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 5th 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 5th 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 5th 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. **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- (Davis) Staff Report-updated 082820.pdf

A. **Comments received - 2020cu017**

Documents:

M Bowne_8-27-2020 Email.pdf
M Bowne_8-28-2020 Email.pdf

11. **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 463rd Ave, Volga, SD 57071.

Documents:

2020cu018 Application.pdf
2020cu018 - Staff Report.pdf

12. **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

13. **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

14. **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

2020var013-(Hacker) Staff Report.pdf

15. **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 32nd St S, Brookings, SD 57006.

Documents:

2020var014 Application.pdf
2020var014 (Deknikker) Staff Report.pdf

16. **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
2020var015 (Boulais) Staff Report.pdf

17. **2020var016 - WITHDRAWN BY APPLICANT**

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
2020var016 (Comes) 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 5th P.M., Brookings County, South Dakota."

DRAFT 8-19-2020

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 5th 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 5th 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 5th 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

DRAFT 8-19-2020

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.

DRAFT 8-19-2020

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 rocked 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-nay, 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:

DRAFT 8-19-2020

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 fee 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 of 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.

DRAFT 8-19-2020

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 473rd 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 20th 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.

_____

Rae Lynn Maher
Brookings County
Development Department

DRAFT 8-19-2020

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

Brookings County 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

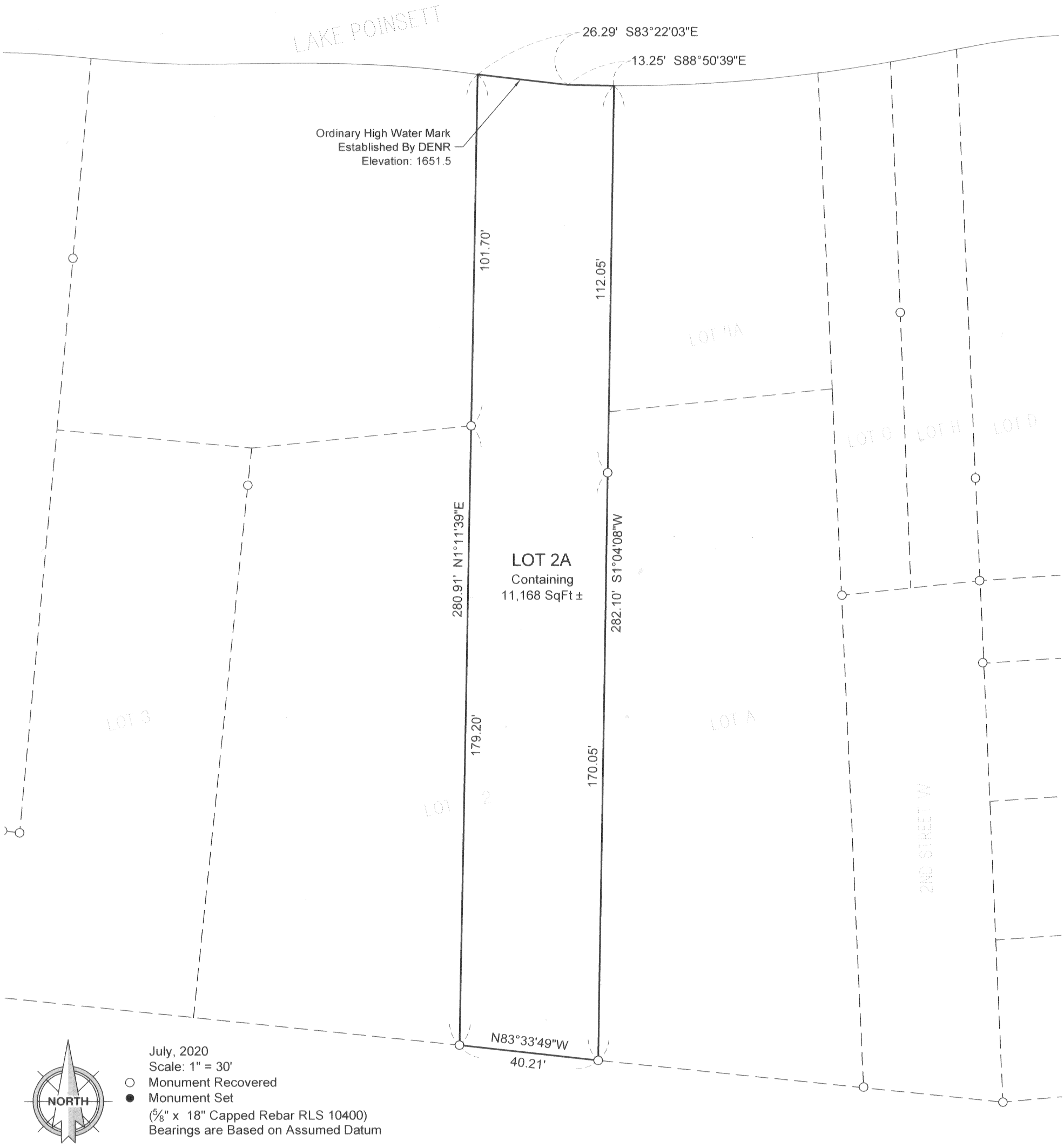
Legal Description: "Plat of Lot 2A of Lake Poinsett Heights Addition, Christoffer Madsen's Subdivision in Government Lots 3 and 4 in Section 5, T112N, R52W, of the 5th P.M., Brookings County, South Dakota."

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 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.

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 5TH 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 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.



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 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA".**

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

REGISTERED PROFESSIONAL ENGINEER
REG. NO. 10400
ANDREW E. KANGAS
7-21-2020
SOUTH DAKOTA
LAND SURVEYOR

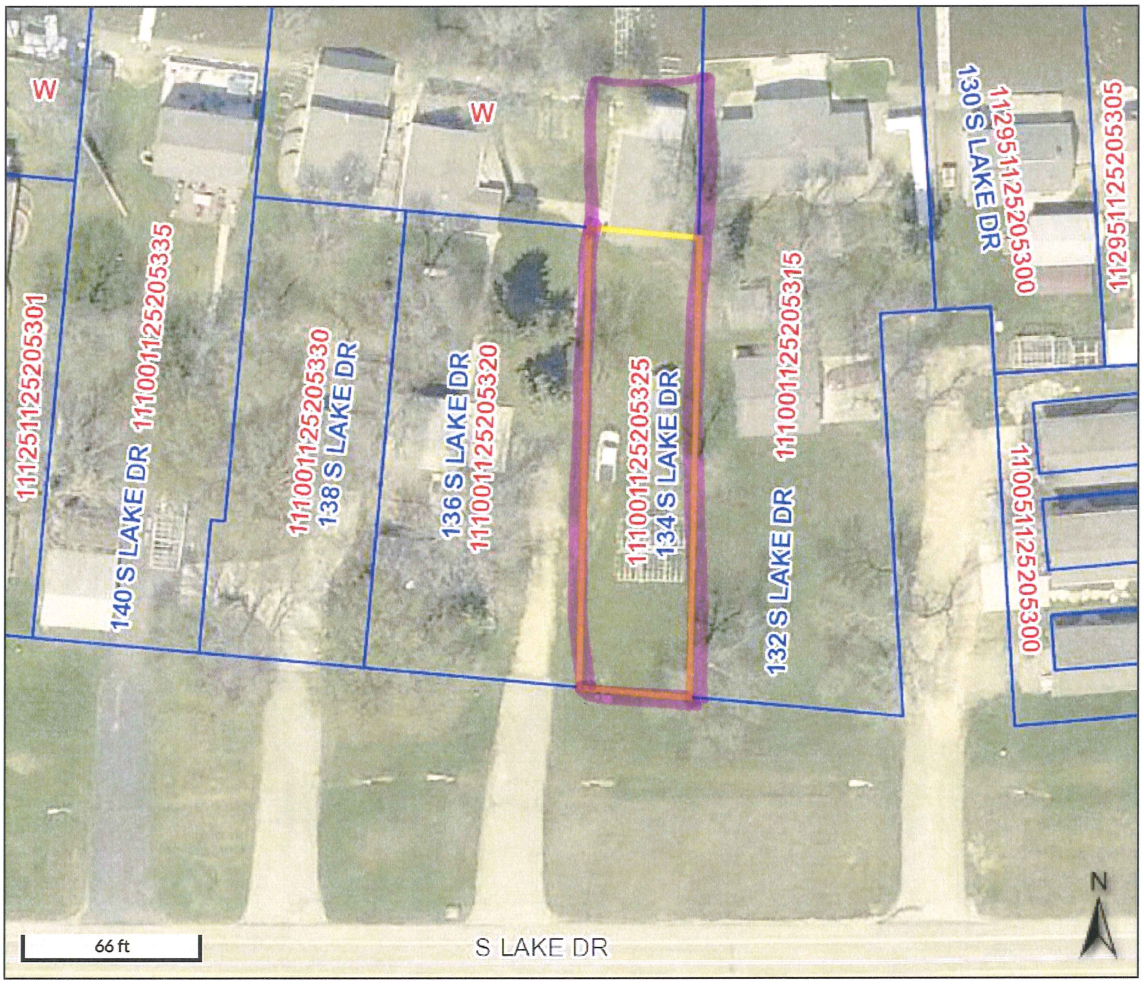
Prepared By:

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

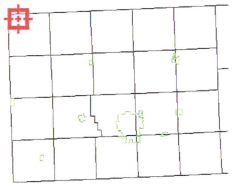
Lot 2A Lake Poinsett Heights Addition

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'				
	(Note: Not to be used on legal documents)				

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 3rd Street, Suite 200
Brookings, SD 57006
(605) 696-8350
E-Mail: 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 Haraldson, 7200 S Louise Ave, Sioux Falls, SD 57108
Site: 136 and 138S Lake Dr, Arlington, SD 57212

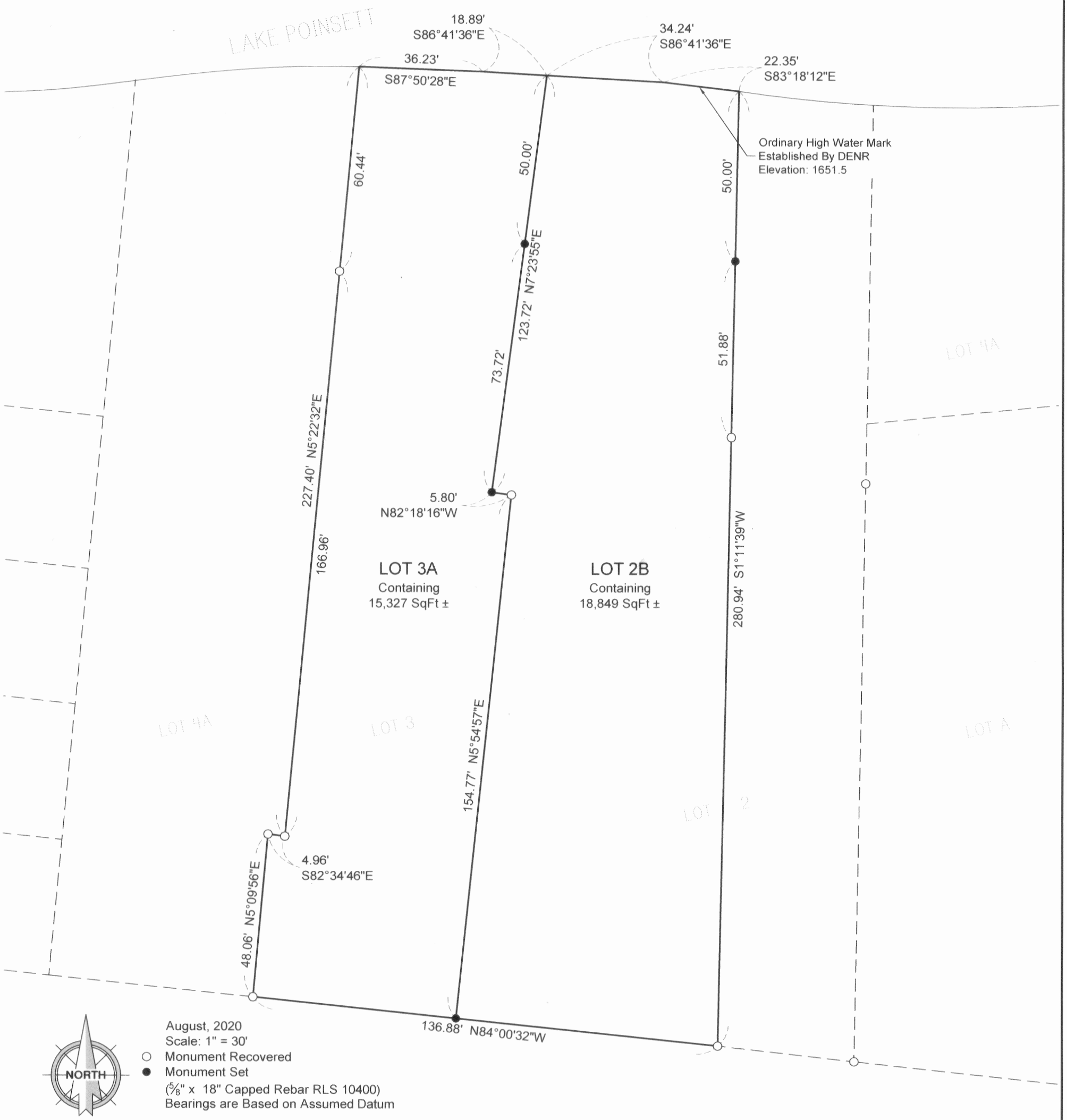
Legal Description: "Plat of Lot 2B and 3A of Lake Poinsett Heights Addition, Christoffer Madsen's Subdivision in Government Lots 3 and 4 in Section 5, T112N, R52W, of the 5th P.M., Brookings County, South Dakota."

2020plat019: Tena Haraldson 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 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. 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.

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 5TH 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.



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 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA".**

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

REGISTERED PROFESSIONAL ENGINEER
REG. NO. 10400
ANDREW E. KANGAS
8-17-2020
SOUTH DAKOTA
LAND SURVEYOR

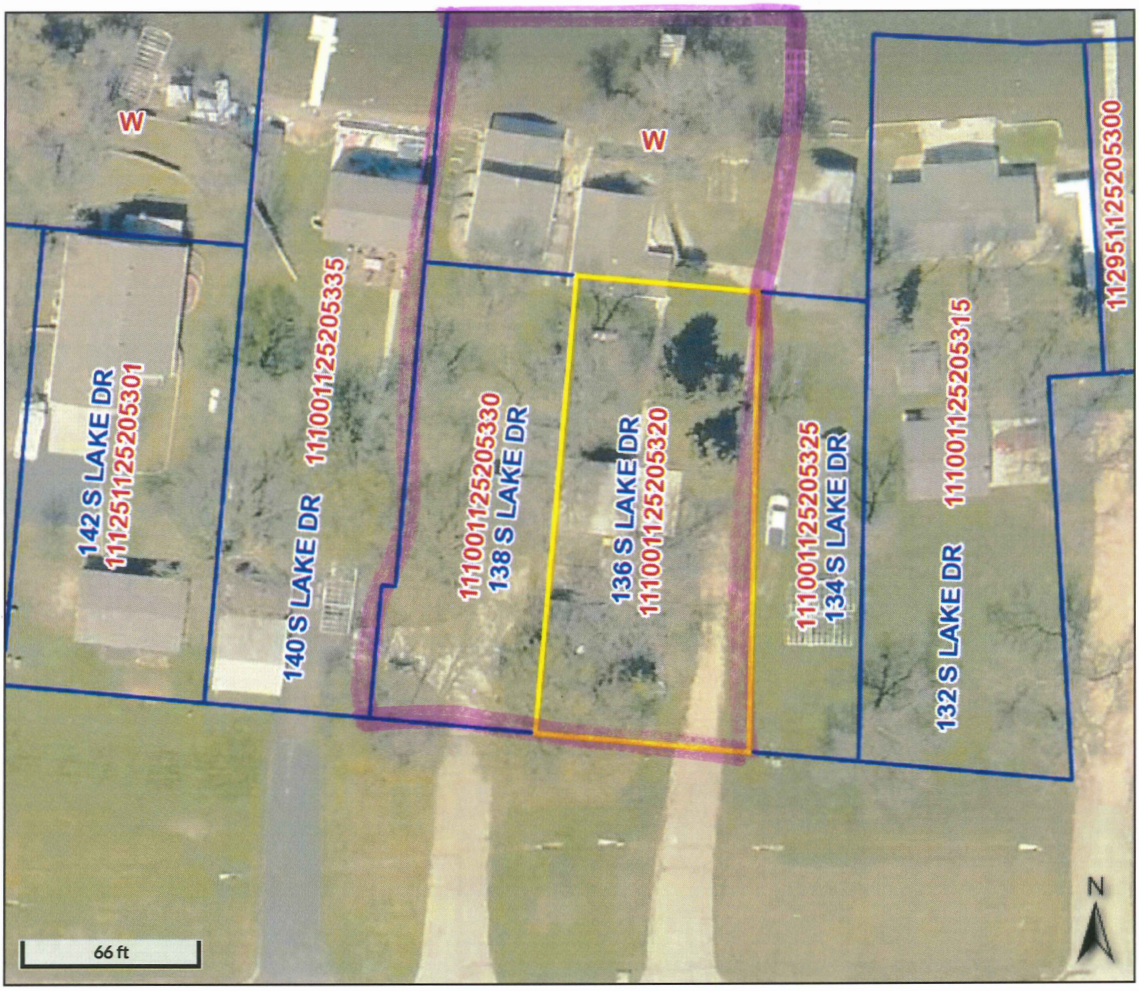
Prepared By:

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

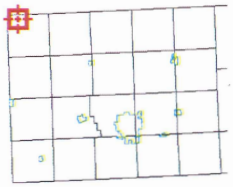
Lots 2B & 3A Lake Poinsett Heights Addition

2020plat019

Beacon™ Brookings County, SD



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 3rd Street, Suite 200
Brookings, SD 57006
(605) 696-8350
E-Mail: 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

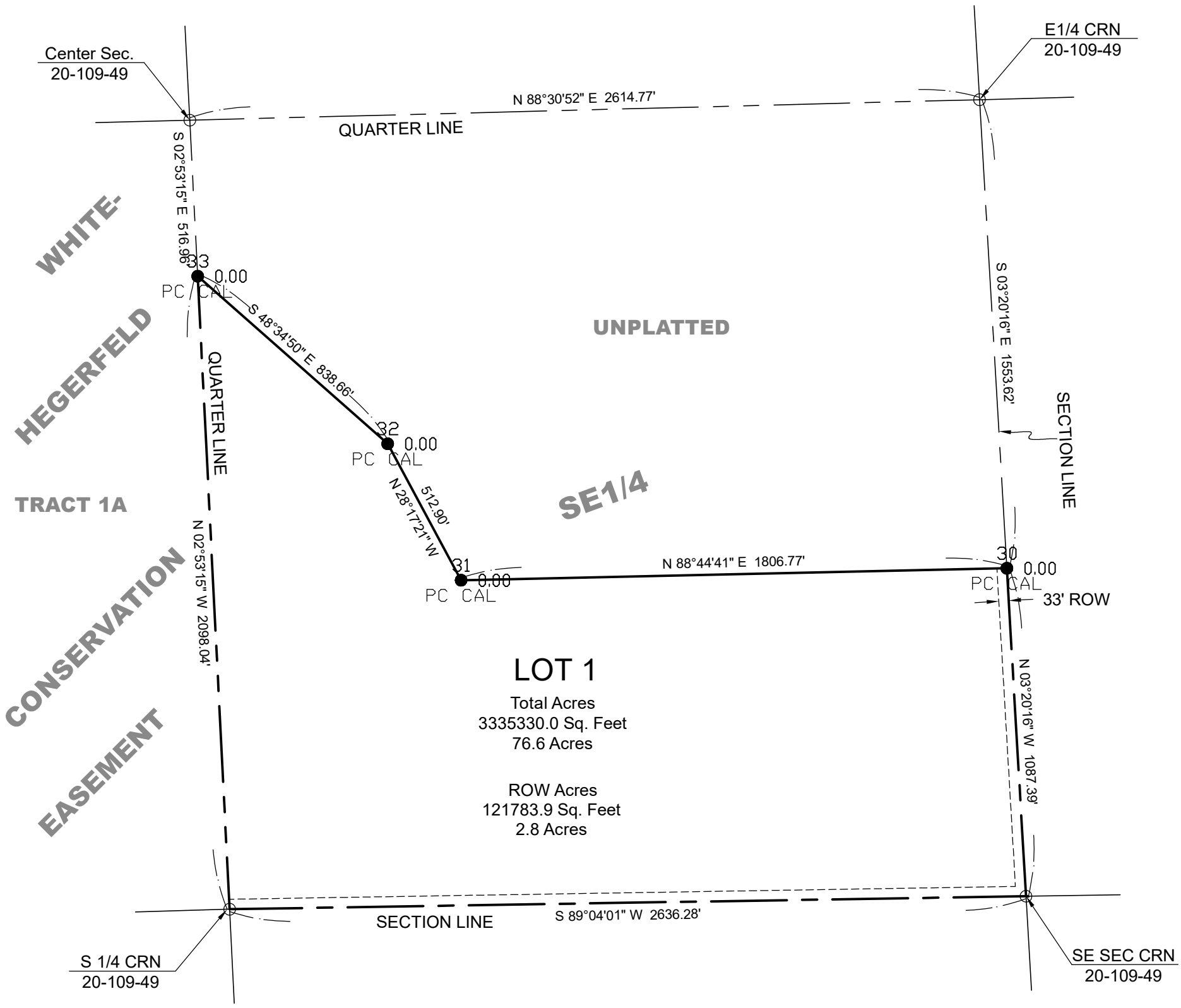
Legal Description: "Plat of Soobrook Farm's Addition in the SE1/4 of Section 20, T109N, R49W of the 5th P.M., Brookings County, South Dakota."

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.

