

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

**Tuesday June 12<sup>th</sup>, 2018 at 5:00 P.M.**

**Custer City Hall, 622 Crook Street, Custer, SD 57730**

**Call to Order - Roll Call:**

**Approve Agenda: June 12, 2018**

**Approve Minutes: May 22, 2018**

**Declaration of Conflict of Interest:**

**Oath of Office – Planning Commission Member Scott Olson**

**New Business:**

**Final Plat – Plat of Tract 1 & 2 Revised of Big Rock Subdivision, Schneller Tract and Brouillard Tract**

**Minor Plat – A Plat of Lot 25V of Homestead Addition**

**Minor Plat – Terry Subdivision, Plat of Tracts 1, and 2 of Terry Subdivision 3 mile**

**~~Old Business:~~**

**Discussion Items:**

**Potential uses of Tract Clinic & Tract Hospital**

**Discussion of the Feb 2018 Custer Comprehensive Housing Study**

**Planning Administrator Updates:**

**Communications from The Public:**

**Adjournment:**

A

DRAFT  
MINUTES OF THE May 22<sup>nd</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; John Dvorak; Jerry Stites; Rick Hudson – 3 Mile Representative.

Members Absent: Tim Behlings – Alternate.

Other Parties Present: Tim Hartmann–Planning Administrator; Mayor Herman; Larry Maciejewski-Council Representative.

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

Minutes: Commissioner Uhrich moved, with a second by Commissioner Stites to approve the May 8<sup>th</sup>, 2018 minutes. Motion unanimously carried.

Declaration of Conflict of Interest: None stated.

New Business:

Zoning Variance – Setback Variance Request, Brad and Connie Torgerson. Planning Administrator and Commission reviewed the variance request. Discussion was held concerning the proposed structure, existing Victory Lane right of way, potential development in the area, and existing structures and setbacks in the area. After the discussion, Commission Stites moved, with a second by Commissioner Uhrich to recommend approval of the variance, as presented to the Planning Commission, by the Board of Adjustment. Motion unanimously carried.

Old Business:

Discussion Items:

Revisions to the Extraterritorial Area Policy. Planning Administrator and Commission had a discussion concerning items relating to the extraterritorial policy. Discussion included topics pertaining to SDCL, water source protection, and plans to continue with the draft document. Draft document is tentatively scheduled to return to the work session meeting in June.

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 Uhrich moved, with a second by Commissioner Dvorak to adjourn. Motion unanimously carried. The meeting adjourned at 6:26 pm.

Approved:

Attest:

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

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

M



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

**Staff Report**

Request: Final Plat, Plat of Tract 1 & 2 Revised of Big Rock Subdivision, Schneller Tract, and Brouillard Tract  
Applicant: John Schneller  
Location: 25173 Tooth Acres Trail and Neighbors  
Legal Desc.: See Plat  
Prepared: June 7, 2018  
Planning Commission Meeting: June 12, 2018  
Prepared by Tim Hartmann, Planning Administrator

**GENERAL**

This plat falls within the 3-mile extraterritorial limit and is contiguous to city limits on the north property lines of Proposed Tract 2 Revised and Proposed Tract 1 Revised. The proposed plat is a non-subdivision plat that will perform a lot line adjustment involving 5 existing parcels becoming 4 new parcels. Proposed Schneller Tract and Tract 2 Revised are currently served by private wells and septic systems. Should services be needed, proposed Tract 1 Revised and Brouillard Tract would also be served by private wells and septic systems.

**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**

SDDOT – no comments

CC Planning & ROD – Various corrections and changes. (incorporated to redline version)

**ACCESS**

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

**Proposed Schneller Tract**

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 Brouillard Tract**

S 10<sup>th</sup> Street to Needles Drive, Needles Drive to proposed Brouillard Tract

**Proposed Tract 1 Revised**

S 10<sup>th</sup> Street to Needles Drive, Needles Drive to Custer Mountain Drive, 30' access easement from Custer Mountain Drive across neighboring Govt. Lot 8 to proposed Tract 1 Revised

**Proposed Tract 2 Revised**

S 10<sup>th</sup> Street to Needles Drive, Needles Drive to Custer Mountain Drive (Custer Mountain Drive serves Proposed Tract 2 through a 30' Easement across Govt. Lot 8, an existing road through Big Rock Park and a 66' Right of Way across the neighboring Tract 1.)

**ANNEXATION CONSIDERATIONS**

The plat is contiguous to the city limits on the north property line of proposed Tracts 1 & 2 Revised being contiguous to the southern municipal boundaries of Custer.

Resolution 06-17-02B addresses city policy on annexation of any area contiguous to the incorporated limits of the City.

