
**AGENDA, JOINT CITY COUNCIL/COUNTY COMMISSION MEETING
TUESDAY, NOVEMBER 8, 2011, 8:45 A.M.
BROWN COUNTY COMMISSION CHAMBERS, 25 MARKET STREET**

1. ROLL CALL

2. ORDINANCE NO. 11-10-03 (401) – ORDINANCE AMENDING ORDINANCE NO. 1164 TO REZONE CERTAIN DESCRIBED PROPERTY FROM SECTION 701 (A-1) TO SECTION 714 (M-AG)
LOT 1, ROHR FIRST SUBDIVISION IN THE S ½ OF SECTION 36, T124N, R64W OF THE
5TH P.M., BROWN COUNTY, SOUTH DAKOTA
POSSIBLE SECOND READING AND FINAL ADOPTION OF ORDINANCE NO. 11-10-03

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:	November 8, 2011
Agenda Section	New Business Joint City/County Meeting	Originating Dept:	Planning and Zoning
Resolution	NA		
Ordinance	11-10-03 (401)	Prepared by:	Ken Hubbart, Planner
No. of Attachments	3	Presented by:	Brett Bill Planning and Zoning Director/Building Official

Item:

Rezoning: A-1 (Agricultural District) to M-Ag (Mini-Agricultural District)
110 Brown County #12 – Terrance and Eileen Rohr

City Manager's Proposed Action:

Motion by _____, Second by _____ to approve ^{second}~~first~~ reading of the proposed petition to rezone.

Overview:

The petitioners are requesting this petition to rezone in order to bring the property into compliance with minimum lots size requirements. This petition to rezone was approved by the Aberdeen Planning Commission and the Brown County Planning Commission on October 18, 2011.

Primary/Issues/Alternatives to Consider:

None.

Budgetary/Fiscal Issues:

None.

Attachments:

Ordinance
Staff Report
Petition to Rezone
Map of proposed Rezone

STAFF REPORT
October 18, 2011

PETITION TO REZONE (A-1 to M-AG)

GENERAL INFORMATION

PETITIONER	Terrance & Eileen Rohr
REQUEST	Petition to Rezone
LEGAL DESCRIPTION	Proposed Lot 1, Rohr First Subdivision in the S½ of Section 36-T124N-R64W of the 5 th P.M., Brown County, South Dakota
LOCATION	110 Brown County 13 ((Approximately ¼ mile west of the intersection of 130 th St. & 388 th Ave. on the North side of road).
EXISTING ZONING	Agricultural District
SURROUNDING ZONING	
North:	Agricultural District
South:	Mini-Agricultural District
East:	Agricultural and Mini-Agricultural District
West:	Agricultural District
PUBLIC UTILITIES	WEB Water
REPORTED BY	Ken Hubbart

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 minimum lot size requirements.

REVIEW: Staff have reviewed this Petition to Rezone and concur with it's approval.

ORDINANCE NO. 11-10-03
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 and Terrance and Eileen Rohr is hereby granted and Ordinance No. 1164 is hereby amended to change the zoning on the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District, said property being described as follows:

Lot 1, Rohr First Subdivision in the S ½ of Section 36, T124N, R64W of the 5th P.M., Brown County, South Dakota

BE IT FURTHER ORDAINED by the Aberdeen City Council, Brown County, 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.

Notice of Hearing October 13, 20, and 27, 2011

Passed First Reading November 1, 2011

Passed Second Reading _____

Adopted _____

Published _____

Effective Date _____

Mayor

ATTEST:

Finance Officer

REZONING PETITION (Three Mile Jurisdiction)

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

Petition No:	_____
Date:	9/23/11
Receipt No:	435807
Filing Fee: City:	180
County:	150
(non-refundable)	
Ord/Res No:	11-12-23(701)

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):

Lot 1, Rohr First Subdivision in the 5 1/2 Sect. 36 -
T124N - R164W of the 5th P.M., Brown County, South Dakota.

General Area Location or Street Address: Appx 1/4 mile west of intersection of
130th St + 388th Ave on N. side of road.

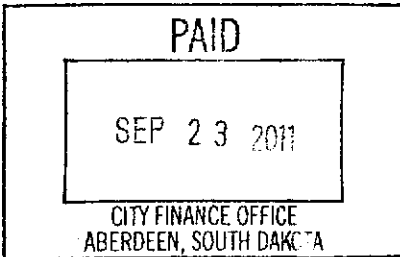
From the A-1 District

To the M-Ag District

Purpose: Bring property into compliance with size and use.
(Residence)

Size of Parcel: 1.38 acres

Existing Land Use: Residence



Petitioner (Print): Todd Rohr

Signature: [Signature]

Date: 9-23-11 Phone: 605-380-9599

Address: 38734 130th St
Aberdeen SD 5740
City State Zip

Owner (Print): Terrence & Eileen Rohr

If different than above.

