
**AGENDA, JOINT CITY COUNCIL/COUNTY COMMISSION MEETING
TUESDAY, MAY 28, 2013, 5:30 P.M.
CITY COUNCIL CHAMBERS, MUNICIPAL BUILDING, 123 SOUTH LINCOLN STREET**

1. ROLL CALL

2. ORDINANCE NO. 13-05-04 (416) – ORDINANCE AMENDING ORDINANCE NO. 1164 TO REZONE CERTAIN DESCRIBED PROPERTY FROM (A-1) DISTRICT TO (M-AG) DISTRICT
STOECKER'S OUTLOT A IN THE NE ¼ OF SECTION 32, T124N, R64W, ROMBS OUTLOT A IN THE NE ¼ OF SECTION 32, T124N, R64W AND THE NORTH 466' OF THE 466.67' WEST OF THE EAST 1,088.33' IN THE NE ¼ OF SECTION 32, T124N, R64W OF THE 5TH P.M., BROWN COUNTY, SD
POSSIBLE FIRST READING OF ORDINANCE NO. 13-05-04

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

City of Aberdeen
Request for Council Action

Agenda Item No.	2	Meeting Date:	May 28, 2013
Agenda Section	New Business	Originating Dept:	Planning and Zoning
Resolution	NA		
Ordinance	13-05-04 (416)	Prepared by:	Karl Palmquist, Planner
No. of Attachments	5	Presented by:	Brett Bill Planning and Zoning Director/Building Official

Item:

Rezoning: A-1 (Agricultural District) to M-Ag (Mini-Agricultural District)
12937 and 12923 384th Avenue and 38373 129th Street.

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 with the intention of bringing their properties into compliance with the current land use and lot sizes. A single family residence will also be moved onto one of the lots that are being rezoned. This petition to rezone was approved by the Joint City/County Planning Commission on May 21, 2013.

Primary/Issues/Alternatives to Consider:

None.

Budgetary/Fiscal Issues:

None.

Attachments:

Staff Report
Petitions to Rezone
Map of proposed Rezone
Ordinance

ORDINANCE NO. 13-05-04
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 Ted Bolman and Carey Lehr is hereby granted and Ordinance No. 1164 is hereby amended to change the zoning on the following described property from (A-1) Agricultural District to (M-AG) Mini-Agricultural District, said property is described as follows:

Stoecker's Outlot A in the NE ¼ of Section 32, T124N, R64W, Rombs Outlot A in the NE ¼ of Section 32, T124N, R64W and the North 466' of the 466.67' West of the East 1,088.33' in the NE ¼ of Section 32, T124N, 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 May 9, 16, and 23, 2013

Passed First Reading _____

Passed Second Reading _____

Adopted _____

Published _____

Effective Date _____

STAFF REPORT
May 21, 2013

Rezoning: A-1 to M-AG

GENERAL INFORMATION

PETITIONER	Ted Bolman and Carey Lehr
REQUEST	Rezone from Agricultural District to Mini-Agricultural District
LEGAL DESCRIPTION	Stoecker's Outlot A, NE ¼ Sect. 32-T124N-R64W of the 5 th P.M., Brown County, South Dakota and Rombs Outlot A; North 466' of 466.67' west of the east 1088.33' in the NE ¼ Sect. 32-T124N-R64W of the 5 th P.M., Brown County, South Dakota.
LOCATION	12923, 12937 384 th Ave and 38373 129 th Street
EXISTING ZONING	Agricultural District
PROPOSED ZONING	Mini-Agricultural District
SURROUNDING ZONING	
North:	Agricultural District
South:	Agricultural District and Greenbelt District
East:	Mini-Agricultural District
West:	Agricultural District and Greenbelt District
PUBLIC UTILITIES	WEB water.
REPORTED BY	Karl Palmquist

RECOMMENDATION: Staff recommends approval of this petition to rezone, with stipulation that the lot at 38373 129th Street apply for a plat.