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

The Planning Commission reviewed a plat involving portions of the area at the November 14, 2017 meeting. That plat involved a 5-parcel subdivision of HES 525 as well as a lot line adjustment with the neighboring Tract 2 of Big Rock Subdivision. It was determined that the additional lots being added within the subdivision would require road upgrades to the roads approaching the subdivision including Rose Place, Moss Rock Lane and Tooth Acres Trail. A need to establish public access across the neighboring NE4SE4SW4 of Sec 25 T3 R4 was also discussed. The Planning Commission then tabled such plat until public access was granted.

Planning Commission reviewed this preliminary plat at the May 8<sup>th</sup> meeting. Some discussion was held concerning the non-subdivision plat and the portions of such plat contiguous to city limits. After the discussion a motion was made to recommend approval of the preliminary plat by the City Council with a recommendation to not annex the property included in the plat. The motion was also contingent upon all items presented in the red line correction plat being addressed. The motion unanimously carried.

*\*\*all items in the red line plat have been addressed 5/16/18*

City Council reviewed and approved the preliminary plat at the May 21<sup>st</sup>, 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 into the existing parcels. Do to the nature of the plat staff supports a recommendation to Council for approval of the final plat.

# A PLAT OF TRACT 1 REVISED AND TRACT 2 REVISED OF BIG ROCK SUBDIVISION, SCHNELLER TRACT, AND BROUILLARD TRACT CONTAINING ALL OF H.E.S. 525, TRACT 1 AND TRACT 2 OF BIG ROCK SUBDIVISION, GOVT. LOT 11, AND TRACT H OF M.S. NO 2152, LOCATED IN W 1/2 OF SECTION 25 AND THE SE 1/4 OF SECTION 26, ALL IN T3S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

NOTE: TRACT 1 REVISED  
CONTAINS +/- 2.50  
ACRES OF H.E.S. 525

NOTE: TRACT  
BROUILLARD REVISED  
CONTAINS +/- 0.87  
ACRES OF H.E.S. 525

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

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

No area of special flood hazard exists within this  
platted area. Flood hazard Insurance Rate Map  
Panel No. 40033C0113F and 40033C0114F, effective date:  
Jan. 6, 2012.

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

Course	Bearing	Distance
1	N 87°52'18"E	262.53
2	N 0°00'00"E	132.57
3	S 89°57'10"W	57.54
4	S 49°52'47"W	35.74
5	S 21°20'34"E	117.81
6	S 87°41'51"E	81.82
7	S 7°57'11"W	65.59
8	S 7°57'11"W	126.23
9	N 74°46'00"E	94.59
10	S 78°30'42"E	274.59