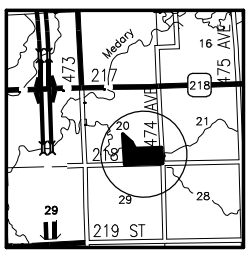


SURVEYOR'S CERTIFICATE

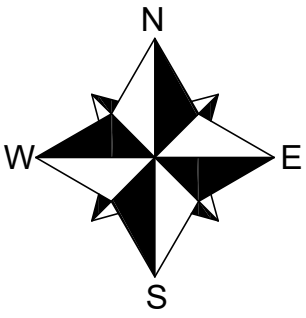
I, Ronald W. Golden, a Registered Land Surveyor in the State of South Dakota, do hereby certify that I did on or before June 24th, 2020, at the request of the owner, surveyed and platted a portion of the Southeast Quarter (SE1/4) of Section Twenty (20), Township One Hundred Nine (109) North, Range Forty-Nine (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

REGISTERED LAND SURVEYOR
REG. NO.
6573
RONALD W.
GOLDEN
SOUTH DAKOTA



VICINITY MAP
20-109-49



Basis of Bearing
GPS Observation

SCALE: 1" = 400'

LEGEND

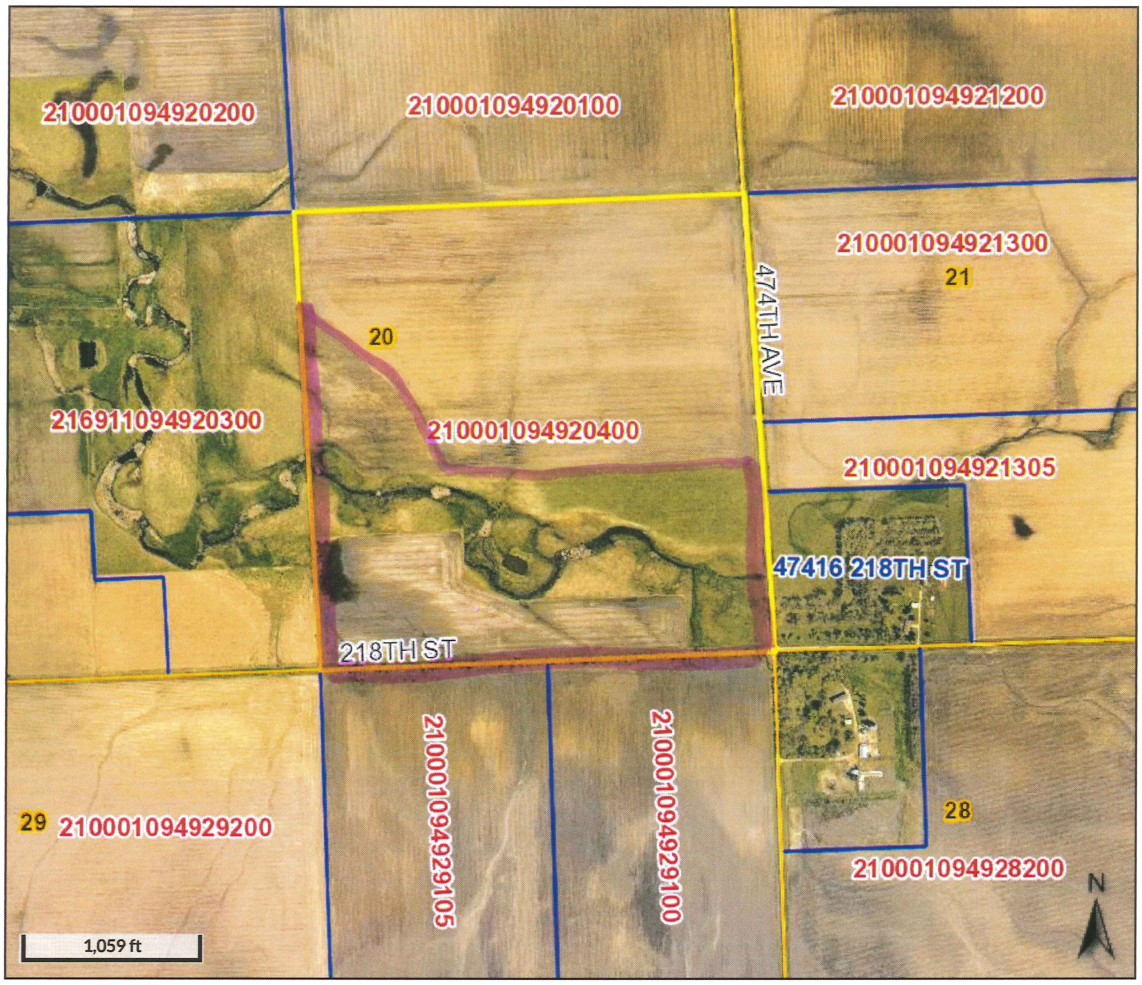
●	SET 5/8" REBAR w/ CAP
○	FOUND IRON MONUMENTATION
——— – ———	SECTION LINE
——— – – ———	1/4 LINE
———————	PROPERTY LINE
- - - - - - - - - - - - - -	PUBLIC RIGHT OF WAY

SooBrook_B r_p

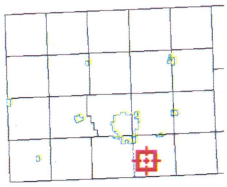
Soobrook Farm's Addition

2020 plat 020

Beacon™ Brookings County, SD



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

AUG 5 2020

BROOKINGS COUNTY DEVELOPMENT

APPLICATION FOR CONDITIONAL USE PERMIT

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:

E1/2 NE1/4, SW1/4 NE1/4 SE1/4 NW1/4 Sec 4 T110N R48W (Alton Twp)

Parcel # 02000.11048.041.00

RECEIVED

AUG - 5 2020

BROOKINGS COUNTY DEVELOPMENT

Form continued on page 2

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

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

Tom Davis / Representative
Person filing petition – sign

48185 210 st. Elkton, SD 57026
Address

City

State

Zip Code

605-695-1394
Telephone

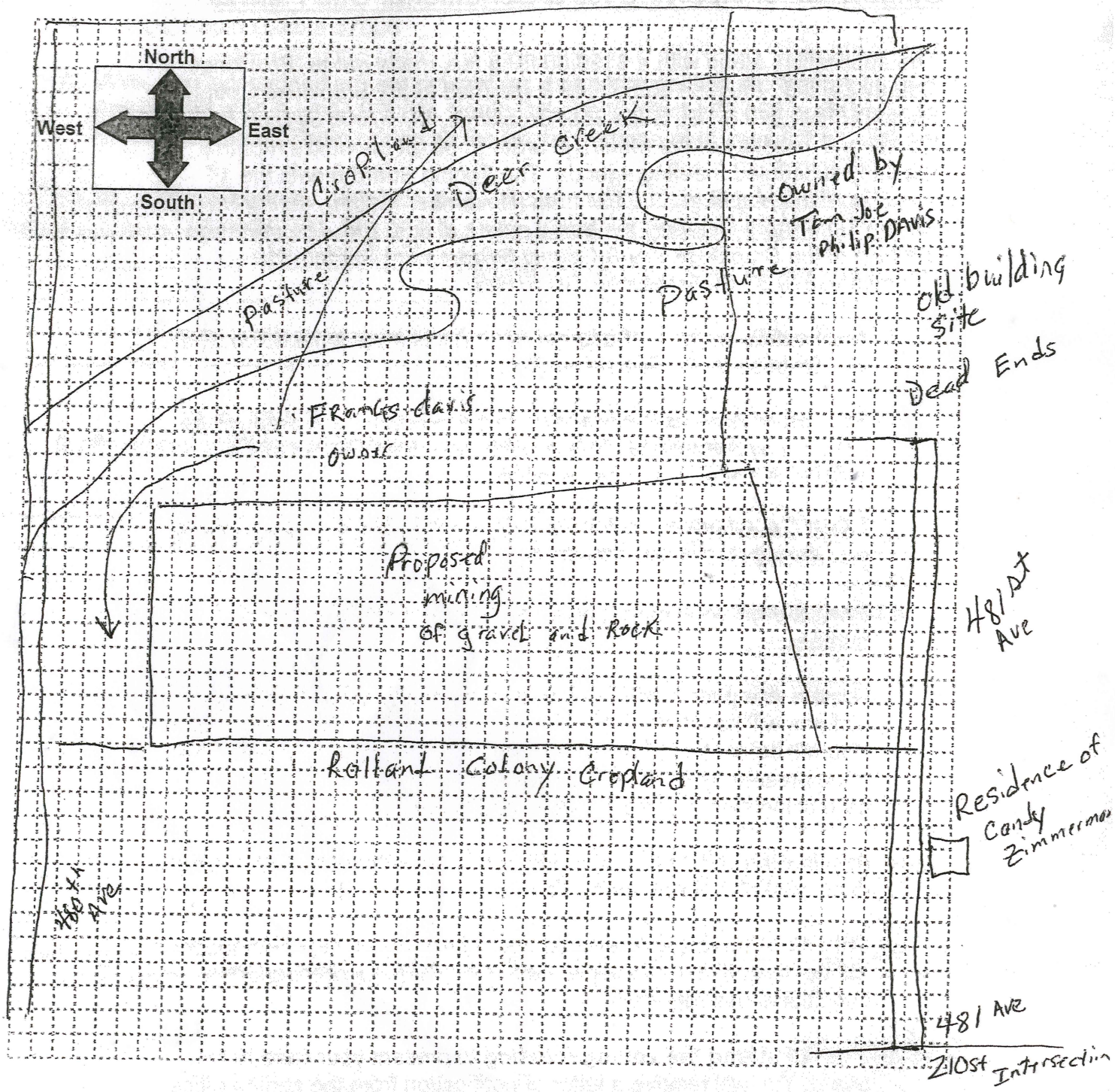
A conditional use that is granted and not used within three (3) years will be considered invalid.

2020CU017

~~2020CU001 + 2020CU002~~

SKETCH

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



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

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

2020cu017 – September 1, 2020

Prepared by Richard Haugen

Applicant: Tom Davis, 48185 210th 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.

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.

RECEIVED

AUG 5 2020

BROOKINGS COUNTY DEVELOPMENT

APPLICATION FOR CONDITIONAL USE PERMIT

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:

E1/2 NE1/4, SW1/4 NE1/4 SE1/4 NW1/4 Sec 4 T110N R48W (Alton Twp)

Parcel # 02000.11048.041.00

RECEIVED

AUG - 5 2020

BROOKINGS COUNTY DEVELOPMENT

Form continued on page 2

Richard Haugen

From: Tom Sterzinger <tsterzinger@starpoint.net>
Sent: Tuesday, August 25, 2020 7:16 PM
To: Richard Haugen
Subject: Re: Davis - mining and crushing CUP

Richard,
I have updated the plan.

Tom

Crushing Plan

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

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

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

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

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

#6 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.

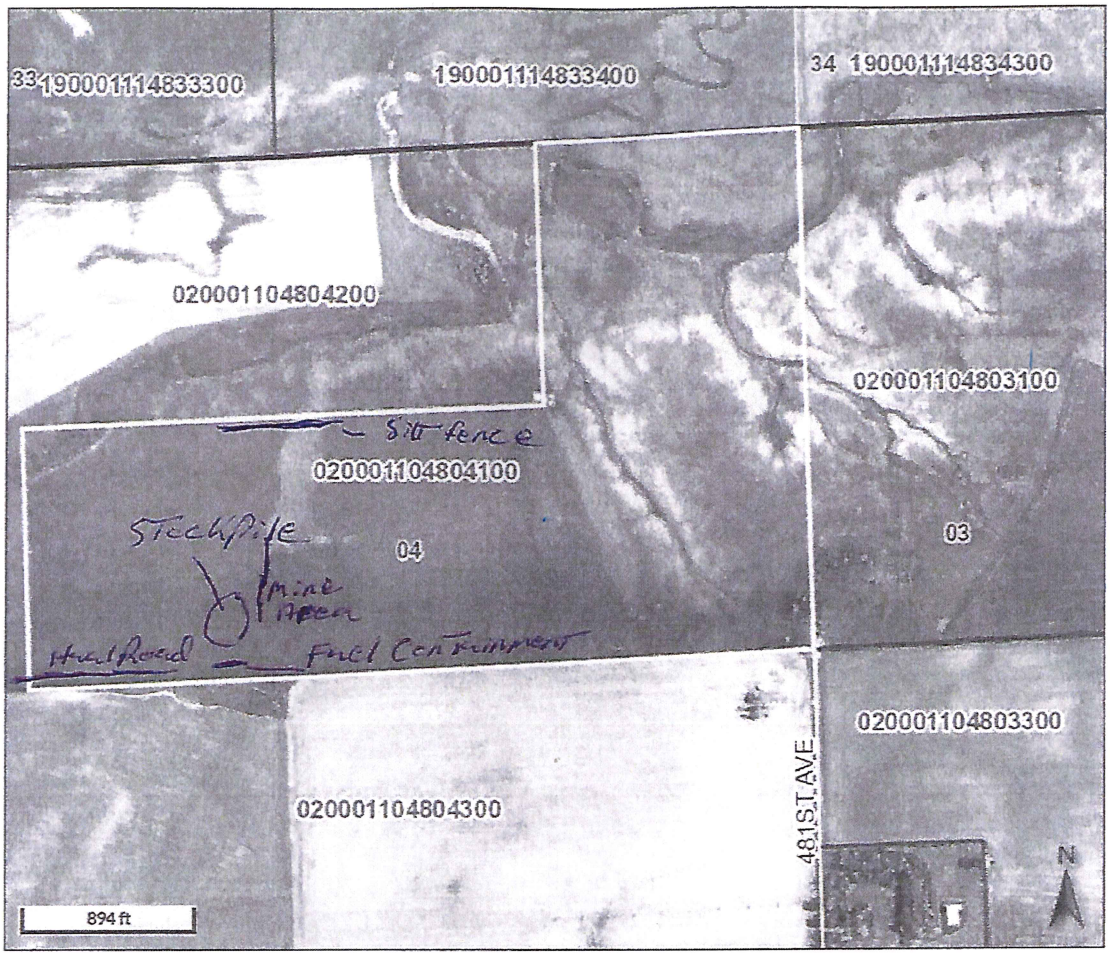
#7 The number of years the the mine site will be expected to be mined is approximately 30 years.

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

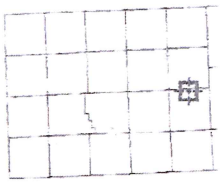
Tom Sterzinger,
Sterzinger Crushing, Inc.

2020cu017

Beacon™ Brookings County, SD



Overview



Legend

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

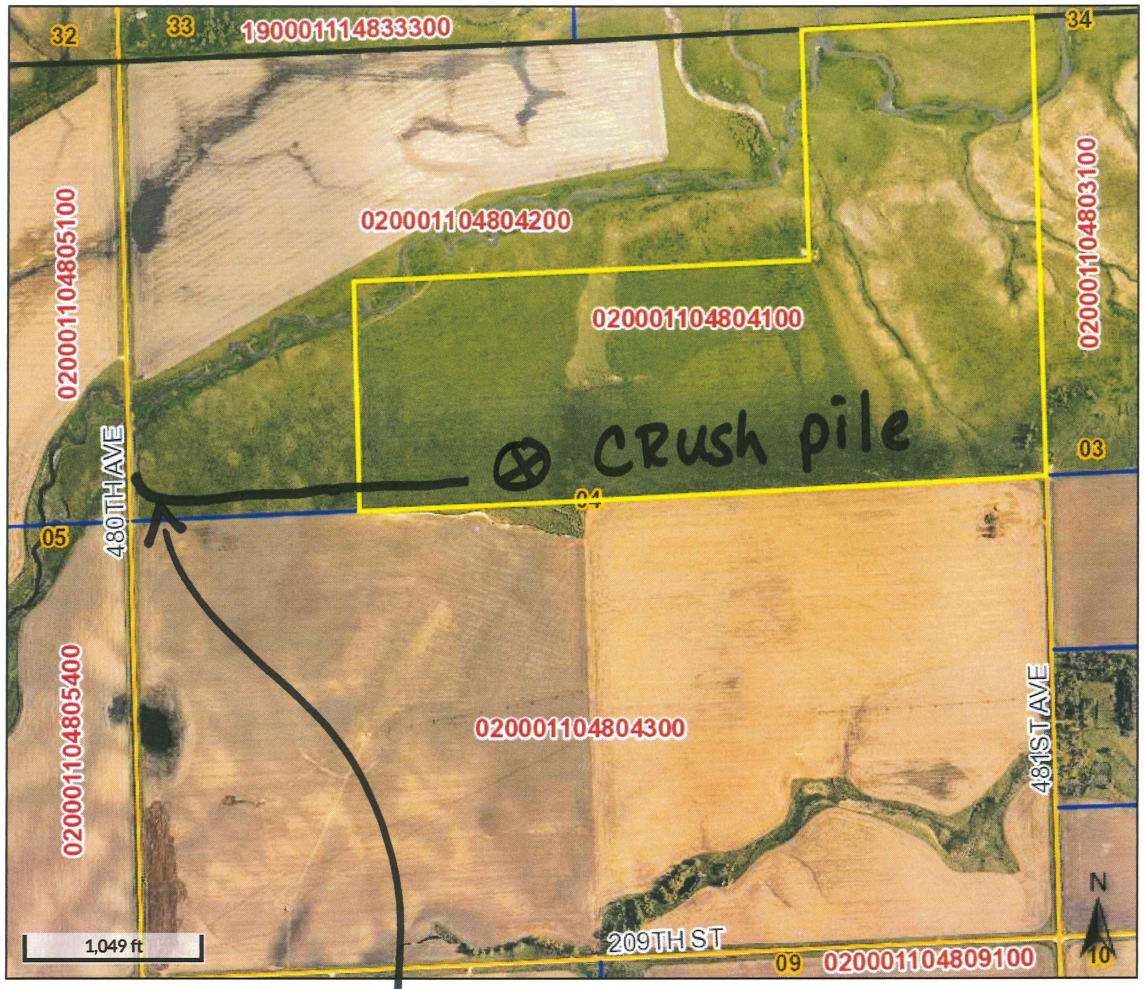
Parcel ID	020001104804100	**Alternate ID**	n/a	**Owner Address**	DAVIS, THOMAS A ET AL
Sec/Twp/Rng	4-110-48	**Class**	AGA		48185 210TH ST
Property Address		**Acreage**	160		ELKTON SD 57026
District	0203				
Brief Tax Description	E 1/2 NE 1/4, SW 1/4 NE 1/4, SE 1/4 NW 1/4 SEC 4-110-48 160.0 ACRES				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

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

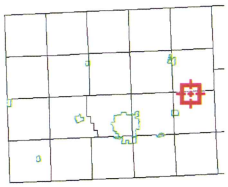
Developed by Schneider GEOSPATIAL

2020CU 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: 8/28/2020
Last Data Uploaded: 8/28/2020 8:08:13 AM

Developed by Schneider GEOSPATIAL

The only entrance & exit to the site will be 480th Ave – North to 207th st. (Brookings County Gravel Road #8).

West field entrance off 480th Ave north to 207th St (Brkgs Cnty gravel road # 8).
2020cu017: Tom Davis
Crushing pile.

Rae Lynn Maher

FILED AUG 28 2020

From: Richard Haugen
Sent: Friday, August 28, 2020 11:41 AM
To: mabowne@itctel.com; pesterltp@yahoo.com; lawwipf@gmail.com; gmkbluze@gmail.com; dcbowne@itctel.com; Mike Bartley
Cc: Robert Hill; Rae Lynn Maher; Richard Haugen
Subject: RE: Davis Gravel Pit Mining/Crushing Proposal

Mary,

I received your email. We send it to the board and post them on line.

Sincerely,
Richard Haugen
Deputy Director
Brookings County Development
Zoning / Emergency Management
520 3rd St, Suite 200
Brookings, SD 57006
605-696-8350

From: mabowne@itctel.com [mailto:mabowne@itctel.com]
Sent: Thursday, August 27, 2020 11:52 AM
To: pesterltp@yahoo.com; lawwipf@gmail.com; gmkbluze@gmail.com; dcbowne@itctel.com; Richard Haugen <RHaugen@brookingscountysd.gov>; Mike Bartley <MBartley@brookingscountysd.gov>
Subject: RE: Davis Gravel Pit Mining/Crushing Proposal

Hi Rich and Mike,
We reviewed Tom Davis's application and staff report for mining and crushing of materials in his gravel pit which is to be discussed at the next zoning board meeting on Tuesday. We weren't sure if anyone has been in contact with you from the Alton Township Board but it was voted and approved at their last meeting that there will only be one entrance/exit to the pit on 480th and that all traffic has to go north, which includes inputting concrete barricades along with a few other requirements so trucks cannot turn south whatsoever. This follows the zoning board approval as well (that 100% of traffic must go north).

On the staff report, it indicates there is an entrance/exit to the pit from 481st (pictures attached from staff report). According to what was approved both from the zoning board and from the Alton Township Board, all traffic is to enter to and from using the 480th route, coming and going only from the north. There is to be no more entrances or exits to the pit whatsoever for the trucks and even for the crushing/mining equipment that is coming in and out of the pit. We weren't sure if the zoning board was aware of this as well.

I thought you should be made aware of this and the zoning board should be made aware that the Alton Township Board has given Tom a road permit but with explicit exceptions and requirements. It may be a wise idea to have this documentation for future questions and/or concerns that may arise in the future.

Thank you.

Rae Lynn Maher

FILED AUG 28 2020

From: Richard Haugen
Sent: Friday, August 28, 2020 11:44 AM
To: mabowne@itctel.com; pesterltp@yahoo.com; lawwipf@gmail.com; gmkbluze@gmail.com; dcbowne@itctel.com; Mike Bartley
Cc: Robert Hill; Rae Lynn Maher; Richard Haugen
Subject: RE: Davis Gravel Pit Mining/Crushing Proposal

Mary,

I received your email. We send it to the board and post them on line.

Sincerely,
Richard Haugen
Deputy Director
Brookings County Development
Zoning / Emergency Management
520 3rd St, Suite 200
Brookings, SD 57006
605-696-8350

From: mabowne@itctel.com [mailto:mabowne@itctel.com]
Sent: Friday, August 28, 2020 11:09 AM
To: pesterltp@yahoo.com; lawwipf@gmail.com; gmkbluze@gmail.com; dcbowne@itctel.com; Richard Haugen <RHaugen@brookingscountysd.gov>; Mike Bartley <MBartley@brookingscountysd.gov>
Subject: Re: Davis Gravel Pit Mining/Crushing Proposal

We just found out that the Alton Township Board is seeking consultation for the addendum of the road agreement. In our eyes, this mining and crushing application should be postponed until this has been reconciled as the Alton road agreement is not correct. The addendum was voted on by the township people around June 16th. Why are we having to wait for this professional opinion now? Shouldn't this have been done two months ago?

Quoting mabowne@itctel.com:

> Hi Rich and Mike,
> We reviewed Tom Davis's application and staff report for mining and crushing of materials in his gravel pit which is to be discussed at the next zoning board meeting on Tuesday. We weren't sure if anyone has been in contact with you from the Alton Township Board but it was voted and approved at their last meeting that there will only be one entrance/exit to the pit on 480th and that all traffic has to go north, which includes inputting concrete barricades along with a few other requirements so trucks cannot turn south whatsoever. This follows the zoning board approval as well (that 100% of traffic must go north).
>
> On the staff report, it indicates there is an entrance/exit to the pit from 481st (pictures attached from staff report). According to what was approved both from the zoning board and from the Alton Township Board, all traffic is to enter to and from using the 480th route, coming and going only from the north. There is to be no more entrances or exits to the pit whatsoever for the trucks and even for the crushing/mining equipment that is coming in and out of the pit. We weren't sure if the zoning board was aware of this as well.

I thought you should be made aware of this and the zoning board should be made aware that the Alton Township Board has given Tom a road permit but with explicit exceptions and requirements. It may be a wise idea to have this documentation for future questions and/or concerns that may arise in the future.

Thank you.

