

All Planning Commission Meetings are recorded.

CITY OF CUSTER
PLANNING AND ZONING COMMISSION AGENDA
Tuesday May 14th, at 5:00 P.M.
Custer City Hall, 622 Crook Street, Custer, SD 57730

- 1. Call to Order - Roll Call:**
- 2. Approve Agenda:** May 14th, 2019
- 3. Approve Minutes:** April 23rd, 2019
- 4. Declaration of Conflict of Interest:**
- 5. Public Hearings:**
 - a. Public Hearing - Conditional Use Permit Request, Short Term Rental – 330 N 3rd Street
 - b.
- 6. Old Business**
 - a. Conditional Use Permit Request, Home Occupation – 1027 Pine Street
 - b.
- 7. New Business:**
 - a. Minor Plat – Custer Athletic Field Rev, Lot C Rev, Tr Hospital Rev, Tract S&R
 - b.
- 8. Discussion Items:**
 - a.
- 9. Public Comments** (3-minute max. per person, with total communication period to not exceed 15 minutes):
- 10. Planning Administrator Updates:**
- 11. 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 April 23rd, 2019 MEETING OF THE OF THE CITY OF CUSTER PLANNING COMMISSION

Roll Call: 5:00 pm

Members Present: Jerad Tennyson-Chairman; Joe Uhrich-Vice Chairman; Kathy Johnson; Scott Olson; Rick Hudson; Marc Moore – Alternate (voting in place of Commissioner Maciejewski).

Members Absent: Larry Maciejewski; Fred Mills – Alternate.

Other Parties Present: Tim Hartmann-Planning Administrator; Public Attendees (sign in sheet on file with Planning Administrator)

Agenda: Commissioner Hudson moved, with a second by Commissioner Johnson to approve the agenda. Motion unanimously carried.

Minutes: Commissioner Moore moved, with a second by Commissioner Hudson to approve the April 23rd, 2019 minutes. Motion unanimously carried.

Declaration of Conflict of Interest: None stated.

New Business:

Public Hearings - Conditional Use Permit Request

- a. **832 Lincoln Street – Short Term Rental**
Planning Administrator provided a staff review of the property. Commissioner Uhrich moved, with a second by Commissioner Moore to approve the Conditional Use Permit. A brief discussion was held, and public input was gathered. Uhrichs motion carried unanimously with Commissioners Uhrich, Johnson, Olson, and Moore all voting Yes.
- b. **126 N 8th Street – Short Term Rental**
Planning Administrator provided a staff review of the property. Commissioner Uhrich moved, with a second by Commissioner Moore to approve the Conditional Use Permit with a specific stipulation noted that the parking areas in front of the property fronting 8th Street be made available for tenants of the short-term rental. A brief discussion was held, and public input was gathered. Uhrichs motion carried unanimously with Commissioners Uhrich, Johnson, Olson, and Moore all voting Yes.
- c. **503 N 3rd Street – Short Term Rental**
Planning Administrator provided a staff review of the property. Commissioner Uhrich moved, with a second by Commissioner Moore to approve the Conditional Use Permit. A brief discussion was held, and public input was gathered. Uhrichs motion carried unanimously with Commissioners Uhrich, Johnson, Olson, and Moore all voting Yes.
- d. **239 Gordon Street – Short Term Rental**
Planning Administrator provided a staff review of the property. Commissioner Uhrich moved, with a second by Commissioner Moore to approve the Conditional Use Permit. A brief discussion was held, and public input was gathered. Uhrichs motion carried unanimously with Commissioners Uhrich, Johnson, Olson, and Moore all voting Yes.
- e. **257 Desperado Lane – Short Term Rental**
Planning Administrator provided a staff review of the property. Commissioner Uhrich moved, with a second by Commissioner Olson to Approve the Conditional Use Permit. A brief discussion was held, and public input was gathered. Uhrichs motion failed with Commissioners Uhrich, Johnson, Olson, and Moore all voting No. Planning Commissioner specifically noted a concern with review criteria B, the town home being a small lot, with a small yard, and an inconsistent character to the neighborhood.
- f. **241 N 4th Street – Short Term Rental**
Planning Administrator provided a staff review of the property. Commissioner Uhrich moved, with a second by Commissioner Moore to approve the Conditional Use Permit. A brief discussion was held, and public input was gathered. Uhrichs motion carried unanimously with Commissioners Uhrich, Johnson, Olson, and Moore all voting Yes.
- g. **951 Homestead Drive – Short Term Rental**
Planning Administrator provided a staff review of the property. Commissioner Uhrich moved, with a second by Commissioner Moore to approve the Conditional Use Permit. A brief discussion was held, and public input was

gathered. Uhrichs motion failed with Commissioners Uhrich, Johnson, Olson, and Moore all voting No. Planning Commissioner specifically noted a concern with review criteria g, with more information needed pertaining to the possibility of the structure also being used as a Multiple Family Dwelling and assuring compliance of such uses.

h. 35 Mountain Avenue – Short Term Rental

Planning Administrator provided a staff review of the property. Commissioner Uhrich moved, with a second by Commissioner Moore to approve the Conditional Use Permit. A brief discussion was held, and public input was gathered. Uhrichs motion carried unanimously with Commissioners Uhrich, Johnson, Olson, and Moore all voting Yes.

i. 1193 Homestead Drive – Family Day Care

Planning Administrator provided a staff review of the property. Commissioner Johnson moved, with a second by Commissioner Olson to approve the Conditional Use Permit. A brief discussion was held, and public input was gathered. Johnsons motion carried unanimously with Commissioners Uhrich, Johnson, Olson, and Moore all voting Yes.

j. 111 Crook Street – Short Term Rental

Planning Administrator provided a staff review of the property. Commissioner Moore moved, with a second by Commissioner Uhrich to approve the Conditional Use Permit. A brief discussion was held, and public input was gathered. Moores motion carried unanimously with Commissioners Uhrich, Johnson, Olson, and Moore all voting Yes.

k. 1027 Pine Street – Home Occupation

Planning Administrator provided a staff review of the property. Commissioner Uhrich moved, with a second by Commissioner Johnson to table the Conditional Use Permit application until the May 14th, 2019 meeting to allow for additional time for mail notification recipients to consider the application. A brief discussion was held, and public input was gathered. Uhrichs motion carried unanimously with Commissioners Uhrich, Johnson, Olson, and Moore all voting Yes.

l. 248 N 2nd Street – Short Term Rental

Planning Administrator provided a staff review of the property. Commissioner Moore moved, with a second by Commissioner Uhrich to approve the Conditional Use Permit. A brief discussion was held, and public input was gathered. Moores motion carried unanimously with Commissioners Uhrich, Johnson, Olson, and Moore all voting Yes.

Public Hearing – Variance Request

a. Custer County – Setback Variance Request, 1039 Montgomery, Tract Clinic

Planning Administrator and Planning Commissioners discussed the variance request. Discussion included but was not limited to the adjacent Montgomery Street Right of Way, the proposed structure and use, and some topography of the parcel. After the discussion, Commissioner Johnson moved, with a second by Commissioner Uhrich to recommend approval of the variance request by the Board of Adjustment. Motion unanimously carried.

Old Business:

Discussion Items:

Planning Administrator Updates

Planning Administrator and commission members gave various updates.

Communications from The Public

No communications from the public were heard.

Adjournment:

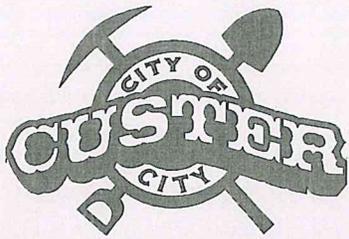
Being no further business before the Commission, Commissioner Moore moved, with a second by Commissioner Olson to adjourn. Motion unanimously carried. The meeting adjourned at 7:01 pm.

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: 330 N 3rd Street - Conditional Use Permit, Short Term Rental/Multiple Family Dwelling
Applicant: Erik Andreassen
Fee Paid: \$200.00
Location: N 3rd Street, at the Intersection of the Lincoln Street ROW
Date: May 8, 2019
Planning Commission meeting: May 14, 2019
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 the existing use with two applicable conditional uses. A portion of the structure has previously been used as a short-term rental(upstairs) and the remainder of the structure has previously been used as an owner-occupied residence (downstairs). The property owner desires to continue such use. Per Custer Municipal Code 17.12.050 short term rentals and multiple family dwellings are a permitted conditional use.

SURROUNDING AREA

The immediate area surrounding 330 North 3rd is composed mainly of other residential uses.

The adjacent properties to the North, East, South, and West are within the Residential Zone. To staff's knowledge, all adjacent properties currently exist as residential uses.

VEHICULAR ACCESS AND PARKING

Staff has viewed the property from an access and parking standpoint in correlation with the proposed uses, size, and parking provided. The applicant has specified two available parking spots from 3rd street, a driveway leading up to a 20' x 30' garage, and a driveway leading up to a 20' x 12' carport. Staff believes this site is capable of supporting parking for the owner-occupied residence and short-term rental.

OTHER ORDINANCE CONCERNS

Staff conducted an in-office review and a windshield survey of the property on May 9th. No ordinance violations were found.

Staff has also discussed the multi-unit dwelling with building code consultant and plan reviewer Dave St. Pierre of Code Works. Dave and I have no concern with the multi family unit from a building code standpoint as both are residential uses, the code is primarily applicable during an alteration or renovation, and no specific building code requirements should be required at this time.

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.