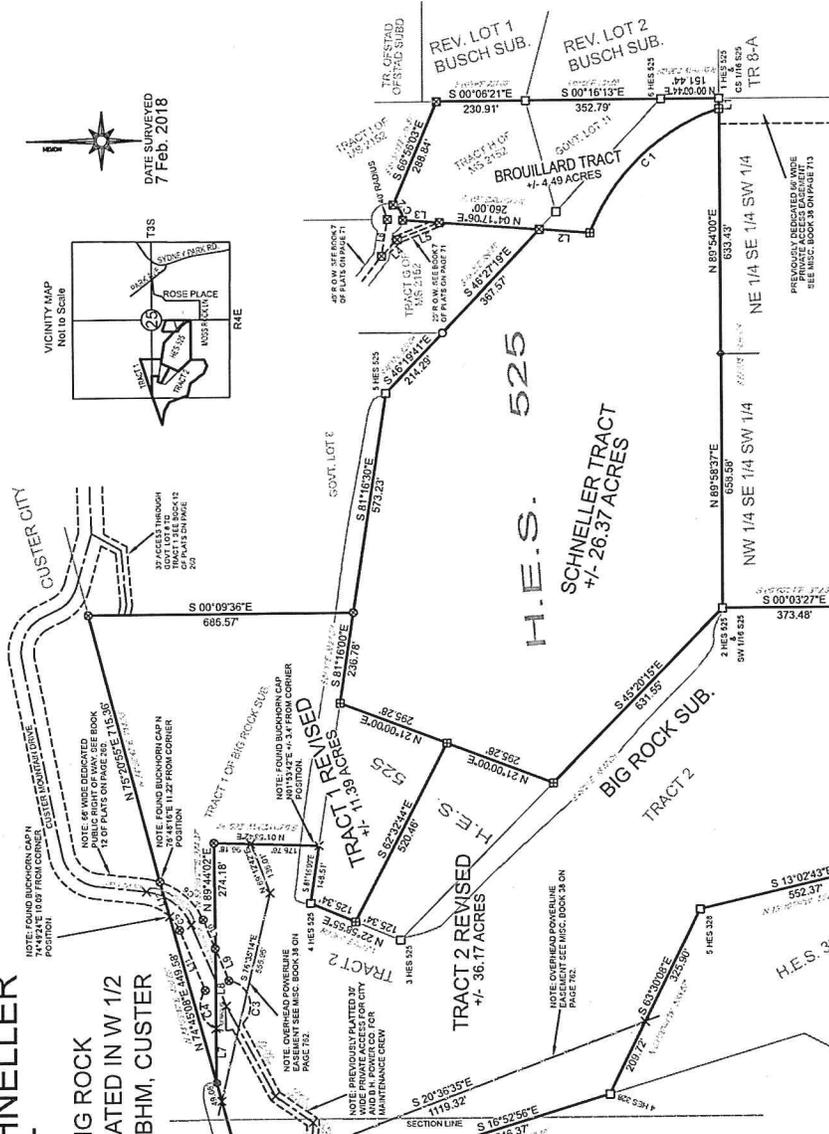
GRAPHIC SCALE - FEET  
0 200 400 600

Curve	Radius	Tangent	Length	Chord	Chord Bear.
C1	243.352	225.22	472.30	207.71	S 10°52'09"
C2	40.00	48.24	48.30	71.00	N 15°14'32"
C3	65.00	552.31	219.33	103.25	S 74°31'32"E
C4	65.00	82.78	119.60	105.41	S 74°41'28"W
C5	65.00	179.37	119.60	105.41	S 74°41'28"W
C6	65.00	27.24	44.74	27.24	S 74°41'28"W
C7	113.00	81.29	130.00	47.94	S 11°18'33"
C8	113.00	137.12	274.25	137.12	N 81°57'34"E

### LEGEND

- 5/4" BURNED ALUMINUM CAP MARKED "ANDERSEN PLS 5006"
- ▲ 5/4" BURNED ALUMINUM CAP MARKED "ANDERSEN PLS 2842"
- Found iron pipe
- Found rebar
- Found rebar/waluminum cap marked "BUCKHORN PLS 4885"
- Found rebar/waluminum cap marked "BRYANT PLS 4885"
- Found rebar/waluminum cap marked "BRYANT PLS 2185"
- Found stone monument
- × angle point not monumented
- Slant lettering denotes record calls
- Overhead power line

BASIS OF BEARING - GPS OBSERVATION  
LAT: 45°22'42" N, LONG: 103°49'39" W  
OPUS STATIC SOLUTION NADR3(C011)  
LAT: 45°45'39.08470"  
LONG: -103°49'39.08470"



**ANDERSEN ENGINEERS**  
Land Surveying, Professional Engineering, & Environmental Consulting

Drawn by: 2/22/2018  
Checked by: 2/23/2018  
Scale: 1"=200'  
Sheet: 1 of 2

P.O. Box 446  
Edgemont, SD 57735  
andersenengr@comcast.net  
andersonengr@comcast.net

Date: 2/22/2018  
Approved by: 2/23/2018  
Scale: 1"=200'  
Sheet: 1 of 2  
File Name: HES\_525\_2018

**A PLAT OF TRACT 1 REVISED AND TRACT 2  
REVISED OF BIG ROCK SUBDIVISION, SCHNELLER  
TRACT, AND BROUILLARD TRACT**  
CONTAINING ALL OF H.E.S. 525, TRACT 1 AND TRACT 2 OF BIG ROCK  
SUBDIVISION, GOVT. LOT 11, AND TRACT H OF M.S. NO 2152, LOCATED IN W 1/2  
OF SECTION 25 AND THE SE 1/4 OF SECTION 26, ALL IN T3S, R4E, BHM, CUSTER  
COUNTY, SOUTH DAKOTA

**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, Kirby D. Brouillard & Bonnie L. Brouillard, 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.

\_\_\_\_\_  
Kirby D. Brouillard

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

I, John L. Schneller, 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.

\_\_\_\_\_  
John L. Schneller

\_\_\_\_\_  
Bonnie L. Brouillard

**ACKNOWLEDGMENT OF OWNERSHIP**

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
On this \_\_\_ day of \_\_\_, 2018, before me, a Notary Public, personally appeared Kirby D. Brouillard & Bonnie L. Brouillard, 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 \_\_\_\_\_

**ACKNOWLEDGMENT OF OWNERSHIP**

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
On this \_\_\_ day of \_\_\_, 2018, before me, a Notary Public, personally appeared John L. Schneller, known to me to be the person(s) described in the foregoing Instrument, and acknowledged to me that they signed the same.  
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public \_\_\_\_\_

My commission expires \_\_\_\_\_

**CERTIFICATE OF 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 \_\_\_\_\_

We, Gary S. Hirt and Nancy A. Hirt, 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.