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 8/11/2020 Permit Number: 2020CU018

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:

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 11: Section 11.01: "A" Agricultural District: Conditional Use Permit #20: Home extended Business

C.) Legal Description of Property:

SE 1/4 SE 1/4 SE 1/4 Section 16 T110 N: R51 W of 5th PM (Volga) #229801105116410

Site addr: 21095 463rd Ave, Volga SD 57071

RECEIVED

AUG 11 2020

BROOKINGS COUNTY DEVELOPMENT

Form continued on page 2

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

2695 463rd Ave
Address

Volga
City

SD
State

57071
Zip Code

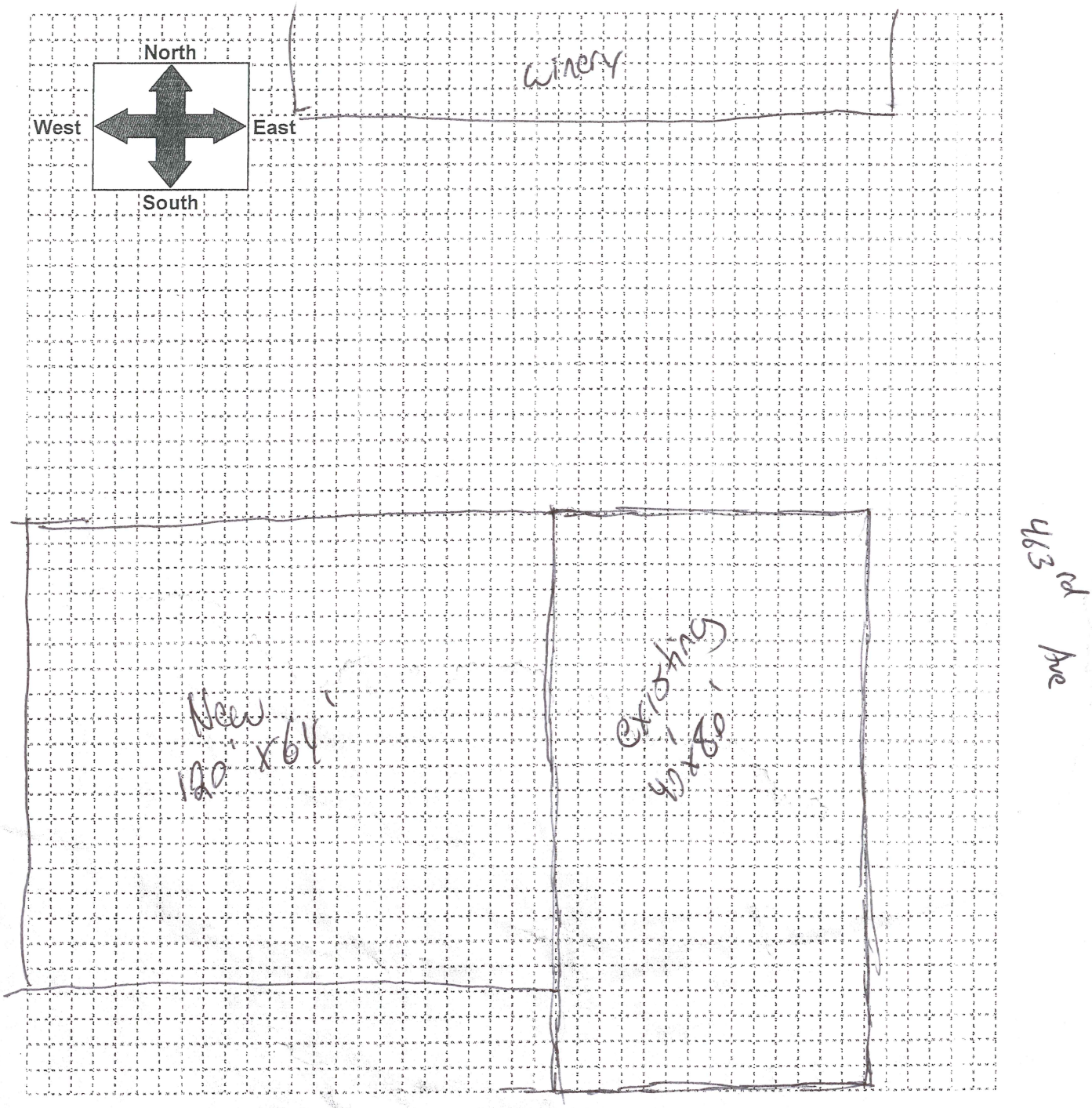
680-4449
Telephone

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

2020CU018

SKETCH

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



BROOKINGS COUNTY DEVELOPMENT
Planning, Zoning and Drainage / Emergency Management
Brookings City & County Government Center
520 3rd Street, Suite 200
Brookings, SD 57006
(605) 696-8350
E-Mail: 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 463rd 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 463rd Ave, Volga, SD 57071, just north of the intersection of US Highway 14 and 463rd 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.

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 8/11/2020 Permit Number: 2020CU018

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:

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 11: Section 11.01: "A" Agricultural District: Conditional Use Permit #20: Home extended Business

C.) Legal Description of Property:

SE 1/4 SE 1/4 SE 1/4 Section 16 T110 N: R51 W of 5th PM (Volga) #229801105116410

Site addr: 21095 463rd Ave, Volga SD 57071

RECEIVED

AUG 11 2020

BROOKINGS COUNTY DEVELOPMENT

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

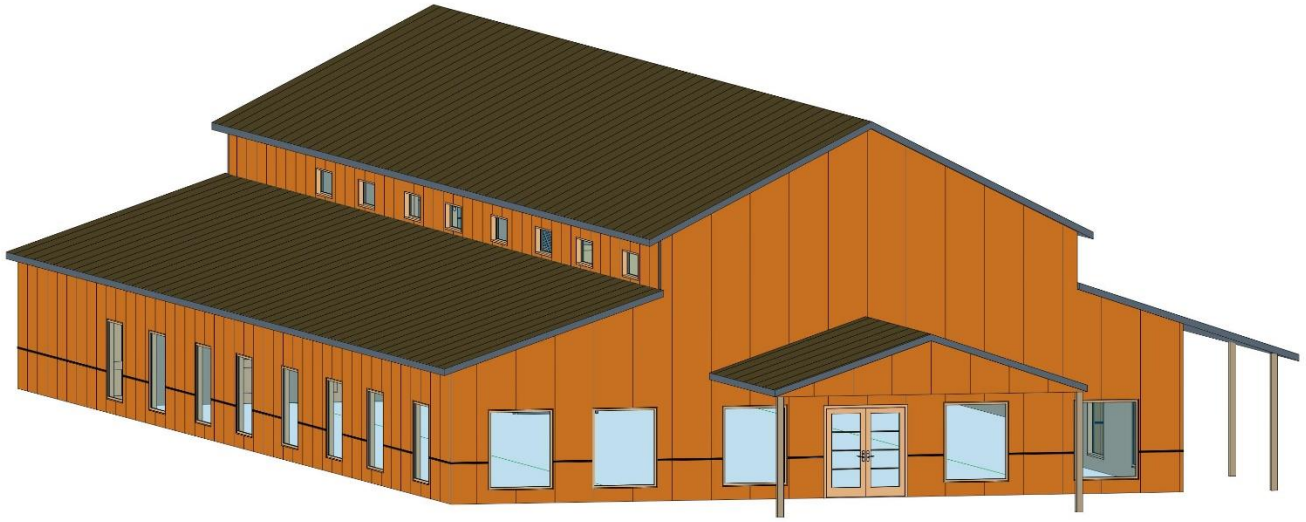
Site Location

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 venders
- Hitch Studio will provide booking and Wedding Planning Services
- The Crossing will provide the building, tables/chairs, and table linens



1 Isometric view

Reaves BUILDINGS
4101 N. 41TH AVENUE - SIOUX FALLS, SD
FAX 605-334-4096
PH 605-339-3647
REAVESBUILDINGS.COM FACEBOOK.COM/COMPONENTREAVES

PROJECT INFO

Reaves Buildings

Volga, SD

Schade Winery

Cover

REF. NUMBERS

P192407 | JO 880000

DESIGNER

Lance Garbers

lgarbers@omcreaves.com

DRAWING DATES

FOR APPROVAL (SHOPS)

7-23-19

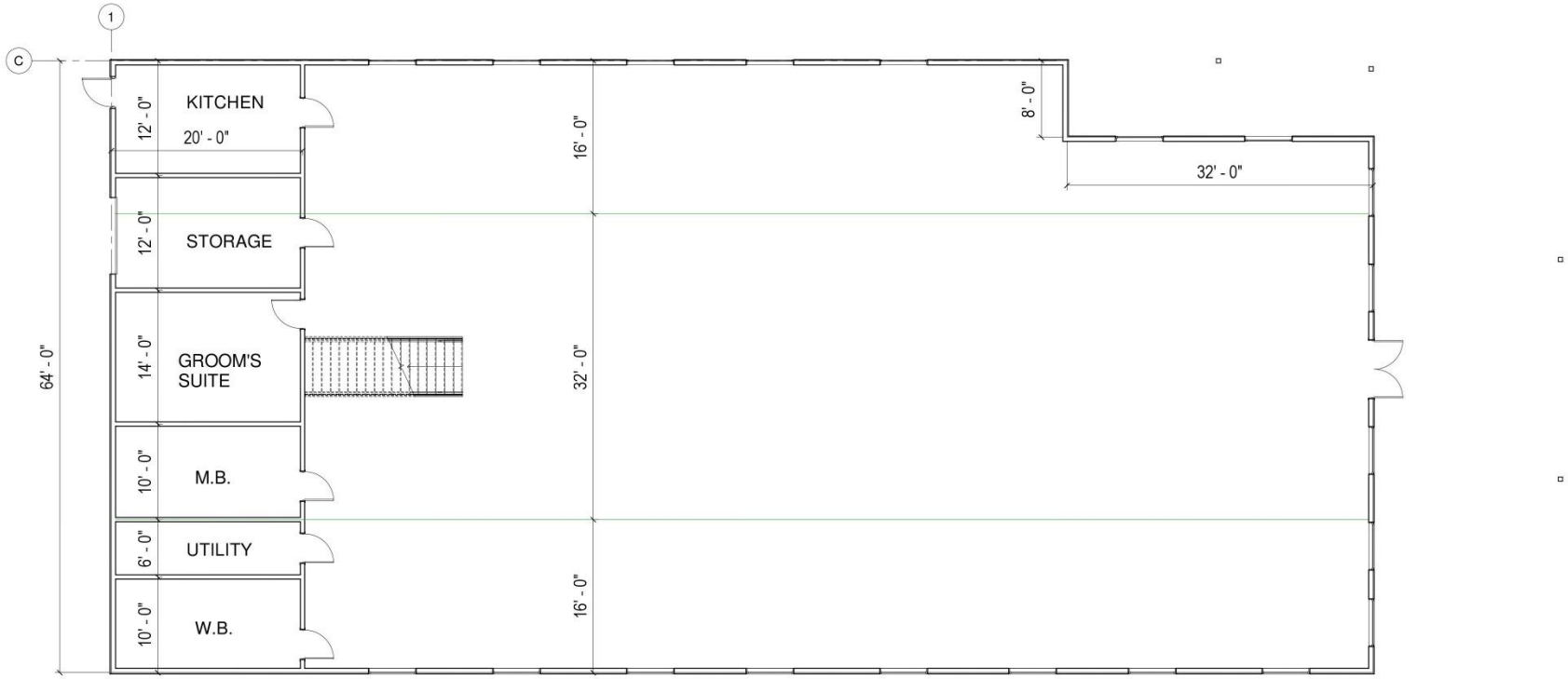
REVISION(S)

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 RECIEVED)

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"

Reaves BUILDINGS
4101 N. 4TH AVENUE - SIOUX FALLS, SD
FAX 605-334-0486
PH 605-339-3647

PROJECT INFO

Reaves Buildings

Volga, SD

Schade Winery

Floor Plan

REF. NUMBERS

P192407 | JOB80000

DESIGNER

Lance Garbers

lgarbers@cmcreaves.com

DRAWING DATES

FOR APPROVAL (SHOPS)

7-23-19

REVISION(S)

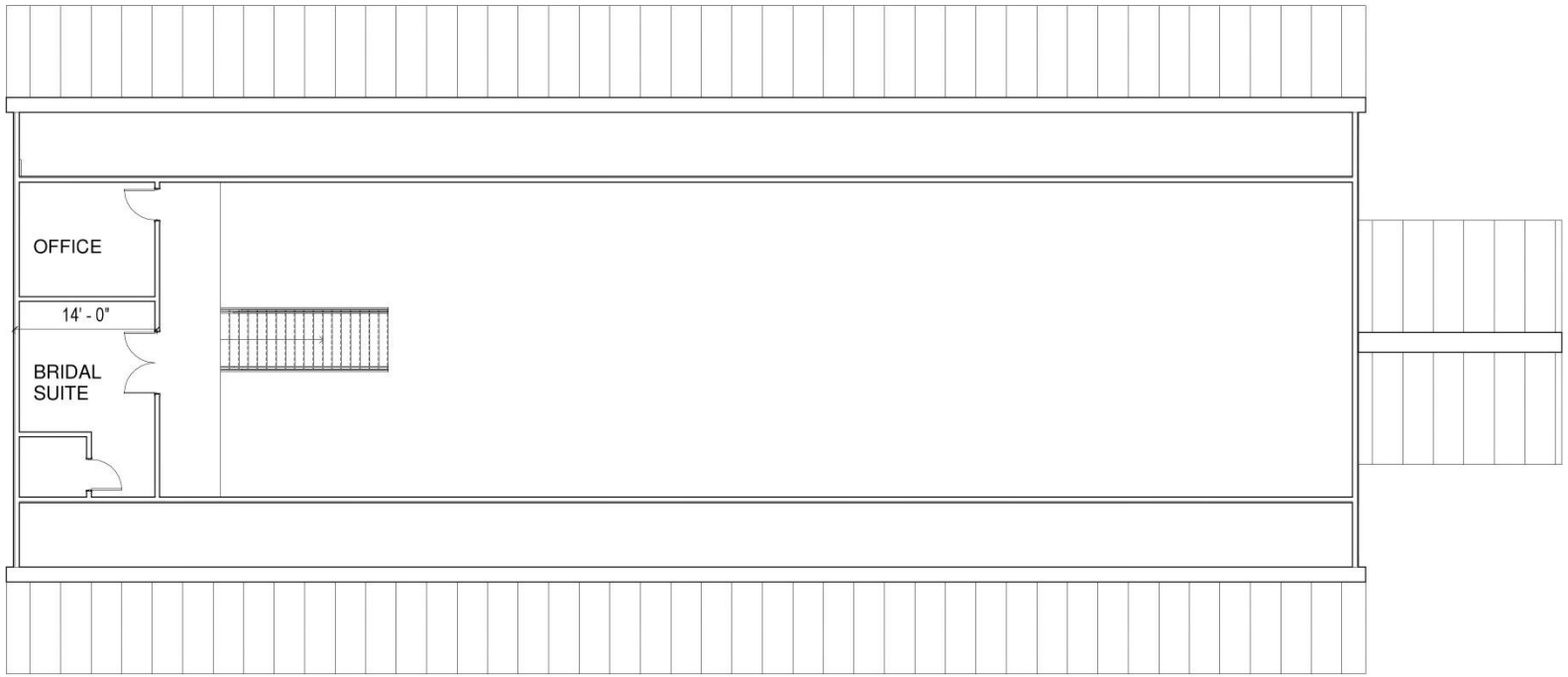
FOR FIELD USE (FINAL)

N/A

PAGE NUMBER

B101

REAVESBUILDINGS.COM FACEBOOK.COM/COMPONENTREAVES



1 2ND FLR
3/16" = 1'-0"

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

PROJECT INFO

Reaves Buildings

Volga, SD

Schade Winery

2nd Floor

REF. NUMBERS

P192407 | JOB80000

DESIGNER

Lance Garbers

lgarbers@cmc-reaves.com

DRAWING DATES

FOR APPROVAL (SHOPS)

7-23-19

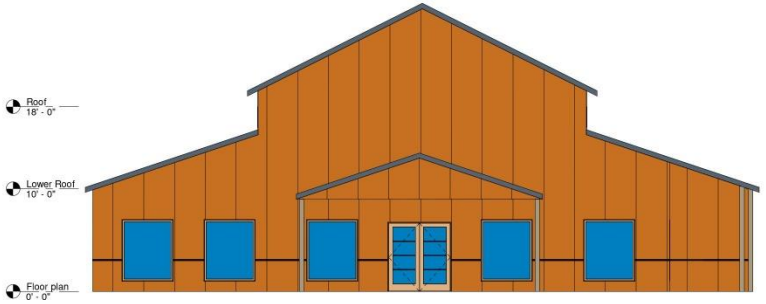
REVISION(S)

FOR FIELD USE (FINAL)

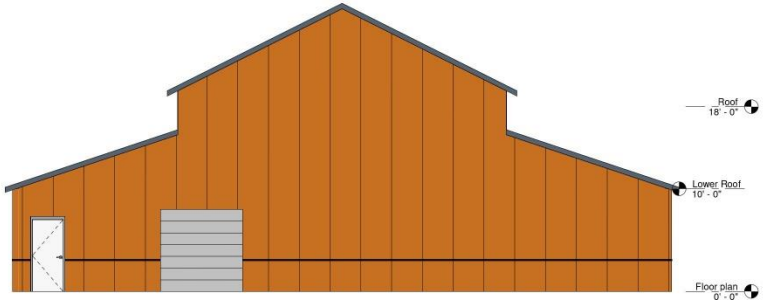
N/A

PAGE NUMBER

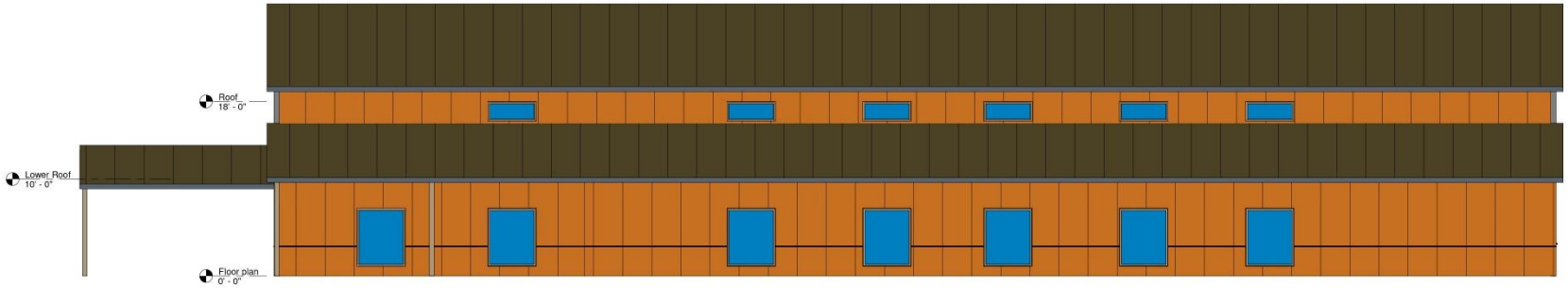
B103



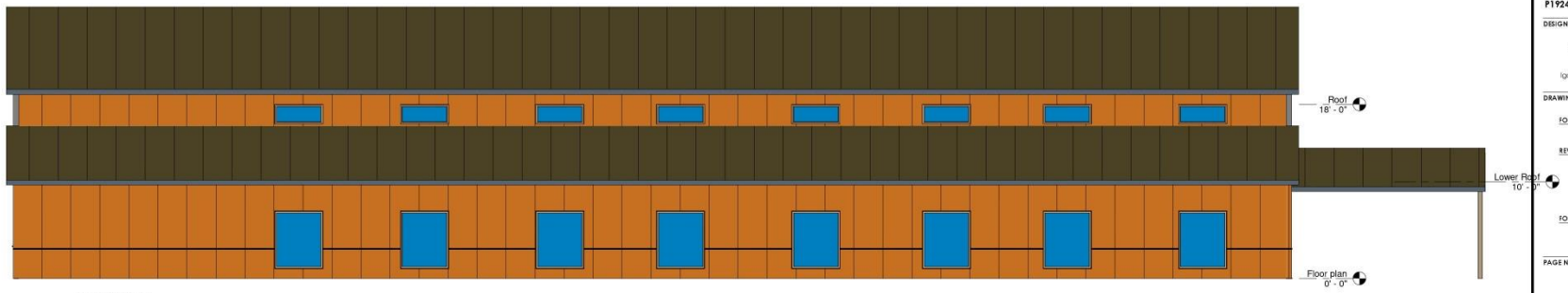
1 ENDWALL #1
3/16" = 1'-0"



2 ENDWALL #2
3/16" = 1'-0"



3 SIDEWALL #1
3/16" = 1'-0"



4 SIDEWALL #2
3/16" = 1'-0"

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

PROJECT INFO

Reaves Buildings

Volga, SD

Schade Winery

Elevations

REF. NUMBERS

P192407 | JOB80000

DESIGNER

Lance Garbers

lgarbers@cmcreaves.com

DRAWING DATES

FOR APPROVAL (SHOPS)

7-23-19

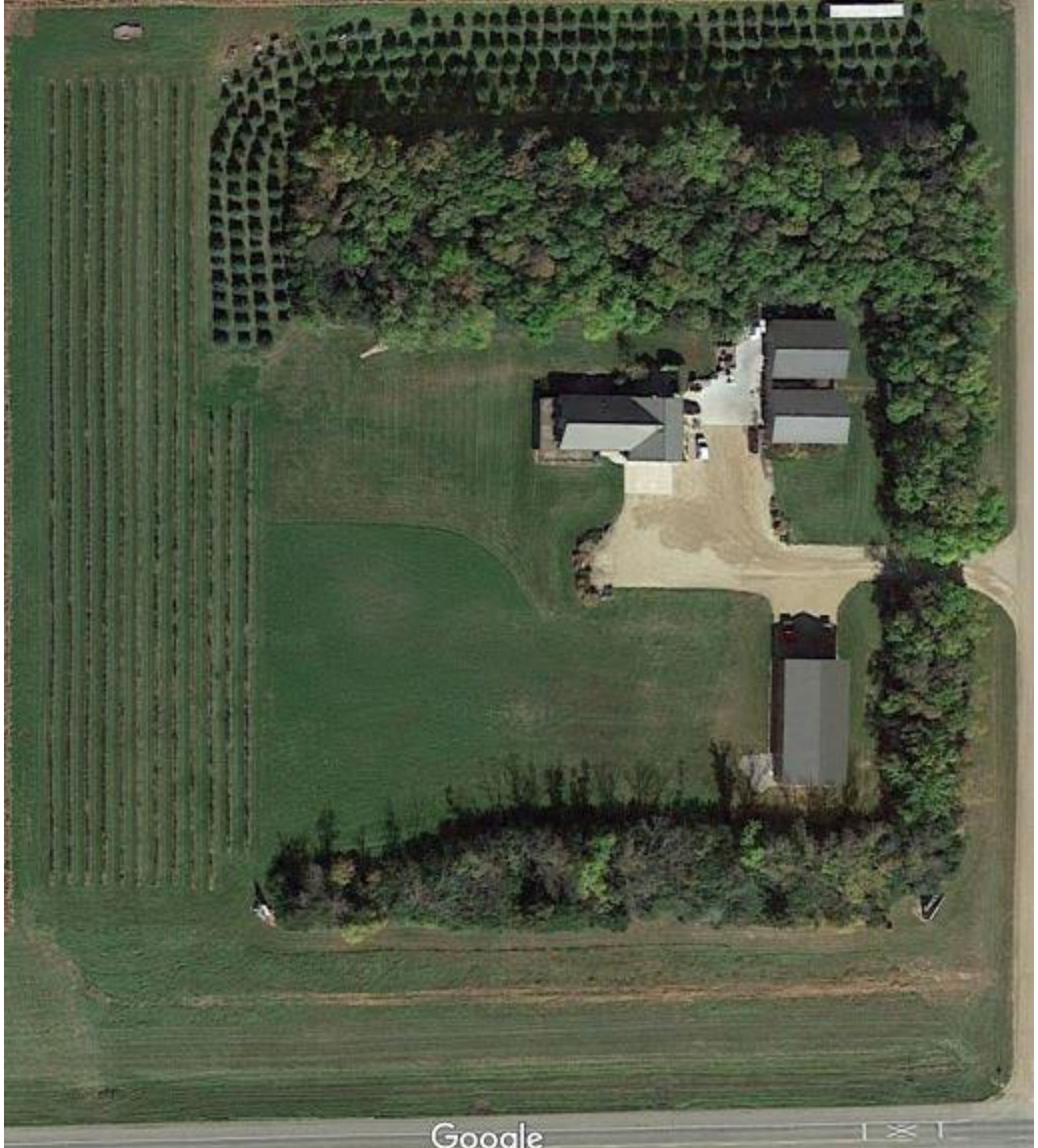
REVISION(S)

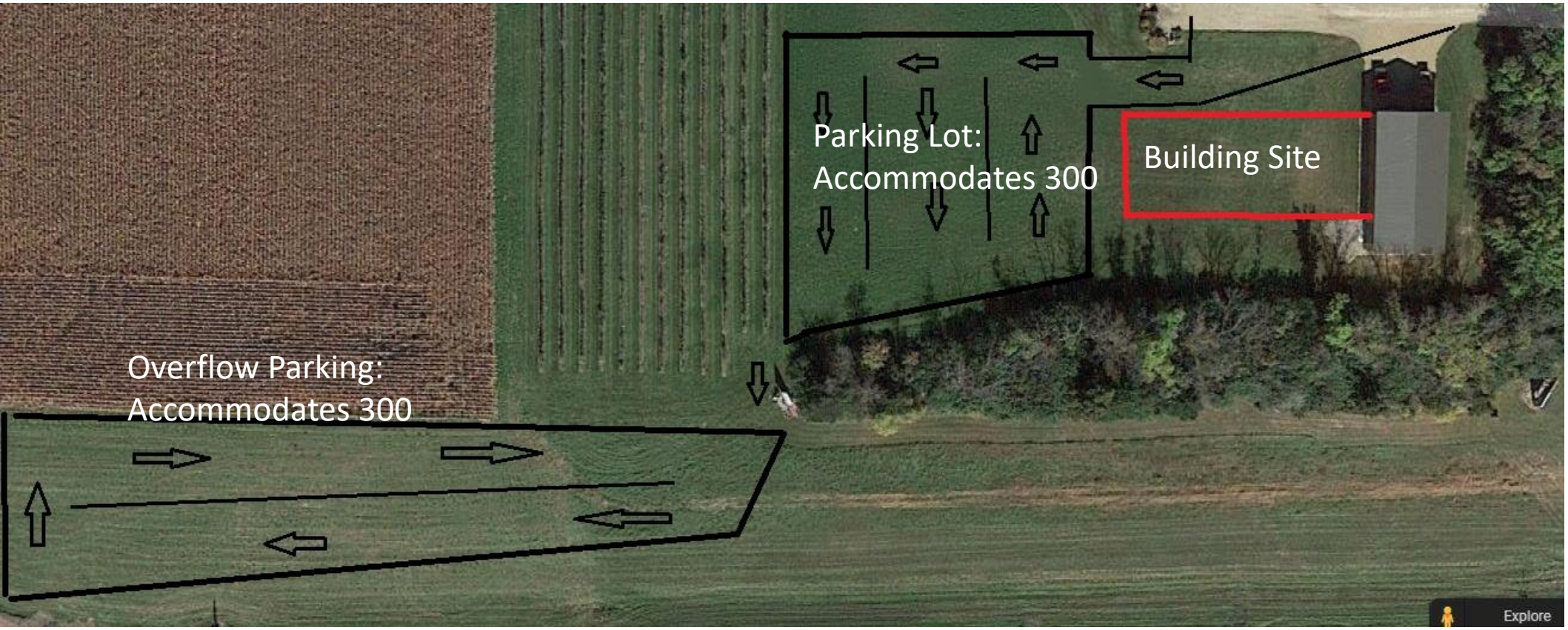
FOR FIELD USE (FINAL)

N/A

PAGE NUMBER

B102

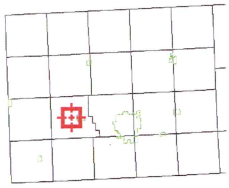

Google


Parking Lot:
Accommodates 300
Building Site
Overflow Parking:
Accommodates 300
Explore

2020CU018

Beacon™ Brookings County, SD

Overview



Legend

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

Parcel ID	229801105116410	**Alternate ID**	n/a	**Owner Address**	SCHADE, JAMES ET UX C/O DILLON RINGLING 21095 463RD AVE VOLGA SD 57071
Sec/Twp/Rng	16-110-51	**Class**	AGC		
Property Address	21095 463RD AVE VOLGA	**Acreage**	10		

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

2020cu018: Dillion Ringling

Looking west into entrance off 463rd Ave.

