

OFFICIAL MINUTES
SUMMERSET PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, JULY 9th, 2024 @ 6:00 P.M.

The meeting was called to order by Chairman Brody Oldfield at 6:00 p.m.

ROLL CALL: Dustin Hirsch, Mitchell Woldt, Brittini Bjorum, Casey Kenrick and Brody Oldfield were present. Also present was the City Administrator, and City Attorney.

CALL FOR CHANGES: Motion by Kenrick, second by Bjorum to approve the agenda of the meeting for July 9th, 2024. Motion carried.

CONSENT CALENDAR: Motion by Hirsch, second by Kenrick to approve the minutes of the regular meeting of June 25th, 2024. Motion carried.

MINOR PLAT – JUSTIN RUDLAND

Motion by Kenrick, second by Bjorum, to open discussion on the minor plat of Justin Rudland. Motion carried.

City Administrator Lisa Schieffer gave an overview on the minor plat. All items have been reviewed and are in order.

Motion by Hirsch, second by Bjorum to close discussion. Motion carried.

Motion by Kenrick, second by Woldt to recommend approval of the minor plat to the Board of Commissioners. Motion carried.

TAX INCREMENT DISTRICT #3 PLAN – TOBY MORRIS

Motion by Kenrick, second by Hirsch, to open the public hearing. Motion carried.

Toby Morris, Senior VP Colliers Securities LLC gave an overview on the proposed TIF #3 regarding Vanocker Development. Morris went over the project, location, financing, impact on tax increment and how the TIF would generate the funding. Morris explained that this is step two of three steps. The TIF Agreement, which is step three, will be the driving force on how the city wants things to be done.

Board Members asked at what point in the discussions if we will be talking about green space allowed in the area and the acreage donated to the city for future building. City Administrator Schieffer stated that those will be discussed during the preliminary plat stage and could be additional talking points in the agreement.

City Attorney Mike Wheeler went over the findings with the Planning and Zoning Board for referring the same onto the Summerset Commission.

The Board opened it up for public comment. There was no further public comment given.

Motion by Kenrick, second by Hirsch to close the public hearing. Motion carried.

Motion by Kenrick, second by Hirsch to approve Resolution 2024-12 Approving and Recommending of Tax Incremental District Plan Number three for the City of Summerset. Motion carried.

ADJOURNMENT

Motion by Bjorum, second by Kenrick to adjourn the meeting at 6:24 p.m. Motion carried.

Lisa Schieffer, City Administrator

Brody Oldfield, Chairman

Published once _____ at a cost of \$ _____.



COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Summerset
7055 Leisure Lane, 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
- 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	
NE 1/4 NW 1/4 Sect. 8, T2N, R7E, BHM, Meade County	
PROPOSED	
Lot L of Lot B of Lot 5 of Sutton Add. & Balance of Lot A Fuss Sub.	
LOCATION	
5109 Mill Rd. and 5208 E Elm St.	
Size of Site - Acres ^{Added to Lot A = 0.093} ^{Lot L = 0.079}	Square Footage Lot A = 4057 / Lot L = 3450
DESCRIPTION OF REQUEST:	
Lot L of Lot B of Lot 5 of the Sutton Addition & the balance of Lot A of the Fuss Subdivision	
Proposed Zoning Residential	
Utilities: Private / Public	
Water	
Sewer	

APPLICANT

Name Stanley Jones Phone 308-883-0047
 Address 33792 Hwy 34 E-mail stan@tophattag.com
 City, State, Zip Benkelman NE 69021 Signature _____ Date _____
 PROJECT PLANNER - AGENT

Name _____ Phone _____
 Address _____ E-mail _____
 City, State, Zip _____ Signature _____ Date _____

OWNER OF RECORD (If different from applicant)

Name Robert & Jessica Washington Phone Robert - 605-381-6818 Date _____
 Address 5109 Mill Rd Phone Jessica - 605-381-2855
 City, State, Zip Rapid City, SD 57702 E-mail _____

Property Owner Signature Stanley A Jones Date _____
 Property Owner Signature Jessica Washington Date _____

Signature _____ Date _____
 Print Name: Stanley A Jones
 Title*: _____

Signature _____ Date _____
 Print Name: Jessica Washington / Robert Washington
 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: _____