\_\_\_\_\_  
Gary S. Hirt

\_\_\_\_\_  
Nancy A. Hirt

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

**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.

**ACKNOWLEDGMENT OF OWNERSHIP**

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
On this \_\_\_ day of \_\_\_, 2018, before me, a Notary Public, personally appeared Gary S. Hirt and Nancy A. Hirt, known to me to be the person(s) described in the foregoing Instrument, and acknowledged to me that they signed the same.  
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public \_\_\_\_\_

My commission expires \_\_\_\_\_

**CERTIFICATE OF COUNTY TREASURER**

I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.  
Dated this \_\_\_ day of \_\_\_, 2018.

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

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

We, Robert W. Duncan and Susan M. Duncan, 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.

\_\_\_\_\_  
Robert W. Duncan

\_\_\_\_\_  
Susan M. Duncan

**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 herein 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 \_\_\_\_\_

**ACKNOWLEDGMENT OF OWNERSHIP**

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
On this \_\_\_ day of \_\_\_, 2018, before me, a Notary Public, personally appeared Robert W. Duncan and Susan M. Duncan, known to me to be the person(s) described in the foregoing Instrument, and acknowledged to me that they signed the same.  
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public \_\_\_\_\_

My commission expires \_\_\_\_\_

**CERTIFICATE OF 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

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

 <b>ANDERSEN ENGINEERS</b> <i>Land Surveyors, Professional Engineering, &amp; Environmental Consultants</i>		P.O. Box 446 Edgemont, SD 57735 (605)-662-5500 anderseengineers@awtc.net
		Drawn by DR Date 2/22/2018 Approved by McB Date 2/23/2018 Scale 1"=200' Sheet 2 of 2 File Name: HES_525_2018

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

#### Staff Report

Request: Minor Plat, Lot 25V of Homestead Addition  
Applicant: Vanessa Bowman  
Fee Paid: \$125.00  
Location: 912 Summit Street - Intersection of Summit Street and Beatty Street  
Legal Desc.: Lot 25V of Homestead Addition to Custer City, Custer County, SD  
Date Prepared: May 30, 2018  
Planning Commission Meeting: June 12, 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 one common parcel, Lot 25A of Wickard Subdivision and Balance of Tract Green. This non-subdivision would plat the proposed Lot 25V, 0.29 acres. City sewer and water currently serve the home located on existing Lot 25A.

#### **EXISTING PARCEL DESCRIPTIONS**

Lot 25A of Wickard Subdivision – 0.25 acres, platted in 1950. Recorded in Plat Book 1, Page 147.  
Balance of Tract Green – Tract Green less Revised Tract Green. Tract Green = 1.88 acres, Revised Tract Green = 1.81 acres. Tract Green recorded in Plat Book 11, Page 763. Revised Tract Green recorded in Plat Book 12, Page 65.

#### **COMPREHENSIVE PLAN**

The comprehensive plan identifies this area as suburban residential.

#### **ROUTING SHEET RESPONSES**

CC ROD – No Concerns  
CC Planning – No Concerns  
SDDOT – No Concerns  
CC DOE – Discussion concerning taxable area and Right of Way/Easement

#### **ACCESS**

Access to the property is provided by Summit Street and Beatty Street. Summit Street is a 66' Public Right of Way. Beatty Street was originally platted in May of 1989 as a 66' Public Right of Way. 36' of such Right of Way was later vacated by Resolution #5-4-92A, leaving a total of 30' Right of way contiguous to the existing Lot 25A. Beatty street access does expand to 66' as it crosses the Balance of Tract Green and intersects with Summit Street.

#### **CMC Title 16 – Definitions**

“Easement” means authorization by a property owner for the use by another, and for a specified purpose, of any designated part of the property.

