICINITY MAP (NO SCALE)



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 SEWERAGE CONTROL REGULATIONS.

OWNERS: \_\_\_\_\_  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED

SHOWN 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 \_\_\_\_\_

### 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 I HAVE AUTHORIZED THE SURVEY AND WITHIN PLAT OF THE LAND SHOWN AND DESCRIBED HEREON WERE MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE WITHIN PLAT IS A REPRESENTATION OF SAID SURVEY. IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

BUCKHORN SURVEYING INC.  
BY JACK H. KNUST, REGISTERED LAND SURVEYOR



### 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

ROADWAY AUTHORITY: \_\_\_\_\_

### RESOLUTION OF GOVERNING BOARD

STATE OF SOUTH DAKOTA  
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 LAND AND IT APPEARS TO THE COUNCIL THAT:

- THE SYSTEM OF STREETS SET FORTH THEREON CONFORMS TO THE SYSTEM OF STREETS OF THE EXISTING PLATS OF THE MUNICIPALITY;
- ALL PROVISIONS OF ANY THREE HALE LUMP 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 ESCUTCHED ACCORDING TO LAW.

NOW THEREFORE, BE IT RESOLVED THAT SAID PLAT IS HEREBY APPROVED IN ALL RESPECTS.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

MAYOR 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 CUSTER CITY COUNCIL, BY RESOLUTION DID APPROVE THE PLAT AS SHOWN HEREON.

### CITY FINANCE OFFICER:

### CERTIFICATE OF COUNTY TREASURER

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

TREASURER: \_\_\_\_\_

### 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 \_\_\_\_\_ A.M.

AND RECORDED IN BOOK \_\_\_\_\_ OF PLATS ON PAGE \_\_\_\_\_

REGISTER OF DEEDS, CUSTER COUNTY



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

**Staff Report**

Request: Minor Plat, Block 131 Subdivision  
Location: Intersection of S 2<sup>nd</sup> Street and Pine Street, Custer SD  
Legal Desc.: Tract 1 (Formerly Lots 7 & 8 of Block 131) City of Custer City  
Date Prepared: April 2, 2018  
Planning Commission Meeting: April 10, 2018  
Prepared by Tim Hartmann, Planning Administrator

**GENERAL**

This plat is for a non-subdivision that is within the corporate limits of the City of Custer. The proposed plat combines Lots 7 and 8 in Block 131 into one parcel (Tract 1). The lot line elimination will eliminate building setback needs from the current interior lot line and provided a more desirable building envelope for the owner. Both current lots are currently under the same ownership. City utilities will serve the parcel.

**COMPREHENSIVE PLAN**

The comprehensive plan identifies this area as suburban residential.

**ROUTING SHEET RESPONSES**

USFS – No Concerns  
SDDOT – No Concerns

**ACCESS**

The proposed Tract 1 will have access directly on to Pine Street right of way and S 2<sup>nd</sup> Street right of way.

**PREVIOUS ACTION BY PLANNING COMMISSION & CITY COUNCIL**

**STAFF RECOMMENDATIONS**

Staff supports a recommendation to Council for approval of the Block 131 plat.



**PLAT OF  
LOT 7R AND 8R OF BLOCK 6  
(formerly Lots 7, 8, and 9 of Block 6 and Vacated Street and Alley)  
ALL LOCATED IN SECTION 23, T3S, R4E B.H.M.  
ORIGINAL TOWN OF CUSTER, CUSTER COUNTY, SOUTH DAKOTA.**

**CERTIFICATE OF OWNERSHIP**

State of South Dakota  
County of Custer S.S.

I, Gene A. Fennel and Linda K. Fennel, do hereby certify that we are the owners as shown and described hereon; that the survey was done at our request for the purpose indicated hereon; that we do hereby approve the survey and within plot of said land; and that the development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations.

By: \_\_\_\_\_  
Gene A. Fennel, Owner

By: \_\_\_\_\_  
Linda K. Fennel, Owner



**CERTIFICATE OF SURVEYOR**

State of South Dakota  
County of Custer S.S.

I, David Lee Viem, Registered Land Surveyor No. 9961 in the State of South Dakota, do hereby certify that at the request of the owners listed hereon, I have surveyed the tract of land shown, and to the best of my knowledge and belief, the within plot is a representation of said survey. Easements or restrictions of miscellaneous record or private agreements that are not known to me are not shown hereon.

