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
S McLeod Breuer_Email 4-29-2020.pdf
J Bjerke_Email 4-29-2020.pdf
A Bjerke_Email w-attachments 4-29-2020.pdf
N Heylens Life Est Et al_Letter rcvd via mail 4-30-2020.pdf
C Bjerke_Email 4-30-2020.pdf
J Wittmeier,Pres.-SD Lakes Streams Assoc_Email w-attachments 4-30-2020.pdf
B Williamson_phone 5-1-2020.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
J Bjerke_Email 4-29-2020.pdf
S McLeod Breuer_Email 4-29-2020.pdf
A Bjerke_Email w-attachments 4-29-2020.pdf
N Heylens Life Est Et al_Letter rcvd via mail 4-30-2020.pdf

C Bjerke_Email 4-30-2020.pdf
J Wittmeier,Pres.-SD Lakes Streams Assoc_Email w-attachments 4-30-2020.pdf
B Williamson_phone 5-1-2020.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 4-14-2020

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

S 1/2 S 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:

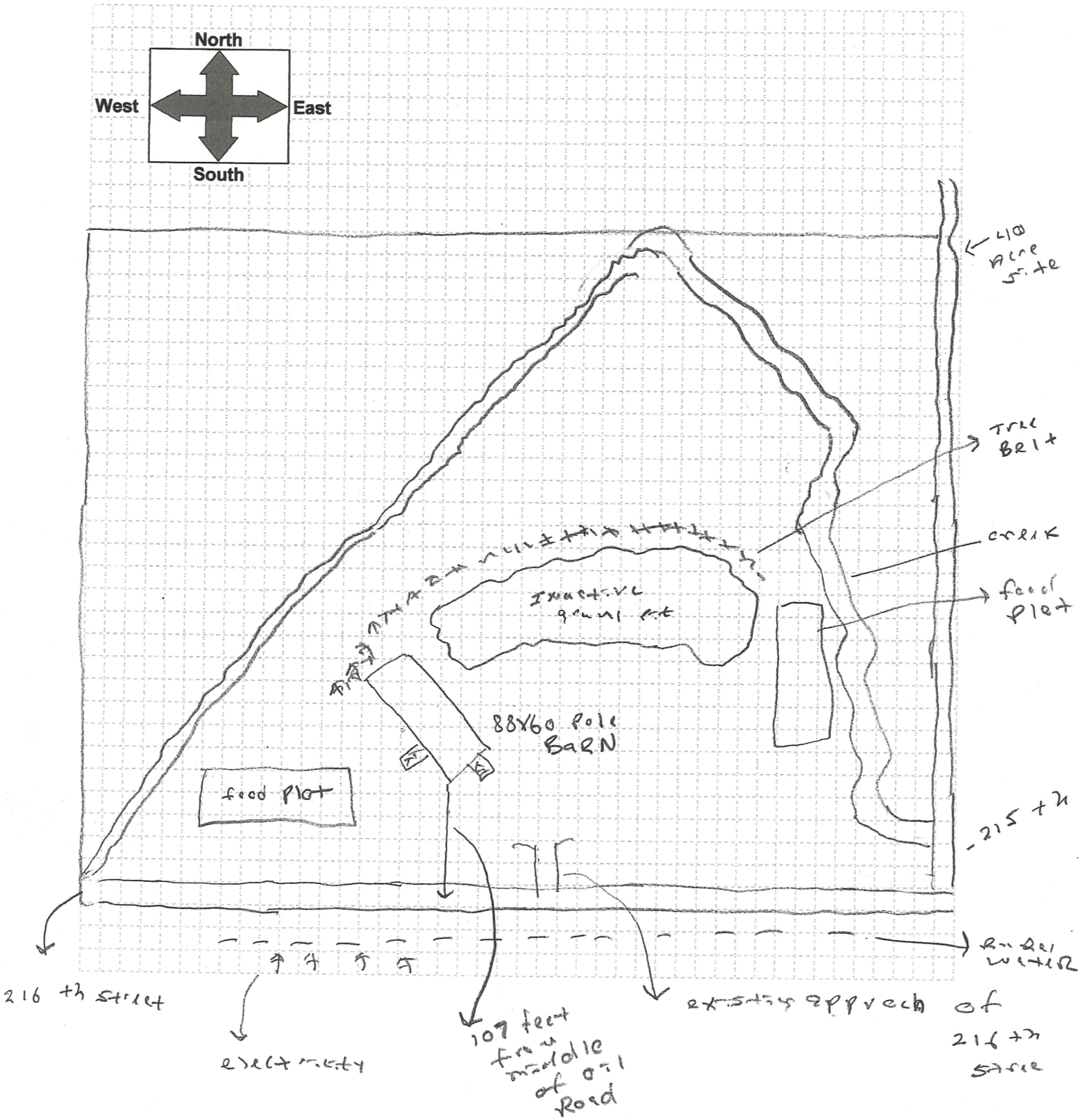
- We cannot build the building straight back as inactive gravel pit exists there. There is also a shelter belt around the gravel pit. While our proposal is to locate the building catty corner to the south west edge of the gravel pit, we would need to remove several trees and complete materially more 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.

2020VAR 002

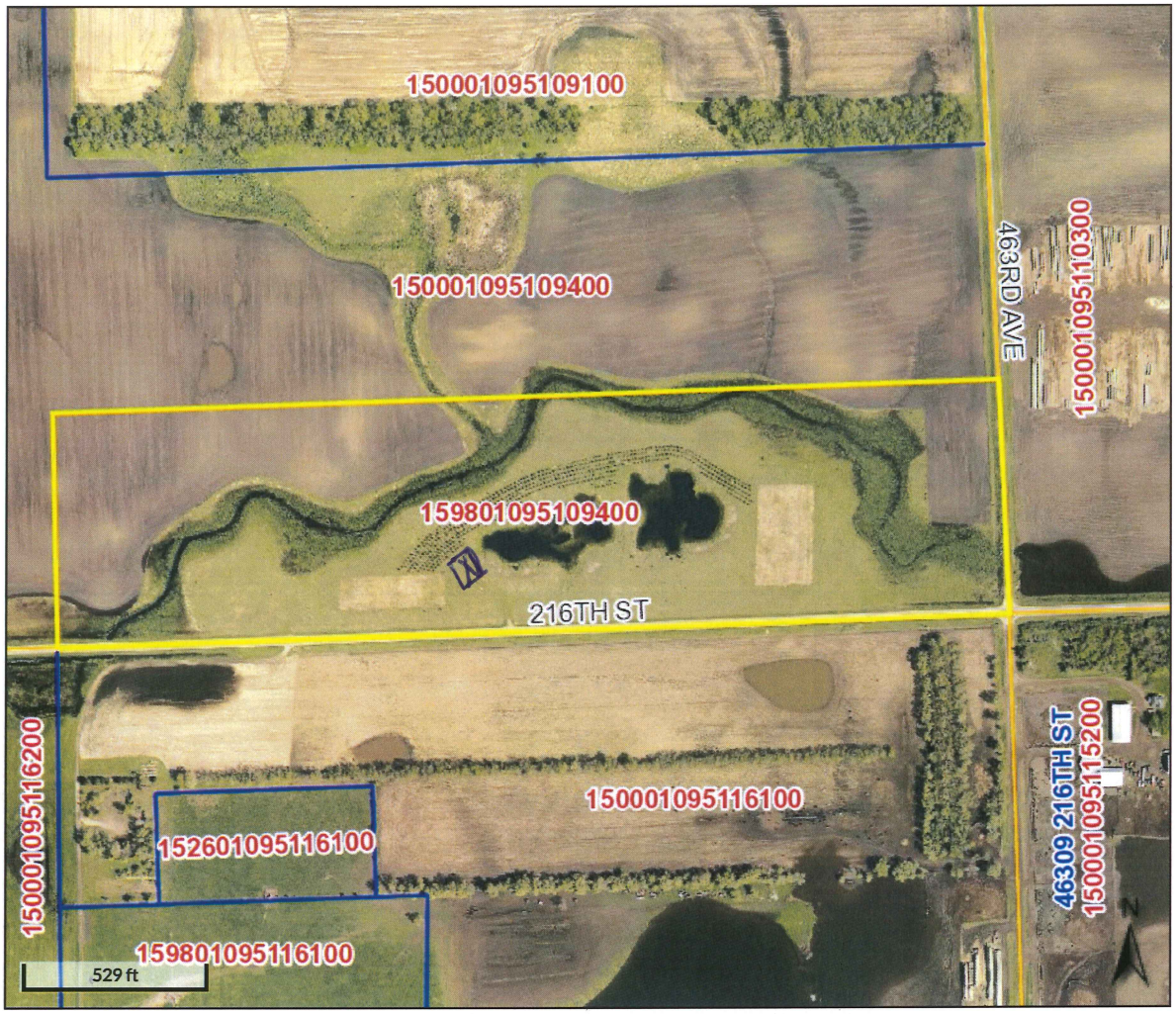
SKETCH

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.

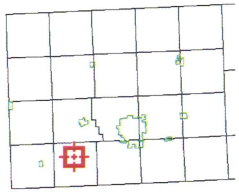


2020 VAR002

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

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

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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 I

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:

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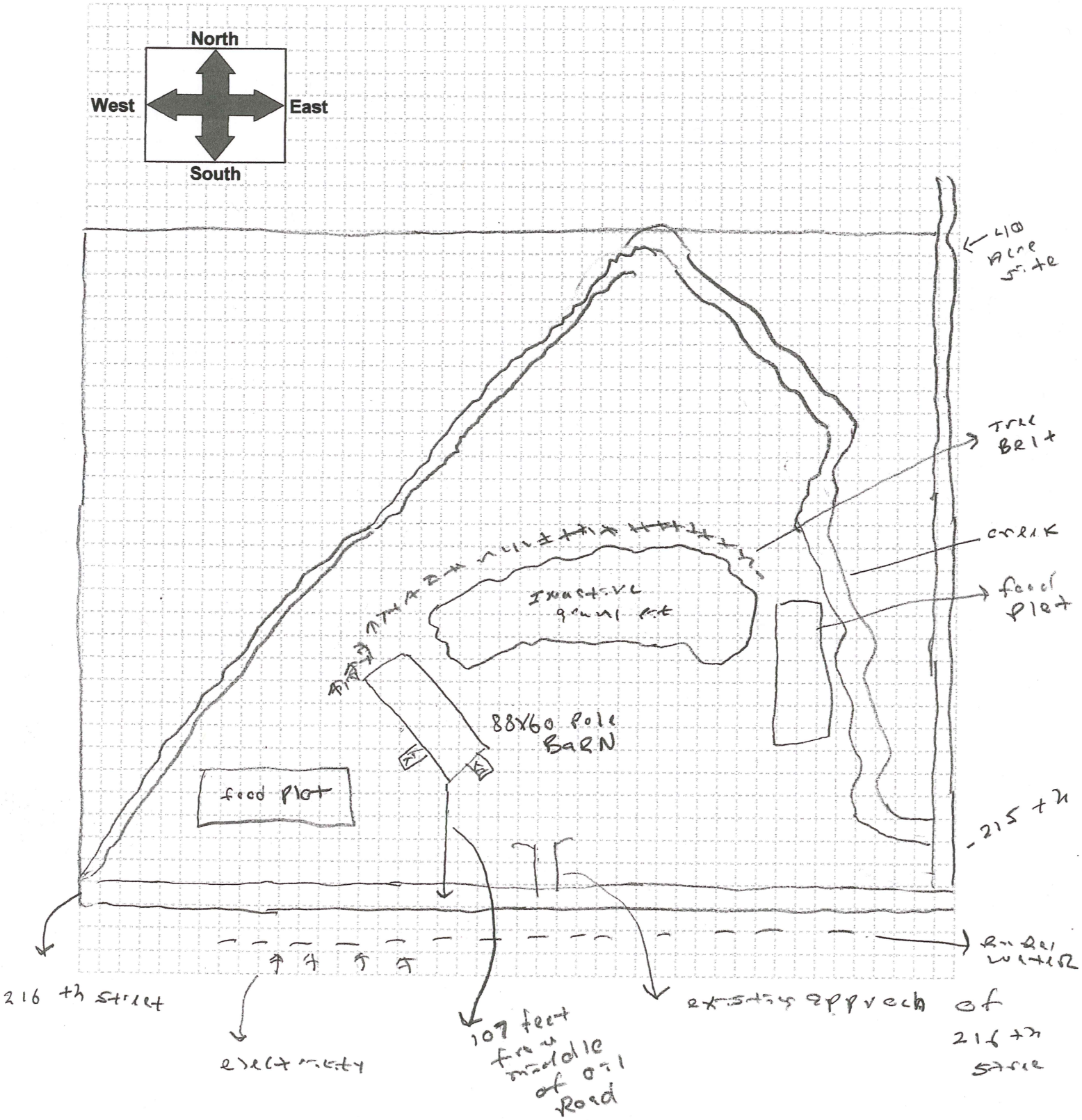
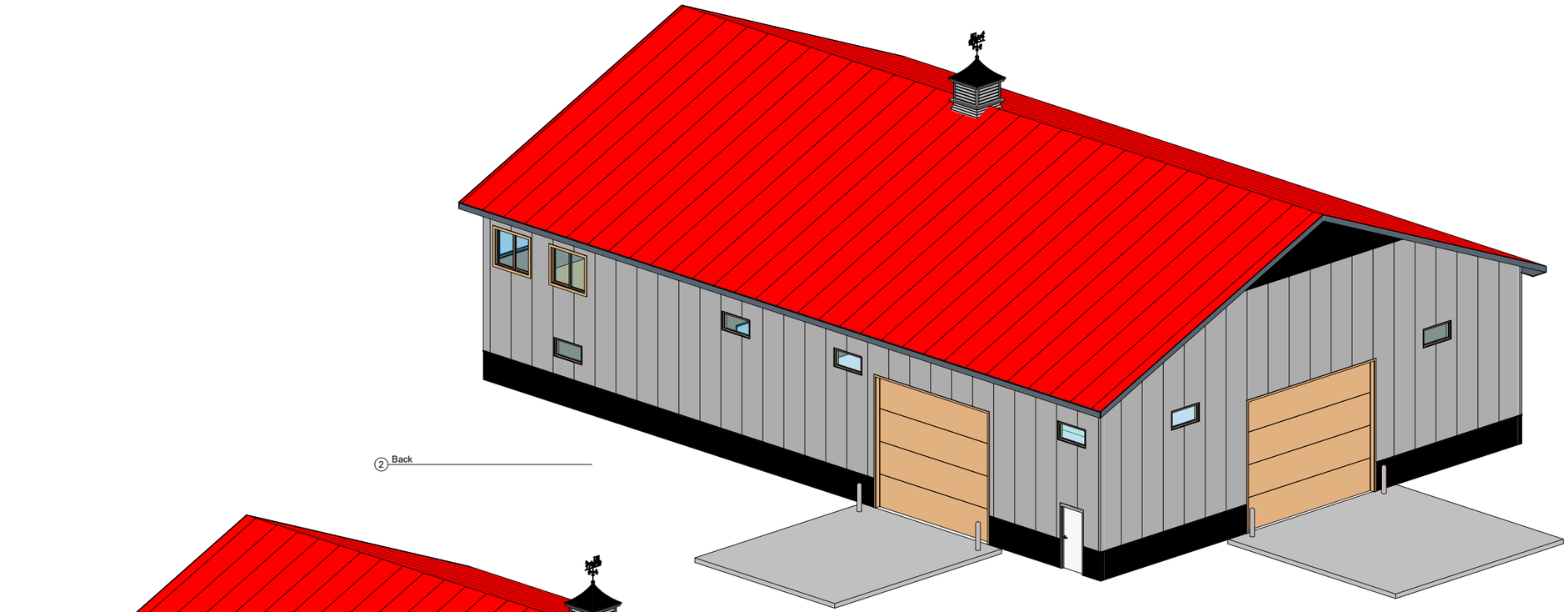
Given the above, we respectfully request a county variance for our proposed building site. Our proposed site does not create any sightline or snowdrift issues. Applicant's verbal discussions with Highway Superintend Brian Gustad indicated he did not object to our proposal.

2020VAR 002

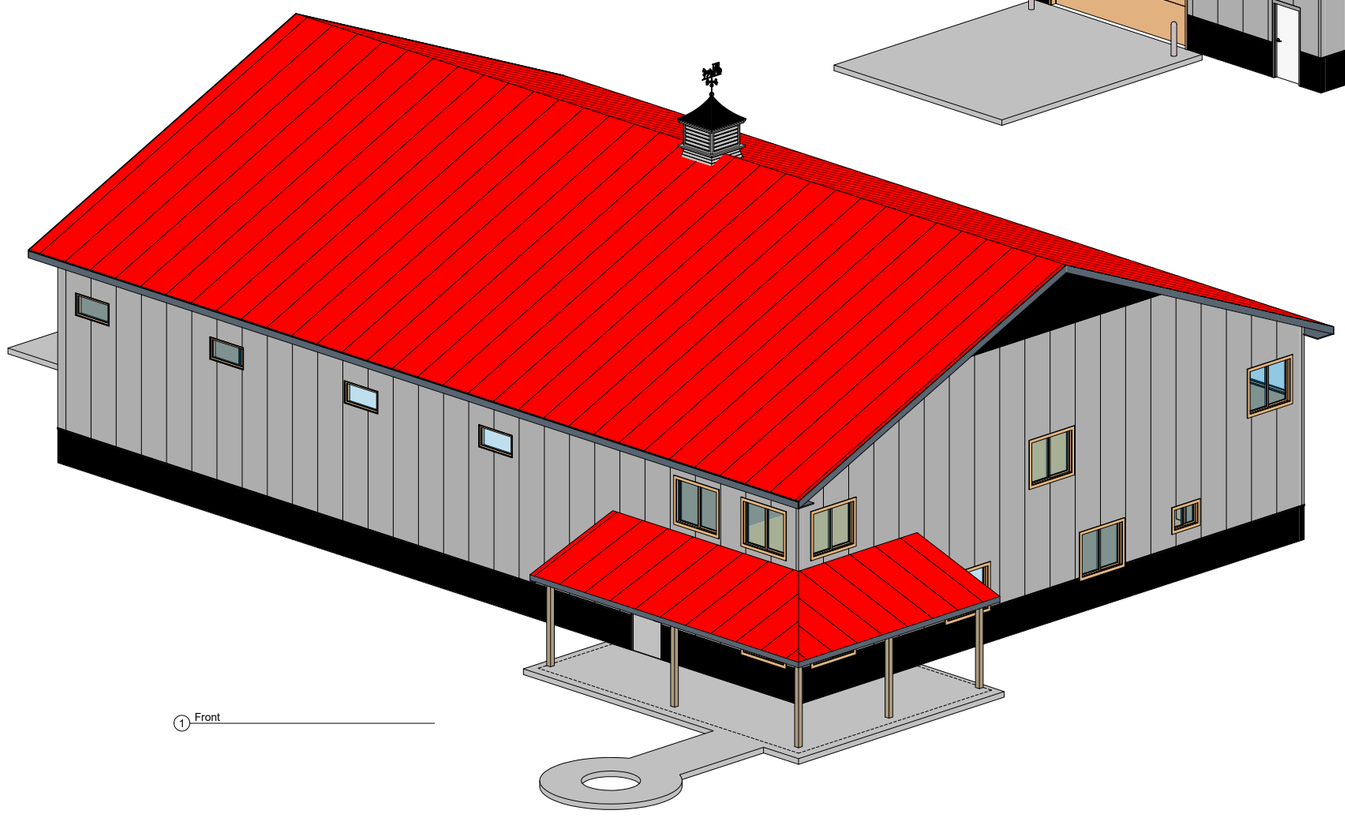
SKETCH

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.





2 Back



1 Front

Reaves BUILDINGS

4101 N. 4TH AVENUE - SIOUX FALLS, SD
FAX 605-334-0066
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

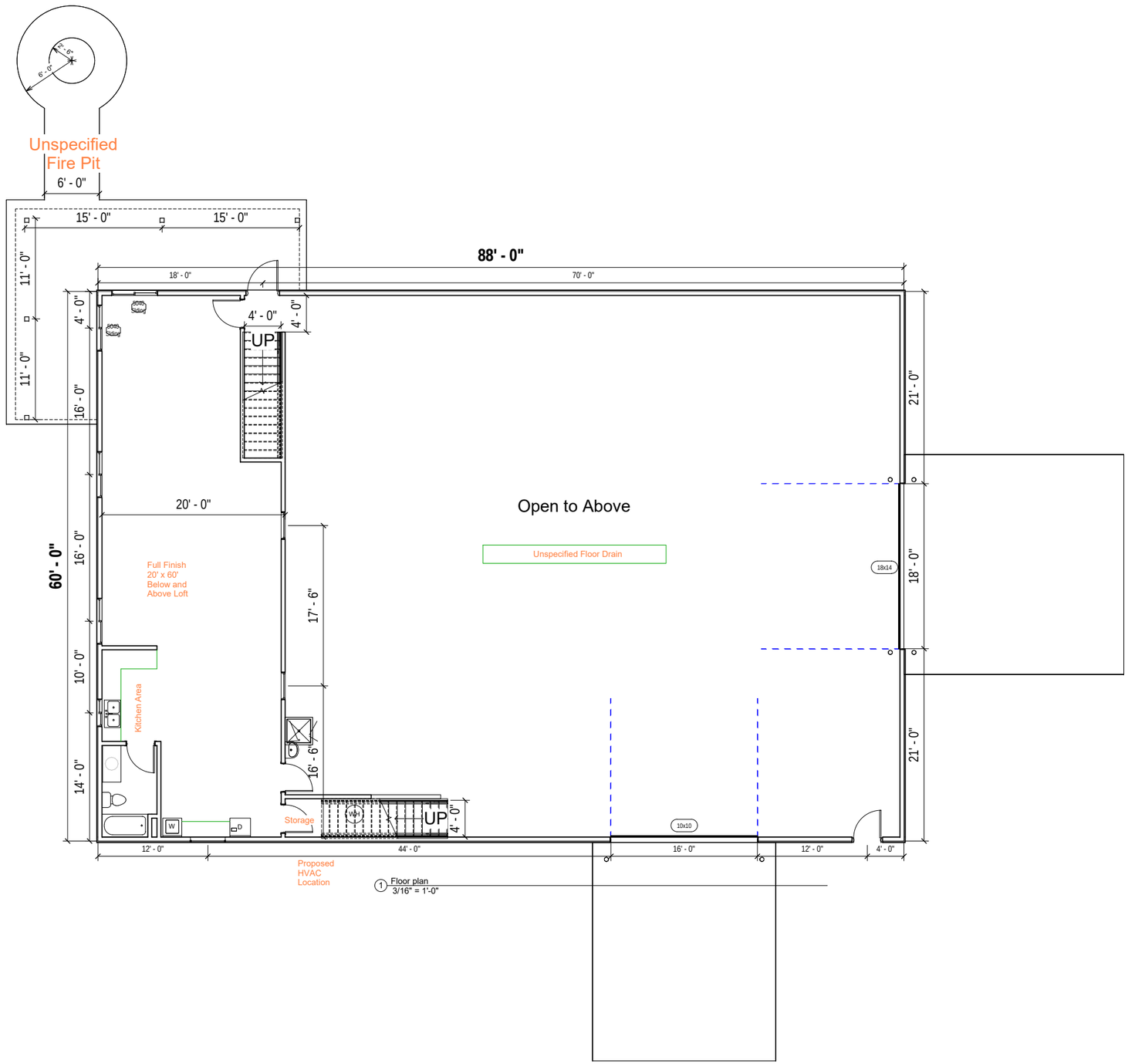
REVISION(S)

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 Slding	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 Slding	11	5' - 0"	4' - 0"	7' - 0"

Reaves BUILDINGS
4101 N. 4TH AVENUE - SIOUX FALLS, SD
FAX 605-334-0066
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