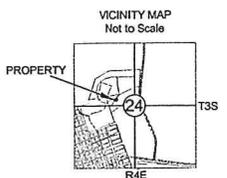
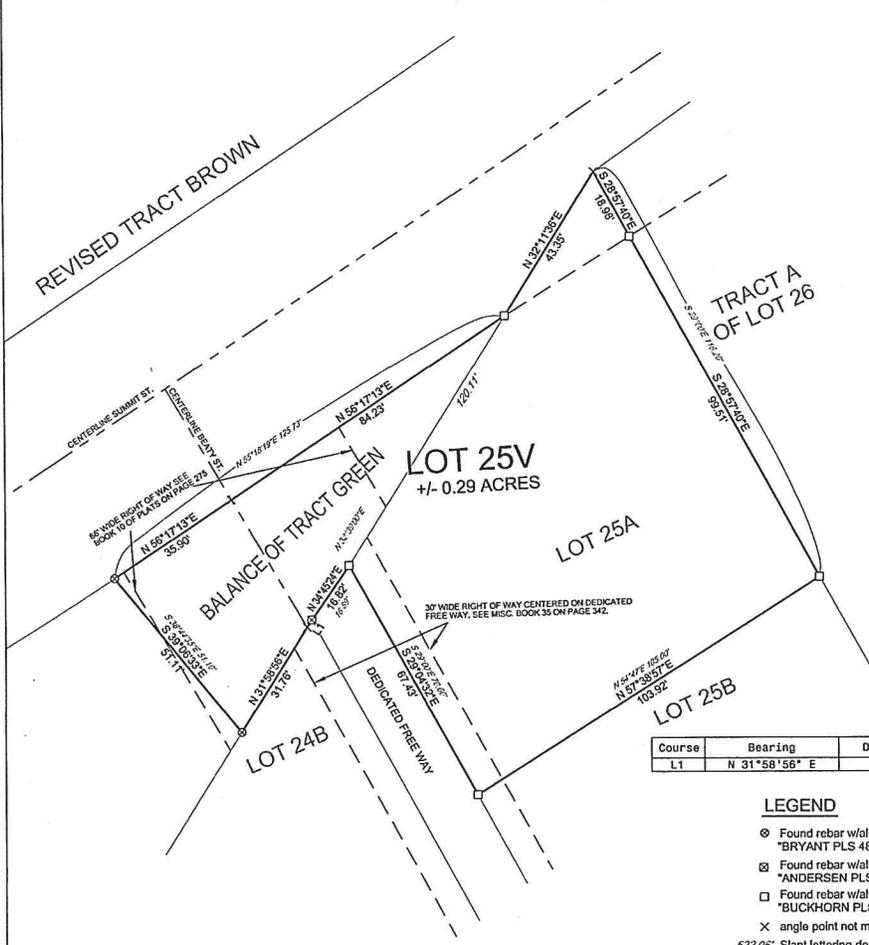
“Right of Way” means a strip of land occupied by a street, railroad, pedestrian walkways or other special use. The use of the term “right-of-way” for platting purposes means that every right-of-way hereafter established and shown on a plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or area of such lots or parcels.

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Rec S/W/17 A

# A PLAT OF LOT 25V OF HOMESTEAD ADDITION TO CUSTER CITY, CUSTER COUNTY, SOUTH DAKOTA

CONTAINING ALL OF LOT 25A OF WICKARD SUBDIVISION (A.K.A. LOT 25A OF HOMESTEAD ADDITION)  
AND TRACT GREEN (LESS REVISED TRACT GREEN) OF HOMESTEAD SUBDIVISION



DATE SURVEYED  
29 March 2018

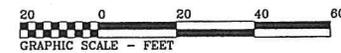
BASIS OF BEARING - GPS OBSERVATION taken S 36°37'26\"/>

- NOTE: See Book 1 of Plats on Page 147 for plat of Lot 25A of Wickard Subdivision.
- NOTE: See Book 10 of Plats on Page 275 for a plat of Homestead Addition.
- NOTE: See Book 11 of Plats on Page 763 for a plat of Tract Green of Homestead Subdivision.
- NOTE: See Book 12 of Plats on page 65 for a plat of Revised Tract Green of Homestead Subdivision.
- NOTE: See Misc. Book 40 on page 90 for the resolution annexing that portion of Tract Green Located In Govt. Lot 21 into the City of Custer.

Course	Bearing	Distance
L1	N 31°58'56\"/>	

**LEGEND**

- ⊙ Found rebar w/aluminum cap marked "BRYANT PLS 4896"
  - ⊗ Found rebar w/aluminum cap marked "ANDERSEN PLS 2842"
  - Found rebar w/aluminum cap marked "BUCKHORN PLS 4896"
  - × angle point not monumented
- 5:22.06' 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 hereto 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.

Highway Authority \_\_\_\_\_ Date: \_\_\_\_\_

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
I, Vanessa Bowman, 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.

Vanessa Bowman

**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 Vanessa Bowman, known to me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.  
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public \_\_\_\_\_  
My commission expires \_\_\_\_\_

**CERTIFICATE OF 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 4/4/2018	P.O. Box 446 Edgemont, SD 57735
Approved by McB	Date 4/8/2018	(605)-662-5500 andersenengineers@gwtc.net
Scale 1"=20'	Sheet 1 of 1	File Name: L25A_HOMESTEAD

6



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, Terry Subdivision  
Applicant: Crossroads Church  
Location: Adjacent to US Hwy 16A Approximately 1 mile east of Custer City  
Fee Paid: \$125.00  
Legal Desc.: Tracts 1 and 2, Terry Subdivision  
Date Prepared: June 5, 2018  
Planning Commission Meeting: June 12, 2018  
Prepared by Tim Hartmann, Planning Administrator

**GENERAL**

This plat is for a lot line adjustment that is not within the corporate limits of the City of Custer but is within the City's extraterritorial jurisdiction. Private wells serve the parcels while sanitation is provided to proposed Tract 2 by the East Custer Sewer District and Tract 1 by a private septic system. The plat is performing a lot line adjustment between proposed Tract 1 and Tract 2 to provide a larger building envelope for future building plans. The lot line between the proposed Tract 1 and Tract 2 has been shifted east making proposed Tract 1 15.94 acres and proposed Tract 2 2.45 acres.