GENERAL COMMENTS: The petitioner is requesting this petition to rezone in order to bring the zoning into compliance with the current and future land use. The petitioner plans to move a house onto Stoecker's outlot.

REVIEW: Staff have reviewed this petition to rezone and concur with its approval, with stipulation that the lot at 38373 129th Street apply for a plat.

REZONING PETITION (Three Mile Jurisdiction)

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

Petition No.	_____
Date:	4/4/13
Receipt No:	558904
Filing Fee: City	\$180
County	\$150
(non-refundable)	1365-04 (46)
Ord/Res No:	_____

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):

Stoecker's Outlot A, NE 1/4 Sect. 32-T124N-R64W
of the 5th P.M., Brown County, South Dakota and Bombs
Outlot A in the NE 1/4 Sect. 32-T124N-R64W

General Area Location or Street Address: 12937 384th Ave and 12923 384th
AVENUE

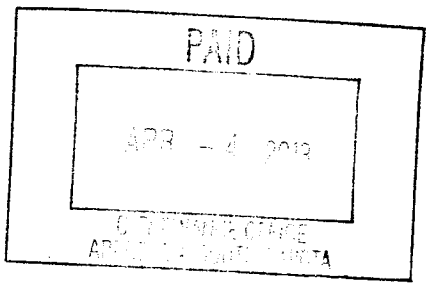
From the (A-1) Agricultural District

To the (M-Ag) Mini-Agricultural District

Purpose: Bring property into compliance in order to move a house
onto lot.

Size of Parcel: 22.2 acres + 10.11 acres

Existing Land Use: Agricultural



Petitioner (Print): TED BOYMAN

Signature: [Handwritten Signature]

Date: 4-4-13 Phone: 605-228-5392

Address: 1123 N. Washington
Aberdeen SD 57401
City State Zip

Checked by:	<u>Ken</u>
Given Sign:	<u>[Signature]</u>
Exhibit A:	<u>docs</u>
Site Plan:	_____
PC Meeting:	<u>5/21/13</u>
1st Reading:	<u>5/28/13</u>
2nd Reading/Final	_____
Adoption:	<u>6/3/13</u>

Owner (Print): _____
If different than above.

Signature: _____

Date: _____ Phone: _____

Address: _____

City State Zip

(Additional Signatures may be submitted on a separate page)

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>4/29/13</u>
Receipt No:	_____
Filing Fee: City	_____ County
(non-refundable)	<u>13-05-04 (416)</u>
Ord/Res No:	_____

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):

North 466' of 466.67' West of East 1088.33'
N.E. 1/4 32-124-64

General Area Location or Street Address: 38373 129th St.

From the (A-1) Agricultural District

To the (M-Ag) Mini-Agricultural District

Purpose: Bring property into compliance with size of parcel and use.

Size of Parcel: 5 Acres (4.56 acres)

Existing Land Use: Residence

Petitioner (Print): Carey Lehr

Signature: [Handwritten Signature]

Date: 4/26/13 Phone: (605) 380-4768

Address: 38373 129th St.
Aberdeen SD 57401
City State Zip

Checked by:	<u>[Signature]</u>
Given Sign:	<u>[Signature]</u>
Exhibit A:	_____
Site Plan:	_____
PC Meeting:	_____
1st Reading:	_____
2nd Reading/Final Adoption:	_____

Owner (Print): _____
If different than above.

