

## 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 social distancing. 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, September 1, 2020**
2. **Approval of Minutes**  
Documents:  
[MINUTES-August 4, 2020 PZ Minutes DRAFT 8-19-2020.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**
  - A. **2020plat018**

“Plat of Lot 2A of Lake Poinsett Heights Addition, Christoffer Madsen’s Subdivision in Govt Lots 3 & 4 in Section 5, T112n, R52W the 5<sup>th</sup> P.M., Brookings County, South Dakota.”

Documents:

[2020plat018 Staff Report.pdf](#)

**B. 2020plat019**

“Plat of Lots 2B and 3A of Lake Poinsett Heights Addition, Christoffer Madsen’s Subdivision in Govt Lots 3 & 4 in Section 5, T112N, R52W of the 5<sup>th</sup> P.M., Brookings County, South Dakota.”

Documents:

[2020plat019 Staff Report.pdf](#)

**C. 2020plat020**

“Plat of Soobrook Farm’s Addition in the SE1/4 of Section 20, T109N, R49W of the 5<sup>th</sup> P.M., Brookings County, South Dakota.”

Documents:

[2020plat020 \(Soobrook\) Staff Report.pdf](#)

**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. 2020var011**

Dave Vanderwal has made an application, 2020var011, 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: “NW1/4 NW1/4 NW1/4 of Section 14, T110N, R51W (Volga Township)” ~~ located at 1206 N. Samara Ave, Volga, SD 57071.

Documents:

[2020var011 Application.pdf](#)  
[2020var011-\(VanderWal\) Staff Report.pdf](#)

**11. 2020var012**

Matthew Lounsbery has made an application, 2020var012, 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 10 & W½ Lot 11 in Bortnem Beach Addition of Govt Lots 3 and 4 in Section 32, T109N, R50W (Medary Township)” ~~ located at 8948 Bortnem Beach Rd, Volga, SD 57071.

Documents:

[2020var012 Application.pdf](#)  
[2020var012 \(Lounsberry\) Staff Report.pdf](#)

12. **2020var013**

Loren Hacker has made an application, 2020var013, 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 Side Yard). The property is described as: "Lot 1 Charles Cove Addition in the SW1/4 of Section 22, T112N, R47W (Lake Hendricks Township)" ~~ located at 751 E Lake Hendricks Dr, Hendricks, MN 56136.

Documents:

[2020var013 Application.pdf](#)

13. **2020var014**

Brandon and Chelsea (DeKnikker) Bak have made an application, 2020var014, to the Brookings County Board of Adjustment for a variance. Brookings Joint Jurisdiction Area: Article IV: Agricultural, Residential and Floodplain and Aquifer Districts. Section 405. Agricultural District "A. Section 409.2 Front Yard: The minimum depth of the front yard shall be one hundred (100) feet and Brookings County Zoning Ordinance: Article 11: 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. The property is described as: "Outlot 1 in the SW1/4 of the SE1/4 of Section 3, T109N, R50W (Medary Township)" ~~ located at 632 W 32<sup>nd</sup> St S, Brookings, SD 57006.

Documents:

[2020var014 \(DeKnikker\) Staff Report.pdf](#)  
[2020var014 Application.pdf](#)

14. **2020var015**

Lisa Boulais has made an application, 2020var015, 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 Side Yard). The property is described as: "Lot 47 of DeBoer's Lake Tetonkaha West Subdivision in Govt Lot 1,4,5 & 6 in Section 7, T111N, R51W (Oakwood Township)" ~~ located at 70 Oakwood Shoreline Dr, Bruce, SD 57220.

Documents:

[2020var015 Application.pdf](#)

15. **2020var016**

Martin Comes has made an application, 2020var016, 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 and Minimum Rear Yard). The property is described as: "Lots 43, 44A, 45, 45A, 45B of the First Addition of Lake Poinsett Heights Subdivision in Lot 2, Section 5, T112N, R52W (Laketon Township)" ~~ located at 122 S Lake Dr, Arlington, SD 57212.

Documents:

[2020var016 Application.pdf](#)

16. **2020cu017**

Thomas A Davis has made an application, 2020cu017, 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: "E1/2 NE1/4, SW1/4 NE1/4, SE1/4 NW1/4 of Section 4, T110N, R48W (Alton Township)".

Documents:

[2020cu017 Application.pdf](#)  
[2020cu017- Staff Report.pdf](#)

17. **2020cu018**

Dillon Ringling has made an application, 2020cu018, to the Brookings County Board of Adjustment for a conditional use. Article 11: Section 11.01: "A" Agricultural District: Conditional Use Permit # 20: Home Extended Business". The property is described as: "SE1/4 SE1/4 SE1/4 of Section 16, T110N, R51W (Volga Township)" ~~ located at 21095 463<sup>rd</sup> Ave, Volga, SD 57071.

Documents:

[2020cu018 Application.pdf](#)  
[2020cu018 - Staff Report.pdf](#)

18. **Department Reports**

19. **Executive Session, if Necessary.**

20. **Adjourn**

21. **Public Notices**



**BROOKINGS COUNTY PLANNING & ZONING COMMISSION**  
**MINUTES OF AUGUST 4, 2020    REGULAR PLANNING & ZONING MEETING**

The Brookings County Planning & Zoning Commission met at their regular meeting on Tuesday, August 4, 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, Tom Davis, Darrel Kleinjan, Kyle Vanderwal, and alternate Roger Erickson. Members that phoned in were: Michael McHugh, Darrell Nelson, alternate Spencar Diedrich and Senior Planner from First District Association of Local Governments Luke Muller. Absent was: Randy Jensen and Terrell Spence who disconnected shortly after roll call due to phone issues. Also present were: Deputy Director Richard Haugen and County Development Director/Emergency Manager Robert Hill.

**CALL TO ORDER**

Chair Ford called the meeting to order at 8:02 PM

**APPROVAL OF MINUTES**

(Vanderwal/Davis) Motion to approve the July 7, 2020 Meeting Minutes. Roll call vote: Bartley-aye, McHugh-aye, Davis-aye, Nelson-aye, Kleinjan-aye, Vanderwal-aye, Spence-aye, Diedrich-aye, Erickson-aye, Ford-aye. **MOTION CARRIED.**

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

None added.

**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**

Nelson would recuse from vote on Item#14 - 2020cu015.

(Terrell Spence had disconnected at this time due to phone issues.)

**APPROVAL OF AGENDA**

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

**CONVENE AS BROOKINGS COUNTY PLANNING & ZONING COMMISSION**

**CONSIDERATION OF PLATS**

**2020PLAT014**

For property described as "Plat of Lot 11A, Block 2, Sunset Point Addition in Govt. Lots 3 & 4 of Section 22, T112N, R47W of the 5<sup>th</sup> P.M., Brookings County, South Dakota."

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Submitted by Lake Dreams LLC. Platted lot is located at Lake Hendricks and was originally platted and approved by the Zoning Commission on November 1, 2005. October 2, 2012 lots in the addition were re-platted into larger lots for tax purposes. The lot has now sold and is being re-platted into an individual lake lot, like it was originally platted in 2005.

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

#### **2020PLAT015**

For property described as "Plat of Lots 1-5 in Block 1 in Paradise Point Addition in Govt. Lot 2, Section 22, T112N, R47W of the 5<sup>th</sup> P.M., Brookings County, South Dakota." Submitted by Lake Dreams LLC. Platted area is located on Lake Hendricks along the South Dakota/Minnesota State line. The preliminary plat was approved on August 7, 2007. Lots are platted as they are sold, are lake front lots and exceed the 20,000 sq. feet minimum lot size requirement of the Lake-Park District.

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

#### **2020PLAT016**

For property described as "Plat of Lot 44A of the First Addition of Lake Poinsett Heights Subdivision in Lot 2, Section 5, T112N, R52W of the 5<sup>th</sup> P.M., Brookings County, South Dakota." Submitted by Martin Comes. Plat will re-plat his lot at Lake Poinsett to the ordinary high water mark. Lake Poinsett Heights was originally platted in 1922. The lot width will remain the same.

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

#### **2020PLAT017**

For property described as "Plat of Lot 12 of Ramlo Shores Subdivision in Govt Lot 4 in Section 21, T112N, R47W of the 5<sup>th</sup> P.M., Brookings County, South Dakota." Submitted by Ramlo Family. The lot was approved on a preliminary plat on May 1, 2001. The final plat is submitted when a lot is sold. The lot contains 21,927 sq. feet, exceeding the required 20,000 sq. feet requirement of the Lake-Park District.

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

### **CONVENE AS BROOKINGS COUNTY BOARD OF ADJUSTMENT**

(Bartley/Davis) Motion to remove **2020VAR008** a variance by Amanda Blok from the table. All members voted "aye." Motion carried. Ford called the applicant forward. Amanda Blok and Arjan Blok came forward to update the board. Ms. Blok noted that August 4, 2020

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they now owned the land. Arjan Blok noted that they had reached an agreement with neighbors and included it in the purchase agreement that only 12 animals could be located on the property. Haugen clarified, "it was mentioned that a replat be required, but Brookings County does not require platting of property. A footage description is a legal description and accepted by the Register of Deeds." Bartley noted that requirements were met and he had no problem passing the request. A member of the audience questioned making a comment. Ford and Haugen announced that the public hearing portion had occurred at the prior meeting on July 7, 2020 and had been closed at that meeting. The meeting had been tabled to allow for the board to gather more information, which had been gathered and ask any more questions of the applicant. Bartley added, "The public hearing has been closed, that is correct, at this point it is commission questions." He addressed Ms. Blok to confirm that the purchase agreement stated a limit of animals. Haugen noted the restrictive covenants were filed with the deed and presented a visual of the papers described. Bartley noted a binding covenant was filed with the sale. Not an agreement with the neighbors. Findings of Facts were reviewed and completed by the board and placed on file.

VOTE: Roll call vote: Erickson-aye, Diedrich-aye, Bartley-aye, McHugh-aye, Davis-aye, Nelson-aye, Kleinjan-aye, Vanderwal-aye, Ford-aye. **MOTION CARRIED.**

#### **2020VAR010**

Application by Daniel Schaal 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 and Minimum Side Yard). The property is described as: "Lots 21-22 Exc W 2' Marvin Wade Subdivision in the NE1/4 of Section 6, T112N, R52W (Laketon Township)." ~~-located at 218 S Lake Dr, Arlington, SD 57212.

(Vanderwal/Bartley) Motion to approve the Variance request.

STAFF REPORT: Applicant is requesting a variance to build a deck 2 feet from the side property line and minor adjustment instead of 22 feet it will be 16 feet from the highest know water mark. A variance of 6 feet for the side set back and a variance of 59 feet from the highest known water mark. The existing deck/walkway is 5 feet wide x 23 feet long along the north side (lakeside) of the house and will be removed. The proposed deck will be all on one level, wheel chair accessible, and it will run along the side of the garage to the back of the house (lakeside), where it will connect to the house. The deck areas will be 14 feet wide x 37 feet long which includes a 6 feet x 15 feet walkway along the side of the garage and a small 6 feet x 18 feet deck. The property is in the floodplain. The applicant has added fill and raised up the back yard where the deck will be located. Considerations or hardships: Marvin Wade Subdivision was platted on May 24th, 1949 and shape and size of the lot. Public notices were published in the Brookings Register on July 21 and 28, 2020 and in the Arlington Sun on July 23 and 30, 2020. Office had received a comment from Annette Gering who had no objection to the variance request.

PUBLIC HEARING: Applicant Daniel Schaal was on the telephone and informed those present the deck would be a low deck with no rail and would not obstruct anyone's view.

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Proponents: None.

Opponents: None.

DISCUSSION: Davis asked if ice had ever been over the rock area (shoreline). Haugen noted the area had been raised up and no ice or water had been over the rock area. Findings of Facts were reviewed and completed by the board and placed on file.

VOTE: Diedrich-aye, Bartley-aye, McHugh-aye, Davis-aye, Nelson-aye, Kleinjan-aye, Vanderwal-aye, Erickson-aye, Ford-aye. **MOTION CARRIED.**

### **2020VAR009**

Application by Raymond Konz for a variance. Article IV District Requirements: Chapter 4.03 "LP" Lake-Park District: Section 4.03.03. Density, Area and Yard Regulation (Minimum Side Yard). The property is described as: "Lot 7 Point Clara Addition in SW1/4 of Section 22, T112N, R47W (Lake Hendricks Township)" located at 720 S Lake Hendricks Dr, Hendricks, MN 56136.

(Vanderwal/Davis) Motion to approve the Variance request.

STAFF REPORT: Applicant is requesting a variance to move in a used 24 feet x 36 feet garage with a 9 feet sidewall, 6 feet from the side property line, a variance of 2 feet. The proposed garage would be attached to the southeast corner of his house. The applicant has also applied for a conditional use (2020cu016) to move in the used garage. Considerations or hardships: location of the septic system and other utilities and Point Clara Addition was platted on April 2, 1975. Public notices were published in the Brookings Register on July 21 and 28, 2020 and in the Hendricks Pioneer on July 22 and 29, 2020.

PUBLIC HEARING: Applicant Raymond Konz informed those present he had nothing further to add Haugen's report.

Proponents: Haugen presented comments from adjoining landowners Vicki Kindelberger and David Kramer that had been received on August 3, 2020 noting no objection to the request for the variance or the conditional use.

Opponents: None.

DISCUSSION: Board members had no questions or comments regarding the request. Findings of Facts were reviewed and completed by the board and placed on file.

VOTE: Bartley-aye, McHugh-aye, Davis-aye, Nelson-aye, Kleinjan-aye, Vanderwal-aye, Erickson-aye, Diedrich-aye, Ford-aye. **MOTION CARRIED.**

### **2020CU016**

Application by Raymond Konz for a conditional use. Article IV District Requirements: Chapter 4.03 "LP" Lake-Park District: Section 4.03.02 Conditional Uses Permit # 6:

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Accessory buildings with a side-wall greater than fourteen (14) feet or more than 2,000 square feet and used accessory buildings greater than 120 square feet. The property is described as: "Lot 7 Point Clara Addition in SW1/4 of Section 22, T112N, R47W (Lake Hendricks Township)"~~ located at 720 S Lake Hendricks Dr, Hendricks, MN 56136.

(Davis/Kleinjan) Motion to approve the Conditional Use.

STAFF REPORT: Applicant is requesting a Lake-Park District conditional use to move in a used 24 feet x 36 feet garage with 9 feet sidewalls. The used garage is located at the neighbor's to the east. He is proposing attaching the garage to the southeast corner of his house. The garage was built in 2011 and the applicant applied for a variance to be closer to the side property line. Public notices were published in the Brookings Register on July 21 and 28, 2020 and in the Hendricks Pioneer on July 22 and 29, 2020.

PUBLIC HEARING: Applicant Raymond Konz informed those present he had nothing further to add Haugen's report.

Proponents: Luke Muller asked to point out the unique circumstance that he is attaching the garage to the cabin, which is a unique request but fits in well with the area. He also wanted to clarify that there was not an existing attached garage on the cabin at this time.

Opponents: None.

DISCUSSION: Board member had no questions or comments regarding the request. Findings of Facts were reviewed and completed by the board and placed on file.

VOTE: McHugh-aye, Davis-aye, Nelson-aye, Kleinjan-aye, Vanderwal-aye, Erickson-aye, Diedrich-aye, Ford-aye. **MOTION CARRIED.**

#### **2020CU015**

Application by Robert Winter for Dakota Redi-Mix LLC for a conditional use. Article 11: Section 11.01: "A" Agricultural District: Conditional Use Permit # 5B: Concrete Mixing Plant. The property is described as: "SE1/4 Exc H-3 & H-4 of Section 18, T109N, R49W (Trenton Township)". ~~~ located at 47280 SD Hwy 324, Brookings, SD 57006.

(Kleinjan/Bartley) Motion to approve the Conditional Use.

STAFF REPORT: Haugen noted that Nelson had recused himself and there were 8 voting members left. Applicant is requesting an agricultural district conditional use # 5B: Concrete Mixing Plant. Report given noted the operator's site plan, business plan, hours of operation. The applicant would also need the appropriate water permit from the South Dakota Department of Environment and Natural Resources for water used at the plant. The parcel was located in the flood plain and Zone "B" of the South Dakota Aquifer Materials Map. The applicant will have to meet the "Performance Standards" listed Section 4.06.06 of the Aquifer Protection Ordinance. East Dakota Development District had reviewed the proposed plans. Public notices were published in the Brookings Register on July 21 and 28, 2020.

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PUBLIC HEARING: Applicant Robert Winter informed those present he had nothing further to add Haugen's report.

Proponents: None.

Opponents: Those present that spoke in opposition were: Kevin Telkamp and Keith Allison. Concerns voiced were: 1) Weeds and poor control adversely affecting neighboring land. 2) Concerns with truck traffic and causing road issues. Haugen noted and read thru calls, emails and letters that had been received from: Pamela Telkamp, Lisa Telkamp-Castro and Leona Telkamp. Items had been placed online and filed.

DISCUSSION: Davis asked: 1) who was currently operating the gravel pit? 2) If the location of proposed cement plant could be moved to a different area of the existing gravel pit? 3) Question of dust during processing. Robert Winter noted he and his brother each operated 1/2 of the pit. The proposed cement plant was planned to be centrally located but could be moved on the other side (west side) of road coming into the pit and dust collectors were used, and no dust escaped. Winter asked to address road concern noting that current traffic on 473<sup>rd</sup> was high due to the area roads being closed going thru town so L.G. Everist and Bowes were also using the road more. Bartley noted that if 20<sup>th</sup> Street overpass gets constructed truck traffic will greatly lessen. Bartley encouraged Winter's to closely monitor and control weeds, and noted he had no issue with proposed location and no need to move proposed plant within the pit. Bartley confirmed that a reclamation plan was on file for the pit. Findings of Facts were reviewed and completed by the board and placed on file.

VOTE: Davis-aye, Kleinjan-aye, Vanderwal-aye, Erickson-aye, Diedrich-aye, Bartley-aye, McHugh-aye, Ford-aye. **MOTION CARRIED.**

### **DEPARTMENT REPORTS**

Hill announced that Brookings County still had cases of Covid-19 and that the County Commission still recommended following the CDC guidelines, social distancing and also noted first death due to the virus had also occurred. He reminded everyone to remain as careful as you can, you can be a carrier and not know it, and use your best judgement. Haugen told board members to review and sign the conflict of interest memo from the county. Bartley noted if there were any questions regarding the document to discuss with him.

### **ADJOURN**

(Vanderwal/Bartley) Motion to adjourn. All members voted "aye." **MOTION CARRIED.**  
Chair Ford adjourned the meeting at 9:58 PM.

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Rae Lynn Maher  
Brookings County  
Development Department

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## BROOKINGS COUNTY DEVELOPMENT

Planning, Zoning and Drainage / Emergency Management

Brookings City & County Government Center

520 3<sup>rd</sup> Street, Suite 200

Brookings, SD 57006

(605) 696-8350

E-Mail: [zoning@brookingscountysd.gov](mailto:zoning@brookingscountysd.gov)

Brookings County Planning and Zoning Commission

September 1, 2020 – 8:00 PM meeting

# 2020plat018– September 1, 2020

Prepared by Richard Haugen

Applicant/Owner: Robert Robish, 32843 Hwy 71, Redwood Falls, MN 56283

Site: 134 S Lake Dr, Arlington, SD 57212

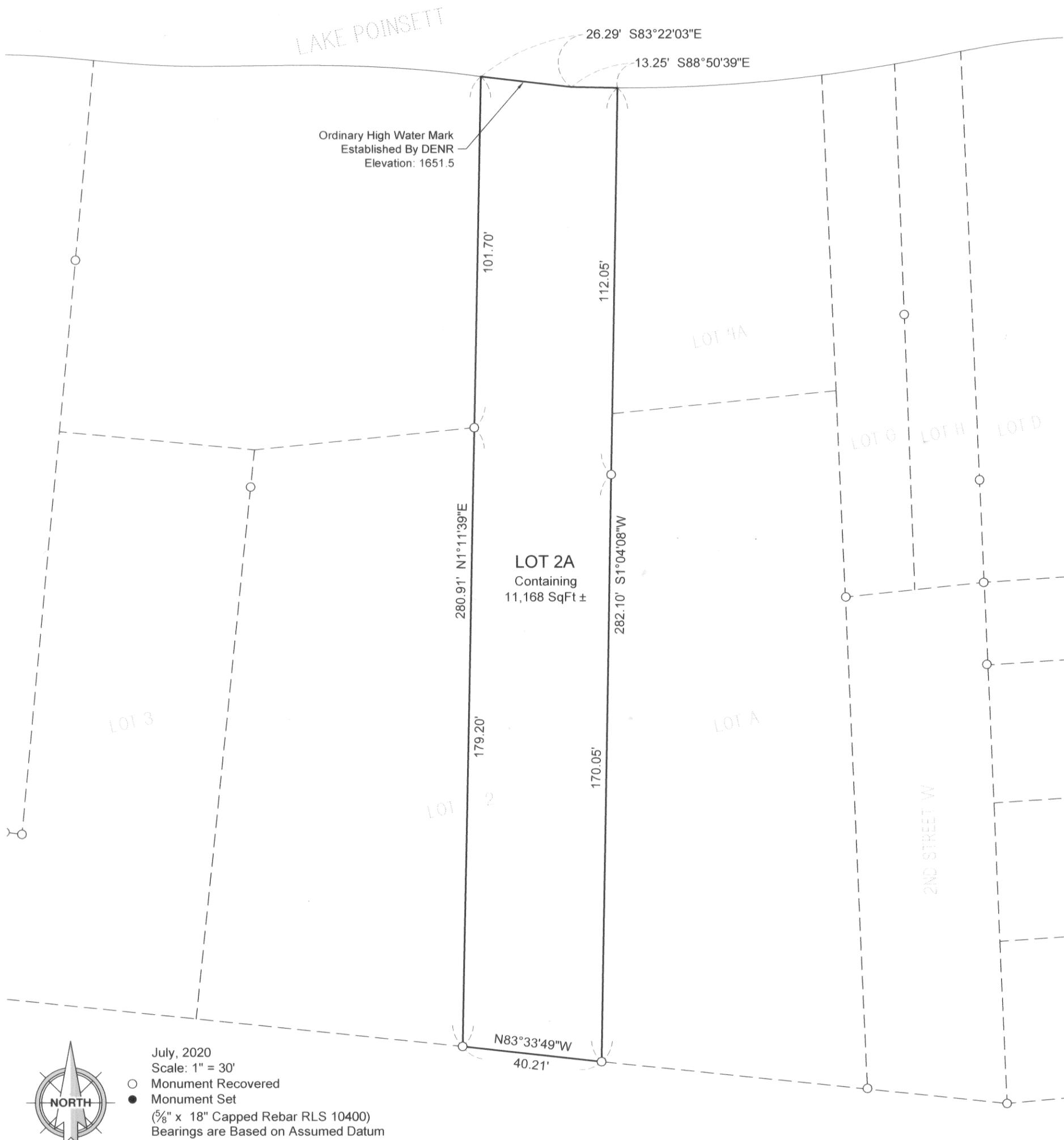
Legal Description: “Plat of Lot 2A of Lake Poinsett Heights Addition, Christoffer Madsen’s Subdivision in Government Lots 3 and 4 in Section 5, T112N, R52W, of the 5<sup>th</sup> P.M., Brookings County, South Dakota.”

