

**OFFICIAL MINUTES**  
**SUMMERSET PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING**  
**TUESDAY, MARCH 26th, 2024 @ 6:00 P.M.**

The meeting was called to order by Vice-Chairman Dustin Hirsch at 6:00 p.m.

**ROLL CALL:** Dustin Hirsch, Mitchell Woldt (via zoom), Brittni Bjorum, Casey Kenrick and Mike Martin were present. Absent: Brody Oldfield. Also present was the City Administrator.

**CALL FOR CHANGES:** Motion by Martin, second by Bjorum to approve the agenda of the meeting for March 26th, 2024. Motion carried.

**CONSENT CALENDAR:** Motion by Martin, second by Kenrick to approve the minutes of the regular meeting of March 12th, 2024. Motion carried.

**MINOR PLAT - ZOGORSKI**

Motion by Kenrick, second by Bjorum, to open discussion. Motion carried. City Administrator Lisa Schieffer presented the minor plat of John Zogorski. Mr. Zogorski spoke to the same and explained he is combining two lots into one. All items have been addressed on the review.

Motion by Kenrick, second by Martin to close discussion. Motion carried.

Motion by Martin, second by Bjorum to recommend approval to the Board of Commissioners. Motion carried.

**ZONING HEARING – ~~NORMAN RANCH~~**

City Administrator Lisa Schieffer explained to the Board that the hearing needed to be pulled from the agenda.

**ZONING HEARING – ~~THOMAS & JOSEPH NORMAN LOT 3~~**

City Administrator Lisa Schieffer explained to the Board that the hearing needed to be pulled from the agenda.

**VARIANCE REQUEST BOOM CONSTRUCTION – SEPTIC/HARD SURFACE REQUIREMENT**

Motion by Kenrick, second by Martin, to open discussion. Motion carried. City Administrator Lisa Schieffer gave an overview on the two variance requests from Boom Construction. Alex Cameron spoke on behalf of Boom Construction regarding the lot access and the placement of the septic system.

Joe Hammerschmidt expressed his concerns about the drainage. He has recently built a shop that is at the bottom of the hill and wanted his concerns to be of record.

Grayle Goodrich gave the background regarding a lawsuit and the extension of Waldan Road past his residence. Goodrich stated that he signed off on the same on where the placement of the access would be located.

The Board then asked questions regarding the agreement/easement. Goodrich stated he was unable to obtain a copy of the agreement. Mr. Cameron stated he had seen the document regarding

the easement while investigating the history of the lot. Cameron stated he would forward the same to the City.

Craig Price, Manager of the mobile home park discussed the access issue.

Richard Michel expressed his concerns regarding a well he has close to this property. Mr. Cameron stated that code states you need to be ten feet (10') away and he is over one hundred feet (100') away from the well.

Discussion was brought back before the Board. The Board expressed the need for more information regarding the easement that the approach comes out to. The majority of the Board felt comfortable with the septic.

Motion by Martin, second by Kenrick to close discussion. Motion carried.

Motion by Kenrick, second by Martin to recommend approval to the Board of Commissioners on the septic variance. Voting yes: Kenrick, Hirsch, Martin and Woldt. Voting no: Bjorum. Motion carried.

Motion by Kenrick, second by Martin to table the variance on the hard surface until further information is gathered for review. Motion carried.

#### **ADJOURNMENT**

Motion by Kenrick, second by Martin to adjourn the meeting at 6:54 p.m. Motion carried.

\_\_\_\_\_  
Stephany Baumeister, Finance Officer

\_\_\_\_\_  
Dustin Hirsch, Vice-Chairman

Published once \_\_\_\_\_ at a cost of \$ \_\_\_\_\_.

# COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Summerset  
 12150 Siouxland Dr., Summerset, SD 57718  
 Phone: (605) 718-9858 Fax: (605) 718-9883 Web: www.summerset.us

# APPLICATION FOR DEVELOPMENT REVIEW

**REQUEST** (please check all that apply)

- Annexation
- Comprehensive Plan Amendment
- Fence Height Exception
- Planned Development (Overlay)
  - Designation
  - Initial Plan  Final Plan
  - Major Amendment
  - Minimal Amendment

- Subdivision
  - Layout Plan
  - Preliminary Plat
  - Final Plat
  - Minor Plat
- Variance
- Rezoning
- Road Name Change

- Conditional Use Permit
- Major Amendment
- Minimal Amendment
- Vacation
  - Utility / Drainage Easement
  - R.O.W. / Section Line Highway
  - Access / Non-Access
  - Planting Screen Easement
- OTHER (specify) \_\_\_\_\_

**LEGAL DESCRIPTION** (Attach additional sheets as necessary)

<b>EXISTING</b>		
PINE HILLS SUBD TRACT 1B		
<b>PROPOSED</b>		
<b>LOCATION</b> WALDAN LN		
Size of Site—Acres 2.043	Square Footage	Proposed Zoning N/A
<b>DESCRIPTION OF REQUEST:</b> Exception to Ordinance 155.256 (B)(1) Drainage and Surfacing		Utilities: <u>Private</u> / Public
<b>HARDSHIP:</b> Access through road district with existing gravel road.		Water
		Sewer

**APPLICANT**

Name BOOM CONSTRUCTION, INC. Phone 605-381-5707  
 Address 22370 152ND PLACE E-mail DAENE@BOOMINC.NET  
 City, State, Zip BOX ELDER, SD 57719

**PROJECT PLANNER - AGENT**

Name \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_ E-mail \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_

**OWNER OF RECORD** (If different from applicant)

Name \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_ E-mail \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_

DR Property Owner Signature \_\_\_\_\_ Date 2/18/24 Property Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Print Name: Daene Boomsma Print Name: \_\_\_\_\_  
 Title\*: CEO Title\*: \_\_\_\_\_

\*required for Corporations, Partnerships, etc.

**FOR STAFF USE ONLY**

ZONING	
Current	
North	
South	
East	
West	
Planner	
File No.	
Comp Plan	
Received By:	

- Sewer Utility
- Fire Department
- Public Works
- Planning
- Building Inspector
- Engineering
- City Code Enforcement
- Police
- City Attorney
- BHP&L
- Finance Officer
- Register of Deeds
- County - Planning
- SD DOT
- SD DENR
- Auditor - Annexation
- Drainage
- Parks & Recreation

- Diamond D Water
- Black Hills Water
- 
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- 

Board of Adjustments Meeting Date: \_\_\_\_\_  
 Date Paid: \_\_\_\_\_



**§ 155.256 MINIMUM REQUIREMENTS.**

(A) *Standards.*

(1) Each off-street parking space shall be an area of not less than 171 square feet, exclusive of access or maneuvering area, ramps, and other appurtenances as per the following standards.

