

**PLANNING COMMISSION/
BOARD OF ADJUSTMENT MEETING
CITY COMMISSION ROOM
Tuesday, September 13, 2022
7:00am**

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES: Planning Commission Minutes – July 12, 2022

APPROVAL OF MINUTES: Board of Adjustment Minutes – July 12, 2022

APPROVAL OF AGENDA:

APPEARANCES, ACKNOWLEDGEMENTS, CORRESPONDENCE:

OLD BUSINESS (Planning Commission and Board of Adjustment): None

NEW BUSINESS (Board of Adjustment):

1. Hearing on Appeal No. 674 – by Gerald Robson & Lynette Grabowska, for a variance application that, if granted, will permit the applicant to construct an 8-foot addition to the east side of the existing garage at 104 NW 5th Street using a 22’-6” front setback in lieu of the required 25’ setback.
2. Decision on Appeal No. 674 – Gerald Robson & Lynette Grabowska.
3. Hearing on Appeal No. 675 – by Norma Goth, for a variance application that, if granted, will permit the applicant rebuild five metal storage buildings at 900 SW 10th Street that were destroyed in the May 12, 2022, storm using sheet siding, and allow a 35’ setback instead of the required 50’ setback so the buildings can be reconstructed in the same location they were previously.
4. Decision on Appeal No. 675 – Norma Goth
5. Hearing on Appeal No. 676 - by Scott Devaney for a conditional use permit that, if granted, will permit the applicant to move a 1965 26’ x 36’ remodeled home to 113 Ramm Heights Drive. The home will be placed on a new foundation and the existing garage on the lot will be moved to the south side of the home.
6. Decision on Appeal No. 676 – Scott Devaney
7. Hearing on Appeal No. 677 - by Tom & Connie Knapp, for a variance application that, if granted, will permit the applicant to rebuild their 12’ x 22’ attached garage at 920 SW 1st Street that was damaged in the May 12, 2022, storm in the same location it was previously. This will result in a 1’-10” setback in lieu of the required 15’ setback.

8. Decision on Appeal No. 677 – Tom & Connie Knapp
9. Hearing on Appeal No. 678 - by Austin Kesteloot, for a variance application that, if granted, will permit the applicant to construct 16' tall sidewalls in lieu of the required 10' sidewall height on a proposed 30' x 40' detached storage garage at 914 N Liberty Avenue.
10. Decision on Appeal No. 678 – Austin Kesteloot
11. Hearing on Appeal No. 679 - by Brenton Bender for a conditional use permit that, if granted, will permit the applicant to move a 2000 Supreme 16'x76' mobile home to Lot 118 in Woodbury Estates Mobile Home Park at 515 NW 9th Street.
12. Decision on Appeal No. 679 – Brenton Bender
13. Hearing on Appeal No. 680 - by Brenton Bender for a conditional use permit that, if granted, will permit the applicant to move in a 1998 Champion 14' x 80' mobile home and place it between Lots 206-211 in Woodbury Estates Mobile Home Park at 515 NW 9th Street.
14. Decision on Appeal No. 680 – Brenton Bender
15. Hearing on Appeal No. 681 - by William Hyland, for a variance application that, if granted, will permit the applicant to use sheet siding for an addition onto an existing structure at 505 S. Highland Avenue.
16. Decision on Appeal No. 681 – William Hyland

NEW BUSINESS (Planning Commission):

1. Hearing on Appeal No. 673, Mark & Susan Nelson, requesting a change of Zoning that, if granted, will change the Zoning District from Heavy Manufacturing (MH) to Duplex Residential (R-60).
2. Decision on Appeal No. 673, Mark & Susan Nelson
3. Final Plat Approval – Lots 6 thru 12 Inclusive, Block 1; Lots 1 thru 5 Inclusive Block 2, Cyber Estates Addition to the City of Madison, Lake County, South Dakota

PUBLIC INPUT:

ADJOURNMENT:

Any person with a disability wishing to attend any board meeting who may require special arrangements may contact the Finance Office at 256-7500 and all attempts shall be made to accommodate those requests

PLANNING COMMISSION PROCEEDINGS
CITY OF MADISON
July 12, 2022
7:00 am

Chairman John Groce called the meeting to order at 7:03 am.

The following members were present for roll call: Chairman John Groce, Commissioners Jim Iverson, Bob Maxwell, Roger Olson, Michael Johnson, Jennifer Wolff, and Donna Fawbush. Also present were Administrative Officials Ryan Hegg Dan Whitlock, and City Commission liaison Jeremiah Corbin. Gary Zay, Jennifer Hasleton, Marshall Dennert and Jeff Scoular were also in attendance.

Motion by Commissioner Olson to approve the June 14, 2022, Planning Commission minutes, second by Commissioner Maxwell. Motion carried unanimously.

Motion by Commissioner Wolff to approve the June 14, 2022, Board of Adjustment minutes, second by Commissioner Fawbush. Motion carried unanimously.

Motion by Commissioner Iverson, second by Commissioner Wolff to approve the July 12, 2022 agenda.

Motion by Commissioner Olson, second by Commissioner Fawbush to move into Board of Adjustment at 7:05 am. Motion carried unanimously.

Motion by Commissioner Olson. Second by Commissioner Fawbush to move out of Board of Adjustment and into Planning Commission at 7:22 am. Motion carried unanimously.

New Business:

1. Final Plat Approval – Lot 6A and 7A of Kellogg and Kennedy’s Resubdivision.
Mr. Hegg stated that this Plat approval will vacate Lot 6 & 7 creating a “L” shaped Lot of 7A that will have access off of NE Fourth Street, and creating a Lot 6A with street access from NE Third Street.

Motion to approve by Commissioner Iverson to approve Lots Lot 6A and 7A of Kellogg and Kennedy’s Resubdivision of Part of Block 6 and Part of Western Ave.(Vacated) in Kennedy’s Extension of Madison, Lake County, South Dakota. Second by Commissioner Wolff. Motion carried unanimously.

2. Final Plat Approval – Tract 1 of Pederson Addition to the City of Madison, Lake County, South Dakota. Mr. Hegg stated that this would combine 3 lots of the current portions into one tract. The tract meets all Zoning Requirements per the city.

Motion to approve by Commissioner Olson to approve Tract 1 of Pederson Addition to the City of Madison, Lake County, South Dakota. Second by Commissioner Olson. Motion carried unanimously.

Public input & comments:

-Jeremiah Corbin commented if there is a constant need for a conditional use for an ordinance, maybe the ordinance needs to be changed. Regarding the type 3 mobile home being no older than 15 years.

-Donna Fawbush comments damaged sidewalk at 518 N Egan from May 12 storm. Is a danger to public. Dan Whitlock states it is on the sidewalk repairs list.

Motion by Commissioner Olson, second by Commissioner Johnson to adjourn. Motion carried unanimously.

The meeting adjourned at 7:44 am.

Dan Whitlock
Planning Commission

**CITY OF MADISON
NOTICE OF PUBLIC HEARING
PROPOSED CONDITIONAL USE & VARIANCE PERMITS**

Notice is hereby given pursuant to SDCL 11-4-21 that a public hearing will be held before the Board of Adjustment on Tuesday, September 13, 2022 at 7:00am, or as soon thereafter as the matter may be heard, in City Hall, Madison, South Dakota, in the Commission Room, to consider in full or in part the following proposed conditional use permits and variance application

Appeal No. 674 by Gerald Robson & Lynette Grabowska, for a variance application that, if granted, will permit the applicant to construct an 8 foot addition to the east side of the existing garage at 104 NW 5th Street using a 22'-6" front setback in lieu of the required 25' setback. The property is legally described as East 95 feet (E95') of Lot One (1) of Subdivision of Block B C Kennedy in Kennedy's Second Extension to Madison, Lake County, South Dakota.

Appeal No. 675 by Norma Goth, for a variance application that, if granted, will permit the applicant rebuild five metal storage buildings at 900 SW 10th Street that were destroyed in the May 12, 2022 storm using sheet siding, and allow a 35' setback instead of the required 50' setback so the buildings can be reconstructed in the same location they were previously. Legal description of the property is Outlot 1 Except the N 222' Moffit's Addition and is located at 900 SW 10th Street.

Appeal No. 676 by Scott Devaney for a conditional use permit that, if granted, will permit the applicant to move a 1965 26' x 36' remodeled home to 113 Ramm Heights Drive. The home will be placed on a new foundation and the existing garage on the lot will be moved to the south side of the home. Legal Description of the property is Lot 13, Block 1 of William's 20th Addition to the City of Madison, Lake County, South Dakota.

Appeal No. 677 by Tom & Connie Knapp, for a variance application that, if granted, will permit the applicant to rebuild their 12' x 22' attached garage at 920 SW 1st Street that was damaged in the May 12, 2022 storm in the same location it was previously. This will result in a 1'-10" setback in lieu of the required 15' setback. Legal description of the property is Lot 7 Block 15 Henkin's Addition.

Appeal No. 678 by Austin Kesteloot, for a variance application that, if granted, will permit the applicant to construct 16' tall sidewalls in lieu of the required 10' sidewall height on a proposed 30' x 40' detached storage garage at 914 N Liberty Avenue. Legal description of the property is Lot 10 & W1/2 Lots 11 & 12 Block 1 Smith and Trow's.

Appeal No. 679 by Brenton Bender for a conditional use permit that, if granted, will permit the applicant to move a 2000 Supreme 16'x76' mobile home to Lot 118 in Woodbury Estates Mobile Home Park at 515 NW 9th Street. Legal description of the property is Lots 3, 4, & 7 Except the W132' S113' & All Lot 8 County Auditor's Subdivision E1/2 E1/2 NW¼ Section 6.

Appeal No. 680 by Brenton Bender for a conditional use permit that, if granted, will permit the applicant to move in a 1998 Champion 14' x 80' mobile home and place it between Lots 206-211 in Woodbury Estates Mobile Home Park at 515 NW 9th Street. Legal description of the property is Lots 3, 4, & 7 Except the W132' S113' & All Lot 8 County Auditor's Subdivision E1/2 E1/2 NW¼ Section 6.

| Appeal No. 681 by William Hyland, for a variance application that, if granted, will permit the applicant to use sheet siding for an addition onto an existing structure at 505 S. Highland Avenue. Legal description of the property is the N334' E1018' SE1/4 Except Hwy 12-106-53

Any person wishing to present testimony may appear at said hearing or may file written comments with the Finance Officer at 116 W Center Street, Madison, South Dakota, prior to said hearing. **All written comments desired to be included in the agenda packet must be filed no later than end of business on Wednesday, September 7th, 2022.** Disabled individuals may contact the Finance Officer for information and/or special assistance. The request should be made 24 hours in advance of the hearing.

