BROOKINGS COUNTY PLANNING & ZONING COMMISSION

BROOKINGS CITY & COUNTY GOVERNMENT CENTER
520 3rd St, 310 Chambers, Brookings, SD 57006

AGENDA

Brookings County Planning & Zoning Commission meetings are still open to the public and we will be enforcing the 10 or less guideline and social distancing. If you would like to attend this meeting, please call the County Development Office by NOON on Friday, May 1, 2020 to make arrangements for entry into the building. If you would like to call in, dial 605-697-8255 and enter code 6056968205 when prompted. Please, if you have any symptoms of COVID-19 or believe you may have been exposed, consider watching the meeting from home broadcast live on Swiftel channel 19, ITC channel 168, or the Brookings County Youtube channel, and call in if you have any comments or questions.

1. **Call to Order - 8:00 PM on Tuesday, May 5, 2020**

2. **Approval of Minutes.**
   Approval of Minutes from April 7, 2020 Meeting.

   Documents:

   April 7, 2020 DRAFT PZ Minutes_4-14-2020.pdf

3. **Items to be Added to Agenda by Commission Members or Staff**

4. **Invitation for Citizens to Schedule Time on the Commission Agenda for an Item Not Listed**
   Anyone wanting to speak during this agenda item much sign in prior to the start of the meeting. Any requested action items much be scheduled for a future meeting date.
   (Time limited to 5-minutes per person to address the commission.)

5. **Disclosure of Conflicts of Interest: Relationship(s) to Applicant; or Ex Parte Communication**

6. **Approval of Agenda**

7. **Convene as Brookings County Planning and Zoning Commission**

8. **Consideration of Plats**

9. **Convene as Brookings County Board of Adjustment**
   (The Board of Adjustment needs 2/3 approval of the full board to approve any agenda item.)

10. **2020var002**

    Thomas A. Tofte for Tofte Brothers, LLC has made an application, 2020var002, to the Brookings County Board of Adjustment for a variance. Article 11.00: Section 11.01 "A" Agricultural District: Area Regulation # 2: Front Yard: The minimum depth of the front yard shall be one hundred (100) feet. A corner lot will have two front yards. The property is described as: "S1/2 S1/2 SE1/4 of Section 9, T109N, R51W (Oslo Township)".

Documents:

2020var002 Application.pdf
2020var002 Beacon Map.pdf
2020var002 Staff Report.pdf

11. **2020var003**

Mary C Walkes has made an application, 2020var003, to the Brookings County Board of Adjustment for a variance. Article IV District Requirements: Chapter 4.03 "LP" Lake-Park District: Section 4.03.03. Density, Area and Yard Regulation (Minimum Lake Front). The property is described as: "Lot 28 and the E 20' of Lot 29 in Marvin Wade's Subdivision of Govt Lots 1, 2 and 3 in the NE1/4 of Section 6, T112N, R52W (Laketon Township)" ~~ located at 228 S Lake Dr, Arlington, SD 57212.

Documents:

2020var003 Application.pdf
2020var003 Beacon Map.pdf
2020var003 Staff Report.pdf

12. **2020cu011**

Mike Cotton and George Cotton have made an application, 2020cu011, to the Brookings County Board of Adjustment for a conditional use. Article 11: Section 11.01: "A" Agricultural District: Conditional Use Permit # 19: Seasonal retail stands, excluding garden produce but including fireworks stands. The property is described as: "W317' of E357' of W800.81' of S332' of SW1/4 SE1/4 Exc H-1 & H-2 and N643' of S975' of E357' of W800.81' & E40' of W800.81' of S332' of SE1/4 all in Section 14, T110N, R51W (Volga Township)" ~~ located at 638 E Hwy 14, Volga, SD 57071.

Documents:

2020cu011 Site Map.pdf
Notes of operation 2020cu011.pdf
2020cu011 Application.pdf
2020cu011 Staff Report.pdf

13. **2020cu009**

Tom Sterzinger has made an application, 2020cu009, to the Brookings County Board of Adjustment for a conditional use. Article 11: Section 11.01: "A" Agricultural District, Conditional Use # 4: "Sand, gravel or quarry operation, mineral exploration and extraction". The property is described as: "NW1/4 of Section 13, T111N, R52W and NE1/4 of Section 13, T111N, R52W to Include Cemetery and SW1/4 SE1/4 of Section 12, T111N, R52W and E1/2 SW1/4, NW1/4 SE1/4, SW1/4 NE1/4 of Section 12, T111N, R52W and W1/2 SW1/4, S1/2 NW1/4 of Section 12, T111N, R52W (Winsor Twp)."

Documents:

2020cu009 Application.pdf
jensen pit instructions-Business Plan-2020cu00 and 2020cu010.pdf
2020cu009 and 2020cu010 Beacon SIte Maps.pdf
2020cu009-Staff Report.pdf

A. **Comments received - 2020cu009**

Documents:

S McLeod Breuer_Email 4-28-2020.pdf
W Osterberg_Email 4-28-2020.pdf
Michael Bjerke_Email 4-28-2020.pdf
T Osterberg_Email 4-28-2020.pdf
M Bjerke_Email 4-27-2020.pdf
J Wittmeier_Email w-attachments 4-28-2020.pdf

14. **2020cu010**

Tom Sterzinger has made an application, 2020cu010, to the Brookings County Board of Adjustment for a conditional use. Article 11: Section 11.01: "A" Agricultural District: Conditional Use Permit # 5A: Rock Crushers. The property is described as: "NW1/4 of Section 13, T111N, R52W and NE1/4 of Section 13, T111N, R52W to Include Cemetery and SW1/4 SE1/4 of Section 12, T111N, R52W and E1/2 SW1/4, NW1/4 SE1/4, SW1/4 NE1/4 of Section 12, T111N, R52W and W1/2 SW1/4, S1/2 NW1/4 of Section 12, T111N, R52W (Winsor Twp)."

Documents:

2020cu010 Application.pdf
jensen pit instructions-Business Plan-2020cu00 and 2020cu010.pdf
2020cu009 and 2020cu010 Beacon SIte Maps.pdf
2020cu010-Staff Report.pdf

A. **Comments received - 2020cu010**

Documents:

S McLeod Breuer_Email 4-28-2020.pdf
W Osterberg_Email 4-28-2020.pdf
Michael Bjerke_Email 4-28-2020.pdf
T Osterberg_Email 4-28-2020.pdf
M Bjerke_Email 4-27-2020.pdf
J Wittmeier_Email w-attachments 4-28-2020.pdf

15. **Department Reports**
16. **Executive Session, if Necessary.**
17. **Adjourn**
18. **Public Notices**

BROOKINGS COUNTY PLANNING & ZONING COMMISSION

MINUTES OF APRIL 7, 2020 REGULAR PLANNING & ZONING MEETING

The Brookings County Planning & Zoning Commission met at their regular meeting on Tuesday, April 7, 2020. Modified meeting practices were used due to the global pandemic of COVID-19. Attendance for meetings to be via phone or for those in attendance the CDC recommended guidelines were followed in the Commission Chambers. The following members were present: Mike Bartley, Chad Ford, Darrel Kleinjan, Darrell Nelson, Randy Jensen, Kyle Vanderwal and alternate board member Roger Erickson. Members that phoned in were: Michael McHugh, Tom Davis, and alternate board member Spencar Diedrich. Absent was: Terrell Spence. Also present were: Deputy Director Richard Haugen and County Development Director/Emergency Manager Robert Hill.

CALL TO ORDER

Haugen called the meeting to order at 8:01 PM

ITEMS TO BE ADDED TO AGENDA BY COMMISSION MEMBERS OR STAFF.

None added.

ELECTION OF OFFICERS.

Haugen opened up nominations for chairperson.
(Kleinjan/Bartley) Motion to nominate Ford as Chairperson for the rest of 2020.
(Bartley/Kleinjan) Motion to appoint Chad Ford as Chairperson. Roll call vote: Bartley-aye, Davis-aye, Nelson-aye, Kleinjan-aye, Ford-aye, Jensen-aye, McHugh-aye, Vanderwal-aye, Erickson-aye. **MOTION CARRIED.**

(Davis/no second) Motion to nominate Diedrich as Vice Chairperson for the rest of 2020.
(Ford/Bartley) Motion to nominate Kleinjan as Vice Chairperson for the rest of 2020.
(Bartley/Vanderwal) Motion to appoint Darrel Kleinjan as Vice Chairperson. Roll call vote: Davis-aye, Nelson-aye, Kleinjan-aye, Ford-aye, Jensen-aye, McHugh-aye, Vanderwal-aye, Erickson-aye, Bartley-aye. **MOTION CARRIED.**

Haugen turned meeting over to new Chairman Ford.

INVITATION FOR CITIZENS TO SCHEDULE TIME ON AGENDA FOR ITEM NOT LISTED. *Time limited to 5 minutes per person to address the board.*

No one scheduled time to address the board.

DISCLOSURE OF CONFLICTS OF INTEREST

None.

DRAFT 6.14.2020

APPROVAL OF MINUTES – (Due to lack of agenda items a March 3, 2020 regular meeting was not held.)

(Bartley/Kleinjan) Motion to approve the February 4, 2020 Meeting Minutes. Roll call vote: Bartley-aye, Davis-aye, Nelson-aye, Kleinjan-aye, Jensen-aye, McHugh-aye, Vanderwal-aye, Erickson-aye, Ford-aye. **MOTION CARRIED.**

APPROVAL OF AGENDA

(Davis/Erickson) Motion to approve the agenda for the April 7, 2020 Meeting. Roll call vote: Nelson-aye, Kleinjan-aye, Jensen-aye, McHugh-aye, Vanderwal-aye, Erickson-aye, Bartley-aye, Davis-aye, Ford-aye. **MOTION CARRIED.**

CONVENE AS BROOKINGS COUNTY PLANNING & ZONING COMMISSION

CONSIDERATION OF PLATS

2020PLAT005

For property described as "Plat of Lot 10 in Block 1 in Paradise Point Addition in Govt. Lot 2, Section 22, T112N, R47W of the 5th P.M., Brookings County, South Dakota." Submitted by Lake Dreams, LLC. Plat of a re-platted individual lake lot that was originally platted and approved by Zoning Commission on November 1st, 2005.

(Bartley/Kleinjan) Motion to approve the plat. Roll call vote: Jensen-aye, Erickson-aye, McHugh-aye, Bartley-aye, Davis-aye, Vanderwal-aye, Nelson-aye, Kleinjan-aye, Ford-aye. **MOTION CARRIED.**

2020PLAT006

For property described as "Plat of East Water Tower Addition in the E1/2 SE1/4, Exc S880' Thereof, and Exc N33' Highway ROW thereof, in Section 23, T110N, R51W of the 5th P.M., Brookings County, South Dakota." Submitted by Gary W. Jensen. Plat of 1.16 acre parcel that adjoins the south city limits of Volga. Area to be annexed into the City of Volga in the near future. Platting is the first step in preparation for annexation as it gives the property a legal description. If the area is not annexed, a residence cannot be built on the property as it does not meet the size requirement.

(Nelson/Kleinjan) Motion to approve the plat. Roll call vote: Erickson-aye, Bartley-aye, Davis-aye, Nelson-aye, Kleinjan-aye, Jensen-aye, McHugh-aye, Vanderwal-aye, Ford-aye. **MOTION CARRIED.**

2020PLAT007

For property described as "Plat of Lots 1, 2, 3, 4, 5, 6, 7, 8A & 9A in Cedar Pointe Addition in Govt Lot 3 of the NW1/4 Section 28, T109N, R50W of the 5th P.M., Brookings County, South Dakota." Submitted by Keith Rounds. Plat of Lake-Park District lots that exceed the 20,000 sq. feet lot requirement. The utility easement was increased from the required 10 feet to be 30 feet. Lots 8A and 9A were re-platted to show the increased utility easement.

DRAFT 4-14-2020

(Davis/Nelson) Motion to approve the plat. Roll call vote: Bartley-aye, Davis-aye, Nelson-aye, Kleinjan-aye, Jensen-aye, McHugh-aye, Vanderwal-aye, Erickson-aye, Ford-aye. **MOTION CARRIED.**

2020PLAT008

For property described as "Plat of Block 21; Block 22; Block 23; Silverthorne Circle; and Castle Rock Circle of Timberline Addition, in the E1635' of the N1/2 of the NW1/4, Except Clites Addition, and Except the E264' therefor, in Section 34, T110N, R50W of the 5th P.M., Brookings County, South Dakota." Submitted by Gerard and Jean Moriarty. Plat of 20.7 acre parcel making up three tracts that adjoin the Timberline Addition. Application will be submitted to annex area into the City of Brookings in the future. If annexation does not proceed, a residence cannot be built on any of the blocks as they do not meet the acreage size requirement.

(Kleinjan/Vanderwal) Motion to approve the plat. Roll call vote: Vanderwal-aye, Erickson-aye, Bartley-aye, Davis-aye, Nelson-aye, Kleinjan-aye, Jensen-aye, McHugh-aye, Ford-aye. **MOTION CARRIED.**

2020PLAT009

For property described as "Plat of Lot 1 of Richarz Addition in the SE1/4 of Section 35, T109N, R52W of the 5th P.M., Brookings County, South Dakota." Submitted by Marvin Richarz. Plat to divide off 15.0 acres farmstead and building site from the original 158.0 acres they own.

(Vanderwal/Nelson) Motion to approve the plat. Roll call vote: Kleinjan-aye, Nelson-aye, Jensen-aye, Erickson-aye, Bartley-aye, Davis-aye, McHugh-aye, Vanderwal-aye, Ford-aye. **MOTION CARRIED.**

DEPARTMENT REPORTS

Hill announced the Brookings County had 6 COVID-19 cases and 2 of those were now recovered. He urged everyone to follow CDC guidelines. He noted that the county offices were still open but locked with limited public access and the county was following the safe business practices and reducing or modify gatherings to be 10 people or less and maintain social distancing of at least 6 feet. He reminded the elderly and those with health issues to be extra cautious as it is a virus and can be spread before symptoms appear. Hill noted the county would re-evaluate as the May meeting approached.

Haugen noted and welcomed new board member Kyle Vanderwal that took the seat left when Kimberly Elenkiwich resigned from the board. He also noted the office was working on May meeting items and would be monitoring the COVID-19 status and any changes needed regarding meetings.

Bartley noted appreciation to all those in attendance and reminded everyone that there was the option to phone in if anyone wished to do so for future meetings during the health crisis.

DRAFT 4-14-2020

ADJOURN
(Bartley) Motion to adjourn. All member voted “aye.” **MOTION CARRIED.**
Chair Ford adjourned the meeting at 8:37 PM.

_____
Rae Lynn Maher
Brookings County
Development Department

DRAFT 4-14-2020

RECEIVED

APR - 6 2020

BROOKINGS
COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE TO ZONING REGULATIONS

Date of Application: 4/1/2020 Variance Number: 2020VAR 002

To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Variance to the Brookings County Zoning Regulations for the purpose of:

Pole shed for storage & tree farm.

B.) Section(s) of Zoning Regulations to be exempted:

Article 11.00: Section 11.01 "A" Agricultural District: Area Regulation #2: Front Yard: The minimum depth of the front yard shall be One hundred (100) feet. A corner lot will have two front yards.

C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this regulation: that the special conditions and circumstances do not result from the actions of the applicant, and that granting the variance requested will not confer on the applicant, and privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

See Attachment 1

D.) Legal Description of Property:

sec 4
5 1/2 5 1/2 SE 1/4 of 9-109-51 Brookings County SD
(Oslo Twp)
Parcel # 15980.10951.694.00

E.) Time and Date Set for Hearing before Brookings County Board of Adjustment.

~~4/1/2020~~ 5-5.2020
Date

8:00 PM
Time

Approved

Rejected

Date

Chairman of Brookings County Board of Adjustment

Thomas D. Tofte PARTNER
Person filing petition – print

Tofte Brothers, LLC

Person filing petition – sign

4055 South Brady CT
Address

Sioux Falls
City

SD
State

57103
Zip Code

605-351-5207
Telephone

A variance that is granted and not used within three (3) years will be considered invalid.

2020 VAR 002

Section C) – Special Circumstances – Attachment 1

Our site plan proposal is to build a 60' x 88' pole shed for storage and hobby farm (CRP, land rent, pheasants, and tree farm) for this 40 acre parcel. The proposed building site requests a variance of the structure being back 150 foot from the center of the oil road. We are requesting a variance that the most southern end of the structure would be 107 feet from the middle of the road, or a variance of 43 feet. The following hardships would exist if the building could not be located where proposed with the requested variance:

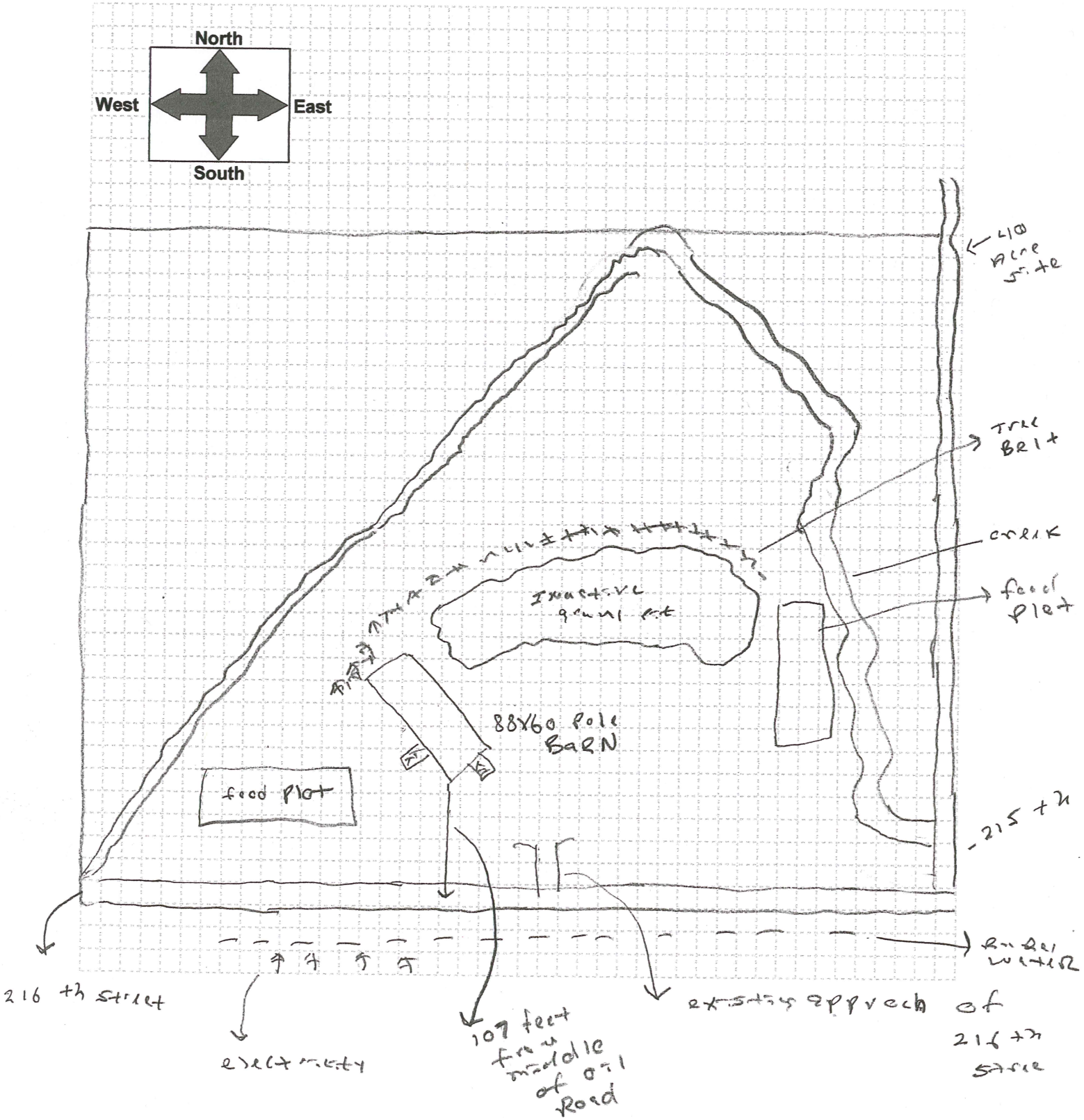
- We cannot build the building straight back as inactive gravel pit exists there. There is also a shelter belt around the gravel pit. While our proposal is to locate the building catty corner to the south west edge of the gravel pit, we would need to remove several trees and complete materially more dirt work (and build much closer to a lower land area creek that goes through the property) to meet the 150 foot set back requirement. Also, utility trenching would be farther.

Given the above, we respectfully request a county variance for our proposed building site. Our proposed site does not create any sightline or snowdrift issues. Applicant's verbal discussions with Highway Superintend Brian Gustad indicated he did not object to our proposal.

2020VAR002

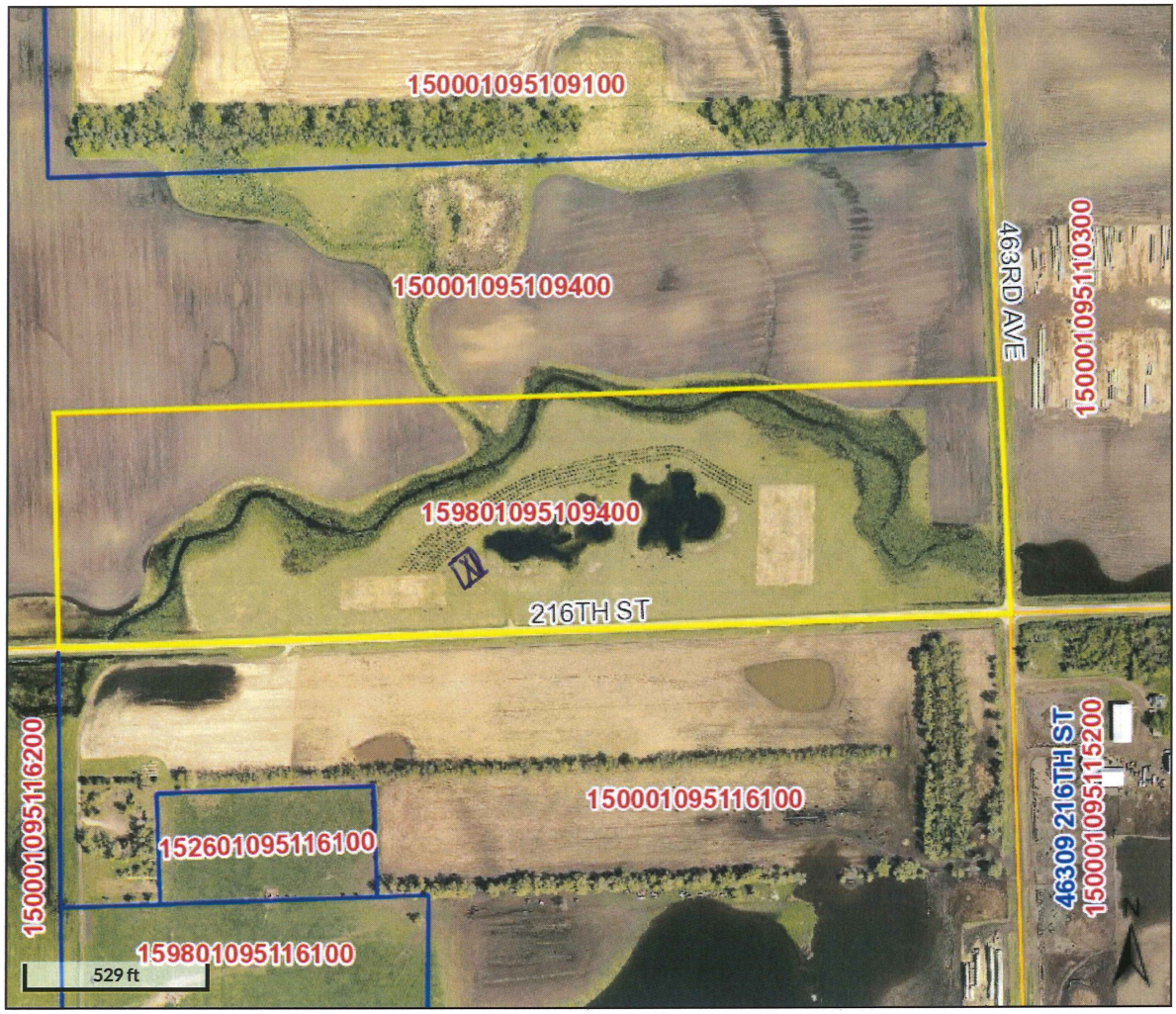
SKETCH

Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.

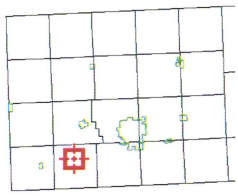


2020 VAR002

Beacon™ Brookings County, SD



Overview



Legend

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

Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

Parcel ID	159801095109400	**Alternate ID**	n/a	**Owner Address**	TOFTE BROTHERS LLC
Sec/Twp/Rng	9-109-51	**Class**	AGA		4055 S BRADY CT
Property Address		**Acreage**	40		SIOUX FALLS SD 57103
District	1505				
Brief Tax Description	S 1/2 OF S 1/2 OF SE 1/4 SEC 09-109-51 40 ACRES				
	(Note: Not to be used on legal documents)				

Date created: 4/6/2020
Last Data Uploaded: 4/6/2020 8:06:54 AM

Developed by Schneider GEOSPATIAL

BROOKINGS COUNTY DEVELOPMENT
Planning, Zoning and Drainage / Emergency Management
Brookings City & County Government Center
520 3rd Street, Suite 200
Brookings, SD 57006
(605) 696-8350
E-Mail: zoning@brookingscountysd.gov

Brookings County Board of Adjustment
May 5, 2020 – 8:00 PM meeting

2020var002 – May 5, 2020

Prepared by Richard Haugen, Brookings County Development Deputy Director

Applicant: Thomas A. Tofte for Tofte Brothers, LLC, 4055 South Brady CT, Sioux Falls, SD 57103.
Site: "S 1/2 S 1/2 S 1/4 of Section 9, T109N, R51W (Oslo Township)."

Legal Description: "S 1/2 S 1/2 S 1/4 of Section 9, T109N, R51W (Oslo Township)."

Article 11.00: Section 11.01 "A" Agricultural District: Area Regulations # 2: Front Yard: The minimum depth of the front yard shall be one hundred (100) feet. A corner lot will have two front yards."

2020var002: Thomas A. Tofte for Tofte Brothers LLC. Has applied for a variance to build a 60 feet x 88 feet pole shed with an 18' sidewall, 107 feet from the center of 216th St, a variance of 43 feet. 216th St is a Brookings County blacktop road. The required setback is 150 feet from the center of the road. The buildable space on the property is limited due the topography and shape and size of the lot. The property is long and narrow with a waterway dividing the property from east to west. The property was mined for gravel in the past and has been reclaimed and slopes off where the gravel was mined. The lay of the land drops off towards the waterway, low land and ponds. The balance of the ground is grassland and has a small amount of farm ground in the northwest corner.

Public notices were published in the Brookings Register on April 21 and 28, 2020 and the Volga Tribune on April 23 and 30, 2020.

Letters were sent to the adjoining landowner's, Oslo Township Chairman and Clerk.