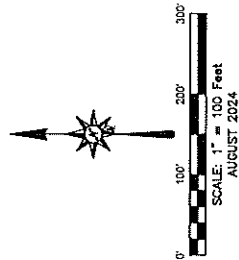
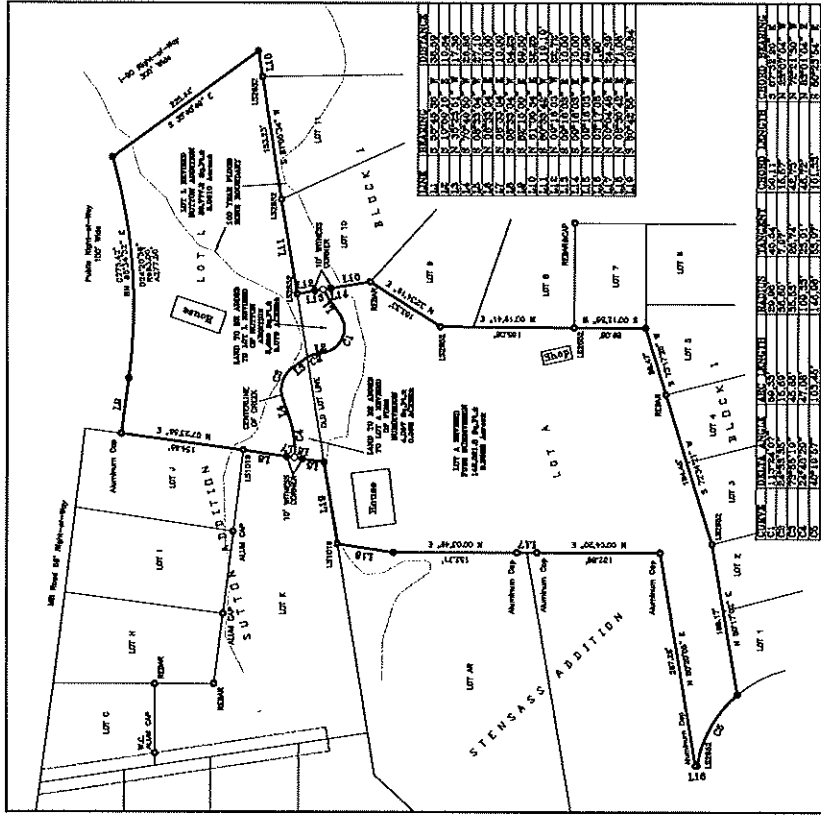
Planning and Zoning Meeting Date: _____ Covenants filing fee? Yes No

Commission Meeting Date: _____ Payment Type: Cash Check Credit Card

Date Paid: _____

**Plat of
Lot L Revised of Lot B of Lot 5 of the Sutton Addition & Lot A
Revised of the Fuss Subdivision.**

Formerly Lot L of the Sutton Addition and Lot A of the Fuss Subdivision.
All Located in the NE1/4 of the NW1/4 of Section 8, Township 2 North,
Range 7 East, Black Hills Meridian, Meade County, South Dakota.



SURVEYOR'S NOTES

- 1) Utility & other Drainage Easements: An easement for utility and drainage easement is hereby granted on the interior side of all lot lines. Removal of any obstruction to such an easement shall be the financial responsibility of the landowner.
- 2) Building Restrictions per the most recently adopted International Building Code and Building Subcode Requirements per the City of Summit Creek Ordinance.
- 3) Basis of Bearings Using Geodetic North Determined from Global Positioning System (GPS).

DRAINAGE NOTES

All major drainage easements shown hereon shall be kept free of all obstructions including, but not limited to, buildings, walls, fences, trees, shrubs, etc. The landowner is to grant to all public authorities the right to construct, operate, maintain, inspect and improve any drainage system shown on it deemed necessary to facilitate drainage from any source.

LEGEND

- Found or Set 5/07 Rebar with Cap Marked 'VASKNETZ RLS7781'
- ⊙ Found Survey Monument As Noted.
- Survey Monument Not Set.

