

Ordinance 2020 - 01

An Ordinance Authorizing Rezoning of "S150' of the E165' of Lot 1 Krogman 1st Addition in the SE1/4 SE1/4 of Section 16, T110N, R50W (Brookings Township)" from a Joint Jurisdiction R-1B to Joint Jurisdiction B-3.

WHEREAS, Caleb Svartoi made an application to the Brookings County Zoning Board to rezone property from Joint Jurisdiction R-1B to Joint Jurisdiction B-3.

WHEREAS, the Brookings County Planning Commission recommended approval to rezone the property on December 2, 2019;

WHEREAS SDCL 11-2-30 requires the Brookings County Commission to adopt or reject the change;

THEREFORE BE IT ORDAINED, BY BROOKINGS COUNTY, SOUTH DAKOTA, in accordance with Section 800 of Article VIII of Appendix C-Joint Jurisdiction Area Zoning Ordinance, of the City of Brookings and County of Brookings, South Dakota, that the following property be rezoned from Joint Jurisdiction R-1B to Joint Jurisdiction B-3,

"S150' of the E165' of Lot 1 Krogman 1st Addition in the SE1/4 SE1/4 of Section 16, T110N, R50W (Brookings Township)"

Dated this 18th day of February, 2020.



Michael Bartley, Chairman
Brookings County Commission


ATTEST


Vickie Buseth, Finance Officer
Brookings County

First Reading: January 21, 2020

Second Reading: February 18, 2020

Adopted: February 18, 2020

Publication Date: February 27, 2020

Effective Date: March 19, 2020

PETITION FOR REZONING

To the Brookings County Commissioners
And County Planning Commissioners

Gentlemen:

We (I), the undersigned, owner (s) of the property described in paragraph 1 below, do hereby respectfully petition your Honorable Body to amend the present Brookings County Zoning Ordinance as hereinafter designated, and in support thereof, the following facts are presented:

1. That the area to be rezoned is contained in the following legal description:

South 150' of East 165' of Lot 1, Krogman First Addition
SE 1/4 of SE 1/4 Section 16 T110N R50W also known
as 1806 US Highway 14, Brookings, SD

2. That it is requested and desired that the foregoing property be rezoned from the

JJR-1B District to the JJB-3 District.

3. That the reasons for requesting the change are as follows:

Remove residence and use land consistent with Joint B-3 Dismet.

4. That the undersigned below own (s) property within the area which is requested to be rezoned.

5. That the undersigned have been fully appraised and acquainted with the uses to which the area to be rezoned may be put if the rezoning takes place.

6. That in addition to the name (s) given below, there is also attached a plat and the names and mailing addresses of abutting landowners. (Property shall be considered as abutting even though it may be separated from the property of the petitioner by a public road or highway.)

7. That the undersigned shall notify all abutting landowners by registered or certified mail of the petitioned zoning change at least one week prior to any public hearing held thereon by the County Commissioners or County Planning Commission. (see attached map & list)

Respectfully,

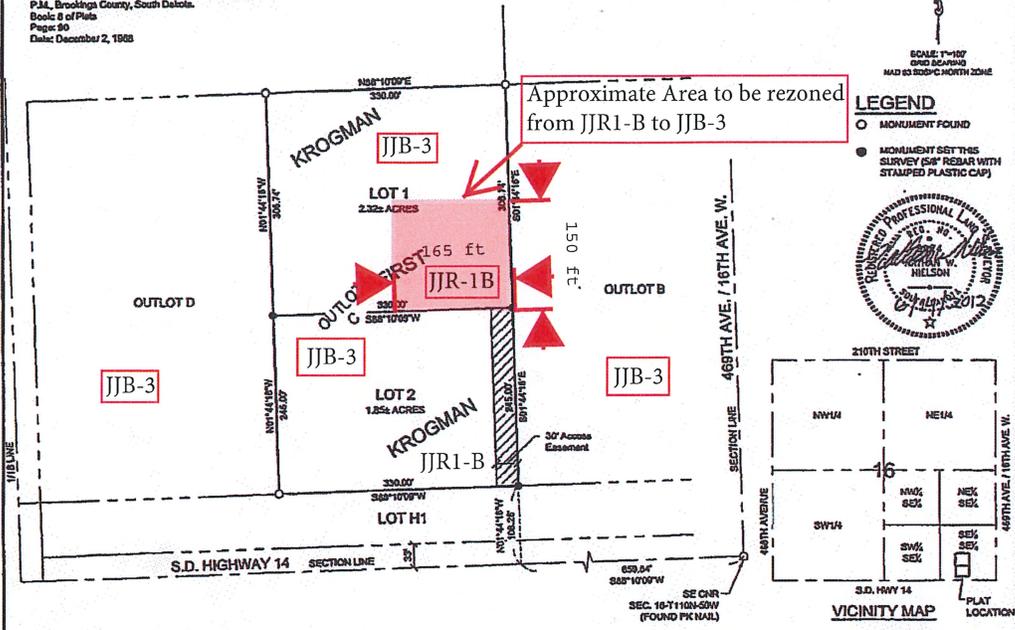
Signed	(Date)	(Name)	(Address)	(Phone)	Description of Property
<u>Caleb</u>	<u>11-13-19</u>	<u>Caleb Svartsien</u>	<u>1523 King Arthur Ct</u> <u>Brookings SD 57004</u>		<u>see above</u>
				<u>605-661-6872</u>	

