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**AGENDA, JOINT CITY COUNCIL/COUNTY COMMISSION MEETING  
TUESDAY, OCTOBER 1, 2013, 8:45 A.M.  
BROWN COUNTY COMMISSION CHAMBERS, COURTHOUSE BUILDING, 25 MARKET STREET**

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1. ROLL CALL
  
2. ORDINANCE NO. 13-09-01 (425) – ORDINANCE AMENDING ORDINANCE NO. 1164 TO REZONE CERTAIN DESCRIBED PROPERTY FROM (A-1) DISTRICT TO (M-AG) DISTRICT  
LOT 1, ROHR SECOND SUBDIVISION IN THE SW ¼ OF SECTION 36, T124N, R64W OF THE 5<sup>TH</sup>  
P.M., BROWN COUNTY, SOUTH DAKOTA  
POSSIBLE SECOND READING AND FINAL ADOPTION OF ORDINANCE NO. 13-09-01

**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:	September 24, 2013
Agenda Section	New Business	Originating Dept:	Planning and Zoning
Resolution	NA		
Ordinance	13-09-01 (425)	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)  
12992 Rohr Drive – Directly North of Rolling Meadows Subdivision.

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 a recently platted lot into compliance with the proposed lot size and land use. A preliminary and final plat for this property was approved by the City Council on August 26, 2013 and by the County Commission on August 27, 2013, with the stipulation that Lot 1 is rezoned to Mini-Agricultural District. The Joint City/County Planning Commission approved this petition to rezone on September 17, 2013.

Primary/Issues/Alternatives to Consider:

None.

Budgetary/Fiscal Issues:

None.

Attachments:

Staff Report  
Petition to Rezone  
Map of proposed Rezone  
Ordinance

ORDINANCE NO. 13-09-01  
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 Todd Rohr 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:

Lot 1, Rohr Second Subdivision in the SW ¼ of Section 36, T124N, R64W of the 5<sup>th</sup>  
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:

\_\_\_\_\_  
City Finance Officer

Notice of Hearing September 5, 12, and 19, 2013

Passed First Reading September 24, 2013

Passed Second Reading \_\_\_\_\_

Adopted \_\_\_\_\_

Published \_\_\_\_\_

Effective Date \_\_\_\_\_

STAFF REPORT  
September 17, 2013

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**REZONING: A-1 to M-AG**

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GENERAL INFORMATION

PETITIONER	Todd Rohr
REQUEST	<b>Rezone from Agricultural District to Mini-Agricultural District</b>
LEGAL DESCRIPTION	Lot 1, Rohr Second Subdivision in the SW ¼ of Section 36, T124N-R64W of the 5 <sup>th</sup> P.M., Brown County, South Dakota
LOCATION	12992 Rohr Drive - Directly North of Rolling Meadows Subdivision.
EXISTING ZONING	Agricultural District
PROPOSED ZONING	Mini-Agricultural District
SURROUNDING ZONING	
North:	Agricultural District
South:	Mini-Agricultural District and Agricultural District
East:	Mini-Agricultural District and Agricultural District
West:	Mini-Agricultural District and 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 a recently platted 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 August 20, 2013, with the stipulation that Lot 1 is rezoned to Mini-Agricultural District.

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

REZONING PETITION (Three Mile Jurisdiction)

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

Petition No:	
Date:	8/5/13
Receipt No:	586089
Filing Fee: City:	180
County:	150
(non-refundable)	
Ord/Res No:	13-09-01(425)

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, Rohr Second Subdivision, SW 1/4 sect. 36-7124N-  
R64W of the 5<sup>th</sup> P.M., Brown County, SD

General Area Location or Street Address: 12492 Rohr Dr.

From the (A-1) Agricultural District

To the (M-Ag) Mini-Agricultural District

Purpose: Putting proposed lot into conformance with size and use.

Size of Parcel: 1.61 acres

Existing Land Use: Residence

Petitioner (Print):

Signature:

Date: Phone:

Address:

City State Zip

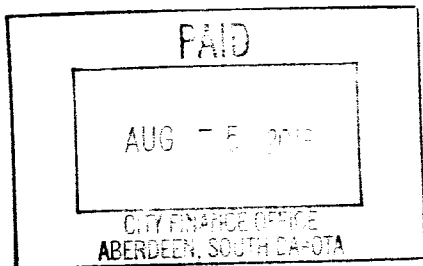
X Owner (Print): Todd Rohr

Signature: *Todd Rohr* If different than above.

