
**AGENDA, JOINT CITY COUNCIL/COUNTY COMMISSION MEETING
TUESDAY, JANUARY 22, 2013, 5:30 P.M.
CITY COUNCIL CHAMBERS, MUNICIPAL BUILDING, 123 SOUTH LINCOLN STREET**

1. ROLL CALL

2. ORDINANCE NO. 13-01-01 (413) – ORDINANCE AMENDING ORDINANCE NO. 1164 TO REZONE CERTAIN DESCRIBED PROPERTY FROM SECTION 701 (A-1) TO SECTION 714 (M-AG)
LOTS 1 AND 2, VALLEY VIEW ACRES SUBDIVISION IN THE NW ¼ OF SECTION 10, T123N, R64W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA
POSSIBLE FIRST READING OF ORDINANCE NO. 13-01-01

3. ORDINANCE NO. 13-01-02 (414) – ORDINANCE AMENDING ORDINANCE NO. 1164 TO REZONE CERTAIN DESCRIBED PROPERTY FROM SECTION 701 (A-1) TO SECTION 714 (M-AG)
LOT 1, VETCH SECOND ADDITION IN THE NE ¼ OF SECTION 2, T122N, R64W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA
POSSIBLE FIRST READING OF ORDINANCE NO. 13-01-02

ANY OTHER SUCH BUSINESS WHICH MAY COME BEFORE THIS COUNCIL AT THE MEETING

City of Aberdeen
Request for Council Action

January 22, 2013

| | | | |
|--------------------|----------------|-------------------|---|
| Agenda Item No. | 2 | Meeting Date: | December 31, 2012 |
| Agenda Section | New Business | Originating Dept: | Planning and Zoning |
| Resolution | NA | | |
| Ordinance | 13-01-01 (413) | Prepared by: | Brett Bill Planning and Zoning Director/Building Official |
| No. of Attachments | 4 | Presented by: | Brett Bill Planning and Zoning Director/Building Official |

Item:

Rezoning: A-1 (Agricultural District) to M-Ag (Mini-Agricultural District)
3809 24th Avenue NW (Approximately ½ mile West of Wylie Park) – Eric Kline.

City Manager's Proposed Action:

Motion by _____, Second by _____ to approve first/second reading of the proposed petition to rezone.

Overview:

The petitioner is requesting this petition to rezone in order to bring the zoning of the proposed lot into compliance with the proposed lot size and land use. A preliminary and final plat for this property was approved by the Joint City/County Planning Commission on November 20, 2012 with the stipulation that both lots were rezoned to (M-Ag) Mini-Agricultural District. Approval for this petition to rezone was granted by the Joint City/County Planning Commission on December 18, 2012.

Primary/Issues/Alternatives to Consider:

None.

Budgetary/Fiscal Issues:

None.

Attachments:

Staff Report
Petition to Rezone
Map of Proposed Rezone
Ordinance

STAFF REPORT
December 18, 20012

REZONING: A-1 to M-AG

GENERAL INFORMATION

| | |
|--------------------|--|
| PETITIONER | Eric Kline |
| REQUEST | Rezone from Agricultural District to Mini-Agricultural District |
| LEGAL DESCRIPTION | Proposed Lots 1 and 2, Valley View Acres Subdivision in the NW ¼ of Section 10, T123N-R64W of the 5 th P.M., Brown County, South Dakota |
| LOCATION | 3809 24 th Avenue NW - Approximately ½ mile West of Wylie Park. |
| EXISTING ZONING | Agricultural District |
| PROPOSED ZONING | Mini-Agricultural District |
| SURROUNDING ZONING | |
| North: | Medium Density Residential District and Mini-Agricultural District |
| South: | Agricultural District |
| East: | Agricultural District |
| West: | Agricultural District |
| PUBLIC UTILITIES | WEB Water |
| REPORTED BY | Brett Bill |

RECOMMENDATION: Staff recommends approval of this petition to Rezone.

GENERAL COMMENTS: The petitioner is requesting this petition to Rezone in order to bring the zoning of the proposed lot into compliance with the proposed lot size and land use. A preliminary and final plat for this property was approved by the Joint City/County Planning Commission on November 20, 2012 with the stipulation that both lots are rezoned to (M-Ag) Mini-Agricultural District.

REVIEW: Staff have reviewed this petition to Rezone and concur with its approval.