/s/Sonya Wilt
Finance Officer

Published once at the approximate cost of \$_____.

receipt #
R00010118
8/23/22

CITY OF MADISON
VARIANCE APPLICATION

APPEAL NUMBER 674

APPLICANT (PRINT): Gerald Robson / Lynette Gimbouska PHONE: 605-940-4149
605 480 3329

ADDRESS: 104 NW 5th St. Madison, SD 57042

OWNER (PRINT): _____ PHONE: _____
IF DIFFERENT THAN APPLICANT

ADDRESS: _____

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE BOARD OF ADJUSTMENT OF THE CITY OF MADISON SOUTH DAKOTA, TO ISSUE A VARIANCE FOR THE PROPERTY DESCRIBED AS:

LEGAL DESCRIPTION (Please print or type)

The East 95 Feet (E 95') of Lot One (1) of Subdivision of Block B.C. Kennedy in Kennedy's Second Extension to Madison, Lake County, South Dakota

GENERAL AREA OR STREET ADDRESS: 104 NW 5th St. Madison, SD 57042

EXISTING LAND USE: Residential EXISTING ZONING: Residential - R-60

SIZE OF PARCEL: ACRES / 7125 SQFT LOT DIMENSIONS: WIDTH 95 LENGTH _____ DEPTH 75

SURROUNDING LAND USE

NORTH: Residential / Neighbor
SOUTH: Park (Memorial)
EAST: Egan Avenue
WEST: Residential / Neighbor

PLEASE PROVIDE A BRIEF STATEMENT OF THE VARIANCE DESIRED AND PLEASE STATE THE HARDSHIP REQUIRING RELIEF. (Proof of hardship is on the applicant - Hardship examples are odd size or shape of the lot, unusual topography, etc. attach a letter of explanation to document requirements necessary to approve if necessary)

We would like to add 8 Feet to the east end of our existing garage. turning the garage into a 2 stall garage. we would also like to add a entrance driveway coming off of Egan Avenue.

I (we) further state that if this request is granted, I (we) will proceed with the actual construction in accordance with the plans herewith submitted within one year or additional time as extended from the effective date of the appeal.

SIGNATURE OF APPLICANT Gerald Robson / Lynette Gimbouska

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

NOTE: A SKETCH OF PROPOSED PROPERTY SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

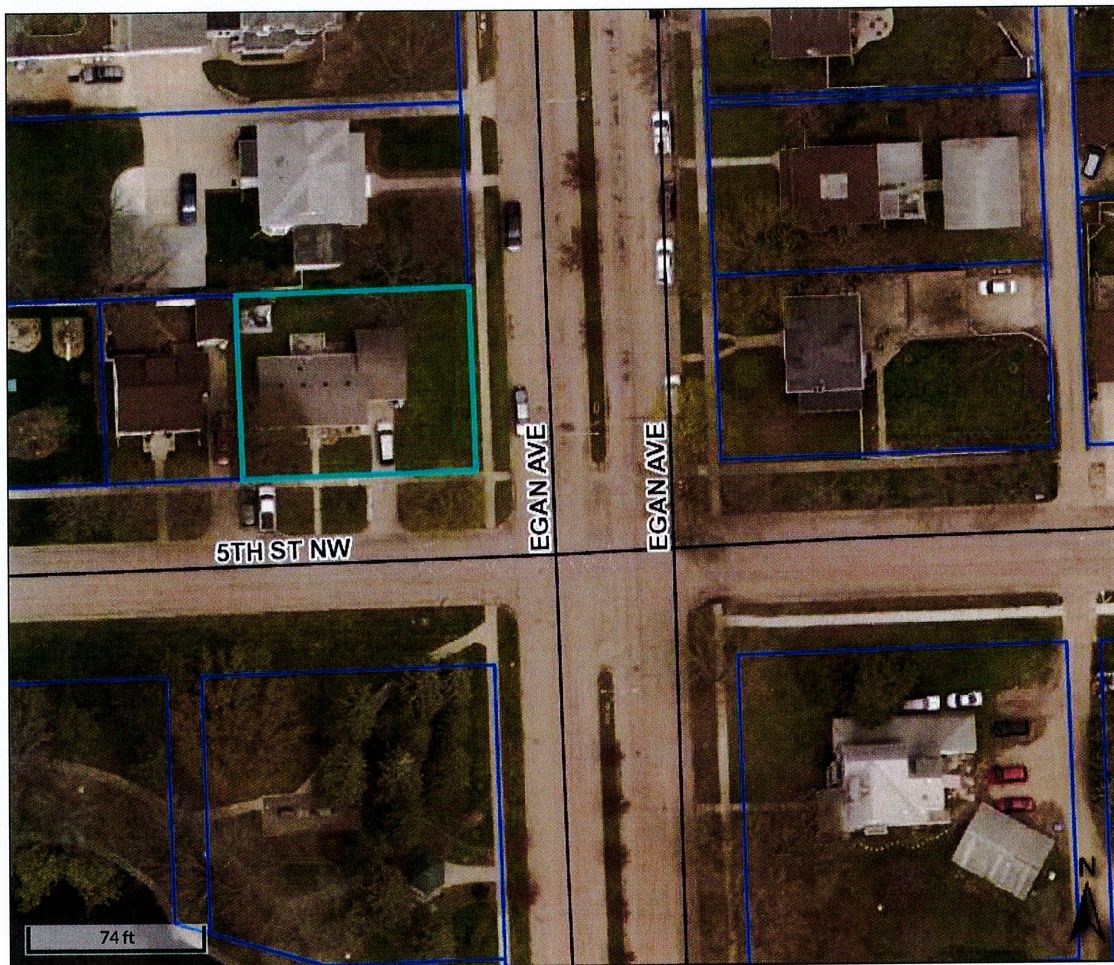
2. NORTH DIRECTION
2. DIMENSIONS OF PROPOSED STRUCTURE
3. STREET NAMES
4. OTHER INFORMATION AS MAY BE REQUESTED
5. LOCATION OF PROPOSED STRUCTURE ON LOT
6. DIMENSIONS OF FRONT AND SIDE SET BACKS
7. LOCATION OF ADJACENT EXISTING BUILDINGS

THE BOARD OF ADJUSTMENT MAY REQUIRE THAT SUCH PLANS BE PREPARED BY A REGISTERED ENGINEER OR LAND SURVEYOR.

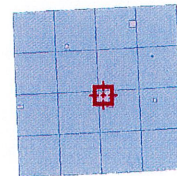
**PLEASE USE THE ATTACHED SKETCH INSTRUCTION SHEET FOR AN EXAMPLE.

FOR OFFICIAL USE ONLY

DATE FILED WITH ADMINISTRATIVE OFFICIAL: _____
FEE PAID (NON-REFUNDABLE): _____ YES _____ NO
DATE OF HEARING: _____
ACTION BY BOARD OF ADJUSTMENT: _____



Overview



Legend

- Parcels
- Roads
- Corporate Limits
- Political Township

Parcel ID 21255000001010
 Sec/Twp/Rng n/a
 Property Address 104 NW 5TH ST

Alternate ID n/a
 Class D-S
 Acreage n/a

Owner Address ROBSON, GERALD &
 GRABOWSKA, LYNETTE
 104 NW 5TH ST
 MADISON,, SD 570420000

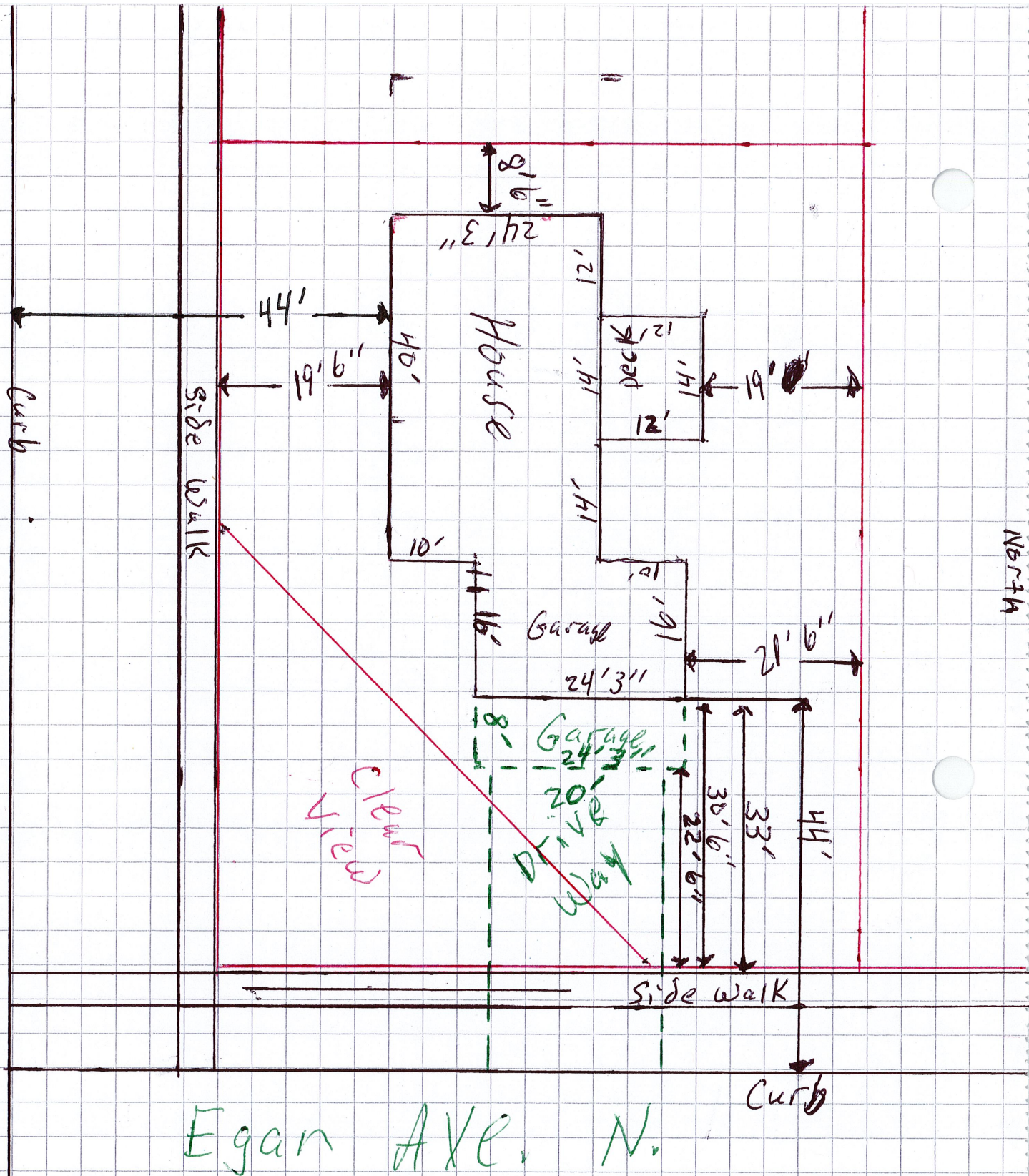
District n/a
 Brief Tax Description n/a

(Note: Not to be used on legal documents)

Date created: 8/16/2022
 Last Data Uploaded: 8/16/2022 8:47:42 AM

Developed by  **Schneider**
 GEOSPATIAL

104 NW. 5th St.



Red = Lot Lines
Red = 50' Clear View

4 Feet Per
Square

F.A.S.T

Variance for 104 NW 5th St.

Madison, SD

Gerald Robson / Lynette Grabowska

Reason for variance is to add eight feet to east for larger garage.