622 Crook Street
Custer, SD 57730

Planning Department

Phone: (605) 673-4824
Fax: (605) 673-2411

Conditional Use Permit Application

| Applicant Information | | | |
|-----------------------|-----------------------|-----|-------|
| Applicant | ERIK H ANDREASSEN | | |
| Address | PO Box 4024 | | |
| | Custer | SD | 57730 |
| City | State | Zip | |
| Phone | (617) 869 2457 | | |
| E-mail: | Andreasen53@YAHOO.com | | |

| (Owner of property if different than applicant) | | | |
|---|-------|-------|-------|
| Owner | _____ | | |
| Address | _____ | | |
| | _____ | _____ | _____ |
| City | State | Zip | |
| Phone | _____ | | |
| E-mail: | _____ | | |

| Proposed Conditional Use 24/7 Contact | | | |
|---------------------------------------|-------|-------|-------|
| Name | _____ | | |
| Address | _____ | | |
| | _____ | _____ | _____ |
| City | State | Zip | |
| Phone | _____ | | |
| E-mail: | _____ | | |

| Please Note |
|--|
| - If applicant is not the owner, written authorization of such application from the owner will be required. |
| - The applicant shall be responsible for mail notification of such application. |
| - Planning Commission meets the 2 nd Tuesday of each month. Application and supporting documents must be provided to the Planning Administrator 20 days prior to the meeting. |

Property Address 330 N. 3RD ST Custer, SD 57730
 Legal Description Lot 12 in Block 30, TOGETHER WITH VACATED EAST 25 ft of 3rd St
 Lot 12 Block 30 Subdivision _____
 Size 11,326 ^{sq feet} (acres)(square feet) Property Zoning District _____

Water Services City Sewer Services City

Describe Current Use Owner Occupied Basement (864 sq ft, Fully Finished), Upstairs VACATION RENTAL (1200 sq ft)

Describe Proposed Use (Include Site Plan) Continue USE, owner occupied basement, vacation rental upstairs

I hereby confirm that I have completed and possess all applicable South Dakota State licensing requirements. A
Initial

I hereby confirm that the proposed use will maintain appropriate Commercial Liability Insurance. A
Initial

Please Include the Following Information as Required at least 20 days prior to the Planning Commission meeting.

- Site Plan and or Floor Plan as Needed – A Site Plan is mapped or drawn to scale information to show buildings, parking and new or existing features that implement the CUP.
- Certificate of appropriate commercial liability insurance.
- Written authorization from the property owner. (if applicant is not the property owner.)
- Conditional Use Permit Criteria narrative
- Conditional Use Permit Fee Payment

Owner/Applicant Signature: [Signature] Date: 4/15/2019

**Conditional Use Permit Application:
330 N 3rd St Custer, SD 57730**

24/7 Contact for Property:

**Primary: Erik Andreassen
330 N 3rd St
Custer, SD 57730
Cell phone: 617 869 2457
Email: andreassen53@yahoo.com**

**Secondary: Veronica Andreassen-Barker
Sister, manages Airbnb rentals for me remotely
Lives in Aiken, SC
Cell phone: 803 262 8934
Email: vlandreassen@gmail.com**

Conditional Use Permit Application

Conditional Use Permit Criteria Narrative

(Applicant shall complete)

The following are considerations, per CMC 17.52.040, that the Planning Commission shall use in determining the approval or denial of a Conditional Use Permit. Please provide comment on the below criteria.

- A. that adequate utilities, public safety, water supply, sewage disposal, surface drainage, flood control, soil conservation, access roads, drainage and other necessary facilities have been considered and/or are being provided;
- B. that the Conditional Use is consistent with the surrounding area in terms of character and density;
- C. that the Conditional Use conforms with and is a compatible use within the Comprehensive Plan;
- D. The proposed use shall be in compliance with all other ordinances.
- E. The proposed use shall comply with all specific restrictions and requirements of the zone district.
- F. The proposed use shall be eligible for a Conditional Use Permit based on the Zoning District.
- G. Lighting shall be designed so that it presents a minimal impact to adjacent property. All exterior light sources must be shielded and directed downward.
- H. The proposed use shall have adequate vehicular access and parking to serve the proposed use.
- I. The proposed use shall comply with all applicable state licensing requirements and/or regulations.
- J. The proposed use shall maintain appropriate commercial liability insurance.

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Conditional Use Permit Application

- K. that the Planning Commission may impose reasonable conditions in granting a Conditional Use on the condition that the individual accepting those conditions is bound by them; and that the Commission may consider any public comments and comments from public officials.

Official Use Only

Date Filed 4-15-19 Permit Fee 7,800
Permit/Receipt Number 46267 Parcel ID # 008246
Planning Commission/Public Hearing Date _____
Received By _____

Conditional Use Permit Application Narrative

**Property Address: 330 N 3rd St
Owner: E. Andreassen**

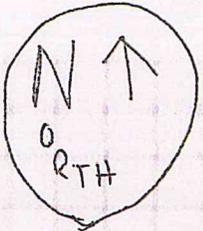
I purchased 330 N 3rd St in April of 2017. My intent was to live in one portion of the house and rent the rest of the house as a vacation rental. The portion I primarily reside in is the 864 square foot walk out basement. The basement contains two bedrooms, one bathroom, washer/dryer, and one living room/kitchenette. The portion I rent on the Airbnb platform totals 1200 square feet and includes two bedrooms, one and a half bathrooms, kitchen, and living room. Outdoor space with the rental portion includes two decks. There are two off street parking spots on 3rd street that are typically utilized by renters while I park in the driveway. In the event renters need additional parking spaces or room for a trailer, there is plenty of additional parking in the driveway.

I have enjoyed two successful rental seasons in 2017 and 2018. The main summer rental season seems to run from Memorial Day weekend through the end of September. I rent to groups ranging in size from 2 to 6 folks. So far I have had no problems; my renters have all been very respectful of my home and the neighborhood.

I am applying for a Conditional Use Permit so that I can continue welcoming visitors to Custer in the 2019 rental season.

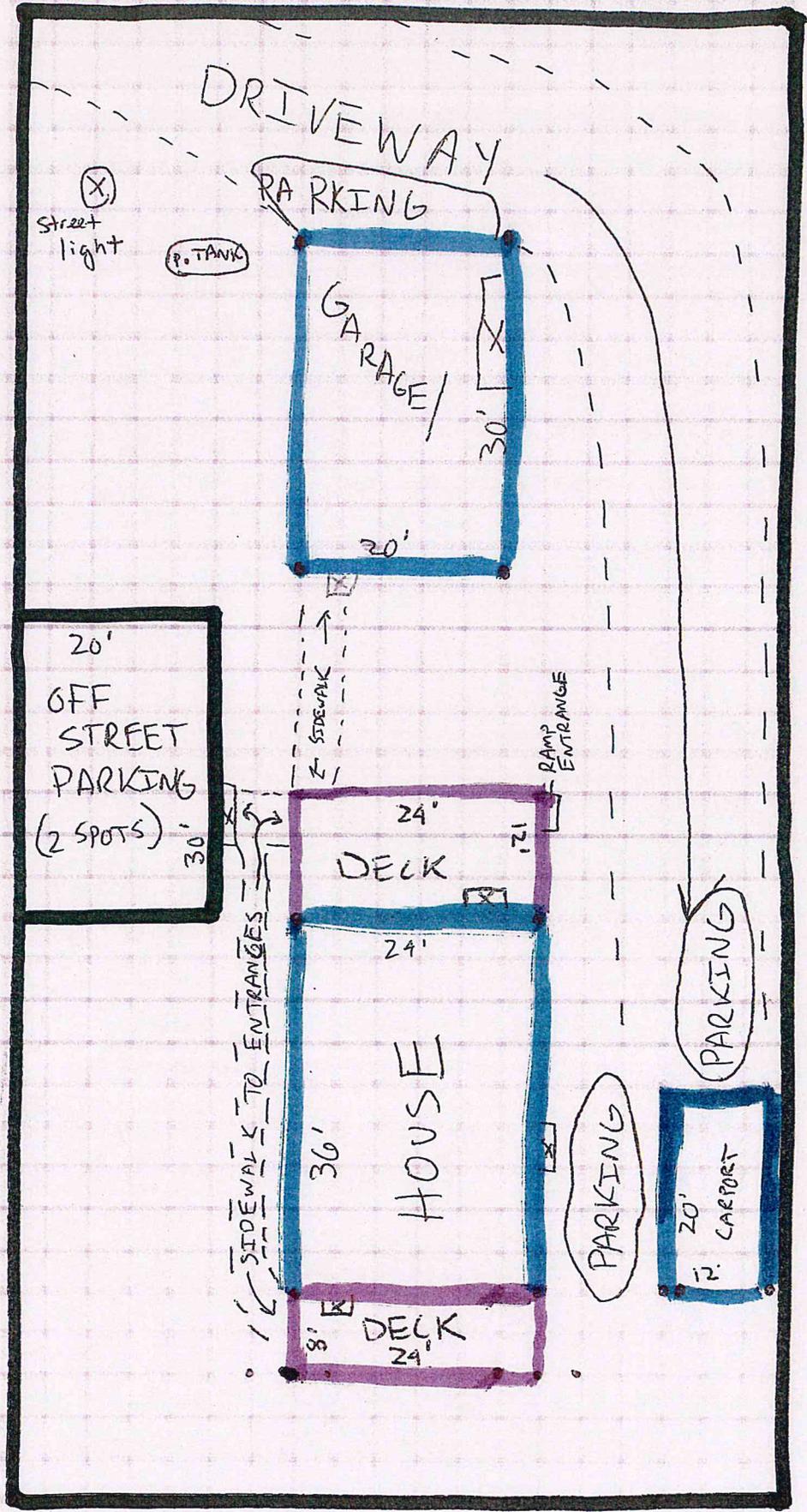
- A. Adequate utilities, public safety, water supply, and sewage disposal all are being provided.** 330 N 3rd is a 4 bedroom, 2.5 bathroom home. On occasion with a maximum size rental group and myself, a total of 7 people are staying on site. The average daily usage is significantly less, most rental groups average 4 people and I travel extensively for work in the summer and am often out of town during the rental season. Water, garbage, and sewage are provided by the City of Custer. Electricity is provided by Black Hills Energy. All services have been more than adequate over the past 2 summers/rental seasons.
- B. The conditional use is consistent with the surrounding area in terms of character and density.** 330 N 3rd is a 4 bedroom, 2.5 bathroom home. Generally a maximum of 7 people (6 renters plus myself) are on site. The average daily usage is less, I travel for work extensively in the summer and am often out of town and the average rental group size is around 4 people. This is very reasonable density for a home and lot of this size. Renters seem to fit into the neighborhood quite well in the summer, they use my home as their own and thus fit well into the residential setting.
- C. That the Conditional use conforms with and is a compatible use within the Comprehensive plan.** The conditional use I am applying for is a short term/vacation rental and is a compatible use within the Comprehensive plan.