RECEIVED

APR - 6 2020

BROOKINGS
COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE TO ZONING REGULATIONS

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C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this regulation: that the special conditions and circumstances do not result from the actions of the applicant, and that granting the variance requested will not confer on the applicant, and privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

See Attachment I

2020 VAR 002

Section C) – Special Circumstances – Attachment 1

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2020VAR002

SKETCH

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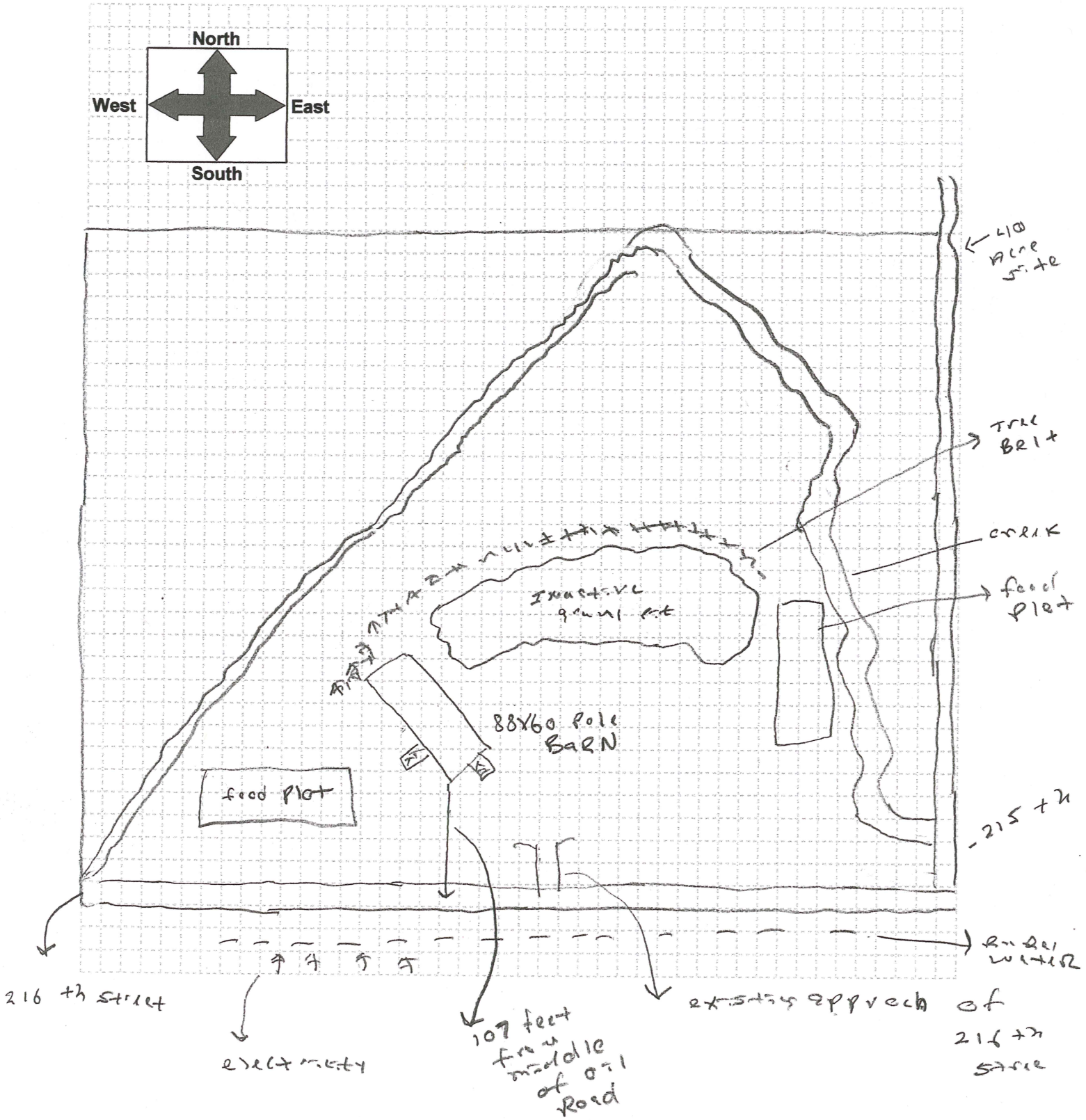
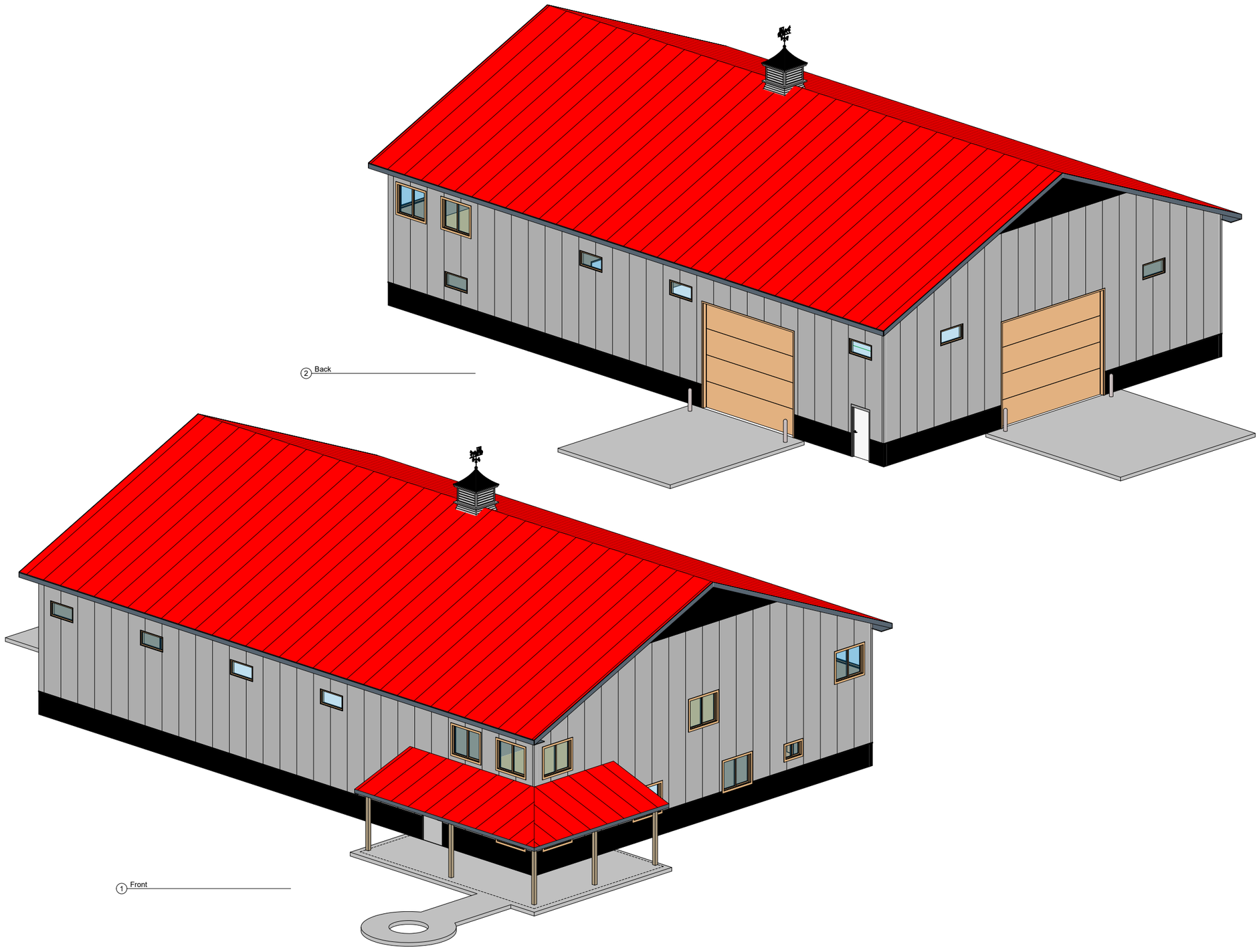




2 Back

1 Front

Reaves BUILDINGS
4101 N. 4TH AVENUE - SIOUX FALLS, SD
FAX.605-334-4096
PH.605-339-3647

REAVESBUILDINGS.COM FACEBOOK.COM/COMPONENTREAVES

PROJECT INFO

Reaves Buildings

Tofte
60x80

v7c

Cover

REF. NUMBERS

20003624 | JOB

DESIGNER

Tom Gambrel

tgambrel@cmcreaves.com

DRAWING DATES

FOR APPROVAL (SHOPS)

4/14/2020

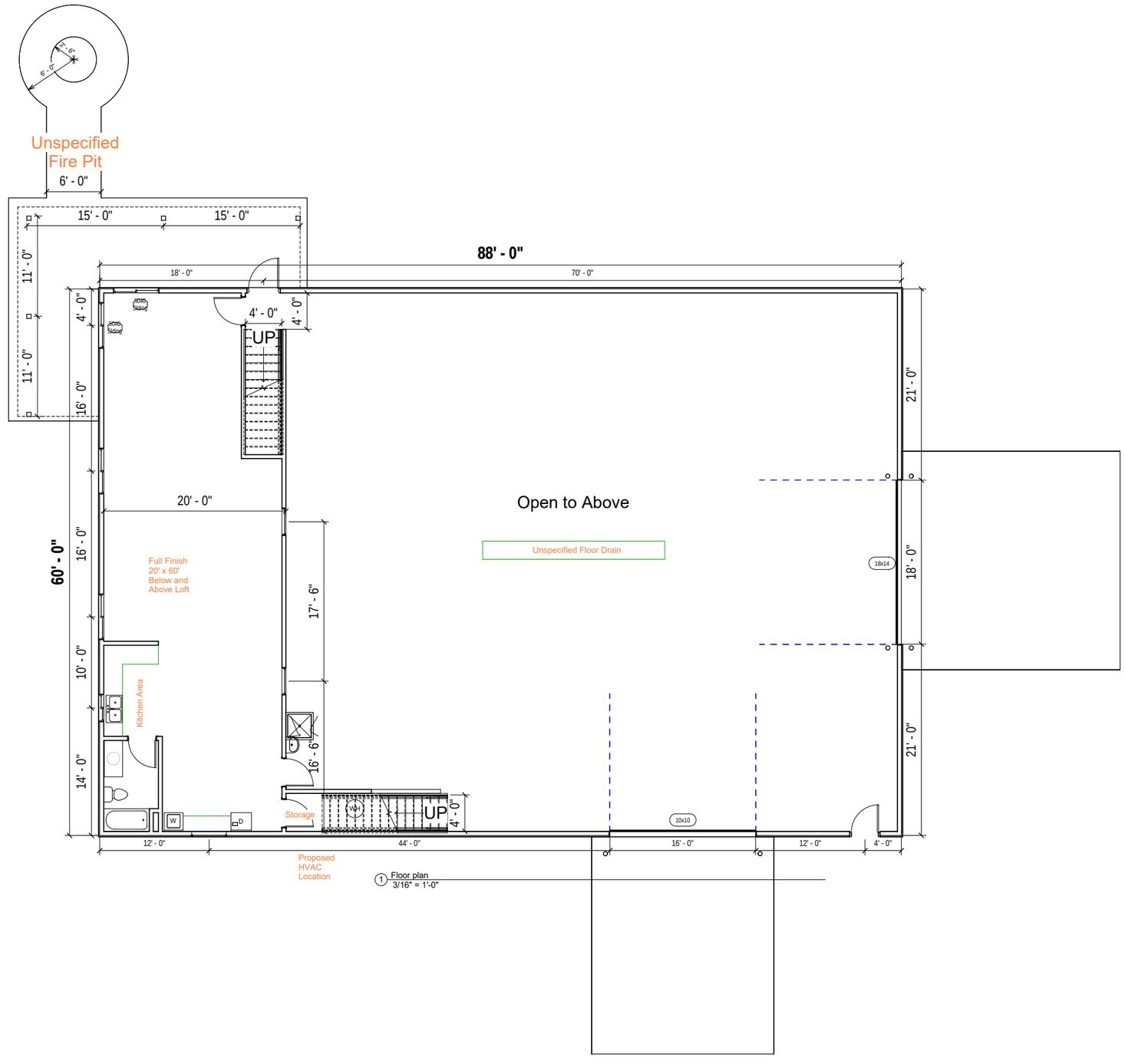
REVISION(S)

FOR FIELD USE (FINAL)

N/A

PAGE NUMBER

B100



Building Information

BUILDING SIZE:	60' x 88'
BUILDING HEIGHT:	18'
ROOF PITCH:	5:12
ROOF COLOR:	BLACK
WAINSCOT COLOR:	BLACK
WALL COLOR:	CRIMSON RED

(COLORS SHOWN ON PLANS MAY VARY SLIGHTLY FROM COLORS RECIEVED)

Door Schedule

Type	Family	Count	Width	Head Height
10x10	OHD Flush Panel	1	16' - 0"	14' - 0"
18x14	OHD Flush Panel	1	18' - 0"	14' - 0"
3068	Interior Door	6	3' - 0"	6' - 8"
3468	Exterior	1	3' - 0"	6' - 8"
3468	Exterior window	1	3' - 4"	6' - 8"

Window Schedule

Type	Count	Width	Height	Head Height
3020 Sliding	1	3' - 0"	2' - 0"	6' - 6"
3060 Fixed	4	3' - 0"	6' - 0"	7' - 0"
4020 Fixed	9	4' - 0"	2' - 0"	6' - 0"
4020 Fixed	1	4' - 0"	2' - 0"	7' - 0"
5040 Sliding	11	5' - 0"	4' - 0"	7' - 0"

Reaves BUILDINGS
4101 N. 4TH AVENUE - SIOUX FALLS, SD
FAX 605-334-4066
PH.605-339-3647
REAVESBUILDINGS.COM FACEBOOK.COM/COMPONENTREAVES

PROJECT INFO

Reaves Buildings

Tofte
60x80

v7c

Floor Plan

REF. NUMBERS

20003624 | JOB

DESIGNER

Tom Gambrel
tgambrel@cmcreaves.com

DRAWING DATES

FOR APPROVAL (SHOPS)
4/14/2020

REVISION(S)

FOR FIELD USE (FINAL)
N/A

PAGE NUMBER

B101

REAVESBUILDINGS.COM FACEBOOK.COM/COMPONENTREAVES
4101 N. 4TH AVENUE - SIOUX FALLS, SD
FAX 605-334-4096
PH.605-339-3647

REAVES BUILDINGS

PROJECT INFO
Reaves Buildings
Tofte
60x80
v7c

2nd Floor

REF. NUMBERS
20003624 | JOB

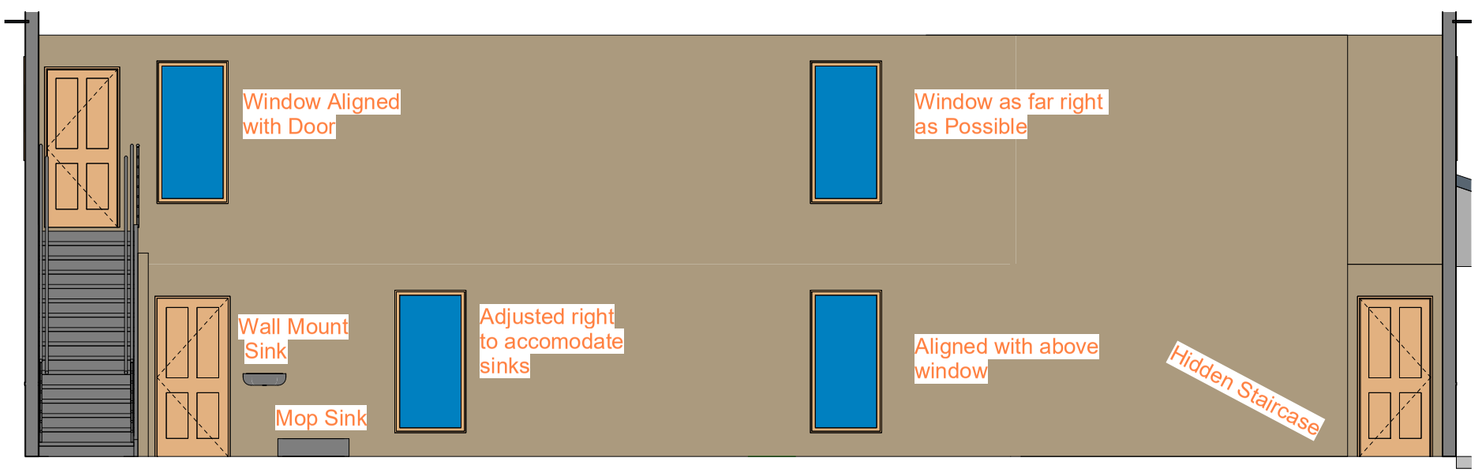
DESIGNER
Tom Gambrel
tgambrel@cmcreaves.com

DRAWING DATES
FOR APPROVAL (SHOPS)
4/14/2020
REVISION(S)

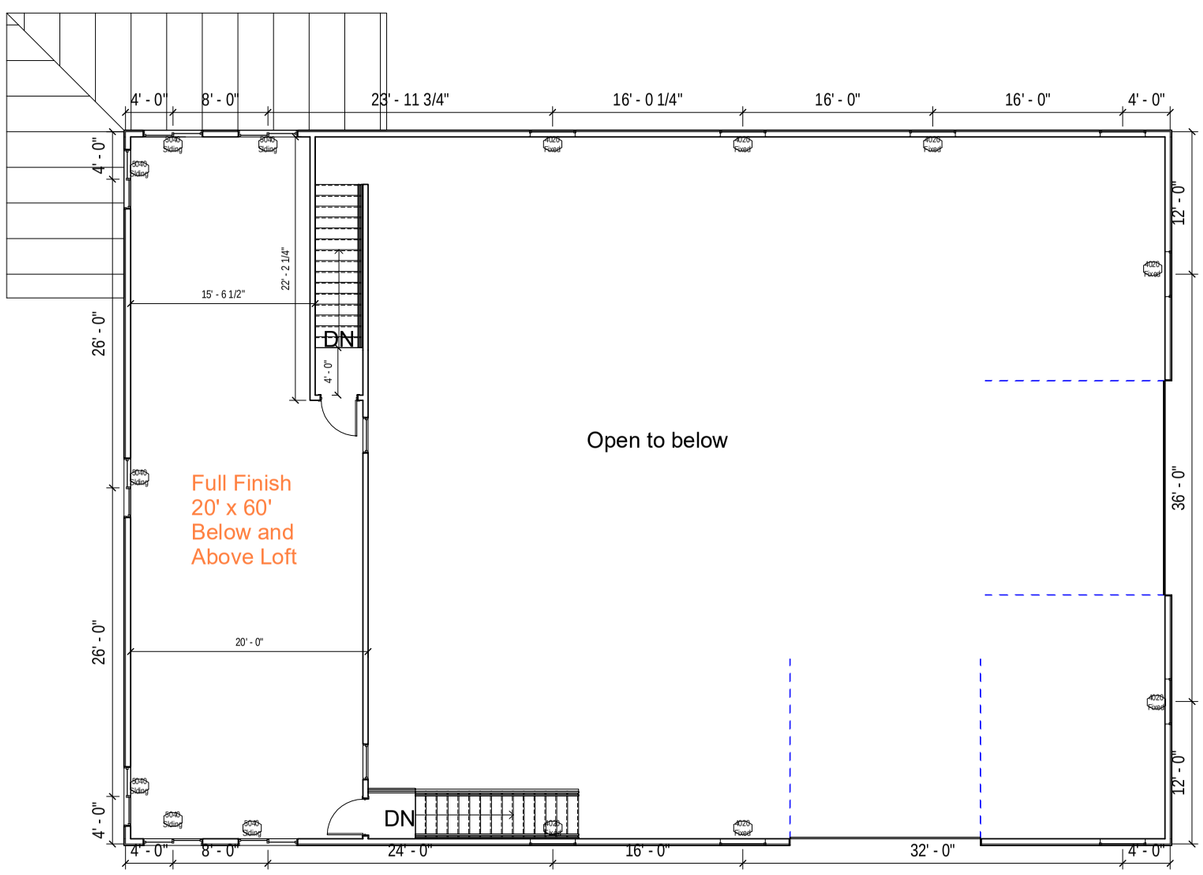
FOR FIELD USE (FINAL)
N/A

PAGE NUMBER
B103

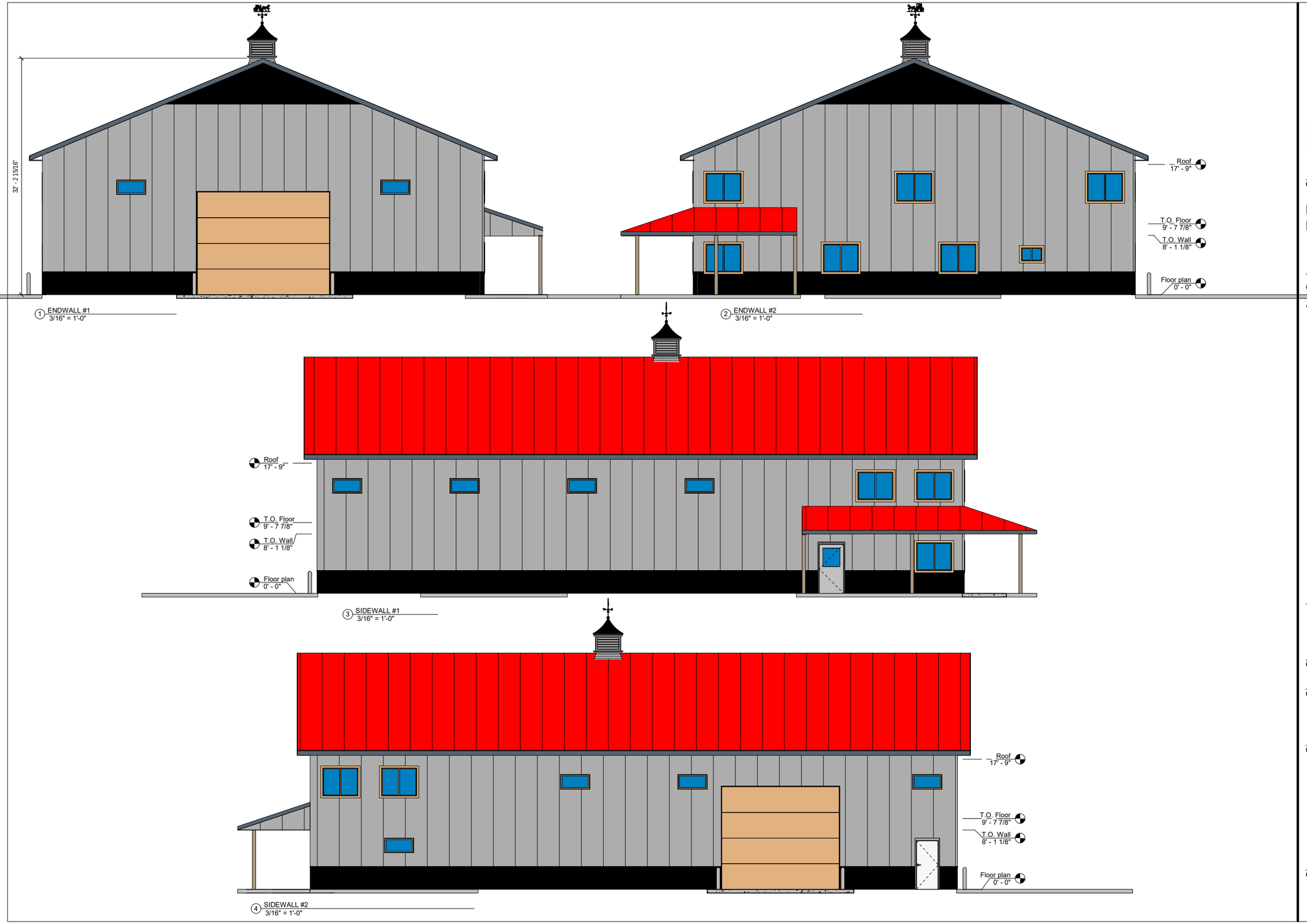
View of your divide wall



② Section 1
3/8" = 1'-0"



① 2ND FLR
3/16" = 1'-0"



Reaves BUILDINGS
4101 N. 4TH AVENUE - SIOUX FALLS, SD
FAX 605-334-4096
PH.605-339-3647
REAVESBUILDINGS.COM FACEBOOK.COM/COMPONENTREAVES

PROJECT INFO

Reaves Buildings

Tofte
60x80

v7c

Elevations

REF. NUMBERS

20003624 | JOB

DESIGNER

Tom Gambrel
tgambrel@cmcreaves.com

DRAWING DATES

FOR APPROVAL (SHOPS)
4/14/2020
REVISION(S)

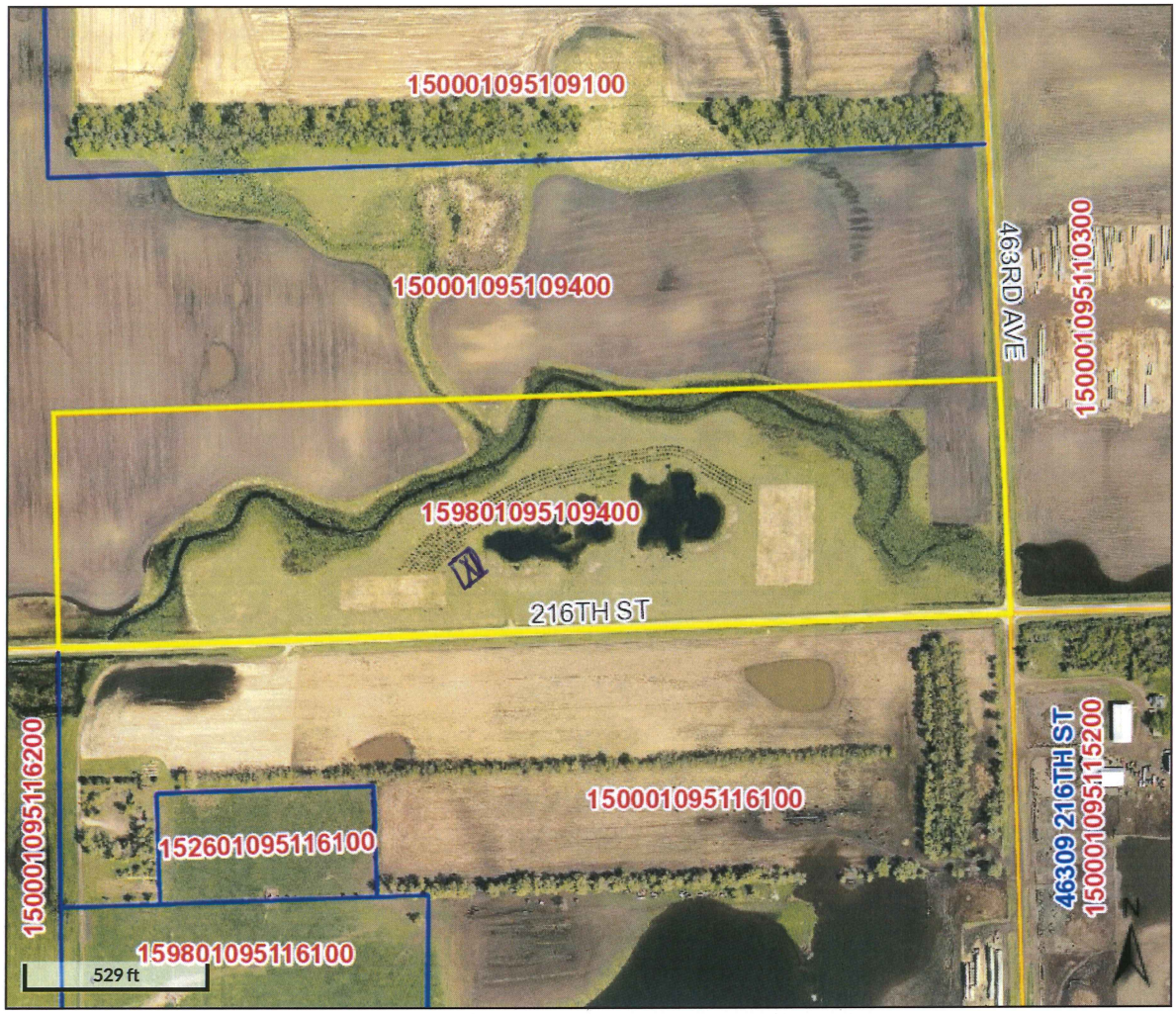
FOR FIELD USE (FINAL)
N/A

PAGE NUMBER

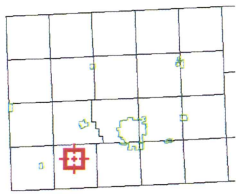
B102

2020 VAR002

Beacon™ Brookings County, SD



Overview



Legend

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

Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

Parcel ID	159801095109400	**Alternate ID**	n/a	**Owner Address**	TOFTE BROTHERS LLC
Sec/Twp/Rng	9-109-51	**Class**	AGA		4055 S BRADY CT
Property Address		**Acreage**	40		SIOUX FALLS SD 57103
District	1505				
Brief Tax Description	S 1/2 OF S 1/2 OF SE 1/4 SEC 09-109-51 40 ACRES				
	(Note: Not to be used on legal documents)				

Date created: 4/6/2020
Last Data Uploaded: 4/6/2020 8:06:54 AM

Developed by Schneider GEOSPATIAL

Looking west from driveway on 216th St.

Looking east from driveway on 216th St.

2020var002: Thomas A. Tofte for Tofte Brothers LLC

Looking north from driveway.

Looking northwest towards proposed building site.

Wheel at 107 feet from center of 216th St.

Wheel at 150 feet setback.

Stakes marking east end of building.

Wheel at stakes marking west end of building.

Looking northeast towards pond & trees. Stake at northeast corner of proposed building.

Looking east towards pond from east side of proposed building.

Looking east from proposed site.

RECEIVED

APR 1 4 2020

BROOKINGS
COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE TO ZONING REGULATIONS

Date of Application: 4/13/20 Variance Number: 2020var003

To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Variance to the Brookings County Zoning Regulations for the purpose of:

Building a carport west of our lake home.

B.) Section(s) of Zoning Regulations to be exempted:

Article II District Requirements: Chapter 4.03 "LP" Lake-Park District: Section 4.03.03 Density, Area and Yard Regulation (Minimum Lake Front)

C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this regulation: that the special conditions and circumstances do not result from the actions of the applicant, and that granting the variance requested will not confer on the applicant, and privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

3) Size and shape of lot is not large enough to meet set back requirement.

D.) Legal Description of Property:

Lot 28 and the east 20' feet of Lot 29 in Marvin Wade's Subdivision of Government Lots 1, Two 2, and 3 in the Northeast quarter (NE 1/4) of section 6, Township 112 North, Range 52 West of the 5th P. M. in Brookings County, South Dakota, according to the recorded plat thereof.

E.) Time and Date Set for Hearing before Brookings County Board of Adjustment.

May 5, 2020
Date

8:00 PM
Time

Approved

Rejected

Date

Chairman of Brookings County Board of Adjustment

Mary C Walkes
Person filing petition – print

Mary C Walkes
Person filing petition – sign

41039 304th St.
Address

Avon
City

South Dakota
State

57315
Zip Code

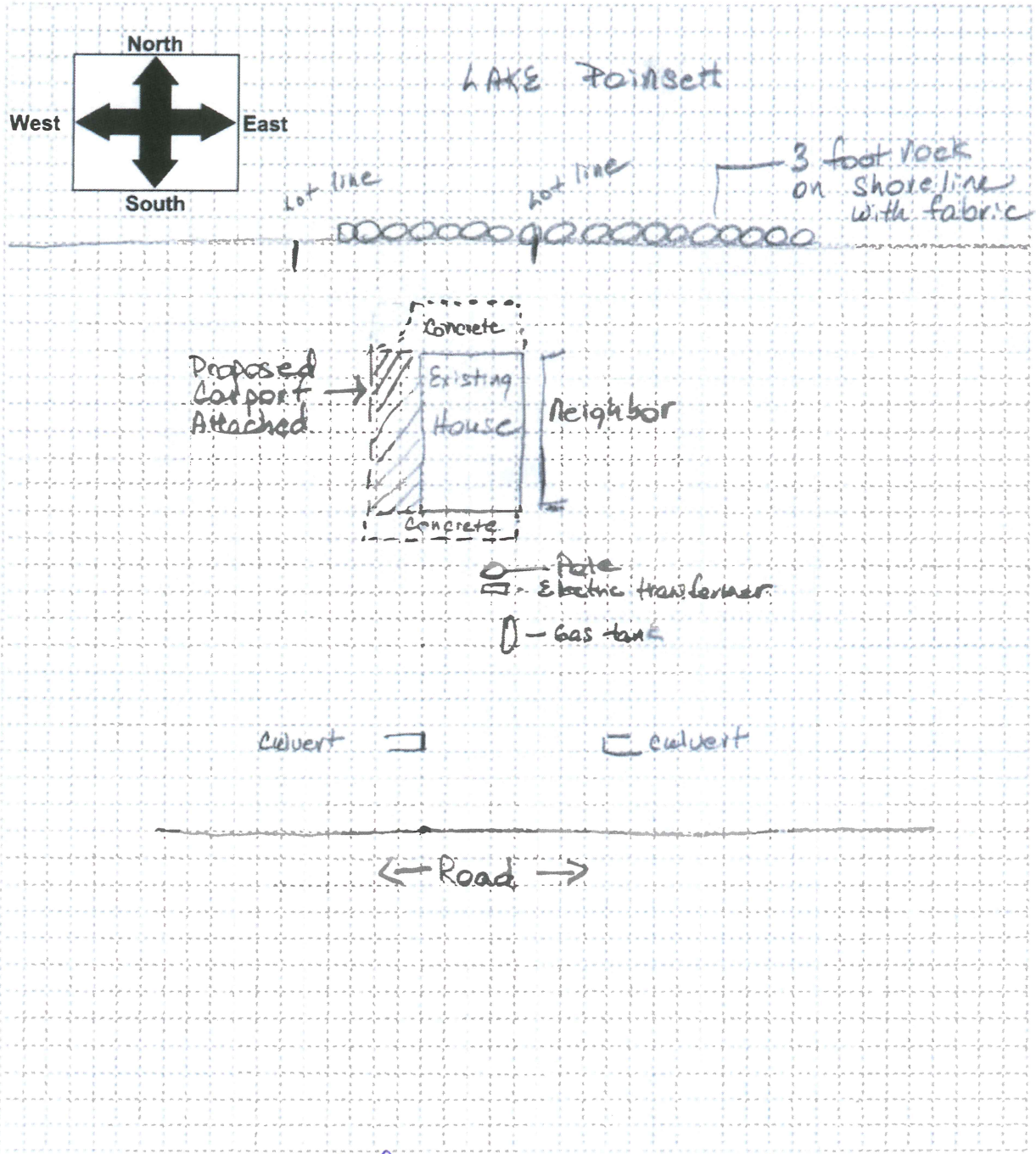
605-661-6726
Telephone

A variance that is granted and not used within three (3) years will be considered invalid.

2020var003

SKETCH

Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.



