

2016cu009 – May 3rd, 2016

Prepared by Richard Haugen

Applicant/Owner: Michael Stern, 46898 197th St, Bruce, SD 57220

Legal Description: "E1700' Exc W1400' of E1700' of S670' of S1/2 SE1/4 of Sec. 4, T112N, R50W (Eureka Township)"

2016cu009: Michael Stern has applied for a conditional use # 20: Home Extended Business to: operate a gunsmith (firearm/gun repair) business. His business plan is attached with the following highlights: 1) He is applying for his Federal Firearms License (FFL) to enable him to repair a customer's firearm when the owner is not present and be able to buy and sell firearms, but his main business will be in the repair of firearms; 2) The business would be located in another building at his residence and not in his home; 3) His hours of operation will be Monday-Friday from 12:00pm-6:00pm; 4) He expects 1 delivery truck (UPS or FEDEX) per week, depending on parts orders; 5) Customer parking will be on the east side of the building, between the building and the driveway; 6) He has spoken with Brookings County Sherriff Marty Stanwick and given him a copy of his FFL license application.

I visited with Sherriff Stanwick and he had no objections to his request. He is located on a Brookings County gravel road. He has applied for a variance 2016var009, to be heard the same night as this, for his shop building. The Brookings County Planning and Zoning Commission did grant this same conditional use request on June 2nd 2009, 2009cu006, he did not use it within 3 years, so he is now reapplying.

A "Home Extended Business" is an allowed policy in the Brookings County 2016 Comprehensive Plan found in Appendix "B" on page 72 of the Comprehensive Plan.

Brookings County Zoning Ordinance, Article 11:00 "A" Agricultural District – Conditional Use # 20: Home Extended Business

The Brookings County Planning and Zoning Commission has granted similar home extended business in the past:

May 6, 2014: 2014cu008: FFL firearm sales.

September 3rd, 2013: 2013cu010: rebuilding and sale of farm trucks.

April 3rd, 2012: 2012cu003: used car dealer.

January 4th, 2011: 2011cu001: bakery.

June 1st, 2010: 2010cu005: body shop.

Public notices were published in the Brookings Register on April 19th and 26th, 2016 and Volga Tribune on April 21st and 28th, 2016.

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

Granting the conditional use request would allow the applicant have the same benefit as others in the area with similar extended home businesses.

Denying the conditional use request would be maintaining the Agricultural use in the Zoning Ordinance.

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 10 April 2016

Permit Number: 2016cu009

To: Brookings County Planning Commission
520 3rd St, Suite 200
Brookings, South Dakota 57006

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

I petition Brookings County Zoning Commission to grant a conditional use permit to allow a gunsmithing business to start operation on my home property. I plan to construct a separate building away from the home to operate my business.

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

Article 11: Section 11.01: "A" Agricultural District, Conditional Use # 20: "Home Extended Business."

C.) Legal Description of Property:

The E 1700' except the W 1400' of the E 1700' of the S. 670' thereof in the S 1/2 of the SE 1/4 of Section 4 T112N R50W Brookings County Sec. 4, T112N, R50W (Eureka Twp) Parcel # 0898011250044 10

Form continued on page 2



STERN CUSTOM GUNSMITHING INC.

MICHAEL STERN: PRESIDENT

46898-197ST

BRUCE, SD 57220

Stern Custom Gunsmithing Inc. (SCG Inc.) will be a full service firearm repair shop, specializing in custom rifles and handguns, as well as general repairs, and limited retail. Ten years of full time experience and thousands of firearms have passed through my hands. I was employed the last ten years at Gary's Gunshop as a full time gunsmith. Prior to my employment, I attended Colorado School of Trades in Lakewood, Colorado and graduated in the top 10 percent of the school with a degree in gunsmithing.

I am proposing to build a shop on our farm, located at 46898-197st Bruce, SD. My wife, Laura, and I, and our four children have lived here almost eight years, raising registered Limousin cattle. By building and starting my business on the farm, I can concentrate on the shop without the worry and loss of the livestock.

The shop will be about 1,280 square feet, including a customer lounge area separate from the shop floor. Security will include surveillance cameras and a security alarm. I have visited with Brookings County Sheriff Martin Stanwick and gave him a copy of my FFL application to file. The shop will abide by BATFE's guidelines and regulations. The corporation is filed and in good standing with the Secretary of the State of South Dakota. SCG Inc. will be insured against liability.