ORDINANCE NO. 13-01-01
AN ORDINANCE AMENDING ORDINANCE NO. 1164 TO REZONE
CERTAIN DESCRIBED PROPERTY

BE IT ORDAINED by the Aberdeen City Council, Brown County, South Dakota, that the Petition to Amend Ordinance No. 1164 to rezone the following described property filed by Eric D. Kline is hereby granted and Ordinance No. 1164 is hereby amended to change the zoning on the following described property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District, said property is described as follows:

Proposed Lots 1 and 2, Valley View Acres Subdivision in the NW ¼ of Section 10,
T123N, R64W of the 5th P.M., Brown County, South Dakota

BE IT FURTHER ORDAINED by the Aberdeen City Council, Brown County, Aberdeen, South Dakota, that the zoning official for the City of Aberdeen is hereby authorized to change the official zoning map for the City of Aberdeen to reflect this Ordinance.

Mayor

ATTEST:

Finance Officer

Notice of Hearing January 3, 10, and 17, 2013

Passed First Reading _____

Passed Second Reading _____

Adopted _____

Published _____

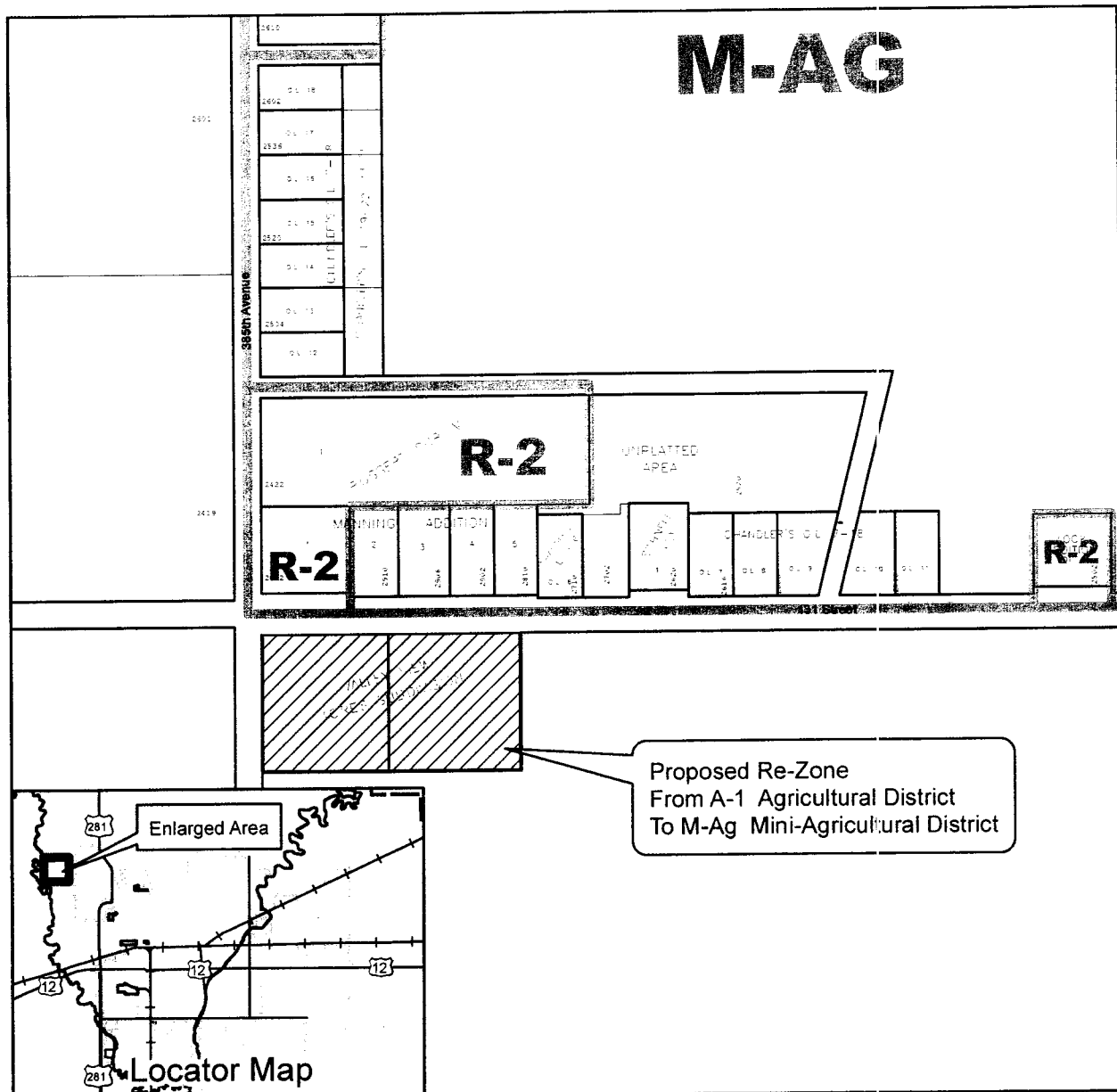
Effective Date _____

Proposed Re-Zone

Address / Legal Description : 2809 24th Ave NW / Proposed Lots 1&2, Valley View Acres
Subdivision in the NW 1/4 Sec.10 T123N R64W

