
AGENDA, JOINT CITY COUNCIL/COUNTY COMMISSION MEETING

MONDAY, JUNE 30, 2014, 5:30 P.M.

CITY COUNCIL CHAMBERS, 225 THIRD AVE., SE, PARKS & REC. ARCC BLDG., ALUMNI ROOM #101

1. ROLL CALL

2. ORDINANCE NO. 14-06-01 (434) – ORDINANCE AMENDING ORDINANCE NO. 1164 TO REZONE CERTAIN DESCRIBED PROPERTY FROM (A-1) DISTRICT AND (M-AG) DISTRICT TO (M-AG) DISTRICT
BRAKE OUTLOT 1 IN THE SE ¼ OF SECTION 35, T123N, R64W, OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA
POSSIBLE SECOND READING AND FINAL ADOPTION OF ORDINANCE NO. 14-06-01

3. ORDINANCE NO. 14-06-04 (436) – ORDINANCE AMENDING ORDINANCE NO. 1164 TO REZONE CERTAIN DESCRIBED PROPERTY FROM (A-1) DISTRICT TO (M-AG) DISTRICT
LOTS 1 – 4, B & J FIRST SUBDIVISION IN THE NE ¼ OF SECTION 15, T123N, R64W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA
POSSIBLE SECOND READING AND FINAL ADOPTION OF ORDINANCE NO. 14-06-04

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:	June 23, 2014 June 30, 2014
Agenda Section	New Business old	Originating Dept:	Planning and Zoning
Resolution	NA		
Ordinance	14-06-01 (434)	Prepared by:	Chris Witzel, Planner
No. of Attachments	4	Presented by:	Brett Bill Planning and Zoning Director/Building Official

Item:

Rezoning: A-1 (Agricultural District) and M-Ag (Mini-Agricultural District) to M-Ag (Mini-Agricultural District)
3516 387th Avenue S, (Brown County #10, 5th Street S.), located ½ mile south of the intersection of 135th Street SW and 387th Avenue S. or approximately 1 ¼ mile south of the Aberdeen Township Rural Fire Station – Bradley and Diane Brake.

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 petition to rezone in order to bring the zoning of the property into compliance with the proposed lot size and land use, as well as eliminate the split zoning on the property. A preliminary and final plat was submitted in conjunction with this petition to rezone. This petition to rezone was approved by the Aberdeen Planning Commission on June 17, 2014.

Primary/Issues/Alternatives to Consider:

None.

Budgetary/Fiscal Issues:

None.

Attachments:

Staff Report
Petition to Rezone
Map of proposed Rezone
Ordinance

ORDINANCE NO. 14-06-01
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 Bradley and Diane Brake is hereby granted and Ordinance No. 1164 is hereby amended to change the zoning on the following described property from (A-1) Agricultural District and (M-AG) District to (M-AG) Mini-Agricultural District, said property is described as follows:

Brake Outlot 1 in the SE ¼ of Section 35, 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 June 5, 12, and 19, 2014

Passed First Reading June 23, 2014

Passed Second Reading _____

Adopted _____

Published _____

Effective Date _____

STAFF REPORT
May 20, 2014

REZONING A-1/M-AG TO M-AG

GENERAL INFORMATION

PETITIONER	Bradley and Diane Brake
REQUEST	Rezone from (A-1) Agricultural District/ (M-AG) Mini-Agricultural District to (M-AG) Mini-Agricultural District
LEGAL DESCRIPTION	Brake Outlot 1 in the SE ¼ Section 35-T123N-R64W of the 5 th P.M., Brown County, South Dakota
LOCATION	3516 387 th Ave S located ½ mile south of the intersection of 135 th St. SW and 387 th Ave S
EXISTING ZONING	Agricultural District/Mini-Agricultural District
SURROUNDING ZONING	
North:	Agricultural District/Greenway District
South:	Mini-Agricultural District
East:	Agricultural District
West:	Agricultural District
PUBLIC UTILITIES	WEB Water
REPORTED BY	Chris Witzel

RECOMMENDATION: Staff recommends approval of this petition to rezone.

GENERAL COMMENTS: The petitioner is requesting this petition to rezone in order to bring the property into compliance with current lot size and dimensions and eliminate split zoning.

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:	<u>5/23/14</u>
Receipt No:	<u>648736</u>
Filing Fee: City:	<u>\$180</u>
County:	<u>\$150</u>
(non-refundable)	
Ord/Res No:	<u>14-06-01(434)</u>

City Commission and County Commission Members

14-06-01(434)

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 Brake Outlet 1 in the SE 1/4 Sect. 35-T123N-R64W
of the 5th P.M., Brown County, South Dakota.