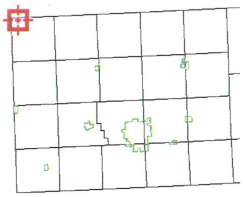
1 Square = 6 feet

• Carport 14 feet wide x length of cabin •

2020var003

Beacon™ Brookings County, SD

Overview



Legend

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

Parcel ID	112251125206157	**Alternate ID**	n/a	**Owner Address**	WALKES, DAVID LIVING TRUST
Sec/Twp/Rng	6-112-52	**Class**	NAC		41039 304TH ST
Property Address	228 S LAKE DR ARLINGTON	**Acreage**	n/a		AVON SD 57315
District	110919				
Brief Tax Description	MARVIN WADE SUBDIVISION LOT 28 & E 20' LOT 29 IN NE 1/4 SEC 6-112-52 60' X 82' (Note: Not to be used on legal documents)				

Date created: 4/13/2020
Last Data Uploaded: 4/13/2020 8:09:04 AM

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BROOKINGS COUNTY DEVELOPMENT
Planning, Zoning and Drainage / Emergency Management
Brookings City & County Government Center
520 3rd Street, Suite 200
BROOKINGS, SOUTH DAKOTA 57006
(605)-696-8350
E-Mail: zoning@brookingscountysd.gov

Brookings County Board of Adjustment
May 5, 2020 – 8:00 PM meeting

2020var003 – May 5, 2020

Prepared by Richard Haugen

Applicant/Owner: Mary C Walkes, 41039 304th St, Avon, SD 57315
Site Address: 228 S Lake Dr, Arlington, SD 57212

Legal Description: "Lot 28 and the E 20' of Lot 29 Marvin Wade's Subdivision of Govt Lots 1,2 and 3 In NE1/4 Section 6, T112N, R52W (Laketon Township)"

Brookings County Zoning Ordinance: Article IV District Requirements: Chapter 4.03 "LP" Lake-Park District: Section 4.03.03. Density, Area and Yard Regulation (Minimum Lake Front).

2020var003: Mary Walkes, has applied for a variance to build a 14' x 28' post frame car port attached to the west side of their lake cabin. The outer support post of the car port is 25 feet from the highest known water mark, a variance of 50 feet. The Lake Park – Lake Front setbacks are 75 feet from the high water mark. The proposed car port will meet the road and side setback requirements. The proposed car port will not block the shoreline view for either adjoining landowners. The property is located in the flood plain, as noted on the attached Beacon Map. The car port is considered a non-substantial improvement and could be built in the floodplain.

Things to consider are the shape and size of the lot. Marvin Wade Subdivision was originally platted on May 24th, 1949.

The "Brookings County Comprehensive - Plan Future Land Use-Developed Lakes Future Land Use" found on page 58 –*In paragraph two: "It is likely that the established developed areas of Lake Campbell, Lake Hendricks, Lake Tetonkaha, and Lake Poinsett will experience continued development in varying degrees. While non-lake front growth potential exists for all of the able lakes; significant lake front area is appropriately zoned, and subdivided in some cases, adjacent to Lake Tetonkaha, Lake Hendricks, and Lake Campbell."*

Letters were sent to the adjoining landowners and Laketon Township Chairman and Clerk.

The public notices were published in the Brookings Register on April 21 & 28, 2020 and the Arlington Sun on April 23 and 30, 2020.

RECEIVED

APR 1 4 2020

BROOKINGS
COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE TO ZONING REGULATIONS

Date of Application: 4/13/20 Variance Number: 2020var003

To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Variance to the Brookings County Zoning Regulations for the purpose of:

Building a carport west of our lake home.

B.) Section(s) of Zoning Regulations to be exempted:
Article II District Requirements: Chapter 4.03 "LP" Lake-Park District: Section 4.03.03 Density, Area and Yard Regulation (Minimum Lake Front)

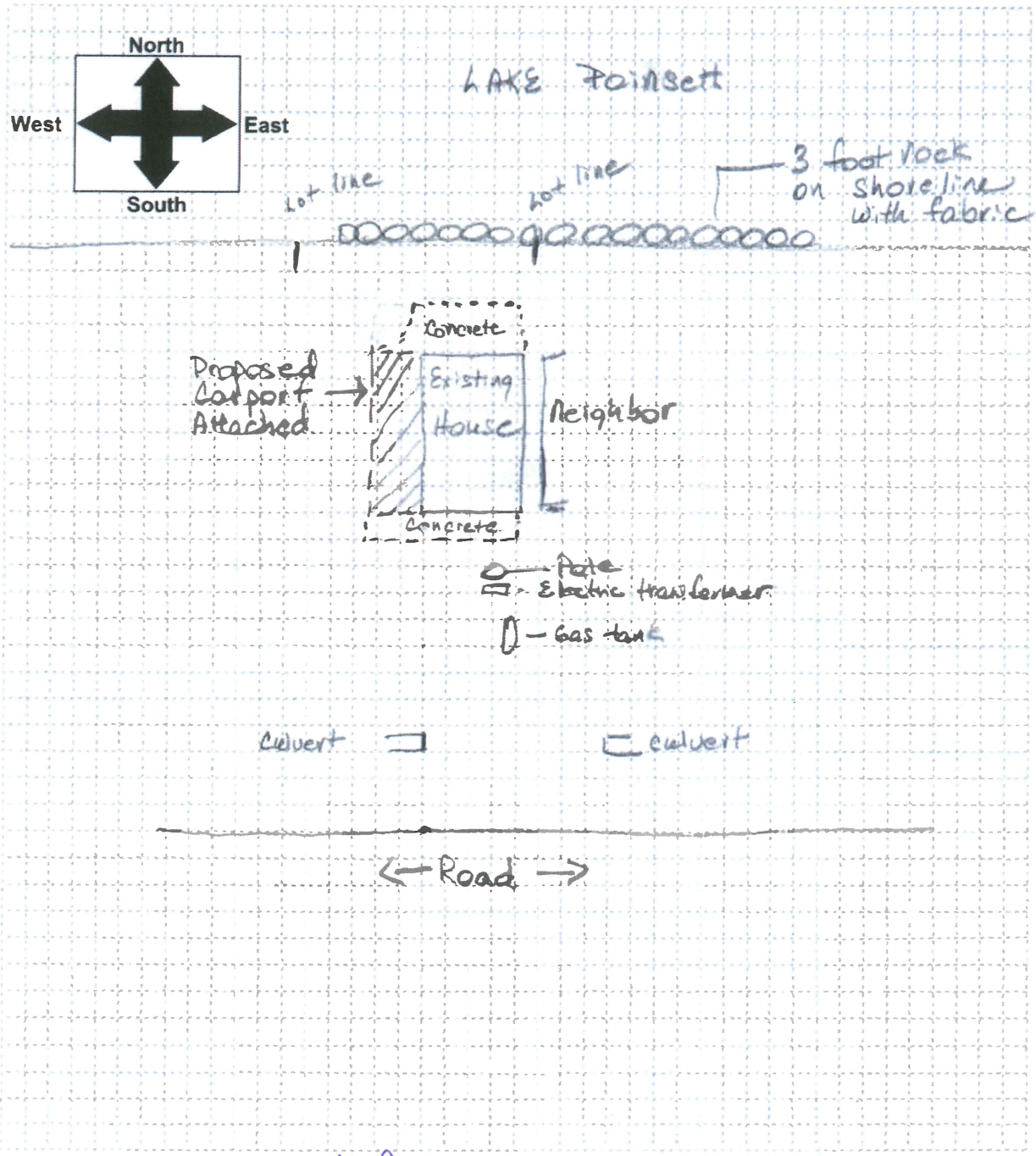
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this regulation: that the special conditions and circumstances do not result from the actions of the applicant, and that granting the variance requested will not confer on the applicant, and privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

3) Size and shape of lot is not large enough to meet set back requirement.

2020var003

SKETCH

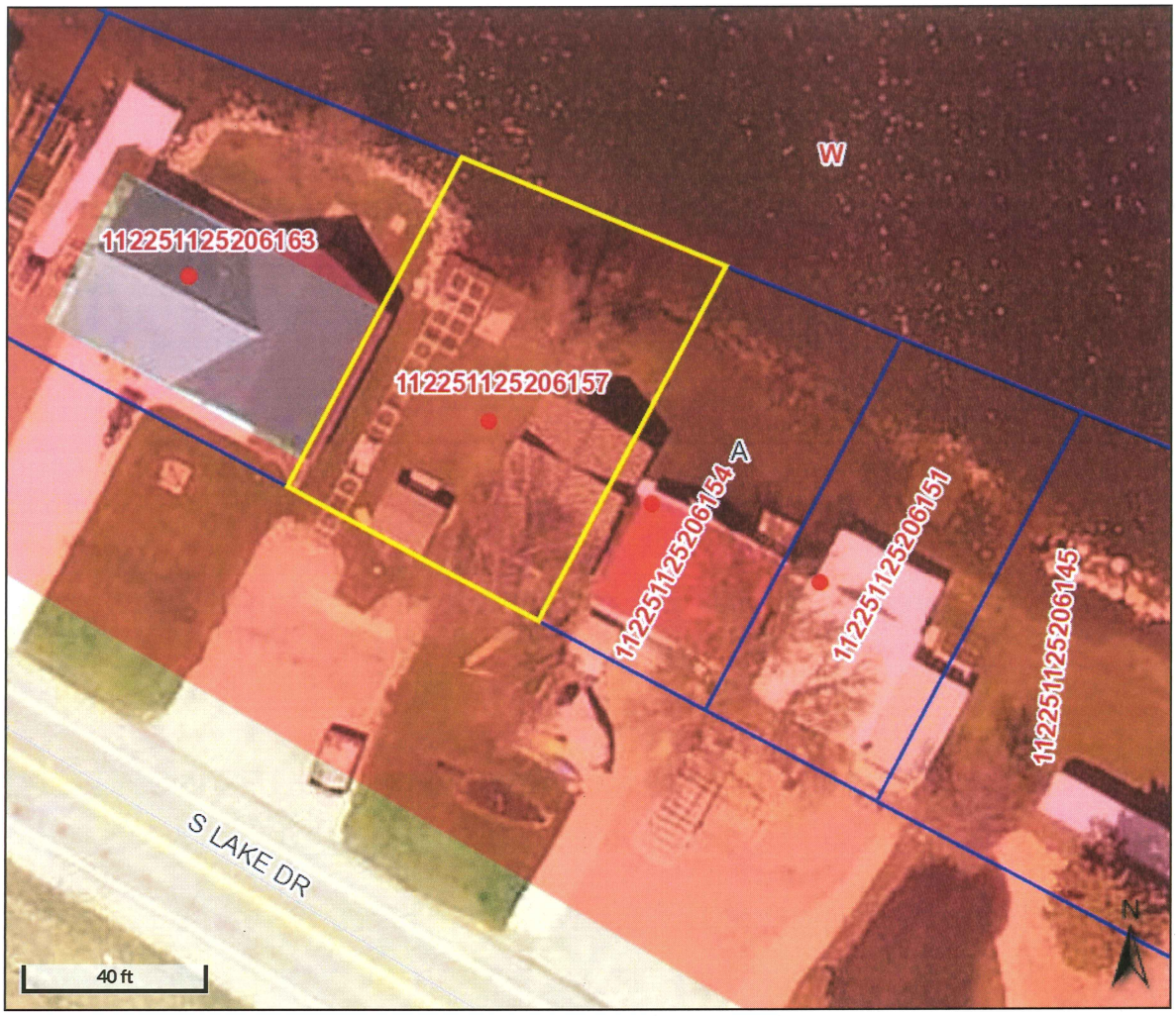
Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.



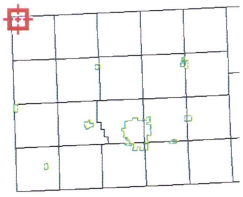
• Carport 14 feet wide x length of cabin •

2020var003 Floodplain 2008 map

Beacon™ Brookings County, SD



Overview



Legend

- Address Layer
- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Pipeline Consultation Area 660'
- Parcels
- Roads

Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

Parcel ID	112251125206157	**Alternate ID**	n/a	**Owner Address**	WALKES, DAVID LIVING TRUST
Sec/Twp/Rng	6-112-52	**Class**	NAC		41039 304TH ST
Property Address	228 S LAKE DR ARLINGTON	**Acreage**	n/a		AVON SD 57315
District	110919				
Brief Tax Description	MARVIN WADE SUBDIVISION LOT 28 & E 20' LOT 29 IN NE 1/4 SEC 6-112-52 60' X 82' (Note: Not to be used on legal documents)				

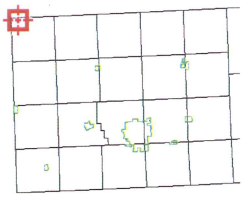
Date created: 4/13/2020
Last Data Uploaded: 4/13/2020 8:09:04 AM

Developed by Schneider GEOSPATIAL

2020var003

Beacon™ Brookings County, SD

Overview



Legend

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

Parcel ID	112251125206157	**Alternate ID**	n/a	**Owner Address**	WALKES, DAVID LIVING TRUST
Sec/Twp/Rng	6-112-52	**Class**	NAC		41039 304TH ST
Property Address	228 S LAKE DR ARLINGTON	**Acreage**	n/a		AVON SD 57315
District	110919				
Brief Tax Description	MARVIN WADE SUBDIVISION LOT 28 & E 20' LOT 29 IN NE 1/4 SEC 6-112-52 60' X 82' (Note: Not to be used on legal documents)				

Date created: 4/13/2020
Last Data Uploaded: 4/13/2020 8:09:04 AM

Developed by Schneider GEOSPATIAL

2020var003: Mary Walkes

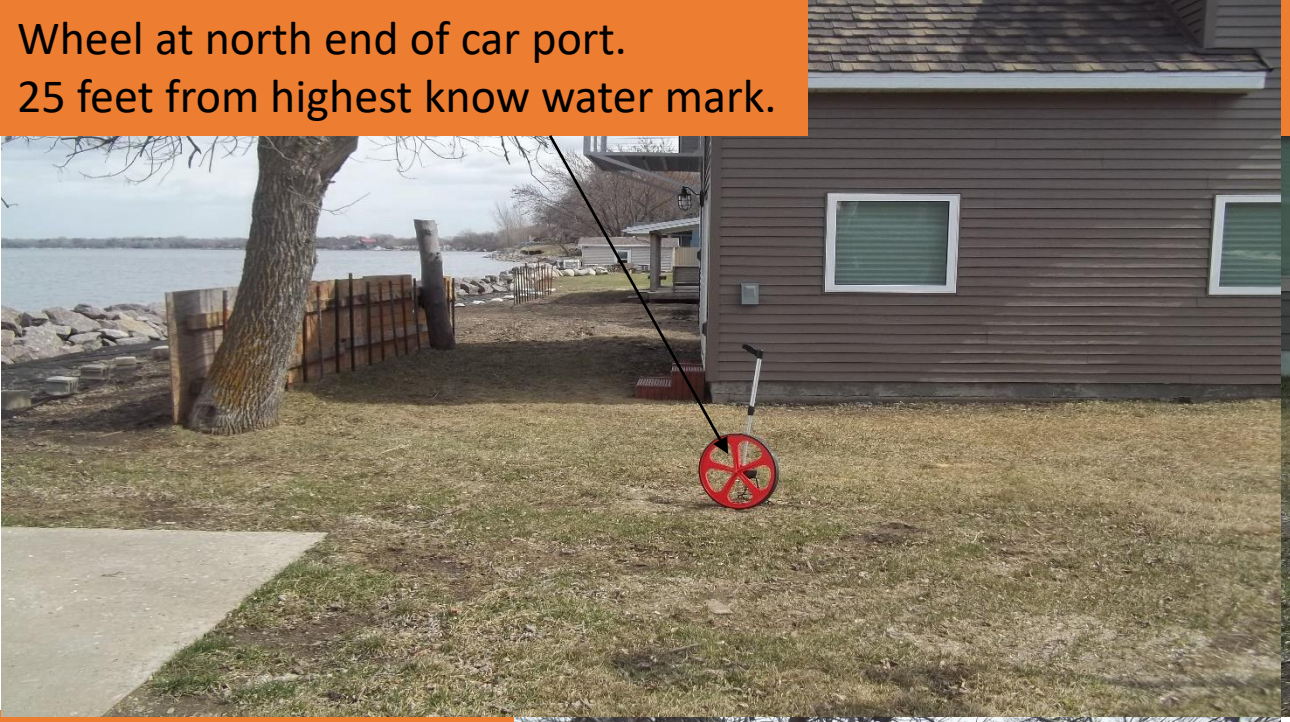
Looking east from driveway.

Looking north towards lake from Brkgs Cnty Rd # 2 (196th St)

Looking south from lake. Wheel at 25 feet from highest known water mark.

Wheel at 14 feet from of house., west side of proposed car port.

Wheel at north end of car port.
25 feet from highest know water mark.

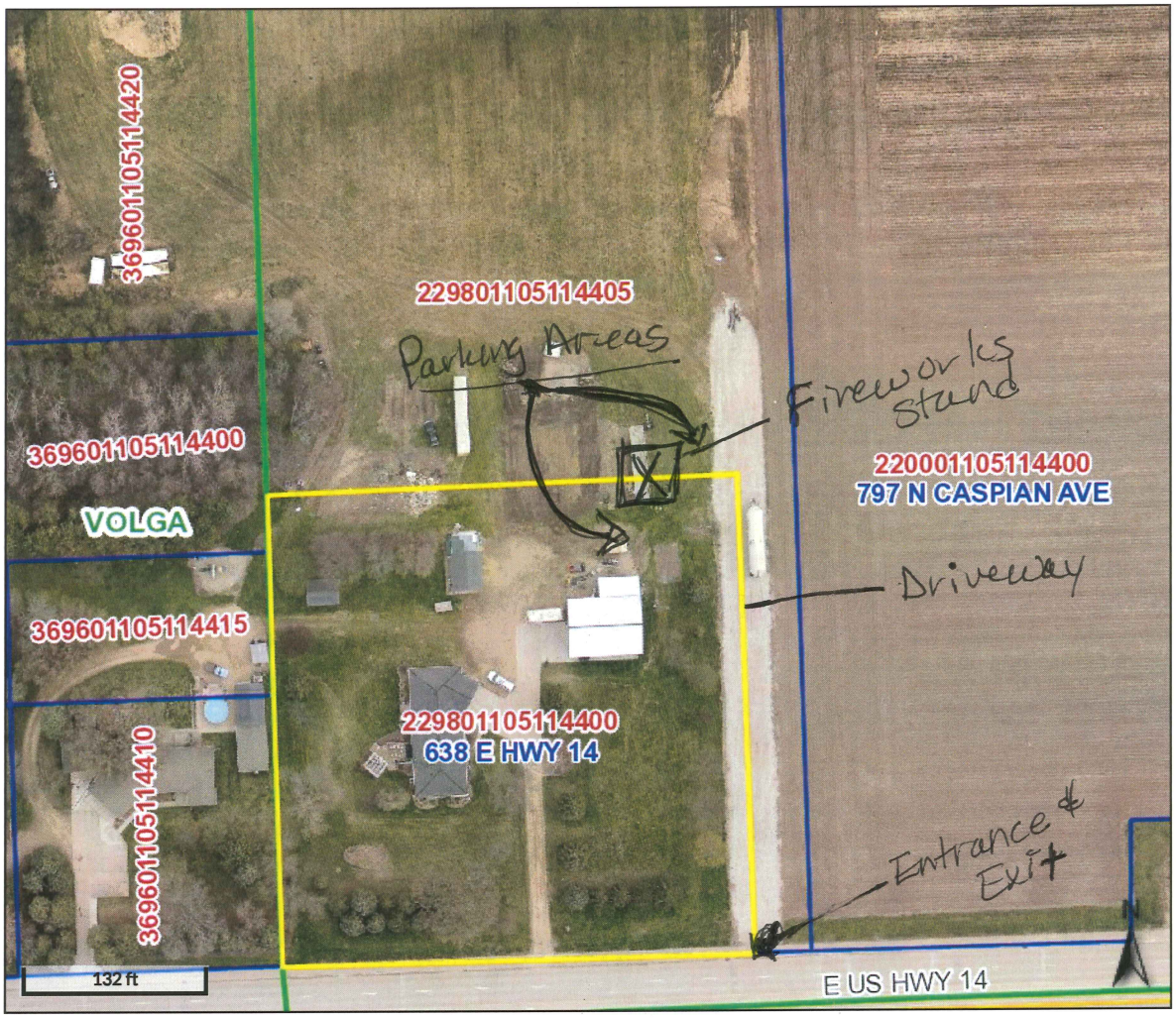


Looking west along lake shore.

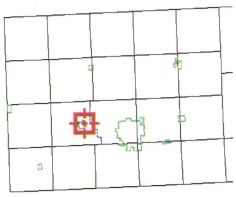
Looking east along lake shore.

2020 CUP11 Site Map

Beacon™ Brookings County, SD



Overview



Legend

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

Parcel ID	229801105114400	**Alternate ID**	n/a	**Owner Address**	COTTON, MIKE ET UX
Sec/Twp/Rng	14-110-51	**Class**	NACS		638 E HWY 14
Property Address	638 E HWY 14 VOLGA	**Acreage**	n/a		VOLGA SD 57071

District 2205

Brief Tax Description W 317' OF E 357' OF W 800.81' OF S 332' OF SW 1/4 SE 1/4 EXC. H-1 & H-2 SEC 14-110-51 2.39 AC
(Note: Not to be used on legal documents)

Date created: 4/17/2020
Last Data Uploaded: 4/17/2020 8:09:29 AM

Developed by Schneider GEOSPATIAL

27 JUN – JUL 5

10am - 10pm

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 4-17-2020 Permit Number: 2020cu011

To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Conditional Use to the Brookings County Zoning Regulations for the purpose of:

Sell Fireworks Seasonal

B.) Section(s) of Zoning Regulations authorizing Conditional Use:

Article 11.00 Section 11.01 "A" Agricultural District" Conditional use #19: Seasonal retail stands, excluding garden produce but including firework stands.

C.) Legal Description of Property:

W317' of E357' of W800.81' of S332' of SW¼ SE¼ Exc H-1 & H-2 and N643' of S975' of E357' of W800.81' & E40' of W800.81' of S332' of SE¼ all in Section 14, 110N, R51W (Volga Twp)

Parcel # 229801105114400 & 229801105114405
Addr: 638 E Hwy 14, Volga SD 57071

RECEIVED
APR 17 2020
BROOKINGS COUNTY DEVELOPMENT

Form continued on page 2

D.) Time and Date Set for Hearing before Brookings County Board of Adjustment.

May 5, 2020
Date

8:00 PM
Time

Approved

Rejected

Date

Chairman of Brookings County Board of Adjustment

Mike Cotton
Person filing petition – print

George Cotton
Person filing petition – sign

638E Hwy 14 634 E Hwy 14
Address

Volga SD Volga SD
City

SD SD
State

57071 57071
Zip Code

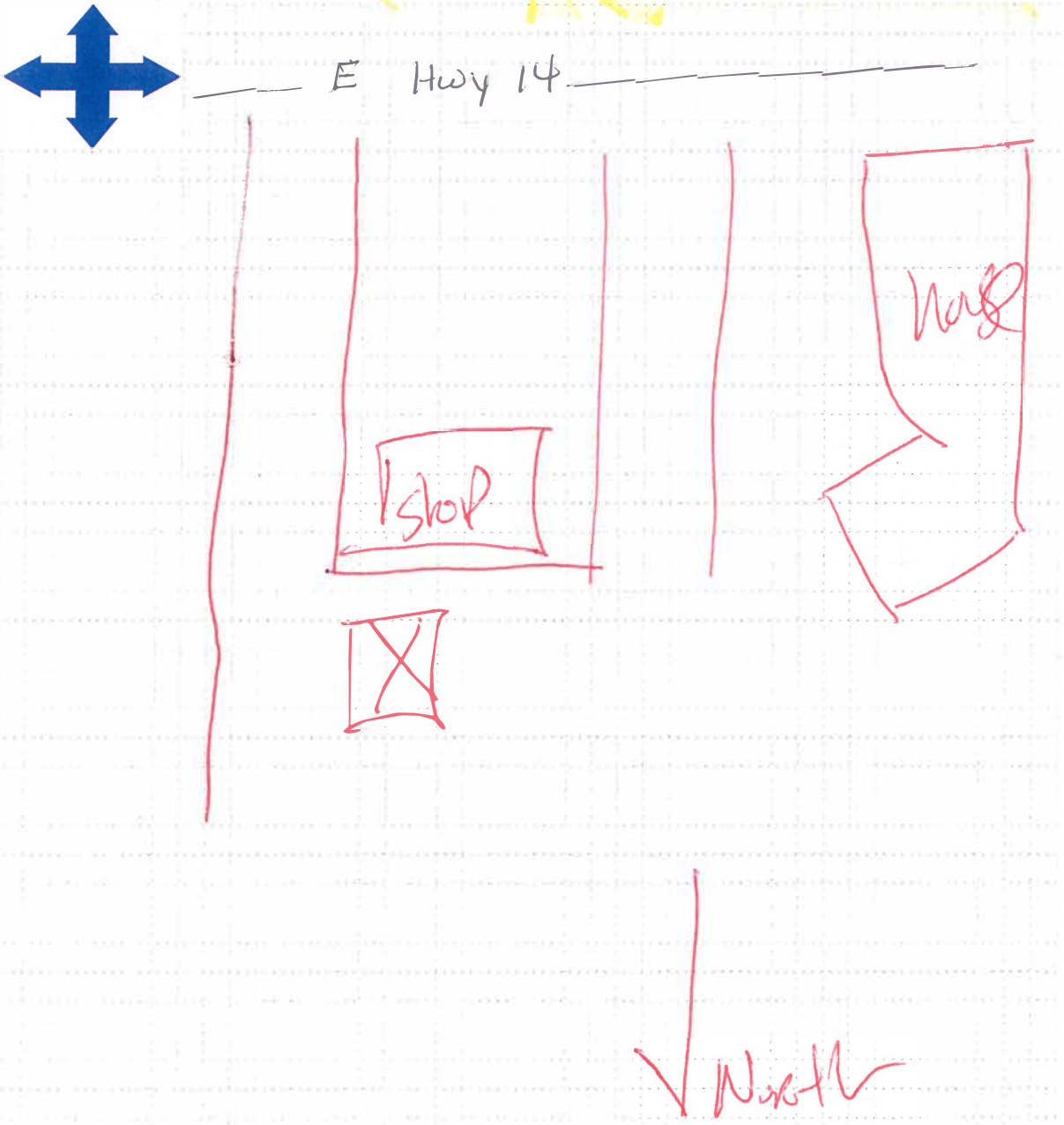
605-690-1157 / 605690.518
Telephone

A conditional use that is granted and not used within three (3) years will be considered invalid.

2020 CU 011

SKETCH

Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.



BROOKINGS COUNTY DEVELOPMENT
Planning, Zoning and Drainage / Emergency Management
Brookings City & County Government Center
520 3rd Street, Suite 200
BROOKINGS, SOUTH DAKOTA 57006
(605)-696-8350
E-Mail: zoning@brookingscountysd.gov

Brookings County Board of Adjustment
May 5, 2020 – 8:00 PM meeting

2020cu011 – May 5, 2020

Prepared by Richard Haugen, Brookings County Development Deputy Director

Applicant: Mike Cotton, 638 E Hwy 14, Volga, SD 57071
George Cotton, 634 E Hwy 14, Volga, SD 57071

Legal Description: "W317' of E357' of W800.81' of S332' of SW1/4 SE1/4 Exc H-1 & H-2 and N643' of S975' of E357' of W800.81' & E40' of W800.81' of S332' of SE1/4 all in Section 14, T110N, R51W (Volga Township)" ~~ located at 638 E Hwy 14, Volga, SD 57071.

Brookings County Zoning Ordinance: Article 11: Section 11.01: "A" Agricultural District: Conditional Use Permit # 19: Seasonal retail stands, excluding garden produce but including fireworks stands.

2020cu011: Mike Cotton and George Cotton have applied for a conditional use permit for a seasonal firework stand. The applicants were granted a one year conditional use, 2019cu004 for a fireworks stand last year, by this board. They are reapplying to continue their seasonal fireworks stand. The Brookings County Development Office and the Brookings County Sherriff's Office received no complaints last year regarding the fireworks stand. The stand will be located at Mike Cotton's, 638 E Hwy 14, Volga, SD 57071. They will use a 10' x 20' portable building, that will be anchored downed, to sell the firework out of. The hours of operation will be 10:00 AM – 10:00 PM. There is an existing driveway off US Highway 14 that will be used for entrance and exit. The applicant's site plan and hours of operation are included in this report, which shows adequate parking area, entrance and exit and building location. The applicants will have to abide by South Dakota Codified Law 34-37 for the sale of fireworks. Mike and George each own land that adjoins each other and the stand may be located on one or both parcels. The combined area of both parcels is 7 acres. Volga City Manager Jamison Berreth has no objections to the conditional use request. Jon Rittershaus with the South Dakota Department of Transportation has no objections to the request.

Letters were sent to the adjoining landowners, City of Volga, Volga Township Chairman and Clerk, and South Dakota Department of Transportation.

The public notices were published in the Brookings Register on April 21 and 28, 2020 and Volga Tribune on April 23 and 30, 2020

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 4-17-2020 Permit Number: 2020cu011

To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Conditional Use to the Brookings County Zoning Regulations for the purpose of:

Sell Fireworks Seasonal

B.) Section(s) of Zoning Regulations authorizing Conditional Use:

Article 11.00 Section 11.01 "A" Agricultural District" Conditional Use #19: Seasonal retail stands, excluding garden produce but including firework stands.