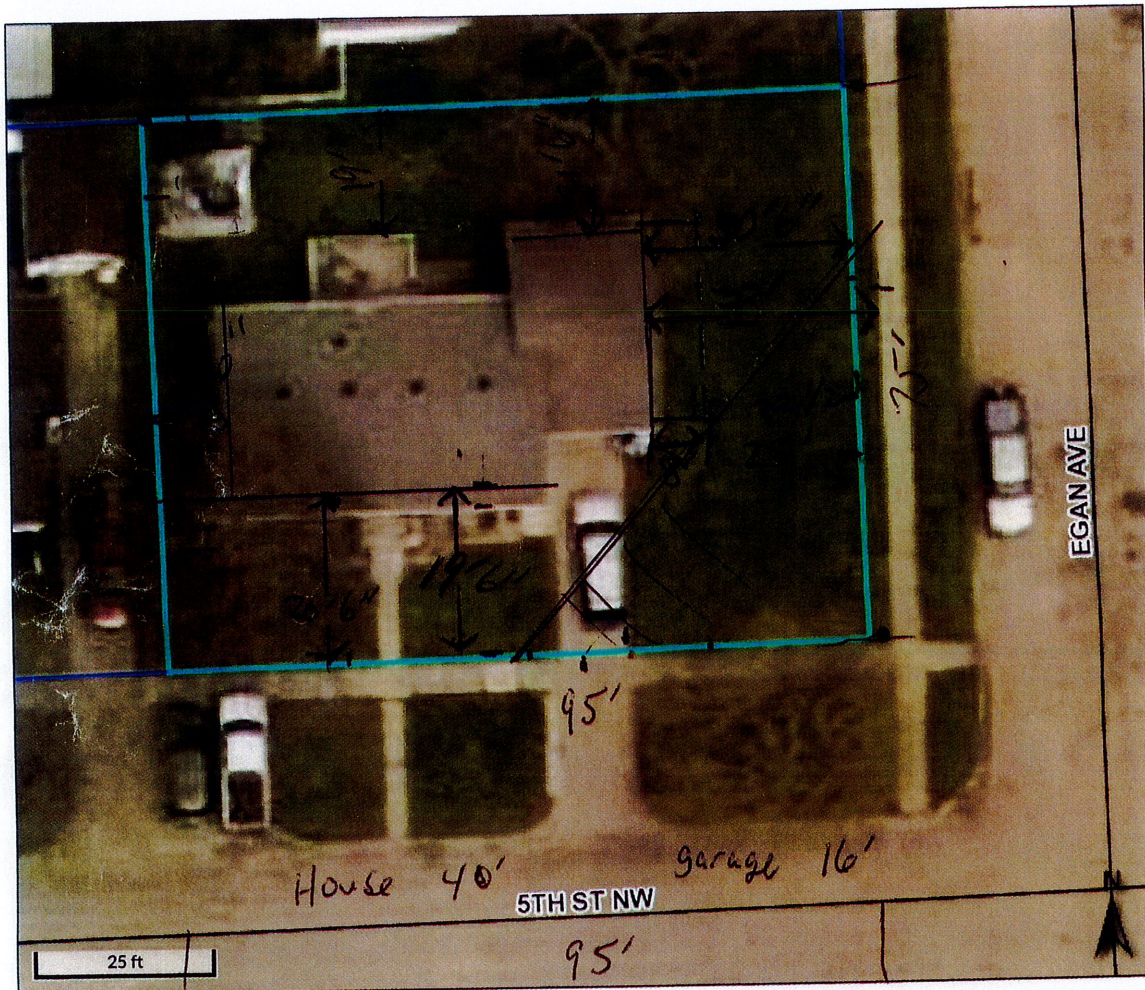
(Alan Serfling
Alan Serfling

(Steven Vohnoutka
Kevin Vohnoutka

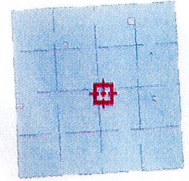
Kelly Johnson

Ray J. Lindsay Jr. City of Madison Mayor

2' 6" Property line to side walk



Overview



Legend

- Parcels
- Roads
- Corporate Limits
- Political Township

side walk 4'
side walk to
street 7'

Parcel ID 212550000001010
Sec/Twp/Rng n/a
Property Address 104 NW 5TH ST

Alternate ID n/a
Class D-S
Acreage n/a

Owner Address ROBSON, GERALD &
GRABOWSKA, LYNETTE
104 NW 5TH ST
MADISON, SD 570420000

District n/a
Brief Tax Description n/a

(Note: Not to be used on legal documents)

Date created: 8/2/2022
Last Data Uploaded: 8/2/2022 8:02:46 AM

Developed by  Schneider
GEOSPATIAL

1' Property line to S.W.
S.W. 4'
S.W. to curb 19' 6"

Clearview triangle 50' from prop pin each way

Setback 25' from prop line

Kent Johnson
Banner Associates
~~855~~ 855-323-6342

Ryan Heagy 605-256-~~7514~~
(city) 7514

CITY OF MADISON
VARIANCE APPLICATIONAPPEAL NUMBER 675APPLICANT (PRINT): Norma Geth PHONE: 605-480-1103ADDRESS: 204 NW 9th St, MadisonOWNER (PRINT): _____ PHONE: _____
IF DIFFERENT THAN APPLICANT

ADDRESS: _____

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE BOARD OF ADJUSTMENT OF THE CITY OF MADISON SOUTH DAKOTA, TO ISSUE A VARIANCE FOR THE PROPERTY DESCRIBED AS:

LEGAL DESCRIPTION (Please print or type)Outlot #1 Exc N 222' Moffitts AddGENERAL AREA OR STREET ADDRESS: 900 SW 10th St, MadisonEXISTING LAND USE: Storage units EXISTING ZONING: MLSIZE OF PARCEL: ACRES 5.19 SQFT 5.19 LOT DIMENSIONS: WIDTH _____ LENGTH _____SURROUNDING LAND USENORTH: Manufacturing (Gehl)
SOUTH: Ag Business (mustang)
EAST: Storage units
WEST: Bare Ag land

PLEASE PROVIDE A BRIEF STATEMENT OF THE VARIANCE DESIRED AND PLEASE STATE THE HARDSHIP REQUIRING RELIEF. (Proof of hardship is on the applicant - Hardship examples are odd size or shape of the lot, unusual topography, etc. attach a letter of explanation to document requirements necessary to approve if necessary)

See Attached Addendum.

I (we) further state that if this request is granted, I (we) will proceed with the actual construction in accordance with the plans herewith submitted within one year or additional time as extended from the effective date of the appeal.

SIGNATURE OF APPLICANT Norma Geth

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

NOTE: A SKETCH OF PROPOSED PROPERTY SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

- | | |
|--|--|
| 2. NORTH DIRECTION | 5. LOCATION OF PROPOSED STRUCTURE ON LOT |
| 2. DIMENSIONS OF PROPOSED STRUCTURE | 6. DIMENSIONS OF FRONT AND SIDE SET BACKS |
| 3. STREET NAMES | 7. LOCATION OF ADJACENT EXISTING BUILDINGS |
| 4. OTHER INFORMATION AS MAY BE REQUESTED | |

THE BOARD OF ADJUSTMENT MAY REQUIRE THAT SUCH PLANS BE PREPARED BY A REGISTERED ENGINEER OR LAND SURVEYOR.

**PLEASE USE THE ATTACHED SKETCH INSTRUCTION SHEET FOR AN EXAMPLE.

FOR OFFICIAL USE ONLY

DATE FILED WITH ADMINISTRATIVE OFFICIAL: _____

FEE PAID (NON-REFUNDABLE): _____ YES _____ NO

DATE OF HEARING: _____

ACTION BY BOARD OF ADJUSTMENT: _____

Variance letter for:
900 SW 10th St
Madison, SD 57042

The hardship for 900 SW 10th St is to rebuild metal storage buildings with sheet siding in the light manufacturing / GT2 overlay district. This is to replace the previous storage buildings that were destroyed in the May 2022 derecho storm. The buildings would be constructed in the same manner as the previous buildings, in the same exact locations. We are also asking for a setback variance for the furthest south building located on the parcel. The setback variance would be 35 feet instead of the required 50 feet in the light manufacturing district. This would place the new building in the exact location it was in prior to the storm.

August 3, 2022

TO WHOM IT MAY CONCERN:

Please be advised that I am requesting a conditional use permit for my property located at Outlot #1, Except the North Two Hundred Twenty-Two Fee (N222') in Moffits Addition, Lake County, South Dakota, also known as 900 Southwest 10th Street, Madison, SD.

I propose to rebuild the damaged steel storage units using sheet siding. The building will be constructed using the same materials and colors as the existing storage units on the property.

I am also requesting a Thirty-Five Foot (35') setback from the normal Fifty Foot (50') setback in order to replace the furthest storage unit to the south of the parcel. This will be constructed in the exact location as before.

You are receiving this notification pursuant to Ordinance of the City of Madison.


NORMA GOTH

CITY OF MADISON
CONDITIONAL USE APPLICATION

APPEAL NUMBER 676

APPLICANT (PRINT): Scott DeVaney PHONE: 608-270-0779

ADDRESS: 410 SW 1st St Madison, SD 57042

OWNER (PRINT): _____ PHONE: _____
IF DIFFERENT THAN APPLICANT

ADDRESS: _____

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE BOARD OF ADJUSTMENT OF THE CITY OF MADISON SOUTH DAKOTA, TO ISSUE A CONDITIONAL USE PERMIT FOR THE PROPERTY DESCRIBED AS:

LEGAL DESCRIPTION (Please print or type)

North 90' Lot 13 in Block Z of
Williams 20th Addition

GENERAL AREA OR STREET ADDRESS: 113 Ram Heights

EXISTING LAND USE: Residential EXISTING ZONING: R-60

SIZE OF PARCEL: ACRES / SQFT 900 LOT DIMENSIONS: WIDTH 90' LENGTH _____ DEPTH 100'
SF

SURROUNDING LAND USE

NORTH: Residential
SOUTH: "
EAST: "
WEST: "

PLEASE DESCRIBE WHAT YOU PROPOSE TO DO AND WHY YOU ARE SEEKING A CONDITIONAL USE PERMIT (attach a separate letter of explanation if necessary)

To move in a 26 x 36 remodeled home (built in 1965) to be put
on new foundation (full basement) and to move the existing garage
on the property to the South side of the house (See attached sheet)

I (we) further state that if this request is granted, I (we) will proceed with the actual construction in accordance with the plans herewith submitted within one year or additional time as extended from the effective date of the appeal.

