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, October 6, 2020**
2. **Approval of Minutes**

   Documents:

   MINUTES-September 1, 2020 PZ Minutes DRAFT 9-8-2020.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. **2020plat021**

   "Plat of Weiss Addition in the NW1/4 of Section 24, T109N, R52W of the 5th P.M., Brookings County, South Dakota."

   Documents:

   2020plat021 (Weiss) Staff Report.pdf

B. **2020plat022**

"Plat of Lot 1 of Dahl Addition in the SW1/4 of Section 2, T110N, R51W of the 5th P.M., Brookings County, South Dakota."

Documents:

2020plat022 (Dahl) Staff Report.pdf

C. **2020plat023**

"Plat of Lots 1 and 2 of Oppelt Addition in the NW1/4 of Section 3, T109N, R48W of the 5th P.M., Brookings County, South Dakota."

Documents:

2020plat023 (Oppelt, Margaret) 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. **2020var018**

Michael Moe by Shawn Knapp has made an application, 2020var018, 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 Side Yard). The property is described as: "Lot 7 of DeBoer's Lake Tetonkaha Subdivision in Govt Lots 5 & 6 of the SE1/4 of Section 7, T111N, R51W (Oakwood Township)"~~ located at 7 Oakwood Shoreline Dr, Bruce, SD 57220.

Documents:

2020var018 (Michael Moe) Staff Report.pdf
2020var018 Application.pdf

A. **Comments received - 2020var018**

Documents:

T Egge Note filed 9-30-2020.pdf
T J Egge Ltr filed 10-1-2020.pdf
C Tucker Email filed 10-1-2020.pdf

11. **2020cu019**

Delaine "Doc" Knaus has made an application, 2020cu019, 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: "NE1/4 NE1/4, Exc Lot H-1, and Exc that part lying East and North of Lot H-1 in Section 14, T109N, R50W (Medary Township)" ~~ located at 21625 471st Ave, Brookings, SD 57006.

Documents:

2020cu019 (Knaus) Staff Report.pdf
2020cu019 Application.pdf
2020cu019 Plan of Operation.pdf

12. **2020cu020**

Kristen Witchey has made an application, 20210cu020, to the Brookings County Board of Adjustment for a conditional use. Brookings Joint Jurisdiction Area: Article IV: Agricultural, Residential and Floodplain and Aquifer Districts. Section 405: "A" Agricultural District, Section 408: Special Exception # 18: Extended home occupations: and Brookings County Zoning Ordinance: Article 11: Section 11.01: "A" Agricultural District: Conditional Use Permit # 20: Home extended business." The property is described as: "OL 1 in SE1/4 SE1/4 and Lot 4 of Lots 1,2,3 and 4 of Barnett's Subdivision of the SE1/4 Sec. 7, T110N, R49W (Aurora Township)." ~~ located at 3113 34th Ave, Brookings, SD 57006.

Documents:

2020cu020 (Kristen Witchey) Staff Report.pdf
2020cu020 Application.pdf

13. **Department Reports**

14. **Executive Session, if Necessary.**

15. **Adjourn**

16. **Public Notices**

BROOKINGS COUNTY PLANNING & ZONING COMMISSION
MINUTES OF SEPTEMBER 1, 2020 REGULAR PLANNING & ZONING MEETING

The Brookings County Planning & Zoning Commission met at their regular meeting on Tuesday, September 1, 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, Terrell Spence, and alternates Roger Erickson and Spencar Diedrich. Members that phoned in were: Michael McHugh, Randy Jensen and Senior Planner from First District Association of Local Governments Luke Muller. Absent was: Darrell Nelson. 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/Bartley) Motion to approve the August 4, 2020 Meeting Minutes. Roll call vote: Bartley-aye, McHugh-aye, Davis-aye, Kleinjan-aye, Vanderwal-aye, Spence-aye, Jensen-aye, Erickson-aye, Ford-aye. **MOTION CARRIED.**

ITEMS TO BE ADDED TO AGENDA BY COMMISSION MEMBERS OR STAFF.
None added. (Haugen note that application 2020var016 was withdrew on 8-31-2020 by applicant)

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
Vanderwal would recuse from vote on 2020var011 and Davis would recuse from vote on 2020cu017.

APPROVAL OF AGENDA
(Kleinjan/Vanderwal) Motion to approve the agenda for the September 1, 2020 Meeting. Roll call vote: Davis-aye, Kleinjan-aye, Vanderwal-aye, Spence-aye, Jensen-aye, Erickson-aye, Bartley-aye, McHugh-aye, Ford-aye. **MOTION CARRIED.**

CONVENE AS BROOKINGS COUNTY PLANNING & ZONING COMMISSION

CONSIDERATION OF PLATS

2020PLAT018
For property described as "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." Submitted by Robert Robish to re-plat his lot on Lake Poinsett to the ordinary high water mark. Width of the lot will stay the same.

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

2020PLAT019
For property described as "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." Submitted by Tena Haraldson to re-plat her lot on Lake Poinsett to the ordinary high water mark and property line adjustment between cabins on Lot 2 and Lot 3. Applicant owns both lots and lot line was adjusted slightly so that each cabin is on the appropriate lot.

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

2020PLAT020
For property described as "Plat of Soobrook Farm's Addition in the SE1/4 of Section 20, T109N, R49W of the 5th P.M., Brookings County, South Dakota." Submitted by Soobrook Farms, Inc. to plat off 76.6 acres from 160.0 acres of pastureland and farm ground. Platted area will contain mostly pasture and a portion of farm ground.

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

CONVENE AS BROOKINGS COUNTY BOARD OF ADJUSTMENT

Davis recused himself Diedrich took seat.

2020CU017
Application by Thomas A. Davis 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)".

(Diedrich/Vanderwal) Motion to approve the Conditional Use.

STAFF REPORT: Applicant is requesting a conditional use #5A: Rock Crushers to process mined gravel. The conditional use (2020cu001) to mine gravel on the site was approved by the Board of Adjustment on February 4, 2020. No material will be allowed to be brought in to be crushed. Tom Sterzinger from Taunton, Minnesota will be the crushing operator. Haul route reviewed to be entrance/exit off 480th Ave and north to/ south from 207th Street. Report given noted the operator's site plan, business plan and reclamation plan. East Dakota Water Development District had reviewed the application

DRAFT 9-2-2020

and documents provided by the applicant and the mine operator. 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.

PUBLIC HEARING: Applicant Tom Davis had nothing more to add.

Proponents: Tom Sterzinger, Crushing operator clarified that the application was for crushing not about traffic. He described the crushing process noting the process would last 3-5 weeks, dust and noise should not be a problem as would 1,000-1,500 away, and permits had been acquired by the State of South Dakota for mining. He noted concern if emergency vehicles would be needed and no admittance was allowed to the south. He asked that emergency vehicles would be allowed from the south, not for a haul route.

Opponents: Mary Bowne via telephone noted concern of entrance and exit and wanted it noted to only be one entrance and exit to the pit for mining or crushing and all traffic would go north. And cement barricades and guard rails added so that trucks could not turn south from the pit. Also wanted it noted an addendum was being added to the road agreement. She further noted that she had talked to SDDOT that as long as appropriate signage there would not be an issue with getting emergency access to the site.
Aaron Bowne noted concern with county road 25 and recent number of accidents and the addition of more traffic.

DISCUSSION: Diedrich asked applicant if road agreements were signed. Davis note he had road agreements with Alton and Sherman Townships and was in the process of engineering the steep hill to the north to be cut from the current 17% to 6-7% grade to make safer and wider for traffic in the area. Bartley commented: 1) in regards to emergency vehicles, you notify dispatch (911) of your location and a plan would be filed for access. He asked crushing operator if no access from the south would be an issue. Sterzinger noted that all access would be from the North. Ford reiterated emergency route plans needed to be given to 911 dispatch. Findings of Facts were reviewed and completed by the board and placed on file.

VOTE: Erickson-aye, Bartley-aye, McHugh-aye, Kleinjan-aye, Vanderwal-aye, Spence-aye, Jensen-aye, Ford-aye. **MOTION CARRIED.**

Davis returned to the Commission.

2020CU018
Application by Dillon Ringling 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.

(Davis-Vanderwal) Motion to approve the Conditional Use.

STAFF REPORT: The applicant is requesting a conditional use for an extended home business for an event center. The site is 10 acres and consists of a residence, winery

DRAFT 9-8-2020

building, storage shed. A proposed permanent 64 feet x 120 feet event hall would be constructed on the site in 2-3 years. The applicant plans to use a 40 feet x 120 feet tent until the permanent structure is built. Report given also noted the business plan. Public notices were published in the Brookings Register on August 18 and 25, 2020 and in the Volga Tribune on August 20 and 27, 2020.

PUBLIC HEARING: Applicant Dillon Ringling informed those present last year a similar conditional use permit had been granted, he had recently purchased the business and was reapplying with change in proposed building plans to tie into an existing structure.

Proponents: None.

Opponents: None.

DISCUSSION: Vanderwal asked how overflow traffic would be deterred from accessing the highway. Ringling noted that metal posts and chains would be in place. Findings of Facts were reviewed and completed by the board and placed on file.

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

Vanderwal recused himself Diedrich took seat

2020VAR011

Application by Dave Vanderwal 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.

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

STAFF REPORT: Applicant is requesting a variance to move in a used residence, 120 feet from the center of Samara Ave (464th Ave), a variance of 30 feet. The existing house will be removed and is 111 feet from the center of the road. Consideration or hardships are the shape and size of the farm yard and location of the existing well. The applicant has all the adjoining landowner signatures that are required to move in a used house onto the property. Public notices were published in the Brookings Register on August 18 and 25, 2020 and in the Volga Tribune on August 20 and 27, 2020.

PUBLIC HEARING: Applicant Dave Vanderwal informed those present due to the location of the existing well the setback couldn't be met and that the structure could possibly be placed more than 120 feet from the center of the road but exact measurement could not be determined until the old house was gone from the location.

Proponents: None.

Opponents: None.

DRAFT 9-8-2020

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, Kleinjan-aye, Spence-aye, Jensen-aye, Erickson-aye, Diedrich-aye, Ford-aye. **MOTION CARRIED.**

Vanderwal returned to the Commission.

2020VAR012

Application by Matthew Lounsbery 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.

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

STAFF REPORT: Applicant is requesting a variance to build a 10 feet x 23 feet deck with support post 17 feet from the highest know water mark, a variance of 58 feet. Originally the applicant was asking for a 56 feet variance with posts at 19 feet but the applicant decided to change post location. The deck would be in line with other structures along the lake and will not obstruct the view along the lake. The cabin was built in 2003 and a variance was granted to the previous owner. Consideration or hardships are that the Bortnem Beach Subdivision was platted on June 17, 1961 and shape and size of the lot. Public notices were published in the Brookings Register on August 18 and 25, 2020 and in the Volga Tribune on August 20 and 27, 2020.

PUBLIC HEARING: Applicant Matthew Lounsbery informed those present he wanted to put a 10 feet deck on his house for visual and lake access.

Proponents: None.

Opponents: None.

DISCUSSION: Davis asked the applicant had any ice issues in the past. Lounsbery noted he had recently purchased the property and was not aware of any issues. Haugen noted there was roughly a 4 feet elevation difference from the shore to the top of the ridge where the riprap was and the lower level was a garage area. The house area was on the second floor of the structure.

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

2020VAR013

Application by Loren Hacker for a variance. Article IV District Requirements: Chapter 4.03 "LP" Lake-Park District: Section 4.03.03. Density, Area and Yard Regulation (Minimum

DRAFT 9-2-2020

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.

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

STAFF REPORT: Applicant was requesting a variance to build a 24 feet x 27 feet garage with a 9 feet sidewall, 4 feet from the side property line, a variance of 4 feet. The proposed garage would be attached to the 20 feet x 20 feet existing garage. Considerations or hardships are the location of existing buildings and Charlie's Cove was platted on April 2, 1976. Public notices were published in the Brookings Register on August 18 and 25, 2020.

PUBLIC HEARING: Applicant Loren Hacker informed those present property was on a hill and water runs into the current shed due to run off. He will try to put in drainage at the same time as building proposed garage to alleviate run-off issues.

Proponents: None.

Opponents: None.

DISCUSSION: Muller was consulted for input and asked for the width of area where structure to be build. Haugen noted lot was 60 feet wide x 250 feet long and proposed south edge of proposed structure would be about 28 feet from the property line. Ford discussed other possible locations for the structure on the lot. Hacker noted the Basketball court cement was to thin and would need to all be removed and re-poured to build structure on other end of the existing building and the side variance would still be needed. Kleinjan asked applicant if neighbors had any concerns. Hacker noted that no one had contacted him with concerns. Ford noted he did not see a hardship in placing the structure on the area where the basketball court was vs. the proposed location.

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

2020VAR014

Application by Brandon and Chelsea (DeKnikker) Bak 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.