Date: 8-1-2013 Phone: 605-380-9599

Address: 110 130th St NW

Aberdeen SD 57401  
City State Zip



Checked by:	<i>Kin</i>
Given Sign:	<input checked="" type="checkbox"/>
Exhibit A:	
Site Plan:	
PC Meeting:	9/17/13
1st Reading:	9/24/13
2nd Reading/Final	
Adoption:	10/1/13

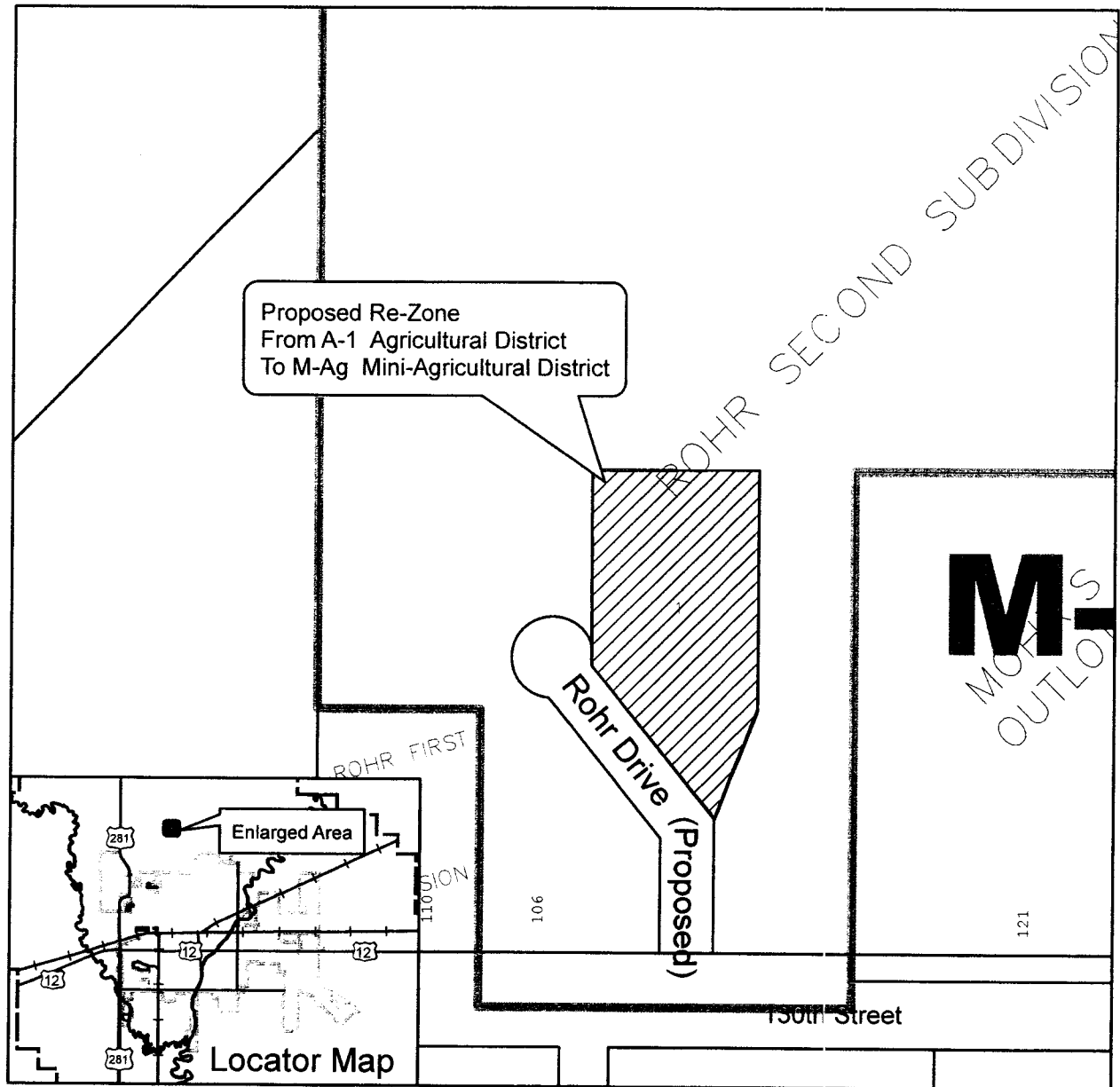
(Additional Signatures may be submitted on a separate page)

# Proposed Re-Zone

Address / Legal Description : 12992 Rohr Drive / Proposed Lot 1, Rohr Second Subdivision  
in the SW 1/4 Sec. 36 T124N 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 13-09-01 (425)  
Address boundaries and legal descriptions were obtained from the assessor's office of Brown county, South Dakota  
Not a Legal Document