PLAT OF

LOT 1 AND LOT 2 OF KROGMAN FIRST ADDITION IN THE SE 1/4 OF THE SE 1/4 QUARTER (SE 1/4 SE 1/4) OF SECTION 16-T110N-R50W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA

VACATION NOTE

This plat shall vacate Outlot C of the plat of Outlots A, B, C, D, E & F of Section 16, Township 110 North, Range 50 West of the 5th P.M., Brookings County, South Dakota. Book 8 of Plats Page 80 Date: December 2, 1958



NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A COMPLETE TITLE REPORT AND DOES NOT PURPORT TO SHOW EASEMENTS OF RECORD, IF ANY.

SURVEYOR'S CERTIFICATE

I, Nathan W. Nelson, a Registered Land Surveyor in the State of South Dakota, do hereby certify that at the request of the owner, I have surveyed and platted a parcel of land in the SE 1/4 OF THE SE 1/4 QUARTER OF SECTION 16-T110N-R50W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA, as shown on the attached plat and marked upon the ground the boundaries thereof in the manner shown on said plat, and that the parcel of land shall be known and described as LOT 1 AND LOT 2 OF KROGMAN FIRST ADDITION IN THE SE 1/4 OF THE SE 1/4 QUARTER OF SECTION 16-T110N-R50W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA, the locations and dimensions of which are represented on said plat. This plat shall vacate Outlot C of the plat of Outlots A, B, C, D, E & F of Section 16, Township 110 North, Range 50 West of the 5th P.M., Brookings County, South Dakota, dated December 2, 1958 in Book 8 of Plats on page 80 thereof.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THIS 14th DAY OF JUNE, 2012.

Nathan W. Nelson, Registered Land Surveyor, Banner Associates, Inc., 408 2nd Ave. S., Brookings, South Dakota 57006, Telephone (605) 682-6342

CERTIFICATE OF OWNER

We ROBERT D. KROGMAN AND SHARON KROGMAN, owners of the tract of land shown in the above plat, hereby certify that we did authorize and do join in and approve the above survey and plat, and that said tract of land is free of any encumbrances, and that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations. There is hereby granted to the holder of any utility franchise, an easement at the locations shown in the above plat for the purpose of installing and maintaining any utility line. Any land shown in the above plat and designated as a street or court is hereby dedicated to public use as such forever, but such dedication shall not be construed to be a donation of the fee of such land.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THIS 14 DAY OF June, 2012.

Robert D. Kroghan and Sharon Kroghan, Owners

ACKNOWLEDGMENT OF OWNER

STATE OF South Dakota, COUNTY OF Brookings

On this day, before me, the undersigned, a Notary Public, within and for the State and County aforesaid, personally appeared ROBERT D. KROGMAN AND SHARON KROGMAN, known to me to be the persons who executed the foregoing Certificate of Owner, and acknowledged to me that they executed the same.

IN WITNESS MY HAND AND SEAL THIS 14th DAY OF June, 2012.

Chuck A. May, Notary Public, My Commission Expires 3-20-2015

CERTIFICATE OF COUNTY PLANNING COMMISSION

Approved by the Brookings County Planning Commission on the 10 day of July, 2012.

Dean Hunt, Chairman, Brookings County Planning Commission

RESOLUTION NO. 12-37

It was moved by Miller, seconded by Griggs, motion carried that the plat of LOT 1 AND LOT 2 OF KROGMAN FIRST ADDITION IN THE SE 1/4 OF THE SE 1/4 QUARTER OF SECTION 16-T110N-R50W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA, as described above and heron be approved and accepted and the Chairman is hereby instructed to endorse on such plat this resolution and to certify the same.

ATTEST: Chairman, Board of Commissioners, Brookings County, South Dakota

DIRECTOR OF EQUALIZATION

Joyce Desrosiers, Director of Equalization, Brookings County, South Dakota, do hereby certify that a copy of the above plat has been filed at my office.

Joyce Desrosiers, Director of Equalization, Brookings County, South Dakota

COUNTY FINANCE CERTIFICATE

Tom Schultz, Finance Officer of Brookings County, South Dakota, do hereby certify that all taxes which are here upon the land shown in the above plat, as shown by the office, have been paid in full.

Tom Schultz, Finance Officer, Brookings County, South Dakota

REGISTER OF DEEDS

STATE OF SOUTH DAKOTA, COUNTY OF BROOKINGS

Filed for record this 25th day of September, A.D., 2012 at 2:30 o'clock P.M., and recorded in book 30 of Plats on page 55 thereof.