Reference Documents as shown on:

1. Plat Book 10 of Page 43
2. Plat Book 2 of Page 28-29
3. Meade County Register of Deeds Office.

Per FEMA Mapping, FEMA Flood 45083C1703F Designated in an area of Minimal Flood Hazard, Zone X and Zone AE. Effective Date 9/19/2011.

SURVEYOR'S CERTIFICATE

I, Sharon E. Vasknetz, 2305 Junction Avenue, Sturgis, SD, being a Registered Land Surveyor in the State of South Dakota, do hereby certify that I have personally surveyed and plotted the property shown and described herein. I have personally upon the ground the boundaries in the manner shown, and that the plat is correct to the best of my knowledge, information and belief. Statements of description of measurements shown on this plat are not intended to be construed as a warranty of any kind.

IN WITNESS WHEREOF
I hereunto set my hand and seal
this _____ day of _____, 20____

Sharon E. Vasknetz
Registered Land Surveyor No. 7719

Plat of Lot B of Lot 5 of the Sutton Addition & Lot A Revised of the Fuss Subdivision.

Formerly Lot L of the Sutton Addition and Lot A of the Fuss Subdivision. All Located in the NE1/4 of the NW1/4 of Section 8, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota.

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Meade County, South Dakota, do hereby certify that all taxes which are liens upon the land described herein, as shown by the records of my office, are fully paid.

Dated this _____ day of _____, 20_____

Meade County Treasurer

CERTIFICATE OF CITY FINANCE OFFICER

I, Finance Officer of the City of Summerset, South Dakota, do hereby certify that the resolution adopted by the City Commission of the City of Summerset, South Dakota at a meeting held on the _____ day of _____, 20_____

Finance Officer of the City of Summerset

CERTIFICATE OF CITY FINANCE OFFICER

I, Finance Officer of the City of Summerset, do hereby certify that all special assessments which are liens upon the within described lands are fully paid according to the records of my office.

Dated this _____ day of _____, 20_____

Finance Officer of the City of Summerset

CERTIFICATE OF PLANNING COMMISSION

The City of Summerset Planning and Zoning Commission certifies it has reviewed the final plat and hereby recommends approval to the City Commission of the City of Summerset, South Dakota.

Dated this _____ day of _____, 20_____

Planning Commission Member

PREPARED BY: BASELINE SURVEYING, INC. 2305 JUNCTION AVENUE, STURGIS, S.D. 57785 PHONE: 605-490-1401 JOB NUMBER: 24-103

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, Director of Equalization of Meade County, South Dakota, do hereby certify that I have on record in my office a copy of the within described plat.

Dated this _____ day of _____, 20_____

Meade County Director of Equalization

CERTIFICATE OF HIGHWAY OR STREET AUTHORITY

The location of the proposed access to the Highway or Street as shown in the attached plat is in accordance with the provisions of the proposed access shall require additional approval.

Dated this _____ day of _____, 20_____

Highway or Street Authority

RESOLUTION OF CITY COMMISSION

Whereas there has been presented to the City Commission of the City of Summerset, South Dakota, a plat of the within described lands, and it appears to the Council of Commissioners that:

- a. The system of streets set forth therein conforms to the system established by the City Subdivision Regulations;
b. All provisions of the City Subdivision Regulations have been complied with; and
c. All taxes and special assessments upon the Tract or Subdivision shown thereon have been paid according to law.

NOW THEREFORE, BE IT RESOLVED that said plat is hereby approved in all respects.

Dated at Summerset, South Dakota

this _____ day of _____, 20_____

Mayor of the City of Summerset

OWNER'S CERTIFICATE

We, Robert Washington and Jessica Washington, husband and wife, do hereby certify that we are the owners of the land described herein and that we did subscribe and do join in and approve the survey and plat.

We further certify that the development of this land shall conform to all applicable zoning, subdivision, and erosion and sediment control regulations. Dedicated right-of-way as shown hereon is dedicated to public use.

IN WITNESS WHEREOF We herunto set our hands this _____ day of _____, 20_____

Robert Washington, Owner

Jessica Washington, Owner

ACKNOWLEDGEMENT OF OWNERS

STATE OF SOUTH DAKOTA }
COUNTY OF _____ } SS

On this _____ day of _____, 20_____ before me, the undersigned officer, personally appeared Robert Washington and Jessica Washington, the foregoing Owner's Certificate and acknowledged to me that they executed the same for purposes therein contained.