General Area Location or Street Address: 3516 387th Ave S

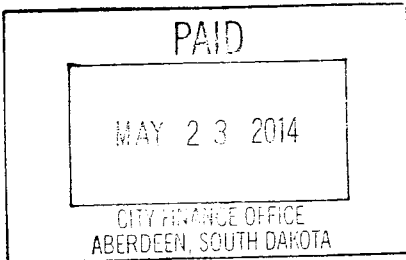
From the A-1 and M-Ag District

To the M-Ag District

Purpose: Bring zoning into compliance to combine adjacent land
into one parcel with the accompanying plat.

Size of Parcel: .92 acres

Existing Land Use: Residential



Petitioner (Print): Bradley & Diane Brake

Signature: [Signature]

Date: 5/23/14 Phone: 2784203

Address: 3516 387th Ave S

Aberdeen SD 57401
City State Zip

Checked by:	<u>[Signature]</u>
Given Sign:	<u>[Signature]</u>
Exhibit A:	<u>[Signature]</u>
Site Plan:	_____
PC Meeting:	<u>6/17</u>
1st Reading:	<u>6/23</u>
2nd Reading/Final	_____
Adoption:	_____

Owner (Print): _____

If different than above.

Signature: _____

Date: _____ Phone: _____

Address: _____

City State Zip

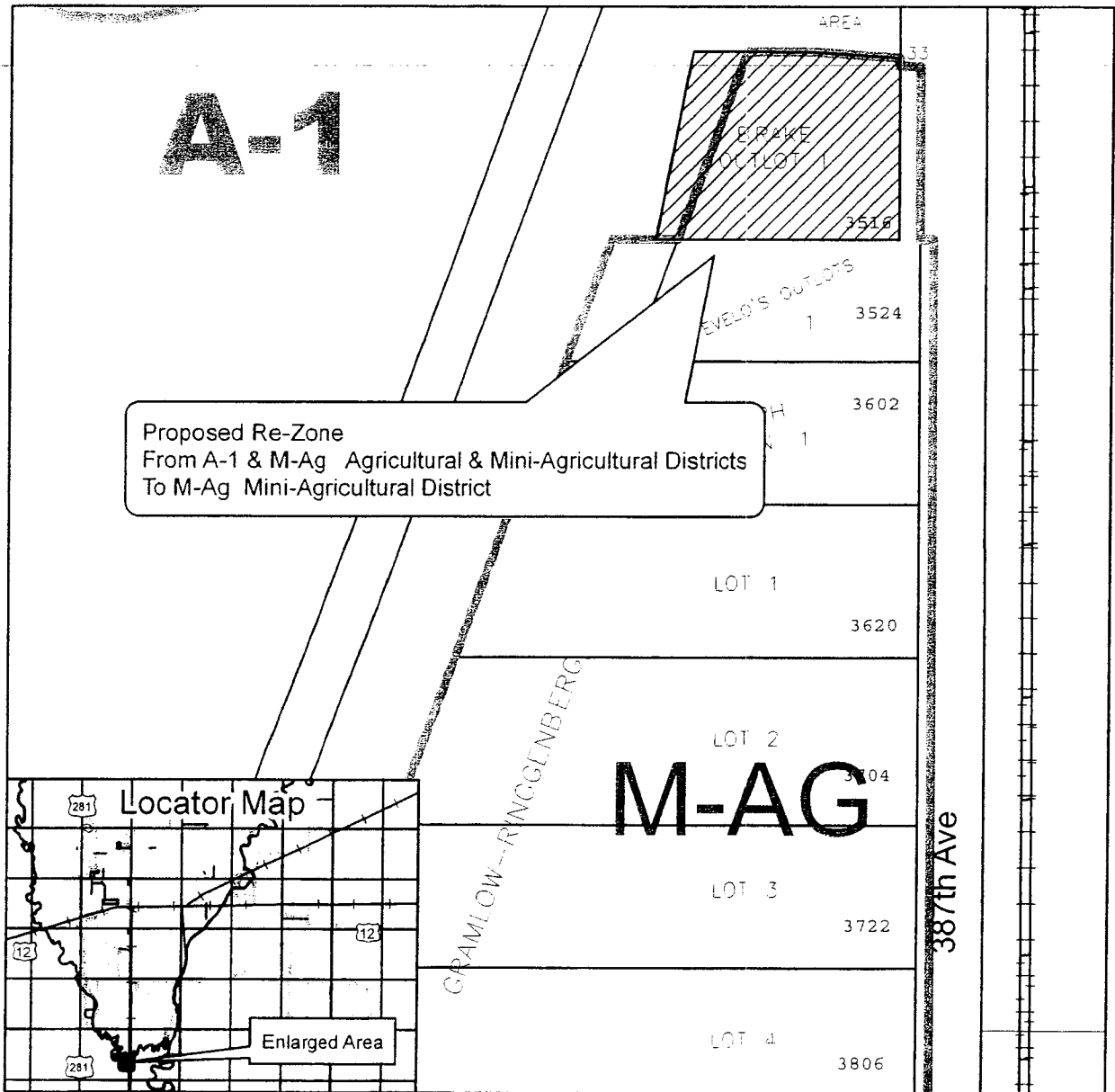
(Additional Signatures may be submitted on a separate page)