C.) Legal Description of Property:

W317' of E357' of W800.81' of S 332' of SW¼ SE¼ Exc H-1 & H-2 and N643' of S975' of E357' of W800.81' & E 40' of W800.81' of S 332' of SE¼ all in Section 14, 110N, R51W (Volga Twp)

Parcel # 229801105114400 & 229801105114405
Addr: 638 E Hwy 14, Volga SD 57071

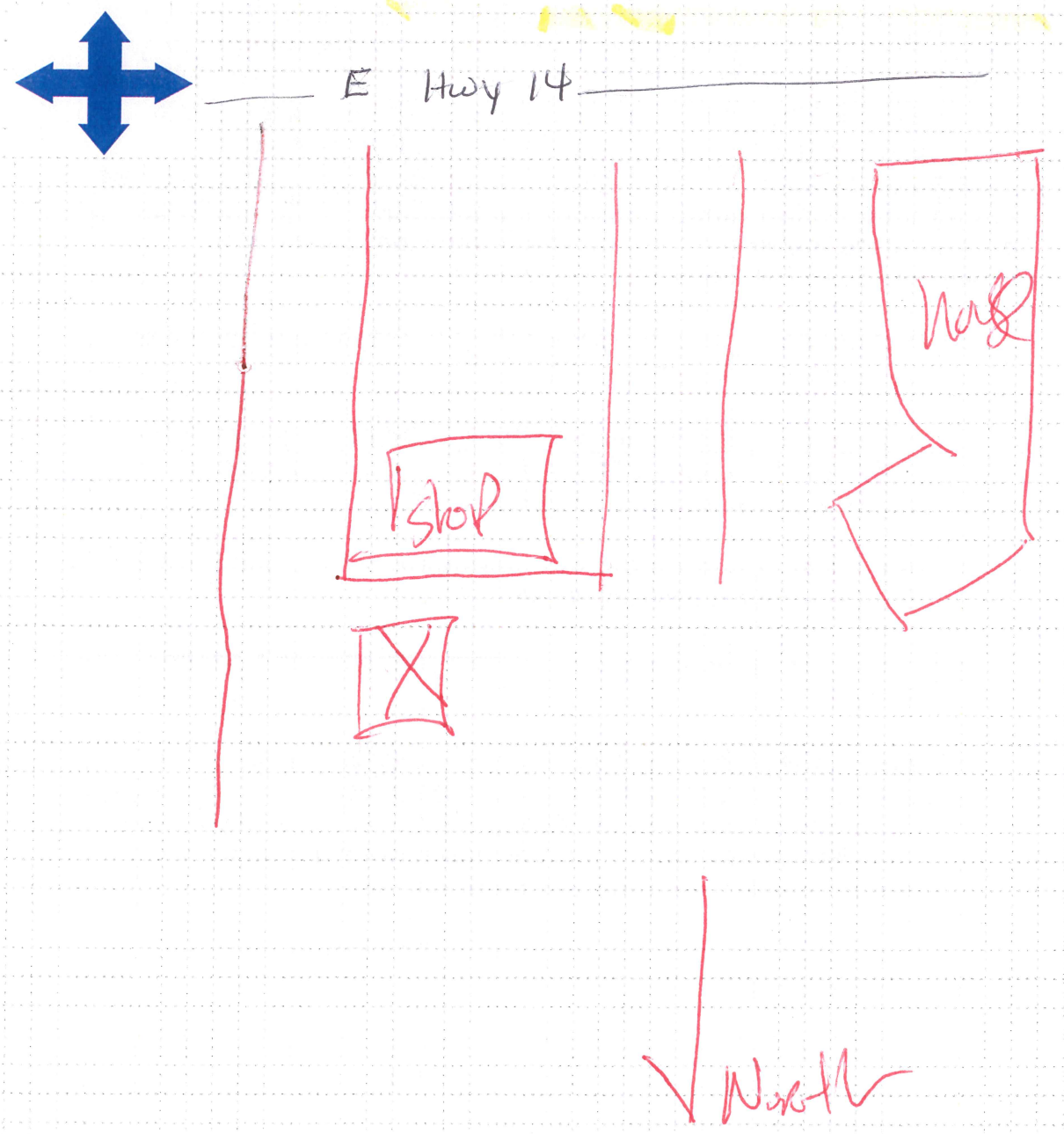
RECEIVED
APR 17 2020
BROOKINGS COUNTY DEVELOPMENT

Form continued on page 2

2020 CU 011

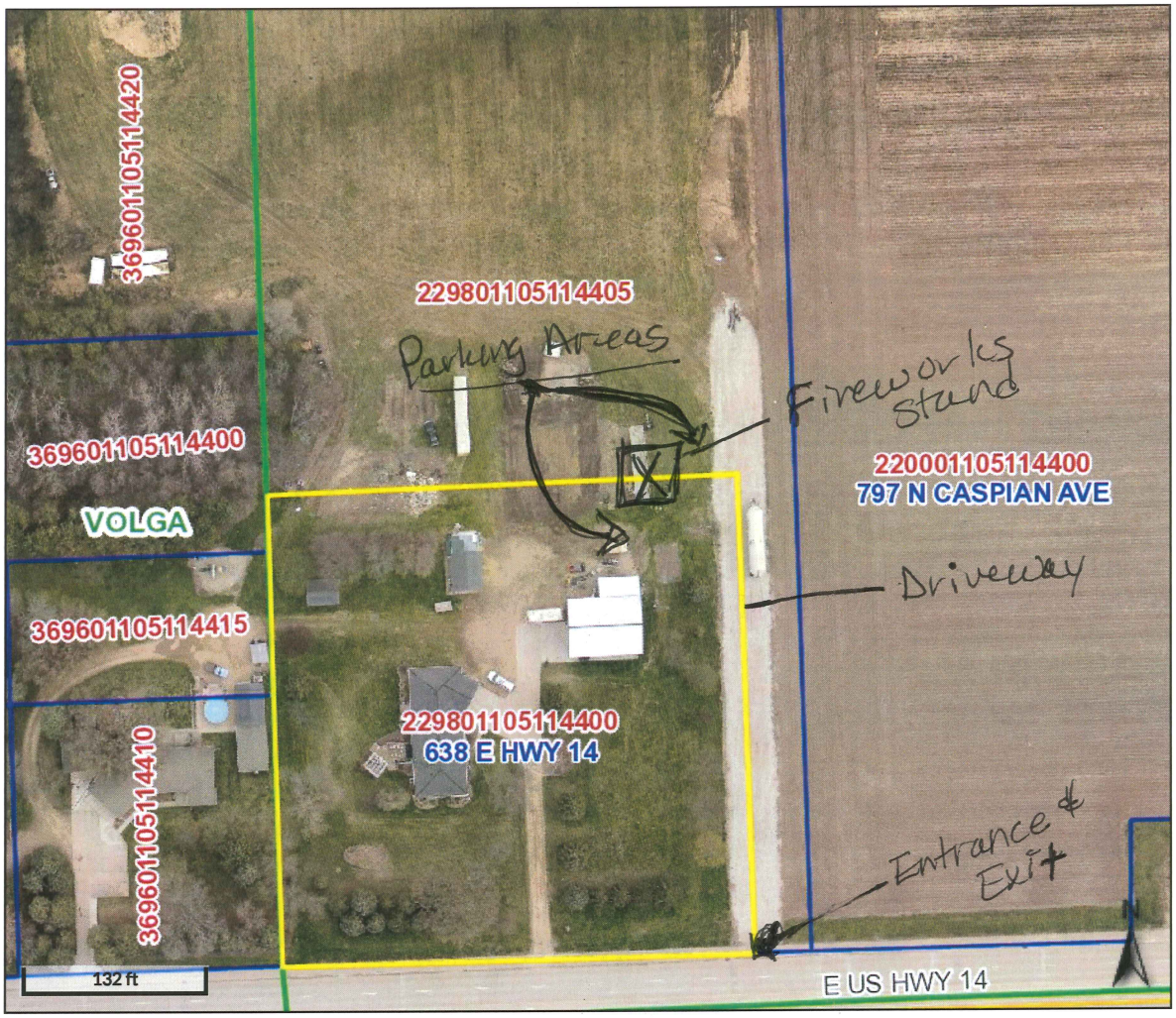
SKETCH

Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.

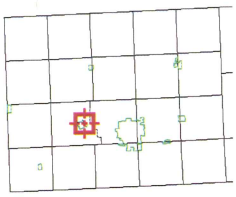


2020 CUP11 Site Map

Beacon™ Brookings County, SD



Overview



Legend

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

Parcel ID	229801105114400	**Alternate ID**	n/a	**Owner Address**	COTTON, MIKE ET UX
Sec/Twp/Rng	14-110-51	**Class**	NACS		638 E HWY 14
Property Address	638 E HWY 14 VOLGA	**Acreage**	n/a		VOLGA SD 57071

District 2205

Brief Tax Description W 317' OF E 357' OF W 800.81' OF S 332' OF SW 1/4 SE 1/4 EXC. H-1 & H-2 SEC 14-110-51 2.39 AC
(Note: Not to be used on legal documents)

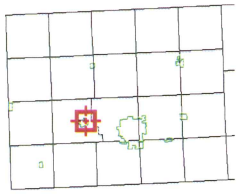
Date created: 4/17/2020
Last Data Uploaded: 4/17/2020 8:09:29 AM

Developed by Schneider GEOSPATIAL

2020 ccon

Beacon™ Brookings County, SD

Overview



Legend

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

Parcel ID	229801105114400	**Alternate ID**	n/a	**Owner Address**	COTTON, MIKE ET UX
Sec/Twp/Rng	14-110-51	**Class**	NACS		638 E HWY 14
Property Address	638 E HWY 14 VOLGA	**Acreage**	n/a		VOLGA SD 57071
District	2205				
Brief Tax Description	W 317' OF E 357' OF W 800.81' OF S 332' OF SW 1/4 SE 1/4 EXC. H-1 & H-2 SEC 14-110-51 2.39 AC (Note: Not to be used on legal documents)				

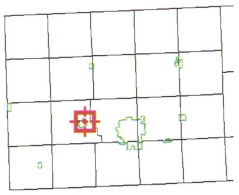
Date created: 4/17/2020
Last Data Uploaded: 4/17/2020 8:09:29 AM

Developed by Schneider GEOSPATIAL

2020 au011

Beacon™ Brookings County, SD

Overview



Legend

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

Parcel ID	229801105114405	**Alternate ID**	n/a	**Owner Address**	COTTON, GEORGE O ET UX
Sec/Twp/Rng	14-110-51	**Class**	NAC		634 E HWY 14
Property Address		**Acreage**	n/a		VOLGA SD 57071
District	2205				

Brief Tax Description N 643' OF S 975' OF E 357' OF W 800.81' & E 40' OF W 800.81' OF S 332' OF SE 1/4 EXC H-2 SEC 14-110-51 5.57 AC
(Note: Not to be used on legal documents)

Date created: 4/17/2020
Last Data Uploaded: 4/17/2020 8:09:29 AM

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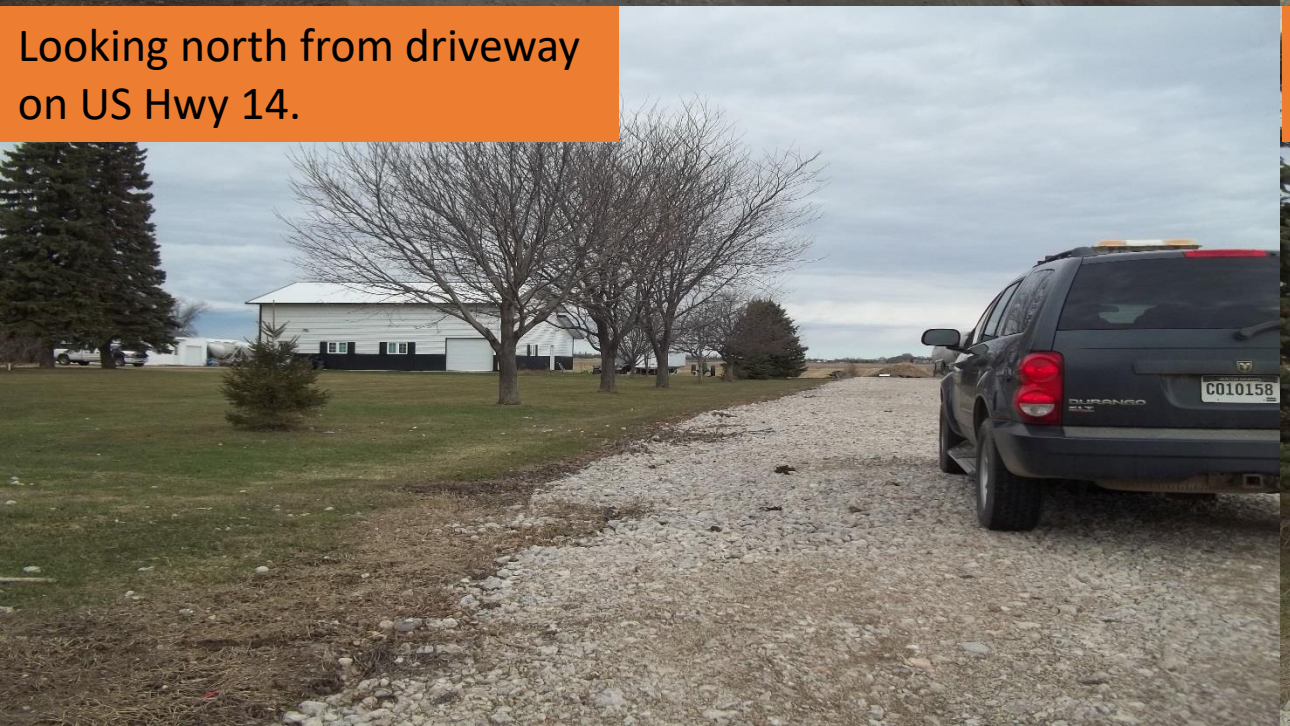
Looking east along US Hwy 14.

Looking west along US Hwy 14.

2020cu011: Mike Cotton & George Cotton

Looking north from driveway on US Hwy 14.



Proposed fireworks stand location and parking area.

Fireworks stand. Front view.

Fireworks stand. End view.

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 3/28/2020 Permit Number: 2020cu009

To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Conditional Use to the Brookings County Zoning Regulations for the purpose of:

Mining Gravel

B.) Section(s) of Zoning Regulations authorizing Conditional Use:

Article 11: Section 11.01 "A" Agricultural District, Conditional Use # 4; "Sand, gravel or gravel operation, mineral exploration and extra dirt."

C.) Legal Description of Property:

2020cu009 & 2020cu010

C) Legal Description of Property: NW1/4 of Section 13, T111N, R52W and NE1/4 of Section 13, T111N, R52W to Include Cemetery and SW1/4 SE1/4 of Section 12, T111N, R52W and E1/2 SW1/4, NW1/4 SE1/4, SW1/4 NE1/4 of Section 12, T111N, R52W and W1/2 SW1/4, S1/2 NW1/4 of Section 12, T111N, R52W (Winsor Twp)

Parcels: 230001115213200, 230001115213100, 230001115212405, 230001115212305 & 230001115212300

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Form continued on page 2

APR - 1 2020

BROOKINGS COUNTY DEVELOPMENT

D.) Time and Date Set for Hearing before Brookings County Board of Adjustment.

May 5, 2020
Date

8:00 PM
Time

Approved

Rejected

Date

Chairman of Brookings County Board of Adjustment

Tom Sterzinger
Person filing petition – print

Person filing petition – sign

3273 290th Ave
Address

Taunton
City

Minnesota
State

56291
Zip Code

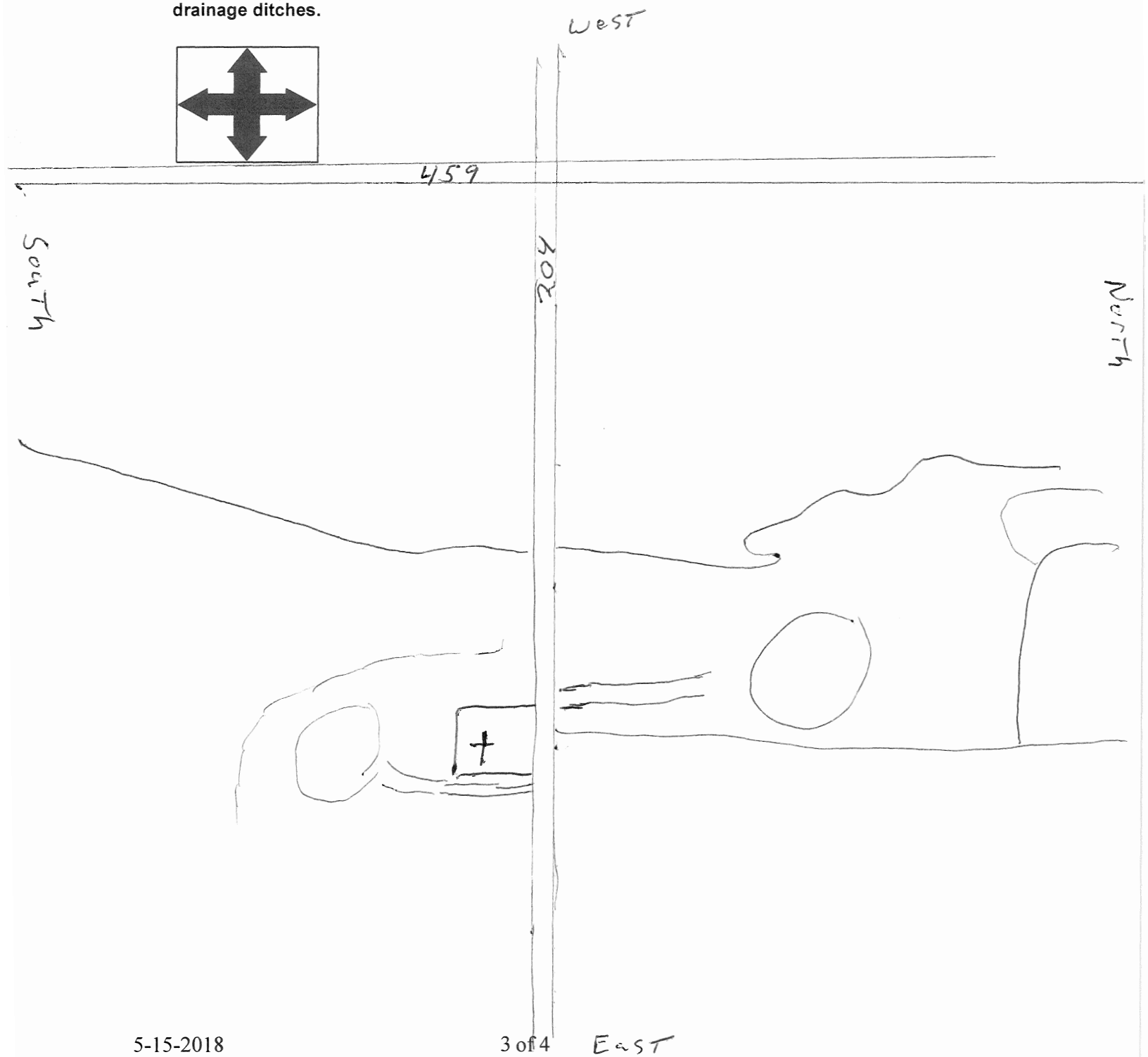
507-530-6547
Telephone

A conditional use that is granted and not used within three (3) years will be considered invalid.

2020cu009 + 2020cu010

SKETCH

Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.



STERZINGER CRUSHING INC.

3273 290TH AVE

TAUNTON, MN 56291

Phone 507-530-6547

Richard,

In response to your E-mail,

#1 Hours of operation is 6:00 a.m. to 7:00 pm. Monday thru Friday and 6:00a.m.to 12:00 p.m. on Saturdays.

#2 Haul route will be from the mine site access road 204 St. east and west.

#3 I will have county about hauling on roads.

#4 Refueling area will have containment.

#5 A earth type dam will be placed along creeks or waterway in Lou of silt fence.

#6 Depth of gravel at this point Is undetermined, it will vary 6’ to 15’.

#7 All mining will be done above the water table at this point.

#8 In the reclamation plan all topsoil will be stockpiled and when the gravel is all mined the topsoil will be placed back on top of mined area and seeded back to pasture grass.

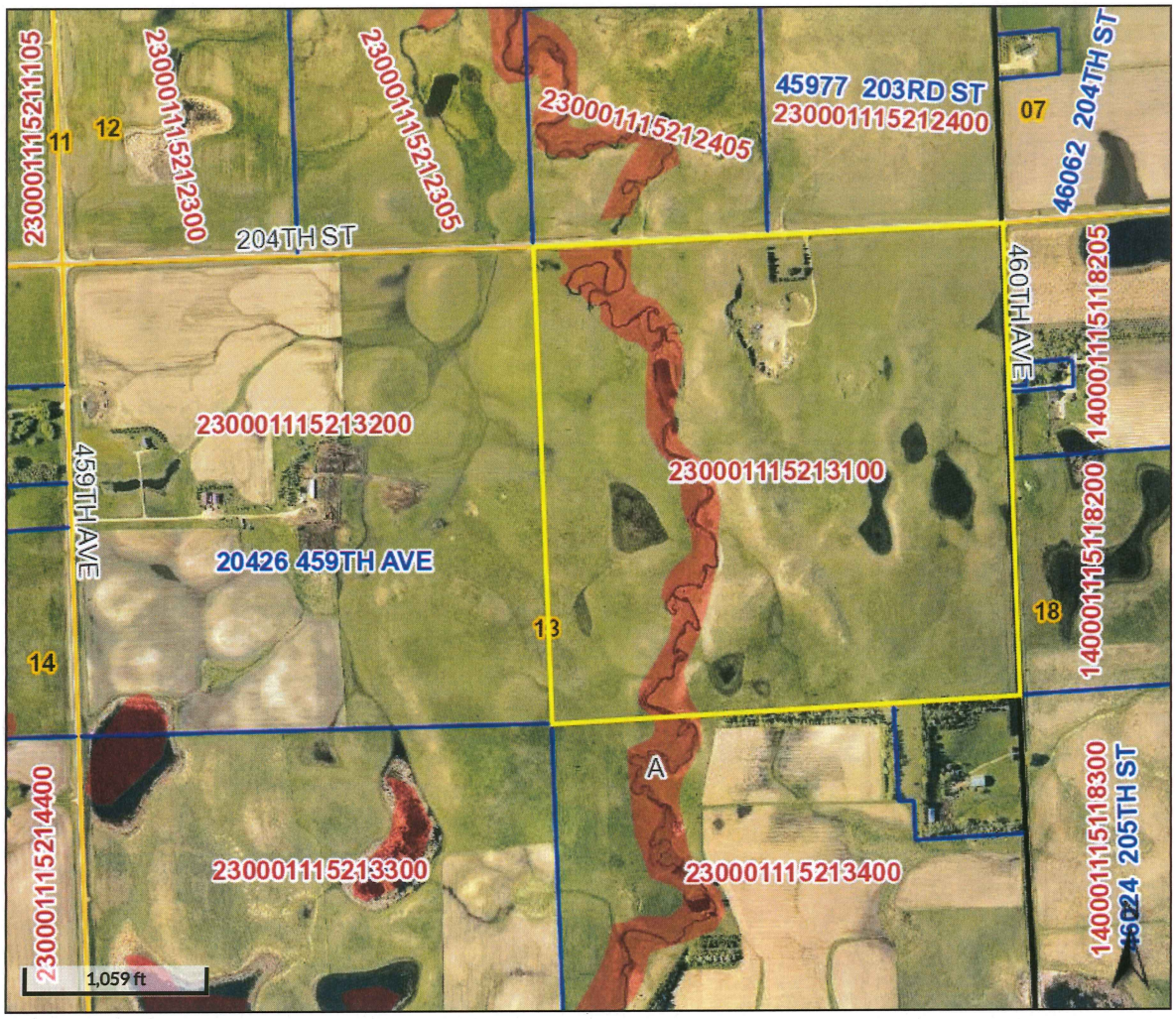
#9 The number of years the mine site will be expected to be mined is approximately 30 years.

Tom Sterzinger,

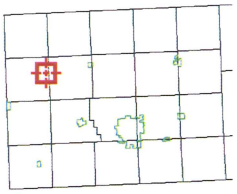
Sterzinger Crushing, Inc.

2020 cu009 + 2020 cu010

Beacon™ Brookings County, SD



Overview



Legend

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

Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

Parcel ID	230001115213100	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	13-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	159		BRUCE SD 57220
District	2309				
Brief Tax Description	NE 1/4 SEC 13-111-52 159.0 AC TO INCLUDE CEMETARY				
	(Note: Not to be used on legal documents)				

Date created: 4/8/2020
Last Data Uploaded: 4/8/2020 8:08:26 AM

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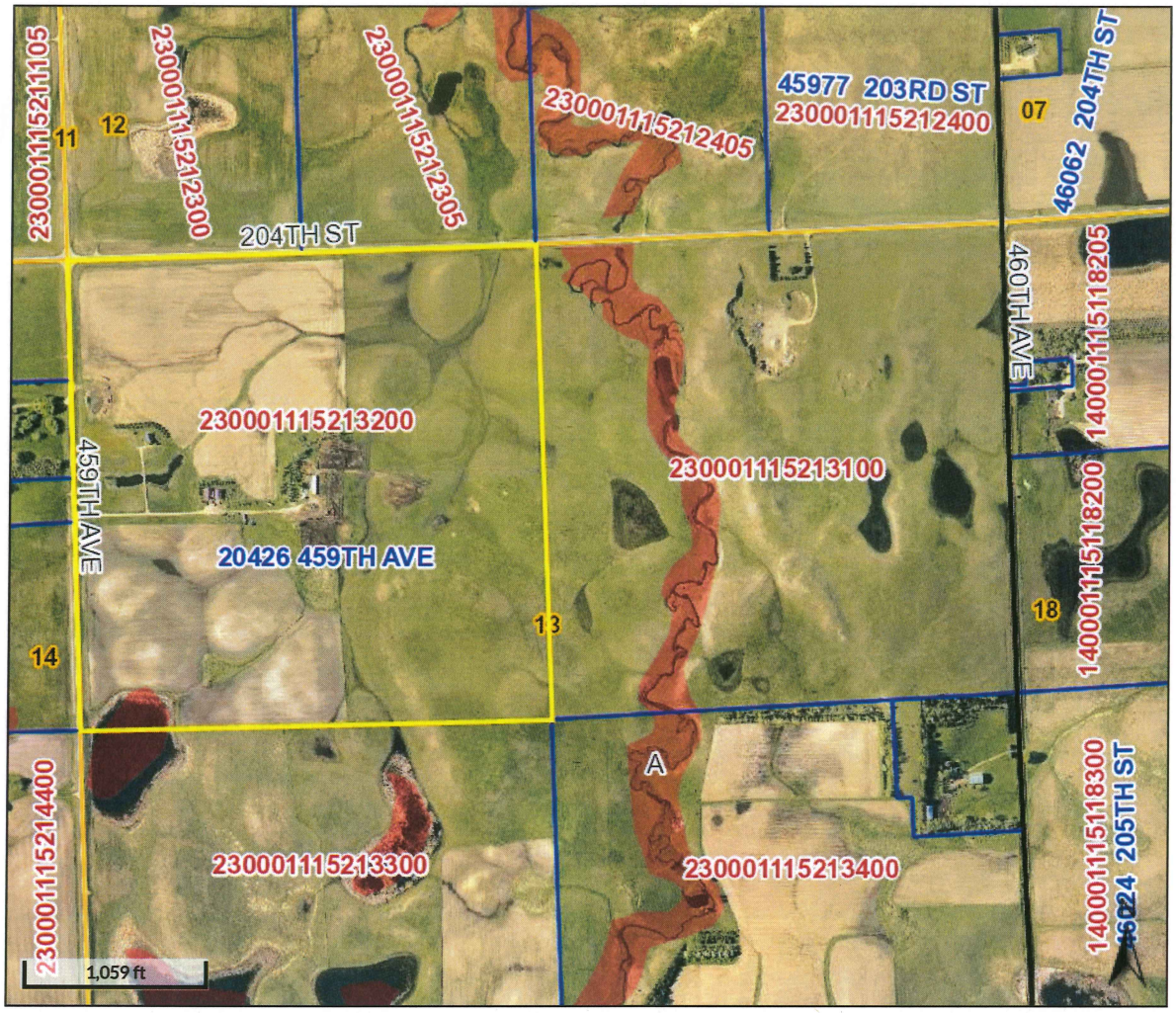
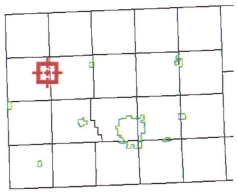
2020cu009 + 2020cu010

Beacon™ Brookings County, SD



Overview



Legend

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Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
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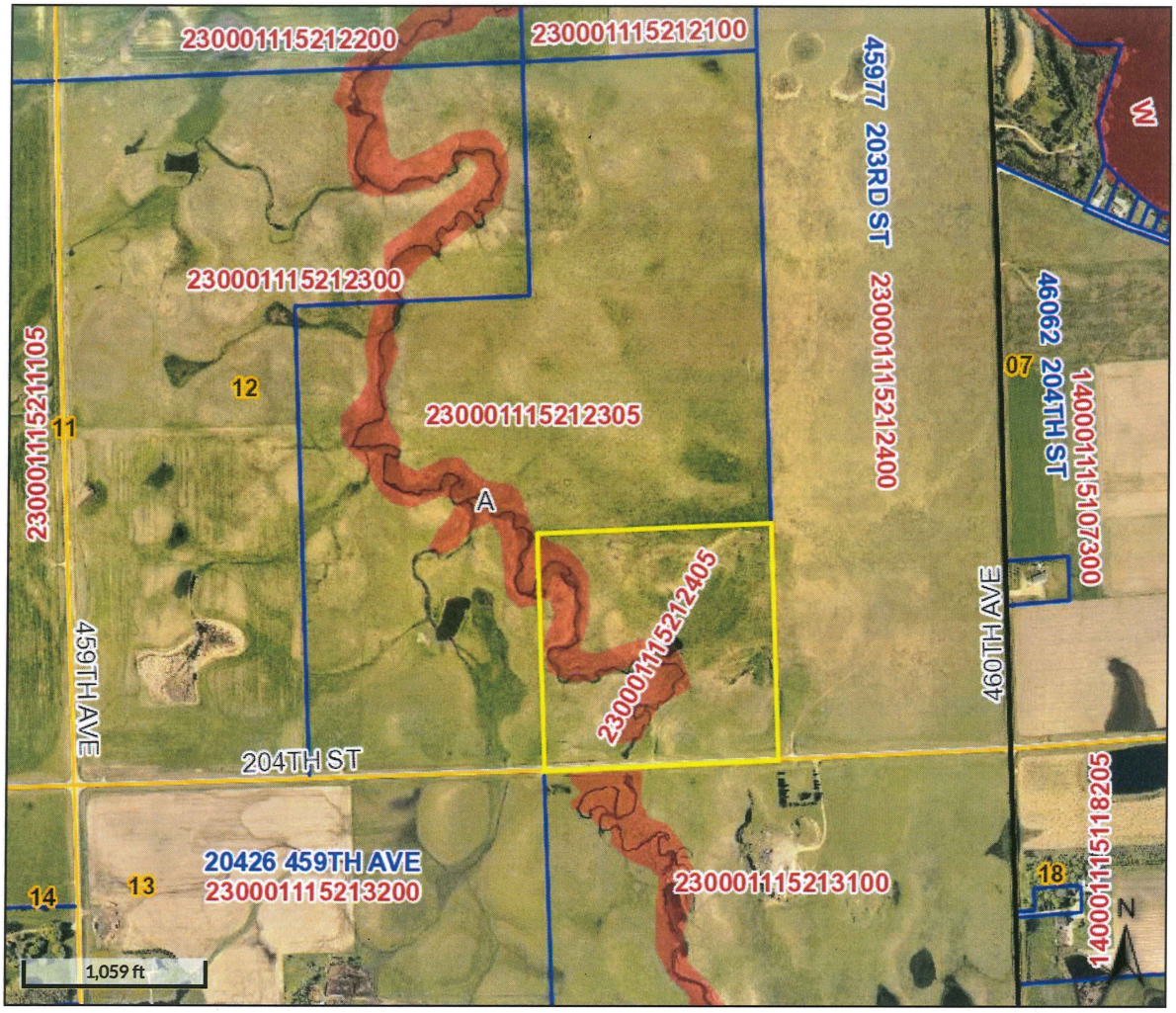
Parcel ID	230001115213200	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	13-111-52	**Class**	AGA		20426 459TH AVE
Property Address	20426 459TH AVE	**Acreage**	160		BRUCE SD 57220
	BRUCE				
District	2309				
Brief Tax Description	NW 1/4 SEC 13-111-52 160.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 4/8/2020
Last Data Uploaded: 4/8/2020 8:08:26 AM

Developed by Schneider GEOSPATIAL

2020cu009 + 2020cu010

Beacon™ Brookings County, SD



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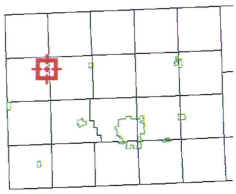