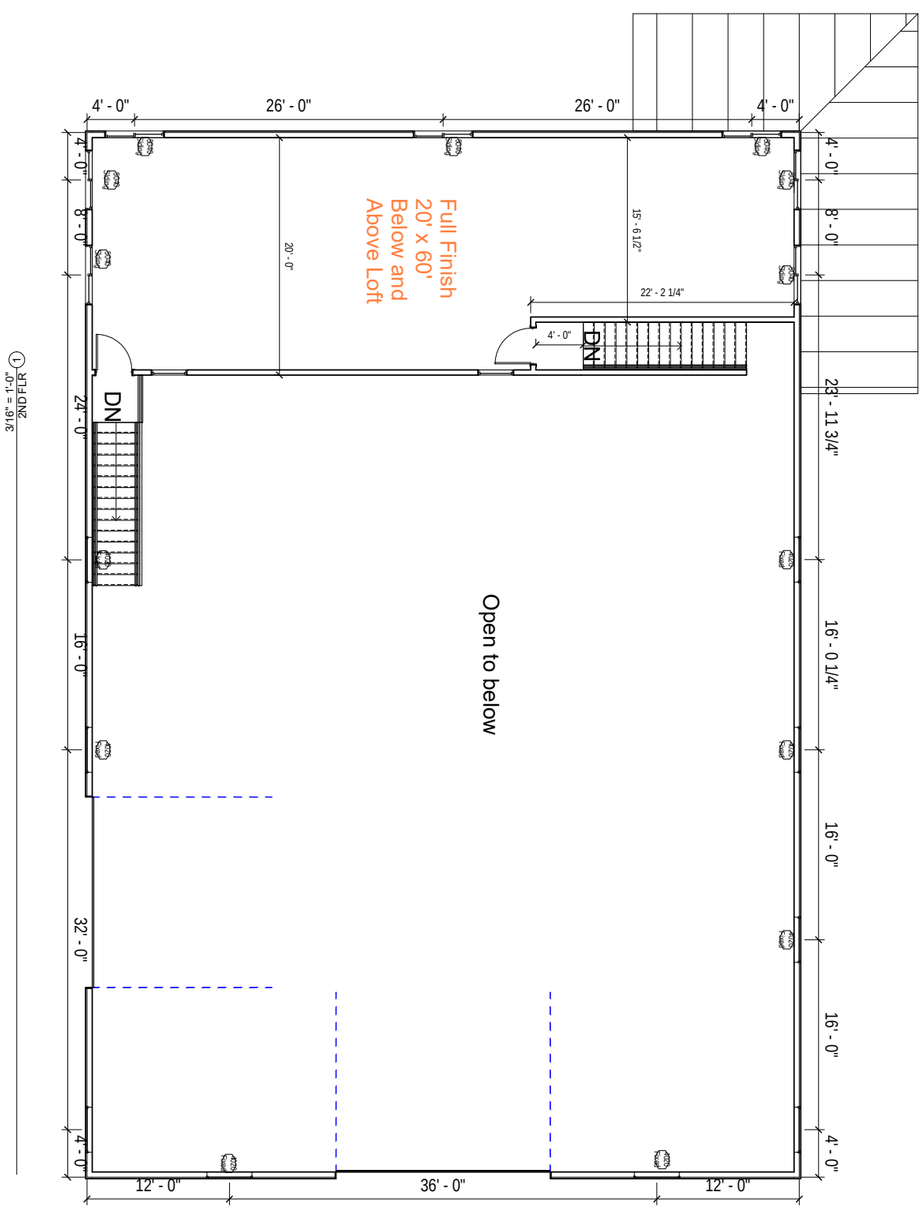
REVISION(S)

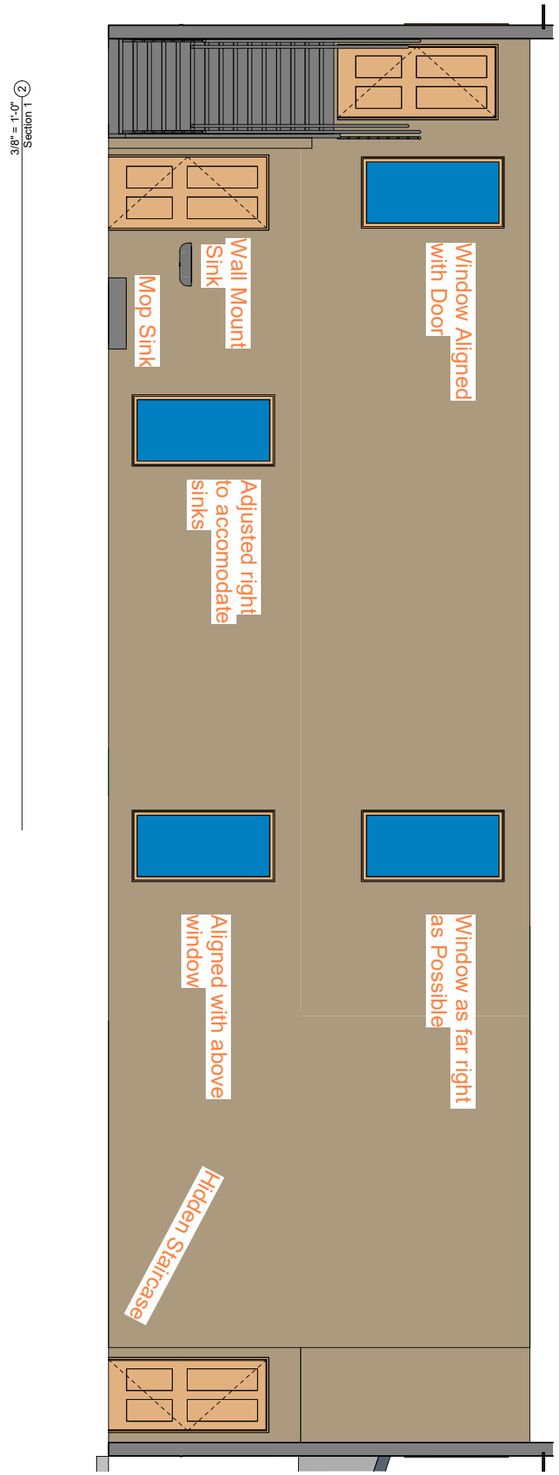
FOR FIELD USE (FINAL)

N/A

PAGE NUMBER

B101





View of your divide wall

Reaves BUILDINGS
4101 N. 4TH AVENUE - SIOUX FALLS, SD
FAX 605-334-0066
PH.605-339-3647

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)

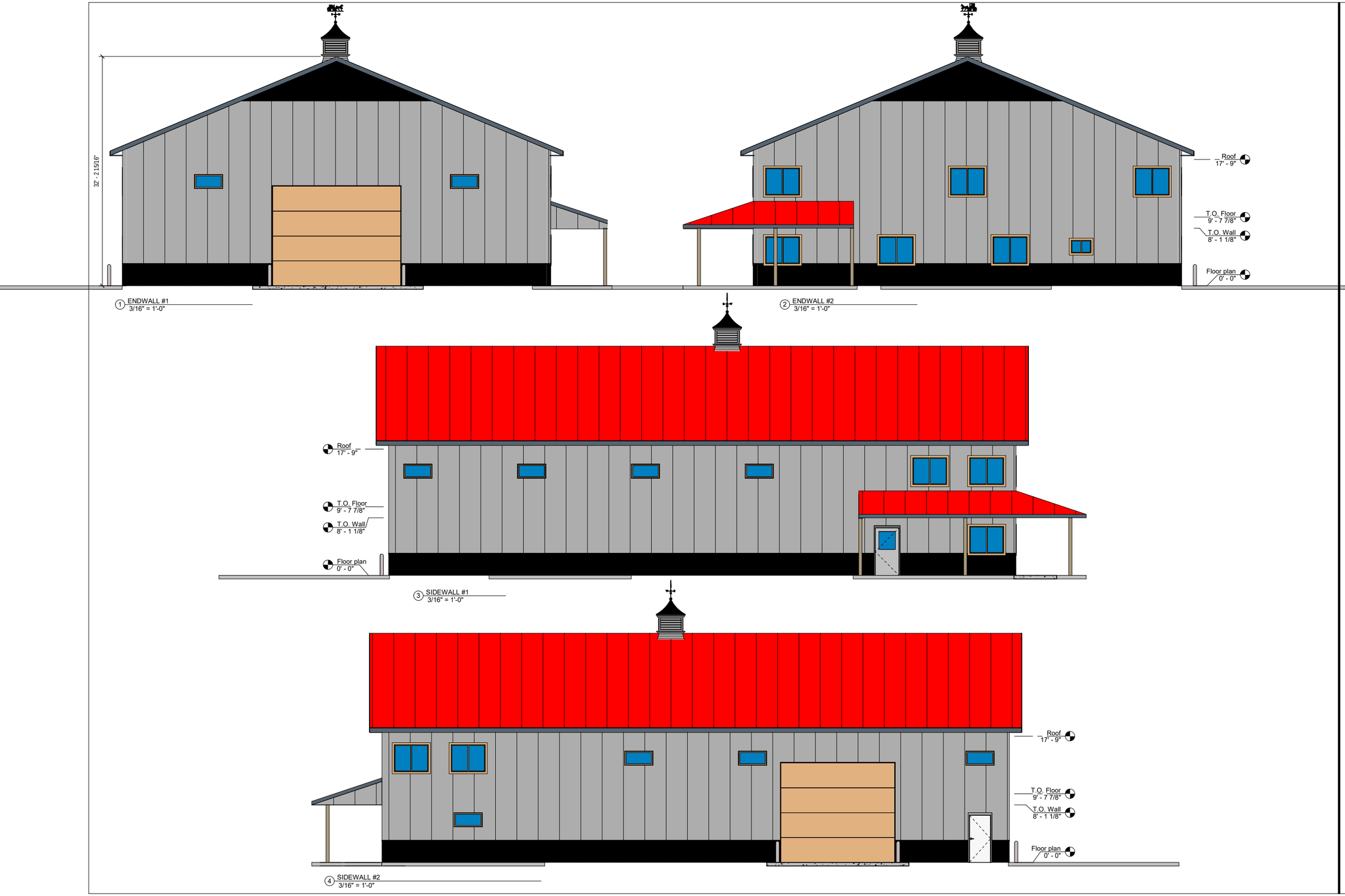
FOR FIELD USE (FINAL)

N/A

PAGE NUMBER

B103

REAVESBUILDINGS.COM FACEBOOK.COM/COMPONENTREAVES



Reaves BUILDINGS
4101 N. 4TH AVENUE - SIOUX FALLS, SD
FAX 605-334-0066
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)

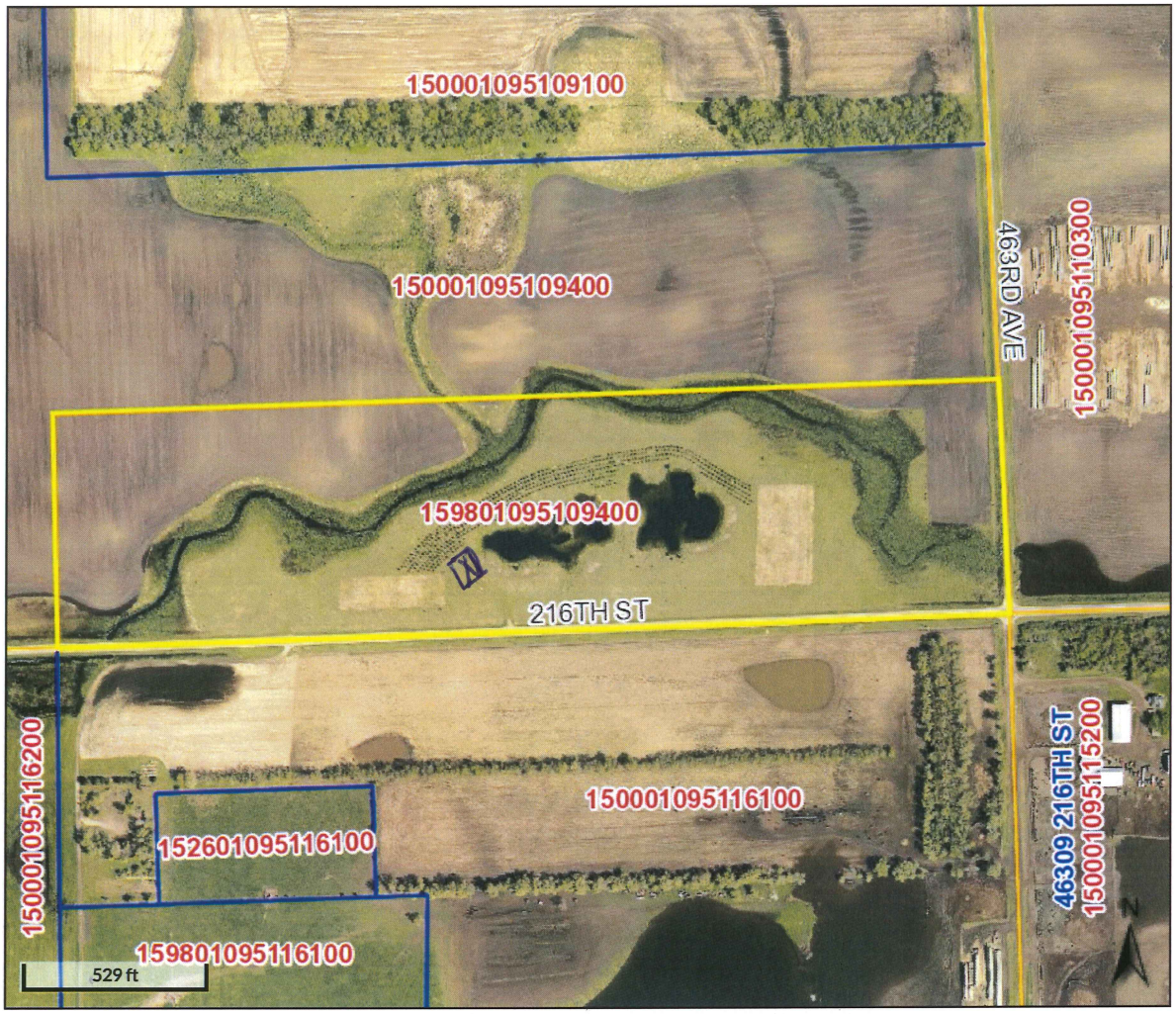
N/A

PAGE NUMBER

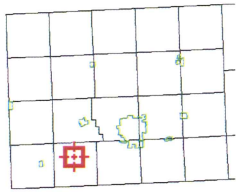
B102

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

2020var002: Thomas A. Tofte for Tofte Brothers LLC

Looking west from driveway on 216th St.

Looking east from driveway on 216th St.

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 IV 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

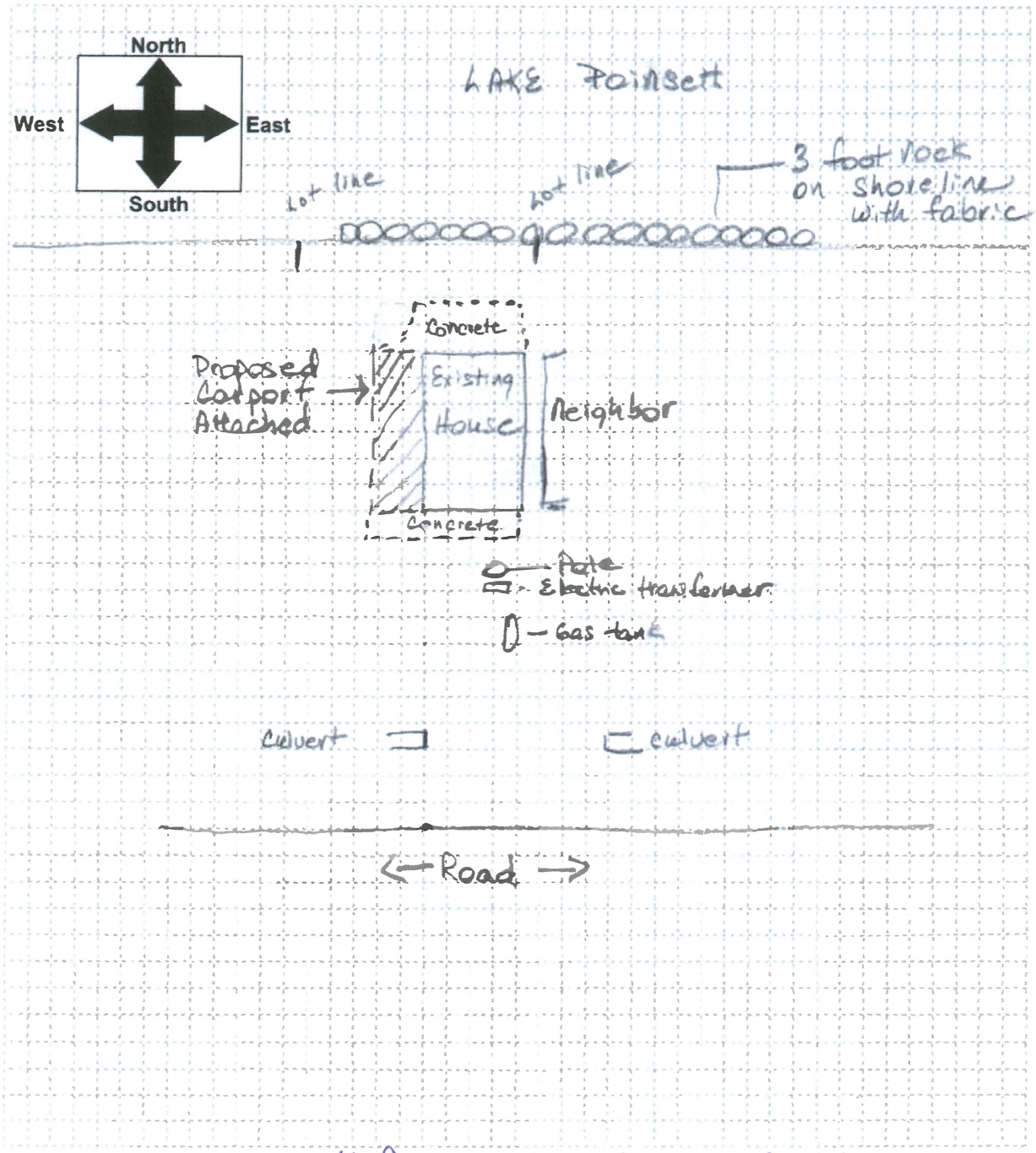
605-661-6726
Telephone

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.

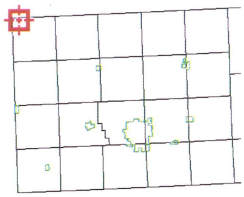


• Carport 14 feet wide x length of cabin •

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

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

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

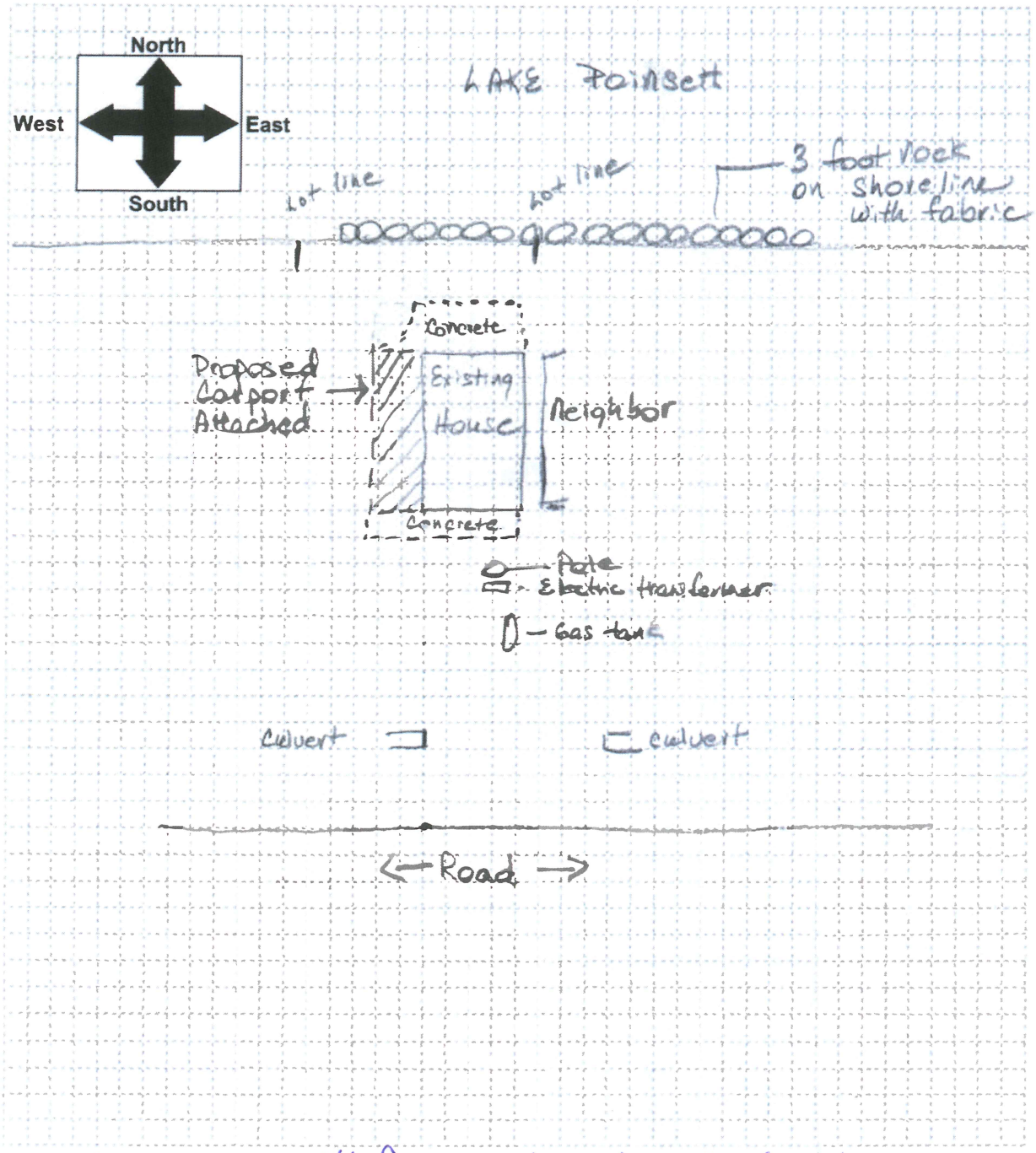
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms 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.

2020 var 003

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.

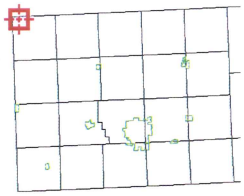


• Carport 14 feet wide x length of cabin •

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)				

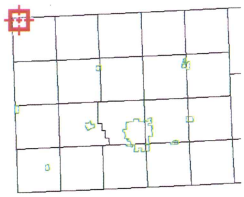
Date created: 4/13/2020
Last Data Uploaded: 4/13/2020 8:09:04 AM

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.

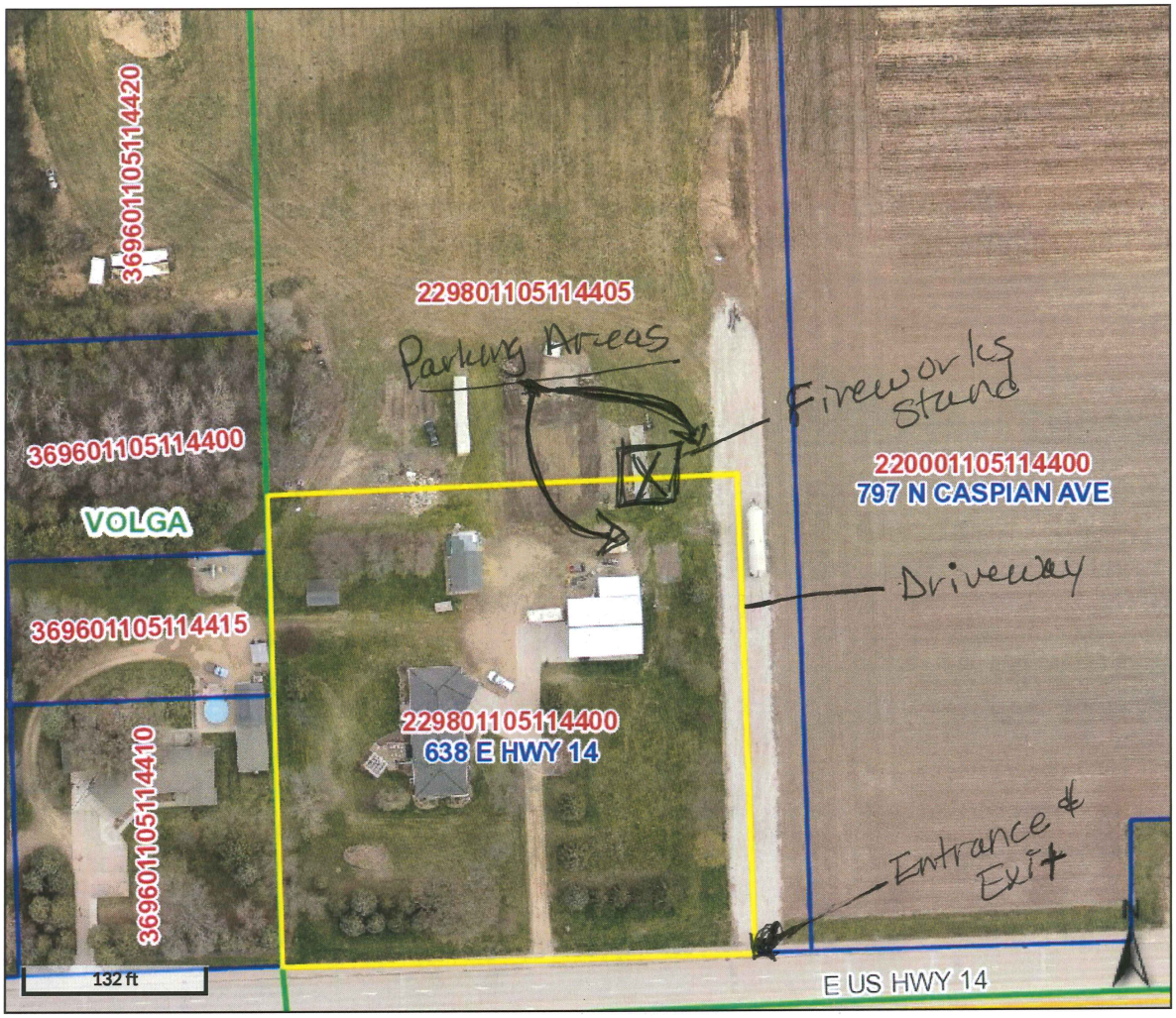
Wheel at north end of car port.
25 feet from highest know water mark.