Looking north from driveway on 463rd Ave.

Looking south from driveway on 463rd 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.

RECEIVED

JUL 2 4 2020

BROOKINGS COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE TO ZONING REGULATIONS

Date of Application: 7/24/2020 Variance Number: 2020 var 011

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

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

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 51 (W).
Volga Twp
Parcel # 22980110514200

site addr: 1206 N Samara Ave, Volga SD 57071.

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

Dave VanderWal
Person filing petition – print

Person filing petition – sign

1206 N. Samara
Address

Volga SD
City

SD
State

57071
Zip Code

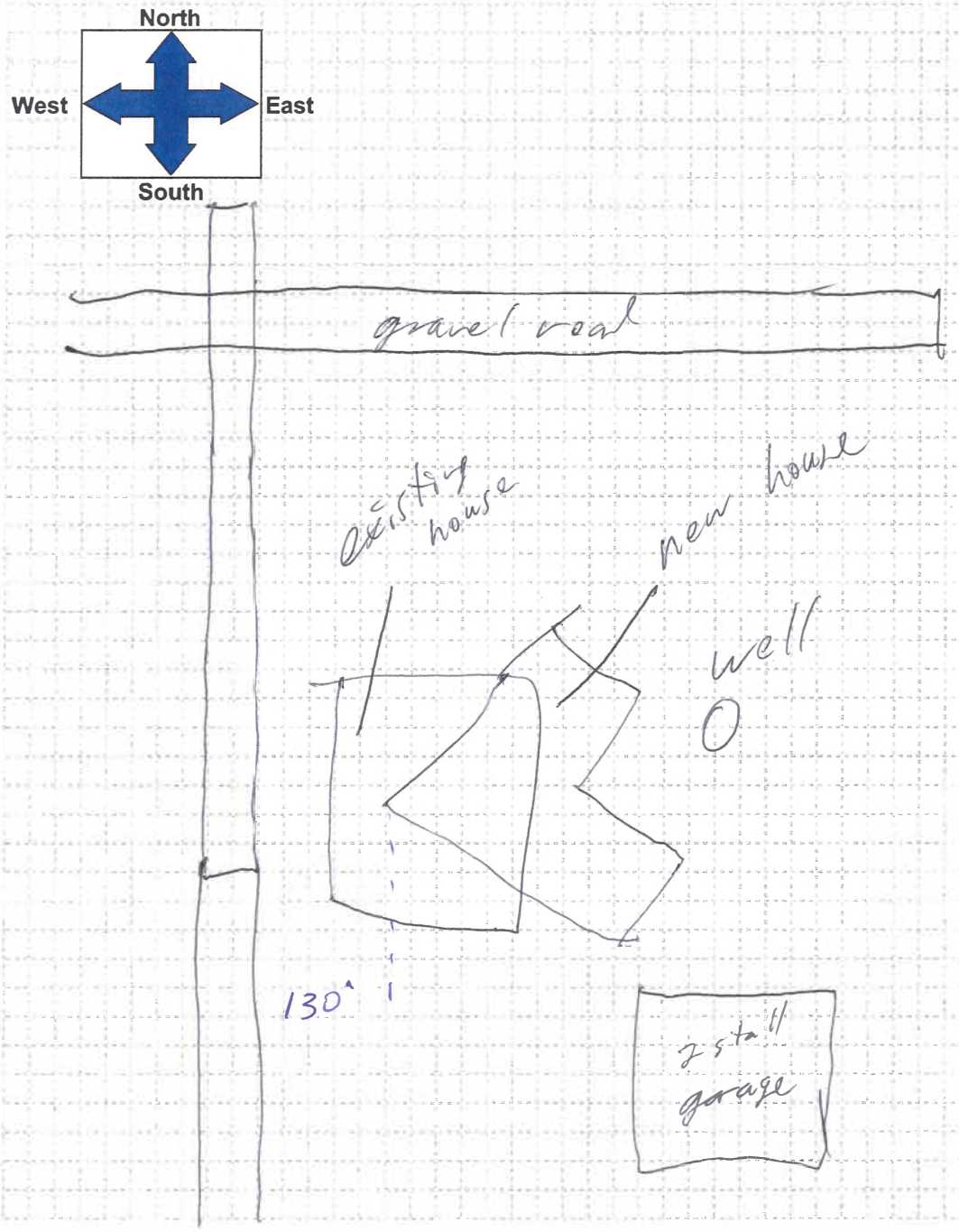
605-690-0880
Telephone

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 3rd Street, Suite 200
Brookings, SD 57006
(605) 696-8350
E-Mail: 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 (464th 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.

RECEIVED

JUL 2 4 2020

BROOKINGS COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE TO ZONING REGULATIONS

Date of Application: 7/24/2020 Variance Number: 2020 var 011

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

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

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.

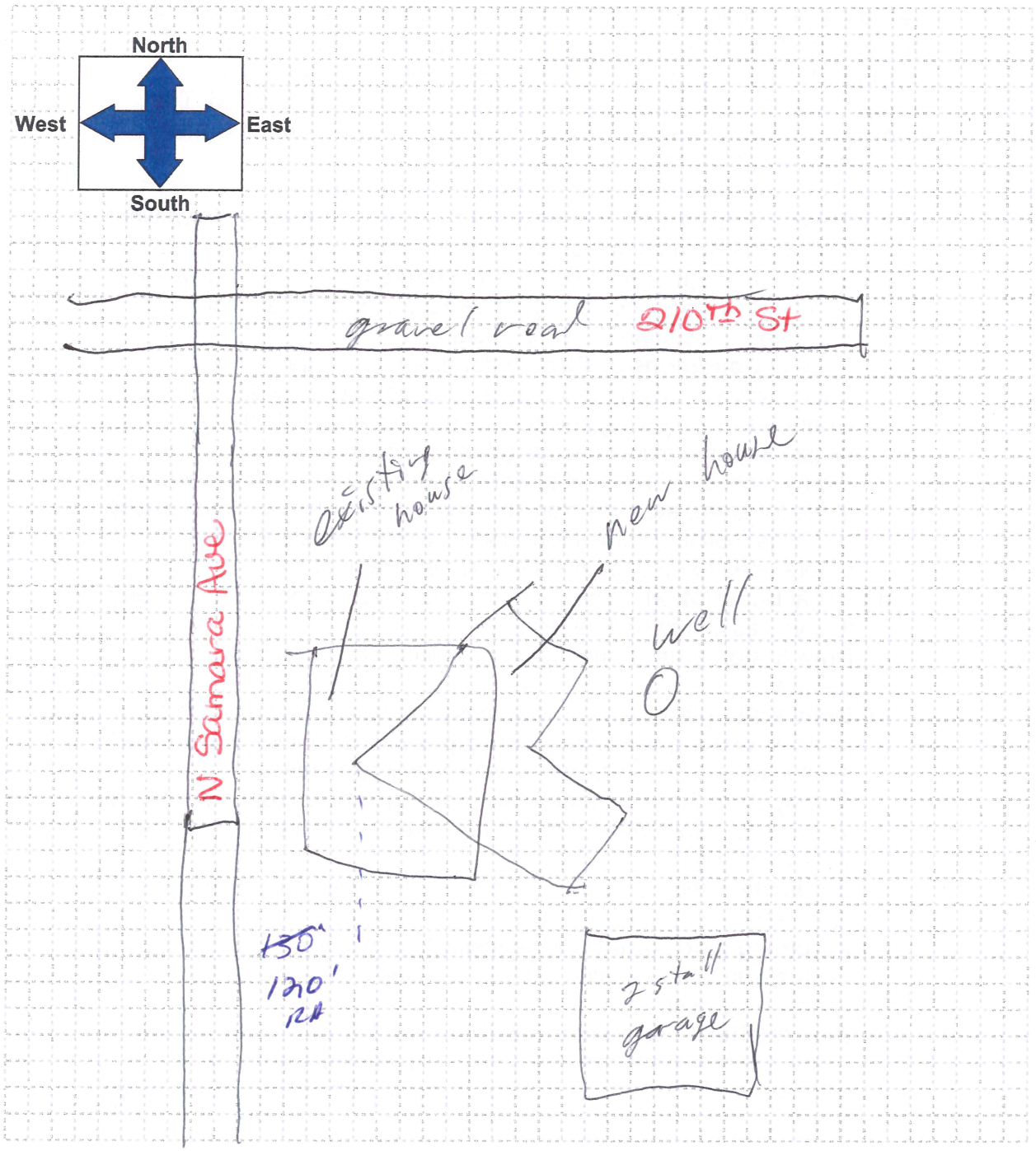
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms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

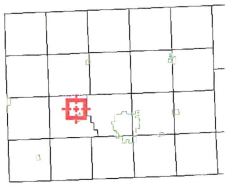
Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.



Beacon™ Brookings County, SD

2020VAR011- 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 VOLGA	**Acreage**	10		VOLGA SD 57071
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)				

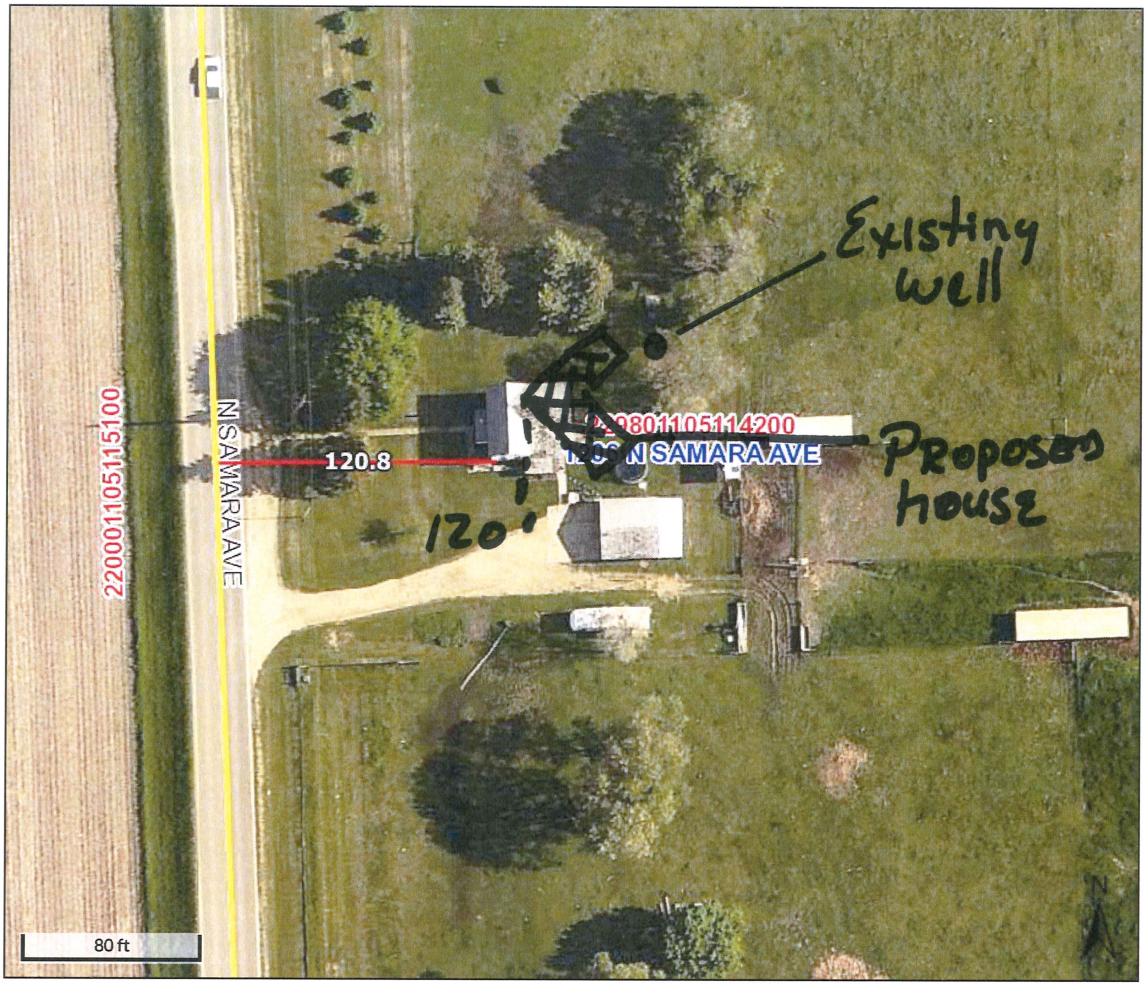
Date created: 7/27/2020
Last Data Uploaded: 7/27/2020 8:07:04 AM

Developed by Schneider GEOSPATIAL

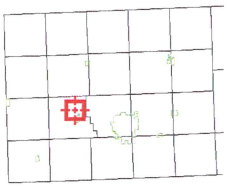
Existing house setback from the center of N Samara Ave (460th Ave)

Beacon™ Brookings County, SD

2020 VAR011 - 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 VOLGA	**Acreage**	10		VOLGA SD 57071

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: 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

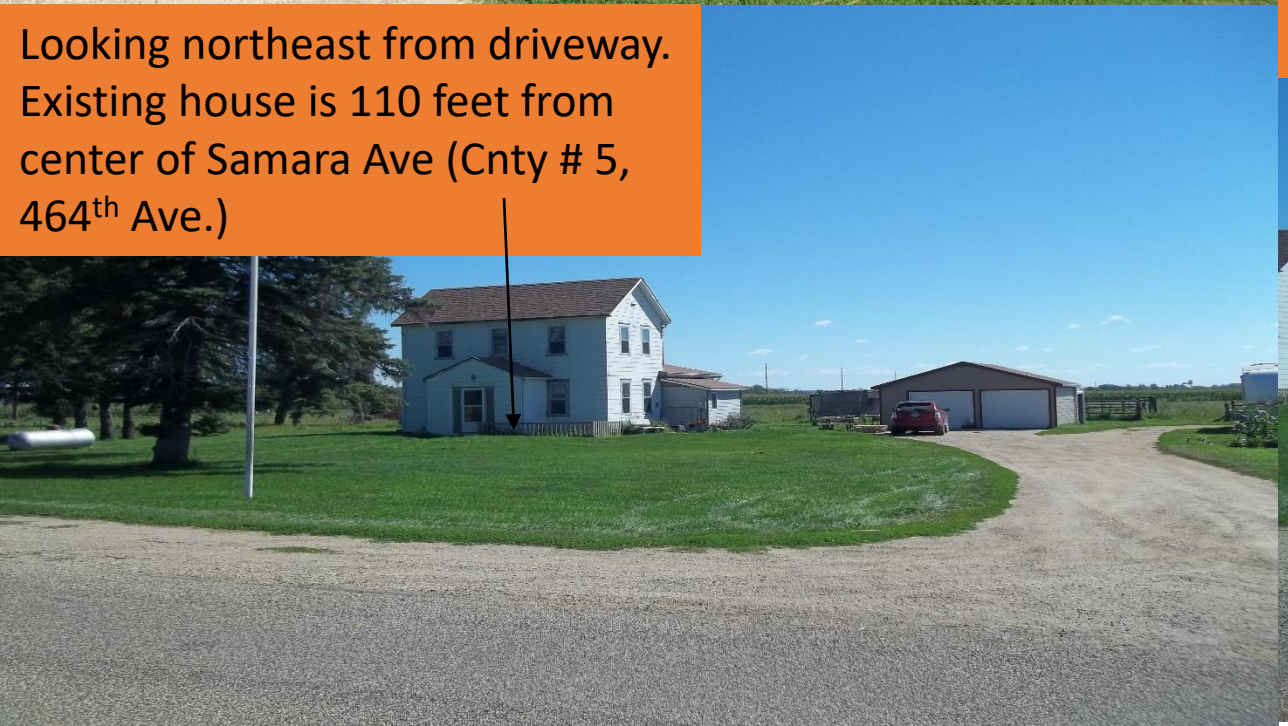
(Aka - Brkg Cnty 5
464th Ave)

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

2020var011: Dave VanderWal

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

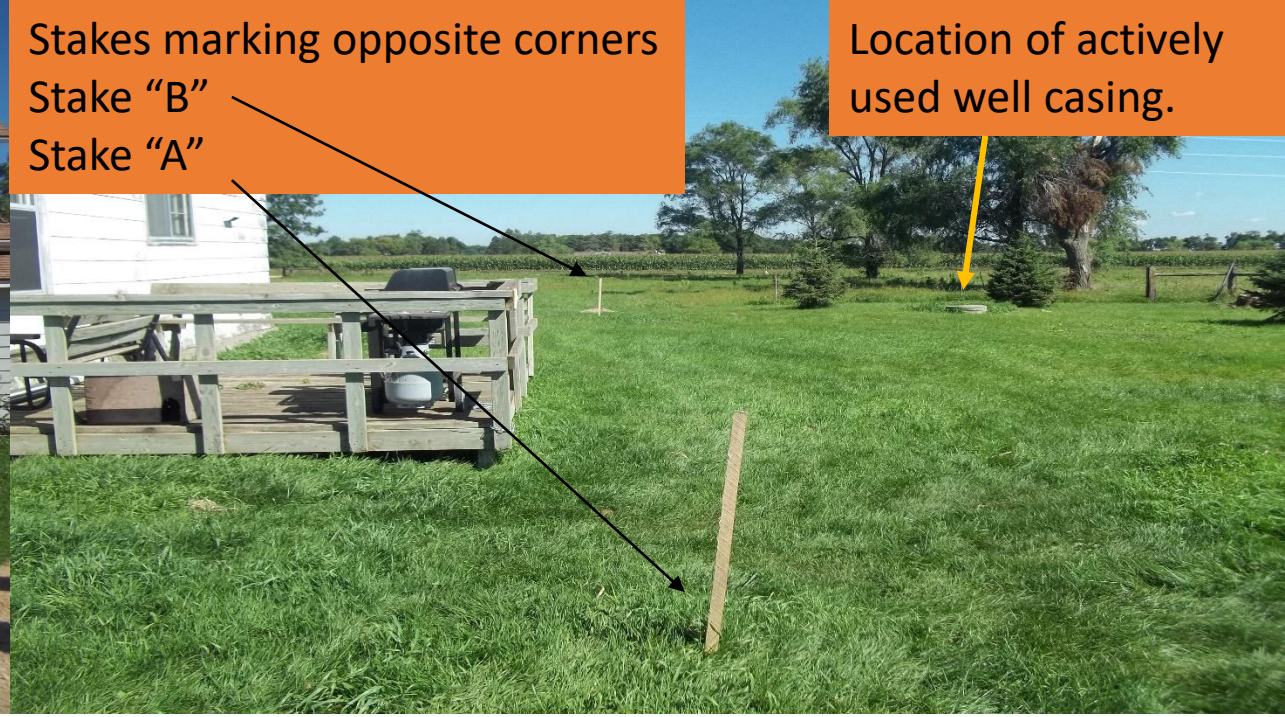
Looking south from driveway along N Samara Ave (Cnty # 5, 464th Ave.)



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

RECEIVED

JUL 29 2020

BROOKINGS COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE TO ZONING REGULATIONS

Date of Application: July 29, 2020 Variance Number: 2020VAR012

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

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

Building a 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 & W1/2 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 Lounsbery
Person filing petition – print

Person filing petition – sign

8948 Bortnem Beach Road
Address

Volga
City

S.D.
State

57071
Zip Code

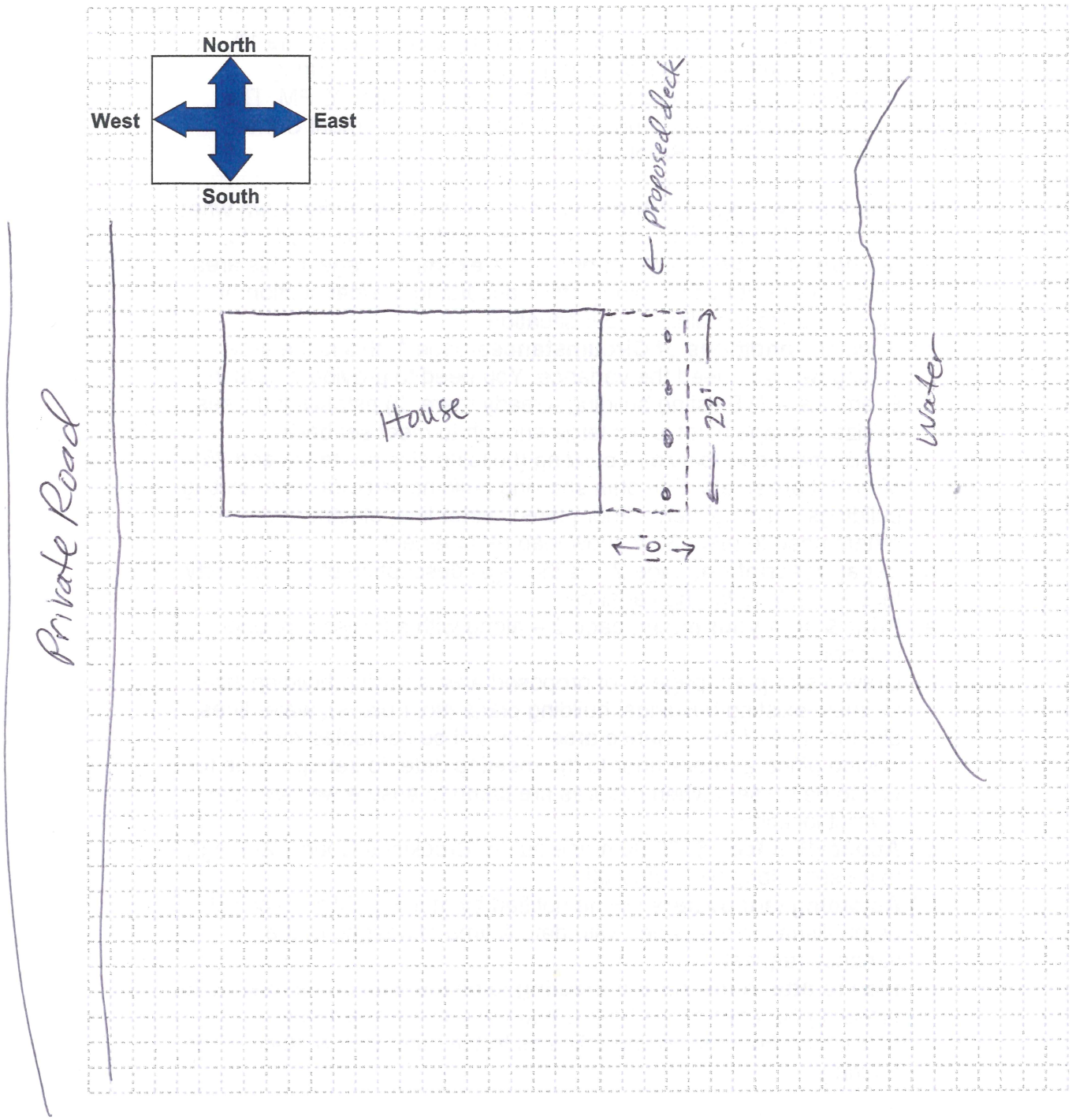
605-690-9541
Telephone

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 3rd Street, Suite 200
BROOKINGS, SOUTH DAKOTA 57006
(605)-696-8350
E-Mail: 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 will not obstruct the view 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."*

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.