Signature: _____

Date: _____ Phone: 701-225-6071

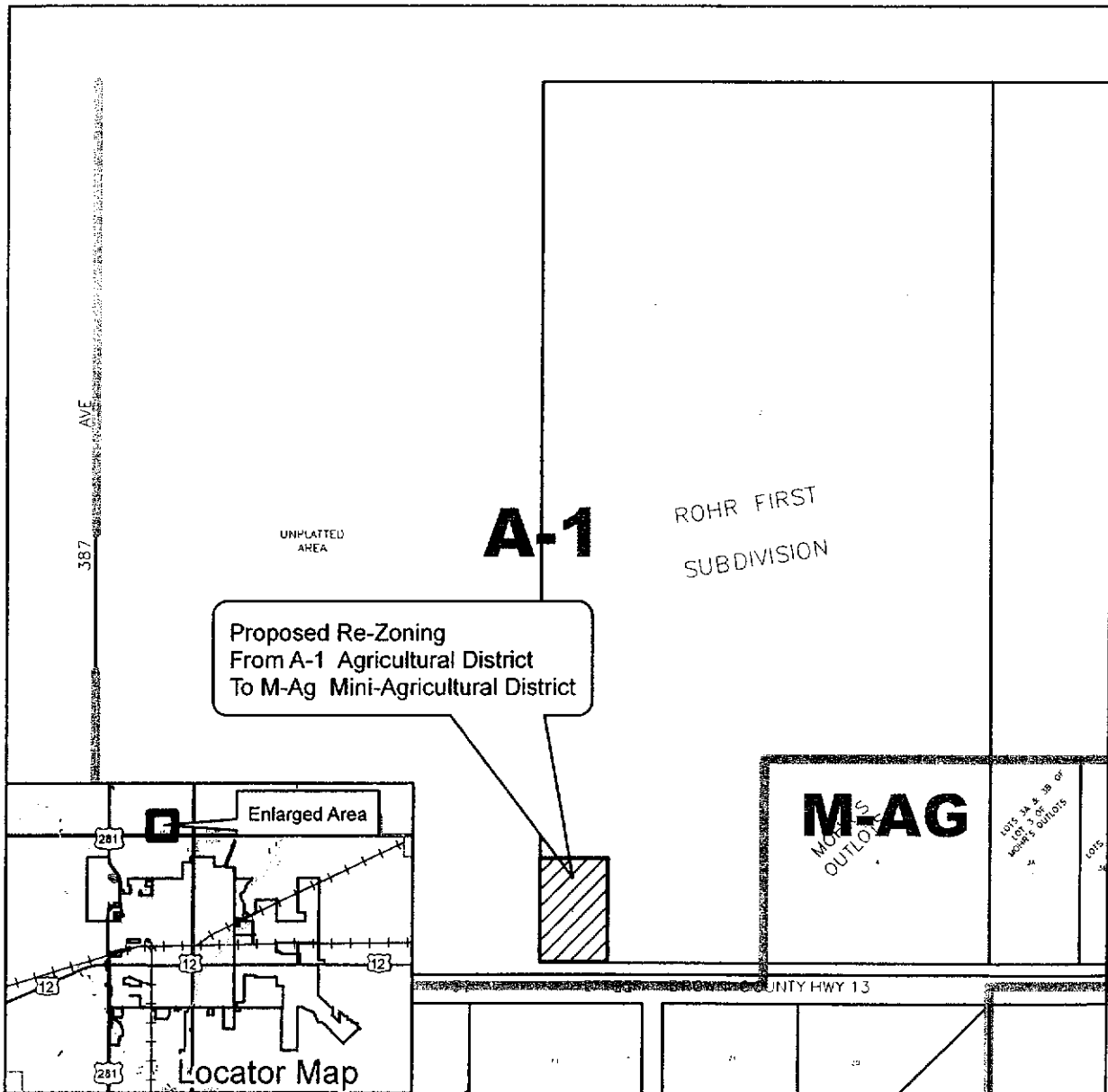
Address: _____
Dickinson ND 58601
City State Zip

Checked by:	<u>[Signature]</u>
Given Sign:	<u>[Signature]</u>
Exhibit A:	<u>[Signature]</u>
Site Plan:	_____
PC Meeting:	<u>10/8/11</u>
1st Reading:	_____
2nd Reading/Final	_____
Adoption:	_____

(Additional Signatures may be submitted on a separate page)

Proposed Re-Zone

Legal Description : Lot 1, Rohr First Subdivision in the S1/2 of Sec. 36 T124N R64W
General Area Location : Approximately 1/4 mile west of intersection of 130th St & 388th Ave on north side of road
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 11-10-03 (401)
Address boundaries and legal descriptions were obtained from the assessor's office of Brown county, South Dakota
Not a Legal Document