

---

**AGENDA, JOINT CITY COUNCIL/COUNTY COMMISSION MEETING**  
**MONDAY, APRIL 27, 2015, 5:30 P.M.**  
**CITY COUNCIL CHAMBERS, 123 SOUTH LINCOLN STREET, MUNICIPAL BLDG., FIRST FLOOR**

---

1. ROLL CALL
  
2. ORDINANCE NO. 15-04-01-443 – REZONE CERTAIN DESCRIBED PROPERTY FROM (A-1) DISTRICT TO (M-AG) DISTRICT  
LOTS 1 AND 2, SUNRISE ESTATES SUBDIVISION IN THE NW ¼ OF SECTION 9, T123N, R63W OF THE 5<sup>TH</sup> P.M., BROWN COUNTY, SOUTH DAKOTA (2330 BR. CO. 19N AND 4220 – 24<sup>TH</sup> AVE., NE)  
POSSIBLE FIRST READING OF ORDINANCE NO. 15-04-01

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

City of Aberdeen  
Request for Council Action

Agenda Item No.	<b>2</b>	Meeting Date:	April 27, 2015
Agenda Section	New Business	Originating Dept:	Planning and Zoning
Resolution	NA		
Ordinance	15-04-01 (443)	Prepared by:	Chris Witzel, Planner
No. of Attachments	4	Presented by:	Brett Bill, Planning and Zoning Director/Building Official

Item:

Rezone from (A-1) Agricultural District to (M-Ag) Mini-Agricultural District – 2330 Brown County #19 N. (located on the southwest corner of the intersection of Brown County #19 N. and 24<sup>th</sup> Avenue NE.) – Mark F. Wattier.

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 property into compliance with the existing lot size and the current use of the property, with the intention of constructing a single family residence on Lot 2.

Issues/Alternatives to Consider:

None.

Budgetary/Fiscal Issues:

None.

Attachments:

Staff Report.  
Petition to Rezone.  
Map of proposed Rezone.  
Ordinance.

STAFF REPORT  
April 21, 2015

---

**REZONING A-1 TO M-AG**

---

GENERAL INFORMATION

PETITIONER	Mark F. Wattier
REQUEST	<b>Rezone from (A-1) Agricultural District to (M-AG) Mini-Agricultural District</b>
LEGAL DESCRIPTION	Lots 1 – 2, Sunrise Estates Subdivision, NW ¼ of Section 9-T123N-R63W of the 5 <sup>th</sup> P.M., Brown County, South Dakota
LOCATION	2330 Brown County 19 N and 4220 24 <sup>th</sup> Ave NE- located on the southwest corner of the intersection of Brown County 19 and 24 <sup>th</sup> Ave NE
EXISTING ZONING	Agricultural District
SURROUNDING ZONING	
North:	Agricultural District
South:	Unrestricted Industrial District
East:	Unrestricted Industrial District
West:	Mini-Agricultural District and Unrestricted Industrial 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 its current use and lot size and to facilitate the construction of a primary residence on Lot 2.

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

ORDINANCE NO. 15-04-01  
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 Mark F. Wattier 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:

Lots 1 and 2, Sunrise Estates Subdivision in the NW ¼ of Section 9, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (2330 Br. Co. 19N and 4220 - 24<sup>th</sup> Ave., NE)

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 April 9, 16, and 23, 2015

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:	3/27/15
Receipt No:	713077
Filing Fee: City	\$180
County	\$150
(non-refundable)	15-04-01 (403)
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):

Lots 1+2, Sunrise Estates Subdivision, NW Sect 9-T123N-R63W

General Area Location or Street Address: 2330 Brown County 19 N + 4220 24<sup>th</sup> Ave NE

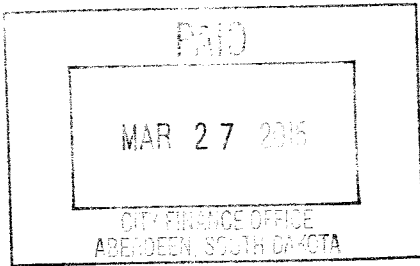
From the A-1 District

To the M-Ag District

Purpose: Bring property into compliance for future development

Size of Parcel: 2.505 acre lots (10.10 acres total)

Existing Land Use: Residence/Hobby Farm



Petitioner (Print): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

City State Zip

Checked by:	<u>km</u>
Given Sign:	_____
Exhibit A:	_____
Site Plan:	_____
PC Meeting:	<u>4/21/15</u>
1st Reading:	<u>4/27/15</u>
2nd Reading/Final:	_____
Adoption:	<u>5/11/15</u>

Owner (Print): Mark F. Wattier

Signature: Mark F. Wattier  
If different than above.