RECEIVED

JUL 29 2020

BROOKINGS
COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

Date of Application: July 29, 2020 Variance Number: 2020VAR012

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

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

Building a 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).

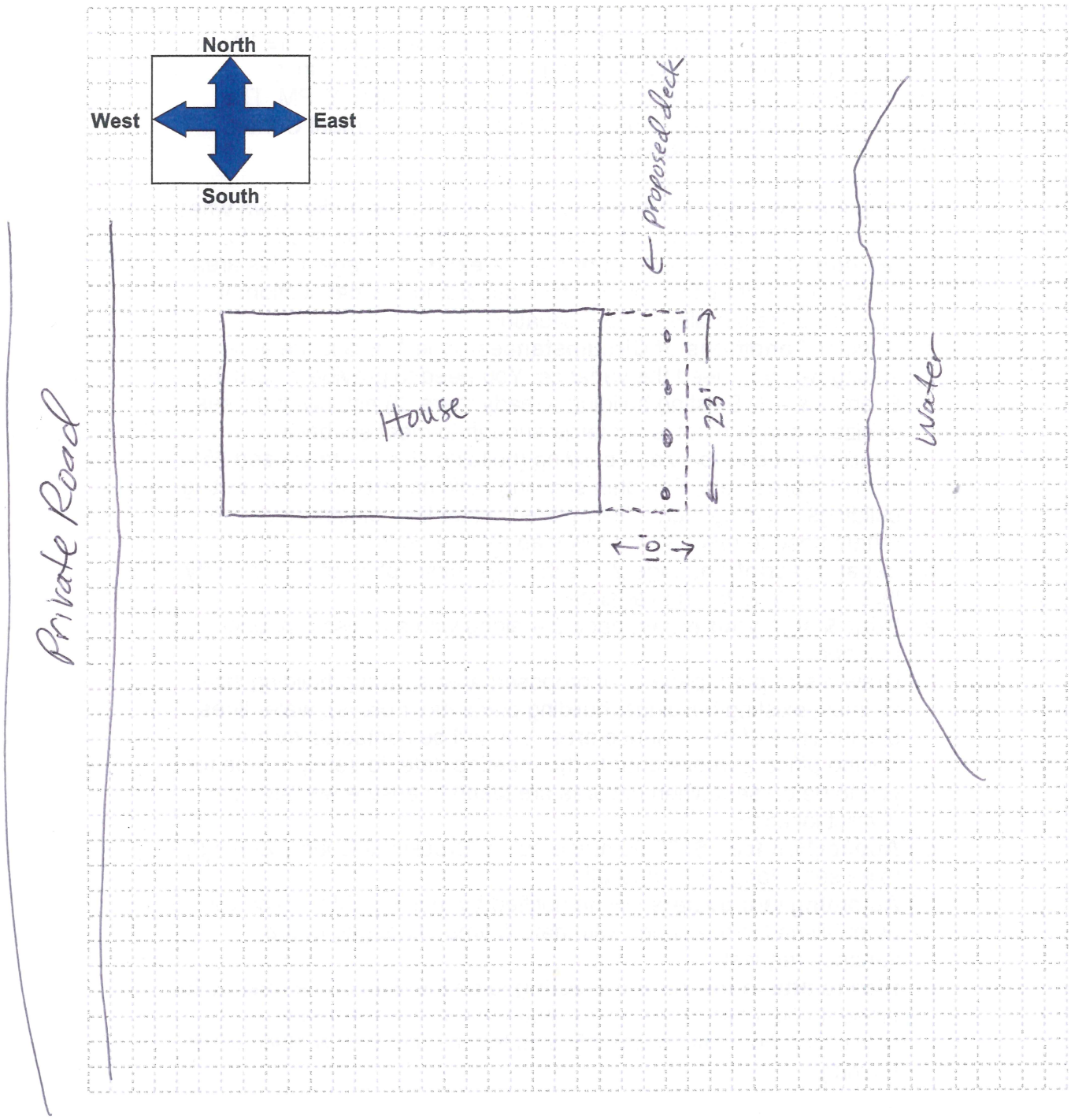
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms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

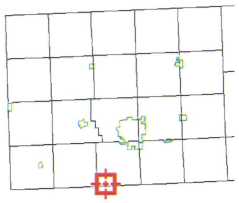
Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.



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

2020var012: Matthew A. Lounsbery.

RECEIVED

AUG - 3 2020

BROOKINGS COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE TO ZONING REGULATIONS

Date of Application: July 31. 2020

Variance Number: ~~2020 VAR~~ 2020var013

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

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

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 Are: 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.

Loren Hacker
Person filing petition – print

Sept. 1, 2020
Date

[signature]
Person filing petition – sign

8:00 pm
Time

113 Lac Qui Park Ave. N.
Address

Approved

Canby, MN
City

Rejected

MN
State

Date

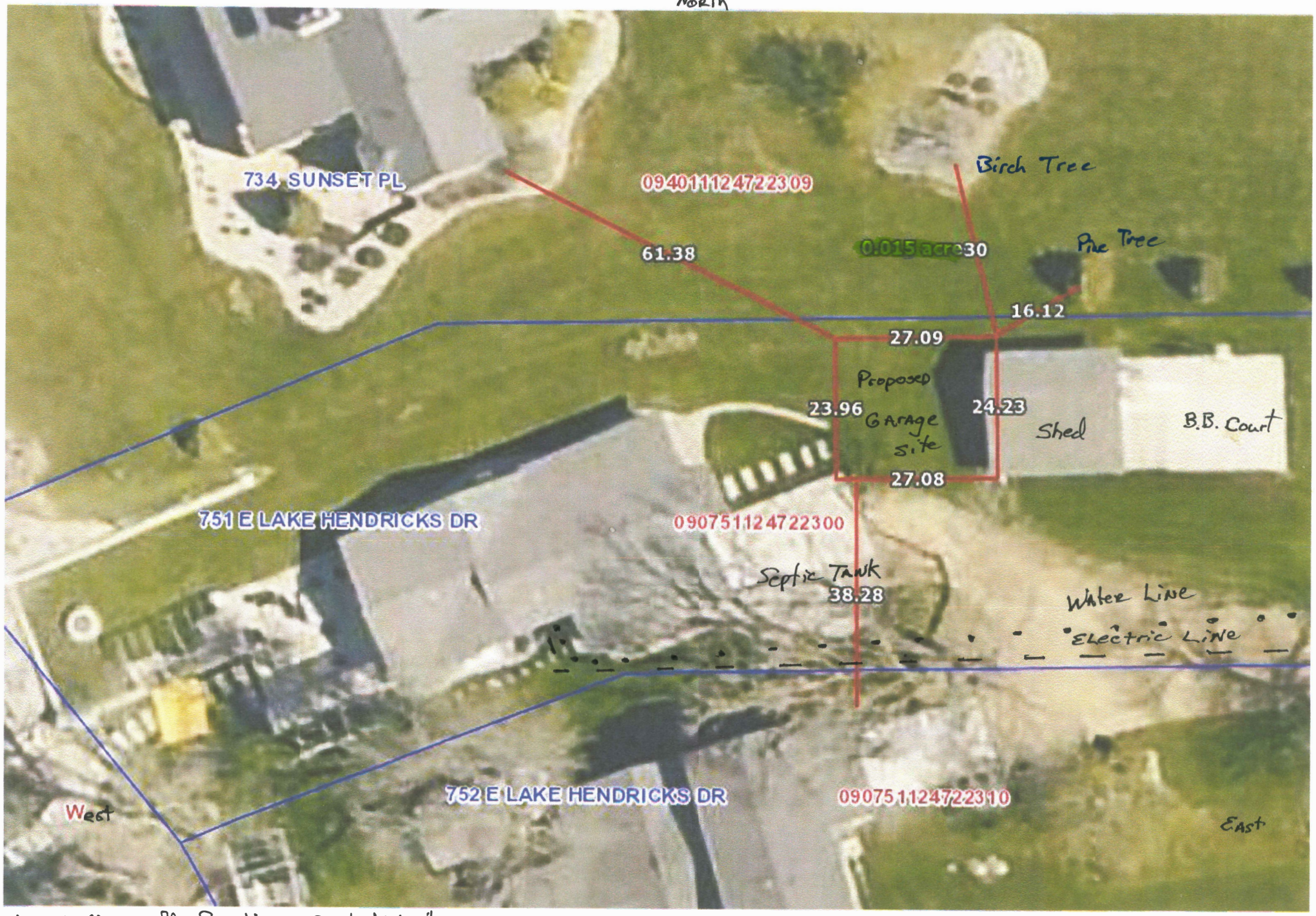
56220
Zip Code

Chairman of Brookings County Board of Adjustment

507-530-4751
Telephone

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

North



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

South

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

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

2020var013 – September 1, 2020

Prepared by Richard Haugen

Applicant/Owner: Loren Hacker, 113 Lac Qui Parle Ave N, Canby, MN 56220
Site Address: 751 E Lake Hendricks Drive, Hendricks, MN 56136

Legal Description: "Lot 1 Charles Cove Addition in the SW1/4 of Section 22, T112N, R47W (Lake Hendricks Township)."

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

2020var013: Loren Hacker has applied for a variance to build a 24' x 27' garage with a 9' sidewall, 4 feet from the side property line, a variance of 4 feet. The required setback is 8 feet from the side property line. The proposed garage will be attached to the 20'x20' existing garage.

Things to consider: 1) Location of exiting buildings; 2) Charlie's Cove was platted on April 2, 1976.

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

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

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

RECEIVED

AUG - 3 2020

BROOKINGS COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE TO ZONING REGULATIONS

Date of Application: July 31. 2020

Variance Number: ~~2020 VAR~~ ~~2020~~var013

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

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

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

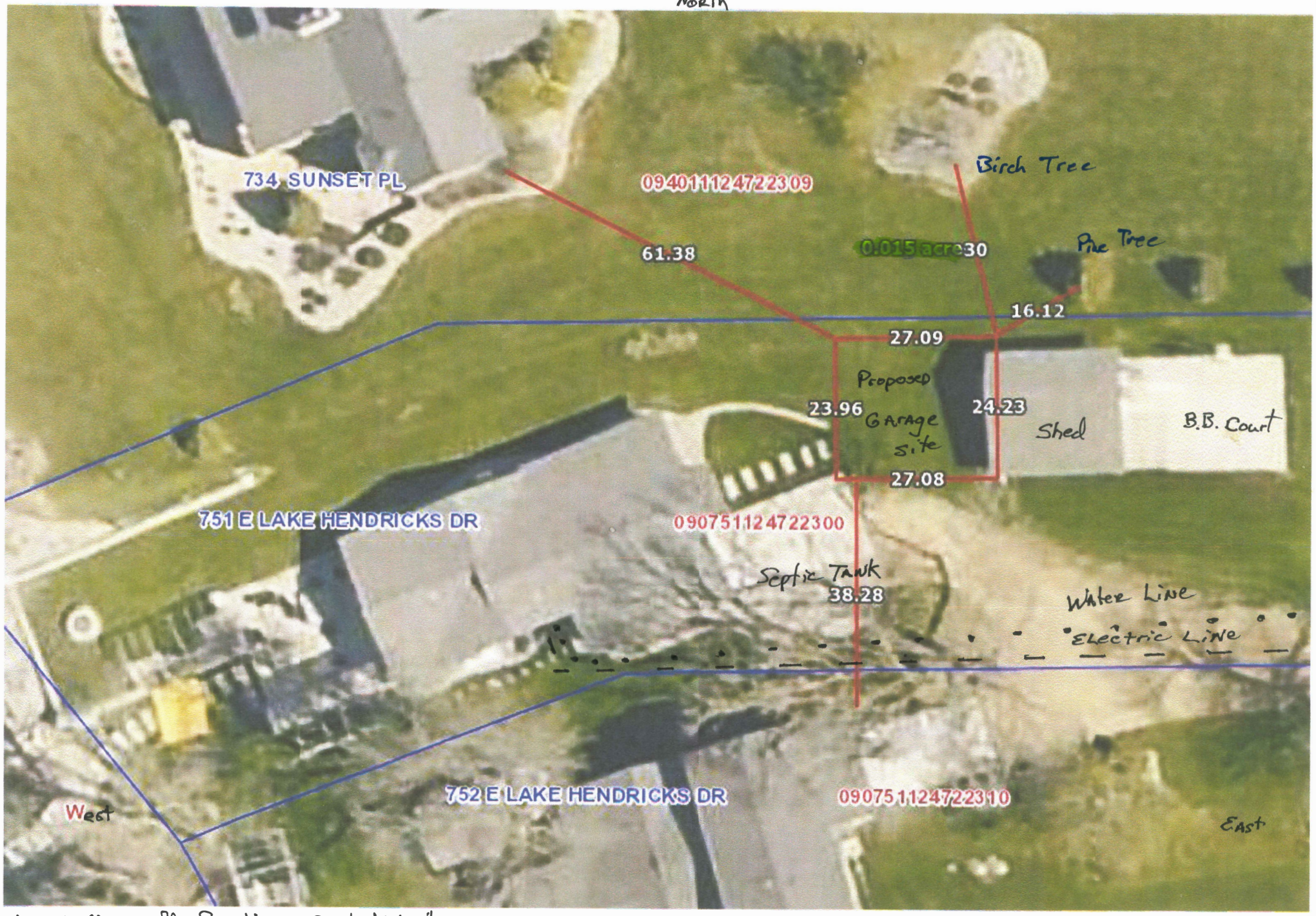
B.) Section(s) of Zoning Regulations to be exempted:

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 Sideyard).

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.

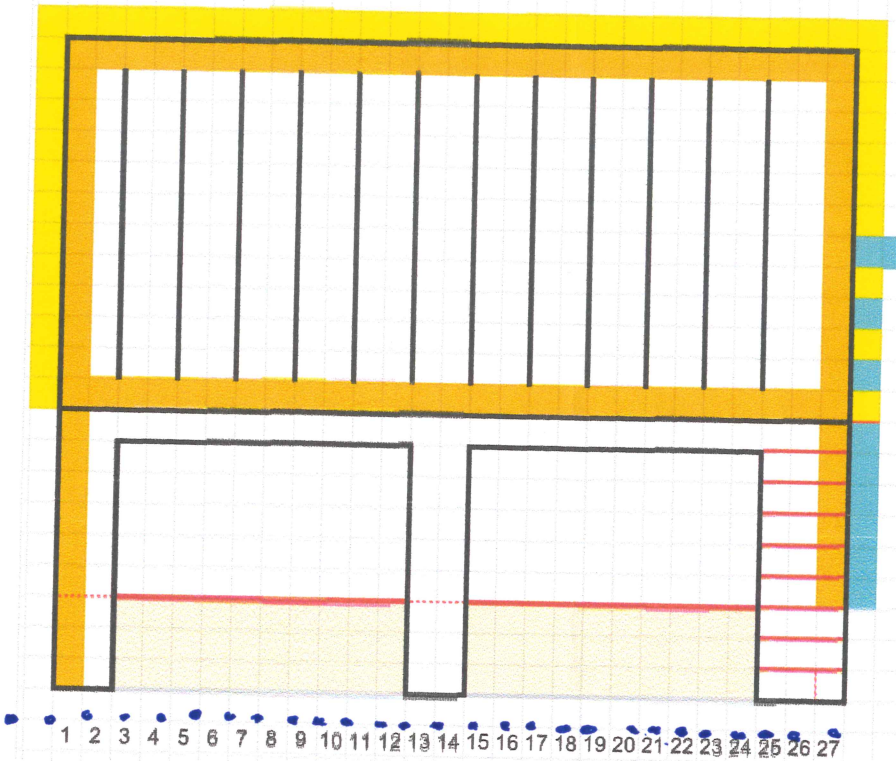
An existing shed is located 8' from the side yard property line. To allow the roof/eaves of the proposed garage to cover the valley created by attaching the shed's existing roof. The narrow width of the lot makes construction difficult between the 8' side yard set backs. A drain tile will be placed along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

North

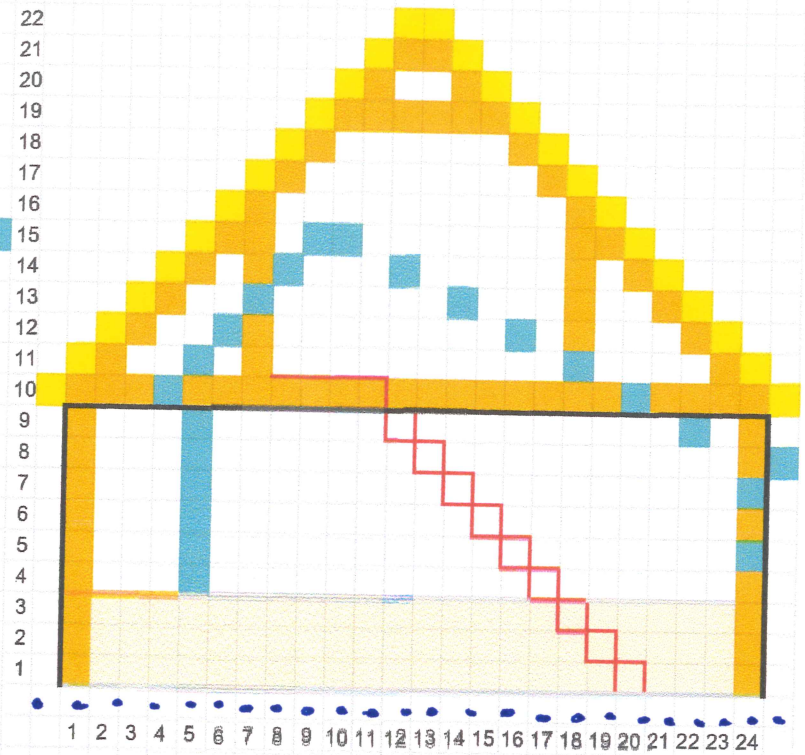


Aerial Map off Brookings County Website
Red Lines ADDED to show estimated distances.

South



South looking north view

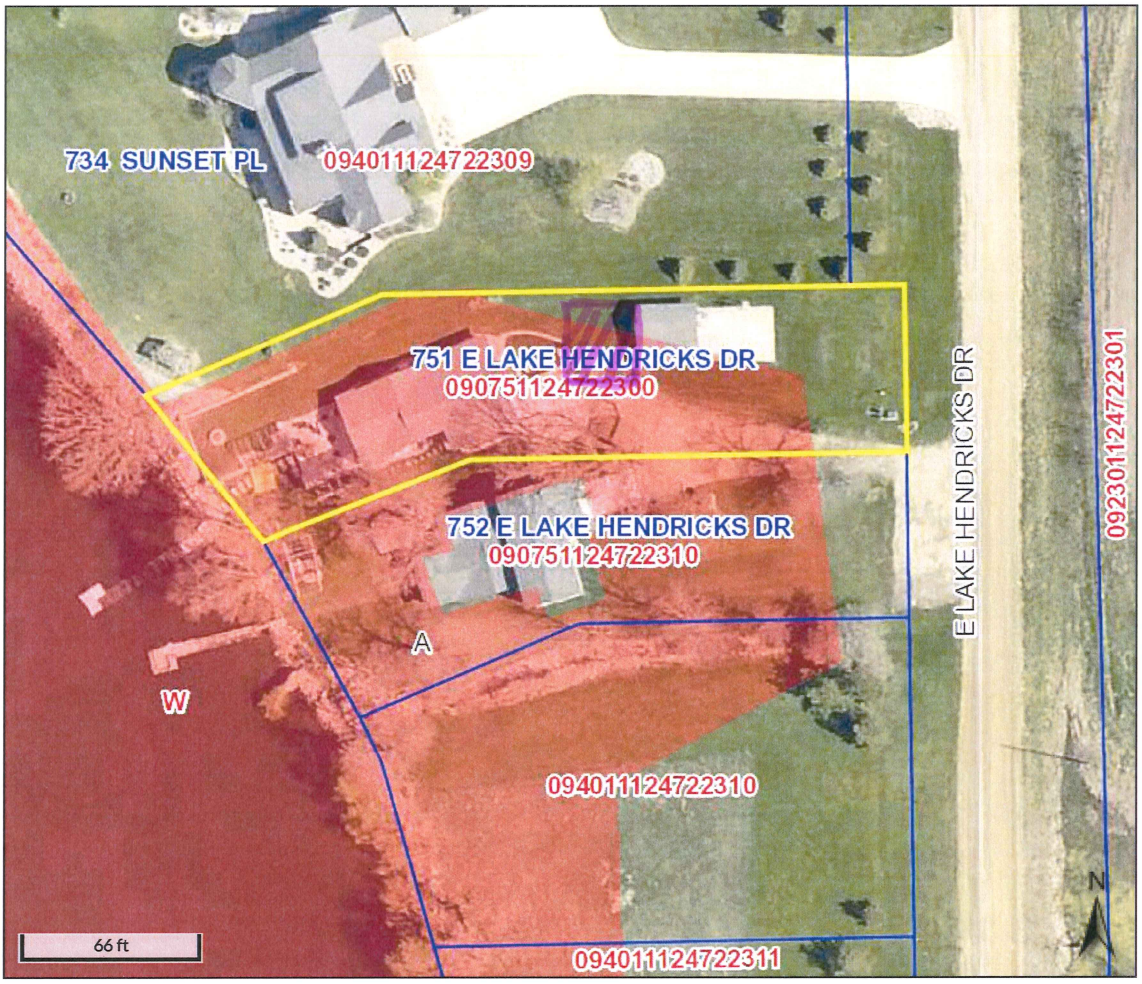


Cross section view looking east

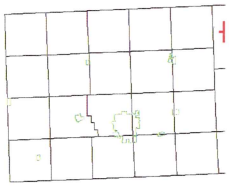
Yellow	Proposed garage roof line
Gold	Proposed garage rafters - construction
Tan	Proposed garage wood foundation on concrete footings - 3 ft.to 1.ft. of soil excavated on north & east sides
	Proposed garage concrete floor - 3 ft. lower than existing elevation
	Existing north elevation - 3 ft. excavation to proposed new garage floor
Blue	Existing shed roofline - profile
	Existing shed concrete floor -2.5 ft. higher than new concrete
••••	Drainage Tile Line