SIGNATURE OF APPLICANT Scott DeVaney

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

NOTE: A SKETCH OF PROPOSED PROPERTY SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

1. NORTH DIRECTION
2. DIMENSIONS OF PROPOSED STRUCTURE
3. STREET NAMES
4. OTHER INFORMATION AS MAY BE REQUESTED
5. LOCATION OF PROPOSED STRUCTURE ON LOT
6. DIMENSIONS OF FRONT AND SIDE SET BACKS
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FEE PAID (NON-REFUNDABLE): _____ YES _____ NO
DATE OF HEARING: _____
ACTION BY BOARD OF ADJUSTMENT: _____

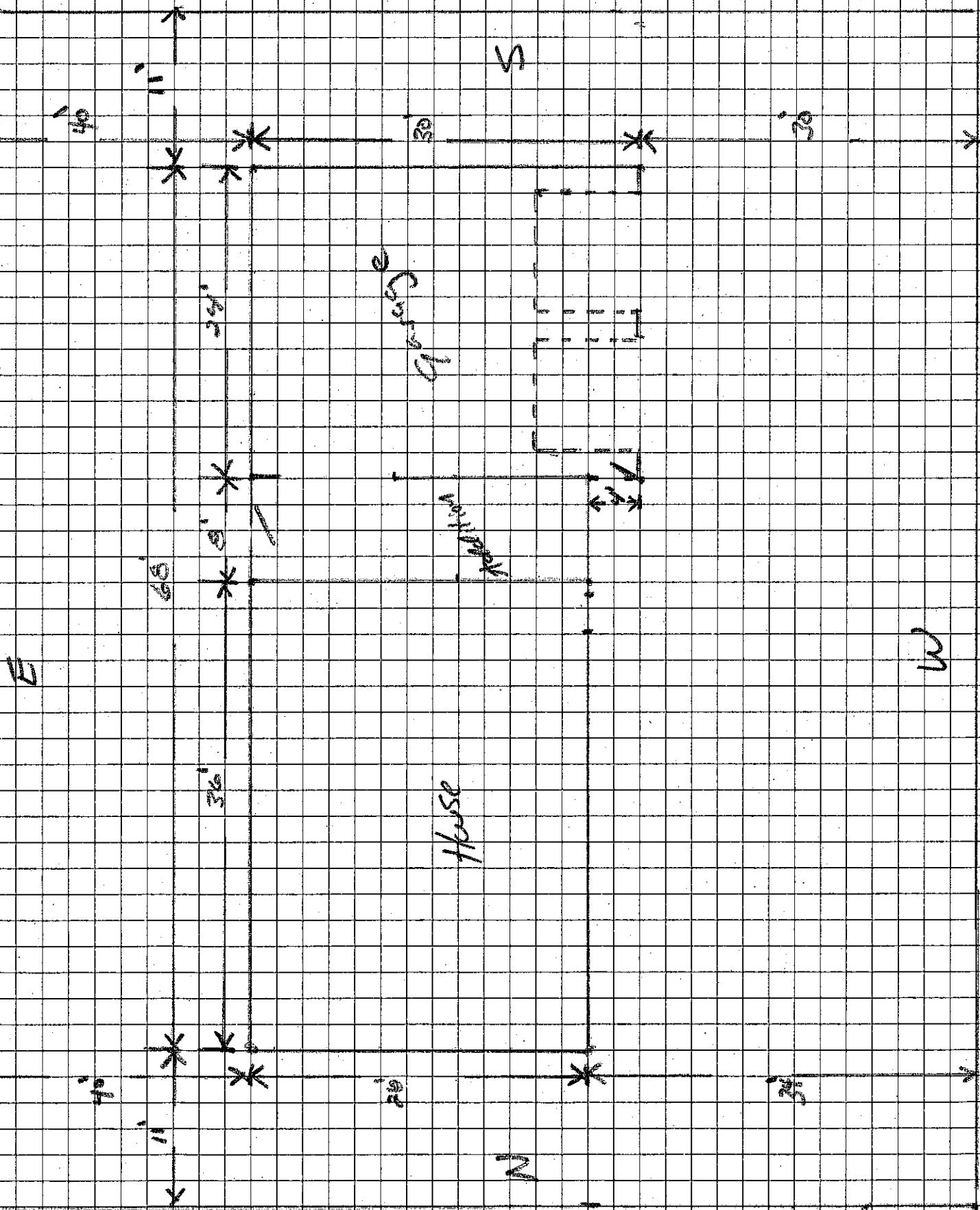
Also to put a 8' x 26' addition
between the house & garage. Everything
to be on new foundation with crawl space
under the addition

E

N

S

W



House

Garage

Porch

Ramn Heights Drive











**CITY OF MADISON
VARIANCE APPLICATION**

APPEAL NUMBER 677

APPLICANT (PRINT): Tom and Connie Knapp **PHONE:** 605-270-2740
605-270-4263

ADDRESS: 920 S.W. 1st

OWNER (PRINT): Connie and Tom Knapp **PHONE:** same
IF DIFFERENT THAN APPLICANT

ADDRESS: 45512 229th Madison SD 57042

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE BOARD OF ADJUSTMENT OF THE CITY OF MADISON SOUTH DAKOTA, TO ISSUE A VARIANCE FOR THE PROPERTY DESCRIBED AS:

LEGAL DESCRIPTION (Please print or type)

Lot 7 Block 15 Henkens Addition

GENERAL AREA OR STREET ADDRESS: 920 S.W. 1st

EXISTING LAND USE: Residential **EXISTING ZONING:** R-60

SIZE OF PARCEL: ACRES / SQFT 7150 **LOT DIMENSIONS:** WIDTH 50 LENGTH 143 DEPTH _____

SURROUNDING LAND USE

NORTH: residence
SOUTH: street industrial
EAST: residence
WEST: street commercial

PLEASE PROVIDE A BRIEF STATEMENT OF THE VARIANCE DESIRED AND PLEASE STATE THE HARDSHIP REQUIRING RELIEF. (Proof of hardship is on the applicant - Hardship examples are odd size or shape of the lot, unusual topography, etc. attach a letter of explanation to document requirements necessary to approve if necessary)

We would like to replace the garage - attached as it was before the may 12 storm

I (we) further state that if this request is granted, I (we) will proceed with the actual construction in accordance with the plans herewith submitted within one year or additional time as extended from the effective date of the appeal.

SIGNATURE OF APPLICANT Connie Knapp

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

NOTE: A SKETCH OF PROPOSED PROPERTY SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

- | | |
|--|--|
| 2. NORTH DIRECTION | 5. LOCATION OF PROPOSED STRUCTURE ON LOT |
| 2. DIMENSIONS OF PROPOSED STRUCTURE | 6. DIMENSIONS OF FRONT AND SIDE SET BACKS |
| 3. STREET NAMES | 7. LOCATION OF ADJACENT EXISTING BUILDINGS |
| 4. OTHER INFORMATION AS MAY BE REQUESTED | |

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**PLEASE USE THE ATTACHED SKETCH INSTRUCTION SHEET FOR AN EXAMPLE.

FOR OFFICIAL USE ONLY

DATE FILED WITH ADMINISTRATIVE OFFICIAL: _____

FEE PAID (NON-REFUNDABLE): _____ YES _____ NO

DATE OF HEARING: _____

ACTION BY BOARD OF ADJUSTMENT: _____





^{replace}
Petition for variance for addition to existing garage

Tom and Connie Krapp ^{replace garage.}
I (name) at (address) am applying for a variance to add a (-) foot addition to my existing garage. The planned addition will be (-) feet away from the property line rather than the required 7.5 foot side setback.

Because I am seeking this variance from City of Madison zoning ordinance, I must notify adjacent property owners of our application. The date of the meeting will be ~~xxxth, 20xx~~ at 7:00 am. If you have comments on this matter you can attend the meeting to discuss.

We the undersigned adjacent property owners in the matter of their submission of application for variance have spoken with the applicant and approve

Printed Name

Signature

Street Address

Date

N. GILBERTSON

Personna

1001 SW 1st St, 8-19-22

Cottage Cuts

1004 SW 1st St

8-19-22

Edward J. Curcio

916 SW 1st St

8-19-22

Chris Jansson

917 W. Center

8-23-22

We the undersigned adjacent property owners in the matter of their submission of application for variance have spoken with the applicant and are acknowledging that we have been made aware.

replace

Petition for variance for addition to ~~existing~~ garage

Tom and Connie Krapp replace garage.
I (name) at (address) am applying for a variance to add a (-) foot addition to my existing garage. The planned addition will be (-) feet away from the property line rather than the required 7.5 foot side setback.

Because I am seeking this variance from City of Madison zoning ordinance, I must notify adjacent property owners of our application. The date of the meeting will be ~~xxxth, 20xx at 7:00~~ am. If you have comments on this matter you can attend the meeting to discuss.

We the undersigned adjacent property owners in the matter of their submission of application for variance have spoken with the applicant and **approve**

Printed Name

Signature

Street Address

Date

N. GILBERTSON

Personna



1001 SW 1st St, 8-19-22

Cottage Cuts

Kay Brown

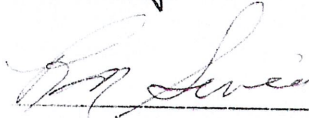
1004 SW 1st St

8-19-22

Edward J. Curcio

916 SW 1st St

8-19-22

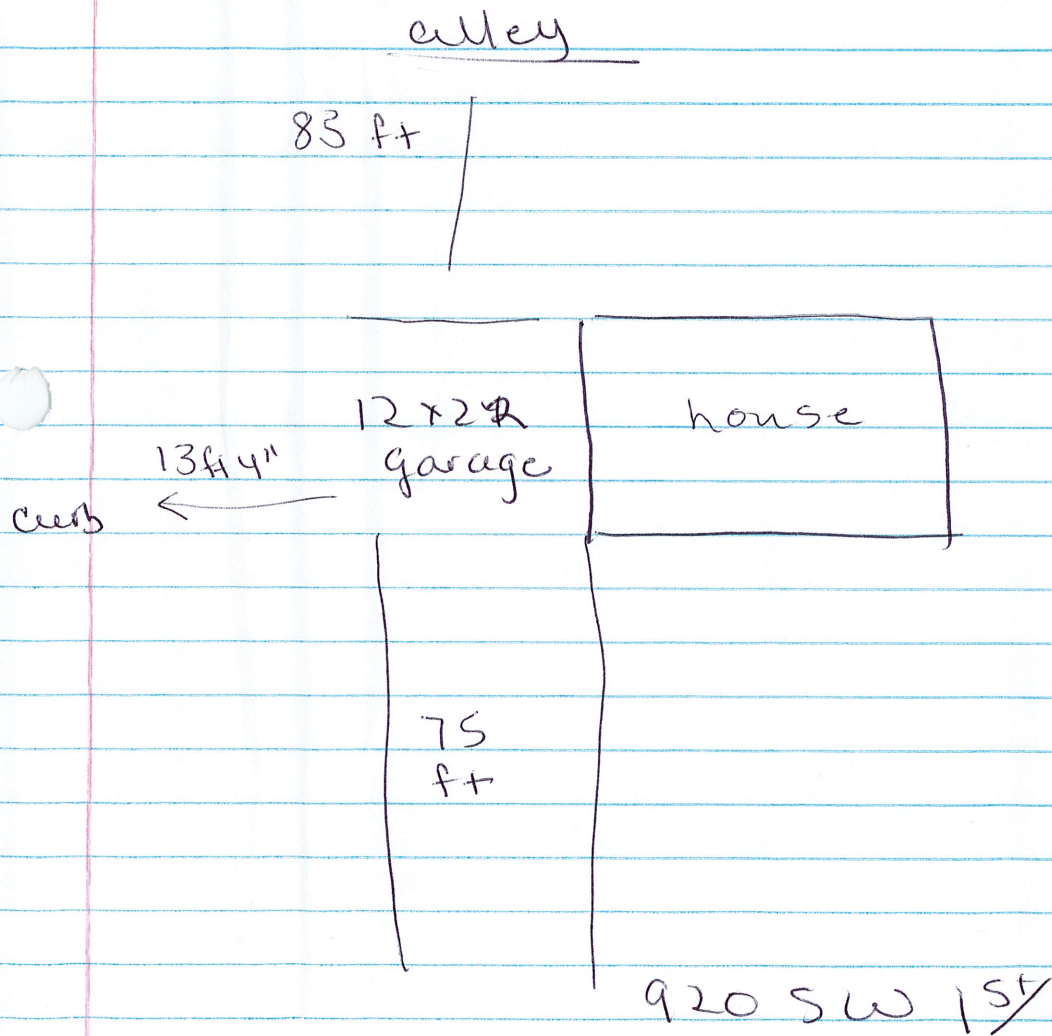


100 S. Catherine

8-25-22

We the undersigned adjacent property owners in the matter of their submission of application for variance have spoken with the applicant and are acknowledging that we have been made aware.