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

STAFF REPORT: Applicants are requesting 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 (215th St), a variance of 23 feet. The property is located in the 3-Mile Brookings City/Brookings

DRAFT 9-2-2020

County Joint Jurisdiction area and falls under the Joint City/County Ordinance and setback requirements. Considerations or hardships are shape and size of the lot, and addition would help alleviate water issues in the basement. The existing house was built in 1930 prior to current setback requirements and platted on November 9, 1972. Public notices were published in the Brookings Register on August 18 and 25, 2020.

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

Proponents: None.

Opponents: None.

DISCUSSION: Board members had no questions or comments regarding the request. Ford asked Muller if there were any issues with being in the Joint Jurisdiction, Muller noted Haugen had presented information well. Findings of Facts were reviewed and completed by the board and placed on file.

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

2020VAR015

Application by Lisa Boulais 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.

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

STAFF REPORT: Applicant is requesting a variance to build a 16 feet x 32 feet 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 proposed garage will be 9 feet from the existing house. Considerations or hardships are the location of the existing buildings and the septic system. Public notices were published in the Brookings Register on August 18 and 25, 2020 and in the Volga Tribune on August 20 and 27, 2020.

PUBLIC HEARING: Applicant Lisa Boulais was on the telephone and informed those present she had nothing further to add.

Proponents: None.

Opponents: None.

DISCUSSION: Davis, Vanderwal and Haugen discussed the closeness of the proposed structure to adjoining property and the applicant's residence and concerns of possible fire hazard. Muller and board members discussed and noted requirement of firewall and sheet rocking of entire interior the other proposed structure as per building code. Hill noted of there was an issue with drainage of water it would be a civil issue.

DRAFT 9-8-2020

McHugh disconnected at the end of the discussion prior to vote.

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

2020VAR016 – WITHDREW BY APPLICANT (8-31-2020)

DEPARTMENT REPORTS

Muller noted that he and Todd Kays would be delivering a presentation via zoom at the South Dakota Association of County Officials Conference. Update on how to implement changes from State Senate Bill 159.

Hill announced Ad Hoc Drainage Meeting was held on Aug. 24, 2020 and more meetings would be held. He discussed the possibility of townships having lists of culverts in the townships and sending a letter to townships regarding this information.

Haugen told possibly of beginning again in November with joint meetings with the City to continue review of the Joint Jurisdiction Ordinance section.

ADJOURN

(Bartley/Vanderwal) Motion to adjourn. All member voted "aye." **MOTION CARRIED.**
Chair Ford adjourned the meeting at 10:25 PM.

_____

Rae Lynn Maher
Brookings County
Development Department

DRAFT 9-8-2020

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
October 6, 2020 – 8:00 PM meeting

2020plat021 – October 6, 2020

Prepared by Richard Haugen

Applicant/Owner: Karla Weiss, 1907 S Sertoma, Sioux Falls, SD 57103

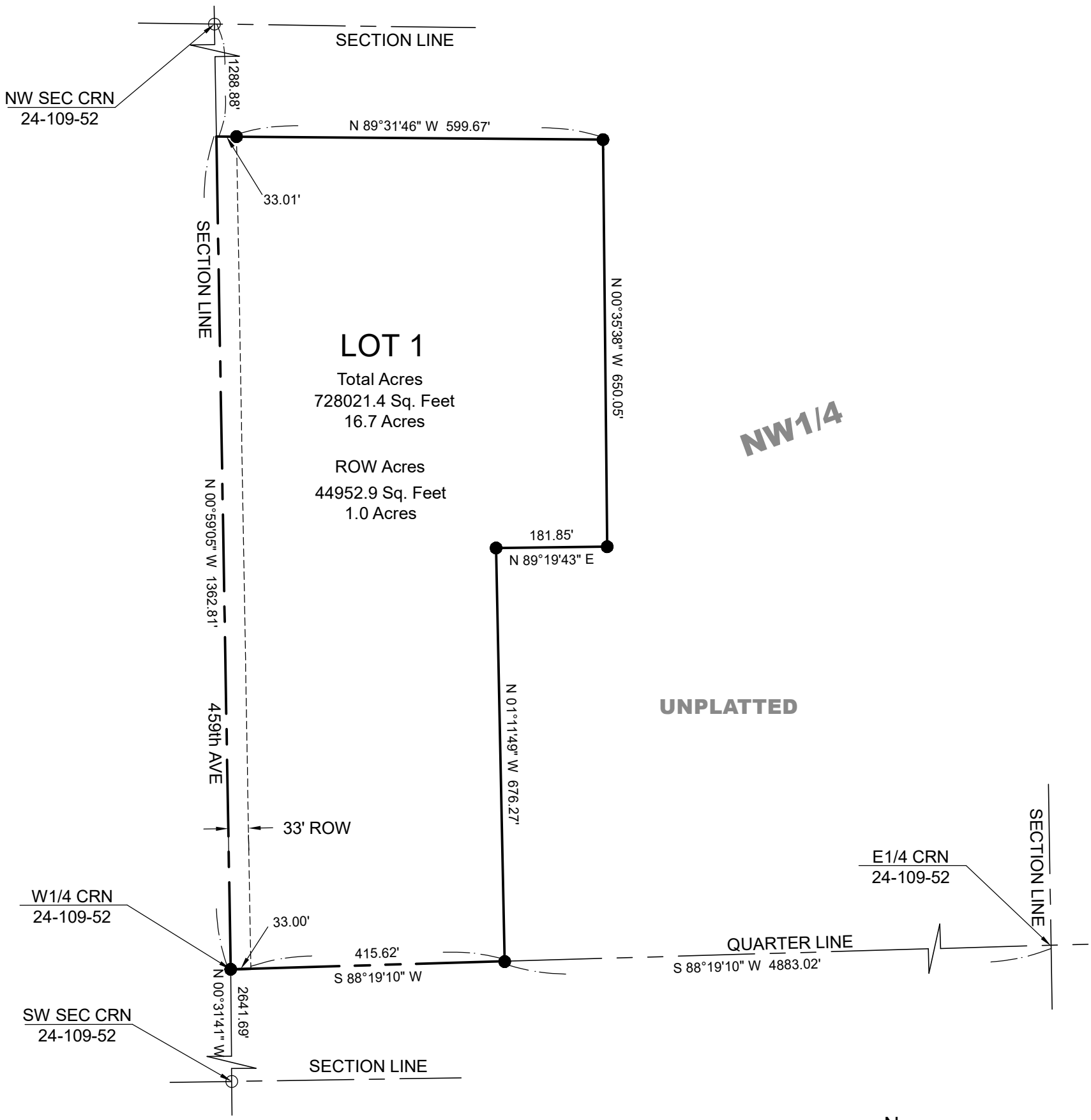
Legal Description: "Plat of Lot 1 of Weiss's Addition in the NW1/4 of Section 24, Township 109 North, Range 52 West of the 5th P.M., Brookings County, South Dakota."

2020plat021: Karla Weiss, is platting off 16.7 acres of an existing building site from the 160 acres they own. The building site consists of the house, barn, pole sheds, detach garage and smaller out buildings. They will use the existing driveway on 459th Ave for access.

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
LOT 1 OF WEISS'S ADDITION

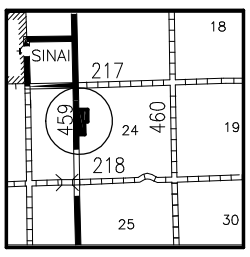
IN THE NW1/4 OF SECTION 24, TOWNSHIP 109 NORTH, RANGE 52 WEST OF THE 5TH P.M. IN BROOKINGS COUNTY, SOUTH DAKOTA.



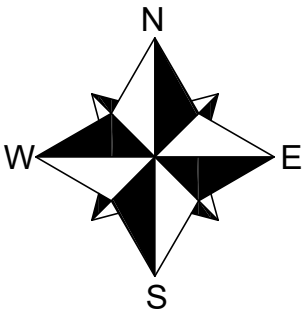
SURVEYOR'S CERTIFICATE

I, Ronald W. Golden, a Registered Land Surveyor in the State of South Dakota, do hereby certify that I did on or before Sept 7th, 2020, at the request of the owner, surveyed and platted a portion of the Northwest Quarter (NW1/4) of Section Twenty- Four (24), Township One Hundred Nine (109) North, Range Fifty-Two (52) 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 WEISS'S ADDITION IN THE NORTHWEST QUARTER (NW1/4) IN SECTION TWENTY-FOUR (24), TOWNSHIP ONE HUNDRED NINE (109) NORTH, RANGE FIFTY-TWO (52) WEST OF THE 5th P.M. IN BROOKINGS COUNTY, SOUTH DAKOTA.
This plat correctly shows the results of this survey and each corner is monumented as shown on said plat.
IN WITNESS WHEREOF, I have hereunto set my hand and seal this ____day of _____, 20___.

_____
Ronald W. Golden, RLS
Registration No. 6573



VICINITY MAP
24-109-52



Basis of Bearing
GPS Observation

0' 400' 800' 1200'

SCALE: 1" = 400'

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

LEGEND

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

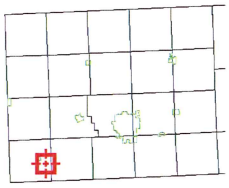
Weiss_Sni r_p

Weiss's Addition - Lot 1

2020plat021

Beacon™ Brookings County, SD

Overview



Legend

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

Parcel ID	100001095224200	**Alternate ID**	n/a	**Owner Address**	WEISS, KARLA A ET AL
Sec/Twp/Rng	24-109-52	**Class**	AGA		1907 S SERTOMA
Property Address	21728 459TH AVE	**Acreage**	160		SIOUX FALLS SD 57103
	VOLGA				

District 1005 - LAKE SINAI TWP/VOLGA SCH

Brief Tax Description NW 1/4 SEC 24-109-52 160.0 AC

(Note: Not to be used on legal documents)

Date created: 9/10/2020
Last Data Uploaded: 9/10/2020 8:05:46 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
October 6, 2020 – 8:00 PM meeting

2020plat022 – October 6, 2020

Prepared by Richard Haugen

Applicant/Owner: Brad Dahl,

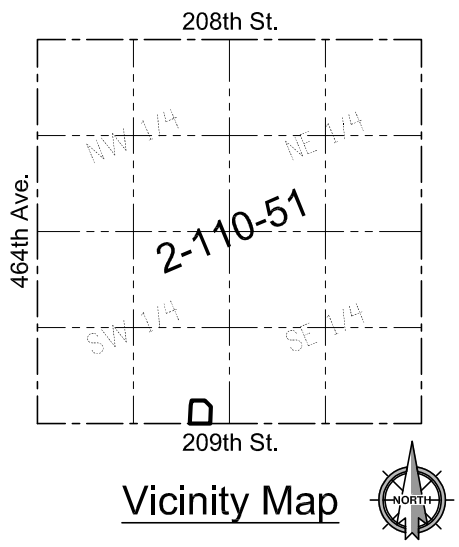
Legal Description: "Plat of Lot 1 of Dahl Addition in the SW1/4 of Section 2, T110N, R51W of the 5th P.M., Brookings County, South Dakota."

2020plat021: Brad Dahl, is platting off 1.9 acres of an existing building site, for a property line adjustment, as it is already deeded off with a footage description. The property line adjustment will include more of the shelterbelt and less of the farm ground, thus creating the odd shape that cannot be described with a footage description. They will use the existing driveway on 209th St for access to the property.