<i>Required Minimum Off-street Parking Dimensions</i>				
<i>Parking Angle (Degrees)</i>	<i>Stall Length (Feet)</i>	<i>Stall Width (Feet)</i>	<i>Aisle Width, One-Way (Feet)</i>	<i>Aisle Width, Two-Way (Feet)</i>
90	19	9	25	25
60	19	9	18.5	20
45	19	9	13.5	20
30	19	9	1	20
0 (parallel)	21	9	12	20

(2) Off-street parking facilities shall be located on the site on which the use or structure for which they are provided is located except as otherwise permitted under a special plan for location or sharing of facilities.

(B) *Maintenance.* Off-street parking facilities shall be constructed, maintained, and operated in accordance with the following specifications.

(1) *Drainage and surfacing.* They shall be properly graded for drainage, surfaced with concrete or asphalt, and maintained in good condition, free of weeds, dust, trash, and debris.

(2) *Protective barriers.* They shall be provided with barriers of such dimensions those occupants of adjacent structures are not unreasonably disturbed, either by day or night, by the movement of vehicles.

(3) *Outdoor lighting.* When provided, outdoor light shall comply with §§ 155.195 through 155.204.

(4) *Entrances and exits.* They shall be provided with designated entrances and exits so located as to minimize traffic congestion.

(5) *Prohibition of other uses.* They shall not be used for the sale, storage, repair, or dismantling of any vehicles, equipment, materials, or supplies.

(6) *Permanent barrier.*

(a) In the event they are designed such that the facility abuts a public sidewalk and vehicle parking is diagonal or perpendicular to the sidewalk, a permanent barrier shall be installed three feet from the interior edge of the sidewalk to prevent vehicle encroachment over the sidewalk.

(b) If the facility abuts and faces a street and there is no sidewalk, permanent barriers shall be installed seven feet from the curb to provide for a pedestrian way and to prevent vehicle encroachment.

(7) *Compliance.* All parking facilities shall comply with § 155.182.

(8) *Parking space design.* In residential districts, parking spaces accessed by local roads and required by this chapter shall be located and designed with a minimum of 23 feet or sufficient depth



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**Black Hawk SD 57718**

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**Webster, TX 77598**

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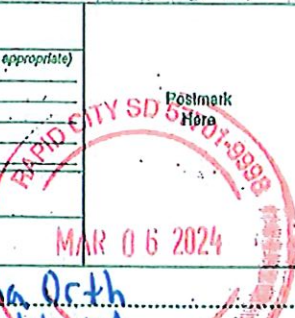
Adult Signature Restricted Delivery \$

Postage  
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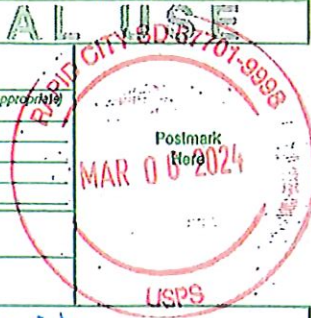
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 City, State, ZIP+4® Black Hawk, SD 57718

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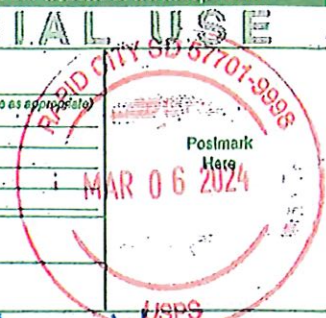
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 Adult Signature Restricted Delivery \$

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 Street and Apt. No., or PO Box No. 9301 S High Meadows Dr.  
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 Street and Apt. No., or PO Box No. Po Box 812118  
 City, State, ZIP+4® Wellesley, MA 02482

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 Street and Apt. No., or PO Box No. 9702 Waldan Lane  
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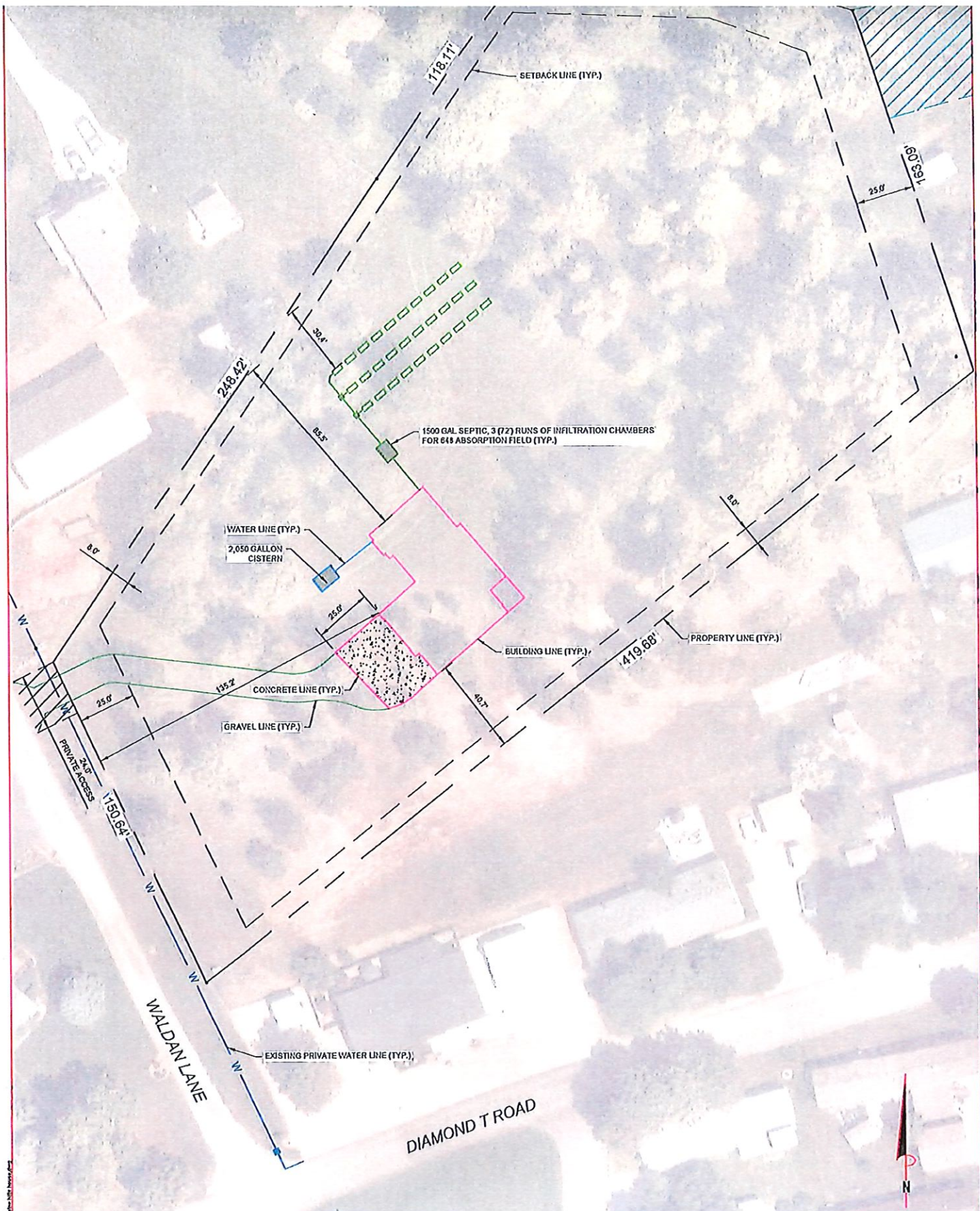
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Emerald Heights