2020 var013 Floodplain 2008

Beacon™ Brookings County, SD



Overview



Legend

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

Floodplain 2008

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

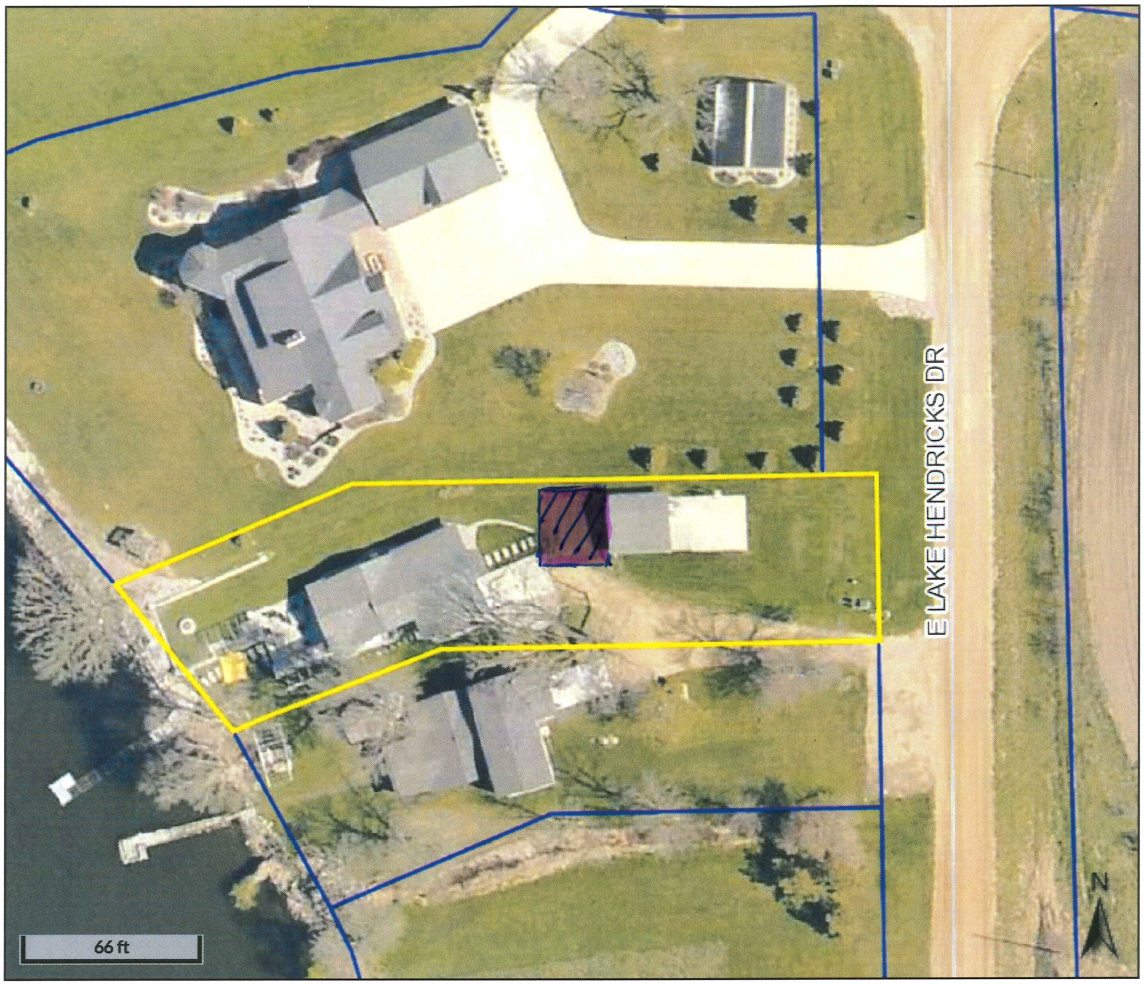
Parcel ID	090751124722300	**Alternate ID**	n/a	**Owner Address**	HACKER, LOREN L ET UX
Sec/Twp/Rng	22-112-47	**Class**	NAC		113 LAC QUI PARLE AVE N
Property Address	751 E LAKE HENDRICKS DR HENDRICKS	**Acreage**	n/a		CANBY MN 56220
District	0910A				
Brief Tax Description	CHARLIES COVE ADDN LOT 1 IN SW 1/4 SEC 22-112-47 60' X 250' (Note: Not to be used on legal documents)				

Date created: 8/10/2020
Last Data Uploaded: 8/10/2020 8:05:43 AM

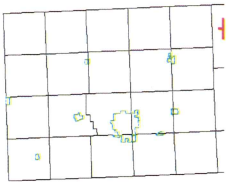
Developed by Schneider GEOSPATIAL

2020 VAR 013

Beacon™ Brookings County, SD



Overview



Legend

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

Parcel ID	090751124722300	**Alternate ID**	n/a	**Owner Address**	HACKER, LOREN L ET UX
Sec/Twp/Rng	22-112-47	**Class**	NAC		113 LAC QUI PARLE AVE N
Property Address	751 E LAKE HENDRICKS DR HENDRICKS	**Acreage**	n/a		CANBY MN 56220
District	0910A				
Brief Tax Description	CHARLIES COVE ADDN LOT 1 IN SW 1/4 SEC 22-112-47 60' X 250' (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

2020var013: Loren Hacker.

Looking west from driveway.

Looking west, wheel at 8 feet setback from storage shed.

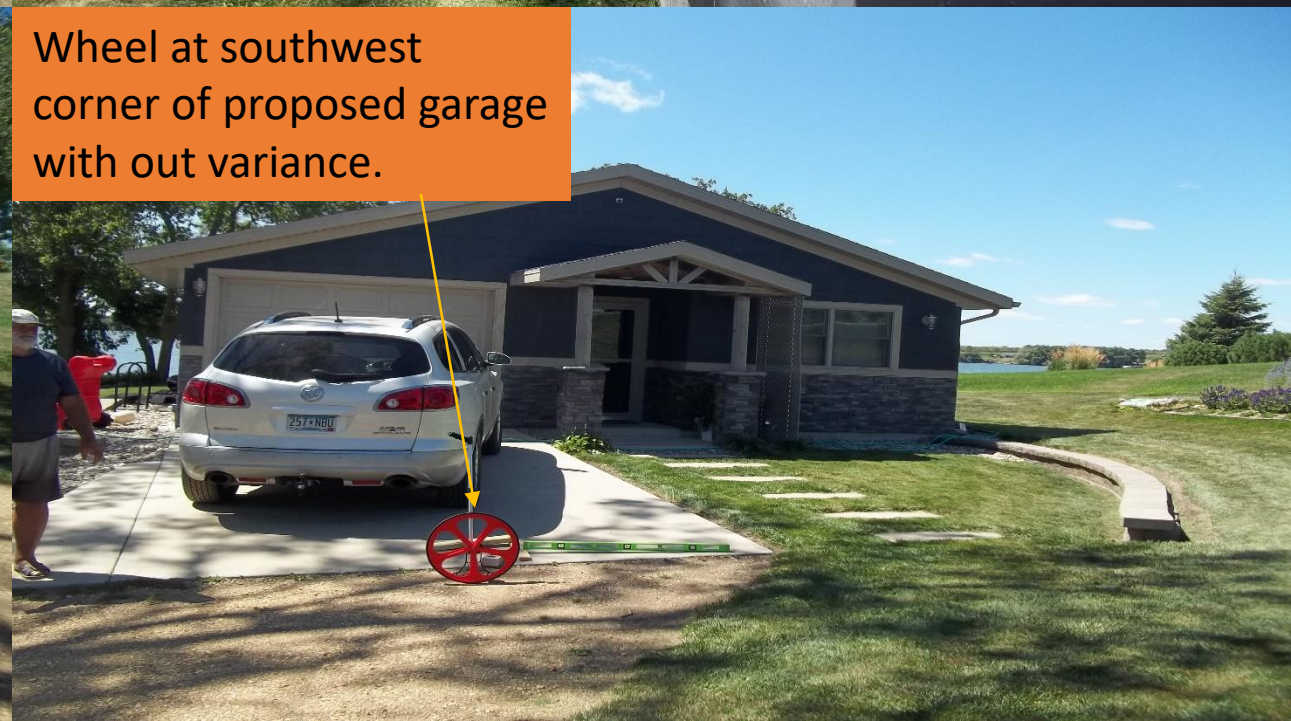
Wheel at 4 feet setback from side property line for proposed garage.

Looking south, wheel at northwest corner of proposed garage.

Looking north, wheel at northwest corner of proposed garage.

Looking west, wheel at south west corner of proposed garage.

Looking north wheel at south west corner of proposed garage.


Wheel at southwest corner of proposed garage with out variance.

RECEIVED

AUG - 5 2020

BROOKINGS
COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

Date of Application: 5 Aug 2020 Variance Number: 2020VAR014

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

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

Allowing us to build an addition to our existing home. The addition puts our southern most wall at 110 feet from the center of 32nd 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 133ft 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 SW¼ SE¼ of Section 3, T109N, R50W
Medary Twp
Parcel # 1224010950 03400
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 2020
Date

8:00 pm
Time

Approved

Rejected

Date

Chairman of Brookings County Board of Adjustment

Brandon Bak / Chelsea Bak
Person filing petition – print

Person filing petition – sign

632 West 32nd St. South
Address

Brookings
City

South Dakota
State

57006
Zip Code

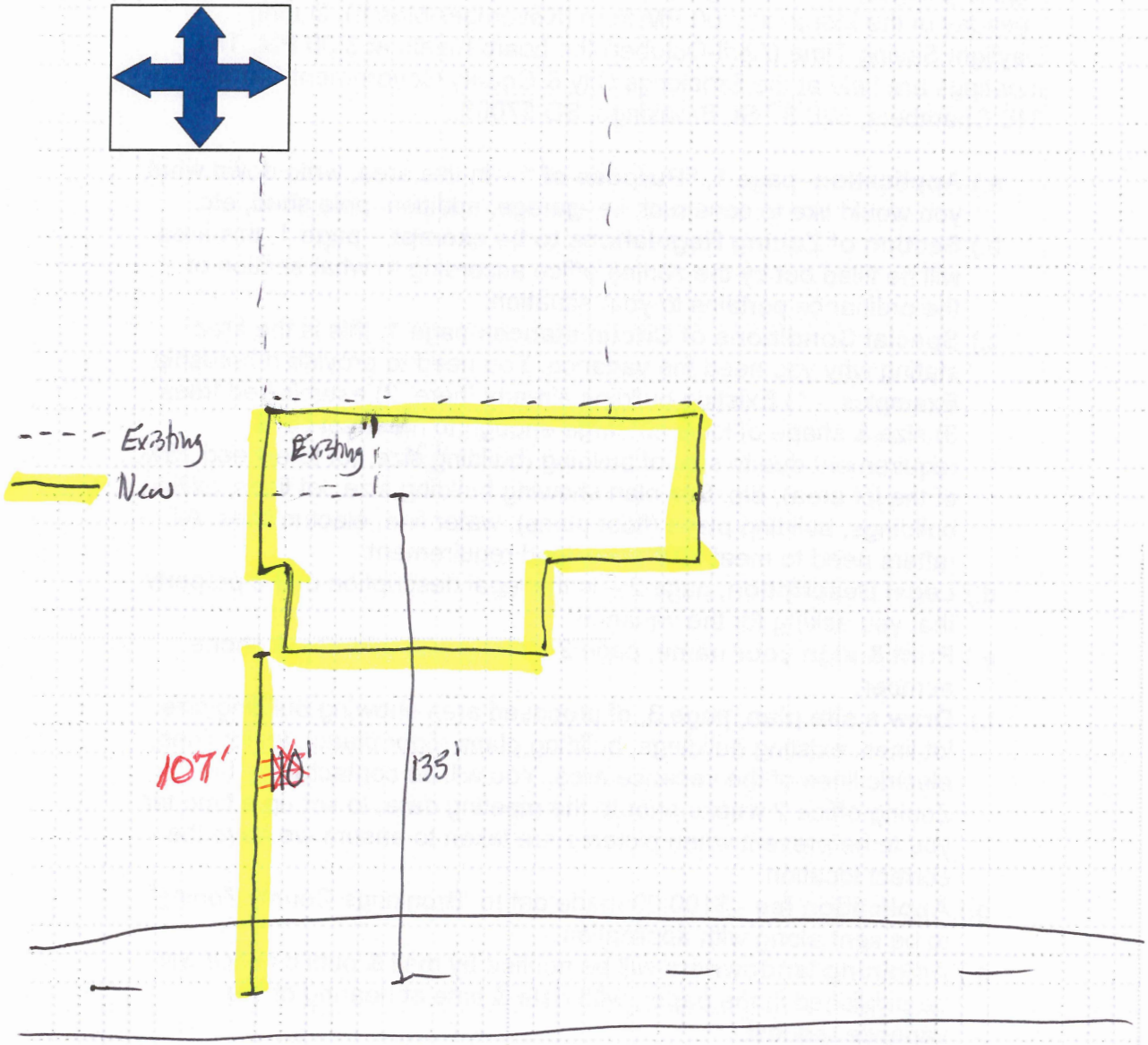
(605) 860-1300 Chelsea / (605) 520-6071 - Brandon
Telephone

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

2020VAR014

SKETCH

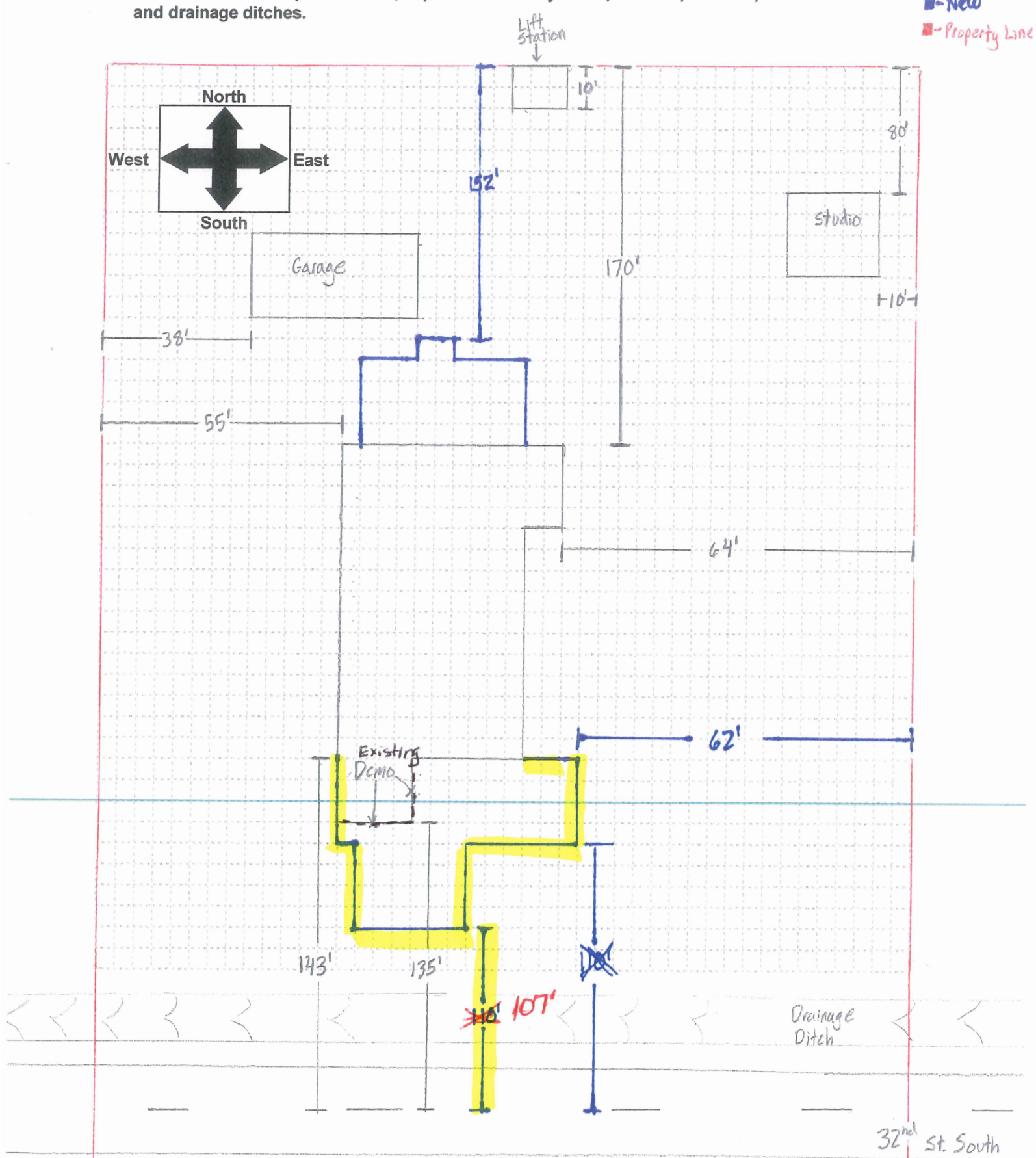
Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.



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.



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

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

2020var014 – September, 2020

Prepared by Richard Haugen

Applicant: Brandon and Chelsea (DeKnikker) Bak, 632 W 32nd 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 32nd 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 32nd Street S a variance of 26 feet. The required setback is 133 feet from the center of 32nd 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: 1) shape and size of lot; 2) existing house was built in 1930 to prior to current setback requirements; 3) 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.

RECEIVED

AUG - 5 2020

BROOKINGS
COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

Date of Application: 5 Aug 2020 Variance Number: 2020VAR014

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

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

Allowing us to build an addition to our existing home. The addition puts our southern most wall at 110 feet from the center of 32nd 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

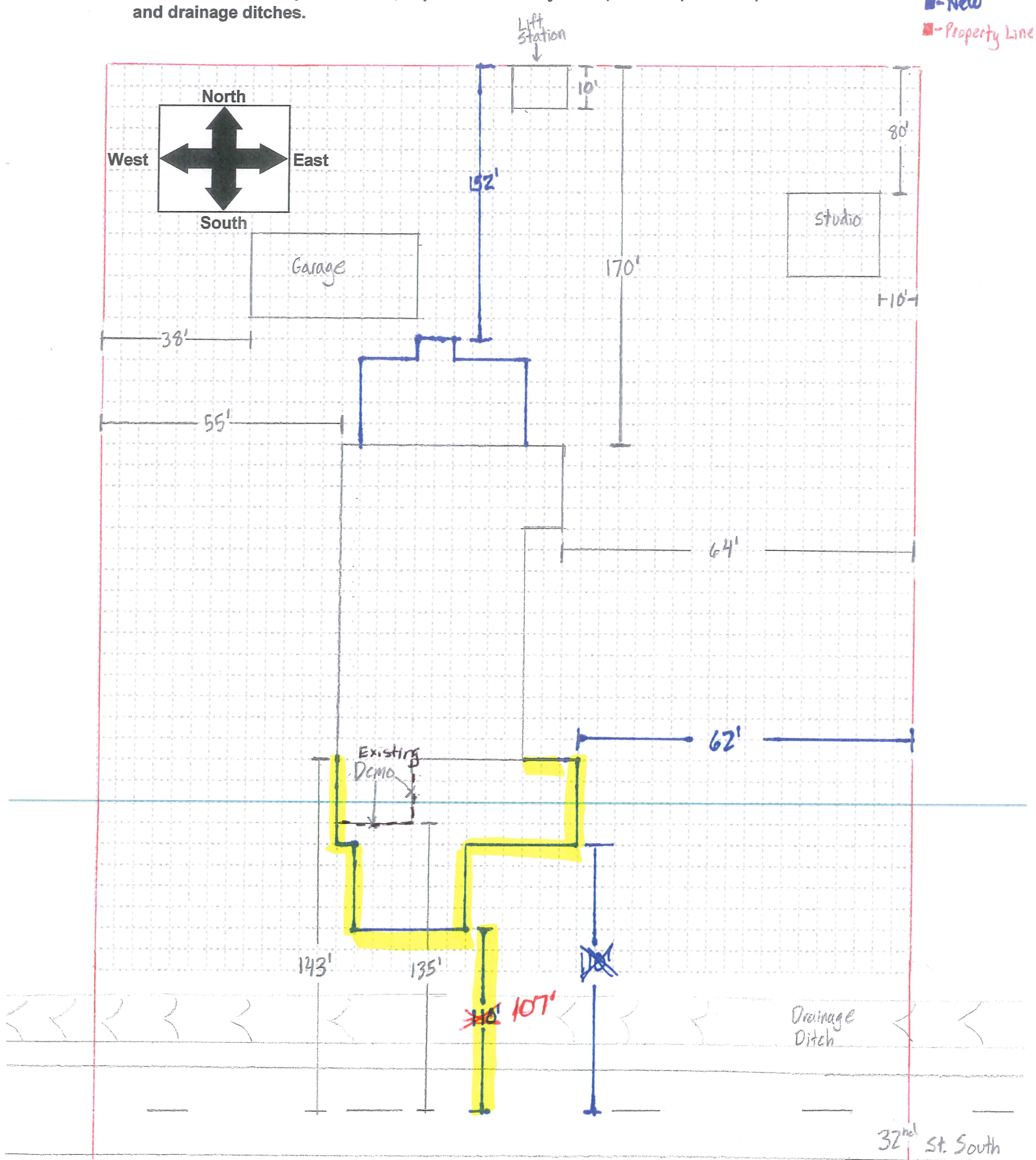
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms 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 133ft 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

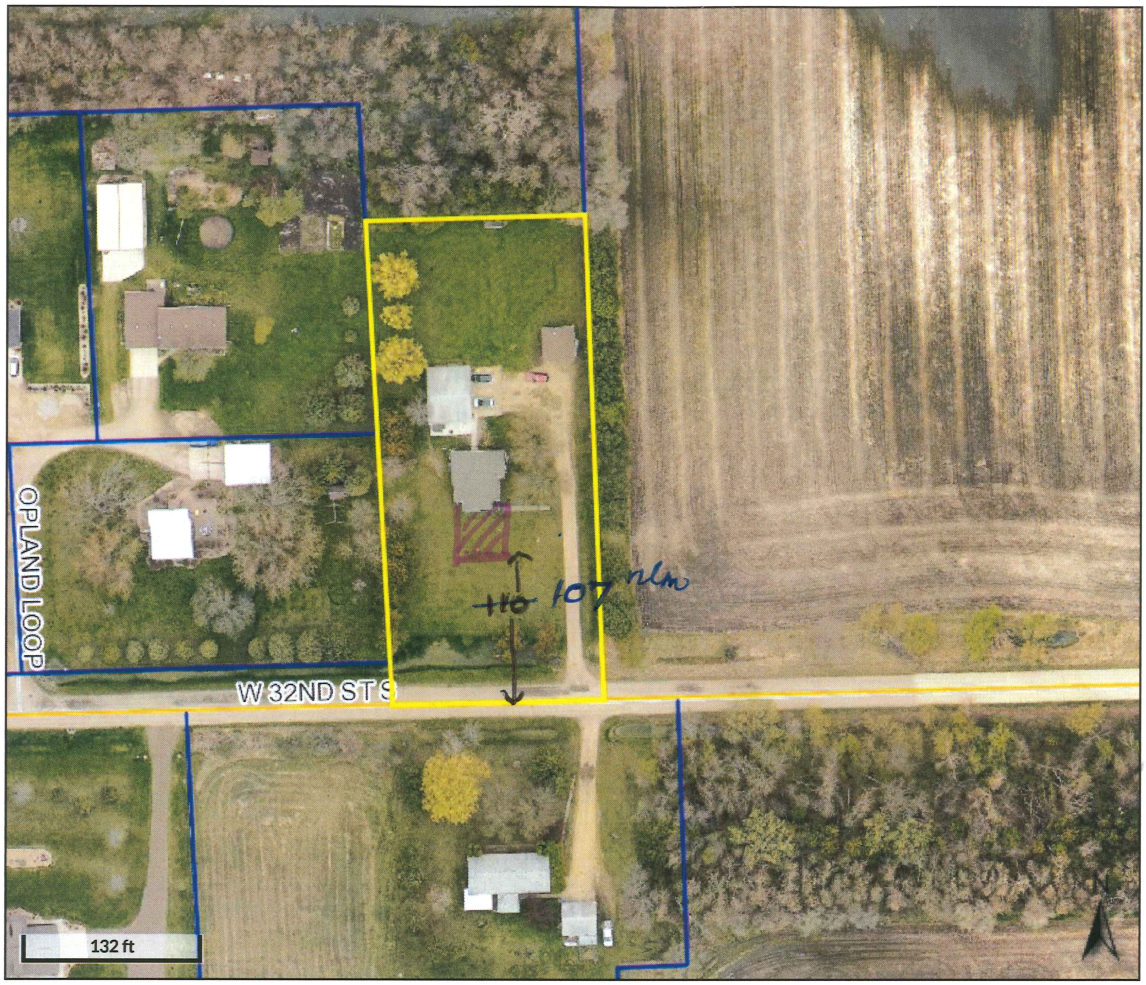
SKETCH

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.