Attached - 85 ft from alley
detached - 61 ft from alley



CITY OF MADISON
VARIANCE APPLICATIONAPPEAL NUMBER 678

8/24/22

Rec # R00010327

APPLICANT (PRINT): Austin Kesteloot PHONE: (605) 270-3676ADDRESS: 914 N. Liberty Ave, Madison SD 57042OWNER (PRINT): _____ PHONE: _____
IF DIFFERENT THAN APPLICANT

ADDRESS: _____

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE BOARD OF ADJUSTMENT OF THE CITY OF MADISON SOUTH DAKOTA, TO ISSUE A VARIANCE FOR THE PROPERTY DESCRIBED AS:

LEGAL DESCRIPTION (Please print or type)Lot 10 + W 1/2 Lots 11 + 12 Block 1 Smith and Trows Add.GENERAL AREA OR STREET ADDRESS: 914 N Liberty Ave, Madison SD 57042EXISTING LAND USE: residential EXISTING ZONING: R-90SIZE OF PARCEL: ACRES / SQFT _____ LOT DIMENSIONS: WIDTH 156 LENGTH 156 DEPTH _____
aprox. aprox.

L-shaped lot

SURROUNDING LAND USENORTH: residential
SOUTH: residential
EAST: residential
WEST: residential

PLEASE PROVIDE A BRIEF STATEMENT OF THE VARIANCE DESIRED AND PLEASE STATE THE HARDSHIP REQUIRING RELIEF. (Proof of hardship is on the applicant - Hardship examples are odd size or shape of the lot, unusual topography, etc. attach a letter of explanation to document requirements necessary to approve if necessary)

I am requesting a variance to build 16' sidewalks on a new 30' x 40' storage garage on my property. With limitations of 10' sidewalks, I am requesting additional height to effectively store our RV and allow for additional overhead space throughout.

I (we) further state that if this request is granted, I (we) will proceed with the actual construction in accordance with the plans herewith submitted within one year or additional time as extended from the effective date of the appeal.

SIGNATURE OF APPLICANT Austin Kesteloot

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

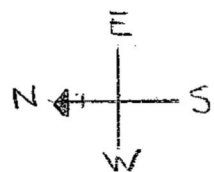
NOTE: A SKETCH OF PROPOSED PROPERTY SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

- | | |
|--|--|
| 2. NORTH DIRECTION | 5. LOCATION OF PROPOSED STRUCTURE ON LOT |
| 2. DIMENSIONS OF PROPOSED STRUCTURE | 6. DIMENSIONS OF FRONT AND SIDE SET BACKS |
| 3. STREET NAMES | 7. LOCATION OF ADJACENT EXISTING BUILDINGS |
| 4. OTHER INFORMATION AS MAY BE REQUESTED | |

THE BOARD OF ADJUSTMENT MAY REQUIRE THAT SUCH PLANS BE PREPARED BY A REGISTERED ENGINEER OR LAND SURVEYOR.

**PLEASE USE THE ATTACHED SKETCH INSTRUCTION SHEET FOR AN EXAMPLE.

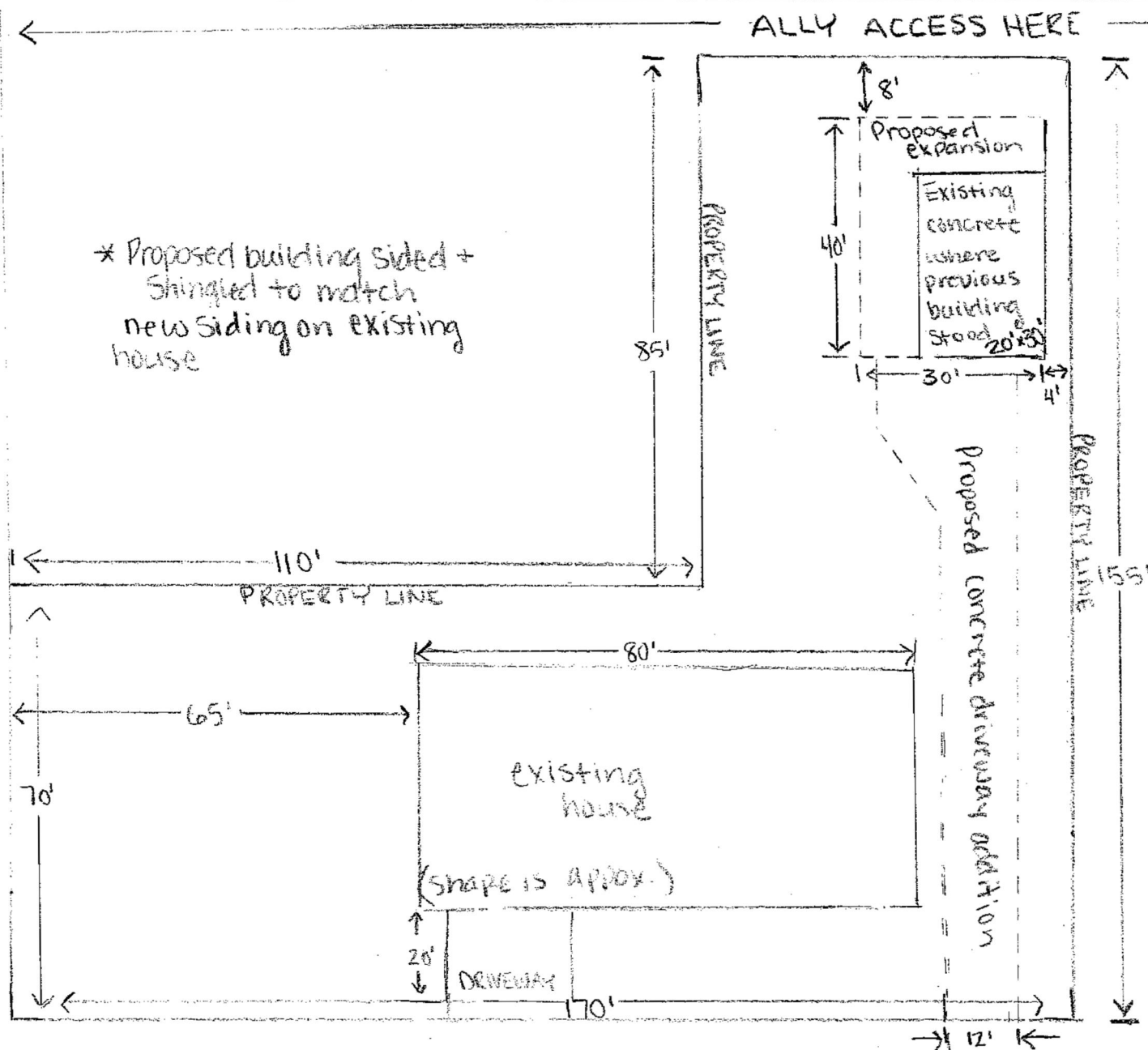
FOR OFFICIAL USE ONLYDATE FILED WITH ADMINISTRATIVE OFFICIAL: _____
FEE PAID (NON-REFUNDABLE): _____ YES _____ NO
DATE OF HEARING: _____
ACTION BY BOARD OF ADJUSTMENT: _____



Scale:
1 grid = 5'

* All measurements are approximate

N NINTH STREET



KESTELOOT, AUSTIN

914 N. LIBERTY

VARIANCE APPLICATION

N. LIBERTY AVENUE

Rec. R00010371

10/29/2009

CITY OF MADISON
CONDITIONAL USE APPLICATION

APPEAL NUMBER 679

APPLICANT (PRINT): Brenton Bender PHONE: 605-480-1184

ADDRESS: 515 NW 9th St Madison SD 57012

OWNER (PRINT): Woodbury Estates LLC PHONE: _____
IF DIFFERENT THAN APPLICANT

ADDRESS: 26661 Cougar Path NW Prior Lake MN

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE BOARD OF ADJUSTMENT OF THE CITY OF MADISON SOUTH DAKOTA, TO ISSUE A CONDITIONAL USE PERMIT FOR THE PROPERTY DESCRIBED AS:

LEGAL DESCRIPTION (Please print or type)

Lots 3 & 4 & 7 Exc. W 132' S 113' & All Lot 8 County Auditors Sub
EV2 EV2 NW 1/4 Sec 6

GENERAL AREA OR STREET ADDRESS: 602 NW 9th St LOT #119

EXISTING LAND USE: Residential **EXISTING ZONING:** RM Manufactured Housing Res. Dist.

SIZE OF PARCEL: ACRES / SQFT _____ **LOT DIMENSIONS:** WIDTH 50 LENGTH 100 DEPTH _____

SURROUNDING LAND USE

NORTH: Residential
SOUTH: Residential
EAST: Residential
WEST: Residential

PLEASE DESCRIBE WHAT YOU PROPOSE TO DO AND WHY YOU ARE SEEKING A CONDITIONAL USE PERMIT (attach a separate letter of explanation if necessary)

Bringing in a 2000 Supreme 16x76 Mobile Home

I (we) further state that if this request is granted, I (we) will proceed with the actual construction in accordance with the plans herewith submitted within one year or additional time as extended from the effective date of the appeal.

SIGNATURE OF APPLICANT Brent

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

NOTE: A SKETCH OF PROPOSED PROPERTY SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

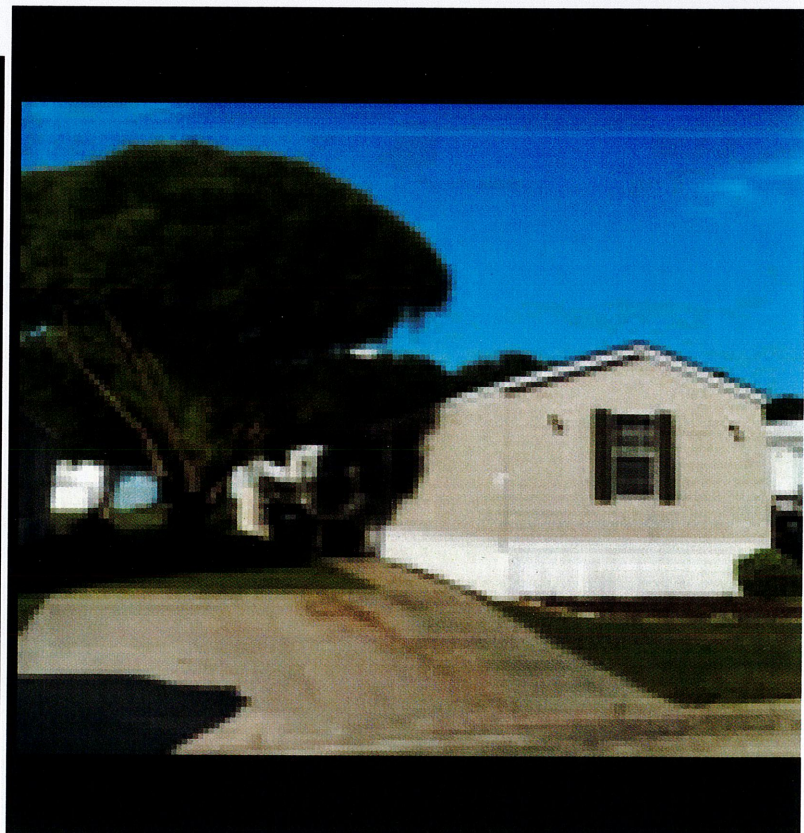
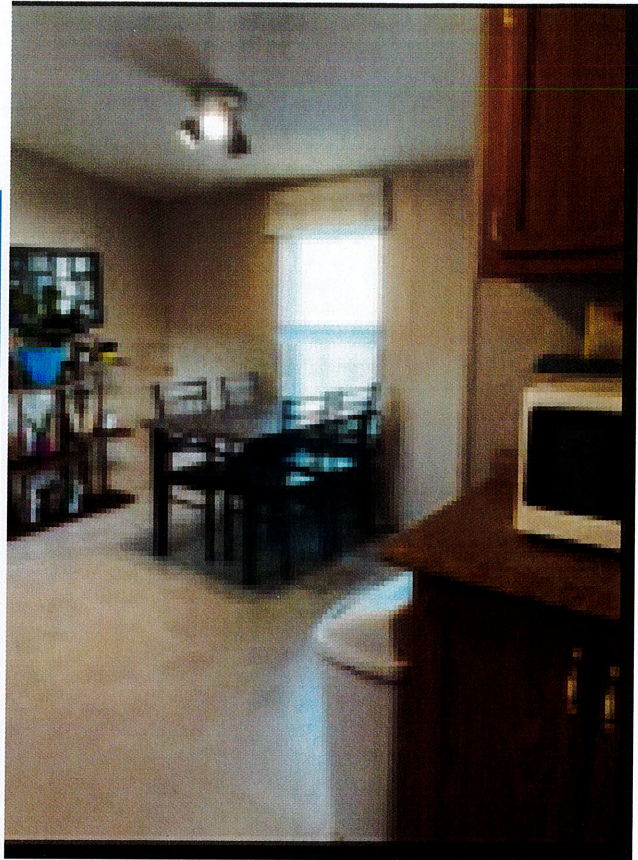
1. NORTH DIRECTION
2. DIMENSIONS OF PROPOSED STRUCTURE
3. STREET NAMES
4. OTHER INFORMATION AS MAY BE REQUESTED
5. LOCATION OF PROPOSED STRUCTURE ON LOT
6. DIMENSIONS OF FRONT AND SIDE SET BACKS
7. LOCATION OF ADJACENT EXISTING BUILDINGS