Polk

Welden

Hayes

Buchanan

Pierce

Fillmore

0C.69.T1B



BODM CONSTRUCTION INC (D)  
Value \$97,892

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RECEIVED

FEB 21 2024

APPROACH PERMIT  
APPLICATION FOR ROAD APPROACH PERMIT

On this date 9-7-2021 the Applicant hereby applies to the Emerald Heights, Walden & Norman  
Road District  
for permission to construct an approach to the Northwest corner of proposed Tract B1 constructed  
in the future (road name)

BY: \_\_\_\_\_

located approximately \_\_\_\_\_ . The approach will serve  
(describe location)

a \_\_\_\_\_ and will be constructed between \_\_\_\_\_ and \_\_\_\_\_  
(residence, business, etc.) (beginning date) (completion date)

Applicant shall construct the approach and install all required culverts according to County standards and specifications (standards and specifications are shown on back side of this form and Ordinance 14) and is responsible for all cost of construction and maintenance. If any deficiencies are noted during final inspection Owner will be responsible to correct deficiencies within 30 days of notification.

Please attach a drawing or sketch showing the proposed location of the approach and set stakes in the ground to enable \_\_\_\_\_ to locate the proposed, centerline of the approach.

Culverts shall be sized to assure proper drainage. The minimum size of culvert will be eighteen inches (18") in diameter, fifteen inches (15") may be allowed under certain conditions. The minimum length of culvert shall be thirty-two feet (32').

Only one (1) approach per residence will be allowed. Approaches to General Commercial, Highway Service, General or Limited Agriculture Districts, large tracts or parcels of land will be per South Dakota Codified Law (SDCL) 31-24-3 through 31-24-7.

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Signed: DAVID M. SORAWNE  
Property Owner Representative

(Applicant shall notify the \_\_\_\_\_ upon completion of the approach for final inspection).

.....  
TO BE COMPLETED BY \_\_\_\_\_

Permit #: \_\_\_\_\_  
MO/DY/YR

PRELIMINARY INSPECTION: Date: \_\_\_\_\_ By: \_\_\_\_\_

Culvert Diameter \_\_\_\_\_ Culvert Length \_\_\_\_\_

The crown of the presently traveled surface, including shoulder, to be continued at a distance of 20 feet from the nearest edge of the traveled surface of the road shoulder facing the property.

REMARKS: \_\_\_\_\_  
\_\_\_\_\_

PERMIT APPROVED \_\_\_\_\_ or DENIED \_\_\_\_\_

FINAL INSPECTION: Date: \_\_\_\_\_ By: \_\_\_\_\_

Doc B pg 2

FEB 28 2024

COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Summerset
12150 Slouland Dr., Summerset, SD 57718
Phone: (605) 718-9858 Fax: (605) 718-9883 Web: www.summerset.us

APPLICATION FOR DEVELOPMENT REVIEW

REQUEST (please check all that apply)

- Annexation
Comprehensive Plan Amendment
Fence Height Exception
Planned Development (Overlay)
Designation
Initial Plan
Major Amendment
Minimal Amendment
Subdivision
Layout Plan
Preliminary Plat
Minor Boundary Change
Final Plat
Minor Plat
Rezoning
Road Name Change

- Conditional Use Permit
Major Amendment
Minimal Amendment
Vacation
Utility / Drainage Easement
R.O.W. / Section Line Highway
Access / Non-Access
Planting Screen Easement
OTHER (specify)

LEGAL DESCRIPTION (Attach additional sheets as necessary)

EXISTING

See attached description

PROPOSED

LOCATION

11 11

Size of Site-Acres

Square Footage

Proposed Zoning

C-1

DESCRIPTION OF REQUEST:

Zoning after annexed

Utilities: Private / Public

Water BH Water

Sewer Septic

APPLICANT

Name THOMAS & JOSEPH NORMAN

Phone 605-430-9839

Address P.O. BOX 767

E-mail NORMAN.rauch@BMAIL.com

City, State, Zip BLACK HAWK, S.D. 57718

PROJECT PLANNER - AGENT

Name

Phone

Address

E-mail

City, State, Zip

OWNER OF RECORD (if different from applicant)

Name

Phone

Address

E-mail

City, State, Zip

Property Owner Signature

Thomas W. Norman

Date

2/15/2024

Property Owner Signature

Joseph F. Norman

Date

2/15/24

Signature

Date

Signature

Date

Print Name: THOMAS W. NORMAN

Print Name:

Title\*: OWNER

Title\*:

\*required for Corporations, Partnerships, etc.

FOR STAFF USE ONLY

Table with 2 columns: ZONING (Current, North, South, East, West, Planner, File No., Comp Plan, Received By)

- Sewer Utility
Fire Department
Public Works
Planning
Building Inspector
Engineering
City Code Enforcement
Police
City Attorney
BHP&L
Finance Officer
Register of Deeds
County - Planning
SD DOT
SD DENR
Auditor - Annexation
Drainage
Parks & Recreation

- Diamond D Water
Black Hills Water
Other:
Other:
Other:
Other:

Planning and Zoning Meeting Date:

Commission Meeting Date:

Date Paid:

Payment Type: Cash [ ] Check [ ] Credit Card [ ]

Norman Estates Subdivision, a Plat of Lot 3 of Norman Estates Subdivision located in a portion of Lot U1 in the N1/2 SW1/4 of Section 5 and in the unplatted portion of the NE1/4 SW1/4 of Section 5, Township 2 North, Range 7 East of the Black Hills Meridian, City of Summerset, Meade County, South Dakota.