Looking west along lake shore.

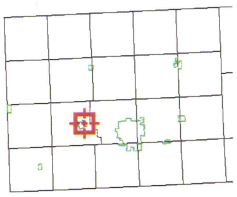
Looking east along lake shore.

2020 CU011 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	**Acreage**	n/a		VOLGA SD 57071
	VOLGA				

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 # 22980110514400 & 22980110514405
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

6386 Hwy 14 / 4634 Hwy 14
Address

Volga SD / Volga SD
City

SD / SD
State

57071 / 57071
Zip Code

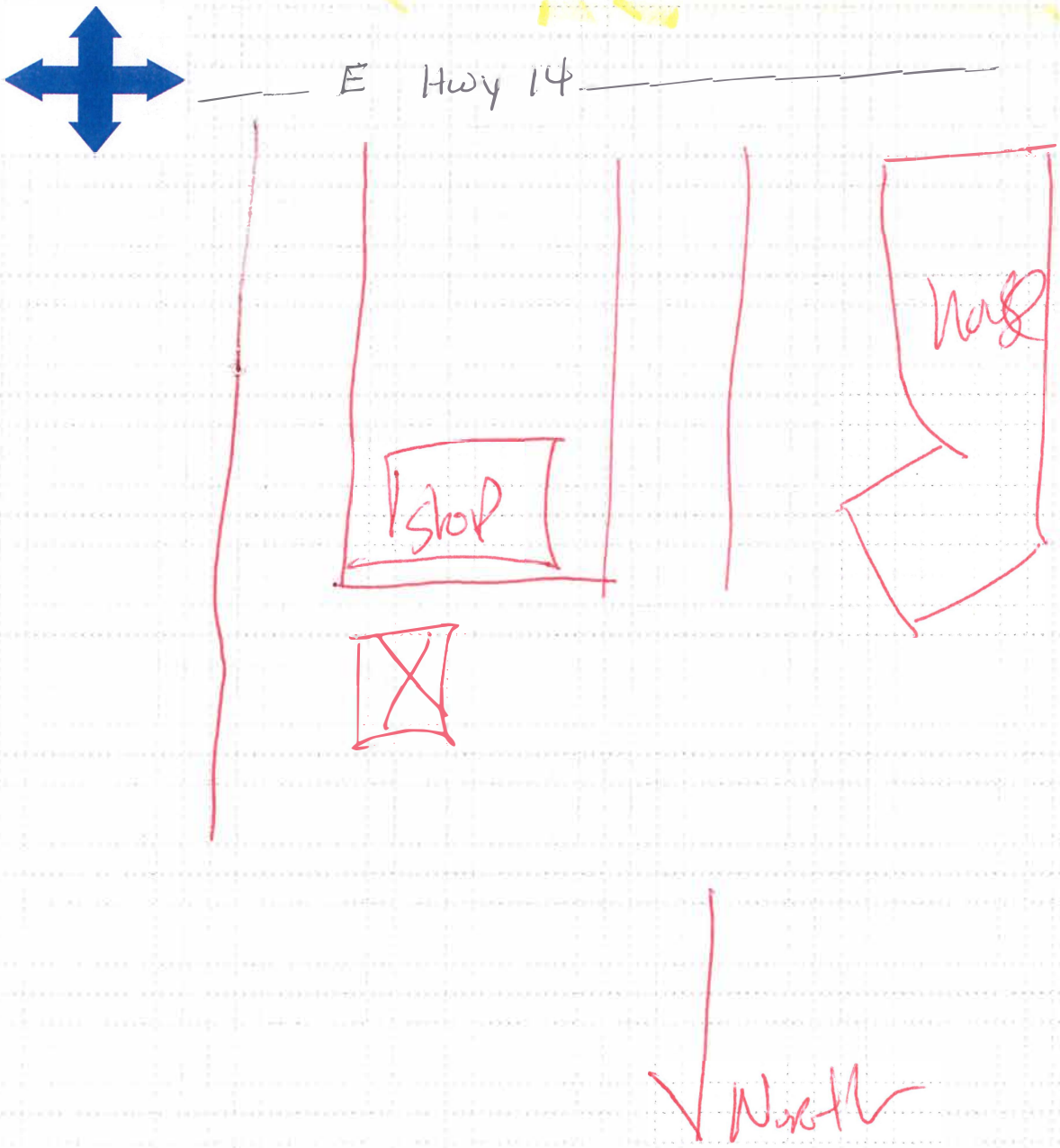
605-690-1157 / 605 690-5118
Telephone

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 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 # 22980110514400 & 22980110514405
Addr: 638 E Hwy 14, Volga SD 57071

RECEIVED

APR 17 2020

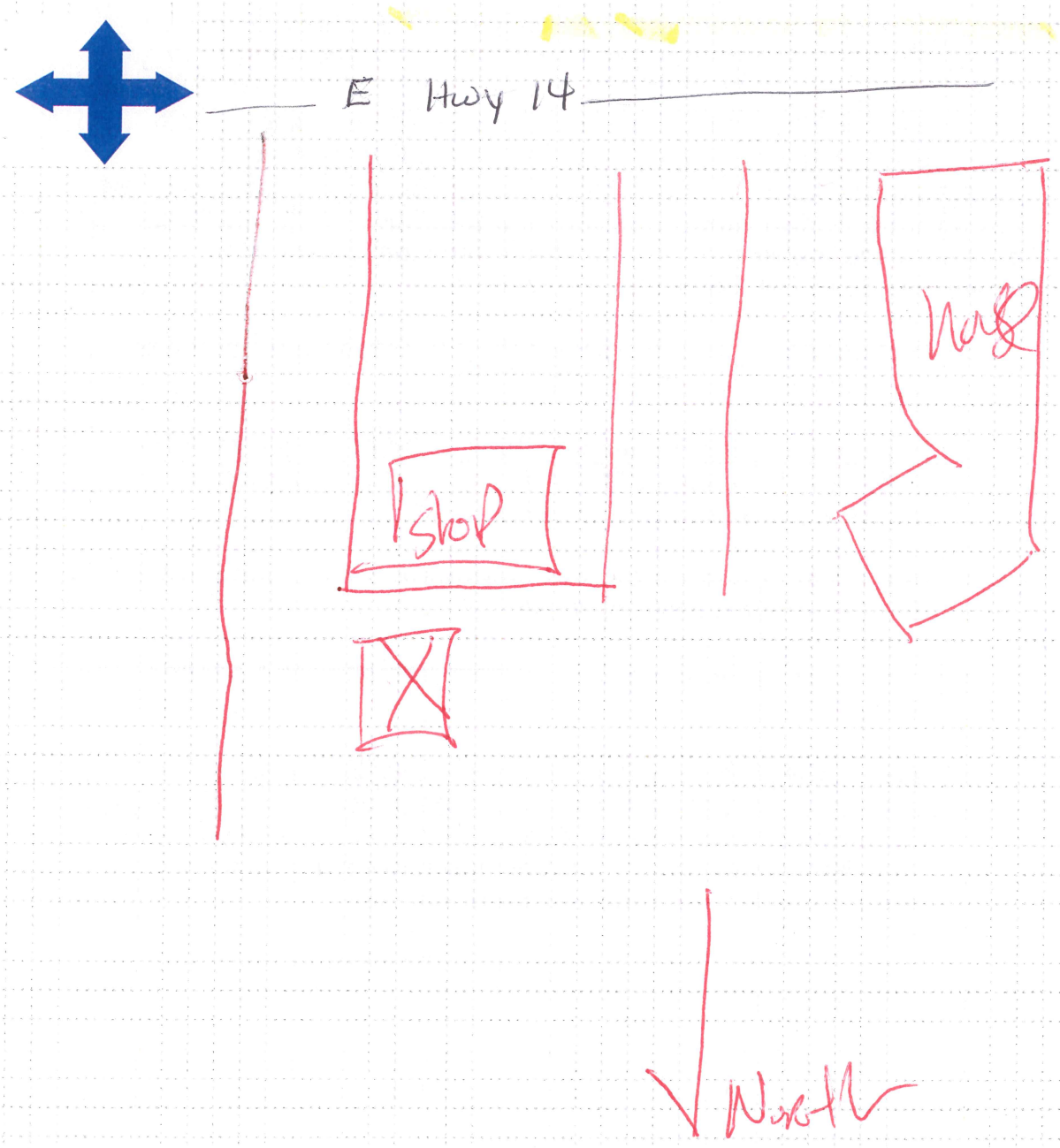
BROOKINGS COUNTY DEVELOPMENT

Form continued on page 2

2020 CU 011

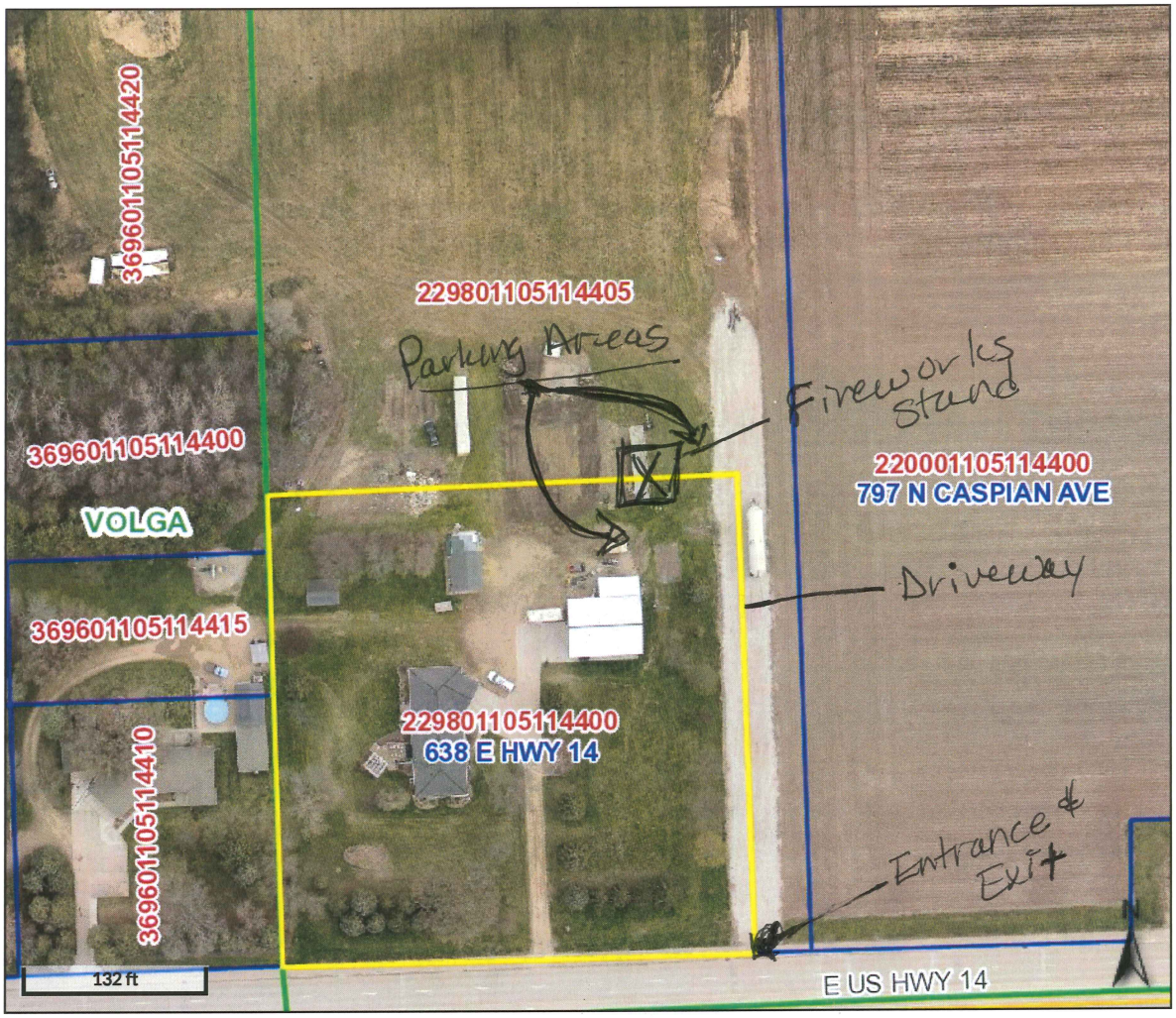
SKETCH

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.

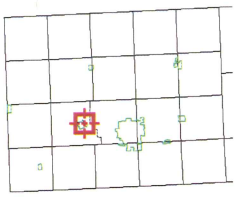


2020 CU011 Site Map

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	**Acreage**	n/a		VOLGA SD 57071
	VOLGA				

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)

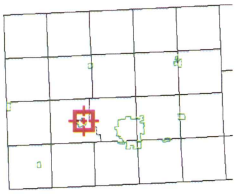
Date created: 4/17/2020
Last Data Uploaded: 4/17/2020 8:09:29 AM

Developed by Schneider GEOSPATIAL

2020 cwon

Beacon™ Brookings County, SD

Overview



Legend

- Brookings City Limits
- City Limits
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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	**Acreage**	n/a		VOLGA SD 57071
	VOLGA				

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)

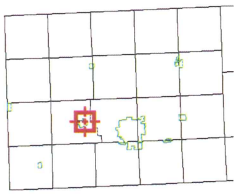
Date created: 4/17/2020
Last Data Uploaded: 4/17/2020 8:09:29 AM

Developed by Schneider GEOSPATIAL

2020 cu 011

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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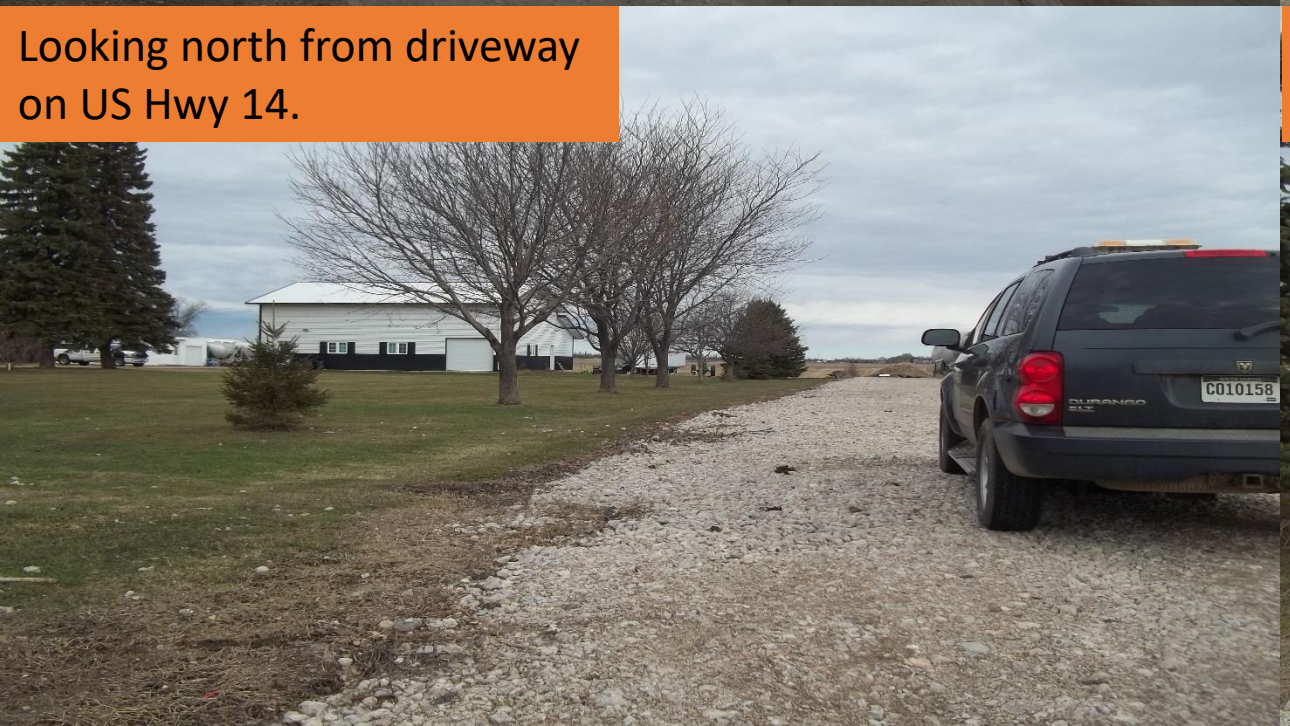
2020cu011: Mike Cotton & George Cotton

Looking east along US Hwy 14.

Looking west along US Hwy 14.



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 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

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

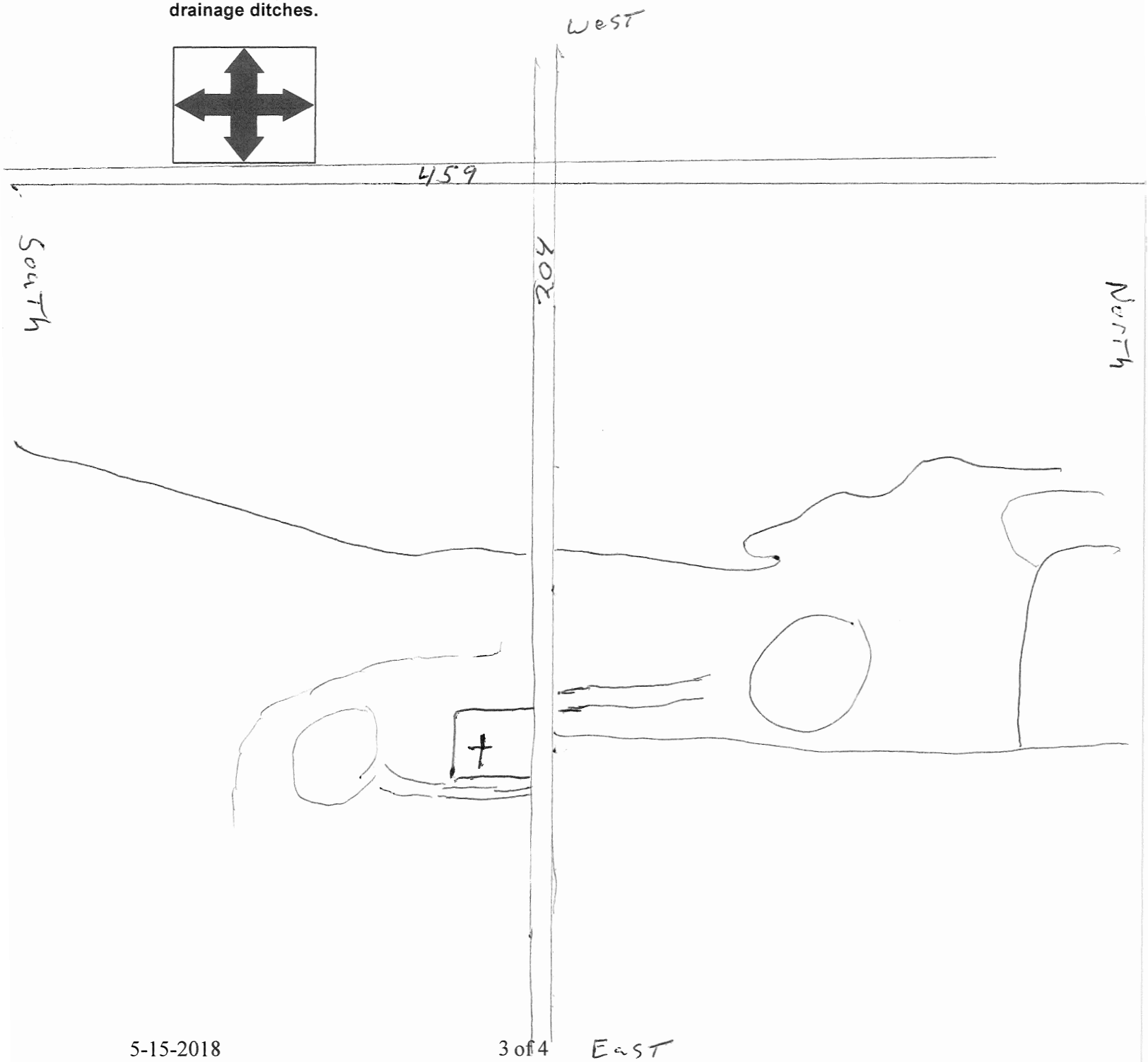
507-530-6547
Telephone

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.

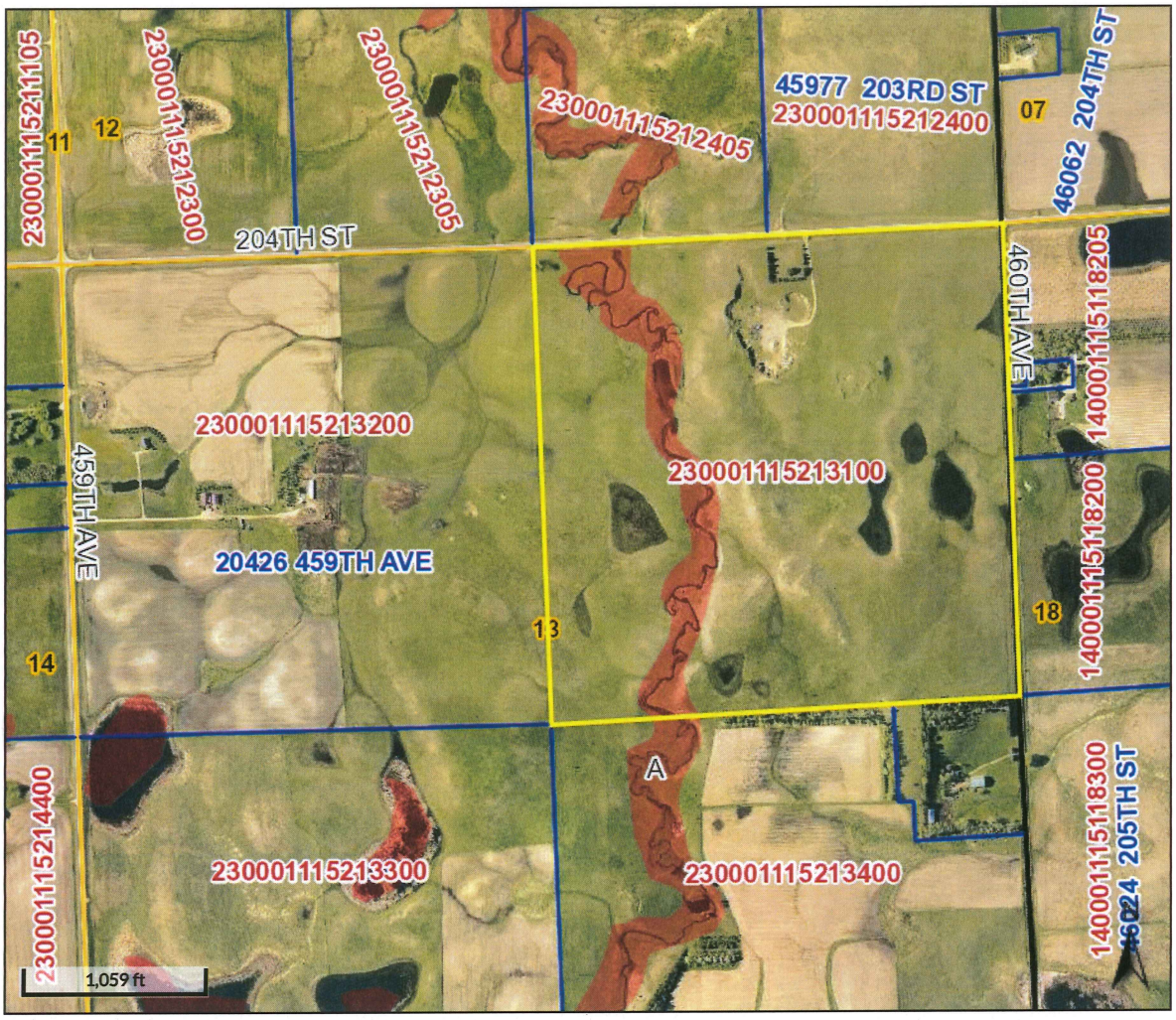
#9 The number of years the mine site will be expected to be mined is approximately 30 years.

Tom Sterzinger,

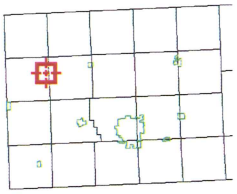
Sterzinger Crushing, Inc.