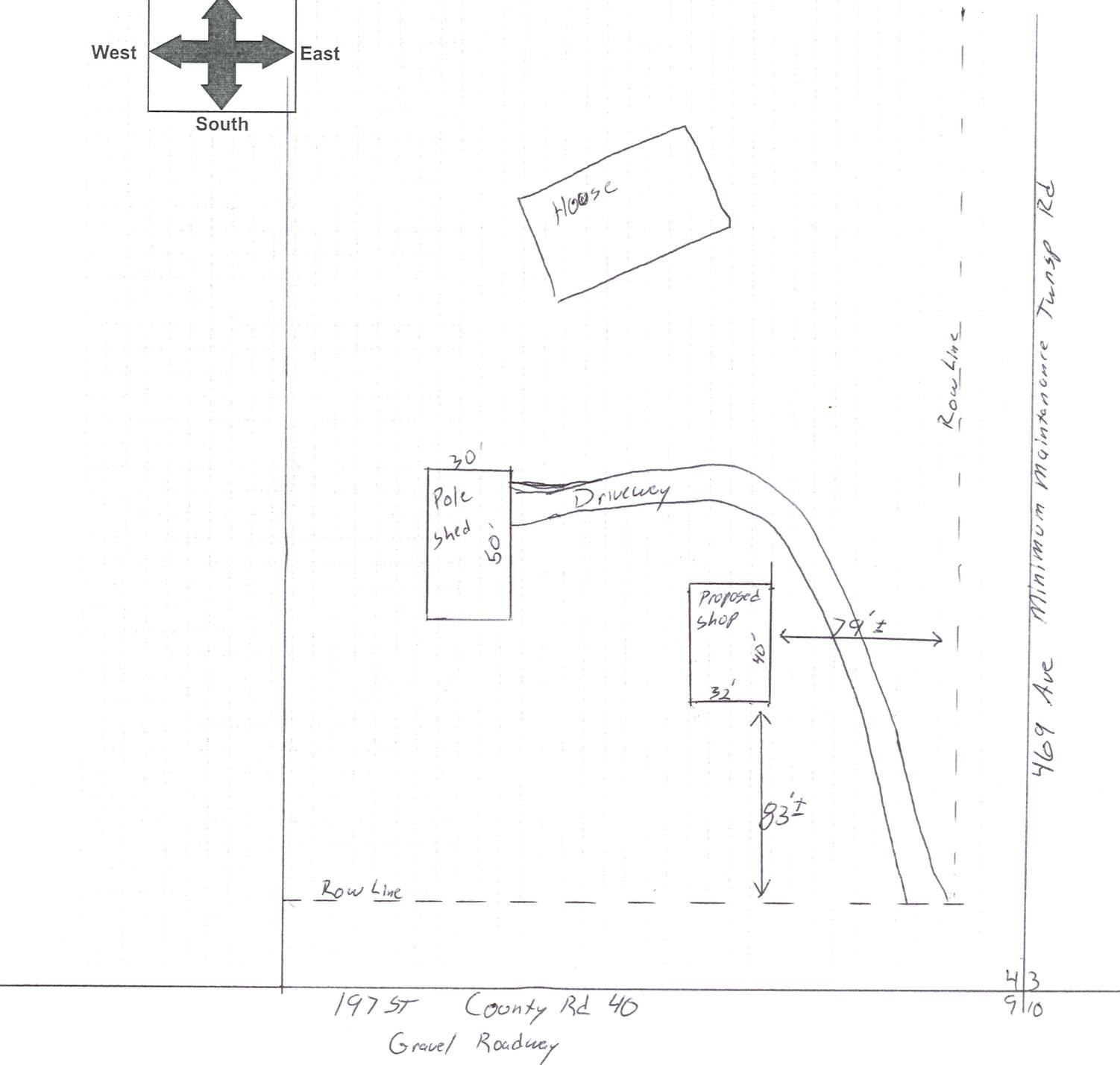
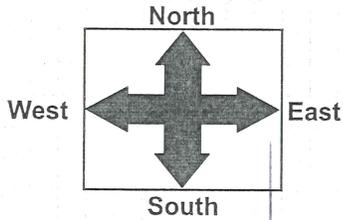
Business hours will be 12:00 to 6:00 Monday-Friday, and available by appointment after hours. The shop's entrance will be on the east side of the building with parking. Hopefully by keeping the shop away from the rest of the farm, I can prevent people from "drifting" around our home. I expect approximately 100 customers a month when in full swing, not including shipments. I will be advertising online and expect repair shipments via UPS and FEDEX. It is hard to gauge the delivery traffic, but I will estimate once a week.

Firearm sales will be very minimal, as I cannot compete with the larger gun stores. This being said, I do intend to sell firearms by order only. My primary business objective is in repairs.

2016 CU 009

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.

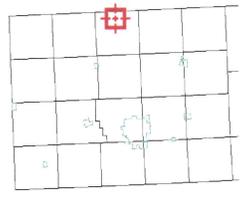


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9/10

2016 var 009 + 2016 cu009



Overview



Legend

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

Parcel ID	089801125004410	Alternate ID	n/a	Owner Address	STERN, MICHAEL ET UX
Sec/Twp/Rng	4-112-50	Class	AGC		46898 197TH ST
Property Address	46898 197TH ST BRUCE	Acreage	29.99		BRUCE SD 57220
District	0808				
Brief Tax Description	E 1700' EXC W 1400' OF E 1700' OF S 670' OF S 1/2 SE 1/4 SEC 4-112-50 29.99 AC <i>(Note: Not to be used on legal documents)</i>				

Date created: 4/14/2016



4698

2016var009 & 2016cu009: Michael Stern



South edge of building



North end of building



West end of building