## **C-1 GENERAL COMMERCIAL DISTRICT**

### **§ 155.115 GENERAL DESCRIPTION.**

This Commercial District is for personal and business services and the city's general retail business.  
(Ord. passed 2-3-2011, § 2.18.010)

### **§ 155.116 USES PERMITTED.**

The following uses shall be permitted in the C-1 General Commercial District:

- (A) Retail establishments, including incidental manufacturing of goods for sale at wholesale or retail on the premises, provided there are three or less employees engaged in the manufacture of the product;
- (B) Eating and drinking establishments;
- (C) Service and repair establishments;
- (D) Personal service establishments;
- (E) Hotel, motel, rooming and boarding house, bed and breakfast;
- (F) Entertainment services;
- (G) Parking lots and garages;
- (H) Offices;
- (I) Financial institutions;
- (J) Private clubs and lodges;
- (K) Newspaper and printing firms;
- (L) Residential uses subject to the requirements and regulations of §§ 155.055 through 155.060, 155.075 through 155.080, and 155.095 through 155.102;
- (M) Places of worship;
- (N) Signs;
- (O) Libraries, museums, art galleries, planetarium, aquariums, historic and monument sites;
- (P) Governmental services;
- (Q) Gasoline, diesel, propane, and CNG service stations;
- (R) Building material sales;
- (S) Garden centers, greenhouses, and nurseries;
- (T) New and used vehicle sales;
- (U) Farm implement and machinery, new and used sales;
- (V) Truck and trailer rental and sales;
- (W) Monument sales;
- (X) Sales of prefabricated houses;

(Y) Auction houses;

(Z) Manufactured home sales and services;

(AA) Taxidermists;

(BB) Open storage uses which shall comply with the following requirements:

(1) All open storage and display of merchandise, material, and equipment shall be screened by a solid fence seven feet high at the side and rear of the lot which abuts any residential district;

(2) Driveways used for ingress and egress shall not exceed 40 feet in width, exclusive of curb returns; and

(3) Outdoor lighting, when provided, shall have an arrangement of reflectors and an intensity of lighting which will not interfere with adjacent land uses or the use of adjacent streets.

(CC) Small animal veterinary clinics, subject to the following requirements:

(1) Outdoor runs shall maintain a minimum setback of 40 feet from all property lines, and 100 feet from residential uses;

(2) The clinic facility shall be constructed and operated in such a manner as to minimize the transmission of sound to neighboring properties; and

(3) Fenced outdoor runs and exercise areas shall be used only during normal business hours, and shall be screened to a height of eight feet.

(DD) Inpatient and outpatient health care facilities and clinics;

(EE) Long-term care, congregate and assisted living facilities;

(FF) Educational facilities and institutions;

(GG) Light manufacturing and office park uses;

(HH) Public and private recreation facilities and their ancillary services;

(II) Public and private transportation, neighborhood utility facility, and public safety facilities;

(JJ) Agricultural uses; and

(KK) Parking lots and garages.

(Ord. passed 2-3-2011, § 2.18.020)

### **§ 155.117 CONDITIONAL USES.**

After the provisions of §§ 155.240 through 155.242 relating to conditional uses have been fulfilled, the Planning and Zoning Board may permit as permitted conditional uses:

(A) Video lottery;

(B) Radio, television, and telecommunication or wireless communication towers;

(C) Day care center;

(D) Utility facility, public; and

(E) Other uses may be allowed, provided they are not found to be contrary to intended uses of the district.

(Ord. passed 2-3-2011, § 2.18.030; Ord. passed 2-16-2017)

**§ 155.118 AREA REGULATIONS.**

All setbacks shall be measured from the owner's property lines as follows:

- (A) *Front setback.* None;
- (B) *Side setback.* None;
- (C) *Rear setback.* None;
- (D) *Lot width.* No minimum requirement;
- (E) *Minimum lot size.* No minimum requirement; and
- (F) *Lot coverage.* No maximum percentage of lot coverage except that, for buildings serviced from the rear, space shall be provided either inside or outside the building for loading or unloading goods and materials. Such space shall have access to a street or other public way.

(Ord. passed 2-3-2011, § 2.18.040)

**§ 155.119 HEIGHT REGULATIONS.**

There shall be a maximum of five stories or 60 feet.

(Ord. passed 2-3-2011, § 2.18.050)

**§ 155.120 OTHER REGULATIONS.**

Development within the General Commercial District (C-1) shall be regulated in conformance with the provisions of §§ 155.175 through 155.183, 155.255 through 155.257, 155.270 through 155.280, and 155.295 through 155.304.

(Ord. passed 2-3-2011, § 2.18.060)



**CITY OF SUMMERSET  
NOTICE OF PUBLIC HEARINGS  
LAND / ZONING DESIGNATION**

You are hereby notified that there will be additions to the Summerset Zoning Ordinances, and the Summerset Zoning Map, considered at public hearings to be held by the Summerset Planning and Zoning Commission and the Summerset Board of Commissioners. The proposed zoning addition will create a zoning district and pertain to the real property recently annexed by the City of Summerset as follows:

Norman Estates Subdivision, a Plat of Lot 3 of Norman Estates Subdivision located in a portion of Lot U1 in the N1/2 SW1/4 of Section 5 and in the unplatted portion of the NE1/4 SW1/4 of Section 5, Township 2 North, Range 7 East of the Black Hills Meridian, City of Summerset, Meade County, South Dakota.

A public hearing will be held by the Summerset Planning and Zoning Commission on April 8th, 2024, at 6:00 p.m., and by the Summerset Board of Commissioners on April 18th, 2024, at 6:00 p.m., both of such public hearings to be held at the Summerset City Administration building, at 7055 Leisure Lane, Summerset, South Dakota.

This Notice of Public Hearing concerns the zoning designation to be given the property recently annexed by the City of Summerset. The legal description and a map of the recently annexed property is located at the Summerset City Administration building, and available for inspection on request.

This hearing is open to the public and interested parties are encouraged to attend. Any person having any objections to any proposed zoning designations may appear before the Planning and Zoning Commission and the City Board of Commissioners on the above said dates for the public hearings and show cause why the proposed zoning should not be approved. Written protest against the proposed zoning may be filed with the office of the City of Summerset, at 7055 Leisure Lane, Summerset, South Dakota.