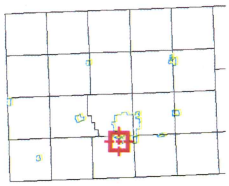


2020 VAR 014

Beacon™ Brookings County, SD



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

2020var014: Brandon & Chelsea(DeKnikker) Bak.

Looking north from driveway.

Looking east from driveway on 32nd St (215th St).

Looking west from driveway on 32nd St (215th St).

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

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

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

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

Date of Application: 8.11.2020

Variance Number: 2020var015

RECEIVED

AUG 1 1 2020

BROOKINGS
COUNTY DEVELOPMENT

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

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

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 Govt Lots 1, 4, 5 and 6 in Section 7, T111N, R 51W.

Site addr: 70 Oakwood Shoreline Dr, Bruce SD 57220
Parcel # 14108111510734 7

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

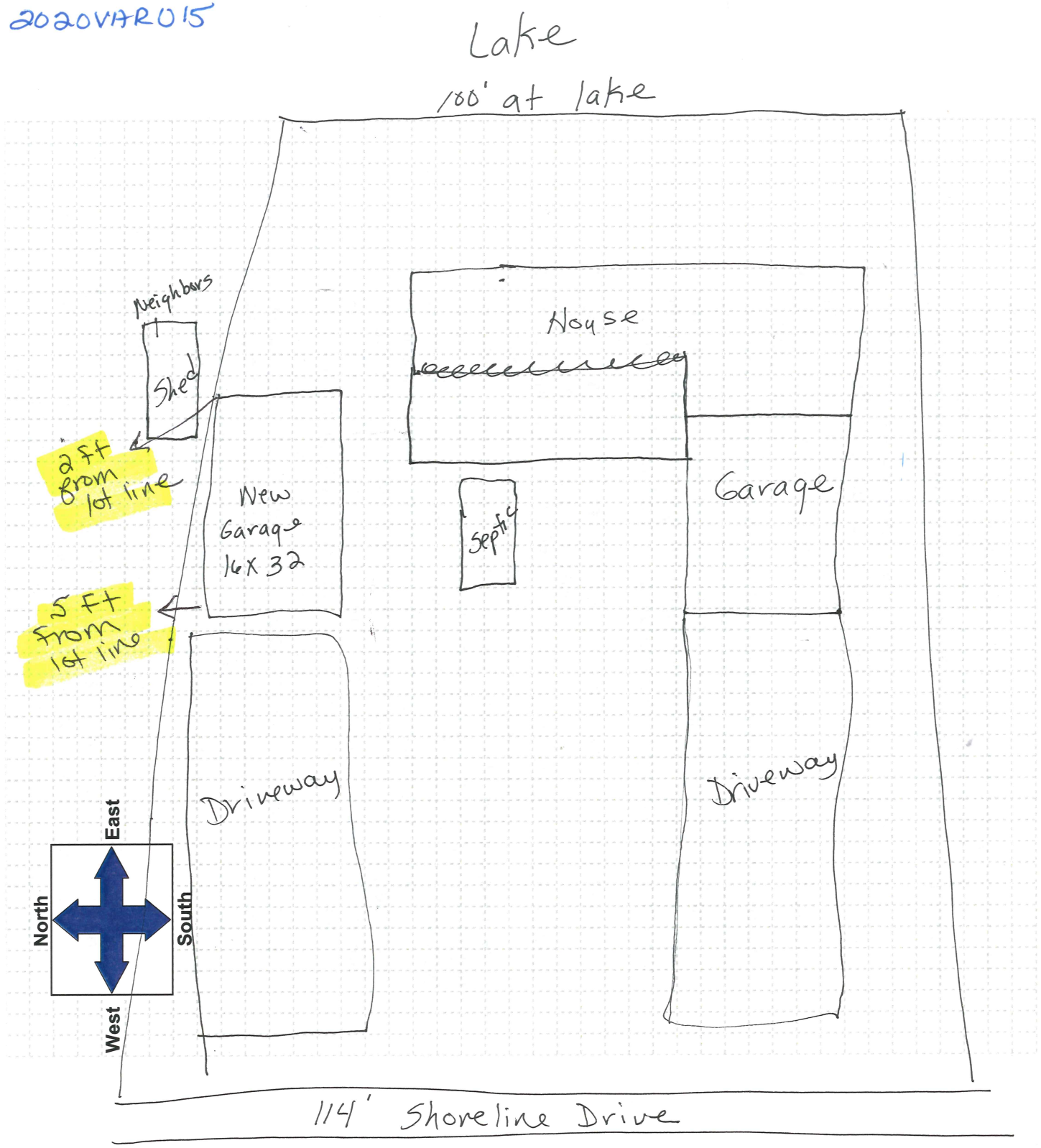
605-864-1884
Telephone

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

2020VAR015

SKETCH

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



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

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

2020var015 – September 1, 2020

Prepared by Richard Haugen

Applicant/Owner: Lisa Boulais, 70 Oakwood Shoreline Dr, Bruce, SD 57220.

Legal Description: "Lot 47 of DeBoer's Lake Tetonkaha West Subdivision in Govt Lot 1,4,5 & 6 in Section 7, T111N, R51W (Oakwood Township)"

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

2020var015: Lisa Boulais, has applied for a variance to build a 16' x 32' detached garage with a 10 ' sidewall, 2 feet and 5 feet from the side property line, a variance of 6 feet and 3 feet. The required setback is 8 feet from the side property line. The proposed garage will be 9 feet from existing house. The garage will meet the 25 setback from the road.

Things to consider; 1) location of existing buildings; 2) DeBoer's Lake Tetonkaha West Subdivision was originally platted in 1984, and re-platted in June of 2003, when the original road was vacated and relocated.

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

Letters were sent to the adjoining landowners and Oakwood Township Chairman and Clerk and the Brookings County Highway Department.

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

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

Date of Application: 8.11.2020

Variance Number: 2020var015

RECEIVED

AUG 1 1 2020

BROOKINGS
COUNTY DEVELOPMENT

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

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

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).

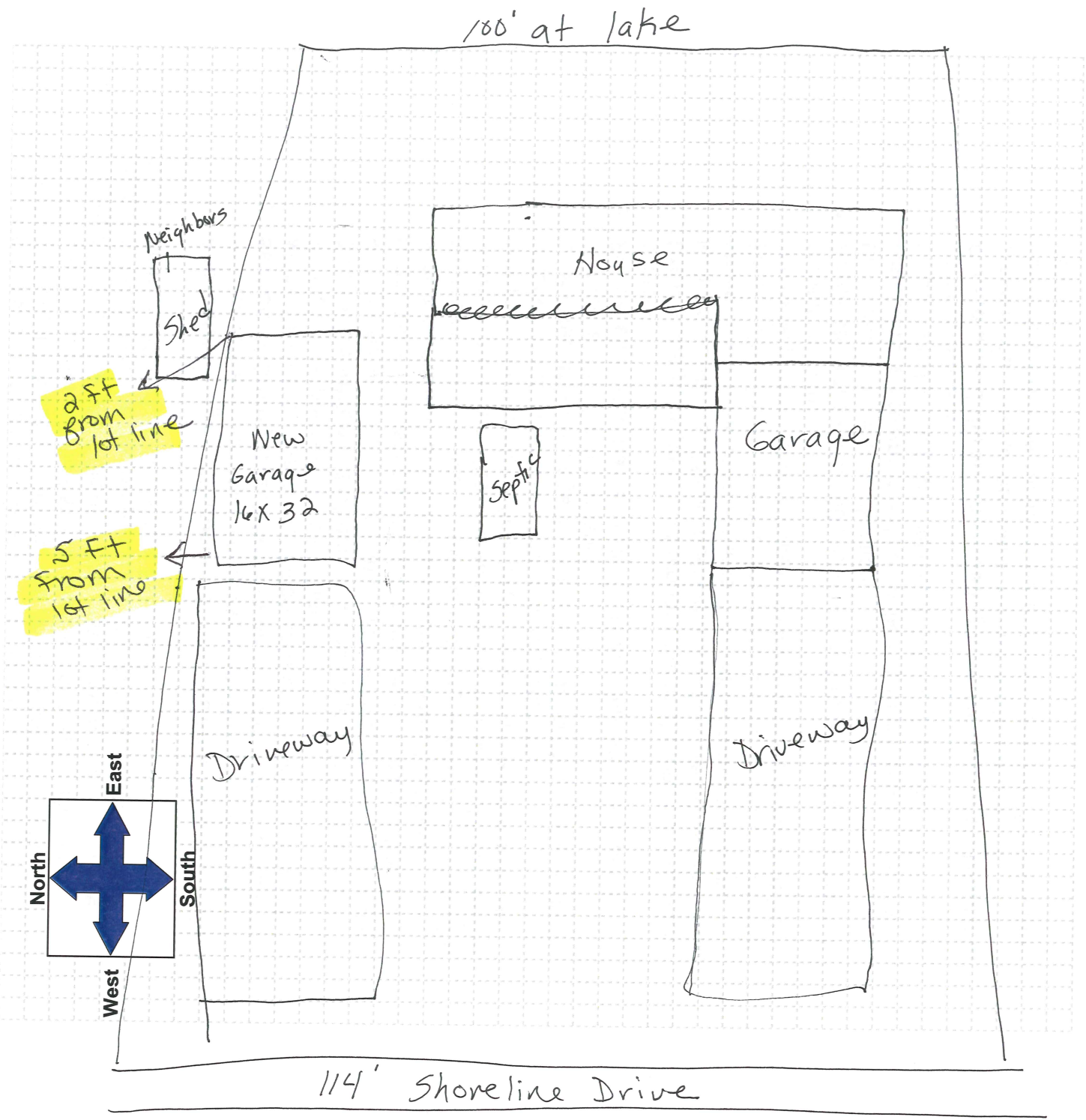
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms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

2020VAR015

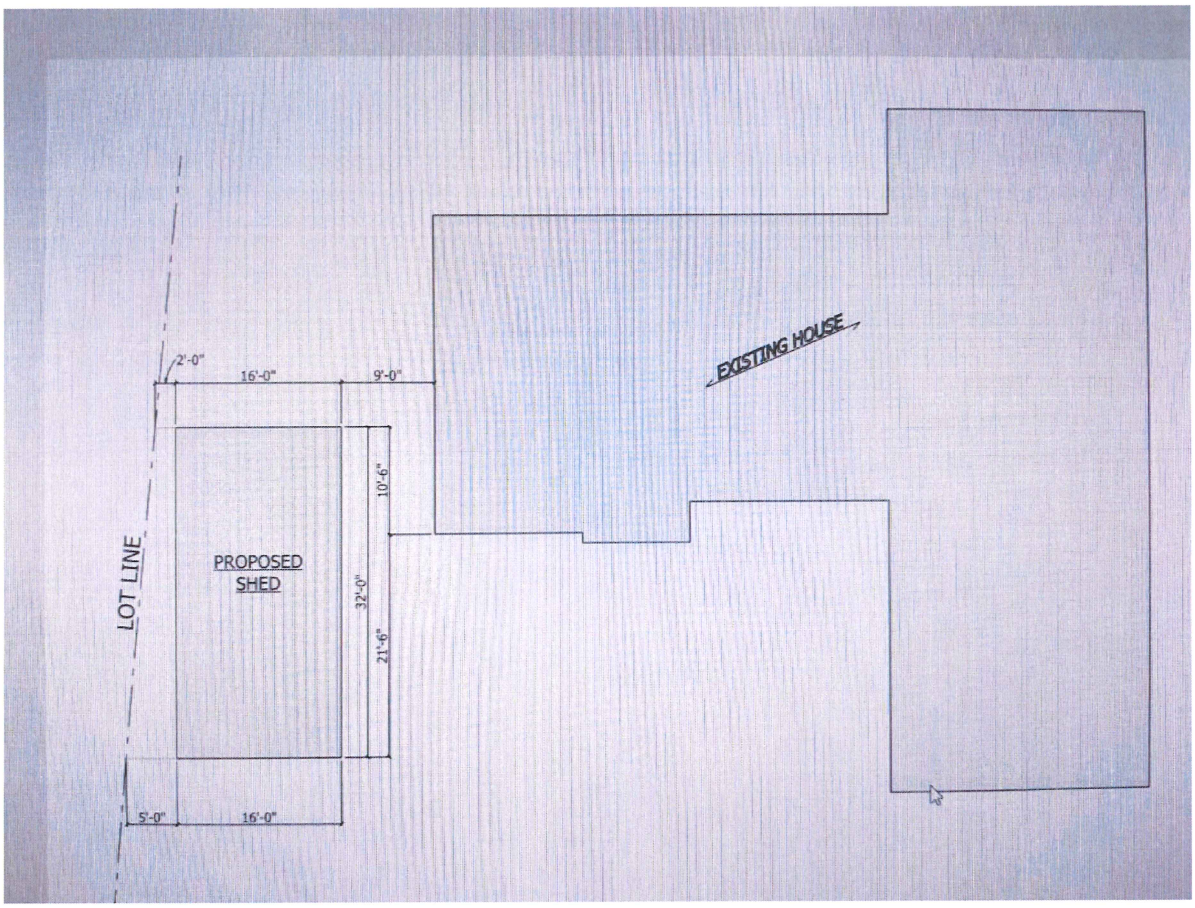
SKETCH

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 015

From: Lisa Boulais
To: Richard Haupen
Subject: Attachment.jpg
Date: Tuesday, August 11, 2020 9:02:01 AM

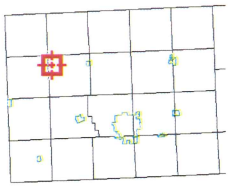


Sent from my iPhone

2020VAR 015

Beacon™ Brookings County, SD

Overview



Legend

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

Parcel ID	141081115107347	**Alternate ID**	n/a	**Owner Address**	BOULAIS, LISA M LIVING TRUST 70 OAKWOOD SHORELINE DR BRUCE SD 57220
Sec/Twp/Rng	7-111-51	**Class**	NACS		
Property Address	70 OAKWOOD SHORELINE DR BRUCE	**Acreage**	n/a		
District	1409				
Brief Tax Description	DEBOER'S LAKE TETONKAHA WEST SUBDIV LOT 47 IN SW 1/4 SEC 07-111-51 99' X 173' (Note: Not to be used on legal documents)				

Date created: 8/11/2020
Last Data Uploaded: 8/11/2020 8:06:52 AM

Developed by Schneider GEOSPATIAL

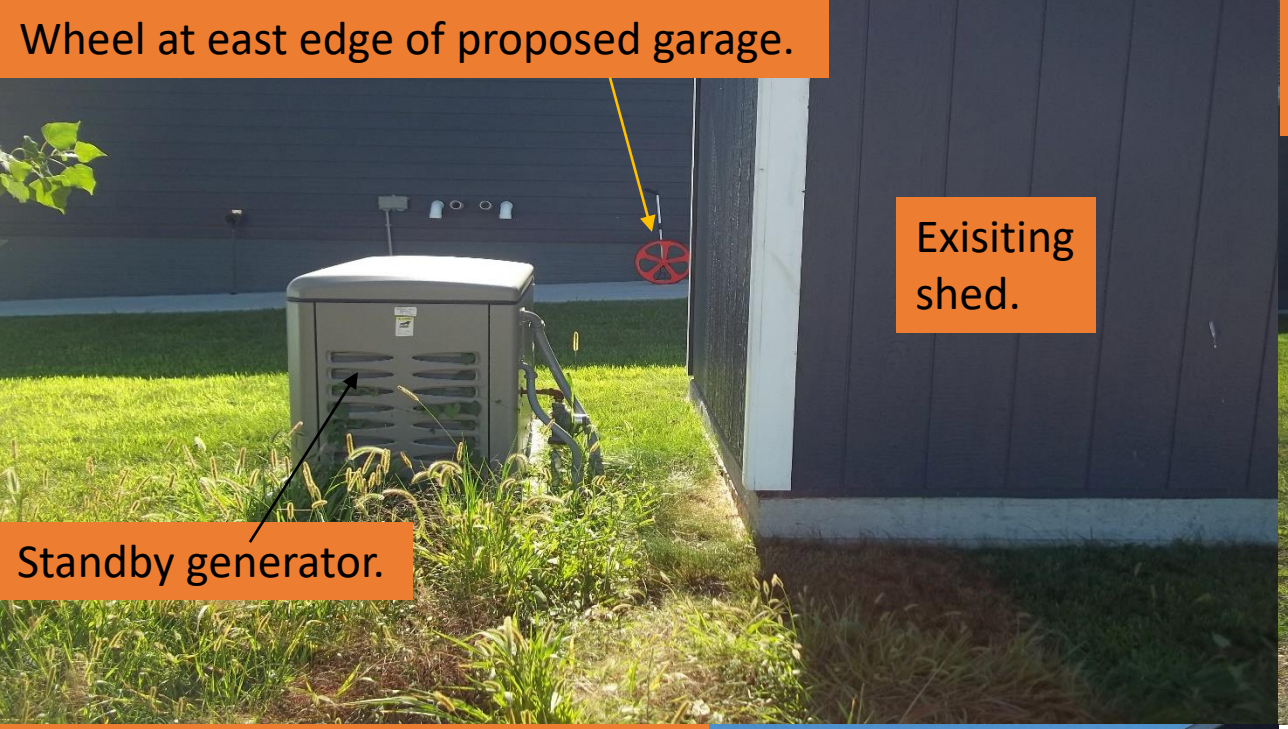
2020var015: Lisa Boulais

Looking east towards the lake from the road.

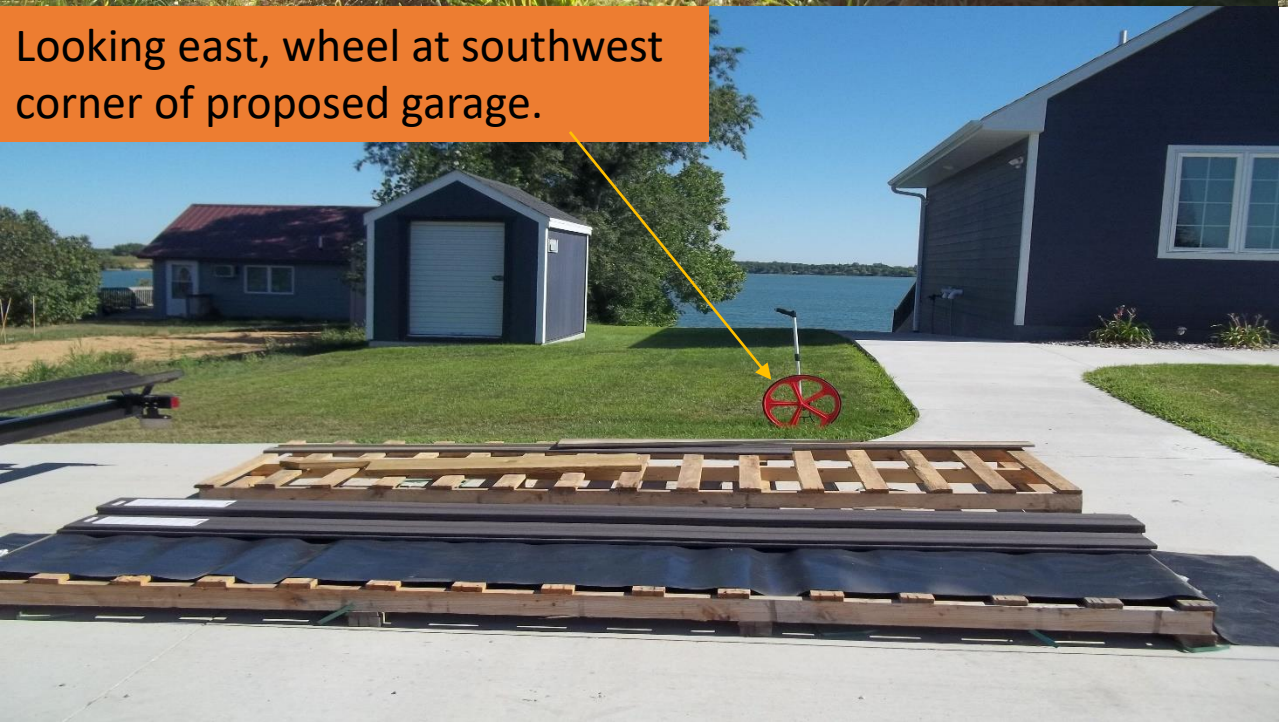
Wheel at south edge of proposed garage, 9 feet from house.

Wheel at north edge or proposed garage, 2 feet from north property line.

Looking east from west property pin. Wheel at north edge proposed garage.


Wheel at east edge of proposed garage.
Exisiting shed.
Standby generator.

Looking south, wheel at west corner of proposed garage.


Looking east, wheel at southwest corner of proposed garage.

RECEIVED

AUG 1 1 2020

BROOKINGS
COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

Date of Application: AUGUST 11, 2020 Variance Number: 2020VAR 016

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

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

BUILDING A 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 # 1115011252053 03, 1115011252053 06, 1115011252053 09
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 163rd STREET
Address

WATERTOWN
City

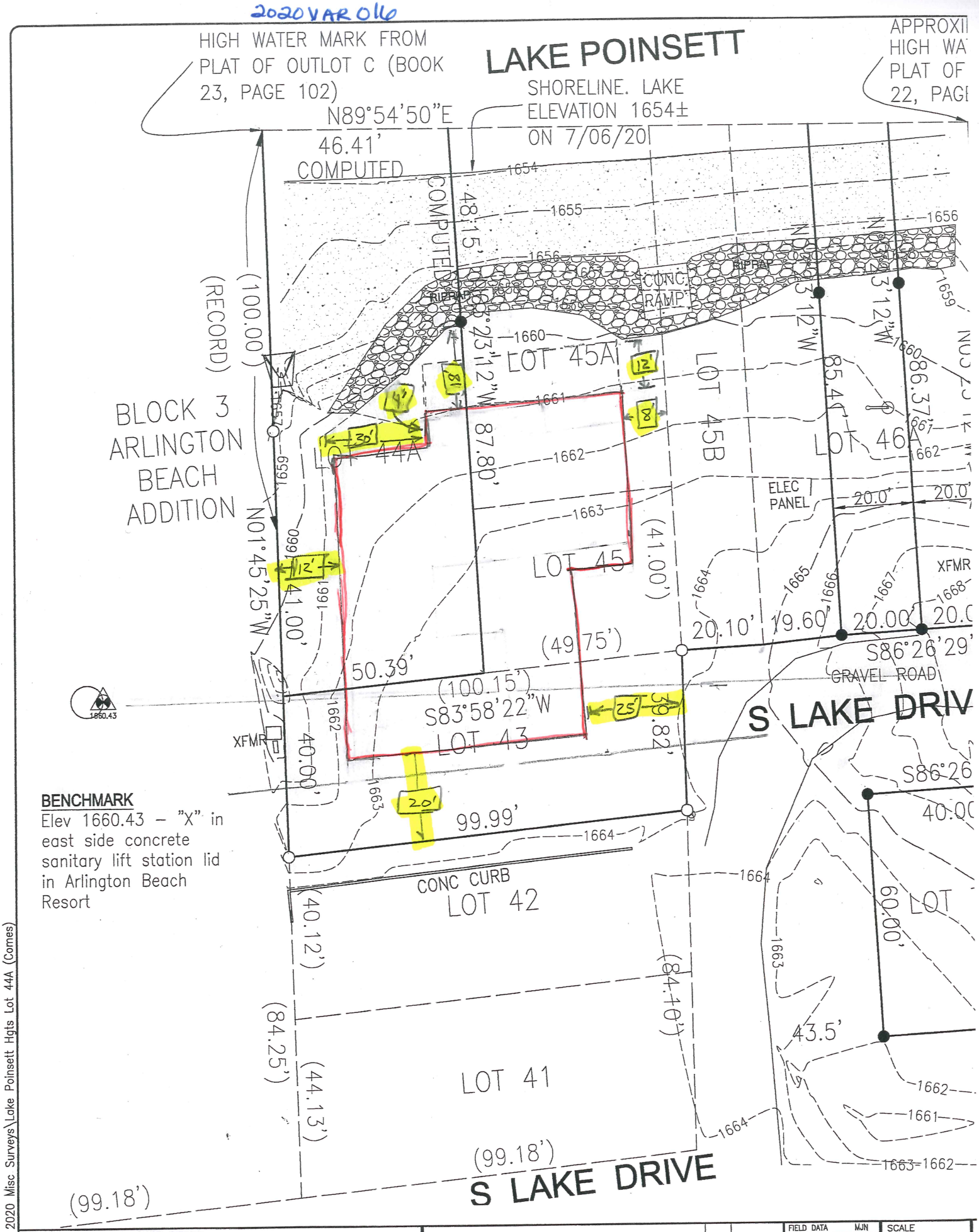
SOUTH DAKOTA
State

57201
Zip Code

605-880-8339
Telephone

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

2020VAR016



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)

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

REVISIONS	BY	DATE

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

SCALE
See Above

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

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

2020var016 – September 1, 2020

Prepared by Richard Haugen

Applicant/Owner: Martin J. Comes, 45548 163rd St, Watertown, SD 57201
Site: 122 S Lake Dr, Arlington, SD 57212

Legal Description: "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 218 S Lake Dr, Arlington, SD 57212.