2020plat018: Robert Robish is re-platting his lot at Lake Poinsett to the ordinary high water mark. I have included the original plat of Lake Poinsett Heights, Christoffer Madsen Subdivision in this report. The width of the lot will stay the same, it is the depth of the lot that is being updated down to the Ordinary High Water Mark.

# PLAT OF

## LOT 2A OF LAKE POINSETT HEIGHTS ADDITION, CHRISTOFFER MADSEN'S SUBDIVISION IN GOVERNMENT LOTS 3 AND 4 IN SECTION 5, T112N, R52W OF THE 5<sup>TH</sup> P.M., BROOKINGS COUNTY, SOUTH DAKOTA.

THIS PLAT TO VACATE AND REPLAT A PORTION OF LOT 2 OF PLAT OF LAKE POINSETT HEIGHTS ADDITION, CHRISTOFFER MADSEN'S SUBDIVISION IN GOVERNMENT LOTS 3 AND 4 OF SECTION 5, T112N, R52W OF THE 5<sup>TH</sup> P.M., BROOKINGS COUNTY, SOUTH DAKOTA. FILED FOR RECORD IN THE BROOKINGS COUNTY REGISTER OF DEEDS OFFICE IN BOOK 3 OF PLATS ON PAGE 53.



July, 2020  
 Scale: 1" = 30'  
 ○ Monument Recovered  
 ● Monument Set  
 (5/8" x 18" Capped Rebar RLS 10400)  
 Bearings are Based on Assumed Datum

**SURVEYOR'S CERTIFICATE**

I, Andrew E. Kangas, a Registered Land Surveyor of the State of South Dakota, do hereby certify that on or before the 21st day of July, 2020 and at the request of the owner of the real property hereinafter described, surveyed and platted a portion of Lake Poinsett Heights Addition, Christoffer Madsen's Subdivision of Government Lots 3 and 4 in Section 5, Township 112 North, Range 52 West of the 5th P.M. Brookings County, South Dakota, as shown on the plat, and marked upon the ground boundaries thereof in the manner shown on the plat, and that the attached plat is a true and correct representation of said survey and that the parcel of land so platted contains: "PLAT OF LOT 2A OF LAKE POINSETT HEIGHTS ADDITION, CHRISTOFFER MADSEN'S SUBDIVISION IN GOVERNMENT LOTS 3 AND 4 IN SECTION 5, T112N, R52W OF THE 5<sup>TH</sup> P.M., BROOKINGS COUNTY, SOUTH DAKOTA".

IN WITNESS WHEREOF, I have executed this Surveyor's Certificate this 21st day of July, 2020.

Prepared By:



Civil Engineers & Land Surveyors  
 Brookings, South Dakota  
 Ph. 605-696-3200





Lot 2A Lake Poinsett Heights Addition

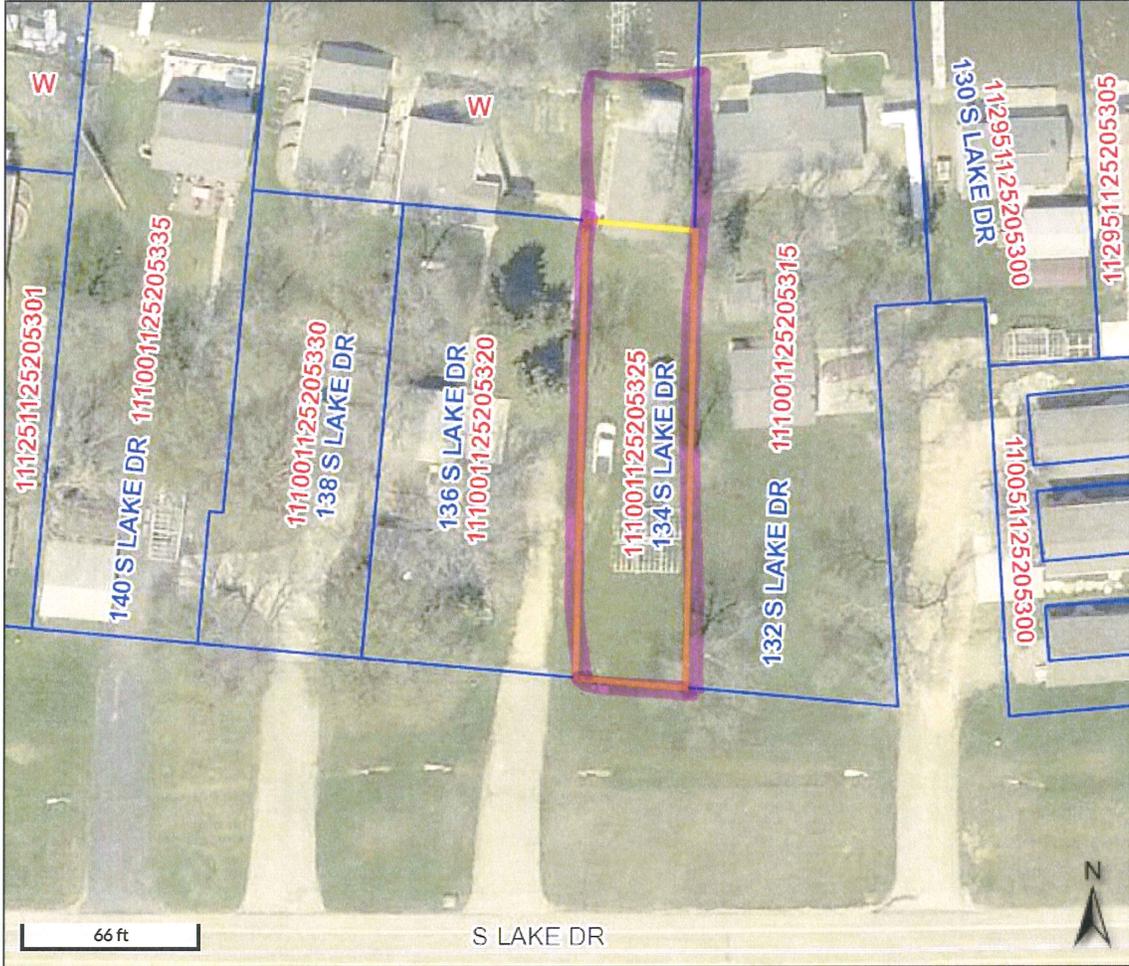


2020 plat 018

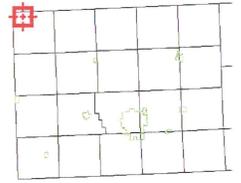


Beacon™

Brookings County, SD



Overview



Legend

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

Parcel ID	111001125205325	Alternate ID	n/a	Owner Address	ROBISH, ROBERT E ET UX
Sec/Twp/Rng	5-112-52	Class	NAC		32843 HWY 71
Property Address	134 S LAKE DR	Acreage	n/a		REDWOOD FALLS MN 56283
	ARLINGTON				
District	110919				
Brief Tax Description	LAKE POINSETT HTS. OL 1 TO 4 INC SEC 5-112-52 E 40' OF LOT 2 40' X 171.4'				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 8/5/2020  
 Last Data Uploaded: 8/5/2020 8:06:45 AM

Developed by Schneider  
 GEOSPATIAL

## BROOKINGS COUNTY DEVELOPMENT

Planning, Zoning and Drainage / Emergency Management

Brookings City & County Government Center

520 3<sup>rd</sup> Street, Suite 200

Brookings, SD 57006

(605) 696-8350

E-Mail: [zoning@brookingscountysd.gov](mailto:zoning@brookingscountysd.gov)

Brookings County Planning and Zoning Commission

September 1, 2020 – 8:00 PM meeting

# 2020plat019– September 1, 2020

Prepared by Richard Haugen

Applicant/Owner: Tena Haroldson, 7200 S Louise Ave, Sioux Falls, SD 57108

Site: 136 and 138S Lake Dr, Arlington, SD 57212

Legal Description: “Plat of Lot 2B and 3A of Lake Poinsett Heights Addition, Christoffer Madsen’s Subdivision in Government Lots 3 and 4 in Section 5, T112N, R52W, of the 5<sup>th</sup> P.M., Brookings County, South Dakota.”

2020plat019: Tena Haroldson is re-platting her lot at Lake Poinsett to the ordinary high water mark and property line adjustment between cabins on Lot 2 and Lot 3. I have included the original plat of Lake Poinsett Heights, Christoffer Madsen Subdivion in this report. The width of the lot will stay the same, it is the depth of the lot that is being updated down to the Ordinary High Water Mark. The applicant owns both lots, the cabin on lot 3A was built in 1950 and the cabin built on lot 2B was built in 1930. The lot line between Lot 2 and Lot 3 was adjusted slightly so that each cabin is on the appropriate lot.

2020plat019

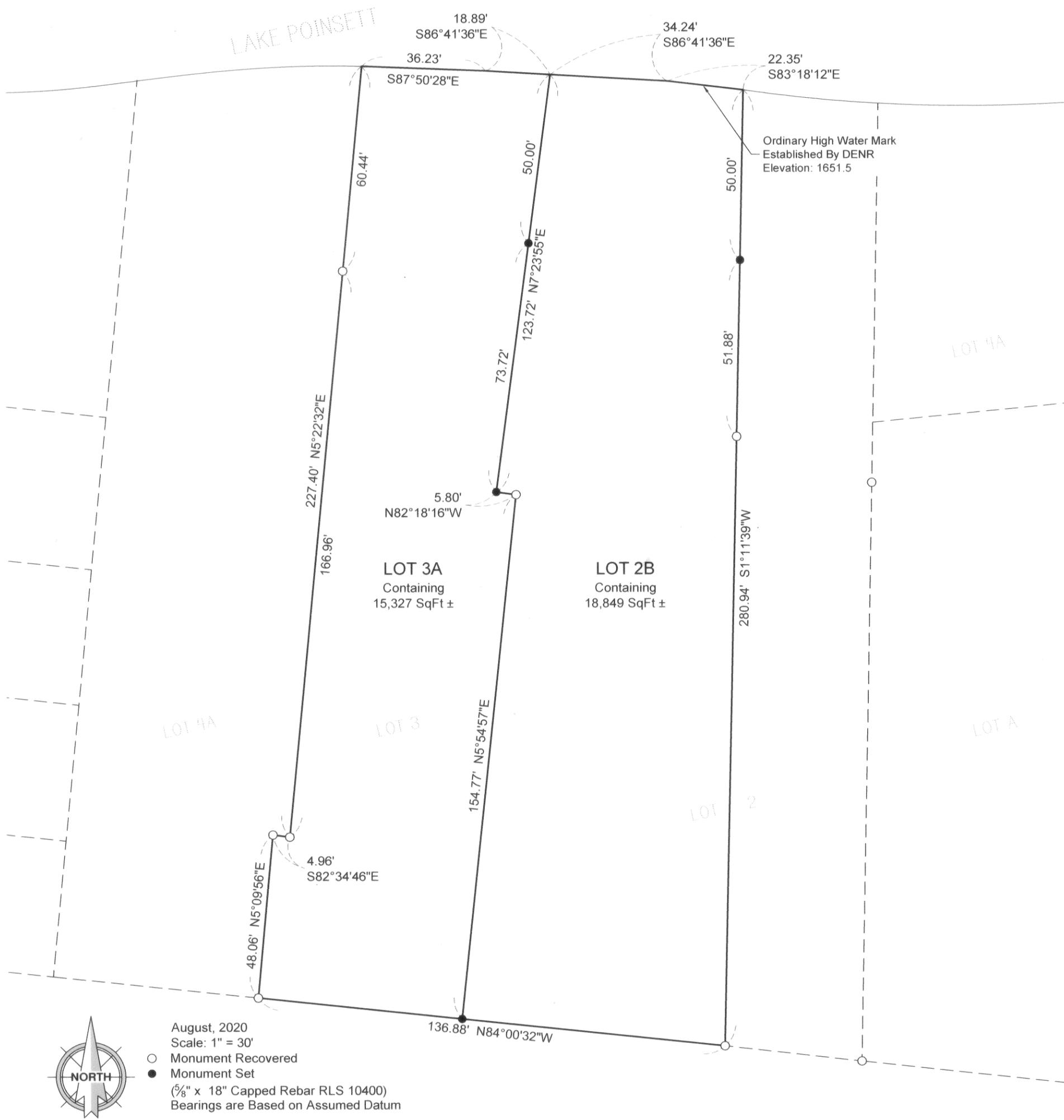
Staff Report

September 1, 2020

**PLAT OF**

**LOTS 2B AND 3A OF LAKE POINSETT HEIGHTS ADDITION, CHRISTOFFER MADSEN'S SUBDIVISION OF LOTS 3 AND 4 IN SECTION 5, T112N, R52W OF THE 5<sup>TH</sup> P.M., BROOKINGS COUNTY, SOUTH DAKOTA.**

THIS PLAT TO VACATE AND REPLAT LOT 3 AND A PORTION OF LOT 2 OF PLAT OF LAKE POINSETT HEIGHTS ADDITION, CHRISTOFFER MADSEN'S SUBDIVISION IN GOVERNMENT LOTS 3 AND 4 OF SECTION 5, T112N, R52W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA. FILED FOR RECORD IN THE BROOKINGS COUNTY REGISTER OF DEEDS OFFICE IN BOOK 3 OF PLATS ON PAGE 53.



Ordinary High Water Mark  
Established By DENR  
Elevation: 1651.5



August, 2020  
Scale: 1" = 30'  
○ Monument Recovered  
● Monument Set  
(5/8" x 18" Capped Rebar RLS 10400)  
Bearings are Based on Assumed Datum

**SURVEYOR'S CERTIFICATE**

I, Andrew E. Kangas, a Registered Land Surveyor of the State of South Dakota, do hereby certify that on or before the 17th day of August, 2020 and at the request of the owner of the real property hereinafter described, surveyed and replatted a portion of Lake Poinsett Heights Addition, Christoffer Madsen's Subdivision of Government Lots 3 and 4 in Section 5, Township 112 North, Range 52 West of the 5th P.M. Brookings County, South Dakota, as shown on the plat, and marked upon the ground boundaries thereof in the manner shown on the plat, and that the attached plat is a true and correct representation of said survey and that the parcel of land so platted contains: "PLAT OF LOTS 2B AND 3A OF LAKE POINSETT HEIGHTS ADDITION, CHRISTOFFER MADSEN'S SUBDIVISION OF LOTS 3 AND 4 IN SECTION 5, T112N, R52W OF THE 5<sup>TH</sup> P.M., BROOKINGS COUNTY, SOUTH DAKOTA".

IN WITNESS WHEREOF, I have executed this Surveyor's Certificate this 17th day of August, 2020.

Prepared By:



Civil Engineers & Land Surveyors  
Brookings, South Dakota  
Ph. 605-696-3200

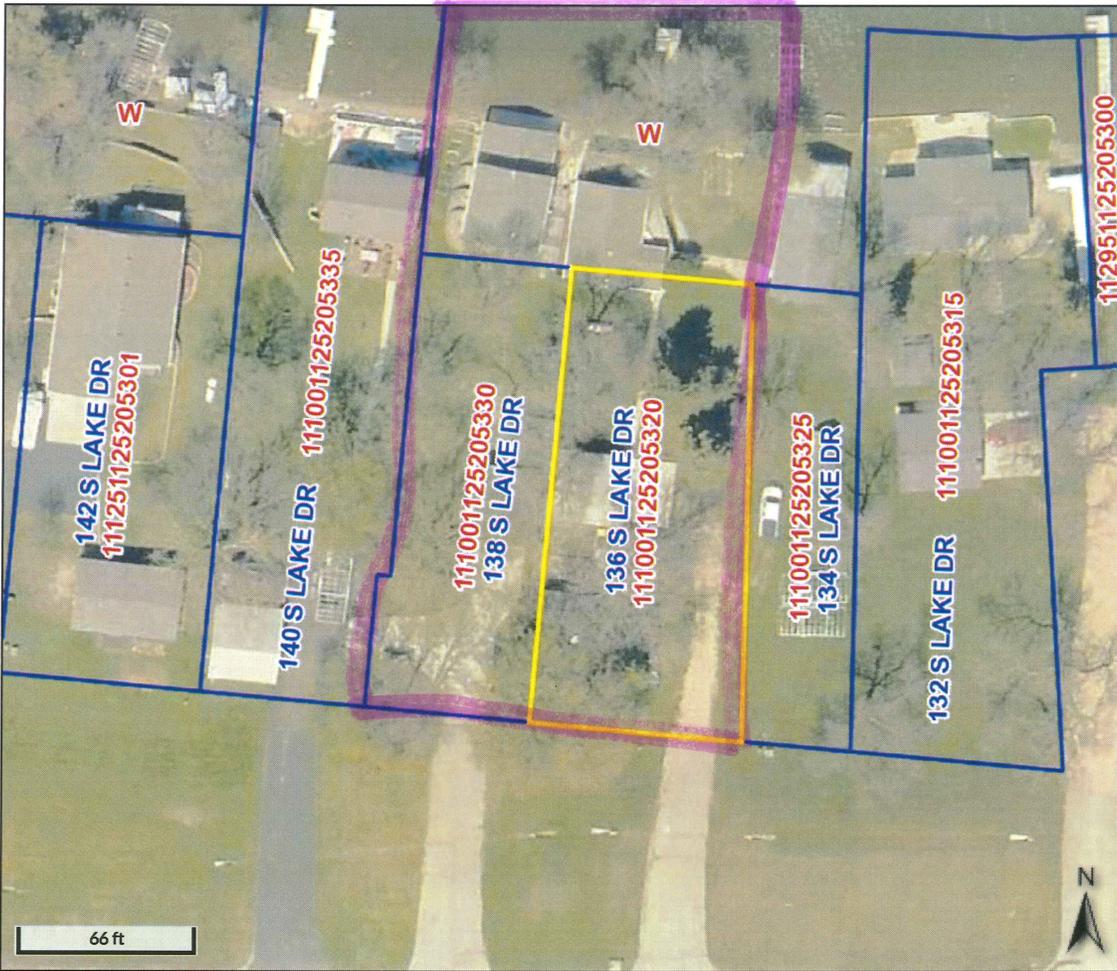




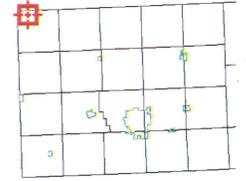
Lots 2B & 3A Lake Pointsett Heights Addition



2020 plat 019



Overview



Legend

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

Parcel ID	111001125205320	Alternate ID	n/a	Owner Address	138 SOUTH LAKE LLC
Sec/Twp/Rng	5-112-52	Class	NAC		SEND TO: TENA HARLADSON
Property Address	136 S LAKE DR	Acreage	n/a		7200 S LOUISE AVE
	ARLINGTON				SIOUX FALLS SD 57108
District	110919				
Brief Tax Description	LAKE POINSETT HTS. OL 1 TO 4 INC SEC 5 LOT 2 EXC. E 40' THEREOF SEC 5-112-52 66' X 168.2' & 11.67' X 168.2'				
	(Note: Not to be used on legal documents)				

Date created: 8/20/2020  
 Last Data Uploaded: 8/20/2020 8:08:03 AM

Developed by Schneider  
 GEOSPATIAL

## BROOKINGS COUNTY DEVELOPMENT

Planning, Zoning and Drainage / Emergency Management

Brookings City & County Government Center

520 3<sup>rd</sup> Street, Suite 200

Brookings, SD 57006

(605) 696-8350

E-Mail: [zoning@brookingscountysd.gov](mailto:zoning@brookingscountysd.gov)

Brookings County Planning and Zoning Commission

September 1, 2020 – 8:00 PM meeting

# 2020plat020 – September 1, 2020

Prepared by Richard Haugen

Applicant/Owner: Soobrook Farms, Inc, 110 Teton Ln, Brookings, SD 57006

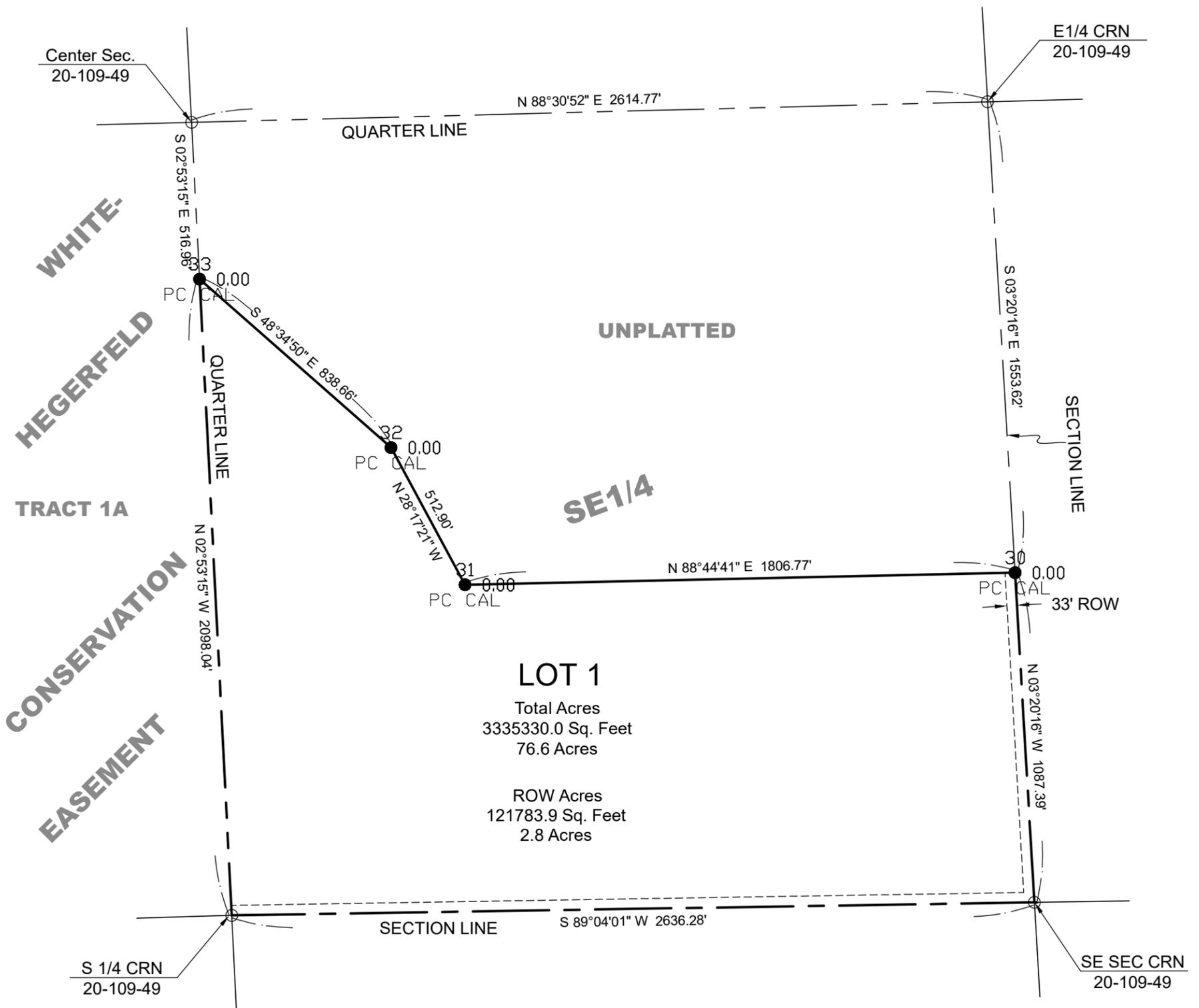
Legal Description: “Plat of Soobrook Farm’s Addition in the SE1/4 of Section 20, T109N, R49W of the 5<sup>th</sup> P.M., Brookings County, South Dakota.”