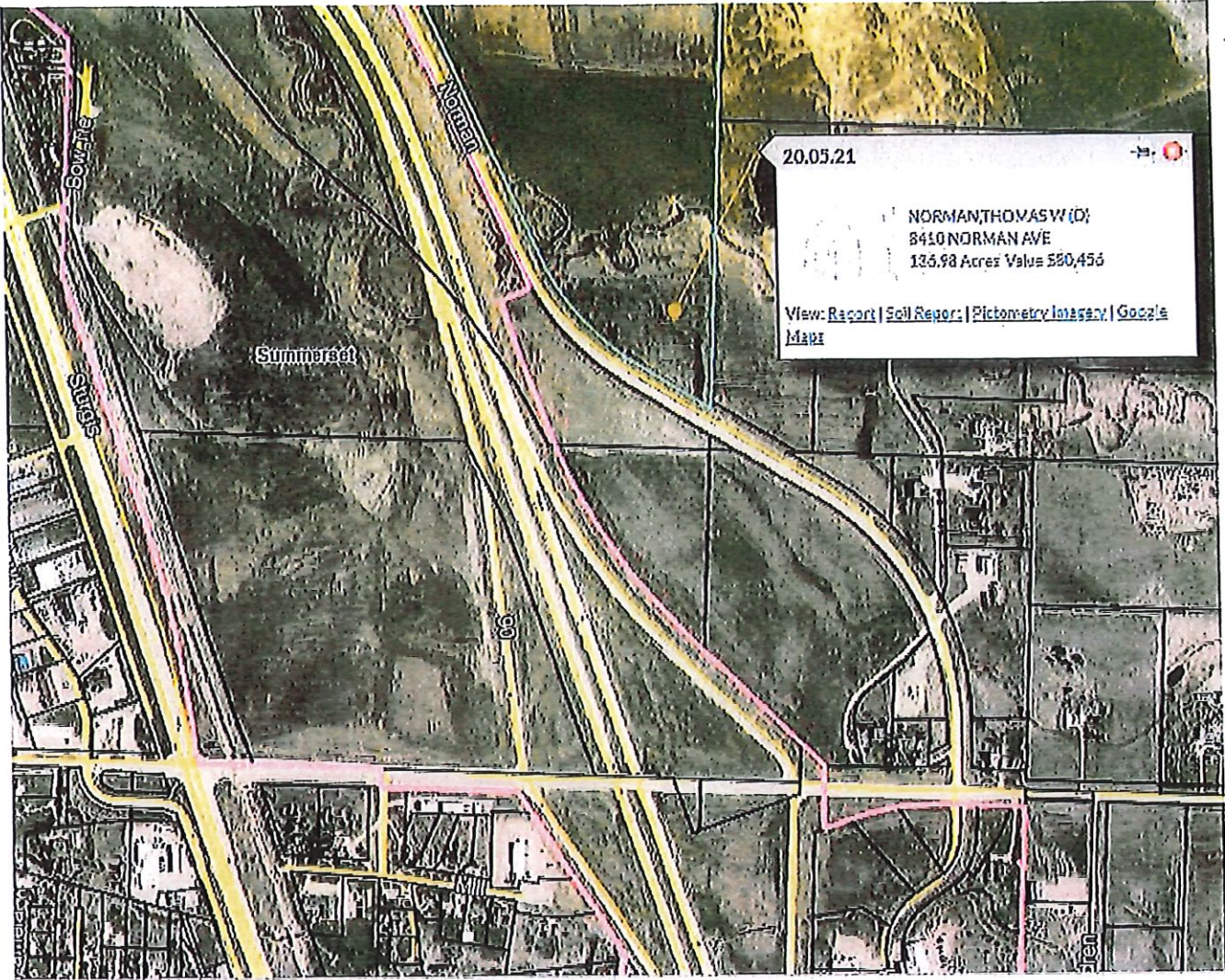
Dated: March 21st, 2024.

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Lisa Schieffer  
Summerset City Administrator







20.05.21



NORMAN, THOMAS W (D)  
8410 NORMAN AVE  
133.98 Acres Value \$80,456

View: [Report](#) | [Soil Report](#) | [Pictometry Imagery](#) | [Google Maps](#)



**COMMUNITY PLANNING & DEVELOPMENT SERVICES**

City of Summerset  
 12150 Sloukland Dr., Summerset, SD 57718  
 Phone: (605) 718-9858 Fax: (605) 718-9883 Web: www.summerset.us

**APPLICATION FOR DEVELOPMENT REVIEW**

**REQUEST (please check all that apply)**

- Annexation
- Comprehensive Plan Amendment
- Fence Height Exception
- Planned Development (Overlay)
  - Designation
  - Initial Plan  Final Plan
  - Major Amendment
  - Minimal Amendment
- Subdivision
  - Layout Plan
  - Preliminary Plat
  - Minor Boundary Change
  - Final Plat
  - Minor Plat
- Rezoning
- Road Name Change

- Conditional Use Permit
  - Major Amendment
  - Minimal Amendment
- Vacation
  - Utility / Drainage Easement
  - R.O.W. / Section Line Highway
  - Access / Non-Access
  - Planting Screen Easement
- OTHER (specify) \_\_\_\_\_

**LEGAL DESCRIPTION (Attach additional sheets as necessary)**

**EXISTING** SW1/4 of Section 32, T3N, R7E, BHM, Meade County, SD

**PROPOSED NA**

**LOCATION** The SW1/4 of Section 32, T3N, R7E, BHM, Meade County, SD - generally located east of Norman Ranch Road

Size of Site-Acres 160 +/- Square Footage 6,969,600 +/- Proposed Zoning R3

<b>DESCRIPTION OF REQUEST:</b> Annexation into the City of Summerset	Utilities: Private / Public
	Water Black Hawk WD
	Sewer City of Summerset

**APPLICANT**

Name Norman Ranch Subdivision, LLC Phone \_\_\_\_\_  
 Address 1624 Concourse CT E-mail \_\_\_\_\_  
 City, State, Zip Rapid City, SD 57703

**PROJECT PLANNER - AGENT**

Name Norman Ranch Subdivision, LLC Phone \_\_\_\_\_  
 Address 1624 Concourse CT E-mail \_\_\_\_\_  
 City, State, Zip Rapid City, SD 57703

**OWNER OF RECORD (if different from applicant)**

Name Norman Ranch Subdivision, LLC Phone \_\_\_\_\_  
 Address 1624 Concourse CT E-mail \_\_\_\_\_  
 City, State, Zip Rapid City, SD 57703

Property Owner Signature \_\_\_\_\_ Date 12/14/2023 Property Owner Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Signature \_\_\_\_\_ Date 12/17/2023 Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Print Name: Forris & Thompson Print Name: \_\_\_\_\_  
 Title\*: President Title\*: \_\_\_\_\_  
\*required for Corporations, Partnerships, etc.