Legend

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- Sections
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Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
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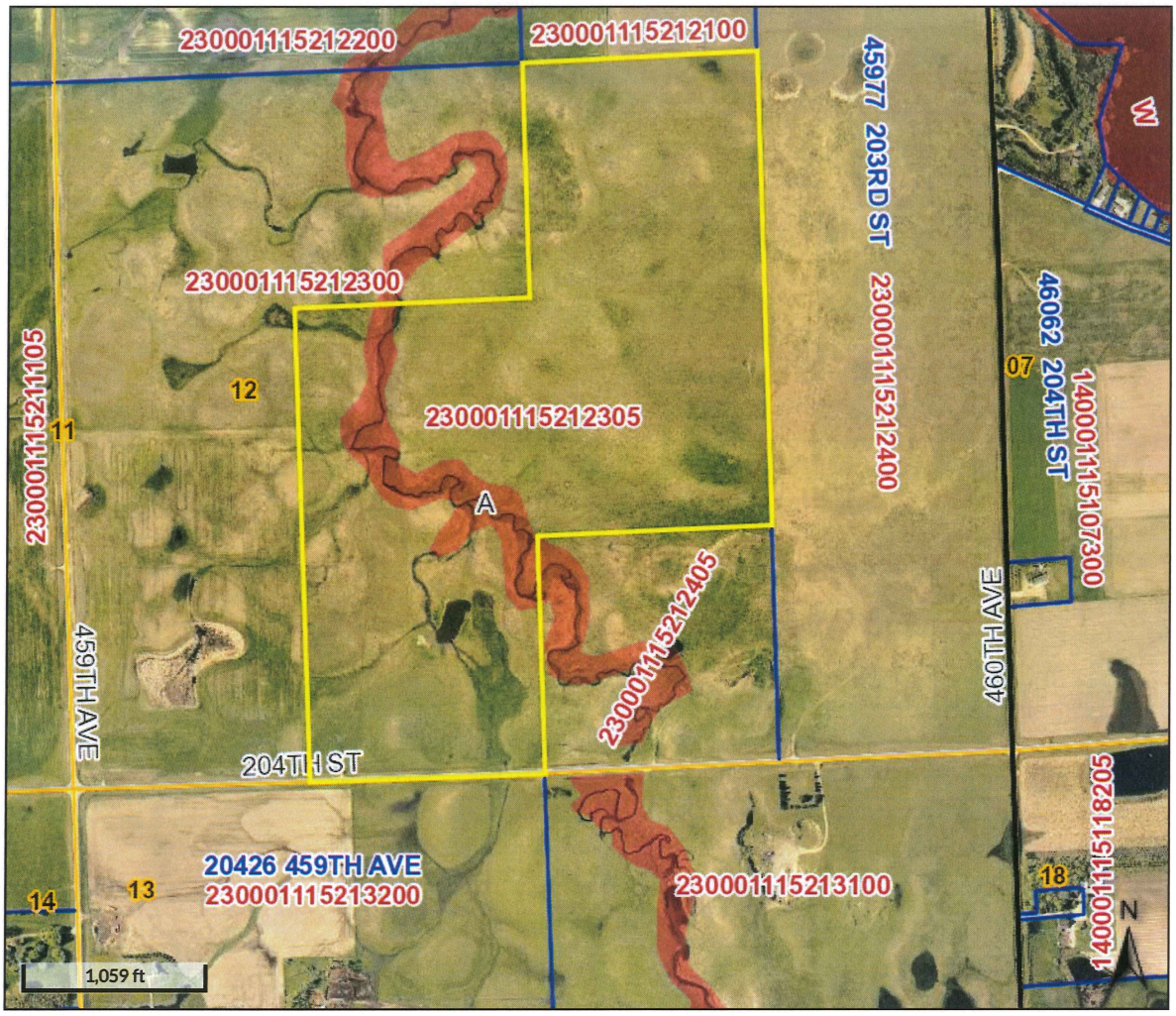
Parcel ID	230001115212405	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	12-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	40		BRUCE SD 57220
District	2309				
Brief Tax Description	SW 1/4 SE 1/4 SEC 12-111-52 40.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 4/8/2020
Last Data Uploaded: 4/8/2020 8:08:26 AM

Developed by Schneider GEOSPATIAL

2020cu009 + 2020cu010

Beacon™ Brookings County, SD



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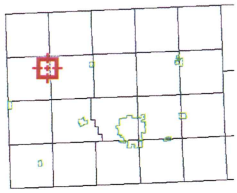

Legend

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- Sections
- Parcels
- Roads

Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
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Parcel ID	230001115212305	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	12-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	160		BRUCE SD 57220
District	2309				
Brief Tax Description	E 1/2 SW 1/4, NW 1/4 SE 1/4, SW 1/4 NE 1/4 SEC 12-111-52 160.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 4/8/2020
Last Data Uploaded: 4/8/2020 8:08:26 AM

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2020cu009 + 2020cu010

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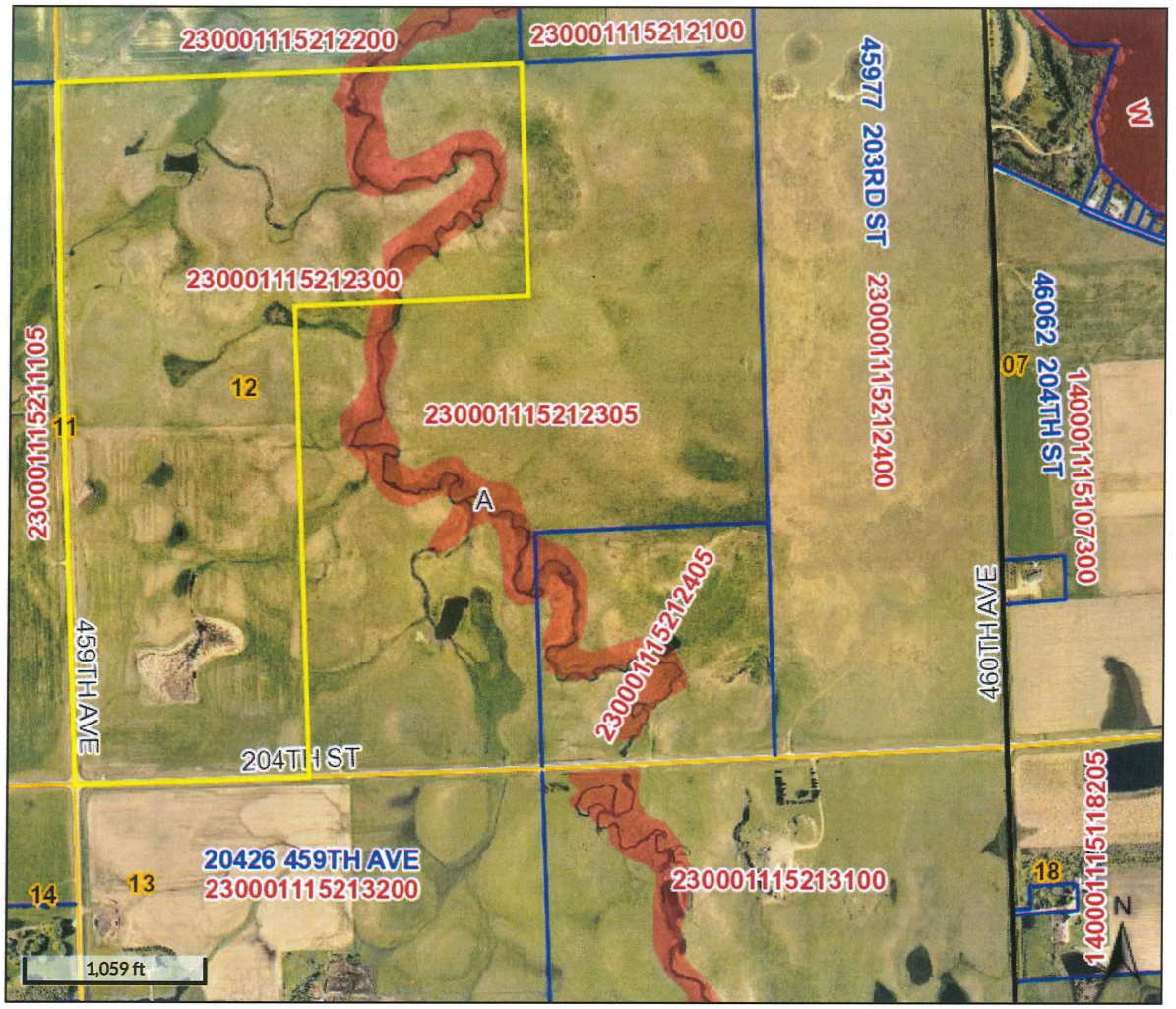
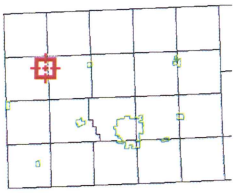


Overview



Legend

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Floodplain 2008

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Parcel ID	230001115212300	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	12-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	160		BRUCE SD 57220
District	2309				
Brief Tax Description	W 1/2 SW 1/4, S 1/2 NW 1/4 SEC 12-111-52 160.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 4/8/2020
Last Data Uploaded: 4/8/2020 8:08:26 AM

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BROOKINGS COUNTY DEVELOPMENT
Planning, Zoning and Drainage / Emergency Management
Brookings City & County Government Center
520 3rd Street, Suite 200
BROOKINGS, SOUTH DAKOTA 57006
(605)-696-8350
E-Mail: zoning@brookingscountysd.gov

Brookings County Board of Adjustment
May 5, 2020 – 8:00 PM meeting.

2020cu009 – May 5, 2020

Prepared by Richard Haugen

Applicant: Tom Sterzinger, 3273 290th Ave, Taunton, MN 56291
Land Owner: Jimmy Jensen III, 20426 459th Ave, Bruce, SD 57220
Mining/Crushing Operator: Tom Sterzinger, 3273 290th Ave, Taunton, MN 56291

Legal Description: "NW1/4 of Section 13, T111N, R52W and NE1/4 of Section 13, T111N, R52W to Include Cemetery and SW1/4 SE1/4 of Section 12, T111N, R52W and E1/2 SW1/4, NW1/4 SE1/4, SW1/4 NE1/4 of Section 12, T111N, R52W and W1/2 SW1/4, S1/2 NW1/4 of Section 12, T111N, R52W (Winsor Twp)."

Brookings County Zoning Ordinance, Article 11:00 "A" Agricultural District – Conditional Use # 4: "Sand, gravel or quarry operation, mineral exploration and extraction".

2020cu009: Tom Sterzinger has applied for conditional use # 4: "Sand, gravel or quarry operation, mineral exploration and extraction" to mine gravel on the above described property. Tom Sterzinger from Taunton, Minnesota, will be the mining and crushing operator. The proposed mining will take place in two separate locations, Site # 1 in Section 13 and Site # 2 in Section 12. The operator's site plan, business plan and hours of operation, reclamation plan are included in this report. The proposed gravel mining will be at two separate sites. Site # 1 will be in NW ¼ & NE ¼ of Section 13, on the south side of Brookings County blacktop highway # 6 (204th Street) and Site # 2 will be in Section 12 on the north side of Brookings County blacktop highway # 6 (204th Street). The applicant will apply for a driveway permit from the Brookings County Highway Department for a new driveway at the top of the hill for Site # 2, as the current driveway is located at the bottom of the hill. Entrance and exit to the mining sites will be off Brookings County blacktop highway # 6 (204th Street). The hours of operation will be 6:00 AM-7:00 PM Monday- Friday and 6:00 AM-12:00 PM on Saturday. During the mining process a berm will be constructed along the natural water way to keep the soil and sediment from entering the water way. The First Occurrence of Aquifer Materials Map shows the proposed mining area to be in "Zone B" with the presence of sand or gravel is generally less than or equal to 50 feet below land

surface. The gravel layer to be mined is approximately 6 - 15 feet in depth and the mining will be done above the water table. Refueling of mining equipment will be done on site with the fuel storage units having containment structures, to be located away from the active mining area. The reclamation plan is to stock pile the top soil and once the mining is complete the top soil will be placed back on top of the ground and seeded back down to pasture grass.

Proposed Site # 1 and Site # 2 show signs of mining activity in the past. The Brookings County Development Office and South Dakota Department of Environment and Natural Resources (SD DENR) have no mining records on file for the above described property.

The applicant will need to apply for a mining permit for the proposed mining sites from the South Dakota Department of Environment and Natural Resources and abide by their standards and requirements.

East Dakota Water Development District has reviewed the application and documents provided by the applicant.

The applicant has also applied for a conditional use 2020cu010 for conditional use *# 5A: Rock Crusher;* to process the mined gravel on site. The board will be hearing this request on the same night.

The Zoning Office has reviewed the above documents and has made a site visit to the proposed location.

Public notices were published in the Brookings Register on April 21 and 28, 2020 and in the Volga Tribune on April 23 and 30, 2020

Letters were sent to the adjoining landowners, Brookings County Highway Superintendent and Winsor Township Chairman and Clerk.

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 3/28/2020 Permit Number: 2020cu009

To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Conditional Use to the Brookings County Zoning Regulations for the purpose of:

Mining Gravel

B.) Section(s) of Zoning Regulations authorizing Conditional Use:

Article 11: Section 11.01 "A" Agricultural District, Conditional Use # 4: "Sand, gravel or quarry operation, mineral exploration and extraction."

C.) Legal Description of Property:

2020cu009 & 2020cu010

C) Legal Description of Property: NW1/4 of Section 13, T111N, R52W and NE1/4 of Section 13, T111N, R52W to Include Cemetery and SW1/4 SE1/4 of Section 12, T111N, R52W and E1/2 SW1/4, NW1/4 SE1/4, SW1/4 NE1/4 of Section 12, T111N, R52W and W1/2 SW1/4, S1/2 NW1/4 of Section 12, T111N, R52W (Winsor Twp)

Parcels: 230001115213200, 230001115213100, 230001115212405, 230001115212305 & 230001115212300

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Form continued on page 2

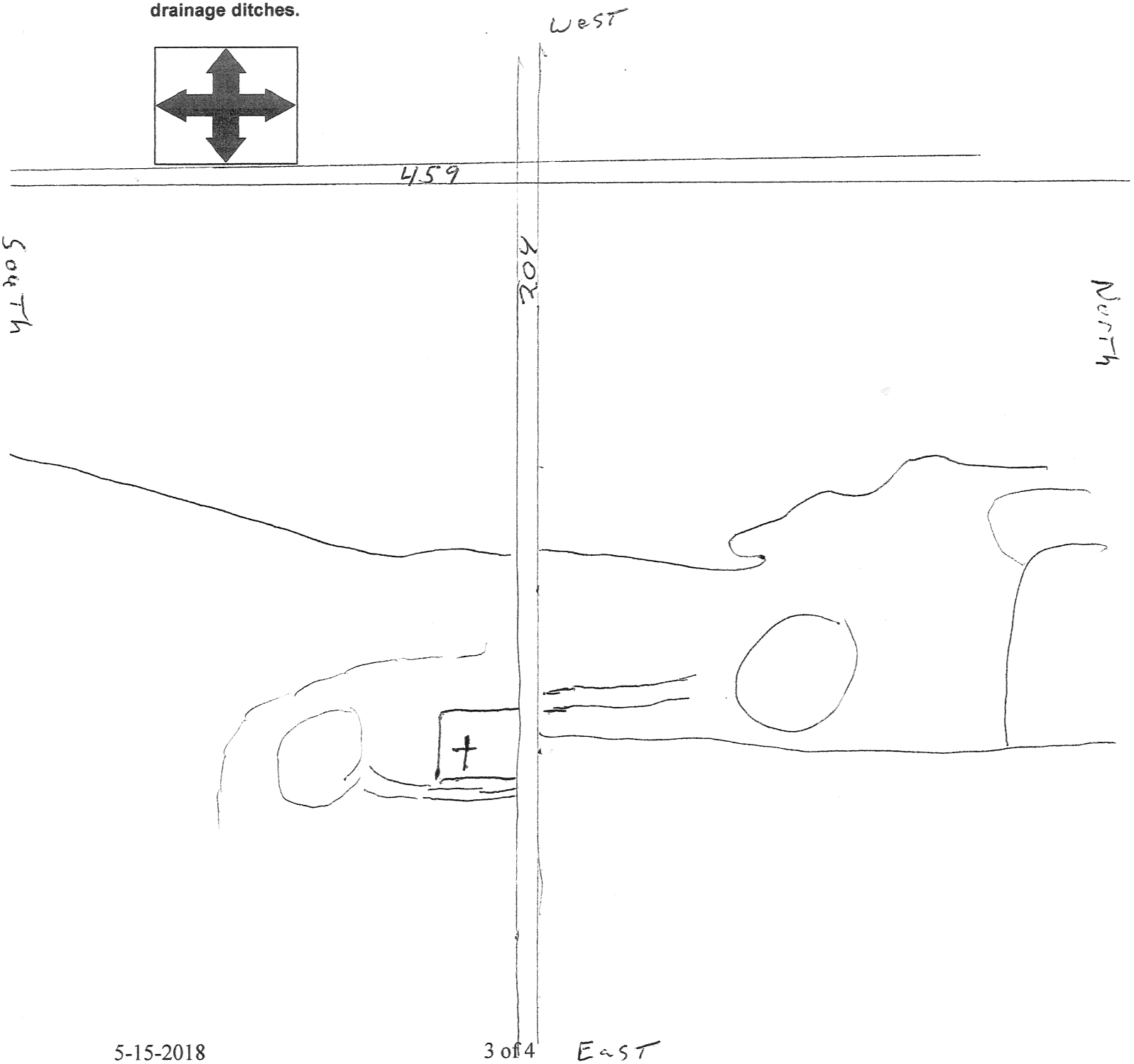
APR - 1 2020

BROOKINGS COUNTY DEVELOPMENT

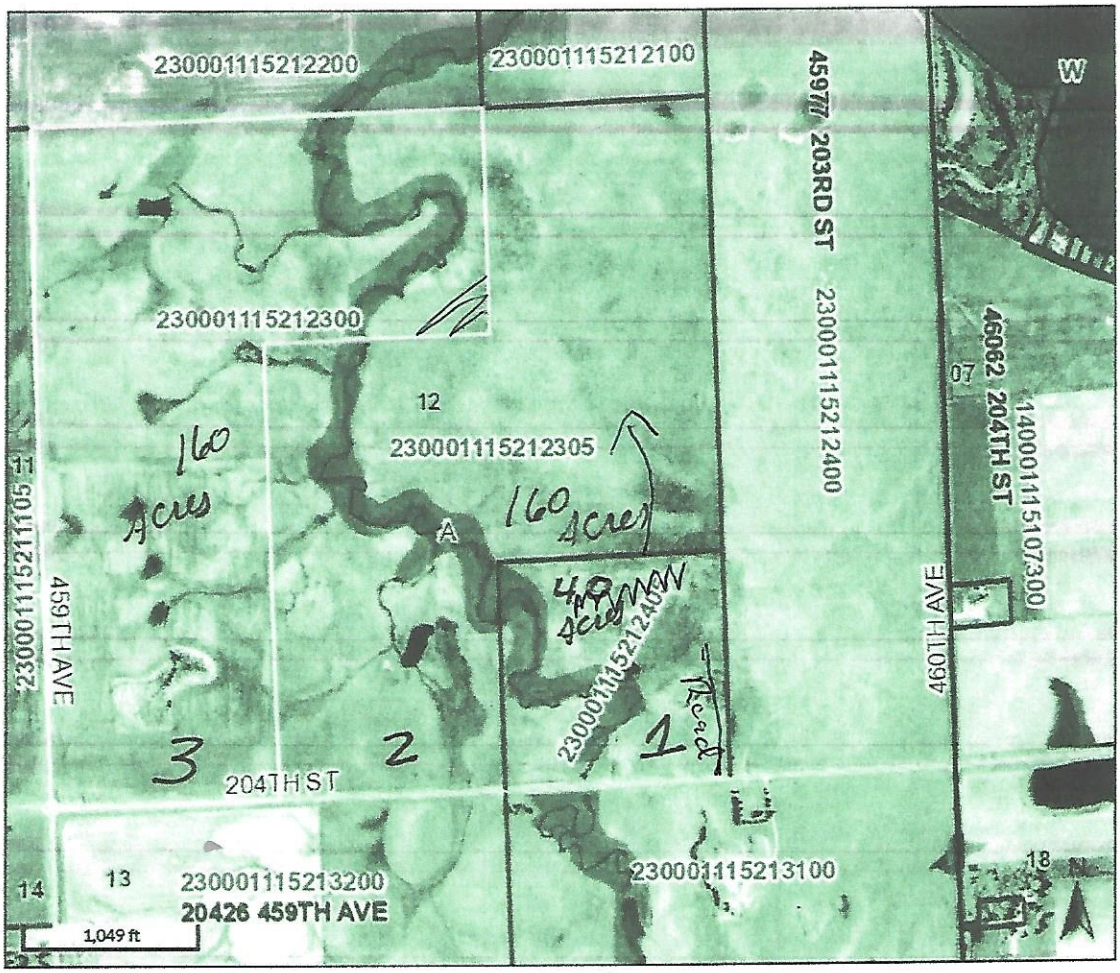
2020cu009 + 2020cu010

SKETCH

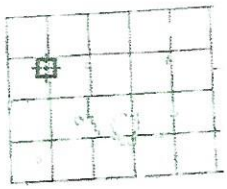
Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.



Beacon™ Brookings County, SD



Overview



Legend

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- City Limits
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- Roads

Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

Parcel ID	230001115212300	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	12-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	160		BRUCE SD 57220
District	2309				
Brief Tax Description	W 1/2 SW 1/4, S 1/2 NW 1/4 SEC 12-111-52 160.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 4/1/2020
Last Data Uploaded: 4/1/2020 8:06:40 AM

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Starting on North End of 1 going into South end of Two and going into Corner of 3

STERZINGER CRUSHING INC.

3273 290TH AVE

TAUNTON, MN 56291

Phone 507-530-6547

Richard,

In response to your E-mail,

#1 Hours of operation is 6:00 a.m. to 7:00 pm. Monday thru Friday and 6:00a.m.to 12:00 p.m. on Saturdays.

#2 Haul route will be from the mine site access road 204 St. east and west.

#3 I will have county about hauling on roads.

#4 Refueling area will have containment.

#5 A earth type dam will be placed along creeks or waterway in Lou of silt fence.

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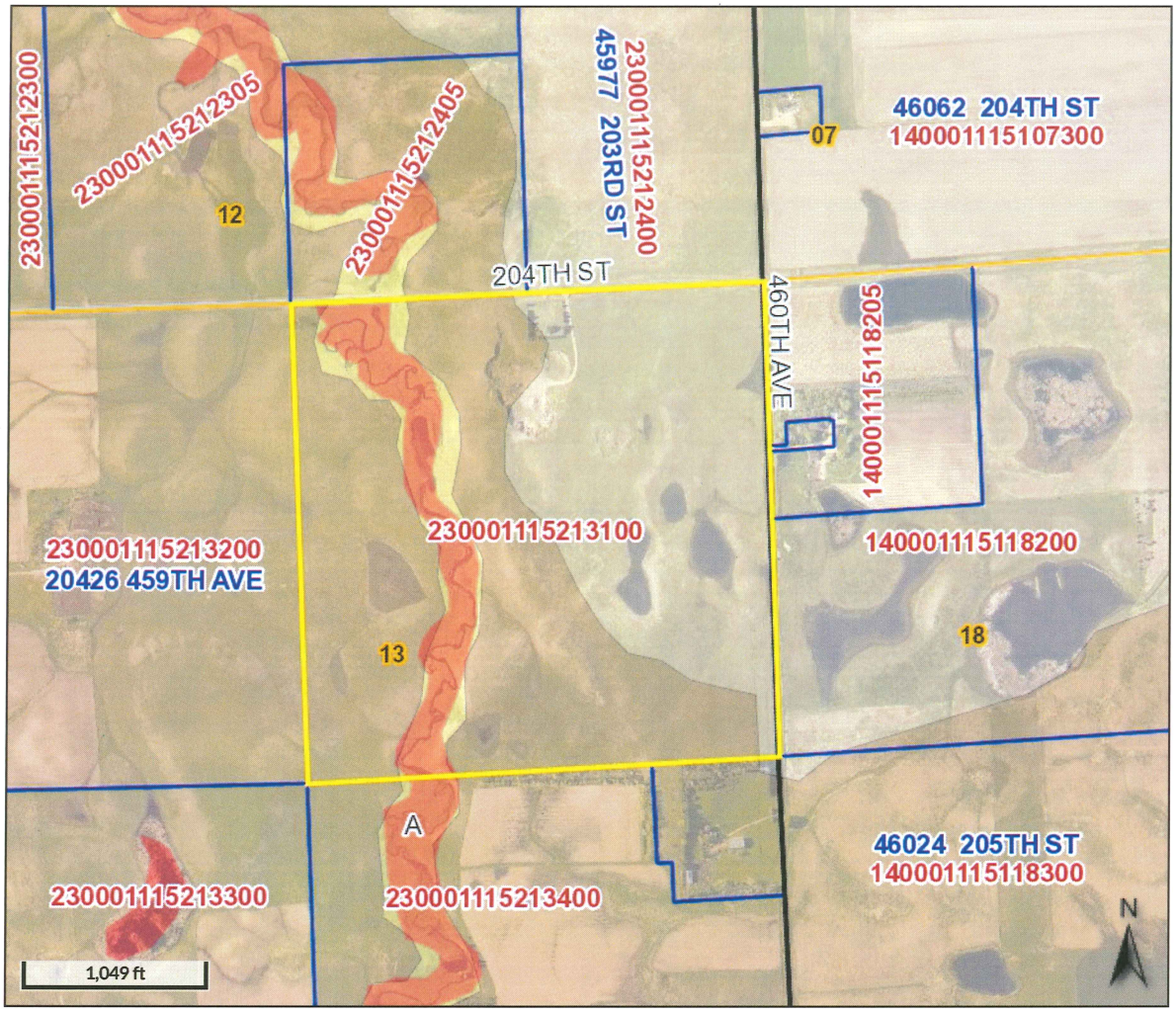
Tom Sterzinger,

Sterzinger Crushing, Inc.

2020cu009 + 2020 cu010

Beacon™ Brookings County, SD



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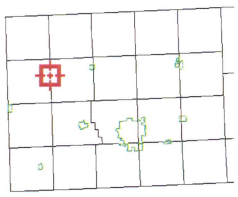

Legend

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- City Limits
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- Sections

Aquifer Materials

- Alluvium
- Outwash
- Sand and Gravel 0-50
- Sand and Gravel 100+
- Sand and Gravel 50 100

- Parcels
- Roads

Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

Parcel ID	230001115213100	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	13-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	159		BRUCE SD 57220
District	2309				
Brief Tax Description	NE 1/4 SEC 13-111-52 159.0 AC TO INCLUDE CEMETARY				
	(Note: Not to be used on legal documents)				

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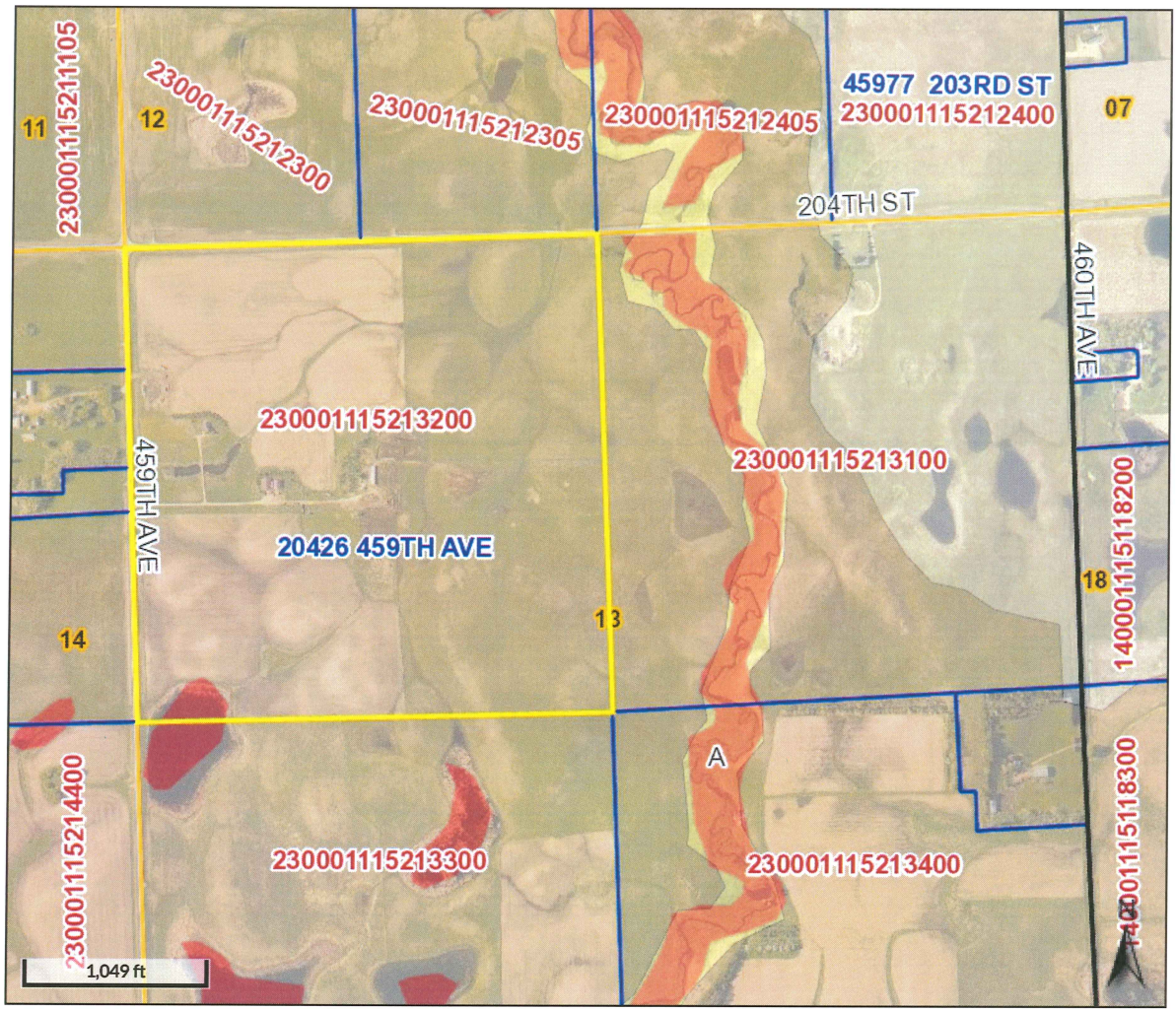
2020cu009 + 2020cu010

Beacon™ Brookings County, SD



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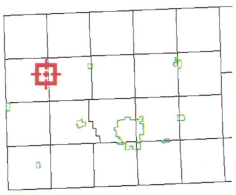

Legend

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Aquifer Materials

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Parcel ID	230001115213200	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	13-111-52	**Class**	AGA		20426 459TH AVE
Property Address	20426 459TH AVE BRUCE	**Acreage**	160		BRUCE SD 57220
District	2309				
Brief Tax Description	NW 1/4 SEC 13-111-52 160.0 AC (Note: Not to be used on legal documents)				