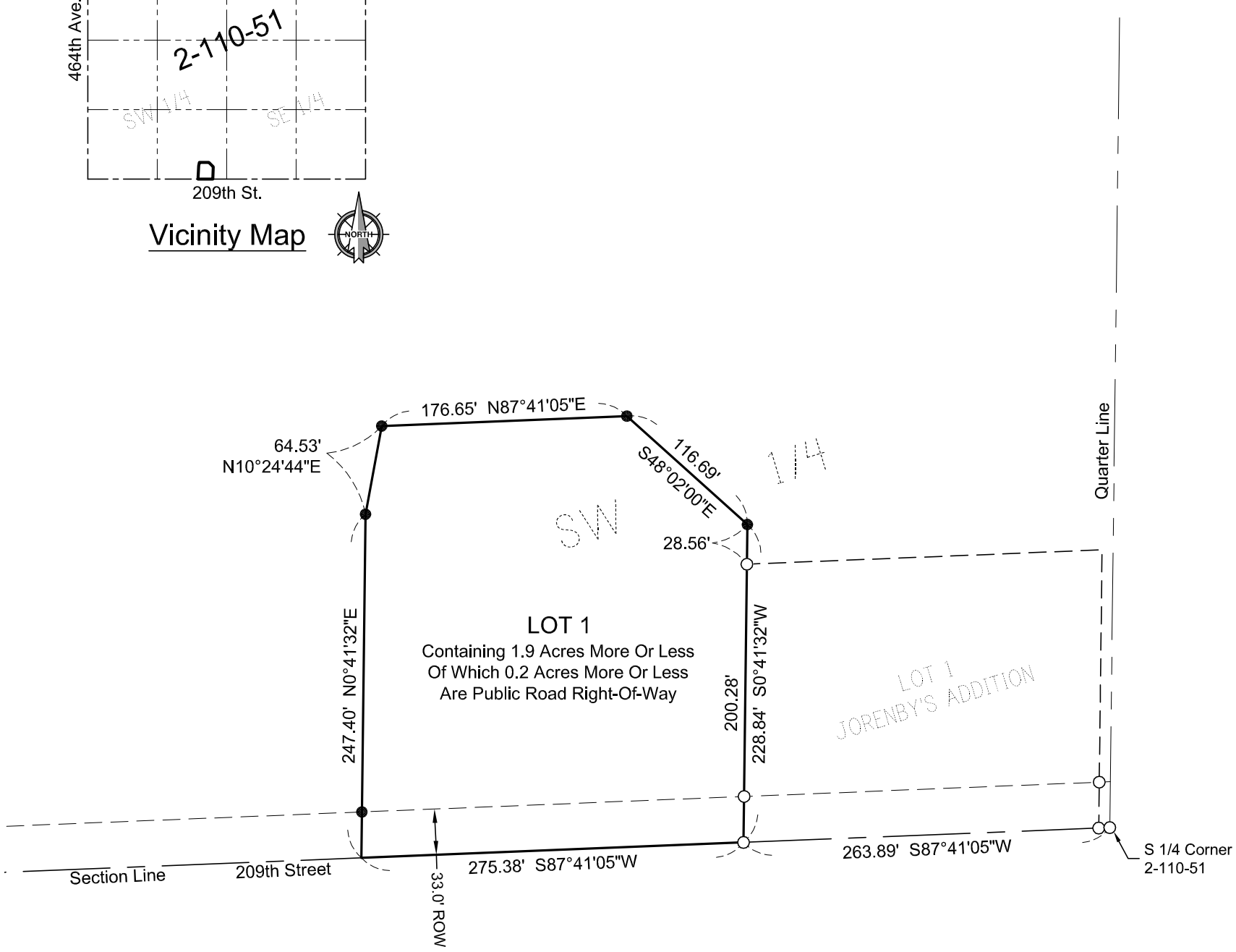
The plat meets the platting requirements for the 2016 Comprehensive Plan-Unincorporated Rural Area Land Use statement on page 24 for Agricultural Land Use.

PLAT OF

LOT 1 OF DAHL ADDITION IN THE SW ¼ OF SECTION 2, T110N, R51W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA.



Vicinity Map



September, 2020
Scale: 1" = 100'
○ Monument Recovered
● Monument Set
(⅝" x 18" Capped Rebar RLS 10400)
Bearings are Based on Assumed Datum

SURVEYOR'S CERTIFICATE

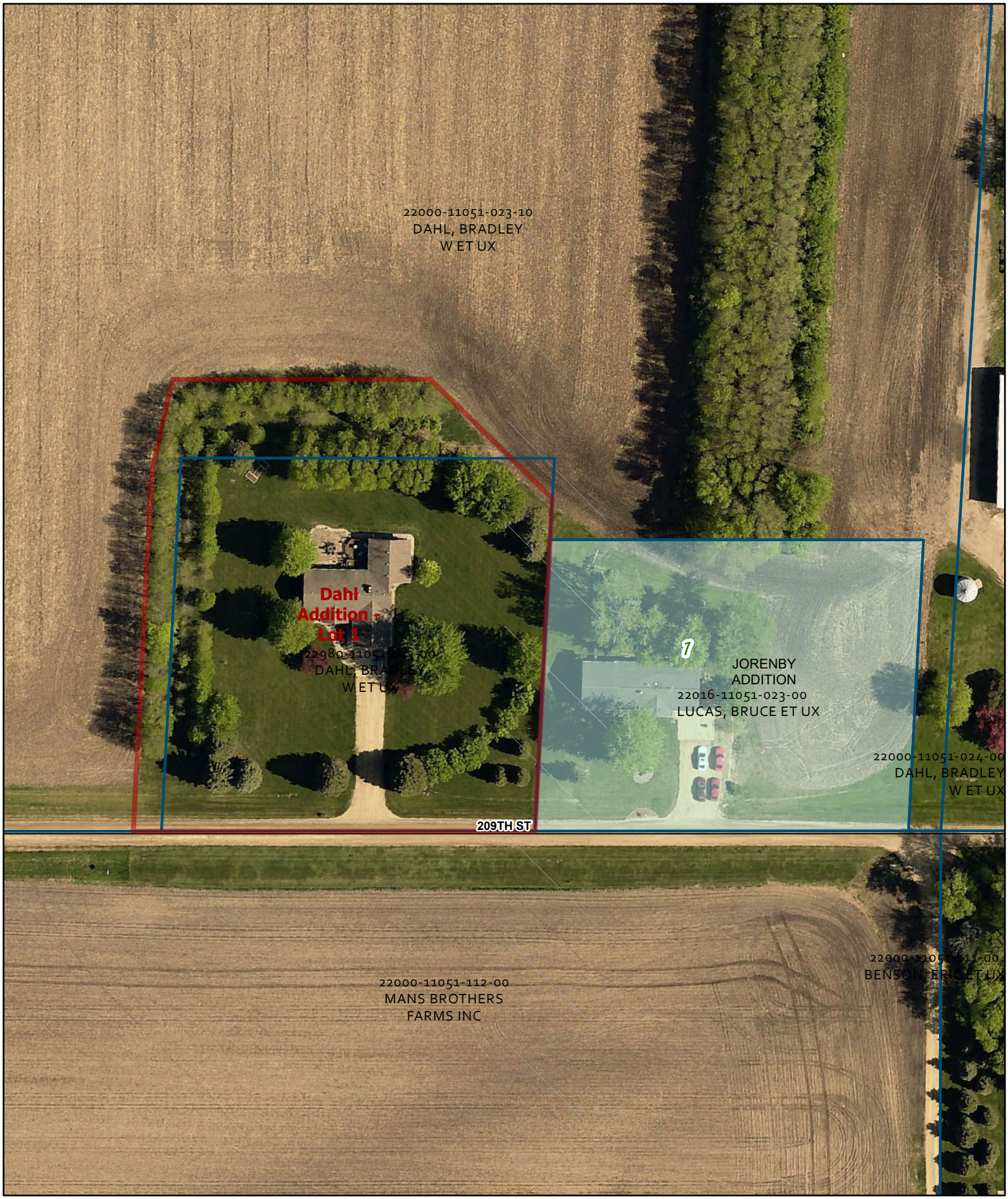
I, Andrew E. Kangas, a Registered Land Surveyor of the State of South Dakota, do hereby certify that on or before the 18th day of September, 2020 and at the request of the owner of the real property hereinafter described, surveyed and platted a portion of the SW ¼ of Section 2, Township 110 North, Range 51 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 1 OF DAHL ADDITION IN THE SW ¼ OF SECTION 2, T110N, R51W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA".**

IN WITNESS WHEREOF, I have executed this Surveyor's Certificate this 18th day of September, 2020.

Prepared By:

CIVIL DESIGN INC

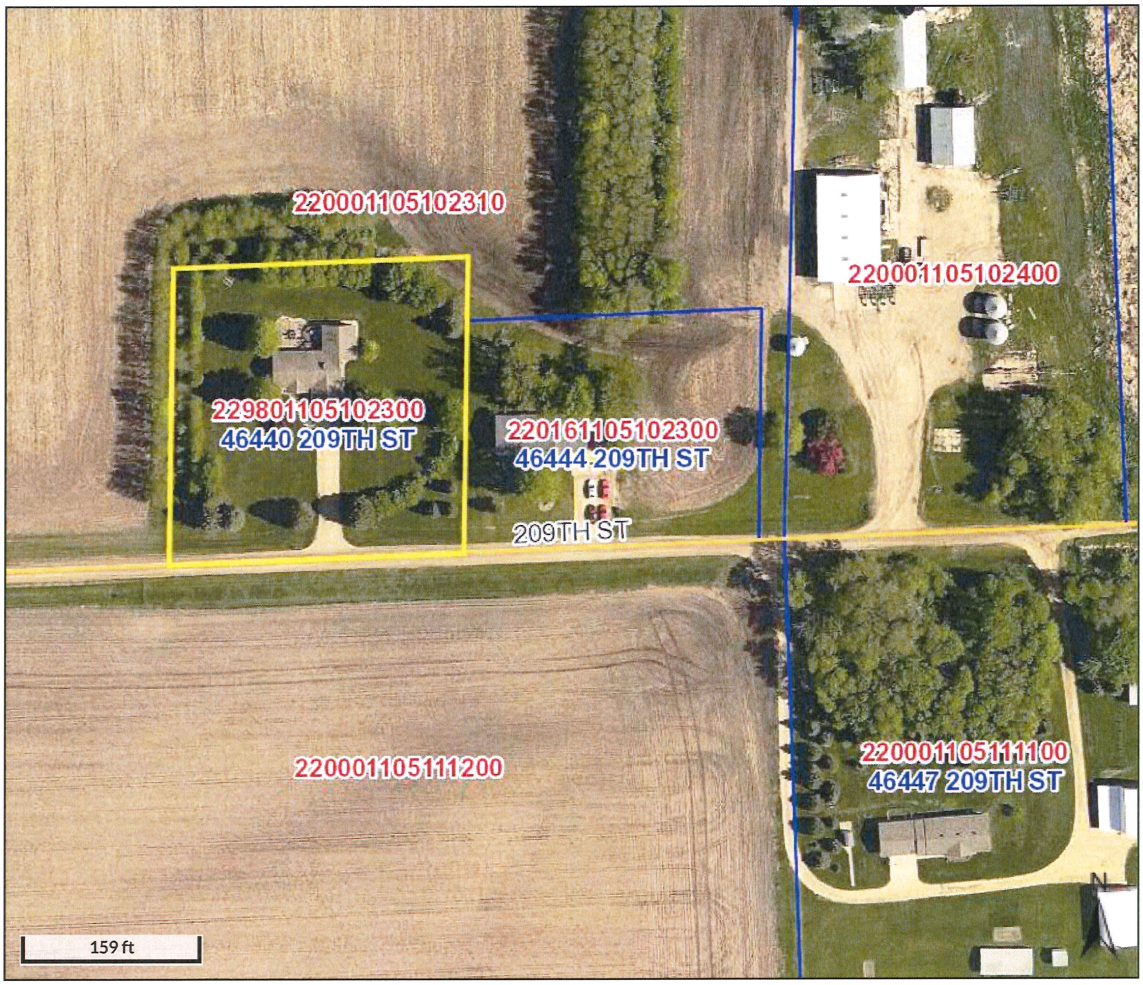
Civil Engineers & Land Surveyors
Brookings, South Dakota
Ph. 605-696-3200



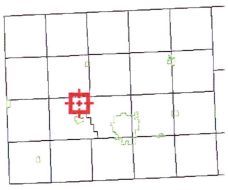
N

Lot 1 of Dahl Addition

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	229801105102300	**Alternate ID**	n/a	**Owner Address**	DAHL, BRADLEY W ET UX
Sec/Twp/Rng	2-110-51	**Class**	AGC		46440 209TH ST
Property Address	46440 209TH ST	**Acreage**	1.5		VOLGA SD 57071
	VOLGA				

District 2205 - VOLGA TWP/VOLGA SCH

Brief Tax Description W 256' OF E 520' OF S 256' OF SW 1/4 SEC 2-110-51 1.50 AC

(Note: Not to be used on legal documents)

Date created: 9/15/2020
Last Data Uploaded: 9/15/2020 8:04:05 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
October 6, 2020 – 8:00 PM meeting

2020plat023 – October 6, 2020

Prepared by Richard Haugen

Applicant/Owner: Margaret A. Oppelt Trust Foundation, 48214 US Hwy 14, Brookings, SD 57006.

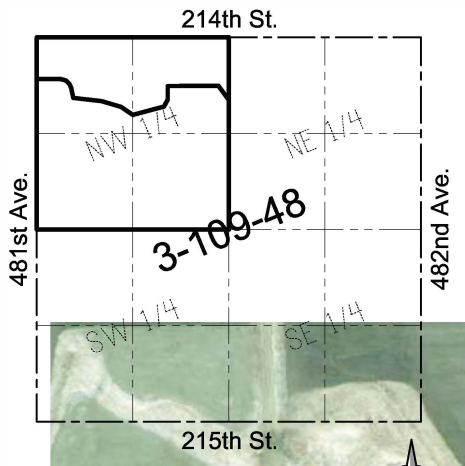
Legal Description: "Plat of Lots 1 and 2 of Oppelt Addition in the NW1/4 of Section 3, T109N, R48W of the 5th P.M., Brookings County, South Dakota."

2020plat023: Margaret A. Oppelt Trust is platting off Lot 1 consisting of 48.3 acres of pasture and Lot 2 contains 112.5 acres of farm ground, located in the NW ¼ of Section 3 in Parnell Township. Both Lot 1 and Lot 2 are build-able lots for a residence.