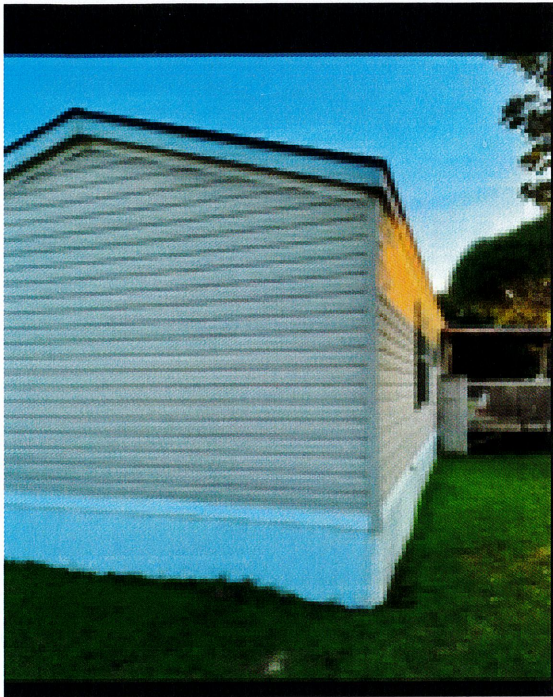
THE BOARD OF ADJUSTMENT MAY REQUIRE THAT SUCH PLANS BE PREPARED BY A REGISTERED ENGINEER OR LAND SURVEYOR.

**PLEASE USE THE ATTACHED SKETCH INSTRUCTION SHEET FOR AN EXAMPLE.

FOR OFFICIAL USE ONLY

DATE FILED WITH ADMINISTRATIVE OFFICIAL: _____
FEE PAID (NON-REFUNDABLE): _____ YES _____ NO
DATE OF HEARING: _____
ACTION BY BOARD OF ADJUSTMENT: _____





Receipt: R00010198

10/29/2009

8/23

CITY OF MADISON
CONDITIONAL USE APPLICATION

APPEAL NUMBER 678 680

APPLICANT (PRINT): Brenton Bender PHONE: 605-480-1984

ADDRESS: 515 NW 9th St Madison, SD 57042

OWNER (PRINT): Woodbury Estates LLC PHONE: _____
IF DIFFERENT THAN APPLICANT

ADDRESS: 26661 Cougar Path NW Prior Lake MN

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE BOARD OF ADJUSTMENT OF THE CITY OF MADISON SOUTH DAKOTA, TO ISSUE A CONDITIONAL USE PERMIT FOR THE PROPERTY DESCRIBED AS:

LEGAL DESCRIPTION (Please print or type)

Lots 3+4+7 Exc. W 137' S 113' & All Lot 8 County Auditors Sub
E 1/2 E 1/2 NW 1/4 Sec 6

GENERAL AREA OR STREET ADDRESS: 602 NW 9th St Lot 206-211

EXISTING LAND USE: Residential **EXISTING ZONING:** RM Manufactured Housing Res. Dist.

SIZE OF PARCEL: ACRES / SQFT _____ **LOT DIMENSIONS:** WIDTH 50 LENGTH 100 DEPTH _____

SURROUNDING LAND USE

NORTH:	<u>Residential</u>
SOUTH:	<u>Residential</u>
EAST:	<u>Residential</u>
WEST:	<u>Residential</u>

PLEASE DESCRIBE WHAT YOU PROPOSE TO DO AND WHY YOU ARE SEEKING A CONDITIONAL USE PERMIT (attach a separate letter of explanation if necessary)

Bringing in a 1998 Champion mobile home 14X80

I (we) further state that if this request is granted, I (we) will proceed with the actual construction in accordance with the plans herewith submitted within one year or additional time as extended from the effective date of the appeal.

SIGNATURE OF APPLICANT Brenton Bender

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

NOTE: A SKETCH OF PROPOSED PROPERTY SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

- | | |
|--|--|
| 1. NORTH DIRECTION | 5. LOCATION OF PROPOSED STRUCTURE ON LOT |
| 2. DIMENSIONS OF PROPOSED STRUCTURE | 6. DIMENSIONS OF FRONT AND SIDE SET BACKS |
| 3. STREET NAMES | 7. LOCATION OF ADJACENT EXISTING BUILDINGS |
| 4. OTHER INFORMATION AS MAY BE REQUESTED | |

THE BOARD OF ADJUSTMENT MAY REQUIRE THAT SUCH PLANS BE PREPARED BY A REGISTERED ENGINEER OR LAND SURVEYOR.

**PLEASE USE THE ATTACHED SKETCH INSTRUCTION SHEET FOR AN EXAMPLE.

FOR OFFICIAL USE ONLY

DATE FILED WITH ADMINISTRATIVE OFFICIAL: _____

FEE PAID (NON-REFUNDABLE): _____ YES _____ NO

DATE OF HEARING: _____

ACTION BY BOARD OF ADJUSTMENT: _____











CITY OF MADISON
VARIANCE APPLICATION

APPEAL NUMBER 681

APPLICANT (PRINT): William Hyland PHONE: 605-270-0567

ADDRESS: 505 S. Highland Avenue

OWNER (PRINT): _____ PHONE: _____

IF DIFFERENT THAN APPLICANT

ADDRESS: 505 S. Highland Avenue

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE BOARD OF ADJUSTMENT OF THE CITY OF MADISON SOUTH DAKOTA, TO ISSUE A VARIANCE FOR THE PROPERTY DESCRIBED AS:

LEGAL DESCRIPTION (Please print or type)

N 334' E 1018' SE 1/4 Exc. Hwy 12-106-53

GENERAL AREA OR STREET ADDRESS: 505 S Highland Avenue

EXISTING LAND USE: Residential EXISTING ZONING: R-90

SIZE OF PARCEL: ACRES / SQFT _____ LOT DIMENSIONS: WIDTH 333 LENGTH 975 DEPTH _____

SURROUNDING LAND USE

NORTH: Commercial
SOUTH: Agriculture
EAST: Industrial
WEST: Agriculture

PLEASE PROVIDE A BRIEF STATEMENT OF THE VARIANCE DESIRED AND PLEASE STATE THE HARDSHIP REQUIRING RELIEF. (Proof of hardship is on the applicant - Hardship examples are odd size or shape of the lot, unusual topography, etc. attach a letter of explanation to document requirements necessary to approve if necessary)

Attached

I (we) further state that if this request is granted, I (we) will proceed with the actual construction in accordance with the plans herewith submitted within one year or additional time as extended from the effective date of the appeal.

SIGNATURE OF APPLICANT W. T. Hyland

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

NOTE: A SKETCH OF PROPOSED PROPERTY SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

- | | |
|--|--|
| 2. NORTH DIRECTION | 5. LOCATION OF PROPOSED STRUCTURE ON LOT |
| 2. DIMENSIONS OF PROPOSED STRUCTURE | 6. DIMENSIONS OF FRONT AND SIDE SET BACKS |
| 3. STREET NAMES | 7. LOCATION OF ADJACENT EXISTING BUILDINGS |
| 4. OTHER INFORMATION AS MAY BE REQUESTED | |

THE BOARD OF ADJUSTMENT MAY REQUIRE THAT SUCH PLANS BE PREPARED BY A REGISTERED ENGINEER OR LAND SURVEYOR.

**PLEASE USE THE ATTACHED SKETCH INSTRUCTION SHEET FOR AN EXAMPLE.

FOR OFFICIAL USE ONLY

DATE FILED WITH ADMINISTRATIVE OFFICIAL: _____
FEE PAID (NON-REFUNDABLE): _____ YES _____ NO
DATE OF HEARING: _____
ACTION BY BOARD OF ADJUSTMENT: _____

I am seeking a variance from Appendix B: Zoning, Article IV which does not allow material defined as "sheet siding" to be utilized on a structure in a residential zone or in a GT-1 Gateway district. The property is at 505 S. Highland Avenue and will be a recent annexed property into the City as R-90 Single Family Residence.

The existing structure on the property has material on the sidewalls and roof that are defined by Madison City Ordinance as "sheet siding". I find my situation to be a unique one in the fact that the structure when constructed, was in full compliance in the Lake County zoning district and is now annexed into the City. Future plans may involve an addition to this building and I am requesting a variance to utilize materials matching the existing, including exposed fasteners.

I consider adherence to the ordinance limiting me to customarily used materials in a residential zone to be a hardship because the existing structure and the addition would have very different materials. This would not be aesthetically pleasing and would create unique difficulties and extra cost during construction. In addition, I would like consideration to be taken that the area around the property is either agricultural or commercial and all surrounding structures on adjacent properties have exposed fasteners, including City owned and County owned structures.

The structure is set back from the nearest right-of-way an amount that well exceeds the 30 foot minimum and established trees provide natural screening. I feel this building is an attractive building, on a well kept attractive property, and I would like future plans to match.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Hyland". The signature is fluid and cursive, with a large, prominent loop at the end of the last name.

**CITY OF MADISON
NOTICE OF PUBLIC HEARING
PROPOSED CHANGE OF ZONING ORDINANCE**

Notice is hereby given pursuant to SDCL 11-4-4 that a public hearing will be held on Tuesday, September 13, 2022 at 7:00am, or as soon thereafter as the matter may be heard, in City Hall, Madison, South Dakota, in the Commission Room, to consider proposed changes to the zoning ordinance of the City of Madison.