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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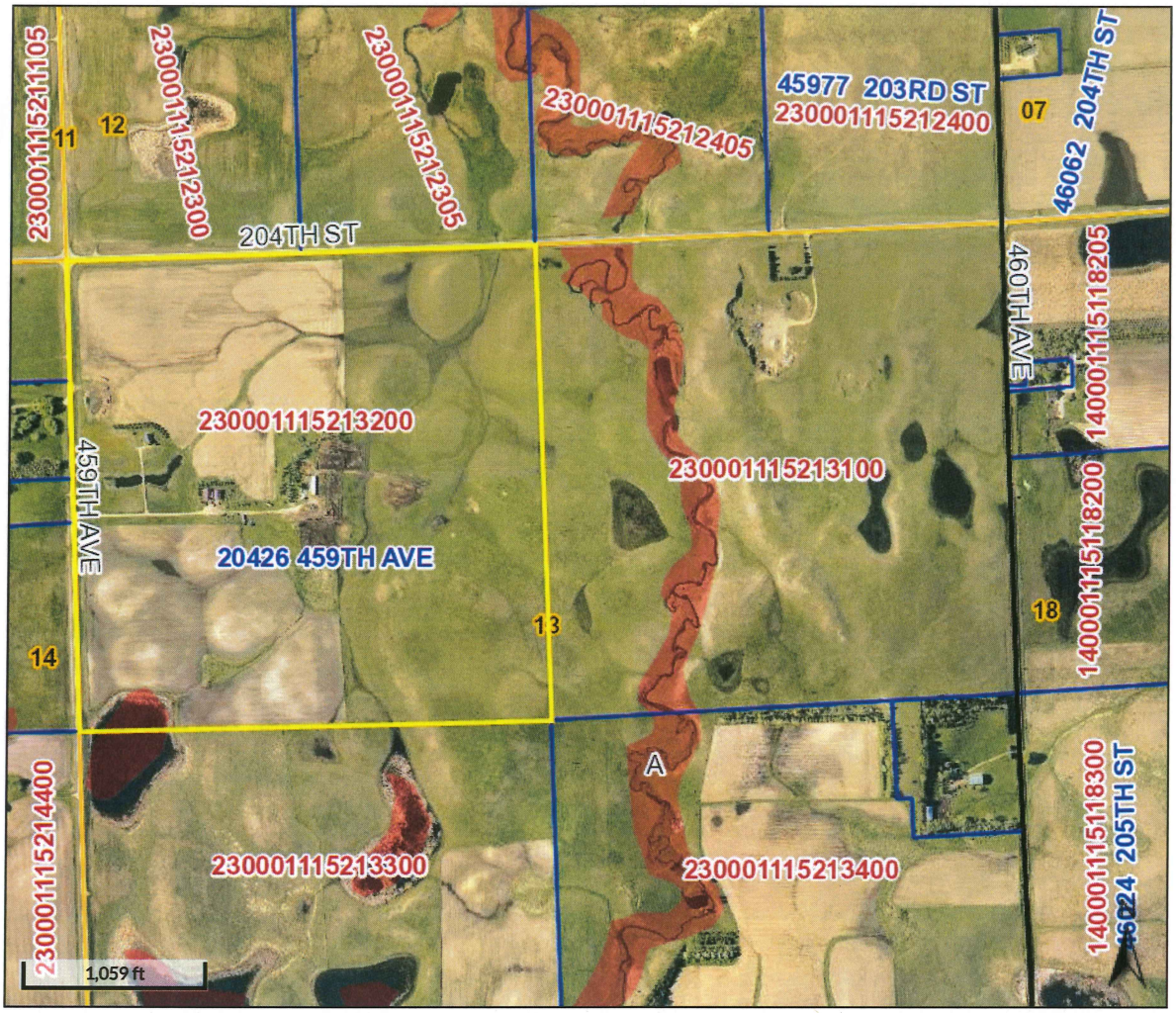
2020CU009 + 2020CU010

Beacon™ Brookings County, SD



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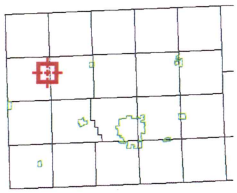

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Floodplain 2008

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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
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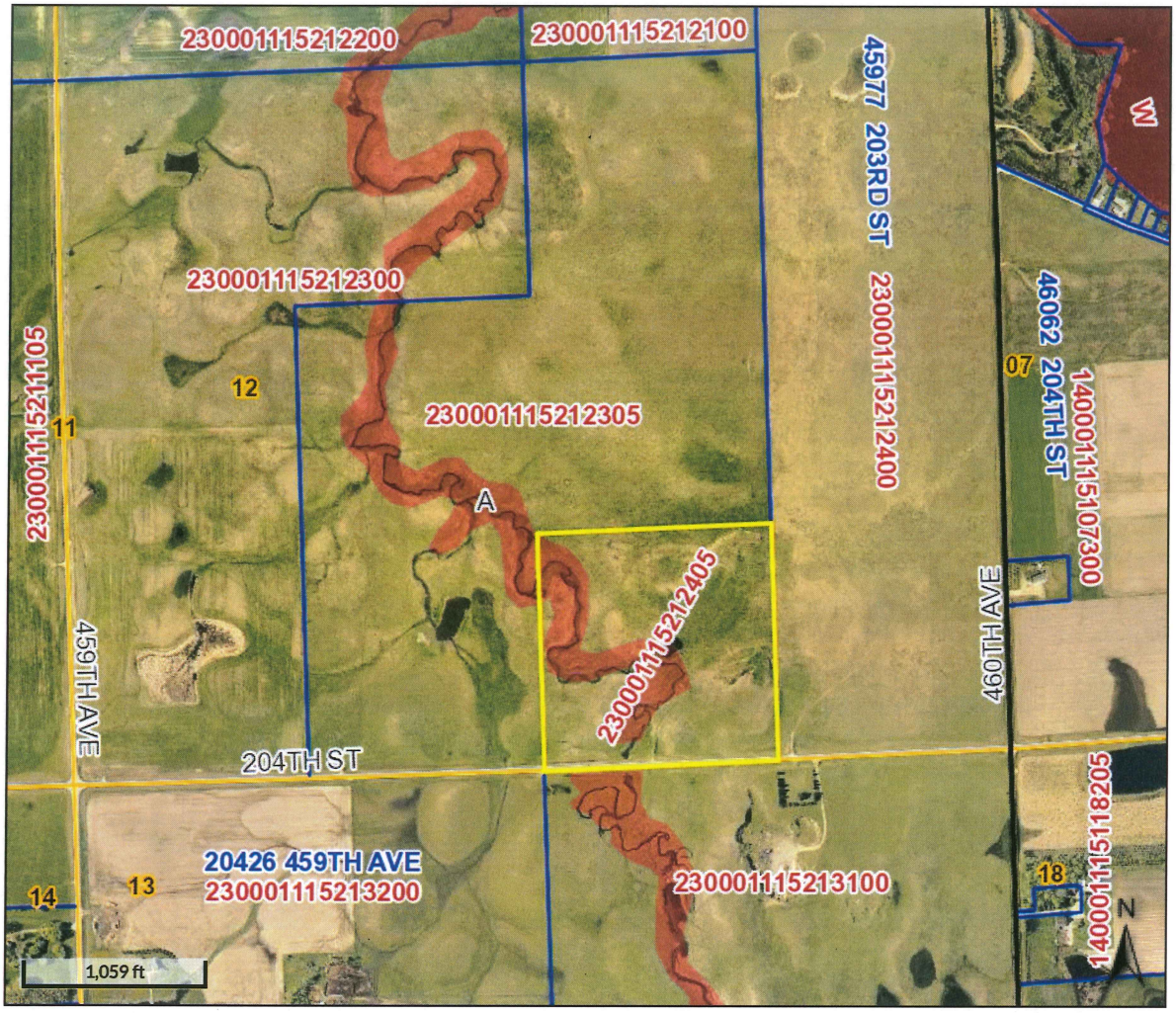
Developed by Schneider GEOSPATIAL

2020CU009 + 2020CU010

Beacon™ Brookings County, SD



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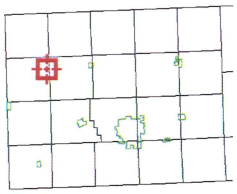

Legend

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Floodplain 2008

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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

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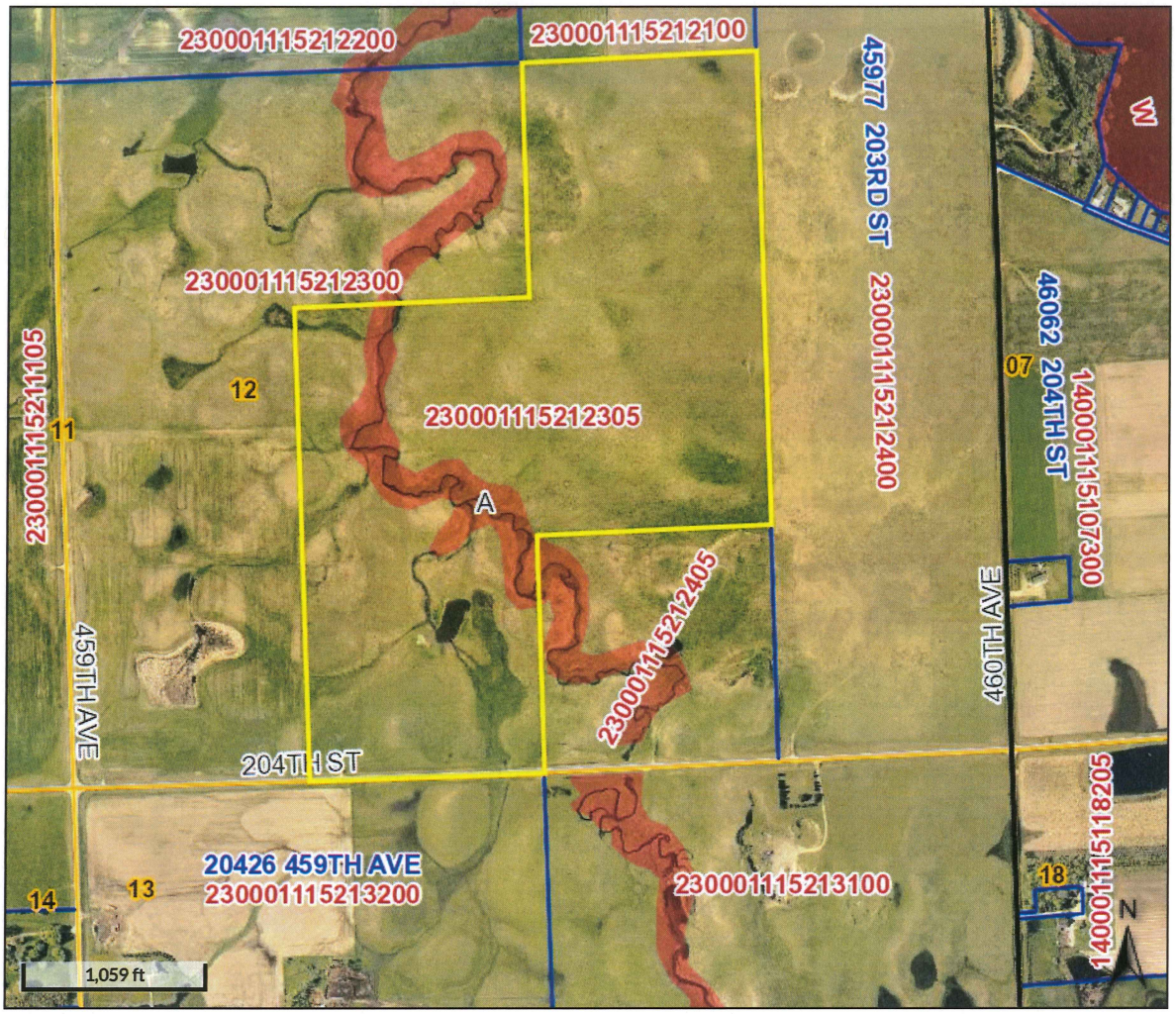
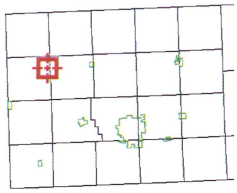
2020CU009 + 2020CU010

Beacon™ Brookings County, SD



Overview



Legend

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Floodplain 2008

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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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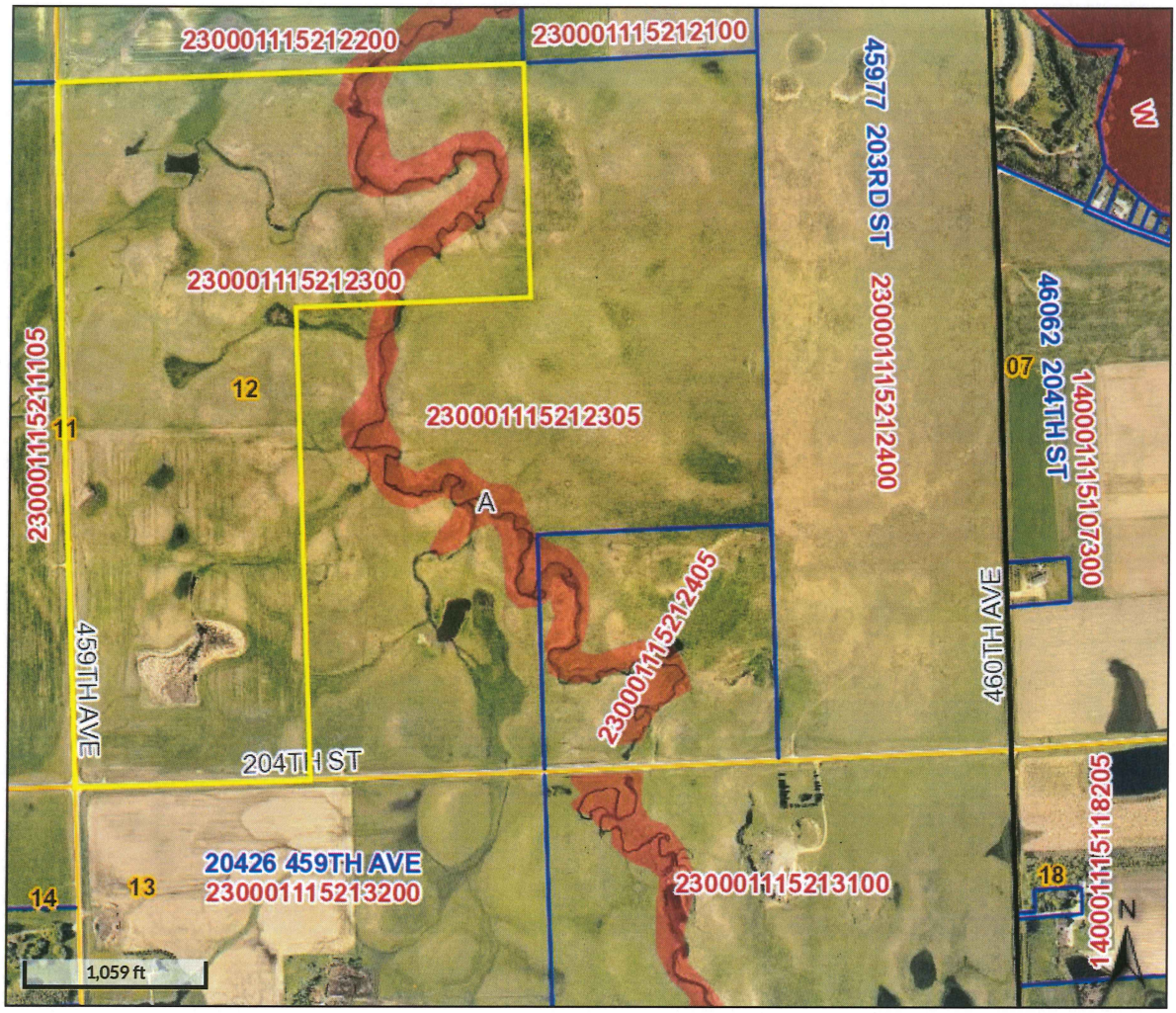

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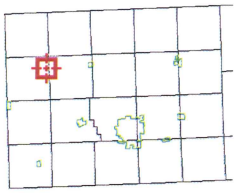

Legend

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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

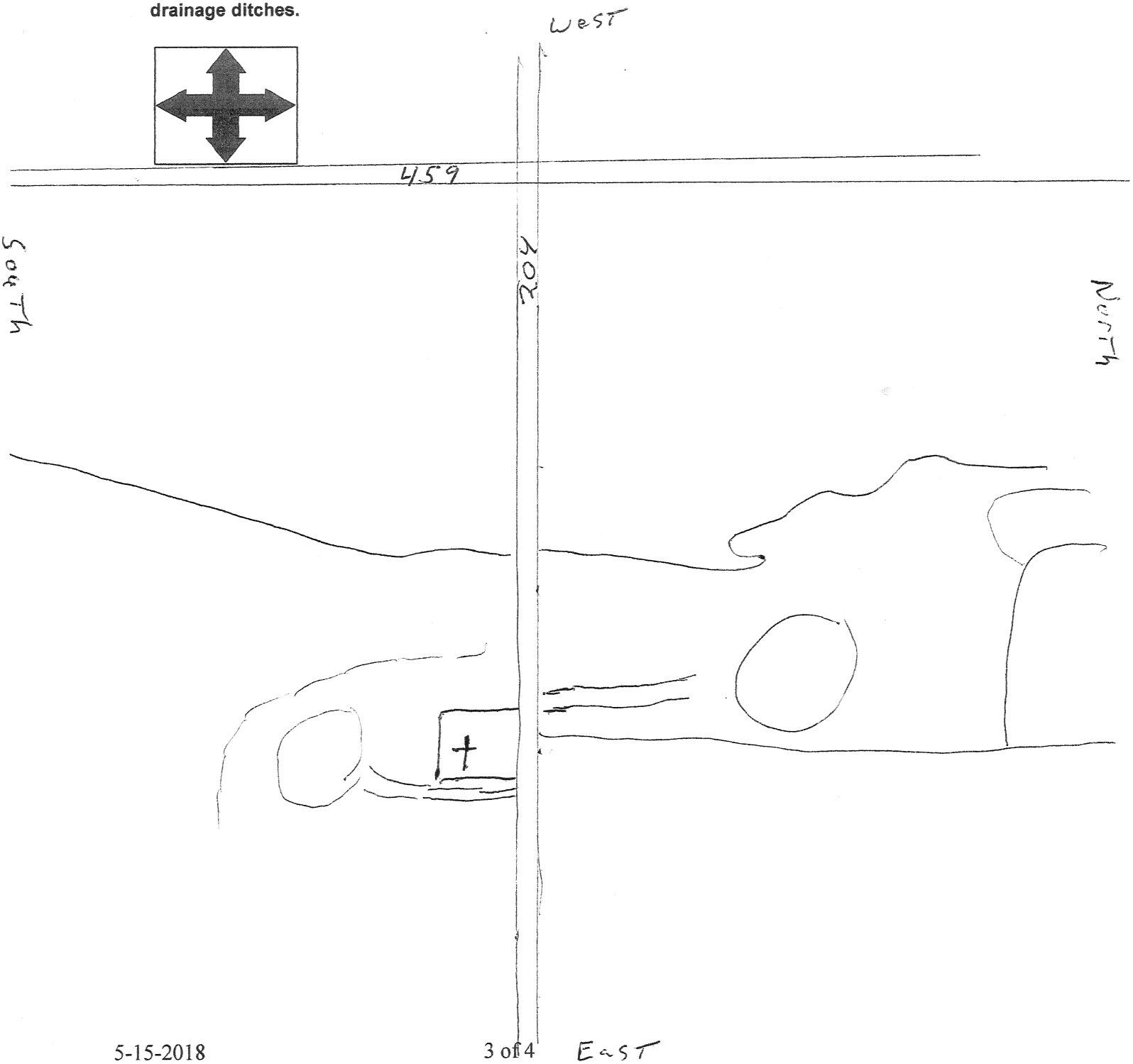
APR - 1 2020

BROOKINGS
COUNTY DEVELOPMENT

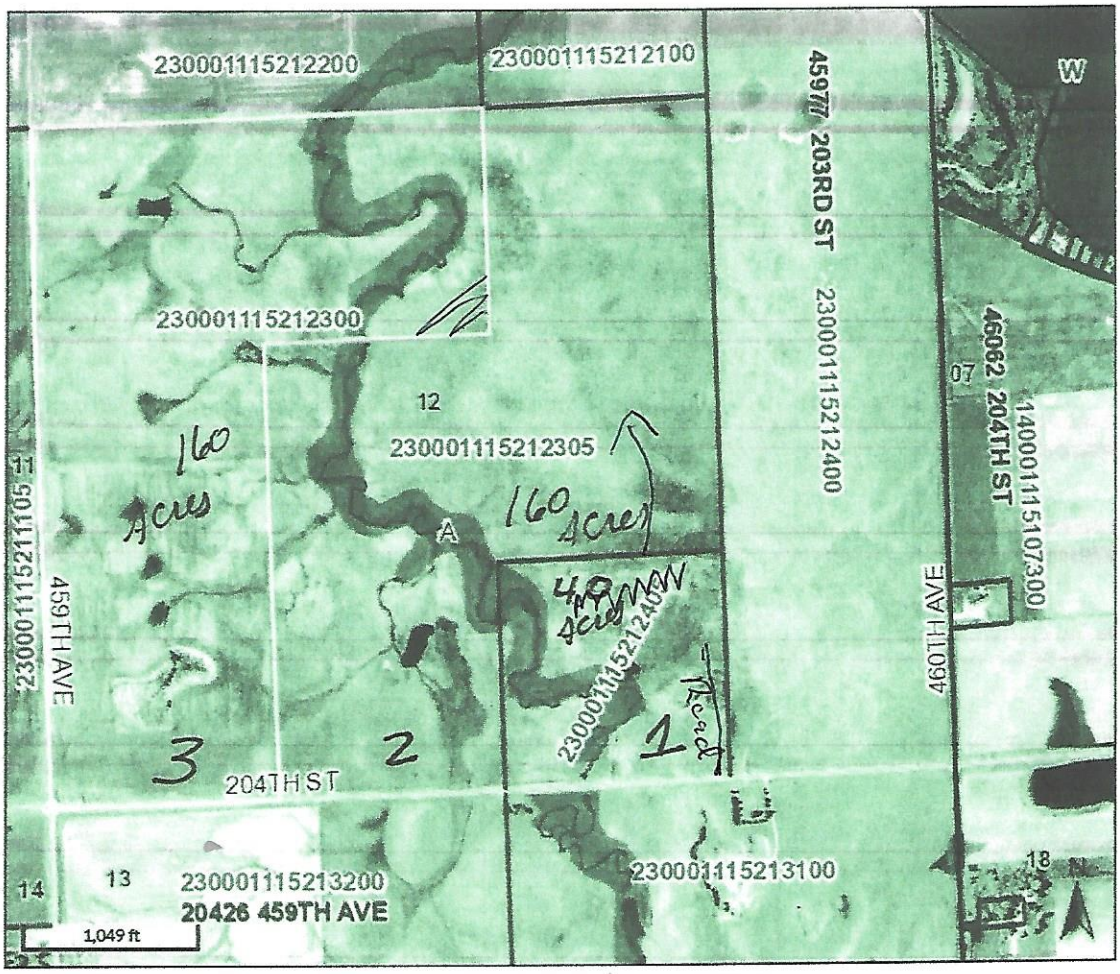
2020CU009 + 2020CU010

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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Floodplain 2008

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
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- 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.

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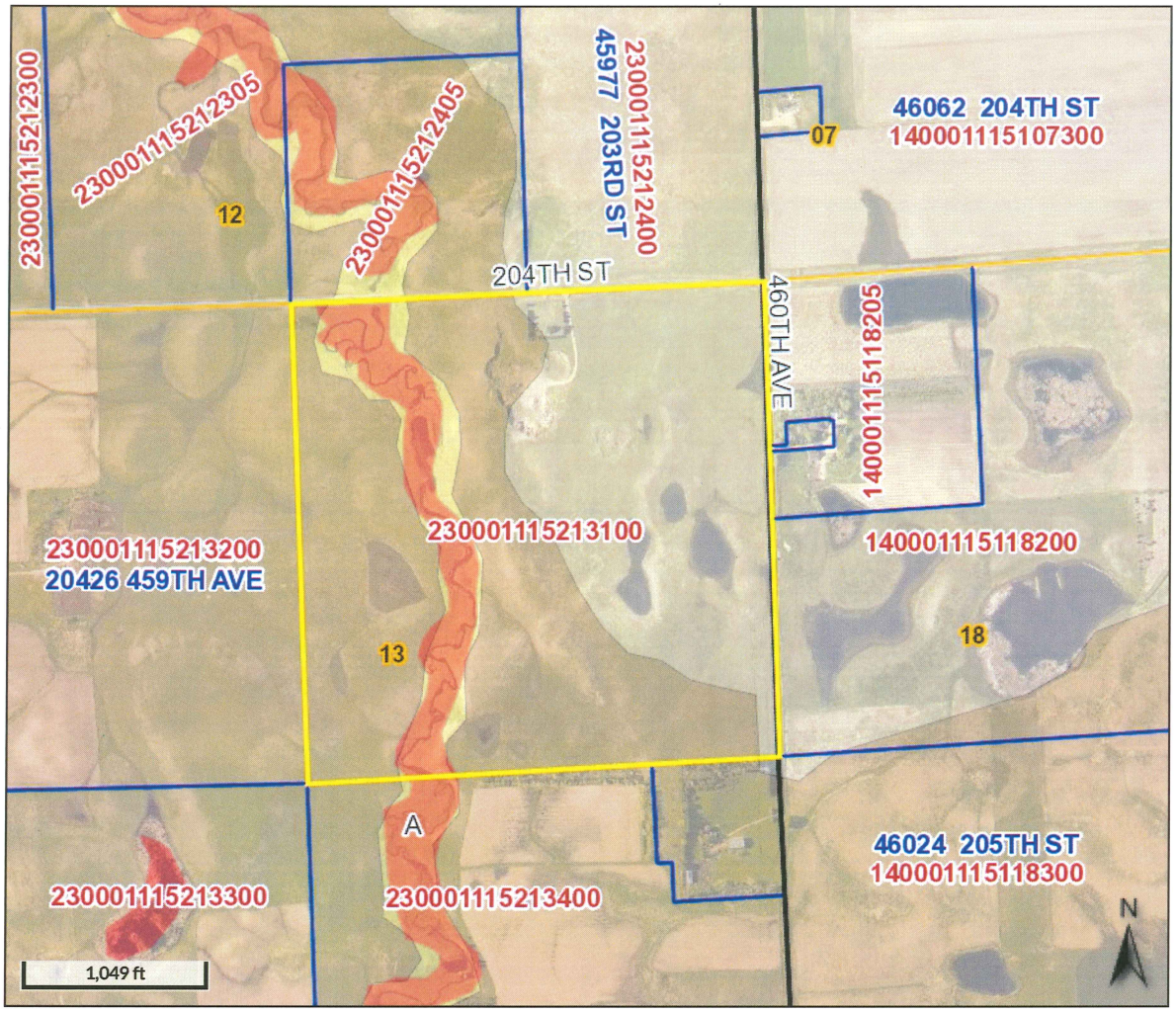
Tom Sterzinger,

Sterzinger Crushing, Inc.