**COMPREHENSIVE PLAN**

The comprehensive plan identifies this area as suburban residential and rural residential.

**ROUTING SHEET RESPONSES**

CC Planning – No Comments

**ACCESS**

Access to the subdivision is gained to the proposed Tract 2 directly from Highway 16A. Proposed Tract 1 has access from two separate locations. A 66' Public Access and Utility Easement provides access from Highway 16A through Tract 2, and a second access is currently provided directly from Highway 16A.

**STAFF RECOMMENDATION**

The parcels involved in the lot line adjustment, as well as the neighboring Lot A appear to have adequate access. Sanitary and water services are provided at Proposed Tract 1 & 2, and lot sizes are sufficient. Staff supports a recommendation Council for approval of the Plat.

Rec 6/7/18

### TERRY SUBDIVISION

PLAT OF TRACTS 1, AND 2 OF TERRY SUBDIVISION (FORMERLY LOTS B, AND C OF LOTS 2 AND 3 OF TRACT GOLDEN CIRCLE, AND TRACT MATTHESEN OF TERRY LODGE AND TERRY NO. 1 LODGE OF MS 2039) LOCATED IN SE1/4 OF SECTION 19 AND IN THE SW1/4 OF SECTION 20, T3S, R5E, BHM, CUSTER, SOUTH DAKOTA

**NOTE**

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

**NOTE**

FIRM PANEL 46033C 0119 F DATED JANUARY 1, 2012 INDICATES THAT THERE NO PRESENCE OF A FLOOD HAZARD AREA WITHIN THE SUBDIVISION AREA REPRESENTED ON THIS PLAT

**NOTE**

ANY CONSTRUCTION WITHIN A DESIGNATED FLOOD HAZARD AREA SHALL REQUIRE A PERMIT AND BE IN ACCORDANCE WITH CUSTER COUNTY ORDINANCE 6

**NOTE**

LOTS B, AND C ARE RECORDED IN PLAT BOOK 12 PAGE 125 LOTS 2, AND 3 ARE RECORDED IN PLAT BOOK 11 PAGE 740 TRACT MATTHESEN AND TRACT GOLDEN CIRCLE ARE RECORDED IN PLAT BOOK 11 PAGE 502

**WATER PROTECTION STATEMENT**

PURSUANT TO SDCL 11-3-8.1 AND 11-3-8.2 THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE RESPONSIBLE FOR PROTECTING ANY WATERS OF THE STATE INCLUDING GROUNDWATER, LOCATED ADJACENT TO OR WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWAGE FROM SUCH SUBDIVISION AND SHALL IN PROSECUTION OF SUCH PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME.

**NOTE**

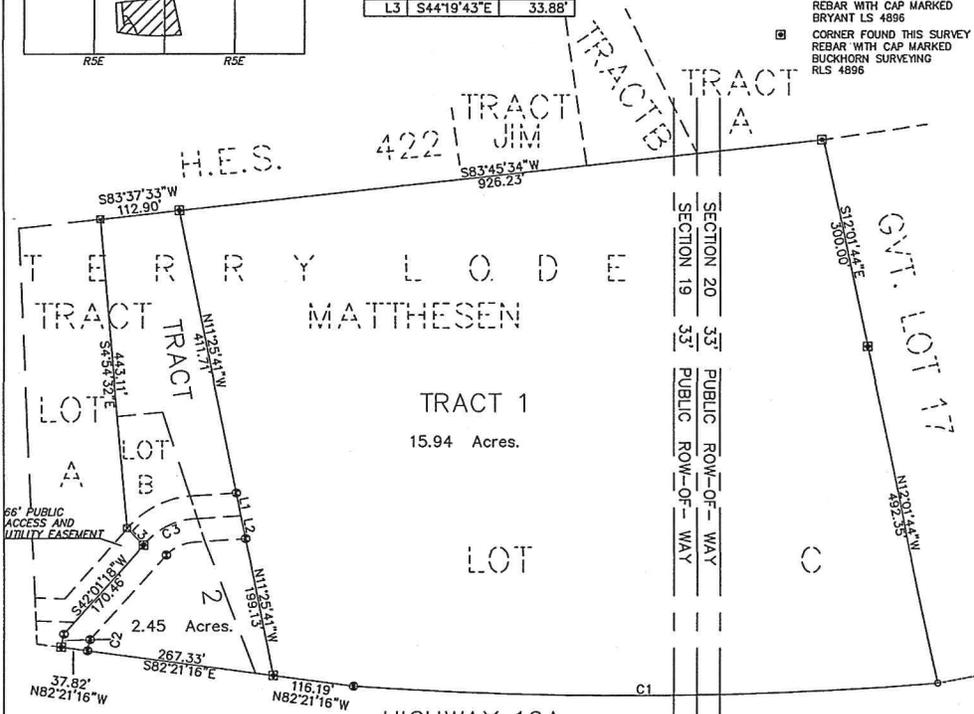
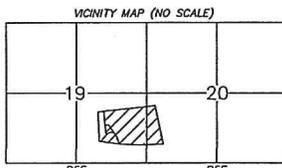
US HIGHWAY 16A IS 200' DEDICATED PUBLIC RIGHT OF WAY EASEMENTS AS PER SDCL 31-3-1