SITE PLAN: 330 N. 3RD ST



SCALE - 1 BLK = 4'

← 3RD ST →



Uniform Residential Appraisal Report

22972628
22972628
File # P5194

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

Property Address 330 N 3rd St City Custer State SD Zip Code 57730
 Borrower Erik H Andreassen Owner of Public Record Dole, James W & Susan E County Custer

Legal Description Custer City, Blk 30 + 25' of vacated 3rd St, Lot 12
 Assessor's Parcel # 8246 (Assessed 158,023) Tax Year 2016 R.E. Taxes \$ 2,760
 Neighborhood Name Custer City Map Reference Custer Census Tract 9652.00

Occupant Owner Tenant Vacant Special Assessments \$ 0 PUD HOA \$ 0 per year per month
 Property Rights Appraised Fee Simple Leasehold Other (describe)
 Assignment Type Purchase Transaction Refinance Transaction Other (describe)

Lender/Client Bank of America HomeLoans Address 7105 Corporate Dr, Plano, TX 75024
 Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? Yes No
 Report data source(s) used, offering price(s), and date(s).
 DOM 59; Subject property was offered for sale.; Latest Price \$221,000; Latest Date 02/14/2017; Original Price \$221,000; Original Date 01/20/2017; SHMLS #53415

I did did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed.
 Arms length sale; See comments - SALES CONTRACT ANALYSIS

Contract Price \$ 215,000 Date of Contract 02/14/2017 Is the property seller the owner of public record? Yes No Data Source(s) Custer Co Equal
 Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? Yes No
 If Yes, report the total dollar amount and describe the items to be paid.
 \$0;; Per purchase agreement. However, 1-3% of the purchase price is typical and considered cash equivalent.

Note: Race and the racial composition of the neighborhood are not appraisal factors.

| Neighborhood Characteristics | | One-Unit Housing Trends | | | One-Unit Housing | | Present Land Use % | |
|---|--|-------------------------|-------|----------|------------------|------|--------------------|--|
| Location <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban <input type="checkbox"/> Rural | Property Values <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining | PRICE | AGE | One-Unit | 70 % | | | |
| Built-Up <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25% | Demand/Supply <input checked="" type="checkbox"/> Shortage <input type="checkbox"/> In Balance <input type="checkbox"/> Over Supply | \$(000) | (yrs) | 2-4 Unit | 01 % | | | |
| Growth <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow | Marketing Time <input checked="" type="checkbox"/> Under 3 mths <input type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths | 175 | Low | 3 | Multi-Family | 01 % | | |
| Neighborhood Boundaries | | 250 | High | 115 | Commercial | 03 % | | |
| Bounded by the entire city limits of Custer which is typical for small communities and mixed neighborhoods; north to Bavarian Hills; east to Boot Hill; south to city limits and west to Upper French Creek Rd. | | 204 | Pred. | 50 | Other Vac | 25 % | | |

Neighborhood Description
 Custer is a small community of less than 2000 people located in the southern Black Hills near Mt. Rushmore and Crazy Horse Memorials. Custer is located near Custer State park and near the heart of outdoor recreation and lakes. All levels of schools are located in Custer. Major shopping is located in Rapid City, approximately 40 miles north. See page 3 of the URAR for additional comments.

Market Conditions (including support for the above conclusions)
 See attached 1004MC and page 3 of the URAR.

Dimensions See attached plat Area 11326 sf Shape Rectangular View N;Res;
 Specific Zoning Classification Urban/Residential Zoning Description Allows for single family residential
 Zoning Compliance Legal Legal Nonconforming (Grandfathered Use) No Zoning Illegal (describe)
 Is the highest and best use of subject property as improved (or as proposed per plans and specifications) the present use? Yes No If No, describe.
 See page 3 of the URAR.

Utilities Public Other (describe) Public Other (describe) Off-site Improvements-Type Public Private
 Electricity 200 Amps Water Street Asphalt
 Gas Propane Sanitary Sewer Alley None

FEMA Special Flood Hazard Area Yes No FEMA Flood Zone X FEMA Map # 46033C0113F FEMA Map Date 01/06/2012
 Are the utilities and off-site improvements typical for the market area? Yes No If No, describe.
 Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? Yes No If Yes, describe.
 No readily observable adverse site conditions noted. Typical lot size for the area. No encroachments noted; see attached survey. All city services are available. Propane is typical due to the lack of natural gas. All utilities were on and working at the time of inspection. Subject property is located below street grade with gravel access drive to the detached garage. Rock retaining walls and slate side walks. Area around the home is landscaped.

| General Description | | Foundation | | Exterior Description materials/condition | | Interior materials/condition | |
|--|--|--|---|---|-------------------------------|------------------------------|--|
| Units <input checked="" type="checkbox"/> One <input type="checkbox"/> One with Accessory Unit | <input type="checkbox"/> Concrete Slab <input type="checkbox"/> Crawl Space | Foundation Walls | Concrete Block-A | Floors | Wood, Tile-A | | |
| # of Stories 1.5 | <input checked="" type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement | Exterior Walls | Masonite-A | Walls | Drywall-A | | |
| Type <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Alt. <input type="checkbox"/> S-Det./End Unit | Basement Area 864 sq. ft. | Roof Surface | Metal-A | Trim/Finish | Hollow Core-A | | |
| <input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const. | Basement Finish 100 % | Gutters & Downspouts | Aluminum-A | Bath Floor | Tile, Wd-A | | |
| Design (Style) Contemp | <input checked="" type="checkbox"/> Outside Entry/Exit <input type="checkbox"/> Sump Pump | Window Type | Wd Casement-A | Bath Wainscot | Fiberglass-A | | |
| Year Built 1980 | Evidence of <input type="checkbox"/> Infestation | Storm Sash/Insulated | Yes-A | Car Storage | <input type="checkbox"/> None | | |
| Effective Age (Yrs) 12 | <input type="checkbox"/> Dampness <input type="checkbox"/> Settlement | Screens | Yes-A | <input checked="" type="checkbox"/> Driveway # of Cars | 5 | | |
| Attic <input type="checkbox"/> None | Heating <input type="checkbox"/> FWA <input checked="" type="checkbox"/> HWBB <input type="checkbox"/> Radiant | Amenities | <input type="checkbox"/> Wood Stove(s) # 0 | Driveway Surface | Gravel | | |
| <input type="checkbox"/> Drop Stair <input type="checkbox"/> Stairs | <input type="checkbox"/> Other Fuel Propane | <input checked="" type="checkbox"/> Fireplace(s) # 1 | <input checked="" type="checkbox"/> Fence Wood/Wire | <input checked="" type="checkbox"/> Garage # of Cars | 1 | | |
| <input type="checkbox"/> Floor <input type="checkbox"/> Scuttle | Cooling <input type="checkbox"/> Central Air Conditioning | <input checked="" type="checkbox"/> Patio/Deck Decks | <input type="checkbox"/> Porch None | <input checked="" type="checkbox"/> Carport # of Cars | 1 | | |
| <input checked="" type="checkbox"/> Finished <input type="checkbox"/> Heated | <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Other None | <input type="checkbox"/> Pool None | <input type="checkbox"/> Other None | <input type="checkbox"/> Att. <input checked="" type="checkbox"/> Det <input type="checkbox"/> Built-in | | | |

Appliances Refrigerator Range/Oven Dishwasher Disposal Microwave Washer/Dryer Other (describe)

Finished area above grade contains: 6 Rooms 2 Bedrooms 1.1 Bath(s) 1,200 Square Feet of Gross Living Area Above Grade
 Additional features (special energy efficient items, etc.)
 See Comment page for Features.

Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.).
 C3: No updates in the prior 15 years; See comments - SUBJECT CONDITION

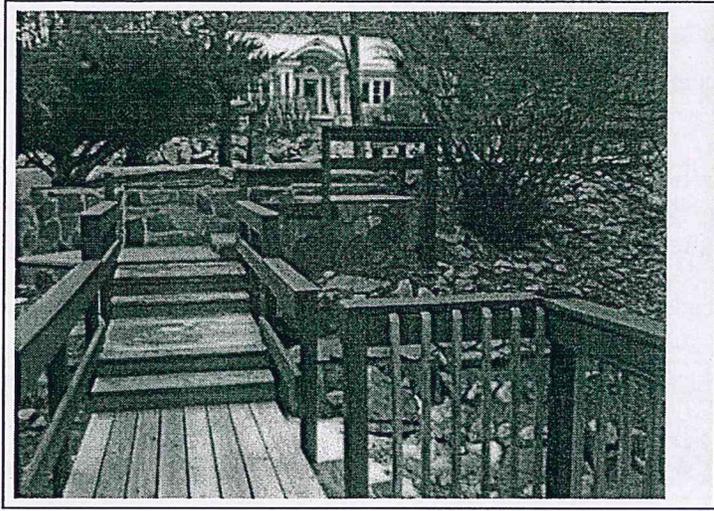
Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? Yes No If Yes, describe
 No readily observable adverse conditions noted to the livability, soundness or structural integrity of the home; however, appraiser is not a home inspector. The appraiser conducted a VISUAL OBSERVATION only and no personal property or furnishings were moved. This is an appraisal report, not a home inspection and should not be relied upon for such. Should a home inspection note any deficiencies, the appraised value may be affected. A copy of the home inspection was not provided.

Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? Yes No If No, describe
 Subject is a typical contemporary style home constructed of average over-all quality materials. No functional or external obsolescence noted.

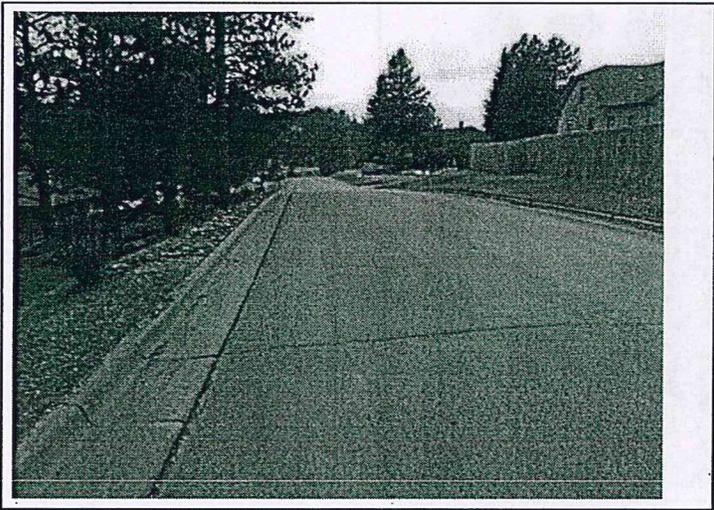
ADDITIONAL PHOTOGRAPH ADDENDUM

File# P5194

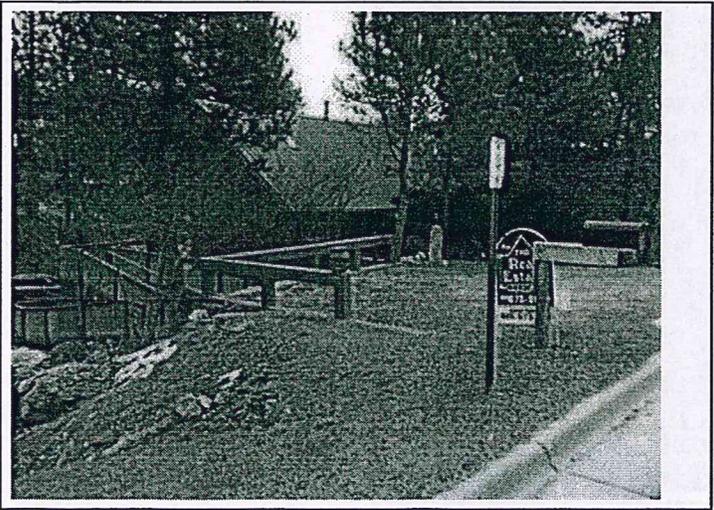
| | | | | | |
|------------------|---------------------------|--------|--------|-------|----|
| Borrower/Client | Erik H Andreassen | | | | |
| Property Address | 330 N 3rd St | | | | |
| City | Custer | County | Custer | State | SD |
| Zip Code | 57730 | | | | |
| Lender | Bank of America HomeLoans | | | | |



Landscaping/Decking



Opposite Street Scene



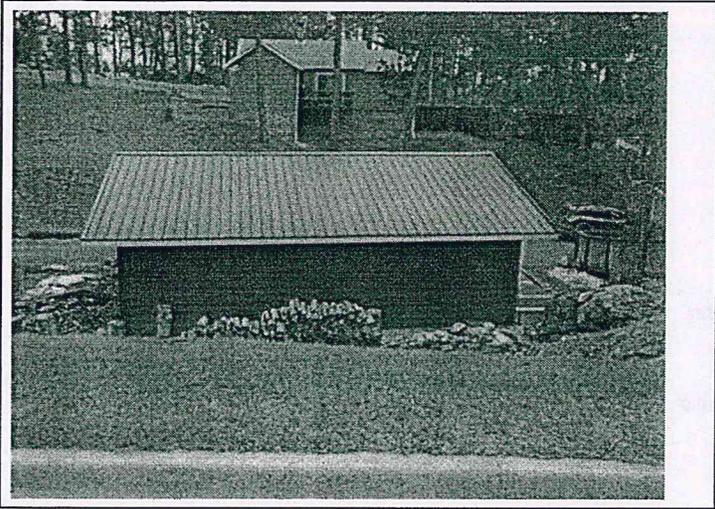
Additional Front View

OFF STREET
PARKING SPOTS FOR
GUESTS
off 3rd ST

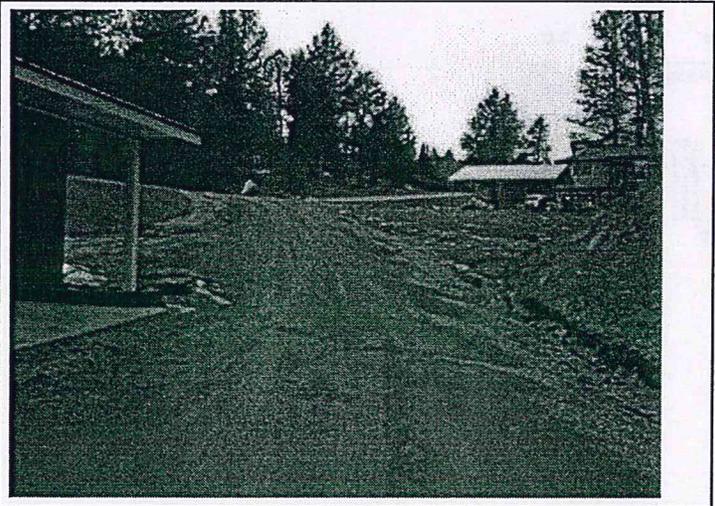
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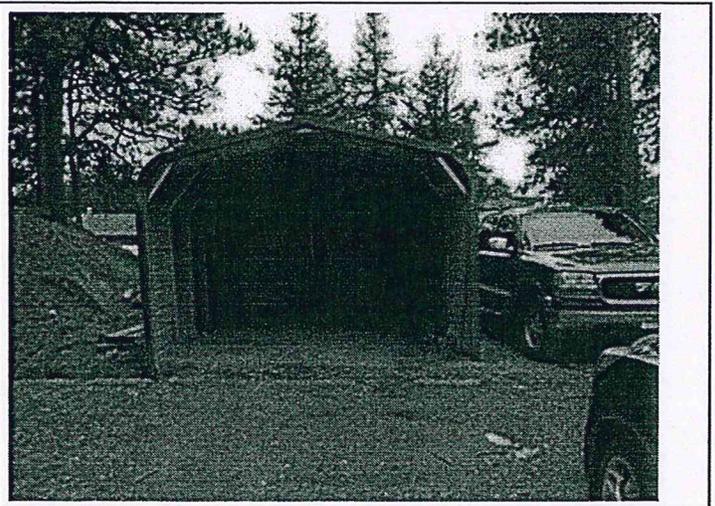
| | | | | | | | |
|------------------|---------------------------|--------|--------|-------|----|----------|-------|
| Borrower/Client | Erik H Andreassen | | | | | | |
| Property Address | 330 N 3rd St | | | | | | |
| City | Custer | County | Custer | State | SD | Zip Code | 57730 |
| Lender | Bank of America HomeLoans | | | | | | |



Rear View of Garage



Gravel Drive

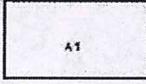
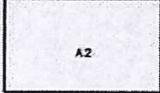
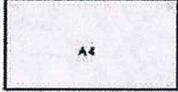
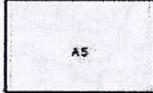
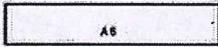


Carport

SKETCH ADDENDUM

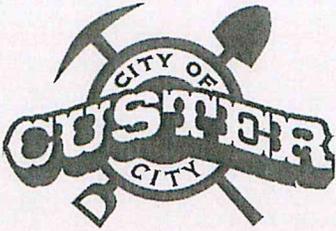
File # P5194

| | | | |
|------------------|---------------------------|----------|--------|
| Borrower/Client | Erik H Andreassen | | |
| Property Address | 330 N 3rd St | | |
| City | Custer | County | Custer |
| | | State | SD |
| | | Zip Code | 57730 |
| Lender | Bank of America HomeLoans | | |

| SKETCH CALCULATIONS | | Perimeter | Area |
|---|--------------------------|-----------|---------------|
|  | A1: 20.0 x 120 = | | 240.0 |
| | Carport | | 240.0 |
|  | A2: 36.0 x 240 = | | 864.0 |
| | First Floor | | 864.0 |
|  | A3: 36.0 x 240 = | | 864.0 |
| | Basement | | 864.0 |
|  | A4: 24.0 x 140 = | | 336.0 |
| | Second Floor | | 336.0 |
| | Total Living Area | | 1200.0 |
|  | A5: 30.0 x 20.0 = | | 600.0 |
| | Detached Garage | | 600.0 |
|  | A6: 30.0 x 6.0 = | | 180.0 |
| | Porch | | 180.0 |
|  | A7: 8.0 x 24.0 = | | 192.0 |
| | Deck | | 192.0 |
|  | A8: 16.0 x 24.0 = | | 384.0 |
| | Deck2 | | 384.0 |