2020plat020: Soobrook Farms, Inc is platting off 76.6 acres from the 160.0 acres owned in Section 20 that contains pasture and farm ground. The platted area is pastureland and some farm ground.

The plat meets the platting requirements for the 2016 Comprehensive Plan-Unincorporated Rural Area Land Use statement on page 24 for Agricultural Land Use.

# PLAT OF SOOBROOK FARM'S ADDITION

IN THE SE1/4 OF SECTION 20, TOWNSHIP 109 NORTH, RANGE 49 WEST OF THE 5TH P.M. IN  
BROOKINGS COUNTY, SOUTH DAKOTA.



**LOT 1**  
 Total Acres  
 3335330.0 Sq. Feet  
 76.6 Acres  
  
 ROW Acres  
 121783.9 Sq. Feet  
 2.8 Acres

## SURVEYOR'S CERTIFICATE

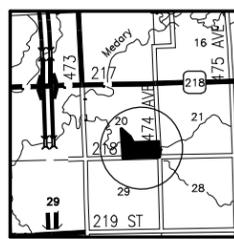
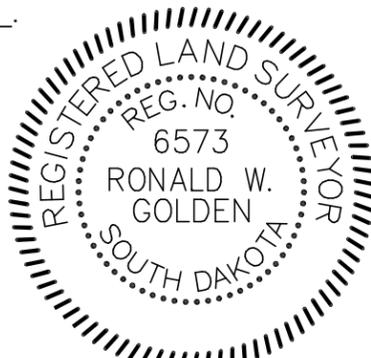
I, Ronald W. Golden, a Registered Land Surveyor in the State of South Dakota, do hereby certify that I did on or before June 24th, 2020, at the request of the owner, surveyed and platted a portion of the Southeast Quarter (SE1/4) of Section Twenty (20), Township One Hundred Nine (109) North, Range Forty-Nine (49) West of the 5th P.M., Brookings County, South Dakota. The portion of the parcel so platted being that shown on the accompanying plat as :

LOT 1 OF SOOBROOK FARM'S ADDITION IN THE SOUTHEAST QUARTER (SE1/4) IN SECTION TWENTY (20), TOWNSHIP ONE HUNDRED NINE (109) NORTH, RANGE FORTY-NINE (49) WEST OF THE 5th P.M. IN BROOKINGS COUNTY, SOUTH DAKOTA.

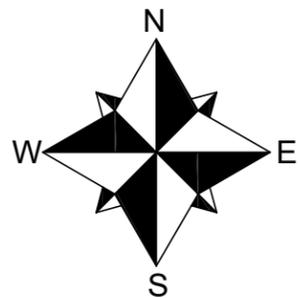
This plat correctly shows the results of this survey and each corner is monumented as shown on said plat.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Ronald W. Golden, RLS  
 Registration No. 6573



VICINITY MAP  
 20-109-49



Basis of Bearing  
 GPS Observation



SCALE: 1" = 400'

## LEGEND

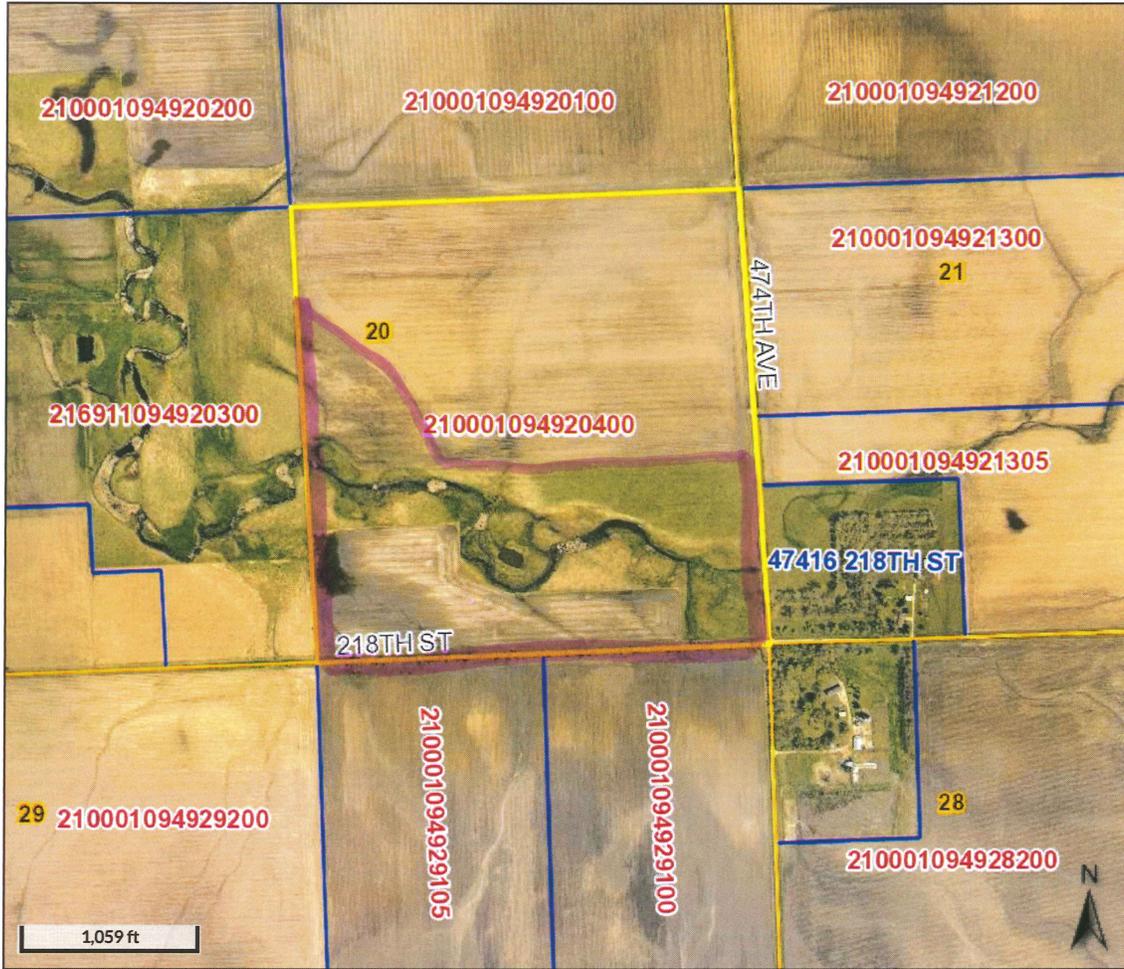
- SET 5/8" REBAR w/ CAP
- FOUND IRON MONUMENTATION
- SECTION LINE
- - - 1/4 LINE
- PROPERTY LINE
- - - PUBLIC RIGHT OF WAY



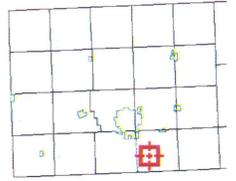
# Soobrook Farm's Addition



2020 plat 020



Overview



Legend

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

Parcel ID	210001094920400	Alternate ID	n/a	Owner Address	SOOBROOK FARMS INC
Sec/Twp/Rng	20-109-49	Class	AGA		110 TETON LN
Property Address		Acreage	160		BROOKINGS SD 57006
District	2101				
Brief Tax Description	SE 1/4 SEC 20-109-49 160.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 8/21/2020  
 Last Data Uploaded: 8/21/2020 8:08:35 AM

Developed by Schneider  
 GEOSPATIAL

RECEIVED

APPLICATION FOR VARIANCE  
TO  
ZONING REGULATIONS

JUL 24 2020

BROOKINGS  
COUNTY DEVELOPMENT

Date of Application: 7/24/2020

Variance Number: 2020 var 011

To: Brookings County Board of Adjustment  
520 3<sup>rd</sup> 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:

Moving in used residence. Existing house is  
being demolished

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.

With the shape of the house and location of  
entry doors the house needs to sit at an angle  
to the existing garage. There is an existing well  
that is still used in the way and that prohibits  
us from being able to move the house further east.

D.) Legal Description of Property:

NW 1/4 NW 1/4 NW 1/4 of Section 14, T 110N, R 51W).  
Parcel # 22980110S114200 Volga Twp  
site addr: 1206 N Samara Ave, Volga SD 57071.

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

Sept 1 2010  
Date

8:00 pm  
Time

Approved \_\_\_\_\_

Rejected \_\_\_\_\_

\_\_\_\_\_ Date

\_\_\_\_\_ Chairman of Brookings County Board  
of Adjustment

Dave Vander Wal  
Person filing petition – print

[Signature]  
Person filing petition – sign

1206 N. Samara  
Address

Volga SD  
City

SD  
State

57071  
Zip Code

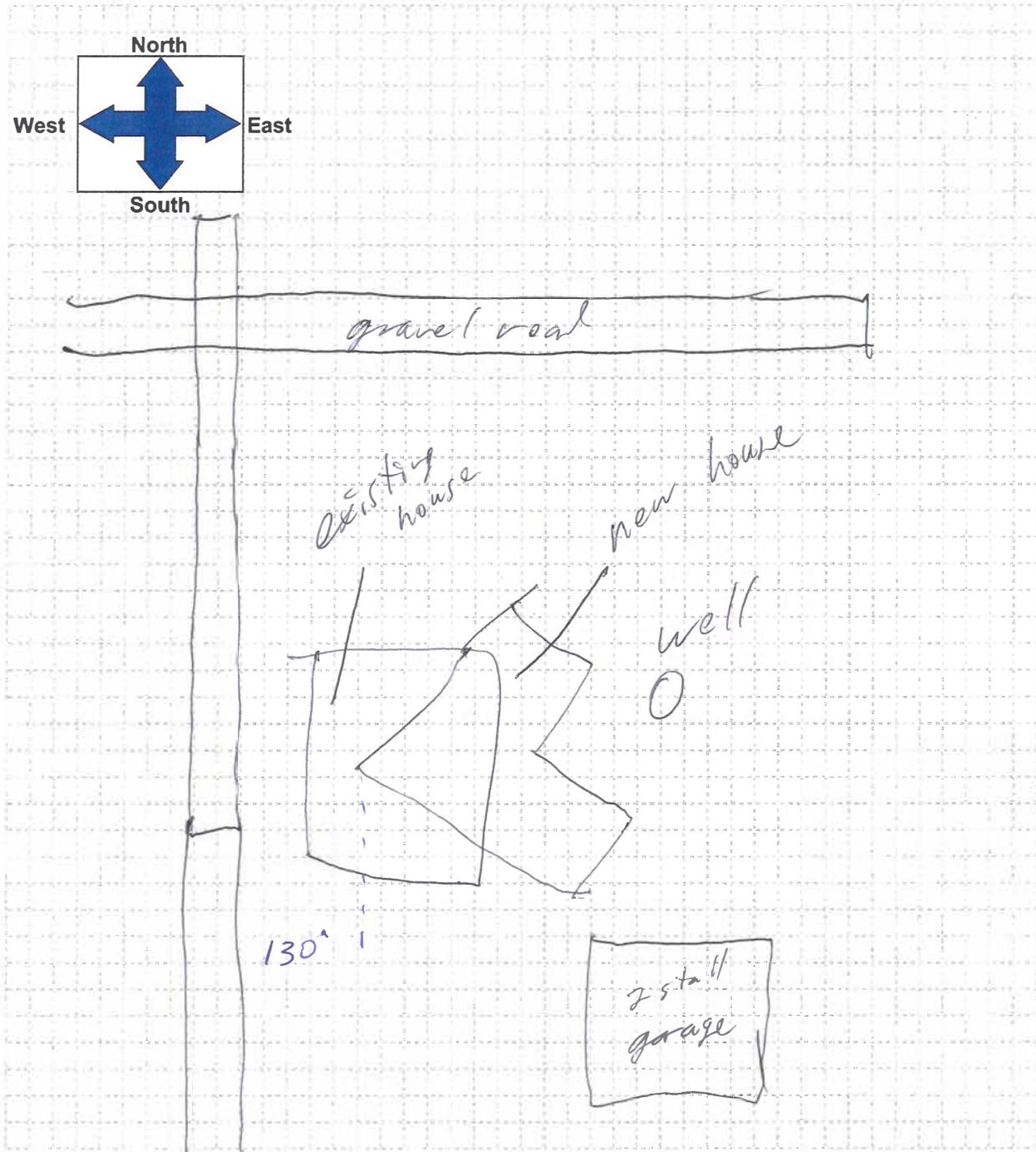
605-690-0880  
Telephone

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

2020 var 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 3<sup>rd</sup> Street, Suite 200

Brookings, SD 57006

(605) 696-8350

E-Mail: [zoning@brookingscountysd.gov](mailto:zoning@brookingscountysd.gov)

Brookings County Board of Adjustment

September 1, 2020 – 8:00 PM meeting

# 2020var011 – September 1, 2020

Prepared by Richard Haugen

Applicant: Dave Vanderwal, 1206 N. Samara, Volga, SD 57071

Legal Description: “NW1/4 NW1/4 NW1/4 of Section 14, T110N, R51W (Volga 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.”*

2020var011: Dave Vanderwal has applied for a variance to move in a use residence, 120 feet from the center of Samara Ave (464<sup>th</sup> Ave), a variance of 30 feet. The required setback is 150 feet from the center of the road. The existing house is becoming structurally unsound and will be removed. The existing house is 111 feet from the center of the road. The proposed used residence will be 120 feet from the center of the road, 9 feet farther back than the current residence. The applicant has a well that is actively being used that is preventing him from meeting the required setback requirement. The used house is being moved off from another farm that they own located at 730 N Samara Ave and that lot will be used for feed or machinery storage. The applicant has all of the adjoining landowner’s signatures as required by the Zoning Ordinance, to move in a used house onto his property.

Things to consider are shape and size of farm yard and location of existing well.

Public notices were published in the Brookings Register on August 18 and 25, 2020 and the Volga Tribune on August 20 and 27, 2020.

Letters were sent to the adjoining landowner’s, Volga Township Chairman and Clerk.

2020var011

Staff Report

September 1, 2020

RECEIVED

APPLICATION FOR VARIANCE  
TO  
ZONING REGULATIONS

JUL 2 4 2020

BROOKINGS  
COUNTY DEVELOPMENT

Date of Application: 7/24/2020

Variance Number: 2020 var 011

To: Brookings County Board of Adjustment  
520 3<sup>rd</sup> 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:

Moving in used residence. Existing house is  
being demolished

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.

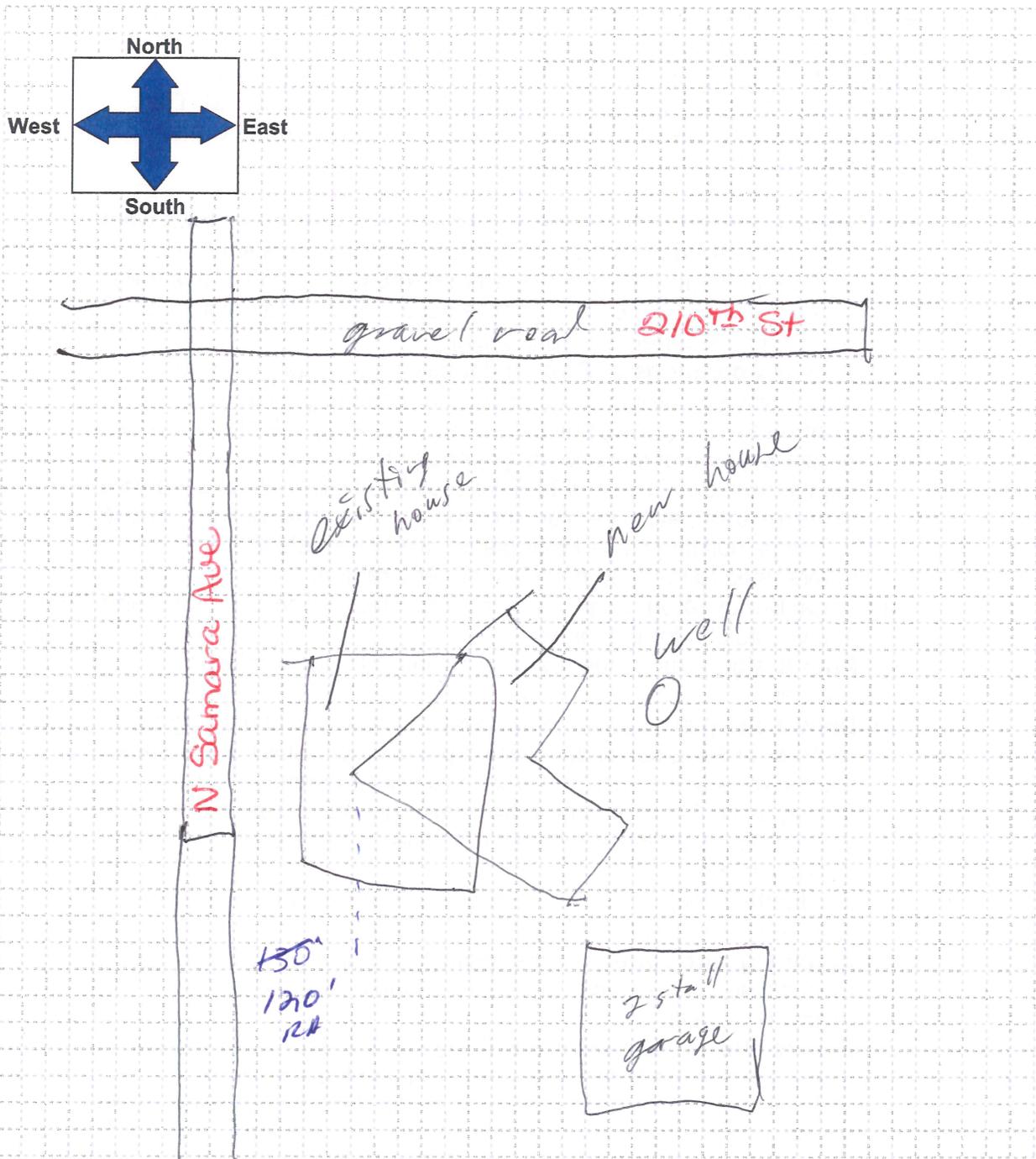
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms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

With the shape of the house and location of  
entry doors the house needs to sit at an angle  
to the existing garage. There is an existing well  
that is still used in the way and that prohibits  
us from being able to move the house further east.

2020 var 011

**SKETCH**

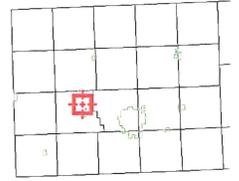
Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.



2020 UAR 011 - Existing Residence



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	229801105114200	Alternate ID	n/a	Owner Address	VANDERWAL, EDWARD D ET AL
Sec/Twp/Rng	14-110-51	Class	AGC		511 E 1ST ST
Property Address	1206 N SAMARA AVE	Acreage	10		VOLGA SD 57071
	VOLGA				
District	2205				
Brief Tax Description	NW 1/4 NW 1/4 NW 1/4 OF SEC. 14-110-51 10.00 AC				
	(Note: Not to be used on legal documents)				

Date created: 7/27/2020  
Last Data Uploaded: 7/27/2020 8:07:04 AM

Developed by  Schneider GEOSPATIAL

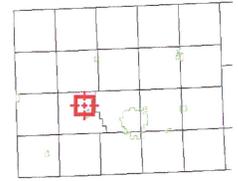
Existing house setback  
from the center of  
N Samara Ave (464<sup>th</sup> Ave)



2020 VAPOROLL - Proposed house location



Overview



Legend

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

Parcel ID	229801105114200	Alternate ID	n/a	Owner Address	VANDERWAL, EDWARD D ET AL
Sec/Twp/Rng	14-110-51	Class	AGC		511 E 1ST ST
Property Address	1206 N SAMARA AVE	Acreage	10		VOLGA SD 57071
	VOLGA				
District	2205				
Brief Tax Description	NW 1/4 NW 1/4 NW 1/4 OF SEC. 14-110-51 10.00 AC				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 8/21/2020  
Last Data Uploaded: 8/21/2020 8:08:35 AM

Developed by Schneider GEOSPATIAL

Proposed location of used house

120' from the center of N Samara Ave  
(Aka - Brkly only 5)  
464th Ave

2020 var 011 - House to be moved from 703 N Samara Ave  
Volga



Looking north from driveway along N Samara Ave (Cnty # 5, 464<sup>th</sup> Ave.)