Current Zone: A-1 Agricultural District

Proposed Zone: M-Ag Mini-Agricultural District



Prepared By: Dwayne Schueller, GIS/Planning Technician, City of Aberdeen File: Re-Zone 13-01-01
Address boundaries and legal descriptions were obtained from the assessor's office of Brown county, South Dakota
Not a Legal Document

REZONING PETITION (Three Mile Jurisdiction)

To the City Commission and County Commission
City Hall and Brown County Courthouse
Aberdeen, SD 57401

| | |
|--------------|--|
| Petition No: | _____ |
| Date: | <u>11/13/12</u> |
| Receipt No: | _____ |
| Filing Fee: | City <u>\$180</u> County <u>4/50</u> (non-refundable) |
| Ord/Res No: | <u>3-01-c1(4)3</u> |

City Commission and County Commission Members

I/We, the undersigned, do hereby petition the City Commission of Aberdeen and the Brown County Commission, Brown County, South Dakota, to rezone property as follows:

Legal Description (Please print in black ink or type):

Proposed Lots 142, Valley View Acres Subdivision in the NW 1/4 Sect. 10 -
T123N - R164W of the 5th P.M., Brown County, South Dakota.

General Area Location or Street Address: 2509 24th Ave NW

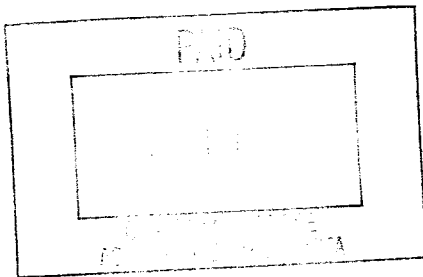
From the (A-1) Agricultural District

To the (M-Ag) Mini - Agricultural District

Purpose: Bring properties into compliance with size and use

Size of Parcel: _____

Existing Land Use: Mini-Ag



Petitioner (Print): Eric D. Kline

Signature: E.D. Kline

Date: 11-13-12 Phone: 605-216-4022

Address: 1306 STEWART DR
Aberdeen SD 57401
City State Zip

Owner (Print): _____
If different than above.

Signature: _____

Date: _____ Phone: _____

Address: _____

City State Zip

| | |
|-----------------------------|-----------------|
| Checked by: | <u>Ken</u> |
| Given Sign: | <u>✓</u> |
| Exhibit A: | <u>✓ DCS</u> |
| Site Plan: | _____ |
| PC Meeting: | <u>12-13-12</u> |
| 1st Reading: | <u>12-20-12</u> |
| 2nd Reading/Final Adoption: | <u>1-2-13</u> |

City of Aberdeen
Request for Council Action

January 22, 2013

| | | | |
|--------------------|----------------|-------------------|---|
| Agenda Item No. | 3 | Meeting Date: | December 31, 2012 |
| Agenda Section | New Business | Originating Dept: | Planning and Zoning |
| Resolution | NA | | |
| Ordinance | 13-01-02 (414) | Prepared by: | Brett Bill Planning and Zoning Director/Building Official |
| No. of Attachments | 4 | Presented by: | Brett Bill Planning and Zoning Director/Building Official |

Item:

Rezoning: A-1 (Agricultural District) to M-Ag (Mini-Agricultural District)
38685 Cadillac Drive – Donald and Cathy Vetch.

City Manager's Proposed Action:

Motion by _____, Second by _____ to approve first/second reading of the proposed petition to rezone.

Overview:

The petitioners are requesting this rezoning in order to bring the zoning of the proposed lot into compliance with the proposed lot size and land use. This petition to rezone was submitted in conjunction with a preliminary and final plat. Approval for this petition to rezone was granted by the Joint City/County Planning Commission on December 18, 2012.

Primary/Issues/Alternatives to Consider:

None.

Budgetary/Fiscal Issues:

None.