IN WITNESS WHEREOF, I hereby set my hand and official seal.

Notary Public

My commission expires: _____

OFFICE OF REGISTER OF DEEDS

Meade County Register of Deeds

SURVEYOR'S CERTIFICATE

I, Sharon E. Vadnietz, 2305 Junction Avenue, Sturgis, SD, being a Registered Land Surveyor in the State of South Dakota, do hereby state that at the request of the Owners listed herein, I have surveyed and plotted the property shown and described herein. I have worked out the bearings and distances of the boundaries of the land shown on the plat in accord with the best of my knowledge, information and belief. Essements or Restrictions of Miscellaneous Record or Private Agreements that are not known to me are not shown hereon.

IN WITNESS WHEREOF I herunto set my hand and seal

this _____ day of _____, 20_____

Sharon E. Vadnietz
Registered Land Surveyor No. 7719

OWNER'S CERTIFICATE

We, J over V #1 Limited Partnership and J over V #2 Limited Partnership do hereby certify that we are the owners of the land described herein and that we did subscribe and do join in and approve the survey and plat.

We further certify that the development of this land shall conform to all applicable zoning, subdivision, and erosion and sediment control regulations. Dedicated right-of-way as shown hereon is dedicated to public use.

IN WITNESS WHEREOF We herunto set our hands this _____ day of _____, 20_____

J over V #1 Limited Partnership, Owner
Stanley A. Jones and Phillis J. Jones

J over V #2 Limited Partnership, Owner
Stanley A. Jones and Phillis J. Jones

ACKNOWLEDGEMENT OF OWNERS

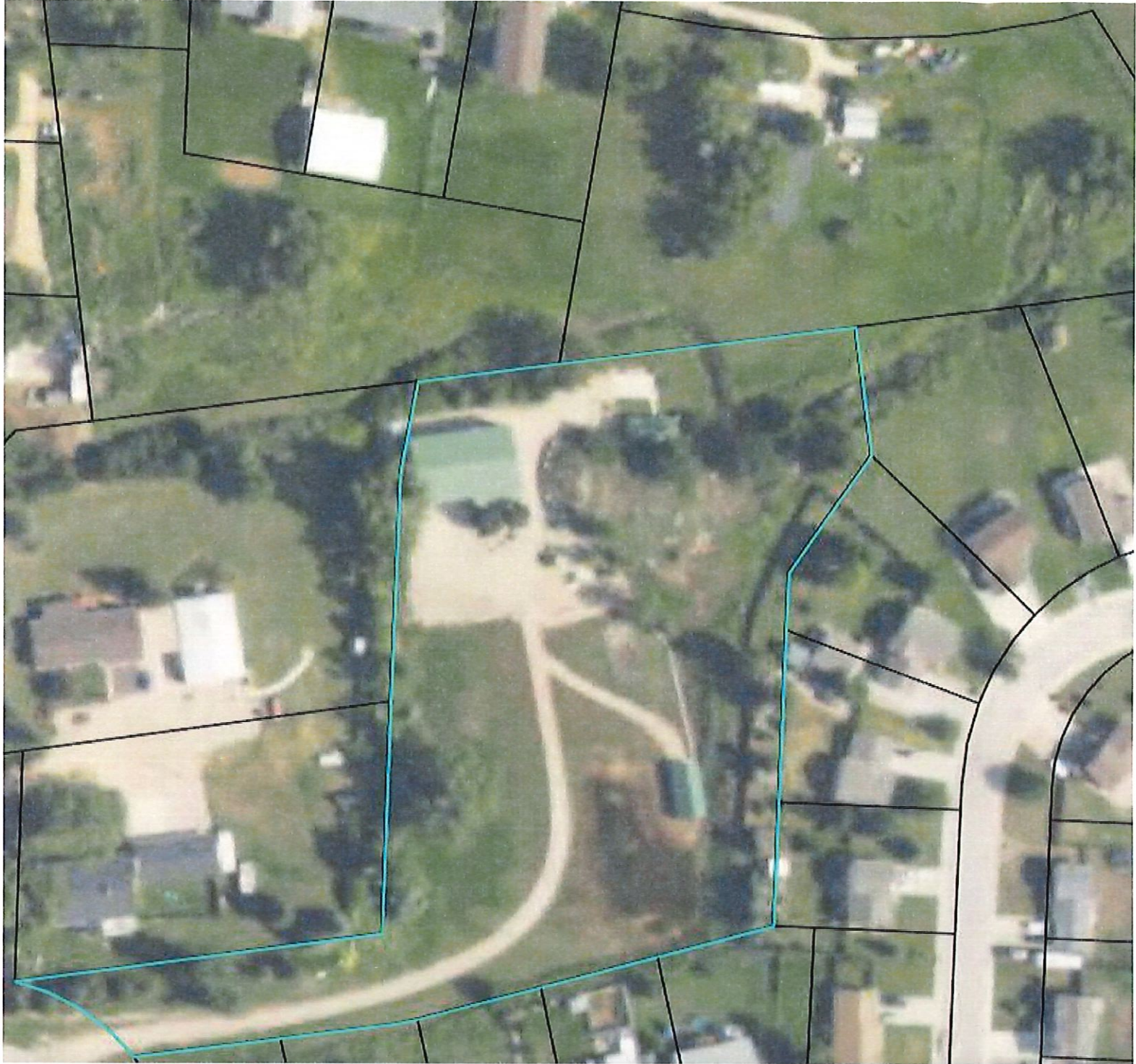
STATE OF SOUTH DAKOTA }
COUNTY OF _____ } SS