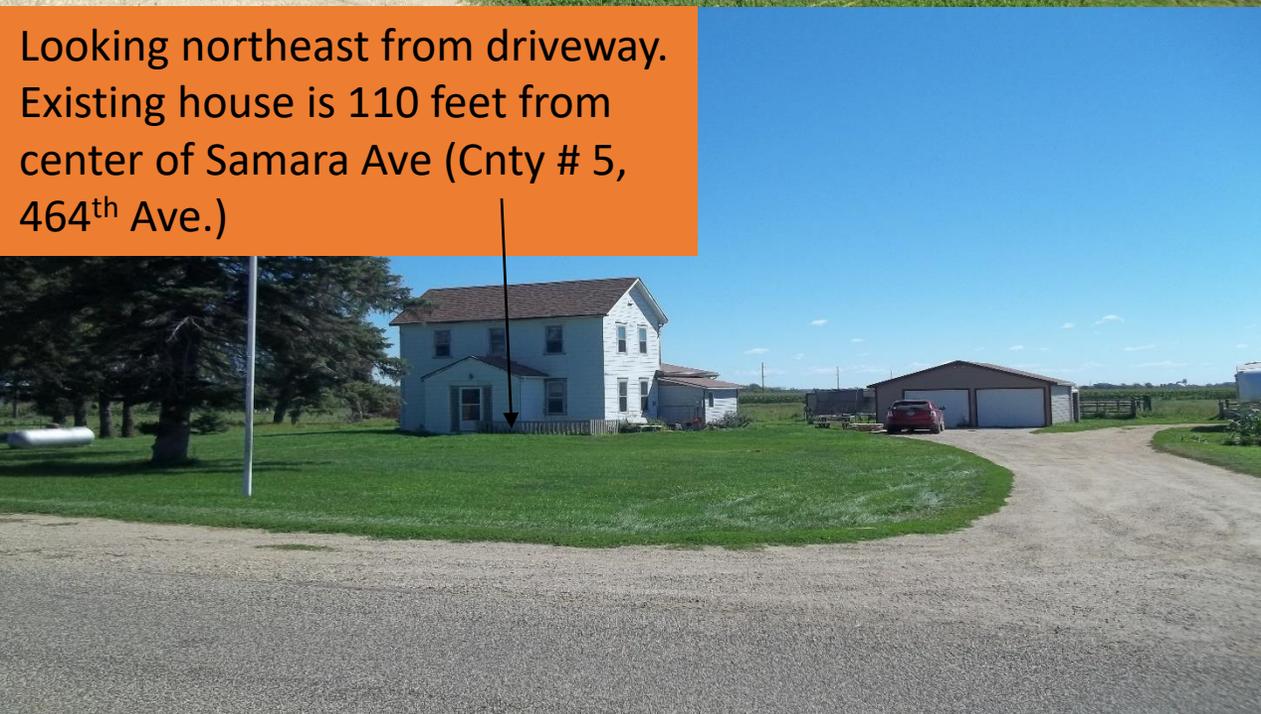


Looking south from driveway along N Samara Ave (Cnty # 5, 464<sup>th</sup> Ave.)



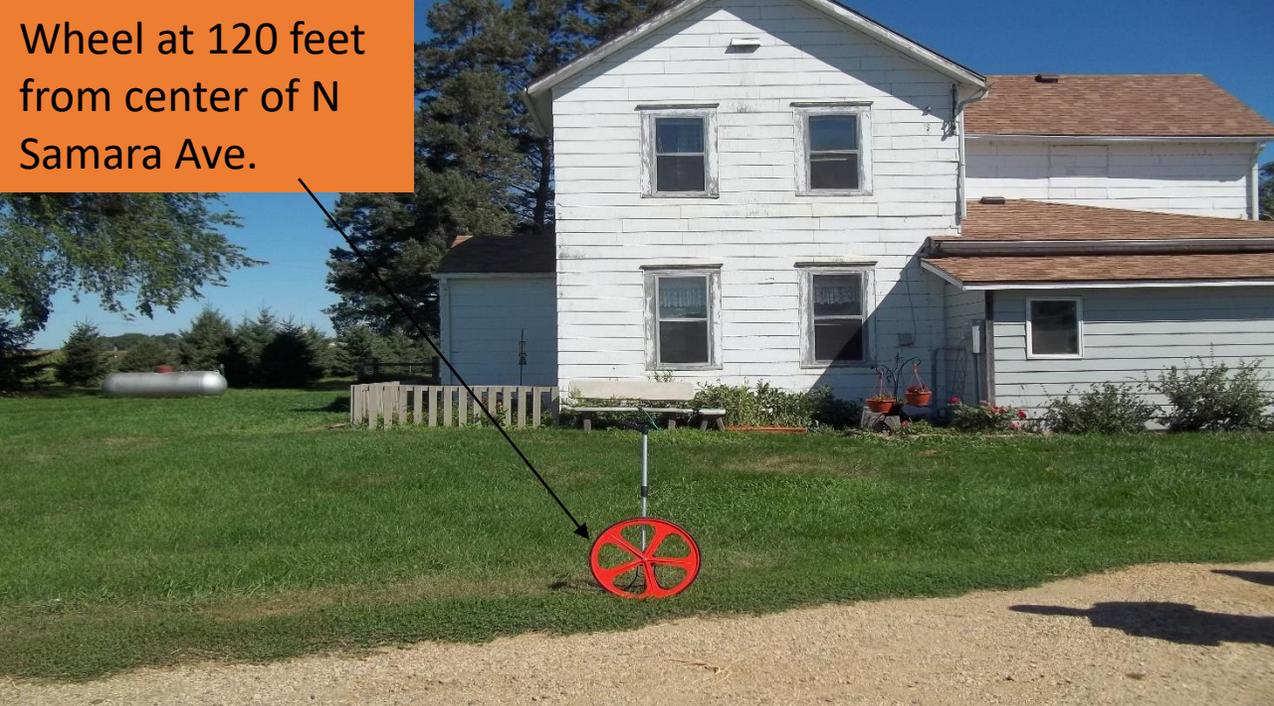
2020var011: Dave VanderWal

Looking northeast from driveway. Existing house is 110 feet from center of Samara Ave (Cnty # 5, 464<sup>th</sup> Ave.)

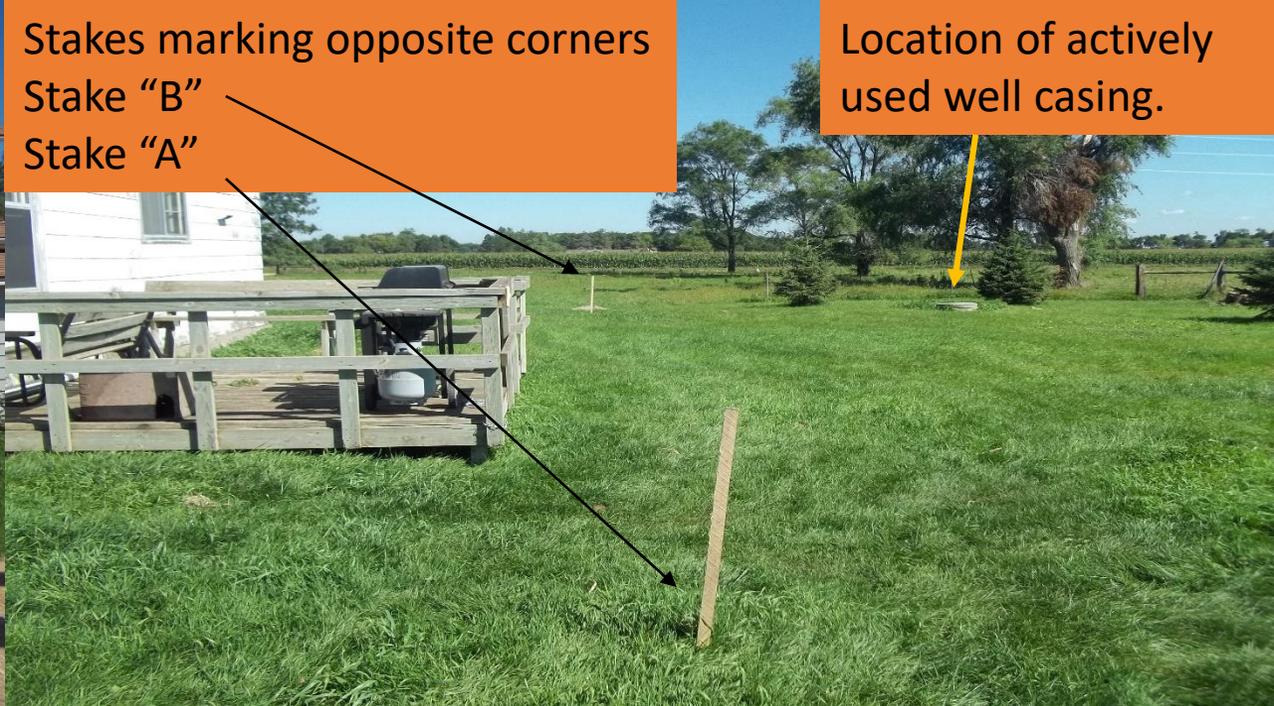


Looking east from driveway.





Wheel at 120 feet from center of N Samara Ave.



Stakes marking opposite corners  
Stake "B"  
Stake "A"

Location of actively used well casing.

APPLICATION FOR VARIANCE  
TO  
ZONING REGULATIONS

JUL 29 2020

BROOKINGS  
COUNTY DEVELOPMENT

Date of Application: July 29, 2020

Variance Number: 2020012

To: Brookings County Board of Adjustment  
520 3<sup>rd</sup> 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 10' x 23' deck on the front of the house (East side).

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

Article IV District Reg: 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.

Set back requirements have changed since house was built.  
Neighbors decks are as close to high water mark as I would  
like to build my deck.

D.) Legal Description of Property:

Lot 10 & W/2 Lot 11 in Bortnem Beach Addtn of  
Govt Lots 3 and 4 in Sec 32, T109N, R50W  
(Medary Twp)

Site: Also known as 8948 Bortnem Beach Road  
Parcel # 12025-10950-322-18

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

Sept 1, 2020  
Date

8:00 pm  
Time

Approved

Rejected

Date

Chairman of Brookings County Board  
of Adjustment

Matthew A. Counsley  
Person filing petition - print

  
Person filing petition - sign

8948 Bortnem Beach Road  
Address

Volga  
City

S.D.  
State

57071  
Zip Code

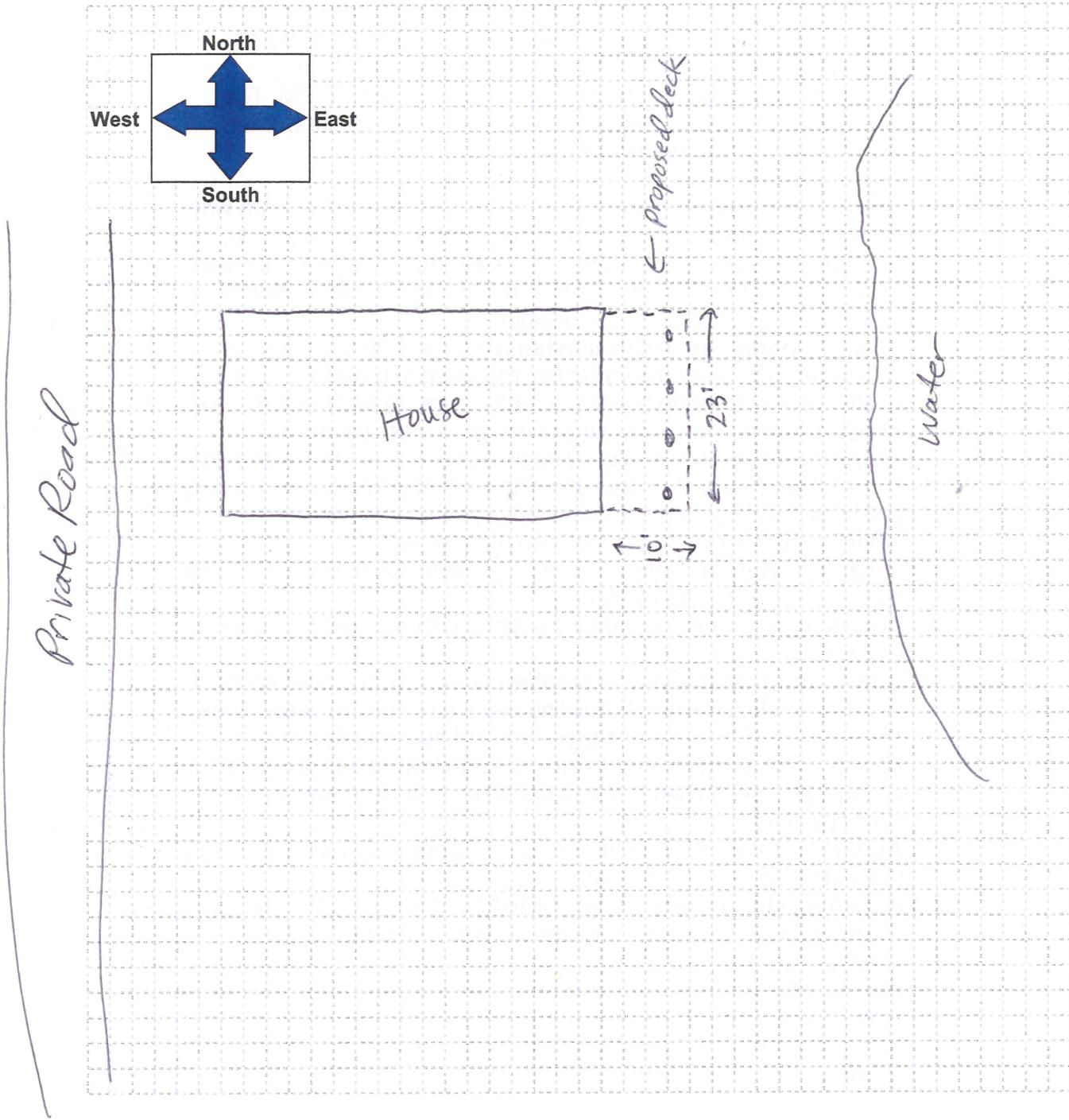
605-690-9541  
Telephone

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

2020 var 012

**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 3<sup>rd</sup> Street, Suite 200

BROOKINGS, SOUTH DAKOTA 57006

(605)-696-8350

E-Mail: [zoning@brookingscountysd.gov](mailto:zoning@brookingscountysd.gov)

Brookings County Board of Adjustment

September 1, 2020– 8:00 PM meeting

# 2020var012 – September 1, 2020

Prepared by Richard Haugen

Applicant/Owner: Matthew Lounsbery, 816 Pamela Dr, Brookings, SD 57006

Site: 8948 Bortnem Beach Rd, Volga, SD 57006

Legal Description: “Lot 10 & W½ Lot 11 in Bortnem Beach Addition of Govt Lots 3 and 4 in Section 32, T109N, R50W (Medary Township)” ~~ located at 8948 Bortnem Beach Rd, Volga, SD 57071.

*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 and Minimum Side Yard). The Lake Park – Lake Front setbacks are 75 feet from the highest known watermark.*

2020var012: Matthew Lounsbery has applied for a variance to build a 10’ x 23’ deck with the support post 19 feet from the highest known water mark, a variance of 56 feet. The Lake Park – Lake Front setbacks are 75 feet from the high water mark. The deck will be in line with other structures along lake and obstruct the view on along the lake. The deck will meet the side setback of 8 feet. The cabin was built in 2003 and a variance granted to the previous owner.

Things to consider: 1) Bortnem Beach Subdivision was platted on June 17, 1961.

2) Shape and size of lot.

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.”*

2020var012

Staff Report

September 1, 2020

Letters were sent to the adjoining landowners, Medary Township Chairman and Clerk.  
Public notices were published in the Brookings Register on August 18 and 25, 2020 and  
Volga Tribune on August 20 and 27, 2020.

APPLICATION FOR VARIANCE  
TO  
ZONING REGULATIONS

JUL 29 2020

BROOKINGS  
COUNTY DEVELOPMENT

Date of Application: July 29, 2020

Variance Number: 2020VAR012

To: Brookings County Board of Adjustment  
520 3<sup>rd</sup> 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 10' x 23' deck on the front of the house (East side).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Article IV District Reg: Chapter 4.03 "LP"  
Lake - Park District : Section 4.03.03. Density,  
Area and Yard Regulation (Minimum Lake Front).  
\_\_\_\_\_  
\_\_\_\_\_

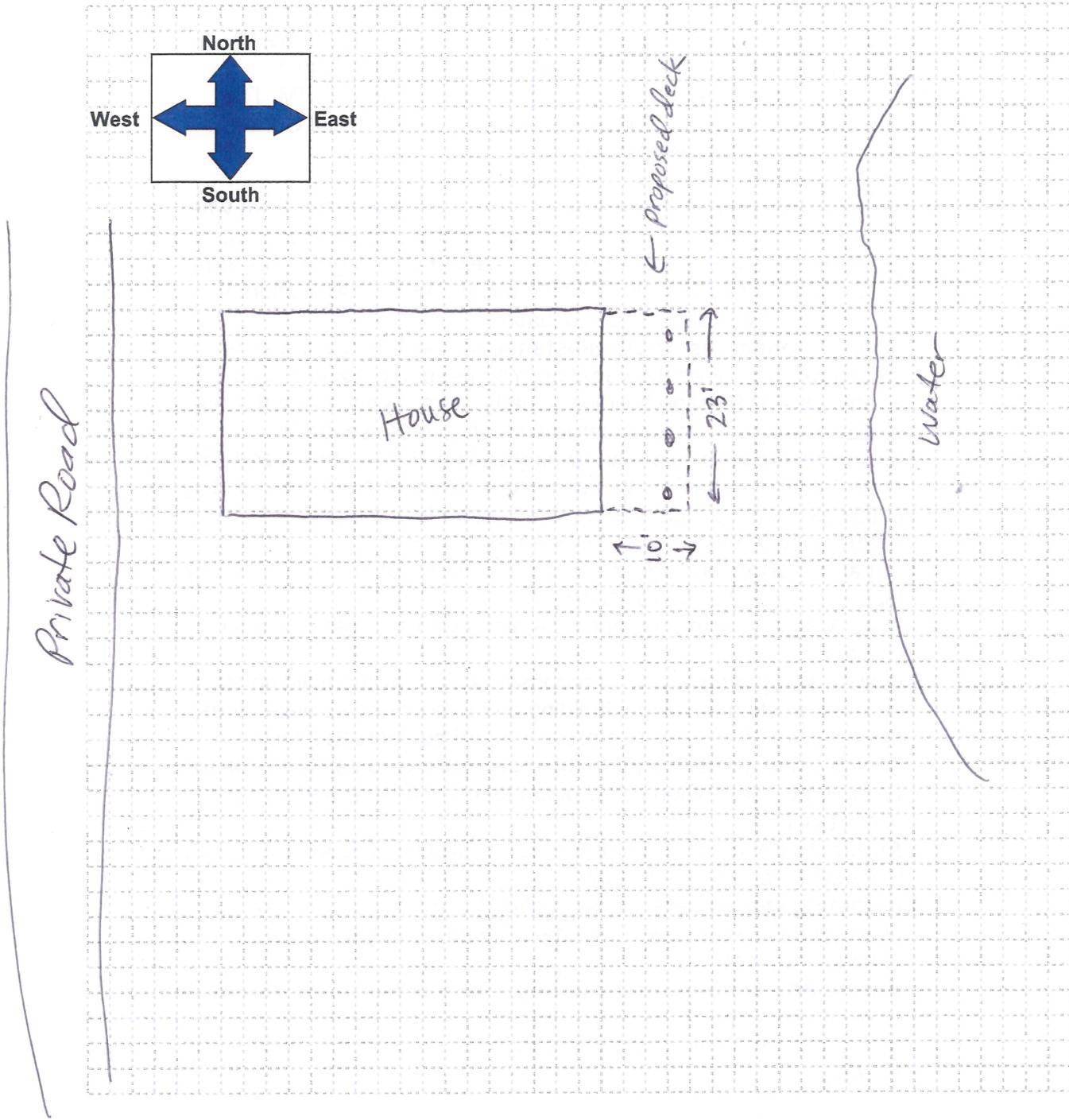
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms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

Set back requirements have changed since house was built.  
Neighbors decks are as close to high water mark as I would  
like to build my deck.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2020 var 012

**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 var 012

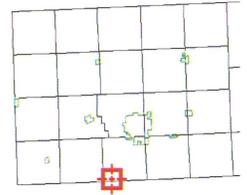


Beacon™

Brookings County, SD



Overview



Legend

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

Parcel ID	120251095032218	Alternate ID	n/a	Owner Address	LOUNSBERY, MATTHEW
Sec/Twp/Rng	32-109-50	Class	NACS		816 PAMELA DR
Property Address	8948 BORTNEM BEACH RD	Acreage	n/a		BROOKINGS SD 57006
	VOLGA				
District	12014A				
Brief Tax Description	BORTNEM BEACH ADDITION IN GOVT LOTS 3 & 4 LOT 10 & W 1/2 LOT 11				
	(Note: Not to be used on legal documents)				

Date created: 7/29/2020  
Last Data Uploaded: 7/29/2020 8:05:54 AM

Developed by Schneider GEOSPATIAL

Looking east from Bortnem Beach Road.



Looking north, wheel at 8 ft from house, 19 ft from high water mark.



2020var012: Matthew A. Lounsbery.

Looking south, wheel at 8 feet from house, 19 feet from high water mark.



Looking north wheel at highwater mark.



RECEIVED

APPLICATION FOR VARIANCE  
TO  
ZONING REGULATIONS

AUG - 3 2020

BROOKINGS  
COUNTY DEVELOPMENT  
2020 Var  
approval 13

Date of Application: July 31, 2020

Variance Number: 2020 Var

To: Brookings County Board of Adjustment  
520 3<sup>rd</sup> 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:

Construction of a 24' x 27' garage AND a  
60' tile line.

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

(Side yard setback of 8')  
(Allowing a 4' setback.)

Article IV District Reg.: Chapter 4.03 "LP" Lake Park District  
Section 4.03.03. Density, Area + Yard Reg. (Min. Side Yard).

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.

An existing shed is located 8' from the side yard property  
line. To allow the roof/eaves of the proposed garage  
to cover the valley created by attaching the shed's  
existing roof. The narrow width of the lot makes  
construction difficult between the 8' side yard  
set backs. A drain tile will be placed along the  
back wall AND side to help the excessive run off  
from the steep hill.