Proposed Re-Zone

Address / Legal Description : 3516 387th Ave / Brake Outlot 1 in the SE 1/4 Sec. 35
T123N R64W

Current Zone: A-1 & M-Ag Agricultural & Mini-Agricultural Districts

Proposed Zone: M-Ag Mini-Agricultural District



Prepared By: Dwayne Schueller, GIS/Planning Technician, City of Aberdeen File: Re-Zone 14-06-01 (434)

Address boundaries and legal descriptions were obtained from the assessor's office of Brown county, South Dakota

Not a Legal Document

City of Aberdeen
Request for Council Action

Agenda Item No.	3	Meeting Date:	June 23, 2014 June 30, 2014
Agenda Section	New Business <i>old</i>	Originating Dept:	Planning and Zoning
Resolution	NA		
Ordinance	14-06-04 (436)	Prepared by:	Chris Witzel, Planner
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)
2305, 2411, 2503 and 2521 8th Avenue NW, located 1/10th mile west of the intersection of 8th Avenue NW and Highway #281 or approximately one mile west of the Ramkota Hotel – Barringer Land and Cattle, LP and Cambria Land Company.

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 petition to rezone in order to bring the zoning of the property into compliance with the proposed lot size and land use. A preliminary and final plat was submitted in conjunction with this petition to rezone. This petition to rezone was approved by the Aberdeen Planning Commission on June 17, 2014.

Primary/Issues/Alternatives to Consider:

None.

Budgetary/Fiscal Issues:

None.

Attachments:

Staff Report
Petition to Rezone
Map of proposed Rezone
Ordinance

ORDINANCE NO. 14-06-04
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 Barringer Land and Cattle, LP, Cambria Land Company, and Francis E. Brink 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:

Proposed Lots 1 – 4, B & J First Subdivision in the NE ¼ of Section 15, 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 June 5, 12, and 19, 2014

Passed First Reading June 23, 2014

Passed Second Reading _____

Adopted _____

Published _____

Effective Date _____

STAFF REPORT
June 17, 2014

REZONING A-1 TO M-AG

GENERAL INFORMATION

PETITIONER	Barringer Land and Cattle, LP and Cambria Land Company
REQUEST	Rezone from (A-1) Agricultural District to (M-AG) Mini-Agricultural District
LEGAL DESCRIPTION	B & J First Subdivision in the NE ¼ Section 15-T123N-R64W of the 5 th P.M., Brown County, South Dakota
LOCATION	2305, 2411, 2503, 2521 8 th Ave NW, located 1/10 mile west of the intersection of 8 th Ave NW and Highway 281 or Approximately one mile west of the Ramkota Hotel
EXISTING ZONING	Agricultural District
SURROUNDING ZONING	
North:	Agricultural District
South:	Agricultural District
East:	Highway Commercial District
West:	Agricultural District
PUBLIC UTILITIES	WEB Water
REPORTED BY	Chris Witzel

RECOMMENDATION: Staff recommends approval of this petition to rezone. This petition to rezone was submitted in conjunction with a preliminary and final plat, creating four new lots that don't meet the minimum lot size requirements for the Agricultural District. This petition to rezone will bring those lot sizes into compliance.

GENERAL COMMENTS: The petitioner is requesting this petition to rezone in order to bring the property into compliance with current lot size and dimensions.

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:	<u>5/27/14</u>
Receipt No:	<u>049190</u>
Filing Fee: City	<u>\$180</u> County <u>\$150</u>
(non-refundable)	
Ord/Res No:	<u>14-06-04</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 1-4, B&E First Subdivision in the NE 1/4 Sect. 15 - T123N - R64W of the 5th PM, Brown County, South Dakota.

General Area Location or Street Address: _____

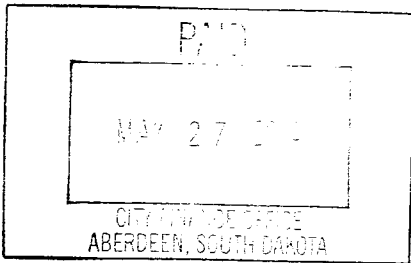
From the A-1 District

To the M-Ag District

Purpose: Bring property into compliance with proposed lot sizes

Size of Parcel: 3.24, 3.25, 5.98 and 5.98 acres.

