
**AGENDA, JOINT CITY COUNCIL/COUNTY COMMISSION MEETING
MONDAY, FEBRUARY 22, 2016, 5:30 P.M.
CITY COUNCIL CHAMBERS, 123 S. LINCOLN STREET, MUNICIPAL BLDG., FIRST FLOOR**

1. ROLL CALL
2. ORDINANCE NO. 16-02-08 (454) – ORDINANCE AMENDING ORDINANCE NO. 1164 TO REZONE CERTAIN DESCRIBED PROPERTY FROM (A-1) DISTRICT TO (R-2) DISTRICT MEADOWLARK ACRES ADDITION TO ABERDEEN IN THE NW ¼ OF SECTION 22, T123N, R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA (815 S. COUNTY HWY #14)
POSSIBLE FIRST READING OF ORDINANCE NO. 16-02-08

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

STAFF REPORT
February 16, 2016

REZONING A-1 to R-2

GENERAL INFORMATION

PETITIONER	Dave Schumaker
REQUEST	Rezone from (A-1) Agricultural District to (R-2) Medium Density Residential District
LEGAL DESCRIPTION	Meadowlark Acres Addition to Aberdeen, in the NW ¼ of Section 22-T123N-R63W
LOCATION	815 S. Brown County 14 and adjacent land to the east – located ¼ mile south of the intersection of Highway 12 and Brown County 14
EXISTING ZONING	Agricultural District
SURROUNDING ZONING	
North:	Agricultural District and Highway Commercial District
South:	Agricultural District
East:	Agricultural District
West:	Municipal, State, and County Use District
PUBLIC UTILITIES	WEB Water
REPORTED BY	Chris Witzel

RECOMMENDATION: Staff recommends approval of this petition to rezone with the stipulation that all necessary variances are approved by the Board of Zoning Adjustments prior to construction.

GENERAL COMMENTS: The petitioner is requesting this petition to rezone in order to bring the property into compliance with its proposed use as a residential subdivision. The newly created lots will meet all size requirements for the Medium Density Residential District. This property is in the process of being annexed into the city of Aberdeen and an application for the establishment of a Tax Increment Financing District was also received in conjunction with this request and will be on the March 15th Planning Commission Agenda.

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

Rec # 774859

REZONE PETITION (THREE-MILE JURISDICTION)

To the City Council
City Hall
Aberdeen, SD 57401

Petition No:	
Date:	1/26/16
Receipt No:	774859
Filing Fee:	\$180 City \$150 County (non-refundable)
Order/Res No:	16-02-08 (454)

Mayor and City Council:

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

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

Proposed Meadowlark Acres Addition to Aberdeen, in the NW 1/4 of Section 22-T123N-R103W

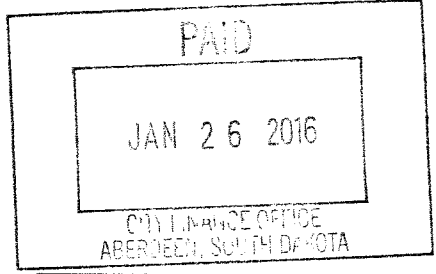
From the (A-1) Agricultural District
To the (R-2) Medium Density Residential District

General Area Location or Street Address: Approx 600' S. of Hwy 12 on the East side of Brown Co. #4

Purpose of Petition: Residential Development

Size of Parcel: Approximately 31 acres

Existing Land Use: Farm land



Checked by:	<u>[Signature]</u>
Given Sign:	<u>[Signature]</u>
Exhibit A:	<u>Jahn</u>
Site Plan:	<u>Jahn</u>
PC Meeting:	<u>2/16/16</u>
1st Reading:	<u>2/22/16</u>
2nd Reading/Final	<u>2/29/16</u>
Adoption:	<u>2/29/16</u>

Petitioner (Print): Rodrick L. Tobin
 Signature: Rodrick L. Tobin
 Title: Attorney for Dave Schumaker
 Date: 1/26/16 Phone: (605) 225-5420
 Address: 400 Capital Building 415 S. Main St.
Aberdeen SD 57401
 City State Zip

Owner (Print): _____
 (If different than above)
 Signature: Dave Schumaker
 Title: _____
 Date: _____ Phone: (605) 266-5588
 Address: 810 392nd Ave
Aberdeen SD 57401
 City State Zip

(Additional Signatures may be submitted on separate page)