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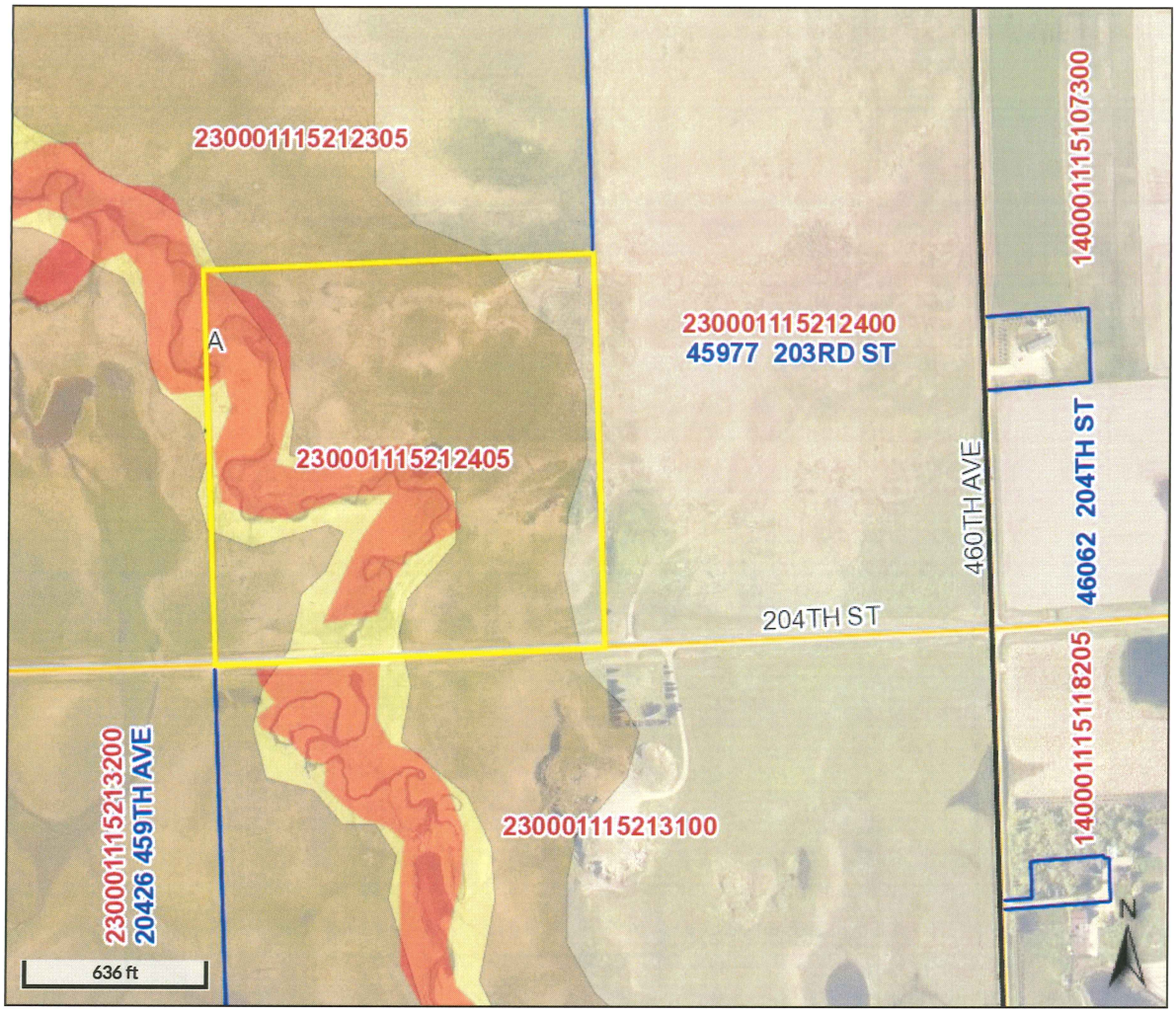
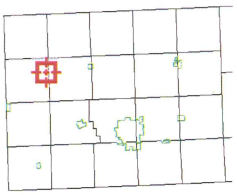
Beacon™ Brookings County, SD



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections

Aquifer Materials

- Alluvium
- Outwash
- Sand and Gravel 0-50
- Sand and Gravel 100+
- Sand and Gravel 5(100

- Parcels
- Roads

Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

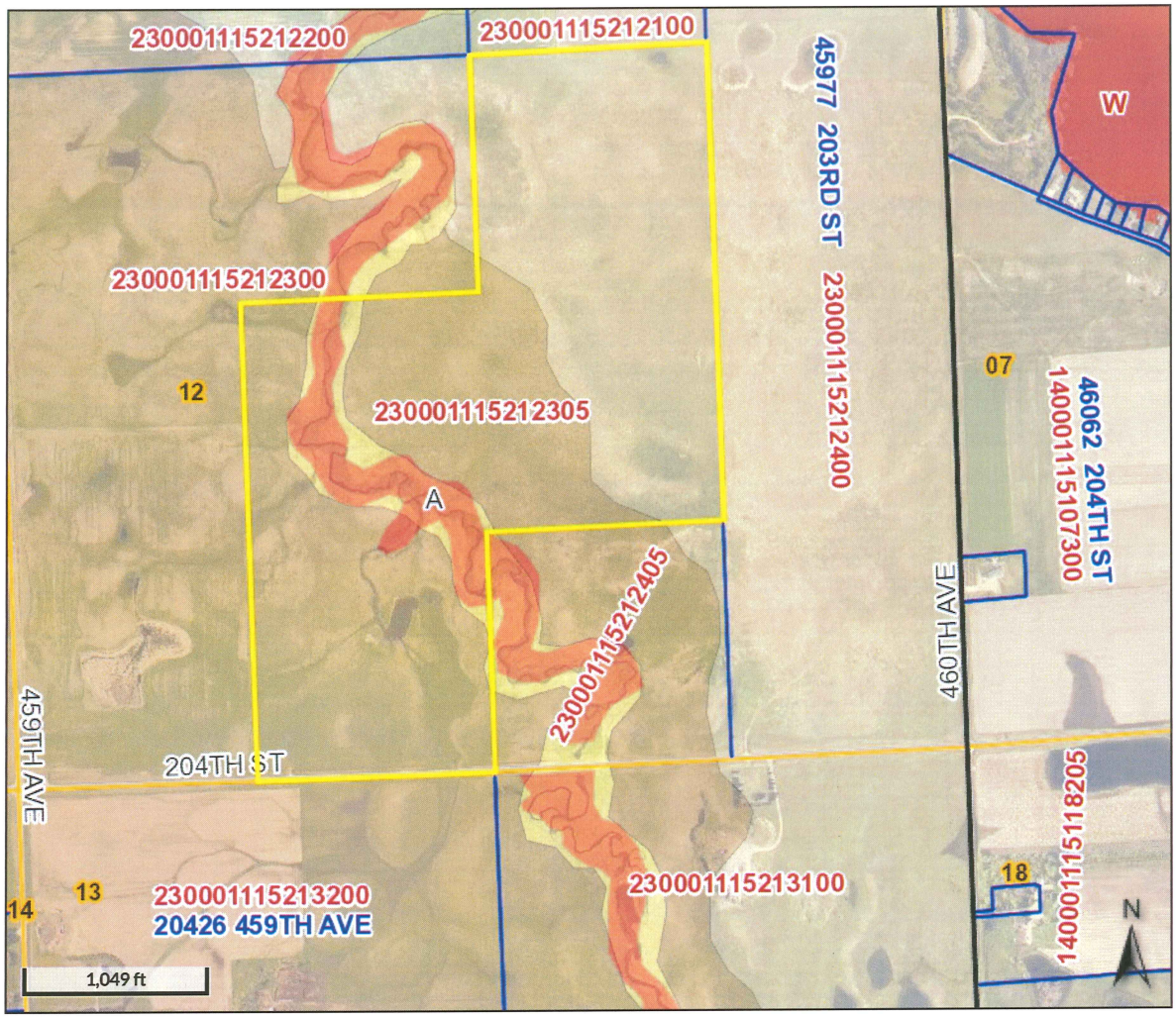
Parcel ID	230001115212405	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	12-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	40		BRUCE SD 57220
District	2309				
Brief Tax Description	SW 1/4 SE 1/4 SEC 12-111-52 40.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 4/24/2020
Last Data Uploaded: 4/24/2020 8:08:21 AM

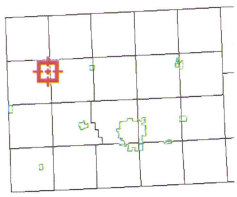
Developed by Schneider GEOSPATIAL

2020cu009 + 2020cu010

Beacon™ Brookings County, SD



Overview



Legend

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Aquifer Materials

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- Sand and Gravel 0-50
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Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
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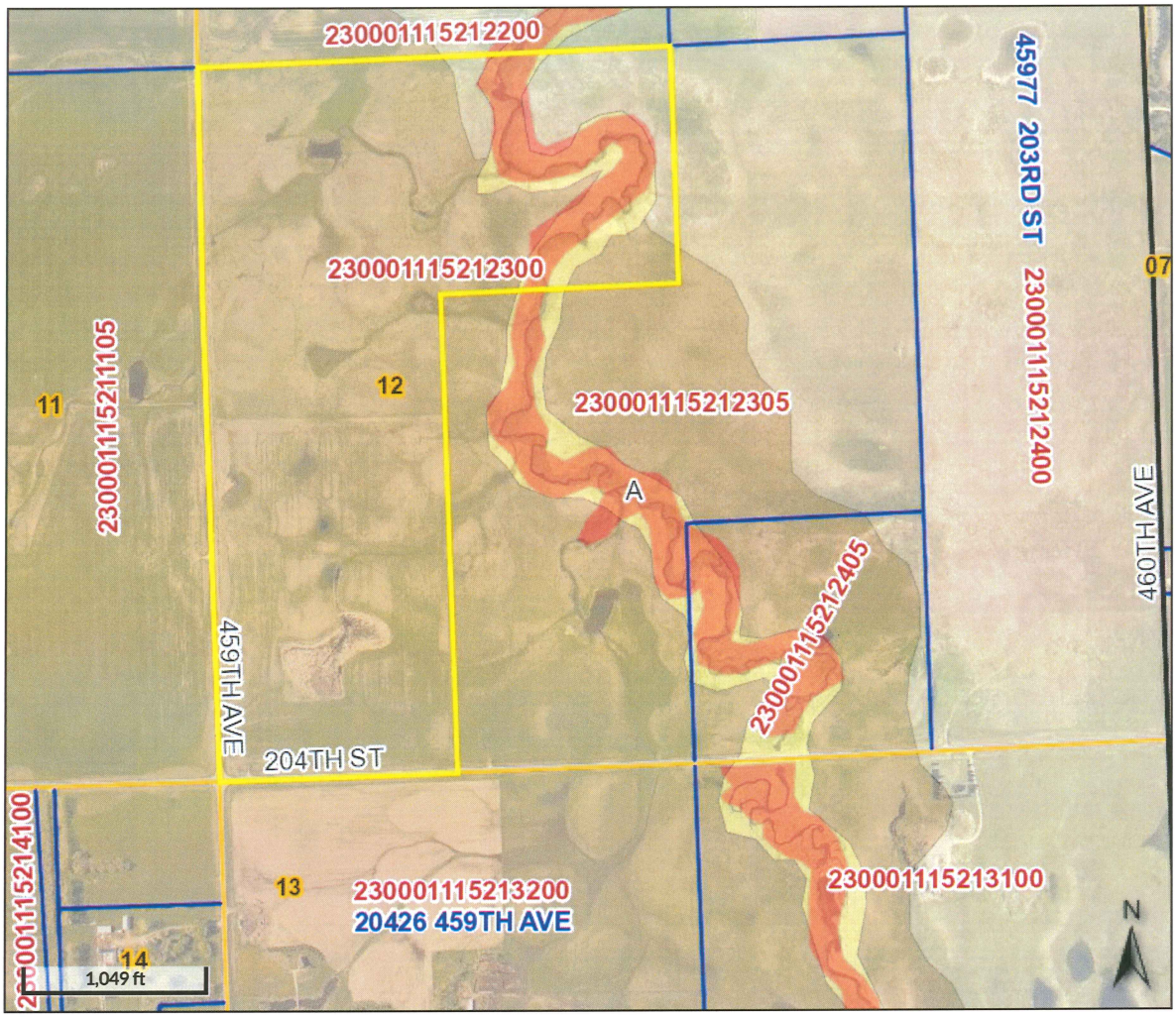
Parcel ID	230001115212305	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	12-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	160		BRUCE SD 57220
District	2309				
Brief Tax Description	E 1/2 SW 1/4, NW 1/4 SE 1/4, SW 1/4 NE 1/4 SEC 12-111-52 160.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 4/24/2020
Last Data Uploaded: 4/24/2020 8:08:21 AM

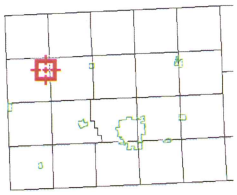
Developed by Schneider GEOSPATIAL

2020CU009 + 2020CU010

Beacon™ Brookings County, SD



Overview



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Parcel ID	230001115212300	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
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Developed by Schneider GEOSPATIAL

Looking west at entrance to Site # 1. Cemetery. Brkgs Cnty Rd # 6 (204th St)

Looking east from entrance to Site # 1.
2020cu009 & 2020cu010: Tom Sterzinger.

Gatged entrance to Site # 1.
East tree line of cemetery.

Proposed mining/crushing area south of cemetery.

Top of hill, across road from cemetery.
Proposed new driveway for Site # 2.
West of existing driveway.

Site # 2 Proposed mining area. Northwest of proposed driveway.

Site # 2 Proposed mining/crushing area.

Site # 2 Proposed mining/crushing area.

From: Sandy McLeod Breuer [mailto:mcleodbreuer@yahoo.com]
Sent: Tuesday, April 28, 2020 8:53 AM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject: Public notice

FILED APR 28 2020

This correspondence is in regard to Tom Sterzinger's application for a conditional use permit for mining and rock crushing (2020cu009 and 2020cu010. I am against this for a variety of reasons: 1) the pit is to be located next to a creek that runs into Lake Oakwood and the water quality there is marginal already 2) increased heavy truck traffic would deteriate county and township roads 3) excess dust created would be a health detriment to the families with young children who live near it 4) reclamation and mining plan too vague with many loop holes. Thank you for your consideration of these concerns. Sincerely, Marla Bjerke

Sent from Yahoo Mail on Android

From: William Osterberg [mailto:wosterbergkbrw@gmail.com]
Sent: Tuesday, April 28, 2020 10:08 AM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject: Fwd: Complaint

FILED APR 28 2020

Sent from my iPhone

Begin forwarded message:

> **From:** William Osterberg <wosterbergkbrw@gmail.com>
> **Date:** April 28, 2020 at 9:11:44 AM CDT
> **To:** development@brookingscountysd.gov
> **Subject: Complaint**
>
> I would like to file a complaint to stop the possible gravel pit (permit number 2020cu009 and 2020cu010)being dug in just west of Lake Oakwood. This would be not only a eye sore but danger for those living around this area. Heavy trucks will ruin this roads instantly which tax payers would lose out on. This could cause breathing problems for little ones living around there not to mention speeding big heavy equipment that can't stop fast is Concern as well. Also a main concern is a natural water way that runs on this property that runs into lake Oakwood. Please use common sense and stop this issue thanks.
>
> Sent from my iPhone

From: Michael Bjerke [mailto:michaelebjerke@gmail.com]
Sent: Tuesday, April 28, 2020 1:10 PM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject:

FILED APR 28 2020

On Tuesday May 5 at 8 pm there will be a public hearing for use permits 2020cu009 and 2020cu010 for Tom Sterzinger's application for gravel mining and rock crushing. This pit will be less than half a mile from my residence. With small school-aged children even closer, the increased dust level and large truck traffic is an immense concern! Also the amount of big equipment road use will do appreciable damage to county and township roads. Crazy Creek runs right through the proposed pit area making the incoming water quality to Lake Oakwood highly compromised...a problem that the lake is already experiencing! Finally there seems to be large, vague concerns with the mining and reclamation plans. Your thoughtful consideration of all these matters is most appreciated 🙂 Sincerely, Michael E. Bjerke

From: Tamara Osterberg [mailto:tammy_osterberg@yahoo.com]
Sent: Tuesday, April 28, 2020 3:02 PM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject: Mining Application

FILED APR 28 2020

To Whom It May Concern:

This letter is in regard to Tom Sterzinger's application for a conditional use permit for mining and rock crushing (2020cu009 and 2020cu010. We are against this based on the following reasons: 1) the pit is to be located next to a creek that runs into Lake Oakwood and the water quality there is questionable 2) the gravel put would be an eye sore. 3) increased heavy truck traffic would deteriate county and township roads which would cost money to repair or replace 4) excess dust created would be a health detriment to the families with young children who live near it 5) reclamation and mining plan too vague with many loop holes.
Thank you for your consideration of these concerns. Sincerely,
Tom and Tamara Osterberg
Sent from Yahoo Mail for iPhone

From: Marla Bjerke [mailto:bjerkemmm@gmail.com]
Sent: Monday, April 27, 2020 5:23 PM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject: Public notice for Conditional use

FILED APR 28 2020

This correspondence is in regard to Tom Sterzinger's application for a conditional use permit for mining and rock crushing (2020cu009 and 2020cu010. I am against this for a variety of reasons: 1) the pit is to be located next to a creek that runs into Lake Oakwood and the water quality there is marginal already 2) increased heavy truck traffic would deteriate county and township roads 3) excess dust created would be a health detriment to the families with young
children who live near it 4) reclamation and mining plan too vague with many loop holes.
Thank you for your consideration of these concerns. Sincerely, Marla Bjerke

FILED APR 28 2020

Richard Haugen

From: oakwood@itctel.com
Sent: Tuesday, April 28, 2020 4:03 PM
To: Richard Haugen
Subject: Permits #2020cu009 and 2020cu010
Attachments: EPSON006.JPG; EPSON007.JPG

Richard - I see the light lavender or purple area did not scan to attachment. But I am sure you will have the exact colored Winsor Township Map to share with the Board. Thanks - Janie Wittmeier at oakwood@itctel.com

Brookings County Board of Adjustment
520 3rd Street, Suite 200
Brookings, SD 57006

FILED APR 28 2020

We would like to share our concerns regarding the permit requests from Sterzinger Crushing Inc of Taunton, MN for #2020cu009 Mining Gravel and permit #2020cu010 for Crushing Gravel.

There is a creek that runs northerly from the south and which is known to some of the locals as "Crazy Creek" due to the fact that it flows north instead of south. This creek flow starts approximately 7+ miles to the south and runs into the West Oakwood chain of lakes into Turtle Lake and then into Lake Tetankaha and Johnson Lake and where Oakwood Lakes State Park is located. Attached in a copy of the Winsor Township map which shows the Crazy Creek flowing through both sections 12 and 13 and quite near the purple area of sand and gravel.

In regards to Sterzinger statement #5 "A earth type dam will be placed along creeks or waterway in lou of silt fence". Also per his statement #9 "the number of years the mine site will be expected to be mined is approximately 30 years".

An earth type dam is not appropriate to protect the existing flowing creek. If the area were to have a severe thunderstorm it would certainly wash the dirt right into the creek and into the West Oakwood chain of lakes.

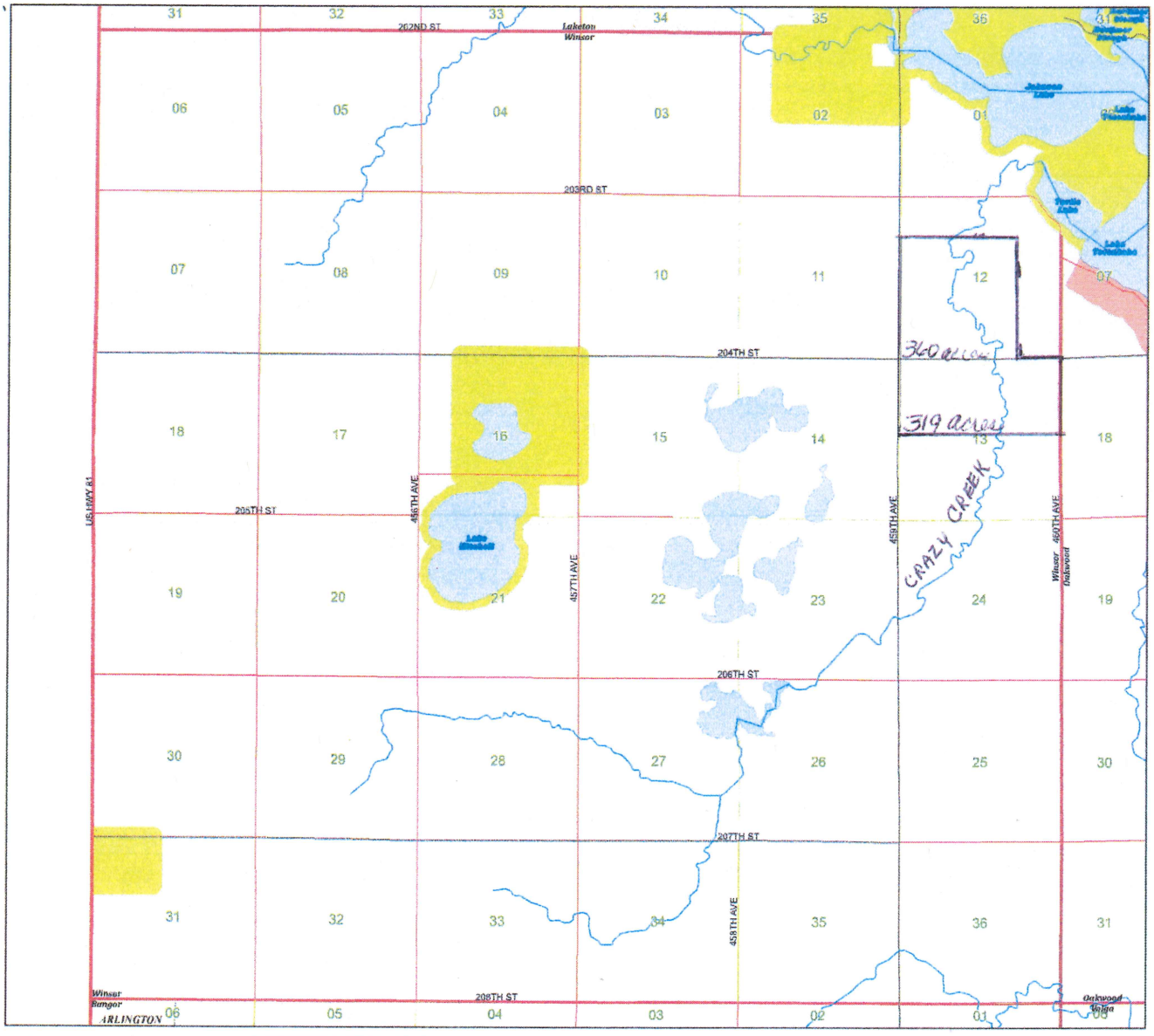
Sterzinger statement #7 "All mining will be done above the water table at this point". At what ***Point*** in the 30 years would that change?

The legal description totals 679 +/- acres of land for the Mining Gravel and Crushing Gravel on Sterzinger permit requests. How many acres does he intend to utilize for mining and crushing gravel?

Janie Wittmeier

Janie and Larry Wittmeier
42 Oakwood Shoreline Drive
Cabin owners and Land owners since 1968
Respectfully submitted April 28, 2020

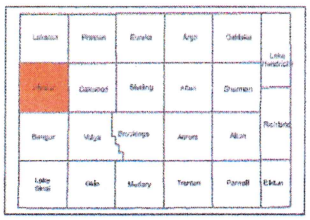
FILED APR 28 2020



March 2016

Winsor Township
Brookings County, South Dakota
T111N R52W

Roads
Bituminous
Concrete
Graded
Gravel
Primitive
Unimproved
I-29
Us Highway
State Highway
Railroad
Rivers
Lakes
City Limits
Zoning
Commercial
Lake Park
Natural Resources
3 mile Joint Jurisdiction
Sections
Townships
Floodplain
Alluvium
Oakwood
Sand and Gravel 0-60
Sand and Gravel 50-100



APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 3/28/2020 Permit Number: 2020cu010

To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Conditional Use to the Brookings County Zoning Regulations for the purpose of:

Crushing Gravel

B.) Section(s) of Zoning Regulations authorizing Conditional Use:

Article II; Section 11.01: "A" Agricultural District: Conditional Use Permit #5A: Rock Crushers.

C.) Legal Description of Property:

2020cu009 & 2020cu010

C) Legal Description of Property: NW1/4 of Section 13, T111N, R52W and NE1/4 of Section 13, T111N, R52W to Include Cemetery and SW1/4 SE1/4 of Section 12, T111N, R52W and E1/2 SW1/4, NW1/4 SE1/4, SW1/4 NE1/4 of Section 12, T111N, R52W and W1/2 SW1/4, S1/2 NW1/4 of Section 12, T111N, R52W (Winsor Twp)

Parcels: 230001115213200, 230001115213100, 230001115212405, 230001115212305 & 230001115212300

RECEIVED

APR - 1 2020

BROOKINGS
COUNTY DEVELOPMENT

Form continued on page 2

D.) Time and Date Set for Hearing before Brookings County Board of Adjustment.

May 5, 2020
Date

8:00 Pm
Time

Approved

Rejected

Date

Chairman of Brookings County Board of Adjustment

Tom Sterzinger
Person filing petition – print

Person filing petition – sign

3273 290th Ave
Address

Taunton
City

Minnesota
State

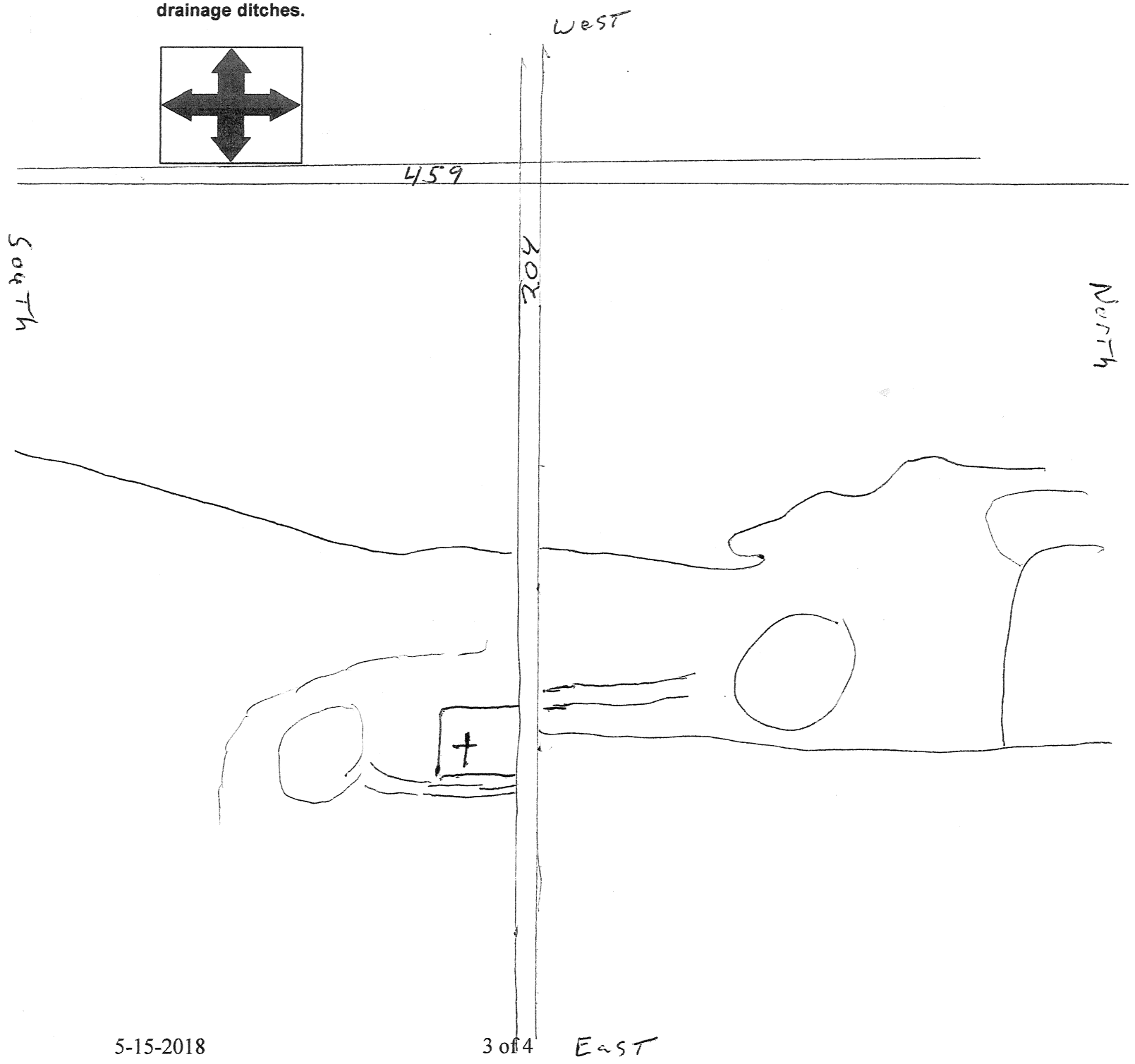
56291
Zip Code

507-530-6547
Telephone

A conditional use that is granted and not used within three (3) years will be considered invalid.

SKETCH

Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.



STERZINGER CRUSHING INC.

3273 290TH AVE

TAUNTON, MN 56291

Phone 507-530-6547

Richard,

In response to your E-mail,

#1 Hours of operation is 6:00 a.m. to 7:00 pm. Monday thru Friday and 6:00a.m.to 12:00 p.m. on Saturdays.

#2 Haul route will be from the mine site access road 204 St. east and west.

#3 I will have county about hauling on roads.

#4 Refueling area will have containment.

#5 A earth type dam will be placed along creeks or waterway in Lou of silt fence.

#6 Depth of gravel at this point Is undetermined, it will vary 6’ to 15’.

#7 All mining will be done above the water table at this point.

#8 In the reclamation plan all topsoil will be stockpiled and when the gravel is all mined the topsoil will be placed back on top of mined area and seeded back to pasture grass.

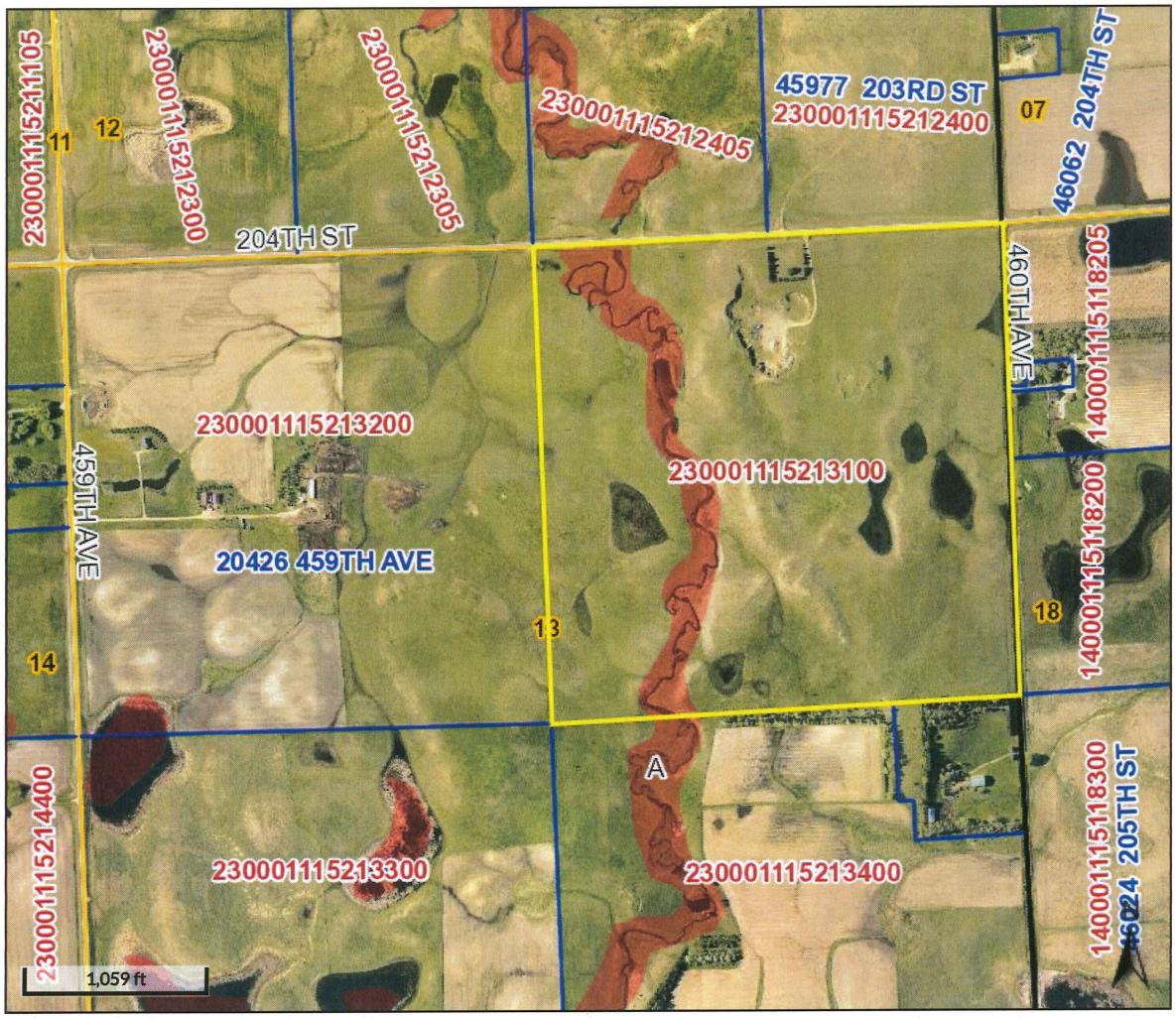
#9 The number of years the mine site will be expected to be mined is approximately 30 years.