2020CU009 + 2020CU010

Beacon™ Brookings County, SD



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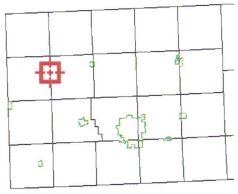

Legend

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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
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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
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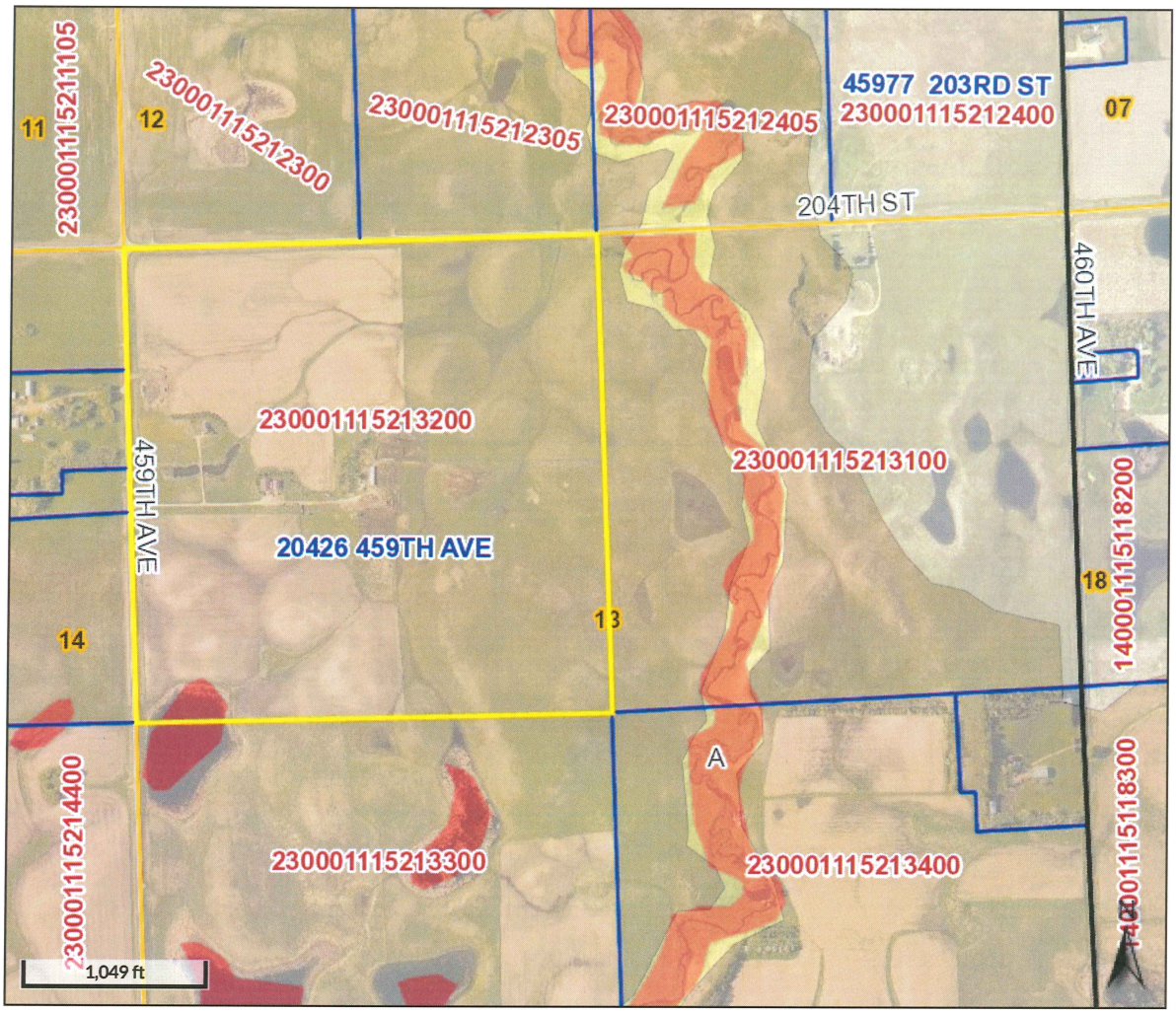
2020CU009 + 2020CU010

Beacon™ Brookings County, SD



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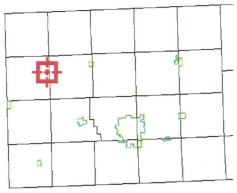

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Aquifer Materials

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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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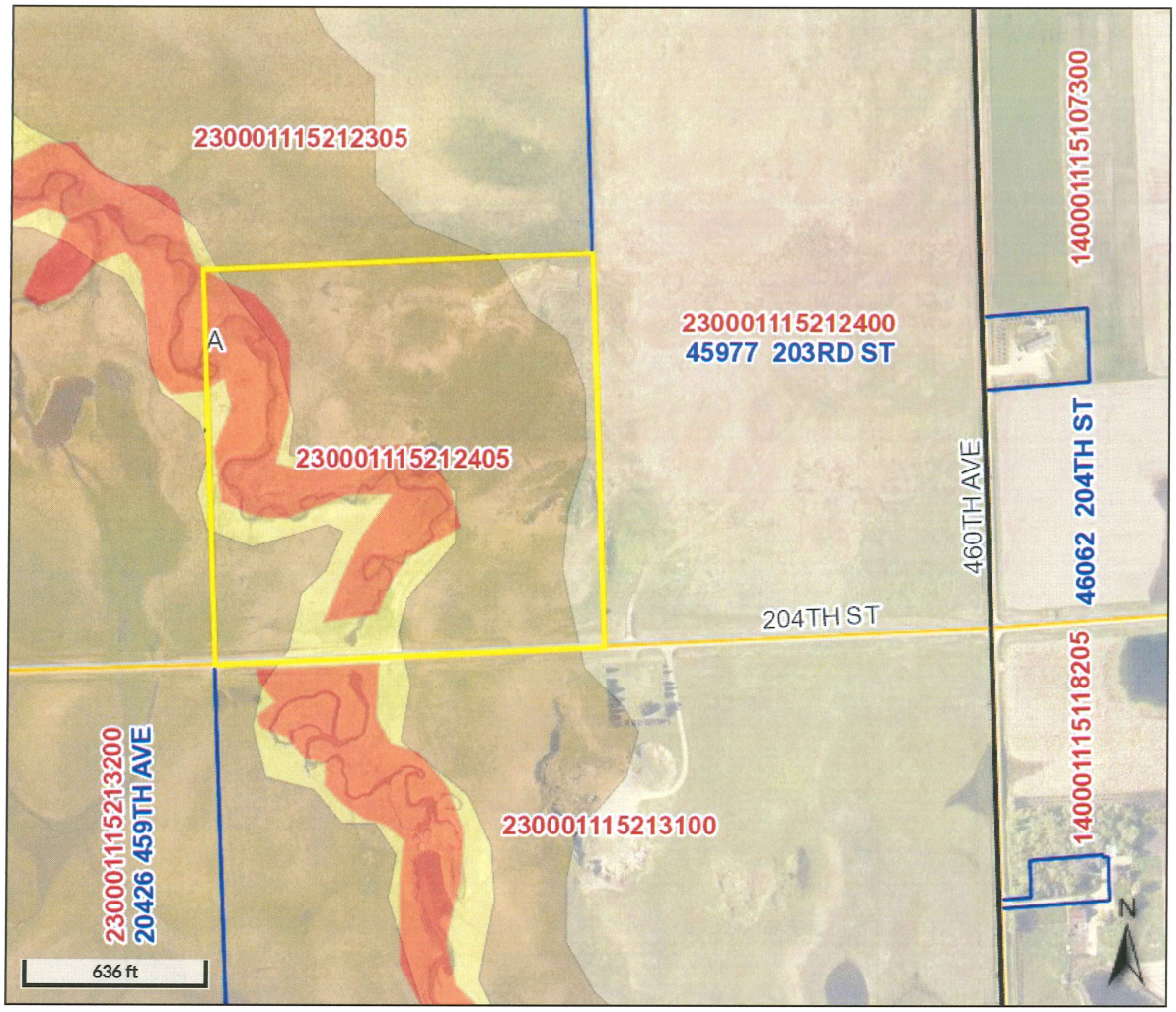

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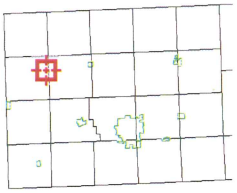

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- AE
- X

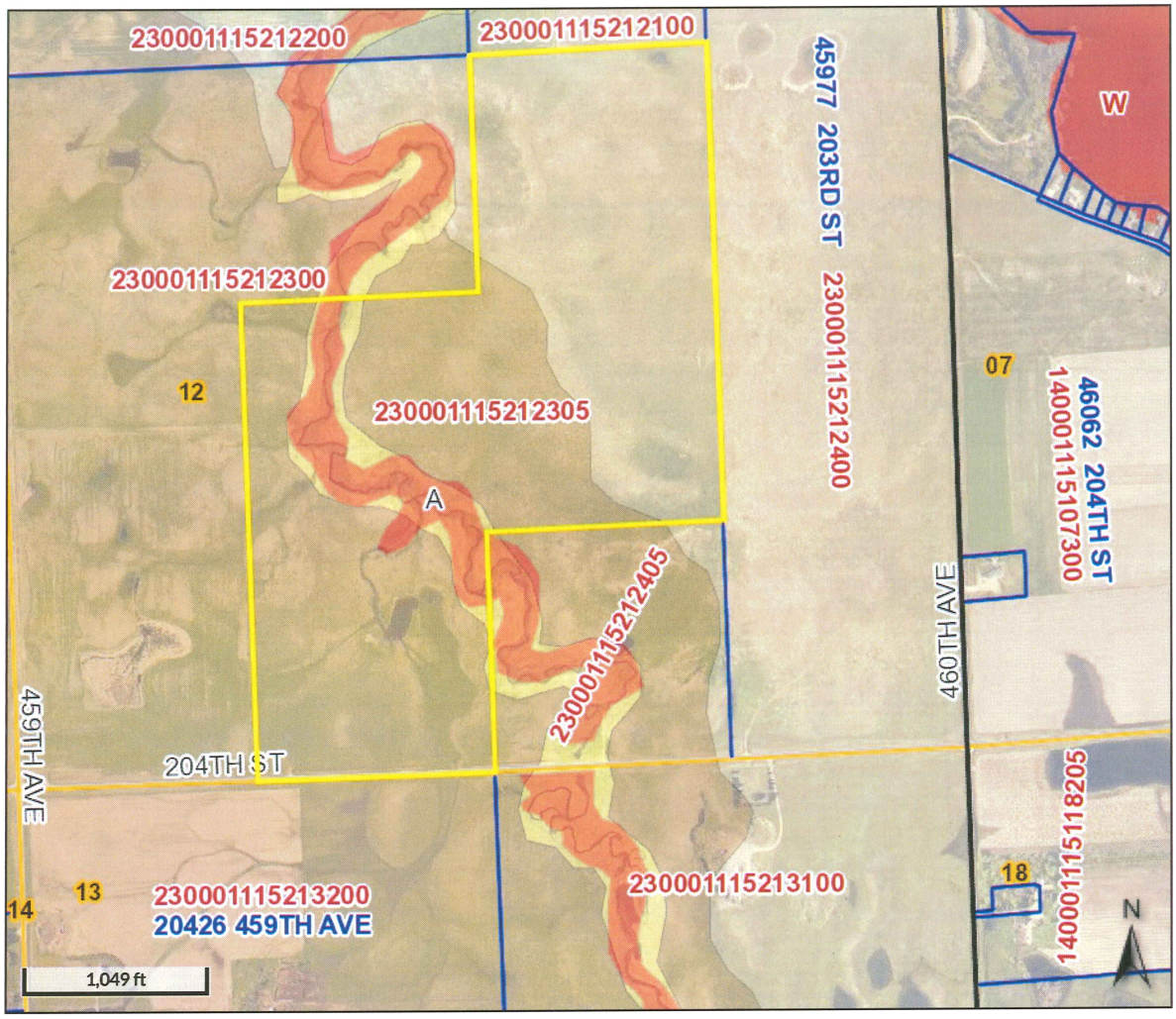
Parcel ID	230001115212405	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	12-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	40		BRUCE SD 57220
District	2309				
Brief Tax Description	SW 1/4 SE 1/4 SEC 12-111-52 40.0 AC				
	(Note: Not to be used on legal documents)				

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

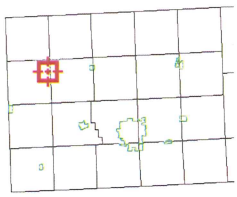
Developed by Schneider GEOSPATIAL

2020 CU009 + 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	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				

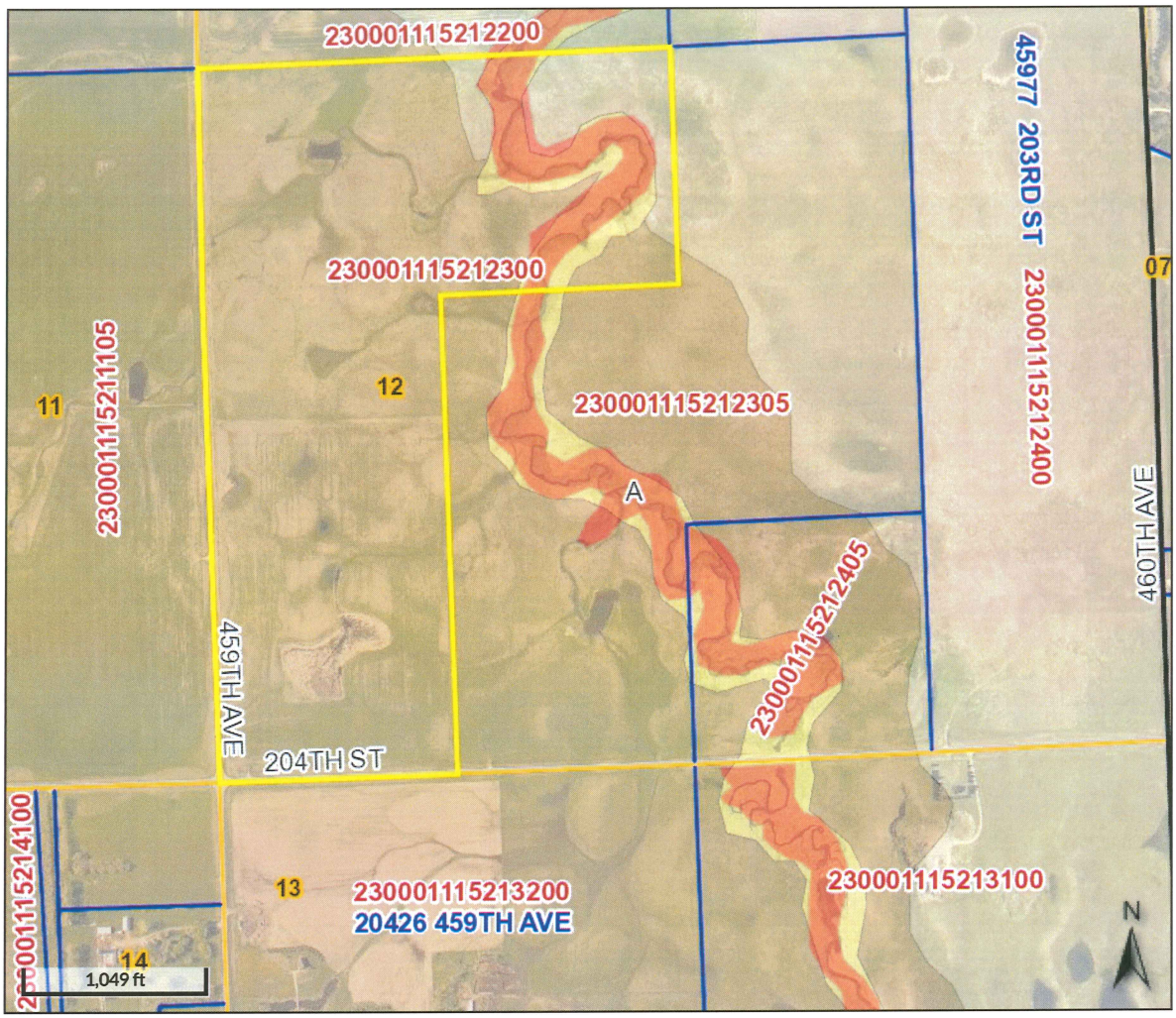
(Note: Not to be used on legal documents)

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

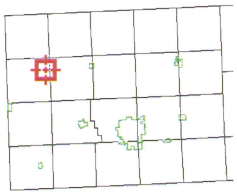
Developed by Schneider GEOSPATIAL

2020CU009 + 2020CU010

Beacon™ Brookings County, SD



Overview



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	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

Developed by Schneider GEOSPATIAL

2020cu009 & 2020cu010: Tom Sterzinger.

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.

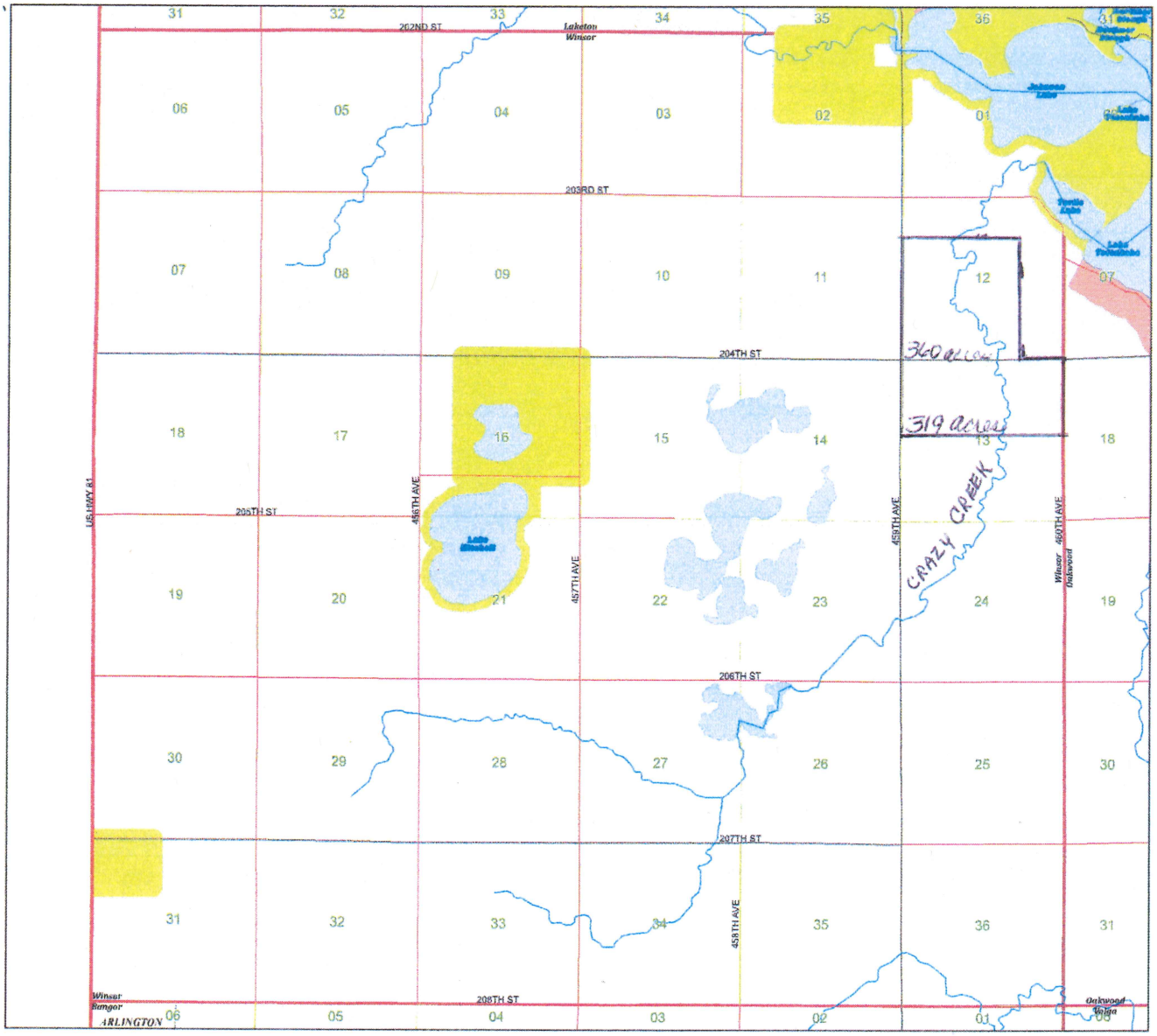
Sterzinger statement #7 "All mining will be done above the water table at this point". At what ***Point*** in the 30 years would that change?

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



Winsor Township
Brookings County, South Dakota
T111N R52W

Brookings County South Dakota

From: Sandy McLeod Breuer [mailto:mcleodbreuer@yahoo.com]
Sent: Wednesday, April 29, 2020 9:49 AM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject: Updated version

FILED APR 29 2020

I sent you a wrong email yesterday. Please use this one instead! Thanks!

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, Sandy McLeod Breuer

Sent from Yahoo Mail on Android

From: Jenna [mailto:jennammb23@hotmail.com]
Sent: Wednesday, April 29, 2020 10:28 AM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject: Major Concerns

FILED APR 29 2020

This correspondence is in regard to the application for gravel and rock mining on the grass land to the west/ southwest of Lake Oakwood. My major concern is for the safety of the hundreds of camping families that visit Oakwood State Park each season. The many large camper units that will pass by the entrance of these propose pits will indeed put all of those adults and children at risk. This is in addition to the lost aesthetic value of the entire grassland area. I'm sure that local residents are also quite concerned about the degradation of roads and dust pollution as well as everyones safety due to the large trucks and equipment use! Please consider these concerns at the upcoming hearing on May 5. Thank you.

Jenna M. Bjerke

FILED APR 29 2020

From: Amanda Bjerke [mailto:ajbjerke@gmail.com]
Sent: Wednesday, April 29, 2020 2:37 PM
To: county development <countydevelopment@brookingscountysd.gov>
Subject: Letter regarding application 2020cu009 & 2020cu010 conditional use permits

Please see attached letter.

Thank you,
Amanda Bjerke

April 29, 2020

FILED APR 29 2020

Brookings County Zoning Board
Brookings, SD

RE: Application for Conditional Use Permits 2020cu009 & 2020cu010

To Whom is May Concern,

I am writing this letter in regards to the application for conditional use permits by Tom Sterzinger (mining and rock crushing 2020cu009 & 2020cu010). I am against the approval of these applications for the following reasons:

1) The land that is to be used was put into a grassland easement with the intended purpose to keep it at its current state of native grasses. The owner of the land was paid for this grass land easement.
2) I live within a half mile of the proposed sites, and the view from our house would be ruined by these operations. Not only do I not want to look at their mess every day, it would greatly decrease the value of our property if we were to sell in the future.
3) The noise from that operations would be a disturbance. I was home while Tom Sterzinger was out digging test holes, and the sound of the equipment was heard inside our home.
4) I am concerned for the safety of our community. The driveways for the proposed sites enter onto the highway at the crest of a large hill. I feel there will be an increased risk for accidents on that stretch of road.
5) I am also concerned for the safety of my children and family. We have small children and having a gravel pit with large equipment right across the road frightens me. In addition to the equipment at the site, I am also concerned about the amount of truck traffic on the highway. We frequently bike to the Oakwood Lakes State Park, and it would be unsafe with the increased amount of large trucks using the roadway.
6) While the plan lists the highway as the main access point, it does not guarantee that the trucks will not use our gravel road. This creates a safety issue along with an increased cost to our township for maintenance.
7) The waterway that runs thru the project sites runs directly into Oakwood Lakes. I think this brings up multiple issues including silt runoff along with possible issues of contamination. Many people use Oakwood Lakes for recreational activities.
8) Another area of concern is the possibility of the aquifer being contaminated. We have a well on our property and feel that the project site is too close.