**LEGEND**

- ☒ CORNER SET THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
- ☐ CORNER SET THIS SURVEY REBAR WITH PLASTIC CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
- CORNER FOUND THIS SURVEY REBAR WITH CAP MARKED BRYANT LS 2196
- ⊙ CORNER FOUND THIS SURVEY B.L.M./G.L.O. STONE MONUMENT
- ☑ CORNER FOUND THIS SURVEY REBAR WITH CAP MARKED BRYANT LS 4896
- ☑ CORNER FOUND THIS SURVEY REBAR WITH CAP MARKED BUCKHORN SURVEYING RLS 4896

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	8°31'41"	837.98'	5629.92'	N89°41'41"E	837.21'
C2	10°57'37"	19.13'	100.00'	S10°42'49"W	19.10'
C3	50°30'41"	88.16'	100.00'	S63°49'22"W	85.33'

NUM	BEARING	DISTANCE
L1	S11°25'41"E	33.29'
L2	S11°25'41"E	33.29'
L3	S44°19'43"E	33.88'



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 SEDIMENT 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 PERSONALLY EXAMINED THE SURVEY AND WITHIN PLAT OF THE LAND SHOWN AND DESCRIBED HEREON WERE MADE UNDER MY PERSONAL 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\_\_\_\_

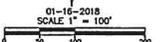
BUCKHORN SURVEYING INC.  
BY JACK H. KNUST, REGISTERED LAND SURVEYOR

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

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



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



**CERTIFICATE OF HIGHWAY AUTHORITY:**  
I, ENGINEER OF HIGHWAY AUTHORITY, DO HEREBY CERTIFY THAT THE LOCATION OF THE INTERSECTION(S) OF ANY PROPOSED SUBDIVISION ROAD(S) OR PRIVATE ACCESS ROAD(S) WITH THE EXISTING PUBLIC ROAD IS HEREBY APPROVED

**RESOLUTION OF GOVERNING BOARD**  
STATE OF SOUTH DAKOTA  
CITY OF CUSTER S.S.  
RESOLVED, THERE HAS BEEN PRESENTED TO THE CITY OF CUSTER, SOUTH DAKOTA, THE WITHIN PLAT OF THE ABOVE DESCRIBED SUBDIVISION, AND THE ENGINEER OF HIGHWAY AUTHORITY HAS APPROVED THE LOCATION OF THE INTERSECTION(S) OF ANY PROPOSED SUBDIVISION ROAD(S) OR PRIVATE ACCESS ROAD(S) WITH THE EXISTING PUBLIC ROAD IS HEREBY APPROVED.

ALL PROVISIONS OF ANY THREE YEAR EASEL SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH.  
ALL TAXES AND SPECIAL ASSESSMENTS UPON THE SUBDIVISION HAVE BEEN FULLY PAID, AND  
THE PLAT AND SURVEY THEREOF HAVE BEEN EXECUTED ACCORDING TO LAW.  
NOW THEREFORE, BE IT RESOLVED THAT SAID PLAT IS HEREBY APPROVED IN ALL RESPECTS.  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

DIRECTOR OF THE CITY OF CUSTER  
I, ENGINEER OF HIGHWAY AUTHORITY OF THE CITY OF CUSTER, DO HEREBY CERTIFY THAT AT AN OFFICIAL MEETING HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY RESOLUTION DO APPROVE THE PLAT AS SHOWN HEREON.