**FOR STAFF USE ONLY**

ZONING	
Current	
North	
South	
East	
West	
Planner	
File No.	
Comp Plan	
Received By:	

- Sewer Utility
- Fire Department
- Public Works
- Planning
- Building Inspector
- Engineering
- City Code Enforcement
- Police
- City Attorney
- BHP&L
- Finance Officer
- Register of Deeds
- County - Planning
- SD DOT
- SD DENR
- Auditor - Annexation
- Drainage
- Parks & Recreation
- Diamond D Water
- Black Hills Water
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_

Planning and Zoning Meeting Date: \_\_\_\_\_  
 Commission Meeting Date: \_\_\_\_\_  
 Date Paid: \_\_\_\_\_  
 Payment Type: Cash  Check  Credit Card

## **R-3 MULTI-FAMILY RESIDENTIAL DISTRICT**

### **§ 155.095 GENERAL DESCRIPTION.**

This residential district is intended to promote and encourage the establishment and maintenance of a suitable environment for urban residence in areas appropriate by location and character for occupancy by high-density, multiple-family dwellings. One of the important purposes of this district is to create adequate standards of residential development in order to prevent overcrowded and unhealthy housing conditions.

(Ord. passed 2-3-2011, § 2.14.010)

### **§ 155.096 USES PERMITTED.**

Property and buildings in an R-3 Multi-Family Residential District shall be used only for the following purposes:

- (A) Any use permitted and as regulated in R-1 and R-2 Districts; and
- (B) Multi-family dwelling units.

(Ord. passed 2-3-2011, § 2.14.020)

### **§ 155.097 CONDITIONAL USES.**

After the provisions of §§ 155.335 through 155.341 relating to conditional uses have been fulfilled, the Planning and Zoning Board may permit as permitted conditional uses:

- (A) Any conditional uses in and subject to all the same requirements as in any R-1 and R-2 districts; and
- (B) Manufactured home parks.

(Ord. passed 2-3-2011, § 2.14.030)

### **§ 155.098 AREA REGULATIONS.**

All setbacks shall be measured from the owner's property lines as follows:

#### **(A) *Front setback.***

- (1) Twenty-five feet for single-family, two-family, and multi-family dwellings not exceeding two and one-half stories;
- (2) Thirty-five feet for multiple-family dwellings more than two and one-half stories;
- (3) Unattached buildings of accessory use: 25 feet; and
- (4) Places of worship and their accessory buildings: 35 feet.

#### **(B) *Side setback.***

- (1) Single- and two-family residential dwellings: eight feet;
- (2) Multi-family dwellings: 12 feet;
- (3) For each additional story above two stories: one foot additional side setback;
- (4) Unattached buildings of accessory use: eight feet; and
- (5) Places of worship and their accessory buildings: 35 feet.



(C) *Rear setback.*

- (1) Primary uses of two stories in height and less: 25 feet; and
- (2) For all primary uses of three stories and more in height: 30 feet.

(D) *Lot width.*

(1) There shall be a minimum lot width of 65 feet at the front building line, except for townhouses and multi-family dwellings; and

(2) There shall be a minimum lot width of 75 feet at the front building line for all other dwellings except townhouses.

(E) *Minimum lot size.*

(1) For each single-family dwelling, there shall be a lot area of not less than 7,000 square feet;

(2) For each two-family dwelling, there shall be a lot area of not less than 9,500 square feet;

(3) For multi-family structures, townhouses, and assisted living structures, there shall be a lot area of not less than 4,500 square feet plus an additional 2,500 square feet for each dwelling unit or assisted living unit; and

(4) For places of worship and other main and accessory buildings their accessory buildings: 30,000 square feet.

(F) *Maximum lot coverage.* Thirty percent.

(Ord. passed 2-3-2011, § 2.14.040)

**§ 155.099 HEIGHT REGULATIONS.**

There shall be a maximum of five stories or 60 feet, and a maximum 15 feet for unattached accessory buildings.

(Ord. passed 2-3-2011, § 2.14.050)

**§ 155.100 OTHER REGULATIONS.**

Development within the Multi-Family Residential District (R-3) shall be regulated in conformance with the provisions of §§ 155.175 through 155.183, 155.255 through 155.257, 155.270 through 155.280, and 155.295 through 155.304.

(Ord. passed 2-3-2011, § 2.14.060)

**§ 155.101 USEABLE OPEN SPACE.**

For all multi-family uses of land, useable open space shall be provided as follows.

<i>Dwelling Height Open Space per Dwelling Unit</i>	
Two-story	400 square feet
Three- to five-story	300 square feet

(Ord. passed 2-3-2011, § 2.14.070)

**§ 155.102 REQUIRED PLAY AREA.**



(A) For all multi-family uses of land, a designated and defined play area for children shall be provided, based on the formula of 50 square feet per dwelling unit.

(B) Square footage of the play area shall be computed as part of usable open space.

(C) The requirements of this section shall not apply to multi-family developments exclusively restricted to the elderly.

(Ord. passed 2-3-2011, § 2.14.080)

**CITY OF SUMMERSET  
NOTICE OF PUBLIC HEARINGS  
LAND / ZONING DESIGNATION**

You are hereby notified that there will be additions to the Summerset Zoning Ordinances, and the Summerset Zoning Map, considered at public hearings to be held by the Summerset Planning and Zoning Commission and the Summerset Board of Commissioners. The proposed zoning addition will create a zoning district and pertain to the real property recently annexed by the City of Summerset as follows:

Southwest Quarter (SW1/4) of Section 32, Township 3 North, Range 7 East  
of the Black Hills Meridian, City of Summerset, Meade County, South  
Dakota.

A public hearing will be held by the Summerset Planning and Zoning Commission on April 8th, 2024, at 6:00 p.m., and by the Summerset Board of Commissioners on April 18th, 2024, at 6:00 p.m., both of such public hearings to be held at the Summerset City Administration building, at 7055 Leisure Lane, Summerset, South Dakota.