In conclusion, I feel that the plan that was drawn up is very vague and does not adequately lay out a plan for the future, or take into regard the issues listed above. Thank you for your consideration of these concerns.

Sincerely,
Amanda Bjerke
20416 460TH Ave
Bruce, SD 57220

FILED APR 30 2020

April 27, 2020

From:
Nancy Heylens Life Estate etal
45850 203rd St.
Arlington, SD 57212

To:
Brooking County Development Dept.
Brookings, SD 57006

Concerning:
2020CU009 and 2020CU010 for
Tom Sterzinger

We are against granting this permit.
We are against the increased truck traffic on our roads and dust.
We are concerned this permit will devalue our land which joins the land.
We are concerned about the ground water and streams that run into Oakwood Lakes.

The stream runs right through the heart of this land.

Nancy Heylens
Robert Heylens

-------- Original message --------
From: Amanda Bjerke <ajbjerke@gmail.com>
Date: 4/30/20 10:20 PM (GMT-06:00)
To: county development <countydevelopment@brookingscountysd.gov>
Subject: Fwd: Response to Conditional Use Permit #'s 2020cu009 and 2020cu010

FILED MAY 01 2020

---------- Forwarded message ---------
From: **Chad Bjerke** <cbjerkekbrw@gmail.com>
Date: Thu, Apr 30, 2020, 10:18 PM
Subject: Fwd: Response to Conditional Use Permit #'s 2020cu009 and 2020cu010
To: Mandy <ajbjerke@gmail.com

To the members of the Planning and Zoning Commission and others that it may concern,

The following reasons I am going to list are just a few of the concerns I have and why I feel these permits should not be issued

* The "Mining Plan" that Mr. Sterzinger submitted has several areas of very broad description that could be deciphered many different ways. In example, is the haul route access road going to always be 204th St, or will that change as he mines different areas? He does not specify what type of fuel containment he is going to use, nor does he have a plan in place incase of a fuel spill or leak. Why is he listing so much land if the only thing he showed in his hand drawn map(with nothing to scale) is two small areas, and if those are the only places that they plan on mining, why will it take up to 30 years? Especially when both of those specified spots have been mined before. His earth type dam to protect the creek does not say how tall or wide it will be. Is he going to seed it or put fabric on it? A large rain or the creek flooding over its bank will surely destroy any type of earthen dam. He has no plan in place for the county roads- is the county ok with the extra traffic on their roads, and what is his plan when load limits are in place? Or when the road starts deteriorating because of the extra use, who is going to pay to have it fixed. He states that mining will be done above the water table at this point- when/if that plan changes does he need to resubmit a new application/permits or if he is granted one now does it just give him the power to mine however and wherever he sees fit?

*The safety of the public is another aspect that needs to be addressed. The two approaches that enter the "mine" areas are in spots that are extremely dangerous. Anyone coming from the east will have very little time to stop when there is a fully loaded truck exiting the north mine area.

*The extra noise and dust created in the mine will also be a major factor. Our house is directly in line with the prevailing winds that would push dust and dirt our way. The noise from them digging "test" holes this winter could be heard in our yard and even when inside our house.

*The area for this proposed mine is in a Grassland Easement with the US Department of the Interior and US Fish and Wildlife. The land owner has been paid $293,150 for those easements. They were purchased with the intent to "acquire lands and waters or interest therein for the development, advancement, management, conservation, and protection of fish and wildlife". And to protect the habitat quality of the lands described in the easement. It also states that "such lands shall be maintained to provide cover, especially nesting cover, and food for a varied array of aquatic, terrestrial, and avian wildlife, particularly waterfowl and threatened and endangered species". Allowing them to mine these very areas would void any and all purposes of such easements.

*Owning land next to the proposed mine site would decrease our property value. We have worked very hard turning our 40 acres into our own little paradise. A gravel mine right next door was not exactly what we had in mind when we moved to this neighborhood. I can't think of one person who would want such a drastic change in their surroundings and way of life.

*The creek that runs through this property is a waterway that also meanders across 3 other landowners property. It then ends up in Lake Oakwood. Any type of contamination of this creek would be detrimental to anyone/anything down stream.

With these above reasons that I have stated in conjunction with such a vague and open ended "mining plan", I would strongly urge the Planning and Zoning Commission to turn down Conditional Use Permit #'s 2020cu009 and 2020cu10.

Thank you for your time and understanding,

Chad Bjerke
20416 460th Ave
Bruce SD 57220

Richard Haugen

From: oakwood@itctel.com
Sent: Thursday, April 30, 2020 5:09 PM
To: Richard Haugen
Subject: Re: Sterzinger permit request
Attachments: EPSON006 (1).JPG

FILED MAY 01 2020

Thanks for letting me know. It was a microsoft works doc. So now I have scanned the and will add that attachment.

Quoting Richard Haugen <RHaugen@brookingscountysd.gov>:

Janie,

I cannot open the attachment. Please send it in another format. Thanks.

Sincerely,

Richard Haugen

Deputy Director

Brookings County Development

Zoning / Emergency Management

520 3rd St, Suite 200

Brookings, SD 57006

605-696-8350

From: oakwood@itctel.com [mailto:oakwood@itctel.com]
Sent: Thursday, April 30, 2020 12:15 PM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject: Sterzinger permit request

enclosed is an attachment
Thanks Janie Wittmeier

South Dakota Lakes and Streams Association

PO Box 688,
Brookings, SD 57006-0688

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

As President of the South Dakota Lakes and Streams Association I would like to share with you the concerns of the Association regarding the permit request of Sterzinger Crushing Inc. for #2020cu009 Mining Gravel and permit #2020cu010 for Crushing Gravel.

The creek (Crazy Creek) flows from the south through both sections 12 and 13 which are described in the legal description of the permit request. This creek flows through 11 sections of grass land and is filtered quite well before entering into West Oakwood chain of lakes. Sterzinger states "A earth type dam will be placed along creeks or waterway in lou of silt fence" This creek really needs to be protected other then a earth type dam.

There is DENR Water Quality Monitoring that was done from June 2001 through June 2002. This sample site was located ¼ mile north from the north edge of the legal in the permit of Section 12. So there is recorded history of the water quality in this creek.

Through stewardship, education, and networking, SDL&SA shall protect and enhance South Dakota Lakes and Waterways.

Your consideration for protecting Crazy Creek would be greatly appreciated.

Sincerely,

Janie Wittmeier 4/30/2020

Janie Wittmeier, President
South Dakota Lakes & Streams Assoc.
And Executive Director of the
John M Corothers Clean Water Foundation
A division of SDL&SA

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

FILED MAY 01 2020

11:15 AM – May 1, 2020

Brett Williamson called the Development Office stating "He owns property on northwest side Lake Oakwood" and was inquiring about the proposed conditional use permits by Mr. Sterzinger. Mr. Williamson was advised of the conditional use requests for 2020cu009 and 2020cu010. He expressed concerns of: # 1) The 30 year time frame, should be shorter than 30 years and # 2) Water quality of the creek isn't effected by the mining.

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 11; 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 Stenzinger
Person filing petition – print

Person filing petition – sign

3273 290th Ave
Address

Taunton
City

Minnesota
State

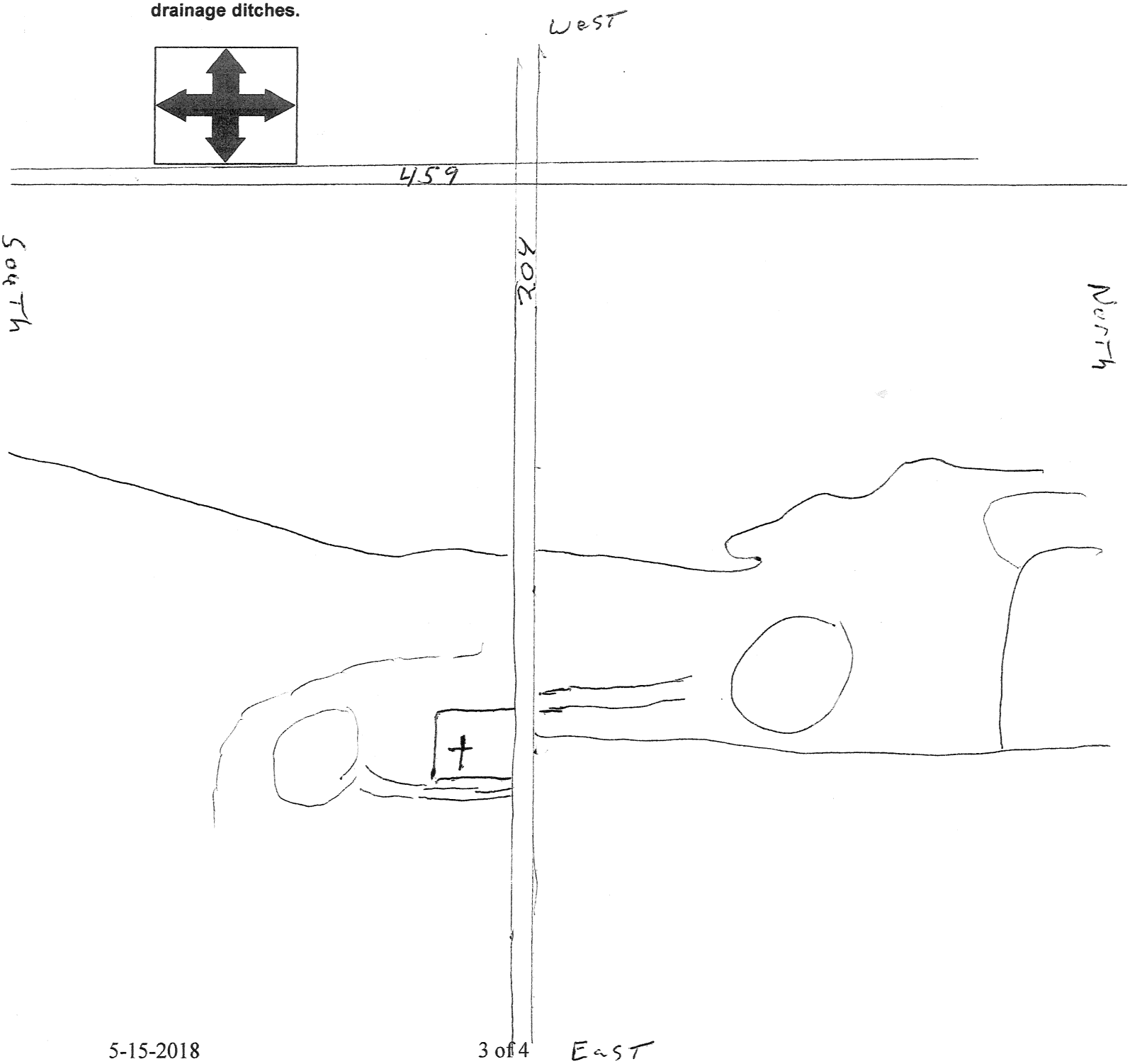
56291
Zip Code

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.

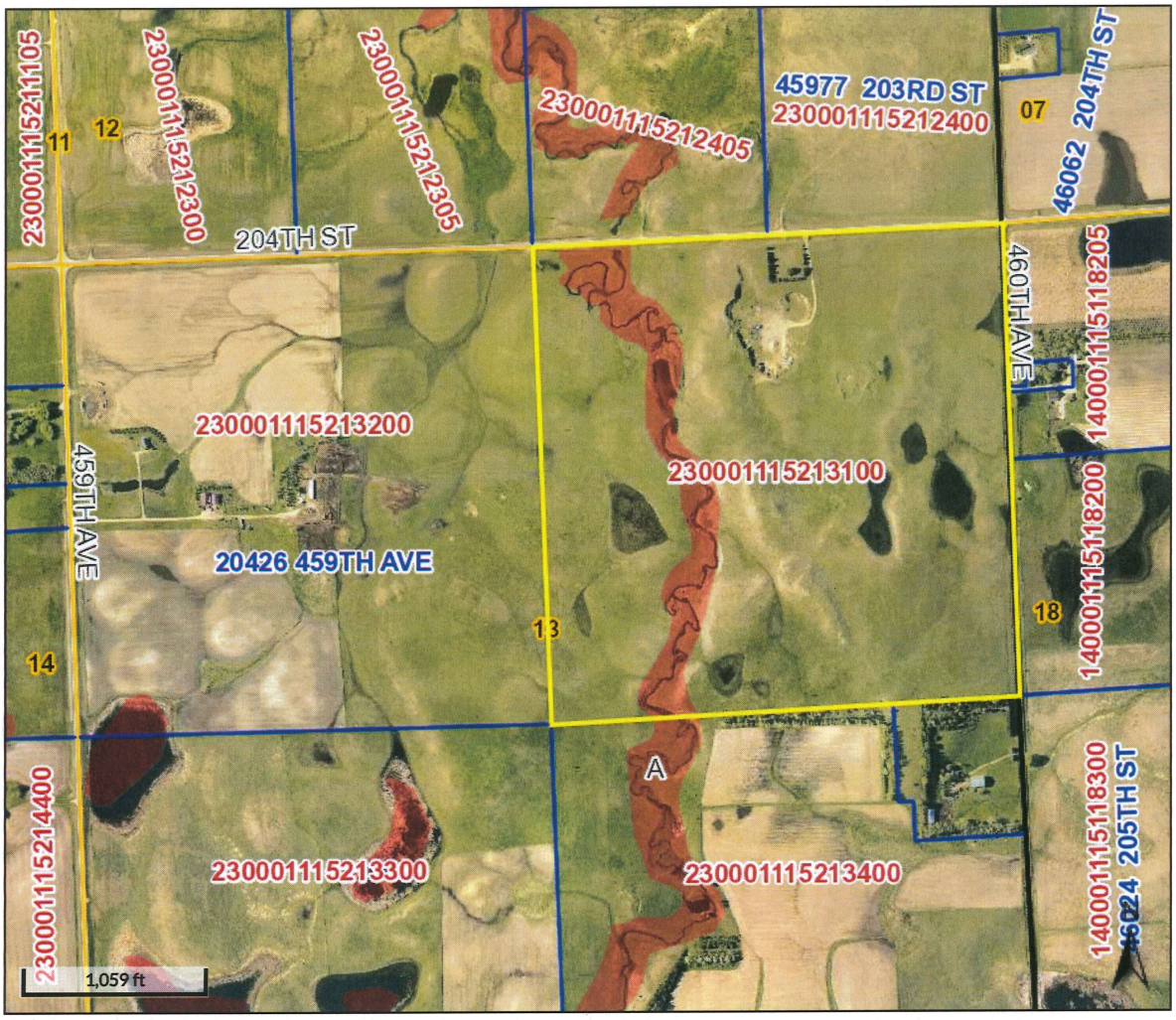
#9 The number of years the mine site will be expected to be mined is approximately 30 years.

Tom Sterzinger,

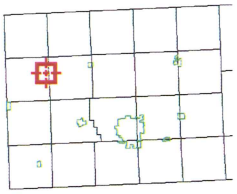
Sterzinger Crushing, Inc.

2020 CU009 + 2020 CU010

Beacon™ Brookings County, SD



Overview



Legend

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

Floodplain 2008

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

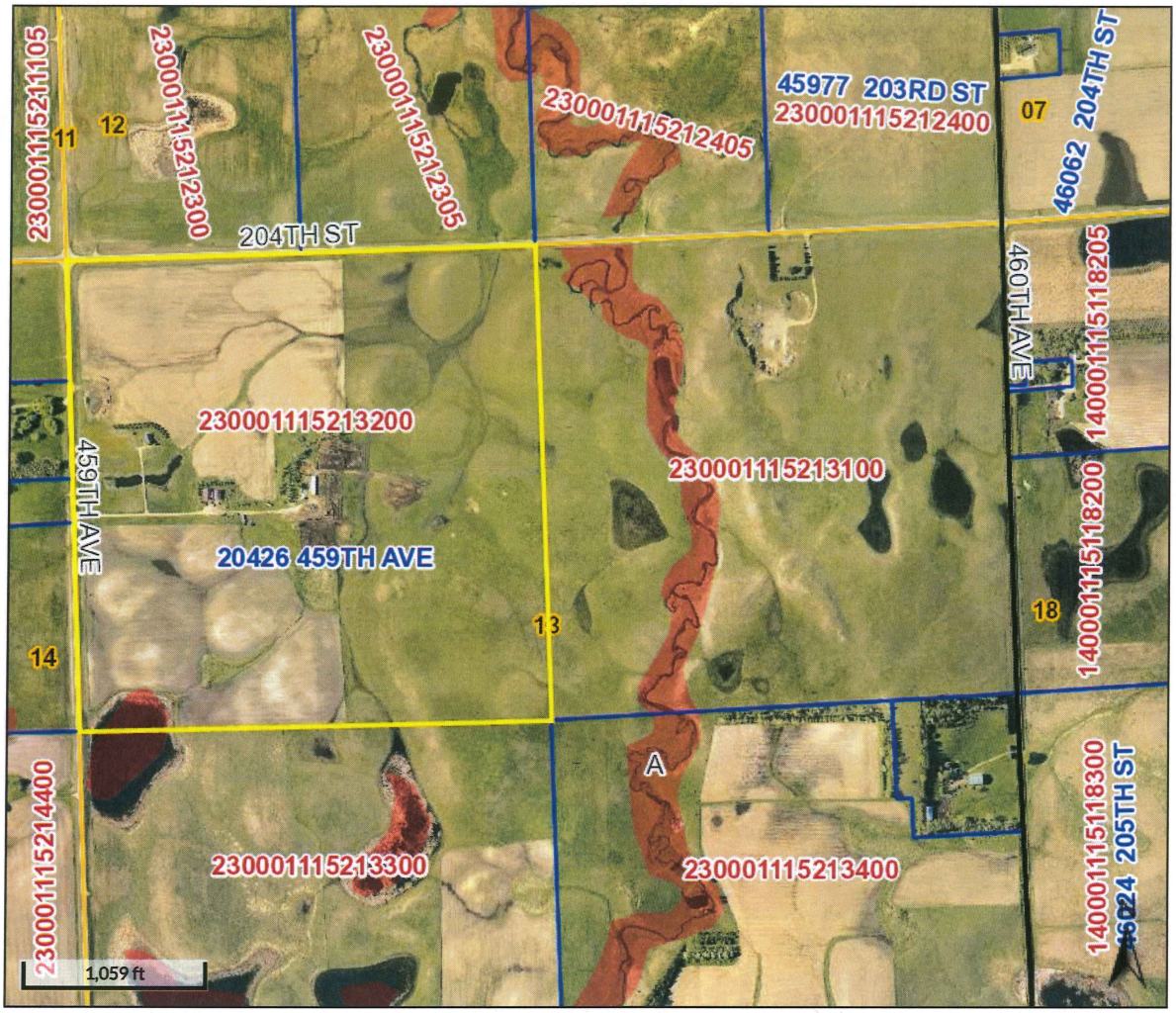
Parcel ID	230001115213100	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	13-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	159		BRUCE SD 57220
District	2309				
Brief Tax Description	NE 1/4 SEC 13-111-52 159.0 AC TO INCLUDE CEMETARY				
	(Note: Not to be used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

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

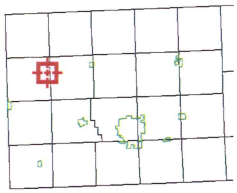
Developed by Schneider GEOSPATIAL

2020CU009 + 2020CU010

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

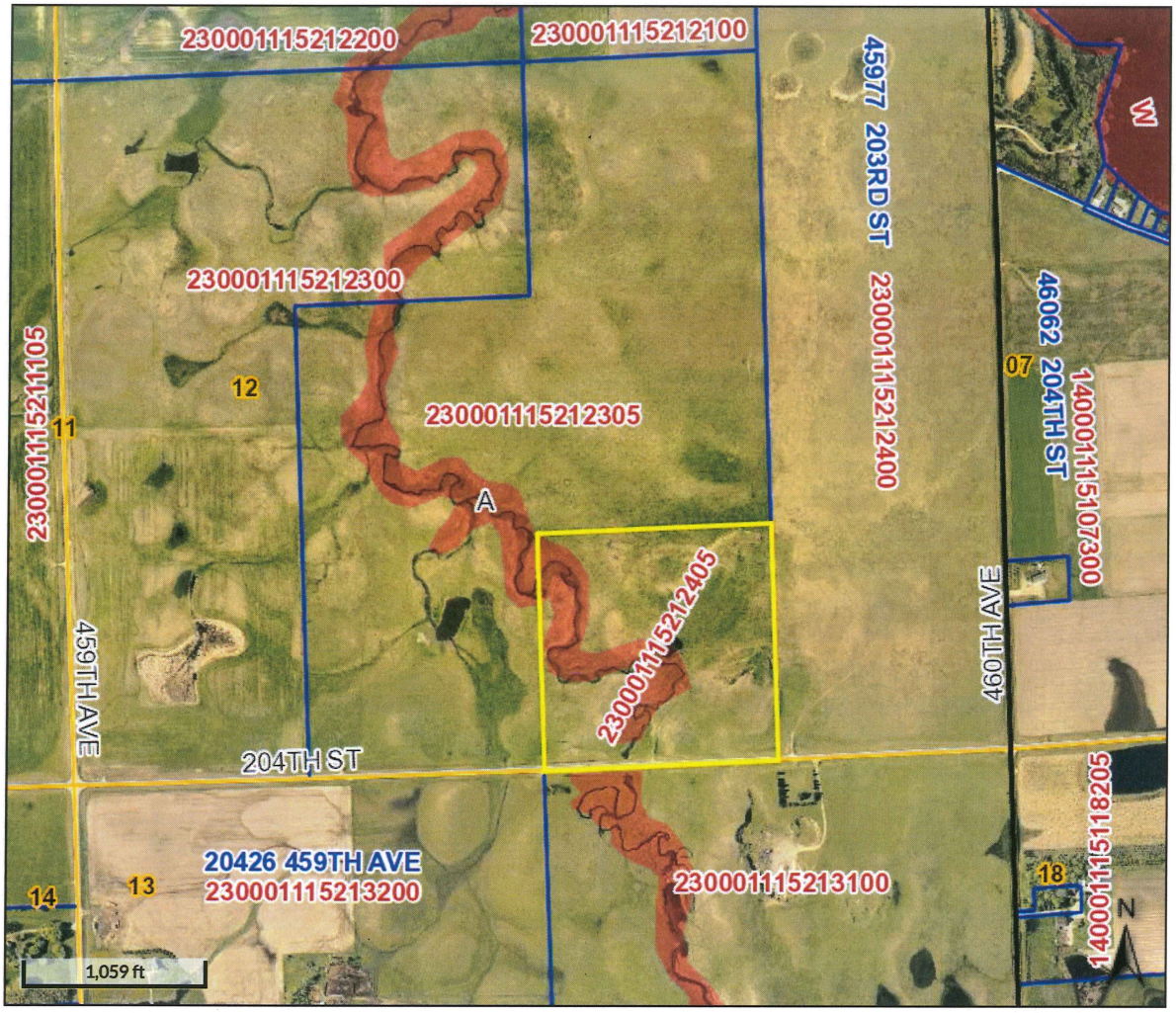
Parcel ID	230001115213200	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	13-111-52	**Class**	AGA		20426 459TH AVE
Property Address	20426 459TH AVE	**Acreage**	160		BRUCE SD 57220
	BRUCE				
District	2309				
Brief Tax Description	NW 1/4 SEC 13-111-52 160.0 AC				
	(Note: Not to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