Existing Land Use: Bare land



Petitioner (Print): Burringer Land and Cattle, LP

Signature: For Owner James E. Brink

Date: 5-27-2014 Phone: 225-9181

Address: 616 - 4th St. No
Aberdeen SD 57401
City State Zip

and

Checked by:	<u>Ken</u>
Given Sign:	<u>[Signature]</u>
Exhibit A:	<u>DBS</u>
Site Plan:	<u>[Signature]</u>
PC Meeting:	<u>6/17/14</u>
1st Reading:	<u>6/23/14</u>
2nd Reading/Final:	<u>[Signature]</u>
Adoption:	<u>[Signature]</u>

Owner (Print): Cambria Land Company

Signature: For Owner James E. Brink

Date: 5-27-2014 Phone: 225-9181

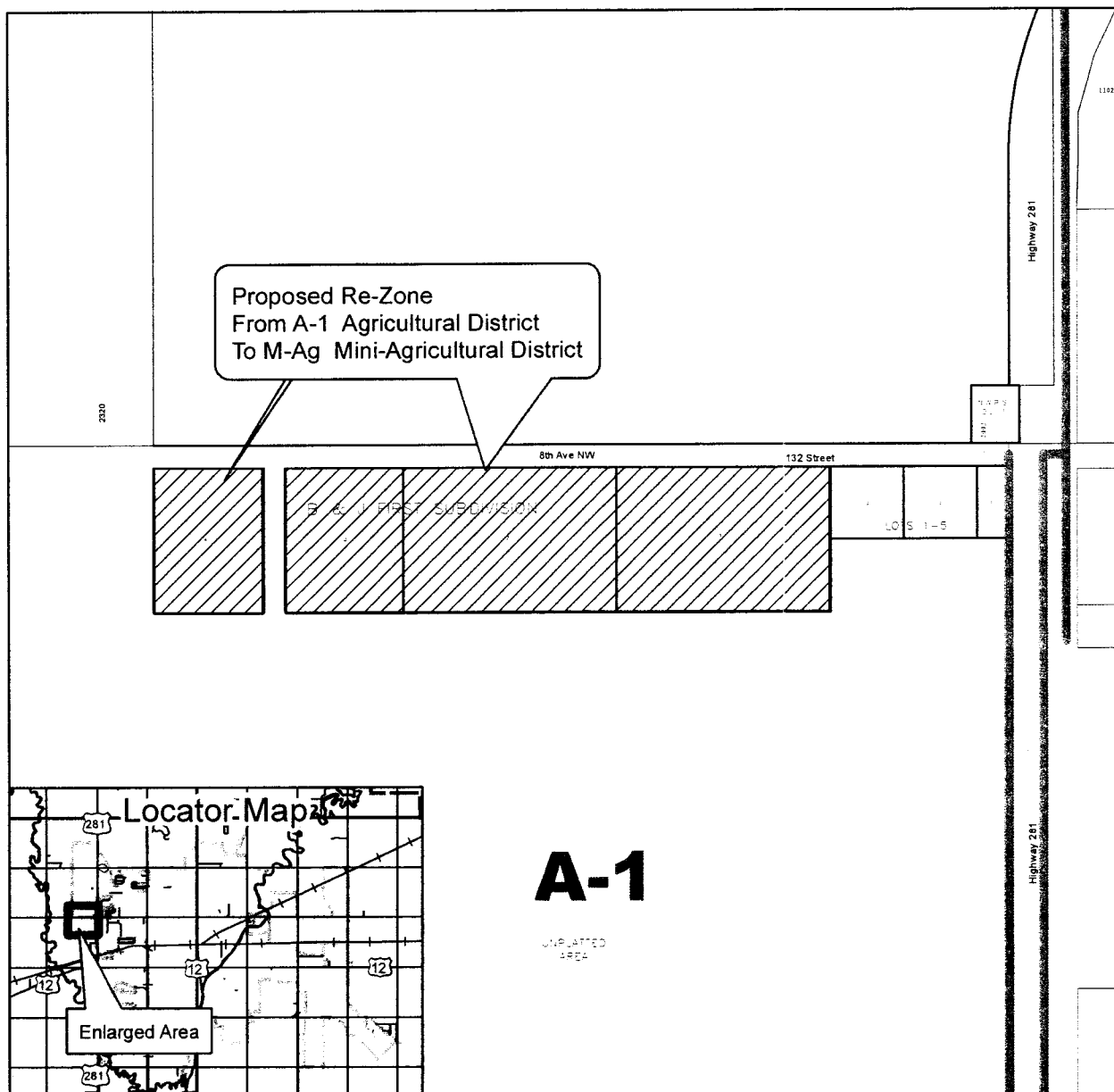
Address: 616-4th St. No
Aberdeen SD 57401
City State Zip

Proposed Re-Zone

Legal Description: Proposed Lots 1-4, B & J First Subdivision in the NE 1/4 Sec. 15
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 14-06-04 (436)
Address boundaries and legal descriptions were obtained from the assessor's office of Brown county, South Dakota
Not a Legal Document