Attachments:

Staff Report
Petition to Rezone
Map of Proposed Rezone
Ordinance

STAFF REPORT
December 18, 2012

REZONING: A-1 to M-AG

GENERAL INFORMATION

| | |
|--------------------|---|
| PETITIONER | Donald and Cathy Vetch |
| REQUEST | Rezone from Agricultural District to Mini-Agricultural District |
| LEGAL DESCRIPTION | Proposed Vetch Second Addition in the NE ¼ of Section 2, T122N-R64W of the 5 th P.M., Brown County, South Dakota |
| LOCATION | 38685 Cadillac Drive. |
| EXISTING ZONING | Agricultural District |
| PROPOSED ZONING | Mini-Agricultural District |
| SURROUNDING ZONING | |
| North: | Agricultural District |
| South: | Agricultural District |
| East: | Mini-Agricultural District |
| West: | Agricultural District |
| PUBLIC UTILITIES | WEB Water. |
| REPORTED BY | Brett Bill |

RECOMMENDATION: Staff recommends approval of this petition to Rezone.

GENERAL COMMENTS: The petitioners are requesting this petition to Rezone in order to bring the zoning of the proposed lot into compliance with the proposed lot size and land use. A preliminary and final plat for this property was submitted in conjunction with this petition to rezone to (M-Ag) Mini-Agricultural District.

REVIEW: Staff have reviewed this petition to Rezone and concur with its approval.

ORDINANCE NO. 13-01-02
AN ORDINANCE AMENDING ORDINANCE NO. 1164 TO REZONE
CERTAIN DESCRIBED PROPERTY

BE IT ORDAINED by the Aberdeen City Council, Brown County, South Dakota, that the Petition to Amend Ordinance No. 1164 to rezone the following described property filed by Cathy Vetch is hereby granted and Ordinance No. 1164 is hereby amended to change the zoning on the following described property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District, said property is described as follows:

Proposed Lot 1, Vetch Second Addition in the NE ¼ of Section 2, T122N, R64W of the 5th P.M., Brown County, South Dakota

BE IT FURTHER ORDAINED by the Aberdeen City Council, Brown County, Aberdeen, South Dakota, that the zoning official for the City of Aberdeen is hereby authorized to change the official zoning map for the City of Aberdeen to reflect this Ordinance.

Mayor

ATTEST:

Finance Officer

Notice of Hearing January 3, 10, and 17, 2013

Passed First Reading _____

Passed Second Reading _____

Adopted _____

Published _____

Effective Date _____

REZONING PETITION (Three Mile Jurisdiction)

To the City Commission and County Commission
City Hall and Brown County Courthouse
Aberdeen, SD 57401

| | |
|-------------------|---------------|
| Petition No: | _____ |
| Date: | 11/21/12 |
| Receipt No: | 531104 |
| Filing Fee: City: | 80 |
| County: | 150 |
| (non-refundable) | |
| Ord/Res No: | 13-01-02(414) |

City Commission and County Commission Members

I/We, the undersigned, do hereby petition the City Commission of Aberdeen and the Brown County Commission, Brown County, South Dakota, to rezone property as follows:

Legal Description (Please print in black ink or type):

Proposed Lot 1, Vetch Second Addition in the NE 1/4 Sect. 2-T122N-R64W
of the S² P.M., Brown County, South Dakota

General Area Location or Street Address: 38685 Cadillac Dr.

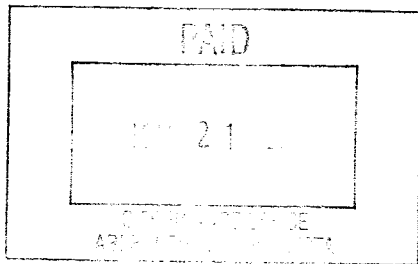
From the (A-1) Agricultural District

To the (M-Ag) Mini-Agricultural District

Purpose: Bring property into compliance with lot size & use requirements.

Size of Parcel: 198' X 330' (1.50 acres)

Existing Land Use: Residence



Petitioner (Print): _____

Signature: _____

Date: _____ Phone: _____

Address: _____

City State Zip

| | |
|-----------------------------|-------------------------------------|
| Checked by: | <u>Ken</u> |
| Given Sign: | <input checked="" type="checkbox"/> |
| Exhibit A: | _____ |
| Site Plan: | _____ |
| PC Meeting: | _____ |
| 1st Reading: | _____ |
| 2nd Reading/Final Adoption: | _____ |

Owner (Print): Cathy Vetch

Signature: Cathy Vetch
If different than above.