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

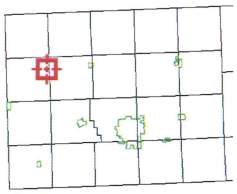
Developed by Schneider GEOSPATIAL

2020CU009 + 2020CU010

Beacon™ Brookings County, SD



Overview



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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
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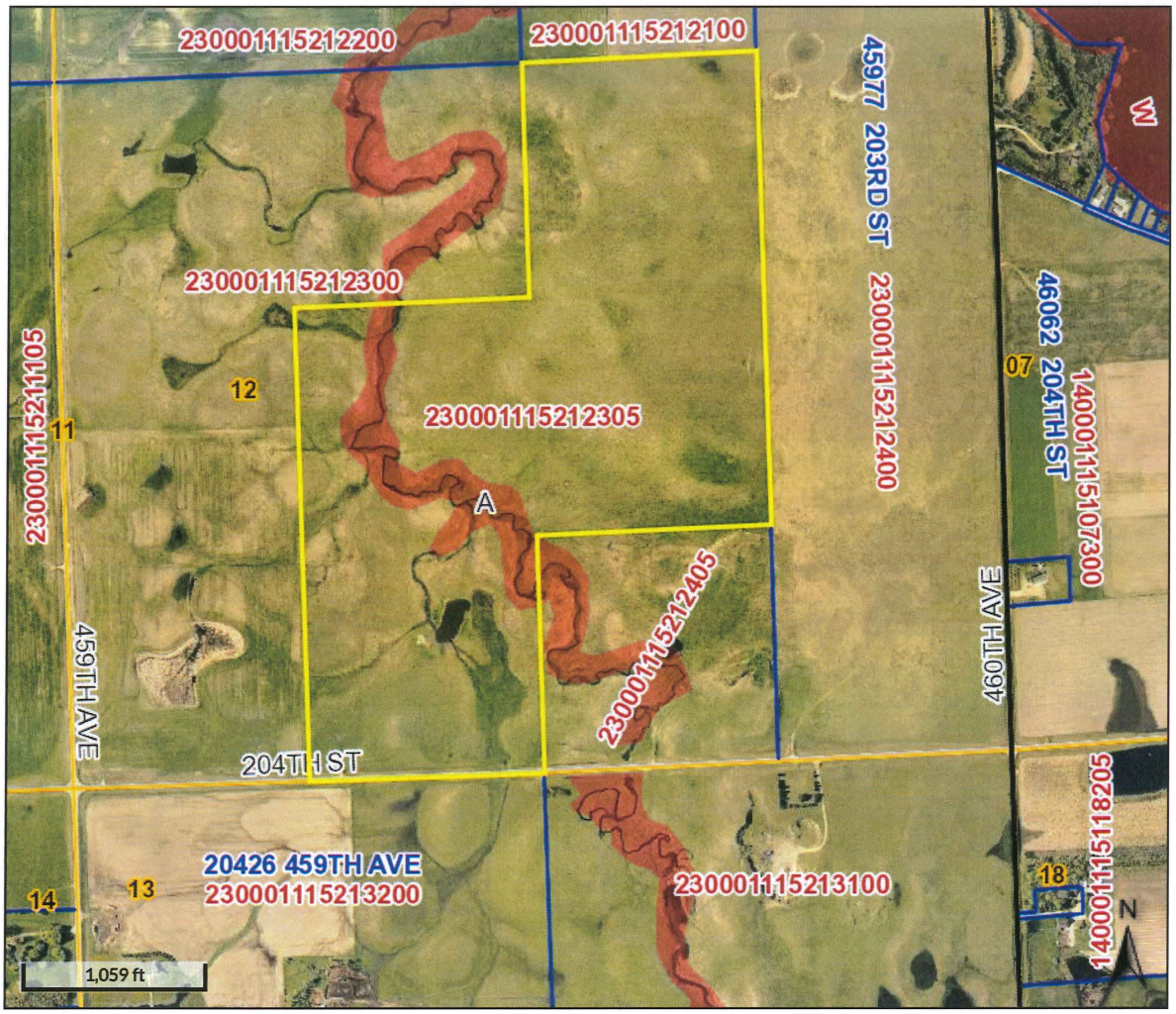
Developed by Schneider GEOSPATIAL

2020CU009 + 2020CU010

Beacon™ Brookings County, SD



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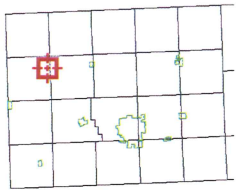

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Parcel ID	230001115212305	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	12-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	160		BRUCE SD 57220
District	2309				
Brief Tax Description	E 1/2 SW 1/4, NW 1/4 SE 1/4, SW 1/4 NE 1/4 SEC 12-111-52 160.0 AC				

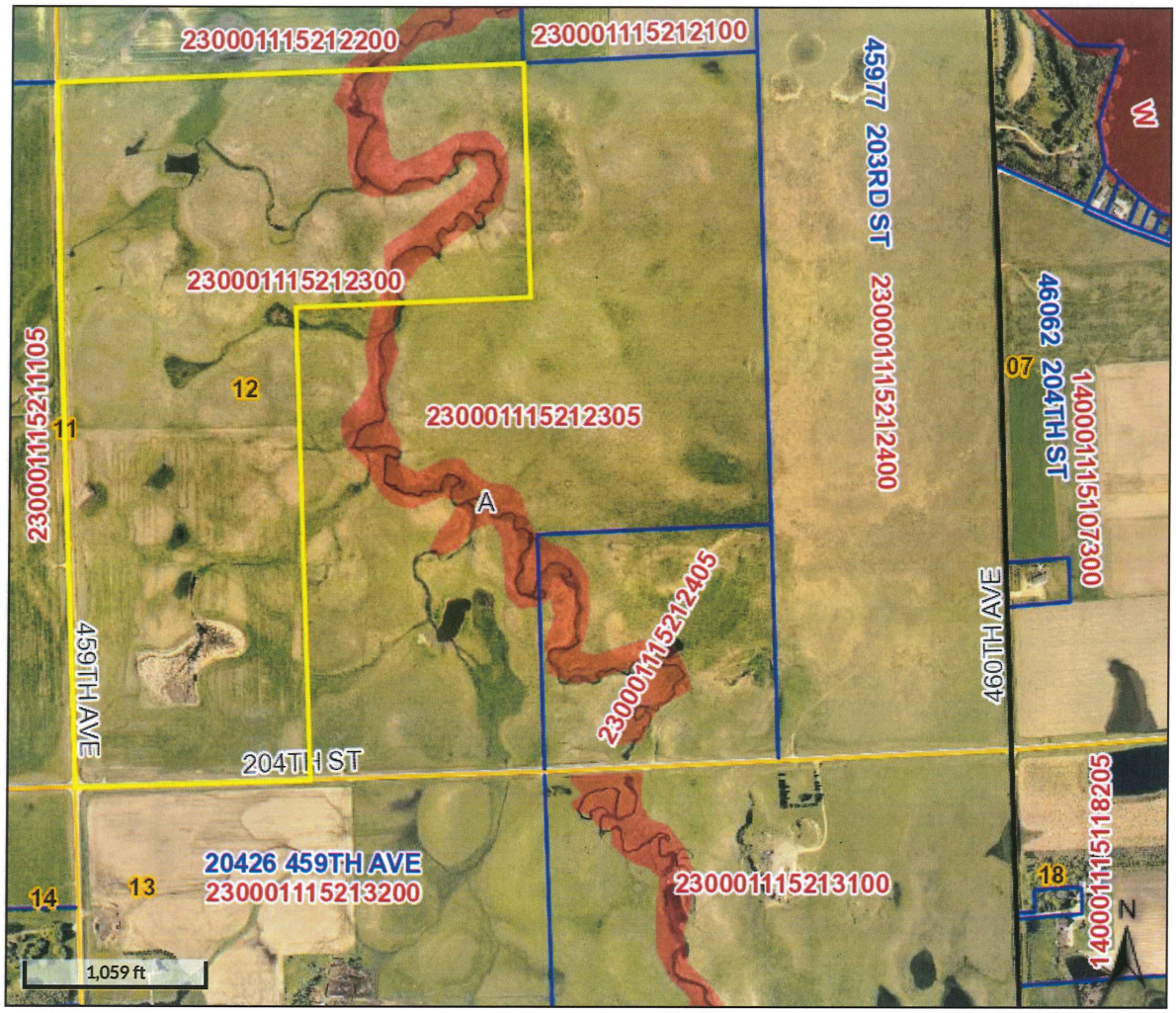
(Note: Not to be used on legal documents)

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

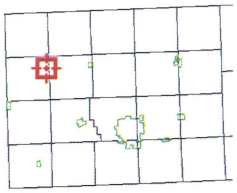
Developed by Schneider GEOSPATIAL

2020CU009 + 2020CU010

Beacon™ Brookings County, SD



Overview



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Parcel ID	230001115212300	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
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

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.

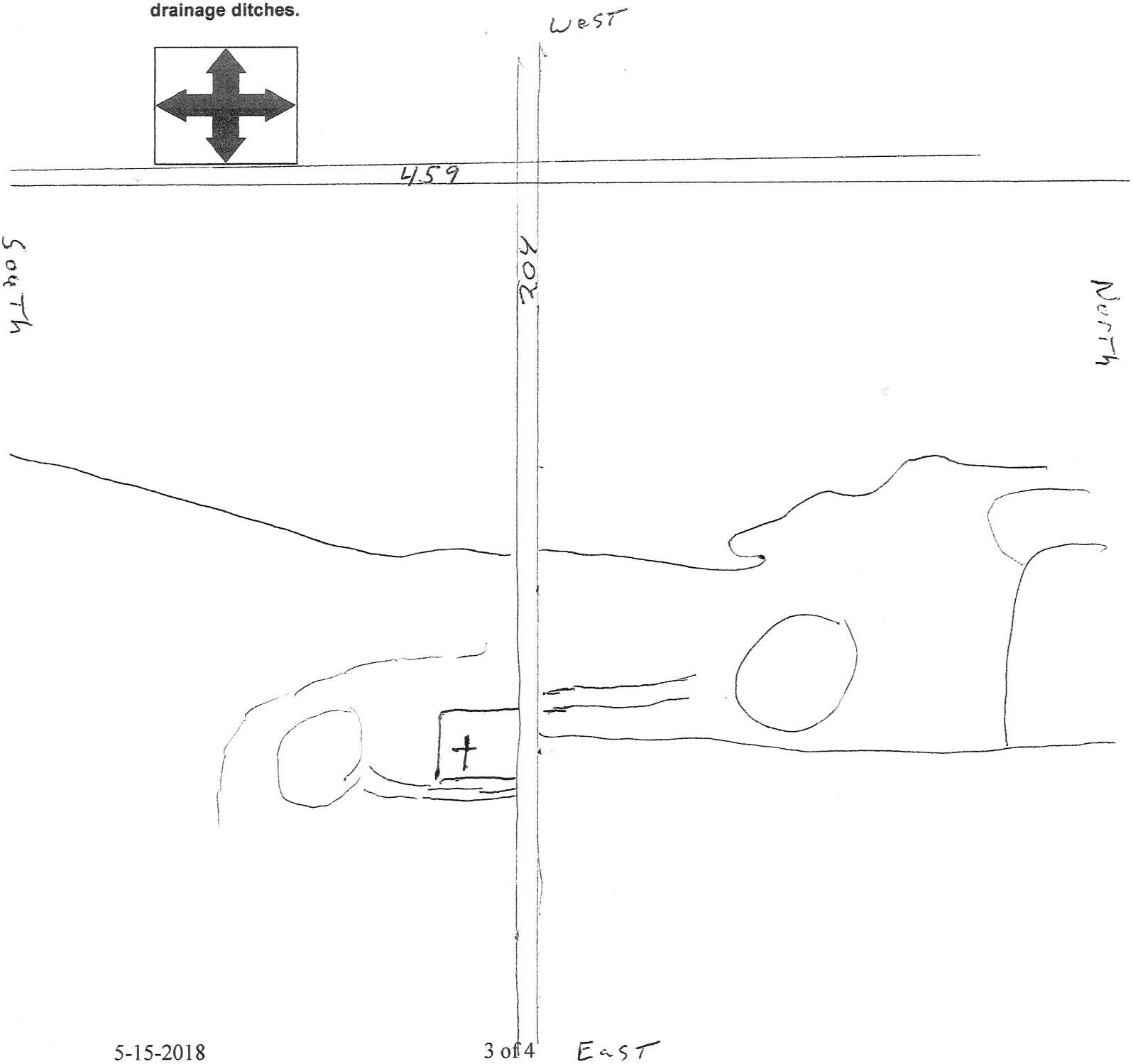
Public notices were published in the Brookings Register on April 21 and 28, 2020 and in the Volga Tribune on April 23 and 30, 2020

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

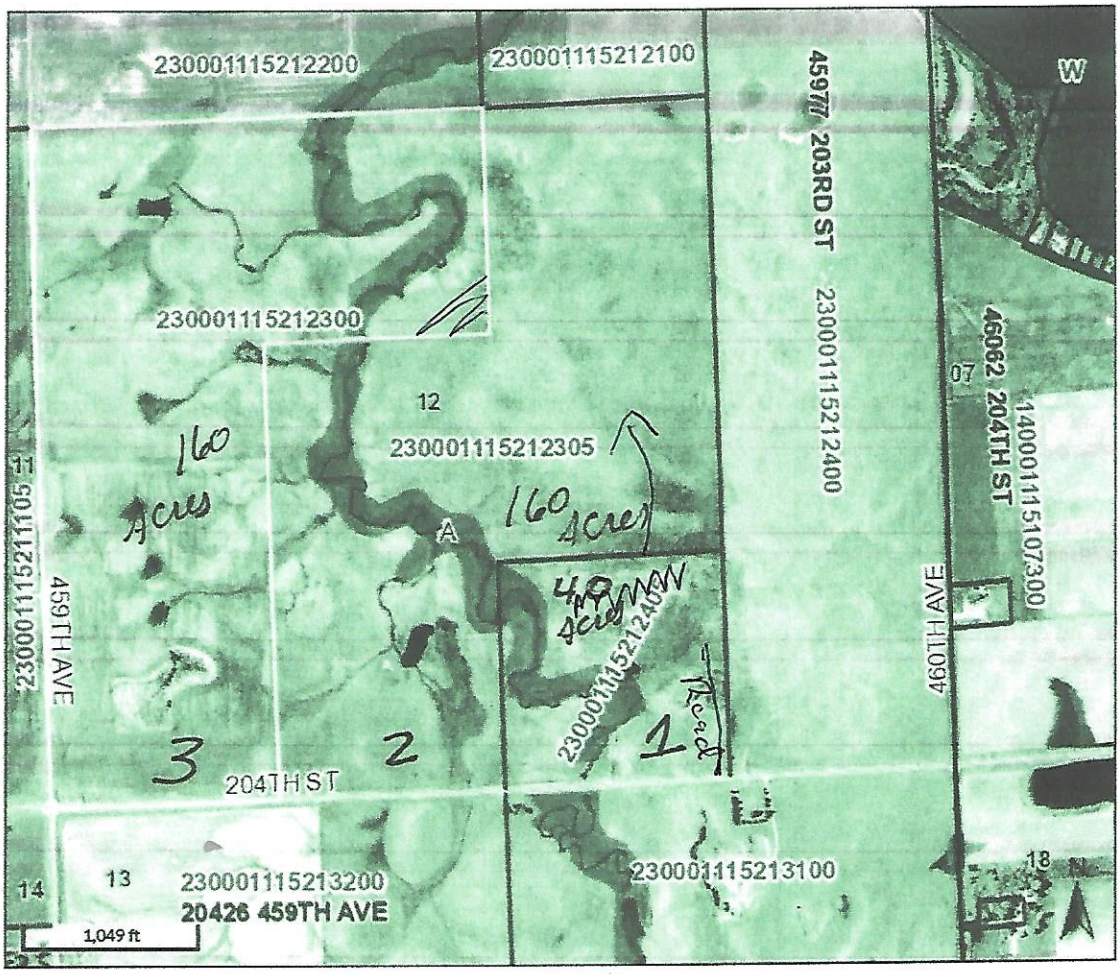
2020CU009 + 2020CU010

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

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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: 4/1/2020
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.

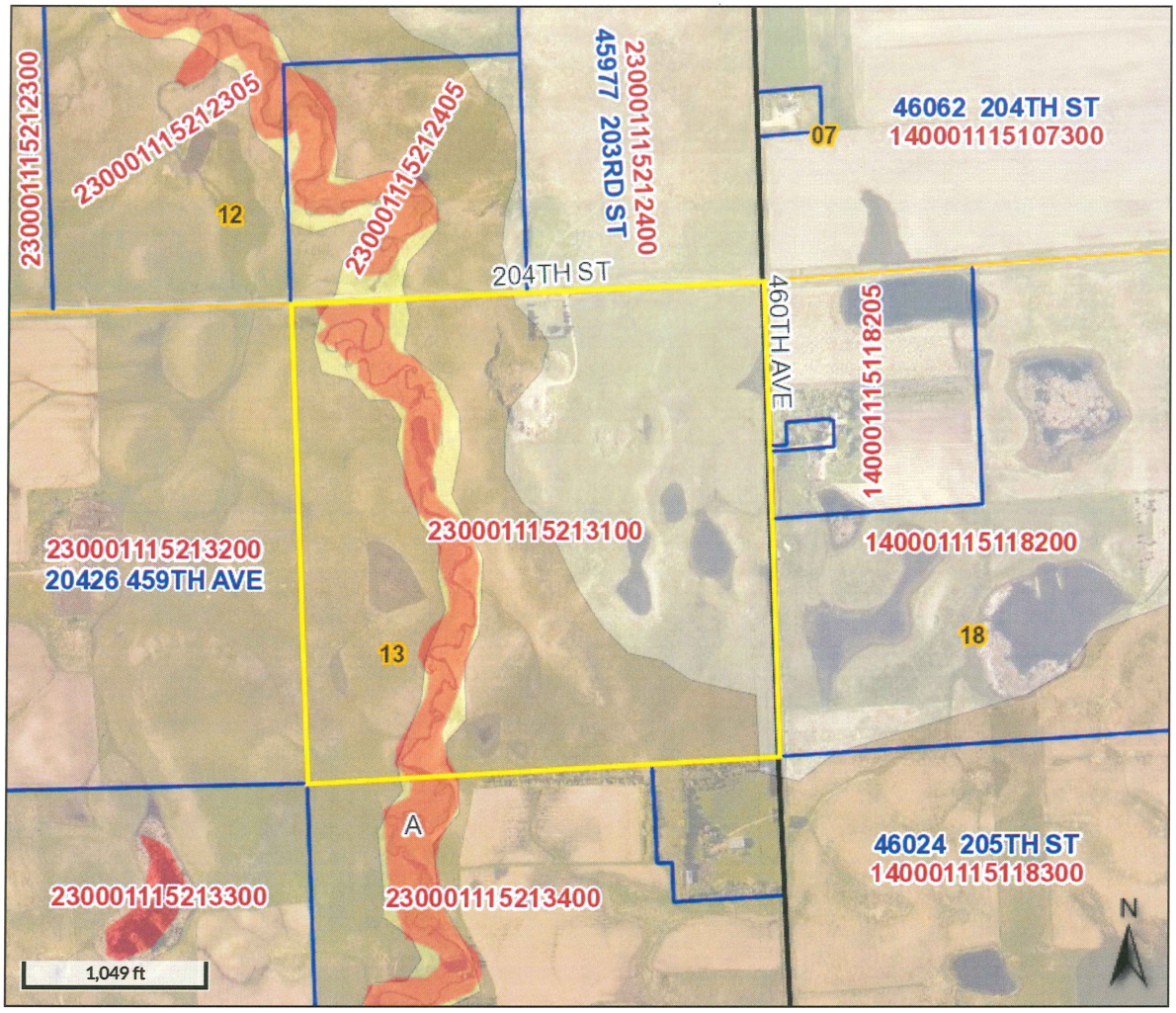
#9 The number of years the mine site will be expected to be mined is approximately 30 years.

Tom Sterzinger,

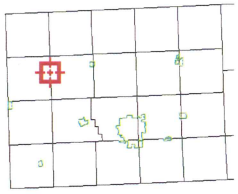
Sterzinger Crushing, Inc.

2020CU009 + 2020CU010

Beacon™ Brookings County, SD



Overview



Legend

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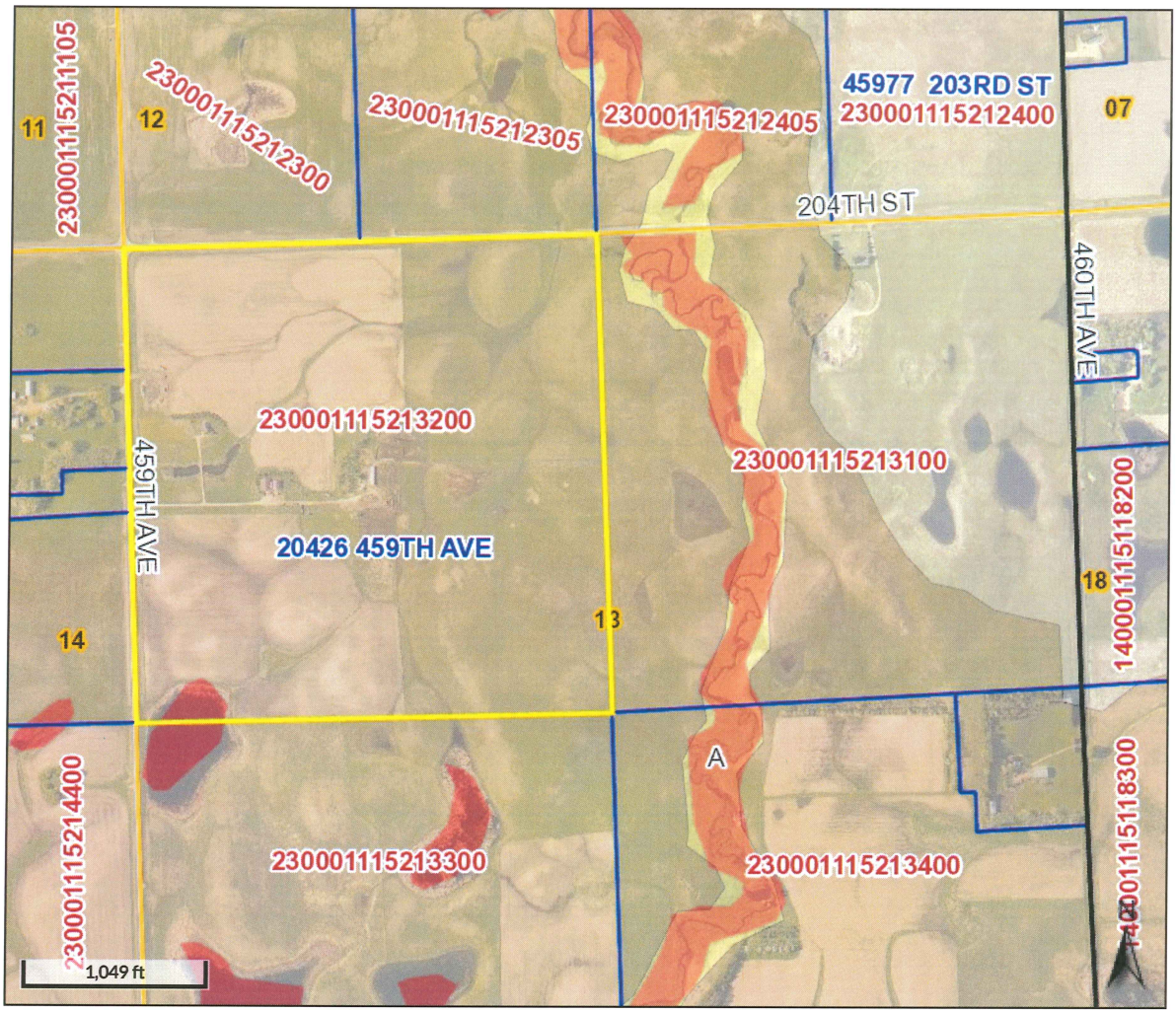
Parcel ID	230001115213100	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	13-111-52	**Class**	AGA		20426 459TH AVE
Property Address		**Acreage**	159		BRUCE SD 57220
District	2309				
Brief Tax Description	NE 1/4 SEC 13-111-52 159.0 AC TO INCLUDE CEMETARY				
	(Note: Not to be used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

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

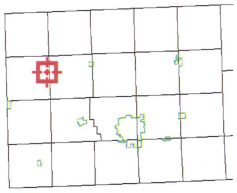
Developed by Schneider GEOSPATIAL

2020CU009 + 2020CU010

Beacon™ Brookings County, SD



Overview



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)				

Date created: 4/24/2020
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Developed by Schneider GEOSPATIAL