On this _____ day of _____, 20_____ before me, the undersigned officer, personally appeared Stanley A. Jones and Phillis J. Jones, owners of J over V #1 Limited Partnership and J over V #2 Limited Partnership, known to me to be the persons who executed the foregoing Owner's Certificate and acknowledged to me that they executed the same for purposes therein contained.

IN WITNESS WHEREOF, I hereby set my hand and official seal.

Notary Public

My commission expires: _____





Plat Review

Lot L Revised of Lot B of Lot 5 of the Sutton Addition & Lot A Revised of the Fuss Subdivision

All Located in the NE1/4 of the NW1/4 of Section 8, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota

Prepared By: Shannon Vasknetz, Baseline Surveying, Inc.
Job Number 24-103

Submitted On: Tuesday, August 13, 2024

Reviewed By: Lindsay Shagla, HDR Engineering, Inc.

Review Date: Wednesday, August 14, 2024

The contents of this checklist are based upon the content outlined in the City's Subdivision Ordinances 151 and 155.

Note that according to Ordinance 151.038 no lot created by a minor plat shall be included in another subdivision plat for a period of two years from the Register of Deeds' filing date of the minor plat.

The following items have been reviewed for the Plat as defined above:

Plat Content

Subdivision name shall not duplicate, be the same in spelling, or alike in pronunciation with the name of any other recorded subdivision, unless it is an extension of or adjacent to said subdivision

Comments

Includes a Scale & North Arrow

Comments

All Lot and Block Lines are illustrated

Comments

Bearing & Distances check

Comments

Lot & Block numbering pattern is systematic (not scattered)

Comments

Areas of all Lots is identified in both square footage and acres

Comments

Lots meet lot width and area requirements

Comments

For R-3 zoned properties, all required greenspaces are provided

Comments NA

All Easements are identified & Include Dimensions

Comments



Plat Review

<input checked="" type="checkbox"/>	Right-of-Ways are dimensioned and widths meet Somerset IDCM requirements
Comments	
<input checked="" type="checkbox"/>	Names of all adjoining subdivisions, other unplatted properties, and easements are labeled
Comments	
<input checked="" type="checkbox"/>	Boundary Lines of the area being subdivided are tied to the nearest established street line, section corner, other previously described subdivision, or other recognized permanent monuments accurately described per SDCL-43-18, 43-20, and 43-21
Comments	
<input checked="" type="checkbox"/>	Location of all monuments and permanent control points, and all survey pins, either set of located as required by SDCL 43-18, 43-20, and 43-21.
Comments	
<input type="checkbox"/>	Plat identifies and delineates any portions of the property intended to be dedicated or granted for public use such as drainage facilities, schools or park land.
Comments	NA
<input checked="" type="checkbox"/>	All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision lots, streets/roads, alleys, easements, and other areas for public or private use are shown to the nearest 1/100 of a foot.
Comments	
<input checked="" type="checkbox"/>	Dimensions are identified for the radii, chords, length of curve, point of tangency, and central angles for all curvilinear streets/roads and radii for rounded corners.
Comments	
<input checked="" type="checkbox"/>	The boundary lines of the floodway and 100-year flood zones, along with the base flood elevation on each lot as delineated on the Flood Insurance Rate Maps (FIRM) are illustrated.
Comments	