ANDREASSEN AIRBNB RESERVATION INFORMATION 2017 & 2018

| RESERVATION | # adults | # children | # infants | Start date | End date | # nights | Booked | Earnings |
|-------------|----------|------------|-----------|------------|-----------|----------|------------|----------|
| HMERFTQWS | 5 | 0 | 0 | 9/26/2019 | 9/29/2019 | 3 | 12/17/2018 | 645.05 |
| HMXWTQ4NEW | 4 | 0 | 0 | 7/14/2019 | 7/21/2019 | 7 | 12/10/2018 | 1,139.75 |
| HM844TRKRK | 2 | 0 | 0 | 7/7/2019 | 7/13/2019 | 6 | 1/27/2019 | 1,086.40 |
| HMD5S95Q2P | 4 | 0 | 0 | 6/9/2019 | 6/14/2019 | 5 | 1/29/2019 | 994.25 |
| HMFPPWH3TP | 2 | 0 | 0 | 6/1/2019 | 6/8/2019 | 7 | 12/22/2018 | 1,164.73 |
| HMRZW8RHPJ | 3 | 3 | 2 | 8/31/2018 | 9/3/2018 | 3 | 8/20/2018 | 577.15 |
| HM5MJHKD8H | 4 | 0 | 1 | 8/23/2018 | 8/26/2018 | 3 | 8/7/2018 | 606.25 |
| HM8ARHYNKJ | 4 | 1 | 0 | 8/16/2018 | 8/19/2018 | 3 | 7/3/2018 | 679 |
| HMDJD94DSN | 5 | 0 | 0 | 8/6/2018 | 8/8/2018 | 2 | 8/7/2018 | 310.4 |
| HMY5WN3AKA | 5 | 0 | 0 | 8/1/2018 | 8/6/2018 | 5 | 2/6/2018 | 1,450.15 |
| HMQAEAJW4X | 2 | 4 | 0 | 7/28/2018 | 7/31/2018 | 3 | 6/15/2018 | 679 |
| HMSXYFYDKP | 4 | 0 | 0 | 7/21/2018 | 7/26/2018 | 5 | 3/26/2018 | 1,067.00 |
| HMM328DHSQ | 2 | 3 | 0 | 7/16/2018 | 7/20/2018 | 4 | 6/16/2018 | 873 |
| HMWY5CF8XQ | 3 | 0 | 0 | 7/12/2018 | 7/16/2018 | 4 | 4/29/2018 | 873 |
| HM3J8ES5QS | 3 | 1 | 0 | 7/6/2018 | 7/12/2018 | 6 | 4/24/2018 | 1,261.00 |
| HMT2QH8YXM | 2 | 2 | 0 | 6/30/2018 | 7/6/2018 | 6 | 3/6/2018 | 1,343.45 |
| HMQQCEH8H | 3 | 1 | 0 | 6/25/2018 | 6/30/2018 | 5 | 4/23/2018 | 994.25 |
| HMZWN9H9JA | 4 | 0 | 0 | 6/20/2018 | 6/23/2018 | 3 | 4/11/2018 | 635.35 |
| HMZWMA9NPQ | 2 | 2 | 0 | 6/14/2018 | 6/20/2018 | 6 | 3/13/2018 | 1,018.50 |
| HM5DFECE2 | 4 | 2 | 0 | 6/9/2018 | 6/14/2018 | 5 | 3/13/2018 | 994.25 |
| HM9WFXS3MP | 3 | 3 | 1 | 5/26/2018 | 6/2/2018 | 7 | 4/18/2018 | 1,201.83 |
| HM8AYH8A4Z | 4 | 0 | 0 | 9/27/2017 | 10/2/2017 | 5 | 6/17/2017 | 824 |
| HMDFX92WNX | 5 | 0 | 0 | 9/11/2017 | 9/15/2017 | 4 | 8/8/2017 | 679 |
| HMCTEZJHDS | 2 | 3 | 0 | 9/1/2017 | 9/4/2017 | 3 | 7/5/2017 | 533 |
| HMA85QES5M | 2 | 3 | 0 | 8/20/2017 | 8/25/2017 | 5 | 6/28/2017 | 776 |
| HMT8FFXBNW | 6 | 0 | 0 | 8/14/2017 | 8/19/2017 | 5 | 5/14/2017 | 805 |
| HMAAC8MY9W | 2 | 3 | 0 | 8/11/2017 | 8/14/2017 | 3 | 6/13/2017 | 824 |
| HMPNYSD23 | 2 | 2 | 0 | 7/28/2017 | 7/31/2017 | 3 | 5/21/2017 | 630 |
| HM3ZMMMNK | 3 | 0 | 0 | 7/25/2017 | 7/28/2017 | 3 | 7/22/2017 | 533 |
| HMQXA5TAES | 4 | 1 | 0 | 7/20/2017 | 7/23/2017 | 3 | 6/7/2017 | 533 |
| HMH3XH4J5 | 2 | 3 | 0 | 7/17/2017 | 7/20/2017 | 3 | 7/17/2017 | 533.5 |
| HM9WXXNDZ4 | 5 | 0 | 0 | 7/13/2017 | 7/16/2017 | 3 | 5/7/2017 | 514 |
| HM23BD5SM4 | 3 | 1 | 0 | 7/7/2017 | 7/10/2017 | 3 | 5/31/2017 | 533 |
| HMXE25J8CN | 5 | 0 | 0 | 7/2/2017 | 7/5/2017 | 3 | 6/1/2017 | 679 |
| HMQHYDMZXT | 4 | 2 | 0 | 6/26/2017 | 6/30/2017 | 4 | 5/18/2017 | 679 |



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 30 day of April, 20 19.

Signed

Erik H Andreassen

Name Printed

STATE OF SOUTH DAKOTA

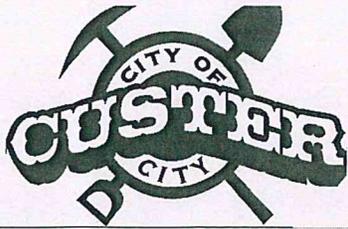
COUNTY OF Custer

Subscribed and sworn before me this the 30 day of April, 2019.

Notary Signature

Sydney M Ceraunkow
Notary Name Printed

June 7th 2024
Commission Expires



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

Staff Report

Request: 1027 Pine Street - Conditional Use Permit, Home Occupation
Applicant: Custer Real Estate LLC.
Fee Paid: \$100.00 *cc 2/4/19*
Location: Pine Street, Between S 10th St. and S 11th St.
Date: May 8, 2019
Planning Commission meeting: May 14, 2019
Prepared by Tim Hartmann, Planning Administrator

GENERAL

The City has received application for a Conditional Use Permit review of the above referenced property, in conjunction with the Residential Conditional Use Permit Group Review. The property has previously been used primarily as an owner-occupied residence and is also utilized as an eligible conditional use home occupation. The property owner plans to continue such use. Sections 17.12.030, 17.12.050 and 17.12.070 of the Custer Municipal Code can be referenced for additional home occupation within a residential zone information. A single-family dwelling is a principal use.

SURROUNDING AREA

The immediate area surrounding 1027 Pine Street is composed mainly of other residential uses.

The adjacent properties to the East, South, and West are within the Residential Zone. To staff's knowledge, all adjacent properties currently exist as residential uses. The property to the North is in Custer County.

VEHICULAR ACCESS AND PARKING

The applicant has specified minimal traffic specific to such home occupation is encountered with such home occupation, but if clients are on the property the concrete driveway is available to accommodate traffic flow and parking needs.

OTHER ORDINANCE CONCERNS

Staff conducted an in-office review and a windshield survey of the property on March 27 and 28th. No ordinance violations were found.

LEGAL REVIEW

City legal has reviewed the application and has no concerns with the insurance information provided.

RECOMMENDED ACTION BY PLANNING COMMISSION

The Planning Commission recently reviewed and tabled this application for a Conditional Use Permit due to additional time being needed to allow for property owners within the applicable mail notification area to receive and review the request. Adequate mail notification time prior to final action of this application has been achieved and staff is recommending approval of such Conditional Use Permit application.