D.) Legal Description of Property:

The property parcel ID is: 090751124722300

Property address is: 751 E. Lake Hendricks Dr. White SD

Section / Township / Range Arc: 22 / 112 / 47

Charles Cove Addition LOT 1 in SW 1/4 Sec. 22-112-47  
60' X 250'

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

Sept. 1, 2020

Date

8:00 pm

Time

Approved

Rejected

Date

Chairman of Brookings County Board  
of Adjustment

Loren Hacker

Person filing petition - print



Person filing petition - sign

113 Lac Qui Park Ave. N.

Address

Canby, MN

City

MN

State

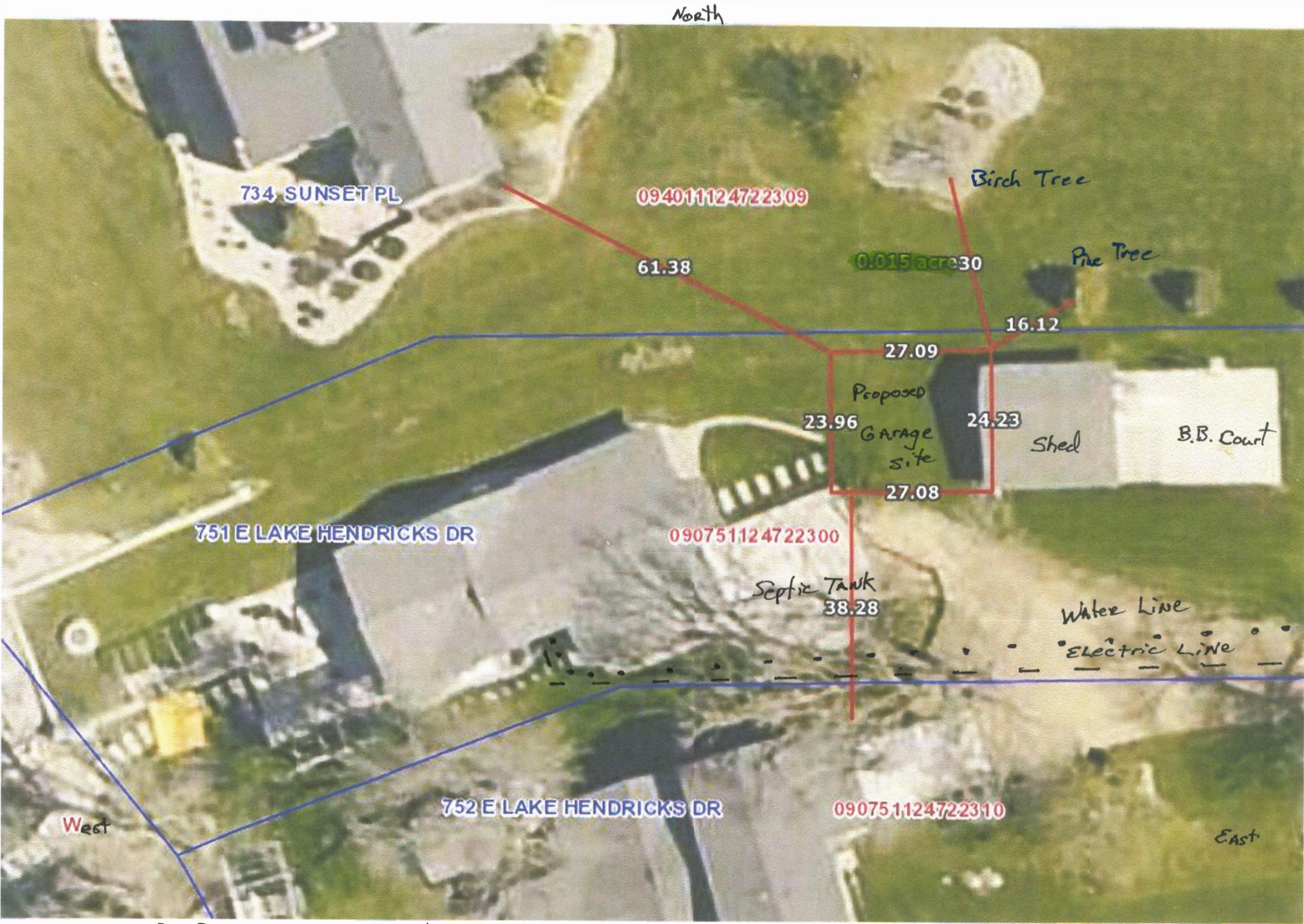
56220

Zip Code

507-530-4751

Telephone

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



Aerial Map off Brookings County website  
 Red Lines ADDED to show estimated distances.

## BROOKINGS COUNTY DEVELOPMENT

Planning, Zoning and Drainage / Emergency Management

Brookings City & County Government Center

520 3<sup>rd</sup> Street, Suite 200

Brookings, SD 57006

(605) 696-8350

E-Mail: [zoning@brookingscountysd.gov](mailto:zoning@brookingscountysd.gov)

Brookings County Board of Adjustment

September 1, 2020 – 8:00 PM meeting

# 2020var014 – September, 2020

Prepared by Richard Haugen

Applicant: Brandon and Chelsea (DeKnikker) Bak, 632 W 32<sup>nd</sup> St S, Brookings, SD 57006.

Legal Description: “Outlot 1 in the SW1/4 of the SE1/4 of Section 3, T109N, R50W (Medary Township)” ~~ located at 632 W 32<sup>nd</sup> St S, Brookings, SD 57006.

*Brookings Joint Jurisdiction Area Area: Article IV: Agricultural, Residential and Floodplain and Aquifer Districts. Section 405. Agricultural District “A. Section 409.2 Front Yard: The minimum depth of the front yard shall be one hundred (100) feet.*

*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.”*

2020var014: Brandon and Chelsea have applied for a variance to build a residential addition that requires an area 36 feet x 36 feet, 107 feet from the center of 32<sup>nd</sup> Street S a variance of 23 feet. The required setback is 133 feet from the center of 32<sup>nd</sup> Street S, a Medary Township road. The property is located in the 3-Mile Brookings City/Brookings County Joint Jurisdiction area and falls under the Joint City/County Ordinance and setback requirements.

Things to consider are shape and size of lot. The existing house was built in 1930 to prior to current setback requirements. The property was platted on November 9, 1972.

Public notices were published in the Brookings Register on August 18 and 25, 2020.

Letters were sent to the adjoining landowner’s, Medary Township Chairman and Clerk.

2020var014

Staff Report

September 1, 2020

RECEIVED

APPLICATION FOR VARIANCE  
TO  
ZONING REGULATIONS

AUG - 5 2020

BROOKINGS  
COUNTY DEVELOPMENT

Date of Application: 5 Aug 2020

Variance Number: 2020VAR 014

To: Brookings County Board of Adjustment  
520 3<sup>rd</sup> 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:

Allowing us to build an addition to our existing home. The addition puts our southern most wall at 110 feet from the center of 32<sup>nd</sup> St. South. The dimensions of the new addition are a total of 36' by 36'

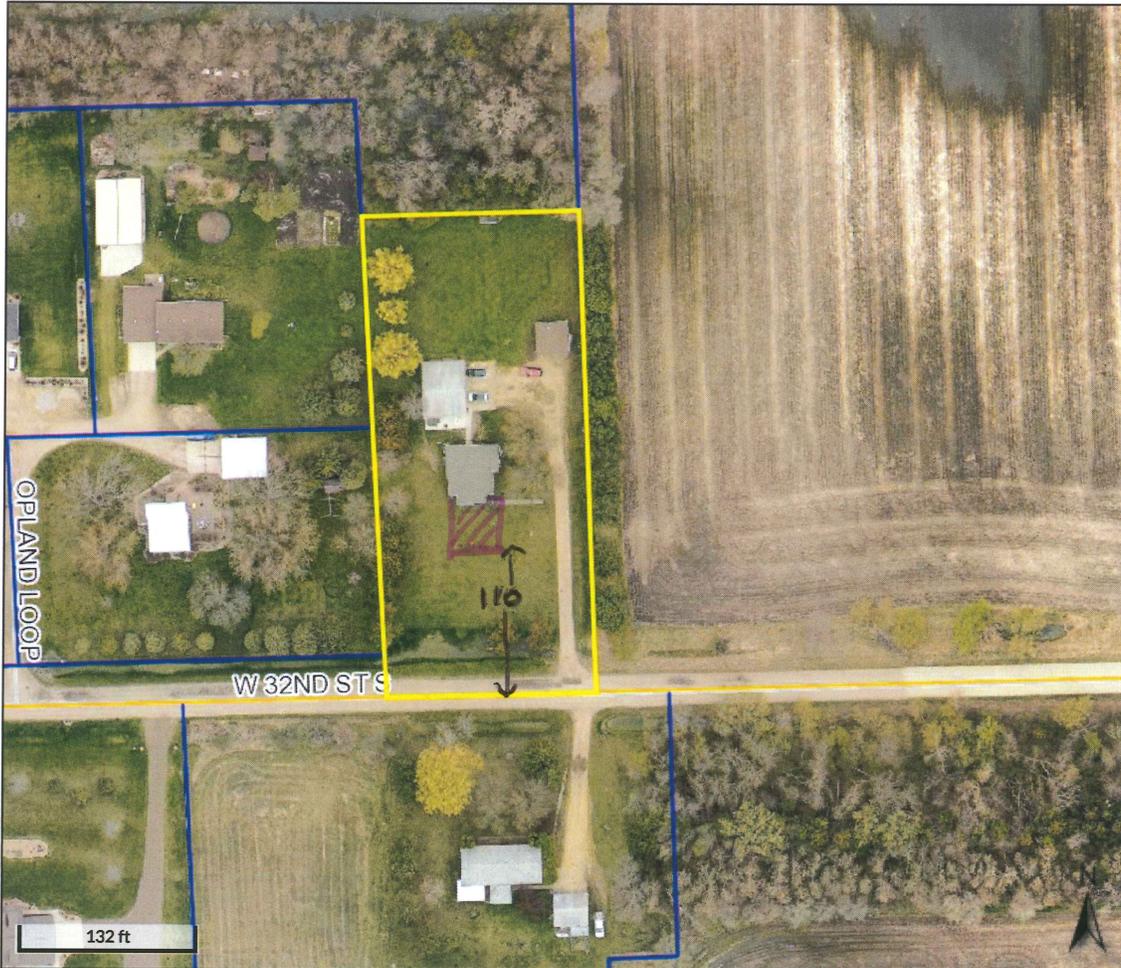
B.) Section(s) of Zoning Regulations to be exempted:

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. and Brookings Joint

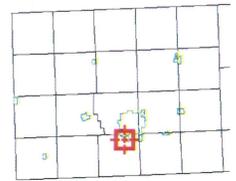
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms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

The location of the existing house, ~~prevents~~ along with the size of the lot, prevents us from meeting the required 133<sup>ft</sup> of space between the house and the center of the road. With the existing structures that are in place, we cannot make any other adjustments to the floor plan to allow us to meet the 133 foot requirement.

2020 VAR 014



Overview



Legend

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

Parcel ID	122401095003400	Alternate ID	n/a	Owner Address	DEKNIKKER, CHELSEA J
Sec/Twp/Rng	3-109-50	Class	NACS		632 W 32ND ST S
Property Address	632 W 32ND ST S	Acreage	n/a		BROOKINGS SD 57006
	BROOKINGS				
District	1201				
Brief Tax Description	OL 1 IN SW 1/4 SE 1/4 SEC 3-109-50 1.25 ACRES				
	(Note: Not to be used on legal documents)				

Date created: 8/6/2020  
 Last Data Uploaded: 8/6/2020 8:03:58 AM

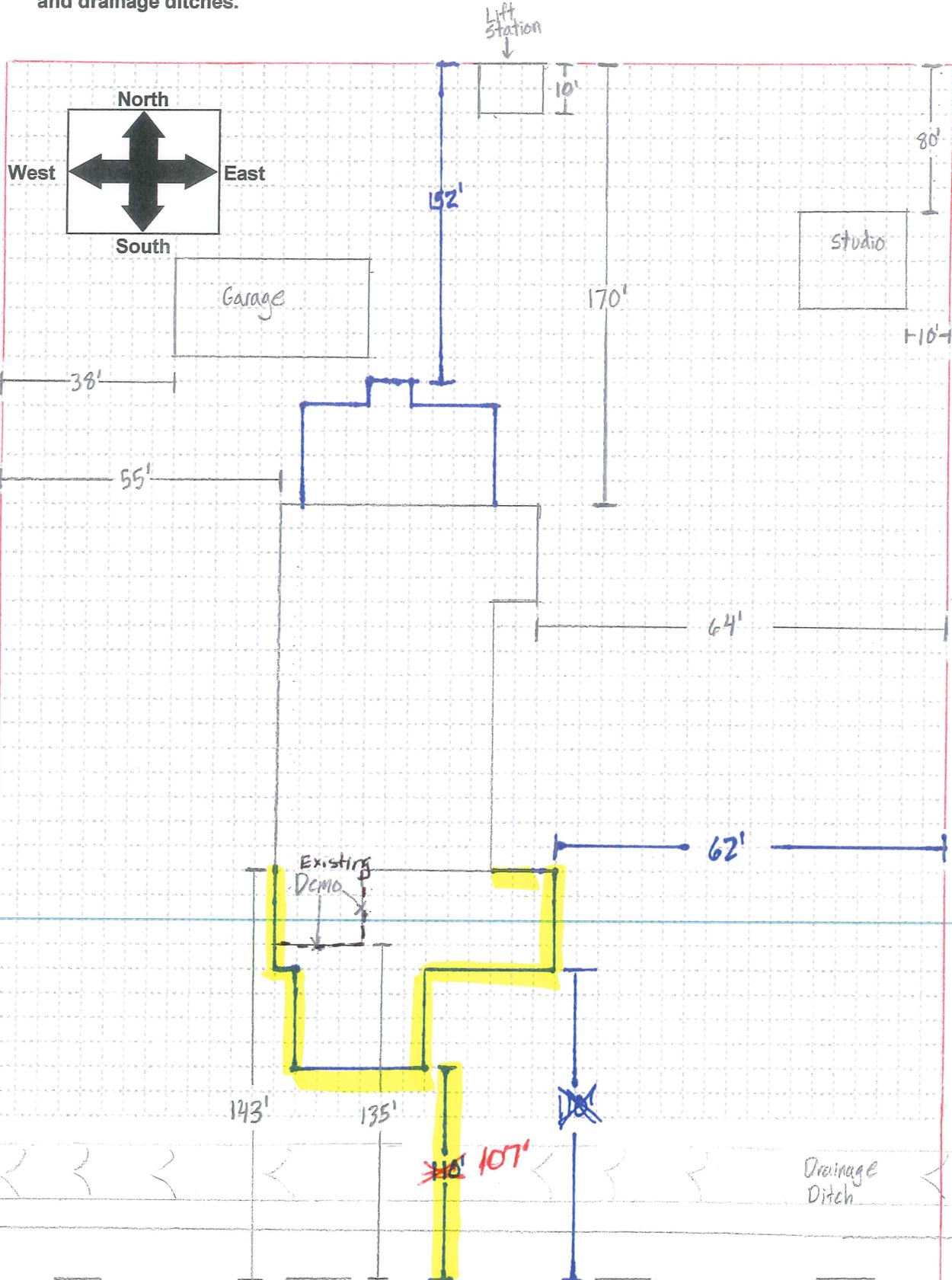
Developed by Schneider  
 GEOSPATIAL

2020 VAR 014

**SKETCH**

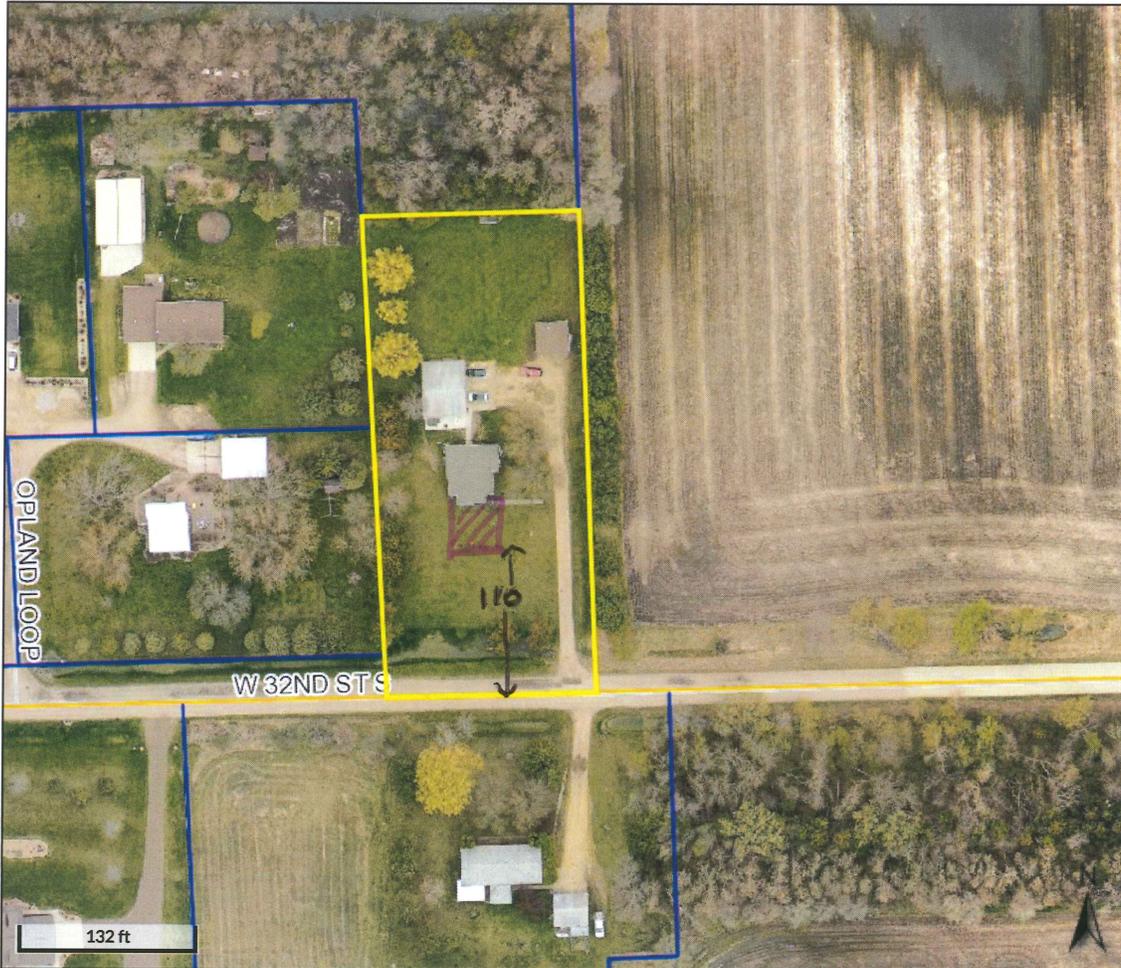
Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.

- - Existing
- - New
- - Property Line

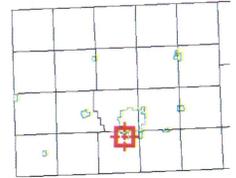


32<sup>nd</sup> St. South

2020 VAR 014



Overview



Legend

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

Parcel ID	122401095003400	Alternate ID	n/a	Owner Address	DEKNIKKER, CHELSEA J
Sec/Twp/Rng	3-109-50	Class	NACS		632 W 32ND ST S
Property Address	632 W 32ND ST S	Acreage	n/a		BROOKINGS SD 57006
	BROOKINGS				
District	1201				
Brief Tax Description	OL 1 IN SW 1/4 SE 1/4 SEC 3-109-50 1.25 ACRES				
	(Note: Not to be used on legal documents)				

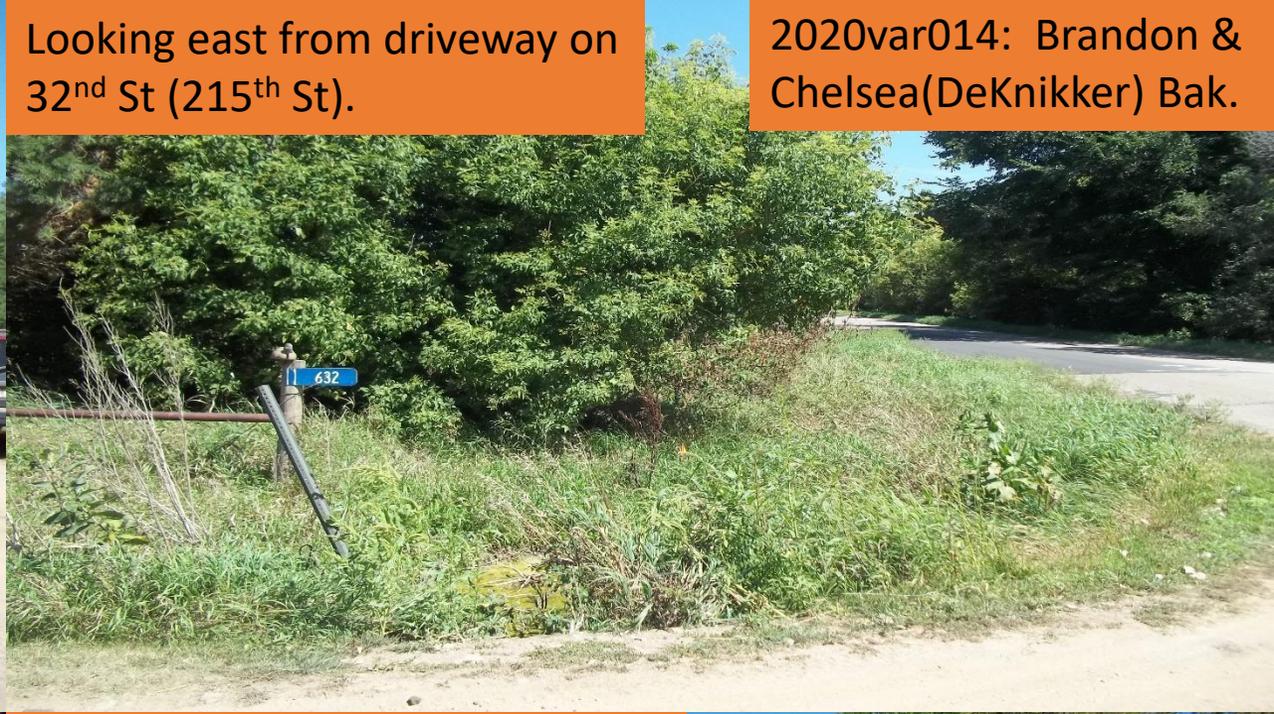
Date created: 8/6/2020  
 Last Data Uploaded: 8/6/2020 8:03:58 AM

Developed by Schneider  
 GEOSPATIAL

Looking north from driveway.



Looking east from driveway on 32<sup>nd</sup> St (215<sup>th</sup> St).



2020var014: Brandon & Chelsea(DeKnikker) Bak.

Looking west from driveway on 32<sup>nd</sup> St (215<sup>th</sup> St).



Looking north, wheel at 107 feet from center of 32<sup>nd</sup> St (215<sup>th</sup> St).



Looking west, wheel at south side of proposed addition, 107 feet from center of 32<sup>nd</sup> St (215<sup>th</sup> St).



Looking east, wheel at south side of proposed addition, 107 feet from center of 32<sup>nd</sup> St (215<sup>th</sup> St)



APPLICATION FOR VARIANCE  
TO  
ZONING REGULATIONS

AUG - 5 2020

BROOKINGS  
COUNTY DEVELOPMENT

Date of Application: 5 Aug 2020

Variance Number: 2020VAR 014

To: Brookings County Board of Adjustment  
520 3<sup>rd</sup> 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:

Allowing us to build an addition to our existing home. The addition puts our southern most wall at 10 feet from the center of 32<sup>nd</sup> St. South. The dimensions of the new addition are a total of 36' by 36'

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

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, and Brookings Joint

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.

The location of the existing house, ~~prevent~~ along with the size of the lot, prevents us from meeting the required 133<sup>ft</sup> of space between the house and the center of the road. With the existing structures that are in place, we cannot make any other adjustments to the floor plan to allow us to meet the 133 foot requirement.