Certifications

<input checked="" type="checkbox"/>	Acknowledgment of the Owner or Owners of the plat of any restrictions, including dedication to public use of all streets/roads, alleys, parks or other open spaces shown thereon and the granting of easements required; as well as the use of any required common areas is included.
Comments	
<input checked="" type="checkbox"/>	Acknowledgement of Registered Land Surveyor
Comments	
<input checked="" type="checkbox"/>	Acknowledgement of City Finance Officer
Comments	
<input checked="" type="checkbox"/>	Acknowledgement of County Treasurer
Comments	
<input checked="" type="checkbox"/>	Acknowledgement of County Official of Equalization
Comments	
<input checked="" type="checkbox"/>	Acknowledgement of all relevant Street and/or Highway Authorities
Comments	
<input checked="" type="checkbox"/>	Acknowledgement of Planning Commission
Comments	
<input checked="" type="checkbox"/>	Board of Commissioners Resolution, signed by the Mayor and the Finance Officer



Plat Review

Comments

Register of Deeds Recording area

Comments

Comments from the City Council and the Planning & Zoning Committee may also be included with this review.

The next City Council Meeting is scheduled for: Thursday, September 5, 2024

The next Planning & Zoning Meeting is scheduled for: Tuesday, August 27, 2024

The following additional comments have been shared by various members of the City's Planning & Zoning Committee and City Council:



COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Summerset

7055 Leisure Lane, 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)

EXISTING <i>NE 1/4 NW 1/4 Sect. 8, T2N, R7E, BHM. Meade County</i>		
PROPOSED <i>Lot L of Lot B of Lot 5 of Sutton Add. & Balance of Lot A Fuss Sub.</i>		
LOCATION <i>5109 Mill Road & 5208 E Elm St. Black Hawk</i>		
Size of Site-Acres	Square Footage	Proposed Zoning
DESCRIPTION OF REQUEST: <i>Variance 151.020(E)</i>		Utilities: Private / Public
HARDSHIP: <i>Annexation</i>		Water
		Sewer

APPLICANT

Name Stanley A. Jones Phone 308-883-0047
 Address 5208 E. Elm St. E-mail stan@tophatag.com
 City, State, Zip Black Hawk, SD 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 _____

Stanley A. Jones 08/15/2024 *Robert Washington* 08/16/24
 Property Owner Signature Date Property Owner Signature Date
 Signature Date Signature Date
 Print Name: Stanley A Jones Print Name: Robert Washington
 Title*: member Title*: _____

*required for Corporations, Partnerships, etc.