Date: 11-21-12 Phone: 605-276-2904

Address: 38685 Cadillac Dr
Aberdeen SD 57401
City State Zip

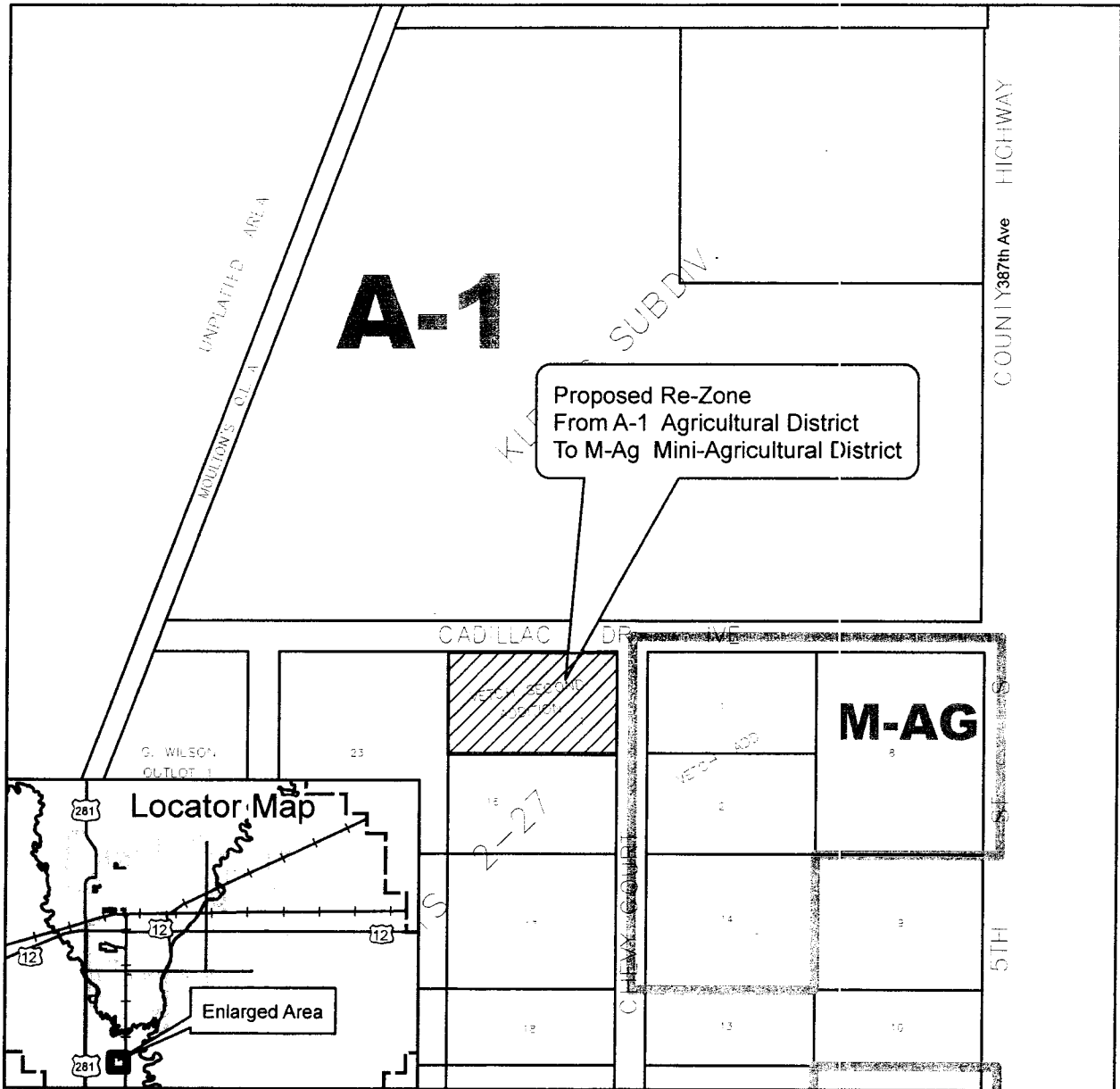
Proposed Re-Zone

Legal Description / Address:

Proposed Lot 1, Vetch Second Addition in the NE1/4 of Sec. 2 T122N R64W / 38685 Cadillac Drive

Current Zone: A-1 Agricultural District

Proposed Zone: M-Ag Mini-Agricultural District



Prepared By: Dwayne Schueller, GIS/Planning Technician, City of Aberdeen File: Re-Zone 13-01-02 (414)
 Address boundaries and legal descriptions were obtained from the assessor's office of Brown county, South Dakota
 Not a Legal Document