PAID

622 Crook Street
Custer, SD 57730

Planning Department

Phone: (605) 673-4824
Fax: (605) 673-2411
MAR 05 2019
March 17th

Conditional Use Permit Application

CITY OF CUSTER

| Applicant Information | | |
|-----------------------|----------------------------|-------|
| Applicant | Custer Real Estate, LLC | |
| Address | PO Box 100 | |
| Custer | SD | 57730 |
| City | State | Zip |
| Phone | 605-673-5400 | |
| E-mail: | custerealestate@icloud.com | |

| (Owner of property if different than applicant) | | |
|---|------------------|-------|
| Owner | Ramona Flaig | |
| Address | 1027 Pine Street | |
| Custer | SD | 57730 |
| City | State | Zip |
| Phone | 605-673-1260 | |
| E-mail: | ramona@gwtc.net | |

| Proposed Conditional Use 24/7 Contact | | |
|---------------------------------------|----------------------------|-------|
| Name | Ramona Flaig | |
| Address | 1027 Pine Street | |
| Custer | SD | 57730 |
| City | State | Zip |
| Phone | 605-673-1260 | |
| E-mail: | custerealestate@icloud.com | |

| Please Note |
|--|
| - If applicant is not the owner, written authorization of such application from the owner will be required. |
| - The applicant shall be responsible for mail notification of such application. |
| - Planning Commission meets the 2 nd Tuesday of each month. Application and supporting documents must be provided to the Planning Administrator 20 days prior to the meeting. |

Property Address 1027 Pine Street

Legal Description Lot 4, Block 89, +15ft vac N/S Alley +N25ft vacated Pine Street

Lot 4 Block 89 Subdivision N/A

Size .25 (acres)(square feet) Property Zoning District Residential

Water Services City Sewer Services City

Describe Current Use My full time home. My Real Estate office is in one bedroom. Home is 3 bedrooms, 2 baths. Signs and storage of 7 years file cabinets in garage.

Describe Proposed Use (Include Site Plan) N/A

I hereby confirm that I have completed and possess all applicable South Dakota State licensing requirements.

RF
Initial

I hereby confirm that the proposed use will maintain appropriate Commercial Liability Insurance.

RF
Initial

Please include the following information as required at least 20 days prior to the Planning Commission meeting.

- Site Plan and or Floor Plan as Needed - A Site Plan is mapped or drawn to scale information to show buildings, parking and new or existing features that implement the CUP.
- Certificate of appropriate commercial liability insurance. Attached.
- Written authorization from the property owner. (if applicant is not the property owner.) Home owner owns business.
- Conditional Use Permit Criteria narrative
- Conditional Use Permit Fee Payment Check # 3333.

Owner/Applicant Signature: Ramona Flaig

Date: 3-5-19

622 Crook Street
Custer, SD 57730

Planning Department

Phone: (605) 673-4824
Fax: (605) 673-2411

Conditional Use Permit Application

Conditional Use Permit Criteria Narrative

(Applicant shall complete)

The following are considerations, per CMC 17.52.040, that the Planning Commission shall use in determining the approval or denial of a Conditional Use Permit. Please provide comment on the below criteria.

- A. that adequate utilities, public safety, water supply, sewage disposal, surface drainage, flood control, soil conservation, access roads, drainage and other necessary facilities have been considered and/or are being provided; Yes all being provided.
- B. that the Conditional Use is consistent with the surrounding area in terms of character and density; Yes consistent. Plumbing business next door to the east. Rental home to the west.
- C. that the Conditional Use conforms with and is a compatible use within the Comprehensive Plan; My Real Estate business is compatible.
- D. The proposed use shall be in compliance with all other ordinances. Yes of course.
- E. The proposed use shall comply with all specific restrictions and requirements of the zone district. Yes,
- F. The proposed use shall be eligible for a Conditional Use Permit based on the Zoning District. I am unsure. City Planning will have to determine.
- G. Lighting shall be designed so that it presents a minimal impact to adjacent property. All exterior light sources must be shielded and directed downward. Only residential lighting installed and used.
- H. The proposed use shall have adequate vehicular access and parking to serve the proposed use. I have 6 off street parking places in my driveway. Originally was teenagers parking!
- I. The proposed use shall comply with all applicable state licensing requirements and/or regulations. Yes of course.
- J. The proposed use shall maintain appropriate commercial liability insurance. Attached.

622 Crook Street
Custer, SD 57730

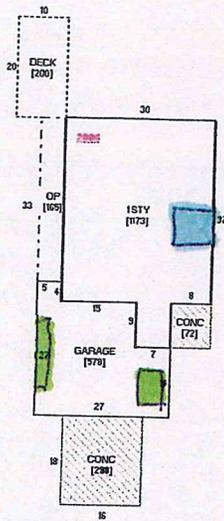
Planning Department

Conditional Use Permit Application

Phone: (605) 673-4824
Fax: (605) 673-2411

- K. that the Planning Commission may impose reasonable conditions in granting a Conditional Use on the condition that the individual accepting those conditions is bound by them; and that the Commission may consider any public comments and comments from public officials.

| <u>Official Use Only</u> | |
|---|--------------------------------------|
| Date Filed <u>3/5/19</u> | Permit Fee <u>\$100⁰⁰</u> |
| Permit/Receipt Number <u>41088</u> | Parcel ID # <u>008527</u> |
| Planning Commission/Public Hearing Date <u>April 23, 2019</u> | |
| Received By _____ | |



- office
- file cabinets
- Signs

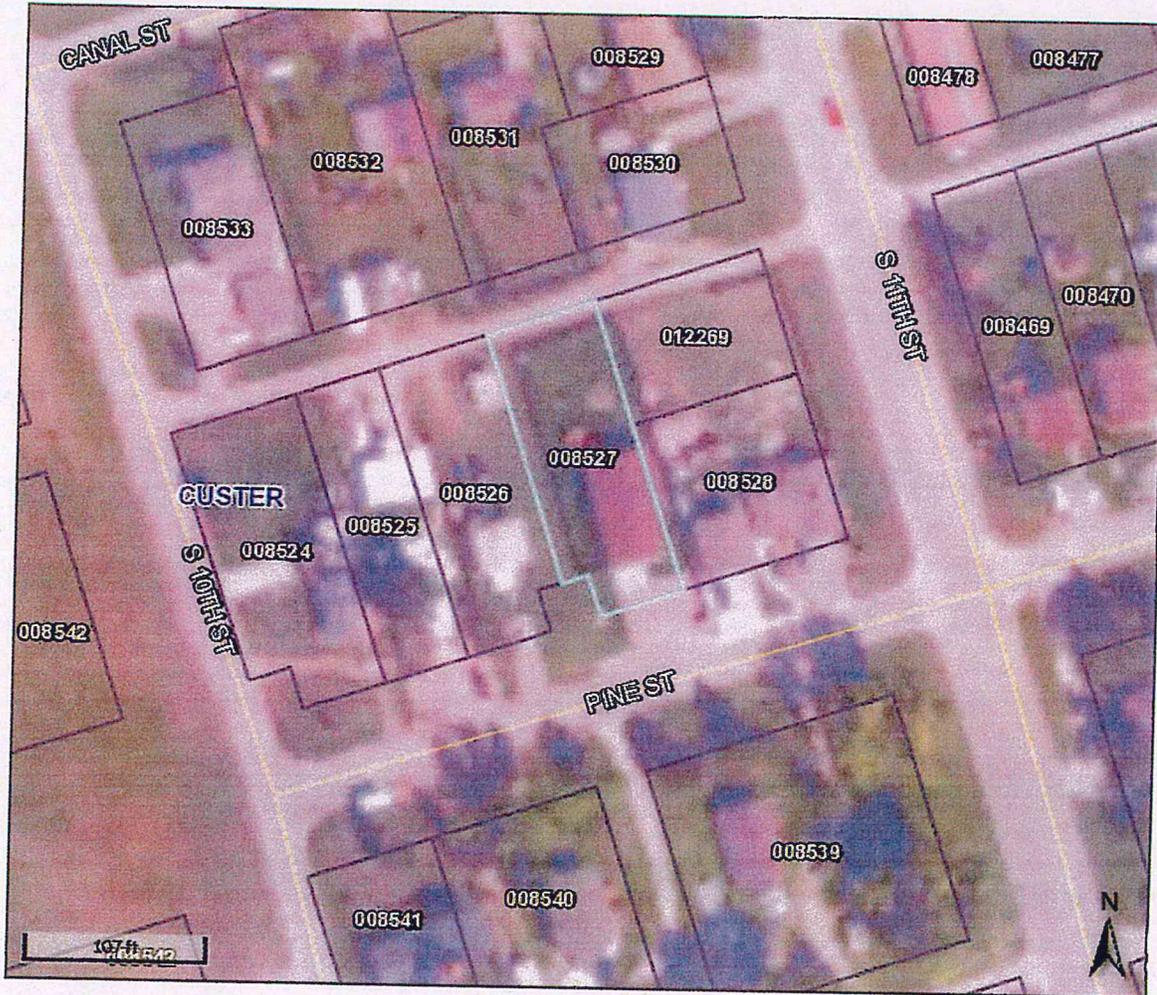
Sketch by www.comavision.com

No data available for the following modules: Commercial Buildings, Agricultural Buildings, Yard Extras, Taxation, Plats.

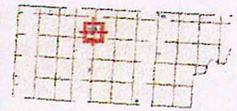
Last Data Upload: 3/4/2019 9:04 04 PM

Version 2.2.3





Overview



Legend

-  Corporate Limits
- Highways
 -  SD Hwy
 -  US Hwy
 -  Roads
-  Parcels

| | | | | | |
|------------------------------|--|---------------------|-------------|----------------------|----------------------|
| Parcel ID | 008527 | Alternate ID | n/a | Owner Address | FLAIG RAMONA DAWN |
| Sec/Twp/Rng | n/a | Class | Residential | | 1027 PINE ST |
| Property Address | 1027 PINE ST | Acreeage | 0.253 | | CUSTER SD 57730-2408 |
| | CUSTER | | | | |
| District | 16.1-1-0-1-0-0 | | | | |
| Brief Tax Description | ALL OF LOT 4 BLOCK 89 + 15' OF VAC N/S ALLEY + N 25' OF VAC PINE ST, CUSTER CITY 7300005008900401 (Note: Not to be used on legal documents) | | | | |

Parcels are not adjusted to match aerial background. GIS information is for reference purposes only and is not a legal document. Data may contain errors.