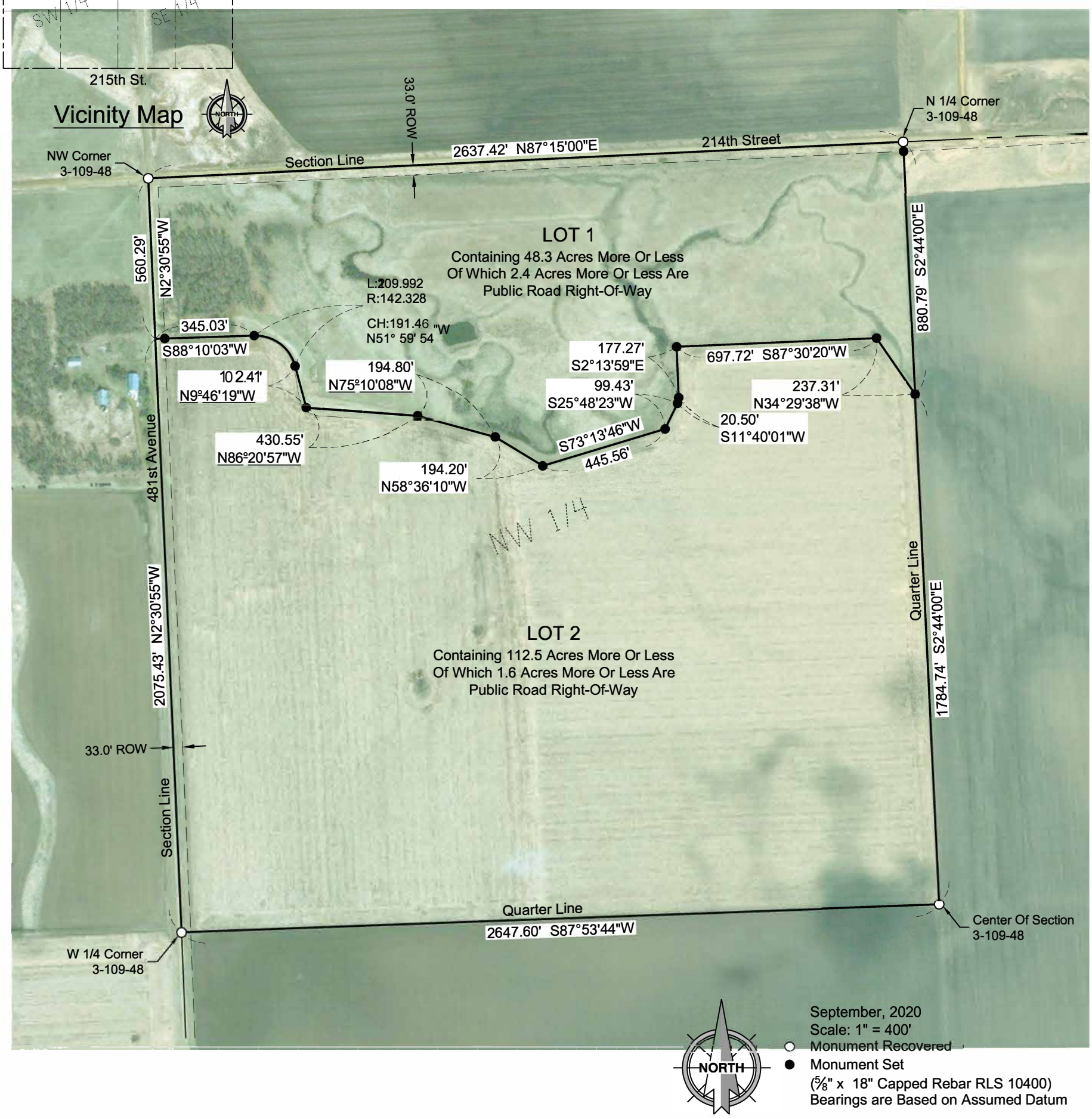
The plat meets the platting requirements for the 2016 Comprehensive Plan-Unincorporated Rural Area Land Use statement on page 24 for Agricultural Land Use.

PLAT OF

LOTS 1 AND 2 OF OPPELT ADDITION IN THE NW ¼ OF SECTION 3, T109N, R48W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA.



Vicinity Map



September, 2020
Scale: 1" = 400'
○ Monument Recovered
● Monument Set
(⅝" x 18" Capped Rebar RLS 10400)
Bearings are Based on Assumed Datum

SURVEYOR'S CERTIFICATE

I, Andrew E. Kangas, a Registered Land Surveyor of the State of South Dakota, do hereby certify that on or before the 17th day of September, 2020 and at the request of the owner of the real property hereinafter described, surveyed and platted a portion of the NW ¼ of Section 3, Township 109 North, Range 48 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 1 AND 2 OF OPPELT ADDITION IN THE NW ¼ OF SECTION 3, T1109N, R48W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA".**

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

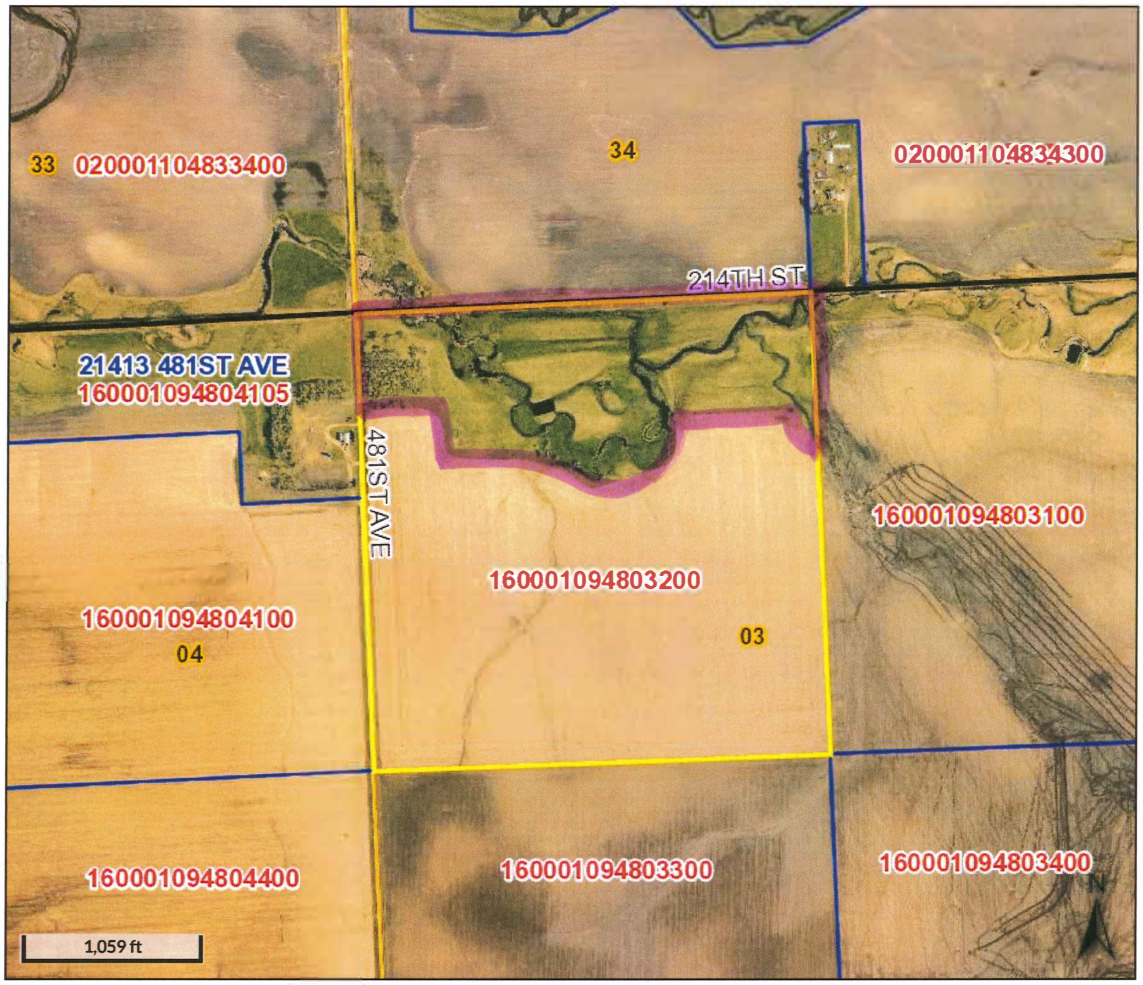
Prepared By:

CIVIL DESIGN INC

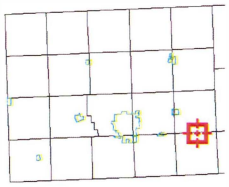
Civil Engineers & Land Surveyors
Brookings, South Dakota
Ph. 605-696-3200

2020 plat 023

Beacon™ Brookings County, SD



Overview



Legend

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

Parcel ID	160001094803200	**Alternate ID**	n/a	**Owner Address**	OPPELT, MARGARET A TRUST FOUNDATION 48214 US HWY 14 ELKTON SD 57026
Sec/Twp/Rng	3-109-48	**Class**	AGA		
Property Address		**Acreage**	160		

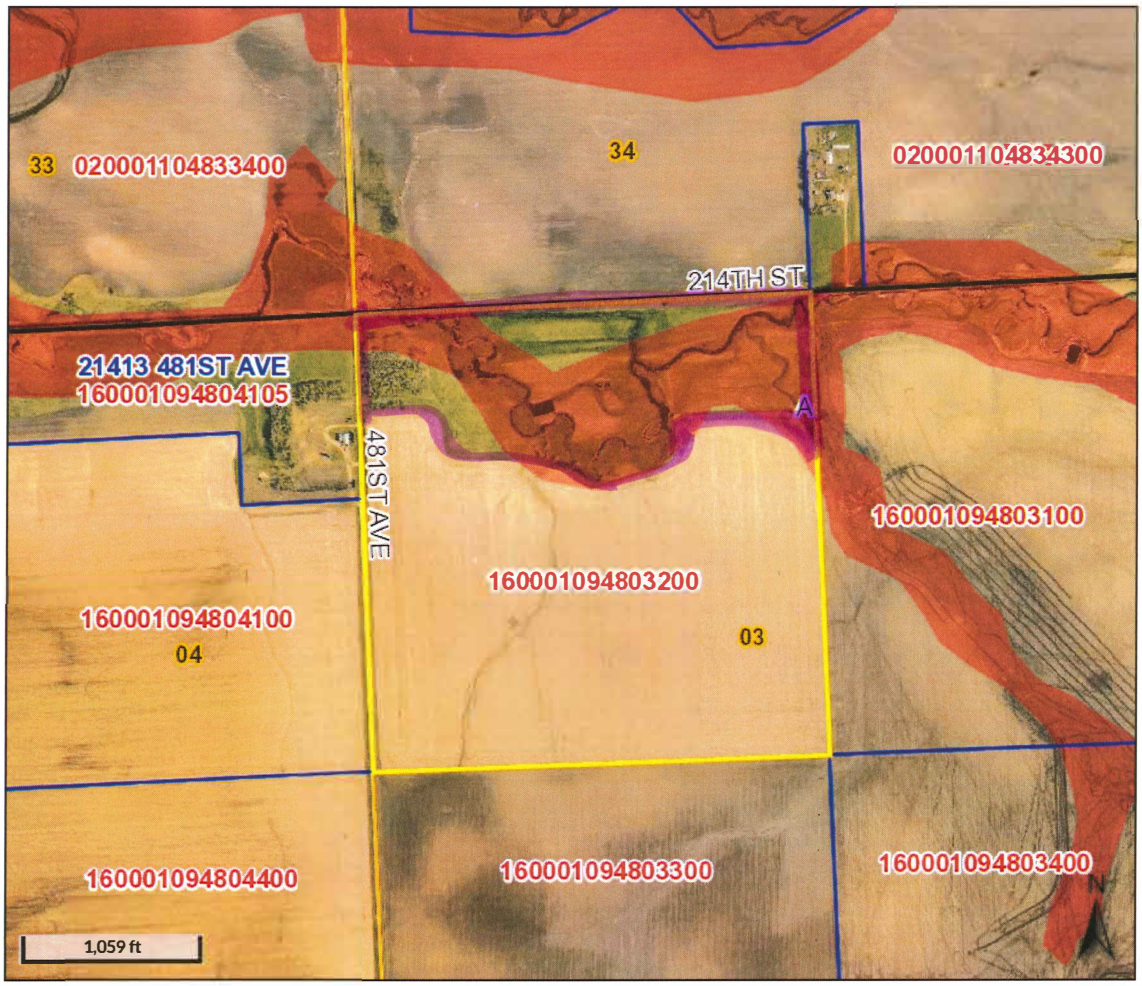
District	1603
Brief Tax Description	NW 1/4 SEC 3-109-48 160.0 AC (Note: Not to be used on legal documents)

Date created: 9/21/2020
Last Data Uploaded: 9/21/2020 8:04:19 AM

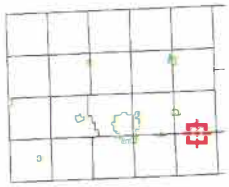
Developed by Schneider GEOSPATIAL

2020 plat 023 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	160001094803200	**Alternate ID**	n/a	**Owner Address**	OPPELT, MARGARET A TRUST FOUNDATION 48214 US HWY 14 ELKTON SD 57026
Sec/Twp/Rng	3-109-48	**Class**	AGA		
Property Address		**Acreage**	160		

District 1603

Brief Tax Description NW 1/4 SEC 3-109-48 160.0 AC

(Note: Not to be used on legal documents)

Date created: 9/21/2020

Last Data Uploaded: 9/21/2020 8:04:19 AM

Developed by Schneider GEOSPATIAL

N

Oppelt Addition Lots 1 & 2

,

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
October 6, 2020– 8:00 PM meeting

2020var018 – October 6, 2020

Prepared by Richard Haugen

Applicant/Owner: Michael Moe, 2421 S Glendale Ave, Sioux Falls, SD 57105
Site: 7 Oakwood Shoreline Dr, Bruce, SD 57220

Legal Description: "Lot 7 of DeBoer's Lake Tetonkaha Subdivision in Govt Lots 5 & 6 of the SE1/4 of Section 7, T111N, R51W (Oakwood Township)"~~ located at 7 Oakwood Shoreline Dr, Bruce, SD 57220.