In witness whereof, I have hereunto set my hand and seal.

David Lee Viem, Registered Land Surveyor Date: \_\_\_\_\_

**ACKNOWLEDGMENT OF OWNERSHIP**

State of South Dakota  
County of Custer S.S.

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public, personally appeared Gene A. Fennel and Linda K. Fennel, known to me to be the persons described in the foregoing instrument and acknowledged to me that they signed the same.

In witness whereof, I have set my hand and seal.

NOTARY PUBLIC: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

**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.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Finance Officer of the City of Custer

**RESOLUTION OF THE CITY COUNCIL**

Whereas there has been presented to the city council of Custer, South Dakota, the within plot of the above described lands, and it appearing to the council that said plot conforms to the existing plots 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 plot and the survey thereof have been executed according to law, now therefore, BE IT RESOLVED, that said plot is hereby approved in all respects.

Dated at Custer this \_\_\_\_ day of \_\_\_\_\_, 2018.

Mayor \_\_\_\_\_ Finance Officer \_\_\_\_\_

**CERTIFICATE OF HIGHWAY AUTHORITY**

The location of the proposed lot lines with respect to the Highway or Street as shown hereon is hereby approved. Any approaches or access to the Highway or Street will require additional approval.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Highway or Street Authority

**CERTIFICATE OF COUNTY TREASURER**

I, Treasurer of Custer County, do hereby certify that all taxes which are here upon the within described lands are fully paid according to the records of my office.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Treasurer of Custer County

**CERTIFICATE OF 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 plot.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Director of Equalization of Custer County

Approved: \_\_\_\_\_

**CERTIFICATE OF REGISTER OF DEEDS**

State of South Dakota  
County of Custer S.S.

Filed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_ o'clock  
\_\_\_\_ M. in Document # \_\_\_\_\_.

Fee: \$ \_\_\_\_\_

\_\_\_\_\_  
Custer County Register of Deeds



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

### Staff Report

Request: Minor Plat, Lots 7R & 8R of Block 6  
Location: Intersection of S 2<sup>nd</sup> Street and Pine Street, Custer SD  
Legal Desc.: 247 N 6<sup>th</sup> Street - Intersection of North 6<sup>th</sup> and Montgomery, City of Custer City  
Date Prepared: April 2, 2018  
Planning Commission Meeting: April 10, 2018  
Prepared by Tim Hartmann, Planning Administrator

### **GENERAL**

This plat is for a non-subdivision that is within the corporate limits of the City of Custer. The proposed plat combines, into two common parcels, the area of Lots 7, 8 & 9 and 25' of vacated Montgomery Street and 2 feet of vacated North South Alley contiguous to Lot 9. The proposed plat eliminates all existing interior lot lines as well as incorporates the street vacations into the common parcels to allow for building setbacks to be calculated from the new platted property lines. City utilities will serve the parcel.

### **EXISTING PARCEL DESCRIPTIONS**

The proposed plat officially plats, into two separate parcels, the currently described North 50' of Lots 7, 8, 9 plus the south 25' of Montgomery Street contiguous to Lots 7, 8 & 9 and 2' of the N/S alley contiguous to Lot 9 (Proposed Lot 7R). The second lot will include the South 100' of Lots 7, 8, 9 plus the east 2' of the N/S alley contiguous to Lot 9 (Proposed Lot 8R).

### **RIGHT OF WAY VACATION**

A portion of Montgomery Street and the North South alley contiguous to the property contained in this plat has been vacated by Resolution #12-19-2011A. Vacation includes the South 25' of Montgomery Street contiguous to lots 7, 8 & 9 and the east 2' of the N/S alley contiguous to lot 9.

It was the owners understanding that a 10' utility easement was retained contiguous to Montgomery Street. Resolution #12-19-2011A does not specifically designate that easement. The owner has agreed to create such easement with this plat to provide clarity that the 10' Utility easement does exist.

### **COMPREHENSIVE PLAN**

The comprehensive plan identifies this area as suburban residential.