Date created: 3/5/2019

Last Data Uploaded: 3/4/2019 11:04:04 PM

Developed by  **Schneider**
GEOSPATIAL

Tim Hartmann

From: Ramona Flaig <ramona@gwtc.net>
Sent: Thursday, March 7, 2019 4:50 PM
To: Tim Hartmann
Subject: Conditional Use Permit
Attachments: DSCN0823.JPG; DSCN0824.JPG

Hello Tim,

Per our conversation and to confirm...

I do not use my home as my place of business. I have one bedroom designated for my office and my place of business. My office is the first room down the hall on the right. The rest of my home is my home.

I do not conference at dining room table or any where in my home other than the one bedroom.

I have no signs on my home or in my yard for my business. I have a sign on the drop box on my mail box for paper/documents drop off and rent checks drop off (I am also a property manager).

I am attaching two photos for you to confirm. Thank you much! Ramona

Ramona Flaig, Broker, GRI, ABR/M

CUSTER REAL ESTATE, LLC.

SALES & SERVICES

PO Box 100, Custer, SD 57730

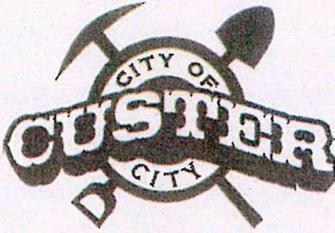
Office 605-673-5400

Cell 605-673-1260

www.custersdrealestate.com

www.homesandland.com

www.realtor.com



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.

With the exception of 15 mailed certified on 4/16/19, I continued to attempt hand delivery. Ramona Flaig

Dated this the 16th day of April, 20 19.

Ramona Flaig
Signed

Ramona Flaig
Name Printed

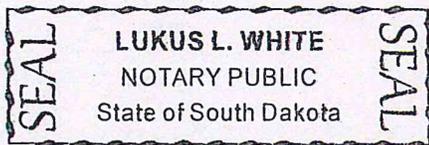
STATE OF SOUTH DAKOTA

COUNTY OF CUSTER

Subscribed and sworn before me this the 16 day of APRIL, 20 19

[Handwritten Signature]

Notary Signature

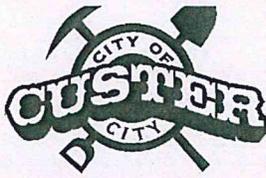


Lukus L. White

Notary Name Printed

4/1/23

Commission Expires



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

Staff Report

Request: Minor Plat, South West Summit Street Area, Old City Park
Applicant: Custer City and Custer County
Location: N/E Corner of the Original City
Legal Desc: A plat of Custer Athletic Field Revised, Lot C Revised, Tract Hospital Revised, Tract S&R -
See plat for full legal.
Date Prepared: April 25, 2019
Planning Commission Meeting: May 14, 2019
Prepared by Tim Hartmann, Planning Administrator

GENERAL

City and County staff have begun property line adjustment work involving 5 existing parcels near the South West area of Summit Street. One of the main objectives with this project is to expand the existing Tract Clinic (the new headquarters of Custer County Search and Rescue) to create a larger building envelope for such operations and create a closed campus with other nearby emergency services, the Custer Ambulance Service. The proposed Tract S&R on the Southeast edge of the plat meets such needs of the County.

While work continued on this, City staff also began work on possible resolutions to address some of the small "slivers" of property cut from adjacent parcels by the Summit Street Right of Way. With this plat, the City property (currently Lot D and Tract Hospital) would incorporate the nearby small piece of the existing Lot C to the West and the long slender piece of The Balance of Custer Athletic Field to the North. City Staff has had correspondence with the property owners of the adjacent parcels, and all are open to the process of "cleaning up" such property lines. This will also help to address a structure and property line issue with the garage structure located near the North West corner of the existing Tract Hospital.

COMPREHENSIVE PLAN

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

CURRENT PARCELS AND OWNERSHIP

Tract Clinic, 0.467 Acres – Custer County
Tract Hospital, 4.065 Acres – Custer City
Lot D Formerly City Park, 2.946 Acres – Custer City
Lot C Formerly City Park, 2.155 Acres – Regional Health Network, Inc
The Custer Athletic Field, 11.94 Acres – Custer School District

ROUTING RESPONSE

CC ROD – No Concerns.
SDDOT – No Concerns
City Legal – Working on deed review.

ACCESS & EASEMENTS

Access to the area is provided by Montgomery Street to the South, Summit Street through the area, and Grunewaldt Drive through the existing Custer Athletic Field.

Some utility easements are present.

PREVIOUS ACTION BY THE PLANNING COMMISSION AND COUNCIL

The Planning Commission and City Council reviewed a sketch plan prior to the minor plat in February 2019. PC provided a recommendation for approval and CC approved such sketch plan at their February 19th meeting.

STAFF RECCOMENDATION

Staff supports a recommendation to Council for approval.

A PLAT OF
**CUSTER ATHLETIC FIELD REVISED, LOT C REVISED, TRACT HOSPITAL REVISED, AND
 TRACT S&R, CUSTER CITY, CUSTER COUNTY, SOUTH DAKOTA**
 FORMERLY THE BALANCE OF CUSTER ATHLETIC FIELD, LOT C, LOT D, TRACT HOSPITAL, AND TRACT CLINIC

C 5/1/19

NOTE: FOR A PLAT OF CUSTER ATHLETIC FIELD SEE BOOK 10 OF PLATS ON PAGE 225.



NOTE: FOR A POWERLINE RIGHT OF WAY PERMIT FOR LOT C, SEE MISC. BOOK 38M ON PAGE 37.

NOTE: FOR A POWERLINE RIGHT OF WAY PERMIT FOR LOT C AND TRACT HOSPITAL, SEE MISC. BOOK 32M ON PAGE 481.

NOTE: FOR A PLAT OF LOTS C AND D SEE BOOK 1 OF PLATS ON PAGE 155.

NOTE: FOR A PLAT OF TRACT HOSPITAL AND TRACT CLINIC SEE BOOK 4 OF PLATS ON PAGE 137.

NOTE: FOR A PLAT OF REVISED TRACT GREEN AND REVISED TRACT BROWN SEE BOOK 12 OF PLATS ON PAGE 65.

NOTE: TRACT HOSPITAL REVISED CONTAINS 0.48 ACRES +/- OF CUSTER ATHLETIC FIELD.

NOTE: TRACT HOSPITAL CONTAINS 0.29 ACRES +/- OF LOT C

NOTE: TRACT S&R CONTAINS 0.35 ACRES +/- OF TRACT HOSPITAL

No area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 4803320113F and 4803320114F, effective dates: 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.

20' WIDE PUBLIC R.O.W. DEDICATED WITH PLAT FILED IN BOOK 10 OF PLATS ON PAGE 225

20' WIDE UNDERGROUND TELLECOMMUNICATIONS EASEMENT SEE BOOK 1 OF ROW ON PAGE 13

66' WIDE PUBLIC R.O.W. DEDICATED WITH THIS PLAT

30' WIDE PUBLIC ACCESS EASEMENT DEDICATED WITH THIS PLAT

20' WIDE WATER LINE EASEMENT SEE MISC. BOOK 41M ON PAGE 777.

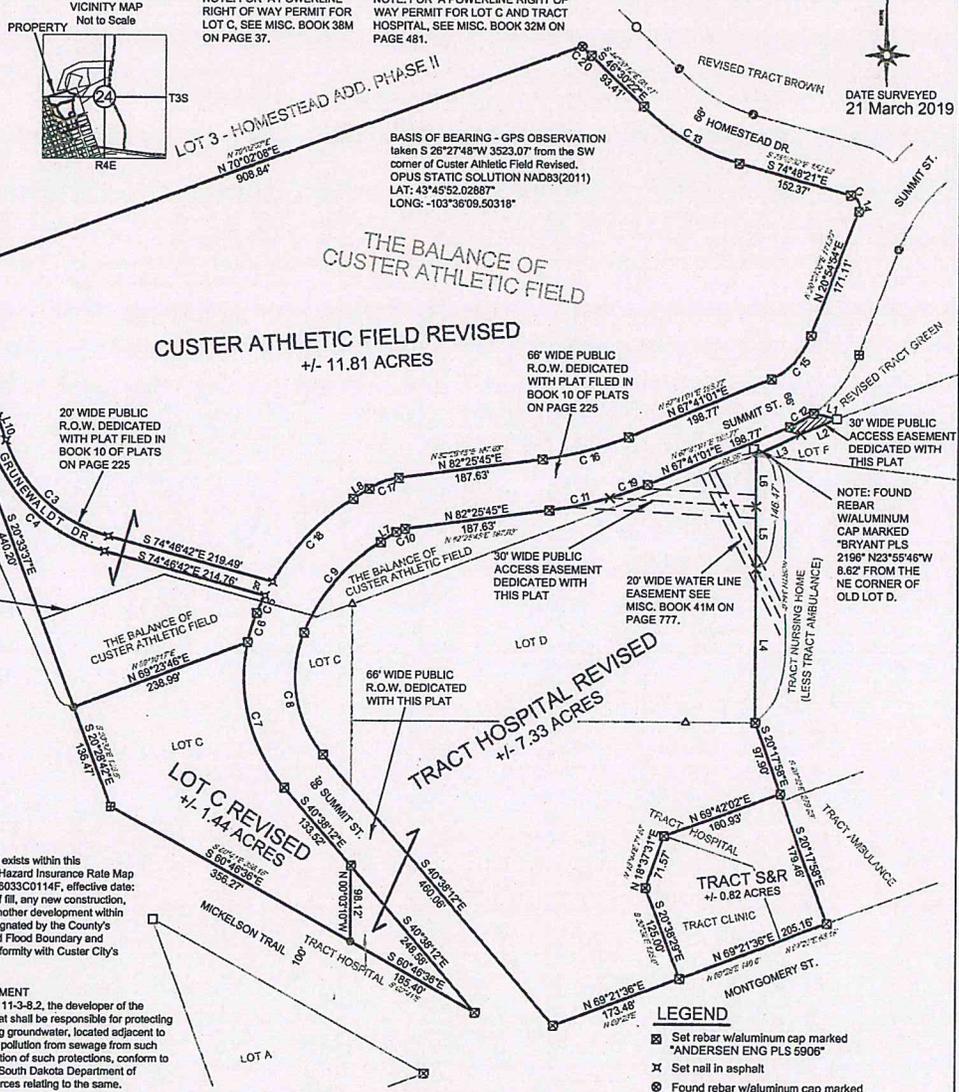
NOTE: FOUND REBAR WALLUMINUM CAP MARKED "BRYANT PLS 2196" N23°55'46"W 8.82' FROM THE NE CORNER OF OLD LOT D.