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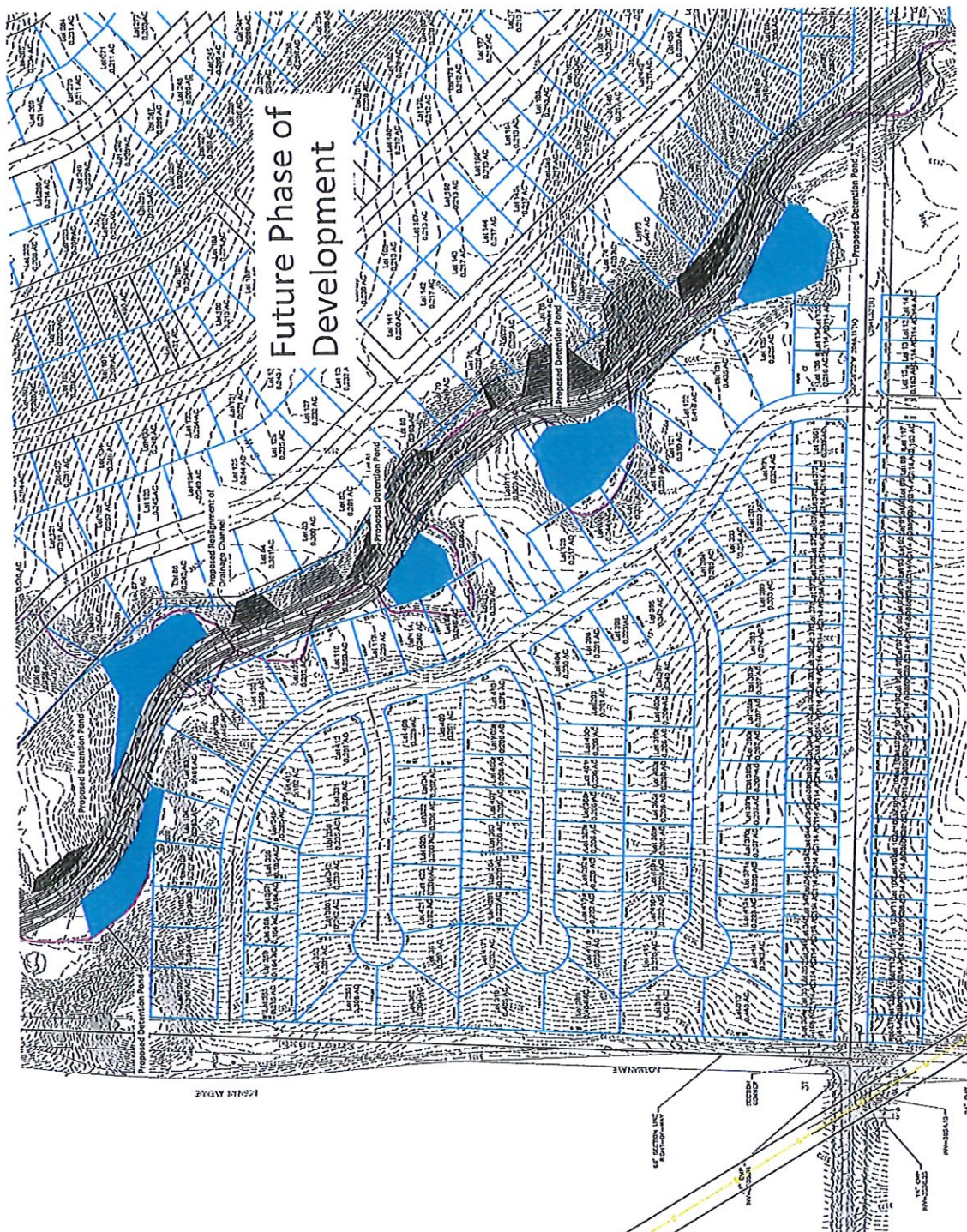
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Dated: March 21st, 2024.

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Lisa Schieffer  
Summerset City Administrator





# Future Phase of Development

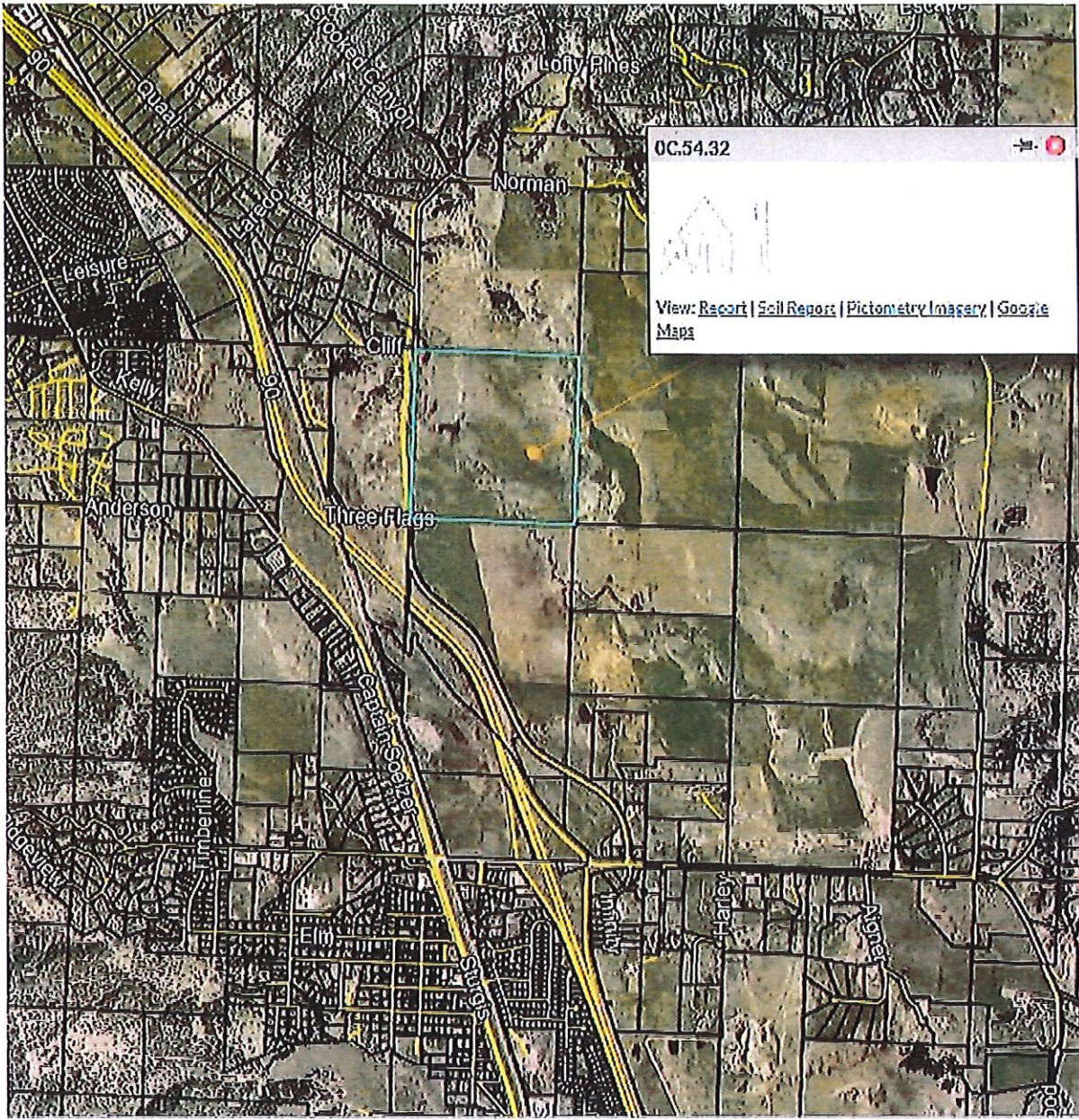
**NORMAN RANCH PHASE 1**  
SUMMERSET, SOUTH DAKOTA

PROJECT # 2021  
DATE: 11/7/2023

**RENNER ASSOCIATES, LLC**  
CIVIL ENGINEERING • LAND SURVEYING  
2231 TECHNOLOGY CENTER, SUITE 100  
SIOUX FALLS, SD 57104