### **ROUTING SHEET RESPONSES**

SDDOT – No Concern

### **ACCESS**

Access is gained to the area by the surrounding rights of ways of Block 6, including Montgomery Street, North 6<sup>th</sup> Street and the interior alley ways.

### **~~PREVIOUS ACTION BY PLANNING COMMISSION & CITY COUNCIL~~**

### **STAFF RECOMMENDATIONS**

Staff supports a recommendation to Council for approval of the Block 131 plat.

# STONE HILL SUBDIVISION

A PLAT OF LOTS 1A AND 1B OF BLOCK 1, LOCATED IN A PORTION OF TRACT DENVER, NE 1/4 SECTION 25, T3S, R4E, BHM, CUSTER CITY, CUSTER COUNTY, SOUTH DAKOTA

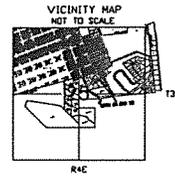
SEE BOOK 12 OF PLATS ON PAGE 222 FOR PLAT OF TRACT DENVER.

A 6' WIDE UTILITY & DRAINAGE EASEMENT IS RESERVED ALONG THE INSIDE OF LOT LINES WITH THE EXCEPTION OF THE LOT LINE COMMON TO LOTS 1A AND 1B.

A 6' WIDE EXTERIOR MAINTENANCE AGREEMENT IS RESERVED ALONG THE LOT LINE COMMON TO LOTS 1A AND 1B.

A 15' WIDE UTILITY & DRAINAGE EASEMENT IS RESERVED ALONG THE INSIDE OF ALL EXTERIOR LINES TO TRACT DENVER.

NOTE: THE EASEMENT LINES SHALL BE LENGTHENED OR SHORTENED AS REQUIRED TO CONFORM TO EXISTING EASEMENT AND/OR PROPERTY LINES.

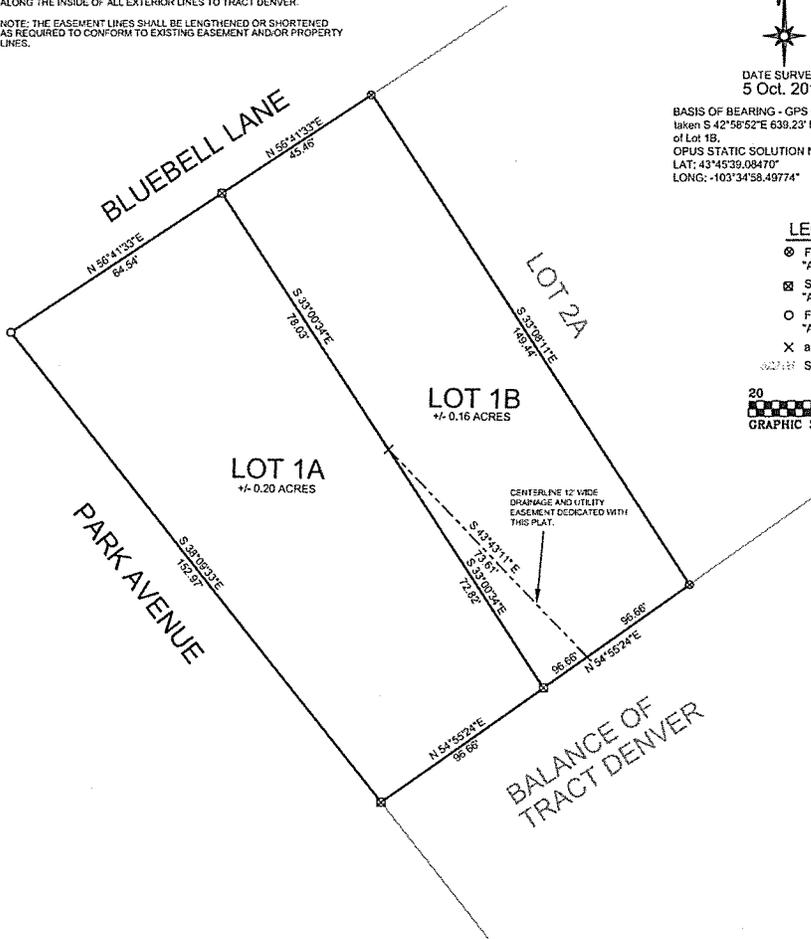


DATE SURVEYED  
5 Oct. 2017

BASIS OF BEARING - GPS OBSERVATION taken S 42°58'52"E 639.23' from the SE corner of Lot 1B.  
OPUS STATIC SOLUTION NAD83(2011)  
LAT: 43°45'39.08470"  
LONG: -103°34'58.49774"