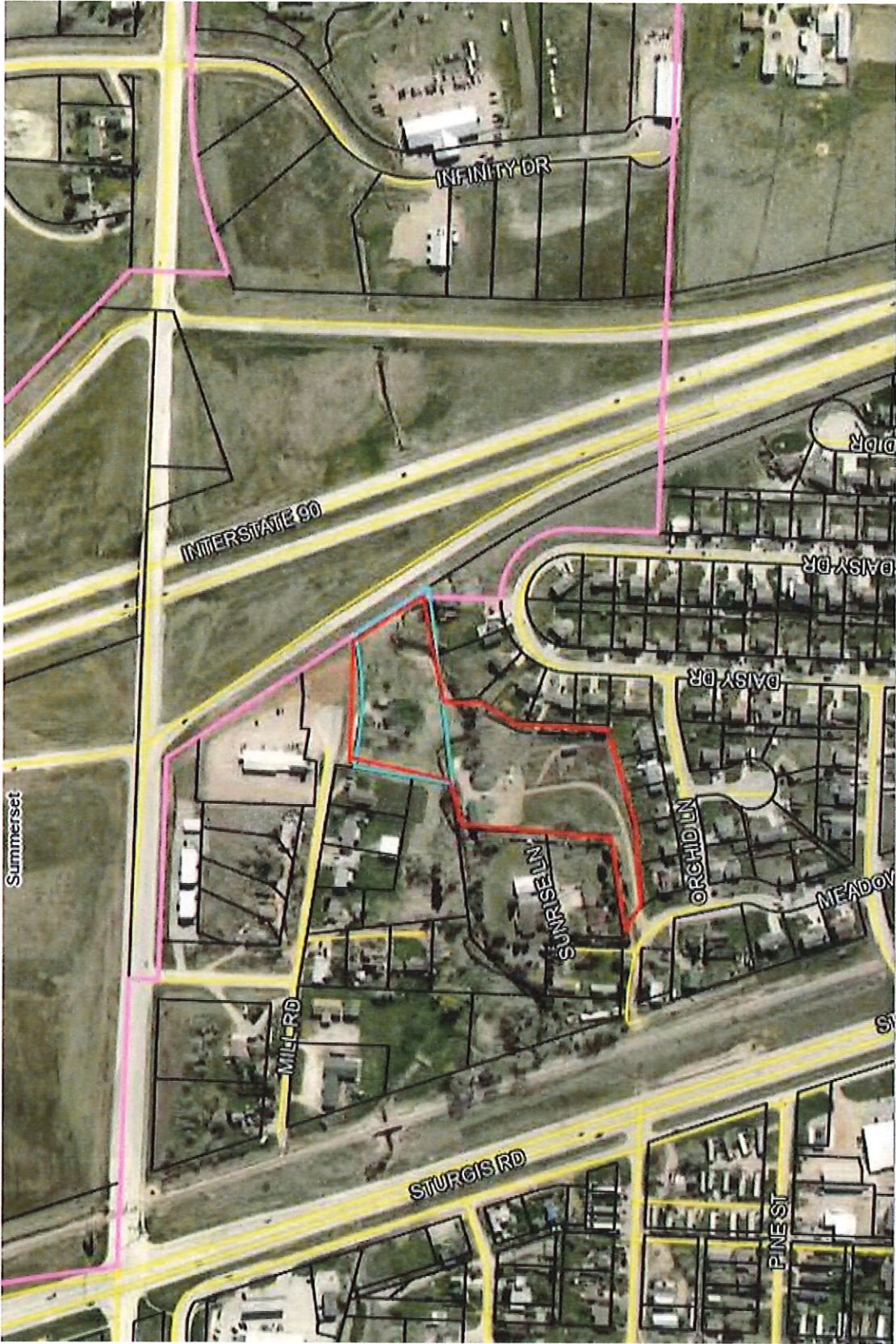
FOR STAFF USE ONLY

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: _____
 Sign Deposit Received: _____ Amount: _____ Sign returned: _____ Payment Type: Cash Credit Check 02/2024



NOTICE OF PUBLIC HEARING

NOTICE OF HEARING APPLICATION FOR VARIANCE BEFORE THE CITY OF SUMMERSET BOARD OF ADJUSTMENTS

Notice is hereby given that the following petitioner has applied to the City of Summerset Board of Adjustments under the provisions of the City of Summerset Zoning Ordinance as follows:

Applicant: Stanley Jones

Legal Description:

Existing: NE1/4NW1/4 Section 8, Township 2 North, Range 7 East, Black Hills Meridian, Meade County SD.

Proposed: Lot L of Lot B of Lot 5 of Sutton Addition & Balance of Lot A Fuss Subdivision.

Variance:

Variance request for ordinance 151.020(E) - to not be annexed into city limits.

Notice is further given that said applications will be heard and considered by the City of Summerset Planning & Zoning Board at Summerset City Hall, 7055 Leisure Lane, Summerset, SD 57718 at 6:00 p.m. on the 27th day of August 2024. At that time, any person, persons, or their attorney who are interested in the approval or rejection of said application may appear and be heard at said scheduled public hearing.

Dated this 8th day of August, 2024.

City of Summerset
(605) 718-2189
lschieffer@summerset.us