D.) Legal Description of Property:

OL 1 in SW 1/4 SE 1/4 of Section 3, T109N, R50W  
(Medary Trp)  
Parcel # 122401095003400  
Site Addr: 632 W 32nd St. S, Brookings, SD 57006

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

Sept. 1 2010  
Date

8:00 pm  
Time

\_\_\_\_\_  
Approved

\_\_\_\_\_  
Rejected

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman of Brookings County Board of Adjustment

Brandon Bak / Chelsea Bak  
Person filing petition - print

[Signature]  
Person filing petition - sign

632 West 32nd St. South  
Address

Brookings  
City

South Dakota  
State

57006  
Zip Code

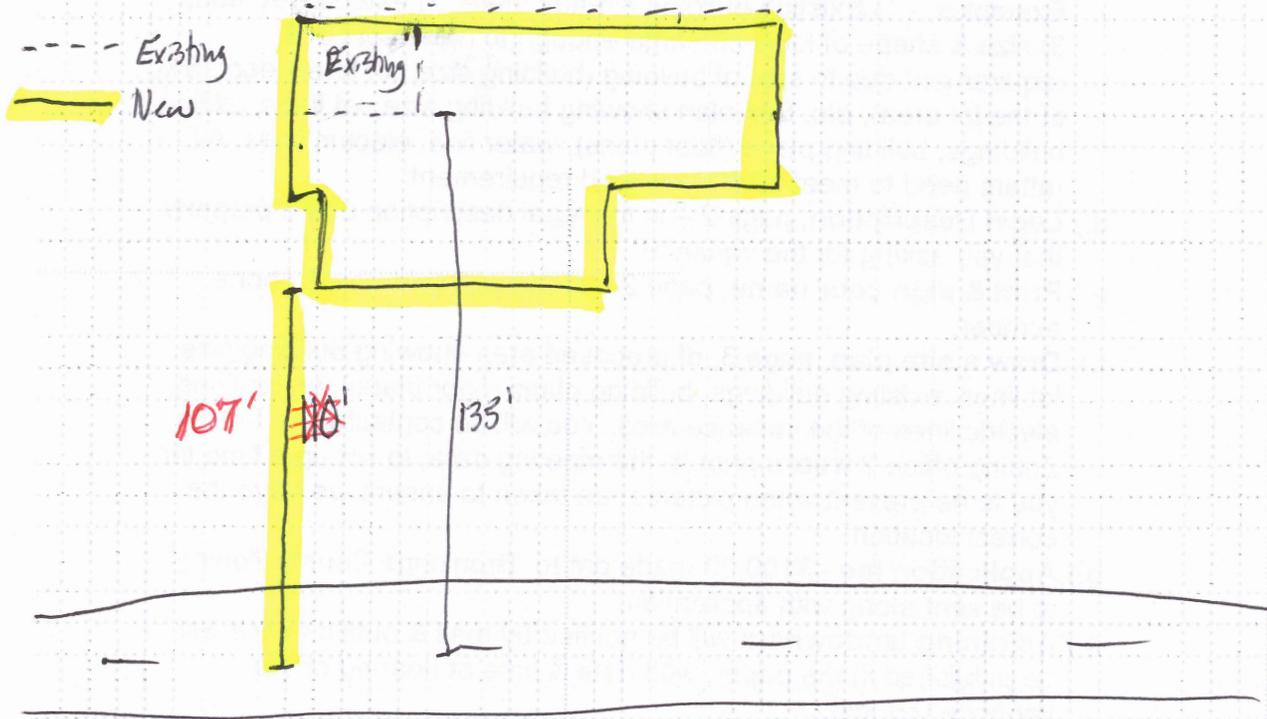
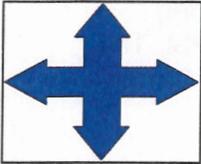
(605) 860-1300 / (605) 520-6071 - Brandon  
Telephone

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

2020VAR014

**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.

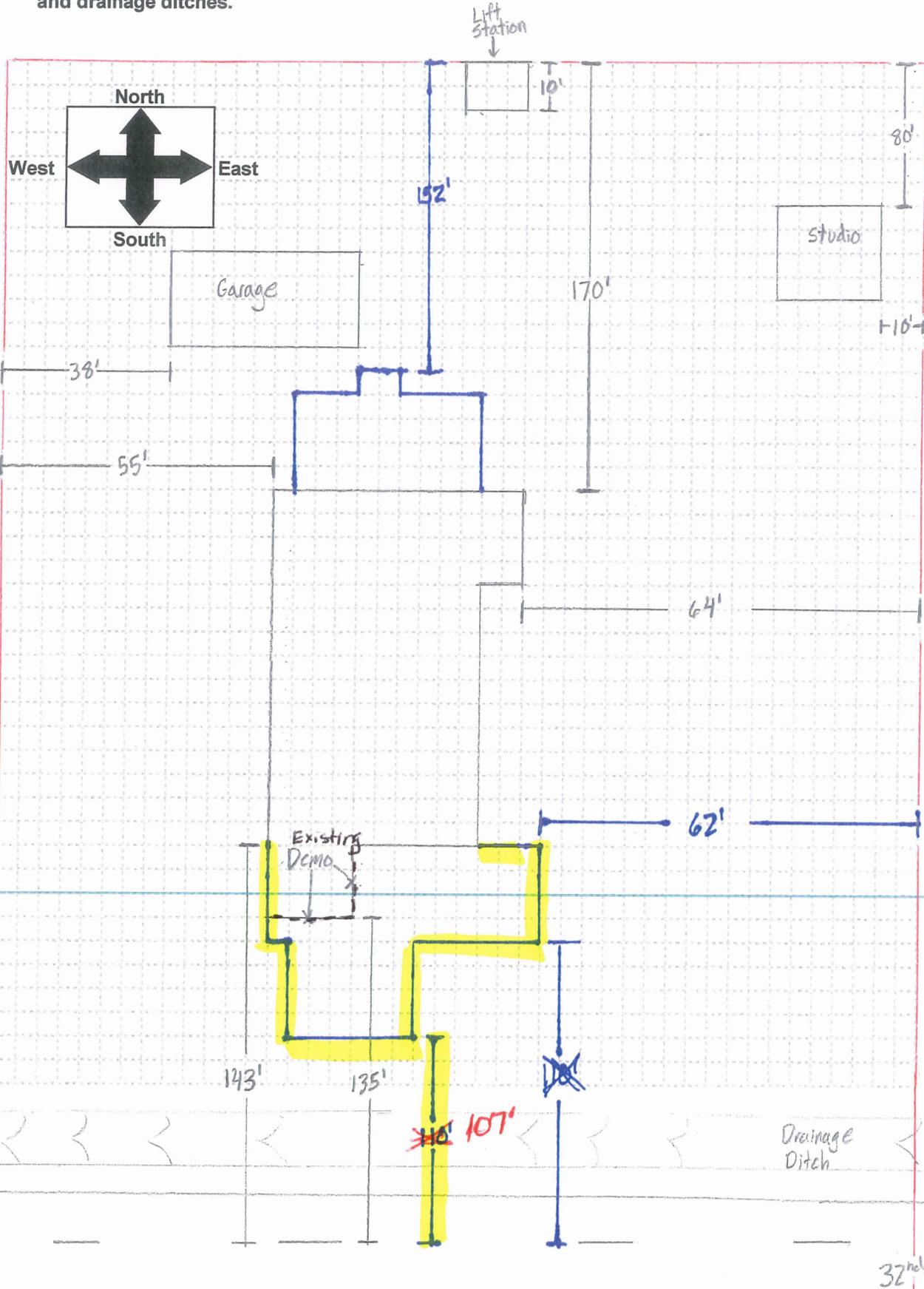


2020 VAR 014

**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.

- - Existing
- - New
- - Property Line



APPLICATION FOR VARIANCE  
TO  
ZONING REGULATIONS

Date of Application: 8.11.2020

Variance Number: 2020 var 015  
**RECEIVED**

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

AUG 11 2020

BROOKINGS  
COUNTY DEVELOPMENT

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:

Build 16 x 32 detached garage  
10 ft. side walls

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

Article IV District Reg: Chapter 4.03 "LP" Lake-Park District.  
Section 4.03.03 Density, Area and Yard Reg. (Min. Side  
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.

The irregularity of the lot and the  
existing house.

D.) Legal Description of Property:

Lot 47 of DeBoer's Lake Tetonkaha West Subdivision in  
Cont Lots 1, 4, 5 and 6 in Section 7, T.111N, R. 51W.

Site addr: 70 Oakwood Shoreline Dr, Bruce SD 57220  
Parcel # 141081115107347

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

Sept. 1, 2020  
Date

8:00 PM  
Time

\_\_\_\_\_  
Approved

\_\_\_\_\_  
Rejected

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman of Brookings County Board  
of Adjustment

Lisa Boulais  
Person filing petition – print

Lisa Boulais  
Person filing petition – sign

70 Oakwood Shoreline Dr  
Address

Bruce  
City

SD  
State

57220  
Zip Code

605-864-1884  
Telephone

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

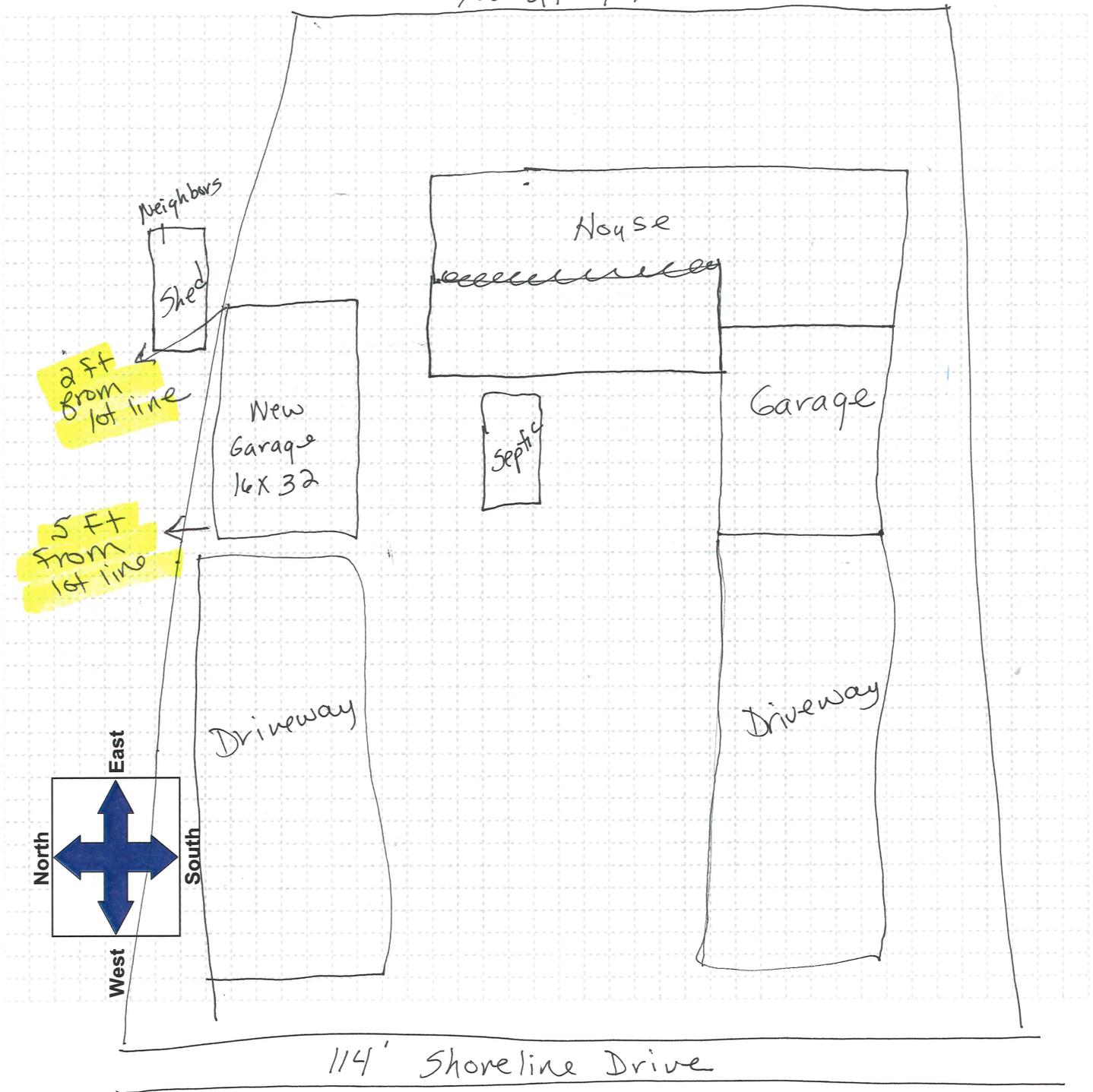
2020VAR015

Lake

100' at lake

**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.



APPLICATION FOR VARIANCE  
TO  
ZONING REGULATIONS

AUG 11 2020

BROOKINGS  
COUNTY DEVELOPMENT

Date of Application: AUGUST 11, 2020

Variance Number: 2626VAR 016

To: Brookings County Board of Adjustment  
520 3<sup>rd</sup> 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 CABIN WITH ATTACHED GARAGE.

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 Rear Yard + 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.

VARIANCE 1: MINIMUM LAKE FRONT SET BACK IS NOT ACHIEVABLE  
DUE TO DEPTH OF LOT. REQUESTING SET BACK OF 20 FEET FROM  
HIGHEST KNOWN WATER MARK (1659). CONCRETE PATIO 12 FEET  
IN FRONT OF BUILDING STRUCTURE. (LOT 44A + 45A).

VARIANCE 2: TO KEEP SIDE OF STRUCTURE STRAIGHT, REQUESTING  
12' FROM REAR LOT LINE. (LOT 43).

D.) Legal Description of Property:

LOTS 43, 44A, 45, 45A, 45B OF FIRST ADDITION OF LAKE  
POINSETT HEIGHTS SUBDIVISION IN LOT 2 SECTION 5, T112N,  
R52W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA

Parcels # 111501125205303, 111501125205306, 111501125205309  
Site Addr: 122 S Lake Dr, Arlington, SD 57212

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

Sept. 1, 2020  
Date

8:00 P.M.  
Time

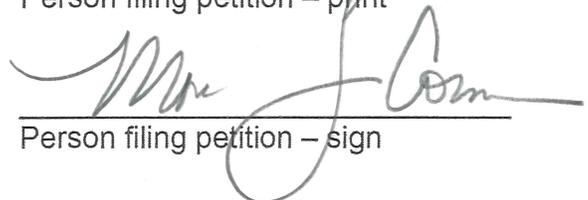
\_\_\_\_\_  
Approved

\_\_\_\_\_  
Rejected

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman of Brookings County Board  
of Adjustment

MARTIN J. COMES  
Person filing petition - print

  
Person filing petition - sign

45548 163<sup>RD</sup> STREET  
Address

WATERTOWN  
City

SOUTH DAKOTA  
State

57201  
Zip Code

605-880-8339  
Telephone

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

2020 VAR 016

HIGH WATER MARK FROM  
PLAT OF OUTLOT C (BOOK  
23, PAGE 102)

# LAKE POINSETT

SHORELINE, LAKE  
ELEVATION 1654±  
ON 7/06/20

APPROXII  
HIGH WA  
PLAT OF  
22, PAGE

N89°54'50"E  
46.41'  
COMPUTED

BLOCK 3  
ARLINGTON  
BEACH  
ADDITION  
(RECORD)



### BENCHMARK

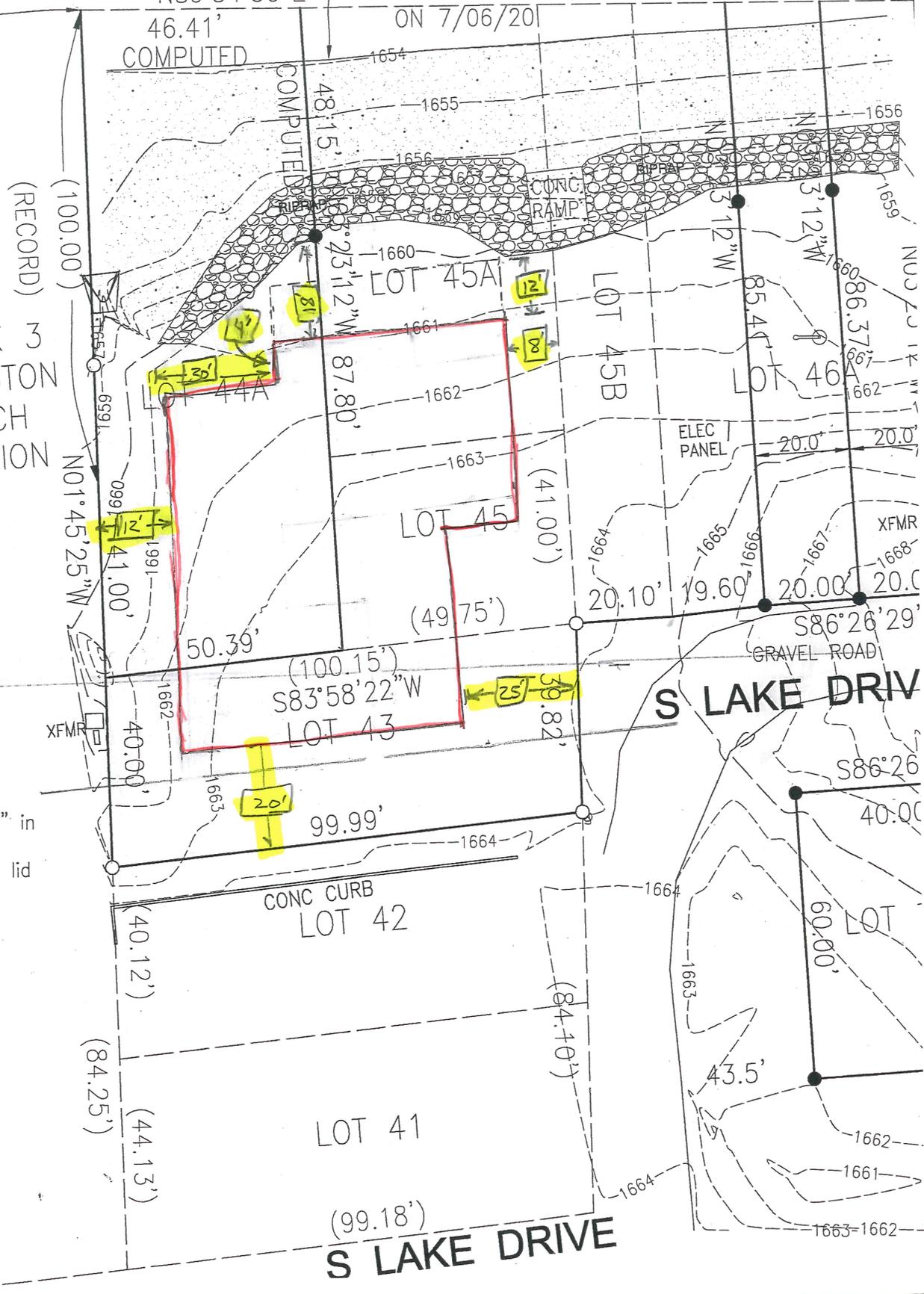
Elev 1660.43 - "X" in  
east side concrete  
sanitary lift station lid  
in Arlington Beach  
Resort

2020 Misc Surveys\Lake Poinsett Hgts Lot 44A (Comes)



Schmitz Kalda & Assoc., Inc.  
320 N Main Ave, Ste C  
Sioux Falls, SD 57104  
605-332-8241

REVISIONS	BY	DATE	FIELD DATA MJN	SCALE
			REVIEWED BY GLA	See Above
			DRAWN BY EJW/GLA	
			PROJECT NO. 20062	
			CAD: See Left	



APPLICATION FOR CONDITIONAL USE PERMIT

BROOKINGS COUNTY DEVELOPMENT

Date of Application: Aug 5th

Permit Number: 2020cu 017

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 and Aggregate to Complete and go along with the mining permit already received

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:

E 1/2 NE 1/4, SW 1/4 NE 1/4 SE 1/4 NW 1/4 Sec 4 T110N R48W  
(Alton Twp)

Parcel # 02000-11048-041-00

RECEIVED

Form continued on page 2

AUG - 5 2020

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

Tom Davis, Joe Davis, Philip Davis  
Person filing petition – print

Sept. 1, 2020  
Date

Tom Davis / Representative  
Person filing petition – sign

8:00 PM  
Time

48185 210 st. Elkton, SD 57026  
Address

\_\_\_\_\_  
Approved

\_\_\_\_\_  
City

\_\_\_\_\_  
Rejected

\_\_\_\_\_  
State

\_\_\_\_\_  
Date

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Chairman of Brookings County  
Board of Adjustment

605-695-1394  
Telephone

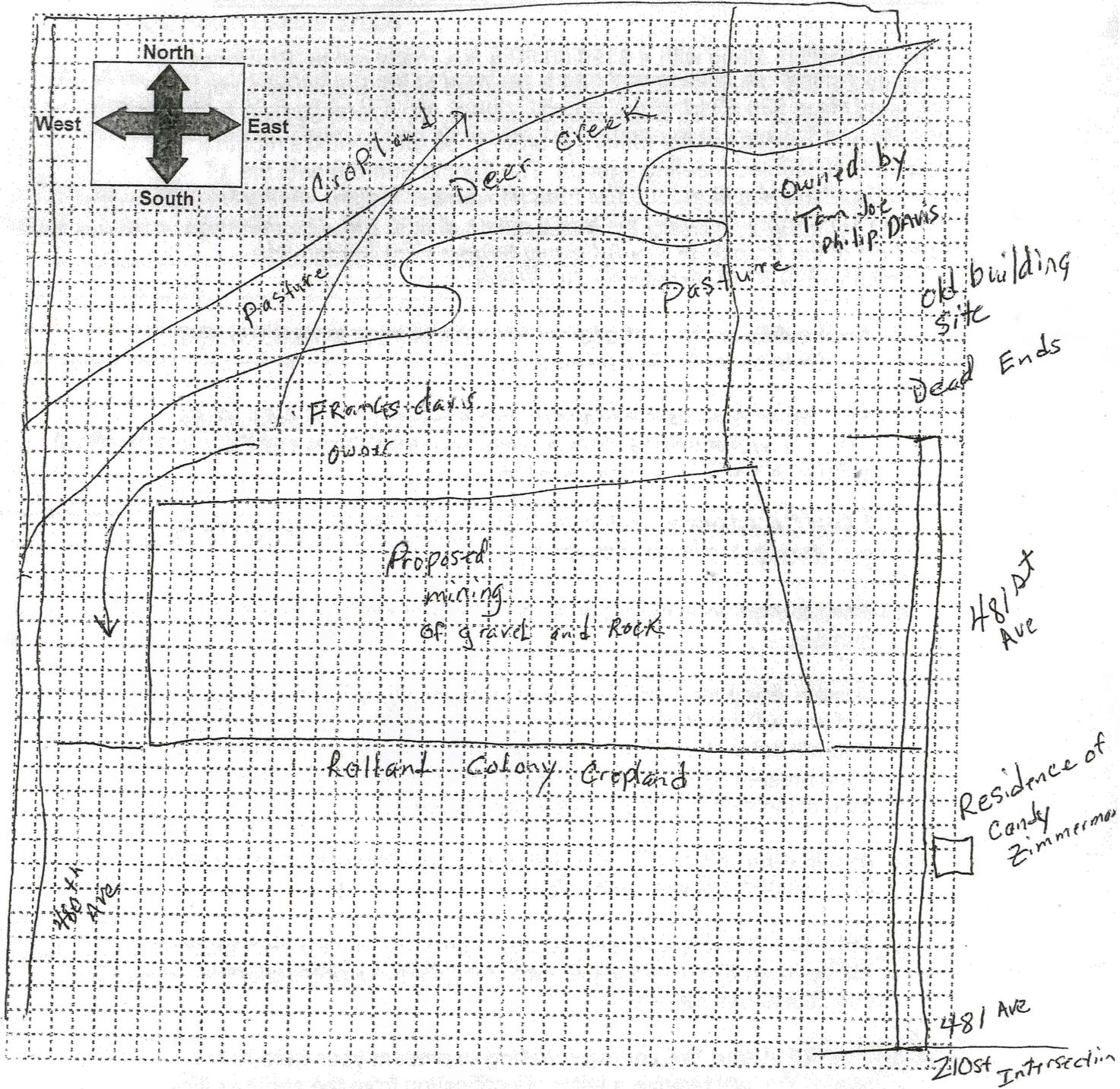
**A conditional use that is granted and not used within three (3) years will be considered invalid.**

2020cu017

~~2020 cu 001 + 2020 cu 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.