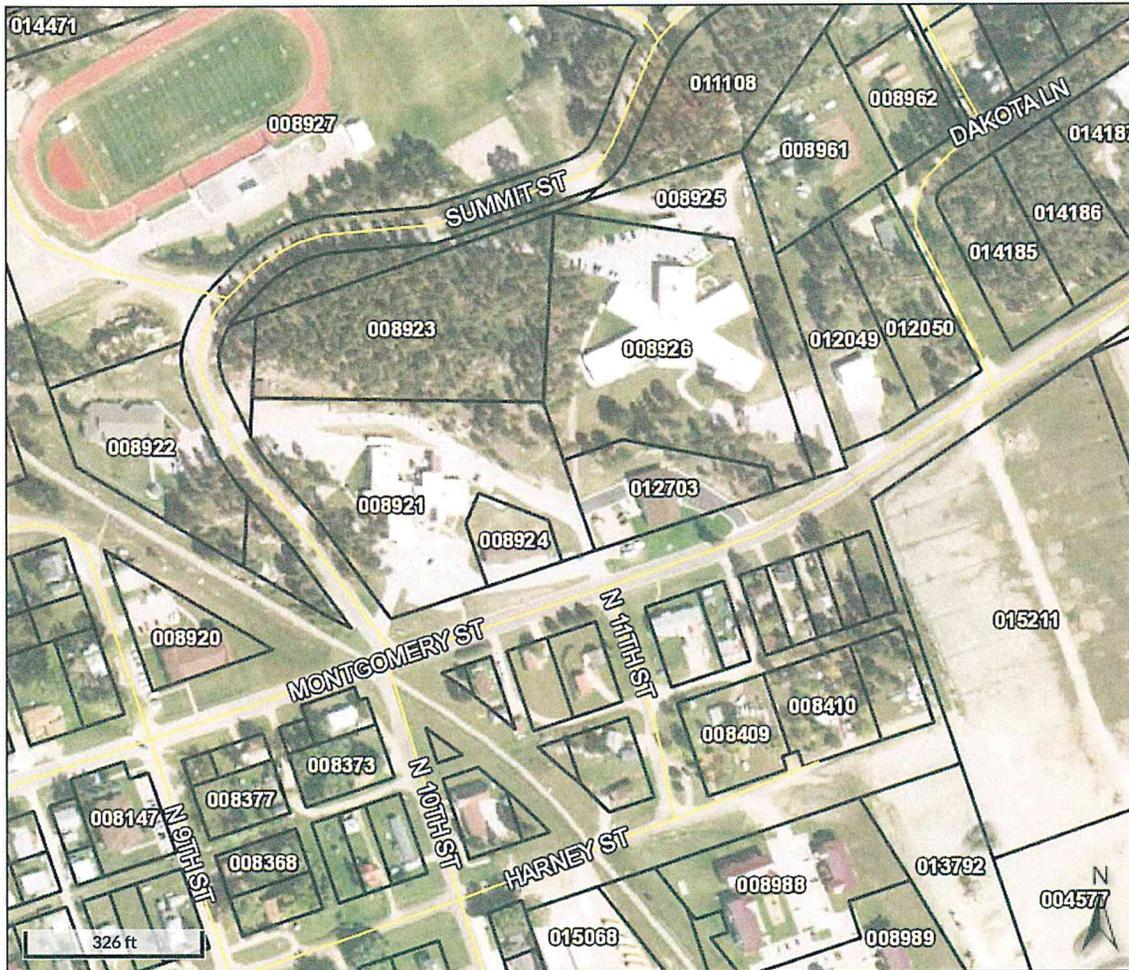
CUSTER CITY FRANCHISE OFFICER: \_\_\_\_\_

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

DIRECTOR OF EQUALIZATION: \_\_\_\_\_

**CERTIFICATE OF REGISTER OF DEEDS**  
I, REGISTER OF DEEDS OF CUSTER COUNTY DO HEREBY CERTIFY THAT I HAVE ON RECORD A COPY OF THE WITHIN DESCRIBED PLAT. DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

REGISTER OF DEEDS: \_\_\_\_\_



Overview



Legend

- Highways
- SD Hwy
- US Hwy
- Roads
- Parcels

Parcel ID	000696	Alternate ID	n/a	Owner Address	SANDER TIMOTHY J
Sec/Twp/Rng	018/0003/005	Class	Agricultural		PO BOX 788
Property Address	12469 WILLOW CREEK RD	Acreage	146.36		CUSTER SD 57730-0000
	CUSTER				
District	16.1-1-1-0-0				
Brief Tax Description	BAL OF HES #339 SECS 17/18/19/20 T3 R5 146.36 ACRES				
	003 05 018 000 001 00				
	<i>(Note: Not to be used on legal documents)</i>				

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.

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