Signature: _____

Date: _____ Phone: _____

Address: _____

_____ City State Zip

(Additional Signatures may be submitted on a separate page)

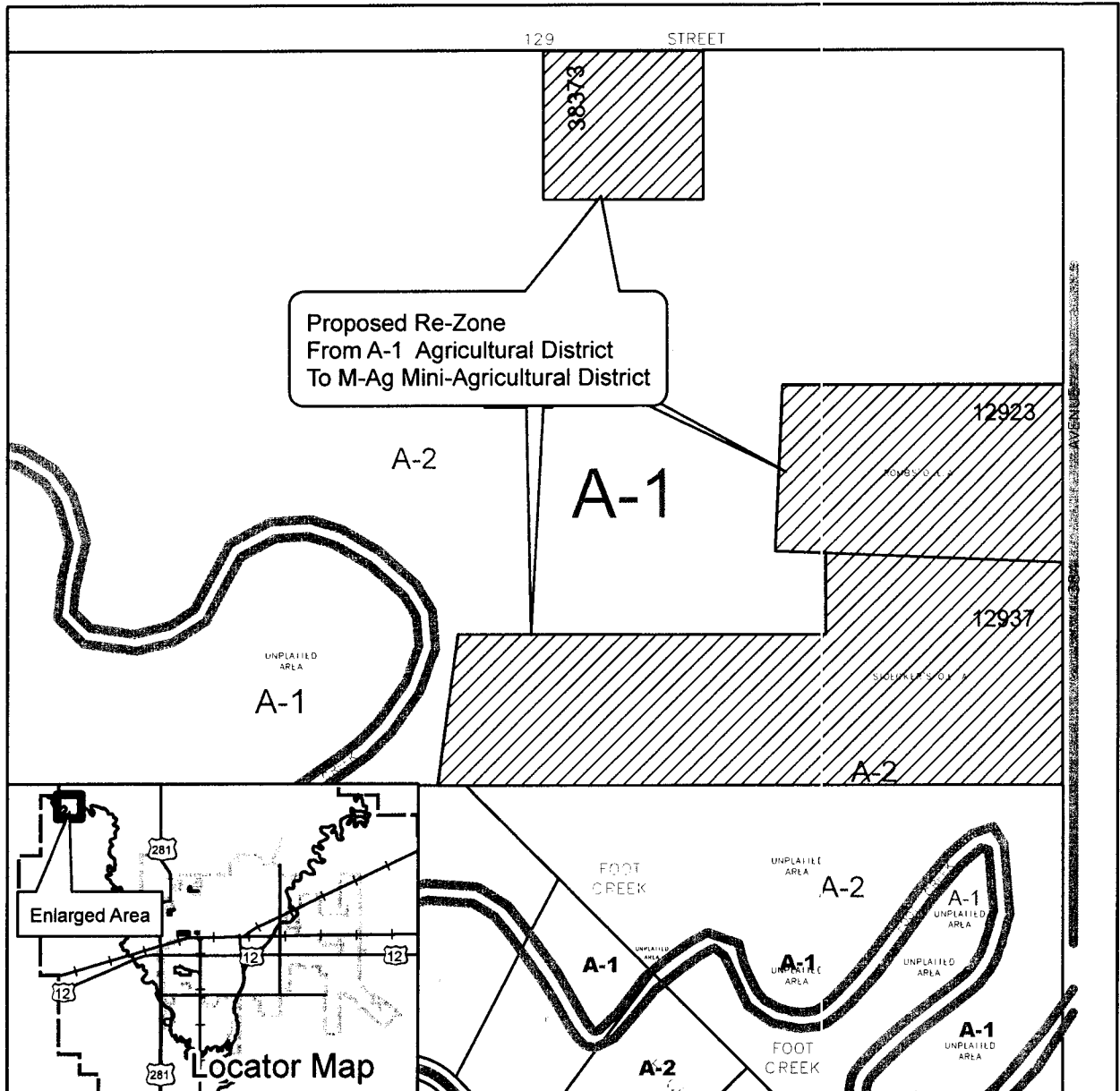
Proposed Re-Zone

Addresses / Legal Descriptions :

12937 & 12923 384th Ave; 38373 129th St/ Stoecker's Outlot A, and Rombs Outlot A; North 466' of 466.67' west of the east 1088.33' in the NE 1/4 Sec 32 T124 R64

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 13-05-04 (416)
 Address boundaries and legal descriptions were obtained from the assessor's office of Brown county, South Dakota
 Not a Legal Document