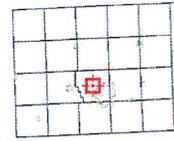
Debra Chapman, Register of Deeds, Deputy

240415

2012



Overview



Legend

- Brookings City Limits
- City Limits
- City Zoning
- A
- AP
- B-1
- B-2
- B-2A
- B-3
- B-4
- B-5
- I-1
- I-1R
- I-2
- JJ-A
- JJ-B3
- JJ-I1
- JJ-I1R
- JJ-R1A
- JJ-R1B
- JJ-R3A
- PDD
- R-1
- R-1A
- R-1B
- R-1C
- R-2
- R-3
- R-3A
- RB-4
- RMH
- Township Boundar
- Sections
- Joint Jurisdiction Area
- Parcels
- Roads
- County Roads
- Gravel Roads
- Paved Roads

Parcel ID	060181105016401	Alternate ID	n/a	Owner Address	EC PROPERTIES LLC
Sec/Twp/Rng	16-110-50	Class	NACS		1523 KING ARTHUR CT
Property Address	1806 US HWY 14	Acreage	n/a		BROOKINGS SD 57006
	BROOKINGS				
District	0601				
Brief Tax Description	KROGMAN 1ST ADDN LOT 1 IN SE 1/4 SE 1/4 SEC 16-110-50 2.32 AC				
	(Note: Not to be used on legal documents)				

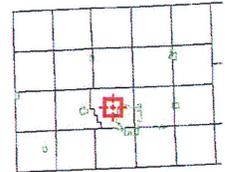
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Developed by Schneider
 GEOSPATIAL

2019 RZ 001



Overview



Legend

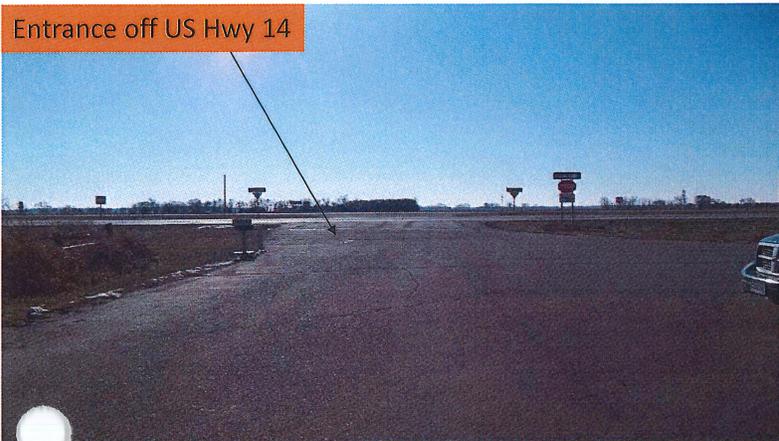
- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Parcels
- Roads

Parcel ID	060181105016401	Alternate ID	n/a	Owner Address	EC PROPERTIES LLC
Sec/Twp/Rng	16-110-50	Class	NACS		1523 KING ARTHUR CT
Property Address	1806 US HWY 14	Acreage	n/a		BROOKINGS SD 57006
	BROOKINGS				
District	0601				
Brief Tax Description	KROGMAN 1ST ADDN LOT 1 IN SE 1/4 SE 1/4 SEC 16-110-50 2.32 AC				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 11/20/2019
 Last Data Uploaded: 11/20/2019 8:05:02 AM

Developed by **Schneider**
 GEOSPATIAL

Entrance off US Hwy 14

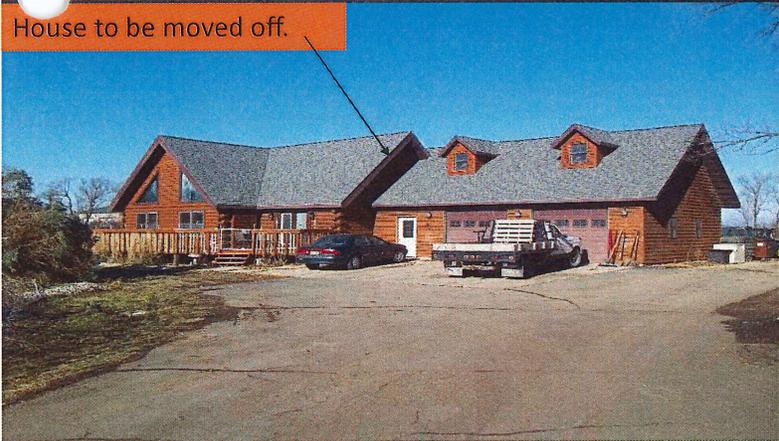


30 feet access easement driveway on Lot 2 for Lot 1 access off US Hwy 14.



2019rz001: Caleb Svartoiem for EC Properties LLC.

House to be moved off.



Current B-3 Zoned area north of house used for landscape business