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; Lake Front side setbacks are 8 feet.

2020var018: Michael Moe by Shawn Knapp has applied for a variance to build a new 36' wide x 29' long house with an 21' x 26' attached garage 32 feet from the highest known water mark and 5 feet from the side property line. A variance of 43 feet from the highest known water mark and a variance of 3 feet from the side property line. The Lake Park – Lake Front setbacks are 75 feet from the high water mark and 8 feet from the side property line. The current 16' x 24' cabin was built in 1960 and will be removed.

Things to consider: 1) DeBoer's Lake Tetonkaha Subdivision was originally platted on October 30, 1984 and re-platted on October 10, 2002; 2) Shape and size of lot, the lot is 49.8 feet wide at the road and 42.7 feet wide at the lake side, (pie shaped).

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, Oakwood Township Chairman and Clerk.

Public notices were published in the Brookings Register on September 22 and 29, 2020 and Volga Tribune on September 24 and October 1, 2020.

RECEIVED

SEP - 8 2020

BROOKINGS
COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

Date of Application: Sept. 8th 2020 Variance Number: 2020VAR018

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 new home
75' lake side use - 32' from high water mark
~~4'~~ 5' Lake side, west side yard because of pie shaped lot

Michael E Moe + Louise L. Nelson Moe

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

75' rule on the lake side
Article IV District Requirements: Chapter 4.03 "LP" Lake-Park District; Section 4.03.03. Density, Area and Yard Regulation (Minimum

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.

lot size and shape

2020VAR018

92'
24'
12'
32'
25'
51'
Flood Plane area
12'x3' concrete slab with deed
GARAGE
19'-8" X 25'-4"
LIVING AREA
1759 SQ FT
UP
20'-4"
21'
21'
21'
36'
36'
11'
11'
4'
4'
10'-5 1/2"
10'-5 1/2"
10'-5 1/2"
15'-6 1/2"
4'
29'-5 1/2"
55'-5 1/2"
29'-5 1/2"
55'-5 1/2"
26'
49'
55'-5 1/2"
8'
5'

DRAWING NUMBER
23-21
SAFCO PRODUCTS • NEW HOPE, MINNESOTA
REORDER BY PART NUMBER 6551

DRAWING NUMBER
1 of 2
SAFCO PRODUCTS • NEW HOPE, MINNESOTA
REORDER BY PART NUMBER 6551

20175-00-01

PLAT OF

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 AND 14 OF DEBOER'S LAKE TETONKAHA SUBDIVISION
IN GOVERNMENT LOTS 5 & 6 IN THE SE1/4 OF
SECTION 7-T111N-R51W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA

Vacate Lot 14 MI189 Page 402

LEGEND

- ○ SURVEY PIN FOUND
- • PROPERTY CORNER SET THIS SURVEY 5/8" REBAR WITH STAMPED ALUMINUM CAP
- EASEMENTS

AREA TABLE

SOUTH OAKWOOD SHORELINE DRIVE = 21,088.1 SQ. FT.

LOT 1 - 13,176.8 S.F., MORE OR LESS
LOT 2 - 8,314.5 S.F., MORE OR LESS
LOT 3 - 7,300.6 S.F., MORE OR LESS
LOT 4 - 7,569.3 S.F., MORE OR LESS
LOT 5 - 14,176.3 S.F., MORE OR LESS
LOT 6 - 6,115.7 S.F., MORE OR LESS
LOT 7 - 5,992.9 S.F., MORE OR LESS
LOT 8 - 9,494.2 S.F., MORE OR LESS
LOT 9 - 11,058.2 S.F., MORE OR LESS
LOT 10 - 6,386.2 S.F., MORE OR LESS
LOT 11 - 7,959.7 S.F., MORE OR LESS
LOT 12 - 19,815.5 S.F., MORE OR LESS
LOT 13 - 10,265.7 S.F., MORE OR LESS
LOT 14 - 32,627.5 S.F., MORE OR LESS

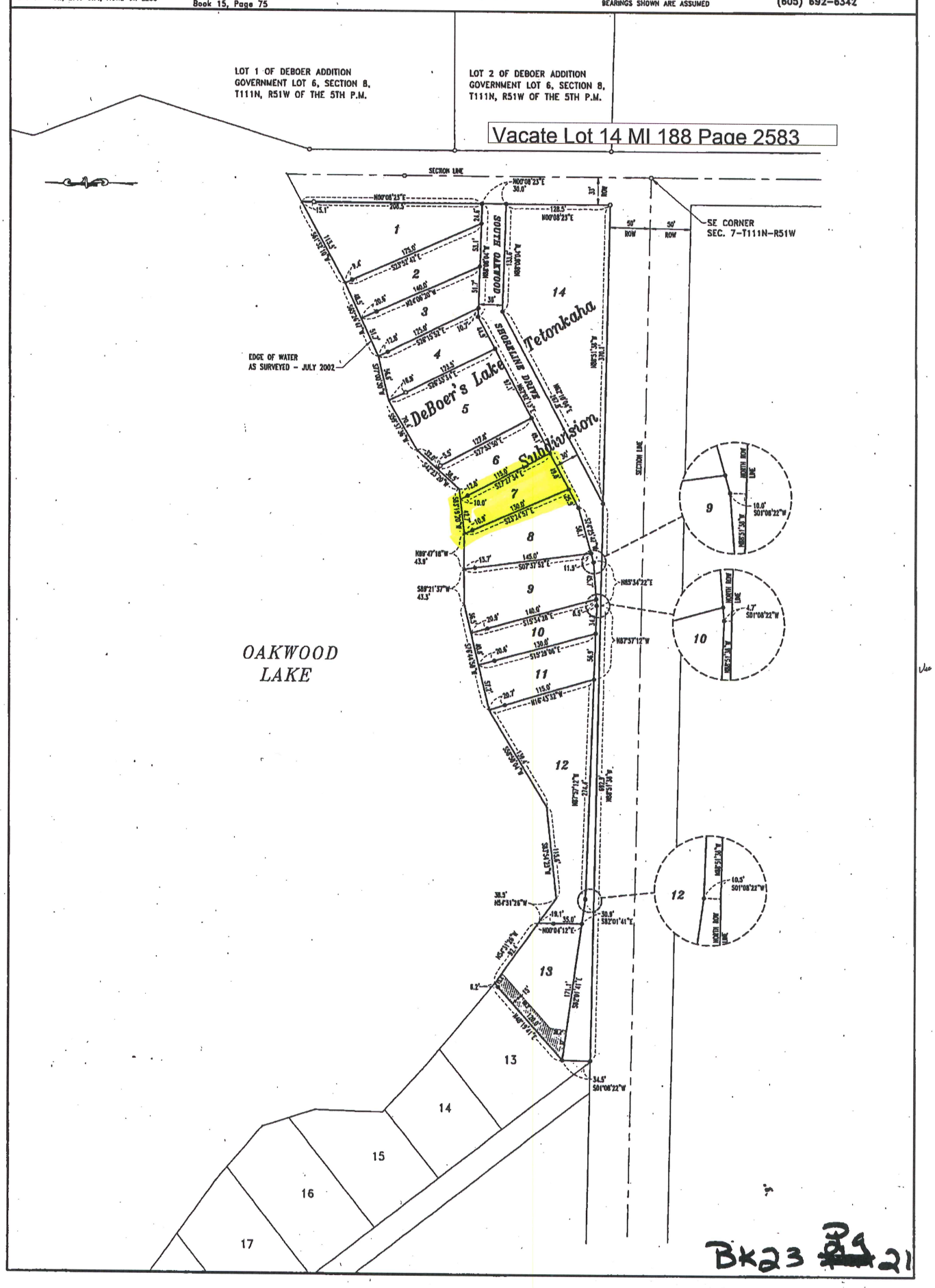
This Plat shall vacate Lots 1 through 9 of the "PLAT OF LOTS 1 THROUGH 18 EXCEPT FOR LOTS 10, 11 AND 12 OF DEBOER SUBDIVISION IN GOVERNMENT LOTS 5 AND 6 IN THE SE1/4 OF SECTION 7-T111N-R51W OF THE 5th P.M., BROOKINGS COUNTY, SOUTH DAKOTA." FILED OCTOBER 30, 1984 Book 15, Page 75

REGISTERED PROFESSIONAL ENGINEER & LAND SURVEYOR
REG. NO. 2846
DARYL C. ENGLUND
SOUTH DAKOTA
9-27-02

Amended Certificate of Owner
Book 169 Misc
Page 280

BEARINGS SHOWN ARE ASSUMED

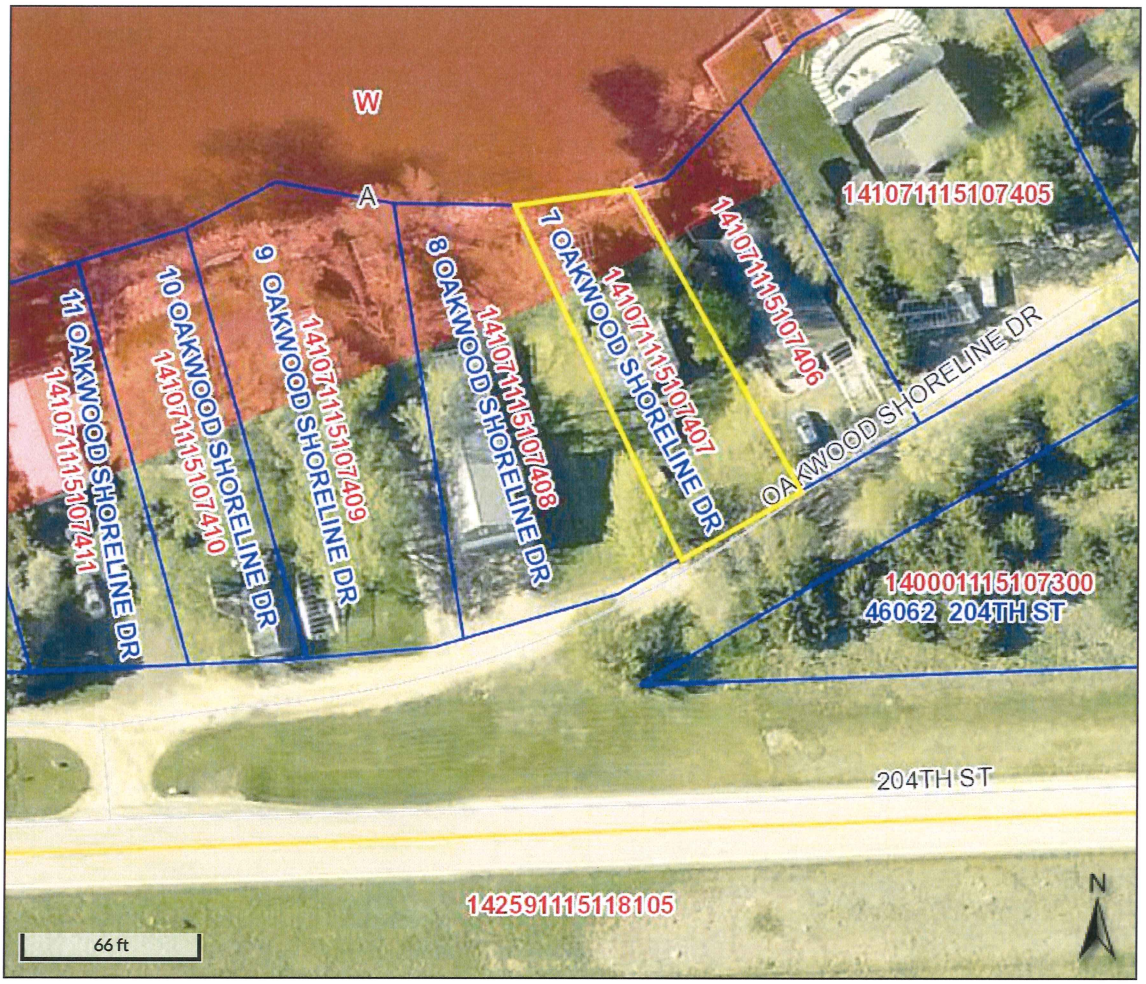
PREPARED BY:
BANNER ASSOCIATES, INC.
CONSULTING ENGINEERS
BROOKINGS, SOUTH DAKOTA
SEPTEMBER 2002
(605) 692-6342