PROPOSED ORDINANCE NO. 1651

**AN ORDINANCE TO AMEND APPENDIX B – ZONING – SECTION 17.02 ADOPTED BY
ORDINANCE NO. 1481 ON 8-24-2009 OF THE ZONING ORDINANCE OF THE CITY OF MADISON**

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MADISON, SOUTH DAKOTA:

That the revised ordinances of the City of Madison, also known as the Code of Ordinances, be amended to change the zoning of the following real property located within the City of Madison by changing the zoning district from Heavy Manufacturing District (MH) to Duplex Residence, 6000 Square Foot District (R-60):

Lot 18 & 19 Block 8 Henkins 2nd Addition.

Any person wishing to present testimony may appear at said hearing or may file written comments with the Finance Officer at 116 W Center Street, Madison, South Dakota, prior to said hearing. **All written comments desired to be included in the agenda packet must be filed no later than end of business on Wednesday, September 7, 2022.** Disabled individuals may contact the Finance Officer for information and/or special assistance. The request should be made 24 hours in advance of the hearing.

/s/Sonya Wilt
Finance Officer

Published once at the approximate cost of \$ ____.

CITY OF MADISON
PETITION FOR A CHANGE IN ZONING CLASSIFICATION

APPEAL NUMBER ~~673~~ 673

Receipt # R00010089
3/26/2013
8/22/22

APPLICANT (PRINT): MARK & SUSAN NELSON PHONE: 605.270.2893

ADDRESS: 1006 SW 1ST STREET

OWNER (PRINT): MARK & SUSAN NELSON PHONE: _____
IF DIFFERENT THAN APPLICANT

ADDRESS: 1006 SW 1ST STREET

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE CITY COMMISSION OF THE CITY OF MADISON, SOUTH DAKOTA, TO ISSUE A CHANGE IN ZONING CLASSIFICATION FOR THE PROPERTY DESCRIBED AS:

LEGAL DESCRIPTION (Please print or type)

LOT 18 & 19 BLK 8 HENKIN'S 2ND ADDITION

GENERAL AREA OR STREET ADDRESS: SAME AS ABOVE

EXISTING LAND USE: RESIDENTIAL EXISTING ZONING: MH Heavy Manufacturing

SIZE OF PARCEL: ACRES / SQFT _____ LOT DIMENSIONS: WIDTH 100 LENGTH _____ DEPTH 143

SURROUNDING LAND USE/ZONING
NORTH: Residential
SOUTH: Manufacturing
EAST: Business / Storage
WEST: Contractor yard

PLEASE DESCRIBE WHAT YOU PROPOSE TO DO AND WHY YOU ARE SEEKING A CHANGE IN ZONING CLASSIFICATION INCLUDING DISCUSSION ON WHAT CHANGE OR CHANGING CONDITIONS MAKE THE PASSAGE OF THIS AMENDMENT NECESSARY (attach a separate sheet of paper if necessary)

Desire to continue using property as residential
and build an addition to my house
for the reasons above I request that the zoning
district for these lots be changed to
Duplex Residential (R-60)

SIGNATURE OF APPLICANT Susan M Nelson

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

NOTE: A SKETCH OF PROPOSED PROPERTY SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

1. NORTH DIRECTION
2. DIMENSIONS OF PROPOSED STRUCTURE
3. STREET NAMES
4. OTHER INFORMATION AS MAY BE REQUESTED
5. LOCATION OF PROPOSED STRUCTURE ON LOT
6. DIMENSIONS OF FRONT AND SIDE SET BACKS
7. LOCATION OF ADJACENT EXISTING BUILDINGS

FOR OFFICIAL USE ONLY

DATE FILED WITH ADMINISTRATIVE OFFICIAL: _____
FEE PAID (NON-REFUNDABLE): _____ YES _____ NO
DATE OF HEARING: _____
ACTION BY BOARD OF ADJUSTMENT: _____

Mark and Susan Nelson, residing at 1006 SW 1st Street, are applying to have the property our home sets on rezoned to a residential status. This would allow us to build an addition including a garage facing SW 1st Street onto our home.

Monday, September 19

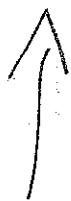
We the undersigned adjacent property owners have spoken to the applicants and approve.

Date _____

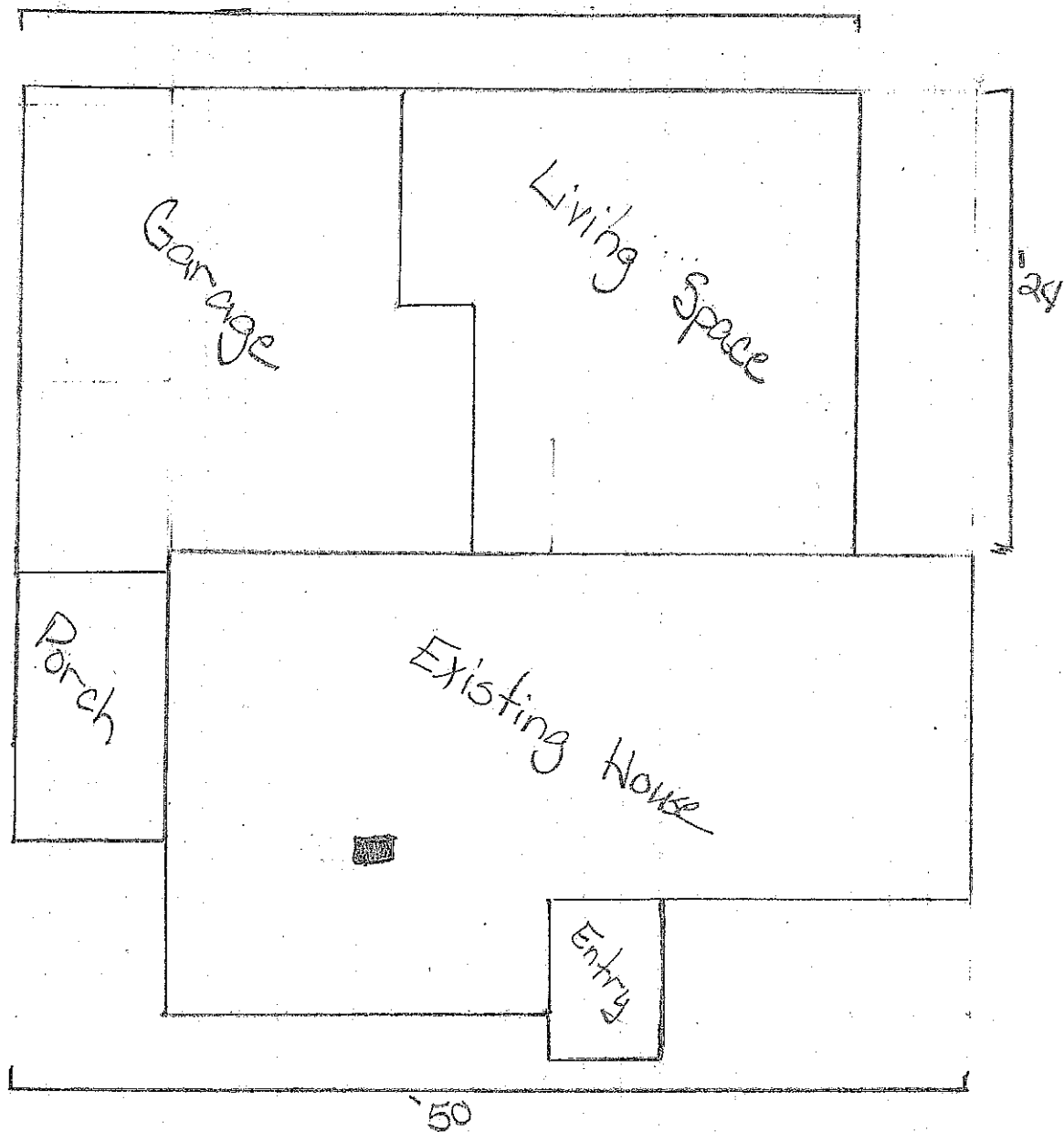
Dawn D. Bergan	1009 West Center St.	Aug. 25, 2022
Dustin Williams / Person	1001 SW 1 st Street	8-25-2022
Tammy Seltz	1004 SW 1 Street	8-29-2022

We the undersigned adjacent property owners have spoken with the applicants and are acknowledging that we have been made **aware**.

Date _____



31 From
Johnson
Fence



7020 3160 0000 1219 2170

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Madison SD 57042

OFFICIAL USE

Certified Mail Fee	\$4.00
Extra Services & Fees (check box, add fee as appropriate)	\$3.25
☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.60
Total Postage and Fees	\$7.85

Sent To: Belva, Michael & Daniel Johnson
Street and Apt. No., or PO Box No. 518 N Catherine Ave
City, State, ZIP+4® Madison SD 57042

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7020 3160 0000 1219 2170

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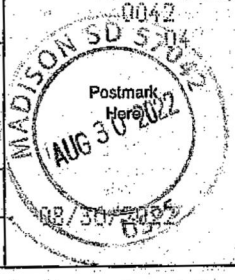
Madison SD 57042

OFFICIAL USE

Certified Mail Fee	\$4.00
Extra Services & Fees (check box, add fee as appropriate)	\$3.25
☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.60
Total Postage and Fees	\$7.85

Sent To: Rick Goth
Street and Apt. No., or PO Box No. PO Box 403
City, State, ZIP+4® Madison SD 57042

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7020 3160 0000 1219 4211

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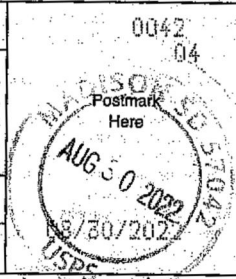
Madison SD 57042

OFFICIAL USE

Certified Mail Fee	\$4.00
Extra Services & Fees (check box, add fee as appropriate)	\$3.25
☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.60
Total Postage and Fees	\$7.85

Sent To: Chris & Amy Vickmark
Street and Apt. No., or PO Box No. 317 N West Ave
City, State, ZIP+4® Madison SD 57042

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7020 3160 0000 1219 4211

U.S. Postal Service™
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Avon SD 57313

OFFICIAL USE

Certified Mail Fee	\$4.00
Extra Services & Fees (check box, add fee as appropriate)	\$3.25
☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.60
Total Postage and Fees	\$7.85

Sent To: Ron & Carol Swier
Street and Apt. No., or PO Box No. 303 Harris St
City, State, ZIP+4® Avon SD 57313

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



9/02/2022

To the Madison City Commission Zoning Committee,

Regarding Mark and Susan Nelson's request for rezoning at their address: 1006 SW 1st St., adjacent to our property at 1005 W. Center St.:

Amy and I encourage you to seriously consider and perform rezoning their property to **residential status** to allow for a building permit(s) for an addition to their home as well as future permits as desired.

I know for a fact that Mark's and Susan's home has been an occupied residence for as far back as the '60s so there should be no reason they should be denied the opportunity to continue occupying *and* improving upon the house for as long as they live there.

Their plans will not impinge upon any portion of or any future plans for our property at 1005 W. Center St.

Your expeditious decision in their favor will help improve and maintain the look and value of that corner of the block as well as foster confidence in our city's commission to act in the interest of Madison's residents.