### LEGEND

- ⊗ Found rebar w/aluminum cap marked "ANDERSEN PLS 2842"
- ⊠ Set rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
- Found rebar w/aluminum cap marked "ADVANCED ENG."
- × angle point not monumented
- slant lettering denotes record calls



#### 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 \_\_\_, 2017.

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

#### 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 \_\_\_, 2017.

Director of Equalization of Custer County

#### STATE OF SOUTH DAKOTA, COUNTY OF CUSTER

SHS Development, 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 \_\_\_, 2017.

Mike Tennyson (member)

#### 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 \_\_\_, 2017.

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 \_\_\_, 2017.

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 \_\_\_, 2017.

Custer County Treasurer

#### OFFICE OF THE REGISTER OF DEEDS

Filed for record this \_\_\_ day of \_\_\_, 2017, at \_\_\_ o'clock \_\_\_ M., and recorded in Book \_\_\_ of Plats on page \_\_\_.

Custer County Register of Deeds

 Prepared by <b>ANDERSEN ENGINEERS</b> <i>Land Surveyors, Professional Engineering, &amp; Environmental Consultants</i>		
Drawn by DR	Date 10/16/2017	P.O. Box 446 Edgemont, SD 57735 (605)-662-5500
Approved by McB	Date 10/16/2017	andersenengineers@gwtc.net
Scale 1"=20'	Sheet 1 of 1	File Name: L1_STONE_HILL_PLAT



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

### Staff Report

Request: Final Plat, Stone Hill Subdivision  
Applicant: SHS Development, LLC  
Location: Intersection of Bluebell Lane and Park Avenue, Custer SD  
Legal Desc.: Balance of Tract Denver in Sec. 25, T3S, R4E  
Date Prepared: March 22, 2018  
Planning Commission Meeting: April 10, 2018  
Prepared by Tim Hartmann, Planning Administrator

#### **GENERAL**

This plat is for a subdivision that is within the corporate limits of the City of Custer. City utilities are in and serve the 2 parcels. The area is currently part of the Stone Hill Subdivision, Balance of Tract Denver. This plat is being submitted to create two lots for a two-unit townhome, the center lot line is located on the common wall of the townhome.

Construction on the townhome has in near completion, and the survey has been conducted to assure the center lot line location.

#### **COMPREHENSIVE PLAN**

The comprehensive plan identifies this area as suburban residential.

#### **ROUTING SHEET RESPONSES**

SDDOT – No concerns  
CC ROD – No concerns

#### **ACCESS**

The townhome will have frontage toward Bluebell Lane. Access to the structure is directly from Bluebell Lane.

#### **REVISIONS TO PRELIMINARY PLAT**

~~Custer Municipal Code Chapter 17.12.040(P)(4) requires townhouses shall have a six-foot exterior maintenance easement on either side of a common lot line to provide adequate room for maintenance, repair and alterations. This requirement applies and shall be added to the plat.~~ Complete

Exterior lot line easements may also be investigated further with the Planning Department and applicant to assure the most appropriate easement on each exterior lot line.

#### **LOT SIZE REQUIREMENTS**

Custer municipal code section 17.12.060(A)(1) addresses lot size requirements and density. The proposed plat appears to meet all requirements.

#### **PREVIOUS ACTION BY PLANNING COMMISSION & CITY COUNCIL**

Planning Commission members reviewed the preliminary plat at the November 14, 2017 meeting. After some discussion Commission member Stites moved, with a second by Commission member Dvorak to recommend Council approve the preliminary plat contingent upon addition of a 6' exterior maintenance easement being added along the common lot line and all other easements clarified. These items have been addressed. Motion unanimously carried.

City Council reviewed the preliminary plat at the March 19, 2018 meeting. A motion was made to approve the preliminary plat. Motion unanimously carried.

#### **STAFF RECOMMENDATIONS**

Recommend that the Planning Commission recommends to the Council approval of the final plat. No subdivision concerns exist, and all special townhome requirements appear to be met.