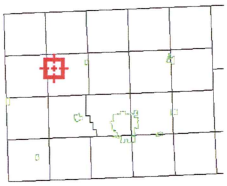
BK23 PG 21

2020 VAR 018 Floodplain 2008

Beacon™ Brookings County, SD



Overview



Legend

- Brookings City Limits
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Floodplain 2008

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

Parcel ID	141071115107407	**Alternate ID**	n/a	**Owner Address**	MOE, MICHAEL E ET UX
Sec/Twp/Rng	7-111-51	**Class**	NAC		2421 S GLENDALE AVE
Property Address	7 OAKWOOD SHORELINE DR BRUCE	**Acreage**	n/a		SIOUX FALLS SD 57105

District 1409 - OAKWOOD TWP/ARLINGTON SCH

Brief Tax Description DEBOER'S LAKE TETONKAHA SUBDIV LOT 7 IN SE 1/4 SEC 07-111-51 56.9' X 122'

(Note: Not to be used on legal documents)

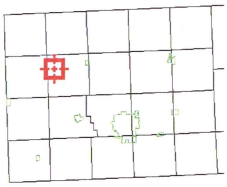
Date created: 9/9/2020
Last Data Uploaded: 9/9/2020 8:03:47 AM

Developed by Schneider GEOSPATIAL

2020 VAR 018

Beacon™ Brookings County, SD

Overview



Legend

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Parcel ID	141071115107407	**Alternate ID**	n/a	**Owner Address**	MOE, MICHAEL E ET UX
Sec/Twp/Rng	7-111-51	**Class**	NAC		2421 S GLENDALE AVE
Property Address	7 OAKWOOD SHORELINE DR	**Acreage**	n/a		SIOUX FALLS SD 57105
	BRUCE				

District 1409 - OAKWOOD TWP/ARLINGTON SCH

Brief Tax Description DEBOER'S LAKE TETONKAHA SUBDIV LOT 7 IN SE 1/4 SEC 07-111-51 56.9' X 122'

(Note: Not to be used on legal documents)

Date created: 9/9/2020
Last Data Uploaded: 9/9/2020 8:03:47 AM

Developed by Schneider GEOSPATIAL

2020var018: Michael Moe

Looking west, wheel at 32’ from highest known water mark.

Property pin by sign. Wheel at 8’ from side property line.

Wheel at property pin and high water mark.

Wheel at approximate west property line, 42’6” from east property pin.

Wheel at 5’ from west property line.

Looking east along shore line.

Looking west along shore line.

RECEIVED

SEP - 8 2020

BROOKINGS
COUNTY DEVELOPMENT

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

Date of Application: Sept. 8th 2020 Variance Number: 2020VAR018

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 new home
75' lake side use - 32' from high water mark
~~4~~ 5' Lake side, west side yard because of pie shaped lot

Michael E Moe + Louise L. Nelson Moe

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

75' rule on the lake side
Article IV District Requirements: Chapter 4.03 "LP" Lake-Park District; Section 4.03.03. Density, Area and Yard Regulation (Minimum

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.

lot size and shape

D.) Legal Description of Property:

Site Addr # 7 Oakwood Shoreline dr. Bruce SD 57220

Lot 7 of DeBoer's Lake Tetonkaha Subdiv in Govt Lots 5 + 6 of the SE1/4 of Section 7, T111N, R51W

Parcel # 14107115107407

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

Oct. 6. 2020
Date

8 pm
Time

Approved

Rejected

Date

Chairman of Brookings County Board of Adjustment

Shawn Knapp
Person filing petition – print

Person filing petition – sign

1836 US Hwy 14
Address

Brookings
City

SD
State

57006
Zip Code

605 690-7777
Telephone

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

2020VAR018

92'
24'
12'
32'
51'
25'
Flood prone area
12" concrete slab
GARAGE
14'-8" X 25'-4"
LIVING AREA
1154 SQ FT
UP
20'-4"
21'
21'
21'
36'
36'
36'
11'
11'
4'
4'
4'
10'-5 1/2"
10'-5 1/2"
10'-5 1/2"
15'-6 1/2"
55'-5 1/2"
44'
55'-5 1/2"
29'-5 1/2"
55'-5 1/2"
29'-5 1/2"
26'
8'

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

FILED SEP 30 2020

September 21, 2020

TODD EGGE ET UX
48285 CREEKVIEW CIR
BRANDON, SD 57005

Dear TODD EGGE ET UX,

On the back of this notice you will find a copy of a public notice for variance request 2020var018 for Michael Moe by Shawn Knapp. The public hearing will be held on **Tuesday, October 6, 2020 at 8:00 P.M**. in the Brookings City & County Government Center, 310 Chambers, 520 3rd St, Brookings, SD 57006.

Mr. Moe is applying for a variance to build a new 36' wide x 29' long house with an attached 21' x 26' attached garage closer to the side property line and high water mark than the current zoning ordinance allows.

Please call our office if you have any questions or concerns regarding the request. Based on the current circumstances surrounding COVID-19 this meeting has the option to use a teleconference platform if you do not wish to be in person at the public hearing. All persons interested in attending via teleconference need to register with the Zoning Officer **by noon on Friday, October 2, 2020.**

All written comments or testimony must be received **by noon on Friday, October 2, 2020.** If we do not hear from you, we will assume that you have no objections to this request.

Sincerely,

Rae Lynn Maher

Rae Lynn Maher
Brookings County
Development Department

I Have No objections to Michael Moe's request. Please allow Mike to build the structure per his wishes.

Todd D. Egge

PUBLIC NOTICE

Michael Moe by Shawn Knapp has made an application, 2020var018, 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 Side Yard). The property is described as: "Lot 7 of DeBoer's Lake Tetonkaha Subdivision in Govt Lots 5 & 6 of the SE1/4 of Section 7, T111N, R51W (Oakwood Township)"~~ located at 7 Oakwood Shoreline Dr, Bruce, SD 57220.

The public hearing will be held in the Brookings City & County Government Center, 310 Chambers, 520 3rd St, Brookings, SD 57006 on Tuesday, October 6, 2020 at 8:00 P.M.

Based on continuing circumstances surrounding COVID-19 this meeting will offer virtual attendance over a teleconference platform. All persons interested in attending virtually may register to be heard before the Board of Adjustment during said hearing. In order to register for attending using teleconference platform for the public hearing, the public must make arrangements by contacting the Zoning Officer by noon on Friday, October 2, 2020.

The application and other associated written materials are available for public review at www.brookingscountysd.gov . Written comments may be filed with the Zoning Officer at 520 3rd St, Ste 200, Brookings, SD 57006 or by emailing: countydevelopment@brookingscountysd.gov on or before noon on Friday, October 2, 2020. No materials will be placed on the website address after 5 PM on Friday, October 2, 2020.

Robert W. Hill
Brookings County
Development Director

Todd and Joanne Egge
48285 Creekview Circle
Brandon, SD 57005
Cell: 605.351.9546 (Todd)
Email: joannegge@gmail.com

FILED OCT X1 2020

September 30, 2020

Brookings County Development Department
Brookings City & County Government Center
520 3rd Street, Suite 200
Brookings, SD 57006

Attn: Zoning Officer

We, Todd and Joanne Egge, own Cabin #8 located at 8 Oakwood Shoreline Drive. We are neighbors to the west of Mike Moe and Laurie Nelson-Moe, located at 7 Oakwood Shoreline Drive. We have **no objection** to their variance request—due to their pie-shaped lot—to reduce the setback on the west side of their structure from 8 feet to 5 feet.

We express our full support and grant our consent for this request.

Sincerely,

Todd Egge
9/30/2020

Joanne Egge
9/30/2020

FILED OCT X1 2020

Rae Lynn Maher

From: Cecily Tucker <Cecily.Tucker@premierbankcard.com>
Sent: Wednesday, September 30, 2020 4:01 PM
To: county development
Cc: 'wholelifebalance@sio.midco.net'
Subject: Nelson-Moe Project

Good afternoon,
I am neighbors with Mike and Lauri Nelson-Moe on Lake Oakwood (Cabin #7). We have no objection to their building project that they have planned for.

Please let me know if you need anything further from us as it pertains to proceeding with the project.

Kind regards,
Cecily Tucker
605.366.6571

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

Brookings County Board of Adjustment
October 6, 2020 – 8:00 PM meeting

2020cu019 – October 6, 2020

Prepared by Richard Haugen

Applicant: Delaine "Doc" Knaus, 932 44th St S, Brookings, SD 57006
Landowner: Thomas Martin F. Estate, % COD Investments LLC, 326 W6th St, Brookings, SD 57006

Legal Description: "NE1/4 NE1/4, Exc Lot H-1, and Exc that part lying East and North of Lot H-1 in Section 14, T109N, R50W (Medary Township) ~~ located at 21625 471st Ave, Brookings, SD 57006.

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

2020cu019: "Doc" Delaine Knaus, has applied for a conditional use # 5A: "Rock crushers." to crush used concrete that is hauled into the above described property. The applicant has been granted a crushing permit several times over the last 13 years, starting in: 2007cu20 for a 30 day crushing permit, 2007cu020A a 30 day extension of 2007cu020; 2008cu004 for a 6 month crushing permit; 2009cu002 for 1 year crushing permit; 2010cu001 for a 5 year crushing permit, expired on 2-1-2015; 2015cu012 for a 5 years, expires on October 6, 2020. The applicant did not submit a business plan. It is anticipated that the area where the used concrete material is stock piled, the crushing area and the crushed concrete stock pile will be in the same general locations as previous operations. The proposed site is located in the "Zone B" of the "First Occurrence of Aquifer Materials Map in Brookings County" meaning presence of sand and gravel is 0-50 feet below land surface. The proposed site is not in the floodplain. The Zoning Office has made a site visit to the proposed location.

Public notices were published in the Brookings Register on September 22 and 29, 2020

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

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: Sept 8, 2020 Permit Number: 2020cu019

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 -

B.) Section(s) of Zoning Regulations authorizing Conditional Use: Cu # 5A

Article 11: Section 11.01: "A" Ag District; Conditional Use Permit # 5A: Rock Crushing

C.) Legal Description of Property:

NE 1/4 NE 1/4, Exc Lot H-1, and Exc that part lying East and North of Lot H-1 in Section 14, T 109N, R 50W (Medary Twp)

Site addr: 21625 471st Ave, Brookings SD 57006
Parcel # 1200010950 14100

RECEIVED

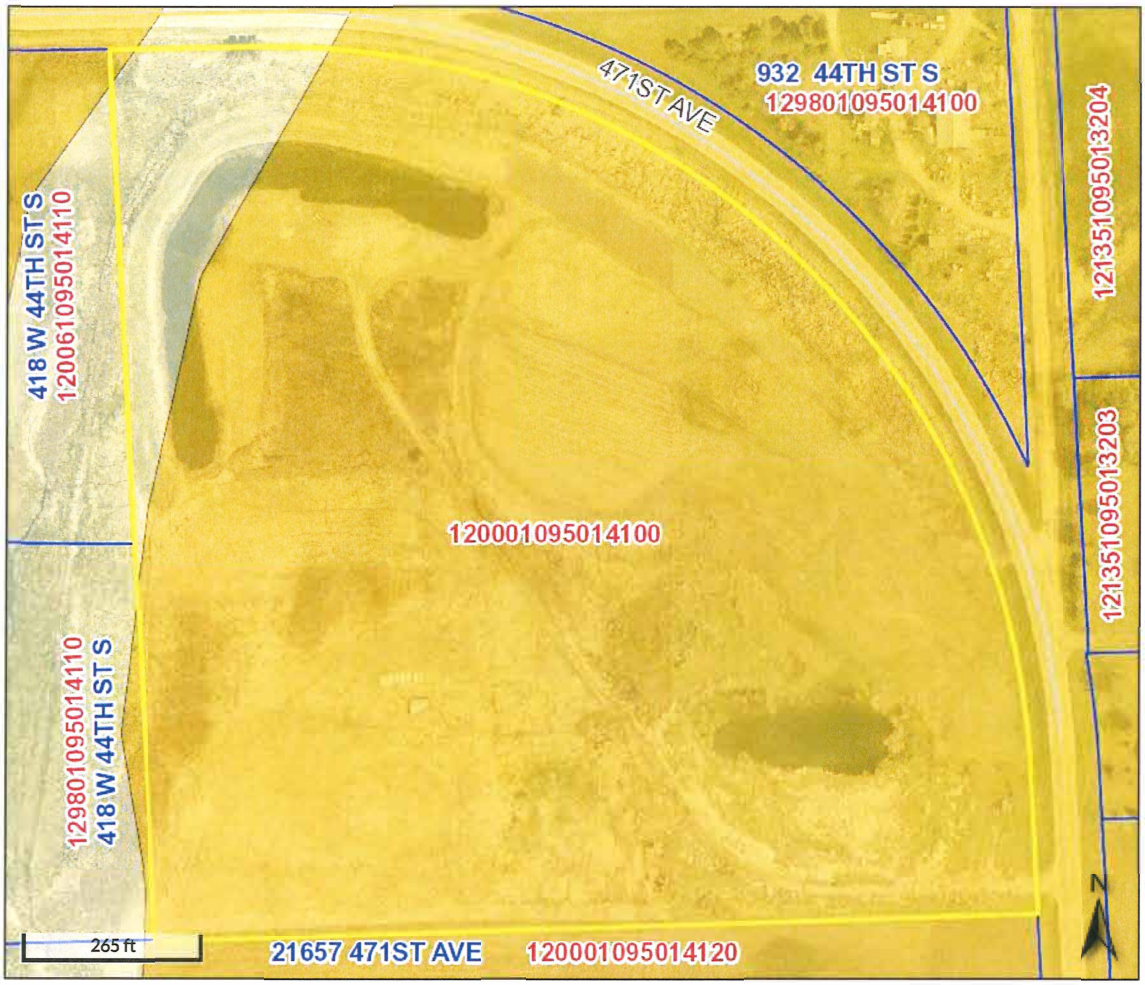
SEP - 8 2020

BROOKINGS COUNTY DEVELOPMENT

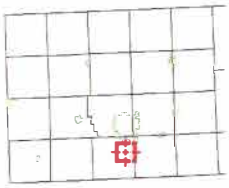
Form continued on page 2

2020cu019 Aquifer Materials Map

Beacon™ Brookings County, SD



Overview



Legend

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

Aquifer Materials

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

Parcel ID	120001095014100	**Alternate ID**	n/a	**Owner Address**	MARTIN, THOMAS F ESTATE C/O COD INVESTMENTS LLC 326 W 6TH ST BROOKINGS SD 57006
Sec/Twp/Rng	14-109-50	**Class**	NACC		
Property Address		**Acreage**	n/a		