Date: \_\_\_\_\_ Phone: 382-7610

Address: 41489 150<sup>th</sup> St.

Conde SD 57434  
City State Zip

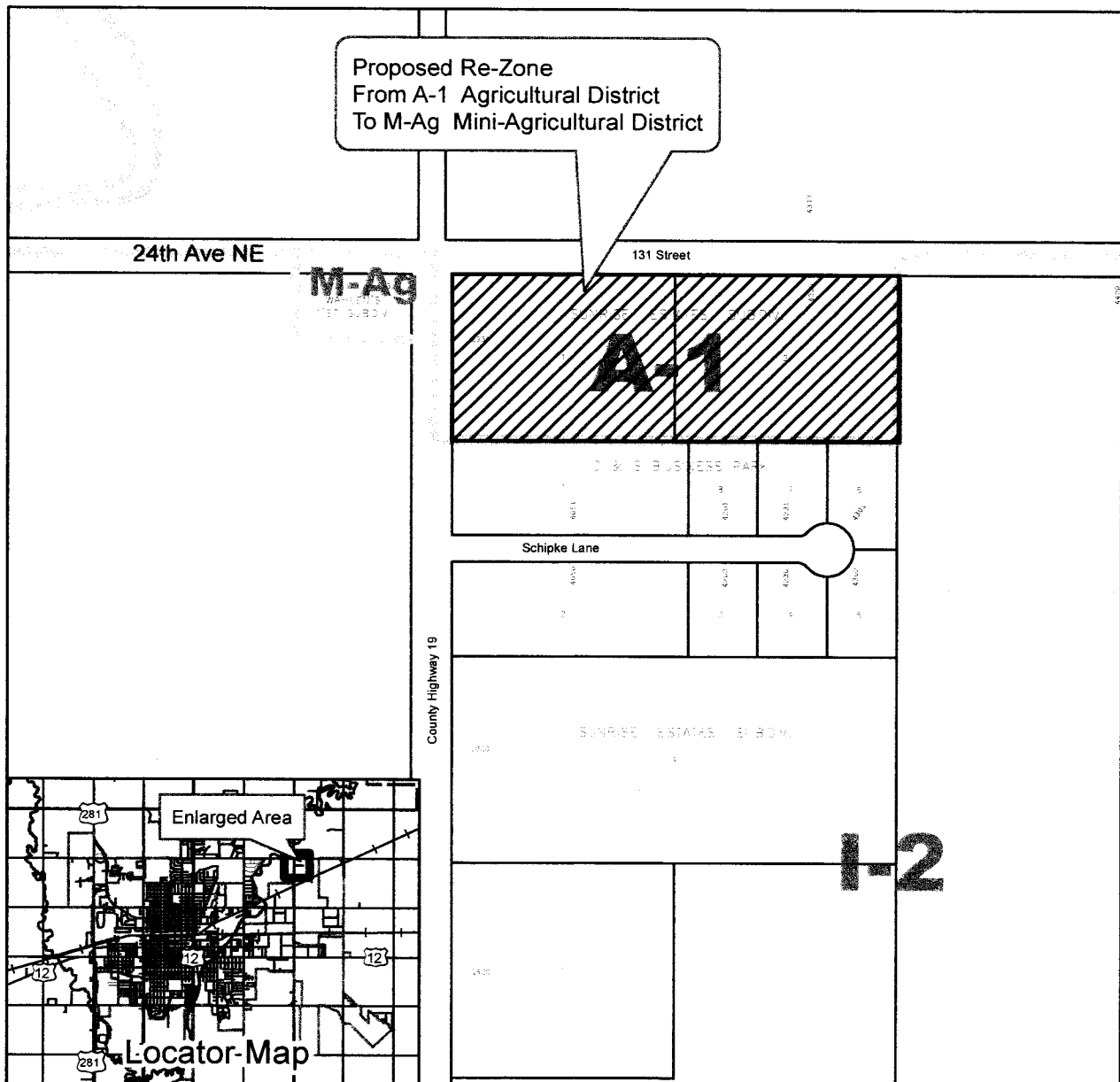
(Additional Signatures may be submitted on a separate page)

# Proposed Re-Zone

Address / Legal Description : 2330 Brown County 19 N & 4220 24th Ave NE / Lots 1&2,  
Sunrise Estates Subdivison

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 15-04-01 (443)  
Address boundaries and legal descriptions were obtained from the assessor's office of Brown county, South Dakota  
Not a Legal Document