Tom Sterzinger,

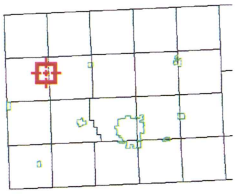
Sterzinger Crushing, Inc.

2020 cu009 + 2020 cu010

Beacon™ Brookings County, SD



Overview



Legend

- Brookings City Limits
- City Limits
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Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

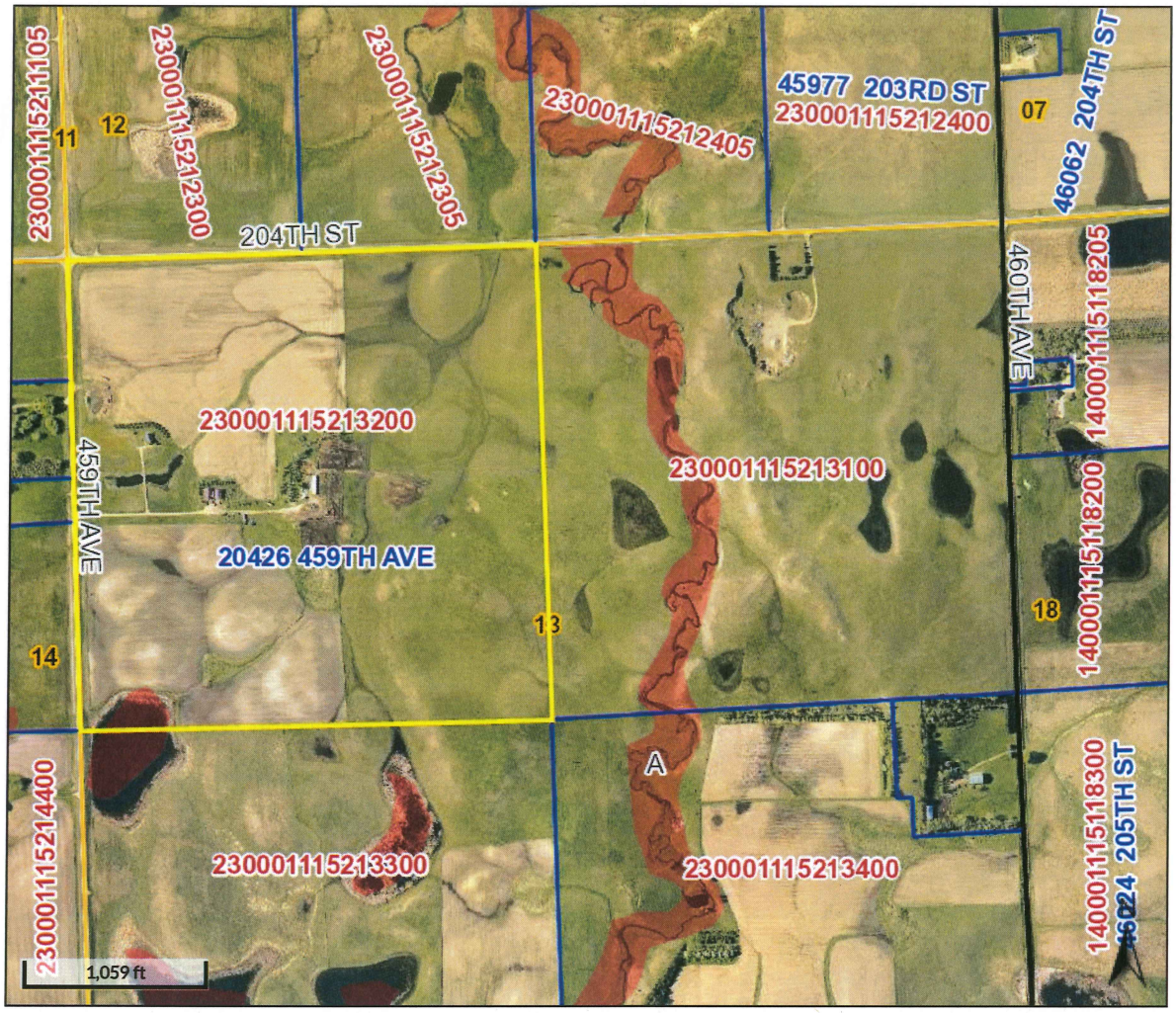
Parcel ID	230001115213100	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	13-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	159		BRUCE SD 57220
District	2309				
Brief Tax Description	NE 1/4 SEC 13-111-52 159.0 AC TO INCLUDE CEMETARY				
	(Note: Not to be used on legal documents)				

Date created: 4/8/2020
Last Data Uploaded: 4/8/2020 8:08:26 AM

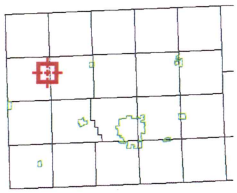
Developed by Schneider GEOSPATIAL

2020cu009 + 2020cu010

Beacon™ Brookings County, SD



Overview



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Parcel ID	230001115213200	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	13-111-52	**Class**	AGA		20426 459TH AVE
Property Address	20426 459TH AVE	**Acreage**	160		BRUCE SD 57220
	BRUCE				
District	2309				
Brief Tax Description	NW 1/4 SEC 13-111-52 160.0 AC				
	(Note: Not to be used on legal documents)				

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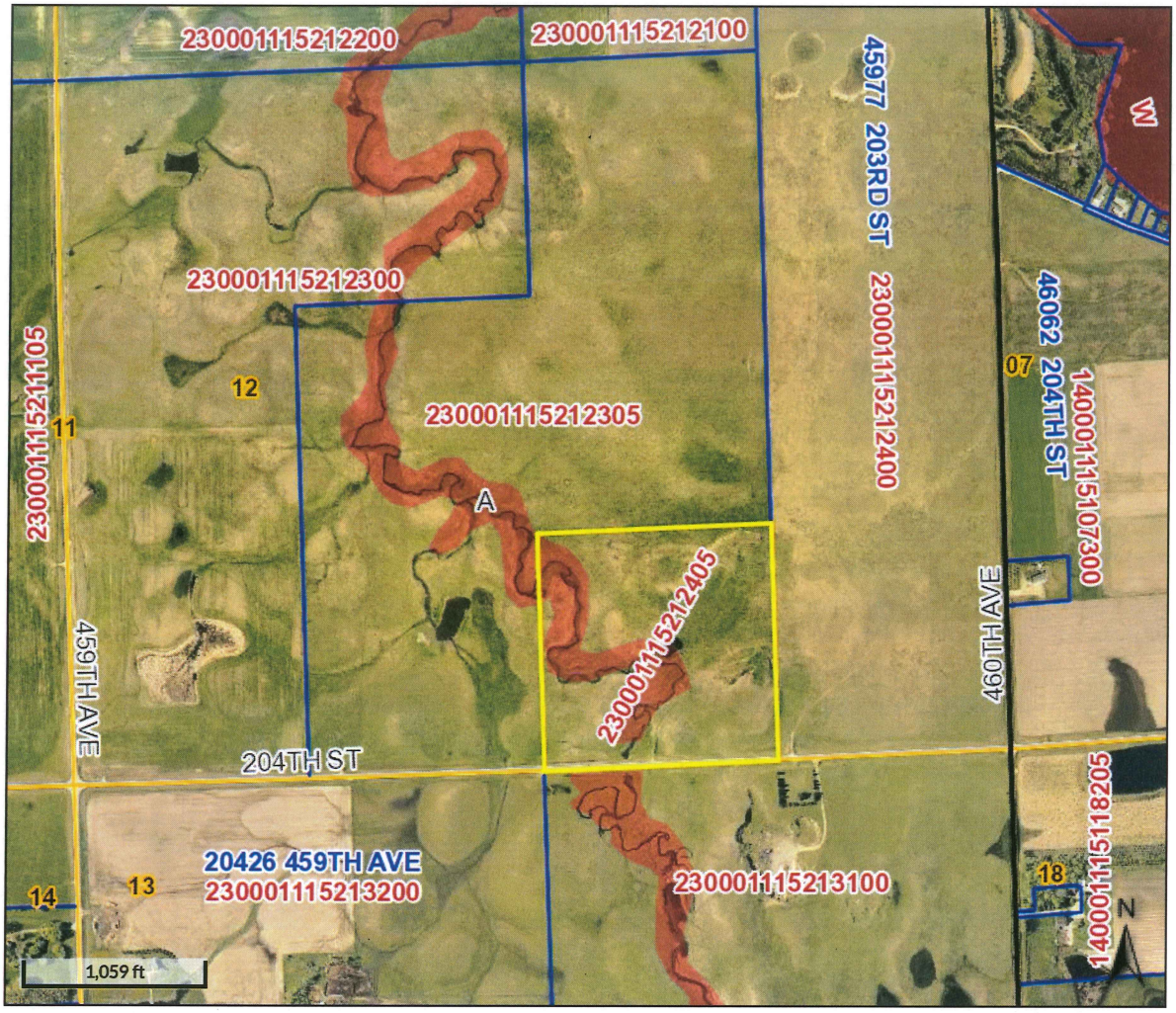
2020cu009 + 2020cu010

Beacon™ Brookings County, SD



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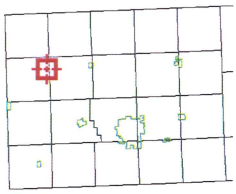

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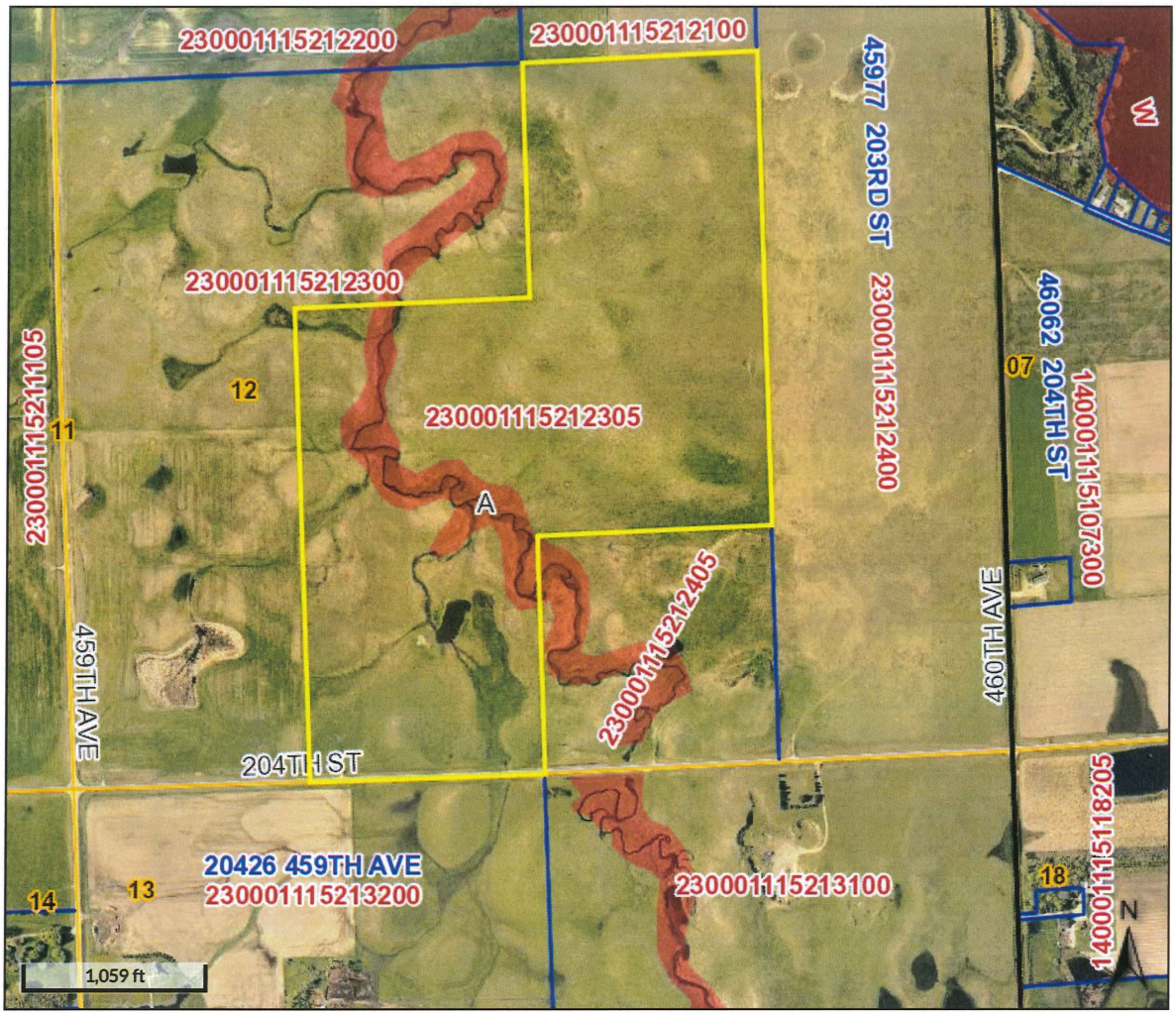

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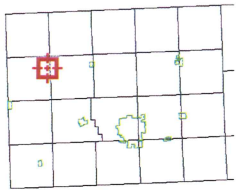

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District	2309				
Brief Tax Description	E 1/2 SW 1/4, NW 1/4 SE 1/4, SW 1/4 NE 1/4 SEC 12-111-52 160.0 AC				
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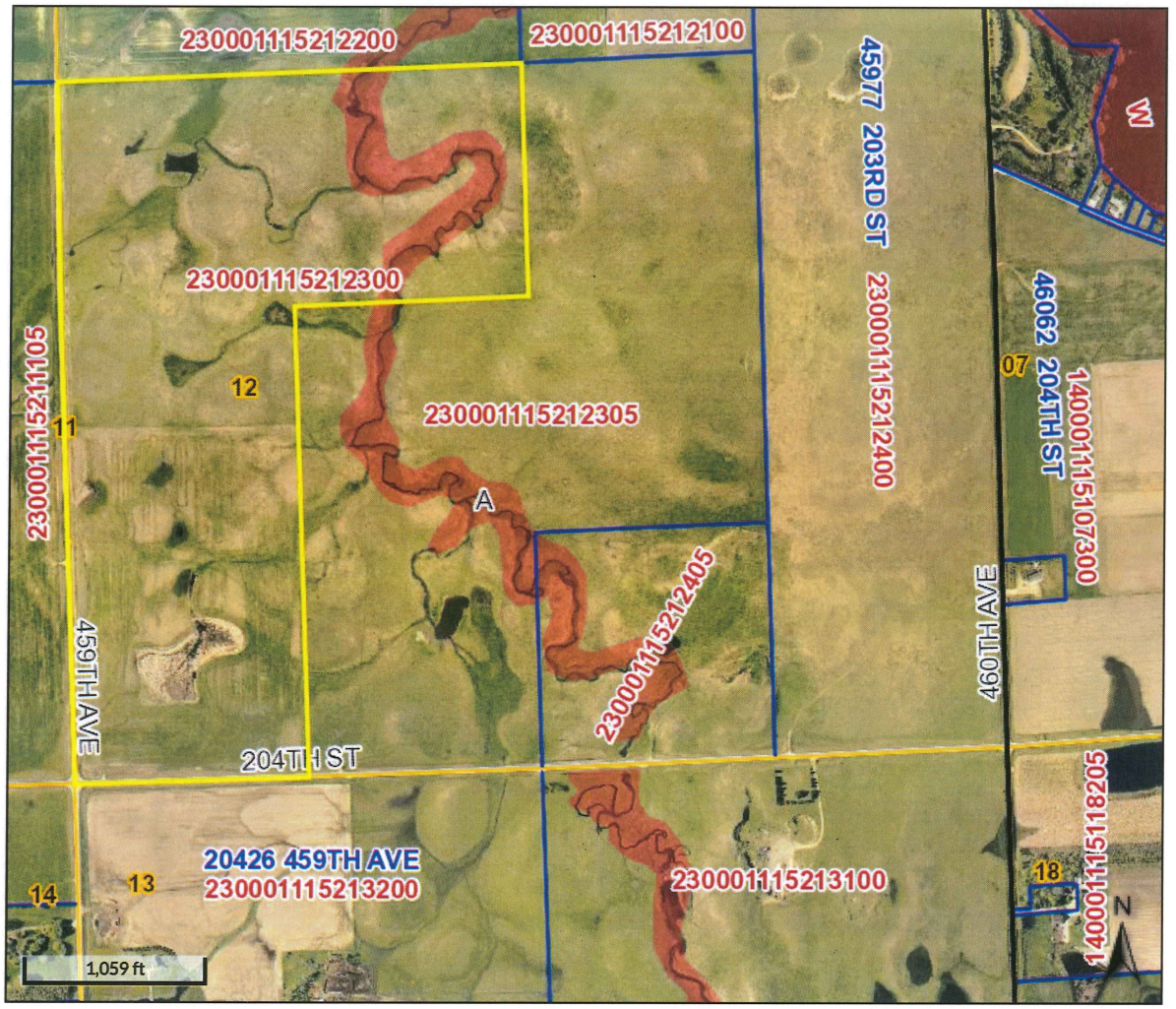
Beacon™ Brookings County, SD



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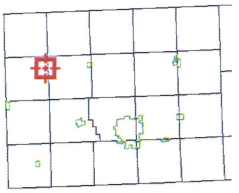

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Developed by Schneider GEOSPATIAL

BROOKINGS COUNTY DEVELOPMENT
Planning, Zoning and Drainage / Emergency Management
Brookings City & County Government Center
520 3rd Street, Suite 200
BROOKINGS, SOUTH DAKOTA 57006
(605)-696-8350
E-Mail: zoning@brookingscountysd.gov

Brookings County Board of Adjustment
May 5, 2020 – 8:00 PM meeting.

2020cu010 – May 5, 2020

Prepared by Richard Haugen

Applicant: Tom Sterzinger, 3273 290th Ave, Taunton, MN 56291
Land Owner: Jimmy Jensen III, 20426 459th Ave, Bruce, SD 57220
Mining/Crushing Operator: Tom Sterzinger, 3273 290th Ave, Taunton, MN 56291

Legal Description: "NW1/4 of Section 13, T111N, R52W and NE1/4 of Section 13, T111N, R52W to Include Cemetery and SW1/4 SE1/4 of Section 12, T111N, R52W and E1/2 SW1/4, NW1/4 SE1/4, SW1/4 NE1/4 of Section 12, T111N, R52W and W1/2 SW1/4, S1/2 NW1/4 of Section 12, T111N, R52W (Winsor Twp)."

Brookings County Zoning Ordinance, Article 11:00 "A" Agricultural District – Conditional Use # 5A: "Rock crushers."

2020cu010: Tom Sterzinger has applied for conditional use # 5A: "Rock crusher" to process gravel on the above described property. Tom Sterzinger from Taunton, Minnesota, will be the crushing operator. The operator's site plan, business plan and hours of operation, are included in this report. The proposed rock crushing will be at two separate sites, adjacent to the each other. Site # 1 will be in NW ¼ & NE ¼ of Section 13, on the south side of Brookings County blacktop highway # 6 (204th Street) and Site # 2 will be in Section 12 on the north side of Brookings County blacktop highway # 6 (204th Street). Entrance and exit to the crushing sites will be off Brookings County blacktop highway # 6 (204th Street). The hours of operation will be 6:00 AM-7:00 PM Monday- Friday and 6:00 AM-12:00 PM on Saturday. East Dakota Water Development District has reviewed the application and documents provided by the applicant.

The Zoning Office has reviewed the above documents and has made a site visit to the proposed location.

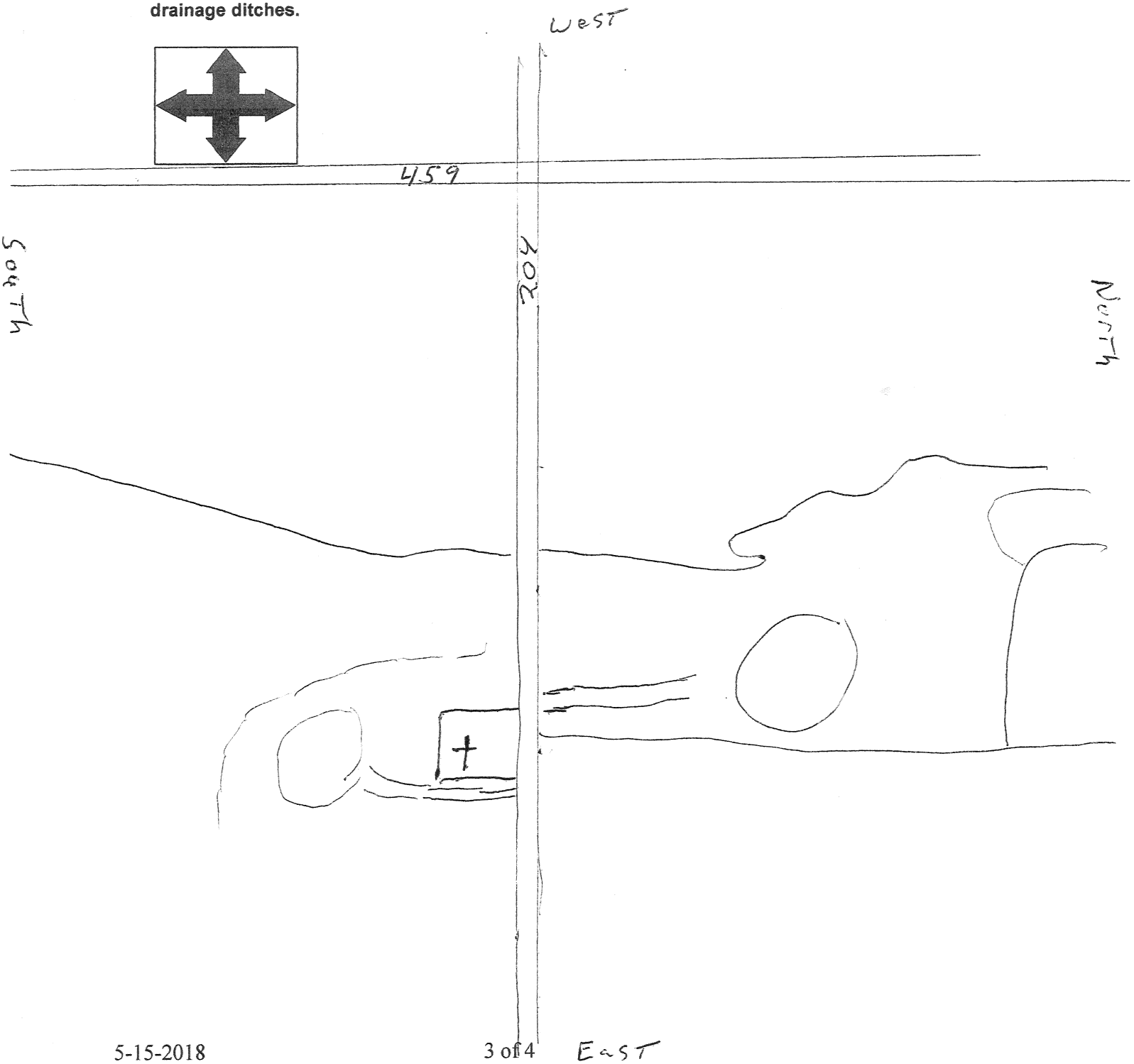
Public notices were published in the Brookings Register on April 21 and 28, 2020 and in the Volga Tribune on April 23 and 30, 2020

Letters were sent to the adjoining landowners, Brookings County Highway Superintendent and Winsor Township Chairman and Clerk.

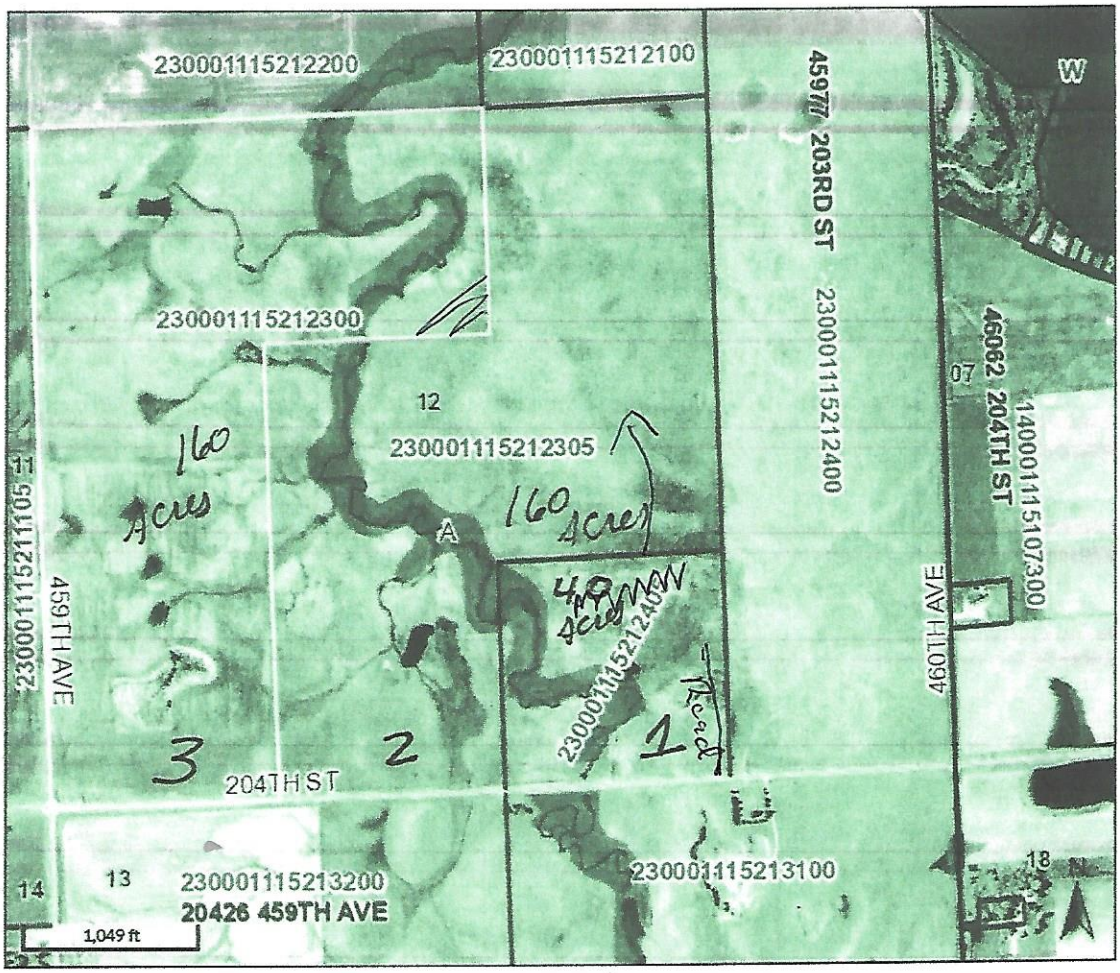
2020cu009 + 2020cu010

SKETCH

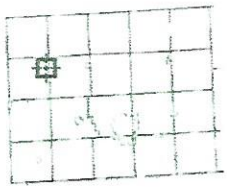
Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.



Beacon™ Brookings County, SD



Overview



Legend

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

Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

Parcel ID	230001115212300	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	12-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	160		BRUCE SD 57220
District	2309				
Brief Tax Description	W 1/2 SW 1/4, S 1/2 NW 1/4 SEC 12-111-52 160.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 4/1/2020
Last Data Uploaded: 4/1/2020 8:06:40 AM

Developed by Schneider GEOSPATIAL

Starting on North End of 1 going into South end of Two and going into Corner of 3

STERZINGER CRUSHING INC.

3273 290TH AVE

TAUNTON, MN 56291

Phone 507-530-6547

Richard,

In response to your E-mail,

#1 Hours of operation is 6:00 a.m. to 7:00 pm. Monday thru Friday and 6:00a.m.to 12:00 p.m. on Saturdays.

#2 Haul route will be from the mine site access road 204 St. east and west.

#3 I will have county about hauling on roads.

#4 Refueling area will have containment.

#5 A earth type dam will be placed along creeks or waterway in Lou of silt fence.

#6 Depth of gravel at this point Is undetermined, it will vary 6’ to 15’.

#7 All mining will be done above the water table at this point.

#8 In the reclamation plan all topsoil will be stockpiled and when the gravel is all mined the topsoil will be placed back on top of mined area and seeded back to pasture grass.

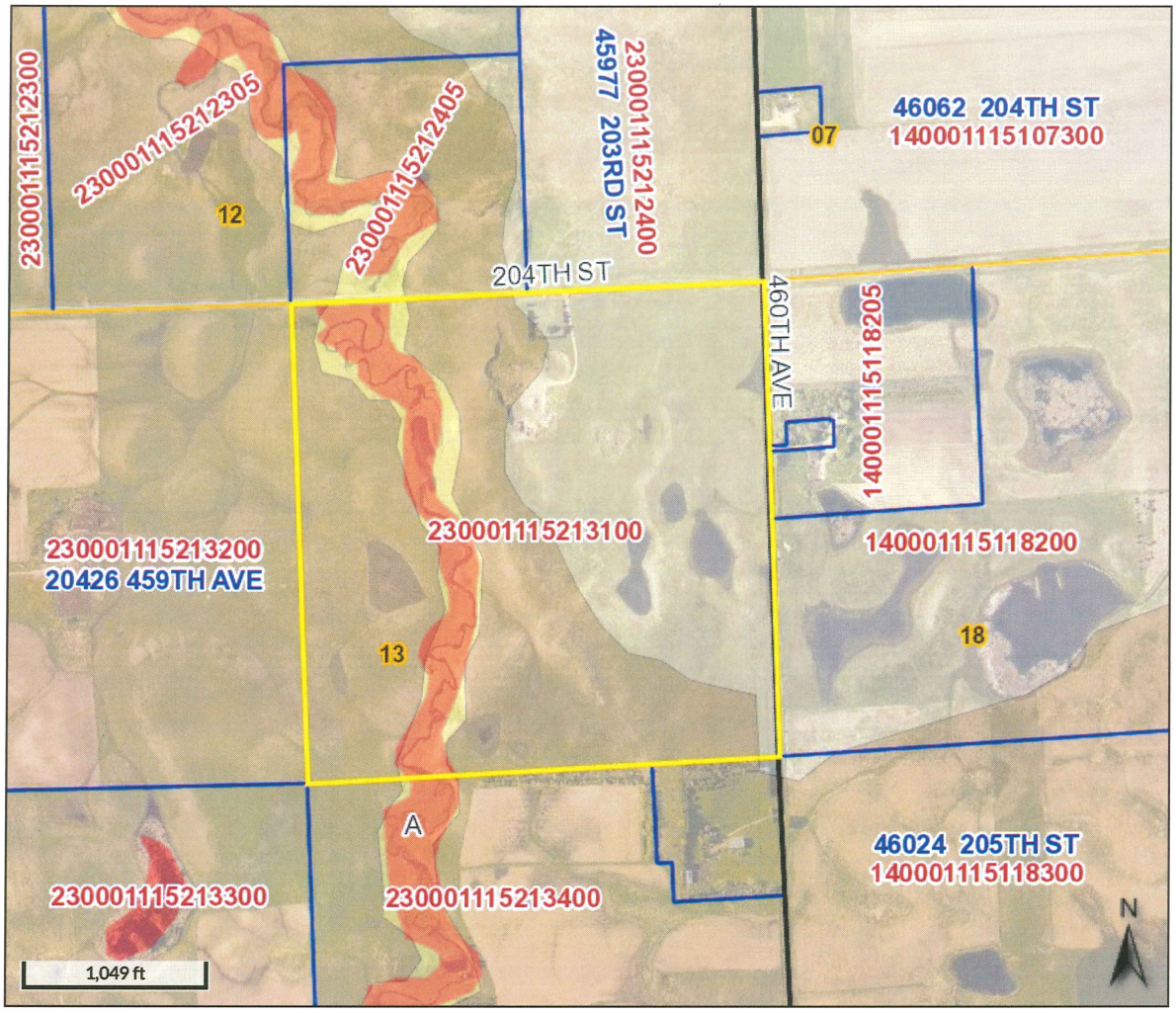
#9 The number of years the mine site will be expected to be mined is approximately 30 years.