District 1201 - MEDARY TWP/BROOKINGS SCH

Brief Tax Description NE 1/4 NE 1/4 EXC H-1 & PT E & N OF H-1 SEC 14-109-50 33.48 AC

(Note: Not to be used on legal documents)

Date created: 9/8/2020
Last Data Uploaded: 9/8/2020 8:07:06 AM

Developed by Schneider GEOSPATIAL

2020 cu019

Beacon™ Brookings County, SD

Overview

Legend

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

Parcel ID	120001095014100	**Alternate ID**	n/a	**Owner Address**	MARTIN, THOMAS F ESTATE C/O COD INVESTMENTS LLC 326 W 6TH ST BROOKINGS SD 57006
Sec/Twp/Rng	14-109-50	**Class**	NACC		
Property Address		**Acreage**	n/a		

District 1201 - MEDARY TWP/BROOKINGS SCH

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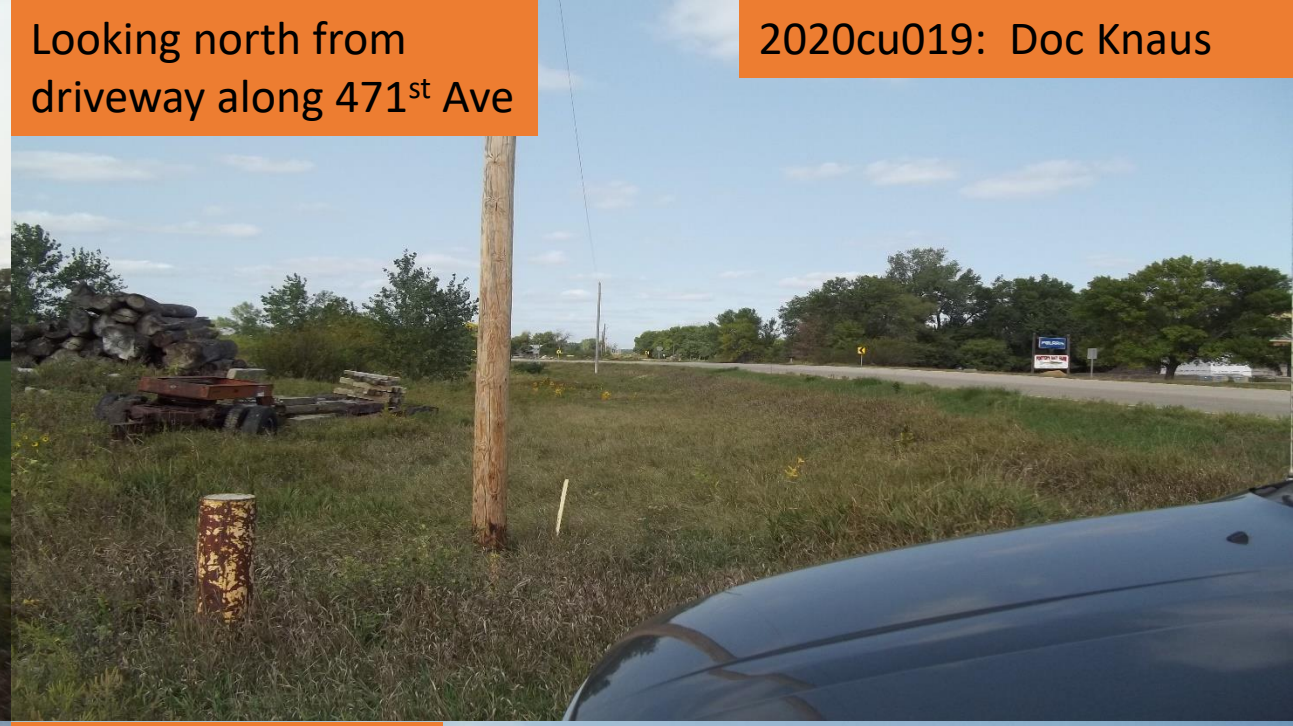
(Note: Not to be used on legal documents)

Date created: 9/8/2020
Last Data Uploaded: 9/8/2020 8:07:06 AM

Developed by Schneider GEOSPATIAL

2020cu019: Doc Knaus



APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: Sept 8, 2020 Permit Number: 2020cu019

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 –

B.) Section(s) of Zoning Regulations authorizing Conditional Use: Cu # 5A

Article 11: Section 11.01: "A" Ag District; Conditional Use Permit # 5A: Rock Crushing

C.) Legal Description of Property:

NE 1/4 NE 1/4, Exc Lot H-1, and Exc that part lying East and North of Lot H-1 in Section 14, T 109N, R 50W (Medary Twp)

Site addr: 21625 471st Ave, Brookings SD 57006
Parcel # 1200010950 14100

RECEIVED

SEP - 8 2020

BROOKINGS COUNTY DEVELOPMENT

Form continued on page 2

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

Oct. 6. 2020
Date

8:00 PM
Time

Approved

Rejected

Date

Chairman of Brookings County Board of Adjustment

Don Knaus
Person filing petition – print

Don Knaus
Person filing petition – sign

932 14th St So
Address

Brookings
City

SD
State

57006
Zip Code

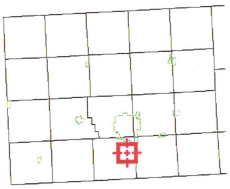
605-691-4180
Telephone

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

2020 CU019

Beacon™ Brookings County, SD

Overview



Legend

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

Parcel ID	120001095014100	**Alternate ID**	n/a	**Owner Address**	MARTIN, THOMAS F ESTATE C/O COD INVESTMENTS LLC 326 W 6TH ST BROOKINGS SD 57006
Sec/Twp/Rng	14-109-50	**Class**	NACC		
Property Address		**Acreage**	n/a		

District 1201 - MEDARY TWP/BROOKINGS SCH

Brief Tax Description NE 1/4 NE 1/4 EXC H-1 & PT E & N OF H-1 SEC 14-109-50 33.48 AC

(Note: Not to be used on legal documents)

Date created: 9/8/2020
Last Data Uploaded: 9/8/2020 8:07:06 AM

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2020cu019

FILED SEP 29 2020

I plan to crush existing pile in late October or early November. Probably last time to crush as looking for different zoning and use for site now occupied by concrete pile. Future of crushing going to be based on availability of raw material.

Any new pile will be placed further from highway.

Don Knaus

RECEIVED

SEP - 8 2020

BROOKINGS COUNTY DEVELOPMENT

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 9-8-2020 Permit Number: 2020CU020

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:

Dog Boarding

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

Brookings Joint Juris Area: Article IV: Ag, Resid & Flood plain & Aquifer Districts: Section 405: "A" Ag District, Section 408: Special Exception # 18: Extended home occ.: and Brookings County Zoning Ordonance: Article II; Section 1101: "A" Ag District: Conditional Use Permit # 20: Home Extended business.

C.) Legal Description of Property:

OL 1 in SE¼SE¼ and Lot 4 of Lots 1, 2, 3 and 4 of Barnett's Subdivision of the SE¼ Sec 7, T110N, R 49W (Aurora Twp)

Parcel # 0439011049 07400
sites addr: 3113 34th Ave, Brookings SD 57006

Form continued on page 2

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
October 6, 2020 – 8:00 PM meeting

2020cu020 – October 6, 2020

Prepared by Richard Haugen,

Applicant/Owner: Kristen Witchey, 3113 34th Ave, Brookings, SD 57006

Legal Description: "OL 1 in SE1/4 SE1/4 and Lot 4 of Lots 1,2,3 and 4 of Barnett's Subdivision of the SE1/4 Sec. 7, T110N, R49W (Aurora Township)."

Brookings Joint Jurisdiction Area: Article IV: Agricultural, Residential and Floodplain and Aquifer Districts. Section 405: "A" Agricultural District, Section 408: Special Exception # 18: Extended home occupations: and Brookings County Zoning Ordinance: Article 11: Section 11.01: "A" Agricultural District: Conditional Use Permit # 20: Home extended business."

2020cu020: Kristen Witchey has applied for a conditional use for an extended home business for dog kennel to board dogs. The property consists of 1.7 acres with a house, pole shed, detached garage and a fenced yard. They are located within the Joint Jurisdiction area north of the US Highway 14 By-pass at the intersection of 34th Avenue and 30th Street. 34th Ave runs on the east side of the Swiftel Center and 30th Street goes to the landfill, both are blacktop roads. Their business plan is attached and plan to start with weekend boarding and expand if the demand is there to a maximum number of 30 at any one time. The kennels will be located inside an insulated pole shed, with a fenced yard with lockable gates for the exercise area. They will have designated drop off and pick up times, so not everyone is there at the same time. The drop off point will be there existing driveway and yard, but could also use 30th St S which is to a gravel road to the south of their house, if parking becomes an issue. The City of Brookings Planning and Zoning Department was advised of the conditional use application and has no objections to the conditional use request. The applicant has spoken with her neighbors to the north of them and they have no objections to the request. She will continue to try to contact her neighbors to the west, about her conditional use request.

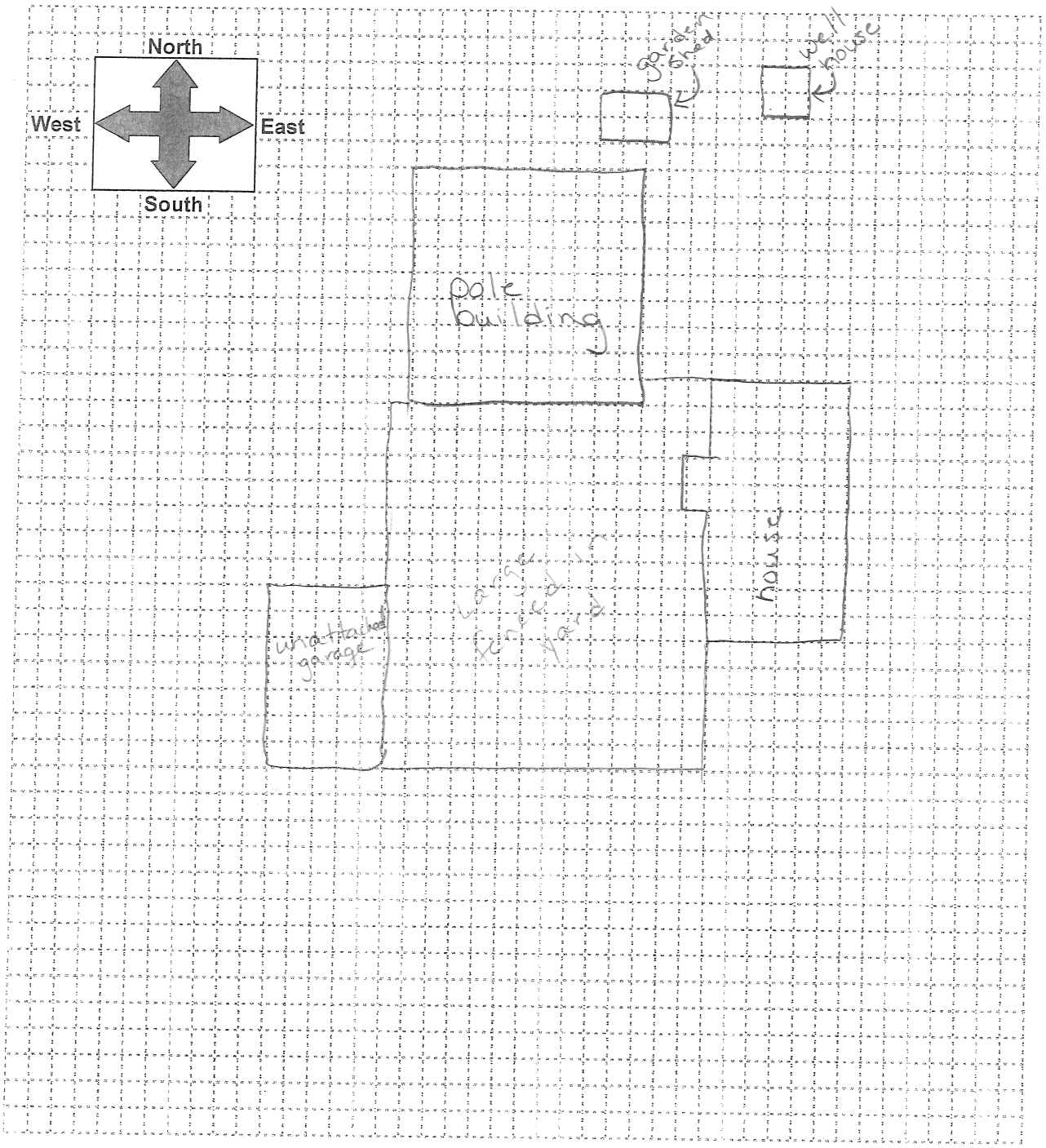
Public notices were published in the Brookings Register on September 22 and 29, 2020.