11/7/2023 10:00 AM





0C.54.32

View: [Record](#) | [Soil Report](#) | [Pictonetry Imagery](#) | [Google Maps](#)



**\*\*RETURN TO\*\***  
**IST AMERICAN**  
FA 149575



Doc #21005307 Recording Fee \$30.00  
**MEADE COUNTY REGISTER OF DEEDS**  
Miscellaneous Book 942 Page 1614 thru 1617 4 Pages  
Recorded 07/15/2021 at 8:54 AM  
Lana Anderson, Register of Deeds

Prepared by:  
Talbot J. Wieczorek  
Gunderson, Palmer, Nelson & Ashmore, LLP  
P.O. Box 8045  
Rapid City, SD 57709-8045  
(605) 342-1078

## DECLARATION OF COVENANTS AND RESTRICTIONS

This Declaration is made by the Declarants, Joseph Norman and Thomas Norman, Owners of the real property subject to these Covenants and benefitted by these Covenants.

WHEREAS, the real property restricted by these Covenants is described as follows:

Southwest Quarter (SW1/4) of Section 32 in Township 3 North of Range 7 East of the Black Hills Meridian, Meade County, South Dakota

(Restricted Property).

WHEREAS, the Declarants will be selling the Restricted Property and as part of the sales arrangement the Buyer has agreed to only develop single family residential lots on the property and,

WHEREAS, the restrictions to develop single family residential property is to the benefit of the Declarants and Declarants' other neighboring property described as follows:

S1/2 of NE1/4 and the N1/2 of the SE1/4 less platted parts and right-of-ways of Section 5 Township 2 North Range 7E of the Black Hills Meridian, Meade county; and

Government Lots 3 and 4 and the S1/2 of the NW1/4 of Section 4 Township 2 North Range 7E of the Black Hills Meridian, Meade County.

(Benefitted Property).

WHEREAS, it is the intent of the Declarants to retain their personal right to enforce the restrictions on the Restricted Property and for Declarants and their successors and assigns of the Benefitted Property to also have the right to enforce restrictions on the Restricted Property.

WHEREAS, the Declarants hereto desire to provide for the preservation of the values and amenities of the Restricted Property and to provide for the benefit of the Benefitted Property and for each owner thereof and shall inure to the benefit of and pass with the Restricted Property, and each and every Lot thereof, and shall apply to and bind the successors in interest of any owner thereof; and

NOW, THEREFORE, the Declarants hereto declare that all the Restricted Property and any Lot of the Restricted Property is and shall be held, transferred, sold, conveyed and occupied subject to these Covenants hereinafter set forth.

### **Definitions**

It is anticipated that the Restricted Property may be sold or subdivided in the future. For the purposes of these Covenants, the term "Lot" shall mean any portion of the Restricted Property that has been conveyed to a party that is not the Declarants by the Declarants or subsequently by future purchasers whether the Lot be described by general legal description or by platted lot.

### **Residential Restrictions**

Section 1.01. All Lots in the Restricted Property shall be used exclusively for private residential purposes. No dwelling erected or maintained within the Lot shall be used or occupied for any purpose other than for residential purposes and only single family dwellings are permitted. No business, profession or other activity conducted for economic gain shall be carried on or within any lot or dwelling that unjustly increases traffic.

Section 1.02. For purposes of this Declaration, "single family dwelling" shall mean a constructed dwelling or building designed to house a single family including townhouses that have an independent legal description for each townhouse following final platting, which can be sold or mortgaged independently, including townhomes that share a single wall. Townhomes with an independent legal description which share more than a single wall shall not be excluded, but shall be limited to no more than 5% of the total acreage of the Restricted Property.

Section 1.03. None of the Restricted Property shall be used for commercial activity with the exception that a home business, which is defined as a business conducted from the home primarily by the use of mail, telephone, computer, internet or other communications device that requires no special equipment that would be otherwise prohibited by the Covenants and where customers and clients do not come to the house as a matter of course, may be allowed. No advertising or signage of any kind shall be visible on the exterior of any building or on the Restricted Property advertising the home business.

Section 1.04. Single family dwellings may be constructed on the property and rented for the purposes of residential or domestic use only. Any leases of any Restricted Property including residences must be a minimum of twenty-eight (28) days in duration. Leases of a shorter duration will be deemed commercial activity and are prohibited.



## **Covenants Run With the Land**

Section 2.01. These Covenants shall run with the land and shall be binding upon each Lot and upon each person or entity hereafter acquiring ownership or any right, title and interest in any Lot in the Restricted Property.

Section 2.02. These Covenants shall also run for enforcement purposes for the Benefitted Property.

Section 2.03. These Covenants shall not restrict the Benefitted Property. The Benefitted Property is described herein only for the purposes of establishing parties that can enforce the Covenants on the Restricted Property. The owners of the Restricted Property shall have no right to enforce any covenants or restrictions on the Benefitted Property as the Benefitted Property is not restricted in use in any way by these Covenants.

## **Invalidation**

Section 3.01. Invalidation of any one or more of these Covenants by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

## **Right to Enforce Covenants**

Section 4.01. These Covenants are for the benefit of, jointly and severally, the Declarants, Declarants' successors or assigns or owners of the Benefitted Property and may be enforced by action for damages, suit for injunction, mandatory and prohibitive, and other relief, and by any other appropriate legal remedy, instituted by Declarants, Declarants' successors or assigns or owners of the Benefitted Property. All costs, including reasonable attorneys' fees incurred by in connection with any successful enforcement proceeding initiated by Declarants or owners of the Benefitted Property shall be paid by the party determined to have violated the Covenants.

## **Duration of Covenants**

Section 5.01. These Covenants shall run with the land and bind the land and shall inure to the benefit of and be enforceable by for a term of thirty-five (35) years from the date these Covenants are recorded and then, terminate.

## **Revisions and Covenant**

Section 6.01. Declarants expressly reserves the right to terminate or modify the Covenants on any of the Restricted Property that Declarant reacquires after selling the Restricted Property. Any such termination will be accomplished by the filing of a document listing the land