## BROOKINGS COUNTY DEVELOPMENT

Planning, Zoning and Drainage / Emergency Management

Brookings City & County Government Center

520 3<sup>rd</sup> Street, Suite 200

BROOKINGS, SOUTH DAKOTA 57006

(605)-696-8350

E-Mail: [zoning@brookingscountysd.gov](mailto:zoning@brookingscountysd.gov)

Brookings County Board of Adjustment

September 1, 2020 – 8:00 PM meeting

# 2020cu017 – September 1, 2020

Prepared by Richard Haugen

Applicant: Tom Davis, 48185 210<sup>th</sup> St, Elkton, SD 5702

Crushing Operator: Tom Sterzinger, 3273 290th Ave, Taunton, MN 56291

Legal Description: “E1/2 NE1/4, SW1/4 NE1/4, SE1/4 NW1/4 of Section 4, T110N, R48W (Alton Township)”.

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

2020cu017: Tom Davis, has applied for a conditional use # 5A: “Rock crushers.” to process mined gravel on the above described property. Conditional use 2020cu001 for conditional use # 4: “Sand, gravel or quarry operation, mineral exploration and extraction” to mine gravel on site, which was approved by the Board of Adjustment on February 4, 2020. No material will be allowed to brought in to crush, only gravel mined on site will be allowed to be crushed on site. Tom Sterzinger from Taunton, Minnesota, will be the crushing operator. The operator’s site plan, business plan and hours of operation, reclamation plan are included in this report. Hours of operation will be 6:00 AM-7:00 PM Monday- Friday and 6:00 AM-12:00 PM on Saturday. As noted on the site plan, during the mining operation there will be a berm constructed along the natural water way to keep the soil and sediment from entering the water way. The water way that is located in the very northwest corner of the proposed mining area is in the flood plain. 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 onsite fuel storage will have containment structures and will be located at the south side of the property, as noted in the site map. 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.

2020cu017

Staff Report

September 1, 2020

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

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 August 18 and 25, 2020, and the White Tri-City Star and Elkton Record on August 20 and 27, 2020.

Letters were sent to the adjoining landowners, Alton and Sherman Township Chairman and Clerk.

AUG 5 2020

APPLICATION FOR CONDITIONAL USE PERMIT

BROOKINGS COUNTY DEVELOPMENT

Date of Application: Aug 5th

Permit Number: 2020cu 017

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 and Aggregate to Complete and go along with the mining permit already Received

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:

E 1/2 NE 1/4, SW 1/4 NE 1/4 SE 1/4 NW 1/4 Sec 4 T110N R48W (Alton Twp)

Parcel # 02000-11048-041-00

RECEIVED

Form continued on page 2

AUG - 5 2020

**Richard Haugen**

---

**From:** Tom Sterzinger <tsterzinger@starpoint.net>  
**Sent:** Wednesday, August 19, 2020 7:48 AM  
**To:** Richard Haugen  
**Subject:** Re: Davis - mining and crushing CUP

Richard,

I have changed the hours of operation from 6:00 p.m. to 7:00 P.M.

The rest looks good.

Thanks,  
Tom

## Richard Haugen

---

**From:** Tom Sterzinger <tsterzinger@starpoint.net>  
**Sent:** Wednesday, December 11, 2019 9:35 AM  
**To:** Richard Haugen  
**Subject:** Re: Davis - mining and crushing CUP  
**Attachments:** Scan\_0004.pdf

Richard,

In response to your e-mail,

#1 Hours of operation is 6:00 am to <sup>7:00 RH</sup>~~6:00~~ p.m. Monday thru Friday and 6:00 a.m. to 12:00 p.m. on Saturdays.

#2 Haul route will be from the mine site ~~access road south 480th Ave to US. 14~~ and from pit access <sup>RH.</sup> go north on 480th Ave to County Road 8 or 207th St. going East and West.

#3 I will contact the townships and county on about hauling on roads.

#4 Refueling area with containments will be listed on maps.

#5 A earth type dam approximately 250' long will be used as a silt fence along creek or waterway area.

#6 Depth of gravel at this point is undetermined, it is roughly 20' plus feet.

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

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

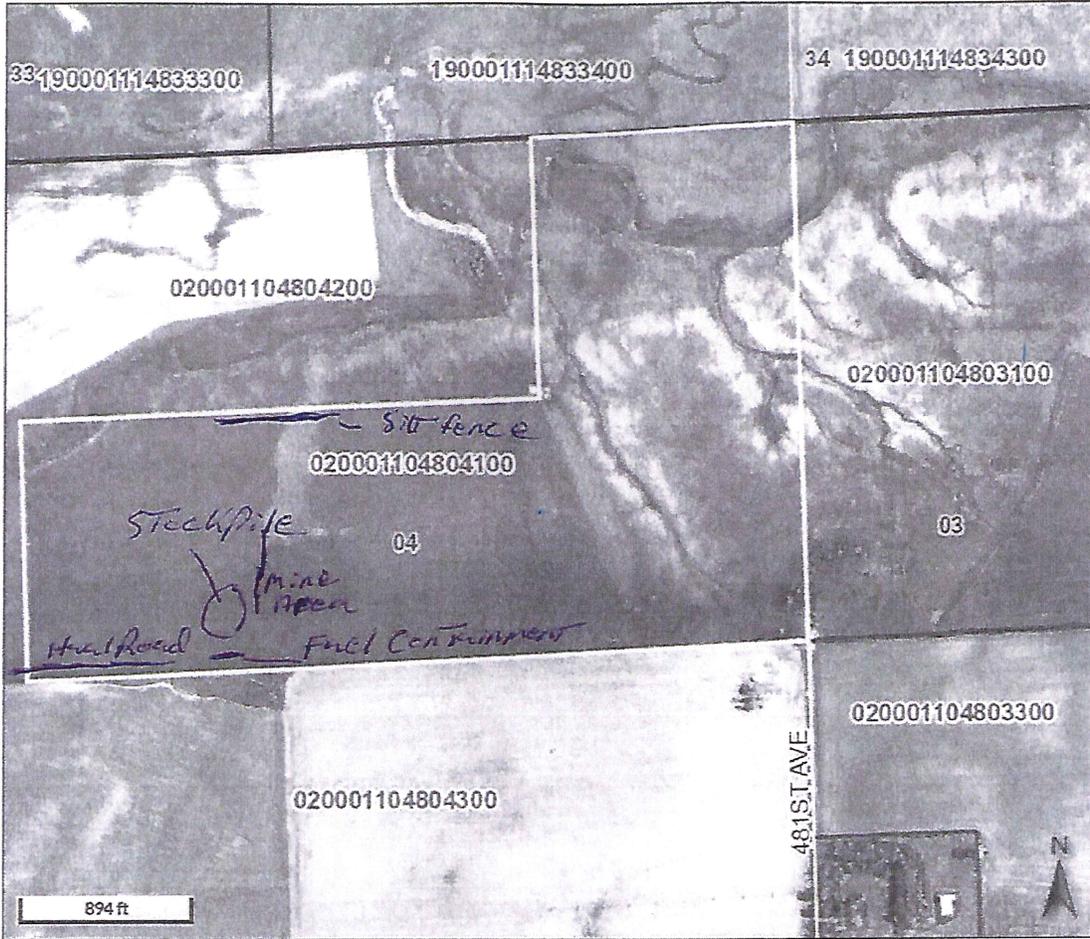
#9 The number of years the the mine site will be expected to be mined is approximately 30 years.

I have attached a map which shows the are of stockpile and fuel containment.

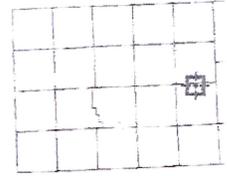
Tom Sterzinger,  
Sterzinger Crushing, Inc.

2020 cu 017

# Beacon™ Brookings County, SD



### Overview



### Legend

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

Parcel ID	020001104804100	Alternate ID	n/a	Owner Address	DAVIS, THOMAS A ET AL
Sec/Twp/Rng	4-110-48	Class	AGA		48185 210TH ST
Property Address		Acreage	160		ELKTON SD 57026
District	0203				
Brief Tax Description	E 1/2 NE 1/4, SW 1/4 NE 1/4, SE 1/4 NW 1/4 SEC 4-110-48 160.0 ACRES				
	(Note: Not to be used on legal documents)				

Date created: 11/14/2019  
 Last Data Uploaded: 11/14/2019 8:01:19 AM

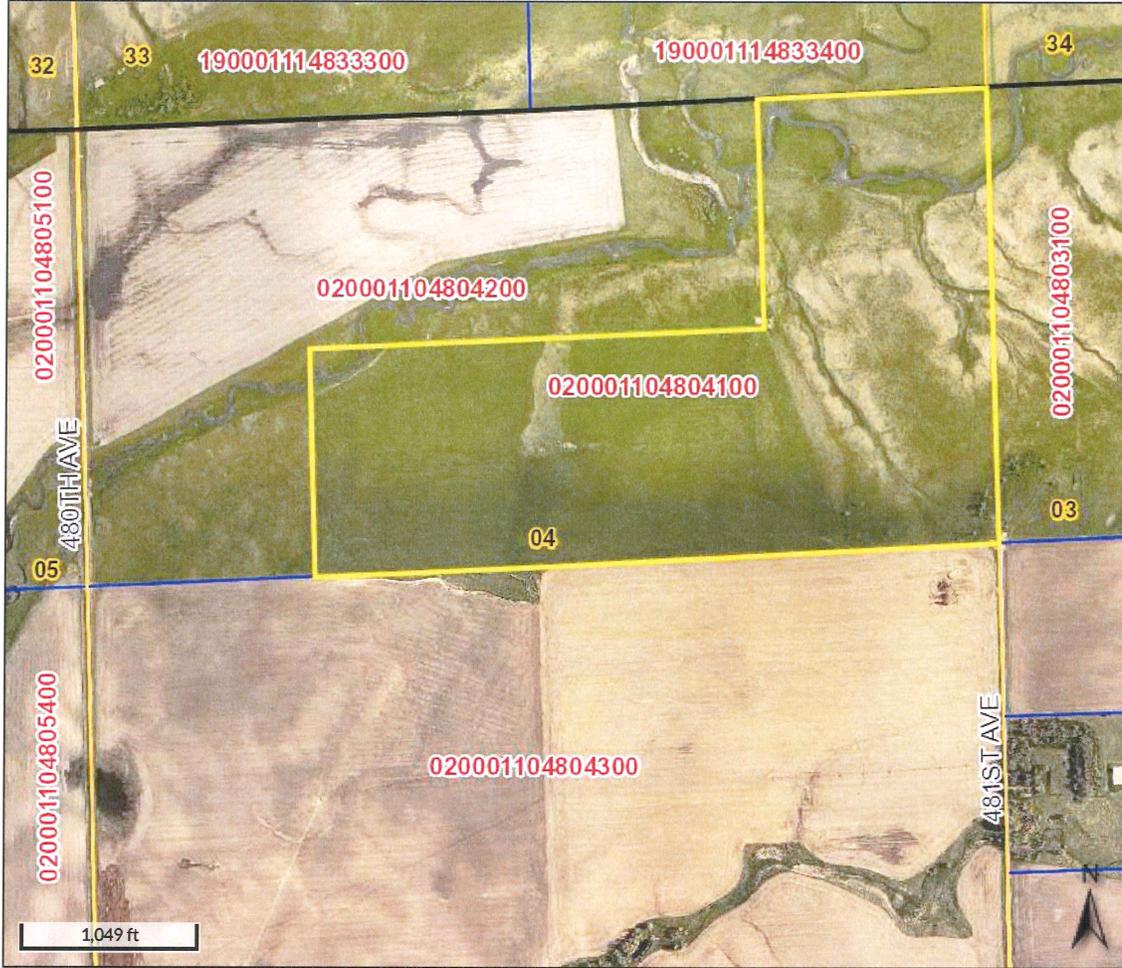
Developed by Schneider  
 GEOSPATIAL

2020 u017

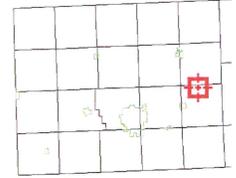


Beacon™

Brookings County, SD



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
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	<i>(Note: Not to be used on legal documents)</i>				

Date created: 8/21/2020  
 Last Data Uploaded: 8/21/2020 8:08:35 AM

Developed by Schneider  
 GEOSPATIAL

Pasture entrance to the left off 481<sup>st</sup> Ave.



Pasture lane going west to propose crushing area.



2020cu017: Tom Davis

Looking west, south end of proposed mining area. Gravel crushing and stock pile area.  
West field entrance off of 480<sup>th</sup> Ave.



APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 8/11/2020

Permit Number: 2020cu018

To: Brookings County Board of Adjustment  
520 3<sup>rd</sup> 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:

The construction of a pole farm/event venue  
Mainly for the purpose of hosting wedding  
will be a tent for 2-3 years with actual  
born being built at that time. Mainly for the  
purpose of hosting weddings, anniversaries, reunions,  
corporate retreats, graduations etc.

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

Article II: Section 11.01: "A" Agricultural District:  
Conditional Use Permit #200 = Home extended  
Business

C.) Legal Description of Property:

SE 1/4 SE 1/4 SE 1/4 Section 16  
T110 N<sup>o</sup> R51 W<sup>o</sup> of 5<sup>th</sup> DM  
(Volga) #229801105116410  
Site addr: 21095 463<sup>rd</sup> Ave, Volga SD 57071

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Form continued on page 2

AUG 11 2020

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

Sept. 1, 2020  
Date

8:00 PM  
Time

\_\_\_\_\_  
Approved

\_\_\_\_\_  
Rejected

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman of Brookings County  
Board of Adjustment

Dillon Ringling  
Person filing petition - print

Dillon Ringling  
Person filing petition - sign

2095 463<sup>rd</sup> Ave  
Address

Volga  
City

SD  
State

57071  
Zip Code

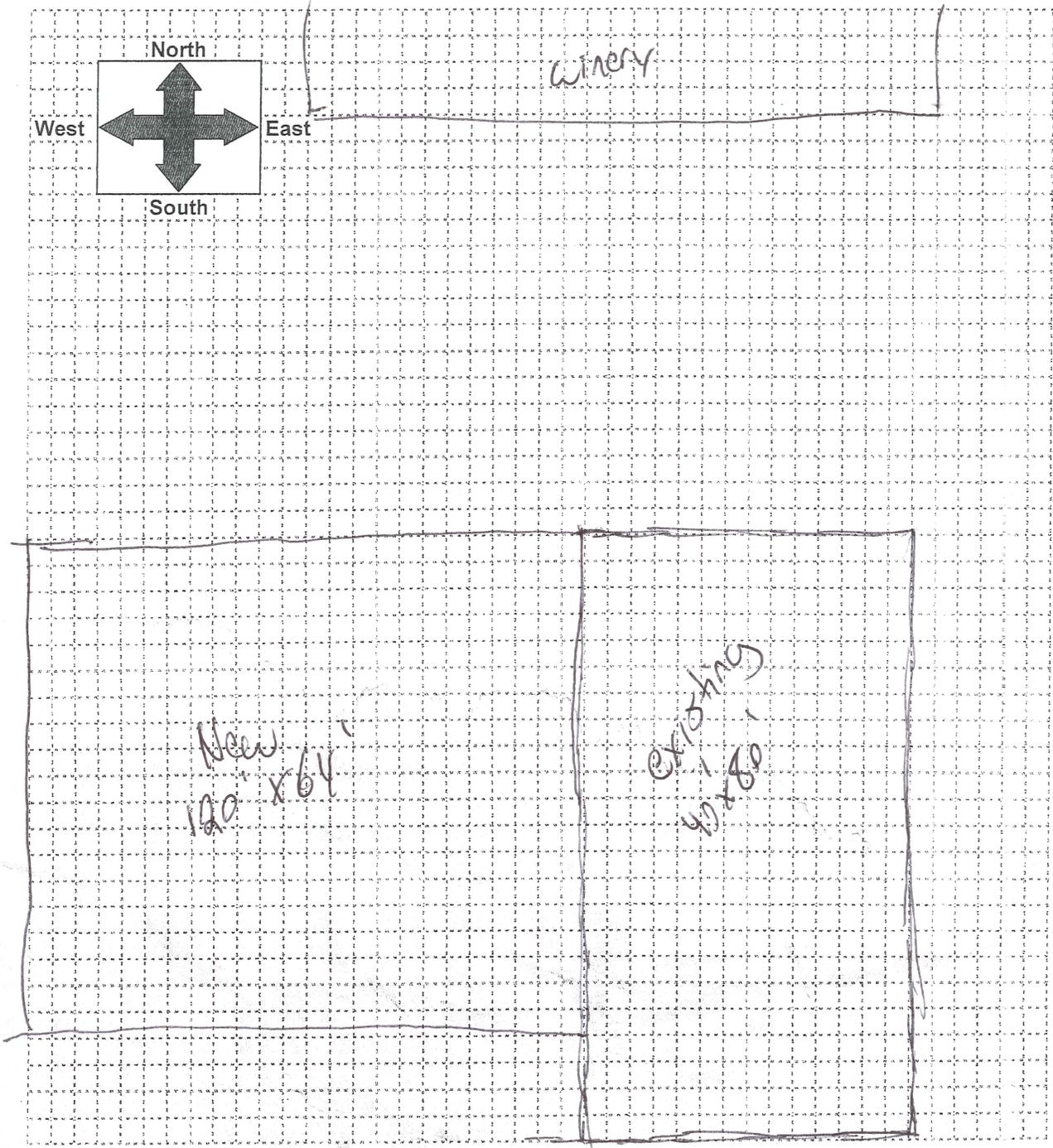
680-4449  
Telephone

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

202004018

**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.



463 rd Ave

## BROOKINGS COUNTY DEVELOPMENT

Planning, Zoning and Drainage / Emergency Management  
Brookings City & County Government Center  
520 3<sup>rd</sup> Street, Suite 200  
Brookings, SD 57006  
(605) 696-8350

E-Mail: [zoning@brookingscountysd.gov](mailto:zoning@brookingscountysd.gov)

Brookings County Board of Adjustment  
September 1, 2020 – 8:00 PM meeting

# 2020cu018 – September 1, 2020

Prepared by Richard Haugen,

Applicant/Owner: Dillion Ringling, 21095 463<sup>rd</sup> Ave, Volga, SD 57071

Legal Description: "SE1/4 SE1/4 SE1/4 of Section 16, T110N, R51W."

*Brookings County Zoning Ordinance: Article 11: Section 11.01: "A" Agricultural District: Conditional Use Permit # 20: Home extended business.*

2020cu018: Dillion Ringling has applied for a conditional use for an extended home business for an event center to be able to host, but not limited to: weddings, anniversaries, reunions, corporate retreats, graduations, etc., at his residence located at 21095 463<sup>rd</sup> Ave, Volga, SD 57071, just north of the intersection of US Highway 14 and 463<sup>rd</sup> Ave. The building site is 10.00 acres, consisting of the residence, winery building, storage shed and a proposed new 64 feet x 120 feet, three (3) season's event hall to be constructed in 2-3 years. Until the event center structure is built the applicant plans to use a 40' x 120' tent to host such events such as: weddings, anniversaries, reunions, corporate retreats and graduations. The tent would be used in "Spring, Summer and Fall" and the permanent structure would be used year round. The applicant has a "South Dakota Farm Wine and Malt Beverage License" that was approved by Brookings County and issued by the South Dakota Department of Revenue, which allows them to serve malted beverages and wine, but no hard liquor. The applicant's business plan is attached which includes emergency plans, dust control, South Dakota Department of Environment and Natural Resources recommendations, South Dakota Department of Health recommendations, parking/security. There will be no overnight lodging of guests. While visiting with the applicant, he noted the hours of operation will be 8:00 AM - 12:00 AM, with setup starting at 8:00 AM, the event, and alcohol sales ending at 12:00 AM; clean up and closing at 1:00 AM.

Public notices were published in the Brookings Register on August 18 and 25, 2020 and the Volga Tribune on August 20 and 27, 2020.

Letters were sent to the adjoining landowner's, Volga Township Chairman and Clerk, South Dakota Department of Transportation.

2020cu018  
Staff Report  
September 1, 2020

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 5/11/2020

Permit Number: 2020CU018

To: Brookings County Board of Adjustment  
520 3<sup>rd</sup> 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:

The construction of a pole barn/event venue  
mainly for the purpose of hosting wedding  
will be a tent for 2-3 years with actual  
barn being built at that time. Mainly for the  
purpose of hosting weddings, anniversaries, reunions,  
corporate retreats, graduations etc.