Letters were sent to the adjoining landowner's, Aurora Township Chairman and Clerk, Brookings County Highway Department.

2020 CU 020

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 CU 020

BUSINESS PLAN: Kristen and Greg Witchey would like to open a dog boarding business with a dba Canine Corner. No breeding will be done at this business.

ADDRESS: 3113 34th Ave, Brookings, SD 57006

PURPOSE: The primary purpose of this business is boarding/daycare and socialization of dogs. Initially, we would like to start small and primarily focus on weekend boarding. As we would grow and add additional kennels – the max number of dogs at one time would be 30.

FACILITY: We have a large pole shed that is climate controlled as well as an unattached garage that could be used for future growth. We plan to set up kennels in our pole shed to house the dogs. We have a large fenced in yard with lockable gates to protect the dogs during outdoor playtime. Playtime would be supervised. Specific drop off/pick up times will be set. If additional kennel space is needed in the future – we would renovate our unattached garage to be kennel space. If barking/noise became an issue, we could limit the number of dogs in the yard at a time.

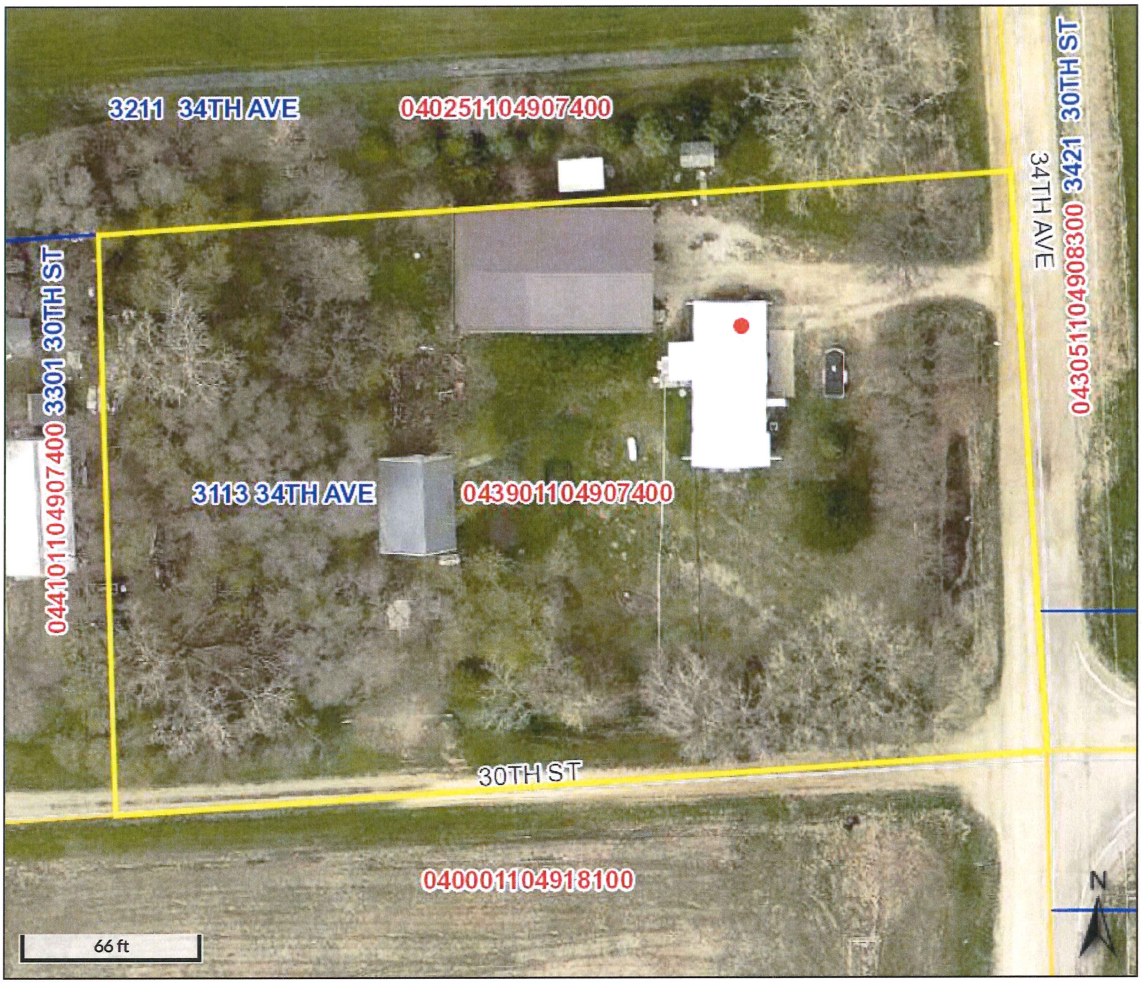
MAINTANENCE: To accommodate the increase of traffic on our road, we have the gravel in front of our house sprayed for dust control. Lawn and yard care will continue and snow removal equipment is also available. Dog waste will be removed from the yard several times per day and dumpster service is on site. Kennels will be cleaned/sanitized daily.

BOARDING REQUIREMENTS: We will have a contract and owners will need to provide proof of pet being up to date on all vaccinations. Owners will also be required to provide veterinarian information. In case of an emergency, we also have a good relationship with our own vet and will notify them when we move forward. Owners will also be required to provide info on an alternate person that can pick up their pet if an emergency were to occur.

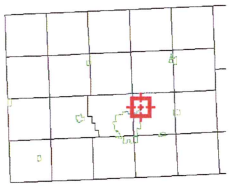
Due to COVID-19 concerns, we have not yet spoken with all of our neighbors. I did speak with Joe Ripley (who lives just to the North of me) and he said that he had no problem with us having a dog boarding business. I will work on getting ahold of Dan and Dorinda Rauscher also.

2020CU020

Beacon™ Brookings County, SD



Overview



Legend

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

Parcel ID	043901104907400	**Alternate ID**	n/a	**Owner Address**	WITCHEY, GREGORY ET UX
Sec/Twp/Rng	7-110-49	**Class**	NACS		3113 34TH AVE
Property Address	3113 34TH AVE	**Acreage**	n/a		BROOKINGS SD 57006
	BROOKINGS				

District 0401 - AURORA TWP/BROOKINGS SCH

Brief Tax Description OL 1 SE1/4 SE1/4 & L.4 OF BARNETT ADDN SUBDIV OF SE 1/4 SEC 7-110-49 1.77 AC

(Note: Not to be used on legal documents)

Date created: 9/8/2020
Last Data Uploaded: 9/8/2020 8:07:06 AM

Developed by Schneider GEOSPATIAL

2020cu020: Kristen Witchey

Looking south from driveway on 34th Ave.

Looking north from driveway on 34th Ave.

Looking into yard and drop off area from 34th Ave.

Looking towards building site from intersection of 30th St and 34th Ave.

Looking north from 30th St . Fenced area

Fenced in pet exercise area.

RECEIVED

SEP - 8 2020

BROOKINGS COUNTY DEVELOPMENT

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 9-8-2020 Permit Number: 2020CU020

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:

Dog Boarding

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

Brookings Joint Juris Area: Article IV: Ag, Resid & Flood plain & Aquifer Districts: Section 405: "A" Ag District, Section 408: Special Exception # 18: Extended home occ.: and Brookings County Zoning Ordinance: Article II: Section 1101: "A" Ag District: Conditional Use Permit # 20: Home Extended business.

C.) Legal Description of Property:

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Parcel # 0439011049 07400
sites addr: 3113 34th Ave, Brookings SD 57006

Form continued on page 2

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

Oct. 6, 2020
Date

8:00 PM
Time

Approved

Rejected

Date

Chairman of Brookings County Board of Adjustment

Kristen Witchey
Person filing petition – print

Kristen L. Witchey
Person filing petition – sign

3113 - 34th Ave
Address

Brookings
City

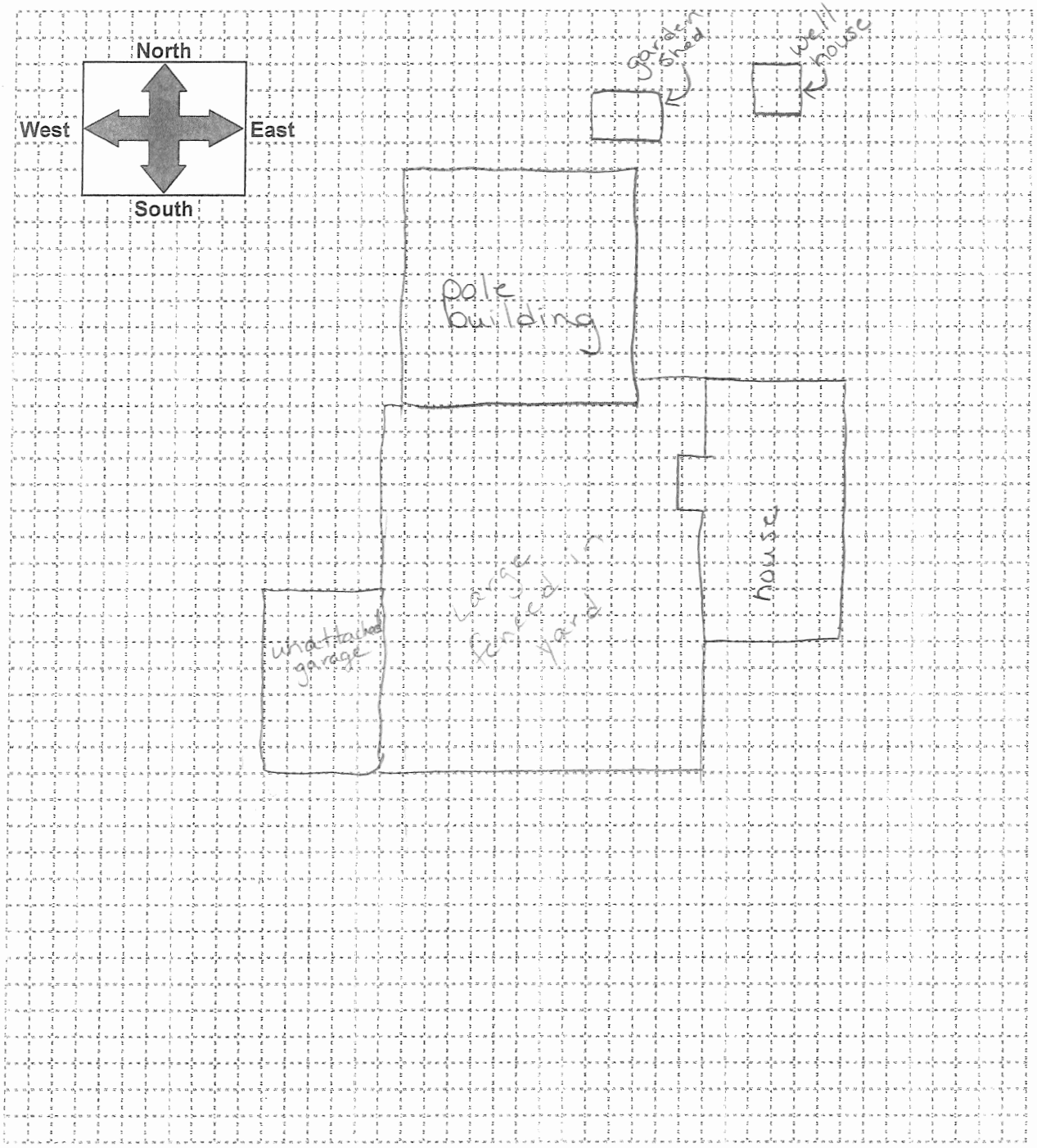
SD
State

57006
Zip Code

605-380-4128
Telephone

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

2020 CU 020

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.