NOTE: FOUND REBAR WALLUMINUM CAP MARKED "BRYANT PLS 2196" N23°55'46"W 8.82' FROM THE NE CORNER OF OLD LOT D.

NOTE: FOUND REBAR WALLUMINUM CAP MARKED "BRYANT PLS 4996" N19°12'30"E 205.16' FROM THE SE CORNER OF TRACT S&R

NOTE: FOUND REBAR WALLUMINUM CAP MARKED "AAE PLS 6014"

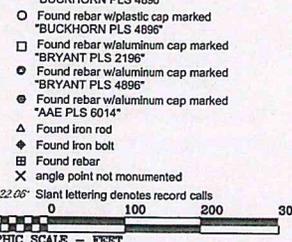
NOTE: FOUND IRON BOLT



| Curve | Radius | Target | Length | Delta | Degree | Chord | Chord Bear. |
|-------|--------|--------|--------|-----------|------------|--------|---------------|
| C1 | 155.49 | 51.52 | 98.05 | 51°37'28" | 54°18'30" | 91.86 | S 43°01'43" E |
| C2 | 85.49 | 30.52 | 58.63 | 39°17'42" | 61°01'14" | 57.49 | S 39°51'50" E |
| C3 | 194.83 | 102.54 | 188.75 | 50°33'51" | 29°28'18" | 181.44 | S 48°59'45" E |
| C4 | 214.83 | 113.08 | 208.14 | 50°33'51" | 29°41'43" | 200.08 | S 48°59'45" E |
| C5 | 318.96 | 132.38 | 247.75 | 47°28'44" | 17°57'48" | 247.47 | S 24°27'05" W |
| C6 | 217.83 | 107.29 | 199.39 | 52°28'42" | 28°18'11" | 182.50 | S 14°24'51" E |
| C7 | 151.83 | 92.79 | 166.58 | 62°51'40" | 37°44'12" | 158.35 | N 09°12'23" W |
| C8 | 252.96 | 80.36 | 156.62 | 35°14'56" | 22°39'00" | 153.18 | N 39°51'12" E |
| C9 | 281.15 | 6.33 | 12.46 | 24°57'15" | 200°15'54" | 12.36 | N 69°57'11" E |
| C10 | 510.48 | 30.73 | 70.31 | 8°54'07" | 11°13'28" | 79.23 | N 77°08'42" E |
| C11 | 160.32 | 18.62 | 37.06 | 13°15'07" | 35°44'18" | 37.06 | N 61°15'09" E |
| C12 | 271.72 | 74.37 | 145.18 | 30°36'43" | 21°05'08" | 143.46 | S 59°28'33" E |
| C13 | 15.87 | 17.74 | 26.76 | 85°59'55" | 358°46'11" | 23.74 | S 28°53'33" E |
| C14 | 94.32 | 41.92 | 78.90 | 47°58'25" | 60°44'35" | 78.91 | S 43°59'13" W |
| C15 | 444.48 | 57.51 | 114.38 | 14°44'40" | 12°53'28" | 114.06 | S 75°03'23" W |
| C16 | 94.81 | 20.93 | 41.20 | 24°57'08" | 60°33'38" | 40.88 | S 69°57'11" W |
| C17 | 318.96 | 78.90 | 150.93 | 27°00'41" | 17°37'48" | 148.52 | S 43°50'20" W |
| C18 | 510.48 | 28.06 | 62.06 | 5°50'35" | 11°13'28" | 62.05 | N 70°36'21" E |
| C19 | 354.89 | 6.36 | 16.72 | 2°51'49" | 17°07'32" | 16.72 | S 48°29'06" E |

| Course | Bearing | Distance |
|--------|---------------|----------|
| L1 | S 78°19'25" E | 30.81 |
| L2 | S 66°22'54" W | 50.09 |
| L3 | S 62°07'14" W | 66.17 |
| L4 | S 68°22'54" W | 198.49 |
| L5 | N 00°00'00" W | 78.95 |
| L6 | N 00°00'00" W | 68.52 |
| L7 | N 57°28'45" E | 24.43 |
| L8 | N 57°28'45" E | 24.43 |
| L9 | N 57°28'45" E | 24.43 |
| L10 | S 20°33'37" E | 28.68 |
| L11 | S 19°12'40" E | 31.88 |
| L12 | S 21°12'40" E | 31.88 |

- LEGEND**
- ☒ Set rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
 - ✕ Set nail in asphalt
 - Found rebar w/aluminum cap marked "BUCKHORN PLS 4896"
 - Found rebar w/plastic cap marked "BUCKHORN PLS 4896"
 - Found rebar w/aluminum cap marked "BRYANT PLS 2196"
 - Found rebar w/aluminum cap marked "BRYANT PLS 4996"
 - Found rebar w/aluminum cap marked "AAE PLS 6014"
 - △ Found iron rod
 - ◆ Found iron bolt
 - ⊕ Found rebar
 - ⊗ angle point not monumented



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 ___, 2019.

 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 ___, 2019.

 Custer City Finance Officer

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 ___, 2019.

John D. McBride SDRLS No. 5906

OFFICE OF THE REGISTER OF DEEDS
 Filed for record this ___ day of ___, 2019, 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 4/16/2019 | P.O. Box 448 Edgemont, SD 57735 |
| Approved by McB | Date 4/16/2019 | (605)-682-5500 andersenengineers@gwic.net |
| Scale 1"=100' | Sheet 1 of 2 | File Name: OLD_HOSPITAL_CUSTER |

A PLAT OF
**CUSTER ATHLETIC FIELD REVISED, LOT C REVISED, TRACT HOSPITAL REVISED, AND
 TRACT S&R, CUSTER CITY, CUSTER COUNTY, SOUTH DAKOTA**
 FORMERLY THE BALANCE OF CUSTER ATHLETIC FIELD, LOT C, LOT D, TRACT HOSPITAL, AND TRACT CLINIC

STATE OF _____, COUNTY OF _____
 Regional Health Network, Inc., 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 _____, 2019.

 Kyle Richards Regional Health Network, Inc. President

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF _____, COUNTY OF _____
 On this the ____ day of _____, 20____, before me, the undersigned officer, personally appeared Kyle Richards, who acknowledged himself to be the President of Regional Health Network, Inc., a corporation, and that he, 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 himself as President.
 IN WITNESS WHEREOF I hereunto set my hand and official seal.

 Notary Public
 My commission expires _____

STATE OF _____, COUNTY OF _____
 The City of Custer, 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.
 In witness whereof we hereby set our hand and seal this ____ day of _____, 2019.

 Corbin Herman (Mayor)

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF _____, COUNTY OF _____
 On this the ____ day of _____, 20____, before me, the undersigned officer, personally appeared Corbin Herman, who acknowledged himself to be the Mayor of the City of Custer, and that he, as such Mayor being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the City by himself as Mayor.
 IN WITNESS WHEREOF I hereunto set my hand and official seal.

 Notary Public
 My commission expires _____

STATE OF _____, COUNTY OF _____
 Custer Independent School District, 16-1, 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.
 In witness whereof we hereby set our hand and seal this ____ day of _____, 2019.

 Jared Carson (School Board President)

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF _____, COUNTY OF _____
 On this the ____ day of _____, 20____, before me, the undersigned officer, personally appeared _____, who acknowledged himself to be the School Board President of Custer Independent School District, 16-1, and that he, as such Board President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the School by himself as Board President.
 IN WITNESS WHEREOF I hereunto set my hand and official seal.

 Notary Public
 My commission expires _____

STATE OF _____, COUNTY OF _____
 Custer County, 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.
 In witness whereof we hereby set our hand and seal this ____ day of _____, 2019.

 Jim Lintz (Board of Commissioners Chairman)

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF _____, COUNTY OF _____
 On this the ____ day of _____, 20____, before me, the undersigned officer, personally appeared Jim Lintz, who acknowledged himself to be the Chairman of the Custer County Board of Commissioners, and that he, as such Board Chairman being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the County by himself as Board Chairman.
 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.
 Date: _____
 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 _____, 2019.

 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 _____, 2019.

 Custer County Treasurer

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

| | | |
|--------------------|-------------------|--|
| Drawn by DR | Date 4/16/2019 | P.O. Box 446 Edgemont, SD 57735 |
| Approved by McB | Date 4/16/2019 | (605)-662-5300 andersenengineers@gwic.net |
| Scale 1"=100' | Sheet 1 of 2 | File Name: OLD_HOSPITAL_CUSTER |