Tom Sterzinger,

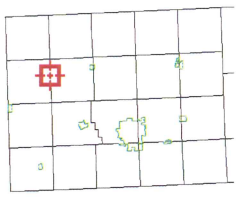
Sterzinger Crushing, Inc.

2020cu009 + 2020 cu010

Beacon™ Brookings County, SD



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections

Aquifer Materials

- Alluvium
- Outwash
- Sand and Gravel 0-50
- Sand and Gravel 100+
- Sand and Gravel 50 100

- Parcels
- Roads

Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

Parcel ID	230001115213100	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	13-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	159		BRUCE SD 57220
District	2309				
Brief Tax Description	NE 1/4 SEC 13-111-52 159.0 AC TO INCLUDE CEMETARY				
	(Note: Not to be used on legal documents)				

Date created: 4/24/2020
Last Data Uploaded: 4/24/2020 8:08:21 AM

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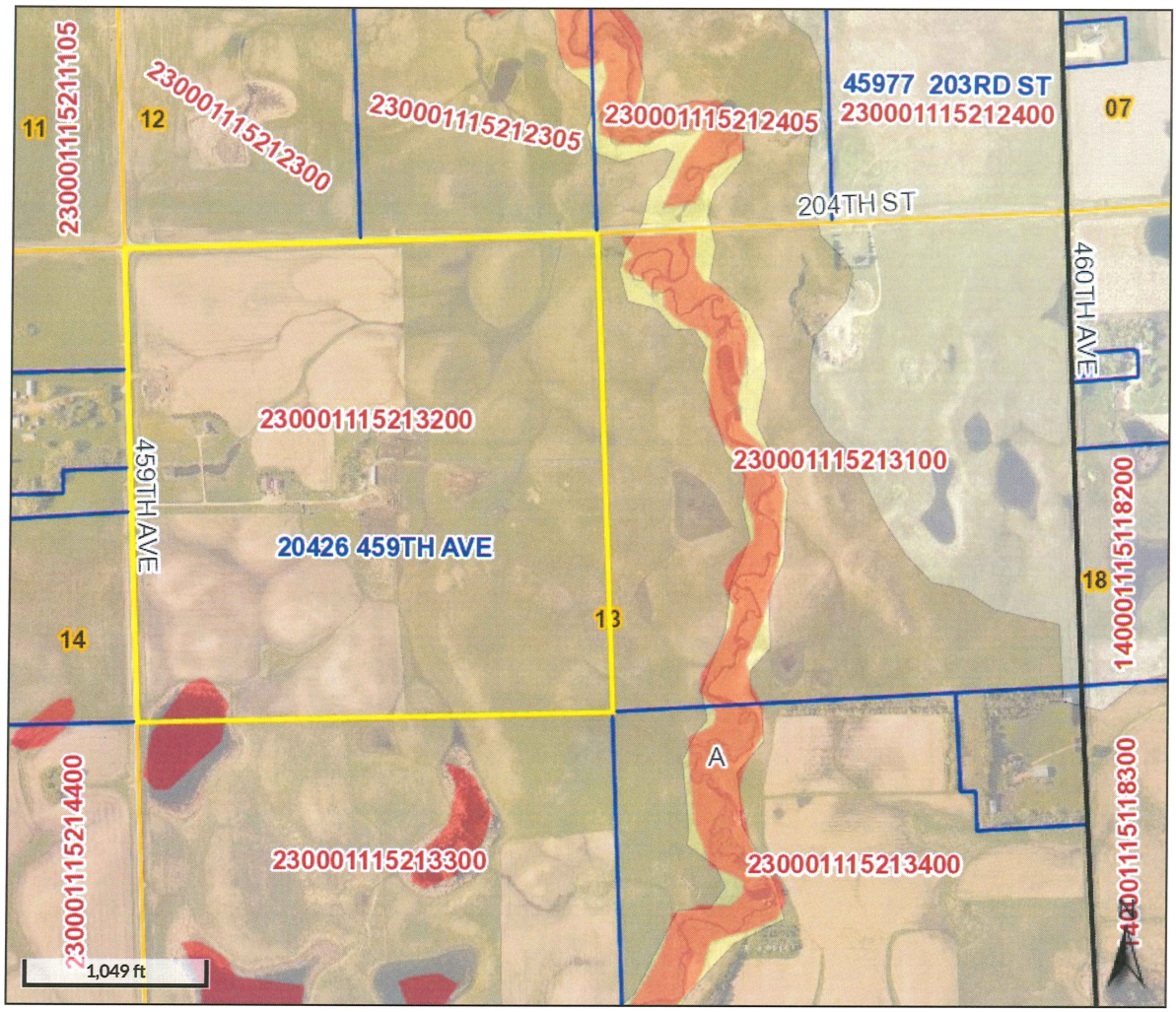
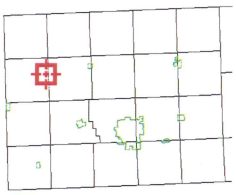
2020cu009 + 2020cu010

Beacon™ Brookings County, SD



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections

Aquifer Materials

- Alluvium
- Outwash
- Sand and Gravel 0-50
- Sand and Gravel 100+
- Sand and Gravel 5(100
- Parcels
- Roads

Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

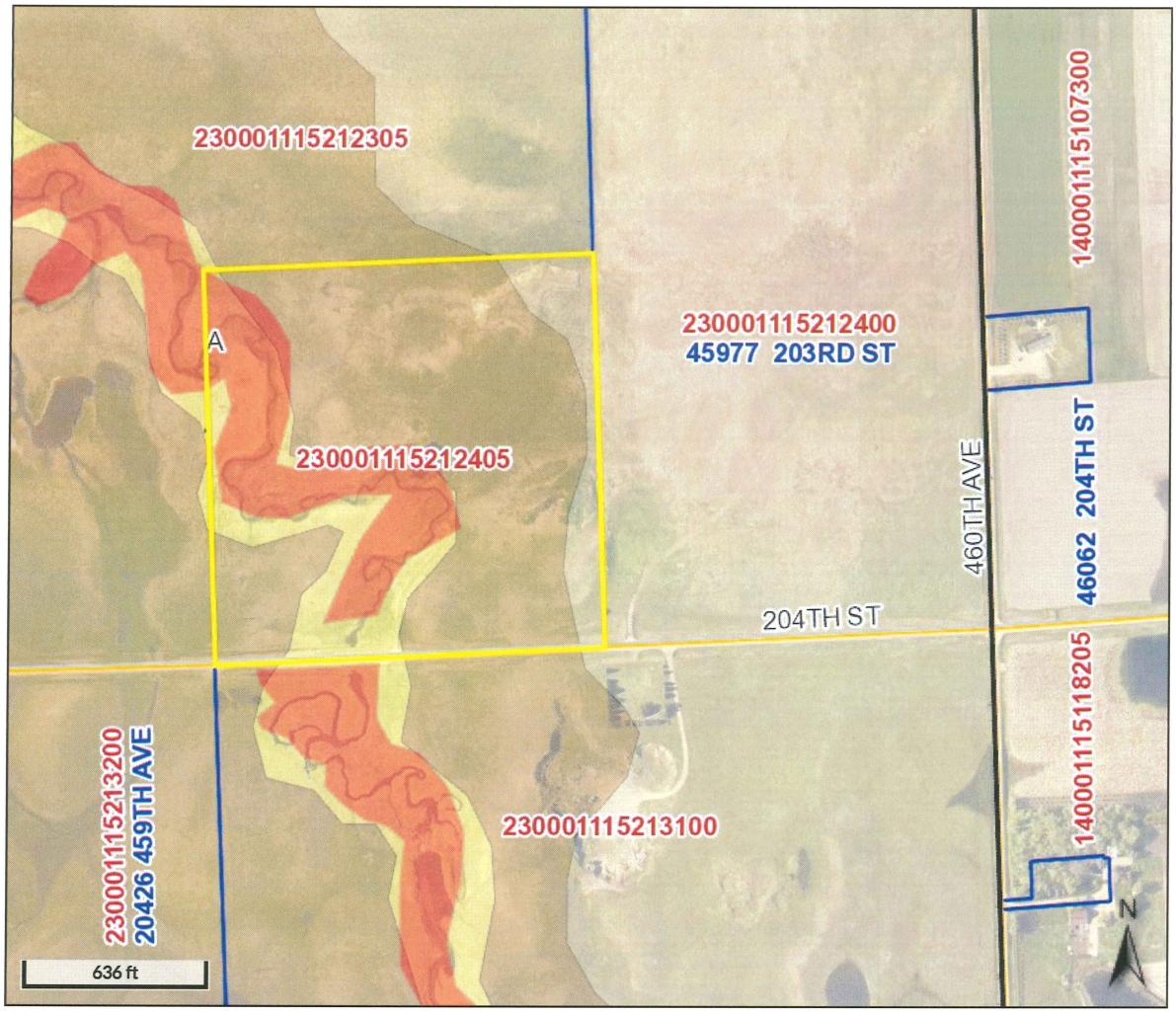
Parcel ID	230001115213200	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	13-111-52	**Class**	AGA		20426 459TH AVE
Property Address	20426 459TH AVE BRUCE	**Acreage**	160		BRUCE SD 57220
District	2309				
Brief Tax Description	NW 1/4 SEC 13-111-52 160.0 AC (Note: Not to be used on legal documents)				

Date created: 4/24/2020
Last Data Uploaded: 4/24/2020 8:08:21 AM

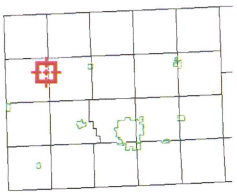
Developed by Schneider GEOSPATIAL

2020cu009 + 2020cu010

Beacon™ Brookings County, SD



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections

Aquifer Materials

- Alluvium
- Outwash
- Sand and Gravel 0-50
- Sand and Gravel 100+
- Sand and Gravel 5(100

- Parcels
- Roads

Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

Parcel ID	230001115212405	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	12-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	40		BRUCE SD 57220
District	2309				
Brief Tax Description	SW 1/4 SE 1/4 SEC 12-111-52 40.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 4/24/2020
Last Data Uploaded: 4/24/2020 8:08:21 AM

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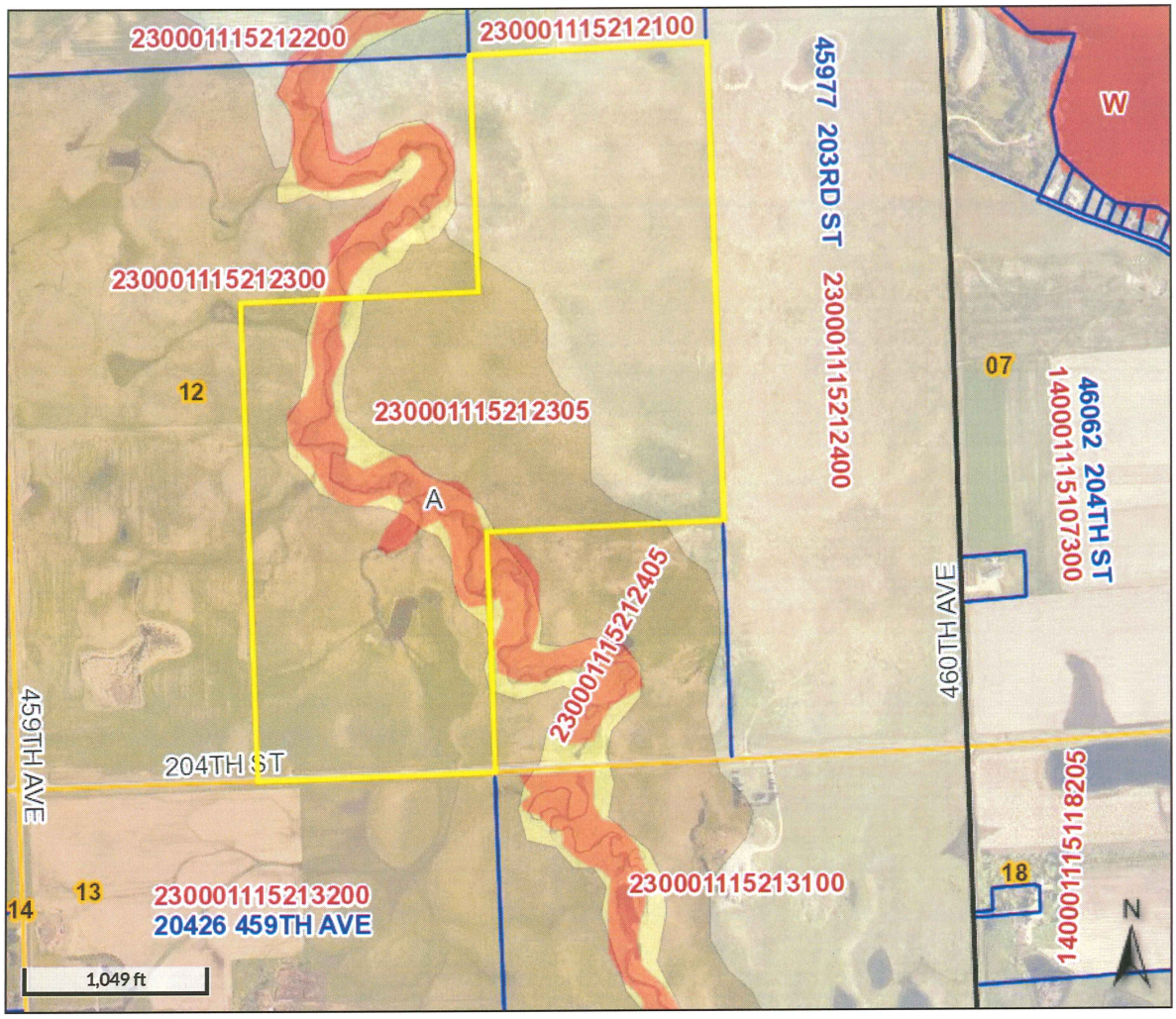
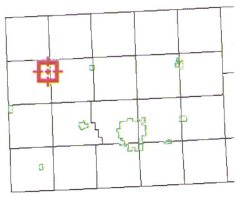
2020cu009 + 2020cu010

Beacon™ Brookings County, SD



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections

Aquifer Materials

- Alluvium
- Outwash
- Sand and Gravel 0-50
- Sand and Gravel 100+
- Sand and Gravel 50 100

- Parcels
- Roads

Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

Parcel ID	230001115212305	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	12-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	160		BRUCE SD 57220
District	2309				
Brief Tax Description	E 1/2 SW 1/4, NW 1/4 SE 1/4, SW 1/4 NE 1/4 SEC 12-111-52 160.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 4/24/2020
Last Data Uploaded: 4/24/2020 8:08:21 AM

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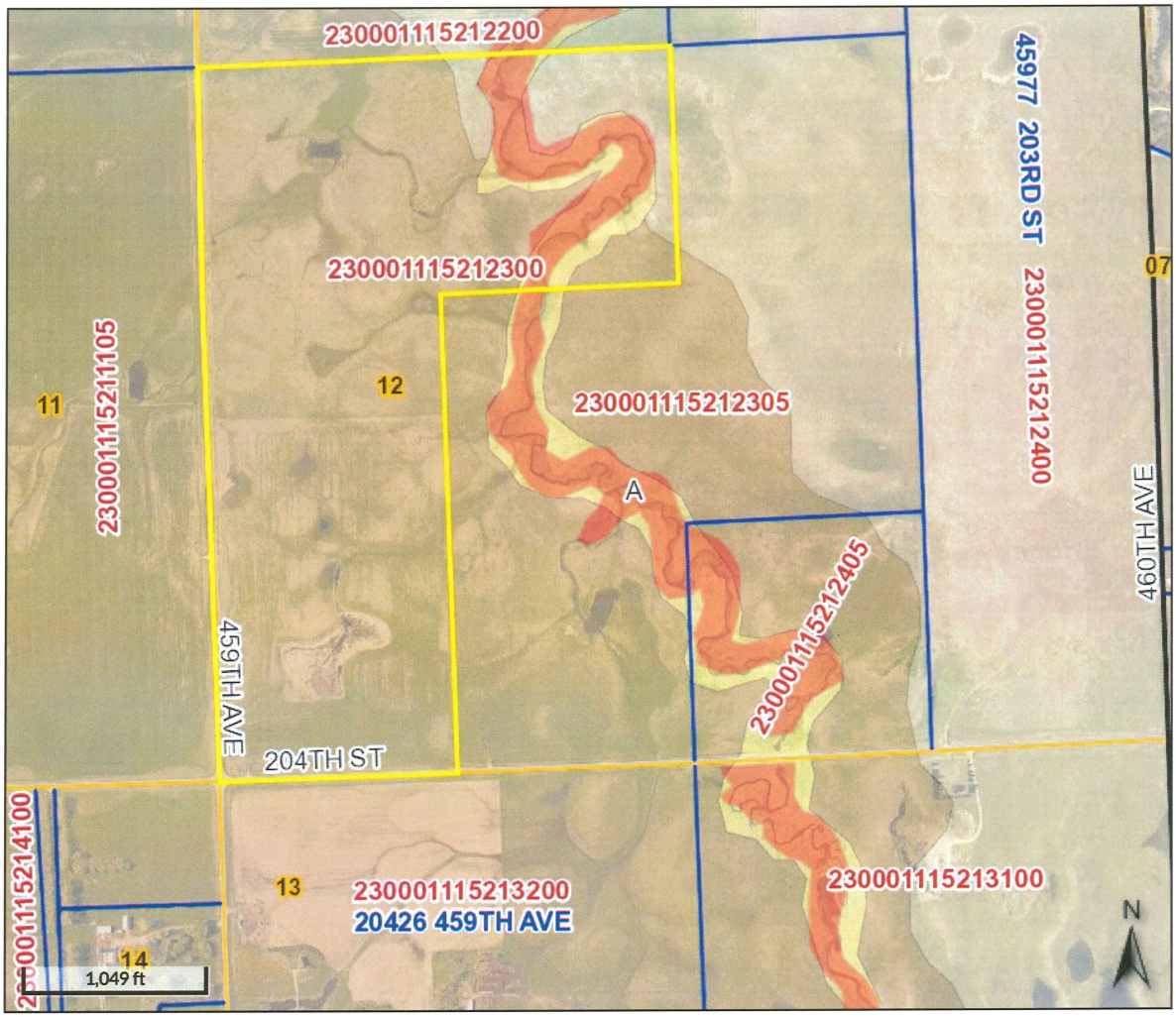
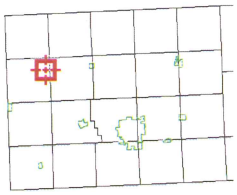
2020CU009 + 2020CU010

Beacon™ Brookings County, SD



Overview



Legend

- Brookings City Limits
- City Limits
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- Sections

Aquifer Materials

- Alluvium
- Outwash
- Sand and Gravel 0-50
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- Sand and Gravel 50 100

- Parcels
- Roads

Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
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Parcel ID	230001115212300	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	12-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	160		BRUCE SD 57220
District	2309				
Brief Tax Description	W 1/2 SW 1/4, S 1/2 NW 1/4 SEC 12-111-52 160.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 4/24/2020
Last Data Uploaded: 4/24/2020 8:08:21 AM

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Looking west at entrance to Site # 1. Cemetery. Brkgs Cnty Rd # 6 (204th St)

Looking east from entrance to Site # 1.
2020cu009 & 2020cu010: Tom Sterzinger.

Gatged entrance to Site # 1.
East tree line of cemetery.

Proposed mining/crushing area south of cemetery.

Top of hill, across road from cemetery.
Proposed new driveway for Site # 2.
West of existing driveway.

Site # 2 Proposed mining area. Northwest of proposed driveway.

Site # 2 Proposed mining/crushing area.

Site # 2 Proposed mining/crushing area.

From: Sandy McLeod Breuer [mailto:mcleodbreuer@yahoo.com]
Sent: Tuesday, April 28, 2020 8:53 AM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject: Public notice

FILED APR 28 2020

This correspondence is in regard to Tom Sterzinger's application for a conditional use permit for mining and rock crushing (2020cu009 and 2020cu010. I am against this for a variety of reasons: 1) the pit is to be located next to a creek that runs into Lake Oakwood and the water quality there is marginal already 2) increased heavy truck traffic would deteriate county and township roads 3) excess dust created would be a health detriment to the families with young children who live near it 4) reclamation and mining plan too vague with many loop holes. Thank you for your consideration of these concerns. Sincerely, Marla Bjerke

Sent from Yahoo Mail on Android

From: William Osterberg [mailto:wosterbergkbrw@gmail.com]
Sent: Tuesday, April 28, 2020 10:08 AM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject: Fwd: Complaint

FILED APR 28 2020

Sent from my iPhone

Begin forwarded message:

> **From:** William Osterberg <wosterbergkbrw@gmail.com>
> **Date:** April 28, 2020 at 9:11:44 AM CDT
> **To:** development@brookingscountysd.gov
> **Subject: Complaint**
>
> I would like to file a complaint to stop the possible gravel pit (permit number 2020cu009 and 2020cu010)being dug in just west of Lake Oakwood. This would be not only a eye sore but danger for those living around this area. Heavy trucks will ruin this roads instantly which tax payers would lose out on. This could cause breathing problems for little ones living around there not to mention speeding big heavy equipment that can't stop fast is Concern as well. Also a main concern is a natural water way that runs on this property that runs into lake Oakwood. Please use common sense and stop this issue thanks.
>
> Sent from my iPhone

From: Michael Bjerke [mailto:michaelebjerke@gmail.com]
Sent: Tuesday, April 28, 2020 1:10 PM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject:

FILED APR 28 2020

On Tuesday May 5 at 8 pm there will be a public hearing for use permits 2020cu009 and 2020cu010 for Tom Sterzinger's application for gravel mining and rock crushing. This pit will be less than half a mile from my residence. With small school-aged children even closer, the increased dust level and large truck traffic is an immense concern! Also the amount of big equipment road use will do appreciable damage to county and township roads. Crazy Creek runs right through the proposed pit area making the incoming water quality to Lake Oakwood highly compromised...a problem that the lake is already experiencing! Finally there seems to be large, vague concerns with the mining and reclamation plans. Your thoughtful consideration of all these matters is most appreciated 🙂 Sincerely, Michael E. Bjerke

From: Tamara Osterberg [mailto:tammy_osterberg@yahoo.com]
Sent: Tuesday, April 28, 2020 3:02 PM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject: Mining Application

FILED APR 28 2020

To Whom It May Concern:

This letter is in regard to Tom Sterzinger's application for a conditional use permit for mining and rock crushing (2020cu009 and 2020cu010. We are against this based on the following reasons: 1) the pit is to be located next to a creek that runs into Lake Oakwood and the water quality there is questionable 2) the gravel put would be an eye sore. 3) increased heavy truck traffic would deteriate county and township roads which would cost money to repair or replace 4) excess dust created would be a health detriment to the families with young children who live near it 5) reclamation and mining plan too vague with many loop holes.
Thank you for your consideration of these concerns. Sincerely,
Tom and Tamara Osterberg
Sent from Yahoo Mail for iPhone

From: Marla Bjerke [mailto:bjerkemmm@gmail.com]
Sent: Monday, April 27, 2020 5:23 PM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject: Public notice for Conditional use

FILED APR 28 2020

This correspondence is in regard to Tom Sterzinger's application for a conditional use permit for mining and rock crushing (2020cu009 and 2020cu010. I am against this for a variety of reasons: 1) the pit is to be located next to a creek that runs into Lake Oakwood and the water quality there is marginal already 2) increased heavy truck traffic would deteriate county and township roads 3) excess dust created would be a health detriment to the families with young
children who live near it 4) reclamation and mining plan too vague with many loop holes.
Thank you for your consideration of these concerns. Sincerely, Marla Bjerke

FILED APR 28 2020

Richard Haugen

From: oakwood@itctel.com
Sent: Tuesday, April 28, 2020 4:03 PM
To: Richard Haugen
Subject: Permits #2020cu009 and 2020cu010
Attachments: EPSON006.JPG; EPSON007.JPG

Richard - I see the light lavender or purple area did not scan to attachment. But I am sure you will have the exact colored Winsor Township Map to share with the Board. Thanks - Janie Wittmeier at oakwood@itctel.com

Brookings County Board of Adjustment
520 3rd Street, Suite 200
Brookings, SD 57006

FILED APR 28 2020

We would like to share our concerns regarding the permit requests from Sterzinger Crushing Inc of Taunton, MN for #2020cu009 Mining Gravel and permit #2020cu010 for Crushing Gravel.

There is a creek that runs northerly from the south and which is known to some of the locals as "Crazy Creek" due to the fact that it flows north instead of south. This creek flow starts approximately 7+ miles to the south and runs into the West Oakwood chain of lakes into Turtle Lake and then into Lake Tetankaha and Johnson Lake and where Oakwood Lakes State Park is located. Attached in a copy of the Winsor Township map which shows the Crazy Creek flowing through both sections 12 and 13 and quite near the purple area of sand and gravel.

In regards to Sterzinger statement #5 "A earth type dam will be placed along creeks or waterway in lou of silt fence". Also per his statement #9 "the number of years the mine site will be expected to be mined is approximately 30 years".

An earth type dam is not appropriate to protect the existing flowing creek. If the area were to have a severe thunderstorm it would certainly wash the dirt right into the creek and into the West Oakwood chain of lakes.

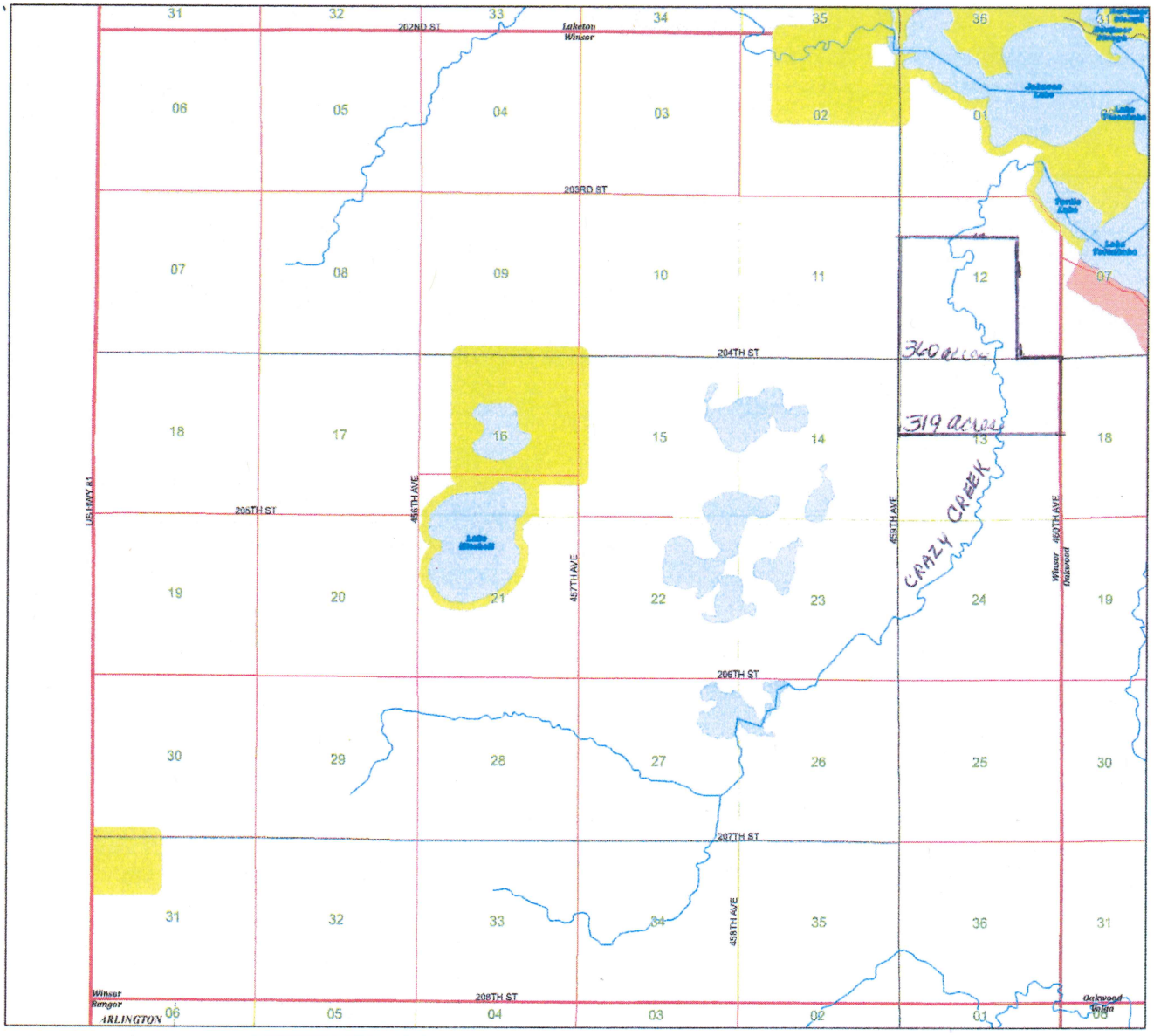
Sterzinger statement #7 "All mining will be done above the water table at this point". At what ***Point*** in the 30 years would that change?

The legal description totals 679 +/- acres of land for the Mining Gravel and Crushing Gravel on Sterzinger permit requests. How many acres does he intend to utilize for mining and crushing gravel?

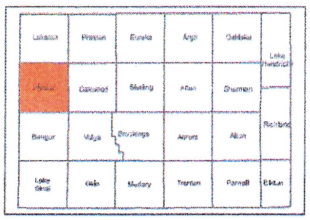
Janie Wittmeier

Janie and Larry Wittmeier
42 Oakwood Shoreline Drive
Cabin owners and Land owners since 1968
Respectfully submitted April 28, 2020

FILED APR 28 2020



March 2016

Winsor Township
Brookings County, South Dakota
T111N R52W

Roads
Bituminous
Concrete
Graded
Gravel
Primitive
Unimproved
I-29
Us Highway
State Highway
Railroad
Rivers
Lakes
City Limits
Zoning
Commercial
Lake Park
Natural Resources
3 mile Joint Jurisdiction
Sections
Townships
Floodplain
Alluvium
Oakwood
Sand and Gravel 0-60
Sand and Gravel 50-100