2020CU009 + 2020CU010

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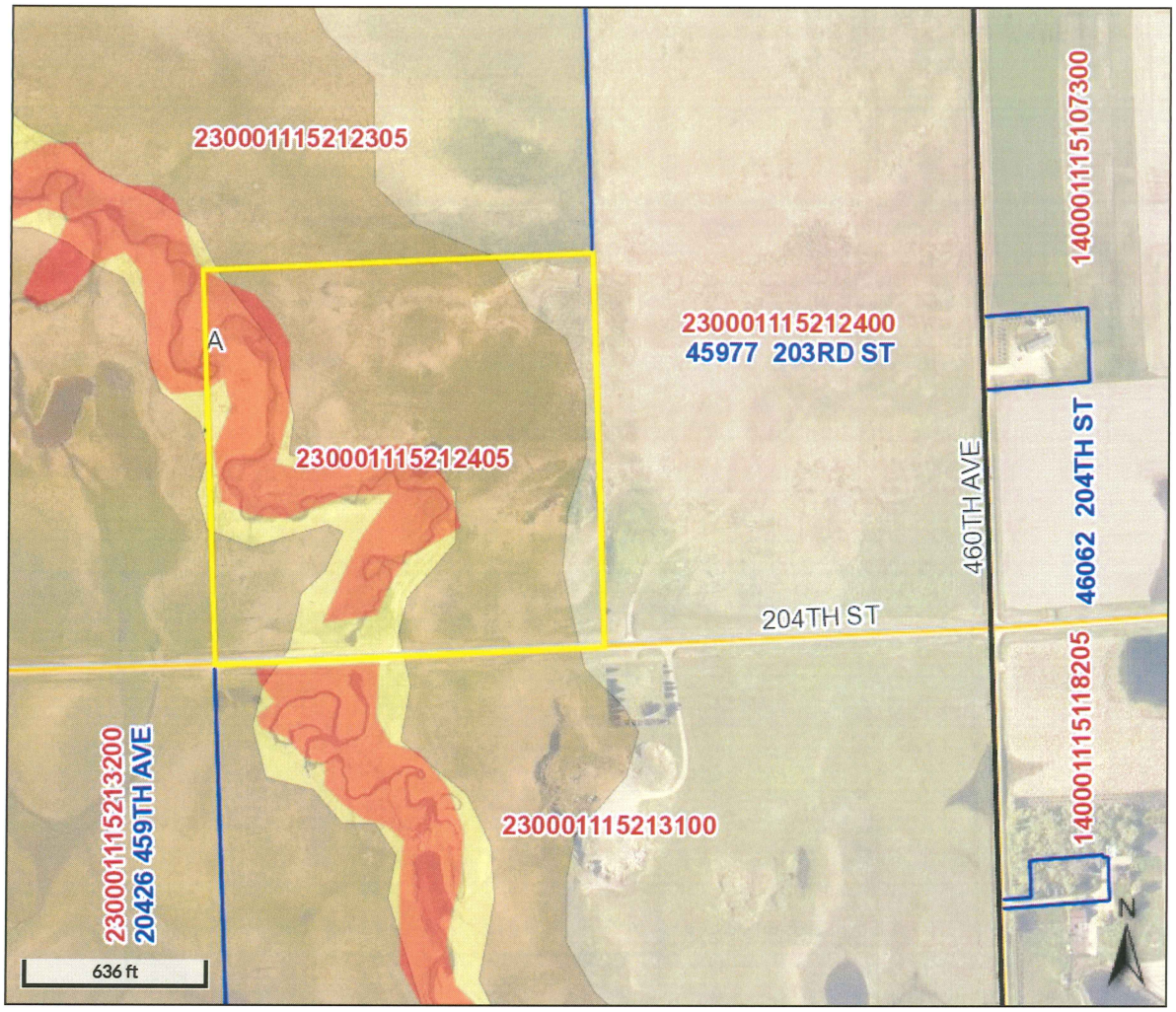
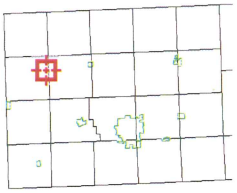


Overview



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Parcel ID	230001115212405	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
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District	2309				
Brief Tax Description	SW 1/4 SE 1/4 SEC 12-111-52 40.0 AC				
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2020 CU009 + 2020 CU010

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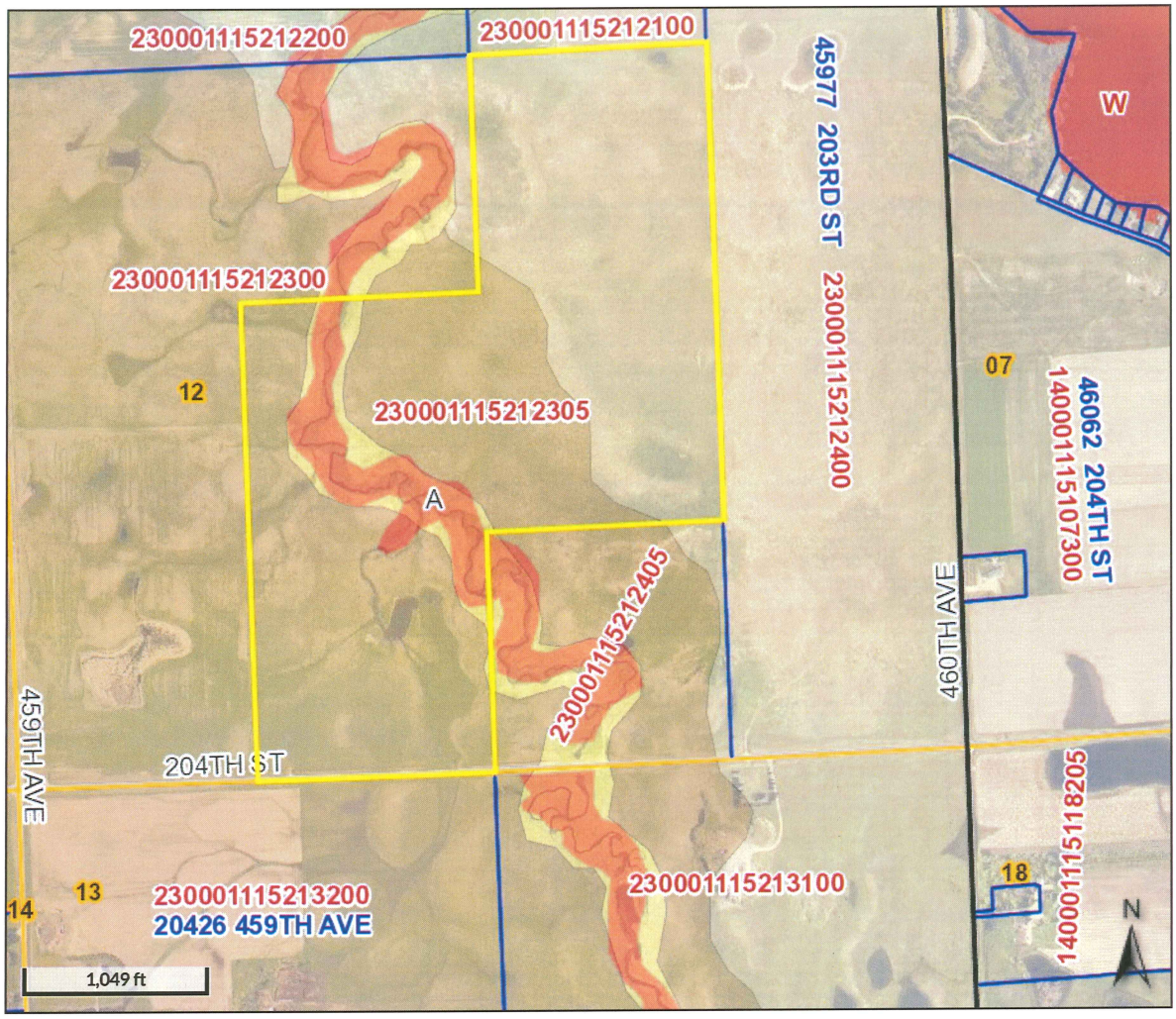

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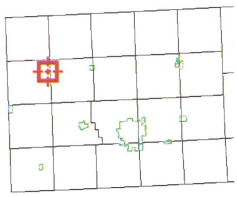

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Parcel ID	230001115212305	**Alternate ID**	n/a	**Owner Address**	JENSEN, JIMMY III
Sec/Twp/Rng	12-111-52	**Class**	AGA		20426 459TH AVE
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District	2309				
Brief Tax Description	E 1/2 SW 1/4, NW 1/4 SE 1/4, SW 1/4 NE 1/4 SEC 12-111-52 160.0 AC				

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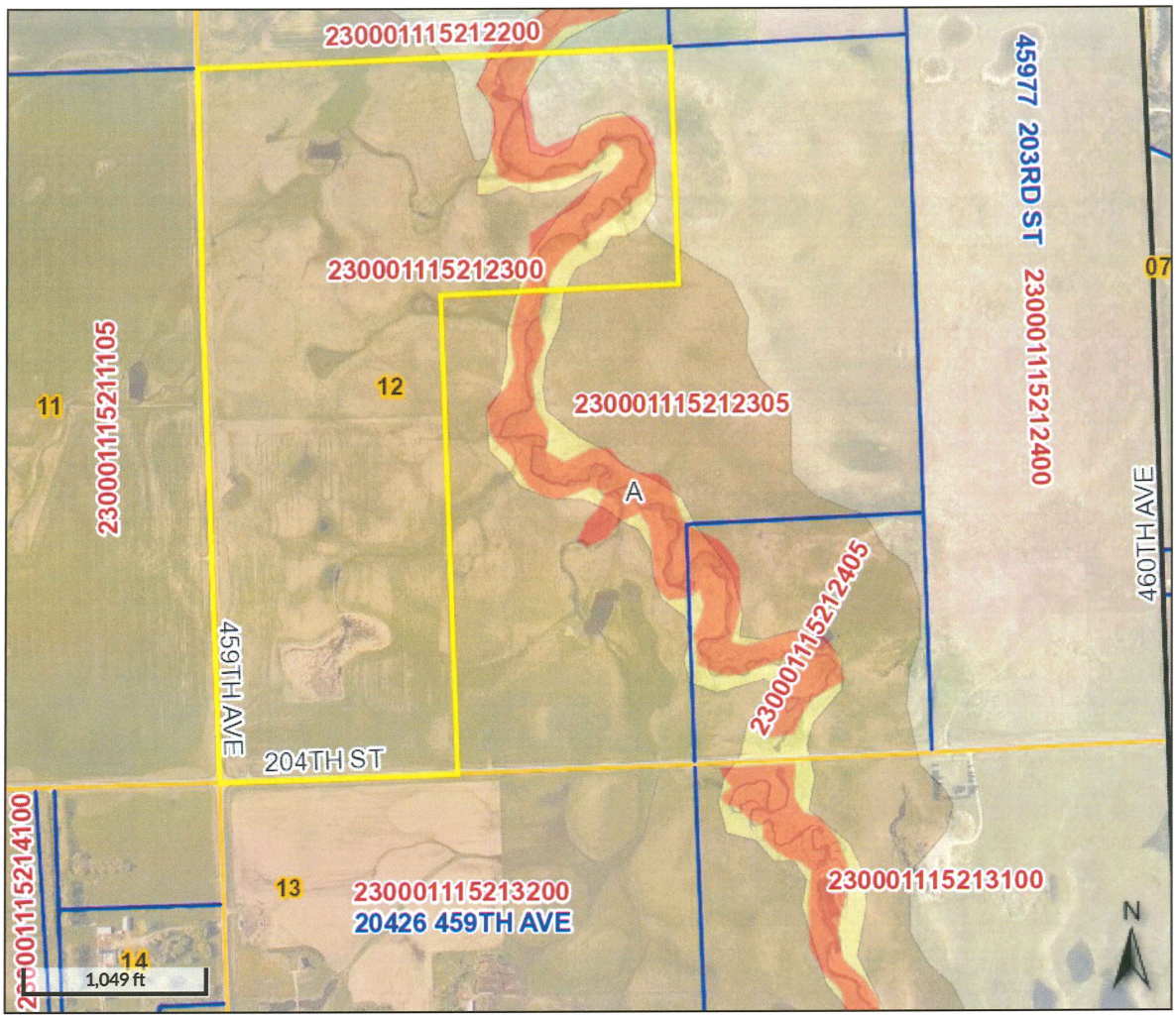
2020CU009 + 2020CU010

Beacon™ Brookings County, SD



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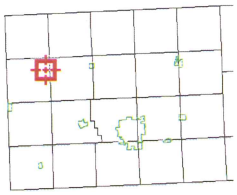

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Date created: 4/24/2020
Last Data Uploaded: 4/24/2020 8:08:21 AM

Developed by Schneider GEOSPATIAL

2020cu009 & 2020cu010: Tom Sterzinger.

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.

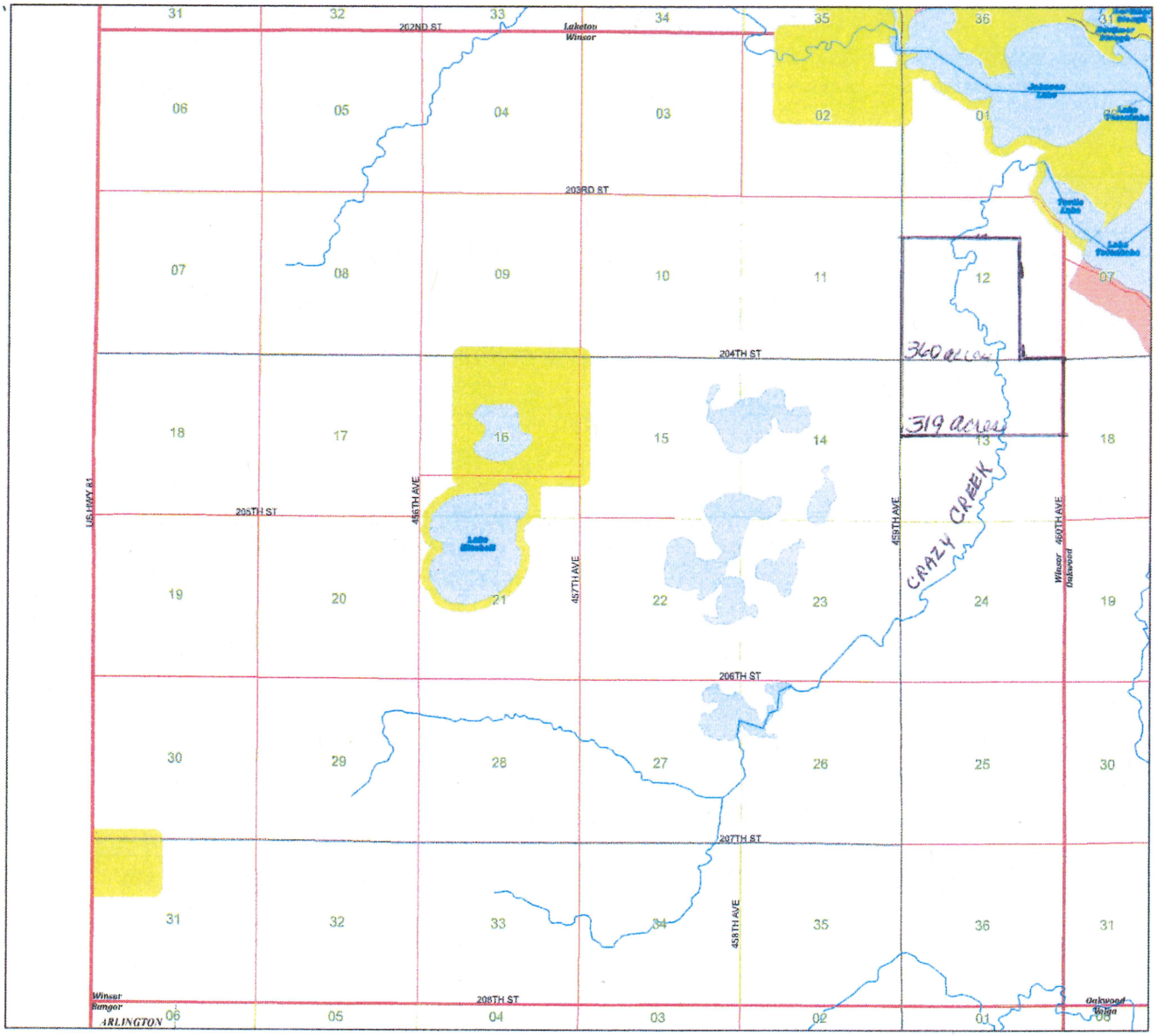
Sterzinger statement #7 "All mining will be done above the water table at this point". At what ***Point*** in the 30 years would that change?

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



Winsor Township
Brookings County, South Dakota
T111N R52W

Brookings County South Dakota

From: Jenna [mailto:jennammb23@hotmail.com]
Sent: Wednesday, April 29, 2020 10:28 AM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject: Major Concerns

FILED APR 29 2020

This correspondence is in regard to the application for gravel and rock mining on the grass land to the west/ southwest of Lake Oakwood. My major concern is for the safety of the hundreds of camping families that visit Oakwood State Park each season. The many large camper units that will pass by the entrance of these propose pits will indeed put all of those adults and children at risk. This is in addition to the lost aesthetic value of the entire grassland area. I'm sure that local residents are also quite concerned about the degradation of roads and dust pollution as well as everyones safety due to the large trucks and equipment use! Please consider these concerns at the upcoming hearing on May 5. Thank you.

Jenna M. Bjerke

From: Sandy McLeod Breuer [mailto:mcleodbreuer@yahoo.com]
Sent: Wednesday, April 29, 2020 9:49 AM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject: Updated version

FILED APR 29 2020

I sent you a wrong email yesterday. Please use this one instead! Thanks!

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, Sandy McLeod Breuer

Sent from Yahoo Mail on Android

FILED APR 29 2020

From: Amanda Bjerke [mailto:ajbjerke@gmail.com]
Sent: Wednesday, April 29, 2020 2:37 PM
To: county development <countydevelopment@brookingscountysd.gov>
Subject: Letter regarding application 2020cu009 & 2020cu010 conditional use permits

Please see attached letter.

Thank you,
Amanda Bjerke

April 29, 2020

FILED APR 29 2020

Brookings County Zoning Board
Brookings, SD

RE: Application for Conditional Use Permits 2020cu009 & 2020cu010

To Whom is May Concern,

I am writing this letter in regards to the application for conditional use permits by Tom Sterzinger (mining and rock crushing 2020cu009 & 2020cu010). I am against the approval of these applications for the following reasons:

1) The land that is to be used was put into a grassland easement with the intended purpose to keep it at its current state of native grasses. The owner of the land was paid for this grass land easement.
2) I live within a half mile of the proposed sites, and the view from our house would be ruined by these operations. Not only do I not want to look at their mess every day, it would greatly decrease the value of our property if we were to sell in the future.
3) The noise from that operations would be a disturbance. I was home while Tom Sterzinger was out digging test holes, and the sound of the equipment was heard inside our home.
4) I am concerned for the safety of our community. The driveways for the proposed sites enter onto the highway at the crest of a large hill. I feel there will be an increased risk for accidents on that stretch of road.
5) I am also concerned for the safety of my children and family. We have small children and having a gravel pit with large equipment right across the road frightens me. In addition to the equipment at the site, I am also concerned about the amount of truck traffic on the highway. We frequently bike to the Oakwood Lakes State Park, and it would be unsafe with the increased amount of large trucks using the roadway.
6) While the plan lists the highway as the main access point, it does not guarantee that the trucks will not use our gravel road. This creates a safety issue along with an increased cost to our township for maintenance.
7) The waterway that runs thru the project sites runs directly into Oakwood Lakes. I think this brings up multiple issues including silt runoff along with possible issues of contamination. Many people use Oakwood Lakes for recreational activities.
8) Another area of concern is the possibility of the aquifer being contaminated. We have a well on our property and feel that the project site is too close.

In conclusion, I feel that the plan that was drawn up is very vague and does not adequately lay out a plan for the future, or take into regard the issues listed above. Thank you for your consideration of these concerns.

Sincerely,
Amanda Bjerke
20416 460TH Ave
Bruce, SD 57220

FILED APR 30 2020

April 27, 2020

From:
Nancy Heylens Life Estate etal
45850 203rd St.
Arlington, SD 57212

To:
Brooking County Development Dept.
Brookings, SD 57006

Concerning:
2020CU009 and 2020CU010 for
Tom Sterzinger

We are against granting this permit.
We are against the increased truck traffic on our roads and dust.
We are concerned this permit will devalue our land which joins the land.
We are concerned about the ground water and streams that run into Oakwood Lakes.

The stream runs right through the heart of this land.

Nancy Heylens
Robert Heylens

-------- Original message --------
From: Amanda Bjerke <ajbjerke@gmail.com>
Date: 4/30/20 10:20 PM (GMT-06:00)
To: county development <countydevelopment@brookingscountysd.gov>
Subject: Fwd: Response to Conditional Use Permit #'s 2020cu009 and 2020cu010

FILED MAY 01 2020

---------- Forwarded message ---------
From: **Chad Bjerke** <cbjerkekbrw@gmail.com>
Date: Thu, Apr 30, 2020, 10:18 PM
Subject: Fwd: Response to Conditional Use Permit #'s 2020cu009 and 2020cu010
To: Mandy <ajbjerke@gmail.com

To the members of the Planning and Zoning Commission and others that it may concern,

The following reasons I am going to list are just a few of the concerns I have and why I feel these permits should not be issued

* The "Mining Plan" that Mr. Sterzinger submitted has several areas of very broad description that could be deciphered many different ways. In example, is the haul route access road going to always be 204th St, or will that change as he mines different areas? He does not specify what type of fuel containment he is going to use, nor does he have a plan in place incase of a fuel spill or leak. Why is he listing so much land if the only thing he showed in his hand drawn map(with nothing to scale) is two small areas, and if those are the only places that they plan on mining, why will it take up to 30 years? Especially when both of those specified spots have been mined before. His earth type dam to protect the creek does not say how tall or wide it will be. Is he going to seed it or put fabric on it? A large rain or the creek flooding over its bank will surely destroy any type of earthen dam. He has no plan in place for the county roads- is the county ok with the extra traffic on their roads, and what is his plan when load limits are in place? Or when the road starts deteriorating because of the extra use, who is going to pay to have it fixed. He states that mining will be done above the water table at this point- when/if that plan changes does he need to resubmit a new application/permits or if he is granted one now does it just give him the power to mine however and wherever he sees fit?

*The safety of the public is another aspect that needs to be addressed. The two approaches that enter the "mine" areas are in spots that are extremely dangerous. Anyone coming from the east will have very little time to stop when there is a fully loaded truck exiting the north mine area.

*The extra noise and dust created in the mine will also be a major factor. Our house is directly in line with the prevailing winds that would push dust and dirt our way. The noise from them digging "test" holes this winter could be heard in our yard and even when inside our house.

*The area for this proposed mine is in a Grassland Easement with the US Department of the Interior and US Fish and Wildlife. The land owner has been paid $293,150 for those easements. They were purchased with the intent to "acquire lands and waters or interest therein for the development, advancement, management, conservation, and protection of fish and wildlife". And to protect the habitat quality of the lands described in the easement. It also states that "such lands shall be maintained to provide cover, especially nesting cover, and food for a varied array of aquatic, terrestrial, and avian wildlife, particularly waterfowl and threatened and endangered species". Allowing them to mine these very areas would void any and all purposes of such easements.

*Owning land next to the proposed mine site would decrease our property value. We have worked very hard turning our 40 acres into our own little paradise. A gravel mine right next door was not exactly what we had in mind when we moved to this neighborhood. I can't think of one person who would want such a drastic change in their surroundings and way of life.

*The creek that runs through this property is a waterway that also meanders across 3 other landowners property. It then ends up in Lake Oakwood. Any type of contamination of this creek would be detrimental to anyone/anything down stream.

With these above reasons that I have stated in conjunction with such a vague and open ended "mining plan", I would strongly urge the Planning and Zoning Commission to turn down Conditional Use Permit #'s 2020cu009 and 2020cu10.

Thank you for your time and understanding,

Chad Bjerke
20416 460th Ave
Bruce SD 57220

Richard Haugen

From: oakwood@itctel.com
Sent: Thursday, April 30, 2020 5:09 PM
To: Richard Haugen
Subject: Re: Sterzinger permit request
Attachments: EPSON006 (1).JPG

FILED MAY 01 2020

Thanks for letting me know. It was a microsoft works doc. So now I have scanned the and will add that attachment.

Quoting Richard Haugen <RHaugen@brookingscountysd.gov>:

Janie,

I cannot open the attachment. Please send it in another format. Thanks.

Sincerely,

Richard Haugen

Deputy Director

Brookings County Development

Zoning / Emergency Management

520 3rd St, Suite 200

Brookings, SD 57006

605-696-8350

From: oakwood@itctel.com [mailto:oakwood@itctel.com]
Sent: Thursday, April 30, 2020 12:15 PM
To: Richard Haugen <RHaugen@brookingscountysd.gov>
Subject: Sterzinger permit request

enclosed is an attachment
Thanks Janie Wittmeier

South Dakota Lakes and Streams Association

PO Box 688,
Brookings, SD 57006-0688

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

As President of the South Dakota Lakes and Streams Association I would like to share with you the concerns of the Association regarding the permit request of Sterzinger Crushing Inc. for #2020cu009 Mining Gravel and permit #2020cu010 for Crushing Gravel.

The creek (Crazy Creek) flows from the south through both sections 12 and 13 which are described in the legal description of the permit request. This creek flows through 11 sections of grass land and is filtered quite well before entering into West Oakwood chain of lakes. Sterzinger states "A earth type dam will be placed along creeks or waterway in lou of silt fence" This creek really needs to be protected other then a earth type dam.

There is DENR Water Quality Monitoring that was done from June 2001 through June 2002. This sample site was located ¼ mile north from the north edge of the legal in the permit of Section 12. So there is recorded history of the water quality in this creek.

Through stewardship, education, and networking, SDL&SA shall protect and enhance South Dakota Lakes and Waterways.

Your consideration for protecting Crazy Creek would be greatly appreciated.

Sincerely,

Janie Wittmeier 4/30/2020

Janie Wittmeier, President
South Dakota Lakes & Streams Assoc.
And Executive Director of the
John M Corothers Clean Water Foundation
A division of SDL&SA

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

FILED MAY 01 2020

11:15 AM – May 1, 2020

Brett Williamson called the Development Office stating "He owns property on northwest side Lake Oakwood" and was inquiring about the proposed conditional use permits by Mr. Sterzinger. Mr. Williamson was advised of the conditional use requests for 2020cu009 and 2020cu010. He expressed concerns of: # 1) The 30 year time frame, should be shorter than 30 years and # 2) Water quality of the creek isn't effected by the mining.