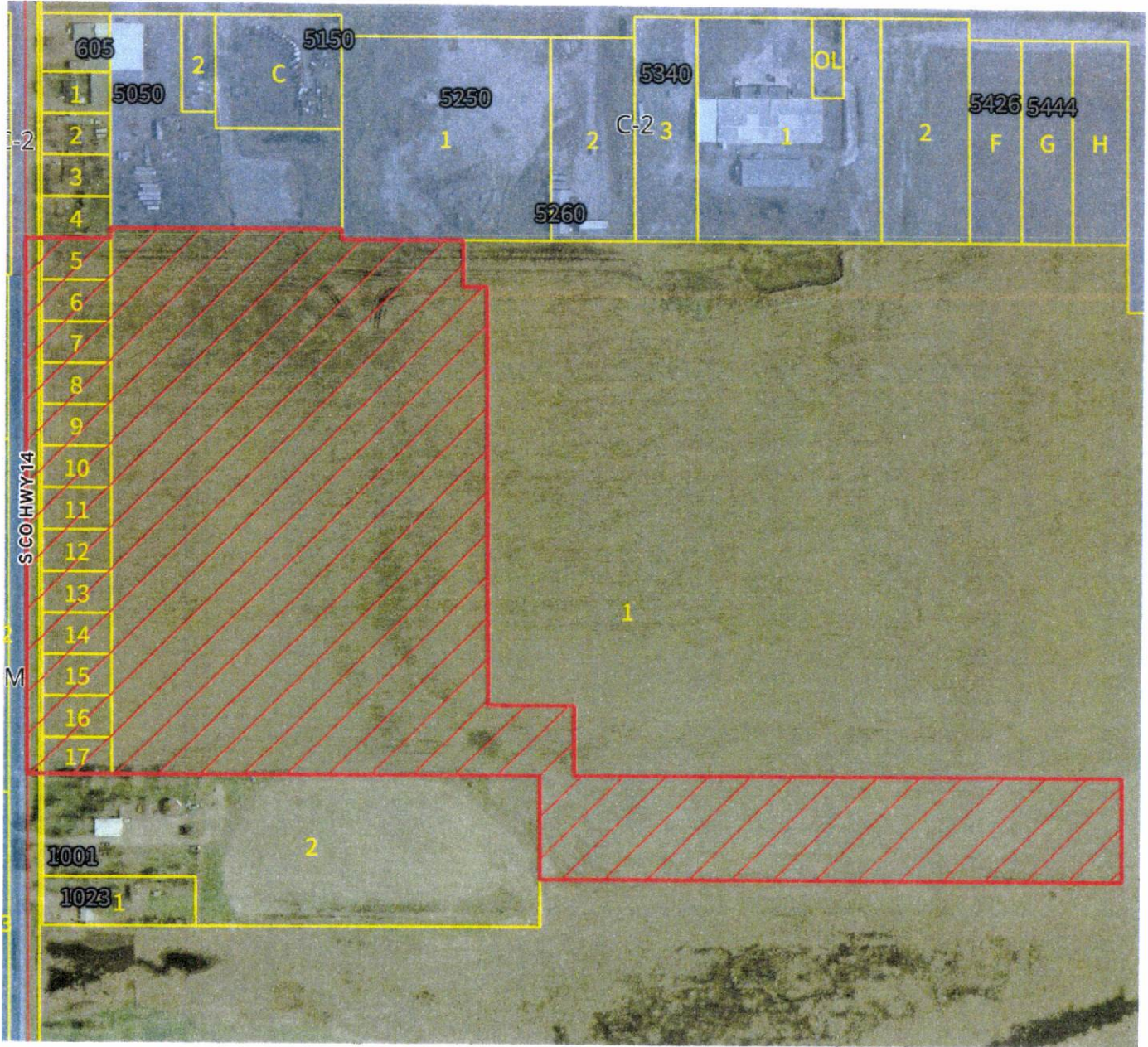
Rezone Proposal

Address: 815 S Co Hwy 14

Legal Description: PROPOSED Meadowlark Acres Addition to Aberdeen in the NW 1/4 of Sec. 22, T123N, R63W of the 5th P.M., Brown County, South Dakota

Current Zoning: A-1 (Agricultural)

Proposed Zoning: R-2 (Medium Density Residential)



Area rezoned: 1,815,274 sq ft (41.67 ac)



Planning, Zoning, and Code Enforcement - GIS Division

File No. 16-02-08 (454)

Date: 1/29/2016

Some legal descriptions obtained from Assessor's Office of Brown County, SD
For advisory purposes only; not a legal document.

ORDINANCE NO. 16-02-08
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 Rodrick L. Tobin, Attorney for Property Owner Dave Schumaker, 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 (R-2) Medium Density Residential District, said property is described as follows:

Meadowlark Acres Addition to Aberdeen in the NW ¼ of Section 22, T123N,
R63W of the 5th P.M., Brown County, South Dakota (815 S. County Hwy #14)

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 February 4, 11, and 18, 2016

Passed First Reading _____

Passed Second Reading _____

Adopted _____

Published _____

Effective Date _____