Respectfully

Chris & Amy Vickmark
Chris and Amy Vickmark

317 N. West Ave.

Madison, SD 57042

605-270-3590

**CITY OF MADISON
SIGN PLACEMENT CERTIFICATE OF COMPLIANCE**

I, Susan Nelson, do hereby certify that City
Print Name

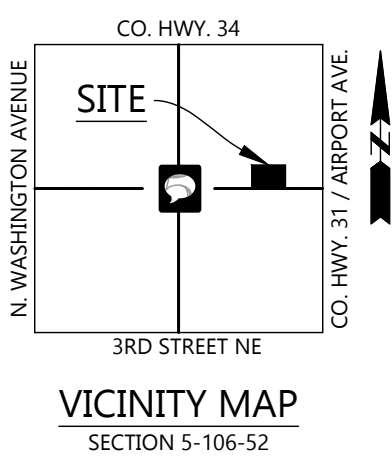
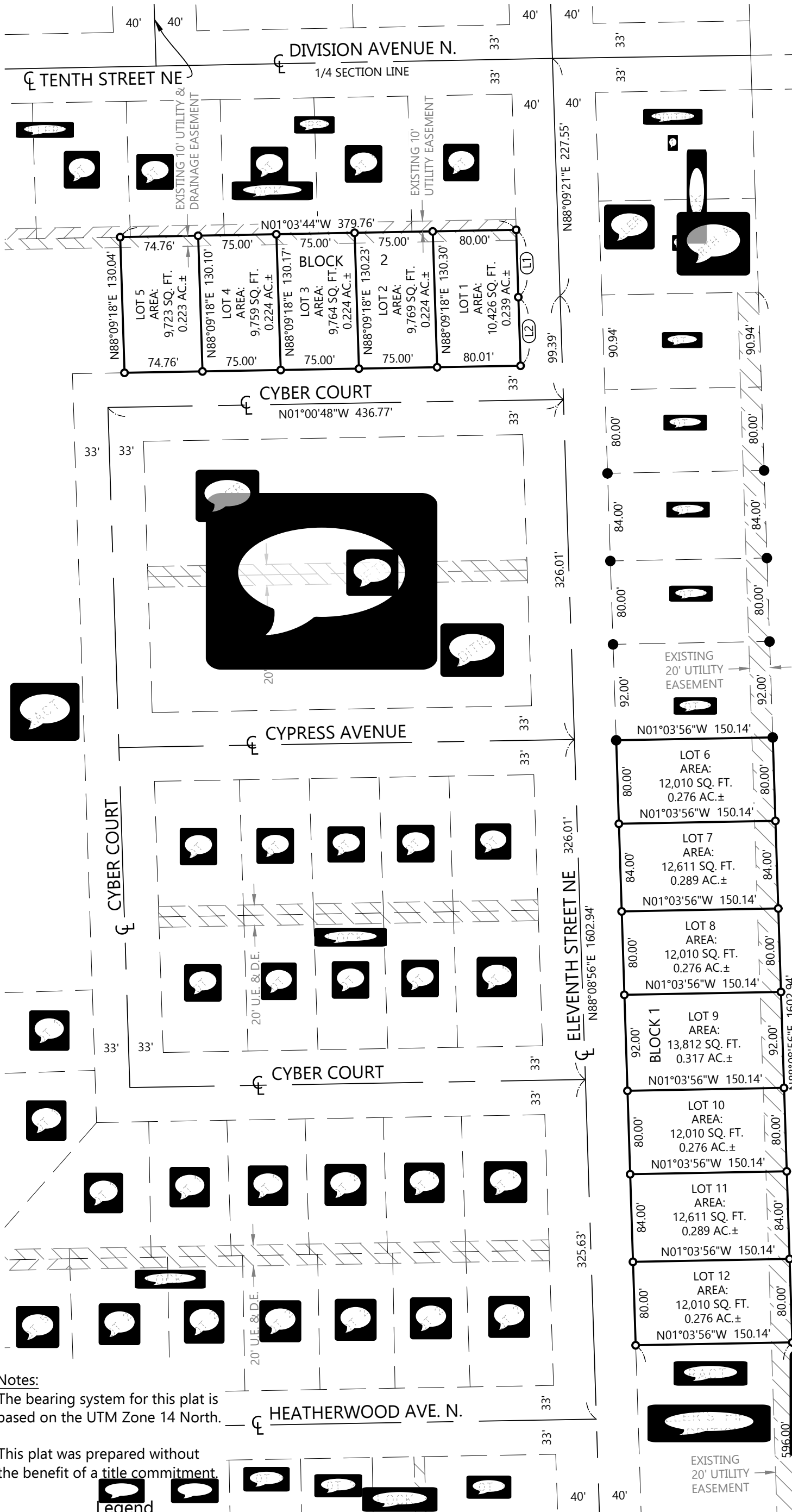
approved signage related to Appeal Application No. 673 and/or rezoning of
property LOT 18 & 19 BLK 8 HENKINS 2ND ADD #1001M
(insert legal description)

have been in place in accordance with all rules and laws prior to both the Planning
Commission and Board of Adjustment hearings. Said signs were placed and have
been maintained as required by ordinance.

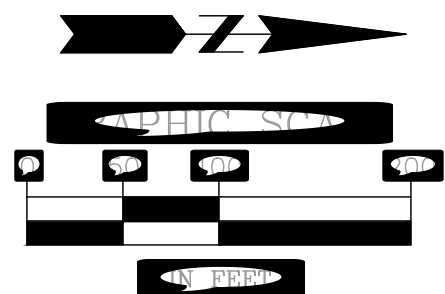
Susan M Nelson
Signature

9-1-22
Date

LOTS 6 THRU 12 INCLUSIVE, BLOCK 1; LOTS 1 THRU 5 INCLUSIVE, BLOCK 2,
CYBER ESTATES ADDITION
TO THE CITY OF MADISON, LAKE COUNTY, SOUTH DAKOTA



Total Area Surveyed:
3.133 Acres±



LINE TABLE		
Line #	Bearing	Distance
L1	N88°09'21"E	64.56'
L2	N88°08'56"E	65.80'

Notes:
The bearing system for this plat is based on the UTM Zone 14 North.

This plat was prepared without the benefit of a title commitment.

Legend

- - Denotes 5/8 inch by 18 inch rebar set and marked by License No. 6250
- - Denotes found monument



LOTS 6 THRU 12 INCLUSIVE, BLOCK 1; LOTS 1 THRU 5 INCLUSIVE, BLOCK 2,
CYBER ESTATES ADDITION
TO THE CITY OF MADISON, LAKE COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, James H. Cordell, a Registered Land Surveyor of the State of South Dakota, do hereby certify that I did on or before August 31, 2022, survey and replat a part of Tract 1 of Miller's Fifth Addition to the City of Madison, Lake County, South Dakota, into lots and blocks as shown. The same shall hereafter be known and described as **Lots 6 thru 12 inclusive, Block 1; Lots 1 thru 5 inclusive, Block 2, Cyber Estates Addition to the City of Madison, Lake County, South Dakota.**

I further certify that to the best of my knowledge the plat _____, is true and correct and that it was made under my direct supervision.

Dated this ____ day of _____, 20____.

SD Registered Land Surveyor No. 6250

OWNER'S CERTIFICATE OF COMPLIANCE

We, Nielson Development LLC, do hereby certify that we are the sole, absolute, and unqualified owner of all land included in the above plat and that said plat has been made at our request and in accordance with our instructions for the purpose of transfer, and that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations as well as all water pollution prevention control rules, codes and laws. This parcel of land is free from any encumbrances.

We hereby dedicate to the public for public use forever the streets, roads and alleys, parks and public grounds, if any, as shown on said plat, including all sewers, culverts, bridges, water distribution lines, sidewalks and other improvements on or under the streets, alleys, parks and public grounds whether such improvements are shown or not. We also hereby grant easements to run with the land for water, drainage, sewer, gas, electric, telephone or other public utility lines or services under, on or over those strips of land designated hereon as easements.

Sump pumps or similar such privately installed systems installed as part of construction and development on these lots shall be connected to the sump pump collection system installed by Nielson Development LLC in the rear yards of or rights of ways adjacent to each lot, excluding in Block 1. These requirements shall be applicable and binding on all future owners and our heirs, successors, and assigns for all lots and shall not be revised or extinguished.

On our behalf as the owners and also binding on behalf of future successors and assigns, we hereby waive any rights of protest to any special assessment program which may be initiated by the City for the purpose of installation of improvements required by the Subdivision Ordinance of the City of Madison.

We, Nielson Development LLC, do hereby certify that this replat will not place any existing lot or building in violation of any applicable ordinance, code, regulation, or law including but not limited to zoning, building, subdivision, and flood prevention.

We further certify that this platting of said described Lots 6 thru 12 inclusive, Block 1; Lots 1 thru 5 inclusive, Block 2, Cyber Estates Addition to the City of Madison, Lake County, South Dakota, does hereby vacate the following platting: a part of Tract 1 of Miller's Fifth Addition to the City of Madison, Lake County, South Dakota, said plat on file at the Register of Deeds Office in Book 16, page 10. Said plat, hereby vacated, is situated within Lots 6 thru 12 inclusive, Block 1; Lots 1 thru 5 inclusive, Block 2, Cyber Estates Addition to the City of Madison, Lake County, South Dakota, as surveyed.

Dated this ____ day of _____, 20____.

Owner: Nielson Development LLC

By: _____

Title: _____

State of _____)

§

County of _____)

On this ____ day of _____, 2022, before me, the undersigned officer, personally appeared _____, who acknowledged ____self to be the _____ of Nielson Development LLC, and that _he as such _____ being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the company by ____self as _____.

In witness thereof, I have hereunto set my hand and official seal.

My commission expires: _____

Notary Public, _____ County, State of ____

CITY ENGINEER'S CERTIFICATE

I, _____, City Engineer of the City of Madison, do hereby certify that this plat has been reviewed by me or my authorized agent and that this plat is recommended for approval by the City Commission.

Signed on this ____ day of _____, 20____.

City Engineer, Madison, South Dakota

PLANNING COMMISSION CERTIFICATE

Approval of the plat Lots 6 thru 12 inclusive, Block 1; Lots 1 thru 5 inclusive, Block 2, Cyber Estates Addition to the City of Madison, Lake County, South Dakota, is hereby granted by the City Planning Commission on this ____ day of _____, 20____.

Chair, City Planning Commission

CITY COMMISSION APPROVAL

Resolution Number _____

Be it resolved by the City Commission of the City of Madison, that the plat of Lots 6 thru 12 inclusive, Block 1; Lots 1 thru 5 inclusive, Block 2, Cyber Estates Addition to the City of Madison, Lake County, South Dakota, is hereby approved and that the City Finance Officer of the City of Madison is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Adopted this ____ day of _____, 20____.

Mayor, City of Madison

Attest: _____

City Finance Officer

CITY FINANCE OFFICER'S CERTIFICATE

I, _____, the duly appointed, qualified and acting City Finance Officer of the City of Madison, South Dakota hereby certify that I have compared the copy of the foregoing Resolution No. _____ with the original as contained in the minutes of the said board of City Commissioners for the meeting of said board held on the ____ day of _____, 20____, and that the foregoing is a true and correct copy of said resolution and that the same has not been altered, modified, or amended, on this ____ day of _____, 20____.

City Finance Officer, Madison, South Dakota

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Lake County, South Dakota, do hereby certify that all taxes which are liens upon any land included in the above (and the foregoing) plats, as shown by the record of my office, have been fully paid.

Dated this ____ day of _____, 20____.

Treasurer of Lake County, South Dakota

DIRECTOR OF EQUALIZATION

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

Director of Equalization, Lake County, South Dakota

REGISTER OF DEEDS

Filed for record this ____ day of _____, 20____, at ____ o'clock, ____m.,

and recorded in Book ____ of Plats on page ____.

Register of Deeds, Lake County, South Dakota