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).

2020var016: Marty Comes has applied for a variance to build a residence with an attached garage 15 feet from the highest known water mark on a lake front lot and 15 feet from the rear property line on a non-lake front lot. A variance of 60 feet from the highest known water mark and a variance of 10 feet from the rear property line on the non-lake front lot. The lake side setback is 75 feet from the highest known watermark and the rear setback for a non-lake front lot is 25 feet from the property line. The west part of the shoreline jogs in where the setback is 15 feet, farther to the east the main portion of the proposed house the setback will be 23 feet from the highest known water mark. This variance request is unique in that two of the lots are lake front lots and the adjoining rear lot is a non-lake front lot. The proposed house will exceed the side setback of 8 feet and meet the 25 feet road setback on both the lake front and non-lake front lot. The applicant has added fill to raise up lot and stabilized the shoreline. Part of the property is located in the floodplain and the applicant will need to follow the building requirements for building in the floodplain.

Things to consider: 1) Marvin Wade Subdivision was platted on May 24th, 1949;
2) Shape and size of lot; 3) Non-lake front lot adjoining the lake front lots.

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

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

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

RECEIVED

AUG 1 1 2020

BROOKINGS
COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

Date of Application: AUGUST 11, 2020 Variance Number: 2020VAR 016

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

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

BUILDING A 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)

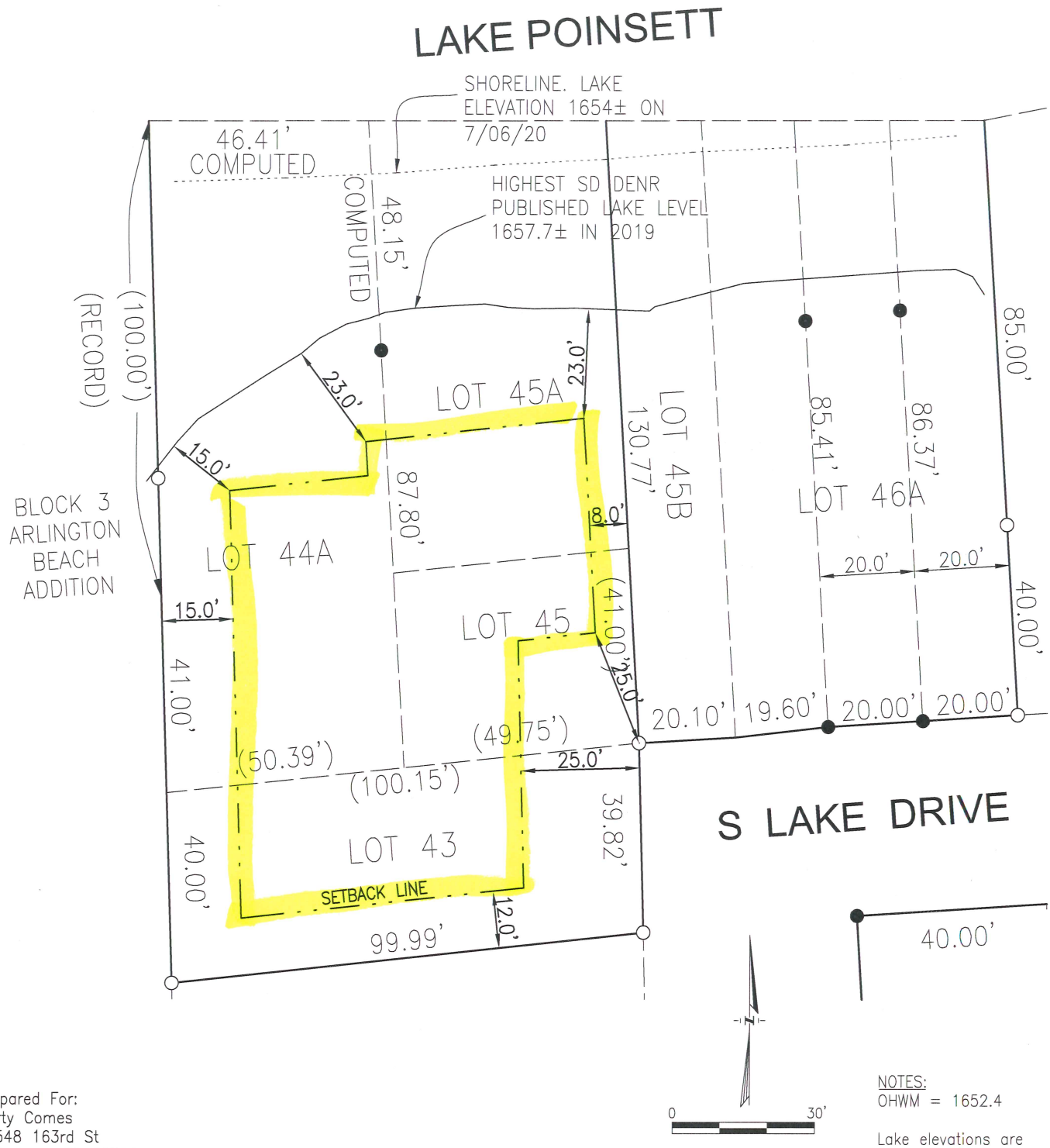
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms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

2020 VAR 016

SETBACK PLAN



Prepared For:
Marty Comes
45548 163rd St
Watertown, SD 57201

NOTES:
OHWM = 1652.4

Lake elevations are NAVD 88

Drawn By: gla
Project No. 20062
CAD: See Right Edge

Prepared By:
SCHMITZ, KALDA & ASSOC., INC.
320 N. Main Avenue
Sioux Falls, SD 57104
(605) 332-8241 phone
(605) 332-0116 fax

Lots 43, 44A, 45 & 45A of the First Addition of Lake Poinsett Heights Subdivision in Lot 2, Section 5, T112N, R52W of the 5th P.M.,

Brookings County, South Dakota

SKA Schmitz, Kalda & Associates, Inc.

August 24, 2020
Drawing: 2020 Misc Surveys\Lake Poinsett Hgts Lot 44A (Comes)

2020 VAR 016

August 13, 2020

Lake Poinsett: Variance Request Notes

Variance #1 - (Lots 44A, 45, 45A, 45B):

- The closest wall of the front of building structure is approximately 15 feet from the highest known water mark with most of the front structure is over 23 feet.
- Front of building structure is approximately lined up with other newer structures to the east.
- ABR cabins are significantly forward of this structure.

Variance #2 - (Lot 43):

- The unique situation of building one structure crossing over five (5) different small lots (43, 44A, 45, 45A, 45B) with the orientation of the back lot causes the setbacks to be different along the respective sides.
- Building structure is planned to single story in the variance requested area.
- Privacy fence will be built (planned to be approximately eight (8) feet high) on the west and south property lines.
- The closest distance from ABR Boat House to the privacy fence is approximately 30 feet.
- The closest distance from ABR Boat House to the planned building structure is approximately 45 feet.
- Especially given the privacy fence is in place, the approval of the variance has very little or no effect on adjacent landowners.

Lake Poinsett Sanitation District Sewer Line Easement - (Lot 43):

- Met with the Board on August 8, 2020 to discuss situation and options.
- Investigating putting an oversized casing next to the current sewer line when footings are being dug in the area under the structure.
- Will secure a permit for a septic tank.

Kingbrook Rural Water Line Easement - (Lot 43):

- Met with representative on August 13, 2020 on site.
- Concluded that there is no line that runs across the property. One runs to the east edge under the road area.
- No concerns of building in the planned area.

Marty Comes
(605) 880-8339

2020 VAR 016

2020 UAR016
Plat

Non Lake Frontage
Lake Front Lots

See Plate 10 Page 10

Vacate Lot 46
Book 22 plats page 86

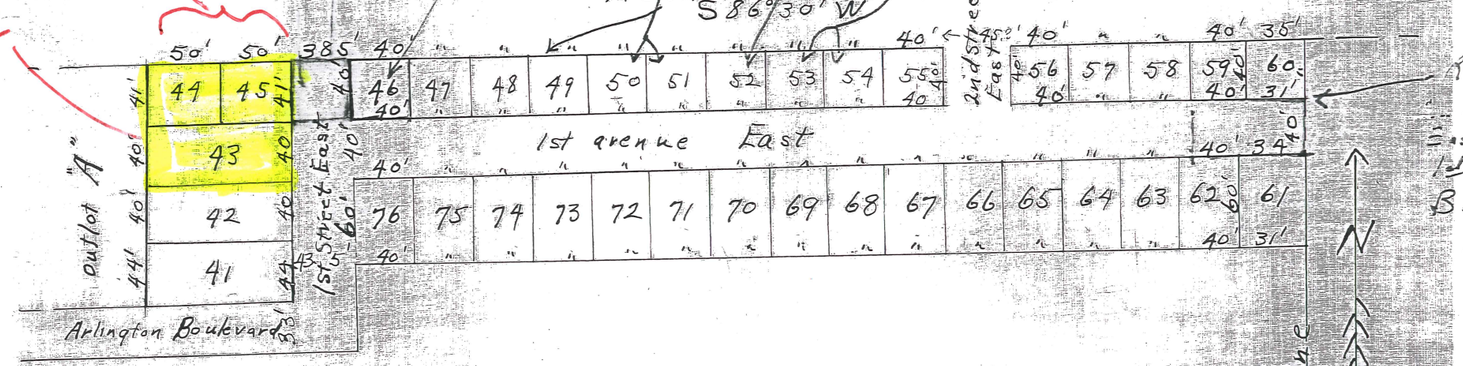
... Vacate Lots 50 + 51 ...
Book 24 plats page 151

Vacate Lot 52
plat 28 page 18

Vacate Lots 53 + 54
Book 28 plats page 1

Lake Poinsett

Meander Line
S86°30' W

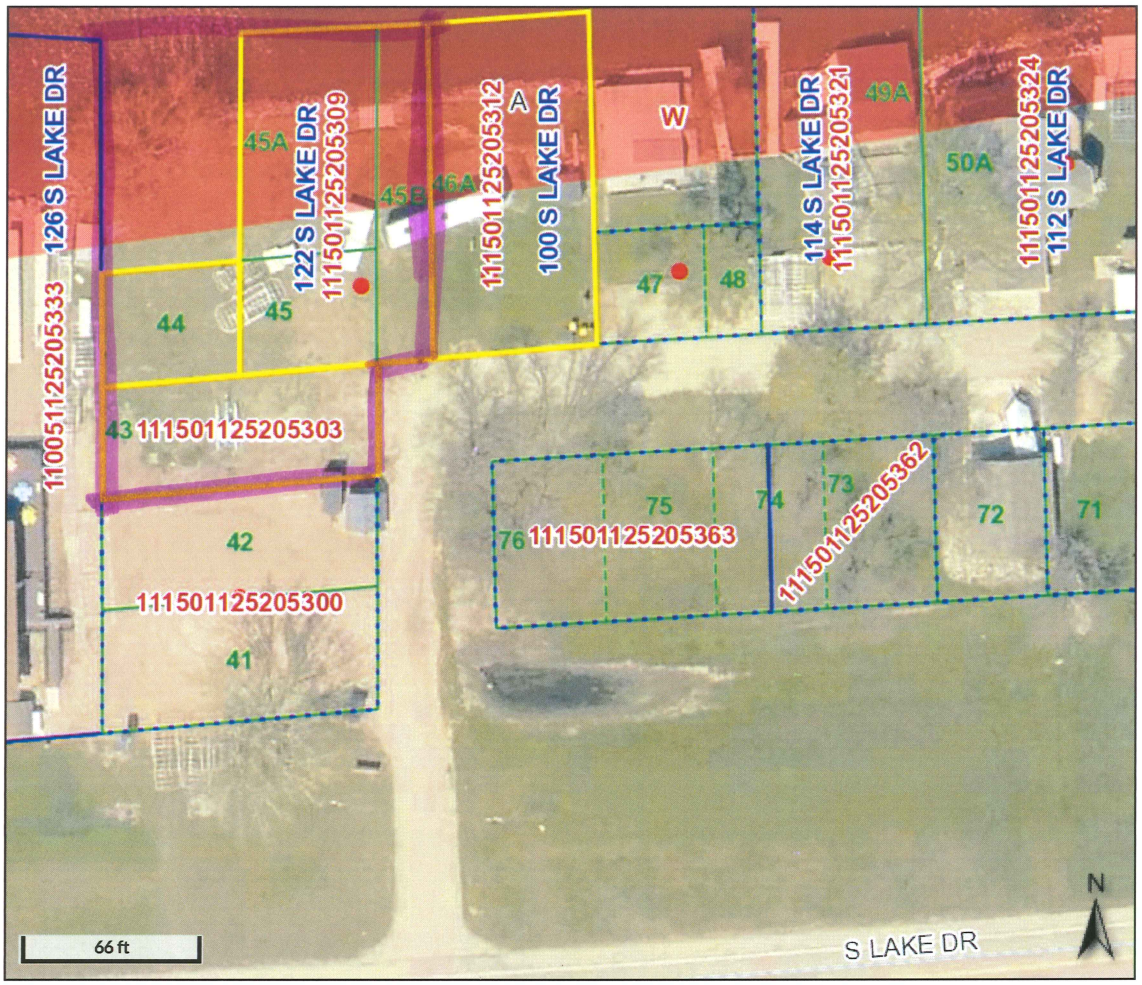


Resolution No. 00-36
vacation of the easterly 71 feet of 1st Ave. East ....
Book 156 Misc page 704-705

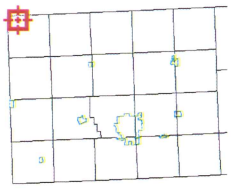
1st. Addition Lake Poinsett Heights
Subdivision in Lot 2 Sec 5 T 112 R 52 W 5th P.M.
June 1922 Chas H Johnson
Scale 1" = 80' Deputy State Surveyor

2020VAR016 Floodplain 2008

Beacon™ Brookings County, SD



Overview



Legend

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

Floodplain 2008

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

Parcel ID	111501125205306	**Alternate ID**	n/a	**Owner Address**	COMES, MARTIN J ET UX
Sec/Twp/Rng	5-112-52	**Class**	NAC		45548 163RD ST
Property Address		**Acreage**	n/a		WATERTOWN SD 57201
District	110919				

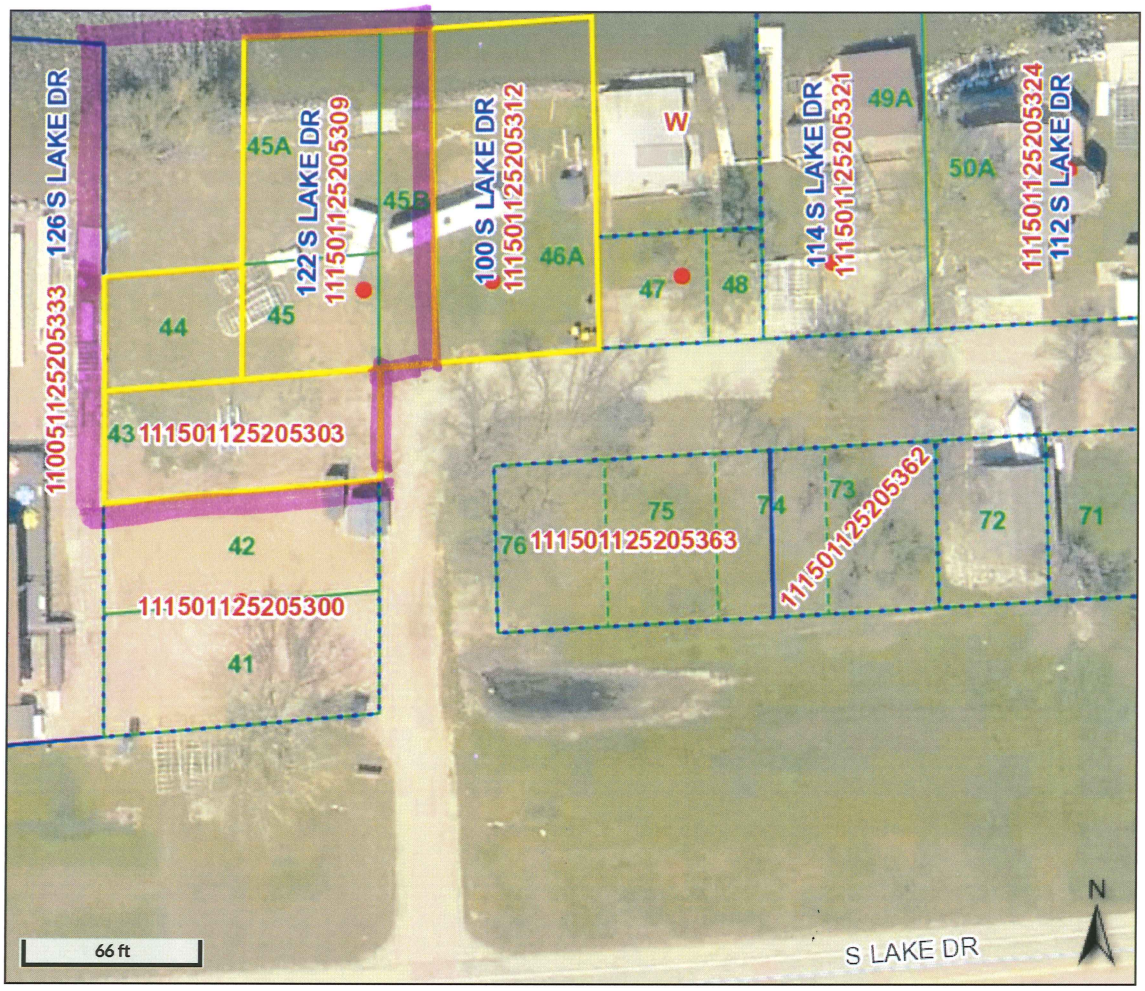
Brief Tax Description LAKE POINSETT HTS 1ST ADD SW 1/4 SEC 5-112-52 LOT 44 50' X 41'
(Note: Not to be used on legal documents)

Date created: 8/11/2020
Last Data Uploaded: 8/11/2020 8:06:52 AM

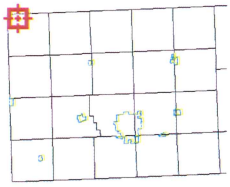
Developed by Schneider GEOSPATIAL

2020 VAR 016

Beacon™ Brookings County, SD



Overview



Legend

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

Parcel ID	111501125205306	**Alternate ID**	n/a	**Owner Address**	COMES, MARTIN J ET UX
Sec/Twp/Rng	5-112-52	**Class**	NAC		45548 163RD ST
Property Address		**Acreage**	n/a		WATERTOWN SD 57201
District	110919				
Brief Tax Description	LAKE POINSETT HTS 1ST ADD SW 1/4 SEC 5-112-52 LOT 44 50' X 41'				

(Note: Not to be used on legal documents)

Date created: 8/11/2020
Last Data Uploaded: 8/11/2020 8:06:52 AM

Developed by Schneider GEOSPATIAL

2020var016: Martin Comes

Looking northwest from road. Wheel at northeast corner of non-lake front lot.

Looking west from non-lake front lot. Wheel at northeast corner of lot.

Looking east from property line, post at northwest corner of lot.

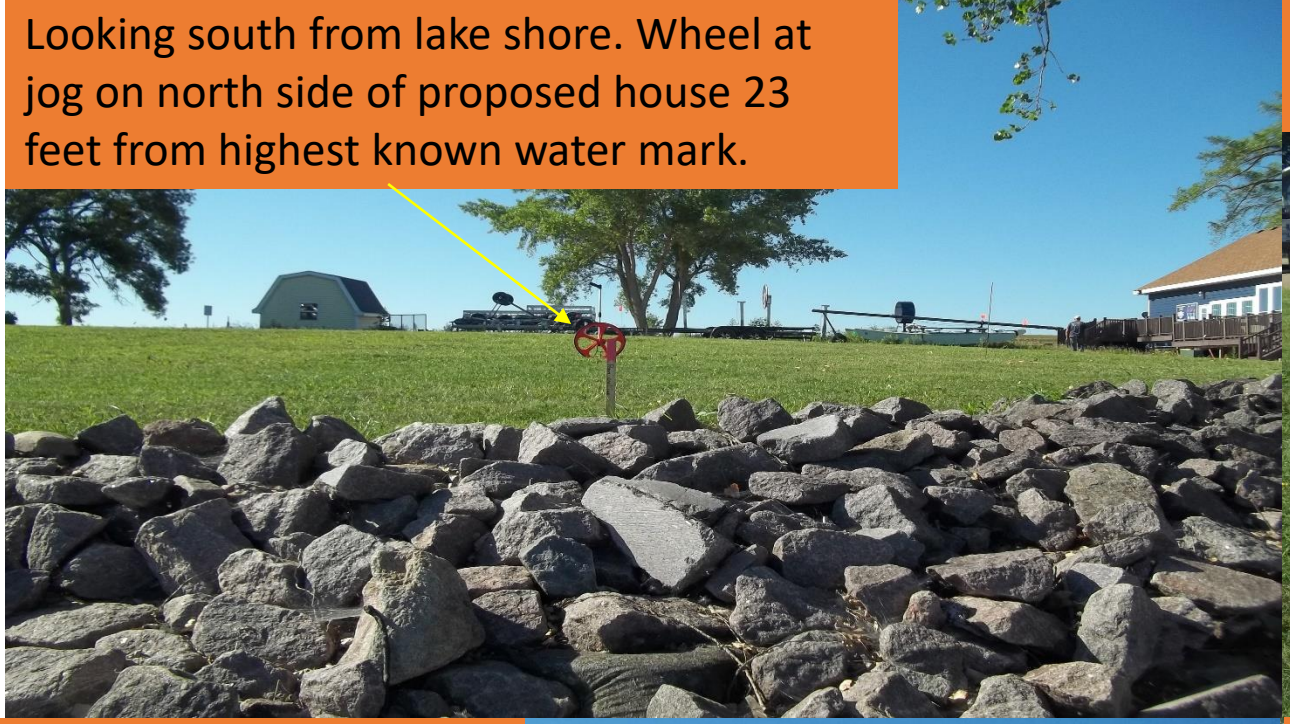
Looking east from northwest corner of non-lake front lot. Wheel at 12’ south property line.

Looking north, wheel at 15 feet from west property line on non-lake front lot.

Looking south, stake at 15 feet from highest know water mark at northwest corner of proposed house.

Looking east along shoreline. Wheel at highest known water mark.

Looking east down shoreline. Flags at north edge of proposed house.


Looking south from lake shore. Wheel at jog on north side of proposed house 23 feet from highest known water mark.

Looking west down shoreline from east corner of proposed house.

Looking south from lake. Flag at east side of proposed house.

Looking north from the road towards lot. Wheel at a northeast corner of non-lake front lot.