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

Article II: Section 11.01: "A" Agricultural District:  
Conditional Use Permit #00: Home extended  
Business

C.) Legal Description of Property:

SE 1/4 SE 1/4 SE 1/4 Section 16  
T110 N<sup>o</sup> R51 W<sup>o</sup> of 8<sup>th</sup> DM  
(Volga) #229801105116410  
Site addr: 21095 463<sup>rd</sup> Ave, Volga SD 57071

RECEIVED

Form continued on page 2

## Application for Conditional Use

- Business Plan- Schade Vineyard and Winery has been in business for 20 years. We feel that the next step of this company is to become an event venue. The market has never been better for boutique event venues. Our main focus would be weddings, but not limited to them. We could also host graduations, corporate retreats, birthday parties, anniversaries, and many more events. We have years of experience in hosting large to small events, anywhere from 20-500 people. To give our customers the best experience possible, we feel that we need to expand our business. This would include a new event building as well as a large parking lot. We plan on partnering with Hitch Studio in Brookings to be our wedding organizer and planner. We are still in the works of finalizing a contract and are still unsure of exactly how that relationship will look. It will be 120'x64' situated on the property near attached to an existing building. It will have a main room that is 64x120' that can adequately hold 500+ guests. It will have a bar, 2 full ADA restrooms, prep kitchen, storage room, utility room, groom's loft, and a bridal suite. We do have a prep kitchen, but we will not be serving food, it must all be catered in from a certified kitchen. This space will be used year round. There will also be an area to have the wedding ceremony, a truly one stop shop experience. Our goal is to make a truly unique wedding experience at an affordable rate. This is something that will greatly benefit Brookings County.
- The hours of operation will be 8:00 AM - 12:00 AM, with setup starting at 8:00 AM, the event, and alcohol sales ending at 12:00 AM; clean up and closing at 1:00 AM.
- The building will be built in 2-3 years. Until then we will be utilizing a 40x120 frame tent. It will stay set up throughout spring, summer and fall and then be taken down in the winter. The restrooms, bridal suite, and grooms suite will all be built this fall.
- DNR Septic System-**

Talked with DNR, they suggested using a certified septic installer from the list on their website. That is our plan. It will be a 1,000 gallon tank with a large drain field.
- SD Department of Health recommendations-**

Prep Kitchen- 3 basin sink and separate hand washing sink. Construction will be smooth walled ceiling and sealed floor.

Bar- Triple basin sink and separate hand washing sink.

\*This is not required because we are not making food, this is a voluntary permit.
- Restrooms- They will be fully ADA Men's and Women's restrooms. Each will have a handicap stall. Men's will have 1 stall, 3 urinals, and 2 sinks. Women's will have 4 stalls and 2 sinks. They will each be equipped with floor drains as well.
- Capacity of building- Capacity of 500 guests with 8448 square feet of usable floor space for guests.

- **Parking-** parking can accommodate 98 cars in the venue parking lot, 6 of those being handicapped spots and 1 of them being van accessible. There will also be a drop off spot for a shuttle service, as many Brookings hotels offer this. There will also be overflow available for another 100+ cars in different areas, we have an agreement with the neighboring land owner to utilize some of his ground as parking. Industry standard is 3.33 guests per car which should give us plenty of parking area.
- No lodging of guests

**Construction storm water construction permit-**

We will be disturbing more than an acre of ground so we will be required to apply for a storm water permit.

**Dust Control-** We currently use MAG water on the access road and will continue to do so. We will also use MAG water on the rest of the parking lot.

**EMERGENCY PLANS-**

- **Security-** If wedding party requests a security presence; we will contract through the Brookings County Sherriff's office.

**Severe Weather-** Tornado/High winds- Everyone will be ordered to go to the winery as this building has no windows. It is larger than 2,000 Sq. Ft. which is adequate space for 500+ people for standing and enough seating for elderly and young. There is a restroom, drinking water, fire extinguishers, and a first aid kit in the winery. Staff and customers will be released from the building when the warning has been lifted.

**Power outage-** Electrical system will be fitted with portable generator backup capabilities. Key staff will be trained on operation of this. This will only power the essential items: lighting, refrigerators, and select outlets.

**Thunderstorm-** All customers and staff will be directed indoors to the venue until storm passes. Guests and staff will be encouraged to stay away from doors and windows.

**Alcohol related incidents-** All staff handling alcohol will be Servsafe certified, which is already required for all winery staff.

**Fire-** There will be fire extinguisher at the 2 main exits, near the restroom and in the prep kitchen. Staff will be trained on where those are located and how to use those. Venue manager will be in charge of contacting fire department if it is needed. Guests will be directed to the exits and will remain at a safe distance until the building is safe.

**First Aid-** First aid kits will be located in the bar area and the prep kitchen. Staff will be trained on how to use those.



# The Crossing

By Schadé Vineyard and Winery

*Schadé*

**VINEYARD  
& WINERY**

**Next Left**

# Site Location

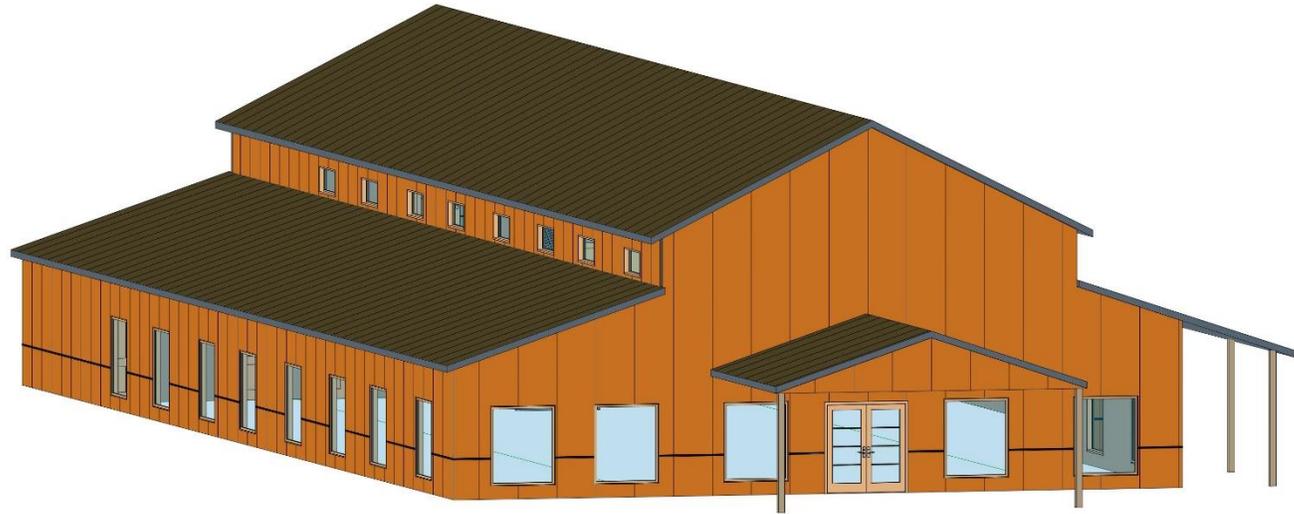


# Economic Impact

- Revenue for hotels, restaurants/bars, entertainment etc.
- Competition for the Sioux Falls Venue Market
- Increase Local Tax Revenues
- Bringing 1,000+ people to Brookings County a month

# Business Plan

- All food will be catered by local vendors
- Hitch Studio will provide booking and Wedding Planning Services
- The Crossing will provide the building, tables/chairs, and table linens



① Isometric view



4101 N. 4TH AVENUE - SIOUX FALLS, SD  
PH 605-339-3647

REAVESBUILDINGS.COM FACEBOOK.COM/COMPONENTREAVE

PROJECT INFO

**Reaves  
Buildings**

Volga, SD

Schade Winery

**Cover**

REF NUMBERS

P192407 | JO880000

DESIGNER

Lance Garbers

lgarbers@reaves.com

DRAWING DATES

FOR APPROVAL (CHOPS)

7-23-19

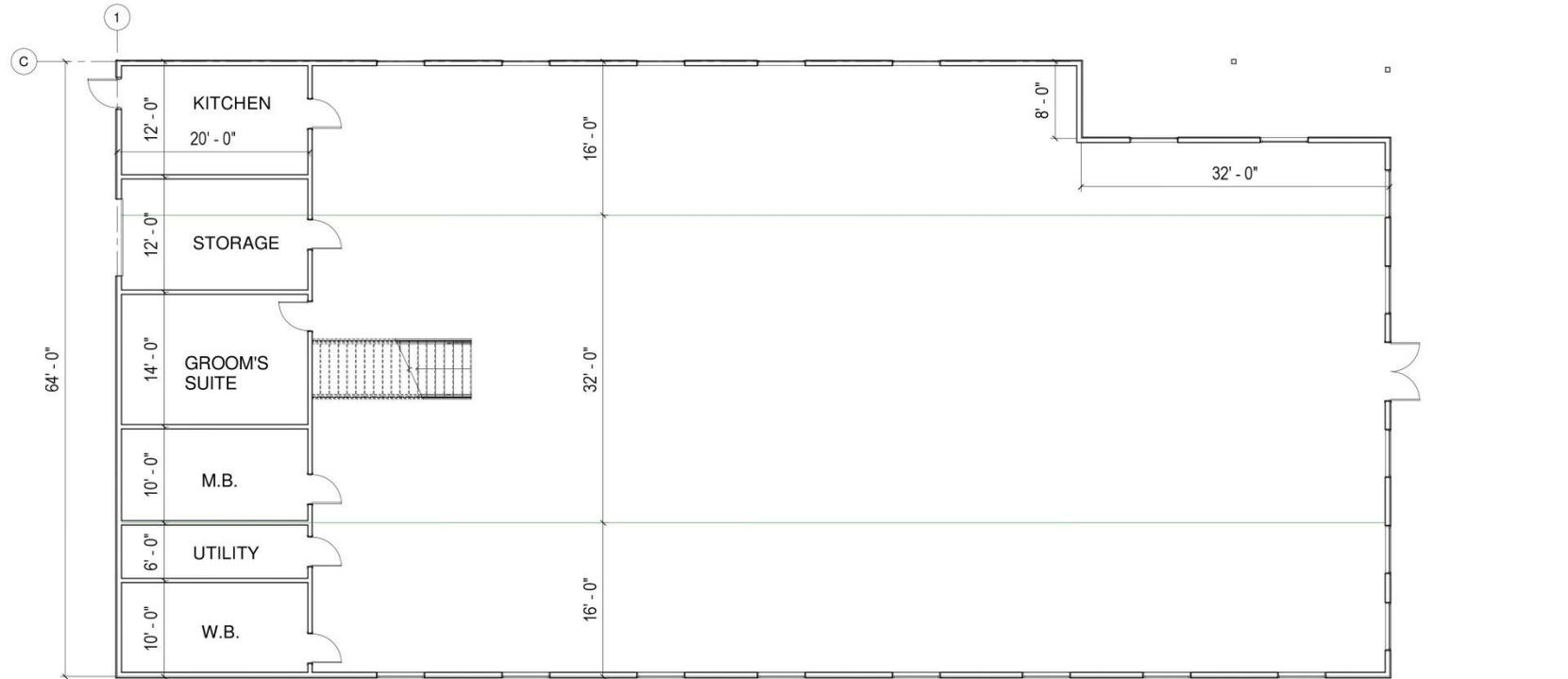
REVISIONS

FOR FIELD USE (FINAL)

N/A

PAGE NUMBER

**B100**



1 Floor plan  
3/16" = 1'-0"

### Building Information

BUILDING SIZE: 64' x 132'  
 CEILING HEIGHT: 18' & 10'  
 SERVICE DOOR: 3-0 x 6'8"  
 WINDOW SIZE: VARIES  
 ROOF PITCH: 6/12 & 4/12  
 TRIM COLOR: BURNISHED SLATE  
 ROOF COLOR: BURNISHED SLATE  
 WAINSCOT COLOR: N/A  
 WALL COLOR: COPPER

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

Window Schedule				
Type	Count	Width	Height	Head Height
2050	14	5'-0"	2'-0"	7'-0"
5060	20	5'-0"	6'-0"	7'-0"

Door Schedule						
Type	Family	Count	Width	Head Height	Rough Width	Rough Height
3-0	Interior Door	8	3'-0"	6'-8"	3'-2"	6'-9"
3-0	Exterior	1	3'-0"	7'-0"	3'-4"	7'-4"
8 x 8'	Ovhd (Sectional)	1	8'-0"	8'-0"	8'-0"	8'-0"
72" x 80"	Door-Exterior-Double-Full-Glass-Wood-Clad	2	6'-0"	6'-8"	6'-2"	6'-9"

PROJECT INFO

Reaves Buildings

Volga, SD

Schade Winery

### Floor Plan

REF. NUMBERS  
 P192407 | JO880000

DESIGNER  
 Lance Garbers  
 lgarbers@cmcreaves.com

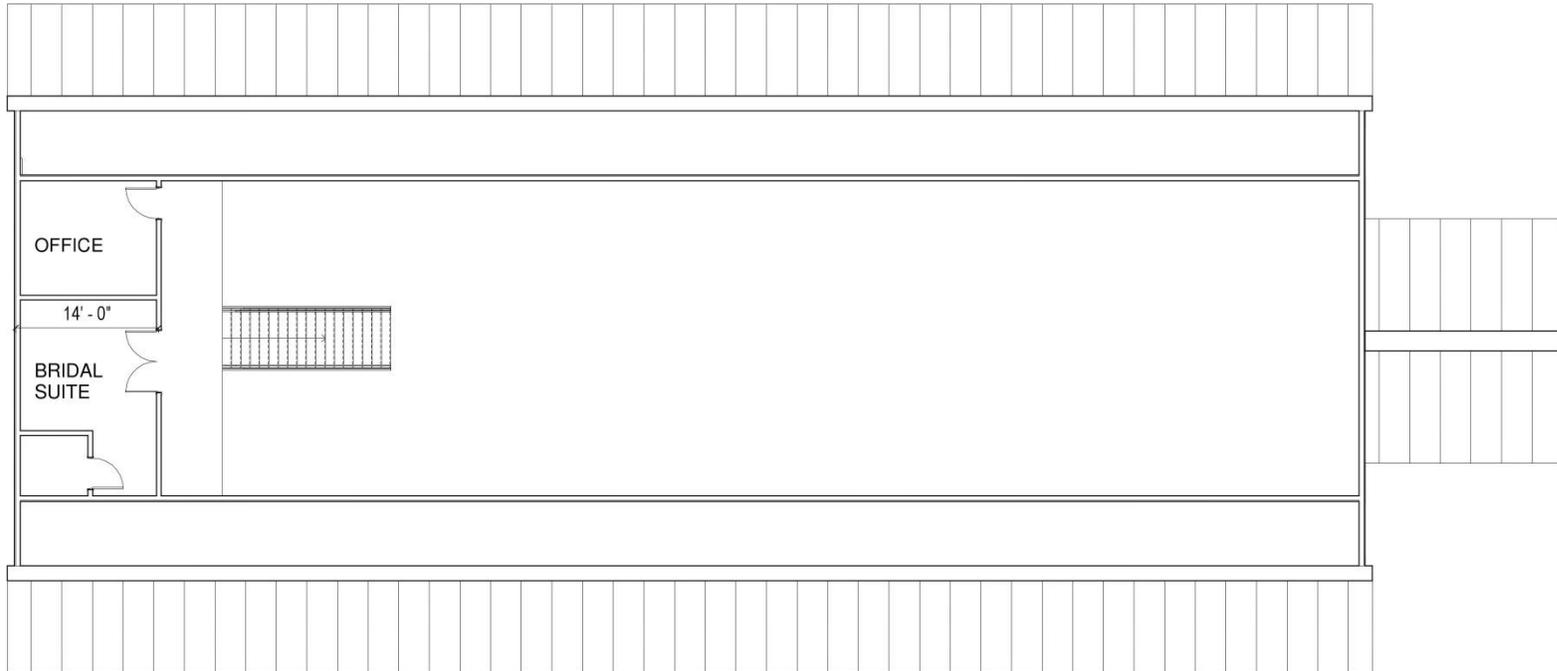
DRAWING DATES

FOR APPROVAL (SHOPS)  
 7-23-19  
 REVISION(S)

FOR FIELD USE (FINAL)  
 N/A

PAGE NUMBER

B101



① 2ND FLR  
3/16" = 1'-0"

PROJECT INFO

**Reaves  
Buildings**

Volga, SD

Schade Winery

**2nd Floor**

REF. NUMBERS  
P192407 | JO880000

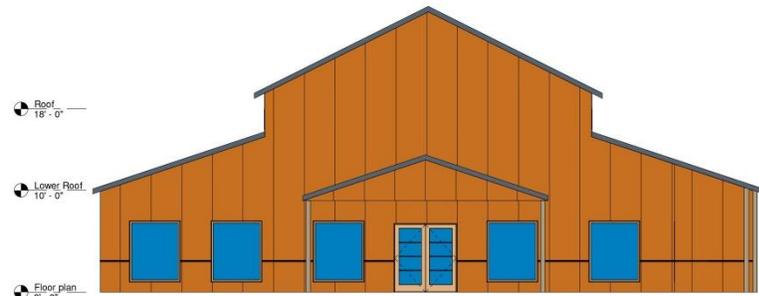
DESIGNER  
Lance Garbers  
lgarbers@cmrreaves.com

DRAWING DATES  
FOR APPROVAL (SHOP) 7-23-19  
REVISION(S)

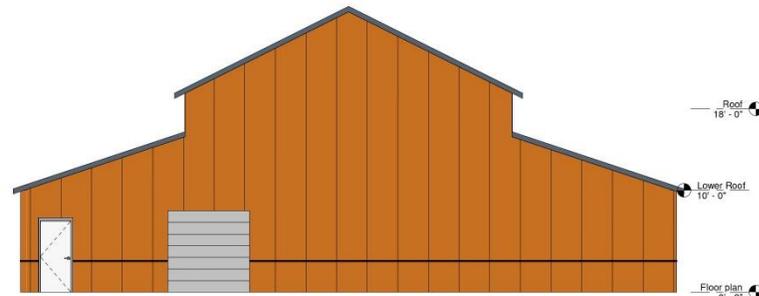
FOR FIELD USE (FINAL) N/A

PAGE NUMBER

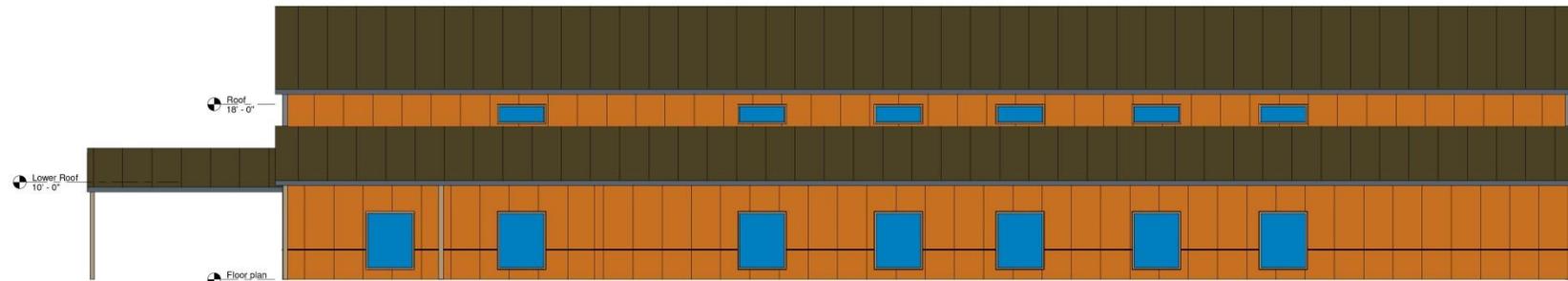
**B103**



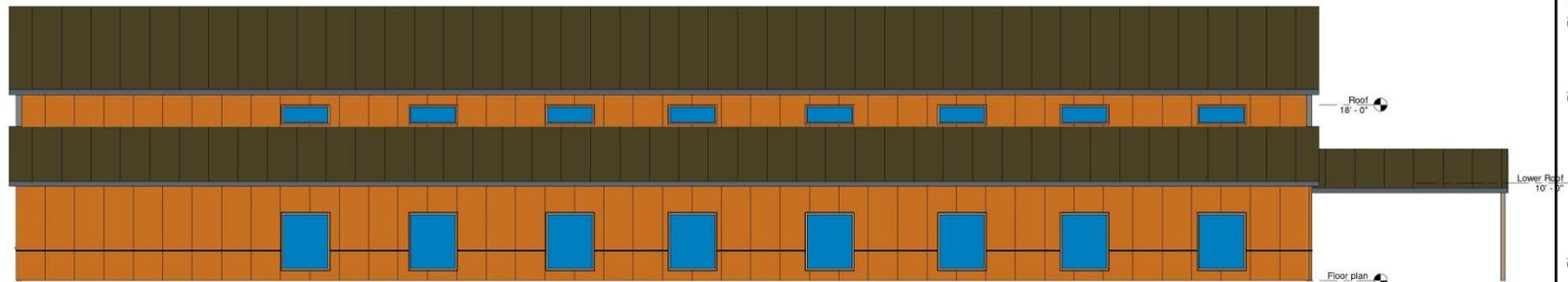
① ENDWALL #1  
3/16" = 1'-0"



② ENDWALL #2  
3/16" = 1'-0"



③ SIDEWALL #1  
3/16" = 1'-0"



④ SIDEWALL #2  
3/16" = 1'-0"

PROJECT INFO

**Reaves  
Buildings**

Volga, SD

Schade Winery

**Elevations**

REF. NUMBERS

P192407 | JO880000

DESIGNER

Lance Gabbers

lgabbers@cmcreaves.com

DRAWING DATES

FOR APPROVAL (SHOPS)

7-23-19

REVISION(S)

FOR FIELD USE (ENAL)

N/A

PAGE NUMBER

**B102**





Overflow Parking:  
Accommodates 300

Parking Lot:  
Accommodates 300

Building Site

2020cu018

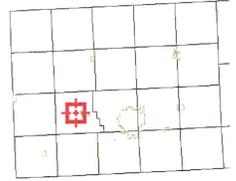


Beacon™

Brookings County, SD



Overview



Legend

- Brookings City Limits
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Parcel ID 229801105116410  
 Sec/Twp/Rng 16-110-51  
 Property Address 21095 463RD AVE  
 VOLGA

Alternate ID n/a  
 Class AGC  
 Acreage 10

Owner Address SCHADE, JAMES ET UX  
 C/O DILLON RINGLING  
 21095 463RD AVE  
 VOLGA SD 57071

District 2205  
 Brief Tax Description SE 1/4 SE 1/4 SE 1/4 OF SEC 16-110-51 10.00 AC  
 (Note: Not to be used on legal documents)

Date created: 8/21/2020  
 Last Data Uploaded: 8/21/2020 8:08:35 AM

Developed by Schneider  
 GEOSPATIAL

Looking west into entrance off 463<sup>rd</sup> Ave.



Looking north from driveway on 463<sup>rd</sup> Ave.



2020cu018: Dillion Ringling

Looking south from driveway on 463<sup>rd</sup> Ave.



Proposed event center – Wheel at end of building.



Proposed event center.



Proposed event center where trailer is parked.



Northwest parking area.



West parking area.



Looking west towards parking area, west of proposed building.



Residence on site.



Winery building.

